

City of Phoenix

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



City of Phoenix

Agenda

Wednesday, January 22, 2025

2:30 PM

phoenix.gov

City Council Formal Meeting

*****REVISED January 21, 2025***
Item with Additional Information: 39**

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

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

- Register online by visiting the City Council Meetings page on phoenix.gov at least 2 hours prior to the start of this meeting. Then, click on this link at the time of the meeting and join the Webex to speak:

<https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e19439cb0f9339c65e9efaaa520477ab2>

- Register via telephone at 602-262-6001 at least 2 hours prior to the start of this meeting, noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

In-Person Requests to speak at a meeting:

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

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

At the time of the meeting:

- Watch the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable, or using the Webex link provided above.

- Call-in to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2557 899 1503# (for English) or 2555 209 0659# (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 209 0659#. 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 209 0659#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

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

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

CALL TO ORDER AND ROLL CALL

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Attachments

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 1/22/2025, Item No. 1

For Approval or Correction, the Minutes of the Formal Meeting on August 26, 2024

Summary

This item transmits the minutes of the Formal Meeting of August 26, 2024, for review, correction and/or approval by the City Council.

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

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 1/22/2025, Item No. 2

Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A



City of Phoenix

To: City Council
From: Mayor Kate Gallego

Date: January 22, 2025

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Design Review Committee

I recommend the following for appointment:

Elizabeth Thielen

Ms. Thielen is Vice President of National Operations at the H2 Group and a resident of District 4. She fills a vacancy for a term to expire on January 22, 2027.

Neighborhood Block Watch Fund Oversight Committee

Councilwoman Ann O'Brien recommends the following for appointment:

Reynold Ramsey

Mr. Ramsey is the owner of RR and Company and a resident of District 1. He fills a vacancy for a term to expire on January 22, 2027.



Liquor License - Special Event - Our Lady of Czestochowa Roman Catholic Parish Phoenix - District 1

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

Summary

Applicant

Kinga Hoffmann

Location

2828 W. Country Gables Drive
Council District: 1

Function

Dinner and Dance

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

February 1, 2025 - 7 p.m. to 2 a.m. / 180 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 - Our Lady of Czestochowa Roman Catholic Parish Phoenix - District 1

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

Summary

Applicant

Kinga Hoffmann

Location

2828 W. Country Gables Drive
Council District: 1

Function

Festival

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

February 22, 2025 - 10 a.m. to 8 p.m. / 2,500 attendees
February 23, 2025 - 10 a.m. to 4 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 - Grab N Go Market - District 1

Request for a liquor license. Arizona State License Application 315968.

Summary

Applicant

Haytham Jraisat, Agent

License Type

Series 9 and 9S - Liquor Store with Sampling Privileges

Location

13828 N. 35th Avenue

Zoning Classification: C-1

Council District: 1

This request is for a new liquor license with sampling privileges for a liquor store. This location is currently licensed for liquor sales with 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 January 25, 2025.

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.

Royal Convenience (Series 9)
12252 N. 51st Avenue, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Grab N Go Market (Series 10)
13828 N. 35th Avenue, Phoenix
Calls for police service: 3
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 the experience, certification, and qualifications necessary to hold a liquor license. My past experience with liquor licenses has provided me with a solid understanding of local laws and regulations, ensuring compliance in all areas. I am certified in responsible alcohol service, demonstrating my commitment to promoting safety and following legal guidelines. Additionally, my proven track record of reliability and professionalism reflects my capability to responsibly manage a licensed establishment maintain control over alcohol distribution."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The establishment has held a liquor license since the 1970s, and the public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because it has long been a trusted, well-established store for local residents and visitors. The establishment's history of responsible liquor service demonstrates its commitment to maintaining a safe and regulated environment, contributing to the overall vibrancy and well-being of the area."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Grab N Go Market - Data

Attachment - Grab N Go Market - Map

Responsible Department

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

Liquor License Data: GRAB N GO MARKET

Liquor License

Description	Series	1 Mile	1/2 Mile
Beer and Wine Bar	7	2	2
Liquor Store	9	3	1
Beer and Wine Store	10	5	1
Restaurant	12	8	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	126.93	140.44
Violent Crimes	12.31	19.5	20.59

*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

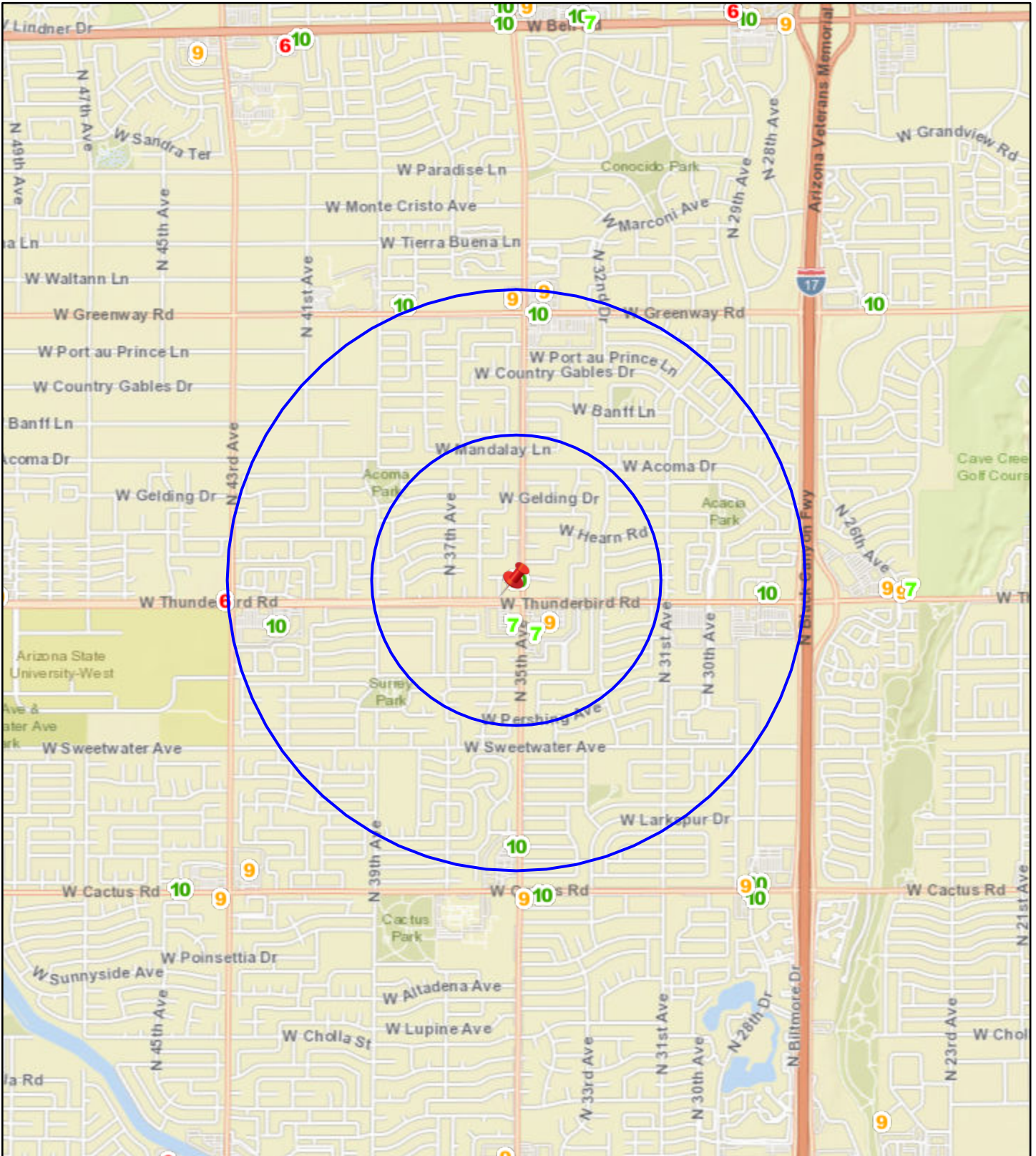
Description	Average	1/2 Mile Average
Parcels w/Violations	43	51
Total Violations	73	73

Census 2010 Data 1/2 Mile Radius

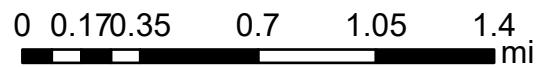
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1040004	2512	53	9	17
1041003	1454	87	0	7
1041004	1847	89	14	9
1042021	1471	85	2	7
1042022	2649	87	0	15
1042023	1420	88	18	4
1042122	1606	75	22	4
1042124	2501	80	3	5
Average	0	61	13	19

Liquor License Map: GRAB N GO MARKET

13828 N 35TH AVE



Date: 12/2/2024





Liquor License - Stop N Shop Market - District 1

Request for a liquor license. Arizona State License Application 318793.

Summary

Applicant

Alaa Sulaiman, Agent

License Type

Series 10 - Beer and Wine Store

Location

3441 W. Cactus Road

Zoning Classification: C-1

Council District: 1

This request is for a new liquor license for a convenience store that does not sell gas. 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 January 26, 2025.

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

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of

Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I hold a certificate for 'The Basic Liquor Law Training'. This training provided me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This store will provide a safe and secure place for the neighborhood to buy beer and wine. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the managing a convenience store while upholding all the laws and regulations the store will be a safe, secure and convenience place for the customers to purchase quality alcohol."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Stop N Shop Market - Data

Attachment - Stop N Shop Market - Map

Responsible Department

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

Liquor License Data: STOP N SHOP MARKET

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	127.76	76.75
Violent Crimes	12.31	24.86	15.92

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

Property Violation Data

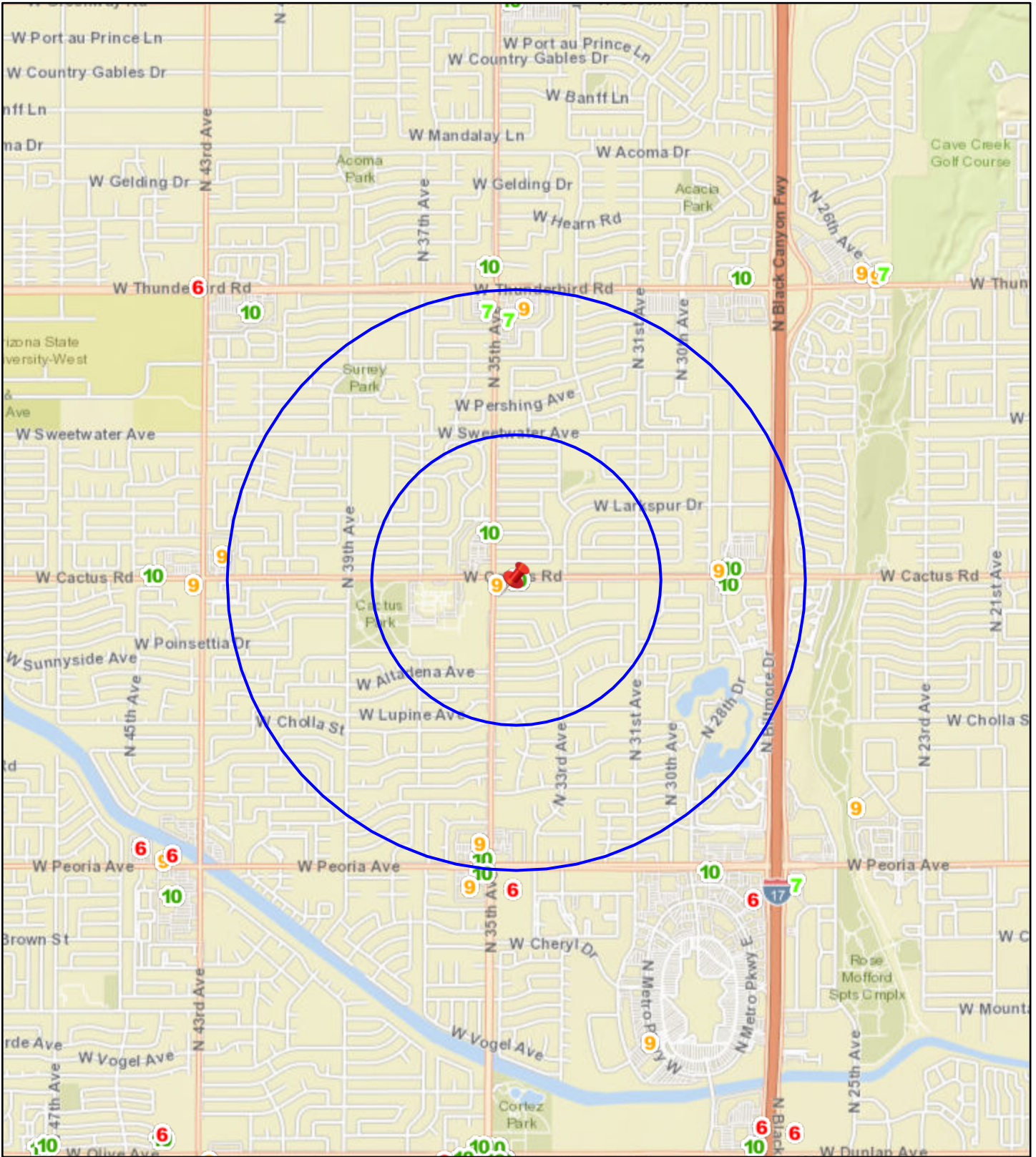
Description	Average	1/2 Mile Average
Parcels w/Violations	43	102
Total Violations	73	152

Census 2010 Data 1/2 Mile Radius

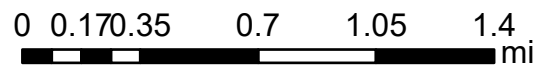
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1040001	1260	45	19	36
1040003	1994	97	0	11
1042031	1599	79	7	10
1042122	1606	75	22	4
1043011	1780	83	0	13
1043012	1726	87	14	17
1043022	1902	53	15	15
Average	0	61	13	19

Liquor License Map: STOP N SHOP MARKET

3441 W CACTUS RD



Date: 1/13/2025





Liquor License - Special Event - Congregation Kol Ami - District 2

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

Summary

Applicant

Michael Rosenthal

Location

15030 N. 64th Street
Council District: 2

Function

Dinner

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

March 1, 2025 - 6 p.m. to 10:30 p.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Free Serbian Orthodox Church St. Nicholas - District 3

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

Summary

Applicant

Simo Hercegovac

Location

11640 N. 16th Place

Council District: 3

Function

Festival

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

February 1, 2025 - 4 p.m to 12:30 a.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Barro's Pizza - District 3

Request for a liquor license. Arizona State License Application 318508.

Summary

Applicant

Bruce Barro, Agent

License Type

Series 12 - Restaurant

Location

8001 N. 19th Avenue

Zoning Classification: C-1 RPSPD

Council District: 3

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow the sale of alcoholic beverages. This business is currently being remodeled with plans to open in May 2025.

The 60-day limit for processing this application is January 25, 2025.

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 have held multiple liquor licenses over the past 20 years with no problems/issues of any kin My family has been in the restaurant business in Az for over 40 years"

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We take pocessing a liquor license very seriously and train our staff accordingly"

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 - Barro's Pizza - Data

Attachment - Barro's Pizza - Map

Responsible Department

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

Liquor License Data: BARRO'S PIZZA

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Liquor Store	9	3	2
Beer and Wine Store	10	8	4
Restaurant	12	7	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	203.45	319.53
Violent Crimes	12.31	44.47	62.31

*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

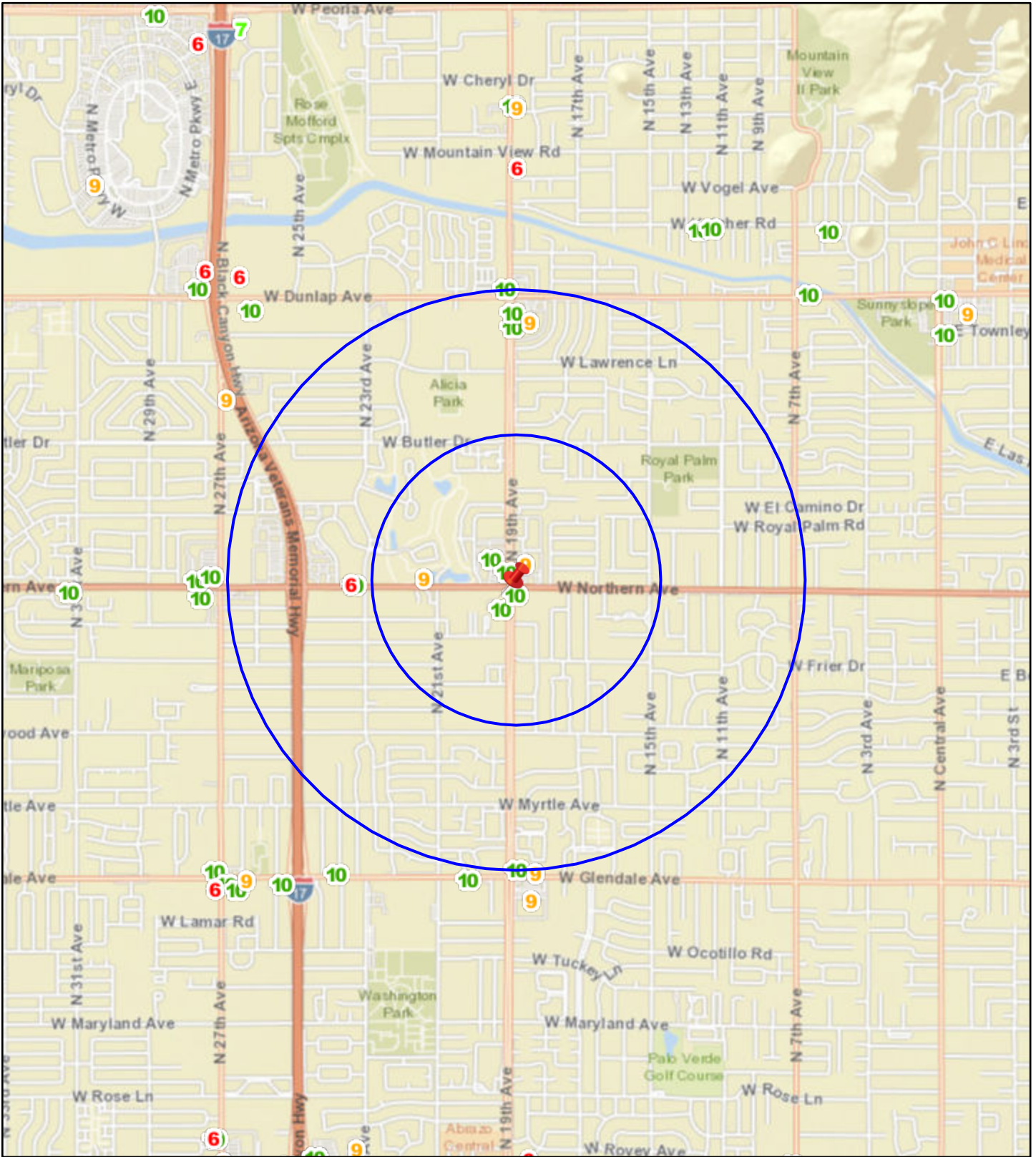
Description	Average	1/2 Mile Average
Parcels w/Violations	43	56
Total Violations	74	120

Census 2010 Data 1/2 Mile Radius

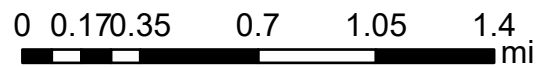
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1054001	1427	100	3	4
1054002	981	85	7	5
1054003	1321	52	9	12
1055021	777	0	25	45
1055031	93	0	24	67
1055032	782	25	26	16
1055033	2109	1	18	38
1060021	1678	27	14	27
1060022	872	25	29	35
1061001	1133	100	6	3
1061002	841	95	17	0
Average	0	61	13	19

Liquor License Map: BARRO'S PIZZA

8001 N 19TH AVE



Date: 12/18/2024





Liquor License - Special Event - Phoenix Chinese Week - District 4

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

Summary

Applicant

Eva Li

Location

300 E. Indian School Road

Council District: 4

Function

Cultural Festival

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

February 1, 2025 - 9 a.m. to 5 p.m. / 6,000 attendees

February 2, 2025 - 10 a.m. to 5 p.m. / 6,000 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 - Rico Arizona - District 4

Request for a liquor license. Arizona State License Application 319363.

Summary

Applicant

Joan Clancy, Agent

License Type

Series 4 - Wholesaler

Location

4220 N. 19th Avenue, Ste. 201

Zoning Classification: C-2

Council District: 4

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 January 25, 2025.

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

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “We are applying for a Series 4 wholesaler license to store alcohol for distribution from our office. With 40 years of entrepreneurial experience across various industries, including real estate and investments, my partner Joan Dominique Clancy, has a background in wholesaling beauty products and more. We hold licenses in banking, real estate brokerage, and mortgages which reflects our thorough understanding of the regulations required to maintain this license. Our focus is on building safety, as we have owned and managed the property for over 30 years. Additionally, we possess the financial stability necessary to sustain operations through our successful business ventures over the years.”

Staff Recommendation

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

Responsible Department

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



Liquor License - Marisco Boys - District 4

Request for a liquor license. Arizona State License Application 317740.

Summary

Applicant

Juan Cornejo Pena, Agent

License Type

Series 12 - Restaurant

Location

2026 N. 7th Street

Zoning Classification: C-1

Council District: 4

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

The 60-day limit for processing this application is February 4, 2025.

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 have owned a taco Boys restaurant since 2019 and have always maintain compliance with all government agencies with regards to our business."

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

"Quality restaurants are the corner stone to Arizona/ Phoenix metro areas tourism industry. We plan to provide the highest quality of SeaFood Restaurant and therefore become a hidden destination in Phoenix meto Area."

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 - Marisco Boys - Data

Attachment - Marisco Boys - Map

Responsible Department

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

Liquor License Data: MARISCO BOYS

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	0
Government	5	3	0
Bar	6	14	2
Beer and Wine Bar	7	9	0
Liquor Store	9	5	2
Beer and Wine Store	10	8	0
Hotel	11	1	0
Restaurant	12	63	8
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	182.56	169.42
Violent Crimes	12.31	40.55	38.85

*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

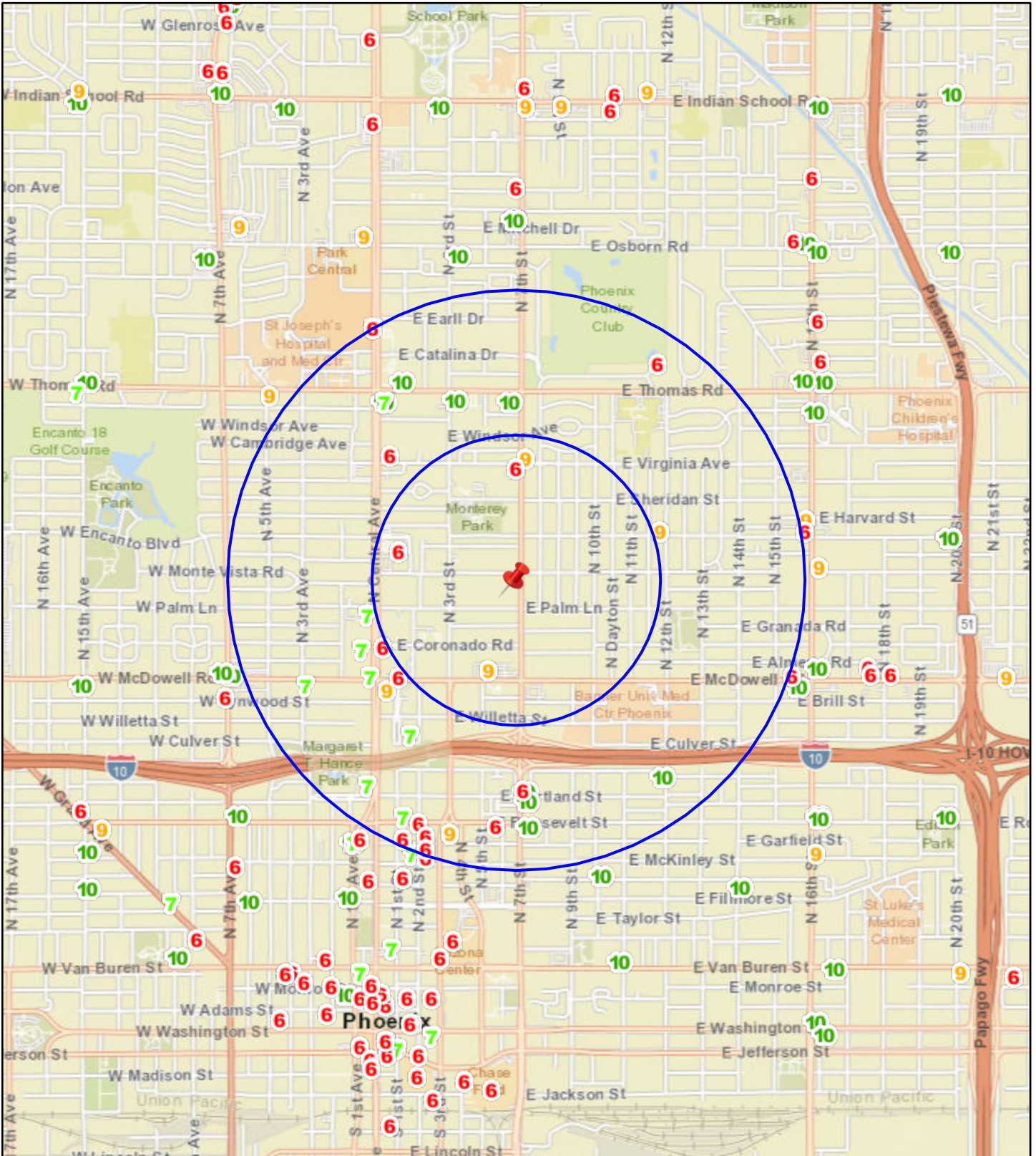
Description	Average	1/2 Mile Average
Parcels w/Violations	43	87
Total Violations	74	123

Census 2010 Data 1/2 Mile Radius

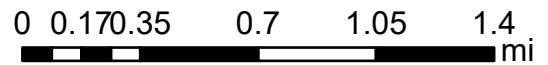
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1117003	1057	64	2	10
1117004	1227	75	20	21
1118001	742	44	28	5
1118002	1030	67	9	17
1118004	671	62	6	6
1130002	873	29	21	38
1132032	638	28	7	70
Average	0	61	13	19

Liquor License Map: MARISCO BOYS

2026 N 7TH ST



Date: 12/10/2024





Liquor License - Wilderness Miracle Mile - District 4

Request for a liquor license. Arizona State License Application 315389.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

1418 E. McDowell Road

Zoning Classification: C-2 CNSPD

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 January 24, 2025.

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.

Arizona Wilderness Brewing (Series 3)

912 N. Colorado Street, Gilbert

Calls for police service: N/A - not in Phoenix

Liquor license violations: In March 2024, a fine of \$250 was paid for producing less than 5,000 gallons of beer in a calendar year.

Arizona Wilderness DTPHX (Series 6)

201 E. Roosevelt Street, Phoenix

Calls for police service: 15

Liquor license violations: None

Arizona Wilderness Brewing Company (Series 12 and Series 3)

721 N. Arizona Avenue, Ste. 103, Gilbert

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:

“The owners have operated multiple well ran establishments in the valley. Employees attend Title 4 training, and abide by Arizona rules and regulations.”

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

“The brewery and restaurant will bring Arizona's top sustainable restaurant and award winning menu to a historic building, revitalizing the neighborhood with a vibrant, community-focused gathering space. the liquor license will enhance our offerings, attract visitors and support the area's economic and cultural renewal.”

