

PLEASE RESPOND ELECTRONICALLY TO BRAD WYLAM 2ND FLOOR, 602-256-3322



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned **Date:** November 18, 2021
From: Alan Stephenson
Planning & Development Department Director
Subject: **P.H.O. APPLICATION NO. PHO-1-21--Z-23-18-8** – Notice of Pending Actions
by the **Planning Hearing Officer**

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **December 15, 2021**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **November 22, 2021**.

DISTRIBUTION

Mayor's Office (Lisa Fernandez), 11th Floor
City Council (Sina Matthes, Tony Motola), 11th Floor
Aviation (Sheldon Daisley)
CED (Michelle Pierson), 20th Floor
Fire Prevention (Aaron Conway), 2nd Floor
Light Rail (Joel Carrasco/Special TOD Only)
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Natasha Hughes), 16th Floor
Public Transit (Kathryn Boris)
Public Works (Ray Dovalina, Kristina Jensen, Elise Moore, Rudy Rangel), 5th Floor
Street Transportation Department (Maja Brkovic, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Mailen Pankiewicz), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Alan Stephenson, Joshua Bednarek), 3rd Floor
Planning and Development/Information Services (Ben Ernyei, Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Tricia Gomes, Adam Stranieri, Brad Wylam), 2nd Floor
Village Planner (Sarah Stockham, Central City Village)
Village Planning Committee Chair (Rachel Frazier Johnson, Central City Village)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-21--Z-23-18

Council District: 8

Request For: Stipulation Modification

Reason for Request: Deletion of Stipulation 4.c regarding on-site security. Deletion of Stipulation 5 regarding cross block access between adjacent streets. Modification to Stipulation 6 regarding detached sidewalks, streetscape landscaping, and bioswales.

Owner	Applicant	Representative
16th & Polk LLC 8135 East Indian Bend Road #101 Scottsdale AZ 85250 (480) 850-2030 dan@livegreenlight.com	Ed Bull, Burch & Cracchiolo P.A. 1850 North Central Avenue, Suite 1700 Phoenix AZ 85004 (602) 234-9913 ebull@bcattorneys.com	Ed Bull, Burch & Cracchiolo P.A. 1850 North Central Avenue, Suite 1700 Phoenix AZ 85004 P: (602) 234-9913 F: ebull@bcattorneys.com

Property Location: Northeast corner of 16th Street and Polk Street

Zoning Map: F-9 Quarter Section: 11-31 APN: 116-17-157B Acreage: 6.24

Village: Central City

Last Hearing: CC HEARING

Previous Opposition: No

Date of Original City Council Action: 07/05/2018 12 PM

Previous PHO Actions: _____

Zoning Vested: WU T5:6 EG

Supplemental Map No.: _____

Planning Staff: 075891

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,725.00	\$0.00	10/29/2021	21-0104053	Original Filing Fee

Signature of Applicant: Ed Bull by Reef DATE: 11/18/2021

Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>12/15/2021 1000 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	Appealed?: _____
Action: _____	Action: _____	Action: _____

November 17, 2021

VIA HAND-DELIVERY

Mr. Adam Stranieri
Planning Hearing Officer
City of Phoenix
Planning and Development Department
200 W. Washington St., 2nd Floor
Phoenix, Arizona. 85003

RE: PHO Stipulation Modification from Z-23-18-8
Northeast Corner of 16th Street and Polk Street

Dear Mr. Stranieri:

On behalf of Greenlight Communities (“Greenlight”), who is the proposed developer of the property located at the northeast corner of 16th Street and Polk Street (“Site”), we request the PHO’s action on three Zoning Stipulations from Z-23-18-8 to allow the development of a high-quality multifamily community which will provide attainable workforce housing close to the downtown area. *See* **Exhibit 1**, Aerial Map identifying the Site.

The Site is zoned WU Code T5:6 EG (Walkable Urban Code, Transect 5:6 District, Eastlake-Garfield Character Area). *See* **Exhibit 2**, Zoning Map. In 2018, the City Council approved WU Code zoning for the Site, subject to 17 zoning stipulations. *See* **Exhibit 3**, Ordinance G-6480. We are not requesting a Rezoning. Instead, we are requesting modification of 3 Stipulations, specifically, modification of Stipulations 4 and 6 and deletion of Stipulation 5. We will submit site plans and elevations for administrative review following the completion of the PHO public process.

The 2018 rezoning occurred while the Site was one of several locations being considered for a Veterans Affairs Medical Clinic. Consequently, the stipulations were designed around that use. However, the Site was not selected for the Veterans Affairs Medical Clinic. Instead, construction is well underway at the northwest corner of 32nd Street and Van Buren Street. *See* **Exhibit 4**, U.S. Department of Veterans Affairs webpage update regarding the “Phoenix VA Outpatient Clinic.” In light of another location being selected for the Veterans Affairs Medical Clinic, many of the stipulations are no longer needed nor appropriate for other proposed uses for this infill redevelopment Site.

Requests

Stipulation No. 4.c – Deletion:

A minimum of 50% of the required open space shall be located adjacent to the north property line and shall:

- a. Be designed so that it can seamlessly appear to connect to the adjacent triangular parcel in the event that parcel is developed/improved as a community open space node.
- b. Open space along the northern property line shall not be enclosed by security fencing for the medical clinic.
- c. ~~On-site security shall be responsible for the policing of the publicly accessible open space.~~
- Rationale – The proposed multifamily community will provide open space on the northern end of the Site beyond the community’s exterior fencing, however, on site security for publicly accessible open space will not be necessary for the Site. The multifamily development will be thoughtfully designed to provide safety and security for its residents. Consequently, the majority of the Site will not be publicly accessible.

Stipulation No. 5 – Deletion:

~~The required cross block access between 16th Street and 17th Street and Polk Street and Villa Street shall be located to accommodate the security needs of the Veterans Affairs Medical Clinic while still providing a clear, visible and publicly accessible route between the two streets.~~

- Rationale – This cross block access requirement was designed with a publicly accessible Site in mind, however, the Veterans Affairs Medical Clinic will no longer be located on the Site. Instead, the proposed multifamily development will be gated and secure in order to provide a safe living environment for its residents. Consequently, a publicly accessible route through the secure community is not appropriate. However, the public will have pedestrian access from 16th Street to 17th Street via public sidewalks.

Stipulation No. 6 – Modification:

Perimeter sidewalks on all street frontages shall be detached, shall not meander, and trees shall be planted on both sides. ~~To the extent possible, the developer should utilize bioswales for storm water capture on these frontages.~~

- Rationale – Bioswales are not practicable for this Site. Within a WU Code District, such as this, the buildings are often situated in close proximity to sidewalks and streets.¹ Consequently, the Site does not offer sufficient space needed for the inclusion of

¹ Per Table 1303.2 provided in Zoning Ordinance Section 1303.B (“Transect lot standards”), main buildings setbacks on Transect 5 sites are typically 12-foot maximum for primary frontage and 10-foot for secondary frontages. Such 12-foot and 10-foot build-to lines may (subject to Planning and Development Department approval) be increased by 20% to accommodate existing conditions or a design solution consistent with a pedestrian environment. Certainly the latter (pedestrian environment) and arguably the former (existing conditions) apply to the particular circumstances of this infill redevelopment site with a zoning stipulation calling for tree-lined detached sidewalks along the street frontages.

bioswales.² Moreover, other forms of water retention/collection that do not allow for standing water and related complications, are more appropriate for residential developments. The Site will be thoughtfully designed to provide a safe, secure, and comfortable place to live, taking into account practicable water retention/collection solutions in order to provide that comfortable home for the community's residents.

Looking at the site plan and elevations, attached as **Exhibit 5** and **Exhibit 6**, respectively, Greenlight's proposed development will provide quality infill development in the spirit of the WU Code by facilitating "[a]n increase of population and employment through infill development within transit oriented districts." *See* Zoning Ordinance Section 1301.B.1. The proposed multifamily development will provide quality, attainable housing for Valley residents working in the downtown area, attending ASU's downtown campus, or commuting to other parts of the Valley via one of the many nearby transportation options. The Site is located in close proximity to the Eastlake Park and Garfield Neighborhoods, just minutes from the I-10 and light-rail. The development will offer a much-needed attainable housing option that will provide the members of the Phoenix workforce wanting to live close to downtown a quality place to live.

