



# Agenda

## City Council Formal Meeting

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Wednesday, February 1, 2023

2:30 PM

phoenix.gov

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**\*\*\*REVISED JAN. 31, 2023\*\*\***

**Item Revised: 34**

### 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=eff1fb766a01c367d3157cbef1f6aec5c>

- **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 2554 536 8459# (for English) or 2558 868 5324# (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.

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**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 2558 868 5324#. 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 2558 868 5324#). 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**

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**REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS****000 CITIZEN COMMENTS****ADJOURN**





Report

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Agenda Date: 2/1/2023, Item No. 1

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**Mayor and Council Appointments to Boards and Commissions**

**Summary**

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

**Responsible Department**

This item is submitted by the Mayor's Office.

ATTACHMENT A



**City of Phoenix**

**To:** City Council  
**From:** Mayor Kate Gallego

**Date:** February 1, 2023

**Subject:** BOARDS AND COMMISSIONS – APPOINTEES

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

**Camelback East Village Planning Committee**

Councilmember Carlos Garcia recommends the following for appointment:

John Baumer

Mr. Baumer is the Director of Government Relations at the Arizona Society of Certified Public Accountants and a resident of District 8. He fills a vacancy for a partial term to expire November 19, 2023.

Sharon Schmieder

Ms. Schmieder is the Founder of KMF Real Estate and a resident of District 8. She fills a vacancy for a partial term to expire November 19, 2023.

**Mayor's Human Trafficking Task Force**

I recommend the following for appointment:

Rachelle Lumpp

Ms. Lumpp is the Anti-Human Trafficking Program Manager in the Office of the Attorney General. She replaces Zora Manjencich.

Claire Merkel

Ms. Merkel is the Senior Director of Arizona Programs at the McCain Institute.

## **Phoenix Business and Workforce Development Board**

I recommend the following for appointment:

### Kevin Parker

Mr. Parker is the Vice President of Precision Oncology Business Operations at Exact Sciences. He fills a Business vacancy for a term to expire June 30, 2025.

## **Phoenix Deferred Compensation Board/Post Employment Healthcare Plan Board**

I recommend the following for appointment:

### Jon Super

Mr. Super is an Investment Manager in the City of Phoenix Finance Department. He replaces Andrew Durket for a term to expire September 20, 2024.



**Liquor License - Special Event - WR Marksman Club, Inc.**

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

**Summary**

Applicant

Arthur Garcia

Location

4044 W. Black Canyon Blvd.

Council District: 1

Function

Awards Presentation

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

March 1, 2023 - 5 p.m. to 11 p.m. / 400

March 2, 2023 - 5 p.m. to 11 p.m. / 100

March 3, 2023 - 5 p.m. to 11 p.m. / 250

March 4, 2023 - 5 p.m. to 11 p.m. / 400

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 - Duelies Bar & Grill

Request for a liquor license. Arizona State License Application 222878.

### Summary

#### Applicant

Amy Nations, Agent

#### License Type

Series 12 - Restaurant

#### Location

7000 E. Mayo Blvd., Building 18, Ste. 1072

Zoning Classification: PUD PCD

Council District: 2

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

The 60-day limit for processing this application is Feb. 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.

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Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"This business owner has operated many successful business before. This will be his first in Arizona. He has already taken his certified Arizona basic and management liquor training classes and will require his employees to take the training as well."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"The dueling piano concept is a business currently in the area and will be a perfect fit. With great food and entertainment, it will soon be a favorite in the area."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Duelies Bar & Grill

Liquor License Map - Duelies Bar & Grill

**Responsible Department**

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

# Liquor License Data: DUELIES BAR & GRILL

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	7	5
Liquor Store	9	2	2
Hotel	11	1	1
Restaurant	12	24	21

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.62	19.10	28.34
Violent Crimes	11.03	1.88	1.69

\*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

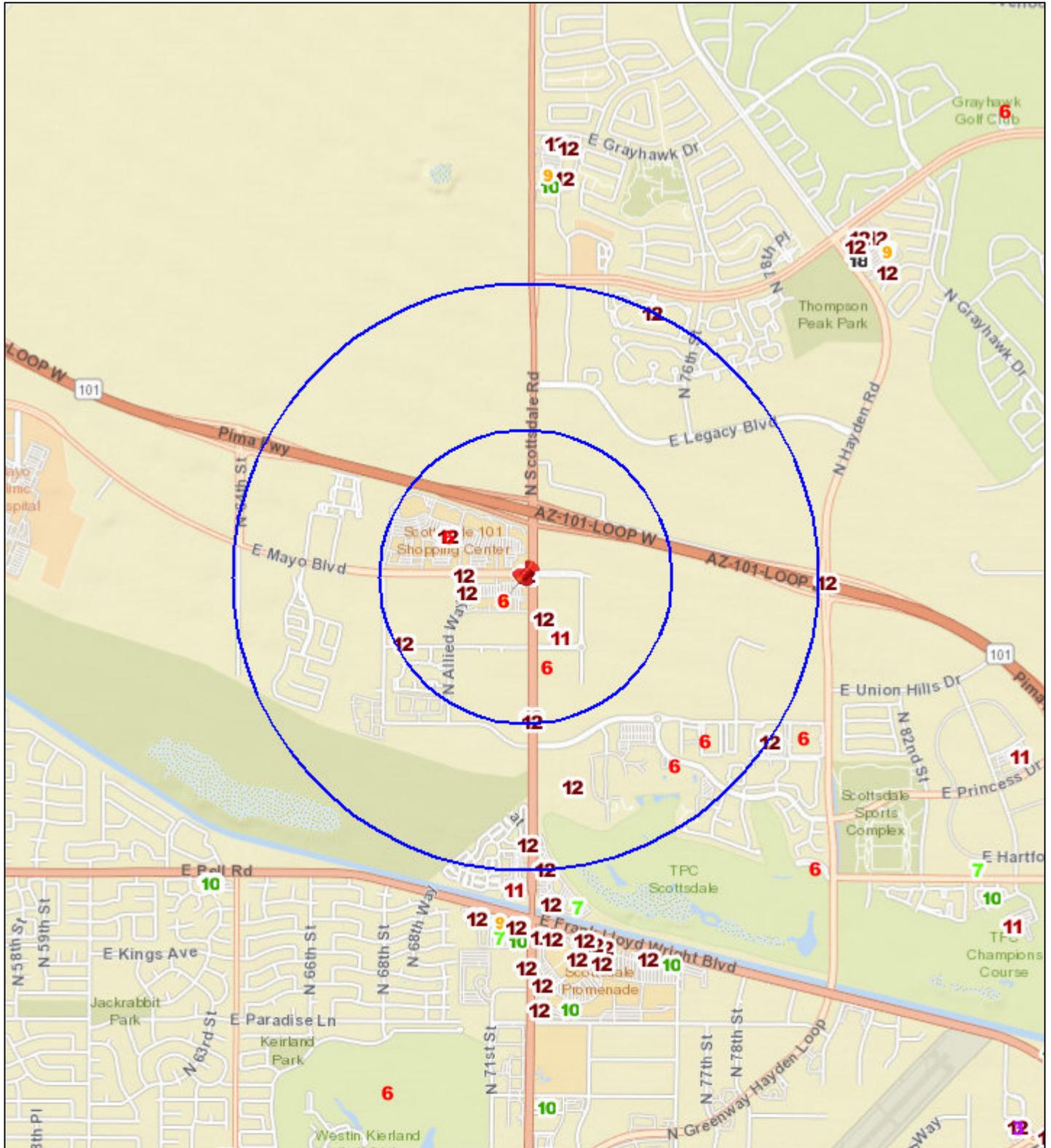
Description	Average	1/2 Mile Average
Parcels w/Violations	51	1
Total Violations	90	1

## Census 2010 Data 1/2 Mile Radius

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

# Liquor License Map: DUELIES BAR & GRILL

7000 E MAYO BLVD



Date: 1/25/2023





## Liquor License - Xtaz Imports

Request for a liquor license. Arizona State License Application 222087.

### Summary

#### Applicant

George Stantchev, Agent

#### License Type

Series 4 - Wholesaler

#### Location

12620 N. Cave Creek Road, Ste. 6

Zoning Classification: C-2

Council District: 3

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 Feb. 11, 2023.

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

#### Other Active Liquor License Interest in Arizona

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

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applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
“We are an importer of of high quality branded liquors, we apply for wholesale license only.”

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 - Pizza Hut #40981

Request for a liquor license. Arizona State License Application 222103.

### Summary

#### Applicant

Theresa Morse, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

17 E. Dunlap Ave., Ste. 101

Zoning Classification: C-2

Council District: 3

This request is for a new liquor license for a beer and wine store. 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 Feb. 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take out pizza. The owners have area coaches to provide oversight to all establishments and will comply will all city, county and state laws."

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

"The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many year sand will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is in the best interest."

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 - Pizza Hut #40981

Liquor License Map - Pizza Hut #40981

**Responsible Department**

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

## Liquor License Data: PIZZA HUT #40981

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	119.18	150.31
Violent Crimes	10.91	28.95	37.57

\*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

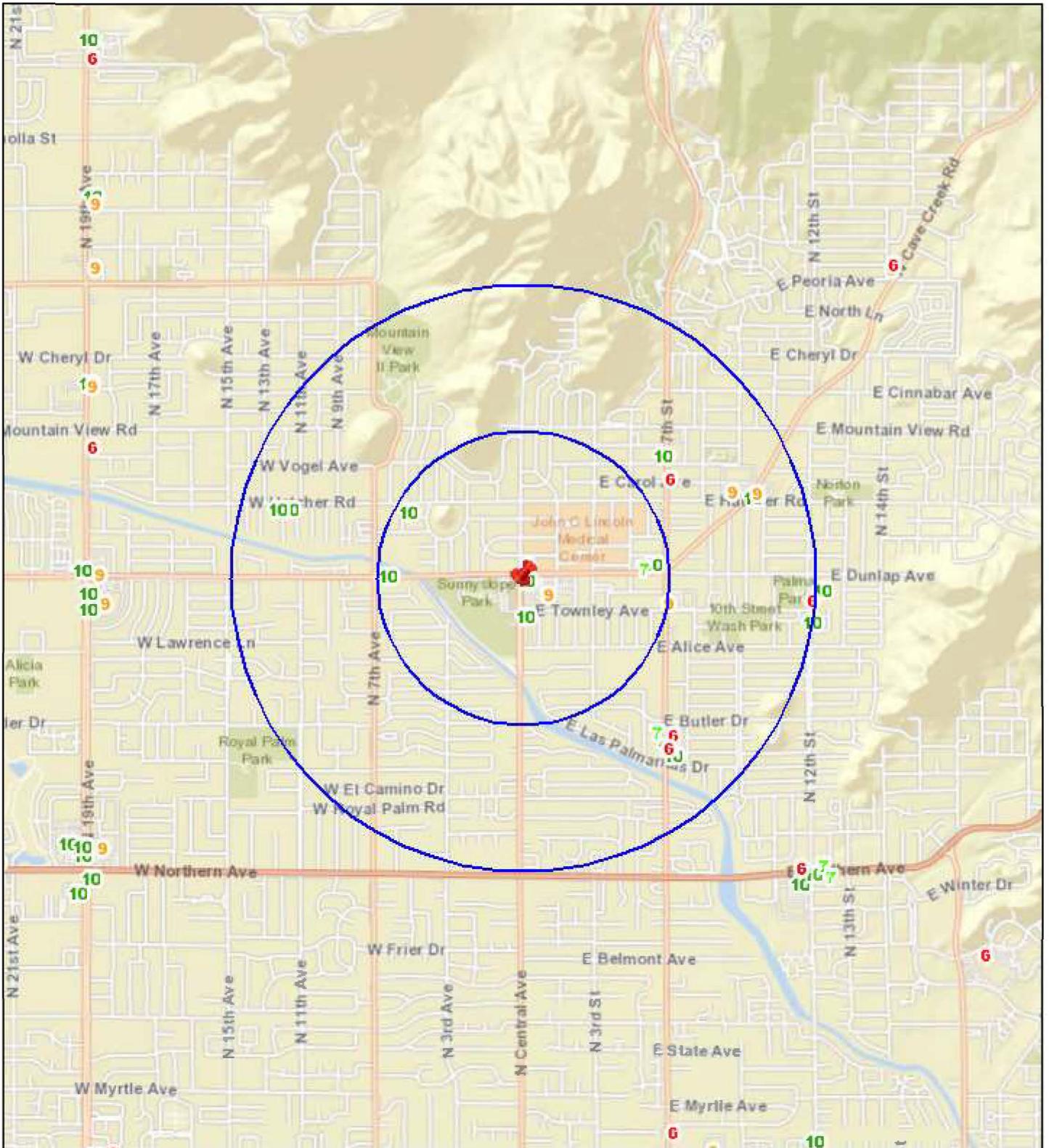
Description	Average	1/2 Mile Average
Parcels w/Violations	51	109
Total Violations	89	219

### Census 2010 Data 1/2 Mile Radius

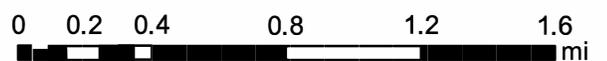
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1046001	1767	43 %	21 %	27 %
1046002	1676	20 %	20 %	39 %
1046003	1165	68 %	20 %	35 %
1047011	1012	13 %	34 %	21 %
1047022	1519	49 %	28 %	42 %
1052003	1140	66 %	15 %	17 %
1053001	1959	84 %	11 %	9 %
1053002	1704	34 %	25 %	42 %
1053003	1205	96 %	9 %	0 %
Average		61 %	13 %	19 %

# Liquor License Map: PIZZA HUT #40981

17 E DUNLAP AVE



Date: 12/15/2022





## Liquor License - Urban Chilli

Request for a liquor license. Arizona State License Application 220013.

### Summary

#### Applicant

Vishnu Kotta, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

18425 N. 19th Ave., Ste. 110

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.

The 60-day limit for processing this application is Feb. 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 am assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

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

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 - Urban Chilli

Liquor License Map - Urban Chilli

**Responsible Department**

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

# Liquor License Data: URBAN CHILLI

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	172.69	102.97
Violent Crimes	10.91	20.51	17.30

\*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

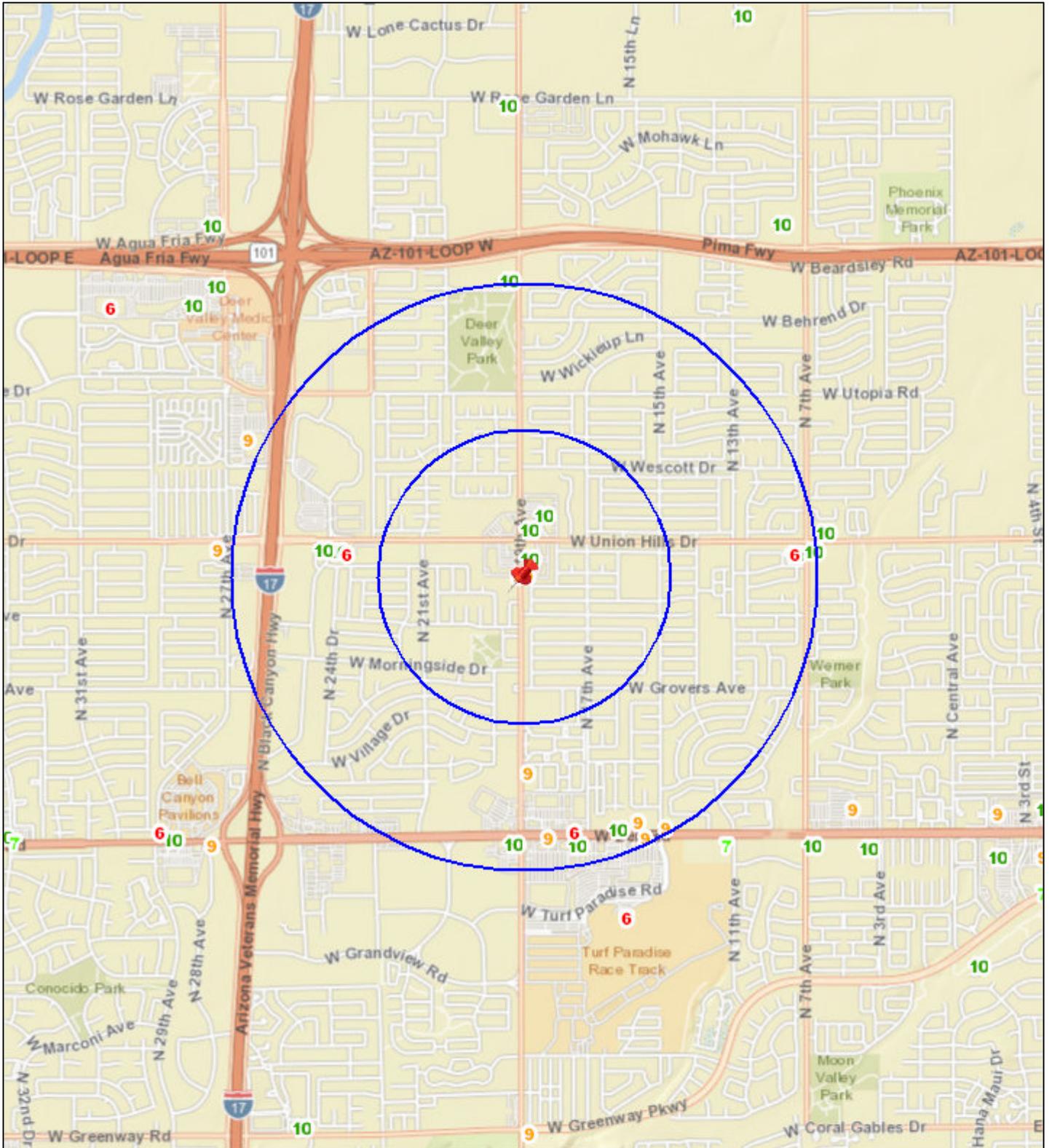
Description	Average	1/2 Mile Average
Parcels w/Violations	51	95
Total Violations	89	201

### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6165003	1763	75 %	16 %	5 %
6166002	1144	73 %	3 %	4 %
6166004	1427	89 %	3 %	4 %
6186001	1474	89 %	8 %	17 %
6186002	1570	20 %	22 %	43 %
6186003	1177	89 %	11 %	24 %
6187001	1478	79 %	7 %	13 %
6187002	1468	61 %	7 %	20 %
6188001	893	63 %	6 %	18 %
Average		61 %	13 %	19 %

# Liquor License Map: URBAN CHILLI

18425 N 19TH AVE



Date: 12/9/2022





## Liquor License - Bassh Inc.

Request for a liquor license. Arizona State License Application 06070170.

### Summary

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 6 - Bar

#### Location

5030 W. McDowell Road, Ste. 29-30

Zoning Classification: C-2

Council District: 4

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 Feb. 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.

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Public Opinion

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

Applicant's Statement

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

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

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

"This location was previously licensed, this is simply a change in ownership. We like to continue serving the surrounding community, of legal age, with a place to gather."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Bassh Inc.

Liquor License Map - Bassh Inc.

**Responsible Department**

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

## Liquor License Data: BASSH INC.

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	181.55	224.41
Violent Crimes	10.91	46.73	77.07

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

### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	51	115
Total Violations	89	185

### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1123011	2466	11 %	19 %	42 %
1123012	2098	68 %	7 %	47 %
1123013	1748	71 %	0 %	13 %
1123021	1045	48 %	24 %	28 %
1123022	1551	48 %	25 %	28 %
1124013	1653	64 %	17 %	20 %
1124022	1531	76 %	21 %	27 %
1124023	1203	68 %	17 %	35 %
1125071	760	40 %	40 %	36 %
1125121	1518	14 %	36 %	22 %
Average		61 %	13 %	19 %





## Liquor License - Oak on Camelback

Request for a liquor license. Arizona State License Application 222419.

### Summary

#### Applicant

Jared Repinski, Agent

#### License Type

Series 12 - Restaurant

#### Location

111 E. Camelback Road  
Zoning Classification: C-2 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.

The 60-day limit for processing this application is Feb. 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 applicant does not hold an interest in any other active liquor license in the State of Arizona.

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Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I 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 a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, golf courses, special events, convenience, liquor, grocery stores and gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Oak on Camelback

Liquor License Map - Oak on Camelback

**Responsible Department**

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

# Liquor License Data: OAK ON CAMELBACK

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	16	3
Beer and Wine Bar	7	11	10
Liquor Store	9	6	1
Beer and Wine Store	10	10	1
Restaurant	12	54	26

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	144.63	139.91
Violent Crimes	10.91	24.49	21.12

\*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

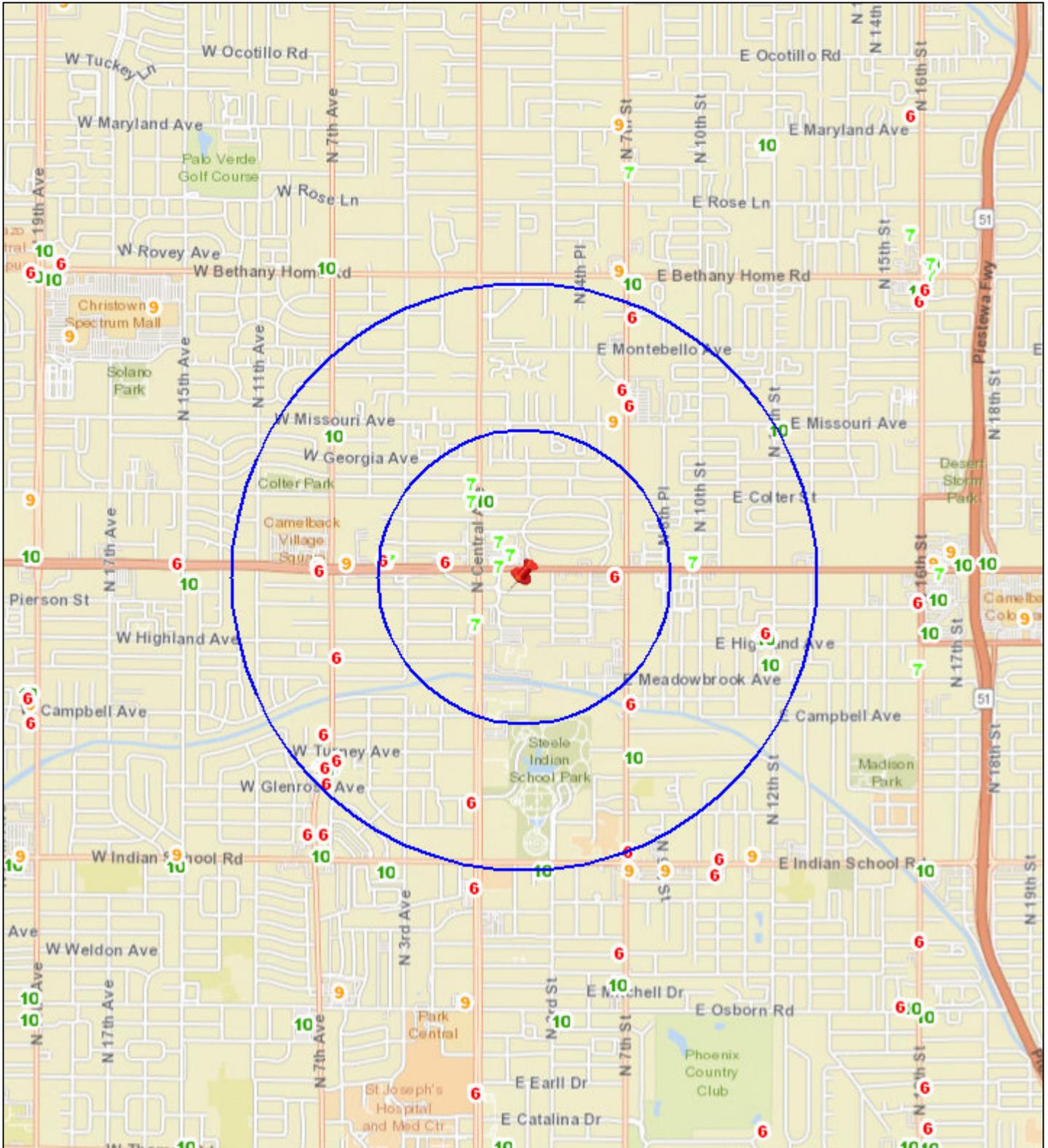
Description	Average	1/2 Mile Average
Parcels w/Violations	51	43
Total Violations	90	73

### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1075001	758	80 %	2 %	3 %
1075003	1599	46 %	15 %	14 %
1076013	1748	38 %	8 %	17 %
1086023	650	23 %	34 %	15 %
1088021	1456	23 %	32 %	31 %
1088022	435	43 %	41 %	19 %
1171001	2126	10 %	15 %	10 %
Average		61 %	13 %	19 %

# Liquor License Map: OAK ON CAMELBACK

111 E CAMELBACK RD



Date: 12/20/2022





**Liquor License - Special Event - Knights of Columbus Cathedral Council 12708**

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

**Summary**

Applicant

Richard Garrison

Location

6351 N. 27th Ave.  
Council District: 5

Function

Dinner

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

Feb. 17, 2023 - 6 p.m. to 10 p.m. / 450 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 - Kiwanis Club of Ahwatukee Foundation, Inc.**

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

**Summary**

Applicant

Andrea Pettyjohn

Location

4700 E. Warner Road

Council District: 6

Function

Chili Cook Off

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

March 11, 2023 - 11 a.m. to 5 p.m. / 100 attendees

March 12, 2023 - 10:30 a.m. to 4 p.m. / 100 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 - Horse & Hyde

Request for a liquor license. Arizona State License Application 218966.

### Summary

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 12 - Restaurant

#### Location

3730 E. Indian School Road

Zoning Classification: C-2

Council District: 6

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

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.

Dapper & Stout Coffee Company (Series 12)  
100 E. Camelback Road, #150, Phoenix  
Calls for police service: 35  
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 own and operate other businesses in Phoenix. I will continue to abide by Arizona liquor laws. I will ensure my employees attend a Title 4 liquor law training course.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
“This location has been operational for several years. We would like to continue to offer the neighborhood a place to come and gather.”

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 - Horse & Hyde  
Liquor License Map - Horse & Hyde

**Responsible Department**

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

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# Liquor License Data: HORSE & HYDE

## Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Bar	6	5	3
Beer and Wine Bar	7	6	1
Liquor Store	9	2	1
Beer and Wine Store	10	8	2
Restaurant	12	39	13

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	90.49	107
Violent Crimes	10.91	11.11	10.08

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

## Property Violation Data

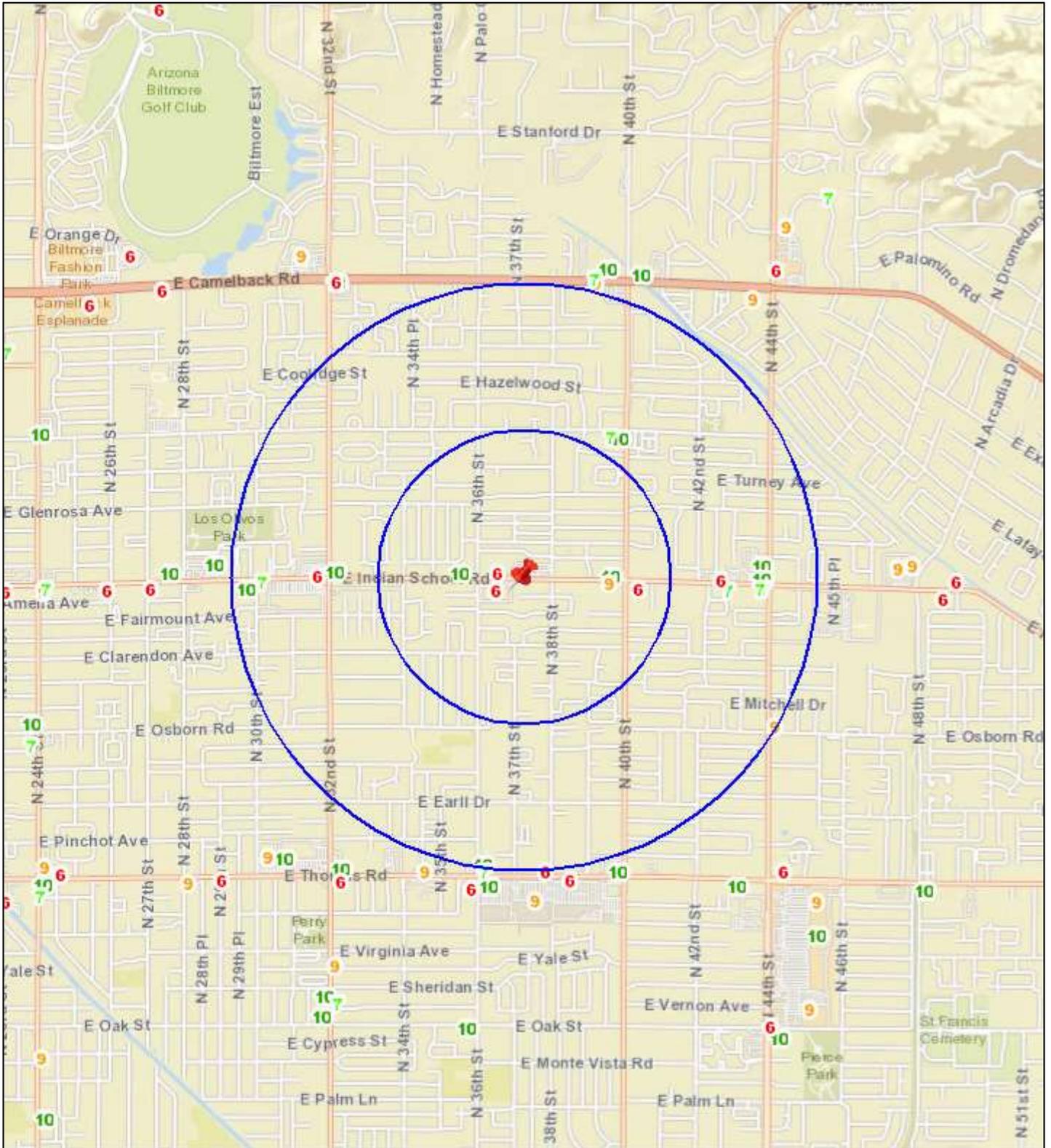
Description	Average	1/2 Mile Average
Parcels w/Violations	51	66
Total Violations	90	100

### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1082003	1225	76 %	13 %	17 %
1083013	982	75 %	18 %	1 %
1083021	1229	70 %	16 %	3 %
1083022	1824	50 %	13 %	4 %
1109011	665	96 %	10 %	13 %
1109021	2609	33 %	21 %	40 %
1109022	2224	39 %	7 %	18 %
1110001	781	25 %	11 %	3 %
1110002	1105	63 %	8 %	19 %
Average		61 %	13 %	19 %

# Liquor License Map: HORSE & HYDE

3730 E INDIAN SCHOOL RD



Date: 12/16/2022





## Liquor License - Tocaya Modern Mexican

Request for a liquor license. Arizona State License Application 220581.

### Summary

#### Applicant

Amy Nations, Agent

#### License Type

Series 12 - Restaurant

#### Location

2525 E. Camelback Road, Ste. 115

Zoning Classification: C-2 H-R SP

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 Feb. 7, 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 since 2017. Tocaya Organica is part of larger restaurant organization with multiple locations in AZ and CA. As a license holder, the sale and consumption of alcohol is taken very seriously. The staff undergo an extensive in house training along with the state required alcohol awareness training. At all times the restaurant 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 community 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 modesty and will not disturb the quite peacefully enjoyment of the community. The sale of alcohol is offered as an accomdation to the patrons who request it and has not been problematic in the history of the 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 - 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
Bar	6	6	3
Beer and Wine Bar	7	2	1
Liquor Store	9	3	0
Beer and Wine Store	10	6	0
Hotel	11	3	2
Restaurant	12	47	18

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	119.77	127.81
Violent Crimes	10.91	9.95	10.50

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

## Property Violation Data

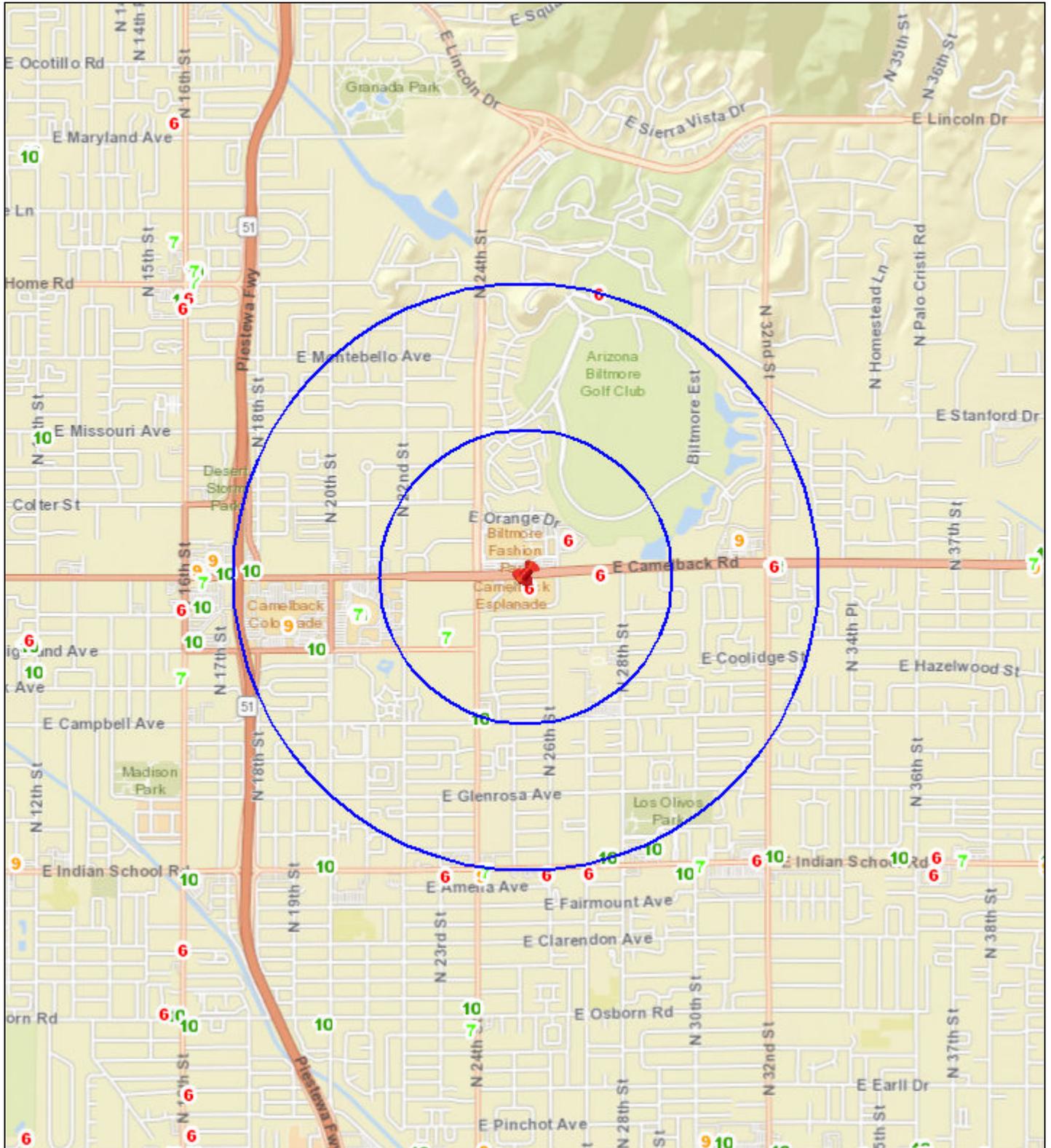
Description	Average	1/2 Mile Average
Parcels w/Violations	51	24
Total Violations	89	35

### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1077002	738	57 %	10 %	8 %
1078002	1477	63 %	28 %	5 %
1084003	1071	34 %	8 %	40 %
1084004	1641	65 %	7 %	19 %
1084005	422	16 %	37 %	13 %
1085022	732	23 %	28 %	12 %
1085024	549	43 %	31 %	15 %
Average		61 %	13 %	19 %

# Liquor License Map: TOCAYA MODERN MEXICAN

2525 E CAMELBACK RD



Date: 12/13/2022





**Liquor License - Special Event - ALEES**

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

**Summary**

Applicant

Erin Ring

Location

18 W. Monroe St.  
Council District: 7

Function

Cultural Celebration

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

March 17, 2023 - 9 a.m. to 2:30 a.m. / 1,200 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 - SGL Wine & Spirits

Request for a liquor license. Arizona State License Application 220158.

### Summary

#### Applicant

John Curtis II, Agent

#### License Type

Series 4 - Wholesaler

#### Location

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

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 Feb. 17, 2023.

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

#### 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

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applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “SGL Wine & Spirits is a liquor importer and wholesaler. SGL Wine & Spirits is solely owned and operated by Bethany Gattis. Ms. Gattis has more than seven years of experience in the liquor distribution industry. Her new venture will import wine and spirits from outside the United States, primarily from Italy and France, to Arizona for distribution to local retailers. Ms. Gattis has not had any liquor law violations during her many years in the industry and is familiar with the federal and Arizona state laws respecting the distribution of liquor. Her knowledge and experience make her capable, qualified and reliable to hold a Series 4 liquor license.”

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 - Alwun House Foundation**

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

### **Summary**

#### Applicant

Dana Johnson

#### Location

1204 E. Roosevelt St.  
Council District: 8

#### Function

Art Exhibit

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

Feb. 10, 2023 - 6 p.m. to 1 a.m. / 350 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 - Alwun House Foundation**

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

### **Summary**

#### Applicant

Dana Johnson

#### Location

1204 E. Roosevelt St.  
Council District: 8

#### Function

Art Exhibit Viewing

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

Feb. 17, 2023 - 7 p.m. to 1 a.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 - Alwun House Foundation**

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

### **Summary**

#### Applicant

Dana Johnson

#### Location

1204 E. Roosevelt St.  
Council District: 8

#### Function

Art Exhibit Closing

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

March 10, 2023 - 7 p.m. to midnight / 250 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

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



**Liquor License - Special Event - Liberty Wildlife, Inc.**

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

**Summary**

Applicant

Margaret Mosby

Location

2600 E. Elwood St.

Council District: 8

Function

Education Event

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

Feb. 19, 2023 - 1 p.m. to 4 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.



## Liquor License - ATL Wings

Request for a liquor license. Arizona State License Application 214985.

### Summary

#### Applicant

Devern Woodard, Agent

#### License Type

Series 12 - Restaurant

#### Location

3320 W. Southern Ave., Ste. 120

Zoning Classification: C-1

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. This location requires a Use Permit to allow alcohol sales as an accessory use to a restaurant.

The 60-day limit for processing this application is Feb. 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 started and successfully ran several businesses in the past 20 years. I have also educated myself and taken the training necessary to be considered a qualified, capable and reliable manager and owner-operator of an establishment with 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 community will have one more great place to be able to gather and eat and enjoy spirits responsibly in a safe environment.”

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 - ATL Wings

Liquor License Map - ATL Wings

**Responsible Department**

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

# Liquor License Data: ATL WINGS

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	125.42	357
Violent Crimes	10.91	15.15	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

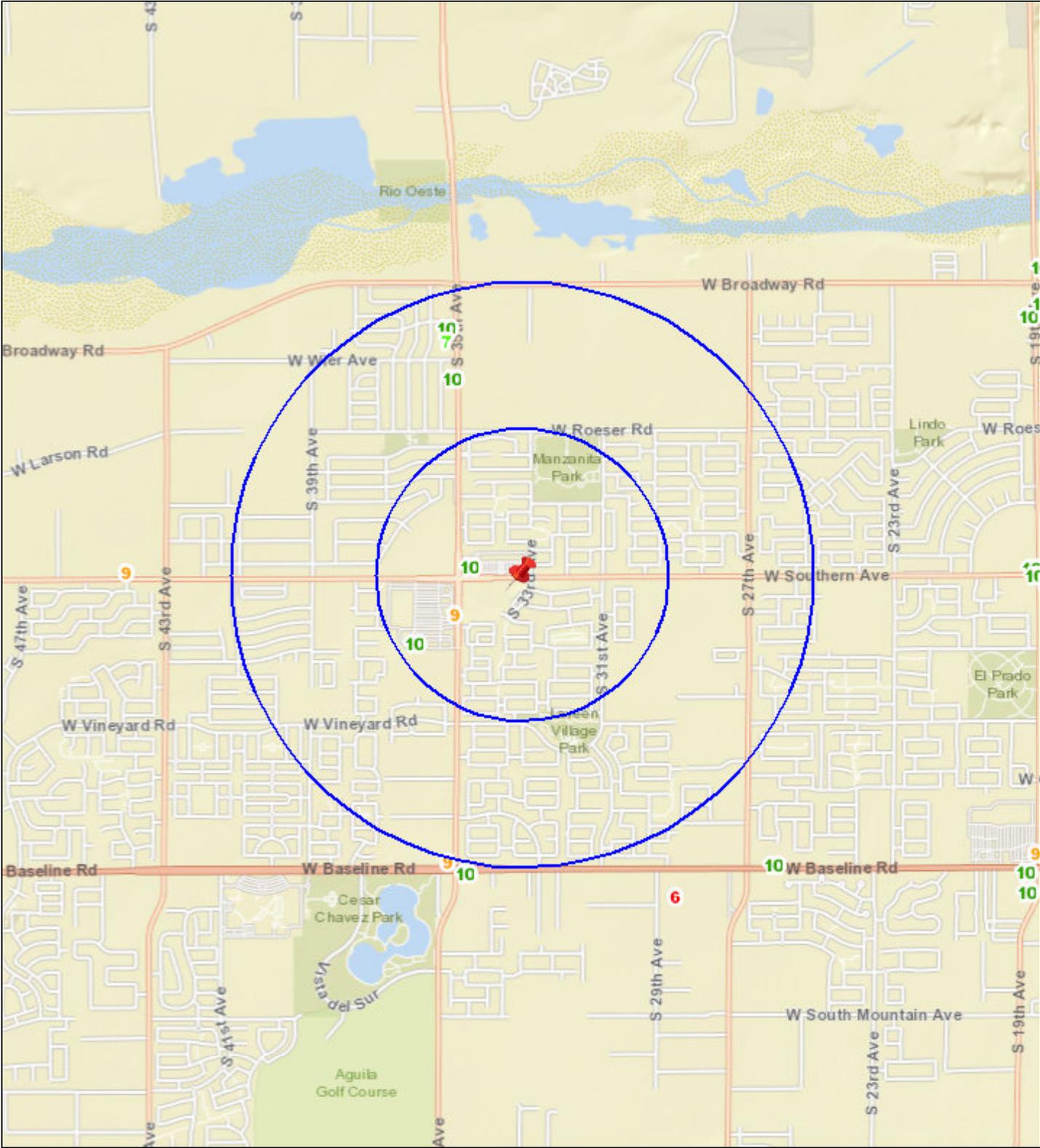
Description	Average	1/2 Mile Average
Parcels w/Violations	51	16
Total Violations	89	30

## Census 2010 Data 1/2 Mile Radius

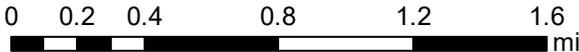
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1155002	2124	66 %	4 %	27 %
1166063	2092	67 %	0 %	29 %
1166071	3124	41 %	13 %	14 %
1166121	2293	90 %	9 %	4 %
1166122	1483	77 %	0 %	17 %
Average		61 %	13 %	19 %

# Liquor License Map: ATL WINGS

3320 W SOUTHERN AVE



Date: 12/9/2022





## Liquor License - Topaz Bar & Lounge

Request for a liquor license. Arizona State License Application 222104.

### Summary

#### Applicant

Ashok Parmar, Agent

#### License Type

Series 12 - Restaurant

#### Location

801 N. 3rd St.

Zoning Classification: DTC-Evans Churchill West

Council District: 8

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

The 60-day limit for processing this application is Feb. 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

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

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Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Classik Sports Bar & Lounge (Series 6)  
4228 W. Van Buren St., Phoenix  
Calls for police service: 11  
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"We will train all of our employees in responsible liquor service. Employees will attend the Title 4 liquor law class held by ALIC."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"This location was previously licensed. We want to continue to serve the neighborhood a place to come and eat and have a drink."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Topaz Bar & Lounge  
Liquor License Map - Topaz Bar & Lounge

**Responsible Department**

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

# Liquor License Data: TOPAZ BAR & LOUNGE

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	2
Wholesaler	4	1	0
Government	5	7	5
Bar	6	46	15
Beer and Wine Bar	7	17	9
Liquor Store	9	4	0
Beer and Wine Store	10	14	6
Hotel	11	6	3
Restaurant	12	113	42
Club	14	2	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	222.13	297.45
Violent Crimes	10.91	51.30	68.89

\*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

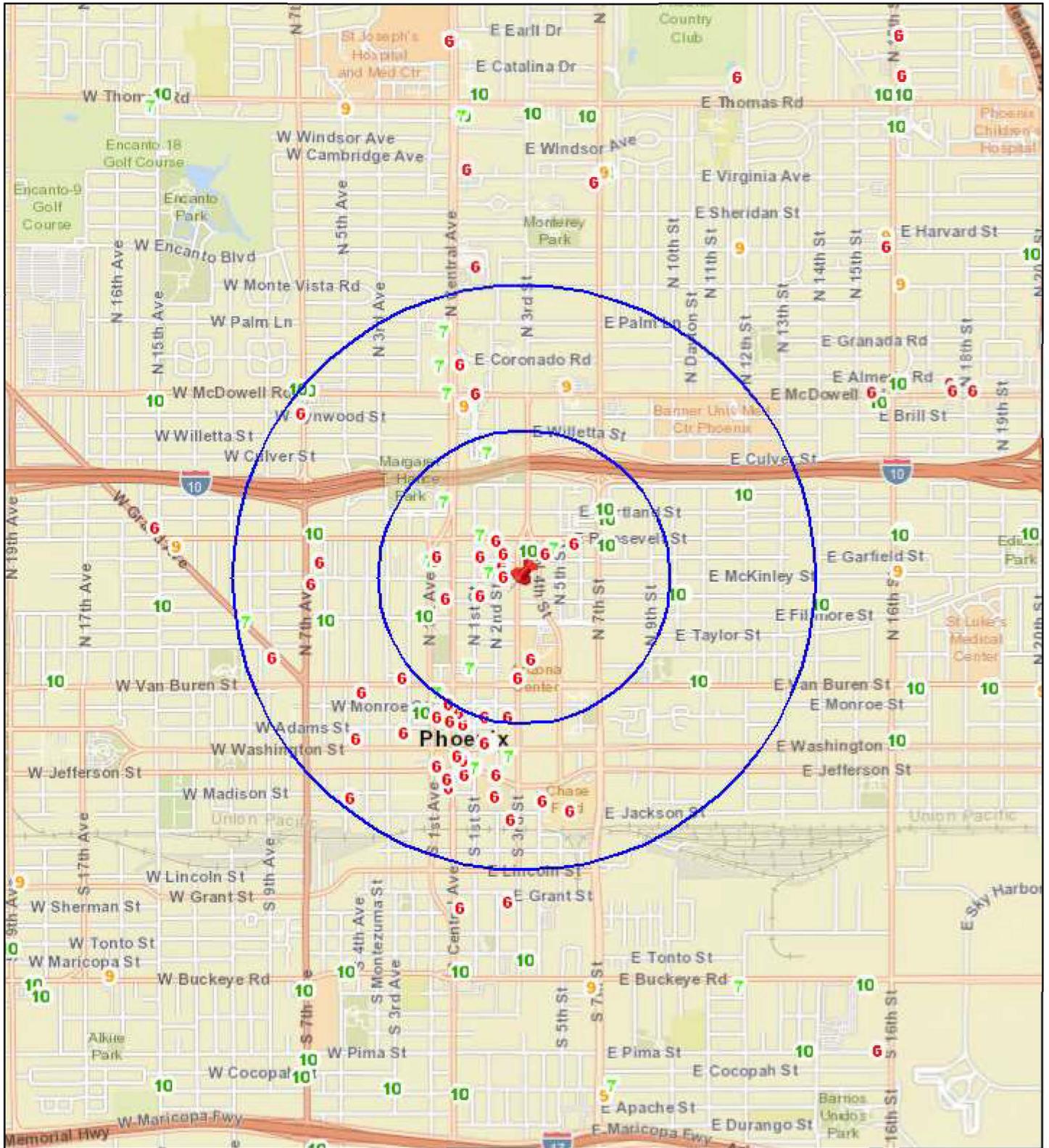
Description	Average	1/2 Mile Average
Parcels w/Violations	51	104
Total Violations	90	187

### Census 2010 Data 1/2 Mile Radius

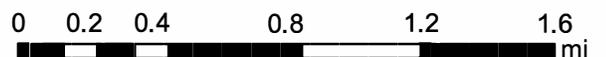
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
1140001	1831	25 %	20 %	47 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

# Liquor License Map: TOPAZ BAR & LOUNGE

801 N 3RD ST



Date: 12/12/2022





### **PAYMENT ORDINANCE (Ordinance S-49382) (Items 21-26)**

*Ordinance S-49382 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.*

**21 Mark Andy, Inc. doing business as Mark Andy Print Products**

For \$72,003 in payment authority for a new contract, entered on or about Feb. 1, 2023, for a five-year term for a new Computer-to-Plate system for the City Clerk Department. The Computer-to-Plate system will replace the existing unit, which is now inoperable. It is used to make printing plates required for printing Citywide forms, envelopes, brochures and other printed materials used by City departments, Mayor and City Council.

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

**22 SESAC, Inc. doing business as SESAC, LLC**

For \$60,000 in payment authority for the purchase of a five-year annual music license subscription for the Parks and Recreation Department. The license allows copyrighted music to be played at various City park locations in compliance with the non-dramatic public performances of copyrighted works. The license, to be paid annually, is for calendar years 2023 through 2027 and encompasses all who want to perform copyrighted music publicly.

**23 Landis Cyclery, Inc.**

For \$18,664.58 in payment authority to purchase 10 Trek X-Caliber 9 ML 29 Alpine Blue bicycles and accessories for the Police Department. The additional bicycles and accessories will address the need for increased park patrols in the Black Mountain Precinct. Landis Cyclery is able to provide bicycles and accessories with the specifications required by the Phoenix Police Department. Funding for this purchase will be provided by the City Council District 1 Office.

**24 VSS International Inc.**

For \$961,725 in additional payment authority for Contract 153426 for Change Order One, Project ST87400272, 2020 Congestion Mitigation and Air Quality Alley Dustproofing for Design-Bid-Build Services for the Street Transportation Department. The project will use federal funds and the Street Transportation Department's Capital Improvement Program budget. The change order is necessary due to unforeseen existing conditions that require the removal of existing material before new dust control applications can be installed.

**25 Hunter Contracting Co.**

For \$910,891.46 in additional payment authority for Contract 154119, Change Order Two (Project ST87100162) for 3rd Street Promenade: Garfield Street to Indian School Road Modernization for the Street Transportation Department. Existing pavement conditions at various segments within the project limits required additional pavement treatment to bring them into satisfactory condition. Hunter Contracting Co. was directed to install a pavement overlay treatment to those segments. The additional overlay required the Contractor to increase the quantity of existing bid items and costs. Additional work included sidewalk and driveway installations.

**26 Settlement of Claim(s) Kahn-Rose v. City of Phoenix**

To make payment of up to \$75,000 in settlement of claim(s) in *Kahn-Rose v. City of Phoenix*, CV2019-009712, 18-1276-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a bodily injury claim arising from a sidewalk accident that occurred on Dec. 8, 2018.

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## Proposed Redistricting Schedule

This report provides the Mayor and City Council a proposed schedule for completing required redistricting for the City of Phoenix and requests approval of the proposed redistricting schedule.

### Summary

Consistent with federal law regarding apportionment, the City Code requires the City Council to revise council district boundaries to reflect population changes at least once every 10 years based on the decennial census. The current council district boundaries became effective in January 2013, following the 2010 decennial census. Since the district system was implemented in 1983, the City Council has secured the services of a redistricting consultant to provide the technical and legal expertise required for this process.

### Proposed Redistricting Schedule:

- April 2023: City Council approves redistricting consultant
- April - May 2023: Consultant data gathering and analysis; Public Meeting schedule development
- May - August 2023: Stakeholder meetings (two rounds) and district boundary map proposals
- August 2023: City Council adopts redistricting plan
- January 2024: New Council District boundaries effective
- November 2024: Regular City Council election using new districts

### Public Outreach

The proposed schedule maintains all elements of the previous process, including securing a consultant and conducting two rounds of public hearings to gather community comment.

The first round of public hearings is used to educate the community about the process, gather input to identify communities of interest that desire to be maintained within a single district, and receive input regarding changes to the boundaries. The consultant will use this information when drawing proposed changes to the council districts. The

second round of hearings seeks comment on the proposed district boundary alternatives developed by the consultant prior to final adoption of the new district boundaries by the City Council.

**Responsible Department**

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



**Appoint Election Officials and Boards for March 14, 2023 Runoff Election -  
Emergency Clause (Ordinance S-49388)**

Request to appoint the required election officials and boards for early ballot processing and at the designated voting centers for the City of Phoenix Runoff Election on Tuesday, March 14, 2023; fixing the honorariums of the election officials and boards; authorizing payment thereof; and declaring an emergency.

**Summary**

On Tuesday, March 14, 2023 the City of Phoenix will conduct a Runoff Election in which all Phoenix voters residing in Council Districts 6 and 8 will elect a council member to represent their respective districts.

A Runoff Election is required by the City Charter on March 14 because no candidate for the offices in Districts 6 and 8 received a majority of the votes cast in the Nov. 8, 2022 Council Election.

This request asks the City Council to appoint the board workers needed for processing early ballots received in the mail and preparing those ballots for tabulation, and the board workers needed to conduct voting at the voting centers. The City Code and this ordinance authorize the City Clerk to appoint additional boards necessary to process and prepare ballots for tabulation. Board workers are paid an honorarium for their service as provided by the City Code and related ordinance.

**Emergency Clause**

The emergency clause is necessary to meet legal requirements related to ballot tabulation equipment testing and early ballot processing, which requires the use of board workers.

**Responsible Department**

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



**Dedication of Right-of-Way for Roadway Purposes on City-Owned Property at 1824 E. McKinley St. (Ordinance S-49391)**

Request for the City Council to dedicate right-of-way to public use for roadway purposes on City-owned property; further ordering the ordinance recorded.

**Summary**

The City-owned property will be renovated to serve as a community center for the Edison-Eastlake neighborhood. Dedication of right-of-way triangles on all corners of the site, each consisting of 200 square feet, is a requirement by the Planning and Development Department.

The right-of-way is further described in the legal descriptions in **Attachment A** to be recorded with the ordinance.

**Location**

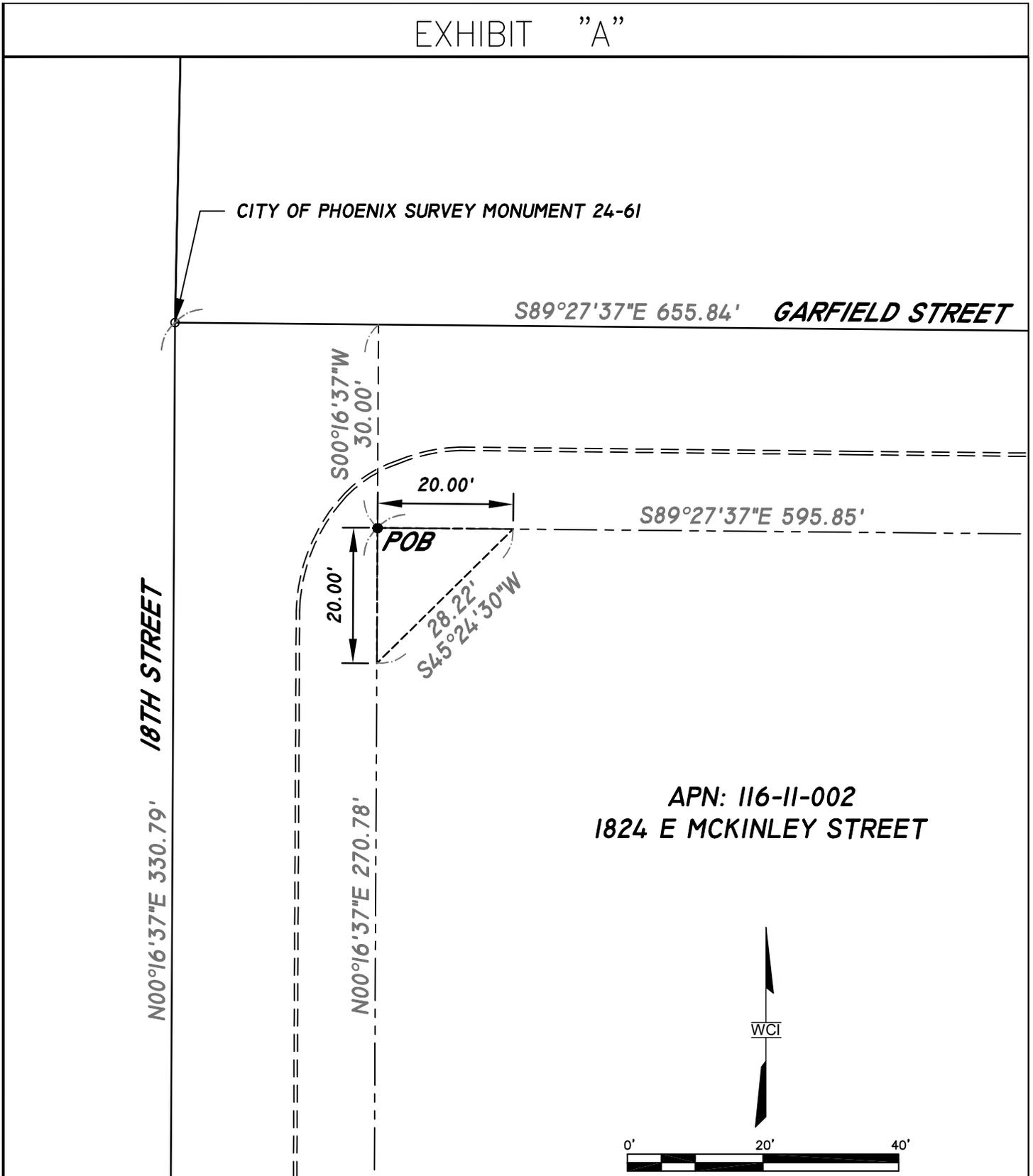
1824 E. McKinley St., identified by Maricopa County Assessor parcel number 116-11-002.

Council District: 8

**Responsible Department**

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

EXHIBIT "A"

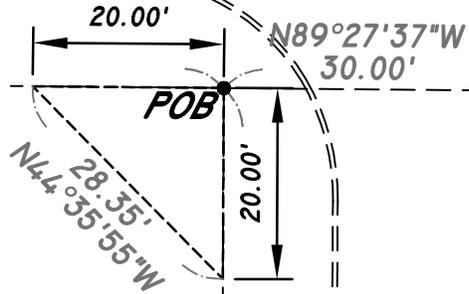


			<b>WILSON &amp; COMPANY</b>		
DWN. BY:	BWC	DATE:	08/24/22		
CHK. BY:	GLT	DATE:	08/24/22		
PROJ. ENGR:	EAL	DATE:	08/24/22		
PROJ. MGR:	-				
CLIENT APP:	-				
SCALE:		1"=20'	SHT. NO:	1-OF-5	REV:
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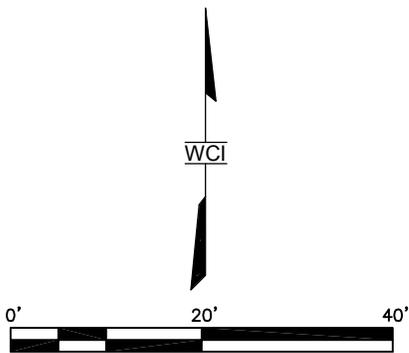
EXHIBIT "A"

**GARFIELD STREET** S89°27'37"E 655.84'

S89°27'37"E 595.85'



APN: 116-11-001C  
1824 E MCKINLEY STREET



S00°15'46"W 270.54'

19TH STREET N00°15'46"E 330.53'



		<b>WILSON &amp; COMPANY</b>	
DWN. BY:	BWC	DATE:	08/24/22
CHK. BY:	GLT		08/24/22
PROJ. ENGR:	EAL		08/24/22
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CLIENT APP:	-		-
SCALE:		SHT. NO:	REV:
1"=20'		2-OF-5	-

EDISON IMPACT HUB  
RIGHT-OF-WAY TRIANGLE  
MARICOPA COUNTY, ARIZONA

EXHIBIT "A"

APN: 116-II-001C  
1824 E MCKINLEY STREET

19TH STREET  
N00°15'46"E 330.53'

S00°15'46"W 270.54'

N45°23'24"E  
28.22'

POB

N89°28'58"W 595.92'

20.00'

20.00'

30.00'  
N00°15'46"E

MCKINLEY STREET N89°28'58"W 655.92'

WCI



**WILSON & COMPANY**

DWN. BY:	BWC	DATE:	08/24/22
CHK. BY:	GLT		08/24/22
PROJ. ENGR:	EAL		08/24/22
PROJ. MGR:	-		-
CLIENT APP:	-		-

EDISON IMPACT HUB  
RIGHT-OF-WAY TRIANGLE  
MARICOPA COUNTY, ARIZONA

SCALE:	SHT. NO:	REV:
1"=20'	3-OF-5	-

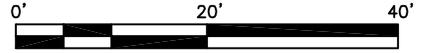
EXHIBIT "A"

187TH STREET

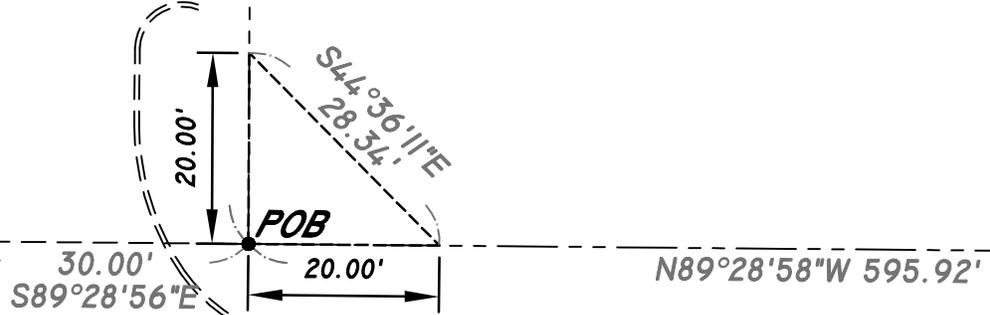
N00°16'37"E 330.79'

N00°16'37"E 270.78'

WCI



APN: 116-II-002  
1824 E MCKINLEY STREET



CITY OF PHOENIX SURVEY MONUMENT 23-61

N89°28'58"W 655.92'

MCKINLEY STREET



		<b>WILSON &amp; COMPANY</b>	
DWN. BY:	BWC	DATE:	08/24/22
CHK. BY:	GLT		08/24/22
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REV:		-	

# EXHIBIT "A"

**PARENT PARCEL LEGAL DESCRIPTION:**

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, A CITY OF PHOENIX BRASS CAP IN HANDHOLE;  
 THENCE SOUTH 89°28' 36"EAST, A DISTANCE OF 1972.68 FEET TO A BRASS CAP IN THE INTERSECTION OF ROOSEVELT STREET AND 19TH STREET;  
 THENCE SOUTH 00°15'59"WEST, A DISTANCE OF 331.14 FEET TO A BRASS CAP IN THE INTERSECTION OF 19TH STREET AND GARFIELD, THE POINT OF BEGINNING;  
 THENCE SOUTH 00°15'46"WEST, A DISTANCE OF 330.53 FEET TO A BRASS CAP IN THE INTERSECTION OF 19TH STREET AND MCKINLEY STREET;  
 THENCE NORTH 89°28'58"WEST, A DISTANCE OF 655.92 FEET TO A BRASS CAP IN THE INTERSECTION OF 18TH STREET AND MCKINLEY STREET, SAID BRASS CAP ALSO BEING THE CITY OF PHOENIX SURVEY MONUMENT 23-61;  
 THENCE NORTH 00°16'37"EAST, A DISTANCE OF 330.79 FEET TO A BRASS CAP IN THE INTERSECTION OF 18TH STREET AND GARFIELD STREET, SAID BRASS CAP ALSO BEING THE CITY OF PHOENIX SURVEY MONUMENT 24-61;  
 THENCE SOUTH 89° 27' 37"EAST, A DISTANCE OF 655.84 TO THE POINT OF BEGINNING.  
 EXCEPT THE NORTH 30 FEET, THE SOUTH 30 FEET, THE EAST 30 FEET AND THE WEST 30 FEET THEREOF FOR ROAD PURPOSES.  
 CONTAINING 216,874 SQ. FT. OR 4.98 ACRES, MORE OR LESS.

**NORTHWEST ROW CORNER LEGAL DESCRIPTION:**

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL, SOUTH 89° 27' 37" EAST, A DISTANCE OF 30.00 FEET;  
 THENCE SOUTH 00° 16' 27" WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;  
 THENCE SOUTH 89° 27' 37" EAST FROM THE POINT OF BEGINNING, A DISTANCE OF 20.00 FEET;  
 THENCE SOUTH 45° 24' 30" WEST, A DISTANCE OF 28.22 FEET;  
 THENCE NORTH 00° 16' 37" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.  
 CONTAINING 200.00 SQUARE FEET, MORE OR LESS.

**NORTHEAST ROW CORNER LEGAL DESCRIPTION:**

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL, SOUTH 00° 15' 46" WEST, A DISTANCE OF 30.00 FEET;  
 THENCE NORTH 89° 27' 37" WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;  
 THENCE SOUTH 00° 15' 46" WEST FROM THE POINT OF BEGINNING, A DISTANCE OF 20.00 FEET;  
 THENCE NORTH 44° 35' 55" WEST, A DISTANCE OF 28.35 FEET;  
 THENCE SOUTH 89° 27' 37" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.  
 CONTAINING 200.00 SQUARE FEET, MORE OR LESS.

**SOUTHEAST ROW CORNER LEGAL DESCRIPTION:**

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL, NORTH 89° 28' 58" WEST, A DISTANCE OF 30.00 FEET;  
 THENCE NORTH 00° 15' 46" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;  
 THENCE NORTH 89° 28' 58" WEST FROM THE POINT OF BEGINNING, A DISTANCE OF 20.00 FEET;  
 THENCE NORTH 45° 23' 24" EAST, A DISTANCE OF 28.22 FEET;  
 THENCE SOUTH 00° 15' 36" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.  
 CONTAINING 200.00 SQUARE FEET, MORE OR LESS.

**SOUTHWEST ROW CORNER LEGAL DESCRIPTION:**

COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL, NORTH 00° 16' 37" EAST, A DISTANCE OF 30.00 FEET;  
 THENCE SOUTH 89° 28' 56" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;  
 THENCE NORTH 00° 16' 37" EAST FROM THE POINT OF BEGINNING, A DISTANCE OF 20.00 FEET;  
 THENCE SOUTH 44° 36' 11" EAST, A DISTANCE OF 28.34 FEET;  
 THENCE NORTH 89° 28' 58" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.  
 CONTAINING 200.00 SQUARE FEET, MORE OR LESS.



<b>WILSON &amp; COMPANY</b>		<b>EDISON IMPACT HUB LEGAL DESCRIPTIONS MARICOPA COUNTY, ARIZONA</b>	
DWN. BY:	BWC	DATE:	08/24/22
CHK. BY:	GLT	08/24/22	
PROJ. ENGR:	EAL	08/24/22	
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CLIENT APP:	-	-	
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**Decontamination Services - IFB 18-058 - Amendment (Ordinance S-49392)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 147546 with Clean Scene AZ, LLC; Contract 147552 with Kary Environmental Services, Inc.; and Contract 147553 with Emergency Restoration Experts, LLC to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-44372.

**Summary**

This contract will provide decontamination services for City vehicles, City facilities and private property, on an on-call basis. The one-year extension will allow time for Central Procurement to complete the new procurement without a lapse in this critical Citywide service.

**Contract Term**

Upon approval the contract will be extended through March 31, 2024.

**Financial Impact**

The aggregate value of the contract will not exceed \$7,680,415 and no additional funds are needed.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Decontamination Services - Contracts 147546, 147552, and 147553 (Ordinance S-44372) on March 21, 2018; and
- Decontamination Services - Contracts 147546, 147552, and 147553 (Ordinance S-47542) on May 19, 2021.

**Responsible Department**

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



## **PeopleSoft Application Development Services (Ordinance S-49390)**

Request to authorize the City Manager, or his designee, to enter into a contract with Envision, LLC to provide PeopleSoft application development services for the Information Technology Services and Human Resources departments. Further request authorization for the City Controller to disburse funds related to this item. The aggregate value will not exceed \$1,700,000.

### **Summary**

PeopleSoft is the City's recruiting and applicant tracking solution and delivers a full suite of tools for applicants, recruiters, and hiring managers. The requested contract will allow the consultant to streamline the City's recruiting, application, and hiring processes. It will also assist the Human Resources Department with further enhancing the Talent Acquisition Manager and Candidate Gateway modules within PeopleSoft by leveraging existing functionality within the application. Additional needs include fully utilizing PeopleSoft functionality to produce under/non-utilized data for analysis, measurement, decision making and branding for recruiting; adding new Human Resources and benefits functionality; upgrading the open enrollment experience; and replacing annual paper-based policy acknowledgements.

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

### **Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo citing Envision, LLC as a Special Circumstances - Without Competition. Envision, LLC has significant experience in the PeopleSoft Human Capital Module, which includes the areas of Workforce Administration, Talent Acquisition Management/Candidate Gateway (recruiting), Benefits Administration and eBenefits, as well as with the City of Phoenix system specifically. If a new contract is not in place, upgrades to the PeopleSoft application may be delayed.

### **Contract Term**

The contract will begin on Feb. 5, 2023 and will end Feb. 4, 2028.

**Financial Impact**

The aggregate value of the contract will not exceed \$1,700,000 and funds are available in the Human Resources Department's budget.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Information Technology Services and Human Resources departments.



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**Artists Purchase Agreements for Phoenix Sky Harbor Percent-for-Art Collections Project (Ordinance S-49397)**

Request to authorize the City Manager, or his designee, to enter into several contracts with artists (see **Attachment A**), or their City-approved designees, for an aggregate amount not to exceed \$289,400 to purchase and deliver artwork for the Phoenix Airport Museum at Phoenix Sky Harbor International Airport. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Fiscal Year (FY) 2022-27 Public Art Plan includes a project to purchase artworks to expand the Phoenix Airport Museum collection. The museum's collection is used to promote Arizona's unique artistic and cultural heritage, honor aviation history, and create a memorable environment by presenting themed exhibitions in over 40 display areas throughout the airport.

On Oct. 7, 2022, a selection committee identified 44 finalists from a pool of 165 artists who had responded to a City-issued Request for Qualifications. The artists were selected based on the artistic quality of the submitted artwork, the appropriateness of the artwork for a public setting, and the ability of the artwork to compliment or enhance the existing collection. Utilizing a purchase agreement, the city will acquire a selection of work from this pre-qualified list of artists for the Phoenix Airport Museum's collection.

**Financial Impact**

The Phoenix Sky Harbor International Airport (PSHIA) Percent-for-Art Collections Project is one of 39 projects in the FY 2022-27 Public Art Plan that City Council approved on June 15, 2022. The proposed \$289,400 will cover all costs related to the purchase and delivery of individual artworks for the PSHIA Percent-for Art Collections Project. The percent-for-art funds for this project come from the Aviation Department Capital Improvement Program.

**Concurrence/Previous Council Action**

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on Dec. 13, 2022, by a vote of 9-0. The Community and Cultural Investment Subcommittee reviewed and approved this item by a 4-0 vote at the Jan. 4, 2023

meeting.

**Location**

Phoenix Sky Harbor International Airport  
Council District: 8

**Responsible Department**

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

**Attachment A**  
**List of Pre-Qualified Artists for PSHIA Percent-for-Art Collections Project**

<b>Name</b>	<b>City</b>	<b>State</b>	<b>Artwork Purchase</b>	<b>Price</b>
David Adams	Phoenix	AZ	<i>Desert Combine No. 2</i>	\$8,500
Diyar Al Asadi	Phoenix	AZ	<i>Phoenix Bird</i>	\$5,000
Rachel Bess	Phoenix	AZ	<i>Black Sun</i>	\$4,150
Tania Bolin	Yuma	AZ	<i>Pollenizer</i>	\$1,500
Brent Bond	Scottsdale	AZ	<i>Desert Spiral</i>	\$2,200
Brian Boner	Phoenix	AZ	<i>The Cradle and the Frey</i>	\$7,850
Alexandra Bowers	Scottsdale	AZ	<i>My Sister's Red Tailed Find</i>	\$8,000
Manny Burruel	Glendale	AZ	<i>Tallest Building in Phoenix</i>	\$400
Jennifer Caldwell	Phoenix	AZ	<i>The Need For Rest</i>	\$4,400
Christine Cassano	Santa Fe	NM	<i>Axioms &amp; Accumulations</i>	\$3,900
Jason Chakravarty	Phoenix	AZ	<i>Beecome Connected</i>	\$7,500
Bill Dambrova	Phoenix	AZ	<i>You Have a Great Body May I Use It?</i>	\$10,000
Carol Eckert	Tempe	AZ	<i>Consider the Ravens</i>	\$6,000
Edgar Fernandez	Phoenix	AZ	<i>7 Generation of Empowerment</i>	\$2,500
Fausto Fernandez	Phoenix	AZ	<i>The Remnant Left of a Neutron Star</i>	\$12,000
Kathleen Frank	Santa Fe	NM	<i>Hogan's Storm</i>	\$2,500
Frank Gonzales	Mesa	AZ	<i>Monsoon Misterioso</i>	\$6,650
Erika Lynne Hanson	Phoenix	AZ	<i>Something about lichen . . .</i>	\$4,200
Carla Keaton	Tempe	AZ	<i>Ignorance is Bliss</i>	\$3,500
Mayme Kratz	Phoenix	AZ	<i>Long After the Echo 11</i>	\$20,000
Carolyn Lavender	Phoenix	AZ	<i>Portrait</i>	\$12,000
Aryana Londir	Phoenix	AZ	<i>Yes, Why Not?</i>	\$2,000
Carrie Marill	Cardiff by the Sea	CA	<i>The Infrastructure of Beauty II</i>	\$16,000
Monica Martinez	Phoenix	AZ	<i>Coytl (Urban Coyote)</i>	\$3,000
Kathryn Maxwell	Tempe	AZ	<i>Lunar Eclipse</i>	\$1,000
Mark McDowell	Scottsdale	AZ	<i>Dymaxion</i>	\$2,800
Mary Meyer	Gold Canyon	AZ	<i>Stillness no. 52</i>	\$2,200
Anthony Pessler	Phoenix	AZ	<i>The Djinn #4</i>	\$2,000
Christy Puetz	Graceville	MN	<i>Blanchette</i>	\$7,500
Travis Rice	Phoenix	AZ	<i>Space Junk</i>	\$6,000
Aaron Rothman	Phoenix	AZ	<i>Wildflowers (PVP2)</i>	\$4,000
Melissa Sclafani	Tempe	AZ	<i>I've Rendered You Defenseless</i>	\$6,000
Mary Shindell	Phoenix	AZ	<i>Inflection Point II: Variant II: Pluto, Grand Canyon</i>	\$2,500
Beth Shook	Gilbert	AZ	<i>A Daring Escape</i>	\$650
Laura Spalding Best	Phoenix	AZ	<i>Refracted Oasis</i>	\$11,500
Kaori Takamura	Carefree	AZ	<i>Japanese Folk Song</i>	\$3,600
Jeremy Thomas	Espanola	NM	<i>Race Yellow</i>	\$22,000
Clare Verstegen	Tempe	AZ	<i>Cloud Cover</i>	\$1,800
Teresa Villegas	Phoenix	AZ	<i>Arid Adaptation Diptych2</i>	\$5,600
Jim Waid	Tucson	AZ	<i>SALT RIVER DAWN</i>	\$46,000
Wendy Willis	Phoenix	AZ	<i>AZ Harris Hawk and Coyote</i>	\$500
Yuko Yabuki	Tempe	AZ	<i>Misty Air Dragon</i>	\$10,000

**TOTAL** **\$289,400**



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**Artist Design and Construction Contract for Solano Park Public Art Project (Ordinance S-49398)**

Request to authorize the City Manager, or his designee, to enter into a contract with artist Haddad Drugan LLC, or their City-approved designee, for an amount not to exceed \$365,000 to design, fabricate, and install public art for the Solano Park Public Art located at 5625 N. 17th Ave. in Phoenix. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Fiscal Year (FY) 2022-27 Public Art Project Plan includes a project to commission an artist to work with the Parks and Recreation Department and the local community to enhance the design of the Skate Plaza Improvements Project at Solano Park.

On Nov. 28, 2022, a five-person artist selection panel recommended Haddad Drugan LLC after reviewing a pool of 43 applicants. The pool of applicants consisted of artists who had responded to a City-issued Request for Qualifications earlier in 2022. Haddad Drugan LLC was recommended based on their experience creating site-specific public art projects, their demonstrated ability to involve the community in meaningful ways, and their potential to create skateable artwork for this park. The panelists also noted the artist's wide variety of project types, familiarity with the Arizona environment, and their knowledge of permanent and low maintenance materials.

The selection panel included: Jan Sheerwood, Deputy Director, Parks and Recreation Department; Rebecca Rothman, Public Art Program Manager, Tempe Arts and Culture; Trent Martin, Founder and Owner, Cowtown Skateboards; Robert Wollenzien, Executive Director, Legacy Foundation Chris-Town YMCA; and Meghan Wells, Cultural Arts Division Manager, City of Austin.

**Financial Impact**

Solano Park is one of 39 projects in the FY 2022-27 Public Art Plan that City Council approved on June 15, 2022. The Art Plan includes \$400,000 for this project. The proposed \$365,000 design, fabrication, and installation budget will cover all costs related to the artist's work with City staff, including the Office of Arts and Culture, project consultants, and the local community to produce a complete and buildable

design, and complete installation of the project. The percent-for-art funds for this project come from the Water Services Department Capital Improvement Program.

**Concurrence/Previous Council Action**

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on Dec. 13, 2022, by a vote of 9-0. The Community and Cultural Investment Subcommittee reviewed and approved this item by a 4-0 vote at its Jan. 4, 2023 meeting.

**Location**

5625 N. 17th Ave.  
Council District: 5

**Responsible Department**

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



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Issuance of Multifamily Housing Governmental Revenue Notes - Pueblo Apartments Project, Series 2023 (Resolution 22097)**

Requests City Council approval for the issuance of Multifamily Housing Governmental Revenue Notes for the Pueblo 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 \$30,000,000.

**Summary**

Request City Council adoption of a resolution granting approval of the proceedings under which the Industrial Development Authority of the City of Phoenix (Phoenix IDA) has previously resolved to issue up to \$30,000,000 of Multifamily Housing Governmental Revenue Notes (Revenue Notes) for use by CPL Broadway and Central LIHTC, LLC an Arizona limited liability company, to:

- Finance, and/or refinance, as applicable, the acquisition, construction, development, rehabilitation, improvement, equipping and/or operation of a multifamily residential rental housing project to be comprised of 161 units in Phoenix, Arizona, and
- Pay certain costs related to the issuance of the Revenue Notes.

**Concurrence/Previous Council Action**

The Phoenix IDA Board has previously resolved to issue the Revenue Notes at its meeting held on Jan. 19, 2023.

**Location**

The Project is located at or near 316 W. Broadway 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 may issue bonds/notes to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer.

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## City of Phoenix

**To:** Ginger Spencer  
Deputy City Manager

**Date:** January 30, 2023

**From:** Deryck Lavelle  
Assistant Chief Counsel

**Subject:** CORRECTION TO ITEM 34 ON THE FEB. 1, 2023, FORMAL AGENDA -  
ISSUANCE OF MULTIFAMILY HOUSING GOVERNMENTAL REVENUE  
NOTES - PUEBLO APARTMENTS PROJECT, SERIES 2023

The purpose of this memo is to modify the action requested. The modifications include:

1. Update the File Type "Formal Action" to File Type "Resolution" on Report 23-0124.

APPROVED:



Ginger Spencer  
Deputy City Manager



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**Authorization to Enter into Agreement with the United States of America to Conduct Military Training on City-Owned Property (Ordinance S-49385)**

Request to authorize the City Manager, or his designee, to execute an agreement with the United States of America to conduct military training exercises and activities at Phoenix Fire Special Operations, and the Phoenix Fire Academy. Further request to authorize the City Manager, or his designee, to grant an exception pursuant to Phoenix City Code 42-20 to include indemnification and assumption of liability provisions, if required, that would otherwise be prohibited by Phoenix City Code 42-18.

**Summary**

The United States of America (United States) periodically conducts training on City-owned property to assist in responding to incidents that involve national security defense. The purpose of this agreement is to allow the United States access to Phoenix Fire Special Operations, and the Phoenix Fire Academy for the 160th Special Operations Aviation Regiment (SOAR) to conduct training operations at these locations. The training will include Urban MH-60 helicopter infill and exfill training, to include fast rope approach and airland.

**Contract Term**

The term of the agreement will be for five years.

**Financial Impact**

There are no costs associated with the Agreement.

**Location**

Phoenix Fire Special Operations, located at 2430 S. 22nd Avenue, Phoenix, AZ 85009  
Phoenix Fire Academy, located at 2425 W. Lower Buckeye Road, Phoenix, AZ 85009  
Council District: 7

**Responsible Department**

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



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**Enter Into an Education Affiliation Agreement with Dignity Health for Paramedic Education (Ordinance S-49399)**

Request authorization for the City Manager, or his designee, to enter into an education affiliation agreement with Dignity Health (Dignity) for Phoenix Fire Department Paramedic Education.

**Summary**

This agreement will allow Phoenix Fire Department paramedic students to take part in clinical rotations at Dignity facilities, and participate in patient care under the direct supervision of a designated Dignity instructor. Paramedic students are required to complete clinical rotations to be compliant with the Commission on Accreditation of Allied Health Education Programs, as recommended by the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions, a national organization that accredits paramedic program curricula training and methodology. This accreditation is a requirement of the Arizona Department of Health Services (AZDHS), which is the entity that ultimately authorizes the Phoenix Fire Department's paramedic program. The skills and experience gained from the paramedic education rotations will allow the Fire Department to continue to provide quality patient care.

**Contract Term**

The agreement will be for five years from the date executed.

**Financial Impact**

There is no cost associated with this agreement.

**Responsible Department**

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



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**Donation from 100 Club of Arizona for the Phoenix Fire Department (Ordinance S-49400)**

Request authorization for the City Manager, or his designee, to accept a donation of StormStick Decontamination (Decon) Systems, valued at approximately \$30,720, from the 100 Club of Arizona for the Phoenix 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**

The 100 Club of Arizona wishes to express their appreciation for the Phoenix Fire Department's service by donating the StormStick Decon Systems to the department. The StormStick Decon System is a preliminary exposure reduction system that follows best practices and national standards to achieve effective toxic removal of contaminants from the exterior of a firefighter's protective equipment immediately following a fire event. The StormStick Decon System has been tested extensively on frontline fire apparatus and fire training facilities and will help to support the health and safety of firefighters.

The 100 Club of Arizona is a charitable nonprofit 501(c)(3) Arizona corporation. The organization supports all police, correctional, probation and parole officers, firefighters, and federal agents who are serving and protecting the citizens of Arizona.

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.



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**Ground Transportation Dispatch and Curb Monitoring Services Requirements Contract - RFP 23-007 - Request for Award (Ordinance S-49384)**

Request to authorize the City Manager, or his designee, to enter into a contract with Ace Parking III, LLC to provide ground transportation dispatch and curb monitoring services for the Aviation 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 \$13,700,000.

**Summary**

This contract will provide ground transportation dispatch and curb monitoring services for the Aviation Department's Operations Division. These services are needed 24 hours per day, seven days per week, and all year long to dispatch taxicabs from the staging lot to approved terminal pick-up locations. Taxicabs are dispatched using an automated vehicle identification system leading to reduced vehicle congestion and unnecessary taxicab trips. Approximately 400,000 taxicabs are dispatched annually at the Airport. Ace Parking III, LLC (Ace Parking), will manage the terminal rideshare curbs by monitoring the flow of rideshare vehicles and assisting rideshare customers as needed. Additionally, Ace Parking will accommodate those in the traveling public with special transportation needs, including those covered by the Americans with Disabilities Act, the elderly, and the very young.

**Procurement Information**

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

Two vendors submitted proposals. One vendor was deemed responsive and responsible. An evaluation committee of City staff evaluated the offer based on the following criteria with a maximum possible point total of 1,000:

- Method of Approach (0-350 points)
- Qualifications and Experience of Management Team (0-275 points)
- Qualifications and Experience of Firm (0-225 points)
- Fee Schedule (0-150 points)

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

Ace Parking III, LLC - 930 points

**Contract Term**

The contract will begin on or about March 1, 2023 for an initial three-year term with two one-year options to extend for a five-year term. The options to extend may be exercised at the sole discretion of the Aviation Director.

**Financial Impact**

The contract value will not exceed \$13,700,000 for the five-year contract term.

Funding is available in the Aviation Department's budget.

**Concurrence/Previous Council Action**

The Phoenix Aviation Advisory Board recommended approval of this item on Dec. 15, 2022 by a vote of 7-0.

**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.



**Fire Alarm System, Network and Fire Sprinkler, and Suppression System Services Contract - RFP 23-002 - Request for Award (Ordinance S-49386)**

Request to authorize the City Manager, or his designee, to enter into a contract with Climatec, LLC to provide fire alarm system network and fire sprinkler suppression system services for the Aviation 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 \$8,050,000.

**Summary**

This contract will provide testing, inspection, and repair services for the fire alarm system and the fire sprinkler/suppression systems at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports) and their owned and supported properties.

These services are essential for the efficient and successful operation of the fire life safety systems, and to ensure code compliance and safety of the Airports' employees, tenants, and the traveling public. In addition, the services provided will include reporting to The Compliance Engine as required by the Phoenix Fire Department and to ensure continued compliance with Administrative Regulation 5.43 related to Facility Asset Management.

**Procurement Information**

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

Four vendors submitted proposals and all were 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:

- Method of Approach to Scope of Services (0-350 points)
- Company Qualifications and Experience (0-300 points)
- Key Personnel Qualifications (0-200 points)
- Pricing (0-150 points)

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

Climatec, LLC: 834 points

**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 contract value will not exceed \$8,050,000 for the five-year contract term.

Funding is available in the Aviation Department's budget.

**Location**

Phoenix Sky Harbor International Airport - 2485 E. Buckeye Road

Council District: 8

Phoenix Deer Valley Airport - 702 W. Deer Valley Road

Council District: 1

Phoenix Goodyear Airport - 1658 S. Litchfield Road, Goodyear

Council District: Out of City

**Responsible Department**

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



## **April 2023 Proposed Bus Service Improvements (Ordinance S-49396)**

Request to authorize the City Manager, or his designee, to implement the April 2023 bus service changes. If approved, the service changes will take effect April 24, 2023.

### **Summary**

Responding to transit riders and the public's call to expand Phoenix's transit network, the Public Transit Department (PTD) recently sought public input regarding proposed extensions of existing bus routes in north and southwest Phoenix for April 2023. PTD provided the Citizens Transportation Commission a summary of the staff proposed service changes in October and conducted outreach during November and December. Identified routes and the proposed changes, as presented during the public outreach period, are listed below:

### Current Service

Route 28 (Lower Buckeye Road) - The City of Phoenix operates the seven-mile local route on Lower Buckeye Road between 22nd and 75th avenues in southwest Phoenix. The route operates at a 30-minute frequency daily and connects with five other local bus routes.

