



Agenda

City Council Formal Meeting

Wednesday, March 1, 2023

2:30 PM

phoenix.gov

REVISED Feb. 28, 2023

Item Requested to be Continued: 94; Items Revised: 99-100

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

- **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 2 hours prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak: <https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e4073f43ddb08745dc8c235b4ed78a09>

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

In-Person Requests to speak at a meeting:

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

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

At the time of the meeting:

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

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2555 923 6240# (for English) or 2554 808 8918# (for Spanish). Press # again when prompted for attendee ID.

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

Para nuestros residentes de habla hispana:

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 2 horas antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2554 808 8918#. 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 2554 808 8918#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

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

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

- | | | |
|---|---|---------|
| 1 | Mayor and Council Appointments to Boards and Commissions | Page 11 |
|---|---|---------|

LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS

- | | | |
|----|--|----------------------|
| 2 | Liquor License - 007 Pub | District 1 - Page 15 |
| 3 | Liquor License - Chronic Tacos | District 1 - Page 20 |
| 4 | Liquor License - Special Event - Lump Busters | District 2 - Page 25 |
| 5 | Liquor License - Special Event - St. Gabriel the Archangel Roman Catholic Parish Cave Creek | District 2 - Page 26 |
| 6 | Liquor License - Special Event - St. Gabriel the Archangel Roman Catholic Parish Cave Creek | District 2 - Page 27 |
| 7 | Liquor License - Kona Grill | District 2 - Page 28 |
| 8 | Liquor License - Maskadores Tacos | District 2 - Page 34 |
| 9 | Liquor License - Tocaya Modern Mexican | District 2 - Page 38 |
| 10 | Liquor License - Cactus Tavern | District 3 - Page 43 |
| 11 | Liquor License - J's Drive Thru | District 3 - Page 48 |
| 12 | Liquor License - Stop 143 | District 3 - Page 53 |
| 13 | Liquor License - Special Event - Cancer Support Community Arizona | District 4 - Page 58 |
| 14 | Liquor License - Special Event - Encanto Palmcroft Benefits | District 4 - Page 59 |
| 15 | Liquor License - Special Event - St. Mary's Roman | District 4 - Page 60 |
-

Catholic High School Phoenix

- | | | |
|----|---|-----------------------|
| 16 | Liquor License - Bunkhouse Lounge | District 4 - Page 61 |
| 17 | Liquor License - CC's on Central | District 4 - Page 63 |
| 18 | Liquor License - Special Event - Madison Camelview Parent Teacher Organization, Inc. (PTO) | District 6 - Page 68 |
| 19 | Liquor License - Clarendale Arcadia | District 6 - Page 69 |
| 20 | Liquor License - Gus's World Famous Fried Chicken | District 6 - Page 74 |
| 21 | Liquor License - Tacos Veganos | District 6 - Page 80 |
| 22 | Liquor License - Vero Chicago Pizza Ahwatukee | District 6 - Page 85 |
| 23 | Liquor License - Special Event - St. Patrick's Day Parade and Irish Society of Arizona, Inc. | District 7 - Page 89 |
| 24 | Liquor License - Oak & Steel Fine Wines LLC | District 7 - Page 90 |
| 25 | Liquor License - QuikTrip #1447 | District 7 - Page 92 |
| 26 | Liquor License - Special Event - Jupiter Foundation | District 8 - Page 97 |
| 27 | Liquor License - Special Event - Southwest Kids' Cancer Foundation, Inc. | District 8 - Page 98 |
| 28 | Liquor License - Special Event - Valley Kids Foundation | District 8 - Page 99 |
| 29 | Liquor License - Kare Ethiopian Restaurant LLC | District 8 - Page 100 |
| 30 | Liquor License - Bonitas | District 1 - Page 105 |

PAYMENT ORDINANCE (Ordinance S-49442) (Items 31-41)

Page 110

- | | |
|----|---|
| 31 | American Association of Airport Executives |
| 32 | Ground Control Systems, Inc. |
| 33 | NI Government Services, Inc. |
-

- 34 Thermo Electron North America, LLC
- 35 Police Ordnance Company Inc.
- 36 City of Glendale
- 37 Daktronics Inc.
- 38 White Cap LP
- 39 Rebkee Partners LB LLC
- 40 National Association of City Transportation Officials, Inc.
- 41 Settlement of Claim(s) Olson v. City of Phoenix

ADMINISTRATION

- 42 Acquisition of Real Property for Lift Station 40
(Ordinance S-49457) District 6 - Page 114
 - 43 Acquisition of Real Property for Roadway Improvements
Along 32nd Street from Cheryl Drive to Cholla Street
(Ordinance S-49471) District 3 - Page 115
 - 44 Acceptance and Dedication of Easements and a Deed for
Sidewalk, Public Utility and Roadway Purposes
(Ordinance S-49462) District 3 - Page 117
District 4
District 7
 - 45 Acceptance of an Easement for Water Purposes
(Ordinance S-49463) District 7 - Page 119
 - 46 Authorization to Lease City-owned Property Located at
1945 W. Dunlap Ave. to U.S. Vets (Ordinance S-49469) District 5 - Page 120
 - 47 Professional Services, Hardware, Software, and
Subscriptions Services with Motorola Solutions, Inc.,
Contract - EXC 23-064 - Request for Award (Ordinance
S-49446) Citywide - Page 122
 - 48 Federal Legislative Representation and Consulting
Services - EXC 20-095 - Amendment (Ordinance S-49454) Citywide - Page 124
-

- 49 **Aviation Department Information Technology Staffing Services - Requirements Contract - RFP 19-029 - Amendment (Ordinance S-49444)** Citywide - Page 126
- 50 **Unlimited License Agreement for Police Department's Records Management System (Ordinance S-49455)** Citywide - Page 128
- 51 **Information Technology Asset Management Assessment and Roadmap Consultant Contract - Request for Award (Ordinance S-49476)** Citywide - Page 129
- 52 **Intergovernmental Agreement (License) with the Arizona Department of Environmental Quality - Amendment (Ordinance S-49480)** District 3 - Page 131
- 53 **Authorization to Apply for Local Judicial Collection Enhancement Fund Grant Funding to Replace Aging Hardware (Ordinance S-49474)** Citywide - Page 132

COMMUNITY SERVICES

- 54 **Authorization to Amend Contract with Child Crisis Arizona (Ordinance S-49472)** Citywide - Page 133

ECONOMIC DEVELOPMENT

- 55 **Issuance of Multifamily Housing Revenue Bonds (Foothills Village Apartments Project), Series 2023 (Resolution 22103)** District 7 - Page 134

PUBLIC SAFETY

- 56 **Request to Apply for and Accept Federal Fiscal Year 2022 Assistance to Firefighters Grant Program Funds (Ordinance S-49477)** Citywide - Page 136
- 57 **Portable Multifunction Cardiac Monitor Defibrillators Contract - COOP 23-0086 - Request for Award (Ordinance S-49481)** Citywide - Page 138
- 58 **Donation from Planet Fitness for the Phoenix Fire Department (Ordinance S-49483)** Citywide - Page 140
-

City Council Formal Meeting	Agenda	March 1, 2023
59	Tactical Signal Collection System and Services Contract - RFP 22-114 - Request for Award (Ordinance S-49447)	Citywide - Page 141
60	Request Authorization for Sale of Canine Jax (Ordinance S-49482)	Citywide - Page 143
61	Arizona Department of Emergency and Military Affairs Anti-Human Trafficking Grant (Ordinance S-49484)	Citywide - Page 144
<u>TRANSPORTATION AND INFRASTRUCTURE</u>		
62	Request to Issue Concessions Consulting Services Request for Proposals	District 8 - Page 146
63	Request to Issue RFP for Security Guard Services	District 1 - Page 148 District 8 Out of City
64	Phoenix Sky Harbor International Airport Terminal 4 Fire Pump Upgrade and Service Entrance Section Replacement - Construction Manager at Risk Services - AV21000107 (Ordinance S-49443)	District 8 - Page 150
65	Front Loader/Backhoe Tractors - IFB 23-FSD-029 - Contract Recommendation (Ordinance S-49448)	Citywide - Page 153
66	Transport Gas and Electricity Services - Amendment (Ordinance S-49459)	Citywide - Page 155
67	Air Conditioning Cooler Parts and Equipment - IFB 23-FMD-032 - Requirements Contract (Ordinance S-49460)	Citywide - Page 157
68	Purchase of a Fire Pumper Truck (Ordinance S-49461)	District 7 - Page 159
69	Purchase of Metal Bins - Requirements Contract - IFB 23-SW-036 (Ordinance S-49464)	Citywide - Page 161
70	One-time Purchase of Various Tire Equipment for Police Substations (Ordinance S-49465)	Citywide - Page 163
71	Public Works Interdepartmental Facility Maintenance Study - Contract Recommendation (Ordinance S-49466)	Citywide Page 164

- | | | |
|----|--|--|
| 72 | Original Equipment Manufacturer Parts for Ambulances - Requirements Contract - RFA 23-FSD-047 (Ordinance S-49468) | Citywide - Page 166 |
| 73 | Solid Waste Equipment Washing Services - Requirements Contract - IFB 23-SW-043 (Ordinance S-49473) | Citywide - Page 167 |
| 74 | Lift Station 66 Refurbishment - Engineering Services Amendment - WS90400084 (Ordinance S-49445) | District 2 - Page 169 |
| 75 | Steel Tank Rehabilitation Program - Group N, O, P - Engineering Services - WS85050023 and WS85400007 (Ordinance S-49449) | District 1 - Page 171
District 2
District 3
District 4
District 6
District 8
Out of City |
| 76 | Sub-Regional Operating Group Southern Avenue Interceptor Condition Assessment - Engineering Services - WS90160107 (Ordinance S-49451) | District 7- Page 174
District 8
Out of City |
| 77 | Advance Construct Intergovernmental Agreement with Maricopa Association of Governments and Arizona Department of Transportation for Regional Transportation Funds (Ordinance S-49470) | District 1 - Page 177 |
| 78 | Homeless Services Sprung Structure II Architectural and Engineering Services Amendment - 8980150009 (Ordinance S-49478) | District 7 - Page 179 |
| 79 | Water Main Replacements QS: 10-33 Washington to Van Buren Streets from 20th to 36th Streets - Construction Manager at Risk Construction Services - WS85509026 (Ordinance S-49450) | District 8 - Page 181 |
| 80 | Petroleum Oil Contract - IFB 2223-WPP-57 - Request for Award (Ordinance S-49452) | Citywide - Page 183 |
| 81 | Used Oil and Miscellaneous Removal Services - | Citywide - Page 185 |
-

Amendment (Ordinance S-49453)

- | | | |
|----|--|-----------------------|
| 82 | Lift Station 40 Refurbishment - Engineering Services - WS90400085 (Ordinance S-49456) | District 6 - Page 186 |
| 83 | Authorization to Enter into a Land Use License with Salt River Project for the Lift Station 61 Redundant Force Main Project (Ordinance S-49458) | District 7 - Page 188 |
| 84 | One time Purchase of One Sanitary Sewer Inspection Unit (Ordinance S-49467) | Citywide - Page 189 |
| 85 | Stormwater Retrofit Assessment Contract - RFP 2122-WES-478 - Request for Award (Ordinance S-49475) | Citywide - Page 190 |
| 86 | Technology Approval Group Agreement - RFA 2223-WAD-577 - Request for Award (Ordinance S-49479) | Citywide - Page 192 |

PLANNING AND ZONING MATTERS

- | | | |
|----|---|-----------------------|
| 87 | Final Plat - Norterra Parcel 24 - PLAT 220047 - Southeast Corner of Norterra Parkway and Jomax Road | District 1 - Page 193 |
| 88 | Final Plat - Climatec - PLAT 220057 - North of Greenway Road and West of 29th Avenue | District 1 - Page 194 |
| 89 | Final Plat - Villas at 67th - PLAT 220043 - Northwest Corner of 67th Avenue and Baseline Road | District 7 - Page 195 |
| 90 | Abandonment of Alley - ABND 220030 - 37th Street and Elm Street (Resolution 22101) | District 6 - Page 196 |
| 91 | PCD Major Amendment - Rezoning Application Z-237-K-85-2 - Approximately 350 Feet North and 430 Feet West of the Northwest Corner of Tatum Boulevard and Dynamite Boulevard | District 2 - Page 197 |
| 92 | Amend City Code - Ordinance Adoption - Rezoning Application Z-83-22-3 - Approximately 110 Feet South of the Southwest Corner of 10th Avenue and Royal Palm Road (Ordinance G-7081) | District 3 - Page 203 |
-

- 93 **Amend City Code - Ordinance Adoption - Rezoning
Application Z-79-22-4 - Approximately 200 Feet Northwest
of the Northwest Corner of 12th Street and Turney
Avenue (Ordinance G-7080)** District 4 - Page 209
- *94 **Amend City Code - Ordinance Adoption - Rezoning
Application Z-68-22-6 - Approximately 1,500 Feet South of
the Southeast Corner of 50th Street and Ray Road
(Ordinance G-7082) ***REQUEST TO CONTINUE***** District 6 - Page 215
- 95 **Amend City Code - Ordinance Adoption - Rezoning
Application Z-72-21-7 - Northwest Corner of 67th Avenue
and Lower Buckeye Road (Ordinance G-7084)** District 7 - Page 224
- 96 **Amend City Code - Ordinance Adoption - Rezoning
Application Z-76-22-8 - Southwest Corner of 48th Street
and Loop 202 Freeway (Ordinance G-7083)** District 8 - Page 237
- 97 **Amend City Code - Ordinance Adoption - Rezoning
Application Z-70-22-8 - Approximately 360 Feet West of
the Northwest Corner of 30th Street and Van Buren Street
(Ordinance G-7079)** District 8 - Page 245
- 98 **Public Hearing and Resolution Adoption - General Plan
Amendment GPA-LV-3-21-7 - Northeast Corner of 63rd
Avenue and Dobbins Road (Resolution 22102)** District 7 - Page 252
- *99 **Public Hearing and Ordinance Adoption - Rezoning
Application Z-35-21-7 (The Crossing at Dobbins PUD) -
Northeast Corner of 63rd Avenue and Dobbins Road
(Ordinance G-7085) ***REVISED***** District 7 - Page 273

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

- *100 **Source of Income Discrimination Prohibition (Ordinance
G-7086) ***REVISED***** Citywide - Page 324

000 CITIZEN COMMENTS**ADJOURN**



City of Phoenix

City Council Formal Meeting

Report

Agenda Date: 3/1/2023, Item No. 1

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: March 1, 2023

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Judicial Selection Advisory Board

I recommend the following for appointment:

Chandra Goff

Ms. Goff is a Physician Assistant at SMI Imaging, LLC. She fills a vacancy for a term to expire November 19, 2025.

License Appeals Board

I recommend the following for appointment:

Kevin Dang

Mr. Dang is the Pharmacy Director at Dignity Health. He fills a vacancy for a term to expire March 1, 2027.

Neighborhood Block Watch Fund Oversight Committee

I recommend the following for appointment:

Andrei Cherny

Mr. Cherny is the CEO of Aspiration bank. He fills a vacancy for a term to expire August 31, 2024.

Vision Zero Community Advisory Committee

On Sept. 7, 2022, City Council approved the Road Safety Action Plan - Moving to Vision Zero (RSAP) and the formation of the Vision Zero Community Advisory Committee.

I recommend the following to be appointed:

Thomas Callow

Mr. Callow is a retired traffic engineer and former Street Transportation Director with the City of Phoenix. He will serve as Chair for a term to expire March 1, 2025.

Jay Beeber

Mr. Beeber is a Research Fellow at the National Motorists Association. He will serve a term to expire March 1, 2024.

Jim Farley

Mr. Farley is a Director at Charles Schwab. He will serve a term to expire March 1, 2024.

Thomas Godbee

Mr. Godbee is a retired traffic engineer and former Deputy Street Transportation Director at the City of Phoenix. He will serve a term to expire March 1, 2025.

Edward Hermes

Mr. Hermes is an attorney at Snell and Wilmer and President of the Osborn School District Governing Board. He will serve a term to expire March 1, 2024.

Rosa Menjivar

Ms. Menjivar is a member of Estrella Super Moms. She will serve a term to expire March 1, 2025.

Dan Penton

Mr. Penton is a Laveen Citizens for Responsible Development board member. He will serve a term to expire March 1, 2025.

Michael Scott

Mr. Scott is a Clinical Professor at the Arizona State University School of Criminology and Criminal Justice. He will serve a term to expire March 1, 2025.

Jamie Trufin

Mr. Trufin is the Business Development Coordinator at Downtown Phoenix, Inc. He will serve a term to expire March 1, 2025.

Joe Yuhas

Mr. Yuhas is a Principal at TenTwenty5 Public Affairs. He will serve a term to expire March 1, 2025.

Pablo Zepeda

Mr. Zepeda is a Community Organizer with CHISPA Arizona. He will serve a term to expire March 1, 2024.



Liquor License - 007 Pub

Request for a liquor license. Arizona State License Application 06070666.

Summary

Applicant

Brecca Fielding, Agent

License Type

Series 6 - Bar

Location

4330 W. Union Hills Drive, Ste. B-001

Zoning Classification: C-2

Council District: 1

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

The 60-day limit for processing this application is March 4, 2023.

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 completed both Title 4 Basic and Management Liquor Law Training Courses. We will be implementing a very strict liquor service policy and will follow all rules, regulations and laws."

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 to offer our patrons a safe place to gather socially. We are committed to engaging with our customers to provide the best experience and will ensure age verification from all who enter the establishment."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - 007 Pub
Liquor License Map - 007 Pub

Responsible Department

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

Liquor License Data: 007 PUB

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	38.34	62.95
Violent Crimes	11.03	5.36	10.29

*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

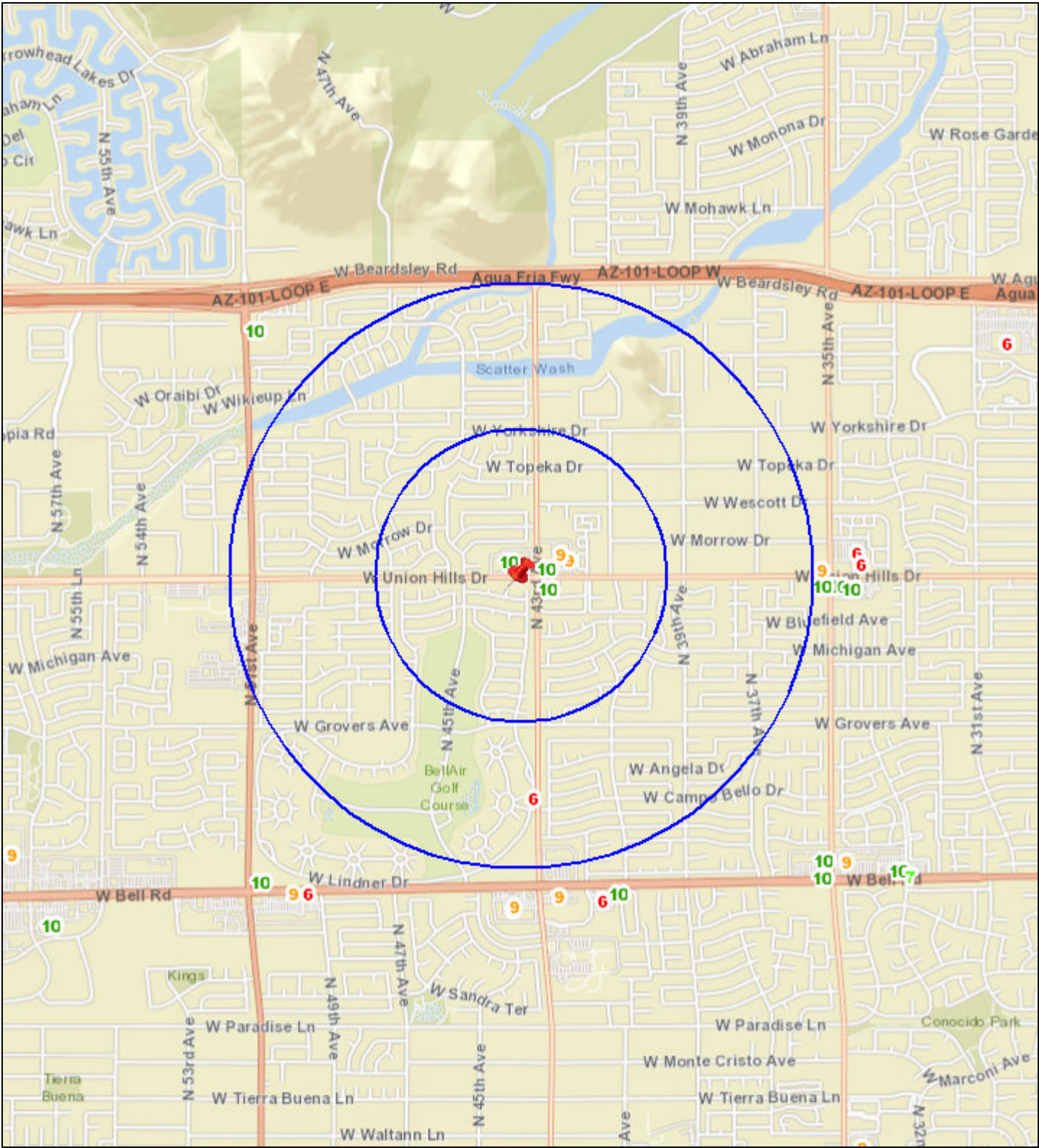
Description	Average	1/2 Mile Average
Parcels w/Violations	51	82
Total Violations	90	140

Census 2010 Data 1/2 Mile Radius

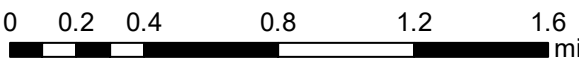
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6161002	1279	89 %	0 %	4 %
6162001	1405	82 %	17 %	3 %
6162002	1726	84 %	10 %	4 %
6163001	2022	85 %	9 %	8 %
6181002	1569	92 %	0 %	6 %
6181003	1271	93 %	6 %	0 %
6182002	2381	41 %	12 %	10 %
Average		61 %	13 %	19 %

Liquor License Map: 007 PUB

4330 W UNION HILLS DR



Date: 1/6/2023





Liquor License - Chronic Tacos

Request for a liquor license. Arizona State License Application 225364.

Summary

Applicant

Vivian Samarripas, Agent

License Type

Series 12 - Restaurant

Location

3121 W. Peoria Ave., Ste. 104

Zoning Classification: C-2

Council District: 1

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

The 60-day limit for processing this application is March 21, 2023.

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 was given the ability to run a franchise and take over an existing franchise by corporate. I have the leadership ability from my military background and will be hands on every step of the way. I have worked in the food and liquor industry before and am well experianced. I am aware and accept the responsibility that comes with serving alcohol and how it impacts the people and community.”

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 has served alcohol in the past and was well recieved by the community and now with my leadership it can be again and with better accountability and trust to reassure the public that this will be handled the appropriate way when it comes to serving alcohol.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Chronic Tacos

Liquor License Map - Chronic Tacos

Responsible Department

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

Liquor License Data: CHRONIC TACOS

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Government	5	1	0
Bar	6	3	2
Beer and Wine Bar	7	1	0
Liquor Store	9	4	0
Beer and Wine Store	10	3	1
Hotel	11	3	1
Restaurant	12	20	11

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	227.99	401.48
Violent Crimes	11.03	34.92	63.37

*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

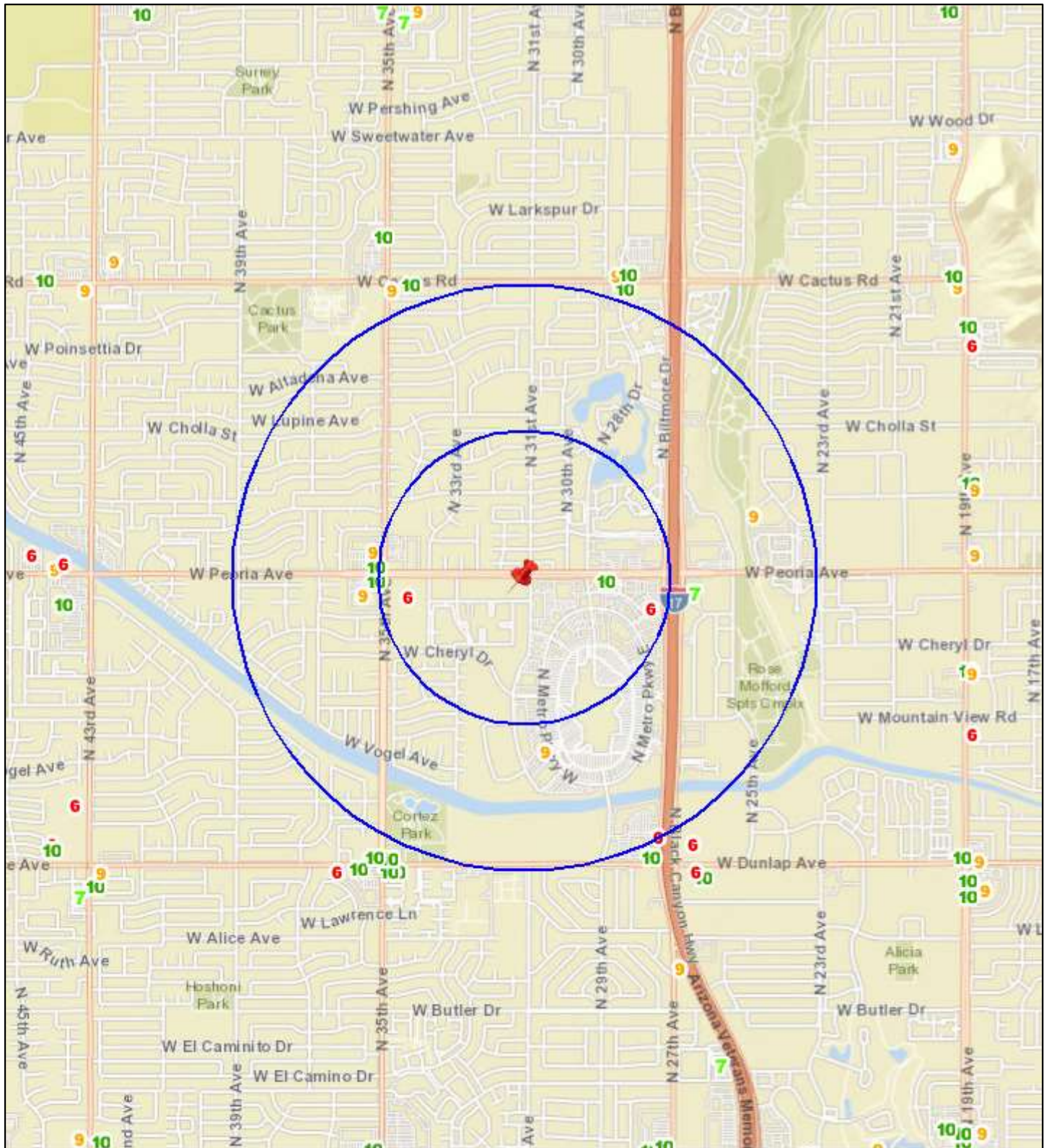
Description	Average	1/2 Mile Average
Parcels w/Violations	51	57
Total Violations	90	98

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042032	1111	71 %	0 %	22 %
1042051	1264	61 %	16 %	7 %
1042052	1406	22 %	16 %	17 %
1042053	1213	89 %	9 %	3 %
1042054	1577	5 %	21 %	30 %
1043012	1726	87 %	14 %	17 %
1043021	1469	9 %	28 %	7 %
1043022	1902	53 %	15 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: CHRONIC TACOS

3121 W PEORIA AVE



Date: 2/21/2023

0 0.2 0.4 0.8 1.2 1.6 mi



Liquor License - Special Event - Lump Busters

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

Summary

Applicant

Terri Gall

Location

2601 E. Rose Garden Lane
Council District: 2

Function

BBQ Dinner Fundraiser

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

April 22, 2023 - 6 p.m. to 10:30 p.m. / 180 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - St. Gabriel the Archangel Roman Catholic Parish Cave Creek

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

Summary

Applicant

Larry Hansen

Location

32648 N. Cave Creek Road

Council District: 2

Function

Dinner and Dance

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

March 18, 2023 - 5:30 p.m. to 10 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Report

Agenda Date: 3/1/2023, Item No. 6

Liquor License - Special Event - St. Gabriel the Archangel Roman Catholic Parish Cave Creek

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

Summary

Applicant

Keli McCann

Location

32648 N. Cave Creek Road

Council District: 2

Function

Dinner Event

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

April 1, 2023 - 5:30 p.m. to 10:30 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Kona Grill

Request for a liquor license. Arizona State License Application 223122.

Summary

Applicant

John Curtis II, Agent

License Type

Series 12 - Restaurant

Location

21001 N. Tatum Blvd., Ste. 4

Zoning Classification: C-2 DRSP

Council District: 2

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 May 2023.

The 60-day limit for processing this application is March 4, 2023.

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.

Kona Grill (Series 12)
2224 E. Williams Field Road, #101, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Kona Grill (Series 12)
7014 E. Camelback Road, #559, 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:
"Kona Grill is a full-service national restaurant chain with venues throughout the United States, included two existing restaurants in Scottsdale and Gilbert, Arizona. No liquor license violations have occurred at these other Arizona facilities. The safety and welfare of its patrons, employees and the general public is of paramount importance. Kona Grill will maintain staff trained in Arizona liquor laws. Kona Grill's vast experience and long track record operating restaurants with liquor service in compliance with state law establishes that it has the capability, reliability, and qualifications to successfully and safely serve alcoholic beverages at its newest location in North Phoenix."

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

"Kona Grill is a well-known and successful proprietor of full-service family-friendly restaurants. Kona Grill fulfills the growing need for a variety of dining options in North Phoenix. Thus, the public convenience requires and the best interests of the community will be served by the issuance of a Series 12 restaurant liquor license to Kona Grill."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Kona Grill

Liquor License Map - Kona Grill

Responsible Department

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

Liquor License Data: KONA GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	11	8
Beer and Wine Bar	7	4	3
Liquor Store	9	3	3
Beer and Wine Store	10	5	4
Hotel	11	1	0
Restaurant	12	34	29

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	45.80	120.48
Violent Crimes	11.03	2.78	7.32

*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

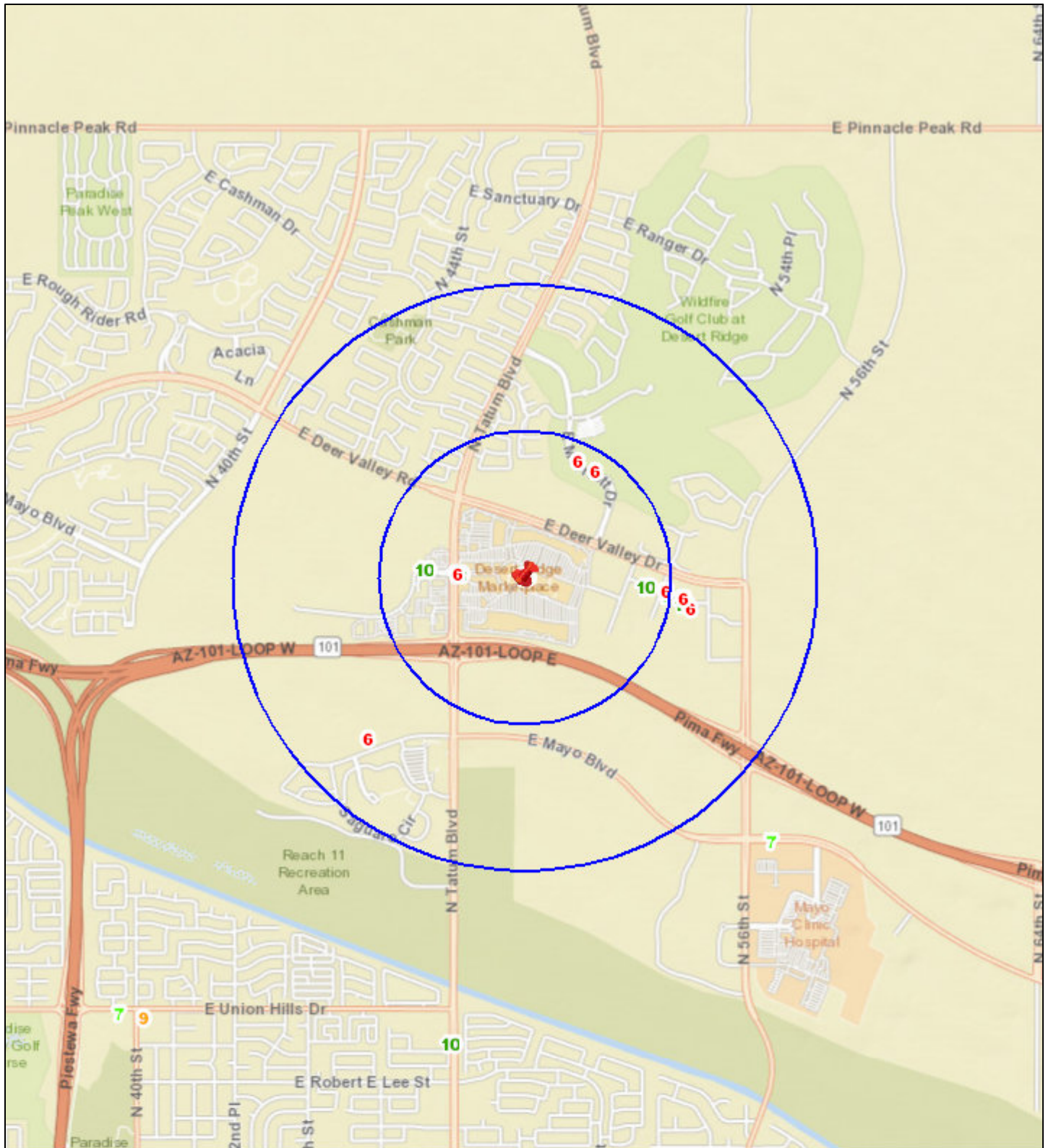
Description	Average	1/2 Mile Average
Parcels w/Violations	51	5
Total Violations	90	5

Census 2010 Data 1/2 Mile Radius

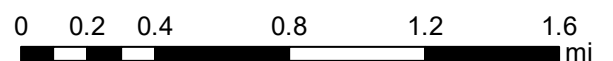
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6150003	344	8 %	38 %	5 %
6151001	1444	84 %	18 %	8 %
6152001	1993	8 %	29 %	12 %
6152002	2127	70 %	10 %	4 %
6152003	867	89 %	26 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: KONA GRILL

21001 N TATUM BLVD



Date: 1/6/2023



City Clerk Department



Liquor License - Maskadores Tacos

Request for a liquor license. Arizona State License Application 224478.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 12 - Restaurant

Location

20235 N. Cave Creek Road, Ste. 115

Zoning Classification: C-2

Council District: 2

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 March 18, 2023.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“The owner has had at least five years experience in sales of alcohol and will have a manager who also has had numerous years serving alcoholic beverages, checking identification, refusing sales to obviously intoxicated customers and underage customers. The owner will also attend liquor law training. The owner has been in operation without a liquor license since 2021 and her customers have asked if she will be acquiring a liquor license to complement their meals.”

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

“As previously stated the existing customers of this business are in favor of the owner acquiring a liquor license. It is in the best interest of the community as it is to complement the food served at this fast casual authentic Mexican food restaurant.”

Staff Recommendation

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

Attachments

Liquor License Data - Maskadores Tacos

Liquor License Map - Maskadores Tacos

Responsible Department

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

Liquor License Data: MASKADORES TACOS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	34.68	70.91
Violent Crimes	11.03	4.27	8.59

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

Property Violation Data

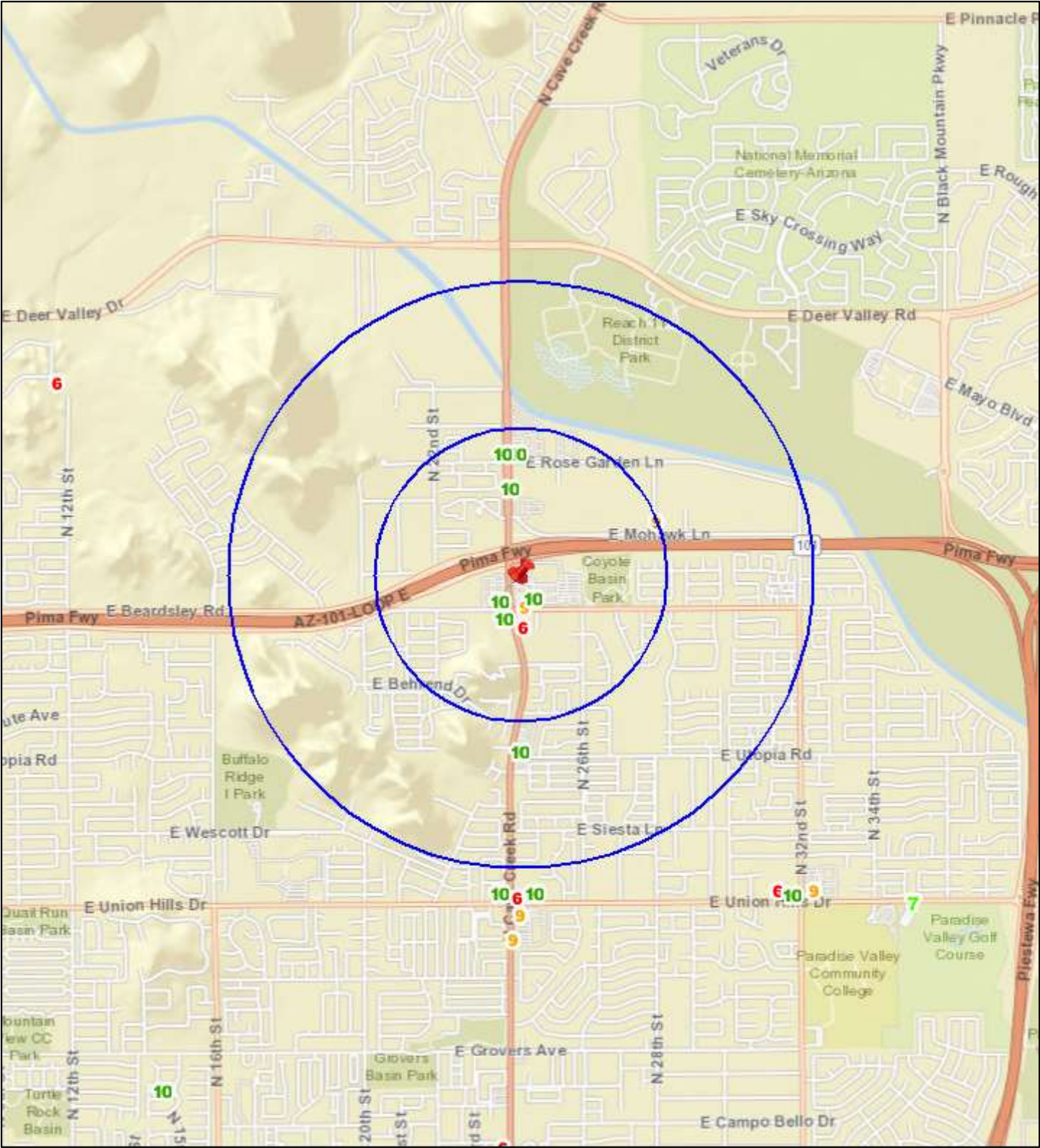
Description	Average	1/2 Mile Average
Parcels w/Violations	51	57
Total Violations	90	88

Census 2010 Data 1/2 Mile Radius

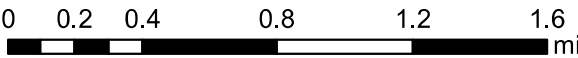
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6149002	1372	88 %	0 %	1 %
6169001	1123	80 %	10 %	5 %
6169003	1399	22 %	11 %	4 %
6170003	1050	72 %	0 %	35 %
6170004	1193	51 %	22 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: MASKADORES TACOS

20235 N CAVE CREEK RD



Date: 2/21/2023





Liquor License - Tocaya Modern Mexican

Request for a liquor license. Arizona State License Application 220587.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

7012 E. Greenway Pkwy., Ste. 100

Zoning Classification: C-2 PCD

Council District: 2

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

The 60-day limit for processing this application is March 19, 2023.

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:
"Tocaya Organica has been a responsible liquor license holder at this location for over 3 year. Tocaya Organica is part of a larger restaurant organization with multiple locations in AZ and Ca. As a license holder, the sale and consumption of alcohol is taken seriously. The staff undergo an extensive in house training along with the state approved alcohol awareness course. At all times the restauant is open there will be a full menu of healthy organic meal options and management staff to monitor 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:

"This is a fast casual service restaurant serving the surrounding communities and visiting public. The restaurant is open 7 days a week and will prove to be extremely desirable to the public, by offering fresh organic Mexican food at reasonable prices. The hours of operation are modest. The restaurant will not disturb the quiet peaceful enjoyment of the community. Alcohol sales are incidental to food sales."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Tocaya Modern Mexican

Liquor License Map - Tocaya Modern Mexican

Responsible Department

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

Liquor License Data: TOCAYA MODERN MEXICAN

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	4	0
Bar	6	2	1
Beer and Wine Bar	7	6	3
Liquor Store	9	5	0
Beer and Wine Store	10	15	3
Hotel	11	2	1
Restaurant	12	63	37
Craft Distiller	18	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	18.39	32.27
Violent Crimes	11.03	1.22	1.80

*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

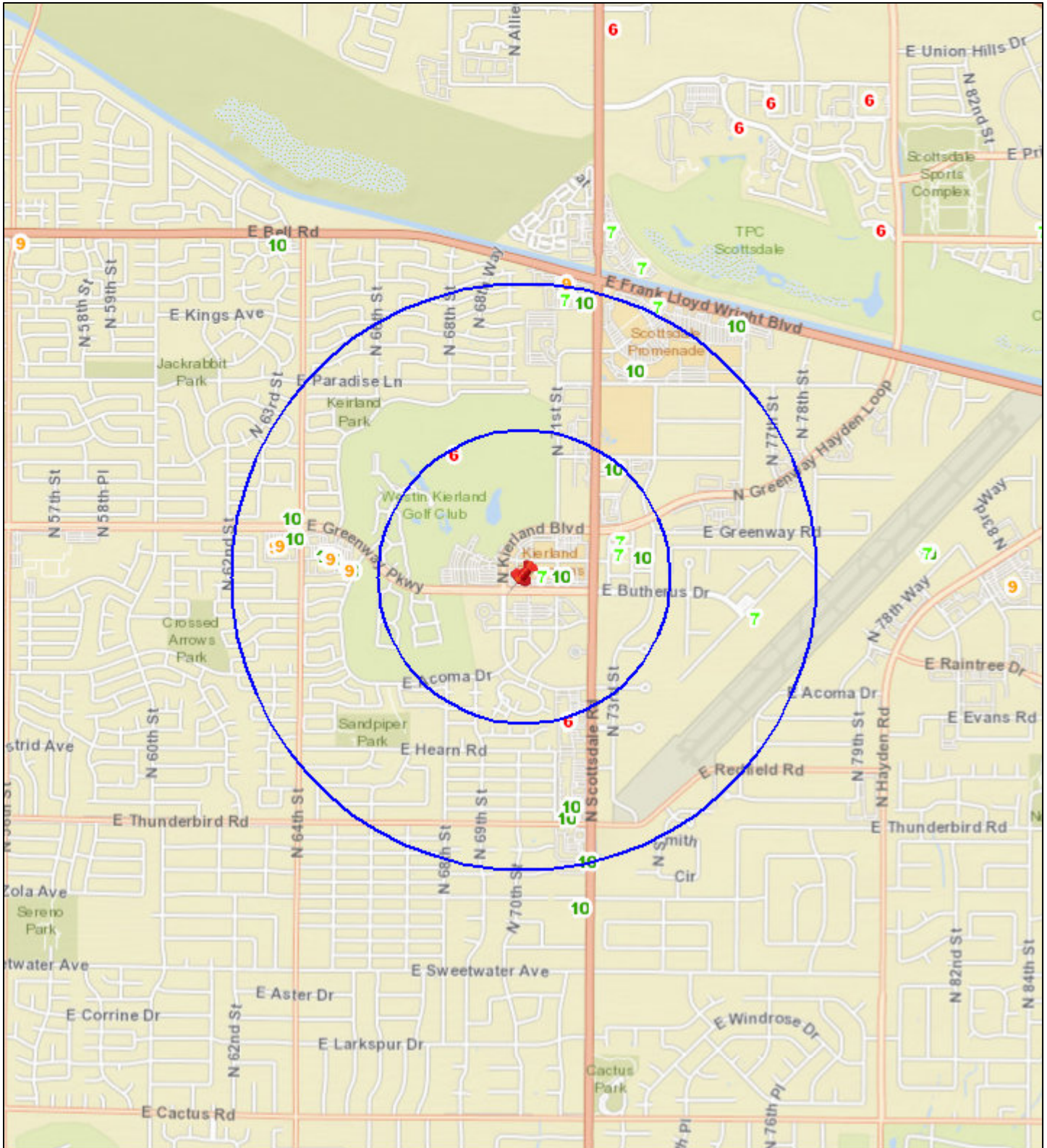
Description	Average	1/2 Mile Average
Parcels w/Violations	51	0
Total Violations	90	

Census 2010 Data 1/2 Mile Radius

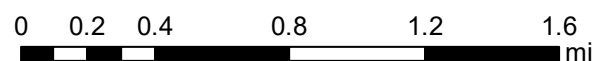
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032191	834	44 %	30 %	13 %
1032201	1364	95 %	15 %	3 %
1032202	513	51 %	32 %	4 %
1032203	1161	0 %	16 %	7 %
2168161	1812	95 %	0 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: TOCAYA MODERN MEXICAN

7012 E GREENWAY PKWY



Date: 1/20/2023



City Clerk Department



Liquor License - Cactus Tavern

Request for a liquor license. Arizona State License Application 06070686.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 6 - Bar

Location

2017 E. Cactus Road, Ste. I and J

Zoning Classification: C-2

Council District: 3

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

The 60-day limit for processing this application is March 6, 2023.

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.

Rooster Tavern (Series 6)

14202 N. Scottsdale Road, Phoenix

Calls for police service: 24

Liquor license violations: None under the ownership of the applicant.