The proposed workforce multifamily community is a compatible use for the infill development located near the downtown Phoenix area with pedestrian access to nearby public transit.

Please contact Ali Bull (602-234-8747, abull@bcattorneys.com), Ricki Horowitz (602-234-8728, rhorowitz@bcattorneys.com), or me (602-234-9913, ebull@bcattorneys.com) if you have questions or need additional information. Thank you for your help and consideration.

Very truly yours,
BURCH & CRACCHIOLO, P.A.

Ed Bull and Ali Bull
For the Firm

² *See* **Exhibit 7**, Street Sections through 16th Street and Polk Street (presuming the PDD's approval of the additional 20%).

Exhibit 1

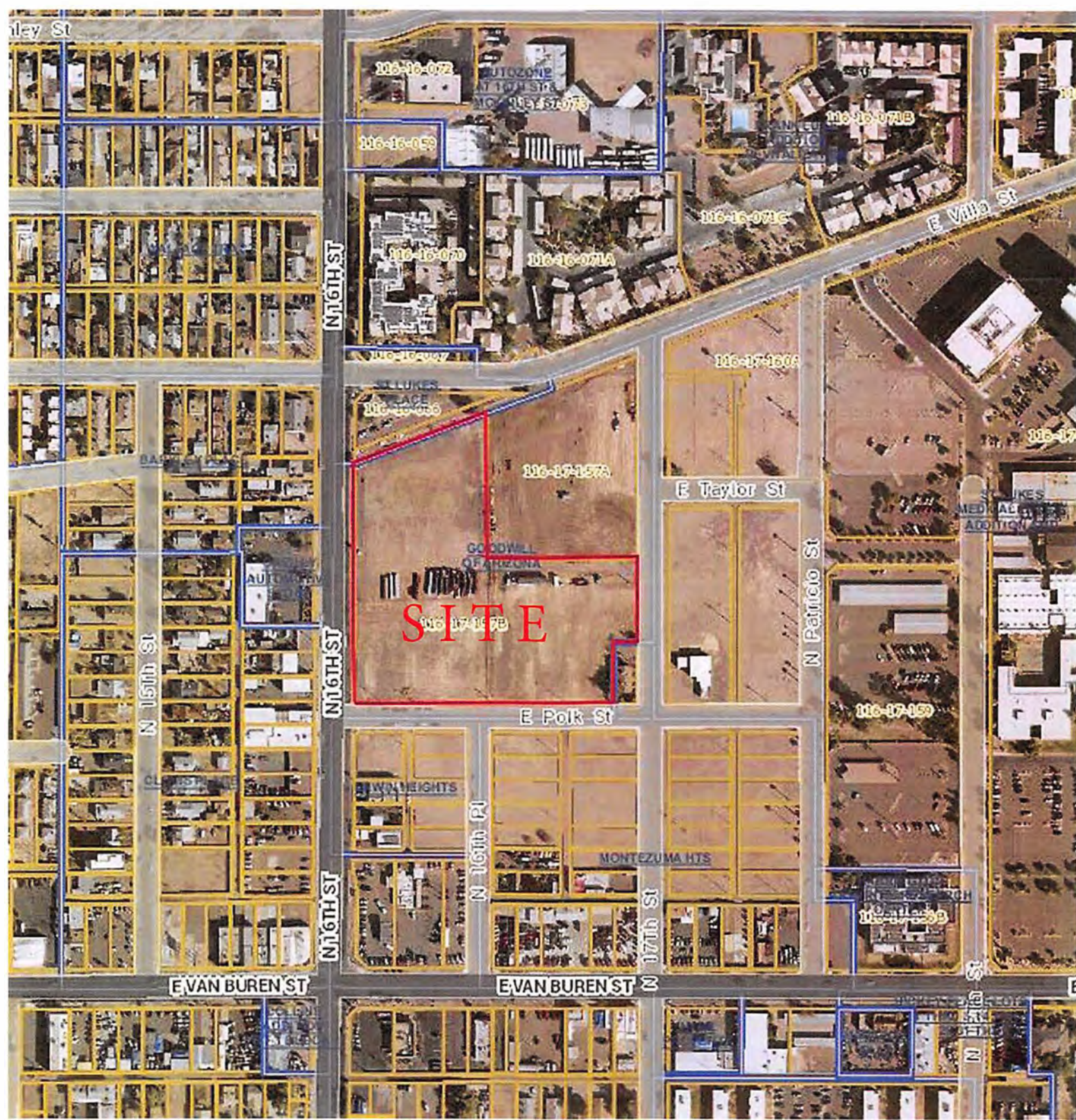


Exhibit 2

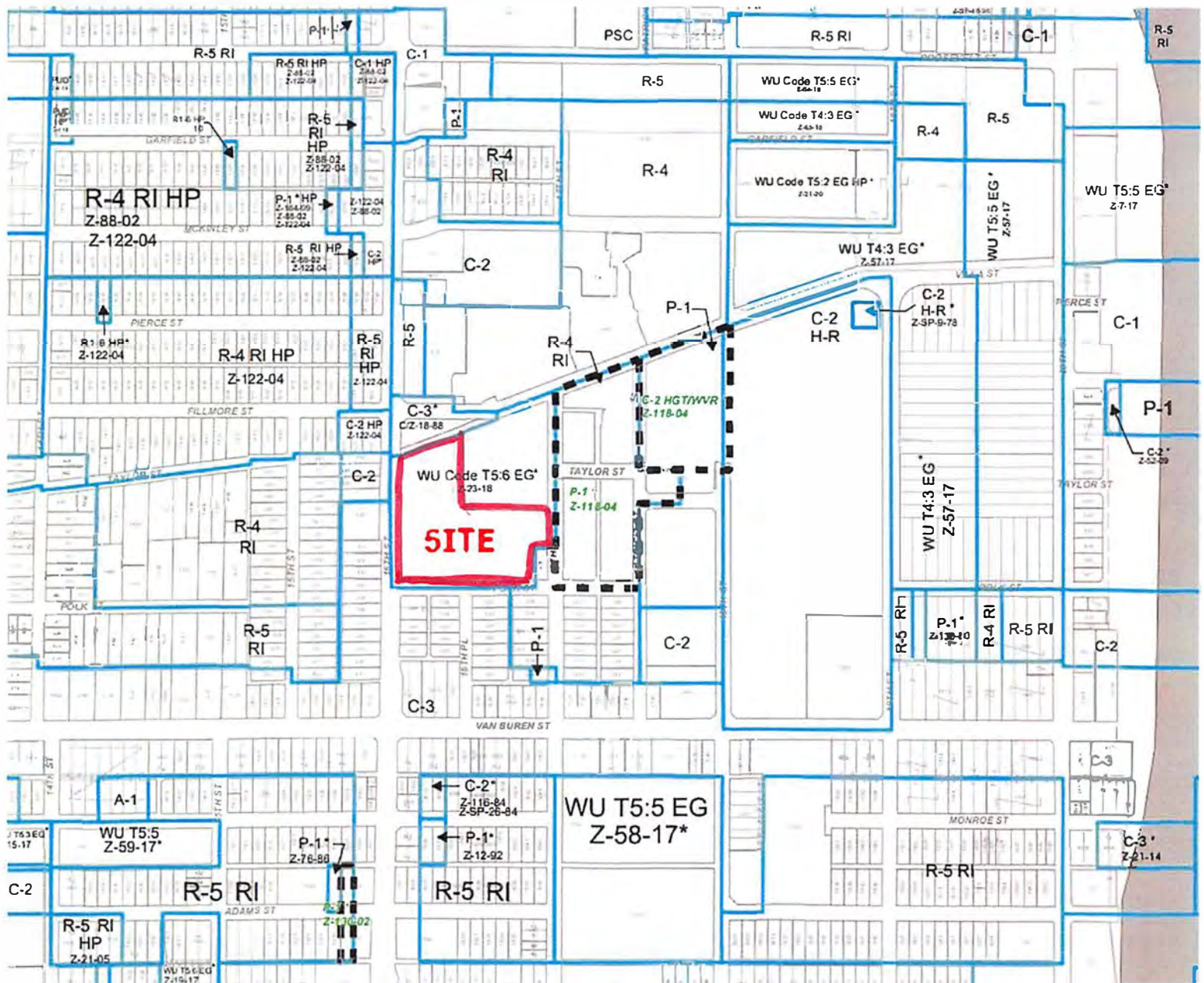


Exhibit 3

ORDINANCE G-6480

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-23-18-8) FROM C-3 (GENERAL COMMERCIAL DISTRICT), R-4 RI (MULTIFAMILY RESIDENCE DISTRICT, RESIDENTIAL INFILL DISTRICT), AND P-1 (PARKING P-1 DISTRICT – PASSENGER AUTOMOBILE PARKING, LIMITED) TO WU CODE T5:6 EG (WALKABLE URBAN CODE, TRANSECT 5:6 DISTRICT, EASTLAKE-GARFIELD CHARACTER AREA).