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 - Wilderness Miracle Mile - Data

Attachment - Wilderness Miracle Mile - Map

Responsible Department

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

Liquor License Data: WILDERNESS MIRACLE MILE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	5	4
Liquor Store	9	6	1
Beer and Wine Store	10	15	3
Restaurant	12	25	5
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	152.6	191.93
Violent Crimes	12.31	38.66	47.77

*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

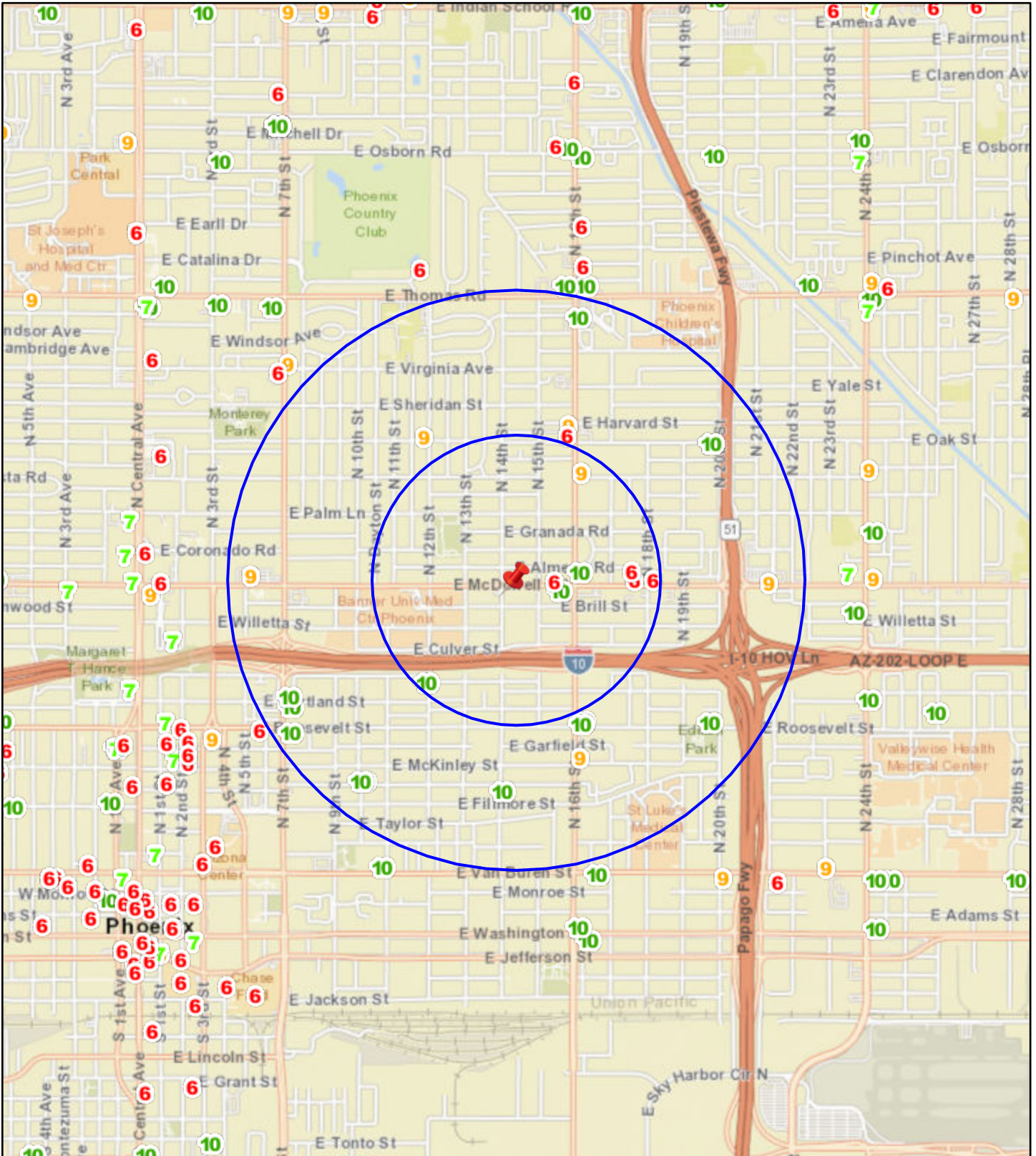
Description	Average	1/2 Mile Average
Parcels w/Violations	43	148
Total Violations	74	240

Census 2010 Data 1/2 Mile Radius

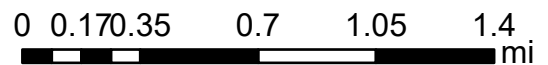
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1116022	2607	54	9	61
1117001	1792	45	32	41
1117002	1243	39	12	28
1117003	1057	64	2	10
1132031	1473	30	20	57
1132032	638	28	7	70
1133001	2490	40	12	49
Average	0	61	13	19

Liquor License Map: WILDERNESS MIRACLE MILE

1418 E MCDOWELL RD



Date: 11/26/2024





Liquor License - Wilderness Miracle Mile - District 4

Request for a liquor license. Arizona State License Application 315769.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 3 - Microbrewery

Location

1418 E. McDowell Road

Zoning Classification: C-2 CNSPD

Council District: 4

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

The 60-day limit for processing this application is January 25, 2025.

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.

Arizona Wilderness Brewing (Series 3)

912 N. Colorado Street, Gilbert

Calls for police service: N/A - not in Phoenix

Liquor license violations: In March 2024, a fine of \$250 was paid for producing less than 5,000 gallons of beer in a calendar year.

Arizona Wilderness DTPHX (Series 6)

201 E. Roosevelt Street, Phoenix

Calls for police service: 15

Liquor license violations: None

Arizona Wilderness Brewing Company (Series 12 and Series 3)

721 N. Arizona Avenue, Ste. 103, Gilbert

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:

“The owners have operated multiple well ran establishments in the valley. Employees attend Title 4 training, and abide by Arizona rules and regulations.”

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

“The brewery and restaurant will bring Arizona's top sustainable restaurant and award winning menu to a historic building, revitalizing the neighborhood with a vibrant, community-focused gathering space. the liquor license will enhance our offerings, attract visitors and support the area's economic and cultural renewal.”

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 - Wilderness Miracle Mile - Data

Attachment - Wilderness Miracle Mile - Map

Responsible Department

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

Liquor License Data: WILDERNESS MIRACLE MILE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	5	4
Liquor Store	9	6	1
Beer and Wine Store	10	15	3
Restaurant	12	25	5
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	152.6	191.93
Violent Crimes	12.31	38.66	47.77

*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

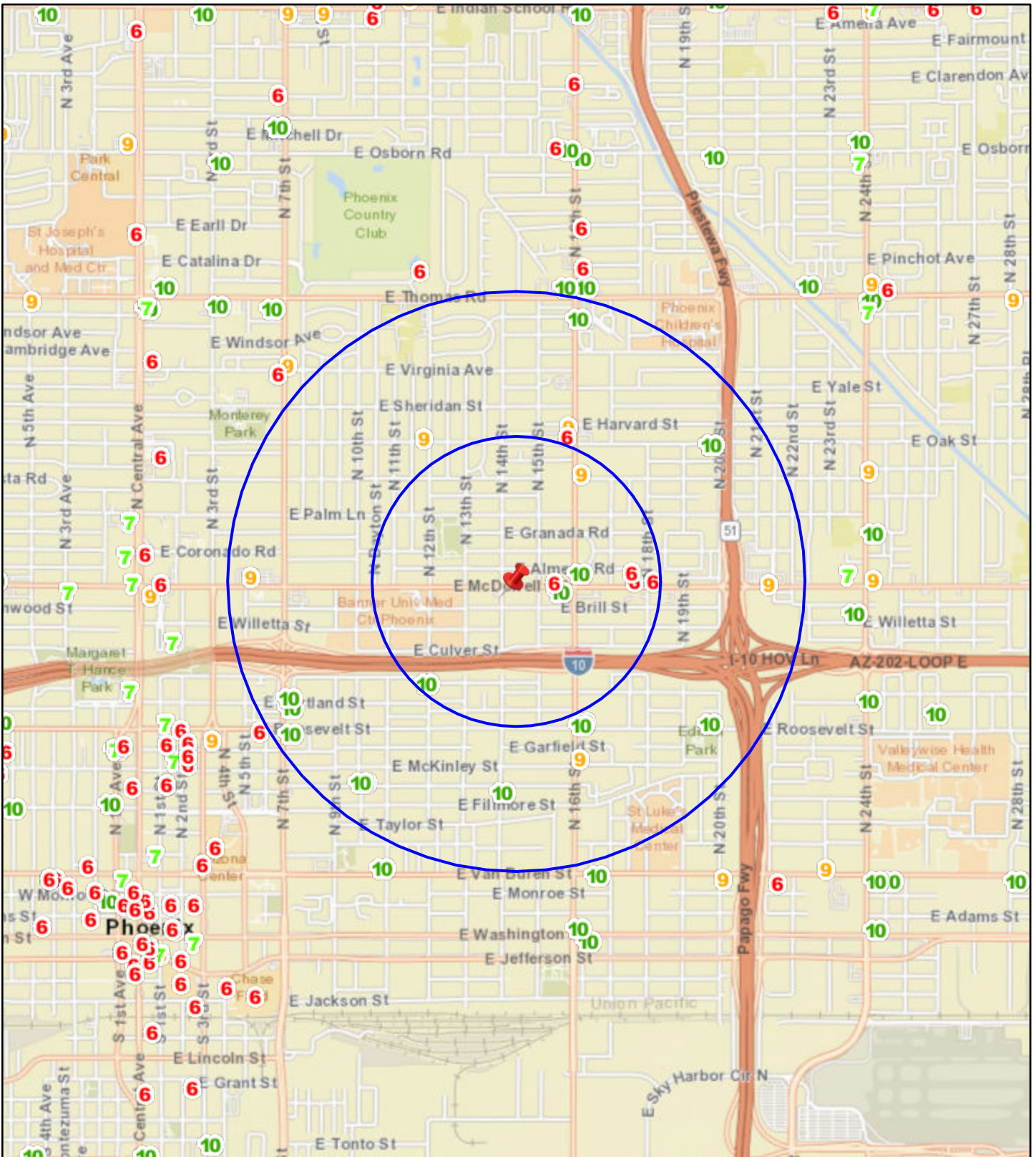
Description	Average	1/2 Mile Average
Parcels w/Violations	43	148
Total Violations	74	240

Census 2010 Data 1/2 Mile Radius

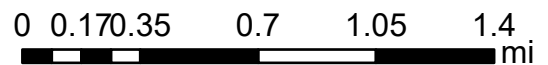
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1116022	2607	54	9	61
1117001	1792	45	32	41
1117002	1243	39	12	28
1117003	1057	64	2	10
1132031	1473	30	20	57
1132032	638	28	7	70
1133001	2490	40	12	49
Average	0	61	13	19

Liquor License Map: WILDERNESS MIRACLE MILE

1418 E MCDOWELL RD



Date: 11/26/2024





Liquor License - La Consentida Tacos & Sushi - District 5

Request for a liquor license. Arizona State License Application 318643.

Summary

Applicant

Jared Repinski, Agent

License Type

Series 12 - Restaurant

Location

2647 W. Glendale Avenue, #11-14

Zoning Classification: C-2

Council District: 5

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 January 24, 2025.

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

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

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

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

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

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - La Consentida Tacos & Sushi - Data

Attachment - La Consentida Tacos & Sushi - Map

Responsible Department

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

Liquor License Data: LA CONSENTIDA TACOS AND SUSHI

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	1
Liquor Store	9	4	1
Beer and Wine Store	10	13	5
Restaurant	12	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	205.04	241.82
Violent Crimes	12.31	58.14	77.07

*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

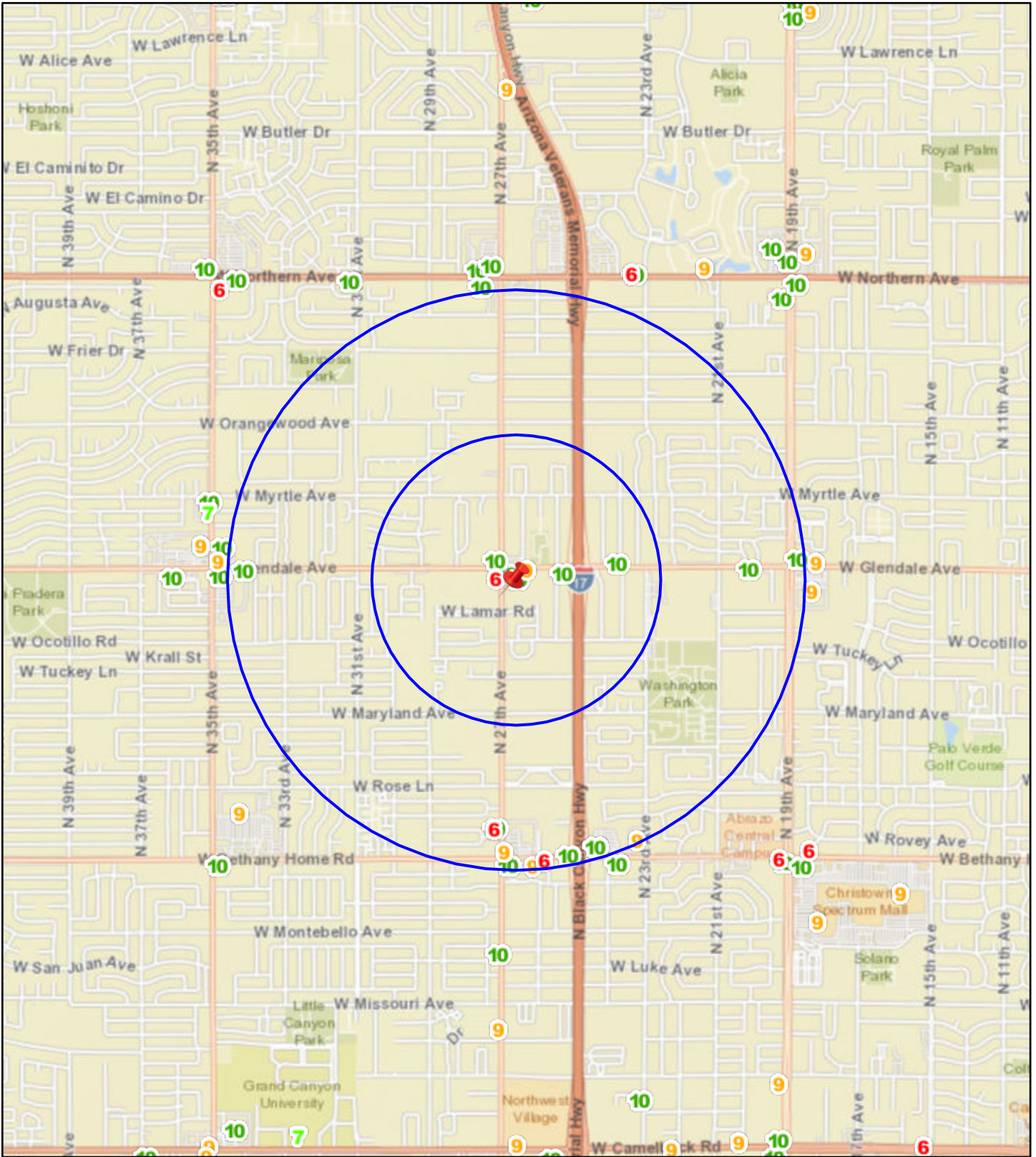
Description	Average	1/2 Mile Average
Parcels w/Violations	43	82
Total Violations	74	153

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1059003	1609	59	5	25
1060011	1487	31	17	50
1060032	1673	52	15	25
1068011	1652	2	12	52
1068012	1670	5	28	55
1068021	1099	60	0	9
1069001	1043	81	11	4
1069002	2629	71	5	22
Average	0	61	13	19

Liquor License Map: LA CONSENTIDA TACOS AND SUSHI

2647 W GLENDALE AVE



Date: 1/9/2025

0 0.170.35 0.7 1.05 1.4 mi





Liquor License - 12 West Brewing - District 6

Request for a liquor license. Arizona State License Application 319691.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 7 - Beer and Wine Bar

Location

5030 E. Ray Road, Ste. J-5
Zoning Classification: C-2 PCD
Council District: 6

This request is for an ownership transfer of a liquor license for a beer and wine 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 February 3, 2025.

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.

12 West Brewing Company (Series 7)
3,000 E. Ray Road, Ste. Q2, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

12 West Brewing Company (Series 3)
7733 E. McDowell Road, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Downtown 12 West (Series 6)
12 W. Main Street, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owner has successfully owned and operated several locations throughout the valley."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has held a license since 2018. 12 West would like to continue to serve the neighborhood locals"

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - 12 West Brewing - Data
Attachment - 12 West Brewing - Map

Responsible Department

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

Liquor License Data: 12 WEST BREWING

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	4	1
Beer and Wine Bar	7	8	4
Liquor Store	9	10	3
Beer and Wine Store	10	8	4
Hotel	11	2	1
Restaurant	12	40	20
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	74.52	187.26
Violent Crimes	12.31	7.69	15.39

*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

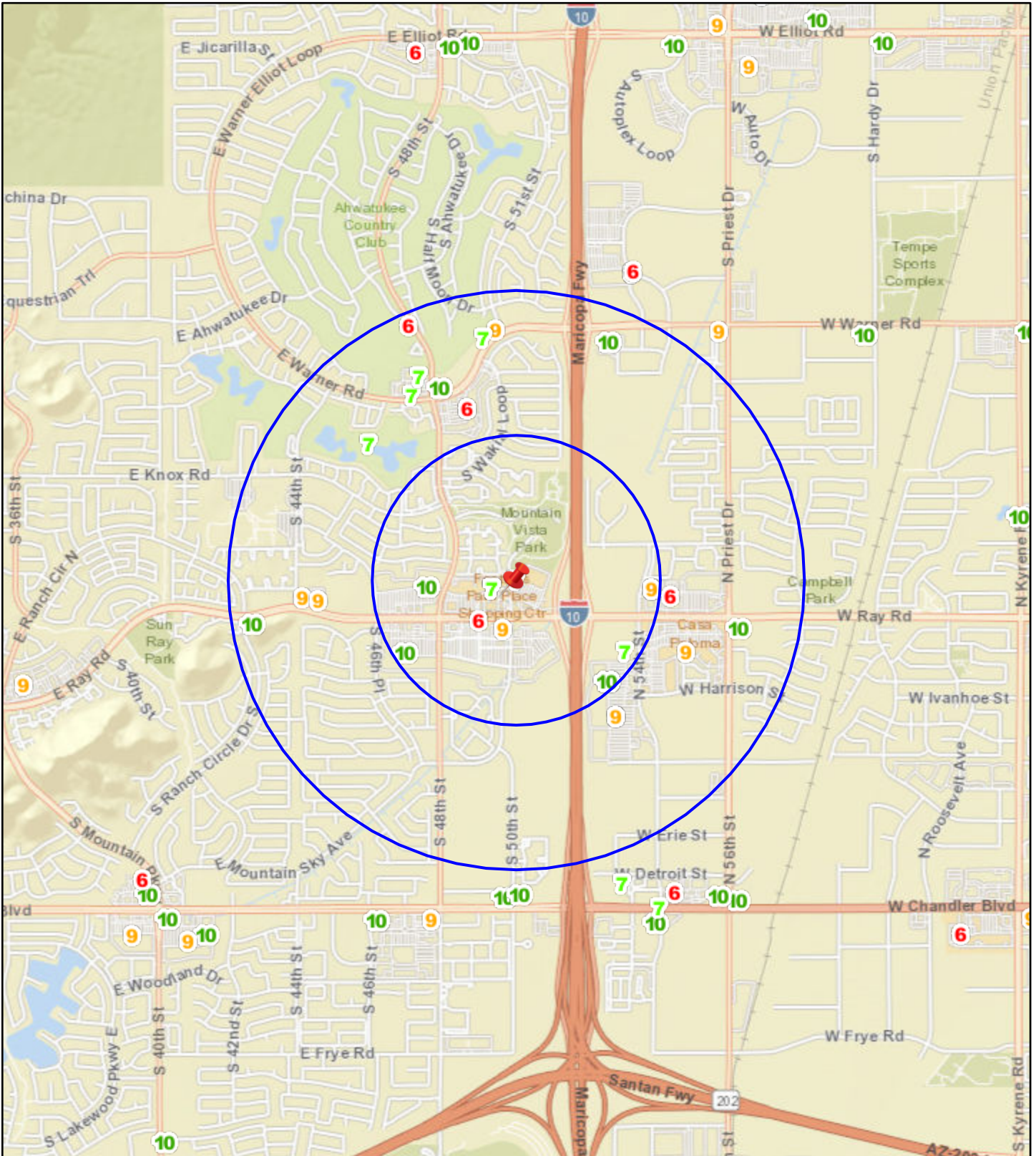
Description	Average	1/2 Mile Average
Parcels w/Violations	43	3
Total Violations	74	4

Census 2010 Data 1/2 Mile Radius

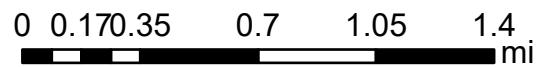
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167171	1769	0	25	11
1167172	1663	40	18	17
1167181	2685	40	10	9
1167192	1023	3	7	22
1167193	1688	72	17	14
8100001	1870	83	10	0
8104002	314	3	25	12
Average	0	61	13	19

Liquor License Map: 12 WEST BREWING

5030 E RAY RD



Date: 12/20/2024





Liquor License - Special Event - Phoenix Pride Incorporated - District 8

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

Summary

Applicant

Michael Fornelli

Location

115 N. 6th Street
Council District: 8

Function

Festival

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

April 5, 2025 - 10 a.m. to 6 p.m. / 6,000 attendees
April 6, 2025 - 10 a.m. to 6 p.m. / 6,000 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.



Salt River Valley Water Users Association dba SRP

For \$130,000 in payment authority to purchase irrigation water during the 2025 calendar year for the Parks and Recreation Department. The irrigation water is needed to water plants, trees, shrubs, and grass at various park and recreation locations throughout the City. The service is essential for the turf and plant material at various City park locations.



State of Arizona, Arizona Department of Agriculture Pest Management Division

For \$75,000 in payment authority to purchase the renewal of approximately 180 pesticide applicator licenses annually for the Parks and Recreation Department. Arizona State Law requires all pesticide applicators be licensed, and licenses be renewed annually to apply pesticides to control weeds and pests throughout City park locations. The Arizona Department of Agriculture Pest Management Division is the only agency authorized to approve and issue these licenses. The annual license renewal request is for January 1, 2025, through December 31, 2029.



Qwest Corporation dba CenturyLink QC

For \$77,950 in payment authority to purchase engineering and construction services for the Street Transportation Department. As part of the improvements for project ST89330177, Salt River Project (SRP) placed its electrical conductors underground and removed six wood poles. This required CenturyLink to remove its above-ground cables and place them underground behind the sidewalk along 44th Street. The City requested CenturyLink to relocate its facilities and is responsible for payment of the expense.



Amend Ordinance S-50960 for Grant of an Irrigation Easement for Development of Park 91 near 91st Avenue and Durango Street (Ordinance S-51601) - District 7

Request the City Council to amend Ordinance S-50960 to grant an irrigation easement to the United States of America through its Department of the Interior, Bureau of Reclamation (BOR).

Summary

Ordinance S-50960 authorized the grant of an irrigation easement to Salt River Project (SRP) for irrigation facilities to be relocated from an open distribution ditch to an underground pipeline within the City's right-of-way to accommodate development of Park 91. SRP is managing the process for this relocation on behalf of the United States of America through its Department of the Interior, BOR.

The grant of an irrigation easement will be conveyed to the United States of America through its Department of the Interior, BOR, rather than SRP as originally requested and authorized by Ordinance S-50960. All other conditions and stipulations previously stated in the ordinance will remain the same.

Concurrence/Previous Council Action

Ordinance S-50960 was adopted by City Council on June 12, 2024.

Location

Within the S. 91st Avenue right-of-way, south of W. Durango Street
Council District: 7

Responsible Department

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



Acceptance and Dedication of Easements and a Deed for Public Utility, Roadway and Sidewalk Purposes (Ordinance S-51602) - Districts 4, 6 & 8

Request for the City Council to accept and dedicate easements and a deed for public utility, roadway and sidewalk purposes; further ordering the ordinance recorded. Legal descriptions are recorded via separate recording instrument.

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)

MCR: 20240646865

Applicant and Grantor: Rene Marquez Morales and Miriam Marquez; its successor and assigns

Date: December 5, 2024

Purpose: Public Utility

Location: 807 N. 40th Avenue

APN: 106-04-024A

File: 240093

Council District: 4

Deed (b)

MCR: 20240653100

Applicant and Grantor: K&I 401K Trust; its successor and assigns

Date: December 9, 2024

Purpose: Roadway

Location: 1620 E. Ocotillo Road

APN: 164-34-022

File: 240100

Council District: 6

Easement (c)

MCR: 20240653102

Applicant and Grantor: Fairmount Corp. Real Estate and Investments; its successor and assigns

Date: December 9, 2024

Purpose: Sidewalk

Location: 4949 S. 16th Street

APN: 122-46-014K

File: 240099

Council District: 8

Responsible Department

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



**Acceptance of Easements for Drainage and Water Purposes (Ordinance S-51603)
- Districts 1 & 6**

Request for the City Council to accept easements for drainage and water purposes; further ordering the ordinance recorded. Legal descriptions are recorded via separate recording instrument.

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)

MCR: 20240653101

Applicant and Grantor: AZ Deer Valley Industrial LP; its successor and assigns

Date: December 9, 2024

Purpose: Drainage

Location: 400 E. Pinnacle Peak Road

APN: 209-01-027

File: 240098

Council District: 1

Easement (b)

MCR: 20240653105

Applicant and Grantor: K&I 401K Trust; its successor and assigns

Date: December 9, 2024

Purpose: Water

Location: 1620 E. Ocotillo Road

APN: 164-34-022

File: 240100

Council District: 6

Responsible Department

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



Plumbing Services, Including Rooter and Drain Cleaning Contract - IFB 18-123 - Amendment (Ordinance S-51606) - Citywide

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 146660 with Above All Plumbing Services, Inc. for plumbing services, including rooter and drain cleaning, for Citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1,000,000.

Summary

This contract will provide all labor, materials, supplies, equipment, permits, tools, transportation and fees necessary for plumbing repairs and/or services for various privately and publicly owned City properties or facilities on an as-needed basis. This contract is currently in use throughout the city to maintain health and safety operations associated with water and sewer with City properties. Additional funds are needed due to the contract having been extended for one year. The primary department users of this contract are the Fire and Public Works departments.

Contract Term

The contract term remains unchanged, ending on January 31, 2026.

Financial Impact

Upon approval of \$1,000,000 in additional funds, the revised aggregate value of the contract will not exceed \$8,700,000. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

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

(Ordinance S-50511) on January 24, 2024.

Responsible Department

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



Information Technology Equipment, Software and Services - RFA 15-210/GS35F-158CA - Amendment (Ordinance S-51608) - Citywide

Request to authorize the City Manager, or his designee, to execute amendment to Contract 141224 with Impression Technology Inc. to add additional funds and extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$156,766.

Summary

This contract will provide the use of Impression Technology Inc.'s imaging and data-capture software system that is used to import and attach documentation into Tax Mantra, the City's Tax and License Information System. Tax Mantra is used by the Finance Department to research historical taxpayer information and is used by the City Clerk Department for regulatory licensing. The software system is the only documentation method that can be added to taxpayer or regulatory records.

Contract Term

Upon approval the contract will be extended through January 28, 2030.

Financial Impact

Upon approval of \$156,766 in additional funds, the revised aggregate value of the contract will not exceed \$513,766. Funds are available in the Finance Department's budget.

Concurrence/Previous Council Action

City Council previously reviewed this request:

- Information Technology Equipment, Software and Services Contract 141224 (Ordinance S-41901) on July 1, 2015.
- Information Technology Equipment, Software and Services Contract 141224 (Ordinance S-46195) on December 4, 2019.
- Information Technology Equipment, Software and Services Contract 141224 (Ordinance S-49378) on January 25, 2023.

Responsible Department

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



Authorization to Enter into Contracts for Eviction Legal Services Qualified Vendor List (Ordinance S-51607) - Citywide

Request authorization for the City Manager, or his designee, to add contractors to the Eviction Legal Services Qualified Vendor List (QVL) and enter into contracts with eligible contractors to provide legal assistance, advocacy, mediation, representation, and other legal services to Phoenix residents facing an eviction crisis and to take any other action necessary or appropriate to accomplish the purpose of this item. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the contracts will not exceed \$1,263,032 over the life of the QVL.

Summary

The City of Phoenix Human Services Department (HSD) aims to provide access to no cost eviction legal services to include assistance with resolving evictions both in and outside the courtroom. The QVL is meant to identify providers that will assist individuals or families facing eviction, who otherwise cannot afford or arrange for these legal services.

Procurement Information

A second Request for Qualifications solicitation was conducted in accordance with City of Phoenix Administrative Regulation 3.10 on November 13, 2024. Further solicitations may be released in the future to identify additional contractors for the QVL.

Two proposals were received on December 16, 2024, and deemed responsive and responsible to the solicitation requirements. HSD staff evaluated the offers using a pass/fail evaluation matrix and the following criteria:

- Project Overview.
- Approach and Methodology.
- Experience and Expertise.
- Marketing and Outreach.
- Operating Budget.

The following offerors met all solicitation criteria and are recommended to be added to

the QVL:

- Cronus Law, PLLC
- Barton Mendez Soto, PLLC

Contract Term

Contracts will begin on or about January 1, 2025, for a six-month term with four one-year options to extend.

Financial Impact

The aggregate value of all contracts under this QVL will not exceed \$1,263,032.

Concurrence/Previous Council Action

On December 4, 2024, City Council approved the establishment of the QVL with Ordinance S-51486.

Responsible Department

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



**Children's Museum of Phoenix Expansion - Architectural Services - AR00000022
(General Obligation Bond) (Ordinance S-51599) - District 8**

Request to authorize the City Manager, or his designee, to enter into an agreement with RSP Architects, Ltd., to provide Architectural Services that include Programming, Design and Construction Administration and Observation services for the Children's Museum of Phoenix Expansion General Obligation Bond 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 \$975,000.

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 renovate and upgrade unfinished spaces in the historic Monroe School building. This building was originally constructed in 1913 and is on the National Register of Historic Places. The capital improvement project intends to develop and finish areas that comply with building codes to transition approximately 28,000 square feet of building shell space to public exhibit/event and support staff spaces. In addition to the interior spaces, the selected consultant team may be asked to consult on potential exterior programming and exhibits to existing interior areas.

RSP Architects, Ltd.'s services include, but are not limited to: site assessment, stakeholder meetings, preliminary design, white shell design, opinion of probable cost, and construction administration and observation.

Procurement Information

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

Contract Term

The term of the agreement is 575 calendar days from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for RSP Architects, Ltd. will not exceed \$975,000, including all subconsultant and reimbursable costs.

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

Location

215 N. 7th Street
Council District: 8

Responsible Department

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

ATTACHMENT A

Selected Firm

Rank 1: RSP Architects, Ltd.

Additional Proposers

Rank 2: MultiStudio, Inc.

Rank 3: Architekton, Inc.

Rank 4: Weddle & Gilmore Architects, PLLC

Rank 5: Shepley Bulfinch Richardson and Abbot Incorporated

Rank 6: M. Arthur Gensler Jr & Associates, Inc.

Rank 7: DLR Group, Inc.

Rank 8: SmithGroup, Inc.

Rank 9: Studioma, Inc.

Rank 10: Worksbureau, Inc.

Rank 11: Richard & Kennedy Architects, LLC

Rank 12: Motley Design Group, LLC



Apply for Grant from the Community Climate Implementation Fund (Ordinance S-51612) - Citywide

Request to authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into agreements for disbursement of funding from the Community Climate Implementation Fund. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total grant funds applied for will not exceed \$40,000 and will not require matching funding.

