



# Agenda

## City Council Formal Meeting

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Wednesday, October 6, 2021

2:30 PM

phoenix.gov

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**\*\*\*REVISED Oct. 5, 2021\*\*\***

**Item Requested to be Continued: 75; Item Revised: 124; Items Added: 126-127**

### OPTIONS TO ACCESS THIS MEETING

#### *Request to speak at a meeting:*

- **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak:  
<https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=ebabad83b01ec8cf8f11d7e3be54fbeda>

- **Register via telephone** at 602-262-6001 **at least 1 hour prior to the start of this meeting**, noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

#### *At the time of the meeting:*

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

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2553 602 2925# (for English) or 2552 637 1960# (for Spanish). Press # again when prompted for attendee ID.

#### *Para nuestros residentes de habla hispana:*

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 1 hora antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2552 637 1960#. 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 2552 637 1960#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

**CALL TO ORDER AND ROLL CALL****BOARDS AND COMMISSIONS**

- |   |   |         |
|---|---|---------|
| 1 | <b>Mayor and Council Appointments to Boards and Commissions</b> | Page 13 |
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**LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS**

- |    |  |                      |
|----|--|----------------------|
| 2  | <b>Liquor License - Bonitas</b>                                    | District 1 - Page 16 |
| 3  | <b>Liquor License - Salt Tacos Y Tequila</b>                       | District 1 - Page 20 |
| 4  | <b>Liquor License - California Pizza Kitchen</b>                   | District 2 - Page 25 |
| 5  | <b>Liquor License - S. Maranto's</b>                               | District 2 - Page 27 |
| 6  | <b>Liquor License - 1 Stop Market</b>                              | District 3 - Page 31 |
| 7  | <b>Liquor License - Bob's Market</b>                               | District 3 - Page 36 |
| 8  | <b>Liquor License - Gas &amp; Food Mart</b>                        | District 3 - Page 41 |
| 9  | <b>Liquor License - Native Grill &amp; Wings</b>                   | District 3 - Page 47 |
| 10 | <b>Liquor License - Special Event - Orgazac Inc</b>                | District 4 - Page 52 |
| 11 | <b>Liquor License - Special Event - Phoenix Pride Incorporated</b> | District 4 - Page 53 |
| 12 | <b>Liquor License - Authentic EthioAfrican</b>                     | District 4 - Page 54 |
| 13 | <b>Liquor License - Hidden Track Cafe</b>                          | District 4 - Page 59 |
| 14 | <b>Liquor License - La Santisima Gourmet Taco Shop</b>             | District 4 - Page 65 |
| 15 | <b>Liquor License - West Highland Ave LH LLC</b>                   | District 4 - Page 71 |



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17	<b>Liquor License - Dave Market</b>	District 5 - Page 77
18	<b>Liquor License - Special Event - Almost There: A Mom + Pups Rescue</b>	District 6 - Page 82
19	<b>Liquor License - Special Event - Arizona Parks and Recreation Association</b>	District 6 - Page 83
20	<b>Liquor License - Special Event - St. Thomas the Apostle Roman Catholic Parish Phoenix</b>	District 6 - Page 84
21	<b>Liquor License - Aftermath</b>	District 6 - Page 85
22	<b>Liquor License - California Pizza Kitchen</b>	District 6 - Page 90
23	<b>Liquor License - Canteen</b>	District 6 - Page 92
24	<b>Liquor License - Obon</b>	District 6 - Page 97
25	<b>Liquor License - Papi Gordos</b>	District 6 - Page 103
26	<b>Liquor License - Shabuo</b>	District 6 - Page 108
27	<b>Liquor License - Special Event - Downtown Phoenix Inc.</b>	District 7 - Page 113
28	<b>Liquor License - Carniceria Mana</b>	District 7 - Page 114
29	<b>Liquor License - El Pueblo Restaurant</b>	District 7 - Page 119
30	<b>Liquor License - Off The Record</b>	District 7 - Page 123
31	<b>Liquor License - Trappers Sushi Co. Phoenix</b>	District 7 - Page 129
32	<b>Liquor License - Special Event - Phoenix Legal Action Network</b>	District 8 - Page 134
33	<b>Liquor License - Special Event - Saint Sava Serbian Orthodox Church</b>	District 8 - Page 135

34     **Liquor License - Ike's Love and Sandwiches**

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35     **City of Goodyear - Annual Water Utility Payment**

36     **Applied Concepts, Inc. doing business as Stalker Radar**

37     **Settlement of Claim(s) Rinehart v. City of Phoenix**

38     **Settlement of Claim(s) Welch v. City of Phoenix**

39     **RR Donnelley**

40     **Laborers' International Union of North America (LIUNA)  
Local 777**

41     **American Federation of State, County and Municipal  
Employees (AFSCME) Local 2384**

42     **American Federation of State, County and Municipal  
Employees (AFSCME) Local 2960**

43     **American Federation of State, County and Municipal  
Employees (AFSCME) Local 2960**

44     **Magnum Engineering, Inc.**

45     **Helm, Inc.**

46     **Manhattan Telecommunications Corporation, doing  
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(Ordinance S-47968)**

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| 50 | <b>Acceptance and Dedication of Easements and One Deed for Sidewalk, Public Utility or Roadway Purposes (Ordinance S-47972)</b>                | District 2 - Page 155<br>District 6<br>District 7<br>District 8               |
| 51 | <b>Acceptance of Easements for Drainage, Water or Vehicular Non-Access Purposes (Ordinance S-47978)</b>  | District 1 - Page 158<br>District 3<br>District 5<br>District 7<br>District 8 |
| 52 | <b>Automotive Parts and Repairs for Medium and Heavy-Duty Trucks (Collision Repair) - COOP 21-116 and COOP 21-117 (Ordinance S-47983)</b>      | Citywide - Page 160   |
| 53 | <b>Fence Supply and Service - Requirements Contract - IFB 18-207 (A) (Ordinance S-47987)</b>   | Citywide - Page 162   |
| 54 | <b>Authorization to Enter into Agreement with Avalon Legal (Ordinance S-48000)</b>   | Citywide - Page 163   |
| 55 | <b>Authorization to Enter into Agreement with Teris-Phoenix LLC (Ordinance S-48001)</b>  | Citywide - Page 165   |
| 56 | <b>Intergovernmental Agreement with Maricopa Association of Governments for Evaluation of Coordinated Entry Assessment (Ordinance S-47966)</b> | Citywide - Page 167   |
| 57 | <b>Agreement with Community Legal Services for COVID-19 Tenants Eviction Assistance Program (Ordinance S-47988)</b>                            | Citywide - Page 169   |

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| 58 | <b>Federal Communications Commission Emergency Connectivity Fund Application and Agreement (Ordinance S-48006)</b>   | Citywide - Page 171    |
| 59 | <b>Amendment to Consolidated Plan's Citizen Participation Plan</b>   | Citywide - Page 173    |
| 60 | <b>Intergovernmental Agreement for Diverting, Treating, and Transporting City of Glendale's Water and for Supplying Water to the City Under Emergency Conditions (Ordinance S-47980)</b> | Out of City - Page 188 |
| 61 | <b>Intergovernmental Agreement for Diverting, Treating, and Transporting City of Tempe's Water and for Supplying Water to the City Under Emergency Conditions (Ordinance S-47981)</b>    | Out of City - Page 189 |

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| 63 | <b>Fiscal Year 2021-22 Bioscience Healthcare Strategic Initiative (Ordinance S-47976)</b>  | Citywide - Page 193   |
| 64 | <b>Maricopa Community Colleges Foundation Collide Arizona Events Programming Sponsorship (Ordinance S-47977)</b>   | Citywide - Page 196   |
| 65 | <b>Enter into Sister Cities Agreement with Suwon, South Korea (Ordinance S-48002)</b>  | Citywide - Page 199   |
| 66 | <b>Trade Development Services in Hermosillo and Mexico City Request for Proposals Contract Award (RFP-CED20-TDS) (Ordinance S-48004)</b>                           | Citywide - Page 201   |
| 67 | <b>Additional Expenditures for Phoenix Business and Workforce Development Board Local Plan and Strategic Plan Consulting Services Contract (Ordinance S-48005)</b> | Citywide - Page 203   |
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- 68     **Fire Sprinkler Inspection, Testing and Maintenance  
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- 70     **Fire Turnout Clothing Cleaning, Inspection and Repair  
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- 71     **Request Authorization for Sale of Canine Espy  
(Ordinance S-47998)**     Citywide - Page 210
- 72     **Request Authorization for Sale of Canine Soldier  
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- 73     **Authorization to Enter into Agreements with United  
States Marshals Service to Accept Reimbursement for  
Police Services (Ordinance S-48010)**     Citywide - Page 212
- 74     **Agreements with Organized Crime Drug Enforcement  
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(Ordinance S-48011)**     Citywide - Page 213

**TRANSPORTATION AND INFRASTRUCTURE**

- \*75     **Airport Concessions Relief and American Rescue Plan Act  
(Ordinance S-48008) \*\*\*REQUEST TO CONTINUE\*\*\***     District 8 - Page 214
- 76     **Luggage Cart Rental Services at Phoenix Sky Harbor  
International Airport (Ordinance S-47975)**     District 8 - Page 217
- 77     **Ground Lease with Oso Concrete LLC at Phoenix Sky  
Harbor International Airport (Ordinance S-47985)**     District 8 - Page 219
- 78     **Amend Ground Lease with Bimbo Bakeries USA, Inc. at  
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80	<b>Transportation Modernization Grant Application (Ordinance S-48009)</b>	District 7 - Page 243
81	<b>Transport of Natural Gas and Electricity- Kinect Energy, Inc. - Amendment (Ordinance S-47979)</b>	Citywide - Page 244
82	<b>Supply of New Radiators Contract Recommendation (Ordinance S-47982)</b>	Citywide - Page 246
83	<b>Environmental Protection Agency Grant Opportunity to Support Anaerobic Digestion in Communities for Fiscal Year 2021 (Ordinance S-47984)</b>	District 7 - Page 249
84	<b>Fuel Terminal Services (Ordinance S-47989)</b>	Citywide - Page 251
85	<b>Hoist and Cranes - Inspection, Certification, Maintenance and Repair (Ordinance S-47990)</b>	Citywide - Page 252
86	<b>Phoenix Raceway Non-Standard Crosswalk Markings</b>	District 8 - Page 254
87	<b>Telecommunications Services and Interstate Telecommunications Services License (Ordinance S-47992)</b>	Citywide - Page 258
88	<b>Salt River Project Land Use License for City Encroachment onto Appropriator's Canal Land Rights (Ordinance S-47993)</b>	District 4 - Page 259
89	<b>Industrial Gas Pipeline License Agreement with Linde Incorporated (Ordinance S-47994)</b>	Citywide - Page 260
90	<b>Salt River Project Construction License for Indian School Road Fiber Enhancement Project - ST89360035 (Ordinance S-47995)</b>	District 5 - Page 261
91	<b>Industrial Gas Pipeline License Agreement with Air Liquide (Ordinance S-47996)</b>	Citywide - Page 262

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| 92 | <b>Telecommunications Services and Interstate Telecommunications Services License with AT&amp;T Corporation (Ordinance S-47997)</b>  | Citywide - Page 263   |
| 93 | <b>Fire Station 62 - Construction Manager at Risk Preconstruction Services - FD57100027 (Ordinance S-48003)</b>  | District 7 - Page 264 |
| 94 | <b>Custodial Services for Water Services Department - Amendment (Ordinance S-47973)</b>  | Citywide - Page 267   |
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**PLANNING AND ZONING MATTERS**

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| 96  | <b>Acceptance of Funds from Suns Legacy Properties LLC for Interpretive Signage (Ordinance S-48013)</b>                       | District 7 - Page 272 |
| 97  | <b>Acceptance of Community and Economic Development Funds for Interpretive Signage (Ordinance S-48012)</b>                    | District 7 - Page 274 |
| 98  | <b>Final Plat - 15th Avenue and Pinnacle Peak Road - PLAT 210023 - Southwest Corner of 11th Avenue and Pinnacle Peak Road</b> | District 1 - Page 276 |
| 99  | <b>Final Plat - Ascend at Dynamite - PLAT 210049 - Northeast Corner of Dynamite Boulevard and Interstate 17 Highway</b>       | District 2 - Page 277 |
| 100 | <b>Final Plat - 19 North - PLAT 210012 - Southeast Corner of 22nd Avenue and Butler Drive</b>                                 | District 5 - Page 278 |
| 101 | <b>Final Plat - Maryland &amp; 15th Avenue - PLAT 200548 - Northwest Corner of Maryland Avenue and 15th Avenue</b>            | District 5 - Page 279 |

<b>City Council Formal Meeting</b>	<b>Agenda</b>	<b>October 6, 2021</b>
102	<b>Final Plat - Valleywise Community Health Center North Phoenix - PLAT 210005 - Southeast Corner of Northern Avenue and 21st Avenue</b>	District 5 - Page 280
103	<b>Final Plat - Nextgen Mountainside - PLAT 210028 - 4820 East Ray Road</b>	District 6 - Page 281
104	<b>Final Plat - Willow 38 - PLAT 210008 - Northeast Corner of 38th Street and Osborn Road</b>	District 6 - Page 282
105	<b>Final Plat - Nineteen Commons - PLAT 200575 - Northeast Corner of 19th Avenue and Baseline Road</b>	District 7 - Page 283
106	<b>Final Plat - Alameda Villas Subdivision - PLAT 210003 - Southeast Corner of Osborn Avenue and 38th Street</b>	District 8 - Page 284
107	<b>Abandonment of Easement - ABND 200569 - Parcel north of 25700 North 21st Avenue (Resolution 21967)</b>	District 1 - Page 285
108	<b>Abandonment of Easements - ABND 210021 - 1125, 1255 and 1425 W. Pinnacle Peak Rd. (Resolution 21964)</b>	District 1 - Page 286
109	<b>Abandonment of Easement - ABND 200567 - Northeast Corner of 7th Avenue and Camelback Road (Resolution 21963)</b>	District 4 - Page 287
110	<b>Abandonment of Alleyway Easement - ABND 200503 - Southeast Corner of Glendale Avenue and 8th Avenue (Resolution 21962)</b>	District 5 - Page 288
111	<b>Abandonment of Right-of-Way - ABND 190089 - Northeast Corner of 13th Place and Palo Verde Drive (Resolution 21959)</b>	District 6 - Page 289
112	<b>Abandonment of Easement - ABND 210011 - 3963 East Montecito Avenue (Resolution 21960)</b>	District 6 - Page 290
113	<b>Abandonment of Easement - ABND 210005 - 1420 North 24th Street (Resolution 21965)</b>	District 8 - Page 291



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|-----|---|-----------------------|
| 114 | <b>Map of Dedication - Quiktrip Store No. 1441 - MOD 210001 - 1420 North 24th St.</b>   | District 8 - Page 292 |
| 115 | <b>Remove/Replace Zoning District - 51st Avenue and Baseline Road - Annexation 506 (Ordinance G-6903)</b>   | District 7 - Page 293 |
| 116 | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-30-21-2 - Southeast Corner of the 29th Avenue Alignment and the Bronco Butte Trail Alignment (Ordinance G-6899)</b>      | District 2 - Page 299 |
| 117 | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-26-21-4 - Approximately 270 Feet South of the Southwest Corner of 17th Street and Glenrosa Avenue (Ordinance G-6900)</b> | District 4 - Page 309 |
| 118 | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-24-21-7 - Northeast Corner of 51st Avenue and Southern Avenue (Ordinance G-6901)</b>                                     | District 7 - Page 316 |
| 119 | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-34-21-7 - Approximately 1,130 Feet South of the Southeast Corner of 39th Avenue and Miami Street (Ordinance G-6902)</b>  | District 7 - Page 329 |
| 120 | <b>Public Hearing - Appeal of Hearing Officer Decision - Abandonment of Alleyway Easement - ABND 210015 - Calle Redonda, between 54th Way and 54th Court</b>                              | District 6 - Page 335 |
| 121 | <b>Public Hearing and Resolution Adoption - General Plan Amendment GPA-PV-2-21-2 - Northwest corner of 34th Way and Bell Road (Resolution 21961)</b>                                      | District 2 - Page 360 |
| 122 | <b>Public Hearing and Ordinance Adoption - Rezoning Application Z-38-21-2 - Northwest Corner of 34th Way and Bell Road (Ordinance G-6904)</b>   | District 2 - Page 380 |
| 123 | <b>Public Hearing and Resolution Adoption - General Plan Amendment GPA-LV-1-21-7 - Southwest Corner of 63rd</b>   | District 7 - Page 484 |
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**Avenue and the South Mountain Avenue Alignment  
(Resolution 21966)**

- \*124    **Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-1-21-7 (Dobbins Industrial and Tech Park PUD) - Southwest Corner of 63rd Avenue and the South Mountain Avenue Alignment (Ordinance G-6905) \*\*\*REVISED\*\*\***                      District 7 - Page 498

**REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS**

- 125    **Consideration of Prevailing Wage Ordinance**                      Citywide - Page 557

**ADD-ON ITEMS**

- \*126    **Purchase Supply of Water/Wastewater Disinfectant - Amendment 2 (Ordinance S-48014)  
\*\*\*REQUEST TO ADD-ON\*\*\***                      Citywide - Page 566
- \*127    **Consideration of Reviewing Current Regulations on Parks  
\*\*\*REQUEST TO ADD-ON\*\*\***                      Citywide - Page 569

**000 CITIZEN COMMENTS**

**ADJOURN**



City of Phoenix

## City Council Formal Meeting

### Report

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**Agenda Date:** 10/6/2021, **Item No.** 1

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## **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:** October 6, 2021

**Subject:** BOARDS AND COMMISSIONS – APPOINTEES

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

#### **Community Development Review Committee**

I recommend the following for reappointment:

Elda Alvidrez

Ms. Alvidrez will serve her fourth term to expire June 30, 2023.

Joe Keeper

Mr. Keeper will serve his sixth term to expire June 30, 2023.

Kelly Paisley

Ms. Paisley will serve her second term to expire June 30, 2023.

Jacqueline Sandoval

Ms. Sandoval will serve her second term to expire June 30, 2023.

Jeff Stephens

Mr. Stephens will serve his fourth term to expire June 30, 2023.

#### **Fast Track Cities Ad Hoc Committee**

I recommend the following for appointment:

Jessyca Leach

Ms. Leach is the Chief Financial Officer and Interim Executive Director at the Southwest Center for HIV/AIDS and a resident of District 7.

Jimmy Thomason

Mr. Thomason is the Executive Director of Aunt Rita's Foundation and a resident of District 4.

**Military Veterans Commission**

I recommend the following individual as Chair:

Timothy Bourcet

Mr. Bourcet is a veteran of the United States Air Force and the Vice President of Government and Community Affairs at the Greater Phoenix Economic Council. He will serve as Chair for a term to expire October 6, 2023.

**North Mountain Village Planning Committee**

Councilwoman Ann O'Brien recommends the following for appointment:

Bill Adams

Mr. Adams is the owner of Ryan Austin & Associates, LLC and a resident of District 1. He replaces Larry Herrera for a partial term to expire November 19, 2021.

**Phoenix Arts and Culture Commission**

I and Councilwoman Ann O'Brien recommend the following for appointment:

Anna Backstrom

Ms. Backstrom is a Curriculum, Instruction, and Assessment Specialist for Fine Arts and Health at the Deer Valley Unified School District and a resident of District 1. She fills a vacancy for a term to expire September 30, 2024.

**Phoenix Sister Cities Commission**

I recommend the following for appointment:

Louie Lujan

Mr. Lujan is the Director of Government Relations at CIMA Law Group and a resident of District 3. He fills a vacancy for a term to expire September 30, 2024.



## **Liquor License - Bonitas**

Request for a liquor license. Arizona State License Application 158205.

### **Summary**

#### Applicant

Itzel Rochin-Valle, Agent

#### License Type

Series 12 - Restaurant

#### Location

4920 W. Thunderbird Road, Ste. 100

Zoning Classification: C-2

Council District: 1

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

The 60-day limit for processing this application is Oct. 17, 2021.

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:  
"We are a small family owned Restaurant with +20 years of experience where Liquor has always been controlled in our previous restaurants. Our Bonitas Restaurant is a Breakfast/Lunch Restaurant and Liquor is only about 5% of Monthly sales."

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

"Our loyal customers have been reaching to us on the perfference of keeping and continueing with their favorite Micheladas."

### Staff Recommendation

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

### Attachments

Liquor License Data - Bonitas

Liquor License Map - Bonitas

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: BONITAS

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Liquor Store	9	3	2
Restaurant	12	4	3

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	19.02	23.35
Violent Crimes	8.73	3.05	5.09

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

### Property Violation Data

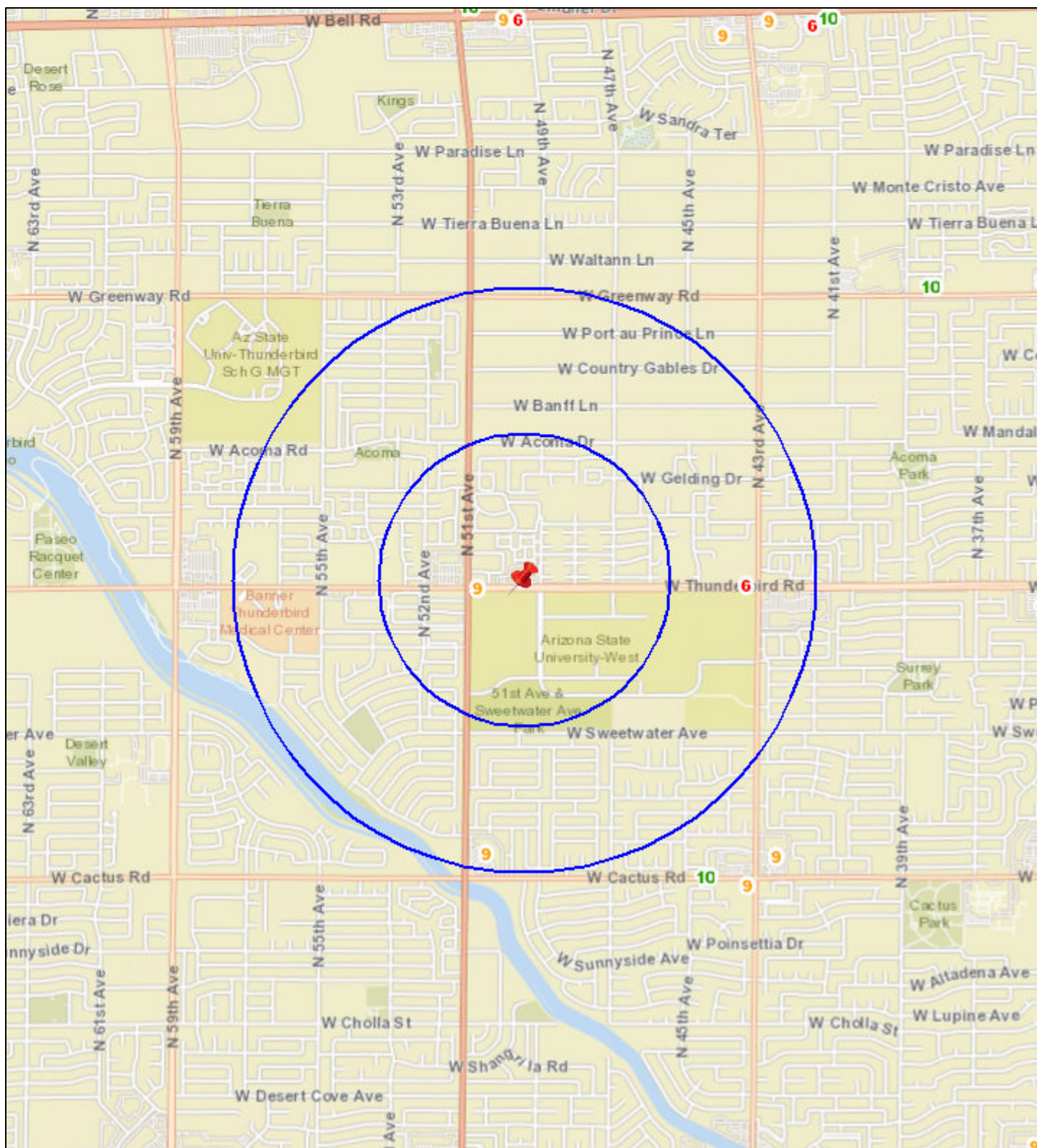
Description	Average	1/2 Mile Average
Parcels w/Violations	55	19
Total Violations	89	24

### Census 2010 Data 1/2 Mile Radius

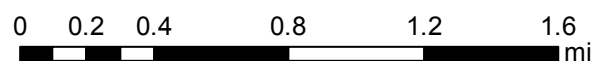
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042173	1381	51 %	18 %	8 %
1042181	1368	85 %	8 %	6 %
1042182	926	72 %	3 %	3 %
1042183	1664	19 %	4 %	20 %
1042191	1602	85 %	0 %	13 %
1042241	813	22 %	15 %	15 %
1042242	1937	95 %	14 %	2 %
Average		61 %	13 %	19 %



4920 W THUNDERBIRD RD



Date: 8/23/2021





## **Liquor License - Salt Tacos Y Tequila**

Request for a liquor license. Arizona State License Application 06070482.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 6 - Bar

#### Location

2450 W. Happy Valley Road, Ste. 1143

Zoning Classification: C-2 M-R PCD

Council District: 1

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This business has plans to open in November 2021.

The 60-day limit for processing this application is Oct. 17, 2021.

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

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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.

Whiskey Rose Saloon (Series 6)  
6751 N. Sunset Blvd., #E110, Glendale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Salt Tacos Y Tequila (Series 6)  
6751 N. Sunset Blvd., #E109, Glendale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: In March 2019, a fine of \$9,000 was paid for employee consuming on duty, sales of liquor between 2 a.m. and 6 a.m. (2 a.m. and 10 a.m. Sundays) and possession/consumption of alcohol after 2:30 a.m.

Cabin (Series 6)  
9868 W. Northern Ave, Peoria  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: In February 2018, a fine of \$1,500 was paid for allowing a disorderly person(s) to remain on the premises.

#### 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 train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"We would like the ability to allow our 21 and over guests to enjoy an adult beverage. Salt Tacos Y Tequila staff has the knowledge, dedication, and leadership required to effectively create the best quality alcoholic beverages and food available."

**Staff Recommendation**

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

**Attachments**

Liquor License Data - Salt Tacos Y Tequila

Liquor License Map - Salt Tacos Y Tequila

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: SALT TACOS Y TEQUILA

## Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Beer and Wine Bar	7	2	1
Liquor Store	9	3	2
Beer and Wine Store	10	4	3
Hotel	11	2	0
Restaurant	12	16	15

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	39.80	124.94
Violent Crimes	8.73	2.01	5.62

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

## Property Violation Data

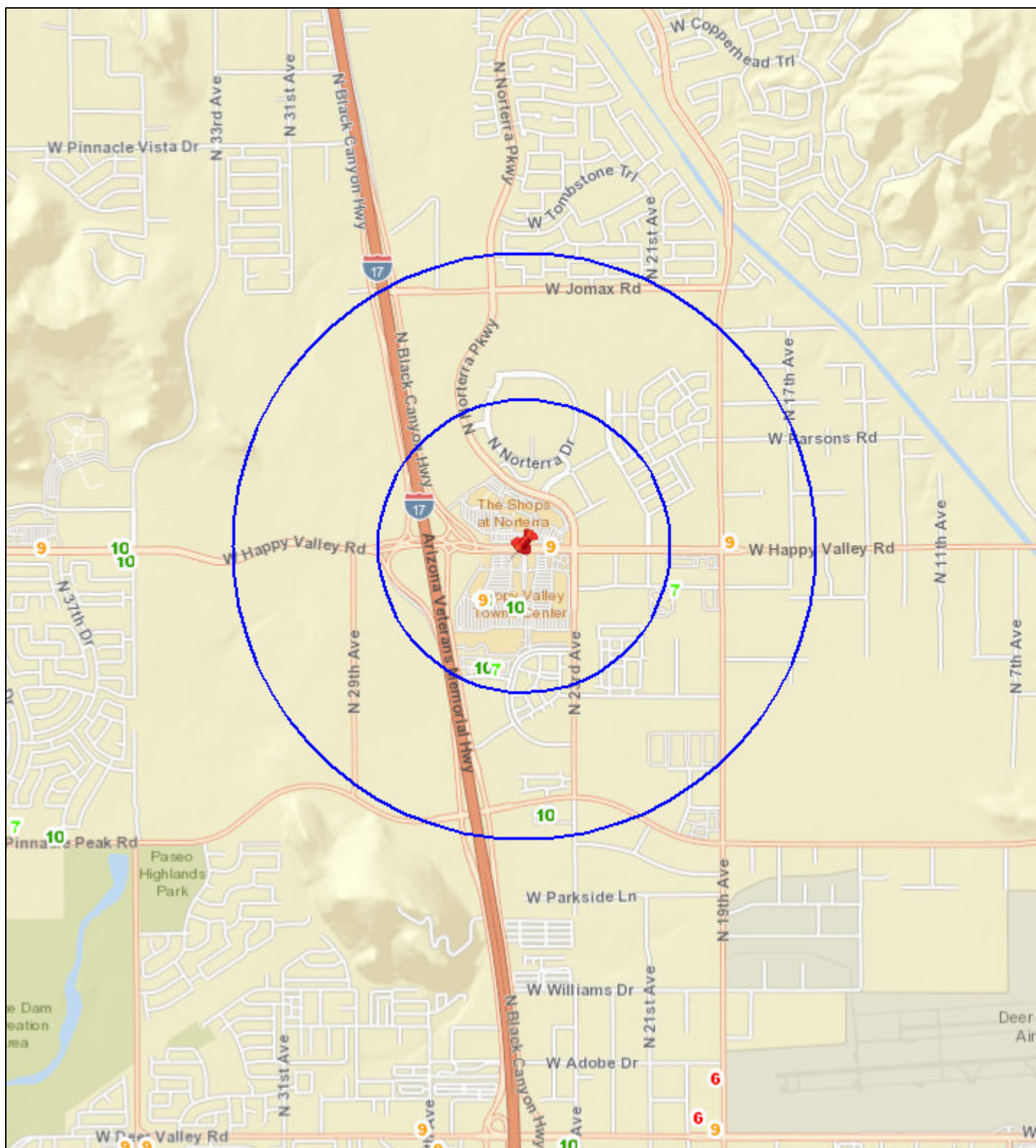
Description	Average	1/2 Mile Average
Parcels w/Violations	55	1
Total Violations	89	1

## Census 2010 Data 1/2 Mile Radius

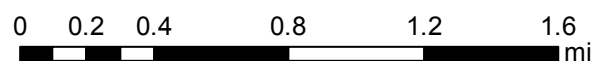
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6119001	1639	93 %	5 %	0 %
6123001	2199	54 %	6 %	5 %
Average		61 %	13 %	19 %



2450 W HAPPY VALLEY RD



Date: 8/23/2021



City Clerk Department



## **Liquor License - California Pizza Kitchen**

Request for a liquor license. Arizona State License Application 12075025.

### **Summary**

#### Applicant

Amy Nations, Agent

#### License Type

Series 12 - Restaurant

#### Location

21001 N. Tatum Blvd., Ste. 40-1370

Zoning Classification: C-2

Council District: 2

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

The 60-day limit for processing this application is Oct. 12, 2021.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not the location.

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

California Pizza Kitchen (Series 12)

2502 E. Camelback Road, #112, Phoenix

Calls for police service: 106

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Liquor license violations: None

California Pizza Kitchen (Series 12)  
2000 E. Rio Salado Parkway, #E1, Tempe  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

California Pizza Kitchen (Series 12)  
10100 N. Scottsdale Road, Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"California Pizza Kitchen owns and operates over 150 locations across the country and has been in business for 36 years."

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.





## **Liquor License - S. Maranto's**

Request for a liquor license. Arizona State License Application 157535.

### **Summary**

#### Applicant

Michael Miller, Agent

#### License Type

Series 12 - Restaurant

#### Location

7000 E. Mayo Blvd., Ste. 1002  
Zoning Classification: PUD PCD  
Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This business is currently being remodeled with plans to open in November 2021.

The 60-day limit for processing this application is Oct. 9, 2021.

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.

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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:  
"15 + years of Food & Beverage management experience. Bachelors Degree, Management, University of Arizona. Thorough knowledge, training, delivery of liquor laws. Will require all associates to obtain a Arizona Basic Title 4 certificate. Passion for Safety and Training."

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

"Increase cities gastronomical offerings for residents. Increase food conscious tourism. Create sustainable Jobs & Job Growth. Provide more offerings for dining and catering to North Phoenix's growing commercial base. We will be an ambassador for the City of Phoenix."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - S. Maranto's

Liquor License Map - S. Maranto's

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: S. MARANTO'S

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	3
Liquor Store	9	1	1
Restaurant	12	14	13

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	13.19	22.71
Violent Crimes	8.73	1.24	1.48

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

### Property Violation Data

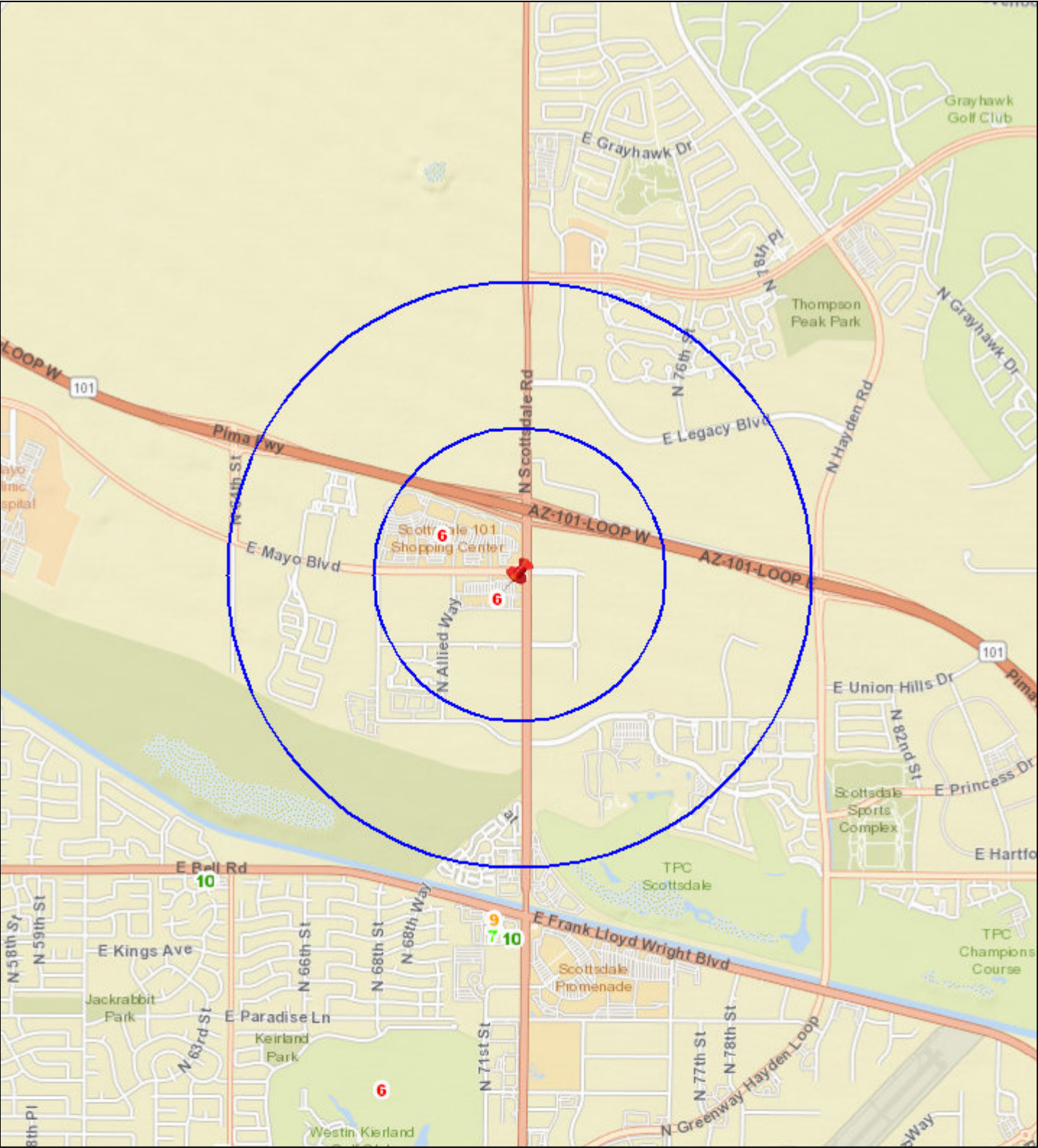
Description	Average	1/2 Mile Average
Parcels w/Violations	55	0
Total Violations	90	

### Census 2010 Data 1/2 Mile Radius

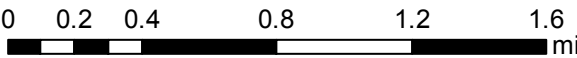
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
2168442	1681	50 %	43 %	4 %
2168452	694	23 %	38 %	8 %
6152001	1993	8 %	29 %	12 %
Average		61 %	13 %	19 %

# Liquor License Map: S. MARANTO'S

7000 E MAYO BLVD



Date: 8/11/2021





## **Liquor License - 1 Stop Market**

Request for a liquor license. Arizona State License Application 157631.

### **Summary**

#### Applicant

Abid Albueissa, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

610 W. Dunlap Ave.

Zoning Classification: C-1

Council District: 3

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

The 60-day limit for processing this application is Oct. 10, 2021.

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.

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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 owner with running a store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality liquor.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - 1 Stop Market

Liquor License Map - 1 Stop Market

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: 1 STOP MARKET

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	81.71	69.53
Violent Crimes	8.73	20.43	17.19

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

### Property Violation Data

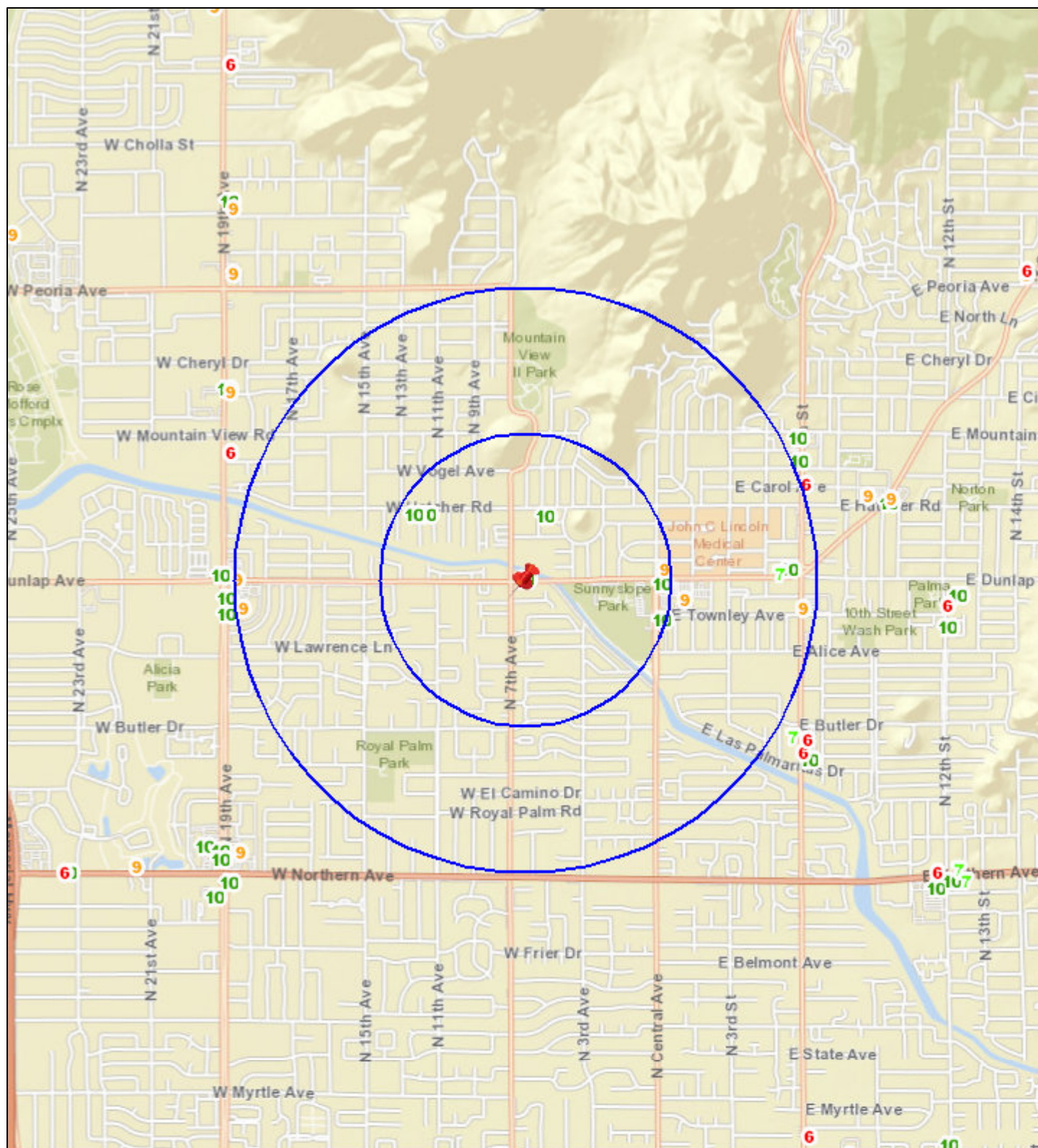
Description	Average	1/2 Mile Average
Parcels w/Violations	55	87
Total Violations	89	146

## Census 2010 Data 1/2 Mile Radius

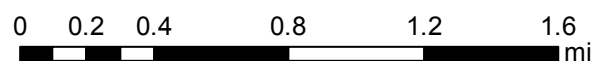
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1045011	795	78 %	7 %	18 %
1045013	1204	7 %	29 %	48 %
1045021	2058	40 %	14 %	50 %
1046001	1767	43 %	21 %	27 %
1046002	1676	20 %	20 %	39 %
1046003	1165	68 %	20 %	35 %
1053002	1704	34 %	25 %	42 %
1053003	1205	96 %	9 %	0 %
1054001	1427	100 %	3 %	4 %
1054002	981	85 %	7 %	5 %
Average		61 %	13 %	19 %



610 W DUNLAP AVE



Date: 8/16/2021



City Clerk Department



## **Liquor License - Bob's Market**

Request for a liquor license. Arizona State License Application 158585.

### **Summary**

#### Applicant

Odette Isaac, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

12312 N. 32nd St.

Zoning Classification: C-2

Council District: 3

This request is for a new liquor license for a beer and wine store. This location is currently licensed for liquor sales with a Series 9 - Liquor Store, liquor license.

The 60-day limit for processing this application is Oct. 23, 2021.

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

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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.

Bob's Market (Series 9)  
12312 N. 32nd St., Phoenix  
Calls for police service: None  
Liquor license violations: None

Gas & Food Mart (Series 10)  
1902 W. Cactus Road, Phoenix  
Calls for police service: 2  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have been in the convenience store business for the past 20 years, which included the sale of alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"it will permit the continuation of packaged alcohol sales to its customers who desire to purchase such products. This store has held a license to sell alcohol for a number of years."

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Bob's Market  
Liquor License Map - Bob's Market

#### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

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# Liquor License Data: BOB'S MARKET

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	4
Beer and Wine Bar	7	1	0
Liquor Store	9	2	1
Beer and Wine Store	10	4	3
Restaurant	12	3	1
Club	14	1	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	33.65	34.39
Violent Crimes	8.73	4.11	5.20

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	56	70
Total Violations	92	104

**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1034001	1544	82 %	0 %	6 %
1035021	1498	61 %	5 %	10 %
1035023	1511	71 %	2 %	17 %
1035025	1744	70 %	0 %	4 %
1048021	941	84 %	0 %	4 %
1048022	1874	40 %	0 %	8 %
1049003	2131	84 %	6 %	2 %
Average		61 %	13 %	19 %







## **Liquor License - Gas & Food Mart**

Request for a liquor license. Arizona State License Application 09070524.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 9 - Liquor Store

#### Location

1902 W. Cactus Road

Zoning Classification: C-2

Council District: 3

This request is for an ownership and location transfer of a liquor license for a liquor store. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store, liquor license.

The 60-day limit for processing this application is Oct. 22, 2021.

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

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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.

Bob's Market (Series 9)  
12312 N. 32nd St., Phoenix  
Calls for police service: None  
Liquor license violations: None

Gas & Food Mart (Series 10)  
1902 W. Cactus Road, Phoenix  
Calls for police service: 1  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"We will abide by Arizona Title 4 liquor laws. We will ensure our employees have attended the proper liquor training provided by ALIC."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"The location has operated with a Series 10 for several years. We would like to provide a full service liquor store to the 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

Liquor License Data - Gas & Food Mart  
Liquor License Map - Gas & Food Mart



**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: GAS & FOOD MART

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	69.58	91.93
Violent Crimes	8.73	13.90	22.08

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

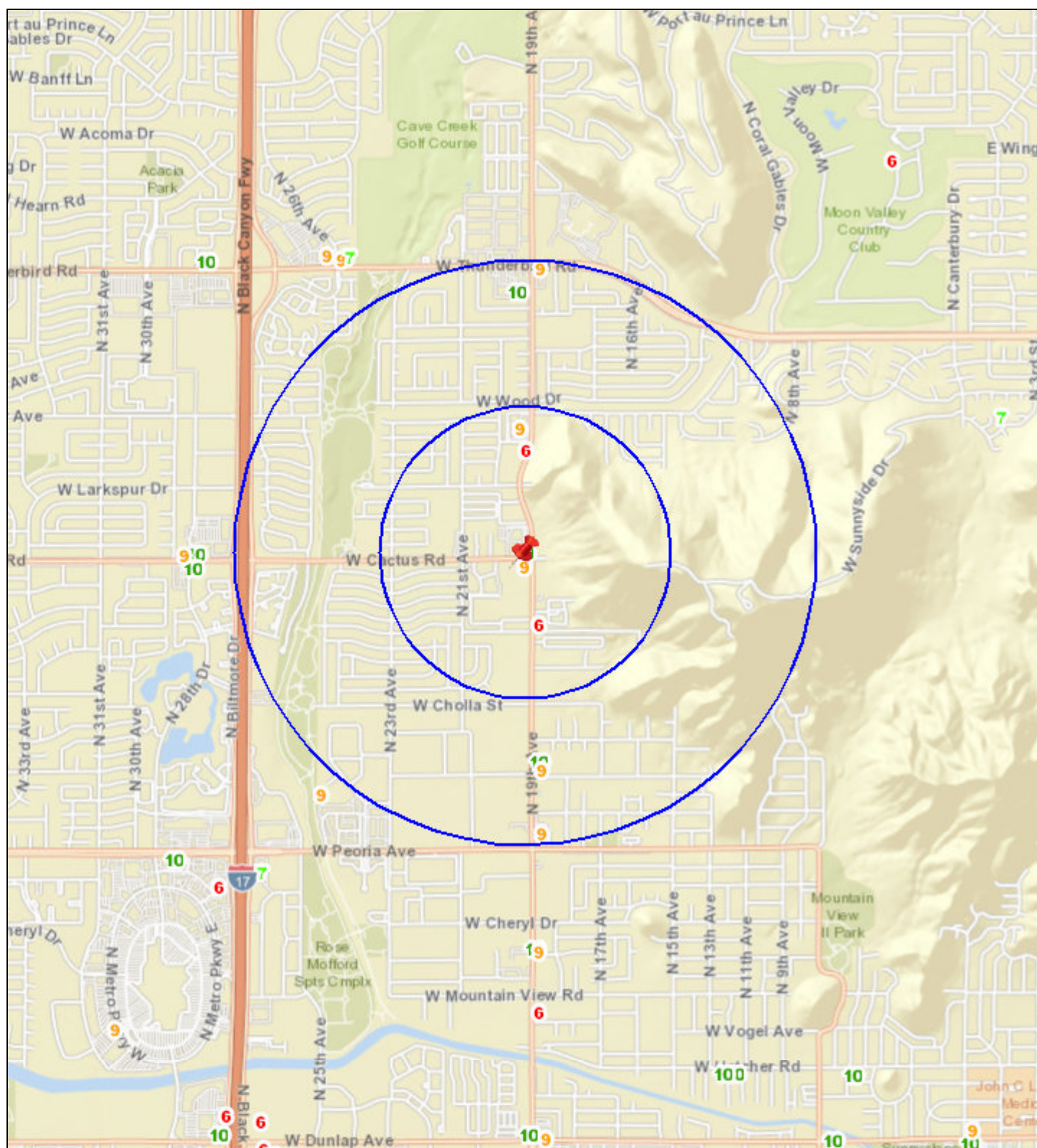
### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	56	89
Total Violations	90	147

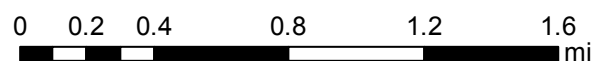
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036141	2505	91 %	10 %	4 %
1036151	906	52 %	16 %	12 %
1036152	1546	25 %	22 %	32 %
1039001	1271	83 %	16 %	20 %
1039002	1483	36 %	13 %	10 %
1039003	1903	43 %	0 %	22 %
1044011	2363	68 %	12 %	12 %
1044013	684	2 %	17 %	22 %
Average		61 %	13 %	19 %

1902 W CACTUS RD



Date: 8/25/2021



City Clerk Department



## **Liquor License - Native Grill & Wings**

Request for a liquor license. Arizona State License Application 155792.

### **Summary**

#### Applicant

Onkar Singh, Agent

#### License Type

Series 12 - Restaurant

#### Location

10004 N. 26th Drive

Zoning Classification: A-1

Council District: 3

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 Oct. 8, 2021.

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.

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Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I am working owner operator at this sports bar."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"We are family run business and operated."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Native Grill & Wings

Liquor License Map - Native Grill & Wings

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: NATIVE GRILL & WINGS

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	192.14	248.93
Violent Crimes	8.73	29.32	29.19

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	55	12
Total Violations	89	22

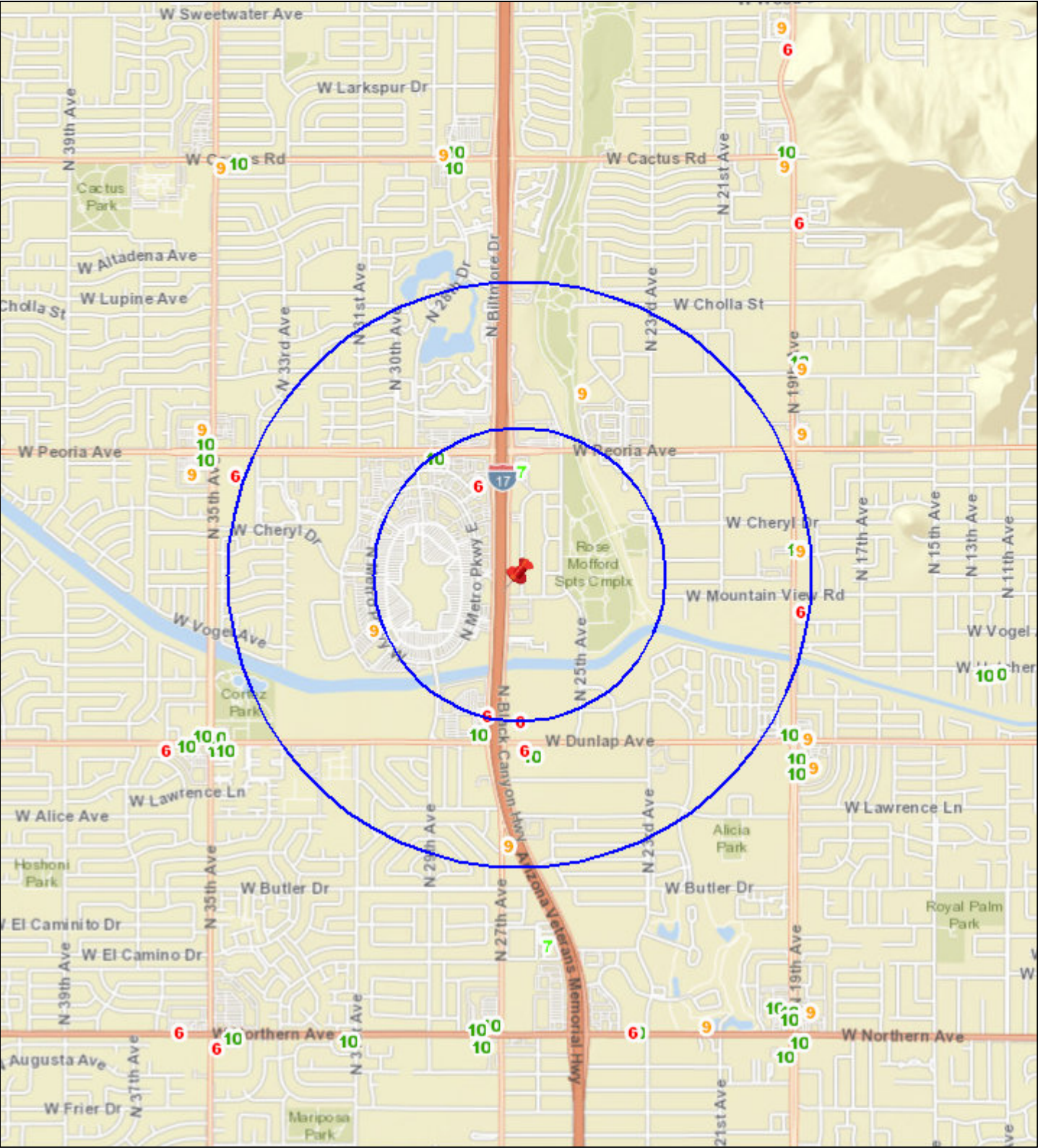
### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042054	1577	5 %	21 %	30 %
1043021	1469	9 %	28 %	7 %
1044012	1594	19 %	9 %	38 %
1044021	2555	24 %	18 %	15 %
Average		61 %	13 %	19 %

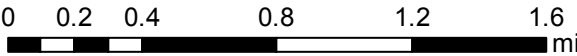


# Liquor License Map: NATIVE GRILL & WINGS

10004 N 26TH DR



Date: 8/10/2021





## **Liquor License - Special Event - Orgazac Inc**

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

### **Summary**

#### Applicant

Jesus Barraza Rodriguez

#### Location

4231 W. Thomas Road  
Council District: 4

#### Function

Dance

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

Nov. 25, 2021 - 8 p.m. to 2 a.m. / 300 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



## **Liquor License - Special Event - Phoenix Pride Incorporated**

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

### **Summary**

#### Applicant

Ryan Starzyk

#### Location

300 E. Indian School Road

Council District: 4

#### Function

Festival

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

Nov. 6, 2021 - 11:30 a.m. to 9 p.m. / 15,000 attendees

Nov. 7, 2021 - 11:30 a.m. to 9 p.m. / 10,000 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



## **Liquor License - Authentic EthioAfrican**

Request for a liquor license. Arizona State License Application 155695.

### **Summary**

#### Applicant

Anduale Hassan, Agent

#### License Type

Series 12 - Restaurant

#### Location

1740 E. McDowell Road

Zoning Classification: C-2

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 was Sept. 21, 2021. However, the applicant submitted a written request for more time.

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.

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### 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 believe my work experience & educational background for the last 21 years in the food service capable to hold liquor license. LSG Sky events (1998-2006) bill clerk, dispatcher, inflight services auditor. HMS Host (2006-2013) productions manager responsible for over 20 restaurants national & local brands in Phoenix Sky Harbor airport operation. Education Bachelor of Applied Sciences/Individualized conversation in Global business 2005. Associates Degree food service administration Phoenix College 2003 small business owner 2012 - present."

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

"Help support the best of our ability to regulate the sale, supply promotion and consumption of misuse of liquor for the best interests of community according to the current law exists."

### Staff Recommendation

Staff recommends approval of this application.

### Attachments

Liquor License Data - Authentic EthioAfrican

Liquor License Map - Authentic EthioAfrican

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: AUTHENTIC ETHIOAFRICAN

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	5	4
Beer and Wine Bar	7	1	0
Liquor Store	9	7	2
Beer and Wine Store	10	14	3
Restaurant	12	14	7
Craft Distiller	18	1	1

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	109.04	108.28
Violent Crimes	8.58	30.67	20.91

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	55	113
Total Violations	89	182

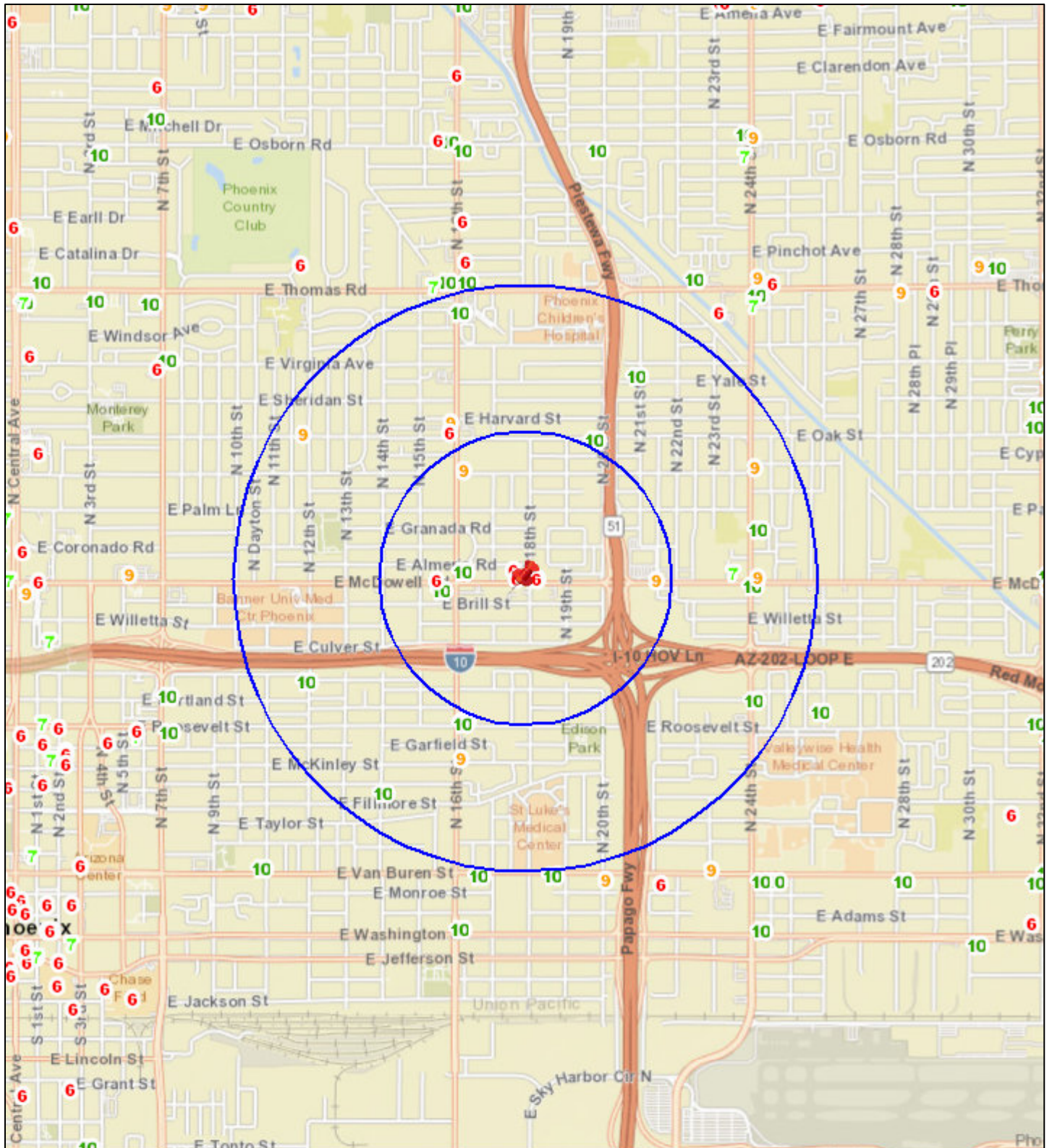
### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1116012	1200	65 %	11 %	40 %
1116022	2607	54 %	9 %	61 %
1116023	1963	21 %	19 %	82 %
1117002	1243	39 %	12 %	28 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
1133001	2490	40 %	12 %	49 %
Average		61 %	13 %	19 %

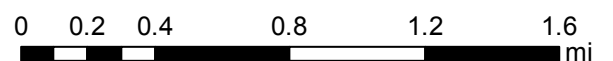


# Liquor License Map: AUTHENTIC ETHIOAFRICAN

1740 E MCDOWELL RD



Date: 7/26/2021



City Clerk Department





## **Liquor License - Hidden Track Cafe**

Request for a liquor license. Arizona State License Application 157904.

### **Summary**

#### Applicant

Danielle Middlebrook, Agent

#### License Type

Series 12 - Restaurant

#### Location

4700 N. 12th St., Ste. 118

Zoning Classification: C-2

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 Oct. 13, 2021.

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

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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.

Hidden Track Bottle Shop (Series 10)  
5070 N. Central Ave., Phoenix  
Calls for police service: 1  
Liquor license violations: None

Hidden Track Cafe (Series 12)  
111 W. Monroe St., #121 Phoenix  
Calls for police service: 37  
Liquor license violations: None

Hidden Track Bottle Shop (Series 10)  
111 W. Monroe St., #120 Phoenix  
Calls for police service: 37  
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 am a current liquor license holder (Series 10 & Series 12) in good standing with zero infractions. I am well versed on AZ liquor laws, including the requirements of a Series 12."

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

"A Series 12 license will allow Hidden Track Cafe to share globally sourced wine and beer along with our global selections of food."

#### Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Hidden Track Cafe

Liquor License Map - Hidden Track Cafe

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: HIDDEN TRACK CAFE

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	2	0
Bar	6	10	2
Beer and Wine Bar	7	9	1
Liquor Store	9	10	1
Beer and Wine Store	10	11	1
Restaurant	12	40	5

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	149.86	128.13
Violent Crimes	8.73	23.08	21.65

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

### Property Violation Data

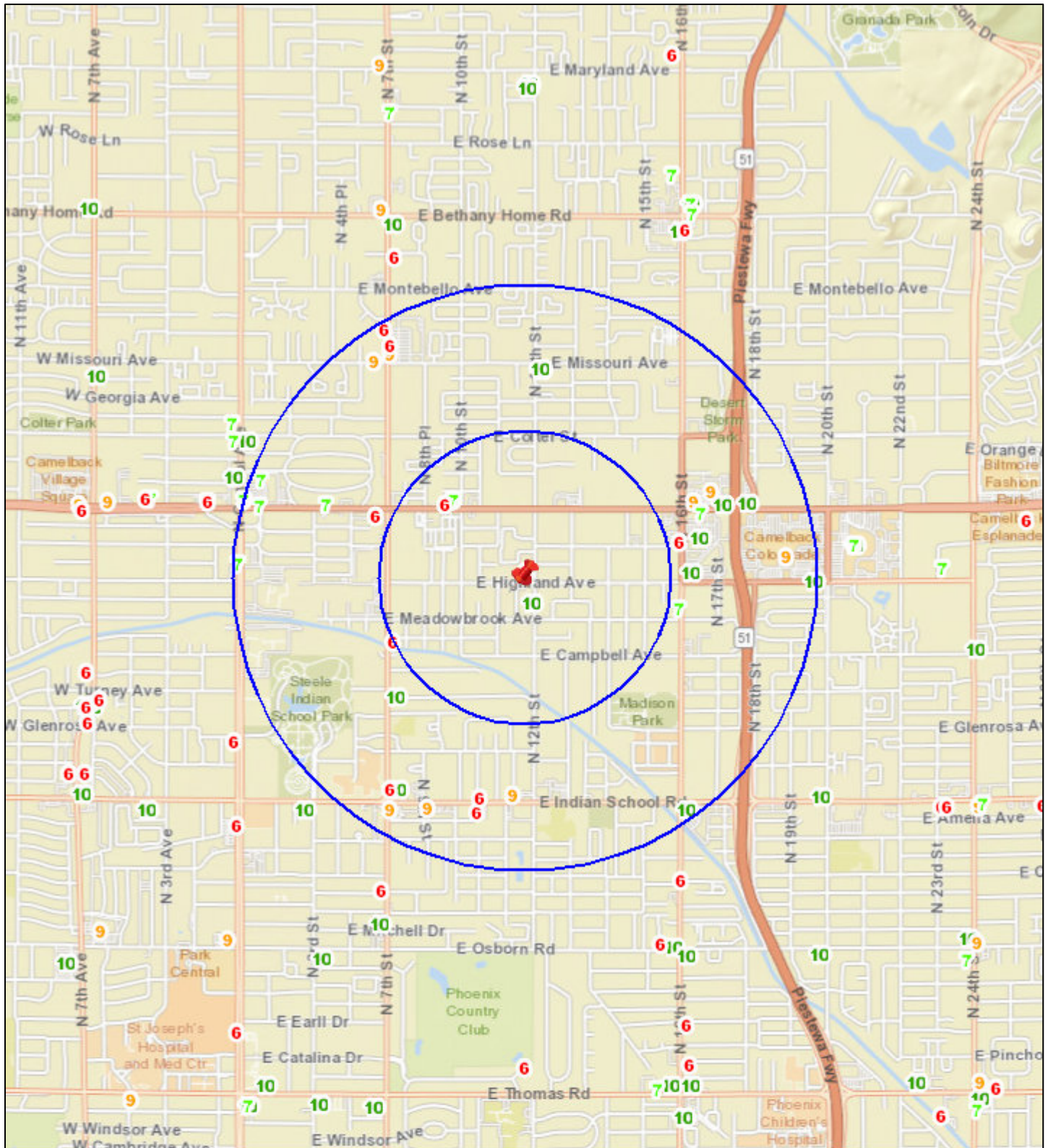
Description	Average	1/2 Mile Average
Parcels w/Violations	56	147
Total Violations	90	284

## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1076013	1748	38 %	8 %	17 %
1076022	1734	54 %	18 %	3 %
1086011	1374	18 %	29 %	41 %
1086012	1402	58 %	36 %	46 %
1086021	790	37 %	38 %	22 %
1086022	1187	11 %	25 %	52 %
1086023	650	23 %	34 %	15 %
1086024	1171	24 %	9 %	12 %
1088022	435	43 %	41 %	19 %
Average		61 %	13 %	19 %

# Liquor License Map: HIDDEN TRACK CAFE

4700 N 12TH ST



Date: 8/18/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



## **Liquor License - La Santisima Gourmet Taco Shop**

Request for a liquor license. Arizona State License Application 157489.

### **Summary**

#### Applicant

Cristina Meillon, Agent

#### License Type

Series 12 - Restaurant

#### Location

4117 N. 16th St.

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is Oct. 8, 2021.

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.

#### La Santisima Gourmet Taco Shop (Series 12)

1919 N. 16th St., Phoenix

Calls for police service: 5

Liquor license violations: None

#### La Santisima Gourmet Taco Shop (Series 12)

5932 W. Glendale Ave., Glendale

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

Liquor license violations: In July 2021, a fine of \$250 was paid for allowing alcohol to be removed from premises and retailer failed to display license.

### 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 a family business we have experience in restaurants bar, also in other business fields imports, interior design and most important we are a honest and hard working family. We like to do family concepts for our community."

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

"The whole purpose of our concept is to bring the community together to celebrate the beauty of culture, tradition art, and family by utilizing quality sustenance as the unifying vessel. We believe in creating a space that allows for an open door to all members of the community by advocating for quality ingredients and experiences at a reasonable cost. For these reasons, La Santisima Gourmet would be an excellent addition to the Phoenix community."

### Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any



pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

**Attachments**

Liquor License Data - La Santisima Gourmet Taco Shop

Liquor License Map - La Santisima Gourmet Taco Shop

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: LA SANTISIMA GOURMET TACO SHOP

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Wholesaler	4	2	0
Bar	6	10	1
Beer and Wine Bar	7	2	0
Liquor Store	9	5	0
Beer and Wine Store	10	12	2
Restaurant	12	13	3

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	133.04	104.24
Violent Crimes	8.73	20.83	22.50

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

## Property Violation Data

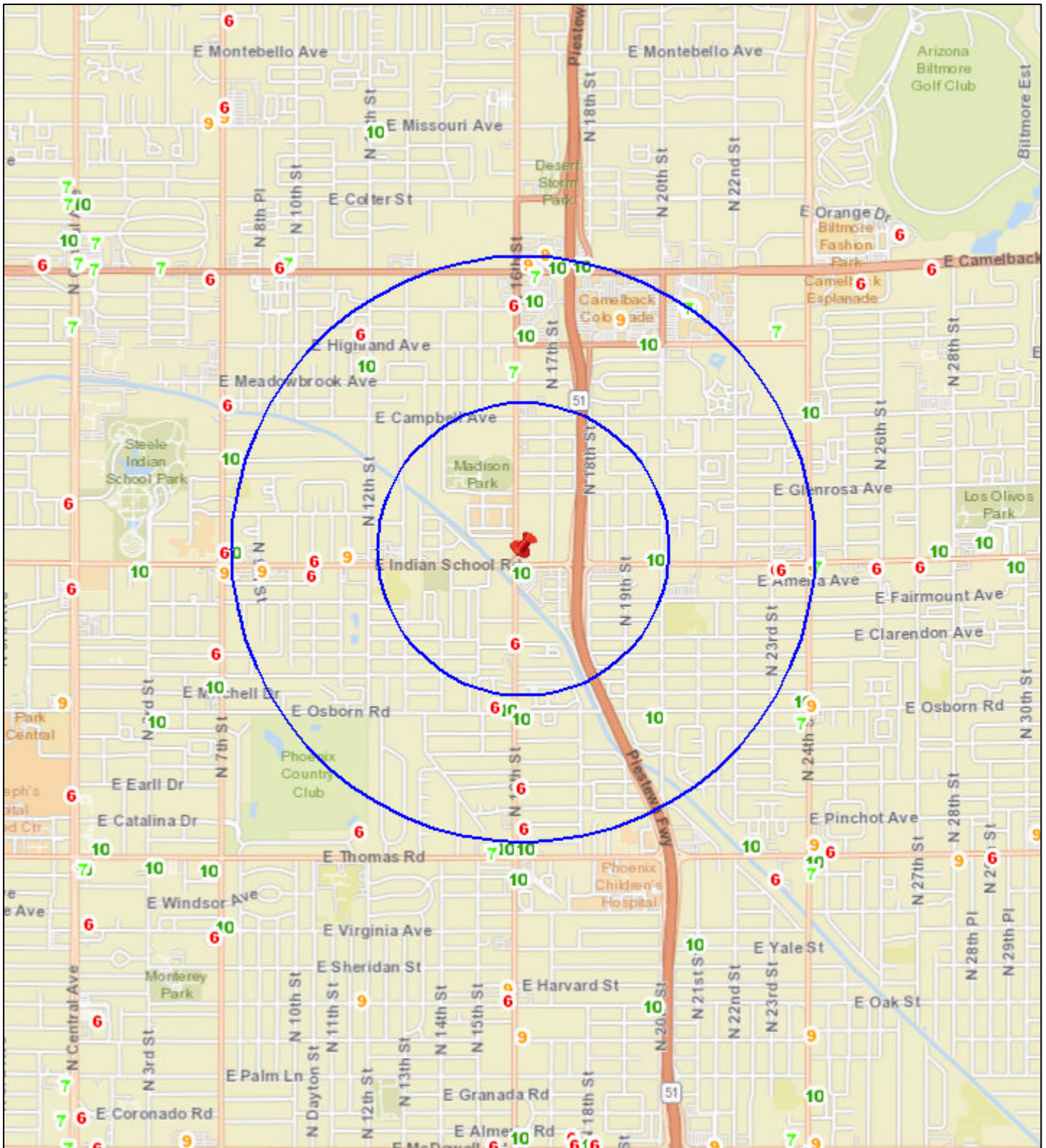
Description	Average	1/2 Mile Average
Parcels w/Violations	55	82
Total Violations	90	150

**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1085011	1023	33 %	6 %	13 %
1085012	1416	74 %	21 %	4 %
1085021	743	50 %	29 %	20 %
1086012	1402	58 %	36 %	46 %
1086022	1187	11 %	25 %	52 %
1106002	1339	64 %	17 %	24 %
1107011	887	13 %	17 %	33 %
1107021	1972	58 %	0 %	30 %
Average		61 %	13 %	19 %

# Liquor License Map: LA SANTISIMA GOURMET TACO SHOP

4117 N 16TH ST



Date: 8/11/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



## **Liquor License - West Highland Ave LH LLC**

Request for a liquor license. Arizona State License Application 148720.

### **Summary**

#### Applicant

Cara Savarese, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

720 W. Highland Ave.

Zoning Classification: C-3

Council District: 4

This request is for a new liquor license for a convenience store that does not sell gas. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is Oct. 13, 2021.

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 operated multiple successful companies across the US without any problems. My companies have policies in place to ensure State laws are properly executed. We are well aware of AZ liquor laws and will take every measure necessary to abide by the rules of the State."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"We are creating a distinct and advanced market by by allowing customers to order alcohol virtually without leaving the comfort of their homes. This virtual business model is unique to the industry and offers public convenience as it allows patrons to purchase and consume alcohol from the safety of their homes, without having to drive anywhere after consuming alcohol. West Highland Ave LH, LLC requests that the City of Phoenix finds the public Necessity and Convenience would be served by the issuance of the liquor license."

### Staff Recommendation

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

### Attachments

Liquor License Data - West Highland Ave LH LLC  
Liquor License Map - West Highland Ave LH LLC

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: WEST HIGHLAND AVE LH LLC

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Bar	6	12	5
Beer and Wine Bar	7	11	1
Liquor Store	9	5	2
Beer and Wine Store	10	11	3
Restaurant	12	37	8

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	164.22	201.69
Violent Crimes	8.73	37.63	41.18

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

## Property Violation Data

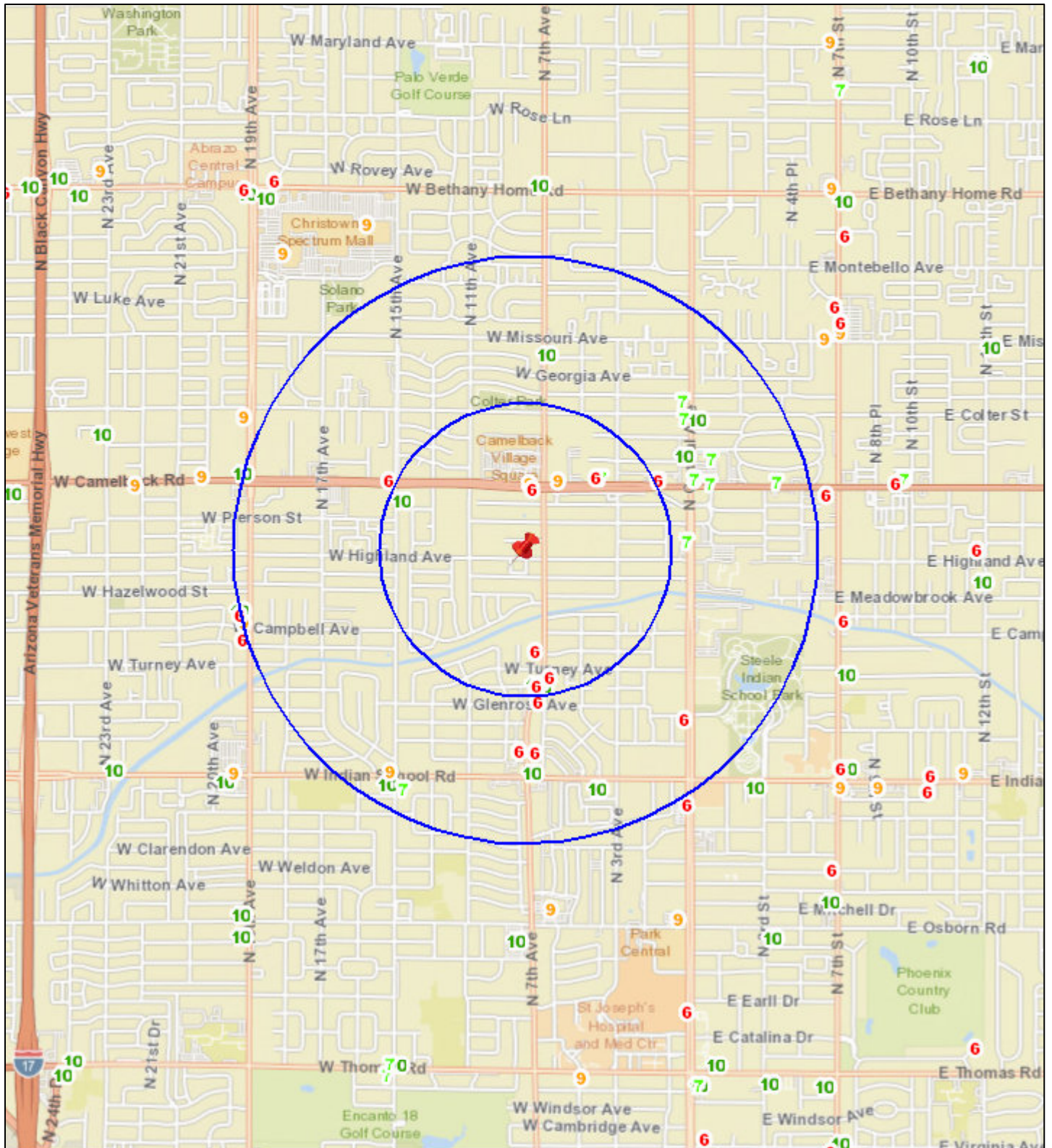
Description	Average	1/2 Mile Average
Parcels w/Violations	56	127
Total Violations	90	224

## Census 2010 Data 1/2 Mile Radius

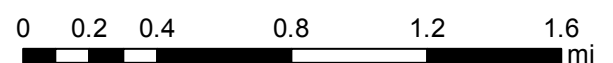
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1074002	1009	62 %	7 %	16 %
1074004	1382	20 %	26 %	30 %
1074005	661	0 %	30 %	77 %
1075003	1599	46 %	15 %	14 %
1088021	1456	23 %	32 %	31 %
1089011	988	36 %	15 %	30 %
1089012	1297	31 %	23 %	54 %
1089021	1258	16 %	12 %	49 %
1089022	1250	42 %	26 %	22 %
1089023	1072	28 %	3 %	47 %
1089024	1278	46 %	9 %	21 %
1171001	2126	10 %	15 %	10 %
1171002	703	57 %	27 %	12 %
Average		61 %	13 %	19 %



720 W HIGHLAND AVE



Date: 8/19/2021





**Liquor License - Special Event - SS. Simon & Jude Roman Catholic Cathedral  
Phoenix**

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

**Summary**

Applicant

Phillip Lester

Location

6351 N. 27th Ave.

Council District: 5

Function

Fall Festival

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

Oct. 24, 2021 - Noon to 7 p.m. / 450 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



## **Liquor License - Dave Market**

Request for a liquor license. Arizona State License Application 157821.

### **Summary**

#### Applicant

David Talia, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

3912 Grand Ave.

Zoning Classification: C-3

Council District: 5

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 Oct. 12, 2021.

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:  
"This new owner of this business has operated other successful businesses in the past. He is looking forward to this next business venture."

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 operated with a liquor license since 2013. It has become the local neighborhood grocery store to the residents near by. They don't only sell beer & wine, they sell many household products and groceries. They would like to continue offering these items that the neighbors have become accustomed purchasing."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Dave Market

Liquor License Map - Dave Market

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: DAVE MARKET

## Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	3	0
Bar	6	4	1
Beer and Wine Bar	7	3	0
Liquor Store	9	4	0
Beer and Wine Store	10	13	2
Restaurant	12	7	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	124.54	82.48
Violent Crimes	8.73	34.42	26.11

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

## Property Violation Data

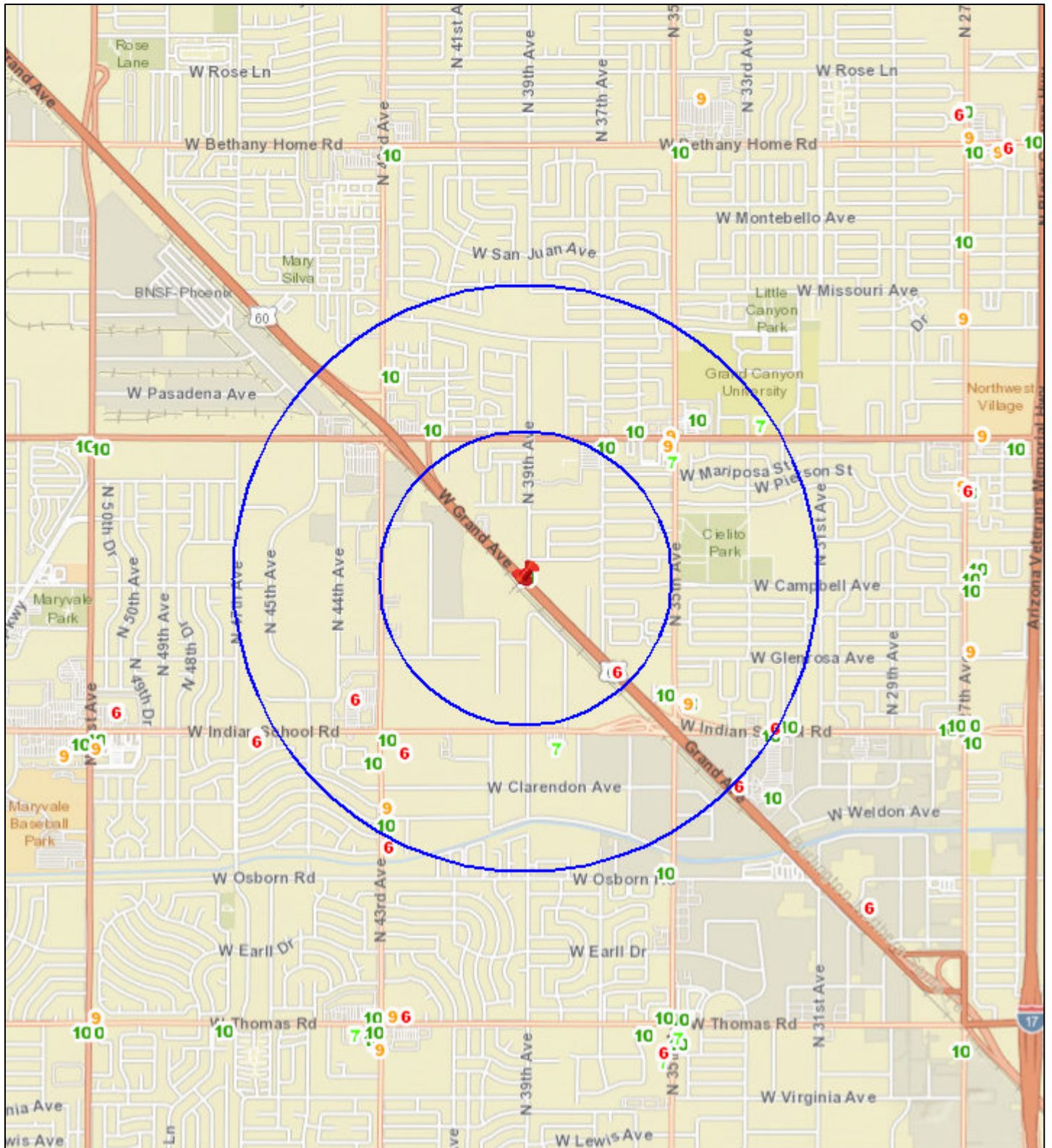
Description	Average	1/2 Mile Average
Parcels w/Violations	55	129
Total Violations	89	192

## Census 2010 Data 1/2 Mile Radius

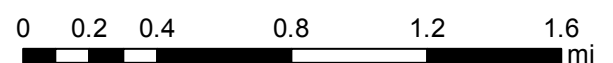
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1071021	1531	50 %	17 %	42 %
1071023	2082	32 %	14 %	38 %
1092001	1455	52 %	10 %	45 %
1092002	1665	36 %	30 %	46 %
1092003	1593	11 %	26 %	32 %
1093001	1129	74 %	7 %	26 %
Average		61 %	13 %	19 %



3912 GRAND AVE



Date: 8/16/2021





**Liquor License - Special Event - Almost There: A Mom + Pups Rescue**

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

**Summary**

Applicant

Vittoria Horne

Location

2611 E. Indian School Road  
Council District: 6

Function

Community Event

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

Nov. 26, 2021 - 10 a.m. to 3 p.m. / 120 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.





## **Liquor License - Special Event - Arizona Parks and Recreation Association**

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

### **Summary**

#### Applicant

Samantha Coffman

#### Location

10919 S. Central Ave.

Council District: 6

#### Function

Festival

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

Nov. 20, 2021 - 12:30 p.m. to 6:30 p.m. / 1,400 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



Report

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Agenda Date: 10/6/2021, Item No. 20

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**Liquor License - Special Event - St. Thomas the Apostle Roman Catholic Parish  
Phoenix**

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

**Summary**

Applicant

Steven Kunkel

Location

4510 N. 24th St.

Council District: 6

Function

Festival

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

Nov. 13, 2021 - 10 a.m. to 3 p.m. / 2,500 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



## **Liquor License - Aftermath**

Request for a liquor license. Arizona State License Application 158732.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 12 - Restaurant

#### Location

1534 E. Bethany Home Road

Zoning Classification: C-2

Council District: 6

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

The 60-day limit for processing this application is Oct. 24, 2021.

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

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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.

Hush Public House (Series 12)  
14202 N. Scottsdale Road, #167, Phoenix  
Calls for police service: 52  
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 several years in the food and beverage business. I currently own and operate another restaurant in Arizona. We will ensure our employees have attended the proper liquor training provided by ALIC and abide by all liquor laws."

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

"This is a full-service restaurant serving the surrounding community. A liquor license give us the opportunity to give our customers the option of purchasing an alcoholic beverage of their choice."

#### Staff Recommendation

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

#### Attachments

Liquor License Data - Aftermath  
Liquor License Map - Aftermath

#### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: AFTERMATH

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	3	1
Beer and Wine Bar	7	3	3
Liquor Store	9	3	0
Beer and Wine Store	10	7	2
Restaurant	12	26	13

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	67.27	73.35
Violent Crimes	8.73	8.75	9.87

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

### Property Violation Data

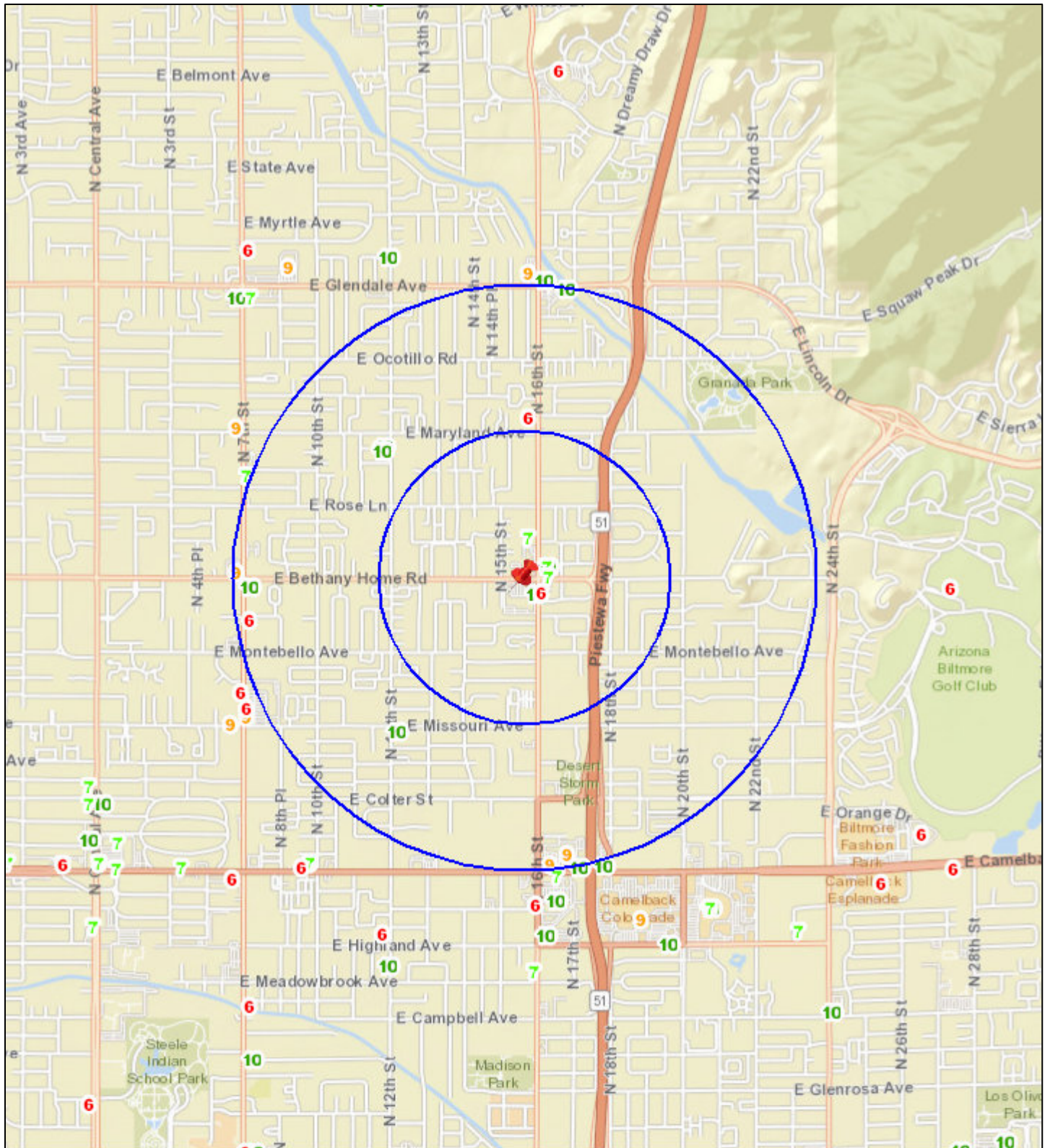
Description	Average	1/2 Mile Average
Parcels w/Violations	55	43
Total Violations	90	55

## Census 2010 Data 1/2 Mile Radius

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

# Liquor License Map: AFTERMATH

1534 E BETHANY HOME RD



Date: 8/27/2021



0 0.2 0.4 0.8 1.2 1.6 mi



## **Liquor License - California Pizza Kitchen**

Request for a liquor license. Arizona State License Application 12072195.