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

follows:

SECTION 1. The zoning of an approximately 9.18 acre property located at northeast corner of 16th Street and Polk Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-3" (General Commercial District), "R-4 RI" (Multifamily Residence District, Residential Infill District), and "P-1" (Parking P-1 District – Passenger Automobile Parking, Limited) to "WU Code T5:6 EG" (Walkable Urban Code, Transect 5:6 District, Eastlake-Garfield 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 conceptual elevations and site plan shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.**
 - a. Pedestrian access to the site from 16th Street shall be provided in a manner which minimizes walking distances from bus stops and the signalized crossing at Villa Street.**
 - b. Pedestrian access to the site from 16th Street shall connect to the primary entrance of the medical center building without crossing vehicular aisles.**
 - c. Fencing installed along the street frontages for security purposes shall be a minimum of 60% view fencing and shall incorporate artistic elements.**
 - d. The medical clinic (primary building) shall be located adjacent to 16th Street, and the parking structure shall be located adjacent to 17th Street.**
 - e. The surface parking area shall be designed with shaded pedestrian connections to the primary building.**
 - f. All locations where vehicles cross sidewalks shall be designed to recognize the pedestrian environment. This can be accomplished through the use of differentiating paving materials, speed stops and/or pavement markers.**
- 2. There shall be no more than one vehicular entrance from 16th Street.**
- 3. Driveways shall be no greater than 24 feet in width.**
- 4. A minimum of 50% of the required open space shall be located adjacent to the north property line and shall:**
 - a. Be designed so that it can seamlessly appear to connect to the adjacent triangular parcel in the event that parcel is developed/improved as a community open space node.**
 - b. Open space along the northern property line shall not be enclosed by security fencing for the medical clinic.**

- c. **On-site security shall be responsible for the policing of the publicly-accessible open space.**
- 5. **The required cross-block access between 16th Street and 17th Street and Polk Street and Villa Street shall be located to accommodate the security needs of the Veterans Affairs Medical Clinic while still providing a clear, visible and publicly accessible route between the two streets.**
- 6. **Perimeter sidewalks on all street frontages shall be detached, shall not meander, and trees shall be planted on both sides. To the extent possible, the developer should utilize bioswales for storm water capture on these frontages.**
- 7. **The developer shall install, as approved by the Planning and Development Department:**
 - a. **A minimum of 10 inverted-U style bicycle racks for guests, placed near the building's primary entrance and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.**
 - b. **A minimum of 41 secured bicycle parking spaces shall be provided on site.**
- 8. **The developer shall submit a Traffic Impact Study and comply with any required improvements for this development, as approved by the Street Transportation Department. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department at 602-495-7129 to set up a meeting to discuss the requirements of the study.**
- 9. **The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.**
- 10. **The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International 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.**
- 11. **The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.**

12. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
13. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations. The applicant shall conduct Phase II archaeological data recovery excavations 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.
14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
15. The maximum building height for any stand-alone parking garage shall be limited to 68 feet.
16. Any stand-alone parking garage shall be entirely screened, as approved by the Planning and Development Department.
17. Any stand-alone parking garage shall receive Design Review Committee review and approval prior to preliminary site plan approval.

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

PASSED by the Council of the City of Phoenix this 5th day of July, 2018.

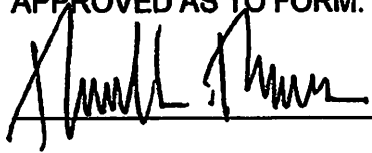

MAYOR

ATTEST:

 City Clerk

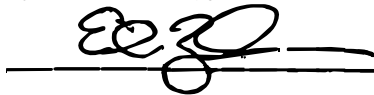


APPROVED AS TO FORM:



Acting City Attorney pm

REVIEWED BY:



City Manager

PL:tmt:LF18-2119:7/5/18:2047940v1

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

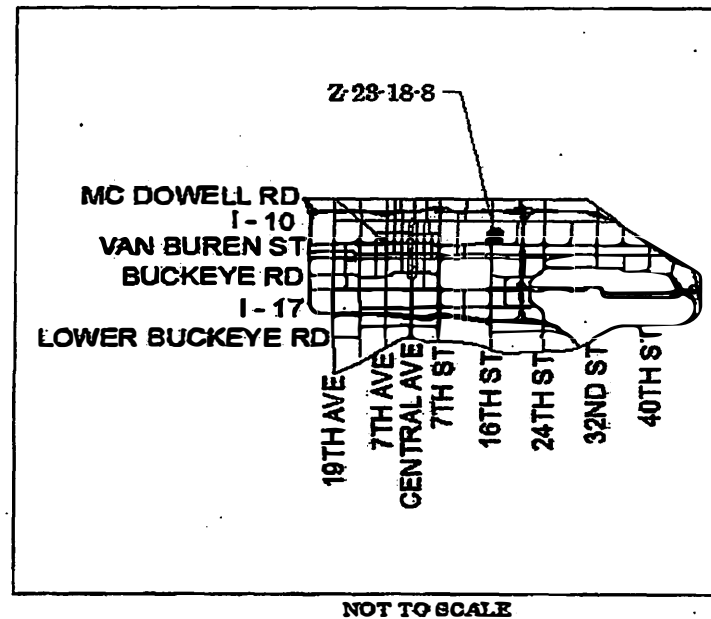
LEGAL DESCRIPTION FOR Z-23-18-8

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1, GOODWILL OF ARIZONA, A COMMERCIAL SUBDIVISION, ACCORDING TO BOOK 743 OF MAPS, PAGE 37, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXHIBIT B

Zoning Case Number: Z-23-18-8
Zoning Overlay: N/A
Planning Village: Central City



Drawn Date: 6/7/2018

\\ns001\GIS\Shared\Department Share\Information Systems\PL GIS\GIS_Team\Core_Functions\Zoning\Supplaps_Overlap\2018_Org\7-5-18\Z-23-18-8.mxd

Exhibit 4

Get help from Veterans Crisis Line

LOCATOR

CONTACT

SEARCH

U.S. Department
of Veterans Affairs<https://www.va.gov>

VA (<http://www.va.gov/>) » Health Care (<http://www.va.gov/health>) » Phoenix VA Health Care System (</index.asp>) » Phoenix VA Outpatient Clinic

Phoenix VA Health Care System

MENU

Phoenix VA Outpatient Clinic

Department of Veterans Affairs Phoenix ...



Spring 2022

The Phoenix VA Outpatient Clinic is a new state-of-the-art facility located at 400 N. 32nd Street, in the Gateway Neighborhood of Phoenix, Arizona. The new facility will consist of approximately 203,000 net usable square feet of clinical space and approximately 1,370 parking spaces. The new facility will enhance the Phoenix Veterans Affairs Health Care System outpatient services by decreasing wait times, improving workload and space gaps as identified in the Strategic Capital Investment Planning (SCIP) process and providing primary care exam room configuration in accordance with the Patient Aligned Care Team model to meet projected demand for services. Clinical services include Primary Care, Mental Health, Specialty and ancillary services.