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 currently own and operate another establishment in the valley. I will continue to abide by Title 4 liquor law and ensure our employees have attend the training courses with 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 business has been operational for several years. We are an upscale neighborhood bar and grill."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Cactus Tavern

Liquor License Map - Cactus Tavern

Responsible Department

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

Liquor License Data: CACTUS TAVERN

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	48.11	94.05
Violent Crimes	11.03	6.82	14.75

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

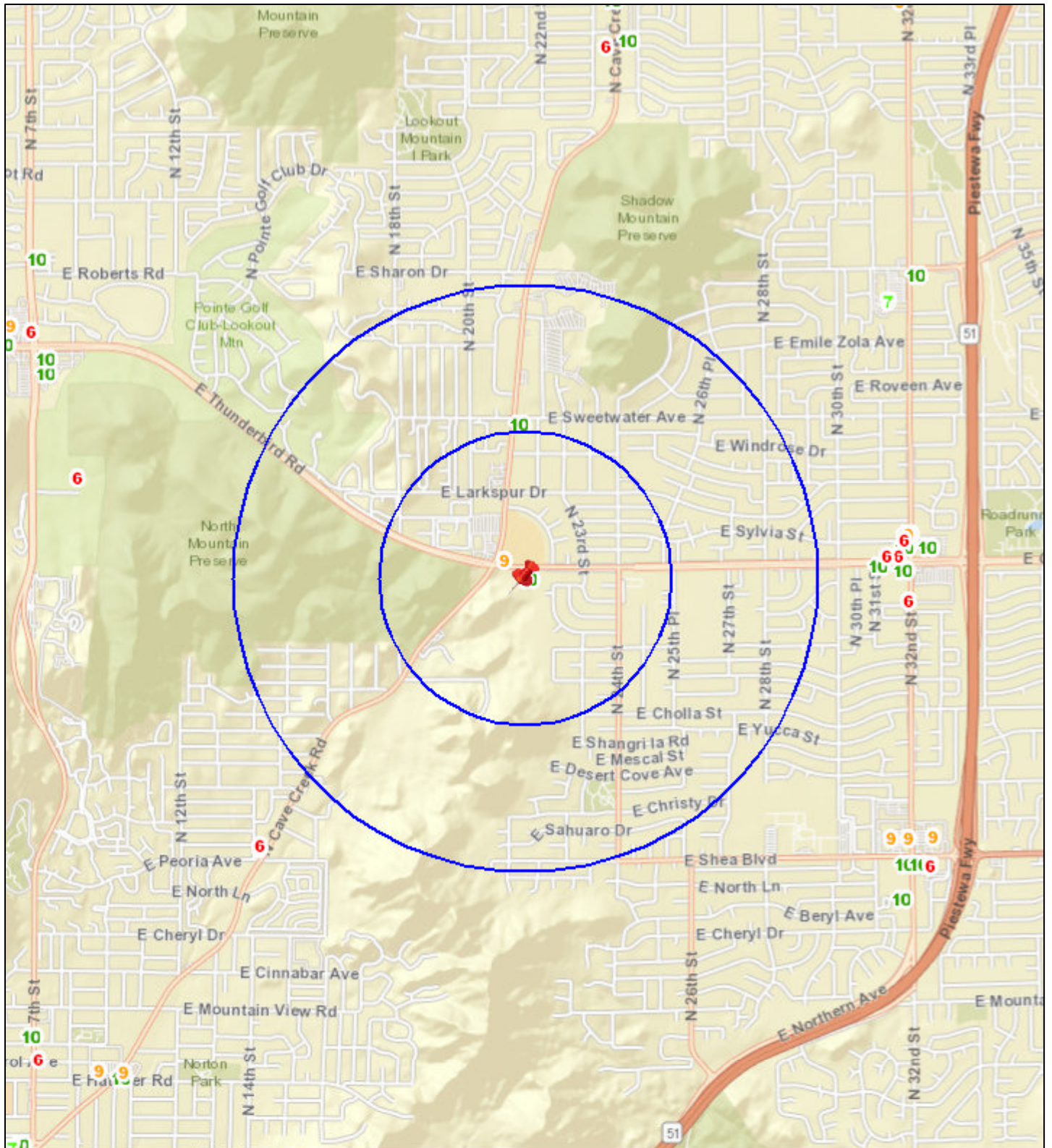
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	51	90
Total Violations	90	140

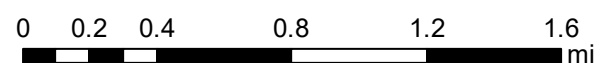
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1035022	816	79 %	4 %	8 %
1035025	1744	70 %	0 %	4 %
1037011	968	37 %	20 %	12 %
1037012	1871	58 %	17 %	5 %
1037023	1050	23 %	4 %	11 %
1048012	1830	85 %	3 %	19 %
1048024	1057	65 %	0 %	29 %
Average		61 %	13 %	19 %

2017 E CACTUS RD



Date: 1/9/2023





Liquor License - J's Drive Thru

Request for a liquor license. Arizona State License Application 010070020882.

Summary

Applicant

Mohamad Awad, Agent

License Type

Series 10 - Beer and Wine Store

Location

14875 N. Cave Creek Road

Zoning Classification: C-2

Council District: 3

This request is for an acquisition of control of an existing liquor license for a convenience store that does not sell gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is March 13, 2023.

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.

Kash K Market (Series 9)

101 E. Monroe Ave., Buckeye

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 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:

"The 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 - J's Drive Thru
Liquor License Map - J's Drive Thru

Responsible Department

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

Liquor License Data: J'S DRIVE THRU

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	76.35	74.73
Violent Crimes	11.03	16.42	13.80

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

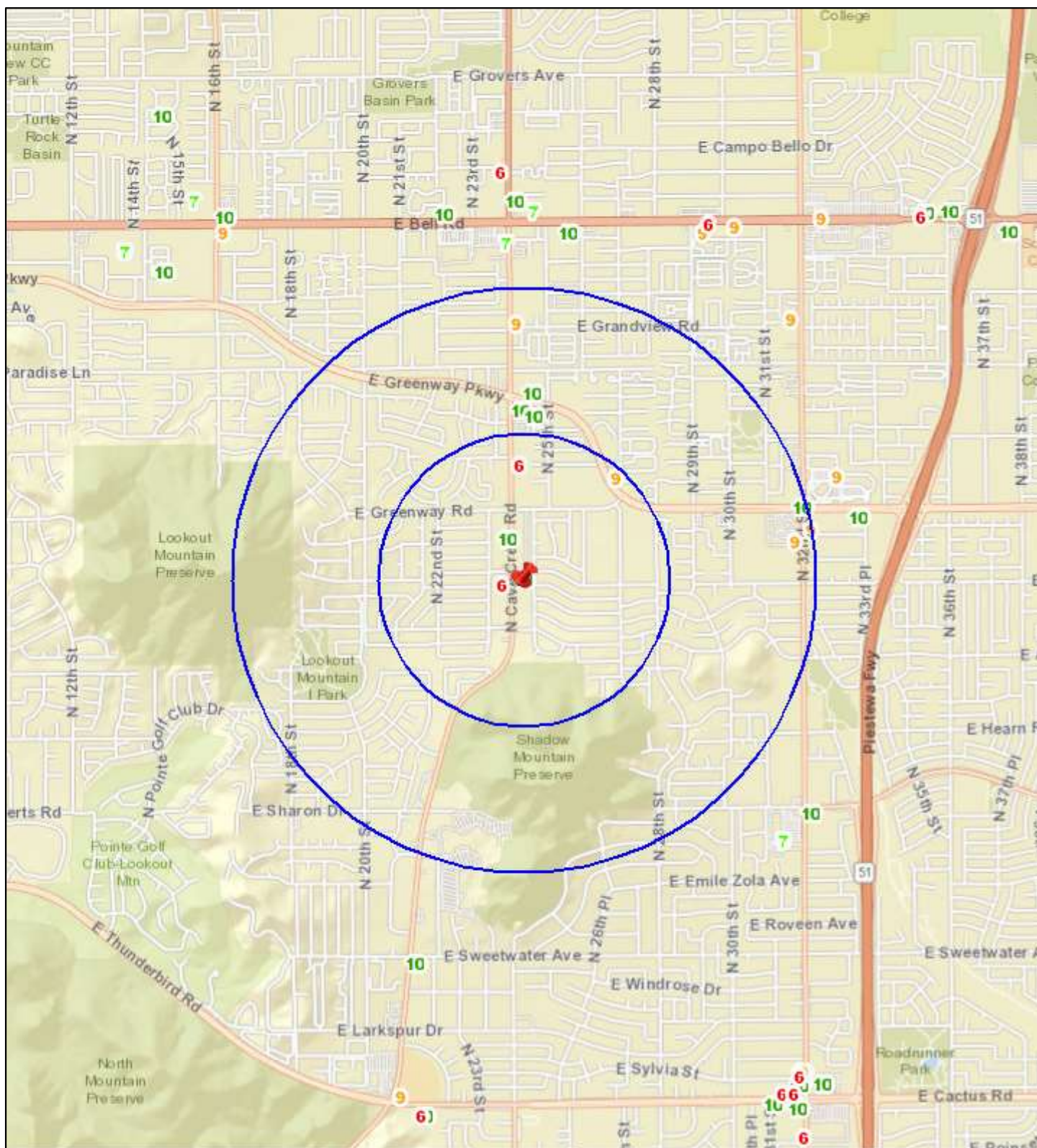
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	51	112
Total Violations	90	194

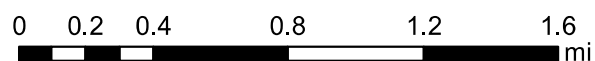
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033061	921	18 %	28 %	32 %
1033062	2272	17 %	22 %	37 %
1035011	1381	67 %	5 %	23 %
1035012	999	80 %	8 %	26 %
1035024	884	66 %	13 %	5 %
1036061	1067	84 %	15 %	13 %
1036071	1285	83 %	3 %	18 %
1036072	1084	97 %	0 %	2 %
1036074	1299	89 %	0 %	3 %
Average		61 %	13 %	19 %

14875 N CAVE CREEK RD



Date: 1/18/2023





Liquor License - Stop 143

Request for a liquor license. Arizona State License Application 224367.

Summary

Applicant

George Guerrero, Agent

License Type

Series 10 - Beer and Wine Store

Location

15214 N. Cave Creek Road, Ste. B

Zoning Classification: C-2

Council District: 3

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 March 14, 2023.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in the retail business for over 10 years and gained experience to handle liquor, wine, spirits. I will ensure that each customer is of the drinking / purchasing age of alcohol. My convenience store carries the importance of alcohol consumption and the liquor laws regarding selling to minors and intoxicated consumers."

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 convenience store in which we would like to provide a variety of products at the convenience for our customers. To provide our customers with a safe environment to purchase liquor products. The addition of liquor will provide an enhancement to my convenience store allowing consumers to get all that they shop for in one location."

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 - Stop 143

Liquor License Map - Stop 143

Responsible Department

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

Liquor License Data: STOP 143

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	58.23	71.65	117.62
Violent Crimes	11.14	15.31	20.48

*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

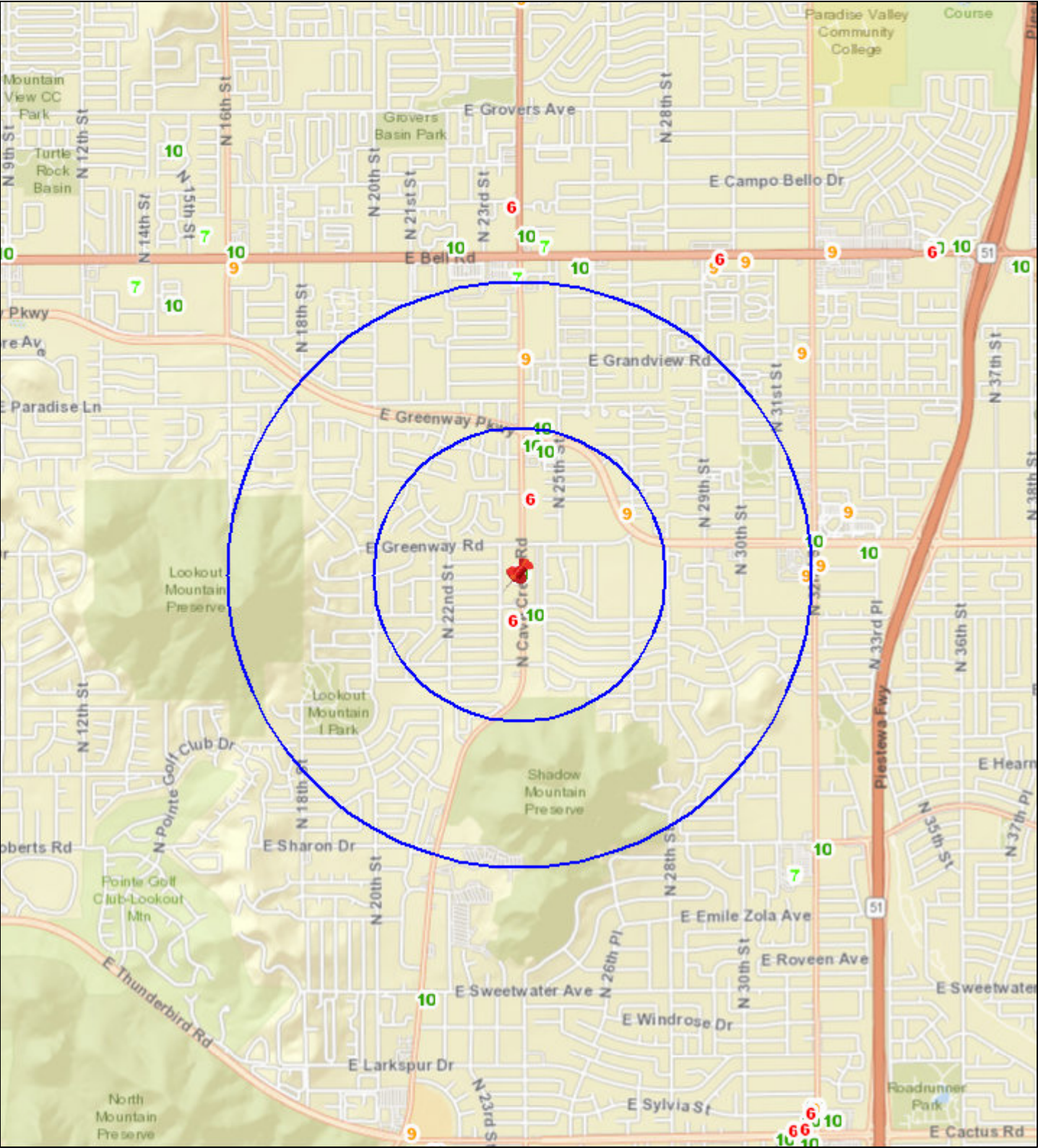
Description	Average	1/2 Mile Average
Parcels w/Violations	51	121
Total Violations	90	223

Census 2010 Data 1/2 Mile Radius

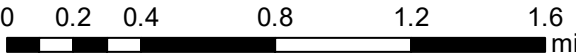
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033061	921	18	28	32
1033062	2272	17	22	37
1035011	1381	67	5	23
1035012	999	80	8	26
1035024	884	66	13	5
1036061	1067	84	15	13
1036062	854	90	13	4
1036063	2174	78	13	25
1036071	1285	83	3	18
1036074	1299	89	0	3
Average	0	61	13	19

Liquor License Map: STOP 143

15214 N CAVE CREEK RD



Date: 1/18/2023





Liquor License - Special Event - Cancer Support Community Arizona

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

Summary

Applicant

Deborah Dicarlo

Location

360 E. Palm Lane
Council District: 4

Function

Trivia Night

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

April 1, 2023 - 6 p.m. to 9 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Encanto Palmcroft Benefits

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

Summary

Applicant

Brent Kleinman

Location

2605 N. 15th Ave.

Council District: 4

Function

Neighborhood Tour and Street Fair

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

March 19, 2023 - 9:30 a.m. to 4:30 p.m. / 1,500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - St. Mary's Roman Catholic High School Phoenix

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

Summary

Applicant

Patricia Hollerbach

Location

2525 N. 3rd St.

Council District: 4

Function

Community Event

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

April 1, 2023 - 4 p.m. to 11 p.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Report

Agenda Date: 3/1/2023, Item No. 16

Liquor License - Bunkhouse Lounge

Request for a liquor license. Arizona State License Application 06070396.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

4428 N. 7th Ave.

Zoning Classification: C-2 SAUMSO

Council District: 4

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

The 60-day limit for processing this application is March 20, 2023.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

applicant on the City Questionnaire.

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

Staff Recommendation

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

Responsible Department

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



Liquor License - CC's on Central

Request for a liquor license. Arizona State License Application 227565.

Summary

Applicant

Jordan Cunningham, Agent

License Type

Series 12 - Restaurant

Location

2800 N. Central Ave., Ste. A100

Zoning Classification: C-2 H-R TOD-1

Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption as an accessory use to a restaurant.

The 60-day limit for processing this application is March 12, 2023.

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 completed the basic and manager training."

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

"Good food, adult beverages that enhances customers restaurant culinary experience. There are no other restaurant locations nearby that will also enhance the customers dining experience."

Staff Recommendation

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

Attachments

Liquor License Data - CC's on Central
Liquor License Map - CC's on Central

Responsible Department

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

Liquor License Data: CC'S ON CENTRAL

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	151.80	126.53
Violent Crimes	11.03	25.23	27.60

*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

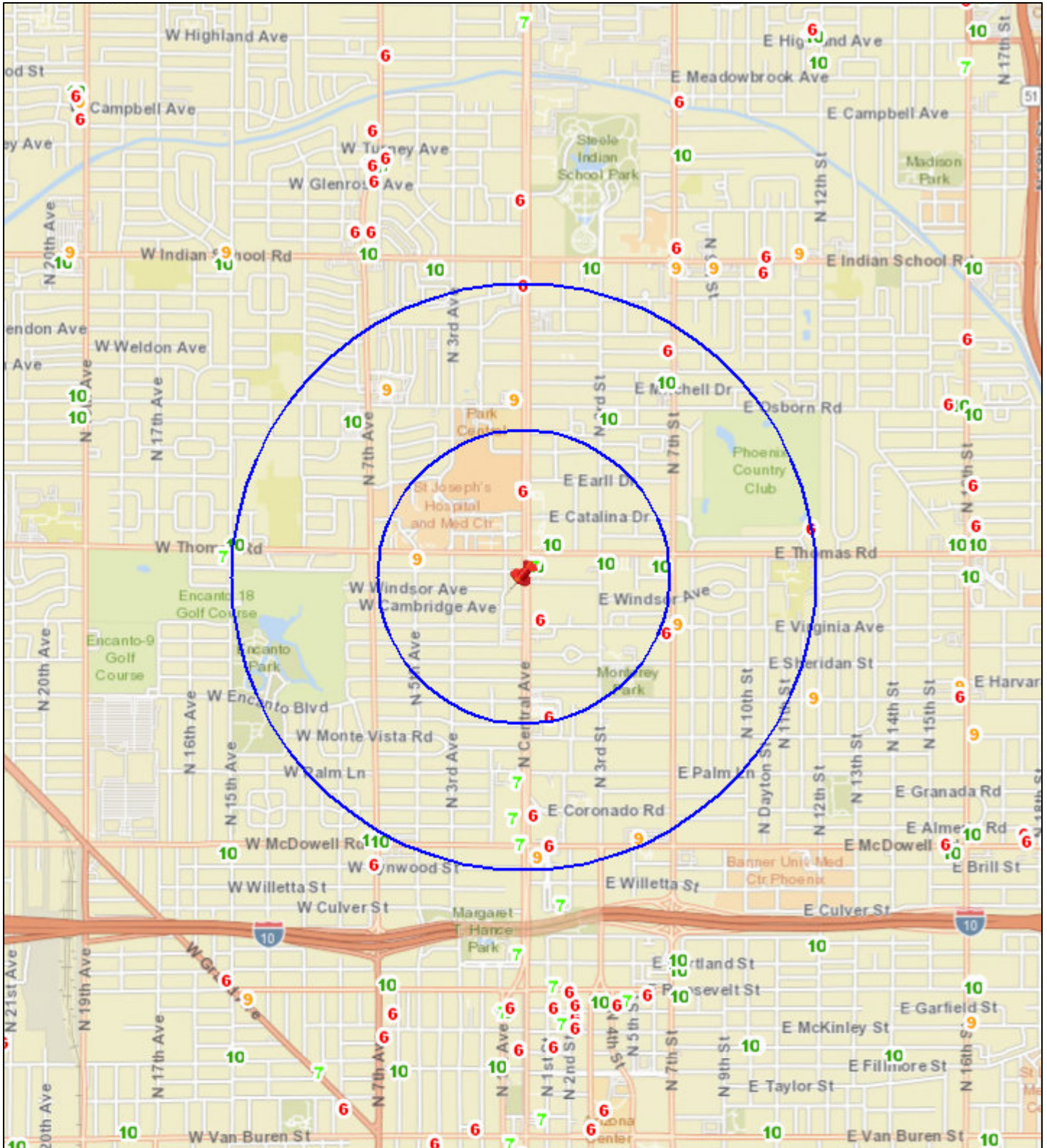
Description	Average	1/2 Mile Average
Parcels w/Violations	51	33
Total Violations	90	52

Census 2010 Data 1/2 Mile Radius

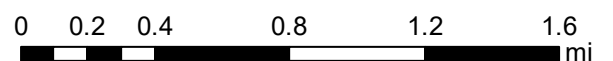
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1105013	824	16 %	17 %	40 %
1105022	1216	28 %	19 %	23 %
1118001	742	44 %	28 %	5 %
1118002	1030	67 %	9 %	17 %
1118003	996	65 %	15 %	4 %
1118004	671	62 %	6 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: CC'S ON CENTRAL

2800 N CENTRAL AVE



Date: 1/13/2023



City Clerk Department



Liquor License - Special Event - Madison Camelview Parent Teacher Organization, Inc. (PTO)

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

Summary

Applicant

Julie Dougherty

Location

5601 N. 16th St.

Council District: 6

Function

Theatre Performance

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

March 11, 2023 - 6 p.m. to 10 p.m. / 904 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Clarendale Arcadia

Request for a liquor license. Arizona State License Application 06070723.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

3233 E. Camelback Road
Zoning Classification: PUD
Council District: 6

This request is for an ownership and location transfer of a liquor license for a bar. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is March 11, 2023.

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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Clarendale Arcadia is an active senior living community with resort-style amenities, including casual and fine dining experiences. Applicant would like to offer alcoholic beverages to residents and guests 21 and over to enjoy throughout the property."

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 - Clarendale Arcadia
Liquor License Map - Clarendale Arcadia

Responsible Department

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

Liquor License Data: CLARENDALE ARCADIA

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	5	1
Beer and Wine Bar	7	2	0
Liquor Store	9	2	1
Beer and Wine Store	10	5	1
Hotel	11	2	0
Restaurant	12	38	9

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	73.59	82.48
Violent Crimes	11.03	7.48	6.47

*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

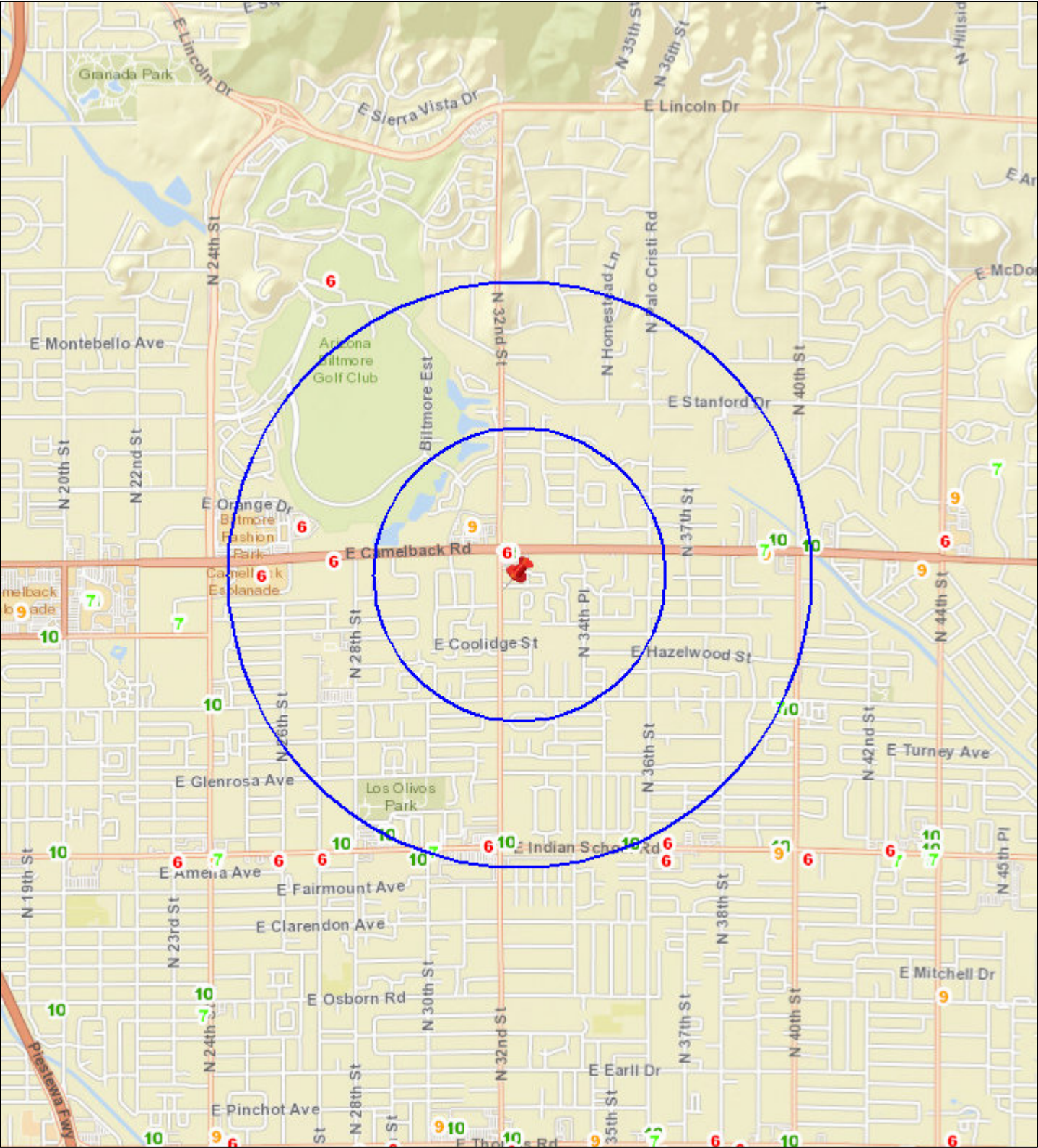
Description	Average	1/2 Mile Average
Parcels w/Violations	51	17
Total Violations	90	21

Census 2010 Data 1/2 Mile Radius

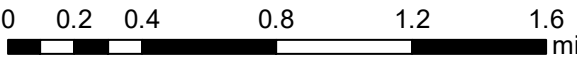
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1078002	1477	63 %	28 %	5 %
1083011	1100	89 %	14 %	0 %
1083012	1221	72 %	5 %	1 %
1083013	982	75 %	18 %	1 %
1083021	1229	70 %	16 %	3 %
1084002	673	72 %	16 %	3 %
1084004	1641	65 %	7 %	19 %
Average		61 %	13 %	19 %

Liquor License Map: CLARENDALE ARCADIA

3233 E CAMELBACK RD



Date: 1/19/2023





Liquor License - Gus's World Famous Fried Chicken

Request for a liquor license. Arizona State License Application 223286.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

4723 E. Ray Road, Ste. 2

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcohol consumption as an accessory use to a restaurant. This business is currently being remodeled with plans to open in April 2023.

The 60-day limit for processing this application is March 6, 2023.

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.

Gus's World Famous Fried Chicken (Series 12)

212 W. Main St., Mesa

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

Liquor license violations: None

Gus's World Famous Fried Chicken (Series 12)

345 W. Van Buren St., #C, Phoenix

Calls for police service: 10

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:

"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

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

"Gus's World Famous Fried Chicken plans to open its third location in the Phoenix area. Famous for its fried chicken since 1953, Applicant would like to offer guests 21 and over the opportunity to purchase alcoholic beverages as an incident to the meals they enjoy."

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 - Gus's World Famous Fried Chicken

Liquor License Map - Gus's World Famous Fried Chicken

Responsible Department

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

Liquor License Data: GUS'S WORLD FAMOUS FRIED CHICKEN

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	4	1
Beer and Wine Bar	7	6	3
Liquor Store	9	9	3
Beer and Wine Store	10	8	2
Hotel	11	1	0
Restaurant	12	38	12

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	81.50	173.14
Violent Crimes	11.03	8.75	13.16

*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

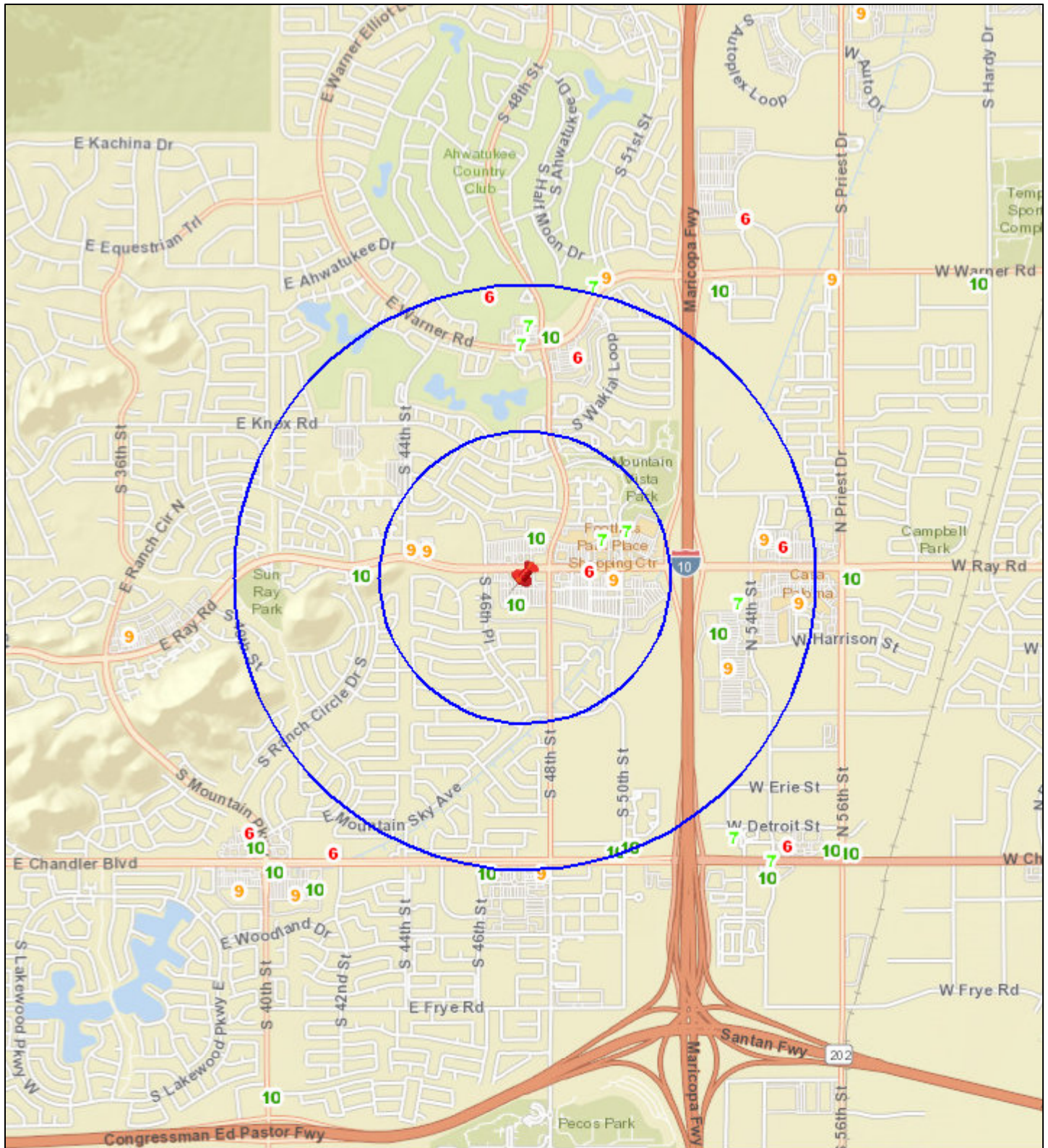
Description	Average	1/2 Mile Average
Parcels w/Violations	51	12
Total Violations	90	14

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167112	1154	28 %	15 %	11 %
1167171	1769	0 %	25 %	11 %
1167181	2685	40 %	10 %	9 %
1167191	1679	87 %	3 %	2 %
1167192	1023	3 %	7 %	22 %
1167193	1688	72 %	17 %	14 %
1167194	2185	77 %	0 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: GUS'S WORLD FAMOUS FRIED CHICKEN

4723 E RAY RD



Date: 1/9/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Tacos Veganos

Request for a liquor license. Arizona State License Application 225318.

Summary

Applicant

Jared Repinski, Agent

License Type

Series 12 - Restaurant

Location

3301 E. Indian School Road, Ste. 100

Zoning Classification: C-1

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 March 5, 2023.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

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

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

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Tacos Veganos

Liquor License Map - Tacos Veganos

Responsible Department

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

Liquor License Data: TACOS VEGANOS

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	9	3
Restaurant	12	34	16

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	58.23	120.56	111.67
Violent Crimes	11.14	20.11	15.07

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

Property Violation Data

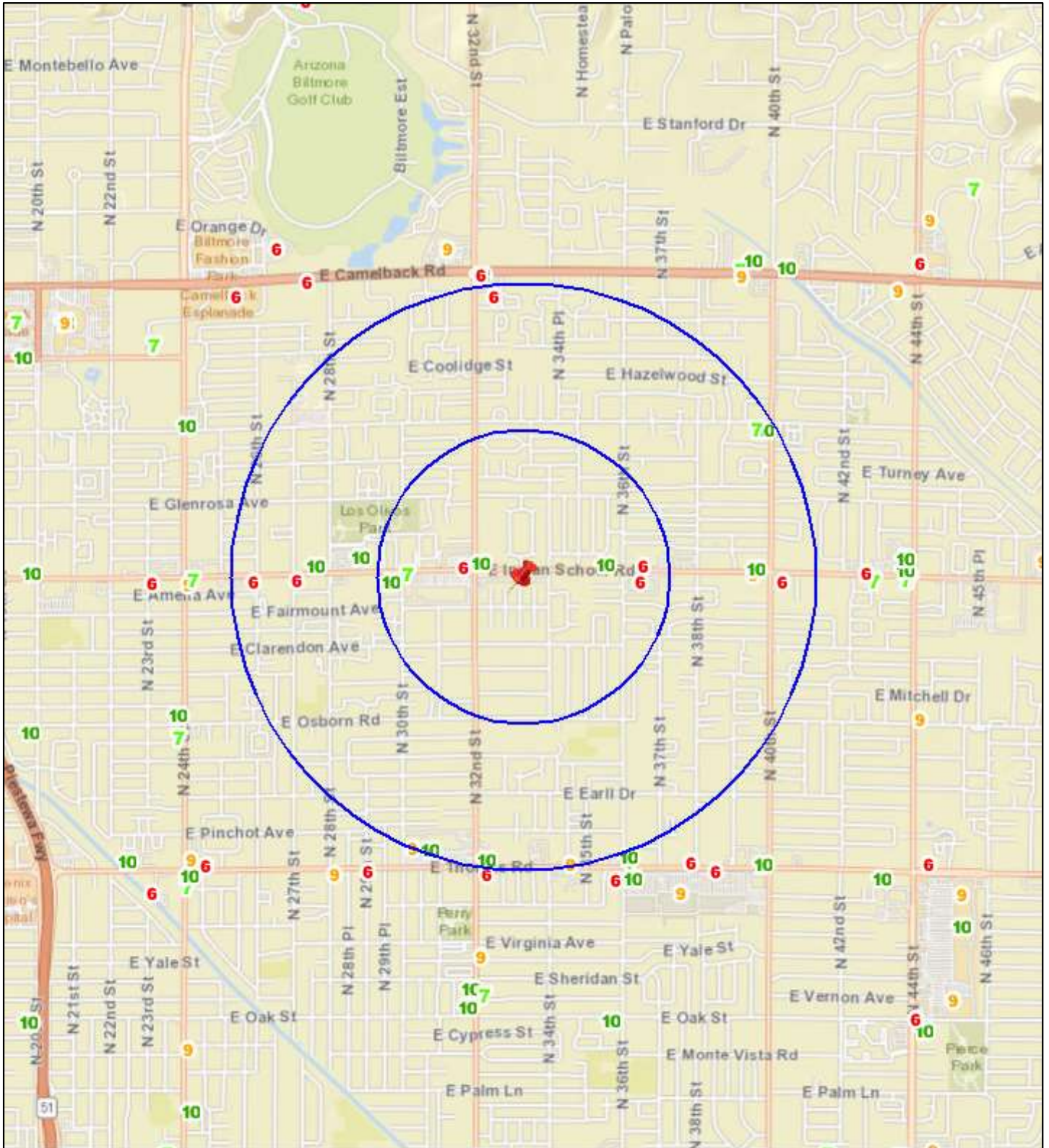
Description	Average	1/2 Mile Average
Parcels w/Violations	51	51
Total Violations	90	75

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1083021	1229	70	16	3
1083022	1824	50	13	4
1084001	718	2	38	46
1084002	673	72	16	3
1108012	1115	19	30	33
1108013	1077	47	26	14
1109011	665	96	10	13
1109012	2669	23	19	27
1109021	2609	33	21	40
1109022	2224	39	7	18
Average	0	61	13	19

Liquor License Map: TACOS VEGANOS

3301 E INDIAN SCHOOL RD



Date: 2/21/2023

0 0.2 0.4 0.8 1.2 1.6 mi



Liquor License - Vero Chicago Pizza Ahwatukee

Request for a liquor license. Arizona State License Application 224112.

Summary

Applicant

Jose Mejia Morfin, Agent

License Type

Series 12 - Restaurant

Location

1334 E. Chandler Blvd., Ste. 11

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 March 4, 2023.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned a previous establishment with a liquor license before, I understand the qualifications and responsibility for having a liquor license in a in community and will continue to uphold that standard and reliability to ensure the well being of the community."

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

"This an established business that has been a part of the community for the past six years and has built a good relationship with the people there. I look forward to keeping that and building on it as we move forward."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Vero Chicago Pizza Ahwatukee

Liquor License Map - Vero Chicago Pizza Ahwatukee

Responsible Department

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

Liquor License Data: VERO CHICAGO PIZZA AHWATUKEE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	58.23	12.23	22.82
Violent Crimes	11.14	1.53	3.82

*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

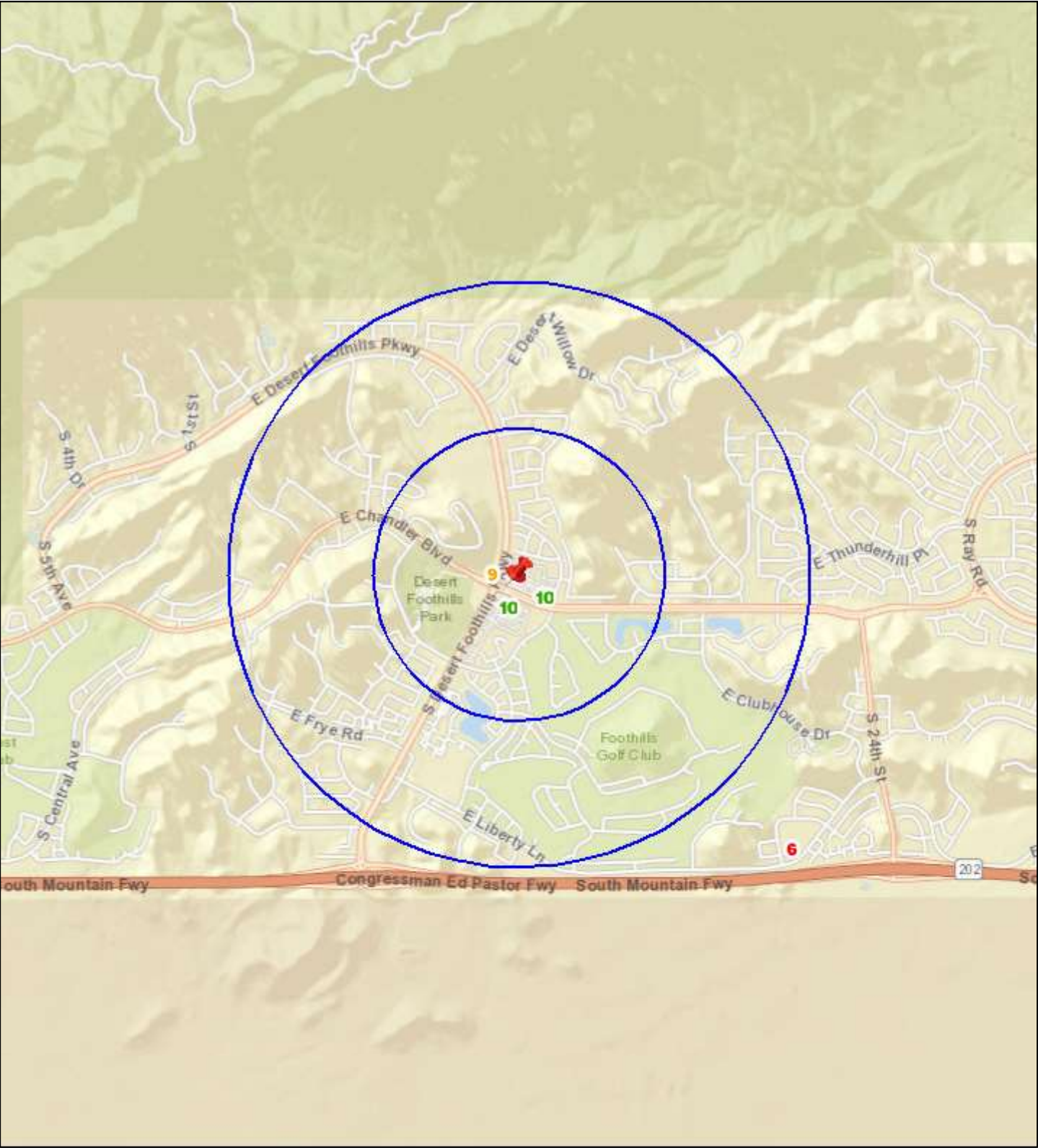
Description	Average	1/2 Mile Average
Parcels w/Violations	51	0
Total Violations	90	0

Census 2010 Data 1/2 Mile Radius

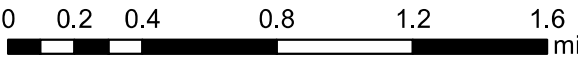
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167251	1132	95	7	10
1167252	728	29	39	0
1167253	1407	89	0	11
1167272	1344	95	15	0
1167281	1267	97	2	4
1167283	1145	97	3	6
Average	0	61	13	19

Liquor License Map: VERO CHICAGO PIZZA AHWATUKEE

1334 E CHANDLER BLVD



Date: 2/21/2023





Liquor License - Special Event - St. Patrick's Day Parade and Irish Society of Arizona, Inc.

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

Summary

Applicant

Mary Ann Moriarty

Location

67 W. Culver St.

Council District: 7

Function

Irish Cultural Festival

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

March 11, 2023 - 10 a.m. to 5 p.m. / 2,500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Oak & Steel Fine Wines LLC

Request for a liquor license. Arizona State License Application 224350.

Summary

Applicant

David Ripple, Agent

License Type

Series 4 - Wholesaler

Location

625 S. 27th Ave., Ste. 130B-OS

Zoning Classification: A-2

Council District: 7

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

The 60-day limit for processing this application is March 13, 2023.

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.

Oak & Steel Fine Wines LLC (Series 4)

26520 N. Alma School 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:
"We are a small wholesale wine distributor, in business for over four (4) years. We have held a Series 4 (Wholesale Liquor License) issued by the Arizona DLLC since 2018 and have conducted our business in a professional and reliable manner."

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - QuikTrip #1447

Request for a liquor license. Arizona State License Application 223234.

Summary

Applicant

Perry Huellmantel, Agent

License Type

Series 10 - Beer and Wine Store

Location

6705 W. Baseline Road

Zoning Classification: C-1

Council District: 7

This request is for a new liquor license for a convenience store that sells gas. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in August 2023.

The 60-day limit for processing this application is March 10, 2023.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

Two letters protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from local residents. They believe the business is too close to neighborhoods and will attract unsheltered persons and criminal activity.

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:
"At QuikTrip, we have a demonstrated record of our ability and commitment to act as a reliable and capable retailer. I currently serve as the agent on more 100 liquor licenses in Arizona for QuikTrip Stores. Since I began acting as the agent on QuikTrip liquor licenses in Arizona, we have not received a single citation for a violation of liquor laws. We ensure all store managers have current liquor training and maintain strict standards to ensure all our employees comply with state laws. QuikTrip has proven that it is responsible operator and our record demonstrates that I - as an applicant - and QuikTrip as an organization - have the capability, reliability and qualifications to hold a liquor license."

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

"The public convenience requires and the best interest of the community will be substantially served by the issuance of the requested liquor license because this location will provide consumers in the immediate neighborhood competitively priced market-style items at a location where they can purchase necessities (everything from milk to Band-Aids) including extensive beverage offerings beyond beer and wine. Allowing customers to purchase alcohol while shopping for fuel or other items, including food, saves time, reduces road congestion, and the additional competition in the area lowers prices and ensures a high level of service for customers. QuikTrip's clean and modern design offers an experience consistent with the redevelopment of this area and will provide an additional option for gasoline and convenience. The best interest of the community will further be served because QuikTrip is a reliable operator with a demonstrated ability to responsibly sell alcohol in its stores and it will provide consumers in the area with more options and better pricing."

Staff Recommendation

Staff gave careful consideration to the protest letters received, however after reviewing the application in its entirety staff is recommending 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 - QuikTrip #1447

Liquor License Map - QuikTrip #1447

Responsible Department

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

Liquor License Data: QUIKTRIP #1447

Liquor License

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	23.46	29.72
Violent Crimes	11.03	5.14	5.94

*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

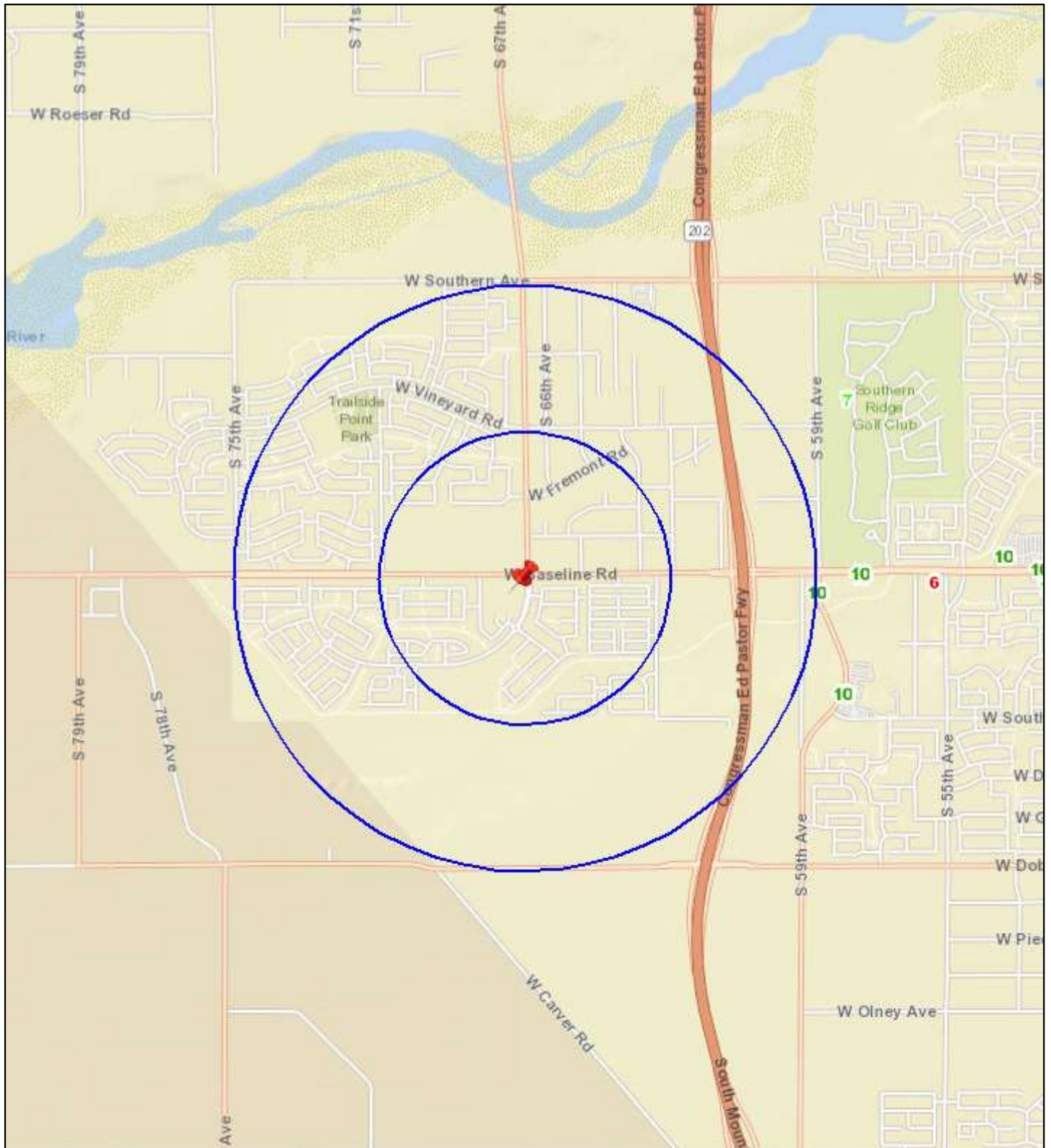
Description	Average	1/2 Mile Average
Parcels w/Violations	51	8
Total Violations	90	11

Census 2010 Data 1/2 Mile Radius

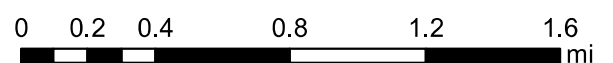
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1166031	2338	87 %	23 %	9 %
1166032	3206	79 %	16 %	9 %
1166081	1530	97 %	13 %	7 %
1166082	2287	89 %	2 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: QUIKTRIP #1447

6705 W BASELINE RD



Date: 1/12/2023





Liquor License - Special Event - Jupiter Foundation

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

Summary

Applicant

Reno Scott

Location

22 E. Buchanan St.

Council District: 8

Function

Festival

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

March 12, 2023 - 7 p.m. to 1 a.m. / 800 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Southwest Kids' Cancer Foundation, Inc.