### **Summary**

#### Applicant

Amy Nations, Agent

#### License Type

Series 12 - Restaurant

#### Location

2502 E. Camelback Road, Ste. 112

Zoning Classification: PSC

Council District: 6

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

The 60-day limit for processing this application is Oct. 12, 2021.

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

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

California Pizza Kitchen (Series 12)

21001 N. Tatum Blvd., Ste. 40-1370

Calls for police service: 571

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Liquor license violations: None

California Pizza Kitchen (Series 12)  
10100 N. Scottsdale Road, Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

California Pizza Kitchen (Series 12)  
2000 E. Rio Salado Parkway, #E1, Tempe  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"California Pizza Kitchen owns and operates over 150 locations across the country and has been in business for 36 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 Toni Maccarone and the City Clerk Department.



## **Liquor License - Canteen**

Request for a liquor license. Arizona State License Application 157861.

### **Summary**

#### Applicant

Emily Anderson, Agent

#### License Type

Series 12 - Restaurant

#### Location

3619 E. Indian School Road

Zoning Classification: C-1 and C-2

Council District: 6

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

The 60-day limit for processing this application is Oct. 12, 2021.

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 run my own business for the last 15 years, been a law abiding citizen, have no criminal record, and am an overall conscientious person."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"it will provide a safe and comfortable environment for customers to connect and build a sense of community for the neighboring areas."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Canteen

Liquor License Map - Canteen

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: CANTEEN

### Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Bar	6	5	2
Beer and Wine Bar	7	7	2
Liquor Store	9	2	1
Beer and Wine Store	10	9	2
Restaurant	12	39	15

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	138.61	87.47
Violent Crimes	8.73	15.15	7.64

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

### Property Violation Data

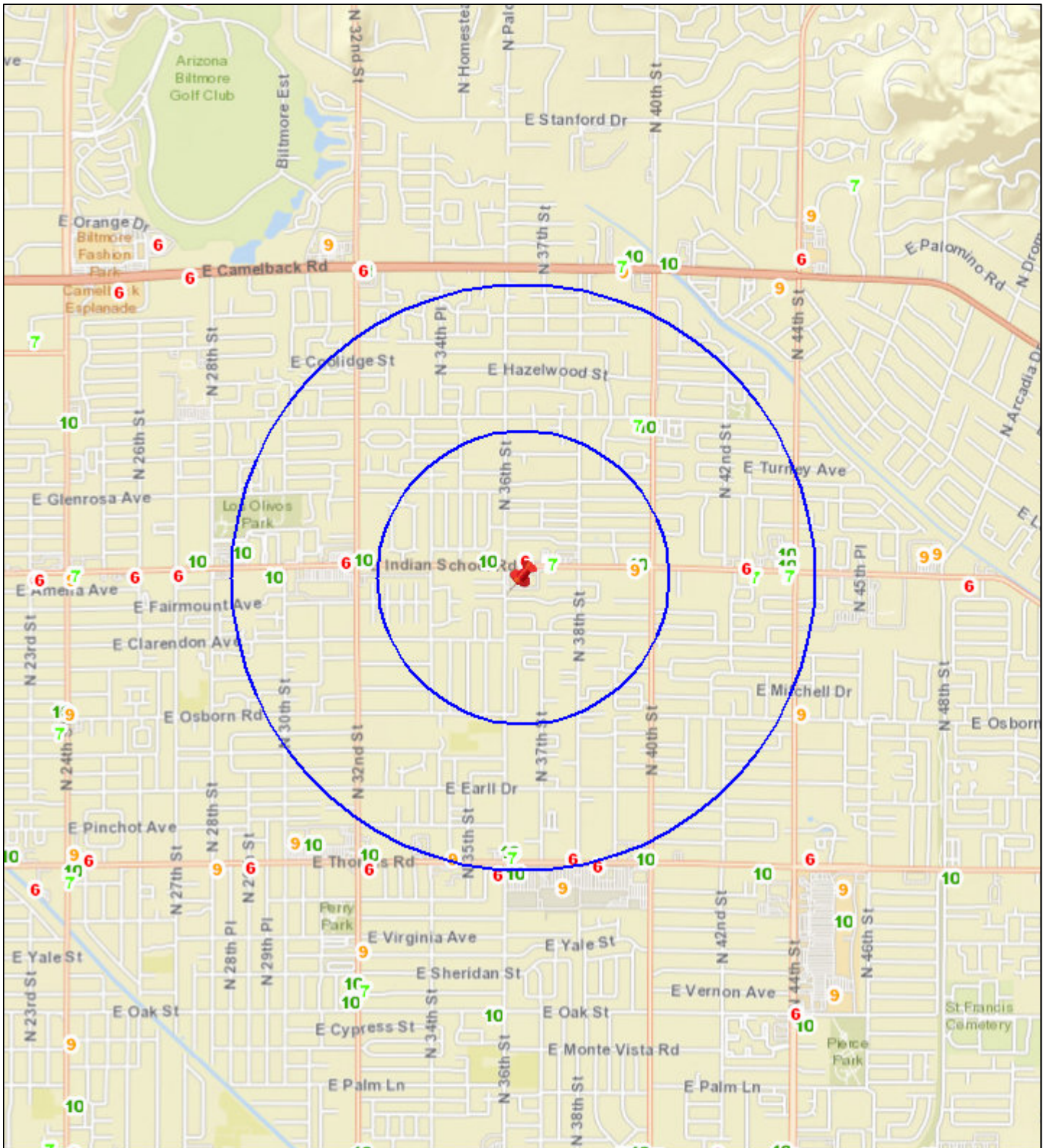
Description	Average	1/2 Mile Average
Parcels w/Violations	56	63
Total Violations	90	103

## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1082003	1225	76 %	13 %	17 %
1083021	1229	70 %	16 %	3 %
1083022	1824	50 %	13 %	4 %
1109011	665	96 %	10 %	13 %
1109012	2669	23 %	19 %	27 %
1109021	2609	33 %	21 %	40 %
1109022	2224	39 %	7 %	18 %
1110001	781	25 %	11 %	3 %
1110002	1105	63 %	8 %	19 %
Average		61 %	13 %	19 %

# Liquor License Map: CANTEEN

3619 E INDIAN SCHOOL RD



Date: 8/18/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



## **Liquor License - Obon**

Request for a liquor license. Arizona State License Application 155907.

### **Summary**

#### Applicant

Kevin Kramber, Agent

#### License Type

Series 12 - Restaurant

#### Location

2502 E. Camelback Road, Ste. 119

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in November 2021.

The 60-day limit for processing this application is Oct. 13, 2021.

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

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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.

Obon Sushi Bar Ramen (Series 12)  
7300 N. Via Paseo Del Sur, #B, Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Obon Sushi & Bar & Ramen (Series 12)  
15059 N. Scottsdale Road, #J1-195, Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Obon Sushi + Bar + Ramen (Series 12)  
350 E. Congress St., #120, Tucson  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I am currently an Agent on over 2001 liquor licenses statewide. Owner/Principal owns 3 liquor licenses in the State with no compliance actions. Background checks should come back clean/compliant."

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

"This Series 12 Restaurant Liquor License will give our patrons the luxury of order liquor if they choose to in order to enhance their dining experience. Food is our primary source of income and liquor is an offering for the convenience of our patrons."

#### Staff Recommendation

Staff recommends approval of this application.

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Attachments

Liquor License Data - Obon

Liquor License Map - Obon

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: OBON

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	6	3
Beer and Wine Bar	7	2	1
Liquor Store	9	3	0
Beer and Wine Store	10	6	0
Hotel	11	3	2
Restaurant	12	39	21

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	90.81	95.43
Violent Crimes	8.73	7	5.83

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

### Property Violation Data

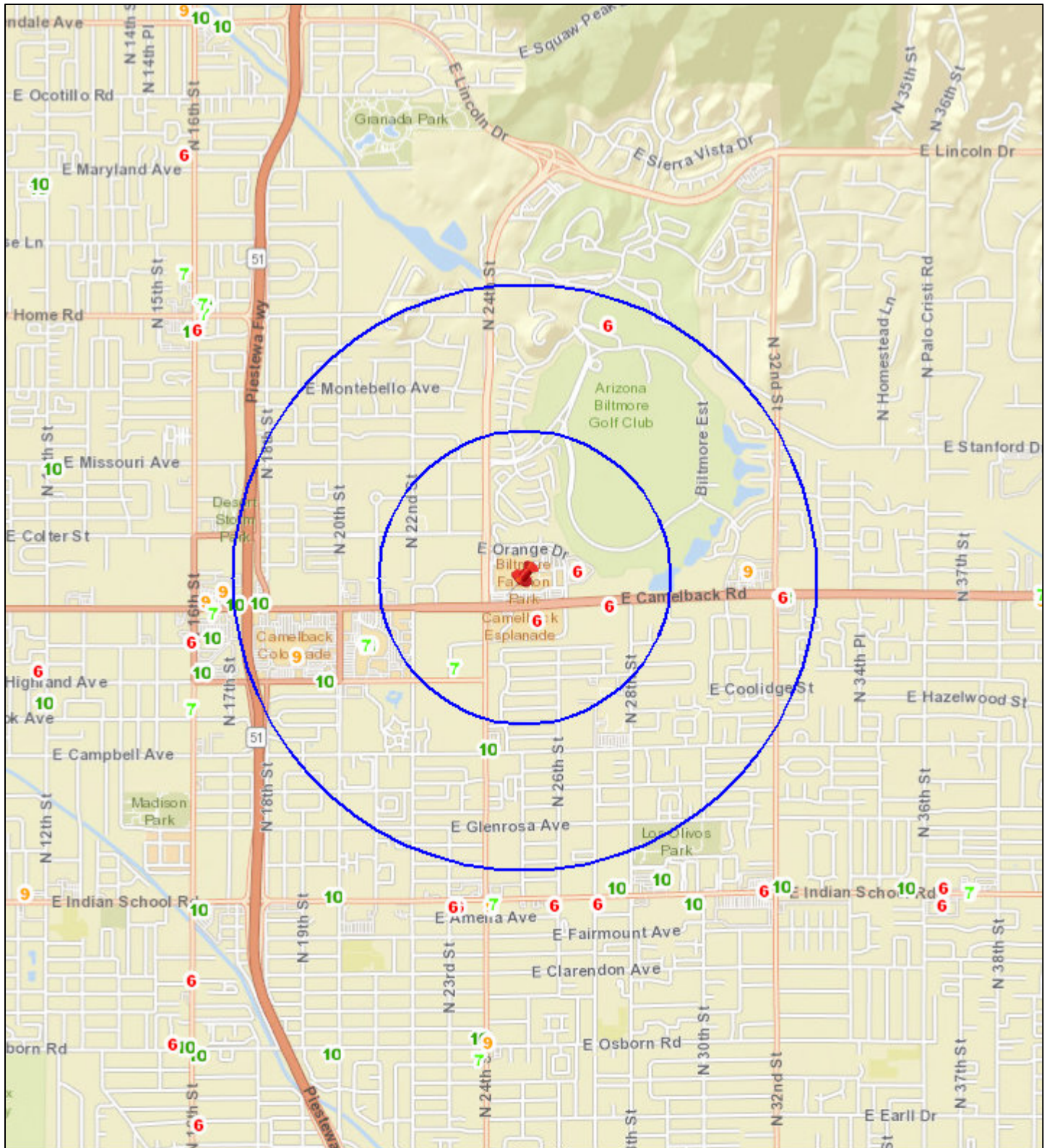
Description	Average	1/2 Mile Average
Parcels w/Violations	55	14
Total Violations	90	22

**Census 2010 Data 1/2 Mile Radius**

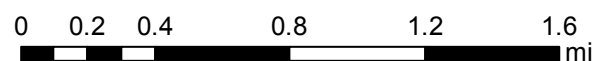
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1077001	1222	100 %	2 %	3 %
1077002	738	57 %	10 %	8 %
1078002	1477	63 %	28 %	5 %
1084004	1641	65 %	7 %	19 %
1085022	732	23 %	28 %	12 %
1085024	549	43 %	31 %	15 %
Average		61 %	13 %	19 %

# Liquor License Map: OBON

2502 E CAMELBACK RD



Date: 8/24/2021





## **Liquor License - Papi Gordos**

Request for a liquor license. Arizona State License Application 158826.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 12 - Restaurant

#### Location

3623 E. Indian School Road

Zoning Classification: C-2

Council District: 6

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

The 60-day limit for processing this application is Oct. 25, 2021.

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

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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.

Low Key Piano Bar (Series 6)  
501 S. Mill Ave, B-101, Tempe  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
“We train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
“We would like the ability to allow our 21 and over guests to enjoy an adult beverage. Papi Gordo's staff has the knowledge, dedication, and leadership required to effectively create the best quality alcoholic beverages and food available.”

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Papi Gordos  
Liquor License Map - Papi Gordos

#### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: PAPI GORDOS

## Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Bar	6	5	2
Beer and Wine Bar	7	7	2
Liquor Store	9	2	1
Beer and Wine Store	10	9	2
Restaurant	12	40	16

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	138.61	87.47
Violent Crimes	8.73	15.15	7.64

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

## Property Violation Data

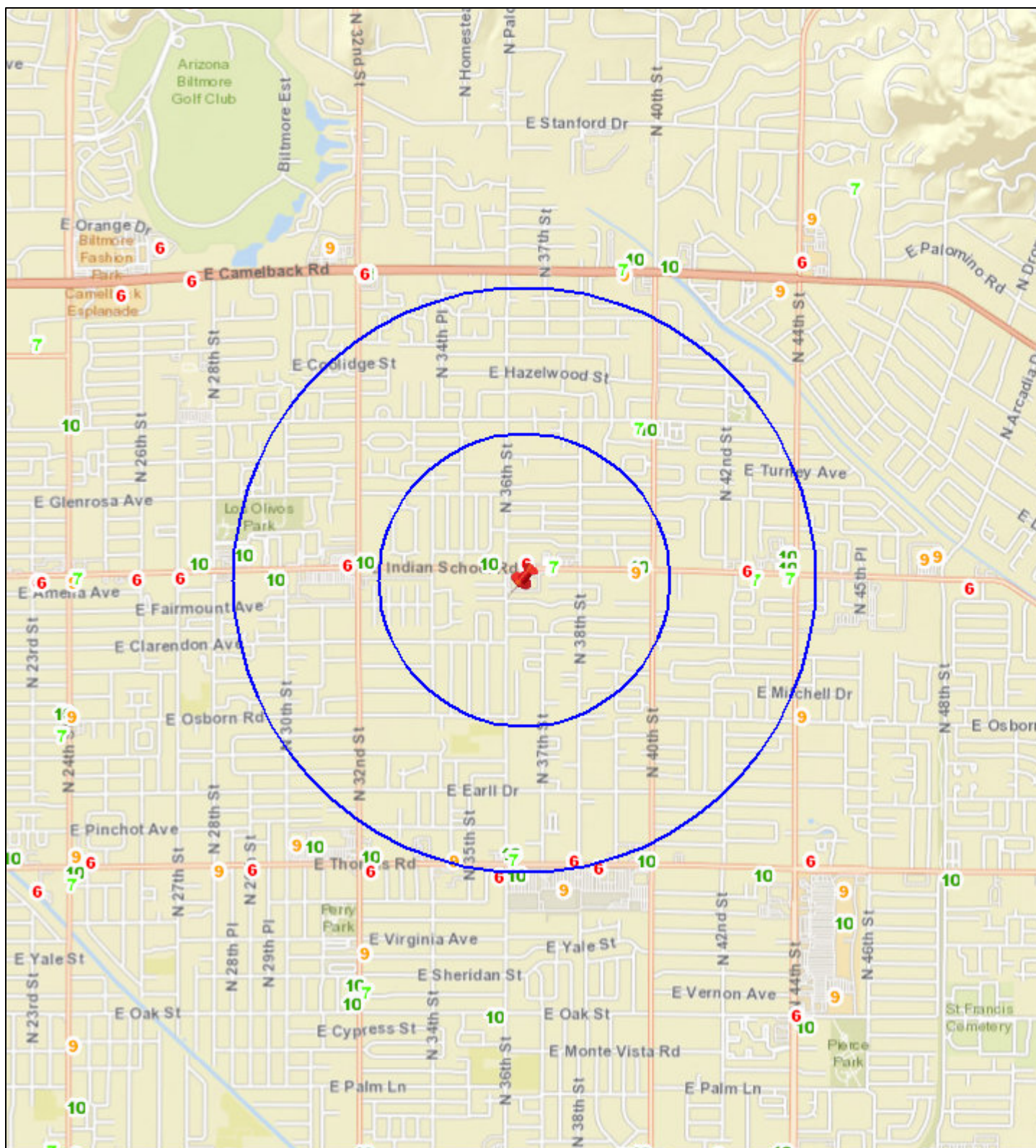
Description	Average	1/2 Mile Average
Parcels w/Violations	55	62
Total Violations	90	99

## Census 2010 Data 1/2 Mile Radius

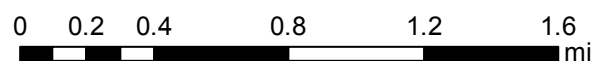
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1082003	1225	76 %	13 %	17 %
1083021	1229	70 %	16 %	3 %
1083022	1824	50 %	13 %	4 %
1109011	665	96 %	10 %	13 %
1109012	2669	23 %	19 %	27 %
1109021	2609	33 %	21 %	40 %
1109022	2224	39 %	7 %	18 %
1110001	781	25 %	11 %	3 %
1110002	1105	63 %	8 %	19 %
Average		61 %	13 %	19 %



3623 E INDIAN SCHOOL RD



Date: 8/30/2021



City Clerk Department



## **Liquor License - Shabuo**

Request for a liquor license. Arizona State License Application 158907.

### **Summary**

#### Applicant

Theresia Rahardjanoto, Agent

#### License Type

Series 12 - Restaurant

#### Location

4206 E. Chandler Blvd., Ste. 7  
Zoning Classification: C-2 PCD  
Council District: 6

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

The 60-day limit for processing this application is Oct. 26, 2021.

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

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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.

Yanagi Sushi (Series 12)  
884 W. Warner Road, #4, 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:  
"I understand the responsibilities and regulations that come with owning a liquor license. I take these responsibilities and regulations seriously as I am trying to ensure that my business is run successfully and professionally."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Liquor will be served in a safe and regulated environment."

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Shabuo  
Liquor License Map - Shabuo

#### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: SHABUO

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	2
Liquor Store	9	3	2
Beer and Wine Store	10	9	5
Restaurant	12	20	11

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	47.37	48.08
Violent Crimes	8.73	5.83	8.28

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

### Property Violation Data

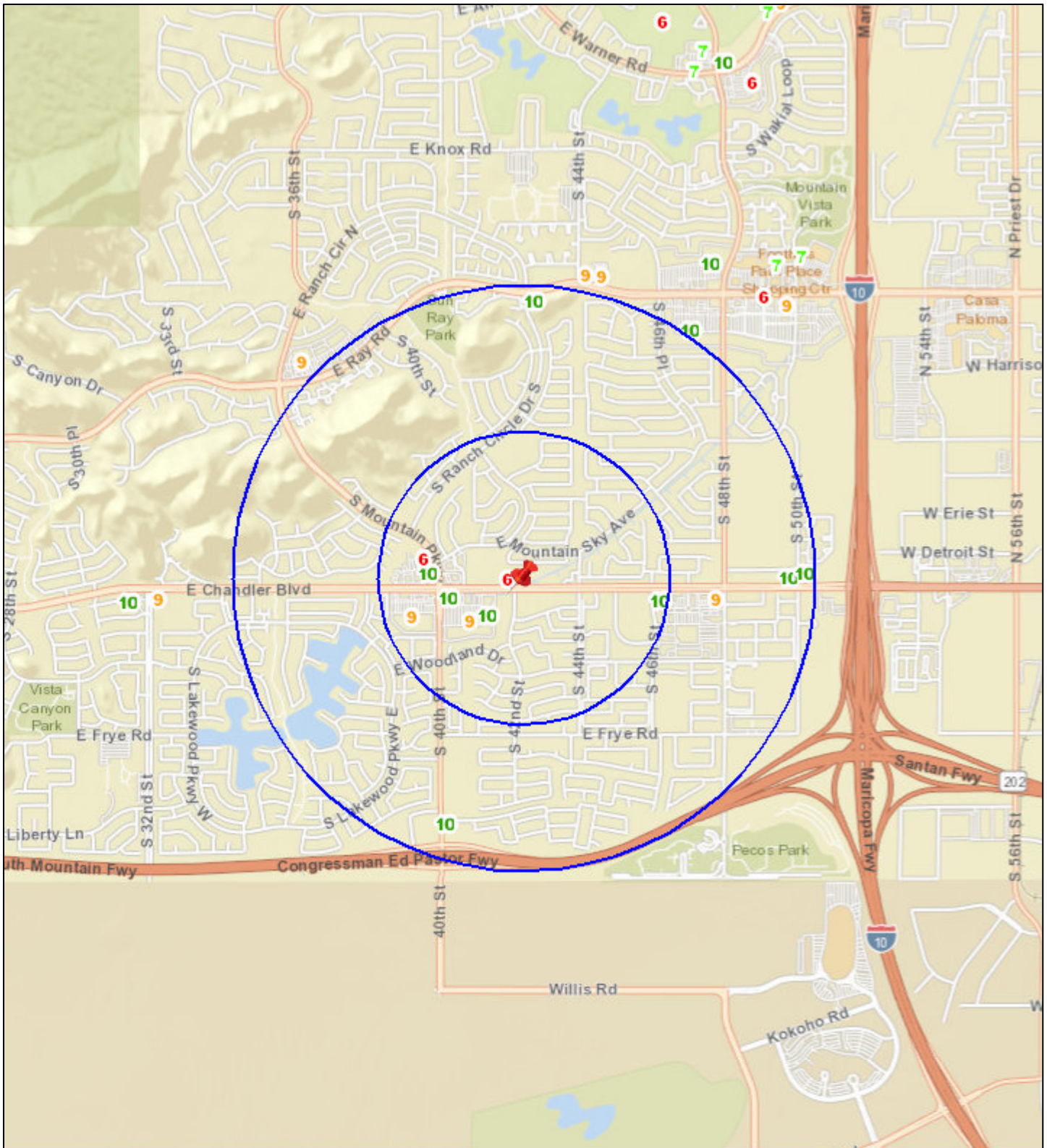
Description	Average	1/2 Mile Average
Parcels w/Violations	56	11
Total Violations	90	19

## Census 2010 Data 1/2 Mile Radius

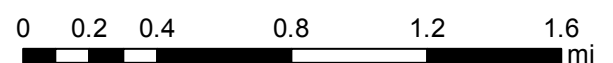
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167121	2721	19 %	15 %	9 %
1167122	1832	76 %	0 %	3 %
1167131	589	64 %	51 %	42 %
1167191	1679	87 %	3 %	2 %
1167193	1688	72 %	17 %	14 %
1167194	2185	77 %	0 %	4 %
1167202	1687	44 %	7 %	7 %
1167203	1430	34 %	7 %	5 %
1167212	1820	65 %	4 %	3 %
Average		61 %	13 %	19 %



4206 E CHANDLER BLVD



Date: 8/31/2021





**Liquor License - Special Event - Downtown Phoenix Inc.**

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

**Summary**

Applicant

Devney Preuss

Location

67 W. Culver St.  
Council District: 7

Function

Festival

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

Nov. 13, 2021 - 11 a.m. to 5 p.m. / 2,500 attendees

Nov. 14, 2021 - 11 a.m. to 4 p.m. / 2,500 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



## **Liquor License - Carniceria Mana**

Request for a liquor license. Arizona State License Application 158619.

### **Summary**

#### Applicant

Jose Lopez, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

8240 W. Lower Buckeye Road, Ste. 110

Zoning Classification: C-2

Council District: 7

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 Oct. 24, 2021.

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

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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.

Cancun Mexican Restaurant (Series 12)  
4440 S. 19th Ave., Phoenix  
Calls for police service: 2  
Liquor license violations: None

Carniceria El Rancho Grande (Series 10)  
4227 S. Central Ave., Phoenix  
Calls for police service: 20  
Liquor license violations: None

Super Carniceria Las Cuatro Milpas (Series 10)  
6639 W. McDowell Road, Phoenix  
Calls for police service: 9  
Liquor license violations: None

Carniceria Mexico (Series 10)  
4450 S. 19th Ave., Phoenix  
Calls for police service: 4  
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 taken all the training classes required to properly follow all the liquor laws of Arizona. I am willing and planing on hiring trained, skilled and knowledgeable staff to help me with my business."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"We are offering the puublic a family friendly business that offers a grocery store and

meat market on one convenient location. Offering a variety of alcoholic and non-alcoholic beverages that will make it convenient for our clients to do their shopping in one family friendly location.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Carniceria Mana

Liquor License Map - Carniceria Mana

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: CARNICERIA MANA

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	64.78	72.92
Violent Crimes	8.73	9.02	13.26

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

## Property Violation Data

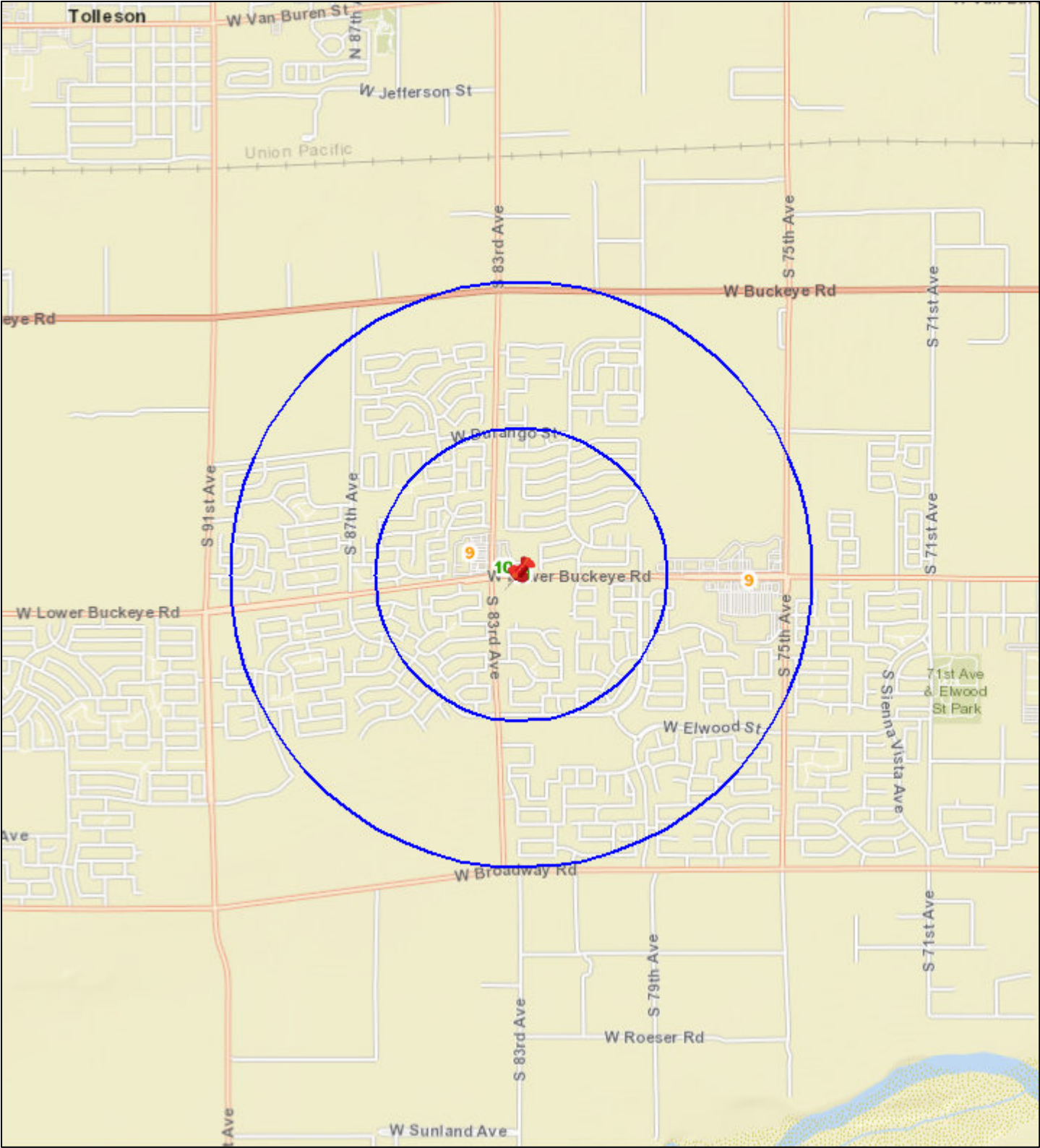
Description	Average	1/2 Mile Average
Parcels w/Violations	55	17
Total Violations	90	24

## Census 2010 Data 1/2 Mile Radius

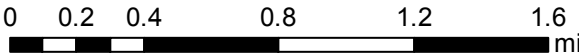
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0822052	3420	68 %	7 %	11 %
0822061	3031	69 %	16 %	5 %
1125101	3939	67 %	5 %	4 %
1125111	2081	76 %	7 %	11 %
Average		61 %	13 %	19 %

# Liquor License Map: CARNICERIA MANA

8240 W LOWER BUCKEYE RD



Date: 8/27/2021





## **Liquor License - El Pueblo Restaurant**

Request for a liquor license. Arizona State License Application 157908.

### **Summary**

#### Applicant

Theresa Morse, Agent

#### License Type

Series 12 - Restaurant

#### Location

2270 N. 75th Ave., Ste. 101

Zoning Classification: C-2

Council District: 7

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 Oct. 13, 2021.

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.

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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:  
"My husband and I are solely interested in providing a safe & friendly environment for customers to enjoy Authentic Mexican Food. Additionally, we are still taking proactive measures against Covid-19. We have attended Arizona Liquor Law training and will require staff members to attend as well to prevent violations of City, State and County laws 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 primary purpose of my restaurant is food sales however, I have had many customers request alcoholic beverages to compliment the food service. The restaurant is a family oriented business and it will not operate as a bar. Liquor law training for the staff as well as ownership will prevent sales to underage and sales to obviously intoxicated customers."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - El Pueblo Restaurant

Liquor License Map - El Pueblo Restaurant

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: EL PUEBLO RESTAURANT

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Beer and Wine Bar	7	1	1
Liquor Store	9	3	2
Beer and Wine Store	10	4	1
Restaurant	12	17	11

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	201.22	314.33
Violent Crimes	8.73	29.67	29.51

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	56	91
Total Violations	90	144

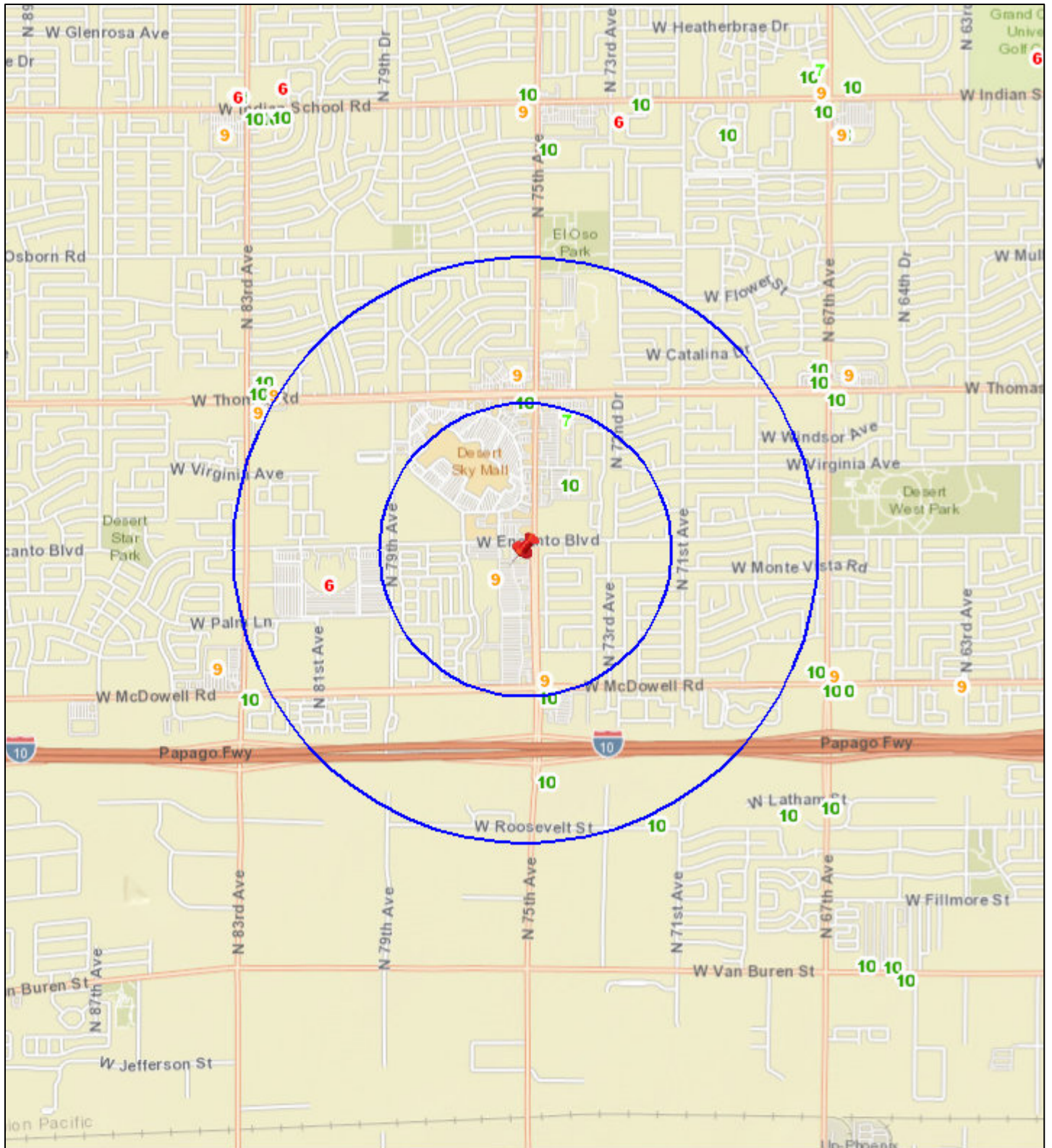
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1125033	1448	67 %	6 %	8 %
1125034	1913	70 %	12 %	32 %
1125091	1905	0 %	15 %	22 %
1125092	1564	47 %	23 %	9 %
1125093	2841	0 %	14 %	49 %
Average		61 %	13 %	19 %



# Liquor License Map: EL PUEBLO RESTAURANT

2270 N 75TH AVE



Date: 8/17/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department





## **Liquor License - Off The Record**

Request for a liquor license. Arizona State License Application 158938.

### **Summary**

#### Applicant

Esther Noh, Agent

#### License Type

Series 12 - Restaurant

#### Location

1025 N. 2nd St.

Zoning Classification: DTC-West Evans Churchill HP

Council District: 7

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 Oct. 26, 2021.

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

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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.

Restaurant Progress (Series 12)  
702 W. Montecito Ave., Phoenix  
Calls for police service: 3  
Liquor license violations: None

Montecito Mercantile (Series 10)  
704 W. Montecito Ave., Phoenix  
Calls for police service: None  
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 owned and operated a business with a Series 12 license since 2017, and have since opened and operated a business with a Series 10S license in 2021. I have worked in the Food and Beverage Industry for ----- years and am knowledgeable of the rules and regulations that are required and expected of liquor license holders."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"This business will showcase the best of Phoenix's hospitality set in a beautiful historic house, where the surrounding community can come network, celebrate milestones, and share memorable experiences."

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Off The Record  
Liquor License Map - Off The Record

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: OFF THE RECORD

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Government	5	8	4
Bar	6	42	13
Beer and Wine Bar	7	16	7
Liquor Store	9	4	1
Beer and Wine Store	10	10	4
Hotel	11	8	4
Restaurant	12	93	41
Club	14	2	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	160.80	255.09
Violent Crimes	8.73	38.66	50.95

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

### Property Violation Data

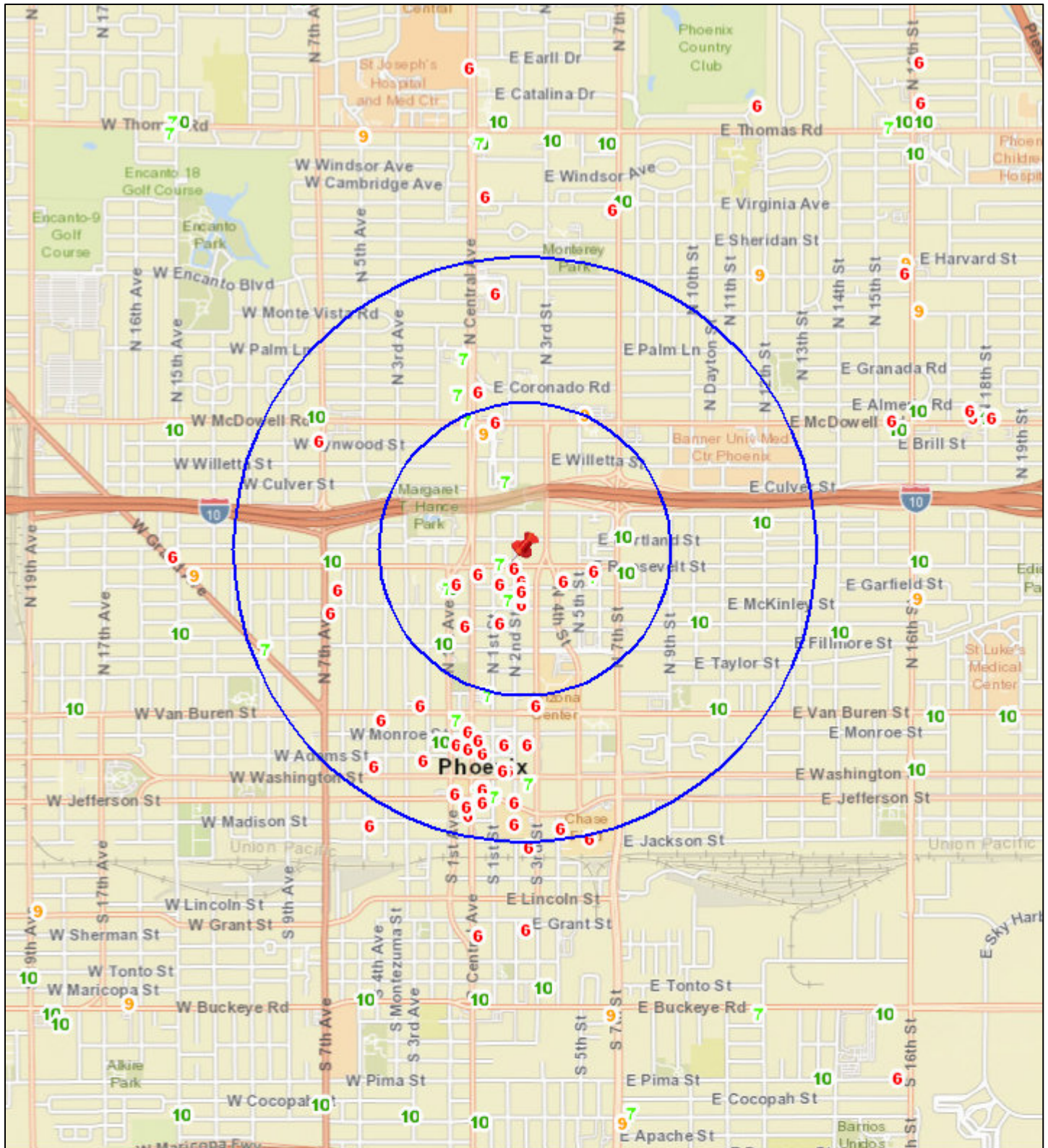
Description	Average	1/2 Mile Average
Parcels w/Violations	56	116
Total Violations	90	186

## Census 2010 Data 1/2 Mile Radius

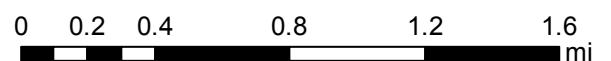
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031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

# Liquor License Map: OFF THE RECORD

1025 N 2ND ST



Date: 8/31/2021



City Clerk Department



Report

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Agenda Date: 10/6/2021, Item No. 31

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**Liquor License - Trappers Sushi Co. Phoenix**

Request for a liquor license. Arizona State License Application 158353.

**Summary**

Applicant

Jason Reyna, Agent

License Type

Series 12 - Restaurant

Location

2 E. Jefferson St., Ste. 108

Zoning Classification: DTC - Business Core

Council District: 7

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in November 2021.

The 60-day limit for processing this application is Oct. 18, 2021.

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

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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.

Trappers Sushi Co. Avondale (Series 12)  
10321 W. McDowell Road, #101, Avondale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have been in the restaurant industry for 34 years. I have helped grow Trappers Sushi from a single restaurant to Thirteen, with this one being the fourteenth. This will be our second one in Arizona. We have plans to continue to open more."

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

"We will be giving the community Job opportunities and a wonderful dining experience. We will help bring business to the area. We will bring our mission to the area. Our mission is to learn the customers name and provide the best service and food possible. Leaving the customer with a craving to come back to trappers sushi."

#### Staff Recommendation

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

#### Attachments

Liquor License Data - Trappers Sushi Co. Phoenix  
Liquor License Map - Trappers Sushi Co. Phoenix

#### **Responsible Department**

This item is submitted by Deputy City Manager Toni MacCarone and the City Clerk Department.



# Liquor License Data: TRAPPERS SUSHI CO. PHOENIX

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Wholesaler	4	1	0
Government	5	7	5
Bar	6	43	29
Beer and Wine Bar	7	12	6
Liquor Store	9	3	2
Beer and Wine Store	10	10	1
Hotel	11	8	5
Restaurant	12	79	38
Club	14	3	1

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	142.64	150.95
Violent Crimes	8.73	44.53	42.46

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

## Property Violation Data

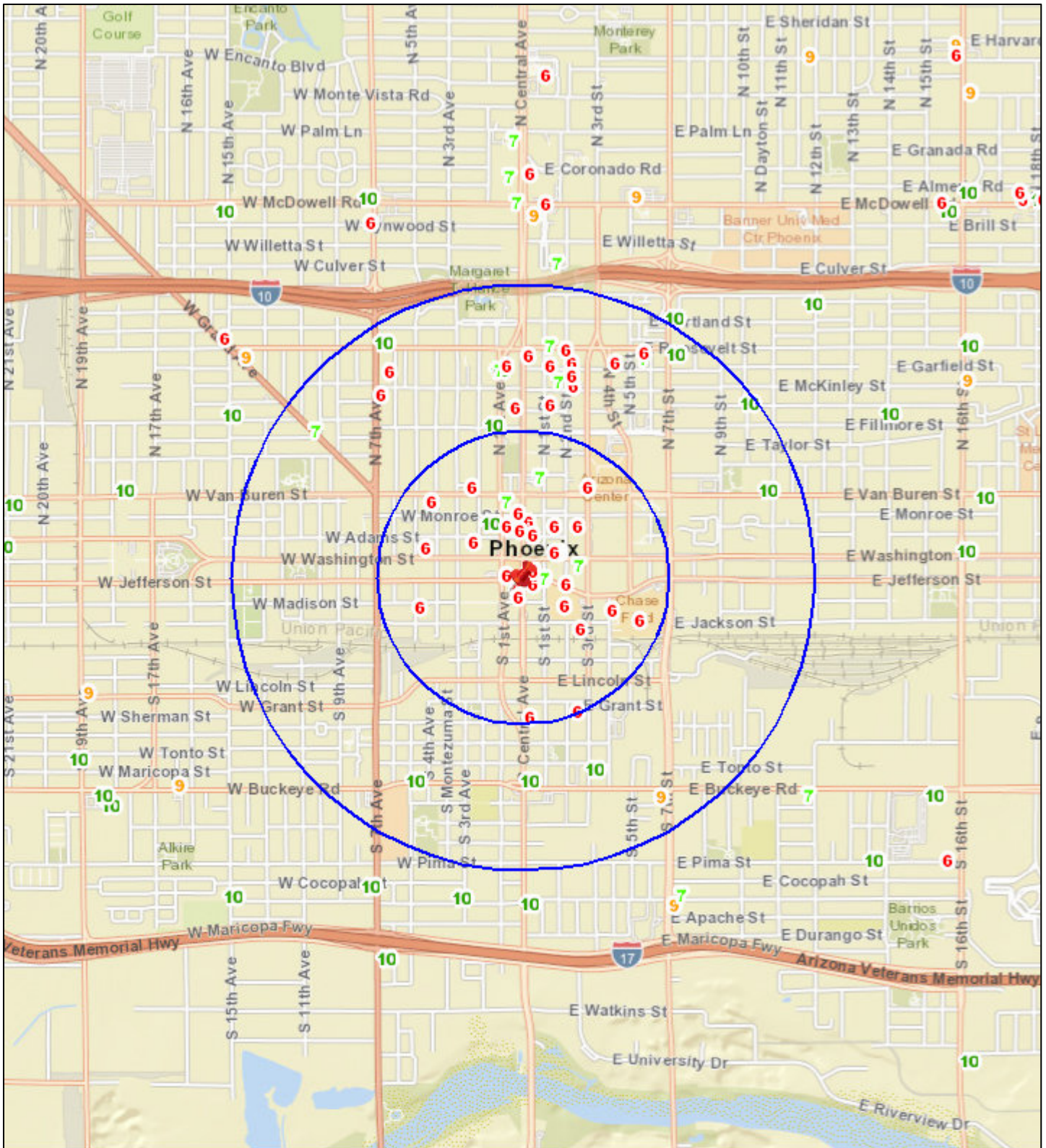
Description	Average	1/2 Mile Average
Parcels w/Violations	56	27
Total Violations	90	41

**Census 2010 Data 1/2 Mile Radius**

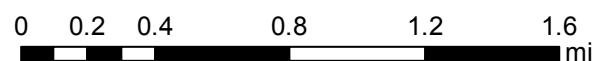
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
Average		61 %	13 %	19 %

# Liquor License Map: TRAPPERS SUSHI CO. PHOENIX

2 E JEFFERSON ST



Date: 8/25/2021





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Agenda Date: 10/6/2021, Item No. 32

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## **Liquor License - Special Event - Phoenix Legal Action Network**

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

### **Summary**

#### Applicant

Rekha Nair

#### Location

113 N. 6th St.

Council District: 8

#### Function

Festival

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

Nov. 12, 2021 - 5 p.m. to 10 p.m. / 500 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Toni MacCarone and the City Clerk Department.



**Liquor License - Special Event - Saint Sava Serbian Orthodox Church**

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

**Summary**

Applicant

Samuel Busic

Location

4436 E. McKinley St.  
Council District: 8

Function

Festival

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

Nov. 6, 2021 - 11 a.m. to 10:30 p.m. / 1,500 attendees

Nov. 7, 2021 - Noon to 8:30 p.m. / 850 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



## **Liquor License - Ike's Love and Sandwiches**

Request for a liquor license. Arizona State License Application 158228.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 12 - Restaurant

#### Location

910 N. 4th St.

Zoning Classification: DTC-West Evans Churchill

Council District: 8

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

The 60-day limit for processing this application is Oct. 17, 2021.

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.

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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 will abide by Arizona Title 4 liquor laws. We will ensure our employees have attended the proper liquor training provided by ALIC."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"This location has had a Series 12 liquor license. We would like to continue to offer our patrons the option of ordering a alcoholic beverage of their choice."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Ike's Love and Sandwiches

Liquor License Map - Ike's Love and Sandwiches

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: IKE'S LOVE AND SANDWICHES

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	8	4
Bar	6	43	13
Beer and Wine Bar	7	15	7
Liquor Store	9	4	0
Beer and Wine Store	10	10	4
Hotel	11	8	4
Restaurant	12	91	39
Club	14	2	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	163.11	205.83
Violent Crimes	8.73	39.72	47.13

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	55	123
Total Violations	90	206

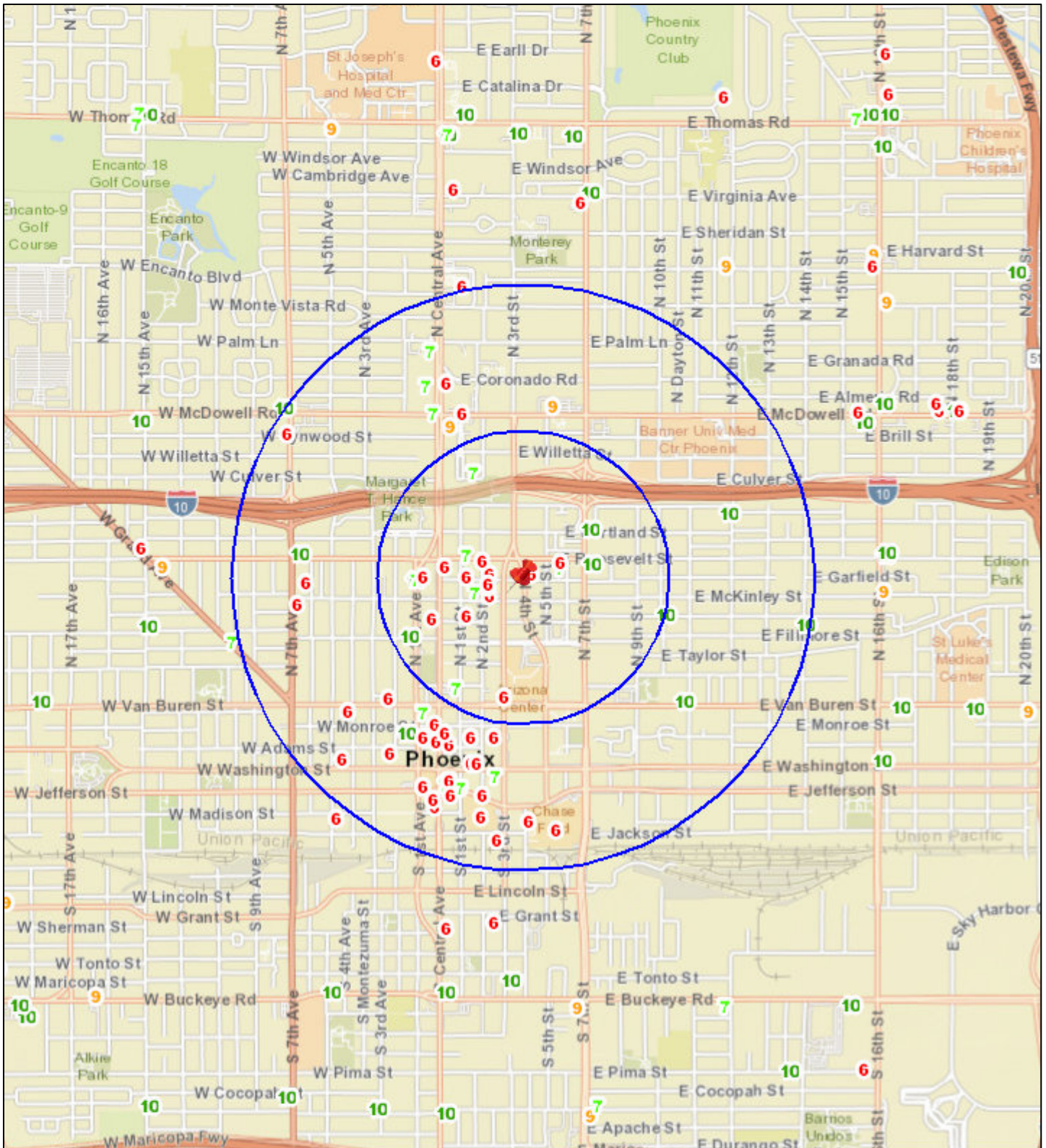


## Census 2010 Data 1/2 Mile Radius

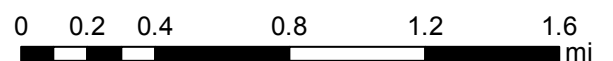
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
1140001	1831	25 %	20 %	47 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

# Liquor License Map: IKE'S LOVE AND SANDWICHES

910 N 4TH ST



Date: 8/24/2021



City Clerk Department



### **PAYMENT ORDINANCE (Ordinance S-47965) (Items 35-46)**

*Ordinance S-47965 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.*

**35 City of Goodyear - Annual Water Utility Payment**

For \$125,500.00 in payment authority to the City of Goodyear for Phoenix Goodyear Airport (GYR) annual water utility charges, as provided in the GYR's annual operating budget. The GYR is physically located in the City of Goodyear and the airport is required to pay for the monthly water utilities received from the City of Goodyear.

**36 Applied Concepts, Inc. doing business as Stalker Radar**

For \$24,290.00 in payment authority to purchase radar speed detection devices for the Police Department. The Stalker radar speed detection device is an instrument used to measure the speed of an object. The requested device will be mounted on police motorcycles to track traffic speeds. The Traffic Bureau will use the device to enforce traffic laws, reduce excessive speeding and promote safety on City streets. The radar device will be purchased utilizing grant funds, from the statewide Proposition 207, which expire on Dec. 31, 2021.

**37 Settlement of Claim(s) Rinehart v. City of Phoenix**

To make payment of up to \$72,000.00 in settlement of claim(s) in *Rinehart v. City of Phoenix*, 20-0217-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a

settlement for a property damage claim arising from a water main break on Aug. 16, 2020.

**38 Settlement of Claim(s) Welch v. City of Phoenix**

To make payment of up to \$27,500.00 in settlement of claim(s) in *Welch v. City of Phoenix*, 20-0643-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a property damage claim arising from a water main break on Dec. 25, 2020.

**39 RR Donnelley**

For \$48,000.00 in payment authority for a new contract, entered on or about Oct. 11, 2021, for a term of five years to provide various types of forms used to print payroll checks and tax forms for the Finance Department. The various forms are compatible with PeopleSoft, which is the Finance Department's software application used to process Human Resource and payroll functions. The various forms are compatible with the PeopleSoft software application and allows payroll to print paychecks and tax forms according to PeopleSoft and Internal Revenue Service specifications.

**40 Laborers' International Union of North America (LIUNA)  
Local 777**

For \$50,000.00 in additional payment authority for Contract 154610, through June 30, 2023, for City of Phoenix Apprenticeship Programs, to purchase training materials, uniforms, promotional outreach materials, instructional activities such as schools and workshops, and any other activity related to LIUNA Local 777-City of Phoenix Apprenticeship Programs for Unit 1 members approved to participate in apprenticeship programs, for the Human Resources Department. Approval will ensure compliance with the Memorandum of Understanding.

**41 American Federation of State, County and Municipal  
Employees (AFSCME) Local 2384**

For \$56,000.00 in payment authority for Contract 154611, through June 30, 2023, for designated members of the AFSCME Local 2384, Unit 2, to attend schools, conferences, workshops and training to develop skills in effective member representation, conflict resolution techniques, labor-management cooperation, and other employee relations areas

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which promote cooperative and harmonious relationships for the Human Resources Department. Approval will ensure compliance with the Memorandum of Understanding.

**42 American Federation of State, County and Municipal Employees (AFSCME) Local 2960**

For \$56,000.00 in additional payment authority for Contract 154612, through June 30, 2023, for designated members of AFSCME Local 2960 - Unit 3 to attend schools, conferences, workshops and training to develop skills in effective member representation, conflict resolution techniques, labor-management cooperation, and other employee relations areas that promote cooperative and harmonious relationships. Approval will ensure compliance with the Memorandum of Understanding.

**43 American Federation of State, County and Municipal Employees (AFSCME) Local 2960**

For \$85,000.00 in additional payment authority for Contract 154612, through June 30, 2023, for expenses of maintaining the AFSCME Local 2960 - Unit 3 Honor Guard, a professional organization that represents the City of Phoenix at official events, memorial services, and employee funerals and provides public education and community service. Approval will ensure compliance with the Memorandum of Understanding.

**44 Magnum Engineering, Inc.**

For \$29,000.00 in payment authority to purchase specialty art services for Phoenix Office of Arts and Culture Department. The renovations are needed for the structural support of the Arizona Civil Rights Memorial in Eastlake Park due to damage from rust and exposure to the elements. The retrofit would also include a planned update of the memorial's civil rights history timeline. The proposed contractor has the expertise and metal conservation experience to carry out the work in time for the memorial's 25th anniversary rededication on Dr. Martin Luther King, Jr. Day in January 2022.

**45 Helm, Inc.**

For \$74,825.00 in payment authority to purchase Ford software licenses for the Public Works Department, Fleet Services Division. The licenses will allow staff to diagnose Ford vehicles and equipment for repairs and

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provide computer access to Ford equipment manuals online. The software licenses allow staff to maintain vehicles in a timely manner and minimize downtime and increased costs for submitting vehicles directly to Ford dealerships.

46 **Manhattan Telecommunications Corporation, doing business as MeITel, Inc.**

For \$366,000.00 in additional payment authority for Contract 148595 for Automated Vehicle Locator Services for the Public Works Department. The additional payment authority is to add the Street Transportation Department to the Public Works Department contract to provide telematic hardware and software for tracking vehicles and obtaining essential data for vehicle maintenance, routing and customer inquiries.



## **Proposed 27th Avenue and Baseline Road Annexation - Public Hearing**

A public hearing, as required by Arizona Revised Statutes section 9-471, on the proposed 27th Avenue and Baseline Road Annexation. This public hearing allows the City Council to gather community input regarding this annexation proposal. The City Council will not act on the proposed annexation at this public hearing. Formal adoption of this proposed annexation will be considered at a later date.

### **Summary**

The annexation was requested by Francisco M. Badilla with Badilla and Associates Consulting Engineers L.L.C. for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. Additionally, the annexation is recommended for adoption per the attached Task Force Analysis Report (**Attachment A**).

### **Public Outreach**

Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and was posted in at least three conspicuous places in the area proposed to be annexed. Also, notice via first-class mail was sent to each property owner within the proposed annexation area.

### **Location**

The proposed annexation area includes parcel 105-88-020V, located at 7416 S. 27th Ave. (**Attachment B**). The annexation area is approximately 2.25 acres (0.0035 sq. mi.) and the population estimate is three individuals.  
Council District: 8

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# ATTACHMENT A

## CITY COUNCIL REPORT

**TO:** Ginger Spencer  
Deputy City Manager

**FROM:** Alan Stephenson  
Planning Director

**SUBJECT:** Request for Task Force Analysis: 27th Avenue and Baseline Road Annexation

This report recommends the **approval** of the proposed annexation of **2.25** acres located at **7416 S. 27th Avenue (27th Avenue and Baseline Road), Parcels: APN #105-88-020V**

### THE REQUEST:

The applicant is requesting the annexation to develop the parcel, with adjacent parcels already annexed to the city of Phoenix, to create a 16-lot subdivision under R1-8 (Single-family Residence District). The adjacent parcels were annexed in 2007.

### OTHER INFORMATION:

Planning Village:	Laveen
General Plan Designation:	Large Lot, Residential 0 to 1 dwelling units per acre
Current Zoning District:	RU-43
Equivalent Zoning District:	S-1
Current Conditions	
Current Land-Use:	Single-family dwelling, a barn built in 1983, and a second barn/shop built in 2003.
To the North:	Single-family dwelling and ranch property, zoned S-1, City of Phoenix jurisdiction.
To the South:	Auto sales, auto shop and open auto storage, zoned C-2, Maricopa County jurisdiction.
To the West:	Single-family dwelling and ranch property, zoned S-1, City of Phoenix jurisdiction.
To the East:	Single-family subdivision, zoned R1-10, City of Phoenix Jurisdiction.
Non-Conformities Present? NONE PRESENT	



PARCEL(S) HISTORY: None

ALTERNATIVES:

- Option A - Annex the land as requested:

The city of Phoenix will control rezoning requests in this area to ensure conformance with the General Plan Land Use Map. The city of Phoenix will capture property tax, utility tax, state shared revenue, and impact fees.

- Option B - Deny the request for annexation:

If annexed later, this site would have been developed under County zoning and development standards that may not be consistent with the General Plan, Land Use Map, zoning, and development standards.

RECOMMENDATION:

Located adjacent to City of Phoenix lands, this annexation is supported by the 2015 General Plan, particularly the Land Use goal for land uses and development standards for unincorporated land, under Policies 1 and 2. This annexation is recommended for approval. Approval of annexation does not constitute recommendation for future rezoning actions.

SUPPORTING INFORMATION:

I. Water and Sewer Service

The proposed parcel can likely be served by the City of Phoenix water and sewer system in the area, pending capacity review and approval. Specific water and sewer system stipulations/requirements are determined at time of Site Plan approval after annexation.

Design and construction of any infrastructure will be the responsibility of the developer. Please be advised that capacity is a dynamic condition that can change over time due to a variety of factors.

City map shows the closest water/sewer infrastructure is within S. 27th Avenue:

Water -

60-inch PCCP, pressure zone 1, water main within S. 27th Avenue (Transmission Main, Do Not Use)  
12-inch DIP, pressure zone 1, water main within S. 27th Avenue

Sewer -

15-inch VCP sewer main within S. 27th Avenue

II. Fire Protection

Servicing Station:	Phoenix Fire Station 39, 2276 W. Southern Ave
Station Capacity Level, Current:	Unknown
Station Capacity Level, After Annexation:	Unknown
Current Response Time:	2 Min. 15 Sec.
City Average Response Time:	5 Min. 2 Sec.
Difference From Typical Response Time:	2 Min. 47 Sec.

Number Of Service Calls Expected:	1
Average Cost Per Service Call:	<u>\$466</u>
Estimated Total Annual Fire Service Costs:	<b>\$278</b>

### III. Police Protection

Servicing Station: Maryvale / Estrella Mountain, Police Beat 834

Number Of New Officers Required:	0.01
Number Of New Patrol Cars Required:	<u>0.00</u>
Estimated Total Annual Police Service Costs:	<b>\$813</b>

### IV. Refuse Collection

Number of New Containers Required:	2
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*Note: Public refuse container costs not applicable for apartments and non-residential I uses as these require private refuse services or contractual agreements with the City that are not determined at this time.*

Cost for Refuse Containers, Each:	\$43.05
Cost for Recycling Containers, Each:	<u>\$45.70</u>
Total Start-Up Costs For Refuse Collection:	<b>\$200</b>

### V. Street Maintenance

Average Cost Per Acre For Street Maintenance:	<u>\$85</u>
Estimated Total Annual Street Maintenance Costs:	<b>\$192</b>

### VI. Public Transit

Servicing Routes:	Local routes 77 (Baseline) - Bus stops are located approximately 0.10 miles from the parcel.
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### VII. Parks and Recreation

Neighborhood Park Demand In Acres:	0.02
Community Park Demand In Acres:	0.01
District Park Demand In Acres:	0.01
Total Park Demand In Acres:	0.05
Cost Per Acre, Annual Maintenance:	<u>\$11,000</u>
Total Annual Parks and Recreation Costs:	<b>\$527</b>

### VIII. Schools

Elementary School District:	Roosevelt
High School District:	Phoenix Union
Total Expected Elementary School Students:	2

Total Expected High School Students:	1
Total Expected New Students:	2

#### IX. Revenues

Residential Impact Fees: This project is in the Laveen West Impact Fee area.

Commercial Impact Fees: Impact fees may include water and sewer fees which are based on building area, specific commercial use(s), gross site area for the commercial portion of the project, water meters, and number of drainage fixture units (DFUs).

Expected Total Impact Fees At Buildout:	\$31,679
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##### Tax Income, Year One

Property Tax Income:	\$712
Utility Fee Income:	\$281
State Shared Revenue:	\$1,738
Solid Waste:	\$913
Sales Tax Generated:	\$0
Total Tax Related Income, Annually:	<b>\$3,644</b>

##### Tax Income, Year Two and Beyond

Property Tax Income:	\$712
Utility Fee Income:	\$281
State Shared Revenue:	\$1,738
Solid Waste:	\$913
Sales Tax Generated:	\$0
Total Tax Related Income, Annually:	<b>\$3,644</b>

#### X. Total Costs

Revenue, First Year Only:	\$35,323
Revenue, Year Two and Beyond:	\$3,644
Expenses, First Year Only:	\$2,010
Expenses, Year Two and Beyond:	\$1,810

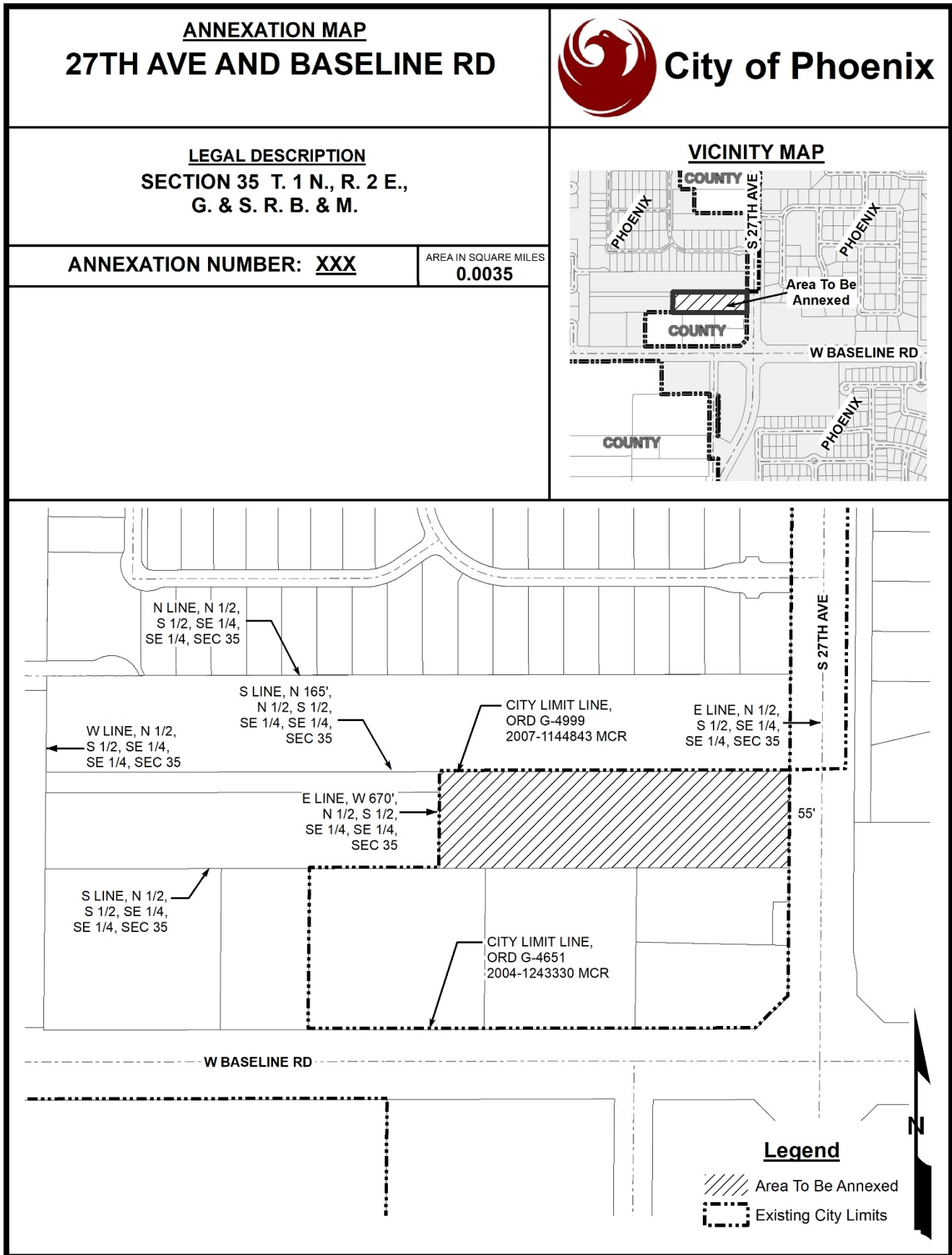
#### XI. Total Annual Revenue

<b>Total Annual Revenue, First Year Only:</b>	<b>\$33,313</b>
<b>Total Annual Revenue, Year Two and Beyond:</b>	<b>\$1,834</b>

The above referenced **Property Tax Income** figures are based on vacant parcels only, it does not refer to future development which will vary depending on number of lots and individual square footage.

**Total Tax Related Income and Total Annual Revenues** will vary depending on project scope and size, the timing of permit issuance and build-out.

# ATTACHMENT B





## **Acquisition of Real Property for High-Intensity Activated Crosswalk Signals at Two Locations (Ordinance S-47968)**

Request to authorize the City Manager, or his designee, to acquire real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for High-Intensity Activated Crosswalk signals at two locations. Further request to authorize dedication of land or easements with roadway and/or public improvements for public use via separate recording instrument. Additionally, request to authorize the City Controller to disburse all funds related to this item.

### **Summary**

Acquisition of real property is required to install High-Intensity Activated Crosswalk (HAWK) signals. Improvements include illuminated crosswalks, Americans with Disabilities Act compliant sidewalks and ramps, pedestrian signals, pavement, curb, and gutter. The project will enhance pedestrian safety crossing along: West Indian School Road, west of 81st Avenue; and East Broadway Road, east of 20th Street.

The properties impacted by this project are identified in **Attachment A**.

### **Financial Impact**

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

### **Location**

West Indian School Road, west of 81st Avenue and East Broadway Road, east of 20th Street.

Council Districts: 5 and 8

### **Responsible Department**

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

**Attachment A**  
**Property Identification**

**City of Phoenix Street Improvement Project:** Pedestrian HAWK Signals  
ST89320157 and ST89330289

The following improved and/or unimproved parcels affected by acquisition and included in this request are identified by the Maricopa County Assessor's parcel number (APN) and the address or location.

<b>APN</b>	<b>Address / Location</b>
102-20-004H	8130 W. Indian School Road
122-38-155	2006 E. Broadway Road
122-42-002B	2001 E. Broadway Road



**Acquisition of Real Property for South Mountain Park Preserve at 23rd Avenue and Sunrise Drive (Ordinance S-47991)**

Request the City Council to amend Ordinance S-47680 to acquire additional real property for South Mountain Preserve to be designated as "Mountain Preserve" in accordance with the provisions of Chapter XXVI of the City Charter.

**Summary**

Ordinance S-47680 authorized the acquisition of 39 acres of land for the South Mountain Preserve. The Parks and Recreation Department identified adjacent parcels to include in the acquisition. The property sought includes scenic views, connections to the Preserve, multiple drainage washes and desert flora and fauna. The addition would increase the total of this acquisition to approximately 56.25 acres increasing the Parks and Recreation Department's natural space and allowing for future trail head development. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

The additional parcels to be acquired and included in this request are identified by Maricopa County Assessor's parcel number (APN) 300-16-042 located at 2150 W. Sunrise Drive and APN 300-16-043D located at 10400 S. 21st Ave.

**Financial Impact**

Funding is available in the Parks and Recreation Department's Capital Improvement Program budget using Phoenix Parks and Preserve Initiative funds.

**Concurrence/Previous Council Action**

Ordinance S-47680 was adopted by City Council on June 16, 2021.

**Location**

23rd Avenue and Sunrise Drive.  
Council District: 8

**Responsible Department**

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





**Acceptance and Dedication of Easements and One Deed for Sidewalk, Public Utility or Roadway Purposes (Ordinance S-47972)**

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

**Summary**

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

Easement (a)

Applicant: Monterey Ridge Condominium Association, its successor and assigns

Purpose: Sidewalk

Location: 17850 N. 68th St.

File: FN 210057

Council District: 2

Easement (b)

Applicant: Scott Gould, its successor and assigns

Purpose: Public Utility

Location: 2929 N. 56th St.

File: FN 210061

Council District: 6

Easement (c)

Applicant: GCM Residential, L.L.C., its successor and assigns

Purpose: Public Utility

Location: 4001 E. Hazelwood St.

File: FN 210074

Council District: 6

Easement (d)

Applicant: Seasons Hospice & Palliative Care of Arizona, LLC, its successor and assigns

Purpose: Sidewalk  
Location: 1702 E. Northern Ave.  
File: FN 210067  
Council District: 6

Easement (e)

Applicant: Quad J Holdings, LLC, its successor and assigns  
Purpose: Roadway  
Location: 3210 S. 39th Ave.  
File: FN 200622  
Council District: 7

Easement (f)

Applicant: 2305 E. South Mountain, LLC, its successor and assigns  
Purpose: Public Utility  
Location: 2305 E. South Mountain Ave.  
File: FN 210066  
Council District: 8

Easement (g)

Applicant: Pro Lux Homes, LLC, its successor and assigns  
Purpose: Public Utility  
Location: 1521 E. Euclid Ave.  
File: FN 210063  
Council District: 8

Deed (h)

Applicant: Pro Lux Homes, LLC, its successor and assigns  
Purpose: Roadway  
Location: 1521 E. Euclid Ave.  
File: FN 210063  
Council District: 8

Easement (i)

Applicant: Josue Beltran, its successor and assigns  
Purpose: Public Utility  
Location: 4817 S. 12th St.  
File: FN 210075  
Council District: 8

**Responsible Department**

This item is submitted by the Deputy City Manager Ginger Spencer and the Planning and Development and Finance departments.



**Acceptance of Easements for Drainage, Water or Vehicular Non-Access Purposes (Ordinance S-47978)**

Request for the City Council to accept easements for drainage, water or vehicular non-access purposes; further ordering the ordinance recorded.

**Summary**

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

Easement (a)

Applicant: Barr Holdings 1, LLC, its successor and assigns

Purpose: Drainage

Location: 23310 N. 17th Drive

File: FN 210071

Council District: 1

Easement (b)

Applicant: MelvinTC Phoenix LLC, its successor and assigns

Purpose: Drainage

Location: 11402 N. Cave Creek Road

File: FN 210069

Council District: 3

Easement (c)

Applicant: Maricopa Special Health Care District dba Valleywise Health formerly known as Maricopa County Special Health Care District dba Maricopa Integrated Health System, its successor and assigns

Purpose: Water

Location: 7800 W. Thomas Road

File: FN 210044

Council District: 5

Easement (d)

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

Purpose: Drainage

Location: 2775 S. 45th Ave.

File: FN 210073

Council District: 7

Easement (e)

Applicant: 2833 Broadway Development LLC, its successor and assigns

Purpose: Drainage

Location: 2833 E. Broadway Road

File: FN 210064

Council District: 8

Easement (f)

Applicant: Juan Martinez, its successor and assigns

Purpose: Vehicular Non-Access

Location: 835 E. Apollo Road

File: FN 210065

Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development and Finance departments.



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Agenda Date: 10/6/2021, Item No. 52

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**Automotive Parts and Repairs for Medium and Heavy-Duty Trucks (Collision Repair) - COOP 21-116 and COOP 21-117 (Ordinance S-47983)**

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Autobahn Collision, LLC and Arizona Truck Center LLC, dba Vanguard Truck Center of Phoenix for medium and heavy-duty auto body collision repair for the Public Works Department. The cooperative contract was established by the Arizona Department of Transportation under solicitation number: BPM002438. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$2 million.

**Summary**

The Public Works Department Fleet Services division uses automotive parts and repair vendors to manage customer demand for collision and repair services of citywide vehicles and equipment in the City's fleet. Currently, the City has only one medium- and heavy-duty auto body vendor to perform repairs and due to excessive delays and downtime, the additional vendors are needed to provide quality and timely repairs to the City's vehicles and operating equipment. The use of the following vendors will be advantageous to ensure the City's fleet always remains operational and available for service.

**Procurement Information**

In accordance with Administrative Regulation 3.10, the City is authorized to use cooperative agreements from other public agencies. The contract was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

The Arizona Department of Transportation contract covers the Automotive Parts and Repairs for Medium and Heavy-Duty Trucks (Collision Repair) as required by the Public Works Department. The contract was awarded on July 1, 2020. The use of this cooperative will provide the City significant discounts on these products. The review of pricing and availability from registered small and local businesses indicates this cooperative contract offers the best value to the City.

Upon City Council approval of this item, purchasing agreements incorporating the

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City's terms and conditions will be fully executed between the referenced vendors and the City.

The Assistant Finance Director recommends that use of the cooperative agreement with Autobahn Collision, LLC and Arizona Truck Center LLC, dba Vanguard Truck Center of Phoenix be accepted.

**Contract Term**

This five-year agreement will begin on or about Oct. 6, 2021.

**Financial Impact**

The aggregate contract value will not exceed \$2 million.

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

**Responsible Department**

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



Report

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Agenda Date: 10/6/2021, Item No. 53

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**Fence Supply and Service - Requirements Contract - IFB 18-207 (A) (Ordinance S-47987)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 147321, Phoenix Fence Co.; Contract 147322, LP Steel Industries, LLC; and Contract 147320, Western Fence Co., Inc., for the purchase of fencing supplies and services related to installation, repair, and replacement of chain-link, block, and ornamental fencing, gates, and fencing rental for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$980,000.

**Summary**

Additional contract authority is needed due to a higher than anticipated usage of these contracts.

Fencing provided through these contracts are routinely used to secure city facilities from vandalism and theft. The contracts are also used to secure and mitigate risk at City-operated construction sites. The Fire Department, Parks Department, and Public Works Department have been identified as the primary departmental users of this contract.

**Contract Term**

The contract term is May 1, 2018 through April 30, 2023.

**Financial Impact**

Upon approval of \$980,000 in additional funds, the revised aggregate value of the contract will not exceed \$5,535,000. Funds are available in the various departments' budgets.

**Concurrence/Previous Council Action**

These contracts were originally approved by City Council on April 18, 2018.

**Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Finance Department.





## **Authorization to Enter into Agreement with Avalon Legal (Ordinance S-48000)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Avalon Legal to provide the City cell phone forensic services on an as-needed basis as determined by the City Attorney and to further request authorization for the City Controller to disburse the necessary funds in an amount not to exceed \$75,000 annually over the term of the contract.

### **Summary**

The Law Department is initiating a contract with a vendor to perform cell phone forensics on an as-needed basis. This service is vital to extract data from a mobile device when needed for use in investigations and litigation. The Law Department has used its outside Legal Counsel Services contract vendor to work with a third party to perform these services in the past at a much higher cost. The need for these services is increasing, necessitating a new method to access these services. Bids were collected from four vendors and the two lowest bids were selected to enter into contracts. This contract will allow for faster service at a lower cost. The vendor is able to provide a secure forensic lab with a documented clear chain of custody, and can provide service on both Apple and Android devices. This contract is for a period of one year, with no options; to be used on an as-needed basis, at a maximum value of \$75,000. The Law Department and ITS will conduct a full procurement during the term of this contract to replace it with a longer-term agreement.

### **Contract Term**

This contract will be for one year with no options to extend.

### **Financial Impact**

The amount requested is an amount not to exceed \$75,000 annually over the term of the contract.

Funds are available in various departments' budgets, including the Law Department and Self-Insured Retention Fund. Payments will be made from affected funding sources, primarily from the Self-Insured Retention Fund or the General Fund on an individual case or legal assignment basis.

**Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Law Department.



## **Authorization to Enter into Agreement with Teris-Phoenix LLC (Ordinance S-48001)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Teris-Phoenix LLC to provide the City cell phone forensic services on an as-needed basis as determined by the City Attorney and to further request authorization for the City Controller to disburse the necessary funds in an amount not to exceed \$75,000 annually over the term of the contract.

### **Summary**

The Law Department is initiating a contract with a vendor to perform cell phone forensics on an as-needed basis. This service is vital to extract data from a mobile device when needed for use in investigations or litigation. The Law Department has used its outside Legal Counsel Services contract vendor to work with a third party to perform these services in the past, but at a much higher cost. The need for these services is increasing, necessitating a change in how these services are accessed by the City. Bids were collected from four vendors and the two lowest bids were selected to enter into contracts. The contract will allow for faster service at a lower cost. This vendor is able to provide a secure forensic lab with a documented clear chain of custody, and can provide service on both Apple and Android devices. This contract is for a period of one year; to be used on an as-needed basis, at a maximum value of \$75,000. The Law Department and ITS will conduct a full procurement during the term of this contract to replace it with a longer-term agreement.

### **Contract Term**

This contract will be for one year with no options to extend.

### **Financial Impact**

The amount requested is an amount not to exceed \$75,000 annually over the term of the contract.

Funds are available in various departments' budgets, including the Law Department and Self-Insured Retention Fund. Payments will be made from affected funding sources, primarily from the Self-Insured Retention Fund or the General Fund on an individual case or legal assignment basis.

**Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Law Department.



## **Intergovernmental Agreement with Maricopa Association of Governments for Evaluation of Coordinated Entry Assessment (Ordinance S-47966)**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Maricopa Association of Governments to obtain a consultant to evaluate the Coordinated Entry (CE) System. CE is a federally mandated process used by the City and other MAG members to assist with the allocation of regional resources to people experiencing or at risk of homelessness. The aggregate value of the contract will not exceed \$200,000. Further request to authorize the City Controller to disburse all funds related to this item.

### **Summary**

The Maricopa Association of Governments (MAG) provides a forum for local governments to work collaboratively on issues that affect cities, towns and tribal governments in the greater Phoenix region and includes the City among its members. With funding from the City, MAG will hire and manage a consultant to evaluate the current regional Coordinated Entry (CE) System, identify opportunities to strengthen the system in light of COVID-19 impacts and implement identified enhancements, resulting in a system that more accurately, equitably, and effectively responds to the COVID-19 crisis and ongoing demands on the system.

### **Contract Term**

The term of the contract will begin on or about Oct. 6, 2021, and end on June 30, 2022, with an option to extend the term through June 30, 2023, which may be exercised at the discretion of the City Manager, or his designee.

### **Procurement Information**

The City has obtained a waiver from federal Community Development Block Grant procurement requirements.

### **Financial Impact**

The aggregate value of the contract will not exceed \$200,000. Funding is available through one-time monies from the U.S. Department of Housing and Urban Development Community Development Block Grant. There is no impact to the General Fund.

**Responsible Department**

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



**Agreement with Community Legal Services for COVID-19 Tenants Eviction Assistance Program (Ordinance S-47988)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Community Legal Services, Inc. in an amount not to exceed \$1,000,000 to provide legal assistance, advocacy and representation to Phoenix tenants facing eviction proceedings through local justice courts. Further request to authorize the City Controller to disburse all funds related to this item.

**Summary**

In June 2020, Community Legal Services, Inc. (CLS) created the Tenants Eviction Assistance Project (TEAP), with financial support through the City of Phoenix Coronavirus Relief Fund allocation and the Economic Security Act, to address the impact of COVID-19 on housing stability. TEAP is staffed with attorneys providing legal assistance, advocacy, and representation, at no cost, to low-income Phoenix residents experiencing an eviction crisis and court action. CLS has an established relationship with the Phoenix-area justice courts and is familiar with working with low-income and vulnerable populations. On Aug. 30, 2021, the Arizona Department of Economic Security (DES) authorized the City to carryover funding to continue this service. This contract will allow CLS to expend the authorized DES carryover funding and continue to provide TEAP services.

**Contract Term**

The term of the contract will begin on or about Oct. 6, 2021, through Sept. 30, 2022.

**Financial Impact**

The aggregate value of the contract shall not exceed \$1,000,000. Funding is provided through DES, Division of Aging and Adult Services, and Community Services Block Grant. There is no impact to the General Fund.

**Concurrence/Previous Council Action**

The City Council approved Ordinance S-46811 for Contract 152650 with CLS on June 24, 2020, with funding provided through the Coronavirus Aid Relief.

The City Council approved Ordinance S-47231 for a new contract, Contract 154006,

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with CLS on Jan. 6, 2021. This was as a result of a change to the fund source to funding available through the Economic Security Act.

The City Council approved Ordinance S-47528 for an extension to Contract 154006 with CLS on May 5, 2021. This extension expired on Sept. 30, 2021.

**Responsible Department**

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





## **Federal Communications Commission Emergency Connectivity Fund Application and Agreement (Ordinance S-48006)**

Request to authorize the City Manager, or his designee, authorizing Phoenix Public Library's application for funds from the Federal Communications Commission's (FCC) Emergency Connectivity Fund (ECF) and enter into an agreement with the ECF for the purpose of accepting funds awarded. Additionally request to authorize the City Treasurer to receive, and the City Controller to disburse, all funds related to this item for the life of the Emergency Connectivity Fund. The total funds in this application is \$111,500.

### **Summary**

The ECF is a \$7.17 billion program funded by the American Rescue Plan Act of 2021 to help schools and libraries support remote learning. The program will provide funding to schools and libraries for the reasonable costs of eligible equipment and services that can be provided to students, teachers, and library patrons who lack connected devices, such as laptop or tablet computers, and/or lack of broadband access during the pandemic.

If awarded, the ECF would reimburse Phoenix Public Library, a total of \$111,500, for monthly broadband service costs associated with existing library 285 WiFi Hotspots available for lending to library cardholders. The Emergency Connectivity Fund application window is from Sept. 28, 2021 through Oct. 13, 2021. Reimbursement for eligible equipment and services received or delivered is for costs expended between July 1, 2021 through June 30, 2022.

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

### **Contract Term**

The funding period is July 1, 2021 through June 30, 2022.

### **Financial Impact**

There is no impact to the General Fund. Phoenix Public Library and City of Phoenix will be reimbursed the costs of providing monthly broadband services to 285 existing

WiFi hotspots through this program by the Emergency Connectivity Fund from July 1, 2021 through June 30, 2022. No matching funds are required.

**Responsible Department**

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



## **Amendment to Consolidated Plan's Citizen Participation Plan**

Request City Council approval to amend the Consolidated Plan's Citizen Participation Plan.

### **Summary**

The U.S. Department of Housing and Urban Development (HUD) requires jurisdictions receiving significant HUD entitlement program funds to develop a Consolidated Plan and adopt a Citizen Participation Plan. While the primary purpose of the Consolidated Plan is to describe the strategies and priorities to utilize federal entitlement funds allocated to the City through the Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities for Persons with AIDS, and Emergency Solutions Grants programs, the purpose of the Citizen Participation Plan is to set forth the policies and procedures for citizens' involvement in the development and administration of the Consolidated Plan.

The Neighborhood Services Department (NSD) is proposing to update the current Citizen Participation Plan, adopted in 1996 and amended in 2010, 2018, and 2020, to provide clarification on the City's citizen outreach and engagement processes pertaining to the development of and amendments to the City's Consolidated Plan. The Citizen Participation Plan outlines the public participation process, which includes a public hearing and comment period, transparency of the planning process and access to the draft plan, instructions to guide the public's submission of comments and standards for the City's response, and procedures for continuity of participation throughout all stages of the plan's development. All these components ensure residents who are interested in or impacted by the plan have an opportunity to participate in the process.

The proposed amended plan (**Attachment A**) includes the following items:

- Clarification of what is an Amendment versus a Substantial Amendment;
- Clarification of the Citizen Participation Plan amendment process;
- Addition of the Neighborhood Stabilization Program 3 (NSP3) grant; and
- Text updates to align with current HUD guidance and regulatory language.

**Concurrence/Previous Council Action**

This item was heard at the Community and Cultural Investment Subcommittee on Oct. 6, 2021.