The Phoenix VA Health Care System is responsible for providing health care and other services to the Veterans in Maricopa, Pinal, Gila and Navajo Counties in the State of Arizona. The Veteran enrollees are projected to continue to grow over the next 20 years. It will provide much needed outpatient space to consolidate Primary Care and Outpatient Mental Health services to decompress the Carl T. Haden VA Medical Center to allow expansion in specialty services.

Location:*400 North 32nd Street (32nd and East Van Buren Street)**Phoenix, Arizona 85008*

Progression:

Phoenix Outpatient Clinic Construction





Frequently Asked Questions:

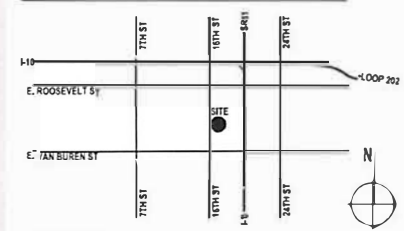
What is the new Phoenix Outpatient Clinic (OPC)?

The Phoenix Outpatient Clinic is a new state-of-the-art facility located at 400 N. 32nd Street, in the Gateway Neighborhood of Phoenix, Arizona. The new facility will consist of approximately 203,000 net usable square feet (NUSF) of clinical space and approximately 1,370 parking spaces. The new facility will enhance the Phoenix Veterans Affairs Health Care System outpatient services by decreasing wait times, improving workload and space gaps as identified in the Strategic Capital Investment Planning (SCIP) process and providing primary care exam room configuration in accordance with the Patient Aligned Care Team (PACT) model to meet projected demand for services. Clinical services include Primary Care, Mental Health, Specialty and ancillary services.

Exhibit 5



VICINITY MAP



APPLICANT

DEVELOPER: GREENHIGHT COMMUNITIES
135 E. INDIAN BEND, SUITE #101
SCOTTSDALE, AZ 85250
DAN RICHARDS / DAN@LIVEGREENHIGHT.COM
480-425-4779

ARCHITECT: WORKSBUREAU, INC.
2524 N. 24TH ST.
PHOENIX, AZ
ROB GASPARD / RGASPARD@WORKSBUREAU.COM
602-351-4444

PROPOSED DEVELOPMENT

PROPERTY ADDRESS: SW CORNER OF N. 16TH STREET AND E. POLK STREET
APN: 116-17-157B
SITE AREA: 5.32 HETACRES (231,739 SF)
ZONING: WU; TRANSECT 756
CURRENT USE: VACANT LAND
PROPOSED USE: MULTI-FAMILY DEVELOPMENT FOR RENT
PHASING: NO PHASING REQUIRED OF DEVELOPMENT
OCCUPANCY: R-2
HEIGHT: 3 STORES / 30'
CONSTRUCTION TYPE: V-B W/ AUTOMATIC SPRINKLER PER NFPA 13
PARKING: CARPARK SIZE PROVIDED 6.5X18 STANDARD
AISLES: AISLE WIDTH 26' TWO WAY; 24' TWO WAY @ NON AERIAL FIRE APPARATUS ACCESS AREAS

DENSITY PROVIDED: 39.5 DU/PER NET ACRE PROVIDED = 210 UNITS

UNITS / CARPARKS:

STUDIO:	72 UNITS (34%)	X 1 =	72
1 BDRM:	72 UNITS (34%) <td>X 1 = <td>72</td> </td>	X 1 = <td>72</td>	72
2 BDRM:	66 UNITS (31%) <td>X 1.5 = <td>99</td> </td>	X 1.5 = <td>99</td>	99
	210 UNITS		243 CARPARKS
			1.14 RATIO

*PER COP ZONING SECTION 702, 10% REDUCTION ALLOWED IN WU ZONING FOR MULTIFAMILY DEVELOPMENTS LOCATED MORE THAN 1,320' FROM LIGHT RAIL STATION

TOTAL CARPARKS PROVIDED: 235 CARPARKS
1.12 RATIO

BUILDING SETBACKS
14'-3" MAX @ PRIMARY STREET FRONTAGES (N. 16TH STREET + N. 17TH STREET)
11'-11" MAX @ SECONDARY STREET FRONTAGES (E. POLK STREET)
0' MIN @ SIDE AND REAR INTERIOR LOT LINES

PARKING SETBACKS
30' MIN @ PRIMARY STREET FRONTAGES
20' MIN @ SECONDARY STREET FRONTAGES
0' MIN @ SIDE AND REAR INTERIOR LOT LINES

WORKSBUREAU
2524 N. 24TH STREET
PHOENIX, AZ 85016
TEL: 602.351.4444

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STREAMLINE 100
PHOENIX, ARIZONA
PHOENIX, AZ 85016

SITE PLAN

27 OCTOBER 2021
DRAWN: ED
CHECKED BY: RS

PROJECT #107
PHO APPLICATION

PHO-01

Exhibit 6



NORTH AND EAST
NTS

- DUNN EDWARDS COLORS:
- ① TANGERINE TANGO DE 5194
RL# 154
 - ② DEEP CRIMSON DEA152
RL# 441
 - ③ CANDLE GLOW DE5191
RL# 110
 - ④ RED ICON DEA104
RL# 193
 - ⑤ WARM WHITE DEW380
RL# 005
 - ⑥ SOFT PUNICE DE6326
RL# 586