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

Summary

Applicant

Timothy Harris

Location

215 N. 7th St.

Council District: 8

Function

Community Event

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

March 25, 2023 - 7 p.m. to 11 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Valley Kids Foundation

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

Summary

Applicant

Stephanie Bracken

Location

22 E. Buchanan St.
Council District: 8

Function

Silent Auction

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

April 21, 2023 - 7 p.m. to 11 p.m. / 500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Kare Ethiopian Restaurant LLC

Request for a liquor license. Arizona State License Application 228299.

Summary

Applicant

Mesay Asefa, Agent

License Type

Series 12 - Restaurant

Location

4729 E. McDowell Road

Zoning Classification: C-2

Council District: 8

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 March 14, 2023.

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 have 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 taken Title 4 Management Liquer Low tranining, Title 4 Basic Liquer Low Training and I am willing and ready to take more training if it's required by the State of Arizona and City of Phoenix."

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

"To Protect the Public health and safety I will not serve Alcohol to the Public out side the scope of my liquer Permit, applied strict Policy of age limitation to both my customers and employees and will restrict time limitation of serving alcohol and beverages to our customers according to the State and City law."

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 City of Phoenix Code and Ordinances.

Attachments

Liquor License Data - Kare Ethiopian Restaurant LLC

Liquor License Map - Kare Ethiopian Restaurant LLC

Responsible Department

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

Liquor License Data: KARE ETHIOPIAN RESTAURANT LLC

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	5	3
Beer and Wine Bar	7	1	0
Liquor Store	9	6	2
Beer and Wine Store	10	11	2
Hotel	11	3	2
Restaurant	12	4	1
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	58.23	129.80	176.32
Violent Crimes	11.14	29.32	44.58

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

Property Violation Data

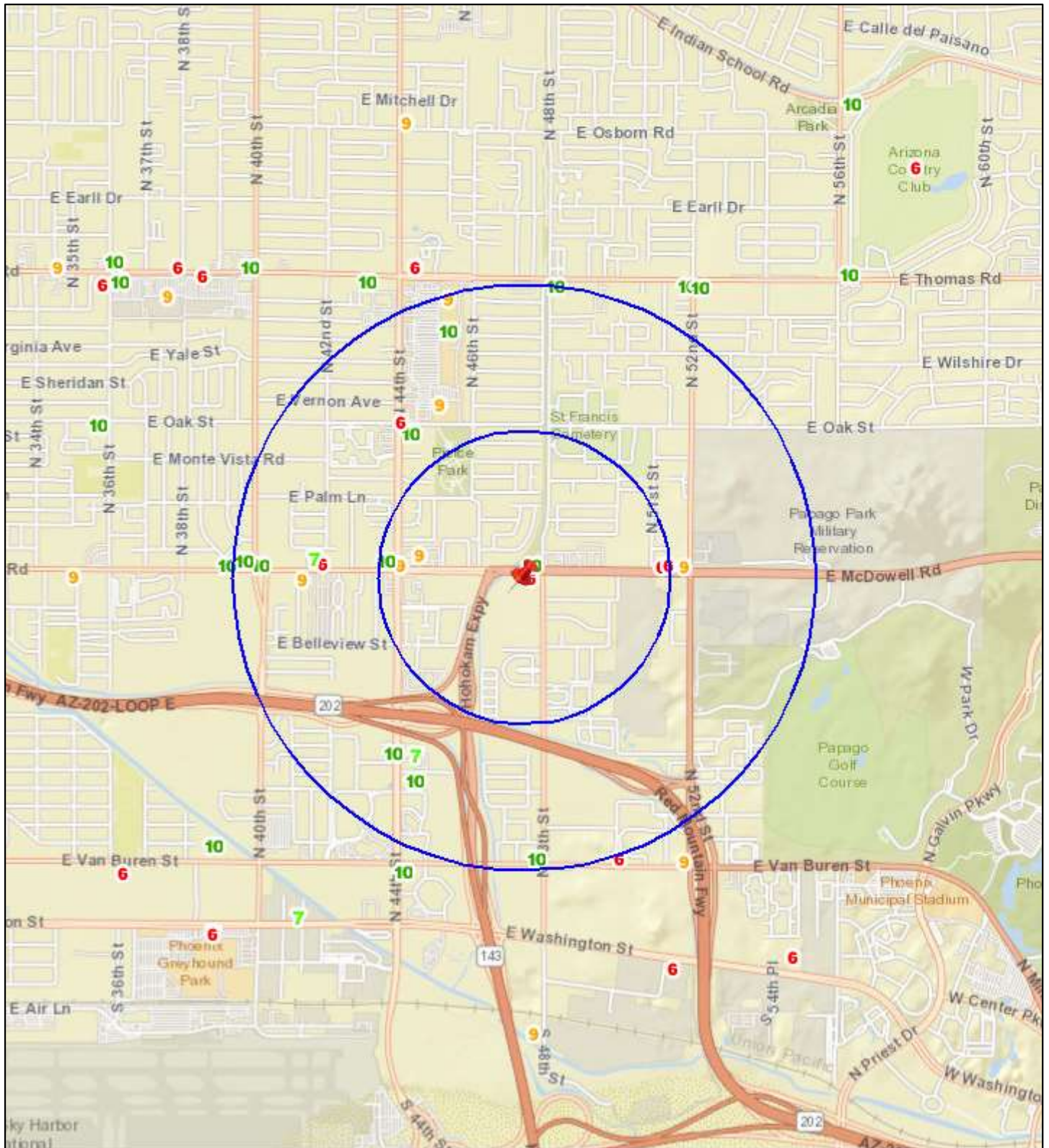
Description	Average	1/2 Mile Average
Parcels w/Violations	51	99
Total Violations	90	161

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1112013	2473	34 %	14 %	37 %
1112021	1913	6 %	18 %	38 %
1113001	960	42 %	9 %	7 %
1113003	1474	15 %	13 %	39 %
1113004	703	87 %	31 %	15 %
1137001	634	0 %	38 %	26 %
1137003	1101	31 %	18 %	11 %
1137004	2372	7 %	27 %	43 %
1137005	1280	14 %	32 %	52 %
Average		61 %	13 %	19 %

Liquor License Map: KARE ETHIOPIAN RESTAURANT LLC

4729 E MCDOWELL RD



Date: 2/21/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Bonitas

Request for a liquor license. Arizona State License Application 228828.

Summary

Applicant

Yadira Ramirez, 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 March 21, 2023.

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:
“My husband has purchased this restaurant because it has been in my family for many years, from my parents to my sister. This business has always been successful. I have worked at Bonitas for a long time and we know what it takes. We have also taken our liquor training classes.”

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

“My family has always operated the business with a liquor license and we would like to continue offering adult beverages with our great food. The neighborhood loves our family receipes.”

Staff Recommendation

Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval. Staff also notes 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 Ginger Spencer and the City Clerk Department.

Liquor License Data: BONITAS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	24.25	30.25
Violent Crimes	11.03	3.79	6.26

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

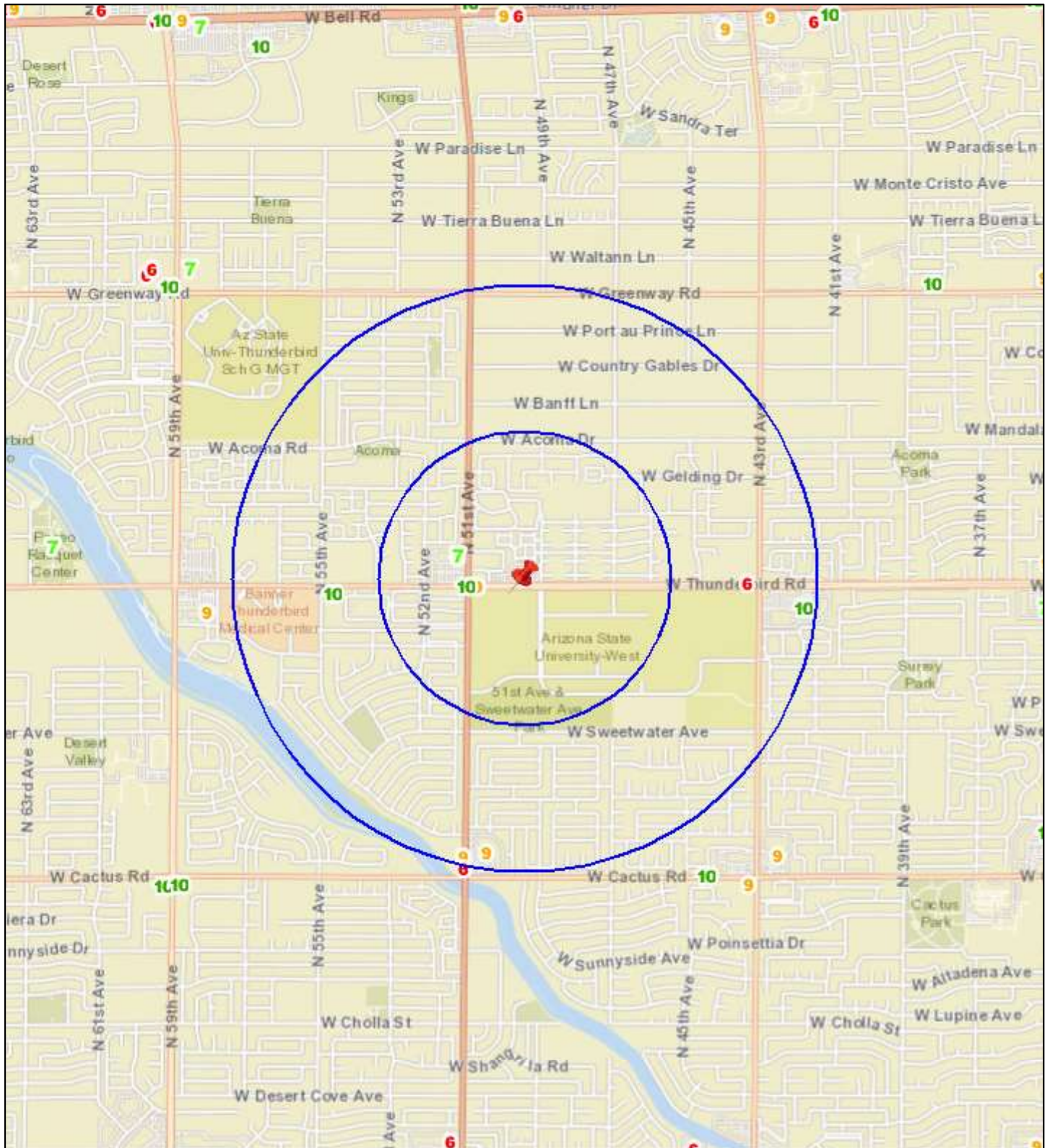
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	51	34
Total Violations	90	55

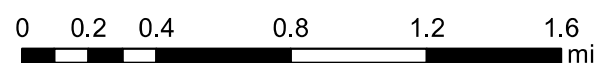
Census 2010 Data 1/2 Mile Radius

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: 2/21/2023





PAYMENT ORDINANCE (Ordinance S-49442) (Items 31-41)

Ordinance S-49442 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.

31 American Association of Airport Executives

For \$25,000 in payment authority for a host sponsorship to the American Association of Airport Executives (AAAE) 16th Annual Airports Going Green Conference (AGG), beginning Nov. 13, 2023. AGG is the aviation industry's leading forum on sustainability and regularly attracts approximately 300 sustainability executives and thought leaders from around the world. As host of the AGG Conference, the Aviation Department will be able to learn from presentations on cutting-edge sustainability tools and information topics like electric vehicles and electrification, decarbonization, water conservation and green construction. As host the Aviation Department will also have multiple opportunities to showcase the City's sustainability initiatives and gain international exposure for its commitment to reduce carbon emissions at Sky Harbor International Airport.

32 Ground Control Systems, Inc.

For \$15,570 in payment authority to purchase a mobile satellite internet, voice, and data service plan for Arizona Task Force 1 (AZ-TF1) for the Special Operations Section for the Fire Department. Based in Phoenix and sponsored by the Special Operations Section, AZ-TF1 is one of 28 Federal Emergency Management Agency (FEMA) task forces that remain in a state of readiness for rapid deployment as a national urban search

and rescue resource. To maintain its deployable status, AZ-TF1 is required to have FEMA-designated satellite communications equipment, complete with the required service plan for mobile satellite internet, voice, and data. This purchase will provide the required service through April 2024. Funding is available through the FEMA Urban Search and Rescue Federal Grant.

33 NI Government Services, Inc.

For \$18,000 in payment authority to purchase annual mobile and portable satellite telephone service for Arizona Task Force 1 (AZ-TF1) for the Special Operations Section for the Fire Department. Both sponsored and managed by the Special Operations Section, AZ-TF1 remains in a constant state of readiness for rapid deployment as a Federal Emergency Management Agency (FEMA) Urban Search and Rescue (US&R) response team. To remain a deployable asset, it is a FEMA US&R requirement to maintain telephone service with a push-to-talk mobile satellite system. FEMA US&R designates the talk-groups utilized with this system, and each group requires access to designated private radio frequencies only accessible to the federal government. This purchase will cover the required telephone service and private radio frequency access for approximately one year. Funding is available through the FEMA US&R Federal Grant.

34 Thermo Electron North America, LLC

For \$45,000 in payment authority for a new contract, entered on or about March 1, 2023, for a five-year term for preventative maintenance service of the Nicolet Fourier Transform Infrared Spectrometer (FTIR) iN10/iZ10 microscope and related accessories for the Police Department. The FTIR Microscope is a critical instrument for analyzing several types of trace evidence found in a crime scene including, fibers, tape, paint and miscellaneous unknowns. The ability to analyze these types of evidence enhances the forensic aptitude of the Trace Analysis Section and ultimately benefits criminal investigation efforts.

35 Police Ordnance Company Inc.

For \$87,970 in payment authority for a new contract, entered on or about April 1, 2023, for a five-year term for seven ARWEN 37T launchers and related accessories, attachments, tools, parts, and ammunition for the

Police Department. The Police Department's Special Assignments Unit (SAU) is responsible for the resolution of barricaded subjects, high risk search warrants, and arrests of subjects with a high potential for violence. One facet of SAU's response is the utilization of less-lethal tools and equipment during operations. SAU currently utilizes the ARWEN 37T launcher, produced exclusively by the Police Ordnance Company, Inc.; ammunition and accessories for this system are needed on a regular basis and are only available from the Police Ordnance Company, Inc.

36 City of Glendale

For \$27,273 in payment authority for the Office of Government Relations and Aviation Department to remit the City of Phoenix's portion of the shared cost under the Baker, Donelson, Bearman, Cladwell & Berkowitz agreement. The agreement provides West Valley Partner Communities comprehensive federal legislative consulting services to protect and enhance Luke Air Force Base.

37 Daktronics Inc.

For \$45,000 in payment authority for a new contract, entered on or about March 1, 2023 for a term of five years for the maintenance and repair of 17 Daktronics exterior digital signs and marquees located at the Phoenix Convention Center, Symphony Hall and the Herberger Theatre Center. These signs display information about upcoming and ongoing events, conventions, performances, sponsor advertisements, ticketing and parking information. These signs are also utilized for way-finding purposes and general messaging to attendees for the Phoenix Convention Center Department.

38 White Cap LP

For \$10,000 in payment authority for a new contract, entered on or about March 1, 2023, for a term of five years, for concrete patch materials for the Street Transportation Department. Concrete patch materials are used by staff to maintain and/or repair various infrastructure, including, but not limited to: sidewalks, curb and gutters, driveway approaches, concrete aprons, valley gutters, and Americans with Disabilities Act (ADA) ramps.

39 Rebkee Partners LB LLC

For \$71,420 in payment authority for Rebkee, for required signal

modifications to the existing traffic signal on the northeast corner of 75th Avenue and Lower Buckeye Road for project ST89340640, as part of a Feb. 25, 2021 agreement letter between Rebkee (developer) and the Street Transportation Department. Both the developer and the City performed work at the intersection, and the developer performed work that was the responsibility of the City. Based on the reconciliation of costs, this is the amount owed to the developer.

40 **National Association of City Transportation Officials, Inc.**

For \$31,250 in payment authority for a one-year 2023 membership to National Association of City Transportation Officials (NACTO) for the Street Transportation and Public Transit departments. The NACTO membership is important for the service, delivery, and the operation of the Street Transportation Department. The Street Transportation Department will pay \$25,000, or 80 percent, of the total fee and the Public Transit Department will pay the remaining \$6,250, or 20 percent. This item was approved by the Transportation, Infrastructure and Planning Subcommittee on Feb. 15, 2023.

41 **Settlement of Claim(s) Olson v. City of Phoenix**

To make payment of up to \$150,000 in settlement of claim(s) in *Olson v. City of Phoenix*, CV2022-050128, 21-0040-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a bodily injury claim arising from a non-vehicular accident that occurred on Jan. 14, 2021, involving the Street Transportation Department.



Report

Agenda Date: 3/1/2023, Item No. 42

Acquisition of Real Property for Lift Station 40 (Ordinance S-49457)

Request to authorize the City Manager, or his designee, to acquire real property from the Arizona Department of Transportation (ADOT) by donation, purchase within the City's appraised value, or by the power of eminent domain for the refurbishment of Lift Station 40 at Ray Road and Interstate-10. Further request to authorize the City Controller to disburse all funds related to this item.

Additionally, request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18, as ADOT's form documents include such provisions.

Summary

Acquisition of real property is required to expand the Lift Station 40 footprint and to accommodate construction and ongoing operational needs. The real property affected by this project is located within an unassessed property owned by ADOT along the west side of Interstate-10, north of Ray Road.

Location

West side I-10, north of Ray Road
Council District: 6

Responsible Department

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



Acquisition of Real Property for Roadway Improvements Along 32nd Street from Cheryl Drive to Cholla Street (Ordinance S-49471)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway improvements along 32nd Street from Cheryl Drive to Cholla Street. Further request to authorize dedication of land with roadway and/or public improvements to public use for right-of-way purposes 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 accommodate roadway improvements along 32nd Street from Cheryl Drive to Cholla Street. Improvements will include intermittent raised medians and American with Disabilities Act compliant sidewalk.

The parcels affected by this project are identified in **Attachment A**.

Financial Impact

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

Location

Along N. 32nd St. from Cheryl Drive to Cholla Street.
Council District: 3

Responsible Department

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

Attachment A Property Identification

City of Phoenix Roadway Improvement Project - ST87100170-1 Acquisition of Real Property for Roadway Improvements Along N. 32nd Street from Cheryl Drive to Cholla Street

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.

APN	Address / Location
165-02-006B	3201 E. Shea Blvd.
165-02-006J	10211 N. 32nd St.
165-02-006K	10211 N. 32nd St.
165-02-006L	10255 N. 32nd St.
165-02-061	10443 N. 32nd St.
165-02-062	10433 N. 32nd St.
165-02-063	10401 N. 32nd St.
165-03-001D	10440 N. 32nd St.
165-03-001F	10436 N. 32nd St.
165-03-001H	10444 N. 32nd St.
165-03-001M	10410 N. 32nd St.
165-03-008A	10230 N. 32nd St.
165-03-008B	10240 N. 32nd St.
165-03-015F	10210 N. 32nd St.
166-31-001F	10806 N. 32nd St.
166-31-001J	10880 N. 32nd St.
166-31-001N	10654 N. 32nd St.
166-44-001	3136 E. Shangri La Road
166-44-009	3135 E. Shangri La Road
166-44-010	11028 N. 32nd St.
166-44-012	11012 N. 32nd St.
166-44-027	3135 E. Desert Cove Ave.
166-44-028	3134 E. Desert Cove Ave.
166-44-124E	11212 N. 32nd St.



Acceptance and Dedication of Easements and a Deed for Sidewalk, Public Utility and Roadway Purposes (Ordinance S-49462)

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

Summary

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

Easement (a)

Applicant: Shamma and Hadil Group, LLC, its successor and assigns

Purpose: Public Utility

Location: 9853 N. 19th Ave.

File: FN 220113

Council District: 3

Easement (b)

Applicant: Holland Real Estate, LLC, its successor and assigns

Purpose: Sidewalk

Location: 1475 N. 51st Ave.

File: FN 220112

Council District: 4

Easement (c)

Applicant: Laveen Spectrum, LLC, its successor and assigns

Purpose: Sidewalk

Location: 5920 and 5950 W. Baseline Road

File: FN 220111

Council District: 7

Easement (d)

Applicant: Armida T. Arispe, its successor and assigns

Purpose: Public Utility

Location: 2439 W. Monroe St.
File: FN 230001
Council District: 7

Easement (e)

Applicant: New Era Phoenix, LLC, its successor and assigns
Purpose: Public Utility
Location: Along the west side of the 95th Avenue alignment and south side of
Broadway Road
File: FN 220109
Council District: 7

Deed (f)

Applicant: New Era Phoenix, LLC, its successor and assigns
Purpose: Roadway
Location: Along the west side of the 95th Avenue alignment and south side of
Broadway Road
File: FN 220109
Council District: 7

Easement (g)

Applicant: Chicanos Por La Causa, Inc., its successor and assigns
Purpose: Sidewalk
Location: 316 W. Broadway Road
File: FN 220114
Council District: 7

Responsible Department

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



Acceptance of an Easement for Water Purposes (Ordinance S-49463)

Request for the City Council to accept an easement for water purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: New Era Phoenix, LLC, its successor and assigns

Purpose: Water

Location: South of Broadway Road and west of the 95th Avenue alignment

File: FN 220109

Council District: 7

Responsible Department

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



Authorization to Lease City-owned Property Located at 1945 W. Dunlap Ave. to U.S. Vets (Ordinance S-49469)

Request to authorize the City Manager, or his designee, to enter into a lease with U.S. Vets for office and storage space located at 1945 W. Dunlap Ave., Suites 2 and 4. Further request to authorize the City Treasurer to accept all necessary funds in accordance with the terms of the lease.

Summary

The U.S. Vets will lease approximately 3,900 square feet at 1945 W. Dunlap Ave., Suites 2 and 4, for office and storage space for a one-year term with two additional one-year options to extend.

Base rent during the initial term of the lease will be \$10 per square foot per year, plus applicable taxes, which is within the range of market rents as determined by the Real Estate Division for spaces similar in size and use. Base rent will increase three percent at the beginning of each option period, if extended. The U.S. Vets will be responsible for its pro rata share of common area expenses, and for all costs related to occupancy, use, and maintenance of the suites including but not limited to tenant improvements and related permits, utilities, and the fire alarm system.

The lease will include insurance and indemnification provisions acceptable to the City's Risk Management Division and the Law Department. The lease may be canceled pursuant to Arizona Revised Statutes 38-511 and may contain other terms and conditions deemed necessary by the City.

Contract Term

The initial term of the lease is one year, with two additional one-year options to extend.

Financial Impact

Revenue for the initial one-year term is \$39,000.

Location

1945 W. Dunlap Ave., Suites 2 and 4.
Council District 5

Responsible Department

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



Professional Services, Hardware, Software, and Subscriptions Services with Motorola Solutions, Inc., Contract - EXC 23-064 - Request for Award (Ordinance S-49446)

Request to authorize the City Manager, or his designee, to enter into a contract with Motorola Solutions, Inc., to provide computer hardware and software, and related professional and subscription services for the Police Department. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$803,000.

Summary

This contract will provide the Police Department access to the CommandCentral Aware solution. The solution is a real-time, cloud-based situational awareness data aggregation platform for the Real Time Operations Center (RTOC). The solution uses advanced data analytics to integrate streaming video, real-time alerts, resource tracking, social media analytics, voice, computer aided dispatch, and records information into a single intuitive interface with layered geospatial mapping. This capability is essential for the RTOC initiative and its employees who are responsible for providing timely, usable information to officers in the field as part of the 27th Avenue, Hatcher Road and 19th Avenue Community Safety Plans.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstance Without Competition. The Police Department, in conjunction with Central Procurement, located an available cooperative purchasing agreement to provide the CommandCentral Aware solution in accordance with the competitive requirements of the City's Procurement Code. However, additional discretionary incentive discounts of approximately \$60,000 are available to the City if the solution is procured directly from Motorola Solutions. Utilizing an exception to the procurement code to directly contract with Motorola offers more cost savings than the available

cooperative purchasing agreement, and is more financially beneficial to the City.

Contract Term

The contract will begin on or about March 1, 2023, for a two-year term with three one-year options to extend.

Financial Impact

The aggregate contract value will not exceed \$803,000 for the five-year aggregate term. Funding is available in the Police Department's budget.

Responsible Department

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



Federal Legislative Representation and Consulting Services - EXC 20-095 - Amendment (Ordinance S-49454)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 153512 with HROD, Inc., doing business as Murray, Montgomery & O'Donnell, to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$160,000.

Summary

This contract will provide assistance to the Office of Government Relations and other City departments with identifying grant opportunities and successfully pursuing funding that supports City services. The consultant will represent the City face-to-face with elected officials and agencies that make decisions about federal funding which directly affects crucial City programs and services in areas including, but not limited to, water and environment, community development, transportation, and public safety. Additional time is needed to allow for the procurement of a new contract and additional funds will allow for continuation of this crucial service without lapse.

Contract Term

Upon approval the contract will be extended through April 14, 2025.

Financial Impact

Upon approval of \$160,000 in additional funds, the revised aggregate value of the contract will not exceed \$400,000. Funds are available in the Office of Government Relations budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Federal Legislative Representation and Consulting Services - Contract 153512 (Ordinance S-46512-34) on April 15, 2020;
- Federal Legislative Representation and Consulting Services - Contract 153512 (Ordinance S-47342) on March 3, 2021.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Office of Government Relations.



Aviation Department Information Technology Staffing Services - Requirements Contract - RFP 19-029 - Amendment (Ordinance S-49444)

Request to authorize the City Manager, or his designee, to amend the Aviation Department's contracts with 22nd Century Technologies, Inc., Contract 150933; ACRO Services Corporation, Contract 150931; Beacon Systems, Inc., Contract 150934; Intratek Computer, Inc., Contract 150930; Lancesoft, Inc., Contract 150935; OST, Inc., Contract 150929; and Solu Technology Partners, LLC, Contract 150932, to add the Information Technology Services Department (ITS) as an authorized user and add additional expenditures to obtain Information Technology (IT) staffing services. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1.3 million.

Summary

These contracts provide contracted staff to enable ITS to support citywide technology systems and critical IT projects. These contracts provide flexibility and allow the City to select staff with specific skill sets and experiences specific to the IT project being undertaken, to supplement staff in functions such as cyber security, and provide IT support while vacant positions are recruited. The additional expenditures allow ITS to utilize these firms without impacting the original contract authority.

Contract Term

The contract term remains unchanged, ending on Sept. 30, 2024.

Financial Impact

Upon approval of the \$1.3 million in additional funds, the revised aggregate value of the contract will not exceed \$21.3 million. Funds are available in the Information Technology Services Department's budget.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board:

- Recommended approval of this item on Aug. 15, 2019, by a vote of 6-0.

The City Council previously reviewed this request:

- Authorizing initial contracts and expenditures, Ordinance S-45995 on Sept. 4, 2019.

Responsible Department

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



Unlimited License Agreement for Police Department's Records Management System (Ordinance S-49455)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 142562-AR-001 with Oracle America, Inc., paid through Oracle Credit Corporation, to support the Police Department's Records Management System (RMS). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$265,000.

Summary

The Phoenix Police Department utilizes unlimited Oracle license agreements that grant a broad license, which allows the Police Department to share data from the current RMS with other law enforcement agencies in Arizona. These licenses are needed to continue to support the databases and enterprise data quality components of the RMS, which is critical to the system's operation.

Contract Term

Upon approval, the contract term shall remain the same. The contract term is valid through May 30, 2023.

Financial Impact

Upon approval of \$265,000 in additional funds, the revised aggregate value of the contract will not exceed \$2,659,253. Funds are available in Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Authorizing the initial contract and expenditures, Ordinance S-44628, on May 16, 2018.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Inger Erickson, and the Police and Information Technology Services departments.



Information Technology Asset Management Assessment and Roadmap Consultant Contract - Request for Award (Ordinance S-49476)

Request to authorize the City Manager, or his designee, to enter into a contract with Cogent Infotech Corporation to provide Information Technology Asset Management (ITAM) Assessment and Roadmap Consultant Services for the Information Technology Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$80,000.

Summary

This contract will provide consulting services in Information Technology Asset Management (ITAM) to modernize the citywide IT Asset Management Program. The City has been making improvements to ITAM processes and controls and is now seeking assistance to establish a formal ITAM Program to provide a reliable, scalable, secure, and cost-effective program that can be leveraged citywide to minimize risks and maximize the value of technology assets. The ITAM Program will include citywide ITAM governance with effective policies, processes, and tools to facilitate IT asset life cycle planning, sharing of asset-related operational and financial data, and to ensure the City is receiving the maximum value from IT assets. The resulting operational model shall utilize industry-best practices to manage software and hardware assets to enable City departments to function while ensuring that citywide visibility and control is maintained throughout the entire IT asset lifecycle.

Procurement Information

The consultant was selected through a competitive process in accordance with Administrative Regulation 3.10 utilizing the Information Technology Professional Services Qualified Vendors List.

Six vendors submitted offers deemed responsive and responsible. An evaluation committee comprised of City staff evaluated the offers based on the following criteria, with a maximum possible point total of 1,000:

- Minimum and Preferred Qualifications 0-350 points;
- Pricing 0-250 points;

- Scope of Work Objective and Deliverables 0-200 points;
- Biographies 0-100 points;
- Previous Engagements 0-50 points; and
- References 0-50 points.

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

Cogent Infotech Corporation - 690 points

Contract Term

The contract will begin on or about March 6, 2023, for a one-year term.

Financial Impact

The aggregate contract value will not exceed \$80,000. Funding is available in the Information Technology Services Department's budget.

Responsible Department

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



Intergovernmental Agreement (License) with the Arizona Department of Environmental Quality - Amendment (Ordinance S-49480)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 146324 with the Arizona Department of Environmental Quality for their continued use of a City of Phoenix communications site for placement of air quality monitoring equipment. There is no financial impact to the City of Phoenix.

Summary

This contract will provide continued access and placement of air quality monitoring equipment at a City's communication site. The air quality equipment is owned and maintained by the Arizona Department of Environmental Quality.

Contract Term

Upon approval the contract will be extended through Oct. 17, 2027.

Financial Impact

There is no financial impact to the City.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Authorizing the initial contract, Ordinance S-43961 on Oct. 4, 2017.

Location

Council District: 3

Responsible Department

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



Authorization to Apply for Local Judicial Collection Enhancement Fund Grant Funding to Replace Aging Hardware (Ordinance S-49474)

Request to authorize the Phoenix Municipal Court to apply for grant funding in an amount not to exceed \$54,000 from the Arizona Supreme Court administered Judicial Collection Enhancement Fund (JCEF) to replace aging computer hardware. Further request to authorize the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Phoenix Municipal Court will use these funds to replace aging printers. Replacement of these printers will help ensure reliability of the Municipal Court business systems, minimize hardware failure, and support requirements and maintenance costs.

Financial Impact

Funds will be made available in the Phoenix Municipal Court local JCEF account. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for utilization of JCEF funds pursuant to Arizona Revised Statutes section 12-113. No General Fund dollars will be used.

Responsible Department

This item is recommended by Interim Deputy City Manager John Chan and Chief Presiding Judge B. Don Taylor.



Authorization to Amend Contract with Child Crisis Arizona (Ordinance S-49472)

Request to authorize the City Manager, or his designee, to amend Contract 154921 with Child Crisis Arizona (CCA) to replace \$130,000 in Emergency Solutions Grant-CV (ESG-CV) Funding with Community Development Block Grant (CDBG) funding. Further request authorization for the City Controller to disburse all funds related to this item. Funds are available from the CDBG.

Summary

CCA provides residential, emergency shelter for homeless minor children between the ages of four and 12 years. The children in CCA's care have been removed from their families for the crimes of abuse and/or neglect. Services provided include immediate shelter, food, clothing, health and educational care.

The Neighborhood Services Department has identified CDBG funding to replace the previously allocated ESG-CV funding. This will allow CCA to replace playground equipment with CDBG funding, which may not be allowed with ESG-CV funds.

Contract Term

The term of the contract will remain unchanged, expiring on Sept. 30, 2023.

Financial Impact

Funding is available from the Emergency Solutions Grant - CV2 and CDBG from the U.S. Department of Housing and Urban Development (HUD). There is no impact to the General Fund.

Concurrence/Previous Council Action

The City Council approved Contract 154921(Ordinance S-47793) on July 1, 2021.

The City Council approved a contract extension for Contract 154921 (Ordinance S-48975) on Sept. 7, 2022.

Responsible Department

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



Issuance of Multifamily Housing Revenue Bonds (Foothills Village Apartments Project), Series 2023 (Resolution 22103)

Requests City Council approval for the issuance of Multifamily Housing Revenue Bonds (Foothills Village Apartments Project), Series 2023, to be issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed \$5,000,000.

Summary

Background: On Nov. 30, 2020, the Industrial Development Authority of the City of Phoenix, Arizona (the "Phoenix IDA") issued \$15,000,000 of Multifamily Housing Revenue Bonds (the "Revenue Bonds") for use by FVA, LLC (the "Borrower"), an Arizona limited liability company, to

- a.) Finance, and/or refinance, as applicable, the acquisition, construction, improvement, equipping and/or operation of a multifamily residential rental housing facility consisting of approximately 200 units in Phoenix, Arizona, and
- b.) Pay certain costs related to the issuance of Revenue Bonds.

Current Request: The borrower is seeing to finance additional amenities and improvements to the facility that are beyond the original scope of the transaction financed by the Series 2020 Bonds, as requested by adoption of City Council Resolution.

Concurrence/Previous Council Action

The Phoenix IDA Board previously resolved to issue the Revenue Bonds at its meeting held on Feb. 16, 2023.

Location

The project is located at or near 920 W. Alta Vista Road.
Council District: 7

With the exception of certain housing bonds/notes, the Phoenix IDA can finance projects located anywhere in Arizona. In addition. the Phoenix IDA ma issue

bonds/notes to finance projects outside of Arizona, if the out-of-state project provides a benefit with the State.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer.



Request to Apply for and Accept Federal Fiscal Year 2022 Assistance to Firefighters Grant Program Funds (Ordinance S-49477)

Request to authorize the City Manager, or his designee, to retroactively apply for, and accept, if awarded, up to \$930,085.32 from federal fiscal year (FFY) 2022 Assistance to Firefighters Grant (AFG) Program to fund Emergency Medical Services (EMS) Training equipment. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. If not approved, the grant application would be rescinded.

Summary

The AFG Program, administered through the Federal Emergency Management Agency (FEMA), is intended to help the nation's fire service by providing vital funds to local fire departments across the country. The primary goal of the program is to meet the firefighting and emergency response needs of fire departments, nonaffiliated emergency medical service organizations, and State Fire Training Academies. Since 2001, AFG has helped firefighters and other first responders obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources necessary to protect the public and emergency personnel from fire and related hazards.

Advanced EMS Patient Simulation Lab Project

The Advanced EMS Patient Simulation Lab Project will update the Fire Department's regional EMS training program with high fidelity manikins to be used for Paramedic and EMT training. The objective of this program is to provide realistic training to firefighters and paramedics that will increase competency and improve patient outcomes. The manikins will be housed in the EMS training building and will be used to create a state-of-the-art simulation lab. The total cost for this project is \$930,085.32 with a City match of approximately \$121,315.48.

Since 2008, the Fire Department has received more than \$5 million in AFG funding. These grants were used to purchase portable radios, thermal imaging cameras, incident safety officer system training, automatic chest compression devices, peer support team training and physical therapy equipment upgrades, peer fitness instructor training and fire ground survival training and equipment.

Procurement Information

The Fire Department will administer the grant in accordance with Administrative Regulation 3.10.

Contract Term

The grant period of performance is 24 months and projected to begin on or around Sept. 1, 2023.

Financial Impact

The grant is anticipated to have a 15 percent required cost match. Funds are available in the Fire Department's operating budget.

Responsible Department

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



Portable Multifunction Cardiac Monitor Defibrillators Contract - COOP 23-0086 - Request for Award (Ordinance S-49481)

Request to authorize the City Manager, or his designee, to enter into a contract with ZOLL Medical Corporation to provide Portable Multifunction Cardiac Monitor Defibrillators for the City of Phoenix Fire Department. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$8,500,000.

Summary

This contract will provide heart monitors and accessories for the City of Phoenix Fire Department (PFD). The PFD provides emergency Advanced Life Support to the community and utilizes 12-lead heart monitors on all Fire apparatus units and on all ambulances. The heart monitors deliver life-saving energy and diagnostic information on patients experiencing cardiac emergencies. The PFD current fleet of 160 heart monitors are due for replacement and the Fire Department will need to purchase 190 monitors to keep up with the City's current growth rate.

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

Procurement Information

In accordance with Administrative Regulation (AR) 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. These cardiac monitors are critical to the City of Phoenix Fire Department operations. The City of Phoenix conducted a Request for Information (RFI) to learn about the heart monitors available on the market. The PFD has determined that the contract with ZOLL Medical Corporation from the Town of Gilbert is the best fit for the City's needs. The Town of Gilbert contract covers the purchase of heart monitors and accessories through ZOLL Medical Corporation and was awarded consistent with the City of Phoenix's procurement processes. In accordance with the Procurement Code and AR 3.10, the City of Phoenix is permitted to adopt the cooperative agreement from the Town of Gilbert as an alternative competition method through execution of a linking agreement between ZOLL Medical

Corporation and the City of Phoenix.

Contract Term

The contract will begin on or about March 1, 2023, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value for will not exceed \$8,500,000 for the five-year aggregate term. Funding is available in the City of Phoenix Fire Department's budget.

Responsible Department

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



Donation from Planet Fitness for the Phoenix Fire Department (Ordinance S-49483)

Request authorization for the City Manager, or his designee, to accept a donation of fitness equipment, valued at approximately \$12,500, from Planet Fitness for the Fire Department. Further request authorization for the City Treasurer to accept and the City Controller to disburse this donation. If not approved, the donation would be declined.

Summary

Planet Fitness wishes to donate fitness equipment for the purpose of supporting firefighter wellness, fitness, and safety. The equipment will be shared among fire station gyms so that on duty crews may exercise and participate in cardio activity during their shift.

The donation consists of the following types of equipment:

- 44 Treadmills for a value of \$6,000.
- 16 Cross Trainers for a value of \$1,500.
- 14 ARC Trainers for a value of \$1,500.
- 8 Recumbent Bikes for a value of \$2,000.
- 6 Upright Bikes for a value of \$1,500.

This request adheres to the Fire Department's charitable donations process.

Contract Term

There is no contract term associated with this donation.

Responsible Department

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



Tactical Signal Collection System and Services Contract - RFP 22-114 - Request for Award (Ordinance S-49447)

Request to authorize the City Manager, or his designee, to enter into a contract with Tactical Support Equipment Inc. to provide a Tactical Signal Collection System and Support Services (TSCS) for the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$979,000.

Summary

This contract will provide the Phoenix Police Department's Drug Enforcement Bureau a TSCS. This includes equipment, installation, maintenance, and support services. This TSCS will help support the Police Department's public safety objectives by having the capability to locate victims and apprehend targeted offenders and criminals by way of cellular signals from cellular towers and devices. In addition, the TSCS will have the ability to capture and share data across law enforcement agencies further assisting with public safety.

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

Procurement Information

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

Four vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:

- Capability (0-375 points)
- Maintenance and Support (0-275 points)
- Method of Approach (0-200 points)
- Price (0-150 points)

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

Tactical Support Equipment Inc.: 805 points total

Contract Term

The contract will begin on or about March 1, 2023, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$979,000. Funding is available in the Police Department's budget.

Responsible Department

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



Request Authorization for Sale of Canine Jax (Ordinance S-49482)

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

Summary

Canine Jax is seven years old, and has served the Tactical Support Bureau with professionalism, dedication and exemplary effort for six years and therefore has met the Bureau's standard of five years of service. Canine Jax has advanced medical issues that have begun to cause a decline in his work performance and overall quality of life. Officer Fisher has already been issued a new canine to replace Jax in the field.

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

Responsible Department

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



Arizona Department of Emergency and Military Affairs Anti-Human Trafficking Grant (Ordinance S-49484)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept, and enter into an agreement with the Arizona Department of Emergency and Military Affairs (DEMA) for the Division of Emergency Management's Anti-Human Trafficking Grant. Authorization is also requested to enter into a Memorandum of Understanding with the Task Force partners supporting this grant. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. The grant amount is not to exceed \$500,000. No Matching funds are required.

Summary

The Police Department applied for the DEMA Anti-Human Trafficking Grant. The purpose of this grant is to combat all forms of human trafficking and will allow the unit to continue their victim-centric work with community partners, as well as provide formal training to other departments in Arizona. In partnership with Arizona Anti-Trafficking Network (AATN) and Arizona State University (ASU) Office of Sex Trafficking Intervention Research, this project will assist in building awareness, interventions and targeted-investigations through victim-centered policing events. Funding will be utilized for overtime, travel expenses, equipment, supplies and to fund partners AATN and ASU. The focus of this funding is to provide support to law enforcement entities to continue building capacity and operational effectiveness as a core member of a collaborative, multidisciplinary human trafficking task force.

The grant application was due on Nov. 8, 2022. If authorization is denied, the grant application will be rescinded.

Contract Term

Three years beginning Jan. 1, 2023 through Dec. 30, 2026.

Financial Impact

No matching funds are required.

Responsible Department

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



Request to Issue Concessions Consulting Services Request for Proposals

Request to authorize the City Manager, or his designee, to issue a Request for Proposals for Airport Concessions Consulting Services at Phoenix Sky Harbor International Airport.

Summary

The Aviation Department currently contracts with SI Partners, Inc. for airport concessions consulting services and the contract is due to expire in January 2024. In order to maintain a first-class retail, food and beverage, and passenger services concessions program, Aviation is seeking experienced providers of airport concession consulting services. The services provided will be on an as-needed basis and will include, but not limited to: feasibility studies, market analysis, terminal space planning, concessions master plan studies, financial review, and additional research and support.

The successful proposers will also be involved in the development of concession solicitations and the evaluation process.

Procurement Information

Aviation will conduct a Request for Proposal (RFP) to select multiple concessions consultants to be awarded for the resulting contracts.

Responsive and Responsible Proposers will be evaluated according to the following evaluation criteria:

- Qualifications and Experience of the Primary Consultant / Principal
- Approach to Scope of Services
- Qualifications and Experience of Proposer
- Fees

The highest ranked Proposers will be recommended for contract awards. Aviation intends to issue the solicitation on or about April 2023, with an estimated contract awards in December 2023. The City's Transparency Policy will be in effect with the release of the RFP and throughout the process.

Contract Term

The term will be three years and provisions of the contracts may include an option to extend the term with two one-year options, which may be exercised by the City Manager or designee.

Financial Impact

The estimated value of the contracts will be up to \$600,000 for the five-year aggregate contract term with an estimated annual expenditure of \$120,000. Funds are available in the Aviation Department's budget.

Concurrence/Previous Council Action

The Business Development Subcommittee recommended this item for approval on Jan. 5, 2023 by a vote of 3-0.

The Phoenix Aviation Advisory Board recommended this item for approval on Jan. 19, 2023 by a vote of 7-0.

Public Outreach

This process will include all standard and required outreach efforts to attract interest.

Location

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

Responsible Department

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



Request to Issue RFP for Security Guard Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposal for security guard services at Phoenix Sky Harbor International Airport, Deer Valley Airport and Goodyear Airport, and their owned and maintained facilities.

Summary

The security guard services contracts provide licensed, unarmed uniformed security guards, equipment, supplies and supervision as necessary to provide high quality security services on an as-needed basis. Phoenix Sky Harbor International Airport is regulated by the Transportation Security Administration (TSA) under the portions of Title 49 of the Code of Federal Regulations (C.F.R.), Parts 1500 through 1699.

Through the Request for Proposal (RFP), the Aviation Department will create up to two contracting opportunities as listed below. Each contract shall be for the term not to exceed five years. The minimum requirements listed below will allow interested parties from a variety of backgrounds to propose on these contract opportunities.

1. Regulatory (External): Minimum of three years within the last 10 years of security guard experience at a 49 C.F.R Part 1542 regulated airport or other federally-regulated facility and maintain a staff of sixty or more full-time security guards.
2. Regulatory (Internal): Minimum of three years within the last 10 years of security guard experience at a 49 C.F.R. Part 1542 regulated airport or other federally-regulated facility and maintain a staff of sixty or more full-time security guards.

Contract Term

The term of the contract will be for two years with three one-year options to extend at the Aviation Director's discretion.

Financial Impact

The estimated aggregate contract value is \$27,215,000 over the five-year term of the contract.

Public Outreach

The RFP process will include all standard and required outreach efforts, and will conduct targeted outreach efforts to attract interest for this contracting opportunity.

Location

The service locations under this RFP includes Phoenix Sky Harbor International Airport located at 2485 E. Buckeye Road, and surrounding airport properties; Deer Valley Airport located at 702 W. Deer Valley Road; and Goodyear Airport located at 1658 S. Litchfield Road, Goodyear, Ariz.

Council District(s): 1, 8 and Out of City

Responsible Department

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



Phoenix Sky Harbor International Airport Terminal 4 Fire Pump Upgrade and Service Entrance Section Replacement - Construction Manager at Risk Services - AV21000107 (Ordinance S-49443)

Request to authorize the City Manager, or his designee, to enter into an agreement with Chasse Building Team, Inc., to provide Construction Manager at Risk Preconstruction and Construction Services for the Phoenix Sky Harbor International Airport Terminal 4 Fire Pump Upgrade and Service Entrance Section Replacement 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 initial fee for services will not exceed \$1,250,000.

Summary

The purpose of this project is to replace and upgrade the Phoenix Sky Harbor International Airport Terminal 4 processor fire pump and the connected service entrance section electrical equipment to support the existing and new fire pump loads and to comply with fire and electrical code requirements. A study of the existing Terminal 4 fire protection system, prepared by SmithGroup, Inc. as part of the construction of the new Terminal 4 South Concourse 1, found that the existing fire pump currently serving Terminal 4 will need to be replaced. In addition, the 30-year old electrical service needs to be upgraded to accommodate the new fire pumps.

Chasse Building Team, Inc. will begin in an agency support role for Construction Manager at Risk Preconstruction Services. Chasse Building Team, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Chasse Building Team, Inc.'s Preconstruction Services include, but are not limited to: detailed cost estimating and knowledge of marketplace conditions; planning and scheduling; construction phasing and scheduling to minimize interruption to Airport and stakeholder operations; provide alternate systems evaluation, constructability studies and conditions surveying; provide long-lead procurement studies and initiate procurement of long-lead items; assist in permitting process; coordinate with various City of Phoenix departments, other agencies, utility companies, etc.; and participate with the City in a process to establish a Small Business Enterprise (SBE) goal for the

project.

Chasse Building Team, Inc.'s initial Construction Services will include preparation of a Guaranteed Maximum Price (GMP) proposal provided under the agreement. Chasse Building Team, Inc. will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Chasse Building Team, Inc. will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Chasse Building Team, Inc. may also compete to self-perform limited amounts of work.

Chasse Building Team, Inc.'s additional Construction Services include replacing and/or upgrading the Terminal 4 Fire Pump and Service Entrance Section; selecting subcontractors/suppliers and subcontractor coordination; preparing GMP proposals that meet project phasing and the approval of the City; coordinating with various City of Phoenix departments, project stakeholders, existing tenants, other agencies and utility companies; providing quality controls; bonding and insuring the construction; maintaining a safe work site for all project participants; addressing all federal, state, and local permitting requirements; and other work as required for a complete project.

Procurement Information

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

Selected Firm

Rank 1: Chasse Building Team, Inc.

Additional Proposer

Rank 2: Sun Eagle Corporation

Contract Term

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

Financial Impact

The initial agreement value for Chasse Building Team, Inc. will not exceed \$1,250,000, including all subcontractor and reimbursable costs.

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

Location

2485 E. Buckeye Road
Council District: 8

Responsible Department

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



Front Loader/Backhoe Tractors - IFB 23-FSD-029 - Contract Recommendation (Ordinance S-49448)

Request to authorize the City Manager, or his designee, to enter into contracts with Sonsray Machinery LLC, and RDO Equipment for the purchase of new front loader/backhoe tractors. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$6,922,820.