**Public Outreach**

The City of Phoenix's Citizen Participation Plan for HUD requires that a draft of the amendment be posted for a 30-day public comment period and one public hearing be conducted. A virtual public hearing was held on Sept. 14, 2021, with invitations and the public notice distributed through NSD's grants distribution list, posted on the department's social media account and officially noticed in multiple publications of general circulation.

**Responsible Department**

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

**Attachment A**



**City of Phoenix**

# CITIZEN PARTICIPATION PLAN

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## CITIZEN PARTICIPATION PLAN

The Assessment of Fair Housing (AFH), the Consolidated Plan (CP) and Annual Action Plan (AAP) are guiding documents for the use of the federal formula U.S. Department of Housing and Urban Development (HUD) grants and other HUD resources specified in this document and in subsequent performance reports. The AFH, CP and AAP are dependent on the involvement of citizens participation in the development and implementation of the plans and any plan revisions required to address the community's needs.

The City of Phoenix encourages and promotes the involvement of its citizens in the development and implementation of its AFH, CP and AAP. The City's various citizens' commission, residents of public and assisted housing, neighborhood-based groups, nonprofit organizations, developers, low- and moderate-income residents of targeted revitalization areas, faith-based organizations, philanthropic organizations, and others are integral partners in the planning and implementation processes.

### ENCOURAGEMENT OF CITIZEN PARTICIPATION

The City shall provide for and encourage citizen participation in the development of the AFH, CP, AAP, performance reports and any substantial amendments to these described documents.

It is particularly important that low- and moderate-income persons living in areas designated by the City as special targeted areas or revitalization areas where CDBG funds are proposed to be used, and by residents of predominately low- and moderate-income neighborhoods as defined by the City through the CP and AAP be encouraged to participate. Accommodations will be made to remove barriers and encourage participation by all citizens, English and non-English speaking. The City shall make reasonable accommodations to make all documents referenced in this CPP in format(s) to persons with disabilities, upon request. The City shall make reasonable accommodations to provide language assistance to ensure meaningful access and encourage participation by non-English speaking residents of the community. Special efforts will be made to reach out to communities protected by Fair Housing Act, specifically minority, immigrant, and disability communities.

The City shall elicit the participation of the residents of public and assisted housing in consolidated plan developments and review. This includes any resident advisory boards, resident councils, and resident management corporations. The City shall provide information to the Public Housing Authority (PHA) about the CP related activities such as the AFH, Affirmatively Furthering Fair Housing (AFFH), so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan.

The City shall encourage participation of local and regional institutions, Continuums of Care, and other organizations including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations. During the development of the AFH, the City shall also consult with broadband internet service providers, organizations engaged in narrowing the digital divide, agency(ies) whose primary responsibilities include the

management of flood prone areas, public land, or water resources, and emergency management agencies in the development process. Information from these partners will be included in the AFH and utilized when appropriate in the development of the CP or AAP.

The City will explore and implement alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation, including but not limited to the use of focus groups, surveys and the Internet.

The City shall provide citizens with a reasonable opportunity to comment on the original Citizen Participation Plan (CPP), on substantial amendments to the CPP, and shall make the CPP public. The City may additionally adopt and implement department policies and procedures to further clarify the citizen participation process for any of these referenced plans, while still maintaining the requirements of this CPP.

#### **PUBLIC HEARINGS, NOTICE AND OUTREACH**

All public hearings as required by HUD or stated in this document, will be noticed at least two weeks before the actual meetings are conducted and be noticed in a newspaper(s) with general circulation. All postings will include relevant information to permit informed citizen comment. Together, the hearings will address housing and community development needs, development of proposed activities, proposed strategies and action for affirmatively furthering fair housing consistent with the AFH, and review of program performance. One of the public hearings will be held before the proposed CP is published for comment.

Every effort will be made to ensure public hearings are inclusive. A bilingual (Spanish/English) staff person will be present at a public hearing to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can be reasonably expected to participate. All public hearings to be conducted will be held at a time and location convenient to prospective program beneficiaries. If notice is hereby given at least three working days in advance, the City will provide appropriate materials, equipment and interpretation services to provide accommodations for persons with disabilities or impairments (i.e. visual and/or hearing).

Public hearings will be held in facilities that meet section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36 as applicable.

The CARES Act, Public Law 116-136, enacted on March 27, 2020, includes a waiver allowing the elimination of the in-person public hearing requirement for consolidated plan amendments and allows for the implementation of at least one virtual hearing public hearing when 1) national and or local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.



Information about the time, location, and subject of each Public Hearing will be noticed to citizens in advance by:

- a) publication in a newspaper of general circulation;
- b) relevant City email distribution lists;
- c) publication on one of the City's webpages at [www.phoenix.gov](http://www.phoenix.gov).

#### DEVELOPMENT OF THE AFH, CONSOLIDATED PLAN OR ANNUAL ACTION PLAN

Citizens, public agencies, and other interested parties will be made aware of the following information through the publishing of the draft plans:

At the commencement of the public participation process, the City will make the HUD-provided planning data and other supplemental information regarding the City's plan to incorporate the AFH, CP and AAP available to the residents, stakeholders, public agencies, and other interested parties. The information may include cross-references with the HUD website.

The City will post the plans, AFH, CP and AAP, along with the performance reports on the City of Phoenix website.

The amount of Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), HOME Investment Partnerships (HOME), Housing Opportunities for Persons with AIDS (HOPWA) and HUD resources anticipated to be made available within the City on a fiscal basis, as well as the amount benefitting low- and moderate-income persons, and the eligible range of activities that may be undertaken concerning such federal programs.

The City discourages the displacement of person assisted through the use of CDBG, HOME, ESG, HOPWA or other HUD resources. The policies to be followed are described in the City's Residential Anti-Displacement and Relocation Assistance Plan.

The City shall provide a narrative on the housing and non-housing community development needs as outlined from the citizen participation efforts/activities undertaken by the City, community-based data sources, and HUD related information.

The City will conduct at least two public hearings concerning the development of the AFH, CP or AAP. The first hearing will be held at a time to be determined by the City during the formulation and preparation of the AFH, CP or AAP as applicable. The second hearing will be held once a draft document of the plan has been completed.

The City will make available its draft AFH, CP or AAP on the City of Phoenix website, at selected libraries and City offices for a 30-day public comment period. The City shall provide a reasonable number of copies to individuals and groups free of charge upon request. The public shall be noticed of this fact in a newspaper(s) with general circulation, email notifications, through social media outlets, and be apprised of the locations where citizens may review copies of the draft plans.

The CARES Act, Public Law 116-136, enacted on March 27, 2020, includes a waiver allowing the following in an effort to prevent, prepare for and respond to the COVID-19 national pandemic:

- reduction of the 30-day public comment period and the implementation of a public comment period of no less than 5 days in an effort to expedite the consolidated plan substantial amendment process and allow the City to respond as quickly as possible to the immediate needs in the community.
- the elimination of the in-person public hearing requirement for consolidated plan amendments and allows for the implementation of at least one virtual public hearing when 1) national and or local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

Additionally, social distancing requirements enacted through the COVID-19 state of emergency do not allow access to public libraries. As a result, any consolidated plan amendments needed during the COVID-19 state of emergency, will be posted to the City of Phoenix website and will not be available at selected public libraries.

Comments received on the draft AFH, CPP, or AAP in writing, or orally at the public hearing, will be considered in preparing the final AFH, CPP, or AAP. A summary of these comments, and a summary of comments not accepted and reasons, will be attached to the final AFH, CPP, or AAP.

#### AMENDMENTS RELATING TO THE CONSOLIDATED PLAN AND ANNUAL ACTION PLAN

Revisions and amendments may be deemed necessary throughout the term of the CP or AAP. The U.S. Department of Housing and Urban Development describes two levels of changes that require amendments to the CP or AAP. There are lesser level changes that will require “amendments” and greater level proposed changes that will require “substantial amendments.”

For the purposes of discussion below regarding amendments to the CP or AAP, “activities” shall mean those projects/programs proposed to be funded through CDBG, HOME, HOPWA, ESG, Neighborhood Stabilization Program (NSP1), Neighborhood Stabilization Program II (NSP2), Neighborhood Stabilization Program III (NSP 3), Housing Opportunities for People Everywhere (HOPE VI), Homelessness Prevention and Rapid Re-housing and other program as described in the AAP submitted to the U.S. Department of Housing and Urban Development.

Where proposed changes, revisions, and amendments will change projects and programs funded through federal formula HUD grants and related HUD special grants, outlined in the AAP, CP or AFH, the proposal will include a description of how the proposed changes, revisions, and amendments will affect the AFH, CP or AAP and the community.

- I. **Amendment** – Should any of the following items occur or is not described in II. Substantial Amendment below, it would be considered an amendment to the CP or AAP:

- a) Making a change in the allocation priorities or methods of distribution of funds delineated in the CP or AAP.
- b) Carrying out an activity, using funds from a program covered by the CP or AAP (including program income, reimbursements, repayment, recaptures, or reallocations from HUD), not previously described in the CP or AAP.
- c) Changing the purpose, scope, location, or beneficiaries of an activity.

An amendment will be posted for public review and comment for 30 days, unless HUD establishes a different time period (i.e. an official waiver posted by HUD), and will be approved by the City Council before it is submitted to HUD.

- II. **Substantial Amendment** – A substantial amendment shall be defined as follows:

**For CDBG:**

- a) Any single change in the planned actual use of CDBG funds, as stated in the AAP, which exceeds 20 percent of the City of Phoenix's annual entitlement amount, or
- b) Any collective change in the planned or actual use of CDBG Funds that when accumulated for a new use or adding grant entitlement funds to an existing use, exceeds 20 percent of the City of Phoenix's annual entitlement amount

**For HOME, HOPWA, and ESG:**

- a) Any single change in the planned or actual use of HOME, HOPWA or ESG funds, as stated in the AAP, which exceeds 20 percent of the City of Phoenix's annual amount for each entitlement program or
- b) Any collective change in the planned or actual use of HOME, HOPWA or ESG funds that, when accumulated for a new use or adding grant entitlement funds to an existing use, exceeds 20 percent of the City of Phoenix's annual amount for each entitlement program.

**For NSP1, NSP2, NSP3, HOPE VI, and Homelessness Prevention and Rapid Re-housing:**

- a) Any single change in the planned or actual use of NSP1, NSP2, NSP3, HOPE VI, Homelessness Prevention and Rapid Re-housing which exceeds 20 percent of the City Phoenix grant award, or
- b) Any collective changes in the planned or actual use of NSP1, NSP2, NSP3, or HOPE VI, or Homelessness Prevention and Rapid Re-housing funds that when accumulated for a new use of adding grant entitlement funds to an existing use, exceeds 20 percent of the City of Phoenix grant award for each entitlement program.

## CITIZEN COMMENT ON CITIZEN PARTICIPATION PLAN AND AMENDMENTS

Prior to the adoption of the CPP noted herein, it will have been noticed in a newspaper(s) of general circulation that the CPP is available for public review and comment for at least 30 calendar days, unless HUD establishes a different time period (i.e. an official waiver posted by HUD).

- I. **Amendment** – All CPP changes not described under II. Substantial Amendment below, will be considered Amendments. Examples of Amendments may include, but are not limited to:
  - a) updates to City contact and access to information related to the Consolidated Plan, Annual Action Plan, or CPP;
  - b) the modes and means of public outreach or notification utilized as part of the processes described in the CPP;
  - c) clarifications of terms used in the document; and
  - d) amended CFR's referenced in the Plan that do not substantially change the information included in the Plan.

An amendment will be posted for public review and comment for 30 days, unless HUD establishes a different time period (i.e. an official waiver posted by HUD), and will be approved by the City Council before it is submitted to HUD or posted as the final document for public access.

- II. **Substantial Amendment** – Should any of the following items occur, it would be considered a Substantial Amendment to the CPP:
  - a) A change in the definition of a Substantial Amendment for the Consolidated Plan, AAP, or Citizen Participation Plan; or
  - b) A change in the required public notification periods or public hearings; or
  - c) A change to the City's policies or procedures regarding citizen participation, to such an extent it can no longer reasonably be construed as meeting the original intent approved by City Council and HUD per 24 CFR Part 91.105.

## PUBLIC HEARING AND COMMENT PERIOD: SUBSTANTIAL AMENDMENTS

Once drafted, the text of a Substantial Amendment of the CP, AAP or CPP will be made available for public comment and will be approved by City Council prior to submission to HUD. The City will undertake the following:

- a) Provide notice of the proposed Substantial Amendment(s) in a newspaper(s) of general circulation to enable review and comment by the public for at least 30 days, unless HUD establishes a different time period (i.e. an official waiver posted by HUD).
  - The CARES Act, Public Law 116-136, enacted on March 27, 2020, includes a waiver allowing the reduction of the 30-day public comment period and the implementation of a public comment period of no less than 5 days in an effort

to expedite the consolidated plan substantial amendment process and allow the City to respond as quickly as possible to the immediate needs in the community.

- b) Publication on one of the City's webpages at [www.phoenix.gov](http://www.phoenix.gov).
- c) Notice through relevant City email distribution lists.
- d) Conduct at least one public hearing in accordance with page 3, section titled "Public Hearings, Notice and Outreach" of this plan;
- e) Submit the amendments to the City Council for approval.
- f) Notify HUD of any amendments executed and conduct the necessary steps to receive HUD approvals, if required.

Comments received on draft Substantial Amendments in writing, or orally at the public hearing, will be considered in preparing the final Substantial Amendment. A summary of these comments, and a summary of comments not accepted and the reasons, in addition to edits made to the draft during the public comment period will be documented in the Substantial Amendment program file and submitted to HUD when required.

#### PUBLIC COMMENT PERIOD: PERFORMANCE REPORTS (CAPER)

An annual performance report known as the Consolidated Annual Performance and Evaluation Report (CAPER) must be prepared by the City for annual submission to HUD within 90 days of the conclusion of the City's program year.

The City will provide reasonable notice of the CAPER in a newspaper(s) of general circulation to enable review and comment by the public for at least 15 days. The notice will state where the CAPER may be obtained, which will include one of the City's webpages at [www.phoenix.gov](http://www.phoenix.gov). The City shall consider any comments made in the preparation of the final CAPER and attach a summary of such comments to the report.

#### ASSESSMENT OF FAIR HOUSING

The City shall conduct one public hearing before the proposed AFH is published for comment.

The public hearing shall be noticed at least two weeks before the actual meeting is conducted and be noticed in a newspaper(s) with general circulation. All postings will include relevant information to permit informed citizen comment. The public hearing time and location shall be convenient to potential and actual beneficiaries and with accommodation for person with disabilities. A bilingual (Spanish/English) staff person will be present at public hearing to meet the needs of non-English speaking residents where a significant number of non-English speaking resident can be reasonably expected to participate. All public hearings to be conducted will be held at a time and location convenient to prospective program beneficiaries and be conducted with accommodations for person with disabilities (as requested in advance by at least three working days).

Public hearings will be held in facilities that meet section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36 as applicable.

## AVAILABILITY TO THE PUBLIC

The City of Phoenix will make available to the public all documents and plans referenced in this CPP, including the availability of materials in a form accessible to person with disabilities, upon request. Materials will be made available through the City of Phoenix website. These materials are available by telephoning the Neighborhood Services Department at 602-534-4444 or TTY 7-1-1.

## ACCESS TO RECORDS

The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to the AFH, consolidated plan, and public records relating to its past use of CDBG, HOME, ESG, HOPWA and other HUD funds and related assistance for the previous five years.

## TECHNICAL ASSISTANCE

The City will provide assistance to group representatives of low- and moderate-income persons that request help in developing proposal for funding under the CDBG, ESG, HOPWA, HOME and other HUD programs as described in the AFH and consolidated plan.

## COMMENTS AND COMPLIANTS

Comment on the draft consolidated plan or substantial amendment received in writing, or orally at the public hearing, will be considered in preparing the final consolidated plan or substantial amendment. A summary of these comments, and a summary of comments not accepted and the reasons there, will be attached to the final consolidated plan or substantial amendment.

Any citizen, organization or group desiring to make a complaint regarding the Consolidated Plan may do so in writing to the City's **Neighborhood Services Department, 200 West Washington Street, Fourth floor, Phoenix, AZ 85003**. The City, where applicable and practical, will respond to written citizen complaints in writing with 15 days from their receipt of such.

## ANTI-DISPLACEMENT PLAN

The City discourages the displacement of person assisted through the use of CDBG, HOME, ESG, HOPWA or other HUD resources. The policies to be followed are described in the City's Residential Anti-Displacement and Relocation Assistance Plan.

## STATES OF EMERGENCY/DISASTER EVENTS

During declared states of emergency, national pandemics, disaster events, and public health issues such as the coronavirus, it may be necessary to expedite substantial amendments to the CP.

These expedited substantial amendments may include funding new activities and/or reprogramming of funds to meet community needs resulting from the state of emergency or disaster event. As a result, the City may utilize CDBG, HOME, ESG, HOPWA or other HUD resources, to meet these needs with a 5-day public comment period instead of a 30-day public comment period which is otherwise required for substantial amendments. Additionally, during a state of emergency or disaster event, in person public hearings will not be required and virtual hearings will be acceptable. Please be advised that if virtual hearings are used, real-time

responses and accommodations for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible. During states of emergency or disaster events, advertisements and public notices may be made available solely on the City of Phoenix website.

DRAFT

## GLOSSARY OF TERMS

**Annual Action Plan (AAP)** - a specific one-year plan for the use of U.S. Department of Housing and Urban Development (HUD) formula grant funds. The formula grant programs included in the Consolidated Plan consist of the Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) programs. The one-year action plan is based upon the priority needs defined in the Consolidated Plan.

**Affirmatively Furthering Fair Housing (AFFH)** - taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development.

**Assessment of Fair Housing (AFH)** - the identification and evaluation of barriers to fair housing choice and contributing factors that exist.

**Citizen Participation Plan (CPP)** - a detailed plan that sets forth policies and procedures that encourage and promote the involvement of its citizens in the development and implementation of its Assessment of Fair Housing, Consolidated Plan and Annual Action Plan.

**Community Development Block Grant (CDBG)** - are funds, including funds received in the form of grants under subpart D, F, or §570.405 of 24 CFR 570 (definitions), funds awarded under section 108(q) of the Housing and Community Development Act of 1974, loans guaranteed under subpart M of 24 CFR 570 (definitions), urban renewal surplus grant funds, and program income as defined in §570.500(a)

**Consolidated Plan (CP)** - the plan prepared in accordance with 24 CFR part 91, which describes needs, resources, priorities, and proposed activities to be undertaken with respect to HUD programs, including the CDBG, HOME, ESG and HOPWA programs. An approved consolidated plan means a consolidated plan that has been approved by HUD.

**Emergency Solutions Grant (ESG)** – is a program authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378). The program authorizes the Department of Housing and Urban Development (HUD) to make grants to States, units of general-purpose local government, and territories for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, for the payment of certain expenses



related to operating emergency shelters, for essential services related to emergency shelters and street outreach for the homeless, and for homelessness prevention and rapid re-housing assistance.

**HOME Investment Partnerships (HOME)** - are grants to states and units of general local government to implement local housing strategies designed to increase homeownership and affordable housing opportunities for low and very low-income Americans.

**Housing Opportunities for Persons with AIDS (HOPWA)** - are formula allocations and competitively awarded grants to eligible states, cities, and nonprofit organizations to provide housing assistance and related supportive services to meet the housing needs of low-income persons and their families living with HIV/AIDS.

**HUD** - The U.S. Department of Housing and Urban Development (HUD). HUD established the regulations and requirements for the program and has oversight responsibilities for the use of CDBG funds.

**Low- and moderate-income person(s)** - a member of a family that has an income equal to or less than the Section 8 very low-income limit established by HUD. Unrelated individuals shall be considered as one-person families for this purpose.

**Neighborhood Stabilization Program (NSP)** – this program was established by HUD for the purpose of providing emergency assistance to stabilize communities with high rates of abandoned and foreclosed homes, and to assist households whose annual incomes are up to 120 percent of the area median income (AMI). The program is authorized under Title III of the Housing and Economic Recovery Act of 2008.

**NSP1** - The Housing and Economic Recovery Act of 2008 provided a first round of formula funding to States and units of general local government, and is referred to as NSP1.

**NSP2** - The American Recovery and Reinvestment Act provided a second round of funds in 2009 awarded by competition, and is referred to as NSP2.

**NSP3** – The third round provided in 2010 as part of the Dodd-Frank Wall Street Reform Act and was allocated by formula, and is referred to as NSP3.

**Program Income** - gross income received by the recipient or a subrecipient directly generated from the use of CDBG funds, except as provided in 24 CFR 570.500, paragraph (a)(4).

**Public Housing Authority (PHA)** - any state, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities, that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

*Source(s): 24 CFR Part 5, 24 CFR 91, 24 CFR 92, 24 CFR 570, 24 CFR Part 574, and 24 CFR Part 576*



**Intergovernmental Agreement for Diverting, Treating, and Transporting City of Glendale's Water and for Supplying Water to the City Under Emergency Conditions (Ordinance S-47980)**

Request to authorize the City Manager, or his designee, to execute an Intergovernmental Agreement between the City of Phoenix and the City of Glendale for the City of Phoenix to: divert, treat, and transport the City of Glendale's water through the City of Phoenix's water infrastructure; and supply the City of Glendale with water under emergency conditions. Further request to authorize the City Treasurer to accept all funds related to this item.

**Summary**

This Intergovernmental Agreement (IGA) with the City of Glendale (Glendale) will allow the City of Phoenix (Phoenix) to divert, treat, and transport Glendale's water and, if/when needed, supply water to Glendale under emergency conditions. Glendale will pay Phoenix for the cost of service to divert, treat, and transport Glendale's water. Under emergency water supply conditions, Glendale will pay the standard outside City rates established by Code. Glendale will be responsible for all costs associated with construction and operation of an interconnection with Phoenix's existing water distribution system.

**Contract Term**

The term of the agreement is 10 years, with an option to extend the term for another 10 years.

**Financial Impact**

There is no net financial impact to the City.

**Location**

Council District: Out of City

**Responsible Department**

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



**Intergovernmental Agreement for Diverting, Treating, and Transporting City of Tempe's Water and for Supplying Water to the City Under Emergency Conditions (Ordinance S-47981)**

Request to authorize the City Manager, or his designee, to execute an Intergovernmental Agreement between the City of Phoenix and the City of Tempe for the City of Phoenix to: divert, treat, and transport the City of Tempe's water through the City of Phoenix's water infrastructure; and supply City of Tempe with water under emergency conditions. Further request to authorize the City Treasurer to accept all funds related to this item.

**Summary**

This Intergovernmental Agreement (IGA) with the City of Tempe (Tempe) will allow the City of Phoenix (Phoenix) to divert, treat, and transport Tempe's water and, if/when needed, supply water to Tempe under emergency conditions. Tempe will pay Phoenix for the cost of service to divert, treat, and transport Tempe's water. Under emergency water supply conditions, Tempe will pay the standard outside City rates established by Code. Tempe will be responsible for all costs associated with construction and operation of an interconnection with Phoenix's existing water distribution system.

**Contract Term**

The term of the agreement is 10 years, with an option to extend the term for another 10 years.

**Financial Impact**

There is no net financial impact.

**Location**

Council District: Out of City

**Responsible Department**

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



## **Ground Lease for Development of University of Arizona Central Chilled Water Plant (Ordinance S-47970)**

Request to authorize the City Manager, or his designee, to enter into a ground lease and other agreements as necessary with the Arizona Board of Regents (ABOR), on behalf of the University of Arizona (UA), for the development of a chilled water plant on the Phoenix Biomedical Campus (PBC) in downtown Phoenix. Further request authorization for the City Treasurer to accept funds. There is no impact to the General Fund as a result of this action.

### **Summary**

In 2004, the City entered into an Intergovernmental Agreement (IGA), City Contract No. 109415, with the ABOR that included options for the UA to lease and/or purchase certain real property from the City, as land owner, within the PBC. In 2010, the City entered into a ground lease agreement with the ABOR, on behalf of the UA, for the development of the Health Sciences Education Building, and subsequently, in 2014, entered into a separate ground lease for the development of the Biosciences Partnership Building. In 2018, the City amended the IGA to further clarify UA development rights on the PBC.

Staff requests approval to enter into a new ground lease, and other agreements as necessary, with the ABOR, on behalf of the UA, to allow the UA to develop a chilled water plant that will serve the UA's current and future operations on the PBC. The chilled water plant will be located on approximately 12,000 square feet of the Fillmore and 7th streets parcel, approximately 100 feet south of Fillmore Street on the western edge of the parcel. Subject to City Council approval, the following major business terms have been negotiated:

- UA will lease the site from the City for the development of a central chilled water plant for a term of 30 years at \$1.85 per square foot per year with a 3 percent annual escalator. Rent will begin seven years after the construction completion date.
- Construction shall not exceed 36 months. Rent will be abated during the construction period up to 36 months. However, construction that exceeds 36

months shall be charged rent at \$1.85 per square foot per year until the construction completion date.

- UA will ensure the development and all appurtenant devices are fully screened, with the incorporation of art and landscaping to be approved by the City.
- UA will ensure the north-south walkway through the PBC, the "pedestrian spine," is maintained and will be fully constructed at the time of the next building construction.
- UA will maintain all necessary fire access.
- UA will provide for any parking stalls that are displaced due to the development based on the City's Planning and Development Department regulatory requirements.
- UA will address lot line adjustments as needed on lots controlled by the UA throughout the PBC.
- At the expiration of the ground lease term, the leased premises will convey to the UA.

### **Contract Term**

The ground lease term for the development of the central chilled water plant will be for a term of 30 years.

### **Financial Impact**

There is no impact to the General Fund as a result of this action. Rent received as a result of the request will be deposited into the Genomics Facilities and Operations Fund.

### **Concurrence/Previous Council Action**

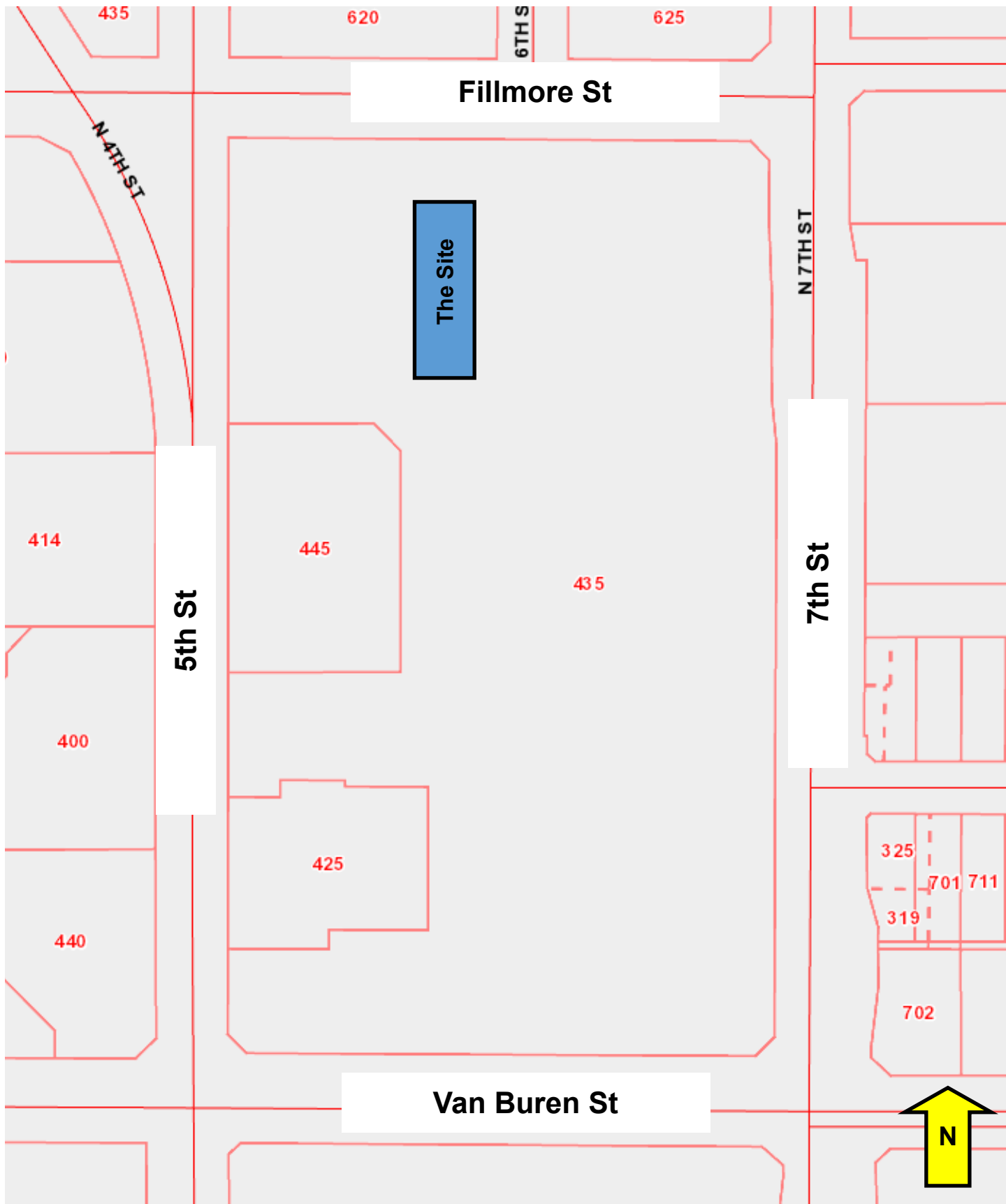
On Dec. 3, 2003, City Council authorized, via Ordinance S-30511, the original agreements with UA on the PBC. On May 31, 2017, City Council authorized, via Ordinance S-43591, an amendment to the IGA with UA for the continued development and leasing of PBC parcels including this location.

### **Location**

A portion of the southwest corner of 7th and Fillmore streets in downtown Phoenix.  
Council District: 8

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development Department.





**Fiscal Year 2021-22 Bioscience Healthcare Strategic Initiative (Ordinance S-47976)**

Request to authorize the City Manager, or his designee, to implement the Bioscience Healthcare Strategic Initiative, including authorization of an Arizona Bioindustry Association (AZBio) membership and participation at the BIO International Convention in 2022. Also, request authorization for the City Treasurer to accept funds from the City's BIO Convention partners to offset costs associated with the 2022 Convention expenses, and for the City Controller to disburse funds associated with this request. There is no impact to the General Fund. Funding is available in the Genomics Facilities and Operations Fund, with the request not to exceed \$105,000.

**Summary**

Phoenix has grown to be a hub of bioscience activity in the Southwestern U.S. CBRE, a national commercial real estate firm, ranked Phoenix fifth in the nation as an Emerging Life Science Market in their 2020 annual U.S. Life Science Report. Much of this success is due to Phoenix's world-class medical centers, innovative research institutions, pro-business environment, a growing educated population, dedicated universities and community colleges, and the spirit of entrepreneurship. In order to build upon these strengths, staff is continuing to implement a strategic plan introduced in 2018 designed to grow, strengthen and sustain a healthy bioscience industry. Since the launch of this effort, there has been an acceleration of investment and growth in the bioscience industry in Phoenix. By the end of 2021, more than \$3.25 billion will have been invested in new and expanded bioscience and healthcare facilities, and more than five million square feet of space for discovery, development and care delivery creating more than 8,000 jobs for Phoenix residents.

Staff has focused its economic development efforts in the areas of research, development, precision medicine, healthcare delivery, health-tech and education. Focusing on these areas strengthens and solidifies Phoenix as a leader in the nation's bioscience healthcare industry. The Community and Economic Development Department (CEDD) will continue to ensure there is a world-class real estate inventory that meets the unique needs of bioscience companies. This commitment includes support of the downtown Phoenix Biomedical Campus (PBC) and the Arizona Biomedical Corridor in North Phoenix, in addition to other submarkets within the City.

Specifically, CEDD has been working closely with Arizona State University (ASU) and its development partner, Wexford Science & Technology, to bring prospective tenants to the first phase development on the PBC north of Fillmore Street, the 850 PBC building. In the 850 PBC building, ASU is a major tenant in the building along with the expansion of the Center for Entrepreneurial Innovation with its new LabForce program to train individuals with the skills needed to work in a lab setting. Other tenants within the new building include bioscience companies and a co-working accelerator lab that will generate new companies and jobs in Phoenix.

In order to maintain the City's position in the bioindustry, CEDD is requesting to continue the City's annual membership with the AZBio, the only statewide organization exclusively focused on building Arizona's bioindustry. AZBio is committed to building a top-tier life science industry in Arizona and is a critical partner for Phoenix. As specialists, AZBio provides industry insight, programs specifically designed for life science organizations, visibility into investment opportunities, and a voice for the industry in the media, across the community, and with elected leaders and government agencies at the local, state, and federal levels. The AZBio annual membership cost is \$15,000 for Fiscal Year 2021-22.

Another key effort is the promotion of Phoenix's bioscience efforts nationally and internationally by attending the 2022 BIO International Convention to be held in San Diego. Due to the COVID-19 pandemic, the 2021 BIO Convention was held virtually with more than 6,200 attendees and 55 countries represented. As a sponsor of Start-Up Stadium, the City of Phoenix was able to nominate three Phoenix-based companies that were selected as finalists. These three early-stage companies were able to engage with key members of the investment community, venture philanthropy groups, and BIO attendees. Along with CEDD, representatives from the University of Arizona (UA), ASU, AZBio, Wexford Science & Technology, the Flinn Foundation and 25 Phoenix-based biomedical companies joined the delegation. The delegation held more than 300 productive virtual meetings. Attendance at this unique virtual gathering provided valuable networking and partnership opportunities and synergy with the City's attending partners looking to promote their research and products to a global audience. The knowledge and contacts generated by attending this convention will be used in communicating the City's competitive advantage, existing ecosystem and resources in Phoenix to attract and grow companies in this industry to thrive and generate quality jobs for the community.

Planning is currently underway, subject to City Council authorization of funding, for the 2022 BIO Convention. Preliminary estimates for participation such as booth, sponsorships, advertising, equipment, and shipping costs total approximately \$90,000. This includes the one-time purchase of a new booth structure, including design and



creation of booth paneling and branding. Last fiscal year, City Council approved CEDD's request to purchase the new booth structure. However, due to the pandemic, and the virtual nature of the 2021 BIO International Convention, the booth was not purchased as previously planned and authorized. Staff will also work with industry partners, such as the UA, ASU, and the Translational Genomics Research Institute (TGen) to co-locate at the convention. This shared effort may allow the City to reduce its costs and boost visibility while assisting its partners in promoting Phoenix.

These continued efforts enable CEDD staff to showcase Phoenix's citywide assets and ensure success of future projects. CEDD and its partners continue to generate qualified prospects to create a pipeline of businesses considering expansions and/or relocations to Phoenix through a multi-faceted marketing approach targeted at this industry. Phoenix's involvement and partnership with AZBio and the BIO International Convention elevates the City's visibility as a hub for bioscience, building a critical mass of bioscience and healthcare-related companies and attracting and developing top talent vital to sustain the long-term growth of this thriving industry.

**Financial Impact**

There is no impact to the General Fund. Funding for the AZBio membership and to participate in BIO International 2022 will not exceed \$105,000 total for both efforts. Funding is available in the Genomic Facilities and Operations Fund. Funding received from the City's BIO International Convention partners shall reimburse the Genomic Facilities and Operations Fund.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Economic Development and Equity Subcommittee at the Sept. 28, 2021, meeting by a vote of 4-0.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development Department.



**Maricopa Community Colleges Foundation Collide Arizona Events Programming Sponsorship (Ordinance S-47977)**

Request to authorize the City Manager, or his designee, to approve a one-year Founders Circle sponsorship to launch the Maricopa Community Colleges Foundation's Collide Arizona Events Programming on the Phoenix Biomedical Campus (PBC) with two, one-year extension options at the City's discretion. The annual sponsorship amount is \$50,000, for a total amount not to exceed \$150,000, if all options are exercised. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding is available in the Genomics Facilities and Operations Fund.

**Summary**

Collide AZ (Collide) is a collaborative initiative to bring people of all backgrounds together with a shared vision of building and sustaining an inclusive community that champions innovation in Arizona. This will be accomplished through weekly gatherings of meaningful events that connect, inspire, and encourage participants to take positive action and support one another's goals. Collide will be a community-driven movement to unleash local and state-wide potential and make Arizona a leader in innovation.

Collide's event programming will facilitate weekly events to encourage connectivity and collaboration and will serve to enhance Phoenix's ecosystem and infrastructure to support the growth of existing Phoenix companies, both in early stage development or mature organizations, along with the formation of new companies leading to the creation of new jobs for Phoenix residents.

Collide is modeled after the successful Thursday Gatherings of Venture Café programs taking place in Wexford Science+Technology innovation communities that have served to grow and strengthen the innovation districts in those respective communities. Collide events will be free, open to the public and serve to connect attendees to employers, innovators, academic educators/researchers, business mentors, and the community. Presentations and breakout sessions will be purposely curated to support the community's connectivity, foster collaborations, talent and workforce development, business strengthening and access to resources. Collide will serve to strengthen Phoenix's entrepreneurial ecosystem and enhance the City's Bioscience Healthcare Strategic Initiative.

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Collide plans to host 44 events in calendar year 2022 with a goal of more than 6,000 attendees who will all convene on the downtown PBC, elevating its visibility as a premier location for companies to locate for bioscience research, collaboration, and access to talent.

Collide will be hosted on the PBC at the 850 PBC building and will include benefits such as:

- A convening hub of innovators from the region;
- Elevating the PBC's brand as a premier location for bioscience-related companies and Phoenix's robust bioscience ecosystem;
- Increasing partnerships between, and among, the City of Phoenix, academia, industry, the startup ecosystem, arts and culture;
- Curating meaningful events that connect, inspire / encourage participants to take positive action;
- Prioritizing participation and support of attendees with marginalized identities;
- Enhancing infrastructure for research, education, entrepreneurship, arts and culture;
- Access to one-on-one mentoring with subject matter experts;
- Bringing entrepreneurs, researchers, investors, artists, designers, corporate innovators, technologists, etc. together to:
  1. Find commonalities;
  2. Share knowledge from different perspectives;
  3. Forge partnerships; and
  4. Explore opportunities for collaborations.

Founders Circle sponsorship benefits include:

- A seat on the Leadership Council to be held by the Mayor or the Mayor's designee;
- Featured on Collide's website with prominent logo placement;
- Recognition at all events including announcements at beginning and end of event programs;
- Inclusion in marketing material, social media, and Collide's newsletter.

In addition, Community and Economic Development Department staff will be actively engaged in the planning and attending of events to pursue opportunities for business recruitment, retention and expansion, and facilitate introductions to workforce development services and programs.

The organizational framework will include the Center for Entrepreneurial Innovation

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(CEI) to serve as the host institution along with providing programming and financial management. Through CEI, Collide will hire a Program Director and event staff to support the program. Collide will provide the City with an annual report of metrics of attendance, voluntarily collected demographics of attendees, qualitative and quantitative information from surveys, and engagement metrics.

**Financial Impact**

The annual fee for a Founders Circle sponsorship is \$50,000. If the additional two, one-year options for a Founders Circle Sponsorship are approved and exercised, the total amount will not exceed \$150,000. There is no impact to the General Fund. Funding is available in the Genomic Facilities and Operations Fund.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Economic Development and Equity Subcommittee at the Sept. 28, 2021 meeting by a vote of 3-0.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development department.



**Enter into Sister Cities Agreement with Suwon, South Korea (Ordinance S-48002)**

Request to authorize the Mayor of Phoenix, or her designee, to enter into a Sister Cities agreement with Suwon, South Korea in support of youth and education exchanges, municipal and technical cooperation, business, and arts and culture.

**Summary**

Phoenix Sister Cities, Inc. (PSC) is a 501(c)(3) nonprofit organization established in 1972. It is responsible for coordinating exchange programs in youth and education, municipal and technical cooperation, business, and arts and culture with Phoenix's 10 Sister Cities. Currently, the City of Phoenix has Sister Cities relationships with Calgary, Canada; Catania, Italy; Chengdu, China; Ennis, Ireland; Hermosillo, Mexico; Himeji, Japan; Grenoble, France; Prague, Czech Republic; Ramat-Gan, Israel; and Taipei, Taiwan.

The last sister city to join Phoenix's family was Ramat-Gan, Israel in 2005. In 2016, the PSC Board of Directors conducted an analysis of cities with which Phoenix customarily compares itself and discovered that it was falling short in its number of sister cities. At that time, the Board of Directors prioritized the exploration of additional sister cities relationships.

In March 2020, Sister Cities International forwarded a request to PSC from Suwon, South Korea as Suwon expressed an interest in forming a sister cities relationship with Phoenix. If accepted, Phoenix would be Suwon's first U.S. sister city.

Suwon is the capital of Gyeonggi-do - South Korea's most populous province which includes Seoul, the national capital. Suwon is very densely populated and is home to more than 1.2 million people. It is known as the "Samsung Digital City" and has both nanotech and biotech centers. In addition to Samsung, the SK Group is also headquartered in Suwon.

For more than 50 years, Suwon has celebrated the Hwaseong Cultural Festival each fall. The free event includes traditional music and martial arts performances as well as re-enactments offering a glimpse of 18th century life. The festival is named for the

Hwaseong Fortress - a UNESCO World Heritage site - and customarily attracts 5,000 participants.

The PSC Board of Directors reviewed this request and found it an advantageous relationship. Over the past 18 months, staff and PSC volunteers have been communicating with Suwon to determine the possible nature of the relationship. Among the many benefits of the proposed relationship are:

- Information sharing between municipal staffs concerning Smart Cities initiatives and sustainability (especially recycling and circular economy, water and wastewater);
- Youth and education exchanges including the Youth Ambassador Exchange Program, the expansion of a pilot program involving pairing classrooms around Science, Technology, Engineering, the Arts and Math (STEAM), Korean culture and language-learning programs, and opportunities for Teach Abroad;
- Arts, culture and sports exchanges including performances by the Suwon choir, orchestra and taekwondo groups in Phoenix, a demonstration game between Suwon's professional team KT Wiz and the Arizona Diamondbacks; and,
- Business exchanges, especially focused on start-ups and high tech.

In addition, South Korea has been identified as a country of interest in the City of Phoenix international trade strategy.

The PSC Board of Directors recommends that the City Council authorize the Mayor of Phoenix to sign a Sister Cities agreement, acknowledging the intention of both cities to engage in mutually-beneficial activities and exchanges, and detailing the ideas generated to date as a starting point.

If approved, PSC intends to welcome a delegation from Suwon led by Mayor Tae-young Yeom to sign a Sister Cities agreement at the end of October 2021.

### **Contract Term**

If approved, the term of this contract is in perpetuity until the City of Phoenix or City of Suwon terminates it.

### **Financial Impact**

Activities and exchanges with Suwon will be privately funded through the efforts of Phoenix Sister Cities, Inc.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development Department.



## **Trade Development Services in Hermosillo and Mexico City Request for Proposals Contract Award (RFP-CED20-TDS) (Ordinance S-48004)**

Request to authorize the City Manager, or his designee, to enter into a contract with Discover Phoenix and Arizona, LLC, or its City-approved designee, to provide trade development consulting services in and around Hermosillo, Mexico. The aggregate amount for this one-year contract will not exceed \$90,000. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding is available in the Downtown Community Reinvestment Fund.

### **Summary**

In December 2019, City Council authorized staff to issue a Request for Proposals (RFP) for Trade Development Consulting Services in Hermosillo and Mexico City to facilitate activity between Mexico and Phoenix. The City's former trade offices in these cities closed in July 2019 with the expiration of the previous trade development consulting services contract.

If approved, Discover Phoenix and Arizona, LLC will:

- Operate the City's trade development services office in Hermosillo, Mexico.
- Conduct one outbound trade mission to Mexico or represent the City in one business expo in Mexico.
- Develop and enhance business to business connections between Mexico-based companies and Phoenix-based companies.
- Foster Phoenix business expansion connections for Mexico-based companies seeking growth opportunities in the U.S.
- Identify perspective Phoenix investments for Mexico-based investors seeking both development investment opportunities and business ventures in the U.S.

### **Procurement Information**

RFP-CED20-TDS, Trade Development Consulting Services in Hermosillo and Mexico City, was issued on Feb. 21, 2020 and conducted in accordance with Administrative Regulation 3.10. The City received three proposals, all responsive, for the Mexico City office and two proposals for the Hermosillo office, only one of which was responsive. Shortly after conducting proposer interviews for the Mexico City office, staff was

directed to pause all procurement processes while the City focused on efforts to combat the COVID-19 pandemic and its negative impacts on the community. Recently staff reviewed this solicitation to determine whether the scope of work still met the City's needs. Staff recommends moving forward with Discover Phoenix and Arizona, LLC, the sole responsive proposer, as the recommended proposer for the Hermosillo office; however, based on shifting market conditions and priorities for Mexico City, staff has canceled the Mexico City office portion of the RFP and will conduct additional research that will be beneficial to the future solicitation for these services.

**Contract Term**

If approved, the term of the contract is for one year with no options to extend.

**Financial Impact**

The aggregate amount for this one-year contract will not exceed \$90,000. There is no impact to the General Fund. Funding is available in the Downtown Community Reinvestment Fund.

**Concurrence/Previous Council Action**

On Dec. 10, 2019, City Council authorized staff to issue an RFP for Trade Development Services in Hermosillo and Mexico City to facilitate economic activity between Mexico and Phoenix.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development Department.





**Additional Expenditures for Phoenix Business and Workforce Development Board Local Plan and Strategic Plan Consulting Services Contract (Ordinance S-48005)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under City Contract No. 151103 with Sheila Murphy, LLC, or its City-approved designee, to complete the Phoenix Business and Workforce Development (PBWD) Board's 2023-26 Strategic Plan and update the 2020-24 Local Workforce Development Area Plan (Local Plan). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$110,000. There is no impact to the General Fund.

**Summary**

On Oct. 16, 2019, City Council authorized staff to contract with Sheila Murphy, LLC to prepare the PBWD Board's 2020-23 Strategic Plan and the 2020-24 Local Plan. This contract award resulted from a formal solicitation issued and conducted by the Community and Economic Development Department on behalf of the PBWD Board. During the initial two-year term of the contract, Sheila Murphy, LLC successfully completed the 2020-2023 Strategic Plan and 2020-2024 Local Plan.

If additional funds are approved, staff will exercise the necessary contract extension options to complete the following work, including:

- Developing the 2023-26 Strategic Plan. The Strategic Plan gives vision and direction to the creation of the Local Plan. The PBWD Board's current Strategic Plan expires on June 30, 2023.
- Labor market and economic updates to the Local Plan, as required every two years under the Workforce Innovation and Opportunity Act (WIOA). The Local Plan amendments incorporate provisions consistent with the WIOA legislation and Workforce Arizona Council policies.

The PBWD Board was established in accordance with the federal WIOA of 2014. The PBWD Board is responsible for the legislated responsibilities under the WIOA and addressing the workforce development needs of the local workforce area. The local

workforce area, known as the ARIZONA@WORK City of Phoenix, serves as a jurisdiction for the administration of workforce development activities, and execution of adult, dislocated worker, and youth funds allocated by the State.

**Contract Term**

The two-year City Contract, No. 151103, began on Nov. 1, 2019, and includes two one-year renewal options.

**Financial Impact**

The aggregate value of the current contract is \$100,750. If the request to allow \$110,000 in additional expenditures is approved, the revised aggregate value of the amended contract will increase to an amount not to exceed \$210,750. There is no impact to the General Fund. Funding is available from the City's allocation of federal WIOA funds.

**Concurrence/Previous Council Action**

The original contract award was approved by City Council on Oct. 16, 2019 via Ordinance S-46097. The Phoenix Business and Workforce Development Board approved the additional expenditures for the proposed contract amendment at its Sept. 9, 2021 public meeting.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development Department.



## **Fire Sprinkler Inspection, Testing and Maintenance (Ordinance S-47971)**

Request to authorize the City Manager, or his designee, to enter into contract with Metro Fire Equipment Inc. to provide fire sprinkler inspection, testing and maintenance for the Phoenix Convention Center Department (PCCD). The agreement is for five years and the aggregate value of the contract will not exceed \$1,100,000. Request further authorization for the treasurer to accept, and the City Controller to disburse, all funds related to this item.

### **Summary**

The PCCD is seeking to enter into a service agreement with Metro Fire Equipment for a period of five-years for inspections, testing and maintenance of the fire sprinkler system for the Phoenix Convention Center, theatre venues, and parking garages.

### **Procurement Information**

The recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following the Invitation for Bid procurement process. There were five Bids received by the PCCD Financial and Procurement Services section on July 28, 2021. The offers were evaluated on price, responsiveness to specifications, and responsibility to provide the required service. The price was determined to be fair and reasonable. The solicitation notification was publicly posted and available for download from the City's website.

The Responsive Bidders are as follows:

Metro Fire Equipment Inc.:	\$126,428.00 Annually
A P Fire Protection LLC.:	\$138,420.00 Annually
Siemens Industries Inc.:	\$170,489.12 Annually

### **Contract Term**

The contract term is for five-years.

### **Financial Impact**

The aggregate value will not exceed \$1,100,000 over the life of the five-year contract. Funds are available in the Phoenix Convention Center Department operating budget.

**Location**

Council District(s): 7, 8

Phoenix Convention Center, 100 N. Third St.

Symphony Hall, 75 N. 2nd St.

Herberger Theater, 222 E. Monroe St.

Orpheum Theatre, 203 W. Adams St.

Regency Garage, 40 N. 2nd St.

Heritage Garage, 501 E. Monroe St.

East Garage, 601 E. Washington St.

West Garage, 185 N. 2nd St.

North Garage, 429 E. Monroe St.

Tonto Marshalling Yard, 1102 E. Tonto St.

**Responsible Department**

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



**Donation from The Hartford Financial Services Group, Inc. for Phoenix Fire Department (Ordinance S-47999)**

Request authorization for the City Manager, or his designee, to accept a donation of \$5,000 from The Hartford Financial Services Group, Inc. for the Phoenix Fire Department. Further request authorization for the City Treasurer to accept all funds related to this donation. If not approved, the donation would be turned down.

**Summary**

The Hartford Financial Services Group, Inc. wishes to express their appreciation for the Phoenix Fire Department's service by donating \$5,000 to the Department. The donation will be used for the live, online educational National Junior Fire Marshal Day event guiding Kindergarten through 3rd grade students on these important fire safety lessons:

- Matches and lighters are for grown-ups
- Creating and practicing an escape plan
- Smoke alarms are important
- Establishing an outside meeting place

This request adheres to the Fire Department's Charitable Donations Process that was presented to the Public Safety and Veterans Subcommittee on Sept. 12, 2018.

**Contract Term**

There is no contract term associated with this donation.

**Financial Impact**

This donation does not require any matching funds.

**Responsible Department**

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



**Fire Turnout Clothing Cleaning, Inspection and Repair Services - Requirements Contract - COOP 21-108 (Ordinance S-47969)**

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Arizona PPE Recon, Inc. to purchase Fire Turnout Clothing Cleaning, Inspection and Repair Services for the Phoenix Fire Department. A cooperative contract was established by the City of Tempe under solicitation number T19-017-01. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$200,000.

**Summary**

The City of Phoenix Fire Department is responsible for the maintenance and repairs of turnout gear worn by all sworn personnel. As an essential part of a firefighter's personal protective equipment (PPE), turnout gear is needed at an accelerated turnaround time in order to reduce health and safety risks associated with improper maintenance, contamination, or damage. Arizona PPE Recon, Inc. is a local vendor that meets the National Fire Protection Association's (NFPA) established requirements for the selection, care, and maintenance of firefighting protective ensembles and will provide NFPA 1851 compliant cleaning, decontamination, repair, and inspection services of turnout gear in a timely manner.

**Procurement Information**

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

The City of Tempe contract covers the purchase of Fire Turnout Clothing Cleaning, Inspection and Repair Services as required by the Phoenix Fire Department. The contract was awarded on Nov. 1, 2018. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative contract offers the best value to the City.

Upon City Council approval of this item, a purchasing agreement incorporating the City's terms and conditions will be fully executed between the referenced vendor and the City.

The Assistant Finance Director recommends that the cooperative participating agreement with Arizona PPE Recon, Inc. be accepted.

**Contract Term**

The three year contract term will begin on or about Oct. 15, 2021. Provisions of the contract include the option to extend the term up to two additional years which may be exercised by the City Manager or designee.

**Financial Impact**

The aggregate contract value will not exceed \$200,000. Funds are available in the Fire Department's budget.

**Responsible Department**

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



### **Request Authorization for Sale of Canine Espy (Ordinance S-47998)**

Request to authorize the City Manager, or his designee, to approve the sale of canine Espy to Officer Nick Kerger for \$1.00. Officer Kerger is assigned to the Tactical Support Bureau's Canine Unit and has requested to retire and purchase his assigned canine Espy in accordance with Administrative Regulation 4.21.

#### **Summary**

Canine Espy is over nine years old, and has served the Tactical Support Bureau with professionalism, dedication and exemplary effort since 2013. Canine Espy has been diagnosed with terminal cancer in his chest cavity that is inoperable. This has affected Espy's ability to perform at the required level of expected performance. At the recommendation of the Department's Veterinarian Dr. Spovoda and the unit trainers, Espy should be medically retired.

This request is for the authorization of the sale of canine Espy for \$1.00. The purchase of canine Espy is being made by Officer Nick Kerger, who agrees to accept full responsibility and liability for canine Espy until his death.

#### **Responsible Department**

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





### **Request Authorization for Sale of Canine Soldier (Ordinance S-48007)**

Request to authorize the City Manager, or his designee, to approve the sale of Police canine Soldier to Det. Patrick Clinton for \$1.00. Det. Clinton is assigned to the Homeland Defense Bureau and has requested to retire and purchase his assigned canine Soldier in accordance with A.R. 4.21. Det. Clinton will be retiring from the Police Department on or about Oct. 1, 2021.

#### **Summary**

Police service dog Soldier is seven years old, and has been assigned to the Police Department's Homeland Defense Bureau since December 2015. He has been assigned to Det. Clinton for over five years.

This request is for the authorization of the sale of Police service canine Soldier for \$1.00. The purchase of canine Soldier is being made by Det. Patrick Clinton, who agrees to accept full responsibility and liability for him until his death.

#### **Responsible Department**

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



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Agenda Date: 10/6/2021, Item No. 73

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**Authorization to Enter into Agreements with United States Marshals Service to Accept Reimbursement for Police Services (Ordinance S-48010)**

Request retroactive authorization for the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the United States Marshals Service to accept funds for police services. Authorization is also requested to accept additional funds should they become available, up to a maximum of \$150,000.

**Summary**

The Police Department partners annually with the United States Marshals Service (USMS) for the USMS Violent Offender Task Force (VOTF). The primary mission of the VOTF is to investigate and apprehend local, state and federal fugitives to improve public safety and reduce violent crime. Targeted crimes primarily include: violent crimes against persons; weapons offenses; felony drug offenses; failure to register as a sex offender; and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses. The initial agreement will reimburse up to \$20,522 for Police overtime costs related to the Task Force investigations. The Police Department requests authorization to accept up to \$150,000 should additional funding become available during the funding period.

**Contract Term**

The funding period is Aug. 1, 2021 through Sept. 30, 2022.

**Financial Impact**

The cost to the City is fringe-related benefits and in-kind resources.

**Responsible Department**

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



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Agenda Date: 10/6/2021, Item No. 74

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### **Agreements with Organized Crime Drug Enforcement Task Force for Reimbursement of Police Services (Ordinance S-48011)**

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into agreements with the Organized Crime Drug Enforcement Task Force (OCDETF) to accept funds not to exceed \$300,000, for the reimbursement of police services. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

#### **Summary**

The Police Department has continually participated in these multi-jurisdictional task forces in an effort to enhance and further facilitate long-term sustainable drug enforcement investigations. The task forces conduct complex narcotics distribution enterprise investigations in the Phoenix area and around the state in an effort to eradicate illegal activity. Since the investigations are seldom restricted to the Phoenix city limits, investigations involve multi-national organizations such as the Federal Bureau of Investigation, the Drug Enforcement Administration, the Maricopa County Sheriff's Office, the Maricopa County Attorney's Office, and the United States Attorney's Office. Through the implementation of individual case agreements with OCDETF, the City will be reimbursed for police overtime related to the specific investigations. Reimbursement does not cover the cost of related fringe benefits.

#### **Contract Term**

The funding period is Oct 1, 2021 through Sept. 30, 2022.

#### **Financial Impact**

The cost to the City is related fringe benefits and in-kind resources.

#### **Responsible Department**

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



**\*\*\*REQUEST TO CONTINUE (SEE ATTACHED MEMO)\*\*\* Airport Concessions Relief and American Rescue Plan Act (Ordinance S-48008)**

Request to authorize the City Manager, or his designee, to apply for and accept airport -specific American Rescue Plan Act of 2021 (ARPA) funds allocated by the Federal Aviation Administration (FAA) in the amount of \$15,374,984 for Small Business Concessions and \$3,843,746 for Large Business Concessions. If approved, these grant funds would be applied to terminal concessionaire accounts in the form of a credit to be used toward rent payments subject to the stipulations outlined in this report. Further request to authorize the City Treasurer to accept the funds and the City Controller to disburse all funds related to this item. The total value of the funding will not exceed \$19,218,730.

**Summary**

The COVID-19 global pandemic created a downturn in airline passenger travel by over 93 percent at Phoenix Sky Harbor International Airport (PHX). In direct correlation to the reduced passenger activity, concessions sales plummeted for PHX's concessionaires. As a result, established rents were unsustainable for concessionaires in the terminals. On April 4, 2020, the FAA provided guidance to airport sponsors encouraging them to consider business circumstances created by the public health emergency. In response, subject to stipulations the City Council approved rent relief to concessionaires and extended food, beverage and retail contracts by three years to assist Airport Concessions Disadvantaged Business Enterprise (ACDBE) business partners to refinance their existing debt.

Since April 2021, PHX has experienced significant increases in passenger volumes. In June 2021, PHX reached 80 percent of total enplanement traffic for two consecutive months as compared to 2019. Per the stipulations contained in the City Council action on Dec. 2, 2020, all concession operators were notified that the contractual Minimum Annual Guarantee (MAG) amounts must be paid beginning Aug. 1, 2021.

Previous Federal Relief Funds for Airport Concessionaires

On April 9, 2021, the Aviation Department received notification of its allocation of Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) funds appropriated for PHX's concessions program in the amount of \$4,804,683. In

accordance with FAA guidance, the monies received by the FAA served as a partial reimbursement towards the more than \$20 million in rent relief provided by PHX to date.

#### American Rescue Plan Act

On June 16, 2021, the Aviation Department received notification from the FAA regarding its concessions relief allocation of airport-specific ARPA funds in the amount of \$15,374,984 for small business concessions and \$3,843,746 for large business concessions.

As with CRRSAA, if an airport sponsor accepts its ARPA allocations for concession relief, “the airport sponsor must provide relief from rent and MAG to eligible small airport concessions and eligible large airport concessions in an amount that reflects each eligible airport concession’s proportional share of the total amount of rent and MAG of all eligible airport concessions at the airport.”

For the Aviation Department to be eligible to apply for and receive its federal concessions relief appropriation of ARPA funds, the City of Phoenix would offer rent relief in the form of grant-funded rent credits for in-terminal concessionaires. These ARPA funds would effectively pay up to 100 percent of the MAG or percentage rents owed to the City until the appropriation is exhausted.

The ARPA credits would provide rent relief subject to the following conditions:

- Stipulation 1 - Concessionaires must be operating to receive rent relief as stipulated by the FAA.
- Stipulation 2 - In order to encourage reactivation of concessions with appropriate staffing levels to meet customer needs and expectations, concessionaires will receive the percentage of their ARPA allocation as a rent credit that is commensurate to their staffing percentages as compared to 2019 baseline staffing levels. For example, 60 percent staffing would enable a concessionaire to apply 60 percent of their rent for that month from ARPA rent credits.
- Stipulation 3 - Rent relief recipients will be required to share these credits equitably among their sub tenants and joint venture partners. Staffing levels over 80 percent would be eligible to have 100 percent ARPA rent credit allocation.

#### **Financial Impact**

The \$19,218,730 of relief funding comes directly from the federal ARPA grant. This portion of the federal airport ARPA grant will provide the funding for the credit to rent due to the City, and can only be used for the purpose of airport concessionaire relief as explained above.

**Public Outreach**

Aviation staff documented holding 21 different meetings with Airport Concession Disadvantaged Business Enterprise (ACDBE) small business concessionaires to discuss the certification requirements for coronavirus relief funds, where the proposed ARPA stipulations were part of the agenda of topics discussed. Staff also held nine meetings with concessions primes, including Host and SSP, to cover these same topics. In addition to these one-on-one meetings, staff presented the rent relief overview at the Aviation Department's bi-monthly Terminal Tenant Meeting on July 20, 2021 where representatives of SSP and Host were invited, and the proposed rent relief criteria was discussed.

Aviation staff also conducted one-on-one meetings with more than 20 concessionaire primes, joint venture partners, and Airport Concession Disadvantaged Business Enterprises (ACDBEs) and a teleconference meeting with terminal concessionaires on Sept. 27, 2021. The one-on-one calls and larger teleconference were conducted in order to describe the ARPA rent relief grant, how it would be applied, and potential stipulations. These calls were helpful for staff in crafting the proposed stipulations to be both achievable and a strong incentive to get fully staffed and operating at pre-pandemic levels.

**Location**

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

**Responsible Department**


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



## City of Phoenix

**To:** Mario Paniagua  
Deputy City Manager


**Date:** Oct. 4, 2021

**From:** Chad Makovsky   
Director of Aviation Services

**Subject:** REQUEST TO CONTINUE ITEM 75, AIRPORT CONCESSIONS RELIEF AND AMERICAN RESCUE PLAN ACT (ORDINANCE S-47975), FROM THE OCT. 6, 2021 FORMAL AGENDA

The Aviation Department requests approval to continue Item 75, Airport Concessions Relief and American Rescue Plan Act (Ordinance S-47975), from the Oct. 6, 2021 Formal Agenda to the Oct. 27, 2021 Formal Agenda to allow for additional stakeholder discussions.

Approved by:

A handwritten signature in blue ink, appearing to read "Mario Paniagua".

Mario Paniagua  
Deputy City Manager

10/4/21  
Date



## **Luggage Cart Rental Services at Phoenix Sky Harbor International Airport (Ordinance S-47975)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Smarte Carte, Inc. to provide Luggage Cart Rental Services for Phoenix Sky Harbor International Airport. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed \$1.5 million.

### **Summary**

This agreement will ensure passengers at Phoenix Sky Harbor International Airport (PHX) continue to have the option to rent luggage carts to assist passengers with their luggage. This service is provided at all terminals, parking locations, Phoenix Sky Train stations, Phoenix Rental Car Center and the federal inspection station. Smarte Carte, Inc. will provide installation, management, and operation of the luggage carts rental services at PHX, and provide practical, economical, and user-friendly luggage carts for rental service at a reasonable price to its customers.

### **Procurement Information**

The Aviation Department completed a solicitation for luggage cart rental services in 2021 pursuant to General Procurement Procedures A.R. 3.10. On June 16, 2021 Council awarded this agreement to APS. APS failed to meet the post-award solicitation requirements and the agreement and solicitation were cancelled. Smarte Carte, Inc. is the only viable company to provide turn-key luggage cart rental services at PHX.

### **Contract Term**

The term of the agreement will be an aggregate five-years with no renewal option beginning on or about Nov. 1, 2021.

### **Financial Impact**

The agreement value will not exceed \$1.5 million for the 5-year aggregate agreement term.

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



**Concurrence/Previous Council Action**

The City Council approved Luggage Cart Service Lease Agreement (Ordinance S-47659) on June 16, 2021. However, since APS failed to meet the post-award solicitation requirements, the agreement was never completed. Smarte Carte, Inc. is the only viable company to provide turn-key luggage cart rental services at PHX.

**Location**

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

**Responsible Department**

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



**Ground Lease with Oso Concrete LLC at Phoenix Sky Harbor International Airport (Ordinance S-47985)**

Request to authorize the City Manager, or his designee, to enter into a ground lease with Oso Concrete LLC for real property located at 120 and 130 S. 29th St. (Properties) for two years with five one-year options to extend the term that may be exercised at the sole discretion of the Director of Aviation Services.

**Summary**

The Aviation Department acquired 130 S. 29th St. in January 2000 and 120 S. 29th St. in October 2001. Oso Concrete LLC (Oso) has operations at 175 S. 29th St. that are across the street from the Properties. Oso has requested to lease the Properties, which total approximately 56,628 square feet. Oso will use the Properties to park vehicles, trailers, and other equipment that relate to its concrete business.

**Contract Term**

The term of the lease will be two years with five one-year options to extend the term that may be exercised at the sole discretion of the Director of Aviation Services.

**Financial Impact**

Initial annual rent will be approximately \$59,459 (\$1.05 per square foot) and will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total anticipated revenue over the term of the lease will be approximately \$416,215, if all options are exercised.

**Concurrence/Previous Council Action**

The Phoenix Aviation Advisory Board recommended this item for approval on Aug. 19, 2021, by a vote of 8-0.

**Location**

Phoenix Sky Harbor International Airport - 120 S. 29th St. and 130 S. 29th St.  
Council District: 8

**Responsible Department**

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



**Amend Ground Lease with Bimbo Bakeries USA, Inc. at Phoenix Sky Harbor International Airport (Ordinance S-47986)**

Request to authorize the City Manager, or his designee, to amend Ground Lease 151988 with Bimbo Bakeries USA, Inc. for real property located at 3115 E. Madison St. (Premises) by adding 100,263 square feet to the Premises and adding two one-year options to extend the term that may be exercised at the sole discretion of the Director of Aviation Services.

**Summary**

Bimbo Bakeries USA, Inc. (Bimbo Bakeries) operates several locations in the Phoenix Metro area that provide baked goods to its customers. The Premises is located just north of Phoenix Sky Harbor International Airport. The Premises is 65,340 square feet in area and used for parking tractor trailers that relate to Bimbo Bakeries' bakery operation at 738 W. Van Buren St. in Phoenix. Ground Lease 151988 (Lease) expires on April 14, 2023. Bimbo Bakeries is requesting to amend the Lease to add 100,263 square feet to the Premises and add two one-year options to extend the term.

**Contract Term**

The term will be amended to add two one-year options to extend the term that may be exercised at the sole discretion of the Director of Aviation Services. The current term is three years, which will expire on April 14, 2023. The term may be extended to April 14, 2025 if both options to extend are exercised.

**Financial Impact**

Annual rent will be approximately \$14,381 per month (\$1.05 per square foot) and will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total anticipated revenue over the term of the Lease will be approximately \$461,509.

**Concurrence/Previous Council Action**

The Phoenix Aviation Advisory Board recommended this item for approval on Aug. 19, 2021, by a vote of 8-0.

**Location**

Phoenix Sky Harbor International Airport - 3115 E. Madison St.  
Council District: 8

**Responsible Department**

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



## **Bus Rapid Transit Program Analysis, Outreach and Initial Corridor Recommendation**

Request the City Council to approve an initial Bus Rapid Transit corridor of 35th Avenue and Van Buren Street, as shown in **Attachment A**.

### **Summary**

In 2015, Phoenix voters approved Proposition 104, creating the 35-year multimodal transportation plan known as Transportation 2050 (T2050) which identified Bus Rapid Transit (BRT) as a key component to continue expanding the City's high-capacity transit network. BRT is a high-capacity bus service that focuses on improved speed, reliability, and convenience to better the overall transit experience. There are common recurring elements found in successful BRT systems, such as: advanced fare collection; enhanced stations; dedicated lanes; custom buses; transit spot improvements; and unique branding.

In 2019, Phoenix BRT Program staff were tasked by Phoenix's Citizens Transportation Commission (CTC) and City Council to reevaluate the BRT corridors as originally outlined in the T2050 plan. This reevaluation was sought due to the passage of time since development of the T2050 plan, as Phoenix meanwhile has experienced significant changes in residential and commercial developments, population growth and density, in addition to efforts by the region to identify additional BRT corridors that may travel through Phoenix. Staff's reexamination considered various elements of transit propensity (population, employment, low-income households, minority populations, persons with disabilities, zero-automobile households, and persons under 18 and over 64 years in age), historical transit performance and ridership forecasting models utilizing the Federal Transit Administration's scenario-planning software. From these data points and processes, six potential BRT corridors have been identified and are shown below:

- Camelback Road/24th Street;
- Indian School Road/24th Street;
- Thomas Road/44th Street;
- McDowell Road/44th Street;
- 35th Avenue/Van Buren Street; and

- 19th Avenue/Van Buren Street.

Using these six proposed corridors and applying industry best practices (two-mile spacing between corridors, good connections to light rail and frequent local bus service, intersections with other BRT corridors, and end points with highly used origins and destinations), four potential BRT network scenarios have been identified and are shown below:

- Camelback Road/24th Street, Thomas Road/44th Street and 35th Avenue/Van Buren Street;
- Camelback Road/24th Street, Thomas Road/44th Street and 19th Avenue/Van Buren Street;
- Indian School Road/24th Street, McDowell Road/44th Street and 35th Avenue/Van Buren Street; and
- Indian School Road/24th Street, McDowell Road/44th Street and 19th Avenue/Van Buren Street.

Phoenix BRT Program staff facilitated multiple BRT workshops, including an in-depth technical workshop with multiple City departments, Valley Metro, the Maricopa Association of Governments (MAG), the Arizona Department of Transportation, and the established program consultant teams. Two executive workshops were also held for CTC and Council members. The purpose of the workshops was to review the six corridors proposed from the transit technical analysis and obtain input on the four potential BRT network scenarios.

The results of this data-driven process revealed "Camelback Road/24th Street, Thomas Road/44th Street and 35th Avenue/Van Buren Street" as the most productive network scenario with the highest demand and need.

After the workshops, the focus transitioned to community education, engagement and input, which is described under Public Outreach.

### Regional Efforts

In addition to the Phoenix BRT Program, MAG is conducting a Regional Bus Rapid Transit Feasibility Study to document the potential for implementation of BRT within the MAG region. Phoenix has been an integral part of this collaboration along with six other member cities: Glendale, Tempe, Scottsdale, Mesa, Chandler and Gilbert. Through this study, MAG has identified potential BRT corridors that were evaluated based on quantitative and qualitative criteria. These corridors were identified for further study in a proposed new regional BRT program (**Attachment B**).

While the Camelback/24th Street and Thomas/44th Street corridors scored the highest during the technical analysis and the community education and engagement efforts, there is ongoing analysis of future high-capacity transit planning in west Phoenix that may affect these corridors and the overall future BRT network. It is recommended that a final decision on these east-west BRT corridors be deferred until there is further resolution on such west Phoenix planning.

Upon approval of the initial BRT corridor, the next steps in the process for the 35th Avenue/Van Buren Street corridor include:

- Refining a BRT program schedule, including the phasing and implementation for the initial BRT corridor and future BRT network;
- Beginning corridor planning (operations and capital) and development of conceptual alternatives;
- Establishing corridor-specific outreach tools and techniques; and
- Identifying a funding plan, potential partners, and available grants.

### **Concurrence/Previous Council Action**

The Citizens Transportation Commission recommended approval of the initial Bus Rapid Transit corridor of 35th Avenue/Van Buren Street on May 27, 2021, by a vote of 10-0.

The Transportation, Infrastructure and Planning Subcommittee recommended City Council approval of the initial Bus Rapid Transit corridor of 35th Avenue/Van Buren Street on Sept. 15, 2021, by a vote of 4-0.

### **Public Outreach**

#### Community Education and Engagement

From February to December 2020, Phoenix BRT Program staff launched an education and engagement campaign to provide continuous opportunities for the community to learn about the program and provide input on the six potential corridors and four potential networks. To best reach the community, staff at first employed both in-person and virtual outreach methods, providing all materials in both English and Spanish. As a result of the COVID-19 pandemic, outreach efforts shifted entirely to virtual platforms in March 2020. Below is a list of outreach tools and materials used to engage and educate the public and solicit feedback:

- Transit analysis maps;
- Social media;
- Program webpage ([www.phoenix.gov/brt](http://www.phoenix.gov/brt));
- Project fact sheet;
- Frequently asked Questions;

- "BRT 101" videos;
- Online meeting webpage;
- In-person/virtual meetings with all of Phoenix's 15 village planning committees;
- In-person/virtual meetings with community groups;
- News releases and television programs;
- Live virtual public meetings; and
- "Shape Your BRT" survey.

### *Survey Results*

The Phoenix BRT Program developed the "Shape your BRT" survey to solicit community input on potential BRT elements, the six potential BRT corridors, and the four potential BRT network scenarios.

Based on the survey results, respondents' most preferred BRT network scenario aligns with the technical analysis results and community feedback received during the community education and engagement efforts: "Camelback Road/24th Street, Thomas Road/44th Street and 35th Avenue/Van Buren Street."

### *Community Engagement Summary*

The Community Engagement Summary can be found in **Attachment C**. Highlights include:

- 474 survey responses;
- 26 in-person or virtual meetings;
- Connection with over 1,200 community members;
- Responses to nearly 600 questions and comments;
- 4,581 BRT webpage views;
- BRT 101 video views: 1,040 English and 92 Spanish;
- 766 online meeting webpage views;
- Online meeting video views: 300 English and 89 Spanish;
- Residents' input shows that the selected corridors are preferred because BRT could serve more transit riders; take riders to key locations; operate closer to home, school, or work; and reduce commute times;
- Top themes of suggestions for network modification were to extend networks further north, south, and west and to limit overlap with light rail; and
- Key themes of final comments were support for: using dedicated lanes; extending networks north, south, east, and west; providing connections to surrounding/outlying areas; and avoiding overlapping services on 19th Avenue.



**Location**

Along 35th Avenue and Van Buren Street.

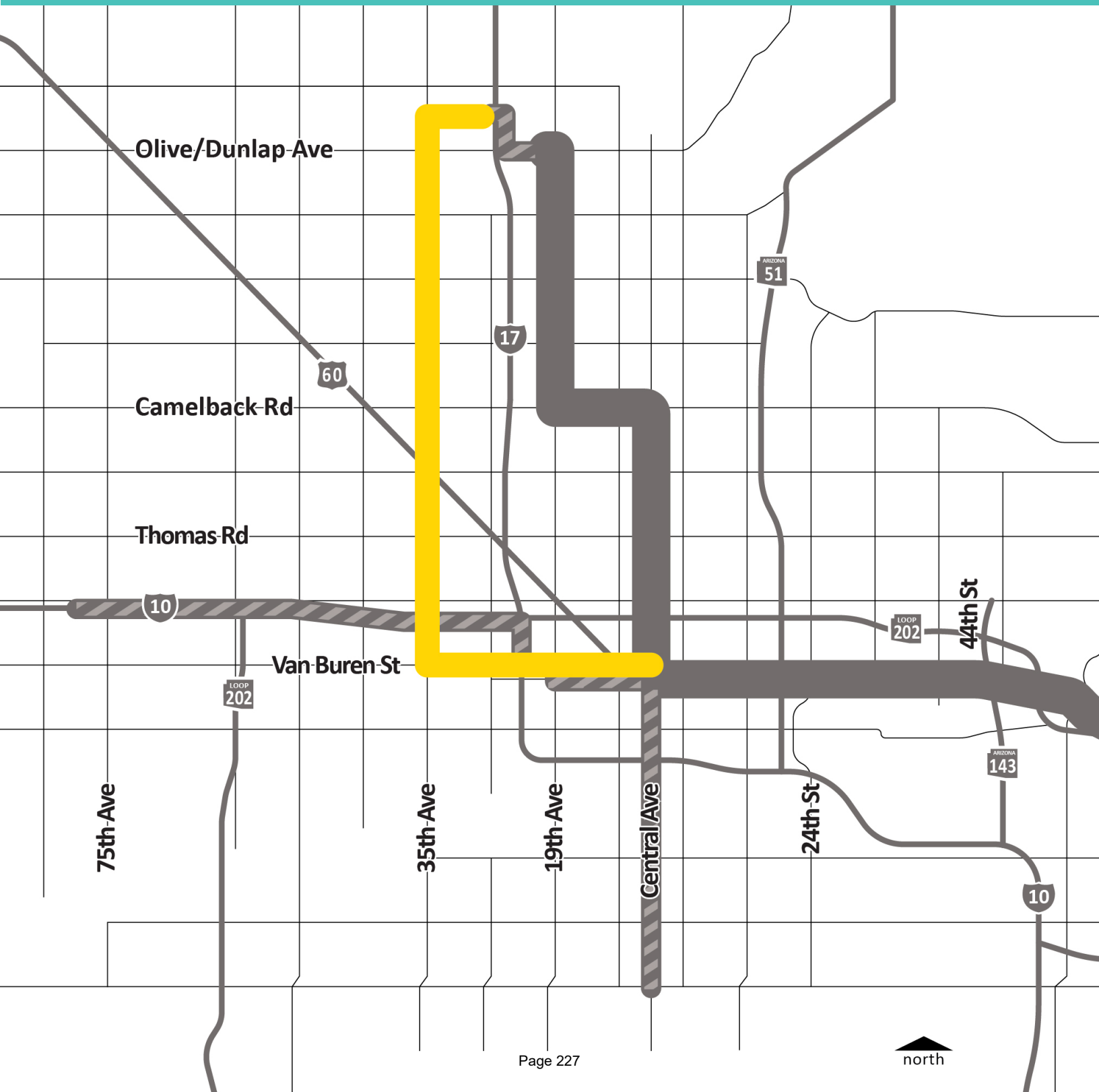
Council Districts: 1, 4, 5 and 7

**Responsible Department**

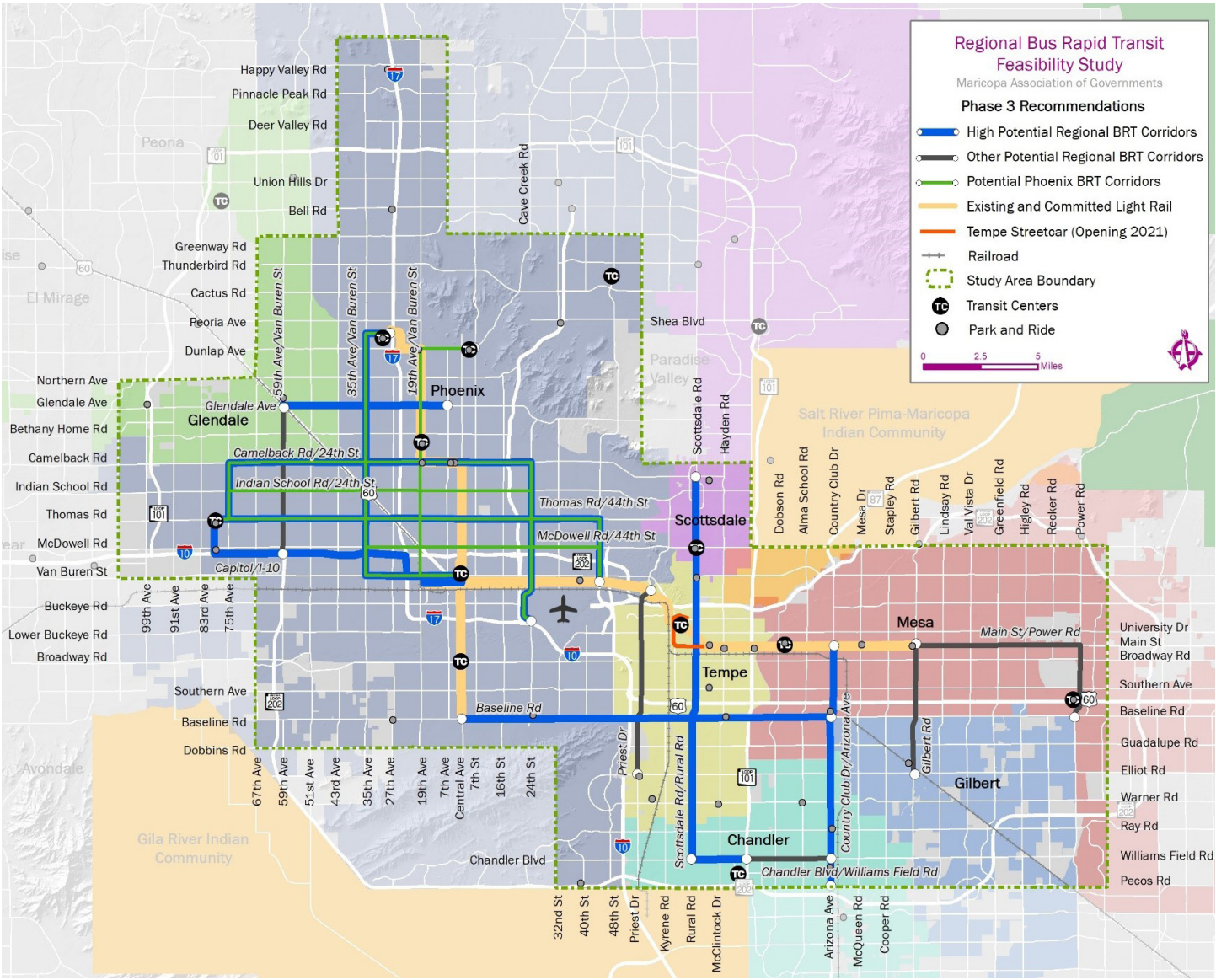
This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

# Initial BRT Corridor

35th Ave/Van Buren

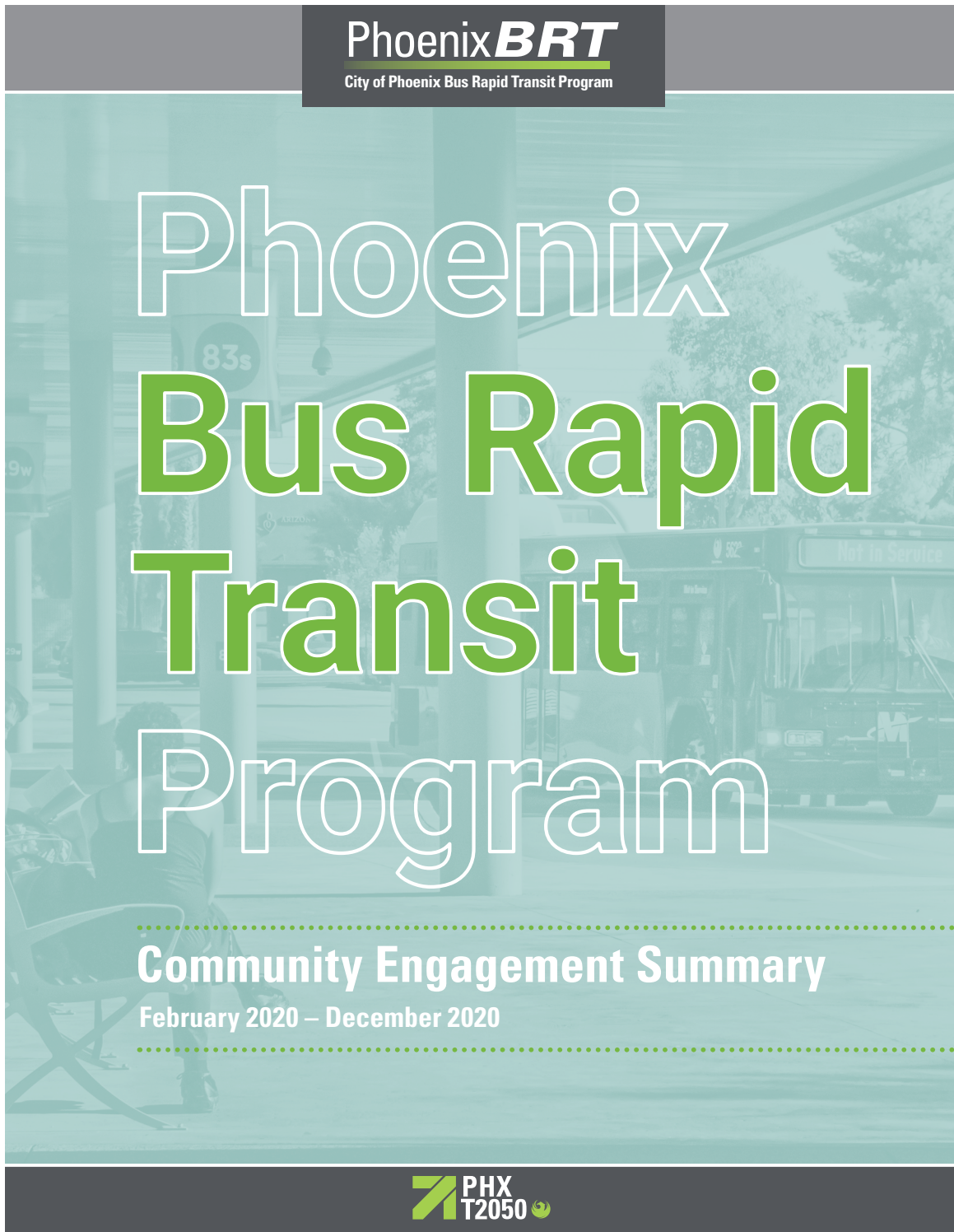


# MAG BRT Corridors



Rank	Corridor Name
1	35th Avenue/Van Buren Street (COP)
2	Camelback Road/24th Street (COP)
3	Thomas Road/44th Street (COP)
4	Scottsdale Road/Rural Road
5	Capitol/I-10
6	Country Club Drive/Arizona Avenue
7	Glendale Avenue
8	Baseline Road

# BRT Community Engagement Summary



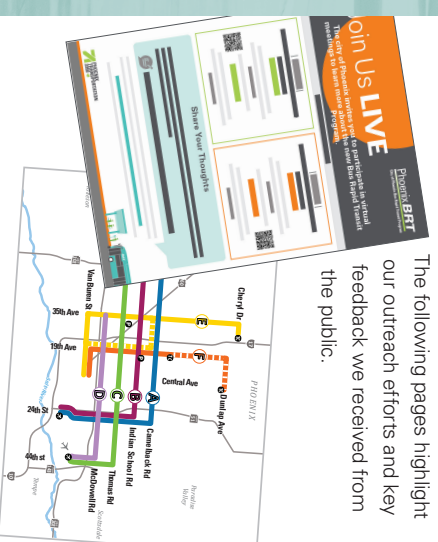


# Executive Summary

In February 2020, the Phoenix Bus Rapid Transit (BRT) team launched the community outreach campaign to educate and engage the public on the Program. The outreach campaign focused on educating the public on the elements and characteristics of BRT, the transit analysis completed on potential BRT corridors, and the six potential corridors and four potential network scenarios that were identified through the analysis. To best reach our community, the team employed both traditional and virtual outreach methods, and developed all materials (printed and digital) in both English and Spanish.

Between February and December 2020\*, the team successfully connected with **over 1,200 people** from community leaders and elected officials to neighborhood associations and transit riders. Through our interactions, we **received nearly 600 questions and comments**, which will be used in conjunction with our transit analysis to develop corridor recommendations for the BRT Program.

The following pages highlight our outreach efforts and key feedback we received from the public.



Below is a list of outreach tools and materials used to educate and engage the public and solicit feedback:

- Transit analysis maps
- Project fact sheet
- Frequently asked questions
- BRT 101 video
- Program webpage
- Online meeting webpage
- Social media
- Live virtual public meetings
- In-person/virtual meetings with community groups
- In-person/virtual meetings with the City of Phoenix Village Planning Committees
- *Shape Your BRT* survey



Executive Summary	1
Phoenix BRT Program Webpage	2
Online Meeting Webpage	3
Social Media Engagement	4
Live Virtual Public Meetings	6
Phoenix Community Groups/Organizations	7
Village Planning Committees (VPC)	8
<i>Shape Your BRT</i> Survey	10
Appendix – Phoenix Bus Rapid Transit Survey	19

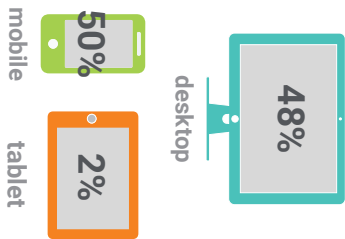
\*Due to public health and safety concerns caused by COVID-19, outreach efforts shifted to virtual platforms in March 2020.

# Phoenix BRT Program Webpage

On February 27, 2020, the Phoenix BRT team launched the program webpage at [Phoenix.gov/BRT](https://phoenix.gov/BRT). Designed to educate and engage the public, the webpage provides an educational video, a fact sheet, transit analysis maps, frequently asked questions, and general project information.