Summary

Climate Mayors, in partnership with the Urban Sustainability Directors Network (USDN) and C40 recently launched a Community Climate Implementation Fund. This new funding opportunity is designed to help communities implement climate action in partnership with local non-profit organizations. Climate Mayors is offering \$350,000 in awards of up to \$40,000 each until all funds are obligated. It is anticipated that between eight and nine awards will be made within the first approximately six to seven months of this invitation being live.

Proposals will be reviewed as received and awarded on a first-come, first-served basis until the invitation’s budget is fully allocated.

Staff will apply to use the funds to partner with community-based organizations to outreach to the community on the recently adopted energy access plan target, and to seek community input on the path to increase Phoenix household participation in low-income energy assistance programs 25 percent by 2030. This activity is in the Office of Sustainability work plan for 2025, and this funding will enhance outreach to the community by enabling additional participation of community-based organizations.

Financial Impact

The City will be seeking a grant of \$40,000 and is not required to provide matching funding.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Office of Sustainability.



Apply for U.S. Bureau of Reclamation WaterSMART Grants: Water and Energy Efficiency Grants Opportunity for Federal Fiscal Years 2023-24 and 2024-25 (Ordinance S-51614) - Citywide

Request to retroactively authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into an agreement for disbursement of federal funding from the U.S. Bureau of Reclamation (BoR) through the Federal Fiscal Years (FFYs) 2023-24 and 2024-25 WaterSMART Grants: Water and Energy Efficiency Grants (WEEG) opportunity. If awarded, the funding would be used to purchase and install smart irrigation controllers, master valves, flow sensors, and flood irrigation monitoring equipment. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for the grant opportunity is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed \$500,000, and the City's local match would not exceed \$500,000.

Summary

The Parks and Recreation Department (PRD) submitted a grant application to BoR for a WEEG program award. This award would be used to purchase and install smart irrigation controllers, master valves, flow sensors, flood irrigation weirs and monitoring equipment. After two years of the program's operation, PRD projects a savings of 15 to 20 acre-feet of water.

Procurement Information

If awarded, PRD would procure the equipment and work with Salt River Project (SRP) to complete the installation of the equipment.

Contract Term

The anticipated grant program period would have a developmental phase beginning in Spring 2025 and ending in Summer 2025. The installation of the SMART irrigation controllers, master valve, flow sensors, flood irrigation weirs and monitoring equipment would be anticipated to begin Fiscal Year (FY) 2025-26 with work concluding in FY 2026-27. The deadline to utilize the WEEG funds is October 31, 2027. The WEEG submittal deadline was November 13, 2024. If the City Council does not approve this retroactive request, the application will be withdrawn.

Financial Impact

The estimated total cost for the project is approximately \$1 million. The maximum federal participation rate is 50 percent, with a minimum local match of 50 percent of the total eligible project cost. If awarded, the federal match would not exceed \$500,000 (50 percent) and the City's cost would be approximately \$500,000 (50 percent) for the local match.

Funding for the local match is available in the PRD's Capital Improvement Budget. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law, from BoR through the FFYs 2023-24 and 2023-25 WEEG opportunity.

Responsible Department

This item is submitted by Deputy City Managers John Chan and Mario Paniagua, and the Parks and Recreation Department.



Intergovernmental Agreement with Arizona Game and Fish Commission for City of Phoenix Community Fishing Program (Ordinance S-51610) - Citywide

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona Game and Fish Commission to continue the City’s participation in the Community Fishing Program. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$425,000.

Summary

The City has participated in the Community Fishing Program since 1986 and it is very popular with Phoenix residents. The program provides urban fishing opportunities at seven City parks: Cortez, Cesar Chavez/Alvord Lake, Desert West, Encanto, Papago, Steele Indian School and Roadrunner.

As part of the IGA, the Arizona Game and Fish Department (AZGFD) will stock the seven lakes with various fish species for anglers for the Community Fishing Program. AZGFD will also market the program through various means such as publications, websites and other outlets including media coverage.

Contract Term

The contract term will be for five years beginning July 1, 2024, through June 30, 2029.

Financial Impact

The aggregate value of the contract will not exceed \$425,000 for the five-year term. Funding is available in the Parks and Recreation Department's budget.

Location

- Cesar Chavez Park/ Alvord Lake, 7858 S. 35th Avenue, Council District 8
- Cortez Park, 3434 W. Dunlap Avenue, Council District 1
- Desert West Park, 6501 W. Encanto Boulevard, Council District 7
- Encanto Park, 2605 N. 15th Avenue, Council District 4
- Papago Park, 625 N. Galvin Parkway, Council District 6
- Roadrunner Park, 3502 E. Cactus Road, Council District 3
- Steele Indian School Park, 300 E. Indian School Road, Council District 4

Responsible Department

This item is submitted by Deputy City Manager John Chan and the Parks and Recreation Department.



2025 National Fish and Wildlife Foundation Five Star and Urban Waters Restoration Grant (Ordinance S-51615) - District 8

Request to authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into agreements for disbursement of funding from the National Fish and Wildlife Foundation (NFWF) through the 2025 Five Star and Urban Waters Restoration grant. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total grant funds applied for will not exceed \$60,000. There is no impact to the General Fund, as the City's 75 percent local match requirement will be met with volunteer hours by the project partners as allowable by the grant.

Summary

The Parks and Recreation Department is seeking authority to apply for a 2025 Five Star and Urban Waters Restoration Grant with funding provided through the NFWF. This award will be used to construct a shade structure at the Transformation Site, a one-acre vacant parcel adjacent to the southern bank of the Rio Salado near the new Central Avenue light rail station at Pioneer Street. The location and type of structure will be consistent with the site's final masterplan and installed while final construction documents for the site are underway.

A portion of the grant funds will also be used to conduct outdoor environmental and habitat restoration activities. Construction of a shade structure will allow environmental and habitat restoration activities to occur on the river corridor itself, particularly in the summer months, when activities are moved indoors to the Audubon Center because of extreme heat.

Applications for the 2025 NFWF Five Star and Urban Waters Restoration Grant are currently open and are due by January 30, 2025. Award notification will occur August 2025 and projects should be completed within 24-48 months.

Grant eligibility criteria include a requirement for five partners dedicated to this project. The Parks and Recreation Department is in the process of identifying potential partners for this grant.

The Transformation Site falls under the City’s broader Rio Reimagined initiative, intended to improve the quality of life in neighborhoods surrounding the 20-mile ecological corridor of the Rio Salado through habitat restoration and new connections for Phoenix residents to safely access and experience the Rio Salado as a cultural and environmentally rich destination.

Financial Impact

There is no impact to the General Fund. This is a reimbursement grant. The total grant funds applied for will not exceed \$60,000. The City’s 75 percent match requirement will be satisfied with volunteer hours.

Location

Rio Salado Habitat Restoration Area - 2439 South Central Ave, Phoenix, 85004
Council District: 8

Responsible Department

This item is submitted by Deputy City Manager John Chan and the Parks and Recreation Department.



Phoenix Sky Harbor International Airport Terminal 4 Vertical and Horizontal Transportation System Modernization Phase II - 2-Step Construction Manager at Risk Construction Services Amendment - AV21000110 FAA (Ordinance S-51613) - District 8

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement No. 160212 with CHASSE Building Team, Inc. to provide additional Construction Manager at Risk Construction Services for the Phoenix Sky Harbor International Airport Terminal 4 Vertical and Horizontal Transportation System Modernization Phase II project. Further request to authorize the City Manager, or his designee, to execute amendments to the Agreement as necessary and 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 million.

Summary

The purpose of this project is the modernization and replacement of critical vertical and horizontal transportation systems as part of on-going airport efforts to improve terminal operation, enhance passenger experience, and work towards achieving the airport's net-zero carbon emissions goals. The project is Phase II, as part of a multi-year effort, to address the modernization of a mixture of different types of equipment, including elevators, escalators, and moving walkways. When completed, all equipment is expected to receive a new useful life with updated finishes and new technology.

This amendment is necessary to increase the spending authority due to the latest update of the construction estimate conducted at the construction document development stage. This amendment will provide additional funds and time to the Agreement.

Contract Term

The term of the Agreement remains unchanged from the original term. 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 2-Step Construction Manager at Risk Preconstruction and Construction Services was approved for an amount not to exceed \$45 million, including all subcontractor and reimbursable costs.
- This amendment will increase the Agreement by an additional \$5 million, for a new total amount not to exceed \$50 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved 2-Step Construction Manager at Risk Preconstruction Services Agreement 160211 and Construction Services Agreement 160212 (Ordinance S-50666) on March 20, 2024.

Location

2485 E. Buckeye Road
Council District: 8

Responsible Department

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



Real Estate Acquisitions, Dispositions, and Relocation Services (Ordinance S-51609) - Citywide

Request to authorize the City Manager, or his designee, to enter into contracts with Consultant Engineering, Inc.; Tierra Right of Way Services, LTD; and Overland, Pacific & Cutler, LLC (a TranSystems Company) to provide acquisition, relocation, disposition, and related services on an as-needed basis for the Public Transit Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$1,045,560.

Summary

These contracts will provide acquisition, relocation, and disposition services required by the Finance Department's Real Estate Division to acquire real property on an as-needed basis for Public Transit Department projects. Contracts with these providers will include terms and conditions mandated by the Federal Transit Administration (FTA) for projects receiving federal funding. Contracting with multiple firms helps to ensure there are an adequate number of qualified companies available to provide these specialized services when multiple concurrent services are necessary.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. These services will be directly contracted using Maricopa County's Cooperative Purchasing Contracts (210250-RFP), which best align with the Public Transit Department's need for acquisition, relocation, disposition, and related services contracts compliant with FTA requirements. Maricopa County's Cooperative Purchasing Contracts for such services were awarded using a competitive process consistent with the City's procurement processes set forth in the Phoenix City Code, Chapter 43.

Contract Term

The contracts will begin on or about February 1, 2025, and will continue through June 30, 2027.

Financial Impact

The aggregate value of the contracts will not exceed \$1,045,560. Funding is available in the Public Transit Department's budget.

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



Triple Quadrapole Mass Spectrometer Agreement - Amendment (Ordinance S-51600) - Citywide

Request to authorize the City Manager, or his designee, to allow additional expenditures under Agreement 156256 with Waters Technologies Corporation to provide equipment maintenance and service to maintain proper function of Triple Quadrapole Mass Spectrometers for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$620,000.

Summary

The purpose of this amendment is to provide additional funds for the purchase of additional equipment and annual maintenance service on Triple Quadrapole Mass Spectrometer equipment used to conduct laboratory testing and analysis of City of Phoenix drinking water in order to comply with EPA standards.

Water Technologies Corporation services include, but are not limited to: annual maintenance service, consumables, training, new equipment, parts, and installation of new equipment.

Contract Term

The agreement term remains unchanged, ending March 31, 2027, with two, two-year options to extend.

Financial Impact

The initial authorization for Triple Quadrapole Mass Spectrometer Agreement was for an expenditure not-to-exceed \$600,000. This amendment increases the authorization for the agreement by an additional \$620,000, for a new total not-to-exceed agreement value of \$1,220,000.

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

Concurrence/Previous Council Action

The City Council previously reviewed this request: Tripe Quadrapole Mass Spectrometer Agreement 156256 Ordinance S-48503 on April 20, 2022.

Responsible Department

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



**Lab Fume Hood Testing and Certification Services - IFB-2122-WES-335-
Amendment (Ordinance S-51604) - Citywide**

Request to authorize the City Manager, or his designee, to execute amendment to consent to assignment of Lab Fume Hood Testing and Certification Services Contract 157025 with Controlled Environment Management, LLC to Technical Safety Services, LLC.

Summary

The purpose of this amendment is to consent to assignment of the agreement with Controlled Environment Management LLC to Technical Safety Services, LLC. This amendment would allow for the testing and certification services to continue.

This contract provides annual testing, adjustments, balance, and certification for 62 lab fume hoods located at various locations throughout the Water Services Department. Contractors will also provide and install parts, on an as-needed basis. Chemical fume hoods are the most common exhaust ventilation system used in laboratories and are the primary method used to control inhalation exposures to hazardous substances.

Contract Term

The contract term remains unchanged and will run through August 31, 2027.

Financial Impact

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

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Ordinance S-48923 on August 31, 2022.

Responsible Department

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



Background Screening Services Contract - IFB-2425-SMU-670 Request for Award (Ordinance S-51605) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Truview BSI, LLC to provide security background screening services for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$60,000.

Summary

The agreement will provide maximum level security background screenings for the Water Services Department (WSD) and their contracted vendors. WSD facilitates maximum level security background screenings of approximately 4,000 contractors and other individuals that need access to WSD facilities or infrastructure per year.

Procurement Information

The recommendation is made using an Invitation for Bid procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Five vendors submitted bids and are listed below and all bids were found to be responsive and responsible. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder

- Truview BSI, LLC: \$7,800 annually/\$88 each

Additional Bidders

- Accurate C & S Services
- Orsus Group
- Veritable Screening
- Vertical Identity

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$60,000.

Funding is available in the Water Services Department Operating budget.

Responsible Department

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



Intergovernmental Agreement with Arizona Department of Transportation to Transfer Abandoned City of Phoenix Water and Sewer Mains Associated with Interstate 10 Broadway Curve Improvement Project (Ordinance S-51611) - Districts 6 & 8

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) to transfer water and sewer mains abandoned in place with the Interstate 10 (I-10) Broadway Curve Improvement Project.

Also request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. There is no direct financial impact to the City for this agreement.

Summary

The I-10 Broadway Curve Improvement Project widened a segment of I-10 between the Interstate 17 (I-17) Split Traffic Interchange and Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway). The Water Services Department (WSD) owns water and wastewater infrastructure throughout the I-10 Broadway Curve Improvement Project area. Some of the WSD-owned facilities were impacted with the construction and were relocated. The old mains were abandoned in place inside ADOT property. With this agreement, the City will transfer ownership, locating, and maintenance responsibilities to ADOT for identified water and sewer mains abandoned with the project.

Financial Impact

There is no direct financial impact to the City.

Location

Interstate 10, from Interstate 17 Split Traffic Interchange to Loop 202-South Mountain Freeway.

Council Districts: 6 and 8

Responsible Department

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



Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-24--Z-37-07-2 - Approximately 190 Feet South of the Southwest Corner of Scottsdale Road and Sweetwater Avenue (Ordinance G-7350) - District 2

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on December 18, 2024.

Summary

Application: PHO-2-24--Z-37-07-2

Existing Zoning: R-O

Acreage: 1.41

Owner: Thomas Moebius and Traci Ann Zandi

Applicant/Representative: David E. Richert, Richert & Associates

Proposal:

1. Request to modify Stipulation 1 regarding general conformance to the site plate date stamped February 9, 2009.
2. Request to delete Stipulation 4 regarding cross access and parking agreements.
3. Request to delete Stipulation 5 regarding Scottsdale Road improvements.
4. Request to modify Stipulation 12 regarding a requirement to obtain final site plan approval.
5. Request to delete Stipulation 13 regarding wall along the rear property line.

VPC Action: The Paradise Valley Village Planning Committee was scheduled to hear the request on December 4, 2024, but did not have a quorum.

PHO Action: The Planning Hearing Officer recommended approval with modifications and an additional stipulation.

Location

Approximately 190 feet south of the southwest corner of Scottsdale Road and Sweetwater Avenue

Council District: 2

Parcel Address: 12826 N. Scottsdale Road

Responsible Department

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

ATTACHMENT A

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ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-37-07-2 PREVIOUSLY APPROVED BY ORDINANCE G-5383.

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

SECTION 1. The zoning stipulations applicable located approximately 190 feet south of the southwest corner of Scottsdale Road and Sweetwater Avenue in a portion of Section 15, Township 3 North, Range 4 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

Phoenix Zoning Ordinance:	
1.	LOTS 2 AND 3 That development shall be in general conformance to the site plan date stamped OCTOBER 22, 2024 February 9, 2009, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND with specific regard to the existing building footprints, maintenance of the existing west property line wall and the addition of enclosed/covered trash containers as approved by the PLANNING AND Development Services Department.
2.	That A minimum 10-foot-wide landscape setback along the entire west property line of the lots shall be provided with the corresponding phase. Required landscape material planted in this landscape buffer shall include a mix of minimum 2 and 3-inch caliper trees placed 20 feet on center or equivalent groupings as approved by the PLANNING AND Development Services Department.

3.	That A minimum six-foot wide landscape setback shall be provided along the north property line of Lot 1. Required landscape material shall include a mix of minimum 2 and 3-inch caliper trees placed 20 feet on center or equivalent groupings as approved by the PLANNING AND Development Services Department.
4.	That cross access and parking agreements for Lots 3 and 4 shall be created and recorded prior to preliminary site plan approval for the corresponding phase as approved by the Development Services Department.
5.	That right-of-way shall be dedicated to the city along Scottsdale Road south of Sweetwater Avenue and a transit pad installed according to the city of Phoenix Detail P-1261 as approved by the Public Transit Department.
4. 6.	That The property owner of Lot 50 shall file for and pursue abandonment of the alley, south of Lot 5 prior to the issuance of the certificate of occupancy for the residential office use on Lot 5. In the event the abandonment is not granted, a one-foot (1') vehicular non-access easement (VNAE) shall be recorded along the southern property line of Lot 5 as approved by the PLANNING AND Development Services Department.
5. 7.	That Building height shall be limited to one (1) story and 13 feet with the exception of Lot 5 to be limited to one (1) story 14 feet.
6. 8.	That The rear building setbacks (west side) shall be limited to the following existing setbacks: Lot 1 – 77 feet; Lot 2 – 78 feet; Lot 3 – 97 feet; Lot 4 – 103 feet, and Lot 5 – 111 feet as measured from the centerline of the existing 16-foot alley.
7. 9.	That A one-foot (1') vehicular non-access easement (VNAE) along the entire west property line shall be recorded prior to preliminary site plan approval for the corresponding phase as approved by the PLANNING AND Development Services Department.
8. 10.	That The developer shall construct sidewalk, curb ramps, and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.
9. 11.	That In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the city archaeologist, and allow time for the archaeology office to properly assess the materials.

12.	That each individual property owner shall obtain final site plan approval within 24 months of council action.
13.	That an eight-foot wall shall be constructed along the rear property line with the corresponding phase as approved by the Development Services Department.
10. 14.	That The Street Transportation Department shall study cut-through traffic before and after all five businesses have been established to determine if traffic mitigation is warranted. If warranted, the applicant shall pay their rough proportionality of the costs of mitigation, not to exceed 12 percent.
11. 15.	That Notice shall be provided to all property owners within the 85254 zip code who submitted speaker cards at the City Council hearing of changes to the site plan through either the PLANNING AND Development Services Department site plan review process or the Planning Hearing Officer hearing process.
12. 16.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5383 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5383 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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

PASSED by the Council of the City of Phoenix this 22nd day of January, 2025.

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 PHO-2-24—Z-37-07-2

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

Revised legal- PHO-2-24—Z-37-07-2

Lot 2, of FOOTHILLS RANCHOS, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 133 of Maps, page 27.

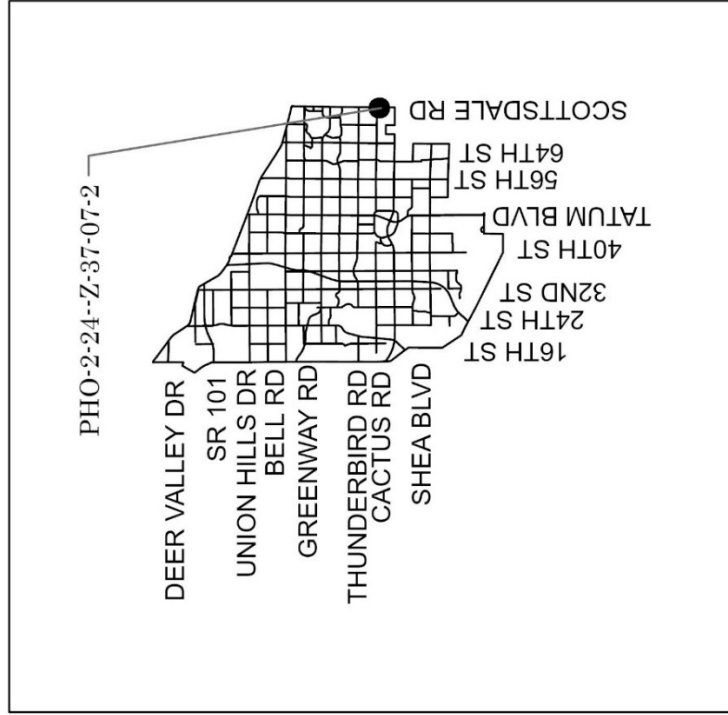
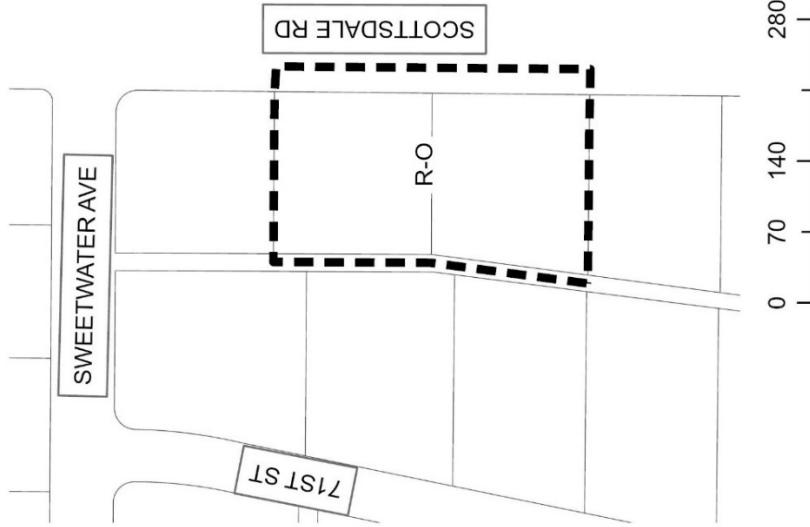
Lot 3, of FOOTHILLS RANCHOS, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 133 of Maps, page 27.

DRAFT

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-2-24--Z-37-07-2
Zoning Overlay: N/A
Planning Village: Paradise Valley

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



NOT TO SCALE



Drawn Date: 12/20/2024



*****ADDITIONAL INFORMATION (SEE ATTACHED MEMO)*** (CONTINUED FROM NOVEMBER 13, 2024) - Public Hearing and Ordinance Adoption - Rezoning Application Z-74-24-6 - Northeast Corner of 21st Street and Turney Avenue (Ordinance G-7319) - District 6**

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-74-24-6 and rezone the site from R-3 (Multifamily Residence District) to R-5 (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: R-3

Proposed Zoning: R-5

Acreage: 1.82

Proposal: Multifamily residential

Owner: 4401 Turney Villas, LLC; 2118 Turney, LLC; Charles Goodwin, III

Applicant/Representative: Ashley Marsh, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this item on August 6, 2024, and a motion to recommend approval failed by a vote of 7-9. No recommendation was forwarded to the Planning Commission.

PC Action: The Planning Commission heard this item on October 10, 2024, and recommended approval, per the Addendum A Staff Report, by a vote of 9-0. The Planning Commission recommendation was appealed by a community member and petition for a three-quarter vote was submitted on October 17, 2024. A three-quarter vote is not required.

Location

Northeast corner of 21st Street and Turney Avenue

Council District: 6

Parcel Address: 4401, 4405, 4407, and 4421 N. 21st Street; and 2118 E. Turney Avenue

Responsible Department

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



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: January 15, 2025

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: ITEM 39 ON THE JANUARY 22, 2025, FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION – REZONING APPLICATION Z-74-24-6 – NORTHEAST CORNER OF 21ST STREET AND TURNEY AVENUE (ORDINANCE G-7319)

Item 39, Rezoning Application Z-74-24-6, is a request to rezone 1.82-acres located at the northeast corner of 21st Street and Turney Avenue from R-3 (Multifamily Residence District) to R-5 (Multifamily Residence District) to allow multifamily residential.

The Camelback East Village Planning Committee heard the case on August 6, 2024, and a motion to recommend approval failed by a vote of 7-9. No recommendation was forwarded to the Planning Commission.

The Planning Commission heard this item on October 10, 2024, and recommended approval, per the Addendum A Staff Report, by a vote of 9-0.

This item was continued at the November 13, 2024, City Council Formal meeting to the January 22, 2025, City Council Formal meeting to provide the applicant additional time to engage with the community regarding their concerns and to present to the Camelback East Village Planning Committee at the January meeting for a recommendation.

The Camelback East Village Planning Committee heard the item on January 7, 2025, and recommended approval, per the staff recommendation, with a modification, by a vote of 13-7.

The revised stipulations are listed below with updates in **BOLD AND CAPITAL** letters.

Additional correspondence received after the Camelback East Village Planning Committee meeting is available online at <https://www.phoenix.gov/pdd/planning-zoning/pzservices/pzstaff-reports>.

Staff recommends approval, subject to the following stipulations:

1. The maximum number of dwelling units shall be 64.
2. The building height shall be limited to a maximum 3 stories and 39 feet within 37 feet of the Turney Avenue property line and within 45 feet of the 21st Street property line.

3. The landscape setback along 21st Street **AND ALONG THE NORTH AND EAST INTERIOR PROPERTY LINES** shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
4. A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.
5. A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.
6. A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

7. All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
8. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
9. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
11. A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
12. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

13. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.
14. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
15. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
16. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
17. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
18. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
19. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
20. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
21. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Approved:


Alan Stephenson, Deputy City Manager

Enclosure:

January 7, 2025, Camelback East VPC Summary for Z-74-24-6 (8 pages)

Village Planning Committee Meeting Summary Z-74-24-6

Date of VPC Meeting	January 7, 2025
Request From	R-3
Request To	R-5
Proposal	Multifamily residential
Location	Northeast corner of 21st Street and Turney Avenue
VPC Recommendation	Approval, per the staff recommendation, with a modification
VPC Vote	13-7

VPC DISCUSSION:

Seven members of the public registered to speak on this item, four in opposition, two in support, one neutral.

Forty-five members of the public registered in support, not wishing to speak.

Fourteen members of the public registered in opposition, not wishing to speak.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation summarizing the surrounding context, the proposed zoning district, and the staff recommendation, including the recommended stipulations.

APPLICANT PRESENTATION

Ashley Marsh, representing the applicant with Gammage & Burnham, PLC, provided a presentation regarding the proposal, discussing the surrounding context, the requested zoning, the proposed development, including the revisions made in response to community concerns, and showing renderings of the new proposal.

Jamie Blakeman with Lokahi Group presented regarding the traffic impact analysis, highlighting the findings that there will be minimal traffic-related impacts to the surrounding street network.

QUESTIONS FROM COMMITTEE

Committee Member Sharaby asked about the impact to nearby schools. **Ms. Marsh** reviewed the nearby schools, and **Ms. Blakeman** reviewed the traffic data, noting there would be no traffic impact to the schools.

Committee Member Grace asked about the windows on the 4th floor. **Ms. Marsh** stated that all access points will be internal facing, noting there would be no amenities on the roof.

Committee Member Guevar asked if the north elevation will have windows on the 4th floor. **Ms. Marsh** stated there will be units with north facing windows on the 4th floor.

Committee Member Whitesell asked for a description of the neighborhood meetings. **Ms. Marsh** reviewed the meetings the applicant had with community leadership, highlighting revisions that were made in response. **Mr. Whitesell** asked about the compromises that were made. **Ms. Marsh** reviewed the revisions, including height and density reductions, bringing the parking into compliance, and engaging in a study of the traffic impact. **Mr. Whitesell** asked for clarification that reducing the unit count is what brought the parking into compliance. **Ms. Marsh** stated that was the case. **Mr. Whitesell** asked the reason for pursuing R-5 zoning. **Ms. Marsh** stated that the density and setbacks are needed for the proposal, noting that the only variances requested would be for patios within the setback. **Mr. Whitesell** asked if the Committee can approve a rezoning proposal that requires variances. **Mr. Grande** replied that the rezoning can be approved, but the applicant will need to apply for the variance separately after the rezoning approval. **Mr. Whitesell** stated a concern about approving a proposal that requires variances. **Mr. Whitesell** asked the reason not to pursue an R-4 zoning district, and then apply for a variance. **Ms. Marsh** replied that they cannot obtain a variance for height and density. **Mr. Whitesell** asked about the price range of the units. **Ms. Marsh** provided the estimated price ranges for the units, \$1,300 to \$2,100 rental opportunities, subject to market conditions, noting the proposal is intended for working class families but is not subsidized. **Mr. Whitesell** noted that the revision eliminated studio units, which brings up prices, but noted it is good that this proposal is targeting working class families because it is a missing segment in the Housing Phoenix Plan. **Mr. Whitesell** asked about the timeline. **Ms. Marsh** provided a general timeline for the remaining steps, including site plan review to follow the rezoning process. **Mr. Whitesell** stated a concern about the R-5 district allowing commercial use at this location.

Committee Member Eichelkraut asked if the developer would be amenable to the compromise stipulations proposed by the community opposition. **Ms. Marsh** stated that the applicant team has not been made aware of the proposed stipulations, noting they would be amenable to enhanced landscaping, but generally the changes the applicant has made is the extent of what they can feasibly do.

Committee Member Grace stated a concern about the windows on the 4th floor and stated a preference for enhanced landscaping on the north and east property lines.

Chair Fischbach stated such a stipulation would be possible. **Ms. Marsh** stated the applicant would be amenable to the stipulation.

PUBLIC COMMENTS

Steve Voita introduced himself and spoke as a neutral speaker, stating that the impact on property taxes should be considered, that traffic and sewage capacity are concerns, and that this proposal would not be allowed in other neighborhoods.

Roberta Candelaria introduced herself as the property owner directly adjacent to the subject site to the north and spoke in support of the proposal, noting that the development will improve the quality of life for the area and that these types of developments improve surrounding property values.

Chad Lafferty introduced himself as a nearby resident and spoke in support of the proposal, stating that this will improve the value of surrounding properties and improve the adjacent infrastructure, adding that potential commercial use is not likely because commercial developers are not interested in a parcel like this.