Summary

The Public Works Department will purchase new machines for the purpose of replacing older machines over the next five years for various City departments. Front loader/backhoe tractors are utilized for a variety of tasks, including small demolition, light transportation of building materials, excavate holes, landscaping, road maintenance, etc. The contracts will support the replacement of aged equipment for the Street Transportation, Water Services, and Aviation departments.

Procurement Information

An Invitation for Bids (IFB) 23-FSD-029 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received two bids on Nov. 9, 2022 with both being deemed responsive and responsible to all specifications, terms and conditions, and deemed responsive and responsible to provide the required goods. The offers were deemed fair and reasonable based on the market.

Sonsray Machinery LLC: \$133,775

RDO Equipment: \$118,067.71

Contract Term

The agreements will begin on or about March 1, 2023 and will each have an initial three-year contract period, with two additional option years to be exercised in increments of up to one year, for a total contract term of five years.

Financial Impact

The contracts will have a \$1,384,564 estimated annual expenditure, with a total amount not to exceed \$6,922,820 over the life of the contracts. Funds are available in various City departments' budgets.

Responsible Department

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



Transport Gas and Electricity Services - Amendment (Ordinance S-49459)

Request to authorize the City Manager, or his designee, to amend Agreement 135518 with Kinect Energy, Inc. to extend the contract and allow additional expenditures for energy purchases of electricity and compressed natural gas. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will have a total amount of \$16,600,000.

Summary

The City of Phoenix has over 3,000 active electric and natural gas accounts. Agreement 135518 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.

Procurement Information

This item is exempt from Administrative Regulation 3.10 citing energy purchase.

Contract Term

The contract term will be extended for an additional five years, with a revised expiration date of Feb. 28, 2028.

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 \$11,928,000. This amendment will increase the authorization for the agreement by an additional \$16,600,000, for a new total not-to-exceed agreement value of \$28,528,000.

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;

Agreement 135518 - Amendment (Ordinance S-44761) on June 20, 2018 and;
Agreement 135518 - Amendment (Ordinance S-47979) on Oct. 6, 2021.

Responsible Department

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



Air Conditioning Cooler Parts and Equipment - IFB 23-FMD-032 - Requirements Contract (Ordinance S-49460)

Request to authorize the City Manager, or his designee, to enter into separate contracts with United Refrigeration, American Refrigeration Supplies, Inc, and Ferguson Enterprises, Inc. for the purchase of air conditioning and cooler parts and equipment for existing Citywide heating, ventilation, and air conditioning (HVAC) systems on an as-needed basis. The total amount is \$3,575,000 over the life of the contracts. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The purchase of air conditioning and cooler parts and equipment is necessary to maintain the functional operation and longevity of existing heating, ventilation and air conditioning systems for various City departments including, but not limited to Aviation, Phoenix Convention Center and Public Works.

Procurement Information

Invitation for Bid 23-FMD-032 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Public Works Procurement Services on Nov. 16, 2022. The offers were evaluated based on discount, responsiveness to all specifications, terms and conditions and responsibility to provide the required goods.

The offers submitted by United Refrigeration, American Refrigeration Supplies, Inc., and Ferguson Enterprises, Inc. are recommended for contract award based on the discount percentages on various manufacturer parts. Because of the extensive list of manufacturers, the following vendors are recommended for contract award.

American Refrigeration Supplies, Inc.
Ferguson Enterprises, Inc.
United Refrigeration

Due to the large volume of parts necessary to maintain the wide variety of air conditioning and cooler unit manufacturers used throughout the City, all three offers

are being recommended for contract award. In addition to the variety of manufacturers covered, multiple awards are necessary to ensure contractor availability during summer months when contractor availability is diminished.

Contract Term

The initial one-year contract term shall begin on or about April 1, 2023, with four options to extend in increments of up to one year, for a total contract option term of five years.

Financial Impact

These contracts will have a \$715,000 estimated annual expenditure, with a total amount of \$3,575,000 over the life of the contracts. Funds are available in the Phoenix Convention Center, Aviation, and Public Works departments' budget.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua, Interim Deputy City Manager John Chan and the Phoenix Convention Center, Aviation, and Public Works departments.



Purchase of a Fire Pumper Truck (Ordinance S-49461)

Request to authorize the City Manager, or his designee, to enter into a contract with Hughes Fire Equipment, Inc. for the purchase of a fire pumper truck. Further request authorization for the City Controller to disburse all funds related to this item. This contract will have a value of \$985,138.

Summary

The Public Works Department is responsible for purchasing fleet vehicles and equipment, including fire apparatus. The Fire Department has requested the purchase of one pumper truck to support the training of recruits and current staff. This unit is critical for the Fire Department to provide emergency response services including combating structural fires and providing emergency medical services to Phoenix residents and surrounding municipalities who are automatic aid partners in the computer-aided dispatching system.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing unusual nature. Due to the unique build specifications reviewed and deemed acceptable by the Phoenix Fire Department and the Public Works Department, the manufacturer Pierce is being used.

Contract Term

This item will be for a one-time purchase of one fire pumper truck, starting on or about March 2, 2023.

Financial Impact

The value will not exceed \$985,138.

Funding is available in the Fire Department's budget.

Location

2425 W. Lower Buckeye Road
Council District: 7

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and Deputy City Manager Mario Paniagua and the Fire and Public Works departments.



Purchase of Metal Bins - Requirements Contract - IFB 23-SW-036 (Ordinance S-49464)

Request to authorize the City Manager, or his designee, to enter into an agreement with Southlands Engineering, LLC, to provide various sizes of metal bins for solid waste collection programs and projects. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$1,205,850.

Summary

The Public Works Department is responsible for purchasing solid waste collection bins. This agreement will provide metal front and rear-load bins in sizes of 2, 3, 4, 6, and 8-cubic yards for solid waste collections; and 10, 12, 20, 25, 30, and 40-cubic yard metal roll-off bins for the collection of solid waste from single-family, multi-family, government, non-profit, and internal customers. This agreement will also provide parts and accessories to repair bins, bins to replace existing assets that are beyond repair, and any additional bins necessary to support the on-boarding of new customers.

Procurement Information

Invitation for Bid (IFB) 23-SW-036 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the Public Works Department Procurement Services Division on Dec. 7, 2022. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required goods. One offer was deemed non-responsible due to an inability to meet the delivery requirements for the bins. The offer submitted by Southlands Engineering, LLC was deemed fair and reasonable.

Group 1 - Metal Front and Rear Load Collection Bins

Southlands Engineering, LLC: \$82,176.32 bid total

Superior Container Solutions: \$107,950 bid total

Group 2 - Metal Roll-Off Collection Bins

Southlands Engineering, LLC: \$277,033.05 bid total

Superior Container Solutions: \$375,340 bid total

Contract Term

The one-year term of the contract will begin on or about March 1, 2023. The contract will include 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 agreement, including all option years, is \$1,205,850, including all applicable taxes, with an estimated annual expenditure of \$241,170.

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

Responsible Department

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



One-time Purchase of Various Tire Equipment for Police Substations (Ordinance S-49465)

Request to authorize the City Manager, or his designee, to enter into a contract with Mohawk Lifts, LLC, for the purchase of six tire machines, and all required accessories for six police substations. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of up to \$88,664.

Summary

The Public Works Department is requesting to purchase six Hunter TCX53A tire removal and replacement machines, and one wheel balancer and all required accessories for installation. This equipment will be installed at six police substations. These machines will be used to accommodate larger size rims on 2021 model year fleet and newer. The wheel balancer will replace an aging unit. The purchase of this equipment will complete the standardization of machines across all precinct mechanic shops.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing a time restriction.

Contract Term

This item will be for a one time purchase of tire equipment, starting on or about March 22, 2023.

Financial Impact

The aggregate value will not exceed \$88,664.

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

Responsible Department

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



Public Works Interdepartmental Facility Maintenance Study - Contract Recommendation (Ordinance S-49466)

Request to authorize the City Manager, or his designee, to enter into a contract with NewGen Strategies and Solutions, LLC to provide consulting services to conduct an analysis of Public Works interdepartmental facility maintenance charges. Further request to authorize the City Controller to disburse all funds related to this item. The total of this contract will be \$195,360.

Summary

The Public Works Department Facilities Management Divisions are responsible for the maintenance and repair of the majority of City-owned properties, and are primarily funded through an interdepartmental billing system. This analysis will assist Public Works Department Fiscal staff in determining the calculated maintenance costs other City departments should be charged for work performed by the Facilities Operations Division and the Facilities Planning and Projects Division on their facilities and buildings. This study will also identify process improvements to reduce overall costs through work flow efficiency.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing time restriction. The Public Works Department requires the analysis to be completed by the Fall of 2023 to set the most proper facilities maintenance charges in a timely manner for interdepartmental customers.

Contract Term

This contract will be for the one-time purchase of conducting the analysis that will begin on or about March 1, 2023.

Financial Impact

This item will have a one-time value of \$195,360.

Funds are available in the Public Works Department's budget.

Responsible Department

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



Original Equipment Manufacturer Parts for Ambulances - Requirements Contract - RFA 23-FSD-047 (Ordinance S-49468)

Request to authorize the City Manager, or his designee, to enter into a contract with Redsky Fire Apparatus LLC, to supply Original Equipment Manufacturer (OEM) parts for Demers ambulance bodies on an as-needed basis in a contract amount not to exceed \$250,000. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The Public Works Department maintains 36 units outfitted with Demers ambulance bodies. These units are used to provide reliable transportation for residents and visitors needing ambulatory transport within the City of Phoenix. Obtaining the OEM parts is critical to ensure all systems on the ambulance body perform as designated. This will also decrease the downtime by purchasing specified parts that are engineered and designed for the specifications of the ambulance body systems.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination citing sole source. Redsky Fire Apparatus LLC is the only source for these essential parts and accessories and the only authorized distributor of OEM parts for Demers ambulance bodies.

Contract Term

The initial one year contract term will begin on or about March 1, 2023. The contract will include four option years in increments of up to one year.

Financial Impact

This contract will have an estimated annual expenditure of \$50,000, with a value not to exceed \$250,000. Funds are available in the Public Works Department's budget.

Responsible Department

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



Solid Waste Equipment Washing Services - Requirements Contract - IFB 23-SW-043 (Ordinance S-49473)

Request to authorize the City Manager, or his designee, to enter into an agreement with Fleetwash, Inc., to provide mobile washing services on solid waste collection vehicles and equipment. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$778,785.

Summary

The Public Works Department is responsible for cleaning collection vehicles and equipment. Public Works must comply with the Maricopa County Environmental Health Code Chapter II, Section 5, which requires vehicles used for the collection and transportation of refuse to be cleaned frequently. This agreement will provide on-site washing services to over 400 vehicles and equipment that are utilized for the collection and transportation of refuse.

Procurement Information

Invitation for Bid 23-SW-043 was conducted in accordance with Administrative Regulation 3.10. Four offers were received by the Public Works Department Procurement Services Division on Jan. 11, 2023. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by Fleetwash, Inc. was deemed fair and reasonable.

Group 1 - Solid Waste Field Services

Fleetwash, Inc.: \$25,392.70 bid total;
CD Phoenix, LLC dba DetailXperts: \$74,525.00 bid total;
Southlands Engineering, LLC: \$522,337.03 bid total

Group 2 - Solid Waste Customer Engagement Services

Extreme Steam Clean, LLC: \$29,600.00 bid total;
Fleetwash, Inc.: \$4,497.60 bid total;
CD Phoenix, LLC dba DetailXperts: \$13,200.00 bid total;
Southlands Engineering, LLC: \$86,046.40 bid total

Contract Term

The one-year term of the contract will begin on or about April 1, 2023. The contract will include 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 value of the agreement, including all option years is \$778,785, including all applicable taxes, with and estimated annual expenditure of \$155,757.

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

Responsible Department

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



Lift Station 66 Refurbishment - Engineering Services Amendment - WS90400084 (Ordinance S-49445)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 151303 with Garver, LLC, to provide additional engineering services for the Lift Station 66 Refurbishment project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$600,000.

Summary

The purpose of this project is to refurbish Lift Station (LS) 66. The lift station was initially constructed and operated to provide direct flows to Cave Creek Water Reclamation Plant (CCWRP). When the CCWRP was shut down in 2009, LS 66 flows were bypassed to the gravity sewer in North Valley Parkway with the exception of flows from the adjacent City of Phoenix Solid Waste Transfer Facility.

In order to make LS 66 operational, upgrades and improvements are recommended for the mechanical, structural, electrical, instrumentation and control system equipment. The proposed refurbishment project includes replacement or upgrades of pumps, motors, slide gates, piping, valves, bio filter, variable frequency drive, programmable logic control, control panel, instrumentation, and coating refurbishment.

This amendment is necessary as it was identified during the design phase that a new industrial discharger was needed in the sewer shed, resulting in the need to rerun the hydraulic evaluation and significantly update the design criteria and recommendations. The project also assumed the existing odor control would be retrofit. After evaluating alternatives to retrofit, the design was paused while alternatives for the odor control were evaluated and the identified alternative to be designed based on the selected option. Due to the changes in the design and construction needs the estimated fee for construction administration and inspection services has increased. This amendment will provide additional funding and time to the current agreement.

Garver, LLC's additional services include, but are not limited to assisting the City

during the procurement phase by providing responses to questions from bidders, oversight of the project construction activities, inspecting the site through various stages of construction, reviewing contractor work submittals, performing field inspections where required for completed repairs, finalizing contract documents including electronic submittals, as-builts, and a water asset management engineering packet.

Contract Term

The term of this agreement amendment is one year 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 initial agreement for Engineering Services was approved for an amount not to exceed \$700,000, including all subconsultant and reimbursable costs.
- This amendment will increase the agreement by an additional \$600,000, for a new total amount not to exceed \$1.3 million, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:

- Engineering Services Agreement 151303 (Ordinance S-46201) on Dec. 4, 2019.

Location

N. Black Canyon Highway
Council District: 2

Responsible Department

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



Steel Tank Rehabilitation Program - Group N, O, P - Engineering Services - WS85050023 and WS85400007 (Ordinance S-49449)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC, to provide Engineering Services that include program planning, assessment, design, and possible construction administration and inspection for the Steel Tank Rehabilitation Program Group N, O, P. 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 \$6,030,000.

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

Summary

The rehabilitation program was established to provide an overall approach to assess and rehabilitate steel tanks and to prevent them from deteriorating over time based on their coating, and structural and site conditions. The program includes maintaining the coating and structural integrity of these steel tanks, enhancing water quality (recirculation systems, mixing, disinfection system upgrades) associated with the steel tank sites, and providing site-related improvements such as erosion repair, upgraded fencing, and other improvements. This program has grouped all of the tanks into near-term, mid-term, and long-term categories and established a master presentation maintenance schedule for tank inspections, assessment, design, and rehabilitation activities.

Wilson Engineers, LLC's Assessment and Design Services include, but are not limited to: reviewing and updating the steel tank report, performing dry inspection and assessment; modifying the steel tank ranking based upon inspection and assessments; providing rehabilitation design, and assisting with overall program data management for the City's Work Order Asset Management System.

Wilson Engineers, LLC's CA&I services include, but are not limited to: providing project administration and engineering services during construction activities; inspecting the site through various stages of construction; reviewing contractor work submittals; performing field inspections for completed repairs; and providing resident services during construction.

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: Wilson Engineers, LLC

Additional Proposers:

Rank 2: Kimley-Horn and Associates, Inc.

Rank 3: Dibble & Associates Consulting Engineers, Inc.

Contract Term

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

Financial Impact

The agreement value for Wilson Engineers, LLC, will not exceed \$6,030,000, including all subconsultant and reimbursable costs.

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

Location

Various locations citywide

Council Districts: 1, 2, 3, 4, 6, 8, and Outside of City

Responsible Department

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



Sub-Regional Operating Group Southern Avenue Interceptor Condition Assessment - Engineering Services - WS90160107 (Ordinance S-49451)

Request to authorize the City Manager, or his designee, to enter into an agreement with Project Engineering Consultants, LTD., to provide Engineering Services for a condition assessment for the Sub-Regional Operating Group Southern Avenue Interceptor Condition Assessment project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$2,500,000.

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

Summary

The purpose of this project is to complete a condition assessment of approximately 98,500 linear feet of the Southern Avenue Interceptor (SAI), including the 51st Avenue Siphon and approximately 154 associated manholes and structures on the interceptor.

Project Engineering Consultants, LTD.'s services include, but are not limited to: reviewing past assessments, as-builts, completed rehabilitations and other improvements; inspecting the pipe interior of the interceptor; inspecting the twin barrel pre-stressed concrete cylinder siphon at 51st Avenue and Broadway Road to analyze and determine the structural integrity and sediment and debris accumulation; inspecting bypass pump "panels" in the interceptor at the locations previously rehabilitated; inspecting manholes and structures on the interceptor using remote

digital technology and manned entry; cleaning of the interceptor; assessing sewer pipe, manhole, and structure conditions using NASSCO standards; testing the pipe to soil potentials for each of the twin barrels at the corrosion monitoring test stations; preparing a detailed report of observations including a prioritized list of assets recommended for rehabilitation; developing budgetary costs for recommended rehabilitations; holding progress meetings and workshops as needed to complete the work; and preparing reports and presenting them to the Sub-Regional Operating Group (SROG) partners.

The Southern Avenue Interceptor is owned by SROG and operated by the City of Phoenix.

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: Project Engineering Consultants, LTD.

Additional Proposers

Rank 2: Black and Veatch Corporation

Rank 3: Brown and Caldwell, Inc.

Contract Term

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

Financial Impact

The agreement value for Project Engineering Consultants, LTD. will not exceed \$2,500,000 including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

- The SROG Advisors authorized the project on June 16, 2022.

Location

Southern Avenue from 48th Street to 51st Avenue, continuing to 91st Avenue between Southern Avenue and Broadway Road.

Council Districts: 7, 8 and Out of City

Responsible Department

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



Advance Construct Intergovernmental Agreement with Maricopa Association of Governments and Arizona Department of Transportation for Regional Transportation Funds (Ordinance S-49470)

Request to authorize the City Manager, or his designee, to enter into an Advance Construct Intergovernmental Agreement with the Maricopa Association of Governments (MAG) and the Arizona Department of Transportation (ADOT) for regional funding through the Arterial Life Cycle Program. Further request an exception pursuant to Phoenix City Code section 42-20(B), to indemnify, defend, and hold harmless MAG and ADOT for: (a) acts arising out of, or contributed to, by reasons of any alleged act, omission, professional error, fault, mistake or negligence of the City, its employees, officers, directors, agents, representatives, or contractors, their employees, agents or representatives. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The estimated financial impact to the City is \$12.5 million.

Summary

In November 2004, the voters of Maricopa County approved a transportation excise tax for implementing the Regional Transportation Plan (RTP). The Maricopa Association of Governments (MAG) is required by state law to adopt a program that provides for life cycle management for the funding and programming of the Arterial Life Cycle Program (ALCP).

The City of Phoenix, in coordination with MAG and the Arizona Department of Transportation (ADOT) is planning a regional roadway improvement along Happy Valley Road between 67th and 35th avenues. The project scope involves completing full roadway improvements consistent with the planned roadway classification for a modified arterial roadway with three lanes in each direction, medians, curb, gutter, sidewalk, bike lanes and streetlights where they do not exist today. Happy Valley Road is a regional east/west arterial street in the northern city limits that has largely been built by development. This project will complete the ultimate roadway cross section for Happy Valley Road that had not previously been improved by development. Funds programmed through the ALCP are administered by ADOT through the City's self certification, which allows the City to complete the required procedures for project development in a more efficient, cost effective, and timely manner.

This stretch of roadway was a casualty of the 2008 recession when regional funds were rebalanced in response to a national recession. Happy Valley Road between 67th and 35th avenues is the last Phoenix RTP project that was shelved in response to reduced regional transportation revenues. The City has taken the initiative to fulfill the commitment made to Phoenix/Arizona voters by moving the project forward in hopes of securing additional federal dollars currently estimated at \$12.5 million. The project is in final design and right-of-way acquisition, and will go to construction in fall 2023. The City of Phoenix is committed to this regional transportation corridor project and plans to complete construction in 2025. Entering into an Advance Construct Intergovernmental Agreement (IGA) will allow Phoenix to potentially get reimbursed up to 70 percent of the total project cost if or when additional regional funds become available. MAG currently has \$6.595 million programmed for design, right-of-way acquisition, and construction in the ALCP.

The City continues to pursue any and all federal funding opportunities to close the gap in project costs, estimated at \$12.5 million.

Financial Impact

Traditionally, the MAG ALCP can contribute up to 70 percent of the total project cost and requires member agencies to participate with 30 percent of the total project cost. The current total project cost (design, right-of-way acquisition, and construction) is estimated at \$27,304,829. Using this estimate, the region could contribute up to \$19,113,830 if the project was fully funded. Currently, this project is only partially funded at \$6.595 million. Through the Advance Construct IGA, the City will advance the capital costs to build the project sooner, and the shortfall estimated at \$12.5 million would be eligible for reimbursement if additional regional federal dollars become available in the future. Local funding to advance this project is available in the Street Transportation Department's Capital Improvement Program.

Concurrence/Previous Council Action

The City Council approved:

- A Project Agreement with MAG for the pre-design and environmental phases associated with this project (Ordinance S-46149) on Nov. 6, 2019; and
- A Project Agreement with MAG for the design phase of this project (Ordinance S-48019) on Oct. 27, 2021.

Responsible Department

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



Homeless Services Sprung Structure II Architectural and Engineering Services Amendment - 8980150009 (Ordinance S-49478)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 157319 with RPM Team, LLC, to provide additional Architectural and Engineering Services for the Homeless Services Sprung Structure II project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$75,000.

Summary

The purpose of this project is to provide additional designs in architectural, civil, electrical, plumbing, geotechnical engineering and survey services for the Office of Homeless Solution's homeless shelter project located at 3000 S. 22nd Ave.

This amendment is necessary because of the need to address all architectural and engineering design review comments in preparation of submittal approval. This amendment will provide additional funds and time to the agreement.

Contract Term

The term of the agreement amendment is 250 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 initial agreement for Architectural and Engineering Services was approved for an amount not to exceed \$270,000, including all subconsultant and reimbursable costs. This amendment will increase the agreement by an additional \$75,000, for a new total amount not to exceed \$345,000, including all subconsultant and reimbursable costs.

The Budget and Research Department will separately review and approve funding availability prior to the execution of any amendments. Payments may be made up to

agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

- Master Agreement 157319 (Ordinance S-49118) on Oct. 26, 2022.

Location

3000 S. 22nd Ave.

Council District: 7

Responsible Department

This item is submitted by Deputy City Managers Gina Montes and Alan Stephenson, the City Manager's Office, and the City Engineer.



Water Main Replacements QS: 10-33 Washington to Van Buren Streets from 20th to 36th Streets - Construction Manager at Risk Construction Services - WS85509026 (Ordinance S-49450)

Request to authorize the City Manager, or his designee, to enter into an agreement with J. Wise Corp. to provide Construction Manager at Risk, Construction Services for the Water Main Replacement Quarter Sections; 10-33 Washington to Van Buren Streets from 20th to 36th Streets 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 \$6,010,000.

Summary

The purpose of this project is to evaluate and replace aging water mains within the City of Phoenix. The primary focus of the program is to replace the current water mains in alleys and easements that have historically had high break rates and are difficult to repair. Work for this project will include installation of new 6-inch to 12-inch water mains, multiple cut and plugs, and installation or relocation of fire hydrants.

J. Wise Corp.'s (J. Wise) initial services will include preparation of a Guaranteed Maximum Price proposal for the construction services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. J. Wise will be responsible for construction means and methods related to the project and for fulfilling the SBE program requirements. J. Wise will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City's subcontractor selection process. J. Wise may also compete to self-perform limited amounts of work.

J. Wise's services include, but are not limited to: furnishing and installing approximately 10,000 linear feet of 6-inch, 8-inch, and 12-inch ductile iron pipe and fittings, 12 fire hydrants, 20 cut and plugs, and 120 services.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in

conjunction with the Construction Manager at Risk (CMAR) Preconstruction Services selection process.

Contract Term

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

Financial Impact

The agreement value for J. Wise Corp. will not exceed \$6,010,000, 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:

- Professional Services Agreements 151696, 151697, and 151698 (Ordinance S-46394) on March 4, 2020; and
- CMAR Preconstruction Services Agreement 152343 (Ordinance S-46694) on June 3, 2020; and
- CMAR Preconstruction Services Agreement Rescind 152343 and Award 153288 (Ordinance 47042) on Nov. 4, 2020.

Location

QS 10-33 Washington to Van Buren streets from 20th to 36th streets
Council Districts: 8

Responsible Department

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



Petroleum Oil Contract - IFB 2223-WPP-57 - Request for Award (Ordinance S-49452)

Request to authorize the City Manager, or his designee, to enter into a contract with Senergy Petroleum, LLC, to provide Petroleum Oil products for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of this contract will not exceed \$800,000.

Summary

The purpose of this contract is to supply Water Services Department (WSD) with petroleum oil products which include oils, lubricants, grease, synthetics, refined oils, and other petroleum products as specified. The petroleum products are used to maintain and prevent corrosion and rust on the following equipment: blowers; pumps; gear boxes; and other equipment. WSD utilizes oil and lubricants designed for industrial use and offer high resistance to foaming, and rapid air release, as well as good water shedding. Several of the products are required by WSD to be food grade.

Procurement Information

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

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

Selected Bidders:

Senergy Petroleum, LLC.

Contract Term

The contract will begin on or about March 1, 2023 for a five-year term, with no option to extend.

Financial Impact

The contract value will not exceed \$800,000.

Funding is available in the WSD's operating budget.

Responsible Department

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



Used Oil and Miscellaneous Removal Services - Amendment (Ordinance S-49453)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 157476 with Agritech International, Ltd., dba Cleantech Environmental, to modify the scope of work to provide services at Water Services Department facilities and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$60,000.

Summary

The purpose of the amendment is to provide the Water Services Department (WSD) the opportunity to utilize the used oil and miscellaneous removal services contract. The contract will provide the pick-up, off-site removal and recycling of used oil and other non-hazardous petroleum solid waste products that is accumulated at WSD sites on an as needed basis. The agreement will include all labor, materials, equipment, transportation, reimbursements, and other incidentals necessary to provide this service. The collection of used oil, under this contract, will align with the City's Climate Control Action Plan.

Contract Term

The contract term remains unchanged, ending on Nov. 30, 2027.

Financial Impact

Upon approval of \$60,000 in additional expenditures, the revised aggregate value of the contract will not exceed \$172,290. Funds are available in the Water Services Department's budget.

Concurrence/Previous Council Action

The City Council approved Used Oil and Miscellaneous Removal Services Agreement 157476 (Ordinance S-49091) on Oct. 26, 2022.

Responsible Department

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



Lift Station 40 Refurbishment - Engineering Services - WS90400085 (Ordinance S-49456)

Request to authorize the City Manager, or his designee, to enter into an agreement with HDR Engineering, Inc. to provide engineering services that include design and construction administration and inspection services for the Lift Station 40 Refurbishment 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 total fee for services will not exceed \$2.5 million.

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

Summary

The purpose of this project is to complete a re-design of the project based on a new site configuration using additional land that the City of Phoenix is now purchasing.

HDR Engineering, Inc.'s services include, but are not limited to; preliminary design services and report, design development, meeting and workshop agenda, documentation of meeting results, identification and evaluation alternatives, permits for construction, Arizona Department of Transportation coordination, and construction administration and inspection.

Procurement Information

The selection was made using a qualifications-based selection process that has been

set forth in section 34-603 of the Arizona Revised Statutes.

Contract Term

The term of the agreement amendment will not exceed five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for HDR Engineering, Inc. will not exceed \$2.5 million, including all subconsultants 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 the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

- Engineering Services Agreement 147754 (Ordinance S-44653) on June 6, 2018.

Location

The project is located in the area of Interstate 10 and Ray Road.

Council District: 6

Responsible Department

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



Authorization to Enter into a Land Use License with Salt River Project for the Lift Station 61 Redundant Force Main Project (Ordinance S-49458)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project for the Lift Station 61 Redundant Force Main Project near 91st Avenue and Broadway Road. Further request to authorize the City Controller to disburse all funds related to this item.

Additionally, request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18, as Salt River Project's land use license includes such provisions.

Summary

The Water Services Department plans to upgrade and modernize outdated infrastructure at Lift Station 61 and add a redundant force main for flexibility of use and back-up. A land use license through Salt River Project (SRP) is required to cross fee land owned by the United States Bureau of Reclamation (BOR), as the BOR will not grant an easement.

The parcels affected by this project are identified by Maricopa County Assessor's parcel numbers 101-35-005G and 101-35-007B, located near 91st Avenue and Broadway Road.

Contract Term

The term of the license is 25 years.

Location

Near 91st Avenue and Broadway Road.
Council District: 7

Responsible Department

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



One time Purchase of One Sanitary Sewer Inspection Unit (Ordinance S-49467)

Request to authorize the City Manager, or his designee, to enter into an agreement with Jack Doheny Companies Inc., for a one-time purchase of a sanitary sewer inspection unit and all equipment for the Wastewater Collection Division. Further request to authorize the City Controller to disburse all funds related to this item. The value of the purchase will not exceed \$458,646.

Summary

This equipment is used by the Wastewater Collections Division's TV Section and will perform essential televised inspections of the City's sanitary sewer system. The unit will consist of workstation, IBAK camera system and the purchase of a Ford E-450 chassis and supplemental equipment. The IBAK camera system is necessary to perform critical inspections throughout the 522-mile service area that the division maintains. This equipment uses the most relevant technology to perform inspections and will minimize downtime while allowing staff to perform work within the sanitary system without interruptions and to maximize efficiency.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing sole source. Jack Doheny Companies Inc., is the sole provider of the RapidView IBAK North America unit.

Contract Term

This contract will begin on or about March 1, 2023 for the one-time purchase of the unit and all necessary equipment.

Financial Impact

This item will have a value of up to \$458,646.

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

Responsible Department

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



Stormwater Retrofit Assessment Contract - RFP 2122-WES-478 - Request for Award (Ordinance S-49475)

Request to authorize the City Manager, or his designee, to enter into an agreement with Hazen and Sawyer P.C. to provide a feasibility assessment of the City of Phoenix's Water Services Department retrofit stormwater controls for existing City sites. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$300,000.

Summary

The agreement will provide Water Services with the ability to conduct a Retrofit Feasibility Assessment, as required for the City's Municipal Separate Storm Sewer System (MS4) permit. The City must develop a feasibility assessment investigating the implications of applying retrofit stormwater controls to the City's existing site discharging to the MS4.

Procurement Information

The recommendations were made using a Request For Proposal procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

One offer was received and deemed responsive to the posted specifications and responsible to provide the required services. Following an evaluation based on the criteria listed in the solicitation, the procurement officer recommends an award to the following vendor:

- Hazen and Sawyer P.C.

Contract Term

The contract will begin on or about March 16, 2023, for a three-year term with one option to extend.

Financial Impact

The contract value will not exceed \$300,000.

Funding is available in the Water Services Department operating budget.

Responsible Department

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



Technology Approval Group Agreement - RFA 2223-WAD-577 - Request for Award (Ordinance S-49479)

Request to authorize the City Manager, or his designee, to enter into an agreement with Isle Utilities to participate in the Technology Approval Group for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$198,668.

Summary

The purpose of this agreement is to provide a platform for the Water Services Department to take part in water user meetings, forums, workshops, studies, programs, pilots, and reports. The Isle Technology Program will provide industry information to support utility needs.

Procurement Information

An exception to the procurement process was determined to select the contractor set forth in Administrative Regulation 3.10. A direct selection was made because there exists a lack of qualified or available contractors and consultants, which makes a competitive selection process impracticable, unnecessary, or contrary to the public interest.

Contract Term

The agreement will begin on or about April 1, 2023 for a two-and-a-half-year term with no options to extend.

Financial Impact

The agreement value for Isle Utilities will not exceed \$198,668 for the two-and-a-half-year aggregate term.

Funding is available in the Water Services Department's Operating and Capital Improvement Program budget.

Responsible Department

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



Report

Agenda Date: 3/1/2023, Item No. 87

Final Plat - Norterra Parcel 24 - PLAT 220047 - Southeast Corner of Norterra Parkway and Jomax Road

Plat: 220047
Project: 15-3108
Name of Plat: Norterra Parcel 24
Owner: US Relp Norterra East I, LLC
Engineer: Michael D. Pollock, RLS
Request: A 110-Lot Residential Subdivision Plat
Reviewed by Staff: Feb. 3, 2023
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southeast corner of Norterra Parkway and Jomax Road
Council District: 1

Responsible Department

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



Final Plat - Climatec - PLAT 220057 - North of Greenway Road and West of 29th Avenue

Plat: 220057

Project: 08-2002

Name of Plat: Climatec

Owner: 2851 K. Mac Go, LLC & Mac N Cheese Please, LLC

Engineer: James A. Brucci, RLS

Request: A Two-Lot Commercial Plat

Reviewed by Staff: Feb. 3, 2023

Final Plat requires Formal Action Only

Summary

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

Location

Generally located north of Greenway Road and west of 29th Avenue

Council District: 1

Responsible Department

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



Final Plat - Villas at 67th - PLAT 220043 - Northwest Corner of 67th Avenue and Baseline Road

Plat: 220043
Project: 20-4626
Name of Plat: Villas at 67th
Owner: Vanquish Capital, LLC
Engineer: Colin D. Harvey, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: Jan. 26, 2023
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the Northwest corner of 67th Avenue and Baseline Road
Council District: 7

Responsible Department

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



Report

Agenda Date: 3/1/2023, Item No. 90

Abandonment of Alley - ABND 220030 - 37th Street and Elm Street (Resolution 22101)

Project: 22-3137

Applicant: Meredith Esner

Request: To abandon the length of alley bounded by 37th Street on the west, 38th Street on the east, Elm Street on the north and Highland Avenue on the south.

Date of Decision/Hearing: Sept. 22, 2022

Location

37th Street and Elm Street

Council District: 6

Financial Impact

A consideration fee was also collected as part of this alley abandonment in the amount of \$1,383.00.

Responsible Department

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



PCD Major Amendment - Rezoning Application Z-237-K-85-2 - Approximately 350 Feet North and 430 Feet West of the Northwest Corner of Tatum Boulevard and Dynamite Boulevard

Request to approve Rezoning Application Z-237-K-85-2 and rezone the site from C-2 PCD (Intermediate Commercial, Planned Community District) to C-2 PCD SP (Intermediate Commercial, Planned Community District, Special Permit) for a major amendment to the Tatum Ranch PCD to allow a massage establishment and all underlying C-2 uses.

Summary

Current Zoning: C-2 PCD

Proposed Zoning: C-2 PCD SP

Acreage: 0.04

Proposed Use: Massage establishment and all underlying C-2 uses.

Owner: Shops at Dynamite Creek, LLC

Applicant: Ellie Brundige, Gammage and Burnham, PLC

Representative: Manjula M. Vaz, Gammage and Burnham, PLC

Staff Recommendation: Approval.

VPC Action: The Desert View Village Planning Committee heard this case on Jan. 10, 2023, and recommended approval, per the staff recommendation, by a vote of 11-0.

PC Action: The Planning Commission heard this case on Feb. 2, 2023, and recommended approval, per the Desert View Village Planning Committee recommendation, by a vote of 9-0.

Location

Approximately 350 feet north and 430 feet west of the northwest corner of Tatum Boulevard and Dynamite Boulevard

Council District: 2

Parcel Addresses: 28230 N. Tatum Blvd.

Responsible Department

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

Development Department.

ATTACHMENT A
Tatum Ranch, Planned Community District

Z-237-K-85-2

Approval of a Special Permit for a massage establishment and all underlying C-2 uses.

Planning Commission Approved Stipulations from February 2, 2023:

1. None

Exhibits:

A – Legal Description (2 Pages)

B – PCD Major Amendment Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-237-K-85-2

A PORTION OF THAT PROPERTY DESCRIBED IN SPECIAL WARRANTY DEED IN DOCUMENT NUMBER 2002-0266677, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30, BEING MARKED BY A 3-INCH BRASS CAP IN HANDHOLE STAMPED "MARICOPA COUNTY HIGHWAY DEPARTMENT", HAVING A DEPTH OF 0.60 FEET FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 30 BEING MARKED BY A 3-INCH BRASS CAP IN HANDHOLE STAMPED "MARICOPA COUNTY HIGHWAY DEPARTMENT", HAVING A DEPTH OF 0.60 FEET BEARS NORTH 89 DEGREES 44 MINUTES 56 SECONDS EAST 2647.18 FEET;

THENCE NORTH 89 DEGREES 44 MINUTES 56 SECONDS EAST 1752.46 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTH 00 DEGREES 15 MINUTES 04 SECONDS WEST 60.00 FEET TO THE SOUTHERLY MOST SOUTHWESTERLY CORNER OF THAT PROPERTY DESCRIBED IN SAID SPECIAL WARRANTY DEED;

THENCE NORTH 45 DEGREES 14 MINUTES 05 SECONDS WEST 22.62 FEET ALONG THE WEST LINE OF SAID PROPERTY;

THENCE NORTH 00 DEGREES 15 MINUTES 04 SECONDS WEST 350.08 FEET ALONG SAID WEST LINE;

THENCE NORTH 89 DEGREES 44 MINUTES 56 SECONDS EAST 164.15 FEET TO THE WESTERLY MOST NORTHWEST CORNER OF THAT BUILDING LYING ON SAID PROPERTY;

THENCE NORTH 61 DEGREES 44 MINUTES 59 SECONDS EAST 83.76 FEET ALONG THE NORTH FACE OF SAID BUILDING;

THENCE NORTH 89 DEGREES 47 MINUTES 32 SECONDS EAST 93.07 FEET ALONG SAID NORTH FACE TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 47 MINUTES 32 SECONDS EAST 19.42 FEET ALONG SAID NORTH FACE;

THENCE SOUTH 12 DEGREES 09 MINUTES 37 SECONDS EAST 57.51 FEET;

THENCE SOUTH 00 DEGREES 20 MINUTES 15 SECONDS EAST 3.82 FEET TO A POINT ON THE SOUTH FACE OF SAID BUILDING;

THENCE SOUTH 89 DEGREES 39 MINUTES 45 SECONDS WEST 30.92 FEET ALONG SAID SOUTH FACE;

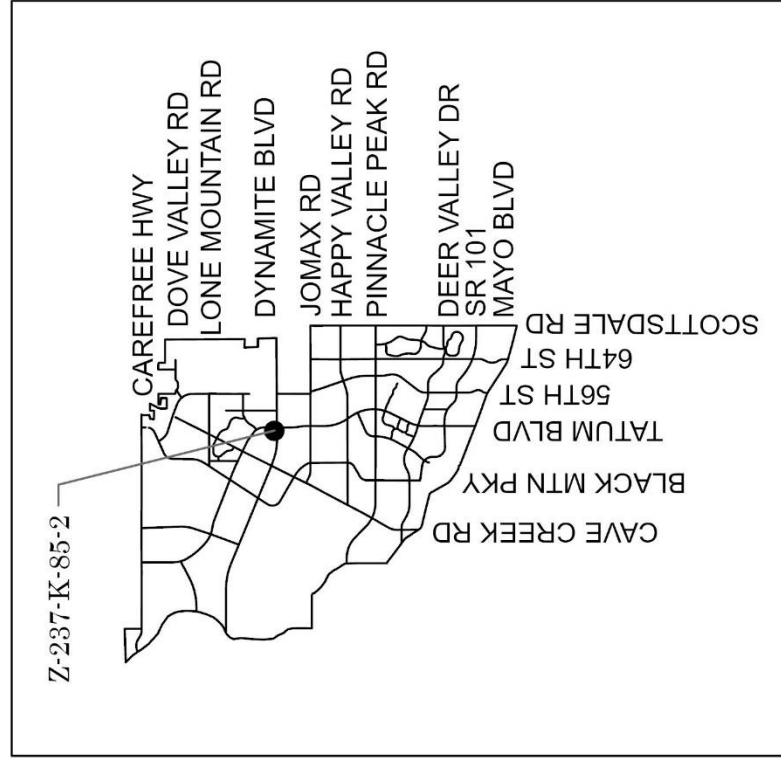
THENCE NORTH 00 DEGREES 36 MINUTES 25 SECONDS WEST 60.16 FEET TO THE POINT OF BEGINNING.

COMPRISING OF 1,536 SQUARE FEET, MORE OR LESS

DRAFT

EXHIBIT B

Zoning Case Number: Z-237-K-85-2
Zoning Overlay: N/A
Planning Village: Desert View



NOT TO SCALE



Drawn Date: 1/30/2023



Amend City Code - Ordinance Adoption - Rezoning Application Z-83-22-3 - Approximately 110 Feet South of the Southwest Corner of 10th Avenue and Royal Palm Road (Ordinance G-7081)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-83-22-3 and rezone the site from R1-10 RPSPD (Single-Family Residence District, Royal Palm Special Planning District) to R1-10 RPSPD HP (Single-Family Residence District, Royal Palm Special Planning District, Historic Preservation Overlay) for a Historic Preservation Overlay for the Bertram Snyder residence.

Summary

Current Zoning: R1-10 RPSPD

Proposed Zoning: R1-10 RPSPD HP

Acreage: 0.42 acres

Proposed Use: Historic Preservation Overlay for the Bertram Snyder residence

Owner: Courtney Perez

Applicant: City of Phoenix, Historic Preservation Commission

Representative: Helana Ruter, City of Phoenix, Historic Preservation Officer

Staff Recommendation: Approval.

HPC Action: The Historic Preservation Commission heard this case on Jan. 9, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.

VPC Action: The North Mountain Village Planning Committee heard this case on Jan. 18, 2023, and recommended approval, per the staff recommendation, by a vote of 10-0.

PC Action: The Planning Commission heard this case on Feb. 2, 2023, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 9-0.

Location

Approximately 110 feet south of the southwest corner of 10th Avenue and Royal Palm Road

Council District: 3

Parcel Address: 8122 N. 10th Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-83-22-3) FROM R1-10 RPSPD (SINGLE-FAMILY RESIDENCE DISTRICT, ROYAL PALM SPECIAL PLANNING DISTRICT) TO R1-10 RPSPD HP (SINGLE-FAMILY RESIDENCE DISTRICT, ROYAL PALM SPECIAL PLANNING DISTRICT, HISTORIC PRESERVATION OVERLAY).

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

SECTION 1. The zoning of a 0.42 acre property located approximately 110 feet south of the southwest corner of 10th Avenue and Royal Palm Road, in a portion of Section 31, Township 3 North, and Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R1-10 RPSPD" (Single-Family Residence District, Royal Palm Special Planning District) to "R1-10 RPSPD HP" (Single-Family Residence District, Royal Palm Special Planning District, Historic Preservation Overlay).

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

PASSED by the Council of the City of Phoenix this 1st day of March, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

WITHIN A PORTION OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 3 EAST OF
THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY,
ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

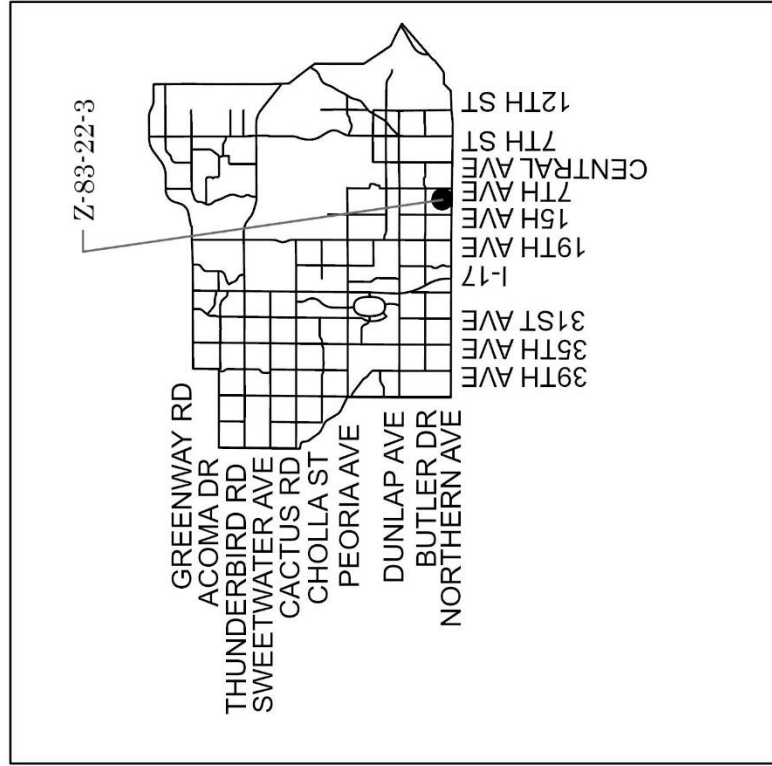
LOT 14, BERRIDGE MANOR, ACCORDING TO THE PLAT OF RECORD IN
THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY,
ARIZONA IN BOOK 47 OF MAPS, PAGE 26

DRAFT

ORDINANCE LOCATION MAP

Zoning Case Number: Z-83-22-3
Zoning Overlay: Royal Palm SPD
Planning Village: North Mountain

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



NOT TO SCALE



Drawn Date: 1/30/2023



Amend City Code - Ordinance Adoption - Rezoning Application Z-79-22-4 - Approximately 200 Feet Northwest of the Northwest Corner of 12th Street and Turney Avenue (Ordinance G-7080)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-79-22-4 and rezone the site from R-3 (Multifamily Residence District) to R-4 (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: R-3

Proposed Zoning: R-4

Acreage: 1.62 acres

Proposed Use: Multifamily Residential

Owner: Turney Canals, LLC

Applicant: Nicholas A. Sobraske, Gammage & Burnham, PLC

Representative: Ashley Z. Marsh, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Encanto Village Planning Committee heard this case on Jan. 9, 2023, and recommended approval, per the staff recommendation, by a vote of 14-0-1.

PC Action: The Planning Commission heard this case on Feb. 2, 2023, and recommended approval, per the Encanto Village Planning Committee recommendation, by a vote of 9-0.

Location

Approximately 200 feet northwest of the northwest corner of 12th Street and Turney Avenue

Council District: 4

Parcel Address: 1102 and 1110 E. Turney Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-79-22-4) 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 1.62-acre site located approximately 200 feet northwest of the northwest corner of 12th Street and Turney Avenue, in a portion of Section 21, Township 2 North, and 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 elevations date stamped October 19, 2022 as approved by the Planning and Development Department.
2. The developer shall construct a minimum 5-foot-wide sidewalk along the north side of Turney Avenue, as approved by the Planning and Development Department.
3. The developer shall provide bicycle parking and/or storage as required by Chapter 13, Section 1307.H, as approved by the Planning and Development Department.
4. The developer shall deposit \$25,000 in an escrow account to the Street Transportation Department prior to preliminary site plan approval for the purposes of upgrading the pedestrian crossing along the Grand Canal and 12th Street.
5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. The property owner shall record documents that disclose the existence, and operational characteristics of the Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
7. 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.
8. 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.
9. 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.
10. 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 1st day of March, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

Within a portion of Section 21, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

PARCEL NO. 1:

Lot 1, of CAROLYN PLACE, according to the plat recorded in Book 36 of Maps, page 4, records of Maricopa County, Arizona.

PARCEL NO. 2:

That part of Lot 34, of LA VETA PLACE, according to the plat recorded in Book 7 of Maps, page 12, records of Maricopa County, Arizona, described as follows:

BEGINNING at the Southeast corner of said La Veta Place;

Thence Westerly, along the North line of Lot 1, of Carolyn Place, according to the plat recorded in Book 36 of Maps, page 4, records of Maricopa County, Arizona, and being the South line of said La Veta Place to the Northwest corner of Lot 1 of said Carolyn Place to the Northeast boundary of said La Veta Place;

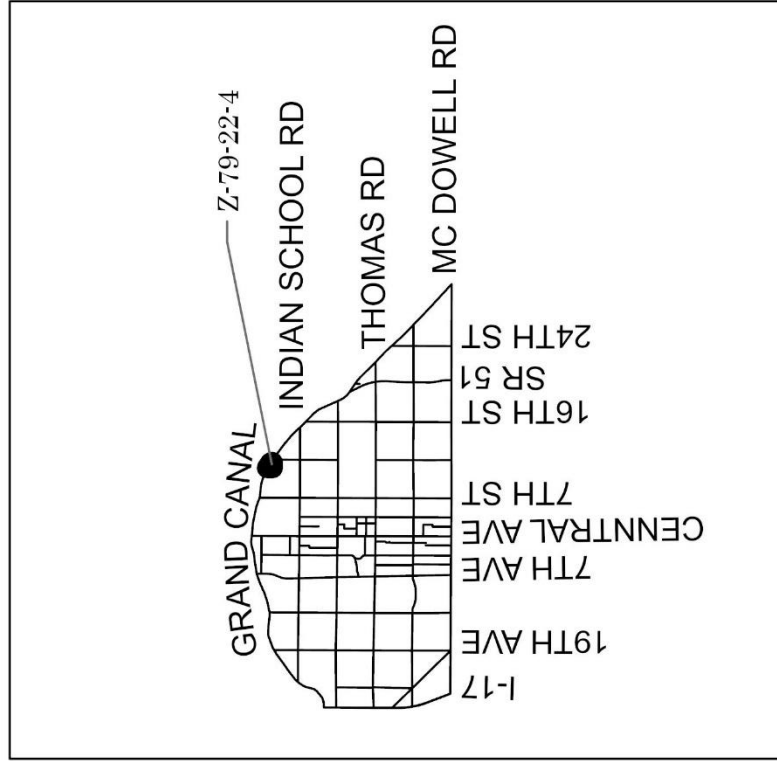
Thence North along a line determined by a straight extension of the West line of Lot 1 of said Carolyn Place to the Northeast boundary of said La Veta Place;

Thence Southeasterly to the point of beginning along the Northerly boundary line of said La Veta Place and the Southwesterly right of way line of the Grand Canal, as shown in Book 7 of Maps, page 12, records of Maricopa County, Arizona.