Route 35 (35th Avenue) - The City of Phoenix operates the 28-mile local route on 35th Avenue between 27th Avenue/Baseline Park-and-Ride (to the south) and Happy Valley Road and 21st Avenue (to the north). The route makes a deviation to Metrocenter Transit Center between Dunlap and Peoria avenues. The route operates at a 30-minute frequency daily, with increased frequency every 15 minutes during weekday peak hours (6 - 9 a.m. and 3 - 6 p.m.) between the Baseline Park-and-Ride and the Metrocenter Transit Center. The route currently connects with 21 other local bus routes in the region.

Route 61 (Southern Avenue) - Valley Metro operates the 28-mile local route on Southern Avenue between Superstition Springs Transit Center in Mesa and 43rd Avenue in Phoenix. The route operates in Phoenix, Tempe, and Mesa at a 30-minute frequency daily, with increased frequency every 15 minutes during weekday peak hours (6 - 9 a.m. and 3 - 6 p.m.). The route currently connects with 25 other local bus

routes, three circulator routes, and four express routes.

### Proposed Changes

Route 28 (Lower Buckeye Road) - Expanding the regional bus network in southwest Phoenix has long been a goal for the department and is identified in the T2050 plan. Initially, PTD had planned to propose a route extension on Lower Buckeye Road in early 2020, but the plan was interrupted by the global pandemic. As the workforce of our bus operating contractors begins to stabilize, the department is proposing this three-mile extension west towards 99th Avenue. The proposed extension will provide transit service into an area that has seen recent growth along Lower Buckeye Road between 75th and 99th avenues. The service area of the route extension is estimated to cover 15,000 residents and 3,700 households in southwest Phoenix.

Route 35 (35th Avenue) and Route 36 (35th Avenue North) - Over the years, PTD has received input from north Phoenix residents, businesses, and a medical site about the potential to expand the transit network north of Happy Valley Road. PTD engaged in a conversation with Honor Health Sonoran Crossing Medical, located at 32nd Avenue and Dove Valley Road, to explore options to provide new transit opportunities for patients and workers. The proposed seven-mile extension would utilize Norterra Parkway, Jomax Road, North Valley Parkway, Dove Valley Road, and 32nd Avenue to maximize the route's reach to connect residences, workplaces, medical centers, grocery stores, and shops into the region's vast transit network.

To make the proposed extension north of Happy Valley Road feasible, PTD proposed shortening Route 35 at the Metrocenter Transit Center, where the new Route 36 would then provide bus service between Metrocenter north towards Dove Valley Road. The shortened Route 35 would continue to operate at its current frequency and service span, which includes peak hour weekday service. The proposed new Route 36 would operate daily at a 30-minute frequency and adhere to the current service span of 4 a.m. to 11 p.m. on Monday through Friday, and 5 a.m. to 11 p.m. on Saturday and Sunday.

The split route operation provides the following benefit and mitigation to transit operations:

- Longer trips could become increasingly difficult to operate and maintain a reliable schedule. Currently, Route 35 is one of the longest routes in the region.
- Route 36 would connect with nine other local bus routes, which would expand

opportunities to reach the new segment with only one transfer. If Route 36 only operated north of Happy Valley Road, the route would only make bus connections to Routes 19 and 35.

- Routes terminating at Metrocenter Transit Center provide an ideal situation to provide operators a break location and a timed transfer between routes.

The service area of the route extension is estimated to cover 8,000 residents and 2,700 households in north Phoenix.

Route 61 (Southern Avenue) - Recent roadway improvements made by Maricopa County near 43rd and Southern avenues have resulted in a detour to 51st Avenue for a bus turnaround at the end of line. To make the temporary detour permanent and provide connection between bus routes, Phoenix and Valley Metro propose extending Route 61 one mile west to 51st Avenue. The extension would add connections to two major local routes (Route 51 and Route 61).

The service area of the route extension is estimated to cover 7,600 residents and 2,200 households in southwest Phoenix.

Maps of the proposed service changes are included in **Attachment A**.

### Service Equity Analysis

Per Federal Transit Administration regulations, a Title VI Service Equity Analysis on each proposed service change was conducted to analyze if the proposed change causes a disparate impact on minority populations or yields a disproportionate burden toward low-income populations. In summary, among the four proposed service change concepts, Route 35's proposed segment reduction qualifies as potentially causing disproportional burden to low-income communities. However, the impact is mitigated by having the new Route 36 cover the eliminated segment and synchronize schedules between the two routes to minimize transfer time for passengers. Details of the service equity analysis for the proposed April 2023 service change is included in **Attachment B**.

### Public Input Process

The PTD used the locally adopted public outreach process to solicit public feedback on proposed service changes. Phoenix and Valley Metro staff conducted in-person and virtual outreach utilizing posters and A-Frame signs placed at key areas along each route to notify the public of the proposed changes, and direct passengers to visit Valley Metro's website to submit comments through Dec. 2. The proposed changes were also advertised via social media, interactive webinars, and a public hearing was held on

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Nov. 16.

Overall, 1,257 total comments and suggestions were received about Phoenix's proposed service changes, with 517 of those registering either a positive or negative opinion specifically on each proposed service change. The results of the public input by route are as follows:

Route 28 Extension to 99th Avenue:

- 62 Support (75%)
- 21 Against (25%)

Route 35 Modification to create new Route 36 extending into North Phoenix:

- 113 Support (28%)
- 287 Against (72%)

Route 61 Extension to 51st Avenue:

- 63 Support (66%)
- 32 Against (34%)

Route 35 and 36's service change proposal received significant public opposition through public comments. Most comments received opposed bus service north of Happy Valley Road due to concern over the road's capacity to handle bus service and the concern over not having enough commercial and mixed development along the extension corridor to support a transit route. While some opposition to proposed service changes may be expected, the overwhelming opposition to Route 35/36's proposal indicates that the PTD should reevaluate the proposed routing and an implementation timeline to gather public support for the route extension, including alternative timelines for implementation as well as routing scenarios in the area.

Staff Recommendation

Based on the feedback received, staff is recommending implementing proposed service changes to routes 28 (Lower Buckeye Road) and Route 61 (Southern Avenue); changes to Route 35/36 (35th Avenue) are not recommended for implementation at this time.

**Financial Impact**

The proposed changes to Routes 28 and 61 will increase PTD's operating expenses by approximately \$966,000 annually, of which \$648,000 is attributed to Route 28, and \$318,000 to Route 61. Fiscal Year 2022-23 financial impact is estimated to be \$180,000 for a partial year implementation (April 24 - June 30, 2023). Funding is

available in the Public Transit Department's operating budget. Contract amendments for Phoenix's bus service providers will be developed to reflect the increase in contract capacity necessary to maintain these service increases in future years.

**Concurrence/Previous Council Action**

This item was recommended for approval at:

- The Citizens Transportation Commission meeting on Dec. 15, 2022, by a vote of 8-0.
- The Transportation, Infrastructure and Planning Subcommittee meeting on Jan. 18, 2023, by a vote of 4-0.

**Location**

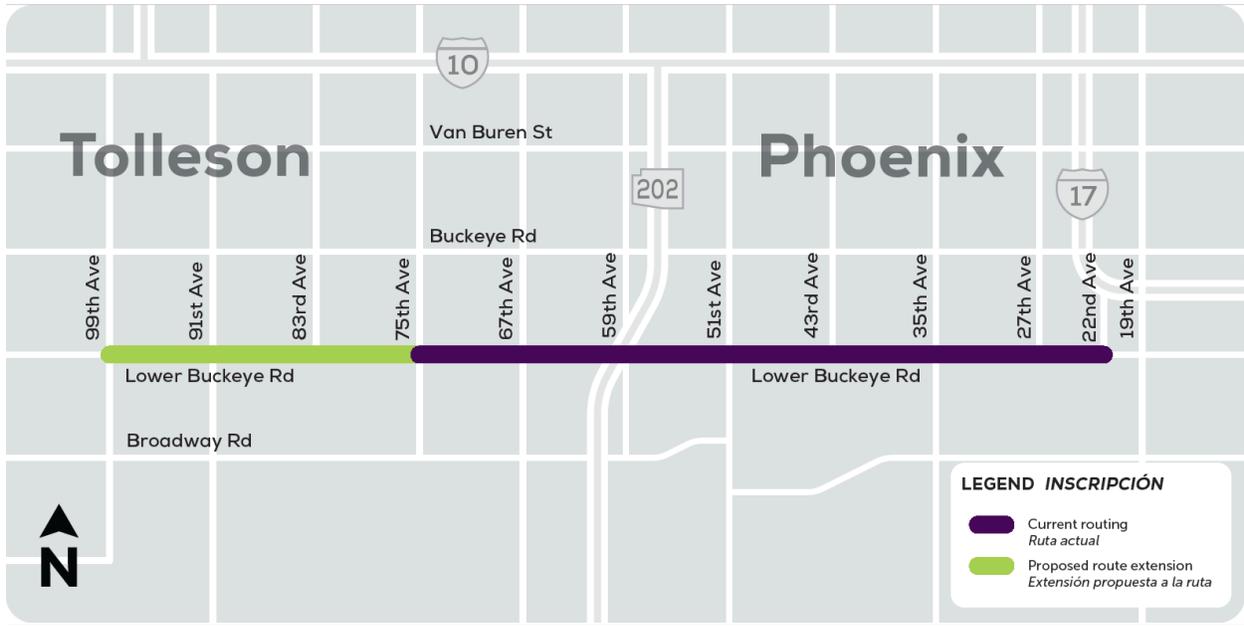
Council Districts: 1, 2 and 7

**Responsible Department**

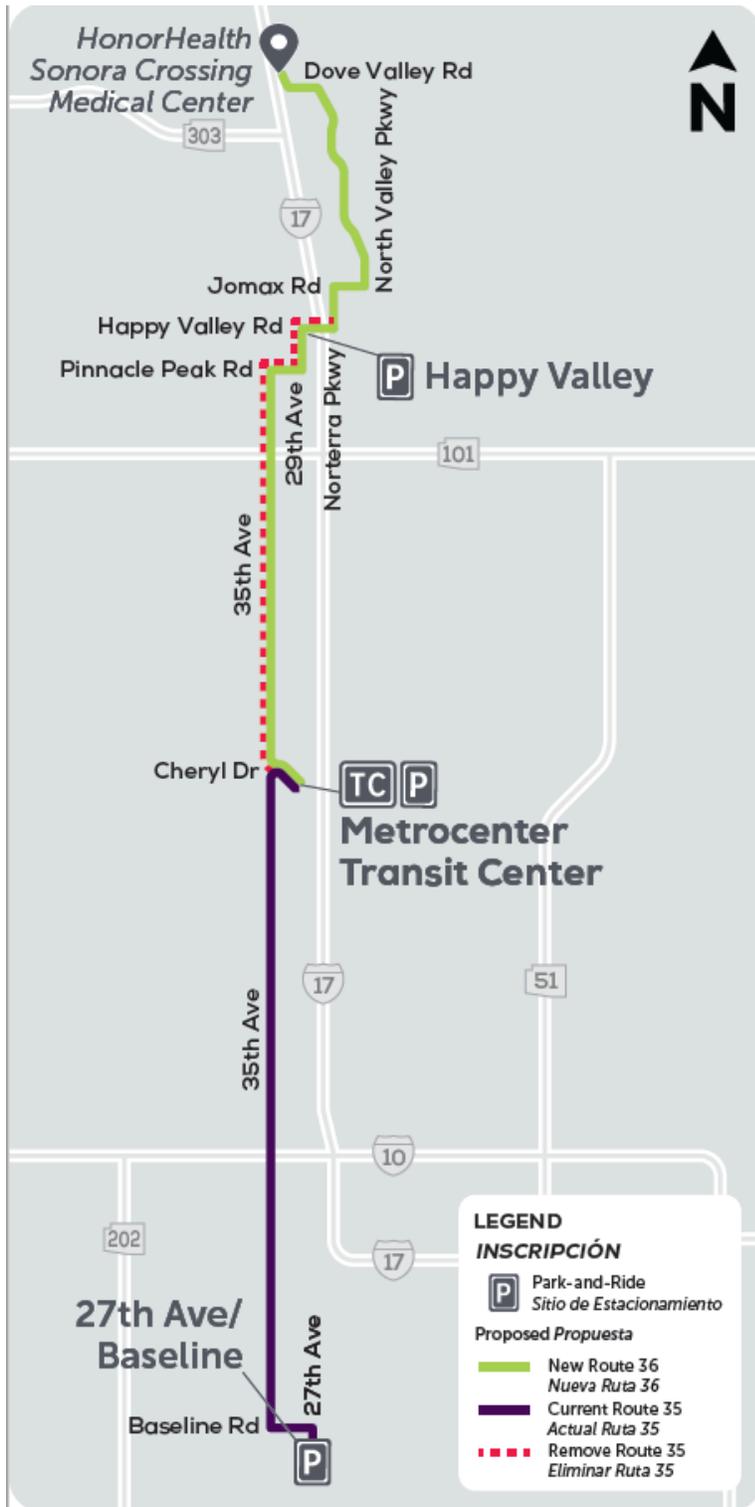
This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

# ATTACHMENT A- April 2023 Proposed Service Change Maps

## Route 28- (Lower Buckeye Road)



# Route 35/36 - (35th Avenue)



# Route 61 (Southern Ave)



# **Title VI Service Equity Analysis**

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## **City of Phoenix Proposed April 2023 Service Change**



**City of Phoenix Public Transit Department**



## **INTRODUCTION**

Title VI of the Civil Rights Acts of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. Federal law requires the City of Phoenix to evaluate service changes and proposed improvements at the planning and programming stages to determine whether those changes have a discriminatory impact. This process will be used to evaluate bus services in an objective manner to identify the potential for adverse, disproportionately high, or disparate impacts to minority and/or low-income populations.

The Phoenix Public Transit Department (PTD) manages modification to the region's transit network through service changes. Bus service changes are coordinated regionally and occur in April and October each year. Service modifications that are considered major service changes require service equity analysis to be conducted and considered by the Phoenix City Council before approval.

## **SERVICE EQUITY ANALYSIS POLICIES**

This section describes Phoenix's Title VI Service Equity analysis policy, definition, and data analysis procedures. The City of Phoenix Public Transit Title VI Program is posted at <https://www.phoenix.gov/publictransit/title-vi-notice>

### **Major Service Change**

The Major Service Change and Service Equity Policy developed jointly by both the City of Phoenix and Valley Metro defines a major service change as follows:

- Adding or Eliminating an entire route
- Expanding or reducing existing revenue miles on a route by more than 25% on Weekday, Saturday, or Sunday
- Expanding or reducing number of route directional miles more than 25%
- A change resulting in a 25% or greater variance from the existing route alignment<sup>12</sup>

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<sup>1</sup> A change of 25 percent in weekly route revenue miles and/or route directional miles is the City of Phoenix threshold for determining whether a potential transit service change qualifies as a major service change (or "substantial" service change), according to the City of Phoenix resolution (1990). This percentage is generally an industry-wide percentage threshold used by peer transit systems throughout the United States. The City of Phoenix resolution also specifies that a public comment period will be initiated when a change in transit service of 25 percent or more is determined. Valley Metro has adopted the same thresholds.

<sup>2</sup> A change of 25 percent in Express/RAPID service route revenue miles and/or route directional miles does not apply to the portion of the routes that are on the freeway/highway because there are no stops or service. Only the portion of the routes that occurs on surface streets applies to the 25 percent threshold for a major service change.



All service change proposals that are determined to be a major service change will undergo Service Equity Analysis.

### Adverse Effect

An adverse effect is defined as a reduction or addition in service that includes but is not limited to: changes in span of service, changes to frequency of service, the addition of new routes, the elimination of routes or route segments, or the modification of routes or route segments.

### Disparate Impact

When the difference in adverse impacts between minority ridership<sup>3</sup> and/or population<sup>4</sup> and non-minority ridership and/or population on the affected service is equal to or greater than **five percent** compared to the transit system's minority and non-minority ridership<sup>5</sup> and/or population, there would be a disparate impact.

### Disproportionate Burden

When the difference in adverse impacts between low-income ridership<sup>3</sup> and/or population<sup>4</sup> and non-low-income ridership and/or population on an affected service is equal to or greater than **five percent** compared to the transit system's low-income and non-low-income ridership<sup>5</sup> and/or population, there would be a disproportionate burden impact.

Should Valley Metro or the City of Phoenix find any disparate impact or disproportionate burden is found during the service equity analysis, steps will be taken to avoid, minimize, or mitigate the impacts.

### Equity Analysis Data Sources

The following table identifies the data source for the service equity analysis depending on the type of service change being proposed.

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<sup>3</sup> The determination of the transit system and an affected route's minority and/or low-income ridership will be derived from the most recently completed, statistically valid regional on-board origin/destination survey.

<sup>4</sup> The determination of the potential ridership for service expansion or the addition of a new service will be derived from the most recent American Community Survey data for the census tract or census block group surrounding the expanded route or new route.

<sup>5</sup> The transit system's ridership is separated into Local Bus Service (local fixed bus routes, key local service, light rail, streetcar and circulator bus service) and Express/RAPID Service (commuter bus service). The affected service would be compared to the overall transit system's ridership by Local Bus Service or Express/RAPID Bus Service.



Category	Action	Sub Action	Evaluation Method
Service Level <sup>6</sup> Change	Reduction	Not Applicable	O/D <sup>7</sup> Data
	Expansion	Not Applicable	
Route Length	Reduction	Not Applicable	O/D Data
	Expansion	Not Applicable	Census Data
Route Alignment Change	Reduction	Not Applicable	O/D Data
	Expansion	Not Applicable	O/D Data and Census Data
	Modification	Eliminated Segment(s)	O/D Data and Census Data
		Segment(s) to New Areas	Census Data
	Elimination	Not Applicable	O/D Data
New Route	New Route	Not Applicable	Census Data
Fare Media Access	Modifications	Not Applicable	O/D Data Census Data

Transit System Minority/ Low-Income Population Benchmarks

Service Equity Analysis benchmarks based on October 2022 Service Area Census Data (2020 Census):

Service Type	Minority	Low-Income (150%)
Local Bus	51.44%	65.92%
Circulator	54.31%	72.56%
Express/RAPID Bus	53.47%	69.86%

Service Equity Analysis benchmarks based on 2019 O/D Data

Service Type	Minority	Low-Income
Local Bus	62.2%	45.0%
Circulator	60.1%	45.8%
Express/RAPID Bus	43.5%	4.9%

<sup>6</sup> Service Level- Refers to the span of service, days of operations, trips and headways (service frequencies) for a transit route or the regional transit system.

<sup>7</sup> Origin/Destination Survey Data



## **SERVICE EQUITY ANALYSIS OF APRIL 2023 SERVICE CHANGES**

### Description of Proposed Changes

The Public Transit Department (PTD) is proposing to extend the reach of local bus service in the north and southwest sections. The route improvements are part of PTD's T2050 Transportation Plan (T2050) to expand the reach of Phoenix's transit network.

The proposed service changes are:

- Route 28 (Lower Buckeye Rd) – extend the route west to 99th Avenue.
- Route 35 (35th Ave)- Split the route at Metrocenter Transit Center. Existing bus service south of Metrocenter Transit Center remained as Route 35. Bus service north of Metrocenter Transit Center will be incorporated into new Route 36.
- Route 36 (35th Ave North) – new route operating from Metrocenter Transit Center to Dove Valley Road via 35th Avenue, Norterra Pkwy and North Valley Pkwy. The route will terminate at Honor Health Sonoran Crossing Medical Center.
- Route 61 (Southern Ave)- extend the route west to 51st Avenue.

### *CURRENT ROUTING*

**Route 28 (Lower Buckeye Rd)** – The city of Phoenix operates the 7-mile local route on Lower Buckeye Road between 22nd and 75th avenues in southwest Phoenix. The route operates at a 30-minute frequency daily and connects with five other local bus routes.

**Route 35 (35th Ave)** – The city of Phoenix operates the 28-mile local route on 35th Avenue between 27th Avenue/Baseline Park and Ride (to the south) and Happy Valley Road and 21st Avenue (to the north). The route makes a deviation to Metrocenter Transit Center between Dunlap and Peoria avenues. The route operates at a 30-minute frequency daily, increasing to every 15 minutes during weekday peak hours (6 – 9 a.m. and 3 – 6 p.m.) between the Baseline Park and Ride and the Metrocenter Transit Center. The route currently connects with 21 other local bus routes in the region.

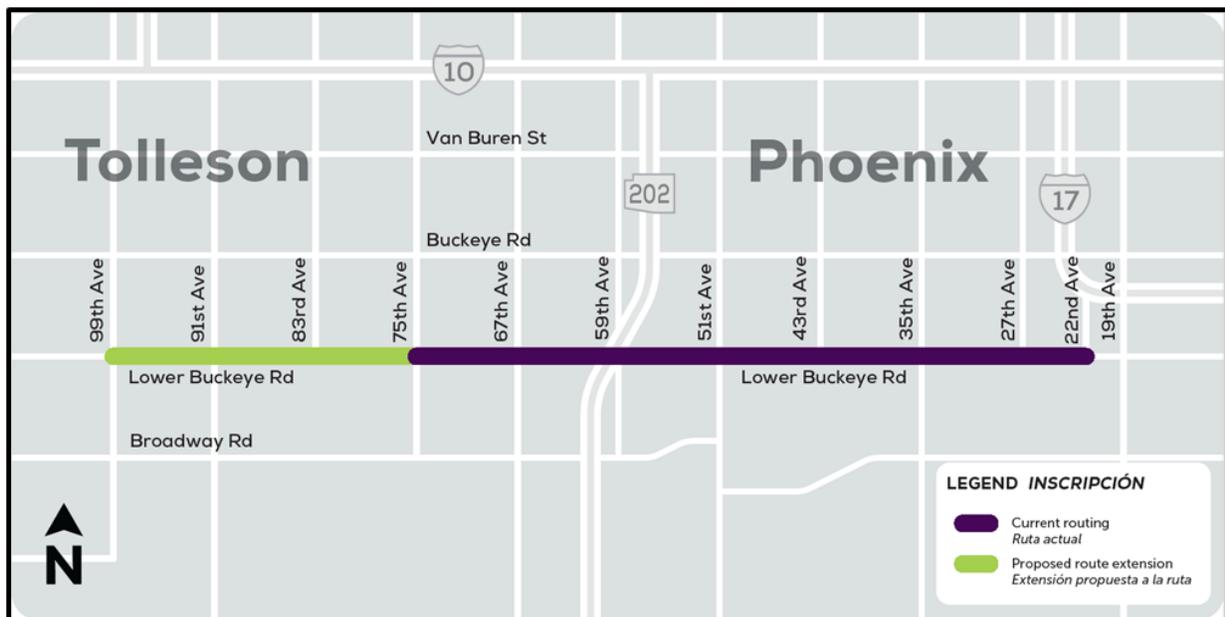
**Route 61 (Southern Ave)** – Valley Metro operates this 28-mile local route on Southern Avenue between Superstition Springs Transit Center in Mesa and 43rd Avenue in Phoenix. The route operates in Phoenix, Tempe, and Mesa. The route operates at a 30-minute frequency daily, increasing to every 15 minutes during weekday peak hours (6 – 9 a.m. and 3 – 6 p.m.). The route currently connects with 25 other local bus routes, three circulator routes, and four express routes.

### *PROPOSED CHANGES*



**Route 28 (Lower Buckeye Rd)** – Expanding the regional bus network in southwest Phoenix has long been a goal for the department and is identified in the T2050 plan. Initially, PTD had planned to propose a route extension on Lower Buckeye Road in early 2020, but the plan was interrupted by the global pandemic. As the workforce of our bus operating contractors stabilizes, the department now proposes this 3-mile extension west to 99th Avenue.

The proposed extension west will provide transit service into an area that has seen recent growth along Lower Buckeye Road between 75th and 99th avenues. The service area of the route extension is estimated to cover 15,000 more residents and 3,700 households in southwest Phoenix.





**Route 35 (35th Avenue) and Route 36 (35th Ave North)** – There has been an ongoing conversation between PTD and north Phoenix residents, businesses and medical providers to expand Route 35 north of Happy Valley Road. In 2019, PTD engaged in an extensive conversation with Honor Health Sonoran Crossing Medical, located at 32nd Avenue and Dove Valley Road, to explore options to provide new transit opportunities for patients and workers.

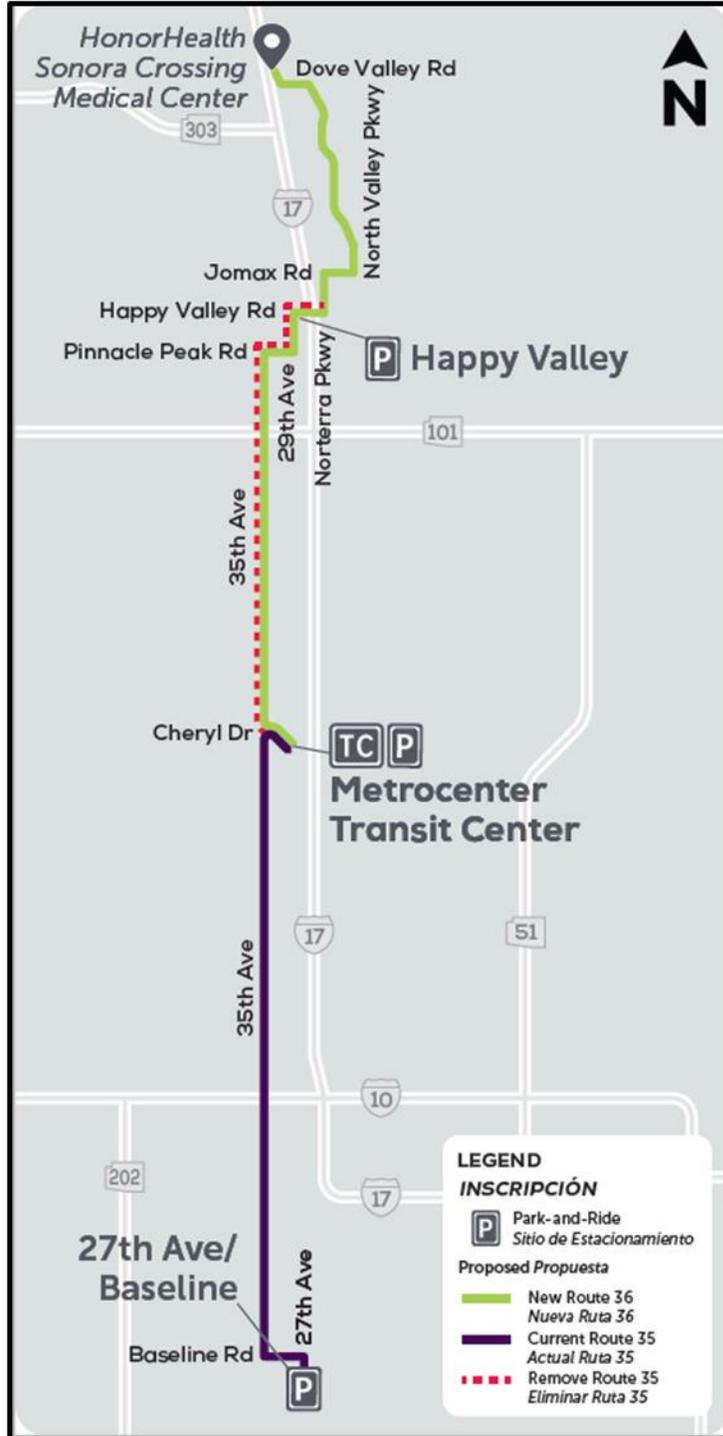
The proposed 7-mile extension would utilize Norterra Parkway, Jomax Road, North Valley Parkway, Dove Valley Road and 32nd Avenue to maximize the route's reach to connect residences, workplaces, medical centers, grocery stores, and shops into the region's vast transit network.

To make the proposed extension north of Happy Valley Road feasible, PTD proposes to end Route 35 at the Metrocenter Transit Center, where the new Route 36 would now provide bus service between Metrocenter and 32nd Avenue and Dove Valley Road. The shortened Route 35 would continue to operate at its current frequency schedule, including the peak hour weekday service; and the new Route 36 would operate daily at a 30-minute frequency.

The split route operation provides the following benefit and mitigation to transit operations:

- Longer trips could become increasingly difficult to operate and maintain a reliable schedule. Currently, Route 35 is one of the longest routes in the region.
- Route 36 would connect with nine other local bus routes, which would expand opportunities to reach the new segment with only one transfer. If Route 36 only operated north of Happy Valley Road, the route would only make bus connections to Routes 19 and 35.
- Routes terminating at Metrocenter Transit Center provides an ideal situation to provide operators a break and a timed transfer between routes.

The service area of the route extension is estimated to cover 8,000 more residents and 2,700 households in north Phoenix.





**Route 61 (Southern Ave)** – Recent roadways improvements made by Maricopa County near 43rd and Southern avenues have resulted in a detour to 51st Avenue for a bus turnaround. To make the temporary detour permanent and provide connection between bus routes, Phoenix and Valley Metro propose to extend Route 61 one mile west to 51st Avenue. The extension would add connections to two major local routes Route 51 and Route 61.

The service area of the route extension is estimated to cover 7,600 more residents and 2,200 households in southwest Phoenix.





**Public Input Process**

The Public Transit Department will use the locally adopted public outreach process to solicit public feedback on proposed service changes. Phoenix and Valley Metro staff will conduct in-person and virtual outreach utilizing posters and A-Frame signs placed at key areas along each route to notify the public of the proposed changes, and direct passengers to visit Valley Metro’s website to submit comments through December. The proposed changes will also be advertised via social media, interactive webinars, and a public hearing.

**Magnitude of Service Change**

The first step of the Title VI assessment is to measure and document the magnitude of service change being proposed to determine if a project qualifies as a “major service change”. For routes that cross jurisdictional boundaries, revenue and directional miles are summarized for both total route and Phoenix portion only.

**Table 1: Magnitude of Impact- Major Change Indicators by Individual Projects**

	Add or Eliminate Route	Expanding or reducing existing route by more than 25% of Weekday route revenue miles	Expanding or reducing existing route by more than 25% of Saturday routes revenue miles	Expanding or reducing existing route by more than 25% of Sunday route revenue miles	Expanding or reducing number of route directional miles more than 25%	A change resulting in a 25% or greater variance from the existing route alignment	Continue to Assess Mitigation
Route 28	NO	YES	YES	YES	YES	NO	YES
Route 35	NO	YES	YES	YES	YES	NO	YES
Route 36	YES	YES	YES	YES	YES	YES	YES
Route 61	NO	NO	NO	NO	NO	NO	NO

**Table 2: Revenue Miles Change**

Routes	Current Revenue Miles			Proposed Revenue Miles			% Difference		
	Weekday	Saturday	Sunday	Weekday	Saturday	Sunday	Weekday	Saturday	Sunday
Route 28	522	496	496	757	718	718	44.9%	44.7%	44.7%
Route 35	2,619	2,088	2,088	1,665	1,180	1,180	-36.4%	-43.5%	-43.5%
Route 36	-	-	-	1,558	1,482	1,482	100.0%	100.0%	100.0%
Route 61	1,042	759	738	1,252	912	887	20.1%	20.1%	20.1%

**Table 3: Directional Miles Change**



Routes	Current Directional Miles	Proposed Directional Miles	% Difference
Route 28	13.4	19.4	45%
Route 35	55.0	31.7	-42%
Route 36	-	38.0	100%
Route 61	20.69	24.9	20%

**Table 4: Route Service Area Title VI Populations by Census Block Group\***

Route		Percent Minority Population	Percent Low Income Population
All Local		51%	24%
Rt 28	Existing Route	81%	26%
Rt 28	New Segment	87%	21%
Rt 28	Total New Route	84%	23%
Rt 35	Existing Route	64%	30%
Rt 35	Eliminated Segment	42%	23%
Rt 35	Total Remaining Route	78%	35%
Rt 36	Currently Serviced by Rt 35	42%	23%
Rt 36	New Service Segment	32%	7%
Rt 36	Total New Route	40%	20%
Rt 61	Existing Route	63%	28%
Rt 61	New Segment	75%	22%
Rt 61	Total New Route	64%	28%
* Population figures are proportionate to the portion of the Census Block Group within 3/4 mile buffer of route.			
Above system average by five percent			

**Table 5. Route Rider Population from 2019 Valley Metro Origin and Destination Data**

Route	Percent Minority Population	Percent Low Income Population
All Locals	62%	45%
Rt 28 Existing	85%	15%
Rt 61 Existing	67%	39%
Rt 35 Existing	62%	57%
Rt 35 Elimated Segment	55%	55%
Rt 36 New Route	NA	NA



## Findings

Three of the four April 2023 proposed service changes do qualify as a major service change: Route 28, Route 35, and Route 36. Route 61 extension does not meet any of the criteria for requiring further analysis.

### Route 28 Proposed Change Disparate Impact and Disproportional Burden Threshold

The Route 28 new area to be served by the extension is 87% minority and 21% low income, placing it 36% above the local average for minority population and 3% below the average for low income. Based on the established threshold for qualification of potential disparate impact to minority population or disproportional burden to low-income population (5% above system average), Route 28 qualifies as potentially having disparate impact to minority population should the proposed service change is a reduction in service. However, since the proposed service change is a service expansion and improvement, no further analysis or modification is required on the proposed service change.

### Route 35 Proposed Change Disparate Impact and Disproportional Burden Threshold

Route 35 restructuring produces a significant decrease in service miles for that route. The existing route ridership is at or above the local average for both minority and low-income populations, at 62% and 57% respectively. Route 35's low-income rider threshold is 12% above the local route average, placing the route service change qualified as potentially causing disproportional burden to low-income riders.

### Route 35 Proposed Change Mitigation Strategy

While Route 35's proposed service does not remove transit service in its service because the eliminated segment is proposed to be replaced by a new Route 36, PTD will further mitigate the impact of the service change proposal by ensuring the scheduled between the two routes would be synchronized to meet at Metrocenter Transit Center with minimize wait time for short transfer time between the two routes.

### Route 36 Proposed Change Disparate Impact and Disproportional Burden Threshold

The proposed Route 36 service area is below the local route average for both minority and low-income population at 32% and 7% respectively. As it is a service improvement, no mitigation is required.

### Route 61 Proposed Change Disparate Impact and Disproportional Burden Threshold



Route 61 ridership is above local average for percent minority population at 67% and below local average low-income population at 39%. The new area served by the route extension is above average for both minority and low income, at 64% and 28% respectively.

Based on the established threshold for qualification of potential disparate impact to minority population or disproportional burden to low-income population (5% above system average), Route 61 qualifies as potentially having disparate impact to minority population should the proposed service change is a reduction in service. However, since the proposed service change is a service expansion and improvement, no further analysis or modification is required on the proposed service change.

**Phoenix Only Route 61**

This section will assess the Route 61 service change impacts to the City of Phoenix riders and service area alone. The full route is assessed in the previous section.

	Current Revenue Miles			Proposed Revenue Miles			% Difference			Current Directional Miles	Proposed Directional Miles	% Difference
	Weekday	Saturday	Sunday	Weekday	Saturday	Sunday	Weekday	Saturday	Sunday			
Route 61 Phoenix Only	1,042	759	738	1,252	912	887	20.1%	20.1%	20.1%	20	24.2	21%

Route	Percent Minority Population	Percent Low Income Population
Rt 61 Existing Riders Phoenix Only*	79%	35%
Rt 61 Future Service Area**	75%	22%
* 2019 Valley Metro Origin and Destination Study		
** Population figures are proportionate to the portion of the Census Block Group within 3/5 mile buffer of route.		

**Findings**

The service change in revenue miles and directional miles does not exceed 25% so does not qualify as a major service change. No further analysis is required.

**Conclusion**

Route 28- The proposed service change is a service expansion and improvement, no disparate impact to minority population or disproportional burden is found.



Route 35- The proposed service change on Route 35 would cause low-income population to experience disproportional burden. The impact is mitigated by having new Route 36 taking over the eliminated segment as well as synchronize transfer between routes to minimize wait time for passengers.

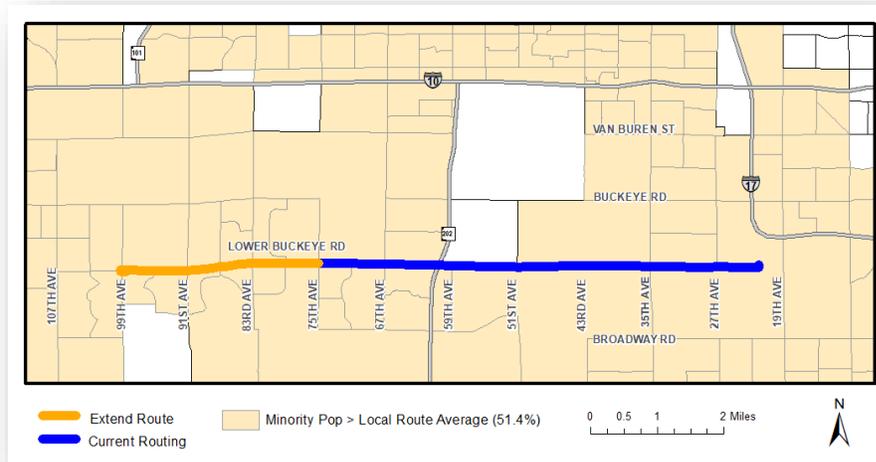
Route 36- The proposed service change is a service expansion and improvement, no disparate impact to minority population or disproportional burden is found.

Route 61- The proposed service change is a service expansion and improvement, no disparate impact to minority population or disproportional burden is found.

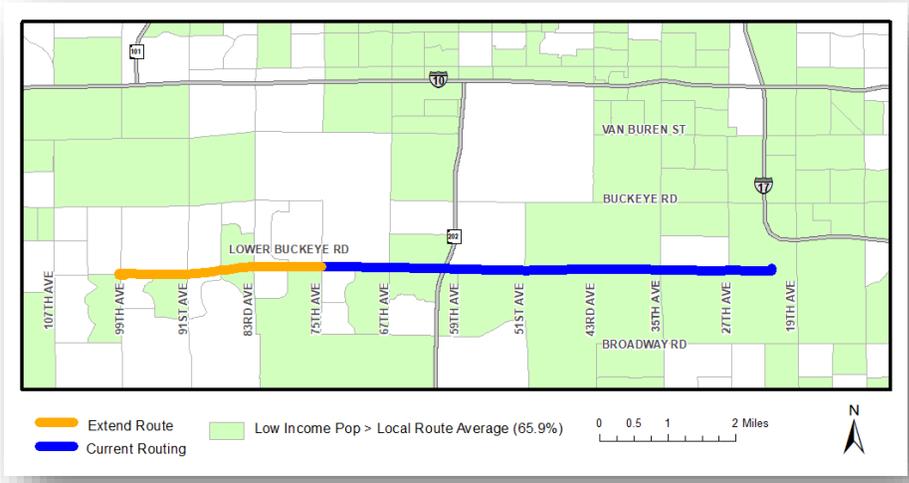
**Demographic Maps**

Map 1 and Map 2 illustrate the distribution of Title VI populations and the proposed April 2023 service changes to Route 28. Map 3 and Map 4 illustrate the distribution of Title VI populations and Route 35. Map 5 and Map 6 illustrate the distribution of Title VI populations and Route 36. Map 7 and Map 8 illustrate the distribution of Title VI populations and Route 61. Map 9 and Map 10 illustrate the distribution of Title VI populations and Route 61 in Phoenix Only.

**Map 1: April 2023 Service Change and Minority Population Route 28**

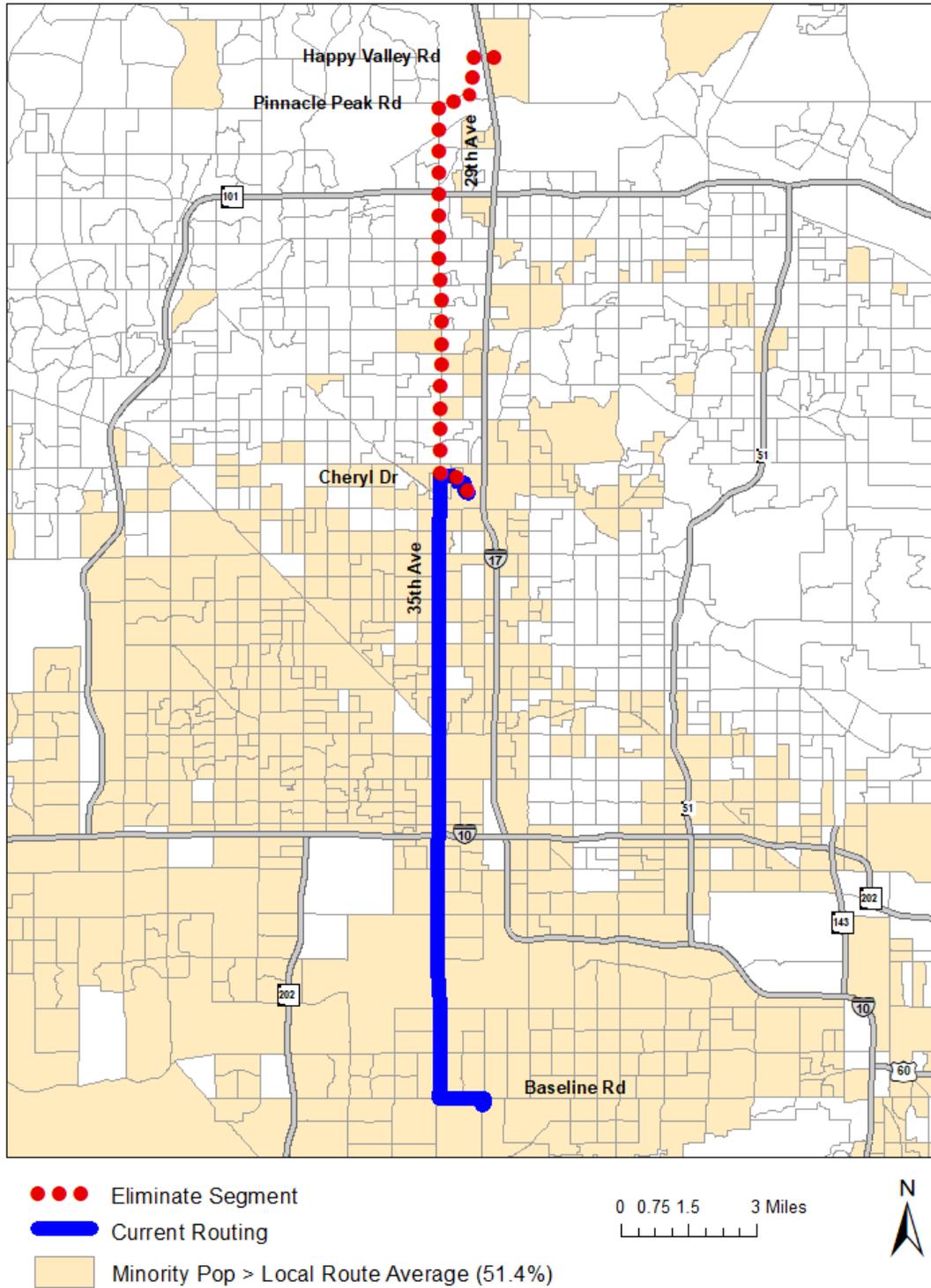


**Map 2: April 2023 Service Change and Low-Income Population Route 28**



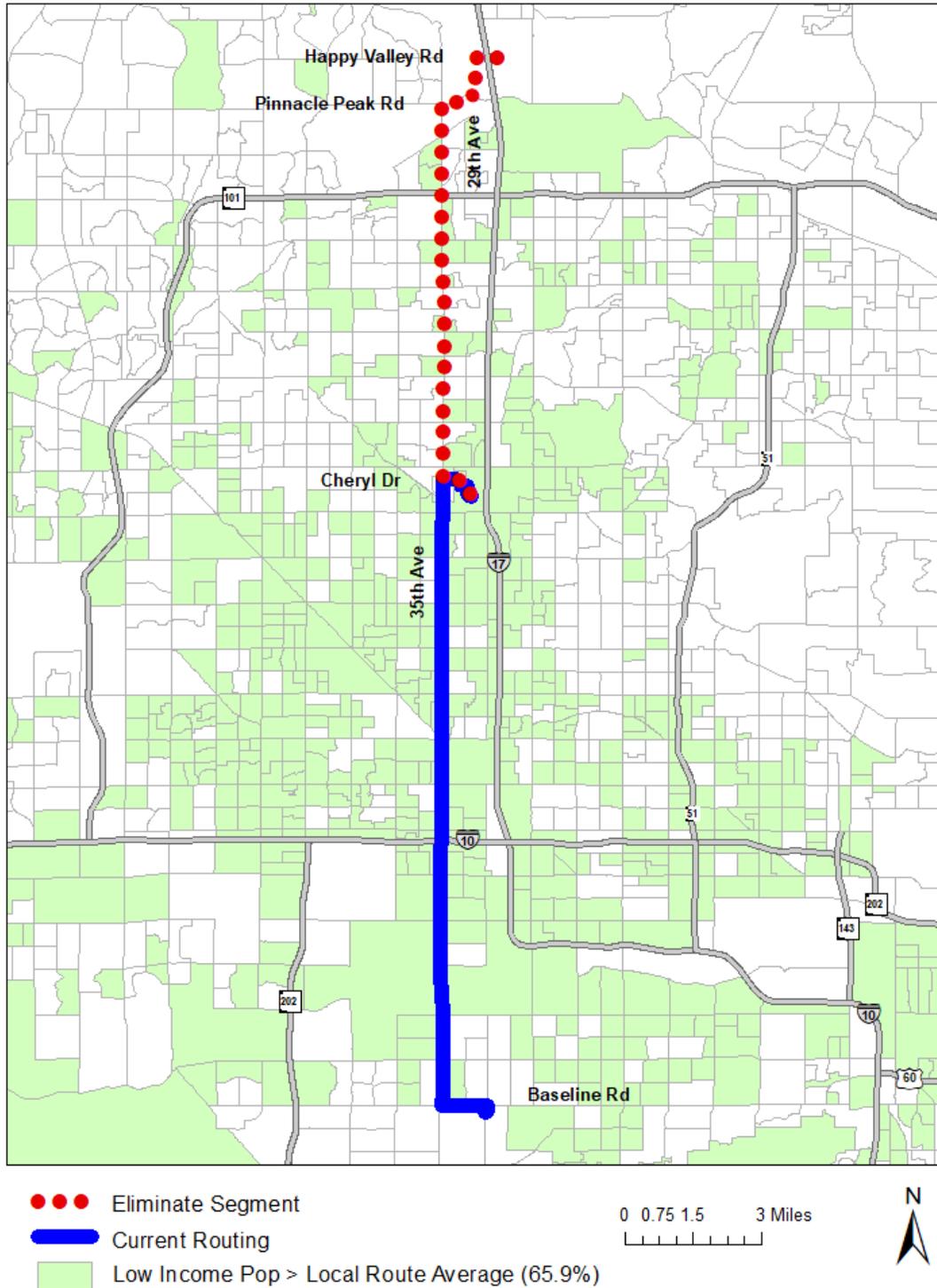


### Map 3: April 2023 Service Change and Minority Population Route 35



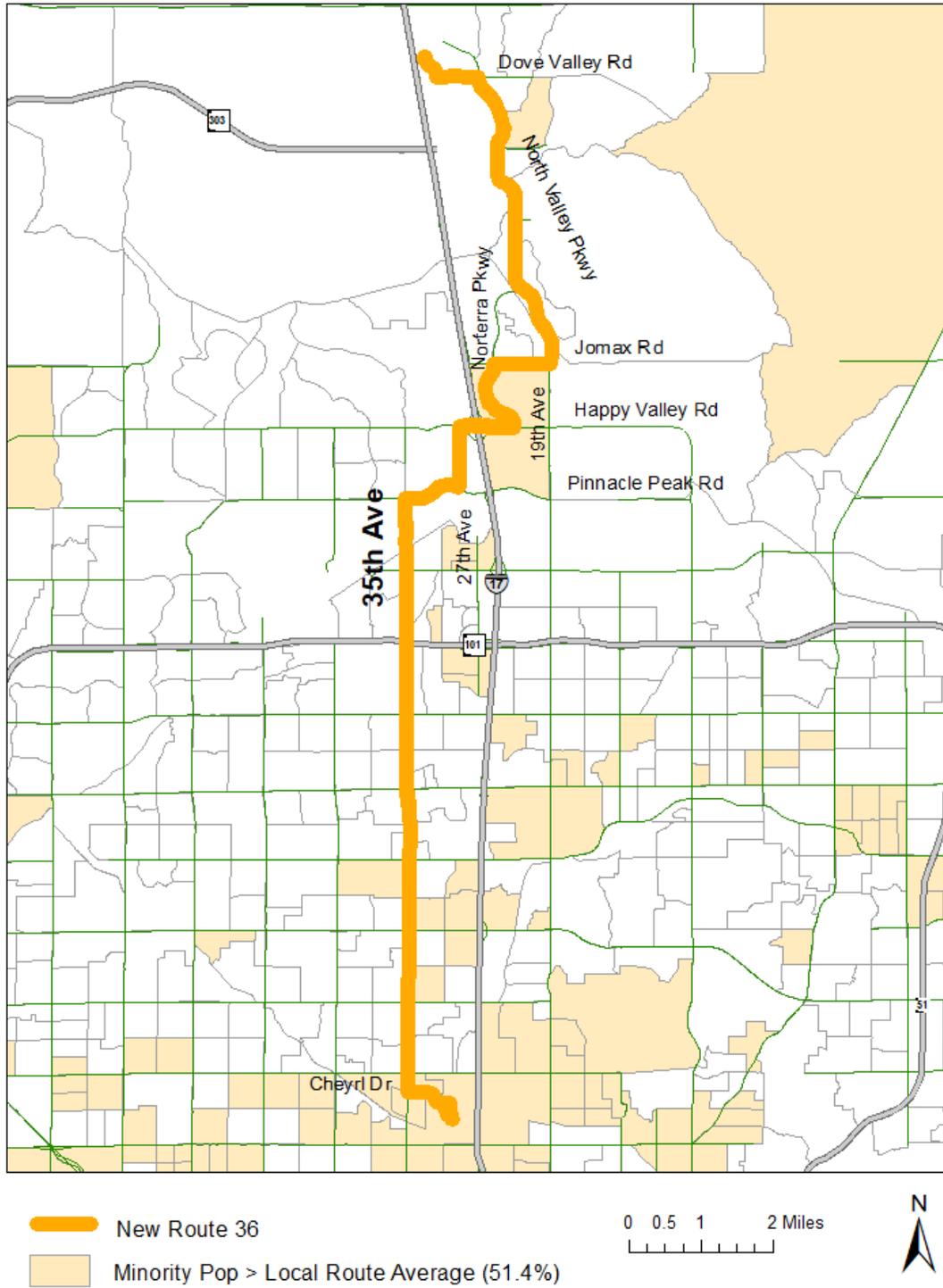


Map 4: April 2023 Service Change and Low-Income Population Route 35



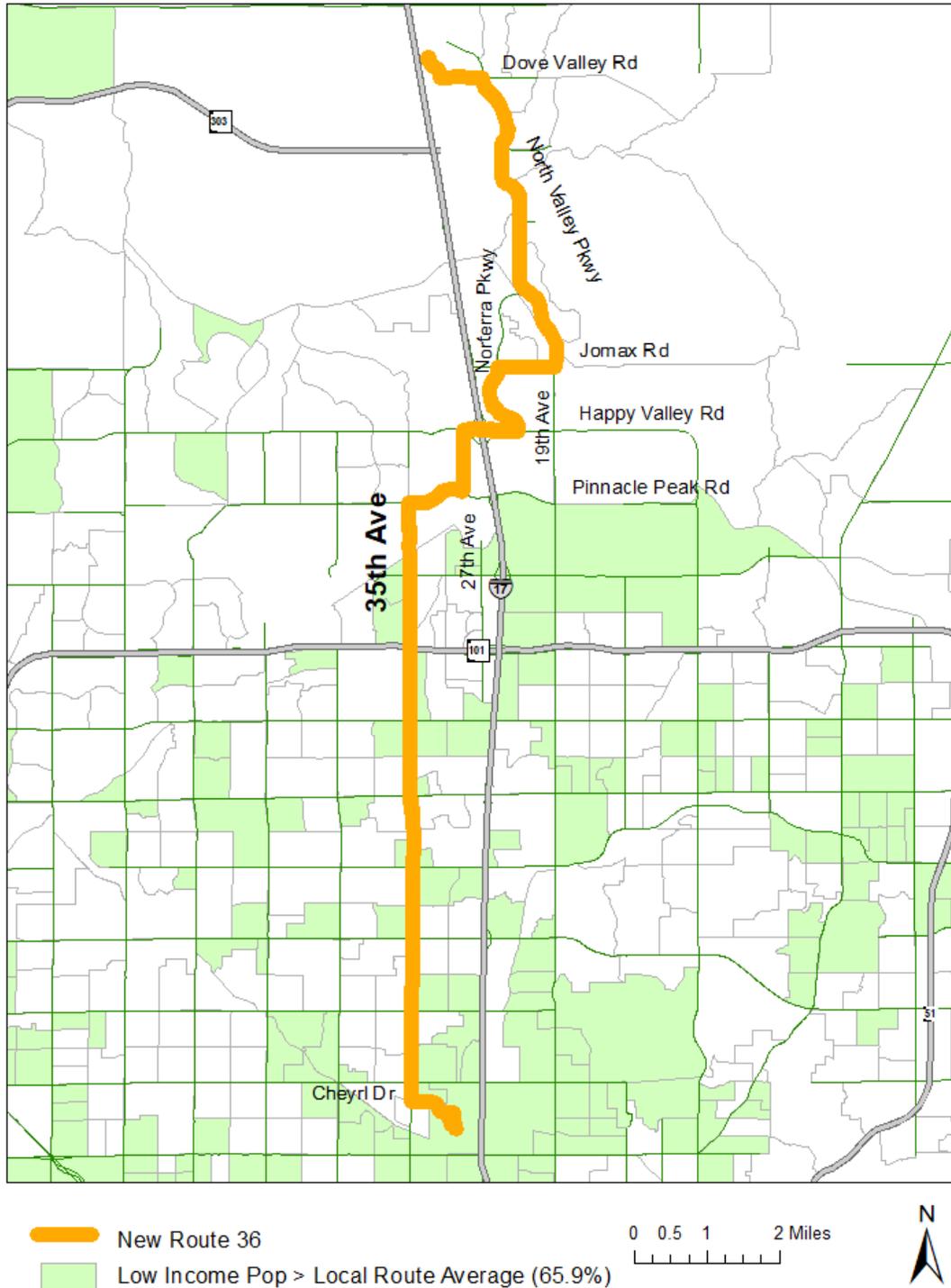


### Map 5: April 2023 Service Change and Minority Population Route 36



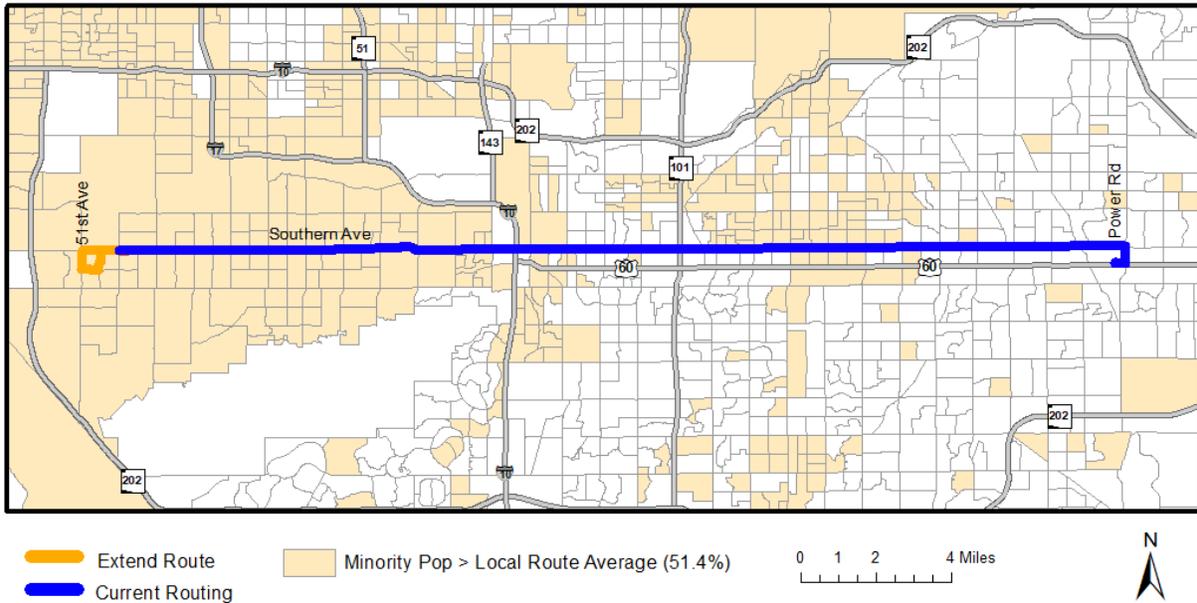


Map 6: April 2023 Service Change and Low-Income Population Route 36

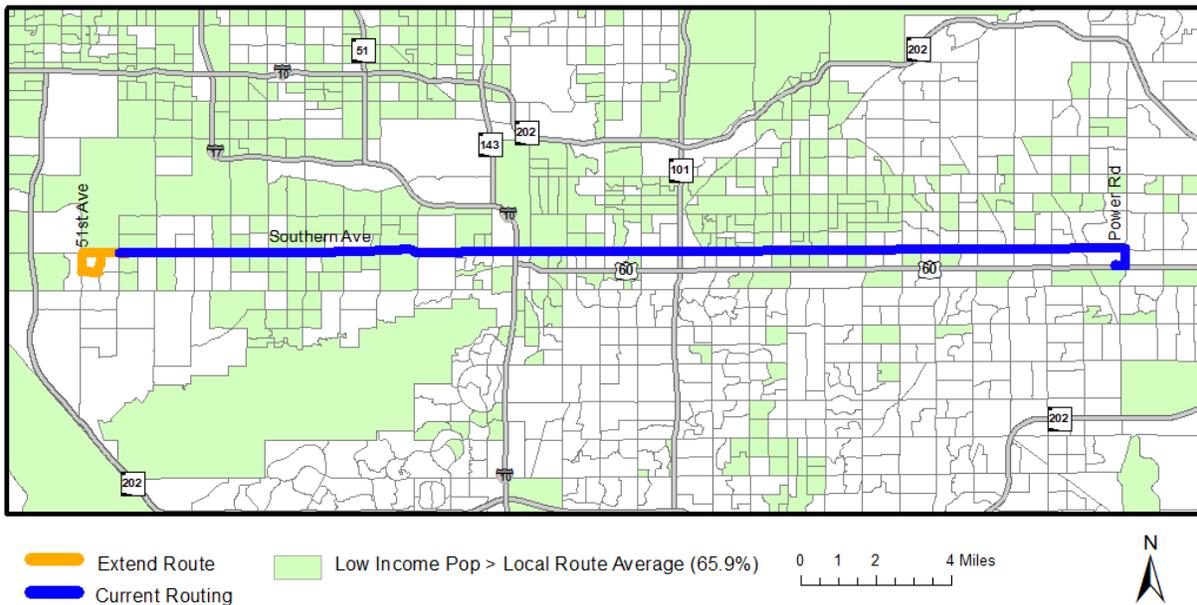




**Map 7: April 2023 Service Change and Minority Population Route 61**

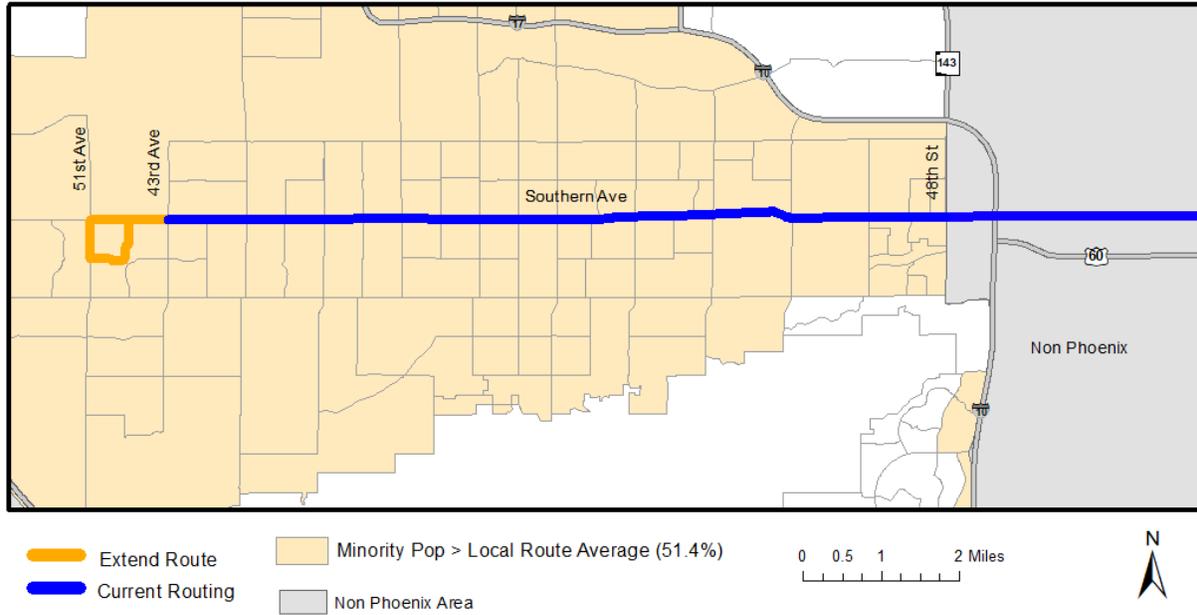


**Map 8: April 2023 Service Change and Low-Income Population Route 61**

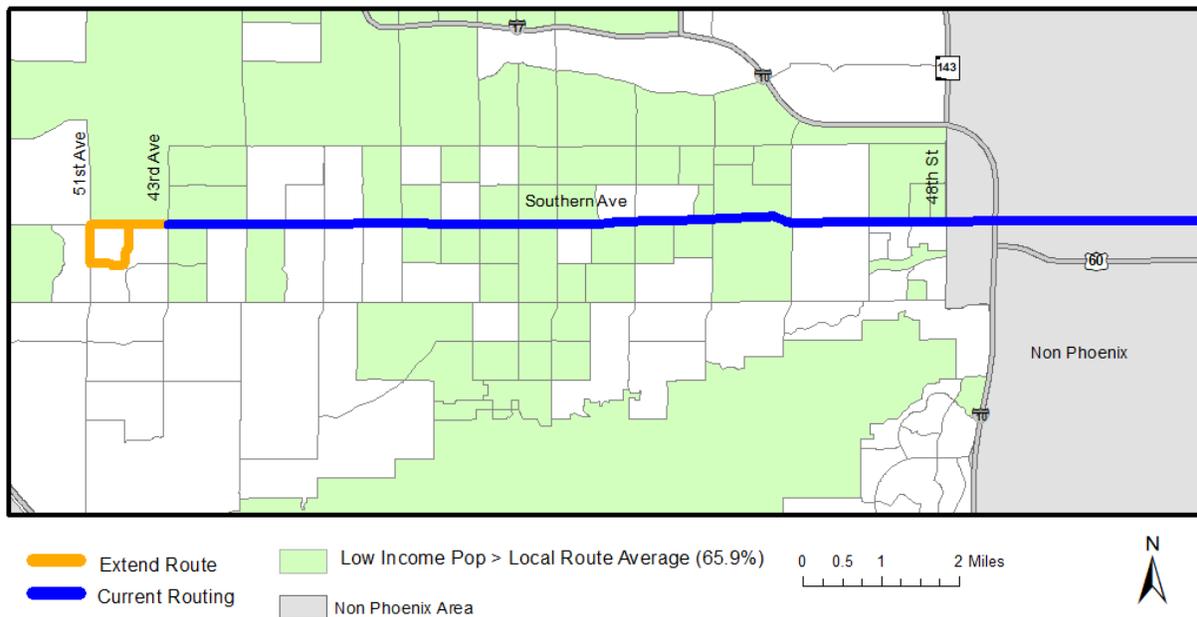




### Map 9: April 2023 Service Change and Minority Population Route 61 – Phoenix



### Map 10: April 2023 Service Change and Low-Income Population Route 61 – Phoenix





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**Apply for U.S. Environmental Protection Agency Grant Opportunities for Federal Fiscal Year 2022-23 - Federal Bipartisan Infrastructure Law Funding (Ordinance S-49387)**

Request to authorize the City Manager, or his designee, to apply for, accept, and enter into agreements for the disbursement of grants from the United States Environmental Protection Agency through the Federal Fiscal Year 2022-23 Solid Waste Infrastructure for Recycling Grant and Consumer Recycling Education and Outreach Grant opportunities. If awarded, the funding will be used to upgrade the North Gateway Materials Recovery Facility, retrofit the 27th Avenue Materials Recovery Facility education room, and install utility infrastructure at the Resource Innovation Campus. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for these grant opportunities is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed \$10 million.

**Summary**

In the 1980s, the Mayor and City Council led Phoenix to establish a comprehensive solid waste management approach with a focus on reducing, reusing, and recycling. In response to this strategy, the Public Works Department commenced a commingled curbside recycling program. On June 28, 1995, Council approved development of a Materials Recovery Facility (MRF) at the 27th Avenue Solid Waste Management Facility as part of the Phoenix Recycles Program. The facility has been operational since Sept. 1, 1998. The City's second MRF opened at North Gateway Transfer Station in 2006. The objective of Phoenix's recycling program is to conserve landfill space, which is becoming a challenge across the United States, and to create economic value by selling select recyclable materials (commodities) to various markets. By seeing this material as a resource, Phoenix has made the paradigm shift from a linear to a circular model of waste management whereas materials are diverted from the landfill and redistributed to create economic activity.

In January 2021, the Public Works Department suspended operations at the 27th Avenue MRF due to the equipment reaching the end of its useful life and no longer being effective at capturing commodities that are prevalent in the current recycle stream. Since the operational suspension, recyclables from the 27th Avenue facility

are hauled to the North Gateway MRF for processing. Phoenix is currently investing \$25 million to construct a new state-of-the-art MRF at the 27th Avenue facility that is expected to reopen in early 2024. With the increased processing demands, the North Gateway MRF equipment will require investment. The Public Works Department is requesting \$4 million in grant funding for these upgrades.

In preparation for the reopening of the 27th Avenue MRF, the Public Works Department is requesting \$2 million in grant funding to retrofit an education tour room at the 27th Avenue MRF to enhance public outreach and student education with the recycling sorting process. The future tour room will provide an educational opportunity for neighboring Phoenix schools significantly increasing accessibility to the schools.

The Resource Innovation Campus (RIC) is the City's regional circular economy hub with approximately 40 acres of lease-ready land for innovators with market-ready technologies and manufacturing processes that reuse or repurpose waste materials. To support economic development projects at the RIC, water, sewer and electrical connections are needed for the lease-ready land. The Public Works Department is requesting \$4 million in grant funding to construct utility infrastructure at the RIC.

The Public Works Department is working to advance the City's circular economy initiatives and waste diversion goals with the implementation of these projects with grant funding assistance. The Public Works Department is requesting authorization to submit applications for the Environmental Protection Agency's Solid Waste Infrastructure for Recycling and Consumer Recycling Education and Outreach grant opportunities. If awarded, funding will support the equipment upgrades at the North Gateway MRF, retrofit of the 27th Avenue MRF education room, and development of the RIC.

The Solid Waste Infrastructure for Recycling and Consumer Recycling Education and Outreach grants submittal deadline is Feb. 15, 2023.

### **Financial Impact**

The estimated total cost for the projects is approximately \$10 million. The maximum federal participation rate is 100 percent with a minimum local match of 0 percent of the total eligible project cost. If awarded, the federal match would not exceed \$10 million (100 percent).

The Public Works Department is requesting grant funds up to \$10 million. If the grant funds are awarded in full, the City's cost share is estimated at \$1.75 million.

Funding for the local match is available in the Public Works Department's Capital

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Improvement Program budget. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law, from the Environmental Protection Agency through the Federal Fiscal Year 2022-23 Solid Waste Infrastructure for Recycling Grant and Consumer Recycling Education and Outreach Grant opportunities.

**Location**

Resource Innovation Campus - 3060 S. 27th Ave.

27th Avenue Materials Recovery Facility - 3060 S. 27th Ave.

North Gateway Materials Recovery Facility- 30205 N. Black Canyon Highway

Council Districts: 2 and 7

**Responsible Department**

This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, and the Public Works Department.



**Citywide General Construction Job Order Contract Services - Amendment - 4108JOC178 (Ordinance S-49389)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149740 with DL Norton General Contracting, Inc. to provide \$1 million in additional General Construction Job Order Contracting Services, and to authorize execution of a Job Order Agreement in an amount up to \$9.9 million for the Replace Phoenix City Hall Sanitary Sewer Lines and Repair Roof Drain System project. Further request to authorize execution of amendments to Master Agreement 149740 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 \$1 million.

**Summary**

The purpose of this project is to replace the sanitary waste and vent piping and provide re-sloping of storm drain piping at Phoenix City Hall (City Hall).

In 2018, a consultant was hired to perform an assessment at City Hall which resulted in recommendation of a full system replacement to avoid a potential widespread system failure. In 2019, the same consultant was hired to complete design through its Engineering On-Call contract. In August 2020, staff pursued the specialized design and construction expertise of DL Norton General Contracting, Inc. under an existing Job Order Contract (JOC), to provide pre-construction services which included working with the design consultant to prepare final construction drawings, prepare a construction schedule which projected a timeline of 12 months for completion, and a cost estimate for construction.

Due to the complexity of the project, impact and coordination required to work with multiple departments residing in City Hall, as well as the security and logistical requirements of working within City Hall, it is imperative that the City use a contractor that can meet these requirements. DL Norton General Contracting, Inc. has assembled a specialized team of subcontractors, all of which have a vast knowledge and familiarity with the existing conditions.

Use of a JOC construction services contract allows the City to address the timeline

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requirements and specialized aspects of the project. To ensure DL Norton General Contracting, Inc.'s contract has sufficient capacity for replacement of the sanitary sewer line and roof drain repair project, staff recommends increasing the JOC contract capacity and spending authority of DL Norton General Contracting, Inc.'s current JOC by an additional \$1 million to complete this project. This amendment will allow for issuance of a job order agreement to DL Norton General Contracting, Inc. for an amount not to exceed \$9.9 million for the City Hall replacement of sanitary sewer lines and repair of the roof drain system.

This amendment is necessary because funding for this project was phased between Fiscal Years 2021, 2022, and 2023. Due to the phased funding approach, work remains to be completed and the cost of construction industry-wide has increased at an unprecedented rate. Cost increases in commercial construction have averaged between 20 percent to 35 percent for materials and five percent to 15 percent for labor. Currently \$8.9 million in contracts have been executed to lock in pricing and control further escalation. Remaining competitive bids have been received that will be used to execute the remaining \$1 million of the project and avoid further cost increases.

### **Contract Term**

The term of the agreement will not change. 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 master agreement for Job Order Contracting Services was approved for an amount not to exceed \$10 million, including all subcontractor and reimbursable costs.
- Amendments increased the master agreement by an additional \$6.9 million, for a new total amount not to exceed \$16.9 million, including all subcontractor and reimbursable costs.
- This amendment will increase the master agreement by an additional \$1 million, for a new total amount not to exceed \$17.9 million, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the Public Works Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any job order agreements. 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 149740 (Ordinance S-45604) on May 1, 2019;
- Master Agreement 149740 Amendment (Ordinance S-47546) on May 19, 2021; and
- Master Agreement 149740 Amendment (Ordinance S-48616) on May 25, 2022.

**Responsible Department**

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



**Telecommunications Services and Interstate Telecommunications Services License with Zayo Group LLC (Ordinance S-49393)**

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Zayo Group LLC to construct, install, operate, maintain and use the Public Highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request that the licensee sign the license within 60 days of Council action, or this authorization will expire. Additionally, request to authorize the City Treasurer to accept all funds related to this item.

**Summary**

The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way. This license will replace previous license 143614-0.

**Contract Term**

The license term is for a five-year Telecommunications Services and Interstate Telecommunications Services License.

**Financial Impact**

There is no financial impact to the City. Licensee will pay an annual fee based on a formula using linear footage and the Consumer Price Index.

**Responsible Department**

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



## **Transportation 2050 Pavement Maintenance Program Update and Five-Year Pavement Maintenance Plan through Fiscal Year 2027 (Ordinance S-49395)**

Request to authorize City Council approval of the proposed five-year pavement maintenance program through Fiscal Year (FY) 2027.

### **Summary**

The arterial and major collector streets pavement maintenance program is primarily funded by Transportation 2050 (T2050), while the minor collector and local streets pavement maintenance program is funded primarily by Arizona Highway User Revenue Fund (HURF) revenues.

### Background

Phoenix has a comprehensive roadway network of nearly 5,000 miles of public streets. Phoenix's roadway network is made up of arterial, collector, and local streets. Arterials are major streets, which are typically the major north/south and east/west transportation corridors spaced at each mile. Collectors are important mid-level transportation corridors, which are generally on the 1/2-mile north/south and east/west streets between the arterial streets. Local streets are typically in residential areas and provide connectivity to the collectors and arterials for local traffic.

The City's public transit system primarily utilizes the arterial and major collector streets for its bus and rail lines, and T2050 funds allocated to Streets are an essential part of proper pavement maintenance along these high-capacity transit corridors.

**Attachment A, Table 1** shows the citywide distribution of the various street classifications and which street classifications are targeted for resurfacing projects using T2050 and HURF funding. Also, **Attachment A, Table 2** illustrates the distribution of street classification types across the City's eight council districts.

### Pavement Management System and Pavement Condition Index

The foundation of the Pavement Management System (PMS) is field data obtained using a high-tech pavement management vehicle, which measures and records the condition of roads, evaluating them on surface roughness, environmental stresses, and structural condition. Based on the resulting pavement condition index (PCI) rating,

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which is tracked and mapped in the department's PCI database, staff uses these objective measurements of roadway conditions to develop an initial list of roads to receive asphalt overlay. Once the pavement maintenance list is developed, the initial list of roads is put through a rigorous coordination review, which includes evaluating the following:

- Americans with Disabilities Act compliance.
- Conflicts with other city projects.
- Right of way concerns.
- Environmental issues.
- Utility issues and conflicts.
- Field visual inspections.
- Pavement age.
- Roadway traffic volumes.
- Alternate pavement treatments.

Using the most recently recorded PCI data, about 32 percent of City streets are classified in good or excellent condition, while 63 percent are in fair condition and five percent are in poor or very poor condition. The PCI distribution is tabulated in **Attachment B, Figure 1**. The most recent PCI data collected are displayed by Council Districts in **Attachment F**.

### Bicycle Facility Implementation

The City's Bicycle Program is a multi-faceted yet coordinated effort to ensure the City establishes a well-connected citywide bicycle network and implements the goals of the T2050 program. Implementation of the bicycle program will come from distinct, yet collaborative work efforts of different divisions and sections within Streets, including the pavement maintenance program. **Attachment E, Table 5** shows a summary of the new bicycle facilities currently planned to be implemented through the five-year pavement maintenance program. **Attachment I** lists the projects preliminarily identified for new bicycle facilities through the five-year pavement maintenance program in FY 2023 - FY 2027, as well as bicycle facilities which will be upgraded as well. Implementation will be dependent on more-detailed engineering evaluation and public outreach processes.

### **Financial Impact**

#### Pavement Maintenance Goals and Budgets

With the pavement maintenance funding (HURF and T2050) for the City's street network allocated based on the street classification type, the miles of roadway treated on an annual basis should be reported and evaluated in the same manner.

**Attachment C, Table 3** shows the number of roadway miles scheduled to be treated through FY 2027 as part of the five-year pavement maintenance program. As noted

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earlier, HURF funding is primarily allocated to minor collector and local streets and T2050 funding is primarily allocated to arterial and major collector streets, which total 4,033 miles and 825 miles across the City, respectively.

**Attachment G** provides maps showing the locations of all proposed pavement maintenance projects for the FY 2023 - FY 2027 five-year pavement maintenance program funded with T2050 and HURF revenues by Council District. **Attachment H** details the lists of new projects proposed in the pavement maintenance program in FY 2025, FY 2026 and FY 2027. **Attachment D, Table 4** shows the budget and number of roadway miles for projects funded with planned T2050 and HURF funds for the five-year pavement maintenance program.

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

- Council previously approved this item at the Jan. 18, 2023 Transportation, Infrastructure and Planning Subcommittee meeting by a vote of 4-0.
- The Citizens Transportation Commission recommended approval of the Five-Year Pavement Maintenance Plan through FY 2027 on Dec. 15, 2022.