Lee Busenbark provided a presentation in opposition to the proposal, highlighting the size of the proposed building being out of scale for the area, reviewing adjacent R-5 developments which are limited in density, stating that the community does not want balconies on the 4th floor, and stating that the community has a list of stipulations that should be considered, but the applicant has not compromised to meet the concerns. **Committee Member Grace** asked if the proposed stipulations were provided to the applicant at their previous meeting. **Ms. Busenbark** replied that they were not.

Lisa Valer introduced herself and spoke in opposition to this proposal, stating that the streets cannot handle the traffic from this proposal and that it will cause a safety concern for the nearby schools, noting that they had not received letters from the applicant.

Robert Greenberg introduced himself and spoke in opposition to this proposal, stating that a smaller project would still be profitable and that this rezoning is simply for the developer's profit, highlighting the issues with having the accessory parking lots adjacent to existing homes.

Paul Sheldon introduced himself and spoke in opposition to the proposal, highlighting the issues with crime and noting the need for security at the development.

Committee Member Whitesell asked if commercial uses, as allowed by the R-5 district, would be appropriate. **Ms. Busenbark** replied they would not be appropriate because the streets are not designed to handle commercial traffic.

APPLICANT RESPONSE

Ms. Marsh stated that this proposal will address the housing shortage in Phoenix, that this is an infill development by definition, that the General Plan allows for higher density

development at this location, and that the revised proposal has heights consistent with the building height across the street, and reviewed the stipulations designed to limit the impact of the development and the changes made based on concerns from the community.

Committee Member Schmieder asked if the applicant would consider the additional stipulations provided by the community opposition. **Ms. Marsh** replied that the applicant team has not been provided the stipulations or had the opportunity to consider them, and the applicant has made revisions based on community feedback. **Ms. Schmieder** asked how the roof could be accessed. **Ms. Marsh** noted there were 12 units on the 4th floor and they would not have roof access along the perimeter. **Ms. Schmieder** asked if the applicant would consider removing the 4th floor. **Ms. Marsh** replied that those units are important to making sure the project gets built.

Committee Member Guevar stated that it didn't seem like much compromise was made by the applicant and that the community would prefer an R-4 district with removal of the 4th floor, noting that development would improve safety. **Ms. Marsh** replied that the applicant had already cut the density by 15% in response to community concerns, and it would not be feasible to cut it further. **Mr. Guevar** stated that the density reduction was necessary to avoid a variance for parking. **Ms. Marsh** replied that there was a variance process to allow the parking reduction the applicant had intended to pursue.

Committee Member Noel asked if there was something unique about this parcel that required it to be R-5, as opposed to R-4, which is more in line with what the neighbors want. **Ms. Marsh** stated that it would not be economically viable to develop under the R-4 district.

Chair Fischbach asked if the developer owns the property in fee. **Ms. Marsh** replied in the affirmative.

Committee Member Whitesell asked how long ago the developer acquired the property. **Ms. Marsh** stated it was six years ago. **Mr. Whitesell** asked about the possibility of rezoning to R-4 and using 10% flexibility for density, noting the rules that apply to PUDs, as a possible way to create a return on investment with the R-4 district. **Mr. Grande** stated that the PUD has different rules than conventional zoning and that R-4 would not have any flexibility in the maximum density.

Committee Member Grace stated the developer could find a way to make a development work under R-4.

Committee Member Williams asked if the applicant was willing to remove the 4th floor. **Ms. Marsh** stated the applicant needs the units on the 4th floor for this project.

MOTION:

Committee Member Baumer made a motion to recommend approval of Z-74-24-6, per the staff recommendation, with a modification to Stipulation No. 3 as follows: "The landscape setback along 21st Street and along the north and east interior property lines shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department." **Committee Member Jurayeva** seconded the motion.

DISCUSSION:

Committee Member Whitesell stated a concern that R-5 allows restricted commercial use and that R-5 is inappropriate at this location, noting that the applicant could have a return on investment with something less than R-5.

Committee Member Grace stated that the group attending this meeting has worked well together.

Committee Member Beckerleg Thraen stated that heavier commercial uses would be concerning, but the commercial uses allowed in R-5 would not be very heavy uses.

Committee Member Augusta stated she is voting yes based on the changes made by the applicant.

Committee Member Eichelkraut stated a concern that this doesn't address the housing crisis, an opportunity exists at this location for workforce housing, she would support an R-4 district, and that compromises were not made, and she is voting no.

Committee Member Grace stated a desire to see more work done on the proposal, and he is voting no.

Committee Member Guevar stated there could be more compromise made, and he is voting no.

Committee Member Jurayeva stated that she is voting yes and noted the compromises made by the applicant to reduce the density and the fact that privacy is not an issue with inward facing windows on the 4th floor.

Committee Member Schmieder stated that an R-4 district would be a better compromise, and she is voting no.

Committee Member Sharaby stated that when this case was first heard, he had concerns, but as a result of the changes, which were a form of compromise, he is voting yes.

Committee Member Siegel stated that from an aesthetic perspective, this project will lift the neighborhood up, and she is voting yes.

Chair Fischbach encouraged the applicant to treat the community with kindness, decency, and mindfulness, and stated he is voting yes.

VOTE:

13-7; motion to recommend approval of Z-74-24-6, per the staff recommendation, with a modification to Stipulation No. 3 passed; Committee Members Abbott, Augusta, Baumer, Beckerleg Thraen, Garcia, Jurayeva, Langmade, McClelland, Sharaby, Siegel, Swart, Paceley, and Fischbach in favor; Committee Members Eichelkraut, Grace, Guevar, Noel, Schmieder, Whitesell, and Williams opposed.

VPC RECOMMENDED STIPULATIONS:

1. The maximum number of dwelling units shall be 64.
2. The building height shall be limited to a maximum 3 stories and 39 feet within 37 feet of the Turney Avenue property line and within 45 feet of the 21st Street property line.
3. The landscape setback along 21st Street **AND ALONG THE NORTH AND EAST INTERIOR PROPERTY LINES** shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
4. A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.
5. A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.
6. A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

7. All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
8. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.

9. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
11. A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
12. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
13. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.
14. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
15. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
16. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
17. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
18. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

19. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
20. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
21. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no concerns with the recommended stipulations.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-74-24-6) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-5 (MULTI FAMILY DISTRICT).

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

SECTION 1. The zoning of a 1.82-acre site located at the northeast corner of 21st Street and Turney Avenue in a portion of Section 22, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R-3" (Multifamily Residence District) to "R-5" (Multifamily Residence District).

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

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

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

1. The maximum number of dwelling units shall be 64.
2. The building height shall be limited to a maximum 3 stories and 39 feet within 37 feet of the Turney Avenue property line and within 45 feet of the 21st Street property line.
3. The landscape setback along 21st Street shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
4. A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.
5. A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.
6. A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

7. All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
8. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
9. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

10. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
11. A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
12. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
13. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.
14. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
15. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
16. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
17. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
18. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
19. The property owner shall record documents that disclose the existence, and

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

20. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
21. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 22nd day of January, 2025.

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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-74-24-6

Maricopa County Assessor's Parcel Numbers 163-31-012 and 163-31-015

The land referred to herein is situated in a portion of the Southeast quarter of Section 22, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is legally described as follows:

Parcel No. 1:

Lot 4 in Block 1, HOMESIDE ACRES, according to Book 20 of Maps, Page 18, records of Maricopa County, Arizona;

EXCEPT the North 100.00 feet; and

EXCEPT the South 90 feet.

Parcel No. 2:

The West 166.00 feet of the South 90.00 feet of Lot 4 in Block 1, HOMESIDE ACRES, according to Book 20 of Maps, Page 18, records of Maricopa County, Arizona.

Maricopa County Assessor's Parcel Number 163-31-014B

The land referred to herein is situated in a portion of the Southeast quarter of Section 22, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is legally described as follows:

The West 77 feet of the East 134 feet of the South 90 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18;

EXCEPT any part thereof lying within the West 166 feet of the South 90 feet of said Lot 4, Block 1 of said subdivision.

Maricopa County Assessor's Parcel Number 163-31-013D

The land referred to herein is situated in a portion of the Southeast quarter of Section 22, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is legally described as follows:

Parcel No. 1:

The East half of the following described property:

The North 100 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18.

Except the West 100 feet.

Parcel No. 2:

An Easement for ingress and egress over the North 20 feet of the West 100 feet of the North 100 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18.

Parcel No. 3:

An Easement for ingress and egress of the North 20 feet of the following described property:

The West half of the following described property:

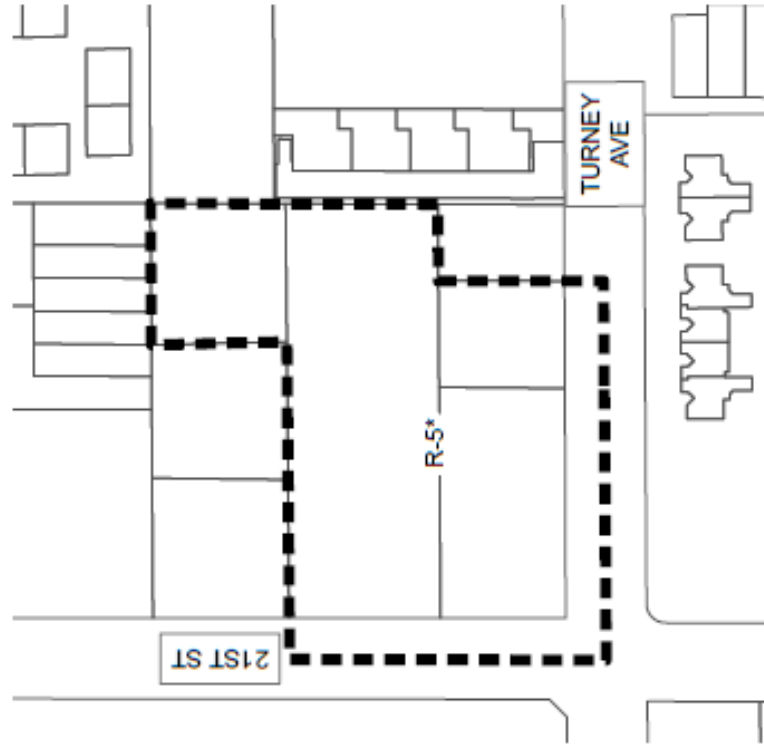
The North 100 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18.

Except the West 100 feet.

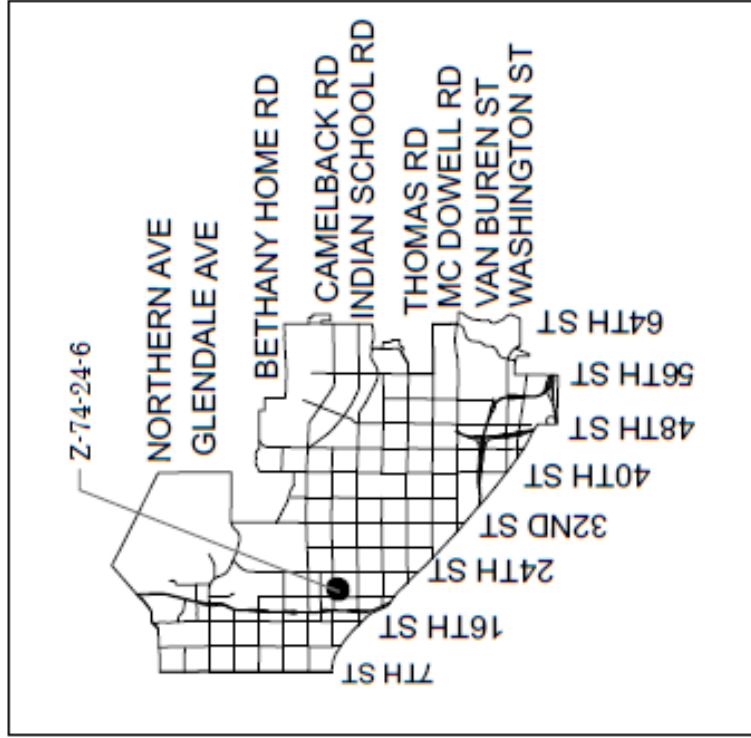
ORDINANCE LOCATION MAP

Zoning Case Number: Z-74-24-6
Zoning Overlay: N/A
Planning Village: Camelback

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



NOT TO SCALE



ATTACHMENT B



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-74-24-6
July 26, 2024

Camelback East [Village Planning Committee](#) Meeting Date: August 6, 2024
[Planning Commission](#) Hearing Date: September 5, 2024
Request From: [R-3](#) (Multifamily Residence District) (1.82 acres)
Request To: [R-5](#) (Multifamily Residence District) (1.82 acres)
Proposal: Multifamily residential
Location: Northeast corner of 21st Street and Turney Avenue
Owner: 4401 Turney Villas, LLC
Applicant/Representative: Ashley Marsh, Gammage & Burnham, PLC
Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 10 to15 dwelling units per acre	
Street Map Classification	21st Street	Local	30-foot east half street
	Turney Avenue	Local	30-foot north half street

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on residential properties.

The proposal, as stipulated, will allow a new residential development in a neighborhood where there is a range of existing residential use types. As stipulated, the proposal will provide a large building setback along the north property lines to buffer the use from the single-family residences to the north.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.

The proposal is a compatible use of similar size and type in the surrounding neighborhood. The proposal will also complement the area by providing a range of housing types in accordance with the Housing Phoenix Plan.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, incorporates streetscape and design standards to promote a pedestrian-friendly environment along 21st Street and Turney Avenue that is compatible with the surrounding residential development in the area.

R-5 (Multifamily Residence District) Subdivision Development Option		
<u>Standards</u>	<u>Requirements</u>	<u>Site Plan Provisions</u>
Gross Acres	-	1.82 acres
Maximum Dwelling Units	79	75 (Met)
Maximum Density (dwelling units/acre)	43.5	41.21 (Met)
Maximum Building Height	4 stories or 48 feet	4 stories and 48 feet (Met)
<i>Minimum Building Setbacks</i>		
North (side)	3 feet	46 feet (Met)
East (rear)	15 feet	48 feet (Met)
West (21st Street, front)	20 feet	10 feet (Not Met*)
South (Turney Avenue, side)	10 feet	9 feet (Not Met*)
<i>Minimum Landscape Setbacks</i>		
North (side)	5 feet	5 feet (Met)
East (rear)	5 feet	5 feet (Met)
West (21st Street, front)	20 feet	10 feet (Not Met*)
South (Turney Avenue, side)	10 feet	9 feet (Not Met*)
<i>Lot Standards</i>		
Minimum Open Space	5 percent	5.26 percent (Met)
Maximum Lot Coverage	50 percent	15 percent (Met)
Minimum Parking	113 vehicular spaces	96 vehicular spaces (Not Met*)

*Site plan modification required or variance must be obtained.

Applicable Plans, Overlays, and Initiatives
<u>Phoenix Climate Action Plan</u> – See Background Item No. 6.
<u>Housing Phoenix Plan</u> – See Background Item No. 7.
<u>Tree and Shade Master Plan</u> – See Background Item No. 8.
<u>Transportation Electrification Action Plan</u> – Background Item No. 9.
<u>Complete Streets Guiding Principles</u> – See Background Item No. 10.
<u>Comprehensive Bicycle Master Plan</u> – See Background Item No. 11.
<u>Zero Waste PHX</u> – See Background Item No. 12.
<u>Conservation Measures for New Development</u> – See Background Item No. 13.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Single-family and multifamily residential	R-3
North	Single-family and multifamily residential	R-3
West (across 21st Street)	Multifamily residential	R-5
East	Multifamily residential	R-3
South (across Turney Avenue)	Multifamily residential	R-5

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 1.82 acres located at the northeast corner of 21st Street and Turney Avenue, from R-3 (Multifamily Residence District) to R-5 (Multifamily Residence District) for a multifamily residential development.

SURROUNDING LAND USES AND ZONING

2. There are single-family and multifamily residences to the north zoned R-3 (Multifamily Residence District), and to the south, across Turney Avenue is a multifamily residential development zoned R-5 (Multifamily Residence District). To the west, across 21st Street, is a multifamily residential development zoned R-5 (Multifamily Residence District).

GENERAL PLAN LAND USE MAP

- The General Plan Land Use Map depicts the subject site and the properties to the north, south and east with a designation of Residential 10 to 15 dwelling units per acre. The area to the west, across 21st Street, has a General Plan Land Use Map designation of Residential 15+ dwelling units per acre. The request to rezone the site to R-5 is not consistent with the General Plan Land Use Map designation, however, a General Plan Amendment is not required as the site is under 10 acres.



General Plan Land Use Map; Source: Planning and Development Department

PROPOSAL

- The site plan, attached as an exhibit, proposes a 75-unit multifamily residential development with an outdoor amenity area, pool, clubhouse, and gym. The site plan includes 96 parking spaces along the northern sides of the building, secured bicycle parking in the residential building and in the northeast parking lot. Full driveway access to the parking lots will be from 21st Street and Turney Avenue. Landscaping along the northern property line will include trees and shrubs to provide added buffering along the property perimeter. A detached sidewalk along Turney Avenue and an attached sidewalk along 21st Street will provide pedestrian connections to the adjacent residential developments in the area. The sidewalks will include trees for shade coverage. Due to the need to seek variances for the patio projections within the building and landscape setbacks along 21st and Turney Avenue and a reduction in parking, staff does not recommend general conformance to the site plan. Staff recommends Stipulation Nos. 1, 2, 4, and 15 to

provide an enhanced pedestrian environment, shade, and an enhanced setback along the north property lines.

5. The conceptual elevations attached as an exhibit, demonstrate four-sided architecture with a building height of 48 feet with various architectural features including fenestrations, shade devices, balcony railings and a smooth exterior finish. The building includes windows, entry accent features and neutral color tones to complement the existing residential developments along 21st Street and Turney Avenue.

STUDIES AND POLICIES

6. [Phoenix Climate Action Plan:](#)

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the [Greater Phoenix Green Infrastructure \(GI\) and Low Impact Development Details for Alternative Stormwater Management](#) to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 16, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

7. [Housing Phoenix Plan:](#)

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposal supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion. The proposal includes 75 units which includes studios, one- and two-bedroom units.

8. [Tree and Shade Master Plan:](#)

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. The proposal, as stipulated, will create a streetscape environment with a shaded and detached sidewalk and the parking lot landscaping will include shade trees. These

are addressed in Stipulation Nos. 1, 3, 4, and 15.

9. **Transportation Electrification Action Plan:**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments, and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation Nos. 9 and 11.

10. **Complete Streets Guiding Principles:**

The City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The proposed development, as stipulated, will support walking, bicycling, and transit-use by including bicycle parking on the site, by including a bicycle repair (fix it) station to help patrons keep their bikes in a state of good repair, and by constructing a shaded and detached sidewalk along 21st Street. These are addressed in Stipulation Nos. 4 through 10.

11. **Comprehensive Bicycle Master Plan:**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the development will provide a bicycle repair station and bicycle parking spaces per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. This is addressed in Stipulation Nos. 8 and 10.

12. **Zero Waste Phoenix PHX:**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. The proposal includes the placement of a recycling receptacle will be provided for residential use.

13. **Conservation Measures for New Development:**
In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - *Build the Sustainable Desert City*. The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 12 through 16.

COMMUNITY CORRESPONDENCE

14. As of the writing of this report, no community correspondence has been received.

INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department identified that this subject site is within the 20th Street bicycle corridor which is consistent with bicycle and pedestrian infrastructure development. The 20th Street Improvement Project is currently under construction and is designed to greatly enhance connectivity with existing and planned bicycle and pedestrian infrastructure and transit service for this transportation corridor and throughout the Camelback East Village Core. On-site bicycle lockers, fix-it stations, and other infrastructure should be considered as part of the residential development. This is addressed in Stipulations Nos. 8 and 10. The Street Transportation Department also required an attached sidewalk on 21st Street, a detached sidewalk on Turney Avenue, that utilities be undergrounded, and all street improvements be made to City and ADA standards. These are addressed in Stipulation Nos. 3 through 7.

OTHER

16. The Aviation Department requested that the property owner record documents that disclose the existence and operational characteristics of Sky Harbor Airport to future owners or tenants of the property. This is addressed in Stipulation No. 17.
17. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 18.
18. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 19.

19. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

Findings:

1. The proposal is appropriate at this location and is consistent with the scale and existing uses in the surrounding area.
2. The proposal, as stipulated, will incorporate landscaping and shading that will enhance the location, consistent with General Plan goals and principles.
3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. The landscape setback along 21st Street shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
2. A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.
3. A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.
4. A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

5. All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.

6. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
7. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
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10. A bicycle repair station (“fix it station”) shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
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12. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
13. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
14. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
15. A minimum of 25% of the surface parking areas shall be shaded, as approved by

the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.

16. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
17. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
18. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
19. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

John Roanhorse

July 26, 2024

Team Leader

Racelle Escolar

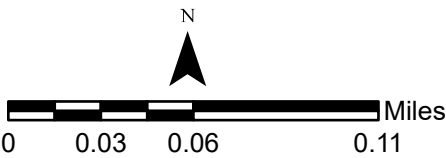
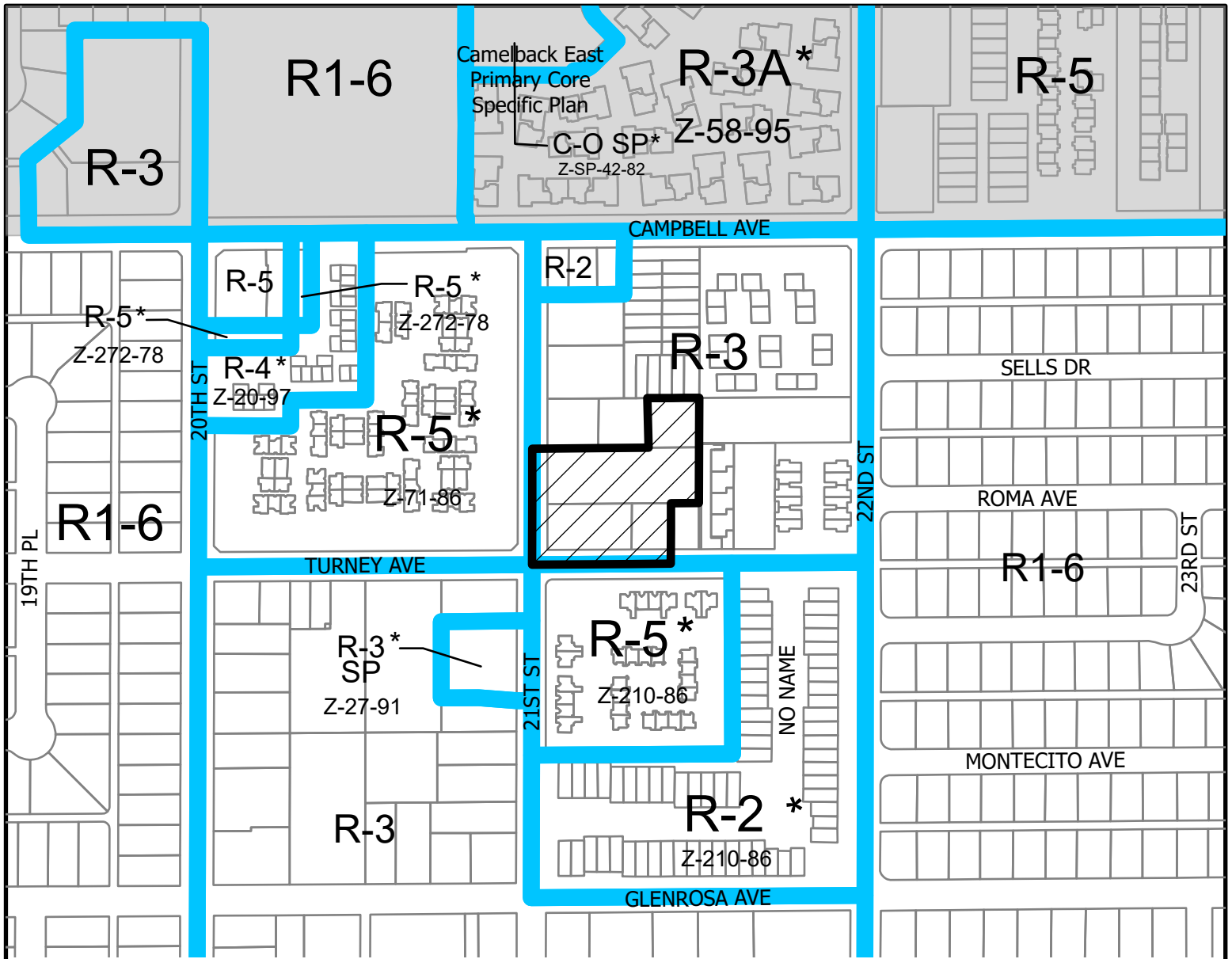
Exhibits

Zoning sketch map

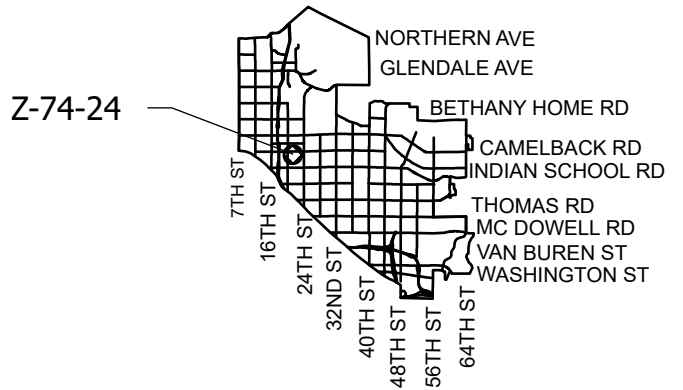
Aerial sketch map

Conceptual Site Plan date stamped May 30, 2024

Conceptual Building Elevations date stamped May 30, 2024 (2 pages)

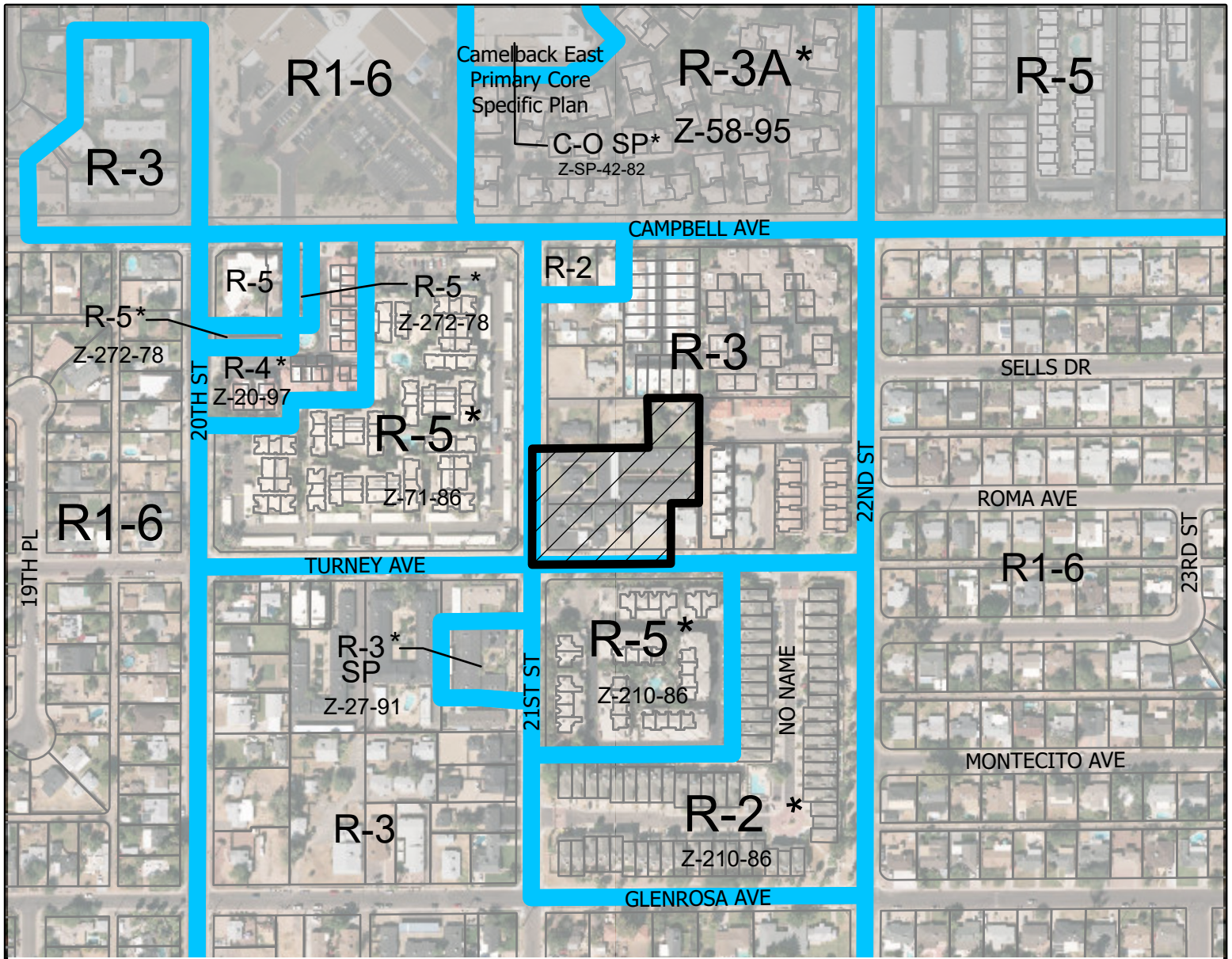


CAMELBACK EAST VILLAGE
COUNCIL DISTRICT: 6



APPLICANT'S NAME: Gammage & Burnham, PLC		REQUESTED CHANGE:	
APPLICATION NO: Z-74-24	DATE: 6/24/2024	FROM: R-3 (1.82 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.82Acres	REVISION DATES:		TO: R-5 (1.82 a.c.)
	AERIAL PHOTO & QUARTER SEC. NO. QS 17-32	ZONING MAP H-9	
MULTIPLES PERMITTED	CONVENTIONAL OPTION		* UNITS P.R.D OPTION
R-3	26		31
R-5	79		95