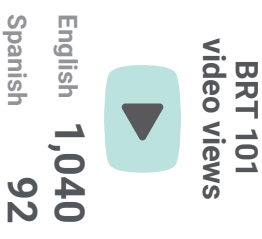
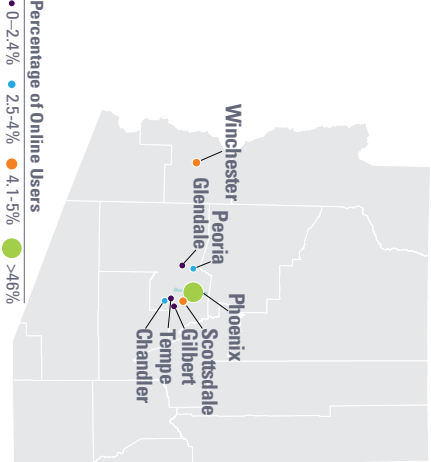
## Access by device



## Site visitors



## Location of visitors

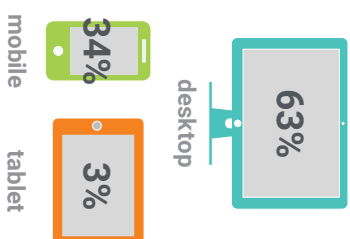


# Online Meeting Webpage

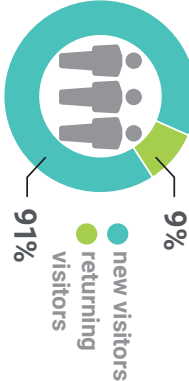
On July 21, 2020, the Phoenix BRT team opened an online meeting at [meetphoenixbrrt.com](https://meetphoenixbrrt.com), to provide information on the Phoenix BRT Program and to solicit input on the six potential BRT corridors and the four network scenarios.



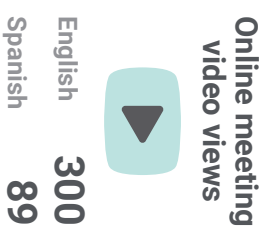
## Access by device



## Site visitors

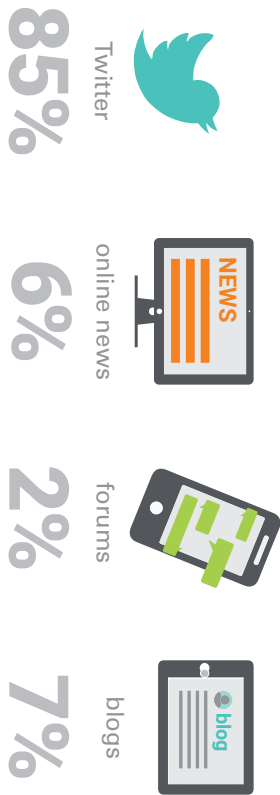


## Location of visitors

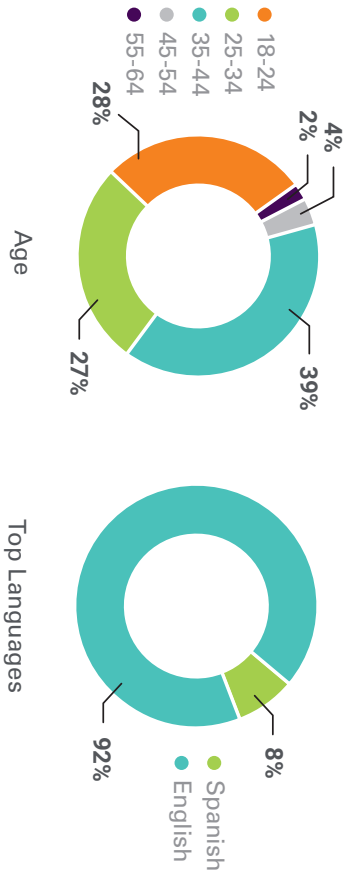


# Social Media Engagement

## Community **conversations** by platform



## Who is the **audience**?



Community engagement on **Twitter**

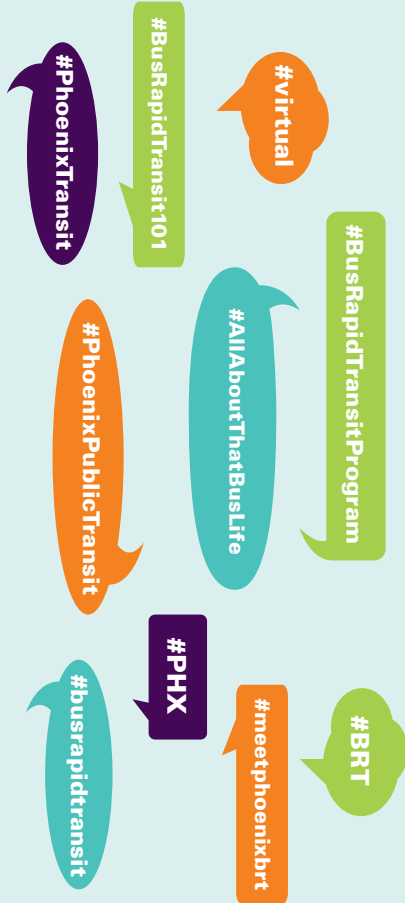
**2.8M** reach

**362** mentions

**551** post interactions

## What are they **saying**?

### Top online **hashtags**:



### Conversation **sentiment**



### Top online **themes**

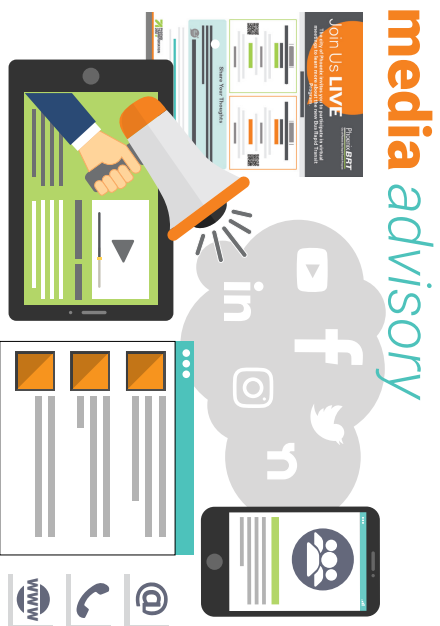


# Live Virtual Public Meetings

The Phoenix BRT team held two live virtual meetings, one in English on November 10, 2020, and one in Spanish on November 17, 2020.

## Notifications

- ▶ Meeting flyer
- ▶ Media advisory
- ▶ Library newsletter
- ▶ PHXConnect newsletter
- ▶ Nextdoor
- ▶ Social media
- ▶ Websites
- ▶ Electronic mail



## 13 people attended

November 10, 2020 (English)

## 3 people attended

November 17, 2020 (Spanish)



## Key Question Topics

- BRT options in South Phoenix
- Regional BRT efforts
- BRT elements/ characteristics
- RAPID vs. Express vs. local bus service
- Impacts of BRT

# Phoenix Community Groups/ Organizations

## The Phoenix BRT team . . .

Met in-person or virtually with  
**9 community groups and organizations**



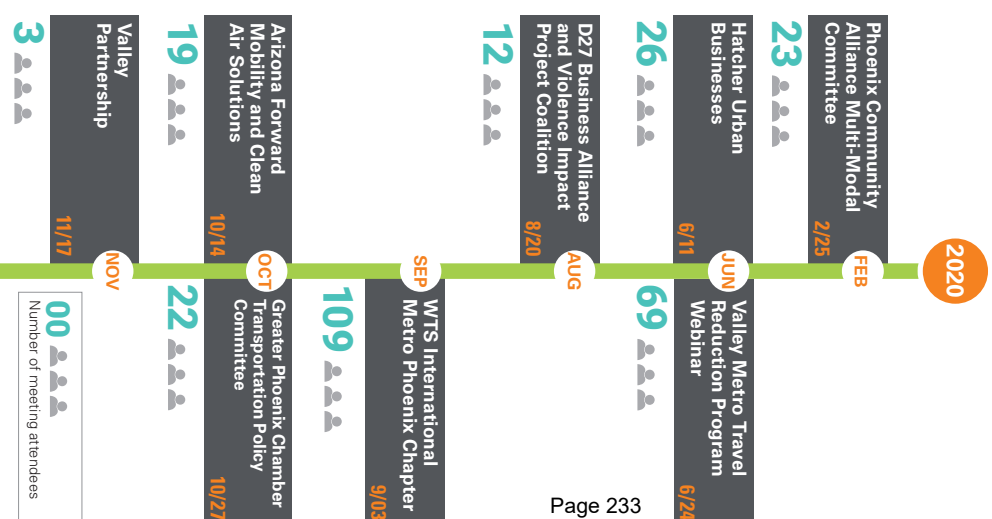
Presented to over  
**280 stakeholders**



Answered over **40 questions**



## Community Groups/Organizations Meetings\*



\*In place of an in-person or virtual meeting, the American Planning Association of Arizona requested a brief summary of BRT to be included in their digital newsletter.



# Village Planning Committees (VPC)

## The Phoenix BRT team . . .

Met in-person or virtually with **15 VPCs**



**Presented to over 400** community/committee members and staff



Answered **over 70 questions**



## Six key topics from comments and questions asked at the VPC meetings:

Dedicated lanes



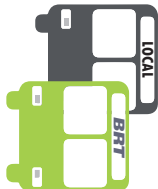
Ridership



Cost/funding



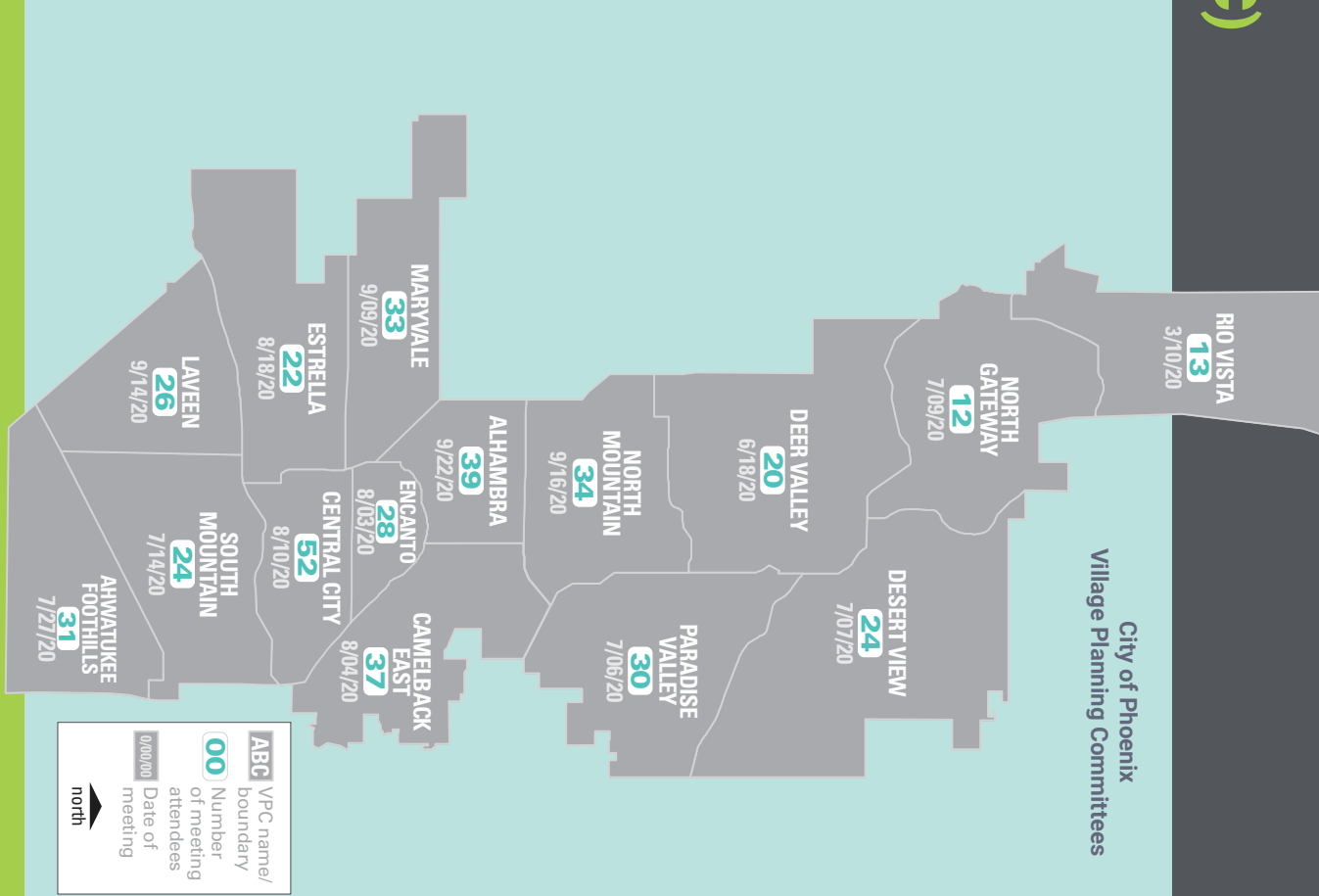
Local bus and BRT



Community engagement



BRT options in South and North Phoenix



# Shape Your BRT Survey

In June 2020, the Phoenix BRT team launched the **Shape your BRT survey**. The purpose of this survey was to obtain input on the six potential BRT corridors and the four potential network scenarios. The Shape Your BRT survey included 13 BRT-related questions and three demographic questions. The survey results can be found on the following pages and a copy of the survey can be found at the end of this document.

The map shown at the right highlights the **six potential BRT corridors**, and the maps at the bottom of the page highlight the **four potential network scenarios** using the identified corridors from the analysis.

These maps were used throughout the survey and can be referenced while reviewing survey results.

## Potential BRT Corridors



What is a BRT corridor?

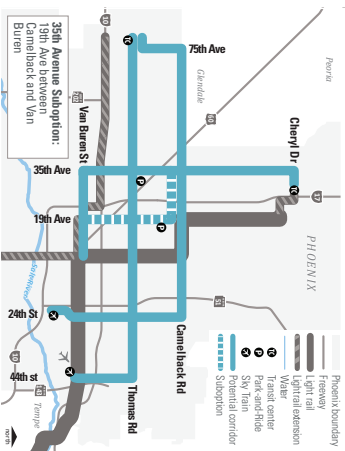
A corridor can be two or more streets coupled together; for example, Corridor A is made up of portions of Camelback Road, 24th Street and 75th Avenue.

How does a network scenario differ from a corridor?

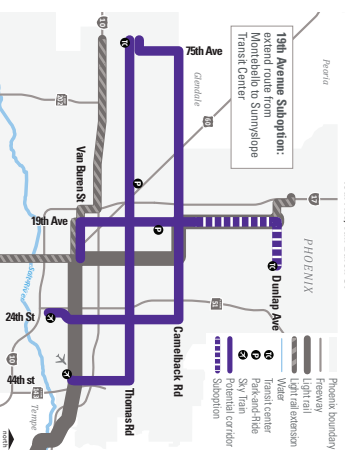
A network scenario includes different combinations of both north-south and east-west corridors to create a full network of BRT service.

## Potential BRT Network Scenarios

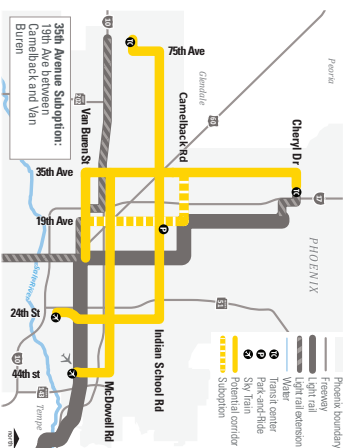
### Blue Network Scenario



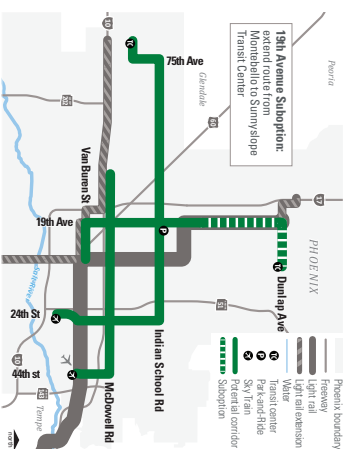
### Purple Network Scenario



### Yellow Network Scenario



### Green Network Scenario



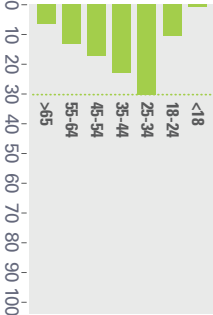
# Shape Your BRT Survey

## Who Participated?

Respondents

474

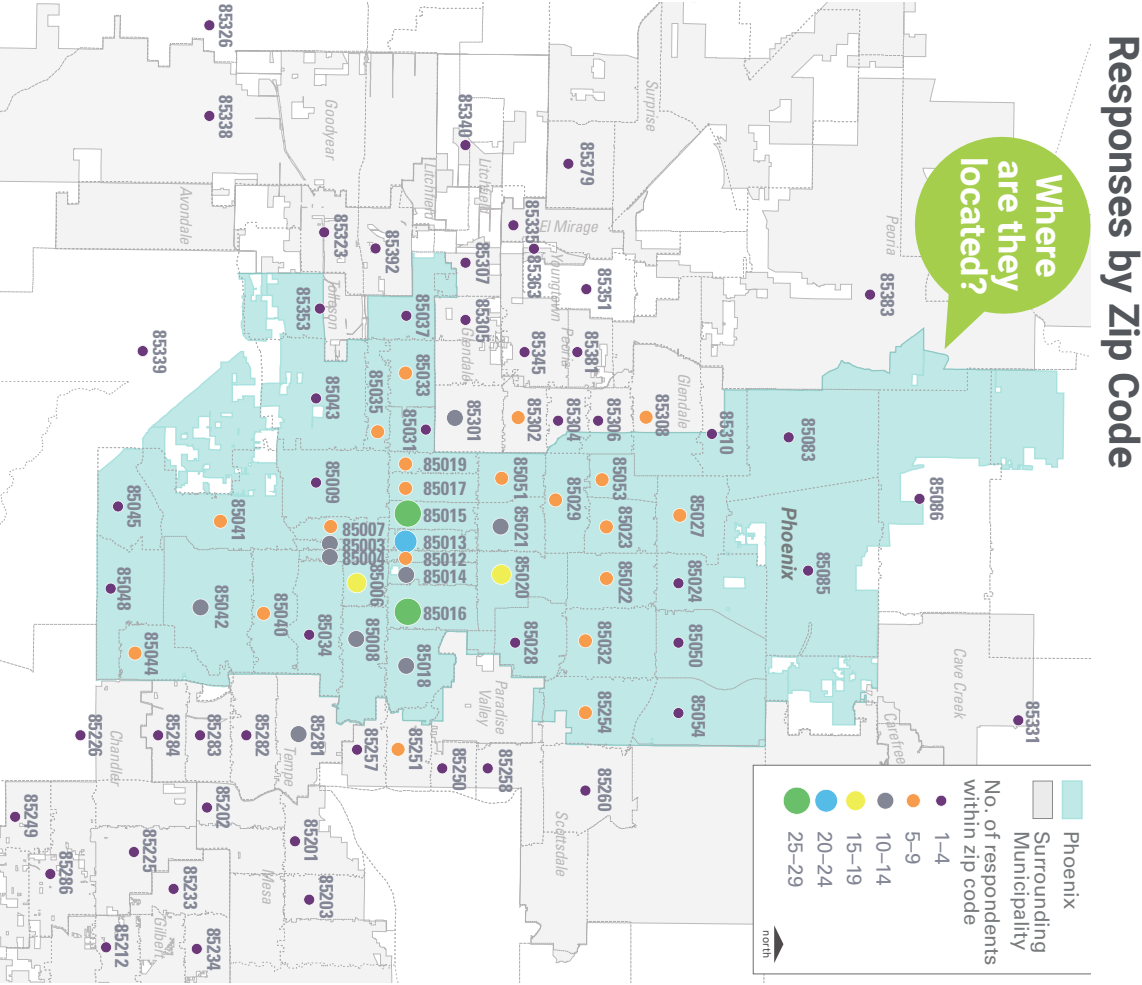
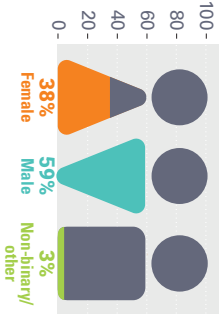
Age



Ethnicity



Gender

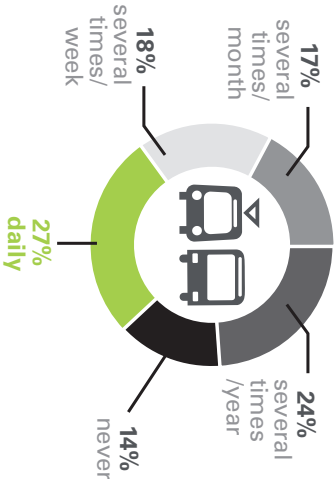


## What did we hear?

Public Transit Use

27%

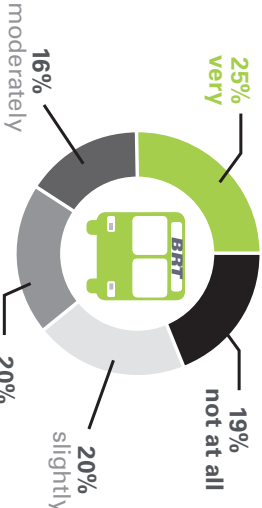
of participants use transit daily



Familiarity with BRT

25% of respondents are very familiar with BRT

19% are not at all familiar

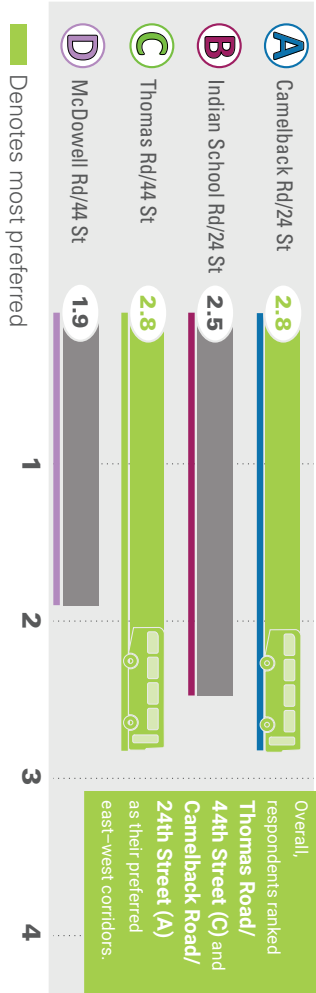


# Shape Your BRT Survey

## Preferred East–West Corridors for BRT

(as shown on pages 10–11)

Respondents ranked each corridor between 1 and 4, with 1 being the most preferred and 4 being the least preferred. Below are the average scores for each.



Why are corridors A & C preferred?



## Top Themes for Corridor Modification Suggestions

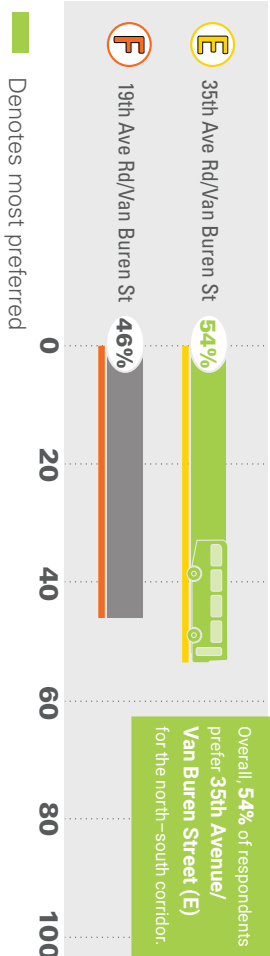
(open ended question on survey)



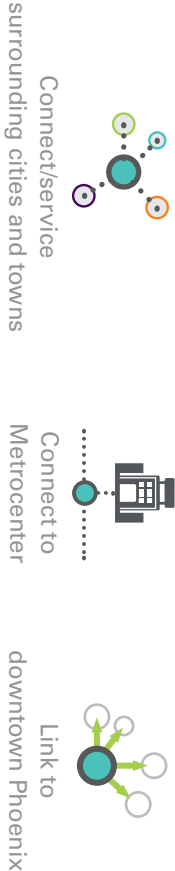
## Preferred North–South Corridors for BRT

(as shown on pages 10–11)

Respondents selected their preferred corridor; below is the percent preferred.



Why is corridor E preferred?



# Shape Your BRT Survey

## Preferred BRT Network

(as shown on pages 10–11)

Respondents ranked the four network scenarios between 1 and 4, with 1 being the most preferred and 4 being the least preferred. Below are the average scores for each scenario.



Denotes most preferred

1

2

3

4

Overall, respondents ranked the **Blue Network Scenario** (Camelback Road/24th Street, Thomas Road/44th Street, 35th Avenue/Van Buren Street) as their **most preferred network**.



## Top Themes for Network Modification Suggestions

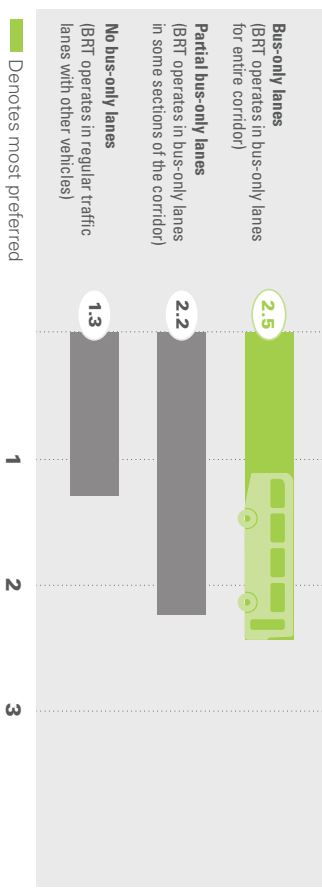
(open ended question on survey)



16

## Lane Preference for BRT

Respondents ranked the lane configuration options between 1 and 3, with 1 being the most preferred and 3 being the least preferred. Below are the average scores for each scenario.



Denotes most preferred

1

2

3

## Key BRT Service Aspects

Respondents ranked the importance of the following service aspects between 1 and 4, with 1 being the most preferred and 4 being the least preferred. Below are average scores for each.



## Key Final Comment Themes

(open ended question on survey)



17



## Appendix

### Phoenix Bus Rapid Transit Survey



# Phoenix **BRT**



## Phoenix Bus Rapid Transit Survey—Shape your BRT!

Bus Rapid Transit, or BRT, is a high capacity bus service that provides a fast, reliable, and convenient transit experience . . . and this new transit option is coming to Phoenix!

BRT, approved by Phoenix voters in 2015, is being developed now and we need **your input** on where to add BRT in Phoenix.

**Let's get started!**

Now, let's get your input on where BRT corridors should be established.

Potential corridors were identified using demographic and socioeconomic data, and current transit and forecasted (future) ridership.

### 4. Potential East–West BRT Corridors (A, B, C, D)

Take a look at the **Potential East–West BRT Corridors** map (right) and rank the potential east–west corridors from 1 to 4, with **1 being most preferred** and **4 being least preferred**.

- **Camelback Rd/24th St (A)** — **Indian School Rd/24th St (B)**
- **Thomas Rd/44th St (C)** — **McDowell Rd/44th St (D)**

### 5. Why do you like your most preferred east–west corridor? Select all that apply.

- ☐ Close to my home/work/school
- ☐ Serves more transit riders
- ☐ Takes me to key destinations
- ☐ Could reduce my daily commute time
- Other (please specify)

### 6. Potential North–South BRT Corridors (E, F)

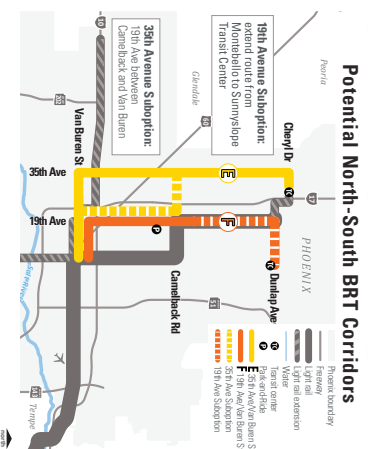
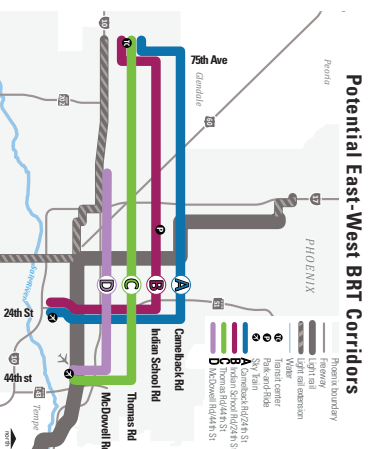
Take a look at the **Potential North–South BRT Corridors** map (right) and select the preferred north–south corridor.

- ☐ **35th Ave/Van Buren St (E)**
- ☐ **19th Ave/Van Buren St (F)**

### 7. Why do you like your preferred north–south corridor? Select all that apply.

- ☐ Close to my home/work/school
- ☐ Serves more transit riders
- ☐ Takes me to key destinations
- ☐ Could reduce my daily commute time
- Other (please specify)

### 8. If you have suggested modifications to any of the six potential corridors (A, B, C, D, E, F - reference maps from questions 4 and 6), please provide your ideas in the space below.



# Phoenix Bus Rapid Transit Survey—Shape your BRT!

## 9. Potential Network Scenarios

Ultimately, our goal is to identify the BRT foundation network, which will consist of three corridors. Taking into consideration spacing between corridors, good connections to light rail and local bus service, and access to key destinations, below are four potential network scenarios. Rank the following from 1 to 4, with 1 being most preferred and 4 being the least preferred:

— Camelback Rd/24th St, Thomas Rd/44th St, 35th Ave/Van Buren St  
(Blue Network Scenario)

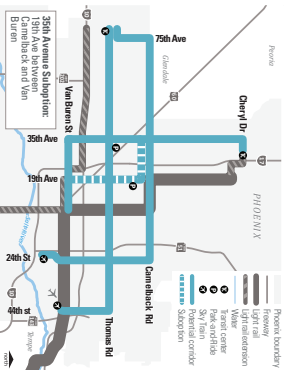
— Camelback Rd/24th St, Thomas Rd/44th St, 19th Ave/Van Buren St  
(Purple Network Scenario)

— Indian School Rd/24th St, McDowell Rd/44th St, 35th Ave/Van Buren St  
(Yellow Network Scenario)

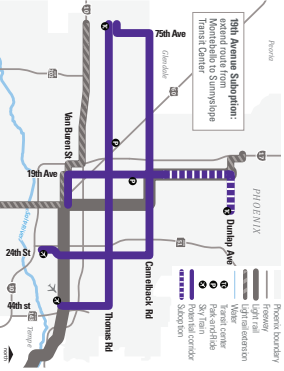
— Indian School Rd/24th St, McDowell Rd/44th St, 19th Ave/Van Buren St  
(Green Network Scenario)

## BRT Foundation Network Scenarios

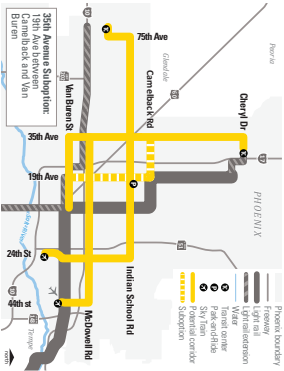
### Blue Network Scenario



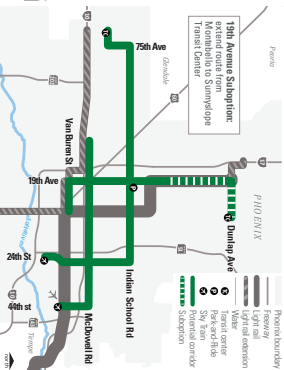
### Purple Network Scenario



### Yellow Network Scenario



### Green Network Scenario



## 11. Bus-only Lanes

Bus-only lanes substantially improve transit speed and reliability but may reduce the current number of auto lanes. Thinking about the use of bus-only lanes along potential corridors, rank the following from 1 to 3, with 1 being most preferred and 3 being least preferred:

— Bus-only lanes (BRT operates in bus-only lanes for entire corridor)

— Partial bus-only lanes (BRT operates in bus-only lanes in some sections of the corridor)

— No bus-only lanes (BRT operates in regular traffic lanes with other vehicles)

## 12. BRT Service

As a potential rider of BRT, what would be most important to you? Rank the following from 1 to 4, with 1 being most important and 4 being least important:

— Transit speed and reliability: getting to my destination on time and as quickly as possible

— Minimal impacts: avoiding impacts to current auto travel lanes

— Limited or no transfers: transit rider avoids transfers between buses

— Amenities: enhanced stations, custom buses, mobile fare payment

## 13. Please provide any additional thoughts or comments about the Phoenix Bus Rapid Transit Program.

## The following demographic questions are optional.

### 14. What is your age?

- |                                   |                                |
|-----------------------------------|--------------------------------|
| <input type="checkbox"/> Under 18 | <input type="checkbox"/> 45–54 |
| <input type="checkbox"/> 18–24    | <input type="checkbox"/> 55–64 |
| <input type="checkbox"/> 25–34    | <input type="checkbox"/> 65+   |
| <input type="checkbox"/> 35–44    |                                |

### 15. Specify your ethnicity:

- |   |  |
|---|--|
| <input type="checkbox"/> White                            | <input type="checkbox"/> Hispanic or Latinx                        |
| <input type="checkbox"/> Black or African American        | <input type="checkbox"/> Asian or Asian American                   |
| <input type="checkbox"/> Native American or Alaska Native | <input type="checkbox"/> Native Hawaiian or other Pacific Islander |
| <input type="checkbox"/> Other                            |  |

### 16. What is your gender?

- |  |
|--|
| <input type="checkbox"/> Female              |
| <input type="checkbox"/> Male                |
| <input type="checkbox"/> Non-binary or other |



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@cityofphoenixaz



www.youtube.com/user/cityofphoenixaz





# Phoenix **BRT**

City of Phoenix Bus Rapid Transit Program

[Phoenix.gov/BRT](http://Phoenix.gov/BRT)



## **Transportation Modernization Grant Application (Ordinance S-48009)**

Request to authorize the City Manager, or his designee, to apply for a Transportation Modernization Grant, as funded by the State of Arizona and administered by the nonprofit organization A for Arizona, and enter into any agreements to accept the grant funding if awarded. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant program is accepting grant applications in amounts not to exceed \$2 million.

### **Summary**

During the most recent legislative session, the State of Arizona appropriated \$10 million in state funds, and matched the amount with an additional \$10 million in federal stimulus funds, for a total of \$20 million for Fiscal Year 2021-22, to improve transportation systems to drive down costs, enhance safety and efficiency, and provide K-12 students with access to more public school options. A for Arizona is accepting grant applications and encouraging public schools, local governments, and community leaders to identify solutions which "identify options to transport students not solely reliant on yellow school buses." As a regional public transportation provider, the City of Phoenix can utilize such grant funds to purchase student transit passes and partner with schools and school districts to satisfy students' transportation needs by using the existing public transit system.

The Public Transit Department is requesting authorization to submit an application for the State of Arizona's Transportation Modernization Grant. The application deadline is Oct. 8, 2021.

### **Financial Impact**

No City of Phoenix funds are included in the application.

### **Responsible Department**

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



## **Transport of Natural Gas and Electricity- Kinect Energy, Inc. - Amendment (Ordinance S-47979)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 135518 with Kinect Energy, Inc. to provide additional funding to the agreement for energy purchases for the City of Phoenix. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$3,726,000.

### **Summary**

The City of Phoenix has over 3,000 active electric and natural gas accounts. Agreement 135518 (Agreement) with Kinect Energy, Inc. (Kinect Energy) provides rate analysis, negotiates the price of natural gas and electricity, facilitates the sale of renewable identification numbers, and audits energy invoices for accuracy. Kinect Energy has successfully provided these services under contract without incident. Because of fluctuating market rates, yearly aggregates also fluctuate and additional pay authority is needed to maintain services through the term of the Agreement.

### **Procurement Information**

This item is exempt from Administrative Regulation 3.10 citing energy purchase.

### **Contract Term**

The agreement term will remain unchanged, ending on Feb. 28, 2023.

### **Financial Impact**

The initial authorization for this agreement was for an expenditure not to exceed \$1.4 million. Previous amendments increased the authorization for the agreement by \$8,202,000. This amendment will increase the authorization for the agreement by an additional \$3,726,000, for a new total not-to-exceed agreement value of \$13,328,000.

Funding is available in the Aviation and Public Works Departments' budgets.

### **Concurrence/Previous Council Action**

The City Council approved:  
Agreement 135518 on July 3, 2012;

Agreement 135518 - Amendment (Ordinance S-41655) on May 13, 2015;  
Agreement 135518 - Amendment (Ordinance S-42682) on June 22, 2016;  
Agreement 135518 - Amendment (Ordinance S-43530) on May 31, 2017;  
Agreement 135518 - Amendment (Ordinance S-44422) on April 4, 2018; and  
Agreement 135518 - Amendment (Ordinance S-44761) on June 20, 2018.

**Responsible Department**

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



## **Supply of New Radiators Contract Recommendation (Ordinance S-47982)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with: Factory Motor Parts; Genuine Parts Company dba NAPA Auto Parts; RWC International LTD dba RWC Group; and Serck Services, Inc., for supply of new radiators for City-owned fleet vehicles. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is \$641,175 over the life of the contracts.

### **Summary**

The Public Works Department is responsible for maintaining a diverse fleet of over 7,300 vehicles and equipment that are repaired and maintained at service centers and police substations. The vehicles and equipment require ongoing maintenance and repairs to keep them in good operating condition. These contracts will allow Public Works to purchase radiators for vehicle repairs on an as-needed basis to help ensure equipment is in operating condition and available for service.

### **Procurement Information**

Invitation for Bid 22-FSD-016 was conducted in accordance with Administrative Regulation 3.10. Four offers were received by Public Works Procurement Services on July 21, 2021. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offers submitted by Factory Motor Parts; Genuine Parts Company dba NAPA Auto Parts; RWC International LTD dba RWC Group; and Serck Services, Inc. were deemed fair and reasonable.

The award recommendations can be found in **Attachment A**.

### **Contract Term**

The one-year term of the contracts will begin on or about Jan. 1, 2022. The contracts will contain four one-year options to extend the term, for a total contract term of up to five years if all options are exercised.

### **Financial Impact**

The aggregate value of the contracts, including all option years, is \$641,175, including

all applicable taxes, with an estimated annual expenditure of \$128,235.

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

**Responsible Department**

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

# Attachment A

## IFB 22-FMD-016 Supply of New Radiators Award Recommendation

Item Number	Product Number	Offeror						
		Factory Motor Parts	Genuine Parts Company dba NAPA Auto	RWC International LTD dba RWC Group	Serck Services, Inc.			
1	21576	\$ 395.00 ✓	\$ 301.20 ✓	\$ 175.00 ✓	-			
2	103766	-	-	\$ 252.50 ✓	-			
3	104014	-	-	-	-			
4	15120862	\$ 189.00 ✓	\$ 266.54 ✓	\$ 143.09 ✓	-			
5	22840116	\$ 268.75 ✓	\$ 350.28 ✓	-	-			
6	22840117	\$ 233.75 ✓	\$ 250.28 ✓	-	-			
7	100057CY	-	-	-	-			
8	103001LW	-	-	-	-			
9	103113CY	-	-	-	-			
10	437207-S	-	\$ 4,490.24 ✓	\$ 2,221.93 ✓	\$ 795.00 ✓			
11	770022PT	-	-	-	\$ 800.00 ✓			
12	ACT900023STR	-	-	-	-			
13	DEL21331	\$ 180.29 ✓	\$ 272.50 ✓	\$ 149.88 ✓	-			
14	DEL21564	\$ 182.50 ✓	\$ 319.84 ✓	\$ 105.00 ✓	-			
15	DEL21609	\$ 150.28 ✓	\$ 257.08 ✓	-	-			
16	DEL21648	\$ 255.00 ✓	\$ 395.48 ✓	\$ 188.75 ✓	-			
17	DEL21650	\$ 233.75 ✓	\$ 298.46 ✓	\$ 196.00 ✓	-			
18	DEL21902	\$ 359.96 ✓	\$ 462.66 ✓	-	-			
19	DEL21907	\$ 356.78 ✓	-	-	-			
20	FORRAD32	\$ 338.84 ✓	\$ 445.62 ✓	-	-			
21	FREBHT91665	-	\$ 1,539.03 ✓	\$ 817.89 ✓	\$ 725.00 ✓			
22	FREBHTCU078001	-	\$ 2,037.72 ✓	\$ 633.07 ✓	\$ 695.00 ✓			
23	FRECU077001	-	\$ 2,292.32 ✓	\$ 844.74 ✓	\$ 710.00 ✓			
24	FRERCH4210348	-	-	\$ 633.07 ✓	\$ 695.00 ✓			
25	GMC22805590	\$ 373.50 ✓	\$ 466.16 ✓	\$ 255.86 ✓	-			
26	GMC22840115	\$ 255.00 ✓	\$ 295.08 ✓	\$ 225.59 ✓	-			
27	GMC22840117	\$ 233.75 ✓	\$ 350.28 ✓	\$ 196.00 ✓	-			
28	GMC2944251000	-	-	-	-			
29	GMC84186716	\$ 355.00 ✓	\$ 437.04 ✓	-	-			
30	GMC84186718	\$ 356.78 ✓	\$ 431.28 ✓	\$ 178.41 ✓	-			
31	GMC84207656	\$ 359.96 ✓	\$ 479.28 ✓	-	-			
32	GMC84462085	\$ 292.44 ✓	\$ 354.90 ✓	-	-			
33	GMC92421106	\$ 487.46 ✓	-	-	-			
34	HAW103206	-	-	-	-			
35	HAW103264	-	-	-	-			
36	HAW21523	-	\$ 321.40 ✓	-	-			
37	HDC010126PA	-	-	-	\$ 1,000.00 ✓			
38	HDC010645	-	-	-	\$ 725.00 ✓			
39	HDC010818PA	-	-	-	-			
40	KUBR142142300	-	-	-	-			
41	MOP5137691AA	-	\$ 192.40 ✓	-	-			
42	NAPCU2494	-	\$ 523.58 ✓	-	-			
43	RAD103001DX	-	-	-	-			
44	RAD103708	-	\$ 462.66 ✓	-	-			
45	RAD2170	\$ 272.71 ✓	\$ 338.34 ✓	-	-			
46	RAD2291	\$ 233.57 ✓	\$ 252.90 ✓	-	-			
47	SPA2583-FF-801001	-	-	-	-			
48	WKN1000214506	-	-	-	-			

- indicates no bid



**Environmental Protection Agency Grant Opportunity to Support Anaerobic Digestion in Communities for Fiscal Year 2021 (Ordinance S-47984)**

Request to authorize the City Manager, or his designee, to apply for, accept, and enter into an agreement, and disburse grants from the Environmental Protection Agency (EPA) through its Sustainable Materials Management 2021 Anaerobic Digestion Funding Opportunity to support diversion of food and organic waste from the landfill through development of new, or enhance/increase existing, anaerobic digestion capacity and infrastructure in the United States. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. No matching funds are required under this competition.

**Summary**

According to Phoenix's 2018 waste characterization study, approximately 14 percent (59,516 tons) of the City's residential trash is composed of food waste; thus, the Public Works Department has been looking for innovative ways to reduce food and organic waste sent to landfill thereby reducing greenhouse gas emissions.

In partnership with the Water Services Department and the Office of Environmental Programs, Public Works would like to use grant funds to study the feasibility of a new anaerobic digester, or adding capacity to an existing digester, at one of Phoenix's Wastewater Treatment Plants. Anaerobic digesters process organic material into biogas which can be used for energy. The analysis will determine whether 91st Avenue Wastewater Treatment Plant or 23rd Avenue Wastewater Treatment Plant would be better suited to incorporate food and organic waste into a future anaerobic digestion system. The study will also help determine all associated costs to realize either of the two digester projects. The EPA will accept applications until Oct. 7, 2021.

**Financial Impact**

The amount requested for this proposal is \$150,000. If grant funds are awarded in full, Phoenix would not need to match funds.

**Location**

91st Avenue and 23rd Avenue Wastewater Treatment Plants  
Council District: 7

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**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Public Works and Water Services departments.



## **Fuel Terminal Services (Ordinance S-47989)**

Request to authorize the City Manager, or his designee to enter into separate contracts with Caljet of America, LLC and SFPP LP Kinder Morgan to provide fuel storage space and fuel pipeline space. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate value of \$486,912.

### **Summary**

The City of Phoenix Public Works Department is responsible for procuring fuel for the majority of the City. This fuel must be moved through a pipeline, as well as stored and blended locally for fuel trucks to distribute fuel to designated citywide fuel sites. This agreement will provide for pipeline receipts, guaranteed storage space, as well as loading services at the rack with additive injection capabilities.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing unusual nature. The City of Phoenix requests storage space, blending and loading capabilities that are only provided by a limited number of vendors, and due to the volume of fuel purchased, fuel storage terminal services connected to the pipeline are currently required.

### **Contract Term**

This contract will be begin on or about Dec.1, 2021, for a one-year term.

### **Financial Impact**

This item will have an estimated aggregate value of \$486,912.

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

### **Responsible Department**

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



## **Hoist and Cranes - Inspection, Certification, Maintenance and Repair (Ordinance S-47990)**

Request to authorize the City Manager, or his designee, to enter into a contract with American Inspection & Test, Inc. to provide inspections, certifications, maintenance and repair of hoist and cranes. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of \$31,428.

### **Summary**

The Public Works Department is responsible for approximately 26 hoists and cranes found at various service centers. These hoists and cranes must pass an annual inspection and certification as required by American National Standard Institute (ANSI), as well as Occupational Safety and Health Administration (OSHA). If the units fail inspection, this contract will also allow Public Works to procure the necessary service and parts to bring the unit to ANSI and OSHA passing standards. The units are vital for the service centers' daily operations, as they are used to lift tanks, engines, and other heavy components out of equipment for maintenance and repair.

### **Procurement Information**

A Request for Quote (RFQ) was conducted in accordance with Administrative Regulation 3.10. The Public Works Department requested quotes from 36 vendors and received one response from American Inspection and Test. The bid was evaluated based on current market price, responsiveness, and responsibility and is recommending award to American Inspection and Test at the below grand total by group:

American Inspection & Test, Inc.: \$850

### **Contract Term**

This contract will begin on or about Dec. 1, 2021 with an initial one-year contract term, with two additional contract years to be exercised in increments of up to one year, for a total contract term of three years.

**Financial Impact**

This item will have an estimated \$10,476 annual expenditure, with a total aggregate value of \$31,428 over the life of the contract.

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

**Responsible Department**

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



## Phoenix Raceway Non-Standard Crosswalk Markings

Request City Council consideration to approve a request from Phoenix Raceway to temporarily install non-standard crosswalk markings in downtown Phoenix for the 2021 National Association of Stock Car Auto Racing Championship Weekend, in accordance with the City's existing Non-Standard Crosswalk Marking Program. There will be no financial impact to the City of Phoenix.

### Summary

Phoenix Raceway is sponsoring this year's National Association of Stock Car Auto Racing (NASCAR) Championship Weekend scheduled for Nov. 5-8, 2021. In accordance with the Council-approved Non-Standard Crosswalk Marking Program, Phoenix Raceway submitted an application to install four temporary non-standard crosswalk markings at four proposed crosswalk locations surrounding the intersection of 3rd and Van Buren streets. The proposed markings would be installed for a two-week duration from Oct. 24 through Nov. 7, 2021. The proposed design mimics a raceway's start and finish lines with a painted yellow-checkered "start/finish line" at the four crosswalks at the Van Buren and 3rd streets intersection (**Attachment A**).

On June 19, 2019, City Council adopted Ordinance S-45794, allowing the Street Transportation Department to implement the Non-Standard Crosswalk Marking Program to allow the consideration of non-standard crosswalk intersection requests. The program provides requirements for non-standard crosswalk design, installation and ongoing maintenance as to not compromise the safety of pedestrian crossings or to place additional financial burden on the City. The program is limited to existing crosswalks where a vehicle is already required to stop due to a traffic signal, HAWK signal, or stop sign. The Non-Standard Crosswalk Marking Program is the only exception to standard traffic markings permitted on City streets and each proposed location requires the approval of the City Council.

The Non-Standard Crosswalk Marking Program is intended for the installation of non-standard crosswalk markings, which are paid for and maintained by the requestor. For permanent non-standard crosswalk markings, the program requires the design materials to consist of preformed thermoplastic to ensure longevity and must be installed by the Street Transportation Department. However, since this request is for

temporary markings over approximately two weeks, the City will allow these markings to be painted directly onto the asphalt, and Phoenix Raceway will be responsible for their installation and also their removal. The design will adhere to the program requirements that the non-standard markings maintain a three-inch gap from the existing standard crosswalk markings and can be solid colors or patterns of color. The Street Transportation Department will provide oversight to ensure the installation adheres to the design requirements stated in the Non-Standard Crosswalk Marking Program and that the installation and removal do not damage the existing crosswalk markings or pavement.

**Financial Impact**

There is no financial impact to the City of Phoenix. All materials, installation and removal costs will be the sole responsibility of Phoenix Raceway.

**Location**

Crosswalks at the intersection of 3rd and Van Buren streets.  
Council District: 8

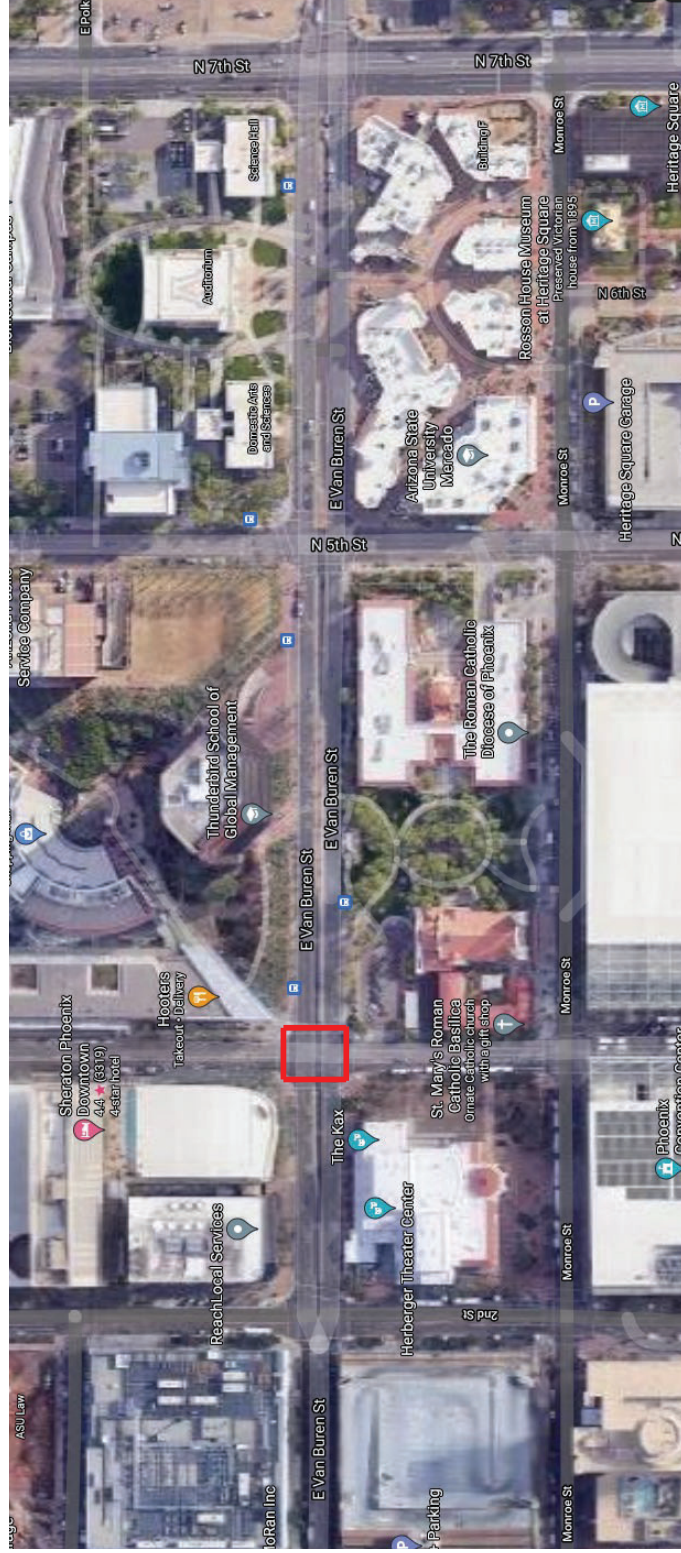
**Responsible Department**

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

# Pattern



# Placement











**Telecommunications Services and Interstate Telecommunications Services License (Ordinance S-47992)**

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

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Responsible Department**

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



## **Salt River Project Land Use License for City Encroachment onto Appropriator's Canal Land Rights (Ordinance S-47993)**

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project to provide ingress and egress access for City of Phoenix residents along 17th Street from Osborn Road to Indianola Avenue, and along Indianola Avenue west of 17th Street. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

### **Summary**

The City of Phoenix has roadways that encroach onto Salt River Project's Appropriator's Canal land rights in the area of 17th Street from Osborn Road to Indianola Avenue, and along Indianola Avenue west of 17th Street. This license will allow the City to continue to use the areas as they provide ingress and egress into a neighborhood for City residents. The license will allow access and maintenance of the roadway and will be consistent with, and shall not interfere with, U.S. Bureau of Reclamation fee property.

### **Contract Term**

The term of the license shall be for 25 years beginning Nov. 1, 2021 and ending Oct. 31, 2046. The license may be renewed upon written agreement by the parties.

### **Financial Impact**

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

### **Location**

17th Street from Osborn Road to Indianola Avenue  
Indianola Avenue from 17th Street to Appropriator's Canal  
Council District: 4

### **Responsible Department**

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



## **Industrial Gas Pipeline License Agreement with Linde Incorporated (Ordinance S-47994)**

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

### **Summary**

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

### **Contract Term**

The request is for a ten-year Industrial Gas Services License with an option for two additional five-year renewals.

### **Financial Impact**

There is no financial impact to the City. Per Phoenix City Code Chapter 5A, Licensee will pay to the City an annual fee of 2 percent of the licensee's gross annual revenues for the network within City limits.

### **Responsible Department**

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



**Salt River Project Construction License for Indian School Road Fiber Enhancement Project - ST89360035 (Ordinance S-47995)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for the installation of fiber optic cables in the area of 99th Avenue from Camelback to Indian School roads. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

**Summary**

The purpose of this license is to allow the City to install and operate fiber optic facilities that will include irrigation crossings and run parallel with Salt River Project irrigation facilities on 99th Avenue from Camelback to Indian School roads. This work is in conjunction with City Project ST89360035 Indian School Road Fiber Enhancement Project.

**Contract Term**

The term of the Construction License is one year, effective when the City begins construction, expected to be late October 2021.

**Financial Impact**

There is no financial impact for this license.

**Location**

99th Avenue from Camelback to Indian School roads  
Council District: 5

**Responsible Department**

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



## **Industrial Gas Pipeline License Agreement with Air Liquide (Ordinance S-47996)**

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

### **Summary**

The license will be for a period of 10 years, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

### **Contract Term**

The request is for a 10-year Industrial Gas Services License with an option for two additional five-year renewals.

### **Financial Impact**

There is no financial impact to the City. Licensee will pay to the City an annual fee of 2 percent of the licensee's gross annual revenues for the network within City limits.

### **Responsible Department**

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



**Telecommunications Services and Interstate Telecommunications Services License with AT&T Corporation (Ordinance S-47997)**

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

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Responsible Department**

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



**Fire Station 62 - Construction Manager at Risk Preconstruction Services - FD57100027 (Ordinance S-48003)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Core Construction, Inc. to provide Construction Manager at Risk (CMAR) Preconstruction Services for the Fire Station 62 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 \$75,000.

**Summary**

The purpose of this project is to build a new one-story fire station with four apparatus bays and 16 dorms to enable Phoenix Fire Department staff to support the surrounding community and create a quicker response time to calls.

Core Construction, Inc. will begin in an agency support role for CMAR Preconstruction Services. Core Construction, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Core Construction, Inc.'s services include, but are not limited to: detailed cost estimating and knowledge of marketplace conditions, provide project planning and scheduling, provide alternate systems evaluation and constructability studies, advise City on ways to gain efficiencies in project delivery, provide long-lead procurement studies and initiate procurement of long-lead items, assist in the permitting process, participate with the City in a process to set a goal for local and Small Business Enterprise (SBE) participation and implement the local and SBE process, protect the owner's sensitivity to quality, safety, and environmental factors, advise City on choosing green building materials. A SBE goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

This Agreement is essential to the health, safety, and welfare of the Public and critical operations for the City.

### **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. Seven firms submitted proposals and are listed below:

#### Selected Firm

Rank 1: Core Construction, Inc.

#### Additional Proposers

Rank 2: Willmeng Construction, Inc.

Rank 3: FCI Constructors, Inc.

Rank 4: Caliente Constructors, Inc.

Rank 5: Sun Eagle Corporation

Rank 6: Foresite Design & Construction, Inc.

Rank 7: Danson Construction, LLC

### **Contract Term**

The term of the agreement is 365 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

### **Financial Impact**

The agreement value for Core Construction, Inc. will not exceed \$75,000, including all subcontractor and reimbursable costs.

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

### **Concurrence/Previous Council Action**

The City Council approved Architectural Services Agreement 154186 (Ordinance S-47517) on May 5, 2021.

### **Location**

Approximately 99th Avenue and north side of Lower Buckeye Road within City-owned property.



Council District: 7

**Responsible Department**

This item is submitted by Assistant City Manager Jeffrey Barton, Deputy City Manager Mario Paniagua, the Fire Department, and the City Engineer.



## **Custodial Services for Water Services Department - Amendment (Ordinance S-47973)**

Request the authorize the City Manager, or his designee, to execute amendments to Agreements: 151914 with Triangle Services; and 151915 with Palacios Marine & Industrial Coatings, Inc, to provide additional time and funding to the agreements. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services included in this amendment will not exceed \$3,345,338.

### **Summary**

The purpose of this amendment is to extend the contracts to align with the other custodial contracts within the Water Services Department. Additionally, this extension will allow the Facilities Management Division time to conduct a full needs assessment of all facilities, which is anticipated to be completed within 12 to 18 months, and to develop a comprehensive scope of services in order to complete the procurement process for new custodial requirements contracts. The additional spending authority is required to fund the extended contract term, and to address needed increases in both contract labor hours and service frequency to comply with the Centers for Disease Control and Prevention guidelines.

### **Contract Term**

The amendments will extend the end date of the agreements' terms from March 31, 2022 to Sept. 30, 2024.

### **Financial Impact**

The initial authorization for Custodial Services agreements was for an expenditure not-to-exceed \$1,624,680. This amendment will increase the authorization for the agreements by \$3,345,338, for a new total not-to-exceed agreement value of \$4,970,018.

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

### **Concurrence/Previous Council Action**

The City Council approved Custodial Services for Water Services Department

Agreements 151914 and 151915 (Ordinance S-46485) on April 1, 2020.

**Responsible Department**

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



**Deer Valley Water Treatment Plant Rehabilitation 2019 - Construction Manager at Risk Preconstruction and Construction Services - Rescind and Award - WS85260030 (Ordinance S-47974)**

Request to authorize the City Manager, or his designee, to rescind Agreement 150257 with Kiewit Infrastructure West Co., and to award and enter into agreement with McCarthy Building Companies, Inc. to provide Construction Manager at Risk Preconstruction and Construction Services for the Deer Valley Water Treatment Plant Rehabilitation 2019 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 \$37.5 million.

**Summary**

The purpose of this project is to rehabilitate the Deer Valley Water Treatment Plant (WTP). The plant is a conventional filtration water treatment facility located on the south side of the Arizona Canal. City staff have completed a preliminary condition assessment of Deer Valley WTP's treatment systems, which indicated various systems are deteriorating and need rehabilitation due to age and usage. The City has hired an engineering consultant to perform a more comprehensive assessment and provide recommendations for repairs, which may include mechanical, electrical, and structural assets. The City anticipates addressing the following areas: raw water pump station, solids handling facility, solids area drain pump station, facility-wide valve and gate actuators, 84-inch raw water pipe to east basins, facility-wide fire alarm system, and new electrical buildings and gear.

The initial procurement for the Deer Valley WTP Rehabilitation 2019 project was awarded to Kiewit Infrastructure West Co. on June 19, 2019 (Ordinance S-45803) but was terminated for convenience on April 27, 2021. A new procurement process was conducted and McCarthy Building Companies, Inc. (McCarthy) was determined to be the most qualified contractor.

McCarthy will begin in an agency support role for Construction Manager at Risk Preconstruction Services. McCarthy will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) agreement.

McCarthy's Preconstruction Services include, but are not limited to: detailed cost estimating; project planning and scheduling; providing alternate systems evaluation and constructability studies; advising the City on ways to gain efficiencies in project delivery; providing long-lead procurement studies and initiating procurement of long-lead items; assisting with the permitting process; and preparation of a GMP proposal for the Construction Services provided under the agreement. A Small Business Enterprise (SBE) goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

McCarthy's construction services will include: bid, award, and manage all construction related contracts; be responsible for the construction means and methods related to the project; deal with owner issues and maintain a safe work site for all project participants; and fulfilling the SBE program requirements. McCarthy will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City's subcontractor selection process. McCarthy may also compete to self-perform limited amounts of work.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

### **Procurement Information**

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

#### Selected Firm

Rank 1: McCarthy Building Companies, Inc.

#### Additional Proposers

Rank 2: PCL Construction, Inc.

Rank 3: Archer Western Construction, LLC

### **Contract Term**

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

**Financial Impact**

The agreement value for McCarthy will not exceed \$37.5 million, including all subcontractor and reimbursable costs.

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

**Concurrence/Previous Council Action**

The City Council approved Preconstruction Services Agreement 150257 (S-45803) on June 19, 2019 with Kiewit Infrastructure West Co.

**Location**

Deer Valley WTP  
Council District: 1

**Responsible Department**

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



### **Acceptance of Funds from Suns Legacy Properties LLC for Interpretive Signage (Ordinance S-48013)**

This is a request to accept a donation of \$20,000 from Suns Legacy Properties LLC for interpretive signage related to the Hotel St. James. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

#### **Summary**

The Hotel St. James was constructed in 1929 at Madison and First Streets in downtown Phoenix and served the working class. It was placed on the National Register of Historic Places in 1985. Attempts were made in 1990 and 1999 to designate the property on the Phoenix Historic Property Register, but the cases were withdrawn or denied due to owner opposition. Suns Legacy Properties LLC acquired the property in 2007. In 2012 they requested a demolition permit, but agreed to save the front third of the building to repurpose it. The hotel was de-listed from the National Register in 2015. In May of 2021, Suns Legacy Properties LLC sought demolition approval for the remaining portion of the building. To mitigate the loss of the building, they allowed the City to salvage the neon sign, balcony railing, a few decorative roof tiles and several bricks to be incorporated into historic interpretive signage that would tell the story of the history of the hotel and the role of working class hotels in the development of downtown Phoenix in the early 20th century.

Suns Legacy Properties LLC agreed to contribute \$20,000 toward the development of the interpretive historic place exhibit and sign. Once fabricated, the historic installation and sign would be installed within the right-of-way within the Warehouse Character Area.

#### **Financial Impact**

If the funds are accepted and the Council approves a separate item for up to \$30,000 of Community and Economic Development Funds, the funds will be used for the interpretive historic place exhibit and sign.

#### **Concurrence/Previous Council Action**

The Historic Preservation Commission heard this request on Aug. 16, 2021 and voted

6-0 to recommend approval of the donation.

The Economic Development and Equity Subcommittee heard this item on Sept. 28, 2021 and approved accepting the donation by a vote of 4-0.

**Location**

City Right-of-way within the Warehouse Character Area.

Council District: 7

**Responsible Department**

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





## **Acceptance of Community and Economic Development Funds for Interpretive Signage (Ordinance S-48012)**

Request approval of up to \$30,000 from the Community and Economic Development Department (CEDD) for Interpretive Historic Place exhibit and Sign related to the Hotel St. James. There is no impact to the General Fund; funding is available in the Downtown Community Reinvestment Fund.

### **Summary**

Suns Legacy Properties LLC owns the property where the Hotel St. James once stood at Madison and First Streets in downtown. The hotel was constructed in 1929 and served the working class. It was listed on the National Register of Historic Places in 1985. These hotels for the working class played an important role in the development of downtown Phoenix in the early twentieth century. The City made two attempts to list the hotel on the Phoenix Historic Property Register, but the application was withdrawn or denied due to owner opposition. Suns Legacy Properties LLC acquired the property in 2007 and requested demolition in 2012. They agreed to save the front third of the building to repurpose it. In 2015, the hotel was de-listed from the National Register of Historic Places. In May of 2021, they requested demolition of the remaining portion of the hotel. Suns Legacy Properties LLC agreed to donate \$20,000 toward interpretive signage in order to mitigate the loss of the building. Prior to demolition on Aug. 3, 2021, they allowed the City to salvage materials from the building to incorporate into the interpretive signage.

The cost of the interpretive Historic Place exhibit and sign is \$50,000. \$30,000 of CEDD funds will provide the match necessary to prepare, fabricate and install the interpretive signage.

### **Financial Impact**

There is no impact to the General Fund. The \$30,000 of CEDD funding is available in the Downtown Community Reinvestment Fund, and would be used along with a \$20,000 donation from Suns Legacy Properties LLC, if accepted, to prepare, fabricate and install interpretive historic place exhibit and sign related to the Hotel St. James.

**Concurrence/Previous Council Action**

The Historic Preservation Commission heard this request on Aug. 16, 2021 and voted 6-0 to recommend approval of the funds.

The Economic Development and Equity Subcommittee heard this item on Sept. 28, 2021 and voted to approve by a vote of 4-0.

**Location**

Warehouse Character Area

Council District: 7

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development and Community and Economic Development departments.



**Final Plat - 15th Avenue and Pinnacle Peak Road - PLAT 210023 - Southwest Corner of 11th Avenue and Pinnacle Peak Road**

Plat: 210023

Project: 04-3629

Name of Plat: 15th Avenue and Pinnacle Peak Road

Owner: LPC Pinnacle 1, LLC, LPC Pinnacle 2, LLC, & LPC Pinnacle 3, LLC

Engineer: James A. Brucci, RLS

Request: A 3 Lot Commercial Plat

Reviewed by Staff: August 30, 2021

Final Plat requires Formal Action Only

**Summary**

Staff requests the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 210021. The sequence of recording is as follows: the resolution of abandonment is recorded first, then the plat second.

**Location**

Generally located at the southwest corner of 11th Avenue and Pinnacle Peak Road.  
Council District: 1

**Responsible Department**

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



**Final Plat - Ascend at Dynamite - PLAT 210049 - Northeast Corner of Dynamite Boulevard and Interstate 17 Highway**

Plat: 210049  
Project: 20-1755  
Name of Plat: Ascend at Dynamite  
Owner: DHIC-Black Canyon, LLC  
Engineer: Joseph V. Malek  
Request: A 1 Lot Commercial Plat  
Reviewed by Staff: Sept. 7, 2021  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at northeast corner of Dynamite Boulevard and Interstate 17 Highway.  
Council District: 2

**Responsible Department**

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



Report

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Agenda Date: 10/6/2021, Item No. 100

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**Final Plat - 19 North - PLAT 210012 - Southeast Corner of 22nd Avenue and Butler Drive**

Plat: 210012  
Project: 20-359  
Name of Plat: 19 North  
Owner(s): 19 North 1, LLC  
Engineer(s): 3 Engineering  
Request: A 2 Lot Residential Subdivision Plat  
Reviewed by Staff: Aug. 24, 2021  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at the southeast corner of 22nd Avenue and Butler Drive.  
Council District: 5

**Responsible Department**

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



**Final Plat - Maryland & 15th Avenue - PLAT 200548 - Northwest Corner of Maryland Avenue and 15th Avenue**

Plat: 200548  
Project: 18-3886  
Name of Plat: Maryland & 15th Avenue  
Owner: Maryland 15th, LLC  
Engineer: Robert J. Blake, LLC  
Request: A 34 Lot Residential Plat  
Reviewed by Staff: Aug. 31, 2021  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at northwest corner of Maryland Avenue and 15th Avenue.  
Council District: 5

**Responsible Department**

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



**Final Plat - Valleywise Community Health Center North Phoenix - PLAT 210005 - Southeast Corner of Northern Avenue and 21st Avenue**

Plat: 210005

Project: 17-2388

Name of Plat: Valleywise Community Health Center North Phoenix

Owner: Maricopa County Special Health Care District

Engineer: Jason P. Graham

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Aug. 31, 2021

Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at the southeast corner of Northern Avenue and 21st Avenue.

Council District: 5

**Responsible Department**

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



Report

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Agenda Date: 10/6/2021, Item No. 103

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**Final Plat - Nextgen Mountainside - PLAT 210028 - 4820 East Ray Road**

Plat: 210028  
Project: 99-35873  
Name of Plat: Nextgen Mountainside  
Owner: Nextgen Mountainside, LLC  
Engineer: 3 Engineering  
Request: A 1 Lot Commercial Plat  
Reviewed by Staff: June 29, 2021  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at 4820 E. Ray Road.  
Council District: 6

**Responsible Department**

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





**Final Plat - Willow 38 - PLAT 210008 - Northeast Corner of 38th Street and Osborn Road**

Plat: 210008  
Project: 16-1836  
Name of Plat: Willow 38  
Owner: Willow 38 Ref Acquisition, LLC  
Engineer: Brian J. Benedict  
Request: A 48-Lot Residential Plat  
Reviewed by Staff: Aug. 24, 2021  
Final Plat requires Formal Action Only.

**Summary**

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

**Location**

Generally located at the northeast corner of 38th Street and Osborn Road  
Council District: 6

**Responsible Department**

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



Report

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Agenda Date: 10/6/2021, Item No. 105

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**Final Plat - Nineteen Commons - PLAT 200575 - Northeast Corner of 19th Avenue and Baseline Road**

Plat: 200575  
Project: 19-1017  
Name of Plat: Nineteen Commons  
Owner(s): Nineteen Commons, LLC  
Engineer: Daniel J. Robinson  
Request: A 4 Lot Commercial Plat  
Reviewed by Staff: Aug. 6, 2021  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at northeast corner of 19th Ave. and Baseline Road.  
Council District: 7

**Responsible Department**

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



**Final Plat - Alameda Villas Subdivision - PLAT 210003 - Southeast Corner of Osborn Avenue and 38th Street**

Plat: 210003

Project: 20-754

Name of Plat: Alameda Villas Subdivision

Owner(s): Alameda Villas, LLC

Engineer(s): Eugene S. Cetwinski, RLS

Request: A 15 Lot Residential Plat

Reviewed by Staff: Aug. 24, 2021

Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at the southeast corner of Osborn Avenue and 38th Street.

Council District: 8

**Responsible Department**

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



**Abandonment of Easement - ABND 200569 - Parcel north of 25700 North 21st Avenue (Resolution 21967)**

Abandonment: ABND 200569

Project: 15-3108

Applicants: AWH Construction Inc. and Ethan A Boyle

Request: To abandon the portion of a drainage easement in portion of APN 210-04-008K. The purpose of this abandonment is to be able to replat the development and rededicate the easements in slightly different locations.

Date of Decision: Feb. 16, 2021

**Summary**

The resolution of the abandonment and PLAT 210021 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution of abandonment is recorded first, then the plat is recorded second.

**Location**

Parcel north of 25700 North 21st Avenue

Council District: 1

**Financial Impact**

None. No consideration fee was required as part of this drainage easement abandonment because it is not right-of-way and the easements will be rededicated in a different location as part of the development of the site. Application fees were paid to cover the costs of processing this request.

**Responsible Department**

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



**Abandonment of Easements - ABND 210021 - 1125, 1255 and 1425 W. Pinnacle Peak Rd. (Resolution 21964)**

Abandonment: ABND 210021

Project:04-3629A3

Applicant: James A. Brucci, RLS

Request: To abandon the drainage easements along Pinnacle Peak Road and within 209-02-007F, per the submitted exhibits.

Date of Decision/Hearing: Aug. 10, 2021

**Summary**

The resolution of the abandonment and PLAT 210023 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording is as follows: the resolution of abandonment is recorded first, then the plat second.

**Location**

1125, 1255 and 1425 W. Pinnacle Peak Rd.

Council District: 1

**Financial Impact**

None. No consideration fee was required as a part of this easement abandonment because it is not right-of-way, although filing fees were paid to cover application processing costs.

**Responsible Department**

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



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Agenda Date: 10/6/2021, Item No. 109

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**Abandonment of Easement - ABND 200567 - Northeast Corner of 7th Avenue and Camelback Road (Resolution 21963)**

Abandonment: ABND 200567

Project: 19-304

Applicant: Leslie Kland, Kland Civil Engineers

Request: To abandon the portion of the Public Utility Easement running north from Camelback Road within APN 162-26-005B and terminating at 16-feet from the parcel's north property line.

Date of Decision/Hearing: Jan. 6, 2021

**Location**

Northeast Corner of 7th Avenue and Camelback Road

Council District: 4

**Financial Impact**

None. No consideration fee was required as a part of this easement abandonment because it is not full right-of-way, although filing fees were paid to cover the cost of processing the application.

**Responsible Department**

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



**Abandonment of Alleyway Easement - ABND 200503 - Southeast Corner of Glendale Avenue and 8th Avenue (Resolution 21962)**

Abandonment: ABND 200503

Project: 99-8107

Applicant: Taylor Earl; Earl & Curley, PC

Request: To abandon a 16-foot alley adjoining APN's 156-23-048, 156-23-047, 156-23-046, 156-23-045, 156-23-060A, 156-23-061E and Glendale Avenue.

Date of Decision/Hearing: March 19, 2020

**Location**

Southeast Corner of Glendale Avenue and 8th Avenue

Council District: 5

**Financial Impact**

A consideration fee was also collected as part of this alleyway easement abandonment in the amount of \$11,722.80.

**Responsible Department**

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



**Abandonment of Right-of-Way - ABND 190089 - Northeast Corner of 13th Place and Palo Verde Drive (Resolution 21959)**

Abandonment: ABND 190089

Project: 00-6427

Applicant: Jerry Mansoor

Request: To abandon 16'0" alley right-of-way and 30'0" 14th Street right-of-way adjacent to APN 162-04-061; located at the northeast corner of 13th Place and Palo Verde Drive; recorded on Subdivision Plat "McAdams Manor"; Book 053, Page 21, Maricopa County Recorder.

Date of Decision/Hearing: Sept. 2, 2020

**Location**

Northeast corner of 13th Place and Palo Verde Drive

Council District: 6

**Financial Impact**

A consideration fee was also collected as part of this right-of-way abandonment in the amount of \$1,278.

**Responsible Department**

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





**Abandonment of Easement - ABND 210011 - 3963 East Montecito Avenue  
(Resolution 21960)**

Abandonment: ABND 210011

Project: 05-2601

Applicant: John Reddell

Request: To abandon the 25-foot roadway easement along the east side of parcel APN 170-25-053, adjacent to 40th Street.

Date of Decision/Hearing: April 29, 2021

**Location**

3963 East Montecito Ave.

Council District: 6

**Financial Impact**

None. A consideration fee was not required for this easement abandonment, but filing fees were paid.

**Responsible Department**

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



**Abandonment of Easement - ABND 210005 - 1420 North 24th Street (Resolution 21965)**

Abandonment: ABND 210005

Project: 20-1173

Applicants: Charles Huellmantel/Huellmantel & Affiliates

Request: To abandon a portion of the Public Utility Easement located in the center of the subject parcel west of 24th Street between Brill Street and Willetta Street.

Date of Decision/Hearing: March 24, 2021

**Summary**

The resolution of the abandonment and MOD 210001 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

**Location**

1420 N. 24th St.

Council District: 8

**Financial Impact**

None. No consideration fee was required as a part of this easement abandonment because it is not right-of-way, although filing fees were paid to cover application processing costs.

**Responsible Department**

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



Report

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Agenda Date: 10/6/2021, Item No. 114

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**Map of Dedication - Quiktrip Store No. 1441 - MOD 210001 - 1420 North 24th St.**

MOD: 210001

Project: 20-1173

Name of MOD: Quiktrip Store No. 1441

Owner: Quiktrip Corporation

Engineer: The WLB Group, Inc.

Reviewed by Staff: June 9, 2021

Final Map of Dedication requires Formal Action Only

**Summary**

Staff requests that the above Map of Dedication be approved by the City Council and certified by the City Clerk. Recording of the Map of Dedication dedicates the streets and easements as shown to the public. This Map of Dedication needs to record concurrently with Abandonment 210005.

**Location**

Generally located at 1420 N. 24th St.

Council District: 8

**Responsible Department**

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



**Remove/Replace Zoning District - 51st Avenue and Baseline Road - Annexation 506 (Ordinance G-6903)**

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County C-2 zoning district and replacing it with the City of Phoenix R-4A zoning district on property at the location described below, which was annexed into the City of Phoenix on Aug. 25, 2021 by Ordinance S-47878.

**Location**

Approximately 500 feet east of 51st Avenue and 1,300 feet north of Baseline Road  
Council District: 7

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (51ST AVENUE AND BASELINE ROAD ANNEXATION, NO. 506) FROM COUNTY C-2 (INTERMEDIATE COMMERCIAL) TO CITY'S R-4A (MULTIFAMILY RESIDENCE).

WHEREAS, on August 25, 2021, via Ordinance S-47878, the City of Phoenix annexed an approximately 6.56-acre property located approximately 500 feet east of 51st Avenue and 1,300 north of Baseline Road, in a portion of the Northwest quarter of the Southwest quarter of Section 33, Township 1 North, Range 2 East, as described more specifically in "Exhibit A" and incorporated herein by this reference; and,

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

WHEREAS, immediately prior to annexation the zoning applicable to this territory was C-2 zoning district; and

WHEREAS, the City's R-4A (Multifamily Residence) zoning district is equivalent to Maricopa County's C-2 zoning district;

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

SECTION 1. The approximately 6.56-acre property located approximately 500 feet east of 51st Avenue and 1,300 north of Baseline Road, in a portion of the Northwest quarter of the Southwest quarter of Section 33, Township 1 North, Range 2 East, which is described in “Exhibit A” and depicted in “Exhibit B” has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's C-2 zoning district and placed into the City's R-4A (Multifamily Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

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

SECTION 4. The Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in “Exhibit B”.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of October, 2021.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

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REVIEWED BY:

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Ed Zuercher City Manager

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

51ST AVENUE AND BASELINE ROAD ANNEXATION  
Appendix A

That part of the Northwest quarter of the Southwest quarter of Section 33, Township 1 North, Range 2 East, G&SRB&M, Maricopa County, Arizona, described in Document No. 2021-0101536, official records of Maricopa County, more particularly described therein as follows:

COMMENCING at a 3" Maricopa County Department of Transportation brass cap in hand-hole marking the Southwest corner of said Section 33, from which a 3" Maricopa County brass cap flush stamped "RLS31010 2005" marking the West quarter corner of said Section 33 bears North 00°00' 00" East (basis of bearings), a distance of 2,632.44 feet;

thence North 00°00'00" East along the West line of said Southwest quarter, a distance of 1,316.22 feet to the Southwest corner of Northwest quarter of the Southwest quarter of said Section 33;

thence along the South line thereof, North 89°49'02" East, a distance of 440.00 feet to the Southeast corner of the property described in special Warranty Deed 2017-0903718, Official Records of Maricopa County, and shown on the "RECORD OF SURVEY 7145 S. 51ST AVENUE" recorded in Book 1450, of Maps, Page 43, Official Records of Maricopa County, and the TRUE POINT OF BEGINNING;

thence along the East line thereof, North 00°10'32" West, a distance of 330.00 feet to the Northeast corner of said "RECORD OF SURVEY 7145 S. 51ST AVENUE" at the South line of the property described as "Item No.: A00I.010" in Warranty Deed 2007-0354054, Official Records of Maricopa County;

thence along the South line thereof, North 89°49'02" East, a distance of 869.96 feet to the Southeast corner of said "Item No.: A00I.010" and the Northwest corner of "ROGERS RANCH PARCEL 9" subdivision, recorded in Book 817, of Maps, Page 16, Official Records of Maricopa County;

thence along the West line thereof, South 00°09'49" West, a distance of 330.00 feet to the Southeast corner of the Northwest quarter of the Southwest quarter of Section 33 and the Northeast corner of "ARIZONA GENERAL HOSPITAL" subdivision, recorded in Book 1188, of Maps, Page 12, Official Records of Maricopa County;

thence along North line thereof, South 89°49'02" West, a distance of 868.01 feet to the TRUE POINT OF BEGINNING.

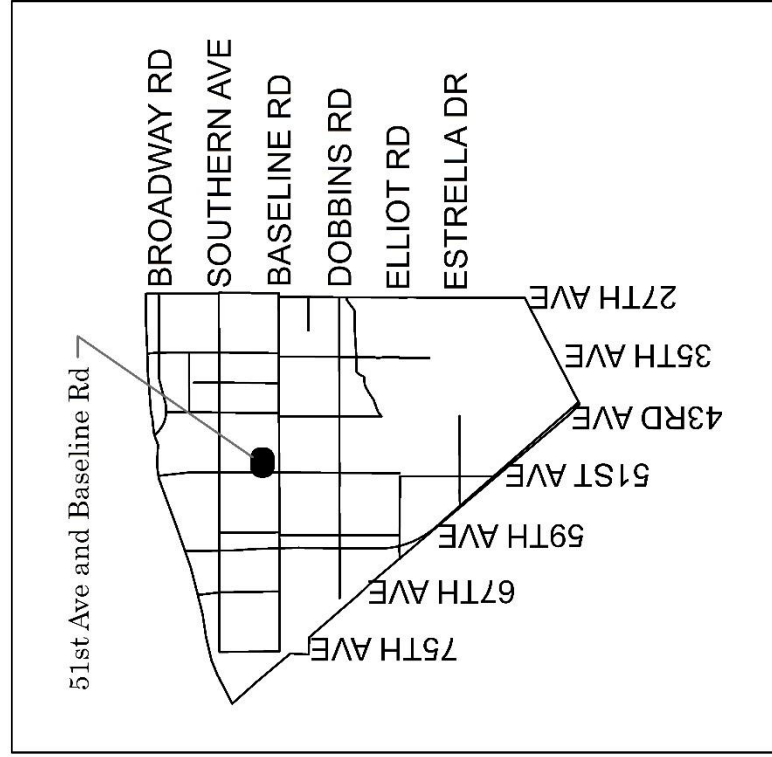
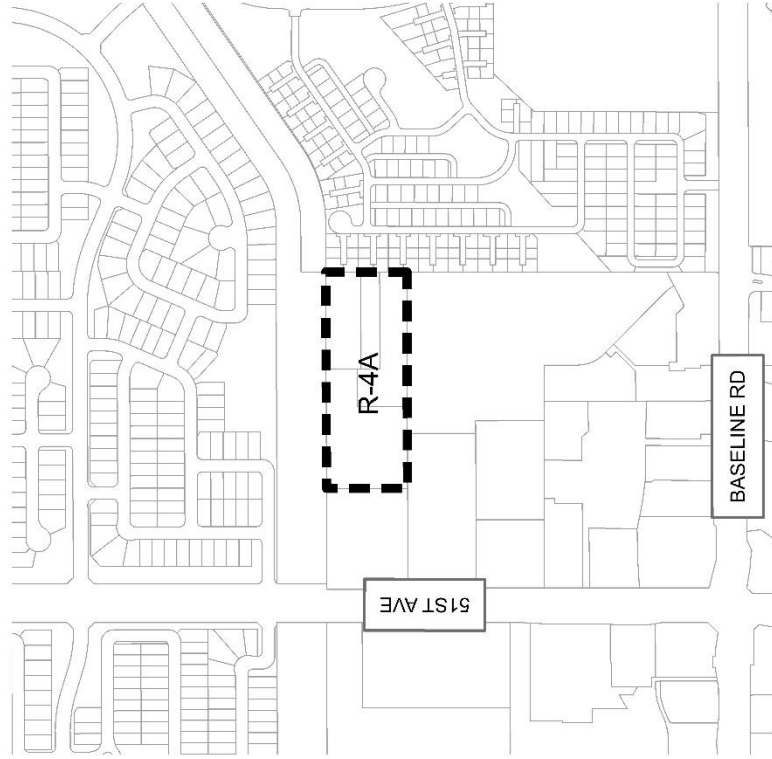


# ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: ANX 51st Ave and Baseline Rd  
Zoning Overlay: N/A  
Planning Village: Laveen



0 300 600 1,200 Feet

NOT TO SCALE



Drawn Date: 8/27/2021



**Amend City Code - Ordinance Adoption - Rezoning Application Z-30-21-2 - Southeast Corner of the 29th Avenue Alignment and the Bronco Butte Trail Alignment (Ordinance G-6899)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-30-21-1 and rezone the site from PCD NBCOD, approved C-2 or CP M-R PCD NBCOD (Planned Community District, North Black Canyon Overlay District, approved Intermediate Commercial or Commerce Park, Mid-Rise, Planned Community District, North Black Canyon Overlay District) to C-2 HGT/WVR DNS/WVR NBCOD (Intermediate Commercial, Height Waiver, Density Waiver, North Black Canyon Overlay District) to remove the PCD designation and allow multifamily residential.

**Summary**

Current Zoning: PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)

Proposed Zoning: C-2 HGT/WVR DNS/WVR NBCOD

Acreage: 20.96 acres

Proposed Use: Removal of PCD zoning and allow multifamily residential

Owner: Robert and Sabrina Eaton

Applicant: CWS Capital Partners, LLC

Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Gateway Village Planning Committee heard this case on Aug. 12, 2021 and recommended approval, per the staff recommendation, by a vote of 6-0.

PC Action: The Planning Commission heard this case on Sept. 2, 2021 and recommended approval, per the North Gateway Village Planning Committee recommendation with an additional stipulation, by a vote of 9-0.

**Location**

Southeast corner of the 29th Avenue alignment and the Bronco Butte Trail alignment

Council District: 2

Parcel Address: N/A

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-30-21-2) FROM PCD NBCOD, APPROVED C-2 OR CP M-R PCD NBCOD (PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT, APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK, MID-RISE, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT) TO C-2 HGT/WVR DNS/WVR NBCOD (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, DENSITY WAIVER, NORTH BLACK CANYON OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 20.96-acre site located at the southeast corner of the 29th Avenue alignment and the Bronco Butte Trail alignment in a portion of Section 14, Township 5 North, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from “PCD NBCOD (Approved C-2 of CP M-R PCD NBCOD” (Planned Community District, North Black Canyon Overlay District, approved Intermediate Commercial or Commerce Park, Mid-Rise, Planned Community District, North Black Canyon Overlay District) to “C-2 HGT/WVR DNS/WVR NBCOD”

(Intermediate Commercial, Height Waiver, Density Waiver, North Black Canyon Overlay District).

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

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

1. The development shall be in general conformance with the site plan and elevations date stamped May 21, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall utilize the R-4 Planned Residential Development option.
3. An east-west pedestrian connection (Paseo del Prado) shall be provided in accordance with the North Gateway Village Core Plan, as modified by the following stipulations and approved by the Planning and Development Department:
  - a. The Paseo del Prado shall align with any existing easements and continue through the entirety of the site from east to west.
  - b. A pedestrian access easement of 20 feet shall be dedicated for the pedestrian connection (Paseo del Prado). Of the 20 feet, 12 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 8 feet may be used for pedestrian friendly amenities or features, such as benches, tables, courtyards, etc.
  - c. A minimum of 75% of the 20-foot pedestrian access easement for the Paseo del Prado shall be shaded by a structure, landscaping, or a combination of the two.
  - d. The site shall be designed in such a manner that the building placement creates an alignment and synergy for the Paseo del Prado. This can be achieved by placing uses such as outdoor amenity areas, outdoor seating, and points of architectural interest along the pedestrian path.

4. The developer shall provide secured bicycle parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of sixteen bicycle parking spaces shall be provided for guests located near the club house or distributed throughout the site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
5. All sidewalks along streets shall be detached with a minimum 10-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
6. A minimum of 75% of pedestrian pathways and sidewalks shall be shaded by a structure, landscaping, or combination of the two, as approved by the Planning and Development Department.
7. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.
8. Pedestrian pathways shall be provided to connect building entrances, public sidewalks, and community amenities, using the most direct route for pedestrians as approved by the Planning and Development Department.
9. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS, the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department.
10. The developer shall dedicate and construct the east half of 29th Avenue, as required by the Traffic Impact Study and as approved by the Street Transportation Department.
11. The developer shall dedicate and construct the south half of Bronco Butte Trail connecting to the existing Bronco Butte Trail to the east, as required by the Traffic Impact Study and as approved by the Street Transportation Department.
12. The developer shall accommodate right-of-way for flared intersections at 29th Avenue and Bronco Butte Trail, as required by the Traffic Impact Study and as approved by the Street Transportation Department.