#### **Responsible Department**

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

**Table 1: Street Classification Distribution**

<b>Street Classification</b>	<b>Total Miles</b>	<b>Primary Funding Source</b>
Arterial	690	T2050
Major Collector	135	T2050
Minor Collector	473	HURF
Local	3,560	HURF
<b>TOTAL</b>	<b>4,858</b>	

**Table 2: Street Classification Centerline Miles by Council District**

<b>Council District</b>								
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
Arterial	81	125	73	59	49	77	110	116
Collector	17	19	12	16	4	23	16	28
Minor	75	64	67	35	49	53	60	70
Local	517	499	440	362	353	469	452	468
<b>Total</b>	<b>690</b>	<b>707</b>	<b>592</b>	<b>472</b>	<b>455</b>	<b>622</b>	<b>638</b>	<b>682</b>

## Attachment B

Figure 1: Pavement Condition Index Distribution

<b>Phoenix Streets PCI</b>		
<b>90-100</b>	EXCELLENT	6%
<b>70-89</b>	GOOD	26%
<b>45-69</b>	FAIR	63%
<b>20-44</b>	POOR	5%
<b>0-19</b>	VERY POOR	0%

**Attachment C**

**Table 3: Five-Year Pavement Maintenance Program Scheduled Roadway Miles**

Street Network and Treatment Types	Fiscal Year				
	2023	2024	2025	2026	2027
<b>LOCAL AND MINOR COLLECTOR</b>	<b>Planned Treatment Miles</b>				
Overlay	40	64	71	68	60
Slurry Seal	76	68	61	108	96
FAST	23	14	12	17	23
Cool Pavement	31	76	30	30	30
Fog Seal	109	40	21	0	0
<b>Sub-Total</b>	<b>279</b>	<b>263</b>	<b>195</b>	<b>223</b>	<b>209</b>
<i>Total Minor Collector and Local Street Mileage = 4,033 miles</i>					
<i>Average for 10-year Treatment Cycle = 403.3 miles</i>					
Street Network and Treatment Types	Fiscal Year				
	2023	2024	2025	2026	2027
<b>ARTERIAL AND MAJOR COLLECTOR</b>	<b>Planned Treatment Miles</b>				
Overlay	15	11	21	25	23
Microsurfacing	3	11	13	19	19
FAST	1	1	0	0	0
Fog Seal	38	11	31	19	18
<b>Sub-Total</b>	<b>57</b>	<b>35</b>	<b>64</b>	<b>62</b>	<b>60</b>
<i>Total Arterial and Major Collector Street Mileage = 825 miles</i>					
<i>Average for 10-year Treatment Cycle = 82.5 miles</i>					

**Attachment D**

**Table 4: T2050 & HURF Budgets and Miles for FY 2023 – FY 2027**

<b>Budget &amp; Planned Miles for T2050 and HURF Projects</b>	<b>Fiscal Year</b>				
	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
<b>Budget (Millions of Dollars)</b>					
<b>T2050</b>	\$18.1	\$24.8	\$24.8	\$25.8	\$26.8
<b>HURF</b>	\$34.1	\$41.7	\$43.4	\$43.4	\$43.4
<b>Planned Miles</b>					
<b>T2050</b>	57	35	64	62	60
<b>HURF</b>	279	263	195	223	209

**Attachment E**

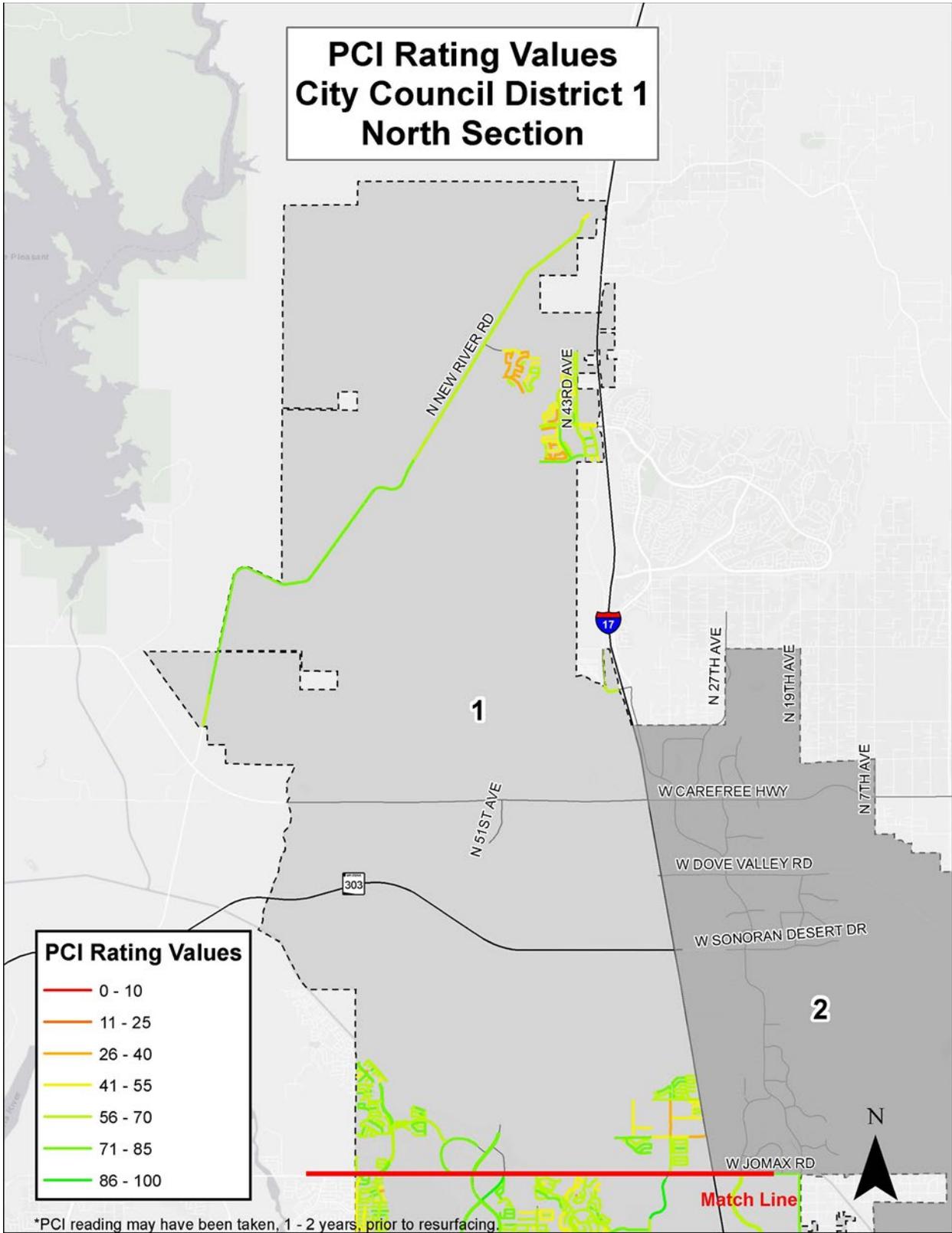
**Table 5: Bicycle Facilities Implemented through Pavement Maintenance Program for FY 2023 through FY 2027**

	<b>Fiscal Year</b>				
	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
<b>New Facility Miles (Bi-directional)</b>	8.8	13.7	23.3	21.4	20.6

**Attachment F**

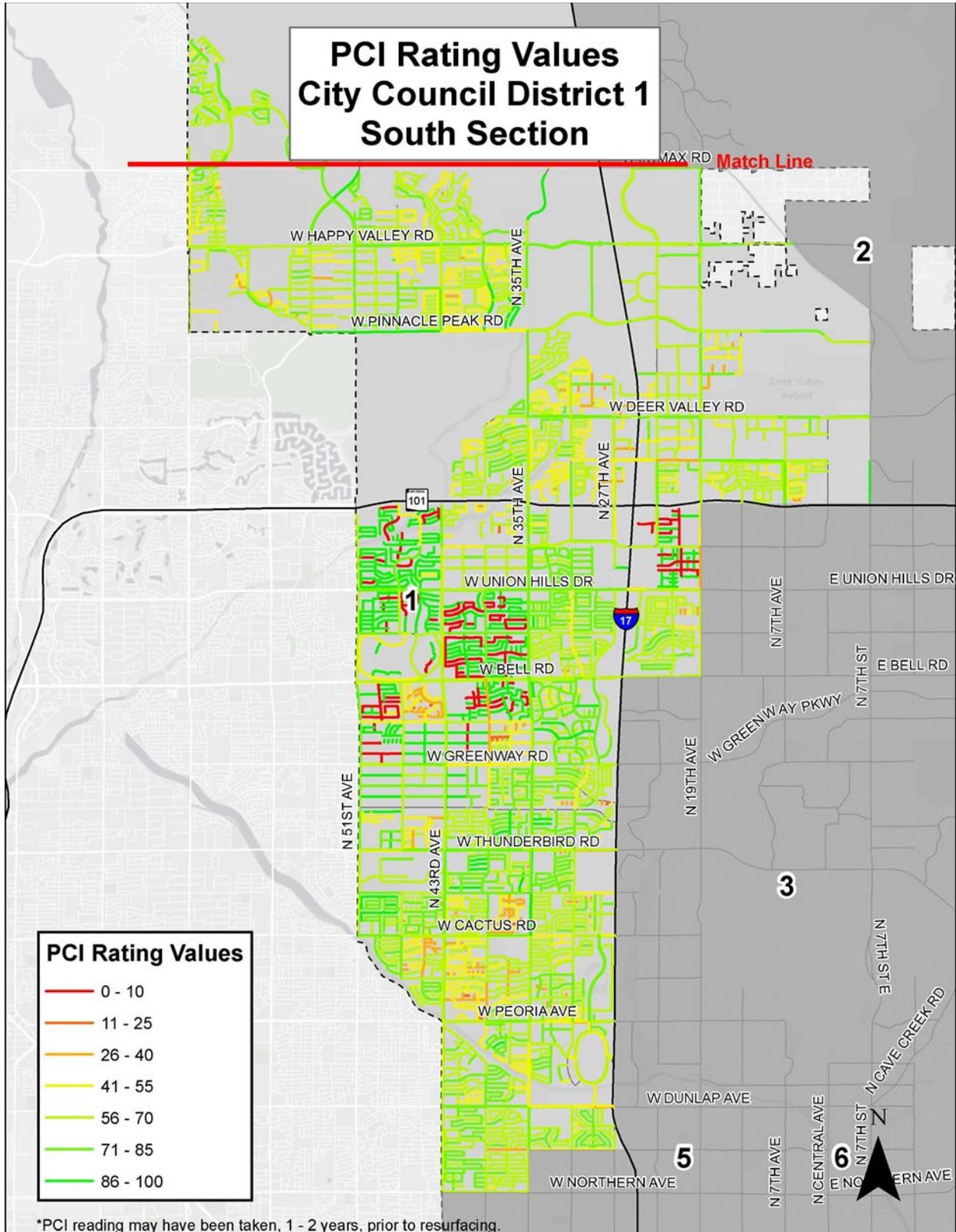
**Pavement Condition Index Map by Council District**

# PCI Rating Values City Council District 1 North Section



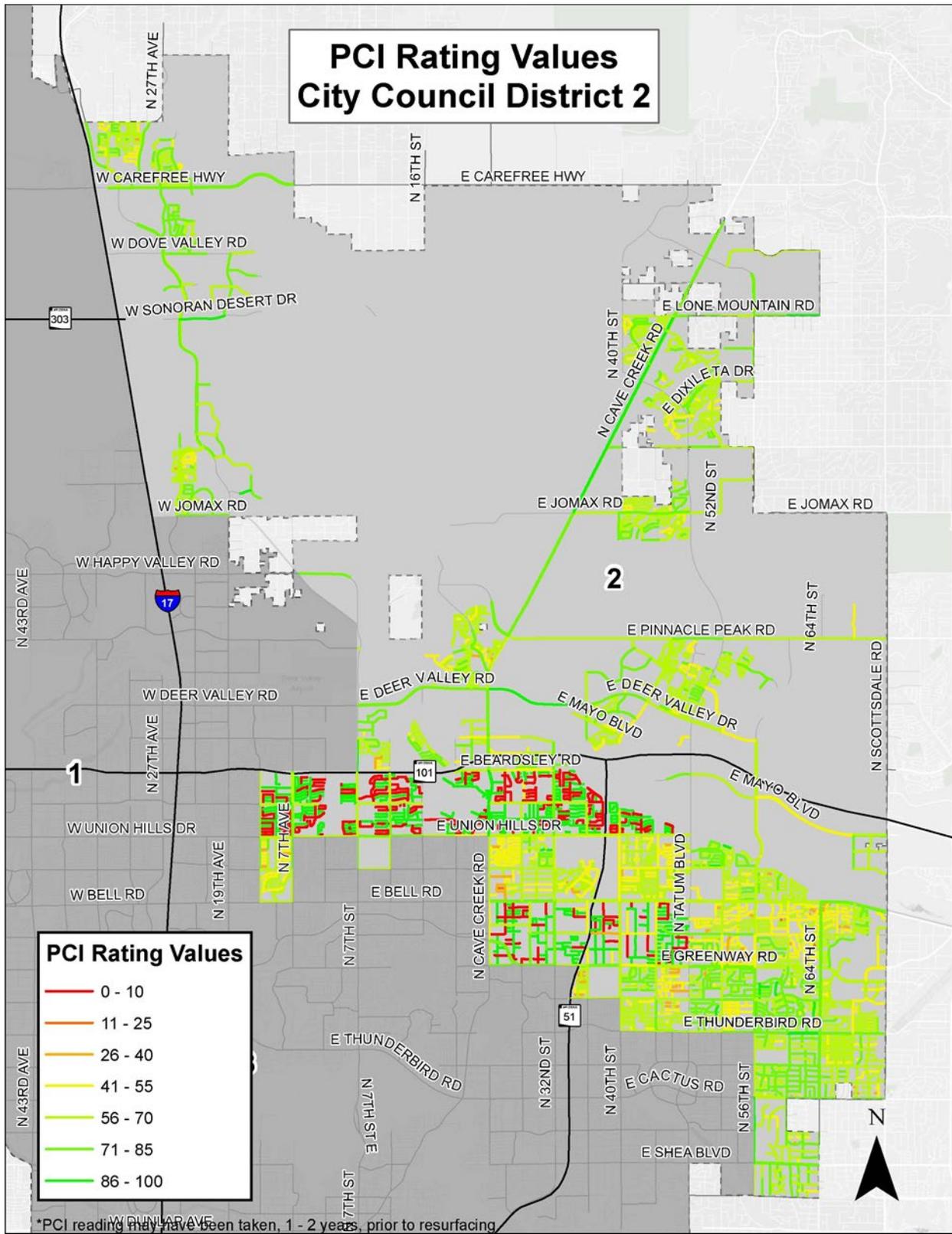
**Average PCI: 72**

# PCI Rating Values City Council District 1 South Section



**Average PCI: 72**

# PCI Rating Values City Council District 2

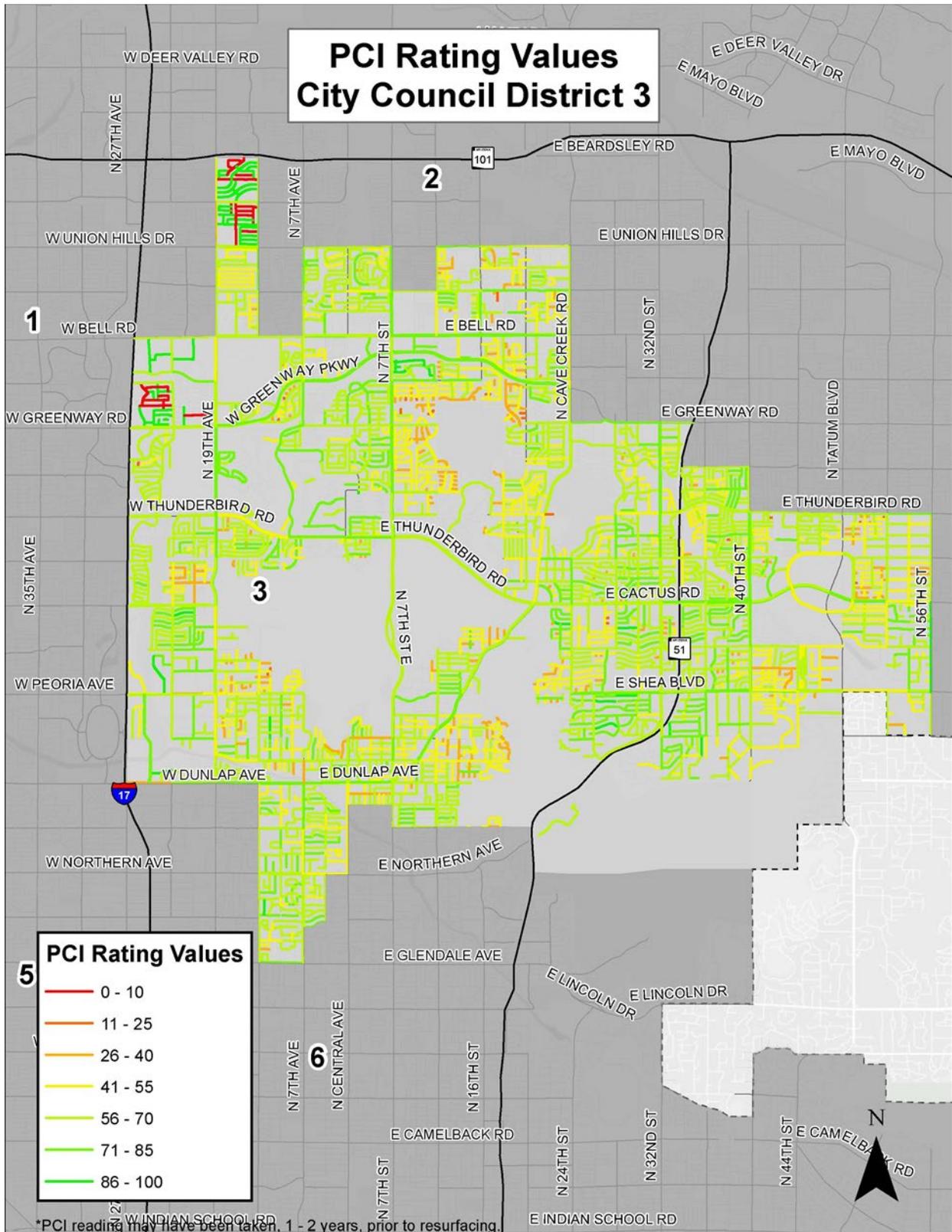


0 - 10
11 - 25
26 - 40
41 - 55
56 - 70
71 - 85
86 - 100

\*PCI reading may have been taken, 1 - 2 years, prior to resurfacing

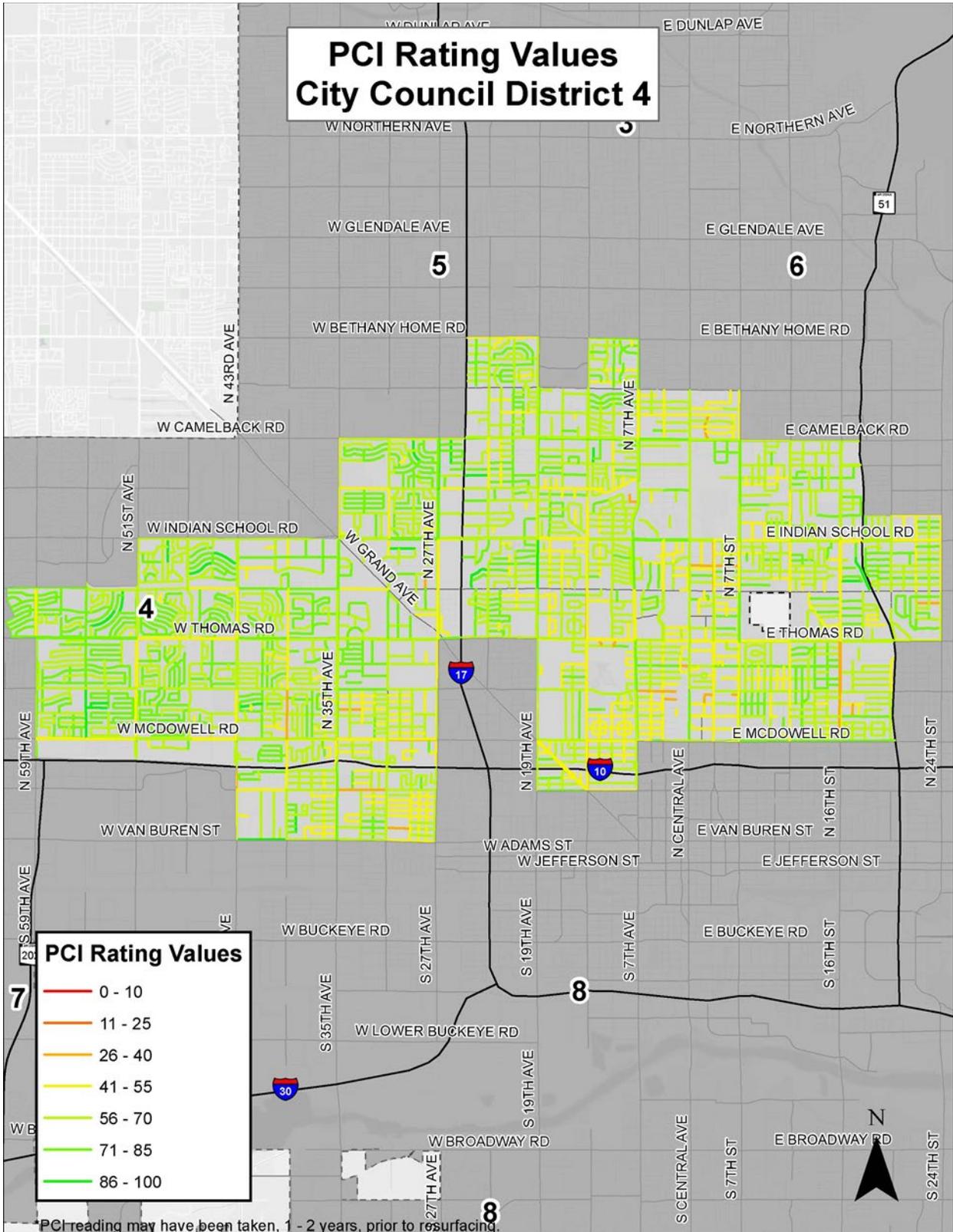
**Average PCI: 73**

# PCI Rating Values City Council District 3

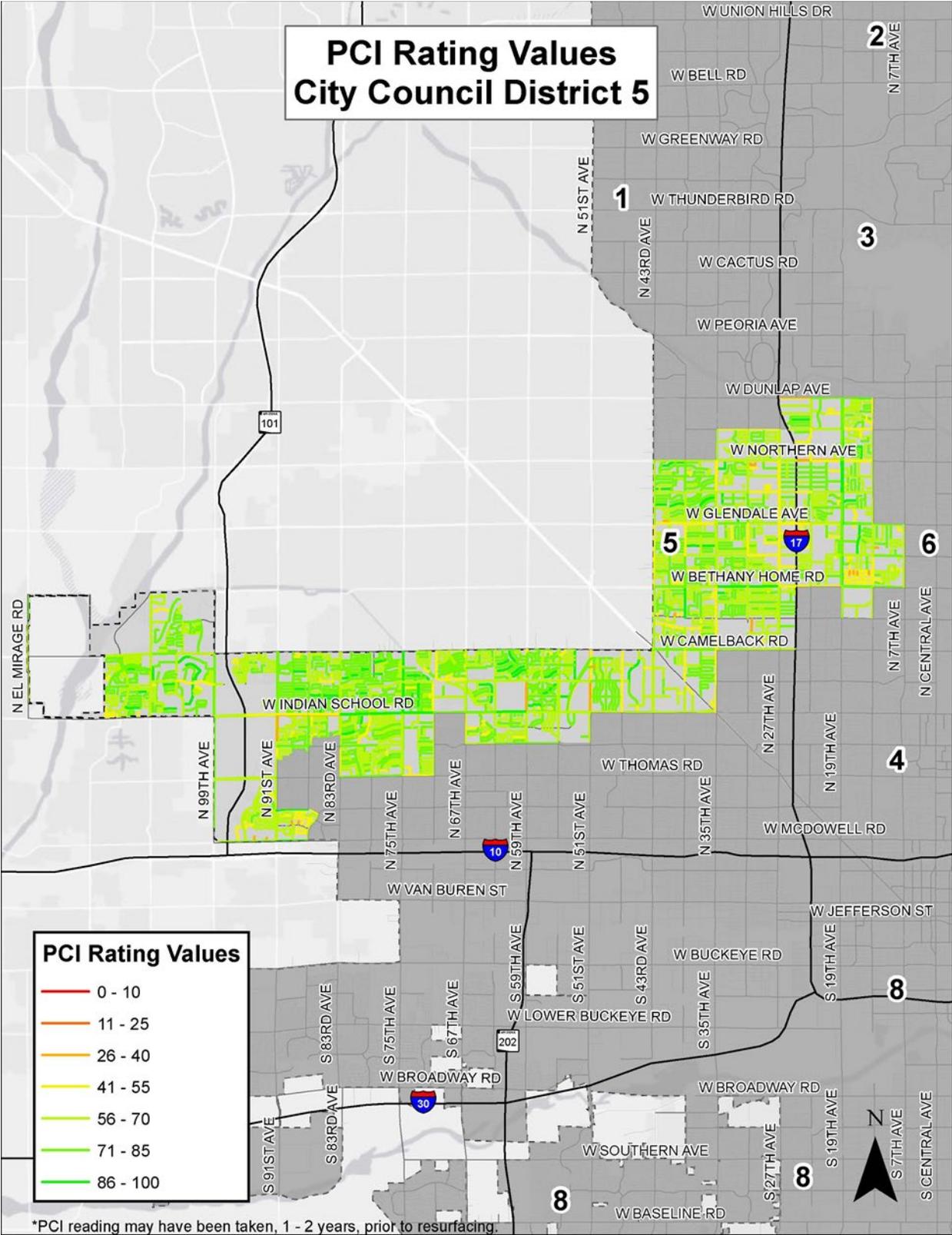


**Average PCI: 72**

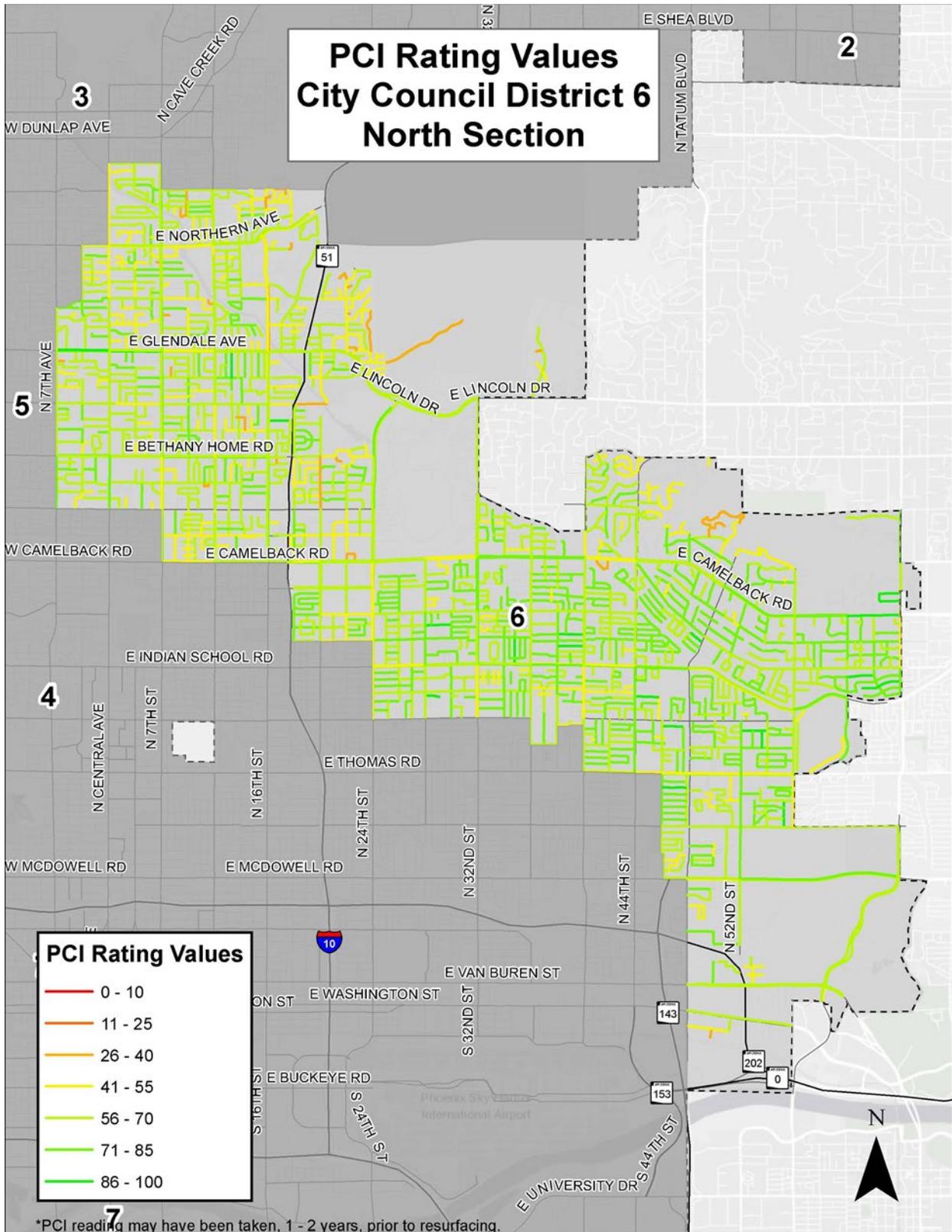
# PCI Rating Values City Council District 4



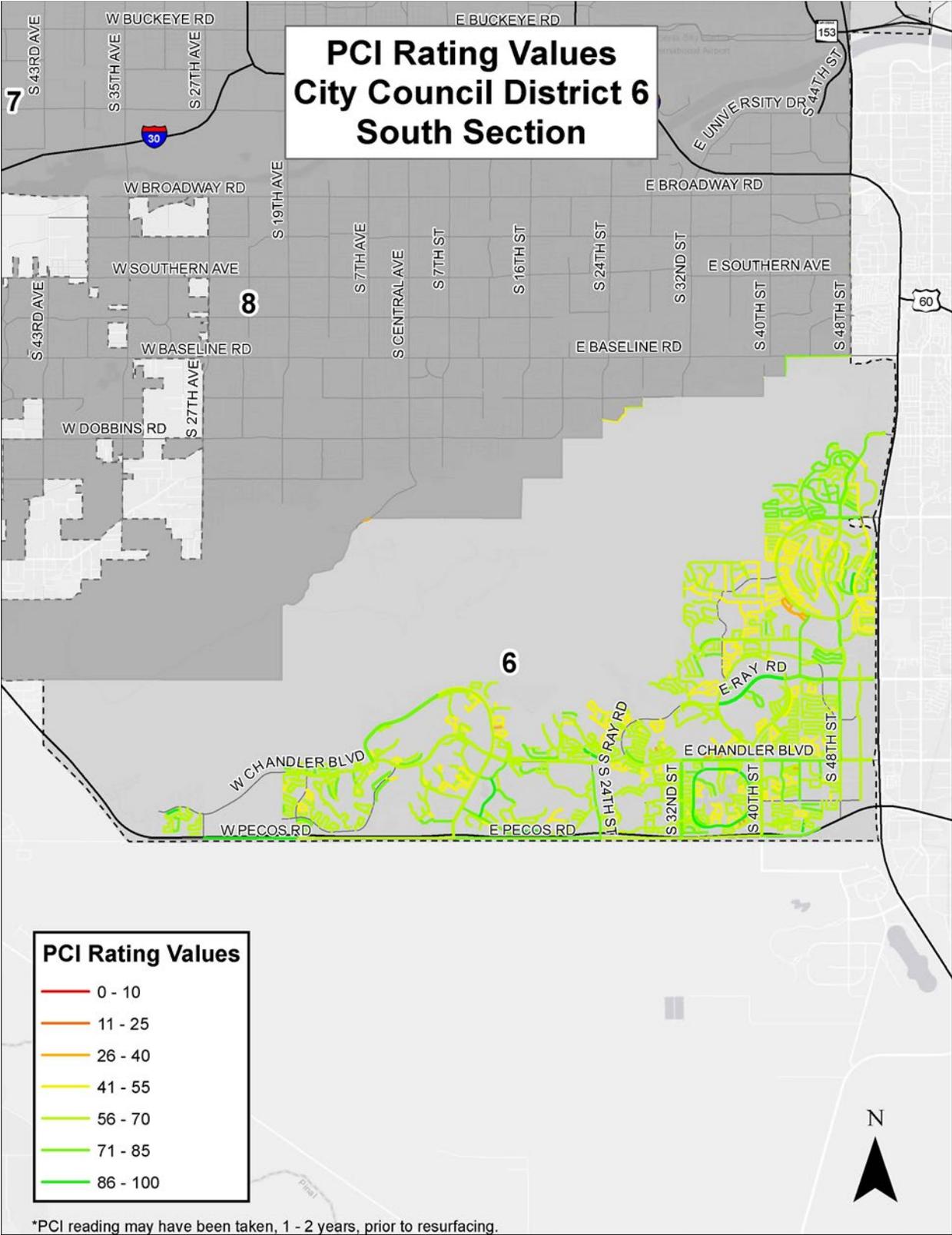
**Average PCI: 72**



**Average PCI: 74**

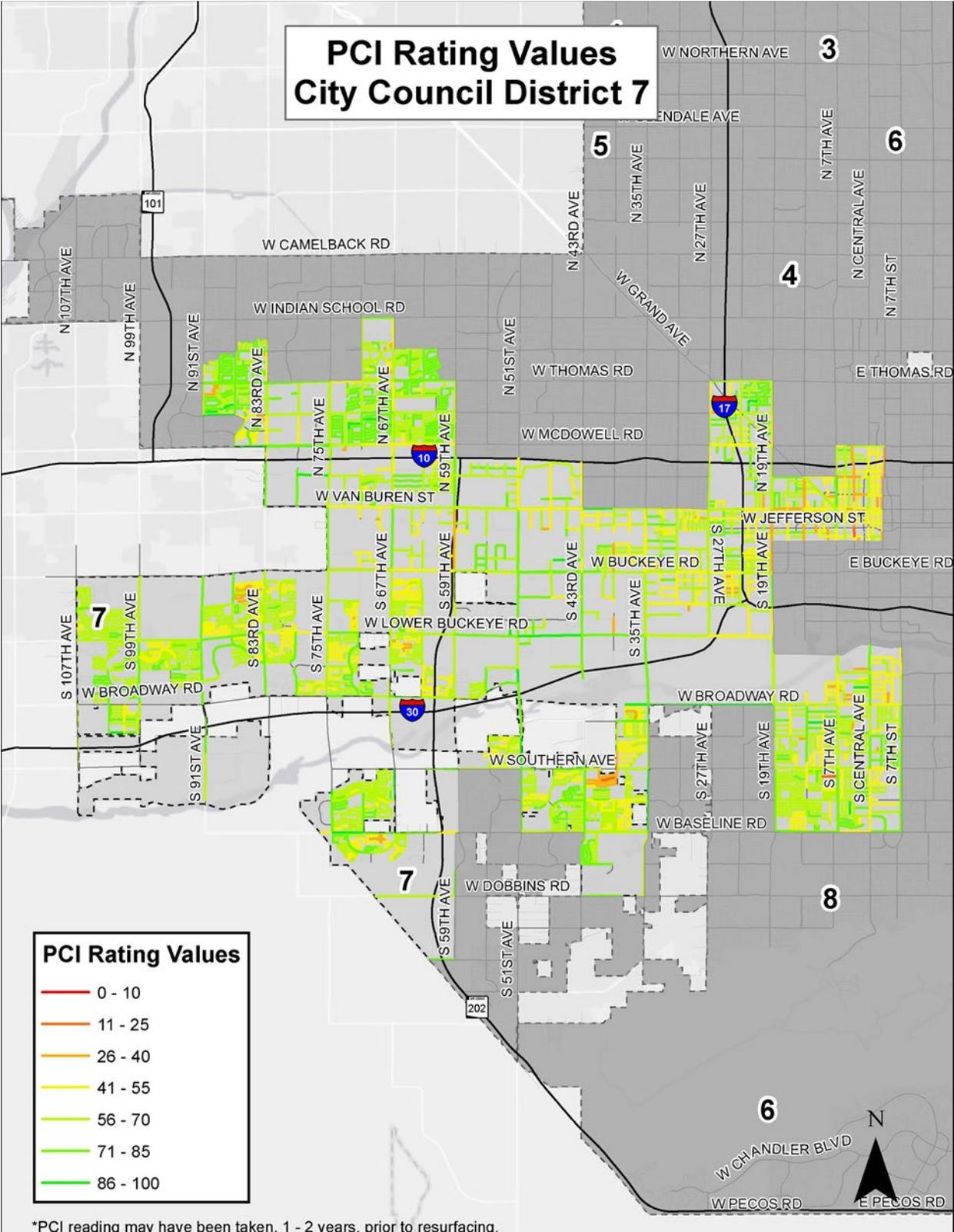


**Average PCI: 74**



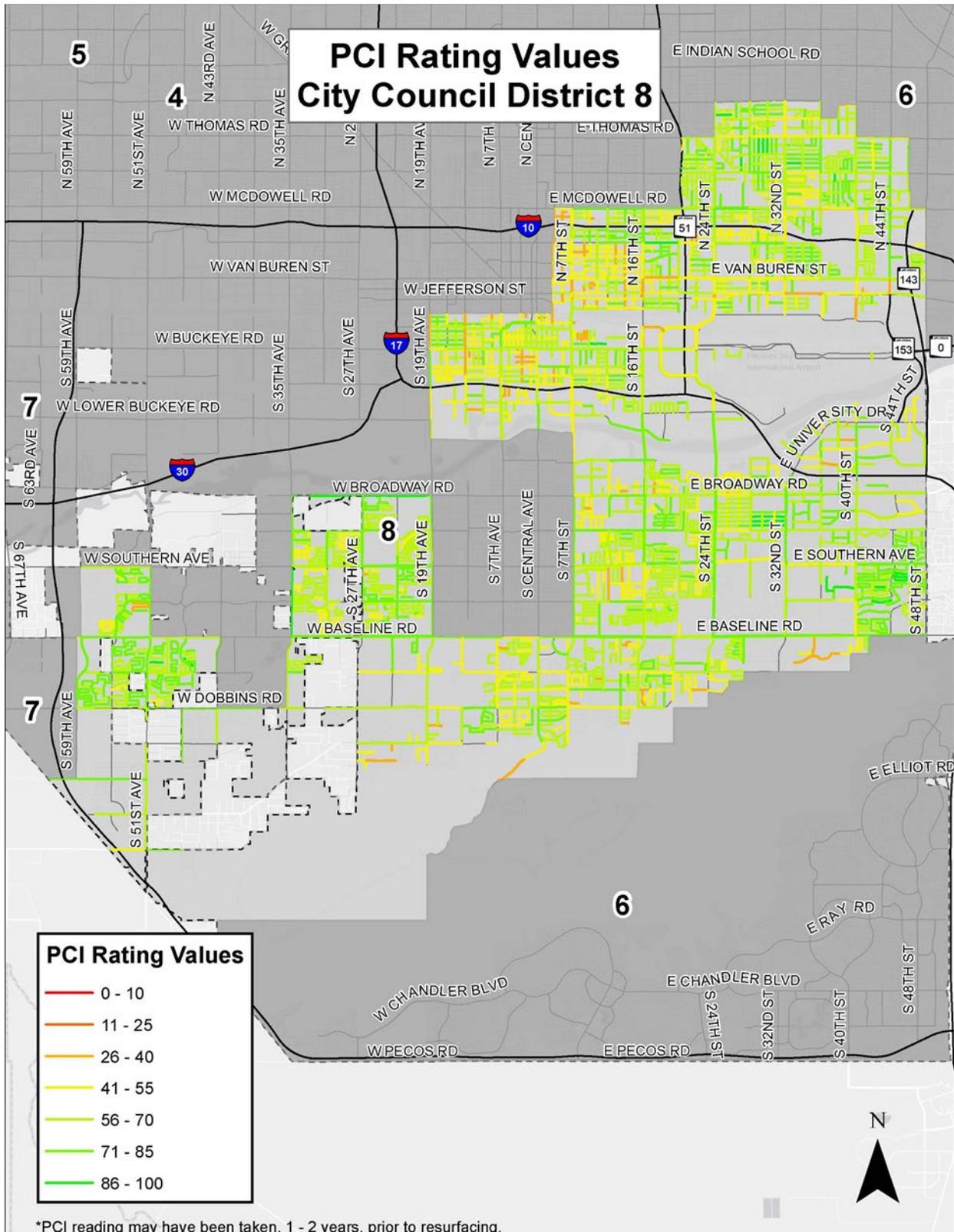
**Average PCI: 74**

# PCI Rating Values City Council District 7



**Average PCI: 73**

# PCI Rating Values City Council District 8

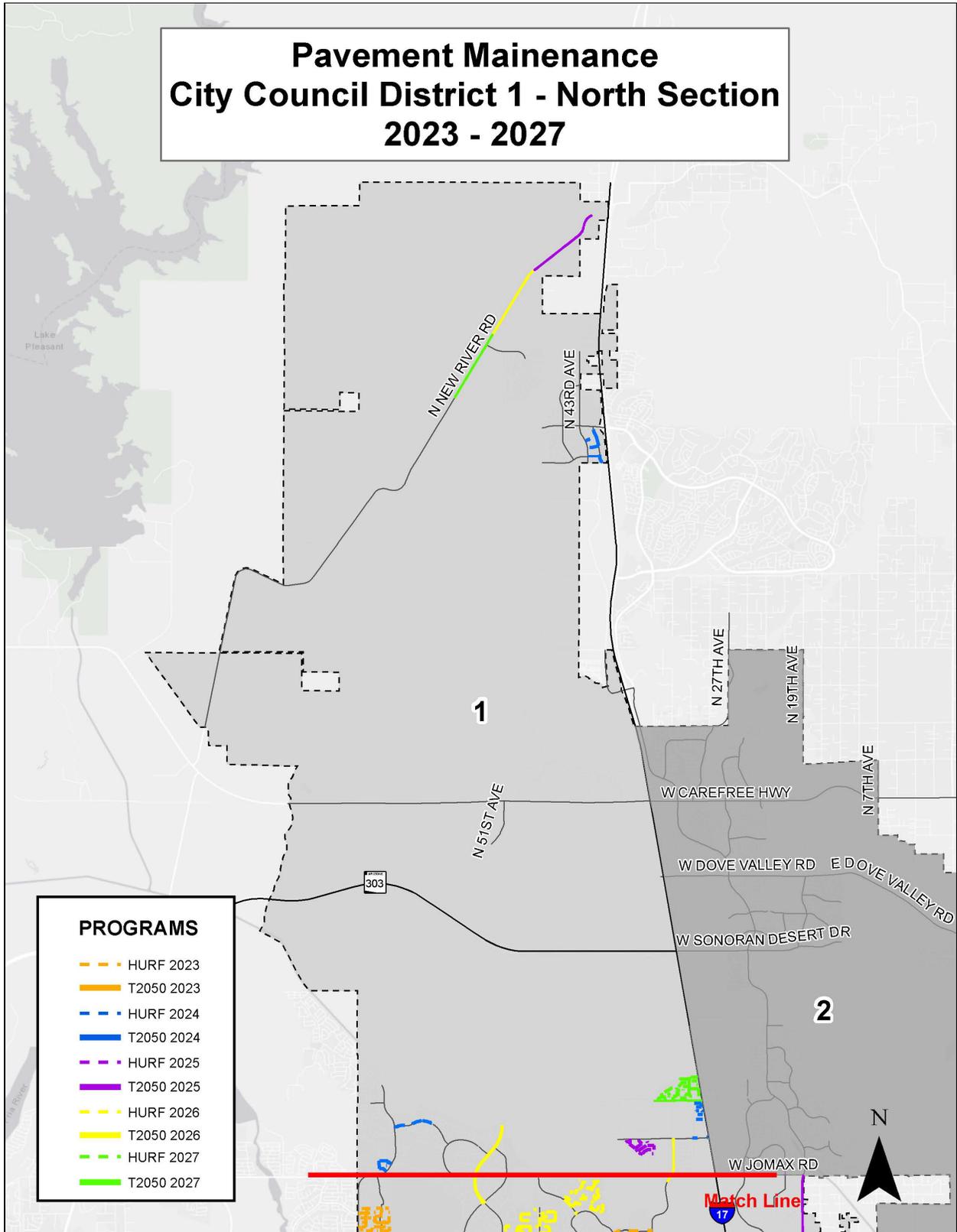


**Average PCI: 71**

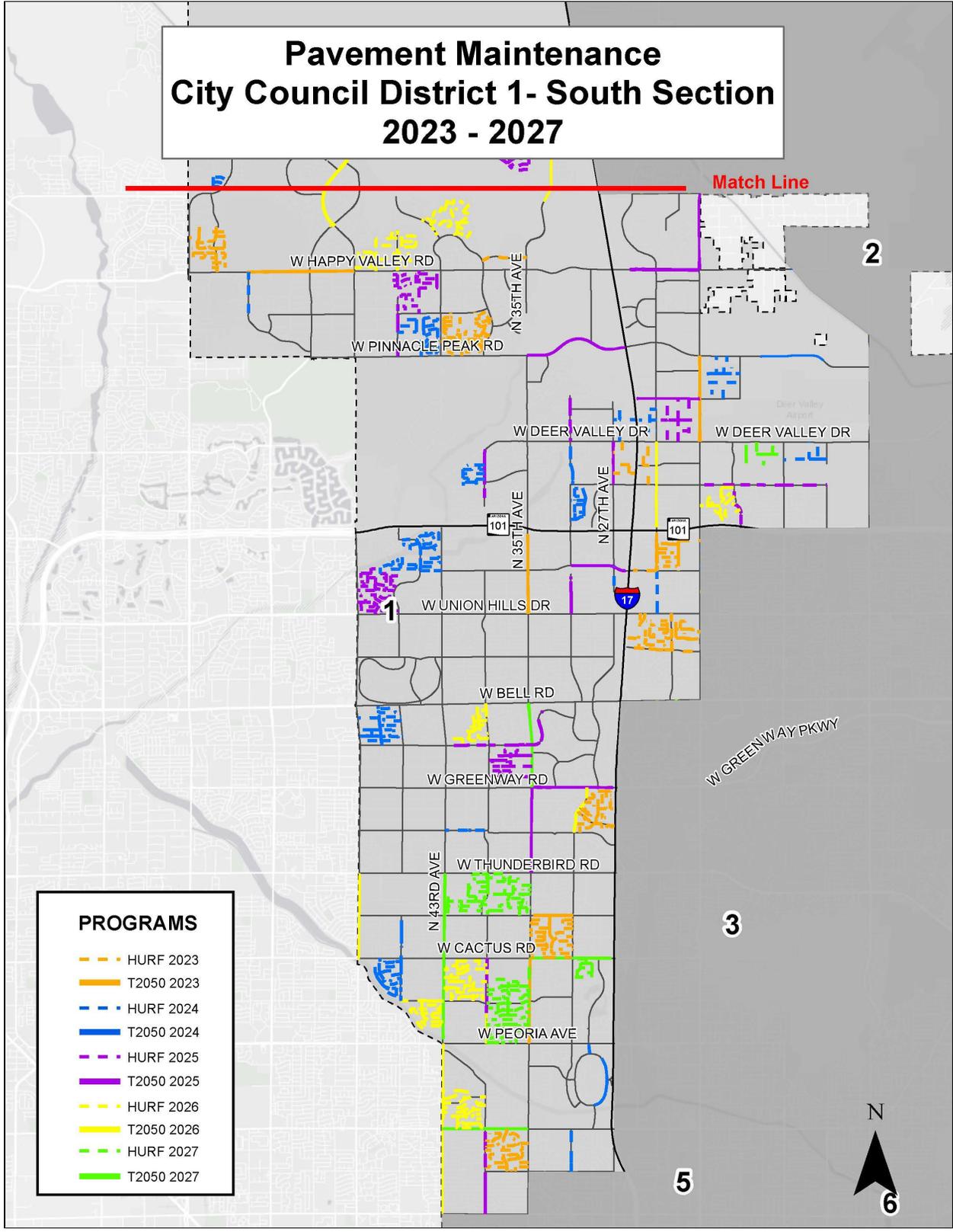
**Attachment G**

**Five-Year Pavement Maintenance Program FY 2023 – FY 2027 Project Locations  
Map by Council District**

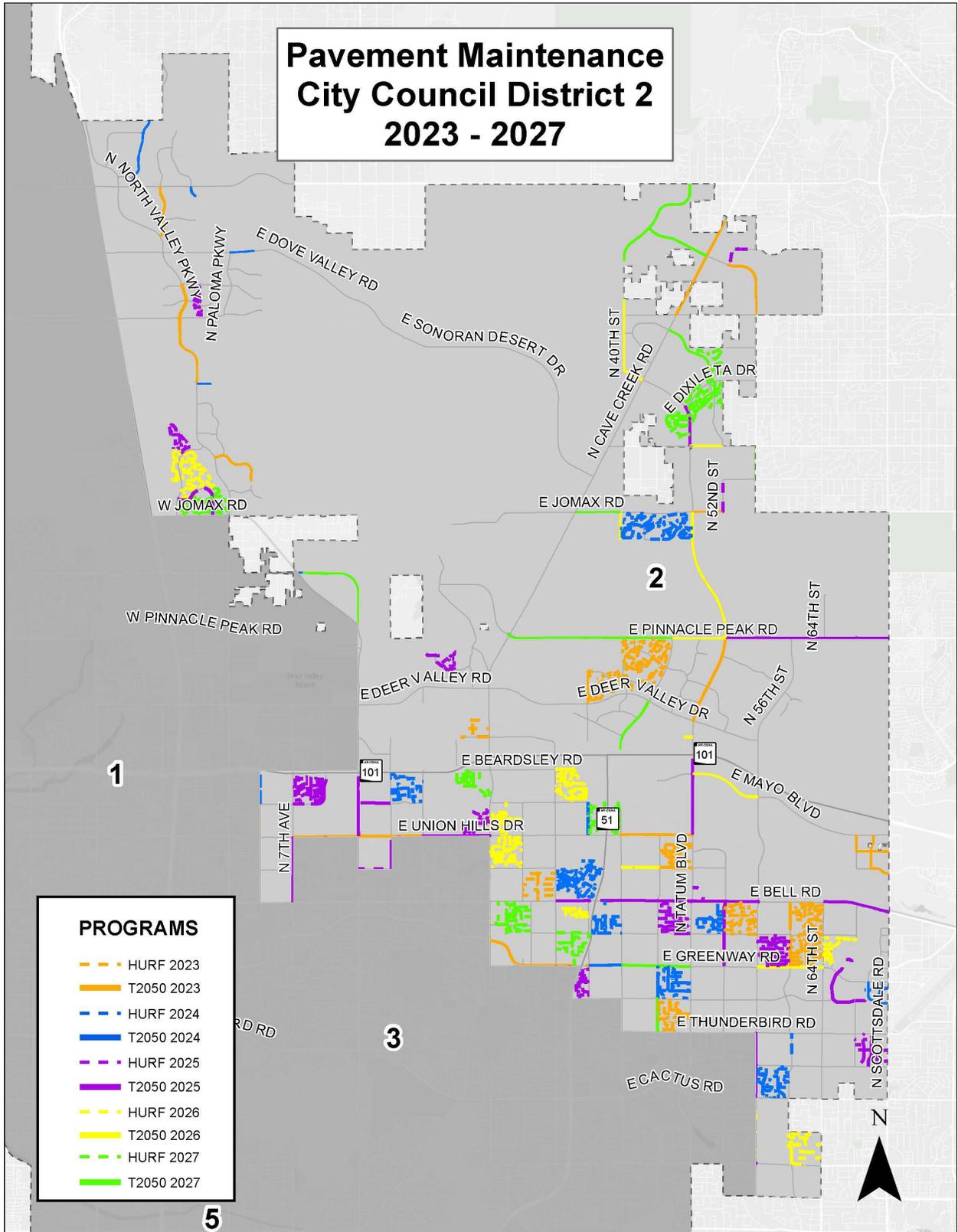
# Pavement Mainenance City Council District 1 - North Section 2023 - 2027



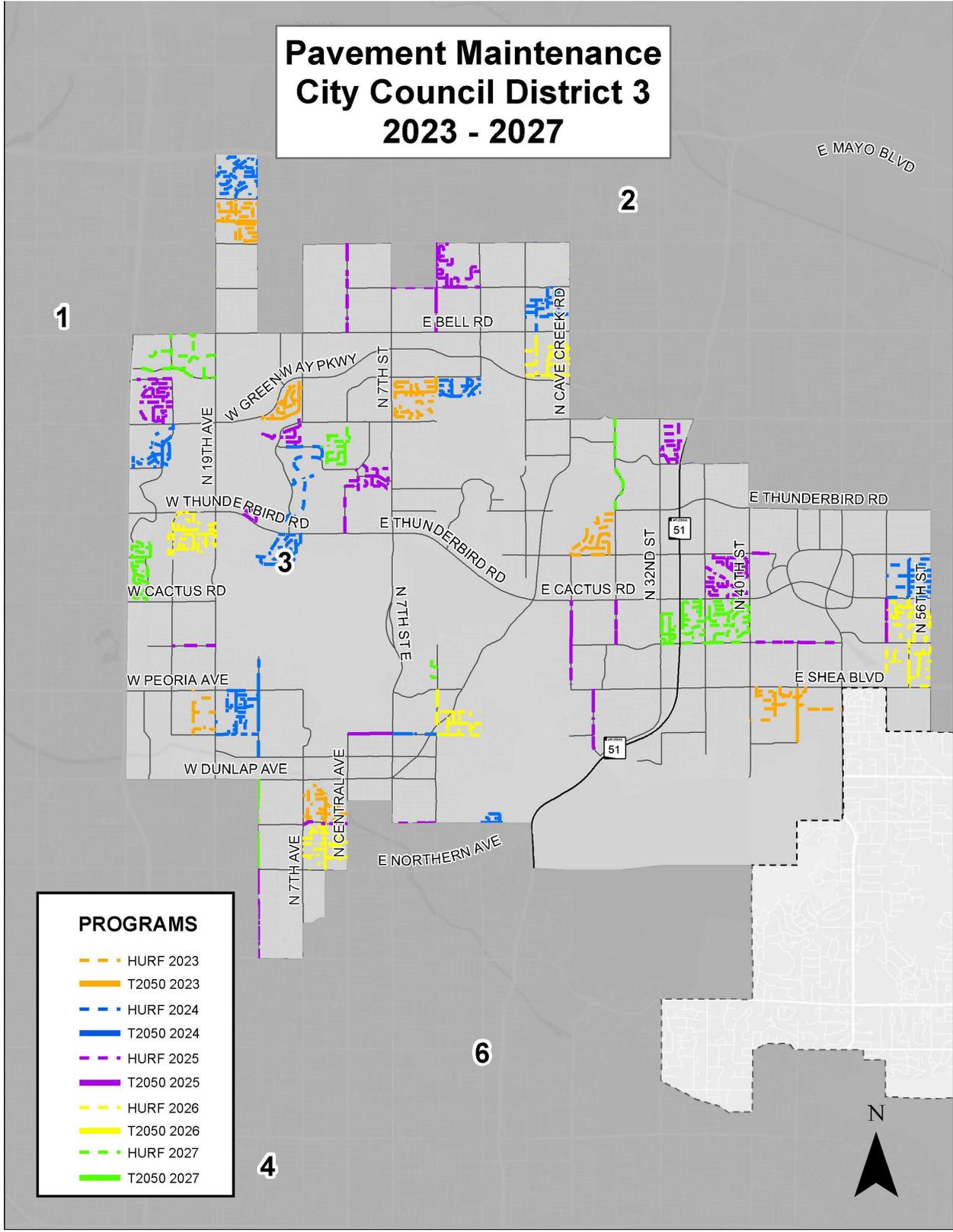
# Pavement Maintenance City Council District 1- South Section 2023 - 2027



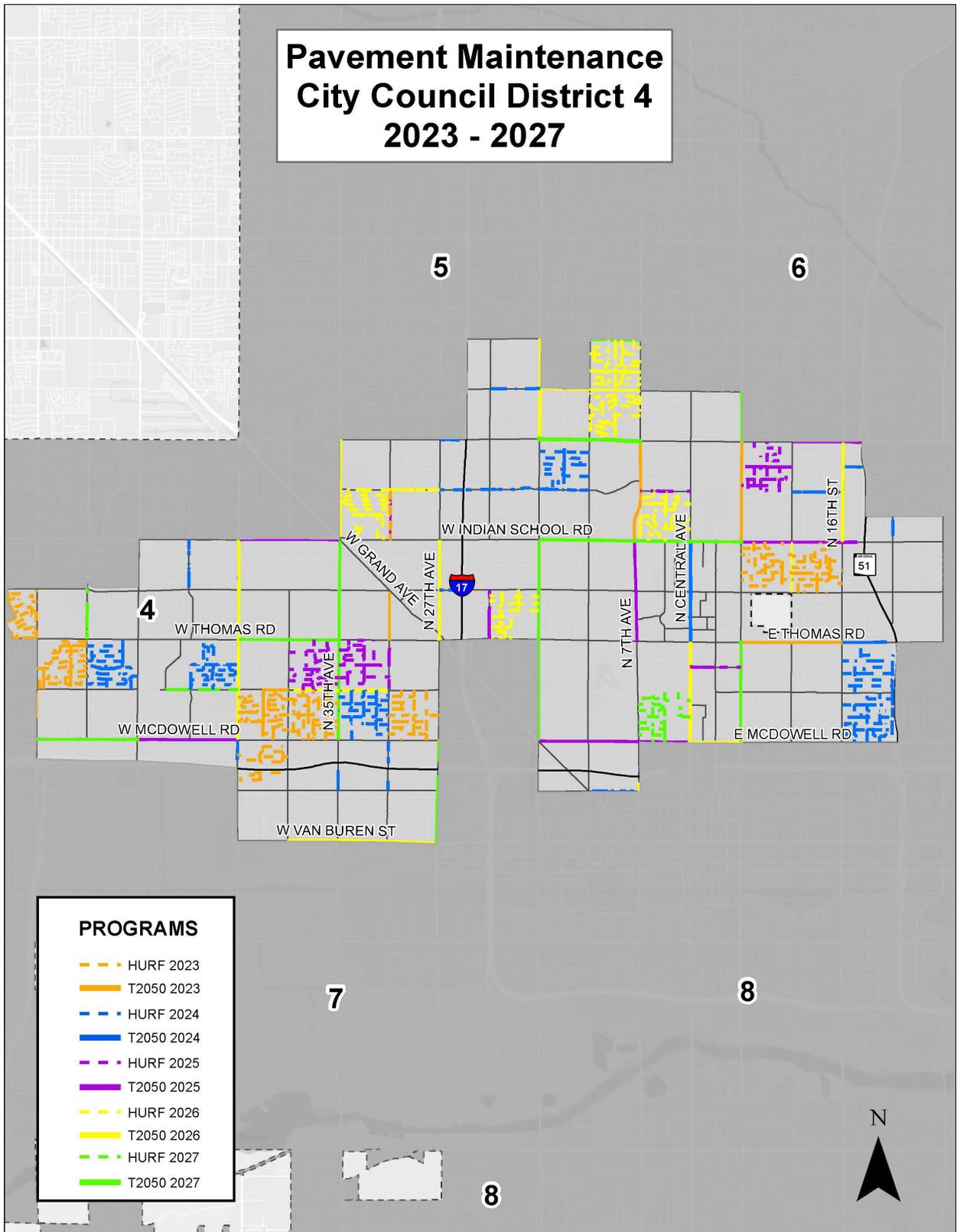
# Pavement Maintenance City Council District 2 2023 - 2027



# Pavement Maintenance City Council District 3 2023 - 2027

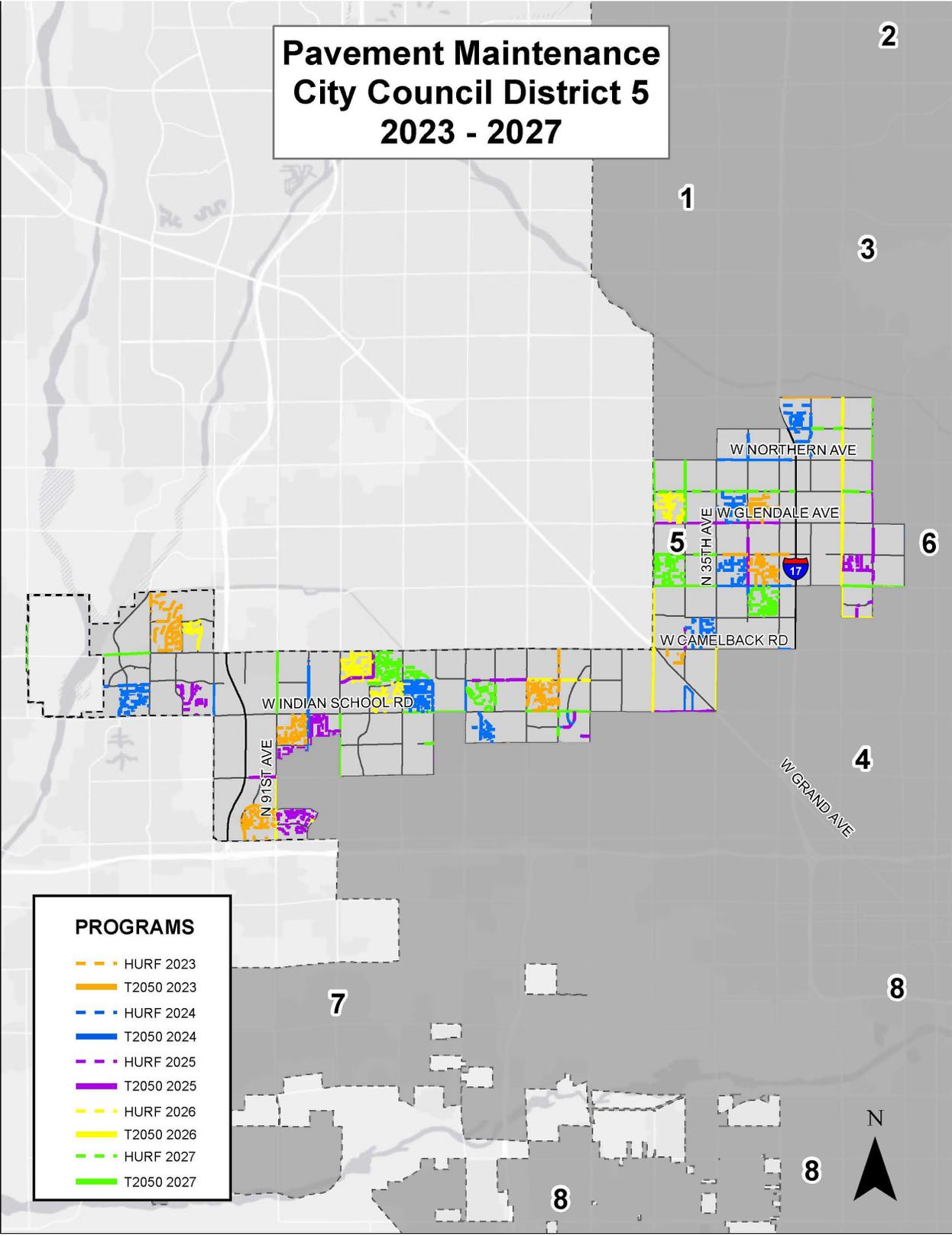


# Pavement Maintenance City Council District 4 2023 - 2027

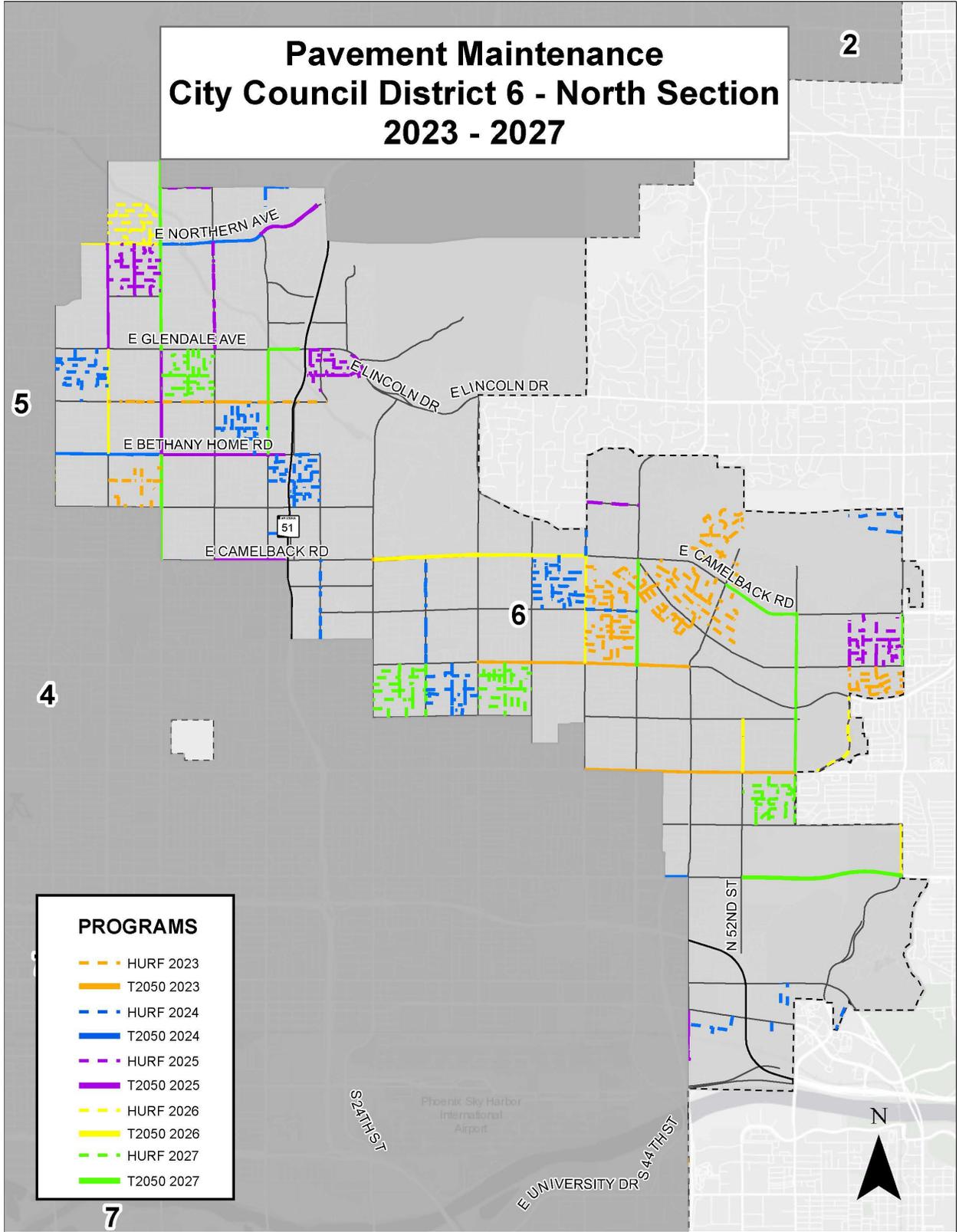


PROGRAMS	
--- (orange)	HURF 2023
— (orange)	T2050 2023
--- (blue)	HURF 2024
— (blue)	T2050 2024
--- (purple)	HURF 2025
— (purple)	T2050 2025
--- (yellow)	HURF 2026
— (yellow)	T2050 2026
--- (green)	HURF 2027
— (green)	T2050 2027

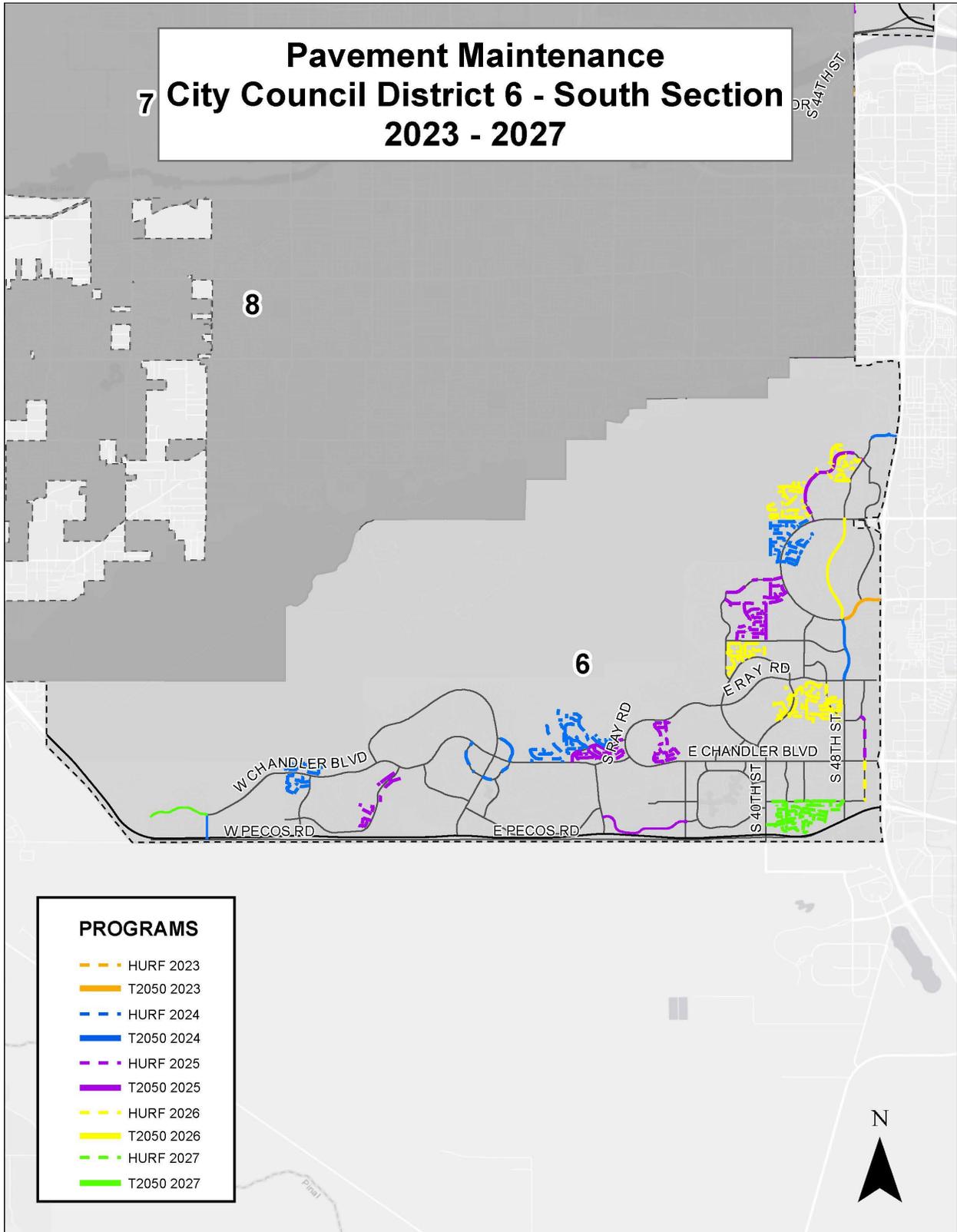
# Pavement Maintenance City Council District 5 2023 - 2027



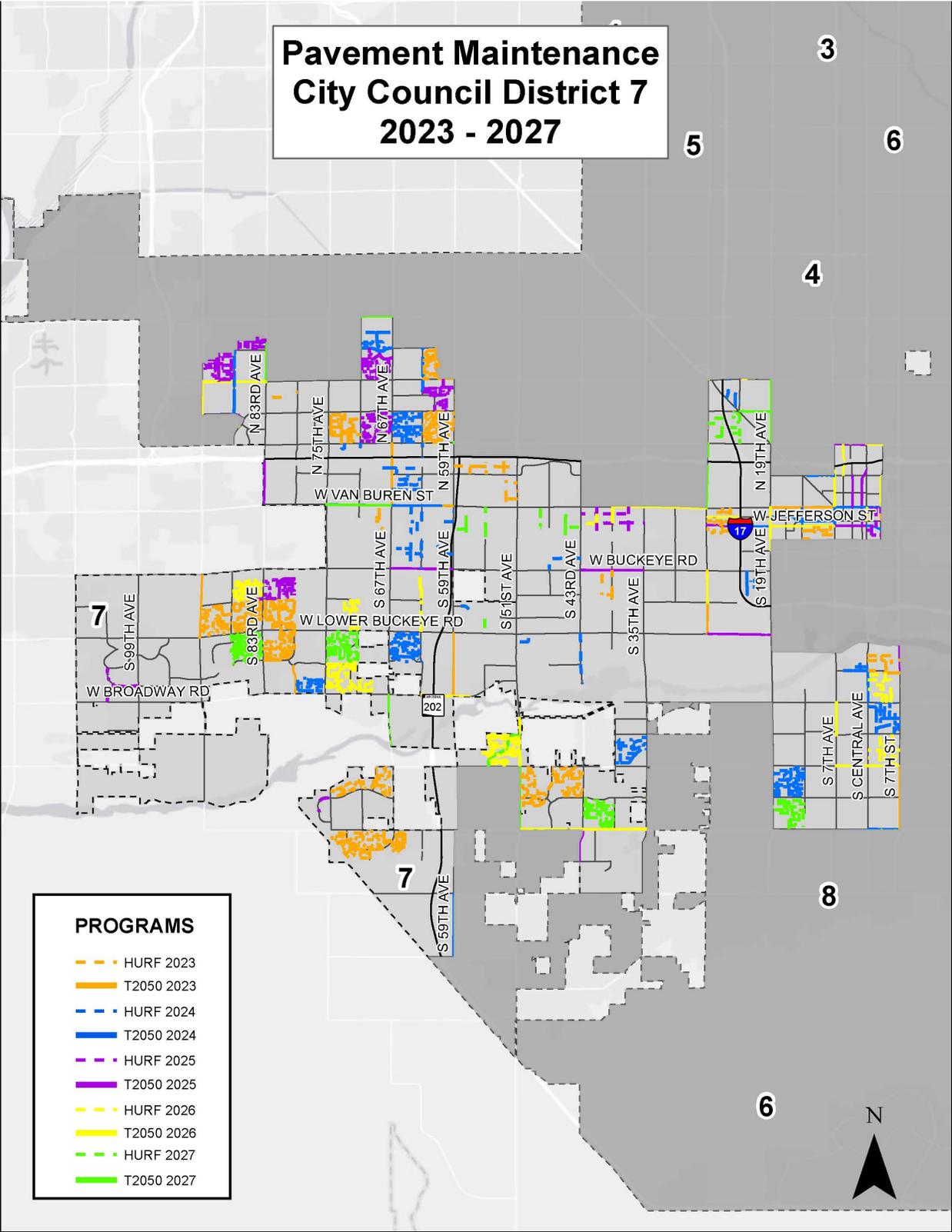
# Pavement Maintenance City Council District 6 - North Section 2023 - 2027



# 7 Pavement Maintenance City Council District 6 - South Section 2023 - 2027

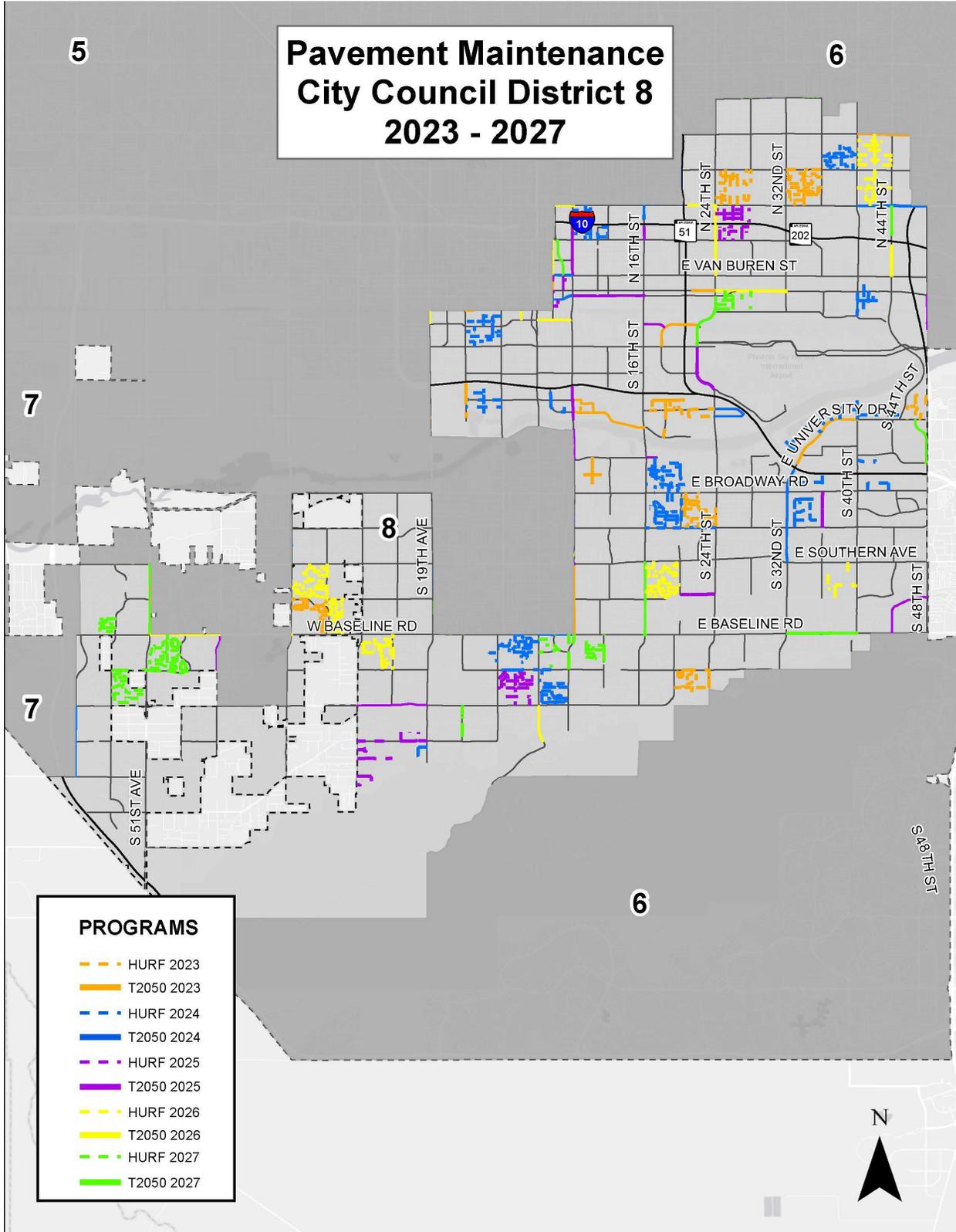


# Pavement Maintenance City Council District 7 2023 - 2027



PROGRAMS	
<span style="color: orange;">- - -</span>	HURF 2023
<span style="color: orange;">—</span>	T2050 2023
<span style="color: blue;">- - -</span>	HURF 2024
<span style="color: blue;">—</span>	T2050 2024
<span style="color: purple;">- - -</span>	HURF 2025
<span style="color: purple;">—</span>	T2050 2025
<span style="color: yellow;">- - -</span>	HURF 2026
<span style="color: yellow;">—</span>	T2050 2026
<span style="color: green;">- - -</span>	HURF 2027
<span style="color: green;">—</span>	T2050 2027

# Pavement Maintenance City Council District 8 2023 - 2027



- PROGRAMS**
- HURF 2023
  - T2050 2023
  - HURF 2024
  - T2050 2024
  - HURF 2025
  - T2050 2025
  - HURF 2026
  - T2050 2026
  - HURF 2027
  - T2050 2027

**Attachment H**

**Proposed Locations of T2050 and HURF Projects  
FY 2025, FY 2026 & FY 2027 Pavement Maintenance Program**

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
1 AVE	N/O JEFFERSON ST	S/O PORTLAND ST	7	0.9	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
16 ST	ROOSEVELT ST	I-10	8	0.2	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
19 AVE	HAPPY VALLEY RD	JOMAX RD (2/BND)	1	0.9	2025 ARTERIAL & MAJOR FOG SEAL	T2050
23 AVE	MOUNTAIN VIEW RD	PEORIA AVE	3	0.49	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
24 ST	I-10 (MARICOPA FRWY)	BUCKEYE RD	8	0.73	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
27 AVE	ROSE GARDEN LN	DEER VALLEY RD	1	0.5	2025 ARTERIAL & MAJOR FOG SEAL	T2050
31 AVE	INDIAN SCHOOL RD	CAMPBELL AVE	4	0.5	2025 ARTERIAL & MAJOR FOG SEAL	T2050
32 ST	SHEA BLVD	CACTUS RD	3	1	2025 ARTERIAL & MAJOR FOG SEAL	T2050
32 ST	THUNDERBIRD RD	GREENWAY RD	3	1.04	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
35 AVE	THUNDERBIRD RD	GREENWAY RD	1	0.99	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
43 AVE	INDIAN SCHOOL RD	CAMELBACK RD	5	1	2025 ARTERIAL & MAJOR FOG SEAL	T2050
43 AVE	SOUTH MOUNTAIN AVE	BASELINE RD	7	0.26	2025 ARTERIAL & MAJOR FOG SEAL	T2050
43 AVE	SOUTH MOUNTAIN AVE	BASELINE RD	8	0.26	2025 ARTERIAL & MAJOR FOG SEAL	T2050
43 AVE	THOMAS RD	INDIAN SCHOOL RD	4	1	2025 ARTERIAL & MAJOR FOG SEAL	T2050
44 ST / VINEYARD RD	N/O BASELINE RD	W/O 48 ST	8	0.87	2025 MAJOR COLLECTOR SLURRY SEAL	T2050
48 ST	END OF ROAD	S/O WASHINGTON ST	6	0.22	2025 MAJOR COLLECTOR MILL & OVERLAY	T2050
48 ST	END OF ROAD	S/O WASHINGTON ST	8	0.22	2025 MAJOR COLLECTOR MILL & OVERLAY	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
5 ST	WASHINGTON ST	S/O VAN BUREN ST	8	0.21	2025 MAJOR COLLECTOR MILL & OVERLAY	T2050
56 ST	CACTUS RD	THUNDERBIRD RD	2	0.5	2025 ARTERIAL & MAJOR FOG SEAL	T2050
56 ST	CACTUS RD	THUNDERBIRD RD	3	0.5	2025 ARTERIAL & MAJOR FOG SEAL	T2050
7 AVE	BELL RD	UNION HILLS DR	2	0.5	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
7 AVE	BELL RD	UNION HILLS DR	3	0.5	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
7 AVE	HATCHER RD	PEORIA AVE	3	0.84	2025 ARTERIAL & MAJOR FOG SEAL	T2050
7 AVE	OSBORN RD	INDIAN SCHOOL RD	4	0.5	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
7 AVE	THOMAS RD	N/O OSBORN RD	4	0.51	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
7 ST	BETHANY HOME RD	GLENDALE AVE	6	1	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
7 ST	ELWOOD ST	I-17 MARICOPA FWY	7	0.19	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
7 ST	ELWOOD ST	I-17 MARICOPA FWY	8	0.55	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
7 ST	S/O UNION HILLS DR	PIMA FRWY	2	0.93	2025 ARTERIAL & MAJOR FOG SEAL	T2050
7 ST	VAN BUREN ST	I-10 PAPAGO FWY	8	0.66	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
83 AVE	VAN BUREN ST	I-10 (PAPAGO FRWY)	7	0.68	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
BELL RD	64 ST	SCOTTSDALE RD	2	1.02	2025 ARTERIAL & MAJOR FOG SEAL	T2050
BELL RD	E/O 32 ST	W/O 40 ST	4	1	2025 ARTERIAL & MAJOR FOG SEAL	T2050
BELL RD	W/O 40 ST	W/O TATUM BLVD	2	1.07	2025 ARTERIAL & MAJOR FOG SEAL	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
BELL RD	W/O TATUM BLVD	E/O 56 ST	2	1.01	2025 ARTERIAL & MAJOR FOG SEAL	T2050
BETHANY HOME RD	E/O 7 ST	SR-51	6	1.2	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
BUCKEYE RD	67 AVE	59 AVE	7	0.99	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
BUCKEYE RD	W/O 43 AVE	E/O 35 AVE	7	1	2025 ARTERIAL & MAJOR FOG SEAL	T2050
CAMELBACK RD	E/O 12 ST	SR-51	4	0.38	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
CAMELBACK RD	E/O 12 ST	SR-51	6	0.37	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
CAVE CREEK RD	DUNLAP AVE	CACTUS RD	3	2.6	2025 ARTERIAL & MAJOR FOG SEAL	T2050
CENTRAL AVE	GLENDALE AVE	NORTHERN AVE	6	1	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
DOBBINS RD	27 AVE	19 AVE	8	1	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
ELWOOD ST	16 ST	END OF ROAD	8	0.15	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
GLENDALE AVE	35 AVE	27 AVE	5	1	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
GLENDALE AVE	43 AVE	35 AVE	5	1	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
GRANT ST	E/O 16 ST	N/O SKY HARBOR CIR N	8	0.32	2025 MAJOR COLLECTOR MICROSURFACING	T2050
GREENWAY RD	35 AVE	I-17 (BLACK CANYON FRWY)	1	0.77	2025 ARTERIAL & MAJOR FOG SEAL	T2050
HAPPY VALLEY RD	BLACK CANYON FRWY	19 AVE	1	0.85	2025 ARTERIAL & MAJOR FOG SEAL	T2050
INDIAN SCHOOL RD	43 AVE	35 AVE	4	0.64	2025 ARTERIAL & MAJOR MICROSURFACING	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
INDIAN SCHOOL RD	43 AVE	35 AVE	5	0.64	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
INDIAN SCHOOL RD	W/O 7 ST	SR-51	4	1.25	2025 ARTERIAL & MAJOR FOG SEAL	T2050
JEFFERSON ST	27 AVE	I-17 (BLACK CANYON FRWY)	7	0.51	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
JEFFERSON ST	7 ST	16 ST	7	1	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
JEFFERSON ST	E/O 7 AVE	W/O 3 AVE	7	0.5	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
LIBERTY LN	E/O 24 ST	E/O 32 ST	6	1.18	2025 MAJOR COLLECTOR MILL & OVERLAY	T2050
LOWER BUCKEYE RD	27 AVE	19 AVE	7	0.95	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
MCDOWELL RD	19 AVE	7 AVE	4	1	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
MCDOWELL RD	E/O 51 AVE	E/O 43 AVE	4	1	2025 ARTERIAL & MAJOR FOG SEAL	T2050
MCDOWELL RD	E/O 7 AVE	W/O CENTRAL AVE	7	0.51	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
NEW RIVER RD	MILE MARKER 9	PHX SIGN/CATTLE GUARD	1	1.07	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
NORTHERN AVE	W/O 16 ST	SR-51	6	0.66	2025 ARTERIAL & MAJOR FOG SEAL	T2050
PINNACLE PEAK RD	35 AVE	BLACK CANYON FRWY (I-17)	1	1.19	2025 ARTERIAL & MAJOR FOG SEAL	T2050
PINNACLE PEAK RD	E/O TATUM BLVD	W/O SCOTTSDALE RD	2	2.5	2025 ARTERIAL & MAJOR FOG SEAL	T2050
PINNACLE PEAK RD	W/O CAVE CREEK RD	E/O 40 ST	2	2.49	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
SHEA BLVD	24 ST	32 ST	3	1	2025 ARTERIAL & MAJOR FOG SEAL	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
SHEA BLVD	E/O TATUM BLVD	E/O 56 ST	3	1	2025 ARTERIAL & MAJOR FOG SEAL	T2050
SOUTHERN AVE	W/O 7 AVE	W/O 7 ST	7	0.98	2025 ARTERIAL & MAJOR FOG SEAL	T2050
TATUM BLVD	COP BOUNDARY (CAIDA DEL SOL DR)	SHEA BLVD	3	1.52	2025 ARTERIAL & MAJOR FOG SEAL	T2050
TATUM BLVD	DYNAMITE BLVD	DIXILETA DR	2	0.62	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
TATUM BLVD	N/O PINNACLE PEAK RD	S/O JOMAX RD	2	2.03	2025 ARTERIAL & MAJOR FOG SEAL	T2050
TATUM BLVD	UNION HILLS DR	LOOP 101	2	1.18	2025 ARTERIAL & MAJOR MICROSURFACING	T2050
THOMAS RD	SR-101	91 AVE	5	0.46	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
UNION HILLS DR	E/O 16 ST	E/O CAVE CREEK RD	2	0.51	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
UNION HILLS DR	E/O 16 ST	E/O CAVE CREEK RD	3	0.51	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
WILLIAMS DR	BLACK CANYON FRWY	19 AVE	1	0.73	2025 ARTERIAL & MAJOR MILL & OVERLAY	T2050
YORKSHIRE DR	W/O 31 AVE	W/O I-17 (BLACK CANYON FRWY)	1	0.66	2025 MAJOR COLLECTOR MILL & OVERLAY	T2050
010-32 S / 010-33 S	CHANDLER BLVD / THUNDERHILL PL	21 ST / 26 PL	6	3.05	2025 LOCAL & MINOR MILL & OVERLAY	HURF
010-34	CHANDLER BLVD/RAY RD	29 ST/31 WAY	6	2.51	2025 LOCAL & MINOR FAST	HURF
02-27	DOBBINS RD / SOUTH MOUNTAIN AVE	7 AVE / CENTRAL AVE	8	3.91	2025 LOCAL & MINOR SLURRY SEAL	HURF
03-24	OLNEY AVE / MCNEIL ST	22 AVE / 20 AVE	8	0.37	2025 LOCAL & MINOR SLURRY SEAL	HURF
04-23/04-24	ELLIOT RD / MINERAL RD	27 AVE / 19 AVE	8	2.71	2025 LOCAL & MINOR SLURRY SEAL	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
06-37	AHWATUKEE DR / EQUESTRIAN TRL	APPALOOSA DR / WARNER ELLIOT LOOP	6	1.5	2025 LOCAL & MINOR MILL & OVERLAY	HURF
07-36	KNOX RD / AHWATUKEE DR	36 ST / 40 ST	6	3.91	2025 LOCAL & MINOR MILL & OVERLAY	HURF
10-28	UNION PACIFIC RR / VAN BUREN ST	CENTRAL AVE / 7 ST	7	1.14	2025 LOCAL & MINOR SLURRY SEAL	HURF
10-28	UNION PACIFIC RR / VAN BUREN ST	CENTRAL AVE / 7 ST	8	1.14	2025 LOCAL & MINOR SLURRY SEAL	HURF
103 AVE / JONES AVE	BROADWAY RD / COUNTRY PLACE BLVD	103 AVE / 99 AVE	7	1	2025 LOCAL & MINOR SEAL COAT	HURF
12 ST	N/O BELL RD	S/O UNION HILLS DR	2	0.5	2025 LOCAL & MINOR MILL & OVERLAY	HURF
12 ST	N/O BELL RD	S/O UNION HILLS DR	3	0.5	2025 LOCAL & MINOR MILL & OVERLAY	HURF
12-33	ROOSEVELT ST / MCDOWELL RD	24 ST / 28 ST	8	3.74	2025 LOCAL & MINOR MILL & OVERLAY	HURF
13-12	MCDOWELL RD / ENCANTO BLVD	71 AVE / 67 AVE	7	4.55	2025 LOCAL & MINOR SLURRY SEAL	HURF
14-14	ENCANTO BLVD / THOMAS RD	63 AVE / 59 AVE	7	3.26	2025 LOCAL & MINOR SLURRY SEAL	HURF
14-20	ENCANTO BLVD / THOMAS RD	39 AVE / 35 AVE	4	3.23	2025 LOCAL & MINOR MILL & OVERLAY	HURF
14-21	ENCANTO BLVD / THOMAS RD	35 AVE / 31 AVE	4	3.14	2025 LOCAL & MINOR SLURRY SEAL	HURF
15 AVE	BEARDSLEY RD	ROSE GARDEN LN	1	0.46	2025 LOCAL & MINOR SLURRY SEAL	HURF
15 AVE	BETHANY HOME RD	GLENDALE AVE	5	1	2025 LOCAL & MINOR MILL & OVERLAY	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
15 AVE	GLENDALE AVE	NORTHERN AVE	3	0.5	2025 LOCAL & MINOR MILL & OVERLAY	HURF
15 AVE	GLENDALE AVE	NORTHERN AVE	5	0.5	2025 LOCAL & MINOR MILL & OVERLAY	HURF
15-12	THOMAS RD / OSBORN RD	71 AVE / 67 AVE	7	3.81	2025 LOCAL & MINOR MILL & OVERLAY	HURF
16-8	OSBORN RD / INDIAN SCHOOL RD	87 AVE / 83 AVE	5	2.33	2025 LOCAL & MINOR MILL & OVERLAY	HURF
16-8	OSBORN RD / INDIAN SCHOOL RD	87 AVE / 83 AVE	7	2.33	2025 LOCAL & MINOR MILL & OVERLAY	HURF
17-4	INDIAN SCHOOL RD / CAMPBELL AVE	103 AVE / 99 AVE	5	2.64	2025 LOCAL & MINOR SLURRY SEAL	HURF
17-42	LAFAYETTE BLVD / CAMELBACK RD	JOKAKE RD / 64 ST	6	4.01	2025 LOCAL & MINOR SLURRY SEAL	HURF
18-29	CAMPBELL AVE/CAMELBACK RD	7 ST/12 ST	4	3.61	2025 LOCAL & MINOR MILL & OVERLAY	HURF
20-25	MISSOURI AVE/BETHANY HOME AVE	19 AVE/15 AVE	5	0.71	2025 LOCAL & MINOR MILL & OVERLAY	HURF
21-25	ROSE LN / MARYLAND AVE	19 AVE / 15 AVE	5	2.53	2025 LOCAL & MINOR SLURRY SEAL	HURF
22-32+	MARYLAND AVE / GLENDALE AVE	19 ST/ LINCOLN DR	6	2.86	2025 LOCAL & MINOR FAST	HURF
24 ST	SHEA BLVD	CACTUS RD	3	1.05	2025 LOCAL & MINOR SEAL COAT	HURF
24-28	ORANGEWOOD AVE / NORTHERN AVE	CENTRAL AVE / 7 ST	6	3.6	2025 LOCAL & MINOR MILL & OVERLAY	HURF
26 ST	S/O 26 ST	S/O SHEA BLVD	3	0.67	2025 LOCAL & MINOR MILL & OVERLAY	HURF
28 ST	CHOLLA ST	CACTUS RD	3	0.5	2025 LOCAL & MINOR SEAL COAT	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
31 AVE	DEER VALLEY DR	WILLIAMS DR	1	0.5	2025 LOCAL & MINOR SEAL COAT	HURF
31 AVE	ENCANTO BLVD	THOMAS RD	4	0.49	2025 LOCAL & MINOR SEAL COAT	HURF
31 AVE	N/O BETHANY HOME RD	S/O GLENDALE AVE	5	1	2025 LOCAL & MINOR MILL & OVERLAY	HURF
31 AVE	UNION HILLS	KRISTAL WAY	1	0.46	2025 LOCAL & MINOR SLURRY SEAL	HURF
31-36	CACTUS RD/SWEETWATER AVE	36 ST/40 ST	3	4.43	2025 LOCAL & MINOR SLURRY SEAL	HURF
32-44	SWEETWATER AVE / THUNDERBIRD RD	68 ST / SCOTTSDALE RD	2	2.7	2025 LOCAL & MINOR SEAL COAT	HURF
33-25	THUNDERBIRD RD / FRIESS DR	17 AVE / 15 DR	3	0.81	2025 LOCAL & MINOR SLURRY SEAL	HURF
33-28	CANTERBURY DR / MEADOW LN	CANTERBURY DR / 7 ST	3	1.68	2025 LOCAL & MINOR SLURRY SEAL	HURF
34-26	GLENEAGLES DR / CORAL GABLES DR	14 DR / 7 DR	3	1.46	2025 LOCAL & MINOR MILL & OVERLAY	HURF
34-35	ACOMA DR / GREENWAY RD	32 ST / 36 ST	2	4.06	2025 LOCAL & MINOR SLURRY SEAL	HURF
35-20	GREENWAY RD/PARADISE LN	39 AVE/35 AVE	1	3.75	2025 LOCAL & MINOR MILL & OVERLAY	HURF
35-23	GREENWAY RD / PARADISE LN	I-17 / 23 AVE	3	3.99	2025 LOCAL & MINOR MILL & OVERLAY	HURF
35-41	GREENWAY RD / PARADISE LN	56 ST / 60 ST	2	4.44	2025 LOCAL & MINOR SLURRY SEAL	HURF
36 ST	ROESER RD	BROADWAY RD	8	0.51	2025 LOCAL & MINOR SLURRY SEAL	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
36-38	PARADISE LN / BELL RD	44 ST / TATUM BLVD	2	4.06	2025 LOCAL & MINOR SLURRY SEAL	HURF
37-39	BELL RD / GROVERS AVE	TATUM BLVD / 52 ST	2	0.14	2025 LOCAL & MINOR MILL & OVERLAY	HURF
38-30	GROVERS AVE/UNION HILLS DR	12 ST/16 ST	3	3.25	2025 LOCAL & MINOR MILL & OVERLAY	HURF
39 AVE	CAMELBACK RD	OREGON AVE	5	0.34	2025 LOCAL & MINOR SEAL COAT	HURF
39 AVE	MOHAWK LN	DEER VALLEY DR	1	0.66	2025 LOCAL & MINOR SLURRY SEAL	HURF
39 AVE	NORTHERN AVE	DUNLAP AVE	1	0.99	2025 LOCAL & MINOR SLURRY SEAL	HURF
39 AVE	PEORIA AVE	CACTUS RD	1	0.99	2025 LOCAL & MINOR FOG SEAL	HURF
39-17	UNION HILLS DR / YORKSHIRE DR	51 AVE / 47 AVE	1	5.04	2025 LOCAL & MINOR MILL & OVERLAY	HURF
39-32	UNION HILLS DR / UTOPIA RD	20 ST / CAVE CREEK RD	2	1.97	2025 LOCAL & MINOR SEAL COAT	HURF
40-27	UTOPIA RD/BEARDSLEY RD	7 AVE/CENTRAL AVE	2	5.2	2025 LOCAL & MINOR MILL & OVERLAY	HURF
43-24	DEER VALLEY RD / WILLIAMS DR	23 AVE / 19 AVE	1	2.02	2025 LOCAL & MINOR FAST	HURF
44 ST/PIEDMONT RD	ELLIOT RD	48 ST	6	1.41	2025 LOCAL & MINOR SEAL COAT	HURF
44-31	CASHMAN DR / 20 ST CDS	16 ST / 20 ST	2	1.68	2025 LOCAL & MINOR SEAL COAT	HURF
46-18	ALAMEDA RD/HAPPY VALLEY RD	47 AVE/43 AVE	1	3.62	2025 LOCAL & MINOR FAST	HURF
47 AVE	PINNACLE PEAK RD	SAGUARO PARK LN	1	0.68	2025 LOCAL & MINOR SEAL COAT	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
49-20	RIORDAN RANCH RD / PINNACLE VISTA DR	37 LN / 35 AVE	1	1.52	2025 LOCAL & MINOR SEAL COAT	HURF
50 ST	CHANDLER BLVD	THISTLE LANDING DR	6	0.57	2025 LOCAL & MINOR SLURRY SEAL	HURF
51-23	NORTERRA PKWY / DALE LN	26 DR / 24 AVE	2	2.11	2025 LOCAL & MINOR SEAL COAT	HURF
52 PL / DOVE VALLEY RD	RANCHO PALOMA DR	56 ST	2	0.59	2025 LOCAL & MINOR SEAL COAT	HURF
52 ST	GREENWAY RD	BELL RD	2	0.99	2025 LOCAL & MINOR SEAL COAT	HURF
52 ST	JOMAX RD	PINNACLE VISTA DR	2	0.49	2025 LOCAL & MINOR FAST	HURF
55-24	SONORAN DESERT DR / BUTTE TRL	23 AVE / 21 LN	2	1.05	2025 LOCAL & MINOR SLURRY SEAL	HURF
76 DR / VINEYARD RD	CARTER RD	75 AVE	7	0.37	2025 LOCAL & MINOR SLURRY SEAL	HURF
79 AVE	CAMPBELL AVE	CAMELBACK RD	5	0.43	2025 LOCAL & MINOR SLURRY SEAL	HURF
87 AVE	ENCANTO BLVD	THOMAS RD	7	0.5	2025 LOCAL & MINOR SLURRY SEAL	HURF
8-9	DURANGO ST / BUCKEYE RD	83 AVE / 79 AVE	7	3.34	2025 LOCAL & MINOR MILL & OVERLAY	HURF
BEVERLY LN/34 AVE	35 AVE	34 AVE	1	0.49	2025 LOCAL & MINOR SEAL COAT	HURF
BUTLER DR	7 AVE	CENTRAL AVE	3	0.51	2025 LOCAL & MINOR MILL & OVERLAY	HURF
BUTLER DR	E/O 7 ST	W/O 12 ST	3	0.24	2025 LOCAL & MINOR MILL & OVERLAY	HURF
BUTLER DR	E/O 7 ST	W/O 12 ST	6	0.25	2025 LOCAL & MINOR MILL & OVERLAY	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
CAMPBELL AVE	67 AVE	59 AVE	5	0.97	2025 LOCAL & MINOR SLURRY SEAL	HURF
CAMPBELL AVE	7 AVE	CENTRAL AVE	4	0.5	2025 LOCAL & MINOR SEAL COAT	HURF
CAMPBELL AVE	83 AVE	79 AVE	5	0.54	2025 LOCAL & MINOR SLURRY SEAL	HURF
CENTRAL AVE	N/O BELL RD	S/O UNION HILLS DR	3	1	2025 LOCAL & MINOR MILL & OVERLAY	HURF
CHOLLA ST	23 AVE	19 AVE	3	0.49	2025 LOCAL & MINOR SLURRY SEAL	HURF
CHOLLA ST	40 ST	TATUM BLVD	3	1.03	2025 LOCAL & MINOR SLURRY SEAL	HURF
CLUBGATE DR / 66 ST / ACOMA DR	CLUBGATE DR	KIERLAND BLVD	2	2.77	2025 LOCAL & MINOR MILL & OVERLAY	HURF
DURANGO ST	84 LN	81 AVE	7	0.45	2025 LOCAL & MINOR MILL & OVERLAY	HURF
EQUESTRIAN TRL	36 ST	S WARNER ELLIOT LOOP	6	0.75	2025 LOCAL & MINOR SEAL COAT	HURF
GROVERS AVE	12 ST	16 ST	3	0.5	2025 LOCAL & MINOR SEAL COAT	HURF
GROVERS AVE	7 ST	12 ST	2	0.25	2025 LOCAL & MINOR SEAL COAT	HURF
GROVERS AVE	7 ST	12 ST	3	0.25	2025 LOCAL & MINOR SEAL COAT	HURF
MEDINAN DR / WINGED FOOT RD / CANTERBURY DR	THUNDERBIRD RD / MOON VALLEY DR	CANTERBURY DR / 7 ST	3	1.25	2025 LOCAL & MINOR MILL & OVERLAY	HURF
MOUNTAIN VIEW RD	CENTRAL AVE	7 ST	3	0.5	2025 LOCAL & MINOR SLURRY SEAL	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
PARADISE LN	43 AVE	35 AVE	1	1	2025 LOCAL & MINOR MILL & OVERLAY	HURF
ROSE GARDEN LN	19 AVE	7 AVE	1	0.98	2025 LOCAL & MINOR SLURRY SEAL	HURF
ROSE GARDEN LN	7 AVE	CENTRAL AVE	1	0.5	2025 LOCAL & MINOR SLURRY SEAL	HURF
STANFORD DR	E/O 40 ST	W/O 44 ST	6	0.5	2025 LOCAL & MINOR MILL & OVERLAY	HURF
TOMBSTONE TRL / 21 AVE	NORTERRA PKWY	JOMAX RD	1	0.96	2025 LOCAL & MINOR SLURRY SEAL	HURF
VINEYARD RD	20 ST	24 ST	8	0.49	2025 LOCAL & MINOR SLURRY SEAL	HURF
NOT YET IDENTIFIED				30	2025 LOCAL & MINOR COOLSEAL PAVEMENT	HURF
<b>FY2025 HURF Subtotal</b>				<b>194.7</b>		
<b>FY2025 T2050 Subtotal</b>				<b>64.2</b>		
<b>FY2025 Total</b>				<b>258.9</b>		