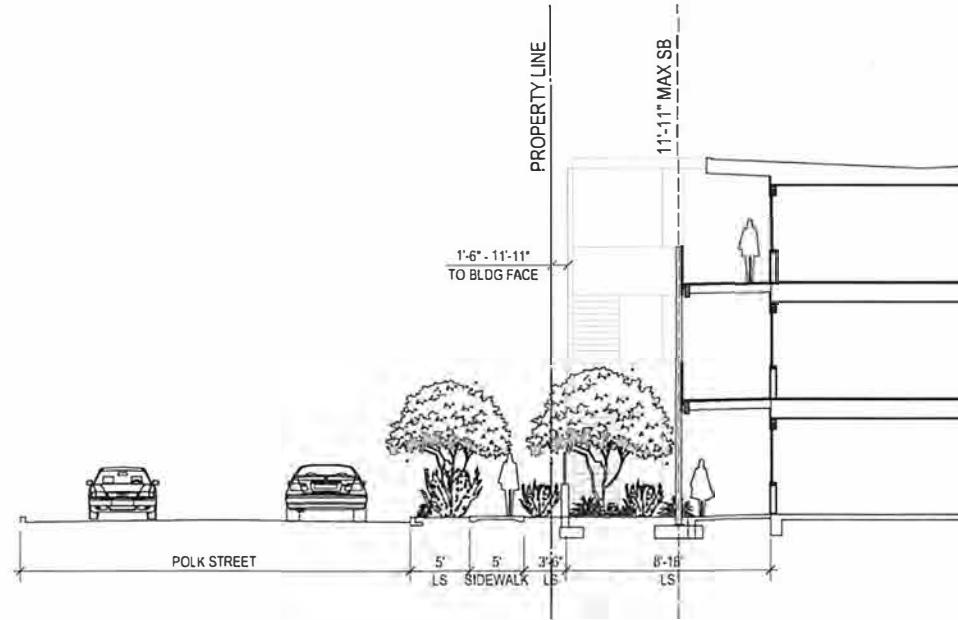
SOUTH
NTS



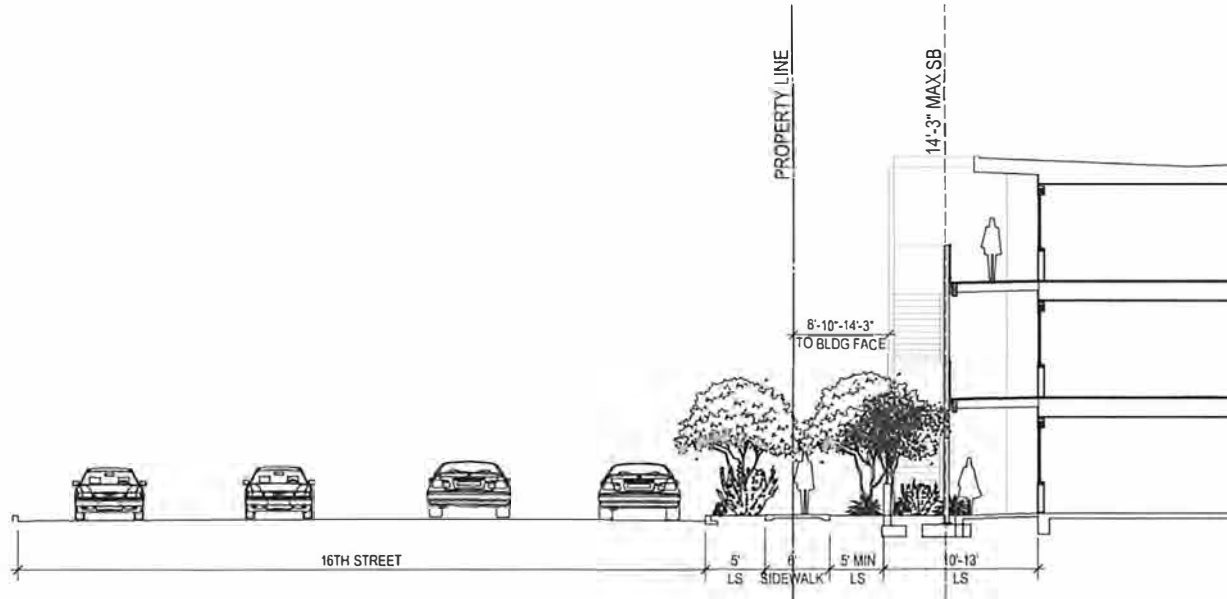
WEST
NTS

REVISION	NO.	DATE	DESCRIPTION
	1		
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Exhibit 7



2 STREET SECTION THRU POLK STREET
 1/8" = 1'-0"



1 STREET SECTION THRU 16TH STREET
 1/8" = 1'-0"

WORKSBUREAU
 224 NORTH 11TH STREET
 PHOENIX, ARIZONA 85004 USA
 TEL: 602.274.6070

NO.	DATE	DESCRIPTION
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1" = 10'-0"
 SHEET SCALE

STREAMLINER 16th
 1600 N. 16TH ST. & E. POLK ST.
 PHOENIX, AZ 85004

STREET SECTIONS

27 OCTOBER 2021
 DRAWN BY: LB
 CHECKED BY: RS

PROJECT #111
 PHO APPLICATION

PHO-03

ORDINANCE G-6480

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-23-18-8) FROM C-3 (GENERAL COMMERCIAL DISTRICT), R-4 RI (MULTIFAMILY RESIDENCE DISTRICT, RESIDENTIAL INFILL DISTRICT), AND P-1 (PARKING P-1 DISTRICT – PASSENGER AUTOMOBILE PARKING, LIMITED) TO WU CODE T5:6 EG (WALKABLE URBAN CODE, TRANSECT 5:6 DISTRICT, EASTLAKE-GARFIELD CHARACTER AREA).

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

follows:

SECTION 1. The zoning of an approximately 9.18 acre property located at northeast corner of 16th Street and Polk Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-3" (General Commercial District), "R-4 RI" (Multifamily Residence District, Residential Infill District), and "P-1" (Parking P-1 District – Passenger Automobile Parking, Limited) to "WU Code T5:6 EG" (Walkable Urban Code, Transect 5:6 District, Eastlake-Garfield 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 conceptual elevations and site plan shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. Pedestrian access to the site from 16th Street shall be provided in a manner which minimizes walking distances from bus stops and the signalized crossing at Villa Street.
 - b. Pedestrian access to the site from 16th Street shall connect to the primary entrance of the medical center building without crossing vehicular aisles.
 - c. Fencing installed along the street frontages for security purposes shall be a minimum of 60% view fencing and shall incorporate artistic elements.
 - d. The medical clinic (primary building) shall be located adjacent to 16th Street, and the parking structure shall be located adjacent to 17th Street.
 - e. The surface parking area shall be designed with shaded pedestrian connections to the primary building.
 - f. All locations where vehicles cross sidewalks shall be designed to recognize the pedestrian environment. This can be accomplished through the use of differentiating paving materials, speed stops and/or pavement markers.
2. There shall be no more than one vehicular entrance from 16th Street.
3. Driveways shall be no greater than 24 feet in width.
4. A minimum of 50% of the required open space shall be located adjacent to the north property line and shall:
 - a. Be designed so that it can seamlessly appear to connect to the adjacent triangular parcel in the event that parcel is developed/improved as a community open space node.
 - b. Open space along the northern property line shall not be enclosed by security fencing for the medical clinic.

- c. On-site security shall be responsible for the policing of the publicly-accessible open space.
- 5. The required cross block access between 16th Street and 17th Street and Polk Street and Villa Street shall be located to accommodate the security needs of the Veterans Affairs Medical Clinic while still providing a clear, visible and publicly accessible route between the two streets.
- 6. Perimeter sidewalks on all street frontages shall be detached, shall not meander, and trees shall be planted on both sides. To the extent possible, the developer should utilize bioswales for storm water capture on these frontages.
- 7. The developer shall install, as approved by the Planning and Development Department:
 - a. A minimum of 10 inverted-U style bicycle racks for guests, placed near the building's primary entrance and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.
 - b. A minimum of 41 secured bicycle parking spaces shall be provided on site.
- 8. The developer shall submit a Traffic Impact Study and comply with any required improvements for this development, as approved by the Street Transportation Department. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department at 602-495-7129 to set up a meeting to discuss the requirements of the study.
- 9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 10. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International 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.
- 11. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.

12. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
13. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations. The applicant shall conduct Phase II archaeological data recovery excavations 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.
14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
15. The maximum building height for any stand-alone parking garage shall be limited to 68 feet.
16. Any stand-alone parking garage shall be entirely screened, as approved by the Planning and Development Department.
17. Any stand-alone parking garage shall receive Design Review Committee review and approval prior to preliminary site plan approval.

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

PASSED by the Council of the City of Phoenix this 5th day of July, 2018.

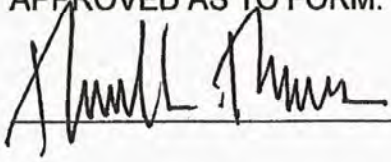
Hilda Williams
MAYOR

ATTEST:

C. Meyer City Clerk

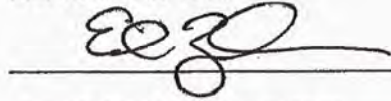


APPROVED AS TO FORM:



Acting City Attorney pml

REVIEWED BY:



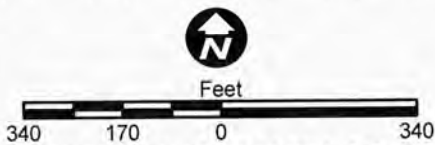
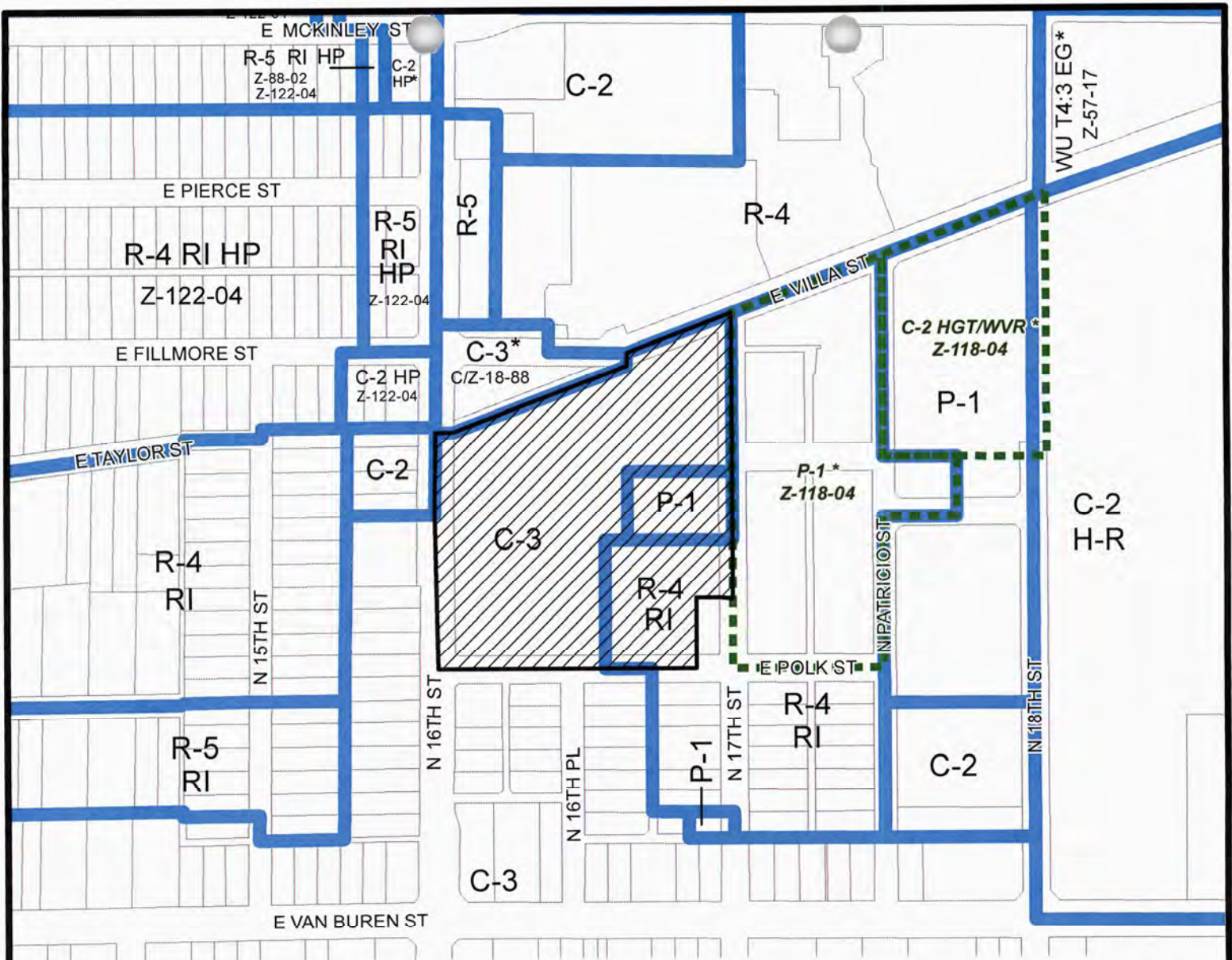
City Manager

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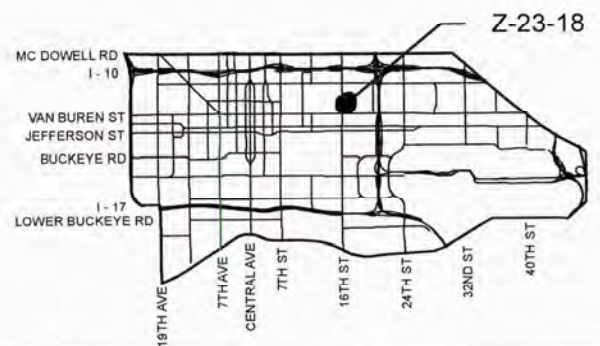
Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)



CENTRAL CITY VILLAGE
CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: Charles Huellmantel / Huellmantel & Affi		REQUESTED CHANGE:	
APPLICATION NO. Z-23-18	DATE: 4/10/2018 REVISION DATES:	FROM P-1 (0.79 a.c.) C-3 (6.88 a.c.) R-4 RI (1.51 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 9.18 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 11-31	ZONING MAP F-9	TO: WU Code T5:6 EG (9.18 a.c.)
MULTIPLES PERMITTED C-3, R-4 RI, P-1 WU Code T5:6 EG	CONVENTIONAL OPTION 100, 52, N/A No Maximum		* UNITS P.R.D. OPTION 119, N/A, N/A N/A

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



PHO-1-21--Z-23-18-8

Property Location: Northeast corner of 16th Street and Polk Street



PHO-1-21--Z-23-18-8

Property Location: Northeast corner of 16th Street and Polk Street

IDA act, all bonds issued by municipalities were required to go to their governed entity and there was no guarantee.

Mr. Harris conveyed if it was a process the State had asked for and the City of Phoenix put their name on it then it was implied by those who bought the bonds the City had at least passed the financial responsibility behind the bonds.

Mr. Salgado responded the City of Phoenix did not have their name on the bonds, it was the Phoenix IDA whose name was on the bonds that were secured by the land being used as collateral.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Gallego, that this item be adopted as corrected. The motion carried by the following vote:

Yes: 7 - Councilman DiCiccio, Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Waring and Mayor Williams

No: 0

Absent: 1 - Councilman Nowakowski

**100 Amend City Code - Ordinance Adoption - Rezoning Application
Z-23-18-8 - Northeast Corner of 16th Street and Polk Street
(Ordinance G-6480)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-23-18-8 and rezone the site from C-3, R-4 RI, and P-1 to WU Code T5:6 EG for a Veterans Affairs Clinic with Medical Offices.

Summary

Current Zoning: C-3, R-4 RI, and P-1

Proposed Zoning: WU Code T5:6 EG

Acreage: 9.18 acres

Proposed Use: Veterans Affairs clinic and medical offices

Owner: 16th & Polk, LLC

Applicant: Huellmantel & Affiliates

Representative: Charles Huellmantel, Huellmantel & Affiliates

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Central City Village Planning Committee heard this case on May 14, 2018 and did not make a recommendation.

PC Action: The Planning Commission heard this case on June 7, 2018 and recommended approval per the staff recommendation with additional stipulations by a 3-2 vote.

Location

Northeast corner of 16th Street and Polk Street.

Council District: 8

Parcel Addresses: 417 and 435 N. 16th St.; and 414 N. 17th St.

Discussion

Councilman Valenzuela noted he had a potential conflict on this item.

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that this item be adopted. The motion carried by the following vote:

Yes: 6 - Councilman DiCiccio, Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams

No: 0

Conflict: 1 - Councilman Valenzuela

Absent: 1 - Councilman Nowakowski

102 Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-MV-2-18-5 - Northeast Corner of SR-101 and Indian School Road (Companion Case Z-16-18-5) (Resolution 21658)

Request to hold a public hearing on the General Plan Amendment request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This is a companion case to Z-16-18-5 and related to Z-19-F-00-5.

Summary

Planning Commission Minutes for June 7, 2018

Item #: 11
Application #: Z-23-18-8
From: C-3, R-4 RI, and P-1
To: WU Code T5:6 EG
Acreage: 9.18
Location: Northeast corner of 16th Street and Polk Street
Proposal: VA Clinic with medical offices
Applicant: Huellmantel & Affiliates
Owner: 16th & Polk, LLC
Representative: Charles Huellmantel

Chairman Johnson and Commissioner Whitaker recused themselves from Z-23-18-8.

Ms. Racelle Escolar presented Item No. 11, Z-23-18-8, a request to rezone 9.18 acres located at the northeast corner of 16th Street and Polk Street from C-3 (General Commercial District), R-4 RI (Multifamily Residence, Residential Infill District), and P-1 (Limited Passenger Automobile Parking District) to Walkable Urban Code Transect 5:6 District in the Transit Eastlake-Garfield Character Area to allow a Veterans Affairs clinic with medical offices.

The Central City Village Planning Committee did not provide a recommendation. There was a motion to deny the request, however the motion failed by a 7 to 9 vote.

Staff recommends approval subject to the stipulations in the Staff Report.

Chairwoman Katsenes stated that no cards were received in opposition, but the applicant's representation was present. She stated that we could forgo the presentation, but have him available for questions. She stated that Commissioner Glenn had some additional stipulations that he wanted to discuss.

Commissioner Glenn stated he would like to modify one stipulation and adding a couple of additional stipulations. He explained that form based planning and zoning has been a project of his in the last decade, so he takes extra care with these cases.