13. The developer shall provide conduit and junction boxes at the southeast corner of 29th Avenue and Bronco Butte Trail and a 25% escrow contribution for the future traffic signal prior to preliminary site plan approval, as approved by the Street Transportation Department.
14. The developer shall provide \$50,000 in escrow to fund a traffic control device for a pedestrian crossing at the intersection of 29th Avenue and the Paseo del Prado trail path, as depicted on the site plan date stamped May 21, 2021, and to fund a raised median island for pedestrian refuge along 29th Avenue, prior to preliminary site plan approval and as approved by the Street Transportation Department.
15. The developer shall provide a shaded amenity area for pedestrians at the intersection of 29th Avenue and the paseo trail path, as depicted on the site plan date stamped May 21, 2021, and as approved by the Planning and Development Department.
16. The developer shall dedicate and construct right-of-way to connect to two existing public streets, as approved by the Street Transportation Department.
17. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
18. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeology survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
19. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determine such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
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 preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 6th day of October, 2021.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

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REVIEWED BY:

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Ed Zuercher, City Manager

Exhibits:



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

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-30-21-2:

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

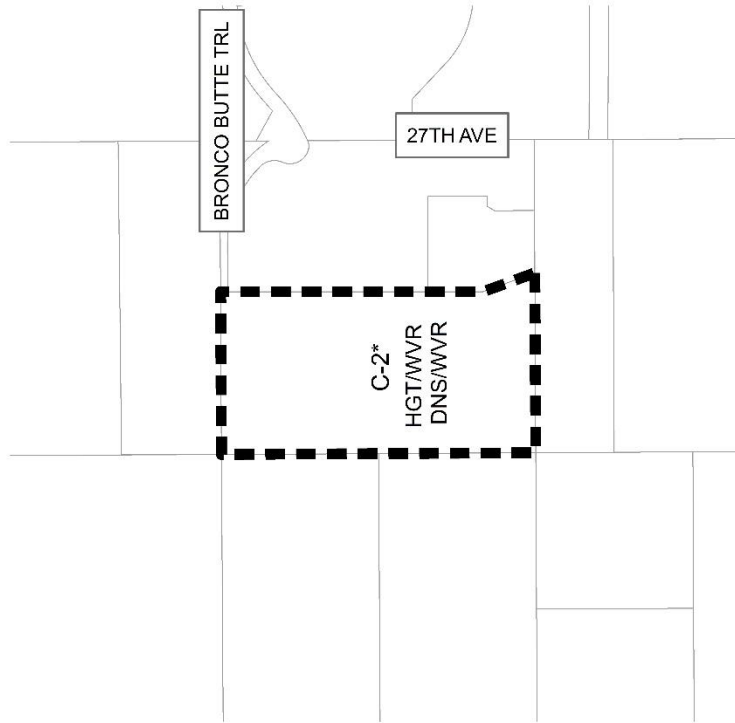
THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 EAST OF GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THEREFROM ANY PORTION LYING WITHIN THE FINAL PLAT OF "LEGACY SPORTS HOTEL," AS RECORDED IN BOOK 1482 OF MAPS, PAGE 02, RECORDS OF MARICOPA COUNTY, ARIZONA.

# ORDINANCE LOCATION MAP

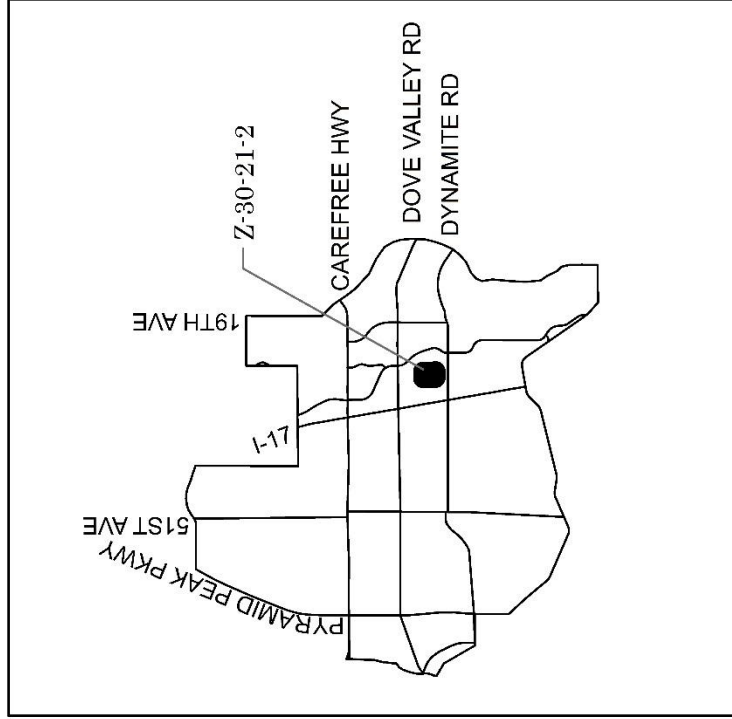
ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-30-21-2  
Zoning Overlay: North Black Canyon Corridor Plan and Overlay District  
Planning Village: North Gateway



0 300 600 1,200 Feet

NOT TO SCALE



Drawn Date: 9/14/2021



**Amend City Code - Ordinance Adoption - Rezoning Application Z-26-21-4 - Approximately 270 Feet South of the Southwest Corner of 17th Street and Glenrosa Avenue (Ordinance G-6900)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-26-21-4 and rezone the site from R-3 (Multifamily Residence District) to R-4 (Multifamily Residence District) to allow a multifamily residential development.

**Summary**

Current Zoning: R-3 (Multifamily Residence District)

Proposed Zoning: R-4 (Multifamily Residence District)

Acreage: 0.64 acres

Proposal: Multifamily residential development

Owner/Applicant: Sanchez Partners, LLC

Representative: Ashley Marsh, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Aug. 3, 2021 and recommended approval, per the staff recommendation with a modification, by a vote of 14-0.

PC Action: The Planning Commission heard this case on Sept. 2, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a vote of 9-0.

**Location**

Approximately 270 feet south of the southwest corner of 17th Street and Glenrosa Avenue

Council District: 4

Parcel Address: 4228 N. 17th St.

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-26-21-4) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-4 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 0.64 acre site located approximately 270 feet south of the southwest corner of 17th Street and Glenrosa 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-4” (Multifamily Residence District).

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

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

violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan and elevations date stamped May 5, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. There shall be a minimum 5-foot-wide detached sidewalk along 17th Street with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb that shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
3. Minimum 2-inch caliper trees, planted 20 feet on center or in equivalent groupings, shall be provided along the western, northern and southern perimeter property lines, as approved or modified by the Planning and Development Department.
4. All required landscape areas and setbacks shall have minimum 75 percent live groundcover in the form of shrubs, grasses, or groundcover plants.
5. All uncovered surface parking lot areas shall be landscaped with a minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area as approved by Planning and Development Department.
6. Minimum 50 percent shade and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants) shall be provided in all open space areas.
7. Bicycle parking spaces at a minimum rate of 0.25 spaces per residential unit shall be provided through Inverted U and/or artistic racks (in adherence to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan) or "Outdoor/Covered Facilities" for guests located near entrances or amenity areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
8. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.

9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
10. Trees shall be placed to provide 75 percent shade coverage on all pedestrian paths and sidewalks at full maturity, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
11. The developer shall underground all new or relocated existing overhead utility lines that are adjacent to the parcel and affected by the development.
12. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
13. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) 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.
14. The developer shall grant and record an aviation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
15. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
16. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
17. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
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 preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 6th day of October, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Ed Zuercher City Manager

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



EXHIBIT A

LEGAL DESCRIPTION FOR Z-26-21-4

WITHIN A PORTION OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

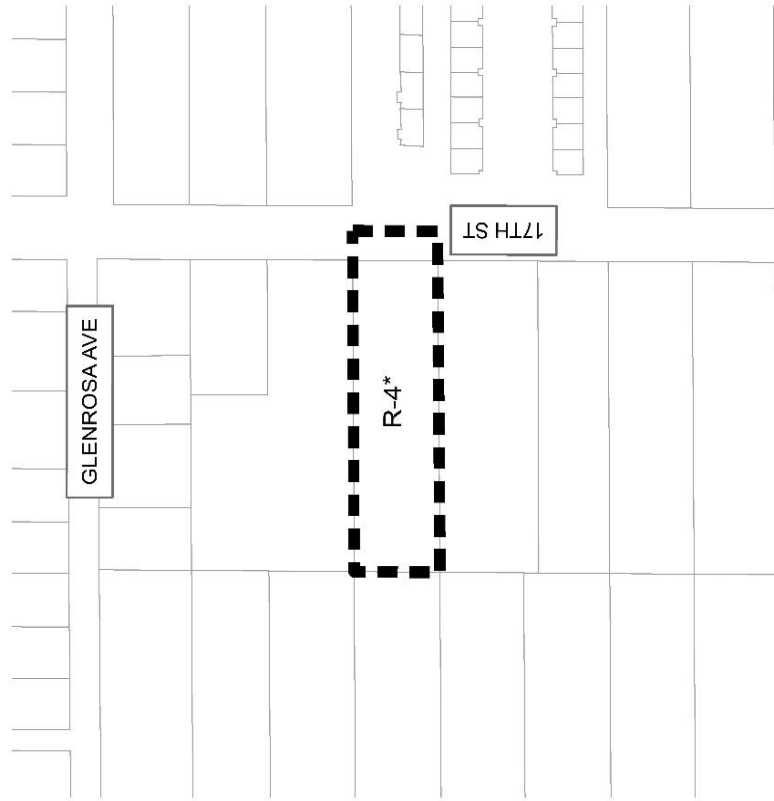
THE SOUTH HALF OF LOT 22, MORNINGSIDE ACRES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA IN BOOK OF MAPS PAGE 17.

DRAFT

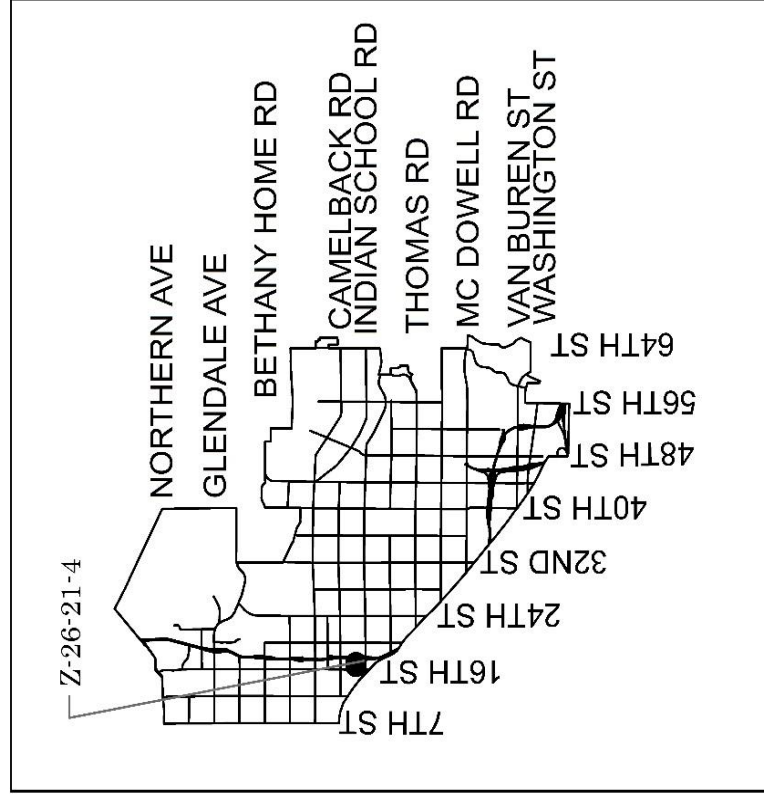
# EXHIBIT B

## ORDINANCE LOCATION MAP

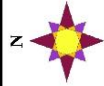
ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: ■■■■■



Zoning Case Number: Z-26-21-4  
Zoning Overlay: N/A  
Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 9/3/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\_OrdMaps\2021 Ord\10-6-21\Z-26-21-4.mxd



**Amend City Code - Ordinance Adoption - Rezoning Application Z-24-21-7 - Northeast Corner of 51st Avenue and Southern Avenue (Ordinance G-6901)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-24-21-7 and rezone the site from S-1 (Ranch or Farm Residence District) to R-2 (Multifamily Residence District) to allow a multifamily residential development.

**Summary**

Current Zoning: S-1

Proposed Zoning: R-2

Acreage: 15.43

Proposed Use: Multifamily residential development

Owner: R&J Farm, LLC c/o Empire Group

Applicant: Brennan Ray, Burch and Cracchiolo P.A.

Representative: Brennan Ray, Burch and Cracchiolo P.A.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee heard this case on Aug. 9, 2021 and recommended approval, per the staff recommendation with additional stipulations, by a vote of 11-0.

PC Action: The Planning Commission heard this case on Sept. 2, 2021 and recommended approval, per the Laveen Village Planning Committee recommendation with a modification and an additional stipulation, by a vote of 9-0.

**Location**

Northeast corner of 51st Avenue and Southern Avenue

Council District: 7

Parcel Address: 4952 W. Southern Ave.

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-24-21-7) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 15.43-acre site located at the northeast corner of 51st Avenue and Southern Avenue in a portion of Section 28, Township 1 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "S-1" (Ranch or Farm Residence District) to "R-2" (Multifamily Residence District).

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

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

1. The development shall be in general conformance with the site plan date stamped July 26, 2021, with specific regard to the following elements, as approved by the Planning and Development Department:
  - a. A minimum 25-foot wide landscape setback shall be provided along 51st Avenue and Southern Avenue.
  - b. A minimum building setback of 20 feet shall be provided along the eastern property line.
2. The development shall be in general conformance with the building elevations date stamped April 30, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
  - a. Front elevations shall contain minimum 25 percent non-stucco accent material such as stone or textured brick.
3. The required landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
4. The required landscape setback along the eastern property line shall be planted with evergreen trees, as approved by the Planning and Development Department.
5. The primary vehicular entrance to the development shall include the following elements, as approved by the Planning and Development Department:
  - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
  - b. The pedestrian pathways shall be detached from the vehicular driveway and lined with landscape areas on both sides of not less than 5 feet each. The landscape area shall be planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.
  - c. A mix of ornamental trees (no less than 2-inch caliper), shrubs (no less than five five-gallon shrubs per tree) and flower beds that will maintain a constant bloom throughout the year and 75 percent live cover, shall be provided along both sides of the entryway and within a landscaped median of no less than 5 feet in width.
  - d. The entry driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

6. Open view fencing or a combination of maximum two feet of solid masonry topped by open view fencing shall be utilized along perimeter pedestrian and vehicular entryway areas, as approved by the Planning and Development Department.
7. Perimeter walls along public streets shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
8. Decorative rail or similar fencing elements shall be provided along 51st Avenue and Southern Avenue, as approved by the Planning and Development Department.
9. A central amenity and open space area shall be provided within close proximity to the primary vehicular entrance into the development and include the following amenities at a minimum, except as noted herein, as approved by the Planning and Development Department:
  - a. Swimming pool.
  - b. Clubhouse.
  - c. Two picnic areas, each with one barbecue grill, shade ramada and a picnic table.
  - d. Three benches or seating features that may be distributed throughout the development within shaded areas. One of the benches or seating features shall be located within close proximity to the primary entryway along 51st Avenue.
10. No more than 50 percent of the landscape areas within common areas or 10 percent of the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards in individual units.
11. A system of pedestrian thoroughfares shall be provided at a minimum, as described below and as approved or modified by the Planning and Development Department:
  - a. A minimum of two pedestrian paths connecting to the sidewalk along 51st Avenue. One of the pathways shall provide a connection to the intersection of 51st Avenue and Southern Avenue via the most direct route.

- b. A minimum of one pedestrian path connecting the sidewalk along Southern Avenue.
  - c. Pathway illuminated by pedestrian scale lighting per Section 1304(H)5 connecting the southwest portion of the site through the central amenity area to the residential buildings along the northeast portion of the site.
  - d. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.
  - e. Connections to/between:
    - (1) All buildings on site.
    - (2) All active open space areas.
    - (3) Adjacent public sidewalks.
    - (4) Intersection of 51st Avenue and Southern Avenue.
    - (5) Bus pad along 51st Avenue.
12. Active open space areas shall be shaded a minimum of 50 percent using architectural shade and/or shade trees at full maturity, as approved by the Planning and Development Department.
13. Pedestrian paths within the site and connecting to the public sidewalk shall be shaded to a minimum of 50 percent using architectural shade and/or shade trees at full maturity, as approved by the Planning and Development Department.
14. The bus stop pad shall be shaded to a minimum of 50 percent using shade trees at full maturity, as approved by the Planning and Development Department.
15. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
16. The multi-use trail along 51st Avenue shall be shaded to a minimum of 50 percent using shade trees at full maturity, as approved by the Planning and Development Department.
17. The public sidewalks along 51st Avenue and Southern Avenue shall be detached following the most recent Street Classification Map Cross Section

and planted to the following standards, as approved by the Planning and Development Department:

- a. Minimum 2-inch caliper large canopy drought-tolerant shade trees placed a minimum of 25 feet on center or in equivalent groupings.
- b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.
- c. The public sidewalks shall be shaded to a minimum 75 percent by vegetative shade at maturity.

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

18. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. Minimum of four bicycle parking spaces via inverted U-bicycle racks, artistic style bicycle racks or "Outdoor/Covered Facilities" shall be located near each of the vehicular entryways into the development or amenity areas. All bicycle racks shall adhere to Appendix K of the Comprehensive Bicycle Master Plan.
  - b. One bicycle repair station ("fix it station") shall be provided and maintained within close proximity to the primary vehicular entryway to the development or amenity areas. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
19. The developer shall dedicate a 25-foot-wide multi-use trail easement (MUTE) along the east side of 51st Avenue, and shall construct a 10-foot-wide multi-use trail (MUT) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement, as approved or modified by the Planning and Development Department.
20. The developer shall provide traffic calming measures at all vehicular points of ingress and egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.
21. The right-of-way and bus bay shall be retained for the bus stop pad along northbound 51st Avenue north of Southern Avenue. The bus bay shall be



compliant with City of Phoenix Standard Detail P1256, while the bus stop pad shall be compliant with City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet, as approved by the Planning and Development Department.

22. The developer shall construct the north half of Southern Avenue to City of Phoenix CM Cross Section standards with a 14-foot-wide landscaped median island, as approved by the Planning and Development Department.
23. The developer shall modify the existing 14-foot-wide landscape median along 51st Avenue to add a left turn pocket, as approved by the Street Transportation Department.
24. The developer at their expense, shall be responsible for all required modifications to the existing traffic signal at 51st Avenue and Southern Avenue, as approved by the Street Transportation Department.
25. The developer shall underground all existing electrical utilities within the public right-of-way that are impacted or need to be relocated as part of this project, as approved by the Planning and Development Department. The developer shall coordinate with the affected utility company for their review and permitting.
26. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
27. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of industrial (non-residential) uses along the eastern property line of the site. The form and content of such documents shall be reviewed and approved by the City Attorney.
28. Prior to issuance of a final certificate of occupancy, the developer must install a sign (approximately 8 inches by 11 inches in size) within the development's sales/leasing office that is visible to prospective renters or purchasers which discloses the existence and operational characteristics of industrial (non-residential) uses along the eastern property line of the site, and which discloses the proximity of the Phoenix Sky Harbor International Airport and increased frequency of overflight and related aircraft noise, as approved by the Planning and Development Department.
29. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) 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.

30. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
31. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
32. Streetscape landscaping along 51st Avenue and Southern Avenue shall be installed prior to the issuance of building permits for any residential building.
33. The development shall have deceleration lanes at the 51st Avenue and Southern Avenue vehicular entry drives, as approved by the Street Transportation Department.
34. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 6th day of October, 2021.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

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REVIEWED BY:

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Ed Zuercher City Manager

Exhibits:

- A – Legal Description (3 Pages)
- B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-24-21-7

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

A PORTION OF LOT 54, MARICOPA GARDEN FARMS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 11 OF MAPS, PAGE 38, IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN HANDHOLE AT THE INTERSECTION OF 51ST AVENUE AND SOUTHERN AVENUE MARKING THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SLAT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA FROM WHICH A BRASS CAP IN POT HOLE AT THE INTERSECTION OF 51ST AVENUE AND ROESER ROAD MARKING THE WEST QUARTER CORNER OF SAID SECTION 28 BEARS NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 2648.10 FEET, SAID LINE BEING THE WEST LINE OF SAID SOUTHWEST QUARTER AND THE BASIS FOR THE BEARINGS IN THIS DESCRIPTION:

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 179.08 FEET ALONG SAID WEST LINE:

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 40.00 FEET TO THE EAST LINE OF THE WEST 40.00 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 28 AND THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 839. 78 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 620.07 FEET TO THE EAST LINE OF SAID LOT 54;

THENCE SOUTH 00 DEGREES 01 MINUTE 33 SECONDS WEST, 943.13 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF THE SOUTH 75.00 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 28;

THENCE SOUTH 89 DEGREES 56 MINUTES 12 SECONDS WEST, 320.00 FEET ALONG SAID NORTH LINE;

THENCE NORTH 00 DEGREES 03 MINUTES 48 SECONDS WEST 10.00 FEET TO THE NORTH LINE OF THE SOUTH 85.00 FEET OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 56 MINUTES 12 SECONDS WEST, 224.63 FEET ALONG SAID NORTH LINE;

THENCE NORTH 45 DEGREES 01 MINUTE 54 SECONDS WEST, 77.74 FEET TO THE EAST LINE OF THE WEST 60.00 FEET OF SAID SOUTHWEST QUARTER;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 39.01 FEET  
ALONG SAID EAST LINE;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 20.00 FEET TO  
THE POINT OF BEGINNING;

EXCEPT THAT PORTION DEEDED TO THE CITY OF PHOENIX, A MUNICIPAL  
CORPORATION OF THE STATE OF ARIZONA, IN WARRANTY DEED RECORDED  
IN DOCUMENT NO. 20071125448, AND RE-RECORDED IN DOCUMENT NO.  
20080463893, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF LOT 54, MARICOPA COUNTY FARMS, ACCORDING TO THE PLAT  
OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA  
COUNTY, ARIZONA IN BOOK 11 OF MAPS, PAGE 38, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 1  
NORTH, RANGE 2 EAST, GILA AND SALT RIVER BASE AND MERIDIAN,  
MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 00 MINUTES 10 SECONDS WEST ALONG THE  
WEST LINE OF SAID SECTION, A DISTANCE OF 179.08 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 50 SECONDS EAST, A DISTANCE OF  
40 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 00 MINUTES 10 SECONDS WEST, A DISTANCE OF  
720.71 FEET;

THENCE SOUTH 02 DEGREES 44 MINUTES 23 SECONDS EAST, A DISTANCE OF  
198.24 FEET;

THENCE SOUTH 01 DEGREE 35 MINUTES 38 SECONDS EAST, A DISTANCE OF  
364.34 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 10 SECONDS EAST, A DISTANCE OF  
75.28 FEET;

THENCE SOUTH 18 DEGREES 00 MINUTES 25 SECONDS EAST, A DISTANCE OF  
40.17 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 10 SECONDS EAST, A DISTANCE OF  
29.29 FEET;

THENCE SOUTH 10 DEGREES 31 MINUTES 05 SECONDS WEST, A DISTANCE OF  
57.27 FEET;

THENCE NORTH 45 DEGREES 02 MINUTES 03 SECONDS WEST, A DISTANCE OF  
2.18 FEET;

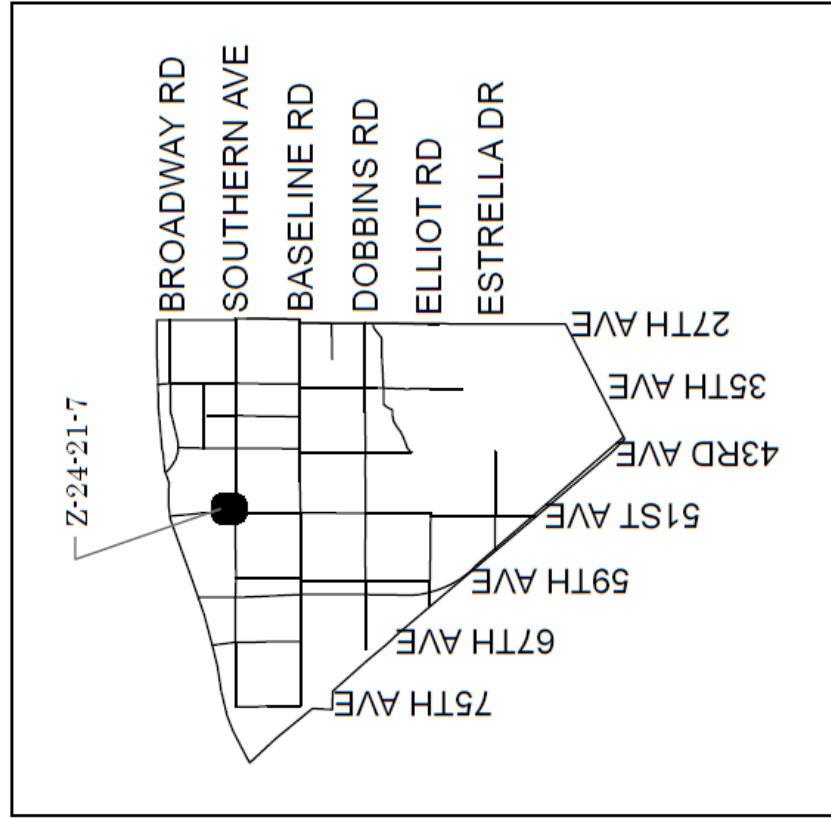
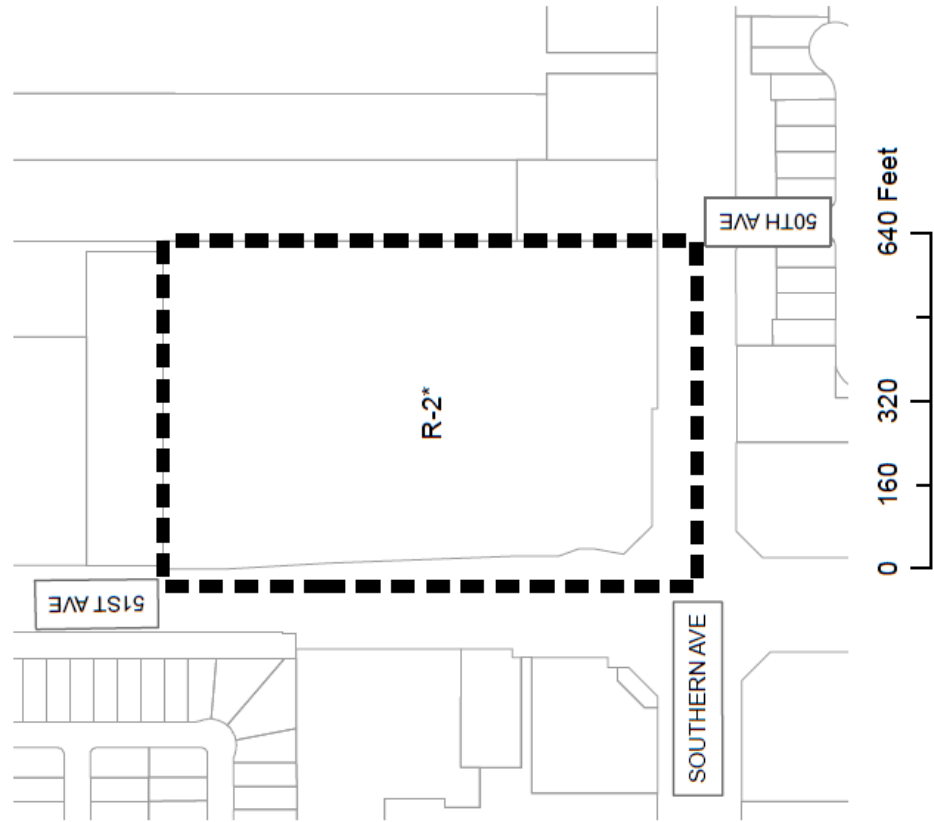
THENCE NORTH 00 DEGREES 00 MINUTES 10 SECONDS WEST, A DISTANCE OF 39.06 FEET;

THENCE SOUTH 89 DEGREES 56 MINUTES 02 SECONDS WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

DRAFT

# ORDINANCE LOCATION MAP

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



Page 328



**Amend City Code - Ordinance Adoption - Rezoning Application Z-34-21-7 - Approximately 1,130 Feet South of the Southeast Corner of 39th Avenue and Miami Street (Ordinance G-6902)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-34-21-7 and rezone the site from A-1 (Light Industrial District) and A-2 (Industrial District) to A-2 (Industrial District) to allow a truck repair facility.

**Summary**

Current Zoning: A-1 (1.10 acres) and A-2 (0.80 acres)

Proposed Zoning: A-2

Acreage: 1.90

Proposed Use: Truck repair facility

Owner: Carmen Haugan

Applicant: Brad Pilon, Design Barbarians Architects

Representative: Brad Pilon, Design Barbarians Architects

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Estrella Village Planning Committee heard this case on Aug. 17, 2021 and recommended approval, per the staff recommendation, by a vote of 8-0.

PC Action: The Planning Commission heard this case on Sept. 2, 2021 and recommended approval, per the Estrella Village Planning Committee recommendation with an additional stipulation, by a vote of 8-1.

**Location**

Approximately 1,130 feet south of the southeast corner of 39th Avenue and Miami Street

Council District: 7

Parcel Address: 3550 S. 39th Ave.

**Responsible Department**

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



## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-34-21-7) FROM A-1 (LIGHT INDUSTRIAL DISTRICT) AND A-2 (INDUSTRIAL DISTRICT) TO A-2 (INDUSTRIAL DISTRICT).

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

SECTION 1. The zoning of a 1.90-acre site located approximately 1,130 feet south of the southeast corner of 39th Avenue and Miami Street in a portion of Section 22, Township 1 North, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from 1.10 acres of “A-1” (Light Industrial District) and 0.80 acres of “A-2” (Industrial District) to 1.90 acres of “A-2” (Industrial District).

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

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

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

1. The maximum building height shall be limited to 30 feet.
2. The developer shall pave 39th Avenue per the collector street standards starting at the entrance of the subject site and terminating 310 feet north of the subject site along 39th Avenue, as approved by the Planning and Development Department.
3. The property owner shall record documents that disclose the existence, and operational characteristics of the Phoenix Sky Harbor International Airport (PHX) 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.
4. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for all development required by the FAA to file this form, and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure, as required by the FAA, a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
5. 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.
6. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 6th day of October, 2021.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

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REVIEWED BY:

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Ed Zuercher City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-34-21-7

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMECING AT THE NORTH QUARTER CORNER OF SAID SECTION 22; THENCE SOUTH 00 DEGREES, 05 MINUTES, 55 SECONDS EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 22, A DISTANCE OF 2,499.3 FEET TO A POINT MARKED BY A 1/2 INCH REBAR, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE SOUTH 00 DEGREES, 05 MINUTES, 55 SECONDS EAST A DISTANCE OF 179.87 FEET;

THENCE SOUTH 04 DEGREES, 41 MINUTES, 18 SECONDS EAST A DISTANCE OF 80.32 FEET;

THENCE NORTH 89 DEGREES, 38 MINUTES, 22 SECONDS WEST A DISTANCE OF 491.92 FEET;

THENCE NORTH 04 DEGREES, 41 MINUTES, 18 SECONDS WEST A DISTANCE OF 80.32 FEET;

THENCE NORTH 89 DEGREES, 37 MINUTES, 22 SECONDS WEST A DISTANCE OF 28.98 FEET TO A POINT OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A RADIUS OF 359.54 FEET AND A CENTRAL ANGLE OF 21 DEGREES, 02 MINUTES, 16 SECONDS;

THENCE ALONG SAID CURVE AN ARC LENGTH OF 132.01 FEET TO A TANGENT LINE;

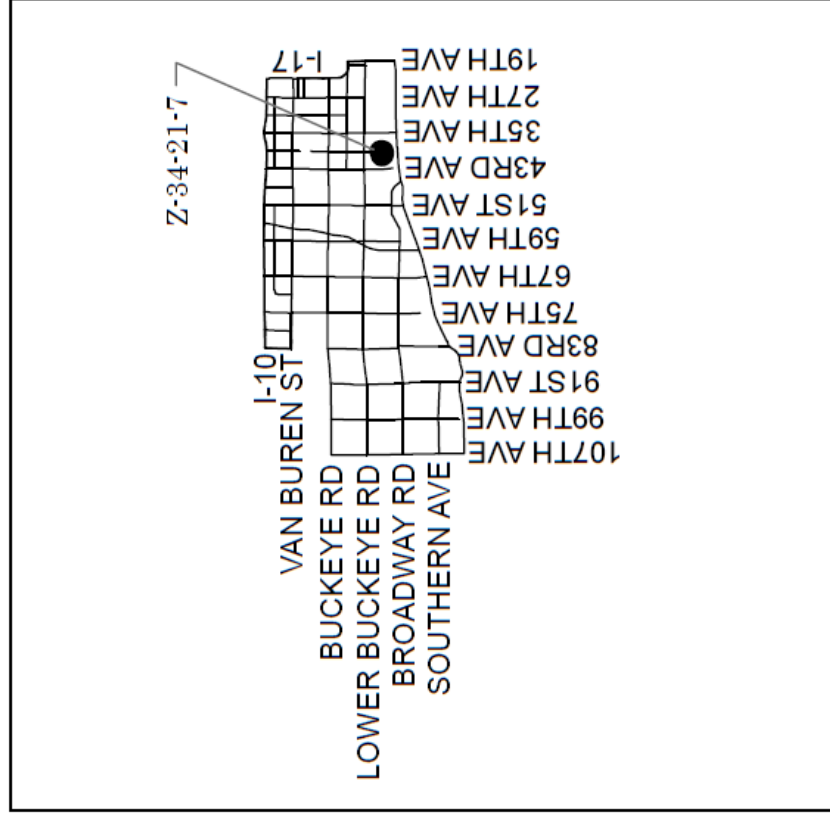
THENCE ALONG SAID TANGENT LINE NORTH 68 DEGREES, 01 MINUTES, 31 SECONDS EAST A DISTANCE OF 383.88 FEET;

THENCE NORTH 79 DEGREES, 23 MINUTES, 10 SECONDS EAST A DISTANCE OF 36.48 FEET TO THE TRUE NORTH POINT OF BEGINNING.

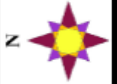
# ORDINANCE LOCATION MAP

Zoning Case Number: Z-34-21-7  
Zoning Overlay: N/A  
Planning Village: Estrella

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



NOT TO SCALE





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Agenda Date: 10/6/2021, Item No. 120

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**Public Hearing - Appeal of Hearing Officer Decision - Abandonment of Alleyway Easement - ABND 210015 - Calle Redonda, between 54th Way and 54th Court**

Abandonment: ABND 210015

Project: 05-1208

Abandonment Applicant: Mike Ragland

Date of Abandonment Hearing Officer's Decision: June 3, 2021

Appellant: Mike Ragland

**Summary**

Appellant is the original Applicant for abandonment, and is appealing the Hearing Officer's DENIAL of the request to abandon an alley in the vicinity of Calle Redonda, between 54th Way and 54th Court. The Appellant's narrative, the hearing summary, as well as the original staff report with suggested technical stipulations for approval, have been attached for consideration by City Council. Opposition was present at the original hearing.

**Location**

Calle Redonda, between 54th Way and 54th Court

Council District: 6

**Responsible Department**

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



# ATTACHMENT A Planning and Development



Maricopa County Assessor's Office





In accordance with Section 31-70, Article V of the City Code, the decision of the Abandonment Hearing Officer regarding the abandonment of public rights-of way may be appealed. Any decision of the Abandonment Hearing Officer shall be considered final unless a person aggrieved thereby, files a written Notice of Abandonment Appeal with the Planning & Development Department within fifteen calendar days after the decision is made. The completed abandonment appeal form and filing fee\* must be submitted to the Planning & Development Department, Check-In/Information Counter, located at 200 West Washington Street, 2nd floor, Phoenix, Arizona 85003.

**\*All fees are pursuant to the current Fee Schedule contained in Appendix A.2. of the Phoenix City Code.**

Appellant's Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Affiliation: \_\_\_\_\_

Appeal to City Council

Be specific as to what you are appealing. Include the rationale for your appeal. Attachments may be included.

Abandonment # **V**-\_\_\_\_\_ Date Heard: \_\_\_\_\_

Located at approximately: \_\_\_\_\_

Abandonment Hearing Officer: ☐ Approved ☐ Denied

Appealing Decision: \_\_\_\_\_

Appealing Stipulation: \_\_\_\_\_

Appealing Stipulation: \_\_\_\_\_

Appealing Stipulation: \_\_\_\_\_

----- **Staff Use Only** -----

Received By: \_\_\_\_\_ Receipt #: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Receipt #: \_\_\_\_\_ Date: \_\_\_\_\_





This application must be submitted to start the process to abandon any public rights-of-way and/or easements controlled by the city of Phoenix. A completed application must be submitted, together with a sketch of the area to be abandoned and the appropriate fee to the Planning & Development Department, 200 West Washington Street (2<sup>nd</sup> floor), Phoenix, Arizona 85003. For additional information, call (602) 256-3487.

Applicant: Michael Ragland

Address: 3823 N 54th Way

City: Phoenix State: AZ Zip: 85018

Phone: 602-292-2224 Email: mike.ragland@cbre.com

Contact (If other than Applicant): N/A

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

APN# of Parcel(s) Adjacent to Requested Abandonment: 128-12-012, 128-12-013, 128-12-014, 128-12-015, 128-13-075, 128-13-078, 128-13-079, 128-13-077, 128-13-076

Name of Street(s) to be abandoned: \_\_\_\_\_

Location/Description of Alley(s) or Easement(s) to be Abandoned (please be specific):

See Attached map. Alley abandonment area is between 54th Way and 54th Court from

Calle Redonda north to the corner of the 2nd alley way that provides access to 54th court.

The 1st alley accessible from 54th court will be abandoned as well.

Quarter Section #: \_\_\_\_\_ Zoning District: \_\_\_\_\_ Village: \_\_\_\_\_

Reason to Abandon (additional pages may be attached): To increase lot coverage and improve security.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

----- **Staff Use Only** -----

Abandonment #: \_\_\_\_\_ Folder #: \_\_\_\_\_ Total Abandonment Application Fee: \$ 1930

Submittal Date: 3.29.2021 ☐ Informal Abandonment (w/o hearing): \$ \_\_\_\_\_

Reviewed By: Maggie Dellow MDE ☒ Abandonment, Non-Single Family: \$ 1930

Annexation Date: November 2, 1961 ☐ Abandonment, Single Family: \_\_\_\_\_

City Council District #: 6 ☐ Complexity Fee \$ \_\_\_\_\_

Site Plan # (if applicable): \_\_\_\_\_ ☐ Appraisal Section Notified: ☐ Yes ☐ No ☐ N/A



A signed right-of-way abandonment petition must be submitted when filing your abandonment application. Please read the entire form before signing. For additional information, contact the Planning and Development Department at (602) 256-3487.

We, as property owners, support the proposed abandonment for the following reasons:

- ☒ It will help to increase security,
- ☒ It will increase the buildable area of the lot(s),
- ☐ It will remove unnecessary right-of-way or easements to permit development of the property, or
- ☐ Other: \_\_\_\_\_

We, as property owners, understand that if there are public utilities located within the area to be abandoned, all right-of-way within the proposed abandonment area shall be retained as a public utilities easement (PUE) or as may be modified by the affected utility companies with 24-hour vehicle maintenance access. We further understand that no structure of any kind shall be constructed or placed within the easement except removable-type fencing and/or paving. Removable type fencing must not require the installation of footers within the PUE. No planting within the PUE unless approved by the City of Phoenix. **The affected utility company shall not be required to replace any obstructions, paving or planting that must be removed during the course of required maintenance, reconstruction and/or construction.**

**Or**

We, as property owners, understand that we may choose to relocate all utilities affected by the abandonment. If we choose this alternative, we understand that we, as the property owners, would be responsible for the cost of relocating any affected utilities to locations approved by that utility company.

**To ensure continued maintenance and repairs of the street, the public rights-of-way would be abandoned to the adjacent individual property owner(s) or a Homeowners Association where one exists. The Homeowners Association or adjacent individual property owners would assume all liability and maintenance cost of the abandoned public right-of-way and any improvements.**

We, as the property owners, understand that if the abandonment of the public right-of-way is approved, the Homeowners Association (or individual property owners) shall purchase all streetlights from the City of Phoenix in the proposed abandonment area, or the Homeowners Association (or individual property owners) will be responsible for replacing them with private lighting. This will be done at no expense to the City of Phoenix. We also understand that the Homeowners Association (or individual property owners) will be responsible for and set up their own electric account with the proper electric company in order to assume the responsibility of payment of the electric costs.

We, as the property owners, understand that there may be additional costs incurred due to required improvements to provide code compliant entrances/gating, etc. Requirements may include, but are not limited to, gates, provisions for fire apparatus, dedicated right-of-way for required turnarounds, etc.

**Any and all requirements and costs will be the responsibility of the Homeowners Association (or individual property owners).** All required improvements within the proposed abandonment area, as required by the stipulations of the approved abandonment, will be completed at no expense to the City of Phoenix.

Per Phoenix City Code, Section 31-64 (e), **if** the request of abandonment is approved there will be a consideration fee due and payable after the Abandonment Hearing Officer's decision. Consideration fees are the costs associated with purchasing land within the abandoned right-of-way from the City of Phoenix and are calculated as follows:

Non-single family zoned right-of-way the greater of \$500 or Fair Market Value (FMV)<sup>1</sup> of abandoned right-of-way **Single family residential zoned right-of-way \$1 per square foot for first 500 square feet, \$0.10 per square foot thereafter;** or FMV of abandoned right-of-way, as determined by City<sup>2</sup>

Notes:

<sup>1</sup> If the area to be abandoned is within or adjacent to an established redevelopment area, consideration may be given in determining the FMV.

<sup>2</sup> For the area to be abandoned, consideration may be given to the transfer of ongoing property maintenance responsibilities in determining the Abandonment Consideration Fee.

This publication can be made available in alternate formats (Braille, large print, computer diskette, or audiotape) upon request. Contact the Planning & Development Department at (602) 262-7811 voice or (602) 534-5500 TTY.



# Abandonment Sketch Map





**Neighborhood Notification Petition Requirement (required prior to filing for abandonment)**

One hundred percent of the property owners in and/or abutting the affected area, as determined by the Street Transportation Department, must be notified.


**Street Abandonment Petition Requirement (signatures verified upon application for abandonment)**

- One hundred percent of property owners abutting the proposed abandonment must sign the petition in support if four or fewer properties are immediately impacted.
- Two-thirds of the residential property owners or a majority of the commercial property owners abutting the proposed right-of-way abandonment must sign the petition in support if more than four properties are immediately impacted.

Compliance with the above petition requirement does not guarantee approval of the request. It only allows for the submittal of the Abandonment Application.

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as shown in the attached map dated \_\_\_\_\_

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3624 N 54th Court	13	David & Dana Holt	
3630 N 54th Court	12	Michael & Kelli Messenger	
3636 N 54th Court	11	Tony & Alex Longo	

By abandoning the public right-of-way after all stipulations have been met, the City of Phoenix relinquishes its ownership and future obligations.

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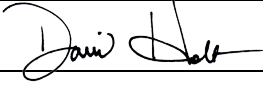
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**City of Phoenix Development Services Department**  
**Abandonment, Right-of-Way Petition – Page 2 of 2**

TRT/DOC/00078E

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City of Phoenix Development Services Department  
Abandonment, Right-of-Way Petition – Page 2 of 2

TRT/DOC/00078E

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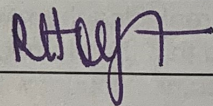
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ATTACHMENT B



**City of Phoenix**

Planning and Development Department

**DENIAL -- ABND 210015**

Your abandonment request was DENIED by **Christopher DePerro, Abandonment Hearing Officer.**

A summary of the hearing, and the Hearing Officer's findings and rationale, are included in this letter.

**You have the right to appeal this decision to City Council if an appeal application is received by the Planning and Development Department within 15 calendar days of this decision (latest appeal date: June 18, 2021). Please contact the Abandonment Coordinator, Maggie Dellow at 602-256-3487, or [abandonments@phoenix.gov](mailto:abandonments@phoenix.gov), for questions regarding appeals.**



## **City of Phoenix**

Planning and Development Department

May 13, 2021

Abandonment Staff Report: **ABND 210015**

Project# **05-1208**

Quarter Section: **16-40**

**Location:**

Calle Redonda, between 54th Way and 54th Court

**Applicant:**

Mike Ragland

**Request to abandon:**

The alley area between 54th Way and 54th Court, from Calle Redonda north to the corner of the second alleyway that provides access to 54th Court.

**Purpose of request:**

The applicant states to increase lot coverage and improve security.

**Hearing date:**

**May 13, 2021  
TAKEN OUT FROM UNDER  
ADVISEMENT ON JUNE 3, 2021**

## Planning and Development



### Hearing Summary

Mr. Christopher DePerro, the Hearing Officer called the hearing to order on May 13, 2021. Mr. DePerro then asked the Abandonment Coordinator to introduce abandonment case ABND 210015.

Ms. Maggie Dellow, the Abandonment Coordinator introduced the case by reading the abandonment case into the record by stating the applicant, location, abandonment request, and purpose of the request, as well as City staff research.

Mr. DePerro then started the discussion by asking the applicant if they would like to add any additional comments regarding the abandonment request.

Mr. Mike Ragland, the applicant explained that he is seeking the proposed abandonment to help with security. Mr. Ragland then stated that there has been a lot of illegal dumping taking place within the alley. Mr. Ragland shared that, to the best of his knowledge, all nine of the neighbors adjacent to the alley proposed for abandonment are in support of the request. Mr. Ragland also explained that the alley immediately across the street from his home was successfully abandoned. Mr. Ragland also explained that he received all of the necessary signatures for the application to be taken in for review and that he was interested in discussing the stipulations of approval.

Mr. DePerro then explained to those attending the hearing that abandonment staff reports are written to provide stipulations of approval if the case should be approved. And that the stipulations within the staff report are not final prior to the Abandonment Hearing and they are subject to change until the Abandonment Hearing Officer makes a decision on the case. Mr. DePerro also explained that the signatures on the petition are required simply for the application to be brought into the City. These signatures do not guarantee approval of the abandonment.

Mr. DePerro then opened the hearing to interested neighbors and community members to speak on the case.

Mr. Michael Messenger, resident at 3630 North 54<sup>th</sup> Court, stated although the applicant has specified that the abandonment request is to help with security, there has been no discussion of how this will be achieved, maintained or how the utility providers will be given access to the area.

Mr. DePerro then explained that maintenance of an alley, whether or not it has been abandoned, is the responsibility of the abutting property owner per City Code. Mr. DePerro also explained that the access for utility providers would be worked out following the abandonment and that only the utility providers would be granted access.

Ms. Kelly Messenger, resident at 3630 North 54<sup>th</sup> Court stated that the abandoned alley referenced by Mr. Ragland at the beginning of the hearing is now overgrown and is the site of some trash dumping, which raises concerns for her of what the state of the alley will be if it were to be abandoned.

Ms. Kathleen Raife, resident at 4012 North 52<sup>nd</sup> Street, expressed concern that abandoning the alley would lead to issues of access or damage to sewer lines, public utilities, and irrigation valves.

Ms. Laura Grisolano and Mr. David Hanselman, residents at 3901 North 54<sup>th</sup> Way, explained that they live at the home directly north of the applicant and are supportive of the application. Mr. Hanselman asked that the abandonment be extended to the edge of his property rather than stopping midway through.

Mr. DePerro replied by stating that this would not be possible because it would cut off alley connectivity and create a dead end portion of alleyway.

Mr. Tristahn Schaub resident at 3824 North 54<sup>th</sup> Court, asked Mr. DePerro if the only opinions that mattered in the hearing were those of the nine homeowners who are immediately adjacent to the alley.

Mr. DePerro replied with that he will take into account any opinion of a homeowner who is located within the notice area of that abandonment, not necessarily just those who are immediately adjacent.

Mr. Schaub asked about the process of the abandonment and if all nine adjacent homeowners would need to approve this request.

Mr. DePerro then explained that the signatures from the homeowners were required to bring the case to hearing only. If granted conditional approval by the Hearing Officer, homeowners in opposition would be able to appeal the decision to City Council and vice versa if the abandonment is denied.

Mr. Schaub asked if there was an opportunity for the case to be continued. Mr. Schaub expressed concerns about the irrigation lines, fearing that such an abandonment could result in damage to the irrigation lines that would result in possible flooding. Mr. Schaub expressed that he was supportive of Mr. Ragland's request to abandon the alley to achieve a greater lot coverage, rather than apply for a variance. As the President of the Arcadia Camelback Neighborhood Association, Mr. Schaub indicated that they will not support any variance for a home to exceed 30% lot coverage.

Mr. DePerro explained that he has not been a fan of using abandonments to increase a zoning entitlement when the variance process exists specifically for that purpose. Mr. DePerro invited the applicant to respond to any comments that he heard. Mr. Ragland reiterated that he spoke with many homeowners along the alleyway and in the area to answer any questions and garner support.

Ms. Grisolano asked how the abandonment would impact the homeowners' walls.

Mr. DePerro explained that the abandonment would not require any existing walls to be changed. Mr. DePerro also explained that in the portion of the alley that contains a sewer line, walls would not be permitted to be built in the area where a permanent footer would be over a sewer line.

Mr. Messenger asked if Mr. Ragland was planning to expand his home.

Mr. Ragland confirmed that his plan is to build a home expansion.

Mr. DePerro explained how the abandonment would impact the homeowners' properties if the abandonment were approved.

The Hearing Officer reviewed the recommended stipulations with the applicant.

The Hearing Officer asked the Abandonment Coordinator to share the staff reports with the neighbors in attendance.

The Hearing Officer took the case under advisement.

The Hearing Officer took the case out from under advisement June 2, 2021.

### **Hearing Officer Findings and Decision**

This request is to abandon an alley dedicated to the public, which allows for access to rear yards of abutting lots. A public sewer line, which services the abutting lots, exists within most of the area requested for abandonment, as well as overhead utilities (electric and communications). The area requested for abandonment also falls within a designated floodplain, meaning that drainage studies and possible drainage improvements would be required if any portion of the alley were to be further gated or fenced upon abandonment. Additionally, private irrigation lines are reported to exist within the alley, as well as irrigation facilities and control valves, for which access is required by residents who utilize irrigation water provided by said facilities.

City Code Section 31-64 states that the City Council, in its discretion, may approve the abandonment of a public roadway when it determines that it is no longer necessary for public use as a roadway. That is the criteria this Hearing Officer must also use to make a decision in this case. A roadway is defined in Section 31-63 as "All or part of any platted or designated public

street, highway, alley, lane, parkway, avenue, road, sidewalk, public utility easement, or other public way, whether or not it has been used as such.”

The testimony provided at the hearing was not universally supportive of the request. The applicant stated that the primary reason for requesting the abandonment was to result in additional lot coverage permitted for his lot, and if possible, a larger yard to fence in. While that is understandable, it is not the criteria stated in the City Code for approving an abandonment. Other means are also available to increase lot coverage (such as a zoning variance, if approved through a separate and different hearing process).

Neighbors within the vicinity expressed concerns with closing off or fencing off the alley if abandoned, primarily related to issues with accessing irrigation pipes and control valves. 24-hour access through the area requested for abandonment would also still be required by the City’s Water Services department, due to the sewer line; and by SRP and Century Link, due to the existence of overhead electric and communications lines.

In the Hearing Officer’s professional opinion, there is still a need for public access in this alley, as demonstrated by the utility comments and the testimony of neighbors who would be directly affected by this abandonment. In addition, there was a strong desire expressed in the hearing to fence the alley if abandoned, which would also cause potential issues with historic drainage, as the City’s Floodplain Division commented. This could be addressed by retaining the alley fully as a drainage easement, but that would prohibit any fencing, as structures are not allowed within drainage easements. **Given all of these considerations, this abandonment request has been DENIED.**

**This report has been reviewed and approved by the Abandonment Hearing Officer.**

Hearing Officer Signature:  \_\_\_\_\_ Date: 6/3/21

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Applicant/Representative, Mike Ragland  
Christopher DePerro, Abandonment Hearing Officer


**City of Phoenix**

PLANNING &amp; DEVELOPMENT DEPARTMENT

## Abandonment Decision Appeal

In accordance with Section 31-70, Article V of the City Code, the decision of the Abandonment Hearing Officer regarding the abandonment of public rights-of way may be appealed. Any decision of the Abandonment Hearing Officer shall be considered final unless a person aggrieved thereby, files a written Notice of Abandonment Appeal with the Planning & Development Department within fifteen calendar days after the decision is made. The completed abandonment appeal form and filing fee\* must be submitted to the Planning & Development Department, Check-In/Information Counter, located at 200 West Washington Street, 2nd floor, Phoenix, Arizona 85003.

**\*All fees are pursuant to the current Fee Schedule contained in Appendix A.2. of the Phoenix City Code.**

 Appellant's Name: Mike Ragland

 Address: 3823 N 54th Way City: Phoenix State: AZ Zip: 85018

 Phone: 602-292-2224 Email: mike.ragland@cbre.com

Affiliation: \_\_\_\_\_

### Appeal to City Council

Be specific as to what you are appealing. Include the rationale for your appeal. Attachments may be included.

 ABND  
 Abandonment # 210015 Date Heard: May 13, 2021

 Located at approximately: 54th Way & Calle Redonda

 Abandonment Hearing Officer: ☐ Approved ☒ Denied

 Appealing Decision: Yes, the Hearing Officer's decision was in part based upon misleading and incorrect statements of fact provided during the Hearing and otherwise referenced in the Hearing Officer's Findings and Decision.

 Appealing Stipulation: Yes, Street Transportation Department. Stipulation that the alley "Driveways shall be removed and replaced with a new curb & gutter". The Hearing Officer either directly stated or otherwise implied it was not reasonable for ST Dept to require and also not necessary considering that even if the alley were to be abandoned - all public utility easements (SRP power lines / Cox / sewer) for utility truck access will still be mandated and enforced.

Appealing Stipulation: \_\_\_\_\_

Appealing Stipulation: \_\_\_\_\_

### ----- Staff Use Only -----

 Received By: \_\_\_\_\_ Receipt #: \_\_\_\_\_ Date: \_\_\_\_\_  
 Reviewed By: \_\_\_\_\_ Receipt #: \_\_\_\_\_ Date: \_\_\_\_\_

Page 1 of 1

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7811 or visit our website at <http://phoenix.gov/pdd/licensetimes.html>. This publication can be made available in alternate formats (Braille, large print, or digital media) upon request. Contact Planning & Development at (602) 262-7811 voice or (602) 534-5500 TTY.



ATTACHMENT D



**City of Phoenix**

Planning and Development Department

May 13, 2021  
Preliminary Abandonment Staff Report: **ABND 210015**  
Project# **05-1208**  
Quarter Section: **16-40**

<b><u>Location:</u></b>	Calle Redonda, between 54th Way and 54th Court
<b><u>Applicant:</u></b>	Mike Ragland
<b><u>Request to abandon:</u></b>	The alley area between 54th Way and 54th Court, from Calle Redonda north to the corner of the second alleyway that provides access to 54th Court.
<b><u>Purpose of request:</u></b>	The applicant states to increase lot coverage and improve security.
<b><u>Hearing date:</u></b>	<b>May 13, 2021</b>

## Planning and Development



### **City Staff Research:**

Staff research shows that the 16-foot wide alley was dedicated through the Hidden Village Seventeen Plat, Book 97, Page 24 of the Maricopa County Recorder on December 14, 1961, and the Hidden Village Six Plat, Book 69, Page 47 of the Maricopa County Recorder on December 12, 1958. If abandoned, the land will be conveyed back in ownership to the adjacent parcels.

### **City Staff Comments**

This request was routed to various City departments for their recommendations. Listed below are the responses from each department.

#### **Street Transportation Department – Maja Brkovic**

1. No right-of-way within 25 feet of the monument line may be abandoned along Calle Redonda and 54th Court.
2. Driveways along Calle Redonda and 54th Court shall be removed and replaced in kind with curb and gutter unless otherwise approved by the Street Transportation Department.
3. All work in public right-of-way is to be done in accordance with plans approved by the

Planning and Development Department and at no cost to the City.

**Street Transportation Utility Coordination Department - Rozanna Brown**

"The Street Transportation Utility Coordination Department has no comments."

**PDD Traffic Department – Derek Fancon**

"Recommend approval."

**PDD Planning Department – Maggie Dellow**

No comments received.

**Solid Waste – Robert Lopez**

"Recommend approval."

**Street Lights – Jason Fernandez**

"Recommend approval."

**Floodplain Management – Tina Jensen**

"Show that offsite flows within the alley will not impact others by changing the flow direction abruptly 90 degrees east in alley, 90 degrees south down 54th Court, 90 degrees west down Calle Redonda and another 90 degrees south down a 16ft drainage easement between 5401 & 5407 E Calle Redonda instead of natural offsite flows down the alley, across Calle Redonda to a drainage easement between 5401 & 5407 E Calle Redonda per Resolution 19121. Need to show positive drainage in the alley east to 54th Ct and capacity of the alley to carry additional offsite flows. Also show how 54th Ct positively drains to the south at the exit of the alley and capacity of the 54th Ct to carry additional offsite flows. Also show how the offsite flows are then carried to the drainage easement between 5401 and 5407 E Calle Redonda."

**Water Services – Don Reynolds**

"The alleyway that runs east and west from 54th Ct. can be abandoned as per request. The alleyway that runs north and south from Calle Redonda shall be retained as a sewer easement with 24-hour maintenance access subject to the following standard stipulations:

No structure of any kind and/or block wall shall be constructed or placed within the easement except removable type fencing and/or paving. No planting except grass and/or approved ground cover shall be placed within the easement. It shall be further understood that the City of Phoenix shall not be required to replace any obstructions, paving or planting that must be removed during the course of required maintenance, reconstruction and/or construction."

**PDD Village Planner – Sofia Mastikhina**

No comments received.

**PDD Civil Department – Travis Tomich**

"The abandonment of the alley may result in a 25-foot (minimum) sewer easement. No building or

Permanent structures will be allowed to encroach on the sewer easement (Design Standards Manual for

Water and Wastewater Systems, III.B.5). This stipulation will ultimately be imposed by the Water Services

Department.”

**Neighborhood Services – Lynda Lee**

No comments received.

**Utility Comments**

The request was also routed to outside utility companies for their input. Listed below are the responses from each utility.

**Cox – Kenny Hensman**

“Recommend approval.”

**Southwest Gas – Nancy Almanzan**

“After reviewing the plans for the above-referenced project, it has been determined that there are no apparent conflicts between the Southwest Gas system and your proposed abandonment of the public alley easements. Southwest Gas would like to recommend abandonment of the public utility easements located at the above-referenced location.”

**Arizona Public Service – Beverly Metevia**

“I have researched our records and found that the subject property is not situated within the APS service

territory. Therefore, APS does consent to the encroachment.”

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**CenturyLink – Gladys Zeilstra**

“Qwest Communications d/b/a CENTURYLINK QC (“CenturyLink”) has reviewed the request for the subject vacation and has determined that in order to protect its facilities CenturyLink must reserve its rights. CenturyLink has aerial facilities in the alleys.

Please SAVE AND EXCEPT an EASEMENT to CenturyLink over the following area/s:

Alley vacation between 54 Wy & 54 Ct, East of Calle Redonda, as further described and/or depicted on the attached Exhibit “A”, said Exhibit “A” attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This response is submitted with the additional stipulation that if CenturyLink facilities are damaged within the area, the Applicant will bear the cost of relocation and repair of said facilities.”

**Salt River Project – Sherry Wagner**

“Salt River Project does not approve of the abandonment of the alley as shown in your application ABND 210015. There is an overhead electric line in this area that SRP will need drivable access.”

### **Recommended Stipulations of Approval**

The request of abandonment, if approved by the Abandonment Hearing Officer, will be subject to the following stipulations:

1. Either a or b shall be complied with:
  - a. All utilities shall be relocated to locations approved by each affected utility company. All work is to be done by each affected utility company at no expense to the affected utility company. An appropriate performance agreement, in an approved form and cost amount, must be posted with the Planning and Development Department to guarantee the improvements.
  - b. All right-of-way shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. Consideration which provides a public benefit to the City is required in accordance with City Code Art. 5, Sec. 31-64 and Ordinance G-5332. Cost for abandoned Right-of-Way adjacent to property not zoned single family residential will be \$500 OR Fair Market Value whichever is greater. Cost for property zoned single family residential is \$1.00 a square foot for the first 500 square feet, \$0.10 a square foot thereafter; OR Fair Market Value at the option of the Planning and Development Director or designee. The applicant shall submit calculation and fee to Planning and Development Department. The applicant shall request a selection of approved appraisers from the current list maintained by the Real Estate division of the Finance Department.
3. No right-of-way within 25 feet of the monument line may be abandoned along Calle Redonda and 54th Court.
4. Driveways along Calle Redonda and 54th Court shall be removed and replaced in kind with curb and gutter unless otherwise approved by the Street Transportation Department.
5. All work in public right-of-way is to be done in accordance with plans approved by the Planning and Development Department and at no cost to the City.
6. Either a or b shall be complied with:
  - a. Retain a drainage easement over the entire area to be abandoned.
  - b. Show that offsite flows within the alley will not impact others by changing the flow direction abruptly 90 degrees east in alley, 90 degrees south down 54th Court, 90 degrees west down Calle Redonda and another 90 degrees south down a 16ft drainage easement between 5401 & 5407 E Calle Redonda instead of natural offsite flows down the alley, across Calle Redonda to a drainage easement between 5401 & 5407 E Calle Redonda per Resolution 19121. Need to show positive drainage in the alley east to 54th Ct and capacity of the alley to carry additional offsite flows. Also show how 54th Ct positively drains to the south at the exit of the alley and capacity of the 54th Ct to carry additional offsite flows. Also show how the offsite flows are then carried to the drainage easement

between 5401 and 5407 E Calle Redonda.

7. All stipulations must be completed within **two years** from the Abandonment Hearing Officer's decision.

**For assistance regarding the above stipulations, please contact the Abandonment Coordinator at 602-256-3487.**

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Mike Ragland, Applicant/Representative  
Christopher DePerro, Abandonment Hearing Officer



**Public Hearing and Resolution Adoption - General Plan Amendment GPA-PV-2-21-2 - Northwest corner of 34th Way and Bell Road (Resolution 21961)**

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This file is a companion case to Z-38-21-2 and should be heard first, followed by Z-38-21-2.

**Summary**

Current Plan Designation: Residential 3.5 to 5 dwelling units per acre (6.11 acres) and Commercial (6.81 acres)

Proposed Plan Designation: Mixed Use (Commercial/Residential 15+ dwelling units per acre)

Acreage: 12.92 acres

Reason for change: Minor General Plan Amendment to a mix of Commercial and Residential 15+ dwelling units per acre.

Owner: Harkins Phoenix Cinemas

Applicant: Chase Courchaine

Representative: Benjamin Tate, Withey Morris, PLC

Staff Recommendation: Approval.

VPC Action: The Paradise Valley Village Planning Committee heard the case on Aug. 31, 2021 and recommended approval, per the staff recommendation, by a 13-0 vote.

PC Action: The Planning Commission heard the case on Sept. 2, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a 9-0 vote.

**Location**

Northwest corner of 34th Way and Bell Road

Council District: 2

Parcel Addresses: 3240 E. Bell Rd. and 3420 E. Bell Rd.

**Responsible Department**

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

## ATTACHMENT A

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

### RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015  
GENERAL PLAN FOR PHOENIX, APPLICATION GPA-PV-2-21-2,  
CHANGING THE LAND USE CLASSIFICATION FOR THE  
PARCEL DESCRIBED HEREIN.

\_\_\_\_\_  
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX, as  
follows:

SECTION 1. The 2015 Phoenix General Plan, which was adopted by  
Resolution 21307, is hereby amended by adopting GPA-PV-2-21-2. The 12.92-acre  
site located on the northwest corner of 34th Way and Bell Road is designated as  
Mixed Use (Commercial / Residential 15+ dwelling units per acre).



SECTION 2. The Planning and Development Director is instructed to  
modify the 2015 Phoenix General Plan to reflect this land use classification change as  
shown below:

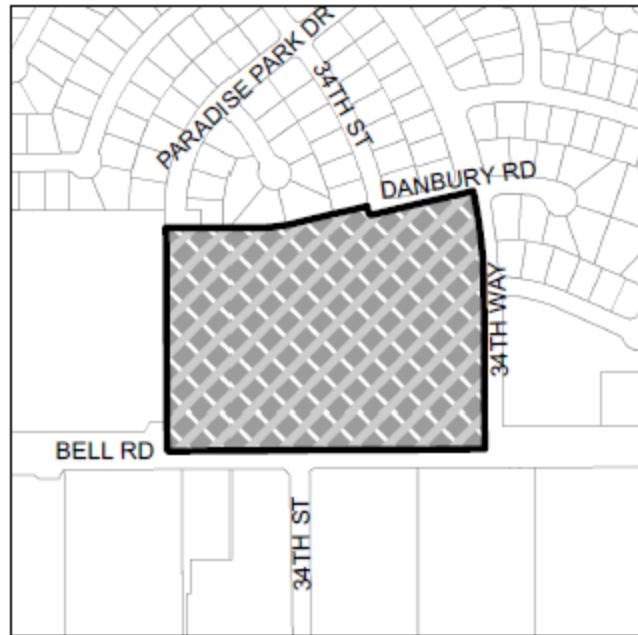


**PROPOSED CHANGE:**

---

Mixed Use (Commercial/  
Residential 15+ du/ac ( 12.92 +/- Acres)

-  Proposed Change Area  
 Mixed Use (Commercial/  
Residential 15+ du/ac)



PASSED by the Council of the City of Phoenix this 6th day of October 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By: \_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Ed Zuercher City Manager

PL:tml:LF21-2303:10-6-21:

DRAFT



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**GENERAL PLAN AMENDMENT  
STAFF ANALYSIS**  
August 30, 2021

<u>Application:</u>	GPA-PV-2-21-2
<u>Applicant:</u>	Chase Courchaine
<u>Owner:</u>	Harkins Phoenix Cinemas
<u>Representative:</u>	Withey Morris, PLC - Benjamin Tate
<u>Location:</u>	Northwest corner of 34th Way and Bell Road
<u>Acreage:</u>	12.92 acres
<u>Current Plan Designation:</u>	Residential 3.5 to 5 dwelling units per acre (6.11 acres) and Commercial (6.81 acres)
<u>Requested Plan Designation:</u>	Mixed Use (Commercial, Residential 15+ dwelling units per acre) (12.92 acres)
<u>Reason for Requested Change:</u>	Minor General Plan Amendment to a mix of Commercial and Residential 15+ dwelling units per acre to allow residential and commercial uses.
<u><a href="#">Paradise Valley Village Planning Committee Date:</a></u>	August 31, 2021
<u>Staff Recommendation:</u>	Approval

**FINDINGS:**

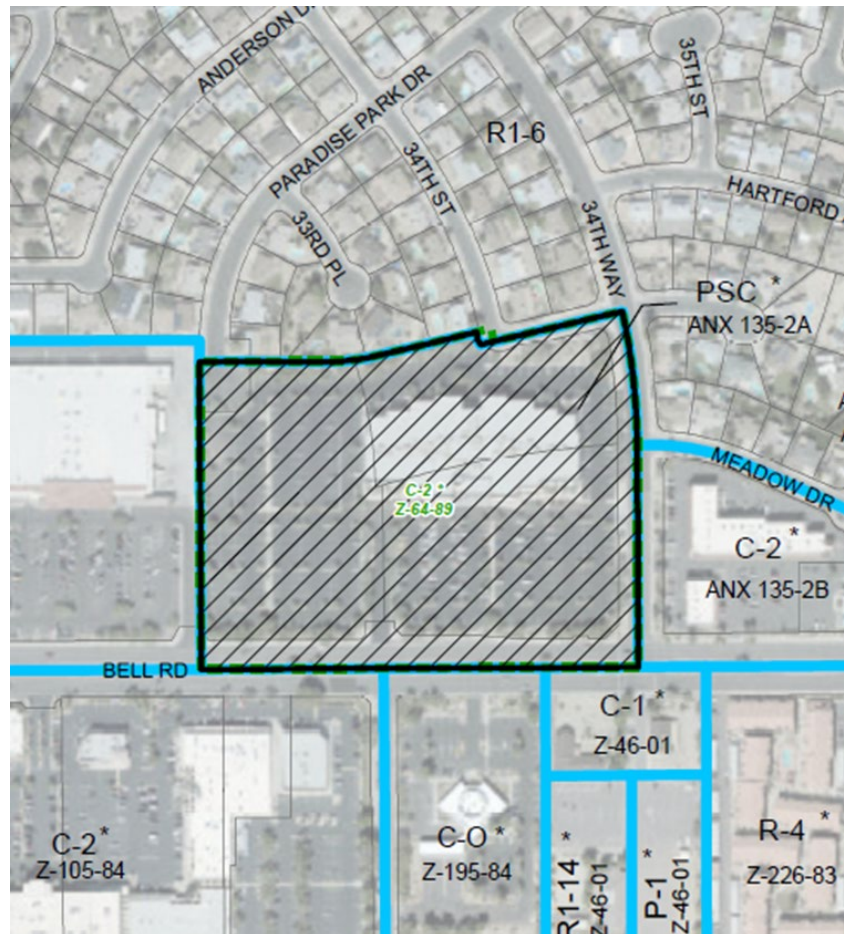
- 1) The companion rezoning case, Z-38-21-2, proposes development that is consistent in scale and character with land uses in the surrounding area to the east and west.
- 2) The Mixed Use (Commercial / Residential 15+ dwelling units per acre) land use designation will permit new zoning to be applied to the site that maximizes opportunities within the Paradise Valley Village along a major arterial.

- 3) The Mixed Use (Commercial / Residential 15+ dwelling units per acre) land use designation will establish compatible uses in close proximity to the Piestewa Freeway, North 32nd Street Policy Plan area and surrounding properties.

## **BACKGROUND**

The subject site is located at the northwest corner of 34th Way and Bell Road. The site is occupied by a movie theater, and surface parking areas. The current building is located on the far northeastern portion of the site. The companion Rezoning Case No. Z-38-21-2 is a request to allow R-3A zoning for multifamily residential uses on the entirety of the site.

Currently the site has a land use map designation of Residential 3.5 to 5 dwelling units per acre (6.11 acres) and Commercial (6.81 acres). The requested land use map designation Mixed use (Commercial / Residential 15+ dwelling units per acre) will allow for alternative housing choices in the area as well as commercial in the event the rezoning proposal is not approved and to provide consistency with this stretch of the Bell Road corridor. Recent development suggests the Piestewa Freeway corridor area is evolving to a mixture of housing choices and commercial uses. The proposed land use map change will serve as a continuation of the proposed land use designations to the south of the subject site. The area has seen increased requests for multifamily development north and east of Bell Road.



*Aerial Map, Source: City of Phoenix Planning and Development Department*

This General Plan Amendment proposes a Mixed Use land use map designation of Commercial / Residential 15+ dwelling unit per acre. This Mixed Use designation will allow commercial and residential land uses to locate on the site. Maps of the existing

and proposed General Plan Land Use Map designations can be found attached to this report.

### **EXISTING CONDITIONS AND SURROUNDING LAND USES**

There is one existing commercial building on the northeastern quadrant of the site. The table below provides a summary of the surrounding General Plan (GP) Land Use Map designations, existing land uses and zoning.

<b>Location</b>	<b>GP Land Use</b>	<b>Existing Land Uses</b>	<b>Zoning</b>
North	Residential 3.5 to 5 dwelling units per acre	Single-family homes	R1-6
South (across Bell Road)	Commercial	Commercial office/ retail/financial institutions	C-O, C-1 and C-2
East (across 34th Way)	Residential 3.5 to 5 dwelling units per acre and Commercial	Single-family homes and retail	R1-6 and C-2
West	Commercial	Retail	C-2

#### **Surrounding Land Use Designations, Land Use and Zoning**

The site is within close proximity to the Piestewa Freeway and falls within the boundaries of the North 32nd Street Policy Plan area. This proximity to the Piestewa Freeway and location within the North 32nd Street Policy Plan area reinforces the site's capacity to support land uses associated with commercial operations, employers and supportive housing. The proposed Mixed Use designation supports a mix of land uses that will maximize the area's transportation infrastructure assets and will support the addition of more residential and employers to the area.

### **RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES**

#### ***Connect People and Places Core Value***

- **OPPORTUNITY SITES; LAND USE PRINCIPLE:** Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

The proposed request supports the proposed development that is compatible in scale and intensity with the surrounding area. The development is located in a mixed-use corridor where adjacent properties are residential or commercial. The project site is also within the Piestewa Peak Freeway Specific Plan area. The

concentration of people near employment uses and transportation corridors promotes the sustainability of nearby commercial uses. Further, the opportunity to add additional housing choices is consistent with the goals of the Housing Phoenix Plan.

- **CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.**

The request facilitates additional residential options adjacent to a major arterial and in close proximity to the Piestewa Freeway.

### **CONCLUSION AND RECOMMENDATION**

Staff recommends approval of GPA-PV-2-21-2 as filed. The request aligns with the goals and policies of the General Plan and will result in a land use designation that will continue to support surrounding uses while maximizing the property's location in a transportation corridor and within the North 32nd Street Policy Plan.

### **Writer**

David Simmons  
August 30, 2021

### **Exhibits**

Sketch Maps (2 pages)




# GENERAL PLAN AMENDMENT

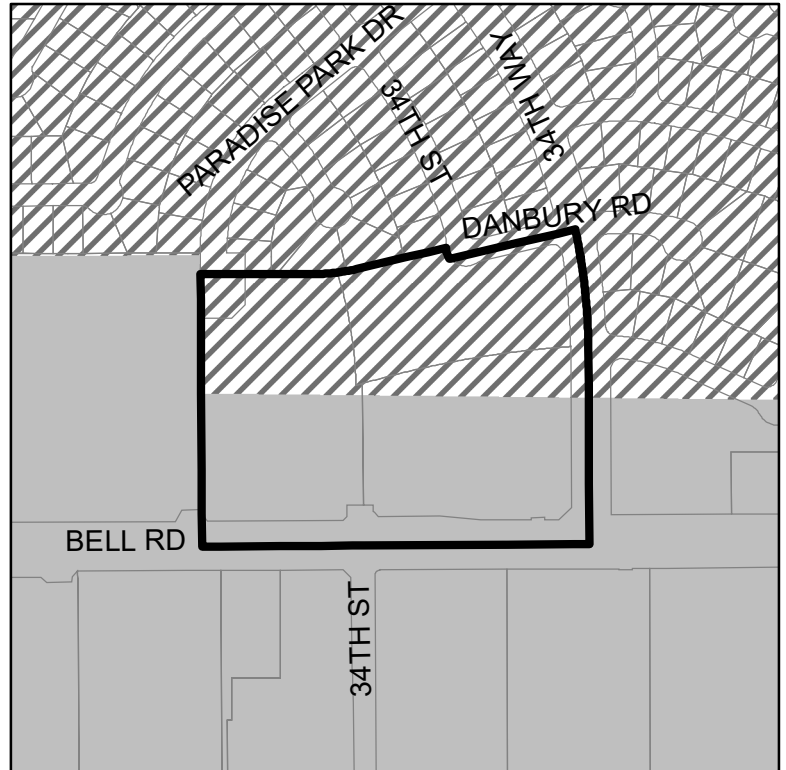
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-PV-2-21-2_BW	ACRES: 12.92 +/-
VILLAGE: Paradise Valley	COUNCIL DISTRICT: 2
APPLICANT: Chase Courchaine	

## EXISTING:



Residential 3.5 to 5 du/ac ( 6.11 +/- Acres)  
Commercial ( 6.81 +/- Acres)

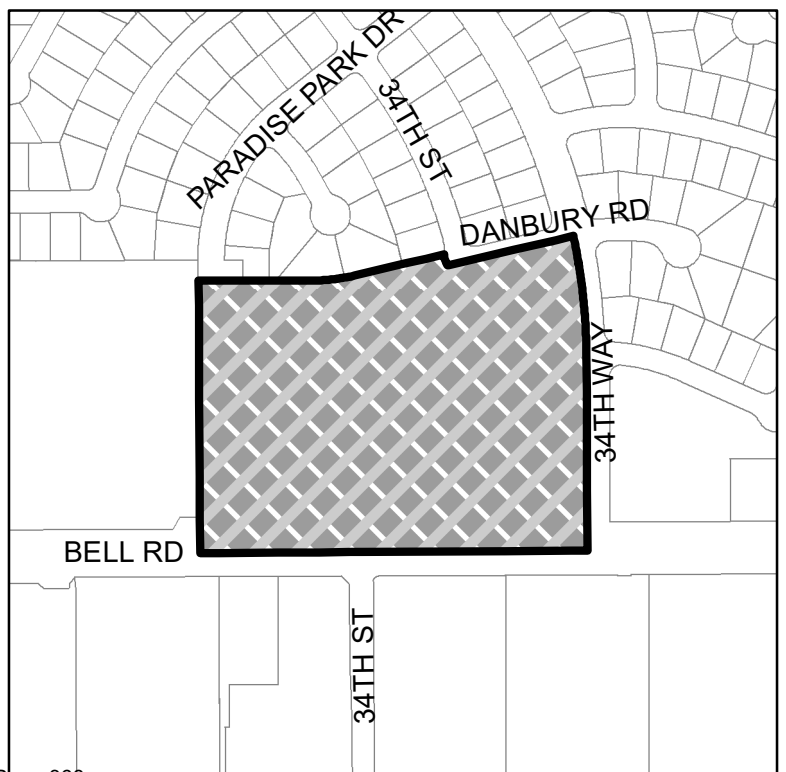
-  Proposed Change Area
-  Residential 3.5 to 5 du/acre
-  Commercial



## PROPOSED CHANGE:

Mixed Use (Commercial/  
Residential 15+ du/ac ( 12.92 +/- Acres)

-  Proposed Change Area
-  Mixed Use (Commercial/  
Residential 15+ du/ac)






# GENERAL PLAN AMENDMENT

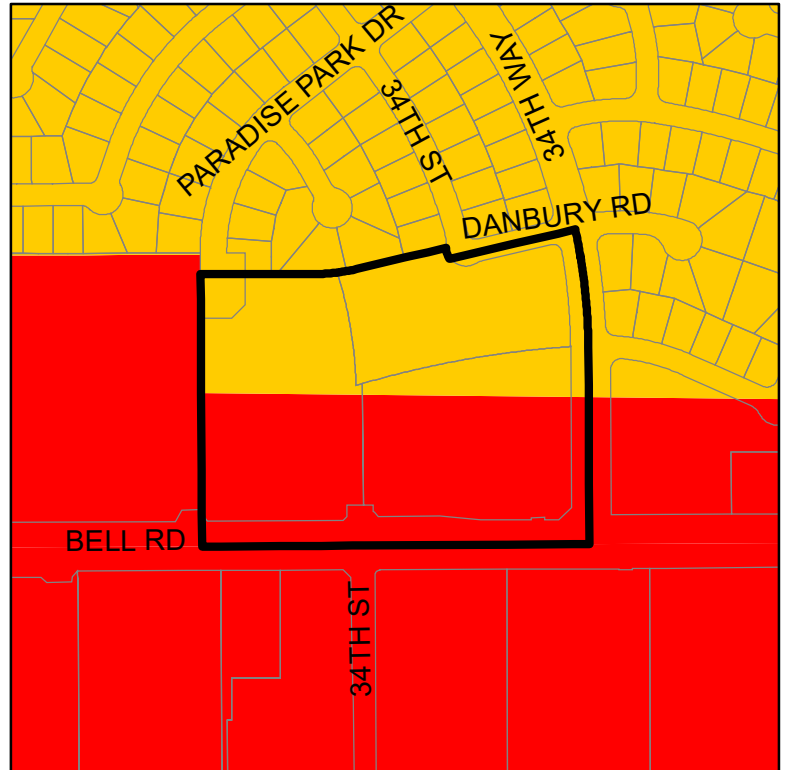
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-PV-2-21-2	ACRES: 12.92 +/-
VILLAGE: Paradise Valley	COUNCIL DISTRICT: 2
APPLICANT: Chase Courchaine	

## EXISTING:



Residential 3.5 to 5 du/ac ( 6.11 +/- Acres)  
Commercial ( 6.81 +/- Acres)

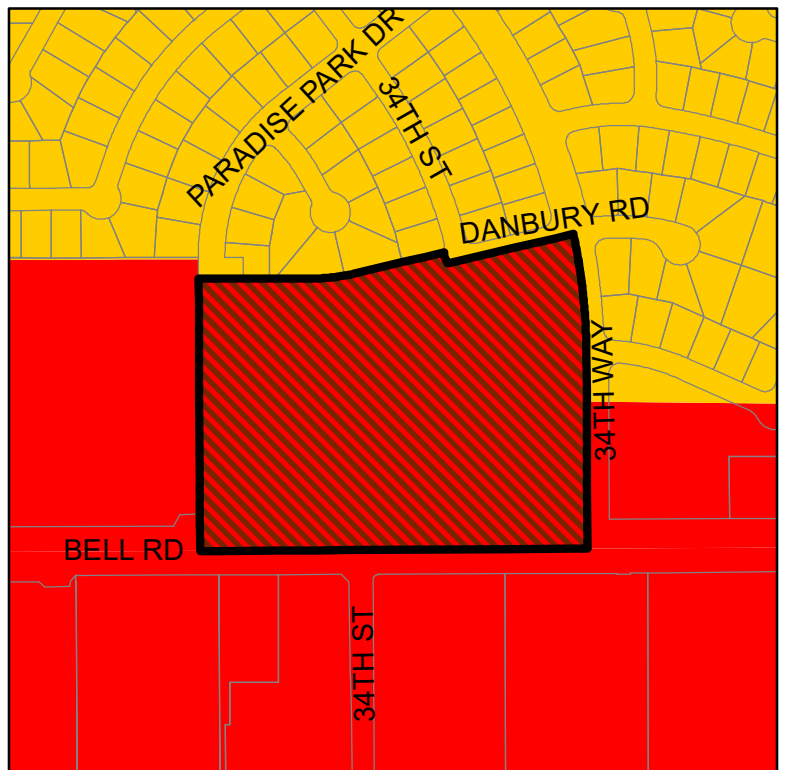
-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Commercial



## PROPOSED CHANGE:

Mixed Use (Commercial/  
Residential 15+ du/ac ( 12.92 +/- Acres)

-  Proposed Change Area
-  Mixed Use (Commercial/  
Residential 15+ du/ac)







## Village Planning Committee Meeting Summary

### GPA-PV-2-21-2

<b>Date of VPC Meeting</b>	August 31, 2021
<b>Request</b>	To amend the General Plan Land Use Map Designation on approximately 12.92 acres from Residential 3.5 to 5 dwelling units per acre (6.11 acres) and Commercial (6.81 acres) to Mixed Use (Commercial/ Residential 15+ dwelling units per acre)
<b>Location</b>	Located at the northwest corner of 34th Way and Bell Road
<b>VPC Recommendation</b>	Approval, per the staff recommendation
<b>VPC Vote</b>	<b>13-0</b> with committee members Bowman, Gerst, Goodhue, Maggiore, Mazza, Petersen, Popovic, Severs, Sparks, Ward, Wise, Gubser and Leshner in favor.

#### **VPC DISCUSSION:**

*Cases GPA-PV-2-21-2 and Z-38-21-2 were heard concurrently.*

*1 speaker card was submitted in opposition, wishing to speak.*

*3 speaker cards were submitted in favor, wishing to speak.*

**Mr. David Simmons**, staff, provided an overview of the request to include background of how the area developed overtime. He went over the GPA and Rezoning requests concurrently as they are companion cases and reminded the Committee that the GPA case will require a motion prior to the rezoning request. Mr. Simmons shared how the GPA request is consistent with several core values of the General Plan. He explained that the rezoning request supports several policy plans to include the North 32<sup>nd</sup> Street Policy Plan, Comprehensive Bicycle Master plan, Tree and Shade Master Plan, Complete Streets Guiding Principles as well as helps to meet the goals of The Housing Phoenix Plan. Mr. Simmons also shared the reasoning behind several of the proposed stipulations for the case.

**Mr. Alex Popovic** shared with the committee that his firm utilizes the same attorney as the applicant but checked with staff and does not have a conflict of interest. He asked staff to add this to the minutes for the record.

**Mr. Ben Tate**, Withey Morris, PLC, representing the applicant, went over the request in great detail. He stated that the existing Harkins theater is closing and as a result, the property is selling. He shared that the product consists of three-

story walk up building with two story carriage houses on the northern edge closest to existing single-family residential uses. He shared that the lower buildings and open space are placed along the north perimeter adjacent to nearest homes.

The pool/amenity area is screened by residence buildings away from the existing neighborhood. Further, large, mature trees will be maintained and supplemented along the property line to screen buildings and provide additional buffering. Mr. Tate shared other developments the Wolf Company has completed and provided background on the company's business model. Mr. Tate shared the results of the traffic analysis, which revealed traffic volumes will be lower with a residential product type on the site as commercial uses generate higher volumes of traffic. He addressed several other community concerns including property values, security, and neighborhood safety. Further, he shared outreach efforts to date, which went above and beyond what is required in the rezoning process packet.

### **VPC Discussion:**

**Mr. Paul Severs** asked if short term rentals would be allowed or if this proposal was only for long term leases.

**Mr. Ben Tate** shared that the minimum lease term will be 1 year.

**Vicechair Joe Lesher** asked about traffic trips per day and if there is access from the site directly into Fry's grocery store to the west.

**Mr. Tate** shared that there is direct access to Fry's from the site, which will reduce trips out of the ingress/egress points on 34<sup>th</sup> Way and Bell Road.

### **Public Comment:**

**Ms. Janet Harding** shared concerns about traffic. She asked if the applicant could consider adding speed humps to the street adjacent to 34<sup>th</sup> way as well as overflow traffic may utilize other neighborhood streets to avoid speed humps on 34<sup>th</sup> Way.

**Mr. Ben Tate** stated that he will study extra speed humps. He also went over the signature requirements the City of Phoenix has in place that citizens can utilize to petition for speed humps.

**Ms. Harding** asked the applicant what the parking ratio is.

**Mr. Tate** explained what is proposed and stated that this proposal has more parking than what is required.

**Mr. Nicholas Voss** shared that he patrolled the Harkins site as part of the block watch. He shared that there is a transient issue on this site and by redeveloping this issue could be remediated. He is very supportive of the project.

**Mr. Blake Marshall** stated that this may not be the right development for the area. He shared concerns about a mix of housing options for all income levels. More of the same high cost housing won't help make it affordable. The attorney

with Withey Morris, Benjamin Tate, didn't claim that would be the outcome. Just that there would be more.

**Mr. Tate** stated that the proposal does meet the goals of the Housing Phoenix Plan.

**VPC Response to Public Comment:**

**Mr. Abram Bowman** stated that he has concerns with the proximity and access to the freeway.

**Mr. Tate** shared that traffic patterns are not being altered. The same curb cuts will be utilized as ingress/egress points.

**Chairman Robert Gubser** Stated that Harkins has moved on. Something will be redeveloped on this site and this proposal provides diversified housing for the area.

**MOTION:**

**Mr. Alex Popovic** made a motion to recommend approval of General Plan Amendment Case No. GPA-PV-2-21-2, per the staff recommendation.

**Mr. Robert Goodhue** seconded the motion.

**VOTE:**

**13-0** with committee members Bowman, Gerst, Goodhue, Maggiore, Mazza, Petersen, Popovic, Severs, Sparks, Ward, Wise, Gubser and Leshar in favor.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION September 2, 2021

ITEM NO: 9	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	GPA-PV-2-21-2 (Companion Case Z-38-21-2)
Location:	Northwest corner of 34th Way and Bell Road
From:	Residential 3.5 to 5 dwelling units per acre and Commercial
To:	Mixed Use (Commercial/Residential 15+ dwelling units per acre)
Acreage:	12.92
Proposal:	Mix of commercial and Residential 15+ dwelling units per acre.
Applicant:	Chase Courchaine
Owner:	Harkins Phoenix Cinemas
Representative:	Benjamin Tate, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

**Paradise Valley** 8/31/2021 Approval, per the staff recommendation. Vote: 13-0.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation.

Motion Discussion: N/A.