ORDINANCE LOCATION MAP

Zoning Case Number: Z-79-22-4
Zoning Overlay: N/A
Planning Village: Encanto

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



NOT TO SCALE



Drawn Date: 1/30/2023



*****REQUEST TO CONTINUE (SEE ATTACHED MEMO)*** Amend City Code - Ordinance Adoption - Rezoning Application Z-68-22-6 - Approximately 1,500 Feet South of the Southeast Corner of 50th Street and Ray Road (Ordinance G-7082)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-68-22-6 and rezone the site from CP/GCP (Commerce Park District, General Commerce Park Option) to C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) to allow multifamily residential with a height and density waiver.

Summary

Current Zoning: CP/GCP

Proposed Zoning: C-2 HGT/WVR DNS/WVR

Acreage: 14.33

Proposed Use: Multifamily residential with a height and density waiver

Owner: P8 Phoenix Foothills, LLC

Applicant: Dennis M. Newcombe, Gammage & Burnham, PLC

Representative: Manjula M. Vaz, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Ahwatukee Foothills Village Planning Committee heard this case on Dec. 19, 2022, and continued the case by a vote of 8-0. The Ahwatukee Foothills Village Planning Committee heard this case on Jan. 23, 2023, and recommended approval, per the staff recommendation (Addendum A), by a vote of 6-2.

PC Action: The Planning Commission heard this case on Jan. 5, 2023, and continued the case by a vote of 8-0. The Planning Commission heard this case on Feb. 2, 2023, and recommended approval, per the Ahwatukee Foothills Village Planning Committee recommendation, by a vote of 9-0.

Location

Approximately 1,500 feet south of the southeast corner of 50th Street and Ray Road
Council District: 6

Parcel Address: 14559, 14601, and 14605 S. 50th St.

Responsible Department

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



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: February 27, 2023

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: CONTINUANCE OF ITEM 94 ON THE MARCH 1, 2023 FORMAL AGENDA –
Z-68-22-6 (G-7082) – APPROXIMATELY 1,500 FEET SOUTH OF THE
SOUTHEAST CORNER OF 50TH STREET AND RAY ROAD

Item 94, rezoning application Z-68-22-6 is a request to rezone 14.33 acres located approximately 1,500 feet south of the southeast corner of 50th Street and Ray Road from CP/GCP (Commercial Park – General Commerce Park Option) to C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) to allow multifamily residential with a height and density waiver.

Staff has received correspondence from the applicant requesting a continuance to allow more time to finalize the development plans, align internal schedules, etc. associated with the proposed redevelopment.

Staff recommends continuing this item to the May 3, 2023 City Council Formal meeting.

Approved:

Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Stephanie Vasquez

From: Joshua Bednarek
Sent: Saturday, February 4, 2023 10:24 AM
To: Dennis M. Newcombe
Cc: Racelle Escolar; Manjula M. Vaz; Michael Gusich; Joe Blackbourn; Chapin Bell; AHood@pbbell.com; Ellie Brundige; Stephanie Vasquez; Diana G Hernandez; Tricia Gomes
Subject: Re: City Council Continuance Request [Z-68-22-6]

Thank you Dennis. We'll get this continuance processed.

Josh

Sent from my iPhone

On Feb 3, 2023, at 2:59 PM, Dennis M. Newcombe <dnewcombe@gblaw.com> wrote:

Josh and Racelle

This purpose of this email is to request a continuance of our City Council hearing scheduled for March 1st (i.e., rezoning case: Z-68-22-6) to the City Council's **May 3rd agenda**.

As you know, to date, we have received approvals from the Village (6-2) and Commission (7-0). However, we need the additional time to finalize the development plans, align internal schedules, etc. associated with the proposed redevelopment.

Please confirm receipt of our request for City Council continuance.

Thank you both.

Dennis M. Newcombe

Senior Land Use Planner

Gammage & Burnham | Profile [\[gblaw.com\]](https://www.gblaw.com)

602.256.4446 Direct | dnewcombe@gblaw.com | www.gblaw.com [\[gblaw.com\]](https://www.gblaw.com)



40 North Central Ave., 20th Floor | Phoenix, AZ 85004

This message and any of the attached documents contain information from the law firm of Gammage & Burnham, P.L.L.C. that may be confidential or privileged. If you are not the intended recipient, you may not read, copy, print, use, or otherwise rely on this information, and it may be subject to the attorney-client privilege. If you have received this message in error, please notify the sender immediately by email or phone. Thank you for your cooperation.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-68-22-6) FROM CP/GCP (COMMERCE PARK DISTRICT, GENERAL COMMERCE PARK OPTION) TO C-2 HGT/WVR DNS/WVR (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, DENSITY WAIVER).

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

SECTION 1. The zoning of a 14.33 acre property located approximately 1,500 feet south of the southeast corner of 50th Street and Ray Road in a portion of Section 29, Township 1 South, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from "CP/GCP" (Commerce Park District, General Commerce Park Option), to "C-2 HGT/WVR DNS/WVR" (Intermediate Commercial, Height Waiver, Density Waiver).

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

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

1. The development shall be in general conformance with the elevations date stamped September 21, 2022, as modified by the following and as approved by the Planning and Development Department.
 - a. Building elevations adjacent and oriented to public streets shall contain a minimum of 25% brick, masonry, stone, or another exterior accent material that exhibits quality and durability.
 - b. All ground floor units adjacent to 50th Street shall have individual porches or patios oriented to the street.
2. The development shall be limited to a maximum of 417 dwelling units.
3. A minimum of six amenities shall be provided and distributed throughout the site which may include but are not limited to pools, dog parks, barbeques, ramadas, and tot lots with shade equipment as approved by the Planning and Development Department.
4. A minimum of 8% of the gross project area shall be retained as common open space, as approved by the Planning and Development Department.
5. A minimum 34,000-square foot open space area shall be centrally located within the development.
6. Prior to final site plan approval, the developer shall include with the building plans submitted for Phoenix Building Construction Code compliance review certification by a registered Professional Engineer or registered Professional Architect in the State of Arizona demonstrating the average indoor noise levels of the residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department.
7. A perimeter wall no less than 6 feet in height shall be provided along the I-10 freeway. This wall shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped design, as approved by the Planning and Development Department.
8. All required landscape setbacks shall be planted with minimum 25% 2-inch caliper and minimum 75% 3-inch caliper, drought tolerant trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

9. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
10. All uncovered surface parking spaces shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the uncovered surface parking spaces, to achieve a minimum 25% shade at maturity, as approved by Planning and Development Department.
11. 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.
12. Where pedestrian pathways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
13. A minimum of 20 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
14. The developer shall maintain the existing detached sidewalk landscape area located between the back of curb and sidewalk along 50th Street and replenish it to the following standards, as approved by the Planning and Development Department.
 - a. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75% live coverage 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.

15. The developer shall submit a Traffic Impact Analysis for this development. The TIA shall include a pedestrian crossing demand and circulation analysis along 50th Street. The developer shall be required to fund and construct pedestrian crossing if required by the approved TIA. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the city.
16. The developer shall provide secured bicycle parking for residents as required by Chapter 13, Section 1307 H of the Zoning Ordinance, as approved by the

Planning and Development 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. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 2705M of the Flood Insurance Rate Maps (FIRM) dated June 26, 2020. The following requirements shall apply, as approved by the Planning and Development Department:
 - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Street Transportation Department for review and approval of Floodplain requirements.
 - c. Elevation Certification (FEMA Form 086-0-33) based on construction plans must be received and approved by Floodplain Management prior to issuance of Grading & Drainage permit. In Zone A, a base flood elevation determination letter (sample letter is provided by Floodplain Management upon request) and exhibit will also be required prior to issuance of Grading & Drainage permit.
 - d. The developers shall provide a FEMA approved CLOMC or LOMC prior to issuance of a Grading and Drainage permit. CLOMC or LOMC also requires the following compliance with Section 7 & 9 of the Endangered Species Act (ESA).
19. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
20. Prior to 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 1st day of March, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

Lot 2 and Tract B of the Final Plat for FOOTHILLS OFFICE PARK, recorded in Book 450 of Maps, Page 24, records of Maricopa County, Arizona, within a portion of the northwest quarter of Section 29, Township 1 South, Range 4 East, being more particularly described as follows;

BEGINNING at the Northeast corner of said Lot 2;

Thence for a basis of bearing along the East line of said Lot 2, South 00 degrees 13 minutes 04 seconds East 369.59 feet to the Northeast corner of Tract C of said FOOTHILLS OFFICE PARK;

Thence along the North line of said Tract C, South 89 degrees 36 minutes 45 seconds West 148.62 feet to the Northeast corner of said Tract B;

Thence along the East line of said Tract B, South 00 degrees 23 minutes 15 seconds East 200.00 feet to the Southeast corner of said Tract B;

Thence along the South lines of said Tract B and said Lot 2, South 89 degrees 36 minutes 45 seconds West 603.22 feet to a corner of said Lot 2, said point being on the East line of Tract A of said FOOTHILLS OFFICE PARK;

Thence along said East line, North 00 degrees 00 minutes 00 seconds West 200.00 feet to the Northeast corner of said Tract A;

Thence along the North line of said Tract A, South 89 degrees 36 minutes 45 seconds West 435.35 feet to the Northwest corner of said Tract A;

Thence along the West line of said Lot 2, North 00 degrees 28 minutes 38 seconds West 439.74 feet to the beginning of a tangent curve to the right, having a radius of 467.00 feet;

Thence continuing along the West line of said Lot 2, being said tangent curve through a central angle of 15 degrees 46 minutes 14 seconds, an arc length of 128.54 feet to the Northwest corner of said Lot 2;

Thence along the North line of said Lot 2, South 67 degrees 30 minutes 00 seconds East 506.79 feet to a corner of said Lot 2;

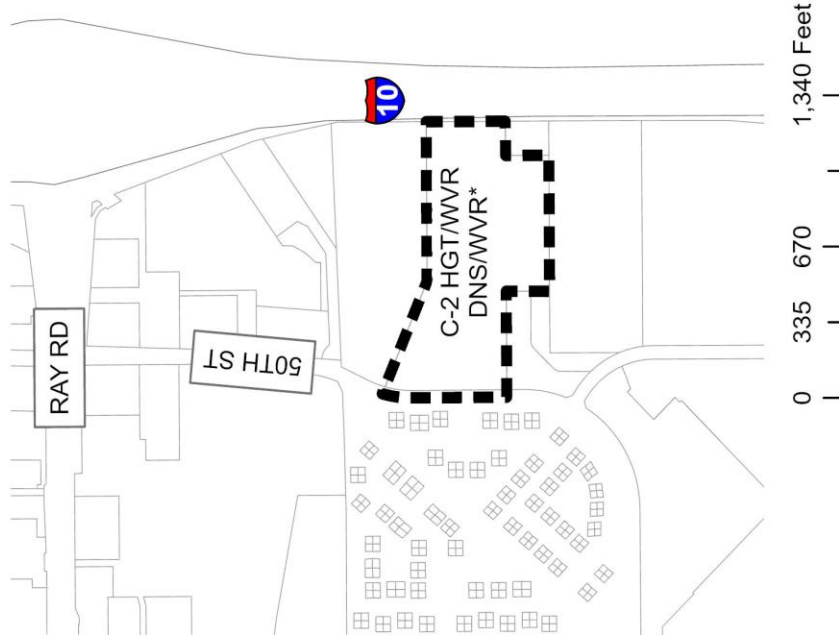
Thence continuing along said North line, North 89 degrees 36 minutes 45 seconds East 703.35 feet to the POINT OF BEGINNING.

Comprising 13.953 acres or 607,794 square feet, subject to all easements of record.

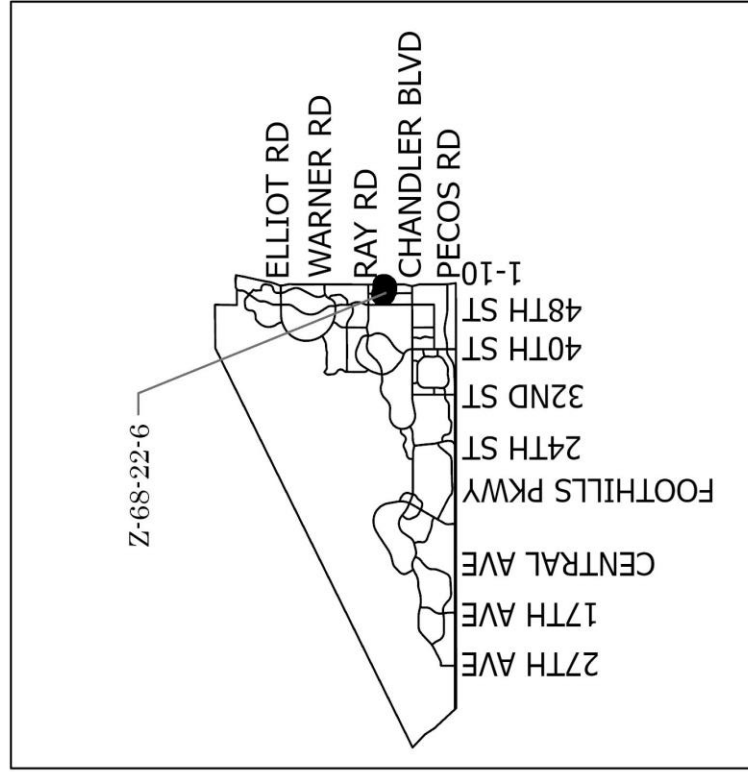
ORDINANCE LOCATION MAP

EXHIBIT B

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



Zoning Case Number: Z-68-22-6
Zoning Overlay: N/A
Planning Village: Ahwatukee Foothills



NOT TO SCALE



Drawn Date: 1/30/2023

\\onepdd\Shared\Department\ShareInformation Systems\PL GIS\GIS_Team\GIS_Functions\Zoning\SuppMaps_OrdMaps\2023 Ord\3-1-2023\3-1-2023.aprx



Amend City Code - Ordinance Adoption - Rezoning Application Z-72-21-7 - Northwest Corner of 67th Avenue and Lower Buckeye Road (Ordinance G-7084)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-72-21-7 and rezone the site from RE-35 (Single-Family Residence District), R1-8 (Single-Family Residence District), and C-2 (Intermediate Commercial) to R-2 (Multifamily Residence District) and C-2 (Intermediate Commercial) to allow single-family residential, multifamily residential, and commercial.

Summary

Current Zoning: RE-35 (69.00 acres), R1-8 (0.42 acres), and C-2 (0.46 acres)

Proposed Zoning: R-2 (66.91 acres) and C-2 (2.97 acres)

Acreage: 69.88

Proposed Use: Single-family residential, multifamily residential, and commercial

Owner: Property Reserve Arizona, LLC

Applicant and Representative: Sean Lake, Pew & Lake, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Estrella Village Planning Committee heard this case on Jan. 17, 2023, and recommend approval, per the staff recommendation, with an additional stipulation, by a vote of 8-1.

PC Action: The Planning Commission heard this case on Feb. 2, 2023, and recommended approval, per the Estrella Village Planning Committee recommendation, by a vote of 9-0.

Location

Northwest corner of 67th Avenue and Lower Buckeye Road

Council District: 7

Parcel Address: 6868 W. Lower Buckeye Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-72-21-7) FROM RE-35 (SINGLE-FAMILY RESIDENCE DISTRICT), R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT), AND C-2 (INTERMEDIATE COMMERCIAL) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT) AND C-2 (INTERMEDIATE COMMERCIAL).

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

SECTION 1. The zoning of a 69.88 acre site located at the northwest corner of 67th Avenue and Lower Buckeye Road in a portion of Section 13, Township 1 North, Range 1 East, as described more specifically in Exhibit "A," is hereby changed from 69.00 acres of "RE-35" (Single-Family Residence District), 0.42 acres of "R1-8" (Single-Family Residence District), and 0.46 acres of "C-2" (Intermediate Commercial), to 66.91 acres of "R-2" (Multifamily Residence District) and 2.97 acres of "C-2" (Intermediate Commercial).

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

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

OVERALL SITE

1. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
 - a. All building elevations shall contain a primary material and a minimum of one secondary material to provide tasteful and balanced enhancements to the architecture. The secondary materials and colors shall be composed of brick, masonry, stone, Hardie Plank, lap siding, shudders, or another exterior accent material that exhibits quality, durability, and consistency with the architectural theme.
 - b. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, pop-outs, recesses, variation in window size and location, pitched roofs and/or overhang canopies.
2. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
3. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
4. All perimeter walls visible from street right-of-way shall include material and/or textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
5. A system of pedestrian connections shall be provided as follows, and connecting the following via the most direct route, as approved by the Planning and Development Department:

- a. A minimum of two pedestrian connections shall be provided from the residential zoned portion of the site to the public sidewalk along Lower Buckeye Road.
 - b. A minimum of one pedestrian connection shall be provided from the multifamily-zoned portion of the site to the public sidewalks along 67th Avenue and 71st Avenue.
 - c. Illuminated pedestrian scale lighting per Section 1304(H)5 for pedestrian pathways connecting the multifamily and commercial development, and along pedestrian entrances to the multifamily development.
 - 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.
6. The bus stop pads along Lower Buckeye Road shall be shaded a minimum of 50% by vegetative shade at 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.
7. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
8. The sidewalk along 67th Avenue shall be a minimum of 5 feet in width and detached with a minimum 13-foot-wide landscape strip located between the sidewalk and back of curb. The landscape strip shall be planted with minimum 2-inch caliper, single trunk, drought-tolerant shade trees to provide a minimum of 75% shade at 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.
9. The sidewalk along 71st Avenue shall be a minimum of 5 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb. The landscape strip shall be planted with minimum 2-inch caliper, single trunk, drought-tolerant shade trees to provide a minimum of 75% shade at 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.

10. The sidewalk along Lower Buckeye Road shall be a minimum of 5 feet in width and detached with a minimum 13-foot wide landscape strip located between the sidewalk and back of curb. The landscape strip shall be planted with minimum 2-inch caliper, single trunk, drought-tolerant shade trees to provide a minimum of 75% shade at 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. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along Lower Buckeye Road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved by the Planning and Development Department.
12. The developer shall construct two bus stop pads along westbound Lower Buckeye Road. One west of 67th Avenue and another west of the 69th Avenue alignment. The bus stop pads shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and shall be spaced from the intersection of 67th Avenue and the 69th Avenue alignment according to City of Phoenix Standard Detail P1258.
13. The developer shall dedicate minimum 55-feet of right-of-way and construct the north side of Lower Buckeye Road, as required by the C-M Cross Section identified on the Street Classification Map and as approved by the Planning and Development Department.
14. The developer shall dedicate minimum 60-feet of right-of-way and construct the west side of 67th Avenue to include a 14-foot-wide landscaped median, as required by the C-M Cross Section identified on the Street Classification Map and as approved by the Planning and Development Department.
15. The developer shall dedicate minimum 40-feet of right-of-way and construct the east side of 71st Avenue, as required by the E Cross Section identified on the Street Classification Map and as approved by the Planning and Development Department.
16. Access control for the development site shall comply with the City of Phoenix Street Planning and Design Guideline Standards and as approved by the Street Transportation Department.
17. The developer shall submit a Traffic Impact Analysis (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. The study shall include signal warrant analysis at the intersection of 71st Avenue and Lower Buckeye Road. The developer shall be responsible for constructing and/or providing funds in escrow all off-site improvements including modifications to existing traffic signals, as recommended by the approved TIS.

18. The Traffic Impact Study shall include a right-turn deceleration analysis, as required and approved by the Street Transportation Department.
19. Existing irrigation facilities along all public streets 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 the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
20. 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.
21. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
22. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
23. 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.

R-2 ZONED AREAS (BOTH SINGLE-FAMILY AND MULTIFAMILY)

24. A site plan and building elevations shall be presented to the Estrella Village Planning Committee for review and comment prior to preliminary site plan approval for the area depicted as a single-family residential subdivision on the Concept Plan date stamped November 30, 2022.
25. The approximate 48-acre multifamily development depicted on the Concept Plan date stamped November 30, 2022, shall be in general conformance with the Concept Plan and elevations date stamped November 30, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
26. 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 in width. The landscape area shall be planted with drought-tolerant plant materials providing seasonal interest and minimum 75% live coverage at maturity.
 - c. A mix of ornamental trees (no less than 2-inch caliper), shrubs (no less than five 5-gallon shrubs per tree) and flower beds that will provide a variety of texture and color throughout the year and minimum 75% live coverage, shall be provided along both sides of the entryway.
 - 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.
27. A minimum of 10% of the site area shall be provided as open space for each residential development, exclusive of landscape setbacks, as approved by the Planning and Development Department.
28. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
- a. A minimum of 30 bicycle parking spaces shall be provided through Inverted U and/or artistic racks, or in a secure area and located throughout the site including near the centralized open space and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
 - b. One bicycle repair station ("fix it station") shall be provided and maintained in the multifamily development portion of the site within a central amenity area or primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: 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.

C-2 ZONED AREA

29. The conceptual site plan and elevations for future development of the commercially zoned area shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modifications prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department. The site plan shall incorporate the following elements:

- a. Refuse bins shall be screened from view by a 6-foot-tall wall.
 - b. Accessible pedestrian pathways that connect building entrances, public sidewalks, and the bus stop pad along Lower Buckeye Road using the most direct route for pedestrians.
 - c. Pedestrian connections between adjacent commercial developments (if developed across multiple phases).
30. Evergreen trees shall be planted within the north and west landscape setbacks, as approved by the Planning and Development Department.
31. A minimum of 6 bicycle parking spaces shall be provided through Inverted U and/or artistic racks installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, 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 1st day of March, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

- A – Legal Description (3 Pages)
- B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

R-2 RESIDENTIAL

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13, FROM WHICH POINT THE SOUTH QUARTER CORNER OF SAID SECTION 13 BEARS SOUTH 89°39'02" WEST, A DISTANCE OF 2618.18 FEET;

THENCE SOUTH 89°39'02" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 360.99 FEET;

THENCE NORTH 00°20'58" WEST, A DISTANCE OF 64.00 FEET TO THE NORTH LINE OF THE SOUTH 64 FEET OF SAID SOUTHEAST QUARTER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°39'02" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 2203.72 FEET;

THENCE SOUTH 01°21'23" EAST, A DISTANCE OF 11.00 FEET TO THE NORTH LINE OF THE SOUTH 53 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 89°39'02" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 33.27 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, CONCAVE NORTHERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 36°04'45" EAST, A RADIAL DISTANCE OF 27.00 FEET;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 40°26'21", AN ARC DISTANCE OF 19.06 FEET TO A POINT ON THE EAST LINE OF THE WEST 10 FEET OF SAID SOUTHEAST QUARTER;

THENCE NORTH 00°14'10" WEST, ALONG SAID EAST LINE, A DISTANCE OF 10.42 FEET;

THENCE SOUTH 89°04'10" WEST, A DISTANCE OF 10.00 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTH 00°14'10" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1055.81 FEET;

THENCE NORTH 89°54'38" EAST, A DISTANCE OF 856.72 FEET;

THENCE NORTH 00°14'10" WEST, A DISTANCE OF 93.94 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 1733.49 FEET TO THE WEST LINE OF THE EAST 33 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00°00'03" WEST, ALONG SAID WEST LINE, A DISTANCE OF 830.48 FEET;

THENCE SOUTH 89°39'02" WEST, A DISTANCE OF 329.33 FEET;

THENCE SOUTH 00°10'12" EAST, A DISTANCE OF 319.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,811,031 SQ.FT. OR 64.5324 ACRES, MORE OR LESS.

C-2 COMMERCIAL

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13, FROM WHICH POINT THE SOUTH QUARTER CORNER OF SAID SECTION 13 BEARS SOUTH 89°39'02" WEST, A DISTANCE OF 2618.18 FEET;

THENCE SOUTH 89°39'02" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 360.99 FEET;

THENCE NORTH 00°20'58" WEST, A DISTANCE OF 64.00 FEET TO THE NORTH LINE OF THE SOUTH 64 FEET OF SAID SOUTHEAST QUARTER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 00°10'12" WEST, A DISTANCE OF 319.74 FEET;

THENCE NORTH 89°39'02" EAST, A DISTANCE OF 329.33 FEET TO THE WEST LINE OF THE EAST 33 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00°00'03" WEST, ALONG SAID WEST LINE, A DISTANCE OF 43.94 FEET;

THENCE NORTH 89°59'57" WEST, A DISTANCE OF 15.00 FEET TO THE WEST LINE OF THE EAST 48 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00°00'03" WEST, ALONG SAID WEST LINE, A DISTANCE OF 81.42 FEET;

THENCE NORTH 89°59'57" WEST, A DISTANCE OF 5.00 FEET TO THE WEST LINE OF THE EAST 53 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00°00'03" WEST, ALONG SAID WEST LINE, A DISTANCE OF 140.71 FEET;

THENCE NORTH 89°59'57" WEST, A DISTANCE OF 10.00 FEET TO THE WEST LINE OF THE EAST 63 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00°00'03" WEST, ALONG SAID WEST LINE, A DISTANCE OF 53.86 FEET TO THE NORTH LINE OF THE SOUTH 64 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 89°39'02" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 298.38 FEET TO THE POINT OF BEGINNING.

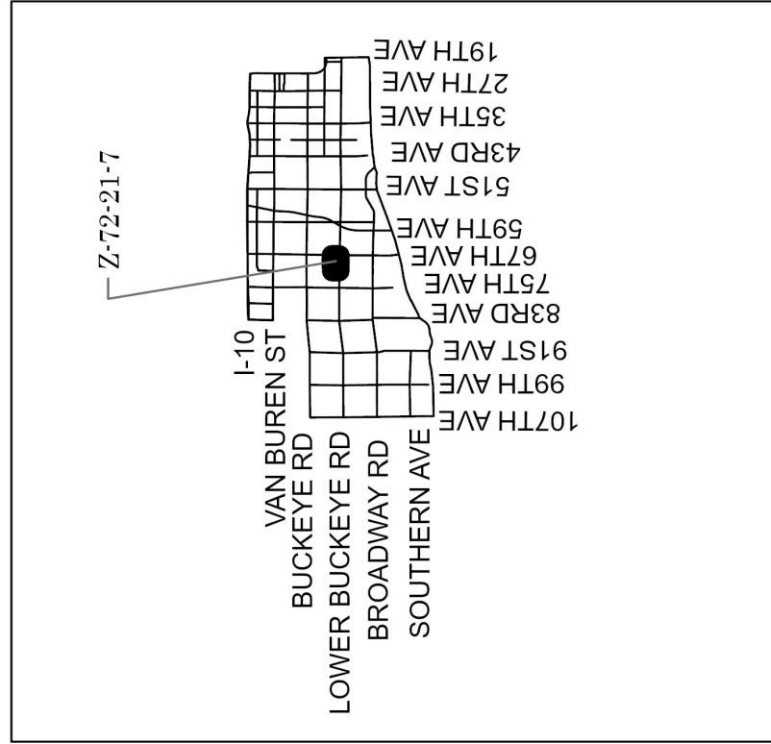
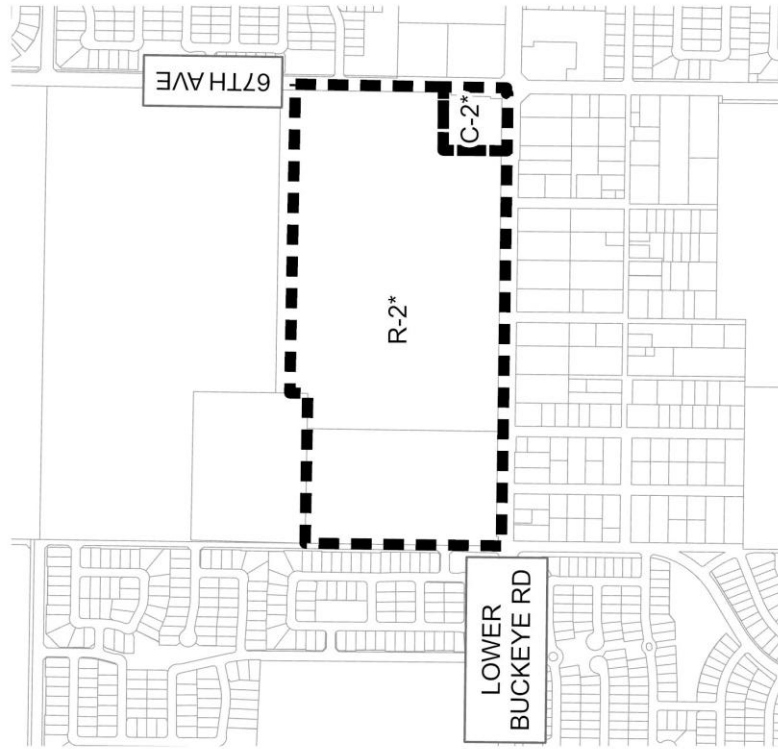
CONTAINING 99,497 SQ.FT. OR 2.2841 ACRES, MORE OR LESS.

DRAFT

ORDINANCE LOCATION MAP

Zoning Case Number: Z-72-21-7
Zoning Overlay: N/A
Planning Village: Estrella

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



NOT TO SCALE



Drawn Date: 1/30/2023



Amend City Code - Ordinance Adoption - Rezoning Application Z-76-22-8 - Southwest Corner of 48th Street and Loop 202 Freeway (Ordinance G-7083)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-76-22-8 and rezone the site from R1-6 (Single-Family Residence District) and R-3 (Multifamily Residence District) to R-3 (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: R1-6 (5.46 acres) and R-3 (0.36 acres)

Proposed Zoning: R-3

Acreage: 5.82 acres

Proposal: Multifamily residential

Owner: H&M Enterprises, Inc

Applicant: Northbridge Development, LLC

Representative: Larry Lazarus, Lazarus & Silvyn, P.C.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 3, 2023, and recommended approval, per the staff recommendation, with modifications, by a vote of 15-0.

PC Action: The Planning Commission heard this case on Feb. 2, 2023, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 9-0.

Location

Southwest corner of 48th Street and Loop 202 Freeway

Council District: 8

Parcel Address: 814 N. 48th St. and 4604 E. McKinley St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-76-22-8) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) AND R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-3 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 5.82 acre site located at the southwest corner of 48th Street and Loop 202 Freeway in a portion of Section 6, Township 1 North, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from 5.46 acres of "R1-6" (Single-Family Residence District) and 0.36-acres of "R-3" (Multifamily Residence District) to "R-3" (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 elevations date stamped October 6, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. A minimum 10-foot-wide landscape area shall be provided adjacent to the residences along the north, west and south property lines. This landscape area shall be planted with large evergreen trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Sixty percent of the trees shall be minimum 2-inch caliper, 40 percent of the trees shall be minimum 3-inch caliper with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
3. A perimeter wall no less than 6 feet in height shall be provided along the north and west property lines.
4. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department. A sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control shall be included with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.
5. The developer shall construct a minimum 5-foot-wide sidewalk along the west side of 48th Street along the entire rezoning frontage area connection to the sidewalk to the north, as approved by the Planning and Development Department.
6. The developer shall provide bicycle parking and/or storage as required by Chapter 13, Section 1307.H, as approved by the Planning and Development Department.
7. The developer shall construct all private accessways and public 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.
8. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or

tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

9. 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.
10. 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.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
12. 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 1st day of March, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

APN: 125-30-083A

A portion of the Southeast quarter of Section 6, Township 1 North, Range 4 East, of the Gila and Salt River Base and Meridian, County of Maricopa, State of Arizona, being more particularly described as follows:

Commencing at the Southeast corner of said Section 6;

thence North 00°03'48" West, 1980.26 feet along the East line of said Southeast quarter of Section 6;

thence departing said East line South 89°56'12" West, 40.00 feet to the westerly right of way line of 48th Street;

thence departing said westerly right of way line North 89°20'57" West, 19.44 feet to the point of beginning;

thence continuing North 89°20'57" West, 80.50 feet;

thence North 00°03'18" West, 8.00 feet to the South line of Lot 76, LINDON PARK TWO, according to Book 64 of Maps, page 43, records of Maricopa County, Arizona;

thence North 89°20'57" West, 115.94 feet along said South line of Lot 76 and the South line of Lot 77 of said LINDON PARK TWO to the Southwest corner of said Lot 77;

thence departing said South line North 00°03'17" West, 21.62 feet along the West line of said Lot 77;

thence departing said West line South 89°56'43" West, 50.00 feet to the East line of Lot 78 of said LINDON PARK TWO;

thence South 00°03'17" East, 25.00 feet along said East line to the Southeast corner of Lot 78 of said LINDON PARK TWO;

thence departing said East line North 89°20'57" West, 747.16 feet along the South line of said Lot 78 and Lots 79 through 89 of said LINDON PARK TWO;

thence departing said South line of said Lot 89 South 00°05' 04" East, 40.00 feet;

thence South 23°06'36" East, 43.46 feet;

thence South 00°05'04" East, 36.23 feet to the South line of Lot 27, DELANO ESTABLES, according to Book 62 of Maps, page 26, records of Maricopa County, Arizona;

thence North 89°20'57" West, 83.59 feet along said South line of Lot 27 and the South line of Lot 28 of said DELANO EST A 1ES to the Relocated Crosscut Canal easterly right of way line;

thence departing said South line of Lot 28 North 01 °47'00" West, 99.71 feet along said Relocated Crosscut Canal easterly right of way line;

thence departing said Relocated Crosscut Canal easterly right of way line North 25°16'33" East, 54.95 feet;

thence North 01 °47'00" West, 9.35 feet;

thence South 88°13'00" West, 10.00 feet to said Relocated Crosscut Canal easterly right of way line;

thence North 01 °47'00" West, 137.04 feet;

thence North 00°20'41" West, 150.18 feet;

thence departing said Relocated Crosscut Canal easterly right of way line South 73 °29'00" East, 792.90 feet;

thence South 67°49'45" East, 318.41 feet to the point of beginning.

Said parcel contains 190,721 square feet or 4.3784 acres more or less.
The Grantee's land shall have no right or easement of access to the limited access highway.

APN: 125-30-001

A portion of the Southeast quarter of Section 6, Township 1 North, Range 4 East, of the Gila and Salt River Base and Meridian, County of Maricopa, State of Arizona, being more particularly described as follows:

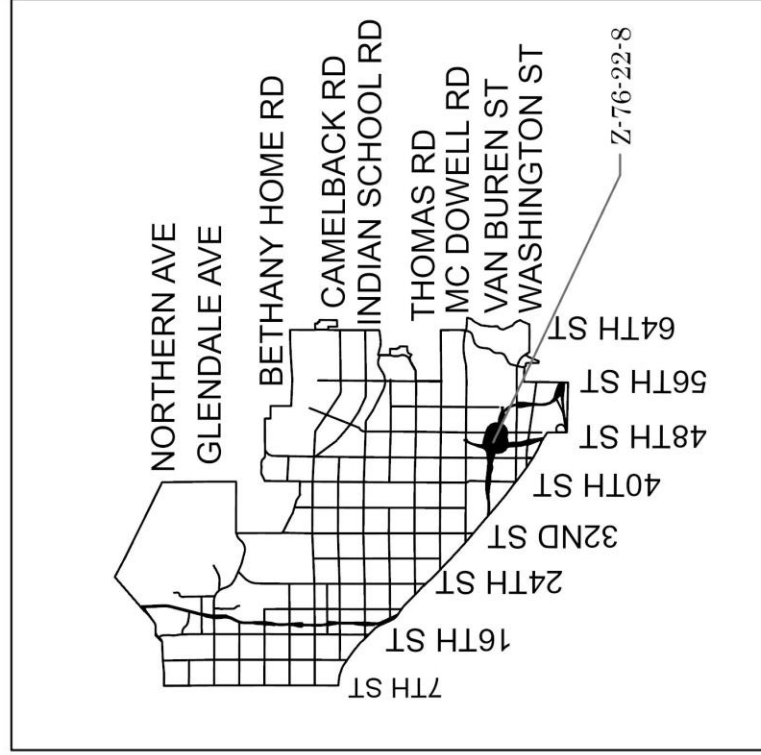
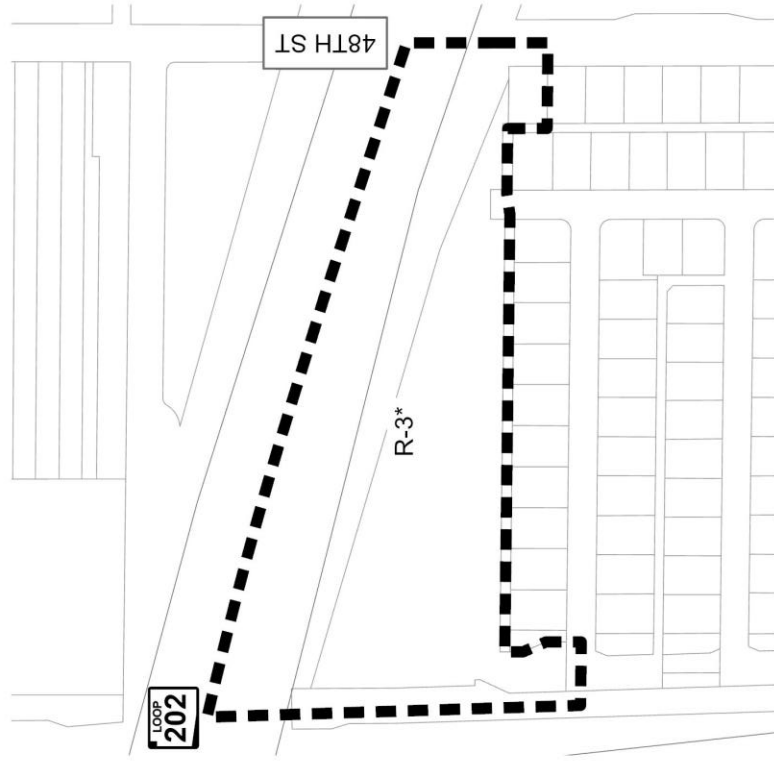
Lot 1, Delano Estates, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 62 of Maps, Page 26.

6,739 square feet or 0.15 acres more or less

ORDINANCE LOCATION MAP

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

Zoning Case Number: Z-76-22-8
Zoning Overlay: N/A
Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 1/30/2023



Amend City Code - Ordinance Adoption - Rezoning Application Z-70-22-8 - Approximately 360 Feet West of the Northwest Corner of 30th Street and Van Buren Street (Ordinance G-7079)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-22-8 and rezone the site from C-3 (General Commercial) to WU Code T5:3 GW (Walkable Urban Code, Transect 5:3 District, Transit Gateway Character Area) to allow multifamily residential.

Summary

Current Zoning: C-3

Proposed Zoning: WU Code T5:3 GW

Acreage: 1.61 acres

Proposal: Multifamily residential

Owner: Arizona Housing, Inc., AHI 2900 East Van Buren, LLC

Applicant: Mark Holleran, Arizona Housing, Inc.

Representative: Kyle Bogasky

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Central City Village Planning Committee heard this case on Jan. 9, 2023, and recommended approval, per the staff recommendation, by a vote of 16-0.

PC Action: The Planning Commission heard this case on Feb. 2, 2023, and recommended approval, per the Central City Village Planning Committee recommendation, by a vote of 9-0.

Location

Approximately 360 feet west of the northwest corner of 30th Street and Van Buren Street

Council District: 8

Parcel Address: 2900 E. Van Buren St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-70-22-8) FROM C-3 (GENERAL COMMERCIAL) TO WU CODE T5:3 GW (WALKABLE URBAN CODE, TRANSECT 5:3 DISTRICT, TRANSIT GATEWAY CHARACTER AREA).

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

SECTION 1. The zoning of a 1.61-acre property located approximately 360 feet west of the northwest corner of 30th Street and Van Buren Street in a portion of Section 2, Township 1 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “C-3” (General Commercial), to “WU Code T5:3 GW” (Walkable Urban Code, Transect 5:3 District, Transit Gateway Character Area).

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 south building elevations of the new structure shall provide a minimum 25 percent glazing on the ground floor, as approved by the Planning and Development Department.
2. Secure bicycle parking pursuant to Section 1307.H.6 of the Zoning Ordinance shall be provided for the total units on the site. In addition, the development shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
 - b. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
3. The developer shall dedicate a 10-foot-wide sidewalk easement along the north side of Van Buren Street, except for those areas where a current building footprint exists. Any future removal of building along Van Buren Street will require a 10-foot-wide sidewalk easement dedication, as approved by the Planning and Development Department.
4. The developer shall maintain the existing width of the landscape strip area along the north side of Van Buren Street between the sidewalk and back of the curb, replenish and maintain the landscaping within it, and construct a minimum 6-foot-wide detached 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.
5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalks, 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.
6. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed

and approved by the City Attorney.

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

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

PASSED by the Council of the City of Phoenix this 1st day of March, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

A PORTION OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE NORTH 00 DEGREES 00 MINUTES 30 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 40.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES 30 SECONDS EAST, ALONG A LINE 40.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 140.82 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 18 MINUTES 02 SECONDS EAST, A DISTANCE OF 257.57 FEET;

THENCE SOUTH 89 DEGREES 16 MINUTES 55 SECONDS WEST, A DISTANCE OF 12.40 FEET;

THENCE NORTH 00 DEGREES 24 MINUTES 54 SECONDS EAST, A DISTANCE OF 135.65 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES 30 SECONDS EAST, ALONG A LINE 433.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 169.30 FEET;

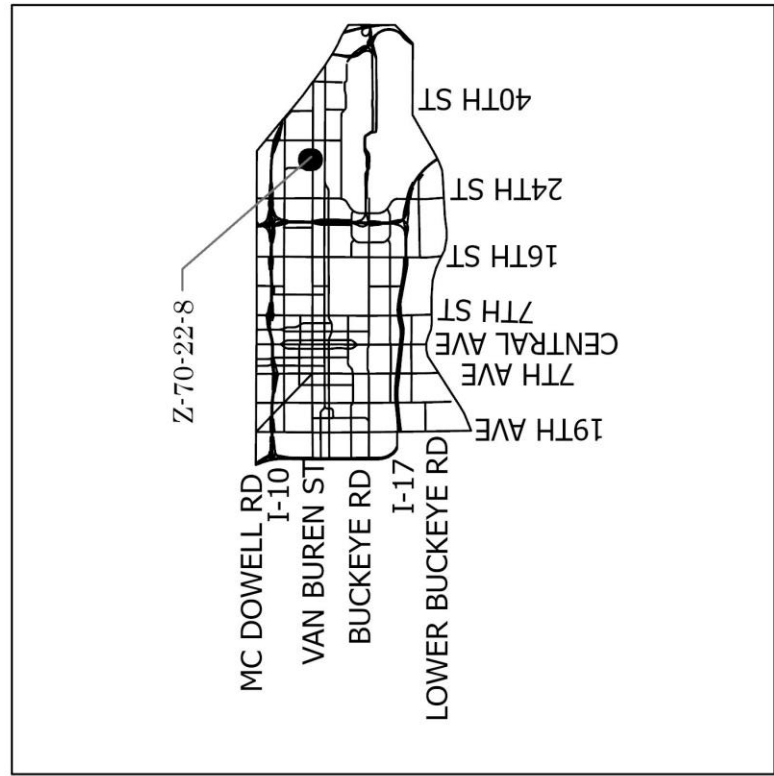
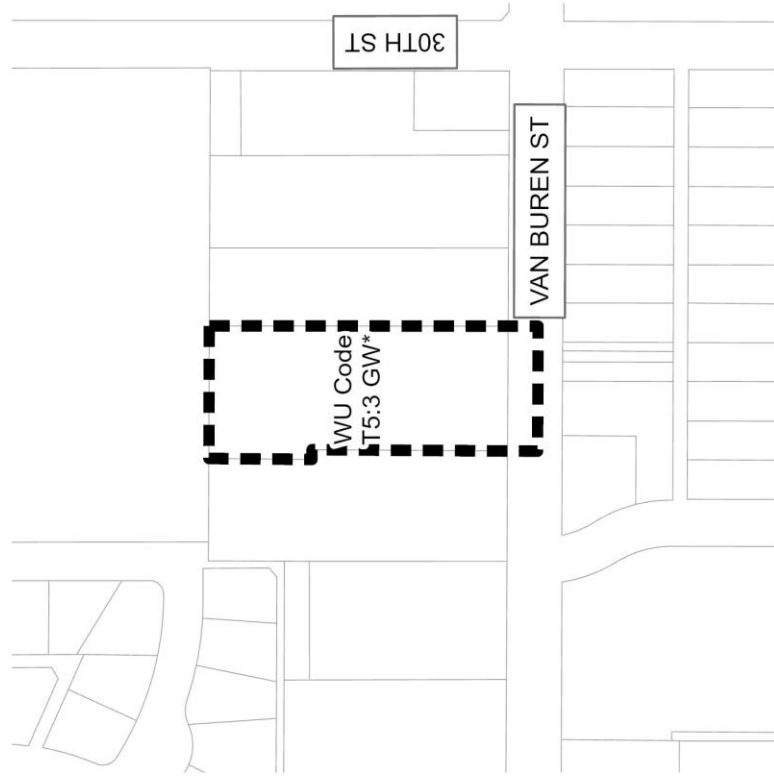
THENCE SOUTH 00 DEGREES 00 MINUTES 30 SECONDS WEST, ALONG A LINE 300.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 393.00 FEET;

THENCE NORTH 89 DEGREES 40 MINUTES 30 SECONDS WEST, ALONG A LINE 40.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 159.18 FEET TO THE TRUE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

Zoning Case Number: Z-70-22-8
Zoning Overlay: N/A
Planning Village: Central City

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



NOT TO SCALE



Drawn Date: 1/30/2023



Public Hearing and Resolution Adoption - General Plan Amendment GPA-LV-3-21-7 - Northeast Corner of 63rd Avenue and Dobbins Road (Resolution 22102)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 66.10 acres from 25.72 acres of Commercial and 40.38 acres of Mixed Use (Commercial/Commerce/Business Park) to Mixed Use (Commercial/Commerce/Business Park). This item is a companion case to Z-35-21-7 and must be heard first, followed by Z-35-21-7.

Summary

Application: GPA-LV-3-21-7

Current Designation: Commercial (25.72 acres) and Mixed Use (Commercial/Commerce/Business Park) (40.38 acres)

Proposed Plan Designation: Mixed Use (Commercial/Commerce/Business Park)

Acreage: 66.10 acres

Proposed Use: Minor General Plan Amendment for Mixed Use (Commercial/Commerce/Business Park)

Owner: Dairy 51.8, LLC and Dairy 51.8 Trust

Applicant and Representative: Alex Stedman, RVi Planning & Landscape Architecture

Staff Recommendation: Approval.

VPC Information Only: The Laveen Village Planning Committee heard the case on Dec. 13, 2021, for information only.

VPC Action: The Laveen Village Planning Committee heard the case on Dec. 12, 2022, and continued the case, by a vote of 10-0. The Laveen Village Planning Committee heard the case again on Jan. 9, 2023, and recommended approval, per the staff recommendation, by a vote of 7-1.

PC Action: The Planning Commission heard the case on Jan. 5, 2023, and continued the case, by a vote of 8-0. The Planning Commission heard the case on Feb. 2, 2023, and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 9-0.