* Maximum Units Allowed with P.R.D. Bonus



Camelback East
Primary Core
Specific Plan

C-O SP* Z-58-95
Z-SP-42-82

20TH ST

22ND ST

21ST ST

23RD ST

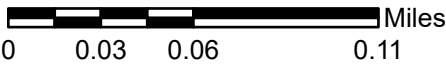
TURNEY AVE

GLENROSA AVE

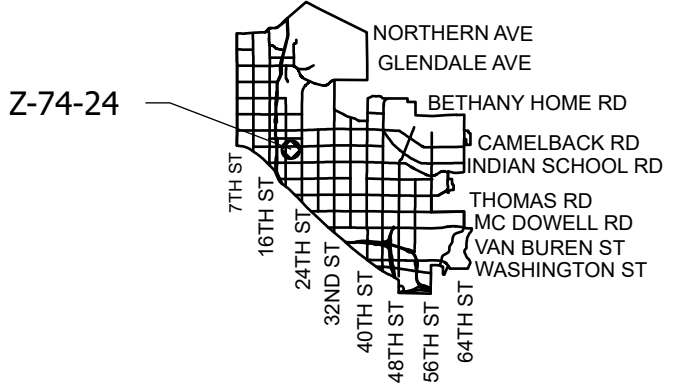
SELLS DR

ROMA AVE

MONTECITO AVE



CAMELBACK EAST VILLAGE
COUNCIL DISTRICT: 6



APPLICANT'S NAME: Gammage & Burnham, PLC		REQUESTED CHANGE:	
APPLICATION NO: Z-74-24		FROM: R-3 (1.82 a.c.)	
DATE: 6/24/2024		TO: R-5 (1.82 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.82Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 17-32	ZONING MAP H-9
MULTIPLES PERMITTED R-3 R-5		CONVENTIONAL OPTION 26 79	
		* UNITS P.R.D OPTION 31 95	

* Maximum Units Allowed with P.R.D. Bonus

GENERAL NOTES: EXTERIOR ELEVATIONS

KENZLY
architecture & interiors
2380 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016
P. 602.620.8792
WWW.KENZLYARCHITECTS.COM

CITY OF PHOENIX
MAY 30 2024
Planning & Development
Department



2 EXTERIOR ELEVATION_SOUTH
1/8" = 1'-0"

**TURNEY VILLAS
APARTMENTS**
4401 TURNEY VILLAS LLC
4401 NORTH 21ST STREET
PHOENIX, ARIZONA 85016



1 EXTERIOR ELEVATION_NORTH
1/8" = 1'-0"

**NOT FOR
CONSTRUCTION**

SCALE: 1/8" = 1'-0"
DATE: 05/30/24
A201
EXTERIOR ELEVATIONS
N/S

GENERAL NOTE: EXTERIOR ELEVATIONS

KENZLY
architecture & interiors
2380 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016
P. 602.620.8792
WWW.KENZLYARCHITECTS.COM

CITY OF PHOENIX
MAY 30 2024
Planning & Development
Department

**TURNERY VILLAS
APARTMENTS**
440 TURNERY VILLAS LLC
440 NORTH 21ST STREET
PHOENIX, ARIZONA 85016

DATE: 5/20/24
DRAWN BY: [REDACTED]
SCALE: 1/8" = 1'-0"

**NOT FOR
CONSTRUCTION**

DATE: 5/20/24
DRAWN BY: [REDACTED]
SCALE: 1/8" = 1'-0"
A202
EXTERIOR ELEVATIONS
EAW



2 EXTERIOR ELEVATION_WEST
1/8" = 1'-0"



1 EXTERIOR ELEVATION_EAST
1/8" = 1'-0"



Village Planning Committee Meeting Summary Z-74-24-6

Date of VPC Meeting	August 6, 2024
Request From	R-3
Request To	R-5
Proposal	Multifamily residential
Location	Northeast corner of 21st Street and Turney Avenue
VPC Recommendation	No recommendation
VPC Vote	n/a

VPC DISCUSSION:

*Eight members of the public registered to speak on this item in opposition.
Seven members of the public registered in opposition, not wishing to speak.*

STAFF PRESENTATION:

John Roanhorse, staff, provided a summary overview of the rezoning request noting that the committee will vote on the case. Mr. Roanhorse discussed the proposal location, the existing and proposed zoning districts, and surrounding land uses and adjacent streets. Mr. Roanhorse displayed the site plan, development standards for building height, parking, site access, setbacks, streetscapes and open space. Mr. Roanhorse discussed the General Plan Land Use Map designation. Mr. Roanhorse displayed and reviewed the staff findings and recommendation for approval subject to stipulations.

APPLICANT PRESENTATION:

Ashley Marsh representing the applicant with Gammage & Burnham, PLC introduced herself and recognized Michelle Santoro, with Gammage & Burnham, PLC and Mr. Richard Kafka who developed the Tapatio hotel. Ms. Marsh stated that Mr. Kafka is pleased with the opportunity to bring this proposal forward and has extensive expertise in project development. Ms. Marsh reviewed the details of the site including location, size, history, and current layout of the site. Ms. Marsh stated the location is underutilized compared to many of the adjacent residences in the area. Ms. Marsh noted the proximity of the site in relation to the Camelback Corridor which is an important feature for residential

development that is situated near commercial uses to the north and south. Ms. Marsh stated the site currently is zoned R-3 and is within an existing multi-family residential district area with R-5 zoning built up to three stories which includes the adjacent Dakota and Biltmore Commons. Ms. Marsh said that the multifamily residential designs of the area have various options with urban design concepts. Ms. Marsh stated the current site has 1970's styled architecture and no perimeter sidewalks and are single story in an area where there are multi-story residences. Ms. Marsh displayed a site plan and reviewed the details noting the height of 48 feet, four stories, and that the buildings are placed closer to the corner with significant setbacks to create an urban concept for building massing on the streetscape. Ms. Marsh stated the proposal has 75 units with a mix of studio, one bedroom and two-bedroom units and the first floor will accommodate amenities for the proposal. Ms. Marsh stated the ground level around the building will include 22 parking spaces, enhanced landscaping and setbacks situated away from the adjacent properties. Ms. Marsh displayed conceptual elevations and stated the proposed design fits in the existing neighborhood and with the patios there is connection to pedestrian activity. Ms. Marsh stated the proposal does meet the city's Housing Phoenix Plan, the Tree and Shade Master Plan by including 25 percent shading and will include electrical vehicle charging. Ms. Marsh stated the proposal include bicycle amenities for charging and is within the Bicycle Master Plan area. Ms. Marsh said a neighborhood meeting was held and there was support and concerns expressed by neighbors including privacy, increased traffic and building height. Ms. Marsh stated Mr. Will Kahili with Lokahi conducted a traffic study and the results was the additional trips in the area would be minimal.

QUESTIONS FROM THE COMMITTEE:

Committee Member Pacey asked if the sidewalks were detached. **Ms. Marsh** responded that the current site plan is outdated and the sidewalk along Turney Avenue will be detached and the sidewalk along 21st Street will be attached, and this is consistent with the Street Transportation Department requirements.

PUBLIC COMMENTS:

Lee Busenbark introduced herself as a resident from a neighborhood next to the proposed site. Ms. Busenbark stated there is limited traffic access to the neighborhood where the proposed site is located. Ms. Busenbark stated that speed cushions were installed on 20th Street but there has been an increase in traffic due to the development in the area. Ms. Busenbark stated there is a housing shortage, but there is a shortage of single-family developments and there is more multifamily development that removes single family residences. Ms. Busenbark asked why are there no attached or semi-attached and single-family developments being built. Ms. Busenbark stated that there should be opportunities for homeowners who have a greater stake in neighborhoods rather than commercial rental owners.

Robert Greenberg introduced himself and stated he resides in a townhome on 21st Street which faces the parking lot of the proposed development. Mr. Greenberg stated the location

of the parking lot is problematic due to increased traffic noise and lighting and said with school traffic there are more drivers in the area. Mr. Greenberg stated that with kids being picked up and dropped off this is a safety issue, and a traffic light is needed. Mr. Greenberg stated that the existing single-family homes on the site add quality to the area. Mr. Greenberg stated that development needs to address affordable housing, the parking lot poses a problem and the increased traffic at the intersection needs to be addressed, and the site needs appropriate fencing, and the architecture of the proposal should add to the neighborhood.

John Paletta introduced himself and stated he resides on Glenrosa Avenue. Mr. Paletta displayed maps of the area and stated he has been following development in the neighborhood for 20 years and is aware of some of the historic details. Mr. Paletta stated he is concerned the proposal is being fast tracked and there was not sufficient information provided. Mr. Paletta stated that there have been previous high-density proposals that were defeated, and the more recent developments have been two stories which is not consistent with the existing building height in the area. Mr. Paletta stated the neighbors in the area have opposed higher densities to maintain the quality of the area. Mr. Paletta said that it would be beneficial if the presentation was for information only and a recommendation meeting should be conducted at a later date as a better option for the neighborhood.

Agnes Fickera introduced herself and stated she has lived on 22nd Street for 26 years and witnessed lots of development. Ms. Fickera stated that the church on Campbell Avenue has been overlooked and like the school will be impacted by increased traffic resulting from the development. Ms. Fickera stated there has been so much multifamily development in the area of the proposed site that traffic and parking have become significant issues. Ms. Fickera stated she does not support a 70-unit, four-story development in the neighborhood.

Ashley Bunch introduced herself and noted that the applicant appears to be intransigent and unwilling to work with the neighborhood. Ms. Bunch stated that the applicant has discussed the details of the project without addressing the concerns expressed by the community. Ms. Bunch stated that the applicant is not responsive to the concerns. Ms. Bunch stated that there is concern with the building height and privacy. Ms. Bunch requested that the committee ask the applicant to adjust their plans in response to the concerns that have been expressed by the neighborhood representatives.

Melissa Rhodes introduced herself as a resident of Peters View Neighborhood and expressed concern with the increased density and the recent trend of gigantic residential buildings that have been approved. Ms. Rhodes stated that the applicant has not adequately addressed the increased traffic and with the school and church in the area there will be significant problems. Ms. Rhodes said that the approval of large developments without addressing increased traffic is a problem for residents. Ms. Rhodes stated that this request has been rushed and there should be an informational meeting as part of the review. **Vice Chair Fischbach** responded that PUD (Planned Unit Development) projects have an information only meeting and rezoning requests only have one committee review meeting, and this proposal is a rezone request.

Royden Hudnall introduced himself as a resident east of the proposed site. Mr. Hudnall stated he agrees with the neighbors regarding all the noted concerns including density, height and traffic. Mr. Hudnall said the main concern he has is the precedent that this development will have for the neighborhood and there are no four-story developments south of Campbell Avenue and there is R-5 zoning in the area, but none are four stories. Mr. Hudnall stated that the transition between R-3 zoning, and R-5 represents an excessive increase that will be seen by other developers who will pursue similar actions on small lots in the area. Mr. Hudnall stated this proposal reflects a drastic change that will undermine the character of the neighborhood permanently if this project is approved. Mr. Hudnall stated that he met with the developer, but he does not understand how drastic this change will be to the community. Mr. Hudnall stated he has initiated a petition to block the proposal that has over 160 signatures. Mr. Hudnall invited any meeting participants to sign the petition if interested. **Vice Chair Fischbach** asked Mr. Hudnall about a message sent to the developer, and if there was a request for an agreement regarding the proposal. Mr. Hudnall stated that Mr. Kafka contacted him to see if there was an opportunity to come to an agreement regarding support for the proposal. Vice Chair Fischbach asked if there was a request for access privileges to the development. Mr. Hudnall stated that the proposal would impact the adjacent home values and by having access to the pool may promote the neighboring home values to offset negative equity. Vice Chair Fischbach asked if there was a request for an easement. Mr. Hudnall stated that he asked for an agreement but not an easement for neighborhood access but there was no conclusion.

Kathy DeLorey introduced herself and stated she has resided on Roma Avenue for 35 years. Ms. DeLorey stated that she greatly appreciates the area and neighbors who have invested in the community. Ms. DeLorey stated the proposal is an invasion into the existing neighborhood and asked the committee to deny the rezoning request, for all the concerns voiced by the previous speakers. Ms. DeLorey asked that the presentation to the Planning Commission on September 5, 2024, be rescheduled to allow more time for review and to educate the neighborhood about the proposal. Mr. DeLorey stated that this proposal sets a precedent to allow four stories on interior streets of neighborhoods and with narrow streets on-street parking is not safe. Ms. DeLorey stated that four story complexes should be built on collector streets not on internal streets. Ms. DeLorey stated that with the proposal having rentals, this will be more tenants and cars than expected will increase traffic in the area. Ms. DeLorey expressed that she was instrumental in the installation of speed humps to reduce cut through traffic from 24th Street. Ms. DeLorey stated she has signed the petition and is opposed to the proposed development.

APPLICANT RESPONSE:

Ashley Marsh thanked the committee and members of the public for their feedback. Ms. Marsh stated they sent out over 450 pieces of mail to provide as much notification as possible. Ms. Marsh stated the proposal is not a PUD, just a regular rezoning case. Ms. Marsh stated they have been answering questions from the neighbors to consider access to some amenities and other possible agreements. Ms. Marsh stated that the proposal is an infill site and is in a desirable area for multifamily residences and suitable for R-5

development. Ms. Marsh stated the site plan was carefully developed to respond to the adjacent neighbors and provide landscaping and street frontage. Ms. Marsh stated that at the neighborhood meeting a site line exhibit was presented to mitigate impacts to the neighborhood. Ms. Marsh stated that a traffic study was conducted which determined that the number of trips at different times was suitable and the study was conducted by an engineer.

Committee Member Jurayeva stated that with the concerns regarding visibility to the neighbors asked what has been done to address the angles of view. **Ms. Marsh** displayed the site exhibit and responded that the placement of the building is approximately 100 feet from the property line and there are six residences along the perimeter, so this reduces any direct view lines.

Committee Member Augusta noted that a school was mentioned, and asked what is the location and how site lighting would be managed. Ms. Marsh responded that the school is one block north of the proposed site and site lighting will be down lit. Committee Member Augusta asked what would be the height of the light poles. Ms. Marsh responded that the poles would be in the parking lot and illuminate directly downward.

Vice Chair Fischbach asked what kind of school is located near the site. Ms. Marsh responded that it is Camelview Elementary School, located one block to the north.

Committee Member Grace asked is there will be a wall or landscaping along the east perimeter of the site. **Ms. Marsh** responded that there will be a 6-foot perimeter wall along the eastern side of the site.

Committee Member Whitesell asked if the units would be rentals or owner occupied and if the applicant knew what the surrounding residences were. **Ms. Marsh** responded that yes, the proposed development would be rental units and the majority of the surrounding units are multifamily condominiums which can be owned or rented. Committee Member Whitesell commented that the city is pursuing a targeted housing quantity with various types and asked what is the expected rental price range. Ms. Marsh responded that the rentals would be available at market rate. Committee Member Whitesell stated that from the Phoenix Housing Plan there is a distinguished quantity of the missing middle, including duplexes and triplexes for workforce housing remains deficient. Committee Member Whitesell stated that new developments need to focus on a variety of housing types and the proposed location would be ideal for workforce housing rather than market rate housing.

Committee Member Schmieder asked about the communication with the adjacent neighbors to accommodate amenities. **Ms. Marsh** responded the development is forward thinking and the site has been adjusted closer to the streetscape and provides buffering and landscaping. Ms. Marsh stated that there has been request for amenities such as a pickleball court but to make the project work the requested density would be needed.

Committee Member Guevar asked if the proposal is the tallest building in the neighborhood. Ms. Marsh responded that it would be the tallest building south of Campbell Avenue but not the tallest in the neighborhood. Committee Member Guevar asked if the project is not approved could changes be made. Ms. Marsh responded that since it is an infill site and there are fixed costs the project as presented is what works economically.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE.

Chair Swart asked the committee if there were other questions and asked if there was a motion for consideration.

MOTION:

Committee Member Jurayeva motioned to recommend approval of Z-74-24-6 per the staff recommendation. **Committee Member Beckerleg Thraen** seconded the motion.

Committee Member Jurayeva stated that in 2017 condominiums in the area were priced at \$300,000 and now it is too expensive to buy a home and the proposal provides available housing. Committee Member Jurayeva stated that housing needs to be available for professionals working and commuting in the area and it is an infill site.

Chair Swart asked the committee if there was discussion on the motion before proceeding to a roll call vote.

Committee Pacey asked if members could explain their vote.

Committee Member Whitesell commented that he received the proposal information and drove the site and saw some of the homes in the area and did not see any problems initially. Committee Member Whitesell stated he reviewed the R-5 zoning requirements and certain things should be met in the district, and there should be continuity with the adjacent neighborhood and the neighbors have been heard and this project is not an enhancement to the area. Committee Member Whitesell stated that with a zoning comparison table, including the R-3 requirements would have been helpful to see the difference with the R-5 requirements to allow them to evaluate what impact it would have on the surrounding neighborhood. Committee Member Whitesell stated he will vote no but would entertain the idea of having the applicant come back to the committee, and this presentation would be for information only.

Committee Member Augusta stated that with the R-5 zoning the proposal does fit in the area and there does need to be more housing in the city and votes yes.

Committee Member Grace stated he votes no on the motion. Committee Member Grace stated that more housing is needed but going to four stories is not the only economically

viable reason and this was tried with a project on 44th Street and to fit in that neighborhood two-story units were built to be consistent with that neighborhood.

Committee Member Guevar stated that there are other solutions to address the housing issue that could focus on ownership not just rental property. Committee Member Guevar stated that no comparison of the zoning was presented between R-3 and R-5 and there maybe there is some creative opportunity to rethink the development to address density and possibly build to three stories. Committee Guevar stated he votes no.

Committee Member Jurayeva stated that with her experience housing was a challenge in 2017 with the current housing market people cannot obtain housing. Committee Member Jurayeva stated that nurses, teachers, and firefighters cannot afford to buy homes and there needs to be an alternative to live and commute to work. Committee Member Jurayeva stated people should have homes, so they do not have extended commutes to work and to the downtown area. Committee Jurayeva said the traffic study shows that this project is feasible and is in favor of this project moving forward.

Committee Member Pacey stated he does like the project, but it is not suitable for the location and R-3 might be more applicable for this proposal. Committee member Pacey stated he votes no.

Committee Member Schmieder stated she agrees with the neighborhood comments and there should be more interplay with the neighborhood. Committee Member Schmieder stated she votes no.

Committee Member Sharaby stated he has been on the committee for a while and favors residential development and respects Committee Member Jurayeva. Committee Member Sharaby stated that there are housing alternatives for professionals and the people have expressed their passion for their neighborhood. Committee Member Sharaby stated that too many projects get approved, and this proposal is not in the right location and the applicant can go back and rethink their situation. Committee Sharaby stated he votes no.

VOTE:

7-9; motion to recommend approval of Z-74-24-6 per the staff recommendation fails with Committee members Augusta, Bayless, Beckerleg Thraen, Garcia, Jurayeva, Fischbach and Swart in favor; and Committee members Eichelkraut, Grace, Guevar, O'Malley, Pacey, Schmieder, Sharaby, Whitesell and Williams opposed.

Chair Swart stated that the motion fails with seven votes in favor and nine in opposition.

No other motions were made on this item.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

ATTACHMENT D



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A

Staff Report: Z-74-24-6

October 10, 2024

<u>Camelback East Village Planning Committee Meeting Date:</u>	August 6, 2024
<u>Planning Commission Hearing Date:</u>	October 10, 2024
Request From:	<u>R-3</u> (Multifamily Residence District) (1.82 acres)
Request To:	<u>R-5</u> (Multifamily Residence District) (1.82 acres)
Proposal:	Multifamily residential
Location:	Northeast corner of 21st Street and Turney Avenue
Owner:	4401 Turney Villas, LLC
Applicant/Representative:	Ashley Marsh, Gammage & Burnham, PLC
Staff Recommendation:	Approval, subject to stipulations

The purpose of this addendum is to revise the site plan and elevations on file to reflect updated documents submitted by the applicant.

The request is to rezone 1.82 acres located on the northeast corner of 21st Street and Turney Avenue from R-3 (Multifamily Residence District) to R-5 (Multifamily Residence District) for multifamily residential.

The Camelback East Village Planning Committee heard this case on August 6, 2024, and a motion for approval failed with a 7-9 vote. Therefore, no recommendation was forwarded to the Planning Commission.

On October 3, 2024 the applicant submitted a revised site plan and elevations. The revised site plan depicts a reduction in the number of units from 75 to 64. The revised elevations depict a reduction in building height along the Turney Avenue and 21st Street frontages from four stories (48 feet) to three stories (approximately 38 feet). The applicant reduced the number of units and the building height in response to community concerns regarding compatibility with the surrounding area. Staff recommends additional stipulations to ensure compliance with the reduced number of units and building height (see new Stipulation Nos. 1 and 2).

Additional correspondence received after the publication of the staff report is also attached to this addendum.

Staff recommends approval, per the modified stipulations in **bold** font below:

Stipulations

1. **THE MAXIMUM NUMBER OF DWELLING UNITS SHALL BE 64.**
2. **THE BUILDING HEIGHT SHALL BE LIMITED TO A MAXIMUM 3 STORIES AND 39 FEET WITHIN 37 FEET OF THE TURNEY AVENUE PROPERTY LINE AND WITHIN 45 FEET OF THE 21ST STREET PROPERTY LINE.**
- 3.4. The landscape setback along 21st Street shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
- 4.2. A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.
- 5.3. A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.
- 6.4. A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

- 7.5. All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
- 8.6. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
- 9.7. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 10.8. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs

in Appendix K of the Comprehensive Bicycle Master Plan.

- 11.9- A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
- 12.40- A bicycle repair station (“fix it station”) shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
- 13.44- A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.
- 14.42- Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
- 15.43. 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.
- 16.44. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
- 17.45- A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
- 18.46- A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
- 19.47- The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
- 20.48- In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

- 21.19- Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Exhibits

Site Plan date stamped October 3, 2024

Elevations date stamped October 3, 2024 (2 pages)

Correspondence (36 pages)

GENERAL NOTES: EXTERIOR ELEVATIONS

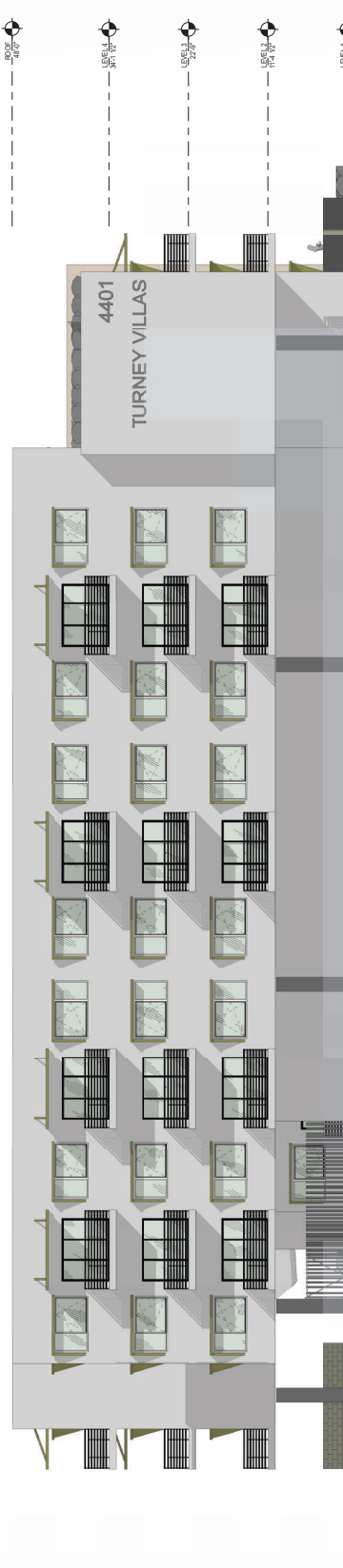


2 EXTERIOR ELEVATION - SOUTH
1/8" = 1'-0"

**TURNEY VILLAS
APARTMENTS**

4401 TURNEY VILLAS LLC
4401 NORTH 21ST STREET
PHOENIX, ARIZONA 85016

DELTA REVISIONS
DESCRIPTION
DATE



1 EXTERIOR ELEVATION - NORTH
1/8" = 1'-0"

**NOT FOR
CONSTRUCTION**

DATE: 10/03/24
DRAWN BY: JESSICA
CHECKED BY: JESSICA
SCALE: AS SHOWN

A201
EXTERIOR ELEVATIONS



2 EXTERIOR ELEVATION_WEST

1/8" = 1'-0"

**TURNERY VILLAS
APARTMENTS**

401 TURNERY VILLAS LLC
401 NORTH 21ST STREET
PHOENIX, ARIZONA 85016

DELTA REVISIONS
DESCRIPTION
DATE

**NOT FOR
CONSTRUCTION**

MARKET PLAN
MARKET PLAN
MARKET PLAN
MARKET PLAN
MARKET PLAN

A202
EXTERIOR ELEVATIONS



1 EXTERIOR ELEVATION_EAST

1/8" = 1'-0"

OPPOSITION

OCT 09 2024

Planning & Development
Department

Subject: FW: Phoenix, "R-3A" zoning refers to **Multifamily Residence Distri In Phoenix,

From: jpaletta1 <jpaletta1@cox.net>

Sent: Wednesday, October 9, 2024 2:03 PM

To: Teleia Galaviz <teleia.galaviz@phoenix.gov>; John Roanhorse <john.roanhorse@phoenix.gov>

Cc: Melissa Rhodes <melissa.rhodes.az@gmail.com>; Kathy DeLorey <ksews60@gmail.com>; Russell Birkland <rgenebirkland@gmail.com>; Betsy & Robert Greenberg <berto56@cox.net>

Subject: Phoenix, "R-3A" zoning refers to **Multifamily Residence Distri In Phoenix,

CAUTION: This email originated outside of the City of Phoenix.

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Report Suspicious

Telesia:

PLEASE PLACE THIS IN THE FILE GOT THE INDIVIDUAL PLANNING COMMISSION MEMBERS.

In Phoenix, "R-3A" zoning refers to **Multifamily Residence Distri In Phoenix, "R-3A" zoning refers to **Multifamily Residence District, Urban**. This zoning district is intended to allow for medium-density residential development, such as apartments, townhomes, or other types of multifamily housing.

Here are some key characteristics of R-3A zoning in Phoenix:

- **Density**: Typically allows for more dense residential development compared to standard single-family zones, though not as dense as higher multifamily zones (like R-5).
- **Height Restrictions**: Structures can be taller compared to single-family zones, often with a limit around 40 feet, but this can vary depending on specific regulations and overlays.
- **Uses**: Primarily residential, though sometimes complementary uses such as community centers, schools, or small retail establishments may be permitted under certain conditions.
- **Lot Size**: The minimum lot size is generally smaller than in single-family zones, allowing for more compact de

OCT 09 2024

Planning & Development
Department

Subject: FW: UNCERTAINTY OF HIGHER R5 ZONING IN RESIDENTIAL SINGLE FAMILY NEIGHBORHOOD

From: jpaletta1 <jpaletta1@cox.net>
Sent: Wednesday, October 9, 2024 2:15 PM
To: Teleia Galaviz <teleia.galaviz@phoenix.gov>
Cc: Melissa Rhodes <melissa.rhodes.az@gmail.com>; Kathy DeLorey <ksews60@gmail.com>; Kathryn northcentralnews.net <kathryn@northcentralnews.net>; Russell Birkland <rgenebirkland@gmail.com>; ryanworldtravel8@gmail.com; jpaletta1: cox.net <jpaletta1@cox.net>
Subject: UNCERTAINTY OF HIGHER R5 ZONING IN RESIDENTIAL SINGLE FAMILY NEIGHBORHOOD

Give definition of uncertainty that develops in a neighborhood when high density rezoning is introduced

Uncertainty in a neighborhood following high-density rezoning refers to the anxiety, unpredictability, and concerns among residents, property owners, and stakeholders about the future of the area. This uncertainty often stems from various factors, such as:

1. **Changes in Property Values:** Residents may be unsure whether property values will rise or fall due to the new zoning rules, affecting their investments.
2. **Impact on Community Character:** People may worry about how the introduction of higher-density buildings (e.g., apartments, condos) will alter the neighborhood's aesthetic, social, and cultural atmosphere.
3. **Traffic and Infrastructure Concerns:** Higher density often brings more people, which can strain existing roads, public services, schools, and utilities, causing apprehension about congestion or overuse of infrastructure.
4. **Housing Market Shifts:** There may be concern over whether the rezoning will lead to a more affordable or less affordable housing market, influencing who can afford to live in the area.
5. **Unpredictable Development Timeline:** Residents may be unsure when and how quickly new developments will take place, disrupting the current way of life or bringing about sudden changes.

This collective uncertainty can create tension, resistance, or even conflict within the community as different stakeholders react to the potential impacts of the rezoning.