Motion details: Commissioner Johnson made a MOTION to approve GPA-PV-2-21-2, per the Paradise Valley Village Planning Committee recommendation.

Maker: Johnson  
Second: Busching  
Vote: 9-0  
Absent: None  
Opposition Present: Yes

#### **Findings:**

1. The companion rezoning case, Z-38-21-2, proposes development that is consistent in scale and character with land uses in the surrounding area to the east and west.
2. The Mixed Use (Commercial / Residential 15+ dwelling units per acre) land use designation will permit new zoning to be applied to the site that maximizes opportunities within the Paradise Valley Village along a major arterial.
3. The Mixed Use (Commercial / Residential 15+ dwelling units per acre) land use designation will establish compatible uses in close proximity to the Piestewa Freeway, North 32nd Street Policy Plan area and surrounding properties.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

## Attachment E

David Simmons  
Paradise Valley Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Wolff 34<sup>th</sup> & Bell – Z-38-21/GPA-PV-2-21

I am a longtime resident of Parque Vista Estates, the neighborhood north of the proposed project, and I am in support of The Wolff Company's proposed rezoning and General Plan amendment for the northwest corner of 34<sup>th</sup> Way and Bell Road. Initially I had many concerns about the project, but after several neighborhood meetings and conversations with the applicant I am satisfied that this will be a great development for the community.

The applicant hosted several neighborhood meetings, presented the proposed plans, answered all our questions, and provided lots of information to address each our concerns. I also spoke to a representative of the development team individually on several occasions to discuss my concerns. As one of the original homeowners in this community, change can be scary. However, the applicant's thorough and sincere efforts with our neighborhood have put my mind at ease.

The Wolff Company's proposed luxury multi-family project is a high-quality, well-designed residential community and it will be a great addition to this area. I encourage the City Council to approve it.

Sincerely,

Cheryl Simmons

## David O Simmons

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**From:** Benjamin Tate <ben@witheymorris.com>  
**Sent:** Monday, August 30, 2021 11:49 AM  
**To:** David O Simmons; Samantha Keating  
**Subject:** FW: Virtual Neighborhood Meeting - Project Update - Wolff 34th & Bell (Z-38-21/GPA-PV-2-21)

David/Samantha,

I was given permission from this resident to share her comments with staff. See below.

Benjamin L. Tate  
Withey Morris, PLC  
Direct: 602-346-4610

---

**From:** Phyllis Thomas <ptyellow22@yahoo.com>  
**Sent:** Wednesday, August 25, 2021 10:16 AM  
**To:** Benjamin Tate <ben@witheymorris.com>  
**Subject:** Re: Virtual Neighborhood Meeting - Project Update - Wolff 34th & Bell (Z-38-21/GPA-PV-2-21)

Very positive. At first most of my neighbors and I had so many questions, and the unknown can be fearful.

However, you put all our doubts aside. Your details of how little traffic there will eventually be for an apartment complex compared with commercial was astounding. A side note, though, is a thought I myself had regarding the way the world has changed and so many people now have deliveries made to their homes of food and items for their homes. So, perhaps Wolff can investigate the amount of deliveries at their apartments made each day. So the traffic of the residents coming and going may be minimal, but deliveries made to them could be significant.

Anyway, the plans for the apartments looks amazing and I see no problem. Another thought to Wolff: be sure, if there are no garages with the apartments, that the parking is covered parking. This Arizona sun is not kind to cars left all day in the sun.

Thanks again for all your info....Phyllis

On Wednesday, August 25, 2021, 09:40:49 AM MST, Benjamin Tate <[ben@witheymorris.com](mailto:ben@witheymorris.com)> wrote:

Thank you Phyllis. If you don't mind me asking, what are your general thoughts on the project? Supportive? Opposed? Neutral?

Benjamin L. Tate  
  
Withey Morris, PLC  
  
Direct: 602-346-4610

---

**From:** Phyllis Thomas <[ptyellow22@yahoo.com](mailto:ptyellow22@yahoo.com)>  
**Sent:** Tuesday, August 24, 2021 12:19 PM  
**To:** Benjamin Tate <[ben@witheymorris.com](mailto:ben@witheymorris.com)>  
**Subject:** Re: Virtual Neighborhood Meeting - Project Update - Wolff 34th & Bell (Z-38-21/GPA-PV-2-21)

Thanks for letting me know about the 8/30 meeting, but I will be unavailable next week. However, please email me any future virtual meetings. Thanks for all you do....Phyllis

On Monday, August 23, 2021, 10:43:54 PM MST, Benjamin Tate <[ben@witheymorris.com](mailto:ben@witheymorris.com)> wrote:

All,

Good evening – I hope everyone is doing well. This email is simply to follow up on the virtual neighborhood meeting we held on August 9<sup>th</sup>. Since then, we've been working on getting answers and gathering additional information on the questions some of you asked during the meeting. With that in mind, we'll be hosting a brief virtual meeting next Monday, August 30<sup>th</sup> at 5:30pm to give you an update and provide some additional info on the project.

If you'd like to participate, please shoot me an email so I can add you to the invite list.

Thank you!

Benjamin L. Tate

Withey Morris, PLC

2525 E. Arizona Biltmore Circle, Ste A-212

Phoenix, AZ 85016

602-230-0600



*This e-mail, and any attachment(s), is intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected from disclosure. Dissemination, distribution or copying of this e-mail or the information herein by anyone other than the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, is prohibited. If you have received this e-mail in error, please destroy the original message and all copies.*



## Attachment F

**David O Simmons**

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**From:** Blake Marshall <blakemarshall86@gmail.com>  
**Sent:** Monday, August 30, 2021 10:11 PM  
**To:** David O Simmons  
**Subject:** PARADISE VALLEY VILLAGE PLANNING COMMITTEE

I'd like to add comment to the paradise valley village planning committee meeting on 8/31 at 6pm.

I think if this space is to be converted to multifamily housing, there should be a requirement that some of the units be reserved for low income housing. Rents in Phoenix have gone up more than any other city in the country the last year. Building a gated apartment complex will only add to the problem since luxury apartments like this tend to be higher in rent.

There have to be some protections for renters in the area and the city with climbing rents. The space where the theater is located should be converted to a green space park for the public to enjoy instead of high prices housing.

Thank you,

Blake M.

## David O Simmons

---

**From:** Aloofa Broocha <aloofa324@gmail.com>  
**Sent:** Tuesday, August 31, 2021 1:22 PM  
**To:** David O Simmons  
**Subject:** Regarding Rezoning application z3821

Thank you David .

Below please find, and forward to all concerned, objections to the rezoning



**Public Hearing and Ordinance Adoption - Rezoning Application Z-38-21-2 - Northwest Corner of 34th Way and Bell Road (Ordinance G-6904)**

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-38-21-2 and rezone the site from PSC (Approved C-2) (Planned Shopping Center, approved Intermediate Commercial District) to R-3A (Multifamily Residence District) for a multifamily residential development. This is a companion case to GPA-PV-2-21-2.

..Report

**Summary**

Current Zoning: PSC (Approved C-2)

Proposed Zoning: R-3A

Acreage: 12.92 acres

Proposed Use: Multifamily residential development

Owner: Harkins Phoenix Cinemas

Applicant: Chase Courchaine

Representative: Benjamin Tate, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Paradise Valley Village Planning Committee heard the case on Aug. 31, 2021 and recommended approval, per the staff recommendation, by a vote of 13-0.

PC Action: The Planning Commission heard the case on Sept. 2, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with additional stipulations, by a vote of 9-0.

**Location**

Northwest corner of 34th Way and Bell Road

Council District: 2

Parcel Addresses: 3240 E. Bell Road and 3420 E. Bell Road

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-38-21-2) FROM PSC (APPROVED C-2) (PLANNED SHOPPING CENTER, APPROVED INTERMEDIATE COMMERCIAL DISTRICT) TO R-3A (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 12.92-acre site located at the northwest corner of 34th Way and Bell Road in a portion of Section 36, Township 4 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "PSC, Approved C-2" (Planned Shopping Center, approved Intermediate Commercial District) to "R-3A" (Multifamily Residence District).

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

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

violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped August 11, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped June 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
  - a. All building elevations shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.
  - b. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and single garage doors.
3. The development shall be limited to a maximum of 278 dwelling units.
4. Enhanced landscaped entries shall be provided at the entryways into the development off of Bell Road and 34th Way with a minimum 300 square feet of landscaped area on each side of the entrances. The landscaped entries shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.
5. There shall be a minimum of four private open space amenity areas, three of which shall be centrally located. A minimum of 10 percent of the site area shall be preserved as open space, exclusive of landscape setbacks. Each area shall provide, at a minimum, one of the following active amenity elements or other similar elements, as approved by the Planning and Development Department:
  - a. Swimming Pool
  - b. Pickleball court or another active recreational amenity
  - c. Pavilion or Ramada
  - d. Dog park
6. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.

7. A minimum 5-foot-wide detached sidewalk shall be provided along Bell Road with a minimum 10-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or equivalent groupings to provide a minimum of 75% shade on the adjacent sidewalk.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.
  - c. A minimum 10-foot-wide public sidewalk easement along the northern side of Bell Road shall be dedicated.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

8. A minimum 5-foot-wide detached sidewalk shall be provided along 34th Way with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75 percent live coverage at maturity.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

9. The developer shall provide a minimum 5-foot-wide detached sidewalk along Danbury Road with a minimum 5-foot wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.
10. A minimum 25 percent of the surface parking lot areas must be shaded by minimum 2-inch caliper, large canopy single trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.

11. The applicant shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. A bicycle repair station (“fix it station”) shall be provided on the site. The station shall include 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.
  - b. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces. These spaces may be provided through a combination of “Secure/Covered Facilities” and “Outdoor/Covered Facilities” as defined in Appendix K or the Comprehensive Bicycle Master Plan. “Outdoor/Covered Facilities” shall comprise no more than 60 percent of required resident bicycle parking.
  - c. Guest bicycle parking shall be provided. Artistic style racks or “Outdoor/Covered Facilities” for guests shall be located near building entrances and the amenity areas, and installed per the requirements of Section 1307.H of the Zoning Ordinance. All racks shall be adherence to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan.
12. The Public Transit Department shall require retention of right-of-way and one bus stop pad along westbound Bell Road west of 34th Way. Should the bus stop require demolition and/or replacement, the bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and spaced from the intersection as per City of Phoenix Standard Detail P1258, as approved by the Public Transit Department.
13. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
14. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
15. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
16. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified

archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

17. 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.
18. 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.
19. A pedestrian connection shall be provided between the site and the commercial property to the west of the site, as approved by the Planning and Development Department

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

PASSED by the Council of the City of Phoenix this 6th day of October, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_



REVIEWED BY:

---

Ed Zuercher City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-38-21-2

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A BRASS CAP IN HANDHOLE MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH A BRASS CAP IN HANDHOLE MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 89 DEGREES 40 MINUTES 04 SECONDS EAST, A DISTANCE OF 2638.17 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, NORTH 89 DEGREES 40 MINUTES 04 SECONDS EAST, A DISTANCE OF 967.92 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00 DEGREES 19 MINUTES 56 SECONDS WEST, A DISTANCE OF 55.00 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 36 DEGREES 30 MINUTES 37 SECONDS WEST, A DISTANCE OF 21.84 FEET;

THENCE NORTH 00 DEGREES 18 MINUTES 23 SECONDS WEST, A DISTANCE OF 442.98 FEET;

THENCE NORTH 89 DEGREES 29 MINUTES 45 SECONDS EAST, A DISTANCE OF 70.07 FEET;

THENCE NORTH 45 DEGREES 19 MINUTES 25 SECONDS EAST, A DISTANCE OF 42.48 FEET;

THENCE NORTH 00 DEGREES 23 MINUTES 42 SECONDS WEST, A DISTANCE OF 54.91 FEET;

THENCE NORTH 02 DEGREES 48 MINUTES 24 SECONDS WEST, A DISTANCE OF 16.23 FEET TO A POINT ON THE SOUTHERN BOUNDARY OF "PARQUE VISTA ESTATES UNIT – 5" AS RECORDED IN BOOK 206 OF MAPS, PAGE 32, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG SAID SOUTHERN BOUNDARY, NORTH 89 DEGREES 41 MINUTES 07 SECONDS EAST, A DISTANCE OF 166.49 FEET TO THE POINT OF A CURVE TO THE LEFT;

THENCE EASTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 388.45 FEET, THROUGH A CENTRAL ANGLE OF 13 DEGREES 18 MINUTES 40 SECONDS, A DISTANCE OF 90.25 FEET TO A POINT OF TANGENCY;

THENCE NORTH 76 DEGREES 22 MINUTES 27 SECONDS EAST, A DISTANCE OF 205.05 THENCE NORTH 76 DEGREES 43 MINUTES 00 SECONDS EAST, A DISTANCE OF 28.75 FEET TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE WEST, WITH A CHORD BEARING OF SOUTH 12 DEGREES 33 MINUTES 05 SECONDS EAST, A CHORD DISTANCE OF 26.76 FEET;

THENCE SOUTHERLY ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 1,047.46 FEET, THROUGH A CENTRAL ANGLE OF 01 DEGREE 27 MINUTES 49 SECONDS, A DISTANCE OF 26.76 FEET;

THENCE NORTH 76 DEGREES 22 MINUTES 27 SECONDS EAST, A DISTANCE OF 265.11 FEET TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE WEST, WITH A CHORD BEARING OF SOUTH 06 DEGREES 15 MINUTES 27 SECONDS EAST, A CHORD DISTANCE OF 272.15 FEET;

THENCE SOUTHERLY ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 1,312.46 FEET, THROUGH A CENTRAL ANGLE OF 11 DEGREES 54 MINUTES 07 SECONDS, A DISTANCE OF 272.64 FEET;

THENCE SOUTH 00 DEGREES 18 MINUTES 23 SECONDS EAST, A DISTANCE OF 444.70 FEET;

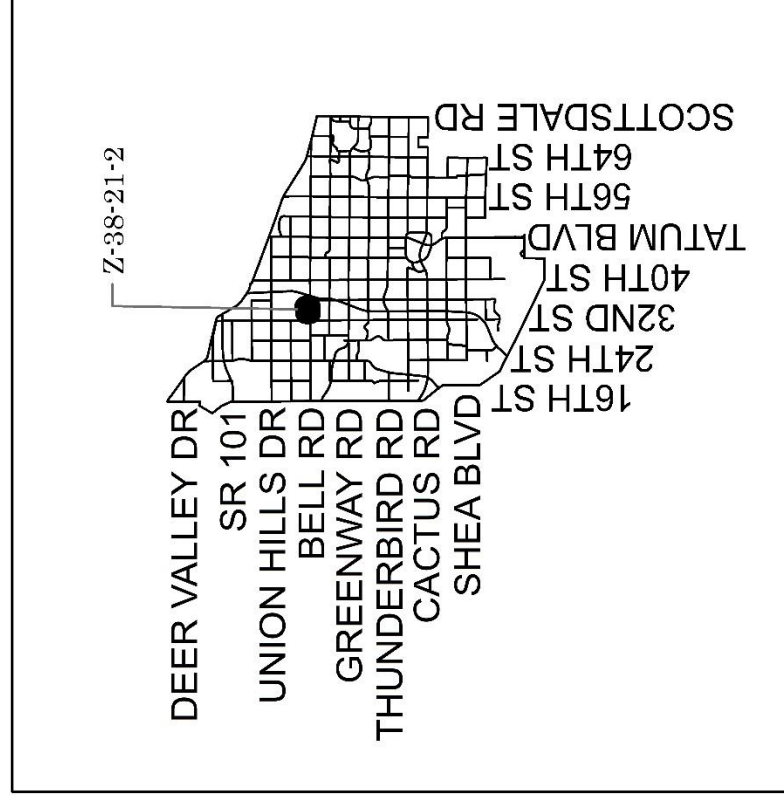
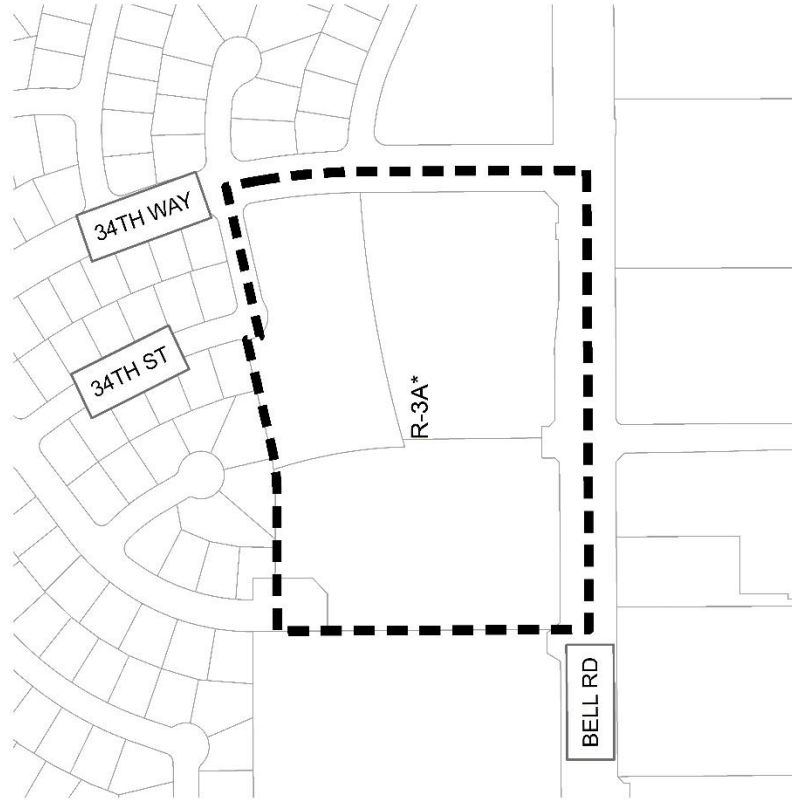
THENCE SOUTH 89 DEGREES 40 MINUTES 04 SECONDS WEST, A DISTANCE OF 862.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 555,984 SQUARE FEET OR 12.764 ACRES, MORE OR LESS.

# ORDINANCE LOCATION MAP

Zoning Case Number: Z-38-21-2  
Zoning Overlay: N/A  
Planning Village: Paradise Valley

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



0 155 310 620 Feet

NOT TO SCALE



Drawn Date: 9/3/2021



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-38-21-2**  
**August 30, 2021**

**Paradise Valley Village Planning Committee Meeting Date:**

August 31, 2021

**Planning Commission Hearing Date:**

September 2, 2021

**Request From:**

PSC (Approved C-2) (12.92 acres)

**Request To:**

R-3A (12.92 acres)

**Proposed Use:**

Multifamily Residential

**Location:**

Northwest corner of 34th Way and Bell Road

**Owner:**

Harkins Phoenix Cinemas

**Applicant:**

Chase Courchaine

**Representative:**

Withey Morris, PLC - Benjamin Tate

**Staff Recommendation:**

Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 3.5 to 5 dwelling units per acre and Commercial.	
		Proposed (GPA-PV-2-21-2): Mixed Use (Commercial and Residential 15+ dwelling units per acre)	
<u>Street Map Classification</u>	Bell Road	Major Arterial	Varies (55-foot to 90-foot wide north half-street)
	34th Way	Local	40 foot west half-street
	Danbury Road	Local	25-foot south and west half-street

<a href="#"><u>Street Map Classification</u></a>	Paradise Park Drive	Local	50-foot wide cul-de-sac radius
<p><b><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; LAND USE PRINCIPLE: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.</i></b></p> <p>As stipulated, the proposed development is compatible with existing nearby uses and consistent with the North 32nd Street Policy Plan.</p> <p><b><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.</i></b></p> <p>The proposal promotes the expansion of multifamily residential land uses in the area. As stipulated, the proposed development is consistent with the scale, design, and zoning which has been approved in the surrounding area.</p> <p><b><i>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.</i></b></p> <p>The rezoning case proposes landscaping around all four sides of the building and open space areas. Detached sidewalks along 34th Way, Bell Road and Danbury Road framed with landscape strips will provide thermal comfort for pedestrians. The proposal also requires that a minimum of 75 percent of the public sidewalk along Bell Road be shaded.</p>			

Applicable Plans, Overlays, and Initiatives
<a href="#"><u>Piestewa Peak Freeway Specific Plan</u></a> – See Background Item No. 6
<a href="#"><u>North 32nd Street Policy Plan</u></a> – See Background Item No. 7
<a href="#"><u>Housing Phoenix Plan</u></a> – See Background Item No. 8
<a href="#"><u>Tree and Shade Master Plan</u></a> – See Background Item No. 9
<a href="#"><u>Zero Waste PHX</u></a> – See Background Item No. 10
<a href="#"><u>Complete Streets Guiding Principles</u></a> – See Background Item No. 11

**Comprehensive Bicycle Master Plan** – See Background Item No. 12

<b>Surrounding Land Uses/Zoning</b>		
	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>
<b>On Site</b>	Movie theater	PSC (Planned Shopping Center), Approved C-2 (Intermediate Commercial)
<b>North and Northeast</b>	Single-family residential	R1-6 (Single-Family Residence District)
<b>East (across 34th Way)</b>	Restaurant and commercial retail, single-family residential	C-2 and R1-6
<b>South (across Bell Road)</b>	Commercial uses including a church, credit union and retail shops	C-1 (Neighborhood Retail), C-O, (Commercial Office), and C-2
<b>West</b>	Grocery store	C-2

<b>R-3A Multifamily Residence District (Subdivision Option)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions on the Proposed Site Plan</u></b>
Gross Acreage	No minimum	12.92 acres
Maximum Number of Units	284 units	278 units (Met)
Maximum Dwelling Unit Density (units/gross acre)	22 dwelling units per acre	21.52 dwelling units per acre (Met)

<b>R-3A Multifamily Residence District (Subdivision Option)</b>		
Minimum Building Setbacks	Front: 25 feet (Danbury Street)  Sides: 10 and 3 feet  Rear: 15 feet	Front: 25 feet (Met)  Side: 10 and 3 feet (Met)  Rear: 15 feet (Met)
Landscape Setbacks	Front: 25 feet (Danbury Street)  Sides and Rear: 5 feet (each)	Front: 25 feet (Met)  Sides: 5 feet (Met)  Rear: 10 feet (Met)

Lot Coverage	45% maximum	35% (Met)
Maximum Building Height	3 stories or 40 foot maximum	3 stories and 37 feet (Met)
Minimum Common Areas	5% of gross site area	18.5% (Met)

### **Background / Issues / Analysis**

#### **1. SUBJECT SITE**

This request is to rezone a 12.92-acre site, located on the northwest corner of 34th Way and Bell Road from PSC, Approved C-2 (Planned Shopping Center, approved Intermediate Commercial District) to R-3A (Multifamily Residence District) to allow a multifamily residential development.

The subject site was annexed into the City of Phoenix from Maricopa County in 1988. The site currently has a Harkins Movie Theater, which was developed in 2000.



1991



2000



2019

*Historical Aerials, Source: Maricopa County*



## 2. ZONING AND LAND USE

### Subject Site:

The subject site is zoned PSC, approved C-2 and contains a movie theater on 12.92 acres. The site is proposed to be rezoned to allow multifamily residential.

### North:

The residential subdivision, Parque Vista Estates Unit 5, to the north of the subject site was platted in 1978. The zoning designation is R1-6, approved through Annexation No. 135 (G-3118).

### South:

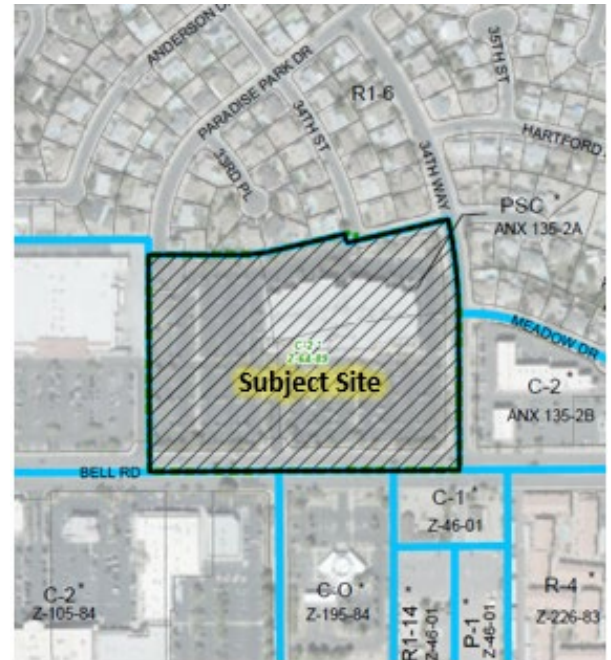
There are five parcels to the south, across Bell Road. To the southeast the site is zoned C-1, approved through Rezoning Case No. Z-46-01. Directly south there is a parcel zoned C-O, approved through Rezoning Case No. Z-195-84. To the south and west is a large commercial center zoned C-2, approved through Rezoning Case No. Z-105-84.

### West:

Immediately west of the subject site is a big box grocery store zoned C-2 through Annexation No. 106 (G-3118).

### East:

The subdivision, Parque Vista Estates Unit 1, to the east of the subject site was platted in 1975. The zoning designation is of R1-6 for the single-family uses and C-2 for the commercial uses along Bell Road, approved through Annexation No. 135 (G-3118).



*Surrounding Zoning, Source: Phoenix Planning and Development Department*

### 3. GENERAL PLAN

#### Subject Site:

The General Plan Land Use Map designation for the subject site is Commercial on the southern half (6.81 acres) and Residential 3.5 to 5 dwelling units per acre on the northern portion (6.11 acres). A companion case, GPA-PV-2-21-2, has been submitted requesting a General Plan Land Use Map designation of Mixed Use (Commercial / Residential 15+ dwelling units per acre).

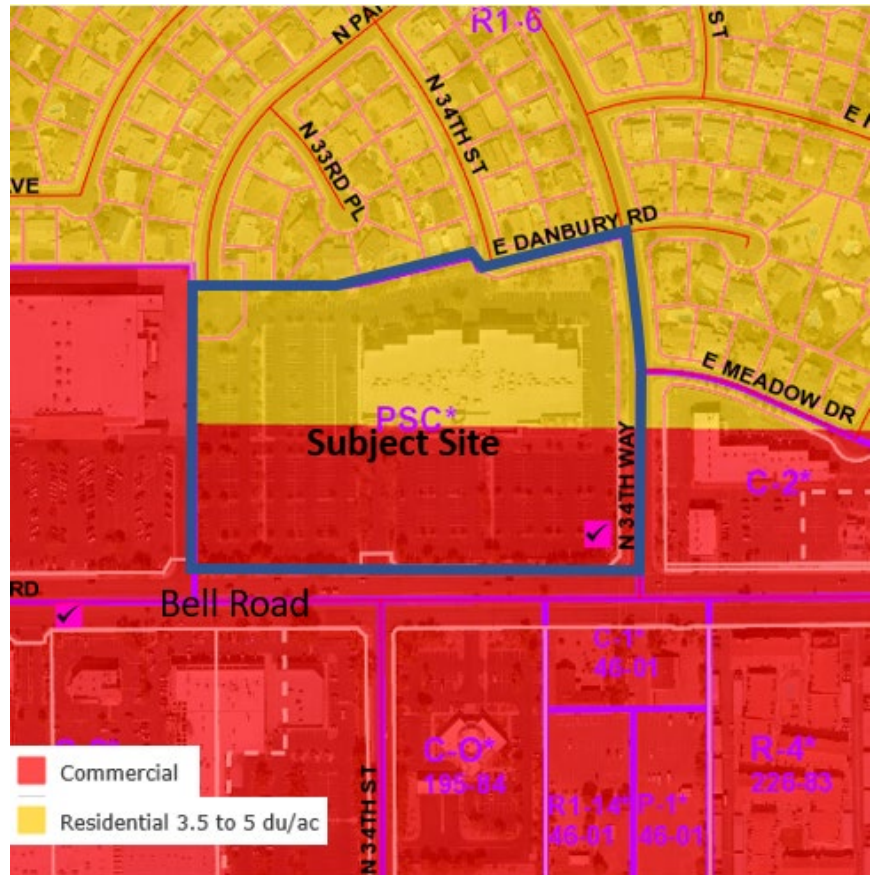
#### North and Northeast East:

The General Plan Land Use Map designation for the property to the north and northeast is Residential 3.5 to 5 dwelling units per acre.

#### South, Southeast and West

The General Plan Land Use Map designation for the properties to the south, southeast and west is Commercial.

General Plan Land Use, Map,  
Source: City of Phoenix  
Planning and Development  
Department



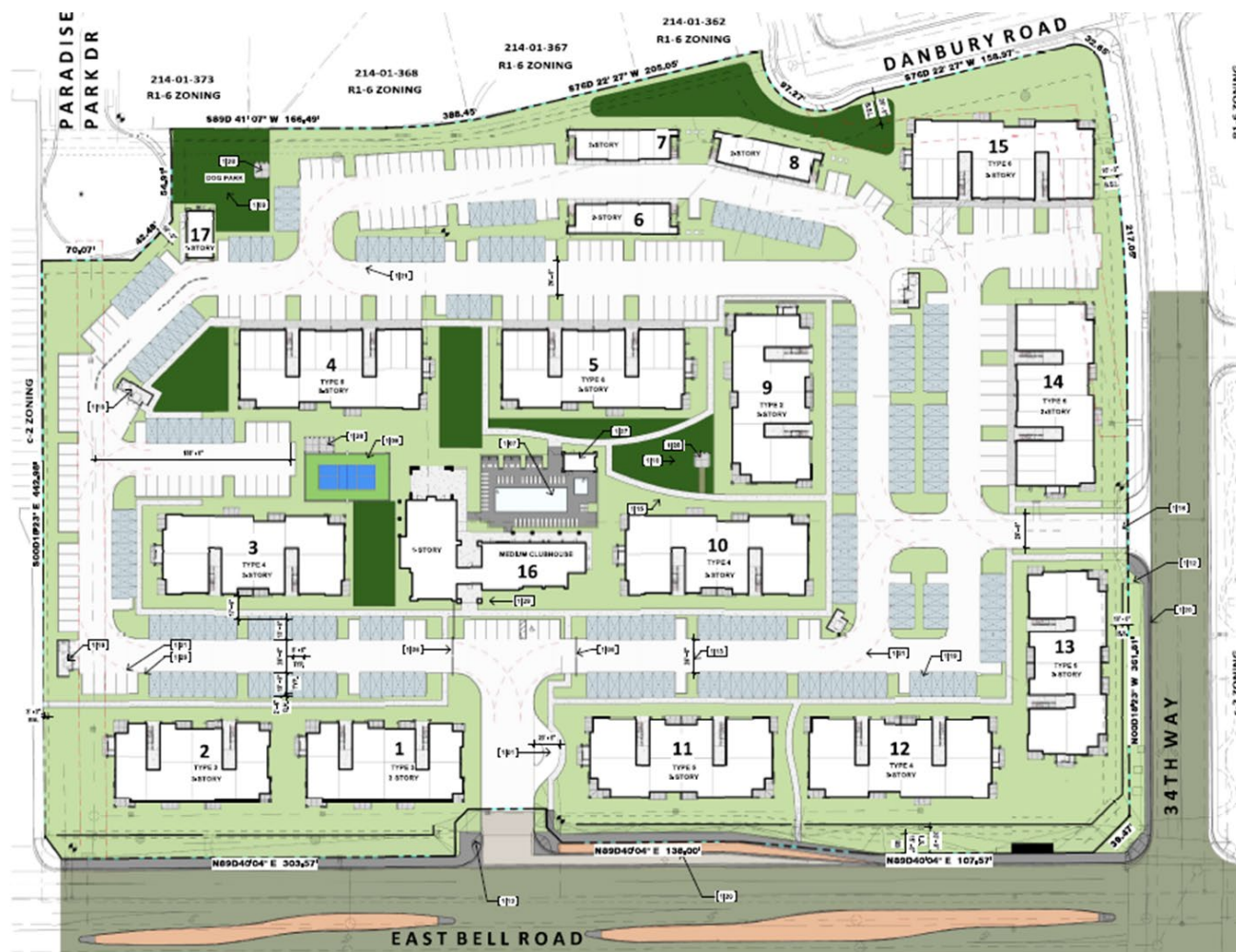
### 4. SITE PLAN

The conceptual site plan depicts sixteen buildings on the site of various heights with a proposal for 278 dwelling units. This proposal limits the number of dwellings allowed under the R-3A zoning district, which is consistent with other developments in the area. To ensure the site develops with no more than 278 units staff is recommending Stipulation No. 3. Further, staff is recommending general conformance to the site plan date stamped August 11, 2021. This is addressed in Stipulation No. 1.

Proposed access to the site is located off of Bell Road and a secondary ingress/egress point off of 34th Way. Both points of ingress/egress will include enhanced landscaping as

recommended in Stipulation No. 4.

The conceptual site plan depicts several open space areas. Staff is recommending Stipulation No. 5, which will ensure that these open space areas come to fruition and contain residential amenities. Amenities in the open space areas will help to create a sense of community.



Conceptual Site Plan, Source: Studio 15 Architecture & Planning

## 5. ELEVATIONS

The proposal includes conceptual elevations that illustrate variations in roofline, window shapes and sizes, architectural embellishments and textural changes. The building height is capped at three stories and 37 feet. To ensure the elevations include architectural details, staff is recommending Stipulation No. 2.

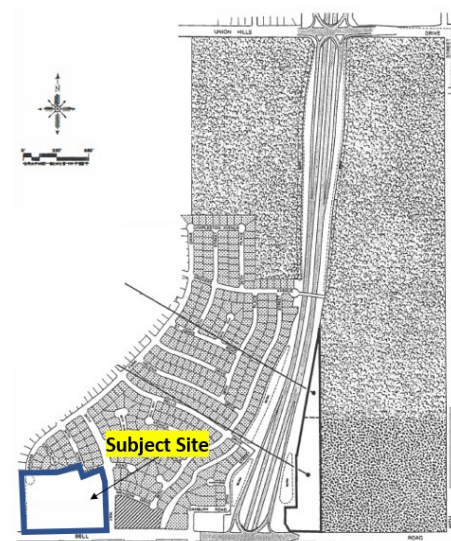




*Conceptual Elevations, Source: Studio 15 Architecture & Planning*

6. **Piestewa Peak Freeway Specific Plan**

The subject site is located within the Piestewa Peak Freeway Specific Plan corridor, Segment 8. This segment contains a mix of City park land, a golf course, single-family residential, a high school and a small commercial development. No land use mitigation strategies were included for the subject site. The proposal will add housing options within Segment 8 transportation corridor.

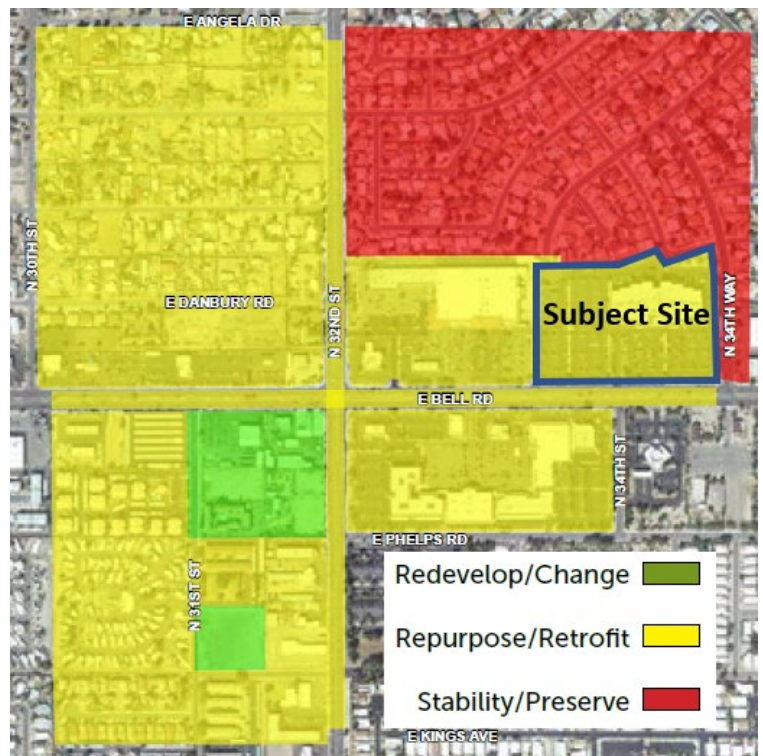


*Piestewa Freeway Specific Plan, Segment 8, Source: City of Phoenix Planning and Development Department*

7. **North 32nd Street Policy Plan**

The subject site falls within the boundaries of the North 32nd Policy Plan (“Policy Plan”) area, which is approximately from the Phoenix Mountain Preserve to the south, Loop 101 to the north, 28th Street to the west and 36th Street/State Route 51 to the east. Starting in early 2012 through more than 40 meetings, city staff worked closely with concerned property and business owners (known as the North 32nd Working Group) to develop the Policy Plan. The primary purpose of the Policy Plan is to provide guidance on appropriate locations for development and redevelopment within the North 32nd Street corridor. The Policy Plan includes the results of mapping exercises for all the major intersections within the corridor.

The subject site was identified as a Repurpose/Retrofit on the policy plan. Repurpose/Retrofit would include improvements such as, additional landscaping within the right-of-way or parking lot, adaptive reuse of structures, or adding new buildings to vacant properties or parking lots at the same scale as surrounding neighborhoods. The proposed development helps to implement the goal of revitalizing the corridor by providing sensitively-designed, new development that is compatible within the context of the surrounding area. The proposal will significantly improve a site along the North 32nd Street corridor at a major intersection and offers an additional housing option to the community.



*North 32nd Street Policy Plan Segment Map, Source: City of Phoenix Planning and Development Department*

8. **Housing Phoenix Plan**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix’s rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan’s goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will

address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

This proposal will help to meet the goals of the housing plan by reducing the gap between housing units and number of people moving to the region.

9. **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. Staff is recommending several stipulations designed to provide trees and enhance shade within the development. Staff is recommending stipulations for shaded and detached sidewalks along Bell Road, 34th Way and Danbury Road in addition to enhanced tree and landscape areas and planting standards along the south, east and north property lines. Further, staff is recommending all surface parking be shaded by 25 percent. These are addressed in Stipulation Nos. 7, 8, 9 and 10.

10. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The conceptual site plan has not indicated the location of recycling facilities as part of this project.

11. **Complete Streets Guidelines**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles.

The proposal includes shaded sidewalks which will increase the thermal comfort for those walking to and from nearby transit and those patronizing local businesses. The proposal also includes several bicycle parking spaces for visitors and residents, in addition to a bicycle repair station as required in Stipulation No. 11. Further, staff is requiring pedestrian safety features such as stamped or colored concrete, decorative pavers or other materials across the driveway aisles, and clearly defined pedestrian pathways connecting building entrances to public sidewalks as outlined in Stipulation Nos. 6 and 13.

12. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the

development of its Bikeway System and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. Providing bicycle parking for residents and for guests of the development is supportive of multimodal travel options and will encourage residents to use biking as an alternative mode of transportation. A bicycle repair station provided on site will also promote bicycling as an alternative mode of transportation. These are addressed in Stipulation No. 11.

#### COMMUNITY INPUT SUMMARY

13. At the time this staff report was written, staff had received forty eight letters of concern. The concerns include increased traffic congestion, increase in crime rates in the area, lower property values resulting from the development, density concerns, price of rents and the loss of the movie theater as a community amenity. No letters of support had been received regarding the request at the time this staff report was written.

#### **Interdepartmental Comments:**

14. The Street Transportation Department requested detached sidewalks along all street frontages, including along Bell Road, to allow additional opportunities for shade. The Street Classification Map envisions detached sidewalks along Bell Road. Furthermore, the Street Transportation Department requested that a minimum 13-foot wide landscape strip along Bell Road, 75 percent shaded pedestrian pathway from the subject site to Bell Road and that all street improvements be constructed with all requirement elements and ADA accessibility standards. These are addressed in Stipulation Nos. 7, 8, 9 and 14.
15. The Public Transit Department requested that pedestrian pathways that cross drive aisles be constructed of decorative pavers, stamped or colored concrete or another material other than those uses to pave the parking surfaces and that clearly defined, accessible pedestrian pathways be provided to link building entrances to public sidewalks, and that trees shall be placed to provide 75 percent shade coverage for sidewalks and pedestrian pathways. Further, staff has requested a bus stop pad along Bell Road. These are addressed in Stipulation Nos. 6, 12 and 13.
16. The Fire Department commented that the buildings shall comply with the Phoenix Fire Code. The Fire Department also stated that depending on building plans, final site plan, an appeal to the fire marshal may be required for site access.
17. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development; however, water capacity is a dynamic condition that can change over time due to a variety of factors.

## OTHER

18. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. These are addressed in Stipulation Nos. 15 through 17.
19. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

## **Findings**

1. As stipulated, the proposal will be compatible with existing nearby uses and consistent with the North 32nd Street Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.
2. The proposal will redevelop a property and provide a high quality multifamily development which is consistent with the North 32nd Street Policy Plan designation of Repurpose/Retrofit for the site.
3. The proposal provides a new housing option to contribute to the mix of housing types in the area and will help alleviate the housing shortage in Phoenix.

## **Stipulations**

1. The development shall be in general conformance with the site plan date stamped August 11, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped June 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
  - a. All building elevations shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.



- b. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and single garage doors.
- 3. The development shall be limited to a maximum of 278 dwelling units.
- 4. Enhanced landscaped entries shall be provided at the entryways into the development off of Bell Road and 34th Way with a minimum 300 square feet of landscaped area on each side of the entrances. The landscaped entries shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.
- 5. There shall be a minimum of four private open space amenity areas, three of which shall be centrally located. A minimum of 10 percent of the site area shall be preserved as open space, exclusive of landscape setbacks. Each area shall provide, at a minimum, one of the following active amenity elements or other similar elements, as approved by the Planning and Development Department:
  - a. Swimming Pool
  - b. Pickleball court or another active recreational amenity
  - c. Pavilion or Ramada
  - d. Dog park
- 6. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.
- 7. A minimum 5-foot-wide detached sidewalk shall be provided along Bell Road with a minimum 10-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or equivalent groupings to provide a minimum of 75% shade on the adjacent sidewalk.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.
  - c. A minimum 10-foot-wide public sidewalk easement along the northern side of Bell

Road shall be dedicated.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

8. A minimum 5-foot-wide detached sidewalk shall be provided along 34th Way with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75 percent live coverage at maturity.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

9. The developer shall provide a minimum 5-foot-wide detached sidewalk along Danbury Road with a minimum 5-foot wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.
10. A minimum 25 percent of the surface parking lot areas must be shaded by minimum 2-inch caliper, large canopy single trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
11. The applicant shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include 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.
  - b. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces. These spaces may be provided through a combination of "Secure/Covered Facilities" and "Outdoor/Covered Facilities" as defined in Appendix K or the Comprehensive Bicycle Master Plan. "Outdoor/Covered Facilities" shall comprise no more than 60 percent of required resident bicycle parking.

- c. Guest bicycle parking shall be provided. Artistic style racks or “Outdoor/Covered Facilities” for guests shall be located near building entrances and the amenity areas, and installed per the requirements of Section 1307.H of the Zoning Ordinance. All racks shall be adherence to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan.
- 12. The Public Transit Department shall require retention of right-of-way and one bus stop pad along westbound Bell Road west of 34th Way. Should the bus stop require demolition and/or replacement, the bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and spaced from the intersection as per City of Phoenix Standard Detail P1258, as approved by the Public Transit Department.
- 13. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
- 14. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 15. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 16. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 17. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

**Writer**

David Simmons  
August 30, 2021

**Team Leader**

Samantha Keating

**Exhibits**

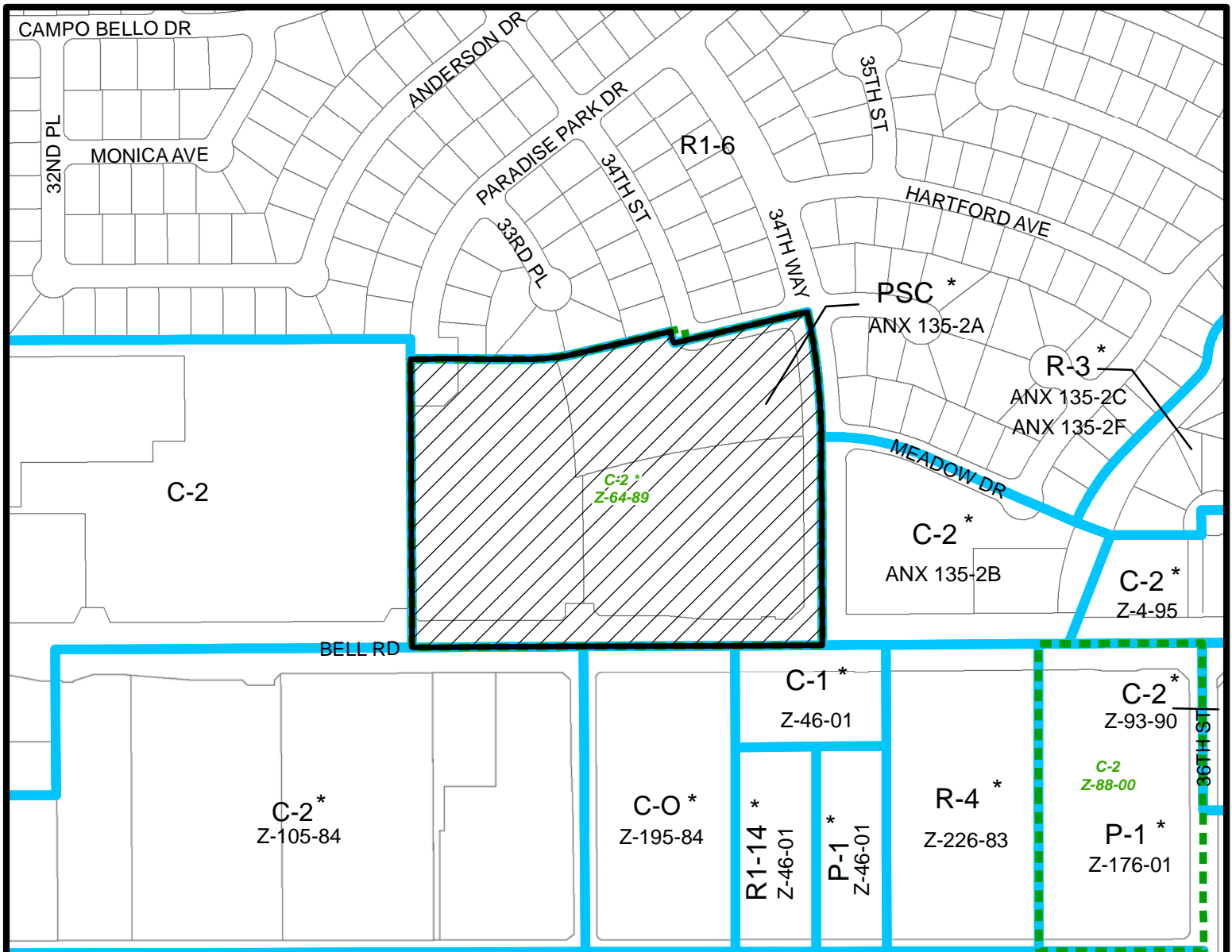
Zoning sketch map

Aerial sketch map

Site plan date stamped August 11, 2021 (1 page)

Elevations date stamped June 14, 2021 (7 pages)

Community correspondence (54 pages)



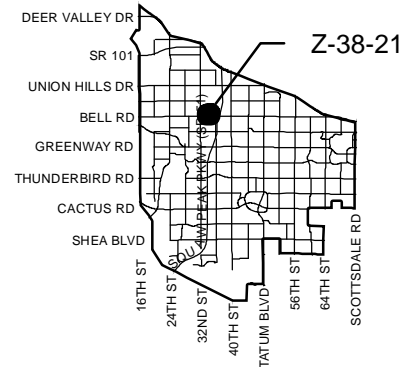
Miles  
0.055 0.0275 0 0.055

## PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Chase Courchaine

APPLICATION NO. Z-38-21

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

12.92 Acres

DATE: 7/1/2021  
REVISION DATES:

AERIAL PHOTO &  
QUARTER SEC. NO.

QS 37-35

ZONING MAP

M-10

### REQUESTED CHANGE:

FROM: PSC (Approved C-2) ( 12.92 a.c.)

TO: R-3A ( 12.92 a.c.)

### MULTIPLES PERMITTED

PSC (Approved C-2)

R-3A

### CONVENTIONAL OPTION

N/A (187)

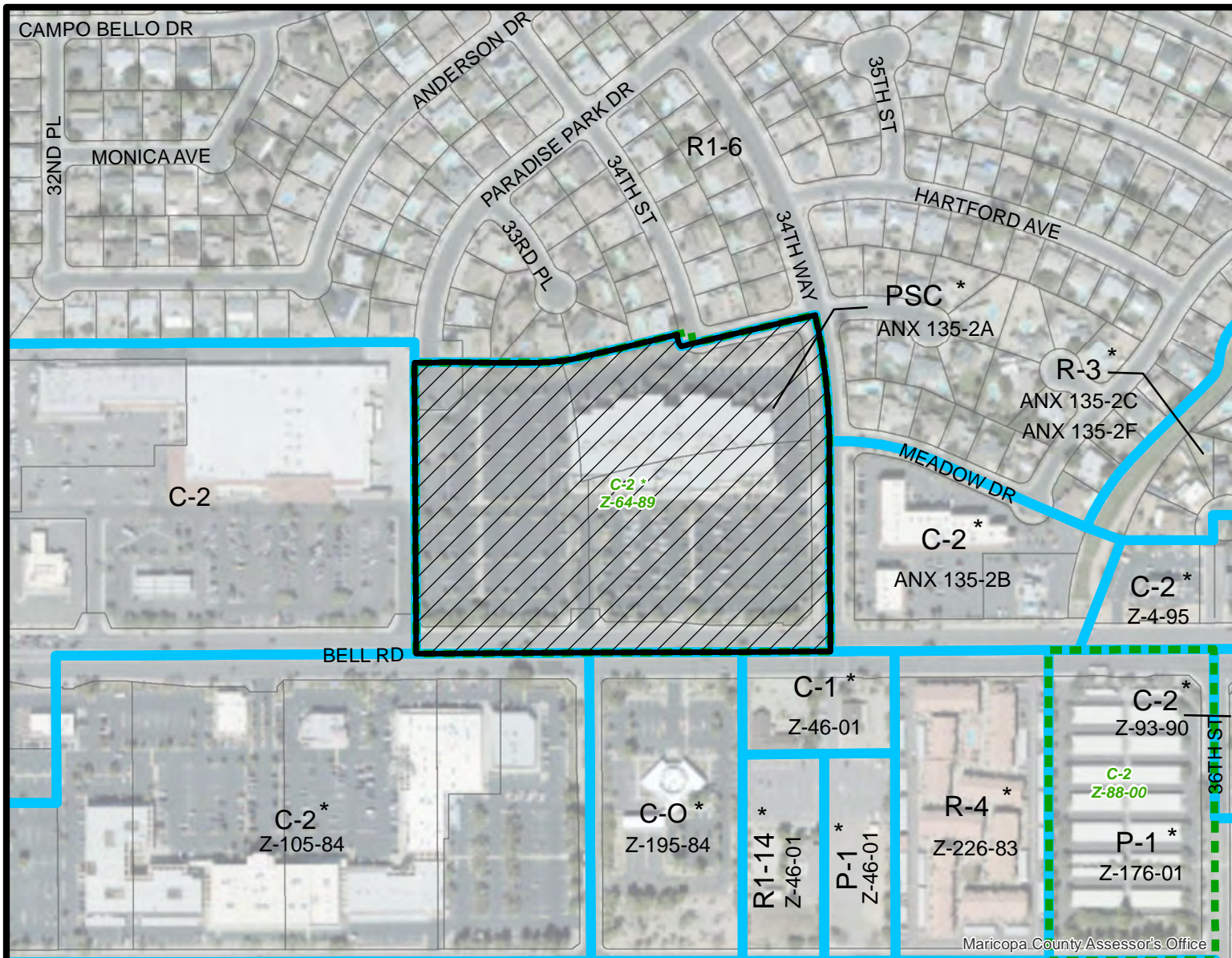
284


### \* UNITS P.R.D. OPTION

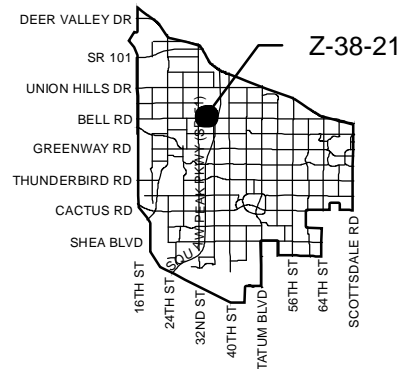
N/A ( 225)

341

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



  
 Miles  
 0.055 0.0275 0 0.055  
**PARADISE VALLEY VILLAGE**  
 CITY COUNCIL DISTRICT: 2



<b>APPLICANT'S NAME:</b> Chase Courchaine		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-38-21		<b>FROM:</b> PSC (Approved C-2) ( 12.92 a.c.)	
<b>DATE:</b> 7/1/2021 <b>REVISION DATES:</b>		<b>TO:</b> R-3A ( 12.92 a.c.)	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 12.92 Acres		<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 37-35 <b>ZONING MAP</b> M-10	
<b>MULTIPLES PERMITTED</b> PSC (Approved C-2) R-3A		<b>CONVENTIONAL OPTION</b> N/A (187) 284	
<b>* UNITS P.R.D. OPTION</b> N/A ( 225) 341			

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









GENERAL NOTES	
1.	MIRACAMP LUMBER SHALL BE FOOT NOTATIONS.
2.	SHALL BE COMPLETELY KERNED. CONTRACTOR SHALL VERIFY
3.	ALL VENEER, LACED, PINE, COG, HERBALS, CONTROL, ADAS
4.	SHALL RETURN BACK TO ADJACENT BIDS SHALL TO BE HANDED
5.	ALL VENTS, BURNING, ANGLE, FIRM SHALL BE PAINTED TO
6.	MAD ON ADJACENT BUILDING COLOR - TYP. UNCL.
7.	EXTERIOR DOORS AND FRAMES TO MATCH ADJACENT BUILDING
8.	SEAL ALL ENVELOPE PENETRATIONS. TYP.

MATERIALS	
NOTE: FIRM, COLOR AND FINISH, SELECTIONS SHALL BE FURNISH VERIFY	
STUCCO - PRIMAVER COLOR	SW GRAY AREA
STUCCO - SECONDARY COLOR	SW DAWN/TEAL GRAY
STUCCO - ACCENT COLOR	IRISH CREAM
ROOF PANS	200 LB CONCRETE BLOCK
ROOF FILL	12" X 12" X 12" TILE
WOODING	www.agingood.com
VINYL WINDOWS -	"WHITE"
INTERIOR WALLS, INTERIOR FLOORS,	"MATE BLACK"


**34th WAY AND BELL**


**ROAD**

**PHOENIX, ARIZONA**

**The Wolf Company**

**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

09/10/2021



**A3.22**

**DATE** May 2021 **JOB NO.** 202018

**PROJECT** 104121

**Type 2 - Elevations**

**DATE** May 2021 **JOB NO.** 202018

**PROJECT** 104121

**Type 2 - Elevations**

**DATE** May 2021 **JOB NO.** 202018

**PROJECT** 104121

**Type 2 - Elevations**



[illegible]

34th WAY AND BELL

ROAD

PHOENIX, ARIZONA

The wolf company

PRELIMINARY  
NOT FOR  
CONSTRUCTION

08-10-2021



**Studio 15**  
Architecture & Engineering

May 2021      MAY 2021      FOR INFO.      204016

SHEET

Studio 15 Architecture, Inc. is a limited liability company, duly organized under the laws of the State of Arizona, with its principal office at 4115 North 15th Avenue, Phoenix, Arizona 85018. It is duly licensed by the State of Arizona as an Architect, License No. 12000, and as a Professional Engineer, License No. 12000.

DATE

REVISIONS


**A3.32**

Type 3 - Elevations

Studio 15 Architecture, Inc.   info@studio15a.com  
 4115 North 15th Avenue • Phoenix, Arizona 85018 • 602.266.4990

[illegible]

UNIT  
FRONT ELEVATION  
1/8" = 1'-0"



**SIDE ELEVATION**



**SIDE ELEVATION**  
1/8" = 1'-0"



**REAR ELEVATION**  
1/8" = 1'-0"



Type 4 - Elevations

**Studio 15 Architecture, Inc.** info@studio15a.com  
4115 North 15th Avenue • Phoenix, Arizona 85015 • 602.266.6492

34th WAY AND BELL  
ROAD  
PHOENIX, ARIZONA  
The Wolff Company



PRELIMINARY  
NOT FOR  
CONSTRUCTION

**DEUTERONOMIO**

[illegible]

## A3.42

**Type 4 - Elevations**





**FRONT ELEVATION**



## SIDE ELEVATION



## CIVIL DS

# SIDE ELEVATION



## REAR ELEVATION

## GENERAL NOTES

1. MECHANICAL UNITS SHALL BE ROOF MOUNTED. ROOF EQUIPMENT SHALL BE SECURED TO ROOF STRUCTURE. CONTRACTOR SHALL VERIFY WEIGHT OF SELECTED EQUIPMENT.
2. ALL VINYL/ACCENT PAINT COLOR / REVEALS / CONTROL JOINTS SHALL BE MATCHED TO EXISTING FINISHES. CONTRACTOR SHALL COORDINATE WITH INTERIOR FINISHES CONTRACTOR TO MATCH INTERIOR FINISHES AT INSIDE CORNER. TYPICAL U.N.O. - REFER TO WALL TYPE 102.
3. ALL VENTS FLASHING, AND MEC. ITEMS SHALL BE PAINTED TO MATCH ADJACENT BUILDING COLOR - TYP. U.N.O.
4. EXTERIOR DOORS AND FRAMES TO MATCH ADJACENT BUILDING COLOR - TYP. U.N.O.
5. SEAL ALL PENETRATIONS. TYP.

## MATERIALS

## MATERIALS



	STUDIO PRIMARY COLOR	SW GRAY AREA
	STUDIO SECONDARY COLOR	SW GUNMET GRAY
	STUDIO ACCENT COLOR	IRISH CREAM
	POWDER CONCRETE TILE	202 BL CONCORD BLEND
	VINYL WINDOWS	"WHITE"
	STONEROW RAILINGS,	"MATT BLACK"
	M.T. TIM & FASCIA	

34th WAY AND BELL  
ROAD  
PHOENIX, ARIZONA  
The Wolff Company



PRELIMINARY  
NOT FOR  
CONSTRUCTION

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

<p>  <b>UNIVERSITY OF NORTH CAROLINA</b>          LIBRARY OF THE UNIVERSITY OF NORTH CAROLINA          100 SOUTH MAIN STREET, CARR SANFORD, N.C. 27510-5060          TEL: 919/857-1234 FAX: 919/857-1234       </p>	
DATE: May 2021	JOB NO.: 20018 SHEET:
REVISIONS:	

### A3.22

Type 2 - Elevations

Studio 15 Architecture, Inc. info@studio15a.com







REAR ELEVATION  
10'0" x 11'0"



SIDE ELEVATION  
10'0" x 11'0"



SIDE ELEVATION  
10'0" x 11'0"



FRONT ELEVATION  
10'0" x 11'0"

## GENERAL NOTES

1. EXISTING CONDITIONS SHALL BE MAINTAINED UNLESS OTHERWISE NOTED. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PHOENIX ZONING ORDINANCES AND THE CITY OF PHOENIX SUBDIVISION MAP ACT.
2. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PHOENIX ZONING ORDINANCES AND THE CITY OF PHOENIX SUBDIVISION MAP ACT.
3. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PHOENIX ZONING ORDINANCES AND THE CITY OF PHOENIX SUBDIVISION MAP ACT.
4. EXISTING CONDITIONS SHALL BE MAINTAINED UNLESS OTHERWISE NOTED. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PHOENIX ZONING ORDINANCES AND THE CITY OF PHOENIX SUBDIVISION MAP ACT.
5. SEAL ALL ENVELOPE PENETRATIONS - TYP.

## MATERIALS

NOTE: FINAL COLOR AND MATERIAL SELECTIONS SHALL BE BY OWNER. VERIFY



STUCCO - PRIMARY COLOR: SW GRAY AREA  
STUCCO - SECONDARY COLOR: SW GRAY LIT GRAY  
STUCCO - ACCENT COLOR: BROWN CREAM  
ROOFING: 2022 BL CONCORD BLEND  
VINYL WINDOWS: "WHITE"  
STORMDOOR: BROWN, 2022 BL CONCORD BLEND  
STORMDOOR: "WHITE BLACK"

34th WAY AND BELL  
ROAD  
PHOENIX, ARIZONA  
The Wolff Company

PRELIMINARY  
NOT FOR  
CONSTRUCTION

09/2021

DATE	REV	BY	CHK	APP	DATE
09/2021	01	01	01	01	09/2021
09/2021	02	02	02	02	09/2021
09/2021	03	03	03	03	09/2021
09/2021	04	04	04	04	09/2021
09/2021	05	05	05	05	09/2021
09/2021	06	06	06	06	09/2021
09/2021	07	07	07	07	09/2021
09/2021	08	08	08	08	09/2021
09/2021	09	09	09	09	09/2021
09/2021	10	10	10	10	09/2021
09/2021	11	11	11	11	09/2021
09/2021	12	12	12	12	09/2021

A3.81P

Type 8 - Elevations

Rich Barber Architect, LLC  
4135 North Central Avenue • Phoenix, Arizona 85018 • 602.955.6672





**FRO**  
 $\frac{1}{3}'' = 2.0''$



**SID**  
1/8" = 1'-0"



**SID**

RE A  $\frac{1}{18''} \times 1'-0''$ 

### GENERAL NOTES

1. ROOF EQUIPMENT SHALL BE COMPLETELY SCREENED - CONTRACTOR SHALL VERIFY WITH HEIGHT OF SELECTED EQUIPMENT.

## MATERIALS

[illegible]

PRELIMINARY  
NOT FOR  
CONSTRUCTION

11/19/2009

[illegible]

## A4.49

Clubhouse - Elevations

Studio 15 Architecture, Inc. info@studio15a.com  
1500 North 15th Avenue • 5th Floor • Suite 500 • Denver, CO 80202 • 303.733.5103

## David O Simmons

---

**From:** Abraham Seitz <abraham.seitz@outlook.com>  
**Sent:** Friday, July 9, 2021 2:04 PM  
**To:** David O Simmons  
**Subject:** Rezoning 34th way

Good afternoon Mr. Simmons,

My name is Abraham Seitz and I reside in Parque Vista Estes which will be affected by the proposed rezoning at 34th way.

I read over the attached letter covering the main idea of building 278 apartments. While the description of the building, management, and amenities sounds nice, I, as well as several neighbors, have multiple concerns.

Initially, there is the concern of additional traffic on Bell and 34th way. This area can already back up sometimes during rush hour.

In the long run, our property values are also at severe risk or declining.

Renters, apartments or not, rarely care for their living situations with the same attention to detail as owners.

While Parque Vista is not a new development by any means, many homes in my neighborhood are well taken care of and some such as mine are newly renovated.

The idea of building a housing community which will house hundreds of people right in our neighborhood is not something I nor the people I have spoken to see willing to support.

I plan to attend the virtual meeting to voice this opinion, but is there anything we as a neighborhood can do?

**There has been a  
submitted to the  
278 Apa**



Respectfully,  
Abraham Seitz

## David O Simmons

---

**From:** Ann <annlonergan@cox.net>  
**Sent:** Sunday, July 11, 2021 12:52 PM  
**To:** ben@witheymorris.com; David O Simmons  
**Subject:** Application Z-38-21 Neighborhood Virtual Meeting Request

Please forward the link for the public meeting for 7/13/2021 to the address below.

We are vehemently opposed to a development of this size and nature in our humble neighborhood. The traffic and congestion this will create is unmanageable. Multifamily housing is available just across the street on Bell Road. Additional rental apartments will bring increased density, traffic and crime as well as a decrease in property values to our area. We do not see any benefit to this development and urge the city to oppose it.

Warm regards,

Ann & Rob Lonergan, 20 year long HOMEOWNERS  
17814 N 34<sup>th</sup> Way  
Phoenix, AZ 85032  
602-996-3731

[annlonergan@cox.net](mailto:annlonergan@cox.net)

## David O Simmons

---

**From:** Ann Robinson <annrobinson114@gmail.com>  
**Sent:** Tuesday, July 13, 2021 10:06 AM  
**To:** David O Simmons  
**Subject:** Rezoning of Harkins Theatre - 34th Way and Bell Road

Hi David,

As a frequent movie goer at the Harkins Theatre at Bell at 34th Way and Bell Road I'd like to add my voice against the rezoning. The theatre is part of the neighborhood and there isn't another Harkins theatre within 10 miles. We go to the movies at least 2-3 times a month and would hate to see it torn down to put in apartments. Putting apartments at that location would increase traffic on Bell Road which is already very heavy and gets backed up.

Thank you for your time.  
Ann Robinson

## David O Simmons

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**From:** Adam Berkseth <QualityLandscaping@hotmail.com>  
**Sent:** Friday, July 9, 2021 12:15 AM  
**To:** David O Simmons  
**Subject:** Proposed apartment complex at 34th way and east bell road.

Hello David, I am a home owner in parque vista estates and want to voice my disapproval for the proposed apartment complex to replace Harkins in my neighborhood. I am concerned that this will cause increased traffic, crime, and decreased property value for my home. Also i picture people parking up and down 34th way. And increased car accidents to an already heavily traffic busy bell road.

My name is Adam Berkseth and I live at 3426 e anderson drive Phoenix AZ 85032.

Thank you

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**Bernadette (Bernie) Cook-Settles**

**3511 E. Campo Bello Dr.**

**Phoenix, AZ 85032**

**Phone: 602-919-6430**

**Email: sosacook@yahoo.com**

► **Attn: David Simmons**  
**City of Phoenix Village Planner**  
**Email: david.simmons@phoenix.gov**

**Phone: 602-262-4072**

---

**RE: Re-zoning Application Z-38-21**

Dear David,

Thank you for taking the time last week to answer additional questions I had regarding the above re-zoning application. As I mentioned, I have several concerns regarding this proposed re-zoning. I will outline those below.

Prior to outlining my concerns regarding this proposed re-zoning, I do have an additional issue with the re-zoning process as it pertains to notification. I have read the notification requirements as outlined in the rezoning guide. Unfortunately, of the 900+ single family homes in Parque Vista Estates (development directly north of the proposed site), less than 10% were notified by the proposed developer for the site at 34<sup>th</sup> Way and Bell Road. The only way most of us not in the notification zone learned of this was on the app, Nextdoor. I understand by The City of Phoenix requirements, they did not have to do so. With that said, it may behoove them to do so during this process. When I have spoken to several residents in this development that were not informed of this either by letter, social media, or word of the mouth, they are angry and do not understand why. Please share this information with the developer, as I will also be doing so on the neighborhood virtual meeting scheduled for July 13, 2021.

The other information I wanted to share with you that I found interesting was on May 29, 2021, this exact property was listed by Western Retail Advisors for pad or ground lease. I have the information advertised if you would like a copy. On June 11, 2021 the re-zoning application was submitted. At this time, the sites that I found this listed on are no longer available to the general public. However, the sign is still posted on the south side of the parking lot at "Harkins". That leads me to believe that Harkins was actually considering additional retail spaces on this site, not residential. I understand this is private property, and they may sell it to whomever they wish. All of us in this development would like to keep the zoning as it currently stands.

Following are my concerns and many other residents in the development how this multi-family site will impact our Quality of Life:

- **Increase Traffic on Bell Road, 34<sup>th</sup> Way, and within the development.**
- **Unwanted Additional On-Street Parking.**
- **Potential for increase in property and other crimes.**

- **Entrance/Exit (Egress/Ingress) to Parque Vista Estates.** There is a total of three (only one with a stop light). A stop light at two of the entrances would not be viable as the traffic would back up on Campo Bello Drive and St. Johns off of 32<sup>nd</sup> street. Additional back up would occur North and South bound 32<sup>nd</sup> street.
- **Increase in insurance rates due to more traffic.** Auto and home owner's rates are based on accidents, traffic and crime.
- **Population increase.** There are 900+ single family homes in Parque Vista Estates. With an additional 278 apartments, that is 1/3 increase in population within the proposed site of Bell Road and 34<sup>th</sup> Way.
- **Traffic accidents on Bell Road and at the stop light of 34<sup>th</sup> Way.** There is so much traffic on Bell Road at that light, which results in Red-light runners and accidents.
- **If approved, construction traffic on Bell Road and 34<sup>th</sup> Way, as well as the time it would take to complete the project.** Once completed, how many owners will this property have over its life-time.
- **Additional traffic from AZ 51 onto and off of Bell Road.**
- **Noise pollution.** More people and automobiles, the more noise.
- **Increase in travel time out of and into the development due to traffic.**
- **Delay for first responders.** The more traffic on Bell Road, 34<sup>th</sup> Way and the development could delay response time.
- **Adverse effect on Property values and Property taxes.**
- **We live in a desert and currently in a drought.** What does increase to the population by 1/3 at Bell Road and 34<sup>th</sup> Way do to our current water supply in this area.
- **City of Phoenix water and sewer fee increase.** The more use, the higher the fee increase.
- **All homeowners that live in Parque Vista Estates either were or are aware that the current zoning for the site in question is commercial.** Commercial property has a set open and close time (currently movie theatre), where as an apartment complex, multi-family homes will be in operation 24/7.
- **There are current home sellers and buyers in this area that are not aware of the proposed re-zoning.** This will adversely affect the prices for these homes.

Additional detail to the above concerns will be provided during the public meetings. At this time, I am requesting the opportunity to speak at all of the future meetings concerning this re-zoning request.

Thank you for your time and consideration in this matter. Additional concerns may develop as this process proceeds.

Respectfully,

Bernadette (Bernie) Cook-Settles

## David O Simmons

---

**From:** Bill Simmons <wj.simmons47@gmail.com>  
**Sent:** Friday, July 9, 2021 10:51 AM  
**To:** David O Simmons  
**Subject:** I am very concerned about the apartments that are proposed to be built on the corner of 34th way and Bell road. We live in the area directly north of where this is tentatively going to be built. I strongly oppose this project as it will have adverse af...

## David O Simmons

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**From:** Council District 2 PCC  
**Sent:** Tuesday, July 20, 2021 12:11 PM  
**To:** David O Simmons  
**Subject:** Fwd: Rezoning for Harkins Theater on Bell Rd.

Hi David,

Can you please add to the public record?

Thank you,  
Christine

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---

**From:** Blake Marshall <blakemarshall86@gmail.com>  
**Sent:** Tuesday, July 20, 2021 11:52:23 AM  
**To:** Council District 2 PCC <council.district.2@phoenix.gov>  
**Subject:** Fwd: Rezoning for Harkins Theater on Bell Rd.

Councilman Waring,

I just read this article about the Harkins Theater at 32nd and Bell closing around the end of the year and replaced by "gated multifamily housing".

<https://www.phoenixnewtimes.com/arts/harkins-theatres-plans-to-close-its-north-valley-16-cinema-in-phoenix-11585156> [phoenixnewtimes.com]

To me that implies a luxury apartment complex which only worsens the high rents in north Phoenix. The article says there will be a hearing to decide rezoning. I think if you have an influence or vote, the builder should be required to make a good portion of units "affordable housing" with lower rents to even out availability of lower income housing. I recently had my rent increase 30%, and I think this is an opportunity to improve things. Please let me know what can be done.

Thank you

Blake M.  
425-282-2421

\*\*\*\*\*



## David O Simmons

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**From:** Christman, Bob <angrybob666@centurylink.net>  
**Sent:** Monday, July 12, 2021 11:51 AM  
**To:** David O Simmons  
**Subject:** 278 Apartments at Harkins.

I am a resident in Park Vista Estates and have been since 1978. 278 APT. UNITS ARE JUST GOING TO ADD TO an all ready growing problem with traffic congestion and residents only having a few options trying to get out of our area. This is only about money. Park Vista Residents like our movie theater. Leave this area alone.

## David O Simmons

---

**From:** Bryan Jackson <bryan.c.jackson82@gmail.com>  
**Sent:** Saturday, July 10, 2021 5:45 PM  
**To:** David O Simmons  
**Subject:** Z-38-21

We do NOT need apartments at this location! Residents in the area are already struggling with getting in and out of the grocery store to the West of this property and we don't need 300+ more vehicles swarming an already crowded neighborhood. We have the Park and Ride to the Southeast of this property and it already brings in too many non-residents into the area. We have an already high crime and homeless population and apartments will just bring more of both. This land does NOT need to be rezoned to allow 238 apartments to drown this area out. Don't suffocate my neighborhood by allowing this land to be rezoned for apartments.

Bryan Jackson

## David O Simmons

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**From:** Cheryl Simmons <cherylsimmons55@gmail.com>  
**Sent:** Thursday, July 8, 2021 3:41 PM  
**To:** David O Simmons  
**Subject:** Resining Application Z-38-21

Hello sir-

I am concerned about the possibility of a large apartment complex being built on 34th Way and Bell Road.

Can I email my concerns to you or do I have to mail a letter? I have asked for the link for the zoom meeting but have not received it as of yet.

Also, I would like to reserve a spot to speak, however I would like Bernadette Cook Settles to speak for me, if possible.

Regards,  
Cheryl Simmons

Sent from my iPhone

## David O Simmons

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**From:** Patrick Cogan <coganpatrick@hotmail.com>  
**Sent:** Monday, July 12, 2021 8:45 PM  
**To:** David O Simmons  
**Subject:** Harkins 34th and Bell Road Whitney Morris

David,

I am not in approval of the zoning of this property being changed from commercial to residential and an apartment building being built. This will hurt our property value and bring in another 500+ cars into a neighborhood with only two exits. What needs to be done for me to get my voice heard? Is there any zoning meetings planned for this community to attend to voice our frustration? I know I am not the only one not wanting an apartment complex to replace the Harkins. Any guidance would be greatly appreciated.

Patrick Cogan  
623-826-4408

## David O Simmons

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**From:** Bernadette Cook <sosacook@yahoo.com>  
**Sent:** Friday, July 16, 2021 1:24 PM  
**To:** David O Simmons  
**Subject:** Re-zoning application Z-38-21, Neighborhood zoom meeting 7/13/21

Dear David,

I have had an opportunity to review my notes from the meeting that took place via zoom dated 7/13/21. We understand due to Covid-19 that this meeting occurred by zoom, however it was not the most effective way to conduct the meeting. Several individuals on the call were disappointed by the way we had to communicate our questions. A typed chat feature was not effective at all. By the time you had an opportunity to type the question, while trying to listen to the meeting, left little to be desired. There were several questions that were not read in full, with partial answers given by Mr. Tate. It appeared that Mr. Tate would pick and choose to read portions of the questions as well as provide partial answers. That appeared to be due to the time frame of the meeting. One hour at 5:30 pm was not enough time to address questions that all of us had. Many individuals did not even have an opportunity to join the meeting in a timely fashion due to work schedules. Can the schedule of future meetings, time duration and in-person participation be seriously considered.

The City of Phoenix requirements for notification needs to change. Some of us have read the criteria, but there are so many homeowners in Parque Vista Estates that do not understand it and are angry. Mr. Tate did say that all of us on the call would be notified, however there were only 60 of us on the meeting and there are 900+ homeowners that will be the most affected by this proposed re-zoning. That brings us to another concern. There are numerous home owners that do not use a computer, retired, and are not on social media, how are they to stay informed of this process? I myself even had difficulty with the zoom meeting.

One of the questions I had, for which he replied "that can be considered", was to conduct real time traffic numbers for Bell Road and 34th Way, by a actual traffic meter. The numbers that Mr. Tate presented as far as the traffic in and out of the proposed apartment complex compared to the current zoning for Bell Road and 34th Way have not been seen, except for the slide he presented. The numbers are not on their site, nor could I find them anywhere. The home owners in Parque Vista Estates do not believe the numbers. We live here and we see the traffic.

One of the proposed options we mentioned to Mr. Tate, that if this re-zoning did go through was to shut all traffic from the apartment complex on and off of 34th Way. If I recall correctly, it did not sound like that would even be considered. Is this an option? If not, then why? Again, this is our only traffic light in and out of our development. To add even 200+ vehicles in and out of 34th Way, will make it impossible to enter and exist Parque Vista Estates safely. There is no traffic light at 32nd Street and St. John's, nor at 32nd Street and Campo Bello Drive. Putting lights at these two entrances/exits could be disaster for those individuals that live directly on those streets. What options are there to stop individuals from the proposed apartment complex adding more traffic through and out of our neighborhood. Can every option be explored?

Thank you for your time and consideration in this matter.

Signed

Bernadette Cook-Settles

## David O Simmons

---

**From:** patricia cox <patriciacox6214@gmail.com>  
**Sent:** Tuesday, June 29, 2021 9:57 AM  
**To:** David O Simmons  
**Subject:** Harkins Theater at E Bell and 34th Way

Hi – your email was provided as a contact regarding the subject project. I am hearing that a developer is planning to replace the theater with a 278-unit apartment complex. How can I find out the status of this and where can I submit objections to it?

Thank you,  
Patricia Cox  
Resident of Parque Vista Estates

Sent from [Mail \[go.microsoft.com\]](mailto:patriciacox6214@gmail.com) for Windows 10

## David O Simmons

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**From:** Crystal Gannon <gannonc10@yahoo.com>  
**Sent:** Thursday, July 1, 2021 11:06 AM  
**To:** David O Simmons  
**Subject:** Rezoning 34th and Bell (Harkins)

Hello

In my neighborhood group, I saw the notice that the Harkins property on 34th and bell was bought and is intended to be rezoned into apartments. Where is this at in the process of approvals and is it still early enough to voice our opinions for this to not be approved? I feel that an addition of apartment buildings there will not improve the area, and we would be better off with adding a retail space there like trader Joe's

Thanks for your time reading this email

Crystal Gannon  
Homeowner in Parquet Vista Estates

[Sent from Yahoo Mail on Android \[go.onelink.me\]](https://go.onelink.me)

## David O Simmons

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**From:** dilloncopeland1 <dilloncopeland1@yahoo.com>  
**Sent:** Saturday, July 10, 2021 10:51 AM  
**To:** David O Simmons  
**Subject:** 278 apartments

David,

Good morning. I know you have been receiving a lot of emails in regards to the proposed apartments here off of 34th street and bell. I want to express my feelings. Its a horrible feeling to feel helpless about this. A lot of the neighbors are not happy about the proposed plans. I have lived in this neighborhood my whole 25 years being alive. Literally anything besides an apartment complex would be better for this community. They talk about how it's going to be less traffic and beneficial to this community. That is not the case at all. This apartment complex is going to add way more traffic, crime, and various problems to this community. The developers that are coming in are just money hungry and want to do anything for a buck. I always feel like the lower class gets taken advantage of and this is one of those cases. As someone who has lived in this community for 25 years and seen the ups and downs in the neighborhood. I know for a fact that this is only going to cause more problems. My email might not even get read fully and that's okay. But I just want to write to you and express my feelings because there might be some neighbors that don't know how or even who to reach out to. This is why I am taking it upon myself to reach out to you and let our voices be heard. Please stop this from taking place. An apartment complex is the LAST thing that needs to be put here in our community.

Thank you for listening,

Dillon Copeland

Sent from my Galaxy



## David O Simmons

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**From:** Richardson, Erica <Erica.Richardson@saltriversschools.org>  
**Sent:** Tuesday, July 13, 2021 8:42 AM  
**To:** David O Simmons  
**Subject:** Project at 34th Street and Bell Road Z 38-21

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**From:** Richardson, Erica  
**Sent:** Thursday, July 8, 2021 3:17 PM  
**To:** zoning@phoenix.gov  
**Subject:** Project at 34th Street and Bell Road

Good Afternoon,

I am writing to implore you to NOT permit the rezoning of the property at 34<sup>th</sup> Street and Bell Road which currently houses a Harkins movie theater.

A developer wishes to turn this supposedly 12 acre parcel into "luxury housing" which will bring several problems to the area including:

- \*Additional traffic issues and delays while waiting for a resident to open the security gate of the property along with increased traffic accidents along an already highly travelled road and is dangerously close to on/off ramps of Hwy 51.
- \*2 of 3 public schools zoned for that property do not have the proper infrastructure to house a large influx of students
- \*This luxury apartments will do nothing to alleviate the growing issue of affordable housing in the area and in fact may force people from their current housing
- \*This suggested location sits near a known area with a high rate of crime including gang activity and weapons violence, this new apartment complex could become a high crime target by these persons
- \*residents of the area are currently getting fed up with all the "improvements" being made that involve the tearing up of the roads along Bell Rd and 32<sup>nd</sup> St. This new construction would possibly require even more work that involves the tearing up of the roads. Traffic due to this is so bad that emergency vehicles are being told to find other ways around the area when responding to a call!
- \*tearing down of the Harkins theater will result in the loss of more jobs than ones employed by an apartment complex and this theater is the only one in the area that provides a safe movie experience for kids with special needs and low income families during the summer months.

Again, I implore you to not allow the rezoning of the property at 3420 E. Bell Road to be rezoned into a multifamily zoned property. There is much more property along Mayo Blvd or further down Bell Road that would be better suited for a project such as this.

*Erica Richardson*

She/Her  
Registrar and Records  
Salt River Schools  
Office (480) 362-2057

[www.SaltRiverSchools.org](http://www.SaltRiverSchools.org) [[saltriversschools.org](http://saltriversschools.org)] | [Facebook](https://www.facebook.com) [[facebook.com](https://www.facebook.com)] | [Instagram](https://www.instagram.com) [[instagram.com](https://www.instagram.com)] | [YouTube](https://www.youtube.com) [[youtube.com](https://www.youtube.com)]

*“Forget regret, or life is your’s to miss...”*  
*Jonathan Larson*

Please note: I now have a new e-mail address. The new e-mail address now ends with @saltriverschools.org. Please update your address list with my new e-mail address Erica.Richardson@saltriverschools.org.

This message and any attached documents contain information from the Salt River Pima-Maricopa Indian Community Education Division (DBA Salt River Schools) that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information, and no privilege has been waived by your inadvertent receipt. If you have received this transmission in error, please notify the sender by reply e-mail and then delete this message.

## David O Simmons

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**From:** Erica Davis <erica.davis8@yahoo.com>  
**Sent:** Friday, July 9, 2021 11:15 AM  
**To:** David O Simmons  
**Subject:** Withey Morris PLC rezoning application - Z-38-21/GPA-PV-2-21

Hello,

I received a notice regarding the rezoning of the lot at 34th Way and Bell Road in Phoenix, 85032. The lot currently houses a Harkins movie theater, and that's how I'd like it to stay. As a resident of this neighborhood, I have no interest in having a 278 unit apartment complex at the end of my street. I am just off 34th Way on Meadow, the first block into the neighborhood. This street is busy enough as it is. I do not agree with the builder's claim that traffic in the neighborhood would be reduced by building this apartment complex.

I apologize if you are not the correct contact for this complaint. But I wanted to be sure that my voice was heard. I DO NOT want this apartment complex to be built on this lot. If there is another person I should contact, or another outlet to ensure that my concern is heard, please let me know.

Thank you.

Erica Davis

## David O Simmons

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**From:** Ginger Chandler <Gingersnap44@msn.com>  
**Sent:** Friday, July 9, 2021 8:28 PM  
**To:** David O Simmons

To whom it may concern,  
Re: Harkins theatre Bell Rd and  
34th St

I am writing this in hopes that we will get enough negativity to keep the theatre and not put in an apartment complex. That theatre has been there for so long and has always been a packed house. So nice to go to a theatre and not have to deal with a shopping mall. I do not think an apartment complex is going to do anything positive for our neighborhood. Traffic, noise, crime rate, our home owners insurance will go up, yet our home values will go down. This is a horrible idea!!

I truly hope the people of our neighborhood will have some say so in this decision. I for one am totally against it, as I am sure everyone in our neighborhood is.

Thank you for your help,  
Ginger Roler

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## David O Simmons

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**From:** Marisa Gostony <fortheloveofdogs73@gmail.com>  
**Sent:** Thursday, July 8, 2021 5:59 PM  
**To:** David O Simmons  
**Subject:** From a Parque Vista Estates homeowner

Hi David,

I hope you have had a great week. I wanted to reach out regarding the proposed apartment complex to replace the Harkins North Valley 16. This is the proposed complex's website..

[wolff34thbell.com](http://wolff34thbell.com) [wolff34thbell.com]

I wanted to voice that I am not in favor of this proposal. I have owned my home here in Parque Vista Estates since 2011. Over the years, I have had some issues- lawnmower stolen, mail stolen, etc. and I am very concerned that there will be an increase in crime with a heavier population in the area.

There's already a severe amount of traffic at the light at 34th Street, and that's without the construction that seems to be never ending over there.

Please take this into consideration when making your decision. We love our neighborhood without additional residential spaces.

I appreciate your time, thank you!

Marisa Gostony

602.717.6210

**David O Simmons**

---

**From:** gwendolynis <gwendolynis@aol.com>  
**Sent:** Saturday, July 10, 2021 6:01 PM  
**To:** David O Simmons  
**Subject:** Rezoning Bell & 34th Way

Dear Mr. Simmons,

I am a resident near this proposed new development and am concerned about a few things. This would increase population density and Bell Rd traffic quite a bit.

Thank you,

Gwendolyn Hjelmstad

## David O Simmons

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**From:** Council District 2 PCC  
**Sent:** Friday, July 23, 2021 11:38 AM  
**To:** David O Simmons  
**Subject:** Harris

Hi David,

Could you please add Mr. Harris' comments to the public record and answer any questions he may have about the project?

Thank you,  
Christine

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**From:** no-reply@phoenix.gov <no-reply@phoenix.gov>  
**Sent:** Friday, July 23, 2021 11:30 AM  
**To:** Council District 2 PCC  
**Subject:** emdist2 - Form Submission

FROM : James A Harris

SUBJECT : Redevelopment of Harkins Movie Theater

MESSAGE : Jim, I read a news report yesterday that the Harkins theater is coming down, and a new 272 unit apartment complex will be built in its place at 34Th Way and Bell Rd. I don't think that's the best use of that property for our neighborhood. It will definitely increase traffic at that intersection and more than likely other problems. It appears the project has already been approved but I have not seen any public signage posted at Harkins concerning land-use change. Could You look into this and get back to me. I and my neighbors are definitely not happy about it.

Thank You,

James Harris  
480-518-5220

Email : aceharris@gmail.com

AREA : 85032

PHONE : 480-518-5220

ADDRESS : 3431 East Angela Drive

CITY : Phoenix

STATE : AZ

ZIP : 85032

Submission ID: 1eeda45aecc54c60b05f7d1d3f297901

Form Submission On : 7/23/2021 11:30:25 AM

Referer: <https://phoenix.gov/district2/contact-district-2>

This is Not Spam - This message is sent on behalf of the City of Phoenix.  
Please handle appropriately.



## David O Simmons

---

**From:** Council District 2 PCC  
**Sent:** Monday, July 12, 2021 1:12 PM  
**To:** David O Simmons  
**Subject:** Harding

Good Afternoon David,

Can you please add to the public record?

Thank you,  
Christine

---

**From:** no-reply@phoenix.gov <no-reply@phoenix.gov>  
**Date:** Monday, July 12, 2021 at 1:03 PM  
**To:** Council District 2 PCC <council.district.2@phoenix.gov>  
**Subject:** emdist2 - Form Submission

FROM : janet harding

SUBJECT : Zoning change for 34th Way & Bell Rd.

MESSAGE : Hi Jim,

I live in the neighborhood behind the Harkins theaters at 34th Way & Bell Rd. Please do not allow the zoning to be changed for a multi-family structure(s). This is not the place for apartments.

Not only will our property values go down, it increases the potential for the crime rate to go up in the area. It will also create a serious traffic problem for the people that live in the neighbor hood. There are only 3 ways into our area now & 34th Way is the only access off of Bell Rd. 238 units?! There will be only 2 options in & out of that property. So add 238-400 additional cars to that corner & the traffic will become unimaginable!

I do plan on attending the virtual meeting Tues. evening. Can you help in any way?

Also, my offer still stands - I will work on your campaign if you decide to run for other political office! (You are one of the only level headed people on the city council)!

Regards,

Janet Harding  
602-647-1210

Email : jharding.firstchoice@yahoo.com

AREA : 602

PHONE : 647-1210

ADDRESS : 17211 N. 36th Street

CITY : Phoenix

STATE : AZ

ZIP : 85032

Submission ID: 01c567a1e1494d178e4e5bca9353a589

Form Submission On : 7/12/2021 12:57:23 PM

Referer: <https://phoenix.gov/district2/contact-district-2>

This is Not Spam - This message is sent on behalf of the City of Phoenix.  
Please handle appropriately.