Commissioner Glenn stated that he would propose:

Stipulation No. 6: Sidewalks on ~~16th Street and 17th Street~~ ALL STREET frontages shall be detached, shall not meander, and trees shall be planted on both sides. To the extent possible, the developer should utilize bioswales for stormwater capture on these frontages.

STIPULATION NO. 15: THE MAXIMUM BUILDING HEIGHT FOR ANY STANDALONE PARKING GARAGE SHALL BE LIMITED TO 68 FEET.

STIPULATION NO. 16: ANY STANDALONE PARKING GARAGE SHALL BE ENTIRELY SCREENED, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

STIPULATION NO. 17: ANY STANDALONE PARKING GARAGE SHALL RECEIVE DESIGN REVIEW COMMITTEE REVIEW AND APPROVAL PRIOR TO PRELIMINARY SITE PLAN APPROVAL.

Commissioner Glenn stated the impetus of Stipulation No. 17 is, he cannot expect the applicant to have the garage designed this early in the stage and who knows if they will get the VA (Veterans Affairs) at this site, but as we move forward, a seven-story parking garage is a big daunting mass and he wanted to make sure that it is appropriately designed. He would like to see some active uses at the ground level, that will engage the community around it.

Chairwoman Katsenes asked the applicant if these stipulations were agreeable.

Mr. Charles Huellmantel stated they were agreeable.

Commissioner Glenn made a MOTION to approve Z-23-18-8, per the staff recommendation with additional stipulations and a modified stipulation, as read into the record:

Stipulation No. 6: Sidewalks on ~~16th Street and 17th Street~~ ALL STREET frontages shall be detached, shall not meander, and trees shall be planted on both sides. To the extent possible, the developer should utilize bioswales for stormwater capture on these frontages.

STIPULATION NO. 15: THE MAXIMUM BUILDING HEIGHT FOR ANY STANDALONE PARKING GARAGE SHALL BE LIMITED TO 68 FEET.

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STIPULATION NO. 17: ANY STANDALONE PARKING GARAGE SHALL RECEIVE DESIGN REVIEW COMMITTEE REVIEW AND APPROVAL PRIOR TO PRELIMINARY SITE PLAN APPROVAL.

Commissioner Shank SECONDED.

Commissioner Wininger stated that she doesn't agree that this is the appropriate development for the parcel so she won't be voting yes.

Commissioner Shank questioned whether the 32nd Street and Van Buren Street site would be subject to the same criteria as the subject case to make sure there is a level playing field.

Ms. Escolar stated that the 32nd Street and Van Buren Street site is a competing site and only one of them will be developed by the Department of Veterans Affairs.

Commissioner Glenn stated that the 32nd Street and Van Buren Street site was granted Walkable Urban Code T5:7 status and the 16th Street and Polk site is applying for T5:6.

Chairwoman Katsenes asked if this was a Veterans Affairs clinic and medical offices.

Ms. Escolar stated that this was a Veterans affairs medical clinic.

Commissioner Glenn stated that it was 50/50 whether or not this site would get selected. That is not our purview. He agreed that the parcel should be absorbed into

the Walkable Urban Code since it is currently C-3. It is difficult to make it walkable due to the restrictions the Veterans Affairs puts on its sites.

Commissioner Shank stated that she wanted to make sure it's a level playing field by not giving special zoning and stipulations to one government site over another.

Commissioner Montalvo questioned the criteria of the project.

Ms. Escobar stated that the Veterans Affairs has certain criteria that needs to be met.

Mr. Huellmantel, responded that the specifications for each site are unique, and that the stipulations for this specific site are fair.

Commissioner Katsenes asked for staff to reread the stipulations.

There being no further discussion, Chairwoman Katsenes called for a roll call vote and the MOTION FAILED 2-3 (Montalvo, Shank, and Wininger) (Johnson and Whitaker recused) (Heck absent).

Mr. Huellmantel asked for the opportunity to present before another motion was made.

Chairwoman Katsenes agreed.

Mr. Huellmantel provided a presentation. He stated that there have been questions regarding the other site and he was not in a position to answer those questions. The site is currently a mix of different zoning categories, but primarily C-3. C-3 allows significant uses. Part of the discussion today is what we are offering is to not have C-3 in this area. We think that is relevant particularly pointing to Reinvent Phoenix. Reinvent Phoenix has looked significantly at this area. It is part of the Eastlake Garfield Transit Oriented District Policy. The city has looked at this site as an asset. The site was formerly a Goodwill building. Today the site sits vacant. The site is outside the Transit Oriented District, but not very far.

Mr. Huellmantel stated that based on their research, that this was a good place for a healthcare cluster. The proximity to St. Luke's and this hospital, will not only bring development to the area, but probably further medical use. Which is one of the things the city has planned for, for some time. Specifically, this facility would bring 1,000 full time jobs in a variety of fields. It would generate a 1.6 million dollars in property taxes and the 124-million-dollar development would create construction jobs.

Mr. Huellmantel stated the Eastlake Garfield Transit Oriented District Policy Plan looked at this space as it did with the hospital. It was seen as a hospital use. As you try to make an area more walkable, that is one of things the city gets out of this particular plan. It is a walkable plan. The denser the product, the more walkable it will be. The more you spread things out, the less walkable it will be. Yes, we had a parking structure that started as eight stories, but we have worked today to bring it down to seven stories. We have worked hard to combine both the need to make the site more walkable and dense, and fit into the community. We did not assume this would be a great place for healthcare, we found that as part of the city's plan.

We have been working over the last several months with staff to come up with a plan

that is better. One of the things in the packet is we have to come back and work on the design of the garage. We think that is a good thing. We think it is good that the federal government will have to come back and work with the local community for the final design. The site plan we have today is different in many ways. We have detached sidewalks with landscaping. We have reduced the height of the garage to make sure there is an art component. The site plan is a work in progress.

Mr. Huellmantel stated they are asking for the zoning. The stipulations confirm that the building they will get, will meet the criteria of the Walkable Urban Code. The city has spent a lot of time creating a code, and standards, that we believe will work.

Mr. Huellmantel stated that he would answer any questions.

Chairwoman Katsenes stated that she wanted to apologize to her fellow commissioners because she did not give the applicant an opportunity to waive his opportunity to give the presentation at the beginning.

Ms. Escobar stated that staff is supportive of the Walkable Urban Code at this location. It is within the Reinvent Phoenix area. The height is also supported because it is in close proximity to the hospital campus. Regardless of the use that they are proposing, it is not what we are considering. We are encouraging a Walkable Urban Code here and we are not stipulating to a specific site plan or any particular use.

Chairwoman Katsenes asked if there were any additional motions that anyone would like to make.

Commissioner Glenn asked if he could make an attempt at the same motion.

Ms. Escobar stated that the motion needed to be slightly different.

Commissioner Glenn made a MOTION to approve Z-23-18-8, per the staff recommendation with additional stipulations and a modified stipulation, as read into the record:

Stipulation No. 6: PERIMETER sidewalks on ~~the 16th Street and 17th Street~~ ALL STREET frontages shall be detached, shall not meander, and trees shall be planted on both sides. To the extent possible, the developer should utilize bioswales for stormwater capture on these frontages.

Stipulation No. 7.b:

A minimum of ~~40~~ 41 secured bicycle parking spaces shall be provided on site.

STIPULATION NO. 15: THE MAXIMUM BUILDING HEIGHT FOR ANY STANDALONE PARKING GARAGE SHALL BE LIMITED TO 68 FEET.

STIPULATION NO. 16: ANY STANDALONE PARKING GARAGE SHALL BE ENTIRELY SCREENED, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

STIPULATION NO. 17: ANY STANDALONE PARKING GARAGE SHALL RECEIVE DESIGN REVIEW COMMITTEE REVIEW AND APPROVAL PRIOR TO PRELIMINARY SITE PLAN APPROVAL.

Commissioner Shank SECONDED.

Commissioner Wininger stated that this project does not fit the Walkable Urban Code, and that the Village denied it and therefore she cannot support it.

Commissioner Glenn stated that the motion was to deny it, but the motion failed 7-9.