Location

Northeast corner of 63rd Avenue and Dobbins Road

Council District: 7

Parcel Address: 8444 S. 61st Ave. and 6250 W. Dobbins Road

Responsible Department

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

ATTACHMENT A

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

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015
GENERAL PLAN FOR PHOENIX, APPLICATION GPA-LV-3-21-7,
CHANGING THE LAND USE CLASSIFICATION FOR THE
PARCEL DESCRIBED HEREIN.



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

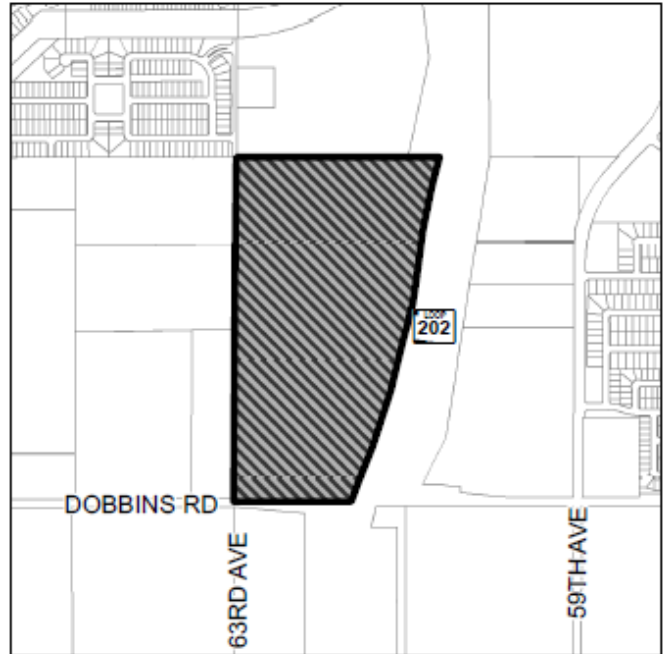
SECTION 1. The 2015 Phoenix General Plan, which was adopted by
Resolution 21307, is hereby amended by adopting GPA-LV-3-21-7. The 66.10 acres
of site located at the northeast corner of 63rd Avenue and Dobbins Road is
designated as Mixed Use (Commercial/Commerce/Business Park).

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 / Commerce/Business Park) (66.10 +/- Acres)

-  Proposed Change Area
 Mixed Use (Commercial / Commerce/Business Park)



PASSED by the Council of the City of Phoenix this 1st day of March,
2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

DRAFT



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT

STAFF ANALYSIS

December 9, 2022

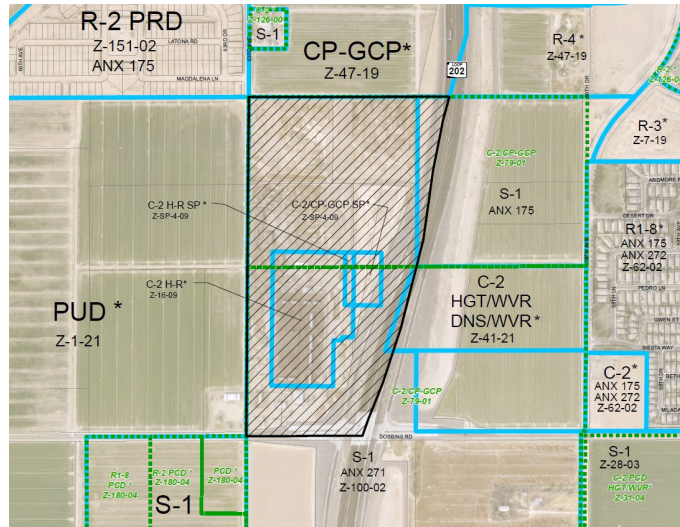
<u>Application:</u>	GPA-LV-3-21-7
<u>Owner:</u>	Dairy 51.8 LLC, Dairy 51.8 Trust
<u>Applicant/Representative:</u>	Alex Stedman, RVi Planning + Landscape Architecture
<u>Location:</u>	Northeast corner of 63rd Avenue and Dobbins Road
<u>Acreage:</u>	66.10 acres
<u>Current Plan Designation:</u>	Commercial (25.72 acres) and Mixed Use (Commercial / Commerce/Business Park) (40.38 acres)
<u>Requested Plan Designation:</u>	Mixed Use (Commercial / Commerce/Business Park)
<u>Reason for Requested Change:</u>	Minor General Plan Amendment for Mixed Use (Commercial / Commerce/Business Park)
<u>Laveen Village Planning Committee Meeting Date:</u>	December 12, 2022
<u>Staff Recommendation:</u>	Approval

FINDINGS:

- 1) The proposed Mixed Use (Commercial / Commerce/Business Park) land use designation provides for a land use mix that is consistent with the site's location within the Laveen Village Core and within the Loop 202 Freeway corridor.
- 2) The proposed change coincides with rezoning proposal Z-35-21-7 that creates a unified zoning framework through a Planned Unit Development (PUD) for the entire site. The General Plan Amendment will provide for a consistent General Plan Land Use Map designation that is consistent with the proposed PUD.

BACKGROUND

The subject site is 66.10 gross acres located at the northeast corner of the 63rd Avenue and Dobbins Road. The north portion of the site is currently vacant, and the south portion is used as a dairy farm. The site is zoned S-1 (Ranch or Farm Residence), approved C-2 or CP/GCP (Intermediate Commercial or Commerce Park/General Commerce Park), C-2 H-R (Intermediate Commercial, High-Rise), approved C-2 or CP/GCP (Intermediate Commercial or Commerce Park/General Commerce Park), C-2 or CP/GCP SP (Intermediate Commercial or Commerce Park/General Commerce Park, Special Permit), approved C-2 or CP/GCP (Intermediate Commercial or Commerce Park/General Commerce Park), and C-2 HR SP (Intermediate Commercial, High Rise, Special Permit), approved C-2 or CP/GCP (Intermediate Commercial or Commerce Park/General Commerce Park).



Aerial Zoning Map, Source: Planning and Development Department

GPA-LV-3-21-7 proposes a minor amendment to the General Plan Land Use Map to allow single-family, multifamily, retail, office, and commerce park uses. The proposal will modify the land use designation from 25.72 acres of Commercial and 40.38 acres of Mixed Use (Commercial / Commerce/Business Park) to 66.10 acres of Mixed Use (Commercial / Commerce/Business Park). The companion rezoning case, Z-35-21-7, proposes a Planned Unit Development (PUD) to allow single-family, multifamily, retail, office, and commerce park uses.

SURROUNDING LAND USES

The subject site consists of vacant land on the north portion and a dairy farm on the south portion. The current General Plan Land Use Map designation for the site is Commercial and Mixed Use (Commercial / Commerce/Business Park).

NORTH

North of the subject site is agricultural land. This area is designated Commercial and Mixed Use (Commercial / Commerce/Business Park).

SOUTH

South of the subject site, across Dobbins Road, is agricultural land. This area is designated Commercial.

EAST

East of the subject site is the Loop 202 Ed Pastor Freeway and across from the freeway to the east is agricultural land. This area is designated Commercial and Mixed Use (Commercial / Commerce/Business Park).

WEST

West of the subject site is agricultural land. This area is designated Mixed Use (Industrial / Commerce/Business Park).

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE

- **ENTREPRENEURS AND EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.**

This General Plan Amendment request, with the companion rezoning request, Z-35-21-7, will support a variety of commercial, office, retail and employment uses within the Laveen Village Core and the Loop 202 corridor. The development will provide a place for a local business to operate, grow, and provide community services within proximity to nearby residences.

CONNECT PEOPLE AND PLACES CORE VALUE

- **CORES, CENTERS & CORRIDORS CORE VALUE; 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 land use mix is consistent with the vision and goals of the Laveen Southwest Growth Study which envisions this location to have employment and commercial uses. The accompanying rezoning request provides a regulatory framework for a level of development intensity appropriate for a location within the Village Core and adjacent to the Loop 202 Freeway and an arterial street (Dobbins Road).

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS

- **DIVERSE NEIGHBORHOODS; DESIGN PRINCIPLE:** Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents.

The proposed General Plan Land Use Map designation reinforces the site as a important location for shopping, dining, and housing.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-LV-3-21-7 as filed. The request aligns with the goals and policies of the General Plan and will result in a land use designation that will maximize the property's location at the intersection of an arterial and collector street adjacent to a freeway, and within the Laveen Village Core. Along with the companion rezoning case, Z-35-21-7, the General Plan Amendment will allow for a compatible mix of land uses that will provide additional housing and services for the Laveen community.

Writer

Joshua Bednarek
December 9, 2022

Team Leader

Racelle Escolar

Exhibits

Sketch Maps (2 pages)













GENERAL PLAN AMENDMENT

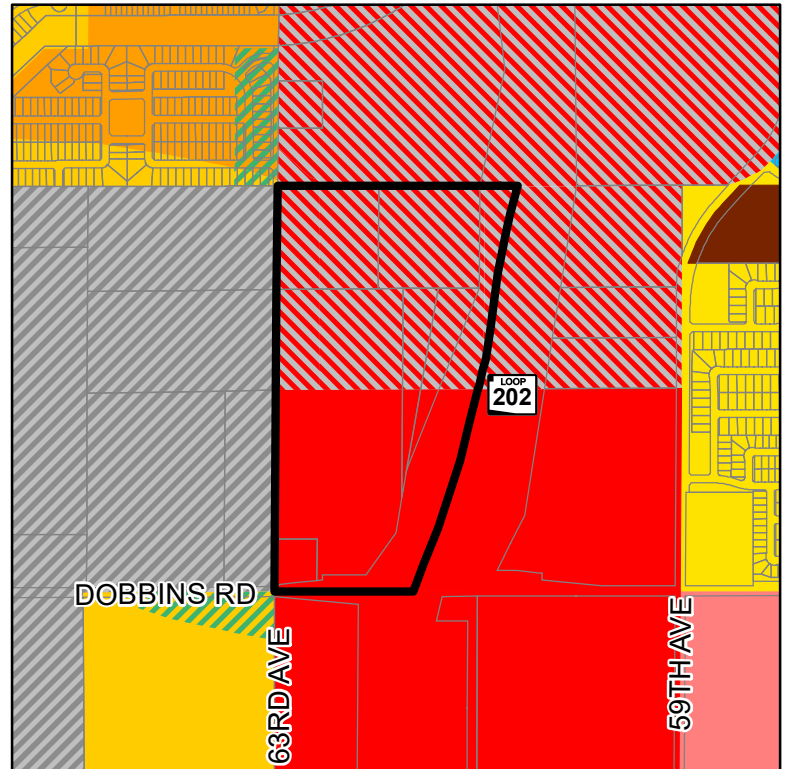
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-LV-3-21-7	ACRES: 66.10 +/-
VILLAGE: Laveen	COUNCIL DISTRICT: 7
APPLICANT: Annie Vos and Alex Stedman	

EXISTING:



MU (Commercial / Commerce/Business Park) (40.38 +/- Acres)
Commercial (25.72 +/- Acres)

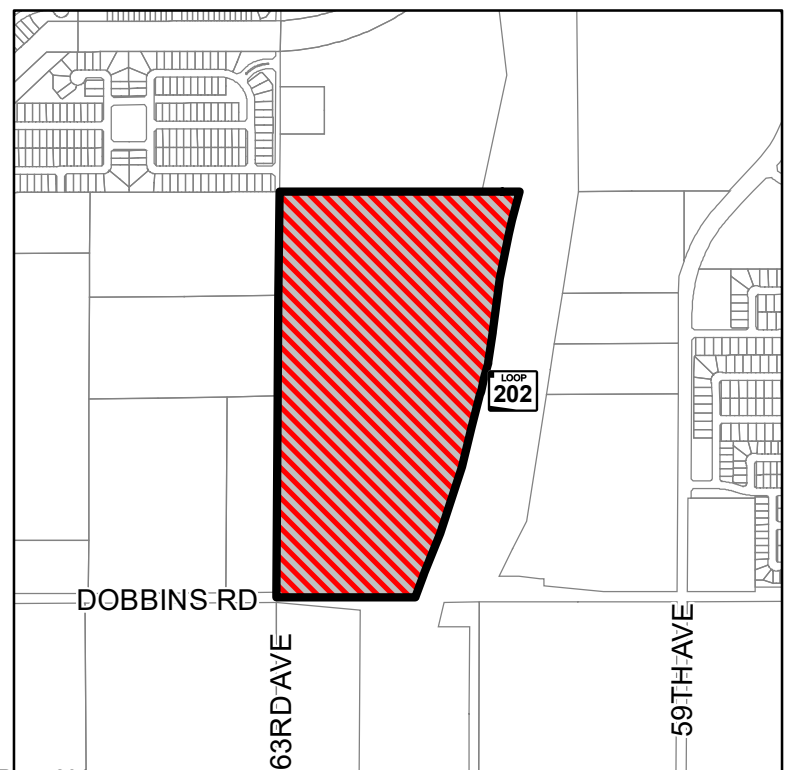
-  Proposed Change Area
-  Residential 2 to 3.5 du/ac
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 15+ du/ac
-  Commercial
-  Public/Quasi-Public
-  Mixed Use (Commercial / Commerce/Business Park)
-  Mixed Use (Industrial / Commerce/Business Park)
-  Mixed Use
-  Mixed Use Parks / Open Space / 5 to 10 du/ac
-  Mixed Use Parks / Open Space / 3.5 to 5 du/ac



PROPOSED CHANGE:

Mixed Use (Commercial / Commerce/Business Park) (66.10 +/- Acres)

-  Proposed Change Area
-  Mixed Use (Commercial / Commerce/Business Park)













GENERAL PLAN AMENDMENT

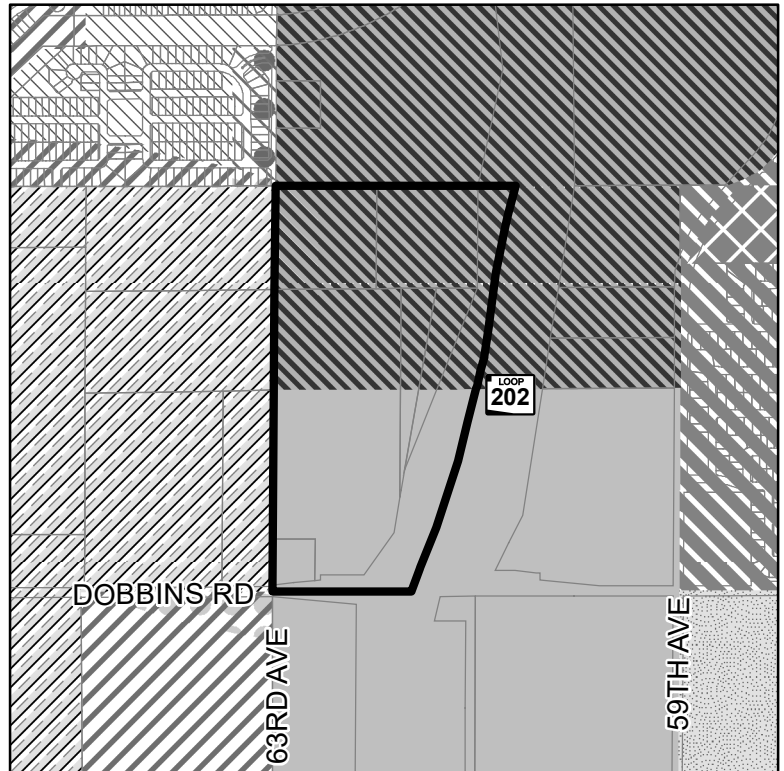
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-LV-3-21-7_BW	ACRES: 66.10 +/-
VILLAGE: Laveen	COUNCIL DISTRICT: 7
APPLICANT: Annie Vos and Alex Stedman	

EXISTING:



MU (Commercial / Commerce/Business Park) (40.38 +/- Acres)
Commercial (25.72 +/- Acres)

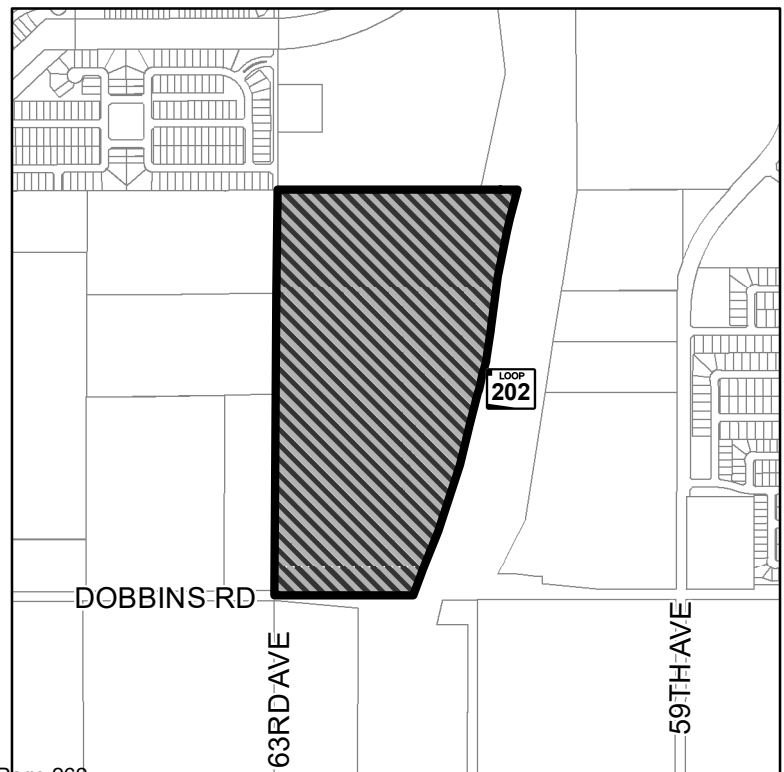
-  Proposed Change Area
-  Residential 2 to 3.5 du/acre
-  Residential 3.5 to 5 du/acre
-  Residential 5 to 10 du/acre
-  Residential 15+ du/acre
-  Commercial
-  Public/Quasi-Public
-  Mixed Use (Commercial / Commerce/Business Park)
-  Mixed Use (Industrial / Commerce/Business Park)
-  Mixed Use
-  Mixed Use Parks / Open Space / 5 to 10 du/ac
-  Mixed Use Parks / Open Space 3/5 to 5 du/ac



PROPOSED CHANGE:

Mixed Use (Commercial / Commerce/Business Park) (66.10 +/- Acres)

-  Proposed Change Area
-  Mixed Use (Commercial / Commerce/Business Park)





Village Planning Committee Meeting Summary

GPA-LV-3-21-7

Date of VPC Meeting	January 9, 2023
Request From	Mixed Use (Commercial/Commerce/Business Park) and Commercial
Request To	Mixed Use (Commercial/Commerce/Business Park)
Proposed Use	Single-family, multifamily residential, retail, office, and commerce park uses
Location	Northeast corner of 63rd Avenue and Dobbins Road
VPC Recommendation	Approval
VPC Vote	7-1

VPC DISCUSSION:

Item No. 6 (GPA-LV-3-21-7) and Item No. 7 (Z-35-21-7) are companion cases and were heard together.

Four members of the public registered to speak on this item. Two of the members donated their time.

STAFF PRESENTATION:

Enrique Bojórquez, staff, provided an overview of the rezoning proposal, including the companion minor General Plan Amendment case GPA-LV-3-21-7, describing the location of the requests, the existing and proposed zoning districts and land use designations and the proposed use. Mr. Bojórquez reviewed the surrounding zoning districts and land uses and described the proposed development units. Mr. Bojórquez listed several policy plans and described how these are furthered by this proposal. Mr. Bojórquez stated that staff did not receive any letters from the public regarding these requests. Mr. Bojórquez provided staff findings, followed by the staff recommendation of approval on each case, and discussed the stipulations as presented in the staff report for case Z-35-21-7.

APPLICANT PRESENTATION:

Wendy Riddell, representing the applicant with Berry Riddell LLC., introduced herself and the proposed project. Ms. Riddell described the existing zoning entitlement on the property, which allows for significantly more dwelling units at a height of up to 90 feet. Ms. Riddell described the site's location in regard to the Loop 202 freeway and

described approved plus proposed surrounding development. Ms. Riddell described the public outreach conducted and concerns addressed on this project since the summer of 2021. Ms. Riddell described three options for development plans within Development Unit 1 (Village Core). Ms. Riddell explained that these are examples of what could be developed on the site. Ms. Riddell described amenities proposed in this portion of the site, including public art, electric vehicle parking, a sit-down restaurant, among other elements. Ms. Riddell described both allowed and prohibited uses, height step-back standards, and density standards. Ms. Riddell stated that a successful technology corridor is in the City of Chandler and discussed the variety of land uses located in this other corridor. Ms. Riddell described the streetscape standards proposed along Dobbins Road, Village Core design elements and materials, plus branding elements. Ms. Riddell described the commitments by Clear Channel regarding off-site signage (billboards) and funding for Laveen area parks. Ms. Riddell described additional stipulations for case Z-35-21-7 that were agreed upon after the staff report was published. Ms. Riddell requested a recommendation of approval on both cases.

QUESTIONS FROM COMMITTEE:

Dean Chiarelli asked for clarification on the proposed building height. **Ms. Riddell** discussed the height standards proposed, in addition to the new proposed stipulation which would allow flexibility for employment uses. **Mr. Chiarelli** asked for clarification on the definition of employment to ensure that high-wage jobs locate here. Mr. Chiarelli opposes additional height along the Loop 202 freeway. **Ms. Riddell** explained that only high-wage employers would pay to build up to the height proposed.

Chair Abegg stated that this is a prime area for retail and employment uses. Chair Abegg explained that the applicant has existing entitlements but is seeking a PUD to allow billboards. Chair Abegg stated that employment and retail uses are needed in Laveen and would like for more acreage within this site to be part of the Village Core area for employment uses, for a total of 30 acres within Development Unit 1. Chair Abegg supports the added height to attract a major employer and supports the funding for parks in the Laveen area.

Rebecca Perrera agrees with Chair Abegg and would like to hear more about Development Unit 2. Ms. Perrera would like for future site plans and elevations in Development Unit 2 to be reviewed by the VPC and asked for clarification on Olney Park and the donation structure proposed. **Chair Abegg** explained that a local school and the City of Phoenix Parks and Recreation Department underwent a land swap and described park funding. Chair Abegg explained that the proposed donation by the applicant is for operations of parks within Laveen. **Ms. Riddell** explained that nearly \$1 Million on impact fees went to the Parks and Recreation Department and would prefer to leave the current stipulation on case Z-35-21-7 regarding the monetary donation for parks as this is flexible. Ms. Riddell would oppose a stipulation requiring the review and comment of plans by the VPC for Development Unit 2 and increasing the size of Development Unit 1.

PUBLIC COMMENTS:

Phil Hertel stated that the conceptual plans described by the applicant are not guaranteed and there needs to be other stipulations added to case Z-35-21-7 which require the review and comment by the Laveen VPC on future site plans, elevations,

sign plans, and landscape plans. Mr. Hertel also wants to ensure that this development addresses school contributions in lieu of impacts to schools in Laveen.

Dan Penton generally likes elements of case Z-35-21-7, including the electric vehicle charging, but would like to see a bikeway along the east connecting the site to the Laveen Conveyance Channel, a protected bicycle lane along all adjacent streets, bicycle lockers, a bicycle fix-it station near trails or pathways, and procure local artists to develop art in the development. Mr. Penton discussed the Dobbins Road streetscape and added that an entry feature could be incorporated at the intersection with 63rd Avenue. Mr. Penton would like to see a stipulation that requires the review and comment for at least the signage and elevations in the future, to ensure that these will get built as proposed.

APPLICANT RESPONSE:

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

Jennifer Rouse thanked the applicant for their work on these cases. Ms. Rouse proposed to approve both cases but add and modify stipulations for case Z-35-21-7.

Chair Abegg and **Wendy Riddell** discussed the stipulations proposed on case Z-35-21-7.

Ms. Perrera asked for clarification on the stipulations.

Chair Abegg explained her preference on the additional stipulations.

MOTION (GPA-LV-3-21-7):

Jennifer Rouse motioned to approve GPA-LV-3-21-7 per the staff recommendation. **Carlos Ortega** seconded the motion.

VOTE (GPA-LV-3-21-7):

7-1; motion to recommend approval of GPA-LV-3-21-7 per the staff recommendation passes with Committee Members Barraza, Chiarelli, Ortega, Perrera, Rouse, Hurd and Abegg in favor. Committee Member JoAnne Jensen dissented. Ms. Jensen explained that she does not support the additional stipulations proposed as these differed from some of the stipulations discussed with the applicant on companion case Z-35-21-7.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.

Village Planning Committee Meeting Summary GPA-LV-3-21-7

Date of VPC Meeting	December 12, 2022
Request From	Mixed Use (Commercial/Commerce/Business Park) and Commercial
Request To	Mixed Use (Commercial/Commerce/Business Park)
Proposed Use	Single-family, multifamily residential, retail, office, and commerce park uses
Location	Northeast corner of 63rd Avenue and Dobbins Road
VPC Recommendation	Continued to January 9, 2023
VPC Vote	10-0

VPC DISCUSSION:

Item No. 9 (GPA-LV-3-21-7) and Item No. 10 (Z-35-21-7) are companion cases and were heard together.

STAFF PRESENTATION:

None.

APPLICANT PRESENTATION

Wendy Riddell, representing the applicant with Berry Riddell, introduced herself and The Crossings at Dobbins PUD project. Ms. Riddell explained that due to a notification deficiency, she is requesting that both cases be continued to the next Laveen Village Planning Committee meeting for recommendation.

PUBLIC COMMENTS:

None.

APPLICANT RESPONSE:

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

None.

GPA-LV-3-21-7 MOTION:

Jennifer Rouse motioned to continue GPA-LV-3-21-7 to the January 9, 2023 Laveen Village Planning Committee meeting. **Stephanie Hurd** seconded the motion.

GPA-LV-3-21-7 VOTE:

10-0; motion to recommend a continuance of GPA-LV-3-21-7 passes with Committee Members Barraza, Chiarelli, Hurd, Jensen, Ortega, Perrera, Rouse, Senters, Abegg and Glass in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.

Village Planning Committee Meeting Summary

GPA-LV-3-21-7 NFORMATION ONLY

Date of VPC Meeting	December 13, 2021
Request From	Commercial and Mixed Use (Commercial / Commerce Park)
Request To	Mixed Use (Commercial/Commerce/Business Park)
Proposed Use	Single-family, multifamily residential, retail, office, and commerce park uses
Location	Northeast corner of 63rd Avenue and Dobbins Road

VPC DISCUSSION:

This item was heard concurrently with Item No. 7 (Z-35-21-7)

Wendy Riddell, representative with Berry Riddell, explained that the site is currently approved as Commercial and Commerce Park-General Commerce Park, as well as a High Rise designation and a Special Permit. The site was originally envisioned to be a hospital. She explained that they are requesting to amend the General Plan to extend the Mixed Use (Commercial and Commerce Park) designation so that the entire site can allow for a mix of uses, and that they are also creating a Village Core plan. He noted that the site is also located along the South Mountain Freeway Technology Corridor. She stated that the site would currently allow for 2,176 residential units, and that the proposal is to reduce this to 1,250 units. She added that there was some land that was condemned in 2019 when the freeway was constructed, which took up a lot of the original land area. She presented an exhibit that shows the nearby development proposals in context to the subject site. She then provided an overview of the proposed land uses in the PUD, which include restaurants, retail, offices, corporate campuses, and medical offices within the Village Core. Multifamily residential and single-family attached uses will also be permitted, but they will be townhomes developed for property ownership, and not rentals. She added that hotels and vertiports will also be permitted in the core. She stated that, through engagement with key stakeholders in the area, the applicant had agreed to prohibit self-storage uses to promote a walkable urban core environment. She noted that there are additional land use prohibitions in the development narrative, as well as restrictions on residential uses. **Ms. Riddell** explained that one of the goals of this proposal is to attract high tech employers, which requires some flexibility. As such, they are proposing a maximum height of 120 feet within the village core, with some height step-back requirements along 63rd Avenue and Dobbins Road. She then outlined the design guidelines for the development, which are intended

to promote the unique character of Laveen, as well as the open space requirements for the core area. She then explained the applicant's vision towards the future, and the proposal to allow urban air mobility transportation, subject to a use permit, which will promote the envisioned high technology environment. She added that the design requirements also include elements from the Dobbins Road Scenic Corridor Study, which will help further promote the unique character of Laveen along the street. She then summarized the permitted land uses in both Development Units, as well as some of the specific design guidelines for commercial and multifamily buildings, which include the incorporation of historically appropriate building materials. She also shared the design regulations for billboards, which will include these materials as well.

Chair Tonya Glass expressed appreciation for the proposal within the Village Core but also concern with the residential unit cap of 1,250 units. She stated that she will need to take a deeper dive into this matter. She also expressed concern that the stakeholder who have participated in this process may have been siloed and that the caveats for multifamily should be looked at carefully as it will impact the community. She stated that 1,200 units is still a significant amount.

Vice Chair Linda Abegg stated that there has been a lot of good work done on the development and design standards for the area within the Village Core, but that the rest of the development area has not been discussed. She expressed concern with the way the requirements for multifamily were written in and the lack of limits placed on how much of the land area can be developed as multifamily. She emphasized that this part of Laveen should be reserved for employment uses to ensure that a tech corridor is created. She also stated that, since this a new rezoning request, and not modifications of stipulations of existing entitlements, the applicant does not automatically have the rights to what was already approved on the site. She stated that the core looks nice, and so do the designs for the billboards, but that more work needs to be done to ensure that this development allows for a true employment corridor.

Stephanie Hurd expressed her wish for this to be 100 percent retail and employment, but that she realizes that this likely won't happen. She pointed out that there are many new multifamily projects already approved in the area, include a project with 500 units on the other side of the freeway, so she is concerned with the lack of specificity regarding the amount and height of the proposed residential. She then stated that the Laveen branding on the billboard is a great idea, as the area is lacking in this regard. She also praised the inclusion of the Dobbins Road Scenic Corridor elements. She added that, as much as she dislikes multifamily, she understands the need for it especially if large employers come to Laveen. She said that, if they have to be built, they should look nice and have good amenity packages.

Vice Chair Abegg stated that committee member Hurd and other members of the community have work diligently with this applicant to ensure that the design guidelines meet the intent of what they would like to see in Laveen. She encouraged all community members to reach out ahead of these meetings to work out concerns and modifications, as it has proven to be very effective.

PUBLIC COMMENT

Phil Hertel expressed his support for this project, stating that it will be a good addition to the Village Core and a better proposal for the area than the previously envisioned hospital.

Dan Penton expressed his support for the urban air mobility uses being proposed, stating that it will help reduce congestion and pollution, and will elevate Laveen as the first area in the city to allow this type of high-tech use, which is the exact intent of the tech corridor. He then expressed concern with the density, noting the hundreds of units already approved in the immediate vicinity.

Stephanie Hurd stated that the height of 120 feet will provide the flexibility for tech companies to at least look at this site as an option for them and will hopefully encourage them to come and build offices there. **Vice Chair Abegg** added that this is why the applicant had agreed to write in a requirement that the first tall building has to be an employment use, so that they don't end up with a hotel or senior living right away.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION February 2, 2023

ITEM NO: 3	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	GPA-LV-3-21-7 (Companion Case Z-35-21-7)
Location:	Northeast corner of 63rd Avenue and Dobbins Road
From:	Mixed Use (Commercial/Commerce/Business Park) and Commercial
To:	Mixed Use (Commercial/Commerce/Business Park)
Acreage:	66.10
Proposal:	Minor General Plan Amendment for Mixed Use (Commercial / Commerce/Business Park)
Applicant:	Alex Stedman, RVi Planning & Landscape Architecture
Owner:	Dairy 51.8, LLC and Dairy 51.8 Trust
Representative:	Alex Stedman, RVi Planning & Landscape Architecture

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

Laveen 12/13/2021 Information only.

Laveen 12/12/2022 Continued to January 9, 2023. Vote: 10-0.

Laveen 1/9/2023 Approval. Vote: 7-1.

Planning Commission Recommendation: Approval, per the Laveen Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve GPA-LV-3-21-7, per the Laveen Village Planning Committee recommendation.

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

Findings:

1. The proposed Mixed Use (Commercial / Commerce/Business Park) land use designation provides for a land use mix that is consistent with the site's location within the Laveen Village Core and within the Loop 202 Freeway corridor.
2. The proposed change coincides with rezoning proposal Z-35-21-7 that creates a unified zoning framework through a Planned Unit Development (PUD) for the entire site. The General Plan Amendment will provide for a consistent General Plan Land Use Map designation that is consistent with the proposed PUD.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.



*****ITEM REVISED (SEE ATTACHED MEMO)*** Public Hearing and Ordinance Adoption - Rezoning Application Z-35-21-7 (The Crossing at Dobbins PUD) - Northeast Corner of 63rd Avenue and Dobbins Road (Ordinance G-7085)**

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-35-21-7 and rezone the site from C-2 H-R SP (Approved C-2 or CP/GCP) (Intermediate Commercial, High-Rise and High-Density District, Special Permit, Approved Intermediate Commercial or Commerce Park District, General Commerce Park Option), C-2 or CP/GCP SP (Approved C-2 or CP/GCP) (Intermediate Commercial or Commerce Park District, General Commerce Park Option, Special Permit, Approved Intermediate Commercial or Commerce Park District, General Commerce Park Option), C-2 H-R (Approved C-2 or CP/GCP) (Intermediate Commercial, High-Rise and High-Density District, Approved Intermediate Commercial or Commerce Park District, General Commerce Park Option) and S-1 (Approved C-2 or CP/GCP) (Ranch or Farm Residence, Approved Intermediate Commercial or Commerce Park District, General Commerce Park Option) to PUD (Planned Unit Development) to allow single-family, multifamily, retail, office, and commerce park uses. This is a companion case and must be heard following GPA-LV-3-21-7.

Summary

Current Zoning: C-2 H-R SP (Approved C-2 or CP/GCP), C-2 or CP/GCP SP (Approved C-2 or CP/GCP), C-2 H-R (Approved C-2 or CP/GCP), and S-1 (Approved C-2 or CP/GCP)

Proposed Zoning: PUD

Acreage: 66.10

Proposed Use: Single-family, multifamily, retail, office, and commerce park uses

Owner: Dairy 51.8, LLC and Dairy 51.8 Trust

Applicant and Representative: Alex Stedman, RVi Planning & Landscape Architecture

Staff Recommendation: Approval, subject to stipulations.

VPC Information Only: The Laveen Village Planning Committee heard this case on Dec. 13, 2021, for information only.

VPC Action: The Laveen Village Planning Committee heard the case on Dec. 12,

2022, and continued the case by a vote of 10-0. The Laveen Village Planning Committee heard the case again on Jan. 9, 2023, and recommended approval, per the staff recommendation, with modifications and additional stipulations, by a vote of 7-1. PC Action: The Planning Commission heard the case on Jan. 5, 2023, and continued the case, by a vote of 8-0. The Planning Commission heard the case on Feb. 2, 2023, and recommended approval, per the Laveen Village Planning Committee recommendation, with modifications and a deleted stipulation, by a vote of 8-1.

Location

Northeast corner of 63rd Avenue and Dobbins Road

Council District: 7

Parcel Address: 8444 S. 61st Ave. and 6250 W. Dobbins Road

Responsible Department

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



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: February 27, 2023

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: ITEM 99 ON THE MARCH 1, 2023 FORMAL AGENDA – PUBLIC HEARING/FORMAL ACTION - REZONING APPLICATION Z-35-21-7 (THE CROSSING AT DOBBINS PUD) – NORTHEAST CORNER OF 63RD AVENUE AND DOBBINS ROAD (ORDINANCE G-7085)

Item 99, Rezoning Application Z-35-21-7, is a request to rezone 66.10 acres located at the northeast corner of 63rd Avenue and Dobbins Road, from a mix of existing and approved zoning districts to PUD (Planned Unit Development) to allow single-family, multifamily, retail, office, and commerce park uses.

The Laveen Village Planning Committee heard the case on Jan. 9, 2023, and recommended approval, per the staff recommendation, with modifications and additional stipulations, by a vote of 7-1.

The Planning Commission heard the case on Feb. 2, 2023 and recommended approval, per the Laveen Village Planning Committee recommendation, with modifications and a deleted stipulation, by a vote of 8-1.

As a result of additional discussions facilitated by the Council District 7 Office, the applicant and the community have agreed to updated stipulations.

The applicant has agreed to increase the size of Development Unit 1, which falls within the Village Core and only permits commercial uses, to a minimum of 25 acres. This change is reflected in Stipulation Nos. 1.e, 1.f and 1.k.

In response to the community's request to direct funds from Stipulation No. 5 to the proposed park near the intersection of 59th and Olney avenues, the stipulation has been modified accordingly. The Parks and Recreation has noted that there is not adequate funding to construct or maintain the park at this time. The Department will hold the funds as more funding is dedicated to build and maintain the park.

The revised stipulation is listed below with updates in **BOLD AND CAPITAL** letters.

Staff recommends approval, subject to the following stipulations:

1. An updated Development Narrative for the Crossing at Dobbins 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 Development Narrative dated December 7, 2022 as modified by the following stipulations.

- a. Front Cover, add "City Council adopted: [Insert Adoption date]"
- b. Remove any reference to Urban Air Mobility or Vertiport.
- c. Page 34, Land Use Section: The following uses shall be added to the prohibited land use section for Development Unit 2.
 - Adult Uses
 - Automobile Parts and Supplies, New Retail and Wholesale
 - Auto Seat Covers and Trim Shop
 - Boats, Retail Sales
 - Motorcycles, Repairing and Sales
 - Tire Repairing Equipment and Supplies
 - Tractors, Retail Sales, Display
 - Truck Stop/Travel Center
 - Self-Storage Service Warehouse
 - Automobile Service Station/ Gas Station
 - Car Wash
 - Garage Repair
 - Warehousing
 - Wholesaling, as a primary use
 - Distribution Facility, as a primary use
 - Outdoor Uses (Section 626.F.2z)
- d. All applicable sections that reference drive-thru restaurants, which include but not limited to, land use and design guidelines, shall be updated to reflect the maximum of two drive-thru restaurants.
- e. Page 17: A graphic shall be inserted within the Land Use Section identifying the boundaries for Village Core North and Village Core South in addition to language that states that Village Core North **SHALL BE APPROXIMATELY 15 ACRES** and Village Core South will ~~each~~ be approximately 10 acres in size.
- f. Appendices: Legal descriptions for Development Units 1 and 2 and Village Core North and Village Core South shall be added to the PUD as additional appendices. **AN UPDATED CONCEPTUAL DEVELOPMENT PLAN EXHIBIT SHALL BE PROVIDED IN THE DEVELOPMENT NARRATIVE.** Acreages for Development Units 1 and 2 will be consistent with the Conceptual Development Plan exhibit and acreages for Village Core North and Village Core South will be approximately **15 ACRES AND** 10 acres ~~each~~ **RESPECTIVELY.**

- g. Pages 45-46: Language referring to a Comprehensive Sign Plan found on page 46 shall be moved under the text of 5K on page 45 and be reworded as follows:

ON-PREMISE SIGNS WILL COMPLY WITH CHAPTER 7 OF THE PHOENIX ZONING ORDINANCE AND A COMPREHENSIVE SIGN PLAN MAY BE REQUIRED AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- h. Page 45, Signs Section, Second Bullet Point: Modify the last sentence in the paragraph to read as follows:

FINAL DESIGN OF OFF-PREMISE SIGNS TO BE REVIEWED AND APPROVED BY THE LAVEEN VILLAGE PLANNING COMMITTEE.

- i. MODIFY THE DEVELOPMENT NARRATIVE, WHERE APPLICABLE, TO REFLECT THE FOLLOWING:

ALL DISTRIBUTION, MANUFACTURING, WAREHOUSE USES AS A PRIMARY USE, WHERE PERMITTED, SHALL COMPLY WITH THE FOLLOWING STANDARDS AND RESTRICTIONS.

- I. THERE SHALL BE A MAXIMUM OF 1 DOCK DOOR PER 20,000 SQUARE FEET OF INDUSTRIAL USE TO ENSURE DISTRIBUTION AND WHOLESALING ARE NOT A PRIMARY USE.
 - II. DISTRIBUTION USES ARE ONLY ALLOWED AS AN ACCESSORY USE.
 - III. WHOLESALING AND DISTRIBUTION AS PRIMARY USES SHALL BE PROHIBITED.
- J. THE MAXIMUM PERMITTED BUILDING HEIGHT FOR OFFICE USES IN DEVELOPMENT UNIT 2 SHALL BE 120 FEET, FOLLOWING THE SAME STEP BACK STANDARDS AS LISTED IN THE EXISTING DEVELOPMENT STANDARDS TABLE AND HEIGHT EXHIBIT. ALL OTHER USES SHALL BE RESTRICTED TO A MAXIMUM BUILDING HEIGHT OF 56 FEET. ALL HEIGHT EXHIBITS AND DEVELOPMENT STANDARDS SHALL BE UPDATED TO REFLECT THIS MODIFICATION.
- K. THE ACREAGE OF DEVELOPMENT UNIT 1 (VILLAGE CORE) SHALL BE INCREASED TO A MINIMUM OF 25 ACRES, WITH 10 ACRES IN CORE SOUTH AND 15 ACRES IN CORE NORTH. THE DEVELOPMENT NARRATIVE, INCLUDING EXHIBITS AND LEGAL DESCRIPTIONS, SHALL BE UPDATED ACCORDINGLY.

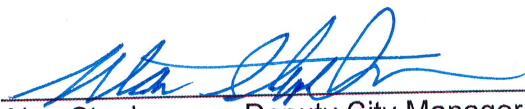
2. Prior to Preliminary Site Plan approval, a Pedestrian Circulation Plan for Development Unit 1 (Village Core) shall be provided. This plan shall demonstrate how pedestrians will connect to 63rd Avenue, Dobbins Road, required open space areas and Development Unit 2 through a network of dedicated pedestrian paths and a minimum of one Pedestrian Paseo. The Pedestrian Paseo shall provide continuous north to south connectivity from Dobbins Road to Development Unit 2. The Pedestrian Circulation Plan will be updated with each site plan amendment to demonstrate how pedestrian connectivity will be accomplished as the Village Core parcel develops, as approved by the Planning and Development Department and in compliance with the following standards:
 - a. The Pedestrian Paseo shall be a minimum of 20 feet in width. Of the width, 10 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 10 feet may be used for pedestrian friendly amenities or features, such as benches, tables and courtyards, etc.
 - b. A minimum of 10 feet of the Pedestrian Paseo shall be comprised of enhanced surfacing materials, such as stamped or colored concrete or other pavement treatments, that visually contrast with the adjacent parking and drive aisle surfaces shall be provided to delineate all areas where paseos cross drive aisles.
 - c. The Pedestrian Paseos shall be shaded at a minimum of 50% at maturity.
3. Prior to preliminary site plan approval of any and all development within Development Unit 1 South, the developer shall demonstrate how the following elements will be addressed as part of the subject submittal or as part of a future submittal or phase of the project, as approved by the Planning and Development Department.
 - a. A standalone EV Charging Demonstration Project with a minimum of eight Level 2 electric vehicle charging stations and two fast charging stations.
 - b. Construction of a minimum 10,000 square feet common open space location with a splash pad.
4. No permits for off-premise signs (billboards) will be issued until a certificate of occupancy for a sit down restaurant with a minimum 2,500 square feet of interior dining area and 1,000 square feet of outdoor dining area, and without a drive-through, is issued, as approved by the Planning and Development Department.
5. Prior to obtaining a permit for an off-premise sign (billboard), the developer and the City must agree to enter into an agreement wherein the developer will

make five annual \$100,000 donations to the City of Phoenix Parks and Recreation Department to construct, operate, or maintain a **City OLNEY** park ~~within the Laveen Village area~~ **NEAR THE INTERSECTION OF 59TH AND OLNEY AVENUES, AS MODIFIED AND APPROVED BY THE PARKS AND RECREATION DEPARTMENT.**

6. The developer shall dedicate 55 feet of right-of-way and construct the north side of Dobbins Road, per Cross Section Z-C Standards.
7. The developer shall dedicate and construct 63rd Avenue consistent with the approved Traffic impact Analysis.
8. Right-of-way improvements must be complete along the entire rezoning frontage during the first phase of development.
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. The TIS shall include signal warrant analysis of abutting and nearby intersections effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved Traffic Impact Study.
10. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified in the approved Traffic Impact Analysis.
11. 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 the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
12. 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.
13. 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.
14. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

15. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
17. ALL SITE PLANS, ELEVATIONS AND PEDESTRIAN CIRCULATION PLANS WITHIN DEVELOPMENT UNIT 1 (VILLAGE CORE NORTH AND SOUTH) SHALL BE PRESENTED FOR REVIEW AND COMMENT TO THE LAVERN VILLAGE PLANNING COMMITTEE PRIOR TO PRELIMINARY SITE PLAN REVIEW.
18. LEVEL 1 ELECTRIC VEHICLE (EV) CHARGING STATIONS SHALL BE PROVIDED FOR ALL MULTIFAMILY RESIDENTIAL DEVELOPMENTS AT A RATE OF 1 EV CHARGING STATION PER 500 SQUARE FEET OF INDOOR AMENITY SPACE OR EQUAL TO 2% OF THE RESIDENTIAL UNIT COUNT, WHICHEVER IS GREATER, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Approved:


Alan Stephenson, Deputy City Manager

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-35-21-7) FROM C-2 H-R SP (APPROVED C-2 OR CP/GCP) (INTERMEDIATE COMMERCIAL, HIGH-RISE AND HIGH-DENSITY DISTRICT, SPECIAL PERMIT, APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK DISTRICT, GENERAL COMMERCE PARK OPTION), C-2 OR CP/GCP SP (APPROVED C-2 OR CP/GCP) (INTERMEDIATE COMMERCIAL OR COMMERCE PARK DISTRICT, GENERAL COMMERCE PARK OPTION, SPECIAL PERMIT, APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK DISTRICT, GENERAL COMMERCE PARK OPTION), C-2 H-R (APPROVED C-2 OR CP/GCP) (INTERMEDIATE COMMERCIAL, HIGH-RISE AND HIGH-DENSITY DISTRICT, APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK DISTRICT, GENERAL COMMERCE PARK OPTION) AND S-1 (APPROVED C-2 OR CP/GCP) (RANCH OR FARM RESIDENCE, APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK DISTRICT, GENERAL COMMERCE PARK OPTION) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 66.10-acre site located at the northeast corner of 63rd Avenue and Dobbins Road in a portion of Section 6, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from

“C-2 H-R SP (Approved C-2 or CP/GCP)” (Intermediate Commercial, High-Rise and High-Density District, Special Permit, Approved Intermediate Commercial or Commerce Park District, General Commerce Park Option), “C-2 or CP/GCP SP (Approved C-2 or CP/GCP)” (Intermediate Commercial or Commerce Park District, General Commerce Park Option, Special Permit, Approved Intermediate Commercial or Commerce Park District, General Commerce Park Option), “C-2 H-R (Approved C-2 or CP/GCP)” (Intermediate Commercial, High-Rise and High-Density District, Approved Intermediate Commercial or Commerce Park District, General Commerce Park Option), and “S-1 (Approved C-2 or CP/GCP)” (Ranch or Farm Residence, Approved Intermediate Commercial or Commerce Park District, General Commerce Park Option), 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 Crossing at Dobbins 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 Development Narrative dated December 7, 2022 as modified by the following stipulations.
 - a. Front Cover, add “City Council adopted: [Insert Adoption date]”
 - b. Remove any reference to Urban Air Mobility or Vertiport.

- c. Page 34, Land Use Section: The following uses shall be added to the prohibited land use section for Development Unit 2.

- Adult Uses
- Automobile Parts and Supplies, New Retail and Wholesale
- Auto Seat Covers and Trim Shop
- Boats, Retail Sales
- Motorcycles, Repairing and Sales
- Tire Repairing Equipment and Supplies
- Tractors, Retail Sales, Display
- Truck Stop/Travel Center
- Self-Storage Service Warehouse
- Automobile Service Station/ Gas Station
- Car Wash
- Garage Repair
- Warehousing
- Wholesaling, as a primary use
- Distribution Facility, as a primary use
- Outdoor Uses (Section 626.F.2z)

- d. All applicable sections that reference drive-thru restaurants, which include but not limited to, land use and design guidelines, shall be updated to reflect the maximum of two drive-thru restaurants.
- e. Page 17: A graphic shall be inserted within the Land Use Section identifying the boundaries for Village Core North and Village Core South in addition to language that states that Village Core North and Village Core South will be approximately 10 acres in size.
- f. Appendices: Legal descriptions for Development Units 1 and 2 and Village Core North and Village Core South shall be added to the PUD as additional appendices. Acreages for Development Units 1 and 2 will be consistent with the Conceptual Development Plan exhibit and acreages for Village Core North and Village Core South will be approximately 10 acres each.
- g. Pages 45-46: Language referring to a Comprehensive Sign Plan found on page 46 shall be moved under the text of 5K on page 45 and be reworded as follows:

ON-PREMISE SIGNS WILL COMPLY WITH CHAPTER 7 OF THE PHOENIX ZONING ORDINANCE AND A COMPREHENSIVE SIGN PLAN MAY BE REQUIRED AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- h. Page 45, Signs Section, Second Bullet Point: Modify the last sentence in the paragraph to read as follows:

FINAL DESIGN OF OFF-PREMISE SIGNS TO BE REVIEWED AND APPROVED BY THE LAVEEN VILLAGE PLANNING COMMITTEE.