**David O Simmons**

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**From:** Janet Harding <jharding.firstchoice@yahoo.com>  
**Sent:** Monday, July 12, 2021 12:49 PM  
**To:** David O Simmons  
**Subject:** Zoning

Hi David,

I live in the neighborhood behind the Harkins theaters at 34th Way & Bell Rd. Please do not allow the zoning to be changed for a multi-family structure(s). This is not the place for apartments.

Not only will our property values go down, it increases the potential for the crime rate to go up in the area. It will also create a serious traffic problem for the people that live in the neighbor hood. There are only 3 ways into our area now & 34th Way is the only access off of Bell Rd. 238 units?! There will be only 2 options in & out of that property. So add 238-400 additional cars to that corner & the traffic will become unimaginable!

We don't have a problem with other types of retail going there.

Please think this through. It is not a good corner for apartments!

Regards,

Janet Harding  
Cell: 602-647-1210

## David O Simmons

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**From:** Jean Rice <Jeanrice3@outlook.com>  
**Sent:** Sunday, July 11, 2021 5:54 PM  
**To:** David O Simmons  
**Subject:** Meeting Regarding Property at 33rd Way & E. Bell Rd.

**Importance:** High

Hello Mr. Simmons,

I would like to request the information for the Zoom meeting on Tuesday, 7/12 at 5:30pm regarding the Harkins Theater property that has sold. It is my understanding that apartments are slated for that property. Please send me the link or information to login so that I can listen to what is said at the meeting. I live very close to the area and want to know what is happening at that location.

Thank you so much!

Sincerely,

*Jean Rice*

Jean Rice, RN, BS/BA

President

Healthcare Consultant, LLC | PO Box 30983 | Phoenix, AZ 85046-0983

| jeanrice3@outlook.com

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## David O Simmons

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**From:** Jeanene Gove <jeanenegove@gmail.com>  
**Sent:** Thursday, July 8, 2021 12:10 AM  
**To:** David O Simmons  
**Subject:** Rezoning the northwest corner of 34th way and Bell Road

Dear David Simmons,

I have been a resident in Parque Vista Estates for 21 years, I am against rezoning that location to build a multi-family apartment complex. The vast majority of the neighbors of course do not want additional construction, traffic, and unnecessary apartment complex crammed into our neighborhood. We have limited access in and out of the neighborhood, two of which do not have traffic lights. The traffic light at 34th way and Bell Road is one of the longest to get out onto Bell Road especially during high traffic times such as morning and evening rush hours. The traffic would be horrible with adding a 278 multi-family residential apartment to our neighborhood and having approximately 556 more vehicles exiting the neighborhood on a daily basis. These apartments will only add to the existing traffic problems with accidents, speeding and volume inside our development. One of my main concerns is not only traffic, but the possibility of increased crime, noise, and congestion to our area, which all may lead to home values going down. Please reconsider rezoning a commercial property to a residential.

Sincerely,  
Jeanene Meadow-Gove

## David O Simmons

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**From:** John Sandoval <john.sandoval@UnivarSolutions.com>  
**Sent:** Friday, July 16, 2021 12:41 PM  
**To:** David O Simmons  
**Subject:** Question for the APARTMENT APPLICATION # Z-38-21

I am inquiring about the re zoning request for 34 way and bell road, application #Z -28-21,, it this actually going through? We were not able to make any meeting as we just got back into town, this is a shocking development and after talking to all our neighbors I know NO one in this community wants this, .. please call me if you can to further discuss,, @ 602-432-8869 thank you

## David O Simmons

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**From:** Kenneth J Kettner <kennethjkettner@gmail.com>  
**Sent:** Thursday, July 15, 2021 9:41 AM  
**To:** David O Simmons  
**Subject:** 34th street and Bell Road-Harkins rezoning

Mr. David Simmons

I am a resident in the Parque Vista Estates and I am writing to you about the current project review on the corner of 34th St. and Bell Road for the rezoning of the Harkins theater site.

Surely there is a better use for this property other than apartment complexes. We are surrounded by apartment complexes that are half empty. We don't need another one.

The traffic in this area is already ridiculous. There are accidents weekly between Route 51 and 32nd St. on Bell road. Add an additional 500+vehicles in this area daily is just inviting chaos.

This type of expansion in this area is not called for. Please rethink your rezoning of this lot. Also look at the traffic controls in the area and look at the accident reports from Phoenix PD.

Thank you

Kenneth J Kettner  
17228 N 35th Street  
Phoenix 85032

## David O Simmons

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**From:** Lois Kloosterman <lolokloo77@aol.com>  
**Sent:** Wednesday, August 4, 2021 8:08 AM  
**To:** David O Simmons  
**Subject:** Proposed 278 Apt. Complex

Mr. Simmons,

I have been out of town and upon my arrival I see that there is a developer that wants to rezone the Harkins Theaters located on the corner of 34th Way and Bell Rd so that he can put in 278 apartments.

I am strongly against this request! We do not need an additional 278 people with probably more vehicles than that, moving into our neighborhood. It is already congested on 34th Way when people are leaving for work and returning during the rush hour.

Also, I am not sure Phoenix ever got the memo, but we are in the midst of a 19 year drought and the LAST thing we need is for some greedy developer to come in and build another apartment complex encouraging more people to MOVE here requiring more water usage! PHOENIX NEEDS TO STOP DEVELOPING!!!

I know there are many people in this neighborhood that do not want to see all the additional traffic added to an already heavy trafficked area.

Please reconsider allowing this rezoning to go through.

Sincerely,  
Lois Kloosterman  
3533 E. Anderson Dr.  
Phoenix, AZ 85032

Lois Kloosterman  
lolokloo77@aol.com



## David O Simmons

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**From:** krisha koontz <vegekrisha@yahoo.com>  
**Sent:** Tuesday, June 29, 2021 9:16 AM  
**To:** David O Simmons  
**Subject:** Apartment complex at 34th st and Bell Rd

Good morning Mr. Simmons,

It is my understanding that the Harkins at Bell Rd and 34th street is being demolished and an apartment complex is being built in its place. As a resident who lives one block north of Harkins, I am completely opposed to this. We already have a problem with traffic congestion and crime surrounding this intersection. Building a 270 unit complex is absurd. It will increase traffic congestion, increase crime, and drive the property values down in our neighborhood. Every neighbor I have spoken to about this agrees. Please strongly consider input from the current residents of Parque Vista Estates before you allow this construction to happen. Thank you.

Sincerely,  
Krisha Stevens

[Sent from Yahoo Mail on Android \[go.onelink.me\]](#)

## David O Simmons

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**From:** Laura Burdett <[lburdett@q.com](mailto:lburdett@q.com)>  
**Sent:** Monday, July 12, 2021 4:52 PM  
**To:** David O Simmons; Laura Burdett  
**Subject:** 34th Way & Bell Rd Development Project

Hello David:

I received notice that there is a developer who is wanting to purchase the Harkins Theatre at 34<sup>th</sup> Way and Bell Rd to develop an apartment complex. I am VERY opposed to this project!!!!

There are only 3 roads in and out of the Subdivision Parque Vista Estates and only one of the roads is off of Bell road which is 34<sup>th</sup> Way. We already have issues with traffic in that spot, so building an apartment complex in that spot is going to add to the population living right there at the entrance of our subdivision which will cause a major amount of traffic when trying to exit the subdivision.

I was very upset to hear about these plans. I'm also upset to hear that the Harkins Theatre is going away. That was such an added feature to the area.

PLEASE do not pass this development plan! The thought of this happening has made me think about selling my home and moving and I have lived here for 23 years!

Please listen to the residents of this subdivision. We do not want the apartment complex. That location should stay zoned for Commercial not residential!!!

Thank you,  
Sincerely,  
Laura Burdett  
Email: [lburdett@q.com](mailto:lburdett@q.com)  
Cell: 602-403-6211

Sent from [Mail \[go.microsoft.com\]](mailto:lburdett@q.com) for Windows 10

## David O Simmons

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**From:** Liz Holmes <liz.holmes23@gmail.com>  
**Sent:** Thursday, July 22, 2021 7:21 AM  
**To:** David O Simmons  
**Subject:** Rezoning Application Z-38-21

Hi David,

I live at 17217 N 34th St, Phoenix, AZ 85032 and will be directly affected with the rezoning and potential apartments for the lot at the northwest corner of Bell and 34th Way. Here are my concerns:

- I am concerned about the additional traffic it will bring to the neighborhood.
  - Currently people fly down 34th way - would the city be willing to put in speed bumps since more cars will be in and around the area?
  - There is no guest parking for the proposed apartment complex so we will see an increase of street parking in the neighborhood. More so on my street as it backs up to the rear of the property and there will be a pedestrian entrance there. So we will have more cars parked on our quiet street. What can we do to get parking permits in the neighborhood so we don't have to worry about strangers parking and walking our neighborhood to get to this complex at all hours of the day?
  - I am concerned about the increase in people in the neighborhood and if families are moving in and kids will be bored after school and wandering the neighborhood between Paradise Valley high and just get into stupid trouble out of boredom.
  - I am concerned about the proposed move of the bus stop, we do not need bus traffic in the neighborhood and we already see homeless people sleeping on all the bus stops in the area including the one in front of Harkins, we do not want that to come closer to our neighborhood.
  - I know they say it will reduce traffic but the movie theater does not cause extra traffic for us - the visitors to the building complex will cause more traffic and will be parking on our streets.

Please let me know if there are more meetings and what more we can do as a neighborhood to stop this.

Thanks,  
Liz

--

Liz Holmes  
Kappa Delta Sorority  
Chapter Accounting Specialist - Division 12  
Beta Psi Chapter of Kappa Delta - Arizona State University, CAB Operations  
Beta Psi Chapter of Kappa Delta - Arizona State University, CAB Public Relations  
(619) 708-2484

## David O Simmons

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**From:** Marcy Martens <marcy.m.martens@icloud.com>  
**Sent:** Monday, June 28, 2021 8:41 AM  
**To:** David O Simmons  
**Subject:** Planned development question

Good morning Mr. Simmons,

I received a notice stating the Harkins movie theater is planning on being replaced by a housing development. Will there be plans to expand Bell Road and 32nd Street? It is a small area and 278 units for families will be a tremendous increase to the volume of traffic on that already crowded area.

Thank you,  
Marcy Martens, PhD.  
Sent from my iPhone

## David O Simmons

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**From:** Reena Kivlehen <rkivlehen7@gmail.com>  
**Sent:** Tuesday, July 13, 2021 6:15 PM  
**To:** David O Simmons  
**Subject:** Parque Estates apt re zoning questions

Hi David,

Hope you're doing well. We have serious concerns with the rezoning request for 34th way and Bell Road. Our top two concerns are increased traffic going west on Bell Rd, making it difficult for residents to turn right into the neighborhood on 34th way.

We are also very concerned with our neighborhood safety with apartments being built in front of us.

Unfortunately, we were unable to attend the virtual meeting tonight. Can you please let us know if these two issues were addressed in the meeting? In addition if you could let us know how these two issues would be addressed by the builders (or if not at all) we would appreciate it.

Thank you,

Mike and Reena Kivlehen

## David O Simmons

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**From:** Merry Whitten <merrycw@gmail.com>  
**Sent:** Monday, July 12, 2021 5:26 PM  
**To:** David O Simmons  
**Subject:** Rezoning application (Z-38-21) 34th Way and Bell Road.

Good afternoon David,

I am writing to you today to let you know that I am opposed to the rezoning of 34th Way and Bell Rd as a Multi family use site. I'm sure you have received a lot of emails from us NIMBY's but in this case it is true. Our subdivision has basically become land locked over the years. Especially when State Route 51 came through. We only have 3 exits out of our community, only one exit at 34th Way has a traffic light. 34th Way is the main entrance and exit for our community. There are numerous car accidents at 34th and Bell, 40th St and Bell and also in front of Fry's on Bell just West of where they want to put an additional 278 units. We all know 34th way will become an overflow parking lot which is dangerous for the many high schoolers who walk to and from school and summer jobs. We already pay one of the highest rates for car insurance in the 85032 zip code.

Ingress and Egress is my main concern but I'm also concerned with Property values, Crime, Noise, Trash, Pests..we already have an uncontrollable raccoon problem which is causing property damage.

I really feel bad for those poor people whose backyards (with pools) back up to the proposed site. Would you want an apartment complex looking over your next BBQ/Pool party?

I have spoke with a few neighbors and they would not be opposed to a nice, SFR neighborhood.

This proposal would significantly impact our quality of life, please don't let this happen to us.

Thank you for your time,

Merry Whitten  
Parque Vista Estates  
602-881-4010 cell

## David O Simmons

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**From:** norma tucker <ntuck11@yahoo.com>  
**Sent:** Monday, July 12, 2021 1:17 PM  
**To:** David O Simmons  
**Subject:** re-zoning for 34th Way and Bell Road

re: 34th Way and Bell road re-zoning request:

We have lived in the Parque Vista estates for over 30 years and love our community here. Everyone in our subdivision was happy to have a Harkins theater built nearby. It created jobs, entertainment and was good for our home values.

Building apartments here will create noise, more people, safety issues and a ridiculous amount of traffic! Many residents in this subdivision use 34th way to access Bell Road. What a mess this will be with apartments here!

Apartments in this area will bring our home values down! We are extremely apposed to this re-zoning!

Thank you for your consideration in this matter.

Norma Tucker  
Parque Vista long time resident

## David O Simmons

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**From:** Pete <thewackman1@gmail.com>  
**Sent:** Sunday, July 11, 2021 7:54 AM  
**To:** David O Simmons  
**Subject:** Rezoning of Harkins 34th and Bell

I am appalled that someone decided it would be a good idea to demolish the Harkins movie theater at 34<sup>th</sup> Way and Bell and put up apartments. I have lived within sight of the theater on 34<sup>th</sup> Street since before it was built, and I vehemently oppose this project. The list of negative impacts on our neighborhood is long, but includes lowering of property values, increased congestion on the already very congested Bell road, and a lowering of community standards. I urge the denial of rezoning for this unbelievable project.

Sincerely,  
Pete Wacker



## David O Simmons

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**From:** Patrick Jones <azscouter@outlook.com>  
**Sent:** Wednesday, July 7, 2021 11:12 AM  
**To:** David O Simmons  
**Subject:** Z-38-21 Harkins North 16.

High density apartments is a NO GO with me. This will drive down our property values and bring more of a criminal element and attract even more homeless and panhandlers that we already have here. Not to mention the increased traffic flow here, there are only 3 entrances and exits out of this neighborhood that would be a even worse problem. I would like an invite to this Zoom zoning meeting please. Thank you. PJ Jones.

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows 10

## David O Simmons

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**From:** Genelle Totman <genellecpu@gmail.com>  
**Sent:** Wednesday, July 7, 2021 1:52 PM  
**To:** David O Simmons  
**Subject:** Rezoning Application Z-38-21

Mr. Simmons,

We are long term residents of Parque Vista Estates. We have lived In our home for 40 years and have enjoyed being a part of this neighborhood. We are very concerned about the possible rezoning of the land on the northwest corner of 34<sup>th</sup> Place and Bell Road. The proposed apartment complex will undoubtedly bring undesirable issues and problems to the home owners and residents of our neighborhood.

These are not limited to but include:

1. A major increase in traffic both on Bell Road and 34<sup>th</sup> way. That intersection is already congested, especially during morning and evening rush hours. During morning rush hour, the eastbound traffic backs up with people trying to get on the 51 freeway and during school, traffic to Paradise Valley High School. During evening rush hour, westbound traffic backs up at Bell road, blocking Bell Rd at 34<sup>th</sup> way. These scenarios make it difficult for residents of Parque Vista Estates to exit and enter. There is a traffic light at this intersection, however traffic still blocks the intersection at times and red light running east and west bound is a constant threat. The addition of more cars from a 278 unit complex utilizing the same entrances and exits is incomprehensible.
2. The increase in population density that comes from a large apartment complex can potentially affect homeowners in Parque Vista Estates by increasing rates we pay for homeowners and car insurance, as well as decreasing our property values.
3. The increase in population density will likely increase pedestrians along Bell Road with students walking to and from Paradise Valley High School, increasing the potential for accidents.

We respectfully request that you acknowledge our concerns and advise us of any community meetings that are scheduled regarding this proposed rezoning. Thank you.

Sincerely,  
Robert and Genelle Totman

## David O Simmons

---

**From:** Robert Aragon <robertaragonmc@gmail.com>  
**Sent:** Wednesday, July 28, 2021 12:59 PM  
**To:** David O Simmons  
**Subject:** Harkens

My wife and I live on 35th Place, and we are totally against the refining of the Harkins location on Bell for 278 apartments. We believe it will bring more traffic to our area as well as the water consumption. A person drives all along the north side of Phoenix and all you see are more apartments being built. Please deny the refining. If we need to sign anything, let us know.

Sincerely  
Robert Aragon

Robert Aragon  
602-526-4142

## David O Simmons

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**From:** GERRY WAYMIRE <AMERICASHANDYMAN@msn.com>  
**Sent:** Tuesday, July 13, 2021 1:18 PM  
**To:** David O Simmons  
**Subject:** Rezoning request for 34th Way and Bell Road

Dear Mr. Simmons:

I am writing to let you know that I hope the rezoning request does not pass. We feel that having 278 apartments in that area would greatly take away from the residents that are already occupying this neighborhood. It is really great to have a movie theater in our neighborhood, and help bring in revenue to the area. Thank you for your consideration to not pass the rezoning request.

*Ronald and Gerry Waymire*  
3342 E. Anderson Drive  
Phoenix, AZ 85032

## David O Simmons

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**From:** Rose Abbott <rcabbottaz@gmail.com>  
**Sent:** Sunday, July 11, 2021 2:46 PM  
**To:** David O Simmons  
**Subject:** Re-zoning request for 34th way and bell road.

As a homeowner of Parque Vista Estates I strongly object to a 278 apartment complex. We have lived in our home for over 40 years, we take pride in our neighborhood and feel the apartments would lead to decrease home value, congestion more traffic than it can handle and of course increase crime. Please reconsider the re-zoning request and leave our beautiful neighborhood to be enjoyed by the people who have cared for it over the many years. Thank you for you time and consideration on this matter. Rose Abbott

Sent from my iPhone

## David O Simmons

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**From:** blnpilot blnpilot <blnpilot@cox.net>  
**Sent:** Monday, July 19, 2021 3:43 PM  
**To:** David O Simmons  
**Subject:** Rezoning for apartments near Bell Rd & SR51

Mr Simmons,

I understand that the site where Harkins theaters now sits (Bell Rd, west of SR 51) is being considered for rezoning for apartments. I don't object to apartments in general- I understand the need for them.

However, when you review this zoning case I will be looking for the following subjects to be addressed in the rezoning report: The TOTAL number of apartments along Bell Rd from Tatum to I-17, from Grovers to Greenway. The last time I looked, there were over 5,000 units and more have been built since I did that study (as Deer Valley Village Planner). This large number of apartment units contributes to a more transient population. We need more owner occupied units, where the property owner is more invested in the community. Please include police report information for the area, as well. If these are not addressed beforehand in the written report, you can expect it to be brought up at the village meeting.

Sally Heinrich

## David O Simmons

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**From:** Shane Lillard <slillard689@gmail.com>  
**Sent:** Tuesday, July 13, 2021 1:17 PM  
**To:** David O Simmons  
**Subject:** 34th and Bell Apartments

I live on E Monica Ave, Phoenix AZ 85032, and I Strongly oppose the apartments. Everyone I've talked to here does too. We are so close to a high crime area, and we are constantly trying to keep them out. I think this will make it worse and bring more crime here. The square is so close, and crime is so high, These apartments will just make us in the square. I didn't spend more than 120k in remodels, to have the neighborhood turn into a high crime ghetto and lose 100s of thousands in home value. Apartments add a ton of people and crime. Another issue is traffic. Saying it will lower traffic by 66% is unrealistic. It will make traffic worse on a already busy and dangerous corner. Bell is so busy, they will use 34th street. Also more people and traffic through the neighborhood to come in the back way since bell and 34th street to bell are already a zoo.

How many parking spaces are they going to have? Because people will be parked up and down 34th st. I've lived in apartments and there are NEVER enough parking spots for the people that live there. I'm not sure who makes these numbers up, but they definitely don't live in the real world. People also often have more than one car, like a work vehicle or motorcycle. Where will they park? Where will guest park? So what will they do with 2-3 bedroom units with adult kids, or roommates and their vehicles? I get it, they want to put as many people in there to generate money, and parking loses revenue, but that makes them money and hurts us. Please do not approve this.

I had many more concerns until I started writing this. Now I can't remember when on the spot.

Shane Lillard  
602-312-9011

Sent from my iPhone

## David O Simmons

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**From:** shirley evans <sevans93@hotmail.com>  
**Sent:** Monday, July 12, 2021 11:44 AM  
**To:** David O Simmons  
**Subject:** Rezoning App Z-38-21

I am extremely concerned about the rezoning of the Harkin movie theater into a 278-apartment complex. This will increase traffic which is already bad, crime and decrease my property value. I am adamantly opposed and what to know what I can to do stop it.

Thank You,  
Shirley Fisher



## David O Simmons

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**From:** Cheryl Simmons <cherylsimmons55@gmail.com>  
**Sent:** Friday, July 9, 2021 10:44 AM  
**To:** David O Simmons  
**Subject:** Re: Resining Application Z-38-21

Thank you for responding to my email.

I am concerned about the amount of traffic, crime, vandalism, noise, trespassing, insurance rates, property value, etc.

I have lived in my home for a LONG time and understand changes, but I am definitely against a large apartment complex being built at the entrance of our street. If you could please put my concerns to the case file as well.

Thank you,  
Cheryl Simmons

Sent from my iPhone

> On Jul 9, 2021, at 8:07 AM, David O Simmons <david.simmons@phoenix.gov> wrote:

>

> Ms. Simmons,

>

> Thank you for reaching out to staff in regard to Rezoning Case No. Z-38-21-2 (companion case no. GPA-PV-2-21-2). Your comments have been noted and added to the case file to be included as part of the public record. I have also cc'd the applicant so they are aware of your concerns.

>

> Rezoning Case No. Z-38-21-2 has not been scheduled for public hearings. Hearing dates for recommendation will not be scheduled until staff has had an opportunity to review the request, draft stipulations and a staff report outlining staff's recommendation. Staff does not currently have a position on this case. The site will be posted with signage reflecting all upcoming hearing dates when they become available.

>

> There will be ample opportunity for public participation. I encourage you to virtually attend all public hearings as we move this case through the process. Public participation is a critical component of the entitlement process.

>

> The staff report will be available for review on the City's website:

> <https://www.phoenix.gov/pdd/planning-zoning/pzservices/pzstaff-reports>

>

> The cases are filed by case number (Z-38-21-2).

>

> Please let me know if you have additional comments or concerns. I would be happy to chat with you by phone, if you wish.

>

> Respectfully,

>

> David Simmons, MA

> Paradise Valley & Deer Valley

> Village Planner \*II

> 200 West Washington Street

> 3rd Floor

> Phoenix, AZ 85003  
> 602-262-4072  
> david.simmons@phoenix.gov  
>  
>  
> -----Original Message-----  
> From: Cheryl Simmons <cherylsimmons55@gmail.com>  
> Sent: Thursday, July 8, 2021 3:41 PM  
> To: David O Simmons <david.simmons@phoenix.gov>  
> Subject: Resining Application Z-38-21  
>  
> Hello sir-  
>  
> I am concerned about the possibility of a large apartment complex being built on 34th Way and Bell Road.  
>  
> Can I email my concerns to you or do I have to mail a letter? I have asked for the link for the zoom meeting but have not received it as of yet.  
>  
> Also, I would like to reserve a spot to speak, however I would like Bernadette Cook Settles to speak for me, if possible.  
>  
> Regards,  
> Cheryl Simmons  
>  
> Sent from my iPhone

## David O Simmons

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**From:** Owens, Stephanie A. <SAO@gknet.com>  
**Sent:** Monday, July 12, 2021 1:50 PM  
**To:** David O Simmons  
**Subject:** Re: Z-38-21

In regards to building the apartments on 34<sup>th</sup> Way and Bell Road / Z-38-21. Please don't. We don't want or need any more apartments in our area. The schools that are in that zone are already overcrowded. Plus we don't need any more traffic in that area, it's already bad. It doesn't matter how nice or how much lower the building height will be. Our city is being overrun by crowded multifamily housing units and frankly are ruining the city. Thank you for your time reading this.

Stephanie Owens

This message and any of the attached documents contain information from the law firm of Gallagher & Kennedy, P.A. that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information, and no privilege has been waived by your inadvertent receipt. If you have received this transmission in error, please notify the sender by reply e-mail and then delete this message. Thank you.

## David O Simmons

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**From:** Tanner Watson <bmwaz64t.watson@gmail.com>  
**Sent:** Monday, July 19, 2021 8:16 PM  
**To:** David O Simmons  
**Subject:** Harkins north valley 16

Mr Simmons,

I'm not too keen on the idea of an apartment complex being built right outside of my neighborhood. I'm sure I'm not the only person. How can we stop this?

Thanks,

Tanner Watson

4806890900

**David O Simmons**

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**From:** Katie Wilson <mailbox4kw@gmail.com>  
**Sent:** Thursday, July 8, 2021 1:05 PM  
**To:** ben@witheymorris.com; David O Simmons  
**Subject:** RE: Re-Zoning Request for 34th and Bell Road

We request an invite to your next virtual meeting regarding this development.

Sincerely,  
Katie Wilson  
3540 E Monica Ave,  
Phoenix, AZ 85032



## Village Planning Committee Meeting Summary

### Z-38-21-2

<b>Date of VPC Meeting</b>	August 31, 2021
<b>Request From</b>	PSC (Approved C-2) (Planned Shopping Center, Approved Intermediate Commercial)
<b>Request To</b>	R-3A (Multifamily Residence District)
<b>Proposed Use</b>	Multifamily residential
<b>Location</b>	Northwest corner of 34th Way and Bell Road
<b>VPC Recommendation</b>	Approval, per the staff recommendation
<b>VPC Vote</b>	<b>13-0</b> with committee members Bowman, Gerst, Goodhue, Maggiore, Mazza, Petersen, Popovic, Severs, Sparks, Ward, Wise, Gubser and Leshner in favor.

#### **VPC DISCUSSION:**

*1 speaker card was submitted in opposition, wishing to speak*

*3 speaker cards were submitted in favor, wishing to speak*

**Mr. David Simmons**, staff, provided an overview of the request to include background of how the area developed overtime. He went over the GPA and Rezoning requests concurrently as they are companion cases and reminded the Committee that the GPA case will require a motion prior to the rezoning request. Mr. Simmons shared how the GPA request is consistent with several core values of the General Plan. He explained that the rezoning request supports several policy plans to include the North 32<sup>nd</sup> Street Policy Plan, Comprehensive Bicycle Master plan, Tree and Shade Master Plan, Complete Streets Guiding Principles as well as helps to meet the goals of The Housing Phoenix Plan. Mr. Simmons also shared the reasoning behind several of the proposed stipulations for the case.

**Mr. Alex Popovic** shared with the committee that his firm utilizes the same attorney as the applicant but checked with staff and does not have a conflict of interest. He asked staff to add this to the minutes for the record.

**Mr. Ben Tate**, Withey Morris, PLC, representing the applicant, went over the request in great detail. He stated that the existing Harkins theater is closing and as a result, the property is selling. He shared that the product consists of three-story walk up building with two story carriage houses on the northern edge closest to existing single-family residential uses. He shared that the lower

buildings and open space are placed along the north perimeter adjacent to nearest homes.

The pool/amenity area is screened by residence buildings away from the existing neighborhood. Further, large, mature trees will be maintained and supplemented along the property line to screen buildings and provide additional buffering. Mr. Tate shared other developments the Wolf Company has completed and provided background on the company's business model. Mr. Tate shared the results of the traffic analysis, which revealed traffic volumes will be lower with a residential product type on the site as commercial uses generate higher volumes of traffic. He addressed several other community concerns including property values, security, and neighborhood safety. Further, he shared outreach efforts to date, which went above and beyond what is required in the rezoning process packet.

### **VPC Discussion:**

**Mr. Paul Severs** asked if short term rentals would be allowed or if this proposal was only for long term leases.

**Mr. Ben Tate** shared that the minimum lease term will be 1 year.

**Vicechair Joe Leshner** asked about traffic trips per day and if there is access from the site directly into Fry's grocery store to the west.

**Mr. Tate** shared that there is direct access to Fry's from the site, which will reduce trips out of the ingress/egress points on 34<sup>th</sup> Way and Bell Road.

### **Public Comment:**

**Ms. Janet Harding** shared concerns about traffic. She asked if the applicant could consider adding speed humps to the street adjacent to 34<sup>th</sup> way as well as overflow traffic may utilize other neighborhood streets to avoid speed humps on 34<sup>th</sup> Way.

**Mr. Ben Tate** stated that he will study extra speed humps. He also went over the signature requirements the City of Phoenix has in place that citizens can utilize to petition for speed humps.

**Ms. Harding** asked the applicant what the parking ratio is.

**Mr. Tate** explained what is proposed and stated that this proposal has more parking than what is required.

**Mr. Nicholas Voss** shared that he patrolled the Harkins site as part of the block watch. He shared that there is a transient issue on this site and by redeveloping this issue could be remediated. He is very supportive of the project.

**Mr. Blake Marshall** stated that this may not be the right development for the area. He shared concerns about a mix of housing options for all income levels. More of the same high cost housing won't help make it affordable. The attorney with Withey Morris, Benjamin Tate, didn't claim that would be the outcome. Just that there would be more.

**Mr. Tate** stated that the proposal does meet the goals of the Housing Phoenix Plan.

**VPC Response to Public Comment:**

**Mr. Abram Bowman** stated that he has concerns with the proximity and access to the freeway.

**Mr. Tate** shared that traffic patterns are not being altered. The same curb cuts will be utilized as ingress/egress points.

**Chairman Robert Gubser** Stated that Harkins has moved on. Something will be redeveloped on this site and this proposal provides diversified housing for the area.

**MOTION:**

**Mr. Alex Popovic** made a motion to recommend approval of Rezoning Case No. Z-38-21-2, per the staff recommendation.

**Mr. Abram Bowman** seconded the motion.

**VOTE:**

**13-0** with committee members Bowman, Gerst, Goodhue, Maggiore, Mazza, Petersen, Popovic, Severs, Sparks, Ward, Wise, Gubser and Leshar in favor.

**Staff Comments:**

None



## Attachment D

### REPORT OF PLANNING COMMISSION ACTION September 2, 2021

ITEM NO: 10	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-38-21-2 (Companion Case GPA-PV-2-21-2)
Location:	Northwest corner of 34th Way and Bell Road
From:	PSC (Approved C-2)
To:	R-3A
Acreage:	12.92
Proposal:	Multifamily residential
Applicant:	Chase Courchaine
Owner:	Harkins Phoenix Cinemas
Representative:	Benjamin Tate, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Paradise Valley** 8/31/2021 Approval, per the staff recommendation. Vote: 13-0.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation, with additional stipulations.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-38-21-2, per the Paradise Valley Village Planning Committee recommendation, with the additional stipulation as read into the record and add a stipulation that states, "A pedestrian connection shall be provided between the site and the commercial property to the west of the site, as approved by the Planning and Development Department."

Maker: Busching  
Second: Johnson  
Vote: 9-0  
Absent: None  
Opposition Present: Yes

#### **Findings:**

1. As stipulated, the proposal will be compatible with existing nearby uses and consistent with the North 32nd Street Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.
2. The proposal will redevelop a property and provide a high-quality multifamily development which is consistent with the North 32nd Street Policy Plan designation of Repurpose/Retrofit for the site.

3. The proposal provides a new housing option to contribute to the mix of housing types in the area and will help alleviate the housing shortage in Phoenix.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped August 11, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped June 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
  - a. All building elevations shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.
  - b. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and single garage doors.
3. The development shall be limited to a maximum of 278 dwelling units.
4. Enhanced landscaped entries shall be provided at the entryways into the development off of Bell Road and 34th Way with a minimum 300 square feet of landscaped area on each side of the entrances. The landscaped entries shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.
5. There shall be a minimum of four private open space amenity areas, three of which shall be centrally located. A minimum of 10 percent of the site area shall be preserved as open space, exclusive of landscape setbacks. Each area shall provide, at a minimum, one of the following active amenity elements or other similar elements, as approved by the Planning and Development Department:
  - a. Swimming Pool
  - b. Pickleball court or another active recreational amenity
  - c. Pavilion or Ramada
  - d. Dog park
6. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.
7. A minimum 5-foot-wide detached sidewalk shall be provided along Bell Road with a minimum 10-foot-wide landscape area located between the sidewalk and back of curb

and planted to the following standards, as approved by the Planning and Development Department.

- a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or equivalent groupings to provide a minimum of 75% shade on the adjacent sidewalk.
- b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.
- c. A minimum 10-foot-wide public sidewalk easement along the northern side of Bell Road shall be dedicated.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

8. A minimum 5-foot-wide detached sidewalk shall be provided along 34th Way with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75 percent live coverage at maturity.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

9. The developer shall provide a minimum 5-foot-wide detached sidewalk along Danbury Road with a minimum 5-foot-wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.
10. A minimum 25 percent of the surface parking lot areas must be shaded by minimum 2-inch caliper, large canopy single trunk shade trees, located within minimum 5-foot-wide landscape areas, as approved by the Planning and Development Department.
11. The applicant shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include 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.
  - b. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces. These spaces may be provided through a

combination of “Secure/Covered Facilities” and “Outdoor/Covered Facilities” as defined in Appendix K or the Comprehensive Bicycle Master Plan. “Outdoor/Covered Facilities” shall comprise no more than 60 percent of required resident bicycle parking.

- c. Guest bicycle parking shall be provided. Artistic style racks or “Outdoor/Covered Facilities” for guests shall be located near building entrances and the amenity areas and installed per the requirements of Section 1307.H of the Zoning Ordinance. All racks shall be adherence to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan.
12. The Public Transit Department shall require retention of right-of-way and one bus stop pad along westbound Bell Road west of 34th Way. Should the bus stop require demolition and/or replacement, the bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and spaced from the intersection as per City of Phoenix Standard Detail P1258, as approved by the Public Transit Department.
13. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
14. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
15. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
16. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
17. 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.
18. **A PEDESTRIAN CONNECTION SHALL BE PROVIDED BETWEEN THE SITE AND THE COMMERCIAL PROPERTY TO THE WEST OF THE SITE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
19. **PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.**

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

## Attachment E

David Simmons  
Paradise Valley Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Wolff 34<sup>th</sup> & Bell – Z-38-21/GPA-PV-2-21

I am a longtime resident of Parque Vista Estates, the neighborhood north of the proposed project, and I am in support of The Wolff Company's proposed rezoning and General Plan amendment for the northwest corner of 34<sup>th</sup> Way and Bell Road. Initially I had many concerns about the project, but after several neighborhood meetings and conversations with the applicant I am satisfied that this will be a great development for the community.

The applicant hosted several neighborhood meetings, presented the proposed plans, answered all our questions, and provided lots of information to address each our concerns. I also spoke to a representative of the development team individually on several occasions to discuss my concerns. As one of the original homeowners in this community, change can be scary. However, the applicant's thorough and sincere efforts with our neighborhood have put my mind at ease.

The Wolff Company's proposed luxury multi-family project is a high-quality, well-designed residential community and it will be a great addition to this area. I encourage the City Council to approve it.

Sincerely,

Cheryl Simmons

## David O Simmons

---

**From:** Benjamin Tate <ben@witheymorris.com>  
**Sent:** Monday, August 30, 2021 11:49 AM  
**To:** David O Simmons; Samantha Keating  
**Subject:** FW: Virtual Neighborhood Meeting - Project Update - Wolff 34th & Bell (Z-38-21/GPA-PV-2-21)

David/Samantha,

I was given permission from this resident to share her comments with staff. See below.

Benjamin L. Tate  
Withey Morris, PLC  
Direct: 602-346-4610

---

**From:** Phyllis Thomas <ptyellow22@yahoo.com>  
**Sent:** Wednesday, August 25, 2021 10:16 AM  
**To:** Benjamin Tate <ben@witheymorris.com>  
**Subject:** Re: Virtual Neighborhood Meeting - Project Update - Wolff 34th & Bell (Z-38-21/GPA-PV-2-21)

Very positive. At first most of my neighbors and I had so many questions, and the unknown can be fearful.

However, you put all our doubts aside. Your details of how little traffic there will eventually be for an apartment complex compared with commercial was astounding. A side note, though, is a thought I myself had regarding the way the world has changed and so many people now have deliveries made to their homes of food and items for their homes. So, perhaps Wolff can investigate the amount of deliveries at their apartments made each day. So the traffic of the residents coming and going may be minimal, but deliveries made to them could be significant.

Anyway, the plans for the apartments looks amazing and I see no problem. Another thought to Wolff: be sure, if there are no garages with the apartments, that the parking is covered parking. This Arizona sun is not kind to cars left all day in the sun.

Thanks again for all your info....Phyllis

On Wednesday, August 25, 2021, 09:40:49 AM MST, Benjamin Tate <[ben@witheymorris.com](mailto:ben@witheymorris.com)> wrote:

Thank you Phyllis. If you don't mind me asking, what are your general thoughts on the project? Supportive? Opposed? Neutral?

Benjamin L. Tate  
  
Withey Morris, PLC  
  
Direct: 602-346-4610

---

**From:** Phyllis Thomas <[ptyellow22@yahoo.com](mailto:ptyellow22@yahoo.com)>  
**Sent:** Tuesday, August 24, 2021 12:19 PM  
**To:** Benjamin Tate <[ben@witheymorris.com](mailto:ben@witheymorris.com)>  
**Subject:** Re: Virtual Neighborhood Meeting - Project Update - Wolff 34th & Bell (Z-38-21/GPA-PV-2-21)

Thanks for letting me know about the 8/30 meeting, but I will be unavailable next week. However, please email me any future virtual meetings. Thanks for all you do....Phyllis

On Monday, August 23, 2021, 10:43:54 PM MST, Benjamin Tate <[ben@witheymorris.com](mailto:ben@witheymorris.com)> wrote:

All,

Good evening – I hope everyone is doing well. This email is simply to follow up on the virtual neighborhood meeting we held on August 9<sup>th</sup>. Since then, we've been working on getting answers and gathering additional information on the questions some of you asked during the meeting. With that in mind, we'll be hosting a brief virtual meeting next Monday, August 30<sup>th</sup> at 5:30pm to give you an update and provide some additional info on the project.

If you'd like to participate, please shoot me an email so I can add you to the invite list.

Thank you!

Benjamin L. Tate

Withey Morris, PLC

2525 E. Arizona Biltmore Circle, Ste A-212

Phoenix, AZ 85016

602-230-0600



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## Attachment F

**David O Simmons**

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**From:** Blake Marshall <blakemarshall86@gmail.com>  
**Sent:** Monday, August 30, 2021 10:11 PM  
**To:** David O Simmons  
**Subject:** PARADISE VALLEY VILLAGE PLANNING COMMITTEE

I'd like to add comment to the paradise valley village planning committee meeting on 8/31 at 6pm.

I think if this space is to be converted to multifamily housing, there should be a requirement that some of the units be reserved for low income housing. Rents in Phoenix have gone up more than any other city in the country the last year. Building a gated apartment complex will only add to the problem since luxury apartments like this tend to be higher in rent.

There have to be some protections for renters in the area and the city with climbing rents. The space where the theater is located should be converted to a green space park for the public to enjoy instead of high prices housing.

Thank you,

Blake M.

## David O Simmons

---

**From:** Aloofa Broocha <aloofa324@gmail.com>  
**Sent:** Tuesday, August 31, 2021 1:22 PM  
**To:** David O Simmons  
**Subject:** Regarding Rezoning application z3821

Thank you David .

Below please find, and forward to all concerned, objections to the rezoning



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Agenda Date: 10/6/2021, Item No. 123

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**Public Hearing and Resolution Adoption - General Plan Amendment GPA-LV-1-21-7 - Southwest Corner of 63rd Avenue and the South Mountain Avenue Alignment (Resolution 21966)**

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. The file is a companion case to Z-1-21-7 and should be heard first, followed by Z-1-21-7.

**Summary**

Current Plan Designation: 180.24 acres of Residential 3.5 to 5 dwelling units per acre, 24.95 acres of Residential 5 to 10 dwelling units per acre, and 44.99 acres of Mixed Use Parks / Open Space / 3.5 to 5 dwelling units per acre

Proposed Plan Designation: Mixed Use (Industrial / Commerce/Business Park)

Acreage: 250.18 acres

Proposed Use: Commerce park and light industrial development

Owner: Williams Family Living 1996 Trust

Applicant/Representative: Adam Baugh, Withey Morris, PLC

Staff Recommendation: Approval.

VPC Action: The Laveen Village Planning Committee heard the case on Aug. 9, 2021 and recommended approval, per the staff recommendation, by a vote of 11-0.

PC Action: The Planning Commission heard the case on September 2, 2021 and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 9-0.

**Location**

Southwest corner of 63rd Avenue and the South Mountain Avenue alignment

Council District: 7

Parcel Addresses: 6710 W. Dobbins Road

**Responsible Department**

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

**ATTACHMENT A**

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

RESOLUTION \_\_\_\_\_

A RESOLUTION ADOPTING AN AMENDMENT TO THE  
2015 GENERAL PLAN FOR PHOENIX, APPLICATION  
GPA-LV-1-21-7, CHANGING THE LAND USE  
CLASSIFICATION FOR THE PARCEL DESCRIBED  
HEREIN.



\_\_\_\_\_

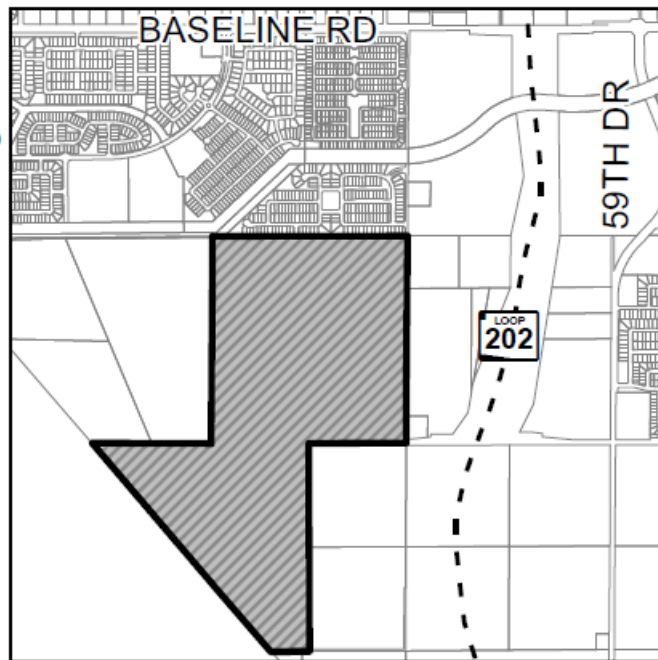
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX, as  
follows:

SECTION 1. The 2015 Phoenix General Plan which was adopted by  
Resolution No. 21307, is hereby amended by adopting GPA-LV-1-21-7, 250.18 acres  
located at the southwest corner of 63rd Avenue and the South Mountain Avenue  
alignment, for 250.18 acres of Mixed Use (Industrial / Commerce/Business Park), as  
approved by the City Council on October 6, 2021 and that the Planning and  
Development Director is instructed to modify The 2015 Phoenix General Plan to reflect  
this land use classification change as shown below:

**PROPOSED CHANGE (as Recommended by Staff):**

Mixed Use (Industrial / Commerce / Business Park)  
( 250.18 +/- Acres)

-  Proposed Change Area  
 Mixed Use (Industrial / Commerce/Business Park)



PASSED by the Council of the City of Phoenix this 6th day of October,  
2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Ed Zuercher City Manager



**City of Phoenix**

PLANNING & DEVELOPMENT DEPARTMENT

**GENERAL PLAN AMENDMENT  
STAFF ANALYSIS**

July 27, 2021

Application: GPA-LV-1-21-7

Owner: Williams Family Living 1996 Trust

Applicant/Representative: Adam Baugh, Withey Morris, PLC

Location: Southwest corner of 63rd Avenue and the South Mountain Avenue alignment

Acreage: 250.18 acres

Current Plan Designation: [Residential 3.5 to 5 dwelling units per acre](#) (180.24 acres), [Residential 5 to 10 dwelling units per acre](#) (24.95 acres), [Mixed Use Parks / Open Space / Residential 3.5 to 5 dwelling units per acre](#) (44.99 acres)

Requested Plan Designation: [Mixed Use \(Industrial / Commerce / Business Park\)](#) (250.18 acres)

Reason for Requested Change: Amend the General Plan Land Use Map to allow for a development with commerce park and light industrial land uses.

Village Planning Committee Date: Laveen – August 9, 2021

Staff Recommendation: Approval

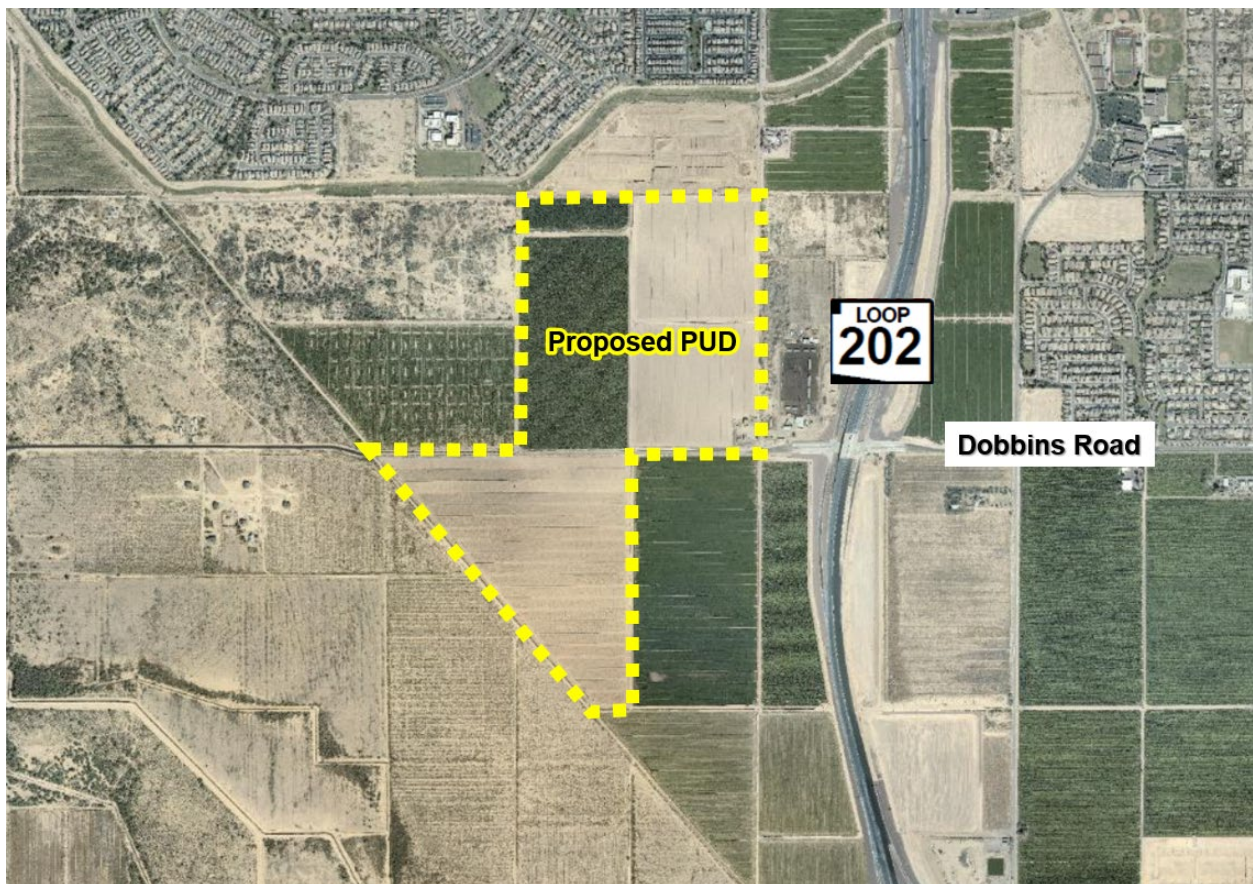
**FINDINGS:**

- 1) The companion rezoning case (Z-1-21-7) proposes 250.18 acres of Planned Unit Development at the southwest corner of 63rd Avenue and the South Mountain Avenue alignment to allow an industrial and technology business park that will allow warehouse and office uses.

- 2) The proposal for Mixed Use (Industrial / Commerce / Business Park) is appropriate given the site's location in close proximity to the Loop 202 freeway.
- 3) The proposed land use designation will help further the City of Phoenix's goal of creating a high technology employment corridor along the Loop 202 freeway and will bring employment uses to the Laveen Village.

## **BACKGROUND**

The subject site is located at the southwest corner of 63rd Avenue and the South Mountain Avenue alignment. The site currently is being used for agricultural operations.



*Source: City of Phoenix Planning and Development Department*

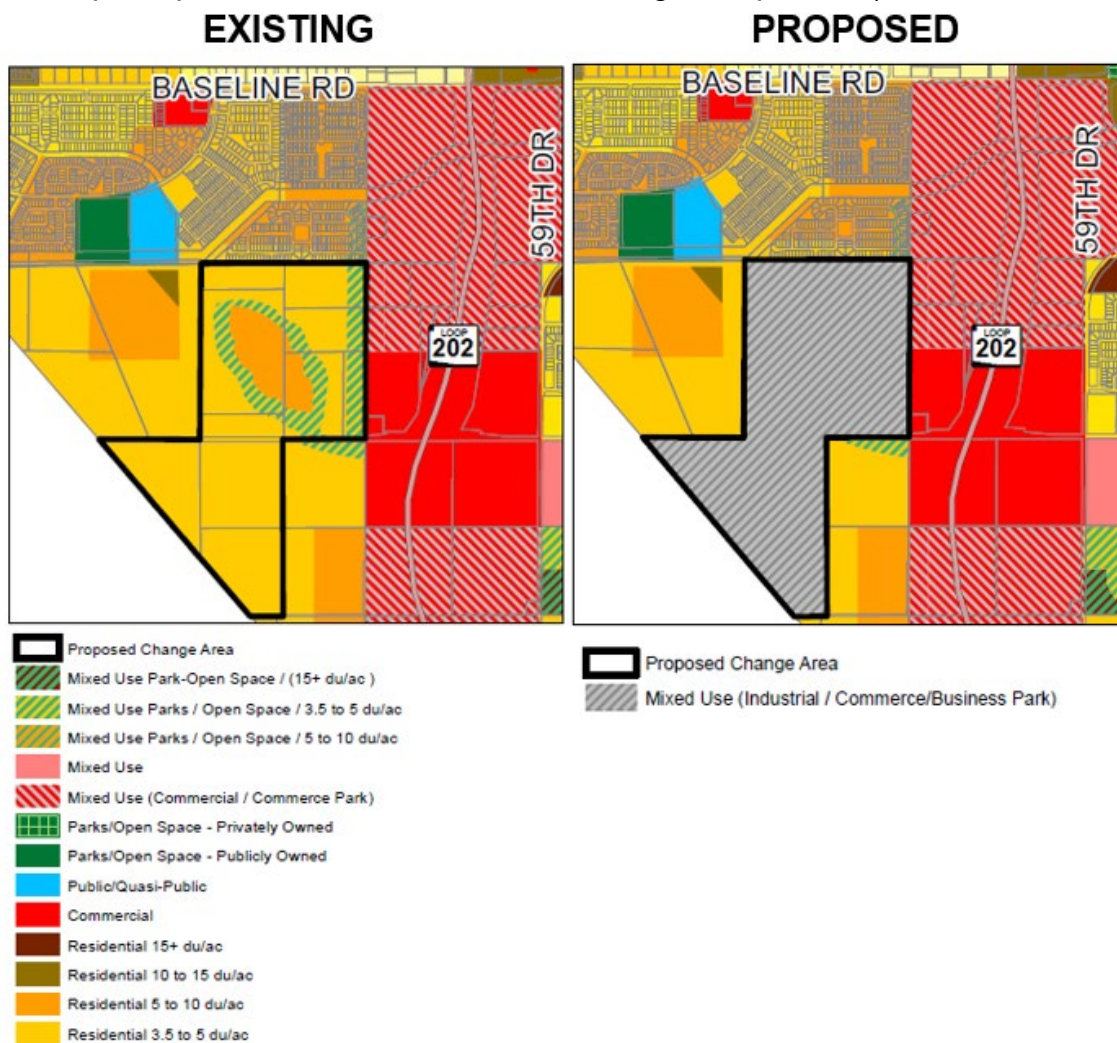
The General Plan Amendment will allow for a commerce park and industrial development. There is a companion rezoning request, Rezoning Case No. Z-1-21-7, which proposes a Planned Unit Development (PUD) to allow a mix of land uses, including commerce and business park, offices, light manufacturing, warehousing, and recreational assembly uses. The proposed PUD development narrative includes development, landscaping, and design standards that exceed Zoning Ordinance requirements and will help provide appropriate transitions to adjacent developments on surrounding communities.



The site is located in close proximity to the Loop 202 freeway, which was completed in 2020. The City of Phoenix Community and Economic Development Department launched an initiative to market this segment of the freeway as a high technology employment corridor. This area is quickly emerging as an ideal location for high tech manufacturing and other advanced industries. Large land parcels with freeway frontage, robust infrastructure, and mountain views provide ideal opportunities for corporate campuses, Class “A” office settings and light industrial parks. The proposal is consistent with this vision and will help attract a variety of manufacturers and businesses to the area.

### **SURROUNDING LAND USES**

The current General Plan Land Use Map Designations for the site are Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Mixed Use (Parks / Open Space / Residential 3.5 to 5 dwelling units per acre).



*Source: City of Phoenix Planning and Development Department*



### **NORTH**

North of the northern boundary of the subject site is land currently under construction for single-family homes. This area is designated Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Mixed Use (Parks / Open Space / Residential 3.5 to 5 dwelling units per acre).

### **SOUTH**

Active farm uses extend south of the southernmost boundary of the subject site, which are designated Residential 3.5 to 5 dwelling units per acre.

### **EAST**

To the east of the project site, south of Dobbins Road, are active farms that are designated Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Mixed Use (Parks / Open Space / 3.5 to 5 dwelling units per acre). North of Dobbins Road, east of the site, is vacant land and an active dairy farm that has General Plan Land Use Map designations of Commercial and Mixed Use (Commercial / Commerce Park). Also to the east of the site is the Laveen Village Core, which is intended to be the clearly discernible town center and should consist of a mix of medium to high intensity uses. Further, entitlements for Commercial or Commerce Park zoning have been established along both sides of the Loop 202 freeway corridor to facilitate the creation of a high technology employment corridor once the freeway was completed.

### **WEST**

West of the site, north of Dobbins Road, is vacant land that is under construction for single-family homes. This land has General Plan Land Use Map designations of Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Residential 10 to 15 dwelling units per acre. South of Dobbins Road, the land to the west of the site is outside of the City of Phoenix jurisdictional boundaries and falls within the Gila River Indian Community. This area consists of vacant land previously used for agriculture and does not have a City of Phoenix General Plan Land Use Map designation.

## **RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES**

### **STRENGTHEN OUR LOCAL ECONOMY CORE VALUE**

- ***EMPLOYERS (JOB CREATION); LAND USE PRINCIPLE: Support General Plan Land Use Map and zoning changes that will facilitate the location of employment generating uses in each of the designated employment centers.***

The proposed land use map designation will provide a framework for land use entitlements intended to attract a variety of employers to the Laveen area. The City of Phoenix Community and Economic Development Department has designated the Loop 202 freeway as a high technology employment corridor, and this change in land use will help further the goal of bringing high technology

manufacturing companies to this area.

### **CONNECT PEOPLE AND PLACES CORE VALUE**

- ***CORES, CENTERS & CORRIDORS; LAND USE PRINCIPLE: Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity.***

The proposed change in land use map designation is appropriate given the site's location in close proximity to the Loop 202 freeway and on both the north and south side of Dobbins Road, which is an arterial street. The property is also directly adjacent to the Laveen Village Core to the east.

- ***CORES, CENTERS & CORRIDORS; LAND USE PRINCIPLE: Plan cores, centers and corridors to include a variety of land uses: office, retail shopping, entertainment and cultural, housing, hotel and resort, and where appropriate, some types of industry.***

The proposed land use map designation will provide opportunities for new office, commerce and business park, and light industrial development to take place along Dobbins Road. This will add employment opportunities for Laveen residents to live, work, and play in their community, as well as contribute to the mix of land uses presented around the Village Core and the Loop 202 freeway.

### **CONCLUSION AND RECOMMENDATION**

Staff recommends approval of GPA-LV-1-21-7. The approval of this request will update the General Plan Land Use Map designation to allow for commerce park, business park, and light industrial uses, which will attract employers to the Laveen area and further the city's goal of creating a high technology employment corridor along the Loop 202 freeway. The proposal is appropriate due to the site's location along an arterial street and its close proximity to the freeway, which will help serve the site.

#### **Writer**

Sofia Mastikhina  
July 27, 2021

#### **Team Leader**

Samantha Keating

#### **Exhibits**

Sketch Map

# GENERAL PLAN AMENDMENT

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


















APPLICATION NO: GPA-LV-1-21-7	ACRES: 250.18 +/-
VILLAGE: Laveen	COUNCIL DISTRICT: 7
APPLICANT: City of Phoenix Planning and Development Department	

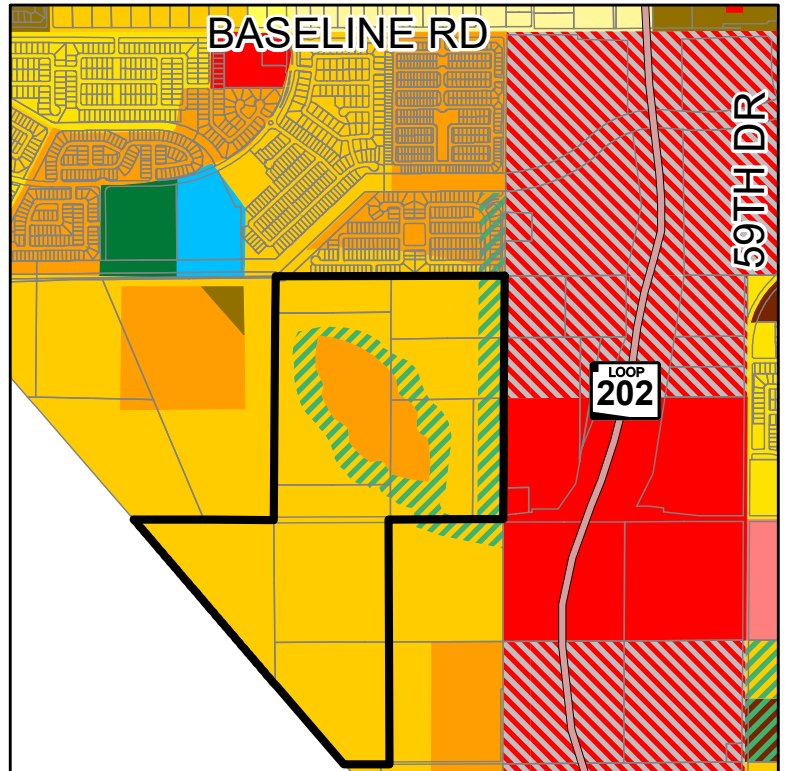
## EXISTING:

Residential 3.5 to 5 ( 180.24 +/- Acres)

Residential 5-10 ( 24.95 +/- Acres)



Mixed Use Parks / Open Space / 3.5 -5 du/ac ( 44.99 +/- Acres)

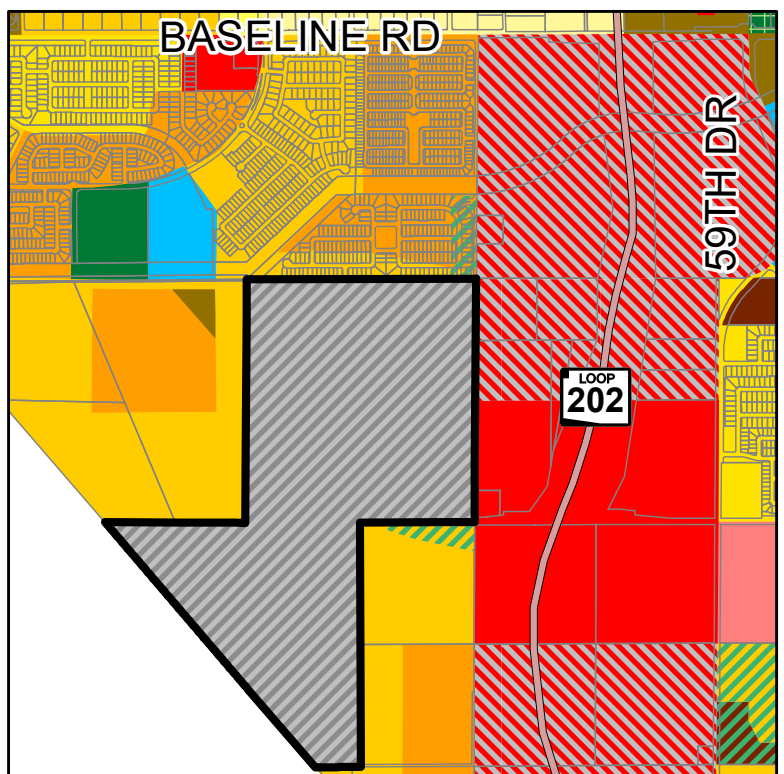
-  Proposed Change Area
-  Mixed Use Park-Open Space / (15+ du/ac )
-  Mixed Use Parks / Open Space / 3.5 to 5 du/ac
-  Mixed Use Parks / Open Space / 5 to 10 du/ac
-  Mixed Use
-  Mixed Use (Commercial / Commerce Park)
-  Parks/Open Space - Privately Owned
-  Parks/Open Space - Publicly Owned
-  Public/Quasi-Public
-  Commercial
-  Residential 15+ du/ac
-  Residential 10 to 15 du/ac
-  Residential 5 to 10 du/ac
-  Residential 3.5 to 5 du/ac
-  Residential 2 to 3.5 du/ac
-  Residential 1 to 2 du/ac
-  Residential 0 to 1 du/ac



## PROPOSED CHANGE (as Recommended by Staff):

Mixed Use (Industrial / Commerce / Business Park)  
( 250.18 +/- Acres)

-  Proposed Change Area
-  Mixed Use (Industrial / Commerce/Business Park)





## Village Planning Committee Meeting Summary

### GPA-LV-1-21-7

<b>Date of VPC Meeting</b>	August 9, 2021
<b>Request From</b>	Residential 3.5 to 5 du/ac (180.24 acres) Residential 5 to 10 du/ac (24.95 acres) Mixed Use (Parks / Open Space / Residential 3.5 to 5 du/ac)
<b>Request To</b>	Mixed Use (Industrial/Commerce Park/Business Park) (250.18 acres)
<b>Proposed Use</b>	A minor general plan amendment to allow commerce park and light industrial development
<b>Location</b>	Southwest corner of 63rd Avenue and the South Mountain Avenue alignment
<b>VPC Recommendation</b>	Approval per staff recommendation
<b>VPC Vote</b>	11-0

#### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*This agenda item was heard concurrently with Item No. 5 (Z-1-21-7 – Dobbins Industrial and Tech Park PUD)*

**Sofia Mastikhina**, staff, provided an overview of the companion cases, GPA-LV-1-21-7 and Z-1-21-7 (Dobbins Industrial and Tech Park PUD), including the site area, location, existing and surrounding conditions, and relationship to the Loop 202 freeway. She noted that the proposal will help further the Community and Economic Development Department's goal of creating a high technology employment corridor along this freeway by providing a land use framework for office and manufacturing uses. She outlined the main development, landscape, and design standards, as well as the permitted land uses, noting staff-recommended restrictions on distribution uses. She presented staff's findings and recommendations for approval of the General Plan Amendment request and approval of the Rezoning request, subject to stipulations, which she then listed.

**Adam Baugh**, representative with Withey Morris PLC, provided an overview of the proposal, noting that, although the site is just outside the target area for a high employment technology corridor, this project can be the impetus to achieving this city and community vision. He stated that this proposal will remove entitlements for approximately 1,200 to 1,500 residential units and will help attract major employment generators to the area. He highlighted the major changes made to the PUD as a result of continued collaboration with community members, the committee, and staff. These

include a reduction in permitted uses, tremendous landscaping requirements, extensive design standards, pedestrian and bicycle standards, and incorporation of design features as set forth in the 2003 Dobbins Road Design Concept Report. He presented additional proposed development standards to address concerns voiced by the residential developer to the west of the site, which include increased building setback and landscape standards and enhancements along 67th Avenue, new building and architecture requirements, primary access from 65th Avenue, limitations to service bay access and outdoor storage.

**Vice Chair Linda Abegg** stated that she had reservations about this project at its onset but, through working with the applicant, staff, the community, and the council office, she is happy with the outcome and would like to make a motion to approve.

**Chair Tonya Glass** thanked the applicant for all the hard work they put into discussing this project with the various stakeholders, for adapting the development standards to accommodate the Dobbins scenic corridor, for listening to the community's concerns, and going above and beyond to provide a proposal that will benefit the community.

**Robert Branscomb** expressed the same sentiments and his excitement for the new employment opportunities in Laveen that will result from this project.

#### **PUBLIC COMMENT**

**Carolyn Oberholtzer**, representative for Pulte Homes, which is being developed to the west of the project site, expressed appreciation for the appropriate transitions provided in the proposal, and the high standards along Dobbins Road, which Pulte was also held to. She outlined the additional standards that the applicant has agreed to incorporate to help further mitigate impact to the residential development to the west, and asked that the committee include these as stipulations in their motion.

**Phil Hertel** thanked the applicant for working extensively with the community on this project, praising the fact that it will remove 1,200 approved residential units from the area and replace them with job-generating uses, which will be a great asset to the community.

**Dan Penton** thanked the applicant for working with and listening to the community and coming back with a project that addresses all of the concerns voiced over the course of the process.

#### **MOTION**

**Vice Chair Abegg** made motion to approve the request per the staff recommendation. **Jennifer Rouse** seconded the motion.

#### **VOTE**

**11-0:** Motion passes with committee members Glass, Abegg, Branscomb, Estela, Flunoy, Harlin, Hurd, Knight, Ortega, Rouse, and Rowe in favor.

#### **STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

None.

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION September 2, 2021

ITEM NO: 7	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	GPA-LV-1-21-7 (Companion Case Z-1-21-7)
Location:	Southwest corner of 63rd Avenue and the South Mountain Avenue alignment
From:	Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, Mixed Use (Parks/Open Space/Residential 3.5 to 5 dwelling units per acre)
To:	Mixed Use (Industrial/Commerce Park/Business Park)
Acreage:	250.18
Proposal:	A minor general plan amendment to allow commerce park and light industrial development
Applicant:	Adam Baugh, Withey Morris, PLC
Owner:	Williams Family Living 1996 Trust
Representative:	Adam Baugh, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

**Laveen** 3/15/2021 Information Only.

**Laveen** 6/14/2021 Information Only.

**Laveen** 8/9/2021 Approval, per the staff recommendation. Vote: 11-0.

Planning Commission Recommendation: Approval, per the Laveen Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve GPA-LV-1-21-7, per the Laveen Village Planning Committee recommendation.

Maker: Howard  
Second: Perez  
Vote: 9-0  
Absent: None  
Opposition Present: No

#### **Findings:**

1. The companion rezoning case (Z-1-21-7) proposes 250.18 acres of Planned Unit Development at the southwest corner of 63rd Avenue and the South Mountain Avenue alignment to allow an industrial and technology business park that will allow warehouse and office uses.

2. The proposal for Mixed Use (Industrial / Commerce / Business Park) is appropriate given the site's location in close proximity to the Loop 202 freeway.
3. The proposed land use designation will help further the City of Phoenix's goal of creating a high technology employment corridor along the Loop 202 freeway and will bring employment uses to the Laveen Village.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

## Attachment E

**Racelle Escolar**

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**From:** KIM Domovich <rwvblkwatch@gmail.com>  
**Sent:** Sunday, August 29, 2021 4:12 PM  
**To:** PDD Planning Commission  
**Subject:** agenda items 5,6,7,8 and 11

For your consideration,

We are opposed to the increased residential changes in items on the agenda, 5,6,7,8 and 11, requesting zoning changes. In the Laveen and Estrella village areas we do not have the infrastructure to support the existing residents. The incredible amount of people that would be expected to support the many units planned by developers would completely stagger our schools, streets, emergency and safety officers, etc. We beg some consideration and no approvals be made until a plan to support the influx of people is studied and made operational.

Thank you,  
Kim and Michael Domovich  
Laveen, 85339





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Agenda Date: 10/6/2021, Item No. \*124

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**\*\*\*REVISED ITEM (SEE ATTACHED MEMO)\*\*\* Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-1-21-7 (Dobbins Industrial and Tech Park PUD) - Southwest Corner of 63rd Avenue and the South Mountain Avenue Alignment (Ordinance G-6905)**

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-1-21-7 and rezone the site from 229.68 acres of S-1 (Approved R1-8 PCD) (Ranch or Farm Residence District, Approved Single-Family Residence District, Planned Community District), 15.51 acres of S-1 (Approved R-2 PCD) (Ranch or Farm Residence District, Approved Multifamily Residence District, Planned Community District), and 4.99 acres of S-1 (Approved C-1 PCD) (Ranch or Farm Residence District, Approved Neighborhood Retail District, Planned Community District) to PUD (Planned Unit Development) to allow an industrial and technology business park that will allow limited and accessory warehouse uses and office uses.

**Summary**

Current Zoning: 229.68 acres of S-1 (Approved R1-8 PCD), 15.51 acres of S-1 (Approved R-2 PCD), and 4.99 acres of S-1 (Approved C-1 PCD)

Proposed Zoning: PUD

Acreage: 250.18 acres

Proposal: Industrial and technology business park that will allow warehouse and office uses

Owner: Williams Family Living 1996 Trust

Applicant/Representative: Adam Baugh, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee heard this case on Mar. 15, 2021 and June 14, 2021 for information only. The Laveen Village Planning Committee heard this case on Aug. 9, 2021 and recommended approval, per the staff recommendation with additional stipulations, by a vote of 11-0.

PC Action: The Planning Commission heard this case on Sept. 2, 2021 and recommended approval, per the Addendum A Staff Report with an additional stipulation, by a vote of 9-0.

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**Location**

Southwest corner of 63rd Avenue and the South Mountain Avenue alignment

Council District: 7

Parcel Address: 6710 W. Dobbins Road

**Responsible Department**

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



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Ginger Spencer  
Deputy City Manager

**Date:** October 4, 2021

**From:** Alan Stephenson  
Planning and Development Director

**Subject:** ITEM 124 ON THE OCTOBER 6, 2021 FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION - AMEND CITY CODE - REZONING APPLICATION Z-1-21-7 - SOUTHWEST CORNER OF 63RD AVENUE AND THE SOUTH MOUNTAIN AVENUE ALIGNMENT (ORDINANCE G-6905)

Item 124, rezoning application Z-1-21-7, is a request to rezone 250.18 acres located at the southwest corner of 63rd Avenue and the South Mountain Avenue alignment from S-1 (Approved R1-8 PCD), S-1 (Approved R-2 PCD) and S-1 (Approved C-1 PCD) to PUD to allow an industrial and technology business park that will allow warehouse and office uses.

The Laveen Village Planning Committee heard this case on August 9, 2021 and recommended approval, per the staff recommendation with additional stipulations, by a vote of 11-0.

On September 2, 2021, the Planning Commission, heard this case and recommended approval, per the Addendum A Staff Report with an additional stipulation, by a vote of 8-0.

The applicant has since clarified several street improvements for the project area with the Street Transportation Department. As a result, Stipulation No. 3 has been modified regarding improvements for 67th Avenue north of Dobbins Road, and Stipulation No. 17 has been added regarding the dedication and improvement of 65th Avenue south of Dobbins Road.

The modified and additional stipulations are listed below in bold text. Staff recommends approval per the modified stipulations below.

Recommended Stipulations:

1. An updated Development Narrative for the Dobbins Industrial and Tech Park PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped July 13, 2021, as modified by the following stipulations:

- a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: July 13, 2021; City Council adopted: [Add adoption date].
- b. Page 4, List of Uses, Not Permitted: Replace existing verbiage with the following:

For the purposes of this PUD a distribution facility is defined as a business that receives packages, sorts, and delivers them without product storage. Distribution as an accessory use is permitted when it occurs from a manufacturing facility or a warehouse where a product is made, assembled or packaged.

Distribution facilities as a primary use shall not be permitted within 500 feet of the property line along Dobbins Road.

THERE SHALL BE NO DISTRIBUTION FACILITIES AS DEFINED BY THIS PUD WITHIN 500 FEET OF 67TH AVENUE, BETWEEN DOBBINS ROAD AND MCCLELLAN RANCH ROAD.

For the remainder of the Phase 1 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities as a primary use are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 1 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase I area may be utilized for distribution facility as a primary use.

For the remainder of the Phase 2 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 2 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase 2 area may be utilized for distribution facility as a primary use.
- After 6 years from the first building's certificate of completion, the balance of the Phase 2 building area may be utilized for distribution facility as a primary use.



- C. PAGE 5, BUILDING SETBACK, OVERALL PERIMETER & INTERIOR, ADJACENT TO RESIDENTIAL: ADD A NOTE UNDER THE FIRST BULLET THAT READS AS FOLLOWS: "IN THE EVENT THAT A PERIMETER PROPERTY LINE IS NOT ADJACENT TO A STREET, THE PERIMETER BUILDING SETBACKS SHALL BE MEASURED STARTING AT 30 FEET FROM THE PROPERTY LINE."
  - D. PAGE 7, MINIMUM LANDSCAPE SETBACKS, B) OVERALL PERIMETER & INTERIOR, ADJACENT TO RESIDENTIAL: ADD A NOTE UNDER THE FIRST BULLET THAT READS AS FOLLOWS: "IN THE EVENT THAT A PERIMETER PROPERTY LINE IS NOT ADJACENT TO A STREET, THE PERIMETER LANDSCAPE SETBACKS SHALL BE MEASURED STARTING AT 30 FEET FROM THE PROPERTY LINE."
  - E. e. Page 11, Site Design/Development: Please include the following as an additional bullet point: "Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department."
- 2. The developer shall dedicate and construct the following along Dobbins Road:
    - a. Fifty-five feet of right-of-way for the south side, west of 67th Avenue, per Cross Section C Standards.
    - b. Fifty-five feet of right-of-way for the north and south half between 67<sup>th</sup> Avenue and the south eastern development boundary (65th Avenue alignment), per Cross Section C Standards. Development shall be responsible for any dedication and improvements for intersection designs.
    - c. Right-of-way dedication and construction to be consistent with the approved Traffic Impact Study and Master Street Plan for the north side of Dobbins Road between 65th Avenue alignment and 63rd Avenue.
  - 3. The developer shall dedicate right-of-way and construct the east half of 67th Avenue **BETWEEN THE SOUTH MOUNTAIN AVENUE ALIGNMENT TO THE NORTH AND DOBBINS ROAD TO THE SOUTH** ~~for the full limits of the project,~~ in accordance with the approved Traffic Impact Study and associated Master Street Plan.

4. The developer shall dedicate right-of-way and construct 63rd Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan. ~~Development~~ THE DEVELOPER will be responsible for associated General Plan Amendment to the Street Classification Map, AS DETERMINED BY THE APPROVED TRAFFIC IMPACT STUDY.
5. The developer shall dedicate right-of-way and construct Olney Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan.
6. The developer shall submit Master Street Plan, Phasing Plan and Trails Plan as required by the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, as approved by the Street Transportation Department and Planning and Development Department.
7. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. The TIS shall include signal warrant analysis of abutting and nearby intersection effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved TIS.
8. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified within the traffic IMPACT study and approved Master Street Plan.
9. Existing irrigation facilities along any existing and or proposed right-of-way are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
10. Connection of trails shall be made to collector streets through clearly defined bicycle and pedestrian routes. Local street connections alone are insufficient to provide this connectivity. This connectivity shall be addressed through the Trails Master Plan.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.



12. ~~In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.~~

IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.

13. IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
14. 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.
- 15 43. PRIOR TO THE SUBMITTAL OF PRELIMINARY SITE PLAN APPLICATIONS TO THE PLANNING AND DEVELOPMENT DEPARTMENT, THE DEVELOPER SHALL PROVIDE PULTE HOMES WITH A COPY OF ITS SITE PLAN FOR ANY BUILDING WITHIN 500 FEET OF THE 67TH AVENUE ALIGNMENT, FOR THE LENGTH OF THE PROPERTY.
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.
17. **THE DEVELOPER SHALL DEDICATE AND CONSTRUCT THE 65TH AVENUE ALIGNMENT BETWEEN DOBBINS ROAD TO THE NORTH AND THE OLNEY AVENUE ALIGNMENT TO THE SOUTH, IN ACCORDANCE WITH THE APPROVED TRAFFIC IMPACT STUDY AND ASSOCIATED MASTER STREET PLAN AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT**

Backup Memo for Z-1-27-7

October 4, 2021

Page 6 of 6

Approved: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Ginger Spencer", is written over a horizontal line. The signature is stylized with a large, sweeping flourish extending to the right.

Ginger Spencer, Deputy City Manager



## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-1-21-7) FROM S-1 (APPROVED R1-8 PCD) (RANCH OR FARM RESIDENCE DISTRICT, APPROVED SINGLE-FAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT), S-1 (APPROVED R-2 PCD) (RANCH OR FARM RESIDENCE DISTRICT, APPROVED MULTIFAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT), AND S-1 (APPROVED C-1 PCD) (RANCH OR FARM RESIDENCE DISTRICT, APPROVED NEIGHBORHOOD RETAIL DISTRICT, PLANNED COMMUNITY DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 250.18-acre site located on the southwest corner of 63rd Avenue and the South Mountain Avenue alignment in a portion of Section 12 of Township 1 South, Range 1 East; and Sections 6 and 7 of Township 1 South, Range 2 East as described more specifically in Exhibit "A", is hereby changed from 229.68 acres of "S-1 (Approved R1-8 PCD)" (Ranch or Farm Residence District, Approved Single-Family Residence District, Planned Community District), 15.51 acres of "S-1 (Approved R-2 PCD)" (Ranch or Farm Residence District, Approved Multifamily

Residence District, Planned Community District), and 4.99 acres of “S-1 (Approved C-1 PCD)” (Ranch or Farm Residence District, Approved Neighborhood Retail District, Planned Community District) to “PUD” (Planned Unit Development).

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

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

1. An updated Development Narrative for the Dobbins Industrial and Tech Park PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped July 13, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: July 13, 2021; City Council adopted: [Add adoption date].

- b. Page 4, List of Uses, Not Permitted: Replace existing verbiage with the following:

For the purposes of this PUD a distribution facility is defined as a business that receives packages, sorts, and delivers them without product storage. Distribution as an accessory use is permitted when it occurs from a manufacturing facility or a warehouse where a product is made, assembled or packaged.

Distribution facilities as a primary use shall not be permitted within 500 feet of the property line along Dobbins Road.

There shall be no distribution facilities as defined by this PUD within 500 feet of 67th Avenue, between Dobbins Road and McClellan Ranch Road.

For the remainder of the Phase 1 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities as a primary use are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 1 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase I area may be utilized for distribution facility as a primary use.

For the remainder of the Phase 2 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 2 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase 2 area may be utilized for distribution facility as a primary use.
- After 6 years from the first building's certificate of completion, the balance of the Phase 2 building area may be utilized for distribution facility as a primary use.

- c. Page 5, Building Setback, Overall Perimeter & Interior, Adjacent to residential: Add a note under the first bullet that reads as follows:

"In the event that a perimeter property line is not adjacent to a street, the perimeter building setbacks shall be measured starting at 30 feet from the property line."

- d. Page 7, Minimum Landscape Setbacks, b) Overall Perimeter & Interior, Adjacent to residential: Add a note under the first bullet that reads as follows:

“In the event that a perimeter property line is not adjacent to a street, the perimeter landscape setbacks shall be measured starting at 30 feet from the property line.”
  - e. Page 11, Site Design/Development: Please include the following as an additional bullet point:

“Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.”
- 2. The developer shall dedicate and construct the following along Dobbins Road:
    - a. Fifty-five feet of right-of-way for the south side, west of 67th Avenue, per Cross Section C Standards.
    - b. Fifty-five feet of right-of-way for the north and south half between 67th Avenue and the south eastern development boundary (65th Avenue alignment), per Cross Section C Standards. Development shall be responsible for any dedication and improvements for intersection designs.
    - c. Right-of-way dedication and construction to be consistent with the approved Traffic Impact Study and Master Street Plan for the north side of Dobbins Road between 65th Avenue alignment and 63rd Avenue.
  - 3. The developer shall dedicate right-of-way and construct the east half of 67th Avenue for the full limits of the project, in accordance with the approved Traffic Impact Study and associated Master Street Plan.
  - 4. The developer shall dedicate right-of-way and construct 63rd Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan. The developer will be responsible for associated General Plan Amendment to the Street Classification map, as determined by the approved Traffic Impact Study.
  - 5. The developer shall dedicate right-of-way and construct Olney Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan.
  - 6. The developer shall submit Master Street Plan, Phasing Plan and Trails Plan as required by the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, as approved by the Street Transportation Department and Planning and Development Department.

7. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. The TIS shall include signal warrant analysis of abutting and nearby intersection effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved TIS.
8. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified within the Traffic Impact Study and approved Master Street Plan.
9. Existing irrigation facilities along any existing and or proposed right-of-way are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
10. Connection of trails shall be made to collector streets through clearly defined bicycle and pedestrian routes. Local street connections alone are insufficient to provide this connectivity. This connectivity shall be addressed through the Trails Master Plan.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
12. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an Archaeological Survey Report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
13. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
14. 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.

15. Prior to the submittal of preliminary site plan applications to the planning and development department, the developer shall provide Pulte Homes with a copy of its site plan for any building within 500 feet of the 67th Avenue alignment, for the length of the property.
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 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of October, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Ed Zuercher City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-1-21-7

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

PARCEL NO. 1:

LOT ONE (1), SECTION TWELVE (12), TOWNSHIP ONE (1) SOUTH, RANGE ONE (1) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

FARM UNIT "D", BEING ALSO KNOWN AS LOT SIX (6), OR THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NWL/4 SWL/4) AND LOT SEVEN (7), OR THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SWL/4 SWL/4) OF SECTION SIX (6), TOWNSHIP ONE (1) SOUTH, RANGE TWO (2) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; EXCEPT THE SOUTH THIRTY-THREE (33) FEET, AS CONVEYED TO MARICOPA COUNTY BY DEED RECORDED AS DOCKET 169, PAGE 18; AND EXCEPT THAT PART CONVEYED IN WARRANTY DEED RECORDED AS 2003-0638294 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER (SWL/4) OF SECTION SIX (6), TOWNSHIP ONE (1) SOUTH, RANGE TWO (2) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION;  
THENCE NORTH 89°51'35" EAST, A DISTANCE OF 146.24 FEET;  
THENCE SOUTH 46°43'27" WEST, A DISTANCE OF 66.73 FEET;  
THENCE SOUTH 89°28'20" WEST, A DISTANCE OF 98.02 FEET;  
THENCE NORTH 00°27'02" EAST, A DISTANCE OF 46.29 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 3:

FARM UNIT "D", ACCORDING TO THE FARM UNIT PLAT, OR LOTS ONE (1) AND TWO (2), SECTION SEVEN (7), TOWNSHIP ONE (1) SOUTH, RANGE TWO (2) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:

THE EAST HALF OF THE SOUTHWEST QUARTER (EL/2 SWL/4) OF SECTION SIX (6), TOWNSHIP ONE (1) SOUTH, RANGE TWO (2) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE SOUTH THIRTY-THREE (33) FEET FOR ROAD PURPOSES.

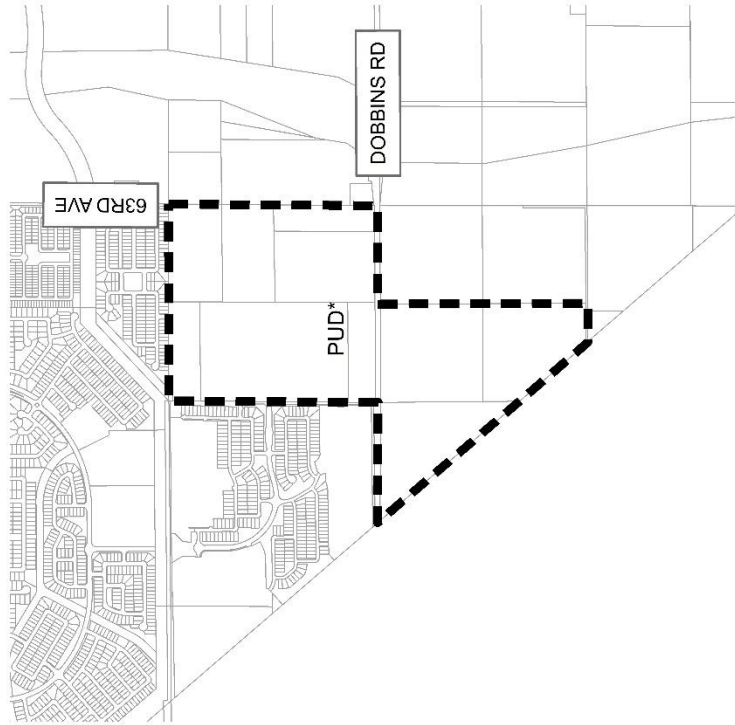


# ORDINANCE LOCATION MAP

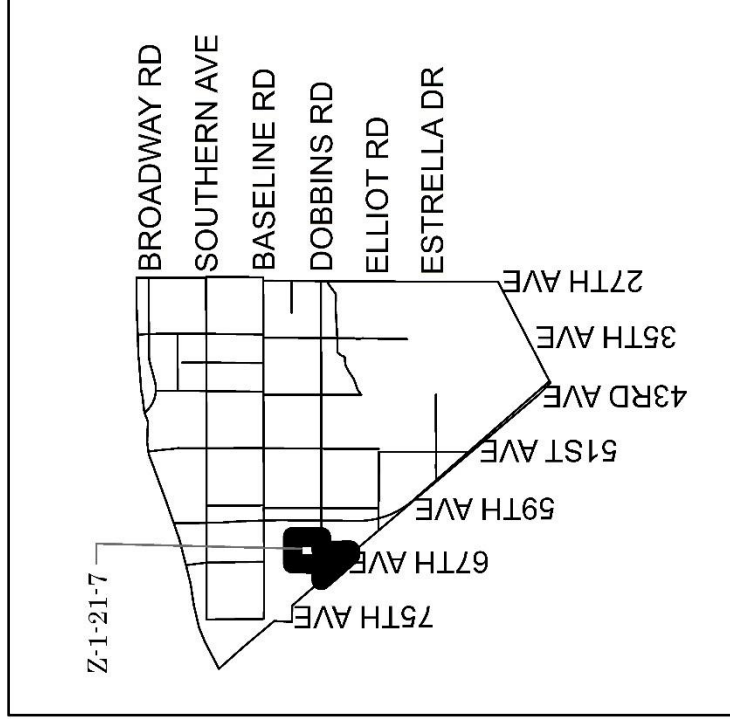
EXHIBIT B

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

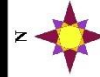
Zoning Case Number: Z-1-21-7  
Zoning Overlay: N/A  
Planning Village: Laveen



0 900 1,800 3,600 Feet



NOT TO SCALE



Drawn Date: 9/3/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\2021 Ord\10-6-21\Z-1-21-7.mxd

## Attachment B



### City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

## Staff Report: Z-1-21-7 Dobbins Industrial and Tech Park PUD August 3, 2021

**Laveen Village Planning Committee Meeting Date** August 9, 2021

**Planning Commission Hearing Date** September 2, 2021

**Request From:** S-1 (Approved R1-8 PCD) (229.68 acres), S-1 (Approved R-2 PCD) (15.51 acres), and S-1 (Approved C-1 PCD) (4.99 acres)

**Request To:** PUD (250.18 acres)

**Proposed Use** PUD to allow industrial and technology business park that will allow warehouse and office uses

**Location** Southwest corner of 63rd Avenue and the South Mountain Avenue alignment

**Owner** Williams Family Living 1996 Trust

**Applicant/Representative** Adam Baugh, Withey Morris, PLC

**Staff Recommendation** Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Current: Residential 3.5 to 5 dwelling units per acre (180.24 acres), Residential 5 to 10 dwelling units per acre (24.96 acres), and Mixed Use (Parks / Open Space / Residential 3.5 to 5 dwelling units per acre) (44.99 acres)  Proposed (GPA-LV-1-21-7): Mixed Use (Industrial / Commerce / Business Park) (250.18 acres)	
<u>Street Map Classification</u>	63rd Avenue	Collector	0-foot west half street
	Dobbins Road	Arterial	33-foot north half street 33-foot south half street
	South Mountain Avenue	Local	0-foot south half-street

	Olney Avenue	Local	25-foot north half street
	67th Avenue	Local	0-foot half street
<p><b><i>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; EMPLOYERS (JOB CREATION); LAND USE PRINCIPLE: Support General Plan Land Use Map and zoning changes that will facilitate the location of employment generating uses in each of the designated employment centers.</i></b></p> <p>The proposed PUD is designed to put in place land use entitlements intended to attract a variety of employers to the Laveen area. The City of Phoenix Community and Economic Development Department has designated the Loop 202 freeway as a high technology employment corridor, and this PUD will help further the goal of bringing high tech and manufacturing companies to this area.</p>			
<p><b><i>CONNECT PEOPLE AND PLACES CORE VALUE; CORES, CENTERS &amp; CORRIDORS; LAND USE PRINCIPLE: Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity.</i></b></p> <p>The subject site is in close proximity to the Loop 202 freeway corridor and is located on both the north and south side of Dobbins Road, which is an arterial street. The property is also directly adjacent to the Laveen Village Core to the east.</p>			
<p><b><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY &amp; CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.</i></b></p> <p>The proposed PUD includes development standards intended to provide an appropriate transition from existing and planned residential developments surrounding the site and any new commerce park or industrial uses that will locate on the site. These standards include enhanced design guidelines, robust landscaping requirements, large buildings and landscape setbacks where the site abuts residential zoning, and height restrictions.</p>			

**CONNECT PEOPLE & PLACES CORE VALUE; COMPLETE STREETS; DESIGN PRINCIPLE:** *In order to balance a more sustainable transportation system, development should be designed to include increased amenities for transit, pedestrian and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding.*

The development narrative sets forth extensive development standards and additional project requirements that will help create a pedestrian-friendly environment. Standards include detached sidewalks along all street frontages (perimeter and interior streets), several multi-use trail connections, tree planting standards to provide shade along pedestrian pathways, bicycle parking standards, and hitching posts for equestrian users. These standards will help ensure an enhanced multi-modal street environment.