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
01-23	SOUTH MOUNTAIN AVE / BASELINE RD	27 AVE / 23 AVE	8	3.86	2026 LOCAL & MINOR SLURRY SEAL	HURF
03-38/03-39	MINERAL RD / ESTES WAY	44 ST / 48 ST	6	3.21	2026 LOCAL & MINOR SLURRY SEAL	HURF
04-37+	LA PUENTE AVE / OLNEY DR	40 PL / 44 ST	6	4.16	2026 LOCAL & MINOR SLURRY SEAL	HURF
08-36	CASSIA WY / KNOX RD	36 ST / 40 ST	6	3.03	2026 LOCAL & MINOR MILL & OVERLAY	HURF
09-37	CHUCKWALLA CANYON/RAY RD	41 PL/43 PL	6	2.81	2026 LOCAL & MINOR MILL & OVERLAY	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
09-38	CHUCKWALLA CANYON/RAY RD	44 ST/48 ST	6	4.88	2026 LOCAL & MINOR SLURRY SEAL	HURF
10-19 / 10-20	UNION PACIFIC RR / VAN BUREN ST	43 AVE / 35 AVE	7	2.89	2026 LOCAL & MINOR FAST	HURF
12 ST	N/O OSBORN RD	S/O INDIAN SCHOOL RD	4	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
1-22	BASELINE RD/VINEYARD RD	31 AVE/27 AVE	8	3.23	2026 LOCAL & MINOR MILL & OVERLAY	HURF
13-37	MCDOWELL RD / OAK ST	40 ST / 44 ST	8	2.45	2026 LOCAL & MINOR SLURRY SEAL	HURF
13-7	MCDOWELL RD / ENCANTO BLVD	91 AVE / 86 DR	5	4.33	2026 LOCAL & MINOR MILL & OVERLAY	HURF
14-37	OAK ST / THOMAS RD	40 ST / 44 ST	8	3.06	2026 LOCAL & MINOR FAST	HURF
15-24	THOMAS RD / OSBORN RD	23 AVE / 19 AVE	4	3.88	2026 LOCAL & MINOR MILL & OVERLAY	HURF
16 ST	N/O INDIAN SCHOOL RD	S/O CAMELBACK RD	4	1	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
17-10	INDIAN SCHOOL RD / SELLS RD	79 AVE / 75 AVE	5	4.58	2026 LOCAL & MINOR SLURRY SEAL	HURF
17-21	INDIAN SCHOOL RD / CAMPBELL AVE	35 AVE / 31 AVE	4	3.75	2026 LOCAL & MINOR FAST	HURF
17-27	INDIAN SCHOOL RS / CAMPBELL AVE	7 AVE / CENTRAL AVE	4	4.37	2026 LOCAL & MINOR MILL & OVERLAY	HURF
18-9	CAMPBELL AVE / CAMELBACK RD	83 AVE / 79 AVE	5	5.51	2026 LOCAL & MINOR SLURRY SEAL	HURF
19 AVE	BETHANY HOME RD	GLENDALE AVE	5	1	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
19 AVE	CAMELBACK RD	BETHANY HOME RD	4	0.49	2026 ARTERIAL & MAJOR MICROSURFACING	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
19 AVE	CAMELBACK RD	BETHANY HOME RD	5	0.5	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
19 AVE	GLENDALE AVE	NORTHERN AVE	3	0.49	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
19 AVE	GLENDALE AVE	NORTHERN AVE	5	0.5	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
19 AVE	N/O DUNLAP AVE	CANAL	3	0.32	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
19 AVE	N/O GRANT ST	N/O VAN BUREN ST	7	0.6	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
19 AVE	N/O GRANT ST	N/O VAN BUREN ST	8	0.08	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
19 AVE	NORTHERN AVE	DUNLAP AVE	3	0.5	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
19 AVE	NORTHERN AVE	DUNLAP AVE	5	0.5	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
19-26	CAMELBACK RD / MISSOURI AVE	15 AVE / 7 AVE	4	4.36	2026 LOCAL & MINOR SLURRY SEAL	HURF
19-4	CAMELBACK RD/MISSOURI AVE	103 AVE/99 AVE	5	1.82	2026 LOCAL & MINOR MILL & OVERLAY	HURF
20-26	MISSOURI AVE / BETHANY HOME RD	15 AVE / 7 AVE	4	4.77	2026 LOCAL & MINOR SLURRY SEAL	HURF
2-21	VINEYARD RD/SOUTHERN AVE	35 AVE/31 AVE	8	5.13	2026 LOCAL & MINOR SLURRY SEAL	HURF
23 AVE	PIMA FRWY	DEER VALLEY DR	1	1	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
2-31	VINEYARD RD/SOUTHERN AVE	16 ST/20 ST	8	4.89	2026 LOCAL & MINOR MILL & OVERLAY	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
23-19	GLENDALE AVE / ORANGEWOOD AVE	43 AVE / 39 AVE	5	4.63	2026 LOCAL & MINOR FAST	HURF
2-36	VINEYARD RD / SOUTHERN AVE	36 ST / 40 ST	8	0.96	2026 LOCAL & MINOR SLURRY SEAL	HURF
24 ST	VAN BUREN ST	MCDOWELL RD	8	1	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
25-27	NORTHERN AVE / BUTLER DR	7 AVE / CENTRAL AVE	3	4	2026 LOCAL & MINOR MILL & OVERLAY	HURF
25-28	NORTHERN AVE / EL CAMINITO DR	CENTRAL AVE / 7 ST	6	3.27	2026 LOCAL & MINOR MILL & OVERLAY	HURF
27 AVE	S/O LOWER BUCKEYE RD	S/O BUCKEYE RD	7	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
27 AVE	THOMAS RD	INDIAN SCHOOL RD	4	1	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
27-19	DUNLAP AVE / PURDUE AVE	43 AVE / 39 AVE	1	4.64	2026 LOCAL & MINOR SLURRY SEAL	HURF
28-30	MOUNTAIN VIEW RD / PEORIA RD	12 ST/16 ST	3	3.06	2026 LOCAL & MINOR MILL & OVERLAY	HURF
29-18	AZ CANAL / CHOLLA ST	47 AVE / 43 AVE	1	2.9	2026 LOCAL & MINOR SLURRY SEAL	HURF
29-40	SHEA BLVD / CHOLLA ST	52 ST / 56 ST	3	2.72	2026 LOCAL & MINOR SLURRY SEAL	HURF
29-42	SHEA BLVD / CHOLLA ST	60 ST / 64 ST	2	3.26	2026 LOCAL & MINOR SLURRY SEAL	HURF
3 AVE	LINCOLN ST	UPRR	8	0.12	2026 ARTERIAL & MAJOR FOG SEAL	T2050
3 ST	VAN BUREN ST	ROOSEVELT ST	7	0.25	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
3 ST	VAN BUREN ST	ROOSEVELT ST	8	0.25	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
30-19	CHOLLA ST / CACTUS RD	43 AVE / 39 AVE	1	4.78	2026 LOCAL & MINOR MILL & OVERLAY	HURF
30-40	CHOLLA ST / CACTUS RD	52 ST / 56 ST	3	3.44	2026 LOCAL & MINOR SLURRY SEAL	HURF
31 AVE	THUNDERBIRD RD	GREENWAY RD	1	0.57	2026 LOCAL & MINOR MILL & OVERLAY	HURF
3-16	SOUTHERN AVE / ROESER RD	RIVERWALK DR / 51 AVE	7	4.88	2026 LOCAL & MINOR SLURRY SEAL	HURF
32 ST	N/O CACTUS RD	S/O THUNDERBIRD RD	3	1.04	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
32 ST	N/O CHOLLA ST	S/O CACTUS RD	3	0.49	2026 ARTERIAL & MAJOR FOG SEAL	T2050
32-24	SWEETWATER AVE/THUNDERBIRD RD	24 AVE/19 AVE	3	4.93	2026 LOCAL & MINOR SLURRY SEAL	HURF
3-28	SOUTHERN AVE / ROESER RD	CENTRAL AVE / 7 ST	7	3.1	2026 LOCAL & MINOR SLURRY SEAL	HURF
33 AVE	POCONO WAY	PINNACLE VISTA DR	1	0.59	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
35 AVE	N/O INDIAN SCHOOL RD	N/O CAMELBACK RD	4	0.49	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
35 AVE	N/O INDIAN SCHOOL RD	N/O CAMELBACK RD	5	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
35-43	GREENWAY PKWY / PARADISE LN	64 ST / 68 ST	2	2.2	2026 LOCAL & MINOR SLURRY SEAL	HURF
36-19	PARADISE LN / BELL RD	43 AVE / 39 AVE	1	2.45	2026 LOCAL & MINOR SLURRY SEAL	HURF
36-32	PARADISE LN / BELL RD	20 ST / CAVE CREEK RD	3	3.41	2026 LOCAL & MINOR SLURRY SEAL	HURF
36-35	PARADISE LN / BELL RD	32 ST / 36 ST	2	1.65	2026 LOCAL & MINOR MILL & OVERLAY	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
38-33	GROVERS AVE/UNION HILLS DR	CAVE CREEK RD/28 ST	2	4.88	2026 LOCAL & MINOR MILL & OVERLAY	HURF
39-33	UNION HILL DR / UTOPIA RD	CAVE CREEK RD / 28 ST	2	2.79	2026 LOCAL & MINOR SLURRY SEAL	HURF
40 ST	END OF ROAD	JOMAX RD	2	0.42	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
40 ST	INDIAN SCHOOL RD	CAMELBACK RD	6	1.02	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
40 ST	TATUM BLVD	FOREST PLEASANT PL	2	1.1	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
40-35	UTOPIA RD/BEARDSLEY RD	32 ST/36 ST	2	5.25	2026 LOCAL & MINOR MILL & OVERLAY	HURF
41-25	SR-101 / ROSE GARDEN LN	19 AVE / 15 AVE	1	2.45	2026 LOCAL & MINOR SLURRY SEAL	HURF
41-38	SR-101 / ROSE GARDEN LN	END OF ROAD / TATUM BLVD	2	0.65	2026 LOCAL & MINOR SLURRY SEAL	HURF
43 AVE	DUNLAP AVE	PEORIA AVE	1	1.02	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
43 AVE	INDIAN SCHOOL RD	CAMELBACK RD	5	1	2026 ARTERIAL & MAJOR FOG SEAL	T2050
43 AVE	N/O MCDOWELL RD	N/O THOMAS RD	4	1.02	2026 ARTERIAL & MAJOR FOG SEAL	T2050
43 AVE	N/O NORTHERN AVE	S/O DUNLAP AVE	1	0.99	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
43 AVE	S/O CAMELBACK RD	S/O BETHANY HOME RD	5	1	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
43 AVE	THOMAS RD	INDIAN SCHOOL RD	4	0.97	2026 ARTERIAL & MAJOR FOG SEAL	T2050
44 ST	VAN BUREN ST	SR-202	8	0.44	2026 ARTERIAL & MAJOR MICROSURFACING	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
47-17	HAPPY VALLEY RD / PARSONS RD	51 AVE / 45 DR	1	4.33	2026 LOCAL & MINOR MILL & OVERLAY	HURF
48 ST	N/O WARNER RD	NO ELLIOT RD	6	1.35	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
48-19	STETSON HILLS LOOP / ROWEL RD	DEEM HILLS PRKWY / SINGBUSH LOOP	1	3.6	2026 LOCAL & MINOR SLURRY SEAL	HURF
5 AVE	ROOSEVELT ST	MCDOWELL RD	7	0.42	2026 ARTERIAL & MAJOR FOG SEAL	T2050
50 ST	FRYE RD	CHANDLER BLVD	6	0.5	2026 LOCAL & MINOR SLURRY SEAL	HURF
50-23+	TOMBSTONE TRL / NORTERRA PKWY	26 AVE / 23 AVE	2	6.43	2026 LOCAL & MINOR SLURRY SEAL	HURF
51 AVE	S/O CACTUS RD	S/O THUNDERBIRD RD	1	0.99	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
51 AVE	SOUTHERN AVE	BROADWAY RD	7	0.79	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
5-11/5-12	BROADWAY RD / ELWOOD ST	75 AVE / 67 AVE	7	5.8	2026 LOCAL & MINOR SLURRY SEAL	HURF
52 ST	THOMAS RD	OSBORN RD	6	0.51	2026 LOCAL & MINOR SLURRY SEAL	HURF
5-28	BROADWAY RD / ELWOOD ST	CENTRAL AVE / 7 ST	7	2.52	2026 LOCAL & MINOR FAST	HURF
63 AVE	LOWER BUCKEYE RD	END OF ROAD	7	0.87	2026 LOCAL & MINOR SLURRY SEAL	HURF
64 ST	MCDOWELL RD	OAK ST	6	0.49	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
7 AVE	HATCHER RD	PEORIA AVE	3	0.84	2026 ARTERIAL & MAJOR FOG SEAL	T2050
7 AVE	S/O ROESER RD	N/O BROADWAY RD	7	0.51	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
7 AVE	VAN BUREN ST	PAPAGO FRWY (I-10)	4	0.28	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
7 AVE	VAN BUREN ST	PAPAGO FRWY (I-10)	7	0.29	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
7 ST	CAMELBACK RD	BETHANY HOME RD	4	0.5	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
7 ST	CAMELBACK RD	BETHANY HOME RD	6	0.5	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
7-11	LOWER BUCKEYE RD\ DURANGO ST	75 AVE/71 AVE	7	2.66	2026 LOCAL & MINOR MILL & OVERLAY	HURF
8-8	DURANGO ST/BUCKEYE RD	87 AVE/83 AVE	7	3.59	2026 LOCAL & MINOR MILL & OVERLAY	HURF
91 AVE	MCDOWELL RD	THOMAS RD	5	0.5	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
91 AVE	MCDOWELL RD	THOMAS RD	7	0.51	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
ADAMS ST	27 AVE	23 AVE	7	0.51	2026 MAJOR COLLECTOR MILL & OVERLAY	T2050
BASELINE RD	51 AVE	43 AVE	7	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
BASELINE RD	51 AVE	43 AVE	8	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
BASELINE RD	E/O 43 AVE	E/O 35 AVE	7	1	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
BROADWAY RD	63 AVE	57 AVE	7	0.77	2026 ARTERIAL & MAJOR FOG SEAL	T2050
CACTUS RD	TATUM BLVD	52 ST	3	0.66	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
CAMELBACK RD	E/O 24 ST	W/O 32 ST	6	0.99	2026 ARTERIAL & MAJOR FOG SEAL	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
CAMELBACK RD	W/O 32 ST	E/O 40 ST	6	1.15	2026 ARTERIAL & MAJOR FOG SEAL	T2050
CAMPBELL AVE	59 AVE	51 AVE	5	1.01	2026 LOCAL & MINOR SLURRY SEAL	HURF
CAMPBELL AVE	E/O 35 AVE	W/O 27 AVE	4	0.99	2026 LOCAL & MINOR MILL & OVERLAY	HURF
CENTRAL AVE	MCDOWELL RD	THOMAS RD	4	1	2026 ARTERIAL & MAJOR FOG SEAL	T2050
CENTRAL AVE	N/O BETHANY HOME RD	S/O GLENDALE AVE	6	1	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
CENTRAL AVE	S/O MINERAL RD	S/O DOBBINS RD	8	0.51	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
CENTRAL AVE	WASHINGTON ST	VAN BUREN ST	7	0.22	2026 ARTERIAL & MAJOR FOG SEAL	T2050
DYNAMITE BLVD	TATUM BLVD	52 ST	2	0.5	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
ENCANTO BLVD	39 AVE	31 AVE	4	0.99	2026 LOCAL & MINOR SLURRY SEAL	HURF
GREENWAY PKWY	W/O 16 ST	W/O CAVE CREEK RD	3	1.07	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
GREENWAY RD	56 ST	64 ST	2	1	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
GROVERS AVE	E/O 40 ST	E/O 44 ST	2	0.59	2026 LOCAL & MINOR MILL & OVERLAY	HURF
JEFFERSON ST	19 AVE	7 AVE	7	1.02	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
LINCOLN ST	E/O CENTRAL AVE	W/O 7 ST	8	0.49	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
MAYO BLVD	E/O TATUM BLVD	W/O 56 ST	2	1.1	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
MCDOWELL RD	E/O CENTRAL AVE	E/O 7 ST	4	0.25	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
MCDOWELL RD	E/O CENTRAL AVE	E/O 7 ST	7	0.12	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
MCDOWELL RD	E/O CENTRAL AVE	E/O 7 ST	8	0.13	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
MCDOWELL RD	SR-51	24 ST	8	0.38	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
MISSOURI AVE	E/O 19 AVE	W/O 7 AVE	4	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
MISSOURI AVE	E/O 19 AVE	W/O 7 AVE	5	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
NEW RIVER RD	MILE MARKER 8	MILE MARKER 9	1	1	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
NORTHERN AVE	7 AVE	7 ST	3	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
NORTHERN AVE	7 AVE	7 ST	6	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
PARADISE VILLAGE PKWY	E/O TATUM BLVD	E/O TATUM BLVD	3	0.98	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
PINNACLE PEAK RD	40 ST	TATUM BLVD	2	1.33	2026 ARTERIAL & MAJOR FOG SEAL	T2050
SHEA BLVD	W/O 24 ST	W/O 32 ST	3	1	2026 ARTERIAL & MAJOR FOG SEAL	T2050
SHEA BLVD	W/O 40 ST	E/O TATUM BLVD	3	1.04	2026 ARTERIAL & MAJOR FOG SEAL	T2050
SOUTHERN AVE	W/O 7 AVE	W/O 7 ST	7	1	2026 ARTERIAL & MAJOR FOG SEAL	T2050
STETSON VALLEY PKWY	55 AVE/DEEM HILLS PKWY	END OF ROAD	1	1.16	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
TANGERINE LN / 60 ST	THOMAS RD	INDIAN SCHOOL RD	6	0.89	2026 LOCAL & MINOR SLURRY SEAL	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
TATUM BLVD	CAVE CREEK RD	40 ST	2	0.31	2026 ARTERIAL & MAJOR MICROSURFACING	T2050
TATUM BLVD	COP BOUNDARY	SHEA BLVD	3	1.52	2026 ARTERIAL & MAJOR FOG SEAL	T2050
TATUM BLVD	N/O PINNACLE PEAK RD	S/O JOMAX RD	2	1.92	2026 ARTERIAL & MAJOR FOG SEAL	T2050
THOMAS RD	91 AVE	87 AVE	7	0.5	2026 ARTERIAL & MAJOR FOG SEAL	T2050
THOMAS RD	W/O 87 AVE	83 AVE	7	0.5	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
VAN BUREN ST	E/O 39 AVE	W/O 27 AVE	4	0.74	2026 ARTERIAL & MAJOR FOG SEAL	T2050
VAN BUREN ST	E/O 39 AVE	W/O 27 AVE	7	0.74	2026 ARTERIAL & MAJOR FOG SEAL	T2050
WASHINGTON ST	E/O 24 ST	E/O 32 ST	8	1	2026 ARTERIAL & MAJOR MILL & OVERLAY	T2050
				30	2026 LOCAL & MINOR COOLSEAL PAVEMENT	HURF
<b>FY2025 HURF Subtotal</b>				<b>223.1</b>		
<b>FY2025 T2050 Subtotal</b>				<b>62.3</b>		
<b>FY2025 Total</b>				<b>285.4</b>		

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
01-17	SOUTH MOUNTAIN AVE / BASELINE RD	51 AVE / 47 AVE	8	5.13	2027 LOCAL & MINOR SLURRY SEAL	HURF
012-37 / 012-38	PECOS RD / FRYE RD	40 ST / 48 ST	6	6.16	2027 LOCAL & MINOR MILL & OVERLAY	HURF
01-28	SOUTH MOUNTAIN AVE/BASELINE RD	CENTRAL AVE / 7 ST	8	1.78	2027 LOCAL & MINOR MILL & OVERLAY	HURF
01-29	CANAL / BASELINE RD	9 ST / 12 ST	8	1.58	2027 LOCAL & MINOR MILL & OVERLAY	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
02-16	DOBBINS RD / SOUTH MOUNTAIN AVE	55 AVE / 51 AVE	8	3.63	2027 LOCAL & MINOR SLURRY SEAL	HURF
10-15	UPRR / VAN BUREN ST	59 AVE / 55 AVE	7	1.15	2027 LOCAL & MINOR FAST	HURF
10-17	UPRR / VAN BUREN ST	51 AVE / 47 AVE	7	0.47	2027 LOCAL & MINOR FAST	HURF
10-18	UPRR / VAN BUREN ST	47 AVE / 43 AVE	7	0.69	2027 LOCAL & MINOR FAST	HURF
10-33	UPRR / WASHINGTON ST	24 ST / 20 ST	8	1.75	2027 LOCAL & MINOR FAST	HURF
1-15	BASELINE RD/MINTON AVE	59 AVE/55 AVE	8	1.29	2027 LOCAL & MINOR SLURRY SEAL	HURF
1-19	BASELINE RD / VINEYARD RD	43 AVE / 39 AVE	7	5.22	2027 LOCAL & MINOR MILL & OVERLAY	HURF
1-25	BASELINE RD / VINEYARD RD	19 AVE / 15 AVE	7	4.07	2027 LOCAL & MINOR MILL & OVERLAY	HURF
13-23	MCDOWELL RD / ENCANTO BLVD	27 AVE / 23 AVE	7	2.1	2027 LOCAL & MINOR FAST	HURF
13-27	MCDOWELL RD / ENCANTO BLVD	7 AVE / CENTRAL AVE	4	4.4	2027 LOCAL & MINOR MILL & OVERLAY	HURF
14-15	ENCANTO BLVD / THOMAS RD	59 AVE / 55 AVE	4	4.7	2027 LOCAL & MINOR SLURRY SEAL	HURF
14-16	ENCANTO BLVD / THOMAS RD	55 AVE / 51 AVE	4	4.14	2027 LOCAL & MINOR SLURRY SEAL	HURF
14-40	OAK ST / THOMAS RD	52 ST / 56 ST	6	3.27	2027 LOCAL & MINOR SLURRY SEAL	HURF
15 AVE	N/O NORTHERN AVE	S/O DUNLAP AVE	3	0.5	2027 LOCAL & MINOR MILL & OVERLAY	HURF
15 AVE	N/O NORTHERN AVE	S/O DUNLAP AVE	5	0.5	2027 LOCAL & MINOR MILL & OVERLAY	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
15 AVE	S/O OLNEY AVE	S/O DOBBINS RD	8	0.5	2027 LOCAL & MINOR MILL & OVERLAY	HURF
16 ST	N/O BETHANY HOME RD	S/O GLENDALE AVE	6	1	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
16 ST	N/O GREENWAY PKWY	S/O BELL RD	3	0.25	2027 ARTERIAL & MAJOR FOG SEAL	T2050
16 ST	S/O BASELINE RD	S/O SOUTHERN AVE	8	1.03	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
16-33	OSBORN RD / INDIAN SCHOOL RD	24 ST / 28 ST	6	3.93	2027 LOCAL & MINOR SLURRY SEAL	HURF
16-35	OSBORN RD / INDIAN SCHOOL RD	32 ST / 36 ST	6	3.84	2027 LOCAL & MINOR SLURRY SEAL	HURF
17-13	INDIAN SCHOOL RD / CAMPBELL AVE	67 AVE / 63 AVE	5	3.64	2027 LOCAL & MINOR SLURRY SEAL	HURF
18-10	SELLS DR / CAMELBACK RD	79 AVE / 75 AVE	5	5.56	2027 LOCAL & MINOR MILL & OVERLAY	HURF
18-11S	SELLS DR / HAZELWOOD ST	75 AVE / 71 LN	5	1.55	2027 LOCAL & MINOR SLURRY SEAL	HURF
19 AVE	N/O MCDOWELL RD	N/O THOMAS RD	4	0.51	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
19 AVE	N/O MCDOWELL RD	N/O THOMAS RD	7	0.51	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
19 AVE	N/O THOMAS RD	S/O INDIAN SCHOOL RD	4	0.99	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
20-22	MISSOURI AVE / BETHANY HOME RD	31 AVE / 27 AVE	5	5.2	2027 LOCAL & MINOR MILL & OVERLAY	HURF
21-19	BETHANY HOME RD / MARYLAND AVE	43 AVE / 39 AVE	5	5.33	2027 LOCAL & MINOR FAST	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
22-29	MARYLAND AVE / GLENDALE AVE	7 ST / 12 ST	6	3.93	2027 LOCAL & MINOR SLURRY SEAL	HURF
24 ST	N/O BUCKEYE RD	S/O JEFFERSON ST	8	0.84	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
27 AVE	N/O VAN BUREN ST	S/O MCDOWELL RD	4	0.47	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
27 AVE	N/O VAN BUREN ST	S/O MCDOWELL RD	7	0.47	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
28 ST	THUNDERBIRD RD	GREENWAY RD	3	1.08	2027 LOCAL & MINOR FAST	HURF
29-20/30-20	PEORIA AVE / POINSETTIA DR	39 AVE / 35 AVE	1	7.97	2027 LOCAL & MINOR SLURRY SEAL	HURF
29-29	PEORIA AVE / CHOLLA ST	7 ST / 12 ST	3	0.32	2027 LOCAL & MINOR SLURRY SEAL	HURF
30-22	SUNNYSIDE DR / CACTUS RD	31 AVE / 29 AVE	1	1.15	2027 LOCAL & MINOR SLURRY SEAL	HURF
30-35	CHOLLA ST / CACTUS RD	32 ST / 36 ST	3	3.97	2027 LOCAL & MINOR SLURRY SEAL	HURF
30-36	CHOLLA ST / CACTUS RD	36 ST / 40 ST	3	4.81	2027 LOCAL & MINOR SLURRY SEAL	HURF
31-23	CACTUS RD / THUNDERBIRD RD	I-17 / 25 AVE	3	3.83	2027 LOCAL & MINOR FAST	HURF
32-19	SWEETWATER AVE / THUNDERBIRD RD	43 AVE / 38 AVE	1	4.02	2027 LOCAL & MINOR SLURRY SEAL	HURF
32-20	SWEETWATER AVE / THUNDERBIRD RD	39 AVE / 35 AVE	1	4.55	2027 LOCAL & MINOR MILL & OVERLAY	HURF
34-27	SEMINOLE DR/CORAL GABLES DR	GLENEAGLES DR/HANA MAUI DR	3	2.26	2027 LOCAL & MINOR MILL & OVERLAY	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
35 AVE	N/O GREENWAY RD	S/O BELL RD	1	0.99	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
35 AVE	N/O MCDOWELL RD	N/O THOMAS RD	4	1	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
35 AVE	S/O THOMAS RD	S/O INDIAN SCHOOL RD	4	1	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
35-35	GREENWAY RD/PARADISE LN	32 ST/36 ST	2	3.08	2027 LOCAL & MINOR MILL & OVERLAY	HURF
36-23/36-24	GRANDVIEW RD / BELL RD	BLACK CANYON HWY / 19 AVE	3	3.07	2027 LOCAL & MINOR SLURRY SEAL	HURF
36-33	PARADISE LN / BELL RD	CAVE CREEK RD / 29 ST	3	4.84	2027 LOCAL & MINOR MILL & OVERLAY	HURF
39 AVE	GLENDALE AVE	NORTHERN AVE	5	1.01	2027 LOCAL & MINOR SLURRY SEAL	HURF
39-36	UNION HILLS DR / UTOPIA RD	36 ST / 40 ST	2	4.18	2027 LOCAL & MINOR MILL & OVERLAY	HURF
40 ST	END OF ROAD	DEER VALLEY DR	2	0.87	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
40 ST	N/O CACTUS RD	S/O THUNDERBIRD RD	3	1.02	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
40 ST	N/O SHEA BLVD	S/O CACTUS RD	3	0.99	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
40-32	BEHREND DR / BEARDSLEY RD	20 ST / CAVE CREEK RD	2	2.73	2027 LOCAL & MINOR SLURRY SEAL	HURF
42-26	ROSE GARDEN DR / DEER VALLEY RD	14 AVE / 7 AVE	1	1.1	2027 LOCAL & MINOR FAST	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
43 AVE	N/O CACTUS RD	S/O THUNDERBIRD RD	1	0.99	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
43 AVE	N/O GLENDALE AVE	S/O NORTHERN AVE	5	1.01	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
43 AVE	N/O PEORIA AVE	S/O CACTUS RD	1	0.99	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
44 ST	N/O THUNDERBIRD RD	S/O ACOMA DR	2	0.5	2027 LOCAL & MINOR MILL & OVERLAY	HURF
44 ST	S/O INDIAN SCHOOL RD	S/O CAMELBACK RD	6	1.01	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
44 ST	SR-202	MCDOWELL RD	8	0.44	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
47 AVE	OSBORN RD	INDIAN SCHOOL RD	4	0.5	2027 LOCAL & MINOR MILL & OVERLAY	HURF
48 ST	ELWOOD ST	UNIVERSITY DR	8	0.68	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
49-23	JOMAX RD / TOMBSTONE TRL	NORTERRA PKWY / 21 AVE	2	4.58	2027 LOCAL & MINOR SLURRY SEAL	HURF
5 ST / 4 ST	N/O VAN BUREN ST	S/O ROOSEVELT ST	8	0.58	2027 ARTERIAL & MAJOR FOG SEAL	T2050
51 AVE	BASELINE RD	SOUTHERN AVE	7	0.5	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
51 AVE	BASELINE RD	SOUTHERN AVE	8	0.5	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
51-21 / 51-22	DYNAMITE BLVD / ARIZONA PROJECT CANAL	35 AVE / I-17 BLACK CANYON FWY	1	3.24	2027 LOCAL & MINOR MILL & OVERLAY	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
51-38	DYNAMITE RD / MAZATZAL DR	44 ST / TATUM BLVD	2	2.41	2027 LOCAL & MINOR FAST	HURF
52-39	MAZATZAL DR/DIXILETA DR	48 ST/51 PL	2	4.61	2027 LOCAL & MINOR SLURRY SEAL	HURF
53-39	DIXILETA DR/PALO BREA LN	DESERT WILLOW PKWY/51 PL	2	2.02	2027 LOCAL & MINOR SLURRY SEAL	HURF
55 AVE	LOWER BUCKEYE	END OF ROAD	7	0.33	2027 LOCAL & MINOR FAST	HURF
55 AVE	THOMAS RD	INDIAN SCHOOL RD	4	0.5	2027 LOCAL & MINOR FAST	HURF
55 AVE	THOMAS RD	INDIAN SCHOOL RD	5	0.5	2027 LOCAL & MINOR FAST	HURF
56 ST	N/O INDIAN SCHOOL RD	N/O CAMELBACK RD	6	0.86	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
56 ST	N/O THOMAS RD	S/O INDIAN SCHOOL RD	6	0.62	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
56 ST	OAK ST	THOMAS RD	6	0.5	2027 LOCAL & MINOR FAST	HURF
6-11	ELWOOD ST / LOWER BUCKEYE RD	75 ST / 71 ST	7	5.85	2027 LOCAL & MINOR SLURRY SEAL	HURF
64 ST	LAFAYETTE BLVD	CAMELBACK RD	6	0.5	2027 LOCAL & MINOR FAST	HURF
67 AVE	SOUTHERN AVE	BROADWAY RD	7	1.14	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
6-8	ELWOOD ST / LOWER BUCKEYE RD	87 AVE / 83 AVE	7	5.44	2027 LOCAL & MINOR SLURRY SEAL	HURF
7 ST	N/O MCDOWELL RD	N/O THOMAS RD	4	1	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
7 ST	N/O NORTHERN AVE	S/O DUNLAP AVE	6	1.05	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
7 ST	S/O GLENDALE AVE	N/O NORTHERN AVE	6	1.01	2027 ARTERIAL & MAJOR	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
					MICROSURFACING	
7 ST / HAPPY VALLEY RD	N/O CAP CANAL / 7 ST	E/O CAP CANAL / 7 AVE	2	1.86	2027 ARTERIAL & MAJOR FOG SEAL	T2050
83 AVE	THOMAS RD	INDIAN SCHOOL RD	5	0.54	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
83 AVE	THOMAS RD	INDIAN SCHOOL RD	7	0.54	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
91 AVE	N/O INDIAN SCHOOL RD	S/O CAMELBACK RD	5	1	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
BASELINE RD	E/O 32 ST	E/O 40 ST	8	1	2027 ARTERIAL & MAJOR FOG SEAL	T2050
BETHANY HOME RD	E/O 19 AVE	W/O 7 AVE	5	1	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
BETHANY HOME RD	E/O 43 AVE	W/O 35 AVE	5	1.04	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
BLACK MOUNTAIN BLVD	DESERT FOREST TRL	RANCHO PALOMA DR	2	0.65	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
BLACK MOUNTAIN BLVD	RANCHO PALOMA DR	CAREFREE HWY	2	1.05	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
BUTLER DR	23 AVE	19 AVE	5	0.5	2027 LOCAL & MINOR SLURRY SEAL	HURF
CACTUS RD	E/O 35 AVE	W/O 31 AVE	1	0.5	2027 ARTERIAL & MAJOR FOG SEAL	T2050
CACTUS RD	W/O 31 AVE	E/O 19 AVE	1	0.67	2027 ARTERIAL & MAJOR FOG SEAL	T2050
CACTUS RD	W/O 31 AVE	E/O 19 AVE	3	0.66	2027 ARTERIAL & MAJOR FOG SEAL	T2050
CACTUS RD	W/O 40 ST	E/O TATUM BLVD	3	0.94	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
CAMELBACK RD	E/O 113 DR (450' E/O BRIDGE)	W/O 107 AVE	5	0.97	2027 ARTERIAL & MAJOR FOG SEAL	T2050
CAMELBACK RD	E/O ARCADIA DR	W/O 56 ST	6	0.76	2027 ARTERIAL & MAJOR FOG SEAL	T2050
CAMELBACK RD	W/O 19 AVE	E/O 7 AVE	4	1	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
CHOLLA ST	32 ST	40 ST	3	1	2027 LOCAL & MINOR SLURRY SEAL	HURF
DESERT WILLOW PKWY (E)	N/O DIXILETA DR	CAVE CREEK RD	2	1.15	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
DUNLAP AVE	E/O 43 AVE	W/O 35 AVE	1	1.06	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
DYNAMITE BLVD	35 AVE	I-17 (BLACK CANYON FRWY)	1	0.63	2027 ARTERIAL & MAJOR FOG SEAL	T2050
EL MIRAGE RD	COP BOUNDARY	S/O CAMELBACK RD	5	0.24	2027 ARTERIAL & MAJOR FOG SEAL	T2050
EL MIRAGE RD	N/O CAMELBACK RD	MISSOURI AVE	5	0.47	2027 ARTERIAL & MAJOR FOG SEAL	T2050
ENCANTO BLVD	48 LN	43 AVE	4	0.72	2027 LOCAL & MINOR FAST	HURF
ENCANTO BLVD	GRAND AVE	W/O 19 AVE	7	0.5	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
GLENDALE AVE	16 ST	SR-51	6	0.29	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
GREENWAY RD	E/O 40 ST	W/O TATUM BLVD	2	1.05	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
HATCHER RD	E/O CENTRAL AVE	W/O 12 ST	3	0.99	2027 ARTERIAL & MAJOR FOG SEAL	T2050
INDIAN SCHOOL RD	E/O 19 AVE	E/O 7 AVE	4	0.95	2027 ARTERIAL & MAJOR FOG SEAL	T2050
INDIAN SCHOOL RD	E/O 7 AVE	E/O 7 ST	4	1.06	2027 ARTERIAL & MAJOR FOG SEAL	T2050

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
INDIAN SCHOOL RD	E/O 75 AVE	W/O 67 AVE	5	1.01	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
INDIAN SCHOOL RD	W/O 59 AVE	W/O 51 AVE	5	1.04	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
JOMAX RD	E/O CAVE CREEK RD	E/O 40 ST	2	0.69	2027 ARTERIAL & MAJOR FOG SEAL	T2050
MARYLAND AVE	E/O 43 AVE	W/O 35 AVE	5	0.99	2027 LOCAL & MINOR MILL & OVERLAY	HURF
MCDOWELL RD	E/O 52 ST	E/O 64 ST	6	1.52	2027 ARTERIAL & MAJOR FOG SEAL	T2050
MCDOWELL RD	W/O 59 AVE	E/O 51 AVE	4	1	2027 ARTERIAL & MAJOR FOG SEAL	T2050
NEW RIVER RD	MILE MARKER 7	MILE MARKER 8	1	1	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
ORANGEWOOD AVE	19 AVE	15 AVE	5	0.49	2027 LOCAL & MINOR SLURRY SEAL	HURF
ORANGEWOOD AVE	35 AVE	117	5	1.25	2027 LOCAL & MINOR SLURRY SEAL	HURF
ORANGEWOOD AVE	43 AVE	35 AVE	5	0.99	2027 LOCAL & MINOR SLURRY SEAL	HURF
OSBORN RD	73 AVE	71 AVE	5	0.25	2027 LOCAL & MINOR SLURRY SEAL	HURF
PARADISE LN	32 ST	36 ST	2	0.5	2027 LOCAL & MINOR SLURRY SEAL	HURF
PINNACLE PEAK RD	W/O CAVE CREEK RD	E/O 40 ST	2	2.49	2027 ARTERIAL & MAJOR FOG SEAL	T2050
RANCHO PALOMA DR	BLACK MOUNTAIN BLVD	CAVE CREEK RD	2	0.97	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
RIVER WALK DR	SOUTHERN AVE	ROESER RD	7	0.8	2027 LOCAL & MINOR SLURRY SEAL	HURF

Street or Quarter Section	From	To	Council District	Miles	Program	Funding Source
SHAUGHNESSE Y RD	32 LN	CHANDLER BLVD	6	0.74	2027 ARTERIAL & MAJOR MICROSURFACING	T2050
SWEETWATER AVE	24 ST	28 ST	3	0.5	2027 LOCAL & MINOR MILL & OVERLAY	HURF
THOMAS RD	E/O 43 AVE	E/O 35 AVE	4	1	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
VAN BUREN ST	W/O 75 AVE	W/O 67 AVE	7	1.02	2027 ARTERIAL & MAJOR FOG SEAL	T2050
WASHINGTON ST	W/O 40 ST	W/O 44 ST	8	0.48	2027 ARTERIAL & MAJOR MILL & OVERLAY	T2050
				30	2027 LOCAL & MINOR COOLSEAL PAVEMENT	HURF
<b>FY2027 HURF Subtotal</b>				<b>209.5</b>		
<b>FY2027 T2050 Subtotal</b>				<b>59.9</b>		
<b>FY2027 Total</b>				<b>269.3</b>		

## Attachment I

### Planned Bicycle Facilities Implemented on Pavement Maintenance Projects FY 2023 – FY 2027

#### FY23 New Bike Lanes Planned

Street	From	To	Council District	One Way Miles
Maryland Ave	35TH AVE	I-17 / Black Canyon Freeway	5	0.8
THOMAS RD	W/O 48 ST	E/O 56 ST	6	1.9
MORNINGSIDE DR	BLACK CANYON PKWY (I-17)	19 AVE	1	1.7
<b>Partially or fully buffered bike lanes</b>				
SHEA BLVD	W/O 40 ST	E/O TATUM BLVD	3	2.0
47th St	HILTON AVE	University	8	2.4
Total				8.8

#### FY23 Existing Bike Lanes with New Buffers Planned

Street	From	To	Council District	One Way Miles
ENCANTO BLVD	41ST AVE	39 AVE	4	0.5
7 ST	S/O UNION HILLS DR	PIMA FRWY	7	1.9
MARYLAND AVE	18 ST	20th St	6	0.6
36 ST	MCDOWELL RD	THOMAS RD	6	2.0
RANCHO PALOMA DR (SOUTH 1/2)	W/O 52 PL	N/O LONE MOUNTAIN RD	2	2.1

PRINCESS DR / 68 ST / CHAUNCEY LN	SCOTTSDALE RD	MAYO BLVD	2	2.0
20 ST	CAMELBACK RD	BETHANY HOME RD	7	2.0
Campbell Ave	24TH ST	28TH ST	7	1.0
39th Ave	Roosevelt Street	McDowell Road	7	1.0
95TH AVE / ENCANTO BLVD	MCDOWELL RD	91ST AVE	5	2.0
Hatcher Rd	7th Ave	Central Ave	3	1.0
HAPPY VALLEY RD	BLACK CANYON PKWY (I-17)	19 AVE	2	1.7
PINNACLE PEAK RD	35 AVE	BLACK CANYON FRWY (I-17)	3	2.4
Total				20.2

**FY24 New Bike Lanes Planned**

Street	From	To	Council District	One Way Miles
CAMPBELL AVE	113 DR	107 AVE	5	1.5
CORONA	32 ST	36 ST	8	1.0
CHANDLER BLVD	N/O PECOS RD	S/O SHAUGHNESSEY RD / CHANDLER BLVD	6	0.6
16 ST	GREENWAY PKWY	BELL ROAD	3	0.6
CACTUS RD	I-17	19 AVE	1, 3	0.9
CENTRAL AVE	MOUNTAIN VIEW RD	WEST FOOTHILL DR	3	0.4
SOUTH MOUNTAIN AVE	E/O 7 AVE	7 ST	8	2.0

MARKET PLACE WAY	CHANDLER BLVD	DESERT FOOTHILLS PKWY	6	2.8
<b>Partially or fully buffered bike lanes</b>				
MARKETPLACE WY (SE)	DESERT FOOTHILLS PKWY	CHANDLER BLVD	6	0.9
31 AVE	NORTHERN AVE	DUNLAP AVE	1, 5	2.0
CENTRAL AVE	HATCHER RD	MOUNTAIN VIEW RD	3	1.0
Total				13.7

**FY24 Existing Bike Lanes with New Buffers Planned**

Street	From	To	Council District	One Way Miles
31 AVE	ROSE GARDEN LN	DEER VALLEY RD	1	1.0
66 ST / ACOMA DR	KIERLAND BLVD	CLUBGATE DR	2	1.6
VIA PUZZOLA	CAREFREE HWY	CLOUD RD	2	2.1
61 AVE	CHARLOTTE DR	HAPPY VALLEY RD	1	1.0
PINNACLE VISTA DR	PYRAMID PEAK PKWY	58 LN	1	1.0
HATCHER RD	E/O CENTRAL AVE	W/O 12 ST	3	1.5
48 ST	N/O RAY RD	N/O WARNER RD	6	1.6
CAMELBACK RD	E/O 113 DR (450' E/O BRIDGE)	W/O 107 AVE	5	1.5
JEFFERSON ST	I-17	19 AVE	7	0.9
BASELINE RD	32 ST	40 ST	8	2.0

ROOSEVELT ST	15 AVE	7 AVE	4	1.0
Total				15.2

**FY25 New Bike Lanes Planned**

Street	From	To	Council District	One Way Miles
BUTLER DR	E/O 7 ST	W/O 12 ST	3,6	0.4
UTOPIA RD/CENTRAL AVE	7 AVE	BEARDSLEY RD	2	1.8
HIGHLAND AVE	7 ST	12 ST	4	1.0
20 ST	SHARON DR	WINCHCOMB DR	3	1.0
PARADISE LN	43 AVE	35 AVE	1	2.0
ROESER RD	21 AVE	19 AVE	8	0.5
PARADISE LN	44 ST	TATUM BLVD	2	1.2
CHOLLA ST	44 ST	TATUM BLVD	3	1.0
MOUNTAIN VIEW RD	CENTRAL AVE	7 ST	3	1.0
MEDINAN DR /CANTERBURY DR	THUNDERBIRD RD	MOON VALLEY DR	3	1.8
WINGED FOOT RD	MEDINAN DR	7 ST	3	0.8
79 AVE	CAMPBELL AVE	CAMELBACK RD	5	0.8
CAMPBELL AVE	83 AVE	79 AVE	5	1.0
CAMPBELL AVE	67 AVE	63 AVE	5	1.0

VINEYARD RD	20 ST	24 ST	8	0.9
39 AVE	NORTHERN AVE	DUNLAP AVE	1	1.9
15 AVE	BEARDSLEY RD	ROSE GARDEN LN	1	0.9
JEFFERSON ST	24TH AVE	25TH AVE	7	0.2
12 ST	N/O BELL RD	S/O UNION HILLS DR	2,3	1.0
25 ST	CHANDLER BLVD	THUNDERHILL PL	6	0.5
CLARENDON AVE	59 AVE	55 AVE	5	1.0
<b>Partially or fully buffered bike lanes</b>				
VINEYARD RD / 76 DR	CARTER RD	75 AVE	7	0.7
23 AVE	MOUNTAIN VIEW RD	PEORIA AVE	3	0.9
Total				23.3

**FY25 Existing Bike Lanes with New Buffers Planned**

Street	From	To	Council District	One Way Miles
UNION HILLS DR	E/O 16 ST	E/O CAVE CREEK RD	2,3	2.0
15 AVE	GLENDALE AVE	NORTHERN AVE	3,5	2.0
15 AVE	BETHANY HOME RD	GLENDALE AVE	5	2.0
81 AVE / PAPAGO ST	DURANGO ST	79 AVE	7	1.0
LIBERTY LN	E/O 24 ST	E/O 32 ST	6	2.3

7 ST	ELWOOD ST	I-17 MARICOPA FWY	7,8	0.3
31 AVE	UNION HILLS	KRISTAL WAY	1	0.9
TOMBSTONE TRL / 21 AVE	NORTERRA PKWY	JOMAX RD	1	1.9
32 ST	THUNDERBIRD RD	GREENWAY RD	3	2.0
THUNDERHILL PL	CHANDLER BLVD	RAY RD	6	1.7
<b>Total</b>				<b>16.1</b>

**FY26 New Bike Lanes Planned**

Street	From	To	Council District	One Way Miles
PARADISE LN	20 ST	CAVE CREEK RD	3	1.0
12 ST	CAVE CREEK RD	PEORIA RD	3	0.8
101 AVE	CAMELBACK RD	MISSOURI AVE	5	1.0
26 ST	GROVERS AVE	UNION HILLS DR	2	2.0
PALM LN	40 ST	44 ST	8	1.0
GROVERS AVE	E/O 40 ST	E/O 44 ST	2	1.1
50 ST	FRYE RD	CHANDLER BLVD	6	1.0
64 ST	MCDOWELL RD	OAK ST	6	0.9
21 PL	VAN BUREN ST	/ ROOSEVELT ST	8	1.0
54 ST	SHEA BLVD	CHOLLA ST	3	1.0

CHOLLA ST	47 AVE	43 AVE	1	1.0
PARADISE VILLAGE PKWY	E/O TATUM BLVD	E/O TATUM BLVD	3	1.9
<b>Partially or fully buffered bike lanes</b>				
CAMPBELL AVE	E/O 35 AVE	W/O 27 AVE	4	1.9
31 AVE	BASELINE RD	VINEYARD RD	8	0.9
BEHREND DR	15 AVE	7 AVE	2	2.0
23 AVE	PIIMA FRWY	DEER VALLEY DR	1	2.0
LINCOLN ST	E/O CENTRAL AVE	W/O 7 ST	8	0.9
Total				21.4

**FY26 Existing Bike Lanes with New Buffers Planned**

Street	From	To	Council District	One Way Miles
CAMPBELL AVE	59 AVE	51 AVE	5	2.0
52 ST	THOMAS RD	OSBORN RD	6	1.0
ENCANTO BLVD	39 AVE	31 AVE	4	1.9
91 AVE	MCDOWELL RD	THOMAS RD	5,7	1.0
51 AVE	SOUTHERN AVE	BROADWAY RD	7	1.5
7 AVE	S/O ROESER RD	N/O BROADWAY RD	7	1.0
BASELINE RD	51 AVE	43 AVE	7,8	1.0

STETSON VALLEY PKWY	55 AVE/DEEM HILLS PKWY	END OF ROAD	1	2.3
65 PL	GREENWAY PKWY	68 ST	2	1.4
BASELINE RD	E/O 43 AVE	E/O 35 AVE	7	2.0
23RD AVE	SOUTH MOUNTAIN AVE	BASELINE RD	8	1.0
48 ST	N/O WARNER RD	NO ELLIOT RD	6	2.7
Total				18.8

**FY27 New Bike Lanes Planned**

Street	From	To	Council District	One Way Miles
46TH ST	SHEA BLVD	CHOLLA ST	3	1.0
7TH ST	JESSE OWENS PKWY	N/O JESSE OWENS PKWY	8	0.2
34TH ST	GREENWAY RD	PARADISE LN	2	1.0
15 AVE	S/O OLNEY AVE	S/O DOBBINS RD	8	1.0
28TH ST	OSBORN RD	INDIAN SCHOOL RD	6	1.0
SIENNA VISTA/71ST AVE	ELWOOD ST	LOWER BUCKEYE RD	7	1.0
PARADISE LN	32 ST	36 ST	2	1.0
CHOLLA ST	32 ST	40 ST	3	2.0
LILY LN	83RD AVE	LOWER BUCKEYE RD	7	1.4
56 ST	WINDSOR AVE	N/O WINDSOR AVE	6	0.2

OSBORN RD	73 AVE	71 AVE	5	0.6
ORANGEWOOD AVE	19 AVE	15 AVE	5	1.0
BUTLER DR	23 AVE	19 AVE	5	1.0
48TH AVE	JEFFERSON ST	VAN BUREN ST	7	1.0
9TH ST	CANAL	BASELINE	8	0.6
47 AVE	OSBORN RD	INDIAN SCHOOL RD	4	1.0
MARYLAND AVE	E/O 43 AVE	W/O 35 AVE	5	2.0
<b>Partially or fully buffered bike lanes</b>				
GRANDVIEW RD	BLACK CANYON HWY	19TH AVE	3	1.8
21ST AVE	GRANDVIEW RD	BELL RD	3	0.8
ENCANTO BLVD	GRAND AVE	W/O 19 AVE	7	1.0
Total				20.6

**FY27 Existing Bike Lanes with New Buffers Planned**

Street	From	To	Council District	One Way Miles
28 ST	THUNDERBIRD RD	GREENWAY RD	3	2.2
RANCHO PALOMA DR	BLACK MOUNTAIN BLVD	CAVE CREEK RD	2	2.0
BLACK MOUNTAIN BLVD	DESERT FOREST TRL	RANCHO PALOMA DR	2	1.2
BLACK MOUNTAIN BLVD	RANCHO PALOMA DR	CAREFREE HWY	2	2.0

48 ST	ELWOOD ST	UNIVERSITY DR	8	1.4
51 AVE	BASELINE RD	SOUTHERN AVE	7,8	1.0
40 ST	MAYO BLVD	DEER VALLEY DR	2	1.2
Total				11.0



**Water Main Replacement Quarter Sections 10-33, 10-24, 2-29 - Engineering Services - WS85509026, WS85509029, WS85509061 (Ordinance S-49394)**

Request to authorize the City Manager, or his designee, to enter into an agreement with GHD, Inc. to provide Engineering Services that include Construction Administration and Inspection for the Water Main Replacement Quarter Sections 10-33, 10-24, 2-29 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 \$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, telecommunications, cable television, railroads, and other modes of transportation. Further request City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

**Summary**

The purpose of this project is to replace water lines in an area bounded by Van Buren Street to Washington Street and 21st Place to 36th Place. Replacing the water lines will improve water flow and reduce operations and maintenance issues in the neighborhood. Without replacing the water lines, the aging infrastructure could increase the amount of breaks and leaks and would impact the ability to reliably provide the neighborhood with water.

**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 Design Services selection process.

### **Contract Term**

The term of the agreement is for two 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 GHD, Inc. will not exceed \$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 City Council previously approved:

- Engineering Services Agreement 151697 (Ordinance S-46394) on March 4, 2020.

### **Location**

10-33: Washington Street to Van Buren Street from 20th Street to 36th Street

10-24: Buckeye Road to Van Buren Street from 23rd Avenue to 19th Avenue

2-29: Southern Avenue to Vineyard Road from 7th Street to 12th Street

Council Districts: 7 and 8

### **Responsible Department**

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department and the City Engineer.



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**Laboratory Equipment and Supplies - RFP160002341 - Amendment (Ordinance S-49383)**

Request to authorize the City Manager, or his designee, to execute amendments to Contract 145861 with Fisher Scientific Company, LLC, and Contract 145692 with VWR International, LLC to extend the contract terms. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,100,000.

**Summary**

These contracts will provide vital laboratory equipment and supplies for the Police and Water Services departments' daily laboratory operations. The National Association of State Procurement Officials ValuePoint Cooperative was adopted to obtain best value and in some cases achieve more favorable pricing than what is obtainable by an individual state or local government entity.

The contract extension and additional funding are necessary to maintain the operational needs of the Police and Water Services departments until a new procurement process can be completed.

**Contract Term**

Upon approval, the contract will be extended through March 31, 2024.

**Financial Impact**

Upon approval of \$2,100,000 in additional funds, the revised value of the contract will not exceed \$7,775,000. Funds are available in the Police and Water Services departments' budgets.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Laboratory Equipment and Supplies, Contract 145861, 145692 (Ordinance S-43659) on June 21, 2017
- Laboratory Equipment and Supplies, Contract 145861, 145692 (Ordinance S-47395) on March 17, 2021
- Laboratory Equipment and Supplies, Contract 145861, 145692 (Ordinance S-47913)

on Sept. 8, 2021

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Karen Peters and the Police and Water Services departments.



**Final Plat - Royal Palms 2 - PLAT 220086 - North of Orangewood Avenue and West of 15th Avenue**

Plat: 220086

Project: 19-3562

Name of Plat: Royal Palms 2

Owner: Berry 14, LLC

Engineer: Joshua S. Moses, RLS

Request: A 14-Lot Residential Plat

Reviewed by Staff: Jan. 5, 2023

**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 Orangewood Avenue and west of 15th Avenue

Council District: 5

**Responsible Department**

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



**Amend City Code - Ordinance Adoption - Rezoning Application Z-71-22-4 - Southeast Corner of 35th Avenue and Grand Avenue (Ordinance G-7073)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-71-22-4 and rezone the site from A-2 (Industrial District) to A-2 HGT/WVR (Industrial District, Height Waiver) to allow a height waiver up to 110 feet for a silo.

**Summary**

Current Zoning: A-2

Proposed Zoning: A-2 HGT/WVR

Acreage: 6.26

Proposed Use: Height waiver up to 110 feet for a silo

Owner: Drake Switching Company, LLC

Applicant: Drake Switching Company, LLC

Representative: Ashley March, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Maryvale Village Planning Committee heard this case on Dec. 14, 2022, and recommended approval, per the staff recommendation, by a vote of 8-1.

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

**Location**

Southeast corner of 35th Avenue and Grand Avenue

Council District: 4

Parcel Address: 3333, 3337, and 3441 Grand Ave.

**Responsible Department**

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

**ATTACHMENT A**

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

**ORDINANCE G-**

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-71-22-4) FROM A-2 (INDUSTRIAL DISTRICT) TO A-2 HGT/WVR (INDUSTRIAL DISTRICT, HEIGHT WAIVER).

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

SECTION 1. The zoning of a 6.26-acre property located at the southeast corner of 35th Avenue and Grand Avenue in a portion of Section 26, Township 2 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "A-2" (Industrial District), to "A-2 HGT/WVR" (Industrial District, Height 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 maximum building height shall be 110 feet.
2. 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.
3. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
4. 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.
5. 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 February, 2023.

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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

### PARCEL NO. 1:

A parcel of land in the County of Maricopa, State of Arizona, lying in the Northwest quarter of Section 26, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being a portion of that certain parcel of land described in Deed dated May 1, 1894, from JOSIAH and MARTHA J. HARBERT, recorded June 28, 1894 in Book 36 of Deeds, Page 328, of the records of said County, also being a portion of that certain 2 1/2 acre parcel of land described in Deed dated March 10, 1926, from SUSAN G. AND R. E. MILLER, recorded March 10, 1926 in Book 200 of Deeds, Page 366, of the records of said County, and also being a portion of that certain 2.33 acre parcel of land described in Deed dated March 11, 1926, from SMITH AND MATTIE BECK, recorded in Book 200 of Deeds, Page 454, of the records of said County, described as follows:

COMMENCING at the Northwest corner of said Section 26;

THENCE South 0 degrees 00 minutes 00 seconds East (bearing assumed for the purposes of this description) along the Westerly line of said Section 26, a distance of 78.22 feet to the common line between Grand Avenue and the property of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, said common line being the Northeasterly line of that certain 4.06 acre parcel of land described in Deed dated January 23, 1935, from STATE OF ARIZONA, recorded March 15, 1935 in Book 289 of Deeds, Page 297, of the records of said County and the TRUE POINT OF BEGINNING;

THENCE South 45 degrees 01 minutes 30 seconds East (bearing assumed for the purpose of this description) along said Northeasterly boundary, 1481.74 feet;

THENCE South 44 degrees 58 minutes 30 seconds West, a distance of 88.93 feet to a line parallel with and distant Northeasterly 10.00 feet from the center line of that certain railroad track designated in the records of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY as Alhambra Station Tract Number 2;

THENCE North 45 degrees 14 minutes 08 seconds West along said parallel line, 1387.80 feet to said Westerly line of Section 26;

THENCE North 0 degrees 00 minutes 00 seconds East along said Westerly line, 132.92 feet to the POINT OF BEGINNING.

EXCEPTING therefrom all minerals contained in the above described land, as reserved by THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a Delaware corporation, in instrument recorded December 7, 1993 in Recording No. 93-0855245. of Official Records.

PARCEL NO. 2:

A parcel of land situated in the Northwest Quarter of Section 26, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at the Northwest corner of said Section 26;

THENCE South 00°00'00" East (assumed bearing) along the West line of said Section 26 a distance of 78.22 feet to the common line between Grand Avenue and property of The Burlington Northern and Santa Fe Railway Company (formerly The Atchison, Topeka and Santa Fe Railway Company), said common line being the Northeasterly boundary of that certain 4.06 acre parcel of land described in Deed dated January 23, 1935 from State of Arizona, recorded March 15, 1935 in Book 289 of Deeds, Page 297 of the records of said County;

THENCE South 45°01'30" East along said Northeasterly boundary a distance of 1,481.74 feet to the TRUE POINT OF BEGINNING;

THENCE South 44°58'30" West a distance of 88.93 feet to a line parallel with and distant Northeasterly 10.00 feet from the centerline of said Railway Company's Track No. 2;

THENCE South 45°14'08" East along said parallel line a distance of 120.00 feet;

THENCE South 53°01'13" East, 494.16 feet;

THENCE North 44°58'30" East, 19.75 feet to the Southwesterly right-of-way of Grand Avenue;

THENCE North 45°01'30" West along said Southwesterly right-of-way, a distance of 609.35 feet to the TRUE POINT OF BEGINNING.

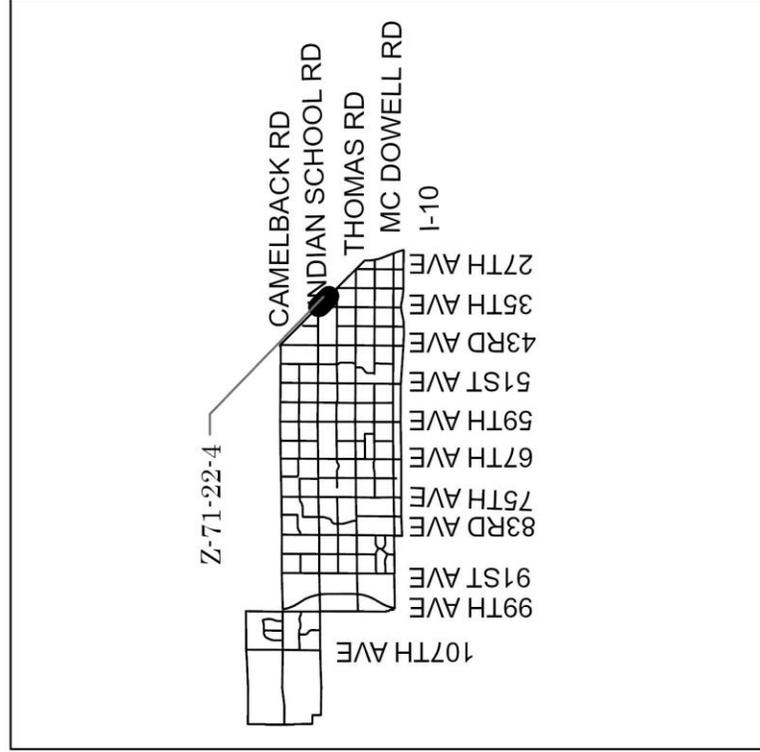
EXCEPTING AND RESERVING, unto Grantor, its successors and assigns, all of the coal, oil, gas, casing-head gas and all ores and minerals of every kind and nature, including sand and gravel underlying the surface of the Property herein conveyed, together with the full right, privilege and license at any and all times to explore, or drill for and to protect, conserve, mine, take, remove and market any and all such products in any manner which will not damage structures on the surface of the Property herein conveyed, however, that Grantor expressly waives any right to use the surface of the Property to explore for the minerals herein reserved.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-71-22-4  
Zoning Overlay: N/A  
Planning Village: Maryvale

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



0 240 480 960 Feet

NOT TO SCALE



Drawn Date: 1/6/2023

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\GIS\_Team\Core\_Functions\Zoning\SuppMaps\_OrdMaps\2022 Ord\Arc\_Pro\_Ordinance\_Template\Ordinance\_Template.aprx



**Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-10-22-5 - Approximately 470 Feet West of the Northwest Corner of 27th Avenue and Northern Avenue (Ordinance G-7074)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-10-22-5 and rezone the site from C-2 (Intermediate Commercial) and C-2 (Approved C-2 SP) (Intermediate Commercial, Approved Intermediate Commercial, Special Permit) to C-2 SP (Intermediate Commercial, Special Permit) to allow a self-service storage facility and underlying C-2 commercial uses.

**Summary**

Current Zoning: C-2 (0.99-acres) and C-2 (Approved C-2 SP) (1.06 acres)

Proposed Zoning: C-2 SP

Acreage: 2.05 acres

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

Owner: Evergreen Phoenix Investors II, LLC

Applicant: Evergreen Phoenix Investors II, LLC

Representative: William Allison, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Mountain Village Planning Committee heard this case on Dec. 21, 2022, and recommended approval, per the staff recommendation, by a vote of 10-0-1.

PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 8-0.

**Location**

Approximately 470 feet west of the northwest corner of 27th Avenue and Northern Avenue

Council District: 5

Parcel Address: 8030, 8036, 8040, 8048, and 8058 N. 27th Ave.; 2744 and 2750 W. Northern Ave.

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**Responsible Department**

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

**ATTACHMENT A**

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

**ORDINANCE G-**

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-SP-10-22-5) FROM C-2 (INTERMEDIATE COMMERCIAL) AND C-2 (APPROVED C-2 SP) (INTERMEDIATE COMMERCIAL, APPROVED INTERMEDIATE COMMERCIAL, SPECIAL PERMIT) TO C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 2.05-acre site located approximately 470 feet west of the northwest corner of 27th Avenue and Northern Avenue in a portion of Section 35, Township 3 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 0.99-acres of "C-2" (Intermediate Commercial) and 1.06 acres of "C-2 (Approved C-2 SP) (Intermediate Commercial, Approved Intermediate Commercial, Special Permit) to "C-2 SP" (Intermediate Commercial, Special Permit) to allow self-service storage and all underlying C-2 uses.

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

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

1. Building elevations oriented to Northern Avenue shall contain architectural embellishments such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.
2. The required landscape setback along the south side of the site shall include, in addition to trees, native cacti or similar plants, as approved by the Planning and Development Department.
3. Site lighting shall be provided at building entrances/exits, in the alley, and parking and refuse areas, as approved by the Planning and Development Department.
4. The full length of the western property line shall be comprised of a minimum eight-foot-high block wall and/or exterior building wall, as approved by the Planning and Development Department.
5. A minimum of four bicycle parking spaces shall be provided, near the entrance to the rental office as depicted on the conceptual site plan date stamped September 1, 2022, shaded to 50 percent, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
6. The developer shall construct a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the north side of Northern Avenue, planted as specified below and as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

- a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
  - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
  - c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
7. 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.
  8. Prior to final site plan approval, the developer shall coordinate with the Neighborhood Services Department and the Gated Alley Program Manager regarding full funding for the installation of alley gates, as approved by the Neighborhood Services Department and Planning and Development Department.
  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 February, 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

A portion of Alta Vista Plaza, according to Book 628 of Maps, Page 2, records of Maricopa County, Arizona, more particularly described as follows:

Commencing at the southeast corner of said Section 35, Township 3 North, Range 2 East of the Gila and Salt River Base and Meridian, from which the East line of said Section 35 bears North;

Thence along the South line of said Section 35, South 89°46'49" West, a distance of 501.80 feet to the Point of Beginning;

Thence continuing along the South line of said Section 35, South 89°46'49" West, a distance of 132.72 feet;

Thence North 00°13'11" West, a distance of 40.00 feet to a point on the north right-of-way line of Northern Avenue;

Thence North 00°00'00" East, a distance of 534.85 feet;

Thence North 90°00'00" East, a distance of 51.18 feet;

Thence South 36°06'26" East, a distance of 61.57 feet;

Thence South 60°12'11" East, a distance of 3.97 feet;

Thence South 89°37'19" East, a distance of 8.45 feet;

Thence South 00°01'07" East, a distance of 4.78 feet;

Thence South 60°12'11" East, a distance of 27.24 feet;

Thence South 00°00'00" West, a distance of 208.57 feet;

Thence South 45°13'11" East, a distance of 4.77 feet;

Thence North 89°46'49" East, a distance of 142.21 feet;

Thence South 00°13'11" East, a distance of 102.34 feet;

Thence South 89°46'49" West, a distance of 136.85 feet;

Thence South 00°13'11" East, a distance of 150.00 feet to a point on the north right-of-way line of Northern Avenue;

Thence South 00°13'11" East, a distance of 40.00 feet to a point on the South line of said Section 35, said point being the Point of Beginning.

Said parcel contains 84,394.34 square feet of 1.9374 acres, more or less.

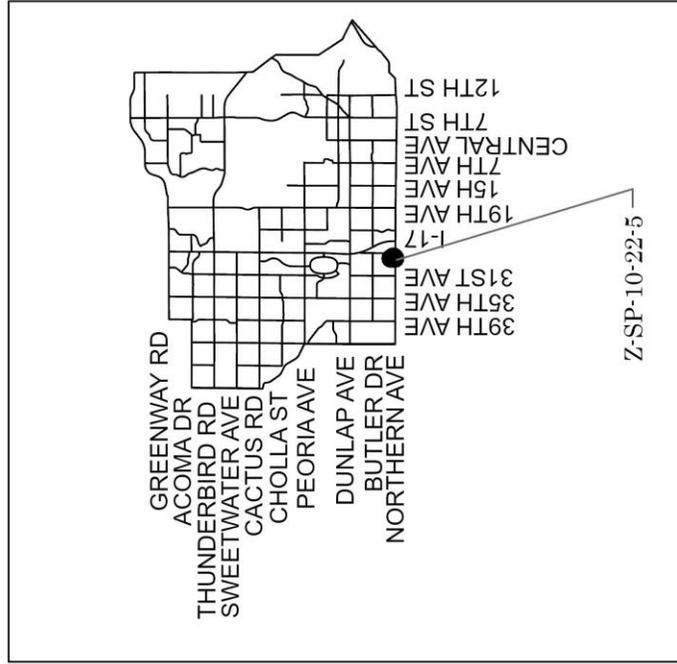
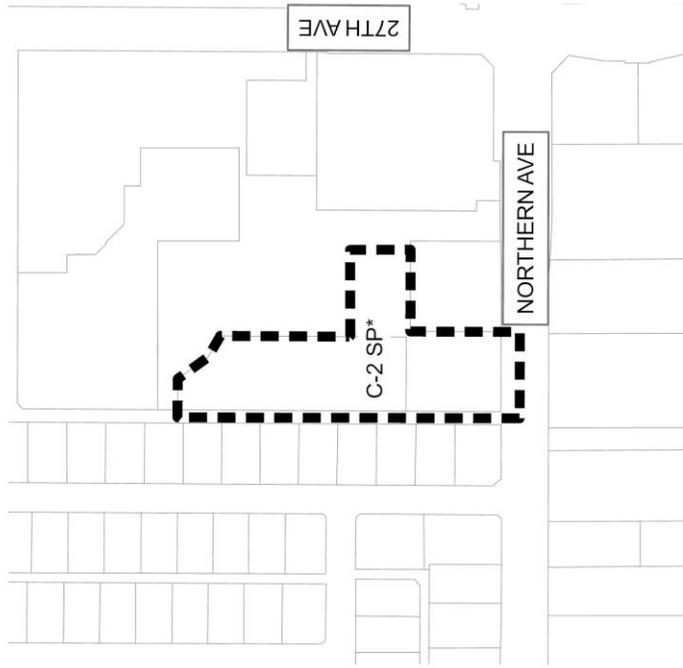
EXHIBIT B

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-SP-10-22-5  
Zoning Overlay: N/A  
Planning Village: North Mountain

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



NOT TO SCALE



Drawn Date: 1/6/2023

\\nort\pds\Shared\Department\ShareInformation Systems\PL GIS\GIS\_TeamCore\_Functions\Zoning\Supp\Map\_OrdMays2022\_OrdAvC\_Pro\_Ordinance\_Template.aprx



**Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-9-22-7 - Southwest Corner of 35th Avenue and Broadway Road (Ordinance G-7072)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-9-22-7 and rezone the site from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow a self-service storage warehouse and underlying C-2 uses.

**Summary**

Current Zoning: C-2

Proposed Zoning: C-2 SP

Acreage: 5.43 acres

Proposed Use: Self-service storage warehouse and underlying C-2 uses

Owner: Yee Holdings

Applicant: Stack Storage, LLC

Representative: Nathan Frame, Stack Storage, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee heard this case on Dec. 12, 2022, and recommended approval, per the staff recommendation with additional stipulations, by a vote of 9-0.

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

**Location**

Southwest corner of 35th Avenue and Broadway Road

Council District: 7

Parcel Address: 4402 S. 35th Ave. and 3525 W. Broadway Road

**Responsible Department**

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

**ATTACHMENT A**

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

**ORDINANCE G-**

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-SP-9-22-7) FROM C-2 (INTERMEDIATE COMMERCIAL) TO C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 5.43-acre property located at the southwest corner of 35th Avenue and Broadway Road in a portion of Section 27, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "C-2" (Intermediate Commercial), to "C-2 SP" (Intermediate Commercial, Special Permit) to allow self-service storage and all underlying C-2 uses.

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

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

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

1. The development shall be in general conformance with the site plan date stamped November 29, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped October 26, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
3. A minimum 25-foot-wide landscape setback shall be provided along the western portion of the site and planted with minimum 2-inch caliper, evergreen trees, planted 20-feet on-center or in equivalent groupings, providing a solid minimum 30-foot vertical screen at maturity, as approved by the Planning and Development Department.
4. A minimum 6-foot-tall wrought-iron fence, solid wall or combination thereof, shall be provided along the western property line between the existing alley and Building B, as depicted in the site plan date stamped November 29, 2022, as approved by the Planning and Development Department.
5. All uncovered surface parking lot areas for employees and customers shall be landscaped with minimum 2-inch caliper large canopy, drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
6. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. A minimum of two bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
8. The landscape strips located between the detached sidewalk and back of curb along 35th Avenue and Broadway Road shall be planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted minimum 20 feet on center or in equivalent groupings, providing a minimum of 75% shade at maturity.

- b. Minimum 5-gallon shrubs providing 75% live cover 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.

- 9. The developer shall replace the existing rolled curb with vertical curb along Tamarisk Avenue, as approved by the Planning and Development Department.
- 10. The developer shall dedicate 10 feet for the east side of the alley, as approved by the Planning and Development Department.
- 11. 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.
- 12. 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.
- 13. 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.
- 14. 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.
- 15. 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.
- 16. No monument or ground signs shall be permitted on the site.
- 17. No illuminated signs are allowed on Building B, as depicted on the site plan date stamped November 29, 2022.

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 February, 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

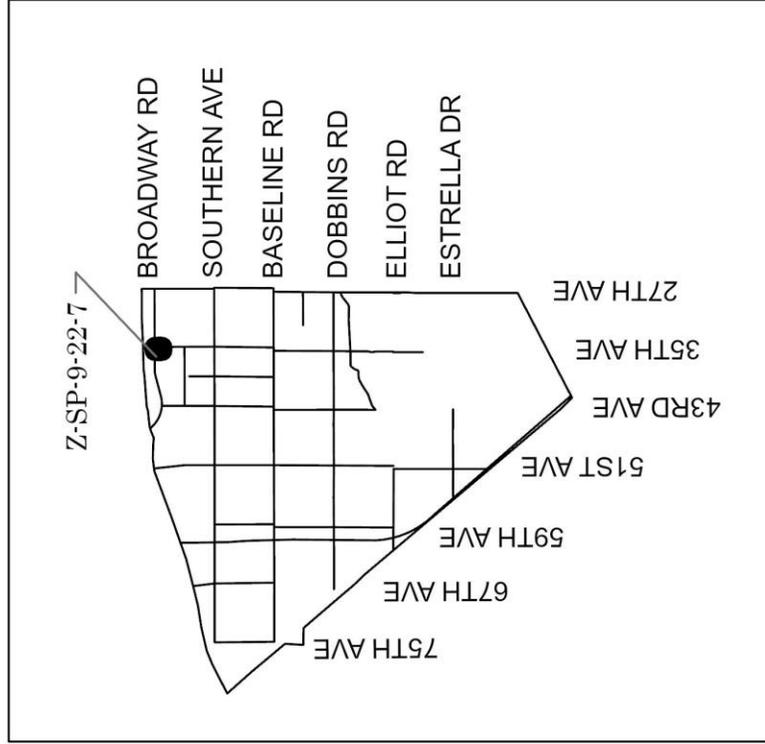
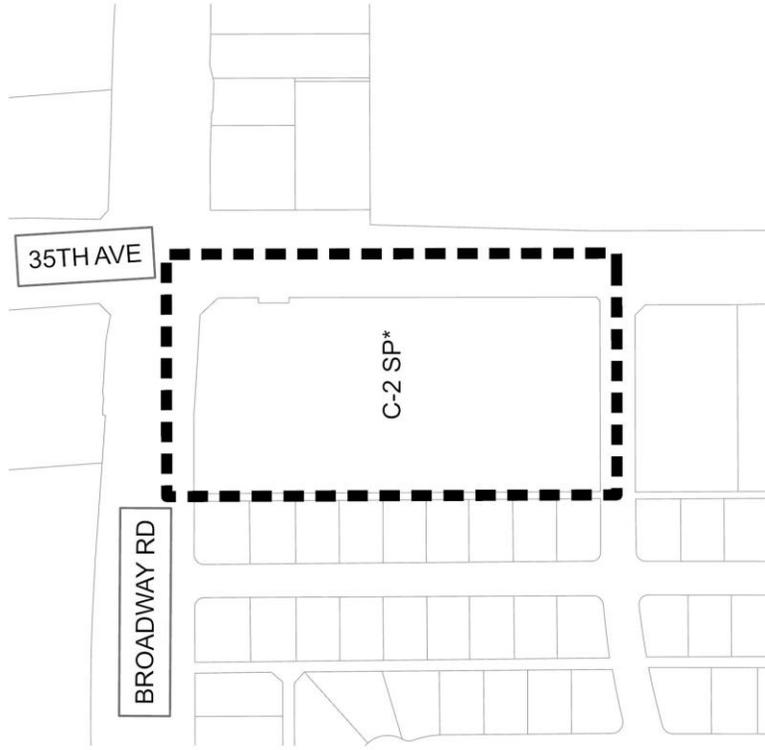
THE EAST HALF OF THE EAST HALF OF LOT 11, MARICOPA GARDEN FARMS,  
ACCORDING TO BOOK 11 OF MAPS, PAGE 38, OFFICIAL RECORDS OF  
MARICOPA COUNTY, ARIZONA, LESS AND EXCEPT THE SOUTH 25 FEET  
THEREOF.

DRAFT

# ORDINANCE LOCATION MAP

Zoning Case Number: Z-SP-9-22-7  
Zoning Overlay: N/A  
Planning Village: Laveen

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



NOT TO SCALE



Drawn Date: 1/6/2023



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**Amend City Code - Ordinance Adoption - Rezoning Application Z-60-22-8 - Northwest Corner of 25th Street and Baseline Road (Ordinance G-7071)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-60-22-8 and rezone the site from C-1 BAOD (Neighborhood Retail, Baseline Area Overlay District) to C-2 BAOD (Intermediate Commercial, Baseline Area Overlay District) to allow an automotive service facility.

**Summary**

Current Zoning: C-1 BAOD

Proposed Zoning: C-2 BAOD

Acreage: 0.96 acres

Proposal: Automotive service facility

Owner: Baseline, LLC

Applicant: Cassandra Ayres, Berry Riddell, LLC

Representative: Cassandra Ayres, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The South Mountain Village Planning Committee heard this case on Dec. 13, 2022, and recommended denial by a vote of 9-5.

PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per staff recommendation, by a vote of 8-0.

**Location**

Northwest corner of 25th Street and Baseline Road

Council District: 8

Parcel Address: 2456 S. 25th St. and 2530 E. Baseline Road

**Responsible Department**

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

**ATTACHMENT A**

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

**ORDINANCE G-**

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-60-22-8) FROM C-1 BAOD (NEIGHBORHOOD RETAIL, BASELINE AREA OVERLAY DISTRICT) TO C-2 BAOD (INTERMEDIATE COMMERCIAL, BASELINE AREA OVERLAY DISTRICT)

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

SECTION 1. The zoning of a 0.96 acre site located at the northwest corner of 25th Street and Baseline Road in a portion of Section 35, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-1 BAOD" (Neighborhood Retail, Baseline Area Overlay District) to "C-2 BAOD" (Intermediate Commercial, Baseline Area Overlay District).

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

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

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

1. The development shall be in general conformance with the site plan and elevations date stamped November 28, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. A minimum of one shaded bench shall be provided along the southern building elevation.
3. Twenty percent of the surface parking lot, exclusive of the required perimeter landscaping, shall be landscaped and maintained. Landscaping shall be dispersed throughout the parking area with the interior width of all planting islands to be no less than eight feet in width and a minimum of 120 square feet in area.
4. Service bays shall be screened from view of the public right-of-way and residential uses with a landscaped berm or a combination of a wall and landscaped berm at least four feet in height, as approved by the Planning and Development Department.
5. Minimum 50-percent 3-inch caliper large canopy shade trees selected from the Baseline Area Master Plan Plant List shall be provided for trees within the required landscape setback.
6. The detached sidewalk along Baseline Road shall be shaded to a minimum 75 percent 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. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of Baseline Road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department.
8. The developer shall provide a bicycle parking area containing a minimum of four spaces. The bicycle parking area shall utilize a rural equestrian themed design that accommodates lock placement on both wheels and located beneath shading near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.

9. Right-of-way totaling 60 feet and a 10-foot sidewalk easement shall be dedicated for the north half of Baseline Road, as approved by the Planning and Development Department.
10. The developer shall replenish the existing landscape strip between the back of curb and sidewalk along the north side of Baseline Road, as approved by the Planning and Development Department.
11. 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.
12. Where pedestrian pathways cross a vehicular path, the pathways shall be of contrasting materials such as brick or concrete pavers, as approved by the Planning and Development Department.
13. The property owner shall record documents that disclose the existence, and operational characteristics of 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.
14. 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.
15. 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.
16. 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.
17. 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 February, 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

LOT2 SOUTH MOUNTAIN PROMENADE:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, BEING A CITY OF PHOENIX BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 35, BEING A CITY OF PHOENIX BRASS CAP FLUSH, BEARS NORTH 88-30'30" EAST, A DISTANCE OF 2657.40 FEET;

THENCE NORTH 88-30'30" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 35, A DISTANCE OF 736.74 FEET;

THENCE NORTH 00-04'00" WEST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 70.02 FEET TO THE NORTH LINE OF THE SOUTH 70.00 FEET OF SAID SOUTHWEST QUARTER, ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE CONTINUING NORTH 00-04'00" WEST, A DISTANCE OF 337.40 FEET;

THENCE NORTH 90-00'00" EAST, A DISTANCE OF 269.25 FEET;

THENCE SOUTH 00-00'00" EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 90-00'00" WEST, A DISTANCE OF 168.03 FEET;

THENCE SOUTH 00-00'00" WEST, A DISTANCE OF 241.48 FEET;

THENCE SOUTH 90-00-00" WEST, A DISTANCE OF 17.25 FEET;

THENCE SOUTH 00-00'00" " EAST, A DISTANCE OF 73.75 FEET TO THE NORTH LINE OF THE SOUTH 70.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 35;

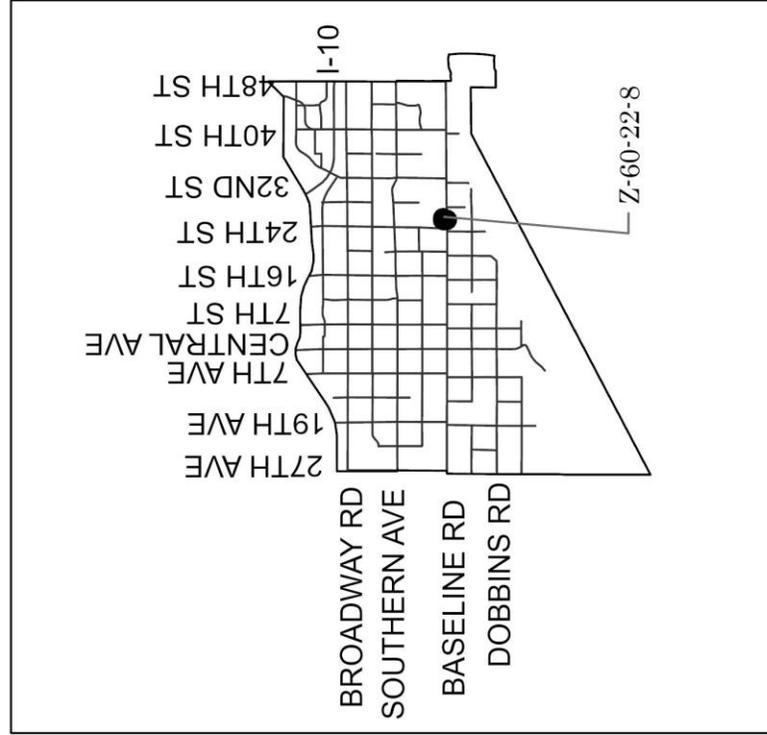
THENCE SOUTH 88-30'30" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 83.60 FEET TO THE POINT OF BEGINNING.

CONTAINING 36,045 SQUARE FEET OR 0.8275 ACRES, MORE OR LESS.