[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](mailto:jpaletta1@cox.net)

OCT 09 2024

Planning & Development
Department**Subject:** FW: Letter of opposition to rezoning case z-74-24"0**From:** jpaletta1 <jpaletta1@cox.net>**Sent:** Wednesday, October 9, 2024 2:40 PM**To:** Teleia Galaviz <teleia.galaviz@phoenix.gov>**Cc:** Kathy DeLorey <ksews60@gmail.com>; Kathryn northcentralnews.net <kathryn@northcentralnews.net>; Melissa Rhodes <melissa.rhodes.az@gmail.com>; Russell Birkland <rgenebirkland@gmail.com>; Betsy & Robert Greenberg <berto56@cox.net>; ryanworldtravel8@gmail.com; jpaletta1: cox.net <jpaletta1@cox.net>**Subject:** Letter of opposition to rezoning case z-74-24"0

TELEIA:

PLEASE PLACE THIS IN THE FILE FOR THE PLANNING COMMISSION MEMBERS

Rezoning a property from a medium-density multifamily residential district to R5 (high-density residential district) can bring several changes to a neighborhood. Here are the key potential impacts on the certainty and character of the area:

1. Increased Density and Population

- **Impact:** R5 zoning allows for taller and larger buildings, which can accommodate more units and increase the population density of the area.
- **Neighborhood Character:** The influx of more residents could lead to a busier, more urban feel in what might have been a quieter or less densely populated neighborhood.

2. Change in Building Size and Aesthetics

- **Impact:** R5 zoning typically permits larger buildings, which could lead to taller apartment complexes or multi-story residential buildings.
- **Neighborhood Character:** This may disrupt the architectural harmony of the neighborhood, especially if surrounding properties are primarily smaller, single-family homes or lower-rise buildings.

3. Traffic and Parking

- **Impact:** Higher-density residential areas often bring more vehicles, which could increase traffic congestion and the demand for parking.
- **Neighborhood Character:** Residents may experience increased noise, parking shortages, and overall street congestion, which could reduce the quality of life for long-time residents.

4. Public Services and Infrastructure

- **Impact:** Increased population density will put more pressure on public services, such as schools, public transportation, water, and sewer systems. The neighborhood might see upgrades to these services, but there may also be growing pains during the transition.
- **Neighborhood Character:** The strain on services could affect the experience of current residents, but improvements could attract more amenities and infrastructure upgrades.

5. Property Values

- **Impact:** Rezoning to a high-density residential district can increase property values due to the potential for redevelopment, but it can also make properties more expensive, which might push out long-term residents.
- **Neighborhood Character:** This could lead to gentrification, changing the socio-economic makeup of the area and potentially altering the neighborhood's culture and identity.

6. **Commercial Development**

- **Impact**: High-density zones sometimes encourage nearby commercial developments to support the growing population, leading to the opening of new businesses like shops, restaurants, and services.
- **Neighborhood Character**: This could make the area more vibrant and convenient, but it might also shift the neighborhood from a residential to a more mixed-use environment.

7. **Social and Community Impact**

- **Impact**: Higher-density developments can change the social fabric of the neighborhood, with less familiarity among neighbors due to an increase in transient or short-term residents.
- **Neighborhood Character**: Long-standing community bonds could be weakened as a result of more turnover and less cohesion.

8. **Environmental Impact**

- **Impact**: More development may reduce green spaces, while also potentially increasing waste, noise pollution, and reducing air quality.
- **Neighborhood Character**: A reduction in open space and greenery could detract from the neighborhood's charm and sense of tranquility.

Rezoning a property to R5 may bring growth and economic benefits, but it will also inevitably change the landscape and lifestyle of the neighborhood. Understanding these factors can help residents and policymakers weigh the potential benefits and drawbacks.

[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](mailto:mail.onelink.me)

October 8, 2024

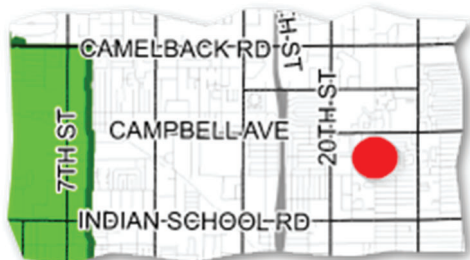
Good afternoon,

I reside in Peter's View, situated directly west of 20th Street. I am writing to express my concerns with item 5 (Z-74-24-6) the 4401 Turney Villas project. While I am not against redevelopment, I strongly oppose substantial increases in density and height within established neighborhoods. The following points aim to illustrate why the proposed density and scale of this project unsuitable for this location and sets a detrimental precedence for the stability of neighborhoods throughout the area.

In-Fill Projects

The developer has referred to this project as infill development. However, per the City's own Infill development criteria, general plan, and policies, this project is **NOT** an infill development.

1. It is NOT located within an infill district or boundary. The green shading in the following image indicates the infill boundaries defined by Resolution R-21189, with the red dot marking the general project location. [General Plan Amendment Infill Policy - Resolution R21189](#)



2. This project IS within the [Single Family Attached Development Option - Ordinance G-5874](#) and [Expansion Boundaries for the Single Family \(SFA\) Development Option - Ordinance G-5897](#). The following image illustrates the boundary of the single family attached development (grey dashed line), the approximate project location (red dot) and the infill development district per the general plan (solid black line).



3. This parcel is neither vacant, blighted, nor underutilized as defined in Part III of the core values. While the landowner may seek to increase income, this should not impose a burden on the neighborhood.

General Plan, Part III Core Values Infill Land Use and Design Principles:

- "Promote and encourage compatible infill development with a mix of housing types."

General Plan, Part III, Tools: Policies and Actions:

- "an infill development must be located with the infill development district map."
- "Implement the proposed infill development district shown on the General Plan Land Use Map."

Projects within 1-mile radius of this location that have been constructed or approved in the last decade:

Since 2014, there have been 8 new multifamily projects approved and/or constructed within a 1-mile radius of this development. Collectively, these project contribute a total of 1,415 apartments to the area. The table below provides a summary of these project along with the corresponding number of units.

Project	Number of Units	Notes:
Z-74-24 (This Project)	75	Located in a neighborhood on local streets
Z-41-23	149	On a Collector road
Z-56-22	319	On a Principal Arterial road
Z-38-18	234	
Z-9-20	237	
Z-16-20	216	
Z-6-14	220	Located in a neighborhood on a local street similar to this project
Z-70-18	22	
Z-26-21	18	

All the high-density projects are located on collector or principal arterial roads, which are more capable of accommodating higher traffic volumes.

In a neighborhood comparable to this project, there are two low to medium density developments. These projects align in height and density with a development located centrally on a local street, representing a suitable redevelopment within an established community.

Since 2018, **NO** single-family development projects have been proposed or constructed in the same 1-mile vicinity. Residential projects have been limited to the renovation or remodeling of existing homes in accordance with current zoning regulations. In the past two years along, there have been six such renovations on my street. Many of the high-density developments have acquired and removed existing single-family homes, condos, or townhouses from the market.

A notable imbalance is emerging due to the exclusive focus on large multifamily developments, which undermines the opportunity for families to own either detached or attached homes in the area.

Traffic Impacts

It is a common assertion among various projects that they will have no or minimal effects on local traffic. However, these assessments often overlook the repercussions on adjacent local roads and minor collectors that ultimately bear the burden of the additional traffic generated.

The following is derived from traffic data gathered by the City of Phoenix for the 20th Street Improvement Project, which received City Council approval in 2014, with data collection occurring in 2015 and 2017. According to the City of Phoenix's Planning and Design Guidelines, traffic data should not exceed two years in age. However, the data pertaining to 20th Street is nearing a decade old. See the Summary of 20th Street Traffic Numbers below.

20th Street is a minor collector, experiencing traffic volumes approaching 600 vehicles during peak hours. Additionally, the peak hour factor serves as a measure of traffic consistency, indicating whether traffic flows steadily or experiences interruptions. The peak hour factor for 20th Street is nearly 1, suggesting that traffic levels are consistently aligned with the reported vehicle count. Residents of Peter's View depend on 20th Street for safe access to and from our neighborhood, as we are constrained by the SR 51 to the west. We can personally attest to the difficulties encountered when entering or exiting our neighborhood during peak traffic times.

The City has identified 20th Street as a crucial corridor for both bicycles and pedestrians, ranking it 4th out of 39 corridors in terms of significance. Each additional vehicle on this corridor has a substantial impact on the quality of life and safety for all users.

Summary of 20th Street Traffic Numbers

Location	AM Peak	PM Peak	Peak Hour Factor
20 th Street at Cambell	378 SB 346 NB	412 SB 575 NB	0.90 AM 0.98 PM
20 th Street at Indian School Road	444 SB 305 NB	403 SB 509 NB	0.95 AM 0.97 PM

The significance of these figures lies in the fact that approximately 66 vehicles are generated between Indian School Road and Campbell Avenue, which can be presumed to be primarily from residents utilizing 20th Street.

The following table is a summary of the development traffic numbers that will be seen on the local streets.

Location	AM Peak	PM Peak
21 st Street & Turney	21	30

The traffic report associated with this development does not provide a detailed distribution of traffic; however, considering the traffic destinations along 20th Street and the substantial congestion on Campbell Avenue, it can be inferred that at least 50% of the traffic from the development will likely be directed towards 20th Street.

When this figure is juxtaposed with the overall traffic counts on 20th Street, it represents an approximate 2% increase in vehicle volume. Conversely, when compared to the traffic generated by the surrounding neighborhoods, this results in an increase of over 20% in traffic attempting to make left or right turns onto or from 20th Street. Such increased delays contribute to heightened pollution levels and a decline in the overall quality of life.

The following table provides a summary derived from Chapter 7 of the [City of Phoenix Street Planning Design Guidelines \(2023\)](#):

Local Street		Maximum Vehicles per Day	Maximum Vehicles per Hour
	Low Density (Single Family Homes)	1000	100
	High Density (more Developed)	2000	200
Minor Collector Street (20TH Street)		1000 to 8000	800

It is important to note that this development will utilize 15% of the capacity of the two local streets. The current traffic volume data has not been disclosed, suggesting that this percentage may be higher.

Currently, 20th Street exceeds the threshold of 800 vehicles per hour in both directions by approximately 22%. The residents' concerns regarding traffic impacts are valid, particularly in light of proposals for projects that do not align with the existing character, scale, and density of the area, which is already under strain.

Chapter 9 Traffic Impact Analysis, Section 9.1.1: Additional factors that may necessitate a Traffic Impact Analysis (TIA) or an expanded scope include: concerns or complaints regarding existing neighborhood traffic. We have expressed our concerns and have been voicing complaints about the traffic situation on 20th Street for several years. We are still awaiting the installation of a left turn arrow for southbound traffic on 20th at Indian School Road.

Table 9.1-1 Criteria for Determining TIA Study Requirements: Rezoning and General Plan Amendments – Criteria have been met, and a TIA must receive approval prior to the submission of preliminary plans. Given that this is a rezoning initiative, this project does not qualify for the provisions outlined in Table 9.2-1 and must adhere to a TIA that includes all requisite criteria.

Section 9.2.2: Zoning applications: there is a lack of comparison between existing and proposed conditions.

Summary

This project is unsuitable for the proposed location for several reasons:

1. It falls outside the designated multi-family infill boundary and is instead located within the single-family infill boundary.
2. There is a deficiency of single-family housing, and developments like this one contribute to the elimination of such housing.
3. The project's character, density, and scale do not align with those of comparable neighborhoods within a one-mile radius.
4. The anticipated increase in traffic will adversely affect the quality of life, as previously indicated.
5. The project contradicts the City's established General Plan, Design Guidelines, Policies, Resolutions, and Ordinances.

I urge you to reject this project and insist that the developers adhere to the existing zoning regulations or propose a project that aligns with the aforementioned considerations. Additionally, it is requested that a Traffic Impact Analysis be conducted in accordance with the City's guidelines. Approving this project will negatively impact all surrounding neighborhoods and single-family residences.

Sincerely,



Lee Busenbark
1902 E Montecito Ave

Please place this in file

THIS LETTER WILL BE SENT TO THE PLANNING COMMISSION AND CITY COUNCIL TO SHOW THE CONCERNS WITH THE COMPROMISE

The community's feedback regarding rezoning case # Z-74-24 "Turney Villas, located at the northeast corner of Turney Avenue and 21st was not fully addressed by the development team. (Senior Land Use Planner Gammage & Burnham). Despite our concerns, the changes made were minimal and did not align with our preferences:

1. We are not in favor of a large apartment complex in our neighborhood.
2. We would prefer a development that consists of owner-occupied units, which we believe would contribute to increased property values.
3. The proximity of the property to the road, specifically 20 feet from Turney, creates a canyon effect that we find undesirable.

The revised proposal, which includes reducing the building's height along Turney Ave and 21st St to 3 stories, is not considered acceptable. We believe that maintaining a similar height to the two-story buildings across the street, particularly on the south side of Turney, would be more appropriate. The reduction of 15% in the number of units, from 75 to 64, can be accomplished within the parameters of R3A zoning at a lower height.

We are aware that the Planning Commission is scheduled to review this case with the proposed revisions on Thursday, October 10th, 2024, at 6 pm, under Item number 5. We would like to express that the current proposal does not reflect a genuine compromise and may be perceived as an attempt to increase the property's value for future sale. If the intention is to complete the project, we believe that a lower zoning designation could still facilitate development.

Granting approval for high density and height may set a precedent that could be attractive to developers eyeing properties further south on 21st Street. We hope that our concerns are taken into consideration during the review process.

John Paletta
East Morningside
Neighborhood Association

CITY OF PHOENIX

OCT 04 2024

**Planning & Development
Department**

They tried but really didn't give back much - Height - Density - Traffic are still a problem. I still want the R3 which is doable but the developer is either greedy or want to resale once zoning is granted.

We have to make it very clear that if this go to city council weâ€™ll force a 3/4 vote and they will get nothing.

Melessia is right about the traffic add to the nightmare at 20th Street and problem with the school children.

Height is still a problem because it will set a president all along 21st Street.

We donâ€™t need a large apartment complex in our neighborhood - we could live with owner occupied at a longrt density.

PLEASE PLACE IN FILE

CITY OF PHOENIX

OCT 03 2024

**Planning & Development
Department**

From: jpaletta1 <jpaletta1@cox.net>

Sent: Saturday, August 24, 2024 5:40 AM

To: Teleia Galaviz <teleia.galaviz@phoenix.gov>

Subject: Minutes from compromise meeting - rezoning case Z-74-24-6

COMPROMISE MEETING 08/23/24

During our recent meeting on 8/23/24, we were joined by the attorney, developer, and property owners to engage in discussions regarding a potential compromise. The meeting was attended by Kathy, Robert, Betsy, Melissa, Leah, Russ, myself, Rich (developer), and Marsh (lawyer).

In the meeting, the developer presented his case, citing the impact of COVID and the economy to justify his request for a higher zoning, which could impact our property value. The lawyer also referred to studies indicating that surrounding property values could potentially increase by 8 to 10 percent due to the proposed apartments.

Russ Kitkland, president of the HOA for townhomes on Campbell, provided real-life examples countering the lawyer's statement. Russ had conducted a meeting with property owners in his complex, and they voted against the rezoning.

Robert Greenberg eloquently elucidated that the developer could currently develop low-density multifamily units that would better align with the established neighborhood under the current zoning, and the developer agreed.

Betsy Greenberg countered the developer's assertion regarding the community's support for the project by highlighting how the Camelback Village Planning Committee opposed the rezoning with a 9-7 vote, suggesting a lack of overall support.

Kathy adeptly facilitated the meeting and conveyed our concerns regarding traffic, height, and density.

Leah skillfully addressed traffic concerns and challenged the limited scope of the traffic study. She proposed comprehensive traffic studies by the city for the surrounding area and emphasized that the project may not be termed as an infill development, as it does not align with the city's definition of infill.

We were successful in obtaining a much-needed continuance, providing us with another month to organize the neighborhood.

Kathy proposed holding another meeting to review new plan from the developer, suggesting the use of the Devonshire Senior Citizens Center.

It is essential to keep in mind that the developer requested the continuance to demonstrate to the Planning Commission that they have engaged with the neighborhood.

We need to prepare for the Council Meeting by advocating for our stance to the Planning Commission, drafting letters to the Planning Commission, and initiating a petition against the project. The petition should involve street captains for distributing flyers and generating support through signatures on petition.

The supermajority for the City Council holds great significance, as it will necessitate a 2/3 majority vote. Property owners within 600 feet of the project carry particular weight.

We have a two-month timeframe to prepare for the City Council meeting. This matter will be brought before the City Council because whoever loses at the Planning Commission will appeal to the City Council.

Subject: FW: Rebuttal to Staff Report Z-74-24-6

From: jpaletta1 <jpaletta1@cox.net>
Sent: Wednesday, August 21, 2024 7:31 PM
To: Teleia Galaviz <teleia.galaviz@phoenix.gov>
Subject: Rebuttal to Staff Report Z-74-24-6

Please Distribute to Planning Commission

Rebuttal to Staff Report Z-74-24-6

East Village Planning Committee

Date: August 6, 2024

Phoenix Planning Commission Hearing

Date: September 5, 2024

Request From: R-3 (Multifamily Residence) (1.82 acres)

Request To: R-5 (Multifamily Residence) (1.82 acres)

Proposal: Multifamily Apartments

Location: Northeast corner of 21st Street and Turney Ave

Applicant Representative: Ashley Marsh, Gammage & Burnham, PLC

Staff Recommendation:

John Roanhorse's Statement:

"Create new development or redevelopment sensitive to the surrounding neighborhoods' scale and character and incorporate adequate development standards to prevent negative impact(s) on residential properties."

Rebuttal:

The proposed development is out of character with our neighborhood, which currently does not have any four-story apartment complexes south of Campbell Road. Allowing such a tall structure would set a precedent that is inconsistent with the existing urban landscape and community makeup.

Zoning Integrity

John Roanhorse's Statement:

"The proposal, as stipulated, will allow new residential development in a neighborhood with a range of existing residential use types. As stipulated, the proposal will provide a large building setback along the north property lines to buffer the use from the single-family residences to the north."

Rebuttal:

The proposed transition from R-3 to R-5 zoning represents a substantial increase in building height and density. Such a transition risks disrupting the balance and integrity of our neighborhood, altering its character in ways that are inconsistent with the existing urban fabric.

Compatibility with Neighborhood

John Roanhorse's Statement:

"The proposal is a compatible use of equal size and type in the surrounding neighborhood. The proposal will also complement the area by providing a range of housing types by the Housing Phoenix Plan."

Rebuttal:

While there are apartment complexes zoned R-5 in our neighborhood, they are not four stories high and have significant setbacks from the street and surrounding neighbors. This approach ensures compatibility with the surrounding neighborhood and maintains the established character of the area. The proposed zoning change represents an excessive increase in density that undermines the suburban nature of our community and threatens to alter its character permanently.

Streetscape and Design Standards

John Roanhorse's Statement:

"The proposal, as stipulated, incorporates streetscape and design standards to promote a pedestrian-friendly environment along 21st Street and Turney that is compatible with the surrounding residential development."

Rebuttal:

The proposed development introduces a four-story apartment complex south of Campbell Road, a significant departure from the existing character of our neighborhood. The tallest structures in the area are well below this height and are set back significantly from the street and neighboring properties. The transition from R-3 to R-5 zoning introduces an excessive increase in density, which is inconsistent with the neighborhood's character and could have a lasting negative impact.

BACKGROUND/ISSUES/ANALYSIS

Subject Site:

John Roanhorse's Statement:

"The request is to rezone 1.82 acres located at the corner of 21st Street and Turney, from R-3 to R-5 for multifamily residential development."

Rebuttal:

The property owner prefers a development plan that prioritizes owner-occupied residences. The surrounding neighborhood includes townhomes to the south and east, with owner-occupied units extending to Campbell Avenue. This approach aims to create a cohesive community with long-term residents, fostering greater stability and investment in the neighborhood.

Surrounding Land Uses and Zoning:

John Roanhorse's Statement:

"There are single-family and multifamily residences to the north zoned R-3 and to the south, across Turney Avenue, is a multifamily development zoned R-5. To the west, across 21st Street, is a multifamily residential development zoned R-5."

Rebuttal:

Most of the properties are owner-occupied, and the R-5 zoning for the existing developments resulted from compromises with the city. For example, the R-5 zoning to the west was granted as part of a compromise after the corner of 20th Street and Campbell was rezoned to Mid-Rise in 1978. The R-5 development is set back 30 feet with parking in the front, which reduces the impact of the three-story buildings.

Similarly, the small R-5 parcel to the south was part of a compromise with the city and a developer who initially sought to build 216 units on the entire block. Zoning case 104-96-6 was approved, resulting in downzoning the parcel to R-2 for 65 townhomes to act as a buffer between the R-5 development and the neighborhood. It was stipulated that two-story units would be constructed along the perimeter, down Turney Avenue and south on 21st Street, with a small section of three-story units in the center.

General Plan Land Use Map:

John Roanhorse's Statement:

"The General Plan Land Use Map depicts the site and the properties to the north, south, and east with a designation of Residential 10 to 15 dwellings units per acre. The request to rezone the site to R-5 is

not consistent with the General Plan and Land Use Map; however, a General Plan Amendment is not required as the site is under 10 acres."

Rebuttal:

When developing vacant or underdeveloped land in older parts of the city, it's crucial to ensure that the proposed development is compatible with existing development in the area and aligns with long-term goals. Encouraging reasonable levels of increased intensity in development while respecting local conditions and surrounding neighborhoods is key.

Proposal:

Site Plan Overview:

John Roanhorse's Statement:

"The site plan proposes a 75-unit multifamily residential development with an outdoor amenity area, a pool, a clubhouse, and a gym. The plan includes 96 parking spaces located along the northern sides of the building, secure bicycle parking within the residential building, and the northeast parking lot. Full driveway access to the parking lots will be from 21st Street and Turney Avenue. Landscaping along the northern property line will feature trees and shrubs to provide additional buffering along the property perimeter. A detached sidewalk along Turney and an attached sidewalk along 21st Street will provide pedestrian connections to the adjacent residential developments in the area. The sidewalks will include trees for shade coverage. However, due to the need to seek variances for the patio projections within the building, landscape setbacks along 21st and Turney Avenue, and a reduction in parking, the staff does not recommend general conformance to the site plan."

Rebuttal:

It's important to consider the following information regarding the 75-unit multifamily apartment development: The inclusion of amenities such as the pool, clubhouse, gym, 96 parking spaces (ideally 150 spaces), bicycle parking, landscaping, and sidewalk contributes to the overall cost of the project. The developer is advocating for the property owner to potentially reconsider the value of their property, expressing concerns that adding apartments to the neighborhood may hurt property values and the neighborhood's well-being, potentially resulting in increased profits for the developer.

However, due to the necessary variances for patio projections within the building, landscape setbacks along 21st and Turney Avenue, and a reduction in parking, the staff does not recommend general conformance to the site plan.

Findings:

John Roanhorse's Statement:

"The proposal is appropriate at this location and is consistent with the scale and existing area. The proposal, as stipulated, will incorporate landscaping shading that will enhance the location, consistent with General Plan goals and principles. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030."

Rebuttal:

The proposal is not suitable for this location because the closest four-story structure is located half a mile away on 20th Street and Highland. The R-5 zoning was granted through a compromise, and the stipulated landscaping and shading won't be binding after the rezoning is approved. The Housing Phoenix Plan goal is 88% satisfied and should not be a factor in this rezoning.

Conclusion:

This project to rezone a parcel in a residential neighborhood, which will negatively impact the property owner, should be handled neutrally. The role of the city planner should be to provide a report of the project strictly based on the zoning ordinances.

This staff report favors the application in tone and presentation, which is not the staff member's job. The merits of the rezoning should be presented by the lawyers, not the city staff. When entering an

established residential neighborhood and requesting rezoning from R-3 to R-5, it's essentially asking the property owners to devalue their property to cover the costs of the proposed apartment complex.

This parcel could be developed under the current R-3 zoning, which would:

- Provide the city with the units for the Housing Plan for 2030.
- Ensure the developers achieve a profit on their investment.
- Deliver a project compatible with the existing neighborhood.
- Reduce traffic in the neighborhood.
- Provide neighborhood sidewalks and landscaping.

Robert DeLorey
2201 E. Roma Avenue
Phoenix, AZ 85016
602.757.7324

August 15, 2024

City of Phoenix
Planning and Development Department
200 W. Washington Street
Phoenix, AZ 85003

RE: Rezoning Case: Z 74-24-6

I respectfully request you deny the rezoning application of case #Z 74-24-6 for the following reasons.

- Zoning - the transition from R-2 to R-5 will set the precedent for other developers to request rezoning for other smaller apartment complexes along 21st Street between Glenrosa and Campbell.
- Utilities – The existing water and sewer pipelines from the 1950s supplying Turney Ave between 21st and 22nd streets are inadequate to accommodate the excessive burden of another 75 residences above the current utility loading.
- Privacy – the loss of existing views from neighboring properties will be adversely affected by the height of the development and will allow direct view into many homes and backyards.
- Visual impact - The rendering shows the building pushed out to the corner of 21st Street and Turney which will create a canyon effect at the corner.
- Height Discrepancy - The proposed 4 story development is exceedingly high, out-of-scale and out of character in terms of its appearance compared with existing developments in the vicinity.
- Increased traffic and street parking - Our local streets are narrow and cannot be safely driven when cars are parked on both sides of Turney Ave. Adding another 100+ vehicles will disrupt local traffic, and will negatively affect Madison Camelview school ingress / egress when in session. The parking lot of the proposed property will almost certainly be unable to accommodate the large number of tenant vehicles; considering most residents will have roommates and multiple cars per unit.

Respectfully,

Robert F. DeLorey

CITY OF PHOENIX

AUG 15 2024

**Planning & Development
Department 173**

AUG 12 2024

Planning & Development
Department

Kathy DeLorey
2201 E. Roma Avenue
Phoenix, AZ 85016
602.725.0315

August 12, 2024

City of Phoenix
Planning and Development Department
200 W. Washington Street
Phoenix, AZ 85003

RE: Rezoning Case: Z 74-24-6

I am requesting you to deny the rezoning application of case #Z 74-24-6 for the following reasons.

- Gammage & Burnham has not held neighborhood meetings to address the residents' concerns.
- Privacy – the loss of existing views from neighboring properties will be adversely be affected by the height of the development and will allow direct view into many homes, and backyards.
- Visual impact - The rendering shows the building pushed out to the corner of 21st Street and Turney which will create a canyon effect at the corner.
- Height Discrepancy - The proposed 4 story development is unacceptably high, it's over-bearing, out-of-scale and out of character in terms of its appearance compared with existing developments in the vicinity.
- Zoning - the transition from R-2 to R-5 will set the precedent for other developers to request rezoning for other small apartment complexes along 21st Street between Glenrosa and Turney.
- Increased traffic and street parking - our local streets are narrow and cannot be driven safely when cars are parked on both sides even with the current population. This influx of vehicles will not only disrupt our neighborhood but also pose safety risks especially when Madison Camelview Elementary School is in session. Additionally, the parking lot of the property will almost certainly be unable to accommodate the large number of rental units; considering most residents will have roommates and multiple cars per unit.

Respectfully,

Kathy DeLorey

AUG 08 2024

Planning & Development
Department

Royden Hudnall
2130 E Turney Ave #1
Phoenix, AZ, 85016
Roydenhud98@gmail.com
480.384.0336
8/7/2024

John Roanhorse
Planner Camelback East Village
City of Phoenix Planning & Development Department
200 W Washington St
Phoenix, AZ, 85003

Dear John,

I am writing to express my strong opposition to the proposed zoning density increase that would allow the construction of a four-story apartment complex in our neighborhood located at **4405 N 21st St, Phoenix, AZ 85016**. This development raises several critical concerns that I believe will adversely affect the character and quality of life in our community.

Privacy Concerns

The proposed four-story apartment complex will significantly invade our neighborhood's privacy. The height of the building will allow direct views into many of our homes, backyards, and rooftop decks, compromising the privacy that families in our community value and deserve.

Increased Traffic and Street Parking

The development of a high-density apartment complex will lead to a considerable increase in traffic on our quiet residential streets. This influx of vehicles will not only disrupt the tranquility of our neighborhood but also pose safety risks and elevate noise levels, impacting the quality of life for all residents, especially when Madison Camelview Elementary School is in session. Additionally, the parking lot of the property will almost certainly be unable to accommodate the large number of units proposed, especially considering most residents will have roommates and multiple cars.

Height Discrepancy

The proposed development is out of character with our neighborhood, which currently does not have any four-story apartment complexes south of Campbell Rd that are not on a major road like Indian School. Allowing such a tall structure would set a precedent that is inconsistent with the existing urban landscape and makeup of our community.

Zoning Integrity

While there are apartment complexes zoned R-5 in our neighborhood, they are not four stories high and they have significant setbacks from the street and surrounding neighbors, which fits within the neighborhood. The transition from R-2 to R-5 zoning represents an excessive

AUG 07 2024

Committee members:

Planning & Development
Department

I would like to voice my opinion regarding the case number Z-74-24-6
The growth has risen in Phoenix greatly. The distribution of housing has not been evenly spread across the valley. The proposed location has already had many small single or one story multi family properties in the area to become "multi family communities". Most of the communities have increased in height and "over utilizing" the size of the property with crowding of units.

~~My disapproval of this proposal is the "brand new attractive community" is already surrounded by 2-3 story units. Most of the homes, including the ones in the proposed property, are kept up and not "dated". What is left are "historic" properties built in the 1950's of quality workmanship, unlike the construction of homes and communities of today which are wood frames and drywall, which how can they be called "luxury" housing.~~

The proposed height is a concern. The properties to the east will have no view to the west. The 75 units will increase more traffic in the reasonably quiet neighborhood, plus double the cars if double occupancy. I have so much speeding and traffic by me already. Plus, the owners with pets (dogs) leave behind their waste either in my yard or in the alley by the back wall, think of 75 more walking.

The new communities in the area are using the promotion of "luxury and Biltmore". The area has already "enhanced streetscape" and modest housing without being "luxury overpriced" for most middle class incomes. The increase of new properties median value will not allow families with children, who could have attended the near by Madison school.

The current properties that are on there now have all been renovated, kept up appearance, reduces crowding/traffic and do not take away the view.

I am definitely opposed for the rezoning. Thank you for allowing to express my opinion.

Concerned property owner.