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

This PUD sets forth extensive landscaping standards designed to provide robust tree shade cover along its street frontages, as well as within and throughout the overall development site.

#### Applicable Plan, Overlays, and Initiatives

[Laveen Southwest Growth Study](#) – See Background Item No. 4.

**South Mountain Freeway Technology Corridor** – See Background Item No. 5.

[Tree and Shade Master Plan](#) – See Background Item No. 13.

[Complete Streets Guiding Principles](#) – See Background Item No. 14.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 15.

[Zero Waste PHX](#) – See Background Item No. 16.

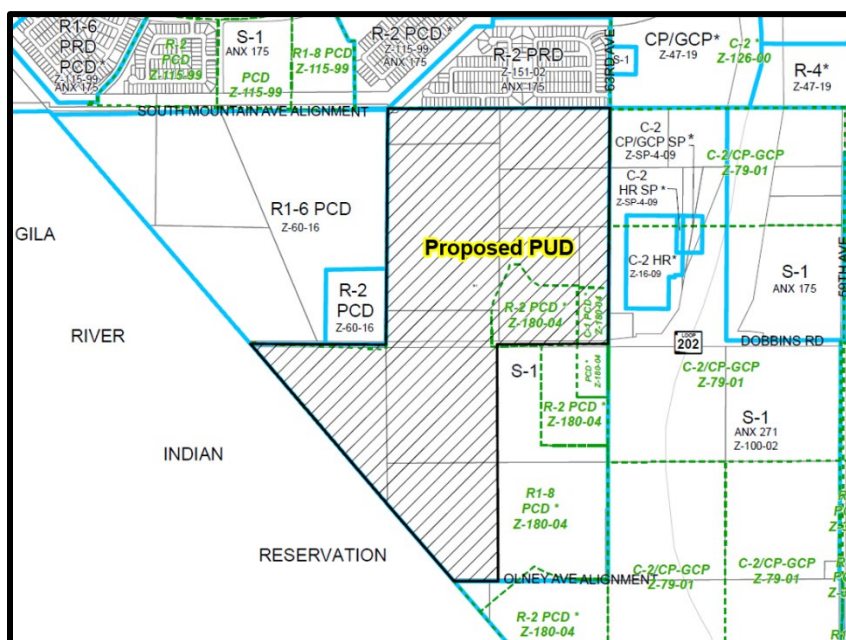
**2003 Dobbins Road Design Concept Report** – See Background Item No. 21.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Agricultural land	S-1 (Approved R1-8 PCD), S-1 (Approved R-2 PCD), and S-1 (Approved C-1 PCD)
<b>North</b>	Single-family residences under construction	R-2
<b>South</b>	Agricultural land	S-1 (Approved R1-8 PCD), S-1 (Approved R-2 PCD)
<b>East (north of Dobbins Road)</b>	Dairy farm and vacant land	S-1 (Approved C-2/CP-GCP), C-2 HR, C-2 HR SP, C-2/CP-GCP SP
<b>East (south of Dobbins Road)</b>	Agricultural land	S-1 (Approved R1-8 PCD), S-1 (Approved R-2 PCD)
<b>West (north of Dobbins Road)</b>	Single-family residences under construction	R1-6 PCD and R-2 PCD
<b>West (South of Dobbins Road)</b>	Vacant land previously used for agriculture	Gila River Indian Community

## Background/Issues/Analysis

### GENERAL PROPOSAL

1. This request is to rezone a 250.18-acre site located at the southwest corner of 63rd Avenue and the South Mountain Avenue alignment from 229.68 acres of S-1 (Approved R1-8 PCD) (Ranch or Farm Residence District, Approved Single-Family Residence District, Planned Community District), 15.51 acres of S-1 (Approved R-2 PCD) (Ranch or Farm Residence District, Approved



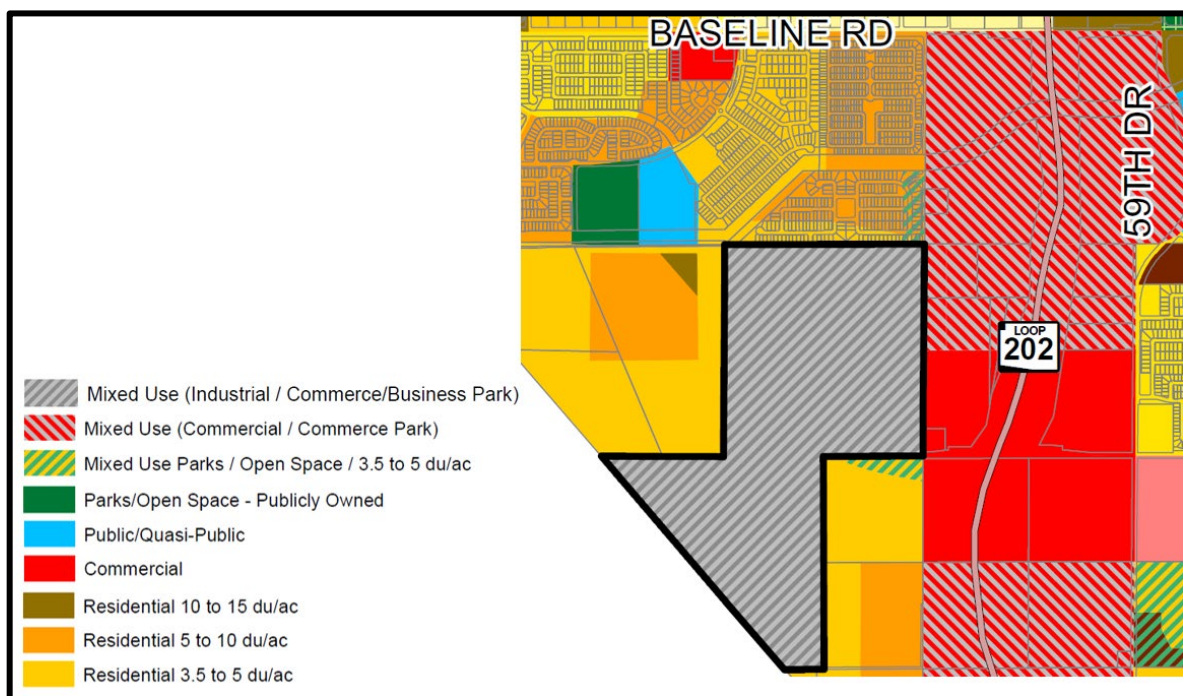
**Zoning Sketch Map**

**Source: City of Phoenix Planning and Development Department**

Multifamily Residence District, Planned Community District), and 4.99 acres of S-1 (Approved C-1 PCD) (Ranch or Farm Residence District, Approved Neighborhood Retail District, Planned Community District) to PUD (Planned Unit Development) to allow an industrial and technology business park that will allow warehouse and office uses.

## GENERAL PLAN LAND USE MAP DESIGNATIONS

2. The site has General Plan Land Use Map designations of Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Mixed Use (Parks / Open Space / 3.5 to 5 dwelling units per acre). The proposal is not consistent with these designations and, as the site exceeds 10 acres in size, therefore the applicant has filed a General Plan Amendment (GPA-LV-1-21-7) as a companion case to this rezoning request. The GPA request is for Mixed Use (Industrial / Commerce / Business Park) General Plan Land Use Map designation.



**General Plan Land Use Map**  
**Source: City of Phoenix Planning and Development Department**

To the north of the northern boundary of the site, there are General Plan Land Use Map designations of Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Mixed Use (Parks / Open Space / 3.5 to 5 dwelling units per acre).

West of the site, north of Dobbins Road, there are General Plan Land Use Map designations of Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Residential 10 to 15 dwelling units per acre. The area



to the west of the site, south of Dobbins Road, does not fall within the City of Phoenix General Plan Map area and is within the jurisdictional boundaries of the Gila River Indian Community.

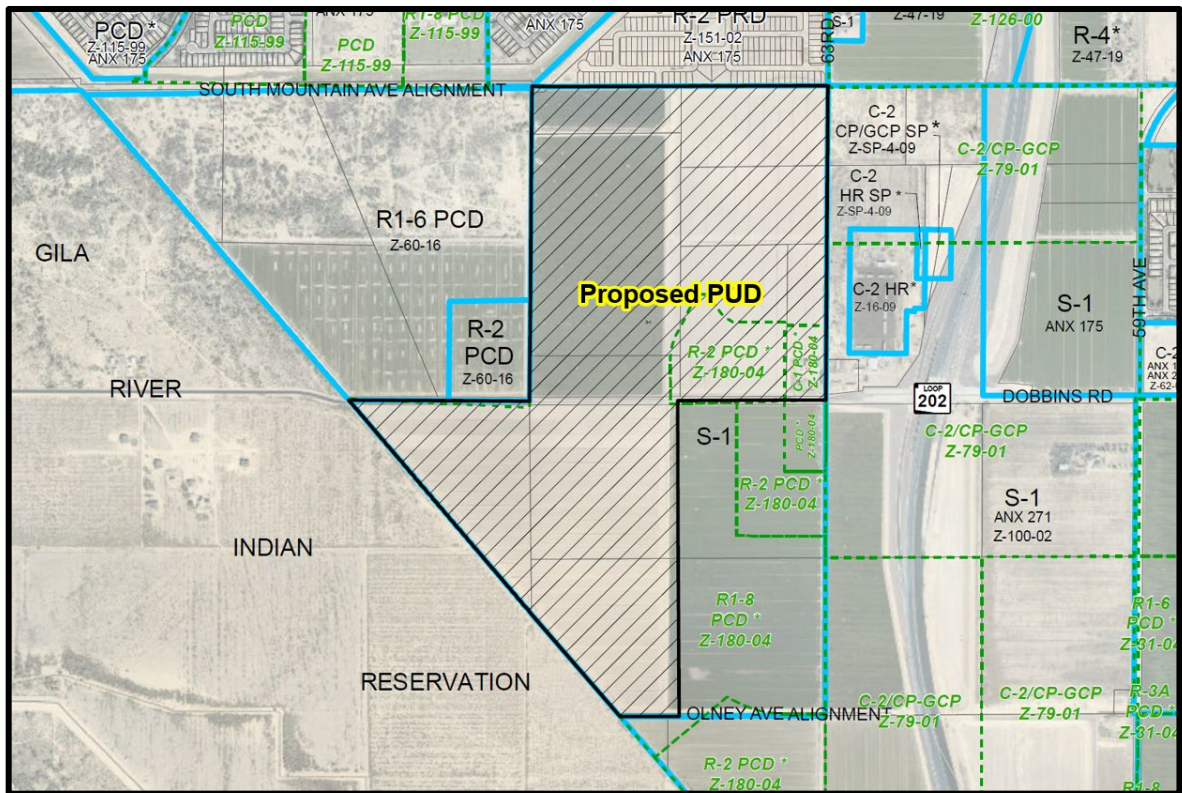
To the south of the southernmost boundary of the site, the General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre extends south to the City of Phoenix jurisdictional boundary line.

East of the site, south of Dobbins Road, there are General Plan Land Use Map designations of Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Mixed Use (Parks / Open Space / 3.5 to 5 dwelling units per acre). North of Dobbins Road, to the east of the site, are Commercial and Mixed Use (Commercial / Commerce Park) designations. Also to the east of the site is the Laveen Village Core, which is intended to be the clearly discernible town center and should consist of a mix of medium to high intensity uses. Further, entitlements for Commercial or Commerce Park zoning have been established along both sides of the Loop 202 freeway corridor to facilitate the creation of a high technology employment corridor once the freeway was completed.

The proposed PUD is appropriate given the site's close proximity to the Loop 202 freeway and the availability of land to create a high technology employment corridor in the area. Further, the development narrative sets forth extensive development standards that provide appropriate transitions from potential commerce park and industrial uses to existing and future residential developments adjacent to the site. The uses contained in this PUD are also compatible with the General Plan Land Use Map designations to the east of the site along the Loop 202 freeway, which are intended to facilitate commercial, commerce park and business park uses similar to those proposed for the subject site.

#### EXISTING CONDITIONS & SURROUNDING ZONING

3. The subject site is currently used for farming and is zoned S-1 (Approved R1-8 PCD) (Ranch or Farm Residence District, Approved Single-Family Residence District, Planned Community District). The surrounding zoning and land uses are as follows:



### ***Aerial Sketch Map***

**Source: City of Phoenix Planning and Development Department**

**NORTH**

North of the northern boundary of the subject site is land currently under construction for single-family homes. This area is zoned R-2 (Multifamily Residence District).

**SOUTH**

Active farm uses extend south of the southernmost boundary of the subject site and are zoned S-1 (Approved R1-8 PCD) (Ranch or Farm Residence District, Approved Single-Family Residence District, Planned Community District) and S-1 (Approved R-2 PCD) (Ranch or Farm Residence District, Approved Multifamily Residence District, Planned Community District).

**EAST**

To the east of the project site, south of Dobbins Road, are active farms zoned S-1 (Approved R1-8 PCD) (Ranch or Farm Residence District, Approved Single-Family Residence District, Planned Community District) and S-1 (Approved R-2 PCD) (Ranch or Farm Residence District, Approved Multifamily Residence District, Planned Community District). North of Dobbins Road, east of the site, is vacant land and an active dairy farm zoned S-1 (Approved C-2 CP/GCP) (Ranch or Farm Residence District, Approved Intermediate Commercial District and/or Commerce Park District, General Commerce Park option), C-2 HR (Intermediate Commercial



District, High-Rise District), C-2 HR SP (Intermediate Commercial District, High-Rise District, Special Permit), and C-2 CP/GCP SP (Intermediate Commercial District, Commerce Park District, General Commerce Park option, Special Permit).

### **WEST**

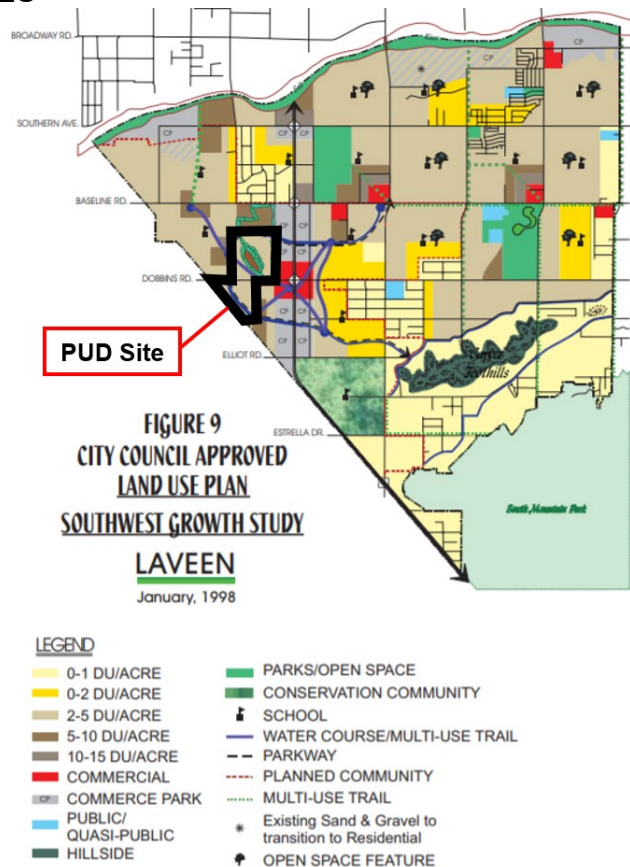
West of the site, north of Dobbins Road, is land that is under construction for single-family homes. This land is zoned R1-6 PCD (Single-Family Residence District, Planned Community District) and R-2 PCD (Multifamily Residence District, Planned Community District). South of Dobbins Road, the land to the west of the site is outside of the City of Phoenix jurisdictional boundaries and falls within the Gila River Indian Community. This area consists of vacant land previously used for agriculture.

## **AREA PLANS, OVERLAYS, AND INITIATIVES**

### **4. Laveen Southwest Growth Study**

The site is located within the boundaries of the Laveen Southwest Growth Study, which was developed in 1997 to analyze the existing conditions of the Laveen Village. It provides a land use and design planning framework to help shape the growth in Laveen, while accounting for newly annexed farmland as well as the future development of the South Mountain Freeway Loop, which has since been completed.

The Land Use Plan contained within this study placed the following designations on this site: Residential 2 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Parks/Open Space. Immediately to the east of the site, this plan designates the area along the Loop 202 freeway as Commercial and Commerce Park.



**Land Use Plan, Laveen Southwest Growth Study**  
**Source: City of Phoenix Planning and Development Department**

The proposed PUD does not conform to the land use designations placed on the site but is consistent with the designations along the freeway and would provide an appropriate expansion of envisioned commerce park and light industrial uses.

The Laveen Southwest Growth Study also outlines specific design policies and standards for various types of developments that will enhance Laveen's built environment while remaining respectful of its agricultural heritage. The study encourages all new developments to use durable, high-quality building materials and to provide enhanced building design that will contribute to the character of the area. The Dobbins Industrial and Tech Park PUD sets forth design standards that far exceed those required by the Phoenix Zoning Ordinance and also incorporates requirements for building materials and design features that invoke the agricultural history of the Laveen area.

5. **South Mountain Freeway Technology Corridor**

The City of Phoenix Community and Economic Development Department launched an initiative to market the newly constructed segment of the Loop 202 freeway (South Mountain Freeway) as a high technology employment corridor. This \$1.77 Billion, 22-mile stretch of freeway links the East Valley and West Valley workforces and provides a new gateway into southwest Phoenix. This area is quickly emerging as an ideal location for high tech manufacturing and other advanced industries.

Large land parcels with freeway frontage, robust infrastructure, and mountain views provide ideal opportunities for corporate campuses, Class "A" office settings and light industrial parks. The proposal is consistent with this vision and will help attract a variety of manufacturers and businesses to the area.

To facilitate marketing of the site to high technology

employers, staff is recommending limitations to distribution uses. These limitations are addressed in Stipulation No. 1.b.



Source: City of Phoenix Community and Economic Development Department

PUD PROPOSAL

6. The proposal was developed utilizing the PUD zoning designation. The Planned Unit Development (PUD) is intended to create a built environment that is superior to

that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

7. **Land Use Plan:** The PUD proposes an overall land use concept for the entire project that is designed for Commerce Park and Industrial Uses. This will provide the flexibility needed for specific users to locate on any portion of the site depending on their operational needs.
8. **Permitted Uses:** The PUD proposes to permit all uses listed in the Commerce Park District, General Commerce Park Option of the Phoenix Zoning Ordinance (Section 626.F), with some additional uses such as manufacturing (which may include basic processing and compounding of raw materials), restaurants, veterinary hospitals and offices, and recreational assembly uses. Temporary and accessory uses are to comply with their respective Sections in the Phoenix Zoning Ordinance, and Special Permit uses are prohibited.

This PUD further proposes to prohibit distribution uses along Dobbins Road that do not store products. Distribution as an accessory to a manufacturing or warehouse facility where a product is made or packaged will be permitted.

Staff is recommending that the PUD narrative include provisions to ensure that the entirety of the site does not develop solely with distribution uses, as this would not align with the intent of a high technology employment corridor. These provisions will also give the Community and Economic Development Department an opportunity to market the site to high technology companies within the first few years of the project's development. To achieve this, staff is recommending that no distribution uses be permitted within 500 feet of Dobbins Road, which is a thoroughfare of scenic and historical importance in the community. Staff is also recommending that no distribution uses be permitted in the Phase 1 area (as depicted in Exhibit 7 of the PUD narrative) in the first three years from the certificate of completion of the first building completed within this development area. After these first three years, a maximum of 50 percent of the total building area may be utilized as a distribution facility as a primary use. The same limitation is recommended in the Phase 2 area (as depicted in Exhibit 7 of the PUD narrative), with the additional provision that after six years from the first building's certificate of completion, the balance of the Phase 2 building area may be utilized for distribution as a primary use. These recommendations are addressed in Stipulation No. 1.b.

9. **Development Standards:** The PUD sets forth several development standards designed to enhance street frontages and the pedestrian environment, promote multi-modal transportation options, and provide superior buffering from existing and future residential uses adjacent to the site. The development narrative also outlines

standards for detached sidewalks along all street frontages, and multi-use trails along the southwestern property line, the north side of Dobbins Road, and along the east side of 67th Avenue. These trails will provide key connection points to the city's overall parks and trails system. Parking, lighting, and fences and walls shall adhere to the standards set forth in the Phoenix Zoning Ordinance. Standards for bicycle parking in this PUD have been duplicated from Section 1307.H of the Zoning Ordinance, which outlines enhanced bicycle parking requirements per the Walkable Urban (WU) Code. The WU Code is a form-based zoning code that aims to enhance the pedestrian environment and promote multi-modal transportation options.

The PUD proposes open storage standards that limit outdoor storage to a maximum height of eight feet within 50 feet of a residential district, which shall be screened by a solid eight-foot wall and shall not exceed 30 percent of individual development parcels.

Below is a summary of the main development standards proposed in the PUD development narrative. A full list of standards can be found on pages 5 through 7 of the PUD development narrative.

<u>Standard</u>	<u>Proposed</u>
<i>Building Height</i>	Maximum 56 feet  Maximum 75 feet for rooftop building appurtenances; minimum 20 feet from roof edge; maximum 15 percent of roof area  Maximum 75 feet for materials silos or similar ground mounted elements; minimum 150 feet from property line adjacent to residential
<i>Building Setbacks</i>	
Dobbins Road and 67th Avenue	Minimum 50 feet
Streets	Minimum 30 feet
Perimeter and Interior	Adjacent to residential: Minimum 100 feet Not adjacent to residential: Minimum 20 feet Interior: 0 feet
<i>Maximum Lot Coverage</i>	Maximum 50 percent
<i>Open Space</i>	Minimum 8%

10. **Landscape Standards:** The PUD outlines extensive landscaping standards that exceed the requirements contained in the Zoning Ordinance. The proposed landscape standards are intended to create a robust tree shade cover along the

streetscapes and throughout the development parcels, as well as to help combat the urban heat island effect. All trees along the streetscapes shall be single-trunk, large canopy shade trees, and Dobbins Road and 67th Avenue street landscape areas shall contain minimum 75 percent live groundcover. All other landscape areas shall contain minimum 50 percent live groundcover. All publicly accessible sidewalks and trails along arterial and collector roadways shall be shaded to a minimum of 75 percent. All other walkways shall be shaded at a minimum of 50 percent. Below is an outline of some of the proposed landscape standards. A full list of standards can be found on pages 7 through 8 of the PUD development narrative.

<b><u>Standard</u></b>	<b><u>Proposed</u></b>
<b><i>Landscape Setbacks</i></b>	
Streetscape Dobbins Road and 67th Avenue Other streets	Minimum 30 feet Minimum 20 feet
Perimeter and Interior Adjacent to residential Not adjacent to residential Interior	Minimum 50 feet Minimum 20 feet 0 feet
<b><i>Planting Standards</i></b>	
Dobbins Road	Minimum 2-inch caliper (25%) Minimum 3-inch caliper (50%) Minimum 4-inch caliper (25%) Accent palm trees at primary entrances of individual development parcels
Other streets	Minimum 2-inch caliper (50%) Minimum 3-inch caliper (50%)
Interior property lines adjacent to residential	Minimum 3-inch caliper (60%) Minimum 2-inch caliper (40%) Double row of triangulated large canopy single trunk shade trees One additional 2-inch caliper tree for every 500 square feet of landscape area.
Between curb and sidewalk, and along multi-use trails	Minimum 2-inch caliper (100%)
Surface parking areas	Minimum 5% of surface parking shall be landscaped Minimum 2-inch caliper trees, dispersed to provide minimum 25% shade

11. **Design Guidelines:** The PUD sets forth an extensive list of design requirements for building architecture, site layout, walls and fences, landscaping, and design features specific to the Dobbins Road frontage. These standards exceed those required by the Phoenix Zoning Ordinance by solidifying requirements that are “Presumptions” in the ordinance and adding several new design requirements that will ensure a high-quality development that will be a visual benefit to the community. Standards for building design include color palette and building style consistency throughout the development, building materials that are historically appropriate in relation to Laveen’s agrarian heritage (for example stone masonry, common brick, and corrugated steel panels), and guidelines to ensure appropriate breaking up of building massing and aesthetically pleasing building entrances and overall facades.

The PUD also includes requirements for the placement of outdoor storage, orientation of loading and service bays, and location of parking garage structures to ensure that any high impact or unsightly uses are shielded from public view. This will ensure that any street-facing portions of the development enhance the surrounding streetscape instead of negatively impacting it.

12. **Signs:** Signage shall comply with the Phoenix Zoning Ordinance.

#### **AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES**

13. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city’s planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. The proposed PUD narrative includes standards for large tree plantings along all street frontages, throughout all landscape areas, and within surface parking lots. The primary streetscape landscape areas shall contain minimum 75 percent live groundcover, and all other landscape areas shall contain minimum 50 percent. The landscaping standards in the PUD will provide significant shade for pedestrians and will help reduce the urban heat island effect within the development and in the greater Laveen area.

14. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The proposed PUD sets forth several standards that will help improve the pedestrian environment and create streets conducive to multi-modal transportation options. Such standards include detached sidewalks, robust tree shade cover, multi-use trails, shaded pedestrian amenity areas, hitching posts for equestrian users, and bicycle parking infrastructure.

15. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal incorporates requirements for bicycle parking that follows standards set forth in the Walkable Urban Code, which is the city's form-based zoning code intended to enhance the pedestrian realm and encourage multi-modal transportation.

16. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. The PUD requires that trash and recycling containers be placed at an interval of every 600 feet along its Dobbins Road Street frontage. Further, the use of recycling collection throughout the site shall be encouraged and the implementation of a recycling and materials management plan shall be developed during construction.

COMMUNITY INPUT SUMMARY

17. At the time this staff report was written, staff received one letter from a community member outlining concerns with the compatibility of the project with adjacent residential properties and with the lack of activation along the Dobbins Road Frontage.

This PUD has been presented to the Laveen Village Planning Committee for informational presentations twice, on March 15, 2021 and on June 14, 2021. During these meetings, members of the committee raised concerns with allowing distribution as a primary use, the proposed design guidelines, and the treatment along Dobbins Road. In response to these concerns, the applicant worked with Planning and Development Department staff to craft regulatory language that will ensure high quality architectural and site layout design, as well as historically appropriate streetscape treatments along Dobbins Road. The applicant also included a provision to prohibit distribution uses that are not part of a primary use that either manufactures or stores products. Staff is further recommending that the PUD narrative include provisions to ensure that the entirety of the site does not develop with distribution as a primary use, and to allow for the Community and Economic Development Department to market the site to high technology employers within the first few years of development. These provisions are addressed in Stipulation No. 1.b.

INTERDEPARTMENTAL COMMENTS

18. **Fire Prevention Division, Fire Department**

Fire Prevention does not anticipate problems with the referenced case. However,



the site and or buildings shall comply with the 2018 Phenix Fire Core. If the building(s) cannot meet first responder radio coverage requirements once they are constructed, they will require a signal booster system (see PFC Section 510).

19. **Floodplain Management Division, Public Works Department**

Floodplain Management determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2655 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

20. **Public Transit Department**

The Public Transit Department has required that clearly defined, accessible pedestrian pathways be provided to connect all main site elements and public sidewalks, and, where they intersect drive aisles, they be constructed of materials that visually contrast with parking surfaces. These standards have been incorporated into the PUD narrative as regulatory standards. The department further required that all pedestrian sidewalks be shaded to 75 percent at tree maturity. This is addressed in Stipulation No. 1.c.

21. **Street Transportation Department**

The Street Transportation Department has required that the developer dedicate and construct the right-of-way along Dobbins Road with 55 feet of right of way along the south side, west of 67th Avenue, per Cross Section C Standards, 55 feet of right-of way for the north and south half between 67th Avenue and the southeastern property boundary per Cross Section C standards; and that these be consistent with the approved Traffic Impact Study and Master Street Plan. This is addressed in Stipulation No. 2. The Street Transportation Department has also required that the developer dedicate and construct right-of way along the east side of 67th Avenue for the full limits of the project, and rights-of-way for 63rd Avenue, and Olney Avenue, as addressed in Stipulation Nos. 3, 4, and 5. A Master Street Plan, Phasing Plan, Trails Plan, and a Traffic Impact Study shall also be required, per Stipulation Nos. 6 and 7. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified in the traffic study and approved Master Street Plan, per Stipulation No. 8. Any existing irrigation facilities along the right-of-way are to be undergrounded or relocated to outside the city right-of-way, as required in Stipulation No. 9. Trails shall connect to collector streets through clearly defined bicycle and pedestrian routes and shall be addressed through the Trails Master Plan, per Stipulation No. 10. Finally, the developer shall be responsible for constructing all streets within and adjacent to the development, and all improvements shall comply with ADA accessibility requirements. This is addressed in Stipulation No. 11.

**Dobbins Road Design Concept Report (2003)**

In 2003, the City of Phoenix commissioned a consultant to prepare a Design Concept Report (DCR) for Dobbins Road from Central Avenue to 67th Avenue. The purpose of this report was to identify a conceptual footprint for Dobbins Road that



moves traffic safely and efficiently through the area in a way that maintains the character of the community to the extent possible within the known constraints. This report also includes a set of design criteria for the historic and rural enhancement of roadway improvements on Dobbins Road. The Dobbins Industrial and Tech Park PUD incorporates several of the design recommendations from this report into its design guidelines for the Dobbins Road street frontage. This includes elements such as historically relevant light fixtures, pedestrian street furniture with a cohesive design, and use of building materials that were identified in the report as being of historic importance, such as common brick, river run masonry, wire mesh, galvanized steel panels, and heavy timber such as salvaged wood from creosoted wood telephone poles.

22. **Water Services Department**

The Water Services Department does not have any comments for the proposed rezoning and noted that the property will need water and sewer mains that can serve this development. The department further noted that capacity is a dynamic condition that can change over time due to a variety of factors. It is the City's intent to provide water and sewer service. However, the requirements and assurances for water and sewer service are determined during the site plan application review. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.

OTHER

23. The site is not designated as archaeologically sensitive. However, should archaeological materials be 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. This is addressed in Stipulation No. 13.
24. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

## **Findings**

1. The PUD provides a framework for the development of the site and positions the area for future investment. It will also help further the goal of the city's Community and Economic Development Department of creating a high technology employment corridor along the Loop 202 freeway.
2. The PUD will help establish the site as a destination for employment uses that maximize the site's proximity to existing transportation infrastructure.
3. The PUD contains standards that ensure development on the site will be consistent with the area's character and compatible with surrounding uses. Additionally, it sets forth design standards for the Dobbins Road frontage that pays homage to Laveen's agricultural heritage.

## **Stipulations**

1. An updated Development Narrative for the Dobbins Industrial and Tech Park PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped July 13, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: July 13, 2021; City Council adopted: [Add adoption date].

- b. Page 4, List of Uses, Not Permitted: Replace existing verbiage with the following:

For the purposes of this PUD a distribution facility is defined as a business that receives packages, sorts, and delivers them without product storage. Distribution as an accessory use is permitted when it occurs from a manufacturing facility or a warehouse where a product is made, assembled or packaged.

Distribution facilities as a primary use shall not be permitted within 500 feet of the property line along Dobbins Road.

For the remainder of the Phase 1 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities as a primary use are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 1 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase I area may be utilized for distribution facility as a primary use.

For the remainder of the Phase 2 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 2 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase 2 area may be utilized for distribution facility as a primary use.
- After 6 years from the first building's certificate of completion, the balance of the Phase 2 building area may be utilized for distribution facility as a primary use.

- c. Page 11, Site Design/Development: Please include the following as an additional bullet point: "Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department."

2. The developer shall dedicate and construct the following along Dobbins Road:

- a. Fifty-five feet of right-of-way for the south side, west of 67th Avenue, per Cross Section C Standards.

- b. Fifty-five feet of right-of-way for the north and south half between 67th Avenue and the south eastern development boundary (65th Avenue alignment), per Cross Section C Standards. Development shall be responsible for any dedication and improvements for intersection designs.
  - c. Right-of-way dedication and construction to be consistent with the approved Traffic Impact Study and Master Street Plan for the north side of Dobbins Road between 65th Avenue alignment and 63rd Avenue.
- 3. The developer shall dedicate right-of-way and construct the east half of 67th Avenue for the full limits of the project, in accordance with the approved Traffic Impact Study and associated Master Street Plan.
- 4. The developer shall dedicate right-of-way and construct 63rd Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan. Development will be responsible for associated General Plan Amendment to the Street Classification Map.
- 5. The developer shall dedicate right-of-way and construct Olney Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan.
- 6. The developer shall submit Master Street Plan, Phasing Plan and Trails Plan as required by the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, as approved by the Street Transportation Department and Planning and Development Department.
- 7. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. The TIS shall include signal warrant analysis of abutting and nearby intersection effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved TIS.
- 8. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified within the traffic study and approved Master Street Plan.
- 9. Existing irrigation facilities along any existing and or proposed right-of-way are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

10. Connection of trails shall be made to collector streets through clearly defined bicycle and pedestrian routes. Local street connections alone are insufficient to provide this connectivity. This connectivity shall be addressed through the Trails Master Plan.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
12. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

**Writer**

Sofia Mastikhina

August 3, 2021

**Team Leader**

Samantha Keating

**Exhibits**

Sketch map

Aerial sketch map

Community Correspondence (2 Pages)

[\*\*Dobbins Industrial and Tech Park PUD\*\*](#) date stamped July 13, 2021







## Sofia Mastikhina

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**From:** Dan Penton <dpenton85339@gmail.com>  
**Sent:** Monday, March 15, 2021 10:59 AM  
**To:** Tonya Glass; Linda Abegg; Robert Branscomb; Sofia Mastikhina; Sandy Hamilton; Samantha Keating; Phil Hertel  
**Cc:** hannah@withey-morris.com; Jennifer Rouse; Stephanie Hurd; lisaperez5@cox.net  
**Subject:** Dobbins Industrial and Tech Park PUD Z-1-21N /GPA-LV-1-21-7  
**Attachments:** McClellanRanch\_StaffReport.pdf; McClellan SitePlan revised.pdf; MCCLELLAN RANCH PLANNED COMMUNITY DISTRICT DEVELOPMENT NARRATIVE \_Z-60-16n.pdf; received\_811873326065987.webp; received\_906024206816048.webp

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I AM ALL FOR BRINGING HIGH PAYING JOBS AND THE TECH CORRIDOR TO LAVEEN!

But at what cost?

Two BRAND NEW residential communities under construction, 179 Unit Estrella Vista to the north, and 611 unit McClellan Ranch to the west aren't even completed yet, and I fear that we will set a dangerous precedent if this proposed PUD isn't given the thoughtful and deliberate attention it requires.

I realize the site plan is conceptual, but that is what alarms me the most. The concept. This can't be your everyday, run of the mill concept. The McClellan Ranch PCD was finally approved after three revisions over three years. The Dove Ranch PCD (the previous planned development for this site) was on the books for nearly 20 years or more. Both of them were planned with each other in mind. None of them anticipated an industrial complex literally on their doorstep.

I'm proposing a 200-ft setback along Dobbins to preserve the scenic corridor and to allow for a more compatible use along Dobbins that will serve as a transition between two land uses that are polar opposites. Within that 200 feet could be a scenic trail easement, commercial uses more conducive to neighborhood services, mixed use with commercial/retail on ground floor with live/work lofts or co-working units on second and third floors provided they are stepped back. Create a "Main Street" along Dobbins.

I said this to Adam and Hannah previously, This development is the first one in so whatever the outcome of this project is we'll set the tone for future development along the freeway corridor. There's an opportunity here to set a great example to make something that the community can really be proud of and stand behind. Let's not squander it. Let's be thoughtful and deliberate about how this project comes together; And how we can make it truly represent the character and uniqueness of Laveen.

I created two maps to show the compatibility of the Tech Park next to the residential and the access routes to and from the 202 for residents of the both communities. On one map you'll see the Tech Park PUD conceptual site plan and the other map you will notice the previous development for Dove Ranch.

The zoning case numbers for McClellan and Estrella Vista are noted, as are the entry points to both communities as indicated by the black dots. The streets are in white, and the Laveen Area Conveyance Channel is in Blue. .

Please keep in mind that the only access across the conveyance channel will be at 63rd Avenue, South Mountain Avenue will end at 65th Ave, and 67th Avenue will end just north of the main entrance to McClellan Ranch. All vehicular traffic will be directed to Dobbins Road, where a driver can turn left on to 63rd Ave or continue to the Loop 202.



Children who happen to be enrolled at Desert Meadows can take the Conveyance Channel, but others who go to either Betty Fairfax or Estella Foothills Global Academy will likely take Dobbins Road (or the Conveyance for BFHS) requiring them to travel through an Industrial Park just to get to school. What kind of safety does that offer, and how does that reduce their risk to harmful air quality?

Thank you for your time. I look forward to seeing you all at tonight's VPC meeting

All My Best  
Dan Penton



## Village Planning Committee Meeting Summary

Z-1-21-7

### DOBBINS INDUSTRIAL AND TECH PARK PUD INFORMATION ONLY

<b>Date of VPC Meeting</b>	March 15, 2021
<b>Request From</b>	S-1 (Approved R1-8 PCD), S-1 (Approved R-2 PCD), and S-1 (Approved C-1 PCD)
<b>Request To</b>	PUD
<b>Proposed Use</b>	PUD to allow industrial and technology business park that will allow warehouse and office uses
<b>Location</b>	Southwest corner of 63rd Avenue and the South Mountain Avenue alignment

#### VPC DISCUSSION:

**Mr. Adam Baugh**, representative, provided an overview of the request, including the location, size, current zoning and General Plan Land Use Map designations, and surrounding conditions. He explained that the completion of the Loop 202 freeway has created new opportunities in the area that did not exist before, one of which being major employment options. He stated that the intent of the proposed PUD is to generally follow CP/GCP (Commerce Park District – General Commerce Park Option) standards to create a campus-like setting, with limited outdoor storage uses and considerable pedestrian improvements, open space areas, and amenities. The PUD proposes to establish entitlement flexibility to attract industrial uses and major employment generators, encourage future development to southwest Phoenix, and establish development and performance standards to ensure high quality design and land use compatibility.

**Mr. Robert Branscomb** expressed concern with warehousing uses, as there is an oversupply of warehousing to the north along the freeway that is still struggling to secure tenants. He stressed that warehousing is not the right type of business in terms of creating jobs in the area. He asked if this development is depending on warehousing, or if it just a part of the PUD to allow users some flexibility. **Mr. Baugh** replied that, yes, warehousing is proposed as a part of the potential uses in this PUD. He explained that a warehouse will not be a standalone business but is usually tied to a manufacturer or other type of business to support their operations. He added that they will creating enhanced development standards and design expectations to integrate warehousing uses appropriately. He further explained that employers have a variety of needs, and the developer can either build a site with a warehousing component to attract users that

need it or wait for a business to construct a build-to-suit structure – either way, they can't attract employers without the zoning already in place.

**Mr. Carlos Ortega** echoed concerns regarding warehousing and emphasized that he is not supportive of warehouses anywhere in Laveen.

**Ms. Sharifa Rowe** expressed her concern with the conversation being centered on the hypothetical creation of jobs, with little to no regard to how this development will impact the community. She explained that the community has already experienced environmental injustices such as industrial dumping and vast warehousing spaces, and that more thought needs to be given to how this proposal will benefit the community other than just potentially creating jobs.

**Ms. Jennifer Rouse** stated that very rarely do developers deliver on projects that they claim will benefit the community, so the committee should evaluate these types of requests very carefully.

**Vice Chair Linda Abegg** echoed the other committee members' concerns, adding that she'd like to see a revised development narrative, since the only available version is the first draft. She suggested that special attention be paid to the language included in the development narrative to ensure that the uses permitted are something that the community would like to see in the area. She is supportive of attracting quality employers to the area but is concerned with allowing warehousing by right. She added that, due to its proximity to residential neighborhoods, the PUD should incorporate enhanced standards for screening, roofline shapes to blend with the mountains to the south, and the overall architectural style to ensure that buildings look like they are a part of the community. All the uses should be compatible with Laveen.

**Ms. Rowe** asked what the community input plan for this development is. **Mr. Baugh** replied that their team had sent out all required notification letters, held a neighborhood meeting which had a dozen people in attendance, created a public website where all application documents are available, and met with the Laveen Citizens for Responsible Development group. He also explained that a PUD rezoning request requires more neighborhood meetings than a standard rezoning process.

**Mr. Branscomb** stated that he looks forward to bringing businesses to that area, and that he would love to participate in attracting businesses to Laveen. He reiterated his concern with being stuck with vacant buildings in the community, and that they need to make sure that the right types of businesses are being brought in.

**Chair Tonya Glass** stressed the importance of community outreach for this project and pointed out that the required outreach is very minimal, considering the notification radius is 600 feet. This site is surrounded by vacant land, so the standard notification process would likely only reach a handful of property owners. She stated that it's very important for community members to help spread the word so that all nearby residents are informed of this development as well as others. She also agreed with the concerns regarding warehousing uses and stated that the site should not be built entirely with warehouses, so that there is plenty of room left for build-to-suit opportunities. She added that warehousing and light industrial uses are not what the community expects for this area.

**Mr. Ortega** requested that the Community and Economic Development Department come present their business strategies along the Loop 202 freeway at a future meeting. **Chair Glass** agreed and added a request for the Planning and Development Department Director to come to discuss this area too. **Mr. Ortega** then addressed the members of the public in attendance, encouraging them to actively participate in cases that affect them, either by speaking up during public hearings or submitting emails and letters of the city, so that they can help hold developers accountable.

**Ms. Cinthia Estela** agreed with the other committee members' comments, stating that the community does not need another warehouse, but rather a place where all can live, work, and play. Writing a blank check for this PUD is not something she would agree with,

## **PUBLIC COMMENT**

**Mr. Phil Hertel** stated that it is good to start the public input process early, and that he was pleased to see so many people wanting to participate. He stated that this project would be a huge asset to the community, reducing the number of homes planned for the area, therefore reducing emissions, reducing the need for police services, and so on. The community doesn't need warehouses, but he understands that the applicant is trying to create something with enough flexibility to attract several different users. One large warehouse can be converted into several uses if needed. He emphasized that investors don't want empty buildings but rather spaces that will generate revenue, so they are not likely to leave vacant buildings on the site. He explained that the 600 plus homes that were planned for this area would be a much worse alternative to this opportunity, which will create a job center for those who live in Laveen, reducing commuting needs. He pushed for this process to be completed so that these employment opportunities can start coming to Laveen.

**Mr. Dan Penton** suggested that there be a focus on attracting "Agri-Tech" businesses, as they are part of the high technology industry with high paying jobs, while still having a link to Laveen's farming heritage. He expressed his concern with setting a bad precedent for this type of use if this PUD isn't given thoughtful and thorough attention. He pointed out that the Planned Community Districts (PCD) in this area took several years to develop and approve, and that a proposal of this scale should take a similar approach in pursuing considerable community input before proceeding. He further added that there are two residential communities that will be landlocked due to South Mountain Avenue and 67th Avenue not going all the way through, so these residents will need to drive through this development to get to the freeway. Given this, this development should not look and feel like an industrial development, and safe and attractive routes should be provided throughout the development in a sustainable manner. He reiterated that this project will set the tone for future developments along the tech corridor, so they have to get it right.

**Mr. Baugh** thanked the committee and the members of the public for their feedback, stating that this is just the beginning of a long development process, and that they have a lot of work ahead of them. He explained that they wanted to receive the committee's feedback before revising the development narrative and submitting a second draft to the city, so that all community and staff comments could be incorporated at once.

**Ms. Stephanie Hurd** stated that the community needs less residential uses and more commercial uses and agreed with Mr. Branscomb's idea of having community involvement in attracting businesses that the community wants to see.

**Ms. Rouse** expressed her concern with industrial uses being prioritized over commercial, as warehouses are not wanted in Laveen. She stressed that the community needs to come together to discuss this project throughout the entire process, and not just at the Village Planning Committee meetings.



**Village Planning Committee Meeting Summary**  
**Z-1-21-7**  
**DOBBINS INDUSTRIAL AND TECH PARK PUD**  
**INFORMATION ONLY**

<b>Date of VPC Meeting</b>	June 14, 2021
<b>Request From</b>	S-1 (Approved R1-8 PCD), S-1 (Approved R-2 PCD), and S-1 (Approved C-1 PCD)
<b>Request To</b>	PUD
<b>Proposed Use</b>	PUD to allow industrial and technology business park that will allow warehouse and office uses
<b>Location</b>	Southwest corner of 63rd Avenue and the South Mountain Avenue alignment

**VPC DISCUSSION:**

**Adam Baugh**, representative with Withey Morris, provided an update on the proposed PUD. He outlined the location of the project site, the expected phasing of development, and the street improvements and connections that will be constructed. He explained the overall purpose of the PUD, which is to attract quality businesses to the Laveen area, noting that while there are no specific users for the site yet, the development team has been working closely with the city and key stakeholders in the area to attract the right types of employers. He provided an overview of the development standards, which closely follow Commerce Park standards, and the permitted uses such as commerce and industrial. He stated that there is a lot of interest from high technology companies to expand to and in Arizona, and that the development team is hopeful that they can attract them to this site. He listed some of the changes made to the PUD based on community feedback, such as increased street setbacks and setbacks from residential uses, enhanced landscaping standards, and a more limited list of permitted uses. He then outlined the architectural guidelines for the project, stating that, regardless of the user within a building, the exteriors will be highly designed and large building masses will be avoided and mitigated. He presented some examples of other buildings developed by his client, noting the quality of the design. He then stated that the types of businesses that the city and the community want here are looking for sites that already have zoning and infrastructure in place, and that this site has neither. He highlighted the importance of ensuring the first few tenants on this site and building out the infrastructure needed to attract the big technology companies.

## **PUBLIC COMMENT**

**Phil Hertel** stated that this project will eliminate 600 homes from Laveen, will reduce congestion, and will bring jobs to the community. He stated that this will also create an enhanced streetscape and will be an asset to the community.

**Dan Penton** thanked the applicant for incorporating a lot of the community's feedback into the project and stated that this will help grow the employment base in Laveen. He urged the community to remain involved, as these applicants are very receptive and work well with the community.

## **COMMITTEE QUESTIONS**

**Stephanie Hurd** expressed her concern from the previous meeting, which was allowing warehousing on the site, but stated that she would be more accepting of it if there were more certainty about what the community would be getting back. She suggested that palm trees be integrated into the streetscape in addition to the shade trees, as they are consistent with the character of Laveen. She echoed the applicant's statement that companies such as Taiwan Semiconductor Company would not even consider a site if the zoning and infrastructure aren't already in place. **Baugh** replied that, although he can't guarantee which companies will locate here, this PUD has been structured similarly to the zoning on the Taiwan Semiconductor site to attract the same type of use.

**Carlos Ortega** expressed concern with allowing warehousing at this site, stating that having the whole site develop with warehouses is not what the community wants. **Vice Chair Linda Abegg** expressed the same concern and stated that, if not limiting warehousing as a use, she would like to see other limitations included in the PUD narrative, such as a maximum percentage of the site that can be developed as such, or only permitting it as an accessory use. **Baugh** explained that permitting warehousing is necessary in order to attract businesses to this site, adding that one warehouse building can house multiple companies and will provide the space flexibility to accommodate different types of users. He stated that this project will be required to construct and bring in all of the necessary infrastructure, so flexibility in the uses will help fund the required improvements. He stated that the intent is not to develop the property with only warehousing, but that it is an important use to have as an option. **Vice Chair Abegg** stated that the committee understands the need to have some warehousing on the site, as many of the technology and manufacturing companies need the space and a way to store and distribute their products. However, the specific users are unknown at this point and, although the applicant repeatedly says they are hopeful for a certain type of company that is not warehousing, there is no way to guarantee it and remove the possibility that the entire site will develop as warehousing. As such, limitations must be written into the PUD narrative. **Baugh** provided an example of a Northrop Grumman site in Chandler, which was 75 percent warehousing, but is a research laboratory, so the warehouse portion of the site was not used solely for storage and distribution but as an actual employment generating use where they conducted rocket testing. **Vice Chair Abegg** pondered whether this would be considered an accessory use and that the discussion going forward should include defining this type of accessory use in the narrative to avoid solely using warehouses for storage and distribution.

**Cinthia Estela** expressed her support for the project, stating that it is exactly what the community has been asking for.

**Jennifer Rouse** expressed concern with the setbacks adjacent to the residential neighborhoods. **Baugh** explained that the setbacks have been increase from 20 feet to 75 feet to help buffer existing residences.

**Vice Chair Abegg** stated that this project will be very important for the community and will bring jobs to Laveen that they have wanted for some time. She stressed that the need for flexibility to attract quality businesses to the site should still be balanced with the community's needs and wants for this development. She then addressed the regulatory standards in the PUD narrative, stating that she'd like to see enforceable language regarding palm trees along the streets, variety and enhanced design of building facades, and further standards for breaking up of building mass. She also suggested that the developer work with the school district on potential new school sites, which are needed in the area.





## Village Planning Committee Meeting Summary

**Z-1-21-7**

### **DOBBINS INDUSTRIAL AND TECH PARK PUD**

<b>Date of VPC Meeting</b>	August 9, 2021
<b>Request From</b>	S-1 (Approved R1-8 PCD), S-1 (Approved R-2 PCD), and S-1 (Approved C-1 PCD)
<b>Request To</b>	PUD
<b>Proposed Use</b>	PUD to allow industrial and technology business park that will allow warehouse and office uses
<b>Location</b>	Southwest corner of 63rd Avenue and the South Mountain Avenue alignment
<b>VPC Recommendation</b>	Approval with additional stipulations
<b>VPC Vote</b>	11-0

#### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*This agenda item was heard concurrently with GPA-LV-1-21-7.*

**Sofia Mastikhina**, staff, provided an overview of the companion cases, GPA-LV-1-21-7 and Z-1-21-7 (Dobbins Industrial and Tech Park PUD), including the site area, location, existing and surrounding conditions, and relationship to the Loop 202 freeway. She noted that the proposal will help further the Community and Economic Development Department's goal of creating a high technology employment corridor along this freeway by providing a land use framework for office and manufacturing uses. She outlined the main development, landscape, and design standards, as well as the permitted land uses, noting staff-recommended restrictions on distribution uses. She presented staff's findings and recommendations for approval of the General Plan Amendment request and approval of the Rezoning request, subject to stipulations, which she then listed.

**Adam Baugh**, representative with Withey Morris PLC, provided an overview of the proposal, noting that, although the site is just outside the target area for a high employment technology corridor, this project can be the impetus to achieving this city and community vision. He stated that this proposal will remove entitlements for approximately 1,200 to 1,500 residential units and will help attract major employment generators to the area. He highlighted the major changes made to the PUD as a result of continued collaboration with community members, the committee, and staff. These include a reduction in permitted uses, tremendous landscaping requirements, extensive design standards, pedestrian and bicycle standards, and incorporation of design

features as set forth in the 2003 Dobbins Road Design Concept Report. He presented additional proposed development standards to address concerns voiced by the residential developer to the west of the site, which include increased building setback and landscape standards and enhancements along 67th Avenue, new building and architecture requirements, primary access from 65th Avenue, limitations to service bay access and outdoor storage.

**Vice Chair Linda Abegg** stated that she had reservations about this project at its onset but, through working with the applicant, staff, the community, and the council office, she is happy with the outcome and would like to make a motion to approve.

**Chair Tonya Glass** thanked the applicant for all the hard work they put into discussing this project with the various stakeholders, for adapting the development standards to accommodate the Dobbins scenic corridor, for listening to the community's concerns, and going above and beyond to provide a proposal that will benefit the community.

**Robert Branscomb** expressed the same sentiments and his excitement for the new employment opportunities in Laveen that will result from this project.

### **PUBLIC COMMENT**

**Carolyn Oberholtzer**, representative for Pulte Homes, which is being developed to the west of the project site, expressed appreciation for the appropriate transitions provided in the proposal, and the high standards along Dobbins Road, which Pulte was also held to. She outlined the additional standards that the applicant has agreed to incorporate to help further mitigate impact to the residential development to the west, and asked that the committee include these as stipulations in their motion.

**Phil Hertel** thanked the applicant for working extensively with the community on this project, praising the fact that it will remove 1,200 approved residential units from the area and replace them with job-generating uses, which will be a great asset to the community.

**Dan Penton** thanked the applicant for working with and listening to the community and coming back with a project that addresses all of the concerns voiced over the course of the process.

### **MOTION**

**Vice Chair Abegg** made motion to approve the request per the staff recommendation with additional stipulations. **Jennifer Rouse** seconded the motion.

### **VOTE**

**11-0:** Motion passes with committee members Glass, Abegg, Branscomb, Estela, Flunoy, Harlin, Hurd, Knight, Ortega, Rouse, and Rowe in favor.

### **STIPULATIONS**

1. An updated Development Narrative for the Dobbins Industrial and Tech Park PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped July 13, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: July 13, 2021; City Council adopted: [Add adoption date].
  - b. Page 4, List of Uses, Not Permitted: Replace existing verbiage with the following:

For the purposes of this PUD a distribution facility is defined as a business that receives packages, sorts, and delivers them without product storage. Distribution as an accessory use is permitted when it occurs from a manufacturing facility or a warehouse where a product is made, assembled or packaged.

Distribution facilities as a primary use shall not be permitted within 500 feet of the property line along Dobbins Road.

THERE SHALL BE NO DISTRIBUTION FACILITIES AS DEFINED BY THIS PUD WITHIN 500 FEET OF 67TH AVENUE, BETWEEN DOBBINS ROAD AND MCCLELLAN RANCH ROAD.

For the remainder of the Phase 1 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities as a primary use are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 1 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase I area may be utilized for distribution facility as a primary use.

For the remainder of the Phase 2 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 2 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase 2 area may be utilized for distribution facility as a primary use.
- After 6 years from the first building's certificate of completion, the balance of the Phase 2 building area may be utilized for distribution facility as a primary use.

C. PAGE 5, BUILDING SETBACK: ADD A NOTE THAT READS AS FOLLOWS: "THE 67TH AVENUE PERIMETER LANDSCAPE AND RESIDENTIAL BUILDING SETBACKS NORTH OF DOBBINS ROAD SHALL BE MEASURED FROM THE 67TH AVENUE ALIGNMENT FOR THE LENGTH OF THE PROPERTY."

D. e. Page 11, Site Design/Development: Please include the following as an additional bullet point: "Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department."

2. The developer shall dedicate and construct the following along Dobbins Road:
  - a. Fifty-five feet of right-of-way for the south side, west of 67th Avenue, per Cross Section C Standards.
  - b. Fifty-five feet of right-of-way for the north and south half between 67th Avenue and the south eastern development boundary (65th Avenue alignment), per Cross Section C Standards. Development shall be responsible for any dedication and improvements for intersection designs.
  - c. Right-of-way dedication and construction to be consistent with the approved Traffic Impact Study and Master Street Plan for the north side of Dobbins Road between 65th Avenue alignment and 63rd Avenue.
3. The developer shall dedicate right-of-way and construct the east half of 67th Avenue for the full limits of the project, in accordance with the approved Traffic Impact Study and associated Master Street Plan.
4. The developer shall dedicate right-of-way and construct 63rd Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan. Development will be responsible for associated General Plan Amendment to the Street Classification Map.
5. The developer shall dedicate right-of-way and construct Olney Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan.
6. The developer shall submit Master Street Plan, Phasing Plan and Trails Plan as required by the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, as approved by the Street Transportation Department and Planning and Development Department.
7. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. The TIS shall include signal warrant analysis of abutting and nearby intersection effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved TIS.

8. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified within the traffic study and approved Master Street Plan.
9. Existing irrigation facilities along any existing and or proposed right-of-way are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
10. Connection of trails shall be made to collector streets through clearly defined bicycle and pedestrian routes. Local street connections alone are insufficient to provide this connectivity. This connectivity shall be addressed through the Trails Master Plan.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
12. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
13. THE DEVELOPER SHALL PROVIDE PULTE HOMES WITH A COPY OF ITS SITE PLAN, CONCURRENT WITH A PRELIMINARY SITE PLAN APPLICATION TO BE FILED WITH THE CITY OF PHOENIX, FOR ANY BUILDING WITHIN 500 FEET OF THE 67TH AVENUE ALIGNMENT FOR THE LENGTH OF THE PROPERTY.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

None.

## Attachment F



### City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

## **ADDENDUM A** **Staff Report: Z-1-21-7** September 2, 2021

<b><u>Laveen</u> Village Planning Committee Meeting Date</b>	August 9, 2021
<b><u>Planning Commission</u> Hearing Date</b>	September 2, 2021
<b>Request From:</b>	<u>S-1</u> (Approved <u>R1-8 PCD</u> ) (229.68 acres), <u>S-1</u> (Approved <u>R-2 PCD</u> ) (15.51 acres), and <u>S-1</u> (Approved <u>C-1 PCD</u> ) (4.99 acres)
<b>Request To:</b>	<u>PUD</u> (250.18 acres)
<b>Proposed Use</b>	PUD to allow industrial and technology business park that will allow warehouse and office uses
<b>Location</b>	Southwest corner of 63rd Avenue and the South Mountain Avenue alignment
<b>Owner</b>	Williams Family Living 1996 Trust
<b>Applicant/Representative</b>	Adam Baugh, Withey Morris, PLC
<b>Staff Recommendation</b>	Approval, subject to stipulations

The purpose of this addendum is to revise the staff recommended stipulations to account for the archaeological sensitivity of the subject site. At the time the staff report was written, the incorrect stipulations for an archaeologically sensitive site were included in the staff report. Staff was notified of the error by the City Archaeologist, and this addendum serves to replace the existing stipulation with three stipulations that address archaeologically sensitive sites.

On August 9, 2021, the Laveen Village Planning Committee heard this request and approved it per the staff recommendation with additional stipulations and a modification to Stipulation No. 1c by a vote of 11-0. The below stipulations include the additional stipulations recommended by the Laveen Village Planning Committee, in addition to the revised archaeology stipulations and staff's modifications listed above. Staff has also worked with the applicant and a representative of Pulte Homes to clarify Stipulation Nos. 1.d. and 15. Additionally, staff is recommending minor modifications to Stipulation Nos. 4 and 8 for clarity and enforceability.

Staff recommends approval subject to the following revised stipulations:

1. An updated Development Narrative for the Dobbins Industrial and Tech Park PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped July 13, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: July 13, 2021; City Council adopted: [Add adoption date].
  - b. Page 4, List of Uses, Not Permitted: Replace existing verbiage with the following:

For the purposes of this PUD a distribution facility is defined as a business that receives packages, sorts, and delivers them without product storage. Distribution as an accessory use is permitted when it occurs from a manufacturing facility or a warehouse where a product is made, assembled or packaged.

Distribution facilities as a primary use shall not be permitted within 500 feet of the property line along Dobbins Road.

**THERE SHALL BE NO DISTRIBUTION FACILITIES AS DEFINED BY THIS PUD WITHIN 500 FEET OF 67TH AVENUE, BETWEEN DOBBINS ROAD AND MCCLELLAN RANCH ROAD.**

For the remainder of the Phase 1 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities as a primary use are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 1 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase I area may be utilized for distribution facility as a primary use.

For the remainder of the Phase 2 area, as depicted in Exhibit 7 – Phasing Plan, distribution facilities are permitted as follows:

- No distribution facilities as a primary use are permitted for a time period of 3 years from the certificate of completion of the first building completed within the Phase 2 area.
- After 3 years from the first building's certificate of completion, a maximum of 50% of the total building area for the Phase 2 area may be utilized for distribution facility as a primary use.
- After 6 years from the first building's certificate of completion, the balance of the Phase 2 building area may be utilized for distribution facility as a primary use.

- C. PAGE 5, BUILDING SETBACK, OVERALL PERIMETER & INTERIOR, ADJACENT TO RESIDENTIAL: ADD A NOTE UNDER THE FIRST BULLET THAT READS AS FOLLOWS: "IN THE EVENT THAT A PERIMETER PROPERTY LINE IS NOT ADJACENT TO A STREET, THE PERIMETER BUILDING SETBACKS SHALL BE MEASURED STARTING AT 30 FEET FROM THE PROPERTY LINE."
  - D. PAGE 7, MINIMUM LANDSCAPE SETBACKS, B) OVERALL PERIMETER & INTERIOR, ADJACENT TO RESIDENTIAL: ADD A NOTE UNDER THE FIRST BULLET THAT READS AS FOLLOWS: "IN THE EVENT THAT A PERIMETER PROPERTY LINE IS NOT ADJACENT TO A STREET, THE PERIMETER LANDSCAPE SETBACKS SHALL BE MEASURED STARTING AT 30 FEET FROM THE PROPERTY LINE."
  - E. e. Page 11, Site Design/Development: Please include the following as an additional bullet point: "Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department."
- 2. The developer shall dedicate and construct the following along Dobbins Road:
    - a. Fifty-five feet of right-of-way for the south side, west of 67th Avenue, per Cross Section C Standards.
    - b. Fifty-five feet of right-of-way for the north and south half between 67th Avenue and the south eastern development boundary (65th Avenue alignment), per Cross Section C Standards. Development shall be responsible for any dedication and improvements for intersection designs.
    - c. Right-of-way dedication and construction to be consistent with the approved Traffic Impact Study and Master Street Plan for the north side of Dobbins Road between 65th Avenue alignment and 63rd Avenue.
  - 3. The developer shall dedicate right-of-way and construct the east half of 67th Avenue for the full limits of the project, in accordance with the approved Traffic Impact Study and associated Master Street Plan.
  - 4. The developer shall dedicate right-of-way and construct 63rd Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan.  
~~Development~~ THE DEVELOPER will be responsible for associated General Plan Amendment to the Street Classification Map, AS DETERMINED BY THE APPROVED TRAFFIC IMPACT STUDY.
  - 5. The developer shall dedicate right-of-way and construct Olney Avenue in accordance with the approved Traffic Impact Study and associated Master Street Plan.



6. The developer shall submit Master Street Plan, Phasing Plan and Trails Plan as required by the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, as approved by the Street Transportation Department and Planning and Development Department.
7. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. The TIS shall include signal warrant analysis of abutting and nearby intersection effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved TIS.
8. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified within the traffic IMPACT study and approved Master Street Plan.
9. Existing irrigation facilities along any existing and or proposed right-of-way are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
10. Connection of trails shall be made to collector streets through clearly defined bicycle and pedestrian routes. Local street connections alone are insufficient to provide this connectivity. This connectivity shall be addressed through the Trails Master Plan.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
12. ~~In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.~~

IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.

13. IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
14. 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.
15. PRIOR TO THE SUBMITTAL OF PRELIMINARY SITE PLAN APPLICATIONS TO THE PLANNING AND DEVELOPMENT DEPARTMENT, THE DEVELOPER SHALL PROVIDE PULTE HOMES WITH A COPY OF ITS SITE PLAN FOR ANY BUILDING WITHIN 500 FEET OF THE 67TH AVENUE ALIGNMENT, FOR THE LENGTH OF THE PROPERTY.

## Attachment G

### REPORT OF PLANNING COMMISSION ACTION September 2, 2021

ITEM NO: 8	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-1-21-7 (Companion Case GPA-LV-1-21-7) (Dobbins Industrial and Tech Park PUD)
Location:	Southwest corner of 63rd Avenue and the South Mountain Avenue alignment
From:	S-1 (Approved R1-8 PCD), S-1 (Approved R-2 PCD), and S-1 (Approved C-1 PCD)
To:	PUD
Acreage:	250.18
Proposal:	Planned Unit Development to allow industrial and technology business park that will allow warehouse and office uses
Applicant:	Adam Baugh, Withey Morris, PLC
Owner:	Williams Family Living 1996 Trust
Representative:	Adam Baugh, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Laveen** 3/15/2021 Information Only.

**Laveen** 6/14/2021 Information Only.

**Laveen** 8/9/2021 Approval, per the staff recommendation with additional stipulations.

Vote: 11-0.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-1-21-7, per the Addendum A Staff Report, with the additional stipulation as read into the record.

Maker: Howard  
Second: Perez  
Vote: 9-0  
Absent: None  
Opposition Present: No

#### **Findings:**

1. The PUD provides a framework for the development of the site and positions the area for future investment. It will also help further the goal of the city's Community and Economic Development Department of creating a high technology employment corridor

along the Loop 202 freeway.

2. The PUD will help establish the site as a destination for employment uses that maximize the site's proximity to existing transportation infrastructure.
3. The PUD contains standards that ensure development on the site will be consistent with the area's character and compatible with surrounding uses. Additionally, it sets forth design standards for the Dobbins Road frontage that pays homage to Laveen's agricultural heritage.

Stipulations:

1. An updated Development Narrative for the Dobbins Industrial and Tech Park PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped July 13, 2021, as modified by the following stipulations:
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13. IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
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- 15 ~~43~~. PRIOR TO THE SUBMITTAL OF PRELIMINARY SITE PLAN APPLICATIONS TO THE PLANNING AND DEVELOPMENT DEPARTMENT, THE DEVELOPER SHALL PROVIDE PULTE HOMES WITH A COPY OF ITS SITE PLAN FOR ANY BUILDING WITHIN 500 FEET OF THE 67TH AVENUE ALIGNMENT, FOR THE LENGTH OF THE PROPERTY.
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.**

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.



## Attachment H

**Racelle Escolar**

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**From:** KIM Domovich <rwvblkwatch@gmail.com>  
**Sent:** Sunday, August 29, 2021 4:12 PM  
**To:** PDD Planning Commission  
**Subject:** agenda items 5,6,7,8 and 11

For your consideration,

We are opposed to the increased residential changes in items on the agenda, 5,6,7,8 and 11, requesting zoning changes. In the Laveen and Estrella village areas we do not have the infrastructure to support the existing residents. The incredible amount of people that would be expected to support the many units planned by developers would completely stagger our schools, streets, emergency and safety officers, etc. We beg some consideration and no approvals be made until a plan to support the influx of people is studied and made operational.

Thank you,  
Kim and Michael Domovich  
Laveen, 85339



Report

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**Agenda Date:** 10/6/2021, **Item No.** 125

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**Consideration of Prevailing Wage Ordinance**

On Sept. 30, 2021, Vice Mayor Carlos Garcia and Council Members Laura Pastor, Betty Guardado and Yassamin Ansari submitted a memo to City Manager Ed Zuercher requesting to "add the attached Prevailing Wage Ordinance to the Formal Council Meeting agenda on Wednesday, October 6, 2021" (**Attachment A**). According to the Rules of Council Proceedings, Rule 2(c), the City Manager will place this item on the Oct. 6, 2021 Formal agenda.

This item permits the City Council to discuss this proposal submitted by four Council Members. The attached proposed resolution/ordinance can be used for purposes of discussion of a City prevailing wage ordinance applicable to construction workers on City projects and the provisions to be included in such an ordinance. The attached proposed resolution/ordinance was not prepared by the City's Law Department and has not been approved as to legal form, so the City Council cannot take action regarding adoption of the attached proposed ordinance at this meeting. However, the City Council can take action at the Oct. 6, 2021 meeting to direct staff to prepare a prevailing wage ordinance consistent with, and as similar as possible to, the attached proposed resolution/ordinance that could be acted on at the next available Council meeting.

**Responsible Department**

This item is submitted by the City Manager's Office.

## Attachment A

30 September 2021

City Manager, Ed Zuercher  
200 W. Washington St., 12<sup>th</sup> Floor  
Phoenix, AZ 85003

### **Re: Add On Item – Prevailing Wage Ordinance**

City Manager Ed Zuercher,

On June 22, 2021 we requested a discussion about prevailing wage after staff research. On September 7<sup>th</sup>, Council had a follow up discussion about prevailing wage in Executive Session. We believe that now is the time for the public to hear directly from their Council on this issue.

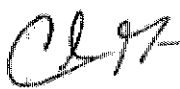
The pandemic has shown us that current wages are not enough for working class families to meet their basic needs. While the federal government continues to discuss the potential for major investment in infrastructure, as leaders of Phoenix we must ensure that the jobs that come to our city and are created by our city are good paying jobs. It is imperative that we, as the elected leaders in our city, do everything we can to improve the working and living conditions of our constituents.

We know that areas with prevailing wages have a greater supply of apprentices and training programs in the construction industry and will create equitable access for women and people of color into good paying, career-path jobs. This will also ensure that businesses and developers have access to the skilled labor necessary to build new projects efficiently and effectively.

Not only will the prevailing wage improve outcomes for individual workers and their families, but it will also stimulate local tax revenue and economic development by supporting high quality, middle-class jobs in the construction industry. Raising the standards for skilled construction workers working on city projects will lift up the standards for all construction workers. This will allow our city to thrive.

It is for those reasons we are requesting the City of Phoenix add the attached Prevailing Wage Ordinance to the Formal Council Meeting agenda on Wednesday, October 6, 2021.

Sincerely,



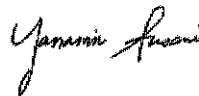
**Vice Mayor Carlos Garcia**  
Phoenix City Council – District 8



**Councilwoman Laura Pastor**  
Phoenix City Council – District 4



**Councilwoman Betty Guardado**  
Phoenix City Council – District 5



**Councilwoman Yassamin Ansari**  
Phoenix City Council – District 7

## RESOLUTION

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PHOENIX, ARIZONA, ENACTING THE FOLLOWING PREVAILING WAGE ORDINANCE TO BE CODIFIED AS ARTICLE XIV OF CHAPTER 43 OF THE PHOENIX CITY CODE

#### Chapter 43 - Article XIV. Prevailing Wage Ordinance

##### **Sec. 43-51. Purpose.**

The purpose of this Article is to regulate the minimum wages and benefits paid to construction workers within the City's geographic boundaries on projects either directly funded or otherwise benefit from direct action by the City for the exclusive benefit of the project. In no circumstances may the wage or benefits paid to such workers be lower than that provided under state or federal law.

##### **Sec. 43-52. Definitions.**

In this Article, unless the context otherwise requires:

*Covered Employee* means every worker, mechanic or other laborer employed by any contractor or subcontractor in the work of drayage or of construction, alteration, improvement, repair, maintenance, or demolition on any city-owned or leased building, on any city-owned land, or on any project that is the recipient of a subsidy pursuant to a contract in excess of \$2000.

*Employ* shall mean to permit a person to work for wages.

*Prevailing wages* shall mean, for each class of work covered by this section, but not covered by the Davis-Bacon Act, the rate of pay and the overtime and other benefits granted to such full-time workers in the local area.

*Subsidy* means either of the following:

- a. The City's contribution of land, money or other direct financial assistance to a project including instances in which the project is financed in whole or in part by the city, or any agency of the city; or
- b. The City's reduction, permanent suspension or exemption of any fee or tax applicable to a single project or multiple projects.

*Willfully* means representations that are known to be false or representations made with deliberate ignorance or reckless disregard for their truth or falsity.

## **Sec. 43-53. Payment of Prevailing Wages.**

### **A. *Minimum Wages and Benefits.***

1. Every Covered Employee employed by any contractor or subcontractor, pursuant to a contract in excess of \$2000, by or on behalf of the City, shall be paid not less than the wages and fringe benefits prevailing for the same class and kind of work in the local area as determined by Procurement Division, which shall refer to the federal Davis-Bacon Act (40 U.S.C. § 276a to 276a-5) for guidance.

Furthermore, every Covered Employee shall not be terminated from employment without cause, that is for failure to meet minimum work requirements or for unsatisfactory work conduct.

2. Every Employer of a Covered Employee shall support the employee benefit of apprenticeship participation as follows:

a. contribute an amount to an apprenticeship program approved by the U.S. Department of Labor equivalent to that provided in the collective bargaining agreement of the labor organization that's collectively bargained for rate prevailed, should the prevailing wage for a particular class of work as determined by the U.S. Department of Labor, or equivalent, be a collectively bargained for wage; and

b. shall employ apprentices from a U.S. Department of Labor approved apprenticeship program for not less than fifteen percent of the labor hours performed on the contract.

3. No contractor or subcontractor shall misclassify any worker as an independent contractor unless the subject work relationship satisfies the Fair Labor Standards Act requirements for the definition of independent contractor.

### **B. *Posting.***

Employers of Covered Employees shall post notices in the workplace in at least two public locations, including the main entrance to job, in such format specified by the Procurement Division, notifying employees of their rights, including wage

rate, under this article. Employers shall provide their business name, address, and telephone number in writing to Covered Employees upon hire.

### **C. Payrolls.**

Employers shall maintain certified payroll records, which shall be in substantially the same form as Wage and Hour Form 347, for a period of four years. Failure to do so shall raise a rebuttable presumption that the employer did not pay the required minimum wage rate and benefits.

## **Sec. 43-54. Determination of Prevailing Wages.**

### **A. *Declaration of Interest***

The city council hereby declares that it is in the best interests of the City to have a uniform determination of the prevailing wages to be paid to the various classes of laborers, mechanics, and workers which will be required in the performance of work covered by this Article.

### **B. *Procedure***

1. The city council hereby finds and concludes that the federal government, in implementing the Davis-Bacon Act (40 U.S.C. § 276a to 276a-5), possesses and exercises a superior capability with superior resources to ascertain the basic rate of pay, overtime, and other benefits which accurately represent the current prevailing rate of wages for work covered by that federal law. The Procurement Division shall determine that the prevailing wages applicable to the various classes of laborers, mechanic, and workers covered by this section and the Davis-Bacon Act correspond to the prevailing wage determinations made pursuant to that federal law as the same may be amended. The Procurement Division shall keep and maintain copies of prevailing wage determinations made pursuant to the Davis-Bacon Act (40 U.S.C. § 276a to 276a-5) and any amendments to that federal law. The Procurement Division shall also keep and maintain such other information as shall come to its attention concerning wages paid in the local area. The provisions of this section shall supersede any differing provisions of that federal law, except when that federal law is applicable independent of this section.

2. The Procurement Division shall determine, after hearing, the prevailing wages for the various classes of laborers, mechanics, and workers which will be required in the performance of work covered by this Article but not be covered by the Davis-Bacon Act, which determinations shall be made at least annually, and as frequently as may be considered necessary by the Procurement Division in order that the determination which is currently in effect will accurately represent the current prevailing rates of wages.

3. Prior to making such a determination, the Procurement Division shall give reasonable public notice of the time and place of the hearing concerning such proposed determination and shall afford to all interested parties the right to appear before it and to present evidence. The Procurement Division shall determine the rates using the same method as used for those classes which are covered by the Davis-Bacon Act. Should this method cause a reduction in compensation of any class of workers, the Procurement Division will review the appropriateness of using this methodology and may recommend to city council a different method for establishing prevailing wage rates.

4. If there is insufficient data available in the local area to determine the rate of pay and the overtime and other benefits, or should comparable classes of work not be performed within the local area for each class of work covered by this section and not covered by the Davis-Bacon Act, the Procurement Division shall refer to the Service Contract Labor Act of 1965, as amended (41 U.S.C. § 351 et seq.) to determine the rate of pay and the overtime and other benefits.

5. The Procurement Division shall issue clarifications or interpretations of the prevailing wage, and shall provide the controller any issued clarification or interpretation. If the controller does not advise the Procurement Division in writing that it disagrees with any issued clarification or interpretation within 30 days, the clarification/interpretation will be final. If the controller advises the Procurement Division in writing that it disagrees with the clarification or interpretation, then the controller and official responsible for the Procurement Division must meet to resolve the conflict issue a final agreed upon clarification or interpretation, or may withdraw the clarification or interpretation, as appropriate.

**Sec. 43-55. Compliance; corrective action; consequences for noncompliance.**

**A. *Monitoring***

1. Employers of Covered Employees shall provide certified payrolls to the Procurement Division on a biweekly schedule. Such records, with the exception of personal identifying information shall be a public record.

2. All contractors shall weekly report to the Procurement Division all individuals providing labor to the contractors as independent contractors.

3. If the contractor fails to comply with the requirements of this Article and associated contractual requirements, or with the Fair Labor Standards Act requirements of use of independent contractors, the Procurement Division shall address such noncompliance as follows:

a. For the first failure to comply with the requirements of this Article and associated contractual requirements—The contractor shall pay unpaid or underpaid covered employees an amount equal to three times the unpaid wages.

b. For the second failure to comply with the requirements of this Article and associated contractual requirements—The contractor will pay wages in an amount described above and be debarred from responding to solicitations for all City contracts for three years in accordance with Section 43-56.

c. For the third failure to comply with the requirements of this division and associated contractual requirements—The contractor will pay wages in an amount described above and be debarred from responding to solicitations for all City contracts for ten years in accordance with Section 43-56.

**B. *Authority of the Procurement Division***

The Procurement Division is authorized to monitor construction project contracts and contractors for compliance with the requirements of this Article throughout the duration of the construction project. The Procurement Division is authorized to prepare administrative policies and procedures to implement, monitor, and enforce the requirements of this Article.



**C. *Compliance with federal and state regulations.***

The provisions of this Article shall be construed according to and in conformity with state, federal, and local laws concerning the solicitation and awarding of contracts. Where a construction project involves the expenditure of state or federal funds, the Procurement Division shall comply with such state or federal law and authorized regulations which are mandatorily applicable, including those which dictate that the provisions of this division may not be required on a particular project.

**Sec. 43-56. Mandatory Contract Provisions; Enforcement.**

**A. *Provisions***

1. Every contract covered by this section must contain a provision requiring the contractor and every subcontractor under such contract to pay every Covered Employee employed under such contract not less than the scale of wages as provided for under this Article.

2. Every contract must further require the contractor and subcontractors to pay all construction workers, mechanics, and other laborers at least once a week the full amounts of wages accrued at the time of payment, computed at wage rates not less than those stated in the specifications.

3. Every contract must further provide that the contractor shall comply with the posting requirements of this Article.

4. Every contract must further provide that certified payrolls required by the Article are public records, but for personal identifying information contained therein.

**B. *Enforcement***

1. The contractor must further provide that if the contractor or any subcontractor shall fail to pay such wages as are required by the contract, the contracting department shall not approve a warrant or demand for payment to the contractor until the contractor furnishes the controller evidence satisfactory to the controller that such wages so required by the contract have been paid. Nothing herein shall preclude the contracting department from approving a partial warrant or demand for payment to the contractor to the extent the

controller has been furnished evidence satisfactory to the controller that one or more subcontractors has paid such wages required by the contract, even if the contractor has not furnished evidence that all of the subcontractors have paid wages as required by the contract. Any contractor or subcontractor may utilize the following procedure in order to satisfy the requirements of this Article.

2. In the event that the contractor takes an adverse employment action against a covered employee within 90 days of making any report to the contractor or to any government official of a violation of this Article or any law applicable to contractors operating within the geographic boundaries of the City, shall be liable for triple the amount of wages lost by the covered employee unless the contractor can show by clear and convincing evidence that the action was not taken in retaliation for actions described in this paragraph.



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Agenda Date: 10/6/2021, Item No. \*126

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**\*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Purchase Supply of Water/Wastewater Disinfectant - Amendment 2 (Ordinance S-48014)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 144726 with DPC Enterprises, Inc. to provide additional time and funding. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for goods included in this amendment will not exceed \$4,954,572.

**Summary**

The purpose of this amendment is to continue to provide the Water Services Department's Water Production and Wastewater Treatment plants with a supply of water/wastewater disinfectant. The market is experiencing supply chain disruptions as a result of the current economic environment and COVID-19 pandemic, which has resulted in extended lead times, high or frequent manufacturer price increases, inflated freight costs, and supply and demand issues. In June 2021, a competitive process was conducted and canceled due to bid price increases that were significantly higher than the previous contract price. As a result, the Water Services Department has determined that a competitive solicitation process will not result in a best price or best value award for the City at this time. Extending the current agreement and adding funds for immediate and future use, will ensure the Water Services Department continues to provide safe and reliable water services to our customers without any disruptions in service.

**Contract Term**

The agreement's term will be extended by two years to March 31, 2024.

**Financial Impact**

The initial authorization for the Water/Wastewater Disinfectant agreement was authorized for an expenditure not-to-exceed \$4.3 million. Amendment 1 increased the authorization for the agreement by \$553,000. This amendment will increase the authorization for agreement's cost by an additional \$4,954,572 for a new total not-to-exceed agreement value \$9,807,572.

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

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**Concurrence/Previous Council Action**

The City Council approved:

- Water/Wastewater Disinfectant Agreement 144726 (Ordinance S-43355) on March 22, 2017; and
- Water/Wastewater Disinfectant Agreement 144726 - Amendment (Ordinance S-47419) on April 7, 2021.

**Responsible Department**

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



## City of Phoenix

**To:** Karen Peters  
Deputy City Manager

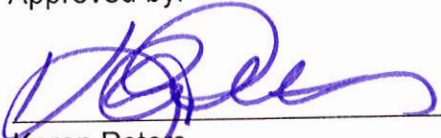
**Date:** Oct. 4, 2021

**From:** Troy Hayes   
Water Services Director

**Subject:** REQUEST TO ADD-ON ITEM FOR THE OCT. 6, 2021 FORMAL COUNCIL MEETING TO PURCHASE SUPPLY OF WATER/WASTEWATER DISINFECTANT – AMENDMENT 2.

The purpose of this memo is to request approval of an add-on item for the Oct. 6, 2021 Formal Agenda to continue to provide the Water Services Department's Water Production and Wastewater Treatment plants with a supply of water/wastewater disinfectant to ensure the plants can continue to provide safe and reliable water services to customers without any disruptions in service.

Approved by:



Karen Peters  
Deputy City Manager

10/4/21  
Date



Report

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Agenda Date: 10/6/2021, Item No. \*127

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**\*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Consideration of Reviewing Current Regulations on Parks**

On Oct. 4, 2021, Council members Ann O'Brien, Jim Waring and Sal DiCiccio submitted a memo to City Manager Ed Zuercher requesting to "add for discussion and possible action regarding our current regulations surrounding parks and CDC guidelines to the Oct 6th, City Council Formal Meeting agenda" (**Attachment A**). According to the Rules of Council Proceedings, Rule 2(c), the City Manager will place this item on the Oct. 6, 2021 Formal agenda.

As reference, attached is the emergency declaration under which the City has been operating since March 16, 2021 (**Attachment B**).

**Responsible Department**

This item is submitted by the City Manager's Office.

## Attachment A

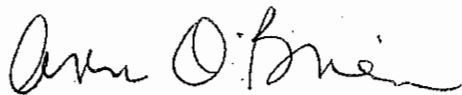
4 October 2021

City Manager, Ed Zuercher  
200 W. Washington St. 12<sup>th</sup> Floor  
Phoenix, AZ 85003

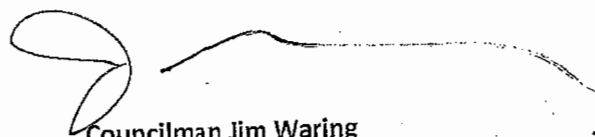
**Re: Add On Item – Reviewing Current Regulations on Parks**

City Manager Ed Zuercher,

We are requesting the City of Phoenix add for discussion and possible action regarding our current regulations surrounding parks and CDC Guidelines to the Oct 6<sup>th</sup>, City Council Formal Meeting agenda.



**Councilwoman Ann O'Brien**  
Phoenix City Council – District 1



**Councilman Jim Waring**  
Phoenix City Council – District 2



**Councilman Sal DiCiccio**  
Phoenix City Council – District 6

252149



City of Phoenix

**DECLARATION BY THE CITY COUNCIL OF THE CITY OF  
PHOENIX REGARDING REOPENING CERTAIN FACILITIES  
AND CLOSURE AND RESTRICTIONS AT CITY OF PHOENIX  
PARKS**

**WHEREAS**, on March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, determined that the COVID-19 outbreak presents conditions in Arizona that justified his declaration of a State of Emergency; and

**WHEREAS**, on the March 19, 2020, the Governor issued an Executive Order implementing emergency measures across the state to address the emergency; and

**WHEREAS**, on March 20, 2020, the City Council declared a local emergency; and

**WHEREAS**, on the March 23, 2020, the Governor issued Executive Order 2020-12 declaring parks and outdoor recreational facilities to be essential government functions that could remain open and were not subject to the stay at home orders; and

**WHEREAS**, on March 30, 2020, the Governor issued Executive Order 2020-18 which allowed local jurisdictions to place restrictions and temporary closures on essential functions including outdoor recreational facilities to protect from the spread of COVID-19; and

**WHEREAS**, on April 2, 2020, the Phoenix City Council enacted a Declaration Regarding Partial Closure and Restrictions of City of Phoenix Parks to provide measures of protection for public health and safety; and

**WHEREAS**, at the time of that Declaration, the number of COVID-19 cases was increasing in the City of Phoenix; and

**WHEREAS**, on September 2, 2020, the City Council declared that outdoor athletic fields would be opened for programming, together with the



restroom facilities associated with those fields, because the number of COVID-19 cases had decreased; and

**WHEREAS**, on October 8, 2020, the City Council rescinded its April closure of ramadas and picnic tables, playgrounds, fitness equipment, basketball and volleyball courts, and sports complexes, at which time all restrooms were also opened; and

**WHEREAS**, on December 2, 2020, the City Council canceled all field allocations and reservations and closed all ramadas and picnic tables, fitness equipment, basketball and volleyball courts, and sports complexes because, as of November 19, 2020, the Arizona Department of Health Services COVID-19 benchmark rates in the City of Phoenix were in the Substantial Risk category; and

**WHEREAS**, there is now a downward trend in the COVID-19 benchmarks; and

**WHEREAS**, thousands of visitors historically gather at City parks on Easter weekend and closing the parking at City parks on Easter weekend in 2020 discouraged gatherings of large groups;

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

**SECTION 1.** That the following are reopened immediately: sports complexes; ramadas and picnic tables; basketball and volleyball courts; and outdoor fitness equipment. Reservations for athletic fields are reopened immediately for practices, games and local tournaments scheduled to be held beginning March 22, 2021. Twelve seasonal pools and all splash pads will reopen May 29, 2021.


**SECTION 2.** That the City Manager and Parks Director shall have the authority to continue to apply restrictions to access to parks, golf courses and recreation areas as needed to clean and sanitize, or to limit access in order to maintain appropriate social-distancing space of at least six feet between occupants, and other restrictions to the extent required by the local emergency.

**SECTION 3.** That the Parks and Recreation Department shall implement a plan that allows all parks to remain open but the parking lots, except spaces designated for accessible parking, will be closed on Easter weekend, 2021.


**PASSED** by the Council of the City of Phoenix this 16th day of March 2021.

  
\_\_\_\_\_  
Mayor of the City of Phoenix

ATTEST:


  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney



REVIEWED BY:

  
\_\_\_\_\_  
City Manager

2244943