# ORDINANCE LOCATION MAP

Zoning Case Number: Z-60-22-8  
 Zoning Overlay: Baseline Area Plan and Overlay District  
 Planning Village: South Mountain

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



NOT TO SCALE



Drawn Date: 1/6/2023



**Amend City Code - Ordinance Adoption - Rezoning Application Z-66-22-8 - Northwest Corner of 37th Street and McDowell Road (Ordinance G-7075)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-66-22-8 and rezone the site from C-1 (Neighborhood Retail District) to C-1 DNS/WVR (Neighborhood Retail District, Density Waiver) to allow multifamily residential with a density waiver.

**Summary**

Current Zoning: C-1

Proposed Zoning: C-1 DNS/WVR

Acreage: 1.43 acres

Proposal: Multifamily residential with a density waiver

Owner: 3644 Atrium Lofts, LLC

Applicant: 3644 Atrium Lofts, LLC

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

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Dec. 6, 2022, and recommended approval, per the staff recommendation, by a vote of 16-0.

PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

**Location**

Northwest corner of 37th Street and McDowell Road

Council District: 8

Parcel Address: 3644 E. McDowell 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-66-22-8) FROM C-1 (NEIGHBORHOOD RETAIL DISTRICT) TO C-1 DNS/WVR (NEIGHBORHOOD RETAIL DISTRICT, DENSITY WAIVER).

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

SECTION 1. The zoning of a 1.43-acre property located at the northwest corner of 37th Street and McDowell Road in a portion of Section 36, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-1" (Neighborhood Retail District) to "C-1 DNS/WVR" (Neighborhood Retail District, 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 15, 2022, as approved by the Planning and Development Department.
2. A minimum building setback of 50 feet from the north property line shall be provided, as approved by the Planning and Development Department.
3. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped September 15, 2022, the developer shall dedicate a 10-foot-wide sidewalk easement for the north side of McDowell Road, as approved by the Planning and Development Department.
4. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped September 15, 2022, the developer shall construct a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the north side of McDowell Road, as approved by the Planning and Development Department.
5. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped September 15, 2022, the developer shall construct a minimum 5-foot-wide detached sidewalk and minimum 5-foot-wide landscape strip located between the back of curb and sidewalk along the west side of 37th Street, as approved by the Planning and Development Department.
6. The developer shall provide resident secured bicycle parking as required by Chapter 13, Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
7. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped September 15, 2022, 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.
8. 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.

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 February, 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

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

By:  
\_\_\_\_\_

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

## EXHIBIT A

Tract A, BONNIE JEAN PLACE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 64 of Maps, Page 47;

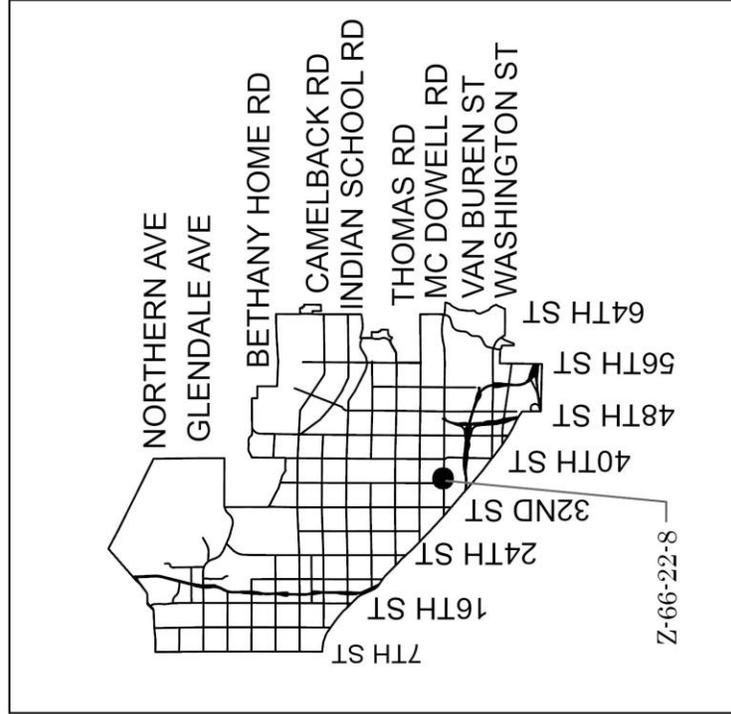
EXCEPT any and all minerals, ores and metals of every kind and character, and all coal, asphaltum, oil, gases, fertilizers, fossils and other like substances in or under said land as reserved in the Patent from the State of Arizona in Book 124 of Deeds, page 157, records of Maricopa County, Arizona.

DRAFT

# ORDINANCE LOCATION MAP

Zoning Case Number: Z-66-22-8  
Zoning Overlay: N/A  
Planning Village: Camelback East

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



NOT TO SCALE



Drawn Date: 1/6/2023



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**Public Hearing and Resolution Adoption - General Plan Amendment GPA-LV-2-22-8 - Northwest Corner of 35th Avenue and Carver Road (Resolution 22096)**

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 58.99 acres from Future Parks/Open Space or 1 dwelling unit per acre, Residential 0 to 1 dwelling units per acre, and Residential 3.5 to 5 dwelling units per acre to Residential 1 to 2 dwelling units per acre. This item is a companion case to Z-55-22-8 and must be heard first, followed by Z-55-22-8.

**Summary**

Application: GPA-LV-2-22-8

Current Plan Designation: Future Parks/Open Space or 1 dwelling unit per acre (34.03 acres), Residential 0 to 1 dwelling units per acre (5.61 acres), and Residential 3.5 to 5 dwelling units per acre (19.35 acres)

Proposed Plan Designation: Residential 1 to 2 dwelling units per acre

Acreage: 58.99 acres

Proposed Use: Single-family residential

Owner: Adrian Betts, Virtual 35th, LLC

Applicant/Representative: Paul Gilbert; Beus Gilbert McGroder, PLLC

Staff Recommendation: Denial as filed, approval of Residential 1 to 2 dwelling units per acre (19.35 acres) and Mixed Use (Residential 1 to 2 dwelling units per acre / Parks/Open Space - Future 1 dwelling unit per acre) (39.64 acres).

VPC Action: The Laveen Village Planning Committee heard the case on Dec. 12, 2022, and recommended approval, per the staff recommendation, by a vote of 9-0.

PC Action: The Planning Commission heard the case on Jan. 5, 2023, and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 8-0.

**Location**

Northwest corner of 35th Avenue and Carver Road

Council District: 8

Parcel Address: N/A

**Responsible Department**

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

**ATTACHMENT A**

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

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015  
GENERAL PLAN FOR PHOENIX, APPLICATION GPA-LV-2-22-8,  
CHANGING THE LAND USE CLASSIFICATION FOR THE  
PARCEL DESCRIBED HEREIN.

---

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

SECTION 1. The 2015 Phoenix General Plan, which was adopted by  
Resolution 21307, is hereby amended by adopting GPA-LV-2-22-8. The 58.99 acres  
of property located at the northwest corner of 35th Avenue and Carver Road is  
designated as 19.35 acres of Residential 1 to 2 dwelling units per acre and 39.64  
acres of Mixed Use (Residential 1 to 2 dwelling units per acre / Parks/Open Space –  
Future 1 dwelling units per acre).

SECTION 2. The Planning and Development Director is instructed to  
modify the 2015 Phoenix General Plan to reflect this land use classification change as  
shown below:

**PROPOSED CHANGE:**

Mixed Use (Residential 1 to 2 du/ac /  
Parks/Open Space - Future 1 du/ac) ( 39.64 +/- Acres)  
Residential 1 to 2 du/ acre ( 19.35 +/- Acres)

-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Mixed Use (Residential 1 to 2 du/ac /  
Parks/Open Space - Future 1 du/ac)



PASSED by the Council of the City of Phoenix this 1st day of February

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

\*REVISED
GENERAL PLAN AMENDMENT
STAFF ANALYSIS
December 9, 2022

Application: GPA-LV-2-22-8
Owner: Adrian Betts, Virtua 35th, LLC
Applicant/Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC
Location: Northwest corner of 35th Avenue and Carver Road
Acreage: 58.99 acres
Current Plan Designation: Parks/Open Space – Future 1 dwelling unit per acre (34.03 acres), Residential 0 to 1 dwelling units per acre (5.61 acres), and Residential 3.5 to 5 dwelling units per acre (19.35 acres)
Requested Plan Designation: Residential 1 to 2 dwelling units per acre
Reason for Requested Change: Amend the General Plan Land Use Map to allow single-family residential
Laveen Village Planning Committee Meeting Date: December 12, 2022
Staff Recommendation: Denial as filed, approval of Residential 1 to 2 dwelling units per acre (19.35 acres) and Mixed Use (Residential 1 to 2 dwelling units per acre and Parks/Open Space - Future 1 dwelling units per acre) (39.64 acres)

FINDINGS:

- 1) The Residential 1 to 2 dwelling units per acre and Mixed Use (Residential 1 to 2 dwelling units per acre / Parks/Open Space - Future 1 dwelling unit per acre) land use designation, recommended by staff is consistent with the proposed R1-18 Hillside DNS/WVR (Density Waiver) zoning and allows for a portion of the site to be designated as a mountain preserve OPEN SPACE, WHICH INCLUDES PRESERVE LANDS, AND/OR LOW DENSITY RESIDENTIAL.

- 2) The companion rezoning case, Z-55-22-8, as stipulated, proposes development that is consistent in scale and character with land uses in the general area.
- 3) The proposed General Plan Land Use Map designation of Residential 1 to 2 dwelling units per acre and Mixed Use (Residential 1 to 2 dwelling units per acre and Parks/Open Space – Future 1 dwelling unit per acre) is compatible with surrounding land uses and serves as an appropriate transition between higher density residential designations to the north and to lower density land use designations to the south.

## **BACKGROUND**

The subject site is 58.99 gross acres of vacant land located at the northwest corner of 35th Avenue and Carver Road. The site is currently vacant and zoned R1-18 (Single-Family Residence) and R1-8 (Single-Family Residence). The companion rezoning case, Z-55-22-8, proposes a rezone to R1-18 (Single-Family Residence) Hillside DNS/WVR (Density Waiver) to allow single-family residential uses. GPA-LV-2-22-8 proposes a minor amendment to the General Plan Land Use Map to allow single-family residential. The existing General Plan Land Use Map designation on the site is Residential 0 to 1 dwelling units per acre, Residential 3.5 to 5 dwelling units per acre, and Parks/Open Space – Future 1 dwelling units per acre.

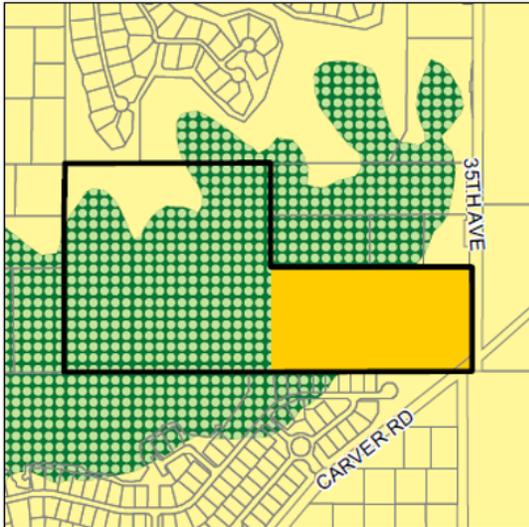
As filed, GPA-LV-2-22-8 proposes to change the Land Use Map designation to Residential 1 to 2 dwelling units. Staff recommends changing the Land Use Map designation to Residential 1 to 2 dwelling units per acre and Mixed Use (Residential 1 to 2 dwelling units per acre and Parks/Open Space – Future 1 dwelling unit per acre) to allow the proposed single-family residential use and to allow for the western portion of the site to remain designated as open space in the General Plan.

Additionally, the subject site has frontage along 35th Avenue, which is designated an arterial scenic drive.

## **SURROUNDING LAND USES**

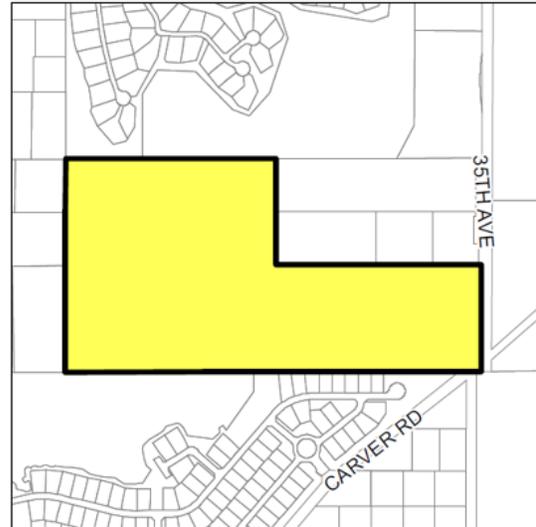
The current General Plan Land Use Map designation for the site is Parks/Open Space – Future 1 dwelling unit per acre, Residential 0 to 1 dwelling units per acre, and Residential 3.5 to 5 dwelling units acre.

**EXISTING**



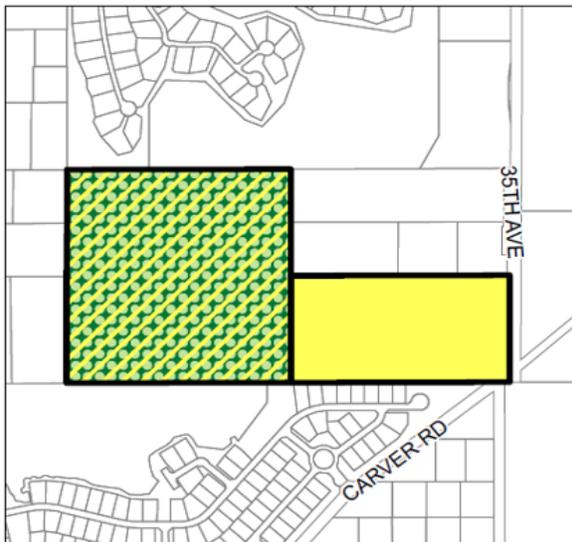
-  Proposed Change Area
-  Residential 0 to 1 du/ac
-  Residential 3.5 to 5 du/ac
-  Parks/Open Space - Future 1 du/ac

**APPLICANT PROPOSED**



-  Proposed Change Area
-  Residential 1 to 2 du/ac

**STAFF RECOMMENDED**



-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Mixed Use (Residential 1 to 2 du/ac / Parks/Open Space - Future 1 du/ac)

### **NORTH**

North of the subject site is vacant land and a single-family residential subdivision. This area is designated Parks/Open Space – Future 1 dwelling units per acre and Residential 0 to 1 dwelling units per acre.

### **EAST**

East of the subject site, across 35th Avenue, is an agricultural field and single-family residential. This area is designated Residential 0 to 1 dwelling units per acre.

### **SOUTH**

South of the subject site, including across Carver Road, is vacant land and single-family residential. This area is designated Residential 0 to 1 dwelling units per acre.

### **WEST**

West of the subject site is single-family residential, which is designated Residential 0 to 1 dwelling units per acre and Parks/Open Space – Future 1 dwelling units per acre and Residential 0 to 1 dwelling units per acre.

## **RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES**

### **CONNECT PEOPLE AND PLACES**

- ***OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.***

The proposal, as recommended by staff, would allow for R1-18 Hillside DNS/WVR zoning which is consistent with other developments in the area. As stipulated in the companion rezoning case, Z-55-22-8, enhanced perimeter landscaping and large landscape setbacks from adjacent streets will help provide an enhanced transition to other large lot residential uses in the area.

### **CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS**

- **CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.**

As recommended by staff, the proposal will facilitate development of this vacant lot, that has been partially graded and disturbed, in a manner that will be compatible with surrounding developments. The surrounding neighborhood includes a mix of residential densities, and the proposal will allow for a residential use of the property at an appropriate scale. Furthermore, it would expand the Parks/Open Space – Future 1 dwelling unit per acre land use map designation on the western portion of the site.

**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 development, as stipulated in the companion rezoning case, Z-55-22-8, will shade adjacent public sidewalks and sidewalks within the internal streets. The shade trees will help to encourage walking by providing a thermally comfortable environment for pedestrians and alternative transportation users. Furthermore, the majority of the site will be left undisturbed and remain in a natural state along portions of the hillside and wash areas, which could be donated to the City for future designation as a mountain preserve.

**CONCLUSION AND RECOMMENDATION**

The staff recommendation for GPA-LV-2-22-8 is to deny the request as filed and approve the General Plan Land Use as **Residential 1 to 2 dwelling units per acre and Mixed Use (Residential 1 to 2 dwelling units per acre / Parks/Open Space – Future 1 dwelling units per acre)**. The request aligns with the goals and policies of the General Plan and will result in a land use designation that will promote development on the site, while preserving a portion of the site as open space or future mountain preserve. Along with the companion rezoning case, Z-55-22-8, the General Plan Amendment will allow for compatible residential uses.

**Writer**

Enrique Bojórquez Gaxiola  
December 9, 2022

**Team Leader**

Racelle Escolar

**Exhibits**

Sketch Maps (4 pages)

# GENERAL PLAN AMENDMENT

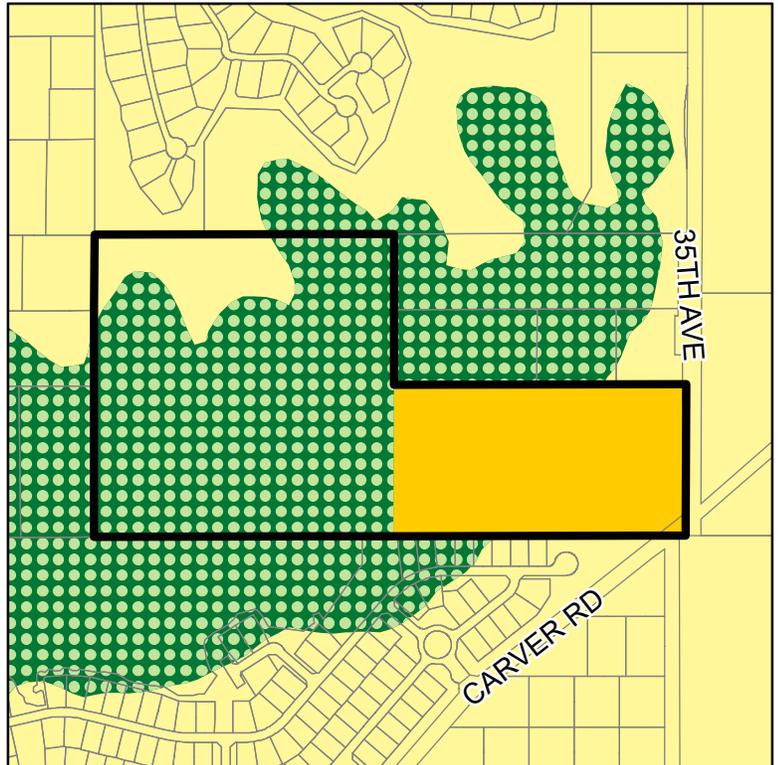
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-LV-2-22-8	ACRES: 58.99 +/-	REVISION DATE:
VILLAGE: Laveen	COUNCIL DISTRICT: 8	
APPLICANT: Paul Gilbert		

## EXISTING:

Residential 0 to 1 du/acre ( 5.61 +/- Acres)  
 Residential 3.5 to 5 du/ acre ( 19.35 +/- Acres)  
 Parks / Open Space - Future 1 du/ acre ( 34.03 +/- Acres)

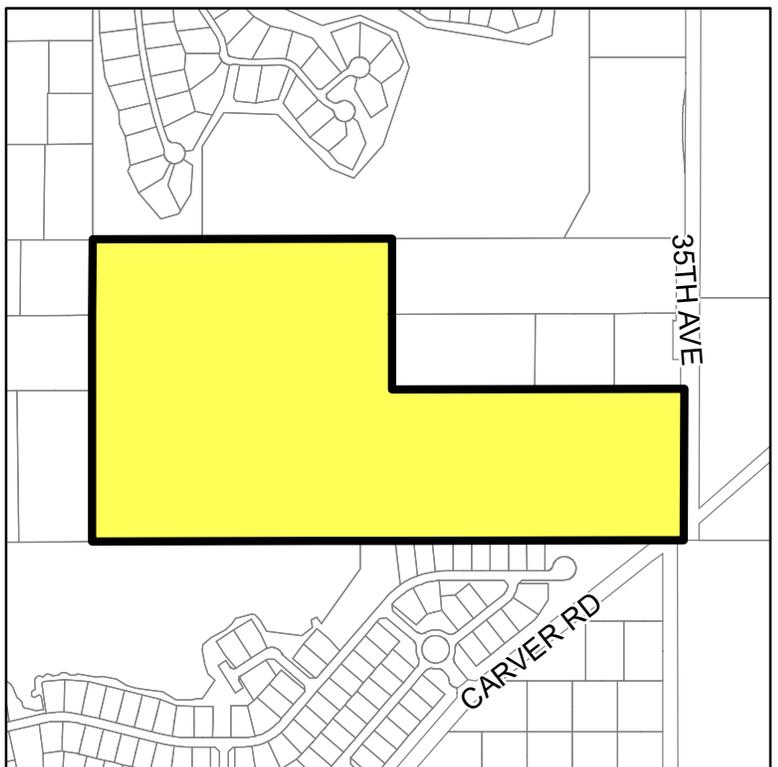
-  Proposed Change Area
-  Residential 0 to 1 du/ac
-  Residential 3.5 to 5 du/ac
-  Parks/Open Space - Future 1 du/ac



## PROPOSED CHANGE:

Residential 1 to 2 du/ acre ( 58.99 +/- Acres)

-  Proposed Change Area
-  Residential 1 to 2 du/ac



# GENERAL PLAN AMENDMENT

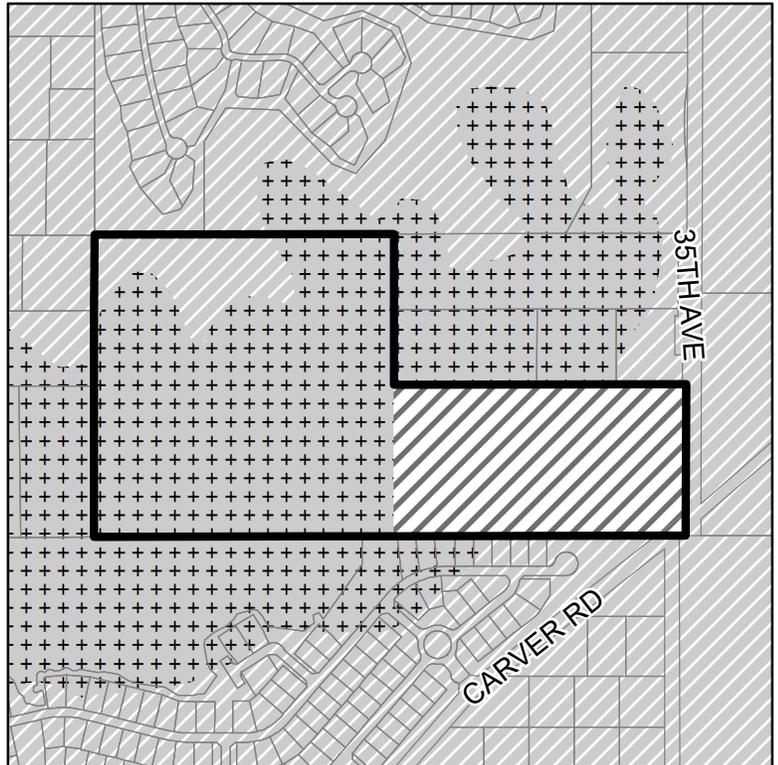
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-LV-2-22-8_BW	ACRES: 58.99 +/-	REVISION DATE:
VILLAGE: Laveen	COUNCIL DISTRICT: 8	
APPLICANT: Paul Gilbert		

## EXISTING:

Residential 0 to 1 du/acre ( 5.61 +/- Acres)  
 Residential 3.5 to 5 du/ acre ( 19.35 +/- Acres)  
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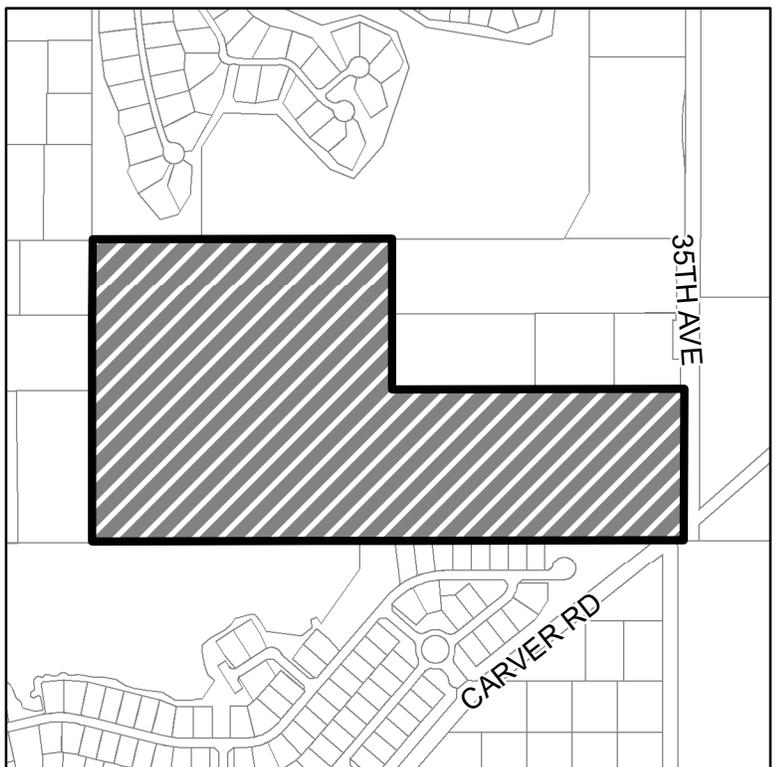
-  Proposed Change Area
-  Residential 0 to 1 du/ac
-  Residential 3.5 to 5 du/ac
-  Parks/Open Space - Future 1 du/ac



## PROPOSED CHANGE:

Residential 1 to 2 du/ acre ( 58.99 +/- Acres)

-  Proposed Change Area
-  Residential 1 to 2 du/ac



# GENERAL PLAN AMENDMENT

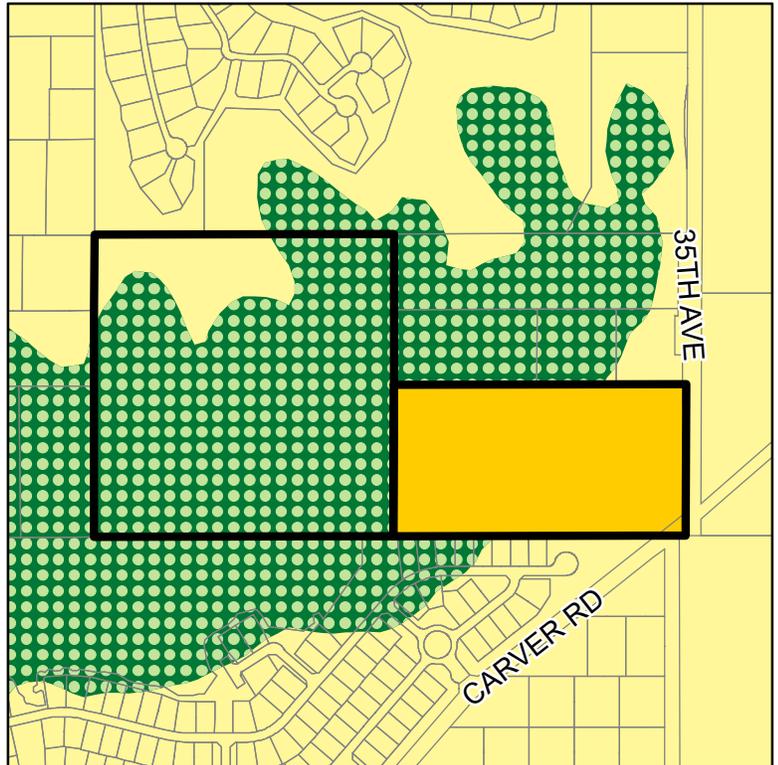
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-LV-2-22-8	ACRES: 58.99 +/-	REVISION DATE:
VILLAGE: Laveen	COUNCIL DISTRICT: 8	11/21/2022
APPLICANT: Paul Gilbert		

## EXISTING:

Residential 0 to 1 du/acre ( 5.61 +/- Acres)  
 Residential 3.5 to 5 du/ acre ( 19.35 +/- Acres)  
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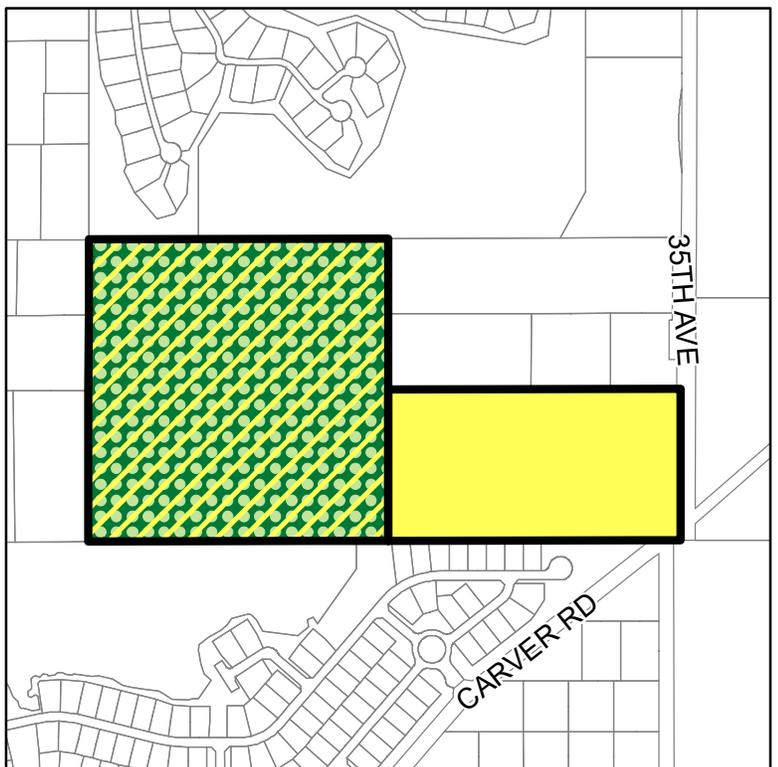
-  Proposed Change Area
-  Residential 0 to 1 du/ac
-  Residential 3.5 to 5 du/ac
-  Parks/Open Space - Future 1 du/ac



## AS RECOMMENDED BY STAFF:

Mixed Use (Residential 1 to 2 du/ac /  
 Parks/Open Space - Future 1 du/ac) ( 39.64 +/- Acres)  
 Residential 1 to 2 du/ acre ( 19.35 +/- Acres)

-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Mixed Use (Residential 1 to 2 du/ac /  
 Parks/Open Space - Future 1 du/ac)



# GENERAL PLAN AMENDMENT

CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-LV-2-22-8_BW	ACRES: 58.99 +/-	REVISION DATE:
VILLAGE: Laveen	COUNCIL DISTRICT: 8	11/21/2022
APPLICANT: Paul Gilbert		

## EXISTING:

Residential 0 to 1 du/acre ( 5.61 +/- Acres)  
 Residential 3.5 to 5 du/ acre ( 19.35 +/- Acres)  
 Parks / Open Space - Future 1 du/ acre ( 34.03 +/- Acres)

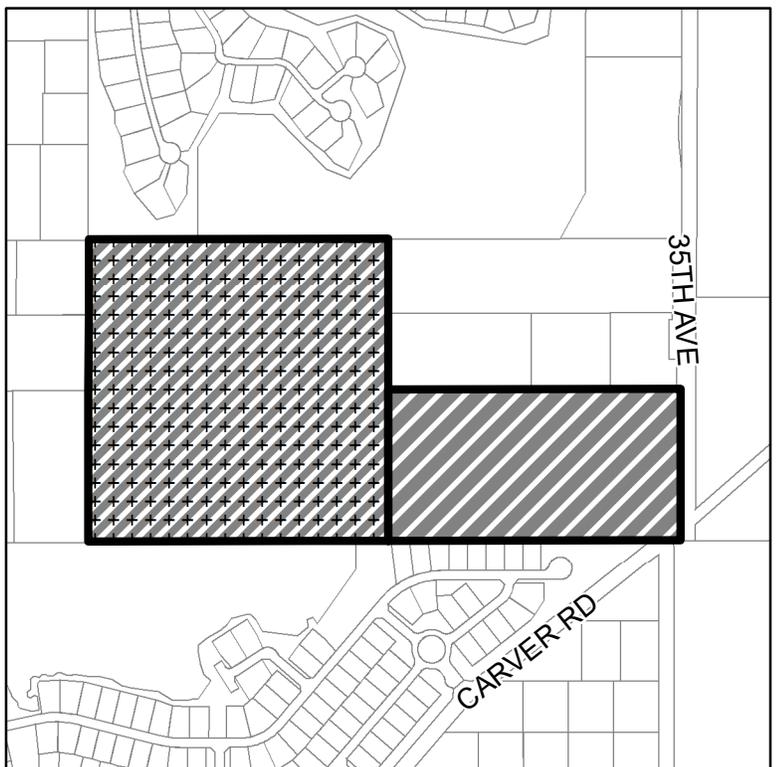
-  Proposed Change Area
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-  Residential 3.5 to 5 du/ac
-  Parks/Open Space - Future 1 du/ac



## AS RECOMMENDED BY STAFF:

Mixed Use (Residential 1 to 2 du/ac /  
 Parks/Open Space - Future 1 du/ac) ( 39.64 +/- Acres)  
 Residential 1 to 2 du/ acre ( 19.35 +/- Acres)

-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Mixed Use (Residential 1 to 2 du/ac /  
 Parks/Open Space - Future 1 du/ac)





## Village Planning Committee Meeting Summary GPA-LV-2-22-8

<b>Date of VPC Meeting</b>	December 12, 2022
<b>Request From</b>	Future Parks/Open Space or 1 dwelling unit per acre, Residential 0 to 1 dwelling units per acre and Residential 3.5 to 5 dwelling units per acre
<b>Request To</b>	Residential 1 to 2 dwelling units per acre
<b>Proposed Use</b>	Single-family residential
<b>Location</b>	Northwest corner of 35th Avenue and Carver Road
<b>VPC Recommendation</b>	Approval, per the staff recommendation
<b>VPC Vote</b>	9-0

### VPC DISCUSSION:

*Item No. 7 (GPA-LV-2-22-8) and Item No. 8 (Z-55-22-8) are companion cases and were heard together.*

*3 members of the public registered to speak on this item.*

### STAFF PRESENTATION:

**Enrique Bojórquez**, staff, provided an overview of the rezoning proposal, including the companion minor General Plan Amendment case GPA-LV-2-22-8, describing the location of the requests, the existing and proposed zoning districts and land use designations and the proposed use. Mr. Bojórquez explained that staff offers a recommendation in the staff report which differs from the applicant's request on GPA-LV-2-22-8 and explained the reasons for this. Mr. Bojórquez discussed the zoning history on the property, including an active PHO case and a rezoning case which was withdrawn. Mr. Bojórquez reviewed the surrounding zoning districts and land uses and described the proposed site plan plus building elevations. Mr. Bojórquez listed several policy plans and described how these are furthered by this proposal. Mr. Bojórquez stated that staff has received 17 letters in support and none in opposition 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-55-22-8.

## APPLICANT PRESENTATION:

**Paul Gilbert**, representing the applicant with Beus Gilbert McGroder PLLC, introduced himself and the single-family residential project. Mr. Gilbert stated that this project has gathered significant support from neighbors after years of deliberation. Mr. Gilbert discussed the location of the site, surrounding zoning districts, and land use map designations. Mr. Gilbert is not necessarily opposed to the staff recommendation outlined in the staff report for case GPA-LV-2-22-8. Mr. Gilbert has agreed to provide a deed restriction on the hillside portion of the site which is controlled by the neighbors. Mr. Gilbert discussed the proposed site plan, open space, and requested hillside density waiver, noting that 5 lots would be partially within the hillside portion of the site. Mr. Gilbert requested a recommendation of approval on both cases.

## QUESTIONS FROM COMMITTEE:

**Chair Glass** applauds the efforts from the neighbors over many years and appreciates the compromise reached with the applicant.

## PUBLIC COMMENTS:

**Cyd Manning** introduced herself and stated that she would be impacted by this development. Ms. Manning supports approving both cases as proposed by the applicant. Ms. Manning stated that density was an issue since the case was approved in 2007 and remained an issue in 2011 when the City did not execute a zoning reversion. Ms. Manning supports the proposed project now and would prefer a true 1 dwelling unit per acre project, but this is a compromise plan between the applicant and the neighbors. Ms. Manning supports the proposed density reduction, open space, and deed restriction. Ms. Manning thanked the community, Council District 8, Laveen Village Planning Committee, and the applicant. Ms. Manning requested approval of both cases per the staff recommendation.

**Sandy Hamilton** with Laveen Citizens for Responsible Development (LCRD) introduced himself and stated that both cases were heard recently by the LCRD in December of 2022. The LCRD recommends approval of both cases.

**Jon Kimono** stated that this project was well worth the effort and thanked everyone involved. Mr. Kimono supports the reduction from 121 to 65 lots, including wide perimeter lots. Mr. Kimono added that this is the best plan everyone could achieve and supports this project.

**Phil Hertel** stated that the original approval dates back 15 years and was initially approved by a former applicant and Councilman for the area. Ms. Manning has been very involved every step of the way, including many others. Mr. Hertel thanked Mr. Gilbert for his commitment, congratulated the applicant and thanked everyone involved.

**Dan Penton** stated that the community has legal binding interest on the property now and this is now a monument case. Mr. Penton suggested that the City should use this as a model to preserve open space and develop a similar site. Mr. Penton added that the quality of life will be greatly improved now as the community did not give up at the City's negation to revert the approved zoning on the site. Mr. Penton gives kudos to Ms. Manning and Mr. Gilbert.

APPLICANT RESPONSE:

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

**Mr. Ortega** congratulated everyone involved and added that the Village needs support from Ms. Manning to avoid single-family developments with 45-foot-wide lots.

**Vice Chair Abegg** recommended a modification to Stipulation No. 12 to ensure that building elevations include additional building materials. **Mr. Gilbert** agreed with the stipulation modification but asked for clarification. **Vice Chair Abegg** responded that the intent is for 25% of the front home elevations to have alternative building materials.

**Mr. Gilbert** expressed concern with Stipulation No. 24 and wants to ensure that his client does not have to contribute 100 percent of the cost to build a roundabout along 35th Avenue and Carver Road. Mr. Gilbert did not have concerns with the staff recommendation on GPA-LV-2-22-8.

MOTION (GPA-LV-2-22-8):

**Chair Glass** motioned to approve GPA-LV-2-22-8 per the staff recommendation. **Jennifer Rouse** seconded the motion.

VOTE (GPA-LV-2-22-8):

**9-0**; motion to recommend approval of GPA-LV-2-22-8 per the staff recommendation passes with Committee Members Barraza, Chiarelli, Hurd, Jensen, Ortega, Perrera, Rouse, Abegg and Glass in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION January 5, 2023

ITEM NO: 5	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	GPA-LV-2-22-8 (Companion Case Z-55-22-8)
Request:	Map Amendment
Location:	Northwest corner of 35th Avenue and Carver Road
From:	Future Parks/Open Space or 1 dwelling unit per acre, Residential 0 to 1 dwelling unit per acre, and Residential 3.5 to 5 dwelling units per acre
To:	Residential 1 to 2 dwelling units per acre
Acreage:	58.99
Proposal:	Single-family residential
Applicant:	Paul Gilbert, Beus Gilbert McGroder, PLLC
Owner:	Adrian Betts, Virtua 35th, LLC
Representative:	Paul Gilbert, Beus Gilbert McGroder, PLLC

#### **ACTIONS:**

**Staff Recommendation:** Denial as filed, approval of Residential 1 to 2 dwelling units per acre (19.35 acres) and Mixed Use (Residential 1 to 2 dwelling units per acre and Parks/Open Space - Future 1 dwelling units per acre) (39.64 acres).

**Village Planning Committee (VPC) Recommendation:**  
**Laveen** 12/12/2022 Approval, per the staff recommendation. Vote: 9-0.

**Planning Commission Recommendation:** Approval, per the Laveen Village Planning Committee recommendation.

**Motion Discussion:** N/A

**Motion details:** Commissioner Perez made a MOTION to approve GPA-LV-2-22-8, per the Laveen Village Planning Committee recommendation.

Maker: Perez  
Second: Gaynor  
Vote: 8-0  
Absent: Mangum  
Opposition Present: No

#### **Findings:**

1. The Residential 1 to 2 dwelling units per acre and Mixed Use (Residential 1 to 2 dwelling units per acre / Parks/Open Space - Future 1 dwelling unit per acre) land use designation, recommended by staff is consistent with the proposed R1-18 Hillside DNS/WVR (Density Waiver) zoning and allows for a portion of the site to be designated as open space, which includes preserve lands, and/or low density residential.
2. The companion rezoning case, Z-55-22-8, as stipulated, proposes development that is consistent in scale and character with land uses in the general area.

3. The proposed General Plan Land Use Map designation of Residential 1 to 2 dwelling units per acre and Mixed Use (Residential 1 to 2 dwelling units per acre and Parks/Open Space – Future 1 dwelling unit per acre) is compatible with surrounding land uses and serves as an appropriate transition between higher density residential designations to the north and to lower density land use designations to the south.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

## Attachment E

**From:** [Bret Burchard](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Carver Canyon Cases-Z-55-22 & GPA-LV-2-22-8 (NW Corner 35th Ave & Carver)  
**Date:** Sunday, December 11, 2022 4:54:33 PM

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LVPC Members and Planning Staff,

I'm writing regarding the Carver Canyon case that you will be before you on Monday, Dec. 12. I have been consistently opposed to every iteration of this case for the past 4 years due to incompatible high density GPA and zoning.

Unfortunately, I will not be able to attend this meeting Monday night so I am writing a letter to support this plan presented in cases GPA-LV-2-22-8 and Z-55-22.

While the plan presented is not ideal, still lacking the 1-acre lots that are a staple of this area, overall density and the GPA designation have always been the top issues with this property.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

With the unique circumstances of this case, specifically the city of Phoenix neglecting their duty to revert the zoning to S1 as stipulated in the originally approved plan, I think this is the best possible outcome for this case and appreciate the applicant listening to and cooperating with the community to come up with this compromise.

I believe it is appropriate that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Thank you,

Bret Burchard  
11244 S 35th Ave

**From:** [Elizabeth Banta](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Cyd Manning](#)  
**Subject:** Quarry Cases Cases-Z-55-22 & GPA-LV-2-22-8 and LVPC Meeting on Dec. 12  
**Date:** Sunday, December 11, 2022 6:26:02 PM

---

Dear Mr. Bojorquez,

I have attended many meetings and expressed myself numerous times regarding the quarry case at 35th Ave and Carver. While my ultimate wish would have been to keep development to one home per acre, I believe that proposals being considered are the best resolution the development and the community will achieve. I appreciate the compromises made by the developer. I am in favor of agenda items 7 and 8 that will be considered at the 12/12/22 Laveen Village Planning Committee meeting. I will attend the meeting and registered my position in favor of the items, and am donating my speaking time to Cyd Manning. Feel free to reach out to me for any questions you may have.

Sincerely,

Elizabeth Banta  
3938 W Kayenta Trail  
Laveen, AZ 85339

**From:** [John Knight](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Cyd Manning](#); [Dean D.](#)  
**Subject:** Quarry Case - Carver and 35th Ave Tonight  
**Date:** Monday, December 12, 2022 1:04:01 PM  
**Attachments:** [1642459221547000\\_90955179.png](#)

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Hello and good afternoon. We are residents of this area and wanted to ensure you note our support for this final validation.

Total 60 acres would be a GPA of 1-2 du/a and R1-18 zoning. The site plan of 65 homes is OK, but the GPA and zoning.

We hope to be in Virtual Attendance, but if not, please include myself and Dr. Dean Gordon Fairchild, who lives at this address as well.

Greatly appreciated.

**John Knight**  
**VP Integrated Solutions**

**P:** (602) 237-4915

**C:** (602) 549-1885

**E:** [john.knight@aircomm.com](mailto:john.knight@aircomm.com)

**W:** [www.aircomm.com](http://www.aircomm.com) [[aircomm.com](#)]



[\[aircomm.com\]](#)



**From:** [Laura Murphy](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [PDD Long Range Planning](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Monday, December 12, 2022 12:17:05 PM

---

LVPC Members and Planning Staff,

I have been involved in opposing every iteration of this case for some time. Incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue for me and my neighbors. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Thank you,

Lisa K. Pike  
Laura A Murphy  
4824 West Estrella Drive  
Laveen, Arizona 85339

Thank you,

Laura A Murphy  
Controller

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**LAURA A MURPHY**  
Controller



**VW Connect**  
4302 E Superior Avenue  
Phoenix AZ 85040  
O: 480.461.3800  
F: 602.426.1393

**C:** 602-318-3442

[\[vwdig.com\]](http://vwdig.com)

**E:** [lauram@vwconnectllc.com](mailto:lauram@vwconnectllc.com)

**W:** [www.vwdig.com](http://www.vwdig.com) [\[vwdig.com\]](http://vwdig.com)



**From:** [Vializ, Lisa](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [PDD Long Range Planning](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Sunday, December 11, 2022 1:22:09 PM

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LVPC Members and Planning Staff,

I have been an active member of the core team over the past two years and have worked with the community, applicant, attended LVPC meeting to speak along with speaking at the Planning Commission. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Lisa Vializ  
8921 S. 53<sup>rd</sup> Dr  
Laveen, AZ 85339

And Property located at 32<sup>nd</sup> Ave and Ceton

**From:** [Nicole Glasgow](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Cases-Z-55-22 & GPA-LV-2-22-8  
**Date:** Monday, December 12, 2022 6:46:36 AM

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Good morning,

I am in support of these two cases. This has been a long process to get the zoning and applicants plan to what it is today. I appreciate the applicant working with the community and making compromises to make the future development fit in with the current development as much as possible. I also appreciate the applicant adding a deed restriction for the max amount of houses allowed on the property.

Nicole Glasgow  
3717 W Carver Rd  
Laveen, AZ 85339

**From:** [Paul Banta](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Cyd Manning](#)  
**Subject:** Quarry Cases Cases-Z-55-22 & GPA-LV-2-22-8 and LVPC Meeting on Dec. 12  
**Date:** Sunday, December 11, 2022 7:00:34 PM

---

Dear LVPC Members and Planning Staff,

I am writing regarding the "quarry case" at 35th Ave and Carver Road. I am in favor of GPA-LV-2-22-8 and Z-55-22 being presented at the LVPC meeting on 12/12/22.

Sincerely,  
Paul Banta  
3938 W Kayenta Trail  
Laveen, AZ 85339

**From:** [Roger McCully](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Sunday, December 11, 2022 11:56:04 AM

---

LVPC Members and Planning Staff,

I have been opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is now compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Yours truly,

Roger D. McCully  
9015 S. 53<sup>rd</sup> Drive  
Laveen, AZ 85339

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows

**From:** [Ruth Franklin](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Quarry Cases Cases-Z-55-22 & GPA-LV-2-22-8 and LVPC Meeting on Dec. 12  
**Date:** Sunday, December 11, 2022 1:52:58 PM

---

Dear Mr. Borjorquez,

I wish to register that I am in support of Cases-Z-55-22 & GPA-LV-2-22-8 because:

1. Zoning reduction from R1-8 to R1-18 for the entire 60 acres for an overall density of 1.11 du/a. The total lot count on the entire 60 acres is down from 121 to now 65 with the latest site plan.
2. General Plan (GPA) reduction from 3.5-5 du/a down to 1-2 du/a to match the down-zoning. This is very important because if the General Plan is not changed to match the zoning, it allows a developer to easily come with a zoning change to increase their number of lots to match the General Plan.
3. A large portion of property that is most visible to our neighborhood, as open space.
4. There will be a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65.

Thank you to the land developer and all involved to get to this appropriate result for a unique area of land.

Kind regards,  
Ruth Franklin  
3143 W Avion Way  
Laveen, AZ 85339  
(602)237-4044

## Racelle Escolar

---

**From:** Brian Hicks <handymanhicks@gmail.com>  
**Sent:** Tuesday, January 3, 2023 11:03 AM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Brian Hicks

4715 W Carver Rd

Laveen AZ 85339

## Racelle Escolar

---

**From:** Donis Canisales <cyrannn@hotmail.com>  
**Sent:** Tuesday, January 3, 2023 12:02 PM  
**To:** PDD Planning Commission  
**Subject:** Planning commission meeting 1/5/23 and cases GPA-LV-2-22-8 and Z-55-22

Subject: Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

We have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

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- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Donis and Frank Canisales  
11020 s 35th Ave  
Laveen, Az 85339

Frank and Esperanza Canisales  
11631 s 51st Ave  
Laveen, Az 85349

Francisco and becca Canisales  
9411 s 33rd Ave  
Laveen, Az 85339

Sent from my iPhone

## Racelle Escolar

---

**From:** Elizabeth Banta <ebanta3938@gmail.com>  
**Sent:** Tuesday, January 3, 2023 10:19 PM  
**To:** PDD Planning Commission  
**Subject:** In support of agenda items 5 and 6 for planning commission meeting 1/5/23

Dear Planning Commission Members and Planning Staff:

I have attended many meetings and expressed myself numerous times regarding the quarry case at 35th Ave and Carver. While my ultimate wish would have been to keep development to one home per acre, I believe that the cases being considered provide the best resolution the development and the community will achieve. I appreciate the compromises made by the developer. I am in favor of agenda items 5 and 6 that will be considered at the January 5th Maricopa County Planning Commission Meeting. I will attend the meeting and registered my position in favor of the items, and am donating my speaking time to Cyd Manning. Feel free to reach out to me for any questions you may have.

Sincerely,

Elizabeth Banta  
3938 W Kayenta Trail  
Laveen, AZ 85339

## Racelle Escolar

---

**From:** lvializ@cox.net  
**Sent:** Tuesday, January 3, 2023 12:17 PM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.
- 

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Ivan Vializ

8921 S 53<sup>rd</sup> Dr.

Laveen, AZ 85339

## Racelle Escolar

---

**From:** PDD Planning Commission  
**Subject:** FW: Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

---

**From:** Juanita Welsh <juanita.welsh5@gmail.com>  
**Sent:** Tuesday, January 3, 2023 10:52 AM  
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

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- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Juanita Welsh

5427 W. La Mirada Drive

Laveen, AZ 85339

Sincerely,

*Juanita Welsh*  
**REALTOR®**, GRI  
**AZ Advance Realty**  
602-909-3915 Cell

## Racelle Escolar

---

**From:** Judy Brown <dt\_jbrown@q.com>  
**Sent:** Tuesday, January 3, 2023 1:31 PM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff:

I mirror Cyd Manning's comments:

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Kind regards,

Judy Brown

## Racelle Escolar

---

**From:** Brian & Karie <carvercottage2018@gmail.com>  
**Sent:** Tuesday, January 3, 2023 11:02 AM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Karie Hicks

4715 W Carver Rd

Laveen AZ 85339

## Racelle Escolar

---

**From:** Vializ, Lisa <Lisa.Vializ@Honeywell.com>  
**Sent:** Tuesday, January 3, 2023 12:11 PM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Lisa Vializ  
8921 S 53<sup>rd</sup> Dr.  
Laveen, AZ 85339

AND  
32<sup>nd</sup> Ave & Ceton  
Laveen, AZ 85339



**Public Hearing and Ordinance Adoption - Rezoning Application Z-55-22-8 - Northwest Corner of 35th Avenue and Carver Road (Ordinance G-7077)**

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-55-22-8 and rezone the site from R1-18 (Single-Family Residence District) and R1-8 (Single-Family Residence District) to R1-18 Hillside DNS/WVR (Single-Family Residence District, Hillside Density Waiver) to allow single-family residential. This is a companion case to GPA-LV-2-22-8 and must be heard following GPA-LV-2-22-8.

**Summary**

Current Zoning: R1-18 and R1-8

Proposed Zoning: R1-18 Hillside DNS/WVR

Acreage: 58.99

Proposed Use: Single-family residential with a hillside density waiver

Owner: Virtual 35th, LLC, Felipe Zubia

Applicant: Paul Gilbert, Beus Gilbert McGroder, PLLC

Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee heard the case on Dec. 12, 2022, and recommended approval, per the staff recommendation, with a modification, by a vote of 9-0.

PC Action: The Planning Commission heard the case on Jan. 5, 2023, and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 8-0.

**Location**

Northwest corner of 35th Avenue and Carver Road

Council District: 8

Parcel Address: N/A

**Responsible Department**

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

**ATTACHMENT A**

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

**ORDINANCE G-**

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-55-22-8) FROM R1-18 (SINGLE-FAMILY RESIDENCE DISTRICT) AND R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R1-18 HILLSIDE DNS/WVR (SINGLE-FAMILY RESIDENCE DISTRICT, HILLSIDE DENSITY WAIVER).

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

SECTION 1. The zoning of an approximately 58.99 acres property located at the northwest corner of 35th Avenue and Carver Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 36.64 acres of "R1-18" (Single-Family Residence District) and 19.35 acres of "R1-8" (Single-Family Residence District), to "R1-18 Hillside DNS/WVR" (Single-Family Residence District, Hillside 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 not exceed 65 lots.
2. Each individual lot shall be a minimum of 6,000 square feet in size.
3. A minimum side yard building setback, except along streets, of 3 feet and 13 feet combined for both sides shall be provided.
4. There shall be no vehicular access to the development along the 39th Avenue alignment.
5. The maximum building height shall not exceed 2 stories and 30 feet, except that buildings located on lots within 100 feet of 35th Avenue and Carver Road shall not exceed a height of 1 story and 20 feet.
6. Lots within 100 feet of 35th Avenue and Carver Road shall maintain a minimum lot width of 80 feet.
7. A minimum 80-foot-wide landscape setback shall be provided along 35th Avenue.
8. A minimum 50-foot-wide landscape setback shall be provided along Carver Road.
9. The required landscape setbacks shall be planted with minimum 60-percent 2-inch caliper and 40-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
10. 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.
11. 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 75 percent live coverage at maturity.
  - c. A mix of ornamental trees, shrubs (no less than five five-gallon shrubs per tree) and/or flower beds that will provide a variety of texture and color throughout the year and 75 percent live cover, shall be provided along both sides of the entryway and within a landscaped median of no less than 5 feet in width.
  - d. The entry driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
12. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to Planning and Development Department final site plan approval with specific regard to the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
- a. The primary building material shall not exceed 75 percent of all front elevations.
  - b. Each home will include two alternative building materials (in addition to the primary building material for architectural elevations) to make up 25% of the front architectural elevations, plus garage enhancements such as window panels, color, added materials surrounding doors and trellises.
13. All homes within the development shall be subject to Single-Family Design Review, as approved by the Planning and Development Department.
14. A minimum of three usable open space areas of 6,000 square feet each shall be provided and dispersed throughout the development, as approved by the Planning and Development Department.
15. A minimum of 37 acres shall remain undeveloped open space.
16. A minimum of four amenities shall be provided such as a tot lot, ramada, or similar elements, as approved by the Planning and Development Department.
17. A minimum of one pedestrian pathway shall be provided from the development to Carver Road, as approved by the Planning and Development Department.

18. Pedestrian and vehicular access shall be provided from this development to the future development on the adjacent property to the south, as approved or modified by the Planning and Development Department.
19. All sidewalks within the development shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single-trunk shade trees planted at a rate of one tree per lot or a minimum of 20 feet on center, or in equivalent groupings where adjacent to open space areas, as modified and approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
20. The developer shall construct a detached sidewalk along 35th Avenue as approved and required by Maricopa County Department of Transportation.
21. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the west side of 35th Avenue and along the north side of Carver Road and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department.
22. The developer shall dedicate right-of-way and construct improvements along the west side of 35th Avenue as required and approved by Maricopa County Department of Transportation (MCDOT). The developer shall provide verification of MCDOT review and approval to the City of Phoenix Street Transportation Department prior to preliminary site plan submittal.
23. The developer shall dedicate right-of-way and construct improvements along the north side of Carver Road as required and approved by MCDOT. The developer shall provide verification of MCDOT review and approval to the City of Phoenix Street Transportation Department prior to preliminary site plan submittal.
24. The developer shall dedicate additional right-of-way and provide improvements to the 35th Avenue and Carver Road intersection as per the geometric design approved by the Maricopa County Department of Transportation (MCDOT). The developer shall provide verification of MCDOT review and approval to the City of Phoenix Street Transportation Department prior to preliminary site plan submittal. The design will need to provide access to 35th Avenue south of Carver Road, and Carver Road east of 35th Avenue.
25. 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.

26. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural uses. These documents must advise purchasers that, under Section 3-112(E), Arizona Revised Statutes, the City of Phoenix may not declare an agricultural operation conducted on farmland to be a nuisance if the agricultural use is lawful, customary, reasonable, safe and necessary to the agriculture industry. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
27. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active aviation uses in the Hangar Haciendas Units One, Two, and Three subdivisions located approximately 2,300 feet to the east of the subject property in Maricopa County. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
28. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
29. 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.
30. 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.
31. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
32. 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.

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 February, 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

Parcel No. 1

Lot 1, of Section 10, Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT that part thereof, if any, lying within the West 40 acres of Lots 1 and 2;

EXCEPT the North half of said Lot 1;

EXCEPT one-half of all minerals as reserved in Deed recorded as Docket 1562 Page 355;

EXCEPT that portion conveyed to the City of Phoenix, a municipal corporation by Quit-Claim Deed recorded May 17, 2007, as Document No. 2007-0575240.

Parcel No. 2

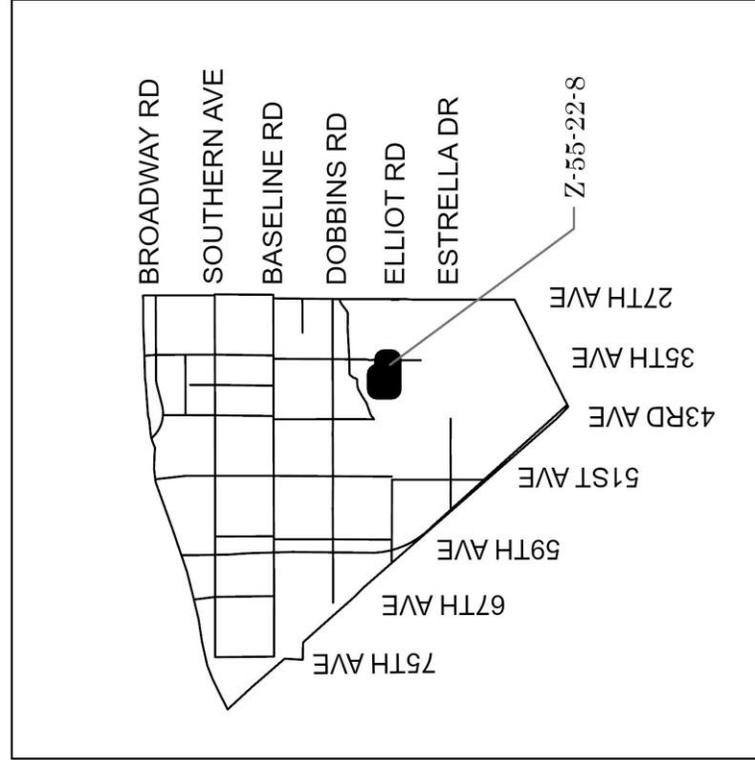
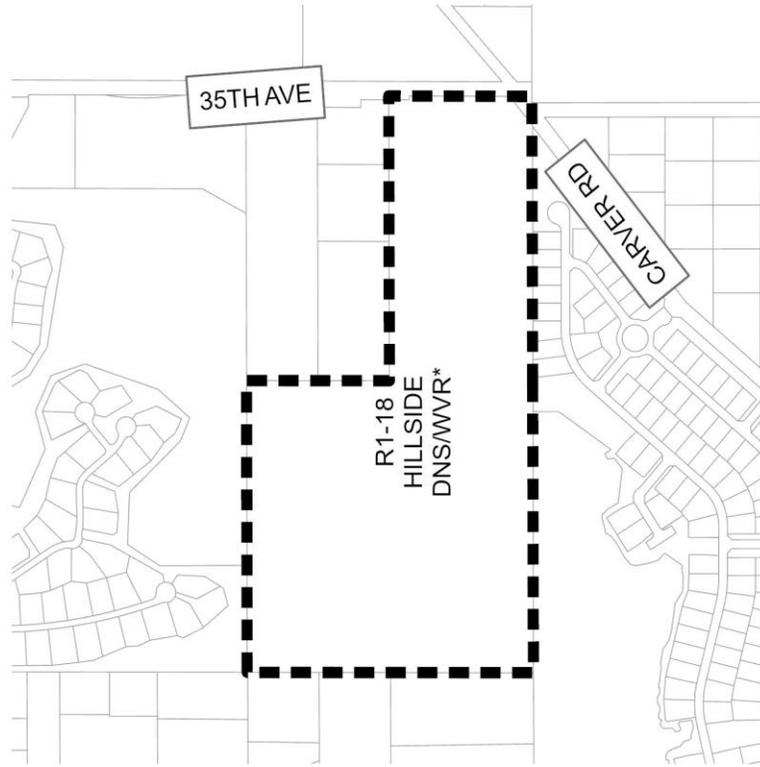
The West 40 acres of Government Lots 1 and 2 (sometimes known as the South half of the Southeast quarter) of Section 10, Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT one-half of all minerals as reserved in Deed recorded as Docket 1562 Page 355.

# ORDINANCE LOCATION MAP

Zoning Case Number: Z-55-22-8  
Zoning Overlay: N/A  
Planning Village: Laveen

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



NOT TO SCALE



Drawn Date: 1/6/2023

Attachment B



City of Phoenix  
PLANNING AND DEVELOPMENT DEPARTMENT

**\*REVISED**  
**Staff Report Z-55-22-8**  
**December 9, 2022**

**Laveen [Village Planning Committee](#) Meeting Date:** December 12, 2022

**[Planning Commission](#) Hearing Date:** January 5, 2023

**Request From:** [R1-18](#) (Single-Family Residence) (36.64 acres) and [R1-8](#) (Single-Family Residence) (19.35 acres)

**Request To:** [R1-18 Hillside DNS/WVR](#) (Single-Family Residence, Hillside Density Waiver) (58.99 acres)

**Proposed Use:** Single-family residential with a hillside density waiver

**Location:** Northwest corner of 35th Avenue and Carver Road

**Owner/Applicant:** Virtua 35th, LLC, Felipe Zubia

**Representative:** Kurt Waldier, Beus Gilbert McGroder, PLLC

**Staff Recommendation:** Approval, subject to stipulations

<a href="#">General Plan Conformity</a>	
<a href="#">General Plan Land Use Map Designation</a>	<p>Current: Residential 0 to 1 dwelling units per acre, Residential 3.5 to 5 dwelling units per acre and Parks/Open Space – Future 1 dwelling unit per acre</p> <p>Proposed (GPA-LV-2-22-8): Residential 1 to 2 dwelling units per acre</p> <p>Staff Recommended (GPA-LV-2-22-8): Residential 1 to 2 dwelling units per acre and Mixed Use (Parks/Open Space – Future 1 dwelling unit per acre/Residential 1 to 2 dwelling units per acre)</p>

<u>Street Map Classification</u>	35th Avenue	Arterial Scenic Drive	Varies from 33-foot to 50-foot west half street
	Carver Road	Local Street	Varies, 35 to 56.6-foot northwest half street

***CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.***

As stipulated, the development will promote neighborhood identity by incorporating density and building height limitations, landscape enhancements, and large perimeter lots, among other enhancements. These will also promote the agrarian character of the area and vision of the Laveen Southwest Growth Study.

***CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.***

The proposal for a single-family detached residential community would allow development of a housing product that is consistent with other single-family uses in the area. As stipulated, the development will incorporate wide perimeter lots, enhanced landscaping and height restrictions, which will also help to provide a transition from the proposed development to adjacent residential properties and to respect local conditions.

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

The proposal will be required to provide shade along the adjacent public sidewalks and pedestrian pathways located within or adjacent to development. 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. Furthermore, a large portion of the site will remain undeveloped open space.

<b>Applicable Plans, Overlays, and Initiatives</b>
<a href="#"><u>Laveen Southwest Growth Study</u></a> : See Background Item No. 4.
<a href="#"><u>Tree and Shade Master Plan</u></a> : See Background Item No. 10.
<a href="#"><u>Complete Streets Guidelines</u></a> : See Background Item No. 11.
<a href="#"><u>Monarch Butterfly</u></a> : See Background Item No. 12.
<a href="#"><u>Zero Waste PHX</u></a> : See Background Item No. 13.
<a href="#"><u>Housing Phoenix</u></a> : See Background Item No. 14.

<b>Surrounding Land Uses and Zoning</b>		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant	R1-8 and R1-18
<b>North</b>	Single-family residential and vacant	R1-18 and S-1
<b>South</b>	Vacant	R1-18
<b>East (across 35th Avenue and Carver Road)</b>	Agricultural and large-lot single-family residential	RE-35 and R1-18 RUPD (Unincorporated Maricopa County)
<b>West</b>	Single-family residential and vacant	RU-43 (Unincorporated Maricopa County)

<b>R1-18 Hillside DNS/WVR – Single-Family Residential, Hillside Density Waiver (Planned Residential Development Option)</b>		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the proposed site plan</u>
Gross Acreage	-	58.99 acres
Total Maximum Number of Units	121 units, up to 138 with bonus	65 units (Met)
Maximum Density	2.05 dwelling units per acre, up to 2.34 with bonus	1.10 dwelling units per acre

<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the proposed site plan</u>
Minimum Lot Width	None	50 feet (Met)
Minimum Lot Depth	None	110 feet (Met)
Maximum Building Height	2 stories and 30 feet	Not specified**
Maximum Lot Coverage	25 percent, up to 30 percent including attached shade structures	Not specified*
<b>MINIMUM BUILDING SETBACKS</b>		
Perimeter Streets: (35th Avenue and Carver Road)	20 feet	35th Avenue: 80 feet (Met) Carver Road: 50 feet (Met)
Interior Perimeter Property Lines: (Side and Rear)	15 feet	Not specified*
<b>MINIMUM LANDSCAPE SETBACKS AND STANDARDS</b>		
Adjacent to street (35th Avenue and Carver Road)	20 feet	35th Avenue: 80 feet (Met) Carver Road: 50 feet (Met)
Minimum Common Area	5% of gross site area	63.4% (Met)

\*Variance or site plan revision required.

\*\*Staff recommends Stipulation No. 5 to limit the maximum building height in the development to one story and 20 feet within 100 feet of a perimeter street or two stories and 30 feet, depending on the location of the lot.

### **Background/Issues/Analysis**

#### SUBJECT SITE

1. This request is to rezone 58.99 acres located at the northwest corner of 35th Avenue and Carver Road from R1-18 (Single-Family Residence) and R1-8 (Single-Family Residence) to R1-18 Hillside DNS/WVR (Single-Family Residence, Hillside Density Waiver) for single-family residential.

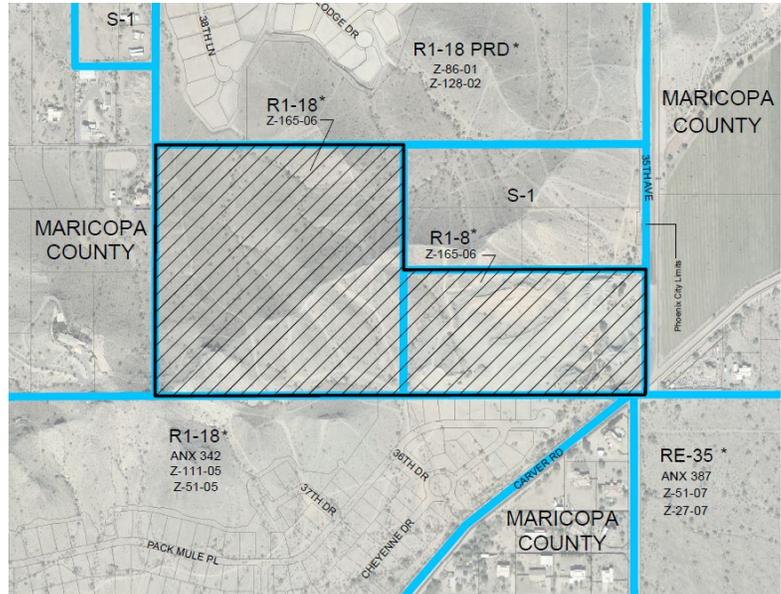
### SURROUNDING LAND USES AND ZONING

- The surrounding area contains a variety of agricultural and residential zoning districts including S-1 (Ranch or Farm Residence), RE-35 (Single-Family Residence), and R1-18 (Single-Family Residence). Properties north of the site are zoned S-1 and R1-18. A similar residential subdivision is located along the northern most property line.

The property south of the site is zoned R1-18, approved for a similar residential subdivision.

Southeast of the site, across Carver Road, is vacant land zoned RE-35. West, across 35th Avenue is vacant land located in Unincorporated Maricopa County and zoned R1-18 RUPD.

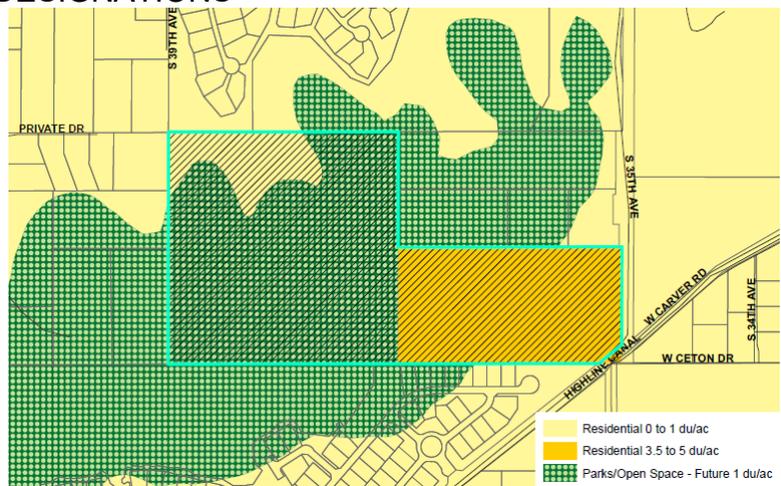
West of the site is land zoned RU-43 located in Unincorporated Maricopa County.



Zoning Aerial Map, Source: Planning and Development Department

### GENERAL PLAN LAND USE MAP DESIGNATIONS

- The General Plan Land Use Map designation for the subject site is Residential 0 to 1 dwelling units per acre, Residential 3.5 to 5 dwelling units per acre, and Parks/Open Space – Future 1 dwelling unit per acre which is not consistent with the proposed R1-18 Hillside DNS/WVR zoning district. Thus, a concurrent Minor General Plan Amendment case GPA-LV-2-22-8 proposes to change the land use map designation to Residential 1 to 2 dwelling



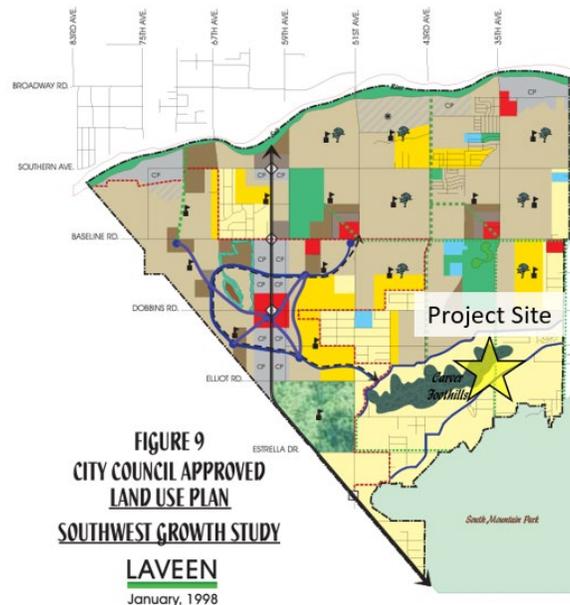
General Plan Land Use Map, Source: Planning and Development Department

units per acre. However, staff recommends a land use map designation of Residential 1 to 2 dwelling units per acre / Mixed Use (Residential 0 to 1 **TO 2** dwelling units per acre and Parks/Open Space – Future 1 dwelling unit per acre). North, south, and west of the site is designated as Residential 1 to 2 dwelling units per acre and Parks/Open Space – Future 1 dwelling units per acre. East of the site is designated Residential 0 to 1 dwelling units per acre.

4. **Laveen Southwest Growth Study**

The site is located within the boundaries of the Laveen Southwest Growth Study, which was developed in 1997 to analyze the existing conditions of the Laveen Village. It provides a land use and design planning framework to help shape the growth in Laveen, while accounting for newly annexed farmland as well as the future development of the South Mountain Freeway Loop, which has since been completed.

This plan designates the project as Residential 0 to 1 dwelling units per acre, thus not consistent with the Laveen Southwest Growth Study Land Use Plan.



LEGEND	
0-1 DU/ACRE	PARKS/OPEN SPACE
0-2 DU/ACRE	CONSERVATION COMMUNITY
2-5 DU/ACRE	SCHOOL
5-10 DU/ACRE	WATER COURSE/MULTI-USE TRAIL
10-15 DU/ACRE	PARKWAY
COMMERCIAL	PLANNED COMMUNITY
COMMERCE PARK	MULTI-USE TRAIL
PUBLIC/QUASI-PUBLIC	Existing Sand & Gravel to transition to Residential
HILLSIDE	OPEN SPACE FEATURE

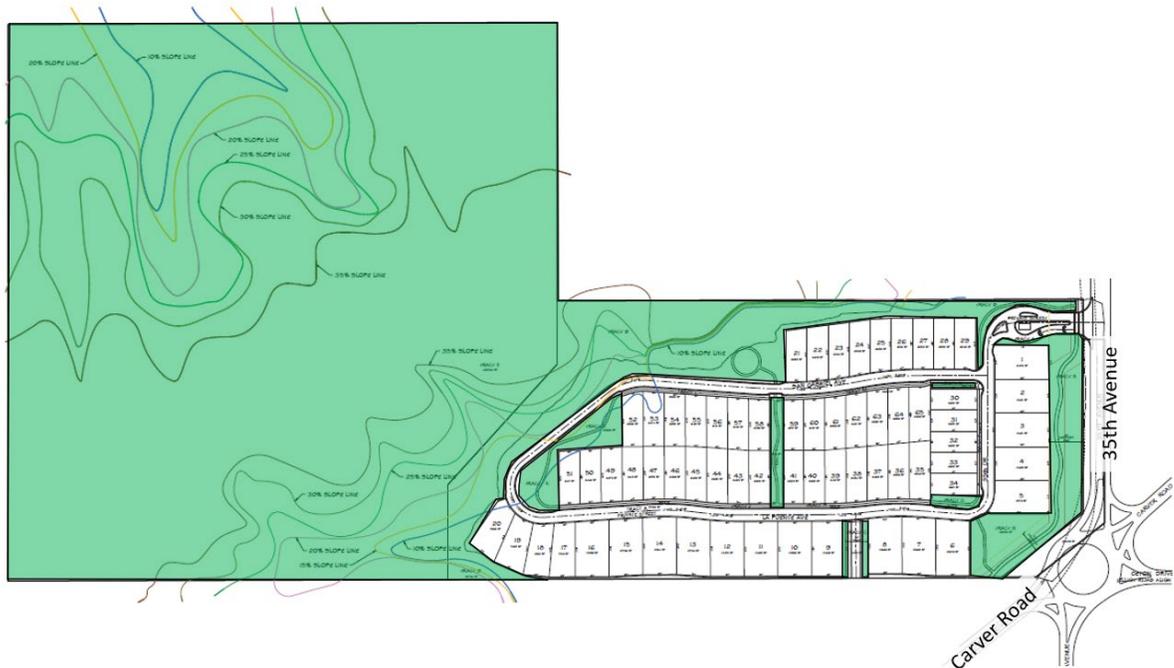
\* See current adopted General Plan for revised land use plan.

Laveen Southwest Growth Study,  
 Source: Planning and Development Department

However, the proposal is consistent with development patterns in the area and as stipulated, incorporates several elements from the study to promote the character of the area.

**PROPOSAL**

- The proposal is to develop a 65-lot, single-family detached residential subdivision with a street access point along 35th Avenue. A density of 1.10 dwelling units per acre is depicted in the proposed site plan, which also depicts a variety of lot widths ranging from 50 feet to 80 feet in width.



Conceptual Site Plan with Planning and Development Department annotations,  
Source: Land Development Engineering, LLC.

Conformance to the conceptual site plan provided by the applicant is not recommended by staff given that a technical hillside review is required for the hillside portion of the site at the time of site plan review in accordance with [Section 710](#) of the Zoning Ordinance. However, staff recommends several stipulations to ensure that:

- The number of lots is limited to a maximum of 65 lots (Stipulation No. 1);
- A minimum lot size of 6,000 square feet in size (Stipulation No. 2);
- A minimum side building setback of 3 feet and 13 feet total for both sides (Stipulation No. 3);
- No access shall be provided along 39th Avenue (Stipulation No. 4);
- Building heights do not exceed 2 stories and 30 feet, except structures within 100 feet from perimeter streets shall not exceed 1 story and 20 feet (Stipulation No. 5);
- Eighty-foot-wide perimeter lots are provided along the south and east (Stipulation No. 6);
- Eighty-foot-wide landscape setback is provided along 35th Avenue (Stipulation No. 7);
- Fifty-foot-wide landscape setback is provided along Carver Road (Stipulation No. 8); and

- A minimum of three usable or improved open space areas are provided within the development for future resident use (Stipulation No. 13).

6. No conceptual building elevations were submitted by the applicant, but renderings of housing design elements envisioned on this site were submitted. These renderings depict a variety of architectural styles, with various colors and textures proposed. These renderings also show one and two-story housing products.



Conceptual Building Renderings, Source: Not specified

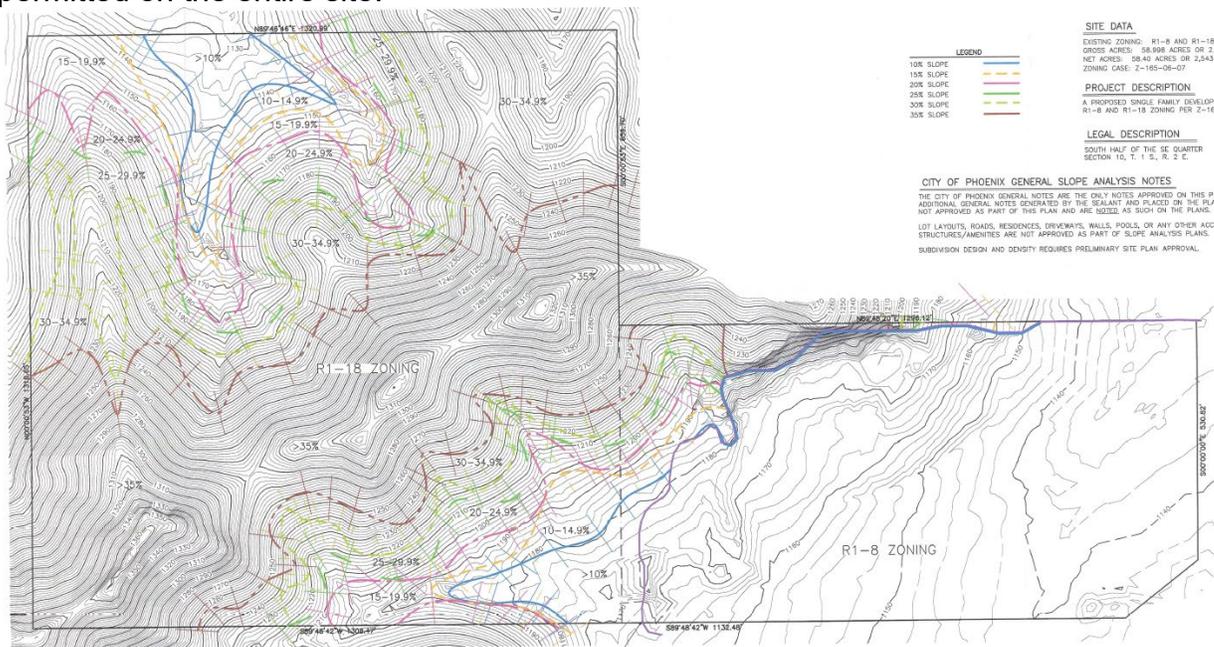
Staff does not recommend conformance to these building renderings, as details of building materials and other design elements were not included. However, staff recommends that all lots, including 80-foot-wide lots, be subject to the Single-Family Design Review standards outlined in [Section 507 Tab.A. II.](#) of the Zoning Ordinance to ensure that various elements are included in the building elevations. Furthermore, staff recommends that the Planning Hearing Officer review and administratively approve the building elevations prior to final site plan approval, to ensure that various materials, colors, and textures are incorporated into the building elevations. These are addressed in Stipulation Nos. 12 and 13.

#### HILLSIDE REQUIREMENTS

7. Properties (or portions thereof) that have a slope of 10 percent or greater are subject to the Hillside Development standards outlined in [Section 710](#) of the Phoenix Zoning Ordinance. These regulations are intended to preserve the visual integrity and character of hillside areas, while allowing reasonable development which is both safe and functional.

A significant portion of the property (approximately 38 acres) is designated as a hillside area, which has more restrictive density limitations than non-hillside portions of the site. Although, the R1-18 zoning district allows a density of 2.05 dwelling units per acre, up to 2.34 units per acre with bonus points, the hillside requirements would limit the density to a range of 0.20 to 1.80 dwelling units per acre depending on the slope of the terrain.

The proposal involves a request to waive the density requirements on the hillside portion of the site to allow an additional 8 lots for a total of 65 lots or 1.10 dwelling units per acre. Without a Hillside Density Waiver, approximately 57 lots would be permitted on the entire site.



Approved 2019 Slope Analysis, Source: Clouse Engineering Inc.

Waivers to the density provisions may be requested and considered by the Planning Commission and City Council where such waivers would be in furtherance of the purposes of the Hillside Ordinance and where there exist unusual conditions relating to the property such as drainage or flood hazards, peculiarity of the size or shape of the site, or geology, and where approval of the waivers would promote the general welfare of the neighborhood.

Upon review of the application materials, staff finds that a hillside density waiver is appropriate on this site given that a significant portion of the site is undisturbed hillside area, which the applicant proposes to protect. Furthermore, the applicant proposes to shift the additional lots requested via the Hillside Density Waiver from the higher slopes to the lower slopes of the property to protect the integrity of the area, including views to the mountain from adjacent properties.

Additionally, staff recommends Stipulation No. 15 to require that a minimum of 37 acres be maintained as undeveloped open space to provide an additional protection and ensure that a large portion of the hillside will remain undisturbed. A technical review of the site plan will be required to address Hillside requirements including those in Zoning Ordinance Section 507.Tab. A., Section 710 and Section 32-32 of

the City Code during the Site Plan review process.

8. Staff recommends various perimeter enhancements such as larger trees, entryway landscaping and paving to provide screening of this development and keep the natural feel of the area. Entryway enhancements help accentuate the entry to the development along 35th Avenue, a Scenic Arterial Street. These are addressed in Stipulation Nos. 9 and 11.
9. The conceptual site plan also depicts various open space areas distributed throughout the development for future residents to enjoy. Staff is recommending Stipulation Nos. 14 and 16 to ensure that a minimum of three usable open space areas are provided in the development, in addition to a minimum of four amenities, which will promote the health of future residents by providing recreational opportunities, allowing the enjoyment of sunlight, and having a communal space that enables social interactions.

#### STUDIES AND POLICIES

10. [Tree and Shade Master Plan](#)

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhance shade within the development.

Staff is recommending stipulations for enhanced landscaping and shaded sidewalks along the perimeter property lines as follows:

- Sixty-percent two-inch caliper and 40-percent three-inch caliper trees within the required landscape setbacks (Stipulation No. 9);
- Shaded detached sidewalks along internal streets via minimum 2-inch caliper trees planted between the back of curb and sidewalk (Stipulation No. 19);

The sidewalk along 35th Avenue is required to be detached as permitted by the Maricopa County Department of Transportation (MCDOT) per Stipulation No. 20, and is encouraged to be shaded per MCDOT requirements.

11. [Complete Streets Guidelines](#)

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an

accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. This development will help to pedestrianize 35th Avenue and internal streets by providing shaded detached sidewalks and providing a pedestrian connection to 35th Avenue via the primary entrance and another to Carver Road. Furthermore, the development immediately south of the subject site is required to provide a connection to this proposed development. Staff recommends that the developers of both projects coordinate the street connection to allow vehicles and pedestrians to connect between both projects.

This development will also be constructing a multi-use trail plus dedicating a multi-use trail easement along 35th Avenue and Carver Road to promote recreation in the area. This development will construct a segment of an existing trail alignment that will help to link other parts of the Laveen Village in the future.

All of the above elements are addressed in Stipulation Nos. 17 through 21.

12. **[Monarch Butterfly](#)**

In April 2021, Mayor Kate Gallego signed the [National Wildlife Federation's Mayor's Monarch Pledge](#). This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 10 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

13. **[Zero Waste PHX](#)**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The City of Phoenix offers recycling containers on residential properties.

14. **[Housing Phoenix](#)**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing

units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

Stipulation No. 1 would allow the developer to construct up to 65 single-family detached homes. If this development is approved, it would allow further diversity in housing products within the area and new housing choice for existing and new residents.

#### COMMUNITY INPUT SUMMARY

15. To date, staff has received 8 letters of support on this project from community members. The letters of support reference the proposed density and open space, plus voluntary deed restrictions as a positive aspect of this development.

#### INTERDEPARTMENTAL COMMENTS

16. The Street Transportation Department provided comments pertaining to detached sidewalks along 35th Avenue, as allowed per MCDOT. Other comments provided pertained to adjacent right-of-way dedication and street improvements along 35th Avenue and Carver Road as required per MCDOT, given that these roadways are under MCDOT control. These are addressed in Stipulation Nos. 19, and 22 through 25, which also include general street requirements.
17. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the 2018 International Fire Code with Phoenix Amendments. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Fire Code.
18. The Water Services Departments commented that water and sewer main extensions will be required for this developed. Furthermore, capacity is a dynamic condition that can change over time due to a variety of factors. The City intends to provide water and sewer service, requirements and assurances for which are determined during the site plan review process. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.
19. The Floodplain Management division of the Public Works Department and the Public Transit Department did not have any comments on this case.

OTHER

20. The subject site is within close proximity to properties used for agricultural uses and active aviation uses within the Hanger Haciendas subdivisions located approximately 2,300 feet east of the site in Maricopa County, thus potentially leading to dust, odors, noise or other impacts to future residential uses on the site. Stipulation Nos. 24 and 25 would require disclosure of the existence and operational characteristics of both agricultural and active aviation uses to purchasers of property and tenants within the development.
21. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. This is addressed in Stipulation Nos. 28.
22. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 29 through 31.
23. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 121131 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. 32.
24. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of required infrastructure regarding lot space and density.
25. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be

required.

### **Findings**

1. This proposed development is consistent with the staff recommended General Plan Land Use map designation requested with concurrent case GPA-LV-2-22-8.
2. As stipulated, the proposed development will promote the preservation of a large portion of the site as undisturbed hillside area, while allowing new housing options primarily in the disturbed portions of the site along lower slopes.
3. As stipulated, the proposed development will promote the identity of the area by providing large perimeter lots, wide street landscape setbacks, and limiting building height along perimeter streets.