John Roanhorse

From: Royden Hudnall <roydenhud98@gmail.com>
Sent: Wednesday, August 7, 2024 5:48 PM
To: John Roanhorse
Subject: Re: Opposition Letter: 4405 N 21st St
Attachments: Opposition Letter_ 4405 N. 21st St..pdf

CAUTION: This email originated outside of the City of Phoenix.

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hi John,

I sent you one of the drafts that I created for the opposition letter on accident. Attached is the final version I would like to be added to the case file. Below is my original email as well. Please confirm receipt of this email. - Thank you!

Thanks for returning my call earlier, I appreciate your time. As mentioned, I attended the Village Planning Committee meeting for Camelback East last night and spoke in opposition to the project located at 4405 N 21st St, Phoenix, AZ 85016.

I have attached my letter of opposition to the project and kindly request that you distribute it to the members of the committee.

Additionally, I would like to address concerns regarding the voicemail I left for Rick Kafka. Rick solicited me, asking if there was anything he could do to help alleviate concerns from our HOA regarding the project. I suggested building a community center and granting us permanent access to the development's amenities. As my property is directly adjacent to the project, I am particularly concerned about the potential negative impact on our home values, even more so than my fellow neighbors due to the proximity of the project. My suggestion was an attempt to proactively offset the anticipated loss in equity if the project proceeds. If necessary, I can provide voicemails and phone records to demonstrate that Rick solicited me.

Ultimately, I believe this was not a genuine effort to address our HOA and neighborhood concerns. Instead, I feel it was an attempt to discredit me, the petition I created, and the legitimate concerns raised by my fellow neighbors and myself.

Thank you for your attention to this matter. Please confirm receipt of my letter.

Best regards,

Royden Hudnall

On Wed, Aug 7, 2024 at 5:36 PM Royden Hudnall <roydenhud98@gmail.com> wrote:

Hi John,

Thanks for returning my call earlier, I appreciate your time. As mentioned, I attended the Village Planning Committee meeting for Camelback East last night and spoke in opposition to the project located at 4405 N 21st St, Phoenix, AZ 85016.

I have attached my letter of opposition to the project and kindly request that you distribute it to the members of the committee.

Additionally, I would like to address concerns regarding the voicemail I left for Rick Kafka. Rick solicited me, asking if there was anything he could do to help alleviate concerns from our HOA regarding the project. I suggested building a community center and granting us permanent access to the development's amenities. As my property is directly adjacent to the project, I am particularly concerned about the potential negative impact on our home values, even more so than my fellow neighbors due to the proximity of the project. My suggestion was an attempt to proactively offset the anticipated loss in equity if the project proceeds. If necessary, I can provide voicemails and phone records to demonstrate that Rick solicited me.

Ultimately, I believe this was not a genuine effort to address our HOA and neighborhood concerns. Instead, I feel it was an attempt to discredit me, the petition I created, and the legitimate concerns raised by my fellow neighbors and myself.

Thank you for your attention to this matter. Please confirm receipt of my letter.

Best regards,

Royden Hudnall

- The subject site is highlighted in **Red**
- The small apartment complexes are highlighted in **Green**
 - There are 12 parcels on this map, only two or three of these parcels would need to be assembled in order to build a similar development as the one proposed at **4405 N 21st St, Phoenix, AZ 85016**

City of Phoenix Macro Housing Development Concern

I would like to address the concerns raised by some council members last night regarding the housing shortage in Phoenix. It is imperative to emphasize that the current need is not for additional market-rate apartment developments but rather for more affordable housing options. I further argue that the heart of a residential neighborhood in a middle class area is not the correct place to put an affordable or government subsidized development and could adversely affect the community's character and quality of life - even more than this development does.

The City of Phoenix has seen a significant increase in the construction of market-rate multifamily properties over the last four years. However, despite this boom, there remains a critical shortage of housing, particularly in affordable homes and workforce housing. According to recent data, the problem is not a lack of apartment complexes; in fact, vacancy rates in market-rate apartments have been steadily rising. In Phoenix “occupancy [is] down 80 basis points year-over-year through March, to 93.1%.” “Yardi Matrix forecasts that Phoenix’s inventory will grow by 3.3% this year, ranking ninth for projected inventory expansion among the country’s top 30 metros.” ([Matrix Phoenix Multifamily Report](#)). The real issue lies in the shortage of affordable and workforce housing options. These lower rent options are where the gap exists, and this is where the focus should be.

In the past five years, Phoenix has experienced a significant boom in multifamily development, adding nearly 14,000 new apartment units in 2023 alone, a 90% increase from the previous year ([RentCafe](#)) ([Rose Law Group Reporter](#)). This surge places Phoenix among the top U.S. cities for new apartment construction, alongside major metros like New York and Miami. Despite this rapid growth, the city's housing shortage persists, particularly in affordable housing. Arizona ranks among the five worst states for affordable housing availability, with a critical shortfall for low-income renters ([UMOM](#)). Addressing this issue requires shifting focus from market-rate to affordable housing developments to meet the actual needs of the population.

The "[Matrix Multifamily Phoenix Report](#)" from June 2024 highlights that while Phoenix has added numerous market-rate units, the occupancy rates in these new developments are declining, pointing to a surplus in the market-rate segment. “Nearly 92% of the [multifamily construction] volume underway was in Lifestyle communities, followed by fully affordable assets (7.0%)” ([Matrix Phoenix Multifamily Report](#)). Additionally, according to UMOM, the Phoenix Metro Area faces a significant shortfall in affordable housing, with a deficit of over 250,000 affordable and available rental homes for low-income renters ([UMOM](#)). This underscores the urgent need to address the affordable housing crisis rather than adding more market-rate units, which do not meet the current demand for lower-income housing.

Community Petition Against Zoning Density Increase

In response to the proposed zoning density increase, I initiated a community petition to gather support and express our collective concerns. The petition has garnered 169 signatures from neighbors and other members of the public who share our apprehensions about the potential impacts of the development. This strong community response highlights the widespread opposition to the project and underscores the significant concerns regarding privacy invasion, increased traffic, and the setting of a precedent for unreasonable height and density in our neighborhood. The support for this petition demonstrates our community's commitment to preserving the character and quality of life in our area, reinforcing the need for careful consideration by the zoning board. I have included the link to the petition below:

[Petition: Opposition to Zoning Density Increase at 4405 N 21st St. Phoenix, AZ 85016](#)

Conclusion

In conclusion, I strongly urge the zoning board and other decision makers to reject the proposed zoning density increase. The privacy, safety, and character of our community are at stake, and it is essential to preserve the integrity of our neighborhood for current and future residents. Addressing the real housing needs of Phoenix, focusing on affordable and workforce housing, will better serve our city's long-term interests and maintain the quality of life we cherish.

Thank you for your attention to this matter.

Sincerely,
Royden Hudnall

SUPPORT

OCT 10 2024

Planning & Development
Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Rezoning Request Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

To Members of the City Council, Planning Commission, Village Planning Committee and the Planning Department:

I am writing in support of the proposed multifamily community at the northeast corner of 21st Street and Turney Ave. I have lived in this area for many years and believe that the proposed development will be a welcome addition to the neighborhood, replacing what is an outdated property and bringing investment into the community.

In addition, I do not agree with the statement that the proposed apartment community will have a negative impact on the surrounding area. The proposed location is in an area where there are several existing multifamily properties, some of which already have R-5 zoning. The proposed placement of the building makes sense for the property and was clearly designed to be as far away from the surrounding properties as possible. I do not believe that the proposed height or density is out of character for what is an urban area and would like to see the request approved for this property.

Sincerely,

Chad Lafferty

2019 E Campbell Ave #105

Phoenix, AZ 85016

From: Courtney Anderson <cmande56@gmail.com>
Sent: Tuesday, October 8, 2024 10:14 AM
To: PDD Planning Commission

CAUTION: This email originated outside of the City of Phoenix.

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Dear Planning Commission Members,

My name is Courtney and I'm reaching out as a resident of the City of Phoenix and Arizona native to support the Turney Villas project [Z-74-24-6](#) on the October 10 Planning Commission agenda.

According to a new report by the [Morrison Institute \[morrisoninstitute.asu.edu\]](#), rents in Arizona increased by 72% from 2010 to 2022. This has put tremendous stress on middle and low-income workers in our state. In August, almost [8,000 Maricopa county residents \[azcentral.com\]](#) faced eviction filings. Homelessness has also increased and is at the highest level since 2010. In 2023, there were 14,237 people who experienced homelessness, including over a thousand older adults.

Arizona's housing crisis requires ongoing investments in housing, and this project will bring 64 new units to a neighborhood that already supports a mixture of density and types of housing.

This project is a much needed source of housing for the City of Phoenix. While this one project will not solve the crisis, we must do everything we can to ensure that every Arizonan can be at home and live a stable, purposeful life.

For these reasons, I support this project.

Sincerely,
Courtney Anderson
2202 N 28th Street
Phoenix, AZ 85008

--

Courtney Anderson
email: cmande56@gmail.com
phone: 602.980.3125

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

CITY OF PHOENIX

OCT 08 2024

Planning & Development
Department

Re: Support for Rezoning Request Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

To Members of the City Council, Planning Commission, Village Planning Committee and the Planning Department:

I am writing in support of the proposed multifamily community at the northeast corner of 21st Street and Turney Ave. I have been an investor in this area for many years and believe that the proposed development will be a welcome addition to the neighborhood, replacing what is an outdated property and bringing investment into the community.

In addition, I do not agree with the statement that the proposed apartment community will have a negative impact on the surrounding area. The proposed location is in an area where there are several existing multifamily properties, some of which already have R-5 zoning. The proposed placement of the building makes sense for the property and was clearly designed to be as far away from the surrounding properties as possible. I do not believe that the proposed height or density is out of character for what is an urban area and would like to see the request approved for this property.

Sincerely,



OCT 02 2024

Planning & Development
Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Rezoning Request Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

To Members of the City Council, Planning Commission, Village Planning Committee and the Planning Department:

I am writing in support of the proposed multifamily community at the northeast corner of 21st Street and Turney Ave. I have lived in this area for many years and believe that the proposed development will be a welcome addition to the neighborhood, replacing what is an outdated property and bringing investment into the community.

In addition, I do not agree with the statement that the proposed apartment community will have a negative impact on the surrounding area. The proposed location is in an area where there are several existing multifamily properties, some of which already have R-5 zoning. The proposed placement of the building makes sense for the property and was clearly designed to be as far away from the surrounding properties as possible. I do not believe that the proposed height or density is out of character for what is an urban area and would like to see the request approved for this property.

Sincerely,



Kevin McDaniels
Resident
4114 N. 28th St
Phoenix, AZ 85016

SEP 26 2024

Planning & Development
Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

Dear Councilman Robinson and Camelback East Village Planning Committee,

I am writing this letter to express my support for the rezoning request at the northeast corner of 21st t and Turney Avenue, Rezoning Case No. Z-74-24-6, which seeks to rezone the property from R-3 to R-5 Multifamily Zoning.

My family and I have owned investment property in the immediate area of the subject site for many years, I have a significant interest in this area and am excited to see new investment in the area, especially to the subject parcel that is underutilized and need of updating and redevelopment. I have spoken with the owner requesting the rezoning request and believe that the proposal is not only an appropriate use for the property but will be a welcome addition to the area. The development plants will enhance the streetscape and bring much-needed improvements, like the addition of sidewalks along the property perimeter, which is a neighborhood benefit.

I am familiar with the proposed site plan and appreciate that the apartment building is close to the corner of 21st Street and Turney Avenue, which will allow for parking and landscape between the building and mine and my neighbors' properties. I also think that the proposed height and density are appropriate and will not negatively impact the area as many of the nearby properties are already 3-story, multifamily properties similar in height.

The proposed community is an excellent use of the property and I believe this project will benefit the community and is appropriate for this location.

Sincerely,

 *Layla Hedayat*

09/23/24

Layla Hedayat

SEP 25 2024

Planning & Development
Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

Dear Councilman Robinson and Camelback East Village Planning Committee,

I am writing this letter to express my support for the rezoning request at the northeast corner of 21st t and Turney Avenue, Rezoning Case No. Z-74-24-6, which seeks to rezone the property from R-3 to R-5 Multifamily Zoning.

I own 3 residential investment properties directly across from the subject site. I have a significant interest in this area and am excited to see new investment in the area, especially to the subject parcel that is underutilized and need of updating and redevelopment. I believe that the proposal is not only an appropriate use for the property but will be a welcome addition to the area. The development plan will enhance the streetscape and bring much-needed improvements, like the addition of sidewalks along the property perimeter, which is a neighborhood benefit.

I am familiar with the proposed site plan and appreciate that the apartment building is close to the corner of 21st Street and Turney Avenue, which will allow for parking and landscape between the building and mine and my neighbors' properties. I also think that the proposed height and density are appropriate and will not negatively impact the area as many of the nearby properties are already 3-story, multifamily properties similar in height.

The proposed community is an excellent use of the property and I believe this project will benefit the community and is appropriate for this location.

Sincerely,



Mike Menez
163-31-462
163-31-505
163-31-461

SEP 13 2024

Planning & Development
Department



AUNT CHILADA'S

August 27, 2024

City of Phoenix
Planning and Development Department
200 West Washington Street
Phoenix, Arizona

Attention: John Roanhorse
RE: Rezoning Case Z 74-24-6

Dear Mr. Roanhorse:

I wish to express my strong support for the above referenced Rezoning Case.

As an owner of a family restaurant within the Camelback East Village boundaries and employing more than 300 people within Phoenix, available quality staff housing is a major concern. For many of our people the cost of shelter is a great concern. Also, the imbalance of supply and demand needs to be corrected to help make rents affordable.

The proposed project, if approved, will contribute to the correction of this imbalance in a sustainable, environmentally responsible fashion.

Accordingly, it is urged that this rezoning case be approved.

Respectfully,

Kenneth E. Nagel
Managing Owner
Aunt Chilada's @ The Peak
Rustler's Rooste

SEP 13 2024

Planning & Development
Department

September 5, 2024

City of Phoenix
Planning and Development Department
200 W. Washington Street
Phoenix, AZ 85003

Att: John Roanhorse

RE: Rezoning Case: Z 74-24-6

Dear Mr. Roanhorse.

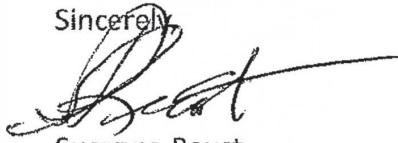
I wish to express my strong support for the above referenced Rezoning Case.

For many citizens of Phoenix the cost of shelter is of great concern and the current imbalance of supply & demand needs to be corrected for rents to remain affordable.

The proposed project, if approved, is appropriate for the neighborhood and will contribute to the correction of this imbalance in a sustainable, environmentally responsible fashion.

Accordingly, it is urged that this rezoning be approved.

Sincerely,



Susanna Reust

AUG 06 2024

Planning & Development
Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Rezoning Request Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

To Members of the City Council, Planning Commission, Village Planning Committee and the Planning Department:

My name is James Sean McGettigan. I am writing in support of the proposed multifamily community at the northeast corner of 21st Street and Turney Ave.

I have lived in this area for many years for the vibrant neighborhood it is and continues to evolve into being. The proposed development will be a welcome addition to the neighborhood, replacing an outdated property and bringing much needed investment into the community. I would love this area to evolve similar in nature to 16th Street and Highland or 36th – 40th Street and Campbell with areas for fitness studios, coffee shops, co-working spaces, etc. providing additional areas to gather and feel the vibrancy.

I do not agree with the statement that the proposed apartment community would have a negative impact on the surrounding area and wish it incorporated more of the surrounding properties into the design and build. The proposed location is in an area where there are several existing multifamily properties, some of which already have R-5 zoning. The proposed placement of the building maximizes the property's highest and best use while clearly designed to minimize the impact on the surrounding properties.

I do not believe that the proposed height or density is out of character for the area and would like to see the request approved for this property and welcome continued development and investment in the area.

Best Regards,



James Sean McGettigan

JUL 29 2024

Planning & Development
Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Dear Councilman Robinson and Camelback East Village Planning Committee:

I am writing this letter to express my support for the rezoning request at the northeast corner of 21st St and Turney Avenue, Rezoning Case No. Z-74-24-6. The applicant seeks to upgrade the zoning from R-3 to R-5 Multifamily Zoning.

As the property owner of three properties that abut the subject property to the northwest, I have a significant interest in this request to rezone.

I'm a real estate broker specializing in multi-family living. I've lived, worked and invested in this area for over 20 years.

When Dakota on Camelback, across the street to the west, went through the conversion to condos, I represented the Seller in the sales and marketing. The Biltmore Palms is a condo community across the street, south of the subject property that I've had a very strong presence in representing Buyers and Sellers, as well.

Over the last 20 years I've witnessed the positive impact the residential density these communities have brought to the neighborhood. Not only have they both contributed to appreciation of property values in the neighborhood, they have improved the quality of life of their neighbors. Both of these communities are highly sought after by buyers searching for condos near the Biltmore.

As a real estate investor in the area, the future value of my parcels is of great importance to me. I strongly believe that this rezoning request will enhance and update an economically and socially underutilized area. The redevelopment will have a positive impact on the entire community.

I purchased the three parcels that abut the subject property over the last 11 years understanding the value that eventual density could bring to the neighborhood. My long term plans have always been to assemble the parcels and develop some sort of multi-family community. I've put a lot of thought into this. The applicant's proposal exceeds my expectations and dream for the neighborhood!

Lastly, one of the parcels I own is a vacant lot that is street facing. I am constantly dealing with homeless people camping, theft, garbage dumping, illegal parking, etc. Just today, I had to confront someone from attempting to steal a personal item. The human-centric spaces that the applicant is proposing will eliminate this bad behavior and make the neighborhood a safer more walkable, desirable neighborhood.

I'm available to answer any questions you might have or to further elaborate on my opinion.

Sincerely,

Authentic
Roberta Candelaria

07/23/24

Roberta Candelaria
APN 163-31-010, 163-31-013A, 161-31-013C
602-791-3292

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION October 10, 2024

ITEM NO: 5	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-74-24-6 (Continued from September 5, 2024)
Location:	Northeast corner of 21st Street and Turney Avenue
From:	R-3
To:	R-5
Acreage:	1.82
Proposal:	Multifamily residential
Applicant:	Ashley Z. Marsh, Gammage & Burnham, PLC
Owner:	4401 Turney Villas, LLC; 2118 Turney, LLC; Charles E. Goodwin, III
Representative:	Ashley Z. Marsh, Gammage & Burnham, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations (per the Addendum A Staff Report).

Village Planning Committee (VPC) Recommendation:

Camelback East 8/6/2024 No Recommendation (motion to recommend approval failed).

Planning Commission Recommendation: Approval, per the Addendum A Staff Report.

Motion Discussion: N/A

Motion details: Commissioner Matthews made a MOTION to approve Z-74-24-6, per the Addendum A Staff Report.

Maker: Matthews
Second: Gorraiz
Vote: 9-0
Absent: None
Opposition Present: Yes

Findings:

1. The proposal is appropriate at this location and is consistent with the scale and existing uses in the surrounding area.
2. The proposal, as stipulated, will incorporate landscaping and shading that will enhance the location, consistent with General Plan goals and principles.
3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. THE MAXIMUM NUMBER OF DWELLING UNITS SHALL BE 64.

2. THE BUILDING HEIGHT SHALL BE LIMITED TO A MAXIMUM 3 STORIES AND 39 FEET WITHIN 37 FEET OF THE TURNEY AVENUE PROPERTY LINE AND WITHIN 45 FEET OF THE 21ST STREET PROPERTY LINE.
- 3.4. The landscape setback along 21st Street shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
- 4.2. A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.
- 5.3. A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.
- 6.4. A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

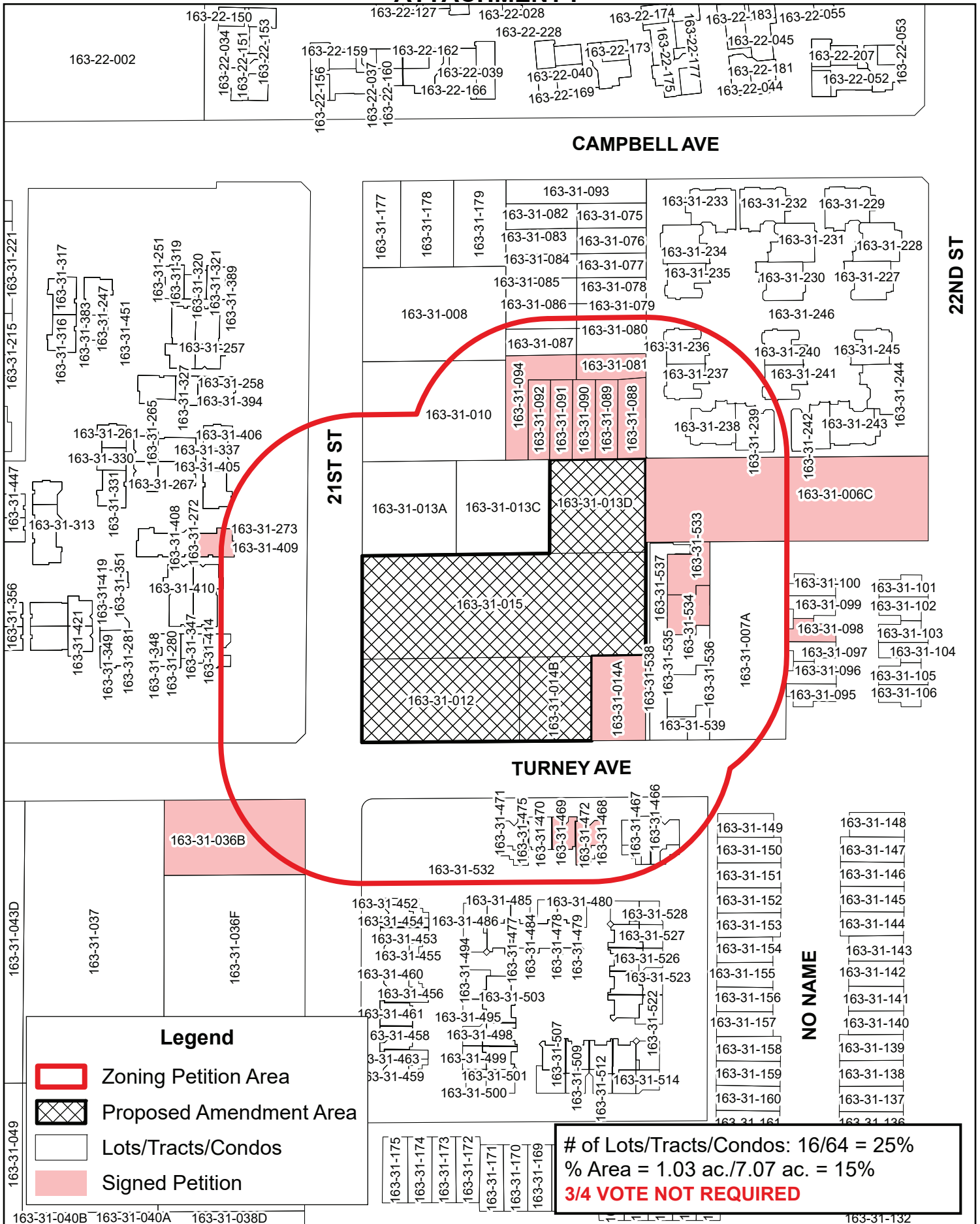
Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

- 7.5. All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
- 8.6. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
- 9.7. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 10.8. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
- 11.9. A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
- 12.40. A bicycle repair station (“fix it station”) shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

- 13.44. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.
- 14.42. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
- 15.43. 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.
- 16.44. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
- 17.45. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
- 18.46. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
- 19.47. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
- 20.48. In the event archaeological materials are encounter during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
- 21.49. 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



0 100 200 Feet

Petition Verification Map for Z-74-24-6

\\one\pdd\Shared\Department Share\Information Systems\PL GISMS_Team\Core_Functions\Zoning\Petitions\Z-74-24\Z-74-24_Three_Quarter_Vote_Map.aprx

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-74-24-6 (Continued from September 5, 2024) Northeast corner of 21st Street and Turney Avenue	<i>(SIGNATURE ON ORIGINAL IN FILE)</i>	
		opposition	x
APPEALED FROM:	PC 10/10/2024	2121 East Glenrosa Phoenix, AZ 85016	
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>	
TO PC/CC HEARING	CC 11/13/2024	John Paletta 602-300-4067 Jpaletta1@cox.net	
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>	
REASON FOR REQUEST:			
<p><u>Request for 3/4 vote:</u> Opposition to rezoning case Z-74-24-6 and secure a three-quarter vote of Council.</p>			
RECEIVED BY:	Julie Loewen	RECEIVED ON:	10/17/2024

Joshua Bednarek
Tricia Gomes
Racelle Escolar
Sarah Stockham
Adam Stranieri
Stephanie Vasquez
Heather Klotz

Camryn Thompson
Daniel Inglese (Attorney)
GIS
Byron Easton (for PHO appeals only)
Village Planner - John Roanhorse
Applicant



OCT 17 2024

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development
Department

The PLANNING COMMISSION agenda for October 10, 2024 is attached.

The CITY COUNCIL may approve the recommendation of the Planning Commission without further hearing unless:

- 1. A REQUEST FOR A HEARING by the CITY COUNCIL is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. October 17, 2024.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. October 17, 2024.

- 2. A WRITTEN PROTEST is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. October 17, 2024.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

- 3. A CONTINUANCE is granted at the PLANNING COMMISSION. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. October 24, 2024.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

7-74-24-6
APPLICATION NO.

21st STREET AND TURNER AVE
LOCATION OF APPLICATION SITE

10-10-24
DATE APPEALED FROM

OPPOSITION
APPLICANT

Julia Loewen, Planner I
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL.

JOHN PALETTA
PRINTED NAME OF PERSON APPEALING
2121 EAST GLENROSA
STREET ADDRESS
PHOENIX, ARIZONA 85016
CITY, STATE & ZIP CODE

[Signature]
SIGNATURE
10/11/24
DATE OF SIGNATURE
602-300-4067
TELEPHONE NO.

JPaletta1@cox.net
EMAIL ADDRESS

REASON FOR REQUEST:

OPPOSITION TO REZONING CASE 7-74-24-6
AND SECURE 3/4 VOTE OF COUNCIL.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Debita Manor
Board of Directors

Pres - Russell Burkland

Vice - Courtney
Humphrey

Sec - Yvette Grassie

Board - Jett
Hasekstab

**PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6
from R3 to R-5 at 21st Street and Turney Ave.**

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS	APN
10-12 2014	<i>Russell E. Gilliland</i>	Russell E. Gilliland	4448 N 21st Pl, Phx, AZ, 85016	163-31- 094
10/12 24	<i>Betsy Greenberg</i>	BETSY GREENBERG	4437 N. 21st PL PHX AZ 85016	163-31- 081
10/13/ 24	<i>Yvette Grazer</i>	Yvette Grazer	4434 N 21st Pl Phoenix AZ 85016	163-31- 092
10/13/ 24	<i>Courtney Humphrey</i>	Courtney Humphrey	4432 N. 21st Pl Phoenix, AZ 85016	163-31- 091
10-14 -24	<i>Jeff Hasenstab</i>	Jeff Hasenstab	4435 N 21st Pl, Phoenix, AZ 85016	163-31- 088
10/15/ 24	<i>Caroline Wheat</i>	Caroline Wheat	4433 N 21st PL Phoenix, AZ 85016	163-31- 089
10/15/ 24	<i>Daniela Howe</i>	Daniela Howe	4431 N 21st Pl Phoenix AZ 85016	163-31- 090

ERIC ICE

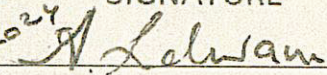
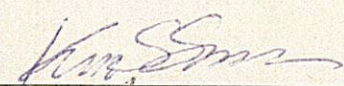
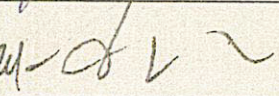
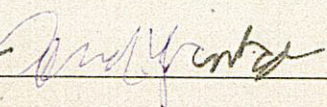
PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6
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We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS 2142 E TURNEY AVE PHOENIX, AZ 85016 #13	APN
10-15-24	<i>[Signature]</i>	JOHN M. HAMER	2201 E. Roma Ave PHX, AZ 85016	
10/14/24	<i>[Signature]</i>	KATHLEEN A DELORAY	2201 E. Roma Ave Phoenix AZ 85016	
10/14/24	<i>[Signature]</i>	Robert F. Deloray	2142 E Turney Ave #9 Phoenix AZ 85016	163-31-098
10/14/24	<i>[Signature]</i>	KATHERINE BORDER	2142 E Turney Ave #9 Phoenix, AZ 85016	
10/14/24	<i>[Signature]</i>	Kim M. Draeger PHX	2142 E Turney Ave #9 Phoenix, AZ 85016	
10/14/24	<i>[Signature]</i>	Leah Adelman	2130 E Turney Ave #1 Phoenix AZ 85016	163-31-533
10/14/24	<i>[Signature]</i>	Zayden Hochmull	2130 E Turney Ave #1 Phoenix AZ 85016	
10-15-24	<i>[Signature]</i>	Robert Armenta	2124 E. Turney Ave	163-31-014A
10/15/24	<i>[Signature]</i>	Alessandro Scavanna	2142 E Turney Ave. Unit 12	
10/15/24	<i>[Signature]</i>	Gilio Anichini	2142 E Turney Ave Unit 12	
10/15/24	<i>[Signature]</i>	Chrysanthe Cyon	4301 N. 21st Unit #39 PHX, AZ 85016	
10/15/24	<i>[Signature]</i>	Keirstin Bennas	2142 E TURNEY AVE #8, PHX AZ 85016	

**PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6
from R3 to R-5 at 21st Street and Turney Ave.**

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS Phoenix AZ	APN
10/13/20 ²⁴		ANWER ALI	#109 / 4343 N. 21st	163-31-168 7
10/15/24		KEITH SMITH	#207 / 4343 N. 21st	163-31-466
10/16/24		JACOB SPADE	# 27 / 2025 E. Candell	163-31-273
10/17/24		DAVID YANKO	4344 - W 21st	168-31-0368

STATE OF ARIZONA

Corporation Commission



To all to Whom these Presents shall Come, Greeting:

BE IT KNOWN THAT **DEB-LIN MANOR HOMEOWNERS ASSOCIATION**

HAVING SUBMITTED TO THE ARIZONA CORPORATION COMMISSION EVIDENCE OF COMPLIANCE WITH THE LAWS OF THE STATE OF ARIZONA GOVERNING THE INCORPORATION OF COMPANIES, BY VIRTUE OF THE POWER VESTED IN THE COMMISSION UNDER THE CONSTITUTION AND THE LAWS OF THE STATE OF ARIZONA, HEREBY GRANTED THIS

CERTIFICATE OF INCORPORATION

AUTHORIZING SAID COMPANY TO EXERCISE THE FUNCTIONS OF A CORPORATION UNDER THE LAWS NOW IN EFFECT IN THE STATE OF ARIZONA AND SUBJECT TO SUCH LAWS AS MAY HEREAFTER BE ENACTED, FOR A PERIOD OF TWENTY-FIVE YEARS FROM THE DATE HEREOF, UNLESS SOONER REVOKED BY AUTHORITY OF LAW.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION,

In Witness Whereof.