- i. Modify the development narrative, where applicable, to reflect the following:

All distribution, manufacturing, warehouse uses as a primary use, where permitted, shall comply with the following standards and restrictions.

- i. There shall be a maximum of 1 dock door per 20,000 square feet of industrial use to ensure distribution and wholesaling are not a primary use.
 - ii. Distribution uses are only allowed as an accessory use.
 - iii. Wholesaling and distribution as primary uses shall be prohibited.
- j. The maximum permitted building height for office uses in Development Unit 2 shall be 120 feet, following the same step back standards as listed in the existing Development Standards table and height exhibit. All other uses shall be restricted to a maximum building height of 56 feet. All height exhibits and development standards shall be updated to reflect this modification.

- 2. Prior to Preliminary Site Plan approval, a Pedestrian Circulation Plan for Development Unit 1 (Village Core) shall be provided. This plan shall demonstrate how pedestrians will connect to 63rd Avenue, Dobbins Road, required open space areas and Development Unit 2 through a network of dedicated pedestrian paths and a minimum of one Pedestrian Paseo. The Pedestrian Paseo shall provide continuous north to south connectivity from Dobbins Road to Development Unit 2. The Pedestrian Circulation Plan will be updated with each site plan amendment to demonstrate how pedestrian connectivity will be accomplished as the Village Core parcel develops, as approved by the Planning and Development Department and in compliance with the following standards:

- a. The Pedestrian Paseo shall be a minimum of 20 feet in width. Of the width, 10 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 10 feet may be used for pedestrian friendly amenities or features, such as benches, tables and courtyards, etc.

- b. A minimum of 10 feet of the Pedestrian Paseo shall be comprised of enhanced surfacing materials, such as stamped or colored concrete or other pavement treatments, that visually contrast with the adjacent parking and drive aisle surfaces shall be provided to delineate all areas where paseos cross drive aisles.
 - c. The Pedestrian Paseos shall be shaded at a minimum of 50% at maturity.
- 3. Prior to preliminary site plan approval of any and all development within Development Unit 1 South, the developer shall demonstrate how the following elements will be addressed as part of the subject submittal or as part of a future submittal or phase of the project, as approved by the Planning and Development Department.
 - a. A standalone EV Charging Demonstration Project with a minimum of eight Level 2 electric vehicle charging stations and two fast charging stations.
 - b. Construction of a minimum 10,000 square feet common open space location with a splash pad.
- 4. No permits for off-premise signs (billboards) will be issued until a certificate of occupancy for a sit down restaurant with a minimum 2,500 square feet of interior dining area and 1,000 square feet of outdoor dining area, and without a drive-through, is issued, as approved by the Planning and Development Department.
- 5. Prior to obtaining a permit for an off-premise sign (billboard), the developer and the City must agree to enter into an agreement wherein the developer will make five annual \$100,000 donations to the City of Phoenix Parks and Recreation Department to construct, operate, or maintain a City park within the Laveen Village area.
- 6. The developer shall dedicate 55 feet of right-of-way and construct the north side of Dobbins Road, per Cross Section Z-C Standards.
- 7. The developer shall dedicate and construct 63rd Avenue consistent with the approved Traffic impact Analysis.
- 8. Right-of-way improvements must be complete along the entire rezoning frontage during the first phase of development.
- 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. The TIS shall include signal warrant analysis of abutting and nearby intersections effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved Traffic Impact Study.

10. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified in the approved Traffic Impact Analysis.
11. 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 the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
12. 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.
13. 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.
14. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
15. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
17. All site plans, elevations and pedestrian circulation plans within Development Unit 1 (Village Core North and South) shall be presented for review and comment to the Laveen Village Planning Committee prior to Preliminary Site Plan review.

18. Level 1 electric vehicle (EV) charging stations shall be provided for all multifamily residential developments at a rate of 1 EV charging station per 500 square feet of indoor amenity space or equal to 2% of the residential unit count, whichever is greater, 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 1st day of March, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

That portion of the Northeast quarter of Section 6, Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the intersection of the of the East -West mid-section line of Section 6 and the West line of the Arizona Department Of Transportation (hereinafter referred to as ADOT) "SOUTH MOUNTAIN FREEWAY" right of way, as shown on the plans entitled "RIGHT OF WAY PLANS OF THE SOUTH MOUNTAIN FREEWAY 51ST AVE – SALT RIVER SEGMENT 202L MA 000 H5439 / SOSL MA 056 H8827 202-D(200)S" by Stanley Consultants Inc. dated November 4, 2020, from which bears a found 1-1/2" brass cap on 1/2" iron bar stamped "6562" 1.0' down, marking the locally accepted center of said Section 6, South 89°53'12" West (Record, Basis of Bearings) North 89°52'58" East (Measured), 1452.09 feet, and from which bears a found 2-1/2" brass cap in pavement down 0.3' marking the East quarter corner of said Section 6, North 89°52'58" East, 1184.51 feet;

Thence North 89°53'12" West along said East-West mid-section line, a distance of 25.81 feet;

Thence South 14°15'27" West along a line 25.00 feet East and parallel with said West right of way line of "SOUTH MOUNTAIN FREEWAY", a distance of 36.78 feet;

Thence continuing along said parallel line, South 06°51'06" West, a distance of 361.62 feet;

Thence continuing along said parallel line, South 09°45'16" West, a distance of 294.62 feet;

Thence continuing along said parallel line, South 89°08'18" West, a distance of 44.10 feet;

Thence continuing along said parallel line, South 21°40'01" West, a distance of 1,265.58 feet;

Thence continuing along said parallel line, South 09°48'19" West, a distance of 412.79 feet;

Thence continuing along said parallel line, South 35°06'00" West, a distance of 457.63 feet to a point on the South line of said Southeast quarter of Section 6 and the monument line of Dobbins Road;

Thence South 89°51'37" West, along said South line of the Southeast quarter of Section 6 and the monument line of Dobbins Road, a distance of 549.58 feet to a found MCDOT brass cap in hand hole marking the South quarter corner of said Section 6;

Thence North 00°24'12" East, along the North-South mid-section line, a distance of 2,641.45 feet to said found 1-1/2" brass cap on 1/2" iron bar stamped "6562" 1.0' down, marking the locally accepted center of said Section 6;

Thence North 89°53'02" East along said East -West mid-section line, a distance of 1,477.90 feet to the POINT OF BEGINNING.

Containing 2,879,311 square feet, or 66.100 acres of land, more or less.

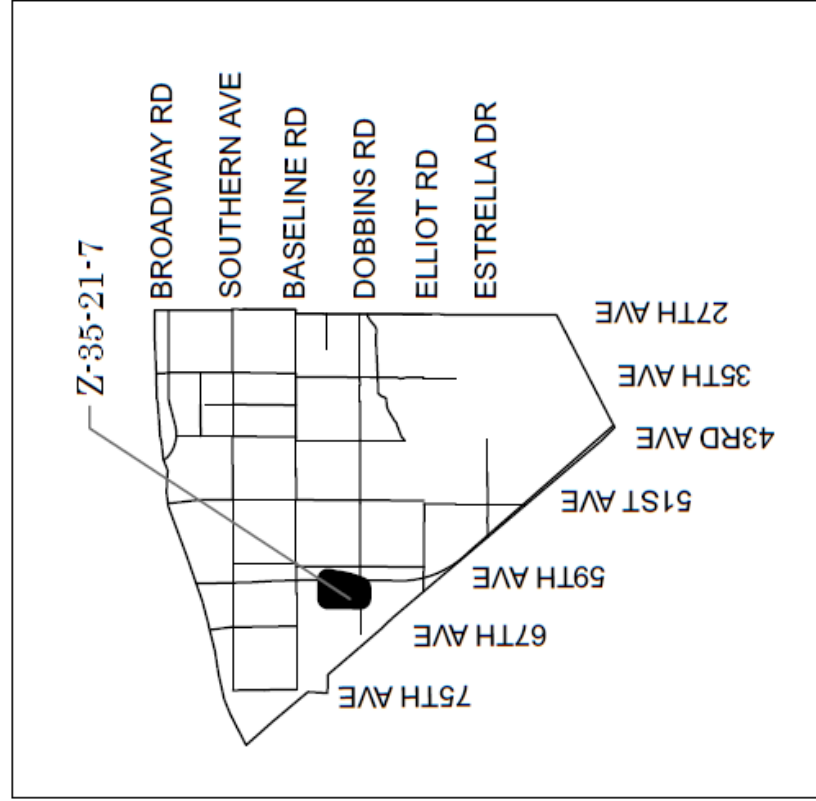
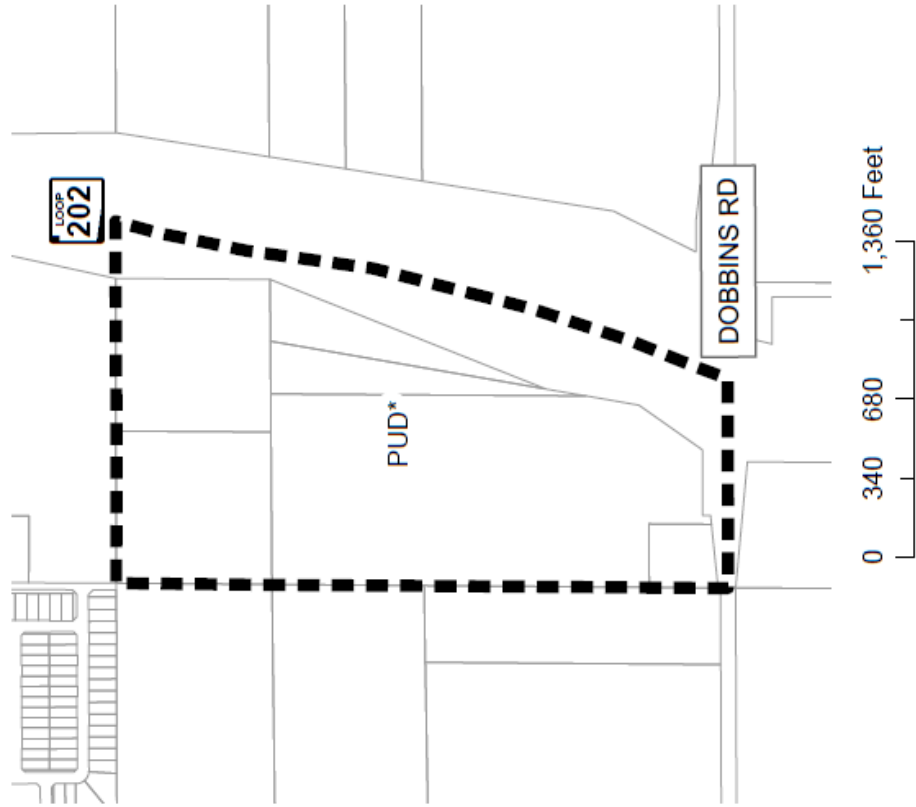
DRAFT

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-35-21-7
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 1/30/2023



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-35-21-7
The Crossings at Dobbins PUD
December 9, 2022

Laveen Valley [Village Planning Committee](#) Meeting Date:

December 12, 2022

[Planning Commission](#) Hearing Date:

January 5, 2023

Request From:

[S-1](#) (Approved [C-2](#) or [CP/GCP](#)) (50.40 acres),
[C-2 H-R](#) (Approved [C-2](#) or [CP/GCP](#)) (13.19
acres), [C-2](#) or [CP/GCP SP](#) (Approved [C-2](#) or
[CP/GCP](#)) (1.87 acres), and [C-2 H-R SP](#)
(Approved [C-2](#) or [CP/GCP](#)) (0.64 acres)

Request To:

[PUD](#) (66.10 acres)

Proposed Use:

Planned Unit Development to allow single-family, multifamily, retail, office, and commerce park uses

Location:

Northeast corner of 63rd Avenue and Dobbins Road

Owners:

Dairy 51.8, LLC and Dairy 51.8 Trust

Applicant/Representative:

Alex Stedman,
RVI Planning & Landscape Architecture

Staff Recommendation:

Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Commercial and Mixed Use (Commercial / Commerce/Business Park)	
		Proposed (GPA-LV-3-21-7): Mixed Use (Commercial / Commerce/Business Park)	
Street Map Classification	Dobbins Road	Arterial Street	Width varies from 43.84-foot to 110-foot north half street
	63rd Avenue	Collector Street	Not dedicated

CONNECT PEOPLE AND PLACES; CORES, CENTERS & CORRIDORS CORE VALUE; 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 proposal promotes the expansion of multifamily residential land uses in an area that will also include commercial development within the village core and within close proximity to the Loop 202 freeway. Further, the proposed development is consistent with the scale, design, and density which has been approved in the surrounding area. The Laveen Village Character Plan also specified more intense uses to be located along the Loop 202 freeway.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents.

This PUD proposes a variety of land uses that will serve the diverse community of Laveen. Commercial land uses will be located in close proximity to Dobbins Road to provide dining, services, and entertainment options for residents. The development will also provide an opportunity for an influx of new multifamily housing to serve the growing population in the area, as well as the potential for new assisted living facilities for the aging portion of the population.

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

The Crossing at Dobbins PUD Narrative contains shade standards for walkways, public sidewalks, open areas and surface parking lots. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; ENERGY INFRASTRUCTURE; DESIGN PRINCIPLE: Provide incentives such as parking reductions or density bonuses for project's that incorporate energy efficient designs or alternative energy infrastructure.

The PUD Narrative contains a requirement to provide a minimum of 20 electric vehicle charging stations throughout the development.

Applicable Plans, Overlays, and Initiatives	
<u>Laveen Southwest Growth Study</u>	– See Background Item No. 16
<u>Tree and Shade Master Plan</u>	– See Background Item No. 17
<u>Complete Streets Guiding Principles</u>	– See Background Item No. 18
<u>Comprehensive Bicycle Master Plan</u>	– See Background Item No. 19
<u>Housing Phoenix Plan</u>	– See Background Item No. 20
<u>Zero Waste PHX</u>	– See Background Item No. 21

Surrounding Land Uses/Zoning		
	Land Use	Zoning
On Site	Dairy farm and vacant land	S-1 (Approved C-2 or CP/GCP), C-2 H-R (Approved C-2 or CP/GCP), C-2 or CP/GCP SP (Approved C-2 or CP/GCP), and C-2 H-R SP (Approved C-2 or CP/GCP)
North	Agricultural	CP/GCP
South (across Dobbins Road)	Agricultural	S-1 (Approved C-2 or CP/GCP)
East (across Loop 202 freeway)	Agricultural	S-1 (Approved C-2 or CP/GCP) and C-2 HGT/WVR DNS/WVR
West	Agricultural	PUD

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 66.10-acre site located on the northeast corner of 63rd Avenue and Dobbins Road from S-1 (Ranch or Farm Residence District), approved C-2 or CP/GCP (Intermediate Commercial or Commerce Park/General Commerce Park), C-2 H-R (Intermediate Commercial, High-Rise), approved C-2 or CP/GCP (Intermediate Commercial or Commerce Park/General Commerce Park), C-2 or CP/GCP SP (Intermediate Commercial or Commerce Park/General Commerce Park, Special Permit), approved C-2 or CP/GCP (Intermediate Commercial or Commerce Park/General Commerce Park), and C-2 HR SP (Intermediate Commercial, High Rise, Special Permit), approved C-2 or CP/GCP (Intermediate Commercial or Commerce Park/General Commerce Park) to PUD (Planned Unit Development) to allow single-family, multifamily, retail, office, and commerce park uses.
2. The General Plan Land Use Map designation for the subject site is Commercial and Mixed Use (Commercial / Commerce/Business Park). A companion General Plan Amendment request (GPA-LV-3-21-7) proposes a Land Use Map designation of Mixed Use (Commercial / Commerce/Business Park) across the entire site. This Mixed-Use designation will allow single-family, multifamily, retail, office, and commerce park uses to locate on the site in compliance with the PUD's development standards.

NORTH

North of the subject site is agricultural land. This area is designated Commercial and Mixed Use (Commercial / Commerce/Business Park).

SOUTH

South of the subject site, across Dobbins Road, is agricultural land. This area is designated Commercial.

EAST

East of the subject site is agricultural land. This area is designated Commercial and Mixed Use (Commercial / Commerce/Business Park).

WEST

West of the subject site is agricultural land. This area is designated Mixed Use (Industrial / Commerce/Business Park).

PROPOSAL

3. The proposal was developed utilizing the PUD zoning district. The 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 writes a document proposing standards and guidelines that are tailored to the context of a site on a case by case basis.

Where the Crossings at Dobbins PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions shall be applied.

4. **Conceptual Development Plan and Permitted Uses**

The PUD proposes a regulatory framework structured around the creation of splitting the subject property into two areas – Development Unit 1 and Development Unit 2. A conceptual development plan illustrating the boundaries of the two areas can be found in Figure No. 5 and page 13 of the PUD Narrative. Development Unit 1 is approximately 20 acres in size and is the northwest corner of the Laveen Village Core. Development Unit 2 is approximately 43 acres size.

Development Unit 1 is further divided into north and south sections at approximately 10 acres in size each. Development Unit 1 North (DU1N) and Development Unit 1 South (DU1S) have a unique set of permitted uses. DU1S has a permitted use list aimed at creating a vibrant hub of retail, restaurants, and other destinations. DU1N has a very similar use list to DU1S, but allows for more employment focused uses from the Commerce Park / General Commerce Park zoning district with restrictions on wholesaling and distribution as primary uses.

Development Unit 2 allows for a broader array of uses from the C-2 (Intermediate Commercial), CP/GCP (Commerce Park / General Commerce Park) and R-5 (Multifamily Residence) zoning districts. Development Unit 2 also has a restriction on wholesaling and distribution as primary uses.

Staff recommends stipulations 1.b, 1.c and 1.d have been included to reinforce the types of uses that are permitted within the PUD and to reinforce the limitations on the number and location of drive-through restaurants on the site.

Staff recommends stipulations 1.e and 1.f have been included to ensure that exact boundaries for both Development Units 1 and 2, along with DU1N and DU1S are provided in the final PUD Narrative to provide clarity regarding where the use restrictions and development standards apply on the property.

5. **Development Standards**

The PUD Narrative proposes a unique set of development standards for Development Units 1 and 2. A summary of the standards is provided below:

Development Standard	Development Unit 1 (Village Core) 20 acres	Development Unit 2 43.3 acres
Building & Landscape Setbacks Adjacent to Dobbins Road Adjacent to 63rd Avenue Adjacent to Loop 202 Freeway	50' minimum 25' minimum 15' minimum	Not applicable 25' minimum 15' minimum
Dwelling Unit Density	Residential uses prohibited	40 dwelling unit per acre maximum with a cap of 1,000 dwelling units.
Building Height	120' maximum and no more than 10 acres of development shall be above 100'	56' maximum
Development Standard	Development Unit 1 (Village Core) 20 acres	Development Unit 2 43.3 acres
Open Space	Range of minimum open space percentages from 5% to 10% depending on the height of the buildings. Minimum 10,000 square foot community space required.	Residential uses greater or equal to 14.0 dwelling units per acre require 5% of net area to be provided as open space. Residential uses less than 14.0 dwelling units per acre 15% of net area. Commercial Uses: No open space requirement

6. **Landscape Standards**

The PUD proposes landscaping within all landscape setbacks, where adjacent to buildings, along all pedestrian pathways and within surface parking areas. The standards require a mix and size of trees that exceed Zoning Ordinance requirements. For the example, the 50-foot-wide landscape setback along Dobbins Road will have minimum four-inch caliper trees planted 20 feet on center and a minimum of six 5-gallon shrubs per tree.

7. **Design Guidelines**

The PUD Narrative contains a robust Design Guidelines section (Section 6, pages 48 through 55). The Design Guidelines establish a modern rural architecture theme for Development Unit 1. For Development Unit 2, commercial buildings will be required to have minimum percentages of storefront facades and multifamily buildings will be required to incorporate the use of the modern rural architectural theme.

8. **Parking Standards**

The PUD proposes to comply with the Zoning Ordinance minimum parking standards per Section 702 for Development Unit 1 (Village Core) and for Development Unit 2. For Development Unit 2 an additional provision is included that requires standards for a minimum number of Level 1 charging stations for electric vehicles.

The Design Guidelines require no less than 20 electric charging stations to be provided throughout the subject site.

9. **Fences/Walls**

The PUD contains guidelines and standards for walls that celebrate the heritage of the Laveen Village. Specific standards restrict the provision of long blank walls and require the incorporation of materials and colors that pay homage to the Laveen Village as illustrated in Figure 8 of the PUD Narrative.

10. **Pedestrian Infrastructure and Amenities**

The PUD Narrative has an entire section dedicated to pedestrian circulation (5h). The PUD contains standards for detached and shaded sidewalks on Dobbins Road and 63rd Avenue. The PUD also contains a requirement for a multi-use trail along Dobbins Road.

Additional provisions are included that require enhanced pedestrian crossings along all driveways, including along 63rd Avenue and Dobbins Road and a system of clearly defined, accessible pedestrian pathways throughout each Development Unit.

Stipulation No. 2 requires the developer to submit a Pedestrian Circulation Plan for review and approval by the Planning and Development that will demonstrate how pedestrians will connect to the site's destinations and perimeter pedestrian infrastructure. The Pedestrian Circulation Plan will also be required to provide a Pedestrian Paseo a minimum of 20 feet in width that will serve as a defining feature of the project.

The PUD also requires a minimum 10,000-square foot open space area with a splash pad in Development Unit 1 (Village Core) South. Stipulation No. 3 requires the developer to demonstrate how the project is providing for, contributing, or planning for the construction and installation of the open space area for any project in Development Unit 1 South.

11. **Shade**

The proposed shade standards require a minimum of 75 percent shade cover be provided over public sidewalks and 50 percent shade coverage over private sidewalks. The required shade standard along public sidewalks exceed the Zoning Ordinance requirements. The PUD Narrative also has a minimum shade requirement for parking lots of 25 percent which exceeds Zoning Ordinance requirements.

12. **Lighting Plan**

All lighting will be consistent with the standards of Section 704 (Environmental Performance Standards) and Section 507 Tab. A of the Zoning Ordinance, and Section 23-100 of the City Code. The PUD Narrative also calls for the use of energy efficient lighting technology in all lighting installed on site.

13. **Signage**

The PUD Narrative includes allowances for off-premise signs in conformance with Section 705.2 of the Phoenix Zoning Ordinance. Section 705.2 permits for the installation of off-premise signs along the State Route (Loop) 202 Ed Pastor Freeway

between Interstate 10 and up to 2,000 feet from the boundary of the South Mountain Preserve.

The Zoning Ordinance only permits off-premise signs to be on property zoned A-1 Light Industrial, A-2 Industrial District or PUD. The subject site meets the locational criterion and if approved, the PUD would be a permitted district for the off-premise signs to be installed.

To respond to the unique context of the site, the Loop 202 freeway and the Laveen Village, the PUD Narrative proposes several additional standards for off-premise signs:

- Branding requirements consistent with a set of design guidelines for the Village Core;
- Requirements for pole covers to incorporate a mix of materials to be reviewed by the Village Planning Committee;
- Requirement for final design of all off-premise signs to be reviewed and approved by the Laveen Village Planning Committee and a,
- Minimum 500-foot setback from Dobbins Road.

The off-premise signs would be the first permitted along this section of the Loop 202 Freeway as part of a rezoning request. As part of the consideration of the request, additional stipulations have been added that require the developer to provide a set of community benefits for the Laveen Village prior to the issuance of any permits for the signs. Stipulation Nos. 4 and 5 require community benefits as follows:

- A certificate of occupancy for a sit-down restaurant with a minimum 2,500 square feet of interior dining area and 1,000 square feet of an outdoor dining area, and without a drive-through.
- The developer and the City of Phoenix must agree to enter into an agreement wherein the developer will make five annual \$100,000 donations to the City of Phoenix Parks and Recreational Department to contribute to the construction, operation, or maintenance of a City park within the Laveen Village.

Additionally, staff recommends Stipulation Nos. 1.g and h to address the following:

- The reference to the comprehensive sign plan (CSP) for off-premise signs should be moved to an appropriate portion of the sign section and clarified to comply with city standards.

- Update a provision to clarify that the Village Planning Committee will review and approve the final design of off-premise signs.

14. **Sustainability**

The Development Narrative proposes several options to incorporate sustainability principals. Below is a highlight of some of the provisions:

- No less than 20 electric charging stations shall be provided throughout the PUD;
- A standalone Electric Vehicle Charging Demonstration Project in Development Unit 1;
- Enhanced landscape buffers along the site's arterial frontages; and
- Minimum shade requirements for sidewalks, pedestrian paths, parking lots and open space.

All the items outlined above will be addressed as part of the site plan approval process and Stipulation No. 3 requires the developer to address where the Electric Vehicle Charging Demonstration Project will be provided.

15. **Phasing**

The PUD Narrative does not contain a phasing schedule for development but does commit that all off-site infrastructure (water, sewer, dry-utilities, and roads with landscape setbacks) along 63rd Avenue and Dobbins Road will be included in the first phase of development.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

16. **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.

This plan designates the subject property as Commercial for the portion within the Village Core (Development Unit 1) and Commerce Park for the portion just north of the Village Core (Development Unit 2). The proposed commercial uses within the PUD are consistent with the intent of the plan, which outlines the South Mountain

Loop freeway (Loop 202) as an employment and commerce corridor as described in the “Vision for the Future – Land Use and Design” (Page 12) section of the plan.

The Laveen Southwest Growth Study 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 Crossing at Dobbins PUD proposes design standards that exceed those required by the Phoenix Zoning Ordinance.

17. **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. In addition, a vision in the master plan is to raise awareness by leading by example. The proposal includes shaded pedestrian walking paths, open space areas and greater planting standards than otherwise required by the City of Phoenix Zoning Ordinance.

18. **Complete Streets Guiding Principles**

In 2014, the Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, and connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. There are proposed detached sidewalks adjacent to public streets and pathways throughout the site which provides a safer and more comfortable pedestrian experience.

19. **Comprehensive Bicycle Master Plan**

The Comprehensive Bicycle Master Plan also supports options for both short and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal requires bicycle parking spaces be provided on the site. Bicycle racks shall consist of an inverted-U style or other decorative design and installed per the requirements of Section 1307.H. of the City of Phoenix Zoning Ordinance.

20. **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 allowing up to 1,000 multifamily residential units and contributing to the variety of housing types in the area.

21. [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. The provision of recycling is not addressed in the PUD narrative.

COMMUNITY INPUT SUMMARY

22. Staff has participated in discussions with the community, the developer and the Council District 7 Office regarding their suggestions for the PUD. Suggestions included, but were not limited to, limitations on the number of drive-through facilities, a permitted use list consistent with the community's vision for the Laveen Village Core, enhanced landscaping and pedestrian standards. At the time of this report, staff had not received any correspondence from the community outside of the aforementioned discussion.

INTERDEPARTMENTAL COMMENTS

23. The Street Transportation Department has proposed several stipulations related to the requirement for traffic impact studies, and the dedication and construction of right-of-way improvements for 63rd Avenue and Dobbins Road. These are addressed in Stipulations Nos. 6 through 12.
24. Fire Prevention does not anticipate any problems with the referenced case. The site and or building(s) shall comply with the 2018 IFC with Phoenix Amendments. Currently the water supply (gpm and psi) for the referenced case is unknown. The water supply is required to meet fire flow as defined by Appendix B of the 2018 IFC with Phoenix
25. The City of Phoenix Water Services Department has noted the development may require a sewer and water main extensions and upsizing requirement along with other water and sewer infrastructure improvements that will be identified as part of the development review process.

OTHER

26. The site has been identified as being archaeologically sensitive. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. Stipulations Nos. 13 through 15 address archaeological requirements.
27. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 16.
28. 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 proposed development is compatible with the existing land use pattern in the area and is consistent with the proposed General Plan Land Use Map designation of Mixed Use (Commercial / Commerce/Business Park).
2. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The development will provide increased shade which will help to reduce the urban heat island effect.
- 3, The proposed PUD will provide for a mixture of uses such as retail, restaurants, offices and hotels within and adjacent to the Laveen Village Core.

Stipulations

1. An updated Development Narrative for the Crossing at Dobbins 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 Development Narrative dated December 7, 2022 as modified by the following stipulations.
 - a. Front Cover, add "City Council adopted: [Insert Adoption date]"
 - b. Remove any reference to Urban Air Mobility or Vertiport.

- c. Page 34, Land Use Section: The following uses shall be added to the prohibited land use section for Development Unit 2.
- Adult Uses
 - Automobile Parts and Supplies, New Retail and Wholesale
 - Auto Seat Covers and Trim Shop
 - Boats, Retail Sales
 - Motorcycles, Repairing and Sales
 - Tire Repairing Equipment and Supplies
 - Tractors, Retail Sales, Display
 - Truck Stop/Travel Center
 - Self-Storage Service Warehouse
 - Automobile Service Station/ Gas Station
 - Car Wash
 - Garage Repair
 - Warehousing
 - Wholesaling, as a primary use
 - Distribution Facility, as a primary use
 - Outdoor Uses (Section 626.F.2z)
- d. All applicable sections that reference drive-thru restaurants, which include but not limited to, land use and design guidelines, shall be updated to reflect the maximum of two drive-thru restaurants.
- e. Page 17: A graphic shall be inserted within the Land Use Section identifying the boundaries for Village Core North and Village Core South in addition to language that states that Village Core North and Village Core South will each be approximately 10 acres in size.
- f. Appendices: Legal descriptions for Development Units 1 and 2 and Village Core North and Village Core South shall be added to the PUD as additional appendices. Acreages for Development Units 1 and 2 will be consistent with the Conceptual Development Plan exhibit and acreages for Village Core North and Village Core South will be approximately 10 acres each.
- g. Pages 45-46: Language referring to a Comprehensive Sign Plan found on page 46 shall be moved under the text of 5K on page 45 and be reworded as follows:

ON-PREMISE SIGNS WILL COMPLY WITH CHAPTER 7 OF THE PHOENIX ZONING ORDINANCE AND A COMPREHENSIVE SIGN PLAN MAY BE REQUIRED AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- h. Page 45, Signs Section, Second Bullet Point: Modify the last sentence in the paragraph to read as follows:

FINAL DESIGN OF OFF-PREMISE SIGNS TO BE REVIEWED AND
APPROVED BY THE LAVEEN VILLAGE PLANNING COMMITTEE.

- 2. Prior to Preliminary Site Plan approval, a Pedestrian Circulation Plan for Development Unit 1 (Village Core) shall be provided. This plan shall demonstrate how pedestrians will connect to 63rd Avenue, Dobbins Road, required open space areas and Development Unit 2 through a network of dedicated pedestrian paths and a minimum of one Pedestrian Paseo. The Pedestrian Paseo shall provide continuous north to south connectivity from Dobbins Road to Development Unit 2. The Pedestrian Circulation Plan will be updated with each site plan amendment to demonstrate how pedestrian connectivity will be accomplished as the Village Core parcel develops, as approved by the Planning and Development Department and in compliance with the following standards:
 - a. The Pedestrian Paseo shall be a minimum of 20 feet in width. Of the width, 10 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 10 feet may be used for pedestrian friendly amenities or features, such as benches, tables and courtyards, etc.
 - b. A minimum of 10 feet of the Pedestrian Paseo shall be comprised of enhanced surfacing materials, such as stamped or colored concrete or other pavement treatments, that visually contrast with the adjacent parking and drive aisle surfaces shall be provided to delineate all areas where paseos cross drive aisles.
 - c. The Pedestrian Paseos shall be shaded at a minimum of 50% at maturity.
- 3. Prior to preliminary site plan approval of any and all development within Development Unit 1 South, the developer shall demonstrate how the following elements will be addressed as part of the subject submittal or as part of a future submittal or phase of the project, as approved by the Planning and Development Department.
 - a. A standalone EV Charging Demonstration Project with a minimum of eight Level 2 electric vehicle charging stations and two fast charging stations.
 - b. Construction of a minimum 10,000 square feet common open space location with a splash pad.
- 4. No permits for off-premise signs (billboards) will be issued until a certificate of occupancy for a sit down restaurant with a minimum 2,500 square feet of interior

dining area and 1,000 square feet of outdoor dining area, and without a drive-through, is issued, as approved by the Planning and Development Department.

5. Prior to obtaining a permit for an off-premise sign (billboard), the developer and the City must agree to enter into an agreement wherein the developer will make five annual \$100,000 donations to the City of Phoenix Parks and Recreation Department to construct, operate, or maintain a City park within the Laveen Village area..
6. The developer shall dedicate 55 feet of right-of-way and construct the north side of Dobbins Road, per Cross Section Z-C Standards.
7. The developer shall dedicate and construct 63rd Avenue consistent with the approved Traffic impact Analysis.
8. Right-of-way improvements must be complete along the entire rezoning frontage during the first phase of development.
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. The TIS shall include signal warrant analysis of abutting and nearby intersections effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved Traffic Impact Study.
10. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified in the approved Traffic Impact Analysis.
11. 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 the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
12. 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.
13. 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.

14. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
15. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Joshua Bednarek

December 9, 2022

Team Leader

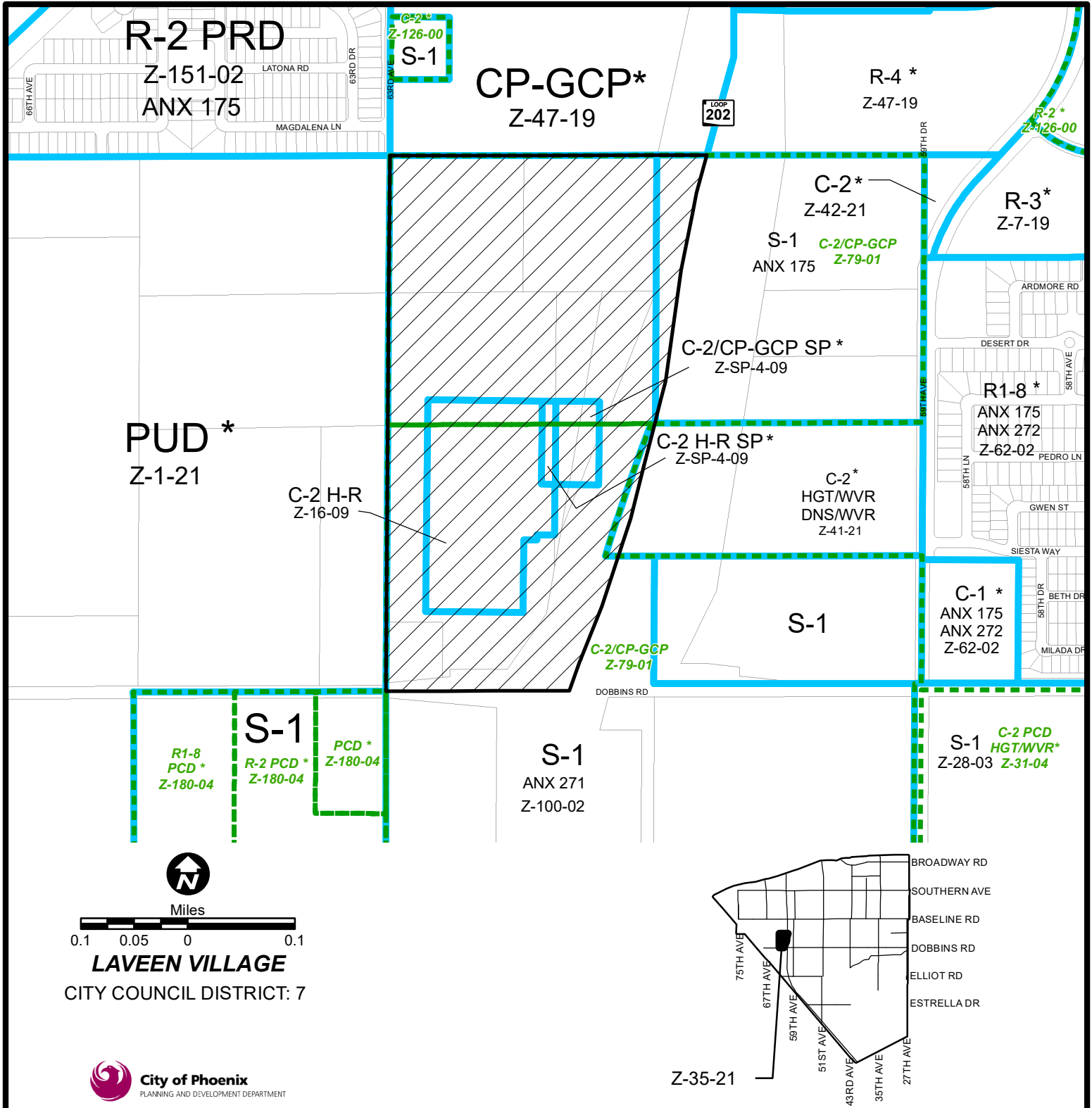
Racelle Escolar


Exhibits

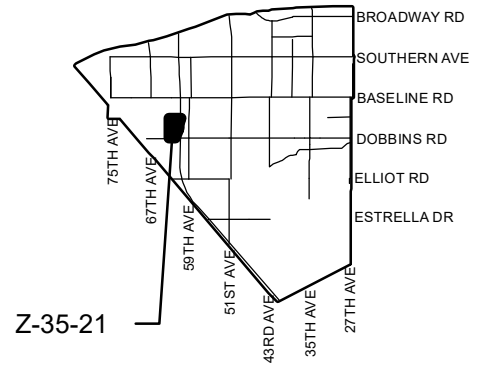
Zoning Sketch Map

Zoning Aerial Map

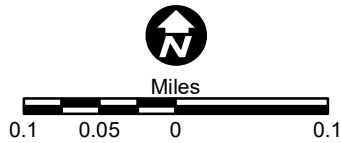
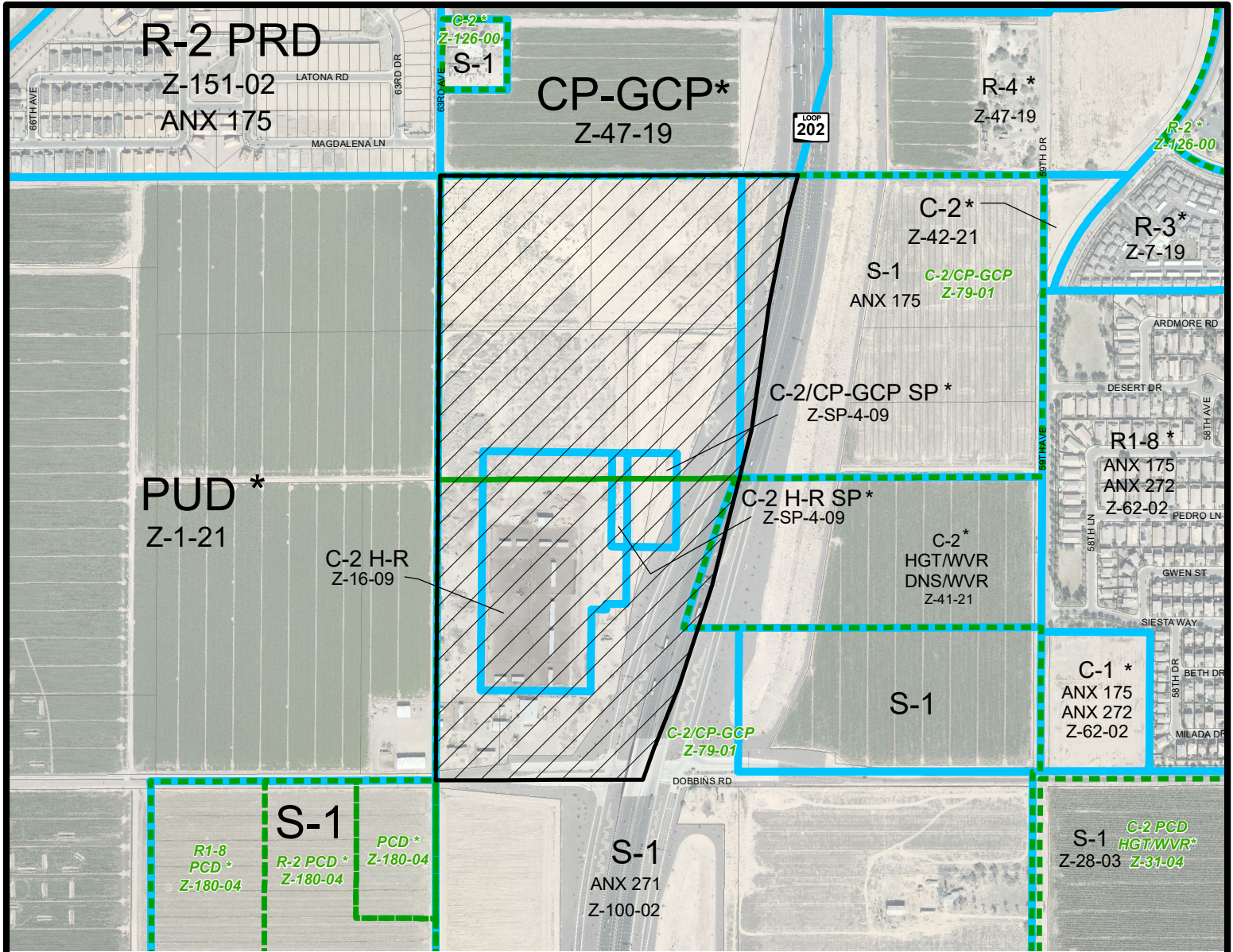
[The Crossing at Dobbins PUD Narrative](#) date stamped December 7, 2022



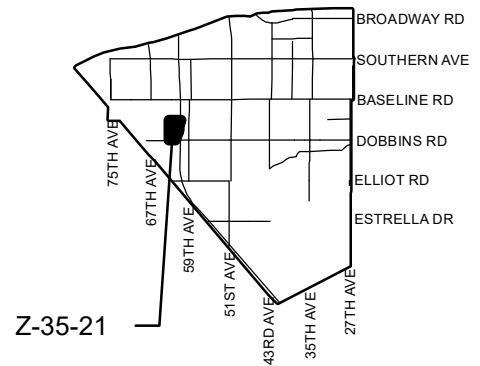

 Miles
 0.1 0.05 0 0.1
LAVEEN VILLAGE
 CITY COUNCIL DISTRICT: 7



APPLICANT'S NAME: Alex Stedman		REQUESTED CHANGE: FROM: C-2 H-R SP (Approved C-2/CP-GCP) (0.64 a.c.) C-2/CP-GCP SP (Approved C-2/CP-GCP) (1.87 a.c.) C-2 H-R (Approved C-2/CP-GCP) (13.19 a.c.) S-1 (Approved C-2/CP-GCP) (50.40 a.c.) TO: PUD (66.10 a.c.)	
APPLICATION NO. Z-35-21	DATE: 6/16/2021 REVISION DATES: 11/18/2021 11/30/2022	CONVENTIONAL OPTION 93 (9 / N/A), 27 / N/A (27 / N/A), 1915 (191 / N/A), 50 (731 / N/A) 1000	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 66.10 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 02-14 ZONING MAP C-5		
MULTIPLES PERMITTED C-2 H-R SP (Approved C-2/CP-GCP), C-2/CP-GCP SP (Approved C-2/CP-GCP), C-2 H-R (Approved C-2/CP-GCP), S-1 (Approved C-2/CP-GCP) PUD		* UNITS P.R.D. OPTION N/A (11 / N/A), 32 / N/A (32 / N/A), N/A (229 / N/A), N/A (877 / N/A) N/A	
* Maximum Units Allowed with P.R.D. Bonus			



LAVEEN VILLAGE
CITY COUNCIL DISTRICT: 7



Z-35-21

APPLICANT'S NAME: Alex Stedman

APPLICATION NO. Z-35-21

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

66.10 Acres

DATE:	6/16/2021
REVISION DATES:	
11/18/2021	11/30/2022
AERIAL PHOTO & QUARTER SEC. NO.	ZONING MAP
QS 02-14	C-5

REQUESTED CHANGE:

FROM: C-2 H-R SP (Approved C-2/CP-GCP) (0.64 a.c.)
C-2/CP-GCP SP (Approved C-2/CP-GCP) (1.87 a.c.)
C-2 H-R (Approved C-2/CP-GCP) (13.19 a.c.)
S-1 (Approved C-2/CP-GCP) (50.40 a.c.)

TO: PUD (66.10 a.c.)

MULTIPLES PERMITTED

C-2 H-R SP (Approved C-2/CP-GCP), C-2/CP-GCP SP (Approved C-2/CP-GCP),
C-2 H-R (Approved C-2/CP-GCP), S-1 (Approved C-2/CP-GCP)

PUD

CONVENTIONAL OPTION

93 (9 / N/A), 27 / N/A (27 / N/A), 1915 (191 / N/A), 50 (731 / N/A)

1000

* UNITS P.R.D. OPTION

N/A (11 / N/A), 32 / N/A (32 / N/A), N/A (229 / N/A), N/A (877 / N/A)

N/A

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



Village Planning Committee Meeting Summary

Z-35-21-7

REVISED

Date of VPC Meeting	January 9, 2023
Request From	C-2 H-R SP (Approved C-2 or CP/GCP), C-2/CP-GCP SP (Approved C-2/CP-GCP), C-2 H-R (Approved C-2/CP-GCP) and S-1 (Approved C-2/CP-GCP)
Request To	PUD
Proposed Use	Single-family, multifamily residential, retail, office, and commerce park uses
Location	Northeast corner of 63rd Avenue and Dobbins Road
VPC Recommendation	Approval, per the staff recommendation with stipulation modifications and additional stipulations
VPC Vote	7-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Item No. 6 (GPA-LV-3-21-7) and Item No. 7 (Z-35-21-7) are companion cases and were heard together.

Four members of the public registered to speak on this item. Two of the members donated their time.

STAFF PRESENTATION:

Enrique Bojórquez, staff, provided an overview of the rezoning proposal, including the companion minor General Plan Amendment case GPA-LV-3-21-7, describing the location of the requests, the existing and proposed zoning districts and land use designations and the proposed use. Mr. Bojórquez reviewed the surrounding zoning districts and land uses and described the proposed development units. Mr. Bojórquez listed several policy plans and described how these are furthered by this proposal. Mr. Bojórquez stated that staff did not receive any letters from the public regarding these requests. Mr. Bojórquez provided staff findings, followed by the staff recommendation of approval on each case, and discussed the stipulations as presented in the staff report for case Z-35-21-7.

APPLICANT PRESENTATION:

Wendy Riddell, representing the applicant with Berry Riddell LLC., introduced herself and the proposed project. Ms. Riddell described the existing zoning entitlement on the property, which allows for significantly more dwelling units at a height of up to 90 feet. Ms. Riddell described the site's location in regard to the Loop 202 freeway and described approved plus proposed surrounding development. Ms. Riddell described the public outreach conducted and concerns addressed on this project since the summer of 2021. Ms. Riddell described three options for development plans within Development Unit 1 (Village Core). Ms. Riddell explained that these are examples of what could be developed on the site. Ms. Riddell described amenities proposed in this portion of the site, including public art, electric vehicle parking, a sit-down restaurant, among other elements. Ms. Riddell described both allowed and prohibited uses, height step-back standards, and density standards. Ms. Riddell stated that a successful technology corridor is in the City of Chandler and discussed the variety of land uses located in this other corridor. Ms. Riddell described the streetscape standards proposed along Dobbins Road, Village Core design elements and materials, plus branding elements. Ms. Riddell described the commitments by Clear Channel regarding off-site signage (billboards) and funding for Laveen area parks. Ms. Riddell described additional stipulations for case Z-35-21-7 that were agreed upon after the staff report was published. Ms. Riddell requested a recommendation of approval on both cases.