### **Stipulations**

1. The development shall not exceed 65 lots.
2. Each individual lot shall be a minimum of 6,000 square feet in size.
3. A minimum side yard building setback, except along streets, of 3 feet and 13 feet combined for both sides shall be provided.
4. There shall be no vehicular access to the development along the 39th Avenue alignment.
5. The maximum building height shall not exceed 2 stories and 30 feet, except that buildings located on lots within 100 feet of 35th Avenue and Carver Road shall not exceed a height of 1 story and 20 feet.
6. Lots within 100 feet of 35th Avenue and Carver Road shall maintain a minimum lot width of 80 feet.
7. A minimum 80-foot-wide landscape setback shall be provided along 35th Avenue.
8. A minimum 50-foot-wide landscape setback shall be provided along Carver Road.
9. The required landscape setbacks shall be planted with minimum 60-percent 2-inch caliper and 40-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the

developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

10. 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.
11. 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 75 percent live coverage at maturity.
  - c. A mix of ornamental trees, shrubs (no less than five five-gallon shrubs per tree) and/or flower beds that will provide a variety of texture and color throughout the year and 75 percent live cover, shall be provided along both sides of the entryway and within a landscaped median of no less than 5 feet in width.
  - d. The entry driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
12. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to Planning and Development Department final site plan approval with specific regard to the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
  - a. The primary building material shall not exceed 75 percent of all front elevations.
  - b. Each home will include two alternative building materials in addition to the primary building material for architectural elevations, plus garage enhancements such as window panels, color, added materials surrounding door, and trellises.

13. All homes within the development shall be subject to Single-Family Design Review, as approved by the Planning and Development Department.
14. A minimum of three usable open space areas of 6,000 square feet each shall be provided and dispersed throughout the development, as approved by the Planning and Development Department.
15. A minimum of 37 acres shall remain undeveloped open space.
16. A minimum of four amenities shall be provided such as a tot lot, ramada, or similar elements, as approved by the Planning and Development Department.
17. A minimum of one pedestrian pathway shall be provided from the development to Carver Road, as approved by the Planning and Development Department.
18. Pedestrian and vehicular access shall be provided from this development to the future development on the adjacent property to the south, as approved or modified by the Planning and Development Department.
19. All sidewalks within the development shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single-trunk shade trees planted at a rate of one tree per lot or a minimum of 20 feet on center, or in equivalent groupings where adjacent to open space areas, as modified and approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
20. The developer shall construct a detached sidewalk along 35th Avenue as approved and required by Maricopa County Department of Transportation.
21. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the west side of 35th Avenue and along the north side of Carver Road and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department.
22. The developer shall dedicate right-of-way and construct improvements along the west side of 35th Avenue as required and approved by Maricopa County Department of Transportation (MCDOT). The developer shall provide verification of MCDOT review and approval to the City of Phoenix Street Transportation Department prior to preliminary site plan submittal.

23. The developer shall dedicate right-of-way and construct improvements along the north side of Carver Road as required and approved by MCDOT. The developer shall provide verification of MCDOT review and approval to the City of Phoenix Street Transportation Department prior to preliminary site plan submittal.
24. The developer shall dedicate additional right-of-way and provide improvements to the 35th Avenue and Carver Road intersection as per the geometric design approved by the Maricopa County Department of Transportation (MCDOT). The developer shall provide verification of MCDOT review and approval to the City of Phoenix Street Transportation Department prior to preliminary site plan submittal. The design will need to provide access to 35th Avenue south of Carver Road, and Carver Road east of 35th Avenue.
25. 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.
26. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural uses. These documents must advise purchasers that, under Section 3-112(E), Arizona Revised Statutes, the City of Phoenix may not declare an agricultural operation conducted on farmland to be a nuisance if the agricultural use is lawful, customary, reasonable, safe and necessary to the agriculture industry. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
27. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active aviation uses in the Hangar Haciendas Units One, Two, and Three subdivisions located approximately 2,300 feet to the east of the subject property in Maricopa County. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
28. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

29. 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.
30. 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.
31. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
32. 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**

Enrique Bojórquez Gaxiola

December 9, 2022

**Team Leader**

Racelle Escolar

**Exhibits**

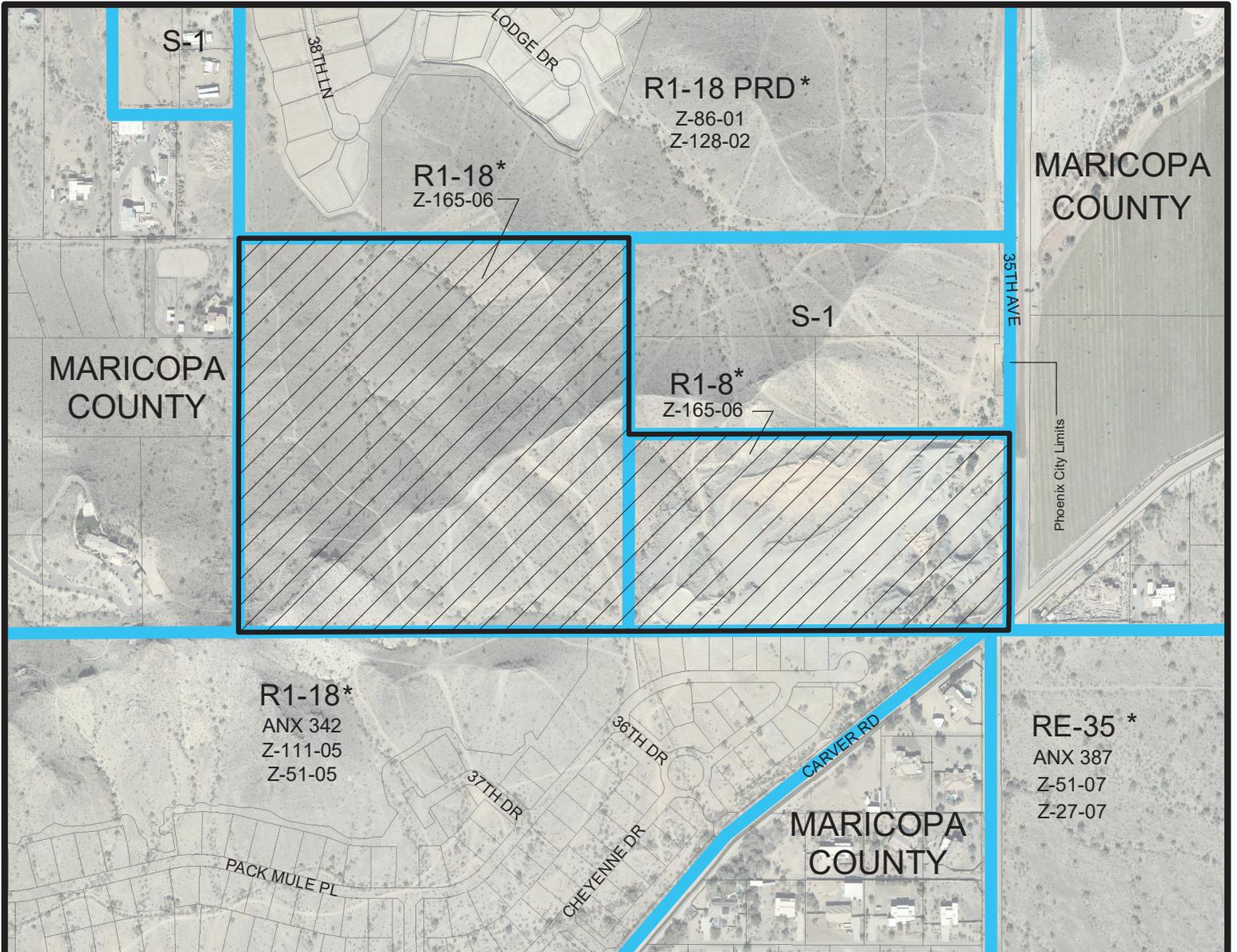
Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped November 10, 2022

Conceptual Building Renderings date stamped November 10, 2022

Community Correspondence (8 pages)



Miles



**LAVEEN VILLAGE**

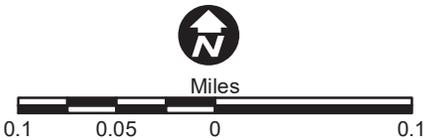
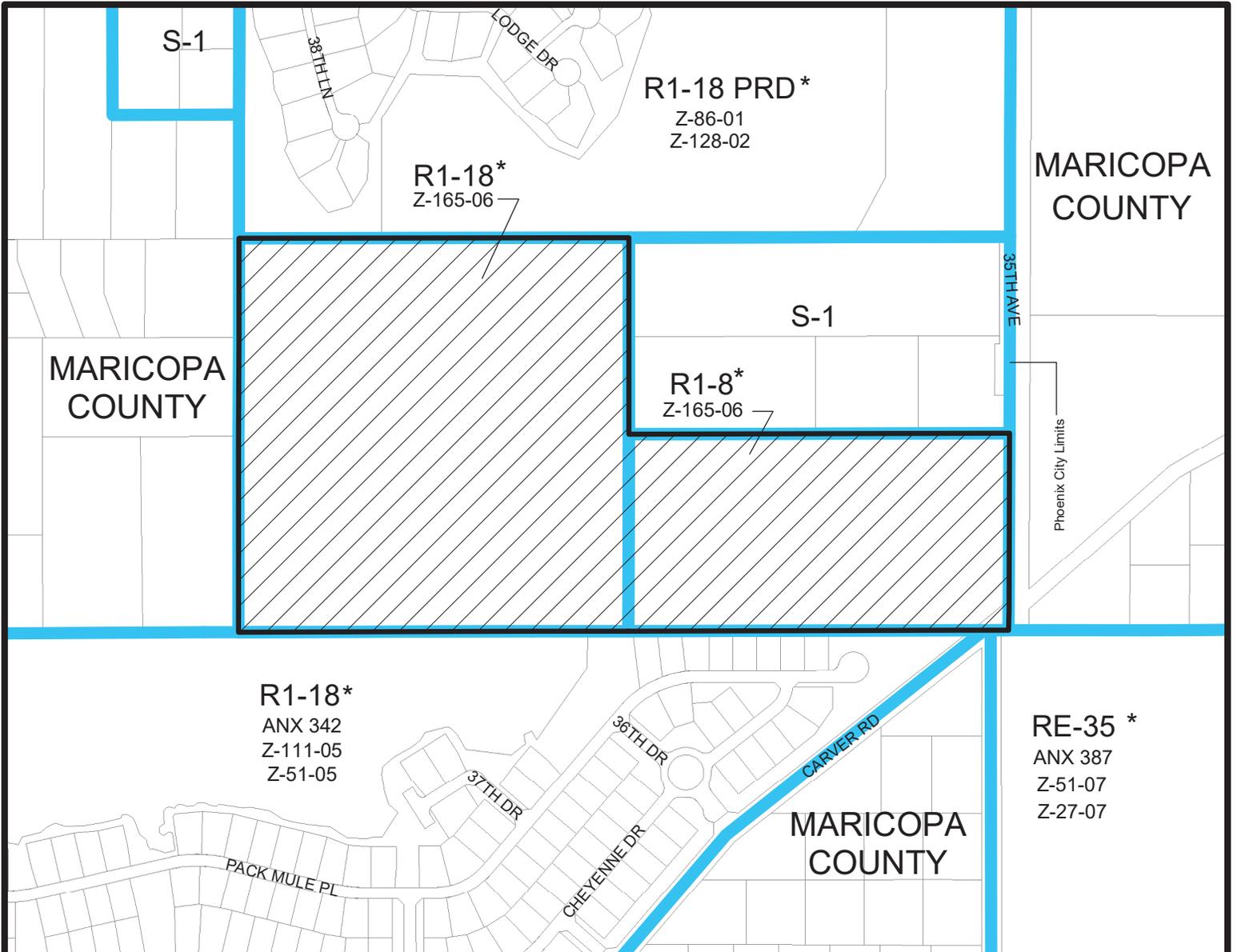
CITY COUNCIL DISTRICT: 8



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



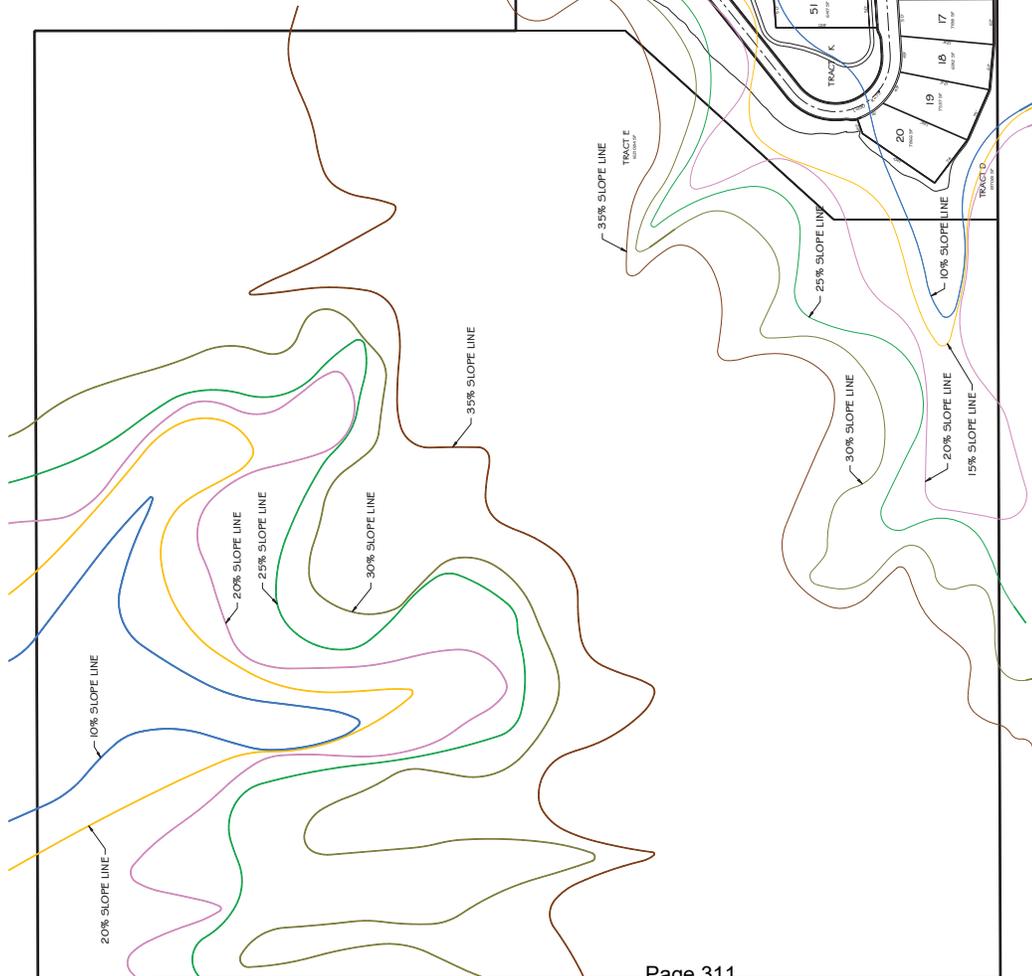
<b>APPLICANT'S NAME:</b> Virtua 35th LLC/Felipe Zubia		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-55-22		<b>FROM:</b> R1-18 ( 39.64 a.c.) R1-8 ( 19.35 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>58.99 Acres</b>		<b>TO:</b> R1-18 Hillside DNS/WVR ( 58.99 a.c.)	
<b>DATE:</b> 8/4/2022 <small>REVISION DATES:</small> 11/21/2022		<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 04-20 <b>ZONING MAP</b> C-6	
<b>MULTIPLES PERMITTED</b> R1-18, R1-8 R1-18 Hillside DNS/WVR		<b>CONVENTIONAL OPTION</b> 77, 83 115	
<b>* Maximum Units Allowed with P.R.D. Bonus</b>		<b>* UNITS P.R.D. OPTION</b> 93, 106 138	



**LAVEEN VILLAGE**  
CITY COUNCIL DISTRICT: 8



<b>APPLICANT'S NAME:</b> Virtua 35th LLC/Felipe Zubia		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-55-22		<b>FROM:</b> R1-18 ( 39.64 a.c.) R1-8 ( 19.35 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>58.99 Acres</b>		<b>TO:</b> R1-18 Hillside DNS/WVR ( 58.99 a.c.)	
<b>DATE:</b> 8/4/2022 <small>REVISION DATES:</small> 11/21/2022		<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 04-20 <b>ZONING MAP</b> C-6	
<b>MULTIPLES PERMITTED</b> R1-18, R1-8 R1-18 Hillside DNS/WVR		<b>CONVENTIONAL OPTION</b> 77, 83 115	
<b>* Maximum Units Allowed with P.R.D. Bonus</b>		<b>* UNITS P.R.D. OPTION</b> 93, 106 138	



Based on Approved Slope Analysis dated 7-2-2019 H06036, NVA 16-3531  
City of Phoenix, Hillside and Zoning Ordinance

Slope Range Category	Allowable Density Units/Acre	Area in Slope Category	Product of Density x Area	Total # Allowable Hillside Lots
0% to 10%	2.05	19.26	39.49	39
10% to 15%	1.80	2.01	3.62	3
15% to 20%	1.50	2.01	3.02	2
20% to 25%	1.20	4.03	4.84	2
25% to 30%	0.90	4.86	4.37	2
30% to 35%	0.30	9.41	2.82	2
> 35%	0.20	16.07	3.21	2
<b>Total Area</b>		<b>58.6800</b>		<b>18</b>
<b>Total Allowable Non-Hillside Lots = 39</b>				<b>39</b>
<b>Total Allowable Hillside Lots = 18</b>				<b>18</b>
<b>Total Allowable Lots = 57</b>				<b>57</b>

**Project Data**

Zoning:	RI-18 (PRD Development Option)
Total Site Area (Gross):	58.68 ac
Total Site Area (Net):	57.93 ac
Total Hillside (above 10% Slope Line):	39.42 ac
Total Non-Hillside Area:	19.26 ac
Required Open Space:	5% or 2.93 ac
<b>Total</b>	
Tracts B, D, G, I, K, & N	65.8% or 38.63 ac
Tracts E (Preserve)	5.1% or 3.00 ac
Provided Open Space (Hillside):	2.7% or 1.58 ac
Provided Open Space (Non-Hillside):	6.7% or 3.94 ac
Total Provided Open Space:	11.8% or 6.93 ac
<b>Density Calculations</b>	
Total Site Area (Gross):	58.68 ac
Total Non-Hillside Area (Gross):	19.26 ac
Density Allowed:	2.05 Allowed Non-Hillside Lots = 39
Density Proposed:	1.11 Units/Acre
Hillside Density Allowed:	0.46 Units/Acre
Hillside Density Proposed:	0.30 Units/Acre
Number of Hillside Lots (with Density Waiver):	26 UNITS
Number of Hillside Lots (with Density Waiver):	65 UNITS
<b>Hillside Calculations</b>	
Total Hillside Area (Area above 10% slope line):	39.42 ac
Allowable Hillside Disturbance (35%):	13.80 ac
Total Hillside Disturbance Proposed:	1.26 ac
Allowable lot coverage for hillside areas (25%):	9.85 ac
Allowable lot coverage for non-hillside areas (25%):	4.82 ac

# CARVER CANYON

## CONCEPT PLAN A10

10-17-2022

**CITY OF PHOENIX**

NOV 10 2022

Planning & Development  
Department



**SLOPE LINE LEGEND**

10% SLOPE LINE	15% SLOPE LINE	20% SLOPE LINE	25% SLOPE LINE	30% SLOPE LINE	35% SLOPE LINE
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SLOPE LINES BASED ON APPROVED H06036, NVA 16-3531

Lot(s)	Total Lot Area (sq ft)	10%-15%	15%-20%	20%-25%	25%-30%	30%-35%	>35%	% of lot in hillside
1 thru 19	19585.17	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
20	7866.04	538.77	0.00	0.00	0.00	0.00	0.00	6.8%
21 thru 49	180208.83	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
50	6446.31	4.42	0.00	0.00	0.00	0.00	0.00	0.1%
51	6417.34	590.19	0.00	0.00	0.00	0.00	0.00	9.2%
52	6325.83	573.82	0.00	0.00	0.00	0.00	0.00	9.1%
53	6494.07	1596.63	0.00	0.00	0.00	0.00	0.00	24.7%
54 thru 65	75978.53	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
<b>Total</b>	<b>460182.13</b>	<b>3303.83</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>

# CARVER CANYON

Examples of Southwest Contemporary Architecture\*



Inspired by traditional southwest designs of ranch, prairie, pueblo and Spanish styles in a present day interpretation.

Strong massing and geometry  
free of arches



Muted colors and textures  
echo the natural environment



Understated elegance  
without the superfluous ornamentation.



Varied roof systems and massing to  
avoid a monolithic appearance



**CITY OF PHOENIX**

NOV 1.0 2022

Planning & Development  
Department

\* Images are representations of design elements of the Southwest Contemporary vernacular, not actual homes to be built at Carver Canyon.

**From:** [Donis Canisales](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Wednesday, December 7, 2022 9:27:52 AM

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LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22

LVPC Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Donis and Frank Canisales, Jr  
Frank and Esperanza Canisales, Sr  
Francisco, III and becca canisales  
Sent from my iPhone

**From:** [Cyd Manning](#)  
**To:** [PDD Long Range Planning](#); [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** ["Manning, Cyd"](#); [PDD Laveen VPC](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Wednesday, December 7, 2022 9:30:07 AM  
**Importance:** High

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LVPC Members and Planning Staff,

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Best regards,

Cyd Manning  
3220 W. Ceton Drive  
480-747-0769  
[sweetbeat@q.com](mailto:sweetbeat@q.com)  
[cyd.manning@honeywell.com](mailto:cyd.manning@honeywell.com)

**From:** [David Baker](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [pdd.longrange@phx.gov](mailto:pdd.longrange@phx.gov)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Wednesday, December 7, 2022 9:38:24 AM

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LVPC Members and Planning Staff,

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Best regards,  
David Baker  
11908 S 41<sup>st</sup> Ave  
Laveen Az 85339

David Baker  
Keller Williams Realty Phoenix  
Cell:602.373.6345  
E-mail: [david@beinPhoenix.com](mailto:david@beinPhoenix.com)

**Visit my websites at**

<http://www.PhoenixLaveenHomes.com> [[phoenixlaveenhomes.com](http://www.PhoenixLaveenHomes.com)]

<http://www.LaveenRealEstate.co> [[laveenrealestate.co](http://www.LaveenRealEstate.co)]

<http://www.LaveenAz85339.com> [[laveenaz85339.com](http://www.LaveenAz85339.com)]

<http://www.CasasLaveen.com> [[casaslaveen.com](http://www.CasasLaveen.com)]

<http://www.Laveenhomesforsale.net> [[laveenhomesforsale.net](http://www.Laveenhomesforsale.net)]

**From:** [Donna Snow](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Donna Snow](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Wednesday, December 7, 2022 9:58:44 AM

---

LVPC Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

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Best regards,

Donna Snow  
6806 W Desert Lane  
Laveen, AZ 8539

**From:** [John Knight](#)  
**To:** [PDD Long Range Planning](#); [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Cyd Manning](#); [Dean D.](#); [Dean G Fairchild](#); [John Nicholas](#)  
**Subject:** Fwd: Action by 12/9 - Quarry Cases Cases-Z-55-22 & GPA-LV-2-22-8 and LVPC Meeting on Dec. 12  
**Date:** Wednesday, December 7, 2022 9:33:50 AM  
**Importance:** High

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LVPC Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

**John Knight**  
**VP Integrated Solutions**  
**P:** (602) 237-4915  
**C:** (602) 549-1885  
**E:** [john.knight@aircomm.com](mailto:john.knight@aircomm.com)  
**W:** [www.aircomm.com](http://www.aircomm.com) [[aircomm.com](http://aircomm.com)]

**From:** [Steven Dougherty](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [PDD Long Range Planning](#)  
**Cc:** [Steven Dougherty](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Wednesday, December 7, 2022 10:33:39 AM

---

LVPC Members and Planning Staff,

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Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Sincerely,  
Steven Dougherty  
11222 S 39th LN Laveen AZ 85339  
[Steven@StevenDougherty.com](mailto:Steven@StevenDougherty.com)  
480-430-6130 Cell

**CONFIDENTIALITY NOTICE** - This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading, forwarding, saving or re-

**From:** [Suzanne Kingston](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [PDD Long Range Planning](#)  
**Subject:** Subject: LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Thursday, December 8, 2022 9:29:19 AM

---

LVPC Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

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Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Suzanne Kingston  
11820 S. 38<sup>th</sup> Ave.  
Laveen, AZ 85339

Sent from [Mail \[go.microsoft.com\]](mailto:Mail[go.microsoft.com]) for Windows

**From:** [Kingston, Tom](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [PDD Long Range Planning](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Thursday, December 8, 2022 11:38:19 AM

---

LVPC Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

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Best regards,  
Tom Kingston  
11820 S. 38<sup>th</sup> Ave. Laveen



## Village Planning Committee Meeting Summary Z-55-22-8

<b>Date of VPC Meeting</b>	December 12, 2022
<b>Request From</b>	R1-18 and R1-8
<b>Request To</b>	R1-18 Hillside DNS/WVR
<b>Proposed Use</b>	Single-family residential with a hillside density waiver
<b>Location</b>	Northwest corner of 35th Avenue and Carver Road
<b>VPC Recommendation</b>	Approval, per the staff recommendation with a modification
<b>VPC Vote</b>	9-0

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*Item No. 7 (GPA-LV-2-22-8) and Item No. 8 (Z-55-22-8) are companion cases and were heard together.*

*3 members of the public registered to speak on this item.*

### **STAFF PRESENTATION:**

**Enrique Bojórquez**, staff, provided an overview of the rezoning proposal, including the companion minor General Plan Amendment case GPA-LV-2-22-8, describing the location of the requests, the existing and proposed zoning districts and land use designations and the proposed use. Mr. Bojórquez explained that staff offers a recommendation in the staff report which differs from the applicant's request on GPA-LV-2-22-8 and explained the reasons for this. Mr. Bojórquez discussed the zoning history on the property, including an active PHO case and a rezoning case which was withdrawn. Mr. Bojórquez reviewed the surrounding zoning districts and land uses and described the proposed site plan plus building elevations. Mr. Bojórquez listed several policy plans and described how these are furthered by this proposal. Mr. Bojórquez stated that staff has received 17 letters in support and none in opposition 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-55-22-8.

## APPLICANT PRESENTATION:

**Paul Gilbert**, representing the applicant with Beus Gilbert McGroder PLLC, introduced himself and the single-family residential project. Mr. Gilbert stated that this project has gathered significant support from neighbors after years of deliberation. Mr. Gilbert discussed the location of the site, surrounding zoning districts, and land use map designations. Mr. Gilbert is not necessarily opposed to the staff recommendation outlined in the staff report for case GPA-LV-2-22-8. Mr. Gilbert has agreed to provide a deed restriction on the hillside portion of the site which is controlled by the neighbors. Mr. Gilbert discussed the proposed site plan, open space, and requested hillside density waiver, noting that 5 lots would be partially within the hillside portion of the site. Mr. Gilbert requested a recommendation of approval on both cases.

## QUESTIONS FROM COMMITTEE:

**Chair Glass** applauds the efforts from the neighbors over many years and appreciates the compromise reached with the applicant.

## PUBLIC COMMENTS:

**Cyd Manning** introduced herself and stated that she would be impacted by this development. Ms. Manning supports approving both cases as proposed by the applicant. Ms. Manning stated that density was an issue since the case was approved in 2007 and remained an issue in 2011 when the City did not execute a zoning reversion. Ms. Manning supports the proposed project now and would prefer a true 1 dwelling unit per acre project, but this is a compromise plan between the applicant and the neighbors. Ms. Manning supports the proposed density reduction, open space, and deed restriction. Ms. Manning thanked the community, Council District 8, Laveen Village Planning Committee, and the applicant. Ms. Manning requested approval of both cases per the staff recommendation.

**Sandy Hamilton** with Laveen Citizens for Responsible Development (LCRD) introduced himself and stated that both cases were heard recently by the LCRD in December of 2022. The LCRD recommends approval of both cases.

**Jon Kimono** stated that this project was well worth the effort and thanked everyone involved. Mr. Kimono supports the reduction from 121 to 65 lots, including wide perimeter lots. Mr. Kimono added that this is the best plan everyone could achieve and supports this project.

**Phil Hertel** stated that the original approval dates back 15 years and was initially approved by a former applicant and Councilman for the area. Ms. Manning has been very involved every step of the way, including many others. Mr. Hertel thanked Mr. Gilbert for his commitment, congratulated the applicant and thanked everyone involved.

**Dan Penton** stated that the community has legal binding interest on the property now and this is now a monument case. Mr. Penton suggested that the City should use this as a model to preserve open space and develop a similar site. Mr. Penton added that the quality of life will be greatly improved now as the community did not give up at the City's negation to revert the approved zoning on the site. Mr. Penton gives kudos to Ms. Manning and Mr. Gilbert.

APPLICANT RESPONSE:

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

**Mr. Ortega** congratulated everyone involved and added that the Village needs support from Ms. Manning to avoid single-family developments with 45-foot-wide lots.

**Vice Chair Abegg** recommended a modification to Stipulation No. 12 to ensure that building elevations include additional building materials. **Mr. Gilbert** agreed with the stipulation modification but asked for clarification. **Vice Chair Abegg** responded that the intent is for 25% of the front home elevations to have alternative building materials.

**Mr. Gilbert** expressed concern with Stipulation No. 24 and wants to ensure that his client does not have to contribute 100 percent of the cost to build a roundabout along 35th Avenue and Carver Road. Mr. Gilbert did not have concerns with the staff recommendation on GPA-LV-2-22-8.

MOTION (Z-55-22-8):

**Chair Glass** motioned to approve Z-55-22-8 per the staff recommendation with a modification to Stipulation No. 12. **Jennifer Rouse** seconded the motion.

Approved modification of Stipulation No. 12:

12. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to Planning and Development Department final site plan approval with specific regard to the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
  - a. The primary building material shall not exceed 75 percent of all front elevations.
  - b. Each home will include two alternative building materials (in addition to the primary building material for architectural elevations) **TO MAKE UP 25% OF THE FRONT ARCHITECTURAL ELEVATIONS**, plus garage enhancements such as window panels, color, added materials surrounding doors, and trellises.

VOTE (Z-55-22-8):

**9-0**; motion to recommend approval of Z-55-22-8 per the staff recommendation with a stipulation modification passes with Committee Members Barraza, Chiarelli, Hurd, Jensen, Ortega, Perrera, Rouse, Abegg and Glass in favor.

## **STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS**

None.

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION January 5, 2023

ITEM NO: 6	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-55-22-8 (Companion Case GPA-LV-2-22-8)
Location:	Northwest corner of 35th Avenue and Carver Road
From:	R1-8 and R1-18
To:	R1-18 Hillside Density Waiver
Acreage:	58.99
Proposal:	Single-family residential with a Hillside Density Waiver.
Applicant:	Felipe Zubia, Virtua 35th, LLC
Owner:	Felipe Zubia, Virtua 35th, LLC
Representative:	Kurt Waldier, Beus Gilbert McGrider, PLLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Laveen** 12/12/2022 Approval, per the staff recommendation with a modification. Vote: 9-0.

Planning Commission Recommendation: Approval, per the Laveen Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve Z-55-22-8, per the Laveen Village Planning Committee recommendation.

Maker: Perez  
Second: Gaynor  
Vote: 8-0  
Absent: Mangum  
Opposition Present: No

#### **Findings:**

1. This proposed development is consistent with the staff recommended General Plan Land Use map designation requested with concurrent case GPA-LV-2-22-8.
2. As stipulated, the proposed development will promote the preservation of a large portion of the site as undisturbed hillside area, while allowing new housing options primarily in the disturbed portions of the site along lower slopes.
3. As stipulated, the proposed development will promote the identity of the area by providing large perimeter lots, wide street landscape setbacks, and limiting building height along perimeter streets.

Stipulations:

1. The development shall not exceed 65 lots.
2. Each individual lot shall be a minimum of 6,000 square feet in size.
3. A minimum side yard building setback, except along streets, of 3 feet and 13 feet combined for both sides shall be provided.
4. There shall be no vehicular access to the development along the 39th Avenue alignment.
5. The maximum building height shall not exceed 2 stories and 30 feet, except that buildings located on lots within 100 feet of 35th Avenue and Carver Road shall not exceed a height of 1 story and 20 feet.
6. Lots within 100 feet of 35th Avenue and Carver Road shall maintain a minimum lot width of 80 feet.
7. A minimum 80-foot-wide landscape setback shall be provided along 35th Avenue.
8. A minimum 50-foot-wide landscape setback shall be provided along Carver Road.
9. The required landscape setbacks shall be planted with minimum 60-percent 2-inch caliper and 40-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
10. 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.
11. 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 75 percent live coverage at maturity.
  - c. A mix of ornamental trees, shrubs (no less than five five-gallon shrubs per tree) and/or flower beds that will provide a variety of texture and color throughout the year and 75 percent live cover, shall be provided along both sides of the entryway and within a landscaped median of no less than 5 feet in width.
  - d. The entry driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

12. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to Planning and Development Department final site plan approval with specific regard to the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
  - a. The primary building material shall not exceed 75 percent of all front elevations.
  - b. Each home will include two alternative building materials (in addition to the primary building material for architectural elevations) TO MAKE UP 25% OF THE FRONT ARCHITECTURAL ELEVATIONS, plus garage enhancements such as window panels, color, added materials surrounding doorS, and trellises.
13. All homes within the development shall be subject to Single-Family Design Review, as approved by the Planning and Development Department.
14. A minimum of three usable open space areas of 6,000 square feet each shall be provided and dispersed throughout the development, as approved by the Planning and Development Department.
15. A minimum of 37 acres shall remain undeveloped open space.
16. A minimum of four amenities shall be provided such as a tot lot, ramada, or similar elements, as approved by the Planning and Development Department.
17. A minimum of one pedestrian pathway shall be provided from the development to Carver Road, as approved by the Planning and Development Department.
18. Pedestrian and vehicular access shall be provided from this development to the future development on the adjacent property to the south, as approved or modified by the Planning and Development Department.
19. All sidewalks within the development shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single-trunk shade trees planted at a rate of one tree per lot or a minimum of 20 feet on center, or in equivalent groupings where adjacent to open space areas, as modified and approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
20. The developer shall construct a detached sidewalk along 35th Avenue as approved and required by Maricopa County Department of Transportation.
21. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the west side of 35th Avenue and along the north side of Carver Road and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department.
22. The developer shall dedicate right-of-way and construct improvements along the west side of 35th Avenue as required and approved by Maricopa County Department of Transportation (MCDOT). The developer shall provide verification of MCDOT review

and approval to the City of Phoenix Street Transportation Department prior to preliminary site plan submittal.

23. The developer shall dedicate right-of-way and construct improvements along the north side of Carver Road as required and approved by MCDOT. The developer shall provide verification of MCDOT review and approval to the City of Phoenix Street Transportation Department prior to preliminary site plan submittal.
24. The developer shall dedicate additional right-of-way and provide improvements to the 35th Avenue and Carver Road intersection as per the geometric design approved by the Maricopa County Department of Transportation (MCDOT). The developer shall provide verification of MCDOT review and approval to the City of Phoenix Street Transportation Department prior to preliminary site plan submittal. The design will need to provide access to 35th Avenue south of Carver Road, and Carver Road east of 35th Avenue.
25. 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.
26. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural uses. These documents must advise purchasers that, under Section 3-112(E), Arizona Revised Statutes, the City of Phoenix may not declare an agricultural operation conducted on farmland to be a nuisance if the agricultural use is lawful, customary, reasonable, safe and necessary to the agriculture industry. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
27. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active aviation uses in the Hangar Haciendas Units One, Two, and Three subdivisions located approximately 2,300 feet to the east of the subject property in Maricopa County. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
28. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
29. 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.
30. 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.

31. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
32. 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.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

## Attachment E

**From:** [Bret Burchard](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Carver Canyon Cases-Z-55-22 & GPA-LV-2-22-8 (NW Corner 35th Ave & Carver)  
**Date:** Sunday, December 11, 2022 4:54:33 PM

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LVPC Members and Planning Staff,

I'm writing regarding the Carver Canyon case that you will be before you on Monday, Dec. 12. I have been consistently opposed to every iteration of this case for the past 4 years due to incompatible high density GPA and zoning.

Unfortunately, I will not be able to attend this meeting Monday night so I am writing a letter to support this plan presented in cases GPA-LV-2-22-8 and Z-55-22.

While the plan presented is not ideal, still lacking the 1-acre lots that are a staple of this area, overall density and the GPA designation have always been the top issues with this property.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

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- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

With the unique circumstances of this case, specifically the city of Phoenix neglecting their duty to revert the zoning to S1 as stipulated in the originally approved plan, I think this is the best possible outcome for this case and appreciate the applicant listening to and cooperating with the community to come up with this compromise.

I believe it is appropriate that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Thank you,

Bret Burchard  
11244 S 35th Ave

**From:** [Elizabeth Banta](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Cyd Manning](#)  
**Subject:** Quarry Cases Cases-Z-55-22 & GPA-LV-2-22-8 and LVPC Meeting on Dec. 12  
**Date:** Sunday, December 11, 2022 6:26:02 PM

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Dear Mr. Bojorquez,

I have attended many meetings and expressed myself numerous times regarding the quarry case at 35th Ave and Carver. While my ultimate wish would have been to keep development to one home per acre, I believe that proposals being considered are the best resolution the development and the community will achieve. I appreciate the compromises made by the developer. I am in favor of agenda items 7 and 8 that will be considered at the 12/12/22 Laveen Village Planning Committee meeting. I will attend the meeting and registered my position in favor of the items, and am donating my speaking time to Cyd Manning. Feel free to reach out to me for any questions you may have.

Sincerely,

Elizabeth Banta  
3938 W Kayenta Trail  
Laveen, AZ 85339

**From:** [John Knight](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Cyd Manning](#); [Dean D.](#)  
**Subject:** Quarry Case - Carver and 35th Ave Tonight  
**Date:** Monday, December 12, 2022 1:04:01 PM  
**Attachments:** [1642459221547000\\_90955179.png](#)

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Hello and good afternoon. We are residents of this area and wanted to ensure you note our support for this final validation.

Total 60 acres would be a GPA of 1-2 du/a and R1-18 zoning. The site plan of 65 homes is OK, but the GPA and zoning.

We hope to be in Virtual Attendance, but if not, please include myself and Dr. Dean Gordon Fairchild, who lives at this address as well.

Greatly appreciated.



[\[aircomm.com\]](#)

**John Knight**  
**VP Integrated Solutions**

**P:** (602) 237-4915

**C:** (602) 549-1885

**E:** [john.knight@aircomm.com](mailto:john.knight@aircomm.com)

**W:** [www.aircomm.com](http://www.aircomm.com) [\[aircomm.com\]](#)



**From:** [Laura Murphy](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [PDD Long Range Planning](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Monday, December 12, 2022 12:17:05 PM

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LVPC Members and Planning Staff,

I have been involved in opposing every iteration of this case for some time. Incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue for me and my neighbors. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

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Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Thank you,

Lisa K. Pike  
Laura A Murphy  
4824 West Estrella Drive  
Laveen, Arizona 85339

Thank you,

Laura A Murphy  
Controller

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---

**LAURA A MURPHY**  
Controller



**VW Connect**  
4302 E Superior Avenue  
Phoenix AZ 85040  
O: 480.461.3800  
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**E:** [lauram@vwconnectllc.com](mailto:lauram@vwconnectllc.com)

**W:** [www.vwdig.com](http://www.vwdig.com) [\[vwdig.com\]](http://vwdig.com)



**From:** [Vializ, Lisa](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [PDD Long Range Planning](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Sunday, December 11, 2022 1:22:09 PM

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LVPC Members and Planning Staff,

I have been an active member of the core team over the past two years and have worked with the community, applicant, attended LVPC meeting to speak along with speaking at the Planning Commission. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Lisa Vializ  
8921 S. 53<sup>rd</sup> Dr  
Laveen, AZ 85339

And Property located at 32<sup>nd</sup> Ave and Ceton

**From:** [Nicole Glasgow](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Cases-Z-55-22 & GPA-LV-2-22-8  
**Date:** Monday, December 12, 2022 6:46:36 AM

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Good morning,

I am in support of these two cases. This has been a long process to get the zoning and applicants plan to what it is today. I appreciate the applicant working with the community and making compromises to make the future development fit in with the current development as much as possible. I also appreciate the applicant adding a deed restriction for the max amount of houses allowed on the property.

Nicole Glasgow  
3717 W Carver Rd  
Laveen, AZ 85339

**From:** [Paul Banta](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Cyd Manning](#)  
**Subject:** Quarry Cases Cases-Z-55-22 & GPA-LV-2-22-8 and LVPC Meeting on Dec. 12  
**Date:** Sunday, December 11, 2022 7:00:34 PM

---

Dear LVPC Members and Planning Staff,

I am writing regarding the "quarry case" at 35th Ave and Carver Road. I am in favor of GPA-LV-2-22-8 and Z-55-22 being presented at the LVPC meeting on 12/12/22.

Sincerely,  
Paul Banta  
3938 W Kayenta Trail  
Laveen, AZ 85339

**From:** [Roger McCully](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** LVPC Meeting 12/12/22 and Cases GPA-LV-2-22-8 and Z-55-22  
**Date:** Sunday, December 11, 2022 11:56:04 AM

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LVPC Members and Planning Staff,

I have been opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is now compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the LVPC support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Yours truly,

Roger D. McCully  
9015 S. 53<sup>rd</sup> Drive  
Laveen, AZ 85339

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows

**From:** [Ruth Franklin](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Quarry Cases Cases-Z-55-22 & GPA-LV-2-22-8 and LVPC Meeting on Dec. 12  
**Date:** Sunday, December 11, 2022 1:52:58 PM

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Dear Mr. Borjorquez,

I wish to register that I am in support of Cases-Z-55-22 & GPA-LV-2-22-8 because:

1. Zoning reduction from R1-8 to R1-18 for the entire 60 acres for an overall density of 1.11 du/a. The total lot count on the entire 60 acres is down from 121 to now 65 with the latest site plan.
2. General Plan (GPA) reduction from 3.5-5 du/a down to 1-2 du/a to match the down-zoning. This is very important because if the General Plan is not changed to match the zoning, it allows a developer to easily come with a zoning change to increase their number of lots to match the General Plan.
3. A large portion of property that is most visible to our neighborhood, as open space.
4. There will be a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65.

Thank you to the land developer and all involved to get to this appropriate result for a unique area of land.

Kind regards,  
Ruth Franklin  
3143 W Avion Way  
Laveen, AZ 85339  
(602)237-4044

## Racelle Escolar

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**From:** Brian Hicks <handymanhicks@gmail.com>  
**Sent:** Tuesday, January 3, 2023 11:03 AM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Brian Hicks

4715 W Carver Rd

Laveen AZ 85339

## Racelle Escolar

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**From:** Donis Canisales <cyrannn@hotmail.com>  
**Sent:** Tuesday, January 3, 2023 12:02 PM  
**To:** PDD Planning Commission  
**Subject:** Planning commission meeting 1/5/23 and cases GPA-LV-2-22-8 and Z-55-22

Subject: Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

We have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Donis and Frank Canisales  
11020 s 35th Ave  
Laveen, Az 85339

Frank and Esperanza Canisales  
11631 s 51st Ave  
Laveen, Az 85349

Francisco and becca Canisales  
9411 s 33rd Ave  
Laveen, Az 85339

Sent from my iPhone

## Racelle Escolar

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**From:** Elizabeth Banta <ebanta3938@gmail.com>  
**Sent:** Tuesday, January 3, 2023 10:19 PM  
**To:** PDD Planning Commission  
**Subject:** In support of agenda items 5 and 6 for planning commission meeting 1/5/23

Dear Planning Commission Members and Planning Staff:

I have attended many meetings and expressed myself numerous times regarding the quarry case at 35th Ave and Carver. While my ultimate wish would have been to keep development to one home per acre, I believe that the cases being considered provide the best resolution the development and the community will achieve. I appreciate the compromises made by the developer. I am in favor of agenda items 5 and 6 that will be considered at the January 5th Maricopa County Planning Commission Meeting. I will attend the meeting and registered my position in favor of the items, and am donating my speaking time to Cyd Manning. Feel free to reach out to me for any questions you may have.

Sincerely,

Elizabeth Banta  
3938 W Kayenta Trail  
Laveen, AZ 85339

## Racelle Escolar

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**From:** lviaiz@cox.net  
**Sent:** Tuesday, January 3, 2023 12:17 PM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.
- 

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Ivan Vializ

8921 S 53<sup>rd</sup> Dr.

Laveen, AZ 85339

## Racelle Escolar

---

**From:** PDD Planning Commission  
**Subject:** FW: Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

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**From:** Juanita Welsh <juanita.welsh5@gmail.com>  
**Sent:** Tuesday, January 3, 2023 10:52 AM  
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

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- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Juanita Welsh

5427 W. La Mirada Drive

Laveen, AZ 85339

Sincerely,

*Juanita Welsh*  
**REALTOR®,GRI**  
**AZ Advance Realty**  
602-909-3915 Cell

## Racelle Escobar

---

**From:** Judy Brown <dt\_jbrown@q.com>  
**Sent:** Tuesday, January 3, 2023 1:31 PM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff:

I mirror Cyd Manning's comments:

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

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- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Kind regards,

Judy Brown

## Racelle Escolar

---

**From:** Brian & Karie <carvercottage2018@gmail.com>  
**Sent:** Tuesday, January 3, 2023 11:02 AM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Karie Hicks

4715 W Carver Rd

Laveen AZ 85339

## Racelle Escolar

---

**From:** Vializ, Lisa <Lisa.Vializ@Honeywell.com>  
**Sent:** Tuesday, January 3, 2023 12:11 PM  
**To:** PDD Planning Commission  
**Subject:** Planning Commission Meeting 1/5/23 and Cases GPA-LV-2-22-8 and Z-55-22

Planning Commission Members and Planning Staff,

I have been significantly involved in opposing every iteration of this case since 2007 when incompatible high density GPA and zoning cases were unfortunately approved despite the large outpouring of community opposition. Density has always been the #1 issue. **Finally**, the applicant has heard the community and worked with us on a plan I support with cases GPA-LV-2-22-8 and Z-55-22.

The General Plan reduction from 3.5 to 5 du/a to 1-2 du/a is finally compatible with the area. The zoning case for all 60-acres at R1-18 with 65 lots for an overall density of 1.11 du/a is finally compatible with this area. Again, the General Plan designation and Zoning densities have always been the issue.

The applicant's plan includes other elements, in addition to the GPA and zoning, that are beneficial to the area:

- They are combining the 20 and 40-acre portions into a single parcel and site plan with one zoning level of R1-18
- They designated a large area that is most visible to our neighborhood, as open space.
- They are creating a deed restriction on the entire 60-acres that runs with the land in perpetuity to cap total lots at 65 and preserve the large designated open space.

Therefore, I support these cases. I respectfully request that the Planning Commission support the community by recommending approval of GPA-LV-2-22-8 and Z-55-22.

Best regards,

Lisa Vializ  
8921 S 53<sup>rd</sup> Dr.  
Laveen, AZ 85339

AND  
32<sup>nd</sup> Ave & Ceton  
Laveen, AZ 85339



**Public Hearing and Ordinance Adoption - Rezoning Application Z-50-22-4 - Approximately 180 Feet North of the Northeast Corner of 7th Avenue and Camelback Road (Ordinance G-7078)**

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, and consider adopting Rezoning Application Z-50-22-4 to rezone the site from C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) to WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area) to allow multifamily residential.

**Summary**

Current Zoning: C-2 TOD-1  
Proposed Zoning: WU Code T5:5 UT  
Acreage: 4.79  
Proposed Use: Multifamily residential

Owner: Larkspur Lane Investment Properties, LLC  
Applicant: Brian Greathouse, Burch & Cracchiolo, PA  
Representative: Brian Greathouse, Burch & Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations.  
VPC Action: The Alhambra Village Planning Committee heard this case on Dec. 20, 2022, and recommended approval, per the staff recommendation, with an additional stipulation, by a vote of 12-4.  
PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the Alhambra Village Planning Committee recommendation, by a vote of 8-0.  
The Planning Commission recommendation was appealed for a public hearing by a community member on Jan. 9, 2023, and by the adjacent property owner on Jan. 12, 2023.

**Location**

Approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road

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Council District: 4

Parcel Address: 5015, 5025, 5027, 5031, 5033, 5035, 5037, 5041, 5043, 5049, and 5075 N. 7th Ave.

**Responsible Department**

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

**ATTACHMENT A**

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

**ORDINANCE G-**

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-50-22-4) FROM C-2 TOD-1 (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU CODE T5:5 UT (WALKABLE URBAN CODE, TRANSECT 5:5, TRANSIT UPTOWN CHARACTER AREA).

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

SECTION 1. The zoning of a 4.79-acre site located approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road in a portion of Section 17, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-2 TOD-1" (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) to "WU Code T5:5 UT" (Walkable Urban Code, Transect 5:5, Transit Uptown 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 developer shall provide a minimum 10,000 square feet of publicly accessible open space in a forecourt configuration, as described below and as approved or modified by the Planning and Development Department. The publicly accessible open space shall be:
  - a. Adjacent and accessible to the public sidewalk on 7th Avenue
  - b. Provided in areas of not less than 500 square feet and 20 feet in width;
  - c. Shaded to a minimum of 50 percent by vegetative shade;
  - d. Maintained in perpetuity without fences or barriers;
  - e. Eligible to qualify as a forecourt frontage type;
  - f. Improved to contain, at minimum, a drinking fountain for people and pets, art, and seating.
2. All ground floor dwelling units adjacent to 7th Avenue shall utilize the stoop and doorwell, forecourt, or porch frontage types, as approved or modified by the Planning and Development Department.
3. Between the public sidewalk and the building fronts, there shall be a 6-foot-wide landscape area planted with minimum 3-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department to comply with frontage requirements.
4. The development shall incorporate masonry elements into the primary exterior building materials and shall be reflective of the architectural style in the area, as approved by the Planning and Development Department.
5. The developer shall install traffic calming devices along the driveways of the property so that vehicle drivers exercise caution prior to crossing the sidewalk when exiting the property, as approved or modified by the Planning and Development Department.
6. The developer shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.

- a. All required bicycle parking for multifamily use, per Section 1307.H of the Phoenix Zoning Ordinance, shall be secured parking.
  - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
  - c. One bicycle repair station shall be provided and maintained by the developer in an area of high visibility near the secure bicycle parking areas.
7. A minimum 35 percent of the uncovered parking lot area shall be shaded by minimum 3-inch caliper shade trees, as approved by the Planning and Development Department.
8. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. The TIS shall include evaluation of 7th Avenue peak hour restrictions and resulting site traffic routing on the surrounding street network and proposed mitigation to Colter Street. The developer shall be responsible for all costs for mitigation measure determined by the Study and contribute funds for the Colter Street Project. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
9. The southern driveway onto 7th Avenue, as depicted on the site plan date stamped October 31, 2022, shall be restricted to right-in/right-out only and access shall be coordinated with the Public Transit Department, as approved by Planning and Development.
10. The developer shall construct a minimum 6-foot-wide sidewalk separated from the curb by a minimum 10-foot-wide landscape area along the east side of 7th Avenue and planted with minimum three-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planned and Development Department.
11. The developer shall dedicate a sidewalk easement to accommodate a minimum 6-foot-wide sidewalk and minimum 10-foot-wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.
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. 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.
- 15. The developer shall work with the Street Transportation and Planning and Development departments regarding the proposed parking along the north side of the site so that it does not interfere with traffic flow along the shared driveway and to potentially stripe the driveway to include a left-turn lane.

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 February, 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 PARCEL OF LAND BEING SITUATED WITHIN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CALCULATED POINT ACCEPTED AS THE SOUTHWEST CORNER OF SAID SECTION 17, FROM WHICH A CALCULATED POINT BEARS NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 1324.02 FEET;

THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF SAID SECTION 17, NORTH 00 DEGREES 11 MINUTES 13 SECONDS WEST, A DISTANCE OF 170.41 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 11 MINUTES 13 SECONDS WEST, A DISTANCE OF 476.66 FEET;

NORTH 89 DEGREES 48 MINUTES 47 SECONDS EAST, A DISTANCE OF 40.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF 7<sup>TH</sup> AVENUE;

THENCE NORTH 89 DEGREES 59 MINUTES 54 SECONDS EAST, A DISTANCE OF 396.15 FEET;

THENCE SOUTH 00 DEGREES 11 MINUTES 13 SECONDS EAST, A DISTANCE OF 472.00 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 54 SECONDS WEST, A DISTANCE OF 189.15 FEET;

THENCE SOUTH 00 DEGREES 11 MINUTES 13 SECONDS EAST, A DISTANCE OF 12.16 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 54 SECONDS WEST, A DISTANCE OF 114.00 FEET;

THENCE NORTH 00 DEGREES 11 MINUTES 13 SECONDS WEST, A DISTANCE OF 7.50 FEET;

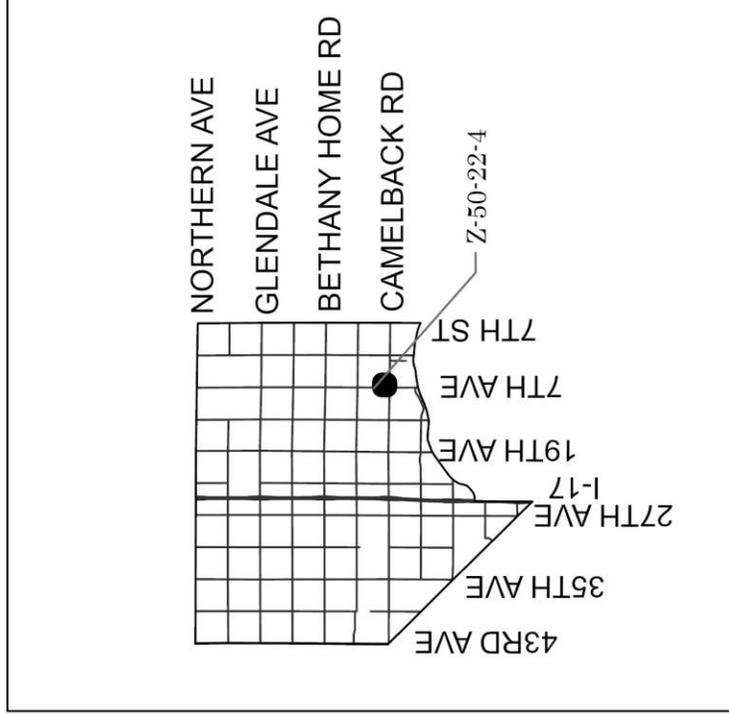
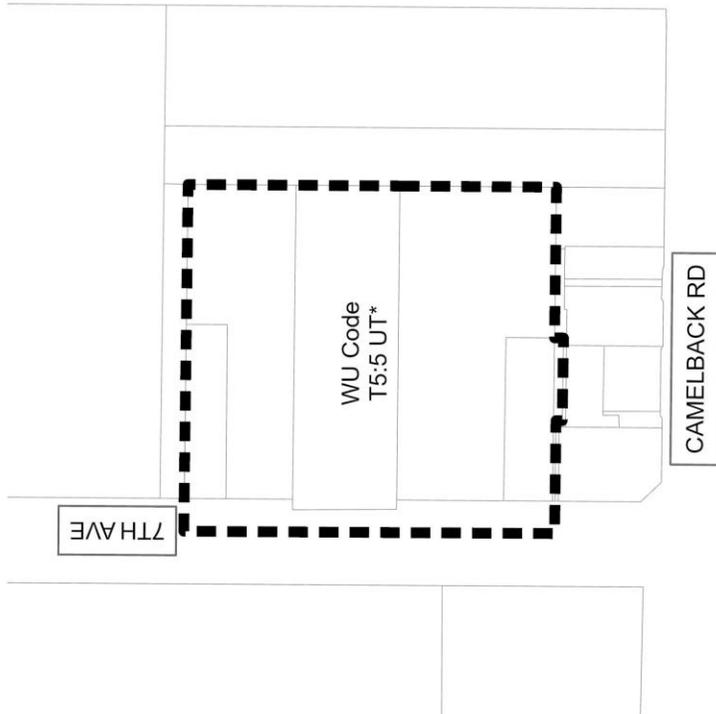
THENCE SOUTH 89 DEGREES 59 MINUTES 54 SECONDS WEST, A DISTANCE OF 93.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF 7<sup>TH</sup> AVENUE;

THENCE SOUTH 89 DEGREES 48 MINUTES 47 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;  
SAID PARCEL CONTAINS 207,870 SQ FT OR 4.772 ACRES.

# ORDINANCE LOCATION MAP

Zoning Case Number: Z-50-22-4  
Zoning Overlay: N/A  
Planning Village: Alhambra

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



NOT TO SCALE



Drawn Date: 1/6/2023

Attachment B



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-50-22-4**  
**December 16, 2022**

**Alhambra [Village Planning Committee](#) Meeting Date:** December 20, 2022  
**[Planning Commission](#) Hearing Date:** January 5, 2023  
**Request From:** [C-2 TOD-1](#) (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) (4.79 acres)  
**Request To:** [WU Code T5:5 UT](#) (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area) (4.79 acres)  
**Proposed Use:** Multifamily Residential  
**Location:** Approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road  
**Owner:** Larkspur Lane Investment Properties, LLC  
**Applicant:** Brian Greathouse, Burch & Cracchiolo, PA  
**Representative:** Brian Greathouse, Burch & Cracchiolo, PA  
**Staff Recommendation:** Approval, subject to stipulations

<u><a href="#">General Plan Conformity</a></u>			
<u><a href="#">General Plan Land Use Map Designation</a></u>		Commercial	
<u><a href="#">Street Map Classification</a></u>	7th Avenue	Arterial	40-foot east half street
<p><b><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setback and build-to lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.</i></b></p> <p>The proposal includes design and development standards to encourage walking, bicycling, and transit use. These standards include a shaded streetscape, units fronting onto the public sidewalk, parking situated away from the public street, and on-site amenities.</p>			
<p><b><i>CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.</i></b></p>			

The proposal includes bicycle facilities to encourage bicycling and transit use to become a way of life by leveraging its proximity to the light rail station at 7th Avenue and Camelback, the Colter Street Pedestrian and Bicycle Improvements, and the Phoenix Sonoran Bikeway on 3rd Avenue. Features include secure bicycle parking for residents, convenient racks for guests, and a bicycle repair station for residents.

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

The proposal includes robust tree plantings between the back of curb and the building fronts and a detached sidewalk that will be shaded to 75 percent as stipulated. These improvements will serve create a comfortable pedestrian environment along 7th Avenue to make the walk from the adjacent neighborhood to the light rail and other nearby amenities more comfortable.

***CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.***

The subject site is approximately 200 feet from the 7th Avenue and Camelback Road light rail station, and the proposal to provide multifamily residential meets the goals of the Uptown Transit Oriented Development Policy Plan and the Housing Phoenix Plan.

### Applicable Plans, Overlays, and Initiatives

[TOD Strategic Policy Framework](#): Background Item No. 4.

[Uptown Transit Oriented Development Policy Plan](#): Background Item No. 5.

[Alhambra Village Character Plan](#): Background Item No. 6.

[Tree and Shade Master Plan](#): Background Item No. 9.

[Complete Streets Guidelines](#): Background Item No. 10.

[Housing Phoenix](#): Background Item No. 11.

[Zero Waste PHX](#): Background Item No. 12.

<b>Surrounding Land Uses and Zoning</b>		
	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>
<b>On Site</b>	Vacant, former retail suites, and other commercial uses	C-2 TOD-1
<b>North</b>	Driveway for multifamily residential to the east, church and school	WU Code T5:5 UT, R-4
<b>South</b>	Liquor and smoke shop, mattress store, and multifamily residential	C-2 TOD-1, WU Code T5:5 UT
<b>East</b>	Multifamily residential	WU Code T5:5 UT
<b>West (across 7th Avenue)</b>	Commercial shopping center	C-2 TOD-1

<b>Walkable Urban Code Transect 5:5 UT</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Site Plan Provisions</u></b>
Gross Acres		4.79
Total Dwelling Units	No maximum	249
Density		52 dwelling units per acre
Building Height	56 foot maximum	54 feet 9 inches (Met)
<i>Building Setbacks</i>		
Primary Frontage (7th Avenue)	12 foot maximum	6 feet (Met, per Stipulation No. 3)
<i>Parking</i>		
Primary Frontage Setback	30 foot minimum or behind building	30 feet (Met)
Parking Spaces	244 spaces required  97 spaces for studios, 172.5 spaces for 1-bedroom units, 55.5 spaces for 2-bedrooms  25 percent reduction permitted, 0.25 miles of light rail station.	272 spaces (Met)

<b>Walkable Urban Code Transect 5:5 UT</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Site Plan Provisions</u></b>
<i>Streetscape Standards</i>		
Primary Frontage	Minimum sidewalk width of 6 feet and a minimum landscape width of 5 feet	6-foot-wide sidewalk, 10-foot-wide landscape area (Met, per Stipulation No 10)
<i>Lot Requirements</i>		
Lot Coverage	80 percent maximum	26.4 percent (Met)
Primary Frontage	70 percent minimum	78 percent (Met)
Frontage Types	All frontages	Porch and Storefront (Met, per Stipulation No. 2)
Open Space	Minimum 5 percent of gross site area	Not listed, 5 percent required as publicly accessible per Stipulation No. 1
<i>Glazing Requirements</i>		
Primary Frontage		
Ground Floor	25 percent	Not listed
Second Floor	25 percent, 10 percent East and West	Not listed

\*Site plan revision, variance, of administrative relief required.

### **Background/Issues/Analysis**

#### SUBJECT SITE

1. This request is to rezone 4.97 acres located approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road from C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) to WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area) for multifamily residential.

#### SURROUNDING LAND USES AND ZONING

2. The subject site contains vacant commercial structures. To the east of the subject site is a five-story multifamily residential development under construction that was rezoned to WU Code T5:5 UT through Rezoning Case No. Z-39-19-4. To the north of the subject site is a driveway to the multifamily residential development to the east, and a high school and church zoned R-4 (Multifamily Residence District). To the south of the subject site are multiple commercial properties zoned C-2 TOD-1 and a portion of a multifamily development zoned WU Code T5:5 UT. To the west of the subject site across 7th Avenue is a commercial shopping center zoned C-2

TOD-1.

GENERAL PLAN LAND USE MAP

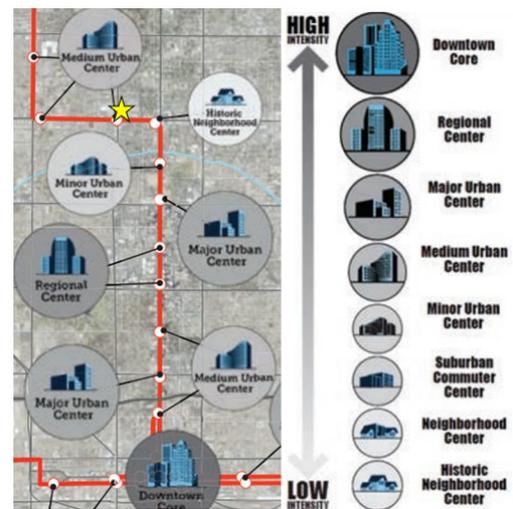
3. The General Plan Land Use Map designates the site as Commercial. The proposal for multifamily residential is consistent with the designation. To the south, west, and east is designated as Commercial. To the north of the driveway is designated as Public/Quasi-Public.



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

4. **Transit Oriented Development Strategic Policy Framework:**

The Transit Oriented Development Strategic Policy Framework is part of the City's General Plan. The framework identifies planning typologies to describe urban environments. The subject site is located within 200 feet from the light rail station located at 7th Avenue and Camelback Road which is identified as a Medium Urban Center Place Type. The Medium Urban Center Place Type is characterized by high intensity with building heights typically from three to six stories with incentive heights of up to 10 stories when bonus criteria are met. The proposal for four stories is consistent with the intensity envisioned by the Medium Urban Center Place Type.



Transit Oriented Development Strategic Policy Framework, Place Type Map Excerpt; Source: Planning and Development Department

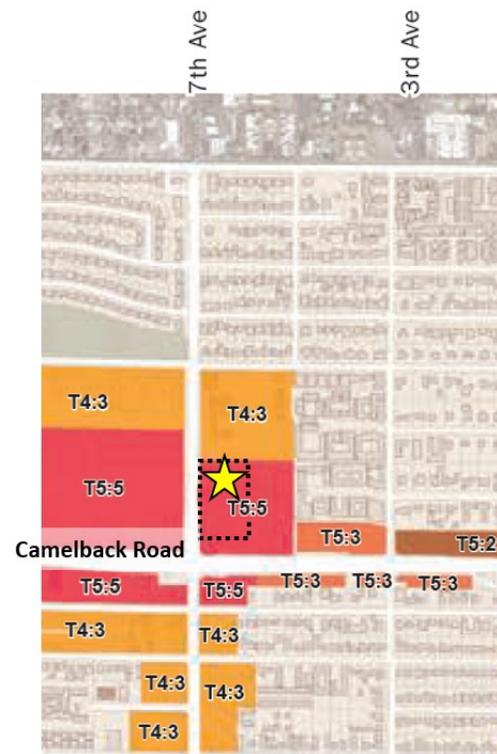
5. **Uptown TOD Policy Plan:** The site is located within the Uptown TOD Planning Area which is bound by Missouri Avenue on the north, 7th Street on the east, Indian School Road on the south, and the western edge is generally 7th Avenue south of the Grand Canal and 15th Avenue north of the Grand Canal. The policy plan for the Uptown TOD District provides a blueprint for fully achieving the

transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services.

With specific regard to the proposed use and the site, the Uptown TOD District Plan provides the following guidance.

- The site is depicted on the Conceptual Zoning Plan with a recommended Transect of 5:5, which the applicant has proposed.
- The plan projects a shortfall of 10,888 housing units by 2035 and articulates a goal for more housing and employment in proximity to high-capacity transit. The proposal would add 249 dwelling units near light rail.
- The plan identifies that only 22 percent of households are within a 0.25 mile walk of healthy food and the proposal would bring 249 households within that distance of the Fry's Food Store located at the northwest corner of 7th Avenue and Camelback Road.

*Uptown TOD Policy Plan, Conceptual Zoning Plan; Source: Planning and Development Department*



6. **Alhambra Village Character Plan:**

The Alhambra Village Character Plan was approved and adopted into the Phoenix General Plan through General Plan Amendment GPA-1-19. The project advances the following items identified in the Alhambra Village Character Plan:

- Land Use Principle: Locate major traffic-generating land uses on major streets in areas planned for such uses, or near parkway and freeway access and transit centers or light rail transit stations, and avoid use of local streets.
- Land Use Principle: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas and where transit or transportation alternatives exist.
- Design Principle: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

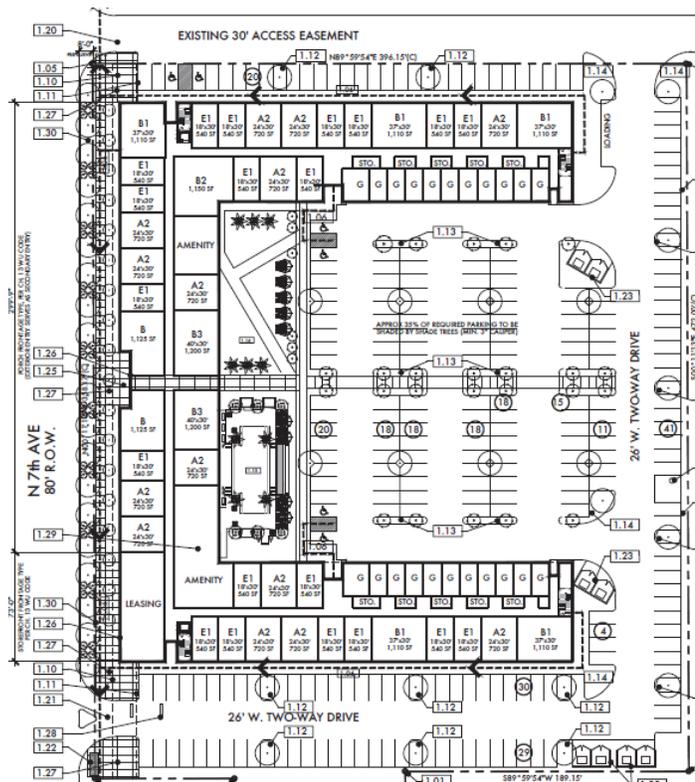
- Design Principle: Locate parking to the rear of a site to create a more pedestrian environment, when adequate shielding from noise and light can be provided to adjacent established neighborhoods. On-street parking in some areas may also promote a pedestrian environment.

The proposal would add new multifamily residential within close proximity to high-capacity transit, on an arterial street, and in a walkable urban configuration that will produce a strong and well shaded pedestrian environment with parking situated to the rear of the site, with the exception of the parking spaces along the driveways at the far north and south of the site.

## PROPOSAL

### 7. Site Plan

The applicant is proposing 249 dwelling units in a four-story configuration. The proposal provides ground-level surface parking shaded to 35 percent (per Stipulation No. 7) located behind or set back from the building. The vehicular ingress/egress is from a driveway at the south edge of the site and through an access easement north of the site shared with the adjacent multifamily east of the subject site. The driveway on 7th Avenue will be restricted to right-in/right-out (Stipulation No. 9). Further, traffic calming devices will be installed at driveways to slow vehicles down when crossing the sidewalk, per Stipulation No. 5.



Conceptual Site Plan; Source: Wilder Architects

The streetscape along 7th Avenue includes a six-foot-wide sidewalk detached from the curb with a ten-foot-wide landscape strip (Stipulation No. 10) with a six-foot-wide landscape setback between the sidewalk and building to accommodate a double row of trees along the streetscape (Stipulation No. 3). To further activate the streetscape, the applicant is providing ground-floor units with the porch frontage type. This frontage type is codified in Stipulation No. 2.

The applicant is providing 10,000 square feet of publicly accessible open space, adjacent to 7th Avenue and shaded to a minimum of 50 percent, at the north and south corners and at the midpoint of the site. Staff recommends Stipulation No. 1 to ensure that the provided open space areas are developed as proposed.

8. Conceptual Building Elevations

To promote enhanced design and compatibility with the surrounding area, staff is recommending Stipulation No. 4 which requires that masonry elements be incorporated into the primary exterior building materials.



*Conceptual 7th Avenue Elevation; Source: Wilder Architects*

## STUDIES AND POLICIES

9. Tree and Shade Master Plan:

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect.

The proposal aligns with the Tree and Shade Master Plan in the following ways. First, the Walkable Urban Code requires that all public sidewalks be shaded to a minimum of 75 percent at maturity. Second, as required by Stipulation No. 3 the applicant will provide a six-foot-wide landscape area along 7th Avenue planted with minimum three-inch caliper shade trees. Stipulation No. 7 requires that the surface parking area be shaded to 35 percent by minimum three-inch caliper trees and that the landscape area between the back of curb and sidewalk be planted with three-inch caliper trees (Stipulation No. 10).

10. Complete Streets Guidelines:

The City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles.

The Walkable Urban Code is designed to facilitate pedestrian, bicycle, and transit-oriented development and includes provisions to advance the goals of the policy guide. As required by Stipulation No. 5, traffic calming devices will be installed along the driveways to slow vehicles down when exiting the site. Stipulation No. 6 requires bicycle parking and a fix-it station, and Stipulation No. 10 requires a six-foot-wide sidewalk detached from the curb with a ten-foot-wide landscape strip.

11. **Housing Phoenix:**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with the vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant or underutilized land in a more sustainable fashion.

12. **Zero Waste Phoenix PHX:**

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

Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The applicant stated in their application materials that they anticipate the developer will incorporate recycling options for residents.

COMMUNITY CORRESPONDENCE

13. As of the writing of this report, staff has not received letters or support or opposition from members of the public.

INTERDEPARTMENTAL COMMENTS

14. The Fire Department commented that the site plan must comply with the Phoenix Fire Code, indicated there are no problems anticipated with the case, but noted that the applicant should be aware of requirements for fire apparatus access road turning radius, width, and clear height.

15. The Street Transportation Department provided a series of stipulations related to the perimeter conditions of the proposed development including the following: Stipulation No. 8 to require a Traffic Impact Study to evaluate 7th Avenue peak hour restrictions, site traffic routing on the surrounding street network and a contribution of funds for the Colter Street Project; Stipulation No. 9 requiring that the southern driveway on 7th Avenue be right-in/right-out, Stipulation Nos. 10 and 11 to require a shaded and detached sidewalk along 7th Avenue with a corresponding sidewalk easement; and Stipulation No. 12 to require all improvements in the right-of-way be constructed with all required elements and to ADA standards.
16. The Public Transit Department asked that the existing bus stop be retained towards the southern boundary of the site. That is shown on the site plan attached as an exhibit.

#### OTHER

17. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 13.
18. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 14.
19. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

#### **Findings**

1. The proposed development is consistent with the General Plan Land Use Map designation and the transect map within the Uptown Transit Oriented Development Policy Plan.
2. The proposal as stipulated, will create a strong pedestrian environment along 7th Avenue with shaded and detached sidewalks to convey residents safely

and comfortably to the 7th Avenue/Camelback Road light rail station.

3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

### **Stipulations**

1. The developer shall provide a minimum 10,000 square feet of publicly accessible open space in a forecourt configuration, as described below and as approved or modified by the Planning and Development Department. The publicly accessible open space shall be:
  - a. Adjacent and accessible to the public sidewalk on 7th Avenue
  - b. Provided in areas of not less than 500 square feet and 20 feet in width;
  - c. Shaded to a minimum of 50 percent by vegetative shade;
  - d. Maintained in perpetuity without fences or barriers;
  - e. Eligible to qualify as a forecourt frontage type;
  - f. Improved to contain, at minimum, a drinking fountain for people and pets, art, and seating.
2. All ground floor dwelling units adjacent to 7th Avenue shall utilize the stoop and doorwell, forecourt, or porch frontage types, as approved or modified by the Planning and Development Department.
3. Between the public sidewalk and the building fronts, there shall be a 6-foot-wide landscape area planted with minimum 3-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department to comply with frontage requirements.
4. The development shall incorporate masonry elements into the primary exterior building materials and shall be reflective of the architectural style in the area, as approved by the Planning and Development Department.
5. The developer shall install traffic calming devices along the driveways of the property so that vehicle drivers exercise caution prior to crossing the sidewalk when exiting the property, as approved or modified by the Planning and Development Department.

6. The developer shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.
  - a. All required bicycle parking for multifamily use, per Section 1307.H of the Phoenix Zoning Ordinance, shall be secured parking.
  - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
  - c. One bicycle repair station shall be provided and maintained by the developer in an area of high visibility near the secure bicycle parking areas.
7. A minimum 35 percent of the uncovered parking lot area shall be shaded by minimum 3-inch caliper shade trees, as approved by the Planning and Development Department.
8. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. The TIS shall include evaluation of 7th Avenue peak hour restrictions and resulting site traffic routing on the surrounding street network and proposed mitigation to Colter Street. The developer shall be responsible for all costs for mitigation measure determined by the Study and contribute funds for the Colter Street Project. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
9. The southern driveway onto 7th Avenue, as depicted on the site plan date stamped October 31, 2022, shall be restricted to right-in/right-out only and access shall be coordinated with the Public Transit Department, as approved by Planning and Development.
10. The developer shall construct a minimum 6-foot-wide sidewalk separated from the curb by a minimum 10-foot-wide landscape area along the east side of 7th Avenue and planted with minimum three-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planned and Development Department.
11. The developer shall dedicate a sidewalk easement to accommodate a minimum 6-foot-wide sidewalk and minimum 10-foot-wide landscape area located between the back of curb and sidewalk, as approved by the Planning

and Development Department.

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. 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.

**Writer**

Sarah Stockham

December 16, 2022

**Team Leader**

Racelle Escolar

**Exhibits**

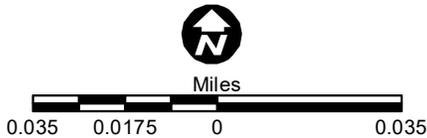
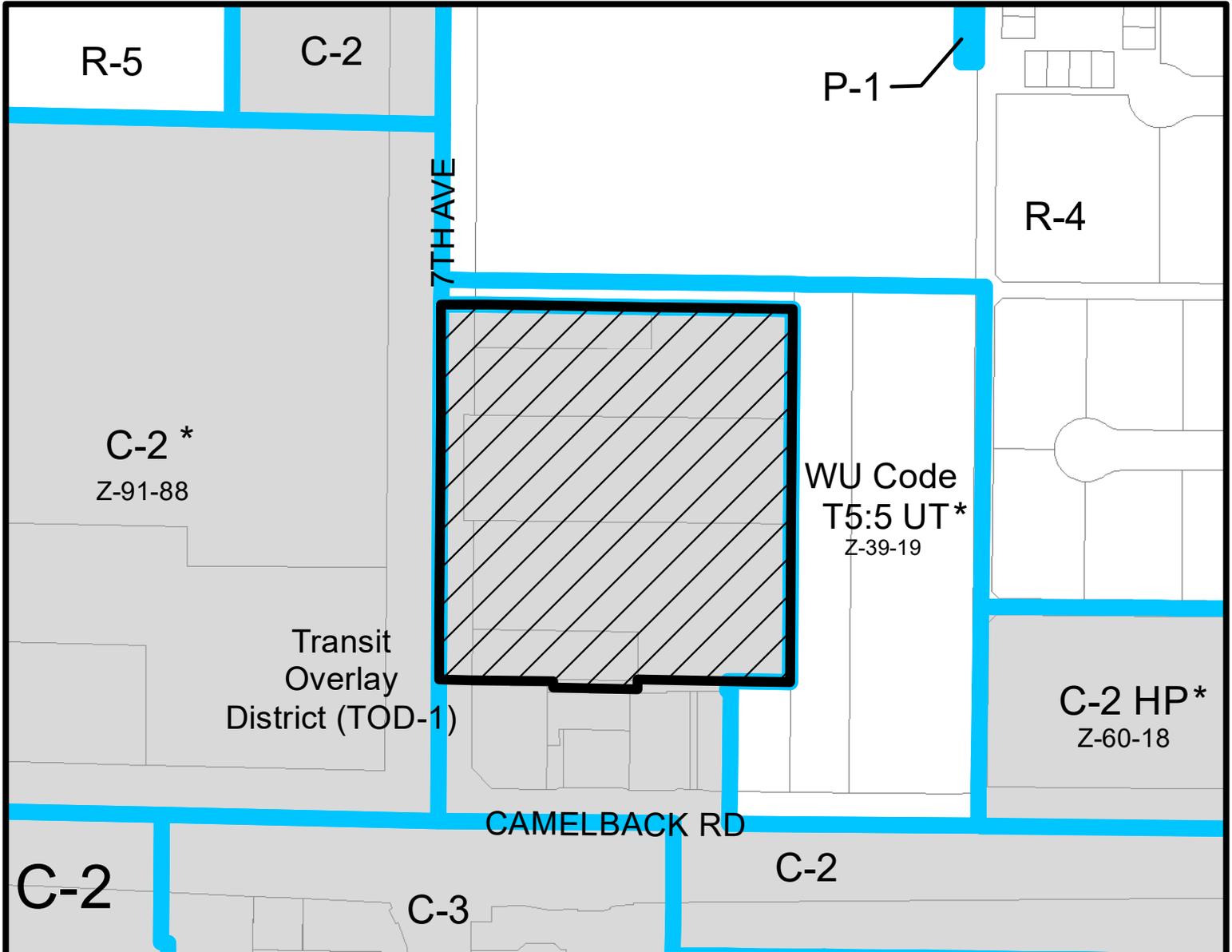
Zoning sketch map

Aerial sketch map

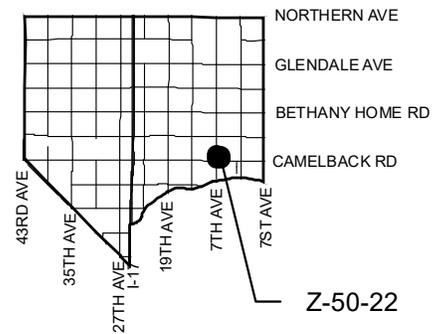
Conceptual Site Plan date stamped October 31, 2022

Conceptual Landscape Plan date stamped October 31, 2022

Conceptual Building Elevations date stamped October 31, 2022 (4 pages)

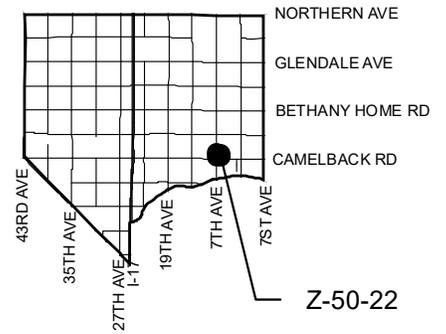
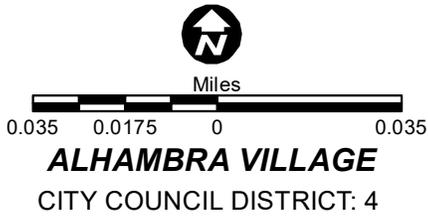
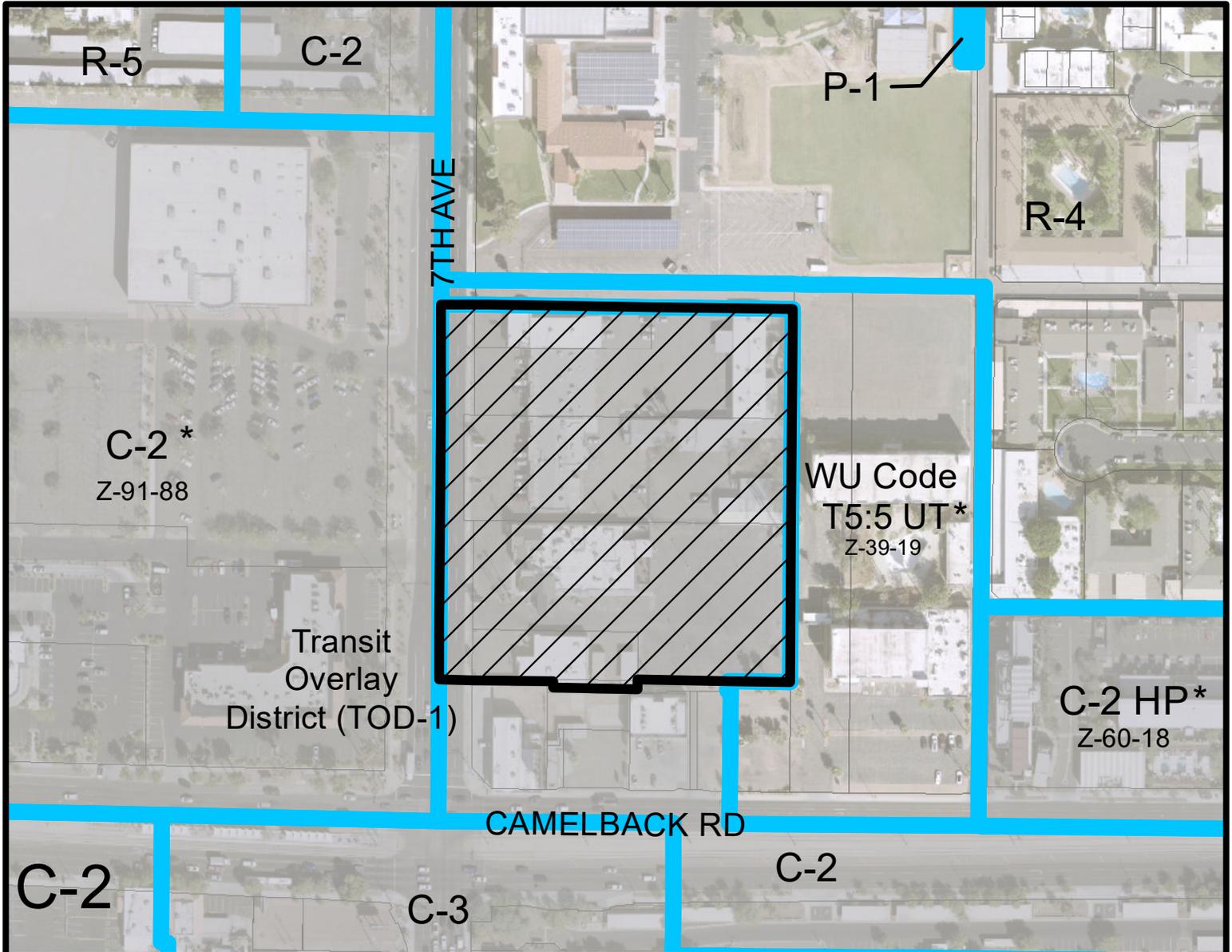


**ALHAMBRA VILLAGE**  
CITY COUNCIL DISTRICT: 4



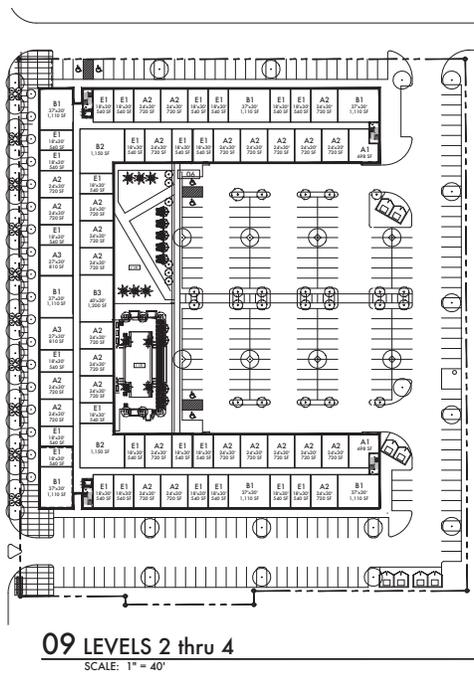
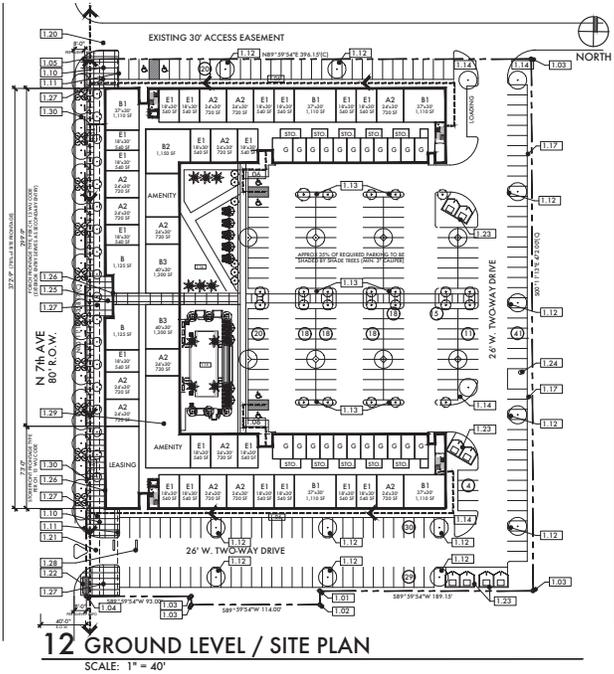
<b>APPLICANT'S NAME:</b> Brian Greathouse, Burch & Cracchiolo, PA		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-50-22		<b>FROM:</b> C-2 TOD-1 ( 4.79 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>4.79 Acres</b>		<small>DATE:</small> 6/30/2022 <small>REVISION DATES:</small>	
<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 19-27</b>		<small>ZONING MAP</small> <b>H-8</b>	
<b>TO:</b> WU Code T5:5 UT ( 4.79 a.c.)			
<b>MULTIPLES PERMITTED</b> C-2 TOD-1 WU Code T5:5 UT		<b>CONVENTIONAL OPTION</b> 69 No Maximum	
		<b>* UNITS P.R.D. OPTION</b> 83 N/A	

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



<b>APPLICANT'S NAME:</b> Brian Greathouse, Burch & Cracchiolo, PA		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-50-22		<b>FROM:</b> C-2 TOD-1 ( 4.79 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>4.79 Acres</b>		<b>TO:</b> WU Code T5:5 UT ( 4.79 a.c.)	
<b>MULTIPLES PERMITTED</b> C-2 TOD-1 WU Code T5:5 UT		<b>CONVENTIONAL OPTION</b> 69 No Maximum	
<b>* UNITS P.R.D. OPTION</b> 83 N/A			

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



**SITE INFORMATION**

ADDRESS: 5015, 5025, 5027, 5037, 5049  
NORTH 7TH AVE  
PHOENIX, AZ 85013

CURRENT ZONING: C-2  
REQUESTED ZONING: WU 15.5

SITE SIZE: 188,805 SF (4.33 AC)  
NET: 207,994 SF (4.77 AC)  
GROSS: 207,994 SF (4.77 AC)

LOT COVERAGE: BLDG FOOTPRINT: 55,000 SF (26.4%)

ALLOWABLE BUILDING HT: 50'  
PROPOSED BUILDING HT: 54'9"

BUILDING AREA:  
GROSS: 222,000 SF  
NET: 177,500 SF

**249 UNITS TOTAL**

STUDIO	97
1 BR	116
2 BR	37

PARKING REQUIRED:  
1 per STUDIO  
1.5 per 1 BR  
2.5 per 2 BR

**TOTAL 244 SPACES REQUIRED**

PARKING PROVIDED:  
SURFACE 244  
ACCESSIBLE 4  
TOTAL UNDER GARAGES 272

**TOTAL 272 SPACES PROVIDED**

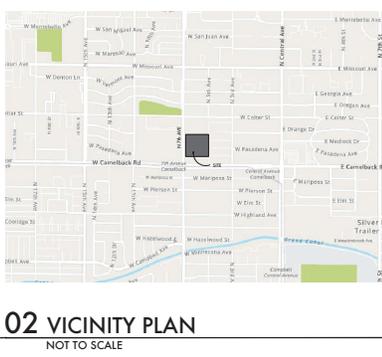
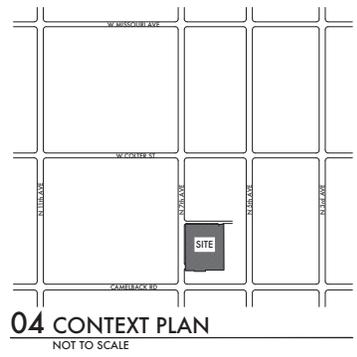
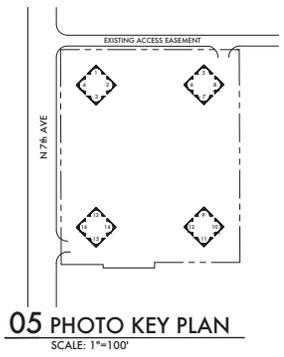
**MAGNOLIA**  
7th and CAMELBACK  
PHOENIX, ARIZONA

Project Owner: Magnolia Property Company  
2425 Southside Blvd., S 150  
Scottsdale, AZ 85259  
817.642.2500  
randy@mgp.com

Architect: Wilder Architects  
1400 Club Hill Dr.  
Dallas, TX 75248  
214.414.3196  
info@wilder.com

Drawing Name: **SITE PLAN**  
Sheet Number: **A001**

- KEYNOTES**
- 0.01 SET "X" NAIL / WASHER R.L.S. #28236
  - 0.02 SET REBAR / CAP R.L.S. #28236
  - 0.03 FOUND REBAR / CAP R.L.S. #31020
  - 0.04 FOUND REBAR / CAP R.L.S. #31020
  - 0.05 FOUND REBAR / CAP R.L.S. #42130
  - 0.06 ACCESSIBLE PATH TO ENTRY / PUBLIC WAY
  - 1.10 FRONTIARD SEEBACK (WU 15.5); COMPLIES WITH DRAFT STIPULATIONS REF. SECTION
  - 1.11 PARKING SEEBACK: 30'
  - 1.12 LANDSCAPE ISLAND: 8x17'
  - 1.13 LANDSCAPE ISLAND: 5x35'
  - 1.14 LANDSCAPE ISLAND (75 SF)
  - 1.15 POOL DECK, TURF and PAVING
  - 1.16 AMENITY DECK, TURF and CONC PAVING
  - 1.17 SPRINKLER EASEMENT
  - 1.20 30' W. R12551 ENTRY DRIVEWAY
  - 1.21 24' W. R12551 ENTRY DRIVEWAY - RIGHT-IN, BICYCLEIT ONLY
  - 1.22 EXISTING BUS STOP RELOCATED TO SOUTH END OF PROPERTY
  - 1.23 TRASH BIN ENCLOSURES COMPLYING WITH C.O.'S STANDARDS
  - 1.24 EXISTING CELL TOWER ANTENNA TO REMAIN "NECESS" AT FIRST 2 LEVELS AT MIDPOINT OF BUILDING LENGTH
  - 1.26 BUILDING ENTRY ON 7TH AVE.
  - 1.27 PUBLICLY ACCESSIBLE OPEN SPACE APPROX 4,000 SF AT SOUTH CORNER APPROX 2,000 SF AT MID POINT APPROX 2,000 SF AT NORTH CORNER
  - 1.28 TRAFFIC CALMING DEVICE AT VEHICULAR EXIT
  - 1.29 AMENITY AREAS WILL INCLUDE SECURE RESIDENT BICYCLE PARKING AND BICYCLE REPAIR STATION. LOCATION AND CONFIGURATION TBD.
  - 1.30 GUEST BICYCLE PARKING COMPLYING WITH SECTION 1302.H OF ZONING ORDINANCE



**CITY OF PHOENIX**

**OCT 31 2022**

Planning & Development  
Department













## Village Planning Committee Meeting Summary

### Z-50-22-4

<b>Date of VPC Meeting</b>	December 20, 2022
<b>Request From</b>	C-2 TOD-1
<b>Request To</b>	WU Code T5:5 UT
<b>Proposed Use</b>	Multifamily residential
<b>Location</b>	Approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road
<b>VPC Recommendation</b>	Approval, per the staff recommendation, with an additional stipulation
<b>VPC Vote</b>	12-4

#### VPC DISCUSSION & RECOMMENDED STIPULATIONS:

*Committee Members Jak Keyser and Jamaar Williams joined during this item, bringing quorum to 16 members.*

*Three members of the public registered to speak on this item.*

#### STAFF PRESENTATION

**Sarah Stockham**, staff, reviewed the surrounding land uses, zoning designations, and the Uptown TOD Policy Plan transect map. Ms. Stockham displayed the proposed site plan, elevations and concluded with staff findings and recommended stipulations.