ERNEST GARFIELD,

THE CHAIRMAN, HAVE HEREUNTO SET MY HAND AND CAUSED THE OFFICIAL SEAL OF THE ARIZONA CORPORATION COMMISSION TO BE AFFIXED AT THE CAPITOL, IN THE CITY OF PHOENIX, THIS **12th** DAY OF **April,** A. D. **1976.**

CHAIRMAN.

ATTEST

SECRETARY

NO **101990**

BY

ASSISTANT SECRETARY

DEB-LIN MANOR HOMEOWNERS ASSOCIATION
ARTICLES OF INCORPORATION
DATED September 9, 1975

101990

ARIZONA COUNTY CLERK COMMISSION
REC'D

SEP 9 1975

At 11:35 A.M. Request of
Mariscal, Weeks, Lehman & McIntyre, P.A.
Address 830 N. 1st Ave.,
Phoenix, Ari. 85003
By Trudy Kriegel

George M. Dempsey

STATE OF ARIZONA }
County of Maricopa } ss

I hereby certify that the with
in instrument was filed and re-
corded at request of:

Mariscal Weeks et al

SEP 10 1975 -9 22

in Docket 11325
on page 498-497

Witness my hand and official
seal the day and year aforesaid.

213319

Tom Freestone
County Recorder

By Lillian [Signature]
(Deputy Recorder)

COPY

ARIZONA CORPORATION COMMISSION

Corporate Name
And Address

Incorporating Division
1688 West Adams
Phoenix, Arizona 85007

FEE FOR FILING THIS
CERTIFICATE \$1.00

DEB-LIN MANOR HOMEOWNERS
ASSOCIATION
3201 North 16th Street
Phoenix, Arizona
248-8550

Certificate Of Conformance
A.R.S. 10-199
General Order 1-3

For new corporations:
File with articles.

For existing corporations:
File with annual report.

If officers not filed at time
of incorporation, file one
for them twenty days after
organizational meeting.

Check A or B, whichever is appropriate:

A. There are no persons serving either by election or appointment as an officer, director or incorporator of the above named corporation who have:

1. Been convicted of either a felony or misdemeanor involving a transaction in securities within the ten year period immediately preceding his election or appointment, or
2. Been convicted of any other crime, essential elements of which are fraud and misrepresentation to the public within the ten year period immediately preceding his election or appointment, or
3. Is subject to an order, judgment or decree of a court of competent jurisdiction, entered within the ten year period immediately preceding his election or appointment, which order, judgment or decree enjoins or declares unlawful any conduct or practice in connection with a transaction involving securities.

B. The following persons serving either by election or appointment as an officer, director or incorporator of the above named corporation are the only such officers, directors or incorporators who have:

1. Been convicted of either a felony or misdemeanor involving a transaction in securities within the ten year period immediately preceding his election or appointment, or
2. Been convicted of any other crime, essential elements of which are fraud and misrepresentation to the public within the ten year period immediately preceding his election or appointment, or
3. Is subject to an order, judgment or decree of a court of competent jurisdiction, entered within the ten year period immediately preceding his election or appointment, which order, judgment or decree enjoins or declares unlawful any conduct or practice in connection with a transaction involving securities.

If "B" is checked, insert a list of the names and corporate position of such persons together with a concise statement of the nature of the offense or transaction, the caption of the proceeding, the cause number, the name of the tribunal, the judgment or sentence imposed, whether the judgment or sentence has been satisfied or carried out, and the nature of any injunctions, orders, judgments or decrees in effect at the time of the making of the certification:

State Of ARIZONA }
County Of Maricopa } ss.

We, _____ and
_____ of DEB-LIN MANOR HOME-

OWNERS ASSOCIATION do solemnly swear that to the best of our knowledge and belief, the foregoing is a true, complete and correct statement, and have therefore caused same to be prepared and delivered to the Arizona Corporation Commission

(NOTE: THIS CERTIFICATE SHALL BE EXECUTED BY ANY TWO EXECUTIVE OFFICERS OR DIRECTORS OF THE CORPORATION OR COMBINATION THEREOF.)

(Signature) (Title)

(Signature) (Title)

Subscribed and sworn to before me this _____ day of _____, 19 _____.

(Signature)

My Commission Expires:

(NOTARY SEAL)

(CORPORATE SEAL)

(ALTERNATE FORM OF OATH TO BE USED BY INCORPORATORS FILING A CERTIFICATE OF PERFORMANCE PURSUANT TO A.R.S. 10-199.)

State Of ARIZONA }
County Of Maricopa } ss.

We, Pasquale R. DiRuzza, Thomas L. Neddoff and Richard A. Polito the incorporators of DEB-LIN MANOR HOMEOWNERS ASSOCIATION, do solemnly swear that to the best of our knowledge and belief, the foregoing is a true, complete and correct statement, and have therefore caused same to be prepared and delivered to the ARIZONA CORPORATION COMMISSION.

Pasquale R. DiRuzza
Incorporator

Thomas L. Neddoff
Incorporator

RICHARD A. POLITO, incorporator
Subscribed and sworn to before me this 26th day of August, 1975.

Signature

My Commission Expires:

(NOTARY SEAL)

(CORPORATE SEAL)

AL FARRIN
COMMISSIONER
DIRECTOR GENERAL
FIELD TRAVEL
COMMISSIONER
DIRECTOR GENERAL
DIRECTOR GENERAL
DIRECTOR GENERAL
DIRECTOR GENERAL



ARIZONA CORPORATION COMMISSION

1005 N. 1ST ADAMS
PHOENIX, ARIZONA 85007
PHONE (602) 271-4155

J. LAYNE JORDAN
ADMINISTRATIVE DIRECTOR
ROBERT G. MICHELE
DIRECTOR
GEO. L. D. HELLER
DIRECTOR
ROBERT G. BOWEN
DIRECTOR
JAMES L. KAVANAGH
DIRECTOR
FRANK EDWARDS
DIRECTOR

FOR THE PURPOSE OF CLARIFICATION: THE DEFINITION OF A FISCAL DATE AS IT PERTAINS TO THE FUNCTIONS OF THE ARIZONA CORPORATION COMMISSION, INCORPORATING DIVISION IS AS FOLLOWS---(THE FISCAL DATE OF A CORPORATION IS THAT DATE WHICH IS SELECTED BY A CORPORATION TO END OR CLOSE IT'S ACCOUNTING PERIOD FOR THEIR CORPORATION AND UPON WHICH AN ANNUAL REPORT MUST BE FILED)---THIS PERIOD OF TIME MAY BE FOR TWELVE MONTHS OR LESS, BUT MUST END ON THE LAST DAY OF THE PERIOD SELECTED.

A FISCAL DATE LETTER IS REQUIRED AT THE TIME A REQUEST IS FILED IN THIS OFFICE FOR THE INCORPORATING OF A DOMESTIC CORPORATION, OR AT THE TIME OF SUBMISSION OF A REQUEST FOR A FOREIGN LICENSE.

YOU MUST KEEP US PROPERLY INFORMED AND CURRENT WHEN CHANGES OF FISCAL DATE ARE MADE BY YOUR CORPORATION.

YOU WILL NOTE THAT IN THE LOWER PORTION OF THIS LETTER THERE ARE NOTATIONS RELATIVE TO THE FISCAL DATE AND THEIR PARTICULAR APPLICATION TO YOUR CORPORATION. PLEASE COMPLETE THIS SECTION.

SINCERELY,

Caroline Granquist

CAROLINE GRANQUIST
CORPORATE DOCUMENT SECTION (27-4152)

FISCAL DATE REQUESTED FOR:

- A. FOREIGN CORPORATION ENTERING ARIZ. OR A NEW DOMESTIC CORP.
- B. CHANGE OF FISCAL DATE FOR AN EXISTING CORP. (FROM _____)

EXACT NAME OF CORPORATION DEB-LIN MANOR HOMEOWNERS ASSOCIATION

FISCAL DATE REQUESTED January 1

REQUESTED BY Tom Neddoff, incorporator

DATE REQUEST MADE 8/26/75

Tom Neddoff
Tom Neddoff

ARTICLES OF INCORPORATION OF
DEB-LIN MANOR HOMEOWNERS ASSOCIATION

ARTICLE I

AUG 28 1975

Name. The name of this corporation, which is incorporated as a nonprofit corporation under the laws of the State of Arizona, is DEB-LIN MANOR HOMEOWNERS ASSOCIATION.

ARTICLE II

Principal Place of Business. The principal place of business of the corporation shall be located in the City of Phoenix, Maricopa County, Arizona, but the corporation may transact business anywhere in the world as may be directed by the board of directors.

ARTICLE III

A. General Nature of Business. The general nature of the business to be transacted by the corporation and the objects and purposes for which the corporation is established shall be and are to provide for the maintenance, preservation and architectural control of the planned unit development project situated on that certain real property located in the City of Phoenix, County of Maricopa, State of Arizona, and all structures and improvements thereon, described as follows:

Lots 1 through 18, and Tracts A and B, DEB-LIN MANOR AMENDED, a subplot development of the East half of Lot Three (3), Block One (1), Homeside Acres, according to the plat of record in the office of the Maricopa County Recorder in Book 155 of Maps, Page 29.

B. Powers. In furtherance and not in limitation of the general powers conferred upon corporations by the laws of the State of Arizona, and in furtherance and not in limitation of the objects and purposes set forth in these articles (but, however, subject to the limitations imposed by the laws of Arizona on Arizona nonprofit corporations), this corporation shall have and exercise all powers necessary for, incidental to, desirable for or useful or convenient in carrying out each and all of its objects and purposes (including implied objects and purposes). These powers shall include but not be limited to the following:

(1) To promote the health, safety and welfare of the residents within the above described property;

(2) To exercise all of the powers and privileges and to perform all of the duties and obligations of the corporation arising from any declaration, covenant or restriction.

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630 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003
(602) 257-1108

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630 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003
(602) 257-1106

1 applicable to the above described property;

2 (3) To fix, levy, collect and enforce payment by
3 any lawful means, all charges or assessments pursuant to the
4 terms of the Declaration of Covenants, Conditions and Restrictions
5 (establishing a Planned Unit Development) to pay all expenses in
6 connection therewith and all office and other expenses incident
7 to the conduct of the business of the corporation, including all
8 the property of the corporation;

6 (4) To acquire (by gift, purchase or otherwise),
7 own, hold, improve, build upon, operate, maintain, convey, sell,
8 lease, transfer, dedicate for public use or otherwise dispose of
9 real or personal property in connection with the affairs of the
10 corporation;

9 (5) To borrow money and with the assent of two-
10 thirds of each class of members, mortgage, pledge, deed in
11 trust, or hypothecate any or all of its real or personal property
12 as security for money borrowed or debts incurred;

12 (6) To have and to exercise any and all powers,
13 rights, and privileges which a nonprofit corporation organized
14 under Arizona law may now or hereafter have or exercise;

14 (7) To do any and all things set forth or included
15 in these Articles by implication or otherwise as an object or
16 purpose or otherwise, either alone, as an agent, as principal
17 through the agency of others, by contract with any person, firm,
18 association, partnership or corporation, as a joint adventurer or
19 partner, and in any other manner whatsoever;

18 (8) To apply for, obtain, lease, register, purchase
19 or otherwise acquire, hold, own, control, sell and dispose of
20 letters patent, patents, patent rights, rights to patents pending,
21 applications for patents, copyrights, licenses and privileges,
22 inventions, improvements, processes, trademarks and trade names;
23 labels, brands, franchises, dealerships, and any other rights,
24 permits, or privileges of any kind or character whatsoever re-
25 lating to or useful in connection with any business of the
26 corporation, and to use, develop, exercise, grant license in
27 respect of, sell, let, protect, maintain, exchange or otherwise
28 deal in and with the same;

24 (9) To carry on business in its own name, in any
25 assumed business name, and through any partially or wholly owned
26 corporation and to sue and be sued in its own name, and any
27 assumed business name;

26 (10) To act as an incorporator of subsidiary
27 corporations formed to carry out any part of its objects, pur-
28 poses and functions;

28 (11) To act as agent, trustee, guardian, executor,
administrator, broker and in any other representative or fiduci-

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16021 257-1106

1 any capacity, with or without revealing such relationship; the
2 grant or order of any court, and regardless of the kind of the
3 fiduciary relationship or the kind of assets held or to be
4 responsibilities upon it imposed by the instrument or order
5 creating the relationship, including the exercise of powers not
6 specifically or by implication herein set forth;

7
8 (12) To buy, acquire, acquire rights in, hold,
9 lease (as lessee or lessor), sell, transfer, convey and otherwise
10 dispose of improved or unimproved real property and interests
11 therein of every kind and description, whether or not in posses-
12 sion;

13 (13) To acquire and hold all licenses from govern-
14 mental agencies, necessary or desirable for the conduct of any
15 business undertaken by the corporation.

16 This Article III shall be construed as a statement both
17 of purposes and powers, and purposes and powers in each clause
18 shall be in no wise limited or restricted by reference to or
19 inference from the terms or provisions of any other clause, but
20 shall be broadly construed as independent purposes and powers.
21 Notwithstanding any of the above statements of purposes and
22 powers, the corporation shall not, except to an insubstantial
23 degree, engage in any activities or exercise any powers that are
24 not in furtherance of the primary purposes of the corporation.

25 C. Restriction on Powers While a Private Foundation.
26 During any period that this corporation is a private foundation,
27 as that term is defined at Section 509 of the Internal Revenue
28 Code of 1954, as amended, this corporation's powers shall be
restricted specifically as follows:

(1) The corporation shall be without power to
engage in any act of self-dealing as that term is defined at
Section 4941 of the Internal Revenue Code of 1954, as amended.

(2) The corporation shall be without power to
retain any excess business holdings as that term is defined at
Section 4943 of the Internal Revenue Code of 1954, as amended.

(3) The corporation shall be without power to
make any investment in any manner which would subject it to tax
under Section 4944 of the Internal Revenue Code of 1954, as
amended.

(4) The corporation shall be without power to
make any taxable expenditure as that term is defined at Section
4945 of the Internal Revenue Code of 1954, as amended.

D. Required Distribution of Income While a Private
Foundation. During any period that it is a private foundation,
as that term is defined at Section 509 of the Internal Revenue
Code of 1954, as amended, it shall be required to distribute such

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1 amounts at such time and in such manner as to prevent it from
2 becoming liable for the tax imposed by Section 49 of the
Internal Revenue Code of 1954, as amended.

3 ARTICLE IV

4 Nonstock, Membership Corporation. This shall be a
5 nonstock corporation. This shall be a membership corporation.
6 The authorized number and qualifications of members of the corpo-
7 ration, the different classes of membership, if any, the property,
voting and other rights and privileges of members, and their
liability for dues and assessments and the method of collection
thereof, shall be as set forth in the Bylaws.

8 ARTICLE V

9 Incorporators. The names, residences and post office
10 addresses of the incorporators are as follows;

11 Pasquale R. DiRuzza
12 5330 North 15th Street
13 Phoenix, Arizona 85014

14 Thomas L. Neddoff
15 2503 East Christy Drive
16 Phoenix, Arizona 85020

17 Richard A. Polito
18 2525 East Mercer Lane
19 Phoenix, Arizona 85020

20 ARTICLE VI

21 Time and Commencement. The time of commencement of
22 this corporation shall be the day a Certificate of Incorporation
23 shall be issued to it by the Arizona Corporation Commission, and
24 termination thereof shall be twenty-five years thereafter, with
25 the privilege of successive renewal as provided by law so as to
26 achieve perpetual succession.

27 ARTICLE VII

28 Conduct of Affairs. This corporation shall be a not-
for-profit corporation and shall have no stock. The affairs of
this corporation shall be conducted by the board of directors and
such officers and committees as the directors may from time to
time appoint. The number of directors shall be fixed by the
Bylaws, but shall not exceed the maximum number of directors
permitted by law. The directors shall serve without compensation
and no director shall receive any pecuniary benefit as a direct
result of being a director of the corporation. The initial board
of directors named herein and any subsequent board of directors
shall have power to increase the size of the board of directors
subject to the restrictions imposed by this Article. Such new

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1 positions and any vacancies on the board of directors resulting
2 from death, resignation or inability to serve shall be filled in
3 a manner provided in the Bylaws. The failure to fill any vacancy
4 on the board of directors shall not operate to reduce the size of
5 the board of directors, but the directors actually in office
6 shall at any time constitute the board of directors, provided,
7 however, that should the number of directors actually in office
8 fall below three, the remaining directors shall be without power
9 to take any action except to fill the vacancy. The board of
10 directors shall have the power to appoint committees to act on
11 behalf of the corporation and to define, by appropriate bylaw,
12 each committee's purposes and powers. The committees appointed by
13 the board of directors may have all the powers available to the
14 board under these Articles of Incorporation and permitted by the
15 Bylaws except the power to amend the Bylaws or to fill vacancies
16 on the board of directors or any committee. The Bylaws shall
17 provide the method for election of directors. The annual meeting
18 of the corporation shall be held each year on January 2, or
19 such later date as may be specified by notice duly given in
20 accordance with the Bylaws to each member. The following persons
21 were elected as initial directors of the corporation at a meeting
22 of the incorporators held on June 11, 1975, at Phoenix
23 _____, Arizona;

13 Pasquale R. DiRuzza
14 Thomas L. Neddoff
15 Richard A. Polito

20 ARTICLE VIII

21 Indebtedness. The highest amount of indebtedness or
22 liability, direct or contingent, to which the corporation is at
23 any time to subject itself, is the sum of one million dollars
(\$1,000,000.00).

24 ARTICLE IX

25 Exemption of Private Property. The private property of
26 the incorporators, directors, officers, employees and agents of
27 this corporation shall be forever exempt from liability for its
28 debts or obligations.

27
28

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930 NORTH FIRST AVENUE
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1 ARTICLE X

2 Amendment of Articles. These Article of Incorporation
3 may be amended by the membership at any regular or special meeting
4 of members by the affirmative vote of three-fourths of the number
5 of members present at the meeting in person or by proxy. At
6 least ten days written notice of any proposed amendment to these
7 Articles must be given each member in advance of the meeting at
8 which such proposed amendment is to be considered. No additional
9 notice to members shall be required.

10 ARTICLE XI

11 FHA/VA Approval. As long as there is a Class B member-
12 ship, the following actions will require the prior approval of
13 the Federal Housing Administration or the Veterans Administration:
14 annexation of additional properties, mergers and consolidations,
15 mortgaging of Common Area, dedication of Common Area, dissolution
16 and amendment of these Articles.

17 ARTICLE XII

18 Dissolution. The Association may be dissolved with the
19 assent given in writing and signed by not less than two-thirds
20 (2/3) of each class of members. Upon dissolution of the Associ-
21 ation, other than incident to a merger or consolidation, the
22 assets of the Association shall be dedicated to an appropriate
23 public agency to be used for purposes similar to those for which
24 this Association was created. In the event that such dedication
25 is refused acceptance, such assets shall be granted, conveyed and
26 assigned to any nonprofit corporation, association, trust or
27 other organization to be devoted to such similar purposes.

28 ARTICLE XIII

Indemnification of Directors and Officers. Subject to
the further provisions hereof, the corporation shall indemnify
any and all of its directors, officers, former directors and
former officers against all expenses incurred by them and each of
them, including but not limited to legal fees, judgments, and
penalties which may be incurred, rendered or levied in any legal
action or omission alleged to have been committed while acting
within the scope of employment as director or officer of the
corporation. Whenever any director, officer, former director or
former officer shall report to the president of the corporation
or the chairman of the board of directors that he has incurred or
may incur expenses, including but not limited to legal fees,
judgments and penalties in a legal action brought against him for
or on account of any action or omission alleged to have been
committed by him while acting within the scope of his employment
as a director or officer of the corporation, the board of direc-
tors of the corporation shall, at its next regular or at a
special meeting held within a reasonable time thereafter, de-
termine in good faith whether, in regard to the matter involved

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(602) 257-1100



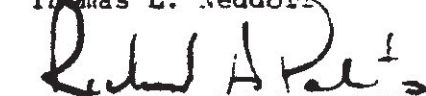
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in the action or contemplated action, such person acted, failed to act, or refused to act willfully, with gross negligence or with fraudulent or criminal intent. If the board of directors determines in good faith that such person did not act, failed to act, or refused to act willfully or with gross negligence or with fraudulent or criminal intent in regard to the matter involved in the action or contemplated action, indemnification shall be mandatory and shall be automatically extended as specified herein, provided, however, that no such indemnification shall be available with respect to liabilities under the Securities Act of 1933, and provided, further that the corporation shall have the right to refuse indemnification in any instance in which the person to whom indemnification would otherwise have been applicable shall have unreasonably refused to permit the corporation, at its own expense and through counsel of its own choosing, to defend him in the action.

ARTICLE XIV

Statutory Agent. Mariscal, Weeks, Lehman & McIntyre, P.A. whose address is 830 North 1st Avenue, Phoenix, Arizona a corporation authorized to do business in the State of Arizona is hereby appointed the agent of the corporation, upon whom all notices and processes, including service of suit, may be served, and the service upon such agent shall be lawful personal service on the corporation. This appointment may be revoked at any time by the filing of the appointment of another agent as provided by law.

IN WITNESS WHEREOF, THE incorporators hereunto set their hands as of the 12th day of June, 1975.


Pasquale R. DiRuzza

Thomas L. Neddoff

Richard A. Polito

ATTACHMENT G

Racelle Escolar

From: jpaletta1 <jpaletta1@cox.net>
Sent: Friday, October 11, 2024 12:59 PM
To: Racelle Escolar
Cc: Kathy DeLorey; Melissa Rhodes; Russell Birkland; Betsy & Robert Greenberg
Subject: Re: Opposition letter regarding Z-74-24-6 - R5 Misrepresented

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PLEASE PLACE IN CITY COUNCIL FILE

It seems there were some concerns about the representation of the R5 zoning during the planning commission meeting. It was perceived that the commission and the planning department may have favored the developer's interests. Some specific points of concern include the emphasis on the suitability of R5 for the site, overlooking traffic concerns, and the lack of consideration for the negative impact of R5 on the area.

It was stressed that the R5 zoning was part of a compromise from a previous rezoning, and it's important to provide detailed explanations to the council and during office visits regarding the reasons for having this higher zoning.

It was also mentioned that the lawyer's presentation on the R5 zoning was misleading. During the council hearing, it was suggested that speakers provide a detailed explanation of the history to ensure a comprehensive understanding.

In conclusion, the choice between R3 and R5 zoning for a multifamily development on 1.82 acres will depend on factors such as desired density, community context, and local zoning regulations. R5 zoning typically allows for higher density and taller buildings compared to R3, which might be more suitable for urban or higher-density suburban areas.

John Paletta
2121 East Glenrosa Ave
Phoenix, Arizona

[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](#)

On Friday, October 11, 2024, 12:53 PM, jpaletta1 <jpaletta1@cox.net> wrote:

PLEASE PLACE IN CITY COUNCIL FILE

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John Paletta
2121 East Glenrosa Rd

[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](mailto:mail.onelink.me)

Racelle Escolar

From: jpaletta1 <jpaletta1@cox.net>
Sent: Friday, October 11, 2024 1:38 PM
To: Racelle Escolar
Cc: Kathy DeLorey; Melissa Rhodes; Russell Birkland; ryanworldtravel8@gmail.com; Betsy & Robert Greenberg
Subject: Letter of Oppositon - Rezoning Case Z-74-24-6

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PLEASE PLACE IN COUNCIL FOLDER FOR 21/12/24

At the recent Planning Commission meeting on 10/10/24 regarding Rezoning Case Z-74-24, it was observed that individuals from outside the immediate area were brought in to advocate for the R3 to R5 zoning change. These individuals seemed unfamiliar with the specific details of the case, and it was noted that the rezoning primarily impacts the local neighborhood rather than individuals residing four miles away on 28th Street.

Furthermore, during the hearing, there were speakers who voiced support for the rezoning in the context of affordable housing, although this aspect was not directly relevant to the rezoning case at hand.

The manufactured nature of this support was unfortunate and detracted from the substantive discussion of the hearing.

**Best regards,
John Paletta
2121 East Glenross Ave**

[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](#)

Racelle Escolar

Subject: R5 MISREPRESENTATION

From: jpaletta1 <jpaletta1@cox.net>

Sent: Friday, October 11, 2024 3:31 PM

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

Cc: Kathy DeLorey <ksews60@gmail.com>; Kathryn northcentralnews.net <kathryn@northcentralnews.net>; Melissa Rhodes <melissa.rhodes.az@gmail.com>; Russell Birkland <rgenebirkland@gmail.com>; ryanworldtravel8@gmail.com; Betsy & Robert Greenberg <berto56@cox.net>

Subject: R5 MISREPRESENTATION

Subject: Concerns Regarding Rezoning Case Z-74-24-6 - R5 MISREPRESENTSTION

Dear Phoenix City Council:

I am writing to express our concerns regarding the recent presentation of the rezoning case Z-74-24-6 at the 10/10/2024 Planning Commission Meeting. It has come to our attention that there were some misrepresentations made during the presentation, particularly in the portrayal of R5 zoning in our neighborhood.

We believe that there was a lack of transparency in the presentation, as certain crucial historical details regarding the R5 zoning were omitted. It is important to note that these details were extensively discussed during the compromise meetings with the lawyer and developer, but unfortunately, they were not conveyed to the Planning Commission.

Our neighborhood has a long history of grappling with rezoning issues, dating back to 1986 (Z-210-86). After 11 years of negotiations, a compromise was reached in 1994, resulting in the downzoning of the entire block between Glenrosa and Turney and 21st Street and 22nd Street to R2, with the southeast corner designated as R5 as part of the compromise. Specific stipulations were put in place for two-story structures along Turney Ave and 21st Street and three stories in the center of the project.

Furthermore, the northwest corner has a history of rezoning dating back to 1978, with the corner of 20th Street and Campbell initially zoned as an 8-story Midrise. Subsequently, through negotiations with the city, it was rezoned to R5 with specific restrictions, including no traffic entering the neighborhood and a 30-foot setback behind the parking lot.

We are concerned that the use of these two parcels of R5 to justify the current rezoning is misleading and does not fully capture the complexities and history of the zoning in our neighborhood.

We hope that these concerns can be addressed and that all relevant information will be accurately presented to the Council on 11/12/24.

Thank you for your attention to this matter.

Sincerely,

John Paletta
2121 East Glenrosa Ave
Phoenix, Arizona. 85016
602 300 4067

jpaletta1@cox.net

[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](mailto:jpaletta1@cox.net)

John Roanhorse

From: Leah Adelman <lfadelman@gmail.com>
Sent: Thursday, October 10, 2024 4:55 PM
To: John Roanhorse
Subject: Concern Regarding the Impact of Proposed Project on My Property Value

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Dear Committee Members,

I hope this letter finds you well. My name is Leah Adelman and I am writing as a first-time homeowner who lives adjacent to the proposed project. While I understand that development is often necessary for community growth, I am deeply concerned that this particular project will negatively impact the value of my home and the quality of life in my neighborhood.

As a homeowner, this investment is significant to me, both financially and emotionally. The proximity of the project to my property raises serious concerns about increased noise, traffic, and potential environmental effects, all of which are likely to drive down the value of my home. This is particularly troubling as I had hoped this would be a place where I could establish long-term roots in a stable and growing community.

I respectfully urge you to reconsider the current scope of the project and take into account the potential harm it could cause to homeowners like myself, who will be directly affected. Please consider alternative solutions or mitigations that could alleviate these concerns, ensuring that this project supports both the growth of the community and the wellbeing of its residents.

Thank you for your time and consideration of my concerns.

Sincerely,
Leah Adelman
2130 E Turney Ave #1 Phoenix AZ 85018
4043957474



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

To: Mayor and City Council

Date: November 12, 2024

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: CONTINUANCE OF ITEM 73 ON THE NOVEMBER 13, 2024, FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION - REZONING APPLICATION Z-74-24-6 – NORTHEAST CORNER OF 21ST STREET AND TURNEY AVENUE (ORDINANCE G-7319)

Item 73, rezoning application Z-74-24-6 is a request to rezone 1.82 acres located at the northeast corner of 21st Street and Turney Avenue R-3 (Multifamily Residence District) to R-5 (Multifamily Residence District) to allow multifamily residential.

The Council District 6 Office has requested the item be continued to the January 22, 2025, City Council Formal Meeting to provide the applicant additional time to engage with the community regarding their concerns and to present to the Camelback East Village Planning Committee at the January meeting for a recommendation.

Staff concurs with this request for continuance.

Approved:

A handwritten signature in blue ink, appearing to read "Alan Stephenson", written over a horizontal line.

Alan Stephenson
Deputy City Manager