Commissioner Shank stated that her real concern was that both sites should have a level playing field and she has changed her decision accordingly.

There being no further discussion, Chairwoman Katsenes called for a vote and the MOTION PASSED 3-2 (Montalvo and Wininger) (Johnson and Whitaker recused) (Heck absent).

Stipulations:

1. The conceptual elevations and site plan shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. Pedestrian access to the site from 16th Street shall be provided in a manner which minimizes walking distances from bus stops and the signalized crossing at Villa Street.
 - b. Pedestrian access to the site from 16th Street shall connect to the primary entrance of the medical center building without crossing vehicular aisles.
 - c. Fencing installed along the street frontages for security purposes shall be a minimum of 60% view fencing and shall incorporate artistic elements.
 - d. The medical clinic (primary building) shall be located adjacent to 16th Street, and the parking structure shall be located adjacent to 17th Street.
 - e. The surface parking area shall be designed with shaded pedestrian connections to the primary building.
 - f. All locations where vehicles cross sidewalks shall be designed to recognize the pedestrian environment. This can be accomplished through the use of differentiating paving materials, speed stops and/or pavement markers.
2. There shall be no more than one vehicular entrance from 16th Street.

3. Driveways shall be no greater than 24 feet in width.
4. A minimum of 50% of the required open space shall be located adjacent to the north property line and shall:
 - a. Be designed so that it can seamlessly appear to connect to the adjacent triangular parcel in the event that parcel is developed/improved as a community open space node.
 - b. Open space along the northern property line shall not be enclosed by security fencing for the medical clinic.
 - c. On-site security shall be responsible for the policing of the publicly-accessible open space.
5. The required cross block access between 16th Street and 17th Street and Polk Street and Villa Street shall be located to accommodate the security needs of the Veterans Affairs Medical Clinic while still providing a clear, visible and publicly accessible route between the two streets.
6. PERIMETER sidewalks on ~~the 16th Street and 17th Street~~ ALL STREET frontages shall be detached, shall not meander, and trees shall be planted on both sides. To the extent possible, the developer should utilize bioswales for stormwater capture on these frontages.
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 - b. A minimum of 40 41 secured bicycle parking spaces shall be provided on site.
8. The developer shall submit a Traffic Impact Study and comply with any required improvements for this development, as approved by the Street Transportation Department. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department at 602-495-7129 to set up a meeting to discuss the requirements of the study.
9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International 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.

11. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
12. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
13. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations. The applicant shall conduct Phase II archaeological data recovery excavations 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.
14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
15. THE MAXIMUM BUILDING HEIGHT FOR ANY STANDALONE PARKING GARAGE SHALL BE LIMITED TO 68 FEET.
16. ANY STANDALONE PARKING GARAGE SHALL BE ENTIRELY SCREENED, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
17. ANY STANDALONE PARKING GARAGE SHALL RECEIVE DESIGN REVIEW COMMITTEE REVIEW AND APPROVAL PRIOR TO PRELIMINARY SITE PLAN APPROVAL.

* * *

3. Public comments concerning items not on the agenda.

There were no public comments.

4. Z-23-18-8: Presentation, discussion, and possible recommendation to rezone the northeast corner of 16th Street and Polk Street from C 3 (General Commercial), P-1 (Passenger Automobile Parking, Limited), and R-4 RI (Multifamily Residence District Residential Infill Multifamily Residential) to WU T5:6 EG (Walkable Urban Code Transect 5:6 Transit Eastlake-Garfield Character Area) to allow a medical clinic and offices.

Shannon Dubasik, Tiffany Halperin, Eva Olivas, and Janey Pearl Starks arrived at this time bringing the quorum to 16 members.

Katherine Coles presented an overview of the proposal. She stated that the applicant has been meeting with staff to discuss how the site could be designed utilizing the requirements of the Walkable Urban Code, while still meeting the requirements outlined by the Veteran's Administration for the design of a medical clinic. Ms. Coles noted that the location is within the Eastlake-Garfield TOD Policy Plan and is located next to the existing St. Luke's medical campus.

Ms. Coles outlined the three findings regarding the rezoning request:

- The proposal is consistent with the General Plan Land Use designation of Commercial.
- The development of a medical clinic will provide a high intensity employment use in the Edison Priority Development area/Choice Neighborhood Area in the Eastlake-Garfield TOD District.
- The proposed building height is supported at this location specifically due to the intent to develop a multi-story medical clinic.

Staff recommends approval, subject to stipulations outlined in the staff report that are intended to encourage a pedestrian-focused development.

The applicant's representative, Charles Huellmantel, provided a presentation about the request and noted that there are two potential sites for the Veteran's Administration's community based out-patient clinic that will reach approximately 100,000 veterans in central Arizona.

Charles Huellmantel noted how the request is consistent with the Eastlake-Garfield TOD Policy Plan and described the site plan changes that were done to make the site more walkable and pedestrian-friendly.

Chairman Sweat opened up the floor for committee questions.

Tiffany Halperin said that Katherine Coles has done some great work to make this project as walkable as possible; however, this type of use is focused on vehicles and should not be supported in this location. The Garfield and Eastlake District have sidewalk infrastructure that is good for walking and there are more destinations coming into the neighborhood. The Veteran Administrations project is not a pro-walking program particularly because of their security setbacks and parking needs.

Louisa Stark asked what the differences are from this location versus the other location at 32nd and Van Buren. Mr. Huellmantel noted that this location is adjacent to the St. Luke's Medical Campus and the medical use is supported within the Eastlake-Garfield TOD Policy Plan. Ms. Stark stated that in the Choice Neighborhood work they envisioned this site having small restaurants and shops connected to the Choice Neighborhood developments and not a large block of buildings.

Dana Johnson stated that he was disturbed by the fact that there are two sites that are getting the rezoning and they have entitled another property with the appropriate zoning.

Katherine Coles noted that the stipulations for this site could apply to other developments and that the Walkable Urban Code would carry the development standards for the site. Dana Johnson responded that it wouldn't be terrible to have the walkable urban code zoning on this site even if the Veteran Administration does not develop this site.

Charles Huellmantel explained that it would be beneficial to have the various medical uses clustered together in one area that is near patients and the light rail.

Motion:

Dana Johnson made a motion to approve per staff's recommendation with a second by Patrick Panetta.

Tiffany Halperin reiterated that the Veteran Administration medical clinic is not a good use for this neighborhood or walkable district.

Bob Graham stated that it is strange to approve the zoning for a site when you know there will likely need to be variances for this development with the Walkable Urban Code zoning. A PUD might be more appropriate.

Calvin Goode noted that there need to be more medical uses in the area and is supportive.

Sean Sweat stated that he does not feel that the site is appropriate for the VA clinic and the other site is more appropriate.

Vote:

The motion was denied with a vote of 7-9.

There were no other motions put on the floor and therefore there was no action on the item.

5. Z-TA-1-18: Presentation, discussion and possible recommendation on a request to amend Section 1204.D. (Land Use Matrix) of the Phoenix Zoning Ordinance to allow Tattoo/Body-Piercing in the Evans Churchill East Character Area.

David Simmons presented an overview of the request, which is to add Tattoo/Body-Piercing as a permitted use in the Evans Churchill East Character Area in the Downtown Code. The use is permitted in the Evans Churchill West Character Area. Staff recommends approval of the request.

The applicant noted that the change is needed for the Golden Rule Tattoo Shop to move into a bungalow that is in the Evans Churchill East Character Area. They are currently in the Evans Churchill West Character Area where the use is permitted.

There were six cards submitted in favor of the request.

Motion:

Eva Olivas made a motion to approve per staff's recommendation with a second by Bryan Bazley.

Vote:

The motion was approved with a vote of 16-0.

6. Z-TA-2-18: Presentation, discussion, and possible recommendation on a text amendment to the Zoning Ordinance regarding the hours of operation for nonprofit medical marijuana dispensary facilities.

Hannah Bleam presented the recommendation and noted that currently, nonprofit medical marijuana dispensaries in the City can be open from 8am to 7pm. However, many dispensaries have received variances to extend their operating hours and that City staff recommend that a text amendment is the best long-term