#### APPLICANT PRESENTATION

**Brian Greathouse**, representing the applicant with Burch & Cracchiolo, PA, displayed an aerial image of the site, reviewed the surrounding land uses, and displayed the proposed elevations and site plan highlighting the location of the open space along 7th Avenue. Mr. Greathouse showed a trip generation comparison of the current zoning and proposed zoning revealing a reduction in AM and PM trips, a route comparison showing that it is a shorter route to turn left onto 7th Avenue rather than a right to travel along Colter Street to go south on 7th Avenue, or west or east on Camelback Road, and concluded by showing a gap analysis detailing the number of left turns onto 7th Avenue possible during AM and PM peak hours.

## QUESTIONS FROM THE COMMITTEE

**Committee Member Jim DeGraffenreid** asked what is the targeted renter demographic, what the price ranges will be for the units, if residents using light rail was incorporated into the traffic trip generation calculation, and if any water conservation or heat mitigation measures are going to be incorporated into the site design. **Mr.**

**Greathouse** replied that they are targeting young professionals and empty nesters, the price range will be \$1,400 for a studio, \$1,700 for a one-bedroom unit, and \$2,400 for a two-bedroom unit, the traffic study did not reduce the number of trips due to residents using light rail, but that now that working from home is more popular they expect the actual trips generated to be 20% less than the projected trips, and they will use a white TPO roof for energy efficiency and low-flow plumbing fixtures.

**Committee Member Tracey Adams** asked what is a forecourt, what was the response of the nearby historic district to the traffic study, and how far is the building from the back of curb. **Mr. Greathouse** replied that the building will be recessed in the center to allow for a seating area which is the forecourt, Medlock Place Historic District provided a letter of support for the project, and they also want the Colter Street improvements in the Colter Street Improvement Project completed, and the building is 22 feet from the back of curb. Committee Member Adams commented that while it is great to have City stipulations and policy for shade trees, in actuality there is not enough space to grow them, an Italian Cypress tree can grow to be 20 feet wide, and maintenance is an issue as well as some property owners cannot keep up with pruning. Committee Member Adams concluded that she wants to see this project succeed, but when you have a beautiful building and landscaping that is not up to par, it can have an impact on the entire site.

**Committee Member Keith Ender** asked how the parking spaces along the northern border of the site will impact the traffic flow along the shared driveway to the north, and if the applicant has spoken to the neighboring property owner to the east who shares the driveway. **Mr. Greathouse** replied that they have not spoken with the neighboring developer, and their calculations show that the driveway is wide enough to accommodate the parked cars.

**Committee Member Maurita Harris** asked if the historic neighborhood commented on turning left during certain times of day, adding that during the mornings and evenings the reverse lane on 7th Avenue is not a turn lane. **Mr. Greathouse** replied that they were surprised with the number of gaps available to turn left in the traffic study, and they have drone footage showing the gaps available to make left turns throughout the day. Committee Member Harris asked if the land has already been acquired and if these units will be for low-income renters. **Mr. Greathouse** replied that the site is under contract but has not closed, and that the units will be market rate.

**Committee Member Charlie Jones** shared a concern with the parking spaces along the north side of the development, and that they will stop the traffic flow in the shared driveway when they are backing out. **Mr. Greathouse** replied that if there was a car

driving in the shared driveway it would yield to the car backing out, and they don't anticipate cars driving quickly down the driveway. Committee Member Jones replied that there will be a lot of traffic using that driveway as it is shared with the development to the east and asked if the users of this site can access the site to the east which has access onto Camelback Road. Mr. Greathouse replied that the neighboring site will be gated so residents of the subject site will not be able to drive through to reach Camelback Road, and they only used their proposed project in their trip generation calculations, but they would be happy to look into it more.

**Vice Chair Drew Bryck** asked if they could stripe a dedicated left turn lane within the shared driveway, because one car waiting to turn left onto 7th Avenue will back up the rest of the cars in the driveway who want to turn right and asked who is responsible for the driveway. **Mr. Greathouse** replied that the driveway is 30-feet-wide, which is wider than a typical driveway, but they are expecting it to be one lane in, one lane out without striping, and that both property owners have rights to the shared driveway. Vice Chair Bryck asked for clarification on the funds provided in an escrow account and asked if they anticipate traffic will spill onto Oregon Avenue or Georgia Avenue due to the improvements proposed on Colter Street. Mr. Greathouse replied that they have agreed to deposit funds into an escrow account for the Colter Street Improvement Project, which is still in the design phase, and that is hard to gauge human behavior, but they do not anticipate many people turning right onto those streets.

**Committee Member Alexander Malkoon** asked if the purchase of the site is contingent on the zoning approval, if the units will be built with the potential for condo conversions, why the property to the east appears to have no building setback on Camelback Road, when is it required for developers to underground utility lines and what was the amount provided for traffic improvements by the property to the east to the Medlock Place association. Mr. Greathouse replied that the sale of the site is contingent the zoning approval and they are not planning on building the units to condo standards to allow for a conversion in the future. Ms. Stockham, staff, replied that the Walkable Urban Code requires a maximum setback, not a minimum, so a 0-foot setback on Camelback Road would be within Zoning Ordinance standards, it is a common requirement through the development review process to underground utility lines, and that she is unfamiliar with the details of the private agreement between the developer of the property to the east and the nearby historic neighborhood.

**Committee Member Charlie Jones** asked how many parking spaces will be provided and what was the unit mix. **Mr. Greathouse** replied they are providing 272 parking spaces, which is in the middle of what the Phoenix Zoning Ordinance requires, and the amount allowed with a 25% reduction due to the proximity of the light rail station, and they are providing 97 studios, 115 one-bedrooms and 37 two-bedrooms.

**Committee Member Christian Solorio** shared that unlike the City of Tempe, the City of Phoenix does not have the infrastructure in place for a fund for voluntary donations by market-rate developers towards building affordable housing, but the AZ Housing Fund is an option and encourages all market-rate developers to consider a donation.

#### PUBLIC COMMENT

**Ken Waters** shared that his TOD journey began in October when there was a PHO proposal for a PUD-zoned site near Central and Camelback, where the developer wanted to reduce the amount of retail on the ground floor from 14,000 square feet to 2,000 square feet. Mr. Waters added that the City is missing mixed-use opportunities in projects along the light rail line, that the ground floor should be sacred ground for retail for properties along the light rail line and asked each committee member do their own walk through or inventory of sites near the light rail to see how many incorporate ground-floor retail and how many are 100% residential.

**Ellen Bilbrey**, with the Medlock Place Historic District Association, shared her support for the project, that they worked with both the hotel and multifamily residential development to the east who did contribute funds for traffic mitigation into an escrow account, and that she liked that the project was only four stories and the way it integrates tree and shade, that the shopping center across the street has enough retail and ultimately thanked the applicant for their early collaboration on the project.

**Rick Mountjoy**, with the Medlock Place Historic District Association, thanked the developer for reaching out early in the process, and shared that traffic is a concern now that this site and the site to the east will add a combined 535 dwelling units to the neighborhood, but they are working with the City on traffic mitigation measures.

#### APPLICANT RESPONSE

**Mr. Greathouse** thanked the speakers for the support and shared that there is retail on the corner of 7th Avenue and Camelback Road.

#### FLOOR/PUBLIC DISCUSSION CLOSED:

#### MOTION

**Committee Member Alexander Malkoon** motioned to recommend approval of Z-50-22-4 per the staff recommendation.

**Committee Member Charlie Jones** asked to make a friendly amendment that a stipulation be added to relocate parking on the north so that it will not interfere with traffic flow on the shared driveway.

**Vice Chair Drew Bryck** asked to make a friendly amendment that the driveway include a dedicated left-turn lane.

**Committee Member Alexander Malkoon** accepted and amended his motion to include an additional stipulation: The developer shall work with the Street Transportation and Planning and Development Departments regarding the proposed parking along the north side of the site so that it does not interfere with traffic flow along the shared driveway and to potentially stripe the driveway to include a left-turn lane.

**Committee Member Alexander Malkoon** motioned to recommend approval of Z-50-22-4 per the staff recommendation with an additional stipulation. **Committee Member Charlie Jones** seconded the motion.

### **DISCUSSION**

**Committee Member Tracey Adams** shared a concern with the landscaping along the streetscape, sharing that often time there is not adequate space for trees to grow or they grow too close to the building, and apartment management companies excessively prune or remove the trees.

**Committee Member Jak Keyser** shared that while he understands the request to have retail at this location, this could also be a location to have professional offices on the ground floor, as this site does not immediately face the light rail line.

**Committee Member Crystal Carrillo** shared that she does not approve of the request, stating a need for affordable, not market rate, housing in the Village.

### **VOTE**

**12-4**; motion to recommend approval of Z-50-22-4 per the staff recommendation with an additional stipulation passes with Committee Members Adams, Ender, Fitzgerald, Harris, Jones, Keyser, Krietor, LeBlanc, Malkoon, Solorio, Bryck and Shore in favor with Committee Members Carrillo, DeGraffenreid, Sanchez and Williams opposed.

### **STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

None.

#### VPC Recommended Stipulations:

1. The developer shall provide a minimum 10,000 square feet of publicly accessible open space in a forecourt configuration, as described below and as approved or modified by the Planning and Development Department. The publicly accessible open space shall be:
  - a. Adjacent and accessible to the public sidewalk on 7th Avenue
  - b. Provided in areas of not less than 500 square feet and 20 feet in width;
  - c. Shaded to a minimum of 50 percent by vegetative shade;
  - d. Maintained in perpetuity without fences or barriers;
  - e. Eligible to qualify as a forecourt frontage type;

- f. Improved to contain, at minimum, a drinking fountain for people and pets, art, and seating.
2. All ground floor dwelling units adjacent to 7th Avenue shall utilize the stoop and doorwell, forecourt, or porch frontage types, as approved or modified by the Planning and Development Department.
3. Between the public sidewalk and the building fronts, there shall be a 6-foot-wide landscape area planted with minimum 3-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department to comply with frontage requirements.
4. The development shall incorporate masonry elements into the primary exterior building materials and shall be reflective of the architectural style in the area, as approved by the Planning and Development Department.
5. The developer shall install traffic calming devices along the driveways of the property so that vehicle drivers exercise caution prior to crossing the sidewalk when exiting the property, as approved or modified by the Planning and Development Department.
6. The developer shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.
  - a. All required bicycle parking for multifamily use, per Section 1307.H of the Phoenix Zoning Ordinance, shall be secured parking.
  - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
  - c. One bicycle repair station shall be provided and maintained by the developer in an area of high visibility near the secure bicycle parking areas.
7. A minimum 35 percent of the uncovered parking lot area shall be shaded by minimum 3-inch caliper shade trees, as approved by the Planning and Development Department.
8. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. The TIS shall include evaluation of 7th Avenue peak hour restrictions and resulting site traffic routing on the surrounding street network and proposed mitigation to Colter Street. The developer shall be responsible for all costs for mitigation measure determined by the Study and contribute funds for the Colter Street Project. No preliminary approval of plans shall be

granted until the study is reviewed and approved by the City.

9. The southern driveway onto 7th Avenue, as depicted on the site plan date stamped October 31, 2022, shall be restricted to right-in/right-out only and access shall be coordinated with the Public Transit Department, as approved by Planning and Development.
10. The developer shall construct a minimum 6-foot-wide sidewalk separated from the curb by a minimum 10-foot-wide landscape area along the east side of 7th Avenue and planted with minimum three-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planned and Development Department.
11. The developer shall dedicate a sidewalk easement to accommodate a minimum 6-foot-wide sidewalk and minimum 10-foot-wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.
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. 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.
15. **THE DEVELOPER SHALL WORK WITH THE STREET TRANSPORTATION AND PLANNING AND DEVELOPMENT DEPARTMENTS REGARDING THE PROPOSED PARKING ALONG THE NORTH SIDE OF THE SITE SO THAT IT DOES NOT INTERFERE WITH TRAFFIC FLOW ALONG THE SHARED DRIVEWAY AND TO POTENTIALLY STRIPE THE DRIVEWAY TO INCLUDE A LEFT-TURN LANE.**

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION January 5, 2023

ITEM NO: 11	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-50-22-4
Location:	Approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road
From:	C-2 TOD-1
To:	WU Code T5:5 UT
Acreage:	4.79
Proposal:	Multifamily residential
Applicant:	Brian Greathouse, Burch & Cracchiolo, PA
Owner:	Larkspur Lane Investment Properties, LLC
Representative:	Brian Greathouse, Burch & Cracchiolo, PA

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Alhambra** 12/20/2022 Approval, per the staff recommendation with an additional stipulation.

Vote: 12-4.

Planning Commission Recommendation: Approval, per the Alhambra Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve Z-50-22-4, per the Alhambra Village Planning Committee recommendation.

Maker: Boyd  
Second: Gaynor  
Vote: 8-0  
Absent: Mangum  
Opposition Present: Yes

#### **Findings:**

1. The proposed development is consistent with the General Plan Land Use Map designation and the transect map within the Uptown Transit Oriented Development Policy Plan.
2. The proposal as stipulated, will create a strong pedestrian environment along 7th Avenue with shaded and detached sidewalks to convey residents safely and comfortably to the 7th Avenue/Camelback Road light rail station.
3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. The developer shall provide a minimum 10,000 square feet of publicly accessible open space in a forecourt configuration, as described below and as approved or modified by the Planning and Development Department. The publicly accessible open space shall be:
  - a. Adjacent and accessible to the public sidewalk on 7th Avenue
  - b. Provided in areas of not less than 500 square feet and 20 feet in width;
  - c. Shaded to a minimum of 50 percent by vegetative shade;
  - d. Maintained in perpetuity without fences or barriers;
  - e. Eligible to qualify as a forecourt frontage type;
  - f. Improved to contain, at minimum, a drinking fountain for people and pets, art, and seating.
2. All ground floor dwelling units adjacent to 7th Avenue shall utilize the stoop and door well, forecourt, or porch frontage types, as approved or modified by the Planning and Development Department.
3. Between the public sidewalk and the building fronts, there shall be a 6-foot-wide landscape area planted with minimum 3-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department to comply with frontage requirements.
4. The development shall incorporate masonry elements into the primary exterior building materials and shall be reflective of the architectural style in the area, as approved by the Planning and Development Department.
5. The developer shall install traffic calming devices along the driveways of the property so that vehicle drivers exercise caution prior to crossing the sidewalk when exiting the property, as approved or modified by the Planning and Development Department.
6. The developer shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.
  - a. All required bicycle parking for multifamily use, per Section 1307.H of the Phoenix Zoning Ordinance, shall be secured parking.
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  - c. One bicycle repair station shall be provided and maintained by the developer in an area of high visibility near the secure bicycle parking areas.
7. A minimum 35 percent of the uncovered parking lot area shall be shaded by minimum 3-inch caliper shade trees, as approved by the Planning and Development Department.

8. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. The TIS shall include evaluation of 7th Avenue peak hour restrictions and resulting site traffic routing on the surrounding street network and proposed mitigation to Colter Street. The developer shall be responsible for all costs for mitigation measure determined by the Study and contribute funds for the Colter Street Project. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
9. The southern driveway onto 7th Avenue, as depicted on the site plan date stamped October 31, 2022, shall be restricted to right-in/right-out only and access shall be coordinated with the Public Transit Department, as approved by Planning and Development.
10. The developer shall construct a minimum 6-foot-wide sidewalk separated from the curb by a minimum 10-foot-wide landscape area along the east side of 7th Avenue and planted with minimum three-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planned and Development Department.
11. The developer shall dedicate a sidewalk easement to accommodate a minimum 6-foot-wide sidewalk and minimum 10-foot-wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.
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. 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.
15. THE DEVELOPER SHALL WORK WITH THE STREET TRANSPORTATION AND PLANNING AND DEVELOPMENT DEPARTMENTS REGARDING THE PROPOSED PARKING ALONG THE NORTH SIDE OF THE SITE SO THAT IT DOES NOT INTERFERE WITH TRAFFIC FLOW ALONG THE SHARED DRIVEWAY AND TO POTENTIALLY STRIPE THE DRIVEWAY TO INCLUDE A LEFT-TURN LANE.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

**ATTACHMENT E**

CITY OF PHOENIX  
PLANNING AND DEVELOPMENT DEPARTMENT

<b>FORM TO REQUEST PC to CC</b>			
<b>I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:</b>			
<b>APPLICATION NO/ LOCATION</b>	<b>Z-50-22-4</b> Approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road	<b>(SIGNATURE ON ORIGINAL IN FILE)</b>	
		<b>opposition</b>	<b>x</b>
<b>APPEALED FROM:</b>	PC 1/5/2023	126 West Pierson Street Phoenix, AZ 85013	
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>	
<b>TO PC/CC HEARING</b>	CC 2/1/2023	Ken Waters 602-373-1902 Kennywaters602@gmail.com	
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>	
<b>REASON FOR REQUEST:</b>			
NOT Walkable Urban Mixed-Use as should be! Etc.			
<b>RECEIVED BY:</b>	Chase Hales	<b>RECEIVED ON:</b>	1/9/2023

Alan Stephenson  
Joshua Bednarek  
Tricia Gomes  
Racelle Escolar  
Stephanie Vasquez  
Diana Hernandez  
David Urbinato  
Vikki Cipolla-Murillo

Greg Harmon  
Paul M. Li  
Village Planner  
GIS  
Applicant  
Adam Stranieri (for PHO Appeals)



JAN 09 2023

Planning & Development  
Department

The **PLANNING COMMISSION** agenda for **January 5, 2023** is attached.

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

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

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **January 12, 2023**.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **January 12, 2023**.

- 2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **January 12, 2023**.

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

- 3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **January 19, 2023**.

**FORM TO REQUEST CITY COUNCIL HEARING**

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

<u>2-50-22-4 - Magnolia</u>	<u>NEE Camelback &amp; 7<sup>th</sup> Ave</u>
APPLICATION NO.	LOCATION OF APPLICATION SITE
<u>Jan 5<sup>th</sup> 2023</u>	<u>Chase Hales</u>
DATE APPEALED FROM	PLANNER
<input checked="" type="checkbox"/> OPPOSITION	(PLANNER TAKING THE APPEAL)
<input type="checkbox"/> APPLICANT	

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

<u>Ken Waters</u>	<u>Ken Waters</u>
PRINTED NAME OF PERSON APPEALING	SIGNATURE
<u>126 W. Pierson St.</u>	<u>Jan 9<sup>th</sup> 2023</u>
STREET ADDRESS	DATE OF SIGNATURE
<u>Phoenix, AZ 85013</u>	<u>602 373-1902</u>
CITY, STATE & ZIP CODE	TELEPHONE NO.
<u>KennyWaters602@gmail.com</u>	
EMAIL ADDRESS	

REASON FOR REQUEST

NOT Walkable Urban Mixed-Use as Should be! Etc.

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

CITY OF PHOENIX  
PLANNING AND DEVELOPMENT DEPARTMENT

<b>FORM TO REQUEST PC to CC</b> <b>I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:</b>			
<b>APPLICATION NO/ LOCATION</b>	<b>Z-50-22-4</b> Approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road	<b>(SIGNATURE ON ORIGINAL IN FILE)</b>	
		<b>opposition</b>	<b>x</b>
		<b>applicant</b>	
<b>APPEALED FROM:</b>	PC 1-5-2023	7135 E. Camelback Road, Suite 360 Phoenix, AZ 85251	
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>	
<b>TO PC/CC HEARING</b>	CC 2-1-2023	Jon Garshick 602-778-2800 <a href="mailto:jgarshick@allresco.com">jgarshick@allresco.com</a>	
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>	
<b>REASON FOR REQUEST:</b>			
Safety concerns related to current site plan which required vehicular maneuvering within an active driveway easement.			
<b>RECEIVED BY:</b>	Brad Wylam	<b>RECEIVED ON:</b>	1/12/2023

Alan Stephenson  
Joshua Bednarek  
Tricia Gomes  
Racelle Escolar  
Stephanie Vasquez  
Diana Hernandez  
David Urbinato  
Vikki Cipolla-Murillo

Greg Harmon  
Paul M. Li  
Village Planner  
GIS  
Applicant  
Adam Stranieri (for PHO Appeals)

JAN 12 2023



**Planning & Development  
Department**

The **PLANNING COMMISSION** agenda for **January 5, 2023** is attached.

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

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

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **January 12, 2023**.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **January 12, 2023**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **January 12, 2023**.

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

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **January 19, 2023**.

**FORM TO REQUEST CITY COUNCIL HEARING**

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

Z-50-22-4		NEC of Camelback and 7th Avenue
APPLICATION NO.		LOCATION OF APPLICATION SITE
January 5, 2023		<i>Brenda W. [Signature]</i>
DATE APPEALED FROM	<input checked="" type="checkbox"/> OPPOSITION <input type="checkbox"/> APPLICANT	PLANNER (PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Jon Garshick	<i>Jon Garshick</i>
PRINTED NAME OF PERSON APPEALING	SIGNATURE
7135 E. Camelback Road, Suite 360	1/12/2023
STREET ADDRESS	DATE OF SIGNATURE
Phoenix, AZ 85251	602.778.2800
CITY, STATE & ZIP CODE	TELEPHONE NO.
jgarshick@allresco.com	
EMAIL ADDRESS	

REASON FOR REQUEST

Safety concerns related to current site plan which required vehicular maneuvering within an active driveway easement

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

## ATTACHMENT F

**From:** [Brian Greathouse](#)  
**To:** [Ellen Bilbrey](#); [Sarah Stockham](#)  
**Cc:** [Randy Primrose](#); [taylor@mpcres.com](mailto:taylor@mpcres.com); [Jamie Blakeman](#); [Ricki Horowitz](#)  
**Subject:** RE: Magnolia Camelback Apartment Project & Medlock Place  
**Date:** Monday, December 19, 2022 11:46:52 AM

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Ellen,

Thank you. We appreciate Medlock's support email below!

Sarah,

Please see below email from Ellen Bilbre and Rick Mountjoy on behalf of the Medlock Place Historic District Association.

### Brian Greathouse

(602) 234-9903



[\[bcattorneys.com\]](http://bcattorneys.com)

---

**From:** Ellen Bilbrey <[blockwatch.medlock@gmail.com](mailto:blockwatch.medlock@gmail.com)>  
**Sent:** Saturday, December 17, 2022 3:39 PM  
**To:** Brian Greathouse <[bgreathouse@bcattorneys.com](mailto:bgreathouse@bcattorneys.com)>  
**Subject:** Magnolia Camelback Apartment Project & Medlock Place

Caution! This message was sent from outside your organization.

[Allow sender \[mail-cloudstation-us-east-2.prod.hydra.sophos.com\]](#) |  
[Block sender \[mail-cloudstation-us-east-2.prod.hydra.sophos.com\]](#)

Hi Brian

I will also send this to Drew Bryk to support Magnolia.

Ellen

Ellen Bilbrey

602-432-7942

Begin forwarded message:

**From:** Rick Mountjoy <[rick.mountjoy@gmail.com](mailto:rick.mountjoy@gmail.com)>  
**Date:** December 12, 2022 at 1:53:39 PM MST  
**To:** Council District 4 <[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)>  
**Cc:** blockwatch <[blockwatch.medlock@gmail.com](mailto:blockwatch.medlock@gmail.com)>, Michael Petersen-Incorvaia <[michael.petersen-incorvaia@phoenix.gov](mailto:michael.petersen-incorvaia@phoenix.gov)>, Maria G Lopez-Corona <[maria.corona@phoenix.gov](mailto:maria.corona@phoenix.gov)>, Kini Knudson <[kini.knudson@phoenix.gov](mailto:kini.knudson@phoenix.gov)>, Christopher Kowalsky <[chris.kowalsky@phoenix.gov](mailto:chris.kowalsky@phoenix.gov)>  
**Subject:** **Magnolia Camelback Apartment Project & Medlock Place**

Dear Vice Mayor Pastor,

Thanks again for meeting with us on November 1<sup>st</sup> regarding traffic control and safety in Medlock Place, and for your directive to implement a trial traffic control feature on Colter Street (the “simulation”).

As you are aware, the Magnolia Property Company is proposing a 250-unit, four-story apartment project very near our neighborhood (7<sup>th</sup> Avenue & Camelback). This is in addition to Alliance Residential’s adjacent 285-unit project called “Broadstone Uptown” now under construction. These two projects combined add 535 dwelling units to our neighborhood, far exceeding all the dwellings in the Medlock Place Historic District. The additional traffic load from these projects will cause traffic on Colter Street to exceed 1000 vehicles per day; over the limit for a local street.

We had several meetings with Magnolia regarding traffic impact and mitigation, and Magnolia had agreed to implement a traffic suppression feature at Third Avenue and Colter Street. Subsequently, the Streets Department (Chris Kowalski) informed Magnolia that traffic suppression would be designed and installed solely by the Streets Department as part of the “Colter Street Project” and/or the “Third Avenue Project”.

We are thus forced to rely entirely on the City to finance and implement cut-thru traffic suppression from the Magnolia and Alliance projects. The preliminary designs shown on-line for the Colter Street Project **are not sufficient** to mitigate the cut-thru traffic. We **must** have a **stronger** solution; we expect the “trial” feature on Colter to help determine what this solution will be.

Magnolia has asked us to support their zoning change petition at the Village Planning Committee hearing on the 20<sup>th</sup>. Since the City has assumed leadership and responsibility for effective cut-thru traffic control, on this basis we will support Magnolia’s proposed zoning change subject to the City’s draft stipulations (Z-50-22-4) provided to us on November 17<sup>th</sup> by Magnolia’s attorney (Brian Greathouse).

Sincerely,

Ellen Bilbrey, President; Medlock Place Historic District Association

Rick Mountjoy, Chairman; Medlock Place Traffic Committee

## ATTACHMENT G

**From:** [Kenny W](#)  
**To:** [Sarah Stockham](#)  
**Subject:** Please forward to AVPC members asap re #3 tonight  
**Date:** Tuesday, December 20, 2022 3:10:18 PM

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<https://northcentralnews.net/2022/features/fighting-for-the-future-of-central-avenue/northcentralnews.net>

Sarah,

Please forward -asap - this above link to the December cover story of the North Central News, that is applicable to agenda item #3 tonight, on to the entire AVPC committee. It is not applicable for just “Central Ave” but a fight for the Camelback Rd Walkable Urban TOD future as well.

City of Phoenix Planning needs to stop letting developers kill the vibrant Walkable Urban MIXED-USE TOD *Vision* with their 100% NON Walkable Urban destination-less dead end 100% residential products that simply covets “It’s next to Light Rail!” We’re building a TOD out with no places to go, no vibrancy, no services, with fewer and fewer retail offerings - just Nothingville AZ, USA. This Magnolia project actually tears down and destroys existing TOD retail.

Members: Please consider mercifully rejecting this project, for a better Version 2.0 tomorrow. Please insist that the TOD ground floor floorplates are unique, sacred, and reserved for commercial/retail only on our Light Rail TOD system. The price of TOD entry for developers is vibrancy and delivered VISION. Not more and more of the same non contributing soulless product *not* fit for *ANY* Main Street USA.

Thanks,  
Ken Waters

**From:** [Michael Trend](#)  
**To:** [PDD Long Range Planning](#)  
**Subject:** RE: Z-50-22-4 (7TH Ave and Camelback, NE Corner)  
**Date:** Tuesday, December 20, 2022 1:59:33 PM  
**Attachments:** [Outlook-y3jt35io.png](#)

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Hi

As a resident and business owner in North Central Phoenix I wanted to share my comments with the committee in regards to the following topic:

1. **Z-50-22-4:** Presentation, discussion, and possible recommendation regarding a request to rezone 4.79 acres located approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road **from** C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) **to** WU T5:5 UT (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area) to allow multifamily residential.

I believe that all Multi-family Residential along the light rail in TOD should have retail that is accessible by foot traffic. As the city becomes denser there needs to be space set aside for restaurants, coffee shops and retail, that enhances these parts of the city and makes them more livable and walkable.

Thank for considering my comments.

Best,  
Michael



**Michael Trend**  
Real Estate Advisor  
602.708.8013  
[michael@michaeltrend.com](mailto:michael@michaeltrend.com)

HomeSmart  
5225 North Central Avenue, Suite 104 Phoenix, AZ 85012

See my past sales, read reviews or add a new review on Zillow:  
<https://www.zillow.com/profile/MichaelTrend/> [zillow.com]

**From:** [Linda Vincent](#)  
**To:** [Sarah Stockham](#)  
**Subject:** Last Meeting  
**Date:** Sunday, January 8, 2023 4:21:20 PM

---

I was upset by a remark by the representative of the aspiring developer of an additional apartment complex at 7th Avenue and Camelback. He stated that we who voted in opposition had not bothered to attend the Alhambra Village Meeting. I am you recall there was a glitch because you did not recognize the phone number for Janice Paul and she was not given an opportunity to speak. I can only say it was our intention to speak and share the concerns we expressed at the meeting this past week.

Also he spoke about attending the neighborhood meeting to present the plans for the development. It is my understanding there were six people in attendance representing over 200 residents. One might wonder why there appeared to be no interest or concern. In something of obvious impact isn't it possible there was really no information that was shared so the majority of residents were not informed.

I am not sure this is necessarily within your area but it has caused a sense of being deliberately left out to avoid any resistance.

Thank you for responding to my and other's attempts to communicate with you to express our genuine concerns.

Sent from my iPad



**Public Hearing and Ordinance Adoption - Rezoning Application Z-40-22-2 (Scottsdale Town Square Thunderbird Phase PUD) - Approximately 800 Feet North of the Northwest Corner of Scottsdale Road and Thunderbird Road (Ordinance G-7076)**

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-40-22-2 and rezone the site from C-2 (Intermediate Commercial), C-2 SP (Intermediate Commercial, Special Permit), and PSC (Planned Shopping Center) to PUD (Planned Unit Development) to allow multifamily residential and commercial uses.

**Summary**

Current Zoning: C-2 (1.06 acres), C-2 SP (0.06-acres), and PSC (7.42 acres)

Proposed Zoning: PUD

Acreage: 8.54 acres

Proposal: PUD to allow multifamily residential and commercial uses

Owner: Scottsdale Towne Square, LLC

Applicant: George Pasquel III, Withey Morris, PLC

Representative: George Pasquel III, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Paradise Valley Village Planning Committee heard this case on Aug. 1, 2022, for information only.

VPC Action: The Paradise Valley Village Planning Committee heard this case on Dec. 5, 2022, and recommended approval, per the staff recommendation, with a modification and additional stipulations, by a vote of 13-3.

PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the staff memo dated Jan. 5, 2023, with a modification, by a vote of 8-0.

The Planning Commission recommendation was appealed for a public hearing by a community member on Jan. 12, 2023.

**Location**

Approximately 800 feet north of the northwest corner of Scottsdale Road and Thunderbird Road

Council District: 2

Parcel Address: 13802, 14026, 14036, and 14046 N. Scottsdale 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-40-22-2) FROM C-2 (INTERMEDIATE COMMERCIAL), C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT), AND PSC (PLANNED SHOPPING CENTER) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of an 8.54-acre property located approximately 800 feet north of the northwest corner of Scottsdale Road and Thunderbird Road in a portion of Section 10, Township 3 North, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from 1.06 acres of "C-2" (Intermediate Commercial), 0.06-acres of "C-2 SP" (Intermediate Commercial, Special Permit), and 7.42 acres of "PSC" (Planned Shopping Center) to "PUD" (Planned Unit Development).

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

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

1. An updated Development Narrative for the Scottsdale Towne Square PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 18, 2022, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: November 18, 2022; City Council adopted: [Add adoption date].
  - b. Pages 14-15, Sidewalk Standards, Internal Walkways: Remove the single asterisk next to the 5' minimum width internal walkway standard. Add a triple asterisk next to the sidewalk standard for internal walkways. Add a new footnote for a triple asterisk that 5' minimum width internal walkways shall be clear of all obstacles.
  - c. Page 15, General Landscape Requirements: Remove bullet point (b.) for landscape irrigation, which is repeated in bullet point (d.), and re-letter accordingly.
  - d. Pages 16-17, Landscape Standards Table:
    - (1) Streetscape: Revise titles of streetscape standards to "Streetscape – Landscape Areas Within Public Right-of-Way Adjacent to Scottsdale Road, Including Detached Sidewalk Landscape Strip", "Landscape Setback Adjacent to 71st Street Where Pocket Park Option Is Not Utilized", and "Landscape Setback Adjacent to 71st Street - Pocket Park Option".
    - (2) Add language "at maturity" after each live vegetative ground coverage standard.

- (3) Add a new row for a landscape standard for the bus stop pad on southbound Scottsdale Road, below the “Adjacent to Buildings” row, as follows: “Bus Stop Pad Landscaping – a) Minimum 3-inch caliper shade trees to provide minimum shade per Section D.6. at maturity; b) Minimum 75% live vegetative ground coverage at maturity”
- e. Page 20, Shade: Add a shade standard for the bus stop pad: “A minimum of 50% of the bus stop pad on southbound Scottsdale Road shall be shaded at tree maturity”
  - f. Page 24, iv. Design for Cost-Effectiveness: Modify the language to a development/developer requirement that is not confused as a directive to the Street Transportation Department.
  - g. Page 14, Development Standards, Development Standards Table, Noise Reduction: Add language that states, “The average noise level, measured at the west property line, shall not exceed 55 DB (one LDN) when measured on a “weighted” sound level meter and according to the procedures of the Environmental Protection Agency.”
  - h. Page 15, Development Standards, Landscape Standards Table, General Landscaping Requirements: Add a provision to require low-water-use tree species with a dense foliage along the west perimeter of the site to provide an adequate visual buffer for adjacent residences.
  - i. Page 16, Development Standards, Landscape Standards Table: Modify the language for landscaping along Scottsdale Road, 71st Street, and the north property line to require minimum 3-inch caliper trees planted 20 feet on center on in equivalent groupings.
  - j. Page 18, Development Standards, Fences / Walls: Add Language to require a 6-foot-high full view fence be constructed along 71st Avenue at or behind the building setback line.
  - k. Page 20, Development Standards, Amenities: Add the following language after the Commercial Amenities section:
    - 4) Art: A minimum of two art installations shall be installed either along Scottsdale Road or in the open space area between the two restaurant buildings. The art shall be a minimum of five feet in length in any one directions (height, width or depth).
  - l. Page 25, Development Standards, Signs: Add language to require signs along the west side of the property be non-lighted signs.

- m. Tab H, Scottsdale Towne Square Architectural Design Guidelines, Section 1.0, Page 2, Form and Scale, Building Massing (PDF Page 57): Add language to restrict upper-level balconies where there is no visual buffer blocking a line of sight from a balcony looking west into adjacent single-family yards. Balconies may either be recessed or Juliette balconies where there is no line of sight into the yards. Protruding balconies may be allowed either where there is a visual buffer blocking the line of sight from the balcony looking west into single-family yards or wherever there are no lines of sight looking west into adjacent single-family yards.
  - n. Tab H, Scottsdale Towne Square Architectural Design Guidelines, Section 1.4, Page 8, Glass (PDF Page 63): Add language to require glass on all windows be a minimum of 85% non-reflective glass.
2. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
  3. The developer shall submit a circulation plan addressing pedestrian and bicyclist connectivity and safety within the development, to nearby pedestrian and bicyclist infrastructure, and include proximity to activity centers, as approved by the Planning and Development Department.
  4. 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.
  5. The developer shall build a bus stop pad on southbound Scottsdale Road. The pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet.
  6. The property owner shall record documents that disclose the existence and operational characteristics of Scottsdale Municipal Airport (SDL) 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. The developer shall provide documentation to the City 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.
8. 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
9. 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.
10. Prior to preliminary site plan approval, the developer shall apply for the on-street parking zones program in order to install no parking signs along 71st Street adjacent to the site.

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 February, 2023.

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MAYOR

ATTEST:

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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 Tract "A", of Raskin Estates No. 1, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 86 of Maps, Page 36 and a portion of the south half of Hearn Road, as abandoned by Resolution No. 19618 in Document No. 2001-373063, records of Maricopa County, Arizona, lying within the southeast quarter of Section 10, Township 3 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the southeast corner of Section 10, a City of Scottsdale Brass Cap in Handhole, from which the east quarter corner of said Section 10, a City of Scottsdale Brass Cap in handhole, bears North 00°57'30" West, a distance of 2,642.53 feet;

Thence along the east line of the southeast quarter of said Section 10, North 00°57'30" West, a distance of 818.52 feet;

Thence leaving said east line, South 89°02'30" West, a distance of 65.00 feet, to the Point of Beginning;

Thence South 89°02'30" West, a distance of 204.94 feet;

Thence South 00°56'35" East, a distance of 156.67 feet;

Thence South 89°16'50" West, a distance of 364.81 feet, to the easterly right-of-way line of 71st Street;

Thence along said easterly right-of-way line, North 00°50'20" West, a distance of 330.78 feet;

Thence North 89°18'30" East, a distance of 8.00 feet;

Thence North 00°50'20" West, a distance of 277.00 feet;

Thence North 00°17'40" West, a distance of 53.00 feet, to the centerline of abandoned portion of Hearn Road;

Thence along said centerline, North 89°18'15" East, a distance of 559.92 feet, to the westerly right-of-way line of Scottsdale Road;

Thence leaving said centerline, along said westerly right-of-way line, South 00°57'30" East, a distance of 503.02 feet; to the Point of Beginning.

Containing 341,138 Square Feet or 7.83 Acres more or less.



ATTACHMENT B



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report Z-40-22-2**  
**Scottsdale Towne Square Thunderbird Phase PUD**  
December 2, 2022

Paradise Valley Village Planning Committee Meeting Date: December 5, 2022

Planning Commission Hearing Date: January 5, 2023

**Request From:** PSC (Planned Shopping Center District) (7.42 acres), C-2 (Intermediate Commercial) (1.06 acres), C-2 SP (Intermediate Commercial, Special Permit) (0.06 acres)

**Request To:** PUD (Planned Unit Development) (8.54 acres)

**Proposed Use:** Planned Unit Development to allow multifamily residential and commercial uses.

**Location:** Approximately 800 feet north of the northwest corner of Scottsdale Road and Thunderbird Road

**Owner:** Scottsdale Towne Square, LLC

**Applicant/Representative:** George Pasquel III, Withey Morris, PLC

**Staff Recommendation:** Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Commercial	
<u>Street Map Classification</u>	Scottsdale Road	Major Arterial	65-foot west half street
	71st Street	Local Street	Width varies from 25-foot to 33-foot east half street
<p><b>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.</b></p>			

### General Plan Conformity

The proposal will be a mixed-use development that will add to the mix of housing types in the area while providing additional commercial services and employment opportunities along Scottsdale Road, an established commercial corridor, and near Kierland, which is a node of commercial activity.

**CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: *Enhance the compatibility of residential infill projects by carefully designing the edges of the development to be sensitive to adjacent existing housing. Create landscape buffers and other amenities to link new and existing development.***

The PUD proposes a stepdown approach with varied heights, limiting height close to the nearby single-family residential neighborhood. The PUD also proposes a series of pocket parks along the west frontage to enhance the interface between the proposed development and the adjacent neighborhood.

**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 PUD proposes standards that integrate trees and shade in the design, including enhanced landscaping around the perimeter of the site, shaded detached sidewalks, and the integration of a shaded public plaza on site.

### **Applicable Plans, Overlays, and Initiatives**

[Tree and Shade Master Plan](#) – See Background Item No. 10.

[Complete Streets Guiding Principles](#) – See Background Item No. 11.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 12.

[Housing Phoenix Plan](#) – See Background Item No. 13.

[Zero Waste PHX](#) – See Background Item No. 14.

Surrounding Land Uses/Zoning		
	Land Use	Zoning
<b>On Site</b>	Commercial retail	PSC, C-2, and C-2 SP
<b>North</b>	Commercial retail	C-2 PCD
<b>South</b>	Commercial retail	PSC
<b>East (across Scottsdale Road)</b>	Vacant and commercial office	City of Scottsdale: Industrial Park (I-1)
<b>West (across 71st Street)</b>	Single-family residential	R1-14

**Background/Issues/Analysis**

**SUBJECT SITE**

1. This request is to rezone an 8.54-acre site located approximately 800 feet north of the northwest corner of Scottsdale Road and Thunderbird Road. The request is to rezone from PSC (Planned Shopping Center District), C-2 (Intermediate Commercial), and C-2 SP (Intermediate Commercial, Special Permit) to PUD (Planned Unit Development) to allow multifamily residential and commercial uses.

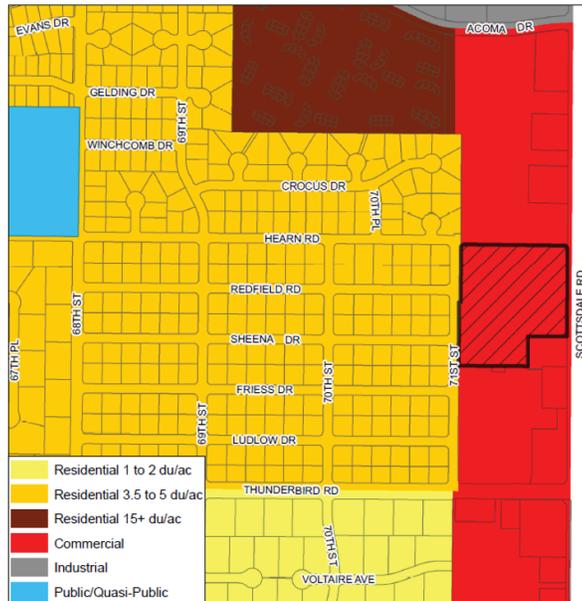
The subject site is the northern portion of the existing Scottsdale Towne Square shopping center. To facilitate the existing development, the site was rezoned to PSC in 1985, through Rezoning Case No. Z-212-85. In 2017, a portion of the site was rezoned to C-2 and C-2 SP, through Rezoning Case Nos. Z-14-17 and Z-SP-2-17, to facilitate a massage establishment within a portion of the existing shopping center.

The subject site is within a commercial corridor along Scottsdale Road with old auto-oriented shopping centers, extending south from the Kierland Commons area, which is a hub of mixed-use activity and employment. The area presents an opportunity for revitalizing the corridor with more mixed-use activity in close proximity to Kierland Commons. As stated in the Paradise Valley Village Character Plan, “due to the 2009 economic recession, this Village has been left slightly overbuilt with commercial space. There is an opportunity to re-evaluate the land use distribution and consider alternative uses to activate empty retail spaces.”

**GENERAL PLAN LAND USE MAP DESIGNATION**

- The General Plan Land Use Map designation for the subject site is Commercial. The proposal is consistent with the General Plan Land Use Map designation.

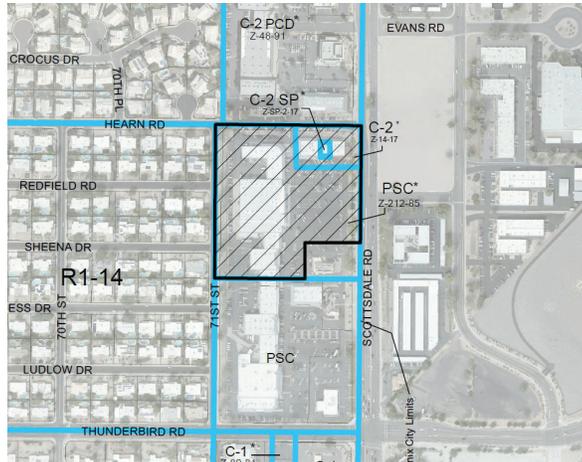
The General Plan Land Use Map designations north and south of the site is Commercial. West of the site is an area designated as Residential 3.5 to 5 dwelling units per acre. East of the site is in the City of Scottsdale jurisdiction.



*General Plan Land Use Map, Source: City of Phoenix Planning and Development Department*

**SURROUNDING ZONING AND LAND USES**

- The subject site and surrounding area along Scottsdale Road are generally commercial with existing shopping centers located on the subject site and directly to the north and south within C-2, C-2 SP, and PSC zoning districts. West of the subject site is a single-family neighborhood in an R1-14 zoning district. Across Scottsdale Road to the east is vacant land and commercial offices in the City of Scottsdale.

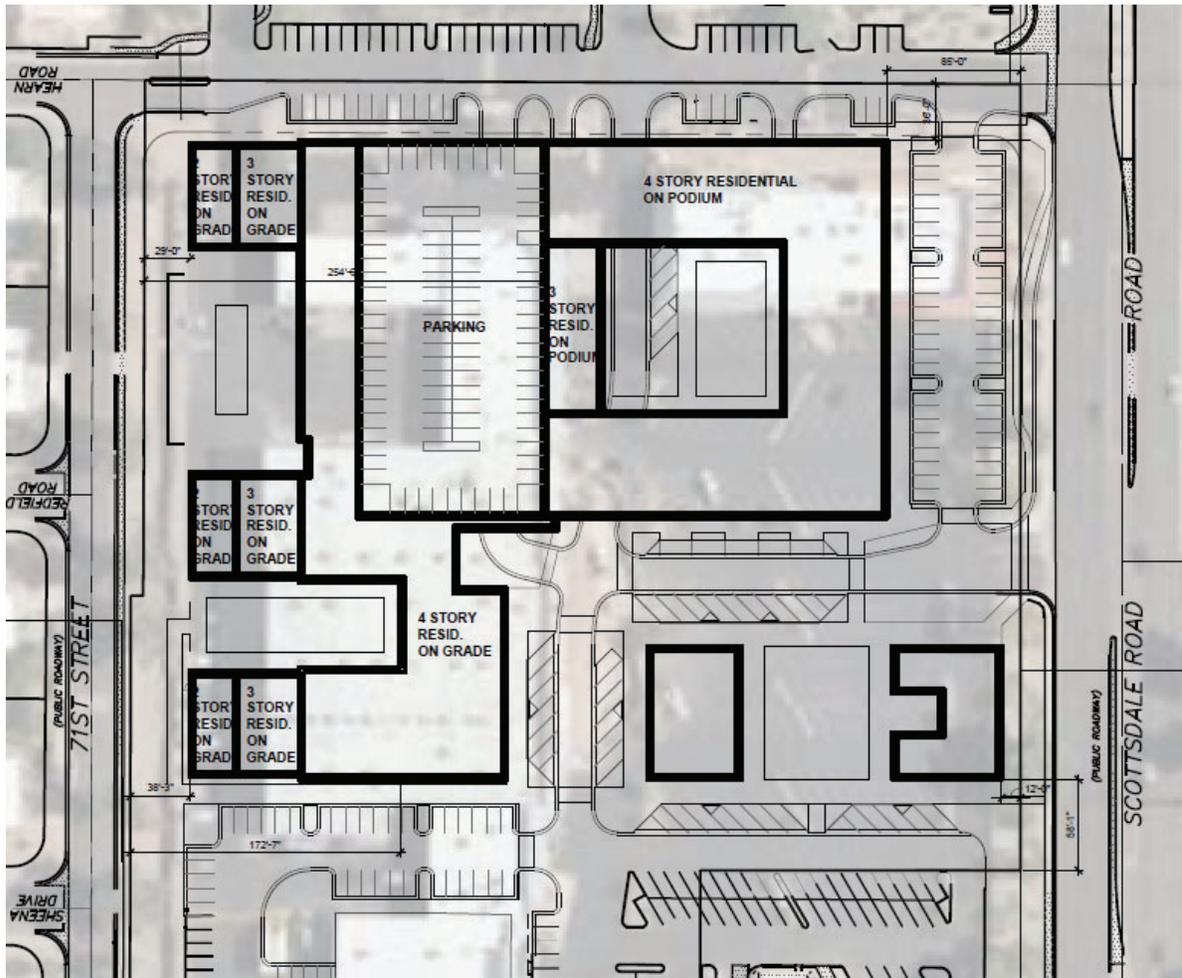


*Zoning Aerial Map, Source: City of Phoenix Planning and Development Department*

**PROPOSAL**

- The proposal was developed utilizing the PUD zoning district. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

5. The PUD proposes standards that support the vision of a mixed-use development, including a vertical mixed-use building with ground floor retail and residential above, two stand-alone commercial buildings, and a public plaza.



Conceptual Site Plan, Source: Nelsen Partners, Inc.

6. **Land Use**

The PUD proposes a mixed-use development to include a range of commercial retail and multifamily housing. The proposed development narrative lists all uses permitted by the C-2 zoning district and multifamily residential uses, as governed by the PUD standards. The development narrative also proposes restricting certain uses that are inconsistent with the PUD's vision of mixed-use pedestrian-oriented development such as auto title loan establishments, gas stations, and automobile service stations.

7. **Development Standards**

The PUD proposes development standards, consistent with the vision of a pedestrian-oriented mixed-use development. It proposes a maximum height of 68 feet to facilitate the multifamily component on the portion of the site closer to Scottsdale Road. Height steps down closer to the west property line with a maximum of 30 feet within 90 feet of the west property line. Landscape setbacks are proposed on all sides of the site, except for the south side, which abuts the remainder of the same shopping center that is not part of this PUD. The PUD proposes amenity standards including a minimum of six indoor residential amenities, a minimum of six outdoor amenities, and a minimum of three amenities for commercial uses.

Staff recommends updates to the PUD Narrative for clarity and to address technical corrections. Stipulation 1.b. is related to a footnote in the Development Standards Table, indicating that the five-foot wide sidewalk “shall be clear of obstacles except for tree grates and public amenities”. A five-foot wide sidewalk would not be wide enough to have tree grates or public amenities obstructing it. The stipulation requests the applicant to add a new footnote that the minimum five-foot wide sidewalk width shall be clear of all obstacles.

Below are additional development standards from the PUD Narrative:

<b>Maximum Residential Density:</b>	36.5 dwelling units per gross acre
<b>Minimum Lot Width/Depth</b>	No Minimum
<b>Minimum Building Setbacks</b>	
North (Interior property line)	10 feet
South(Interior property line)	0 feet
East (Scottsdale Road)	12 feet
West (71st Street)	25 feet
<b>Minimum Landscape Setbacks</b>	
North (Interior property line)	10 feet
South(Interior property line)	0 feet
East (Scottsdale Road)	10 feet
West (71st Street)	25 feet
<b>Maximum Building Height</b>	68 feet maximum 30 feet maximum within 90 feet of west property line 56 feet maximum within 200 feet of west property line
<b>Maximum Lot Coverage</b>	65 percent

<b>Open Space</b>	Minimum 20 percent of site area Minimum 5,000 square feet as public plaza Minimum 5 percent of site area dedicated to residential amenity space
<b>Retail Parking</b>	4 spaces per 1,000 square feet
<b>Residential Parking</b>	1.3 spaces per efficiency 1.5 spaces per one- or two-bedroom unit 2.0 spaces per three or more-bedroom unit 1.0 spaces per <600-square-foot unit
<b>Bicycle Parking</b>	Per Section 1307.H (WU Code)

8. **Landscape Standards**

The PUD proposes landscape standards for streetscape landscape areas, perimeter setbacks, adjacent to buildings, parking areas, common and retention areas, and is stipulated to add landscape standards for the bus stop pad. The PUD also proposes a minimum 75 percent shade requirement for public sidewalks and internal walkways, a minimum 50 percent shade requirement for internal open space areas and is stipulated to add a minimum 50 percent shade requirement for the bus stop pad. The proposed shade and landscape planting standards are an enhancement compared to the Zoning Ordinance standards.

Staff recommends the following updates to the PUD Narrative for clarity and to address technical corrections:

Stipulation 1.c. is related to a bullet point in the Landscape Standards Table which is repetitive. The stipulation requests that the applicant delete bullet point (b.) which has the same language that is repeated in bullet point (d.), and to re-letter accordingly.

Stipulation 1.d.(1) is related to streetscape standards in the Landscape Standards Table. The stipulation requests that the applicant change the titles of the rows for streetscape standards for clarity so that there is 1) a clear standard for the streetscape along Scottsdale Road, and not just the detached landscape strip alone, and 2) a clear standard for the streetscape along the entirety of 71st Street.

Stipulation 1.d.(2) is related to the live vegetative ground coverage standards within the Landscape Standards Table for clarity on how live vegetative ground coverage is measured. The stipulation requests the words “at maturity” be added after the word “coverage” in each location where there is a live vegetative ground coverage standard.

Stipulation 1.d.(3) requests a landscape standard be added in the Landscape Standards Table for the bus stop pad the applicant is stipulated to install along Scottsdale Road. The stipulation requests the applicant to add a row for bus stop

pad landscaping in order to achieve minimum bus stop pad shading using similar landscape standards as the streetscape.

9. **Design Guidelines and Standards**

The PUD proposes design standards that promote a pedestrian-oriented design with quality architecture. Pedestrian walkways will be provided to connect all points of interest on site and will have contrasting materials when crossing drive aisles to promote safety. The public plaza will contain landscaping and seating for the public. Architectural guidelines include varied façade elements between ground floor retail spaces and upper floor residential, provisions for quantities of façade materials to minimize monotonous buildings, ground floor transparency, and articulation to break up larger building masses. Additionally, pocket parks along the western property line will include landscaping, benches, and local art sculptures.

Staff recommends the following updates to the PUD Narrative for clarity and to address technical corrections:

Stipulation 1.e. is related to the shade standards in Section D.6. The stipulation requests the applicant to add a tree shade standard for the bus stop pad that the applicant is stipulated to install along Scottsdale Road.

Stipulation 1.f. is related to Design for Cost-Effectiveness in Section E.3. The Street Transportation Department requested that the language be changed so it is not confused as a directive for the Street Transportation Department.



*Conceptual Renderings, Source: Nelsen Partners, Inc.*



*Conceptual Renderings, Source: Nelsen Partners, Inc.*

## AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

10. **Tree and Shade Master Plan**  
The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. The PUD includes standards for detached sidewalks along Scottsdale Road, enhanced shade along sidewalks, a shaded public plaza on site, and parking lot landscaping.
11. **Complete Streets Guiding Principles**  
In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To promote safety and connectivity for all users, the PUD proposes standards for bicycle parking, shaded pedestrian connections to the street, and detached shaded sidewalks along Scottsdale Road.
12. **Comprehensive Bicycle Master Plan**  
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal incorporates requirements for bicycle parking to encourage multi-modal transportation.
13. **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 repurposing an existing underutilized auto-oriented shopping center into new multifamily residential housing above retail spaces, contributing to the mix of housing types in the area and adding to the housing supply for Phoenix.
14. **Zero Waste PHX**  
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and Section 716 of the Phoenix Zoning Ordinance expand its recycling and other

waste diversion programs. The development will provide recycling services for residents.

#### COMMUNITY INPUT SUMMARY

15. At the time the staff report was written, staff has received one letter of support, a petition of support with 10 signatures, and seven letters of opposition to this case. Concerns include height, privacy, oversaturation of multifamily residential in the area, security, parking, and increased traffic.

#### INTERDEPARTMENTAL COMMENTS

16. The Street Transportation Department commented that all streets within and adjacent to the development, shall be constructed with all required elements, including meeting ADA requirements. Furthermore, no preliminary approval of plans shall be granted until a Traffic Impact Study is reviewed and approved by the City, and the developer shall be responsible for all mitigation identified through the analysis. These are addressed in Stipulation Nos. 2 and 3.
17. The Public Transit Department commented that the developer shall build a bus stop pad on southbound Scottsdale Road, according to City of Phoenix standards. This is addressed in Stipulation No. 4.
18. The City of Scottsdale expressed concern with the location of this project as it relates to the airports flight paths and the 55 Day Night Average Sound Level (DNL) noise contours of Scottsdale Airport. The City of Scottsdale comments and proposed stipulations were provided to the City of Phoenix Aviation Department for review.
19. The City of Phoenix Aviation Department has noted that the site is within the Scottsdale Municipal Airport (SDL) traffic pattern airspace, therefore, the developer shall provide notice to prospective purchasers of the existence and operation characteristics of the Scottsdale Airport and shall provide documentation that Form 7460-1 from has been filed with the FAA. The requirements are addressed in Stipulation Nos. 5 and 6.
20. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
21. The Office of Heat Response and Mitigation commented that the development should provide detached sidewalks with 75 percent shade along Scottsdale Road. This requirement is incorporated into the PUD narrative.
22. The Water Services Department commented that the property has existing water and sewer mains that can potentially serve the development. In addition, the

Water Services Department commented that capacity is a dynamic condition that can change over time due to a variety of factors.

#### OTHER

23. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 7.
24. 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. 8.
25. 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 consistent with the General Plan Land Use Map designation and compatible with the existing land use pattern in the surrounding area.
2. The proposed development will provide new mixed-use development with housing, retail, and employment opportunities along an established commercial corridor, near the Kierland commercial area.
3. The proposed PUD sets forth design and development standards that will enhance connectivity in the immediate vicinity by providing shaded detached sidewalks, pedestrian-oriented design, and an enhanced interface with the adjacent neighborhood.

#### **Stipulations**

1. An updated Development Narrative for the Scottsdale Towne Square PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 18, 2022, as modified by the following stipulations:

- a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: November 18, 2022; City Council adopted: [Add adoption date].
- b. Pages 14-15, Sidewalk Standards, Internal Walkways: Remove the single asterisk next to the 5' minimum width internal walkway standard. Add a triple asterisk next to the sidewalk standard for internal walkways. Add a new footnote for a triple asterisk that 5' minimum width internal walkways shall be clear of all obstacles.
- c. Page 15, General Landscape Requirements: Remove bullet point (b.) for landscape irrigation, which is repeated in bullet point (d.), and re-letter accordingly.
- d. Pages 16-17, Landscape Standards Table:
  - (1) Streetscape: Revise titles of streetscape standards to "Streetscape – Landscape Areas Within Public Right-of-Way Adjacent to Scottsdale Road, Including Detached Sidewalk Landscape Strip" and "Streetscape – Landscape Areas Within Public Right-of-Way Adjacent to 71st Street Where Pocket Park Option Is Not Utilized".
  - (2) Add language "at maturity" after each live vegetative ground coverage standard.
  - (3) Add a new row for a landscape standard for the bus stop pad on southbound Scottsdale Road, below the "Adjacent to Buildings" row, as follows: "Bus Stop Pad Landscaping – a) Minimum 3-inch caliper shade trees to provide minimum shade per Section D.6. at maturity; b) Minimum 75% live vegetative ground coverage at maturity"
- e. Page 20, Shade: Add a shade standard for the bus stop pad: "A minimum of 50% of the bus stop pad on southbound Scottsdale Road shall be shaded at tree maturity"
- f. Page 24, iv. Design for Cost-Effectiveness: Modify the language to a development/developer requirement that is not confused as a directive to the Street Transportation Department.

2. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
3. 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.
4. The developer shall build a bus stop pad on southbound Scottsdale Road. The pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet.
5. The property owner shall record documents that disclose the existence and operational characteristics of Scottsdale Municipal Airport (SDL) 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.
6. The developer shall provide documentation to the City 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.
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 Archeologist, and allow time for the Archeology 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.

Staff Report: Z-40-22-2

December 2, 2022

Page 15 of 15

**Writer**

Anthony Grande

Adrian Zambrano

December 2, 2022

**Team Leader**

Racelle Escolar

**Exhibits**

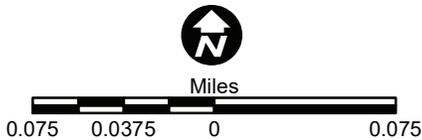
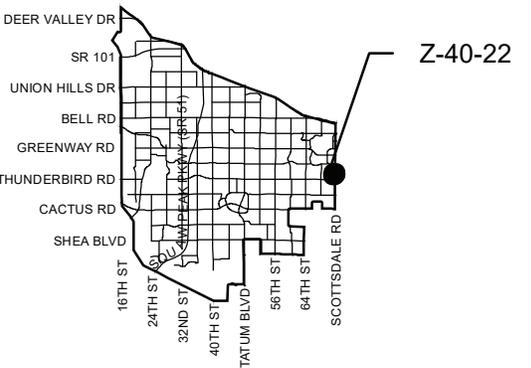
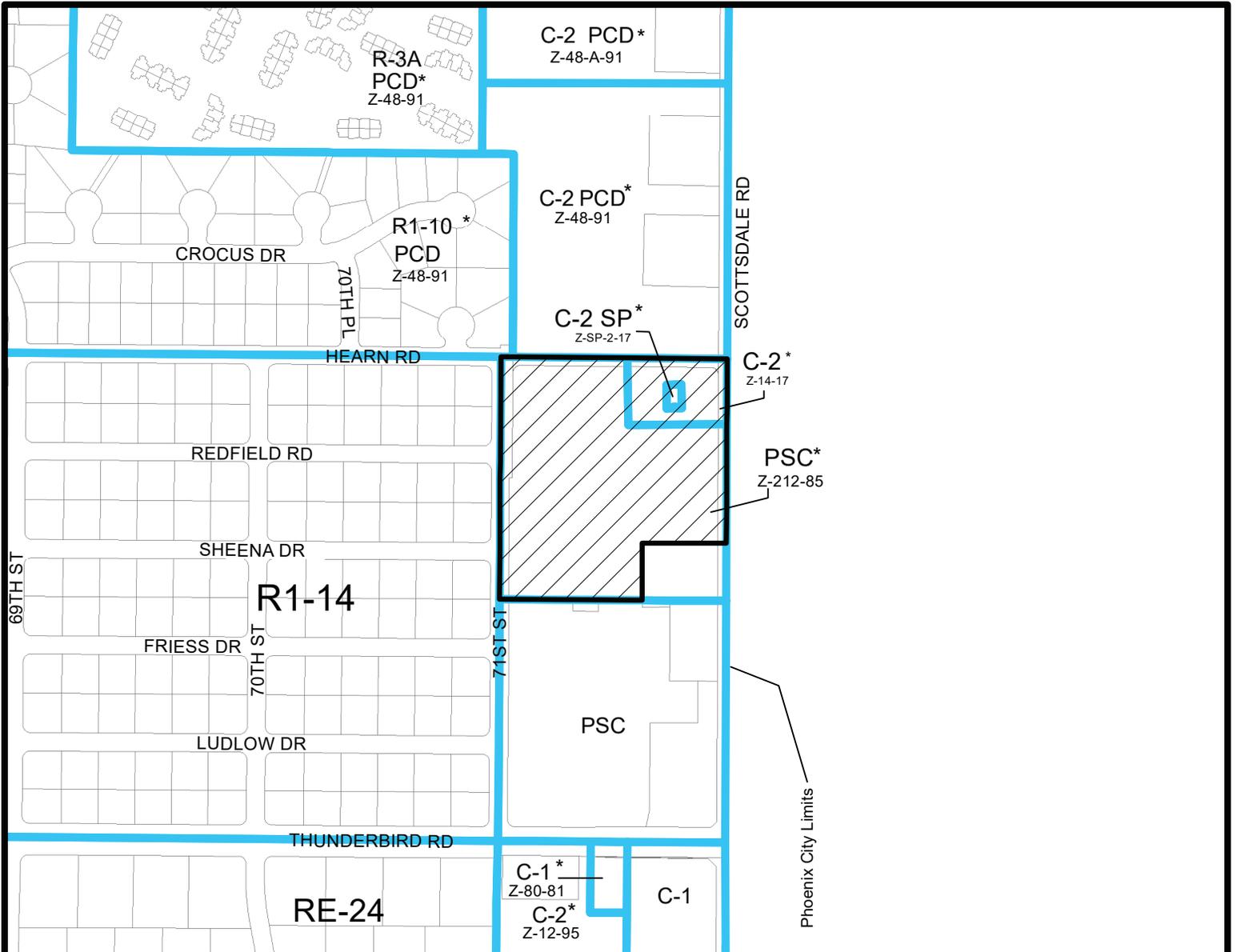
Sketch Map

Aerial Map

Conceptual Site Plan date stamped November 28, 2022

Community Correspondence (11 pages)

[Scottsdale Towne Square PUD Development Narrative](#) date stamped November 18, 2022

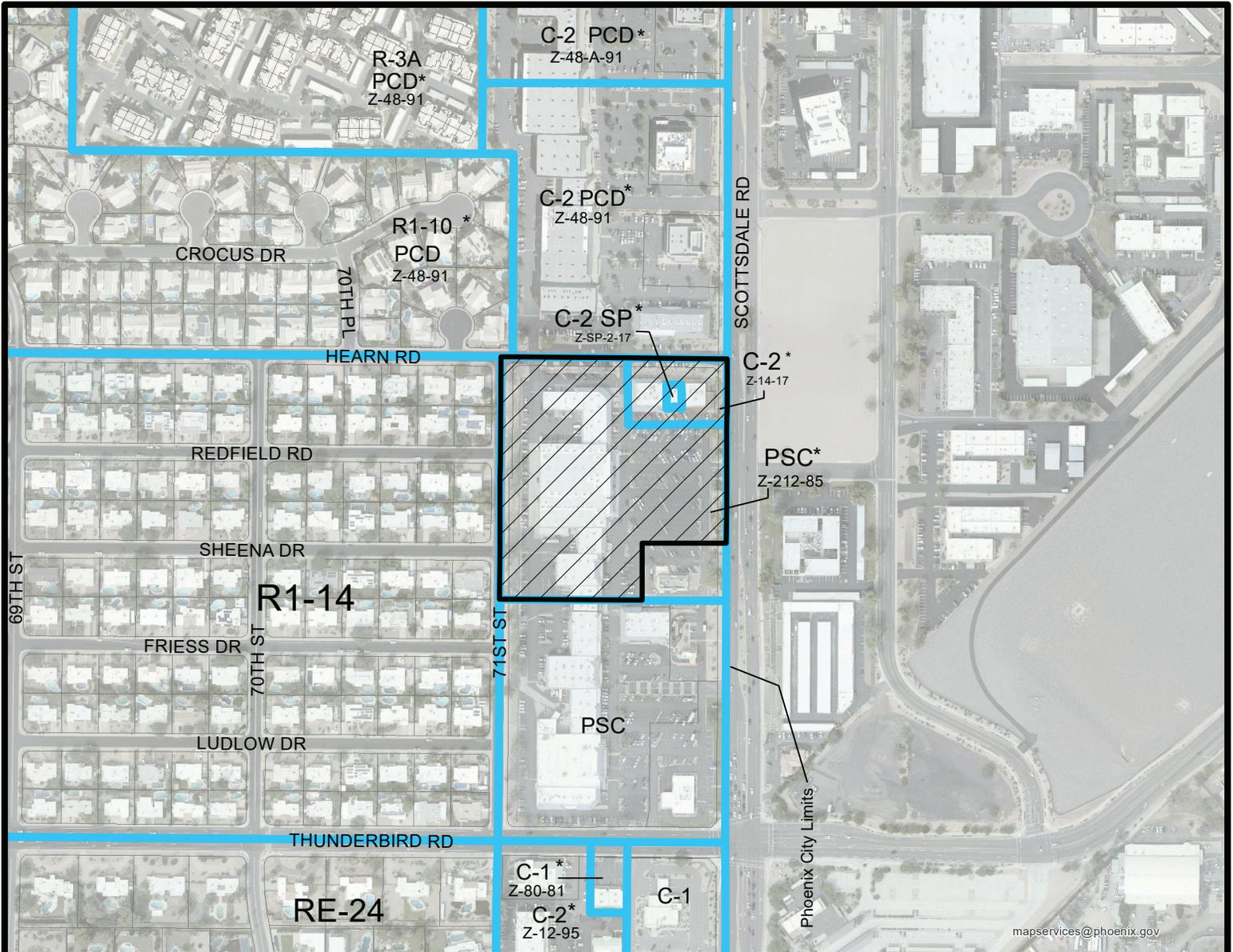


**PARADISE VALLEY**  
CITY COUNCIL DISTRICT: 2



<b>APPLICANT'S NAME:</b> George Pasquel III		<b>REQUESTED CHANGE:</b>									
<b>APPLICATION NO.</b> Z-40-22	<b>DATE:</b> 6/3/2022 <b>REVISION DATES:</b>	<b>FROM:</b> PSC ( 7.42 a.c.) C-2 ( 1.06 a.c.) C-2 SP ( 0.06 a.c.)									
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>8.54 Acres</b>	<table border="1"> <tr> <td>8/30/2022</td> <td>11/15/2022</td> <td></td> <td></td> </tr> <tr> <td colspan="2"> <small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small>  <b>QS 33-44</b> </td> <td colspan="2"> <small>ZONING MAP</small>  <b>L-12</b> </td> </tr> </table>	8/30/2022	11/15/2022			<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 33-44</b>		<small>ZONING MAP</small> <b>L-12</b>		<b>TO:</b> PUD ( 8.54 a.c.)	
8/30/2022	11/15/2022										
<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 33-44</b>		<small>ZONING MAP</small> <b>L-12</b>									
<b>MULTIPLES PERMITTED</b> PSC, C-2, C-2 SP PUD	<b>CONVENTIONAL OPTION</b> N/A, 15, 1 311		<b>* UNITS P.R.D. OPTION</b> N/A, 18, 1 N/A								

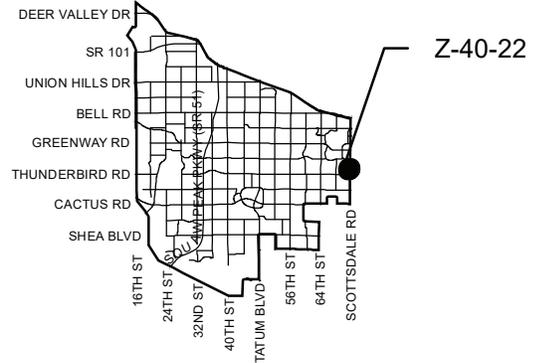
\* Maximum Units Allowed with P.R.D. Bonus



Miles

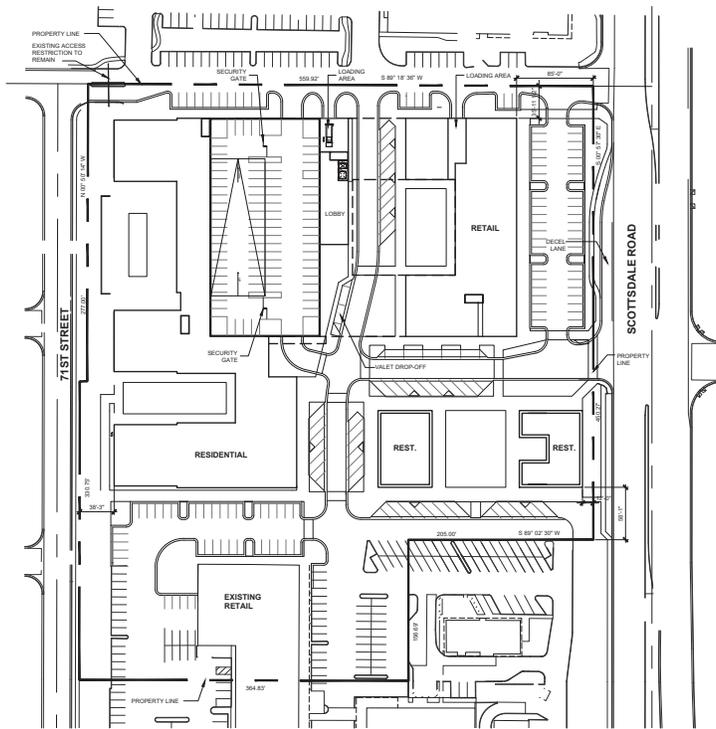


**PARADISE VALLEY**  
CITY COUNCIL DISTRICT: 2



<b>APPLICANT'S NAME:</b> George Pasquel III		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-40-22		<b>FROM:</b> PSC ( 7.42 a.c.) C-2 ( 1.06 a.c.) C-2 SP ( 0.06 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>8.54 Acres</b>		<b>TO:</b> PUD ( 8.54 a.c.)	
<b>MULTIPLES PERMITTED</b> PSC, C-2, C-2 SP PUD		<b>* UNITS P.R.D. OPTION</b> N/A, 18, 1 N/A	
<b>DATE:</b> 6/3/2022 <small>REVISION DATES:</small> 8/30/2022 11/15/2022		<b>CONVENTIONAL OPTION</b> N/A, 15, 1 311	
<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> QS 33-44		<small>ZONING MAP</small> L-12	

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



01 SITE PLAN - LEVEL 1  
 SCALE: 1"=60'  
 REF. NORTH

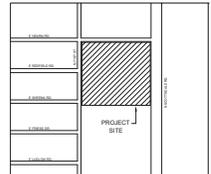
**PROJECT TEAM**  
**DEVELOPER:** WOODBURY CORPORATION  
 2750 E RAVENWOOD WAY, SUITE 300  
 SACT LANE CITY, UT 84109  
 801-461-3710  
 Contact: Joshua Woodbury  
 Email: josh\_woodburj@woodburycorp.com  
**ARCHITECT:** NELSEN PARTNERS, INC.  
 12010 N SCOTTSDALE RD, SUITE 300  
 SCOTTSDALE, AZ 85244  
 480-949-0500  
 Contact: Jeff Brand  
 Email: jbrand@nelsepartners.com

**PROJECT INFORMATION**  
**PROPERTY ADDRESS:** 14036 N SCOTTSDALE ROAD  
 PHOENIX, AZ 85044  
**PARCEL NUMBERS:** 215-07-154N  
**CURRENT ZONING:** PSC  
**PROPOSED ZONING:** PUD  
**GROSS SITE AREA:** 8.54 ACRES  
**NET LOT AREA:** 7.83 ACRES  
 341,300 SF  
**DENSITY:** 311 DU / 8.54 ACRES or 36 S DU/AC max.  
**EXISTING BUILDING HEIGHT:** 20 FT  
**PROPOSED BUILDING HEIGHT:** 68 FT  
**RESIDENTIAL UNITS:** 311 UNITS  
**RETAIL:** 15,000 SF  
**RESTAURANT:** 15,000 SF  
**EXISTING RETAIL:** 12,750 SF

**PARKING CALCULATIONS**  
**PARKING REQUIRED:**  
 RESIDENTIAL: 405 SPACES (311 UNITS @ 1.3 I.D.U.)  
 RESTAURANT: 75 SPACES (5,100 SF)  
 RETAIL: 178 SPACES (2,100 SF)  
 TOTAL: 658 SPACES

**PARKING PROVIDED:**  
 SURFACE PARKING: 217 SPACES  
**STRUCTURED:**  
 LEVEL 1: 85 SPACES  
 LEVEL 2: 85 SPACES  
 LEVEL 3: 85 SPACES  
 LEVEL 4: 85 SPACES  
 TOTAL: 430 SPACES  
 TOTAL PARKING PROVIDED: 647 SPACES

**VICINITY MAP N.T.S.**



AVAIL: 99-27805  
 SDCV: 020647  
 PAPP: 210608  
 02

**CITY OF PHOENIX**  
**NOV 28, 2022**  
**Planning & Development**  
**Department**

**NELSEN PARTNERS**  
 ARCHITECTS & PLANNERS

12010 N SCOTTSDALE RD, SUITE 300  
 SCOTTSDALE, AZ 85244  
 480-949-0500  
 www.nelsepartners.com

**SCOTTSDALE TOWNE SQUARE**  
 14036 N SCOTTSDALE RD  
 PHOENIX, AZ

Date: 08/31/2022

Drawings not written or sealed according to applicable laws and regulations. All drawings are the property of Nelsen Partners, Inc. and shall remain confidential without written consent of the architect.

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Project No. 20067

**A110**  
 SITE PLAN

## Enrique A Bojorquez-Gaxiola

---

**To:** PDD Long Range Planning  
**Subject:** RE: Rezoning case# Z-40-22-2

---

**From:** Eli Putney <[eliputney@gmail.com](mailto:eliputney@gmail.com)>  
**Sent:** Monday, August 1, 2022 10:17 AM  
**To:** PDD Long Range Planning <[pdd.longrange@phoenix.gov](mailto:pdd.longrange@phoenix.gov)>  
**Subject:** Rezoning case# Z-40-22-2

Comment for the planning committee re Z-40-22-2

I live on Redfield Rd, adjacent to the proposed project.

I submit to the committee concern of the proposed apartments having a line of sight into the backyards, pools, or private areas of the homes located in Raskin Estates. If they will have such a line of sight, I would oppose such development.

Thank you  
Eli Putney

## Enrique A Bojorquez-Gaxiola

---

**Subject:** RE: Rezoning case# Z-40-22-2

---

**From:** Sholom Zagelbaum <[syzagelbaum@gmail.com](mailto:syzagelbaum@gmail.com)>

**Sent:** Monday, August 1, 2022 2:51 PM

**To:** PDD Long Range Planning <[pdd.longrange@phoenix.gov](mailto:pdd.longrange@phoenix.gov)>

**Subject:** Rezoning case# Z-40-22-2

Comment for the planning committee re Z-40-22-2

We live on Redfield Rd, adjacent to the proposed project.

We submit to the committee concern of the proposed apartments having a line of sight into the backyards, pools, or private areas of the homes located in Raskin Estates. If they will have such a line of sight, we would oppose such development.

Thank you

Sholom and Penina Zagelbaum

**From:** [Wade and Joann Giles](#)  
**To:** [Anthony M Grande](#)  
**Subject:** Proposed Development of Scottsdale Town Square  
**Date:** Monday, October 17, 2022 8:13:19 AM

---

Dear Sir:

We live in a single family home 1 block west of the proposed development on Hearn Road and have been here for 27 years. We love the area, the neighborhood, and the many amenities that go with living in a single family home neighborhood. Right now, the proposed area to be torn down to build multiple housing units, is busy and provides many amenities to the neighborhood.

I am greatly concerned about the proposed development in Scottsdale Town Square. I fear it will change our safe, quiet neighborhood into a jam packed, loud and busy, busy area. Not only will there be well over 300 people, but the cars which will be coming and going from this area is way too many for our streets to handle. We already have difficulty accessing Thunderbird Road at rush hour. What will happen with 300 plus people moving into this area? Will there be a traffic study done to see what the density of cars is at rush hour now? Imagine the impact of 300 more coming and going.

Further to the point of traffic, what about access to Scottsdale Road going North? There are only 2 streets to access Scottsdale Road going North from the development - Thunderbird or Acoma. From the proposed development, to go North you have to access Thunderbird to Scottsdale Road. Extremely difficult as that means left on Thunderbird **across traffic** and then left at the lights on Scottsdale Road. OR, cars will have to proceed through the entire neighboring shopping center to get to Acoma Road. What will be done to address this issue, as I know that Scottsdale Road is in Scottsdale district not Phoenix? I can see this being a huge problem!

We live on Hearn which is the street the neighborhood school is on. I am concerned about the increase of traffic coming and going as more people pick up and drop off children in the neighborhood school from the multi family housing units.

The population density in our area in the last 27 years has more than quadrupled. The number of multi family units which have been built and continue to be built is staggering in number! Have a look at The Quarter and Kierland with the gigantic high rises that have been and are continuing to be built. Just south of Thunderbird on Scottsdale Road there is a multi-family unit under construction now - I am guessing 300 plus units. Where will it end? How many is too much?

Please take into consideration the proliferation of population in this area and the impact it will have, as you consider the rezoning proposal.

Thank you for your attention to this matter!

Sincerely,

Wade and Joann Giles

6943 E Hearn Rd.

**From:** [Christina Noyes](#)  
**To:** [Anthony M Grande](#)  
**Subject:** Scottsdale - Towne Square Rezoning  
**Date:** Monday, October 17, 2022 11:05:46 AM

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Hello,

I would like to provide written comments on this proposal. I am a resident at 70<sup>th</sup> place, five houses north and west of this development.

I am strongly opposed to the height of the apartments that are closet to 71<sup>th</sup> Street and also, to the 68 feet along Scottsdale which is still too tall for this area. It is not urban, it is suburban.

The houses need more of a buffer. The apartment owners will be able to look down into the yards of the homes along 70<sup>th</sup> street. Trees are not tall enough to prevent this direct view from this height.

The 20 foot current height and current setbacks were relied upon by the homeowners who are just next door, as were the character of use as commercial. The setbacks work well to maintain the expectation of privacy a homeowner has in their backyard based on the zoning when bought.

I am also concerned that this will set a precedent for the development just north on setbacks and heights.

At the local meeting, I asked for a drone photo or line of sight study from the proposed height of the apartments at each level. None has been provided to date.

This area is being characterized as old and downtrodden, with views from the backside of the commercial buildings. As a resident, we are frequently in this area, using the stores. A facelift is fine. A complete re-characterization, is not.

Christina Noyes  
Brian Flaherty  
14238 N. 70<sup>th</sup> Place  
Scottsdale, AZ 85254  
[cnbemail@gmail.com](mailto:cnbemail@gmail.com)

**From:** [Amy Satterfield2](#)  
**To:** [Adrian G Zambrano](#)  
**Subject:** Scottsdale Towne Square Case #Z-40-22-2  
**Date:** Tuesday, November 29, 2022 9:35:56 AM

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Below please find a copy of the Kierland Community Alliance's letter sent to Jason Morris on November 20, 2022, regarding PUD Case number Z-40-22-2, Scottsdale Towne Square. This letter outlines the KCA's concerns regarding this development. Please let me know if you have any questions.

Amy Satterfield  
Vice Chair  
Kierland Community Alliance

Jason,

Our Board has reviewed the Scottsdale Towne Square application, revisiting our conversations with you, George and Jeff on Oct. 4., along with comments shared in the community Zoom call and input received from neighbors directly affected by this development.

While we believe we are getting closer to a project the Kierland Community Alliance can support, and although we appreciate your efforts on bringing this in line with other developments in the area, particularly those that are directly adjacent to single-family homes, our primary concern remains the maximum height of the development currently drafted at 68'. As Wayne stated in a letter/email dated July 23, 2021, we firmly believe the maximum height for a project adjacent to single family homes should not exceed 56'. This is in line with The Manor development precedent south of Thunderbird, as well as the tiered height restrictions adopted with the Kierland Sky development off Kierland Blvd.

Ancillary to this we would also like to see specific language added to the proposal to further clarify some of the features you have already agreed to verbally.

Below is a brief overview of what the KCA would need to see, in order to support your proposal with the city and the neighborhood.