QUESTIONS FROM COMMITTEE:

Dean Chiarelli asked for clarification on the proposed building height. **Ms. Riddell** discussed the height standards proposed, in addition to the new proposed stipulation which would allow flexibility for employment uses. **Mr. Chiarelli** asked for clarification on the definition of employment to ensure that high-wage jobs locate here. Mr. Chiarelli opposes additional height along the Loop 202 freeway. **Ms. Riddell** explained that only high-wage employers would pay to build up to the height proposed.

***Chair Abegg** stated that this is a prime area for retail and employment uses. Chair Abegg explained that the applicant has existing entitlements but is seeking a PUD to allow billboards. Chair Abegg stated that employment and retail uses are needed in Laveen and would like for more acreage within this site to be part of the Village Core area for employment uses, for a total of 30 acres within Development Unit 1. Chair Abegg supports the added height to attract a major employer and supports the funding for parks in the Laveen area. Chair Abegg would like for the donated funds addressed in Stipulation No. 5 to go towards Olney Park, east of the site.

Rebecca Perrera agrees with Chair Abegg and would like to hear more about Development Unit 2. Ms. Perrera would like for future site plans and elevations in Development Unit 2 to be reviewed by the VPC and asked for clarification on Olney Park and the donation structure proposed. **Chair Abegg** explained that a local school and the City of Phoenix Parks and Recreation Department underwent a land swap and described park funding. Chair Abegg explained that the proposed donation by the applicant is for operations of parks within Laveen. **Ms. Riddell** explained that nearly \$1 Million on impact fees went to the Parks and Recreation Department and would prefer to leave the current stipulation on case Z-35-21-7 regarding the monetary donation for parks as this is flexible. Ms. Riddell would oppose a stipulation requiring the review and

comment of plans by the VPC for Development Unit 2 and increasing the size of Development Unit 1.

PUBLIC COMMENTS:

Phil Hertel stated that the conceptual plans described by the applicant are not guaranteed and there needs to be other stipulations added to case Z-35-21-7 which require the review and comment by the Laveen VPC on future site plans, elevations, sign plans, and landscape plans. Mr. Hertel also wants to ensure that this development addresses school contributions in lieu of impacts to schools in Laveen.

Dan Penton generally likes elements of case Z-35-21-7, including the electric vehicle charging, but would like to see a bikeway along the east connecting the site to the Laveen Conveyance Channel, a protected bicycle lane along all adjacent streets, bicycle lockers, a bicycle fix-it station near trails or pathways, and procure local artists to develop art in the development. Mr. Penton discussed the Dobbins Road streetscape and added that an entry feature could be incorporated at the intersection with 63rd Avenue. Mr. Penton would like to see a stipulation that requires the review and comment for at least the signage and elevations in the future, to ensure that these will get built as proposed.

APPLICANT RESPONSE:

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

Jennifer Rouse thanked the applicant for their work on these cases. Ms. Rouse proposed to approve both cases but add and modify stipulations for case Z-35-21-7.

Chair Abegg and **Wendy Riddell** discussed the stipulations proposed on case Z-35-21-7.

Ms. Perrera asked for clarification on the stipulations.

Chair Abegg explained her preference on the additional stipulations.

MOTION (Z-35-21-7):

Jennifer Rouse motioned to approve Z-35-21-7 per the staff recommendation with a modification to Stipulation Nos. 1.e and 1.f, and additional Stipulation Nos. 1.i, 1.j, 1.k, 17 and 18. **Carlos Ortega** seconded the motion.

Approved Stipulations:

1. An updated Development Narrative for the Crossing at Dobbins 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 Development Narrative dated December 7, 2022 as modified by the following stipulations.

- a. Front Cover, add “City Council adopted: [Insert Adoption date]”
- b. Remove any reference to Urban Air Mobility or Vertiport.
- c. Page 34, Land Use Section: The following uses shall be added to the prohibited land use section for Development Unit 2.
 - Adult Uses
 - Automobile Parts and Supplies, New Retail and Wholesale
 - Auto Seat Covers and Trim Shop
 - Boats, Retail Sales
 - Motorcycles, Repairing and Sales
 - Tire Repairing Equipment and Supplies
 - Tractors, Retail Sales, Display
 - Truck Stop/Travel Center
 - Self-Storage Service Warehouse
 - Automobile Service Station/ Gas Station
 - Car Wash
 - Garage Repair
 - Warehousing
 - Wholesaling, as a primary use
 - Distribution Facility, as a primary use
 - Outdoor Uses (Section 626.F.2z)
- d. All applicable sections that reference drive-thru restaurants, which include but not limited to, land use and design guidelines, shall be updated to reflect the maximum of two drive-thru restaurants.
- e. Page 17: A graphic shall be inserted within the Land Use Section identifying the boundaries for Village Core North and Village Core South in addition to language that states that Village Core **North IS APPROXIMATELY 20 ACRES** and Village Core South will ~~each~~ be approximately 10 acres in size.
- f. Appendices: Legal descriptions for Development Units 1 and 2 and Village Core North and Village Core South shall be added to the PUD as additional appendices. **AN UPDATED CONCEPTUAL DEVELOPMENT PLAN EXHIBIT SHALL BE PROVIDED IN THE DEVELOPMENT NARRATIVE. Acreages for Development Units 1 and 2 will be consistent with the Conceptual Development Plan exhibit and acreages for Village Core North and Village Core South will be approximately 10 acres each.**
- g. Pages 45-46: Language referring to a Comprehensive Sign Plan found on page 46 shall be moved under the text of 5K on page 45 and be reworded as follows:

ON-PREMISE SIGNS WILL COMPLY WITH CHAPTER 7 OF THE PHOENIX ZONING ORDINANCE AND A COMPREHENSIVE SIGN PLAN MAY BE REQUIRED AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- h. Page 45, Signs Section, Second Bullet Point: Modify the last sentence in the paragraph to read as follows:

FINAL DESIGN OF OFF-PREMISE SIGNS TO BE REVIEWED AND APPROVED BY THE LAVERN VILLAGE PLANNING COMMITTEE.

- I. MODIFY THE DEVELOPMENT NARRATIVE, WHERE APPLICABLE, TO REFLECT THE FOLLOWING:**

ALL DISTRIBUTION, MANUFACTURING, WAREHOUSE USES AS A PRIMARY USE, WHERE PERMITTED, SHALL COMPLY WITH THE FOLLOWING STANDARDS AND RESTRICTIONS.

- I. THERE SHALL BE A MAXIMUM OF 1 DOCK DOOR PER 20,000 SQUARE FEET OF INDUSTRIAL USE TO ENSURE DISTRIBUTION AND WHOLESALING ARE NOT A PRIMARY USE.**
 - II. DISTRIBUTION USES ARE ONLY ALLOWED AS AN ACCESSORY USE.**
 - III. WHOLESALING AND DISTRIBUTION AS PRIMARY USES SHALL BE PROHIBITED.**
- J. THE MAXIMUM PERMITTED BUILDING HEIGHT FOR OFFICE USES IN DEVELOPMENT UNIT 2 SHALL BE 120 FEET, FOLLOWING THE SAME STEP BACK STANDARDS AS LISTED IN EXISTING THE DEVELOPMENT STANDARDS TABLE AND HEIGHT EXHIBIT. ALL OTHER USES SHALL BE RESTRICTED TO A MAXIMUM BUILDING HEIGHT OF 56 FEET. ALL HEIGHT EXHIBITS AND DEVELOPMENT STANDARDS SHALL BE UPDATED TO REFLECT THIS MODIFICATION.**
- K. THE ACREAGE OF DEVELOPMENT UNIT 1 (VILLAGE CORE) SHALL BE INCREASED TO A MINIMUM OF 30 NET ACRES. THE DEVELOPMENT NARRATIVE, INCLUDING EXHIBITS AND LEGAL DESCRIPTIONS, SHALL BE UPDATED ACCORDINGLY.**

2. Prior to Preliminary Site Plan approval, a Pedestrian Circulation Plan for Development Unit 1 (Village Core) shall be provided. This plan shall demonstrate how pedestrians will connect to 63rd Avenue, Dobbins Road, required open space areas and Development Unit 2 through a network of dedicated pedestrian paths and a minimum of one Pedestrian Paseo. The Pedestrian Paseo shall provide continuous north to south connectivity from Dobbins Road to Development Unit 2. The Pedestrian Circulation Plan will be updated with each site plan amendment to demonstrate how pedestrian connectivity will be accomplished as the Village Core parcel develops, as approved by the Planning and Development Department and in compliance with the following standards:

- a. The Pedestrian Paseo shall be a minimum of 20 feet in width. Of the width, 10 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 10 feet may be used for pedestrian friendly amenities or features, such as benches, tables and courtyards, etc.
 - b. A minimum of 10 feet of the Pedestrian Paseo shall be comprised of enhanced surfacing materials, such as stamped or colored concrete or other pavement treatments, that visually contrast with the adjacent parking and drive aisle surfaces shall be provided to delineate all areas where paseos cross drive aisles.
 - c. The Pedestrian Paseos shall be shaded at a minimum of 50% at maturity.
3. Prior to preliminary site plan approval of any and all development within Development Unit 1 South, the developer shall demonstrate how the following elements will be addressed as part of the subject submittal or as part of a future submittal or phase of the project, as approved by the Planning and Development Department.
 - a. A standalone EV Charging Demonstration Project with a minimum of eight Level 2 electric vehicle charging stations and two fast charging stations.
 - b. Construction of a minimum 10,000 square feet common open space location with a splash pad.
4. No permits for off-premise signs (billboards) will be issued until a certificate of occupancy for a sit down restaurant with a minimum 2,500 square feet of interior dining area and 1,000 square feet of outdoor dining area, and without a drive-through, is issued, as approved by the Planning and Development Department.
5. Prior to obtaining a permit for an off-premise sign (billboard), the developer and the City must agree to enter into an agreement wherein the developer will make five annual \$100,000 donations to the City of Phoenix Parks and Recreation Department to construct, operate, or maintain a City park within the Laveen Village area.
6. The developer shall dedicate 55 feet of right-of-way and construct the north side of Dobbins Road, per Cross Section Z-C Standards.
7. The developer shall dedicate and construct 63rd Avenue consistent with the approved Traffic impact Analysis.
8. Right-of-way improvements must be complete along the entire rezoning frontage during the first phase of development.
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. The TIS shall include signal warrant analysis of abutting and nearby intersections effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved Traffic Impact Study.

10. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified in the approved Traffic Impact Analysis.
11. 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 the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
12. 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.
13. 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.
14. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
15. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
17. **ALL SITE PLANS, ELEVATIONS AND PEDESTRIAN CIRCULATION PLANS WITHIN DEVELOPMENT UNIT 1 (VILLAGE CORE NORTH AND SOUTH) SHALL BE PRESENTED FOR REVIEW AND COMMENT TO THE LAVEEN VILLAGE PLANNING COMMITTEE PRIOR TO PRELIMINARY SITE PLAN REVIEW.**
18. **LEVEL 1 ELECTRIC VEHICLE (EV) CHARGING STATIONS SHALL BE PROVIDED FOR ALL MULTIFAMILY RESIDENTIAL DEVELOPMENTS AT A RATE OF 1 EV CHARGING STATION PER 500 SQUARE FEET OF INDOOR AMENITY SPACE OR EQUAL TO 2% OF THE RESIDENTIAL UNIT COUNT, WHICHEVER IS GREATER, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

VOTE (Z-35-21-7):

7-1; motion to recommend approval of Z-35-21-7 per the staff recommendation with stipulation modifications and additional stipulations, passes with Committee Members Barraza, Chiarelli, Ortega, Perrera, Rouse, Hurd and Abegg in favor. Committee

Member JoAnne Jensen dissented. Ms. Jensen explained that she does not support the additional stipulations proposed as these differed from some of the stipulations discussed with the applicant.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS

None.

Village Planning Committee Meeting Summary

Z-35-21-7

Date of VPC Meeting	December 12, 2022
Request From	C-2 H-R SP (Approved C-2 or CP/GCP), C-2/CP-GCP SP (Approved C-2/CP-GCP), C-2 H-R (Approved C-2/CP-GCP) and S-1 (Approved C-2/CP-GCP)
Request To	PUD
Proposed Use	Single-family, multifamily residential, retail, office, and commerce park uses
Location	Northeast corner of 63rd Avenue and Dobbins Road
VPC Recommendation	Continued to January 9, 2023
VPC Vote	10-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Item No. 9 (GPA-LV-3-21-7) and Item No. 10 (Z-35-21-7) are companion cases and were heard together.

STAFF PRESENTATION:

None.

APPLICANT PRESENTATION

Wendy Riddell, representing the applicant with Berry Riddell, introduced herself and The Crossings at Dobbins PUD project. Ms. Riddell explained that due to a notification deficiency, she is requesting that both cases be continued to the next Laveen Village Planning Committee meeting for recommendation.

PUBLIC COMMENTS:

None.

APPLICANT RESPONSE:

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

None.

Z-35-21-7 MOTION:

Jennifer Rouse motioned to continue Z-35-21-7 to the January 9, 2023 Laveen Village Planning Committee meeting. **Francisco Barraza** seconded the motion.

Z-35-21-7 VOTE:

10-0; motion to recommend a continuance of Z-35-21-7 passes with Committee Members Barraza, Chiarelli, Hurd, Jensen, Ortega, Perrera, Rouse, Senters, Abegg and Glass in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS

None.

Village Planning Committee Meeting Summary

INFORMATION ONLY

Z-35-21-7

Date of VPC Meeting	December 13, 2021
Request From	C-2 H-R SP (Approved C-2 or CP/GCP), C-2/CP-GCP SP (Approved C-2/CP-GCP), C-2 H-R (Approved C-2/CP-GCP) and S-1 (Approved C-2/CP-GCP)
Request To	PUD
Proposed Use	Single-family, multifamily residential, retail, office, and commerce park uses
Location	Northeast corner of 63rd Avenue and Dobbins Road

VPC DISCUSSION:

This item was heard concurrently with Item No. 6 (GPA-LV-3-21-7). Please see discussion in Item No. 6.

Wendy Riddell, representative with Berry Riddell, explained that the site is currently approved as Commercial and Commerce Park-General Commerce Park, as well as a High Rise designation and a Special Permit. The site was originally envisioned to be a hospital. She explained that they are requesting to amend the General Plan to extend the Mixed Use (Commercial and Commerce Park) designation so that the entire site can allow for a mix of uses, and that they are also creating a Village Core plan. He noted that the site is also located along the South Mountain Freeway Technology Corridor. She stated that the site would currently allow for 2,176 residential units, and that the proposal is to reduce this to 1,250 units. She added that there was some land that was condemned in 2019 when the freeway was constructed, which took up a lot of the original land area. She presented an exhibit that shows the nearby development proposals in context to the subject site. She then provided an overview of the proposed land uses in the PUD, which include restaurants, retail, offices, corporate campuses, and medical offices within the Village Core. Multifamily residential and single-family attached uses will also be permitted, but they will be townhomes developed for property ownership, and not rentals. She added that hotels and vertiports will also be permitted in the core. She stated that, through engagement with key stakeholders in the area, the applicant had agreed to prohibit self-storage uses to promote a walkable urban core environment. She noted that there are additional land use prohibitions in the development narrative, as well as restrictions on residential uses. **Ms. Riddell** explained that one of the goals of this proposal is to attract high tech employers, which requires some flexibility. As such, they are proposing a maximum height of 120 feet within the

village core, with some height step-back requirements along 63rd Avenue and Dobbins Road. She then outlined the design guidelines for the development, which are intended to promote the unique character of Laveen, as well as the open space requirements for the core area. She then explained the applicant's vision towards the future, and the proposal to allow urban air mobility transportation, subject to a use permit, which will promote the envisioned high technology environment. She added that the design requirements also include elements from the Dobbins Road Scenic Corridor Study, which will help further promote the unique character of Laveen along the street. She then summarized the permitted land uses in both Development Units, as well as some of the specific design guidelines for commercial and multifamily buildings, which include the incorporation of historically appropriate building materials. She also shared the design regulations for billboards, which will include these materials as well.

Chair Tonya Glass expressed appreciation for the proposal within the Village Core but also concern with the residential unit cap of 1,250 units. She stated that she will need to take a deeper dive into this matter. She also expressed concern that the stakeholder who have participated in this process may have been siloed and that the caveats for multifamily should be looked at carefully as it will impact the community. She stated that 1,200 units is still a significant amount.

Vice Chair Linda Abegg stated that there has been a lot of good work done on the development and design standards for the area within the Village Core, but that the rest of the development area has not been discussed. She expressed concern with the way the requirements for multifamily were written in and the lack of limits placed on how much of the land area can be developed as multifamily. She emphasized that this part of Laveen should be reserved for employment uses to ensure that a tech corridor is created. She also stated that, since this a new rezoning request, and not modifications of stipulations of existing entitlements, the applicant does not automatically have the rights to what was already approved on the site. She stated that the core looks nice, and so do the designs for the billboards, but that more work needs to be done to ensure that this development allows for a true employment corridor.

Stephanie Hurd expressed her wish for this to be 100 percent retail and employment, but that she realizes that this likely won't happen. She pointed out that there are many new multifamily projects already approved in the area, include a project with 500 units on the other side of the freeway, so she is concerned with the lack of specificity regarding the amount and height of the proposed residential. She then stated that the Laveen branding on the billboard is a great idea, as the area is lacking in this regard. She also praised the inclusion of the Dobbins Road Scenic Corridor elements. She added that, as much as she dislikes multifamily, she understands the need for it especially if large employers come to Laveen. She said that, if they have to be built, they should look nice and have good amenity packages.

Vice Chair Abegg stated that committee member Hurd and other members of the community have work diligently with this applicant to ensure that the design guidelines meet the intent of what they would like to see in Laveen. She encouraged all community members to reach out ahead of these meetings to work out concerns and modifications, as it has proven to be very effective.

PUBLIC COMMENT

Phil Hertel expressed his support for this project, stating that it will be a good addition

to the Village Core and a better proposal for the area than the previously envisioned hospital.

Dan Penton expressed his support for the urban air mobility uses being proposed, stating that it will help reduce congestion and pollution, and will elevate Laveen as the first area in the city to allow this type of high-tech use, which is the exact intent of the tech corridor. He then expressed concern with the density, noting the hundreds of units already approved in the immediate vicinity.

Stephanie Hurd stated that the height of 120 feet will provide the flexibility for tech companies to at least look at this site as an option for them and will hopefully encourage them to come and build offices there. **Vice Chair Abegg** added that this is why the applicant had agreed to write in a requirement that the first tall building has to be an employment use, so that they don't end up with a hotel or senior living right away.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION February 2, 2023

ITEM NO: 4	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-35-21-7 (The Crossing at Dobbins PUD) (Companion Case GPA-LV-3-21-7)
Location:	Northeast corner of 63rd Avenue and Dobbins Road
From:	C-2 H-R SP (Approved C-2 or CP/GCP), C-2 or CP/GCP SP (Approved C-2 or CP/GCP), C-2 H-R (Approved C-2 or CP/GCP), and S-1 (Approved C-2 or CP/GCP)
To:	PUD
Acreage:	66.10
Proposal:	Planned Unit Development to allow single-family, multifamily, retail, office, and commerce park uses.
Applicant:	Alex Stedman, RVi Planning & Landscape Architecture
Owner:	Dairy 51.8, LLC and Dairy 51.8 Trust
Representative:	Alex Stedman, RVi Planning & Landscape Architecture

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Laveen 12/13/2021 Information only.

Laveen 12/12/2022 Continued to January 9, 2023. Vote: 10-0.

Laveen 1/9/2023 Approval, per the staff recommendation with modifications and additional stipulations. Vote: 7-1.

Planning Commission Recommendation: Approval, per the Laveen Village Planning Committee recommendation, with modifications and a deleted stipulation.

Motion Discussion:

Commissioner Busching made the MOTION to approve Z-35-21-7, per the Laveen Village Planning Committee recommendation with a modification to Stipulation No. 1.e to read that, *A graphic shall be inserted within the Land Use Section identifying the boundaries for Village Core North and Village Core South in addition to language that states that Village Core North and Village Core South will each be approximately 10 acres in size.*

And the deletion of Stipulation No. 1.k.

Commissioner Gorraiz seconded the motion.

Commissioner Boyd offered a friendly amendment to have any multifamily residential have no more than 30 percent on the ground floor in the village core.

Commissioner Busching countered the friendly amendment with 20 percent multifamily on the ground floor.

Commissioner Boyd agreed to this modification.

Commissioner Gorraiz did not agree to the amendment. The friendly amendment failed

Ms. Racelle Escolar (staff) requested that Stipulation No. 1.f. be changed back to original language since it is related to the size of the Village Core areas.

Commissioner Busching agreed and stated that the stipulation shall read that,
Appendices: Legal descriptions for Development Units 1 and 2 and Village Core North and Village Core South shall be added to the PUD as additional appendices. Acreages for Development Units 1 and 2 will be consistent with the Conceptual Development Plan exhibit and acreages for Village Core North and Village Core South will be approximately 10 acres each.

Commissioner Gorraiz agreed with the amendment to the motion.

A roll call vote was held, and the motion passed with a vote of 8-1.

Motion details: Commissioner Busching made a MOTION to approve Z-35-21-7, per the Laveen Village Planning Committee recommendation with a modification to Stipulation No. 1.e to read that,

A graphic shall be inserted within the Land Use Section identifying the boundaries for Village Core North and Village Core South in addition to language that states that Village Core North and Village Core South will each be approximately 10 acres in size.

And with the deletion of Stipulation 1.k., and a modification to Stipulation No. 1.f. to read that,
Appendices: Legal descriptions for Development Units 1 and 2 and Village Core North and Village Core South shall be added to the PUD as additional appendices. Acreages for Development Units 1 and 2 will be consistent with the Conceptual Development Plan exhibit and acreages for Village Core North and Village Core South will be approximately 10 acres each.

Maker: Busching
Second: Gorraiz
Vote: 8-1 (Perez)
Absent: None
Opposition Present: Yes

Findings:

1. The proposed development is compatible with the existing land use pattern in the area and is consistent with the proposed General Plan Land Use Map designation of Mixed Use (Commercial / Commerce/Business Park).
2. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The development will provide increased shade which will help to reduce the urban heat island effect.
3. The proposed PUD will provide for a mixture of uses such as retail, restaurants, offices, and hotels within and adjacent to the Laveen Village Core.

Stipulations:

1. An updated Development Narrative for the Crossing at Dobbins 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 Development Narrative dated December 7, 2022 as modified by the following stipulations.

- a. Front Cover, add "City Council adopted: [Insert Adoption date]"
- b. Remove any reference to Urban Air Mobility or Vertiport.
- c. Page 34, Land Use Section: The following uses shall be added to the prohibited land use section for Development Unit 2.
 - Adult Uses
 - Automobile Parts and Supplies, New Retail and Wholesale
 - Auto Seat Covers and Trim Shop
 - Boats, Retail Sales
 - Motorcycles, Repairing and Sales
 - Tire Repairing Equipment and Supplies
 - Tractors, Retail Sales, Display
 - Truck Stop/Travel Center
 - Self-Storage Service Warehouse
 - Automobile Service Station/ Gas Station
 - Car Wash
 - Garage Repair
 - Warehousing
 - Wholesaling, as a primary use
 - Distribution Facility, as a primary use
 - Outdoor Uses (Section 626.F.2z)
- d. All applicable sections that reference drive-thru restaurants, which include but not limited to, land use and design guidelines, shall be updated to reflect the maximum of two drive-thru restaurants.
- e. Page 17: A graphic shall be inserted within the Land Use Section identifying the boundaries for Village Core North and Village Core South in addition to language that states that Village Core North **IS APPROXIMATELY 20 ACRES** and Village Core South will each be approximately 10 acres in size.
- f. Appendices: Legal descriptions for Development Units 1 and 2 and Village Core North and Village Core South shall be added to the PUD as additional appendices. **~~AN UPDATED CONCEPTUAL DEVELOPMENT PLAN EXHIBIT SHALL BE PROVIDED IN THE DEVELOPMENT NARRATIVE. Acreages for Development Units 1 and 2 will be consistent with the Conceptual Development Plan exhibit and acreages for Village Core North and Village Core South will be approximately 10 acres each.~~**
- g. Pages 45-46: Language referring to a Comprehensive Sign Plan found on page 46 shall be moved under the text of 5K on page 45 and be reworded as follows:

ON-PREMISE SIGNS WILL COMPLY WITH CHAPTER 7 OF THE PHOENIX ZONING ORDINANCE AND A COMPREHENSIVE SIGN PLAN MAY BE REQUIRED AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- h. Page 45, Signs Section, Second Bullet Point: Modify the last sentence in the paragraph to read as follows:

FINAL DESIGN OF OFF-PREMISE SIGNS TO BE REVIEWED AND APPROVED BY THE LAVEEN VILLAGE PLANNING COMMITTEE.

- i. MODIFY THE DEVELOPMENT NARRATIVE, WHERE APPLICABLE, TO REFLECT THE FOLLOWING:

ALL DISTRIBUTION, MANUFACTURING, WAREHOUSE USES AS A PRIMARY USE, WHERE PERMITTED, SHALL COMPLY WITH THE FOLLOWING STANDARDS AND RESTRICTIONS.

- I. THERE SHALL BE A MAXIMUM OF 1 DOCK DOOR PER 20,000 SQUARE FEET OF INDUSTRIAL USE TO ENSURE DISTRIBUTION AND WHOLESALING ARE NOT A PRIMARY USE.
 - II. DISTRIBUTION USES ARE ONLY ALLOWED AS AN ACCESSORY USE.
 - III. WHOLESALING AND DISTRIBUTION AS PRIMARY USES SHALL BE PROHIBITED.
- J. THE MAXIMUM PERMITTED BUILDING HEIGHT FOR OFFICE USES IN DEVELOPMENT UNIT 2 SHALL BE 120 FEET, FOLLOWING THE SAME STEP BACK STANDARDS AS LISTED IN EXISTING THE DEVELOPMENT STANDARDS TABLE AND HEIGHT EXHIBIT. ALL OTHER USES SHALL BE RESTRICTED TO A MAXIMUM BUILDING HEIGHT OF 56 FEET. ALL HEIGHT EXHIBITS AND DEVELOPMENT STANDARDS SHALL BE UPDATED TO REFLECT THIS MODIFICATION.
- K. ~~THE ACREAGE OF DEVELOPMENT UNIT 1 (VILLAGE CORE) SHALL BE INCREASED TO A MINIMUM OF 30 NET ACRES. THE DEVELOPMENT NARRATIVE, INCLUDING EXHIBITS AND LEGAL DESCRIPTIONS, SHALL BE UPDATED ACCORDINGLY.~~**

- 2. Prior to Preliminary Site Plan approval, a Pedestrian Circulation Plan for Development Unit 1 (Village Core) shall be provided. This plan shall demonstrate how pedestrians will connect to 63rd Avenue, Dobbins Road, required open space areas and Development Unit 2 through a network of dedicated pedestrian paths and a minimum of one Pedestrian Paseo. The Pedestrian Paseo shall provide continuous north to south connectivity from Dobbins Road to Development Unit 2. The Pedestrian Circulation Plan will be updated with each site plan amendment to demonstrate how pedestrian connectivity will be accomplished as the Village Core parcel develops, as approved by the Planning and Development Department and in compliance with the following standards:

- a. The Pedestrian Paseo shall be a minimum of 20 feet in width. Of the width, 10 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 10 feet may be used for pedestrian friendly amenities or features, such as benches, tables and courtyards, etc.

- b. A minimum of 10 feet of the Pedestrian Paseo shall be comprised of enhanced surfacing materials, such as stamped or colored concrete or other pavement treatments, that visually contrast with the adjacent parking and drive aisle surfaces shall be provided to delineate all areas where paseos cross drive aisles.
 - c. The Pedestrian Paseos shall be shaded at a minimum of 50% at maturity.
- 3. Prior to preliminary site plan approval of any and all development within Development Unit 1 South, the developer shall demonstrate how the following elements will be addressed as part of the subject submittal or as part of a future submittal or phase of the project, as approved by the Planning and Development Department.
 - a. A standalone EV Charging Demonstration Project with a minimum of eight Level 2 electric vehicle charging stations and two fast charging stations.
 - b. Construction of a minimum 10,000 square feet common open space location with a splash pad.
- 4. No permits for off-premise signs (billboards) will be issued until a certificate of occupancy for a sit down restaurant with a minimum 2,500 square feet of interior dining area and 1,000 square feet of outdoor dining area, and without a drive-through, is issued, as approved by the Planning and Development Department.
- 5. Prior to obtaining a permit for an off-premise sign (billboard), the developer and the City must agree to enter into an agreement wherein the developer will make five annual \$100,000 donations to the City of Phoenix Parks and Recreation Department to construct, operate, or maintain a City park within the Laveen Village area.
- 6. The developer shall dedicate 55 feet of right-of-way and construct the north side of Dobbins Road, per Cross Section Z-C Standards.
- 7. The developer shall dedicate and construct 63rd Avenue consistent with the approved Traffic impact Analysis.
- 8. Right-of-way improvements must be complete along the entire rezoning frontage during the first phase of development.
- 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. The TIS shall include signal warrant analysis of abutting and nearby intersections effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved Traffic Impact Study.
- 10. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified in the approved Traffic Impact Analysis.
- 11. 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 the facility.

Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

12. 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.
13. 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.
14. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
15. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
17. ALL SITE PLANS, ELEVATIONS AND PEDESTRIAN CIRCULATION PLANS WITHIN DEVELOPMENT UNIT 1 (VILLAGE CORE NORTH AND SOUTH) SHALL BE PRESENTED FOR REVIEW AND COMMENT TO THE LAVEEN VILLAGE PLANNING COMMITTEE PRIOR TO PRELIMINARY SITE PLAN REVIEW.
18. LEVEL 1 ELECTRIC VEHICLE (EV) CHARGING STATIONS SHALL BE PROVIDED FOR ALL MULTIFAMILY RESIDENTIAL DEVELOPMENTS AT A RATE OF 1 EV CHARGING STATION PER 500 SQUARE FEET OF INDOOR AMENITY SPACE OR EQUAL TO 2% OF THE RESIDENTIAL UNIT COUNT, WHICHEVER IS GREATER, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.



*****ITEM REVISED (SEE ATTACHED MEMO)*** Source of Income Discrimination Prohibition (Ordinance G-7086)**

Request to authorize the City Manager, or his designee, to amend Chapter 18 of the Phoenix City Code to prohibit housing discrimination based on a renter or buyer's source of income.

Summary

On February 17, 2023, Councilmembers Pastor, Guardado and Garcia submitted a request (**Attachment A**) to the City Manager to place an item on the March 1, 2023 Formal City Council Agenda. The request is for the City Council to consider an amendment to Chapter 18 of the Phoenix City Code. The proposed amendment prohibits the practice of discriminating against a home buyer or renter based on the buyer or renter's source of income. A person who discriminates against a buyer or renter based on the buyer or renter's source of income may be subject to civil penalties of up to \$2,500 and daily penalties up to \$2,500.

This request is in compliance with Rule 2(c) of the Rules of Council Proceedings.

On Dec. 22, 2022, in response to a 1487 claim, former Attorney General Mark Brnovich issued Report No. 22-002 that determined the ordinance adopted by the City of Tucson violated state law. The City of Tucson requested the current Attorney General Kris Mayes to reconsider Report No. 22-002 and she agreed. To date, a new report has not been issued. Therefore, the proposed Chapter 18 amendment prohibiting the practice of discriminating based on the source of income will not be enforced until after Attorney General Mayes reconsiders Report No. 22-002. After the Attorney General completes its reconsideration, the City of Phoenix will take appropriate action.

Responsible Department

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



City of Phoenix

OFFICE OF THE CITY ATTORNEY

To: Jeff Barton
City Manager

Date: February 27, 2023

From: Julie M. Kriegh
City Attorney

Subject: REQUEST TO REVISE ITEM 100 ON THE MARCH 1, 2023, FORMAL AGENDA

It is requested that Item 100 - Source of Income Discrimination Prohibition (Ordinance G-7086), be revised to attach the draft Source of Item ordinance, for the reason that the item is a Legislative Code revision change. Briefings were recently completed to allow Council to review the draft Source of Income ordinance.

Approved by:

A handwritten signature in red ink, appearing to read "Jeff Barton", written over a horizontal line.

Jeff Barton
City Manager

JMK;dh: 2364878

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

ORDINANCE G-

**AN ORDINANCE AMENDING CHAPTER 18 OF THE PHOENIX CITY
CODE RELATING TO FAIR HOUSING**

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

SECTION 1. That the Phoenix City Code, Section 18-11 is amended as follows:

Sec. 18-11. Declaration of policy.

It is the intent of the City of Phoenix to undertake vigorous steps to provide equal opportunity AND PROTECT PEOPLE FROM DISCRIMINATION in housing WHICH INCLUDES, BUT IS NOT LIMITED TO, SINGLE-FAMILY HOMES, SEMI-DETACHED HOMES, MULTIFAMILY HOMES, TOWNHOMES, CONDOMINIUMS, AND MANUFACTURED HOMES; resolve housing discrimination disputes at the local level in a timely, cost efficient and effective manner; extend housing discrimination protection based upon disability, sexual orientation, gender identity or expression, SOURCE OF INCOME, and to families with children; exempt housing for the elderly from the provisions prohibiting discrimination against families with children; provided, that owners, managers and communities meet stated requirements; obtain substantial equivalency with the federal government's housing and discrimination enforcement efforts and enter into intergovernmental agreements with the State of Arizona Attorney General.

IT IS THE INTENT OF THE CITY OF PHOENIX TO PROTECT PEOPLE FROM DISCRIMINATORY HOUSING PRACTICES. ANY CLAUSE, PROVISION, REQUIREMENT, OR SPECIFICATION IN A CONTRACT, AGREEMENT, COVENANT, OR OBLIGATION THAT IS CONTRARY TO THIS POLICY OR IS IN VIOLATION OF THIS ARTICLE IS DEEMED UNENFORCEABLE.

SECTION 2. That the Phoenix City Code, Section 18-11.01 is amended as follows:

Sec. 18-11.01. Definitions

In addition to the definitions set forth in Section 18-3, in this article, unless the context otherwise requires:

AGENT INCLUDES A PERSON WITH AUTHORITY TO ACT ON BEHALF OF ANOTHER PERSON, INCLUDING REAL ESTATE AGENTS, BROKERS, OR PROPERTY MANAGEMENT COMPANIES.

Aggrieved person includes any Person who either:

- a. Claims to have been injured by a discriminatory housing practice.
- b. Believes that ~~he~~THEY will be injured by a discriminatory housing practice that is about to occur.

Attorney General means the State of Arizona Attorney General.

Complainant means a person, including the City of Phoenix who files a complaint under Section 18-11.24 OF THE PHOENIX CITY CODE.

Conciliation means the attempted resolution of issues raised by a complaint or by the investigation of the complaint through informal negotiations involving the aggrieved person, the respondent and the City of Phoenix.

Conciliation agreement means a written agreement setting forth the resolution of the issues in conciliation.

Director means the Director of the City of Phoenix Equal Opportunity Department.

Discriminatory housing practice means an act prohibited by Sections 18-11.16 through 18-11.23 OF THE PHOENIX CITY CODE.

Dwelling means either:

- a. Any building, structure or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residency by one or more families.
- b. Any vacant land that is offered for sale or lease for the construction or location of a building, structure or part of a building or structure described by subsection (a) of this definition.

Family includes a single individual.

Respondent means either:

- a. The person accused of a violation of this article in a complaint of a discriminatory housing practice.
- b. Any person identified as an additional or substitute respondent under Section 18-11.27, or an agent of THE RESPONDENT, OR an AGENT OF THE additional or substitute respondent.

To rent includes to lease, to sublease, to let or to otherwise grant for a consideration the right to occupy premises not owned by the occupant.

SOURCE OF INCOME MEANS ANY LAWFUL SOURCE OF INCOME OR SUPPORT THAT PROVIDES FUNDS TO OR ON BEHALF OF A RENTER OR BUYER OF HOUSING AND IS VERIFIABLE AS TO AMOUNT, REGULARITY, RECEIPT, AND LENGTH OF TIME RECEIVED OR TO BE RECEIVED, INCLUDING, BUT NOT LIMITED TO WAGES, SALARIES, GRANT, GIFT, LOAN, INHERITANCE, PENSION, ANNUITY, CHILD SUPPORT, SPOUSAL SUPPORT, FOSTER CARE SUBSIDIES, RENTAL ASSISTANCE, SECURITY DEPOSIT OR DOWN PAYMENT ASSISTANCE, INCOME DERIVED FROM SOCIAL SECURITY OR DISABILITY INSURANCE, VETERANS' BENEFITS, SECTION 8 HOUSING CHOICE VOUCHERS, OR ANY OTHER FORM OF GOVERNMENTAL ASSISTANCE, BENEFIT, OR SUBSIDY. SOURCE OF INCOME INCLUDES ANY

REQUIREMENT OF ANY SUCH PROGRAM, ASSISTANCE, BENEFIT, OR SUBSIDY.

SECTION 3. That the Phoenix City Code, Section 18-11.03 is amended as follows:

Sec. 18-11.03. Exempt sales and rentals

A. Except as provided in subsection B of this section, Sections 18-11.16 through 18-11.23 do not apply to:

1. The sale or rental of a single-family house sold or rented by an owner if:

a. The owner does not:

(1) Own more than three single-family houses at any one time.

(2) Own any interest in, nor is there owned or reserved on ~~his~~THEIR behalf, under any express or voluntary agreement, title to or any right to any part of the proceeds from the sale or rental of more than three single-family houses at any one time.

b. The house was sold or rented without either:

(1) The use of the sales or rental facilities or services of a real estate broker, agent or ~~salesman~~SALESPERSON licensed pursuant to ARIZONA REVISED STATUTES Section 32-2101 et seq., ~~Arizona Revised Statutes~~, or the use of an employee or agent of a licensed broker, agent or ~~salesman~~SALESPERSON or the facilities or services of the owner of a dwelling designed or intended for occupancy by five or more families.

(2) The publication, posting or mailing of a notice, statement or advertisement prohibited by Section 18-11.17.

2. The sale or rental of rooms or units in a dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other if the owner maintains and occupies one of the living quarters as the owner's residence.

B. The exemption in subsection A.1 of this section applies to only one sale or rental in a 24-month period if the owner was not the most recent resident of the house at the time of the sale or rental.

C. THE EXEMPTIONS IN THIS SECTION 18-11.03, DO NOT APPLY TO SALES AND RENTALS IF THE ALLEGED DISCRIMINATION ARISES EXCLUSIVELY FROM SOURCE OF INCOME.

SECTION 4. That the Phoenix City Code, Section 18-11.06 is amended as follows:

Sec. 18-11.06 Appraisal exemptions.

This article does not prohibit a person engaged in the business of furnishing appraisals of real property from ~~CONSIDERING taking into consideration~~ factors other than race, color, religion, sex, disability, familial status, national origin, sexual orientation, SOURCE OF INCOME, ~~or~~ gender identity or expression IN THEIR APPRAISALS.

SECTION 5. That the Phoenix City Code, Section 18-11.16 is amended as follows:

Sec. 18-11.16. Discrimination in sale or rental.

A. A person may not refuse to sell or rent after a bona fide offer has been made or refuse to negotiate for the sale of or otherwise make unavailable or deny a dwelling to any person because of race, color, religion, sex, disability, familial status, national origin, sexual orientation, ~~or~~ gender identity or expression, OR SOURCE OF INCOME.

B. A person may not discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in providing services or facilities in connection with the sale or rental, because of race, color, religion, sex, disability, familial status, national origin, sexual orientation, ~~or~~ gender identity or expression, OR SOURCE OF INCOME.

C. This section does not prohibit discrimination against a person because the person has been convicted under federal law or the law of any state of the illegal manufacture or distribution of a controlled substance.

SECTION 6. That the Phoenix City Code, Section 18-11.17 is amended as follows:

Sec. 18-11.17. Publication of sales or rentals.

A person may not make, print or publish or cause to be made, printed or published any notice, statement or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, religion, sex, disability, familial status, national origin, sexual orientation, ~~or~~ gender identity or expression, SOURCE OF INCOME, or an intention to make such a preference, limitation or discrimination.

SECTION 7. That the Phoenix City Code, Section 18-11.18 is amended as follows:

Sec. 18-11.18 Inspection of dwelling.

A person may not represent to any person because of race, color, religion, sex, disability, familial status, national origin, sexual orientation, ~~or~~ gender identity or expression, OR SOURCE OF INCOME that a dwelling is not available for inspection, for sale, or rental if the dwelling is available for inspection, SALE, OR RENT.

SECTION 8. That the Phoenix City Code, Section 18-11.19 is amended as follows:

Sec. 18-11.19. Entry into neighborhood.

A person, for profit, may not induce or attempt to induce a person to sell or rent a dwelling by representations regarding the entry or prospective entry into a neighborhood of a person of a particular race, color, religion, sex, disability, familial status, national origin, sexual orientation, ~~or~~ gender identity or expression, OR SOURCE OF INCOME.

SECTION 9. That the Phoenix City Code, Section 18-11.22 is amended as follows:

A. A person whose business includes engaging in residential real estate related transactions may not discriminate against a person in making a real estate related transaction available or in the terms or conditions of a real estate related transaction because of race, color, religion, sex, disability, familial status, national origin, sexual orientation, ~~or~~ gender identity or expression, OR SOURCE OF INCOME.

B. In this section, *residential real estate related transaction* means:

1. Making or purchasing loans or providing other financial assistance either:
 - a. To purchase, construct, improve, repair or maintain a dwelling.
 - b. To secure residential real estate.
2. Selling, brokering or appraising residential real property

SECTION 10. That the Phoenix City Code, Section 18-11.23 is amended as follows:

A person may not deny any person access to, or membership or participation in, a multiple listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting dwellings or may not discriminate against a person in the terms or conditions of access, membership or participation in such an organization, service or facility because of

race, color, religion, sex, disability, familial status, national origin, sexual orientation, ~~or~~ gender identity or expression, OR SOURCE OF INCOME.

SECTION 11. Chapter 18, Phoenix City Code, is amended by adding new Section 18-11.37.01 to read:

Sec. 18-11.37.01. VIOLATION OF A CIVIL INFRACTION;
PENALTIES.

A. THE REMEDIES HEREIN ARE CUMULATIVE AND THE CITY MAY PROCEED UNDER ONE OR MORE SUCH REMEDIES.

B. THE FOLLOWING PENALTIES SHALL BE IMPOSED BY THE MUNICIPAL COURT OF THE CITY OF PHOENIX FOR CIVIL INFRACTIONS UNDER THIS ARTICLE:

1. A PERSON WHO CAUSES, PERMITS, FACILITATES, OR AIDS OR ABETS ANY VIOLATION OF THIS ARTICLE OR WHO FAILS TO PERFORM ANY ACT OR DUTY REQUIRED BY THIS ARTICLE IS SUBJECT TO CIVIL SANCTION AS FOLLOWS:

(A) FOR THE FIRST VIOLATION, A CIVIL PENALTY OF NOT LESS THAN THREE HUNDRED DOLLARS (\$300.00) AND NO MORE THAN TWENTY-FIVE HUNDRED DOLLARS (\$2,500.00).

(B) FOR THE SECOND VIOLATION, A CIVIL PENALTY OF NOT LESS THAN SIX HUNDRED DOLLARS (\$600.00) AND NO MORE THAN TWENTY-FIVE HUNDRED DOLLARS (\$2,500.00).

(C) FOR A THIRD VIOLATION, A CIVIL PENALTY OF NOT LESS THAN NINE HUNDRED DOLLARS (\$900.00) AND NO MORE THAN TWENTY-FIVE HUNDRED DOLLARS (\$2,500.00).

(D) THE IMPOSITION OF A PENALTY PURSUANT TO THIS SECTION SHALL NOT BE SUSPENDED.

2. FAILURE OF A PERSON TO COMPLY WITH ANY ORDER FOR A VIOLATION UNDER THIS SECTION SHALL RESULT IN AN ADDITIONAL CIVIL PENALTIES AS FOLLOWS:

(A) NOT LESS THAN THREE HUNDRED DOLLARS (\$300.00) AND NO MORE THAN TWENTY-FIVE HUNDRED DOLLARS (\$2,500.00) FOR EACH DAY THE PERSON FAILS TO COMPLY.

(B) A PERSON'S SECOND FAILURE TO COMPLY WITH ANY ORDER SHALL RESULT IN AN ADDITIONAL FINE OF NOT LESS THAN SIX HUNDRED DOLLARS (\$600.00) AND NO MORE THAN TWENTY-FIVE HUNDRED DOLLARS (\$2,500.00) FOR EACH DAY AFTER THE FIRST DETERMINATION OF THE PERSON'S FAILURE TO COMPLY.

(C) A PERSON'S THIRD FAILURE TO COMPLY WITH ANY ORDER SHALL RESULT IN AN ADDITIONAL FINE OF NOT LESS THAN NINE HUNDRED DOLLARS (\$900.00) AND NO MORE THAN TWENTY-FIVE HUNDRED DOLLARS (\$2,500.00) FOR EACH DAY AFTER THE THIRD DETERMINATION OF THE PERSON'S FAILURE TO COMPLY.

SECTION 12. Chapter 18, Phoenix City Code, is amended by adding new Section 18-11.37.02 to read:

SEC. 18-11.37.02. PATTERN OR PRACTICE CASES.

A. THE CITY ATTORNEY SHALL FILE A CIVIL ACTION IN SUPERIOR COURT FOR APPROPRIATE RELIEF IF THE CITY ATTORNEY HAS REASONABLE CAUSE TO BELIEVE THAT EITHER:

1. A PERSON IS ENGAGED IN A PATTERN OR PRACTICE OF RESISTANCE TO THE FULL ENJOYMENT OF ANY RIGHT GRANTED BY THIS ARTICLE.
2. A PERSON HAS BEEN DENIED ANY RIGHT GRANTED BY THIS ARTICLE AND THAT DENIAL RAISES AN ISSUE OF GENERAL PUBLIC IMPORTANCE.

B. IN AN ACTION UNDER THIS SECTION THE COURT MAY:

1. AWARD PREVENTIVE RELIEF, INCLUDING A PERMANENT OR TEMPORARY INJUNCTION, RESTRAINING ORDER, OR OTHER ORDER AGAINST THE PERSON RESPONSIBLE FOR A VIOLATION OF THIS ARTICLE AS NECESSARY TO ASSURE THE FULL ENJOYMENT OF THE RIGHTS GRANTED BY THIS ARTICLE.

2. AWARD OTHER APPROPRIATE RELIEF, INCLUDING MONETARY DAMAGES, REASONABLE ATTORNEY FEES, AND COURT COSTS.

3. TO VINDICATE THE PUBLIC INTEREST, ASSESS A CIVIL PENALTY AGAINST THE RESPONDENT IN AN AMOUNT THAT DOES NOT EXCEED:

A. FIFTY THOUSAND DOLLARS FOR A FIRST VIOLATION.

B. ONE HUNDRED THOUSAND DOLLARS FOR A SECOND OR SUBSEQUENT VIOLATION.

SECTION 13. SEVERABILITY

It is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses, and words of this code are severable and if any word, clause, sentence, paragraph, or section of this code shall be declared unconstitutional or invalid for any reason by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, clauses, sentences, paragraphs and sections of this code, since the same would have been enacted by the city council without the incorporation in this code of any such unconstitutional or invalid word, clause, sentence, paragraph, or section.

ATTACHMENT A



City of Phoenix
OFFICE OF THE CITY COUNCIL

Winner of the
Carl Bertelsmann
Prize



17 February 2023

City Manager, Jeff Barton
200 W. Washington St., 12th Floor
Phoenix, AZ 85003

RE: Add On Item – Ordinance to Ban Source of Income Discrimination in Housing

City Manager Jeff Barton,

We believe that discrimination has no place in Phoenix. It is imperative we act urgently to address the issue of discrimination in housing in our city. Seven of the eight members of the Phoenix City Council and the Mayor are all in agreement that the denial of rental tenants based on their source of income goes against the fundamental civil right to fair housing. *Now is the time for us to act.*

Over the past few weeks, we have heard numerous testimonies from Phoenix residents who have shared personal discriminatory experiences related to housing. Too often, the practice of considering a source of income is used to discriminate against renters who use housing vouchers, Social Security disability, foster family credits, or benefits from the Department of Veterans Affairs.

At the direction of the City Council, the Law Department has prepared an ordinance to ban the discrimination of housing based on renters' source of income. We are requesting that this ordinance be added as an item on the Formal Agenda scheduled for Wednesday, March 1, 2023, for a full vote of the Phoenix City Council.

Councilwoman Laura Pastor
Phoenix City Council – District 4

Councilwoman Betty Guardado
Phoenix City Council – District 5

Councilmember Carlos Garcia
Phoenix City Council – District 8