- Reduction in height to a maximum roof line of 56' (The height on your comparative zoning table say 78' max height.)
- 3" caliber trees with 20' center on all perimeter trees. The current plan indicates mesquite and palo verde trees along the 71st Street frontage. As these trees do not have dense foliage, they will not provide adequate visual buffer for adjacent residences. We would request more dense trees like Chinese Elm, Southern Live Oak, Indian Laurel, Ficus, etc.
- No pedestrian access along 71st Street
- In exchange for balconies at the 2-story level, no balconies on the 4th story as at these heights, view lines in the residential yards are not able to be obstructed by the tree line.
- 85% non reflective glass on all windows
- Solid fence along 71st Street
- No lighted signage on the West side of the property.

As mentioned in a previous email, we would also like clarification/documentation on the

following items:

- Will there be a deceleration lane southbound on Scottsdale Road approaching the turn off to the West before Thunderbird?
- What are the parking ratios relative to city requirements?
- Where will the dog park be located?
- Have you completed a traffic study? If yes, please provide to us.
- Are the drone photographs completed? If yes, please provide to us.
- In the email dated, July 23, 2021, Wayne asked for further clarification regarding your intentions on the southern portion of the property. This is not made clear in the PUD application.
- We would appreciate some language in the proposal confirming that this will not be redeveloped and built any higher than the existing retail. Would the developer be open to creating a deed restriction on that portion of the property to assure nothing will be developed above the existing height on that section of the property?

We thank you for the willingness of your team and the Woodburys to conduct open and productive conversations with representatives from the Kierland Community Alliance Board.

We recognize and appreciate the accommodations you have already made in those conversations.

These include:

- wrapping the parking garage and moving it away from the single-family homes
- tiering the development height up toward Scottsdale Rd.
- upgrading the landscaping along 71st St.
- removing balconies on the 2nd and 3rd story west facing units
- not having rooftop amenities.

While this is not impactful on your development and will be handled by the neighborhood, as an adjacent property owner, we would appreciate written support for the following:

- No parking signs along the eastern side of 71st Street.
- Closure of street rather than gated access at Hearn Rd. and 71st Street.

Jason, in speaking with Jeff recently, he asked if we would clarify our support of the project as is currently submitted. With the concerns regarding the proposed height being paramount, we are not able to support the project in its current form. We do, however feel if this and the other issues can be resolved, we could provide support for this project moving forward.

Please feel free to reach out if you have and questions. We look forward to hearing from you.

On behalf of the Kierland Community Alliance Board, thank you.

Amy Satterfield  
Vice Chair  
Kierland Community Alliance

**From:** [Adrian G Zambrano](#)  
**To:** [Adrian G Zambrano](#)  
**Subject:** 2022-11-30 - Opposition - Christina Noyes  
**Date:** Wednesday, November 30, 2022 3:38:57 PM

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**From:** Christina Noyes <[cmnoyes@gustlaw.com](mailto:cmnoyes@gustlaw.com)>  
**Sent:** Wednesday, November 30, 2022 2:16 PM  
**To:** PDD Long Range Planning <[pdd.longrange@phoenix.gov](mailto:pdd.longrange@phoenix.gov)>  
**Subject:** Scottsdale Town Square - 12/5 vote

Hello,

I am a neighbor only a few houses away from this development. I am strongly concerned about the view lines from the apartments into the yards of the neighboring single family homes along 71<sup>st</sup> street, even with the proposed setback and changes.

I have suggested a drone view from the height and set-back for each apartment level, so that the homes could further evaluate the impact of the levels and proposed set backs. I have not received one and the proposal does not include one. The site views in the application do not fully show the apartments facing the homes.

The desert trees proposed are high enough or dense enough to block the view.

Christina Noyes  
Brian Flaherty  
[cnbemail@gmail.com](mailto:cnbemail@gmail.com)  
14238 N. 70<sup>th</sup> Place  
Scottsdale, AZ 85254

## Nayeli Sanchez Luna

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**Subject:** FW: rezoning at townsquare, Scottsdale Rd and Hearn

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**From:** Christine Blunt <[cab2046@gmail.com](mailto:cab2046@gmail.com)>

**Sent:** Friday, December 2, 2022 9:55 AM

**To:** PDD Long Range Planning <[pdd.longrange@phoenix.gov](mailto:pdd.longrange@phoenix.gov)>

**Subject:** rezoning at townsquare, Scottsdale Rd and Hearn

Please do NOT rezone this. There are many many apartment complexes being built in the aea. We do NOT need another one. I am a resident of the area. I do NOT want this. This will overload an already maxed out sewer system, etc.

Christine Blunt

November 8, 2022

Dear Councilman Waring:

For many years I lived near the intersection of Scottsdale Road and Thunderbird in Phoenix and have watched with concern as retail has struggled in north Phoenix. The recent loss of much of Paradise Valley Mall is an example.

That's why I am supporting efforts to redevelop a portion of Scottsdale Towne Square. As the nine-year COO of the Barrett-Jackson Collector Car Auto Auction, I appreciate the need to bring in new residential to support retail. In the age of Amazon this is essential.

Updating the shopping center would also reduce the Sunday morning traffic challenges that come with the church that is located there.

I think the entire shopping center could benefit from an update that would come with redevelopment. In fact, the entire area needs a little TLC and surrounding businesses need a new supply of customers. I chose to live in the area because I appreciate the quality of life. This proposed redevelopment will reinvigorate existing retail, and create quality public spaces.

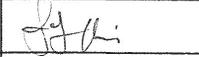
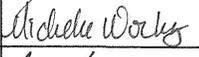
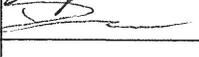
As one of your constituents, I hope you will approve the zoning that would make this project a reality and improve the quality of life for the entire area.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nick Cardinale', with a large, sweeping flourish above the name.

Nick Cardinale  
Immediate Past COO  
Barrett-Jackson Collector Car Auction  
Phoenix, AZ

We, the undersigned Phoenix residents and businesses, support the rezoning needed to enable Scottsdale Towne Square Thunderbird Phase to create new retail space and multi-family residential on a portion of its site. In a post-COVID economy and in the "Age of Amazon" shopping centers need to re-think and re-position. This redevelopment plan would help create an additional customer base for area merchants allowing them to stay in business and generate tax revenues. The area in and around Thunderbird and Scottsdale Roads needs and deserves quality residential and retail. This project includes a buffer from existing residential by creating a landscaped plaza complete with art installations. It is also designed to prohibit traffic from entering the existing residential neighborhood. This plan right-sizes retail space, creates a pedestrian experience and gathering areas that benefit the neighborhood and local businesses, and delivers an infusion of new customers through higher-end residential. It will help Scottsdale Towne Square from declining like other shopping centers in Phoenix. These are just some of the reasons we support this rezoning.

Name	Signature	Email	Phone	Business Name (if applicable)	Address
Ashley O'Rourke		@yahoo.com aorourke99	602-618-3934		5102 W Pershing Ave
Lynn Kluson		lynnkluson7777@gmail.com		Mize Ed Place	13610 N Scottsdale
Deseray Rush		desi_rush90@gmail.com	480 331 4126	Brooklyn By Bug	13850 N. 79th Ave # 282 Phoenix, AZ 85028
Michelle Worley		mworley@schodofrock.com	910-903-1213	School of Rock	13610 N. Scottsdale Rd Scottsdale AZ 85254
Alycia Hagenmaier		alyciahagenmaier@aerpetvet.com	480-939-0939	AerpetVet	7139 E Thunderbird Rd Scottsdale AZ 85254
Bennie Olson		bennie_olson@cox.net	602-670-7911	Good Feet	1360A N. Scottsdale 85254





**Village Planning Committee Meeting Summary**  
**Z-40-22-2**  
**INFORMATION ONLY**

**Date of VPC Meeting** August 1, 2022  
**Request From** C-2, C-2 SP, and PSC  
**Request To** PUD  
**Location** Approximately 800 feet north of the northwest corner of Scottsdale Road and Thunderbird Road

**VPC DISCUSSION:**

*Four members of the public registered to speak on this item.*

**Jason Morris**, representing the applicant with Withey Morris PLC, introduced himself and provided an overview of Woodbury Corporation who has owned this property for five years and intends to hold it. Mr. Morris discussed the location of the property, surrounding developments, and existing tenants in the property. Mr. Morris stated that the site was developed originally for a grocery store, but the area has changed considerably since. Mr. Morris showed photos depicting site conditions and discussed the proposed site plan. Mr. Morris stated that this proposal would remove 25,000 square feet of retail space to right size it and redevelop a mix of uses. Mr. Morris met with neighbors in the area, including the Kierland Community Alliance, and will review the feedback provided recently on the project.

**Jeff Brand**, with Nelsen Partners, introduced himself and provided an overview of the changes proposed for a portion of the existing shopping center. The northern portion of the center is intended to be redeveloped with buildings located closer to Scottsdale Road. Mr. Brand stated that open space is proposed along 71st Street, in addition to a gated pedestrian connection. Mr. Brand discussed various conceptual renderings and compared the street cross-sections to that of the Manor Scottsdale project. Mr. Brand stated that this proposed development would not have windows facing the adjacent single-family neighborhood much like the Manor Scottsdale project. Mr. Brand discussed proposed open space improvements and renderings of these along 71st Street. Mr. Brand added that a local artist was engaged to create these art pieces.

**Questions from the Committee:**

**Jennifer Hall** asked if the maximum building height proposed was 78 feet and if the Scottsdale Municipal Airport was contacted. **Ms. Brand** responded that the PUD

Narrative as written now would allow for a maximum height of 78 feet and that the project had received approval from the FAA on the building location.

**Alex Popovic** asked if the current proposal is to have four stories of residential units over two stories of non-residential space. **Mr. Brand** responded that the proposal is for five stories of residential over one story of non-residential space. **Mr. Popovic** asked if 250 residential units are proposed and if these are rental or ownership type. **Mr. Brand** responded that the 250 units proposed would be for rent. **Mr. Popovic** asked for clarification on the proposed building height and if there could be increased building setbacks provided along the west. **Mr. Morris** responded that his team is evaluating the proposed height and have located buildings closer to Scottsdale Road.

**Marc Soronson** asked if the southern portion of the shopping center is also owned by the same company and what will happen to this property in the future. **Mr. Morris** responded that the property to the south is also under the same ownership and will be consistent with this proposed development when it redevelops in the future. **Mr. Soronson** asked for clarification on the pocket park and stated that there might be concerns with others accessing this space along the neighborhood. **Mr. Morrison** stated that this topic is a point of discussion with the neighborhood. **Mr. Soronson** asked for clarification about the maintenance of the pocket park and added that the emphasis of the site should be Scottsdale Road.

**Robert Goodhue** asked if the parking garage is proposed to be screened along the western property line. **Mr. Brand** responded that the parking will be screened but will be open at the top of the garage. Mr. Brand added that the distance of the building, proposed over height wall, and vegetation will help mitigate any noise. **Mr. Goodhue** stated that he wants to ensure that noise will be mitigated. **Mr. Morris** stated that he anticipates any noise to be lower than what exists on site today due to the back-of-house uses there.

**Regina Schmidt** asked for clarification on the size of the pocket park and if trees will be planted in the parking areas. **Mr. Morris** stated that the park is more of a linear park and trees will be provided on parking within the retail portion of the site, but not along the parking garage. Mr. Morris added that covered parking might be considered here.

**Chair Robert Gubser** asked for clarification on the central pedestrian connection proposed. **Mr. Brand** responded that this is an enhanced pedestrian pathway that will create a transition with the southern portion of the site. **Mr. Morris** added that this pathway is intended to also allow existing residents along 71st Avenue a more direct connection to the retail uses proposed on this site. **Chair Gubser** asked how residents would get access along this pathway if this will be gated. **Mr. Morris** stated that there is an existing agreement that allows those residents to have access through this gate.

### **Public Comment:**

**Amy Satterfield**, Vice Chair of the Kierland Community Alliance (KCA), stated that KCA has met with the applicants. The building height is of primary concern at 78 feet, while other projects in the area do not exceed 70 feet. Ms. Satterfield stated that the privacy of residents along the west is also of concern in addition to open parking garages due to emanating noise from vehicle alarms and other noises. Ms. Satterfield stated that that

Scottsdale Manor project is 50 feet in height with no balconies facing single-family uses and a wrapped parking garage. Ms. Satterfield added that site access and increased traffic are of concern and ensuring that vehicular parking along 71st Street is not an issue like in the past. Ms. Satterfield stated that the gate code along the proposed pathway is changed quarterly and provided to all residents who live along the west. Ms. Satterfield concluded by stating that the discussions with the applicants are encouraging.

**Lani Harrison**, resident of the area, lives along 71st Street near Impact Church which has loud music and whose patrons often park along 71st Street on Sundays. Ms. Harrison stated that she wants to like this project but has various concerns. Ms. Harrison stated that the line of sight into the residents' yards is important to protect, in addition to the access code for the pedestrian gate. Ms. Harrison has concerns with vehicular parking and unrestricted pedestrian access along 71st Street. Ms. Harrison stated that density is of concern and encourages a reduction in the number of dwelling units.

**Alison Howard** asked if the linear park along 71st Street was going to be a dog park and if there is a limit on the density for the project.

**Mervin Giles**, resident of the area, stated that the density of 350 dwelling units is an issue for him, causing increased traffic in the area, adding that 700 people would be living there. Mr. Giles stated that gate access is often used by others who are not authorized to use it.

#### **Applicant Response to Public Comment:**

**Mr. Morris** thanked everyone for the feedback provided and stated that a neighborhood meeting would be held in September. Mr. Morris stated that this case could return to the Village Planning Committee on October 3rd for recommendation.

#### **Discussion:**

None.



## Village Planning Committee Meeting Summary

Z-40-22-2

Scottsdale Town Square PUD

<b>Date of VPC Meeting</b>	December 5, 2022
<b>Request From</b>	C-2 (1.06 acres), C-2 SP (0.06 acres), and PSC (7.42 acres)
<b>Request To</b>	PUD
<b>Proposed Use</b>	Planned Unit Development to allow multifamily residential and commercial uses
<b>Location</b>	Approximately 800 feet north of the northwest corner of Scottsdale Road and Thunderbird Road
<b>VPC Recommendation</b>	Approval, per staff the recommendation, with a modification and additional stipulations
<b>VPC Vote</b>	13-3

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*Committee member Alan Sparks joined the meeting during this item, bringing the quorum to 18 members. Committee members Toby Gerst and Louisa Ward left the meeting during this item, bringing the quorum to 16 members.*

### **Staff Presentation:**

**Mr. Zambrano** provided an overview of rezoning case Z-40-22-2, describing the location, request, surrounding land uses, existing and surrounding zoning, and General Plan Land Use Map designation. Mr. Zambrano provided background on adopted policy plans that the project would support. Mr. Zambrano then described the proposal, discussing the proposed site plan and elevations. Mr. Zambrano noted letters of opposition and support received and summarized the concerns in the letters of opposition. Mr. Zambrano concluded by sharing the staff findings, recommendation of approval and the recommended stipulations, noting requested revisions of the PUD narrative.

### **Applicant Presentation:**

**Jason Morris**, representing the applicant with Withey Morris PLC, introduced himself, George Pasquel with Withey Morris PLC, Jeff Brand with Nelson Partners, and Joshua

Woodbury with Woodbury Corporation. Mr. Morris provided an overview of the proposal, noting the trend of many retail stores closing over the past decade. Mr. Morris stated that the property owner, the Woodbury family, is a long-term property owner and is intending to remain the property owner after improving the property. Mr. Morris noted that shopping center property owners have had to search for alternative uses to occupy their suites as retail needs declined, including charter schools and churches. Mr. Morris stated that the anchor tenant space located on the portion of the site where proposed redeveloped is located is occupied by Impact Church, noting that the church does not serve as an anchor to the shopping center when they are not busy. Mr. Morris added that the church can also be very busy during services, so much that almost the entire parking lot is taken up for church parking, which can be problematic for other retail tenants in the shopping center. Mr. Morris stated that the intent of the proposal is to provide a better mix of uses that compliment and support the other retailers in the shopping center. Mr. Morris noted that 71st Street separates the property from adjacent single-family residences to the west and compared that to previously approved rezoning cases where single-family residences were directly abutting the subject property. Mr. Morris added that views will not be impacted as the existing conditions shown on the street view image from 71st Street already block views of any surrounding mountains. Mr. Morris stated that the proposal was redesigned since the last VPC meeting to address neighbor concerns with the parking garage abutting the neighborhood, noting design elements that were kept, including the landscape buffer along 71st Street and two buildings for restaurant space with a common patio and open space area for existing restaurant tenants to relocate to. Mr. Morris stated the pool area was relocated to the west with enhanced landscaping surrounding it. Mr. Morris added that the building along the west is tiered to be at a lower height when closer to the west. Mr. Morris stated that the parking garage has been wrapped and enclosed by the building containing residential units, the amenity area is in a courtyard at ground-level surrounded by walls and landscaping, and height and density were reduced to an overall height of a 4-story parking garage and overall, five stories with a 4-story residential building above 1-story of retail. Mr. Morris stated that the all the small retail uses are being kept as part of this development so that it is a true mixed-use development rather than uses located adjacent to each other. Mr. Morris stated that the development would create a retail environment underneath the residential units that are the right space, right size and right location, but in order to do that they need a total height of at least 66 feet, which is less than what was originally proposed. Mr. Morris added that the maximum height is only required for the residential building furthest east against Scottsdale Road, and that all other buildings are at a lower height. Mr. Morris stated that the tallest residential building has been oriented to limit balconies facing west. Mr. Morris proceeded to discuss Manor Scottsdale PUD; a rezoning request previously approved by the Paradise Valley VPC. Mr. Morris noted that this was also a request for five stories with a maximum height of 56 feet and no ground-level retail. Mr. Morris argued that there being no retail and solely residential is the reason why this project was able to be brought down to this height. Mr. Morris provided a comparison between Manor Scottsdale PUD and the proposed Scottsdale Town Square PUD, noting that the taller portions of the building are located further away from the nearest single-family residence than Manor Scottsdale PUD is. Mr. Morris added that the proposed density is less than Manor Scottsdale PUD. Mr. Morris shared a diagram showing that the proposed trees along the west property line would block views from taller portions of

the building into single-family residence yards and noted that privacy is protected much more than Manor Scottsdale PUD. Mr. Morris concluded by discussing the renderings of the proposed landscaping along the west property line, noting that there is not much of an existing landscape buffer, and the proposal would be a big enhancement to provide a dense landscape buffer.

### **Questions from the Committee:**

**Larisa Balderrama** asked how long the church's lease was. **Mr. Morris** responded that the existing lease will not be broken and that the church will be given time to find another location. Mr. Morris stated that the construction will not be able to take place until building permits are issued, likely in at least 12 months. Mr. Morris stated he was unaware of the length of the lease but noted the church use was always intended to be an interim use until redevelopment of the site was able to occur. **Ms. Balderrama** stated she understood that the lease was for another five years per a source she believes to be truthful, but she has not verified that information. Ms. Balderrama stated that if that information is correct, she would like to know that before being able to vote on this item so she is assured the church will not be evicted. **Mr. Morris** responded that he was just told that there is a right to redevelop under the lease within 24 months. **Ms. Balderrama** asked if the church was aware they would need to move in 24 months. **Mr. Morris** responded affirmatively and clarified that it is 24 months from where they are at today but was unsure how long it has been. Mr. Morris added that the church has been an excellent tenant but that there have been some concerns from the neighborhood regarding overflow parking into the neighborhood. **Ms. Balderrama** asked if the applicant has met with the church and if they have received any input from the church on the plan for redevelopment. **Mr. Morris** responded affirmatively.

**Alex Popovic** asked if there was a rezoning related to the existing PSC zoning. **Mr. Morris** responded that PSC permits up to 56 feet of height as well but that it does not permit residential uses and does not enforce the type of quality product proposed. Mr. Morris added that the conventional zoning districts are typically only for commercial or residential uses, but to have vertical mixed-use requires a PUD in this area. **Mr. Popovic** asked if there will be any balconies for the units on the upper stories facing west that could potentially look into residential yards to the west. **Mr. Morris** responded that there will be windows and balconies on those units; however, the parking garage is directly adjacent to them, and those units will be looking down to the top of the parking garage rather than into residential yards further away. Mr. Morris added that balconies were restricted on units closer to the west property line, but that the units further east do not have a viewshed into the neighborhood and are rather looking down into the project site itself. **Mr. Popovic** asked how many units were removed since the informational only meeting. **Mr. Morris** responded that approximately 42 units and one story in height were removed. **Mr. Popovic** clarified that the building was moved further east. **Mr. Morris** responded affirmatively. **Mr. Popovic** asked if there were any further discussions with the community regarding pedestrian and vehicular access to 71st Street. **Mr. Morris** responded that art features and pocket parks were originally proposed along the 71st Street frontage. Mr. Morris stated that the neighborhood was concerned the pocket parks would become a nuisance with unwanted people using and taking advantage of the pocket parks. Mr. Morris stated that the residents requested

pedestrian access be removed to 71st Street, adding that the intent of the pedestrian access was to be an accessible gate for residents of the neighborhood to the west that would connect to the open space area between the restaurant buildings so that residents of the neighborhood can easily access the restaurant and retail spaces by walking. Mr. Morris stated the pedestrian access was removed per resident request. Mr. Morris added that the residents requested the art pieces along 71st Street be removed, and the money reallocated for additional landscaping along 71st Street. Mr. Morris stated they agreed to do that as well.

**Mr. Goodhue** asked if the top floor of the garage will be open. **Mr. Morris** stated that the top floor of the garage would have covered parking and may have some opportunities for solar panel canopies. Mr. Morris added that the top level will be walled to ensure noise remains interior. **Mr. Goodhue** stated that his biggest concern has been noise transmitted from the property, so if this goes for approval, he has additional stipulations to add.

**Cynthia DiMassa** asked which floors have balconies facing west. **Mr. Morris** responded that it would be the top two floors, so the fourth story on the side of the garage. **Ms. DiMassa** asked how far the fourth story is from the adjacent residential properties. **Mr. Morris** responded it is 160 feet at its closest, and then the next story has a step back which is 319 feet away. **Ms. DiMassa** clarified that the fifth story is 319 feet away. **Mr. Morris** confirmed, adding that they are both 4-story residential, but one is above ground-level retail. **Ms. DiMassa** stated that she lives on the fifth story of the building she lives in at Optima Kierland Apartments, and she can see straight down into the properties behind her, even though the building is set back a good distance from 71st Street. **Mr. Morris** responded that the fourth story and fifth story are likely a bit lower than the Optima building, and that the Optima building does not have higher stories stepped back, whereas this proposed building has the higher stories tiered to be stepped back from 71st Street. Mr. Morris added that because of the step back the viewshed would be looking more at this site itself rather than the neighbors. **Ms. DiMassa** clarified that the fourth story will be looking at the third story roof. **Mr. Morris** confirmed. **Ms. DiMassa** asked what was on top of the garage. **Mr. Morris** responded that it would be the top level of the parking garage. **Ms. DiMassa** asked if there would be cars parked there. **Mr. Morris** confirmed and added that they would be under canopies. **Ms. DiMassa** asked what can be done to limit noise from the pool area since it is right up against 71st Street. **Mr. Morris** responded that one of the requests from the neighborhood is that there are no rooftop amenities, so they have agreed to that. Mr. Morris stated that the pool area is enclosed on all four sides and there is a solid wall to the west.

**Diane Petersen** asked how many units were proposed. **Mr. Morris** responded 311 units. **Ms. Petersen** stated she was concerned with height and traffic. Ms. Petersen stated that she has a concern with the gate going into the community, citing concerns with apartment traffic going through the adjacent neighborhood due to difficulty being able to turn to go north on Scottsdale Road when wanting to head west. Ms. Petersen stated that she would like the gate to be closed and walled off. **Mr. Morris** responded that buildings in the Kierland area are 120 feet tall or more and the request is for 66 feet. Mr. Morris added that the most recent project that came to the VPC on Bell Road

and Scottsdale Road was at 141 feet. Mr. Morris added that Manor Scottsdale PUD was at 56 feet tall directly abutting adjacent neighbors' yards. Mr. Morris added that only a portion of this project is 66 feet tall. Mr. Morris stated that change in use from retail to residential will be a decrease in traffic by 400 trips per day. Mr. Morris agreed that the access from Hearn Road is unnecessary, stating that this project already has northbound and southbound access to Scottsdale Road, as well as eastbound and westbound access to Thunderbird Road. Mr. Morris stated that there would be zero trips from this project along 71st Place or within any of the adjacent residential areas. Mr. Morris stated if the neighbors in the area wanted to remove the access gate from Hearn Road and close off that access entirely, that they would support the neighborhood on that request and that they sent a letter to the Kierland Community Alliance (KCA) stating so. **Ms. Petersen** stated there is a lot of history of people using Hearn Road. Ms. Petersen asked if the ground-level retail will be for the existing retail in the shopping center. **Mr. Morris** responded that the intent is to phase the project so that the existing tenants can remain and can be moved into the new retail spaces. **Ms. Petersen** asked if the ground-level retail spaces could be relocated nearby the restaurants so that the building height could be reduced. **Mr. Morris** responded that existing shopping center has retail spaces that are for larger stores and modern retail spaces are typically narrower and not as deep. Mr. Morris stated that more retail space is being created rather than just the number of existing retail tenants. Mr. Morris stated that moving the retail to another place would be difficult and it would take away from what they are trying to create, which is vertical mixed-use rather than uses adjacent or near residences. Mr. Morris stated he misspoke regarding the balconies on the fifth story facing west and that they would be facing internally, looking at the building on the other side.

**Marc Soronson** stated that he would like to amend the Traffic Impact Study stipulation to also include a mobility study to address pedestrian and bicyclist mobility to the activity centers to the north and east. Mr. Soronson asked what the property owner's plan is for the south half of the existing shopping center. **Mr. Morris** responded that one of the selling points of living in this area is having pedestrian and bike access to the commercial to the north and south. **Mr. Soronson** stated he would like it to be part of the stipulation. Mr. Soronson stated that there are many underground parking spaces along Scottsdale Road but there are no ways to get between developments. Mr. Soronson stated that there are activity centers in this area that are extremely walkable and bikeable and that connectivity could be easily implemented between developments. Mr. Soronson believes that developers have a responsibility to recognize that and implement it into their plan. **Mr. Morris** agreed, stating that there will be detached sidewalks with landscaping to make it a more pleasant condition. Mr. Morris stated that the City of Phoenix and City of Scottsdale will focus more on people and bikes over cars when there are more people and bikes in the area. Mr. Morris stated that this project will bring more people to the area and that is being seen throughout this area. Mr. Morris stated the south half of the shopping center adjacent to Thunderbird Road will be refurbished to have a façade that matches the look and design of the north half. Mr. Morris added that there will be no additional height or change of use requested on the south side. **Mr. Soronson** stated that given the density in the area, he would like to see a minimum of 6-foot-wide sidewalks.

**Ms. Schmidt** asked if the top level of the parking garage would include spaces for residents. **Mr. Morris** responded that there will be shared parking at the ground level and reserved parking for residents above the ground level. Mr. Morris added that retail parking will be closer to the retail stores at the ground level. **Ms. Schmidt** proposed that noise from the top level of the parking garage could be reduced by only having the parking garage open during business hours. **Mr. Morris** stated that the retail parking spaces are kept at ground-level because they are much more likely to be coming into and out of the site frequently versus a resident that would make fewer trips.

**Public Comment:**

**Amy Satterfield**, Vice Chair of the Kierland Community Alliance (KCA), introduced herself and the KCA as a neighborhood organization opposed to the project. Ms. Satterfield stated that they have had discussions with the development team since August and have continued those discussions to mitigate the impact on the residential community. Ms. Satterfield stated at that meeting they requested mitigating the impact by doing the following: 1) *wrapping the parking garage and moving it away from the adjacent single-family homes*; 2) *tiering the building up towards Scottsdale Road*; 3) *upgrading the landscaping along 71st Street and removing the pocket parks*; 4) *removing balconies on the second and third stories facing west*; and 5) *removing rooftop amenities*. Ms. Satterfield stated those mitigations have all been agreed to. Ms. Satterfield stated that since then there have been subsequent discussions regarding some additional concerns. Ms. Satterfield stated that they received an email from the applicant agreeing to their proposed stipulations, and asked that the following stipulations be added to this case:

- 1) The west perimeter shall be planted with minimum 3-inch caliper trees planted 20 feet on center.
- 2) Trees species with denser foliage to create a visual buffer shall be used along the west perimeter.
- 3) The fence along 71st Street shall be a solid wall and there shall be no openings that allow pedestrian access to 71st Street.
- 4) Windows shall use 85% non-reflective glass.
- 5) There shall be no lighted signage along the west side of the property
- 6) No parking signs shall be installed along the east side of 71st Street.
- 7) Access from Hearn Road shall be permanently removed.
- 8) The maximum building height shall be 56 feet.
- 9) There shall be no balconies on the fourth story.

Ms. Satterfield stated that they also requested the developer take photos by a drone to illustrate if there would be a visual buffer from trees for the balconies at the second story versus the fourth story, but the developer stated that the permits need to be filed and received in order to do so. Ms. Satterfield stated the KCA would also like some assurance that the south side of the shopping center would not develop higher than the existing buildings. Ms. Satterfield stated that the KCA is in favor of development that has the least amount of impact to existing homeowners. Ms. Satterfield stated that the Village Planning Committee is closest to the neighbors, and as the case moves along in

the process it becomes more distant from those who are most impacted. Ms. Satterfield stated they rely on the Committee to be the voice of the neighborhood.

**Mervin Giles** introduced himself as a neighbor of 28 years opposed to the project. Mr. Giles stated that he would like to see a traffic study done that includes the residential units that have been added along Scottsdale Road between Bell Road and Cactus Road within the last two years. Mr. Giles stated that the traffic studies he has looked at presented by the developer do not compare at all to the traffic he sees on the street. Mr. Giles stated he does not understand how the traffic generated would be less if the existing retail tenants are remaining on the site in addition to the proposed residences. Mr. Giles stated he has a concern with the height because the mountains can be seen from about a block away. Mr. Giles requested a drone view at the proposed height.

**Anthony Scerbo** introduced himself and his friend Nick Cardinale, the Immediate Past Chief Operating Officer of the Barrett-Jackson Collector Car Auction, in support of the case. Mr. Scerbo read a letter of support from Mr. Cardinale on his behalf, since he was unable to attend the meeting, which was sent to staff to be attached to the staff report.

**Lani Harrison** introduced herself as a neighbor on 71st Street and Redfield Road in support of the project. Ms. Harrison stated that the situation with Impact Church is not a good situation for the residents of the neighborhood. Ms. Harrison stated that the church's music goes on four days a week and that her windows shake. Ms. Harrison stated that the church had sent the neighbors a letter that they would begin to use 71st Street for additional parking and provided gift cards. Ms. Harrison added that she does not hear much noise from the Firestone Tire and Rubber Company building, stating that she would have thought a car repair facility would be noisier, but it is actually the church that has been much noisier and has been a nuisance. Ms. Harrison supported the updated look and added that the neighborhood currently looks into the back of an industrial-looking shopping center and that she would love a view of something more updated and prettier. Ms. Harrison stated she would support removing pedestrian access along 71st Street and removing the gate access from Hearn Road to permanently close it off, since neighbors have their children riding bikes along 71st Street.

### **Applicant Response:**

**Mr. Morris** agreed with comments made by Ms. Satterfield. Mr. Morris stated she had worked diligently with the architectural team to come to a compromise with the final product, but what could not be compromised any further was the height. Mr. Morris stated that the majority of the site is at 56 feet in height until further east beyond 165 feet from the nearest residence. Mr. Morris added that they truly believe in the viability of the retail uses and a true mixed-use project and having that additional 10 feet over 300 feet away allows them to create an interesting streetscape rather than an apartment building alone. Mr. Morris stated that the current property owner was the previous retail property owner and will remain the property owner after this site is redeveloped. Mr. Morris stated that the goal of the project was to create a long-lasting project of high quality. Mr. Morris stated they are able to accommodate the majority of the concerns heard. Mr. Morris stated that the choice would be to either have 55-foot-tall multifamily

residential with no retail or restaurant uses, or to have this project that they believe is exceptional and has a height of 68 feet for less than 15% of the project.

**Chair Gubser** asked if the applicant agrees to the additional stipulations proposed by Ms. Satterfield. **Mr. Morris** stated that they had responded to her letter in agreement and that he does not believe there is anything that she raised that they would not be comfortable with, other than the height.

### **MOTION:**

**Mr. Popovic** motioned to recommend approval of Z-40-22-2 per the staff recommendation. **Alan Sparks** seconded the motion.

### **Discussion:**

**Jennifer Hall** commended the development team for working with the KCA to work through their concerns. Ms. Hall stated she supports the ground-level retail and the other changes made to the project. Ms. Hall stated that before this is brought to a vote, she would recommend that the Committee members entertain a friendly amendment to ensure they include all the stipulations that Ms. Satterfield proposed.

**Ms. DeMoss** asked if the same developer would develop the south portion of the shopping center.

**Mr. Popovic** stated he believed one of the proposed stipulations from the KCA was to not allow this same type of development on the south side of the shopping center.

**Ms. DeMoss** asked if it was possible to move the ground-level retail underneath the building down to the south. **Mr. Morris** responded that there is no intention to redevelop the southern portion of the shopping center. Mr. Morris added that the only way the same type of development on the southern portion could occur is if it went through the same type of public hearing process, since it is not entitled for that type of development. Mr. Morris reiterated that it is not the intent of the developer at this point in time to redevelop the southern portion of the shopping center. Mr. Morris stated that the plan is to upgrade the façade of the shopping center to be compatible with the new development. Mr. Morris stated that moving the retail would take away the uniqueness of having retail at ground-level below residential units. Mr. Morris added that they have not taken anything away from the neighborhood and that the reduction in height from 78 feet to 68 feet has already taken away from the project.

**Ms. DeMoss** stated she was unclear how the applicant is stating that mountain views would not be affected when Ms. Satterfield stated that it would. **Ms. Satterfield** responded that regarding the southern portion of the shopping center, the KCA was asking for some assurance written into the PUD that the southern portion of the shopping center would not be developed higher than 56 feet. Ms. Satterfield added that Mr. Giles had stated that mountains can be seen further out. Ms. Satterfield clarified that she did not make that comment and clarified that her comment was related to views into

the neighborhood. Ms. Satterfield stated that views looking down would look at the top of the parking structure, but views looking out would look into the residences' yards.

**Chair Gubser** asked if Ms. Satterfield was referring to the southern portion of the shopping center to not be developed. **Ms. Satterfield** confirmed.

**Ms. Petersen** asked Ms. Satterfield to restate what she had said regarding the KCA establishing a precedent of 56 feet in height. **Ms. Satterfield** responded that within the KCA boundary between Thunderbird Road to the south, Paradise Lane to the north, 64th Street to the west, and Scottsdale Road to the east, this is the first development that is this close in proximity to single-family homes. Ms. Satterfield stated that they had worked with the development team for the Kierland Sky PUD, who had agreed to reduce the height of the building that is closest to the neighborhood to a maximum of 56 feet within 560 feet of a single-family residence.

**Toby Gerst** appreciated the proposed revitalization of the area and the idea of mixed-use at ground level. Ms. Gerst added that she has some considerations regarding the kind of traffic that this development would bring to the neighborhood. Ms. Gerst agreed that the proposed stipulations should be added, in addition to limiting height to 56 feet within 560 feet of a single-family residence.

**Mr. Goodhue** stated that while everyone is focused on the 56-foot height limitation, it should also be considered that this project has tiered the buildings away from the property line so that the higher stories have more of a step back. Mr. Goodhue added that there is a big difference between a non-tiered building that is 56 feet tall adjacent to the property line versus the tiered proposal. Mr. Goodhue stated that a 56-foot-tall building that is 10 feet away from the property line would be much more visually impactful than a tiered structure.

**Mr. Soronson** agreed and stated he did not have any issues with the proposed height. Mr. Soronson wanted to ensure the amended motion includes a mobility plan to be included as part of the traffic impact study. **Chair Gubser** asked what Mr. Soronson envisions to be included in the mobility plan. **Mr. Soronson** responded that it should include consideration of pedestrian and bicycle circulation both inside and outside of the property and not just bicycle parking alone. Mr. Soronson added that there is a lot of employment at the airpark across the street and he would like to see less traffic from cars going into the airpark.

**Chair Gubser** stated that when talking about mobility in terms of pedestrian accessibility, the neighbors have indicated that they do not want pedestrian connectivity to 71st Street and that they also want Hearn Road closed off.

**Mr. Soronson** stated that there is a dilemma all over the City of Phoenix where pedestrians in developments have to walk a quarter mile around walls to get to a transit stop rather than 20 feet.

**Ms. Petersen** reiterated that Ms. Satterfield said this development is the closest to the single-family residences at this height compared to other developments at least 560 feet from the nearest single-family residence at 56 feet in height.

**Abe Bowman** asked for clarification on the KCA distance of 56 feet in height from the nearest single-family residence. Mr. Bowman stated that he thought the Manor Scottsdale PUD was closer than what was previously stated by Ms. Petersen. **Ms. Petersen** stated that Ms. Satterfield was referring to other projects that the KCA has dealt with. Ms. Petersen added that the Kierland Sky PUD was reduced to 56 feet in height with a minimum distance of 560 feet from the nearest single-family residence.

**Mr. Sparks** stated that he agreed with Mr. Goodhue's comments and clarified that Mr. Goodhue was making a point that a building 56 feet tall that is located a short distance away is less favorable than a tiered structure as presented. Mr. Sparks stated he believes the applicant has done a great job at making significant changes to address concerns from the KCA and neighbors. Mr. Sparks stated he believes the developer has gone out of their way to accommodate as much as they possibly could.

**Mr. Wise** added that the building is located several hundred feet away and that there will be a large number of trees along the west side of the property. Mr. Wise stated that the trees will grow to block more of the view than the building can see at the distance it is proposed.

**Ms. DiMassa** asked if the balconies on the fourth story could be removed as the KCA requested.

**Chair Gubser** stated he would ask for Mr. Morris to come back on. Chair Gubser stated it was his understanding that the balconies were facing north and south and not west.

**Mr. Morris** stated that Chair Gubser was correct about the fourth and fifth floor balconies. Mr. Morris stated that they would be willing to abide by a stipulation that there be no balconies on the fourth floor if they have a sightline into the neighborhood. Mr. Morris stated that there are many different ways to design a balcony so that it does not protrude outside of the building, such as a recessed balcony or Juliette balcony. Mr. Morris stated they do not have a desire to create a viewshed into the neighborhood, which is why they went to great lengths to create a landscape plan that has mature trees at planting along 71st Street that will only get larger. Mr. Morris stated they will do whatever is necessary to protect the privacy of the adjacent single-family residences.

**Ms. DiMassa** stated that a stipulation limiting the balconies would definitely help, and that if it were a recessed balcony, that there would be no noise from parties on the balconies. Ms. DiMassa requested there be a stipulation added restricting balconies wherever there is a line of sight into the community.

**Ms. Sepic** stated that she believes public art is very important in redevelopment and that she is in support of the proposed height. Ms. Sepic wanted to ensure that if there is no public art on 71st Street, that there at least be public art installations either on Scottsdale Road or in the open space area between the two restaurant buildings. Ms.

Sepic recommended that balconies still be provided but that they should be recessed balconies so that community members can have an outdoor space to still enjoy Arizona's moderate weather.

**Chair Gubser** asked Mr. Popovic if he would like to amend his motion to include the recommended stipulations.

**Mr. Popovic** stated he would agree to add the stipulations recommended by the KCA except for the height. Mr. Popovic added that he is okay with restricting balconies to recessed or Juliette balconies. Mr. Popovic added that he would be amenable to any other recommended stipulations he may be missing.

**Chair Gubser** added that there was a proposed stipulation for public art along Scottsdale Road, a mobility plan, and a recommendation from Mr. Goodhue regarding noise.

**Mr. Goodhue** stated he has a standard stipulation that the City uses for noise mitigation, that states "*Noise generated on the site shall not exceed 50 decibels at the west property line and shall be verified by testing approved by the Planning and Development prior to issuance of the Certificate of Occupancy*". Mr. Goodhue stated that this stipulation was the same stipulation used for another project and that it worked perfectly.

**Chair Gubser** asked if testing noise before occupancy would provide accurate results. **Mr. Goodhue** responded that it would, adding that he is more worried about the parking garage. Mr. Goodhue stated that the noise testing includes simulated car alarms going off as well as other high noises generated from a parking garage. Mr. Goodhue stated that his biggest concern is noise from the upper level of the parking garage since it is not enclosed. Mr. Goodhue stated that testing noise is possible with noise engineers going out into the field with equipment and running tests.

**Chair Gubser** added that there was a recommendation for a reduction in the height.

**Mr. Popovic** stated that he is supportive of the proposed height and is not supportive of reducing the height. Mr. Popovic added that he is okay with the recommended stipulations, except that the height should remain as the applicant has proposed.

**Ms. Hall** asked if KCA's stipulations should be read into the record. **Chair Gubser** concurred. **Ms. Hall** stated she can read them from Ms. Satterfield's letter. Ms. Hall stated that the only one she would not read is the one about reducing the height since she agrees that the proposed height is fine. Ms. Hall stated that the letter included the following recommendations:

1. Enhanced landscaping on the west side of the property
2. Three-inch caliper trees planted 20 feet on center on all of the perimeter
3. Provide an adequate visual buffer for adjacent residences by providing denser trees like Chinese Elm, Southern Indian Laurel, etc.
4. No pedestrian access along 71st Street

5. No parking signs along 71st Street
6. In exchange for the balconies on the second story, no balconies with line of sight on the fourth story on the west
7. Eighty-five percent non-reflective glass on all windows
8. Solid fence along 71st Street
9. No lighted signage on the west side of the property

Ms. Hall stated she would like to add that the solid wall be a 6-foot-tall decorative subdivision wall.

**Mr. Popovic** concurred with the recommended stipulations.

**Mr. Sparks** echoed Ms. Sepic's comments regarding public art. Mr. Sparks recommended the stipulation regarding balconies be simplified to state that there can be balconies where there are no sightlines into the neighborhood and allow the architects to design it. Mr. Sparks concurred with Mr. Popovic's modification to the motion.

**Mr. Zambrano** stated that some clarification would be needed on the language of the stipulations and if the Committee would like it to be incorporated into the PUD narrative or to be a separate stipulation.

**Chair Gubser** responded that he would defer to staff on where it would be better to be incorporated into the narrative or to be a separate stipulation. **Mr. Zambrano** responded that the noise stipulation could be a separate stipulation. Mr. Zambrano stated that the balcony stipulation could be an amendment to the PUD narrative.

**Mr. Popovic** stated that if the language of the balcony stipulation included no sightlines, it may cause confusion of what may be allowed and may be more restrictive than intended.

**Ms. Gerst** stated that restricting the height to 56 feet may address the sightline issue from balconies.

**Mr. Popovic** asked what the difference would be if balconies would be provided either way.

**Ms. Gerst** stated that she believed the KCA requested no balconies on the fourth story and above. Ms. Gerst asked if Mr. Popovic was referring to only one story. **Mr. Popovic** asked if the Committee would be okay with allowing balconies on the fourth story if the height was reduced to 56 feet. **Ms. Gerst** clarified that if the height was lowered, it would eliminate the sightline problem with balconies.

**Chair Gubser** asked if the stipulation for no sightlines to the west residences would be only for balconies or if it would also include west-facing windows. **Ms. Petersen** stated that windows are fine.

**Anita Mortensen** recommended adding a solid wall or some type of cover on the rooftop of the parking garage to block the view from the balconies rather than reducing the height to 56 feet.

**Ms. Hall** clarified that they are not talking about the fourth story balconies to the east of the parking garage but rather the fourth story located on the other side of the parking garage. Ms. Hall recommended the stipulation say that there be no walk-out balconies on the west side of the fourth story rather than line of sight.

**Ms. Mortensen** concurred.

**Ms. DiMassa** concurred.

**Mr. Popovic** concurred.

**Ms. DeMoss** asked what the Committee's opinion was on Ms. Satterfield's comment regarding precedent set by approving a height more than 56 feet.

**Chair Gubser** stated that the amended motion excludes height reduction and at this point the Committee is working through the stipulations that the majority of the Committee is comfortable with.

**Ms. Gerst** stated that there could be multiple motions made if a previous one fails and at that point a stipulation reducing the height could be considered. Ms. Gerst suggested taking a poll to see how many Committee members agree with reducing the height to 56 feet. **Chair Gubser** responded that the Committee needs to work through the other stipulations first. Chair Gubser asked Mr. Zambrano if the motion and additional stipulations are acceptable.

**Mr. Zambrano** responded that there is still some clarification needed on the language of the additional stipulations and if they were to be included as an amendment to the PUD narrative or as a separate stipulation. Mr. Zambrano asked for clarification on what is being measured with the noise stipulation. **Mr. Goodhue** responded that he is referring to noise being generated by the site that is transmitted across the property line. Mr. Goodhue stated he would prefer noise not exceeding 50 decibels at the property line over 45 decibels. Mr. Goodhue stated that the way he read the stipulation pertains more to the intent of the stipulation than the standard stipulation for indoor noise that Mr. Zambrano was using. **Mr. Zambrano** stated he was unsure if it would be an enforceable stipulation to constantly measure the noise level at the property line after occupancy. **Mr. Goodhue** responded that it is enforceable and has been done before with a previous case by testing simulated noises.

**Ms. Gerst** stated she was not able to get sound on her computer initially, so she used her husband's computer which he now needs. Ms. Gerst requested Ms. DeMoss vote for her in proxy while she switched computers. Ms. Gerst stated she is in favor of all the stipulations that were discussed but is opposed to anything above 56 feet in height. Ms. Gerst stated she will vote in favor if the height is reduced to 56 feet and will vote in opposition if the height remains the same.

**Chair Gubser** agreed.

*Staff verified after the meeting that a proxy vote is not recognized as an official vote.*

**Mr. Zambrano** went through the recommended stipulations from the KCA and stated some could be amendments to the PUD narrative. **Chair Gubser** stated that Mr. Zambrano could follow up with the Committee as he does not believe they have ever gone through recommending stipulations that amend pages of the PUD narrative before.

**Mr. Zambrano** read the recommended stipulations from the KCA to verify which ones were to be included.

**Ms. Schmidt** stated that the stipulation for planting trees with denser foliage should also be low-water-use species.

**Ms. Hall** asked for confirmation that trees are not being replaced but rather the landscaping is being enhanced. **Chair Gubser** responded affirmatively.

**Mr. Zambrano** asked if the Committee would like to add the stipulation for a solid fence along 71st Street.

**Ms. Sepic** concurred.

**Chair Gubser** stated that Ms. Hall had mentioned the wall should be a 6-foot-tall decorative subdivision wall. Chair Gubser asked if the stipulation for no pedestrian access along 71st Street is included. **Mr. Zambrano** responded that for the previous case that the Committee recommended no pedestrian access to a street, the stipulation was removed at Planning Commission due to conflicts with several City policies and design guidelines that promote and require pedestrian and accessibility enhancements to new development. **Chair Gubser** responded that it is best to keep the stipulation and if it needs to be struck out later on that it could be done so at that point.

**Ms. Hall** asked if the stipulation regarding a mobility plan was added. **Mr. Zambrano** confirmed and asked if it was a modification to Stipulation No. 2 regarding the Traffic Impact Study.

**Mr. Soronson** concurred.

**Ms. Sepic** listed the recommended stipulations to ensure she had them all correct, including:

- 1) Public art installations shall be installed either along Scottsdale Road or in the open space area between the two restaurant buildings.
- 2) Minimum 3-inch caliper trees planted 20 feet on center shall be planted along the perimeter of the site.
- 3) Low-water-use trees with dense foliage shall be used along the west perimeter.
- 4) A 6-foot-high solid decorative fence shall be constructed along 71st Street.

- 5) There shall be no pedestrian access along 71st Street.
- 6) Minimum 85% non-reflective glass shall be used on all windows.
- 7) No parking signs shall be installed along 71st Street adjacent to the site.
- 8) There shall be no lighted signage on the west side of the property.
- 9) Noise generated on the site shall not exceed 50 decibels at the west property line and shall be verified by testing, prior to issuance of the Certificate of Occupancy, as approved by the Planning and Development Department.

*Ms. Sepic overlooked capturing the following items that were discussed and agreed upon as being stipulations:*

- *Modification of Stipulation No. 2 to include a mobility study for pedestrian and bicyclist connectivity.*
- *No balconies shall have a line of sight to the adjacent single-family yards. Recessed or Juliette balconies may be allowed if there is no line of sight into the yards. Protruding balconies may be allowed if there is a visual buffer blocking view into the yards, or if there is no line of sight into the yards.*

Ms. Sepic asked if the closure of Hearn Road was also a stipulation.

**Ms. Hall** responded that the KCA will support it, but they cannot really do anything about it.

**Ms. Petersen** believed it was important to add it as a stipulation.

**Chair Gubser** asked Mr. Popovic if he would like to add that into his motion. **Mr. Popovic** responded that he is fine with that but would like to defer to the attorney and Mr. Morris once the stipulations are clarified. Mr. Popovic added that the Committee could add a lot of stipulations but ultimately some may be stricken.

**Chair Gubser** asked Mr. Morris to respond to the recommended stipulations.

**Mr. Morris** stated that the applicant is in support of the majority of the recommended stipulations. Mr. Morris added that he believes the language of the balcony stipulation captures what they intended, which was to have no balconies on the west side unless they can show that there are no views into the neighborhood.

**Mr. Wise** stated that the exhibit the applicant shared shows a sightline from a person standing on the edge of the residential area looking up at the building with the trees planted along 71st Street entirely blocking the view. Mr. Wise stated for that reason, it does not really make a difference whether there is a reduction in 10 feet in height since no one would see it.

### **MOTION:**

**Mr. Popovic** amended the motion to recommend approval of Z-40-22-2, per the staff recommendation, with a modification to Stipulation No. 2 and additional stipulations as discussed. **Mr. Sparks** seconded the motion.

**VOTE:**

**13-3;** motion to recommend approval of Z-40-22-2, per the staff recommendation with a modification to Stipulation No. 2 and additional stipulations as discussed, passes with Committee members Bowman, DiMassa, Goodhue, Hall, Maggiore, Mortensen, Popovic, Schmidt, Sepic, Soronson, Sparks, Wise and Gubser in favor and Committee members Balderrama, DeMoss, and Petersen opposed.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

**VPC recommended stipulations:**

1. An updated Development Narrative for the Scottsdale Towne Square PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 18, 2022, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: November 18, 2022; City Council adopted: [Add adoption date].
  - b. Pages 14-15, Sidewalk Standards, Internal Walkways: Remove the single asterisk next to the 5' minimum width internal walkway standard. Add a triple asterisk next to the sidewalk standard for internal walkways. Add a new footnote for a triple asterisk that 5' minimum width internal walkways shall be clear of all obstacles.
  - c. Page 15, General Landscape Requirements: Remove bullet point (b.) for landscape irrigation, which is repeated in bullet point (d.), and re-letter accordingly.
  - d. Pages 16-17, Landscape Standards Table:
    - (1) Streetscape: Revise titles of streetscape standards to "Streetscape – Landscape Areas Within Public Right-of-Way Adjacent to Scottsdale Road, Including Detached Sidewalk Landscape Strip" and "Streetscape – Landscape Areas Within Public Right-of-Way Adjacent to 71st Street Where Pocket Park Option Is Not Utilized".
    - (2) Add language "at maturity" after each live vegetative ground coverage standard.

- (3) Add a new row for a landscape standard for the bus stop pad on southbound Scottsdale Road, below the “Adjacent to Buildings” row, as follows: “Bus Stop Pad Landscaping – a) Minimum 3-inch caliper shade trees to provide minimum shade per Section D.6. at maturity; b) Minimum 75% live vegetative ground coverage at maturity”
- e. Page 20, Shade: Add a shade standard for the bus stop pad: “A minimum of 50% of the bus stop pad on southbound Scottsdale Road shall be shaded at tree maturity”
- f. Page 24, iv. Design for Cost-Effectiveness: Modify the language to a development/developer requirement that is not confused as a directive to the Street Transportation Department.
- G. PAGE 14, DEVELOPMENT STANDARDS, DEVELOPMENT STANDARDS TABLE, NOISE REDUCTION: ADD LANGUAGE THAT STATES, “NOISE GENERATED ON THE SITE SHALL NOT EXCEED 50 DECIBELS AT THE WEST PROPERTY LINE AND SHALL BE VERIFIED BY TESTING, PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.”**
- H. PAGE 15, DEVELOPMENT STANDARDS, LANDSCAPE STANDARDS TABLE, GENERAL LANDSCAPING REQUIREMENTS: ADD A PROVISION TO REQUIRE LOW-WATER-USE TREE SPECIES WITH A DENSE FOLIAGE ALONG THE WEST PERIMETER OF THE SITE TO PROVIDE AN ADEQUATE VISUAL BUFFER FOR ADJACENT RESIDENCES.**
- I. PAGE 16, DEVELOPMENT STANDARDS, LANDSCAPE STANDARDS TABLE: MODIFY THE LANGUAGE FOR LANDSCAPING ALONG SCOTTSDALE ROAD, 71ST STREET, AND THE NORTH PROPERTY LINE TO REQUIRE MINIMUM 3-INCH CALIPER TREES PLANTED 20 FEET ON CENTER.**
- J. PAGE 18, DEVELOPMENT STANDARDS, FENCES / WALLS: ADD LANGUAGE TO REQUIRE A 6-FOOT-HIGH SOLID DECORATIVE FENCE BE CONSTRUCTED ALONG 71ST STREET.**
- K. PAGE 20, DEVELOPMENT STANDARDS, AMENITIES: ADD THE FOLLOWING LANGUAGE AFTER THE COMMERCIAL AMENITIES SECTION:**
  - 4) PUBLIC ART: A PUBLIC ART INSTALLATION SHALL BE INSTALLED EITHER ALONG SCOTTSDALE ROAD OR IN THE OPEN SPACE AREA BETWEEN THE TWO RESTAURANT BUILDINGS.**
- L. PAGE 25, DEVELOPMENT STANDARDS, SIGNS: ADD LANGUAGE TO REQUIRE SIGNS ALONG THE WEST SIDE OF THE PROPERTY BE NON-LIGHTED SIGNS.**

- M. TAB H, SCOTTSDALE TOWNE SQUARE ARCHITECTURAL DESIGN GUIDELINES, SECTION 1.0, PAGE 2, FORM AND SCALE, BUILDING MASSING (PDF PAGE 57): ADD LANGUAGE TO RESTRICT UPPER-LEVEL BALCONIES WHERE THERE IS NO VISUAL BUFFER BLOCKING A LINE OF SIGHT FROM A BALCONY LOOKING WEST INTO ADJACENT SINGLE-FAMILY YARDS. BALCONIES MAY EITHER BE RECESSED OR JULIETTTE BALCONIES WHERE THERE IS NO LINE OF SIGHT INTO THE YARDS. PROTRUDING BALCONIES MAY BE ALLOWED EITHER WHERE THERE IS A VISUAL BUFFER BLOCKING THE LINE OF SIGHT FROM THE BALCONY LOOKING WEST INTO SINGLE-FAMILY YARDS OR WHEREVER THERE ARE NO LINES OF SIGHT LOOKING WEST INTO ADJACENT SINGLE-FAMILY YARDS.**
- N. TAB H, SCOTTSDALE TOWNE SQUARE ARCHITECTURAL DESIGN GUIDELINES, SECTION 1.4, PAGE 8, GLASS (PDF PAGE 63): ADD LANGUAGE TO REQUIRE GLASS ON ALL WINDOWS BE A MINIMUM OF 85% NON-REFLECTIVE GLASS.**
2. The applicant shall submit a Traffic Impact Study/Statement **AND A MOBILITY STUDY FOR PEDESTRIAN AND BICYLIST CONNECTIVITY** to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
  3. 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.
  4. The developer shall build a bus stop pad on southbound Scottsdale Road. The pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet.
  5. The property owner shall record documents that disclose the existence and operational characteristics of Scottsdale Municipal Airport (SDL) 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.
  6. The developer shall provide documentation to the City 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.

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 Archeologist, and allow time for the Archeology 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.
9. **THERE SHALL BE NO PEDESTRIAN ACCESS ALONG 71ST STREET.**
10. **NO PARKING SIGNS SHALL BE INSTALLED ALONG 71ST STREET ADJACENT TO THE SITE.**
11. **THE EXISTING GATE FROM HEARN ROAD SHALL BE REMOVED AND ACCESS SHALL BE PERMANENTLY CLOSED OFF.**

Staff recommends that the language for Stipulation No. 1.G. be modified to standard language used for noise mitigation stipulations.

Staff recommends that Stipulation Nos. 1.I. and 1.J. be modified for clarity.

Staff recommends that Stipulation No. 1.K. be modified to reference artwork in general and not refer to "public art". Public art is required to go through a separate process through the City's Public Art Program. Staff also recommends including more specific requirements for the required artwork, such as minimum dimension requirements, a minimum number of artwork pieces to provide, and a list of types of artwork to select from that would meet the requirement.

Staff recommends the deletion of the additional language regarding a mobility study for Stipulation No. 2. A single development cannot provide such a study for an entire area. Additionally, a typical mobility study would have included a Long Range Planning combined effort between the Planning and Development Department and Street Transportation Department, which has not occurred in this area. Staff recommends an alternative stipulation separate from the Traffic Impact Study stipulation that addresses the intent of the recommended stipulation.

Staff recommends the deletion of Stipulation No. 9 regarding removal of pedestrian access to 71st Street. This stipulation conflicts with several City policies and design guidelines that promote and require pedestrian and accessibility enhancements to new development.

Staff recommends that Stipulation No. 10 be modified to require that the developer apply for an on-street parking zone to prohibit on-street parking along 71st Street adjacent to the subject site.

Staff recommends the deletion of Stipulation No. 11 regarding removal of the existing gate on Hearn Road and permanent closure of Hearn Road to 71st Street. This stipulation conflicts with stipulations attached to the abandonment of Hearn Road regarding general conformance to the abandonment exhibit, maintaining vehicular access, and access control gates exclusively accessible by single-family residents.

## ATTACHMENT E



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**To:** City of Phoenix Planning Commission

**Date:** January 5, 2023

**From:** Racelle Escolar, AICP  
Principal Planner

**Subject:** ITEM NO. 10 (Z-40-22-2) – APPROXIMATELY 800 FEET NORTH OF THE NORTHWEST CORNER OF SCOTTSDALE ROAD AND THUNDERBIRD ROAD

The purpose of this memo is to recommend modifications to the stipulations added by the Paradise Valley Village Planning Committee (VPC), modify a stipulation recommended by staff regarding landscape setback planting standards, and to relay additional correspondence received since the Staff Report.

Rezoning Case No. Z-40-22-2 is a request to rezone 8.54 acres from C-2 (Intermediate Commercial) (1.06 acres), C-2 SP (Intermediate Commercial, Special Permit) (0.06 acres), and PSC (Planned Shopping Center) (7.42 acres) to PUD (Planned Unit Development) to allow multifamily residential and commercial uses.

The Paradise Valley VPC heard this request on December 5, 2022, and recommended approval, per the staff recommendation with a modification and additional stipulations, by a 13-3 vote. The VPC recommended a modification of Stipulation No. 2 to include a mobility study and added 11 new stipulations, in addition to the staff recommended stipulations included in the Staff Report.

Staff recommends the following:

- Modification of Stipulation 1.d. to clarify the landscape setback along 71st Street.
- Modification of Stipulation No. 1.G. to match standard language used in the Zoning Ordinance for noise level standards.
- Modifications of Stipulation Nos. 1.I. and 1.J. for clarity.
- Modification of Stipulation No. 1.K. to reference artwork in general and not refer to “public art”. Public art is required to go through a separate process through the City’s Public Art Program. Staff also recommends including more specific requirements for the required artwork.
- Deletion of the additional language regarding a mobility study for Stipulation No. 2, per the Street Transportation Department, as a single development cannot provide such a study for an entire area.
- Addition of Stipulation No. 3 to address the intent of the VPC recommended stipulation regarding a mobility study and renumbering accordingly.
- Deletion of Stipulation No. 9 regarding removal of pedestrian access from 71st Street. This stipulation conflicts with several City policies and design guidelines that

promote and require pedestrian and accessibility enhancements to new development.

- Modification of Stipulation No. 10 to require that the developer apply for an on-street parking zone to prohibit on-street parking along 71st Street adjacent to the subject site.
- Deletion of Stipulation No. 11 due to conflicts with stipulations associated with the abandonment of Hearn Road.

Staff recommends approval, subject to the stipulations below:

1. An updated Development Narrative for the Scottsdale Towne Square PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 18, 2022, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: November 18, 2022; City Council adopted: [Add adoption date].
  - b. Pages 14-15, Sidewalk Standards, Internal Walkways: Remove the single asterisk next to the 5' minimum width internal walkway standard. Add a triple asterisk next to the sidewalk standard for internal walkways. Add a new footnote for a triple asterisk that 5' minimum width internal walkways shall be clear of all obstacles.
  - c. Page 15, General Landscape Requirements: Remove bullet point (b.) for landscape irrigation, which is repeated in bullet point (d.), and re-letter accordingly.
  - d. Pages 16-17, Landscape Standards Table:
    - (1) Streetscape: Revise titles of streetscape standards to "Streetscape – Landscape Areas Within Public Right-of-Way Adjacent to Scottsdale Road, Including Detached Sidewalk Landscape Strip", **and "Streetscape – Landscape SETBACK Areas Within Public Right-of-Way Adjacent to 71st Street Where Pocket Park Option Is Not Utilized", AND "LANDSCAPE SETBACK ADJACENT TO 71ST STREET – POCKET PARK OPTION"**.
    - (2) Add language "at maturity" after each live vegetative ground coverage standard.

- (3) Add a new row for a landscape standard for the bus stop pad on southbound Scottsdale Road, below the “Adjacent to Buildings” row, as follows: “Bus Stop Pad Landscaping – a) Minimum 3-inch caliper shade trees to provide minimum shade per Section D.6. at maturity; b) Minimum 75% live vegetative ground coverage at maturity”
  
- e. Page 20, Shade: Add a shade standard for the bus stop pad: “A minimum of 50% of the bus stop pad on southbound Scottsdale Road shall be shaded at tree maturity”
  
- f. Page 24, iv. Design for Cost-Effectiveness: Modify the language to a development/developer requirement that is not confused as a directive to the Street Transportation Department.
  
- G. PAGE 14, DEVELOPMENT STANDARDS, DEVELOPMENT STANDARDS TABLE, NOISE REDUCTION: ADD LANGUAGE THAT STATES, ~~“NOISE GENERATED ON THE SITE SHALL NOT EXCEED 50 DECIBELS AT THE WEST PROPERTY LINE AND SHALL BE VERIFIED BY TESTING, PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.”~~ **“THE AVERAGE NOISE LEVEL, MEASURED AT THE WEST PROPERTY LINE, SHALL NOT EXCEED 55 DB (ONE LDN) WHEN MEASURED ON AN “A WEIGHTED” SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.”**
  
- H. PAGE 15, DEVELOPMENT STANDARDS, LANDSCAPE STANDARDS TABLE, GENERAL LANDSCAPING REQUIREMENTS: ADD A PROVISION TO REQUIRE LOW-WATER-USE TREE SPECIES WITH A DENSE FOLIAGE ALONG THE WEST PERIMETER OF THE SITE TO PROVIDE AN ADEQUATE VISUAL BUFFER FOR ADJACENT RESIDENCES.
  
- I. PAGE 16, DEVELOPMENT STANDARDS, LANDSCAPE STANDARDS TABLE: MODIFY THE LANGUAGE FOR LANDSCAPING ALONG SCOTTSDALE ROAD, 71ST STREET, AND THE NORTH PROPERTY LINE TO REQUIRE MINIMUM 3-INCH CALIPER TREES PLANTED 20 FEET ON CENTER **OR IN EQUIVALENT GROUPINGS.**
  
- J. PAGE 18, DEVELOPMENT STANDARDS, FENCES / WALLS: ADD LANGUAGE TO REQUIRE A 6-FOOT-HIGH SOLID DECORATIVE FENCE BE CONSTRUCTED ALONG 71ST STREET **AT OR BEHIND THE BUILDING SETBACK LINE.**

- K. PAGE 20, DEVELOPMENT STANDARDS, AMENITIES: ADD THE FOLLOWING LANGUAGE AFTER THE COMMERCIAL AMENITIES SECTION:

**4) PUBLIC ART: A PUBLIC ART INSTALLATION SHALL BE INSTALLED EITHER ALONG SCOTTSDALE ROAD OR IN THE OPEN SPACE AREA BETWEEN THE TWO RESTAURANT BUILDINGS.**

**A MINIMUM OF TWO ART INSTALLATIONS SHALL BE INSTALLED EITHER ALONG SCOTTSDALE ROAD OR IN THE OPEN SPACE AREA BETWEEN THE TWO RESTAURANT BUILDINGS. THE ART SHALL BE A MINIMUM OF FIVE FEET IN LENGTH IN ANY ONE DIRECTION (HEIGHT, WIDTH, OR DEPTH).**

- L. PAGE 25, DEVELOPMENT STANDARDS, SIGNS: ADD LANGUAGE TO REQUIRE SIGNS ALONG THE WEST SIDE OF THE PROPERTY BE NON-LIGHTED SIGNS.
- M. TAB H, SCOTTSDALE TOWNE SQUARE ARCHITECTURAL DESIGN GUIDELINES, SECTION 1.0, PAGE 2, FORM AND SCALE, BUILDING MASSING (PDF PAGE 57): ADD LANGUAGE TO RESTRICT UPPER-LEVEL BALCONIES WHERE THERE IS NO VISUAL BUFFER BLOCKING A LINE OF SIGHT FROM A BALCONY LOOKING WEST INTO ADJACENT SINGLE-FAMILY YARDS. BALCONIES MAY EITHER BE RECESSED OR JULIETTTE BALCONIES WHERE THERE IS NO LINE OF SIGHT INTO THE YARDS. PROTRUDING BALCONIES MAY BE ALLOWED EITHER WHERE THERE IS A VISUAL BUFFER BLOCKING THE LINE OF SIGHT FROM THE BALCONY LOOKING WEST INTO SINGLE-FAMILY YARDS OR WHEREVER THERE ARE NO LINES OF SIGHT LOOKING WEST INTO ADJACENT SINGLE-FAMILY YARDS.
- N. TAB H, SCOTTSDALE TOWNE SQUARE ARCHITECTURAL DESIGN GUIDELINES, SECTION 1.4, PAGE 8, GLASS (PDF PAGE 63): ADD LANGUAGE TO REQUIRE GLASS ON ALL WINDOWS BE A MINIMUM OF 85% NON-REFLECTIVE GLASS.
2. The applicant shall submit a Traffic Impact Study/Statement ~~AND A MOBILITY STUDY FOR PEDESTRIAN AND BICYLIST CONNECTIVITY~~ to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
3. **THE DEVELOPER SHALL SUBMIT A CIRCULATION PLAN ADDRESSING PEDESTRIAN AND BICYCLIST CONNECTIVITY AND SAFETY WITHIN THE DEVELOPMENT, TO NEARBY PEDESTRIAN AND BICYCLIST INFRASTRUCTURE, AND INCLUDE PROXIMITY TO ACTIVITY CENTERS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

- 3- 4. 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.
- 4- 5. The developer shall build a bus stop pad on southbound Scottsdale Road. The pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet.
- 5- 6. The property owner shall record documents that disclose the existence and operational characteristics of Scottsdale Municipal Airport (SDL) 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.
- 6- 7. The developer shall provide documentation to the City 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.
- 7- 8. 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
- 8- 9. 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.
9. ~~**THERE SHALL BE NO PEDESTRIAN ACCESS TO 71ST STREET.**~~
10. ~~**NO PARKING SIGNS SHALL BE INSTALLED PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE DEVELOPER SHALL APPLY FOR THE ON-STREET PARKING ZONES PROGRAM IN ORDER TO INSTALL NO PARKING SIGNS ALONG 71ST STREET ADJACENT TO THE SITE.**~~
11. ~~**THE EXISTING GATE FROM HEARN ROAD SHALL BE REMOVED AND ACCESS SHALL BE CLOSED OFF.**~~

Enclosure:

Correspondence (3 pages)

**From:** Amy Satterfield2 <satterfield4az@cox.net>  
**Sent:** Thursday, January 5, 2023 12:33 PM  
**To:** PDD Planning Commission  
**Subject:** Scottsdale Town Center Z-40-22, Agenda Item number 10

**Importance:** High

To the Phoenix Planning Commission:

On behalf of the Kierland Community Alliance (KCA), we are reaching out to express concern over the maximum height of the Scottsdale Towne Square Development Z-40-22 at Scottsdale and Thunderbird Roads being presented to the Planning Commission on January 5, 2023.

**HISTORY:**

In 2020/21, the KCA worked directly with the developers of Kierland Sky Z-14-20 (also within the KCA boundaries) to reach a precedent for maximum height and height step backs near single-family residential homes. Attached is the City of Phoenix Recorded Ordinance (Exhibit 1 and attached image) for this development clearly stating that the project is restricted to a height of no more than "56 ft, and no closer than a minimum of approximately 560 ft away from the closest existing single-family residence". This is an important precedent which should be observed to protect single family residences from encroachments by building overly high multifamily projects adjacent to them.

**CURRENT SITUATION:**

Scottsdale Towne Square is adjacent on its western border to single-family homes and the entire width (east to west borders) of the subject property is 559.9ft (see Exhibit 2 and attached image). As such, this entire parcel is within the 560 ft distance for the 56 ft maximum height restriction precedent established by Kierland Sky.

While the Scottsdale Towne Square development team have made adjustments to their original plan by including height step backs closest to the single-family residences, they have refrained from reducing the overall maximum height of the property in keeping with this precedent.

We do not support the developer using the PUD process to maximize their profit while ignoring the community interests and ultimately disrupting the privacy of single family home owners who purchased homes based on existing and published zoning rules years ago and who have faithfully been paying their taxes since then. This type of development is not reasonable or foreseeable for those home owners and as such, this height is not acceptable.

**CONSIDERATION:**

We are therefore asking for your support in a reduction of maximum height for the Scottsdale Towne Square project from 68 ft to no more than 56 ft within 560 ft of single-family residences in keeping with the already established precedent.

This is a small, but important ask which we recommend the City support to protect this community, and the other communities who will find the proposed Towne Square height precedent used against them to their detriment by future developers.

Thank you,

Amy Satterfield

Chairperson  
Kierland Community Alliance

Exhibit 1: [Z-14-20 Kierland Sky Recorded Ordinance - See Section 1E image below \[drive.google.com\]](#)

Exhibit 2: [Z-40-22 - Towne Square - Applicant Narrative - See TabD for full width of project & distance from SFR \[drive.google.com\]](#)

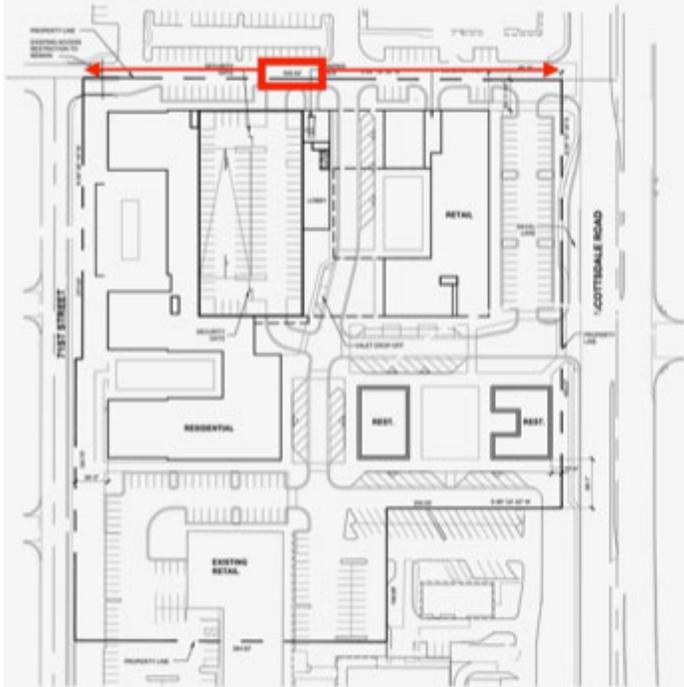
Exhibit 1 Image: Z-14-20 Kierland Sky Recorded Ordinance section 1E

Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Kierland Sky PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped October 16, 2020, as modified by the following stipulations:
  - a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:  
1st Submittal: May 17, 2020  
2nd Submittal: June 20, 2020  
Hearing Draft: September 11, 2020  
City Council adopted: TBD
  - b. Add the landscape setbacks to the comparative development standards table.
  - c. Provide a dimensioned landscape plan depicting distance between sidewalk and back of curb and landscape setbacks. Include caliper sizes of trees, number of shrubs under each tree, groundcover percentages in a table format on the plan.
  - d. Provide landscape standards for the terraces to include minimum 5-gallon shrubs, with 50% live coverage at maturity.
  - e. Add the following to the Development Standards Table: The southern building will be no higher than 56 feet, and no closer than a minimum of approximately 560 feet away from the closest existing single-family residence; and the building connected to it, no higher than 84 feet, and no closer than a minimum of approximately 700 feet away from the closest existing single-family residence.
  - f. The following shall be included in the Use Standards Section: There shall be no outdoor live music or DJ music on site, only outdoor background dining music shall be allowed.
2. 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.

-2- Ordinance G-6775

Exhibit 2 Image: Z-40-22 Scottsdale Towne Square Applicant Narrative Tab D



01 SITE PLAN - LEVEL 1  
 SCALE: 1/8" = 1'-0"  
 NORTH

**PROJECT TEAM**

**OWNER:**  
 UNIVERSITY COMMUNITIES  
 2701 PAPER MILL BLVD., SUITE 500  
 85212-1000 PHOENIX, AZ 85028  
 PHONE: 480.944.7374  
 EMAIL: jay@ucm.com  
 Project: jay\_williams@university.com

**ARCHITECT:**  
 NELSEN PARTNERS, INC.  
 1200 N. HIGHWAY 101, SUITE 200  
 SCOTTSDALE, AZ 85258  
 PHONE: 480.944.7374  
 EMAIL: jay\_williams@nps.com

**PROJECT INFORMATION**

**PROJECT ADDRESS:** 14208 N. SCOTTSDALE ROAD  
 PHOENIX, AZ 85024

**PARCEL NUMBER:** 21-0-17-001

**CONTRACT NUMBER:** 001

**PROPOSED ZONING:** R-10

**PROPOSED SITE AREA:** 4.22 ACRES

**NET LOT AREA:** 1.84 ACRES  
 807,000 SQ. FT.

**ENSITY:** 87.1 D.U. PER ACRE or 50.0 D.U. PER ACRE

**EXISTING BUILDING HEIGHT:** 30 FT

**PROPOSED BUILDING HEIGHT:** 30 FT

**RESIDENTIAL UNITS:** 171 UNITS

**RETAIL:** 15,000 SF

**RESTAURANT:** 15,000 SF

**EXISTING RETAIL:** 15,000 SF

**PARKING CALCULATIONS**

**PARKING REQUIRED:** 482 SPACES (217 UNITS @ 1.17 D.U. + 15,000 SF @ 0.33 SPACES/1,000 SF)

**PROVIDED:** 482 SPACES (217 UNITS @ 1.17 D.U. + 15,000 SF @ 0.33 SPACES/1,000 SF)

**PARKING PROVIDED:**

RESIDENTIAL	217 SPACES
RETAIL	15,000 SF @ 0.33 SPACES/1,000 SF = 5 SPACES
RESTAURANT	15,000 SF @ 0.33 SPACES/1,000 SF = 5 SPACES
<b>TOTAL PROVIDED</b>	<b>482 SPACES</b>

**VICINITY MAP S.T.S.**



14208 N. SCOTTSDALE ROAD  
 PHOENIX, AZ 85024

**NELSEN PARTNERS ARCHITECTS & PLANNERS**  
 Jay Williams  
 1200 N. HIGHWAY 101, SUITE 200  
 SCOTTSDALE, ARIZONA 85258  
 480.944.7374  
 jay\_williams@nps.com

**SCOTTSDALE TOWNE SQUARE**  
 14208 N. SCOTTSDALE RD  
 PHOENIX, AZ

Date: 08/11/2022

Project No. 00007  
**A110**

## ATTACHMENT F

### REPORT OF PLANNING COMMISSION ACTION January 5, 2023

ITEM NO: 10	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-40-22-2 (Scottsdale Town Square Thunderbird Phase PUD)
Location:	Approximately 800 feet north of the northwest corner of Scottsdale Road and Thunderbird Road
From:	C-2, C-2 SP, and PSC
To:	PUD
Acreage:	8.54
Proposal:	Planned Unit Development to allow multifamily residential and commercial uses.
Applicant:	George Pasquel III
Owner:	Scottsdale Towne Square, LLC
Representative:	George Pasquel III

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Paradise Valley** 8/1/2022 Information only.

**Paradise Valley** 12/5/2022 Approval, per the staff recommendation with a modification and additional stipulations. Vote: 13-3.

Planning Commission Recommendation: Approval, per the staff memo dated January 5, 2023, with a modification.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-40-22-2, per the staff memo dated January 5, 2023, with a modification to Stipulation No. 1 to replace “solid decorative fence” with “full view fence”.

Maker: Busching  
Second: Perez  
Vote: 8-0  
Absent: Mangum  
Opposition Present: Yes

#### **Findings:**

1. The proposed development is consistent with the General Plan Land Use Map designation and compatible with the existing land use pattern in the surrounding area.
2. The proposed development will provide new mixed-use development with housing, retail, and employment opportunities along an established commercial corridor, near the Kierland commercial area.

3. The proposed PUD sets forth design and development standards that will enhance connectivity in the immediate vicinity by providing shaded detached sidewalks, pedestrian-oriented design, and an enhanced interface with the adjacent neighborhood.

Stipulations:

1. An updated Development Narrative for the Scottsdale Towne Square PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 18, 2022, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: November 18, 2022; City Council adopted: [Add adoption date].
  - b. Pages 14-15, Sidewalk Standards, Internal Walkways: Remove the single asterisk next to the 5' minimum width internal walkway standard. Add a triple asterisk next to the sidewalk standard for internal walkways. Add a new footnote for a triple asterisk that 5' minimum width internal walkways shall be clear of all obstacles.
  - c. Page 15, General Landscape Requirements: Remove bullet point (b.) for landscape irrigation, which is repeated in bullet point (d.), and re-letter accordingly.
  - d. Pages 16-17, Landscape Standards Table:
    - (1) Streetscape: Revise titles of streetscape standards to "Streetscape – Landscape Areas Within Public Right-of-Way Adjacent to Scottsdale Road, Including Detached Sidewalk Landscape Strip", and "~~Streetscape – Landscape SETBACK Areas Within Public Right-of-Way Adjacent to 71st Street Where Pocket Park Option Is Not Utilized~~", AND "LANDSCAPE SETBACK ADJACENT TO 71ST STREET – POCKET PARK OPTION".
    - (2) Add language "at maturity" after each live vegetative ground coverage standard.
    - (3) Add a new row for a landscape standard for the bus stop pad on southbound Scottsdale Road, below the "Adjacent to Buildings" row, as follows: "Bus Stop Pad Landscaping – a) Minimum 3-inch caliper shade trees to provide minimum shade per Section D.6. at maturity; b) Minimum 75% live vegetative ground coverage at maturity"
  - e. Page 20, Shade: Add a shade standard for the bus stop pad: "A minimum of 50% of the bus stop pad on southbound Scottsdale Road shall be shaded at tree maturity"
  - f. Page 24, iv. Design for Cost-Effectiveness: Modify the language to a development/developer requirement that is not confused as a directive to the Street Transportation Department.

- G. PAGE 14, DEVELOPMENT STANDARDS, DEVELOPMENT STANDARDS TABLE, NOISE REDUCTION: ADD LANGUAGE THAT STATES, ~~“NOISE GENERATED ON THE SITE SHALL NOT EXCEED 50 DECIBELS AT THE WEST PROPERTY LINE AND SHALL BE VERIFIED BY TESTING, PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.”~~ “THE AVERAGE NOISE LEVEL, MEASURED AT THE WEST PROPERTY LINE, SHALL NOT EXCEED 55 DB (ONE LDN) WHEN MEASURED ON AN "A WEIGHTED" SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.”
- H. PAGE 15, DEVELOPMENT STANDARDS, LANDSCAPE STANDARDS TABLE, GENERAL LANDSCAPING REQUIREMENTS: ADD A PROVISION TO REQUIRE LOW-WATER-USE TREE SPECIES WITH A DENSE FOLIAGE ALONG THE WEST PERIMETER OF THE SITE TO PROVIDE AN ADEQUATE VISUAL BUFFER FOR ADJACENT RESIDENCES.
- I. PAGE 16, DEVELOPMENT STANDARDS, LANDSCAPE STANDARDS TABLE: MODIFY THE LANGUAGE FOR LANDSCAPING ALONG SCOTTSDALE ROAD, 71ST STREET, AND THE NORTH PROPERTY LINE TO REQUIRE MINIMUM 3-INCH CALIPER TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS.
- J. PAGE 18, DEVELOPMENT STANDARDS, FENCES / WALLS: ADD LANGUAGE TO REQUIRE A 6-FOOT-HIGH **SOLID-DECORATIVE FULL VIEW** FENCE BE CONSTRUCTED ALONG 71ST STREET AT OR BEHIND THE BUILDING SETBACK LINE.
- K. PAGE 20, DEVELOPMENT STANDARDS, AMENITIES: ADD THE FOLLOWING LANGUAGE AFTER THE COMMERCIAL AMENITIES SECTION:
- ~~4) PUBLIC ART: A PUBLIC ART INSTALLATION SHALL BE INSTALLED EITHER ALONG SCOTTSDALE ROAD OR IN THE OPEN SPACE AREA BETWEEN THE TWO RESTAURANT BUILDINGS.~~
- A MINIMUM OF TWO ART INSTALLATIONS SHALL BE INSTALLED EITHER ALONG SCOTTSDALE ROAD OR IN THE OPEN SPACE AREA BETWEEN THE TWO RESTAURANT BUILDINGS. THE ART SHALL BE A MINIMUM OF FIVE FEET IN LENGTH IN ANY ONE DIRECTION (HEIGHT, WIDTH, OR DEPTH).
- L. PAGE 25, DEVELOPMENT STANDARDS, SIGNS: ADD LANGUAGE TO REQUIRE SIGNS ALONG THE WEST SIDE OF THE PROPERTY BE NON-LIGHTED SIGNS.

- M. TAB H, SCOTTSDALE TOWNE SQUARE ARCHITECTURAL DESIGN GUIDELINES, SECTION 1.0, PAGE 2, FORM AND SCALE, BUILDING MASSING (PDF PAGE 57): ADD LANGUAGE TO RESTRICT UPPER-LEVEL BALCONIES WHERE THERE IS NO VISUAL BUFFER BLOCKING A LINE OF SIGHT FROM A BALCONY LOOKING WEST INTO ADJACENT SINGLE-FAMILY YARDS. BALCONIES MAY EITHER BE RECESSED OR JULIETTTE BALCONIES WHERE THERE IS NO LINE OF SIGHT INTO THE YARDS. PROTRUDING BALCONIES MAY BE ALLOWED EITHER WHERE THERE IS A VISUAL BUFFER BLOCKING THE LINE OF SIGHT FROM THE BALCONY LOOKING WEST INTO SINGLE-FAMILY YARDS OR WHEREVER THERE ARE NO LINES OF SIGHT LOOKING WEST INTO ADJACENT SINGLE-FAMILY YARDS.
- N. TAB H, SCOTTSDALE TOWNE SQUARE ARCHITECTURAL DESIGN GUIDELINES, SECTION 1.4, PAGE 8, GLASS (PDF PAGE 63): ADD LANGUAGE TO REQUIRE GLASS ON ALL WINDOWS BE A MINIMUM OF 85% NON-REFLECTIVE GLASS.
2. The applicant shall submit a Traffic Impact Study/Statement ~~AND A MOBILITY STUDY FOR PEDESTRIAN AND BICYCLIST CONNECTIVITY~~ to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
  3. THE DEVELOPER SHALL SUBMIT A CIRCULATION PLAN ADDRESSING PEDESTRIAN AND BICYCLIST CONNECTIVITY AND SAFETY WITHIN THE DEVELOPMENT, TO NEARBY PEDESTRIAN AND BICYCLIST INFRASTRUCTURE, AND INCLUDE PROXIMITY TO ACTIVITY CENTERS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - ~~3.~~ 4. 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.
  4. 5. The developer shall build a bus stop pad on southbound Scottsdale Road. The pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet.
  - ~~5.~~ 6. The property owner shall record documents that disclose the existence and operational characteristics of Scottsdale Municipal Airport (SDL) 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.
  - ~~6.~~ 7. The developer shall provide documentation to the City 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.
  - ~~7.~~ 8. 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.

8. 9. 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.
9. ~~THERE SHALL BE NO PEDESTRIAN ACCESS TO 71ST STREET.~~
10. ~~NO PARKING SIGNS SHALL BE INSTALLED PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE DEVELOPER SHALL APPLY FOR THE ON-STREET PARKING ZONES PROGRAM IN ORDER TO INSTALL NO PARKING SIGNS ALONG 71ST STREET ADJACENT TO THE SITE.~~
11. ~~THE EXISTING GATE FROM HEARN ROAD SHALL BE REMOVED AND ACCESS SHALL BE CLOSED OFF.~~

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

## ATTACHMENT G

### CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT

<b>FORM TO REQUEST PC to CC</b> <b>I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:</b>			
<b>APPLICATION NO/ LOCATION</b>	<b>Z-40-22-2</b> Approximately 800 feet north of the northwest corner of Scottsdale Road and Thunderbird Road	<b>(SIGNATURE ON ORIGINAL IN FILE)</b>	
		<b>opposition</b>	<b>x</b>
		<b>applicant</b>	
<b>APPEALED FROM:</b>	PC 1/5/2023	6932 E. Hearn Road Scottsdale, AZ 85254	
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>	
<b>TO PC/CC HEARING</b>	CC 2/1/2023	Amy Satterfield, Chair KCA 602-478-1912 <a href="mailto:Satterfield4az@cox.net">Satterfield4az@cox.net</a>	
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>	
<b>REASON FOR REQUEST:</b>			
The Kierland Community Alliance is opposed to the height of 68 feet.			
<b>RECEIVED BY:</b>	Chase Hale	<b>RECEIVED ON:</b>	1/12/2023

Alan Stephenson  
 Joshua Bednarek  
 Tricia Gomes  
 Racelle Escolar  
 Stephanie Vasquez  
 Diana Hernandez  
 David Urbinato  
 Vikki Cipolla-Murillo

Gregory Harmon  
 Paul M. Li  
 Village Planner  
 GIS  
 Applicant  
 Adam Stranieri (for PHO Appeals)



JAN 12 2023

Planning & Development  
Department

The **PLANNING COMMISSION** agenda for **January 5, 2023** is attached.

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

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

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **January 12, 2023**.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **January 12, 2023**.

- 2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **January 12, 2023**.

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

- 3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **January 19, 2023**.

FORM TO REQUEST CITY COUNCIL HEARING

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

2-46-22  
APPLICATION NO. Scottsdale and Thunderbird Rds  
LOCATION OF APPLICATION SITE  
1/12/23  
DATE APPEALED FROM  OPPOSITION  
 APPLICANT Charles W. Hales  
PLANNER  
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Amy Satterfield, Chair KCA  
PRINTED NAME OF PERSON APPEALING Amy Satterfield  
SIGNATURE  
6932 E. Hearn Rd  
STREET ADDRESS 1/12/23  
DATE OF SIGNATURE  
Scottsdale, AZ 85254  
CITY, STATE & ZIP CODE 6024781912  
TELEPHONE NO.  
satterfield4az@cox.net  
EMAIL ADDRESS

REASON FOR REQUEST

The Kierland Community Alliance is opposed to the height of 68'  
APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER