

City of Phoenix

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



City of Phoenix

Agenda

Wednesday, July 2, 2025

10:00 AM

phoenix.gov

City Council Formal Meeting

*****REVISED July 1, 2025*****

Items Revised: 9, 11, 21; Item Corrected: 92

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

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

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

<https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e6bc2255c755e3c81bb652b2acce4d497>

- 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 2550 082 3833# (for English) or 2557 524 5449# (for Spanish). Press # again when prompted for attendee ID.

- Watch the meeting in-person from the Upper Chambers, Lower Chambers or City Hall depending on seating availability.
- Members of the public may attend this meeting in person. Physical access to the meeting location will be available starting 1 hour prior to the meeting.

Para nuestros residentes de habla hispana:

- Para registrarse para hablar en español, llame al 602-262-6001 al menos 2 horas antes del inicio de esta reunión e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2557 524 5449#. 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 2557 524 5449#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.
- Para asistir a la reunión en persona, vaya a las Cámaras del Concejo Municipal de Phoenix ubicadas en 200 W. Jefferson Street, Phoenix, AZ 85003. Llegue 1 hora antes del comienzo de la reunión. Si desea hablar, regístrese electrónicamente en uno de los quioscos, antes de que comience el tema. Una vez que se comience a discutir el tema, no se aceptarán nuevas solicitudes para hablar. Dependiendo de cuantos asientos haya disponibles, usted podría ser sentado en la parte superior de las cámaras, en el piso de abajo de las cámaras, o en el edificio municipal.
- Miembros del público pueden asistir a esta reunión en persona. El acceso físico al lugar de la reunión estará disponible comenzando una hora antes de la reunión.

CALL TO ORDER AND ROLL CALL

BOARDS AND COMMISSIONS

- 1 **Mayor and Council Appointments to Boards and Commissions** Page 20

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN



City of Phoenix

City Council Formal Meeting

Report

Agenda Date: 7/2/2025, Item No. 1

Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A



City of Phoenix

To: City Council
From: Mayor Kate Gallego

Date: July 2, 2025

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Design Review Committee

The Planning Commission recommends the following for appointment:

Abraham James

Mr. James replaces Ryan Boyd as the Planning Commission representative for a term to expire July 2, 2027.

Human Relations Commission

I recommend the following for appointment:

Sonya Harper

Ms. Harper is the Director of Human Services at the Pilgrim Rest Foundation, Inc. and a resident of District 3. She fills a vacancy for a term to expire June 30, 2028.

Human Services Commission

I recommend the following for reappointment as Chair:

Cecilia Maes

Dr. Maes will serve a second term as Chair to expire June 30, 2026.

I recommend the following for reappointment as Vice Chair:

Petra Falcon

Ms. Falcon will serve a second term as Vice Chair to expire June 30, 2026.

Mayor's Commission on Disability Issues

I recommend the following for appointment:

Melanie Audet

Ms. Audet is the Manager of Transition Programs at the Foundation for Blind Children and resident of District 3. She fills a vacancy for a term to expire July 2, 2028.

Phoenix Aviation Advisory Board

I recommend the following for reappointment:

Ron Price

Mr. Price will serve a second term to expire July 2, 2029.

I recommend the following for appointment:

Cynthia Aragon

Ms. Aragon is the Senior Vice President of External Affairs and Policy at Raza Development Fund. She fills a vacancy for a term to expire July 2, 2029.



Liquor License - Waterwalk Phoenix - District 1

Request for a liquor license. Arizona State License 343818.

Summary

Applicant

Amy Nations, Agent

License Type

Series 10 - Beer and Wine

Location

1905 W. Pinnacle Peak Road

Zoning Classification: C-2 HGT/WVR

Council District: 1

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

The 60-day limit for processing this application is July 6, 2025.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"I am committed to operating responsibly within the community, maintaining a safe environment for patrons, and contributing to the local economy by adhering to all rules and regulations related to alcohol licensing."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The alcohol license is for a corporate lodging building which will allow for individuals to stay in rooms for various time amounts, depending on work, school, or other life events."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment A - Waterwalk Phoenix -Data

Attachment B - Waterwalk Phoenix - Map

Responsible Department

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

Liquor License Data: WATERWALK PHOENIX

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	41.64	34.81
Violent Crimes	12.31	2.81	2.01

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

Property Violation Data

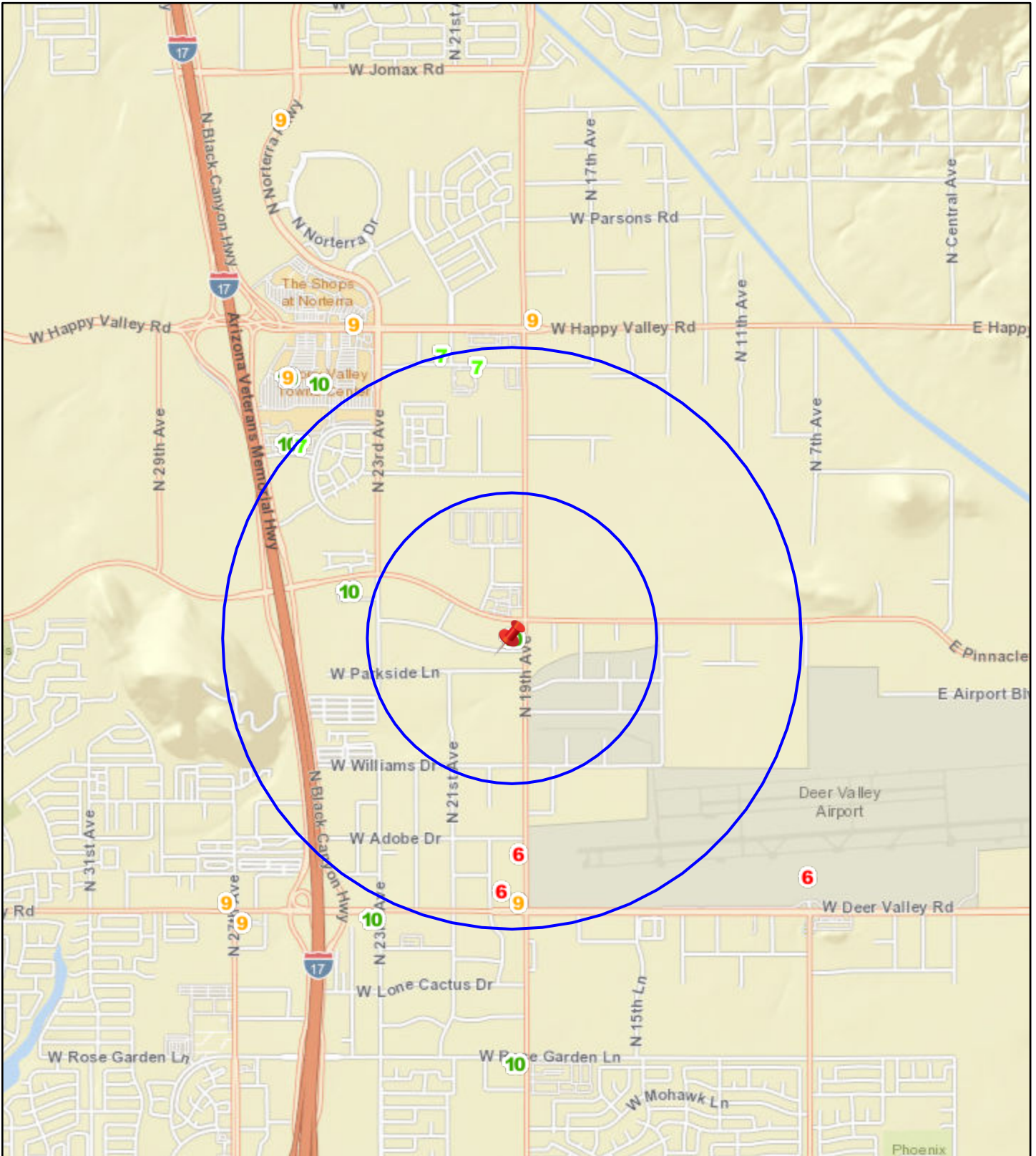
Description	Average	1/2 Mile Average
Parcels w/Violations	43	2
Total Violations	73	4

Census 2020 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6123001	2199	54	6	5
6147001	287	86	29	31
Average	0	61	13	19

Liquor License Map: WATERWALK PHOENIX

1905 W PINNACLE PEAK RD



Date: 12/16/2024



0 0.170.35 0.7 1.05 1.4 mi

City Clerk Department



Liquor License - Casey Jones Grill - District 2

Request for a liquor license. Arizona State License Application 347123.

Summary

Applicant

Anita McFarland, Agent

License Type

Series 12 - Restaurant

Location

2848 E. Bell Road, Ste. 111 & 112

Zoning Classification: C-2

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 July 5, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"I have 40+ years of experience in the restaurant industry. I have held several liquor licenses in another state and have managed them all responsibly. I am an attorney licensed in three states, including in Arizona. I have the business acumen and experience to ensure that Casey Jones Grill will continue to be a treasured neighborhood restaurant."

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

"Casey Jones Grill has been at this location for decades and is part of the neighborhood and community. As the new owner, I will retain the same staff, menu, and traditions that have made this restaurant a favorite, but will bring some fresh new energy to ensure the continuation of this business. I am a civic minded, experienced businessperson."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment A - Casey Jones Grill - Data

Attachment B - Casey Jones Grill - Map

Responsible Department

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

Liquor License Data: CASEY JONES GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	3	1
Beer and Wine Bar	7	3	1
Liquor Store	9	6	4
Beer and Wine Store	10	9	1
Restaurant	12	14	8

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	127.76	117.51
Violent Crimes	12.31	25.39	27.49

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

Property Violation Data

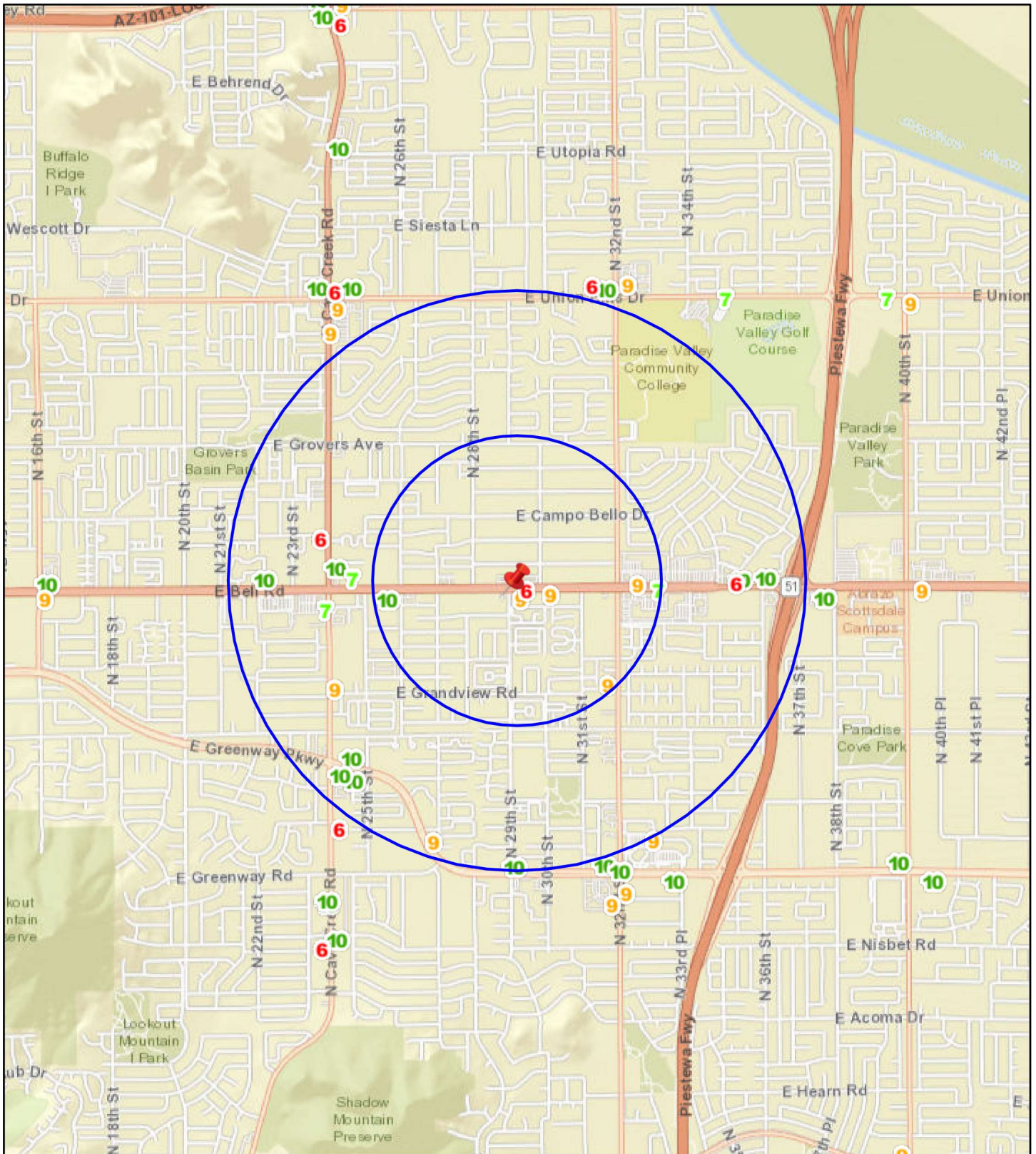
Description	Average	1/2 Mile Average
Parcels w/Violations	40	74
Total Violations	67	139

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033032	1423	526	48	249
1033041	2061	216	78	671
1033042	1200	27	48	284
1033051	1555	265	37	486
1033052	2177	371	29	554
6195001	1237	357	18	69
6195002	2117	605	14	19
6195003	2528	759	86	475
6196021	1901	596	29	269
Average	1601	393	60	177

Liquor License Map: CASEY JONES GRILL

2848 E BELL RD



Date: 5/20/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - Chipotle Mexican Grill #5344 - District 2

Request for a liquor license. Arizona State License Application 346840.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

2975 W. Dove Valley Road

Zoning Classification: C-2 M-R

Council District: 2

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in October 2025.

The 60-day limit for processing this application is July 7, 2025.

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

Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant has been a responsible licensee in Arizona since the issuance of its first license in 1999, and is committed to upholding the highest business standards for product quality, customer service, community engagement and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible management and/or service."

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

"Chipotle Mexican Grill is a quick-serve Mexican eatery enjoyed by area residents, visitors and workers. In addition to freshly-prepared tacos and burritos, Chipotle would like to offer its guests beer and margaritas as an incident to their meal. Alcohol sales, which are limited to bottled beer and margaritas, account for only 2-3%; however, it is considered an integral part of the restaurant's concept."

Staff Recommendation

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

Attachments

Attachment A - Chipotle Mexican Grill #5344 - Data

Attachment B - Chipotle Mexican Grill #5344 - Map

Responsible Department

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

Liquor License Data: CHIPOTLE MEXICAN GRILL #5344

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	13.13	8.59
Violent Crimes	12.31	2.3	2.54

*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

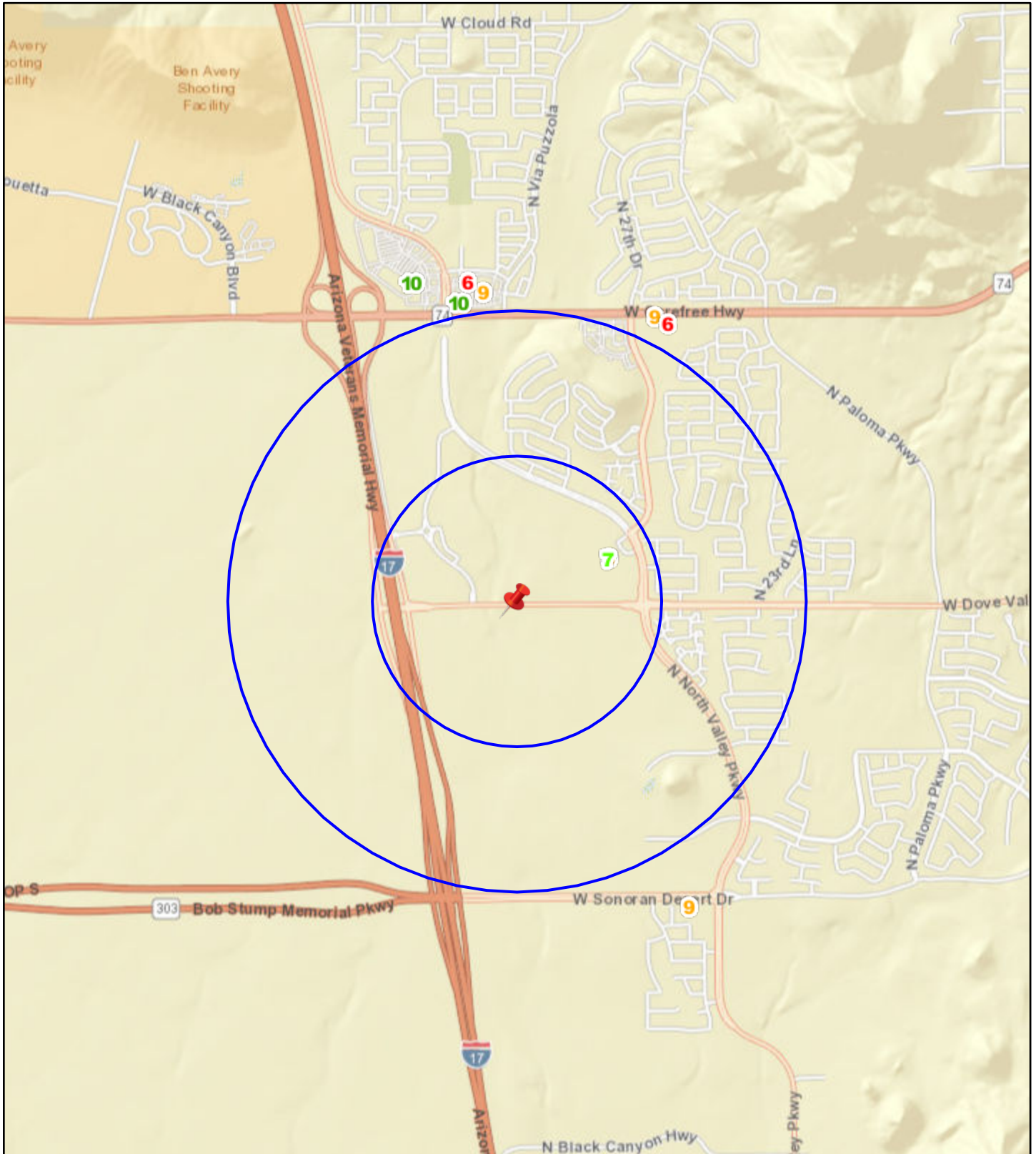
Description	Average	1/2 Mile Average
Parcels w/Violations	40	0
Total Violations	67	0

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6113002	0	0	0	0
6113003	2126	302	98	169
6113004	1767	465	33	51
6113005	2501	532	70	0
Average	1601	393	60	177

Liquor License Map: CHIPOTLE MEXICAN GRILL #5344

2975 W DOVE VALLEY RD



Date: 5/15/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - Dillingers Bar & Grill - District 2

Request for a liquor license. Arizona State License Application 346772.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

15615 N. Cave Creek Road

Zoning Classification: C-2

Council District: 2

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

The 60-day limit for processing this application is July 8, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
“Considering the owners experience and years in bar and restaurant hospitality, she is quite knowledgeable when it comes to liquor laws and operations. She will be personally on site during the hours of operation.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We would like the ability to serve our 21 and over patrons an adult beverage with their meal to compliment the dining experience, if they choose to have one.”

Staff Recommendation

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

Attachments

Attachment A - Dillingers Bar & Grill - Data

Attachment B - Dillingers Bar & Grill - Map

Responsible Department

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

Liquor License Data: DILLINGERS BAR & GRILL

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	114.41	147.13
Violent Crimes	12.31	23	33.97

*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

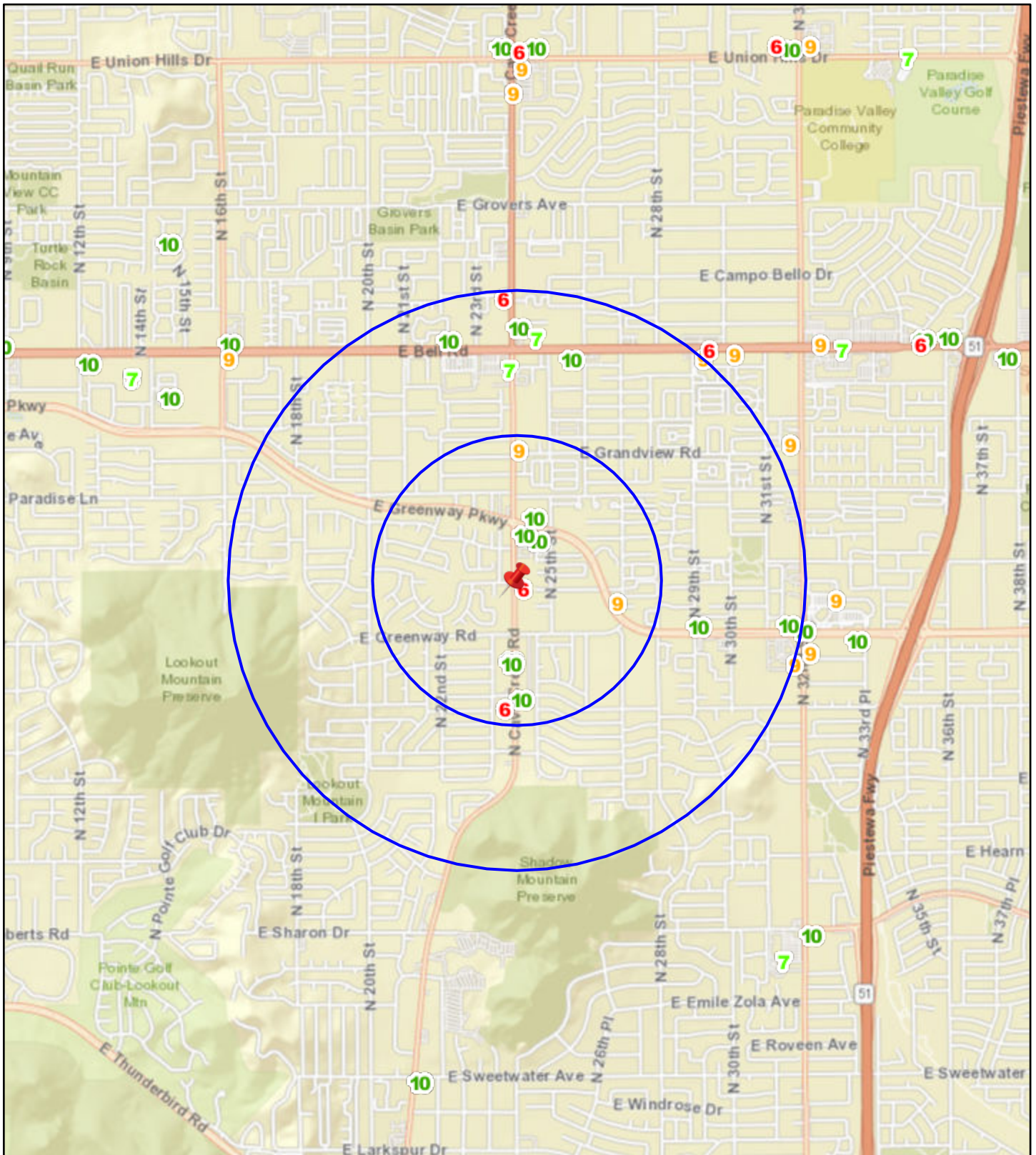
Description	Average	1/2 Mile Average
Parcels w/Violations	39	80
Total Violations	67	131

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033051	1555	265	37	486
1033052	2177	371	29	554
1033061	1843	117	39	722
1033062	2351	283	67	609
1035011	1291	406	38	220
1036061	561	316	17	168
1036063	2120	707	33	63
1036071	1147	284	27	123
Average	1601	393	60	177

Liquor License Map: DILLINGERS BAR & GRILL

15615 N CAVE CREEK



Date: 5/19/2025

0 0.170.35 0.7 1.05 1.4 mi



City Clerk Department



Report

Agenda Date: 7/2/2025, Item No. 6

Liquor License - Rodizio Grill - District 2

Request for a liquor license. Arizona State License Application 340592.

Summary

Applicant

Lauren Merrett, Agent

License Type

Series 12 - Restaurant

Location

7000 E. Mayo Boulevard, Bldg. 24

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 July 11, 2025.

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Melting Pot (Series 12)
19420 N. 59th Avenue, Bldg. B, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Melting Pot (Series 12)
3626 E. Ray Road, Phoenix
Calls for police service: 2
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"The owners are confident in their ability to responsibly manage and operate a business with a liquor license, supported by a track record of reliability and qualifications. Their experience, requirements make me a suitable candidate for holding a liquor license in the city of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The issuance of the liquor license is deemed necessary for public convenience and is in the best interest of the community. This decision is grounded in careful consideration of factors that contribute to the overall well-being of our community, fostering responsible and regulated access to alcoholic beverages."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment A - Rodizio Grill - Data
Attachment B - Rodizio Grill - Map

Responsible Department

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

Liquor License Data: RODIZIO GRILL

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	19.47	60.08
Violent Crimes	12.31	1.48	3.92

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

Property Violation Data

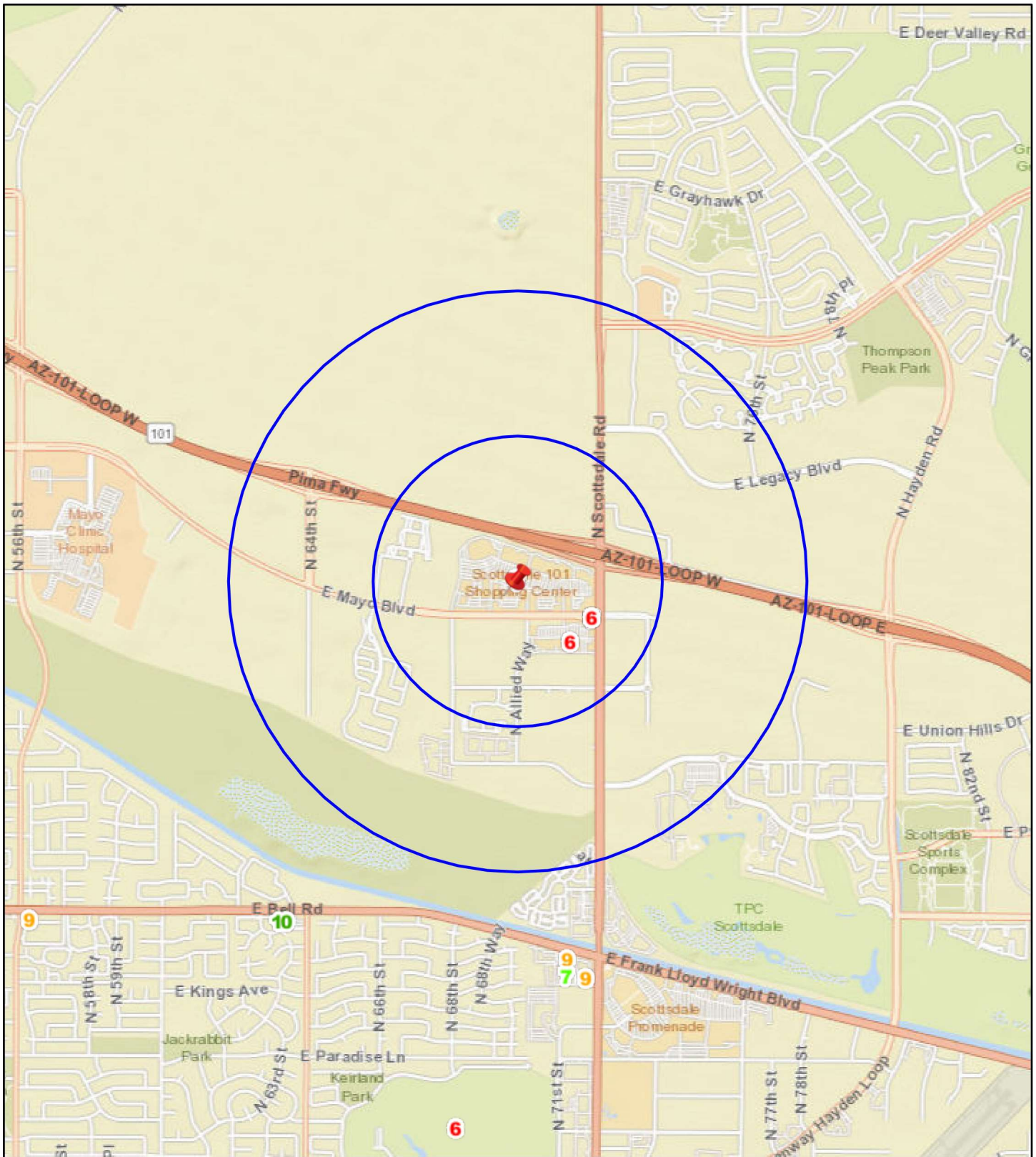
Description	Average	1/2 Mile Average
Parcels w/Violations	40	2
Total Violations	67	2

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
2168442	2908	504	449	334
2168452	2059	251	338	168
6152011	656	0	41	20
6152012	6102	515	722	1020
Average	1601	393	60	177

Liquor License Map: RODIZIO GRILL

7000 E MAYO BLVD



Date: 5/22/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - Taco Cinco - District 3

Request for a liquor license. Arizona State License Application 347594.

Summary

Applicant

Pedro Huichapa, Agent

License Type

Series 12 - Restaurant

Location

777 E. Thunderbird Road, Ste. 100

Zoning Classification: C-1

Council District: 3

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in August 2025.

The 60-day limit for processing this application is July 14, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"I have completed the required training in order to serve alcohol in a responsible manner. I have a strong track record of being a law abiding citizen and have no alcohol related violations. I have a strong financial reputation with a very strong FICO. I will demonstrate strong judgment and operate a professional business. I will commit to maintaining a safe and responsible environment for all my patrons"

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"By allowing the sale of alcohol at my establishment, community and neighborhood engagement will be promoted. It will provide a safe environment for adults to enjoy leisure activities and enhance social gatherings. My establishment will serve only patrons that are of age to enjoy alcohol beverages through strict age verification practices. And through the sale of alcohol in my establishment, the taxes generated by the revenue of such sales will be reinvested into the community."

Staff Recommendation

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

Attachments

Attachment A - Taco Cinco - Data
Attachment B - Taco Cinco - Map

Responsible Department

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

Liquor License Data: TACO CINCO

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	28.92	63.16
Violent Crimes	12.31	2.33	6.05

*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

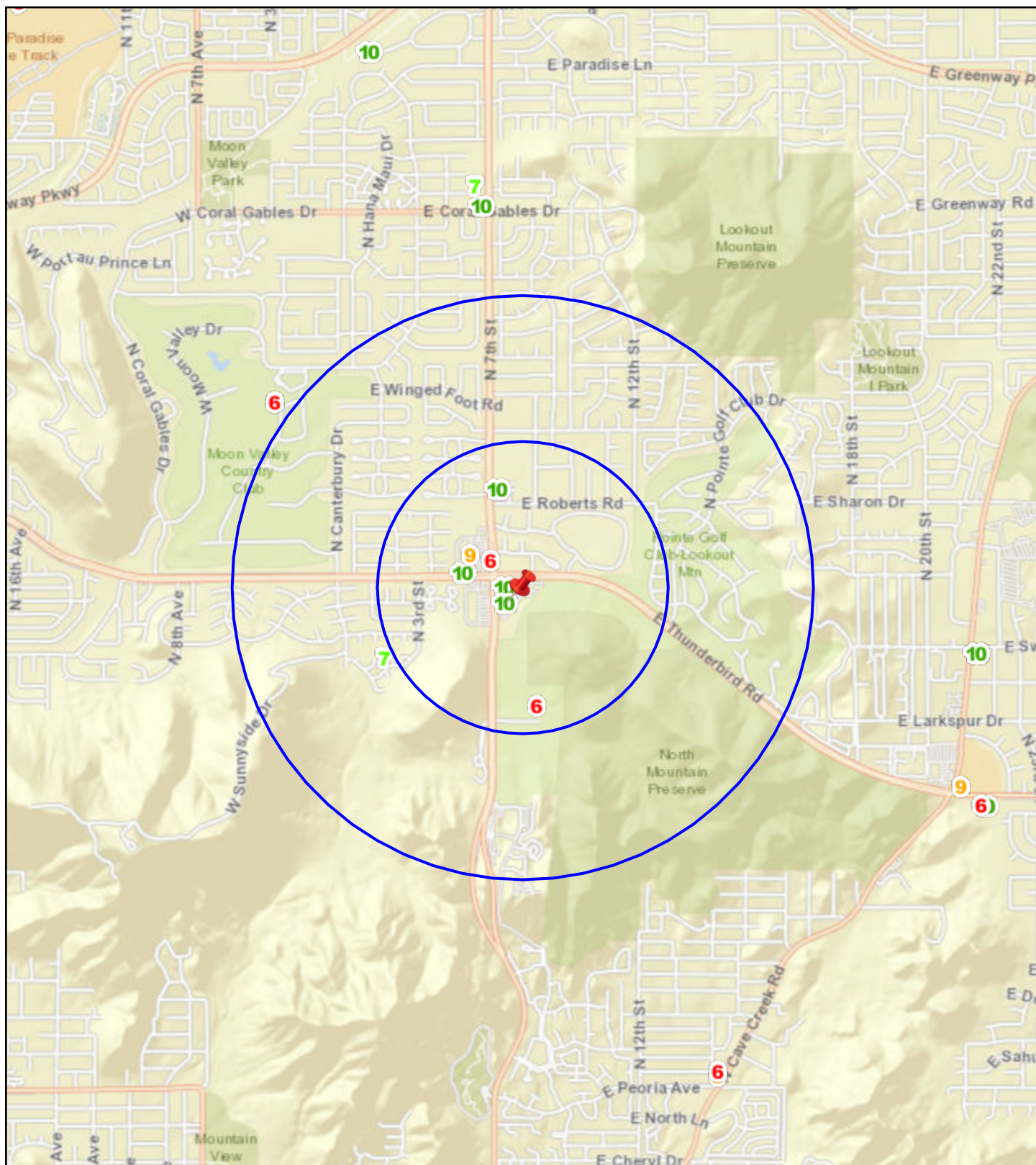
Description	Average	1/2 Mile Average
Parcels w/Violations	40	25
Total Violations	67	44

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036053	1043	458	15	11
1036073	791	303	6	17
1036113	2548	917	41	0
1036142	1057	405	17	44
1036151	1090	289	32	199
1037012	2137	631	104	200
1037023	1541	224	69	93
Average	1601	393	60	177

Liquor License Map: TACO CINCO

777 E THUNDERBIRD RD



Date: 6/23/2025



0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department



Liquor License - Taste of Thai Restaurant - District 3

Request for a liquor license. Arizona State License Application 347578.

Summary

Applicant

Artichar Reynolds, Agent

License Type

Series 12 - Restaurant

Location

1510 E. Bell Road, Ste. A100

Zoning Classification: C-2

Council District: 3

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

The 60-day limit for processing this application is July 15, 2025.

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Taste of Thai (Series 12)
3738 E. Indian School Road, Phoenix
Calls for police service: None
Liquor license violations: None

Taste of Thai (Series 12)
4855 E. Warner Road, Ste. 16, Phoenix
Calls for police service: 55
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"I have successfully operated multiple Thai restaurants in Arizona for several years. I have a strong track record of compliance with local, state, and health regulation."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The license will support local economic growth by attracting more guests and increasing employment opportunities. It will allow us to meet customer demand for wine and specialty drinks that enhance the dining experience."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment A - Taste of Thai Restaurant - Data
Attachment B - Taste of Thai Restaurant - Map

Responsible Department

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

Liquor License Data: TASTE OF THAI RESTAURANT

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	153.71	133.86
Violent Crimes	12.31	19.21	20.48

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

Property Violation Data

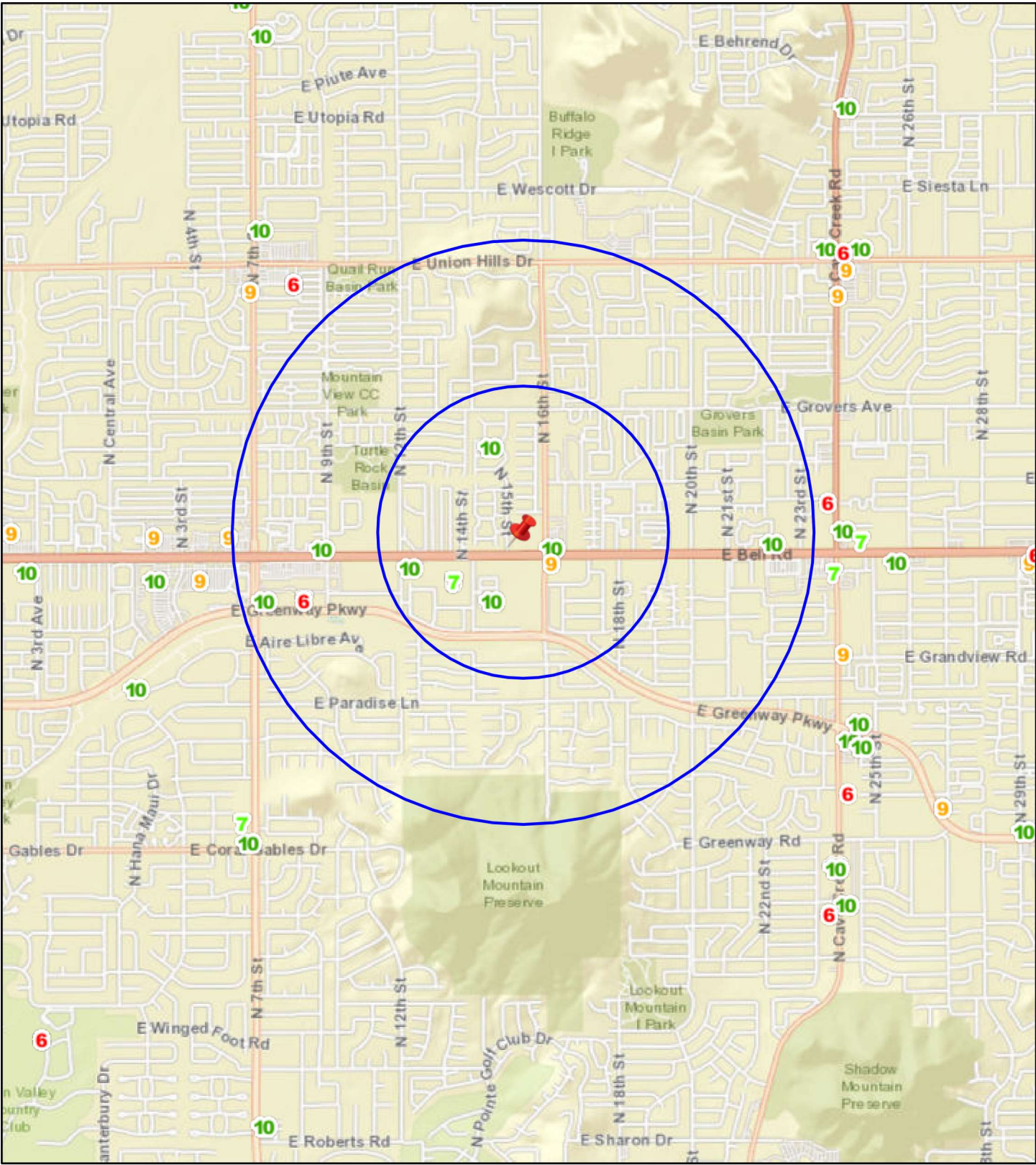
Description	Average	1/2 Mile Average
Parcels w/Violations	40	38
Total Violations	67	74

Census 2020 Data 1/2 Mile Radius

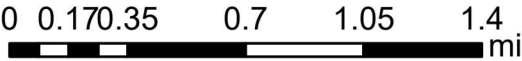
BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036062	2171	617	8	51
1036063	2120	707	33	63
1036111	1291	377	39	156
6190002	1059	460	29	112
6192001	3238	52	86	1135
6192002	1936	187	101	390
6192003	1173	323	123	61
6193001	1169	637	35	104
6194002	1918	399	29	37
6194003	900	236	50	31
Average	1601	393	60	177

Liquor License Map: TASTE OF THAI RESTAURANT

1510 E BELL RD



Date: 5/22/2025





*****ITEM REVISED (SEE ATTACHED MEMO)*** Liquor License - Clarendon Hotel & Spa - District 4**

Request for a liquor license. Arizona State License Application 348706.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 11 - Hotel

Location

401 W. Clarendon Avenue

Zoning Classification: C-2

Council District: 4

This is a request for a new liquor license for a hotel. 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 August 2, 2025.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

Public Opinion

At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Located in the heart of Midtown Phoenix, the Clarendon Hotel & Spa has been a popular, iconic hotel for over thirty years. Applicant would like to continue to offer alcoholic beverages to its guests 21 and over as an incident to their stay or visit."

Staff Recommendation

Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments

Attachment A - Clarendon Hotel & Spa - Data

Attachment B - Clarendon Hotel & Spa - Map

Responsible Department


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



City of Phoenix

To: Ginger Spencer
Deputy City Manager

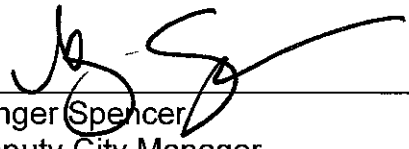
Date: June 30, 2025

From: Denise Archibald 
City Clerk

Subject: REQUEST TO REVISE ITEM 9 ON THE JULY 2, 2025 FORMAL AGENDA –
LIQUOR LICENSE – CLARENDON HOTEL & SPA

This item was originally submitted as a No Recommendation by staff, pending the completion of the posting process. Since then, the posting process has concluded. Therefore, staff has changed its recommendation to Approval.

Approved by:



Ginger Spencer
Deputy City Manager

6/30/2025

Date

Liquor License Data: CLARENDON HOTEL & SPA

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	212.07	356.36
Violent Crimes	12.31	37.26	51.48

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

Property Violation Data

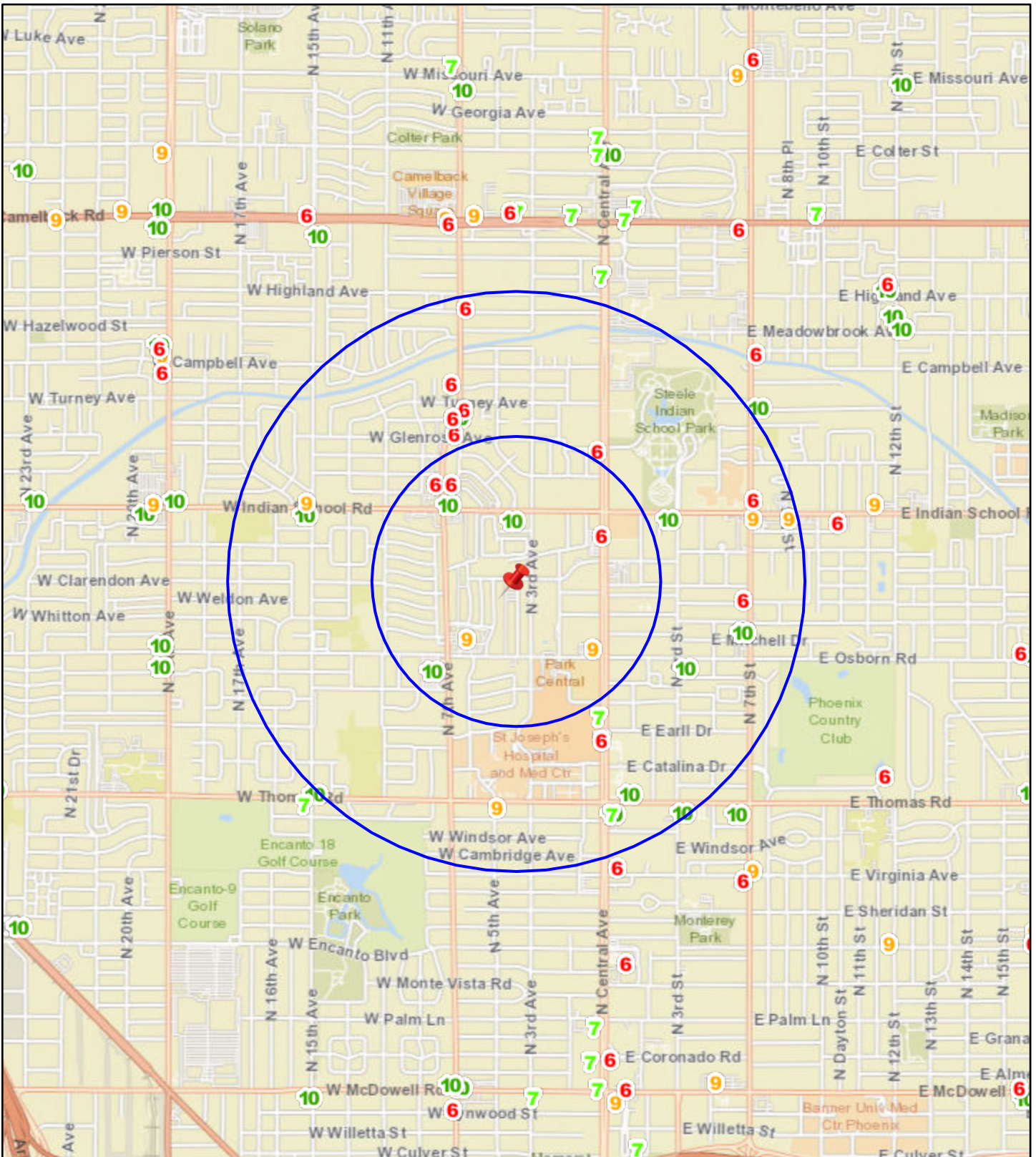
Description	Average	1/2 Mile Average
Parcels w/Violations	39	75
Total Violations	67	117

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1089011	543	118	143	21
1104001	1980	477	45	133
1104002	1160	48	110	336
1105011	1135	187	125	191
1105012	2159	81	138	448
1105013	486	47	63	125
1105021	1745	119	126	482
1105022	2166	436	185	339
1171001	1768	158	74	235
1171002	1261	250	104	101
Average	1601	393	60	177

Liquor License Map: CLARENDON HOTEL & SPA

401 W CLARENDON AVE



Date: 6/9/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - Glenrosa Beer and Wine - District 4

Request for a liquor license. Arizona State License Application 347712.

Summary

Applicant

Majdi Awawda, Agent

License Type

Series 10 - Beer and Wine Store with Sampling Privileges

Location

4319 N. 27th Avenue

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is July 18, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

One valid letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk. This letter is from a neighboring business. They believe there is a high concentration of liquor establishments in the neighborhood already. They also feel that adding another liquor license will negatively impact the area which has ongoing challenges related to criminal activity.

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"I have owned and operated multiple businesses in Arizona over the years. I currently operate three tobacco oriented retail stores. I have always abided by the laws of the state of Arizona while operating the business. I have never received any ticket for sales of tobacco products to a minor at any of my businesses. I am also scheduled to take the Title 4 management liquor training class. I will strictly adhere to any rules and laws regarding the operation of my proposed business."

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

"The operation of a convenience store at this location will greatly benefit the community by offering multiple products (i.e. food, liquor, household item, etc) at one location. This neighborhood is a lower income area and not everybody has access to personal vehicles to travel to big chain stores. We will provide necessities to the local community that can easily be accessed on foot. We will grow with the community and be responsive to their needs on a day to day basis."

Staff Recommendation

Staff gave careful consideration to the protest letter received, however after reviewing the application in its entirety, staff is recommending approval of this application. Staff also notes that the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Attachment A - Glenrosa Beer and Wine - Data

Attachment B - Glenrosa Beer and Wine - Map

Responsible Department

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

Liquor License Data: GLENROSA BEER AND WINE

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	0
Bar	6	5	0
Liquor Store	9	6	1
Beer and Wine Store	10	17	7
Hotel	11	1	0
Restaurant	12	6	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	246.23	344.26
Violent Crimes	12.31	87.95	145.75

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

Property Violation Data

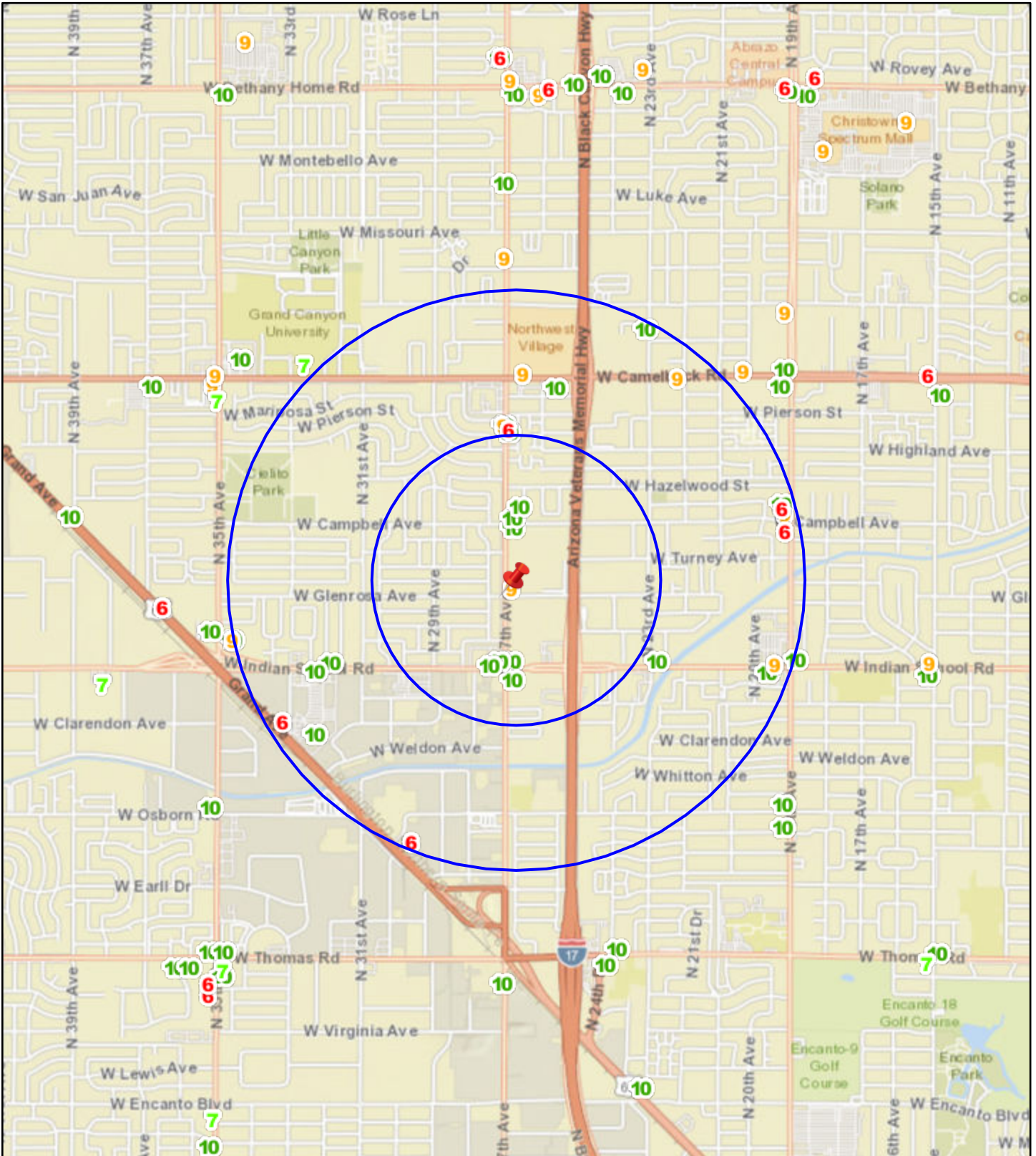
Description	Average	1/2 Mile Average
Parcels w/Violations	40	106
Total Violations	67	202

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1090011	2026	156	94	827
1090012	3304	0	235	959
1090022	1779	47	64	421
1090031	2215	79	45	436
1090032	2025	61	57	598
1090033	1038	8	61	152
1090034	1053	30	24	453
1091012	1585	278	17	108
1091022	3960	742	30	904
1169001	2763	372	39	622
1170002	3121	431	53	676
Average	1601	393	60	177

Liquor License Map: GLENROSA BEER AND WINE

4319 N 27TH AVE



Date: 5/21/2025



0 0.170.35 0.7 1.05 1.4 mi



*****ITEM REVISED (SEE ATTACHED MEMO)*** Liquor License - The Green Woodpecker - District 4**

Request for a liquor license. Arizona State License Application 348082.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

3110 N. Central Avenue

Zoning Classification: WU T6 - HWR MT

Council District: 4

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license.

The 60-day limit for processing this application is July 27, 2025.

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the

State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Gadzooks Enchiladas and Soup (Series 12)
3150 E. Ray Road, Ste. 144, Gilbert
Calls for police service: N/A - Not in Phoenix
Liquor license violations: None

Gadzooks Enchiladas & Soup (Series 12)
4031 E. Camelback Road, Phoenix
Calls for police service: 5
Liquor license violations: None

Gadzooks Enchiladas and Soup (Series 12)
3313 N. 7th Street, Phoenix
Calls for police service: 6
Liquor license violations: None

The Green Woodpecker (Series 7)
3110 N. Central Avenue, Phoenix
Calls for police service: 81
Liquor license violations: None

Public Opinion

At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 of the Green Woodpecker own and have owned many restaurants with liquor licenses over the years. They have owned this location since 2022 and have been very successful. They are quite familiar with the industry and knowledgeable in liquor laws. The employees are also Title 4 trained in liquor laws and responsible liquor store."

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

“The Green Woodpecker has been open at this location since Park Center Mall was newly renovated in 2022 and have become a part of the future of Park Center Mall. The Green Woodpecker has become a great place for our neighbors and people all around the valley to visit. It is a neighborhood favorite.”

Staff Recommendation

Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments

Attachment A - The Green Woodpecker - Data

Attachment B - The Green Woodpecker - Map

Responsible Department

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



City of Phoenix

To: Ginger Spencer
Deputy City Manager

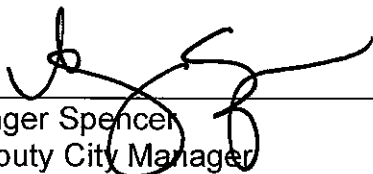
Date: June 30, 2025

From: Denise Archibald 
City Clerk

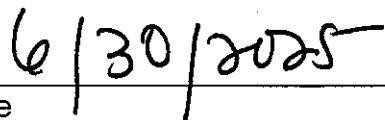
Subject: REQUEST TO REVISE ITEM 11 ON THE JULY 2, 2025 FORMAL AGENDA –
LIQUOR LICENSE – THE GREEN WOODPECKER

This item was originally submitted as a No Recommendation by staff, pending the completion of the posting process. Since then, the posting process has concluded. Therefore, staff has changed its recommendation to Approval.

Approved by:



Ginger Spencer
Deputy City Manager



Date

Liquor License Data: THE GREEN WOODPECKER

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	9	2
Beer and Wine Bar	7	4	3
Liquor Store	9	5	2
Beer and Wine Store	10	11	4
Hotel	11	2	1
Restaurant	12	39	21
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	186.38	225.79
Violent Crimes	12.31	35.96	42.56

*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

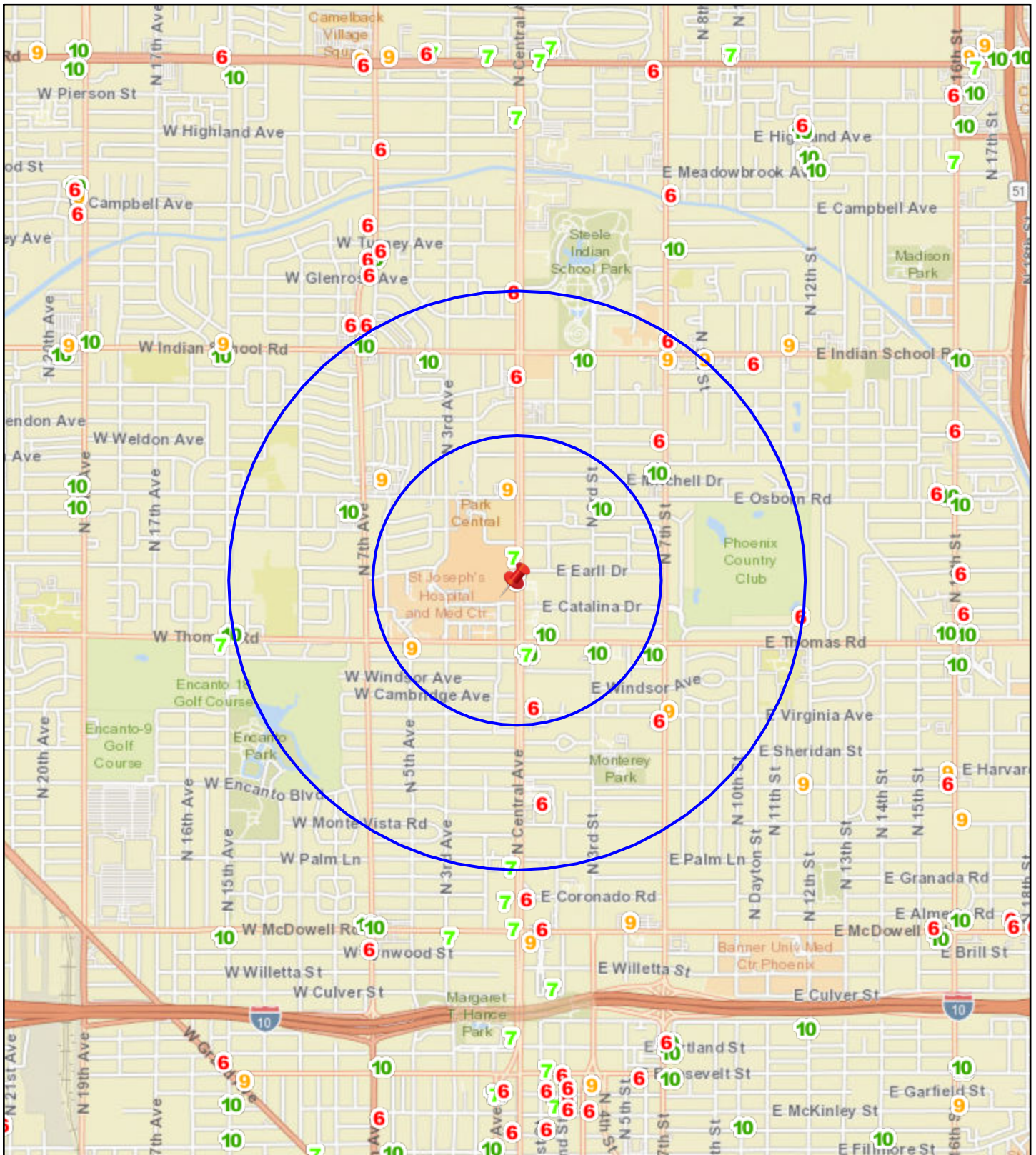
Description	Average	1/2 Mile Average
Parcels w/Violations	39	48
Total Violations	67	67

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1105011	1135	187	125	191
1105012	2159	81	138	448
1105013	486	47	63	125
1105021	1745	119	126	482
1105022	2166	436	185	339
1118001	962	221	108	264
1118003	1247	510	88	26
Average	1601	393	60	177

Liquor License Map: THE GREEN WOODPECKER

3110 N CENTRAL AVE



Date: 6/16/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - Special Event - St. Joseph Maronite Catholic Church - District 6

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

Summary

Applicant

Wissam Akiki

Location

5406 E. Virginia Avenue
Council District: 6

Function

Cultural Festival

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

November 7, 2025 - 5 p.m. to 10 p.m. / 300 attendees
November 8, 2025 - 11 a.m. to 10 p.m. / 400 attendees
November 9, 2025 - 11 a.m. to 7 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 - Gladly - District 6

Request for a liquor license. Arizona State License Application 346629.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

2201 E. Camelback Road

Zoning Classification: C-2 CEPCSP, C-2 HR SP CEPCSP

Council District: 6

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

The 60-day limit for processing this application is July 12, 2025.

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

applicant on the City Questionnaire.

I have the capability, reliability, and qualifications to hold a liquor license because:
“All employees will be Title 4 trained, ID's of all customers who order alcohol will be checked, liquor license and applicable warning signs will be posted, entrance and exits will display signage to ensure alcohol stays within designated areas and the Minnow staff will maintain comprehensive records and a liquor manual containing information required by the Department of Liquor.”

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 - Arco AMPM - District 6

Request for a liquor license. Arizona State License Application 348216.

Summary

Applicant

Felicity Heron, Agent

License Type

Series 10 - Beer and Wine Store

Location

1201 E. Northern Avenue

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is July 20, 2025.

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

Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"I have the capability, reliability and qualifications to hold a liquor licence because I have studied and familiarized myself with the Arizona liquor laws and intend to uphold them. I believe that laws are put in place for the safety of the public. I will uphold the liquor laws because I care about people and our community. I also have been certified basic and management training certification."

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

"I will serve the best interest of the public with the issuance of this liquor license because I will make sure that my staff and employees follow all Arizona liquor laws to ensure that the public safety and well being are always top priority."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment A - Arco AMPM - Data

Attachment B - Arco AMPM - Map

Responsible Department

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

Liquor License Data: ARCO AMPM

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	5	1
Beer and Wine Bar	7	2	1
Beer and Wine Store	10	8	3
Restaurant	12	9	4
Club	14	2	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	83.09	107.53
Violent Crimes	12.31	10.16	15.81

*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

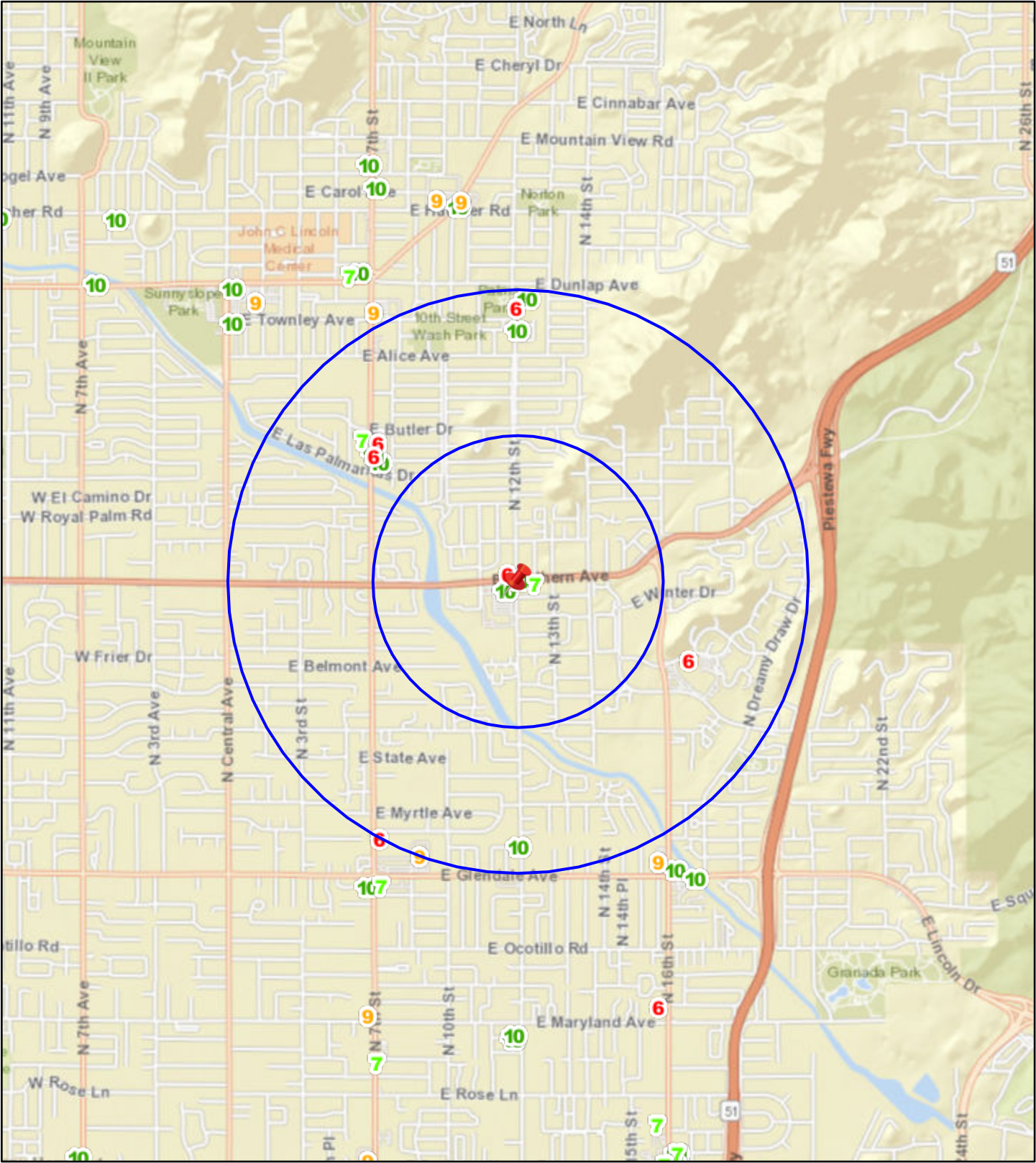
Description	Average	1/2 Mile Average
Parcels w/Violations	40	64
Total Violations	67	114

Census 2020 Data 1/2 Mile Radius

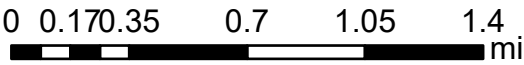
BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1051023	1091	589	89	49
1052001	784	328	38	39
1052002	1993	584	57	82
1052004	1823	437	112	36
1063001	1881	242	59	253
1063002	1402	408	51	22
1063003	714	213	54	61
Average	1601	393	60	177

Liquor License Map: ARCO AMPM

1201 E NORTHERN AVE



Date: 6/23/2025





Liquor License - Mister Pio - District 6

Request for a liquor license. Arizona State License Application 347798.

Summary

Applicant

Justin Nasralla, Agent

License Type

Series 12 - Restaurant

Location

4502 E. Thomas Road

Zoning Classification: C-2

Council District: 6

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

The 60-day limit for processing this application is July 20, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"I will be a hands on operating owner. I will ensure that all staff handling alcohol will be Title 4 certified."

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

"We offer Peruvian rotisserie chicken, specializing in chicken and french fries. By offering alcohol with our meals the community can enjoy the cultural experience in trying Peru's nation spirit."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment A - Mister Pio - Data

Attachment B - Mister Pio - Map

Responsible Department

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

Liquor License Data: MISTER PIO

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	4	1
Beer and Wine Bar	7	2	0
Liquor Store	9	5	2
Beer and Wine Store	10	7	3
Restaurant	12	16	6
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	151.99	249.46
Violent Crimes	12.31	21.01	25.9

*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

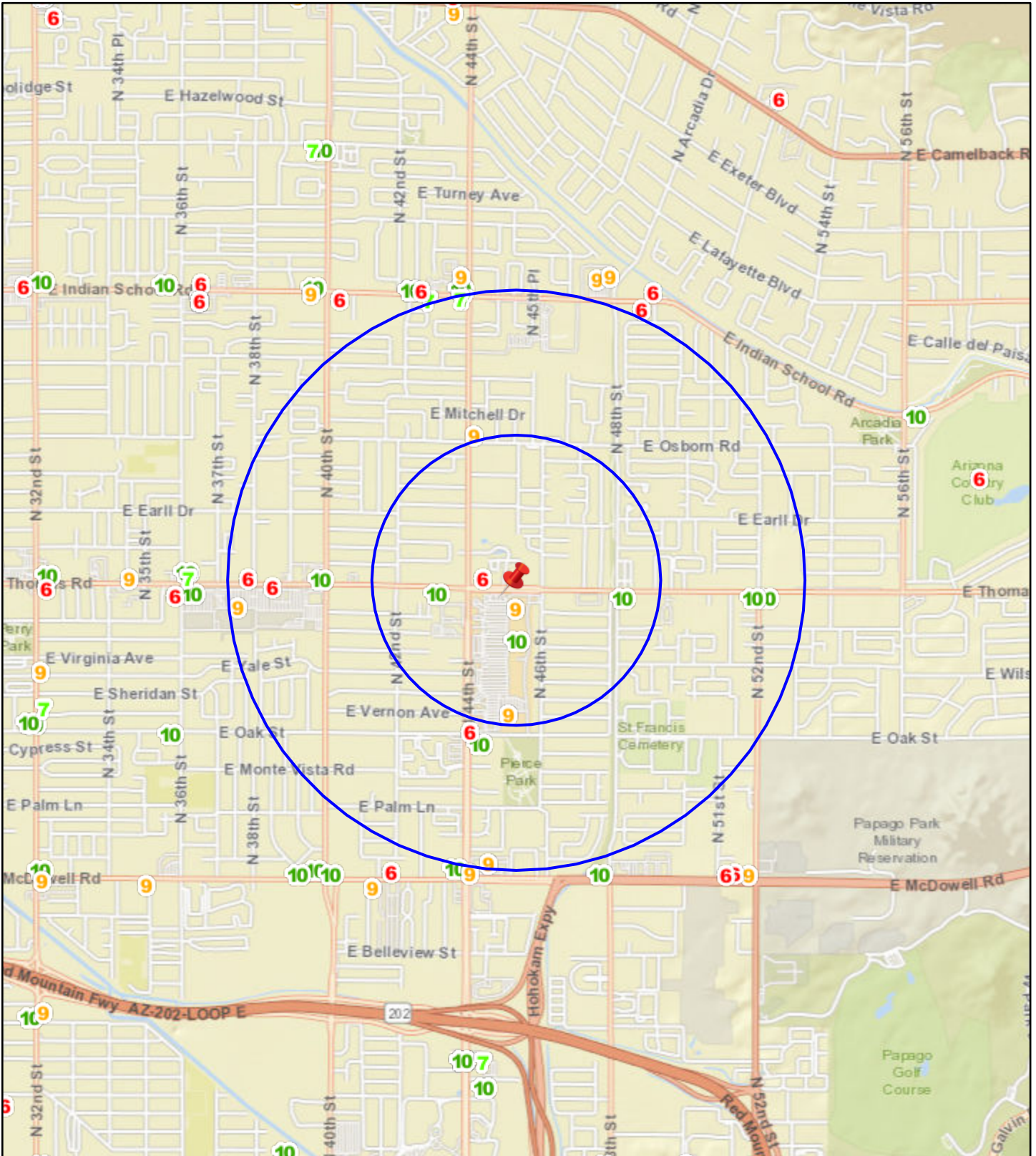
Description	Average	1/2 Mile Average
Parcels w/Violations	40	27
Total Violations	67	41

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1110003	1062	353	53	0
1110004	975	299	41	0
1110005	568	200	20	0
1111002	1624	238	51	112
1111003	1715	586	49	30
1112012	1588	186	39	236
1113001	1455	236	32	22
1113002	990	338	35	9
1113004	1299	309	24	99
Average	1601	393	60	177

Liquor License Map: MISTER PIO

4502 E THOMAS RD



Date: 6/12/2025



0 0.170.35 0.7 1.05 1.4 mi

City Clerk Department



Liquor License - Neutral Ground - District 6

Request for a liquor license. Arizona State License Application 346614.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

4602 E. Thomas Road

Zoning Classification: C-1

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business has plans to open in August 2025.

The 60-day limit for processing this application is July 8, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Located in the Arcadia Osborn area, Neutral Ground is a food-focused concept that includes curated, seasonal items to be shared in a design-driven elegant space. Applicant would like to offer alcoholic beverages to guests 21 + as as an incident to the delicious dishes."

Staff Recommendation

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

Attachments

Attachment A - Neutral Ground - Data

Attachment B - Neutral Ground - Map

Responsible Department

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

Liquor License Data: NEUTRAL GROUND

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	4	1
Liquor Store	9	4	2
Beer and Wine Store	10	7	3
Restaurant	12	15	4
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	147.77	254.45
Violent Crimes	12.31	20.24	27.07

*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

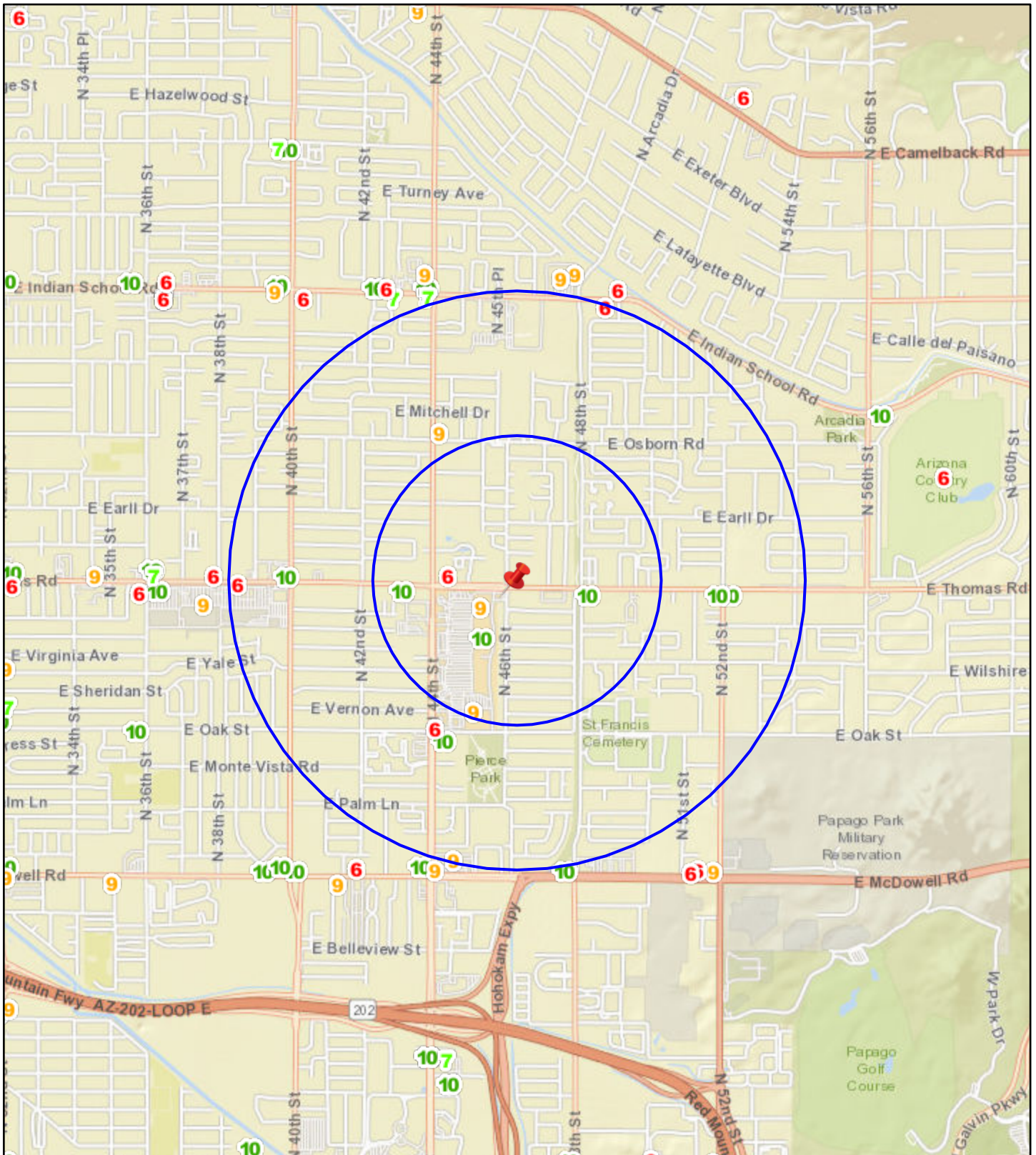
Description	Average	1/2 Mile Average
Parcels w/Violations	40	38
Total Violations	67	62

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1110003	1062	353	53	0
1110004	975	299	41	0
1110005	568	200	20	0
1111002	1624	238	51	112
1111003	1715	586	49	30
1112012	1588	186	39	236
1113001	1455	236	32	22
1113002	990	338	35	9
1113004	1299	309	24	99
Average	1601	393	60	177

Liquor License Map: NEUTRAL GROUND

4602 E THOMAS RD



Date: 5/15/2025

0 0.170.35 0.7 1.05 1.4 mi

City Clerk Department



Liquor License - Swizzle Inn - District 6

Request for a liquor license. Arizona State License Application 347580.

Summary

Applicant

Lauren Merrett, Agent

License Type

Series 6 - Bar

Location

5835 N. 16th Street, Ste. A

Zoning Classification: C-2

Council District: 6

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 July 18, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because: "The owners are confident in their ability to responsibly manage and operate a business with a liquor license, supported by a track record of reliability and qualifications. Their experience, commitment to compliance, and understanding of regulatory requirements make me a suitable candidate for holding a liquor license in the city of Phoenix."

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

"The issuance of the liquor license is deemed necessary for public convenience and is in the best interest of the community. This decision is grounded in careful consideration of factors that contribute to the overall well-being of our community, fostering responsible and regulated access to alcoholic beverages."

Staff Recommendation

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

Attachments

Attachment A - Swizzle Inn - Data

Attachment B - Swizzle Inn - Map

Responsible Department

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

Liquor License Data: SWIZZLE INN

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	104.93	89.06
Violent Crimes	12.31	11.67	12.31

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

Property Violation Data

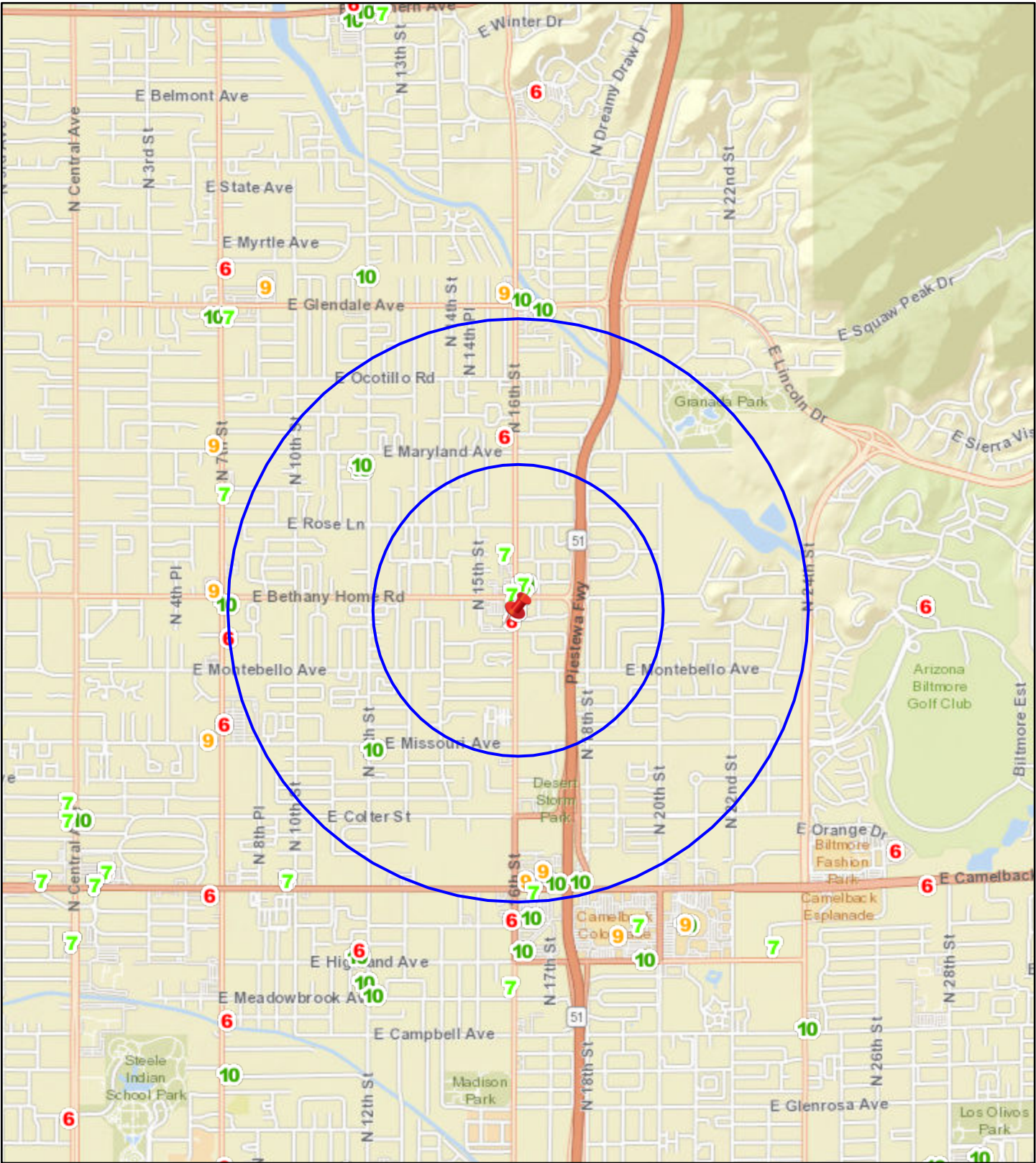
Description	Average	1/2 Mile Average
Parcels w/Violations	40	66
Total Violations	67	111

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1064001	1204	364	37	191
1064002	2049	500	78	118
1065021	1389	297	86	109
1065023	920	246	55	90
1076021	1302	519	41	25
1076022	1529	218	57	118
1077001	944	318	18	30
1077002	592	198	24	17
1077003	985	194	120	42
1077005	171	42	15	0
1077006	620	213	19	21
Average	1601	393	60	177

Liquor License Map: SWIZZLE INN

5835 N 16TH ST



Date: 6/10/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - Chilaquiles By Irma, LLC - District 7

Request for a liquor license. Arizona State License Application 347122.

Summary

Applicant

Irma Lopez, Agent

License Type

Series 12 - Restaurant

Location

1803 W. Van Buren Street

Zoning Classification: C-3 CMO

Council District: 7

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

The 60-day limit for processing this application is July 7, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because: "I possess a comprehensive understanding of local laws and regulations, regarding alcohol sale. My experience in the hospitality industry has equipped me with the skills to ensure a safe and responsible environment for customer. I am committed to promoting responsible drinking and have undergone training in alcohol awareness management."

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

"It will enhance local business opportunities, create jobs, and provide a safe environment for social gatherings. By allowing responsible establishments to serve alcohol, we can promote responsible consumption and contribute to the vibrancy of the community. Additionally, this can to increased revenue for the local economy and help support community events and initiatives."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment A - Chilaquiles By Irma, LLC - Data

Attachment B - Chilaquiles By Irma, LLC - Map

Responsible Department

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

Liquor License Data: CHILAQUILES BY IRMA LLC

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	151.32	139.7
Violent Crimes	12.31	58.01	57.32

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

Property Violation Data

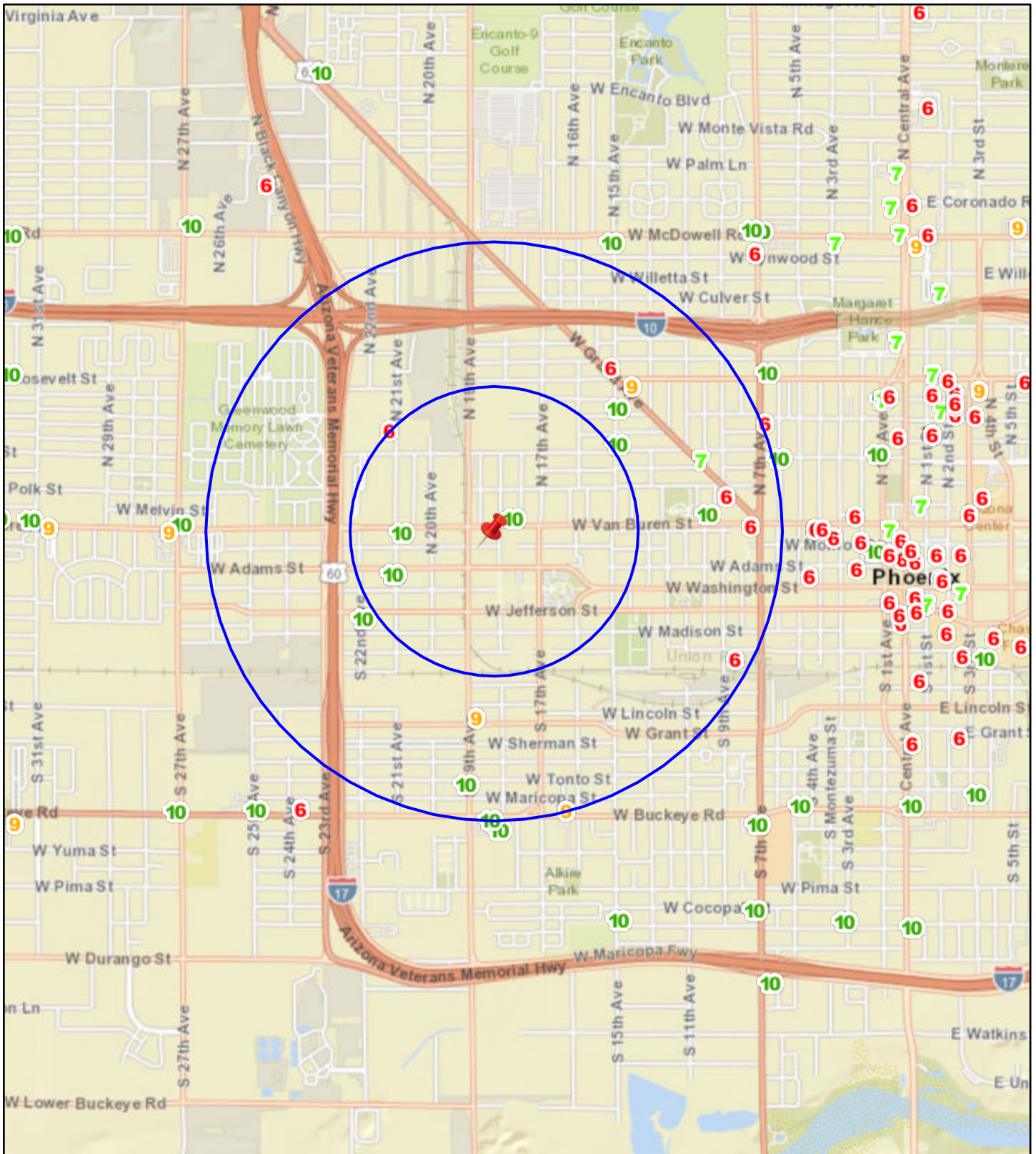
Description	Average	1/2 Mile Average
Parcels w/Violations	40	102
Total Violations	67	173

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129003	1168	99	40	80
1129004	1279	82	91	706
1143011	911	80	49	374
1143021	1376	93	37	279
1144021	786	103	26	173
1144022	1118	166	45	393
1168004	691	133	32	333
Average	1601	393	60	177

Liquor License Map: CHILAQUILES BY IRMA LLC

1803 W VAN BUREN ST



Date: 6/11/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - Matilda's - District 7

Request for a liquor license. Arizona State License Application 346865.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

822 N. 6th Avenue

Zoning Classification: DTC-Roosevelt South HP

Council District: 7

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

The 60-day limit for processing this application is July 7, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales an service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The owner of the popular First Place Coffee food truck is opening a new brick and mortar location known as Matilda's. Matlinda's will serve a variety of delicious sandwiches, salads,pastas and more in a casual, neighborhood setting. Applicant would like to offer alcoholic beverages to guests 21+ as an incident to the menu dishes offered."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment A - Matilda's - Data

Attachment B - Matilda's - Map

Responsible Department

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

Liquor License Data: MATILDA'S

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	6	2
Wholesaler	4	1	0
Government	5	6	2
Bar	6	45	9
Beer and Wine Bar	7	15	3
Liquor Store	9	6	2
Beer and Wine Store	10	15	5
Hotel	11	6	0
Restaurant	12	106	25
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	271.47	251.38
Violent Crimes	12.31	72.79	54.35

*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

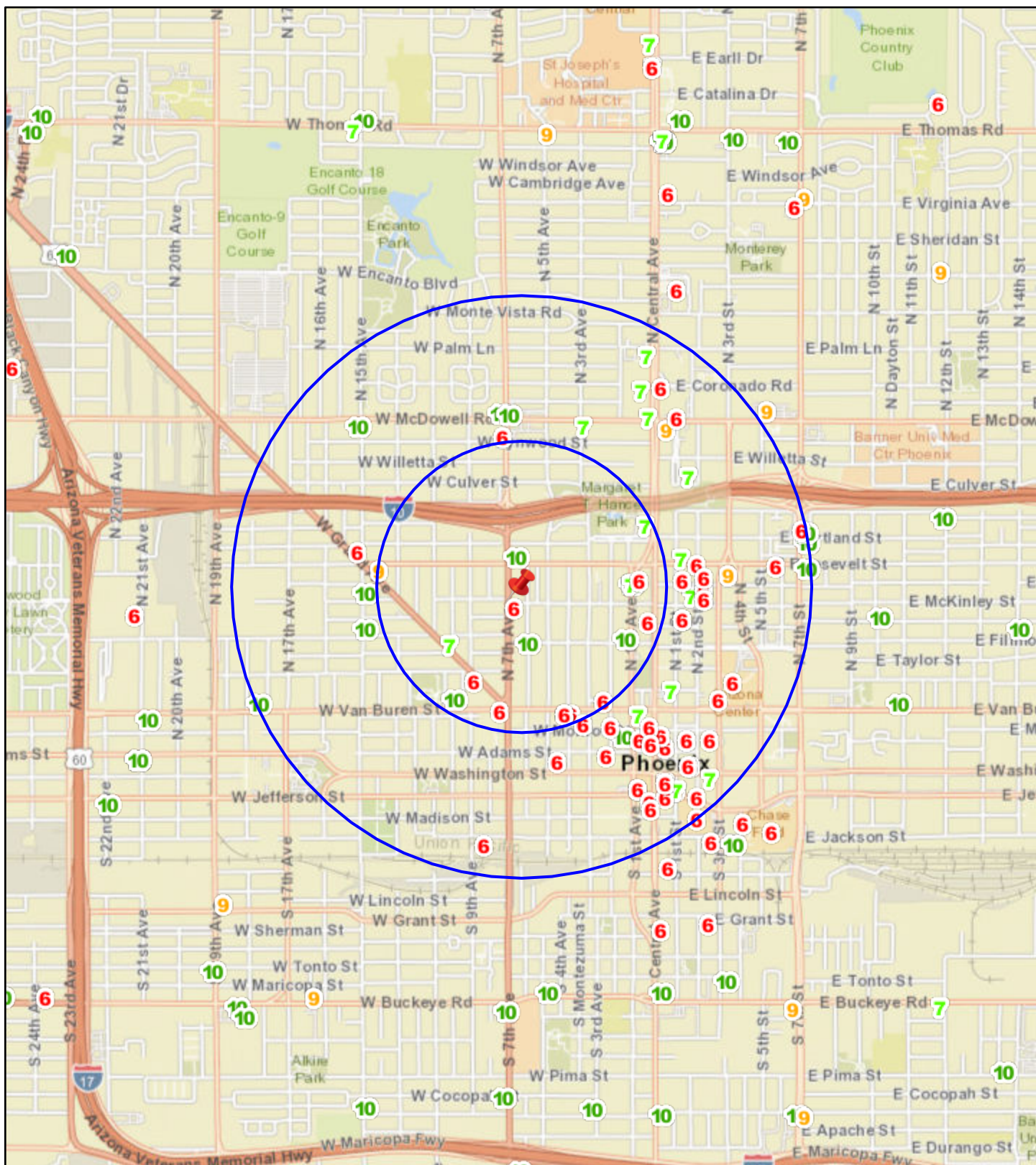
Description	Average	1/2 Mile Average
Parcels w/Violations	39	100
Total Violations	67	142

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129001	1399	521	53	62
1129002	671	102	83	94
1129003	1168	99	40	80
1130001	2898	331	199	515
1130002	1364	179	221	139
1131001	1929	146	155	743
1131002	2026	50	492	845
1131003	2654	2	355	297
1141001	2605	227	111	276
1143011	911	80	49	374
Average	1601	393	60	177

Liquor License Map: MATILDA'S

822 N 6TH AVE



Date: 5/19/2025



City Clerk Department



Liquor License - Topsy Scoop - District 7

Request for a liquor license. Arizona State License Application 347746.

Summary

Applicant

Tamika Wooten, Agent

License Type

Series 12 - Restaurant

Location

355 N. Central Avenue, Ste. 102

Zoning Classification: DTC-Business Core

Council District: 7

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 business is currently under construction with plans to open in August 2025.

The 60-day limit for processing this application is July 22, 2025.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"As a judge and attorney in the Valley, I am committed to upholding the highest standards to maintain compliance with applicable laws. Managers & staff are or will be trained in the techniques of recognizing signs and symptoms of impairment. Additionally, each employee will be required to card all customers who are attempting to purchase alcohol infused treats!"

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Topsy Scoop solves the downtown dilemma that people over 21 face after attending a concert or sporting event, when they are not quite read to end the night, but they are looking for something to do besides sit in a smoky bar. Likewise parents, with their children, don't have to take their kids home after a game, concert or symphony, they can continue the night by getting a non-alcohol infused ice cream treat or sundae for their kids, while still having a decadent adult treat for themselves. We are located directly across from Central Station"

Staff Recommendation

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

Attachments

Attachment A - Topsy Scoop - Data

Attachment B - Topsy Scoop - Map

Responsible Department

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

Liquor License Data: TIPSY SCOOP

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Microbrewery	3	5	1
Wholesaler	4	1	0
Government	5	7	4
Bar	6	49	36
Beer and Wine Bar	7	13	8
Liquor Store	9	5	4
Beer and Wine Store	10	12	4
Hotel	11	7	6
Restaurant	12	108	62
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	267.35	428.66
Violent Crimes	12.31	70.22	88.74

*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

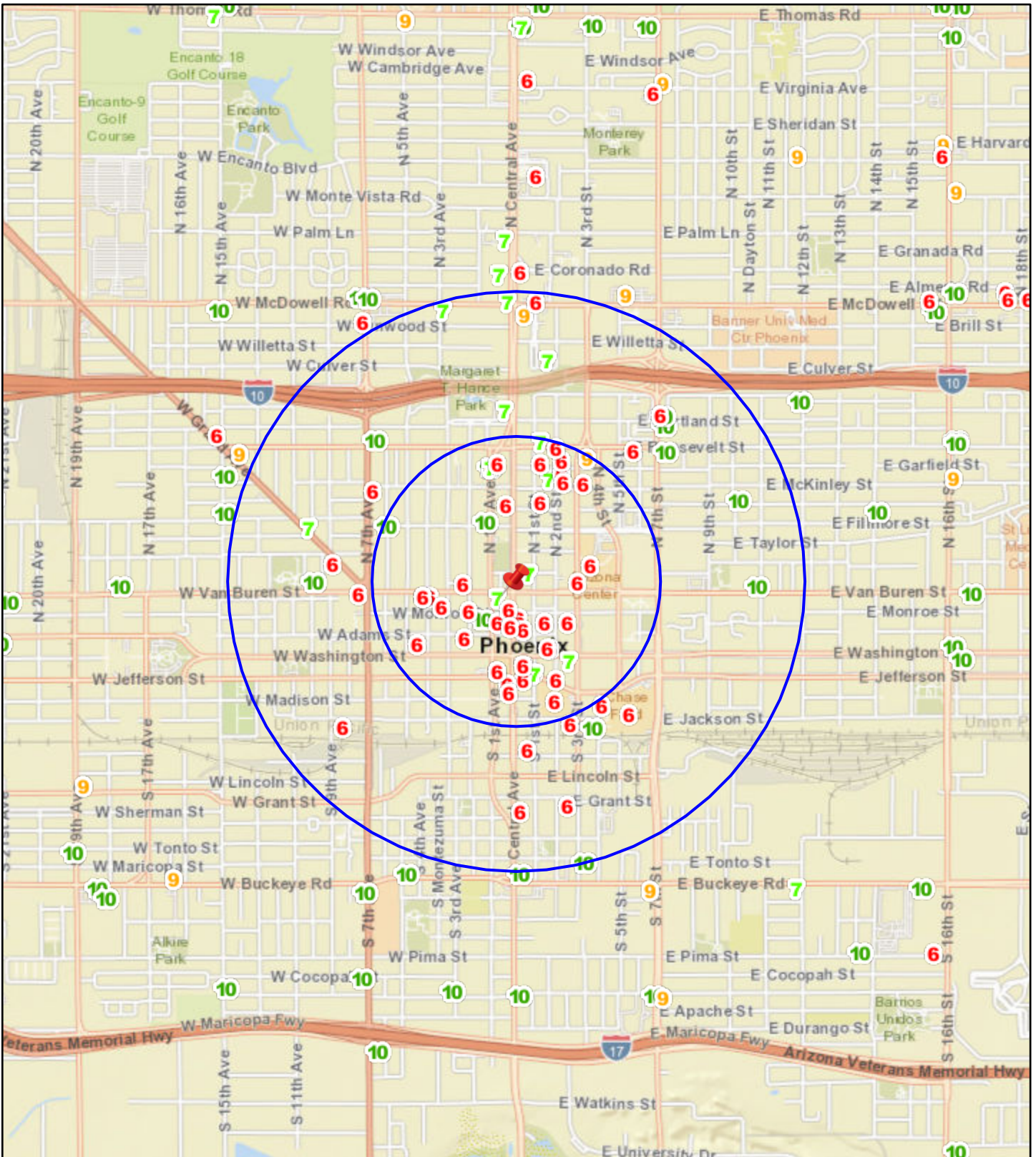
Description	Average	1/2 Mile Average
Parcels w/Violations	40	30
Total Violations	67	50

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	2898	331	199	515
1131001	1929	146	155	743
1131002	2026	50	492	845
1131003	2654	2	355	297
1132022	1347	118	99	594
1140003	1025	304	49	114
1141001	2605	227	111	276
Average	1601	393	60	177

Liquor License Map: TIPSYP SCOOP

355 N CENTRAL AVE



Date: 6/25/2025



0 0.170.35 0.7 1.05 1.4 mi



*****ITEM REVISED (SEE ATTACHED MEMO)*** Liquor License - Zen Thai Cafe - District 7**

Request for a liquor license. Arizona State License Application 349182.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

110 N. Central Avenue

Zoning Classification: DTC-Business Core

Council District: 7

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

The 60-day limit for processing this application is August 3, 2025.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

Public Opinion

At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"The owner has worked in the restaurant industry for several years. He will continue to abide by Title 4 liquor laws and ensure staff is also trained."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Zen Thai offers a few Asian fusion dishes as well as alcoholic beverages. Zen Thai would like to continue to serve delicious meals and refreshing drinks to the community and making everyone happy while there."

Staff Recommendation

Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments

Attachment A - Zen Thai Cafe - Data

Attachment B - Zen Thai Cafe - Map

Responsible Department

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



City of Phoenix

To: Ginger Spencer
Deputy City Manager

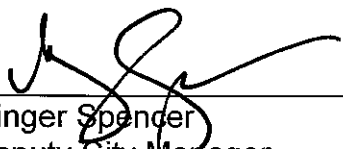
Date: June 30, 2025

From: Denise Archibald 
City Clerk

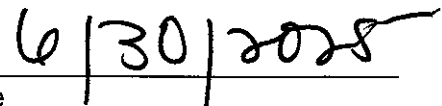
Subject: REQUEST TO REVISE ITEM 21 ON THE JULY 2, 2025 FORMAL AGENDA –
LIQUOR LICENSE - ZEN THAI CAFE

This item was originally submitted as a No Recommendation by staff, pending the completion of the departmental reviews and the posting process. Since then, the departmental reviews were completed, and the posting process has concluded. Therefore, staff has changed its recommendation to Approval.

Approved by:



Ginger Spencer
Deputy City Manager



Date

Liquor License Data: ZEN THAI CAFE

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	1
Microbrewery	3	5	1
Wholesaler	4	1	0
Government	5	7	4
Bar	6	49	32
Beer and Wine Bar	7	11	5
Liquor Store	9	4	2
Beer and Wine Store	10	15	3
Hotel	11	7	7
Restaurant	12	106	52
Club	14	3	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	250.29	359.76
Violent Crimes	12.31	69.9	85.66

*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

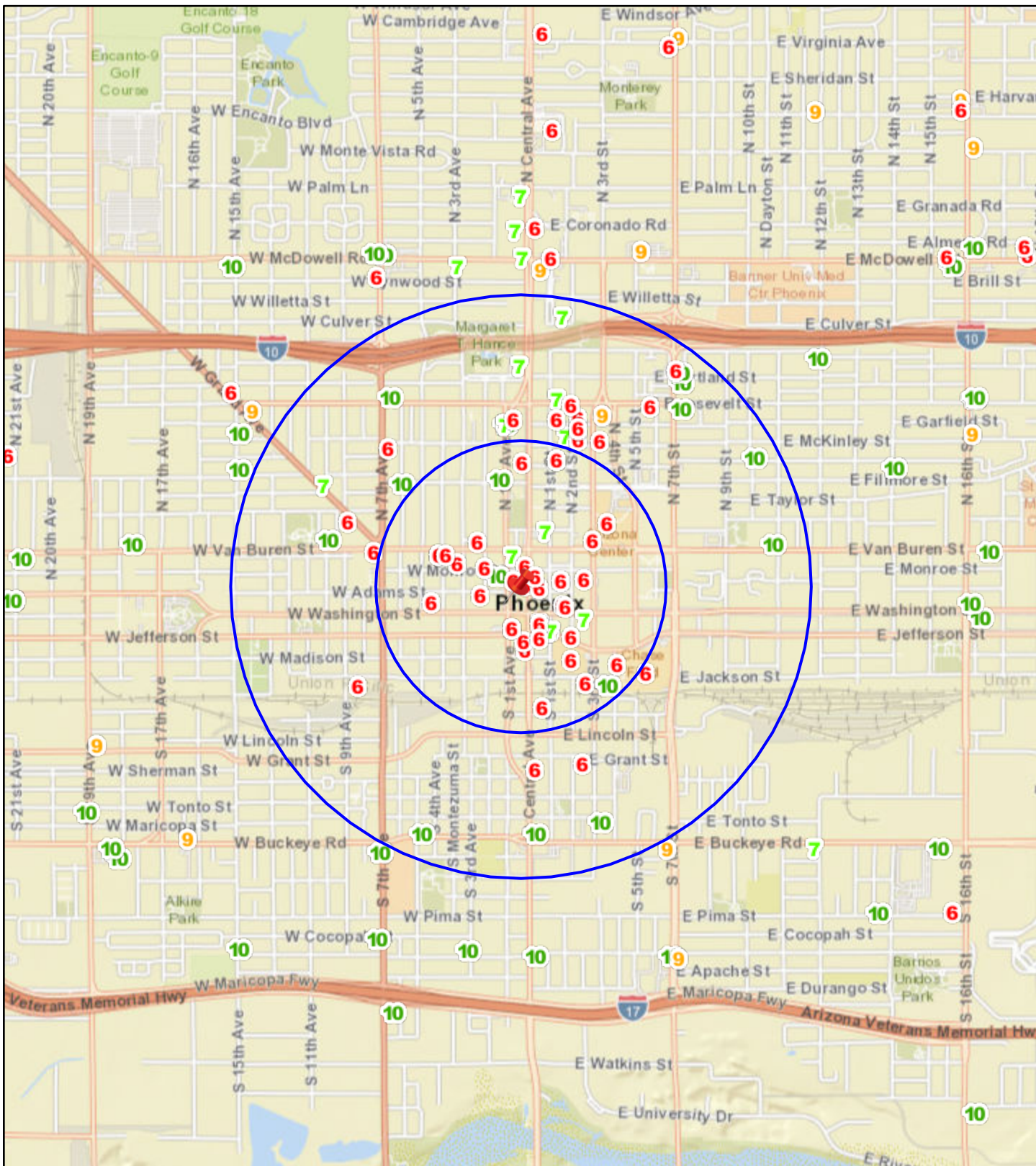
Description	Average	1/2 Mile Average
Parcels w/Violations	39	18
Total Violations	67	33

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129002	671	102	83	94
1129003	1168	99	40	80
1131001	1929	146	155	743
1131002	2026	50	492	845
1131003	2654	2	355	297
1141001	2605	227	111	276
1142001	938	210	81	167
1143011	911	80	49	374
Average	1601	393	60	177

Liquor License Map: ZEN THAI CAFE

110 N CENTRAL AVE



Date: 6/9/2025



City Clerk Department



Liquor License - Blanco Tacos & Tequila/Olive & Ivy/Modern Burger - District 8

Request for a liquor license. Arizona State License Application 347236.

Summary

Applicant

Jonathan Argentine, Agent

License Type

Series 12 - Restaurant

Location

3800 E. Sky Harbor Boulevard, N2 F38

Zoning Classification: A-1

Council District: 8

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

The 60-day limit for processing this application is July 5, 2025.

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

Public Opinion

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

Applicant's Statement

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

applicant on the City Questionnaire.

I have the capability, reliability, and qualifications to hold a liquor license because:
“I have been working with HMSHost Corporation for over thirty-eight (38) years. For seventeen (17) years, I was in supervisory/management positions, and for the last twelve (12) years, I have been Director of Operations.”

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 Data: BLANCO TACOS & TEQUILA/OLIVE & IVY/MODERN BURGER

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	4	2
Beer and Wine Bar	7	2	0
Conveyance	8	9	1
Beer and Wine Store	10	3	1
Restaurant	12	21	13
Club	14	6	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	65.15	105.83
Violent Crimes	12.31	3.6	4.35

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

Property Violation Data

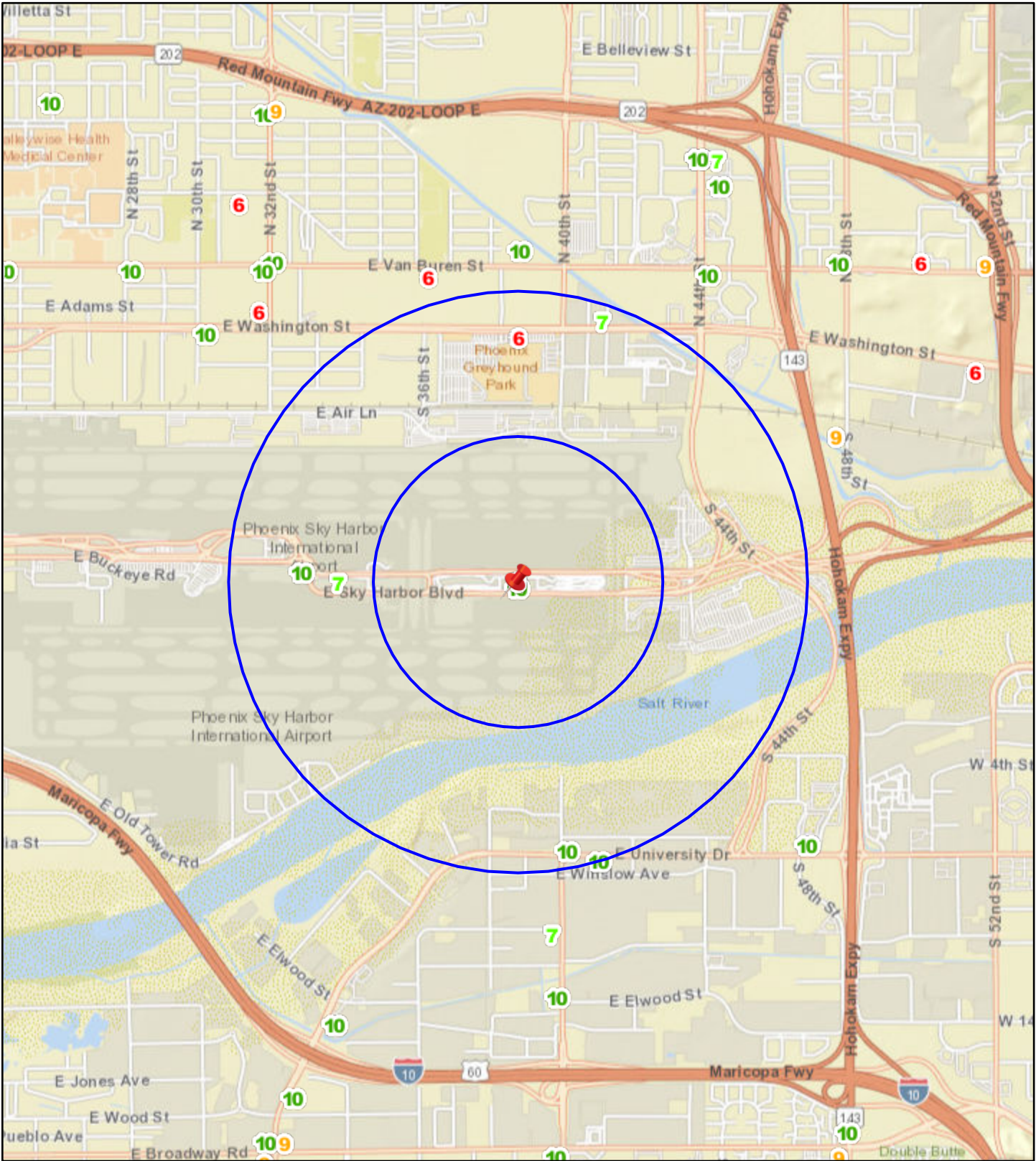
Description	Average	1/2 Mile Average
Parcels w/Violations	40	1
Total Violations	67	1

Census 2020 Data 1/2 Mile Radius

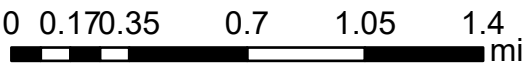
BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1138006	0	0	1	0
Average	1601	393	60	177

Liquor License Map: BLANCO TACOS & TEQUILA/OLIVE & IVY/MODERN BURGER

3800 E SKY HARBOR BLVD



Date: 6/13/2025





Liquor License - Guy Fieri's Phoenix Kitchen and Bar T4 - District 8

Request for a liquor license. Arizona State License Application 339272.

Summary

Applicant

Jonathan Argentine, Agent

License Type

Series 12 - Restaurant

Location

3300 E. Sky Harbor Boulevard, T4S-F2

Zoning Classification: A-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.

The 60-day limit for processing this application is July 6, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
"I have been working with HMSHost Corporation for over thirty-seven (37) years. For seventeen (17) years, I was in a supervisory/management positions, and for the last twelve (12) years, I have been Director of Operations."

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

"Guy Fieri's is a celebrity chef with international reach. The restaurant liquor license will ensure that airport travelers have a variety of menu options and the ability to purchase spirits, beer and wine to accompany their Guy Fieri created food menu items."

Staff Recommendation

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

Attachments

Attachment A - Guy Fieri's Phoenix Kitchen and Bar T4 - Data

Attachment B - Guy Fieri's Phoenix Kitchen and Bar T4 - Map

Responsible Department

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

Liquor License Data: GUY FIERIS PHOENIX KITCHEN AND BAR T4

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	3	0
Beer and Wine Bar	7	1	1
Conveyance	8	10	6
Beer and Wine Store	10	3	1
Restaurant	12	22	8
Club	14	6	5

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	60	102.33
Violent Crimes	12.31	2.65	1.91

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

Property Violation Data

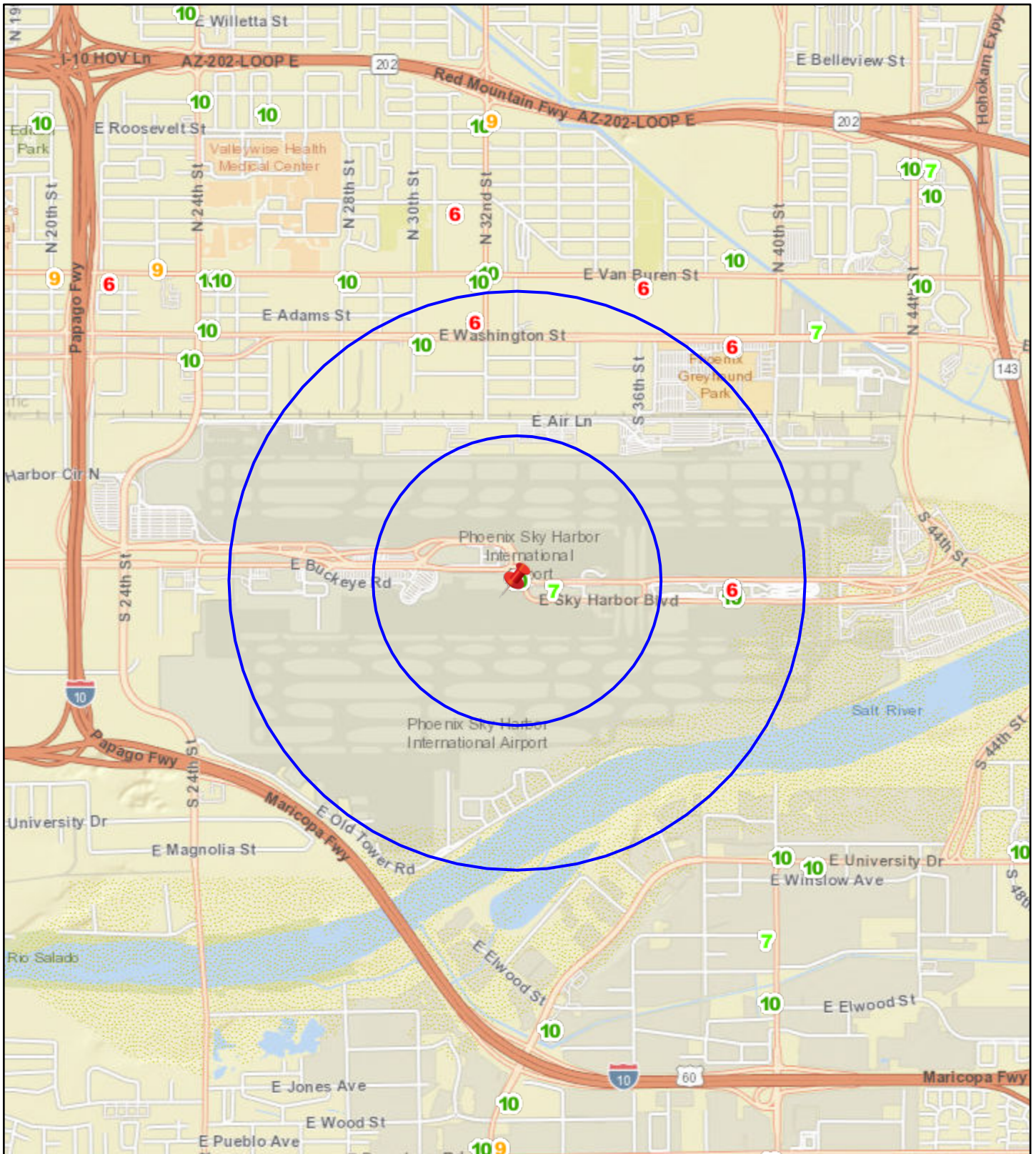
Description	Average	1/2 Mile Average
Parcels w/Violations	40	1
Total Violations	67	1

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1138006	0	0	1	0
Average	1601	393	60	177

Liquor License Map: GUY FIERIS PHOENIX KITCHEN AND BAR T4

3300 E SKY HARBOR BLVD



Date: 6/10/2025



0 0.170.35 0.7 1.05 1.4 mi

City Clerk Department



Liquor License - Plush Kitchen and Lounge - District 8

Request for a liquor license. Arizona State License Application 346489.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

711 S. Central Avenue

Zoning Classification: DTC - Commercial Corridor

Council District: 8

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 Variance to allow outdoor dining and a Use Permit to allow outdoor alcohol service.

The 60-day limit for processing this application is July 13, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
“We plan on implementing mandatory liquor law training for all employees, manual ID checks for anyone ordering alcohol and continuous staff training to ensure all laws and regulations are followed.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We would like the ability to serve our 21 and over patrons an adult beverage with their meal if they choose to have one.”

Staff Recommendation

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

Attachments

Attachment A - Plush Kitchen and Lounge - Data

Attachment B - Plush Kitchen and Lounge - Map

Responsible Department

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

Liquor License Data: PLUSH KITCHEN AND LOUNGE

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	1
Microbrewery	3	1	0
Wholesaler	4	1	0
Government	5	4	0
Bar	6	34	13
Beer and Wine Bar	7	5	2
Liquor Store	9	4	2
Beer and Wine Store	10	12	4
Hotel	11	7	4
Restaurant	12	56	18
Club	14	2	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	194.21	195.32
Violent Crimes	12.31	63.5	40.44

*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

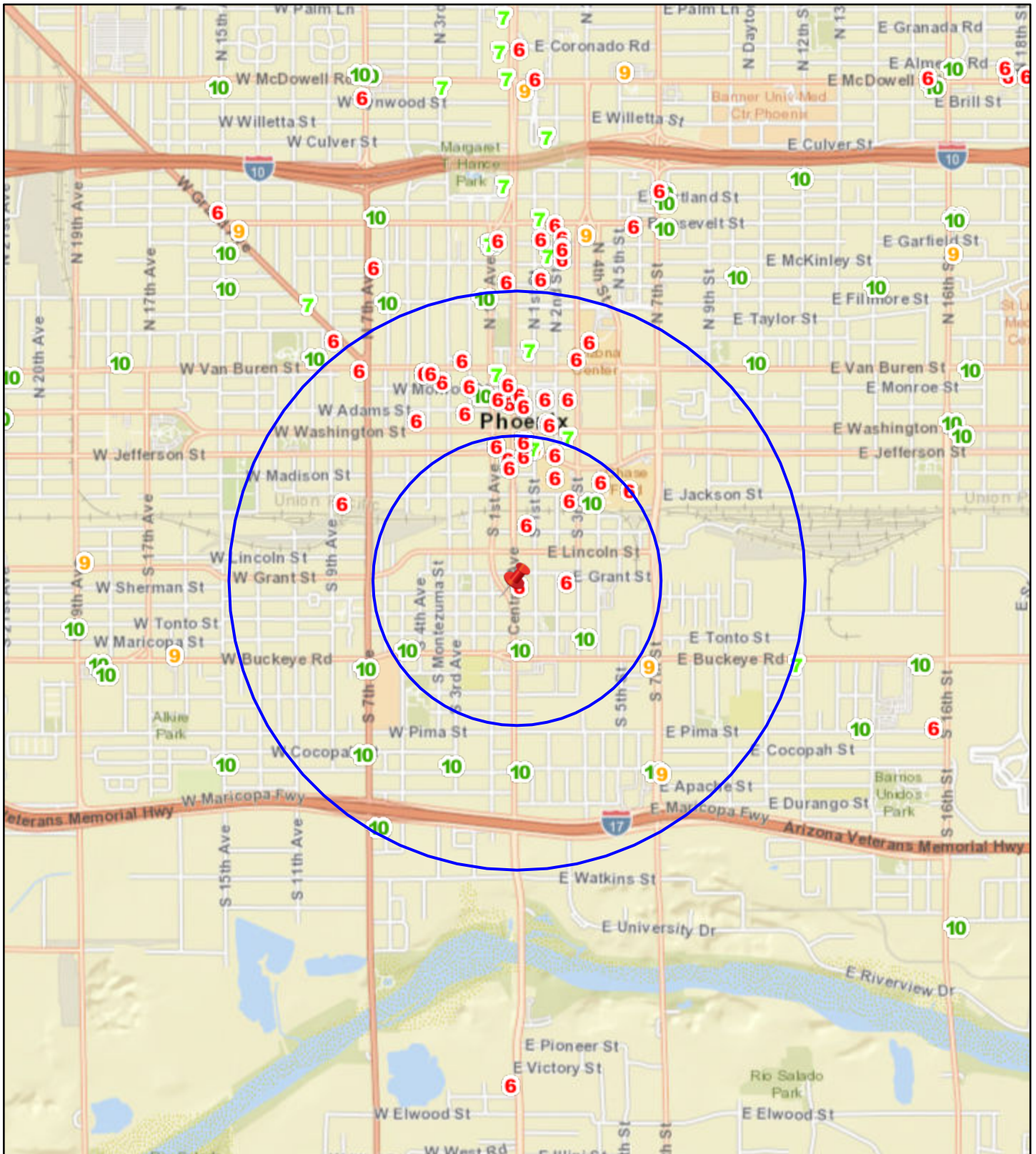
Description	Average	1/2 Mile Average
Parcels w/Violations	40	55
Total Violations	67	80

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1140002	0	0	18	0
1141001	2605	227	111	276
1142001	938	210	81	167
1149001	2258	98	57	1188
1149002	610	103	12	96
Average	1601	393	60	177

Liquor License Map: PLUSH KITCHEN AND LOUNGE

711 S CENTRAL AVE



Date: 5/20/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - San Tan Spirit House T4 - District 8

Request for a liquor license. Arizona State License Application 339269.

Summary

Applicant

Jonathan Argentine, Agent

License Type

Series 12 - Restaurant

Location

3300 E. Sky Harbor Boulevard, T4S-F4

Zoning Classification: A-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.

The 60-day limit for processing this application is July 5, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability, and qualifications to hold a liquor license because:
“I have been working with HMSHost Corporation for over thirty-seven (37) years. For seventeen (17) years, I was in supervisory/management positions, and for the last twelve (12) years, I have been Director of Operations.”

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

“SanTan Brewing Company is a local Arizona favorite. The restaurant liquor license will ensure that airport travelers have a variety of menu options and the ability to purchase food, spirits, beer and wine at the same establishment while waiting for their planes.”

Staff Recommendation

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

Attachments

Attachment A - San Tan Spirit House T4 - Data

Attachment B - San Tan Spirit House T4 - Map

Responsible Department

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

Liquor License Data: SAN TAN SPIRIT HOUSE T4

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	3	0
Beer and Wine Bar	7	1	1
Conveyance	8	10	6
Beer and Wine Store	10	3	1
Restaurant	12	22	8
Club	14	6	5

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	60	102.33
Violent Crimes	12.31	2.65	1.91

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

Property Violation Data

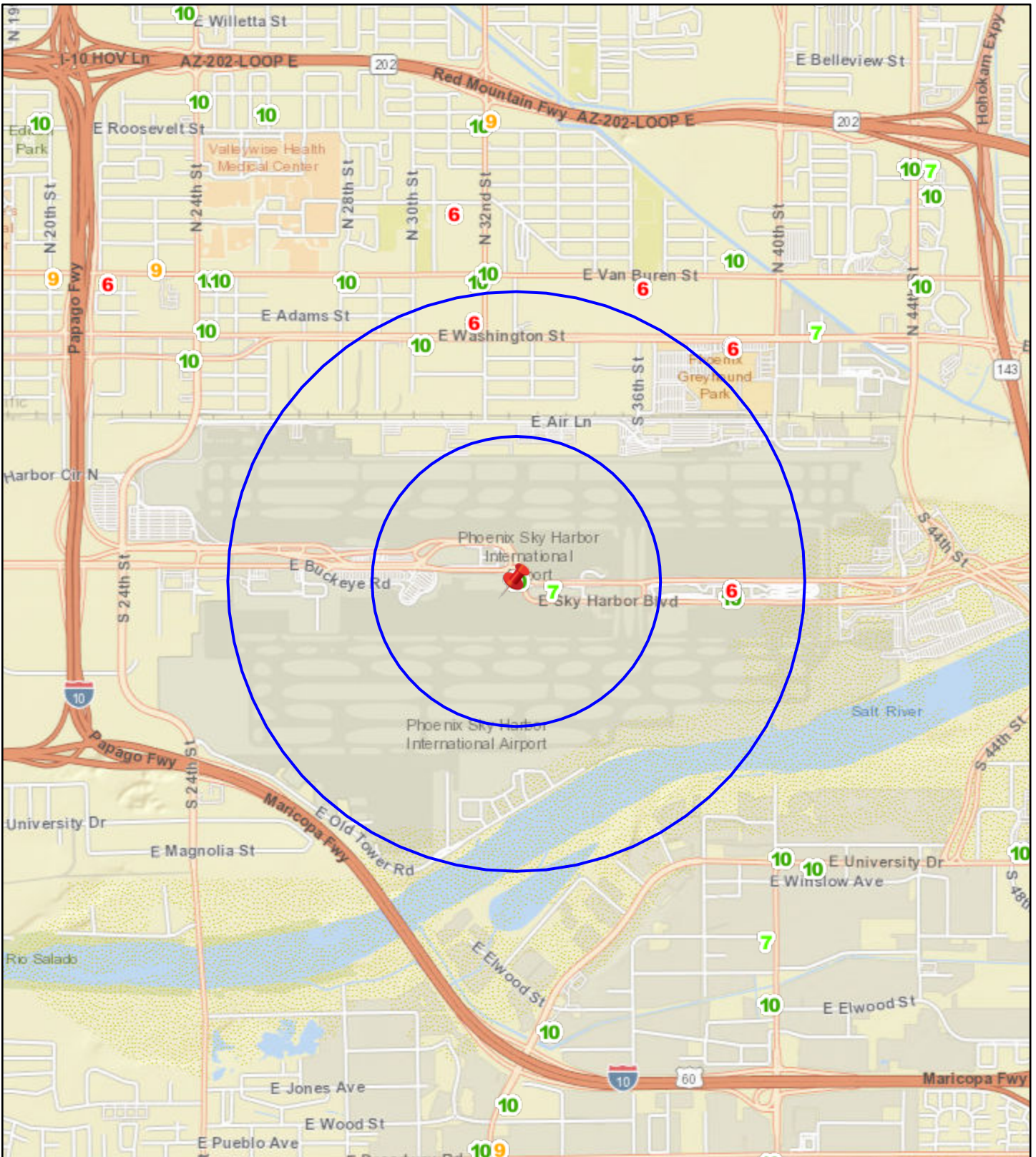
Description	Average	1/2 Mile Average
Parcels w/Violations	40	1
Total Violations	67	1

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1138006	0	0	1	0
Average	1601	393	60	177

Liquor License Map: SAN TAN SPIRIT HOUSE T4

3300 E SKY HARBOR BLVD



Date: 5/15/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - T- Bird Tavern - District 2

Request for a liquor license. Arizona State License Application 345642.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 6 - Bar

Location

13802 N. Scottsdale Road, Ste. 101

Zoning Classification: PSC

Council District: 2

This request is for an ownership and location transfer of a liquor license for a bar. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license and does not have an interim permit. This location requires a Site Plan Amendment and Variance to allow a bar and a Use Permit to allow outdoor dining and outdoor alcohol consumption.

The 60-day limit for processing this application was June 30, 2025. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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.

T-Bird Tavern (Series 12)

13802 N. Scottsdale Road, Ste. 101, Phoenix

Calls for police service: 38

Liquor license violations: In August 2025, a fine of \$750.00 was paid for the licensee ceasing to operate as a restaurant, storing liquor on unlicensed premise, violation of restaurant requirements, and change in business name.

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: "Kelley has been in the restaurant industry for many years and has operated T Bird Tavern successfully. Will continue to keep training up to date."

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

"T-Bird Tavern is a neighborhood restaurant and bar offering a great place to enjoy good, drinks and watching a game."

Staff Recommendation

Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval. Staff also notes that the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Attachment A - T-Bird Tavern - Data

Attachment B - T-Bird Tavern - Map

Responsible Department

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

Liquor License Data: T-BIRD TAVERN

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Beer and Wine Bar	7	1	0
Beer and Wine Store	10	4	3
Restaurant	12	22	7

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	16.18	24.73
Violent Crimes	12.31	1.08	1.59

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

Property Violation Data

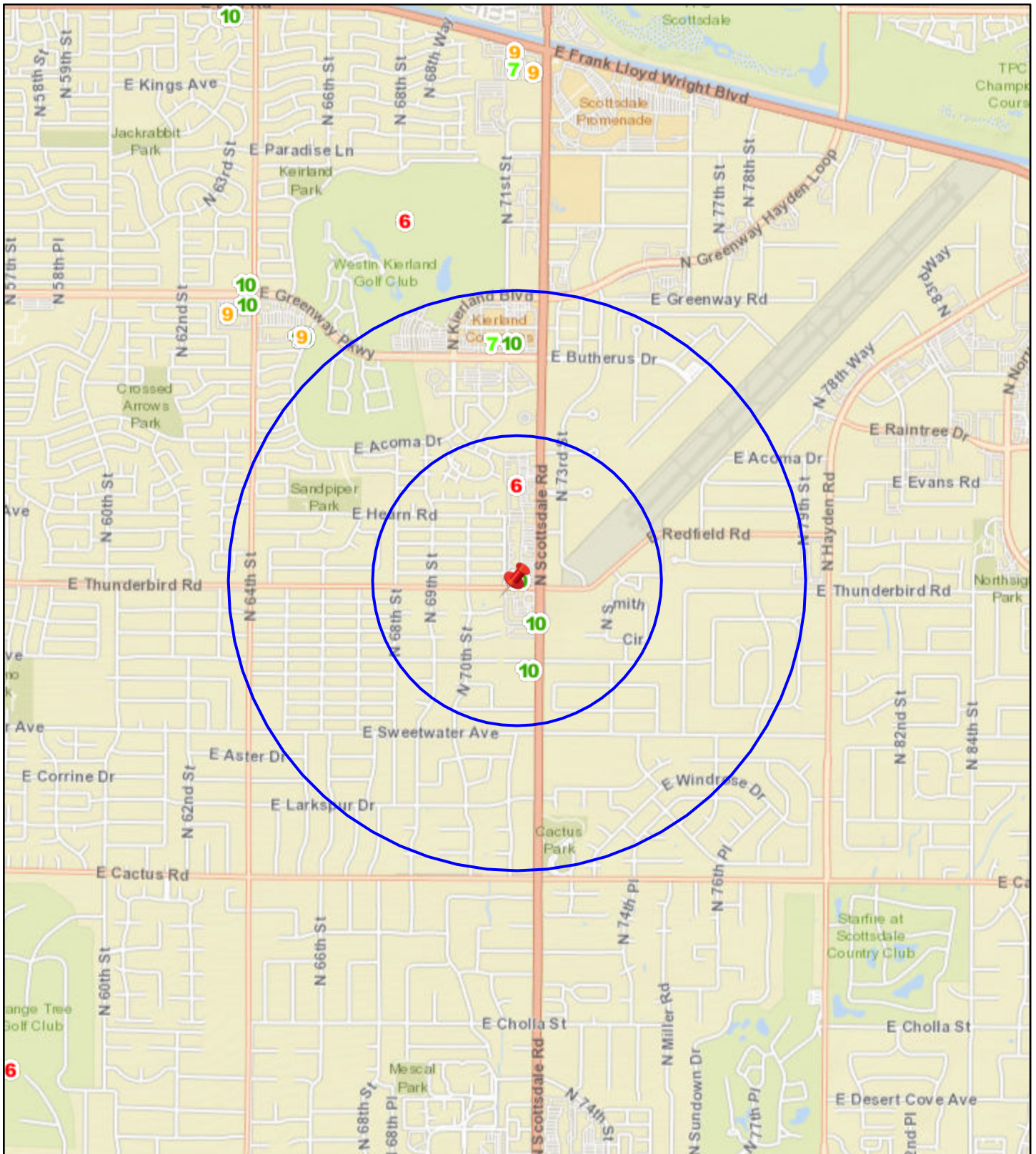
Description	Average	1/2 Mile Average
Parcels w/Violations	40	12
Total Violations	67	18

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032071	1242	389	51	23
1032072	973	325	34	69
1032201	765	385	46	26
1032202	979	336	176	45
2168161	2299	576	378	112
Average	1601	393	60	177

Liquor License Map: T-BIRD TAVERN

13802 N SCOTTSDALE RD



Date: 6/24/2025



0 0.170.35 0.7 1.05 1.4 mi



Liquor License - The Grow Room - District 4

Request for a liquor license. Arizona State License Application 336282.

Summary

Applicant

Matthew Davidson, Agent

License Type

Series 14 - Club

Location

1827-1829 E. Indian School Road

Zoning Classification: C-2

Council District: 4

This request is for a new liquor license for a club. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in August 2025.

The 60-day limit for processing this application is July 5, 2025.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling,

grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability, and qualifications to hold a liquor license because: "Previous experience in both hospitality and Finance Industry. Extensive history in compliance and regulatory matters. Ten years experience in the heavily regulated cannabis industry handling state reporting and compliance."

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

"Our nonprofit is focused on the education of the community and removal of societal stigma. Having this space and license encourages a free discussion in the community with our member and interestd parties to make advances in this forum."

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on concerns with the applicant's qualifications for a club license and the proposed use of marijuana at the location. The applicant has not demonstrated the capability, qualifications, and reliability to hold and control a liquor license.

Attachments

Attachment - The Grow Room - Police Recommendation

Responsible Department

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

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	The Grow Room	District	4
Business Location	1827-1829 E. Indian School Road		
Applicant Name	Matthew Davidson	Series Type	14

The Police Department recommends denial of this liquor license application as the applicant has not proven to be qualified to hold a Series 14 liquor license.

The Police Department recommends disapproval of this liquor license application for the following reasons:

ARS 4-101.8(e) states "A social club that has more than one hundred bona fide members who are actual residents of the county in which it is located, that owns, maintains or operates club quarters, that is authorized and incorporated to operate as a nonprofit club under the laws of this state, and that has been continuously incorporated and operating for a period of at least one year. The club shall have had, during this one-year period, a bona fide membership with regular meetings conducted at least once each month, and the membership shall be and shall have been actively engaged in carrying out the objects of the club. The club's membership shall consist of bona fide dues-paying members paying dues of at least \$6 per year, payable monthly, quarterly or annually, which have been recorded by the secretary of the club, and the members at the time of application for a club license shall be in good standing having for at least one full year paid dues. At least fifty-one percent of the members shall have signified their intention to secure a social club license by personally signing a petition, on a form prescribed by the board, which shall also include the correct mailing address of each signer. The petition shall not have been signed by a member at a date earlier than one hundred eighty days before the filing of the application. The club shall qualify for exemption from the payment of state income taxes under title 43. It is the intent of this subdivision that a license shall not be granted to a club that is, or has been, primarily formed or activated to obtain a license to sell liquor, but solely to a bona fide club, where the sale of liquor is incidental to the main purposes of the club".

After review of the petition provided by the applicant, Mr. Davidson did not meet the fifty one percent threshold as prescribed above. Furthermore, Detective Augustine is unable to ascertain the date of the signatures provided.

ADDITIONAL CONCERNS:

ARS 4-244.24 states it is unlawful... "For a licensee or employee to knowingly allow the unlawful possession, use, sale or offer for sale of narcotics, dangerous drugs or marijuana on the premises. For the purposes of this paragraph, "dangerous drug" has the same meaning prescribed in section 13-3401". During the interview with Detective Augustine, Mr. Davidson advised that members would be allowed to consume marijuana in multiple forms while inside the club. While recreational marijuana is legal in Arizona, it remains illegal in public spaces per ARS 36-2851.8a.

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

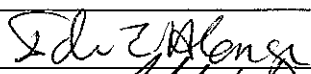
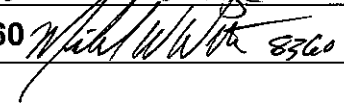
Application Information

Business Name	The Grow Room	District	4
Business Location	1827-1829 E. Indian School Road		
Applicant Name	Matthew Davidson	Series Type	14

Based on the aforementioned reasons the applicant has failed to show that they are reliable, capable or qualified and issuance of a liquor license for this establishment would not be in the best interest of the community.

This recommendation for disapproval is submitted by: Det. T. AUGUSTINE #10117

SIGNATURES

Administrative Licensing Investigator	I Alonge A4289 
Liquor Enforcement Detail Supervisor	Sgt. M. Walter 8360 



Liquor License - Chelsea's Kitchen - District 8

Request for a liquor license. Arizona State License Application 347039.

Summary

Applicant

Jonathan Argentine, Agent

License Type

Series 12 - Restaurant

Location

3800 E. Sky Harbor Boulevard, T4 F12B

Zoning Classification: A-1

Council District: 8

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

The 60-day limit for processing this application was June 29, 2025. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling,

grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability, and qualifications to hold a liquor license because: "I have been working with HMSHost corporation for over thirty-eight (38) years. For seventeen (17) years, I was in supervisory/management positions, and for the last twelve (12) years, I have been Director of Operations."

Staff Recommendation

Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval.

Responsible Department

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



Liquor License - La Grande Orange Marketplace - District 8

Request for a liquor license. Arizona State License Application 347039.

Summary

Applicant

Jonathan Argentine, Agent

License Type

Series 12 - Restaurant

Location

3800 E. Sky Harbor Boulevard, S2 F46

Zoning Classification: A-1

Council District: 8

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

The 60-day limit for processing this application was June 29, 2025. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling,

grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability, and qualifications to hold a liquor license because: "I have been working with HMSHost Corporation for over thirty-eight (38) years. For seventeen (17) years, I was in supervisory/management positions, and for the last twelve (12) years, I have been Director of Operations."

Staff Recommendation

Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval.

Responsible Department

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



Report

Agenda Date: 7/2/2025, **Item No.** 30

Arizona Brightspots, Inc.

For \$25,000 in payment authority for a new contract, entered on or about August 4, 2025, for a term of one year to assist Arizona Brightspots, Inc. with operating costs, staffing, and licensing for the Community and Economic Development Department (CEDD). Through this sponsorship, CEDD aims to grow and cultivate more startup companies by encouraging their move to, and the retention of their headquarters within, the City. Arizona Brightspots' mission is to align Arizona's most innovative startup companies with the resources they need to accelerate entrepreneurial growth while inspiring generosity and collaboration.



Report

Agenda Date: 7/2/2025, **Item No.** 31

PetSmart Home Office LLC

For \$81,350 in payment authority to purchase K-9 Food and Accessories for Fiscal Year 2025-26 for the Police Department. The Police Department currently has 37 K-9s in multiple bureaus, and each K-9 resides with their assigned handler while not on-duty. Handlers are responsible for purchasing food and accessories, including but not limited to beds, toys, collars, leashes, bowls and kennels. These purchases are made at PetSmart locations across the greater Phoenix metropolitan area since the K-9 handlers live throughout the Phoenix metro area.



Report

Agenda Date: 7/2/2025, **Item No.** 32

Tovrea Carraro Society

For \$45,000 in payment authority to procure groundskeeping/landscaping maintenance services for the Office of Arts and Culture. Per the existing Operating Agreement between the City of Phoenix and Tovrea Carraro Society, the Office of Arts and Culture is required to provide these services for the Tovrea Castle facility every fiscal year.



United States Conference of Mayors

For \$51,630 in payment authority for FY 2025-26 annual membership dues for the City of Phoenix. The United States Conference of Mayors (USCM) is the official non-partisan organization of cities with populations of 30,000 or more. Mayors contribute to the development of national urban policy by serving on one or more of the conference's standing committees. USCM develops policy positions adopted by the nation's mayors that are distributed to the President of the United States and Congress. Task Forces are also assembled to examine and act on issues like civic innovations, exports, hunger and homelessness. This membership ensures that Phoenix's interests are being represented by the USCM.



Report

Agenda Date: 7/2/2025, **Item No.** 34

Grate Solutions Company, Inc.; Neenah Foundry Company

For \$216,000 in payment authority for a new contract, to be entered on or about July 2, 2025, for a term of five years for storm drain catch basin grates and frames for the Street Transportation Department. The Street Maintenance Division is responsible for maintaining the City's roadways, including flooded streets, clogged storm drains, and wash maintenance. Replacement storm drain grates and frames are needed to repair various storm sewer inlets throughout the City due to damage and/or wear and tear.



Report

Agenda Date: 7/2/2025, **Item No.** 35

Oliver Industries, LLC

For \$693,370 in additional payment authority for Agreement 161524, Change Order 2 (AH10010002-1) for US Vets Miscellaneous Repairs and Improvements Design-Bid-Build project for the Housing Department. This Change Order is for additional miscellaneous project upgrades and infrastructure work to include demolition, concrete replacement, plumbing, showers, drywall, and flooring. This work was not included as part of the original bid. This project uses American Rescue Plan Act funding.



Report

Agenda Date: 7/2/2025, Item No. 36

Settlement of Claim(s) Abdin v. City of Phoenix

To make payment of up to \$265,000 in settlement of claim(s) in *Abdin v. City of Phoenix*, CV2024-023703, 23-0309-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on September 17, 2023.



Report

Agenda Date: 7/2/2025, Item No. 37

Settlement of Claim(s) Arizmendi Andrade v. City of Phoenix

To make payment of up to \$75,000 in settlement of claim(s) in *Arizmendi Andrade v. City of Phoenix*, CV2024-03047, 23-0584-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a payment to ATI Restoration for work performed on a water main break claim involving the Water Services Department that occurred on January 5, 2024.



Report

Agenda Date: 7/2/2025, Item No. 38

Settlement of Claim(s) Arizmendi Andrade v. City of Phoenix

To make payment of up to \$330,000 in settlement of claim(s) in *Arizmendi Andrade v. City of Phoenix*, CV2024-03047, 23-0029-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a water main break claim involving the Water Services Department that occurred on July 6, 2023.



Report

Agenda Date: 7/2/2025, Item No. 39

Settlement of Claim(s) Bateman v. City of Phoenix

To make payment of up to \$210,150 in settlement of claim(s) in *Bateman v. City of Phoenix*, 24-0144-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a property damage claim arising as a result of a water main break involving the Water Services Department on August 3, 2024.



Report

Agenda Date: 7/2/2025, Item No. 40

Settlement of Claim(s) Brower v. City of Phoenix

To make payment of up to \$32,211.97 in settlement of claim(s) in *Brower v. City of Phoenix*, 23-1092-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a property damage claim from a water main break involving the Water Services Department on January 23, 2023.



Report

Agenda Date: 7/2/2025, Item No. 41

Settlement of Claim(s) Brown v. City of Phoenix

To make payment of up to \$90,000 in settlement of claim(s) in *Brown v. City of Phoenix*, CV2024-024275, 23-0841-001, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a traffic accident claim involving the Police Department that occurred on September 26, 2023.



Report

Agenda Date: 7/2/2025, Item No. 42

Settlement of Claim(s) Paul Davis Restoration v. City of Phoenix

To make payment of up to \$316,000 in settlement of claim(s) in *Paul Davis Restoration v. City of Phoenix*, 24-1007-001, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a payment for work performed as a result of a water main break involving the Water Services Department that occurred on May 29, 2025.



Report

Agenda Date: 7/2/2025, Item No. 43

Settlement of Claim(s) Nyiranteko v. City of Phoenix

To make payment of up to \$150,000 in settlement of claim(s) in *Nyiranteko v. City of Phoenix*, CV2024-000092, 23-0040-002, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Street Transportation Department that occurred on January 8, 2023.



Report

Agenda Date: 7/2/2025, Item No. 44

Settlement of Claim(s) Salvation Army v. City of Phoenix

To make payment of up to \$177,817 in settlement of claim(s) in *Salvation Army v. City of Phoenix*, 24-0094-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim arising out of a water main break involving the Water Services Department that occurred on June 29, 2024.



Public Hearing on Adoption of Property Tax Levy for 2025-26 Fiscal Year - Citywide

Request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2025-26.

Concurrence/Previous Council Action

The proposed 2025-26 property tax levy reflects actions taken by the Council on the budget at the May 21, 2025 Formal meeting, at the June 4, 2025 Formal meeting to adopt the tentative 2025-26 budget, and at the June 18, 2025 Formal meeting to adopt the final 2025-26 budget. At the June 18, 2025 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with A.R.S. Sections 42-17104.B and 42-17107.A.6.

Responsible Department

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



Adoption of Property Tax Levy for 2025-26 Fiscal Year (Ordinance S-52140) - Citywide

An ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars (\$100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2026. Phoenix City Charter Chapter XVIII, Section 7, requires Council to adopt an ordinance levying the property tax no later than the last regularly scheduled meeting in July.

Summary

The proposed property tax adoption ordinance (**Attachment A**) is consistent with the requirements of A.R.S. Title 42, Chapter 17, and establishes primary and secondary tax levies within the limits determined by Arizona Revised Statutes (A.R.S.) Sections 42-17051, 42-17107, and 35-458.

The ordinance provides for: a primary property tax rate resulting in a levy of \$224,967,827 (a General Fund revenue source) equating to a rate of \$1.2658 per \$100 of assessed valuation, including \$0.08 for maintenance of parks and playgrounds and \$0.2658 for the operation and maintenance of libraries; and an estimated secondary property tax levy of \$144,688,188 (used only for debt service) equating to a rate of \$0.8141 per \$100 of assessed valuation. The total rate of \$2.0799 is unchanged from the total 2024-25 rate of \$2.0799.

Concurrence/Previous Council Action

The proposed 2025-26 property tax levy reflects actions taken by the Council on the budget at the May 21, 2025 Formal meeting, at the June 4, 2025 Formal meeting to adopt the tentative 2025-26 budget, and at the June 18, 2025 Formal meeting to adopt the final 2025-26 budget. At the June 18, 2025 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with A.R.S. Sections 42-17104.B and 42-17107.A.6.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE S-#####

AN ORDINANCE LEVYING SEPARATE AMOUNTS TO BE
RAISED FOR PRIMARY AND SECONDARY PROPERTY TAX
LEVIES UPON EACH ONE HUNDRED DOLLARS (\$100.00)
OF THE ASSESSED VALUATION OF PROPERTY SUBJECT
TO TAXATION WITHIN THE CITY OF PHOENIX FOR THE
FISCAL YEAR ENDING JUNE 30, 2026.

WHEREAS, by the provisions of the City Charter an ordinance levying
taxes for the fiscal year 2025-26 is required to be finally adopted not later than the last
regular Council meeting in July of said fiscal year, which date complies with State law
requirements; and

WHEREAS, the County of Maricopa is now the tax assessing and
collecting authority for the City of Phoenix, the City Clerk is hereby directed to transmit a
certified copy of this tax levy ordinance to the Assessor and the Board of Supervisors of
Maricopa County, Arizona as required by law.

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

SECTION 1. There is hereby levied on each ONE HUNDRED DOLLARS
(\$100.00) of the limited assessed value of all property, real, personal and possessory
interest, within the corporate limits of the City of Phoenix, except such property as may

be by law exempt from taxation, a primary property tax rate equating to \$1.2658 which is sufficient to generate a primary property levy of TWO HUNDRED AND TWENTY FOUR MILLION, NINE HUNDRED AND SIXTY SEVEN THOUSAND, EIGHT HUNDRED AND TWENTY SEVEN DOLLARS (\$224,967,827), an amount within the maximum allowable primary tax levy under the Arizona Constitution. The primary tax levy is allocated into the following amounts or rates for each of the following purposes:

(a) For the purpose of providing funds for the GENERAL MUNICIPAL AND ADMINISTRATIVE EXPENSES of the City, in accordance with Chapter XVIII - Section 8 of the City Charter, a tax rate of \$1.00 per ONE HUNDRED DOLLARS (\$100.00) of limited assessed valuation of all taxable real, personal and possessory interest property in the City of Phoenix, which includes \$0.08 per ONE HUNDRED DOLLARS (\$100.00) of such limited assessed valuation for the purpose of providing funds for the OPERATION AND MAINTENANCE OF PARKS AND PLAYGROUNDS, in accordance with Chapter XXIII - Section 2 - Subsection 2 of the City Charter.

(b) For the purpose of providing funds for the OPERATION AND MAINTENANCE OF LIBRARIES, in accordance with Chapter XVIII - Section 11 of the City Charter, a tax rate of \$0.2658 per ONE HUNDRED DOLLARS (\$100.00) of limited assessed valuation of all taxable real, personal and possessory interest property in the City of Phoenix.

SECTION 2. In addition to the property tax levy for primary purposes set in Section 1 above, there is hereby levied on each ONE HUNDRED DOLLARS (\$100.00) of the limited assessed value of all property, real, personal and possessory interest, within the corporate limits of the City of Phoenix, except such property as may

by law be exempt from taxation, a secondary tax rate of \$0.8141 for secondary purposes for paying principal of and interest on or redemption charges on general obligation bonds of the City of Phoenix.

SECTION 3. The primary property tax rate as calculated in Section 1 and the secondary tax rate as calculated in Section 2 shall equal a combined tax rate of \$2.0799.

SECTION 4. Failure by the County officials of Maricopa County, Arizona to properly return the delinquent list, any irregularity in assessments or omissions in the same, or any irregularity in any proceedings shall not invalidate such proceedings or invalidate any title conveyed by a tax deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to him or to them shall not invalidate any proceedings or any deed or sale pursuant thereto; the questioned validity of assessment or levy of taxes or of the judgment of sale by which collection of the same may be enforced shall not affect the lien of the City upon such property for the delinquent taxes unpaid thereon; overcharge as to part of the taxes or of costs shall not invalidate any proceedings for the collection of taxes or the foreclosure of the lien therefore or a sale of the property under such foreclosures; and all acts of officers de facto shall be valid as if performed by officers de jure.

PASSED by the Council of the City of Phoenix on this 2nd day of July, 2025.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

Acting City Attorney

REVIEWED BY:

City Manager

PHOENIX, ARIZONA
2025-26 LEGAL LIMIT
PROPERTY TAX LEVY FOR PRIMARY PURPOSES
A.R.S. § 42-17051, Subsection A

1.	Maximum allowable levy for the prior year	<u>\$ 217,597,043</u>
2.	The above figure increased by two percent (2%)	<u>221,948,984</u>
3.	Current Assessed Value of last year's property	<u>17,401,171,959</u>
4.	A. "3" divided by 100	<u>174,011,720</u>
	B. Maximum Allowable Tax Rate equals - "2" divided by "4A" <u>(\$221,948,984 ÷ \$174,011,720)</u>	<u>1.2755</u>
5.	Estimated Current Assessed Value	<u>17,772,778,261</u>
6.	A. Current Assessed Value divided by 100	<u>177,727,783</u>
	B. Levy equals - "4B" multiplied by "6A" <u>(\$1.2755 X \$177,727,783)</u>	<u>226,691,787</u>
	Estimated over collections of the 2024-25 primary property tax levy will reduce this estimate as follows:	
7.	A. Estimated over collections of 2024-25 primary levy	<u>-0-</u>
	B. Maximum Allowable Levy Limit for 2025-26	<u>\$ 226,691,787</u>
8.	Adjusted Allowable Levy Limit and Tax Rate:	
	A. Allowable Levy Limit for 2025-26	<u>\$ 226,691,787</u>
	B. Accepted Torts	<u>-0-</u>
	C. Adjusted Allowable Levy Limit	<u>\$ 226,691,787</u>
	D. Adjusted Allowable Tax Rate - "8C" divided by "6A" <u>(\$226,691,787 ÷ \$177,727,783)</u>	<u>1.2755</u>
	2025-26 Primary Levy	\$ 224,967,827
	2025-26 Primary Tax Rate	1.2658



An Ordinance Amending Ordinance G-7241 to include Proposed Revisions to Phoenix City Code Chapter 18, Article XI, Section 18-413(A) Related to the Requirement to Post Heat Safety Plans (Ordinance G-7402) - Citywide

This item requests an amendment to Ordinance G-7241 to include proposed revisions to Phoenix City Code (PCC) Chapter 18, Article XI, Section 18-413(A) to clarify language for contractor requirements related to the posting of heat safety plans.

Summary

On March 26, 2024, the City Council adopted Ordinance G-7241, which added language to PCC Chapter 18, Article XI requiring City contractors whose employees and contract workers perform work in an outdoor environment to develop and comply with heat safety plans as outlined in the ordinance to mitigate and prevent heat-related illnesses and injuries in the workplace. The ordinance requires any entity that is party to a City contract, City lease, or City license to develop and keep on file a compliant written heat safety plan. Contractors are also required to post their written heat safety plan “where it is accessible to employees.”

Recent visits by City officials to work sites revealed that although several City contractors whose employees and contract workers perform work in an outdoor environment do have written heat safety plans, the plans are not typically posted in areas where employees can quickly identify and have access to them, such as on bulletin boards in employee break rooms. This proposed amendment to PCC Section 18-413(A) would require an applicable contractor's heat safety plan to be posted in English and Spanish on a bulletin board in the break room accessible to employees, similar to federally required employment law notifications. If a contractor does not have a break room, the heat safety plans must be physically placed in a conspicuous location in the workplace where notices to employees are customarily posted. All heat safety plans must also include a contact number of the contractor that all employees and contract workers can call if they need to inquire or report on any heat safety issues.

This change was discussed by the Contract Workers Heat Safety Ordinance Advisory

Committee, which unanimously recommended approval of the change. The Committee includes the following members and staff:

- Chad Arruda (representing contractors)
- Sydney Hawkins (representing contractors)
- Cecilia Ortiz, Worker (representing workers)
- Sergio Rodriguez Lopez (representing community at-large)
- Dr. Siyuan Song (representing community at-large)
- Maxwell Ulin, Unite Here (representing workers)

Staff:

- Mario Paniagua, Deputy City Manager
- David Matthews, Deputy City Manager
- Deryck R. Lavelle, Chief Assistant City Attorney
- David Hondula, Director of the Heat Response and Mitigation Office
- Adriana Phillips, Assistant Finance Director
- Ashley Lee, Deputy Human Resources Director

Phoenix contractors have been notified of the proposed change to the ordinance, which if adopted by Council will be effective 30 days from approval. A draft of the proposed amended Ordinance is attached as **Attachment A**.

Concurrence/Previous Council Action

The Contract Workers Heat Safety Ordinance Advisory Committee unanimously recommends approval of this item.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the City Manager's Office.

ATTACHMENT A

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

ORDINANCE G-XXXX

AN ORDINANCE AMENDING ORDINANCE G-7241 TO INCLUDE PROPOSED REVISIONS TO PHOENIX CITY CODE CHAPTER 18, ARTICLE XI, SECTION 18-413(A) RELATED TO THE REQUIREMENT TO POST HEAT SAFETY PLANS.

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

SECTION 1. That Chapter 18, Article XI, Section 18-413(A) is hereby amended and revised to clarify language for contractor requirements related to the posting of heat safety plans as follows:

ARTICLE XI. CONTRACTOR REQUIREMENTS FOR THE MITIGATION OF HEAT-RELATED ILLNESSES AND INJURIES IN THE WORKPLACE.

* * * * *

* * * * *

Sec. 18-413. Requirements of contractors.

A. *Required Contract Language.* The following clause is required to appear in all contracts between the City and contractor and contract between the contractor and its subcontractors, sublicenses, and sublicensees and sublessees:

Any contractor whose employees and contract workers perform work in an outdoor environment under this contract must keep on file a written heat safety plan. The City may request a copy of this plan and documentation of all heat safety and mitigation efforts currently implemented to prevent heat-related illnesses and injuries in the workplace. The plan must also be posted IN ENGLISH AND SPANISH ON A BULLETIN BOARD IN A BREAK ROOM where it is accessible to employees. IF A CONTRACTOR DOES NOT HAVE A BREAK ROOM, THE HEAT SAFETY PLAN MUST BE PHYSICALLY PLACED IN A CONSPICUOUS LOCATION IN THE WORKPLACE WHERE NOTICES TO

EMPLOYEES ARE CUSTOMARILY POSTED. THE HEAT SAFETY PLAN MUST ALSO INCLUDE A CONTACT NUMBER OF THE CONTRACTOR THAT ALL EMPLOYEES AND CONTRACT WORKERS CAN CALL IF THEY NEED TO INQUIRE OR REPORT ANY HEAT SAFETY ISSUES. At a minimum, the heat safety and mitigation plan and documentation required under this provision shall include each of the following as it relates to heat safety and mitigation:

1. Availability of sanitized cool drinking water free of charge at locations that are accessible to all employees and contract workers.
2. Ability to take regular and necessary breaks as needed and additional breaks for hydration.
3. Access to shaded areas and/or air conditioning.
4. Access to air conditioning in vehicles with enclosed cabs. all such vehicles must contain functioning air conditioning by no later than May 1, 2025.
5. Effective acclimatization practices to promote the physiological adaptations of employees or contract workers newly assigned or reassigned to work in an outside environment.
6. Conduct training and make it available and understandable to all employees and contract workers on heat illness and injury that focuses on the environmental and personal risk factors, prevention, how to recognize and report signs and symptoms of heat illness and injury, how to administer appropriate first aid measures and how to report heat illness and injury to emergency medical personnel.

The contractor further agrees that this clause will be incorporated in all subcontracts with subcontractors, sublicensees or sublessees who may perform labor or services in connection with this contract. Additionally, the contractor agrees to require all subcontractors, sublicensees or sublessees to include this clause in all contracts with any third party who is contracted to perform labor or services in connection with this contract. It is the obligation of the contractor to ensure compliance by its subcontractors.

B. Documentation.

In addition to the documents required in subsection a, upon request contractors shall provide additional documentation verifying that mitigation efforts to protect against heat-related illness or injury in the workplace are being utilized.

C. Monitoring.

The department primarily responsible for managing any contract covered by this article shall monitor compliance with the provisions of this article.

* * * * *

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SECTION 2. That other than the amendments and revisions provided in Section 1 above, all language in Ordinance G-7241 shall remain in full force and effect.

PASSED by the City Council of the City of Phoenix this 2nd day of July, 2025.

MAYOR

Date

ATTEST:

Denise Archibald, City Clerk

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

By: _____
Deryck R. Lavelle
Chief Assistant City Attorney

REVIEWED BY:

Jeffrey Barton, City Manager

DRL:efl:(LF25-1495):7-2-25:_____



Proposed Schroeder Annexation - Authorization to File - District 1

Request to authorize the City Manager, or the City Manager's designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Kimberly Schroeder with Kaeko, Inc. for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes Section 9-471 regarding annexation.

Summary

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location

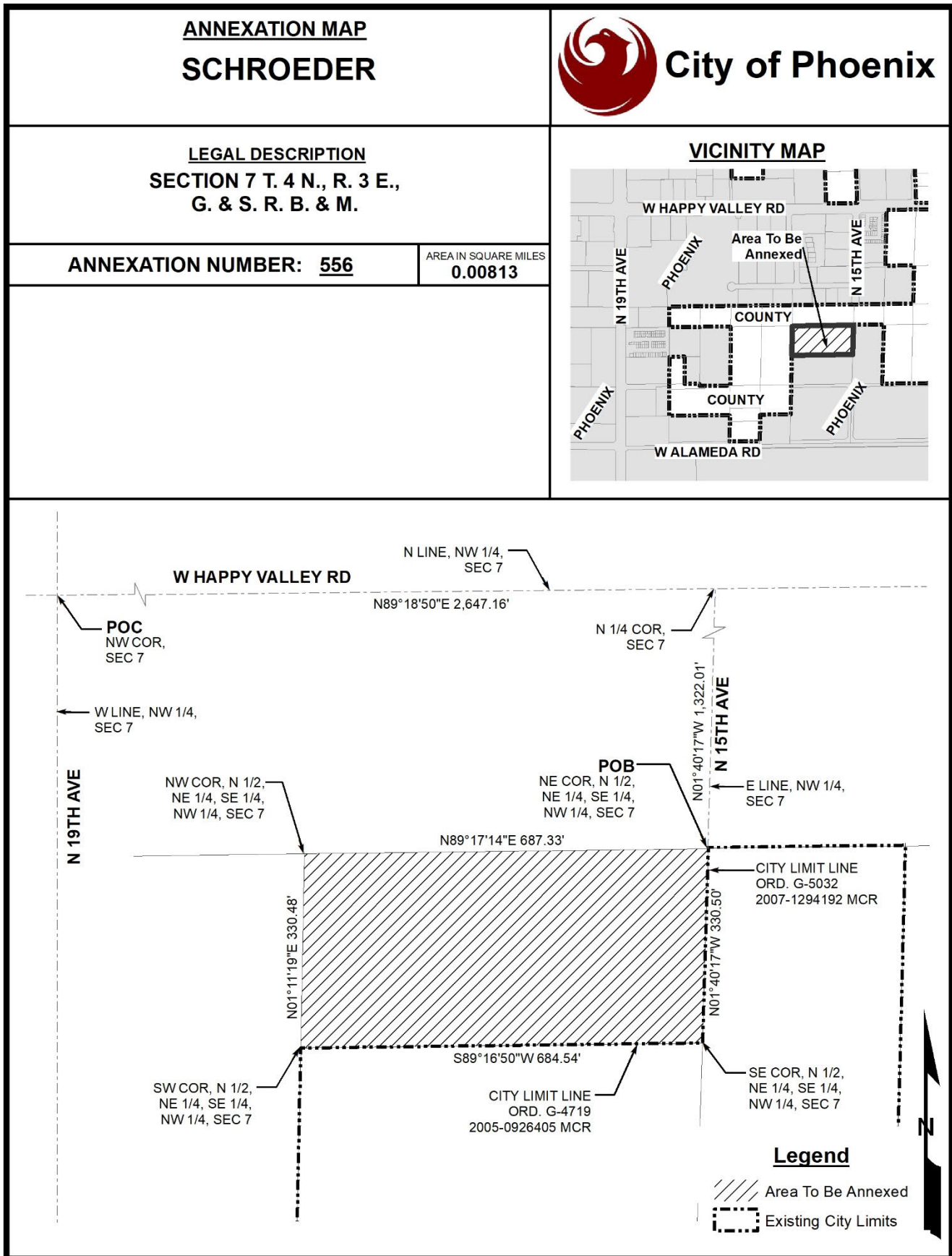
The proposed annexation area includes Parcel 210-07-017, located in the vicinity of 15th Avenue and Happy Valley Road (**Attachment A**). The annexation area is approximately 5.201 acres (0.00813 square miles) and the population estimate is zero individuals.

Council District: 1

Responsible Department

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

ATTACHMENT A



ANNEXATION PARCEL LEGAL DESCRIPTION

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS DESCRIBED IN THE WARRANTY DEED DOCUMENT 2021-1278121, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7, MARKED BY A FOUND 3" CITY OF PHOENIX BRASS CAP IN HANDHOLE DOWN 0.60", FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 7 BEARS SOUTH 00 DEGREES 05 MINUTES 58 SECONDS EAST, (BASIS OF BEARINGS) A DISTANCE OF 2644.32 FEET, SAID WEST QUARTER CORNER BEING MARKED BY A FOUND CITY OF PHOENIX BRASS CAP FLUSH;

THENCE NORTH 89 DEGREES 18 MINUTES 50 SECONDS EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7, A DISTANCE OF 2647.16 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 7, BEING MARKED BY A FOUND 3" MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION BRASS CAP FLUSH FROM WHICH THE CALCULATED POSITION OF THE CENTER SECTION OF SAID SECTION 7 BEARS SOUTH 01 DEGREES 40 MINUTES 17 SECONDS WEST, A DISTANCE OF 2,644.02 FEET;

THENCE SOUTH 01 DEGREES 40 MINUTES 17 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7, A DISTANCE OF 1322.01 FEET TO THE NORTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7, SAID CORNER BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 01 DEGREES 40 MINUTES 17 SECONDS WEST, A DISTANCE OF 330.50 FEET TO THE SOUTHEAST CORNER OF THE SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE LEAVING SAID EAST LINE, SOUTH 89 DEGREES 16 MINUTES 50 SECONDS WEST, A DISTANCE OF 684.54 FEET TO THE SOUTHWEST CORNER OF THE SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE NORTH 01 DEGREES 11 MINUTES 19 SECOND EAST, A DISTANCE OF 330.48 FEET TO THE NORTHWEST CORNER OF THE SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

12409 W. INDIAN SCHOOL ROAD, AVONDALE, AZ 85392
PHONE: 623.536.1993 EMAIL: GENE.HARRISON@KAEOKOINC.COM



PARCEL ANNEXATION LEGAL DESCRIPTION

226,534 SQ. FT.

5.201 ACRES

DATE: 12-11-2024
SCALE:
SHEET 1 OF 3

CHECKED BY: GCH
DRAWN BY: RVR
PROJECT #: 7024032

EXH. A



ANNEXATION PARCEL LEGAL DESCRIPTION - CONTINUE

THENCE NORTH 89 DEGREES 17 MINUTES 14 SECONDS EAST, A DISTANCE OF 687.33 FEET TO THE NORTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7, AND THE TRUE POINT OF BEGINNING.

THIS PARCEL CONTAINS 226,534 SQ. FT. (5.201 ACRES) OF LAND MORE OR LESS.

12409 W. INDIAN SCHOOL ROAD, AVONDALE, AZ 85392
PHONE: 623.536.1993 EMAIL: GENE.HARRISON@KAEOKOINC.COM



PARCEL ANNEXATION LEGAL DESCRIPTION

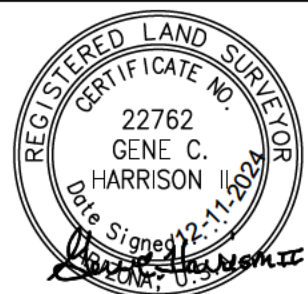
226,534 SQ. FT.

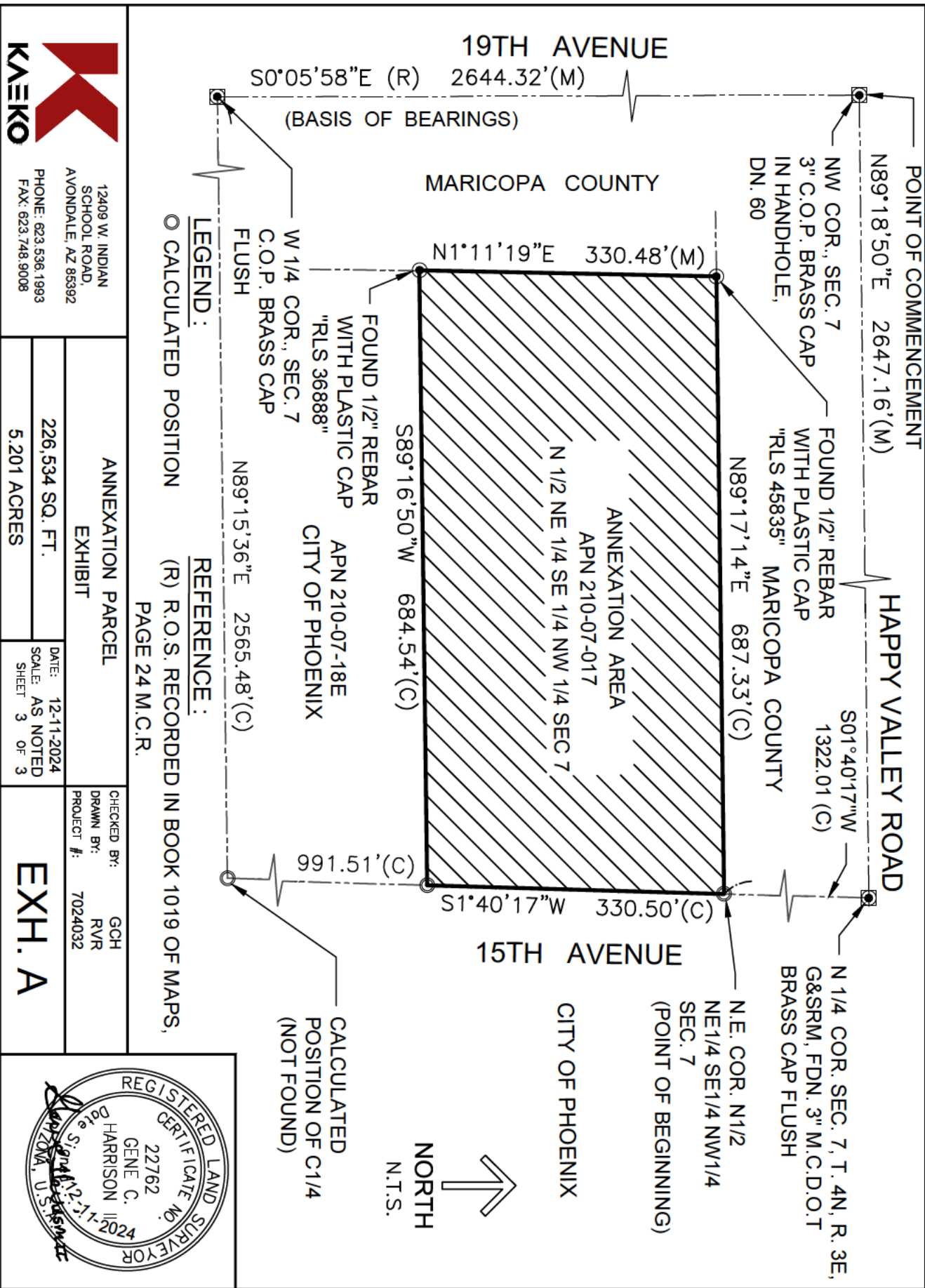
5.201 ACRES

DATE: 12-11-2024
SCALE:
SHEET 2 OF 3

CHECKED BY: GCH
DRAWN BY: RVR
PROJECT #: 7024032

EXH. A







Acceptance of Easements for Drainage Purposes (Ordinance S-52149) - Districts 2, 5 & 6

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

Summary

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

Easement (a)

MCR: 20250295218

Applicant and Grantor: Dove Valley 29th Avenue Project LLC; its successor and assigns

Date: May 22, 2025

Purpose: Temporary Drainage

Location: 2825 W. Dove Valley Road

Expires: The term of the Easement shall commence upon Grantee's occupancy of the easement area and shall automatically terminate at the recordation of the permanent drainage easement. Each lot is being developed separately through separate submittals. The owner/developer of each lot is to dedicate a permanent drainage easement for public flows onsite storage. The drainage easement is to be shown on the site plan and grading plan for each lot.

APN: 204-11-004B

File: FN 250019

Council District: 2

Easement (b)

MCR: 20250295217

Applicant and Grantor: 24 SAC, LLC; its successor and assigns

Date: May 22, 2025

Purpose: Temporary Drainage

Location: South of southeast corner of N. 29th Avenue and W. Dove Valley Road

Expires: The term of the Easement shall commence upon Grantee's occupancy of the easement area and shall automatically terminate at the recordation of the permanent drainage easement. Each lot is being developed separately through separate submittals. The owner/developer of each lot is to dedicate a permanent drainage easement for the storage of the public flows onsite. The drainage easement is to be shown on the site plan and grading plan for each lot.

APN: 204-11-004C

File: FN 250024

Council District: 2

Easement (c)

MCR: 20250294341

Applicant and Grantor: West 99th Holdings LLC; its successor and assigns

Date: May 22, 2025

Purpose: Drainage

Location: 3955 N. 99th Avenue

APN: 102-26-886

File: FN 250013

Council District: 5

Easement (d)

MCR: 20250290867

Applicant and Grantor: Host Camelback I LLC; its successor and assigns

Date: May 21, 2025

Purpose: Drainage

Location: 5943 E. Elsie Avenue

APN: 172-12-068A

File: FN 250022

Council District: 6

Responsible Department

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



Acceptance and Dedication of an Easement for Sidewalk Purposes (Ordinance S-52150) - District 3

Request for the City Council to accept and dedicate an easement for sidewalk purposes; further ordering the ordinance recorded. Legal descriptions are recorded via separate recording instrument.

Summary

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

Easement (a)

MCR: 20250294347

Applicant and Grantor: 13839 N. 12th St LLC; its successor and assigns

Date: May 22, 2025

Purpose: Sidewalk

Location: 13839 N. 12th Street

APN: 214-47-005G

File: 250033

Council District: 3

Responsible Department

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



Dedication of Right-of-Way for Roadway Purposes Across a Portion of City-owned Property located at 7600 N. 27th Avenue, the Helen Drake Senior Center (Ordinance S-52175) - District 5

Request that the City Council dedicate to public use right-of-way for roadway purposes across a portion of City-owned property for the Helen Drake Senior Center's development of affordable multi-family housing for seniors; further ordering the ordinance recorded.

Summary

The right-of-way for roadway dedication is a required stipulation by the Planning and Development Department, Project 05-205, DEDI 250048, for the Helen Drake Senior Center's development of affordable multi-family housing units for seniors. The right-of-way is situated along the west side of 27th Avenue, 343.02 feet south of Belmont Avenue. It is comprised of 3,105.12 square feet and is more fully described in the legal description to be recorded with the ordinance.

Location

7600 N. 27th Avenue, within Maricopa County Assessor's parcel number 151-12-135.
Council District: 5

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Managers Alan Stephenson and Gina Montes and the Street Transportation, Planning and Development, Housing and Finance departments.



Amend Ordinance S-51925 for Acquisition of Real Property for the Hohokam Drainage Package 2 Project Located South of Dobbins Road and East of 20th Street (Ordinance S-52167) - District 8

Request the City Council to amend Ordinance S-51925 for authorization to acquire additional real property and related property interests required for the Hohokam Drainage Package 2 Project, located south of Dobbins Road and east of 20th Street. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

An additional parcel was identified that is necessary to accommodate project construction. The Hohokam Drainage Program is a comprehensive storm water management initiative by the City of Phoenix to mitigate flooding risks and enhance storm water infrastructure. This Program involves the design and construction of multiple storm drain systems, detention basins, and high-capacity inlets across various sites identified in the Hohokam Area Drainage Master Plan Study within the City. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

The additional parcel affected by this project and included in this request is identified by Maricopa County Assessor's parcel number (APN) 301-36-085 located at 2005 E. Euclid Avenue.

Financial Impact

Funding is available from the Street Transportation Department's Capital Improvement Program Budget, using General Obligation Bonds.

Concurrence/Previous Council Action

Ordinance S-51925 was adopted May 21, 2025.

Location

2005 E. Euclid Avenue
Council District: 8

Responsible Department

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



Audio Visual Equipment and Services (COOP-25-0755) Contract - Request for Award (Ordinance S-52174) - Citywide

Request to authorize the City Manager, or his designee, to enter into contracts with Bluum USA, Inc.; Commercial Computer Services, Inc. dba CCS Presentation Systems; and IES Communications, LLC to provide Audio Visual (AV) Equipment and Services for citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$18,000,000.

Summary

The purpose of this Audio Visual Equipment and Services cooperative agreement is to provide a broad range of audio and video equipment and professional engineer services to citywide departments. This contract supports AV equipment and services for Emergency Operation Center, 911 operations, PHXTV, City Council Assembly Rooms, and Council Chambers. The contract supports AV equipment purchases and replacement and provides direct engineering support and services, such as analysis, design, and configuration of existing systems, software, and hardware. Examples of equipment that are purchased on this contract are wireless headphones for Fire and Police communication, sound system components, microphones and video equipment, and broadcast servers to address the loss of closed captioning capability. Ancillary services that may be offered in conjunction with implementation or extension of a product include design, installation, training, maintenance, and integration.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived based on an approved Determination Memo citing Special Circumstance Alternative Competition. The State of Arizona Solicitation No. BPM006242 (Audio & Visual Commercial and Professional Broadcast Grade Equipment, Services, and Rental) was awarded through a competitive process consistent with the City's procurement requirements as outlined in Phoenix City Code, Chapter 43.

The requested AV materials and services are essential to supporting citywide operations. These cooperative contracts enable departments to procure specialized or custom AV products along with related services such as design, installation, and

ongoing maintenance. By leveraging this cooperative agreement, the City will benefit from national government pricing and volume discounts.

Contract Term

The terms of the contracts will begin on or about August 11, 2025, for a five-year term with a one-year option to extend.

Financial Impact

The aggregate contract value will not exceed \$18,000,000. Funding is available in the various departments' operating budgets.

Responsible Department

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



Cloud Solutions CTR046098 - Amendment (Ordinance S-52147) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to allow additional expenditures under Contract 151147 with Carahsoft Technology Corp. for the purchase of cloud-based information technology solutions for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,290,000.

Summary

This contract continues to provide cloud-based and information technology solutions, including Software as a Service (SaaS), Infrastructure as a Service (IaaS), and Platform as a Service (PaaS). The additional funds will allow additional City departments to purchase a full range of cloud-based and information technology solution services offered by Carahsoft Technology Corp.

The cloud subscriptions and/or professional services include, but are not limited to, the following per department:

Aviation:

- Snowflake - a data repository platform providing unified data strategy across teams and fully managed infrastructure with simplicity, scale, and ease of use. Centralizing data allows the user to make data driven decisions for continuous improvements in business practices as it would be readily accessible in the form of various reports and analytics.

Human Services, in support of various departments:

- Qualtrics - a survey tool used for research purposes, which helps the City to regularly survey residents in the community related to health needs and health behaviors, supporting departments with health-related outcome evaluations.

Community and Economic Development:

- Professional services to migrate Microsoft Dynamics from an on-premise platform to use the modern Microsoft Dynamics cloud-based solution. The cloud-based solution integrates various business operations, which will result in operational efficiencies and allow the department to move from an outdated application to a current, more

stable and mobile, cloud-based solution. It also provides advanced data analytics and scalability to adjust to the department's growing needs.

Planning and Development:

- Multiple services/solutions in support of the ShapePHX Project, providing improved data quality and a better performing, fully supported and secure business application, which provides an opportunity to scale, streamline processes, and quickly adapt to changes.

Police:

- MakeNote - a performance management application that streamlines and simplifies the supervisory note process, enabling contemporaneous field-based note creation and instant notification to the employee for review and receipt acknowledgement.
- Public Portal - a centralized complaint and case management system, which provides process efficiencies, automated updates, case tracking, and reporting capabilities.
- Peregrine - a real-time decision and operations management platform for law enforcement used to connect current and future Records Management Systems.

Contract Term

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

Financial Impact

Upon approval of \$2,290,000 in additional funds, the revised aggregate value of the contract will not exceed \$16,872,453. Funds are available in various departments' budgets.

Concurrence/Previous Council Action

The City Council Previously reviewed this request:

- Planning, Zoning, Plan Review, and Permitting Application - Contract 151147 (Ordinance S-46102) on October 16, 2019;
- Planning, Zoning, Plan Review, and Permitting Application - Contract 151147 (Ordinance S-50001) on June 28, 2023

Responsible Department

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



Small Package Delivery Services Contract RFP GGS-25-0475 - Request for Award (Ordinance S-52158) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into a contract with B.U.B. Transport LLC dba Global Services of Arizona to provide small package delivery services for citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$330,000.

Summary

This contract will provide domestic small package delivery services for citywide departments on an as-needed basis.

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

Procurement Information

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

One vendor submitted a proposal 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 1000 points:

- Method of Approach (0-350 points)
- Capacity (0-250 points)
- Experience and Expertise (0-200 points)
- Pricing Proposal (0-200 points)

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

B.U.B. Transport LLC dba Global Services of Arizona, 800 points

Contract Term

The contract will begin on or about July 15, 2025, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$330,000. Funding is available in the various departments' operating budgets.

Responsible Department

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



Outside Counsel Legal Services Contract - O'Melveny & Myers LLP (Ordinance S-52173) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into contract with O'Melveny & Myers LLP to provide outside counsel services to the City for an initial one-year term, with a one-year option to extend, at the City Attorney's discretion. Additionally, request the City Council to grant an exception to Phoenix City Code § 42-18 to authorize inclusion in the documents pertaining to O'Melveny & Myers LLP's dispute arbitration provisions that otherwise would be prohibited by Phoenix City Code § 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$200,000 for the two-year term.

Summary

This contract will provide legal services to the City related to water policy issues. The City Code authorizes the City Attorney to enter into agreements to provide legal services for the City. Upon approval of this request by the City Council, the City Attorney will enter into an agreement with this firm.

Contract Term

The term of this contract may begin any time on or after July 1, 2025, and expire on June 30, 2027.

Financial Impact

The aggregate contract value will not exceed \$200,000 for the term. Funding is available in the Law Department.

Responsible Department

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



Tohono O'odham Nation Tribal 2025 Gaming Grants (Ordinance S-52146) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to apply, accept, and if awarded, enter into related agreements for up to \$1,435,918.24 in new funding from the Tohono O'odham Nation under the 2025 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse funds as directed by the Tohono O'odham Nation in connection with these grants.

Summary

If awarded, these monies would be applied, as directed by the Tohono O'odham Nation, towards the following:

City Applications

- Human Services Department: \$50,000 for the Bridge to Success Workforce Pilot program, which will support low-income individuals and families transitioning from public assistance to full-time employment by providing short-term financial assistance that mitigates the negative financial impact of the 'benefits cliff', thereby improving job retention, long-term economic stability, and reducing reliance on public benefits.
- Office of Sustainability: \$130,000 for the Energy Access Plan, which will fund the creation of a full-time temporary staff position whose role prioritizes the execution of the Energy Access Plan and fund the implementation of the actions.
- Phoenix Fire Department: \$49,956 for the Trauma Bleeding Control Program, which will procure 24 advanced multi-casualty cabinets and 200 individuals refill kits. These kits will be strategically placed in high-traffic public facilities, including Phoenix City Hall, the Phoenix Convention Center, libraries, and courts, ensuring widespread availability and rapid access, in the event of a mass trauma event.
- Phoenix Fire Department: \$15,000 for the Peer Fitness Trainer Certification Program, which will fund certification of ten members through the nationally recognized IAFF/IAFC Peer Fitness Trainer program and complementary nutrition certification training. This will empower Fire Peer Fitness Trainers to deliver safe, effective fitness programs and support long-term wellness and injury recovery across the Fire Department.

- Phoenix Fire Department: \$44,254.50 for the Unmanned Aircraft System, which will fund the acquisition of a secure, high-performance small, unmanned aircraft system platform with integrated operations management software to enhance situational awareness and responder safety during emergency incidents.
- Phoenix Police Department: \$25,200 for Fingerprint Scanners, which will enable real-time identification based on biometric technology. These devices will allow officers to accurately identify violent criminals within minutes in the field rather than transporting them to a precinct for identification purposes.
- Planning and Development Department: \$50,000 for the Rio Reimagined Community Connection, which will study and identify corridors that will reconnect residents, students, visitors, and others to the Rio Salado (Salt River) in Phoenix.
- Public Defender's Office \$59,500 for the Empowering Change Project, which will enhance the City of Phoenix Veterans Court Treatment Program for Homeless Veterans.
- Public Works Department: \$30,697.24 for the Food Waste Pilot Program, which will introduce a Zero-Waste education curriculum and waste sorting system focused on helping to reduce food waste, lower transportation-related emissions, and strengthen resiliency education across a selected Phoenix-based school district. Through the pilot, students and staff will gain a deeper understanding of how to establish food security, mechanisms for resource conservation, and the environmental impact of food waste, including its diversion practices, the program supports extending landfill lifespan and establishing a community that is sustainability driven.
- Public Works Department: \$162,950 for the Lithium-Ion Battery Collection and Education program, which will educate the public of the dangers with improper disposal of lithium-ion batteries and enable pathways for more recycling, reuse and proper disposal.

Non-Profit Applications

- Arizona Center for Nature Conservation dba Phoenix Zoo: \$35,350 for the Wildlife & Water: Monitoring Mammal Communities in Relationship to Water Availability in the Atascosa Complex, which will support a wildlife and water study of the mammal ecology using wildlife cameras and environmental DNA.
- Arizona Educational Foundation: \$20,000 for the Strengthen the Arizona Public Education System, which will expand its A+ School of Excellence Award program, Principals Leadership Academy of Arizona, Arizona State Spelling Bee program, teachSTEM program, and Arizona Teacher of the Year Awards across public schools in Maricopa County. It will provide more educators with leadership training and professional development, increase student access to literacy and STEM enrichment programs, and recognize outstanding public schools and teachers.

- Arizona Forward: \$15,000 for the Emerging Sustainability Leaders Program, which is statewide and benefits mid-level professionals throughout the state, especially in Phoenix, Tucson and Flagstaff communities. Businesses from all over the state can nominate emerging sustainability leaders to participate in the educational program.
- Arizona Humanities: \$25,000 for the Brian Young Book Tour & Creative Writing Workshops, which will bring a book tour and creative writing workshops to ten locations led by Navajo young adult author Brian Young. The program promotes Indigenous youth literacy and provides the opportunity to explore their own stories with a published Navajo author.
- Arizona Sustainability Alliance: \$165,562 for the Rooted Communities: Supporting Increased Shade Canopy Alongside Affordable Housing Developments and Neighborhoods Improved Projects, which will work with the City of Phoenix Housing Department to plant drought-tolerant trees in selected locations to increase shade canopy for residents, as well as provide educational workshops and monitor trees to ensure their health.
- Chrysalis Veterans Services, Inc.: \$100,000 for the Ensuring Economic Development Success for Veterans Returning to the Workforce program, which will fund a job readiness program.
- Creighton Community Foundation: \$31,837.50 for the Heritage Wetlands Space, Collaborative Accessible Arizona Wetlands Education, which will support the creation of an outdoor, community resource, which will foster community connection, enhance environmental education, and promote sustainable practices.
- Desert Foothills Library Association: \$7,500 for the Book Buds Intergenerational Book Club, which will increase youth/senior reading enjoyment and minutes read.
- Downtown Phoenix Inc.: \$25,000 for the Community Resource Hub, which will help build a healthier, safer, and more connected downtown. It serves as the focal point to deliver community programs and help reduce the level of homelessness in the area.
- Duet: Partners in Health & Aging: \$20,000 for the Essential Services to Keep Homebound Seniors Healthy and Housed, which will help improve the physical and emotional health, wellbeing, and safety of older adults and help those who are especially vulnerable avoid becoming homelessness.
- Gabriel's Angels: \$10,000 for the Pet Therapy Program, which will ensure that children receive critical assistance in developing reading skills that ensure success in school but also develop core strengths needed to develop socially.
- Heard Museum: \$10,000 for Youth & Family Programming, which will enhance the Heard Museum's Youth and Family programming, connecting young people with Native culture and ensuring that future generations continue to value and appreciate this vital aspect of Arizona's tribal heritage.
- Human Services Campus, Inc. dba Keys to Change: \$100,000 for Critical Client

Services, which will support a comprehensive range of programs tailored to meet the evolving needs of individuals experiencing homelessness in the greater Phoenix metropolitan area. The approach centers on collaboration, both with partner organizations on the Key Campus and throughout the broader community, providing targeted solutions that address each person's unique barriers to housing.

- Justa Center: \$40,000 for the Path to Housing program, which will support a customized support to Justa Center members as they strive to secure stable housing, untapped income sources such as Social Security and disability benefits, and health care coverage.
- MIKID Mentally Ill Kids in Distress: \$25,000 for the Children's Behavioral Health, which will grow access to children's behavioral health care for families that lack insurance coverage and improve the quality of behavioral health care by providing food and engaging activities for the kids.
- Phoenix Indian Center, Inc.: \$55,000 for Bridging the Gaps for Indigenous Cultural Connection and Direct Assistance, which will fund language and cultural programming and direct assistance for community members.
- Phoenix Rescue Mission: \$20,000 for the Five Star Quality First Childcare Center, which will support the center and program, including Pre-K curriculum, program staff and kindergarten readiness.
- Rosie's House: A Music Academy for Children: \$5,000 for the Free After School Music and Leadership Program for Under-Resourced Youth, which will support after school music education and leadership opportunities for 700 under served students.
- Sonoran University of Health Sciences: \$25,000 for the Community Health Program, which will support community clinics through direct-care operational support.
- St. Joseph the Worker: \$25,000 for the Workforce Development Program, which provides pathways to self-sufficiency for disadvantaged populations, with employment as the foundation. The program is essential in preventing homelessness by helping clients overcome the diverse of barriers they face on the path to employment.
- United Cerebral Palsy of Central Arizona: \$43,111 for the Inclusive Basketball for Adults with Disabilities, which will provide sun sails (shade structures) over an existing basketball court and help create a first of its kind inclusive basketball program specifically tailored to providing engaging health care opportunities for adults with intellectual and developmental disabilities.
- United Services Organizations, Inc.: \$15,000 for the USO Arizona Military Youth Programs, which will support military youth educational programs in Arizona, such as Preschool Power Hours and back to school resources fairs to give local military youth all the educational resources, tools, and supplies needed to be successful in local schools.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the general public, including public safety, mitigation of impacts, and promotion of commerce and economic development. The Tohono O'odham Nation will notify the City, by grant-in-aid agreement, of the Tribal Council's decision, if it desires to convey to the City or local nonprofits a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City and no general-purpose funds are required. Entities that receive gaming grants are responsible for the management of those funds.

Responsible Department

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



*****ITEM REVISED (SEE ATTACHED MEMO)*** (CONTINUED FROM JUNE 4 AND 18, 2025) - Authorization to Amend Contract 160325 with Human Services Campus, Inc. dba Keys to Change to Increase Authority and Extend Term (Ordinance S-52022) - District 7**

Request authorization for the City Manager, or the City Manager's designee, to amend Contract 160325 with Human Services Campus, Inc. dba Keys to Change to extend contract term through June 30, 2026, and add funding up to \$1,500,000 for Key Campus operations in Fiscal Year 2025-26. The revised total contract value will not exceed \$3,250,000. Further request authorization for the City Controller to disburse all funds related to this item for the contract life. Funds are available from the Office of Homeless Solutions and within the City's American Rescue Plan Act (ARPA) allocation.

Summary

Keys to Change provides essential services and homeless program operations for unsheltered individuals experiencing homelessness. Services are provided 365 days per year, 7 days per week, and 24 hours per day, including holidays. Directly and through its 16 partners on the Key Campus, Keys to Change provides shelter, food, navigation, case management, access postal services, workforce development, and housing, among other services. Keys to Change recognizes the urgent need for providing essential services to individuals experiencing homelessness and is committed to providing services aligned with the City of Phoenix's Strategies to Address Homelessness Plan. The agency's programs include services for the homeless that serve thousands each day and provide general assistance for individuals in need.

The funding will be used to support the Key Campus operations and to comply with zoning stipulations for the site.

Contract Term

The term of the contract will be extended through June 30, 2026.

Financial Impact

The new total value of this contract shall not exceed \$3,250,000.

Concurrence/Previous Council Action

The City Council reviewed and approved the following:

- Contract 160325 with Ordinance S-50614 on February 21, 2024.
- An increase in funding with Ordinance S-51710 on March 5, 2025.

Location

220 S. 12th Avenue

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Office of Homeless Solutions.



City of Phoenix
OFFICE OF HOMELESS SOLUTIONS

To: Gina Montes
Deputy City Manager

Date: June 25, 2025

From: Rachel Milne 
Office of Homeless Solutions Director

Subject: REQUEST TO REVISE ITEM 58 ON THE JULY 2, 2025, CITY COUNCIL FORMAL MEETING AGENDA - AUTHORIZATION TO AMEND CONTRACT 160325 WITH HUMAN SERVICES CAMPUS, INC. DBA KEYS TO CHANGE TO INCREASE AUTHORITY AND EXTEND TERM (ORDINANCE S-52022)

The Office of Homeless Solutions requests a revision to Item 58, Authorization to Amend Contract 160325 with Human Services Campus, Inc. dba Keys to Change to Increase Authority and Extend Term (Ordinance S-52022). This item was continued from the June 4 and June 18 City Council Formal Meeting Agendas. Requesting retroactive approval of this item to increase payment authority and extend term effective July 1, 2025.

Approved: 
Gina Montes
Deputy City Manager

6/25/25
Date



City of Phoenix

To: Gina Montes
Assistant City Manager

Date: June 3, 2025

From: *RM*
Rachel Milne
Office of Homeless Solutions Director

Subject: CONTINUANCE OF ITEM 59 ON THE JUNE 4, 2025 FORMAL AGENDA

The Office of Homeless Solutions requests approval to continue Item 59, Authorization to Amend Contract 160325 with Human Services Campus Inc. dba Keys to Change to Increase Authority and Extend Term (Ordinance S-52022), from the June 4, 2025 Formal agenda.

Staff will work with organization to gain additional information requested for the contract amendment.

Staff requests continuing this item to the June 18, 2025 City Council Formal Meeting.

Approved by:

Gina Montes
Gina Montes
Deputy City Manager

6/3/2025
Date



(CONTINUED FROM JUNE 18, 2025) - Valley Youth Theatre - Architectural Services - AR00000026 (General Obligation Bond) (Ordinance S-52059) - District 7

Request to authorize the City Manager, or the City Manager's designee, to enter into an agreement with DLR Group Inc. to provide Architectural Services that include programming, study, site assessment design, and possible construction administration and observation services for the Valley Youth Theatre General Obligation Bond Project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$1,000,000.

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

Summary

The purpose of this project is to design a new facility as a permanent home for the Valley Youth Theatre. The facility will include an Americans with Disabilities Act compliant 300-seat feature theatre, plus a 99-seat studio theatre for smaller productions. Also included are office and meeting space, restrooms, rehearsal/workshop space, dance studios, galleries, and space for set, costumes, prop shops, and storage.

DLR Group Inc. services shall include, but not be limited to the following: coordinate with the City and Construction Manager at Risk (CMAR) during design; submit and retrieve all required documents to and from various agencies; coordinate all permits

and approvals from the federal, state, county, and local utility authorities; develop preliminary plans and renderings to present concepts and verify course of project; prepare and reconcile cost models and preliminary timelines for the project; develop project program to meet requirements of the City of Phoenix and Valley Youth Theatre; prepare necessary exhibits and make presentation to stakeholders; participate in City coordinated public information, public relation services, and community outreach; develop studies to lead the recommended solutions during the decision-making process; address stakeholder and CMAR design/constructability review comments from milestone reviews; prepare construction cost estimates for each design phase milestone; review recommendations regarding cost models/GMPs provided by the CMAR contractor; perform value engineering; identify private and public utility easements; conduct geotechnical engineering and investigations of project site; investigate and design utilities and infrastructure for project development (including but not limited to water, sewer, and storm water); coordinate with CMAR in developing design documents; coordinate and submit design packages to CMAR to bid to subcontractors; design and prepare project plans and specifications for construction; work with City and stakeholders for space planning and layout requirements; work with stakeholders from various agencies as required; perform other services as required to support successful completion of the work and the City's and Valley Youth Theatre interests; and provide possible construction administration and observation services.

Procurement Information

The selection was made using a qualifications-based selection process set forth in Section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. Section 34-603, the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. A total of 11 firms submitted proposals and are listed in **Attachment A**.

Contract Term

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

Financial Impact

The agreement value for DLR Group Inc. will not exceed \$1,000,000, including all subconsultant and reimbursable costs.

Funding is available in the Arts and Culture Capital Improvement Program budget utilizing General Obligation Bond funds. The Budget and Research Department will separately review and approve funding availability prior to execution of any

amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

Valley Youth Theatre
Council District: 7

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager David Mathews, the Arts and Culture Department and the City Engineer.

ATTACHMENT A

Selected Firm

Rank 1: DLR Group, Inc.

Additional Proposers

Rank 2: Holly Street, LLC

Rank 3: Multi Studio, Inc.

Rank 4: Jones Studio, Inc.

Rank 5: M. Arthur Gensler Jr. Associates, Inc.

Rank 6: Architekton, Inc.

Rank 7: RSP Architects, Ltd.

Rank 8: Richard Kennedy Architects, LLC

Rank 9: Rakkhaus, LLC

Rank 10: Wilson & Company, Inc., Engineers and Architects

Rank 11: SuoLL, LLC



City of Phoenix
OFFICE OF THE CITY ENGINEER

To: Mayor and City Council

Date: June 17, 2025

From: Eric Froberg, P.E.
City Engineer

Subject: CONTINUANCE OF ITEM 129 ON THE JUNE 18, 2025, FORMAL AGENDA –
ORDINANCE TO PROVIDE ARCHITECTURAL SERVICES FOR THE VALLEY
YOUTH THEATRE PROJECT (ORDINANCE S-52059)

Item 129, to provide Architectural Services that include programming, study, site assessment design, and possible construction administration and observation services for the Valley Youth Theatre General Obligation Bond project (Ordinance S-52059), is requested to be continued from the June 18, 2025 meeting agenda to the July 2, 2025 meeting agenda. The reason for this request is to allow for the encumbrance to occur in Fiscal Year 2025-26.

Staff concurs with this request for continuance.

Approved:

Inger Erickson
Assistant City Manager



Authorization to Amend Intergovernmental Agreement with Maricopa County and Authorization to Enter into Funding Agreement with the Phoenix Community Development and Investment Corporation for the Senior Bridge Affordable Housing Project (Ordinance S-52177) - District 8 & Citywide

Request to authorize the City Manager, or the City Manager's designee, to amend an intergovernmental agreement (IGA) with Maricopa County (Contract 162319) to modify Senior Bridge affordable housing project eligibility criteria and unit make-up. Further, request to authorize the City Manager, or the City Manager's designee, to accept funding in an amount up to \$3,015,746 from the Phoenix Community Development and Investment Corporation (PCDIC) and enter into related funding agreement to support the Senior Bridge affordable housing project. Additionally, request to modify prior Council authorization for Senior Bridge Project to reflect changes in the Senior Bridge affordable housing project scope, funding sources, and developer. Further request to authorize the City Manager, or the City Manager's designee, to take all actions necessary or appropriate to implement and administer the Senior Bridge Project.

Finally, request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to these items.

Summary

City Council authorized the use of \$3,015,746 in HOME Investment Partnerships American Rescue Plan funding ("HOME funding") towards the Senior Bridge Project on December 4, 2024 via Ordinance S-51498.

As originally authorized via Ordinance S-51553, the City of Phoenix entered into a related IGA with Maricopa County on or about December 18, 2024. Whereby, the County awarded American Rescue Plan Act (ARPA) funds to the City to provide shelter and transitional housing for individuals experiencing homelessness in the City as well as up to \$6 million in ARPA funding to be awarded to Steel & Spark, LLC to support the Senior Bridge Project.

On March 26, 2025, via Ordinance S-51736, the City Council authorized modification of the Maricopa County IGA to reflect changes in Senior Bridge Project scope and associated modifications to the Senior Bridge Project development agreement,

including changing the developer to a Steel & Spark, LLC affiliate, Senior Bridge, LLC.

Following the March 26, 2025 Council action, the City determined not to use HOME funding for the Senior Bridge Project and PCDIC was identified as an alternative funding source. In addition, further revisions were identified to Senior Bridge Project unit make-up, eligibility criteria, potential corporate form of the developer, as well as the term of related security instruments in the course of negotiations.

Thus, the current request would allow modifications to the IGA and related Senior Bridge Project development agreement authority. Specifically:

- The current desired project would allow up to 54 affordable housing units to be developed within ARPA's State and Local Fiscal Recovery Fund guidelines for affordable housing.
- HOME Funding will be replaced with funding provided by PCDIC in an amount not to exceed \$3,015,746.
- The developer of the Senior Bridge Project and party to the development agreement and related instruments may be replaced with an affiliate of Senior Bridge, LLC as necessary or desirable to facilitate the project.
- The term of security instruments related to the development agreement will be 20 years.

Contract Term

The term of the IGA will remain unchanged.

The term of the funding agreement with PCDIC will be for a period of three years, beginning on or about July 3, 2025.

The term of the affordable housing development agreement with Senior Bridge, LLC or affiliate will begin on or about July 3, 2025 for a term of up to one year, with an option to extend through December 31, 2026 at the discretion of the City Manager or designee; provided associated security instruments shall have a term of at least 20 years from project occupancy.

Financial Impact

The amount of funding provided via the IGA with Maricopa County to the Senior Bridge Project remains unchanged at up to \$6 million. Funding in an amount of \$3,015,746 will be provided by PCDIC. There is no impact to the General Fund, as funding is provided by Maricopa County and PCDIC.

Concurrence/Previous Council Action

The Council previously reviewed and approved the following:

- On December 4, 2024, the City Council authorized up to \$3,015,746 in HOME Funding for the Senior Bridge project with Ordinance S-51498.
- On December 18, 2024, via Ordinance S-51553, the City Council approved the Intergovernmental Agreement (IGA) with Maricopa County and related projects, including the award of up to an additional \$6 million in funding from the IGA for the Senior Bridge to Steel & Spark, LLC.
- On March 26, 2025, the City Council authorized changes to the Senior Bridge Project scope and substitution of Senior Bridge, LLC as developer with Ordinance S-51736.
- These prior actions are superseded to the extent inconsistent with this item.

Location

Senior Bridge, 2853 E. Van Buren Street

Council Districts: 8 and Citywide

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Office of Homeless Solutions.



Fiscal Year 2025-26 Community Arts Grants (Ordinance S-52166) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to execute all necessary agreements between the Phoenix Office of Arts and Culture (POAC) and approved applicants for the Fiscal Year (FY) 2025-26 Community Arts Grant Program in an aggregate amount of \$1,675,346. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The annual Community Arts Grants Program invests in nonprofit art and cultural organizations and groups to strengthen the community's access to cultural programming. Applications were due on March 23, 2025. Out of the 166 applications received, 142 were eligible for review by community panels of laypersons, artists, arts professionals, and educators to ensure a thorough and unbiased review.

Through the agency's equity strategy, POAC ensures outreach to all areas of the City and targeted applicants from all disciplines, budget sizes, underrepresented populations, and City Council districts. There was a 17 percent increase in applications from FY 2025-26.

The Community Arts Grants Program Grant Categories:

General Support Grants (GSG) provide core operating support to arts and cultural organizations of all sizes that have a primary mission to create, produce, or provide arts and cultural programming to enhance the quality of lives for Phoenix residents. All GSG applicants are required to have a prior year income of at least \$5,000 and complete a full application to be reviewed by a grants panel.

GSG Goals

1. Support arts and cultural opportunities among residents of all ages through education, outreach programs, and opportunities for personal artistic expression and participation.
2. Encourage broad-based, community-wide participation in arts and cultural activities resulting from diverse programming accessible to all residents.
3. Sustain a community of responsibly governed and managed, financially sound organizations, and assist organizations that have reached a critical stage in artistic

or institutional development by encouraging the identification of internal needs critical to the organization's sustainability or growth.

Project Support Grants (PSG) promote and encourage the breadth of arts and cultural programming in the community by supporting large and small projects throughout the City of Phoenix. The program supports guest artist fees/expenses, production fees, and marketing expenses for arts and culture projects that engage Phoenix residents, including but not limited to art workshops, pop-up performances, and collaborations with artists. All PSG applicants must complete a full application to be reviewed by a grants panel.

PSG Goals

1. Support arts and cultural projects across the City of Phoenix, especially artistic collaborations with full representation from all people at the intersection of all diversities and backgrounds.
2. Fund projects that support the artistic and cultural work of young people or projects that introduce youth to arts and culture in the City of Phoenix.
3. Invest in projects that support and celebrate individual artists impacting the community.

The **Rental Support Program (RSP)** provides facility rental support to those cultural organizations that help revitalize the Phoenix downtown corridor through their presentations at the Herberger Theater Center, Orpheum Theatre, and Phoenix Symphony Hall. Arts and Culture administers RSP in partnership with the Phoenix Convention Center, which funds the program. Only organizations that have successfully applied and been awarded a GSG or PSG application may be considered for this program. These funds are awarded through an additional application process and reviewed by the Phoenix Convention Center.

Fiscal Year 2025 Recommendations and Allocations

The Community Arts Grants Program has a total budget of \$1,675,346, comprised of funds from the City's general fund and support from the Phoenix Convention Center. GSG and PSG funding allocations totaling \$1,381,346 are requested for 135 grants to 135 applicants (**Attachment A**). Of the remaining funds, \$69,000 will be used toward discretionary grants to artists and arts and culture organizations to present programming in under-invested areas in the City to ensure greater equitable geographic distributions of grant funding and \$225,000 for the Rental Support Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and approved the FY 2025-26

Community Arts Grants Program allocation recommendations at its meeting on June 17, 2025.

Responsible Department

This item is submitted by Deputy City Manager David Mathews and the Office of Arts and Culture.

Attachment A
FY26 Community Arts Grants

Allocations of all Categories

Program	FY26 Applications	FY26 Awards	FY24 Recommended Allocations
Project Support Grants	60	55	\$ 232,202.50
General Support Grants	82	80	\$ 1,149,143.50
Rental Support	TBD	TBD	\$ 225,000.00
Discretionary	TBD	TBD	\$ 69,000.00
TOTAL	142	135	\$ 1,675,346.00

Project Support Grant Allocations

Applicant	Council District	Project Type	Allocation
A PERMANENT VOICE	8	Festivals	\$ 3,780.00
A3F INCORPORATED	4	Festivals	\$ 1,600.00
Academy of Asian Art Foundation	2	Arts Instruction	\$ 4,250.00
AFRI-SOUL EDUCATION CENTER	8	Festivals	\$ 4,500.00
Arizona Commission of wrestling	4	Exhibitions/Performances	\$ 4,500.00
Arizona Cultural Diversities	8	Festivals	\$ 4,000.00
ARIZONA MATSURI	5	Festivals	\$ 4,750.00
AT THE OUTLET INC	4	Festivals	\$ 4,500.00
AZLand Fund	8	Exhibitions/Performances	\$ 4,250.00
Black Artists Festival Phoenix	6	Arts Instruction	\$ 4,500.00
BLACK GIRL BROWN GIRL COLLECTIVE INC	8	Exhibitions/Performances	\$ 4,750.00
Blatmosphere Studios LLC	2	Festivals	\$ 4,000.00
Blending the Moves	1	Exhibitions/Performances	\$ 4,250.00
CHICANOS POR LA CAUSA INC	5	Exhibitions/Performances	\$ 4,750.00
COMO ART FOUNDATION	7	Arts Instruction	\$ 4,250.00
CONVERGENCE BALLET COMPANY	6	Exhibitions/Performances	\$ 2,975.00
CORONADO NEIGHBORHOOD ASSOCIATION INCORPORATED	4	Festivals	\$ 3,577.50
COWTOWN SKATE	6	Arts Instruction	\$ 4,000.00
CULTURAL ARTS COALITION CELEBRATING GLOBAL CONNECTIONS	7	Arts Instruction	\$ 4,750.00
DETOUR COMPANY THEATER INC	6	Exhibitions/Performances	\$ 4,250.00
Driftwood Quintet, LLP	8	Exhibitions/Performances	\$ 5,000.00
Encanto School	4	Arts Instruction	\$ 4,750.00
Enparoxismo	8	Festivals	\$ 4,000.00
Estómago de Oro	8	Arts Instruction	\$ 4,750.00
FRIENDLY HOUSE INC	8	Arts Instruction	\$ 4,250.00
Furious Styles Crew	8	Exhibitions/Performances	\$ 4,250.00
GENESIS PROGRAM INC	8	Arts Instruction	\$ 4,250.00
Girls Rock! Phoenix	4	Arts Instruction	\$ 5,000.00
Hatcher Road Business Alliance (theHUB)	3	Festivals	\$ 2,500.00
Indo American Cultural Connect	6	Exhibitions/Performances	\$ 4,000.00
LATINA DANCE PROJECT	7	Festivals	\$ 4,750.00
Little Chef Klezmer Band	8	Festivals	\$ 5,000.00
MADISON DISTRICT EDUCATIONAL FOUNDATION	4	Exhibitions/Performances	\$ 4,250.00
Maurice C. Cash Elementary School	8	Arts Instruction	\$ 4,000.00
MOVEMENT SOURCE INC	6	Arts Instruction	\$ 4,750.00
Museum of Arizona Artists (MOAZA)	7	Exhibitions/Performances	\$ 4,250.00
NVAA Dance Boosters	3	Arts Instruction	\$ 4,750.00
Oh My Ears	8	Exhibitions/Performances	\$ 4,000.00
Perry Park Neighborhood Association	8	Arts Instruction	\$ 4,000.00
PHOENIX DESERT CENTER	8	Arts Instruction	\$ 5,000.00
PHOENIX PIONEER BAND	7	Arts Instruction	\$ 1,020.00
PHOENIX PRIDE INCORPORATED	8	Exhibitions/Performances	\$ 4,250.00
PHOENIX REVITALIZATION CORPORATION	8	Festivals	\$ 4,500.00
PHOENIX TRADITIONAL MUSIC AND DANCE INC	3	Exhibitions/Performances	\$ 4,250.00
Pueblo Grande Museum Auxilliary	8	Festivals	\$ 4,750.00
Sarabo Cultural Events	8	Festivals	\$ 4,750.00
Silambam Phoenix	3	Exhibitions/Performances	\$ 4,250.00
Silvestre S Herrera School	8	Arts Instruction	\$ 4,250.00
ST PATRICKS DAY PARADE COMMITTEE AND IRISH SOCIETY OF ARIZONA INC	7	Festivals	\$ 4,750.00
The Baumer String Quartet	4	Exhibitions/Performances	\$ 4,250.00
THE FACTS OF LIFE GROUP HOME INC	7	Arts Instruction	\$ 4,000.00
The Pachanga Collective	8	Arts Instruction	\$ 5,000.00
The Sacred G's Ltd	6	Festivals	\$ 4,000.00
Tranze Danza Contemporanea	8	Arts Instruction	\$ 4,500.00
YOUNG SOUNDS OF ARIZONA INC	4	Arts Instruction	\$ 4,000.00

TOTAL	\$	232,203
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General Support Grant Allocations

Applicant	Council District	Budget Size	Allocation
ACT ONE	4	344K - <736K	\$ 12,350.00
ADVOCATES FOR LATINO ARTS & CULTURE CONSORTIUM INC	7	49K - <130K	\$ 8,250.00
AHWATUKEE CHILDRENS THEATRE INC	6	131K - <343K	\$ 7,250.00
ALMOST FAMOUS THEATRE COMPANY FOUNDATION	4	49K - <130K	\$ 6,000.00
ALWUN HOUSE FOUNDATION	8	49K - <130K	\$ 8,500.00
ARIZONA CENTER FOR NATURE CONSERVATION	6	2.7M +	\$ 20,000.00
ARIZONA HUMANITIES COUNCIL	7	737K - <2.6M	\$ 16,050.00
ARIZONA JEWISH HISTORICAL SOCIETY	7	344K - <736K	\$ 13,900.00
ARIZONA MASTERWORKS CHORALE INC	6	22K - <\$48K	\$ 7,350.00
ARIZONA OPERA COMPANY	4	2.7M +	\$ 35,500.00
ARIZONA SCIENCE CENTER	8	2.7M +	\$ 29,250.00
Balkan Community Culture and Heritage Organization	3	22K - <\$48K	\$ 7,550.00
BALLET ARIZONA	8	2.7M +	\$ 29,250.00
Black River Life Media	6	131K - <343K	\$ 12,000.00
BLACK THEATRE TROUPE INC	8	344K - <736K	\$ 15,350.00
Cahokia	8	131K - <343K	\$ 11,750.00
CALA ALLIANCE	4	344K - <736K	\$ 14,850.00
CENTRAL ARTS ALLIANCE	7	737K - <2.6M	\$ 14,000.00
CHILDRENS MUSEUM OF PHOENIX	8	2.7M +	\$ 22,750.00
CHILDSPLAY INC	7	737K - <2.6M	\$ 16,450.00
CIHUAPACTLI COLLECTIVE	8	737K - <2.6M	\$ 10,000.00
CULTURAL COALITION INC	7	344K - <736K	\$ 14,500.00
DESERT BOTANICAL GARDEN	6	2.7M +	\$ 35,500.00
DESERT OVERTURE LIVE CULTURAL ENTERTAINMENT	3	49K - <130K	\$ 8,000.00
Downtown Chamber Series	7	49K - <130K	\$ 9,250.00
FEXAM CULTURAL CENTER	4	\$4K - <\$21K	\$ 5,256.00
FREE ARTS FOR ABUSED CHILDREN OF ARIZONA	4	737K - <2.6M	\$ 18,100.00
GRAND CANYON MENS CHORALE	4	131K - <343K	\$ 10,750.00
Grassrootz Bookstore	8	49K - <130K	\$ 8,250.00
GREAT ARIZONA PUPPET THEATER INC	7	344K - <736K	\$ 14,150.00
GREY BOX COLLECTIVE FOUNDATION	7	22K - <\$48K	\$ 6,000.00
Harmony Project Phoenix	7	131K - <343K	\$ 10,250.00
HEARD MUSEUM	4	2.7M +	\$ 43,250.00
HERITAGE SQUARE FOUNDATION	8	344K - <736K	\$ 12,000.00
IRISH CULTURAL AND LEARNING FOUNDATION	7	737K - <2.6M	\$ 13,000.00
JAPANESE FRIENDSHIP GARDEN OF PHOENIX INC	7	737K - <2.6M	\$ 16,850.00
JAZZ IN ARIZONA INC	7	737K - <2.6M	\$ 14,750.00
LIGHTS CAMERA DISCOVER	6	131K - <343K	\$ 10,500.00
MUSICA NOVA INC	2	49K - <130K	\$ 8,250.00
MUSICAL INSTRUMENT MUSEUM	2	2.7M +	\$ 32,000.00
MUSICAL THEATRE OF ANTHEM INC	1	344K - <736K	\$ 13,400.00
NORTH VALLEY CHORALE	3	49K - <130K	\$ 7,250.00
NORTH VALLEY SYMPHONY ORCHESTRA INC	2	49K - <130K	\$ 7,500.00
NUEBOX	4	49K - <130K	\$ 9,750.00
ORPHEUS MALE CHORUS OF PHOENIX	6	131K - <343K	\$ 8,000.00
Palabras Bilingual Bookstore	7	131K - <343K	\$ 10,500.00
PHOENIX ART MUSEUM	4	2.7M +	\$ 40,500.00
PHOENIX BOYS CHOIR ASSOCIATION	6	737K - <2.6M	\$ 15,900.00
PHOENIX CHAMBER MUSIC SOCIETY	6	344K - <736K	\$ 12,700.00
PHOENIX CHILDRENS CHORUS INC	7	737K - <2.6M	\$ 16,300.00
PHOENIX CONSERVATORY OF MUSIC	4	737K - <2.6M	\$ 17,850.00
PHOENIX FILM FOUNDATION	2	344K - <736K	\$ 11,000.00
Phoenix Girls Chorus	6	\$4K - <\$21K	\$ 5,750.00
PHOENIX INSTITUTE OF CONTEMPORARY ART	6	\$4K - <\$21K	\$ 6,000.00
PHOENIX PERFORMING ARTS CENTER INC	7	2.7M +	\$ 26,500.00
Phoenix Symphony	7	2.7M +	\$ 37,750.00
PHOENIX SYMPHONY GUILD	4	737K - <2.6M	\$ 15,750.00
PHOENIX THEATRE INC	4	2.7M +	\$ 35,500.00
PHOENIX WOMENS CHORUS	3	22K - <\$48K	\$ 7,750.00
PHONETIC SPIT	7	49K - <130K	\$ 8,500.00
PLAYBACK ARIZONA	4	22K - <\$48K	\$ 7,100.00
PROMUSICA ARIZONA CHORALE & ORCHESTRA	1	131K - <343K	\$ 7,000.00
RISING YOUTH THEATRE	7	131K - <343K	\$ 11,000.00
ROSIES HOUSE A MUSIC ACADEMY FOR CHILDREN INC	8	2.7M +	\$ 46,000.00
SCHOOL OF HIPHOP PHX	1	\$4K - <\$21K	\$ 6,987.50
SHEMER ART CENTER AND MUSEUM ASSOCIATION INC SACAMA	6	344K - <736K	\$ 12,700.00
SKYES THE LIMIT FOUNDATION INC	8	22K - <\$48K	\$ 8,100.00

SOUNDS ACADEMY	4	344K - <736K	\$	15,700.00
SPOTLIGHT YOUTH THEATRE	1	131K - <343K	\$	9,000.00
Teatro Meshico	5	\$4K - <\$21K	\$	5,500.00
THE PHOENIX CHORALE	7	344K - <736K	\$	13,050.00
THE SAGRADO	7	131K - <343K	\$	13,000.00
Third Space Dance Project (501)c3	8	22K - <\$48K	\$	7,450.00
TRUNK SPACE ARTS INC	4	22K - <\$48K	\$	7,650.00
VALLEY YOUTH THEATRE	7	737K - <2.6M	\$	16,700.00
VOICES OF THE DESERT	7	22K - <\$48K	\$	7,850.00
Wasted Ink Zine Distro	7	49K - <130K	\$	8,750.00
XICO INC	7	737K - <2.6M	\$	7,000.00
YES AND PRODUCTIONS	3	22K - <\$48K	\$	7,000.00
YOUNG ARTS ARIZONA LTD	4	49K - <130K	\$	8,500.00

TOTAL	\$	1,149,143.50
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Aquatic Rescue, Training Supplies and Equipment Contract - PKS-IFB-25-0743 - Request for Award (Ordinance S-52152) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into contracts with Water Safety Products Inc. and Adolph Kiefer & Associates, LLC to purchase Aquatic Rescue, Training Supplies and Equipment for the Parks and Recreation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$360,000.

Summary

These contracts are for the purchase of aquatic equipment and supplies for Parks and Recreation Department aquatics facilities. The contracts will provide City pools with equipment and supplies necessary to certify lifeguards and operate the City's swim lessons program. Historically, the City has hired up to 650 certified lifeguards to operate swimming pools annually and approximately 18,000 residents participate in swim lessons and recreational teams.

Procurement Information

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

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

Selected Bidders

Adolph Kiefer & Associates, LLC
Water Safety Products Inc.

Contract Term

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

Financial Impact

The aggregate contracts' value will not exceed \$360,000.

Funding is available in the Parks and Recreation Department's Operating budget.

Responsible Department

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



Intergovernmental Agreement with Alhambra Elementary School District for a Phoenix Afterschool Center Site (Ordinance S-52161) - District 4

Request to authorize the City Manager, or the City Manager's designee, to execute an agreement with the Alhambra Elementary School District to provide the Phoenix Afterschool Center (PAC) Program. Further, request to grant an exception pursuant to Phoenix City Code Section 42-18 authorizing indemnification or assumption of liability provisions that otherwise would be prohibited for the agreement. There is no financial impact associated with this item.

Summary

The Parks and Recreation Department's PAC program is an affordable after-school recreation and enrichment program for youth 6 to 13. PAC has historically served approximately 1,400 youth daily at more than 30 school sites throughout the City. PAC provides a fun, supportive, and educational atmosphere during the crucial after-school hours. PAC's programming includes organized physical activity: Science, Technology, Engineering, Arts and Math (Steam) educational enrichment, and homework assistance.

The Department partners with school districts to offer the PAC program directly to the school sites throughout the City. The PAC program serves at least one school in the following 12 school districts: Balsz, Cartwright, Creighton, Osborn, Paradise Valley, Riverside, Roosevelt, Tempe, Tolleson, Union, Washington, and Wilson. Additionally, there are two charter school PAC sites located at Arizona State University Preparatory Academy and Amerischools Academy. The Alhambra Elementary School District has been on the PAC wait list. This agreement will allow the PAC program to be offered at schools in the Alhambra Elementary School District, beginning with Madrid Neighborhood School, and additional schools within the district as funding permits. Approximately 99 percent of students who attend Madrid Neighborhood School qualify for free and/or reduced lunch.

To facilitate the PAC program, the Department requires each school district or charter school to enter into an Intergovernmental Agreement (IGA) or Memorandum of Agreement (MOA). The school district's IGA will include their site, responsibilities for each party, and program information.

Contract Term

The term for the agreement will be for four years with an expiration of July 2029 to align with other PAC IGA's in place currently.

Financial Impact

There is no financial impact associated with this item.

Location

Madrid Neighborhood School, 3736 W. Osborn Road
Council District: 4

Responsible Department

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



Toro Equipment Maintenance and Repair Services Contract - PKS-RFQ-25-0760 - Request for Award (Ordinance S-52168) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into a contract with Simpson Norton Corporation to provide Toro equipment maintenance and repair services for the Parks and Recreation 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 \$220,000.

Summary

This contract will provide the Parks and Recreation Department with labor, materials, and supplies to maintain and repair Toro equipment to ensure the safe and efficient operation of equipment used at various City park locations. These services are vital for the repair, recondition, and maintenance of equipment such as mid-size mowers, gang mowers, reel mowers, utility vehicles, sand pros, aerators, turf sweepers, and various other equipment critical to the department's operations. The required equipment covers a broad range of models.

Procurement Information

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

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

Selected Bidder

Simpson Norton Corporation

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$220,000.

Funding is available in the Parks and Recreation Department's Operating budget.

Responsible Department

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



Issuance of Multifamily Housing Revenue Bonds (Horizon on Villa Project) (Resolution 22318) - District 8

Requests City Council approval for the issuance of Multifamily Housing Revenue Bonds (Horizon on Villa Project), to be issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed \$35,000,000.

Summary

Request City Council adoption of a Resolution (**Attachment A**) granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the "Phoenix IDA") has previously resolved to issue up to \$35,000,000 of its Multifamily Housing Revenue Bonds (Horizon on Villa Project) in one or more tax-exempt and/or taxable series (the "Bonds") for use by Horizon on Villa, LLC, an Arizona limited liability company (collectively with its assignees and designees, the "Borrower"), to finance, and/or refinance, as applicable, all or a portion of the costs of:

- a. Acquiring, constructing, developing, rehabilitating, improving, equipping, and/or operating a multifamily residential rental housing project (including improvements and facilities functionally related and subordinate thereto) expected to be comprised of approximately 109 units of housing (all or a portion of which will be set aside for occupancy by low- to moderate-income tenants) and other improvements to be situated on approximately 5.78 acres of land to be leased to the Borrower by the City located in Phoenix, Arizona (collectively, the "Facility"); and
- b. Funding any required reserve funds, paying capitalized interest on the Bonds, if any, and paying certain costs and expenses incurred in connection with the issuance of such Bonds (collectively, the "Project").

City Council shall approve issuance of the Bonds and the plan of financing for the Project, for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Bonds at its meeting held on June 18, 2025.

Location

The Facility is located at or near 500 N. 20th Street, Phoenix, AZ.

Council District: 8

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

ATTACHMENT A

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

RESOLUTION _____

A RESOLUTION APPROVING THE PLAN OF FINANCING
AND ISSUANCE OF NOT TO EXCEED \$35,000,000
PRINCIPAL AMOUNT OF ONE OR MORE TAX-EXEMPT
AND/OR TAXABLE SERIES OF MULTIFAMILY HOUSING
REVENUE BONDS (HORIZON ON VILLA PROJECT) OF
THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE
CITY OF PHOENIX, ARIZONA

WHEREAS, The Industrial Development Authority of the City of Phoenix,
Arizona (the “Authority”), is a nonprofit corporation designated a political subdivision of
the State of Arizona (the “State”) incorporated with the approval of the City of Phoenix,
Arizona (the “City”); and

WHEREAS, Title 35, Chapter 5, of the Arizona Revised Statutes, Section
35-701 *et seq.*, as amended (the “Act”), authorizes the Authority to issue revenue bonds
for the purposes set forth in the Act, including the making of secured and unsecured loans
to finance or refinance the acquisition, construction, improvement, equipping or operation
of a “project” (as defined in the Act) whenever the Board of Directors of the Authority (the
“Authority Board”) finds such loans to further advance the interests of the Authority or the
public interest, and to refund outstanding obligations incurred by an enterprise to finance
the costs of a “project” when the Authority Board finds that the refinancing is in the public
interest; and

WHEREAS, Horizon on Villa, LLC, an Arizona limited liability company (the
“Borrower”), has requested that the Authority issue its revenue bonds for the purpose of
assisting the Borrower to finance and/or refinance, as applicable, all or a portion of the
cost of: (a) the acquisition, construction, development, rehabilitation, improvement,

equipping and/or operating of a multifamily residential rental housing project (including improvements and facilities functionally related and subordinate thereto) expected to be comprised of approximately 109 units of housing (all or a portion of which will be set aside for occupancy by low- to moderate-income tenants) and other improvements to be situated on approximately 5.78 acres of land to be leased to the Borrower by the City and generally located at or near 500 N 20th Street, Phoenix, Arizona 85006, (b) funding any required reserve funds, (c) paying capitalized interest on the below-defined Bonds, if any, and (d) paying costs and expenses incurred in connection with the issuance of such Bonds (collectively, the “Project”); and

WHEREAS, the Authority, by Resolution 2025-[], adopted by the Authority Board at a meeting duly called and held on June 18, 2025, granted final approval of the issuance and sale of its Multifamily Housing Revenue Bonds (Horizon on Villa Project), in one or more tax-exempt and/or taxable series (the “Bonds”), from time to time pursuant to a plan of financing, in an aggregate principal amount not to exceed \$35,000,000, the proceeds of which will be used to finance the Project; and

WHEREAS, Section 35-721(B) of the Act provides that the proceedings of the Authority under which the Bonds are to be issued require the approval of the Council of the City; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), requires that an “applicable elected representative” (as that term is defined in the Code) approve the issuance of the tax-exempt portion of the Bonds and the plan of financing for the Project following a public hearing, which public hearing was held by the Authority on June 6, 2025; and

WHEREAS, information regarding the Project to be financed with the proceeds of the Bonds has been presented to the Council of the City; and

WHEREAS, it is intended that this Resolution shall constitute approval by the Council of the City pursuant to Section 35-721(B) of the Act and of the “applicable elected representative” as defined in Section 147(f) of the Code with respect to the Bonds.

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

SECTION 1. The proceedings of the Authority under which the Bonds are to be issued are hereby approved.

SECTION 2. The issuance of the Bonds and the plan of financing for the Project are hereby approved for purposes of Section 147(f) of the Code.

SECTION 3. Notice of Arizona Revised Statutes Section 38-511 is hereby given. The provisions of that statute are by this reference incorporated herein to the extent of their applicability to matters contained herein.

PASSED BY THE COUNCIL OF THE CITY OF PHOENIX, ARIZONA this
2nd day of July, 2025.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

Acting City Attorney

REVIEWED BY:

City Manager



**(CONTINUED FROM JUNE 4 AND 18, 2025) - NVLS (LEARN) Database
Subscription Services - RFA 18-011 - Amendment (Ordinance S-52035) - Citywide**

Request to authorize the City Manager, or the City Manager's designee, to execute an amendment to Contract 150498 with Vigilant Solutions, LLC for an entity change to Motorola Solutions, Inc. 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-45846.

Summary

This contract will provide the Phoenix Police Department with automatic license plate reader equipment and subscription services to the National Vehicle Location Service (NVLS) database. The service also includes the Law Enforcement Archival and Reporting Network (LEARN) database, an online analytic platform that allows license plate data and images to be aggregated and analyzed for law enforcement. LEARN provides agencies with a way to manage vehicle hotlists, query historical license plate reader data, and use advanced analytics for enhanced investigations. LEARN is a hosted solution that allows data sharing and interoperability with other law enforcement agencies nationwide. Together, NVLS-LEARN subscriptions service helps the department to reduce auto thefts and related crime involving vehicles, increase auto theft vehicle recovery rates, and increase investigative leads to reduce auto thefts and vehicles used in gateway crimes (i.e robbery, burglary of residence).

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

Contract Term

The contract term remains unchanged, ending on June 18, 2029.

Financial Impact

The aggregate value of the contract will not exceed \$2,427,000, and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- National Vehicle Location Service Database - Contract 150498 Ordinance S-45846 on June 26, 2019.
- National Vehicle Location Service Database - Contract 150498 Ordinance S-46372 on February 19, 2020.
- National Vehicle Location Service Database - Contract 150498 Ordinance S-50944 on May 29, 2024.

Responsible Department

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



City of Phoenix

To: Lori Bays
Assistant City Manager

Date: June 11, 2025

From: Denis Orender
Acting Police Chief

Subject: CONTINUANCE REQUEST - (CONTINUED FROM JUNE 4, 2025) - NVLS
(LEARN) DATABASE SUBSCRIPTION SERVICES - RFA 18-011 -
AMENDMENT (ORDINANCE S-52035) – ON THE JUNE 18 FORMAL AGENDA

This memo requests the continuance of the following item on the June 18, 2025, Formal Agenda – (CONTINUED FROM JUNE 4, 2025) - NVLS (LEARN) Database Subscription Services - RFA 18-011 - AMENDMENT (ORDINANCE S-52035) – Citywide.

This request is to continue the item to July 2, 2025, in order to continue to provide additional information for consideration by the Mayor and City Council.

Approved: _____

Lori Bays, Assistant City Manager

6/12/25
Date



Provide Fire Protection Services to Laveen Fire District (Ordinance S-52142) - Out of City

Request authorization for the City Manager, or the City Manager's designee, to enter into an agreement for the provision of fire protection services to the Laveen Fire District. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The purpose of this agreement is for the Phoenix Fire Department (PFD) to provide fire protection services to the Laveen Fire District. Under the agreement, PFD will continue to provide fire protection and suppression services, basic life support (BLS) and advanced life support (ALS) emergency medical services, ambulance transportation services, and fire, medical, and ambulance dispatch services.

Contract Term

The agreement will be for five years from the date executed; at which time it may be renewed for an additional period of five years, or remain in effect until terminated by formal act of the Parties.

Financial Impact

Laveen Fire District will reimburse the City of Phoenix for all services performed.

Responsible Department

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



Agreement with the State of Arizona Department of Administration for the 9-1-1 Program (Ordinance S-52157) - Citywide

Request authorization for the City Manager, or the City Manager's designee, to authorize the Phoenix Fire Department to retroactively apply for, accept, and enter into an agreement with the State of Arizona Department of Administration Office of Grants and Federal Resources to receive a 9-1-1 grant not to exceed \$1,013,637. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Arizona Department of Administration requires 9-1-1 planning at a local level as referenced in the State of Arizona Administrative Code, Title 2, Chapter 1, Article 4 Emergency Telecommunications Services Revolving Fund. The State of Arizona Office of Grants and Federal Resources' Arizona 9-1-1 Program Office has announced the availability of funds for the Program to be distributed during Fiscal Year 2025-26. Funding will be available for multiple grants and allocated to each System Administrator Agency to pay, on behalf of the Public Safety Answering Points (PSAP), 9-1-1 system costs and approved projects that support the goals of the Arizona 9-1-1 Program.

The System Administrator Agency for the Maricopa Region is the Phoenix Fire Department. The City of Phoenix is the contracting agent of ongoing operations of the 9-1-1 system. This authority is given through signed resolutions by Maricopa Association of Governments (MAG) member agencies. These agreements act as the governing documents for the oversight of the 9-1-1 system design, implementation, and management in the MAG Region.

The 9-1-1 Grant funding would be used to support:

- 9-1-1 networking, telecom and Internet Protocol infrastructure.
- 9-1-1 related hardware, software and maintenance equipment.
- Continue to fund current staff of the Regional 9-1-1 Services Section.

Contract Term

The Grant Period of Performance is projected to begin on or around July 1, 2025, and

end June 30, 2026.

Financial Impact

There is no cost to the City of Phoenix. All equipment, services, and personnel-related costs are reimbursed by the State of Arizona.

Responsible Department

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



Request to Apply for and Accept Federal Fiscal Year 2024 Fire Prevention and Safety Grant Program Funds (Ordinance S-52163) - Citywide

Request to retroactively authorize the City Manager, or the City Manager's designee, to apply for, and accept, if awarded, up to \$12,546.50 from the Federal Fiscal Year (FFY) 2024 Fire Prevention and Safety (FP&S) Grant Program to fund a 3D-360 degree camera system for fire investigators. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. If not approved, the Grant would be turned down.

Summary

The FP&S Program, administered through the Federal Emergency Management Agency (FEMA), is intended to help the nation's fire service by providing vital funds to local fire departments across the country. The primary goal of the program is to fund projects that are designed to reach high-risk target groups and mitigate the incidence of death and injuries caused by fire and fire-related deaths by assisting fire prevention programs and supporting firefighter health and safety research and development.

The objective of the FFY 2024 FP&S Grant Program is for grantees to carry out fire prevention education and training, fire code enforcement, fire/arson investigation, firefighter safety and health programming, prevention efforts, and research and development.

This project will provide funding for a 3D-360 camera system to support fire investigations. This advanced technology will allow fire investigators to digitally capture and reconstruct fire scenes as highly accurate, immersive 3D models. The total cost for this project is \$12,546.50, with a City match of around five percent.

Since 2008, the Fire Department has received more than \$275,000 from the FP&S Grant Program. In previous years, these awards have been used to fund fire investigator respirators, high rise floor warden training, tablets and printers for fire inspectors, and smoke detectors for community outreach.

Procurement Information

The Fire Department will administer the Grant in accordance with Administrative

Regulation 3.10.

Contract Term

The two-year Grant Period of Performance is projected to begin September 30, 2025, and end September 29, 2027.

Financial Impact

The Grant is anticipated to have up to a five percent required cost match; funds are available in the Fire Department's Operating budget.

Responsible Department

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



Request to Apply for and Accept 2024 Staffing for Adequate Fire and Emergency Response (SAFER) Grant (Ordinance S-52164) - Citywide

Request to retroactively authorize the City Manager, or the City Manager's designee, to apply for, and accept, if awarded, up to \$12,095,017 from the Federal Fiscal Year (FFY) 2024 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program. If awarded, request to create new firefighter positions. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item. If not approved, the Grant, if awarded, would be turned down.

Summary

SAFER Grants are designed to bolster fire safety by ensuring that fire departments maintain staffing levels that meet or exceed industry standards, crucial for continuous, 24/7 operational readiness. This application requests \$12,095,017 for the hiring of 32 firefighters to address attrition from retirements and resignations. The expansion in personnel is projected to significantly extend our service area and sharpen our emergency response capabilities. The Grant covers salaries and benefits for these positions over three years. If awarded, the Fire Department requests to create 32 new firefighter 56-hour (Job code 61010) positions.

Contract Term

The Grant Period of Performance is three years and is estimated to begin on or around March 2026. The program end date is on or around February 2029.

Financial Impact

If awarded, the City of Phoenix Fire Department will receive up to \$7,458,594 in grant funding for 32 firefighter positions. The first and second years of the grant require a 25 percent cost share from the Fire Department's funds, while the third year requires a 65 percent cost share. The total projected impact on the Fire Department's budget over the three-year Grant Performance Period is approximately \$5,635,253. This estimate does not include potential increases for specialized firefighter certifications that may be obtained in the three-year grant period.

Concurrence/Previous Council Action

The grant application period opened on May 23, 2025, and closes on July 3, 2025.

Responsible Department

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



Request to Accept a Donation of \$75,000 in EMS Equipment and Software from United Phoenix Firefighters Association Inc. (Ordinance S-52165) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to accept up to \$75,000 in equipment and software from United Phoenix Firefighters Association Inc. 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

In partnership with Blue Cross Blue Shield of Arizona Foundation for Community and Health Advancement, the United Phoenix Firefighters Association Inc. will donate \$75,000 in equipment and software upgrades to bolster the Phoenix Fire Department's (PFD) heat-relief initiatives and refine its ice-water immersion treatment protocols. The donation includes:

- Up to 45 cardiac monitors with integrated, continuous temperature-monitoring hardware and upgraded software; one for each PFD rescue ambulance, enabling real-time tracking of patient vitals during heat emergencies.
- Up to 120 heavy-duty coolers, to be placed on fire apparatus such as engines, ladders, ladder tenders, heavy rescues, and MR units, allowing crews to transport larger ice volumes and maintain optimal ice integrity at incident scenes.

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

Contract Term

There is no term connected to this donation.

Financial Impact

There is no financial impact on the City.

Responsible Department

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



Tactical Equipment, Technology, and Related Products for Law Enforcement Outfitting - COOP 25-0554 - Request for Award (Ordinance S-52141) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into a contract with Proforce Marketing, Inc. dba Proforce Law Enforcement to provide tactical equipment, technology, and related products for the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$3,200,000.

Summary

This contract will provide tactical equipment, technology, and other related products for the Police Department. The items include firearms, firearm replacement parts, ammunition, duty gear (belts, buckles, handcuff cases, and night vision goggles), and other equipment/accessories utilized by police in carrying out assigned tasks. These items are initially issued to personnel upon completion of the Police Academy. These items are also issued for the replacement of aged, worn, lost, and broken gear/equipment, as needed. The Police Department must be able to provide properly functioning and fitting professional equipment and gear for officers to utilize in carrying out their daily responsibilities.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. Purchasing Cooperative of America Contract RFP-OD-402-24 was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. The use of this cooperative contract will provide the City with competitive pricing for these products.

Contract Term

The contract will begin on or about July 2, 2025, and continue through March 5, 2026, with four one-year options to extend.

Financial Impact

The aggregate contract value will not exceed \$3,200,000. Funding is available in the

Police Department's operating budget.

Responsible Department

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



**Peer Recovery Support Specialist Staffing - RFP 22-073 - Amendment
(Ordinance S-52143) - Citywide**

Request to authorize the City Manager, or the City Manager's designee, to allow additional expenditures under Contract 155932 with EMPACT Suicide Prevention Center for the purchase of peer recovery support specialist staffing services for the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$604,312.

Summary

This contract provides the Police Department with behavioral health resources. Allowing the Police Department to contract with EMPACT Suicide Prevention Center enables it to adopt Tempe's first-responder-led diversion program. The Police Department collaborates with EMPACT Suicide Prevention Center to reduce overdose fatalities and the overall impact of substance abuse. In addition to these services, EMPACT Suicide Prevention Center provides key training and resources to assist community members in dealing with mental health, substance abuse, and suicide.

Contract Term

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

Financial Impact

Upon approval of \$604,312 in additional funds, the revised aggregate value of the contract will not exceed \$23,604,312. Funds are available in the Police Department's budget through the Comprehensive Opioid, Stimulant, and Substance Abuse Site-based Program (COSSAP) Grant.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Peer Recovery Support Specialist Staffing, Contract 155932 (Ordinance S-48325) on February 16, 2022.

Responsible Department

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



Intergovernmental Agreement with State of Arizona Attorney General's Office in Support of Internet Crimes Against Children Taskforce (Ordinance S-52169) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to allow the Police Department to enter into an agreement to accept funding from the State of Arizona Attorney General's Office in support of the Internet Crimes Against Children Task Force and to grant an exception to the requirements of Phoenix City Code (PCC) Section 42-18(A) per PCC Section 42-20(B). The funding for this request will not exceed \$2,700,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Arizona Internet Crimes Against Children (AZICAC) Task Force is partnered with multiple agencies statewide that includes investigators from city, county, state, and federal agencies. Since 2006, Arizona law enforcement detectives and special agents have conducted several investigations resulting in the incarceration of hundreds of offenders. In addition, the AZICAC Task Force has provided training presentations to children, parents, and community groups to educate them on how to protect children from internet crimes. The goal of the task force is to identify, investigate, and prosecute individuals who exploit children. The agreement will support the task force by providing funding for personnel, technology, equipment, and supplies.

Contract Term

The contract period is from July 1, 2025 to June 30, 2028.

Financial Impact

No matching funds are required; cost to the City is in-kind resources only.

Responsible Department

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



Authorization to Amend Current Agreement and Ordinance with Arizona Criminal Justice Commission for FY 2025 Full-Service Forensic Crime Laboratory Grant Program (Ordinance S-52170) - Citywide

Request authorization for the City Manager, or the City Manager's designee, to amend Ordinance S-50871 and the current agreement with the Arizona Criminal Justice Commission for the 2025 Full-Service Forensic Crime Laboratory Grant Program. Authorization of the amendment will extend the agreement period by 24 months. No additional funds are being requested. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

In May 2024, the Police Department was awarded the FY 2025 Full-Service Forensic Crime Laboratory Grant in the amount of \$540,000. The award period was from July 1, 2024 through June 30, 2025. The agreement funds the purchase of overtime, related fringe benefits, travel expenses, training costs, supplies, and equipment for laboratory staff to improve the efficiency and effectiveness of the crime laboratory. The Police Department recently requested an extension on the grant to expend the remaining funds. Authorization of this amendment will extend the agreement period end date to June 30, 2027. No additional funds are being requested.

Contract Term

This amendment will extend the contract period end date to June 30, 2027.

Financial Impact

No matching funds are required. Cost to the City is in-kind resources only.

Responsible Department

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



Authorization to Amend Current Agreement and Ordinance with the Bureau of Justice Assistance for FY 2021 Smart Policing Initiative Grant (Ordinance S-52171) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to amend Ordinance S-47902 and the current agreement with the Bureau of Justice Assistance for the FY 2021 Smart Policing Initiative Grant. Authorization of the amendment will extend the agreement to September 30, 2027. No additional funding is being requested. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

In August 2021, the Police Department was awarded the FY 2021 Smart Policing Initiative Grant in the amount of \$500,000 to implement a project to advance the state of policing to improve investigations, officer and civilian safety, and training and policies in response to resistance. The agreement funds the purchase of software and equipment and provides funding to conduct project oversight. The Police Department recently requested an extension to expend the remaining funds. Authorization of this amendment will extend the agreement period end date to September 30, 2027. No additional funding is being requested.

Contract Term

This amendment will extend the contract period end date to September 30, 2027.

Financial Impact

No matching funds are required.

Responsible Department

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



Authorization to Amend Current Agreement and Ordinance for the Hickey Family Foundation Grant (Ordinance S-52172) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to amend Ordinance S-49694 and the current agreement with the Hickey Family Foundation. Authorization of this amendment will extend the agreement to December 31, 2025. No additional funds are being requested. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

In March 2022, the Police Department was awarded a grant from the Hickey Family Foundation to support the Department's Human Exploitation and Trafficking (H.E.A.T) Unit's mission to combat human trafficking by focusing on commercial sexual exploitation of children and domestic minor sex trafficking. The agreement funds operational and investigative expenses, training, and equipment that directly impact the unit's ability to efficiently and effectively investigate the various forms of human trafficking allowing for positive impact to the human trafficking victims throughout the State of Arizona. The Police Department recently requested an extension on the grant award to expend the remaining funds. Authorization of this amendment will extend the agreement period end date to December 31, 2025. No additional funds are being requested.

Contract Term

This amendment will extend the contract period end date to December 31, 2025.

Financial Impact

No matching funds are required.

Responsible Department

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



**(CONTINUED FROM JUNE 4 AND 18, 2025) - Photo Enforcement Cameras -
COOP 25-0615 - Request for Award (Ordinance S-51964) - Citywide**

Request to authorize the City Manager, or the City Manager's designee, to enter into a contract with American Traffic Solutions, Inc. dba Verra Mobility to provide Photo Enforcement Camera Services for the Street Transportation Department's Traffic Safety Photo Enforcement Program. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$12,000,000.

Summary

This contract provides the services associated with Mobile Speed Photo Radar Vehicles, Portable Speed Photo Radar Units, and Intersection Enforcement Camera Systems to enhance public safety by addressing red light and speed limit violations, thereby reducing traffic collisions, injuries, and property damage. The Program will focus on high-collision areas, school zones, and locations identified through traffic data.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. The City of Scottsdale awarded contract RFP032023-075 using a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Use of the cooperative agreement allows the City of Phoenix to streamline the procurement process to ensure pricing is equal to or better than the Contractor's most favorable pricing while complying with competitive procurement requirements.

Contract Term

The contract will begin on or about June 15, 2025, and continue through March 31, 2026, with four one-year options to extend.

Financial Impact

The aggregate contract value will not exceed \$12,000,000 for the aggregate contract term. Funding is available in the Street Transportation Department's operating budget.

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson and the Street Transportation Department.



To: Inger Erickson
Assistant City Manager

Date: June 11, 2025

From: Andrew Granger, P.E.
Assistant Street Transportation Director

Subject: CONTINUANCE REQUEST - PHOTO ENFORCEMENT CAMERAS - COOP 25-0615 - REQUEST FOR AWARD (ORDINANCE S-51964) – ON THE JUNE 18, 2025, FORMAL AGENDA

This memo requests the continuance of the following item on the June 18, 2025, Formal Agenda – (CONTINUED FROM JUNE 4, 2025) - Photo Enforcement Cameras - COOP 25-0615 - Request for Award (Ordinance S-51964) – Citywide.

This request is to continue the item to July 2, 2025, in order to continue to explore additional options for consideration by the Mayor and City Council.

Approved: _____

Inger Erickson, Assistant City Manager

Date

6/11/2025



To: Inger Erickson
Assistant City Manager

Date: June 2, 2025

From: Brandy A. Kelso, P.E.
Interim Street Transportation Director

Subject: CONTINUANCE OF ITEM 103 ON THE JUNE 4, 2025, CITY COUNCIL
FORMAL MEETING AGENDA – PHOTO ENFORCEMENT CAMERAS – COOP
25-0615-REQUEST FOR AWARD (ORDINANCE S-51964)

Item 103, Photo Enforcement Cameras - COOP 25-0615- Request for Award (Ordinance S-51964), is requested to continue the item from the June 4 Formal agenda to the June 18, 2025, agenda. The reason for this request is to allow staff to work on changes brought forward by the vendor, staff require time to review and make updates to the proposed request for the award.

Staff recommend continuing this item to the June 18, 2025, City Council Formal meeting.

Approved: _____

Inger Erickson, Assistant City Manager

Date

6/2/2025



Phoenix Sky Harbor International Airport Terminal 3 North Concourse 2 Processor Improvements - Construction Manager at Risk Services - AV13000004 (Ordinance S-52144) - District 8

Request to authorize the City Manager, or his designee, to enter into an agreement with Hensel Phelps Construction Co. to provide Construction Manager at Risk Preconstruction and Construction Services for the Phoenix Sky Harbor International Airport Terminal 3 North Concourse 2 Processor Improvements 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 \$125 million.

Summary

The purpose of this project is to improve the Terminal Processor and Baggage Handling System (BHS) at Phoenix Sky Harbor International Airport Terminal 3. This project consists of modifications to the passenger check-in process, improvements to BHS operations, and providing additional passenger security screening checkpoint (SSCP) capacity.

Hensel Phelps Construction Co. will begin in an agency support role for Construction Manager At Risk Preconstruction Services. Hensel Phelps Construction Co. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Hensel Phelps Construction Co.'s Preconstruction Services include, but are not limited to: provide pre-construction services team to deliver a complete project; perform all preconstruction services for design phase to assure conformance with requirements; investigate and evaluate existing conditions and project constraints; protect the City's sensitivity to quality, safety, and environmental factors; assist the design team with efforts to identify private and public utility easements; validate LEED goals and incorporate the Aviation department's sustainability initiatives; collaborate with the owner and design team during the design phase to validate and synchronize the scope, budget, and schedule to meet project requirements; provide detailed cost estimating, validate milestone deliverables, and reconcile with 3rd party construction

cost estimates for each design phase milestone; provide project planning, scheduling, and assist in the permitting processes; provide construction phasing and scheduling that will minimize interruption to City operations; initiate procurement of long-lead items; identify Guaranteed Maximum Price (GMP) proposal package strategy and present alternate strategies to optimize sequence of construction; attend all project and team meetings as necessary to maintain the project objectives; prepare all reports for distribution to executives and stakeholders; perform design/constructability review of design documents at milestone review period; perform value engineering / cost reduction efforts to optimize project budget; and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

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

Hensel Phelps Construction Co.'s additional Construction Services include: construct the Phoenix Sky Harbor International Airport Terminal 3 North Concourse 2 Processor Improvements project; bond and insure the construction; provide quality controls and maintain site safety personnel from preconstruction through project closeout; notify the City of any unsafe conditions observed at the construction site; obtain required As-Built documentation to establish existing conditions; conduct field surveys/inspections and prepare reports to ensure compliance with the project plans and specifications; coordinate with various City of Phoenix departments, other agencies, and utility companies to meet all project requirements; prepare time-scaled logic construction schedule, and update throughout project duration; participate in Operational Readiness Activation and Transition meetings and provide any supporting documentation, as required; perform reviews and provide input on LEED and sustainability evaluation criteria relative to City standards and Aviation Department goals; provide itemized cost detail as required in support of proposed potential change notifications and change orders; provide coordination and resources to achieve Transportation Security Administration acceptance/approval for BHS Site Acceptance Testing, Pre-Integrated Site Acceptance Testing, Test Readiness Review, Integrated Site Acceptance Test, and all other BHS testing or commissioning by all agencies, departments, designers, and consultants; prepare and submit punch list and record documents for design team review/approval; prepare closeout submittal log with metrics; participate in the 11 ½ month warranty inspection; maintain all project records in electronic format; and provide construction services team to deliver a complete

project.

Procurement Information

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

Selected Firm

- Rank 1: Hensel Phelps Construction Co.

Additional Proposers

- Rank 2: Hunt Construction Group, Inc. dba AECOM Hunt
- Rank 3: Hoffman Construction Company of Arizona
- Rank 4: The Weitz Company, LLC
- Rank 5: Chasse Building Team, Inc.
- Rank 6: Sundt Construction, Inc.
- Rank 7: Austin Commercial, LP

Contract Term

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

Financial Impact

The agreement value for Hensel Phelps Construction Co. will not exceed \$125 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Professional Services Agreement 162467 (Ordinance S-51627) on February 5, 2025.

Location

3400 E. Sky Harbor Boulevard
Council District: 8

Responsible Department

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



Phoenix Sky Harbor International Airport Facilities and Services Tonto Lot Campus Phase I - Construction Manager at Risk Services - AV16000037 (Ordinance S-52148) - District 8

Request to authorize the City Manager, or his designee, to enter into an agreement with Sundt Construction, Inc. to provide Construction Manager at Risk Preconstruction and Construction Services for the Phoenix Sky Harbor International Airport Facilities and Services Tonto Lot Campus Phase I 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 \$20.5 million.

Summary

The purpose of this project is to develop a new consolidated campus for the Facilities and Services Division at Phoenix Sky Harbor International Airport. The main Facilities and Services building campus is in the site area for the future West Terminal building. This new multi-building campus is proposed as a phased development to relocate all operational functions of Facilities and Services Division onto a consolidated campus site. The first phase includes the construction of the initial building facility to accommodate both permanent and temporary functions and comprehensive master planning for the entire new campus site.

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

Sundt Construction, Inc.'s Preconstruction Services include, but are not limited to: provide preconstruction services team to deliver a complete project; perform all preconstruction services for design phase to assure conformance with requirements; investigate and evaluate existing conditions and project constraints; protect the City's sensitivity to quality, safety, and environmental factors; assist the design team with efforts to identify private and public utility easements; validate LEED goals and incorporate the Aviation Department's sustainability initiatives; collaborate with the owner and design team during the design phase to validate and synchronize the scope, budget, and schedule to meet project requirements; provide detailed cost

estimating, validate milestone deliverables, and reconcile with third party construction cost estimates for each design phase milestone; provide project planning, scheduling, and assist in the permitting processes; provide construction phasing and scheduling that will minimize interruption to City operations; initiate procurement of long-lead items; identify Guaranteed Maximum Price (GMP) proposal package strategy and present alternate strategies to optimize sequence of construction; attend all project and team meetings as necessary to maintain the project objectives; prepare all reports for distribution to executives and stakeholders; perform design/constructability review of design documents at milestone review period; perform value engineering / cost reduction efforts to optimize project budget; and participate with the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

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

Sundt Construction, Inc.'s additional Construction Services include construct the Phoenix Sky Harbor International Airport Facilities and Services Tonto Lot Campus Phase I project; bond and insure the construction; provide quality controls and maintain site safety personnel from preconstruction through project closeout; notify the City of any unsafe conditions observed at the construction site; obtain required As-Built documentation to establish existing conditions; conduct field surveys/inspections and prepare reports to ensure compliance with the project plans and specifications; coordinate with various City of Phoenix departments, other agencies, and utility companies to meet all project requirements; prepare time-scaled logic construction schedule, and update throughout project duration; participate in Operational Readiness Activation and Transition meetings and provide any supporting documentation, as required; perform reviews and provide input on LEED and sustainability evaluation criteria relative to City standards and Aviation Department goals; provide itemized cost detail as required in support of proposed potential change notifications and change orders; prepare and submit punch list and record documents for design team review/approval; prepare closeout submittal log with metrics; participate in the 11.5 month warranty inspection; maintain all project records in electronic format; and provide construction services team to deliver a complete project.

Procurement Information

The selection was made using a qualifications-based selection process set forth in

section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. There were 12 firms that submitted proposals, which are listed in **Attachment A**.

Contract Term

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

Financial Impact

The agreement value for Sundt Construction, Inc. will not exceed \$20.5 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Professional Services Agreement 162466 (Ordinance S-51625) on February 5, 2025.

Location

2485 E. Buckeye Road
Council District: 8

Responsible Department

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

ATTACHMENT A

Selected Firm

Rank 1: Sundt Construction Co.

Additional Proposers

Rank 2: Willmeng Construction, Inc.

Rank 3: Okland Construction, Inc.

Rank 4: Chasse Building Team, Inc.

Rank 5: Hunt Construction Group, Inc. dba AECOM Hunt

Rank 6: FCI Constructors, Inc.

Rank 7: Kitchell Contractors, Inc. of Arizona

Rank 8: M. A. Mortenson Company

Rank 9: Brycon Corporation

Rank 10: Sun Eagle Corporation

Rank 11: Austin Commercial, LP

Rank 12: GCON, Inc.



Citywide Asbestos and Lead Abatement Job Order Contracting Services - JOC241 (Ordinance S-52138) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into separate master agreements with five contractors listed below to provide Citywide Asbestos and Lead Abatement Job Order Contracting Services for the City. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed \$30 million.

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

Summary

The Job Order Contracting (JOC) contractors' services will be used on an as-needed basis to provide Citywide Asbestos and Lead Abatement JOC Services that include abatement, transport and disposal, documentation, "put back" of materials, and other environmental services as requested. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

The selections were made using a qualifications-based selection process set forth in Section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. Section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Nine firms submitted proposals

and are listed below:

Selected Firms

- Rank 1: ATI Restoration, LLC
- Rank 2: Sagebrush Restoration, LLC
- Rank 3: Spray Systems of Arizona, Inc.
- Rank 4: Southwest Hazard Control, Inc.
- Rank 5: East Valley Disaster Services, Inc.

Additional Proposers

- Rank 6: Kary Environmental Services, Inc.
- Rank 7: Native Environmental, LLC
- Rank 8: Kowalski Construction, Inc.
- Rank 9: Circadian Enterprises Incorporated dba American Abatement

Contract Term

The term of each master agreement is for up to five years, or up to \$6 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement value for each of the JOC contractors will not exceed \$6 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$30 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to \$1 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

Funding is available in the Citywide Capital Improvement Program and/or Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson and the City Engineer.



Public Works Department Solid Waste Support On-Call Services for Fiscal Years 2025-26 to 2029-30 (Ordinance S-52139) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into separate agreements with the six consultants listed below to provide Solid Waste Support On-Call Services for the Public Works Department for Fiscal Years 2025-26 to 2029-30. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total cost for all services will not exceed \$4.8 million.

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

Summary

The consultants will be responsible for providing various on-call support services that include, but are not limited to: solid waste landfills, transfer stations, groundwater monitoring, survey services, studies, plan review, special inspections, programming, and the development of plans, specifications, and cost estimates.

Procurement Information

The selections were made using a qualifications-based selection process set forth in Section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. Section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Ten firms submitted proposals and are listed below:

Selected Firms

Rank 1: Geologic Associates, Inc.
Rank 2: Brown and Caldwell, Inc.
Rank 3: S3 Arizona LLC
Rank 4: Tetra Tech BAS, Inc.
Rank 5: Civil & Environmental Consultants, Inc.
Rank 6: AMTECH Associates, LLC

Additional Proposers

Rank 7: WSP USA Inc.
Rank 8: Alta Survey, LLC dba Alta E&I
Rank 9: Atlas Technical Consultants LLC
Rank 10: Burgess & Niple, Inc.

Contract Term

The term of the agreements is up to five years, or up to \$1.8 million for Geologic Associates, Inc. and up to \$600,000 each for the remaining firms, whichever occurs first. 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 each of the on-call consultants, including all subconsultant and reimbursable costs will not exceed:

- Geologic Associates, Inc.: \$1.8 million
- Brown and Caldwell, Inc.: \$600,000
- S3 Arizona LLC: \$600,000
- Tetra Tech BAS, Inc.: \$600,000
- Civil & Environmental Consultants, Inc.: \$600,000
- AMTECH Associates, LLC: \$600,000

The total fee for all services will not exceed \$4.8 million.

Funding is available in the Public Works Department Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any on-call task order of \$100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager Mario Paniagua, the Public Works Department and the City Engineer.



Construction Contracts Required During City Council Summer Recess (Ordinance S-52176) - Citywide

Request to authorize the City Manager, or his designee, to enter up to four contracts in support of certain critical construction projects during the City Council summer recess that cannot wait until the City Council's return in the fall. Further request to authorize the City Controller to disburse any and all funds related to this item. Each of the four contracts authorized herein along with the named contracting party, the term and amount of the contract will be separately ratified by City Council at a future date.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the related projects. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation.

Summary

The Office of the City Engineer has identified the following items as urgent, critical, and requiring contract services for projects that have very time sensitive construction deadlines. The procurements related to these projects are scheduled to complete selection in late June and July 2025, which will not allow contract awards to occur prior to Council's summer recess. The specific reasons for the urgency of each item are set forth in more detail below.

- Item 1: HS99990005 - Motel Conversion to Senior Affordable Housing Design-Bid-Build Services. The lowest, responsible, responsive bid will be awarded. Funding is available through the American Rescue Plan Act (ARPA). Contract services for this item are urgent because construction projects that use ARPA funds need to maintain a strict timeline in order to use all ARPA funds before they expire. Council

District 5

- Item 2: PT22137001 FTA - Phase I Electric Battery Charging Stations and Temporary Hydrogen Fueling Stations for Buses Design-Bid-Build Services. The lowest, responsible, responsive bid will be awarded. Contract services for this item are urgent because construction of the electrical battery charging and temporary hydrogen fueling facilities must be completed prior to taking delivery of the buses which have already been ordered. Council District 7
- Item 3: ND30080040 - Burton Barr College Depot Design-Bid-Build Services. The lowest, responsible, responsive bid will be awarded. Contract services for this item are urgent due to volatility in market prices and resulting price escalation for design-bid-build services. Council District 7
- Item 4: ST87600132 - Western Canalscape: 4th Avenue to 24th Street Design-Bid-Build. The lowest, responsible, responsive bid will be awarded. Contract services for this item are urgent due to a deadline to meeting a funding match from the Salt River Project. Council Districts 7 and 8

Procurement Information

The City Engineer recommends entering into contracts by the City Manager during the summer recess to the firms who provide the best value to the City based on qualifications and price proposals submitted by the firms in response to the City's request for bids and proposals for the projects listed above.

Contract Term

Contract terms will vary depending on the scope of services for each project. 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

Capital Improvement Program or Operating budget funding may be utilized. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Managers Gina Montes, Alan Stephenson and Mario Paniagua, the Office of Homeless Solutions, the Neighborhood Services, Public Transit and Street Transportation departments and the City Engineer.



Water Transmission Mains Engineering On-Call Services (Ordinance S-52151) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into separate agreements with the three consultants listed in **Attachment A** to provide Engineering On-Call Services for the Water Services Department's Water Transmission Mains Program. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed \$6 million.

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

Summary

The on-call consultants will be responsible for providing On-Call Water Transmission Mains Engineering Services that include, but are not limited to: water transmission main design services, provision of construction documents and specifications, utility corridor studies, identification of all utility locations both vertically and horizontally in conflict with the proposed transmission main alignment, construction administration and inspection services, and daily interaction with contractors to clarify job requirements.

Procurement Information

The selections were made using a qualifications-based selection process set forth in Section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S.

Section 34-604(H), the City may not publicly release information on proposals received, including the scoring results, until an agreement is awarded. Eleven firms submitted proposals and are listed in **Attachment A**.

Contract Term

The term of each agreement is up to two years, or up to \$2 million, whichever occurs first. The 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 each of the on-call consultants will not exceed \$2 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed \$6 million.

Funding is available in the Water Services Department's Capital Improvement Program Budget. The Budget and Research Department will review and approve funding availability prior to issuance of any on-call task order of \$100,000 or more. Payments may be made up to the agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager Ginger Spencer, the City Engineer and the Water Services Department.

ATTACHMENT A

Selected Firms

Rank 1: Black & Veatch Corporation

Rank 2: Entellus, Inc.

Rank 3: Dibble & Associates Consulting Engineers, Inc.

Additional Proposers

Rank 4: Wilson Engineers, LLC

Rank 5: HDR Engineering, Inc.

Rank 6: Carollo Engineers, Inc.

Rank 7: Consor North America, Inc.

Rank 8: Kimley-Horn and Associates, Inc.

Rank 9: Stantec Consulting Services, Inc.

Rank 10: Olsson

Rank 11: Strand Associates, Inc.

Rank 12: Stanley Consultants, Inc.

Rank 13: Engineering Alliance, Inc.



Water Main Replacement Area Bounded By: Mountain View Road to Peoria Avenue and 19th Avenue to 15th Avenue - Design-Bid-Build Services - WS85509031 WIFA (Ordinance S-52136) - District 3

Request to authorize the City Manager, or the City Manager's designee, to accept FPS Civil, LLC as the lowest-priced, responsive and responsible bidder and to enter into an agreement with FPS Civil, LLC for Design-Bid-Build Services for the Water Main Replacement Area Bounded By Mountain View Road to Peoria Avenue and 19th Avenue to 15th Avenue Project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed \$11.7 million, including any change orders.

Summary

The purpose of this Project is to install approximately 29,000 linear feet (LF) of water main.

FPS Civil, LLC's services include, but are not limited to: construction of water main installation of approximately 29,000 LF of Main (500 LF of 4-inch main, 20,700 LF of 6-inch main, 2,600 LF of 8-inch main, and 5,200 LF of 12-inch main), 45 fire hydrants, 20 cut and plugs, and 520 services.

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Eight bids were received on April 2, 2025 and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Opinion of Probable Cost and the lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: \$8,126,925.00

FPS Civil, LLC: \$11,423,796.87

Talis Construction Corporation: \$11,612,325.00

Degan Construction, LLC: \$12,166,967.00

TF Contracting Services: \$12,503,040.00
Achen-Gardner Construction, LLC: \$13,351,666.00
Hunter Construction Co.: \$13,495,465.20
Loenbro Industrial, LLC dba Revolution Industrial, LLC: \$13,508,141.74
Sellers & Sons Inc.: \$17,400,377.50

Although the bid exceeds the Opinion of Probable Cost by more than 10 percent, it has been determined the bid represents a fair and reasonable price for that required work scope. Additionally, the bid award amount is within the total budget for this Project.

The reason for the variance from the Opinion of Probable Cost to the lowest, responsive, responsible bid is that the project was put on hold, and when the project was permitted and bid, changing market conditions and inflation were not captured to a sufficient degree. Between the mentioned reasons and contractor availability, the growing threat of tariffs, and market volatility, the Opinion of Probable Cost fell short of the apparent lowest bidder.

Due to volatile material costs and increased labor prices in the construction industry, a \$276,203 contingency is being requested to allow for project uncertainties. The initial agreement will be executed at the bid amount of \$11,423,796.87. Use of the \$276,203 contingency above the amount will not be allowed without the prior written approval of the Water Services Department Director and the City Engineer.

Contract Term

The term of the agreement is 450 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for FPS Civil, LLC will not exceed \$11.7 million, including all subcontractor and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 40 Code of Federal Regulations Part 33, 49 Code of Federal Regulations Part 26, and the U.S. Department of Transportation DBE program. Funding is available in the Water Services Department's Capital Improvement Program. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

Mountain View Road to Peoria Avenue and 19th Avenue to 15th Avenue
Council District: 3

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager Ginger Spencer, the Water Services Department and the City Engineer.



Water Main Replacement Area Bounded by Mountain View Road to Peoria Avenue and 19th Avenue to 15th Avenue - Construction Administration and Inspection Services - WS85509031 WIFA (Ordinance S-52137) - District 3

Request to authorize the City Manager, or the City Manager's designee, to enter into an agreement with Sunrise Engineering, LLC to provide construction administration and inspection services for the Water Main Replacement Area Bounded by Mountain View Road to Peoria Avenue and 19th Avenue to 15th Avenue 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 \$779,840.

Summary

The purpose of this Project is to provide construction administration and inspection for the installation of approximately 29,000 linear feet (LF) of water main, 45 fire hydrants, 20 cut and plugs, and 520 services.

Sunrise Engineering's services include, but are not limited to the following: administer the construction schedule, review of submittals including shop drawings, test results and operation and maintenance documentation, issue interpretations and clarifications, certify contractor progress payments, substantial completion and final inspection, minor changes, change order requests and change orders, material testing, record drawings and project documents, approval of certification of completion, field administration, on-site inspection and review of the work completion, project specification update and lesson learns presentation, warranty, storm water permit for construction activity, and update Computerized Maintenance Management System.

Procurement Information

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

Selected Firm

Rank 1: Sunrise Engineering, LLC

Additional Proposers

Rank 2: Entellus, Inc.

Rank 3: Wilson Engineers, LLC

Rank 4: Stanley Consultants, Inc.

Rank 5: Tristar Engineering and Management, Inc.

Contract Term

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

Financial Impact

The agreement value for Sunrise Engineering, LLC will not exceed \$779,840, including all subconsultant and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 40 Code of Federal Regulations Part 33, 49 Code of Federal Regulations Part 26, and the U.S. Department of Transportation Disadvantaged Business Enterprise program. Funding is available in the Water Services Department's Capital Improvement Program. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

General Location: Mountain View Road to Peoria Avenue and 19th Avenue to 15th Avenue

Council District: 3

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager Ginger Spencer, the Water Services Department and the City Engineer.



Water Main Replacement Orangewood Avenue to Northern Avenue and 12th Street to 16th Street - Engineering Services - WS85509037 (Ordinance S-52153) - District 6

Request to authorize the City Manager, or the City Manager's designee, to enter into an agreement with Entellus, Inc. to provide Engineering Services that include design, and possible construction administration and inspection services for the Water Main Replacement Orangewood to Northern Avenues and 12th to 16th Streets Project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed \$1,960,000.

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

Summary

The purpose of this project is to provide design and possible construction administration and inspection services for the installation of approximately 23,005 linear feet (LF) of main line (60 LF of 4" main, 11,979 LF of 6" main, 5,238 LF of 8" main, and 5,728 LF of 12" main), 22 fire hydrants (FH), 36 cut and plugs, and 218 service lines (105 Parcel).

Entellus, Inc.'s services include, but are not limited to: data collection and field survey work; preparation of base maps and initial design; utility coordination; preparation of special provisions; and active coordination and communication with Construction Manager at Risk and the City's staff for all related activities.

Procurement Information

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

Selected Firm

Rank 1: Entellus, Inc.

Additional Proposers

Rank 2: Kimley-Horn and Associates, Inc.

Rank 3: Consor North America, Inc.

Rank 4: Ardurra Group, Inc.

Rank 5: Burgess & Niple, Inc.

Contract Term

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

Financial Impact

The agreement value for Entellus, Inc. will not exceed \$1,960,000, including all subconsultant and reimbursable costs.

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

Location

Orangewood to Northern avenues and 12th to 16th streets.

Council District: 6

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager Ginger Spencer, the City Engineer and Water Services Department.



Water Main Replacement Orangewood Avenue to Northern Avenue and 12th Street to 16th Street - Construction Manager at Risk Services - WS85509037 (Ordinance S-52154) - District 6

Request to authorize the City Manager, or the City Manager's designee, to enter into an agreement with B & F Contracting, Inc. to provide Construction Manager at Risk Preconstruction and Construction Services for the Water Main Replacement Orangewood to Northern Avenues and 12th to 16th Streets Project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$9,415,000.

Summary

The purpose of this project is to evaluate and replace aging water mains within the city of Phoenix. The primary focus of the program is currently water mains in alleys and easements which have historically had high break rates and are difficult to repair. Work for this project will include installation of new 6-inch to 12-inch water mains, multiple cut and plugs, and installation or relocation of fire hydrants. Coordination with the City's staff and plumbing contractors regarding relocation of water services may also be required.

B & F Contracting, Inc. will begin in an agency support role for Construction Manager at Risk Preconstruction Services. B & F Contracting, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price Agreement.

B & F Contracting, Inc.'s Preconstruction Services include, but are not limited to: providing detailed cost estimating and knowledge of market place conditions, assisting in the permitting process, advising the City on choosing green building materials, providing long-lead procurement studies and initiating procurement of long-lead items, and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

B & F Contracting, Inc.'s initial Construction Services will include preparation of a Guaranteed Maximum Price (GMP) proposal provided under the agreement. B&F Contracting, Inc. will be responsible for construction means and methods related to the

project and fulfilling the SBE program requirements. B & F Contracting, Inc. will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. B & F Contracting, Inc. may also compete to self-perform limited amounts of work.

B & F Contracting Inc.'s additional Construction Services include the following: arrange for procurement of materials and equipment, bid, award, and manage all construction related contracts while meeting the City's bid requirements including the local and SBE participation goal, prepare a GMP proposal that meets the approval of the City, and address all federal, state and local permitting requirements.

Procurement Information

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

Selected Firm

Rank 1: B & F Contracting, Inc.

Additional Proposers

Rank 2: Hunter Contracting Co.

Rank 3: TFC Contracting Services

Rank 4: Talis Construction Corporation

Rank 5: Haydon Companies, LLC

Rank 6: Kinkaid Civil Construction

Rank 7: Pulice Construction, Inc.

Rank 8: NPL Construction Co., dba TPL Construction Co.

Contract Term

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

Financial Impact

The agreement value for B & F Contracting, Inc. will not exceed \$9,415,000 including all subcontractor and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program

Budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

Orangewood to Northern avenues and 12th to 16th streets.
Council District: 6

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager Ginger Spencer, the City Engineer and Water Services Department.



Water Main Replacement Pressure Zone 5E - Construction Manager at Risk Services - WS85509123 (Ordinance S-52155) - District 2

Request to authorize the City Manager, or the City Manager's designee, to enter into an agreement with B & F Contracting, Inc. to provide Construction Manager at Risk Preconstruction and Construction Services for the Water Main Replacement Pressure Zone 5E 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 \$21,532,500.

Summary

The purpose of this Project is to evaluate and replace aging water mains within the City of Phoenix. The primary focus of the program is currently water mains in alleys and easements that have historically had high break rates and are difficult to repair. Work for this project will include installation of new 6-inch to 12-inch water mains, multiple cut and plugs, and installation or relocation of fire hydrants. Coordination with the City's staff and plumbing contractors regarding relocation of water services may also be required.

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

B & F Contracting, Inc.'s Preconstruction Services include, but are not limited to: providing detailed cost estimating and knowledge of market place conditions; assisting in the permitting process; advising the City on choosing green building materials; providing long-lead procurement studies and initiating procurement of long-lead items; and participating with the City in a process to establish a Small Business Enterprise (SBE) Goal for the Project.

B & F Contracting, Inc.'s initial construction services will include preparation of a Guaranteed Maximum Price (GMP) Proposal provided under the agreement. B&F Contracting, Inc. will be responsible for construction means and methods related to the Project and fulfilling the SBE program requirements. B & F Contracting, Inc. will be

required to solicit bids from pre-qualified subcontractors and to perform the work using the City's subcontractor selection process. B & F Contracting, Inc. may also compete to self-perform limited amounts of work.

B & F Contracting Inc.'s additional Construction Services include the following: arrange for procurement of materials and equipment; bid, award, and manage all construction-related contracts while meeting the City's bid requirements, including the local and SBE participation goal; prepare a GMP proposal that meets the approval of the City; and address all federal, state and local permitting requirements.

Procurement Information

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

Selected Firm

Rank 1: B & F Contracting, Inc.

Additional Proposers

Rank 2: Hunter Contracting Co.

Rank 3: Talis Construction Corporation

Rank 4: Haydon Companies, LLC

Rank 5: NPL Construction Co. dba TPL Construction Co.

Contract Term

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

Financial Impact

The agreement value for B & F Contracting, Inc. will not exceed \$21,532,500, including all subcontractor and reimbursable costs.

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

Location

Area Bounded By: 52nd Street to 69th Place and St. John Road to Paradise Lane
Council District: 2

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager Ginger Spencer, the City Engineer and the Water Services Department.



Street, Pathway, and Wall Pack Lighting Installation - 2-Step Job Order Contracting Services - JOC234 (Ordinance S-52156) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into separate master agreements with the two contractors listed below to provide Street, Pathway, and Wall Pack Lighting Installation 2-Step Job Order Contracting Services for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed \$10 million.

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

Summary

The job order contracting (JOC) contractors' services will be used on an as-needed basis to provide Street, Pathway, and Wall Pack Lighting Installation 2-Step Services for: installation of streetlights, pathway lights, and wall pack lighting; installations of foundations for streetlights, power service pedestals, underground conduit, and junction boxes; directional boring across streets; open trench conduit work; concrete and asphalt removal and repair; coordination with City archeological requirements when applicable; landscape restoration; and survey. Additionally, the JOC contractors will be responsible for fulfilling requirements of the Small Business Enterprise Program.

Procurement Information

The selections were made using a two-step qualifications and price-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Three firms submitted proposals and are listed below.

Selected Firms

Rank 1: Utility Construction Company, Inc.

Rank 2: Power Tech Contracting, LLC

Additional submitters who were deemed non-responsive

Station Power Construction LLC

Contract Term

The term of each master agreement is for up to five years, or up to \$5 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement value for each of the JOC contractors will not exceed \$5 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$5 million.

Request to authorize the City Manager, or the City Manager's designee, to execute job order agreements performed under these master agreements for up to \$2 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, the Street Transportation Department and the City Engineer.



**Citywide General Construction - Job Order Contract Services Amendment
4108JOC209 (Ordinance S-52159) - District 8**

Request to authorize the City Manager, or the City Manager's designee, to execute an amendment to Master Agreement 156750 with Caliente Construction, Inc. to authorize execution of a Job Order Agreement in an amount not to exceed \$4 million for the Herberger Theater Theatrical Improvements Project and to execute an amendment to Master Agreement 156754 with Okland Construction Company, Inc. to authorize execution of a Job Order Agreement in an amount not to exceed \$5 million for the Symphony Hall Theatrical Improvements Project. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. Each Job Order Agreement amount will not change its respective Master Agreement's Council approved not-to-exceed amount.

Summary

The purpose of the Herberger Theater Theatrical Improvements Project is to update the Herberger Theater by replacing theatrical lighting equipment and the audio system and by installing an assistive listening system.

The purpose of the Symphony Hall Theatrical Improvements Project is to improve the acoustical and audio visual experience for both patrons and performers at Symphony Hall.

These amendments are necessary because use of job order contract construction services allows the City to address timeline requirements and specialized aspects of each project. This amendment will provide additional funds to the individual project agreements.

Contract Term

There is no impact to the original Master Agreement term. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial Master Agreements for General Construction Job Order Contract Services were approved for an amount not to exceed \$15 million each, including all subcontractor and reimbursable costs. An amendment increased the Master Agreements by an additional \$20 million each, for a new total amount not to exceed \$35 million each, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

- The City Council approved General Construction Job Order Contract Services Master Agreements 156750 and 156754 (Ordinance S-48850) on July 1, 2022.
- The City Council approved General Construction Job Order Contract Services Master Agreement 156750 and 156754 Amendments (Ordinance S-50515) on January 24, 2024.

Location

Herberger Theater - 222 E. Monroe Street

Symphony Hall - 75 N. Second Street

Council District: 8

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager John Chan, the Phoenix Convention Center Department and the City Engineer.



*****ITEM CORRECTED (SEE ATTACHED MEMO)*** Authorization to Enter into Development Agreement with Forestar (USA) Real Estate Group Inc. (Ordinance S-52160) - District 2**

Request to authorize the City Manager, or the City Manager's designee, to enter into a Development Agreement with Forestar (USA) Real Estate Group Inc. for modification of the Central Arizona Project (CAP) canal bridge and possible construction of two new pedestrian bridges along Cave Creek Road to satisfy the stipulation of zoning case Z-6-22 to provide regional traffic mitigation improvements identified in the Stone Butte Traffic Impact Study. The accepted Traffic Impact Study further stipulates the need to mitigate traffic and address increased vehicular demand by widening the bridge at the Central Arizona Project (CAP) canal.

Summary

The Stone Butte residential development is an approximately 416 acre development located west of Cave Creek Road and south of Jomax Road. In connection with development of the property, the Developer is required to design the modification of the Central Arizona Project ("CAP") bridge, including the associated roadway and utility improvements, located at or in the vicinity of Cave Creek Road and Lone Cactus Drive. Following approval of the design plans, the Developer will provide a financial contribution for construction of related traffic mitigation measures as Developer's obligation to contribute to regional traffic mitigation improvements related to traffic impacts from the development of the Property, pursuant to Stipulation 24 of Phoenix City Ordinance G-7006.

This Development Agreement obligates Forestar (USA) Real Estate Group Inc. to design and seek approval from the City and CAP for modification to the CAP bridge, including the associated roadway and utility improvements, located on Cave Creek Road north of Lone Cactus Drive. The Developer is also required to provide a contribution, estimated at \$6.15M, to share in the cost of construction.

Upon approval, the Street Transportation Department agrees to future construction of the infrastructure needed to mitigate the traffic impacts associated with the development.

Location

On Cave Creek Road, North of Lone Cactus Drive
Council District: 2

Responsible Department


This item is submitted by Assistant City Manager Inger Erickson, the Street Transportation Department and the City Engineer.



City of Phoenix
Street Transportation Department

To: Inger Erickson
Assistant City Manager

Date: June 30, 2025

From: Eric J. Froberg
City Engineer 

Brandy Kelso
Interim Streets Director

Subject: CORRECTION OF ITEM 92 ON THE JULY 2, 2025, FORMAL AGENDA –
AUTHORIZATION TO ENTER INTO DEVELOPMENT AGREEMENT WITH FORESTAR
(USA) REAL ESTATE GROUP INC. (ORDINANCE S-52160)

Item 92, Authorization to Enter into Development Agreement with Forestar (USA) Real Estate Group Inc. (Ordinance S-52160) - District 2, is requested to be corrected as listed below. The reason for this correction is due to topographical errors and providing additional clarification.

Title and Description:

- Correct the entity name from "Forestar (USA) Real Estate Group, Inc." to "D. R. Horton, Inc."

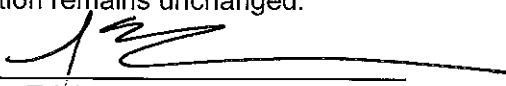
Description - Please update to the following language:

Request to authorize the City Manager, or the City Manager's designee, to enter into a Development Agreement with D.R. Horton Inc. for modification of the Central Arizona Project (CAP) canal bridge and possible construction of two new pedestrian bridges along Cave Creek Road to satisfy the stipulation of zoning case Z-6-22-2 to provide regional traffic mitigation improvements identified in the Stone Butte Traffic Impact Study. The accepted Traffic Impact Study further stipulates the need to mitigate traffic and address increased vehicular demand by widening the bridge at the Central Arizona Project (CAP) canal. Additionally request City Manager, or the City Manager's designee, to execute any other agreements, instruments or documents necessary and further request to authorize the City Treasurer to accept funds associated with this request.

Below are the highlighted changes in the Description section:

- Correct zoning case number from "Z-6-22" to "Z-6-22-2"
- Add this sentence: Additionally to execute any other agreements, instruments or documents necessary."
- Please add: Further request to authorize the City Treasurer to accept funds associated with this request.

All other information remains unchanged.

Approved: 
Inger Erickson, Deputy City Manager



Motel Conversion to Senior Affordable Housing - Professional Services - HS99990005 (ARPA) (Ordinance S-52162) - District 5

Request to authorize the City Manager, or the City Manager's designee, to enter into an agreement with Pfocus, LLC to provide Owner's Representative Professional Services that include project management and construction administration and inspection (CA&I) services for the Motel Conversion to Senior Affordable Housing 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 \$137,633.00.

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

Summary

The purpose of this Project is to convert an existing hotel property into 126 units of affordable housing for individuals exiting homelessness. The conversion is part of a larger complex development that will include services for seniors and a City of Phoenix Workforce Development and Training Center.

Pfocus, LLC's services include, but are not limited to: attending weekly Owner-Architect-Owner meetings; participating in weekly site visits; reviewing project schedule and providing analysis of actual work performed to include projections for completion of key milestones; advising and tracking Requests for Information, Change Order Requests, and potential impacts to the project budget and schedule during construction; reviewing pay applications; participating in project close-out activities;

and engaging with City departments and other stakeholders as required to ensure project progress and advancement of goals of the Office of Homeless Solutions.

Procurement Information

Pfocus, LLC was chosen for this project using a Direct Select Process set forth in Section 34-103 of the Arizona Revised Statutes. The Direct Select Process will reduce the time to procure professional services as opposed to an advertised selection process.

Contract Term

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

Financial Impact

The agreement value for Pfocus, LLC will not exceed \$137,633.00, including all subconsultant and reimbursable costs.

Funding is available in the Human 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.

Public Outreach

Public outreach will be completed as required.

Location

8130 N. Black Canyon Highway
Council District: 5

Responsible Department

This item is submitted by Assistant City Manager Inger Erickson, Deputy City Manager Gina Montes, the Human Services Department and the City Engineer.



Low/Medium Voltage Electrical Equipment Testing, Calibration, and Repair Services Supplemental Contract - IFB-2425-WWT-699 Request for Award (Ordinance S-52145) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into contracts with ABM Electrical Power Services, LLC, C3 AcquisitionCo, LLC dba PowerX, and LND Technical Services LLC to provide low/medium voltage electrical equipment testing, calibration, and repair services for the Aviation, Public Works, and Water Services departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$3,450,000.

Summary

This contract will allow the departments to provide electrical preventative maintenance and testing services to ensure all electrical equipment is operational and within industry and manufacturer tolerances and that equipment is installed and functioning in the system in the manner intended. These services reduce life and property hazards that can result from failure or malfunction of electrical equipment.

Solicitation IFB-2425-WWT-678 for Low/Medium Voltage Electrical Equipment Testing, Calibration, and Repair Services received no bids for Group 2 in the Fee Schedule, which are required for select electrical operations. IFB-2425-WWT-699 serves as a supplemental solicitation to establish available contracts for Group 2 services.

Procurement Information

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

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

Selected Bidders

C3 AcquisitionCo, LLC dba PowerX: \$855
LND Technical Services LLC: \$1,040

ABM Electrical Power Services, LLC: \$1,335

Contract Term

The contracts will begin on or about July 1, 2025, and end concurrent with the initial awarded contracts on April 30, 2030, with no options to extend.

Financial Impact

The aggregate contracts' value will not exceed \$3,450,000.

Funding is available in the Aviation, Public Works, and Water Services Departments' Operating budgets.

Responsible Department

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



Abandonment of Right-of-Way - ABND 230021 - Southwest Corner of East Almeria Road and North 15th Street (Resolution 22317) - District 4

Abandonment: 230021

Project: 00-2661

Applicant: Jordan Greenman

Request: To abandon the L-shaped alley connecting North 15th Street and East Almeria Road of the parcel 172-20-013A.

Date of Hearing: June 8, 2025

Location

Generally located at the southwest corner of East Almeria Road and North 15th Street.
Council District: 4

Financial Impact

Pursuant to Phoenix City Code Article 5, Section 31-64(e), the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the City, maintenance expenses, and undesirable traffic patterns, and also by the replatting of the area with alternate roadways and new development, to be sufficient and appropriate consideration in this matter.

A fee was also collected as part of this abandonment in the amount of \$23,200.

Responsible Department

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



Modification of Stipulation Request for Ratification of May 21, 2025, Planning Hearing Officer Action - PHO-1-25--Z-131-04-1 - Southwest Corner of Pyramid Peak Parkway and Northern Lights Way - District 1

Request to authorize the City Manager, or the City Manager's designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 21, 2025. This ratification requires formal action only.

Summary

Application: PHO-1-25--Z-131-04-1

Existing Zoning: S-1 SP (Approved R1-8)

Acreage: 15.8 acres

Owner: Pyramid Peak GM South, LLC, c/o Camelot Homes, Ryan Benscoter

Applicant/Representative: Brian Greathouse, Burch & Cracchiolo, P.A.

Proposal:

1. Request to modify Stipulation 2 regarding general conformance to the site plan date stamped May 9, 2005.
2. Request to modify Stipulation 4 regarding dedications and improvements for Pyramid Peak Parkway.

VPC Action: The Deer Valley Village Planning Committee chose not to hear this request.

PHO Action: The Planning Hearing Officer took the case under advisement. On May 29, 2025, the Planning Hearing Officer took the case out from under advisement and recommended approval with a modification.

Location

Southwest corner of Pyramid Peak Parkway and Northern Lights Way

Council District: 1

Parcel Address: N/A

Responsible Department

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

Attachment A - Stipulations – PHO-1-25—Z-131-04-1

Location: Southwest corner of Pyramid Peak Parkway and Northern Lights Way

STIPULATIONS:

1. ~~That~~ Phase II shall vest and the Special Permit shall be removed upon submittal to the Planning Department of documentation that mining and landfill operations have ceased.
2. ~~That~~ THE development shall be in general conformance to the site plan date stamped MAY 28, 2025 ~~May 9, 2005~~ with specific regard to the density, lot size and open space, as approved or modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department.
3. ~~That~~ Phase I of the development shall include lots 1 through 35 and shall include dedication of the private street connection to north Pyramid Peak Parkways as shown on the plan. Construction of the private street connection and dedication of right-of-way to north Pyramid Peak Parkway are not required under Phase I.
4. ~~That~~ Phase II shall consist of the remainder of the lots (exclusive of Phase I) and shall include dedication and improvements for north Pyramid Peak Parkway for the full length of the property or as approved by the Development Services Department. The private street connection to north Pyramid Peak Parkway shall be constructed with Phase II.
5. ~~That~~ Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property within the development(s) the existence (or prior existence) and operational characteristics of the landfill and any environmental impact of the landfill and existence and any operational characteristics of the Glendale Water Treatment Plant. The form and content of such documents shall be reviewed and approved by the City Attorney.
6. ~~That~~ Right-of-way totaling 65 feet as measured from the centerline shall be dedicated for the west half of Pyramid Peak Parkway per stipulation 3, as approved or modified by the Development Services Department.
7. ~~That~~ 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 Development Services Department per stipulations 3 and 4. All improvements shall comply with all ADA accessibility standards.

8. ~~That~~ The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.

DRAFT



Modification of Stipulation Request for Ratification of May 21, 2025, Planning Hearing Officer Action - PHO-17-25-1 - Southeast corner of I-17 and Pinnacle Peak Road - District 1

Request to authorize the City Manager, or the City Manager's designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 21, 2025. This ratification requires formal action only.

Summary

Application: PHO-17-25-1

Existing Zoning: A-1 M-R DVAO

Acreage: 7.72 acres

Owner: OneAZ Credit Union

Applicant: Camille Rabany, ADM Group Inc.

Representative: Jenifer Weskalnies, ADM Group, Inc.

Proposal:

1. Modify a Comprehensive Sign Plan for more than 2 signs on a building over 56 feet in height.

VPC Action: The Deer Valley Village Planning Committee opted not to hear this request.

PHO Action: The Planning Hearing Officer recommended denial of the request.

Location

Southeast corner of I-17 and Pinnacle Peak Road

Council District: 1

Parcel Address: 2355 W. Pinnacle Peak Road

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 PHO-3-25--Z-8-22-1 - Southeast Corner of I-17 and Jenny Lin Road (Ordinance G-7400) - District 1

Request to authorize the City Manager, or the City Manager's designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 21, 2025.

Summary

Application: PHO-3-25--Z-8-22-1

Existing Zoning: R-3A

Acreage: 18.37 acres

Owner: Circle Mountain Holdings, LLC

Applicant: Hannah Bleam, Withey Morris Baugh P.L.C.

Representative: Adam Baugh, Withey Morris Baugh P.L.C.

Proposal:

1. Request to modify Stipulation 1 regarding Planned Residential Development option.
2. Request to modify Stipulation 6 regarding shading along pedestrian pathways and trails.
3. Request to modify Stipulation 11 regarding bicycle infrastructure.
4. Request to modify Stipulation 12.c regarding the number of pedestrian connections.
5. Request to modify Stipulation 13 regarding indoor noise levels.
6. Request to modify Stipulation 14 regarding the development of noise mitigation walls.
7. Request to modify Stipulation 15 regarding noise wall setbacks.
8. Request to modify Stipulation 16 regarding perimeter wall materials.
9. Request to modify Stipulation 19 regarding active recreation amenities.
10. Request to modify Stipulation 23 regarding detached sidewalks and landscape strips located between the back of curb and sidewalk.
11. Request to modify Stipulation 24 regarding construction of detached sidewalks.
12. Request to modify Stipulation 25 regarding street improvements.
13. Request to delete Stipulation 27 regarding a 30-foot right-of-way dedication along the southern boundary of the project.
14. Request to delete Stipulation 28 regarding a minimum right-of-way.

15. Request to delete Stipulation 38 regarding a petition to the Street Transportation Department to eliminate required street light infrastructure.
16. Request to delete Stipulation 42 regarding Phase 1 to be in general conformance with the site plan date stamped May 4, 2023.
17. Request to delete Stipulation 43 regarding Phase 1 to be in general conformance with the elevations and design elements date stamped August 29, 2022.
18. Request to delete Stipulation 44 regarding the maximum dwelling units for Phase 1.
19. Request to delete Stipulation 45 regarding Phase 2 to be in general conformance with the site plan.
20. Request to delete Stipulation 46 regarding Phase 2 to be in general conformance with the elevations.
21. Request to delete Stipulation 47 regarding the number of lots for Phase 2.
22. Request to modify Stipulation 48 regarding the review of the conceptual site plans and elevations for Phase 3.
23. Request to modify Stipulation 49 regarding the landscaping of surface parking lots.

VPC Action: The Rio Vista Village Planning Committee heard this request on April 8, 2025, and recommended approval with modifications and additional stipulations by vote of 3-1.

PHO Action: On April 16, 2025, the Planning Hearing Officer continued this request to the May 21, 2025 hearing. On May 21, 2025, the Planning Hearing Officer recommended approval with modifications and additional stipulations.

Location

Southeast corner of I-17 and Jenny Lin Road

Council District: 1

Parcel Address: 45777 N. Black Canyon Highway

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 STIPULATIONS
APPLICABLE TO REZONING APPLICATION Z-8-22-1
PREVIOUSLY APPROVED BY ORDINANCE G-7140.

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

SECTION 1. The zoning stipulations applicable to the site located at the southeast corner of I-17 and Jenny Lin Road in a portion of the northwest quarter of Section 3, Township 6 North, Range 2 East, as described more specifically in Exhibit A and depicted in Exhibit B, are hereby modified to read as set forth below.

STIPULATIONS:

Overall Site

1. ~~Each phase of~~ The development shall utilize the Planned Residential Development (PRD) option.
2. A minimum building setback of 100 feet shall be provided along the west property line, except for the northern most 1,077 feet, which shall have a minimum building setback of 55 feet, as approved by the Planning and Development Department.
3. A minimum landscaped setback of 30 feet shall be provided along the west property line, as approved by the Planning and Development Department.

4. All perimeter setbacks adjacent to public streets shall be planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 50% 2-inch caliper and 50% 3-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings with a staggered row of trees for every 20 feet of setback.
 - b. Drought tolerant shrubs and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.
5. 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.
6. ~~All pedestrian pathways and~~ THE MULTI-USE trails, NORTH-SOUTH PEDESTRIAN CONNECTION, ~~including AND PUBLIC sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide~~ A minimum OF 75%, AND ALL OTHER PEDESTRIAN WALKWAYS WITHIN THE DEVELOPMENT SHALL BE SHADED A MINIMUM OF 53% ~~shade, calculated at summer solstice at noon as shown on a shading study,~~ as approved by the Planning and Development Department. SHADE MAY BE ACHIEVED BY STRUCTURES OR BY MINIMUM 2-INCH CALIPER, SINGLE-TRUNK, LARGE CANOPY, DROUGHT-TOLERANT, SHADE TREES, OR A COMBINATION THEREOF.
7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers stamped or colored concrete, or other pavement treatments, that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
8. The primary entry/exit drives into the residential developments shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
9. The primary entry/exit drives into the residential developments shall incorporate enhanced landscaping on both sides within minimum 250-square-foot landscape areas and shall incorporate a minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.
10. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks and trails, as approved by the Planning and Development Department.

11. ~~Each phase of~~ The development shall provide bicycle infrastructure as described below, as approved by the Planning and Development Department.
- a. Secured bicycle parking shall be provided for units without garages at a rate of 0.25 spaces per multifamily residential dwelling unit, up to a maximum of 50 spaces.
 - b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per multifamily residential and single-family residential dwelling unit, up to a maximum of 50 spaces. Guest bicycle parking for single-family residential shall be located in open space and amenity areas, Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - c. A bicycle repair station ("fix it station") shall be provided and maintained on a site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
12. A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be provided and updated with each phase of development to include the following elements, as approved by the Planning and Development Department.
- a. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site adjacent to the I-17 frontage 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 or modified by the Planning and Development Department.
 - b. A PUBLICLY ACCESSIBLE north-south pedestrian connection shall be provided to connect all phases of the development, ~~including the area between Project II and Project III.~~ TO PROVIDE AN ULTIMATE CONNECTION FROM CIRCLE MOUNTAIN ROAD TO JENNY LIN ROAD AND SHALL COMPLY WITH SECTION 1304.H OF THE PHOENIX ZONING ORDINANCE.

- c. ~~Four pedestrian connections shall be provided from the site leading to the adjacent trails directly east or west of the site.~~
 - d. ~~Pedestrian access shall be provided to future development to the east for each phase or development.~~
- 13. ~~THE PRIOR TO FINAL SITE PLAN APPROVAL, THE DEVELOPER SHALL INCLUDE WITH THE BUILDING PLANS SUBMITTED FOR PHOENIX BUILDING CONSTRUCTION CODE COMPLIANCE REVIEW CERTIFICATION BY AN ACCOUSTICAL CONSULTANT DEMONSTRATING THE AVERAGE indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department. A sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control shall be included with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.~~
- 14. Noise mitigation walls shall be provided along the west perimeter of the site. The wall height shall be A MINIMUM OF 8 FEET OR AS determined through a noise analysis prepared by a ~~registered professional engineer~~ AN ACOUSTICAL CONSULTANT. The wall shall be constructed of minimum 8-inch-thick concrete masonry units (CMU) or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. Noise walls shall be constructed to wrap around corner lots and areas near intersections. Wrap around walls, upon turning a corner, shall continue for at least 120 feet (approximately two lot widths), as approved by the Planning and Development Department.
- 15. Perimeter walls, noise walls, and other walls ADJACENT TO PERIMETER STREETS shall vary by a minimum of four feet every 400 lineal feet to visually reflect a meandering or staggered setback, as approved by the Planning and Development Department.
- 16. Perimeter walls, including the noise wall, ALONG THE WEST AND NORTH PERIMETER, shall incorporate stone veneer, stonework, or integral color CMU block, as approved by the Planning and Development Department.
- 17. Interior walls and privacy fencing, excluding walls located between lots, shall use materials and colors that blend with the natural desert environment, as approved by the Planning and Development Department.

18. A minimum of 15% of each phase shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.
19. ~~Each phase of~~ The development shall contain a minimum of four shaded active recreation amenities, such as a tot lot, picnic areas, seating features, garden amenities, or similar amenities, as approved by the Planning and Development Department.
20. A combination of view walls/fencing and partial view walls/fencing shall be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways or recreational areas, as approved by the Planning and Development Department.
21. Drainage channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Planning and Development Department.
22. A minimum of 2% of the required parking spaces, including garages, shall include Electric Vehicle (EV) installed infrastructure and 5% of the required parking spaces shall include EV Capable infrastructure, as approved by the Planning and Development Department.
23. Minimum 5-foot-wide detached sidewalks and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk ALONG PUBLIC STREETS within the development shall be constructed and 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 20 feet on center or in equivalent groupings.
 - b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

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

24. Minimum 5-foot-wide detached sidewalks, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, or wider to meet MCDOT minimum standards shall be constructed along ~~the south side of Jenny Lin Road~~, the east side of the I-17 frontage road, and the north side of Circle Mountain Road, planted to the following standards. The developer shall record a landscaping maintenance agreement with the Maricopa County

Department of Transportation (MCDOT) requiring the landowner and/or property management to maintain the installed landscaping within MCDOT right-of-way to the following planting standards, as approved by MCDOT and the Planning and Development Department.

- a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
- b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

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

- 25. All right-of-way dedications and street improvements for Circle Mountain Road, the I-17 frontage road, and Jenny Lin Road shall comply with Maricopa County Department of Transportation (MCDOT) requirements, as approved by MCDOT. Where possible the County Residential Cross Section shall be utilized for Jenny Lin Road.

- 26. A minimum 65-feet of right-of-way shall be dedicated, and the east half of the I-17 frontage road shall be constructed per the Maricopa County Department of Transportation (MCDOT) Rural Minor Arterial cross section, as required and approved by MCDOT.

- 27. A minimum of 30 feet of right-of-way shall be dedicated and constructed for the north side of the minor collector street along the southern boundary of Project III. The improvements shall be consistent with Minor Collector Cross Section F and include a minimum 5-foot wide detached sidewalk separated by a minimum 8-foot wide landscape strip located between the back of curb and sidewalk, 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 20 feet on center or in equivalent groupings.
- b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

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

- 28. A minimum of 60 feet of right-of-way shall be dedicated and constructed for the full width of the minor collector street along the northern boundary of Project II. The improvements shall be consistent with Minor

~~Collector Cross Section F and include minimum 5-foot wide detached sidewalks separated by minimum 5-foot wide landscape strips located between the back of curb and sidewalk, 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 20 feet on center or in equivalent groupings.~~
- ~~b. Drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.~~

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

- ~~27.~~ Enhanced pedestrian connections shall be designed and constructed at all public street crossing locations to interconnect the pedestrian trails throughout the entirety of the site, as approved by the Street Transportation Department and the Planning and Development Department.
- ~~28.~~ 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 and MCDOT (where applicable). All improvements shall comply with all ADA accessibility standards.
- ~~29.~~ A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.
- ~~30.~~ The developer shall record documents that disclose to prospective purchasers and renters of property within the development the existence of noise from the I-17 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
- ~~31.~~ 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.
- ~~32.~~ 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.

33. In the event archeological materials are encountered during
~~35.~~ 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.
34. Prior to preliminary site approval, the landowner shall execute
~~36.~~ 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.
35. Prior to the construction of any residences, all existing wells within the
~~37.~~ development shall be capped and abandoned, as required by the Arizona Department of Water Resources (ADWR).
- ~~36.~~ The development shall petition the Street Transportation Department to
~~38.~~ eliminate the requirement for street light infrastructure for the development where possible in an effort to protect dark skies. ALL STREET, SITE, AND BUILDING LIGHTING SHALL BE DARK SKY COMPLIANT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND THE STREET TRANSPORTATION DEPARTMENT.
37. Primary construction access shall be from Circle Mountain Road, or the
~~39.~~ frontage road, and ancillary construction activity and access may occur on Jenny Lin Road during parts of Project III, as approved by the City of Phoenix Planning and Development Department.
38. The developer shall promptly repair any roadway damage that may
~~40.~~ occur on Jenny Lin Road during construction.
39. The developer shall include disclosure language in future leases
~~44.~~ requiring all residents of Project III to acknowledge that a portion of Jenny Lin Road is private property, and no trespass is permitted.

Phase 1 (R-3 Zoned Area)

- ~~42.~~ The developer shall be in general conformance with the site plan date stamped May 4, 2023, as modified by these stipulations and as approved by the Planning and Development Department.
- ~~43.~~ The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.
- a. ~~Spanish Colonial architectural style.~~

- b. ~~Windows and glass doors with muntins and mullions~~
 - c. ~~Decorative lighting fixtures at building entrances/exits and by garage doors~~
 - d. ~~Covered front porches~~
 - e. ~~Window and door treatment~~
 - f. ~~Decorative doors~~
 - g. ~~Architectural embellishments including, but not limited to, corbels and terracotta gable vent tubes~~
44. Phase 1 of the development shall be limited to a maximum of 288 dwelling units.

Phase 2 (R-2 Zoned Area)

45. The development shall be in general conformance with the site plan date stamped April 13, 2023, as modified by these stipulations and as approved by the Planning and Development Department.
46. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.
- a. ~~Variety of architectural styles~~
 - b. ~~Windows and glass doors with muntins and mullions~~
 - c. ~~Decorative lighting fixtures at building entrances/exits and by garage doors~~
 - d. ~~Covered front porches and covered rear patios~~
 - e. ~~Garage, window and door treatment~~
 - f. ~~Decorative doors~~
 - g. ~~Architectural embellishments including, but not limited to, corbels, terracotta gable vent tubes, and window shutters~~
 - h. ~~Gable end treatment with varied materials and colors~~
 - i. ~~Breaking of massing and with varied materials and colors~~
47. Phase 2 of the development shall be limited to a maximum of 172 lots.

Phase 3 (R-3A Zoned Area)

40. ~~Conceptual site plans and elevations for Phase 3 shall be reviewed and~~
48. ~~approved by the Planning Hearing Officer through the public hearing~~
~~process for stipulation modification prior to preliminary site plan approval~~
~~with specific regard to the inclusion of the below elements. This is a~~
~~legislative review for conceptual purposes only. Specific development~~
~~standards and requirements will be determined by the Planning Hearing~~
~~Officer and the Planning and Development Department. THE~~
DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH
THE SITE PLAN DATE STAMPED FEBRUARY 27, 2025, WITH
SPECIFIC REGARD TO THE INCLUSION OF THE BELOW
ELEMENTS, AS MODIFIED BY THESE STIPULATIONS AND AS
APPROVED BY THE PLANNING AND DEVELOPMENT
DEPARTMENT.
- a. A MINIMUM OF ONE PUBLIC PEDESTRIAN CONNECTION
SHALL BE PROVIDED FROM THE SITE LEADING TO THE
ADJACENT TRAILS EAST OR WEST OF THE SITE.
 - b. PUBLIC PEDESTRIAN ACCESS SHALL BE PROVIDED FOR
FUTURE DEVELOPMENT TO THE EAST.
 - c. A MINIMUM OF ONE PEDESTRIAN CONNECTION SHALL BE
PROVIDED FROM THE DEVELOPMENT TO THE NORTH-SOUTH
PEDESTRIAN CONNECTION.
 - d. THE WASH ALONG THE SOUTH PERIMETER OF THE
DEVELOPMENT SHALL REMAIN UNDISTURBED.
 - e. A MINIMUM 5-FOOT-WIDE PUBLIC PEDESTRIAN
CONNECTION SHALL BE PROVIDED ALONG THE NORTH
PROPERTY LINE WITHIN THE LANDSCAPE SETBACK AREA.
41. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE
WITH THE ELEVATIONS DATE STAMPED FEBRUARY 27, 2025,
WITH SPECIFIC REGARD TO THE FOLLOWING ELEMENTS, AS
MODIFIED BY THESE STIPULATIONS AND AS APPROVED BY THE
PLANNING AND DEVELOPMENT DEPARTMENT.
- a. ALL BUILDING FACADES SHALL CONTAIN ARCHITECTURAL
EMBELLISHMENTS AND DETAILING SUCH AS, BUT NOT
LIMITED TO, TEXTURAL CHANGES, PILASTERS, OFFSETS,
RECESSES, WINDOW FENESTRATION, SHADOWBOXES, AND
CANOPIES.
 - b. BUILDING AND WALL COLORS SHALL BE MUTED AND BLEND
WITH, RATHER THAN CONTRAST, WITH THE SURROUNDING

DESERT ENVIRONMENT. ACCENT COLORS MAY BE APPROPRIATE BUT USED JUDICIOUSLY AND WITH RESTRAINT.

- c. AN ARCHITECTURAL THEME SHALL CONVEY A SENSE OF CONTINUITY THROUGH ALL PHASES.
- 42. A minimum of 10% of surface parking lot areas, exclusive of perimeter landscape setbacks, shall be landscaped. ~~The surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought-tolerant shade trees and shall be dispersed throughout the parking area to achieve a minimum 25% shade at maturity, as approved by the Planning and Development Department.~~
- 43. A MINIMUM OF 25% OF THE SURFACE PARKING AREAS SHALL BE SHADED, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. SHADE MAY BE ACHIEVED BY STRUCTURES OR BY MINIMUM 2-INCH CALIPER, LARGE CANOPY, DROUGHT-TOLERANT, SHADE TREES, OR A COMBINATION THEREOF.
- 44. THE DEVELOPER SHALL NOTIFY THE FOLLOWING INDIVIDUALS/GROUPS BY MAIL A MINIMUM OF 15 CALENDAR DAYS PRIOR TO ANY PRELIMINARY SITE PLAN REVIEW MEETING/S. THE NOTICE SHALL INCLUDE THE DATE, TIME, AND LOCATION OF THE MEETING.
 - a. FRIENDS OF DAISY MOUNTAIN TRAILS, 39506 N DAISY MOUNTAIN DR. #122-505, ANTHEM, AZ 85086.
 - b. DAVE WILSON, DAISY MOUNTAIN FIRE AND MEDICAL DEPARTMENT, 41018 DAISY MOUNTAIN DRIVE, ANTHEM, AZ 85086

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-7140, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-7140 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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

PASSED by the Council of the City of Phoenix this 2nd day of July, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A - Legal Description (2 Pages)
B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-3-25--Z-8-22-1

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

PROJECT 3 LEGAL DESCRIPTION

A PORTION OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST QUARTER CORNER OF SAID SECTION 3, BEING MARKED BY A GLO CAP WITH SECTIONAL MARKINGS FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 3, BEING MARKED BY A GLO CAP WITH SECTIONAL MARKINGS BEARS SOUTH 00 DEGREES 12 MINUTES 28 SECONDS EAST, 2,638.76 FEET;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, NORTH 89 DEGREES 59 MINUTES 33 SECONDS EAST, 2,008.27 FEET **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 89 DEGREES 59 MINUTES 33 SECONDS EAST, 631.32 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION; THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, SOUTH 00 DEGREES 07 MINUTES 45 SECONDS EAST, 962.87 FEET;

THENCE LEAVING SAID EAST LINE, SOUTH 89 DEGREES 52 MINUTES 15 SECONDS WEST, 32.52 FEET;

THENCE SOUTH 76 DEGREES 55 MINUTES 15 SECONDS WEST, 100.00 FEET;

THENCE SOUTH 13 DEGREES 04 MINUTES 45 SECONDS EAST, 12.19 FEET;

THENCE SOUTH 76 DEGREES 55 MINUTES 15 SECONDS WEST, 50.00 FEET;

THENCE SOUTH 13 DEGREES 04 MINUTES 45 SECONDS EAST, 28.63 FEET; THENCE SOUTH 76 DEGREES 55 MINUTES 15 SECONDS WEST, 95.48 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE LEFT, HAVING A RADIUS OF 231.50 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 34 DEGREES 35 MINUTES 46 SECONDS, AND AN ARC LENGTH OF 139.78 FEET TO A TANGENT LINE; THENCE SOUTH 42 DEGREES 19 MINUTES 29 SECONDS WEST, 269.47 FEET;

THENCE SOUTH 58 DEGREES 21 MINUTES 18 SECONDS WEST, 45.17 FEET;

THENCE NORTH 85 DEGREES 48 MINUTES 48 SECONDS WEST, 279.62 FEET;

THENCE NORTH 04 DEGREES 09 MINUTES 40 SECONDS EAST, 8.79 FEET;

THENCE NORTH 14 DEGREES 03 MINUTES 47 SECONDS EAST, 754.66 FEET;

THENCE NORTH 06 DEGREES 02 MINUTES 40 SECONDS EAST, 592.89 FEET TO THE **POINT OF BEGINNING**.

SAID PORTION OF LAND CONTAINING 844,490 SQUARE FEET, OR 19.3868 ACRES, MORE

OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-
OFWAYS
OF RECORD OR OTHERWISE.

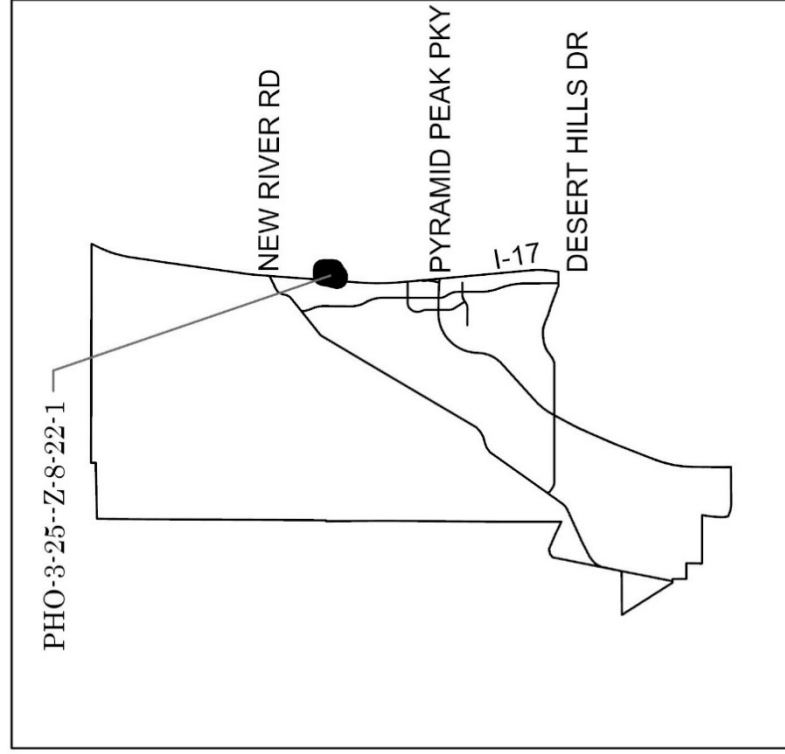
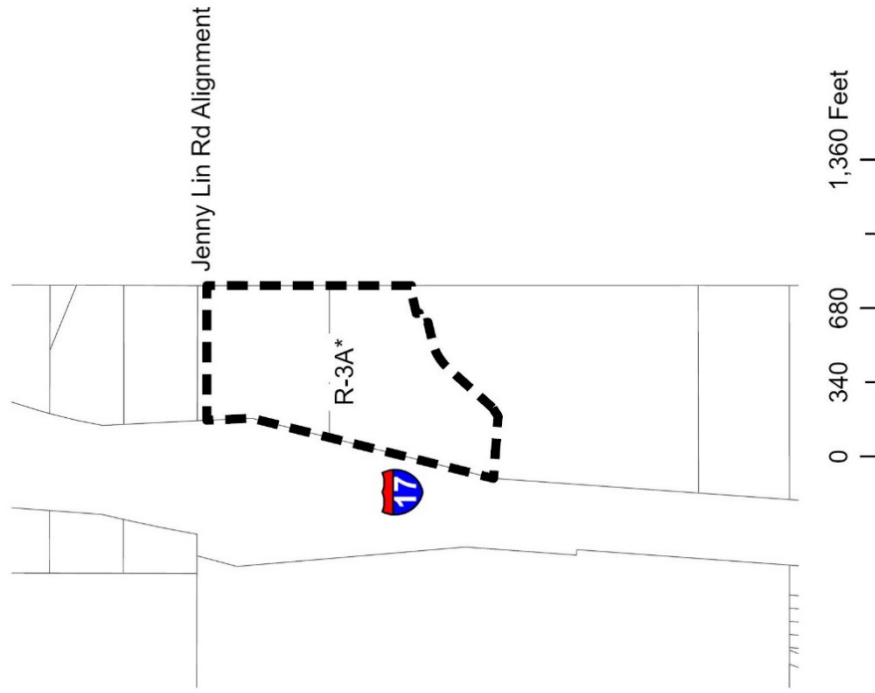
THIS DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE SUBDIVISION
REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY, OR ANY OTHER LAND
DIVISION RESTRICTIONS.

DRAFT

ORDINANCE LOCATION MAP

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

Zoning Case Number: PHO-3-25--Z-8-22-1
Zoning Overlay: N/A
Planning Village: Rio Vista



NOT TO SCALE



Drawn Date: 6/5/2025



Report

Agenda Date: 7/2/2025, Item No. 99

Amend City Code - Ordinance Adoption - Rezoning Application Z-20-24-1 - Approximately 40 Feet South of the Southwest Corner of 39th Avenue and Cactus Road (Ordinance G-7398) - District 1

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-20-24-1 and rezone the site from R-O (Residential Office -- Restricted Commercial) to C-1(Neighborhood Retail) to allow commercial use (office and restaurant).

Summary

Current Zoning: R-O

Proposed Zoning: C-1

Acreage: 1.19 acres

Proposal: Commercial use (office and restaurant)

Owner: Odden Properties, L.L.C. c/o Paul Johnson

Applicant: Michael Scarbrough, 3k1 Consulting Services, L.L.C.

Representative: David Cisiewski, Law Office of David Cisiewski, PLLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Mountain Village Planning Committee heard this item on February 19, 2025, and recommended denial, by a vote of 12-1-1.

PC Action: The Planning Commission heard this item on March 6, 2025, and recommended a continuance to the April 3, 2025 Planning Commission Hearing, by a vote of 7-0.

PC Action: The Planning Commission heard this item on April 3, 2025, and recommended a continuance to the June 5, 2025 Planning Commission Hearing, by a vote of 8-0.

PC Action: The Planning Commission heard this item on June 5, 2025, and recommended approval, per the staff memo dated June 5, 2025 with additional stipulations, by a vote of 9-0.

Location

Approximately 40 feet south of the southwest corner of 39th Avenue and Cactus Road
Council District: 1

Parcel Address: 3919 W. Cactus 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-20-24-1) FROM R-O (RESIDENTIAL OFFICE – RESTRICTED COMMERCIAL) TO C-1 (NEIGHBORHOOD RETAIL).

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

SECTION 1. The zoning of a 1.19-acre site located approximately 40 feet south of the southwest corner of 39th Avenue and Cactus Road in a portion of Section 22, Township 3 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “R-O” (Residential Office – Restricted Commercial) to “C-1” (Neighborhood Retail).

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 building elevations shall be in general conformance with the building elevation date stamped June 4, 2025, as approved by the Planning and Development Department.
2. A minimum of 4 bicycle parking spaces shall be provided for each building through Inverted U and/or artistic racks located near the building entrance and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
3. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include but not be limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
4. A minimum of 1 of the provided bicycle parking spaces for each building shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
5. A minimum of 5% of the required parking spaces shall be EV Ready.
6. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. All pedestrian pathways, including internal walkways and public sidewalks adjacent to the site, shall be shaded by a structure or landscaping, or a combination of the two to achieve a minimum of 75% shade, as approved by the Planning and Development Department.
8. A minimum of 50 feet of right-of-way shall be dedicated and constructed for the south side of Cactus Road.
9. A minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip located between the back of curb and sidewalk shall be provided along the south side of Cactus Road, 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 20 feet on center, or in equivalent groupings.

- b. Shrubs, accents, and vegetative groundcovers maintained to a maximum height of 24 inches to achieve a minimum of 75% live coverage.

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

- 10. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk shall be provided along the west side of 39th Avenue, 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 20 feet on center, or in equivalent groupings.
- b. Shrubs, accents, and vegetative groundcovers maintained to a maximum height of 24 inches to achieve a minimum of 75% live coverage.

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

- 11. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
- 12. Unused driveways shall be replaced with sidewalk, curb, and gutter. Any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets shall be replaced. All off-site improvements shall be upgraded to be in compliance with current ADA guidelines.
- 13. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 14. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
- 15. Natural turf shall only be utilized for required retention areas (bottom of basin,

and only allowed on slopes if required for slope stabilization) and functional turf areas located on properties for uses such as parks, schools, and residential common areas, as approved by the Planning and Development Department.

16. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
17. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
18. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
19. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Businesses Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
20. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
21. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
22. Site lighting shall be provided at building entrances/exits and in the parking and refuse areas, as approved by the Planning and Development Department. All on-site lighting shall be shielded to prevent direct visibility of the light source from residential properties to the south.
23. Video surveillance shall be maintained to monitor activities in and around the store to discourage vagrancy and unlawful activities.
24. An "authority to arrest" agreement shall be completed and maintained by the property owner. The agreement shall be signed and delivered to the Phoenix Police Department.

25. "No trespassing" signs shall be posted per Phoenix City Code on the exterior of the building in both English and Spanish.
26. The drive through, subject to use permit approval, shall be limited to one lane, with the entrance, exit, and circulation as depicted on the site plan date stamped August 29, 2024.
27. The hours of operation for the drive through, subject to use permit approval, shall be limited to no later than 10:00 p.m.

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 2nd day of July, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-20-24-1

That portion of Tract A, FAIRWOOD UNIT FIVE, a Subdivision of part of the Northwest $\frac{1}{4}$ of Section 22, Township 3 North, Range 2 East of the Gila and Salt River base and Meridian, Maricopa County Arizona, as recorded in Book 175 of Maps, Page 28, records of Maricopa County, Arizona more particularly described as follows;

COMMENCING at the Northwest corner of said Tract A;

Thence North 89 Degrees 59 Minutes 00 Seconds East along the North line of said Tract A a distance of 167.73 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 89 Degrees 59 Minutes 00 Seconds East along said North line a distance of 105.82 feet to the Northwest corner of that certain parcel described in Instrument 2014-0121697, records of said county;

Thence South 00 Degrees 37 Minutes 48 Seconds West along the West line of said certain parcel a distance of 40.00 feet to the Southwest corner of said certain parcel;

Thence North 89 Degrees 59 Minutes 00 Seconds East along the South line of said certain parcel a distance of 60.00 feet to the Southeast corner of said certain parcel;

Thence South 00 Degrees 37 Minutes 48 Seconds West along the East line of said Tract A a distance of 220.02 feet to the Southeast corner of said Tract A;

Thence South 89 Degrees 59 Minutes 00 Seconds West along the South line of said Tract A a distance of 162.88 feet;

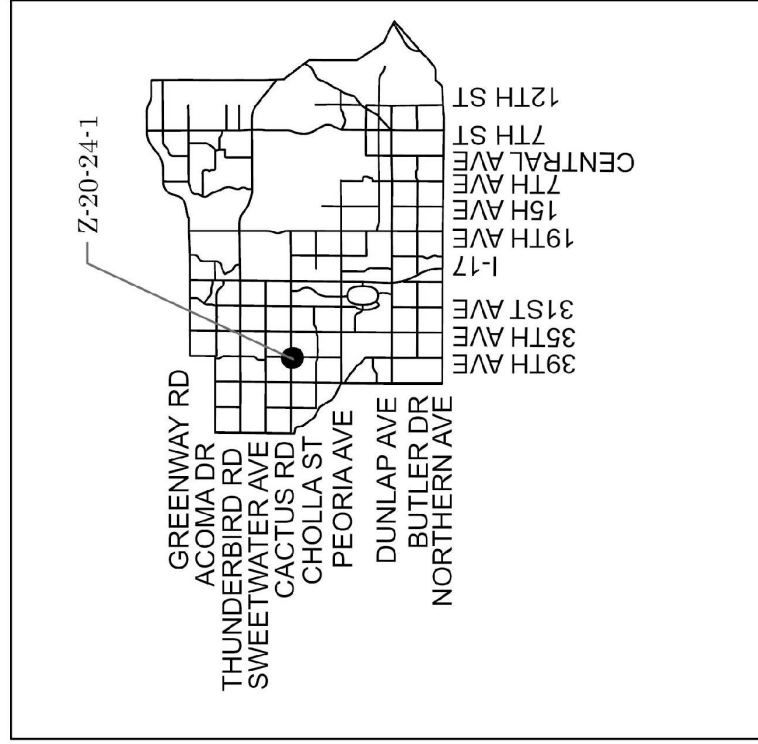
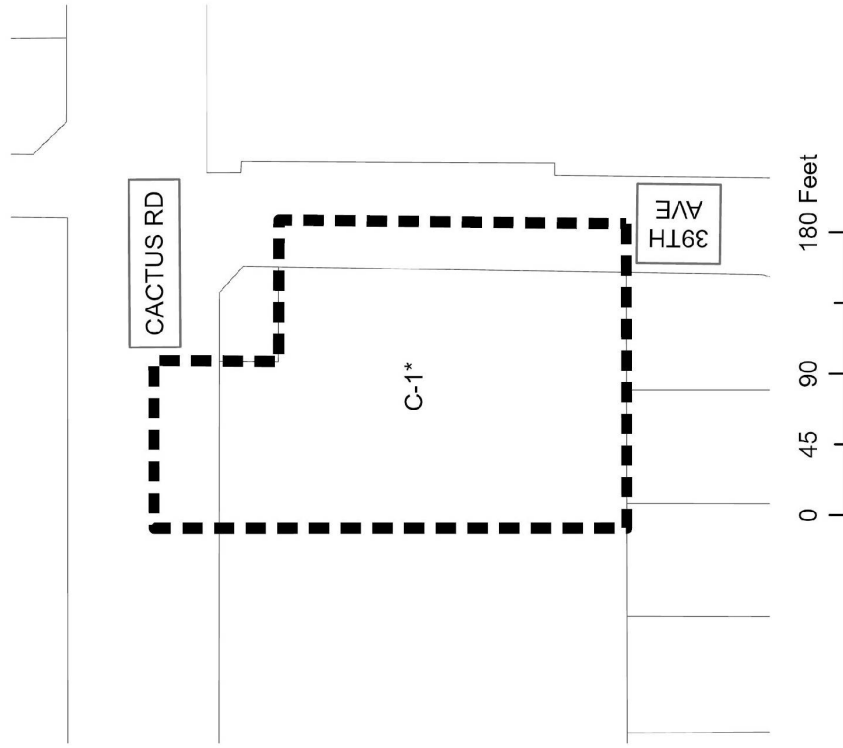
Thence North 00 Degrees 01 Minutes 00 Seconds West a distance of 260.00 feet to the POINT OF BEGINNING.

The above described parcel contains 0.93 acres (40,332 sq. ft.)

ORDINANCE LOCATION MAP

Zoning Case Number: Z-20-24-1
Zoning Overlay: N/A
Planning Village: North Mountain

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



NOT TO SCALE



Drawn Date: 4/7/2025



Report

Agenda Date: 7/2/2025, Item No. 100

Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-25--Z-89-22-2 - Approximately 140 Feet North of the Northeast Corner of 34th Street and Tierra Buena Lane (Ordinance G-7401) - District 2

Request to authorize the City Manager, or the City Manager's designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 21, 2025. This ratification requires formal action only.

Summary

Application: PHO-1-25--Z-89-22-2

Existing Zoning: R1-6

Acreage: 3.92 acres

Owner: Chuck Kennedy, Land N. 34th Street, LLC

Applicant / Representative: Shelby Duplessis, Diversified Future

Proposal:

1. Request to modify Stipulation 10 regarding a minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip.

VPC Action: The Paradise Valley Village Planning Committee reviewed the request on May 5, 2025, and recommended approval by a vote of 11-0.

PHO Action: The Planning Hearing Officer recommended approval with a modification.

Location

Approximately 140 feet north of the northeast corner of 34th Street and Tierra Buena Lane

Council District: 2

Parcel Address: 15875 N. 34th St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS
APPLICABLE TO REZONING APPLICATION Z-89-22-2
PREVIOUSLY APPROVED BY ORDINANCE G-7106.

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

SECTION 1. The zoning stipulations applicable to the site located at approximately 140 feet north of the northeast corner of 34th Street and Tierra Buena Lane in a portion of Section 1, Township 3 North, Range 3 East, as described more specifically in Exhibit A and depicted in Exhibit B, are hereby modified to read as set forth below.

STIPULATIONS:

1.	The development shall be in general conformance with the site plan date stamped February 22, 2023, with specific regard to the open space provided, as modified by the following stipulations and as approved by the Planning and Development Department.
2.	The maximum building height shall be 1-story and 16 feet, measured to the peak of the roof.
3.	Improved open space areas shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as shown on a shading study, as approved by the Planning and Development Department.

4.	Landscape areas within retention areas and open space areas shall be planted with shrubs, accents and vegetative groundcovers to provide a minimum of 75% live coverage at maturity, as approved by the Planning and Development Department.
5.	A minimum of two shaded active recreation amenities, such as a tot lot, picnic area, seating feature, garden amenity, or similar amenity, shall be provided within the open space area, as approved by the Planning and Development Department.
6.	A minimum of five bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near improved open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
7.	The perimeter landscape setback adjacent to the public street shall be planted to the following standards, as approved by the Planning and Development Department.
a.	Minimum 50% 2-inch caliper and 50% 3-inch caliper, large canopy, drought-tolerant shade trees, planted 20 feet on center or in equivalent groupings.
b.	Shrubs, accents, and vegetative groundcovers to provide a minimum of 75% live coverage at maturity.
8.	The Developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip between the back of curb and sidewalk along the east side of 34 th Street, planted to the following standards and as approved by the Planning and Development Department.
a.	Minimum 2-inch caliper drought-tolerant, large canopy, single-trunk shade trees planted 20 feet on center or in equivalent groupings.
b.	Drought-tolerant shrubs, accents and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity.
	Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
9.	The developer shall dedicate a sidewalk easement for any streetscape area (detached sidewalk and landscape strip) that falls outside of dedicated right-of-way along the east side of 34th Street, as approved by the Planning and Development Department.

10.	The developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip between the back of curb and sidewalk for internal public and/or private sidewalks within the development, including along the perimeter of Tract B and Tract C, EXCEPT FRONTING LOTS 1-20, as depicted on the site plan stamped MAY 21, 2025 December 20, 2022 , planted to the following standards and as approved by the Planning and Development Department.
a.	Minimum 2-inch caliper drought-tolerant, large canopy, single-trunk shade trees planted 20 feet on center or in equivalent groupings.
b.	Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity.
	Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
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.	A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.
13.	The property owner shall record documents that disclose the existence, and operational characteristics of the Deer Valley Airport (DVT) 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.	In the even archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
15.	Prior to preliminary site plan approval, the landowner shall execute Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-7106, this portion of the rezoning is now

subject to the stipulations approved pursuant to Ordinance G-7106 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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

PASSED by the Council of the City of Phoenix this 2nd day of July, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A - Legal Description (2 Pages)
B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-25—Z-89-22-2

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

LEGAL DESCRIPTION

That part of the North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, Township 3 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Northwest Corner of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, being the Southwest Corner of the Villa Addante Subdivision shown on the Final Plat, recorded in Book 301 of Maps, Page 3, Maricopa County Records, found, marked with a Brass Cap flush with the pavement;

Thence South 89 degrees 36 minutes 03 seconds East South 89 degrees 14 minutes 35 seconds East (Record), along the Northerly line of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, being the Southerly line of said Villa Addante Subdivision, a distance of 275.00 feet to the **POINT OF BEGINNING**;

Thence continuing South 89 degrees 36 minutes 03 seconds East South 89 degrees 14 minutes 35 seconds East (Record) along said line, a distance of 385.43 feet to the Northeast Corner of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, being a Northwesterly Corner of the Bella Terra Subdivision shown on the Final Plat, recorded in Book 200 of Maps, Page 12, Maricopa County Records;

Thence South 00 degrees 40 minutes 46 seconds East South 00 degrees 28 minutes 32 seconds East (Record), departing said Northerly line and along the East line of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, also being the Westerly line of said Bella Terra Subdivision, a distance of 327.05 feet to the

Southeast Corner of said North Half of the Southwest Quarter of the Northeast Corner of the Southwest Quarter of Section 1, being a Northwesternly Corner of said Bella Terra Subdivision;

Thence North 89 degrees 40 minutes 41 seconds West North 89 degrees 27 minutes 46 seconds West (Record), along the South line of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, also being the Northerly line of said Bella Terra Subdivision, a distance of 635.44 feet to a point on a line which is parallel with and 25 feet Easterly, as measured at right angles, from the West line of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, being a Northwesternly Corner of said Bella Terra Subdivision;

Thence North 00 degrees 40 minutes 34 seconds West, along said parallel line, a distance of 160.02 feet to a point on a line which is parallel with an 160 feet Northerly, as measured at right angles, from said South line of the North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 01 and Northerly line of said Terra Bella Subdivision;

Thence South 89 degrees 40 minutes 41 seconds East, along said parallel line, a distance of 246.85 feet;

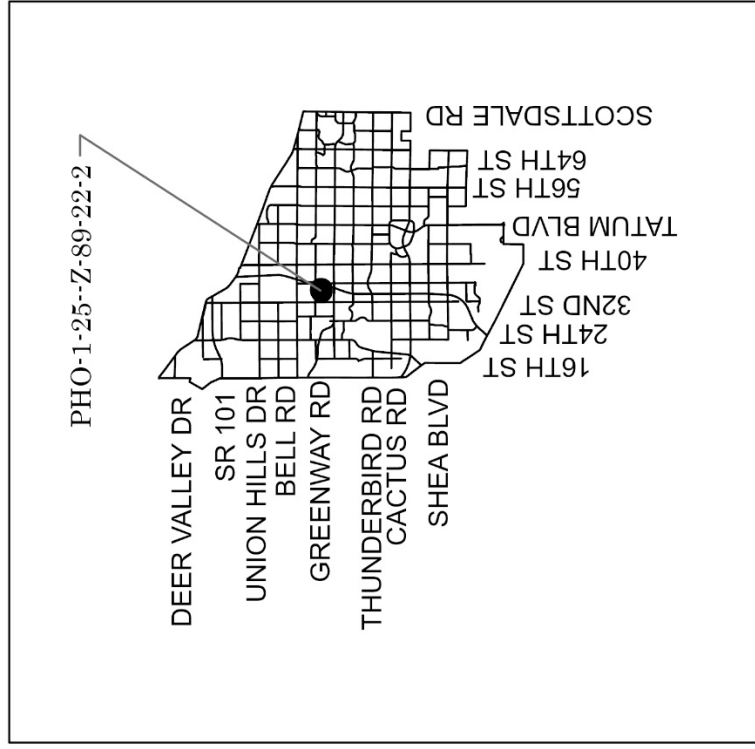
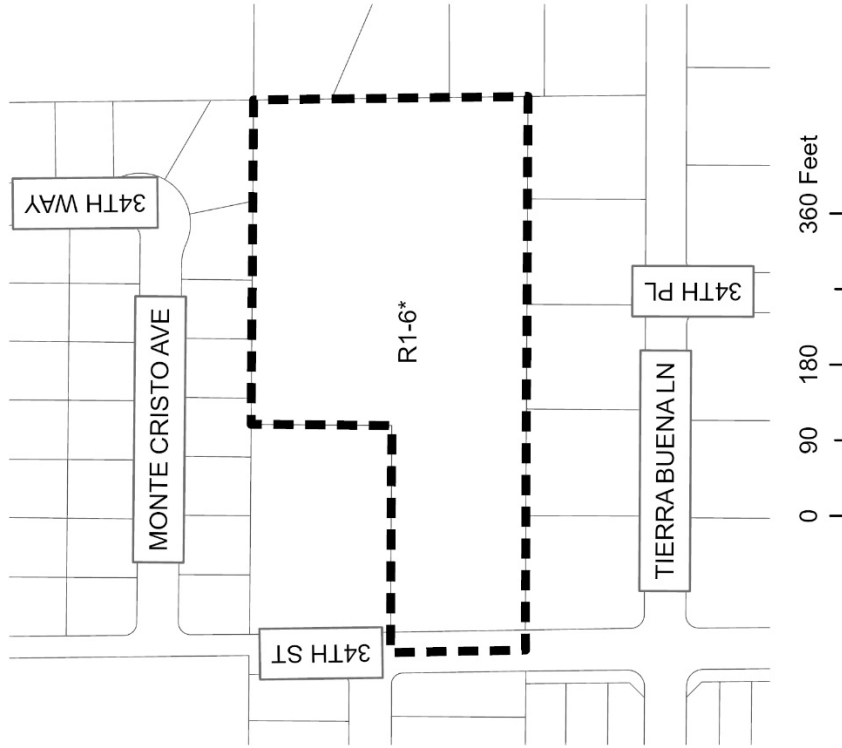
Thence North 00 degrees 23 minutes 57 seconds East, departing said parallel line, a distance of 167.51 feet to the **POINT OF BEGINNING**.

APN: 214-35-011C 2-6

ORDINANCE LOCATION MAP

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

Zoning Case Number: PHO-1-25--Z-89-22-2
Zoning Overlay: N/A
Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 6/13/2025



Agenda Date: 7/2/2025, Item No. 101

Amend City Code - Ordinance Adoption - Rezoning Application Z-123-23-3 (31st Street & Winchcomb Drive PUD) - Northwest Corner of 31st Street and Winchcomb Drive (Ordinance G-7399) - District 3

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-123-23-3 and rezone the site from R1-14 (One-Family Residence) to PUD (Planned Unit Development) to allow single-family residential.

Summary

Current Zoning: R1-14

Proposed Zoning: PUD

Acreage: 2.55 acres

Proposal: Single-family residential

Owner: Lumarpi LLC c/o Maria Pilar Perez Alvarez

Applicant: David Bruner, Circle Road Ventures LLC

Representative: J. Carlson, Espiritu Loci Incorporated

Staff Recommendation: Approval, subject to stipulations.

VPC Information Only: The Paradise Valley Village Planning Committee heard this item on October 7, 2024 for information only.

VPC Action: The Paradise Valley Village Planning Committee heard this item on June 2, 2025, and recommended approval, per the staff recommendation, with modifications, by a vote of 14-0.

PC Action: The Planning Commission heard this item on June 5, 2025, and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a vote of 9-0.

Location

Northwest corner of 31st Street and Winchcomb Drive

Council District: 3

Parcel Address: 3024 E. Winchcomb Drive

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-123-23-3) FROM R1-14 (ONE-FAMILY RESIDENCE) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 2.55-acre property located at the northwest corner of 31st Street and Winchcomb Drive in a portion of Section 11, Township 3 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R1-14" (One-Family Residence) 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 31st Street & Winchcomb Drive 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 April 15, 2025, as modified by the following stipulations:
 - a. Front Cover: Revise the submittal date information to add the following: City Council Adopted: [Add adoption date].
 - b. Front Cover: Replace “4th Submittal” with “Hearing Draft” and update the date to April 15, 2025.
 - c. Page 11, Development Standards Table, Auto Court Drive: Replace “Auto Court Drive” with “Street Standards (internal)”.
 - d. Page 11, Development Standards, PUD Parking Standards: Replace “should” with “shall”.
 - e. Page 12, Development Standards, Landscape Standards Table, Rear/Side Yard Landscape of Individual Lots: Replace “; live coverage area is limited to the minimum interior building setbacks area of each lot and excludes hardscape, pool, space, and turf areas” with “, planted within a 5-foot-wide landscape area along the side and rear property lines of each individual lot”.
 - f. Page 13, Development Standards, Fences/Walls: Delete “when mitigating noise from a school or neighboring property, particularly”.
 - g. Page 16, Design Guidelines, Modified Design Guidelines: Delete the following design guidelines: A.II.C.7.10.
 - h. Pages 14 – 17, Design Guidelines, Modified Design Guidelines and Elevated Design Guidelines: Delete “A.” before the section number for each section header of modified and elevated Section 507 Tab A design guidelines.
 - i. Page 17, Design Guidelines, Additional Design Guidelines: Add the following after the first sentence: “The design review guidelines indicated with the markers (R), (R*), (P), (T), and (C) shall be applied and enforced in the same manner as indicated in Section 507. Items not indicated with an (R), (R*), (P), (T), and (C) shall be treated as (R).”
 - j. Page 21, Sustainability, Practices Enforceable By the City: Add the green stormwater infrastructure and water consumption measures (#10 – 16 of Additional Design Guidelines section) to the summary list of enforceable sustainability measures of the PUD.

- k. Page 48, Exhibits, Building Setbacks: Revise the setback labels for the east property line of Lot 3 and west property line of Lot 6 to differentiate the interior front and interior side setback.
2. A minimum of 25 feet of right-of-way shall be dedicated for the north side of Winchcomb Drive, adjacent to the development, as approved by the Planning and Development Department.
 3. A curved radius street connection between 31st Street and Winchcomb Drive shall be dedicated and constructed, as approved by the Street Transportation Department.
 4. The developer shall coordinate with the owner of the adjacent parcel to the east (APN 214-55-972) to dedicate sufficient right-of-way to accommodate the curved radius street connection at 31st Street and Winchcomb Drive, as approved by the Street Transportation Department.
 5. Unused driveways shall be replaced with sidewalk, curb, and gutter. Also, any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets shall be replaced and all off-site improvements shall be upgraded to be in compliance with current ADA guidelines.
 6. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
 7. 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.
 8. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 2nd day of July, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

Z-123-23-3 LEGAL DESCRIPTION

Located in the Southeast Quarter of Section 11, Township 3 North, Range 3 East, Gila and Salt River Meridian, Maricopa County, Arizona. Described as follows:

Commencing at the East Quarter Corner of said Section 11;

Thence South $00^{\circ}12'31''$ East, along the East line of said Southeast Quarter, a distance of 1,344.96 feet;

Thence departing said East line, South $89^{\circ}11'11''$ West, a distance of 661.80 feet;

Thence North $00^{\circ}16'36''$ West, a distance of 335.79 feet to the Point of Beginning;

Thence South $89^{\circ}08'20''$ West, a distance of 331.14 feet;

Thence North $00^{\circ}14'47''$ West, a distance of 335.98 feet;

Thence North $89^{\circ}10'22''$ East, a distance of 330.94 feet;

Thence South $00^{\circ}16'52''$ East, a distance of 335.79 feet to the Point of Beginning.

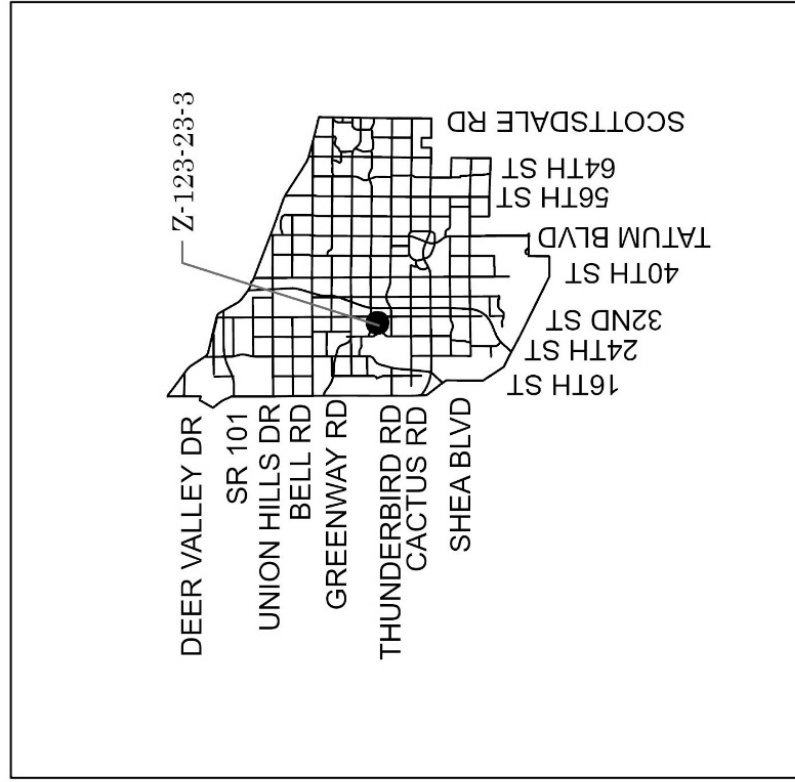
Containing 111,184.69 square feet or 2.55 acres, more or less.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-123-23-3
 Zoning Overlay: N/A
 Planning Village: Paradise Valley

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



NOT TO SCALE



Drawn Date: 6/2/2025



Modification of Stipulation Request for Ratification of May 21, 2025, Planning Hearing Officer Action - PHO-1-25--Z-63-06-7 - Approximately 315 Feet West of the Northwest Corner of 35th Avenue and Grant Street - District 7

Request to authorize the City Manager, or the City Manager's designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 21, 2025. This ratification requires formal action only.

Summary

Application: PHO-1-25--Z-63-06-7

Existing Zoning: R-3 (Approved A-1)

Acreage: 1.46 acres

Owner: Saul Trevizo

Applicant: Brent A. Powers Esq., Faith Law

Representative: D. Alexander Baker Esq., Faith Law

Proposal:

1. Request to delete Stipulation 2B regarding undulation of the wall along Grant Street.
2. Request to modify Stipulation 3 regarding the landscape setback along Grant Street.
3. Request to modify Stipulation 5 regarding the right-of-way dedication for the north half of Grant Street.
4. Request to modify Stipulation 7 regarding the completion timeframe for all improvements.

VPC Action: The Estrella Village Planning Committee heard the request on May 20, 2025, and recommended approval by a vote of 4-0.

PHO Action: The Planning Hearing Officer recommended denial as filed, approval with modifications.

Location

Approximately 315 feet west of the northwest corner of 35th Avenue and Grant Street
Council District: 7

Parcel Address: 3538 W. Grant St.

Responsible Department

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

Attachment A - Stipulations – PHO-1-25—Z-63-06-7

Location: Approximately 315 feet west of the northwest corner of 35th Avenue and Grant Street

STIPULATIONS:

1. ~~That~~ Only emergency vehicle access shall be allowed from Grant Street.

WALL ELEVATIONS

2. ~~That~~ The wall shall be constructed on all 4 sides of the site except for an area on the north side where the property is adjacent to 3533 and 3539 West Lincoln Street and where the emergency vehicle access gate is located along Grant Street. The wall and gate shall at a minimum meet the requirements below as approved or modified by the PLANNING AND Development Services Department.
 - A. ~~That~~ The wall shall be decorative in design, smooth stucco and/or split face block.
 - ~~B. Undulation of the wall along Grant Street shall be provided every 45 feet.~~
 - B. ~~That~~ The wall height shall be a minimum of 8 feet.
 - ~~C.~~
 - C. ~~That~~ A solid gate shall be provided, along Grant Street, (for emergency vehicle access only) that eliminates any view of the site interior.
 - ~~D.~~

LANDSCAPE IMPROVEMENTS

3. ~~That~~ A 25-foot landscape setback shall be provided along Grant Street and shall include 3 to 4 inch caliper trees spaced a distance of 20 feet on center or in equivalent groupings as approved by the PLANNING AND Development Services Department.
4. That the landscape materials provided within the Grant Street landscape setback area shall be from the guidance provided in the Estrella Village Arterial Street Landscape Program as approved by the PLANNING AND Development Services Department.

STREET IMPROVEMENTS

5. That right-of-way totaling 25 feet shall be dedicated for the north half of

Grant Street as approved by the PLANNING AND Development Services Department.

6. That the developer shall construct all streets adjacent to the development with sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the city. All improvements shall comply with all ADA standards.

PHO ACTION

7. ~~That~~ All improvements, as addressed in these above stipulations, shall be completed within 18 months of City Council approval. Evidence that shows completion of all improvements shall be submitted to the Planning Hearing Officer for Administrative Review to ensure compliance.
8. ~~That~~ Prior to site plan approval that both applicant and landowner SHALL execute a waiver of claims under proposition 207 in a form approved by the City Attorney's Office. Said waiver shall be recorded by the city and placed in the application file for record.



Modification of Stipulation Request for Ratification of May 21, 2025, Planning Hearing Officer Action - PHO-4-25--Z-29-94-6(8) - Approximately 970 Feet South of the Southeast Corner of 44th Street and Thomas Road - District 8

Request to authorize the City Manager, or the City Manager's designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 21, 2025. This ratification requires formal action only.

Summary

Application: PHO-4-25--Z-29-94-6(8)

Existing Zoning: C-2

Acreage: 1.82 acres

Owner: Gen2 Arizona Properties, LLC

Applicant/Representative: Michael Scarbrough, LTH Development Group, LLC

Proposal:

1. Request to modify Stipulation 1 regarding general conformance to the site plan date stamped January 11, 1994 and elevations and exhibits dated January 12, 1994.

VPC Action: The Camelback East Village Planning Committee heard the request on May 6, 2025, and recommended approval by a vote of 15-0.

PHO Action: The Planning Hearing Officer recommended approval with a modification.

Location

Approximately 970 feet south of the southeast corner of 44th Street and Thomas Road

Council District: 8

Parcel Address: 2601 N. 44th Street

Responsible Department

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

ATTACHMENT A

Stipulations – PHO-4-25—Z-29-94-6(8)

Location: Approximately 970 feet south of the southeast corner of 44th Street and Thomas Road

STIPULATIONS:

1.	That The development SHALL be in general conformance WITH to the site plan AND ELEVATIONS DATE STAMPED MARCH 28, 2025 AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. (dated January 11, 1994) [or with the modifications to Anchor D as shown in the site plan dated September 7, 2001], together with the elevations and exhibits (dated 1/12/94) as may be modified by the following stipulations.	
2.	That Development of the site SHALL be in accordance with the Development Agreement (Ordinance S-21748 amending Ordinance S-21068, dated 11-93) between Opus Southwest Corporation and the City of Phoenix.	
3.	That Particular attention shall be given during the Design Review process to provide building elevations that are consistent in design and materials around the entire center and that the linear nature of the design be minimized through the use of architectural embellishments, building offsets, shade structures and pedestrian plazas.	
4.	That The site plan be modified as approved by the Development Services Department to reflect the following changes:	
	a.	Building offsets for the major users shall be consistent with the site plan dated January 11, 1994;
	b.	Pad Sites three (3) and four (4) may be modified to create a unified pad development such as through the use of depressed parking and pedestrian plazas. A major gateway statement shall be provided at the Thomas Road and 44th Street intersection with views to the interior of the development;
	c.	That Access to the exception parcel at the southwest corner of the site SHALL be considered at the time of site plan approval.
5.	That The right-of-way dedications and off-site improvements shall be consistent with the Development Agreement (as identified in Stipulation No.2).	

6.	That A single driveway access SHALL be permitted on 46th Street south of Shops “B” as approved by the Development Services Department, and no vehicular access between the library site and the retail center. Left turn access from the site onto Oak Street shall be prohibited.

DRAFT



Public Hearing and Resolution Adoption - General Plan Amendment GPA-NM-1-25-3 - Southwest Corner of 19th Avenue and Dunlap Avenue (Resolution 22319) - District 3

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 12.37 acres from Industrial and Commercial to Mixed Use. This is a companion case to Z-7-25-3 and should be heard first, followed by Z-7-25-3.

Summary

Application: GPA-NM-1-25-3

Current Designation: Industrial (5.16 acres) and Commercial (7.21 acres)

Proposed Designation: Mixed Use

Acreage: 12.37 acres

Proposed Use: To align with the Transit Oriented Communities Strategic Policy Framework

Owner: City of Phoenix, Public Transit Department

Applicant: City of Phoenix, Planning Commission

Representative: Jeff Stapleton, City of Phoenix, Community and Economic Development Department

Staff Recommendation: Approval

VPC Action: The North Mountain Village Planning Committee heard this item on May 21, 2025, and recommended approval, per the staff recommendation, by a vote of 14-0.

PC Action: The Planning Commission heard this item on June 5, 2025, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 9-0.

Location

Southwest corner of 19th Avenue and Dunlap Avenue

Council District: 3

Parcel Address: 1905, 1935, 1945, 1957, 1961 W. Dunlap Avenue

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 2025
GENERAL PLAN FOR PHOENIX, APPLICATION GPA-NM-1-25-3,
CHANGING THE LAND USE CLASSIFICATION FOR THE
PARCEL DESCRIBED HEREIN.



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

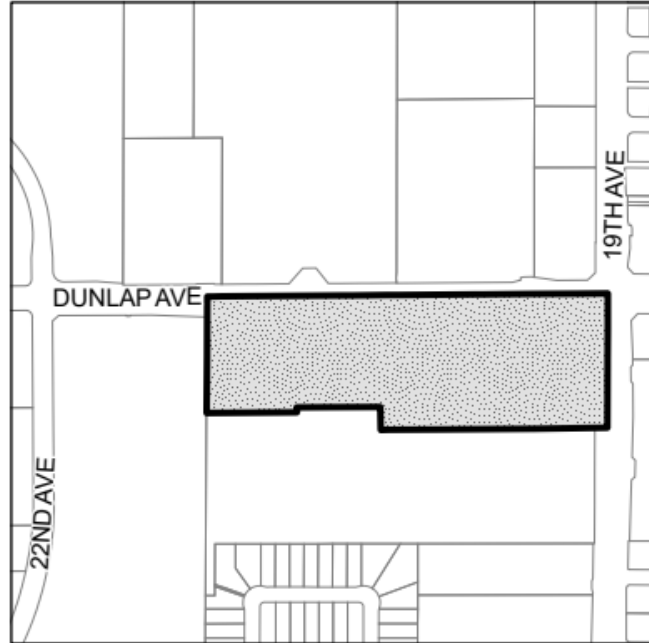
SECTION 1. The 2025 Phoenix General Plan, which was adopted by
Resolution 22191, is hereby amended by adopting GPA-NM-1-25-3. The 12.37 acres
of property is located at the southwest corner of 19th Avenue and Dunlap Avenue and
is designated as Mixed Use.

SECTION 2. The Planning and Development Director is instructed to
modify the 2025 Phoenix General Plan to reflect this land use classification change as
shown below:

PROPOSED CHANGE:

Mixed Use (12.37 +/- Acres)

 Proposed Change Area
 Mixed Use



PASSED by the Council of the City of Phoenix this 2nd day of July 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

DRAFT

ATTACHMENT B



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT I STAFF ANALYSIS May 12, 2025

Application: GPA-NM-1-25-3

Owner: City of Phoenix, Public Transit Department

Applicant: City of Phoenix, Planning Commission

Representative: Jeff Stapleton, City of Phoenix, Community and Economic Development Department

Location: Southwest corner of 19th Avenue and Dunlap Avenue

Acreage: 12.37 acres

Current Plan Designation: [Industrial](#) (5.16 acres)
[Commercial](#) (7.21 acres)

Requested Plan Designation: [Mixed Use](#) (12.37 acres)

Reason for Requested Change: To align with the Transit Oriented Communities Strategic Policy Framework

[North Mountain Village Planning Committee Meeting Date:](#) May 21, 2025

Staff Recommendation: Approval

FINDINGS:

- 1) The proposed General Plan Land Use Map designation will maximize a mix of uses adjacent to a light rail station.
- 2) The proposed General Plan Land Use Map designation is consistent with City's 19North Transit Oriented Development Policy Plan.

- 3) The proposed General Plan Land Use Map designation is compatible with surrounding designations and will complement and diversify the area's land use mix.

BACKGROUND

The subject site is located at the southwest corner of 19th Avenue and Dunlap Avenue. The eastern end of the site consists of a Park and Ride lot that serves the 19th Avenue and Dunlap Light Rail Station. The western end of the site consists of a commercial building and associated parking. The companion rezoning case, Z-7-25-3, is a request to rezone from 2.44 acres of C-1 (Neighborhood Retail), 9.90 acres of C-2 (Intermediate Commercial), and 0.03 acres of C-2 SP (Intermediate Commercial, Special Permit) to WU Code T5:5 (Walkable Urban Code, Transect 5:5) to allow for mixed use multifamily residential. The existing Special Permit is for an auto leasing rental facility.

This request proposes a minor amendment to the General Plan Land Use Map to allow mixed use development. The proposal will modify the land use map designation from 7.21 acres of Commercial and 5.16 acres of Industrial to 12.37 acres of Mixed Use.

SURROUNDING LAND USES

NORTH

North of the subject site, across Dunlap Avenue, is a convenience store zoned C-2 (Intermediate Commercial) as well as a mobile home park zoned C-2 (Intermediate Commercial) and R-2 SP (Multifamily Residence District, Special Permit). The General Plan Land Use Map designation for this area includes Commercial and Residential 15+ dwelling units per acre.

SOUTH

South of the subject site is multifamily residential zoned R-4A (Multifamily Residence-General). The General Plan Land Use Map designation for this area includes Industrial and Residential 10 to 15 dwelling units per acre.

EAST








East of the subject site, across 19th Avenue, is a retail shopping center zoned PSC (Planned Shopping Center District). The General Plan Land Use Map designation for this property is Commercial.

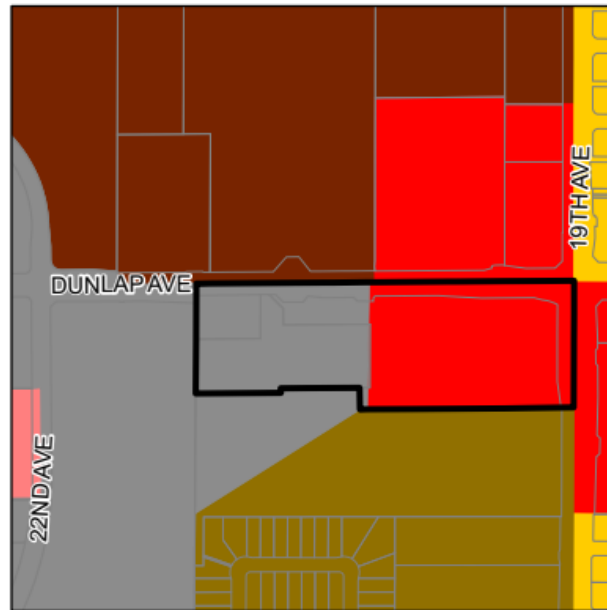
WEST

West of the subject site is a school zoned IND PK (Industrial Park). The General Plan Land Use Map designation for this property is Industrial.

EXISTING:



Commercial (7.21 +/- Acres)
Industrial (5.16 +/- Acres)

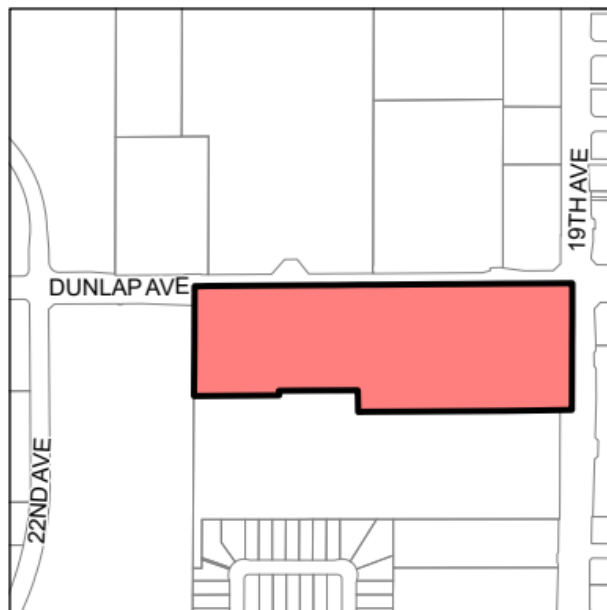
-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 10 to 15 du/ac
-  Residential 15+ du/ac
-  Commercial
-  Industrial
-  Mixed Use



PROPOSED CHANGE:

Mixed Use (12.37 +/- Acres)

-  Proposed Change Area
-  Mixed Use



*Existing and Proposed General Land Use Designation Maps
Source: City of Phoenix Planning and Development Department*

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

- **CONNECT PEOPLE AND PLACES CORE VALUE; CORES, ENTERS AND CORRIDORS; DESIGN PRINCIPLE: *Promote development in compact cores, centers and corridors that are connected by roads and transit, and are designed to encourage walking and bicycling.***

The subject site is adjacent to two arterial streets, the 19th Avenue and Dunlap Avenue Light Rail Station and a bus stop, which provides convenient access to the larger community. Further, as stipulated in the companion rezoning case, Z-7-25-3, there will be bicycle infrastructure to help facilitate multimodal transportation.

- **CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.**

The request facilitates additional housing opportunities in the Village that will help alleviate the housing crisis and is appropriately located adjacent to a light rail station.

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

As stipulated in the companion rezoning case Z-7-25-3, and as required by WU Code zoning, the proposal will shade public and private walkways, the surface parking area, and provide enhanced planting standards.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-NM-1-25-3. The proposed land use map designation facilitates the future redevelopment of City-owned property located in immediate proximity to a light rail station.

Writer

Robert Kuhfuss
May 12, 2025

Team Leader

Racelle Escolar

Exhibits

Sketch Maps (2 pages)

GENERAL PLAN AMENDMENT








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

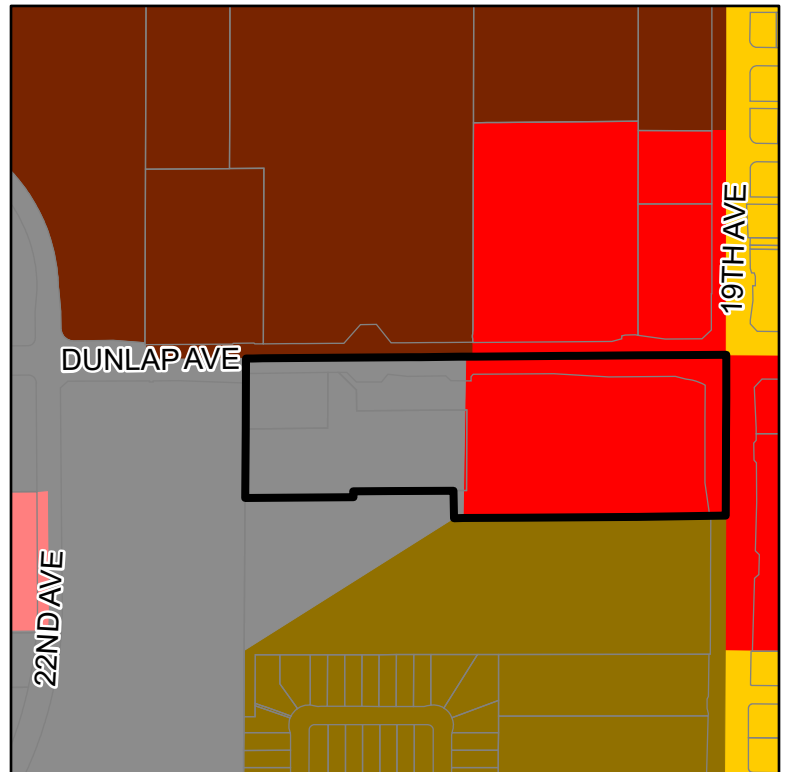
APPLICATION NO: GPA-NM-1-25-3	ACRES: 12.37 +/-	REVISION DATE:
VILLAGE: North Mountain	COUNCIL DISTRICT: 3	
APPLICANT: City of Phoenix		

EXISTING:

Commercial (7.21 +/- Acres)



Industrial (5.16 +/- Acres)

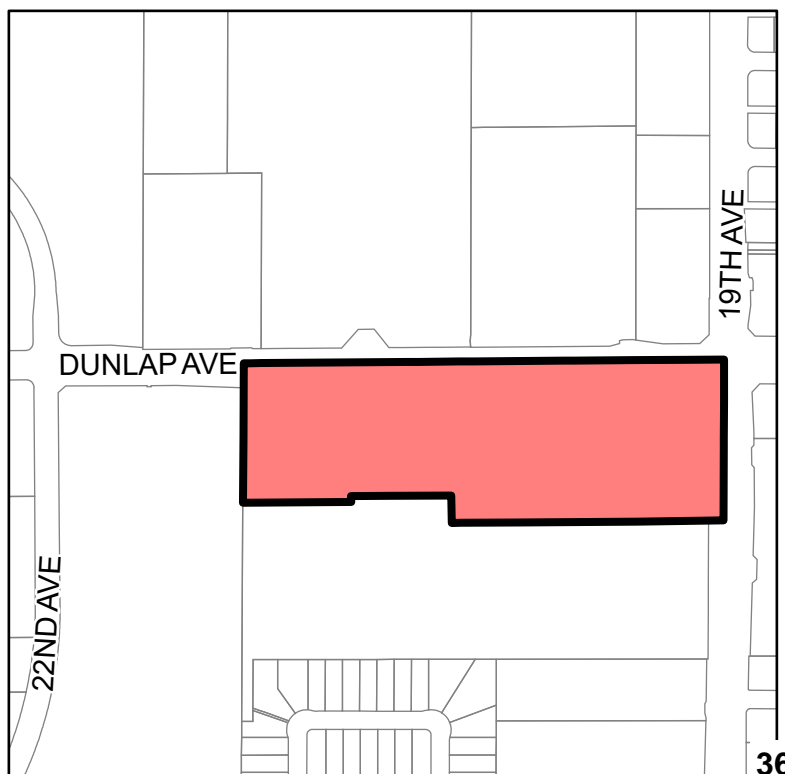
-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 10 to 15 du/ac
-  Residential 15+ du/ac
-  Commercial
-  Industrial
-  Mixed Use



PROPOSED CHANGE:

Mixed Use (12.37 +/- Acres)

-  Proposed Change Area
-  Mixed Use



GENERAL PLAN AMENDMENT








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

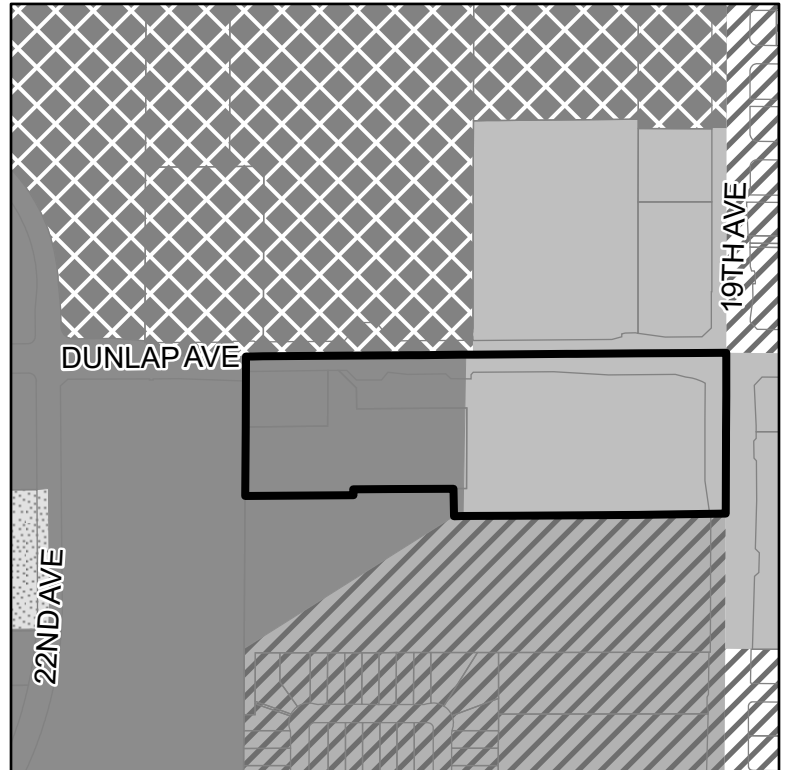
APPLICATION NO: GPA-NM-1-25-3	ACRES: 12.37 +/-	REVISION DATE:
VILLAGE: North Mountain	COUNCIL DISTRICT: 3	
APPLICANT: City of Phoenix		

EXISTING:

Commercial (7.21 +/- Acres)



Industrial (5.16 +/- Acres)

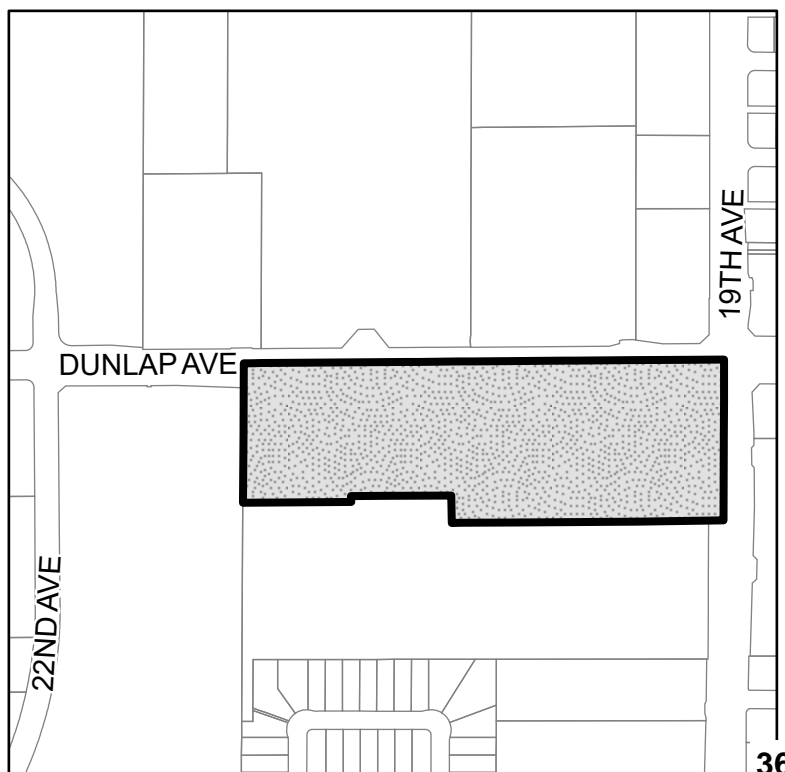
-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 10 to 15 du/ac
-  Residential 15+ du/ac
-  Commercial
-  Industrial
-  Mixed Use



PROPOSED CHANGE:

Mixed Use (12.37 +/- Acres)

-  Proposed Change Area
-  Mixed Use





Village Planning Committee Meeting Summary

GPA-NM-1-25-3

Date of VPC Meeting	May 21, 2025
Request From	Industrial and Commercial
Request To	Mixed Use
Proposal	Mixed-use, multifamily residential
Location	Southwest corner of 19th Avenue and Dunlap Avenue
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	14-0

VPC DISCUSSION:

Item No. 4 (GPA-NM-1-25-3) and Item No. 5 (Z-7-25-3) are companion cases and were heard together.

No members of the public registered to speak on this item.

STAFF PRESENTATION

Robert Kuhfuss, staff, presented both proposals, providing land use and zoning information on the site and surrounding area, its proximity to the Primary and Secondary Village Cores, and proximity to the light rail station. Mr. Kuhfuss summarized the various policy plans applicable to the site. Mr. Kuhfuss summarized public input received to date, reviewed each of the recommended stipulations, and provided an overview of staff's findings and recommendations.

APPLICANT PRESENTATION

Jeff Stapleton, Community and Economic Development staff, provided an additional presentation. Mr. Stapleton stated that Mr. Kuhfuss had provided a good overview of the project. Mr. Stapleton stated that the city had acquired the site in preparation for the Northwest Light Rail Phase I. Mr. Stapleton stated that the existing park-and-ride is at about 10% utilization and that the existing strip retail center is mostly vacant. Mr. Stapleton stated that the existing zoning will allow multifamily residential uses, and explained that because the site is underutilized, their preference is to rezone the site in a manner that is consistent with the plans and policies previously noted. Mr. Stapleton stated that the City Council authorized staff to begin the redevelopment

process in 2023. Mr. Stapleton referenced the vision as expressed in the 19North Transit Oriented Development Policy Plan, which encourages mixed-use development, enhancing the pedestrian realm, rights-of-way through the use of the Walkable Urban Code. Mr. Stapleton reiterated the Housing Phoenix Plan, which advocates increasing housing opportunities of all types including affordable, workforce, and market. Mr. Stapleton stated that a key element of the Housing Phoenix Plan is to incorporate HUD housing opportunities on city-owned properties. Mr. Stapleton referenced the Metro District Oriented Communities Policy Plan and stated that while the official boundaries of that plan are west of the site, the plan was used for guidance as to how the site might look. Mr. Stapleton reiterated the stipulation requiring the activation of the frontage and referenced a rendering of the site showing Plaza19 relative to a multi-story mixed-use building with retail on the ground floor. Mr. Stapleton referenced two massing studies that illustrated what the site might look like, emphasizing the relationship of the light rail station to the front of the site, with parking towards the rear of the site. Mr. Stapleton stated that the intent is to rezone to the Walkable urban Code so that bidders can simply design to that code and not be concerned whether the site is zoned C-1 or C-2. Mr. Stapleton stated that if the proposed zoning is approved, the site will be much more conducive to mixed-use development. Mr. Stapleton reiterated the maximum building height and the incentive to increase that height by providing 30% Affordable Housing. Mr. Stapleton stated that initially, they were seeking a maximum height of 56 feet but are amenable to the provision for 30% Affordable Housing incentive. Mr. Stapleton stated that having an Industrial land use designation next to light rail is not preferable and reiterated the request for the change in land use designation as requested in the proposed General Plan Amendment. Mr. Stapleton stated that they held a neighborhood outreach meeting on April 8, 2025 at the Cholla Library, which was well attended. Mr. Stapleton stated they were scheduled for the Planning Commission on June 5, 2025 and City Council on July 2, 2025. Mr. Stapleton stated they received a number of questions as there is not a specific project. Mr. Stapleton stated that the Request for Proposal will likely be issued in 2026 or 2027 and explained the Request for Proposal process. Mr. Stapleton stated that they will engage the various community groups and the Village Planning Committee, explaining to those groups the minimum qualifications, and the desired project, prior to going to a City Council subcommittee.

Committee Member Gabriel Jaramillo stated that in all the time that he has served on the Village Planning Committee and Planning Commission, he has never seen a group ask for input on a project like this and asked for clarification. Mr. Stapleton stated they utilize this process in the Central City and Encanto Villages. Mr. Stapleton stated that they typically get a number of questions relating the project vision and reiterated their intent for a residential use with neighborhood retail and reiterated the requirement for not less than 5,000 square feet of retail. Mr. Stapleton stated that the Park-and Ride will be right-sized based on current demand and Valley Metro's recommendation. Mr. Stapleton stated they expect to retain about 10% of its current capacity.

Committee Member Patrick Edwards asked about the number of parking spaces currently on the site. Mr. Stapleton stated there were currently 417 spaces. Mr. Stapleton stated that should the terms of the RFP be approved by the City Council, the RFP will be prepared and issued, which will lead to development proposals being submitted by various developers. Mr. Stapleton stated that each proposal will be evaluated and scored by an evaluation panel, which will lead to the selection of the winning proposer. Mr. Stapleton stated that business terms would then be negotiated, followed by additional community input and City Council Subcommittee evaluation and approval. Mr. Stapleton stated that the City Council would make the final decision to move forward and a Development Agreement would be executed, which would include provisions that implement the various stipulations of approval. Mr. Stapleton stated that construction plans would be submitted and permits issued, which would lead to construction activities on the site, with completion to occur sometime between 2029 or 2030.

QUESTIONS FROM THE COMMITTEE

Vice Chair Joshua Matthews asked why Transect 5:5 was chosen rather than Transect 5:6, since Transect 5:6 would allow more height, density, and affordability. **Mr. Stapleton** stated that it was about achieving balance with all of the city's policy plans, the existing development in the area, the site's adjacency to light rail, and determining what is the appropriate intensity. Mr. Stapleton stated that outside of downtown, most of the requests that he is familiar with utilize Transect 5:5 as that transect adheres to a plan that has received community support as opposed to a transect that would allow 80 to 100 feet in height.

Committee Member Massimo Sommacampagna asked why the number of parking spaces associated with the park-and-ride was not fixed at this time. **Mr. Stapleton** stated that they will seek input from Valley Metro who will determine the number of parking spaces needed, which will then be reflected in the RFP.

Committee Member Gabriel Jaramillo asked if the project would include mixed income as well as mixed-use. **Mr. Stapleton** stated that was the case. Committee Member Jaramillo asked for additional information stating that the stipulations only address affordability as a bonus incentive and asked if there could be a stipulation that required mixed income. Mr. Stapleton stated that he would expect that a firm goal would be established through the RFP process that would establish the minimum number of affordable and workforce units, as well as a maximum number of market rate units. Committee Member Jaramillo asked for additional confirmation that the RFP process would establish required percentages regarding affordability beyond the bonus incentive contained in the stipulations. Mr. Stapleton stated that would be the case and that they would come back to the Committee at a later date to demonstrate that had been achieved.

Vice Chair Matthews asked how many dwelling units they expected to generate. **Mr. Stapleton** stated that they estimate approximately 300 units if constructed to a height of 48 feet; more if higher.

Committee Member Steve Pamperin asked for clarification regarding the percentage of covered parking and the number of EV parking spaces. **Mr. Stapleton** stated that the intent was to set the initial benchmark as was the case with setting the minimum amount of retail at 5,000 square feet. Mr. Stapleton stated that since the city owns the site, the city can require more if the conditions warrant and that setting the minimum number of EV spaces at 5% makes it easier for the developer to scale up. Mr. Stapleton stated that it is possible that a parking structure could be proposed and that he has seen where the developer placed the ground floor retail towards the street with structured parking behind, which makes it easier to build above.

Mr. Stapleton stated that the proposal is supported by the Metro District Community Collaboration, which is the business and property owner association to the west of the site. Mr. Stapleton also stated they have been working with Quik Trip to obtain a letter of support.

PUBLIC COMMENT

None

COMMITTEE DISCUSSION

Vice Chair Matthews stated that he was excited to see this project come in and was happy to see something other than another gas station. Vice Chair Matthews stated that since the city owns the site, the city should be more aggressive in trying to achieve more affordable units, Vice Chair Matthews stated that 10% of 300 units is only 30 units as opposed to the project being allowed to achieve a height of 56 feet with all being affordable housing but also expressed concerns with the market being able to support that type of development. Vice Chair Matthews also expressed concerns over development agreements, stating they can be challenging. Vice Chair Matthews stated there was an opportunity to enhance Plaza19 and the retention area in response to CPTED, and that the city should encourage integration of the front of the building with the light rail.

Committee Member Jaramillo stated that he would like the Village Planning Committee to be a part of the RFP process in order to ensure that the number of affordable units is appropriate as opposed to the matter being left up to potential bonuses.

Committee Member Elizabeth Pérez-Pawloski asked if the Committee can amend the stipulation regarding the amount of affordable housing units. **Mr. Kuhfuss** stated that the Committee could amend that or any stipulation and reminded the Committee that the numbers contained in that stipulation were the result of conversations between the city's Planning, Housing, and Community and Economic Development Departments. Committee Member Pérez-Pawloski asked how a change to a stipulation could be achieved. Mr. Kuhfuss explained that whoever makes the motion could include in that motion a proposed change to the applicable stipulations, which

would then be included in the second and ultimate vote. **Committee Member Pamperin** asked what the stipulation was regarding affordability for the Metrocenter project. **Mr. Kuhfuss** stated that he did not have that information committed to memory. **Mr. Stapleton** stated that he was the city's project manager for The Metropolitan and that there are no stipulations or affordability benchmarks except for one circumstance where the developer applied for the Government Property Lease Excise Tax program which involved an in-lieu payment to the Affordable Housing Trust Fund but that was when the developer was looking at providing 3,000 units and has since pivoted away from that goal. **Committee Member Jaramillo** stated that Concord Wilshire is working in good faith towards providing affordable housing at Metrocenter but there were no stipulations that require them to do so. **Committee Member Jaramillo** stated that now is a good opportunity to add stipulations regarding affordability. **Chair Stephanie Fogelson** expressed concerns regarding the red tape at the state level when it comes to affordable housing. **Vice Chair Matthews** stated that the tax credit process is available but there is no requirement to do so. **Vice Chair Matthews** stated that typically if a project were to be 100% affordable housing, the project could pencil out, but at a lesser amount, incentives are needed to achieve economies of scale. **Vice Chair Matthews** asked Mr. Stapleton if he, as the applicant, would be opposed to the Committee stipulating to 20% affordable housing, and how the Committee could be involved in the RFP process. Mr. Stapleton stated that outside of Arizona, where there is an exclusionary zoning regime, the benchmark is typically 20%. Mr. Stapleton further stated that they could come back to the Village with the terms of the RFP as well as the site plan. **Committee Member Jaramillo** stated that his preference would be to participate in the RFP process rather than attach an arbitrary number. **Committee Member Pérez-Pawloski** stated there was an opportunity to make a statement rather than accept a minimal deal. **Vice Chair Matthews** stated that this site is not the only park-and-ride site that will be redeveloped, and that this development could set the tone for future projects. **Vice Chair Matthews** stated that he would like to be aggressive when possible and that this site literally includes a light rail station making this a prime opportunity. **Vice Chair Matthews** stated that he is considerate of the city not pushing itself out of the market but is also willing to let the site remain vacant until the right project comes along. **Vice Chair Matthews** referenced a project at the northwest corner of 7th Avenue and McDowell Road where more could have been achieved. **Vice Chair Matthews** reiterated that building something now for the sake of doing so could result in a missed opportunity. **Vice Chair Matthews** stated that he did not want to be part of the Development Agreement process but would like to set the expectations. **Vice Chair Matthews** stated that as a city-owned site, it is conceivable that the site could develop at 50% or 100% affordable housing but needed to know what that threshold is. **Committee Member Pamperin** stated that the area should include a mix of housing opportunities.

Vice Chair Matthews asked Mr. Stapleton if he would be amenable to a stipulation requiring a minimum of 20% affordable housing. **Mr. Stapleton** stated that would be acceptable. **Committee Member Heather Garbarino** stated that she is reticent to go against staff's recommendation and asked what the appropriate percentage is. Mr. Stapleton stated that 20% would be consistent with other states that have an

exclusionary zoning regime and that financing a larger percentage becomes more difficult. Mr. Stapleton stated that 20% also leaves the door open for a mixed income development.

MOTION:

Vice Chair Joshua Matthews motioned to recommend approval of GPA-NM-1-25-3 per the staff recommendation. **Committee Member Gabriel Jaramillo** seconded the motion.

VOTE:

14-0, motion to recommend approval of GPA-NM-1-25-3 per the staff recommendation passes with Committee Members Alauria, Barraza, Carmona, Edwards, Garbarino, Harris, Hepperle, Jaramillo, Larson, Pamperin, Pérez-Pawloski, Sommacampagna, Matthews, and Fogelson in favor and none opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION June 5, 2025

ITEM NO: 5	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	GPA-NM-1-25-3 (Companion Case Z-7-25-3)
Request:	Minor General Plan Amendment to align with the Transit Oriented Communities Strategic Policy Framework
From:	Commercial and Industrial
To:	Mixed use
Acreage:	12.37
Location:	Southwest corner of 19th Avenue and Dunlap Avenue
Applicant:	City of Phoenix, Planning Commission
Owner:	City of Phoenix, Public Transit Department
Representative:	Jeff Stapleton, City of Phoenix, Community and Economic Development Department

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

North Mountain 5/21/2025 Approval, per the staff recommendation. Vote: 14-0.

Planning Commission Recommendation: Approval, per the North Mountain Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Matthews made a MOTION to approve GPA-NM-1-25-3, per the North Mountain Village Planning Committee recommendation.

Maker: Matthews

Second: Hu

Vote: 9-0

Absent: None

Opposition Present: No

Findings:

1. The proposed General Plan Land Use Map designation will maximize a mix of uses adjacent to a light rail station.
2. The proposed General Plan Land Use Map designation is consistent with City's 19North Transit Oriented Development Policy Plan.
3. The proposed General Plan Land Use Map designation is compatible with surrounding designations and will complement and diversify the area's land use mix.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, saneeya.mir@phoenix.gov, TTY: Use 7-1-1.



May 6, 2025

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

RE: Support for Zoning Case Z-7-25 and GPA-NM-1-25-3 (Southwest Corner of 19th Avenue and Dunlap Avenue)

To Whom It May Concern:

As a Board Member of the Metro District Community Collaboration (MDCC), I am writing in support of the proposed rezoning and General Plan Amendment for the City of Phoenix property located at the southwest corner of 19th Avenue and Dunlap Avenue.

This proposed action supports the revitalization of the Metro District and the broader Dunlap Avenue corridor. The area has long needed thoughtful, pedestrian-oriented development that enhances both economic development and neighborhood vibrancy. By aligning with the 19North Transit Oriented Development Policy Plan this case reflects a strategic vision to bring walkable, mixed-use development to a currently underutilized City-owned site.

Rezoning that support the Walkable Urban Code and enable mixed-use development are key tools for increasing the area's economic development potential. The MDCC supports efforts that promote quality development and greater livability—and this case is a strong step in that direction.

We appreciate the City's engagement and leadership in activating this site for long-term community benefit.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Lindblad", with a stylized flourish at the end.

Ron Lindblad

Board Member, Metro District Community Collaboration (MDCC)
General Manager, DoubleTree by Hilton Phoenix North
10220 N Metro Pkwy E, Phoenix AZ 85051
Hotel: 602-997-5900 | Direct: 602-331-9844 | Cell: 602-312-1941

ATTACHMENT F

From: [DARLENE GEORGE](#)
To: [Robert H Kuhfuss](#)
Subject: 19Th Ave & Dunlap Zoning case # GPA-NM-1-25-3 and Z-7-25
Date: Friday, March 28, 2025 6:40:36 AM

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

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

[Report Suspicious](#)

Hello Mr. Kuhfuss,

Per my understanding there is a 12.55-acre site that is going to be rezoned allowing for 143 residential units. We have an above average density of apartments in this area and this specific property is already heavily populated.

My wishes are to not have any more houses or apartments developed in this area. It is too congested already.

Thank-you for seriously considering my opinions,

Darlene George
602-881-1124

From: [Jeff Stapleton](#)
To: [Barbara Hettinger](#)
Cc: [Kathleen T Consador](#); [Robert H Kuhfuss](#)
Subject: RE: Proposed New Land Use at 19th Avenue and Dunlap
Date: Thursday, April 3, 2025 2:12:50 PM
Attachments: [Aerial Parcel Map.pdf](#)
[image001.png](#)

Hello Ms. Hettinger,

Thank you for contacting our office. The City-owned Park & Ride and adjacent shopping center at 19th Ave. & Dunlap (Site) are being considered for future redevelopment (map attached). One key detail concerning this zoning case [Z-7-25 | GPA-NM-1-25-3] is that there is no proposed project associated with this case. Should the application be approved, there will not be any imminent construction activity at the site. Any future project will be the subject of a competitive request for proposals (RFP) process. The requirements for the RFP and a contract award will result from future actions of the City Council. The timing of an RFP release is not known at this time, but will likely not occur any sooner than 2026.

The Site's existing zoning allows for future redevelopment to C-1 and C-2 standards allowing for a variety of commercial uses, or it can be redeveloped with a multi-family residential use, which is permitted under existing C-1 and C-2 zoning. The proposed zoning district, Walkable Urban Code is typically used along Light Rail to allow for mixed-use development with reduced setbacks. This specific case results from the 19 North Transit Oriented Development Policy Plan approved by the City Council in 2021 ([link](#)). The goal of the case is to allow respondents to the future RFP to submit proposed project designs that improve the streetscape with landscaping, pedestrian and bike amenities and mixed-use development at the site. A vision for the area is noted on Page 54-57 of the plan. Not noted in the plan is that some share of parking stalls at the Site to support the Park & Ride will be retained at the site. The exact amount of stalls is not known at this time, but likely would be somewhere between 10%-25% of the existing parking stalls.

A requirement of the rezoning case is to document any correspondence received from those in support, opposed, or interested in the case. I will add your inquiry and my response to the file. I am also more than happy to answer any further questions. Feel free to call or e-mail me.

Jeff Stapleton
Program Manager
City of Phoenix
Community and Economic Development
200 West Washington Street, 20th Floor
Phoenix, AZ 85003
Office: 602-534-3162
Cell: 520-270-1675
jeff.stapleton@phoenix.gov




 **PHOENIX IS HOT**

From: Barbara Hettinger <babshettinger@gmail.com>
Sent: Tuesday, April 1, 2025 2:00 PM
To: Jeff Stapleton <jeff.stapleton@phoenix.gov>
Subject: Proposed New Land Use at 19th Avenue and Dunlap

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

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Dear Mr. Stapleton,

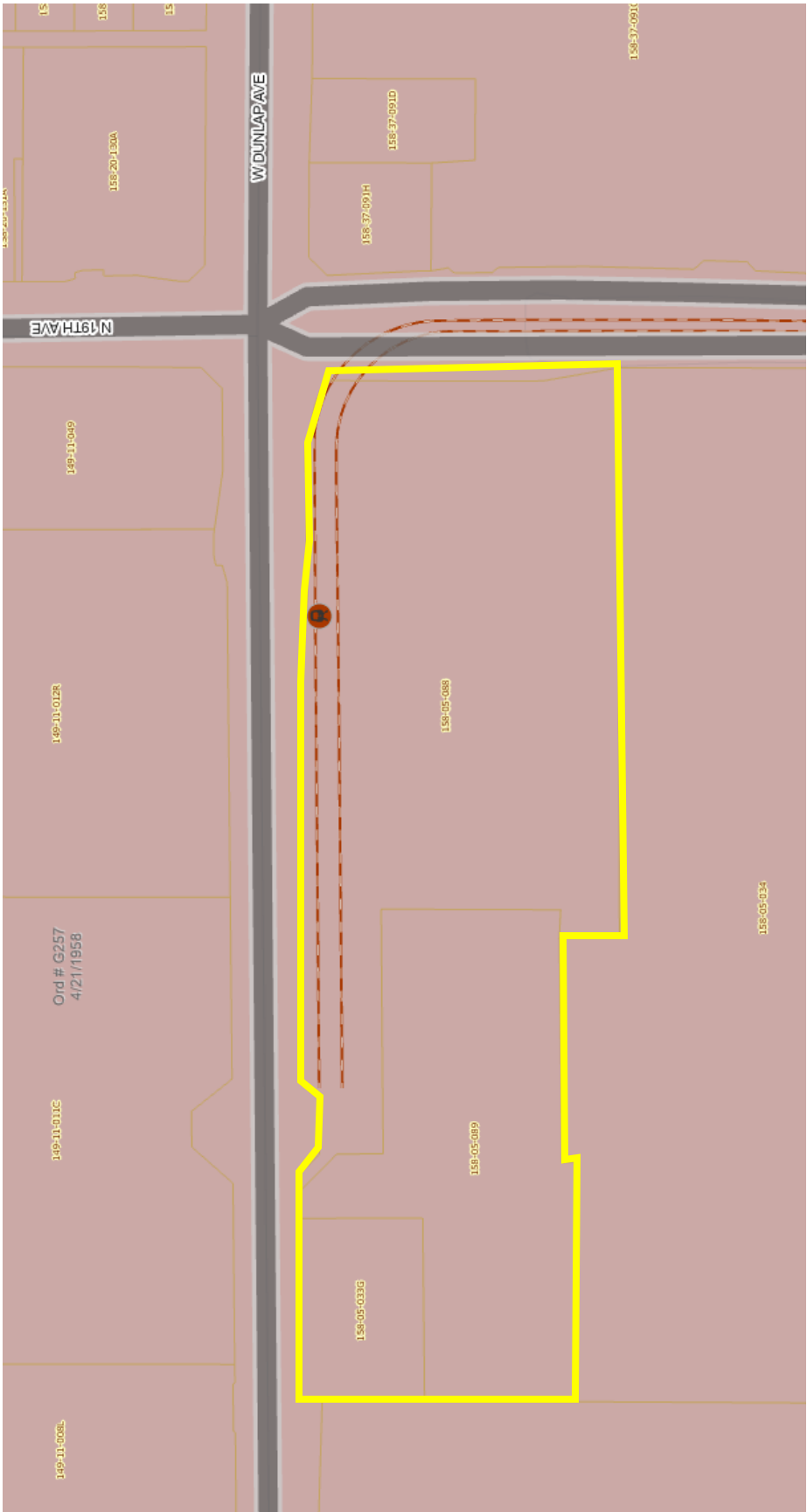
I write to request information regarding the land at 19th Avenue and Northern secured by the city for the light rail and its contemplated use for multi-family dwellings. As you are aware, this whole area is highly compressed with Section 8 housing and other multi-family dwellings and their attending services. As you are also likely aware, higher density housing is associated with significantly higher crime. As much as you have decision-making responsibilities, please ensure that our area is protected from already highly dense population spaces with many very high-need residents. It is time to spread out high-density family dwellings to other areas that have not yet filled that need.

I look forward to receiving more information from your office.

With respect and gratitude,

Barbara Egbert Hettinger

Parcel Map





Public Hearing and Ordinance Adoption - Rezoning Application Z-7-25-3 - Southwest Corner of 19th Avenue and Dunlap Avenue (Ordinance G-7404) - District 3

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-7-25-3 and rezone the site from C-1 (Neighborhood Retail), C-2 (Intermediate Commercial), and C-2 SP (Intermediate Commercial, Special Permit) to WU Code T5:5 (Walkable Urban Code, Transect 5:5) to allow mixed use, multifamily residential. This is a companion case and must be heard following case GPA-NM-1-25-3.

Summary

Current Zoning: C-1 (2.44 acres), C-2 (9.90 acres), and C-2 SP (0.03 acres)

Proposed Zoning: WU Code T5:5

Acreage: 12.37 acres

Proposal: Mixed Use, Multifamily Residential

Owner: City of Phoenix, Public Transit Department

Applicant: City of Phoenix, Planning Commission

Representative: Jeff Stapleton, City of Phoenix, Community and Economic Development Department

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Mountain Village Planning Committee heard this item on May 21, 2025, and recommended approval, per the staff recommendation, with an additional stipulation, by a vote of 14-0.

PC Action: The Planning Commission heard this item on June 5, 2025, and recommended approval, per the staff memo dated June 4, 2025, by a vote of 9-0.

Location

Southwest corner of 19th Avenue and Dunlap Avenue

Council District: 3

Parcel Address: 1905, 1935, 1945, 1957, and 1961 W. Dunlap Avenue

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-7-25-3) FROM C-1 (NEIGHBORHOOD RETAIL), C-2 (INTERMEDIATE COMMERCIAL), AND C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT) TO WU CODE T5:5 (WALKABLE URBAN CODE, TRANSECT 5:5).

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

SECTION 1. The zoning of a 12.37-acre site located on the southwest corner of 19th Avenue and Dunlap Avenue in a portion of Section 36, Township 3 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 2.44 acres of "C-1" (Neighborhood Retail), 9.90 acres of "C-2" (Intermediate Commercial), and 0.03-acres of "C-2 SP" (Intermediate Commercial, Special Permit) to "WU Code T5:5" (Walkable Urban Code, Transect T5:5).

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 site plan and elevations shall be presented for review and comment to the North Mountain Village Planning Committee prior to preliminary site plan approval.
2. The frontage adjacent to Plaza19 and the light rail station shall be treated as a Primary Frontage in accordance with Section 1303.A.6 of the Phoenix Zoning Ordinance.
3. The northern edge of the site, along the light rail station and Plaza19, shall be treated as street frontage and building setbacks/build-to dimensions shall be measured from the back of any easements (public utilities, public pedestrian access, maintenance, etc.), as approved by the Planning and Development Department.
4. Development adjacent to the northeast corner of the site (Plaza19 and light rail station) shall contain a vertical mix of land uses such as residential and non-residential uses, as approved by the Planning and Development Department. A minimum of 5,000 square feet of non-residential uses shall be provided and shall not include lobby, exercise, reception areas or other similar uses intended for exclusive use by residents.
5. The maximum building height shall not exceed 48 feet, except that the maximum building height may be increased to 56 feet, subject to a minimum of 30% of the dwelling units are provided as Affordable Housing, as approved by the Planning and Development Department and Housing Department.
6. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d 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 spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.

- c. A bicycle repair station (“fix it station”) shall be provided and maintained in an area of high visibility, in close proximity to the Light Rail station, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - d. Standard electrical receptacles shall be installed for a minimum of 10 percent of the required bicycle parking spaces for electric bicycle charging capabilities.
- 7. A minimum of 5% EV Installed infrastructure shall be provided for the required number of residential vehicle parking spaces, whether surface or structured, as approved by the Planning and Development Department:
- 8. If public parking is provided, a minimum of 5% of the parking provided shall be EV Installed.
- 9. The bus pad on southbound 19th Avenue south of Dunlap Avenue shall be retained, as approved by the Planning and Development Department.
- 10. A vehicular and pedestrian circulation plan shall be submitted to the Street Transportation Department and the Planning and Development Department for approval before applying for preliminary site plan review. The circulation plan shall incorporate the Community Vision Themes, Urban Principles and Strategies established in the *19 North Transit Oriented Development Plan* and demonstrate the following:
 - a. Routes for vehicles and pedestrians shall be designed to ensure seamless and safe movement for pedestrians, with pedestrian safety and accessibility taking priority.
 - b. A shaded, pedestrian-only paseo, providing public access and a direct connection from the adjacent land uses through the site to the transit facility, key internal destinations, and common open spaces.
 - c. Designated areas for vehicle loading, pick-up, and drop-off.
 - d. Proposed measures to mitigate potential conflicts between vehicles and pedestrians, both within and adjacent to the site.

- e. Bicycle parking and fix-it station/s focused primarily adjacent to the public right-of-way to promote multi-modal transportation in conjunction with secure internal bike parking facilities for residents, employees, and guests.
- 11. Vehicular access points shall be restricted to a maximum of one on 19th Avenue and a maximum of two on Dunlap Avenue.
- 12. A minimum 14-foot-wide vehicular access easement shall be provided for future shared access onto Dunlap Road along the western property line to access properties to the south and west.
- 13. The existing sidewalk along 19th Avenue shall be detached with a minimum 6-foot-wide sidewalk and a minimum 10-foot-wide landscape area between back of curb and sidewalk and shaded to a minimum of 75% tree shade coverage.
- 14. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to comply current ADA guidelines.
- 15. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 16. Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development Department.
- 17. A minimum of 25% of any surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum two-inch caliper, drought tolerant, shade trees, or a combination thereof.
- 18. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
- 19. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency

Checkup Program for a minimum of 10 years, or as approved by the Planning and Development Department.

20. 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.
21. 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.
22. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

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 2nd day of July, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-7-25-3

That portion of the East half of the Northeast quarter of Section 36, Township 3 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 the Northeast quarter of the Northeast quarter of Section 36;

Thence along the Westerly line of the East half of the Northeast quarter of Section 36, South 00 degrees 20 minutes 07 seconds West, 40.00 feet to the True Point of Beginning;

Thence continuing along the Westerly line of the East half of the Northeast quarter of Section 36, South 00 degrees 20 minutes 07 seconds West, 152.00 feet;

Thence leaving said Westerly line North 89 degrees 34 minutes 12 seconds East, 224.00 feet;

Thence North 00 degrees 20 minutes 07 seconds East, 152.00 feet to a point on the Southerly right of way of Dunlap Avenue;

Thence along the Southerly right of way line of Dunlap Avenue South 89 degrees 34 minutes 12 seconds West, 224.00 feet to the True Point of Beginning.

And a parcel of land consisting of the property described in the Warranty Deed recorded in Document No. 2014-0648430, and Lots 1 and 2 as shown on the final plat for REGIONAL DUNLAP/19TH PARK AND RIDE according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 1268 of Maps at page 45;

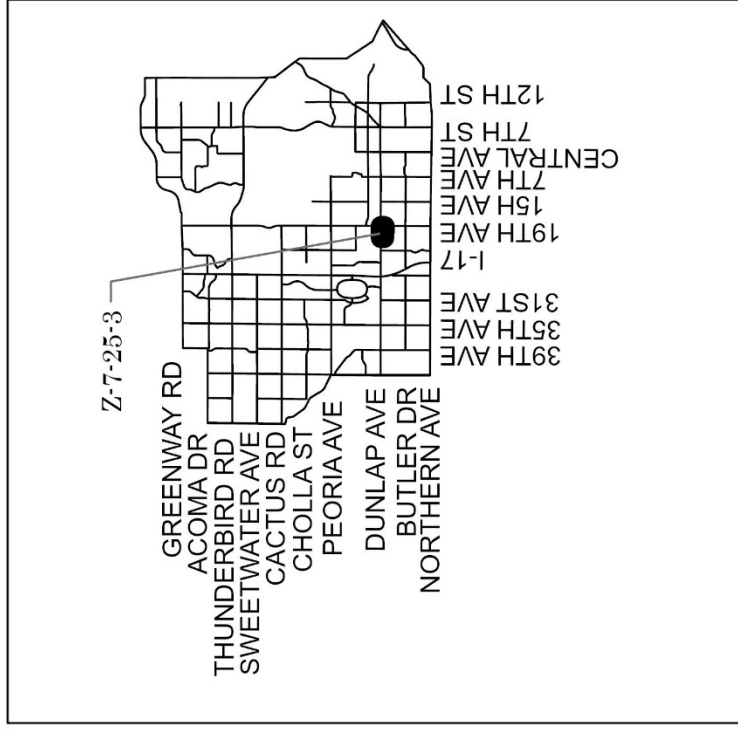
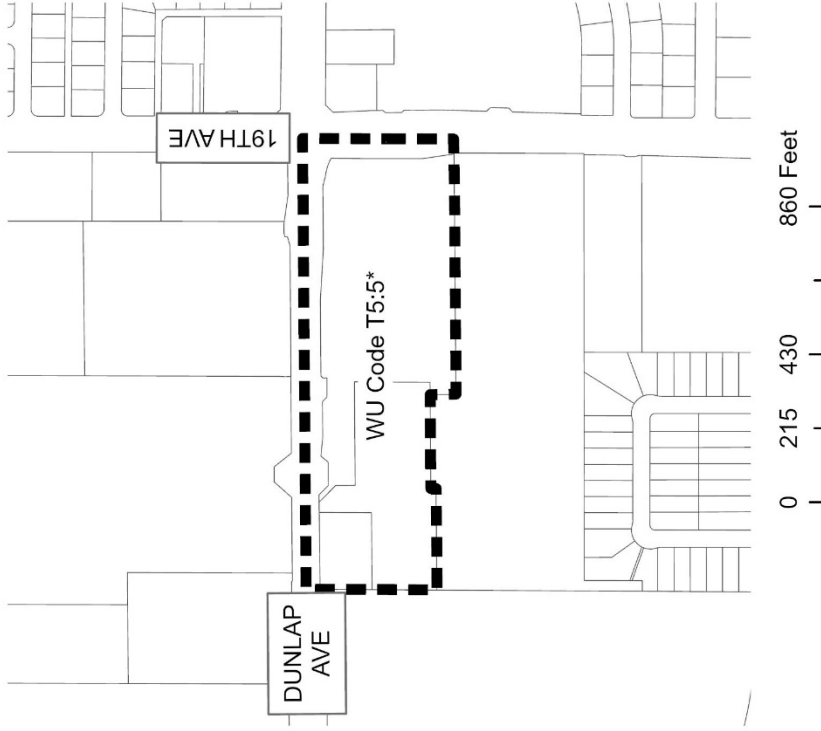
EXCEPT the right of way conveyed in Document No. 1986-0550275 and accepted by City of Phoenix Ordinance No. S-16731, recorded in Document No. 1986-0550264 all the above recordings in the office of the County Recorder of Maricopa County, Arizona.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-7-25-3
Zoning Overlay: N/A
Planning Village: North Mountain



NOT TO SCALE



Drawn Date: 6/5/2025

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ATTACHMENT B



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-7-25-3
May 12, 2025

North Mountain [Village Planning Committee](#) Meeting Date:

May 21, 2025

[Planning Commission](#) Hearing Date: June 5, 2025

Request From: [C-1](#) (Neighborhood Retail) (2.44 acres)
[C-2](#) (Intermediate Commercial) (9.90 acres)
C-2 [SP](#) (Intermediate Commercial, Special Permit) (0.03 acres)

Request To: [WU](#) Code T5:5 (Walkable Urban Code, Transect 5:5) (12.37 acres)

Proposal: Mixed Use, Multifamily Residential

Location: Southwest corner of 19th Avenue and Dunlap Avenue

Owner: City of Phoenix, Public Transit Department

Applicant: City of Phoenix, Planning Commission

Representative: Jeff Stapleton, City of Phoenix, Community and Economic Development Department

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Commercial (7.21 acres) and Industrial (5.16 acres)	
		Pending (GPA-NM-1-25-3): Mixed Use	
Street Map Classification	19th Avenue	Major Arterial	43 to 58-foot west half-street
	Dunlap Avenue	Major Arterial	40 to 67-foot south half-street

CONNECT PEOPLE AND PLACES CORE VALUE; CORES, CENTERS, AND CORRIDORS; LAND USE PRINCIPLE: Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity.

The proposal will facilitate the creation of housing opportunities adjacent to a light rail station (19th Avenue and Dunlap Avenue) and within one-half mile of the North Mountain Village Core, which will support light rail ridership.

CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.

The proposal, as stipulated, includes bicycle facilities to encourage bicycling and transit use to leverage its proximity to the nearby light rail station. Features include secure bicycle parking for residents, convenient racks for guests, and a bicycle repair station.

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

The proposal, as stipulated and as required by WU Code zoning, will provide shade along the public sidewalk, surface parking areas, and along a pedestrian paseo, which will improve pedestrian comfort within close proximity to light rail.

Applicable Plans, Overlays, and Initiatives

[TOD Strategic Policy Framework](#): Background Item No. 4.

[19North Transit Oriented Development Policy Plan](#): Background Item No. 5.

[North Mountain Redevelopment Area Plan](#): Background Item No. 6.

[Community Safety Plan \(CSP\) Areas](#): Background Item No. 8.

[Shade Phoenix Plan](#): Background Item No. 9.

[Complete Streets Guidelines](#): Background Item No. 10.

[Housing Phoenix Plan](#): Background Item No. 11.

[Zero Waste PHX](#): Background Item No. 12.

Climate Action Plan: Background Item No. 13.

Transportation Electrification Action Plan: Background Item No. 14.

Comprehensive Bicycle Master Plan: Background Item No. 15.

Conservation Measures for New Development: Background Item No. 16.

Monarch Butterfly Pledge: Background Item No. 17.

Surrounding Land Uses and Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Park and Ride and Lot / Light Rail Station	C-1 and C-2
	Commercial uses	C-2 and C-2 SP
North (across Dunlap Avenue)	Convenience store and mobile home park	C-2 and R-2 SP
West	School	IND PK
South	Multifamily residential	R4-A
East (across 19th Avenue)	Retail Center	PSC

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 2.44 acres of C-1 (Neighborhood Retail), 9.90 acres of C-2 (Intermediate Commercial), and 0.03 acres of C-2 SP (Intermediate Commercial, Special Permit) located at the southwest corner of 19th Avenue and Dunlap Avenue to 12.37 acres of WU Code T5:5 (Walkable Urban Code, Transect 5:5) to allow mixed use, multifamily residential. The existing Special Permit is for an auto leasing rental facility.

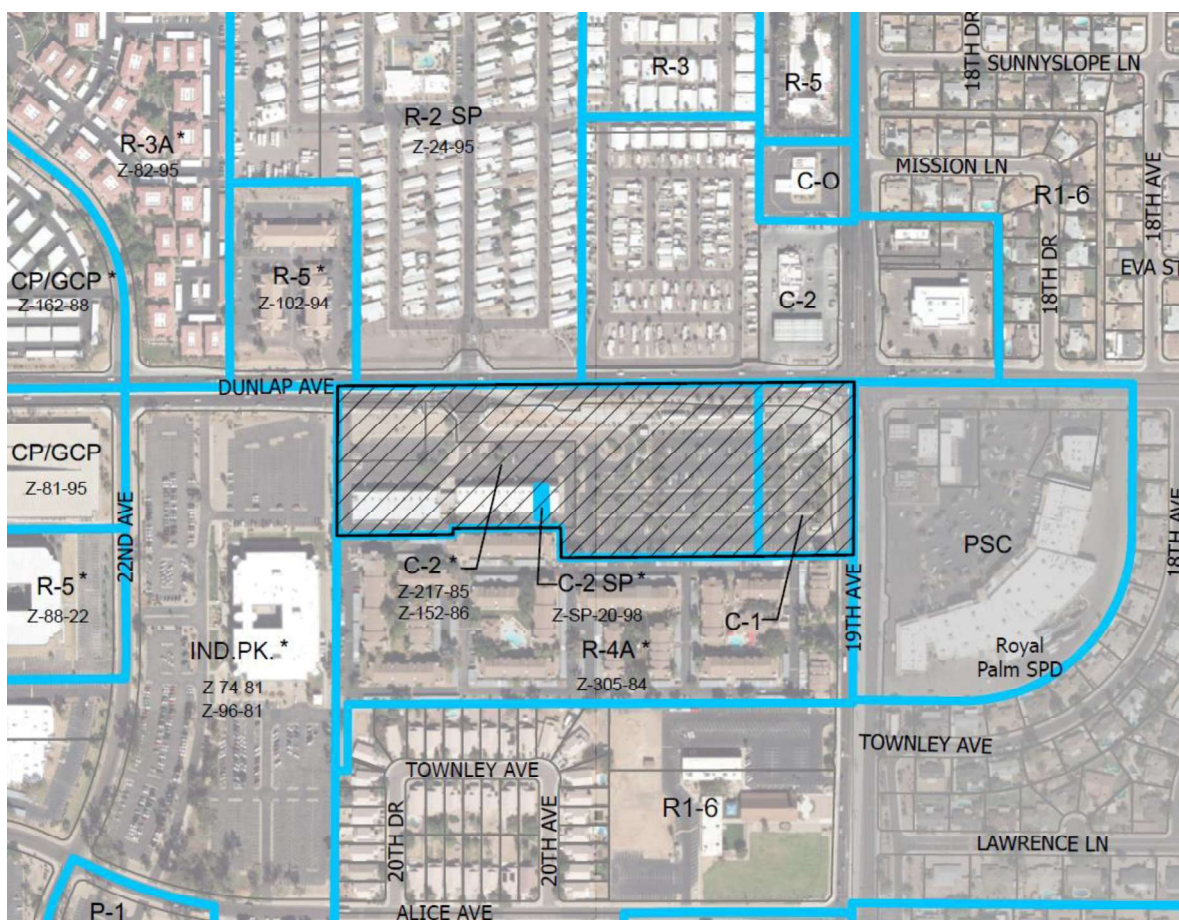
The site is designated as a Neighborhood Center Place Type as identified in the *Reinvent PHX Transit Oriented Development Strategic Policy Framework* and includes a light rail station (Dunlap / 19th Avenue). The site is also approximately one-half mile east of the North Mountain Village Core.

The eastern end of the subject site is currently serving as the park-and-ride lot for the Dunlap / 19th Avenue light rail station, while the west end of the site includes a commercial retail center. The entire site is owned by the City of Phoenix, and with the extension of the light rail to the Thelda Williams Transit Center, is considered underutilized. The City's goal is to rezone the site as stated, then issue a Request

for Proposal that will enable the site to be redeveloped in accordance with the WU Code T5:5 zoning District and supporting stipulations.

SURROUNDING LAND USES AND ZONING

2. To the north of the site, across Dunlap Avenue, is a gas station and convenience store, zoned C-2 (Intermediate Commercial). To the west of the gas station/convenience store is a mobile home park, which is zoned both C-2 (Intermediate Commercial) and R-2 SP (Multifamily Residence District, Special Permit). To the west of the subject site is a school zoned IND PK (Industrial Park). To the south of the site is multifamily residential zoned R-4A (Multifamily Residence – General). To the east of the site, across 19th Avenue, is a retail shopping center, zoned PSC (Planned Shopping Center District).

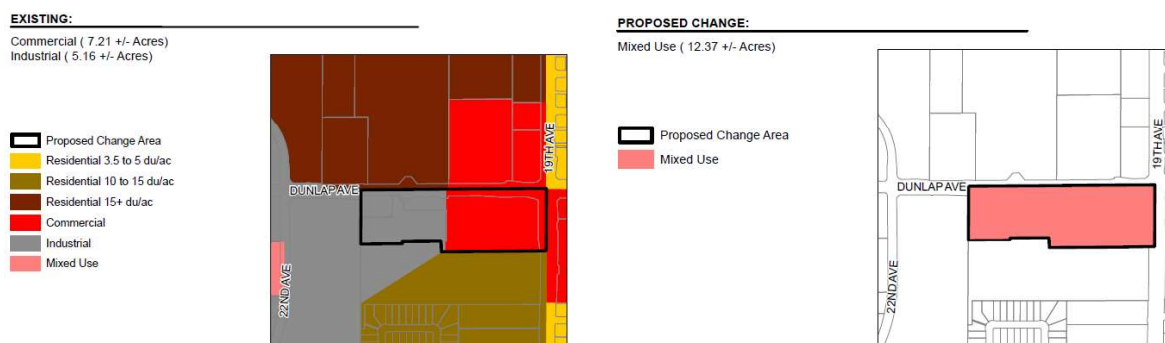


Aerial Imagery; Source: Phoenix Planning and Development Department

GENERAL PLAN LAND USE MAP

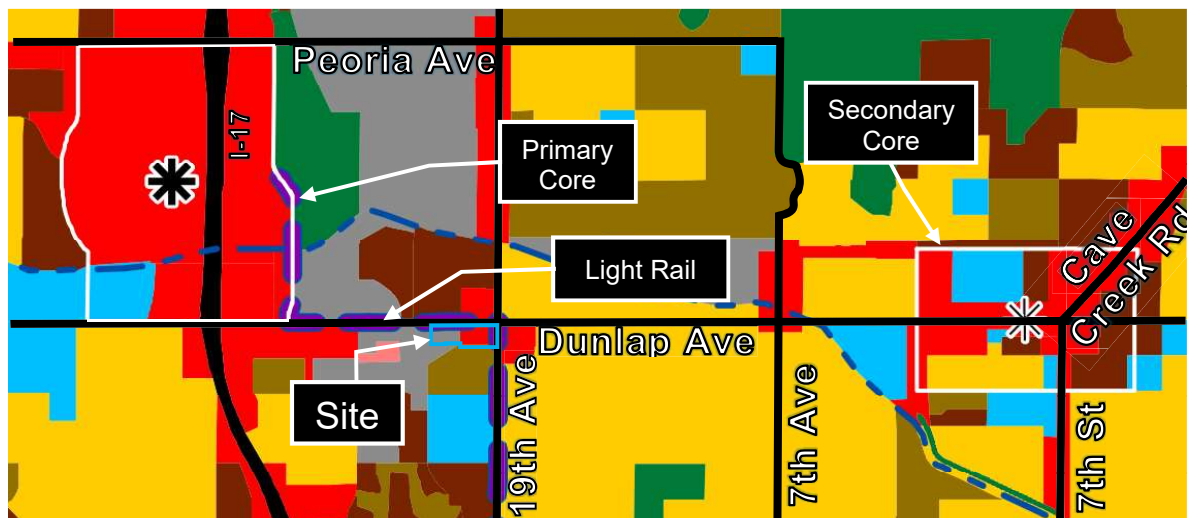
3. The General Plan Land Use Map depicts the eastern end of the subject site as Commercial while the western end of the site is designated as Industrial. These designations are not consistent with the proposed zoning of the site. A companion General Plan Amendment (GPA-NM-1-25-3), if approved, will change the land use designation of the subject site to Mixed Use, which will support the proposed WU Code T5:5 zoning.

The area to the north has a land use designation of Commercial and Residential 15+ dwelling units per acre. The area to the west of site has a land use designation of Industrial. The designations south of the subject site are Industrial and Residential 10 to 15 dwelling units per acre. East of the subject site, across 19th Avenue, has a Commercial land use designation.



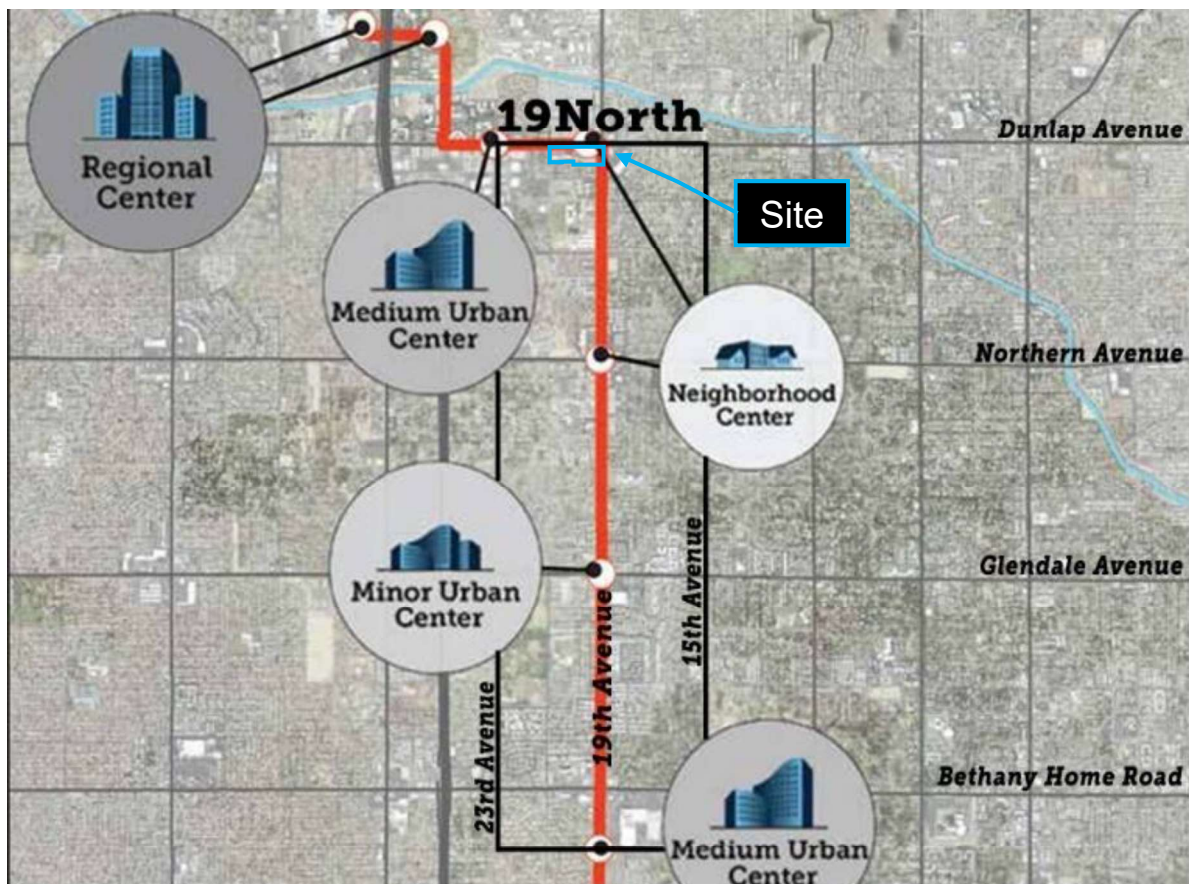
General Plan Land Use Map; Source: Planning and Development Department

The subject site is also located approximately one-half mile east of the North Mountain Village Core. Since the 1980s, the village cores have been envisioned as the areas of greatest intensity. This concept remains central to the Connected Oasis vision contained in the 2025 Phoenix General Plan.



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 includes a light rail station and is designated as a Neighborhood Center. The Neighborhood Center Place Type provides policy support for two to four-story buildings with allowances for up to five stories when certain incentive criteria are met. Stipulation No. 5 provides for a maximum allowed height of 48 feet without the incentive and 56 feet with the incentive, making the scale of the proposed zoning district consistent with this Place Type. The Neighborhood Center Place Type also calls for a balance of commercial and residential to create a neighborhood-scale retail destination; therefore, staff recommends Stipulation No. 4, which requires a vertical mix of land uses and not less than 5,000 square feet of non-residential use.



Transit Oriented Development Strategic Policy Framework, Place Type Map Excerpt; Source: Planning and Development Department

5. **19North Transit Oriented Development Policy Plan:**

The subject site is located within 19North TOD Planning Area. The policy plan for the 19North 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.

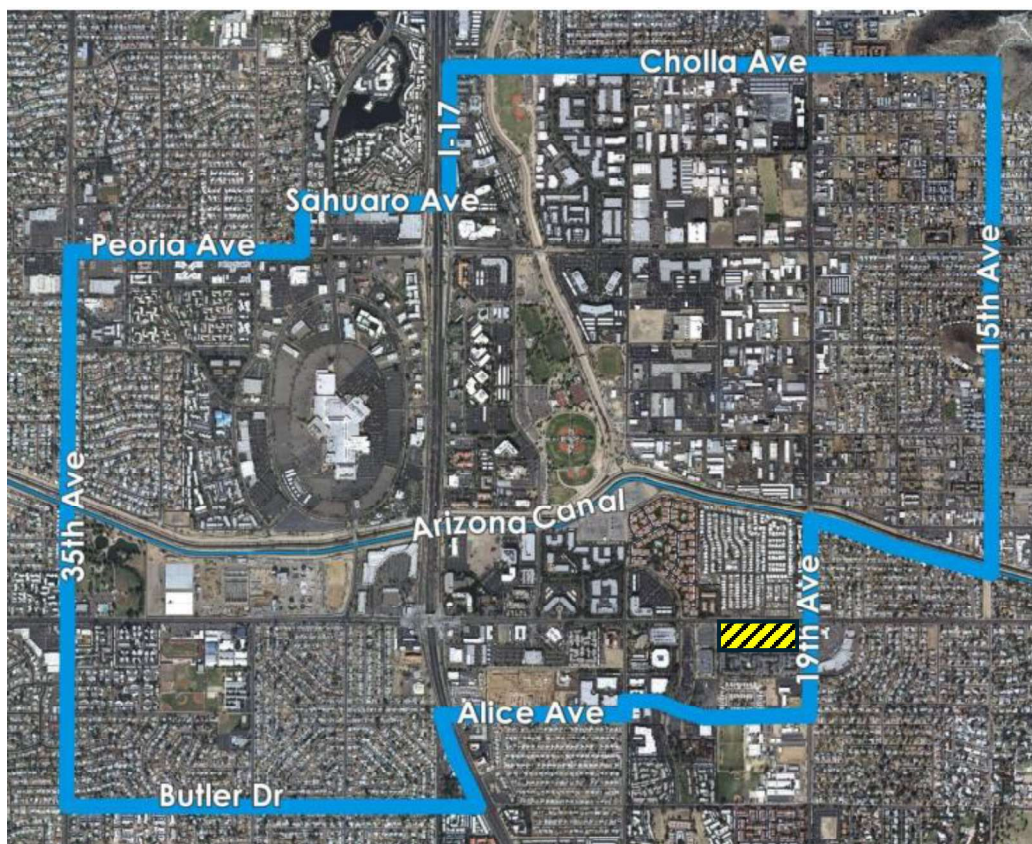
The 19North TOD District Plan anticipates walkable neighborhoods with active frontages and small block sizes. The WU Code requires active frontages along the street; however, the area along Dunlap, developed with the light rail station, may not technically be considered a street, rather it may be a separate property and in that case the WU Code frontage standards would not be required. Staff, therefore, recommends Stipulations No. 2 and 3, which will require the frontage adjacent to the light rail station be treated as a Primary Frontage and that the northern edge of

the site be treated as a street frontage, with any build-to or setback lines being measured from the back of any access easements located between the north side of the future building and the light rail station.

The site is also within the 19th and Dunlap Priority Area, which calls for the redevelopment of the areas immediately adjacent to the light rail station. The proposed rezone and its resulting redevelopment of the site implements the 19North TOD District Plan in this regard.

6. **North Mountain Redevelopment Area Plan:**

The North Mountain Redevelopment Area, adopted in 2013, examined the general vicinity of the subject site. The study calls for a myriad of efforts to advance economic development and quality of life in the area including recommendations in support of the redevelopment of Metrocenter Mall, the expansion of high-capacity transit, and the creation of alternative transportation infrastructure. The proposal for WU Code zoning will support walkability and renewed economic vitality on an otherwise underutilized site.



Study Boundary for the North Mountain Redevelopment; Source: Planning and Development Department

PROPOSAL

7. Development Plans

Development plans have not been prepared as this time. Once the subject rezoning is approved, the City of Phoenix will release a Request for Proposal (RFP), which will outline the City's requirements for the redevelopment of the site. Per recommended Stipulation No. 1, once a successful candidate has been selected, and the preliminary site plan and elevations have been created, the preliminary plans will be presented to the North Mountain Village Planning Committee for review and comment prior to the approval of said plans.

It is anticipated that the proposed development will include the following elements:

- Pedestrian paseo between the north building façade and light rail station, extending to west end of the site along Dunlap Avenue;
- Shaded sidewalks along 19th Avenue and Dunlap Avenue;
- Vertical mixed use for development along the light rail and Plaza19;
- Maximum height of 48 feet with an additional height bonus if affordable housing is provided at a certain level;
- Two access points to the site from Dunlap Avenue and one from 19th Avenue;
- Access easement from Dunlap Avenue serving the apartment complex to the south;
- Retention of the existing bus stop on 19th Avenue, and the existing transit station on Dunlap Avenue.

STUDIES AND POLICIES

8. Community Safety Plan (CSP) Areas:

In 2022, the City Council approved two pilot projects to address community safety through a multidepartment, collaborative manner leveraging technology as well as community-based resources. The Neighborhood Services, Police, Street Transportation, and Parks and Recreation departments, along with the Office of Homeless Solutions, Public Health Adviser, and Prosecutor's Office, are working together to improve the safety and quality of life along 19th Avenue, 27th Avenue, Hatcher Road, and the I-17 freeway. To support these efforts, the Planning and Development Department promotes Crime Prevention Through Environmental Design (CPTED) principles to enhance neighborhood safety in these Community Safety Plan areas. As stipulated and as required by the Walkable Urban Code, the proposal will provide a detached sidewalk on 19th Avenue (Stipulation No. 13), street frontages and activation adjacent to the light rail station and Plaza19 (Stipulations No. 2 through 4), and a shaded paseo.

9. **Shade Phoenix Plan:**

In November 2024, the Phoenix City Council adopted the Shade Phoenix Plan. The Shade Phoenix Plan prioritizes increasing shade coverage throughout the City to improve health and quality of life. Investing in shade can address the urban heat island effect, clean the air, preserve Sonoran vegetation, and prevent health complications related to prolonged exposure to heat. The Shade Phoenix Plan provides numerous strategies to increase shade including expanding and maintaining existing shade, strengthening tree code enforcement, and developing shade stipulations in rezoning cases. These items are addressed through WU Code standards and in Stipulations No. 10.b, 13, and 17.

10. **Complete Streets Guidelines:**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The Walkable Urban Code contains design standards to implement the vision of the 19North TOD Policy Plan which is aligned with the city's Complete Streets Guidelines.

11. **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 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 proposal for multifamily residential supports the Plan's goal of preserving or creating 50,000 housing units by 2030 and supports the plan's goals for affordable housing (Stipulation No. 5).

12. **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.

13. **Climate Action Plan:**

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas

emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the [Greater Phoenix Metro Green Infrastructure \(GI\)](#) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces.

This goal is addressed in Stipulation No. 18, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

14. [**Transportation Electrification Action Plan:**](#)

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

This is addressed in Stipulation No. 6.d, which requires electric receptacles for the charging of electric bicycles, and Stipulation No. 7, which requires five percent of required vehicle parking spaces to be “EV Installed”. In addition, Stipulation No. 8 requires that five percent of any public parking spaces to be “EV Installed”.

15. [**Comprehensive Bicycle Master Plan:**](#)

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the development will provide bicycle parking per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, which would require all non-residential uses to provide a minimum of one bicycle parking space per 25 vehicle parking spaces, with a maximum of 25 spaces. Stipulation No. 6.a requires that all

bicycle parking serving multifamily residential be within a secure area, while the number of bicycle parking spaces for residential guest parking is addressed in Stipulation No. 6.b. In addition, Stipulations 6.c and 10.e require a bicycle fix-it station.

16. **Conservation Measures for New Development:** In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to "Build the Sustainable Desert City". The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulations No. 16 through 19, which includes the following:

- Natural turf to only be utilized in required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization) and functional turf areas;
- Minimum 25% shade for surface parking areas;
- Minimum of two green stormwater infrastructure (GSI) elements;
- Participation in the Phoenix Water Efficiency Checkup Program.

17. **Monarch Butterfly Pledge:** 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. 20 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

COMMUNITY CORRESPONDENCE

18. As of the writing of this report, staff has received two letters of opposition to the request. Those in opposition cited compatibility, crime, and congestion.

INTERDEPARTMENTAL COMMENTS

19. The Public Transit Department requires that the existing bus pad located on southbound 19th Avenue adjacent to the site be retained. This is addressed in Stipulation No. 9.
20. The Street Transportation Department requires that a vehicular and pedestrian circulation plan be submitted prior to preliminary site plan review. This circulation plan must incorporate certain aspects of the 19North Transit Oriented Development Plan while demonstrating pedestrian safety, shade, vehicle loading, pick-up, and drip-off, the minimization of potential conflicts between vehicles and pedestrians, and bicycle infrastructure. In addition, the Street Transportation Department requires that vehicular access to the site be limited to two access points on Dunlap Avenue and one access point on 19th Avenue, in addition to requiring an access easement along the western property line. The Street Transportation Department also requires a six-foot wide detached sidewalk with ten-foot landscape area and a minimum of 75% shade for 19th Avenue. In addition, street improvements will follow specified standards and will include the replacement of broken or unserviceable concrete and paving. These are addressed in Stipulations No. 10 through 15.

OTHER

21. 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. 21.
22. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 22.
23. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

Findings

1. The proposal is consistent with the proposed General Plan Land Use Map designation of Mixed Use as outlined in the companion General Plan Amendment case (GPA-NM-1-25-6).
2. The proposal is consistent with the Neighborhood Place Type contained in the Transit Oriented Development Strategic Policy Framework.
3. The proposed zoning will facilitate the redevelopment of an underutilized site adjacent to the Dunlap / 19th Avenue light rail station.

Stipulations

1. The site plan and elevations shall be presented for review and comment to the North Mountain Village Planning Committee prior to preliminary site plan approval.
2. The frontage adjacent to Plaza19 and the light rail station shall be treated as a Primary Frontage in accordance with Section 1303.A.6 of the Phoenix Zoning Ordinance.
3. The northern edge of the site, along the light rail station and Plaza19, shall be treated as street frontage and building setbacks/build-to dimensions shall be measured from the back of any easements (public utilities, public pedestrian access, maintenance, etc.), as approved by the Planning and Development Department.
4. Development adjacent to the northeast corner of the site (Plaza19 and light rail station) shall contain a vertical mix of land uses such as residential and non-residential uses, as approved by the Planning and Development Department. A minimum of 5,000 square feet of non-residential uses shall be provided and shall not include lobby, exercise, reception areas or other similar uses intended for exclusive use by residents.
5. The maximum building height shall not exceed 48 feet, except that the maximum building height may be increased to 56 feet, subject to a minimum of 30% of the dwelling units are provided as Affordable Housing, as approved by the Planning and Development Department and Housing Department.
6. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.

- a. All required bicycle parking for multifamily use, per Section 1307.H.6.d 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 spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A bicycle repair station (“fix it station”) shall be provided and maintained in an area of high visibility, in close proximity to the Light Rail station, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - d. Standard electrical receptacles shall be installed for a minimum of 10 percent of the required bicycle parking spaces for electric bicycle charging capabilities.
7. A minimum of 5% EV Installed infrastructure shall be provided for the required number of residential vehicle parking spaces, whether surface or structured, as approved by the Planning and Development Department:
 8. If public parking is provided, a minimum of 5% of the parking provided shall be EV Installed.
 9. The bus pad on southbound 19th Avenue south of Dunlap Avenue shall be retained, as approved by the Planning and Development Department.
 10. A vehicular and pedestrian circulation plan shall be submitted to the Street Transportation Department and the Planning and Development Department for approval before applying for preliminary site plan review. The circulation plan shall incorporate the Community Vision Themes, Urban Principles and Strategies established in the *19 North Transit Oriented Development Plan* and demonstrate the following:

- a. Routes for vehicles and pedestrians shall be designed to ensure seamless and safe movement for pedestrians, with pedestrian safety and accessibility taking priority.
 - b. A shaded, pedestrian-only paseo, providing public access and a direct connection from the adjacent land uses through the site to the transit facility, key internal destinations, and common open spaces.
 - c. Designated areas for vehicle loading, pick-up, and drop-off.
 - d. Proposed measures to mitigate potential conflicts between vehicles and pedestrians, both within and adjacent to the site.
 - e. Bicycle parking and fix-it station/s focused primarily adjacent to the public right-of-way to promote multi-modal transportation in conjunction with secure internal bike parking facilities for residents, employees, and guests.
11. Vehicular access points shall be restricted to a maximum of one on 19th Avenue and a maximum of two on Dunlap Avenue.
12. A minimum 14-foot-wide vehicular access easement shall be provided for future shared access onto Dunlap Road along the western property line to access properties to the south and west.
13. The existing sidewalk along 19th Avenue shall be detached with a minimum 6-foot-wide sidewalk and a minimum 10-foot-wide landscape area between back of curb and sidewalk and shaded to a minimum of 75% tree shade coverage.
14. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to comply current ADA guidelines.
15. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
16. Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development Department.

17. A minimum of 25% of any surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum two-inch caliper, drought tolerant, shade trees, or a combination thereof.
18. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
19. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency Checkup Program for a minimum of 10 years, or as approved by the Planning and Development Department.
20. 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.
21. 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.
22. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

Staff Report: Z-7-25-3
May 12, 2025
Page 18 of 18

Writer

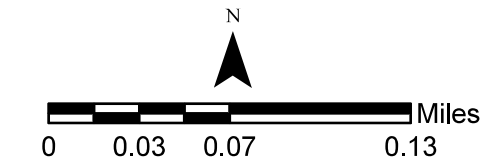
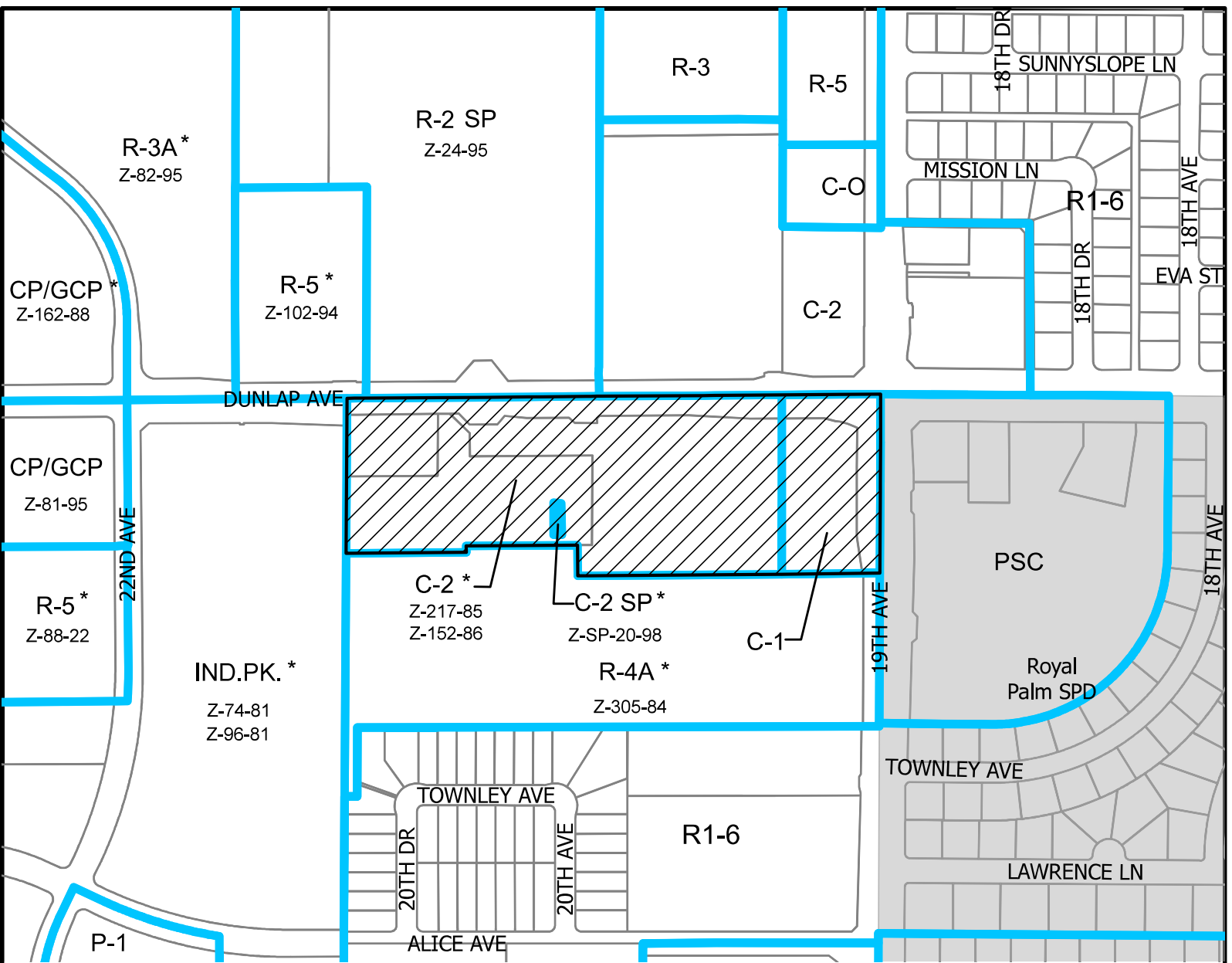
Robert Kuhfuss
May 12, 2025

Team Leader

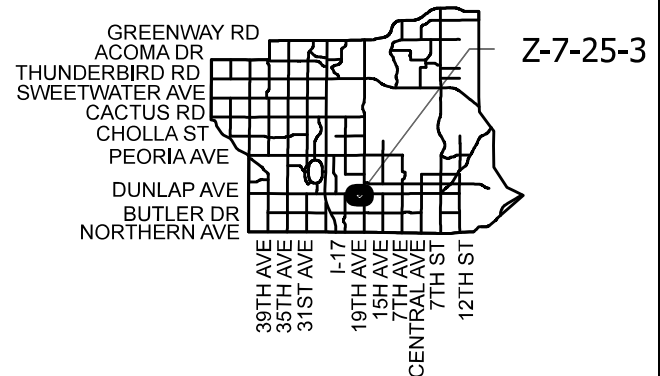
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Exhibits

Zoning sketch map
Aerial sketch map
Community Correspondence (5 pages)

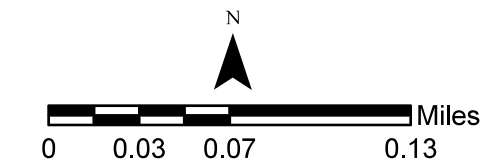
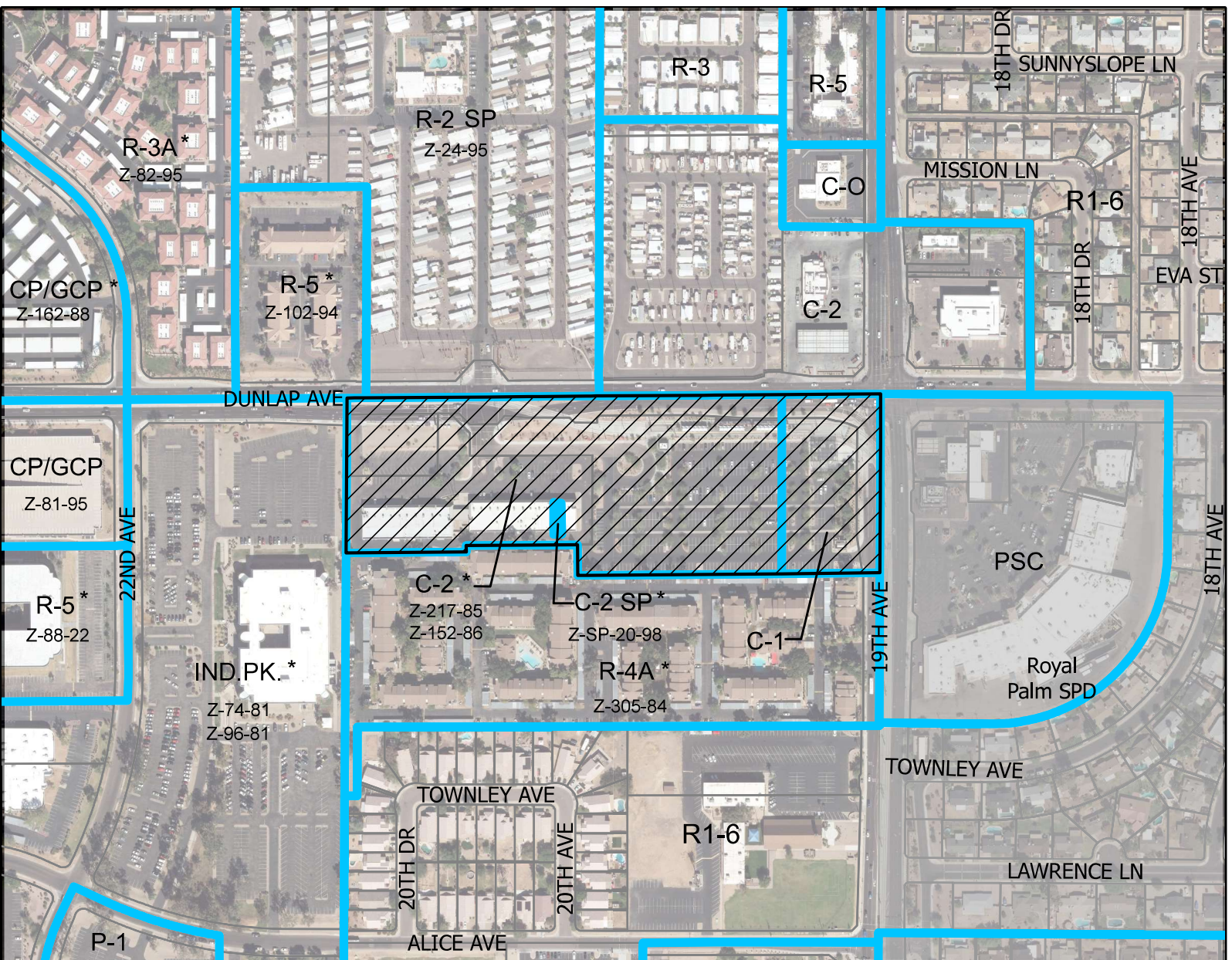


NORTH MOUNTAIN VILLAGE
COUNCIL DISTRICT: 3

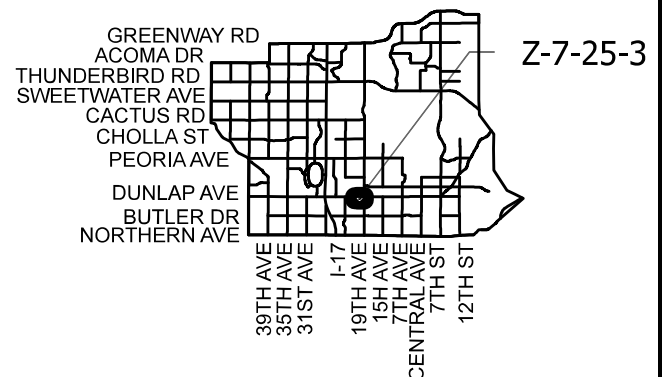


APPLICANT'S NAME: City of Phoenix			REQUESTED CHANGE:			
APPLICATION NO: Z-7-25-3		DATE: 3/13/2025		FROM: C-1 (2.44 ac.) C-2 (9.90 ac.) C-2 SP (0.03 ac.)		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 12.37 Acres		REVISION DATES:				
		4/15/2025		TO: WU Code T5:5 (12.37 ac.)		
		AERIAL PHOTO & QUARTER SEC. NO. QS 26-24		ZONING MAP J-7		
MULTIPLES PERMITTED C-1, C-2, C-2 SP WU Code T5:5		CONVENTIONAL OPTION 35, 143, 0 No Maximum			* UNITS P.R.D OPTION 42, 172, 1 N/A	

404



NORTH MOUNTAIN VILLAGE
COUNCIL DISTRICT: 3



APPLICANT'S NAME: City of Phoenix		REQUESTED CHANGE:	
APPLICATION NO: Z-7-25-3	DATE: 3/13/2025	FROM: C-1 (2.44 ac.) C-2 (9.90 ac.) C-2 SP (0.03 ac.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	REVISION DATES:	TO: WU Code T5:5 (12.37 ac.)	
12.37 Acres	4/15/2025		
	AERIAL PHOTO & QUARTER SEC. NO.	ZONING MAP	
	QS 26-24	J-7	
MULTIPLES PERMITTED	CONVENTIONAL OPTION		* UNITS P.R.D OPTION
C-1, C-2, C-2 SP	35, 143, 0		42, 172, 1
WU Code T5:5	No Maximum		N/A

From: [DARLENE GEORGE](#)
To: [Robert H Kuhfuss](#)
Subject: 19Th Ave & Dunlap Zoning case # GPA-NM-1-25-3 and Z-7-25
Date: Friday, March 28, 2025 6:40:36 AM

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

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[Report Suspicious](#)

Hello Mr. Kuhfuss,

Per my understanding there is a 12.55-acre site that is going to be rezoned allowing for 143 residential units. We have an above average density of apartments in this area and this specific property is already heavily populated.

My wishes are to not have any more houses or apartments developed in this area. It is too congested already.

Thank-you for seriously considering my opinions,

Darlene George
602-881-1124

From: [Jeff Stapleton](#)
To: [Barbara Hettinger](#)
Cc: [Kathleen T Consador](#); [Robert H Kuhfuss](#)
Subject: RE: Proposed New Land Use at 19th Avenue and Dunlap
Date: Thursday, April 3, 2025 2:12:50 PM
Attachments: [Aerial Parcel Map.pdf](#)
[image001.png](#)

Hello Ms. Hettinger,

Thank you for contacting our office. The City-owned Park & Ride and adjacent shopping center at 19th Ave. & Dunlap (Site) are being considered for future redevelopment (map attached). One key detail concerning this zoning case [Z-7-25 | GPA-NM-1-25-3] is that there is no proposed project associated with this case. Should the application be approved, there will not be any imminent construction activity at the site. Any future project will be the subject of a competitive request for proposals (RFP) process. The requirements for the RFP and a contract award will result from future actions of the City Council. The timing of an RFP release is not known at this time, but will likely not occur any sooner than 2026.

The Site's existing zoning allows for future redevelopment to C-1 and C-2 standards allowing for a variety of commercial uses, or it can be redeveloped with a multi-family residential use, which is permitted under existing C-1 and C-2 zoning. The proposed zoning district, Walkable Urban Code is typically used along Light Rail to allow for mixed-use development with reduced setbacks. This specific case results from the 19 North Transit Oriented Development Policy Plan approved by the City Council in 2021 ([link](#)). The goal of the case is to allow respondents to the future RFP to submit proposed project designs that improve the streetscape with landscaping, pedestrian and bike amenities and mixed-use development at the site. A vision for the area is noted on Page 54-57 of the plan. Not noted in the plan is that some share of parking stalls at the Site to support the Park & Ride will be retained at the site. The exact amount of stalls is not known at this time, but likely would be somewhere between 10%-25% of the existing parking stalls.

A requirement of the rezoning case is to document any correspondence received from those in support, opposed, or interested in the case. I will add your inquiry and my response to the file. I am also more than happy to answer any further questions. Feel free to call or e-mail me.

Jeff Stapleton
Program Manager
City of Phoenix
Community and Economic Development
200 West Washington Street, 20th Floor
Phoenix, AZ 85003
Office: 602-534-3162
Cell: 520-270-1675
jeff.stapleton@phoenix.gov



PHOENIX COMMUNITY & ECONOMIC
DEVELOPMENT DEPARTMENT

PHOENIX IS HOT

From: Barbara Hettinger <babshettinger@gmail.com>
Sent: Tuesday, April 1, 2025 2:00 PM
To: Jeff Stapleton <jeff.stapleton@phoenix.gov>
Subject: Proposed New Land Use at 19th Avenue and Dunlap

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

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

[Report Suspicious](#)



Dear Mr. Stapleton,

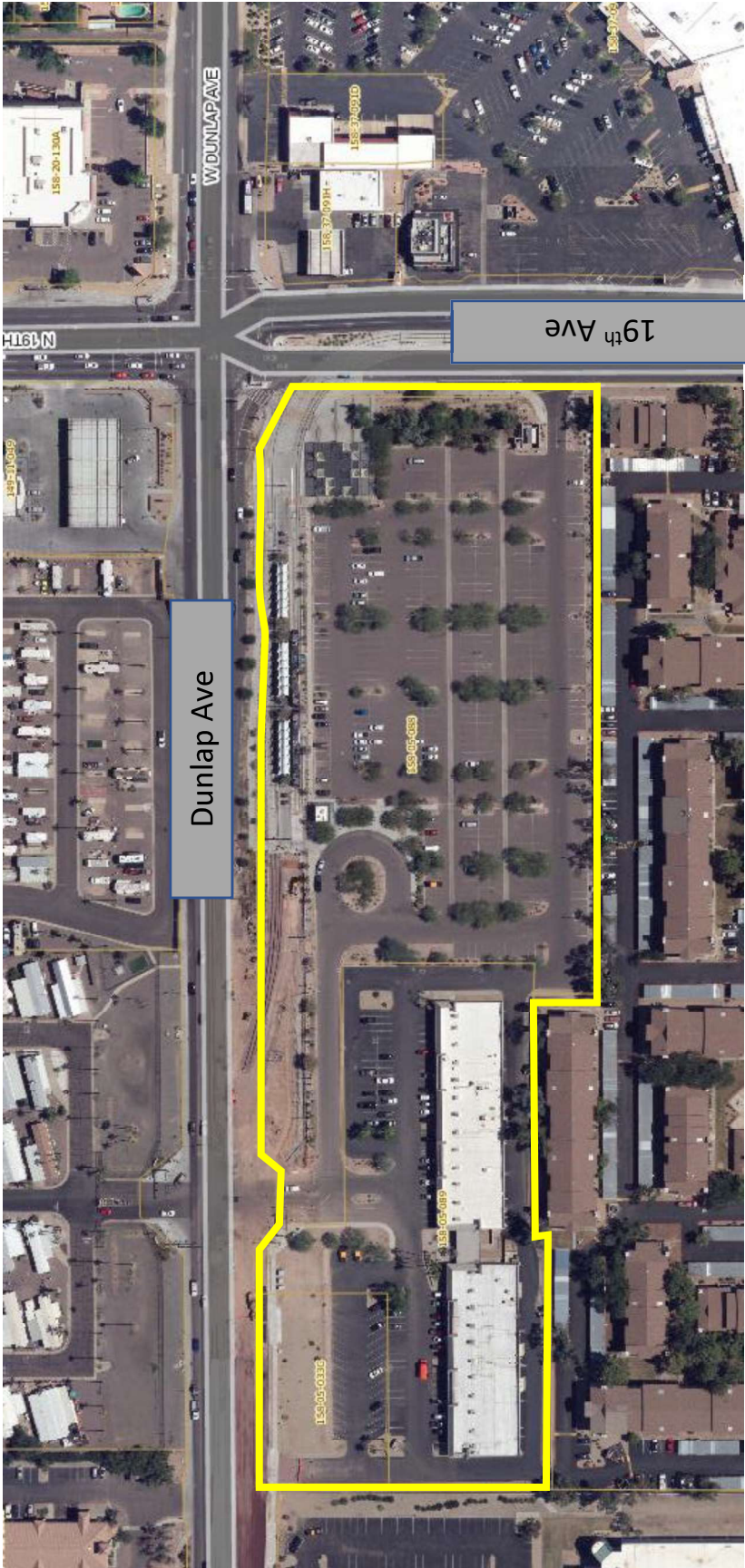
I write to request information regarding the land at 19th Avenue and Northern secured by the city for the light rail and its contemplated use for multi-family dwellings. As you are aware, this whole area is highly compressed with Section 8 housing and other multi-family dwellings and their attending services. As you are also likely aware, higher density housing is associated with significantly higher crime. As much as you have decision-making responsibilities, please ensure that our area is protected from already highly dense population spaces with many very high-need residents. It is time to spread out high-density family dwellings to other areas that have not yet filled that need.

I look forward to receiving more information from your office.

With respect and gratitude,

Barbara Egbert Hettinger

Aerial Map





Village Planning Committee Meeting Summary Z-7-25-3

Date of VPC Meeting	May 21, 2025
Request From	C-1, C-2, and C-2 SP
Request To	WU Code T5:5
Proposal	Mixed-use, multifamily residential
Location	Southwest corner of 19th Avenue and Dunlap Avenue
VPC Recommendation	Approval, per the staff recommendation, with an additional stipulation
VPC Vote	14-0

VPC DISCUSSION:

Item No. 4 (GPA-NM-1-25-3) and Item No. 5 (Z-7-25-3) are companion cases and were heard together.

No members of the public registered to speak on this item.

STAFF PRESENTATION

Robert Kuhfuss, staff, presented both proposals, providing land use and zoning information on the site and surrounding area, its proximity to the Primary and Secondary Village Cores, and proximity to the light rail station. Mr. Kuhfuss summarized the various policy plans applicable to the site. Mr. Kuhfuss summarized public input received to date, reviewed each of the recommended stipulations, and provided an overview of staff's findings and recommendations.

APPLICANT PRESENTATION

Jeff Stapleton, Community and Economic Development staff, provided an additional presentation. Mr. Stapleton stated that Mr. Kuhfuss had provided a good overview of the project. Mr. Stapleton stated that the city had acquired the site in preparation for the Northwest Light Rail Phase I. Mr. Stapleton stated that the existing park-and-ride is at about 10% utilization and that the existing strip retail center is mostly vacant. Mr. Stapleton stated that the existing zoning will allow multifamily residential uses, and explained that because the site is underutilized, their preference is to rezone the site in a manner that is consistent with the plans and policies previously noted. Mr.

Stapleton stated that the City Council authorized staff to begin the redevelopment process in 2023. Mr. Stapleton referenced the vision as expressed in the 19North Transit Oriented Development Policy Plan, which encourages mixed-use development, enhancing the pedestrian realm, rights-of-way through the use of the Walkable Urban Code. Mr. Stapleton reiterated the Housing Phoenix Plan, which advocates increasing housing opportunities of all types including affordable, workforce, and market. Mr. Stapleton stated that a key element of the Housing Phoenix Plan is to incorporate HUD housing opportunities on city-owned properties. Mr. Stapleton referenced the Metro District Oriented Communities Policy Plan and stated that while the official boundaries of that plan are west of the site, the plan was used for guidance as to how the site might look. Mr. Stapleton reiterated the stipulation requiring the activation of the frontage and referenced a rendering of the site showing Plaza19 relative to a multi-story mixed-use building with retail on the ground floor. Mr. Stapleton referenced two massing studies that illustrated what the site might look like, emphasizing the relationship of the light rail station to the front of the site, with parking towards the rear of the site. Mr. Stapleton stated that the intent is to rezone to the Walkable urban Code so that bidders can simply design to that code and not be concerned whether the site is zoned C-1 or C-2. Mr. Stapleton stated that if the proposed zoning is approved, the site will be much more conducive to mixed-use development. Mr. Stapleton reiterated the maximum building height and the incentive to increase that height by providing 30% Affordable Housing. Mr. Stapleton stated that initially, they were seeking a maximum height of 56 feet but are amenable to the provision for 30% Affordable Housing incentive. Mr. Stapleton stated that having an Industrial land use designation next to light rail is not preferable and reiterated the request for the change in land use designation as requested in the proposed General Plan Amendment. Mr. Stapleton stated that they held a neighborhood outreach meeting on April 8, 2025 at the Cholla Library, which was well attended. Mr. Stapleton stated they were scheduled for the Planning Commission on June 5, 2025 and City Council on July 2, 2025. Mr. Stapleton stated they received a number of questions as there is not a specific project. Mr. Stapleton stated that the Request for Proposal will likely be issued in 2026 or 2027 and explained the Request for Proposal process. Mr. Stapleton stated that they will engage the various community groups and the Village Planning Committee, explaining to those groups the minimum qualifications, and the desired project, prior to going to a City Council subcommittee.

Committee Member Gabriel Jaramillo stated that in all the time that he has served on the Village Planning Committee and Planning Commission, he has never seen a group ask for input on a project like this and asked for clarification. Mr. Stapleton stated they utilize this process in the Central City and Encanto Villages. Mr. Stapleton stated that they typically get a number of questions relating the project vision and reiterated their intent for a residential use with neighborhood retail and reiterated the requirement for not less than 5,000 square feet of retail. Mr. Stapleton stated that the Park-and Ride will be right-sized based on current demand and Valley Metro's recommendation. Mr. Stapleton stated they expect to retain about 10% of its current capacity.

Committee Member Patrick Edwards asked about the number of parking spaces currently on the site. Mr. Stapleton stated there were currently 417 spaces. Mr. Stapleton stated that should the terms of the RFP be approved by the City Council, the RFP will be prepared and issued, which will lead to development proposals being submitted by various developers. Mr. Stapleton stated that each proposal will be evaluated and scored by an evaluation panel, which will lead to the selection of the winning proposer. Mr. Stapleton stated that business terms would then be negotiated, followed by additional community input and City Council Subcommittee evaluation and approval. Mr. Stapleton stated that the City Council would make the final decision to move forward and a Development Agreement would be executed, which would include provisions that implement the various stipulations of approval. Mr. Stapleton stated that construction plans would be submitted and permits issued, which would lead to construction activities on the site, with completion to occur sometime between 2029 or 2030.

QUESTIONS FROM THE COMMITTEE

Vice Chair Joshua Matthews asked why Transect 5:5 was chosen rather than Transect 5:6, since Transect 5:6 would allow more height, density, and affordability. **Mr. Stapleton** stated that it was about achieving balance with all of the city's policy plans, the existing development in the area, the site's adjacency to light rail, and determining what is the appropriate intensity. Mr. Stapleton stated that outside of downtown, most of the requests that he is familiar with utilize Transect 5:5 as that transect adheres to a plan that has received community support as opposed to a transect that would allow 80 to 100 feet in height.

Committee Member Massimo Sommacampagna asked why the number of parking spaces associated with the park-and-ride was not fixed at this time. **Mr. Stapleton** stated that they will seek input from Valley Metro who will determine the number of parking spaces needed, which will then be reflected in the RFP.

Committee Member Gabriel Jaramillo asked if the project would include mixed income as well as mixed-use. **Mr. Stapleton** stated that was the case. Committee Member Jaramillo asked for additional information stating that the stipulations only address affordability as a bonus incentive and asked if there could be a stipulation that required mixed income. Mr. Stapleton stated that he would expect that a firm goal would be established through the RFP process that would establish the minimum number of affordable and workforce units, as well as a maximum number of market rate units. Committee Member Jaramillo asked for additional confirmation that the RFP process would establish required percentages regarding affordability beyond the bonus incentive contained in the stipulations. Mr. Stapleton stated that would be the case and that they would come back to the Committee at a later date to demonstrate that had been achieved.

Vice Chair Matthews asked how many dwelling units they expected to generate. **Mr. Stapleton** stated that they estimate approximately 300 units if constructed to a height of 48 feet; more if higher.

Committee Member Steve Pamperin asked for clarification regarding the percentage of covered parking and the number of EV parking spaces. **Mr. Stapleton** stated that the intent was to set the initial benchmark as was the case with setting the minimum amount of retail at 5,000 square feet. Mr. Stapleton stated that since the city owns the site, the city can require more if the conditions warrant and that setting the minimum number of EV spaces at 5% makes it easier for the developer to scale up. Mr. Stapleton stated that it is possible that a parking structure could be proposed and that he has seen where the developer placed the ground floor retail towards the street with structured parking behind, which makes it easier to build above.

Mr. Stapleton stated that the proposal is supported by the Metro District Community Collaboration, which is the business and property owner association to the west of the site. Mr. Stapleton also stated they have been working with Quik Trip to obtain a letter of support.

PUBLIC COMMENT

None.

COMMITTEE DISCUSSION

Vice Chair Matthews stated that he was excited to see this project come in and was happy to see something other than another gas station. Vice Chair Matthews stated that since the city owns the site, the city should be more aggressive in trying to achieve more affordable units, Vice Chair Matthews stated that 10% of 300 units is only 30 units as opposed to the project being allowed to achieve a height of 56 feet with all being affordable housing but also expressed concerns with the market being able to support that type of development. Vice Chair Matthews also expressed concerns over development agreements, stating they can be challenging. Vice Chair Matthews stated there was an opportunity to enhance Plaza19 and the retention area in response to CPTED, and that the city should encourage integration of the front of the building with the light rail.

Committee Member Jaramillo stated that he would like the Village Planning Committee to be a part of the RFP process in order to ensure that the number of affordable units is appropriate as opposed to the matter being left up to potential bonuses.

Committee Member Elizabeth Pérez-Pawloski asked if the Committee can amend the stipulation regarding the amount of affordable housing units. **Mr. Kuhfuss** stated that the Committee could amend that or any stipulation and reminded the Committee that the numbers contained in that stipulation were the result of conversations between the city's Planning, Housing, and Community and Economic Development Departments. Committee Member Pérez-Pawloski asked how a change to a stipulation could be achieved. Mr. Kuhfuss explained that whoever makes the motion could include in that motion a proposed change to the applicable stipulations, which

would then be included in the second and ultimate vote. **Committee Member Pamperin** asked what the stipulation was regarding affordability for the Metrocenter project. **Mr. Kuhfuss** stated that he did not have that information committed to memory. **Mr. Stapleton** stated that he was the city's project manager for The Metropolitan and that there are no stipulations or affordability benchmarks except for one circumstance where the developer applied for the Government Property Lease Excise Tax program which involved an in-lieu payment to the Affordable Housing Trust Fund but that was when the developer was looking at providing 3,000 units and has since pivoted away from that goal. **Committee Member Jaramillo** stated that Concord Wilshire is working in good faith towards providing affordable housing at Metrocenter but there were no stipulations that require them to do so. **Committee Member Jaramillo** stated that now is a good opportunity to add stipulations regarding affordability. **Chair Stephanie Fogelson** expressed concerns regarding the red tape at the state level when it comes to affordable housing. **Vice Chair Matthews** stated that the tax credit process is available but there is no requirement to do so. **Vice Chair Matthews** stated that typically if a project were to be 100% affordable housing, the project could pencil out, but at a lesser amount, incentives are needed to achieve economies of scale. **Vice Chair Matthews** asked Mr. Stapleton if he, as the applicant, would be opposed to the Committee stipulating to 20% affordable housing, and how the Committee could be involved in the RFP process. **Mr. Stapleton** stated that outside of Arizona, where there is an exclusionary zoning regime, the benchmark is typically 20%. **Mr. Stapleton** further stated that they could come back to the Village with the terms of the RFP as well as the site plan. **Committee Member Jaramillo** stated that his preference would be to participate in the RFP process rather than attach an arbitrary number. **Committee Member Pérez-Pawloski** stated there was an opportunity to make a statement rather than accept a minimal deal. **Vice Chair Matthews** stated that this site is not the only park-and-ride site that will be redeveloped, and that this development could set the tone for future projects. **Vice Chair Matthews** stated that he would like to be aggressive when possible and that this site literally includes a light rail station making this a prime opportunity. **Vice Chair Matthews** stated that he is considerate of the city not pushing itself out of the market but is also willing to let the site remain vacant until the right project comes along. **Vice Chair Matthews** referenced a project at the northwest corner of 7th Avenue and McDowell Road where more could have been achieved. **Vice Chair Matthews** reiterated that building something now for the sake of doing so could result in a missed opportunity. **Vice Chair Matthews** stated that he did not want to be part of the Development Agreement process but would like to set the expectations. **Vice Chair Matthews** stated that as a city-owned site, it is conceivable that the site could develop at 50% or 100% affordable housing but needed to know what that threshold is. **Committee Member Pamperin** stated that the area should include a mix of housing opportunities.

Vice Chair Matthews asked Mr. Stapleton if he would be amenable to a stipulation requiring a minimum of 20% affordable housing. **Mr. Stapleton** stated that would be acceptable. **Committee Member Heather Garbarino** stated that she is reticent to go against staff's recommendation and asked what the appropriate percentage is. **Mr. Stapleton** stated that 20% would be consistent with other states that have an

exclusionary zoning regime and that financing a larger percentage becomes more difficult. Mr. Stapleton stated that 20% also leaves the door open for a mixed income development.

MOTION:

Vice Chair Joshua Matthews motioned to recommend approval of Z-7-25-5 per the staff recommendation, with an additional stipulation requiring not less than 20% affordable housing. **Committee Member Steve Pamperin** seconded the motion.

DISCUSSION:

Committee Member Gabriel Jaramillo offered a friendly amendment to require the VPC to participate in the RFP process at the appropriate time. **Vice Chair Matthews** stated that he was not comfortable with that amendment since it is not clear what that process would look like and that the language of that stipulation may not be enforceable. Committee Member Jaramillo clarified that the VPC's participation would occur prior to the RFP being issued and the developer being involved in the process. Vice Chair Matthews stated that he would prefer that the Committee provide direction to engage the VPC in the RFP process. **Committee Member Patrick Edwards** asked if there was a precedent. Mr. Stapleton stated there is no requirement in the city code but that the Community and Economic Development Department considers it to be best practice to present the terms of the RFP to the VPC and community groups. Mr. Stapleton stated that it would be likely that they would be back before the Committee within the next 18 months. Vice Chair Matthews stated that based on this discussion, he would let his original motion stand.

VOTE:

14-0, motion to recommend approval of Z-7-25-3 per the staff recommendation with an additional stipulation passes with Committee Members Alauria, Barraza, Carmona, Edwards, Garbarino, Harris, Hepperle, Jaramillo, Larson, Pamperin, Pérez-Pawloski, Sommacampagna, Matthews, and Fogelson in favor and none opposed.

VPC RECOMMENDED STIPULATIONS

1. The site plan and elevations shall be presented for review and comment to the North Mountain Village Planning Committee prior to preliminary site plan approval.
2. The frontage adjacent to Plaza19 and the light rail station shall be treated as a Primary Frontage in accordance with Section 1303.A.6 of the Phoenix Zoning Ordinance.
3. The northern edge of the site, along the light rail station and Plaza19, shall be treated as street frontage and building setbacks/build-to dimensions shall be measured from the back of any easements (public utilities, public pedestrian access, maintenance, etc.), as approved by the Planning and Development Department.

4. Development adjacent to the northeast corner of the site (Plaza19 and light rail station) shall contain a vertical mix of land uses such as residential and non-residential uses, as approved by the Planning and Development Department. A minimum of 5,000 square feet of non-residential uses shall be provided and shall not include lobby, exercise, reception areas or other similar uses intended for exclusive use by residents.
5. **A MINIMUM OF 20% OF THE DWELLING UNITS SHALL BE AFFORDABLE HOUSING, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND HOUSING DEPARTMENT.**
56. The maximum building height shall not exceed 48 feet, except that the maximum building height may be increased to 56 feet, subject to a minimum of 30% of the dwelling units are provided as Affordable Housing, as approved by the Planning and Development Department and Housing Department.
67. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d 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 spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A bicycle repair station ("fix it station") shall be provided and maintained in an area of high visibility, in close proximity to the Light Rail station, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - d. Standard electrical receptacles shall be installed for a minimum of 10 percent of the required bicycle parking spaces for electric bicycle charging capabilities.

- 78. A minimum of 5% EV Installed infrastructure shall be provided for the required number of residential vehicle parking spaces, whether surface or structured, as approved by the Planning and Development Department:
- 89. If public parking is provided, a minimum of 5% of the parking provided shall be EV Installed.
- 910. The bus pad on southbound 19th Avenue south of Dunlap Avenue shall be retained, as approved by the Planning and Development Department.
- 4011. A vehicular and pedestrian circulation plan shall be submitted to the Street Transportation Department and the Planning and Development Department for approval before applying for preliminary site plan review. The circulation plan shall incorporate the Community Vision Themes, Urban Principles and Strategies established in the *19 North Transit Oriented Development Plan* and demonstrate the following:
 - a. Routes for vehicles and pedestrians shall be designed to ensure seamless and safe movement for pedestrians, with pedestrian safety and accessibility taking priority.
 - b. A shaded, pedestrian-only paseo, providing public access and a direct connection from the adjacent land uses through the site to the transit facility, key internal destinations, and common open spaces.
 - c. Designated areas for vehicle loading, pick-up, and drop-off.
 - d. Proposed measures to mitigate potential conflicts between vehicles and pedestrians, both within and adjacent to the site.
 - e. Bicycle parking and fix-it station/s focused primarily adjacent to the public right-of-way to promote multi-modal transportation in conjunction with secure internal bike parking facilities for residents, employees, and guests.
- 4412. Vehicular access points shall be restricted to a maximum of one on 19th Avenue and a maximum of two on Dunlap Avenue.
- 4213. A minimum 14-foot-wide vehicular access easement shall be provided for future shared access onto Dunlap Road along the western property line to access properties to the south and west.
- 4314. The existing sidewalk along 19th Avenue shall be detached with a minimum 6-foot-wide sidewalk and a minimum 10-foot-wide landscape area between back of curb and sidewalk and shaded to a minimum of 75% tree shade coverage.

- ~~44~~**15.** Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to comply current ADA guidelines.
- ~~45~~**16.** All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- ~~46~~**17.** Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development Department.
- ~~47~~**18.** A minimum of 25% of any surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum two-inch caliper, drought tolerant, shade trees, or a combination thereof.
- ~~48~~**19.** A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
- ~~49~~**20.** Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency Checkup Program for a minimum of 10 years, or as approved by the Planning and Development Department.
- ~~20~~**21.** 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.
- ~~21~~**22.** 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.
- ~~22~~**23.** Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff recommends Stipulation No. 5, regarding a minimum of 20% of the units be provided as affordable housing, be deleted. Arizona Revised Statutes 9-461.16 prohibits the creation of a requirement that has the effect of establishing the sale or lease price of a housing unit as a condition of approval. It does not prohibit implementing an incentive or density bonus for the purposes of supplying moderate or lower cost housing, which is already addressed in Stipulation No. 6.

ATTACHMENT D



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission **Date:** June 4, 2025

From: Racelle Escolar, AICP
Principal Planner

Subject: ITEM NO. 6 (Z-7-25-3) – SOUTHWEST CORNER OF 19TH AVENUE
AND DUNLAP AVENUE

Rezoning Case No. Z-7-25-3 is a request to rezone a 12.37-acre site located at the southwest corner of 19th Avenue and Dunlap Avenue from C-1 (Neighborhood Retail), C-2 (Intermediate Commercial), and C-2 SP (Intermediate Commercial, Special Permit) to WU Code T5:5 (Walkable Urban Code, Transect 5:5) to allow mixed use, multifamily residential.

The North Mountain Village Planning Committee (VPC) heard this request on May 21, 2025, and recommended approval, per the staff recommendation with an additional stipulation. The additional stipulation, Stipulation No. 5, requires the proposed development to provide a minimum of 20 percent of the units as affordable housing. Staff recommends Stipulation No. 5 be deleted. Arizona Revised Statutes (A.R.S.) § 9-461.16 prohibits the creation of a requirement that has the effect of establishing the sale or lease price of a housing unit as a condition of approval. The A.R.S. does not prohibit implementing an incentive or density bonus for the purpose of supplying moderate or lower cost housing, which is already addressed in the stipulations.

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

1. The site plan and elevations shall be presented for review and comment to the North Mountain Village Planning Committee prior to preliminary site plan approval.
2. The frontage adjacent to Plaza19 and the light rail station shall be treated as a Primary Frontage in accordance with Section 1303.A.6 of the Phoenix Zoning Ordinance.
3. The northern edge of the site, along the light rail station and Plaza19, shall be treated as street frontage and building setbacks/build-to dimensions shall be measured from the back of any easements (public utilities, public pedestrian access, maintenance, etc.), as approved by the Planning and Development Department.
4. Development adjacent to the northeast corner of the site (Plaza19 and light rail station) shall contain a vertical mix of land uses such as residential and non-residential uses, as approved by the Planning and Development Department. A minimum of 5,000 square feet of non-residential uses shall be

provided and shall not include lobby, exercise, reception areas or other similar uses intended for exclusive use by residents.

5. ~~A MINIMUM OF 20% OF THE DWELLING UNITS SHALL BE AFFORDABLE HOUSING, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND HOUSING DEPARTMENT.~~

~~5-6.~~ 5. The maximum building height shall not exceed 48 feet, except that the maximum building height may be increased to 56 feet, subject to a minimum of 30% of the dwelling units are provided as Affordable Housing, as approved by the Planning and Development Department and Housing Department.

~~6-7.~~ 6. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.

- a. All required bicycle parking for multifamily use, per Section 1307.H.6.d 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 spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
- c. A bicycle repair station ("fix it station") shall be provided and maintained in an area of high visibility, in close proximity to the Light Rail station, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
- d. Standard electrical receptacles shall be installed for a minimum of 10 percent of the required bicycle parking spaces for electric bicycle charging capabilities.

~~7-8.~~ 7. A minimum of 5% EV Installed infrastructure shall be provided for the required number of residential vehicle parking spaces, whether surface or structured, as approved by the Planning and Development Department:

~~8-9.~~ 8. If public parking is provided, a minimum of 5% of the parking provided shall be EV Installed.

- ~~9.~~ The bus pad on southbound 19th Avenue south of Dunlap Avenue shall be
~~10.~~ retained, as approved by the Planning and Development Department.
9.
- ~~10.~~ A vehicular and pedestrian circulation plan shall be submitted to the Street
~~11.~~ Transportation Department and the Planning and Development Department
10. for approval before applying for preliminary site plan review. The circulation
plan shall incorporate the Community Vision Themes, Urban Principles and
Strategies established in the *19 North Transit Oriented Development Plan*
and demonstrate the following:
- a. Routes for vehicles and pedestrians shall be designed to ensure
seamless and safe movement for pedestrians, with pedestrian safety and
accessibility taking priority.
 - b. A shaded, pedestrian-only paseo, providing public access and a direct
connection from the adjacent land uses through the site to the transit
facility, key internal destinations, and common open spaces.
 - c. Designated areas for vehicle loading, pick-up, and drop-off.
 - d. Proposed measures to mitigate potential conflicts between vehicles and
pedestrians, both within and adjacent to the site.
 - e. Bicycle parking and fix-it station/s focused primarily adjacent to the public
right-of-way to promote multi-modal transportation in conjunction with
secure internal bike parking facilities for residents, employees, and
guests.
- ~~11.~~ Vehicular access points shall be restricted to a maximum of one on 19th
~~12.~~ Avenue and a maximum of two on Dunlap Avenue.
11.
- ~~12.~~ A minimum 14-foot-wide vehicular access easement shall be provided for
~~13.~~ future shared access onto Dunlap Road along the western property line to
12. access properties to the south and west.
- ~~13.~~ The existing sidewalk along 19th Avenue shall be detached with a minimum
~~14.~~ 6-foot-wide sidewalk and a minimum 10-foot-wide landscape area between
13. back of curb and sidewalk and shaded to a minimum of 75% tree shade
coverage.
- ~~14.~~ Replace unused driveways with sidewalk, curb, and gutter. Also, replace any
~~15.~~ broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets
14. and upgrade all off-site improvements to comply current ADA guidelines.

- ~~15.~~ All streets within and adjacent to the development shall be constructed with

~~16.~~ paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands,

15. landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- ~~16.~~ Natural turf shall only be utilized for required retention areas (at the bottom of

~~17.~~ the basin, and only allowed on slopes if required for slope stabilization), and

16. functional turf areas, as approved by the Planning and Development Department.
- ~~17.~~ A minimum of 25% of any surface parking areas shall be shaded, as

~~18.~~ approved by the Planning and Development Department. Shade may be

17. achieved by structures or by minimum two-inch caliper, drought tolerant, shade trees, or a combination thereof.
- ~~18.~~ A minimum of two green stormwater infrastructure (GSI) elements for

~~19.~~ stormwater management shall be implemented, as approved or modified by

18. the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
- ~~19.~~ Prior to final site plan approval, documentation shall be provided that

~~20.~~ demonstrates a commitment to participate in the Phoenix Water Efficiency

19. Checkup Program for a minimum of 10 years, or as approved by the Planning and Development Department.
- ~~20.~~ A minimum of 10% of the required shrubs shall be a milkweed or other native

~~21.~~ nectar species, and shall be planted in groups of three or more, as approved

20. by the Planning and Development Department.
- ~~21.~~ In the event archaeological materials are encountered during construction,

~~22.~~ the developer shall immediately cease all ground-disturbing activities within a

21. 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
- ~~22.~~ Prior to final site plan approval, the landowner shall execute a Proposition

~~23.~~ 207 waiver of claims form. The waiver shall be recorded with the Maricopa

22. County Recorder's Office and delivered to the City to be included in the rezoning application file for record. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION June 5, 2025

ITEM NO: 6	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-7-25-3 (Companion Case GPA-NM-1-25-3)
From:	C-1, C-2, and C-2 SP
To:	Walkable Urban Code T5:5
Acreage:	12.37
Location:	Southwest corner of 19th Avenue and Dunlap Avenue
Proposal:	Mixed use, multifamily residential
Applicant:	City of Phoenix, Planning Commission
Owner:	City of Phoenix, Public Transit Department
Representative:	Jeff Stapleton, City of Phoenix, Community and Economic Development Department

ACTIONS:

Staff Recommendation: Approval, per the staff memo dated June 4, 2025.

Village Planning Committee (VPC) Recommendation:

North Mountain 5/21/2025 Approval, per the staff recommendation, with an additional stipulation. Vote: 14-0.

Planning Commission Recommendation: Approval, per the staff memo dated June 4, 2025.

Motion Discussion: N/A

Motion details: Commissioner Matthews made a MOTION to approve Z-7-25-3, per the staff memo dated June 4, 2025.

Maker: Matthews
Second: Jaramillo
Vote: 9-0
Absent: None
Opposition Present: No

Findings:

1. The proposal is consistent with the proposed General Plan Land Use Map designation of Mixed Use as outlined in the companion General Plan Amendment case (GPA-NM-1-25-6).
2. The proposal is consistent with the Neighborhood Place Type contained in the Transit Oriented Development Strategic Policy Framework.
3. The proposed zoning will facilitate the redevelopment of an underutilized site adjacent to the Dunlap / 19th Avenue light rail station.

Stipulations:

1. The site plan and elevations shall be presented for review and comment to the North Mountain Village Planning Committee prior to preliminary site plan approval.
2. The frontage adjacent to Plaza19 and the light rail station shall be treated as a Primary Frontage in accordance with Section 1303.A.6 of the Phoenix Zoning Ordinance.
3. The northern edge of the site, along the light rail station and Plaza19, shall be treated as street frontage and building setbacks/build-to dimensions shall be measured from the back of any easements (public utilities, public pedestrian access, maintenance, etc.), as approved by the Planning and Development Department.
4. Development adjacent to the northeast corner of the site (Plaza19 and light rail station) shall contain a vertical mix of land uses such as residential and non-residential uses, as approved by the Planning and Development Department. A minimum of 5,000 square feet of non-residential uses shall be provided and shall not include lobby, exercise, reception areas or other similar uses intended for exclusive use by residents.
5. ~~A MINIMUM OF 20% OF THE DWELLING UNITS SHALL BE AFFORDABLE HOUSING, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND HOUSING DEPARTMENT.~~
- ~~5.6.~~ 5. The maximum building height shall not exceed 48 feet, except that the maximum building height may be increased to 56 feet, subject to a minimum of 30% of the dwelling units are provided as Affordable Housing, as approved by the Planning and Development Department and Housing Department.
- ~~6.7.~~ 6. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d 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 spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A bicycle repair station ("fix it station") shall be provided and maintained in an area of high visibility, in close proximity to the Light Rail station, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

- d. Standard electrical receptacles shall be installed for a minimum of 10 percent of the required bicycle parking spaces for electric bicycle charging capabilities.
- ~~7-8.~~ A minimum of 5% EV Installed infrastructure shall be provided for the required number of residential vehicle parking spaces, whether surface or structured, as approved by the Planning and Development Department:
- ~~8-9.~~ If public parking is provided, a minimum of 5% of the parking provided shall be EV Installed.
- ~~9.~~ The bus pad on southbound 19th Avenue south of Dunlap Avenue shall be retained, as approved by the Planning and Development Department.
- ~~10.~~ A vehicular and pedestrian circulation plan shall be submitted to the Street Transportation Department and the Planning and Development Department for approval before applying for preliminary site plan review. The circulation plan shall incorporate the Community Vision Themes, Urban Principles and Strategies established in the *19 North Transit Oriented Development Plan* and demonstrate the following:
 - a. Routes for vehicles and pedestrians shall be designed to ensure seamless and safe movement for pedestrians, with pedestrian safety and accessibility taking priority.
 - b. A shaded, pedestrian-only paseo, providing public access and a direct connection from the adjacent land uses through the site to the transit facility, key internal destinations, and common open spaces.
 - c. Designated areas for vehicle loading, pick-up, and drop-off.
 - d. Proposed measures to mitigate potential conflicts between vehicles and pedestrians, both within and adjacent to the site.
 - e. Bicycle parking and fix-it station/s focused primarily adjacent to the public right-of-way to promote multi-modal transportation in conjunction with secure internal bike parking facilities for residents, employees, and guests.
- ~~11.~~ Vehicular access points shall be restricted to a maximum of one on 19th Avenue and a maximum of two on Dunlap Avenue.
- ~~12.~~ A minimum 14-foot-wide vehicular access easement shall be provided for future shared access onto Dunlap Road along the western property line to access properties to the south and west.
- ~~13.~~ The existing sidewalk along 19th Avenue shall be detached with a minimum 6-foot-wide sidewalk and a minimum 10-foot-wide landscape area between back of curb and sidewalk and shaded to a minimum of 75% tree shade coverage.

- ~~14.~~ Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken
~~15.~~ or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all
14. off-site improvements to comply current ADA guidelines.
- ~~15.~~ All streets within and adjacent to the development shall be constructed with paving,
~~16.~~ curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and
15. other incidentals, as per plans approved by the Planning and Development
Department. All improvements shall comply with all ADA accessibility standards.
- ~~16.~~ Natural turf shall only be utilized for required retention areas (at the bottom of the
~~17.~~ basin, and only allowed on slopes if required for slope stabilization), and functional
16. turf areas, as approved by the Planning and Development Department.
- ~~17.~~ A minimum of 25% of any surface parking areas shall be shaded, as approved by
~~18.~~ the Planning and Development Department. Shade may be achieved by structures
17. or by minimum two-inch caliper, drought tolerant, shade trees, or a combination
thereof.
- ~~18.~~ A minimum of two green stormwater infrastructure (GSI) elements for stormwater
~~19.~~ management shall be implemented, as approved or modified by the Planning and
18. Development and/or Street Transportation departments. This includes but is not
limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per
the Greater Phoenix Metro Green Infrastructure and Low Impact Development
Details for Alternative Stormwater Management.
- ~~19.~~ Prior to final site plan approval, documentation shall be provided that demonstrates
~~20.~~ a commitment to participate in the Phoenix Water Efficiency Checkup Program for a
19. minimum of 10 years, or as approved by the Planning and Development
Department.
- ~~20.~~ A minimum of 10% of the required shrubs shall be a milkweed or other native nectar
~~21.~~ species, and shall be planted in groups of three or more, as approved by the
20. Planning and Development Department.
- ~~21.~~ In the event archaeological materials are encountered during construction, the
~~22.~~ developer shall immediately cease all ground-disturbing activities within a 33-foot
21. radius of the discovery, notify the City Archaeologist, and allow time for the
Archaeology Office to properly assess the materials.
- ~~22.~~ Prior to final site plan approval, the landowner shall execute a Proposition 207
~~23.~~ waiver of claims form. The waiver shall be recorded with the Maricopa County
22. Recorder's Office and delivered to the City to be included in the rezoning application
file for record. This stipulation shall not be applicable if the property is owned by the
City of Phoenix.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, saneeya.mir@phoenix.gov, TTY: Use 7-1-1.



May 6, 2025

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

RE: Support for Zoning Case Z-7-25 and GPA-NM-1-25-3 (Southwest Corner of 19th Avenue and Dunlap Avenue)

To Whom It May Concern:

As a Board Member of the Metro District Community Collaboration (MDCC), I am writing in support of the proposed rezoning and General Plan Amendment for the City of Phoenix property located at the southwest corner of 19th Avenue and Dunlap Avenue.

This proposed action supports the revitalization of the Metro District and the broader Dunlap Avenue corridor. The area has long needed thoughtful, pedestrian-oriented development that enhances both economic development and neighborhood vibrancy. By aligning with the 19North Transit Oriented Development Policy Plan this case reflects a strategic vision to bring walkable, mixed-use development to a currently underutilized City-owned site.

Rezoning that support the Walkable Urban Code and enable mixed-use development are key tools for increasing the area's economic development potential. The MDCC supports efforts that promote quality development and greater livability—and this case is a strong step in that direction.

We appreciate the City's engagement and leadership in activating this site for long-term community benefit.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Lindblad", with a stylized flourish extending from the end.

Ron Lindblad

Board Member, Metro District Community Collaboration (MDCC)
General Manager, DoubleTree by Hilton Phoenix North
10220 N Metro Pkwy E, Phoenix AZ 85051
Hotel: 602-997-5900 | Direct: 602-331-9844 | Cell: 602-312-1941



Agenda Date: 7/2/2025, Item No. 106

Public Hearing and Ordinance Adoption - Rezoning Application Z-4-25-1 - Approximately 330 Feet South of the Southeast Corner of 33rd Avenue and Dynamite Road (Ordinance G-7403) - District 1

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-4-25-1 and rezone the site from S-1 (Farm or Ranch Residence) to R1-10 (Single-Family Residence District) to allow single-family residential.

Summary

Current Zoning: S-1

Proposed Zoning: R1-10

Acreage: 10.07 acres

Proposal: Single-family residential

Owner: 2PHDS LLC c/o Andrei Polukhtin

Applicant/Representative: Brian Greathouse, Burch & Cracchiolo, P.A.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee was scheduled to hear this item on May 20, 2025 for recommendation; however, there was no quorum.

PC Action: The Planning Commission heard this case on June 5, 2025, and recommended approval, per the staff recommendation, by a vote of 8-1.

The Planning Commission recommendation was appealed by opposition on June 12, 2025. A public hearing is required.

Location

Approximately 330 feet south of the southeast corner of 33rd Avenue and Dynamite Road

Council District: 1

Parcel Address: 28011 N. 33rd Avenue

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-4-25-1) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) TO R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 10.07-acre site located approximately 330 feet south of the southeast corner of 33rd Avenue and Dynamite Boulevard in a portion of Section 35, Township 5 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "S-1" (Ranch or Farm Residence District) to "R1-10" (Single-Family Residence District).

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

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

violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

1. The development shall be limited to 30 lots.
2. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
3. All buildings within the development shall be limited to 1-story not to exceed 20 feet in height.
4. Minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips located between the back of curb and sidewalk shall be constructed on both sides of all streets within the subdivision, including the east side of 33rd Avenue, planted to the following standards, and as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings to provide a minimum of 75% shade.
 - b. A mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, with a maximum mature height of two feet, evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage.

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

5. Dedicate and construct a minimum 30 feet of right-of-way for the east side of 33rd Avenue.
6. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
7. 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.

8. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.
9. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.
10. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized throughout the subdivision including the front, side, and rear yards of individual residential lots. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
11. Natural turf shall not be utilized on individual single-family lots (including the side and rear yards). This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
12. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
13. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into the Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.
14. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
15. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley 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.
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 2nd day of July, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-4-25-1

THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

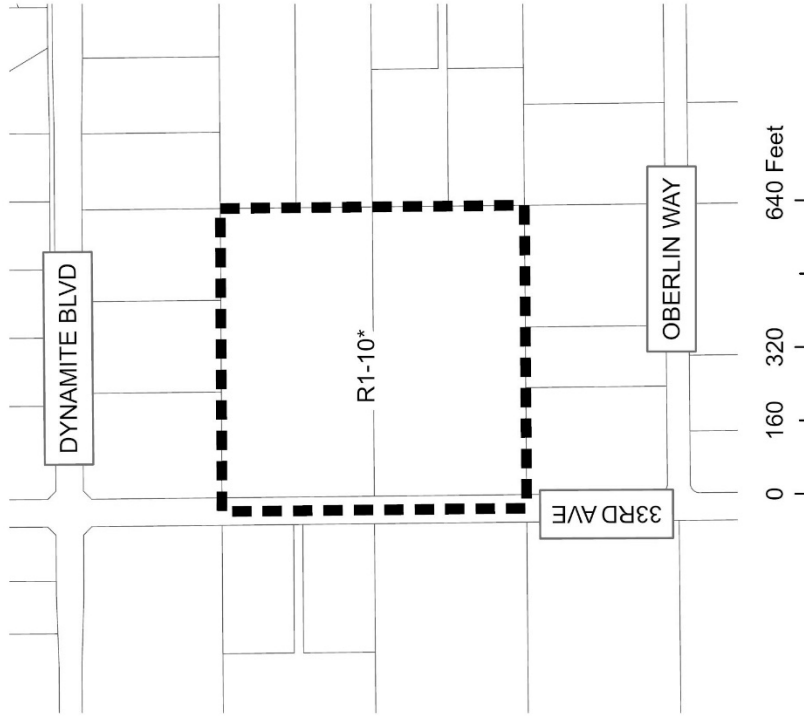
EXCEPT THE WEST 30.00 FEET THEREOF.

DRAFT

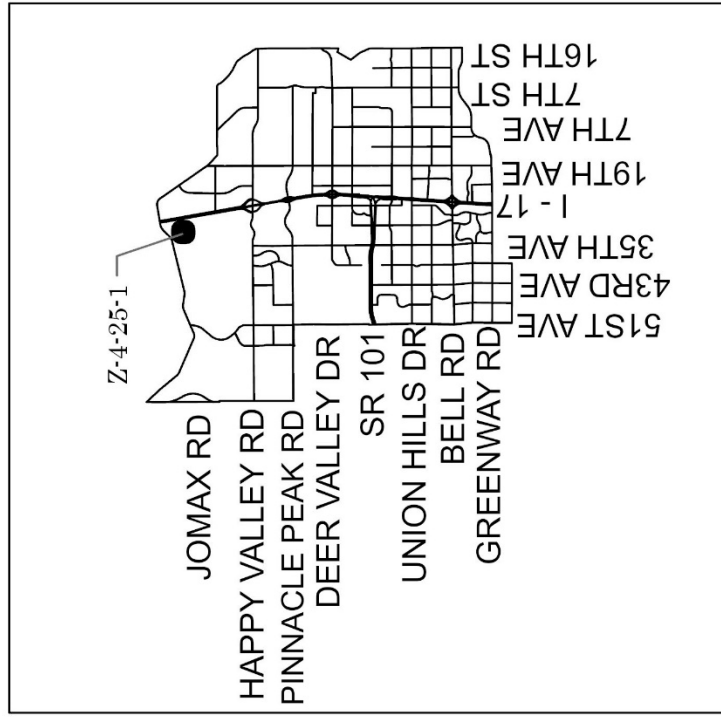
ORDINANCE LOCATION MAP

EXHIBIT B

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



Zoning Case Number: Z-4-25-1
Zoning Overlay: N/A
Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 6/2/2025

\\onepld\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\Supp\Maps_Ord\Map\2025 Ord\7-2-2025\7-2-2025.aprx

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-4-25-1 May 12, 2025

[Deer Valley Village Planning Committee](#) Meeting Date: May 20, 2025

[Planning Commission](#) Hearing Date: June 5, 2025

Request From: [S-1](#) (Ranch or Farm Residence)
(10.07 acres)

Request To: [R1-10](#) (Single-Family Residence District)
(10.07 acres)

Proposed Use: Single-family residential

Location: Approximately 330 feet south of the
southeast corner of 33rd Avenue and
Dynamite Boulevard

Owner: 2PHDS, LLC, c/o Andrei Polukhtin

Applicant/Representative: Brian Greathouse, Burch & Cracchiolo P.A.

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 2 to 5 dwelling units per acre	
<u>Street Map Classification</u>	33rd Avenue	Local	30-foot east half street
<i>CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; LAND USE PRINCIPLE: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.</i>			
The requested R1-10 zoning district is compatible with existing residential developments and zoning districts in the area and is consistent with the General Plan Land Use Map designation of Residential 2 to 5 dwelling units per acre.			
<i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding</i>			

General Plan Conformity

neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

The proposal, as stipulated, is sensitive to the scale and character of the surrounding residential area by providing density and height limitations.

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

The proposal, as stipulated, will be required to provide shade along the sidewalks within the community and along the adjacent public street. This will help to provide shade for pedestrians in and around the community and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the vicinity.

Applicable Plans, Overlays, and Initiatives

[Shade Phoenix Plan](#): See Background Item No. 6.

[Complete Streets Guiding Principles](#): See Background Item No. 7.

[Zero Waste PHX](#): See Background Item No. 8.

[Housing Phoenix Plan](#): See Background Item No. 9.

[Monarch Butterfly Pledge](#): Background Item No. 10.

[Conservation Measures for New Development](#): Background Item No. 11.

[Phoenix Climate Action Plan](#): Background Item No. 12.

Surrounding Land Uses and Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	S-1
North	Single-family residential	S-1

South	Single-family residential	S-1
East	Single-family residential and vacant (proposed single-family residential)	S-1, R1-10
West	Single-family residential	S-1

R1-10 – Single-Family Residence District (Planned Residential Development Option)		
<u>Standards</u>	<u>R1-10 Requirements</u>	<u>Provisions on the proposed site plan</u>
Gross Acreage	-	10.07 acres
Maximum Number of Units	35; 45 with bonus	30 units (Met)
Maximum Density	3.5; 4.5 with bonus	2.98 dwelling units per acre (Met)
Minimum Lot Width	45 feet	66 to 80 feet (Met)
Minimum Lot Depth	None, except 110 feet adjacent to freeway or arterial	140 feet (Met)
Maximum Building Height	2 stories and 30 feet	1 story and 20 feet (Met)
Maximum Lot Coverage	50 percent, plus an additional 10 percent for ADU and/or attached shade structures	Not specified
Minimum Parking	2 spaces per dwelling unit 60 spaces required	Not specified
MINIMUM BUILDING SETBACKS		
Perimeter Streets (33rd Avenue)	15 feet (in addition to landscape setback)	15 feet (Met)
Perimeter Property Lines (Side and Rear)	<u>Rear</u> 1-story building: 15 feet 2-story building: 20 feet <u>Side</u> 1-story building: 10 feet 2-story building: 15 feet	<u>Rear</u> 1-story building: 15 feet (Met) <u>Side</u> 1-story building: 10 feet (Met)
MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Common landscaped setback adjacent to perimeter streets	15 feet average, 10 feet minimum	15 feet (Met)

R1-10 – Single-Family Residence District (Planned Residential Development Option)		
<u>Standards</u>	<u>R1-10 Requirements</u>	<u>Provisions on the proposed site plan</u>
Minimum Common Area	5 percent of gross site area	7.1 percent (Met)

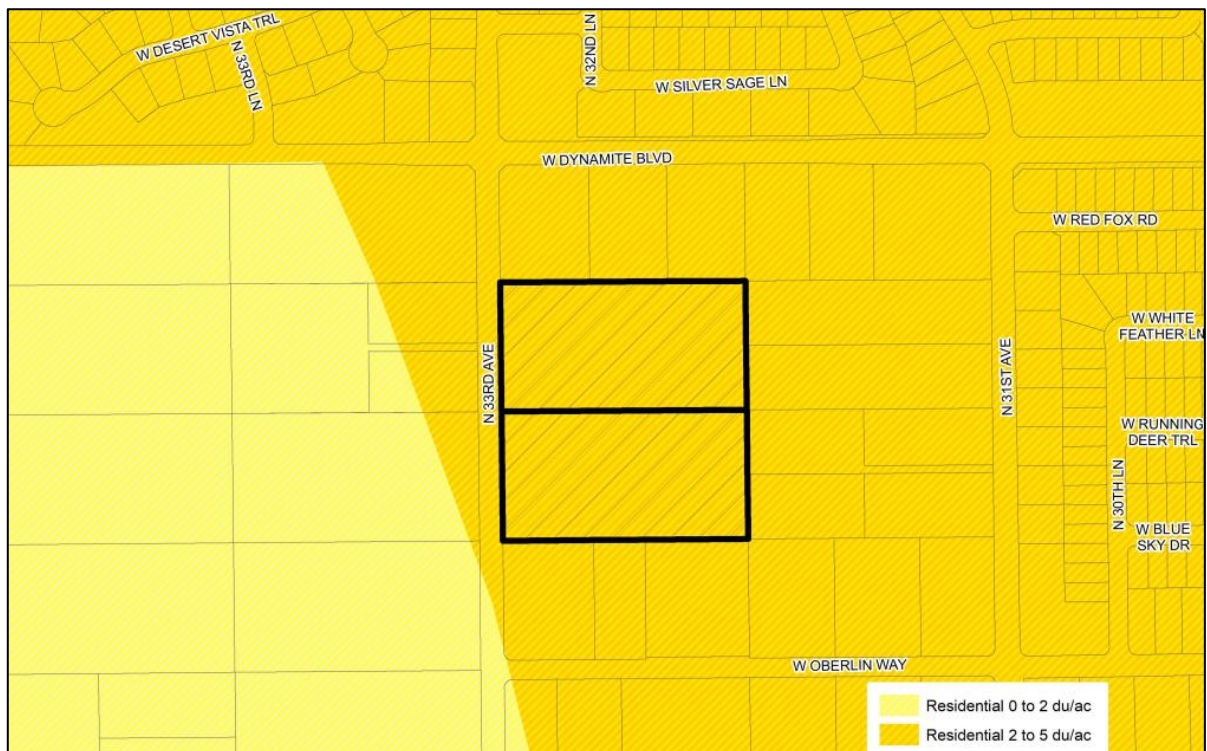
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 10.07 acres located approximately 330 feet south of the southwest corner of 33rd Avenue and Dynamite Boulevard from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) for single-family residential.

GENERAL PLAN LAND USE MAP DESIGNATIONS

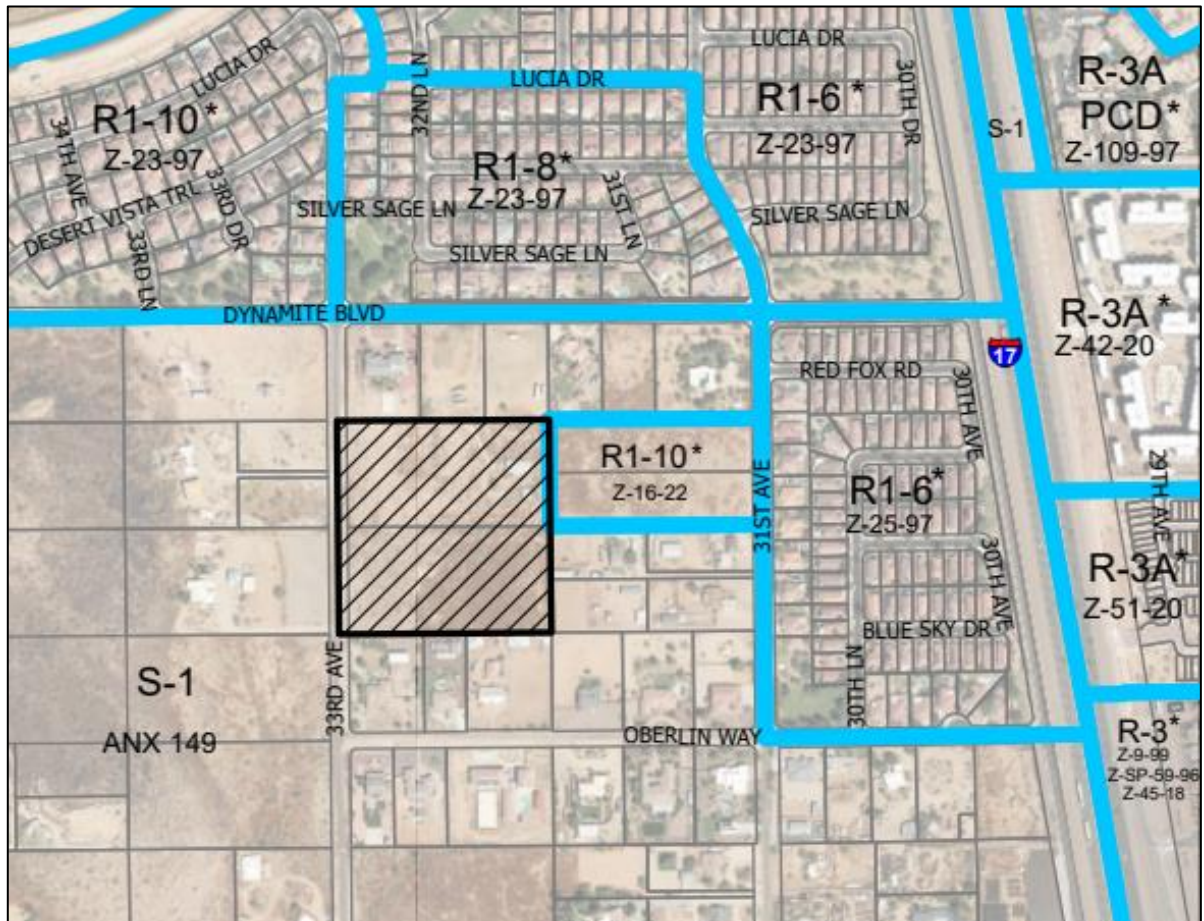
2. The subject site and the surrounding properties to the north, south, east and west are designated as Residential 2 to 5 dwelling units per acre on the General Plan Land Use Map. The proposed R1-10 zoning district is consistent with the General Plan Land Use Map designation of Residential 2 to 5 dwelling units per acre.



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

SURROUNDING LAND USES AND ZONING

3. To the north, south, west and east are single-family residences zoned S-1. To the east is a vacant lot proposed for single-family residential zoned R1-10.



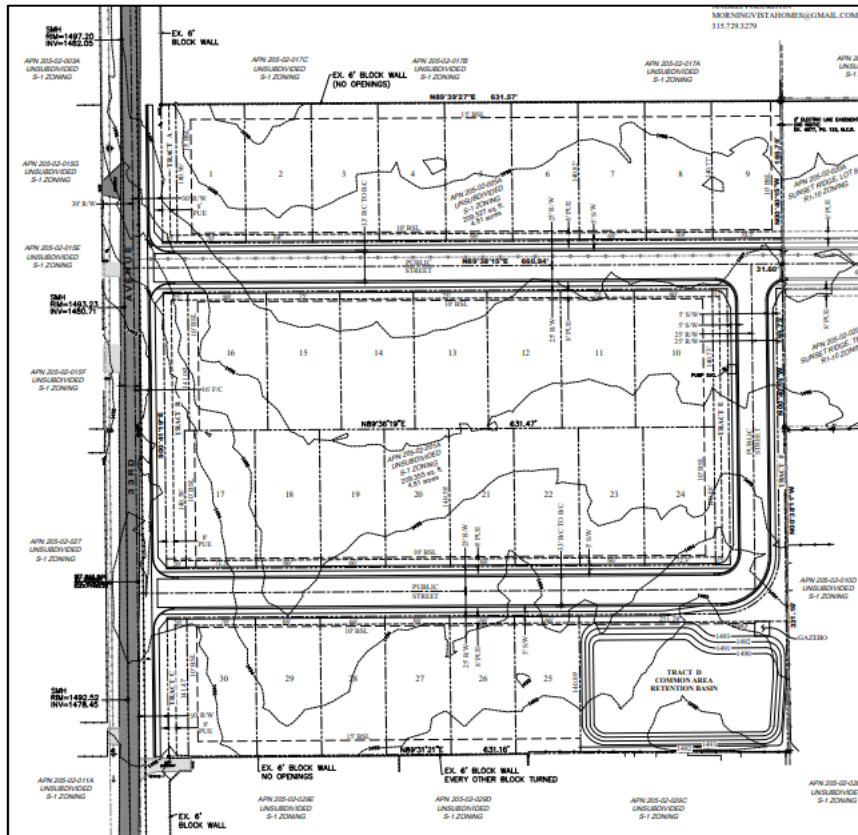
Zoning Aerial Map, Source: Planning and Development Department

PROPOSAL

4. **Site Plan**

The proposal is for a 30-lot single-family residential community. The conceptual site plan, attached as an exhibit, depicts two east/west streets and one north/south street. The northernmost east/west street will extend through the adjacent property to the east, which will be developed at the same time as the subject site. Lots within the subject site will range from 66 to 88 feet in width. The site will also be buffered along the 33rd Avenue frontage and the eastern edge of the site by landscaping of not less than 15 feet in width. An open space area will be located in the southeast corner of the property, also serving as a drainage basin. Staff recommends

Stipulation No. 1, to limit the site to a maximum of 30 lots, to ensure the site develops as proposed and to remain compatible with the surrounding area.



Conceptual Site Plan, Source: Grading & Drainage Engineers, Inc.

5. Elevations

The applicant initially provided a set of elevation drawings that were generally typical of single-family detached development in the area. The applicant has since chosen to work within a more contemporary elevation palette and has not developed a set of elevations for inclusion with this report. Staff recommends Stipulation Nos. 2 and 3 to ensure that the elevations contain enhanced design features, and that the maximum height of the buildings be no more than one story, 20 feet, to be compatible with the surrounding area.

STUDIES AND POLICIES

6. [Shade Phoenix Plan](#)

In November 2024, the Phoenix City Council adopted the Shade Phoenix Plan. The Shade Phoenix Plan prioritizes increasing shade coverage throughout the City to improve health and quality of life. Investing in shade can address the urban heat island effect, clean the air, preserve Sonoran vegetation, and prevent health

complications related to prolonged exposure to heat. The Shade Phoenix Plan provides numerous strategies to increase shade including expanding and maintaining existing shade, strengthening tree code enforcement, and developing shade stipulations in rezoning cases. This is addressed in Stipulation No. 4, which requires shaded detached sidewalks within the development and along 33rd Avenue.

7. **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. As stipulated, the proposed development would enhance the streetscape for pedestrians by providing detached sidewalks along 33rd Avenue and within the development. This is addressed in Stipulation No. 4.

8. **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. The City of Phoenix offers recycling services for single-family residential properties.

9. **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, according to the Housing Phoenix Plan. 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 of housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

10. **Monarch Butterfly Pledge**

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. 7 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

11. [Conservation Measures for New Development](#)

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to "Build the Sustainable Desert City". The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 8 through 14.

12. [Phoenix Climate Action Plan](#)

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the [Greater Phoenix Metro Green Infrastructure \(GI\)](#) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. Recommended Stipulation No. 12 require at least two green stormwater infrastructure elements.

COMMUNITY INPUT SUMMARY

13. As of the writing of this report, staff received four letters in opposition to this request. The letters cited issues with the proposed density, traffic, and impacts to property values in the area.

INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department requires the developer to provide detached sidewalks along 33rd Avenue and construct streets within and adjacent to the development, including compliance with ADA accessibility standards. These comments are addressed in Stipulation Nos. 4 through 6.

15. 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 Deer Valley Airport to future owners or tenants of the property. This is addressed in Stipulation No. 15.

OTHER

16. The site has not been identified as being archeologically sensitive. However, 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 No. 16.
17. 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. 17.
18. 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 in regard to lot space and density.
19. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation and with surrounding zoning districts.
2. The proposal, as stipulated, is appropriate at this location and is consistent with the scale and character of the surrounding area.
3. The proposal will increase the housing supply and the diversity of housing types available in the area consistent with the Housing Phoenix Plan and the Phoenix General Plan.

Stipulations

1. The development shall be limited to 30 lots.
2. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
3. All buildings within the development shall be limited to 1-story not to exceed 20 feet in height.
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 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings to provide a minimum of 75% shade.
 - b. A mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, with a maximum mature height of two feet, evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage.

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

5. Dedicate and construct a minimum 30 feet of right-of-way for the east side of 33rd Avenue.
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8. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.
9. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.
10. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized throughout the subdivision including the front, side, and rear yards of individual residential lots. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
11. Natural turf shall not be utilized on individual single-family lots (including the side and rear yards). This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
12. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
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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.

Writer

Robert Kuhfuss

May 12, 2025

Team Leader

Racelle Escolar

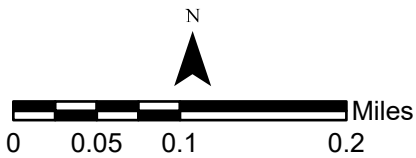
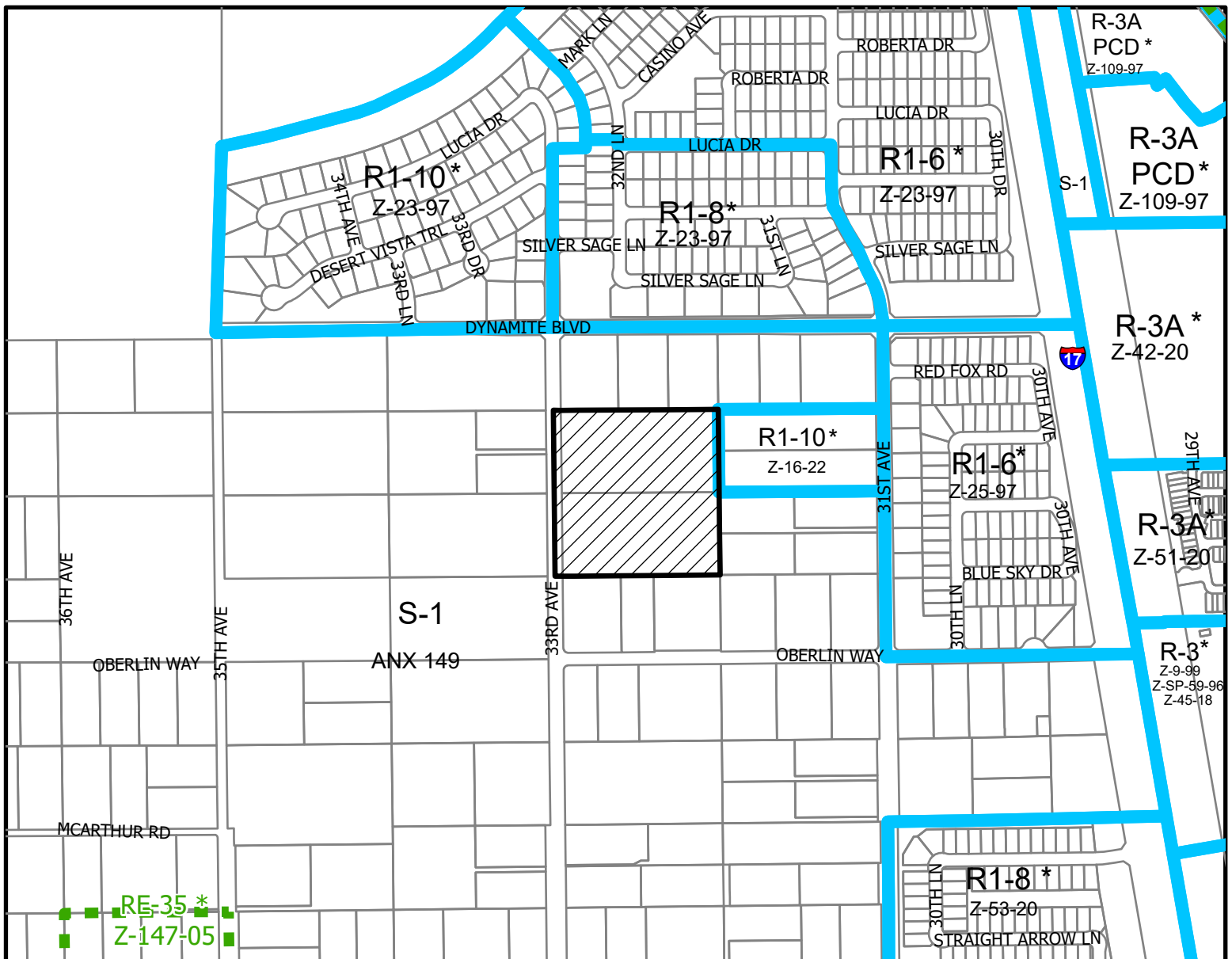
Exhibits

Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped January 9, 2025

Community Correspondence (5 pages)

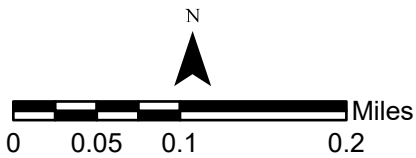
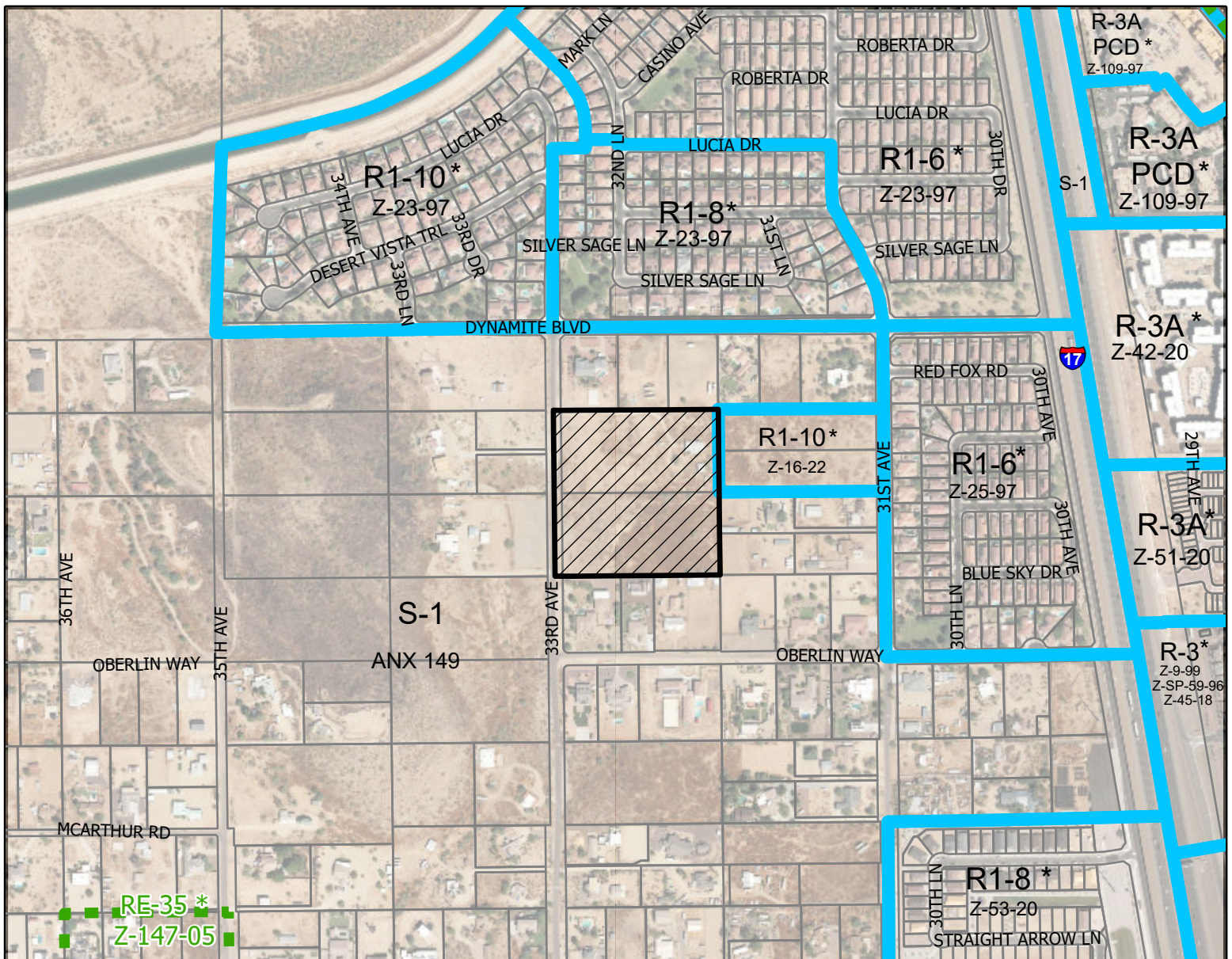


DEER VALLEY VILLAGE
COUNCIL DISTRICT: 1

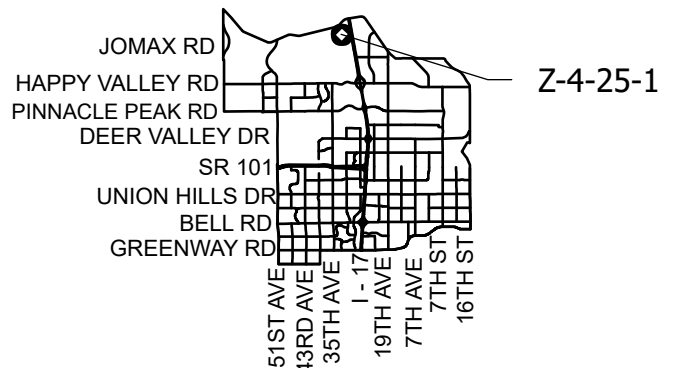


APPLICANT'S NAME: Burch & Cracchiolo, P.A.			REQUESTED CHANGE:		
APPLICATION NO: Z-4-25-1			FROM: S-1 (10.07 ac.)		
DATE: 3/26/2025			TO: R1-10 (10.07 ac.)		
REVISION DATES:					
AERIAL PHOTO & QUARTER SEC. NO. QS 50-21					
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 10.07 Acres			ZONING MAP P-6		
MULTIPLES PERMITTED S-1 R1-10			CONVENTIONAL OPTION 10 35		
			* UNITS P.R.D OPTION N/A 45		

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



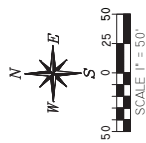
DEER VALLEY VILLAGE
COUNCIL DISTRICT: 1



APPLICANT'S NAME: Burch & Cracchiolo, P.A.		REQUESTED CHANGE:	
APPLICATION NO: Z-4-25-1		FROM: S-1 (10.07 ac.)	
DATE: 3/26/2025		TO: R1-10 (10.07 ac.)	
REVISION DATES:			
AERIAL PHOTO & QUARTER SEC. NO. QS 50-21			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 10.07 Acres		ZONING MAP P-6	
MULTIPLES PERMITTED S-1 R1-10		CONVENTIONAL OPTION 10 35	
		* UNITS P.R.D OPTION N/A 45	

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

REZONING SITE PLAN FOR SUNSET RIDGE 2 A PLANNED RESIDENTIAL DEVELOPMENT



PROPERTY DESCRIPTION

APN 205-02-005A
THE SOUTH HALF OF THE NORTHWEST QUARTER
OF SECTION 35, TOWNSHIP 3 NORTH,
RANGE 2 EAST OF THE GILA AND SALT RIVER BASE
AND MERIDIAN, MARICOPA COUNTY, ARIZONA;
EXCEPT THE WEST 1/4 THEREOF.

APN 205-02-001A
THE SOUTH HALF OF THE SOUTHWEST QUARTER
OF SECTION 35, TOWNSHIP 3 NORTH,
RANGE 2 EAST OF THE GILA AND SALT RIVER BASE
AND MERIDIAN, MARICOPA COUNTY, ARIZONA

PROJECT DESCRIPTION
REZONE TWO 1/4 TRACTS TO THE
R-10 ZONING DISTRICT.
ALL HOMES TO BE SINGLE STORY.

OWNER/DEVELOPER
MORNING VISTA HOMES LLC
14301 N 8TH ST, STE 204
PHOENIX, AZ 85026
ANDREPOLITIN
MORNINGVISTAHOMES@GMAIL.COM
315.729.3279



NOT TO SCALE

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UNSUBDIVIDED
S-1 ZONING

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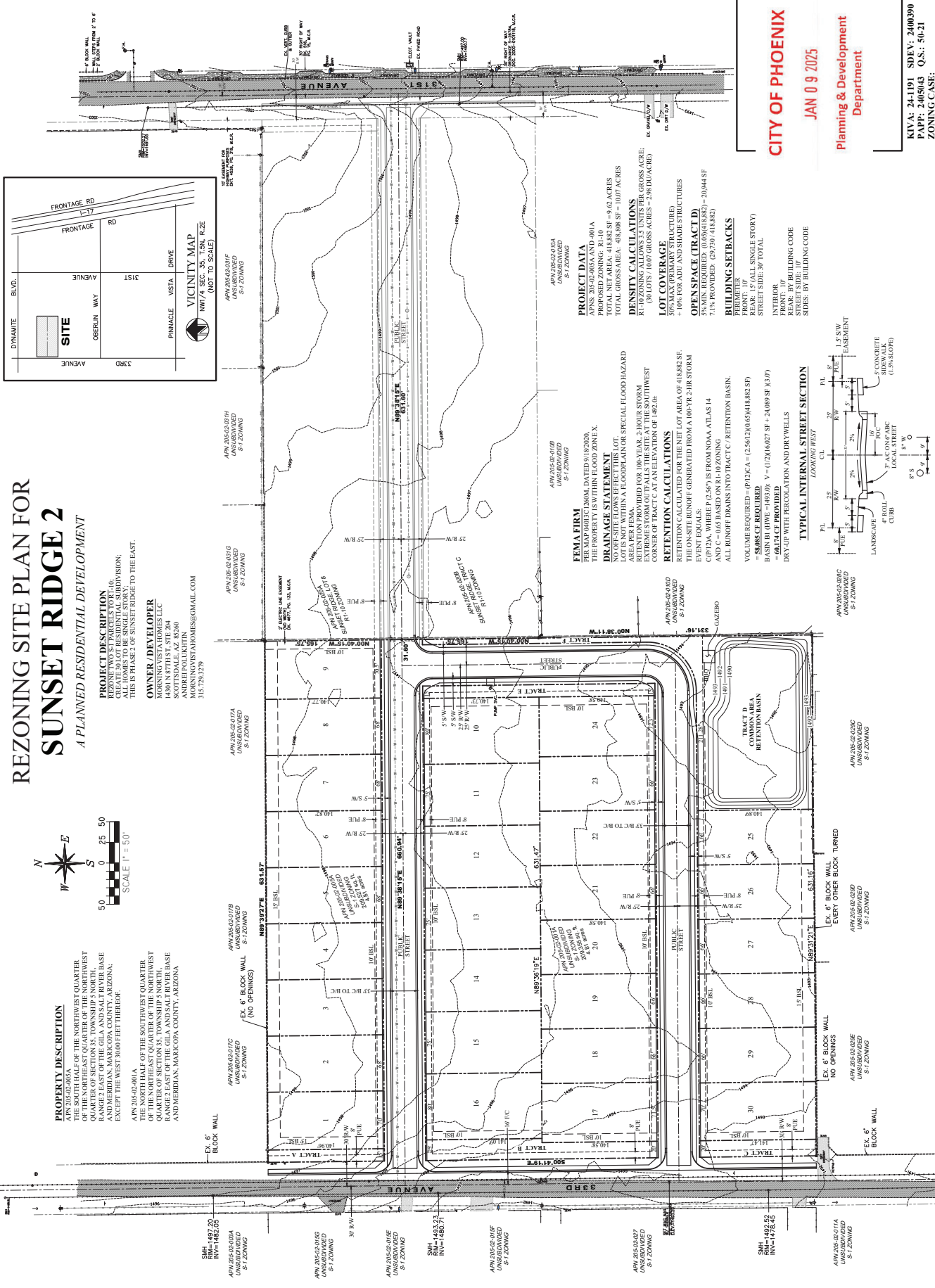
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PROJECT DATA

APN 205-02-001A
UNSUBDIVIDED
S-1 ZONING
PROPOSED ZONING: R-10
TOTAL NET AREA: 418,882 SF = 9.62 ACRES
TOTAL GROSS AREA: 488,088 SF = 10.07 ACRES

DENSITY CALCULATIONS

R-10 ZONING ALLOWS 33 UNITS PER GROSS ACRE;
(30 LOTS / 10.07 GROSS ACRES = 2.98 U/GAC)

LOT COVERAGE

+ 10% FOR ADU AND SHED STRUCTURES
+ 10% FOR ADU AND SHED STRUCTURES
+ 10% PROVIDED: (29,730 / 418,882)

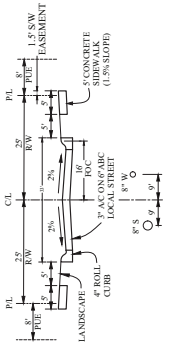
OPEN SPACE (TRACT D)

FRONT: 10'
REAR: 15' (ALL SINGLE STORY)
STREET SIDE: 30' TOTAL

BUILDING SETBACKS

INTERIOR
REAR: BY BUILDING CODE
STREET SIDE: 10' BY BUILDING CODE

TYPICAL INTERNAL STREET SECTION



CITY OF PHOENIX

JAN 09 2025

Planning & Development
Department

KVA: 24-1191 SDEV: 2400390
PAP: 2405043 Q.S.: 50-21
ZONING CASE:



GRADING & DRAINAGE
ENGINEERS, INC.
6612 WEST GOLD MOUNTAIN AVENUE, PHOENIX, AZ 85063
315-481-3371
info@grdinc.com



REZONING SITE PLAN FOR
SUNSET RIDGE 2
A PLANNED RESIDENTIAL DEVELOPMENT

PROJECT
11/11/24

JOB NO.
23-1974

SHEET

1 OF 1

From: [Sean Ceschia](#)
To: [Robert H Kuhfuss](#)
Subject: Case # Z-4-25 - Rezoning on 33rd Ave to R1-10
Date: Monday, April 7, 2025 11:55:15 AM

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We Strongly oppose to rezoning these lots, it will increase traffic in our area which streets are barley allow to one car through. It will create more noise, pollution and more important it will lower our property values dramatically. We like to keep the are S1\R43.

Other general issue, we are experiencing water shortage and droughts and building more homes does not help us! Are we all soon going to drink our piss!

Sean Ceschia

From: [Curt Arthur](#)
To: [Robert H Kuhfuss](#)
Subject: Rezoning case # Z-4-25
Date: Friday, April 11, 2025 7:57:52 AM

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I believe that this property is a five acre parcel. Current zoning allows only four single family homes to be built on such property. We are not opposed to progress if in accordance with in place zoning, but to allow multiple smaller lots is totally unacceptable. Our area was rather unique when most of us built here and we expect it to remain as such, not a mixture of acre + and tight residential properties. Please come out and see for yourself what we have, and don't allow a hungry developer to ruin our final dreams. Thank you for your consideration. Curtis Arthur. 27526 n. 33rd. Ave. 623-703-9742.

From: [dustin h](#)
To: [Robert H Kuhfuss](#)
Subject: Case number Z-4_25
Date: Sunday, April 13, 2025 5:54:25 PM

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Hello Robert

My name is Dustin Hamilton, my address is 3115 W Oberlin Way. I live pretty close to the area that is in question for rezoning.

I am opposed to rezoning this area.

We have recently lost a rezoning to a developer in the area of 31st Avenue and Pinnacle Vista. The city granted rezoning to 53 small homes in that corner lot. Now we have another developer trying to cram more houses into our area. This has caused a significant increase to the amount of traffic in our general area and another 30 homes will just add to what was once a quiet area.

Oberlin Way between 31st Ave and 33rd Ave is pretty much a one lane road. the high school students and drop off parents have found a way to circumvent the traffic jam at the Sandra Day Oconner by coming down the frontage road, and going through our neighborhood to get to 33rd Ave. This then takes them the back way to the high school, and they don't have to wait in the long morning lines. I can tell you that many people do not stop at the stop sign on Oberlin Way and 31st Ave and will travel 50 - 60 miles an hour down Oberlin to 33rd, turn right and head to high school. It can be dangerous on Oberlin in the morning.

Mixed in with speeding and reckless driving is pedestrian traffic and sometimes equestrian riders. All of this happens every morning because of the school traffic. Now, this builder is proposing to build 30 more homes. This will result in about 60-75 more vehicles driving in this area. This will further increase the hazardous conditions that take place on Oberlin Way. People trying to haul ass to school, people walking their dogs on the street, horseback riders, and now a bunch more people trying to get out to the frontage road and get to work. All taking place on a one lane street.

If the city insists allowing this builder to flood our area with this much more traffic, Oberlin Way will have to be addressed. Not only Oberlin Way, but 33rd Ave also. It is the same conditions on 33rd Ave between Dynamite Rd and Pinnacle Vista. Small tight road with high-speed traffic, 33rd Ave gets speeding traffic all day long from the resident who live North of Dynamite.

In my opinion, the only way to add this many more cars and congestion is to widen Oberlin Way between 31st and 33rd Ave, also widen 33rd Ave between Dynamite and Pinnacle Vista. The builder at the corner of Pinnacle Vista and 31st Ave widened the road, installed sidewalks and upgraded the infrastructure under the street. This did help with the congestion and made it safer.

The infrastructure under these roads has got to be 50-60 years old and in need of upgrading. It doesn't make sense to pave over all the old infrastructure. I know for sure the sewer is out of date, and I would have questions about it handling that much more waste from 30 more homes. The builder would have to bring these 2 streets and all the infrastructure under the streets up to usable conditions.

Also, I would question the water volume capacity to provide acceptable water usage to 30 more homes.

These are real issues that affect all of us that have been living in this area for a long time. Larger homes are usually built on these S1 zoning sites, and we pay a premium in property taxes for the luxury of a large lot. These builders always want to build a bunch of smaller homes in an area that is clearly defined by larger lots. As a resident, who has fought many of these, I believe that the existing residents are left to just deal with effects of something like taking over our area. The builder suffers no consequences and walks away with a bag full of money. I also feel like the cities position is like, great more tax revenue. When in reality almost the same revenues can be achieved by building larger homes on larger lots. I would be more agreeable if the builder were to reduce the amount of house they are proposing to build

The builder also starts out by introducing themselves through their attorney. I feel like this is an intimidation tactic done by the builder to persuade us existing residents not to stand up to them. I have shared my views in this matter with my attorney, and we are prepared to file suit against this builder for creating hazardous conditions, if this is approved, without addressing the road issues.

I will be attending the meeting and look forward to hearing what other residents have to say

Thanks

Dustin Hamilton 602 973 0999 phxd31@yahoo.com

From: [Diane Rohrer](#)
To: [Robert H Kuhfuss](#)
Subject: Rezoning case: Z-4-25
Date: Thursday, April 17, 2025 9:58:38 AM

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Good morning Mr. Kuhfuss.

I would like to provide my thoughts and input on the rezoning case listed above.

I am writing to express my opposition to the proposed subdivision of land in our community, which would allow for the development of smaller lots and an increase in housing density.

While I understand the need for thoughtful growth and housing availability, I have serious concerns about the potential impacts of this particular development. Subdividing lots to allow for more housing may strain existing infrastructure, increase traffic congestion, and change the character of our neighborhood, which many of us value for its open space, quiet, and natural environment. This neighborhood has already had a huge influx of new homes added and it has not fared well. The traffic has increased exponentially already; people speed through the streets with little thought to the children that live around here and ride their bikes through the neighborhoods. The additional traffic trying to get kids to school (both the K-8 and the high school) has been terrible and oftentimes results in accidents. (You can probably even check that statement. There are accidents down by the high school or by 35th Ave and Happy Valley all the time. There was an accident just today on Pocono Way on the way to the high school.

Additionally, increasing housing density without comprehensive planning can place added pressure on public services like schools, emergency services, and utilities. I believe growth should be managed in a way that *preserves the quality of life for current residents* while still accommodating future needs.

I urge you to consider the long-term consequences of this subdivision and to support a more balanced approach that respects the integrity of our existing community.

Thank you for your time and consideration.

Diane Rohrer



Village Planning Committee Meeting Summary

Date of VPC Meeting	May 20, 2025
Request From	S-1
Request To	R1-10
Proposal	Single-family residential
Location	Approximately 330 feet south of the southeast corner of 33rd Avenue and Dynamite Boulevard
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION June 5, 2025

ITEM NO: 8	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-4-25-1
From:	S-1
To:	R1-10
Acreage:	10.07
Location:	Approximately 330 feet south of the southeast corner of 33rd Avenue and Dynamite Boulevard
Proposal:	Single-family residential
Applicant:	Brian Greathouse, Burch & Cracchiolo, P.A.
Owner:	2PHDS, LLC, c/o Andrei Polukhtin
Representative:	Brian Greathouse, Burch & Cracchiolo, P.A.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Deer Valley 5/20/2025 No quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion:

Chairperson Busching asked staff if it was typical for Deer Valley to not have a quorum.

Ms. Racelle Escolar responded that while she did not have the figures on the frequency with which they have quorum, it does happen occasionally that the committee does not have quorum.

Commissioner Read asked staff a question regarding the concerns of the public as they relate to street improvements along Oberlin Way, whether there were any plans by the city to improve the street.

Ms. Escolar responded that it did appear that the street was not yet built out. As part of this project, the applicant would improve the right-of-way directly in front of the property and then likely taper the improvements north towards Dynamite Road and south towards Oberlin Way.

Commissioner Gorraiz asked for clarification that the street improvements required of this project would only be required along 33rd Avenue, and not along either Dynamite Road or Oberlin Way.

Ms. Escolar responded that it was not required as part of the rezoning.

Motion details: Commissioner Gorraiz made a MOTION to approve Z-4-25-1, per the staff recommendation.

Maker: Gorraiz
Second: Matthews
Vote: 8-1 (Chairperson Busching)
Absent: None
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation and with surrounding zoning districts.
2. The proposal, as stipulated, is appropriate at this location and is consistent with the scale and character of the surrounding area.
3. The proposal will increase the housing supply and the diversity of housing types available in the area consistent with the Housing Phoenix Plan and the Phoenix General Plan.

Stipulations:

1. The development shall be limited to 30 lots.
2. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
3. All buildings within the development shall be limited to 1-story not to exceed 20 feet in height.
4. Minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips located between the back of curb and sidewalk shall be constructed on both sides of all streets within the subdivision, including the east side of 33rd Avenue, planted to the following standards, and as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings to provide a minimum of 75% shade.
 - b. A mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, with a maximum mature height of two feet, evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage.

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

5. Dedicate and construct a minimum 30 feet of right-of-way for the east side of 33rd Avenue.
6. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
7. 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.
8. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.
9. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.
10. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized throughout the subdivision including the front, side, and rear yards of individual residential lots. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
11. Natural turf shall not be utilized on individual single-family lots (including the side and rear yards). This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
12. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
13. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into the Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.
14. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
15. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley 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.
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.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, saneeya.mir@phoenix.gov, TTY: Use 7-1-1.

ATTACHMENT E

From: [Melissa Miller](#)
To: [Robert H Kuhfuss](#)
Cc: voteannobrien@gmail.com
Subject: Case No. Z-4-25
Date: Sunday, May 18, 2025 6:38:56 PM

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To Whom It May Concern,

My name is Melissa Miller. I live at 3004 W. White Feather Lane in Norterra Pointe. I feel like it is so redundant to ask us for another development. In 2018: **Z86-17** on Pinnacle Vista and 31st Avenue, we voted AGAINST the new neighborhood that was planned (I wrote a letter for that meeting as well). The Planning Commission agreed with us and said that they couldn't build. Then, a couple years later, they built it anyway. (!)

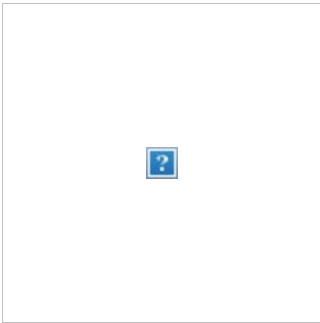
There are SO MANY apartments going in on the east side of I-17, this HAS to be enough for the growth that is expected. There is also the 303 Expansion Project which should bring plenty of homes. I really don't think that 20 more homes are going to make a difference. It is all about money and greed.

Plus, MANY students on the East side of I-17 open enroll into Sandra Day O'Connor. Those people all drive through our neighborhood to get to school so that they can avoid the Happy Valley traffic. The only roads we have to use back here are the frontage road (which already had traffic increased due to the 2 new neighborhoods at Dixileta and the I-17), which people treat like the freeway, Pinnacle Vista and 33rd Avenue.

There are many reasons why residents do not want this:

- 1) Property Values
- 2) **Increased Traffic:** Already out of control
- 3) Impact on schools and other local resources
- 4) Changes to the neighborhood's aesthetic
- 5) HORSE PROPERTY: Many people who live here own horses who are scared by cars.

A list of all the housing developments near us [New Home Developments Near Me - Bing Maps \[bing.com\]](#)



Bing Maps [bing.com]

Map multiple locations, get transit/walking/driving directions, view live traffic conditions, plan trips, view satellite, aerial and street side imagery. Do more with Bing Maps.

www.bing.com [bing.com]

This is plenty! I just feel like in a world where everyone's basically lying to us (government, doctors, etc.), please don't go forward without our consent (again).

Melissa Miller
602.762.5991

From: [Connor Delaney](#)
To: [Robert H Kuhfuss](#)
Subject: Rezoning: CASE No. Z-4-25
Date: Wednesday, May 21, 2025 7:16:41 PM

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Hello Robert, I hope this email finds you well.

I have been informed of the recent rezoning issue for Sunset Ridge and feel strongly about the matter.

As of right now, this community is seeing an overwhelming influx of people as multiple locations have been turned into housing developments or apartments. Many other places in Northern Phoenix are experiencing the same issues and contentions.

The main concern I have for the project is the fact that this practice is unstable. Producing more homes in a bottleneck location such as Sunset Ridge is going to produce many more problems that we have already faced with other new housing developments. With only 2 ways in and out of this entire section of Northern Phoenix (Pocono Way and the 1-17), it can not hold more people without producing underlying issues.

Another problem with the production of this new housing development is the already plentiful market. As mentioned in the opposition website, hundreds of homes are up for sale in this area. So, realistically, more homes is not going to be the solution to any issues. Producing more overpriced homes in an already unrealistic market is problematic for people beyond this community and stretches into entirely new subject.

I hope you can take my account on the Sunset Ridge issue and oppose the movement with this community. Thank you.

- Connor

From: [Michael Costa](#)
To: [Robert H Kuhfuss](#)
Subject: Rezoning of Case# Z-4-25-1
Date: Tuesday, June 3, 2025 9:02:16 AM

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June 2, 2025

Dear Mr. Kuhfuss.

I am writing to express my objection to the rezoning of Case# Z-4-25-1 as currently written. I would accept this if the rezoning called for only 10 houses, not 30. I believe this might be R35 zoning. Anything more than that is just contractor greed.

Your "findings" are flawed. Have you physically been to this lot? The surrounding area does not consist of similar zoning. Sure, if you go out far enough you can always find zoning that is similar. The surrounding and adjacent zoning is S1/R43.

The R6, R8, and R10 zoning you are calling consistent is on the outskirts of the overall area. What is being proposed is R8 zoning in the middle of the area in question.

I don't travel through that area often which is why I have never seen a rezoning sign posted. And when I do travel in that direction it is always at night. I only learned of this recently when signs were placed along Dynamite Blvd. When I first moved into the neighborhood (north of Dynamite Blvd) many years ago and was driving along 33rd Ave after it connected to 35th Ave I commented to my wife at how dark and narrow the street was.

Many people and children walk their dogs, ride their bikes, and horses along this stretch of road. Much of this happens after dark when the sun is not blazing down. My wife and I felt the street needed to be widened but knew that would not happen until someone got run over by a car and killed. I have almost hit someone twice. Now is your chance.

The primary way people will travel into that rezoning location will be to exit Dixileta, come south down the frontage road, turn west onto Dynamite, and then south on to this very dark, narrow 33rd Ave road.

Again, rezoning to R35 (10 lots) is acceptable and 33rd Ave MUST be widened with sidewalk and bike lane to accommodate safe passage for pedestrians and commuters.

As far as city planning goes, I'm sure you are aware of the 19,000+ homes to be built in the 10 square miles just north of the CAP canal and South of AZ-303. There is also another proposed massive community to be built just north of that as well. You don't need 30 houses jammed in

the middle of this unique desert sanctuary to fulfill the needs of the growing city. This only "fills" the pocket of a greedy builder. In fact, only having 10 homes built on this proposed area is exactly what should be done here. It is consistent with and preserves the existing landscape, as well as current homeowner property and land values.

Anything more is contractor greed and should not upset the current ecosystem and livelihood of those who chose to build their homes in this rare, unique area within the city limits. There is plenty of land further north to build the favela style neighborhoods to meet growing city needs. This location is NOT the place for what is being proposed. Serious reconsideration MUST happen. The lawyers are getting paid regardless of outcome. This is your chance to do what's right. How would you view this if your home and family lived there?

Please respond so I know this was received and read.

Thank you
Dr. Michael Costa

ATTACHMENT F

CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:							
APPLICATION NO/ LOCATION	Z-4-25-1 Approximately 330 feet south of the southeast corner of 33rd Avenue and Dynamite Boulevard	(SIGNATURE ON ORIGINAL IN FILE) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: 1px solid black; padding: 5px; text-align: center;">opposition</td> <td style="width: 10%; border: 1px solid black; padding: 5px; text-align: center;">X</td> <td style="width: 33%; border: 1px solid black; padding: 5px; text-align: center;">applicant</td> <td style="width: 24%; border: 1px solid black; padding: 5px;"></td> </tr> </table>		opposition	X	applicant	
opposition	X	applicant					
APPEALED FROM:	PC 06/05/2025	3209 West Oberlin Way Phoenix, AZ 85083					
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>					
TO PC/CC HEARING	CC 07/02/2025 (10:00 am)	Mary Vaughn 602-684-8149 Maryvaughn234@gmail.com					
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>					
REASON FOR REQUEST: Disagree with rezoning.							
RECEIVED BY:	Greg Harmon	RECEIVED ON:	6/12/2025				

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

Camryn Thompson
 Micah Alexander
 GIS
 Byron Easton (for PHO appeals only)
 Village Planner
 Applicant

AP7-26-25

CITY OF PHOENIX



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

JUN 12 2025

Planning & Development
Department

The **PLANNING COMMISSION** agenda for **June 5, 2025** 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. **June 12, 2025**.

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., **June 12, 2025**.

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. **June 12, 2025**.

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. **June 20, 2025**.

FORM TO REQUEST CITY COUNCIL HEARING

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

2-4-25-1
APPLICATION NO.

6/5/25
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Approx 330 ft south of SE corner 33rd Ave and Dynamite
LOCATION OF APPLICATION SITE

Greg Harmon
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Mary Vaughn
PRINTED NAME OF PERSON APPEALING

3209 West Oberlin Way
STREET ADDRESS

Phoenix, AZ 85083
CITY, STATE & ZIP CODE

maryvaughn234@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST

Applicant disagree with rezoning.

Mary Vaughn
SIGNATURE

6/12/25
DATE OF SIGNATURE

602 684 8149
TELEPHONE NO.

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



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION TO AMEND ZONING ORDINANCE
APPLICATION NO: Z-4-25-1

PROPERTY LOCATION: Approximately 330 feet south of the southeast corner of 33rd Avenue and Dynamite Boulevard

PROPOSED USE: Single-family residential

LEGAL DESCRIPTION:

TO BE CHANGED:

FROM: S-1

TO: R1-10

Ordinance #:
CASE TYPE: Rezoning

Ordinance Date:
DSD #:
10/15/2024

CASE STATUS: Under Appeal

GROSS ACREAGE: 10.07

VILLAGE: Deer Valley

COUNCIL DISTRICT: 1

DATE FILED: 03/21/2025

ZONING MAP:
P6
P6

Q.S. MAP:
Q50-21
Q50-21

APN
205-02-001A
205-02-005A

Contact Information

Name		Address	Phone	Fax	Email
2PHDS, LLC,	Owner	14301 N 87th			
c/o Andrei		Street, Suite 204			
Polukhtin					
Brian	Representative	1850 North Central			
Greathouse,		Avenue, Suite			
Burch &		1700 Phoenix AZ			
Cracchiolo,		85004			
P.A.					
Brian	Applicant	1850 North Central	6022349903		bgreathouse@bcatto
Greathouse,		Avenue, Suite			rneys.com
Burch &		1700			
Cracchiolo,					
P.A.					
mary vaughn	Appellant	3209 W Oberlin	602-684-		maryvaughn234@gm
		Way Phoenix	8149		ail.com

200 W. Washington St., 2nd floor, Phoenix, AZ 85003 • 602-626-7131

For more information or for a copy of this publication in an alternate format, contact Planning & Development at 602-262-7811 voice or TTY use 7-1-1.

Arizona 85083-
6844 United
States

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

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

SIGNATURE: *Amara Lopez* DATE: 6/12/25

POST APPLICATION 04/22/2025 3:00 PM
MEETING DATE: 7/2/2025 10:00 AM.

Fee Information

Fee	Fee Waived	Fee Date	Purpose
3,000.00	\$0.0	03/21/2025	



**(CONTINUED FROM JUNE 18, 2025) - Public Hearing and Resolution Adoption
- General Plan Amendment GPA-2-25-Y - Data Centers (Resolution 22316) -
Citywide**

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission recommendation and the related resolution if approved. This request is to amend the General Plan to incorporate policy guidance on data centers. This is a companion case to Z-TA-2-25-Y and should be heard first, followed by Z-TA-2-25-Y.

Summary

Application: GPA-2-25-Y

1. The proposal will act as the policy guidance for data centers which supports the Zoning Ordinance text amendment Z-TA-2-25-Y for regulations related to data centers.
2. The proposal will guide data center development away from cores, centers, and corridors, where mixed-use, walkable communities are envisioned and will guide data centers to blend with the surrounding environment while limiting negative impacts to existing communities.
3. The proposal is consistent with and relates to other adopted policies in the General Plan, such as the Blueprint for a More Connected Phoenix, including Cores, Centers, and Corridors, Village Cores, Employment Corridors, and Tech Corridors; Create a Network of Vibrant Cores, Centers, and Corridors; and Build the Most Sustainable Desert City, including Water Sensitive Planning, Green Building, Energy Infrastructure, and Community Shade.

Applicant: City of Phoenix, Planning Commission

Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of GPA-2-25-Y (**Attachment B**).

VPC Action: Fourteen Village Planning Committees considered the request. Seven VPCs recommended approval, per the staff recommendation; three VPCs recommended approval, per the staff recommendation, with direction; two VPCs recommended denial; two VPCs recommended denial, with direction and one VPC

did not have quorum, as reflected in **Attachment C**.

PC Action: The Planning Commission heard this item on June 5, 2025 and recommended approval, per the memo from the Planning and Development Department Deputy Director dated June 5, 2025, by a vote of 9-0.

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 GENERAL
PLAN TO INCORPORATE DESIGN AND LOCATION CRITERIA FOR
DATA CENTERS, APPLICATION GPA-2-25-Y.

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

SECTION 1. That the General Plan be amended to incorporate design and location criteria
for data centers as follows:

DATA CENTERS

WITH CONTINUAL ADVANCEMENTS IN TECHNOLOGY, SUCH AS ARTIFICIAL INTELLIGENCE (AI) AND THE DIGITAL “CLOUD”, THERE HAS BEEN A GROWING DEMAND TO CONSTRUCT DATA CENTERS IN ORDER TO SUPPORT THE DIGITAL WORLD. DATA CENTERS HOUSE A LARGE COLLECTION OF TECHNOLOGICAL EQUIPMENT DESIGNED TO STORE, PROCESS, AND MANAGE VAST AMOUNTS OF DIGITAL INFORMATION. ALTHOUGH DATA CENTERS ARE INFRASTRUCTURE FOR ADVANCING TECHNOLOGY THAT MANY COMPANIES AND ORGANIZATIONS NOW RELY ON, THEY ALSO COME WITH POTENTIAL CHALLENGES, INCLUDING A LOSS OF LAND FOR JOBS AND HOUSING, NOISE POLLUTION, SIGNIFICANT ENERGY DEMAND, INACTIVE FRONTAGES ALONG PUBLIC STREETS, AND CONFLICTS WITH THE CITY’S APPROACH OF MAXIMIZING TRANSPORTATION INVESTMENTS WITH WALKABLE COMMUNITIES. MEASURES SHOULD BE TAKEN TO IDENTIFY AREAS THAT ARE MOST APPROPRIATE FOR DEVELOPMENT AND TO ADDRESS THE NOISE, ENERGY, AND DESIGN ISSUES THAT THEY COME WITH.

LOCATION CRITERIA POLICY

1. LOCATE AWAY FROM IDENTIFIED CORES, CENTERS, AND CORRIDORS WHERE HIGHER-INTENSITY DEVELOPMENT IS ENCOURAGED FOR MIXED-USE, WALKABLE COMMUNITIES.
2. LOCATE IN IDENTIFIED REDEVELOPMENT AREAS WHERE INFRASTRUCTURE INVESTMENTS ARE NEEDED.

DESIGN POLICY

1. PROVIDE ENHANCED LANDSCAPE SETBACKS WITH A GREATER DENSITY OF TREES AND SHRUBS.
2. PROVIDE DETACHED SIDEWALKS WITH PEDESTRIAN AMENITIES AND SHADE.
3. PROVIDE ART IN PRIVATE DEVELOPMENT.
4. UTILIZE DARK SKY LIGHTING.
5. MINIMIZE NOISE POLLUTION TO NEARBY RESIDENTIAL THROUGH USE OF LARGE SETBACKS, STRUCTURAL SCREENING ELEMENTS, ARCHITECTURALLY INTEGRATED STRUCTURES, AND/OR LANDSCAPING.
6. PROVIDE VISUAL INTEREST TO ADJACENT PROPERTIES AND RIGHTS-OF-WAY WITH ENHANCED ARCHITECTURAL DESIGN THAT INCLUDES A VARIATION IN COLORS, MATERIALS, ARTICULATION, FENESTRATION, AND BREAKING OF MASSING, RATHER THAN A CONCRETE BOX THAT HAS A NEGATIVE VISUAL APPEARANCE TO THE SURROUNDING COMMUNITY.

ENERGY AND SUSTAINABILITY POLICY

1. PROVIDE AN AGREEMENT FROM THE LOCAL UTILITY COMPANY TO ENSURE THAT THERE IS SUFFICIENT CAPACITY IN THE POWER GRID TO SUPPLY THE DATA CENTER WITH ITS REQUIRED ENERGY DEMAND.
2. ENCOURAGE ENERGY EFFICIENCY OF DATA CENTER BUILDINGS.

PASSED by the Council of the City of Phoenix this 2nd day of
July 2025.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager
PL:amt:___v1 (CM __) (Item __) 4/7/21

DRAFT



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

**GENERAL PLAN AMENDMENT
STAFF ANALYSIS**

May 1, 2025

<u>Application:</u>	GPA-2-25-Y
<u>Applicant:</u>	City of Phoenix Planning Commission
<u>Representative:</u>	City of Phoenix Planning and Development Department
<u>Location:</u>	Citywide
<u>Request:</u>	Minor General Plan Amendment to develop policy guidance on data centers
<u>Planning Commission Hearing Date:</u>	June 5, 2025
<u>Staff Recommendation:</u>	Approval

FINDINGS:

- 1) The proposal will act as the policy guidance for data centers which supports the Zoning Ordinance text amendment Z-TA-2-25-Y for regulations related to data centers.
- 2) The proposal will guide data center development away from cores, centers, and corridors, where mixed-use, walkable communities are envisioned and will guide data centers to blend with the surrounding environment while limiting negative impacts to existing communities.
- 3) The proposal is consistent with and relates to other adopted policies in the General Plan, such as the Blueprint for a More Connected Phoenix, including Cores, Centers, and Corridors, Village Cores, Employment Corridors, and Tech Corridors; Create a Network of Vibrant Cores, Centers, and Corridors; and Build the Most Sustainable Desert City, including Water Sensitive Planning, Green Building, Energy Infrastructure, and Community Shade.

BACKGROUND

In 2024, the Mayor and City Council directed City staff to create new policy guidance and zoning regulations related to data centers, in response to the increased frequency and development of these types of facilities. Data centers house a large collection of technological equipment designed to store, process, and manage vast amounts of digital information. One major concern with data centers is that their energy demand is expected to increase significantly, in large part due to Artificial Intelligence. Another major concern is the scale at which these types of facilities are built and how they can negatively affect the surrounding community they are built in. This General Plan Amendment would add a section in the 2025 General Plan to provide policy guidance for data centers addressing the major concerns they pose to the community and to the city.

Staff researched other cities in the nation that have adopted ordinances related to data centers for best practices and looked at ways Phoenix could enhance those ordinances. Text Amendment Case No. Z-TA-2-25-Y is a request to amend the Zoning Ordinance to add a definition for data centers, clarify which zoning districts they are permitted in, and add performance standards, development standards, and design guidelines specific to data centers. This General Plan Amendment would act as the adopted policy guidance for the Text Amendment, and future rezoning requests where data centers are proposed.

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

CREATE A NETWORK OF VIBRANT CORES, CENTERS AND CORRIDORS

- ***TRANSIT ORIENTED COMMUNITIES.***

Data centers are very large in scale and do not provide the type of scale and mix of uses desired for transit-oriented communities. The proposal will guide data centers to be located away from high-capacity transit stations, where mixed-use, walkable communities are envisioned for transit-oriented communities. This will protect transit-oriented communities from this type of large-scale development that is incompatible with the vision for transit-oriented communities.

BUILD THE MOST SUSTAINABLE DESERT CITY

- ***GREEN BUILDING; GOAL: Establish Phoenix as a leader in green and sustainable building through the use of green-sustainable building techniques in private and public development.***

The proposal will adopt energy and sustainability policy specifically for data centers, encourage that they are designed utilizing green construction codes to maximize energy efficiency.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-2-25-Y. The proposed General Plan policy language will act as the adopted policy guidance for data center development. The companion text amendment case, Z-TA-2-25-Y, will build on this policy guidance and create zoning regulations related to data centers.

Writer

Adrian Zambrano
May 1, 2025

Team Leader

Racelle Escolar

Exhibit

A. Proposed Language (2 pages)

Exhibit A

Staff proposed language that may be modified during the public hearing process is as follows:

DATA CENTERS

WITH CONTINUAL ADVANCEMENTS IN TECHNOLOGY, SUCH AS ARTIFICIAL INTELLIGENCE (AI) AND THE DIGITAL “CLOUD”, THERE HAS BEEN A GROWING DEMAND TO CONSTRUCT DATA CENTERS IN ORDER TO SUPPORT THE DIGITAL WORLD. DATA CENTERS HOUSE A LARGE COLLECTION OF TECHNOLOGICAL EQUIPMENT DESIGNED TO STORE, PROCESS, AND MANAGE VAST AMOUNTS OF DIGITAL INFORMATION. ALTHOUGH DATA CENTERS ARE INFRASTRUCTURE FOR ADVANCING TECHNOLOGY THAT MANY COMPANIES AND ORGANIZATIONS NOW RELY ON, THEY ALSO COME WITH POTENTIAL CHALLENGES, INCLUDING A LOSS OF LAND FOR JOBS AND HOUSING, NOISE POLLUTION, SIGNIFICANT ENERGY DEMAND, INACTIVE FRONTAGES ALONG PUBLIC STREETS, AND CONFLICTS WITH THE CITY’S APPROACH OF MAXIMIZING TRANSPORTATION INVESTMENTS WITH WALKABLE COMMUNITIES. MEASURES SHOULD BE TAKEN TO IDENTIFY AREAS THAT ARE MOST APPROPRIATE FOR DEVELOPMENT AND TO ADDRESS THE NOISE, ENERGY, AND DESIGN ISSUES THAT THEY COME WITH.

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2. LOCATE IN IDENTIFIED REDEVELOPMENT AREAS WHERE INFRASTRUCTURE INVESTMENTS ARE NEEDED.

DESIGN POLICY

1. PROVIDE ENHANCED LANDSCAPE SETBACKS WITH A GREATER DENSITY OF TREES AND SHRUBS.
2. PROVIDE DETACHED SIDEWALKS WITH PEDESTRIAN AMENITIES AND SHADE.
3. PROVIDE ART IN PRIVATE DEVELOPMENT.
4. UTILIZE DARK SKY LIGHTING.
5. MINIMIZE NOISE POLLUTION TO NEARBY RESIDENTIAL THROUGH USE OF LARGE SETBACKS, STRUCTURAL SCREENING ELEMENTS, ARCHITECTURALLY

INTEGRATED STRUCTURES,
AND/OR LANDSCAPING.

6. PROVIDE VISUAL INTEREST
TO ADJACENT PROPERTIES
AND RIGHTS-OF-WAY WITH
ENHANCED ARCHITECTURAL
DESIGN THAT INCLUDES A
VARIATION IN COLORS,
MATERIALS, ARTICULATION,
FENESTRATION, AND
BREAKING OF MASSING,
RATHER THAN A CONCRETE
BOX THAT HAS A NEGATIVE
VISUAL APPEARANCE TO THE
SURROUNDING COMMUNITY.

ENERGY AND SUSTAINABILITY POLICY

1. PROVIDE A WILL-SERVE
LETTER FROM THE LOCAL
UTILITY COMPANY TO
ENSURE THAT THERE IS
SUFFICIENT CAPACITY IN THE
POWER GRID TO SUPPLY THE
DATA CENTER WITH ITS
REQUIRED ENERGY DEMAND.
2. ENCOURAGE USE OF THE
PHOENIX GREEN
CONSTRUCTION CODE TO
MAXIMIZE ENERGY
EFFICIENCY OF DATA CENTER
BUILDINGS.

ATTACHMENT C

GPA-2-25-Y: Amendment to the General Plan to incorporate
design and location criteria for data centers
Village Planning Committee Summary Results

Village	Recommendation Date	Recommendation	Vote
Ahwatukee Foothills	5/19/25	Denial	10-0
Alhambra	5/20/25	Approval	11-0
Camelback East	6/3/25	Denial with direction to: <ul style="list-style-type: none"> Revise the noise requirement to an objective decibel level to be verified by the City. Allow for an additional 90-day review period to include a review of ordinances from other municipalities, including Chandler. Add separation requirements for data centers from other data centers and from residential uses. 	17-0
Central City	5/12/25	Approval	6-3-1
Deer Valley	5/20/25	No quorum	-
Desert View	6/3/25	Approval, with direction to ensure the General Plan policies align with the directed modifications of Z-TA-2-25-Y	8-3
Encanto	6/2/25	Denial	9-4-1
Estrella	5/20/25	Approval	3-1
Laveen	5/12/25	Approval	13-0
Maryvale	5/14/25	Approval, with direction to amend the language to include sustainable energy, solar sources and reclaimed water	13-0
North Gateway	5/8/25	Approval	8-0
North Mountain	5/21/25	Approval	8-4-1

Paradise Valley	6/2/25	Approval	12-2
Rio Vista	5/13/25	Denial, with direction to allow more time for stakeholder input	3-2
South Mountain	5/13/25	<p>Approval, with direction:</p> <ul style="list-style-type: none"> • Provide buffering from schools • Encourage recycling of water • 60 days for public comment • Distance requirement from Rio Salado Habitat Restoration area <ul style="list-style-type: none"> • Will serve letter required by the time of Certificate of Occupancy • Projects in the permitting process and phased plans be allowed to construct governed by the current zoning regulations 	9-7

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	May 19, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Denial
VPC Vote	10-0

VPC DISCUSSION:

Item Nos. 4 (GPA-2-25-Y) and 5 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak on this item, one in support, and one in opposition.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed General Plan Amendment, including background and details of the location criteria, design, and energy and sustainability policies proposed to be added for data centers, further providing information about the proposed Text Amendment, including a definition for data centers, design guidelines, and a requirement for a Special Permit and performance standards, finally noting the timeline for the proposals.

QUESTIONS FROM COMMITTEE

Chair Gasparro asked for clarification on the noise requirement, noting that in areas with higher ambient decibel levels, a 5% increase could be significant. **Mr. Grande** replied that the proposed language is taking into account existing ambient levels. **Vice Chair Mager** suggested redefining the noise requirement based on decibels.

Committee Member Fisher stated concerns about Phoenix becoming a location with many data centers in the future, noting some issues, including that they can pull power off the grid by having first right to power. **Mr. Grande** noted that the text amendment would add additional regulations for data centers, including a requirement for a Special Permit, which does not exist today.

Committee Member Slobodzian stated there are concerns with water usage for data centers.

Vice Chair Mager commented that it appears the motivation is to allow the City to have more control over approving data centers. **Committee Member Fisher** stated a concern with the number of zoning districts would permit data centers. **Mr. Grande** clarified that this proposal would add a Special Permit requirement where it doesn't exist today, and suggested that the Committee could approve with direction for any items of concern, including the inclusion of C-2 and C-3 zoning districts in the list.

PUBLIC COMMENTS

Cepand Alizadeh with the Arizona Technology Council spoke in favor of the proposal, but noting several concerns: a lack of clarity regarding the 5% requirement for decibel level measurements and how emergencies are handled and that the 2-year will serve letter from utility companies is not feasible.

Chair Gasparro stated a concern about asking for a 10-year will serve letter requirement. **Committee Member Fisher** noted that it appears that the facilities would be stating they don't have the power to serve them.

Committee Member Fisher asked about the appeal of locating data centers in the City of Phoenix. **Mr. Alizadeh** commented about tax revenue. **Chair Gasparro** noted that these could be redevelopments. **Mr. Fisher** noted that in any case, they are massive buildings. **Committee Member Barua** noted that they do not have a good understanding of the number of employees that are typically at a data center. **Mr. Alizadeh** commented that the tech industry is booming in Phoenix and companies want to be here.

Henry Hardy with Rose Law Group spoke in opposition to the proposal, stating that he had never seen a text amendment move this quickly through the process, that there should be a 90-day extension in the process, that the will serve letter will result in no more data centers locating in Phoenix, and that there are Proposition 207 issues with the proposal.

Chair Gasparro asked if Mr. Hardy had clients that resulted in him attending this meeting. **Mr. Hardy** replied that data center stakeholders have been involved. **Chair Gasparro** asked for clarification on the will serve letter request. **Mr. Hardy** stated that the request is for 10 years, noting that many developments are phased.

Mr. Fisher asked who is pushing this item. **Mr. Hardy** said he did not know.

Committee Member Blackman asked if they wanted the will serve letter requirement removed, noting concerns about possible blackouts. **Mr. Hardy** replied that they want the requirement to align with industry standards and that the will serve letters allow the utility companies to plan for the future to ensure sufficient capacity. **Ms. Blackman** followed up with a question about whether the data centers will need to pay for the infrastructure. **Mr. Hardy** replied that they would.

Committee Member Slobodzian asked what changes would be looked at if more time is given for review. **Mr. Hardy** replied that they would like to review the will serve letter requirement and issues around existing rights.

Committee Member Jain asked if data centers currently participate in demand response. **Mr. Hardy** replied that he is not sure, but they do have comprehensive independent generation systems.

Committee Member Fisher stated he was nervous about extending the timeframe for will serve letters, adding it is not clear where all the power will come from, and data centers do not provide a lot of jobs.

Committee Member Barua added that utility companies give discounts to data centers.

Chair Gasparro asked if staff can look into any comments received from utility companies.

COMMITTEE DISCUSSION

Committee Member Fisher suggested voting for a continuance in order to slow the process down, noting that the Committee doesn't have time to get answers to their questions.

Chair Gasparro noted that voting for a continuance may not slow it down, as the Planning Commission could still move it forward, and it could result in losing the opportunity to put the Committee's concerns on record.

Vice Chair Mager suggested the Committee put their concerns into a formal motion, noting a possibility of approval with direction to staff. Committee Members discussed the various options for motions. **Mr. Fisher** suggested a motion for denial, noting the following items:

- Decibel clarification to industry standards;
- Confusion about ramifications of will serve letter requirement; and
- The speed of the process and not including stakeholders.

Mr. Grande noted that the Committee's concerns would be written in the minutes for review by the Planning Commission if the Committee recommends denial.

Committee Member Slobodzian stated that the most effective motion would be for denial.

MOTION (GPA-2-25-Y)

Alyson Slobodzian made a motion to recommend denial of GPA-2-25-Y. **Prakshal Jain** seconded the motion.

VOTE (GPA-2-25-Y)

10-0; motion to recommend denial of GPA-2-25-Y passed; Committee Members Barua, Blackman, Fisher, Golden, Jain, Maloney, Ostendorp, Slobodzian, Mager, and Gasparro in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary

GPA-2-25-Y

Date of VPC Meeting	May 20, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	11-0

VPC DISCUSSION

Item Nos. 4 (GPA-2-25-Y) and 5 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak in opposition to these items.

STAFF PRESENTATION

John Roanhorse, staff, provided a presentation on the Data Center General Plan Amendment noting the development background, review process, and the rationale behind the proposed amendment. Mr. Roanhorse stated that the proposed text amendment is a companion to the General Plan Amendment and is intended to support the regulatory framework for data centers. Mr. Roanhorse stated that the City Council had initiated creation of new policy guidance in response to the growing number of requests for data center facilities, which possess unique characteristics not currently addressed. Mr. Roanhorse expressed the importance of the General Plan Amendment due to land use considerations, the need for adaptation to existing developments, and the importance of connecting these facilities to infrastructure. Mr. Roanhorse noted that one of the primary reasons for the amendment is that data centers are not directly addressed in either the General Plan or the Zoning Ordinance and previous developments have been permitted through informal interpretations. Mr. Roanhorse discussed the key elements of the amendment, including location criteria, design policies, and sustainability measures. Mr. Roanhorse reviewed site placement criteria, highlighting core areas and centers as not preferred locations, and noted various suitability factors. Mr. Roanhorse discussed required setbacks, the integration of art features, dark sky compliance, noise mitigation, and architectural design standards. Mr. Roanhorse noted the energy demands associated with data centers and the importance of incorporating energy efficiency measures. Mr. Roanhorse stated that the amendment would offer additional detail regarding definitions, guidelines, and performance standards.

QUESTIONS FROM THE COMMITTEE

Committee Member Jim DeGraffenreid asked if Data Centers would require additional water use and if water was mainly used for cooling. **Mr. Roanhorse** responded that water is a concern, however it is addressed within the sustainability component of the text amendment. Mr. Roanhorse stated based on information provided data centers recycle water and take measures to prevent increasing water use.

Committee Member David Krietor asked if Data Centers could be developed in existing buildings as an adaptive reuse and that it appears that there might not be many places for Data Centers in the Alhambra Village. **Mr. Roanhorse** responded that it is less likely that a data center would be developed on an existing site however in the past there are data centers that have been established in existing buildings but typically their sizes are limited.

Committee Member Alexander Malkoon commented the increase of Data Centers reflects the growth of technology like artificial intelligence and the facilities house substantial servers and equipment. Committee Member Malkoon commented that the Text Amendment responds to the needs but asked if what is presented is appropriate to the level of development. **Mr. Roanhorse** responded that the preparation of the text amendment included interaction with stakeholders and an analysis of existing data centers and the direction of current technology development in other cities that have widely developed data center facilities.

Committee Member DeGraffenreid commented that he is supportive of Data Centers and the Text Amendment but does have concern that water and energy issues will not be addressed. **Mr. Roanhorse** responded that water use is a concern and the text amendment does provide sustainability details as part of the proposal.

Vice Chair Melisa Camp asked if there will be sufficient requirements in response to mitigate increased heat temperatures. **Mr. Roanhorse** responded that the operation of a data center does generate internal heat which has cooling and other mechanical systems to maintain the temperature for the development and factors on the site such as shading, landscaping and other features would contribute to external heat reduction and mitigation. Mr. Roanhorse discussed the proposed design guidelines, which include setback requirements, perimeter landscaping, and specific landscape coverage standards. Mr. Roanhorse discussed enhancements to architectural elements, including building frontages with the integration of art, color, texture, and orientation, along with requirements for pedestrian amenities and sidewalks. Mr. Roanhorse displayed the proposed timeline for both the General Plan and Text Amendments and indicated that both items would proceed to the Planning Commission and ultimately to the City Council by June 2025.

Committee Member Alexander Malkoon asked the time frame for access to utility

service for a Data Center. **Mr. Roanhorse** responded that it would depend on the timing and application of the data center submittal. Mr. Roanhorse noted that as part of the process the applicant would have to provide the will serve letter.

Committee Member Jim DeGraffienried asked if energy use for a Data Center will increase over the years. **Mr. Roanhorse** responded that typically data centers would have sufficient energy provided as part of the utility grid they are in. Mr. Roanhorse noted that the utilities have provided information regarding energy use for proposed data centers.

PUBLIC COMMENTS

Samantha DeMoss, representing Rose Law Group, introduced herself and stated that Data Centers are an expanding use and reflect an important economic sector for the Phoenix area. Ms. DeMoss stated that addressing Data Centers is very important and will have long-term implications for growth and development. Ms. DeMoss stated there are concerns with the current General Plan Amendment specifically that with process review and timing and the design criteria. Ms. DeMoss stated that additional review time would be necessary to review and address many of the incomplete details in the General Plan Amendment as presented. Ms. DeMoss said that additional review time would allow more stakeholder review and input. Ms. DeMoss stated that the committee consider a 90-day period be granted to allow for more time for a thorough review and comment.

Cepand Alizadeh, representing the Arizona Technology Council, introduced himself and shared a personal experience to illustrate the importance of access to electronic medical information and the critical role of Data Centers. Mr. Alizadeh explained that he works with an organization that provides information and supports a variety of technology industries, emphasizing its alignment with economic development efforts. Mr. Alizadeh stated that correspondence outlining the Arizona Technology Council's position on the proposed text amendment had been submitted to the Mayor's Office and members of the City Council. Mr. Alizadeh stated that data centers are an essential component of the modern economy, noting that several facilities are either under consideration or already under construction in different areas of the city, with more expected in the near future. Mr. Alizadeh also pointed out that data centers vary in size and capacity, both in terms of the volume of information housed and the operations conducted within the facilities. Mr. Alizadeh stated that he works with a range of businesses and organizations that develop services, maintain technology systems, and ensure that critical information remains readily available. Mr. Alizadeh said on behalf of the Arizona Technology Council, he expressed concerns about the proposed text amendment, specifically regarding the process timeline and the requirements for sound abatement. Mr. Alizadeh stated that additional time is needed to allow for a comprehensive review and to provide informed feedback on the proposed amendment. Mr. Alizadeh further noted that the draft text amendment does not sufficiently address

appropriate sound control measures that would be consistent with the functional and operational needs of data centers.

DISCUSSION

Vice Chair Camp asked if there has been consultation with utility companies regarding the development of data centers. **Ms. DeMoss** responded that there has been some discussion with the utility companies, however, like many other details this proposed amendment is moving quickly and more discussion and review would be beneficial to all parties.

Committee Member John Owens asked if there was information on existing data centers and their locations. Committee Member Owens commented that typically data centers and more similar uses would be aligned with freeway corridors and what would be the best approach to have balanced locations to accommodate connection to the infrastructure grid. **Ms. DeMoss** responded that there are many potential locations for data centers but locating them in the appropriate place would consider many factors and they are evaluating such options but more time to review the proposed General Plan Amendment would be a good starting point to ensure all details are addressed appropriately.

Committee Member John Owens asked what other cities in the area are developing data centers and what issues have been presented with them. **Mr. Alizadeh** responded that most adjacent cities have data centers including Tempe and Chandler. Mr. Alizadeh stated that the city of Chandler has been responsive and on the forefront of data center development and has ordinance and policies to accommodate them.

Committee Member Malkoon asked how the City of Chandler responded to the issue of noise abatement with data centers in their jurisdiction. **Mr. Alizadeh** responded that the City of Chandler has information in their ordinance for noise mitigation for data centers and it is more appropriately suited to the current type of designs that are being developed.

Committee Member Malkoon commented that he had experience in the development of call centers and was familiar with the scope of large-scale development. Committee Member Malkoon asked if back up power generators will be included in data centers and how much sound is expected. **Mr. Alizadeh** responded that yes data centers do include backup generators and currently they are powered by diesel fuel so there would be some sound associated with the current data centers, but physical measures would dramatically reduce any loud noises associated with data centers.

Committee Member Owens commented that data centers are part of the future growth for the city and the economy and asked what measures are being taken to bring more data centers to the area. **Mr. Alizadeh** responded that yes data centers are a growing industry, and Phoenix is an ideal location for this growing industry. Mr. Alizadeh stated

that having a responsive ordinance and policies is necessary to accommodate data centers and provide jobs and tax revenue for the local economies.

Committee Member Carlos Velasco commented that the Alhambra Village is land locked however it is important to promote economic opportunities, create jobs and promote tax benefits. Committee Member Velasco asked what type of jobs come with data centers and is there a higher pay scale. **Mr. Alizadeh** responded that jobs associated with data centers are high paying and will promote economic development. Mr. Alizadeh stated that in addition to jobs being provided data centers will also contribute to local economies by the services and supporting needs from local businesses in the area.

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

MOTION

Committee Member Alexander Malkoon made a motion to recommend approval of GPA-2-25-Y per the staff recommendation. **Committee Member David Krietor** seconded the motion.

VOTE

11-0, motion to recommend approval of GPA-2-25-Y per the staff recommendation passed with Committee Members DeGraffenreid, Ender, Gamiño Guerrero, Krietor, Malkoon, Owens, Smith, Vallo, Velasco, Camp and Sanchez in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comment.

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	May 12, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	6-3-1

VPC DISCUSSION:

Item Nos. 6 (GPA-2-25-Y) and 7 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak in opposition on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed General Plan Amendment, including background and details of the location criteria, design, and energy and sustainability policies proposed to be added for data centers. Mr. Rogers provided information about the proposed Text Amendment, including a definition for data centers, design guidelines, and a requirement for a Special Permit and performance standards, finally noting the timeline for the proposals.

QUESTIONS FROM THE COMMITTEE

Committee Member Frazier Johnson asked what happens if a facility leases data services. **Samuel Rogers**, staff, stated that if a facility is proposing to lease data services it would not be allowed and explained the definition of a data center.

Committee Member Faith Burton stated that dead office towers are leasing their space for data centers and asked if the proposal would impact those uses. **Mr. Rogers** stated that staff is working through what will have grandfathered rights. Committee Member Burton explained that there are many dead office towers with excess power capacity that will likely never be used due to modern office uses not requiring high energy loads.

Vice Chair Darlene Martinez asked if there is a reason data centers are not allowed to lease their data services. **Mr. Rogers** explained that the intent is to prevent the primary

use of data centers from being external data hosting and to discourage expansion solely to accommodate off-site users.

Committee Member Burton explained that many data centers lease services to businesses without office space.

Chair Cyndy Gaughan asked if staff is working through the issue of existing conditions. **Mr. Rogers** confirmed Chair Gaughan's inquiry.

Committee Member Zach Burns asked what prevents a facility from leasing out data services. **Mr. Rogers** explained that a facility must meet all the requirements in the definition of a data center to be considered a data center. **Chair Gaughan** stated that enforcement would be the challenge.

Committee Member Janey Pearl Starks asked why shade was not included in the General Plan Amendment's design policy slide. **Mr. Rogers** explained that data centers would need to go through the Special Permit process and be subject to rezoning stipulations, which could address those design elements.

Committee Member Ian O'Grady asked if there are other uses that require a Will Serve Letter. **Mr. Rogers** stated that he is not aware of any other uses requiring a Will Serve Letter.

Committee Member Ali Nervis asked whether the perception is that data centers are inherently negative. **Mr. Rogers** stated that public outreach has revealed concerns about data centers, explained that data centers are currently allowed in zoning districts which allow offices, without any performance or design standards, and reiterated that data centers use significant amounts of energy.

Committee Member Frazier Johnson asked whether there has been an increase in data centers within the Central City Village. **Mr. Rogers** stated that he is not aware of the number of data centers in the Central City Village and explained that there has been an increase in data centers over time within the City.

Chair Gaughan stated that there is land around the airport that could be suitable for data centers and noted that data centers are currently somewhat unregulated.

Committee Member Nate Sonoskey asked for confirmation that data centers can currently be built anywhere office uses are allowed and asked about what requirements currently apply to data centers. **Mr. Rogers** confirmed that data centers can currently be built wherever office uses are allowed and explained that an informal interpretation from 20 years ago considered data centers analogous to office uses. Mr. Rogers stated that data center demands have significantly changed and stated that data centers are not currently subject to any data center specific performance or design standards. Committee Member Sonoskey asked how many data centers have been built in office

zones. Mr. Rogers stated that he does not have data on the number of data centers in Phoenix.

Committee Member Sonoskey asked whether the City is considering allowing data centers by right in industrial areas and stated that it is common to allow data centers in industrial zones. **Mr. Rogers** stated that most cities in the Phoenix metro area do not have specific regulations for data centers.

Chair Gaughan stated that data centers are not sustainable job creators.

Committee Member Nervis asked whether there are any requirements regarding energy efficiency. **Mr. Rogers** stated that he is not knowledgeable about energy efficiency requirements.

Committee Member Sonoskey asked if the proposal would go into effect immediately, asked whether the City has received any pushback from large companies, and stated that many companies have already acquired land for data centers.

Mr. Rogers explained that the proposal would be subject to a 30-day appeal period and stated that some developers have expressed concerns.

Committee Member Frazier Johnson stated that there are data centers everywhere but people do not know they are present because they do not look like data centers.

Committee Member Burton stated that many developments do not have other options, explained that data centers can give a development a second life, and explained concerns about how overreaching the proposal is.

Mr. Rogers stated that the goal of the proposal is not to eliminate data centers but to establish a formalized review process.

Committee Member Frazier Johnson asked about the timeline. **Mr. Rogers** described the timeline for upcoming public hearings.

PUBLIC COMMENT

Henry Hardy introduced himself, explained that he works for Rose Law Group, stated that he represents data center stakeholders, and explained that the stakeholders were made aware of the text amendment only two weeks prior. Mr. Hardy stated that the amendment is moving too quickly, requested a recommendation for continuation, acknowledged there are positive elements in the proposal, and stated some components would make data centers unfeasible. Mr. Hardy explained that data centers can provide 80 to 150 high-paying jobs and are essential to the region's technology infrastructure, expressed concern that the proposal creates uncertainty around property rights and may result in Proposition 207 litigation, stated that requiring a Will Serve Letter is inconsistent with current utility processes and will hinder projects,

and emphasized the limited time between village planning committee reviews and City Council hearings.

Committee Member Frazier Johnson asked what specific concerns the stakeholders have. **Mr. Hardy** described concerns with the Will Serve Letter, Proposition 207 implications, and existing properties planning future expansions. Mr. Hardy stated that there are long lead times on data center developments.

Vice Chair Martinez asked if data center users are conducting outreach. **Mr. Hardy** stated that outreach is being conducted through agents such as himself and reiterated that the current timeline is short.

Committee Member O’Grady asked how much power a typical data center requires. **Mr. Hardy** explained that power needs vary, stated that it is often impossible to obtain a utility commitment for under ten years, stated the Will Serve Letter requirement is impractical, and stated that while data centers may not employ large numbers of people, they still provide employment. Mr. Hardy clarified that the stakeholders are not opposed to the text amendment itself but believe additional time for discussion is necessary.

STAFF RESPONSE

Mr. Rogers stated that the City’s Law Department has not raised any concerns regarding Proposition 207 and stated that he could not speak to wet utility requirements.

Committee Member Starks noted that the proposal is on an expedited timeline and asked how long a standard text amendment process typically takes. **Mr. Rogers** explained that text amendments are usually processed over a longer period, but staff was directed to bring the General Plan Amendment and Text Amendment to City Council prior to the summer break. Mr. Rogers stated that past text amendments were typically presented for information only and for recommendation the following month at each of the three hearing bodies. Committee Member Starks asked for confirmation that the hearing schedule is limited to two months. Mr. Rogers confirmed Committee Member Starks’ inquiry.

Committee Member Sonoskey asked whether other village planning committees had already reviewed the item. **Mr. Rogers** stated that one village heard the item the previous week and explained that he was unaware of the outcome due to staff absences. **Mr. Hardy** stated that he attended the previous village meeting and noted that both items were recommended for approval.

Committee Member Sonoskey asked for clarification on the difference between the General Plan Amendment and the Text Amendment. **Mr. Rogers** explained that the General Plan Amendment sets policy direction, while the Text Amendment defines the ordinance requirements.

Committee Member Nervis asked why the City Council wants to consider the items before the summer break. **Mr. Rogers** stated that he was unaware of any specific reason for the timeline, explained that his department was instructed to complete the process before the summer break, and stated that a delay would postpone the items until September.

Committee Member Sonoskey expressed concern that extending the process would cause significant confusion and delay due to heavy investment in data center land acquisition. Committee Member Sonoskey stated that the General Plan Amendment is only a partial step, stated that policy is needed, and stated that the Text Amendment contains substantive requirements, but it has not been sufficiently discussed. Committee Member Sonoskey questioned how utility providers such as APS and SRP view the Will Serve Letter requirement. **Mr. Rogers** stated that APS and SRP participated in the stakeholder meetings.

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

Motion #1:

Committee Member Rachel Frazier Johnson made a motion to recommend approval of GPA-2-25-Y per the staff recommendation, with direction that 60 days be provided for public comment. **Vice Chair Darelene Martinez** seconded the motion.

Vote #1:

3-6-1, motion to recommend approval of GPA-2-25-Y per the staff recommendation, with direction that 60 days be provided for public comment fails with Committee Members Frazier Johnson, Martinez, and Gaughan in favor, Committee Members Burns, Burton, Nervis, Sonoskey, Starks, and Vargas opposed, and Committee Member O'Grady abstained.

Motion #2:

Committee Member Janey Pearl Starks made a motion to recommend approval of GPA-2-25-Y per the staff recommendation. **Committee Member Ali Nervis** seconded the motion.

Vote #2:

6-3-1, motion to recommend approval of GPA-2-25-Y per the staff recommendation, passes with Committee Members Burns, Frazier Johnson, Nervis, Starks, Vargas, and Martinez in favor, Committee Members Burton, Sonoskey, and Gaughan opposed, and Committee Member O'Grady. abstained.

Committee Member Frazier Johnson explained that she supports the motion but believes there should be more time for public comment.

Vice Chair Martinez echoed Committee Member Frazier Johnson's comments.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	June 3, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Denial with direction
VPC Vote	17-0

VPC DISCUSSION:

Item Nos. 4 (GPA-2-25-Y) and 5 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak on this item, both in opposition. One member of the public registered in opposition, not wishing to speak.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed General Plan Amendment, including background and details of the location criteria, design, and energy and sustainability policies proposed to be added for data centers, further providing information about the proposed Text Amendment, including a definition for data centers, design guidelines, and a requirement for a Special Permit and performance standards, finally noting the timeline for the proposals.

QUESTIONS FROM COMMITTEE

Committee Member Eichelkraut asked if the text made a distinction between different types of data centers, noting that data centers becoming AI data centers in the future could be an issue. **Mr. Grande** replied that the text did not make a distinction.

Committee Member Swart asked if City staff is able to measure decibel levels. **Mr. Grande** replied that there are some parts of the code that have decibel limits, and the Neighborhood Services Department needs to enforce those requirements.

Committee Member Schmieder stated that the noise limit should simply be a flat decibel limit, rather than a percentage.

Committee Member Augusta asked for clarification on how the location criteria policy would be enforced. **Mr. Grande** replied that each data center will be required to go

through the Special Permit process, where staff and the Committee can review the request in relation to the location criteria in the policy.

Committee Member Whitesell stated that it would be better if City staff conducted the noise readings, rather than the applicant, and that C-2 and C-3 are not appropriate for data centers, which should be limited to industrial districts. **Chair Fischbach** noted that Proposition 207 could have been a concern when drafting the language.

Committee Member Todd asked for clarification that if this text is approved, every data center will be a rezoning case. **Mr. Grande** replied that they would be. **Mr. Todd** added that data centers in C-2 is concerning and that the landscaping requirements seem too extreme. **Chair Fischbach** noted that the plants would be drought-tolerant, which alleviates some water usage concerns.

Committee Member Schmieder asked for clarification on the landscaping requirement and if it would be consistent with the environment in industrial districts. **Mr. Grande** replied with background about industrial zoning landscaping requirements.

Committee Member Eichelkraut asked if there is a requirement for separation between data centers. **Mr. Grande** replied that there is not.

Committee Member Whitesell asked for clarification that the requirement is for a Special Permit, not a Use Permit. **Mr. Grande** replied that the text is clear that it is a Special Permit requirement.

Committee Member Eichelkraut stated a concern about the future with energy consumption of data centers that will evolve over time.

Vice Chair Paceley provided background regarding the requirements with utility companies, noting that data centers would be responsible for the required infrastructure and have to sign favorable agreements with utility companies.

Chair Fischbach stated that the primary issue with developing data centers is the need for power, noting that their development can be positive in some ways while highlighting a challenge presented with power supply at a data center on 40th Street.

Committee Member Schmieder asked if APS and SRP will be able to handle the growth into the future. **Vice Chair Paceley** replied that the utilities are planning far into the future to meet future demand.

Committee Member Whitesell asked for clarification on the will serve letter. **Vice Chair Paceley** provided clarification.

PUBLIC COMMENTS

Melissa Rhodes introduced herself and spoke in opposition to the proposal, noting that this proposal does not incorporate the stricter standards found in the data center

ordinances of other municipalities, such as Chandler, adding that the development of data centers in commercial districts will be detrimental to neighborhoods and that we don't have the energy for data centers.

Samantha DeMoss with Rose Law Group, introduced herself and spoke in opposition to the proposal, noting that this process is moving too fast for a code change like this, that it doesn't address grandfathering, and that as written, this is a moratorium on data centers, requesting a denial and a 90-day continuance.

Chair Fischbach asked for an example scenario related to the grandfathering issue. **Ms. DeMoss** stated that someone could have purchased property with CP/GCP zoning under the assumption that they could develop a data center but that this text amendment would remove that right, especially considering the will serve letter requirement.

COMMITTEE DISCUSSION

Chair Fischbach stated that based on the discussion so far, one option would be to recommend approval with direction to City staff.

MOTION 1:

Committee Member Schmieder made a motion to recommend approval of GPA-2-25-Y, per the staff recommendation, with direction to City staff to:

- Revise the noise requirement to an objective decibel level to be verified by the City.
- Allow for an additional 90-day review period.

Committee Member Whitesell seconded the motion.

Committee Member Eichelkraut requested a friendly amendment to add the following to the list: Review Chandler's requirements and the lessons learned. **Committee Members Schmieder** and **Whitesell** accepted the friendly amendment.

Committee Member Sharaby asked why they would approve it, considering the concerns, suggest they recommend denial instead.

Committee Members Schmieder and **Whitesell** withdrew the motion.

MOTION 2:

Committee Member Sharaby made a motion to recommend denial of GPA-2-25-Y with direction to City staff to:

- Revise the noise requirement to an objective decibel level to be verified by the City.
- Allow for an additional 90-day review period to include a review of ordinances from other municipalities, including Chandler.

Committee Member Whitesell seconded the motion and requested a friendly amendment to add the following to the list: Add separation requirements for data centers from other data centers and from residential uses. **Committee Member Sharaby** accepted the friendly amendment.

Committee Member Eichelkraut noted that the Planning Commission does take the comments of the Committee into consideration.

Chair Fischbach stated a concern that this motion could send the wrong message about the Committee's view on data center regulations.

Committee Member Beckerleg Thraen stated a hope that the additional review doesn't delay the process too long, and she is voting yes.

Committee Member Eichelkraut stated agreement with Ms. Beckerleg Thraen's comments and voted yes.

Committee Member Noel voted yes, adding that we need to do something about data centers, but we need to take the time to get it right.

Committee Member Schmieder voted yes, adding that progress should be over perfection, that we are moving in the right direction, but the vote is to ensure that due diligence is done.

Committee Member Sharaby stated that the proposal is too broad without enough time to research and consider other cities, and he is voting yes.

Chair Fischbach stated that he fully supports what the City is trying to do, and he is voting yes with a hope that this vote doesn't get interpreted as supporting data centers.

VOTE 2:

17-0; motion to recommend denial of GPA-2-25-Y with direction passed; Committee Members Abbott, Augusta, Beckerleg Thraen, Eichelkraut, Garcia, Langmade, McClelland, Noel, Schmieder, Sharaby, Siegel, Swart, Todd, Whitesell, Williams, Paceley, and Fischbach in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	June 3, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	8-3

VPC DISCUSSION:

Agenda Item 3 (GPA-2-25-Y) and Agenda Item 4 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Committee Member Michelle Santoro declared a conflict of interest and recused herself from this item, bringing the quorum to 11 members.

Three members of the public registered to speak on this item, in opposition.

Staff Presentation:

Adrian Zambrano, staff, provided background on GPA-2-25-Y and Z-TA-2-25-Y. Mr. Zambrano discussed concerns with data centers that the General Plan Amendment and Text Amendment are trying to address. Mr. Zambrano explained the policy guidance for data centers that the General Plan Amendment includes. Mr. Zambrano then discussed the three main components of the Text Amendment. Mr. Zambrano shared the proposed Zoning Ordinance definition for a data center. Mr. Zambrano then discussed the proposed design guidelines and their purpose. Mr. Zambrano shared the zoning districts that data centers would be permitted in, subject to a Special Permit and other performance standards, and noted that Special Permits go through the same public hearing process as rezoning cases. Mr. Zambrano stated that a noise study would be required if the data center is within a certain distance from residential. Mr. Zambrano shared the upcoming public hearing schedule and stated that staff recommends approval per the language in Exhibit A of the staff reports.

Questions from Committee:

Committee Member Rick Nowell asked why a large data center would be considered within a small commercially-zoned shopping center. **Mr. Zambrano** responded that there would have to be a large enough area that is commercially zoned in order for the

data center to fit. Mr. Zambrano added that a rezoning may be required in some cases to one of the zoning districts that a data center would be permitted in.

Chair Steven Bowser asked if there are any other zoning districts, other than those already listed, that a Special Permit would not be required. **Mr. Zambrano** responded that data centers would only be permitted within the C-2, C-3, CP/GCP, A-1 and A-2 zoning districts, subject to a Special Permit, and they would not be permitted in any other zoning districts. Chair Bowser asked if a data center would be permitted in a heavy industrial district. Mr. Zambrano responded that A-1 is the light industrial district and A-2 is the heavy industrial district, and a Special Permit would still be required.

Committee Member David Kollar asked which zoning districts data centers are currently located in. **Mr. Zambrano** responded that data centers have previously been permitted through an informal interpretation of the Zoning Ordinance and were determined to be analogous to an office use, so any zoning district that permitted an office use is where they have been permitted. Mr. Zambrano stated that the commercial, commerce park, and industrial districts all permit office use. Mr. Zambrano added that some data centers have gone through the PUD (Planned Unit Development) process to permit them.

Vice Chair Louis Lagrave asked what the typical size is of a data center. **Mr. Zambrano** responded that they are typically very large in scale and could cover many acres of land. Mr. Zambrano added that they typically are not small-scale. Vice Chair Lagrave asked for clarification that it most likely would not be able to fit within a mostly vacant shopping center. Mr. Zambrano responded affirmatively.

Committee Member Kollar stated that some vacant high-rises have been retrofitted for data centers. Committee Member Kollar stated that a large amount of space is needed for a successful data center development. Committee Member Kollar added that data centers are very particular with mechanical, electrical and water needs. **Vice Chair Lagrave** asked if the space in this example would be less than 10 percent of the floor area of the entire development. Committee Member Kollar responded that unless it is for a specific user that has their own data needs, a data center is typically a giant empty warehouse with a lot of racks that need to be cooled. Mr. Kollar reiterated that a lot of square footage is needed. Mr. Kollar stated that a majority of the space is taken up by data infrastructure and a small remainder of the space is used for office space. Vice Chair Lagrave asked if the noise is continuously generated 24/7. Committee Member Kollar responded that data centers generate noise from rooftop mechanical equipment and there may be some light humming from the racks and servers in the interior. Committee Member Kollar added that the massive air handlers that support cooling of the equipment also generate noise.

Committee Member Reginald Younger asked about data center water usage. **Mr. Zambrano** responded that some data centers may use water cooling to help cool their data infrastructure.

Committee Member Nowell expressed concerns with allowing a five percent increase in the ambient noise level in residential areas. Committee Member Nowell asked why the Text Amendment would allow an increase in the ambient noise level. **Mr. Zambrano** responded that this language was based off of what other municipalities have done that have adopted a data center ordinance. Committee Member Nowell suggested that Phoenix take the lead and say that the ambient noise level cannot be exceeded.

Committee Member Kollar asked if there is a decibel range that is considered an ambient noise level. **Mr. Zambrano** responded that the noise study would determine what the ambient noise level is, which would be conducted by an acoustical engineer. Committee Member Kollar stated that an acceptable decibel range would make more sense.

Committee Member Jason Israel stated that noise levels inside data centers typically range from 80 to 90 dBA (A-weighted decibels) and peak levels can reach up to 96 dBA. Committee Member Israel concurred with clarifying the ambient noise level requirement. **Mr. Zambrano** responded that the ambient noise level would be the baseline noise level before a data center is built in the area. Mr. Zambrano added that the ambient noise level can vary based on the surrounding context of a site and a specific decibel number would not cover the entire city, since noise level can vary from one part of the city to another.

Committee Member Barbara Reynolds stated that smaller data centers can operate in buildings from 5,000 to 10,000 square feet and larger facilities require up to 300 acres. Committee Member Reynolds agreed with not allowing data centers in commercial areas.

Committee Member Richard Carlucci expressed concerns with the noise study requirement, noting that developers could go to the nearest street during the busiest time of the day and measure the noise levels from there to get the highest ambient noise level. Committee Member Carlucci stated that the noise study needs more objective standards. Committee Member Carlucci asked why a Special Permit is needed. **Mr. Zambrano** responded that the Special Permit requirement would allow community input, which would not happen if a data center was allowed by-right in a zoning district. Committee Member Carlucci stated that data center developers that invest a lot of money into a site deserve some certainty. Mr. Zambrano responded that part of the Village Planning Committee (VPC) recommendation is determining whether a Special Permit is appropriate for all zoning districts or not and if data centers should be permitted in the listed zoning districts or not, or if there are additional zoning districts they should be permitted in.

Chair Bowser stated that a Special Permit is different from a Use Permit. Chair Bowser clarified that a Use Permit is typically for a use such as a drive-through and a Special Permit is similar to a rezoning case. Chair Bowser stated that data centers are used on a daily basis without knowing it. Chair Bowser added that Phoenix is an area that does not have natural disasters like other parts of the country and thus, Phoenix is a prime area to build data centers. Chair Bowser stated that there should be more incentives to

encourage data centers in old industrial areas and old retail areas that need to be redeveloped.

Committee Member Carlucci asked if the will-serve letter would require a confirmation of energy from the utility company within two years. **Mr. Zambrano** responded affirmatively. Committee Member Carlucci asked why the will-serve letter would be required. Mr. Zambrano responded that the purpose was to ensure that there is not a significant strain on the power grid due to data centers, which require a significant amount of energy. Committee Member Carlucci asked if the City is concerned that the utility company will mismanage their resources, make commitments they cannot meet, and put the power grid in danger. Mr. Zambrano responded that generally, energy usage is one of the major concerns of data centers, and it is not just a City concern. Mr. Zambrano stated that the City wants to ensure there is sufficient energy supply for data centers. Mr. Zambrano added that if the VPC does not agree with the two-year timeframe, then part of the VPC recommendation could be to modify it.

Committee Member Kollar asked if the proposed definition for a data center was defined by the City or by another source. **Mr. Zambrano** responded that the City looked at other municipalities and how they defined a data center. Mr. Zambrano stated that the definition was intended to be simplified. Committee Member Kollar expressed concerns with the second part of the proposed definition for data centers, noting that some accessory data center uses may exceed 10 percent of the gross floor area. Mr. Zambrano shared and explained the proposed definition again. Mr. Kollar asked if a software company would be considered a data services company if they have servers and racks that exceed 10 percent of their gross floor area. Mr. Zambrano responded that based on the proposed definition, if they exceeded the 10 percent threshold, then they would be considered a primary data center use. Mr. Kollar expressed concerns with software and technology companies, since they have robust servers and racks for the nature of their business, which may exceed 10 percent of their gross floor area. Mr. Zambrano responded that the 10 percent threshold came from another municipality and how they defined a data center as an accessory use. Mr. Zambrano added that this could be another modification that could be a part of the VPC recommendation.

Chair Bowser asked if 50 percent of the gross floor area is more common. **Committee Member Kollar** responded that it is not uncommon. Committee Member Kollar stated that there are a lot of technology companies in the area that would probably need more than 10 percent of their gross floor area in order to not be considered a data center. Committee Member Kollar added that some may be able to fit in a closet, but companies' floor areas are shrinking as more people are teleworking, which also increases server needs.

Mr. Zambrano stated that there is an established Zoning Ordinance definition for gross floor area and noted that it would cover the floor area of each floor of a multi-story building.

Committee Member Gary Kirkilas asked if the first part of the proposed definition would cover companies with facilities that are not primarily used for data services.

Committee Member Kollar responded that it would depend on how data services is defined. Committee Member Kirkilas asked for clarification on encouraging energy efficiency.

Mr. Zambrano responded that data centers would be encouraged to utilize the Phoenix Green Construction Code in order to maximize their energy efficiency, since data centers have such high energy demand. Mr. Zambrano added that maximizing energy efficiency would reduce their energy demand.

Committee Member Carlucci stated that the architectural requirements would add more areas for energy to leak out rather than a flat façade that could better retain energy. **Mr. Zambrano** responded that the surrounding community to a data center would not want to see a large, monolithic, concrete box right next to their community. Mr. Zambrano stated that the architectural requirements address the negative visual impact that data centers could have on the surrounding community.

Vice Chair Lagrave expressed concerns with the 10 percent threshold in the definition.

Committee Member Younger expressed concerns with energy efficiency not being a requirement. Committee Member Younger asked if energy efficiency could be changed to a standard requirement. **Mr. Zambrano** responded that encouraging energy efficiency is from the General Plan Amendment, which would be the policy guidance. Mr. Zambrano added that if data centers are required to obtain a Special Permit, then City staff would look at the adopted policy guidance during that process and try to ensure the development is being consistent with adopted policy. Mr. Zambrano added that the VPC recommendation could include modifying this to a requirement.

Public Comments:

Benjamin Graff, with Quarles & Brady, LLP, introduced himself as a representative of American Express, opposed to this item. Mr. Graff displayed the existing American Express campus at the southeast corner of Mayo Boulevard and 56th Street, noting that the site is zoned CP/BP (Commerce Park District, Business Park Option). Mr. Graff noted that data centers were previously permitted in the CP/BP zoning district by right. Mr. Graff stated that American Express leased the land from the Arizona State Land Department with the intention of building two companion data centers in the vacant land to the north of the existing campus. Mr. Graff stated that these data centers would not be leased out and would support the American Express operations. Mr. Graff stated that the 10 percent threshold in the proposed definition would be exceeded by the proposed data centers, and the CP/BP zoning district would not permit data centers in the current draft ordinance. Mr. Graff added that Text Amendments typically take a year to go through the process and stakeholders like American Express are contacted and brought into stakeholder meetings. Mr. Graff stated that there has been no outreach that he is aware of to American Express. Mr. Graff requested that the Text Amendment be slowed down. Mr. Graff recommended that the 10 percent threshold in the proposed definition be removed and that the CP/BP zoning district be added to the zoning districts that permit data centers. Mr. Graff added that American Express has final site plan approval for Phase II of the American Express campus, which includes their first data center. Mr.

Graff stated that if it becomes a legal non-conforming use overnight, it would create many issues with lenders and financing that previously had other assurances.

Ty Utton, representative with Rose Law Group, introduced himself as a representative of a broad coalition of data centers, opposed to this item. Mr. Utton echoed Mr. Graff regarding the Text Amendment schedule. Mr. Utton stated that it was not an inclusive process and was not the delivered approach typically seen from the City of Phoenix. Mr. Utton expressed concerns with Proposition 207. Mr. Utton requested that the Text Amendment be delayed.

Cepand Alizadeh, representative with the Arizona Technology Council (AZTC), introduced himself as a stakeholder opposed to this item. Mr. Alizadeh shared a story about a car accident, noting that his medical records were readily available to the hospital because of a data center. Mr. Alizadeh stated that AZTC is a coalition of over 750 tech companies across Arizona, including numerous data center partners. Mr. Alizadeh expressed concerns with the fast schedule for the Text Amendment. Mr. Alizadeh stated that the City of Chandler took 20 months, and the City of Surprise took 24 months, to come up with a data center ordinance. Mr. Alizadeh stated that the will-serve letter would not be possible, noting that data centers take years to develop. Mr. Alizadeh expressed concerns with the noise study, noting that there is no mention of measuring the noise in decibels. Mr. Alizadeh stated that the Text Amendment is missing key language and stakeholders have not had any time to provide input. Mr. Alizadeh requested that the Text Amendment be slowed down and noted that other VPCs at the meetings he has attended have all denied it.

Staff Response:

Mr. Zambrano responded that projects with preliminary site plan approval before the Text Amendment is adopted and goes into effect would still be able to develop and would be considered a legal non-conforming use. Mr. Zambrano added that if they wanted to expand in the future, then that is when the new zoning regulations would apply. Mr. Zambrano stated that Proposition 207 concerns are a concern of the City Council and should not be a concern at the VPC level. Mr. Zambrano stated that the VPC recommendation could modify the 10 percent threshold of the proposed definition as well as the noise study requirement. Mr. Zambrano added that the Mayor and City Council requested that these items be before them to vote on before their summer recess, which is why the schedule is rushed.

Discussion:

Committee Member Joseph Barto asked if the schedule is a normal timeframe or if it is a faster schedule. **Mr. Zambrano** responded that the public hearing schedule is a bit more rushed, noting that the VPC, Planning Commission, and City Council meetings are usually a month apart, resulting in at least a three-month public hearing schedule. Mr. Zambrano stated that the public hearing schedule for these items is scheduled at about a month and a half, so it is a faster timeline in that sense. Mr. Zambrano added that it has been in the works since the beginning of the year and there have been three stakeholder meetings. Mr. Zambrano stated that City staff is actively working with stakeholders to get their input.

Committee Member Carlucci stated that although data centers are not a large source of traditional jobs, they are a large source of construction jobs. Committee Member Carlucci expressed concerns with major employers not coming to Phoenix if data centers do not get built because of this Text Amendment. Committee Member Carlucci added that data centers are critical national security infrastructure and are critical to helping win the race for Artificial Intelligence (AI). Committee Member Carlucci stated that the Text Amendment seems more like a ban on data centers. Committee Member Carlucci stated that data centers need to be built faster and bigger. Committee Member Carlucci stated that energy concerns should be addressed by the power companies on how they can scale up energy production. Committee Member Carlucci expressed opposition for these items.

Chair Bowser stated that he believes there are appropriate areas for data centers, such as a large commerce park area, and a Special Permit requirement seems like an overreach for those areas. Chair Bowser added that old retail areas may be more appropriate for a Special Permit requirement due to proximity to residential.

Committee Member Kirkilas asked what the stakeholder input has been so far. **Mr. Zambrano** responded that he has not been involved in the stakeholder meetings, so he cannot say what has been discussed in those meetings. Mr. Zambrano reiterated that the Mayor and City Council requested these items to be before them to vote on before their summer recess, which is why City staff is moving forward with the current schedule.

Committee Member Kollar asked if stakeholder comments were considered and incorporated into the Text Amendment. **Mr. Zambrano** responded that there was one stakeholder meeting at the time the staff report was written. Mr. Zambrano added that City staff may make some modifications to the draft ordinance language for the Planning Commission and the City Council meetings, based on feedback heard from the stakeholder meetings and the VPC meetings. Committee Member Kollar stated that it seems pre-mature to vote on the Text Amendment if it is going to be amended. Committee Member Kollar expressed concerns with stakeholder input not being incorporated into the Text Amendment. Committee Member Kollar stated that the current draft ordinance seems over-prohibitive. Mr. Zambrano responded that these are all factors that the VPC can consider, and this is part of the discussion. Mr. Zambrano stated that the main question is whether the VPC agrees with the current draft ordinance or not, and if not, which parts does the VPC not agree with and how can those parts be modified. Mr. Zambrano added that this information will be used for further discussions with the Planning Commission and the City Council.

Vice Chair Lagrave stated that the Text Amendment seems incomplete. Vice Chair Lagrave stated that the issues he sees are the 10 percent threshold of the proposed definition, the exclusion of the CP/BP zoning district, the noise study requirements, and proximity to residential. Vice Chair Lagrave stated that these issues need to be addressed. Vice Chair Lagrave asked which type of motion would be more likely to be heard. **Mr. Zambrano** responded that there are a few different options, including

recommending denial with direction, with the direction to take another look at the items of concern. Mr. Zambrano added that the VPC could recommend approval, per the staff recommendation, with modifications, and recommend certain modifications to the text amendment.

Committee Member Reynolds recommended adding the will-serve letter requirement to the list of concerns.

Committee Member Israel asked for clarification if the calculation for the 10 percent threshold of the accessory data centers for the American Express site would include the gross floor area of all on-site buildings of Phase I, Phase II, and Phase III, based on the proposed definition. **Mr. Zambrano** responded that if the data centers are solely serving the enterprise functions of American Express, then the gross floor area would include all buildings on the campus, including the existing American Express buildings. Committee Member Israel asked for clarification if the proposed definition would not allow data services to be leased to third parties. Mr. Zambrano clarified that this part of the definition intends to clarify that a data center would be considered an accessory use only if it is used for the on-site enterprise and is not leased to other entities.

Committee Member Carlucci asked if there are other zoning districts that could be added in addition to the CP/BP zoning district, such as industrial districts. **Chair Bowser** responded that the A-1 and A-2 industrial zoning districts are already listed. Committee Member Carlucci stated that part of the recommendation should include removing the Special Permit requirement.

Mr. Zambrano asked for clarification if the recommendation would include removing the Special Permit requirement for only the industrial zoning districts or for all the zoning districts. **Committee Member Carlucci** suggested that the Special Permit requirement be removed from all the zoning districts.

Vice Chair Lagrave stated that the Special Permit requirement should be retained for the commercial zoning districts.

Mr. Zambrano repeated that the VPC wanted to add data centers as a permitted use in the CP/BP zoning district and that the VPC wanted to allow more time for stakeholder input. Mr. Zambrano asked for clarification if the VPC wanted to increase the 10 percent threshold in the proposed definition. **Vice Chair Lagrave** responded that it should be removed. Mr. Zambrano asked for clarification if the VPC wants to increase the number of years for the will-serve letter requirement or remove it altogether. Vice Chair Lagrave responded that it should be removed. Vice Chair Lagrave added that the Special Permit should remain required for the C-2 and C-3 zoning districts but should not be required for the CP/BP, CP/GCP, A-1 or A-2 zoning districts.

Committee Member Nowell stated that the ambient noise level should not be exceeded. **Vice Chair Lagrave** responded that the noise level must be measured in decibels. Vice Chair Lagrave stated that he was okay with leaving the five percent allowance to exceed the ambient noise level.

Committee Member Kirkilas asked for clarification that the Special Permit requirement would be recommended to be kept near residential areas. **Vice Chair Lagrave** responded affirmatively, noting that it would be kept for the commercial zoning districts.

Committee Member Nowell asked why the ambient noise level should be increased by five percent for data centers in commercial zoning districts near residential areas. **Vice Chair Lagrave** responded that the noise level could be addressed at the time that the data center developer goes through the Special Permit process.

MOTION – GPA-2-25-Y:

Vice Chair Lagrave made a motion to recommend approval of GPA-2-25-Y, per the staff recommendation, with direction to ensure that the General Plan policies align with the directed modifications of the companion case Z-TA-2-25-Y. **Committee Member Kirkilas** seconded the motion.

VOTE – GPA-2-25-Y:

8-3; the motion to recommend approval of GPA-2-25-Y per the staff recommendation with direction passes with Committee Members Barto, Birchby, Israel, Kirkilas, Kollar, Nowell, Lagrave and Bowser in favor and Committee Members Carlucci, Reynolds, and Younger opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.

Village Planning Committee Meeting Summary

GPA-2-25-Y

Date of VPC Meeting	May 20, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.



Village Planning Committee Meeting Summary

GPA-2-25-Y

Date of VPC Meeting	June 2, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Denial
VPC Vote	9-4-1

VPC DISCUSSION:

Item Nos. 5 (GPA-2-25-Y) and 6 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak on these items in opposition.

STAFF PRESENTATION:

John Roanhorse, staff, provided a presentation on the Data Center General Plan Amendment noting the development background, review process, and the rationale behind the proposed amendment. Mr. Roanhorse stated that the proposed text amendment is a companion to the General Plan Amendment and is intended to support the regulatory framework for data centers. Mr. Roanhorse stated that the City Council had initiated creation of new policy guidance in response to the growing number of requests for data center facilities, which possess unique characteristics not currently addressed. Mr. Roanhorse expressed the importance of the General Plan Amendment due to land use considerations, the need for adaptation to existing developments, and the importance of connecting these facilities to infrastructure. Mr. Roanhorse noted that one of the primary reasons for the amendment is that data centers are not directly addressed in either the General Plan or the Zoning Ordinance and previous developments have been permitted through informal interpretations. Mr. Roanhorse discussed the key elements of the amendment, including location criteria, design policies, and sustainability measures. Mr. Roanhorse reviewed site placement criteria, highlighting core areas and centers as not preferred locations, and noted various

suitability factors. Mr. Roanhorse discussed required setbacks, the integration of art features, dark sky compliance, noise mitigation, and architectural design standards. Mr. Roanhorse noted the energy demands associated with data centers and the importance of incorporating energy efficiency measures. Mr. Roanhorse stated that the amendment would offer additional detail regarding definitions, guidelines, and performance standards.

QUESTIONS FROM THE COMMITTEE:

Committee Member Opal Wagner asked if an assessment was done regarding data centers and if there were potential sites within the Encanto Village and how large of a footprint data centers would require. **John Roanhorse**, staff, responded that there were not many suitable sites available for a large data center and made an initial review and noted that most of the areas within Encanto Village are already developed. Mr. Roanhorse stated that the scale and magnitude of many proposed data centers would likely not be feasible due to structural limitations but also because of existing development and the Encanto Village probably would not be an ideal location for such facilities.

Committee Member Robert Warnicke stated there were two main concerns with the presented text amendment. Committee Member Warnicke stated first, is a perceived contradiction in the criteria for data center locations and noted that while the guidelines discourage placement within or adjacent to identified cores centers and corridors, they simultaneously encourage data centers in redevelopment areas where infrastructure investment is needed. Committee Member Warnicke stated that, in his experience, developers often promote zoning changes by emphasizing the infrastructure improvements their projects will bring and there is concern that this approach has been made in other villages and might create confusion or loopholes in applying the criteria consistently. Committee Member Warnicke said his second concern was more technical and related to the definition of a data center and noted a portion of the definition states a data center as a facility primarily used for data services but includes a carve-out stating the facility is not used to lease data services to third parties. Committee Member Warnicke stated there is confusion over the purpose of that clause and asked why it was included. Committee Member Warnicke stated that such a carve-out might allow companies to build facilities for their own use while leasing excess capacity to others, potentially bypassing the intended regulatory framework. Committee Member Warnicke said the carve-out as is much like the tail wagging the dog and warned that it could be exploited, allowing data centers to be built anywhere as a private use. **Mr. Roanhorse** responded that the city is currently focused on regulating developments that are already in progress and while also considering future plans. Mr. Roanhorse stated the city has met with stakeholders and has presented the text amendment information at the Village Planning Committees to get feedback and promote consistency.

Committee Member Robert Warnicke echoed his concern and stated that the business model whether the data services are leased out or used internally should not affect how a facility is regulated. Committee Member Warnicke stated that the impact on the city and surrounding areas would be the same regardless of the business structure and stated there should be more analysis of this issue.

Committee Member Rick Mahrle commented on a point of clarification regarding the carve-out and stated that the text language is not used to lease data services to third parties and should be read as excluding facilities that are solely serving their own enterprises. Committee Member Mahrle stated an example of a law firm that operates a large computer storage system occupying less than 10 percent of its gross floor area. Committee Member Mahrle noted that as long as that system is not used to lease services externally and solely supports the business itself it should not be classified as a data center. Committee Member Mahrle stated that this was his interpretation noting Committee Member Warnicke's concern and clarified that the purpose of the clause is to distinguish private enterprise systems from commercial data centers.

Committee Member Mark Cardenas stated that he agreed with the concerns previously stated and noted that major corporations such as Amazon, Google, and Microsoft already operate data centers and infrastructure within the Phoenix area. Committee Member Cardenas said that when individuals use services like Microsoft Outlook, Cortana, or cloud storage, they are essentially leasing storage space from these companies and that he personally purchases additional storage to save family vacation photos and said that this kind of licensing arrangement is common. Committee Member Cardenas said there is a concern that under the current definition, if companies like Amazon or Google choose to build new data centers in Phoenix, they could avoid regulation simply by stating that they are not leasing the space but in reality, they are selling licenses to the public. Committee Member Cardenas emphasized that Phoenix's 1.6 million residents purchase data licenses from these companies every day, and that the language in the proposed text amendment excluding facilities that do not lease data services is problematic. Committee Member Cardenas stated that this exception creates a loophole that undermines the intent of the regulation. **Mr. Roanhorse** noted that from the city's perspective, the distinction lies in how data is managed and licensed and noted that individual consumers are not directly investing in or operating data infrastructure but are instead purchasing licenses or subscriptions. Mr. Roanhorse stated that data is often transferred between entities, and that the bulk of such information is typically owned and managed by larger corporations, not individual users. Committee Member Cardenas replied that this understanding was not entirely accurate and as a business owner operating an LLC, that purchases increased email storage or data capacity, he is not buying hardware or servers directly he is licensing space in a data center. Committee Member Cardenas stated the definition excludes leased

services and his business would technically be unable to continue purchasing additional data storage from companies like Microsoft and this interpretation could restrict the ability of local businesses to operate effectively and questioned whether the current language adequately reflects the real-world use of data center services. **Mr. Joshua Bednarek**, Planning and Development Department Director, responded by stating that Committee Member Cardenas's explanation was essentially correct and aligned with the intent behind the current definition and that the language was designed to prevent large organizations that operate internal data systems from being classified as commercial data centers. Mr. Bednarek stated that as long as an entity demonstrates that its data center is used exclusively for internal operations, it would not be considered a regulated data center under the proposed definition and further explained, the definition was to provide flexibility for larger employers with legitimate internal data needs, without unintentionally subjecting them to data center regulations.

Committee Member Sabrina Perez asked about the location criteria policy and stated that her organization works extensively with data centers and expressed concern with the language that states data centers are discouraged within and adjacent to identified cores centers and corridors. Committee Member Perez stated that, in her experience data centers are often located adjacent to housing and financial centers and, over time, they begin to create their own core areas and economic corridors. Committee Member Perez stated that the intent seems counterintuitive that the policy would discourage data centers from being near such areas given that the growth and presence of data centers can actively contribute to the formation of vibrant economic hubs. Committee Member Perez stated that rather than being out of place, data centers often become integral to the development of their surroundings, supporting an ecosystem of businesses and services. Committee Member Perez stated the policy language that encourages data centers in identified redevelopment areas and noted that many of these locations already contain existing space and are positioned to support ancillary services and suggested the language may be misaligned with how these areas are practically developing. Committee Member Perez stated there is a technical concern about utility infrastructure and data centers often build their own substations on site for power generation and that the Department of Energy (DOE) has invested in small modular reactors (SMRs) that can be integrated into such developments. Committee Member Perez stated that utility will-serve letters are increasingly irrelevant in these cases because data centers are largely self-sustaining in terms of power needs. **Mr. Bednarek** responded stating that the proposal involves two components: a general plan amendment and a text amendment where the general plan amendment includes location criteria that are meant to guide decision-making, while the text amendment introduces specific zoning tools to regulate data centers such as the requirement of a special permit, similar to what is currently required for self-storage facilities.

Mr. Bednarek stated the general plan language is not absolute and is intended to serve as a policy foundation and framework to help committees and staff evaluate whether a

proposed data center aligns with the city's long-term goals. Mr. Bednarek stated that a location example of Thomas Road and Central Avenue, a designated core area where residents and city leaders have expressed a desire for amenities like restaurants and gathering places and if there were to propose a data center in that area, the location criteria would serve as a signal to pause and consider whether the proposed use is appropriate.

Mr. Bednarek stated that while the criteria provide guidance, a special permit process allows for case-by-case evaluation, which includes input from staff, the committee, and ultimately the City Council and reiterated that the intent of the proposed changes is to ensure that data centers are subject to thoughtful planning and design standards, and that such policies are reflected both in the general plan and the zoning ordinance.

Committee Member Tom Doescher stated a concern about the low energy rates being promoted by the Arizona Corporation Commission and noted that the Commission has opened public comment on this issue, and emphasized that the more data centers are developed, the more electricity and energy they will consume. Committee Member Doescher said that the Commission does not want consumers to bear the financial burden of these increased energy demands and asked how the city plans to address potential issues related to the size and location of smaller modular reactors (SMRs), especially when these reactors are situated adjacent to existing buildings. **Mr. Bednarek** responded, stating that the purpose of the general plan amendment and the accompanying text amendment is to better the position the city in response to the growing needs of the data center industry and emphasized that the city wants to ensure that the location of new data centers is subject to discussion and evaluation, much like other land uses. Mr. Bednarek stated that presently no such discussion takes place before a data center is developed, not with this committee, not with neighboring residents, and not with the City Council. Mr. Bednarek said the proposed amendments would establish a regulatory framework that enables those conversations to occur. Mr. Bednarek further explained that, under this proposed process, both large and small data center proposals would be evaluated to determine whether they are appropriate for a given location and that evaluation would include considerations such as energy demand, infrastructure capacity, and community impacts that are not currently part of the review process.

Committee Member Mahrle commented that the committee's concerns should not be interpreted as opposition to data centers and stated the need for careful and thoughtful regulation, especially in response to concerns raised about the clarity of the definition language in the proposed text amendment. Committee Member Mahrle suggested that the Planning Commission should revisit the definition to ensure it accurately captures the intended meaning and scope. Committee Member Mahrle commented that the issue of infrastructure improvements, referencing the general plan's encouragement of data centers in redevelopment areas and stated he is supportive of the idea of placing data centers in locations where infrastructure upgrades are needed, with the understanding

that developers would contribute financially by constructing required improvements such as half-streets, traffic signals, and road upgrades. Committee Mahrle stated that this is a sound concept, and he wants to ensure it is clearly reflected in the final policy language.

Committee Member Cardenas commented on an earlier point made by Mr. Bednarek and expressed his support for the creation of general policies governing the location and design of data centers. Committee Member Cardenas stated a concern about the accelerated timeline of the current process. Committee Member Cardenas said that with the Preserve Historic Plan and this data center amendment it is moving faster than any other text amendment he has seen. Committee Member Cardenas asked why the process is being rushed, pointing out that the amendment is scheduled to go through all Village Planning Committees in June 2025, Historic Preservation Commission in July, Planning Commission in August, Subcommittee review in September, and City Council vote in October. Committee Member Cardenas stated that if the city intends for the policy to have a long-term impact, the current speed of adoption does not appear appropriate. **Mr. Bednarek** responded that he understood the concerns expressed by the committee regarding the sense of urgency behind the amendment. Mr. Bednarek stated that currently, the City does not have any policy framework in place to guide or regulate data centers. Mr. Bednarek said this absence of a well-developed framework like the city already has for historic preservation, noting that the lack of a similar structure for data centers is problematic given the sheer volume of space and capital investment involved.

Mr. Bednarek stated that the proposed text amendment is not a prohibition on data centers, just as current zoning policies do not prohibit self-storage facilities instead, it is about establishing a process for reviewing such developments that allows community members to participate meaningfully. Mr. Bednarek stated that the goal is to determine whether a framework is needed, and if so, to ensure that future data center proposals are subject to public input and formal review. Mr. Bednarek stated that there are two key questions: Do we need a policy framework, and should the community have a role in evaluating future proposals?

Committee Member Cardenas commented that when the issue of regulating data centers had surfaced months ago, he shared that he had texted city staff about the matter as early as February and was told they would be notified when the draft was ready. Committee Member Cardenas stated that now the draft is available, he expressed concern that the process appears rushed, particularly in comparison to previous planning efforts and cited a prior presentation in which a four-month review period was provided, allowing for feedback and adjustments before finalizing this proposal in contrast appears to be on an accelerated timeline, raising concerns about potential unintended consequences and insufficient public engagement. Mr. Cardenas stated there were issues when pushing the amendment through quickly could lead to blowback from companies like TSMC, which are closely tied to the semiconductor and data storage sectors. Committee Member Cardenas stated that as a resident in the fifth-

largest city in the country, he emphasized that his concerns were not trivial and requested that the City pump the brakes and slow the timeline, expressing doubt that a Planning Commission hearing scheduled just two days away would allow for proper consideration of the issues raised. Committee Member Cardenas stated concern regarding the reliability of will-serve letters, which utilities are expected to provide as evidence that they can meet future energy needs. Committee Member Cardenas stated that the time frames for service projections may exceed four years, and such letters could be invalid if no action occurs for several years. **Mr. Bednarek** responded by acknowledging the concerns related to the current wording of the will-serve letter requirement, stating that staff was prepared to propose modifications to that section and noted that all other Village Planning Committees had already offered recommendations on the draft amendment, and that there was a strong sense of urgency from the City Council to adopt a framework sooner rather than later. Mr. Bednarek encouraged committee members to submit specific suggestions regarding any language they felt needed revision, particularly if they had concerns beyond the will-serve language. Mr. Bednarek emphasized that all feedback would be considered during Planning Commission and City Council deliberations.

Committee Member Procaccini asked about energy usage and asked whether there had been any analysis related to promoting energy infrastructure improvements and green building standards. Committee Member Procaccini inquired if the city was considering standards such as requiring lighter colored roofs or limiting the amount of power used. **Mr. Bednarek** responded that those types of considerations could certainly be addressed as part of a Special Permit request, should the proposed text amendment be adopted. Mr. Bednarek stated that, currently, the city does not have the opportunity to evaluate such design and infrastructure elements. Mr. Bednarek stated that if the proposed framework is approved, special permit applications could include requirements related to energy efficiency and sustainability, such as solar installations and design standards. Mr. Bednarek noted that some provisions in the draft already address issues like shading within project streets but emphasized that the special permit process would allow for case-by-case refinement of requirements through conversations between applicants, planning staff, and the community.

Committee Member Perez asked about the intention of the will-serve letter and if there could be language requiring it to be reviewed annually based on available utility resources and acknowledged that this might result in additional paperwork, but stated that given the long development timelines for data centers, there should be an annual reassessment to ensure that commitments made in the letter remain valid. Committee Member Perez asked how the city would hold developers accountable if they were leasing their space to third parties. **Mr. Bednarek** responded that the concern about third-party leasing was valid and said that the intent of the will-serve letter requirement is to ensure the city has a clear understanding of future energy demand and is not allowing data centers to consume limited energy capacity, thereby displacing other community-serving uses like housing, restaurants, or recreational facilities. Mr.

Bednarek stated that the proposed language is being refined, and the goal is to prevent large parcels of land from sitting idle for years while awaiting energy infrastructure buildout. Mr. Bednarek stated that third-party leasing is not explicitly addressed in the current draft but is being discussed and that enforcement would occur through NSD (Neighborhood Services Department) if a facility violated its zoning approval. Mr. Bednarek said if a campus-based user such as a hospital or major employer proposed a data facility for internal operations, the city would verify the use during the permitting process and if the purpose changed later, it could trigger a zoning ordinance violation.

Committee Member Perez commented that, with over 20 years of experience as an engineer and significant involvement in data center projects, she believes the general public lacks the technical understanding to adequately evaluate the implications of such a text amendment. Committee Member Perez stated that many residents and committee members may not have the necessary background to assess these facilities, and that relying on a few informed stakeholders places an unfair burden on the public. Committee Member Perez stated the process as overly aggressive, noting that not everyone has recently gained familiarity with the industry the way some committee members or their clients have.

Committee Member Cardenas expressed appreciation for Mr. Bednarek's repeated acknowledgment that the language is still being refined and that he understands staff have constraints and must sell proposals up the chain of command but emphasized that the lack of clarity on certain provisions particularly around third-party leasing remains troubling. Committee Member Cardenas stated that there is no current process outlined for situations where a company like Amazon builds a data center and later leases space to small businesses or third-party operators. Committee Member Cardenas stated that the definition section of the draft text amendment does not sufficiently address or distinguish these scenarios and said this as a critical oversight, noting that the ambiguity could lead to unintended consequences if the city fails to differentiate between internal-use data centers and commercial or leased data facilities. **Mr. Bednarek** responded by stating that the intention of the language is to address owner-operated facilities, such as Amazon using a data center solely for its own internal operations the facility is still considered a data center under the proposed language. Mr. Bednarek commented that leasing scenarios where a facility is marketed to third-party users are not clearly addressed in the draft and stated that refining the language to provide clarity on these distinctions is under active consideration, and that additional comments and suggestions from the committee would be welcomed during the Planning Commission and City Council review phases.

Committee Member Cardenas stated that the current definitions and structure of the proposed amendment do not capture the complexity of how data centers may be used and noted that projects such as Microsoft's facility or others where land was donated or where terms were negotiated could fall into gray areas not currently addressed.

Committee Member Cardenas stated he disagreed with Mr. Bednarek's interpretation and urged further revisions to ensure transparent and enforceable definitions.

Committee Member Warnicke commented that there was uncertainty in a comment made earlier and that may have been a misunderstanding and with the previous discussion the issue has more clarity but there should be some adjustments to the definition.

Committee Member Mahrle asked for clarification on the data center definition and asked for help understanding a hypothetical scenario where a company such as Infinix were to build a facility and use the entire building to house servers, would that qualify as a data center even if the space was dedicated to internal use only. Committee Member Mahrle asked if a hospital could have extensive computer systems in place to support its medical operations and if the data and server space remained under 10 percent of the gross floor area of the hospital's onsite buildings, would this be classified as a data center under the proposed definition. Committee Member Mahrle expressed that this exemption appeared to be based on usage and proportion of floor area, unless the hospital began leasing the data capacity to third-party entities, which would then reclassify it as a data center.

Committee Member Cardenas asked how many hospitals currently exceed that 10 percent threshold and whether some of them might already be marketing or using their facilities in ways that could bring them under this definition. Committee Member Cardenas stated that this gray area could lead to confusion about when an otherwise exempt facility becomes subject to the proposed regulations. **Mr. Bednarek** responded that the intent of the definition is to allow institutions like hospitals or universities to manage their own internal data operations without triggering the full regulatory framework. Mr. Bednarek stated that as long as the use remains internal and under the 10 percent gross floor area threshold, such facilities would not be considered data centers under the ordinance, however, if they began leasing server space to third parties, they would then fall within the scope of the data center designation. Mr. Bednarek said that this flexibility was intended to accommodate facilities that have legitimate internal data needs, such as hospitals, while ensuring that purpose-built commercial data centers are subject to community oversight through the proposed special permit process.

Committee Member Cardenas asked for confirmation that any facility with server or data operations occupying more than 10 percent of the gross floor area regardless of intended use would be defined as a data center under the text amendment. **Mr. Bednarek** responded that this was correct.

Committee Member Perez commented that Google has started doing tenant improvements and this may suggest they may not own their buildings on their own land and may be leasing space for a data center. Committee Member Perez asked if this

situation has been considered and what would the response be. **Mr. Bednarek** responded this would be treated just like the adoption any new ordinance if you were in the middle of a building permit and, those are the things that we're going to have to sort out on a case-by-case basis with every property owner depending on where they are at in the process. Mr. Bednarek stated in the new framework for data centers is appropriate and it is the simplest process, but some adjustments will be made, and staff will work through it properly.

PUBLIC COMMENT:

Cepand Alizadeh, representing the Arizona Technology Council, introduced himself and shared a personal experience to illustrate the importance of access to electronic medical information and the critical role of Data Centers. Mr. Alizadeh explained that he works with an organization that provides information and supports a variety of technology industries, emphasizing its alignment with economic development efforts. Mr. Alizadeh stated that correspondence outlining the Arizona Technology Council's position on the proposed text amendment had been submitted to the Mayor's Office and members of the City Council. Mr. Alizadeh stated that data centers are an essential component of the modern economy, noting that several facilities are either under consideration or already under construction in different areas of the city, with more expected in the near future. Mr. Alizadeh also pointed out that data centers vary in size and capacity, both in terms of the volume of information housed and the operations conducted within the facilities. Mr. Alizadeh stated that he works with a range of businesses and organizations that develop services, maintain technology systems, and ensure that critical information remains readily available. Mr. Alizadeh said on behalf of the Arizona Technology Council, he expressed concerns about the proposed text amendment, specifically regarding the process timeline and the requirements for sound abatement. Mr. Alizadeh stated that additional time is needed to allow for a comprehensive review and to provide informed feedback on the proposed amendment. Mr. Alizadeh further noted that the draft text amendment does not sufficiently address appropriate sound control measures that would be consistent with the functional and operational needs of data centers.

Samantha DeMoss, representing Rose Law Group, introduced herself and stated that Data Centers are an expanding use and reflect an important economic sector for the Phoenix area. Ms. DeMoss stated that addressing Data Centers is very important and will have long-term implications for growth and development. Ms. DeMoss stated there are concerns with the current General Plan Amendment specifically that with process review and timing and the design criteria. Ms. DeMoss stated that additional review time would be necessary to review and address many of the incomplete details in the General Plan Amendment as presented. Ms. DeMoss said that additional review time would allow more stakeholder review and input. Ms. DeMoss stated that the committee

consider a 90-day period be granted to allow for more time for a thorough review and comment.

STAFF RESPONSE:

Mr. Bednarek responded that industry participation in the stakeholder discussion has been included in the current language regarding sound levels and is within 5 percent so that could be adjusted to the ambient levels in the area if it were next to a neighborhood that they can extend to another location Mr. Bednarek stated that if there's a desire by the committee to insert a specific decibel level right now the idea was that for sound they are required to hire an engineer to do a study that shows the level next to the adjacent property and what will be done to maintain appropriate sound levels.

Mr. Bednarek responded that the review process has moved quickly and noted there is a sense of urgency from the Mayor and Council and many of the policy issues have been discussed. Mr. Bednarek stated that currently data centers are not addressed in the zoning ordinance, and this is a great concern.

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

MOTION 1:

Committee Member Robert Warnicke made a motion to recommend approval of GPA-2-25-Y per the staff recommendation. **Committee Member Rick Mahrle** seconded the motion.

Committee Member Kleinman asked what the results were from other Village Planning Committees regarding data centers. **Mr. Bednarek** responded that there has been a split with up to five committees in opposition and some approvals with direction.

Committee Member Perez asked if there was information on the committees that voted for denial, did any have any active plans for data centers. **Mr. Bednarek** responded a few are in progress but any new policy and framework will not prohibit data centers from moving forward.

Committee Member Cardenas commented that there is a stakeholder process and other actions such as the adoption of marijuana facilities had an extensive public engagement and with data centers there are many issues and more discussion is needed.

Committee Member Warnicke commented that he was concerned with data centers being allowed in C-2 and C-3 zoning areas and this may have an impact in the Encanto Village. Committee Member Warnicke stated he was less concerned with the sound mitigation which would be addressed in a special permit or variance action. **Mr.**

Bednarek responded that the General Plan Amendment, which is land use criteria, and a special permit will still be required.

Committee Member George asked if motion were to be approved would there be guidance attached to clarify the committee's position. **Mr. Roanhorse** responded that the committee may add comments or provide direction for the vote.

Committee Member Wagner commented that with the information presented and the discussion more work needs to be done on data centers. Committee Wagner stated that with audible level they are logarithmic not linear and a small increment can mean massive change so specific units should be addressed.

VOTE 1:

5-9, motion to recommend approval of GPA-2-25-Y per the staff recommendation does not pass with Committee Members George, Mahrle, Proccaccini, Tedhams and Mathews in favor with Cardenas, Doescher, Garcia, Kleinman, Perez, Picos, Schiller, Wagner and Warnicke in opposition.

MOTION 2:

Committee Member Robert Warnicke made a motion to deny GPA-2-25-Y.
Committee Member Mark Cardenas seconded the motion.

VOTE: 2

9-4-1; motioned to recommend denial of GPA-2-25-Y passes with Committee Members Cardenas, Doescher, Garcia, Kleinman, Perez, Picos, Schiller, Wagner, Warnicke in favor and Mahrle, Procaccini, Tedhams and Matthews in opposition with George abstaining.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	May 20, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	3-1

VPC DISCUSSION:

Item Nos. 5 (GPA-2-25-Y) and 6 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, stated that the proposed general plan amendment and text amendment were to add a definition for data centers in the Zoning Ordinance and implement performance standards and location criteria. Ms. Sanchez Luna noted that the general plan amendment would discourage data centers from being located in centers, cores, and corridors. Ms. Sanchez Luna provided the proposed data center definition and noted that the text amendment would require a Special Permit for data centers. Ms. Sanchez Luna concluded the presentation by summarizing the proposed design improvements and noting that staff recommends approval of both the general plan amendment and text amendment.

Questions from the Committee:

Chair Parris Wallace noted that the majority of her questions were answered. Chair Wallace asked if anyone has discussed the increase in internet infrastructure because communities could benefit from the added infrastructure. **Ms. Sanchez Luna** stated that that was not something that has been discussed in detail with internal staff. **Chair Wallace** asked for more information regarding traffic. **Ms. Sanchez Luna** added that this would not produce the same levels of traffic as a multifamily project but that commercial and semi-trailer traffic would be present.

Romona Burris asked if there were any data centers in the area. **Ms. Sanchez Luna** stated that she will have to follow up with that information.

Chair Wallace asked if the text amendment would apply to new and stand-alone data centers. **Ms. Sanchez Luna** confirmed that the text amendment would apply to new data centers and reiterated that this would not apply to collage campuses like Grand Canyon University.

Ms. Burris asked if there were data centers for general operations such as artificial intelligence. **Ms. Sanchez Luna** confirmed. **Ms. Burris** asked for more information regarding sustainability measures. **Ms. Sanchez Luna** stated that they will be required to obtain a letter from the utility company and that the general plan amendment would help implement sustainability measures. Ms. Sanchez Luna added that other Village Planning Committees have made motions with direction if they wished to approve the text amendment and general plan amendment and still provide more direction. **Ms. Burris** stated that she would like to ensure that water conservation is added.

Public Comment:

Jon Gillespie stated that he was a land use attorney that represented numerous data center companies and emphasized that this industry is important for the City. Mr. Gillespie noted that the City is an attractive place for data centers because of the lack of natural disasters, available land, and low cost. Mr. Gillespie added that electric companies are aware of the higher demand for power but have ensured that the cost would not increase for residents. Mr. Gillespie noted that data centers are an important economic driver and that they should be involved in the text amendment process. Mr. Gillespie added that data centers have been decreasing the amount of water needed to keep an adequate climate. Mr. Gillespie supported the idea of researching ways to implement more water conservation. Mr. Gillespie stated that the required “will serve letter” would rush development and possibly discouraging other companies from building in Phoenix. Mr. Gillespie requested the text amendment and general plan be denied with a recommendation of a 90 day extension to evaluate all the concerns from the committee and industry owners. Mr. Gillespie added that there are concerns with Proposition 207 since the text amendment would require additional zoning requirements that have not been previously established.

Committee Discussion/Motion/Vote:

Ms. Burris stated that the west side of the City is approximately 5 degrees hotter and asked how the data centers would be mitigating heat. **Mr. Gillespie** stated that he was unaware of any data centers in the Estrella Village. Mr. Gillespie stated that there has not been significant research that demonstrates that data centers contribute to the heat island effect. **Ms. Burris** asked for clarification on the motion that Mr. Gillespie would like to see. **Mr. Gillespie** stated that he would like the text amendment and general plan amendment to be denied with a 90 day extension so that they can have time to involve industry stakeholders, gather data and address concerns regarding heat. **Ms. Burris** asked for more information on why the data center industry was opposed to the text amendment. **Mr. Gillespie** stated that one major concern was the “will serve” letter because it would require site plan approval and certificate of occupancy to be completed within two years which is an unreasonable condition. Mr. Gillespie added that he did not want the text amendment to discourage data center companies from building in Phoenix and investing in the community. **Ms. Burris** asked why the City wanted to implement restrictions on data centers. **Ms. Sanchez Luna** stated that a lot of available land for job opportunities and

housing has been lost to data center development, and that the development does not create a walkable pedestrian environment.

Chase Hales, with the Planning and Development Department, stated that by allowing a Special Permit, then only a data center would be allowed on site unless otherwise stated. Mr. Hales noted that the “will serve” letter would ensure development rather than allowing companies to sit on vacant properties and not built.

Mr. Thrower asked for more information regarding the lack of jobs associated with data centers. **Mr. Gillespie** stated that larger data centers only employ approximately 80 to 100 on site technicians of high paying jobs. Mr. Gillespie noted that someone from Mesa could come to the Phoenix data center and work on site. Mr. Gillespie encouraged the free market of being able to develop data centers where they were permitted. Mr. Gillespie cited the importance of technology and artificial intelligence. Mr. Gillespie clarified that his intent is for the text amendment to be denied allowing for a 90 day extension.

Renee Dominguez asked for the average square footage of a data center that employs 80 to 100 people. **Mr. Gillespie** state that it ranged from 5 acres to 60 acres and from 500 square feet to 500,000 square feet. Mr. Gillespie provided an example along the Loop 202 Freeway. Mr. Gillespie emphasized that his intent was to extend the text amendment to allow for more stakeholder involvement and for staff to study the economic and job impact. Mr. Gillespie stated that the zoning districts where data centers are located do not allow for residential use.

Chair Wallace stated that C-2 and C-3 do allow for multifamily housing. **Ms. Sanchez Luna** confirmed. **Chair Wallace** noted that housing was a key priority. **Mr. Gillespie** stated that C-2 and C-3 are not the target sites for data centers. Mr. Gillespie realized that housing conservation is important.

Mr. Gillespie noted that his request was a denial to allow more stakeholder engagement and to address issues with water resources and housing and the economic and job industry. Mr. Gillespie added that the extension would also allow for clarification regarding Proposition 207.

Chair Wallace clarified that her biggest issue is housing and that she did not want to lose available C-2 and C-3 land to data centers. **Ms. Burris** asked what incentives the data center industry provides since they would be taking land that was intended for housing. Ms. Burris asked if the data center industry had some sort of program to help first-time home buyers. **Mr. Gillespie** stated that he was aware of the concern regarding losing available land but that data centers provide high paying wages and produce millions of dollars that are invested in the community. Mr. Gillespie agreed that C-2 and C-3 should be preserved for housing but that this would affect areas that already have CP/GCP, A-1 and A-2 zoning which are areas that are already primarily industrial.

Motion 1:

Renee Dominguez made a motion to approve GPA-2-25-Y per the staff recommendation. **Chair Parris Wallace** seconded.

Ms. Burris asked for more information on what a yes vote would mean and what a no vote would mean. **Ms. Sanchez Luna** clarified the intent and proposed changes in the general plan amendment and text amendment. **Ms. Burris** asked for clarification and asked if

approving it would limit data centers. **Ms. Sanchez Luna** stated that the text amendment would limit where they could be placed and allow for a Special Permit. **Ms. Burris** suggested an extension of 90 days so that the necessary data could be gathered and presented to the committee. **Ms. Sanchez Luan** clarified that a yes vote would mean that she supported the initiatives to limit data center development.

Vote 1:

2-2, Motion to recommend approval of GPA-2-25-Y did not pass with Committee Members Dominguez and Wallace in favor and Committee Members Burris and Thrower in opposition.

Chair Wallace stated that she would like to explain her vote. Chair Wallace stated that C-2 and C-3 properties would be able to service the community and that she would prefer businesses that generated jobs in the community rather than outside resources. Chair Wallace noted that these decisions will affect all children in the future and stated that the text amendment was forward thinking.

Ms. Burris noted that individuals with high paying jobs could find houses they could afford in the City. Ms. Burris stated that she supported incentives to help first-time homeowners purchase a house and keep individuals in their community. **Ms. Sanchez Luna** clarified that any sort of incentive to assist first-time home buyers would not be enforceable by the Planning and Development Department. Ms. Sanchez Luna stated that the intent of these amendments was in relation to land use policy and development standards.

Mr. Thrower stated that the text amendment was too broad. Mr. Thrower noted that a Special Permit made sense in C-2, C-3, and CP/GCP, but that he did not want to limit any potential business investments in A-1 and A-2. **Ms. Sanchez Luna** noted that an alternative motion could be to recommend approval with the modification that a Special Permit be required in C-2, C-3, and CP/GCP.

Ms. Sanchez Luna noted that the previous motion did not pass.

Motion 2:

Chair Parris Wallace made a motion to approve GPA-2-25-Y per the staff recommendation. **Renee Domingez** seconded.

Vote 2:

3-1, Motion to recommend approval of GPA-2-25-Y passed with Committee Members Dominguez, Thrower, and Wallace in favor and Committee Members Burris in opposition.

Staff Comments Regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary

GPA-2-25-Y

Date of VPC Meeting	May 12, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	13-0

VPC DISCUSSION:

Item No. 5 (GPA-2-25-Y) and Item No. 6 (Z-TA-2-25-Y) were heard together.

Two members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, stated that the proposed general plan amendment and text amendment were to add a definition for data centers in the Zoning Ordinance and implement performance standards and location criteria. Ms. Sanchez Luna noted that the general plan amendment would discourage data centers from being located in centers, cores, and corridors. Ms. Sanchez Luna provided the proposed data center definition and noted that the text amendment would require a special permit for data centers. Ms. Sanchez Luna concluded the presentation by summarizing the proposed design improvements and noting that staff recommends approval of both the general plan amendment and text amendment.

Questions from the Committee:

Chair Stephanie Hurd stated that Amazon had recently purchased a large piece of land within the South Mountain Tech Corridor, severely limiting employment opportunities. Chair Hurd noted that property owners were encouraged to not sell their land to data centers but after SRP's announcement regarding the South Mountain Transmission Project, data center companies are pushing to purchase land. Chair Hurd voiced her disappointment in losing land that was meant for employment opportunities. Chair Hurd added that this request would protect Laveen and the City of Phoenix. Chair Hurd asked staff to explain what would happen with properties that have been recently rezoned to allow C-2, C-3, and CP/GCP uses. **Ms. Sanchez Luna** stated that that question has been presented to staff and that there has been discussion internally, but that the determination would be made by the Law Department and Mayor and Council. **Chair Hurd** noted that several data center representatives have been present at VPC meetings.

Rebecca Perrera asked if the performance standards regarding sustainability would also address water. **Ms. Sanchez Luna** confirmed. Ms. Sanchez Luna added that data centers utilize a lot of water. **Ms. Perrera** noted that these data centers should be finding solutions to recycle water and utilize their water to maintain landscaping areas. Ms. Perrera suggested adding more provisions on water conservation.

Juanita Darby stated that her husband works in the data center industry. Ms. Darby noted that her husband and her were opposed to the proposed Amazon data center. Ms. Darby added that data centers use a lot of energy and that in other cities they are unable to generate any additional power. Ms. Darby stated that they should voice their concerns to protect Laveen and the City of Phoenix. Ms. Darby was opposed to data centers in the area.

Kristi McCann asked if the Gila Foothills PUD was identified as a Center or a Corridor, would it discourage data centers from being developed in the area. **Chair Hurd** noted that the text amendment would help prevent data centers in the Gila Foothills PUD area. **Ms. Sanchez Luna** added that from a policy standpoint, if the General Plan does not support data centers in a Center, then staff would not be supportive of a proposed data center.

Patrick Nasser-Taylor noted that he did not like the word “discourage” presented in the presentation. Mr. Nasser-Taylor stated that since the employment corridor was along the Loop 202, would this prevent any future data centers. **Ms. Sanchez Luna** noted that it would be discouraged and that a Special Permit would be required. **Mr. Nasser-Taylor** asked if the amendments could have changes in the language. **Ms. Sanchez Luna** stated that similar to previous text amendments, the committee could vote to approve the amendment but add to the recommendation in the form of direction.

Mixen Rubio-Raffin was aware of the high-water usage and noted that new technology like artificial intelligence have increased the demand for data centers. Ms. Rubio-Raffin added that in terms of technology and policy, policy seems to be a few steps behind technology. Ms. Rubio-Raffin advocated for a water efficiency plan to be added to the text amendment.

Michael Doromal noted that data centers utilize a lot of power. Mr. Doromal suggested data centers be required to self-generate a portion of their required power so they don’t put a strain on the community.

Chair Hurd asked Committee Member Darby if she had any information on energy conservation. **Ms. Darby** asked her husband, Brian Darby, for clarification. **Brian Darby** stated that so much energy is required that the development can’t generate all of it’s power through solar panels. **Mr. Doromal** noted that he was requesting a portion of it to be generated. **Mr. Darby** added that other projects have implemented alternative forms but that the data center requires constant power. **Mr. Doromal** added that the data center will be part of the community and should contribute. Mr. Doromal wanted a percentage of self-generating power.

Carlos Ortega wanted to vote on the item. Mr. Ortega stated that data centers also benefit schools via impact fees.

Linda Abegg voiced her appreciation for the Mayor and Council regarding getting the text amendment approved quickly. Ms. Abegg stated that she will support the case moving forward. Ms. Abegg noted that she was aware of a subcommittee being implemented for this text amendment. Ms. Abegg added that she expected the language to be reviewed by the Law Department to ensure enforceability.

Ms. Perrera stated that Committee Member Ortega's comment was incorrect. Ms. Perrera stated that data centers receive a lot of tax breaks.

Mr. Nasser-Taylor stated that he was concerned on how this would affect Laveen. Mr. Nasser-Taylor noted that the Gila Foothills PUD allows C-2 uses and asked how this would affect the allowed uses. **Ms. Sanchez Luna** stated that that was being discussed with the Law Department but that any future properties would need to be rezoned to obtain a Special Permit. **Mr. Nasser-Taylor** asked if this would mean that the case would be presented to the Village for recommendation. **Ms. Sanchez Luna** confirmed. Ms. Sanchez Luna added that the text amendment would prevent data centers to be allowed by right in C-2, C-3, CP/GCP, A-1 and A-2.

Ms. Abegg stated that the Council Members were the ones that initiated the request which she would assume meant that they are opposed to data centers being built anywhere.

JoAnne Jensen agreed with Committee Member Abegg and Rubio-Raffin. Ms. Jensen noted that the Gila Foothills PUD area was designated as a Major Urban Center. Ms. Jensen suggested implanting language regarding water. Ms. Jensen also had concerns with the noise requirements and added that there should be no noise permitted on weekends, holidays, and at night. Ms. Jensen voiced her appreciation for Mayor and Council.

Ms. Rubio-Raffin suggested limiting the data center height to two stories and ensuring that some sort of art feature is implemented. **Chair Hurd** noted that the art and architectural embellishments were already part of the text amendment.

Public Comment:

Tom Galvin noted that there were numerous concerns regarding the text amendment. Mr. Galvin stated that data centers have contributed millions of dollars to the City of Phoenix. Mr. Galvin added that data centers require million of dollars of investments. Mr. Galvin stated that the cases were being rushed and that he was requesting a minimum 60-day continuance. Mr. Galvin stated that there could be issues with Proposition 207 and that no text amendment has been going through the process so quickly. **Ms. Abegg** stated that when the data center company bought land, they did not

present nor contact members of the committee. Ms. Abegg said it was unusual for representatives to request a continuation when they never bothered to speak to the community or the committee. **Mr. Galvin** asked if the committee supported the lack of interaction from stakeholders. **Chair Hurd** noted that this was the public comment portion of the hearing.

Anirudh Krishna voiced his concerns regarding water usage and that he agreed with all the comments provided by the committee.

Committee Discussion/Motion/Vote:

Ms. Abegg suggested adding language regarding energy and water conservation.

Vice Chair Jensen suggested more noise standards.

Mr. Ortega suggested larger impact fees.

Ms. Rubio-Raffin suggested limiting the square footage of land. Ms. Rubio-Raffin added that there needed to be more than two stories. **Ms. Abegg** voiced her concerns regarding enforceability. Ms. Abegg recommended special attention and minimizing square footage.

Motion:

Linda Abegg motioned to recommend approval of GPA-2-25-Y per the staff recommendation. **Carlos Ortega** seconded the motion.

Vote:

13-0, motion to recommend approval of GPA-2-25-Y passed with Committee Members Abegg, Darby, Doromal, McCann, Nasser-Taylor, Ortega, Perrera, Rouse, Rubio-Raffin, Serrette, Barraza, Jensen, and Hurd in favor.

Staff Comments Regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	May 14, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	13-0

VPC DISCUSSION:

Item Nos. 4 (GPA-2-25-Y) and 5 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak on this item.

Committee Member Chris Demarest left during this item bringing quorum to 13.

Staff Presentation

Matteo Moric, staff, shared information on how the Village Planning Committee can stay involved with the General Plan Amendment and Text Amendment throughout the entire process. Mr. Moric explained how comments will be forwarded onto Planning Commission on June 5th and City Council on June 18th prior to the City Council break.

Mr. Moric stated the Mayor and City Council in December of 2024 requested staff to create policy guidance and zoning regulations for data centers. Mr. Moric explained how the City was working under previous informal interpretations completed about 20 years ago. Mr. Moric stated the location criteria is to be for the General Plan item and the areas in which they would be encouraged and discouraged. Mr. Moric reminded the Committee that usually when development comes in it is already required to provide infrastructure such as sidewalks, shading, bus stops, etc.

Mr. Moric identified design guidelines being proposed for these facilities. Mr. Moric added the design guidelines of the architecture which are typically required in the Zoning Ordinance. Mr. Moric stated the zoning districts by which these facilities were proposed to require a Special Permit.

Questions from the Committee/Public Comments

Chris Demarest said he was familiar with the data center on 40th Street and McDowell Road.

Ken DuBose thought these data centers were needed because of all the new Artificial Intelligence (AI) technology.

Al DePascal said they need lots of water.

Sandra Cole asked if they could request solar on the buildings. **Mr. Moric** said yes and that the end decision will be made by City Council, but at the same time it could inform City Council of what the VPC would like to see at these new facilities.

Meli Acevedo emphasized the importance of water. **Mr. Moric** said he was not sure how these facilities actually operate and if they need to be close to the end user or if they could be far away from the community of users.

Chair Barba said that after the presentation perhaps the guest speaker could provide additional information.

Ms. Cole asked how many jobs would be provided. **Mr. Moric** said that the data center facilities he knew of were not big employment generators, but said the guest speaker could probably clarify this.

Public Comment

John Gillespie, a land use attorney from the Rose Law Group, said they represent a large stakeholder group of the data center industry. Mr. Gillespie said there is a great economic impact to the community and it provides many high paying jobs with 80 to 150 onsite jobs with an average pay of \$97,000 per year. Mr. Gillespie said they need a good regulatory process in place. Mr. Gillespie said they were concerned with the timeline for the text amendment changes and it was a little fast with limited stakeholder engagement. Mr. Gillespie asked for 60 more days to allow the industry to interact with city staff and leaders to iron out the kinks. Mr. Gillespie said many sites had a vested right to build data centers. Mr. Gillespie added that projects in the pipeline should not be stopped and should be able to continue. Mr. Gillespie also identified a concern with the “will serve” letter which is a commitment from a public utility company that power will be for a minimum timeframe. Mr. Gillespie noted the desire for the timeline to be extended or taken away so they can work with utilities. Mr. Gillespie said without provisions the City could expose themselves to Proposition 207 waiver of claims. Mr. Gillespie felt more direction should be given to staff and respectfully urged more time to work out the kinks.

Chair Barba asked on average how much space is needed for a data center. **Mr. Gillespie** responded that some projects are on 10-acre sites and others on 50 to 60 acres. Chair Barba asked what size site Mr. Gillespie based the average 80 to

100 jobs on. Mr. Gillespie responded on the 50-to-60-acre site. Chair Barba asked about job training for the data center jobs. Mr. Gillespie said that here in Phoenix it currently has people with the right schooling and education to support the technology.

Chair Barba felt the VPC responsibility was to be good stewards not only to provide a good place to live and work. Chair Barba asked if there was a commitment from Mr. Gillespie's clients to support educational assistance for these sorts of jobs. **Mr. Gillespie** was not sure about the commitment of his clients to these types of jobs, but he recognized it as a good question and noted he would investigate it more with his clients and would like to follow-up on it.

Mr. DuBose said we were always lagging behind and with the growth of AI and emphasized the need for data centers and that AI was the next largest growth in any community. Mr. DuBose shared frustration of how the rail system is 25 years behind when it was voted 30 to 40 years ago. Mr. DuBose expressed the importance of knowing the issues of how much water would be used and how much energy is needed. Mr. DuBose recognized the need to come together with a smart plan but also expressed fear of falling behind.

Mr. Gillespie said that the data center industry wants to be on the front edge of AI and it sees Phoenix as an attractive area since it does not have natural disasters, it has a low regulatory environment and a good climate. Mr. Gillespie added it has the right people to support the industry. Mr. Gillespie expressed concern about creating a roadblock to this industry. Mr. Gillespie noted the technology has advanced to not be a high water user but rather a high energy power electricity user.

Mr. DuBose noted he would like to see Maryvale have an IT program for their high school kids.

Mr. Gillespie mentioned companies like Google and Apple want to invest in Arizona, but data centers is a nationwide industry. Mr. Gillespie was not certain of who the top Arizona companies are with interest here but knew there was a nationwide interest.

Ms. Acevedo reminded the VPC of the many deaths in Maricopa County due to extreme heat. Ms. Acevedo has concerns with energy and housing shortages. Ms. Acevedo said too often we put profit over people. Ms. Acevedo asked about water.

Mr. Gillespie said the amount of water needed has gone down and they could potentially use grey water. Mr. Gillespie noted heat as a real issue facing Arizona. Mr. Gillespie said he was not aware of heat increasing due to the data center. Mr. Gillespie admitted heat was an issue, but did not believe the off-put of a data center was any different than heavy industrial type of uses. Mr. Gillespie did not

know if more heat would be generated from A-1 and A-2 type of uses. Mr. Gillespie added they were not asking for data centers to be built in any other area than currently allowed and added that it was a commercial and industrial use and that's where it should be.

Ms. Acevedo expressed concern about providing energy for computers versus people.

Mr. Gillespie said the number one priority of SRP and APS power companies is they need solar and their number one priority is to protect consistent customers.

Chair Barba asked about increases of prices to the surrounding communities on utilities. **Mr. Gillespie** said that there are no reports of that.

Chair Barba expressed concerns that consumers have to offset the costs. **Mr. Gillespie** said that the text amendment would require proof they could get electricity.

Mr. Gillespie said data centers want to locate near good infrastructure.

Chair Barba asked about noise associated with these facilities. **Mr. Gillespie** felt the noise study of no more than 5 percent increase should resolve this issue.

Vice Chair Derie brought to the Committee's attention the topic of Motorola coming to Arizona in 1950's and 60's and now data centers are the next leap in technology and reminded the VPC of the large nuclear power plant nearby. Vice Chair Derie wanted all forms of energy sources to be considered and utilized.

Mr. Gillespie said the Arizona State Government has a pro-technology stance and favorable regulatory environment for data centers. Mr. Gillespie said at the municipality level is where control is desired.

Vice Chair Derie said communities jumped on the idea of light rail and all of a sudden the State says we don't like light rail and had hoped light rail would be in Maryvale already.

Mr. Gillespie said the industry itself is driving the demand and said it's a different animal than the light rail.

Ms. Cole asked what the backers were if they were mainly American and she asked if there are international ones.

Warren Norgaard stated the main question is not if they want data centers but if they are proposed what the specific language is for their guidance. Mr. Norgaard expressed concerns with data centers running on methane gas generators which are causing people to get ill.

Mr. Gillespie said they should let the developers show they have an alternative source of energy or for there to be a creative solution.

Victoria Stahl asked about projects to be grandfathered in, without following the guidelines. **Mr. Gillespie** said there are more than 5 to 10 projects that are currently in the process. Mr. Gillespie said there could be more but needless to say these are millions of dollars to purchase land, design buildings and sites. Mr. Gillespie said grandfathering language allows projects to continue and felt there was a need for 60 more days of stakeholder engagement.

Al DePascal asked why Mr. Gillespie wants a 60-day delay. **Mr. Gillespie** said this text amendment is going faster than other text amendments.

Mr. Gillespie explained the second phase of existing sites and facilities may have to come through a special permit. Mr. Gillespie expressed concern over a 207 waiver of claims since sites for data centers may have been purchased and invested in. Mr. Gillespie said many data centers are in the queue to complete these facilities and hundreds of millions of dollars have been spent on the land to develop these sites and this could lead to a battle with the City with a 207 waiver issue. Mr. Gillespie said these facilities would still have to go through the permitting process. To modify a building limits the number of changes permitted or otherwise it would have to follow today's codes.

Mr. Moric asked if Mr. Gillespie knew why the stakeholder group did not include Planned Unit Developments (PUD's) requiring the special permits. **Mr. Gillespie** wanted some districts not to go through special permit processes such as A-1 or A-2. Mr. Gillespie said that it might make sense to include the PUD's in the text amendment.

Floor/Public Discussion Closed: Motion, Discussion, and Vote.

MOTION 1:

Warren Norgaard motioned to recommend approval of GPA-2-25-Y per the staff recommendation. **Vice Chair Gene Derie** seconded the motion.

Meli Acevedo recommended to include language in the motion for sustainable energy, solar sources and reclaimed water.

MOTION 2:

Vice Chair Derie motioned to recommend approval of GPA-2-25-Y per the staff recommendation with direction to include sustainable energy, solar sources and reclaimed water. **Victoria Stahl** seconded the motion.

VOTE

13-0, Motion to recommend approval of GPA-2-25-Y with direction passed, with Committee Members Acevedo, Alonzo, Cole, DePascal, DuBose, Galaviz, Jimenez, Norgaard, Ramirez, Stahl, Weber, Derie and Barba in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	May 8, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	8-0

VPC DISCUSSION:

Agenda Item 3 (GPA-2-25-Y) and Agenda Item 4 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak on this item, in opposition.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of GPA-2-25-Y and Z-TA-2-25-Y. Mr. Zambrano discussed concerns with data centers that the General Plan Amendment and Text Amendment are trying to address. Mr. Zambrano explained the policy guidance for data centers that the General Plan Amendment includes. Mr. Zambrano then discussed the three main components of the Text Amendment. Mr. Zambrano shared the proposed Zoning Ordinance definition for a data center. Mr. Zambrano then discussed the proposed design guidelines and their purpose. Mr. Zambrano shared the zoning districts that data centers would be permitted in, subject to a Special Permit and other performance standards, and noted that Special Permits go through the same public hearing process as rezoning cases. Mr. Zambrano stated that a noise study would be required if the data center is within a certain distance from residential. Mr. Zambrano shared the upcoming public hearing schedule and stated that staff recommends approval per the language in Exhibit A of the staff report.

Questions from Committee:

Committee Member Kylie Kennelly asked if there are any successful cases where data centers have been integrated into communities. **Mr. Zambrano** responded that some of the design guidelines were inspired by the Evans Churchill APS substation in Downtown Phoenix, which is hidden behind an enhanced design interface with murals and art installations.

Vice Chair Michelle Ricart stated that data centers should be separated from each other. Vice Chair Ricart asked for clarification that data centers usually do not employ many people and do not bring many jobs to an area. **Mr. Zambrano** responded affirmatively.

Public Comments:

Henry Hardy, with Rose Law Group, introduced himself as a stakeholder opposed to this item. Mr. Hardy stated that stakeholders were only made aware of this about a week and a half ago. Mr. Hardy stated that the public hearing process would be about a month and a half, which they believe is extremely abbreviated. Mr. Hardy requested a continuance or delay in the process for more stakeholder input. Mr. Hardy stated that their primary concern is with existing data centers and data centers that are currently being developed. Mr. Hardy asked that those data centers be grandfathered-in under the existing code. Mr. Hardy expressed concerns with Proposition 207 for diminution in property value. Mr. Hardy noted that each data center is billions of dollars of development being brought into the City of Phoenix and tens of millions of dollars coming back to the City in the form of tax revenue. Mr. Hardy added that data centers are an essential element of tech infrastructure and are essential for Phoenix to remain a competitive employment hub and tech hub. Mr. Hardy reiterated that they just want more time to talk about the proposal with staff and with stakeholders.

Staff Response:

Mr. Zambrano responded that Proposition 207 concerns are a City Council concern and should not be a concern at the Village Planning Committee level. Mr. Zambrano added that existing data centers would be considered legal non-conforming and would be “grandfathered-in”, but if they want to expand in the future, then that is when the new regulations would apply.

Discussion:

Committee Member Scott McGill asked if there are any data centers that are coming into North Phoenix or the North Gateway Village at this time. **Mr. Hardy** responded that he is not aware of any. Mr. Hardy stated that there has been an increased demand for them, and the industry is getting ready to build more to meet that demand. Committee Member McGill asked for clarification that data centers are not generators of job growth. Mr. Hardy responded that data centers are typically not major employers and could have between five to 20 employees within the data center. Mr. Hardy expressed concerns with the will-serve letter from the power company, noting that it is not consistent with industry standards and would make development not feasible. Mr. Hardy stated that a 10-year timeframe for the will-serve letter would be better since data centers are typically phased and their energy demand would be related to when each phase is built. Mr. Hardy asked for more time to work through these details with staff and stakeholders. Committee Member McGill asked how long of a continuance Mr. Hardy is asking for. Mr. Hardy responded that there is no specific timeline, but staff and stakeholders could discuss it over the summer.

Vice Chair Ricart stated that fire departments are concerned with data centers as well due to their massive size, complex floor plans, and the type of equipment and batteries

within them. Vice Chair Ricart stated that she agrees with the Special Permit requirement because the community needs to be able to have an input on data centers before they are approved. Vice Chair Ricart stated that self-service storage facilities also require a Special Permit and noted that it is good for the surrounding community to know that a data center is being proposed nearby their community. Vice Chair Ricart stated that she likes the location criteria and design policy proposed.

Committee Member Thomas Salow asked for clarification if the turnaround time for the public hearing process is typical or expedited. **Mr. Zambrano** responded that it is expedited by about a month, noting that the Mayor and City Council has directed staff to get these two items to the City Council before their summer recess, which is why staff is moving forward with the proposed schedule. Mr. Zambrano stated that rezoning cases typically have at least a three-month public hearing process with the Village Planning Committee, Planning Commission, and City Council hearings a month apart. Mr. Zambrano added that he was not involved in the stakeholder meetings but believes there have been one or two meetings so far.

Vice Chair Ricart added that there are 14 other Village Planning Committee hearings that are coming up.

Committee Member Kennelly asked what the difference is between the General Plan Amendment and the Text Amendment. **Mr. Zambrano** responded that the General Plan Amendment would amend the 2025 General Plan, which is the policy guidance, and the Text Amendment would amend the Zoning Ordinance to create zoning regulations for data centers.

Committee Member Andrea Crouch asked if the design guidelines for data centers are intended to blend the data center into the surrounding area, similar to how some cellphone towers look like trees. **Mr. Zambrano** responded affirmatively, noting that the design guidelines are trying to discourage massive, monolithic buildings and are trying to soften the design.

Vice Chair Ricart asked if tattoo parlors also require a Special Permit. **Mr. Zambrano** responded that they require a Use Permit, which goes through a different process. Mr. Zambrano stated that Special Permits are heard by the Village Planning Committee and go through the rezoning process. Vice Chair Ricart reminded Committee members that they could abstain from the vote.

MOTION – GPA-2-25-Y:

Committee Member Andrea Crouch motioned to recommend approval of GPA-2-25-Y, per the staff recommendation. **Committee Member Aaron Stein** seconded the motion.

VOTE – GPA-2-25-Y:

8-0; the motion to recommend approval of GPA-2-25-Y per the staff recommendation passes with Committee members Crouch, Kennelly, Li, Manion, McGill, Salow, Stein, and Ricart in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	May 21, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	8-4-1

VPC DISCUSSION:

Item No. 6 (GPA-2-25-Y) and Item No. 7 (Z-TA-2-25-Y) are companion cases and were heard together.

Two members of the public registered to speak on this item.

STAFF PRESENTATION

Robert Kuhfuss, staff, provided a presentation regarding both proposals, reviewing the background, concerns, proposed policy changes, proposed regulatory changes, and the staff recommendations. Mr. Kuhfuss stated that both items were scheduled for Planning Commission on June 5, 2025 and City Council on June 18, 2025.

QUESTIONS FROM THE COMMITTEE

Committee Member Jason Barraza asked if staff had consulted with the industry regarding the proposed changes. **Mr. Kuhfuss** stated that it was his understanding that staff consulted with the industry, but did not know the number of groups that were contacted. Committee Member Barraza asked if will-serve letters were commonly used in the City of Phoenix or if it was novel to data centers. Mr. Kuhfuss stated that he did not specifically know the extent to which the City of Phoenix requires will-serve letters but was aware of other jurisdictions that routinely require will-serve letters.

Committee Member Fred Hepperle stated that data centers are generally quiet and that servers do not care about looking out a window. Committee Member Hepperle stated that employees working in a data center would not necessarily care about the distance to a transit center. Committee Member Hepperle stated that the ability to serve could be compared to a water service provider. Committee Member Hepperle stated that he did not see a reason to pause the General Plan Amendment.

Vice Chair Joshua Matthews asked if there were any Proposition 207 concerns and if there were any zoning districts today that allow data centers that would not be allowed if the Zoning Text Amendment were to be approved. **Mr. Kuhfuss** stated that the City's Legal Department has evaluated the risk associated with Proposition 207 and has determined there is minimal risk. Mr. Kuhfuss stated that the zoning ordinance was silent on data centers and that data centers were currently being allowed as a result of an informal interpretation of the zoning ordinance.

Committee Member Steve Pamperin asked what the results were from the other villages. **Mr. Kuhfuss** stated that one village did not have quorum and that some villages were supportive while others were apprehensive.

Committee Massimo Sommacampagna asked about the 5% over ambient noise provision. **Mr. Kuhfuss** stated that a noise study would be required prior to preliminary site plan approval and that the noise study would require that ambient noise levels would be taken at the site, presumably over a period of time, to obtain an average. Mr. Kuhfuss stated the data center would then be allowed to operate at a level that is 5% above the measured ambient level.

Committee Member Steve Pamperin stated that Arizona Public Service was in the process of seeking approval from the Arizona Corporation Commission to allow a rate increase to offset the cost of the energy and infrastructure needed to support data centers, and that the General Plan Amendment should include language that places more cost burden on the data centers as opposed to the costs being absorbed by the homeowners. **Mr. Kuhfuss** stated that the issue ties back to the reason for the will-serve letter and that if the electrical provider does not have the capacity or infrastructure available to serve the facility, the provider would not issue a will-serve letter. Committee Member Pamperin expressed concerns that residents would be required to pay for the infrastructure needed to support data centers when the data center operators should be responsible for any infrastructure improvements needed to support the facility. Committee Member Pamperin reiterated that residents should not have to pay for the infrastructure needed to support data centers. Mr. Kuhfuss stated that it appeared there were two issues being discussed: one being a rate increase being considered by the Arizona Corporation Commission versus a city requirement that the developer make those investments. Mr. Kuhfuss stated that the discussion should not necessarily mix the city's proposed General Plan Amendment with Arizona Corporation Commission's policy. Mr. Kuhfuss stated that if there was some additional policy that could be included in the General Plan Amendment, the Committee could consider those changes.

Committee Massimo Sommacampagna asked if there was language that would encourage adaptive reuse. **Mr. Kuhfuss** stated that he did not recall specific language in the proposed Zoning Text Amendment regarding adaptive reuse but there was existing language in the zoning code that might apply.

Chair Stephanie Fogelson stated that she has been part of the Village Planning Committee for approximately four to five years and has never received a phone call

from the Mayor's Office expressing an opinion regarding the Mayor's position on a proposed case and asked if that was common practice. **Mr. Kuhfuss** stated that he did not know the Council's common practice, but understands there is some urgency regarding the matter, which has led to the June 18th City Council date. Chair Fogelson asked what the urgency was. Mr. Kuhfuss referenced a slide containing six bullet points that expressed the rationale for the proposed General Plan Amendment and Zoning Text Amendment. Chair Fogelson stated that many of those issues seemed to be based on opinion rather than data and wanted to know where the urgency is coming from. Mr. Kuhfuss stated that he did not know specifically.

Committee Member Fred Hepperle asked if the art installations would be internal to the building or visible to the public. **Mr. Kuhfuss** stated they would be visible to the public.

Committee Member Jason Barraza stated that his understanding is that nothing like this currently exists in the city and that data centers pretty much have free reign currently. **Mr. Kuhfuss** stated that he would not classify it as "free reign" and reiterated the existence of the informal interpretation of the code. Committee Member Barraza asked if there were any existing data centers in the city that would not be in compliance if the proposed Zoning Text Amendment were to be approved. Mr. Kuhfuss stated that he did not have the answer to that question.

Committee Member Massimo Sommacampagna asked about the timing of the hearing schedule. **Mr. Kuhfuss** stated that the timing of the matter was handed to us.

PUBLIC COMMENT

Cepand Alizadah stated that he is the Government Relations Specialist with the Arizona Technology Council. Mr. Alizadah stated that he was present during the Alhambra Village Planning Committee meeting the previous night and had also attended the Ahwatukee Village Planning Committee meeting. Mr. Alizadah stated anecdotally that he had emergency surgery a month prior as a result of a car accident in a remote area and that all of his medical data was readily available to the medical staff as it had been saved to a data center, which gave the healthcare team access to his allergies and other health conditions. Mr. Alizadah stated that the Arizona Technology Council is a trade association that represents 750 technology companies of all sizes. Mr. Alizadah stated that the future of technology is Artificial Intelligence and that AI's backbone is data centers. Mr. Alizadah stated that data centers are job creators, not only in manufacturing, but during operation, ranging from 10 to 15 employees for a small facility to as many as 50 employees for a large facility and generate hundreds of thousands of dollars in wages. Mr. Alizadah stated that data centers generate tax revenue and pay permit fees. Mr. Alizadah stated that the City of Chandler passed a data center ordinance in February of 2022, which has been well received by the data center community, and that he wished to speak on two specific aspects of the proposed Zoning Text Amendment. Mr. Alizadah stated that audio engineers do not measure sound levels as percentages but use an A-Weighted decibel threshold and asked the Committee to replace the language relating to

percentages with language referencing an A-Weighted decibel threshold, and to include period measurement specifications. Mr. Alizadah also expressed concerns over the requirement for a utility will-serve letter stating that a will-serve letter is common, but the two-year item frame is too short as data centers require several years of planning. Mr. Alizadah stated that a ten-year time frame is more appropriate. Mr. Alizadah stated that the Ahwatukee Village Planning Committee did not vote in favor of the General Plan Amendment or Zoning Text Amendment citing concerns over the noise measurement standards and a desire for more stakeholder engagement.

Samantha DeMoss, with Rose Law Group, asked for either a denial of the proposed General Plan Amendment and Zoning Text Amendment or a 90-day continuance. Ms. DeMoss stated that the current General Plan Amendment and Zoning Text Amendment is moving through the process too quickly for such a complex use with no stakeholder input, or Village input prior to the public hearing process. Ms. DeMoss stated that the proposed language of the Zoning Text Amendment would effectively constitute a ban on data centers. Ms. DeMoss also expressed concerns over the requirement for a will-serve letter stating that Arizona Public Service currently has an eight- to twelve-year back up on major projects and that a two-year window would make data centers impossible to achieve. Ms. DeMoss expressed concerns over Proposition 207 with respect to data centers that are already being sought out. Ms. DeMoss stated there is a lot of conversation around job creation and that data centers create jobs both directly and indirectly. Ms. DeMoss stated that for every direct job there are six related but indirect jobs and that there are currently 200,000 jobs within the City of Phoenix that are affiliated with data centers. Ms. DeMoss also stated that data centers create tens of millions of dollars in tax revenue. Ms. DeMoss reiterated that the currently proposed language would make data centers infeasible and requested the Committee deny the request with a 90-day continuance to allow a redraft following appropriate stakeholder input. **Committee Member**

Sommacampagna asked for additional clarification regarding will-serve letters. Ms. DeMoss stated that the utility company issues a letter stating that they will provide services in a specified amount of time based on capacity. Ms. DeMoss stated that utility companies are ramping up production and data centers will need to wait their turn but that will not happen within two years, which makes financial feasibility improbable. Ms. DeMoss stated that co-location also becomes difficult as only 10% may be shared. **Committee Member Pérez-Pawloski** asked who is responsible for obtaining a will-serve letter. Ms. DeMoss stated that it was the developer's responsibility, and that it is probable that a facility may be constructed in more than one phase which may require multiple will-serve letters and should be addressed in the proposed language. Committee Member Pérez-Pawloski stated that it was her recollection that data centers were allowed with a Special Permit. Ms. DeMoss stated that data centers do not currently require a Special Permit but rely on an informal interpretation. Ms. DeMoss stated that the proposed language came out too fast and there would be Proposition 207 implications if approved as proposed. **Committee Member Pamperin** asked about water and whether data centers would be considered high water users. Ms. DeMoss stated that was the case but that water consumption associated with data centers has decreased over the years.

COMMITTEE DISCUSSION

Committee Member Heather Garbarino stated that a Proposition 207 Waiver is an option that the city could offer to a developer seeking to build a data center. Committee Member Garbarino stated that she has read Chandler's ordinance regarding data centers and finds the language to be very similar to that being proposed.

Vice Chair Joshua Matthews stated that the issue with Proposition 207 is that a change to the zoning ordinance could render a potential site ineligible for a data center and if that site was already under contract, the property owner could claim diminution of value. Vice Chair Matthews stated that he had been contacted by a zoning attorney who stated that he did not object to the idea of enacting new language but that the currently proposed language was being rushed. Vice Chair Matthews stated that it was his understanding that the stakeholder input process had been run concurrently with the Village Planning Committee hearing process as opposed to it being a linear process. Vice Chair Matthews stated that typically, a proposed Text Amendment would go to the stakeholder and neighborhood meetings, then incorporate changes to the proposed language prior to it coming before the Village Planning Committee. Vice Chair Matthews stated that he supported what the city is trying to accomplish but expressed concerns that it was being rushed through the process. Vice Chair Matthews stated that he did not understand why a three-month delay was not possible. Vice Chair Matthews stated that he was leaning towards denial.

Committee Member Massimo Sommacampagna stated that he agreed with the Vice Chair and that the city can do a better job.

Chair Stephanie Fogelson reiterated that this was the first time that she had been contacted by a city official regarding a proposal and stated that she did not appreciate the unwelcome influence.

Committee Member Heather Garbarino stated that she generally prefers to support staff but, in this instance, waiting another three months to allow additional discussion seems more appropriate.

Vice Chair Joshua Matthews emphasized that he in no way was being critical of staff as they are responding to directions from the Mayor and City Council. Vice Chair Matthews stated that he does question the intent of the elected officials. Vice Chair Matthews stated that in his capacity as a Planning Commissioner, the Planning Commission is often presented with an urgent matter that needs to be addressed, including changes in state law that must be implemented within a certain time frame to avoid consequences. Vice Chair Matthews stated that without a compelling explanation, there is no reason not to delay action for three months to allow time for more discussions with the stakeholders.

Committee Member Fred Hepperle stated that he was supportive of the proposed General Plan Amendment but was not supportive of the proposed Zoning Text Amendment.

Committee Member Elizabeth Pérez-Pawloski stated that if a developer wants to build in the city, they should expect to meet certain requirements but also stated that the will-serve letter component was too quick.

Committee Member Jason Barraza stated that he was supportive of the language of the Zoning Text Amendment as currently written with respect to noise levels but had concerns with requiring a will-serve letter from the power company in that his understanding is that the state legislature was considering a bill that would allow data centers to internalize their own power production in which case a will-serve letter would be unnecessary. Committee Member Barraza stated there were also discussions regarding nuclear power and its potential effect on data center locations and expressed concerns with rushing forward just to get something on the books when that may not be appropriate at this time given that information is evolving.

Vice Chair Joshua Matthews stated that the noise level methodology implies that if the ambient noise level was 10 decibels, then a specified percent increase would bring the noise level up to a certain higher level; however, that noise level may not be disruptive since we live in an environment that operates about 40 to 70 decibels. Vice Chair Matthews stated that working with industry standards up to a certain level could be an acceptable option. Vice Chair Matthews stated that it could be worked out, but more time was needed.

MOTION:

Committee Elizabeth Pérez-Pawloski motioned to recommend approval of GPA-2-25-Y per the staff recommendation. **Committee Member Fred Hepperle** seconded the motion.

VOTE:

8-4-1, motion to recommend approval of GPA-2-25-Y per the staff recommendation passes with Committee Members Garbarino, Harris, Hepperle, Jaramillo, Larson, Pamperin, Pérez-Pawloski, Sommacampagna in favor; with Committee Members Alauria, Barraza, Matthews, and Fogelson opposed; and Committee Member Edwards in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	June 2, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	12-2

VPC DISCUSSION:

Item Nos. 3 (GPA-2-25-Y) and 4 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak on this item.

Staff Presentation

Matteo Moric, staff, provided an overview related to the data center agenda items. Mr. Moric explained that the general plan amendment and text amendment would be heard together, however, each would require its own vote. Mr. Moric noted the Mayor and Council provided direction to staff in December of 2024 to work on the policies for data centers. Mr. Moric explained “the why” for why the data center policy is necessary. Mr. Moric mentioned the policy for the general plan amendment would focus on three key areas, including: location criteria policy, design policy, and energy and sustainability policy. Mr. Moric stated the location criteria policy was to identify areas to discourage and encourage data centers while the design policy focused on design elements to incorporate within the site and facilities, and the energy and sustainability policy was to ensure capacity and efficiency.

Mr. Moric noted the main components of the proposed text amendment to include a provision for a definition, specific design guidelines and special permit requirements and performance standards.

Mr. Moric concluded by laying out the staff recommendations.

Questions from Committee

Regina Schmidt was concerned there were energy requirements but no water requirements.

Marc Soronson said he was specifically concerned about land use placement when the Arizona Republic building in Downtown Phoenix was converted into a technology center which led to an immense decrease in employment relative to the previous user.

Diane Petersen also expressed concerns with the water supply and asked if staff reviewed the water issue. **Mr. Moric** said that when new facilities come in they would need to go through the Water Services Department and ensure there was an assured water supply.

Ms. Petersen expressed additional concern with the rushing of the policy and text amendment through the process. **Mr. Moric** indicated the Council is seeking direction and if the Committee sees fit to do so they should add a concern regarding the water issue.

Patrice Marcolla wanted to understand the stakeholders involved in establishing these amendments and questioned the “will serve” letter. Ms. Marcolla believed it was an unknown item of understanding with APS and SRP, and thought there was more time needed prior to making a decision.

Anna Sepic was concerned with the high power and water usage of data centers. Ms. Sepic indicated not being in favor of C-1 and C-2 zoning, as that is typically where you would see retail centers and shops and those properties are high community-traffic areas. Ms. Sepic felt these sites should be located in heavy industrial areas such as where A-2 zoning can be found. Ms. Sepic felt locating these sites where there was already existing higher manufacturing and energy support was appropriate.

Public Comments

Ty Utton with Rose Law Group indicated he represented a broad coalition of data center developers and land use attorneys. Mr. Utton noted they were just recently notified about these data center policies and this was an unusually fast for a text amendment especially as it is one of the most capital intense land uses out there. Mr. Utton requests a recommendation of denial so it can be sent back to staff and have more stakeholder engagement. Mr. Utton explained the stakeholder engagement was three meetings with five people at the first meeting and one hundred people at the last meeting. Mr. Utton said there needed to be more engagement and voiced concerns about the fairness and legal exposure to the City and added concern about the language not including a grandfather clause for landowners and developers as many companies have already invested millions of dollars into the planning of these facilities and the purchasing of land. Mr. Utton felt this could be a regulatory taking of property rights. Mr. Utton also does not like the vague provision of “will serve” letter, and feels the stakeholders investing in this need to be engaged. Mr. Utton emphasized the proposal leaves significant risks for the City and wants the utility language to be clarified. Mr. Utton concluded that he did not want the City to stop the Ordinance

change but just to get it right. Mr. Utton wanted the proposal to be denied or delayed so they could work together. Mr Utton provided a response to the water question, that all the data center projects he had been working on do not use water as data centers used to because of the newer technology and most of the cooling was done by electric power. Mr. Utton noted that some of the data centers still use a lot of water.

Ms. Sepic asked how much energy was being used and thought data centers should have a green energy component.

Ms. Marcolla reminded the Committee of the previous case for an 8-lot subdivision and said it was going through the development process for 2 ½ years and believed the short turnaround time for the data center text amendment is a concern. Ms. Marcolla believed with the limited information that it was not clear where data centers shall be placed within the community.

Ms. Sepic initially felt the item needed to be postponed and there needed to be further clarification and input. Additionally, Ms. Sepic said there should be heat mapping to determine where these data centers should be strategically placed.

Ms. Petersen wanted to better understand what the difference would be between a denial and a postponement and how it would affect the outcome of these policies. Ms. Petersen did not want to see it postponed then come up in another 45 days or deny with a caveat that certain components be done before it gets brought back to the Committee.

Mr. Moric said it would be at the discretion of the Committee, but the recommendation would still get moved forward to the Planning Commission and City Council since there are 15 Villages it goes through.

Robert Goodhue reiterated that it goes to 15 different Village Planning Committees and the Committee could act or deny the proposal, but it would still get forwarded on for action to the Planning Commission and City Council. Mr. Goodhue reminded the Committee of their role as an advisory body and the VPC's decision would help the future decision makers get a pulse of the community. Mr. Goodhue said there are no adequate requirements for data centers and there are a lot coming in and would hate for there to be black outs because of all the electricity being used up. Mr. Goodhue emphasized his feeling that this was coming in front of the Committee since it is an important issue.

Marc Soronson reminded the VPC that they were an advisory group and he wanted to better understand why it was being fast tracked and said he would be reluctant to deny this proposal and would support the staff recommendation as written.

Roy Wise felt a denial would be better as it would set a stronger message to the Planning Commission and City Council.

Robert Gubser was afraid there was not enough input in the process. **Mr. Moric** reminded the Committee that the City was working under the old interpretation from 20

years ago and said that he heard there were at least 5 to 10 data center cases coming in now and said the City is trying to play catchup.

Chair Mortensen asked if there is a motion to postpone the item. **Anna Sepic** stated it would not make sense to allow data centers on the C-1 and C-2 zoned properties and had concerns of them going too close to residential areas. Ms. Sepic added that she thought it would make the most sense to locate data centers in A-2 and maybe in A-1 zoned areas.

MOTION 1:

Ms. Sepic motioned to recommend denial or postponement of Z-TA-2-25-Y. Roy Wise seconded the motion.

Committee Discussion:

Ms. Sepic asked to see the list of districts where a special permit would be required and explained that the C-2 and C-3 districts allow any type of retail uses and C-3 zoning allows for heavy material storage but materials are not supposed to be stored outside in these districts. Ms. Sepic reiterated that she does not want data centers near residential areas and felt these data centers would be better suited in heavy industrial areas where there are more intense energy users. Ms. Sepic favored the denial of any C-2 and C-3 areas and wanted to limit them to A-1 and A-2 areas.

Robert Goodhue asked if Ms. Sepic thought it should be eliminated in the C-2, C-3 and CP/GCP zoned areas. Ms. Sepic thought this was the best and believed they should only be allowed in A-1 and A-2 zoned areas. Mr. Goodhue then said the motion would need to be amended.

Ms. Sepic said she wanted to amend her motion to only allow data centers in A-1 and A-2 zoned areas.

Mr. Utton said there were good points but he said that it would not be allowed by right in C-2 and C-3 zoned areas but the proposal required a special permit. Mr. Utton noted a lot of companies such as American Express have data centers to support their campus.

Ms. Sepic said it's hard to find A-1 or A-2 sites over ten acres and it should be limited and thought they would be allowed if a PUD was crafted. Ms. Sepic felt if the likes of Google would develop a campus they would not pick A-1 or A-2 as a mandatory box and most likely go to create a PUD.

Ms. Petersen said it brings up a point for grandfathering such as an American Express. **Mr. Utton** said grandfathering is an issue of concern.

Ms. Marcolla noted this type of data center use does not drive a lot of traffic and usually requires larger lots.

Ms. Sepic said additional use permits are not the same process as rezoning and would not protect the community. Ms. Sepic said lots of communities do not like data centers as they do not generate many jobs and they put a constraint on the grid system. Ms. Sepic added they push land prices up but are not a great benefit. Ms. Sepic voiced her support for approval within the A-1 and A-2 zoned areas only. Ms. Sepic repeated the motion that she requests an amendment only to allow them within A-1 and A-2 and wanted to remove them from the C-2, C-3 and CP districts.

Mr. Moric indicated the general plan item is usually heard first.

Ms. Sepic asked where data centers were allowed on the General Plan.

Ms. Sepic withdrew her earlier motion, and Roy Wise withdrew the second.

MOTION 2

Patrice Marcolla motioned to recommend denial of GPA-2-25-Y. **Roy Wise** seconded the motion.

Committee Discussion:

Ms. Marcolla felt the language in the staff report is too vague.

Rob Gubser raised the comment on the General Plan Amendment to the Committee that it sets the goals and policies and is vital to set the framework.

Daniel Mazza felt he did not know how someone could vote against the General Plan Amendment.

Ms. Sepic said to deny the GPA language as it stands and thought maybe to just deny because the language was too vague and a second came from Roy Wise.

Mr. Mazza asked if it would be a denial with comments.

Mr. Moric said direction could be provided.

Chair Mortensen repeated that the motion was too vague.

Ms. Sepic felt these data centers would conflict with areas like Metro Center and redevelopment areas. Ms. Sepic thought Metro Center was a PUD.

Rob Gubser said the general plan sets goals and directions to give staff the directive to create the text amendment and the policy would be implemented with a text amendment.

MOTION 3

Daniel Mazza motioned to recommend approval of GPA-2-25-Y per the staff recommendation. **Robert Goodhue** seconded the motion.

Mr. Gubser would have preferred to have staff who wrote the policies to better address questions and with the background.

Amber Sommer said the General Plan would add policies and felt it should be more stringent with details added to the policy.

Ms. Marcolla asked if approving this would give staff the ability to locate where the data centers should go, and she felt they were not ready for that.

Ms. Sepic then asked if staff would then investigate what sites data centers should go on. **Mr. Moric** reiterated that the general plan was the framework or vision and general policy for the locations and then the teeth of the ordinance would be with the text amendment. Ms. Sepic indicated concern with so much area of the City being zoned C-2, C-3, CP, A-1 and A-2. Ms. Sepic said she would not be in favor of locating these data centers in the cores, light rail corridors, and within the C-2 and C-3 zoning districts. Ms. Sepic did not feel the General Plan language or text amendment made sense.

Roy Wise said that the General Plan was nothing more than an umbrella.

Larisa Balderrama expressed concern with data centers stating it is like we are in the wild west as was with the sober living facilities years ago and wanted the General Plan Amendment approved with parameters.

MOTION 4

Daniel Mazza motioned to recommend approval of GPA-2-25-Y per the staff recommendation. **Robert Goodhue** seconded the motion.

Vote

12-2; motion to recommend approval of GPA-2-25-Y per the staff recommendation passes with Committee Members Balderrama, Franks, Goodhue, Gubser, Hamra, Marcolla, Mazza, Petersen, Schmidt, Soronson, Wise, and Mortensen in favor; and Committee Members Sepic and Sommer in opposition.



Chair Dino Cotton stated that there are some existing data centers around and more are being built.

Vice Chair Lawrence asked why it would matter if data services are leased to third parties or not. **Mr. Roanhorse** responded that existing data centers would likely be retrofitted.

Committee Member Virgil asked how many data centers will be built. **Mr. Roanhorse** responded that it is unknown, and the market is open for data centers to be built at a number of different locations.

Chair Cotton stated that Tricia Gomes, Deputy Director with the Planning and Development Department, reached out to him to discuss the proposed General Plan Amendment and Text Amendment.

Committee Member Virgil expressed concerns with the rushed public hearing schedule.

Chair Cotton asked Mr. Roanhorse to clarify the water usage of data centers. **Mr. Roanhorse** stated that he is not too familiar with how a data center functions, but they likely use a large amount of water for cooling.

Committee Member Eileen Baden stated that this topic came up during the Maricopa County Comprehensive Plan Framework 2040 conference and members of the public were concerned with increased water usage. Committee Member Baden added that the Maricopa County Planning and Development Director said that they could add into the Comprehensive Plan that they will work more closely with cities and towns when these big projects come in. Committee Member Baden asked if there would need to be some coordination with Maricopa County if the project is over a certain size. **Mr. Roanhorse** responded that there would not be. Mr. Roanhorse stated that for all rezoning cases, utilities are looked at to ensure there is access and capacity for water, wastewater, and electricity. Committee Member Baden expressed concerns with affecting the power grid due to the increased energy demand created from data centers. Committee Member Baden recommended increasing the sidewalk width to eight feet so emergency response vehicles could use the sidewalk path in the event of an emergency. Committee Member Baden added that language could be added that improvements for data centers may be needed off-site due to the larger impact they could have on the surrounding community. Mr. Roanhorse responded that those comments can be included in the recommendation and added that capacity is always looked at for any development before it is approved.

Committee Member Virgil expressed concerns with what was being stored in data centers.

Chair Cotton clarified that the Village Planning Committee is reviewing the land use and design, not what is inside of the data center.

Mr. Roanhorse clarified the elements that the design guidelines would affect.

Committee Member Will Holton asked if there is a maximum square footage requirement for data centers. **Mr. Roanhorse** responded that there is not. Mr. Roanhorse clarified that the main concern is how data centers can best fit into a location. Committee Member Holton expressed concerns with building height. Committee Member Holton asked if data centers have backup generators. Mr. Roanhorse responded that the three data centers he is aware of do.

Committee Member Baden recommended increasing the sidewalk width required around data center sites to eight or 10 feet.

Chair Cotton expressed concerns with widening the sidewalks due to the urban heat island effect.

Vice Chair Lawrence agreed with the design guidelines, noting that they make an unattractive building that a developer could get away with more community-friendly. Vice Chair Lawrence stated that it would be more important where the data center building is placed on a site rather than how tall it is.

Committee Member Holton stated that it would be seen regardless due to the height.

Chair Cotton stated that a comment could be added that the Committee does not want data centers to be tall.

Committee Member Baden stated that a difference of two feet in the sidewalk width would likely not make a difference in the urban heat island effect. Committee Member Baden expressed concerns with accessibility and connectivity.

Public Comments:

Henry Hardy, with Rose Law Group, introduced himself as a representative of stakeholders in the industry, opposed to the proposal. Mr. Hardy stated that they were made aware of this proposal about two weeks ago. Mr. Hardy stated that the public hearing process is a very quick turnaround time. Mr. Hardy added that the Accessory Dwelling Unit (ADU) Text Amendment public hearing process was about a seven-month process. Mr. Hardy stated that they would like more time to go through the details of this proposal. Mr. Hardy stated that the data center stakeholders are fine with the architectural and landscape standards and understand that data centers should fit properly into a community. Mr. Hardy explained that there are elements of the proposal that do not align with investment and do not address how existing investments for data centers would be affected. Mr. Hardy expressed concerns with Proposition 207 for diminution of property values. Mr. Hardy asked for a continuance to allow more time over the summer for everyone to understand the impacts. Mr. Hardy stated that although data centers do not employ as many employees as other major employers, each data center could employ between 80 to 150 people and are high-paying jobs with median incomes of \$95,000 annually. Mr. Hardy added that recent studies said indirect employment in this industry in Phoenix is around 80,000 employees and direct

employment is about 20,000 employees. Mr. Hardy stated that the will-serve letter requirement is not consistent with how data centers are developed. Mr. Hardy stated that other business leaders and investors are watching this amendment and see it as anti-enterprise legislation. Mr. Hardy stated that they understand that data centers should better the community and should not be forced upon a community. Mr. Hardy clarified that they need more engagement.

Staff Response:

None.

Discussion:

Committee Member Holton asked how data centers specifically benefit the community. Committee Member Holton asked how long the amendment has been in the works. **Mr. Hardy** responded that they were notified of the amendment about two weeks ago. Committee Member Holton asked how many major cities are doing a similar amendment. Mr. Hardy responded that he was not sure. Mr. Hardy stated that nationally there is a lot of discussion around data centers and some cities are trying to attract them. Committee Member Holton asked how data centers are benefiting the community. Mr. Hardy responded that data centers are multi-billion-dollar investments that each return tens of millions of dollars to the City in tax revenue. Committee Member Holton asked what data centers do. Mr. Hardy responded that data centers handle everything from the GPS system in a car to the data storage where people work. Mr. Hardy stated that every time a file is saved to the computer or to the phone, it is saved somewhere in the cloud, which is stored and processed by data centers. Mr. Hardy stated that the future is data centers.

Vice Chair Lawrence stated that the City seems to be contradicting of wanting to be a tech center by wanting investment from the Taiwan Semiconductor Manufacturing Company (TSMC) but not wanting investment from data centers.

Committee Member Holton stated that he could understand how TSMC could make something that he would actually use versus a data center.

Mr. Hardy stated that TSMC is making chips that go into data centers. Mr. Hardy stated that it is the future of the economy nationally and globally. Mr. Hardy asked the Committee to express concerns that the timeline is too fast and to come back with a better proposal.

Chair Cotton asked for clarification if the data center industry is wanting more time to go through the design guidelines and make them less restrictive. **Mr. Hardy** responded that the design guidelines are not an issue. Mr. Hardy stated that their issues are Proposition 207, that the text does not say anything about existing data centers and how the text amendment would affect them, and the text does not say anything about proposed data centers currently in the development review process and how the text amendment could affect their existing investments. Mr. Hardy added that the will-serve letter from the power company to be able to serve the power of the data center in two years is another major concern. Mr. Hardy stated that a data center cannot get a

commitment for power within two years, and it is probably more around 10 years. Mr. Hardy added that the power company would ask if the data center has a permit from the local municipality before providing a will-serve letter. Chair Cotton stated that it seems the City is trying to rush the text amendment to avoid legal input.

Committee Member Virgil stated that he feels like he does not have enough information to vote on this item, such as what the height is.

Vice Chair Lawrence concurred.

Mr. Hardy stated that this is the fastest they have seen a text amendment go through the public hearing process.

Committee Member Holton asked where data centers are being proposed within the Rio Vista Village.

Committee Member Baden stated that they would be allowed anywhere where that is zoned for them.

Chair Cotton stated that he does not believe the Village Planning Committee asking for a continuance would have any impact, since it is still scheduled to be heard by the Planning Commission and the City Council on their scheduled dates.

Mr. Hardy stated that they want that concern to be passed along to the Planning Commission and City Council.

Mr. Roanhorse stated that the City has a narrow timeframe to approve or deny a request due to the State Legislature, and a continuance is typically reserved for the City Council.

Committee Member Holton stated that he does not understand how the proposal would impact pending permits.

Vice Chair Lawrence stated that if all the Village Planning Committees vote against it, then the City Council may negotiate a longer term for this proposal.

Committee Member Baden stated that she believes the City is trying to minimize the impacts that data centers have. Committee Member Baden stated that she is generally supportive of a majority of the proposal. Committee Member Baden stated that she understands there are a few elements that may need some more discussion and more review.

Committee Member Cotton concurred and stated that he is supportive of the design guidelines and would vote to approve the design guidelines.

Committee Member Baden added that the Fire Department should have sufficient time to review this proposal because they are supportive of perimeter paths around new

developments, which help with accessibility and connectivity. Committee Member Baden requested that the sidewalk requirement be widened so emergency vehicles could use them in the event of an emergency. Committee Member Baden added that language should be added to state that data centers may require off-site improvements for fire safety of very large data centers.

MOTION – GPA-2-25-Y:

Vice Chair Lawrence motioned to recommend denial of GPA-2-25-Y, with direction to allow more time for stakeholder input. **Committee Member Holton** seconded the motion.

VOTE – GPA-2-25-Y:

3-2; the motion to recommend denial of GPA-2-25-Y with direction passed with Committee members Holton, Virgil and Lawrence in favor and Committee members Baden and Cotton opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary GPA-2-25-Y

Date of VPC Meeting	May 13, 2025
Request	Amend the General Plan to incorporate design and location criteria for data centers
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	9-7

Item Nos. 5 (GPA-2-25-Y) and 6 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak on this item, one in support, and one that did not indicate support or opposition.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed General Plan Amendment, including background and details of the location criteria, design, and energy and sustainability policies proposed to be added for data centers. Mr. Rogers provided information about further about the proposed Text Amendment, including a definition for data centers, design guidelines, and a requirement for a Special Permit and performance standards, finally noting the timeline for the proposals.

QUESTIONS FROM THE COMMITTEE

Committee Member Greg Brownell asked if they could add a requirement to not allow Data Centers within one mile of the Rio Salado Restoration Area. **Mr. Rogers** stated that the requirement could be recommended as a part of the motion.

Committee Member Gene Holmerud explained that Iceland is a popular location for data centers, stated that places like Iceland make more sense because data centers produce so much heat, and stated he was surprised there is a demand for data centers in Phoenix.

Committee Member Trent Marchuk explained that the lack of natural disasters in the Phoenix area make it an attractive place to locate data centers and asked about the definition of high-capacity transit. **Mr. Rogers** explained that high-capacity transit options are the light rail and bus rapid transit. Committee Member Marchuk asked about existing data centers. Mr. Rogers stated that existing data centers would be grandfathered and explained staff is still looking into other items such as phased developments.

Committee Member Petra Falcon asked for staff to display the slide showing the public hearing dates. **Mr. Rogers** displayed the slide.

Committee Member Tamala Daniels asked how health hazards are being addressed and explained that data centers contribute to noise pollution, air pollution, respiratory illnesses, heat emissions, traffic congestion, and security risks. **Mr. Rogers** explained that data centers will be required to go through the Special Permit process and the Village Planning Committees will have the opportunity to analyze if a site is appropriate. Mr. Rogers explained a Will Serve letter will be required to ensure data centers are not over burdening the electric grid, stated that a noise study will be required, stated that data centers will not be allowed to exceed five percent of the area's ambient noise, explained that some data centers have been in the news because of pollution generated from natural gas fueled fans, and stated that he expects the data centers in Phoenix to get their power from the electric grid.

Committee Member Mark Beehler echoed Committee Member T. Daniels' concerns, stated the cases that the Village Planning Committee (VPC) recommends for denial are not always ultimately denied by the City Council, stated that he foresees data centers as something that will be dumped on South Phoenix, and echoed Committee Member Brownell's concerns about data centers near the Rio Salado Habitat Restoration area. **Mr. Rogers** explained that General Plan Amendment includes guidance to not allow data centers near corridors and explained that the Rio Salado area is one of the potential corridors that will be designated as a part of the General Plan implementation.

Committee Member Kay Shepard asked about rezoning requirements. **Mr. Rogers** explained that a Special Permit would be needed to allow a data center.

Committee Member Ralph Thompson II asked about the number of data centers in South Phoenix and asked how many jobs data centers generate. **Mr. Rogers** stated that he does not have data on the number of data centers in South Phoenix and explained that at the Central City Village Planning Committee an attorney had stated that data centers create 80 to 150 jobs. **Chair Arthur Greathouse III** stated that a further breakdown of the jobs would be needed to understand the job creation.

Committee Member George Brooks stated that the issues of data centers will continue to increase, asked if this is something we can spend more time on, described environmental concerns, and stated that data centers have loud air conditioning units and heat pumps that will make areas hotter. Committee Member Brooks stated he does not want data centers to be dumped on South Phoenix, stated that savvy attorneys will argue for permitting data centers, and stated that more time should be spent on the topic.

Committee Member Lee Coleman asked for confirmation that data centers can currently go into any office location. **Mr. Rogers** explained that data centers are currently allowed anywhere an office use is allowed.

Committee Member Fred Daniels asked if there are any data centers that are currently in the pipeline. **Mr. Rogers** explained he is not aware of any data centers currently in the pipeline in South Mountain, but he is aware of others around the City.

Chair Greathouse asked about a buffer between data centers and residential and stated that there is a data center on 40th Street and McDowell Road that is right next to residential. **Committee Member Marcia Busching** stated that there is a 150-foot buffer required from residential. Chair Greathouse stated that 150 feet is not very far.

Committee Member Busching stated that landscape setbacks are required, but walls are not addressed, stated that there is not a definition of live coverage, stated that water consumption is not addressed, explained that the buildings have architecture requirements indicating that the building will likely be able to be seen from the street, and stated that she likes the idea of a distance requirement from the Rio Salado Habitat Restoration area.

Mr. Rogers stated that live coverage is often a stipulation on rezoning cases, explained that live coverage means the area that is covered in trees and shrubs, stated that walls greater than three feet are not allowed in landscape setbacks, and explained that additional architecture concerns can be addressed through stipulations during the Special Permit process.

Committee Member Edward Aldama asked for confirmation that data centers are currently allowed anywhere an office is and asked if the text amendment will create a formalized process for the data centers. **Mr. Rogers** confirmed the General Plan Amendment and Text Amendment requests will create a formalized process to permit data centers and mitigate their impacts.

Committee Member Marchuk explained that he had visited a data center for work, explained that the site he visited had a water treatment facility on site that processed grey water, and stated that using grey water would be something that would be interesting to investigate. **Mr. Rogers** explained that the city has high water user requirements that require a certain percent of water be recycled.

Committee Member Marchuk asked about the location policy that encourages data centers in identified redevelopment areas where infrastructure investments are needed and asked about identified redevelopment areas within South Mountain. **Mr. Rogers** explained there is the Target Area B Redevelopment Area in South Mountain, stated much of it is along proposed and existing corridors, and explained that areas with needed

infrastructure investments are generally areas on the periphery of the city that need roads and utilities.

Committee Member Brownell described some of the challenges of South Mountain and explained attorneys will argue for data centers. **Mr. Rogers** explained that this is putting in a process to regulate data centers rather than the status quo that lets data centers come in wherever an office use is allowed.

Committee Member Brownell asked about live coverage and asked about the height limitations. **Mr. Rogers** explained live coverage is provided through shrubs and tree coverage and stated that building heights will be regulated through the underlying zoning district. Committee Member Brownell stated that he would rather have a human scale wall closer to the sidewalk than a large wall further from the sidewalk.

Committee Member T. Daniels asked if data centers can be restricted to only be allowed on industrially and commercially zoned parcels. **Mr. Rogers** explained that the proposal only allows for data centers to be allowed on industrially and commercially zoned properties.

PUBLIC COMMENT

Jon Gillespie introduced himself, explained that he is from Rose Law Group, described tax revenue generated from data centers, stated he is concerned about the timeline of the process, stated he would like at least 60 more days for public comment, stated that there has been a lot of investment by data center users, discussed grandfathering of developments, expressed concerns about phased developments, explained potential Proposition 207 litigation, and explained the Will Serve Letter requirement is unfeasible.

Ron Norse explained that he is a building inspector, stated that he is a former City of Phoenix inspector, offered a tour of a data center, and stated that he has been inspecting microchip factories for the last 5 years.

Kay Shepard asked if data centers are the same thing as chip makers. **Mr. Rogers** stated that it is his understanding that they are different.

Gene Holmerud described different sound decibel levels and stated he wants to know more about the sound regulations.

STAFF RESPONSE

Mr. Rogers explained that the City's Law Department has determined there will not be any Proposition 207 issues, stated that the City is still working on what projects will be grandfathered in, and explained that the Central City Village Planning Committee had asked for more time.

Committee Member Marchuk asked about phased data center developments. **Mr. Rogers** explained that his team is still working through questions about what projects will be grandfathered in.

Committee Member Kay Shepard asked about how the other villages have voted. **Mr. Rogers** summarized the results of the other villages that have heard the items.

Vice Chair Emma Viera stated that she appreciates that we are putting regulations on data centers and stated that she would like to see distance requirements for schools and residential. **Mr. Rogers** stated that there is a distance requirement from residential areas but not from schools. Vice Chair Viera stated that 150 feet is not enough and stated that a distance requirement from schools should be added.

Committee Member Brownell stated support for a distance requirement from schools, stated that there are high asthma rates in Arizona schools, and explained data centers will make it worse.

Mark Beehler stated that determining specific distance requirements is out of the Village Planning Committee's scope and stated that he agrees that distance from schools should be added.

Committee Member Busching stated that she would like any motion on the General Plan amendment to include direction to encourage recycling of water.

Committee Member Marchuk asked about the motion and providing direction versus requiring modifications. **Mr. Rogers** explained that other committees have made motions with direction.

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

Motion:

Committee Member Lee Coleman made a motion to recommend approval of GPA-2-25-Y with direction to not allow data centers within one mile of the Rio Salado Habitat Restoration Area, that data centers only be allowed on sites with C-3 zoning or more intense, require a minimum of 60 days for public comment, and that the Will Serve Letter be required by the Certificate of Occupancy. **Committee Member Shepard** seconded the motion.

Vice Chair Emma Viera introduced a friendly amendment to require a distance requirement from schools. **Committee Member Coleman** explained that there is not much C-3 or higher zoning that is near schools and accepted the friendly amendment.

Chair Greathouse asked if it matters what directions are recommended in the General Plan Amendment versus the Text Amendment. **Mr. Rogers** explained that the General Plan is the policy guidance, and the Text Amendment is the actual regulations.

Committee Member Trent Marchuk asked if the General Plan Amendment or Text Amendment needs to be heard first. **Mr. Rogers** explained that the General Plan Amendment needs to be heard first.

Committee Member Busching introduced a friendly amendment to require recycling of water. **Committee Member Lee Coleman** accepted the friendly amendment

Committee Member Marchuk asked about requiring the Will Serve Letter by the Certificate of Occupancy. **Committee Member Coleman** explained that a development will not be able to get a Certificate of Occupancy until they get a Will Serve Letter.

Committee Member Beehler stated requiring the Will Serve Letter by the Certificate of Occupancy is too late in the process. **Committee Member Brownell** stated the Will Serve Letter will be one of the first things the developer will get. **Chair Greathouse** stated that requiring a Will Serve Letter after the land acquisition is completed is unrealistic. **Mr. Rogers** clarified that in the current proposal a Will Serve Letter will be required by Preliminary Site Plan approval.

Committee Member Brownell asked if there is any way to require that the Will Serve Letter include a percent of the power that has to come from renewable energy sources. **Mr. Rogers** explained that he cannot speak to utility companies' processes and what they require in the Will Serve Letter. Mr. Rogers stated that data centers use a lot of energy and explained that he does not know if it is feasible to get a large portion of a data center's required energy from renewable resources.

Committee Member Marchuk asked if direction should be added to look at the grandfather language.

Committee Member Tamala Daniels asked how the other villages voted. **Mr. Rogers** explained how the other villages voted. Committee Member T. Daniels asked about adding additional architectural and setback requirements. Mr. Rogers stated that the General Plan Amendment already includes policy direction regarding increased setbacks and architectural requirements.

Committee Member Marchuk requested an amendment that allows projects in the permitting process and phased plans be allowed to construct governed by the current zoning regulations. **Committee Member Coleman** accepted the friendly amendment.

Vote:

9-7, motion to recommend approval of GPA-2-25-Y with direction to not allow data

centers within one mile of the Rio Salado Habitat Restoration Area, that data centers only be allowed on sites with C-3 zoning or more intense, require a minimum of 60 days for public comment, that the Will Serve Letter be required by the Certificate of Occupancy, encourage the recycling of water, require a buffer distance from schools, and that projects in the permitting process and phased plans be allowed to construct governed by the current zoning regulations passed with Committee Members Aldama, Beehler, Coleman, F. Daniels, T. Daniels, Jackson, Shepard, Viera, and Greathouse in favor and Committee Members Brooks, Brownell, Busching, Falcon, Holmerud, Marchuk, and Thompson opposed.

Committee Member Busching stated that she disagrees with the Will Serve Letter not being required until the Certificate of Occupancy, that projects in the process should be allowed to develop under the current zoning regulations, and that the public comment period should be extended.

Committee Member Brooks stated that when decisions are rushed mistakes can be made.

Committee Member Holmerud echoed Committee Member Brooks' comments.

Committee Member Marchuk explained that he believed the language could be refined.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

ATTACHMENT D



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission

Date: June 5, 2025

From: Tricia Gomes
Planning and Development Deputy Director

Subject: BACK UP TO ITEM NO. 2 – GPA-2-25-Y – DATA CENTERS GENERAL PLAN AMENDMENT

General Plan Amendment No. GPA-2-25-Y is a request to amend the General Plan to incorporate design and location criteria for data centers.

The Village Planning Committees considered the request throughout May and beginning of June. Seven VPCs recommended approval, per the staff recommendation; three VPCs recommended approval, per the staff recommendation, with direction; two VPCs recommended denial; two VPCs recommended denial, with direction; and one VPC did not have quorum.

Three stakeholder meetings were held with individuals representing a wide range of interests in data center development such as land use attorneys, real estate and construction professionals, data center operators, and utility companies.

The language in this proposed general plan amendment has been modified to address some of the primary concerns as recommended by the Village Planning Committees and shared at the stakeholder meetings including the following concerns: obtaining a will-service letter and removing the Phoenix Green Construction Code reference. These modifications will also ensure the General Plan policies align with the modifications in Z-TA-2-25-Y.

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

DATA CENTERS

WITH CONTINUAL ADVANCEMENTS IN TECHNOLOGY, SUCH AS ARTIFICIAL INTELLIGENCE (AI) AND THE DIGITAL “CLOUD”, THERE HAS BEEN A GROWING DEMAND TO CONSTRUCT DATA CENTERS IN ORDER TO SUPPORT THE DIGITAL WORLD. DATA CENTERS HOUSE A LARGE COLLECTION OF TECHNOLOGICAL EQUIPMENT DESIGNED TO STORE, PROCESS, AND MANAGE VAST AMOUNTS OF DIGITAL INFORMATION. ALTHOUGH DATA CENTERS ARE INFRASTRUCTURE FOR ADVANCING TECHNOLOGY THAT MANY COMPANIES AND ORGANIZATIONS NOW RELY ON, THEY ALSO COME WITH POTENTIAL CHALLENGES, INCLUDING A LOSS OF LAND FOR JOBS AND HOUSING, NOISE POLLUTION, SIGNIFICANT ENERGY DEMAND, INACTIVE FRONTAGES ALONG PUBLIC STREETS, AND CONFLICTS WITH THE CITY’S APPROACH OF MAXIMIZING TRANSPORTATION INVESTMENTS WITH WALKABLE COMMUNITIES. MEASURES SHOULD BE TAKEN TO IDENTIFY AREAS THAT ARE MOST APPROPRIATE FOR DEVELOPMENT AND TO ADDRESS THE NOISE, ENERGY, AND DESIGN ISSUES THAT THEY COME WITH.

LOCATION CRITERIA POLICY

1. LOCATE AWAY FROM IDENTIFIED CORES, CENTERS, AND CORRIDORS WHERE HIGHER-INTENSITY DEVELOPMENT IS ENCOURAGED FOR MIXED-USE, WALKABLE COMMUNITIES.
2. LOCATE IN IDENTIFIED REDEVELOPMENT AREAS WHERE INFRASTRUCTURE INVESTMENTS ARE NEEDED.

DESIGN POLICY

1. PROVIDE ENHANCED LANDSCAPE SETBACKS WITH A GREATER DENSITY OF TREES AND SHRUBS.
2. PROVIDE DETACHED SIDEWALKS WITH PEDESTRIAN AMENITIES AND SHADE.
3. PROVIDE ART IN PRIVATE DEVELOPMENT.
4. UTILIZE DARK SKY LIGHTING.
5. MINIMIZE NOISE POLLUTION TO NEARBY RESIDENTIAL THROUGH USE OF LARGE SETBACKS, STRUCTURAL SCREENING ELEMENTS, ARCHITECTURALLY INTEGRATED STRUCTURES, AND/OR LANDSCAPING.
6. PROVIDE VISUAL INTEREST TO ADJACENT PROPERTIES AND RIGHTS-OF-WAY WITH ENHANCED ARCHITECTURAL DESIGN THAT INCLUDES A VARIATION IN COLORS, MATERIALS, ARTICULATION, FENESTRATION, AND BREAKING OF MASSING, RATHER THAN A CONCRETE BOX THAT HAS A NEGATIVE VISUAL APPEARANCE TO THE SURROUNDING COMMUNITY.

ENERGY AND SUSTAINABILITY POLICY

1. PROVIDE ~~AN WILL-SERVE LETTER~~ **AGREEMENT** FROM THE LOCAL UTILITY COMPANY TO ENSURE THAT THERE IS SUFFICIENT CAPACITY IN THE POWER GRID TO SUPPLY THE DATA CENTER WITH ITS REQUIRED ENERGY DEMAND.
2. ENCOURAGE ~~USE OF THE PHOENIX GREEN CONSTRUCTION CODE TO~~ **MAXIMIZE** ENERGY EFFICIENCY OF DATA CENTER BUILDINGS.

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION June 5, 2025

ITEM NO: 2	
	DISTRICT NO.: Citywide
SUBJECT:	
Application #:	GPA-2-25-Y (Companion Case Z-TA-2-25-Y)
Location:	Citywide
Request:	Amendment to the General Plan to incorporate design and location criteria for data centers.
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 5/19/2025 Denial. Vote: 10-0.

Alhambra 5/20/2025 Approval. Vote: 11-0.

Camelback East 6/3/2025 Denial with direction. Vote: 17-0.

Central City 5/12/2025 Approval. Vote: 6-3-1.

Deer Valley 5/20/2025 No quorum.

Desert View 6/3/2025 Approval with direction. Vote: 8-3.

Encanto 6/2/2025 Denial. Vote: 9-4-1.

Estrella 5/20/2025 Approval 3-1.

Laveen 5/12/2025 Approval. Vote: 13-0.

Maryvale 5/14/2025 Approval, with direction. Vote: 13-0.

North Gateway 5/8/2025 Approval. Vote: 8-0.

North Mountain 5/21/2025 Approval. Vote: 8-4-1.

Paradise Valley 6/2/2025 Approval. Vote: 12-2.

Rio Vista 5/13/2025 Denial, with direction. Vote: 3-2.

South Mountain 5/13/2025 Approval, with direction. Vote: 9-7.

Planning Commission Recommendation: Approval, per the staff memo dated June 5, 2025.

Motion Discussion: N/A.

Motion details: Commissioner Matthews made a MOTION to approve GPA-2-25-Y, per the staff memo dated June 5, 2025.

Maker: Matthews

Second: Jaramillo

Vote: 9-0

Absent: None.

Opposition Present: Yes.

Findings:

1. The proposal will act as the policy guidance for data centers which supports the Zoning Ordinance text amendment Z-TA-2-25-Y for regulations related to data centers.

2. The proposal will guide data center development away from cores, centers, and corridors, where mixed-use, walkable communities are envisioned and will guide data centers to blend with the surrounding environment while limiting negative impacts to existing communities.
3. The proposal is consistent with and relates to other adopted policies in the General Plan, such as the Blueprint for a More Connected Phoenix, including Cores, Centers, and Corridors, Village Cores, Employment Corridors, and Tech Corridors; Create a Network of Vibrant Cores, Centers, and Corridors; and Build the Most Sustainable Desert City, including Water Sensitive Planning, Green Building, Energy Infrastructure, and Community Shade.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, saneeya.mir@phoenix.gov, TTY: Use 7-1-1.

ATTACHMENT F

Correspondence for GPA-2-25-Y and Z-TA-2-25-Y are available on the staff report website under Z-TA-2-25-Y:

<https://www.phoenix.gov/administration/departments/pdd/about-us/reports-data/staff-reports.html>



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: June 11, 2025

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: CONTINUANCE OF ITEM 151 ON THE JUNE 18, 2025, FORMAL AGENDA –
PUBLIC HEARING - RESOLUTION ADOPTION – GENERAL PLAN
AMENDMENT – DATA CENTERS – GPA-2-25-Y (RESOLUTION 22316) –
CITYWIDE

Item 151, General Plan Amendment No. GPA-2-25-Y is a request to amend the General Plan to incorporate design and location criteria for data centers.

Staff recommends continuing this item to the July 2, 2025, City Council Formal meeting to evaluate comments and suggestions received.

Approved: _____

Alan Stephenson
Alan Stephenson
Deputy City Manager



(CONTINUED FROM JUNE 18, 2025) - Public Hearing - Amend City Code - Ordinance Adoption - Data Centers - Z-TA-2-25-Y (Ordinance G-7396) - Citywide

Request to hold a public hearing on a proposed text amendment Z-TA-2-25-Y and to request City Council approval per the Planning Commission recommendation which amends the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers; and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial), and A-2 (Industrial) zoning districts, with a Special Permit and performance standards. This is a companion case to GPA-2-25-Y and should be heard following GPA-2-25-Y.

Summary

The intent of the proposed text amendment is to create a regulatory framework for data centers where no City Council approved framework currently exists. Data centers are not defined nor are they explicitly listed as a permitted use in the Phoenix Zoning Ordinance; therefore were addressed via informal interpretation based upon land use characteristics of early smaller scale data center type uses. This text amendment will create a new definition for “data center”; create design guidelines such as setback requirements and screening design standards for equipment enclosures and accessory public utility buildings and facilities, such as electrical substations; and create enhanced landscaping, architectural, and streetscape standards to soften the design of data centers so they can better blend into the surrounding environment they are built in; and develop location criteria and performance standards for data centers. This includes spacing from high-capacity transit; noise standards to reduce the impact of data centers when located within a certain distance from residential; and allow data centers only in the following zoning districts: C-2, C-3, CP/GCP, A-1 and A-2 with a Special Permit.

Applicant: City of Phoenix, Planning Commission

Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-2-25-Y as shown in Exhibit A of the Staff Report (**Attachment B**).

VPC Action: Fourteen Village Planning Committees have considered the request. Two VPCs recommended approval, per the staff recommendation; three VPCs recommended approval, per the staff recommendation, with direction; one VPC recommended approval, per the staff recommendation, with a modification; one VPC recommended approval, per the staff recommendation, with a modification and direction; three VPCs recommended denial; four VPCs recommended denial, with direction; and one VPC did not have quorum, as reflected in **Attachment C**.

PC Action: The Planning Commission heard this item on June 5, 2025 and recommended approval, per the memo from the Planning and Development Department Deputy Director dated June 4, 2025, by a vote of 9-0.

Responsible Department


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



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: June 26 2025

From: Joshua Bednarek 
Planning and Development Director

Subject: ITEM I08 ON THE JULY 2, 2025, FORMAL AGENDA – PUBLIC HEARING -
AMEND CITY CODE - ORDINANCE ADOPTION – DATA CENTERS - Z-TA-2-25-
Y (ORDINANCE G-7396) - CITYWIDE

Item I08, is a request to hold a public hearing on a proposed text amendment Z-TA-2-25-Y to amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers; and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial), and A-2 (Industrial) zoning districts, with a Special Permit and performance standards.

Fourteen Village Planning Committees have considered the request. Two VPCs recommended approval, per the staff recommendation; three VPCs recommended approval, per the staff recommendation, with direction; one VPC recommended approval, per the staff recommendation, with a modification; one VPC recommended approval, per the staff recommendation, with a modification and direction; three VPCs recommended denial; four VPCs recommended denial, with direction; and one VPC did not have quorum.

The Planning Commission heard this item on June 5, 2025, and recommended approval, per the memo from the Planning and Development Department Deputy Director dated June 4, 2025, by a vote of 9-0.

The proposed regulatory framework in Z-TA-2-25 responds to the challenges data centers pose to the health and safety of Phoenix residents. The regulatory framework is also consistent with City Council adopted policy and initiatives regarding access to healthy food, health care services and heat response. Staff have compiled an overview of the health and safety risks data centers present along with the City Council policy and initiative intersections in a report. The report is attached to this memo as Exhibit A.

Exhibit B attached to this memo is a copy of the proposed text amendment language as approved by the Planning Commission.

Since the Planning Commission hearing, staff have continued to engage with industry stakeholders and partners regarding their comments on the proposed text amendment language. In response to those comments staff propose changes to the draft text amendment provisions.

The first change is the addition of language that clarifies that applicants for Special Permits will be required to comply with additional stipulations, or any studies related to fire protection, water consumption, power consumption on-site energy generation, noise and hazardous materials that may be required as part of the Special Permit review. The new language reinforces that the studies will be required and that applicants will be required to adhere to their findings through stipulations to the Special Permit.

The second change updates the noise standards for data center special permits by establishing maximum noise levels as opposed to ambient noise levels. There is also a change in the same section regarding required compliance with the noise study or the specific noise standard stipulated as a condition of the approved Special Permit. The Planning Commission approved the new language regarding the specific noise standards but the subsequent section regarding it being a condition of issuance for the certificate of occupancy was not amended. This change makes both sections consistent. Many stakeholders requested that a defined noise level be utilized instead of the ambient noise background standard. Staff worked with a noise consultant to develop the proposed standard to address that concern.

Staff recommend approval, per the modified text amendment language in **CAPITAL** and **BOLD** font below:

Amend Chapter 2, Section 202 (Definitions) to add a definition for data centers.

Section 202. Definitions.

DATA CENTER: A FACILITY USED PRIMARILY FOR DATA SERVICES, INCLUDING THE STORAGE, PROCESSING, MANAGEMENT, AND TRANSMISSION OF DIGITAL DATA. A FACILITY SHALL NOT BE CONSIDERED A DATA CENTER WHEN IT DOES NOT EXCEED 10% OF THE GROSS FLOOR AREA OF ALL ON-SITE BUILDINGS; IS USED TO SERVE THE ENTERPRISE FUNCTIONS OF THE ON-SITE PROPERTY OWNER; AND IS NOT USED TO LEASE DATA SERVICES TO THIRD PARTIES.

Amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers, and to read as follows:

Section 507 Tab A. Guidelines for design review.

- II. CITY-WIDE DESIGN REVIEW GUIDELINES. The design review guidelines indicate ~~specific standards of implementation and are categorized as Requirements (R), Presumptions (P), or Considerations (C).~~ INDICATED WITH THE MARKERS (R), (R*), (P), (T), AND (C) SHALL BE APPLIED AND ENFORCED IN THE SAME MANNER AS INDICATED IN SECTION 507. ITEMS NOT INDICATED WITH AN (R), (R*), (P), (T), AND (C) SHALL BE TREATED AS (R).

D. **Specialized Uses.**

5. **DATA CENTERS.**

- 5.1. **SETBACKS.** ALL MECHANICAL EQUIPMENT, INCLUDING BUT NOT LIMITED TO ELECTRICAL TRANSFORMERS AND GENERATORS, SHALL BE SET BACK A MINIMUM OF 150 FEET FROM ABUTTING RIGHT-OF-WAY OR RESIDENTIALLY ZONED PROPERTY; IN ADDITION TO THE FOLLOWING: (R*)

5.1.1. THE EQUIPMENT MUST BE FULLY SCREENED BY A BUILDING THAT IS VISUALLY INTEGRATED WITH THE DESIGN OF THE OVERALL DEVELOPMENT;
OR

5.1.2 THE EQUIPMENT MUST BE FULLY SCREENED BY A DECORATIVE SCREEN WALL HAVING VARIATIONS IN COLORS, MATERIALS, PATTERNS, TEXTURES, AND/OR AN ART INSTALLATION SUCH AS A MURAL.

RATIONALE: GROUND EQUIPMENT SHOULD BE ENCLOSED AND SET BACK TO PROVIDE VISUAL SCREENING AND REDUCE NOISE LEVELS.

- 5.2. **LANDSCAPE SETBACK.** A MINIMUM 30-FOOT WIDE PERIMETER LANDSCAPE SETBACK SHALL BE PROVIDED, SUBJECT TO THE FOLLOWING:

5.4.1. TWO STAGGERED ROWS OF LARGE CANOPY SHADE TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPING SHALL BE PROVIDED, AS APPROVED BY THE PDD LANDSCAPE ARCHITECT. (T)

5.4.2 FIVE 5-GALLON SHRUBS PER TREE SHALL BE PROVIDED, AT A MINIMUM. (T)

5.4.3 GROUNDCOVERS SHALL BE PROVIDED TO SUPPLEMENT THE TREES AND SHRUBS SO THAT A MINIMUM 75% LIVE COVERAGE IS ATTAINED. (T)

RATIONALE: AN ENHANCED LANDSCAPE SETBACK WITH A DENSE NUMBER OF TREES AND SHRUBS HELPS TO MITIGATE NEGATIVE VISUAL IMPACTS.

5.3. **ARCHITECTURE.**

5.3.1. BUILDING FACADES THAT EXCEED 100 FEET SHOULD CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, WINDOW FENESTRATION (INCLUDING FAUX WINDOWS), SHADOW BOXES, AND OVERHEAD/CANOPIES. (P)

5.3.2. ALL SIDES OF A BUILDING/STRUCTURE SHOULD PROVIDE AN ENHANCED DESIGN INCLUDING A VARIATION IN COLORS, MATERIALS, PATTERNS, TEXTURES, HEIGHT, WINDOWS (INCLUDING FAUX WINDOWS), ARTICULATION, AND/OR ART INSTALLATIONS. (P)

5.3.3. EACH MAIN ENTRANCE SHOULD INCLUDE A FEATURE THAT DIFFERENTIATES IT FROM THE REMAINDER OF THE BUILDING FACADE BY A CHANGE IN BUILDING MATERIAL, PATTERN, TEXTURE, COLOR, AND/OR ACCENT MATERIAL, AND THAT PROJECTS OR IS RECESSED FROM THE ADJOINING BUILDING PLANE. (P)

5.3.4. ARCHITECTURAL DESIGN SHOULD TAKE INTO ACCOUNT THE SOLAR CONSEQUENCES OF BUILDING HEIGHT, BULK, AND AREA. (C)

RATIONALE: DATA CENTER BUILDINGS SHOULD INCLUDE ENHANCED ARCHITECTURAL DESIGN FEATURES IN ORDER TO PROVIDE VISUAL INTEREST, TO BREAK UP THE MASS OF THE BUILDING/STRUCTURE AND TO PROVIDE AN ENHANCED DESIGN INTERFACE WHERE VISIBLE FROM A RIGHT-OF-WAY AND/OR RESIDENTIALLY ZONED PROPERTY.

5.4. **STREETSCAPE.** FOR EACH STREET FRONTAGE, A MINIMUM 6-FOOT-WIDE DETACHED SIDEWALK SEPARATED FROM THE CURB BY A MINIMUM 8-FOOT-WIDE LANDSCAPE STRIP, SUBJECT TO THE FOLLOWING:

5.4.1. SINGLE-TRUNK, LARGE CANOPY SHADE TREES, PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS, SHALL BE PROVIDED ON BOTH SIDES OF THE SIDEWALK AND PROVIDE A MINIMUM OF 75% SHADE. (T)

5.4.2 A MIXTURE OF SHRUBS, ACCENTS, AND VEGETATIVE GROUNDCOVERS WITH A MAXIMUM MATURE HEIGHT OF TWO FEET SHALL BE DISTRIBUTED THROUGHOUT THE LANDSCAPE AREAS TO ACHIEVE A MINIMUM OF 75% LIVE COVERAGE. (T)

5.4.3 ALL NEW OR RELOCATED ELECTRIC LINES 12 KV AND SMALLER, COMMUNICATIONS AND CABLE TELEVISION AND ALL ON PREMISE WIRING SHALL BE PLACED UNDERGROUND IN ALL DEVELOPMENTS WHERE VISIBLE FROM STREETS OR ADJOINING PROPERTIES, UNLESS OTHERWISE APPROVED THROUGH A TECHNICAL APPEAL. (T)

RATIONALE: AN ENHANCED STREETSCAPE HELPS TO SOFTEN THE EDGE OF THE DEVELOPMENT OF A LARGER NON-RESIDENTIAL USE.

5.5. **SHADE.**

5.5.1. ALL ON-SITE PEDESTRIAN PATHWAYS SHOULD BE SHADED A MINIMUM OF 75% BY A STRUCTURE, LANDSCAPING, OR A COMBINATION OF THE TWO. (P)

5.5.2 DEDICATED MULTI-USE TRAILS ADJACENT TO THE SITE SHOULD BE SHADED A MINIMUM OF 50% AT TREE MATURITY. (P)

RATIONALE: ENHANCED PEDESTRIAN COMFORT SHOULD BE PRIORITIZED ADJACENT TO AND WITHIN DATA CENTER DEVELOPMENTS ACROSS THE CITY.

Amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards to read as follows:

Section 647. Special Permit Uses.

- A. **Permitted uses.** There shall be permitted, in addition to the uses enumerated in the several use districts, certain additional uses subject to the requirements of this section.

2. A special permit may be granted by the Council upon recommendation of the Commission to establish the following uses in the use districts named:

KK. DATA CENTERS IN THE C-2, C-3, CP/GCP, A-1 AND A-2 ZONING DISTRICTS, SUBJECT TO THE FOLLOWING **REQUIREMENTS. THE APPLICANT FOR THE SPECIAL PERMIT WILL BE REQUIRED TO COMPLY WITH ADDITIONAL STIPULATIONS OR STUDY REQUIREMENTS TO ADDRESS HEALTH AND SAFETY CONCERNS, WHICH MAY INCLUDE BUT ARE NOT LIMITED TO FIRE PROTECTION, WATER CONSUMPTION, POWER CONSUMPTION, ON-SITE ENERGY GENERATION, NOISE, AND HAZARDOUS MATERIALS, AND TO MITIGATE ADVERSE IMPACT TO EXISTING USES. FAILURE TO COMPLY WITH THE THESE REQUIREMENTS MAY BE GROUNDS FOR REVOCATION PER SECTION 504.1.C.6.b.**

- (1) THE DEVELOPMENT SHALL BE NO CLOSER THAN 2,640 FEET FROM AN APPROVED HIGH-CAPACITY TRANSIT STATION.

- (2) PRELIMINARY SITE PLAN APPROVAL WILL NOT BE GRANTED FOR A DATA CENTER UNTIL SUCH TIME THAT A LOCAL UTILITY COMPANY PROVIDES A CONTRACTUAL AGREEMENT THAT AFFIRMS ITS CAPACITY AND COMMITMENT TO SERVE THE ENERGY DEMAND FOR THE PROPOSED DATA CENTER. THE AGREEMENT FROM THE UTILITY COMPANY SHALL BE SUBMITTED TO PDD CONCURRENT WITH THE PRELIMINARY SITE PLAN.
- (3) THE FOLLOWING SHALL APPLY ~~WHEN THE SITE IS LOCATED WITHIN 300 FEET OF A RESIDENTIAL ZONING DISTRICT:~~
 - (a) PRELIMINARY SITE PLAN APPROVAL FOR A DATA CENTER SHALL NOT BE GRANTED UNLESS IT HAS BEEN DEMONSTRATED THAT THE DATA CENTER, INCLUDING ALL ON-SITE MECHANICAL EQUIPMENT AND FACILITIES, WILL NOT EXCEED **A SOUND LEVEL OF 55 DB(A) WHEN MEASURED AT THE PROPERTY LINE OF THE NEAREST RESIDENTIAL ZONING DISTRICT TO THE PROPOSED DATA CENTER PROPERTY BETWEEN THE HOURS OF 7:00 A.M. AND 10:00 P.M. AND 45 DB(A) BETWEEN THE HOURS OF 10:00 P.M. AND 7:00 A.M. THE EXISTING AMBIENT NOISE LEVEL FOR THE SITE BY MORE THAN 5% OR A SPECIFIC NOISE STANDARD MAY BE STIPULATED AS A CONDITION OF AN APPROVED SPECIAL PERMIT.**
 - (b) ~~TO DETERMINE COMPLIANCE WITH THE PRIOR SUBSECTION, THE DEVELOPER SHALL SUBMIT A NOISE STUDY TO PDD PRIOR TO OR CONCURRENT WITH THE PRELIMINARY SITE PLAN. THE NOISE STUDY SHALL BE PERFORMED BY A THIRD-PARTY ACOUSTICAL ENGINEER TO DOCUMENT BASELINE NOISE LEVELS IN THE AREA OF THE PROPOSED DATA CENTER, INCLUDING NOISE LEVELS MEASURED AT THE PROPERTY LINE OF THE NEAREST RESIDENTIAL ZONING DISTRICT TO THE PROPOSED DATA CENTER PROPERTY.~~

(c) UPON APPROVAL OF THE NOISE STUDY, THE METHODS PROPOSED TO MITIGATE NOISE SHALL BE STIPULATED AS A CONDITION OF FINAL SITE PLAN APPROVAL. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED IF THE **AMBIENT NOISE LEVELS EXCEEDS A SOUND LEVEL OF 55 DB(A) WHEN MEASURED AT THE PROPERTY LINE OF THE NEAREST RESIDENTIALLY ZONED PROPERTY TO THE PROPOSED DATA CENTER PROPERTY BETWEEN THE HOURS OF 7:00 A.M. AND 10:00 P.M. OR 45 DB(A) BETWEEN THE HOURS OF 10:00 P.M. AND 7:00 A.M. THE PRIOR EXISTING NOISE LEVEL BY MORE THAN 5% OR THE SPECIFIC NOISE STANDARD STIPULATED AS A CONDITION OF THE APPROVED SPECIAL PERMIT.**

(4) THESE REGULATIONS AND THE DESIGN GUIDELINES SET FORTH IN SECTION 507 TAB A.II.D.5., DATA CENTERS ARE NOT APPLICABLE TO DATA CENTERS WHICH HAVE RECEIVED FINAL SITE PLAN APPROVAL; OR A DATA CENTER USE THAT IS SPECIFICALLY LISTED AS A PERMITTED USE OR SPECIFICALLY DISCUSSED IN A COUNCIL ADOPTED PLANNED UNIT DEVELOPMENT NARRATIVE PRIOR TO *[THE EFFECTIVE DATE OF THIS ORDINANCE]*. OTHERWISE, THE DEVELOPMENT IS SUBJECT TO THESE REGULATIONS AND ALL APPLICABLE DESIGN GUIDELINES SET FORTH IN SECTION 507 TAB A, INCLUDING THOSE FOR SECTION II.D.5, DATA CENTERS.

Approved: _____



Alan Stephenson, Deputy City Manager

Exhibit A: Report on Health and Safety Impacts of Data Centers

Exhibit B: Draft Ordinance

HEALTH AND SAFETY IMPACTS: DATA CENTERS

2025

Report prepared by the City of Phoenix Planning and Development Department



This report provides additional information regarding GPA-2-25-Y and Z-TA-2-25. The report outlines health and safety concerns implicated by the evolution of data centers from small 5,800 square-foot office-like buildings to 48-foot-tall industrial buildings on one hundred plus acre parcels with unprecedented energy demands and on-site power generation. The report was compiled with input from the Office of Environmental Programs and the Fire, Community and Economic Development and Information Technology departments.

Growth of Phoenix, and of “Data Centers”

Phoenix continues to be one of the fastest growing cities in the country. According to the U.S. Census Bureau, Phoenix added more than 16,000 residents to its population between July 1, 2023, and July 2024 putting it in the top ten of growth for cities in the country.ⁱ

Phoenix has seen tremendous amounts of investment with this growth in a variety of industries and sectors, including data centers. Based on a review of available data there are more than a dozen existing data centers within Phoenix’s boundaries and there are six data centers in the development review process, with the Planning and Development Department as of the writing of this memo.

As noted in the staff report for Z-TA-2-25-Y, Phoenix does not define nor explicitly address data centers in the Phoenix General Plan and the Phoenix Zoning Ordinance. Historically, city staff considered some data centers as analogous to a general office, or to a telecommunications facility or “telecom hotel.” Some of these comparisons were documented by way of informal interpretations in an administrative process by city staff. However, the concept of a “data center” has changed dramatically over the years, and today’s data centers bear little resemblance to those that were built twenty, ten, or even five years ago.

The activities carried out within today’s data centers have also shifted greatly in the last few years; as described below, an AI data center is a fundamentally different land use when compared to a traditional office or to the old concept of a “telecom hotel,” and it features unique equipment and energy use patterns that create unique threats to public health and safety beyond the borders of the data center property.ⁱⁱ

Data Centers: Change in Scale, Intensity + Health and Safety Impacts

Many of the data centers in Phoenix have been built within the last decade. Within that time frame, they have increased dramatically in scale.ⁱⁱⁱ Fifteen or twenty years ago, a “data center” might fill a few thousand feet of an existing office building, without requiring significant modifications to that building. But one of the more recent data centers built near 40th Street and McDowell Road is more than 80 acres in size and requires the development of a new electrical substation. This change in the scale and intense use of electrical power has necessitated a new definition of “data center” to differentiate it from uses which can no longer be considered analogous and has created the need for new zoning standards that account for the impact this use has on surrounding properties. Given their size, energy demands, and potential desire for onsite energy generation, today’s data centers are not analogous to office uses or telecommunication facilities.

Related to their intense operations, recent incidents across the United States and the world have highlighted the health and safety challenges data centers pose to residents including, but not limited to, strains on energy and water resources, threats to the electrical grids existing users rely upon, increased emissions created by heavy energy consumption, noise, heat, and strain on public safety resources. In addition, data centers pose unique risks to first responders due to their size, sensitivity, and high concentration of batteries and electrical equipment.

Data Center Energy Demand: Significant Risks to the Electrical Grid

Projections provided by the electricity utility providers Arizona Public Service (APS) and Salt River Project (SRP) show that energy demand in the industrial sector of their service areas is anticipated to be more than 90% for data center development (Figure 1). As Phoenix and the region continue to grow, ensuring that there are sufficient energy resources to support a reliable electrical grid, especially during the hot summer months, is one of the greatest challenges facing utility companies and municipalities.

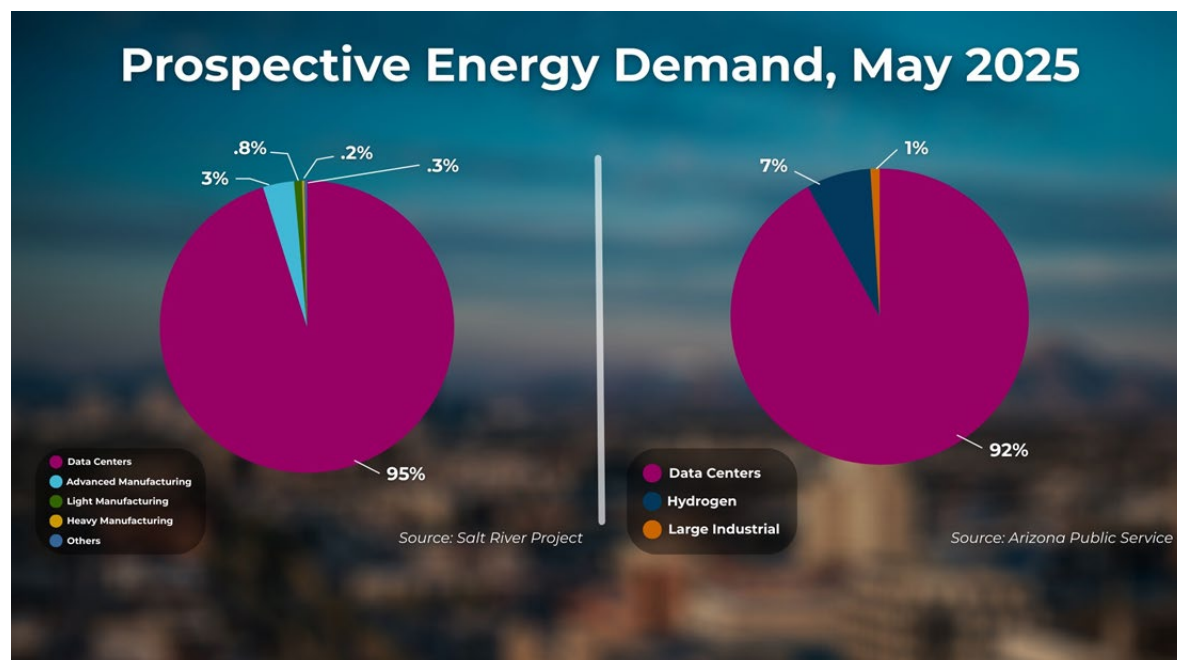


Figure 1: Projected Industrial Energy Demand

In a 2024 updated report by the Lawrence Berkeley National Laboratory, funded by the Department of Energy at the request of Congress, entitled *United States Data Center Energy Usage Report (2016)*, historical data center electrical consumption was reviewed back to 2014, and future demand was projected out to 2028. Of note, the report found that by 2018 data centers would account for 1.9% of all electricity consumption in the United States. The report found that electrical consumption grew at an accelerated rate, with annual growth at 7% from 2014 to 2018, increasing to 18% between 2018 and 2023 and projected to further increase 13%-27% between 2023 and 2028. That translates into data centers consuming 6.7% to 12% of all the electricity in the United States.^{ivv}

The projected growth in Data Centers represents an unprecedented surge in demand for electricity. The Department of Energy has predicted that data center electricity use will double or triple by 2028^{vi}. According to the Arizona Corporation Commission (ACC), Data Center electricity use has increased 67% over the last year and that figure does not include the 170-175 megawatts of product under construction as of the end of 2024.^{vii} For context, according to the ACC, 100 megawatts are enough to power several thousand homes in a day, and Arizona data centers rank 4th in the nation for electricity they consume when compared with data centers in other cities.^{viii}

APS recently indicated that it expects its peak load to jump 40% by 2031 (5 years from now). In late 2024, an APS official explained that the utility “has about 10 GW in pending interconnection requests from data centers, but the utility cannot commit to serving them because it would put existing customers at risk of having poor reliability.”^{ix}

APS provided an update on these figures in response to GPA-2-25-Y and Z-TA-2-25, and as of the date of this report it “is planning to serve 3.3GWs of power to new data center projects. In addition, we have a queue of requests from data centers for approximately 15GWs^{xi}. As APS suggests in its update, the scope of pending data center projects calls for “early-stage coordination with City departments – such as Planning and Development, Water Services, and Economic Development” to understand the demand these projects will have on the grid and “to ensure that new growth proceeds in a manner that is both technically viable and aligned with broader infrastructure capabilities.” Meanwhile, SRP is currently reviewing requests for over 17 GW of load from approximately 60 pending data center projects^{xii}.

The ACC recently opened a new matter to study the likely impacts of data centers on existing utility customers. In opening the matter, its Chairman explained: “Our utilities are currently having a challenging time meeting the generational challenges of existing customers. We need to explore potential solutions for developing behind-the-meter solutions to meet large customer needs and growth that don't jeopardize the integrity of our grid.”^{xiii xiv}

Data Center Demands on Available Land

This elevated demand for energy coincides with a corresponding increase in demand for land for data centers. If data centers are treated like regular offices, properties zoned for commercial, commerce park and industrial land uses can be developed into data centers with very few restrictions. Commercial, commerce park and industrially zoned land equate to approximately 20% of Phoenix's land area (108 square miles / 530 square miles). Of these 108 square miles, only 3% of it (17 square miles) is vacant and ready for development such as employment, health care, grocery stores or services.

As a fast-growing city, Phoenix has increasing needs for a diversity of jobs, health related services and access to healthy food. Continued unfettered build-out of data centers within Phoenix hinders the private sector market's ability to provide these resources to city residents.

Health and Heat in Phoenix (Importance of Grid Stability to the Health and Safety of Existing Residents and Land Users)

In response to increases in summertime temperatures and the number of days Phoenix experiences temperatures more than 110 degrees; the City of Phoenix established the Office of Heat Response and Mitigation in 2021. The Office coordinates programs and policies to help lower urban temperatures and protect public health. It also tracks trends, collects data, and collaborates with other governments and organizations to share ideas and solutions for dealing with heat including the development of the [Phoenix Heat Response Plan](#).

The 2025 Heat Response Plan documents the increased heat challenges and public health risks Phoenix is attempting to address including:

- *The 2024 Heat Season in Phoenix set many records with respect to the severity and duration of extreme heat conditions. The most notable records from 2024 included new all-time highs for the number of days with temperatures reaching 110°F (70) and the number of nights with temperatures failing to drop below 90°F (39).*
- *The 2024 season also set a record for the number of consecutive days with temperatures reaching at least 100°F (113). Average high and low temperatures for June, September, and October all set historical records; average low temperatures in August were also record-setting.*
- *Heat-related deaths have increased considerably in Maricopa County since 2014. Particularly large year-over-year increases were evident from 2015 to 2016 (+83%), 2019 to 2020 (+62%), and 2021 to 2022 (+25%). Another large increase is evident from 2022 to 2023, with an increase of more than 47% to the record high of 625 cases in Maricopa County that was recorded that year.*

Within this context of a growing desert city attempting to respond to the health challenges that heat poses for its residents, the added strain that an influx of data centers will place on the energy grid warrants a more strategic approach regarding where they are developed and what steps should be taken to mitigate their impact on existing users.

Phoenix is not unique in grappling with energy demand challenges posed by data centers, but a stable electric grid is especially important here because it powers air conditioning, which is essential to human life for much of the year and which places its own heavy burden on the grid. The risk to Phoenix and all cities is highlighted by research done by the North American Electric Reliability Corporation (NERC), the federal regulator for grid reliability. The NERC founded a taskforce to study electrical grid disruptions caused by data centers and crypto miners. The NERC released a report in December of 2024 that found that the risk of power outages will only grow as new data centers come online. Nearly all the United States will face higher risks of energy shortfalls over the next 5 to 10 years, according to the report^{xv}.

The data center threat to grid stability and to existing power users is not simply a matter of total demand. In addition to their unparalleled energy appetite, data centers further stress the grid with inconsistent flow patterns and short bursts of high usage.^{xvi} This phenomenon is especially pronounced with data centers that support AI, which produce unpredictable

energy spikes and which “are being built faster than grid upgrades can keep up.”^{xvii} These spikes can lead to immediate grid failures, but they can also cause “bad harmonics” that degrade the lifespan of connected electrical equipment including home appliances, can lead to sparks and home fires, and can eventually lead to grid blackouts as effects compound and escalate.^{xviii} These effects have been observed in other jurisdictions, including Loudoun County, Virginia, where bad harmonic readings have been reported to reach four times the national average.^{xix} These are direct negative impacts on existing users of all types, so expectations of large-scale intermittent power use must be identified and addressed on the front end in order to mitigate major adverse consequences on public health and safety.

Onsite Power Generation and Emissions

One of the data center industry’s responses to the power demand their facilities are placing on the electrical grid is to try to go it alone by establishing onsite power generation independent of the grid. This response has been seen in Arizona, where utilities, utility regulators, and the state legislature have all publicly called for “on-site” or “behind-the-meter” generation to help ease the impact data centers have on our electric grid. ACC Chairman Thompson recently stated that “we need to explore potential solutions for developing behind-the-meter solutions to meet large customer needs and growth that don’t jeopardize the integrity of our grid.”

The utilization of onsite power generation poses numerous challenges including potentially unregulated and independent power generation without state or federal oversight; establishing power generating plants in neighborhoods, with all the related impacts to residents; environmental impacts from air and water emissions, depending how the energy is generated; the unknown impacts to an existing electrical grid in the event onsite power generation fails and data centers revert to their backup power all at once. As an example, power companies in Virginia had to scramble during the summer of 2024 when 60 of the area’s 200 data centers out of Washington D.C. came off the grid and started using backup power all at once, nearly setting off a series of rolling blackouts.^{xx}

In 2024, the company xAI opened a data center in southwest Memphis, Tennessee. The facility had negotiated an agreement with the public utility, Memphis Light, Gas and Water, to draw 150 megawatts of power from the local grid. This was the amount the utility had determined it could safely provide without affecting the availability and reliability of power for existing users – but it was not enough to fully power the data center, which has applied for an additional 150 megawatts. While its request for additional grid power was pending, xAI is reported to have installed 35 gas-powered generators on its property. These generators ignited significant concern and opposition from the surrounding community and from environmental and health advocacy groups, which cited to the potential human health and air-quality consequences of what a local lawmaker described as a “gas plant in the middle of a neighborhood.”^{xxi}

This experience highlights the need to understand where a data center will receive its power. A data center that produces its own power – either permanently or while a local utility is ramping up its generating capacity – presents different health and safety considerations than a data center that gets all its power from a public utility, and large-scale on-site power production may not be compatible with existing residential or other uses. Even when a data center can be fully powered by the local utility, it may need a new substation or the installation of new high-capacity transmission lines, and the impact of such infrastructure on existing nearby uses should be understood.

The power source for backup and onsite power generation of many data centers is a diesel generator.^{xxii} As noted by the Washington Department of Ecology in analyzing data centers' use of diesel power generation:

- *Diesel exhaust is a toxic air pollutant, containing fine particles that can cause health problems for people who are exposed frequently and at high enough levels. These tiny particles are too small to be filtered out of the air by the nose and upper respiratory system. The particles go deep into the lungs, where they can cause damage and chemical changes.*
- *Nitrogen dioxide (NO₂) is another toxic air pollutant that can cause breathing problems even when you're exposed for a short time, from 30 minutes to 24 hours. Nitrogen dioxide can make breathing harder for people who already have lung problems, such as asthma. It also adds to acid rain and smog^{xxiii}.*

Nuclear energy has been identified as a dedicated power source for data centers^{xxiv}. Amazon, Microsoft, Google and Meta are investing in nuclear power to provide power for their data center needs. These may include “small modular reactors” which are small, cost-effective sources when compared to the traditionally large (and very expensive) nuclear power plants most people are familiar with^{xxv}. The Georgetown Environmental Law Review Online (February 27, 2025) reports that the Virginia legislature adopted a statutory scheme to incentivize nuclear power to meet growing energy needs of artificial intelligence (AI) from a zero-carbon, climate friendly, renewable source.^{xxvi}

Onsite nuclear power generation has gained enough support in Arizona that a bill to support it was approved by the state legislature in its current session. HB 2774, which received support from all three of the State's largest electric utilities but was ultimately vetoed by the Governor, encouraged “small modular nuclear reactors” to “collocate” with data centers by exempting collocated reactors from the requirement to obtain an environmental compatibility certificate. The specter of small, loosely regulated nuclear power plants popping up everywhere to meet the accelerating demand for energy is further proof that the location of a new data center must be carefully considered, and this consideration must account for the data center's expected power sources. As state authorities encourage data centers to include major power generation facilities, it becomes increasingly important to carefully consider the locations of such data centers.

Data Center Water Usage

While much of the attention regarding the resource demands of data centers has focused on electricity, water resources are an area that still must be factored into their evaluation. Data center water usage has improved in recent years due to changes in the cooling methodology used, but recent studies suggest that water savings come at the cost of increased electricity use and point to the industry continuing to need larger amounts of water^{xxvii}. For desert cities and water providers like Phoenix, the ability to properly evaluate and regulate data center water usage is paramount for the City's survival.

Data Centers and Fire Safety

Data centers represent a new and challenging service area for firefighters. According to the International Association of Fire Fighters the growing presence of data centers requires specialized training, lots of planning and close cooperation with on-site security and engineering teams at these new sites^{xxviii}.

The City of Phoenix Fire Department has noted the following challenges with data centers:

- Fires in data centers can produce vast quantities of dense, corrosive smoke, which contains known carcinogens. Visibility may become nearly impossible, and when combined with unfamiliar building configurations, the prospect of disorientation is clear. Often, even a small fire isolated by the building's fire protection systems is a high-risk and long-duration incident for responding firefighters.
- Two physical hazards in large data centers, which are generally not present to the same intensity as other occupancies, are large lithium-ion batteries and electrical power.
- Lithium-ion batteries contain volatile electrolytes that can release flammable gases when exposed to high temperatures or physical damage.
- If a battery generates more heat than it can dissipate for any reason, it can lead to rapid and uncontrolled heat releases, resulting in a fire (thermal runaway). In many instances, fire sprinkler systems prevent fire spread, but cannot extinguish.
- Accidental battery overcharging can lead to fires.
- Batteries can be ejected from their casing during a fire, potentially spreading the fire or causing secondary ignitions.
- Burning batteries release toxic chemicals into the air.
- Due to the large amounts of energy required, electrical distribution and fires involving electrical components are another possibility. Firefighters must be familiar with the power disconnect procedures and the vast electrical hazards of large data centers.
- Fire incidents in large data centers can necessitate using large volumes of water to bring the fire under control, and contaminated runoff is an additional concern. This runoff may contaminate surrounding soil and could get into the city's storm drain system and impact land miles away from the actual location.
- Fires involving lithium-ion batteries also release toxic heavy metal particulates, requiring specialized decontamination of firefighter personal protective equipment.

Advanced review of proposed data centers would provide an opportunity for the Phoenix Fire Department to provide critical insight into the proposed location, design and operation of future data centers. That review will include an assessment of existing resources available to serve the proposed data center location. Fire resources are not evenly distributed throughout the City, and in some cases the City may need to invest in new infrastructure, equipment, or resources to ensure its ability to serve new data center developments, or to serve new data center developments without leaving existing users unprotected. This analysis will be especially important when large data centers replace farmland, or other much lower intensity uses (and such replacements have become increasingly common).

The Phoenix Fire Department works with other emergent technologies to address fire safety concerns and to ensure safety for building occupants, the surrounding public, and responding fire crews. As a contribution to this report, the Department wrote that it “is fully committed to understanding new technologies and the associated evolution of our fire protection efforts (i.e., fire suppression, prevention, and public education). We are a recognized industry leader in this space and a couple examples include lithium-ion batteries and energy storage systems, large warehouses, semiconductors, photovoltaics, electric, hybrid vehicles, etc.” The Department shared several examples of its specialized preparation for fires caused by other specialized land uses; those examples were consulted for this report, and several can be accessed in the references section.

Fire Department review will also ensure compliance with the Phoenix Fire Code and industry best practices and will allow the Fire Department to learn about and prepare for the specific energy generation and storage equipment that will be present in a new data center. Energy storage technologies continue to rapidly evolve, and that makes this level of review critical to ensure that fire crews have equipment or techniques required based on the design and chemistry of such equipment. Without the opportunity to prepare for these new risks, the chance of a fire ignited by batteries or other electrical equipment spreading beyond a data center’s walls to harm those on nearby properties will be greatly increased.

Data Center Security and Public Safety

According to a recent analysis by the Information Technology Department, data centers are high-value investments and sometimes high-value targets, which may attract threats from foreign actors who seek to disrupt data centers for espionage or sabotage, or to access them for sabotage, disruption, or to exfiltrate valuable information. Considering the size and cost of today’s data centers, the high profile of many data center owners, and the vast quantities of data stored within a single data center, this risk assessment should not come as a surprise. The sophistication and frequency of these attacks, including from foreign locations, has increased. As more data centers come online in the region, a complex challenge emerges that requires federal partnerships, strict resource management, and increased regional costs in cyber resilience and protection to ensure community safety and sustainability. Phoenix has already seen significant incidents targeting major industrial

facilities, and future data centers storing highly valuable commercial information, or information related to national defense and security, may face even greater risks. The location of this kind of sensitive data center should be carefully considered to protect existing users and to ensure that adequate public safety resources are available in the relevant area.

Access to Healthcare Services

As one of the largest and fastest growing cities in the country the City of Phoenix has made providing residents with access to life-saving health care services one of its highest priorities. To that end, the City recently partnered with Arizona State University and the Arizona Board of Regents to establish a new medical school in downtown Phoenix to be opened in 2028.

While there is excitement about the new medical school and the progress it will position Phoenix and the state to make, there are active areas of need in the health care sector in Phoenix. Some areas in Phoenix are considered a Health Professional Shortage Area (HPSA). A HPSA is a geographic area, population, or facility that has a substantial shortage of primary, dental, or mental health care providers designated by the Health Resources & Services Administration. For example, in Phoenix's Laveen Village, there are 12 HPSA areas and in the South Mountain Village there are 24 HPSA areas. In addition, the Laveen and South Mountain villages do not have a Level 1 Trauma Center as defined by the Arizona Department of Health Services. Laveen and South Mountain are home to some of the largest areas where data centers could concentrate, preventing other development that could serve the surrounding community. Without an updated zoning framework, it will be nearly impossible to ensure that there will be any available land for a hospital or other medical services in these villages.

Access to Healthy Food

The Laveen and South Mountain villages also highlight challenges Phoenix faces in ensuring its residents have access to healthy food. In 2020 the Phoenix City Council adopted the [2025 Food Action Plan](#) to establish goals, policies and strategies to achieve a robust and healthy food system for Phoenix residents.

The Food Action Plan analyzes the challenges Phoenix faces in achieving its envisioned food system. According to the report, there are 55 food deserts in Maricopa County, and there are 43 food deserts in Phoenix that amount to nearly half of Phoenix's populated area. The Plan identifies the South Mountain, Laveen and Maryvale villages in Phoenix as areas most impacted by food deserts.

Like the challenges in ensuring there is enough land area to provide the necessary health services to residents, Phoenix has a decreasing amount of available land for grocery stores. Preserving opportunities for access to healthy food, especially in areas that have been identified as food deserts, is critical for protecting the health of Phoenix residents. Allowing data centers to uncontrollably fill in and concentrate in these areas would run counter to the Phoenix's Food Action Plan and frustrate plans to address food deserts.

Data Center Noise Pollution

One common detrimental health and safety consequence of data centers, which has been discussed during the public hearing process for Z-TA-2-25, has been noise. While there has been some debate regarding the minimum standards and methodology the city should employ, there has been little pushback on the notion that data centers do generate significant noise with significant impacts to neighboring properties.

Data centers contribute to noise pollution due to the equipment inside making noise as it operates.^{xxix} Noise around areas of data centers can reach up to 92 dB(A) for sites with greater densities of equipment, and up to 96 dB(A) inside.^{xxx} The National Institute for Occupational Safety and Health (NIOSH) threshold for requiring hearing protection is 85 dB(A) over an eight-hour period. As a result, people working in data centers and people residing in neighborhoods around them may be impacted by noise pollution.

Constant humming and buzzing noises in nearby neighborhoods may have adverse health impacts including headache, stress, and sleep disturbance^{xxxi}. Poor quality sleep and stress can also contribute to cognitive impairment and cardiovascular risks.

With more information regarding noise generated by data centers becoming available, providing a regulatory framework that ensures that they are not located near residents will help protect the health and well-being of Phoenix residents.

Regulatory Framework: Not a Ban

The City does not have any plan or desire to enact a ban on data centers, and many data center projects may be warmly welcomed. However, a Special Permit requirement, like the requirement applicable to a self-storage warehouse in the city's commercial zoning districts, would be a vehicle to help contain or mitigate the health and safety impact data centers have on nearby users. The Phoenix City Council has approved dozens of Special Permits for self-storage and car dealerships in the last 10 years and may well approve a similar number of new data centers once health and safety challenges have been adequately addressed.

The Special Permit Process: Response to Years of Council-Adopted Policy + A Collaborative Framework for the Future

The policy and regulatory framework proposed in GPA-2-25-Y and Z-TA-2-25 position Phoenix to employ a holistic approach to the development of today's "data centers," which bear so little resemblance to the land uses that once used that same name. This new policy and regulatory framework are focused on protecting public health and safety from threats that easily cross the boundaries of a data center property, including fire, power disruption, and heat, noise, air, and wastewater pollution, and they respond to several existing City Council adopted policies including the Food Action Plan and Phoenix Heat Response Plan. The Special Permit process provides opportunities for city staff to evaluate proposed data center facilities and ensure that the location, design, site and operational features take into consideration the health and safety needs of the community. The requirements for agreements with electric utility providers will help the City understand the level of on-site

generation, high-voltage transmission, or other infrastructure that is being approved, and to evaluate the likely impact of such infrastructure on the health and safety of existing nearby users.

The Special Permit process will also allow the City to assess the adequacy of public safety resources near the data center, to assess the likely impact of the data center's operation on those resources, and to determine whether additional resources will need to be developed or deployed. The Special Permit provides an opportunity for landowners, data center developers, city staff, neighbors and the Phoenix City Council to collaborate and ensure that new investments in data centers are strategically located within the city limits, and serve the best interests of the City, neighbors, and the data center developer.

ⁱ <https://www.census.gov/newsroom/press-releases/2025/vintage-2024-poest.html>

ⁱⁱ <https://www.forbes.com/sites/rpapier/2025/03/26/how-ai-data-centers-are-reshaping-americas-electric-grid/>

ⁱⁱⁱ See Report by the International Energy Administration (<https://iea.blob.core.windows.net/assets/40a4db21-2225-42f0-8a07-addcc2ea86b3/EnergyandAI.pdf>): "Data centres – at least at the scale seen today – are relatively new actors in the energy system at the global level, and data collection and reporting on their electricity consumption remain limited."

^{iv} <https://escholarship.org/uc/item/32d6m0d1#page=50>

^v <https://www.eesi.org/articles/view/data-center-energy-needs-are-upending-power-grids-and-threatening-the-climate> (see section "Data Centers as a Paradigm Shift in the Electricity Sector")

^{vi} <https://www.energy.gov/articles/doe-releases-new-report-evaluating-increase-electricity-demand-data-centers>

^{vii} <https://ktar.com/arizona-business/acc-protect-payers-energy/5693869/>

^{viii} <https://ktar.com/arizona-business/acc-protect-payers-energy/5693869/>

^{ix} <https://www.utilitydive.com/news/data-center-grid-reliability-residential-cost-aps-load-growth/732480/>

^x ACC Chairman Kevin Thompson recently noted "it took Arizona Public Service about a century to build a grid that meets the 8,400 megawatts demand it has now," and that the utility will have to "double or triple their current grid capacity in a very short time to meet anticipated demand." (<https://ktar.com/arizona-business/acc-protect-payers-energy/5693869/>)

^{xi} APS Letter dated June 25, 2025 (attachment A)

^{xii} SRP Letter dated June 26, 2025 (Attachment B)

^{xiii} ACC Chairman Kevin Thompson, April 10, 2025 statement upon opening "In the Matter of the Commission's Inquiry and Review of the Existing Rate Classifications and other Potential Issues relating to Data Centers" (Docket No. E-00000A-25-0069).

^{xiv} This closely tracks a recent statement by Virginia State Corporation Chair Jehmal Hudson, who has been quoted stating: "When it comes to adding transmission and generation capacity, we're trying to make a determination: how can we fulfill those needs to data centers, but also keep the lights on in the commonwealth?" (<https://www.utilitydive.com/news/data-center-grid-reliability-residential-cost-aps-load-growth/732480/>)

^{xv} <https://www.reuters.com/technology/big-techs-data-center-boom-poses-new-risk-us-grid-operators-2025-03-19/#:~:text=%22What%20it%20tells%20us%20is,U.S.%20Federal%20Energy%20Regulatory%20Commission.>

^{xvi} <https://www.rcrwireless.com/20250417/fundamentals/ai-infra-energy-spikes>

^{xvii} <https://carboncredits.com/ais-energy-hunger-is-straining-americas-power-grids-and-your-home-appliances/>; the impacts of AI are so significant that one researcher describes AI as "a big hammer" on the grid (<https://www.datacenterdynamics.com/en/news/ai-data-centers-causing-distortions-in-us-power-grid-bloomberg/>)

^{xviii} <https://www.datacenterdynamics.com/en/news/ai-data-centers-causing-distortions-in-us-power-grid-bloomberg/>; and <https://carboncredits.com/ais-energy-hunger-is-straining-americas-power-grids-and-your-home-appliances/>

- ^{xix} <https://www.datacenterdynamics.com/en/news/ai-data-centers-causing-distortions-in-us-power-grid-bloomberg/>
- ^{xx} <https://www.reuters.com/technology/big-techs-data-center-boom-poses-new-risk-us-grid-operators-2025-03-19/>
- ^{xxi} <https://amp.cnn.com/cnn/2025/05/19/climate/xai-musk-memphis-turbines-pollution>
- ^{xxii} <https://www.microgridknowledge.com/distributed-energy/article/11427459/why-do-data-center-operators-choose-diesel-backup-over-cleaner-microgrids>
- ^{xxiii} <https://ecology.wa.gov/air-climate/air-quality/data-centers#:~:text=Air%20pollution%20from%20data%20centers,can%20be%20built%20or%20expanded.>
- ^{xxiv} <https://www.eia.gov/todayinenergy/detail.php?id=63304#:~:text=Although%20historically%20costly%20to%20build,us%20about%20data%20center%20demand?>
- ^{xxv} <https://www.youtube.com/watch?v=58zHJL1dKtw>
- ^{xxvi} *Going Nuclear: Virginia's Answer to the Intensive Energy Needs of Artificial Intelligence Data Center*, Georgetown Environmental Law Review Online, February 27, 2025, Sarah Bosworth.
- ^{xxvii} <https://www.bloomberg.com/graphics/2025-ai-impacts-data-centers-water-data/>; see also https://www.sciencedirect.com/science/article/abs/pii/S0921344922000428?fr=RR-2&ref=pdf_download&rr=94ff2af6fb1341c (describing the “trade-off between water and energy consumption” in data center design, by analyzing two Phoenix data centers served by SRP and identifying unique challenges presented by our “hot-dry climate.”)
- ^{xxviii} <https://www.iaff.org/news/data-centers-are-booming-and-fire-fighters-must-adapt-to-new-challenges/>
- ^{xxix} <https://www.datacenterknowledge.com/sustainability/why-data-centers-are-loud-and-how-to-quiet-them-down>
- ^{xxx} <https://www.sensear.com/blog/data-centers-arent-loud-right>
- ^{xxxi} <https://www.techtarget.com/searchdatacenter/tip/Understanding-the-impact-of-data-center-noise-pollution>

Fire Department References:

- [Data-Driven Fire Operations - Firefighting - Fire Engineering](#)
- [Lithium-Ion Batteries, Fire Investigations, and Keeping Pace with Emerging Technologies - BESS](#)
- [The Impact of Solar Energy on Firefighting](#)
- [FPRF FireFitherSafety.pdf](#)
- [EVTrainingEmergencyResponders.pdf](#)

Attachment A: Letter from APS dated June 25, 2025

Attachment B: Letter from SRP dated June 26, 2025

Attachment A: June 25, 2015 letter from APS



June 25, 2015

City of Phoenix

Office of Mayor Kate Gallego
CC: Members of City Council
200 W. Washington Street
Phoenix, AZ 85003

Dear Mayor Gallego and Members of the Phoenix City Council,

As the state's largest electric utility, Arizona Public Service (APS) remains committed to maintaining clear and coordinated communication with the City of Phoenix as we work to meet the growing energy needs of the region.

We are aware of the increased activity and interest in large-scale data center development across the Phoenix area and the state. APS is working to ensure that power for data centers is not provided at the expense of grid reliability or at the expense of existing customers. In fact, in our recently filed rate case we proposed new cost-allocation methodologies to ensure that fast growing customer classes, like data centers and other high-load factor customers, are directly responsible for paying the costs caused by their growth.

As of today, APS is planning to serve 3.3GWs of power to new data center projects. In addition, we have a queue of requests from data centers for approximately 15GWs. These facilities present significant and often complex impacts on local energy infrastructure, land use, and long-term system planning. APS continues to assess each service request based on technical requirements, system capacity, and overall grid reliability. While we strive to support economic development in all sectors, doing so responsibly requires proactive engagement and data sharing from local jurisdictions. Early-stage coordination with City departments—such as Planning and Development, Water Services, and Economic Development—is essential to understanding the full scope of demand that new projects may place on our system.

We appreciate the opportunity to continue working with the city to ensure that new growth proceeds in a manner that is both technically viable and aligned with broader infrastructure capabilities.

Sincerely,

Ashton Futral-Princell

Ashton Futral-Princell
APS Public Affairs
Email: Ashton.Futral@Pinnaclewest.com

Attachment B: June 26, 205 letter from SRP

June 26, 2025

The Honorable Kate Gallego
Mayor of Phoenix
200 W Washington Street
Phoenix, AZ 85003

RE: Ordinance Adoption - Data Centers - Z-TA-2-25-Y

Dear Mayor Gallego,

The unprecedented growth seen across the nation in the power industry, including data centers, will require a complete transformation of our power system.

This letter serves to address your request for an outline of current data center projects within the SRP service territory. SRP currently has approximately sixty data center projects in our pipeline. Collectively, these projects represent over 17 GW of requested load.

The projects fall into two categories:

1. Prospective sites under evaluation, and
2. Customer-submitted sites that are actively progressing through our process, which includes stages such as study, conceptual design, detailed design, and construction.

Excluding potential future expansion requests from existing sites, we are currently managing 3.1 GW of load requests from fourteen (14) projects/customers, within the City of Phoenix. These requests are in various stages of our process, ranging from initial study reviews to active construction.

SRP continues our commitment to meet the needs of all our customers, despite regulatory and supply chain challenges, to ensure there is sufficient power capacity well into the future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patricia DiRoss", is placed over a light blue rectangular background.

Patricia DiRoss
Sr. Local Government Affairs Representative
Salt River Project

EXHIBIT B

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

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING CHAPTER 2, SECTION 202 (DEFINITIONS) TO ADD A DEFINITION FOR DATA CENTERS; AMENDING CHAPTER 5, SECTION 507 TAB A.II.D (GUIDELINES FOR DESIGN REVIEW, CITY-WIDE DESIGN REVIEW GUIDELINES, SPECIALIZED USES) TO MODIFY THE SECTION TITLE AND ADD DESIGN STANDARDS FOR DATA CENTERS; AND AMENDING CHAPTER 6, SECTION 647 (SPECIAL PERMIT USES), SECTION 647.A.2 TO ADD DATA CENTERS WITHIN THE C-2 (INTERMEDIATE COMMERCIAL), C-3 (GENERAL COMMERCIAL), CP/GCP (COMMERCE PARK/GENERAL COMMERCE PARK), A-1 (LIGHT INDUSTRIAL), AND A-2 (INDUSTRIAL) ZONING DISTRICTS, WITH A SPECIAL PERMIT AND PERFORMANCE STANDARDS.

WHEREAS, the City of Phoenix (the “City”) is in the top 10 of fastest growing cities in the country, adding over 16,000 residents between July 1, 2023, and July 1, 2024; and

WHEREAS, while managing this population growth, the City is seeing ever-increasing interest in data centers; and

WHEREAS, today’s data centers are typically very large and intense uses, with some data centers being more than 90 acres in size and often require a new electrical substation or other significant new infrastructure; and

WHEREAS, the activities carried out within today’s data centers have also shifted greatly in the last few years; and AI data centers are fundamentally different land uses when compared to an office or the outdated concept of a “telecom hotel.” Today’s data centers, and AI data centers in particular, feature unique equipment and energy use patterns that create unique threats to public health and safety beyond the borders of their properties; and

WHEREAS, the proliferation of data centers within certain areas of the City may result in adverse impacts on local neighborhoods and other existing uses; and

WHEREAS, there is convincing documented evidence that data centers pose risks to public health, and safety, including, but not limited to, potential negative impacts to the availability and reliability of power for neighboring properties because of significant, and

sometimes erratic, data center power consumption, potential air quality degradation and adverse noise impacts from onsite power generation, increased fire danger and response challenges, and potential adverse effects from typical operational noise, all of which extend beyond the boundaries of a data center property; and

WHEREAS, because of the potential public health and safety impacts, land use considerations for data centers require individualized analysis; and

WHEREAS, the City Council desires to avoid outright bans on data centers in most zoning districts and prefers to utilize the special permit process to ensure data centers comply with reasonable land use standards designed to address public health and safety concerns and to minimize negative secondary effects to the neighborhoods, businesses and residents around data centers, while still providing for opportunities for data centers at various locations within the City; and

WHEREAS, when evaluating the negative secondary effects of data centers, the City is permitted to consider the impacts on health and safety that have been experienced in other urban areas; and

WHEREAS, the City has compiled substantial data from other urban areas relating to negative secondary effects of data centers on surrounding neighborhoods, along with the findings and research previously conducted by its staff and consultants, in a report entitled *“Health and Safety Impacts: Data Centers 2025”* (the “Health and Safety Report”), which has been provided to and reviewed by the City Council, and is the primary impetus for its adoption of this ordinance; and

WHEREAS, the City Council has determined this ordinance is necessary to address the health and safety challenges associated with data centers, including (i) risks to the public health and safety in the communities in which they are located, (ii) unique firefighting challenges, (iii) adverse environmental impacts to air, land, and water, (iv) extensive water usage, (v) noise pollution, (vi) significant energy demand, (vii) land use challenges, including a loss of land for jobs and housing, inactive frontages along public streets, and (viii) conflicts with the City’s approach of maximizing transportation investments with walkable communities.

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

SECTION 1: Purpose.

It is the purpose of this ordinance to (i) provide a process to review, monitor, and regulate data centers to ensure that the negative secondary effects of data centers do not adversely impact the health and safety of the residents of the City, and (ii) establish reasonable and uniform regulations to prevent and mitigate such adverse impacts (existing and potential) to residents, neighborhoods, and the City as a whole. This

ordinance is not intended to ban data centers in most zoning districts, nor is it intended to discourage location of data centers in the City of Phoenix.

The special permit regulatory framework employs a holistic approach to data center development and provides opportunities for City staff to evaluate the health and safety needs of the community and to ensure that the health and safety consequences associated with the location, design, site and operational features are taken into consideration. In addition to the traditional site-related considerations, the City has determined it is necessary to require evidence of agreements with electric utility providers to ensure the local community will not be negatively impacted or imperiled by demands on the power infrastructure created by the data center, or by on-site power generating facilities that are incompatible with the health and safety of the existing residents. The special permit provides an opportunity for landowners, data center developers, City staff, neighbors and the Phoenix City Council to collaborate and ensure that new investments in data centers are strategically located in appropriate areas of the City and serve the best interests of the City, the neighbors, and the data center developer.

SECTION 2: Findings.

Studies, news articles, research articles, industry publications, relevant data, input from experts and consultants, and the review of the operations and impact of data center sites in other locations including, but not limited to, Phoenix, Mesa, Los Angeles, Memphis, Houston, Lincoln, Nebraska, Boston, Ogden, Utah, Seattle, Virginia, and overseas locations including South Korea, Belgium, Indonesia, Strasbourg, Milan, Belfast, and Madrid were gathered and reviewed. The results have been summarized, with links to the source data, in the Health and Safety Report. Upon review of the Health and Safety Report, and the source materials as deemed necessary, the City Council make the following findings:

1. Increase in Size, Scale, Number and Power Usage. Phoenix is a desirable location for data centers due to its favorable climate. Within the last decade, data centers have increased dramatically in scale, becoming intense users of land and local resources. This change in the scale and intense use of electrical power has necessitated a new definition of “data center” to differentiate it from uses that can no longer be considered analogous and has created the need for new zoning standards that account for the impacts data centers have on surrounding properties. Related to their intense operations, recent incidents across the United States and the world have highlighted the health and safety challenges data centers pose to residents including, but not limited to, strains on energy and water resources, threats to the electrical grids existing users rely upon, increased emissions created by heavy energy consumption, noise, heat, and on-site generating facilities and strain on public safety resources. In addition, data centers pose unique risks to first responders due to their size, sensitivity, and high concentration of batteries and electrical equipment.
 - a) Significant Power consumption. Arizona Public Service (“APS”) and Salt River Project (“SRP”) anticipate that more than 90% of the energy demand in the

industrial sector of their service areas is related to data center development. The projected growth in data centers represents an unprecedented surge in demand for electricity. The Department of Energy has predicted that data center electricity use will double or triple by 2028. The special permit process, and in particular the requirement for the City Council to fully understand how power will be provided to meet the data center needs, is designed to ensure that the data center is proposed for a location with appropriate infrastructure, that an appropriate plan has been developed to construct that infrastructure, and that gap-bridging on-site infrastructure will not endanger existing nearby users.

- b) Potential to Destabilize Local Power Grid. As Phoenix and the region continue to grow, ensuring that there are sufficient energy resources to support a reliable electrical grid, especially during the hot summer months, is one of the greatest challenges facing utility companies and municipalities. The risk to Phoenix is highlighted by research done by the North American Electric Reliability Corporation (“NERC”), the federal regulator for grid reliability. The NERC founded a taskforce to study electrical grid disruptions caused by data centers and crypto miners. The NERC released a report in December of 2024 that found that the risk of power outages will only grow as new data centers come online. Nearly all the United States will face higher risks of energy shortfalls over the next 5 to 10 years, according to the report. Understanding a data center’s power usage, needs, and plans for providing that power, is an essential part of the special permit process, which is necessary to ensure that the introduction of a data center to an area does not imperil critical power reliability for nearby residents and businesses.

The data center threat to grid stability and to existing power users is not simply a matter of total demand. In addition to their unparalleled energy appetite, data centers further stress the grid with inconsistent flow patterns and short bursts of high usage. These consequences are especially pronounced with data centers that support AI, which produce unpredictable energy spikes. These spikes can lead to immediate grid failures, but they can also cause “bad harmonics” that degrade the lifespan of connected electrical equipment including home appliances, can lead to sparks and home fires, and can eventually lead to grid blackouts as effects compound and escalate. These effects have been observed in many places, including Loudoun County, Virginia, where bad harmonic readings have been reported to reach four times the average rate. These are direct negative impacts on existing users of all types, so expectations of large-scale intermittent power use should be addressed on the front end to mitigate major consequences on public health and safety.

- c) Onsite Power Generation. SRP and APS are anticipating unprecedented additional demand for power related to data centers. APS expects its peak load to jump 40% by 2031. APS officials have recently explained that the utility has more pending interconnection requests from data centers than it can fulfill without putting existing customers at risk of having poor reliability, and recent proceedings before the Arizona Corporation Commission have revealed support for developing

“behind the meter solutions” for data center power. The lack of power from the electrical grid will place additional pressure on data centers to produce their power on-site. During the 2025 legislative session, the Arizona legislature approved HB 2774 (vetoed by the Governor but supported by the State’s three largest utilities), which incentivized small nuclear reactors that collocate with large industrial users by eliminating the requirements for collocated reactors to receive environmental compatibility certificates. As detailed in the Health and Safety Report, in Memphis, Tennessee, a large data center utilized 35 gas-powered generators for on-site power generation in response to a lack of available power from the local power company. HB 2774 and the examples from other jurisdictions highlight the need for the City Council to ensure that the methods of power generation are closely evaluated (through the special permit process) to ensure the health and safety of neighboring residents and businesses are not adversely impacted.

2. Limited available land employment generators; health care; and grocery stores. Of the land zoned commercial, commerce park and industrially zoned, only 3% of it is vacant and ready for development such as employment, health care, grocery stores or services. Phoenix has increasing needs for a diversity of jobs, health related services and access to healthy food. Continued unfettered build-out of data centers within the City hinder the private sector market’s ability to provide these resources to Phoenix residents. Phoenix has Health Professional Shortage Areas (“HPSA”), which are geographic areas that have a substantial shortage of primary, dental, or mental health care providers and food deserts. In Phoenix’s Laveen Village there are 12 HPSA areas and in the South Mountain Village there are 24 HPSA areas.

There are food deserts in Phoenix. The City of Phoenix has adopted a 2025 Food Action Plan which analyzes the challenges residents face in achieving a healthy and robust food system. Data centers contribute to the decreasing amount of land area available to provide the necessary health services to residents, including grocery stores. Preserving and opportunities for access to healthy food, especially in areas that have been identified as food deserts, is critical in protecting the health of Phoenix residents. The special permit process allows the City Council to evaluate the impact of a proposed data center on health services for an area.

3. Water usage. While Data center water usage has improved in recent years due to changes in the cooling methodology used, these technologies tend to require larger amounts of power and recent studies point to the industry continuing to need larger amounts of water. Additionally, for desert cities and water providers like Phoenix, the ability to properly evaluate and regulate data center water usage is paramount for the City’s survival.
4. Fire Safety. Data centers represent a new and challenging service area for firefighters. According to the International Association of Fire Fighters the growing presence of data centers requires specialized training, considerable planning, and close cooperation with on-site security and engineering teams at these new sites. As detailed in the Public Safety Report, data centers have components that are typically

not present at the same scale and intensity in other occupancies of a similar size. The proposed special permit process for data centers will provide an opportunity for the Phoenix Fire Department to provide critical insight into the proposed location, design and operation of future data centers. That review will include an assessment of existing resources available to serve the proposed data center location. Fire resources are not evenly distributed throughout the City, and in some cases the City may need to invest in new infrastructure, equipment, or resources to ensure its ability to serve new data center developments, or to serve new data center developments without leaving existing residents and businesses unprotected. This analysis will be especially important when large data centers replace farmland or other much lower intensity uses.

Fire Department review will also ensure compliance with the Phoenix Fire Code and industry best practices, and will allow the Fire Department to learn about and prepare for the specific energy generation and storage equipment that will be present on-site. Energy storage technologies continue to rapidly evolve, and that makes this level of review critical to ensure that fire crews have equipment or techniques required based on the design and chemistry of such equipment. Without advance knowledge, the chance of a fire sparked by large batteries or other electrical equipment spreading beyond a data center's walls to harm those on nearby property will be greatly increased.

5. Noise. Noise around areas of data centers can reach up to 92 dB(A) for sites with greater densities of equipment, and up to 96 dB(A) inside. The National Institute for Occupational Safety and Health (NIOSH) threshold for requiring hearing protection is 85 dB(A) over an eight-hour period. These constant humming and buzzing noises may have adverse health impacts in nearby neighborhoods including headache, stress, and sleep disturbance. Poor quality sleep and stress can also contribute to cognitive impairment and cardiovascular risks. The special permit process will allow the City to evaluate potential noise impacts to the surrounding areas to ensure that neighboring residents and businesses are not negatively impacted by unreasonable noise from the introduction of a data center to the area.
6. Holistic Review of Health and Safety. In addition to the key concerns enumerated here, other jurisdictions have experienced other health and safety challenges including heat, noise, air, and stormwater pollution. Furthermore, as the quantity, value, and sensitivity of the data stored in today's data centers continues to increase, these facilities become increasingly sensitive and generate security issues that can affect nearby users and the sufficiency of public safety resources. Given the rapid pace of evolution in data center size, equipment, power usage, and activities, a holistic review of new data center projects is required to ensure that they are located and designed with consideration for the many well-documented, and therefore predictable, consequences to the health and safety of existing residents and land users.

SECTION 3: The Code of the City of Phoenix, Chapter 2, Section 202 (Definitions) to hereby amended to add a definition for "Data Centers" to read as follows:

Section 202. Definitions.

DATA CENTER: A FACILITY USED PRIMARILY FOR DATA SERVICES, INCLUDING THE STORAGE, PROCESSING, MANAGEMENT, AND TRANSMISSION OF DIGITAL DATA. A FACILITY SHALL NOT BE CONSIDERED A DATA CENTER WHEN IT DOES NOT EXCEED 10% OF THE GROSS FLOOR AREA OF ALL ON-SITE BUILDINGS; IS USED TO SERVE THE ENTERPRISE FUNCTIONS OF THE ON-SITE PROPERTY OWNER; AND IS NOT USED TO LEASE DATA SERVICES TO THIRD PARTIES.

SECTION 4: The Code of the City of Phoenix, Chapter 5, Section 507, Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses), is hereby amended to modify the section title and add design standards for data centers, and to read as follows:

Section 507 Tab A. Guidelines for design review.

- II. CITY-WIDE DESIGN REVIEW GUIDELINES. The design review guidelines ~~indicate specific standards of implementation and are categorized as Requirements (R), Presumptions (P), or Considerations (C).~~ INDICATED WITH THE MARKERS (R), (R*), (P), (T), AND (C) SHALL BE APPLIED AND ENFORCED IN THE SAME MANNER AS INDICATED IN SECTION 507. ITEMS NOT INDICATED WITH AN (R), (R*), (P), (T), AND (C) SHALL BE TREATED AS (R).

D. Specialized Uses.

5. DATA CENTERS.

5.1. **SETBACKS.** ALL MECHANICAL EQUIPMENT, INCLUDING BUT NOT LIMITED TO ELECTRICAL TRANSFORMERS AND GENERATORS, SHALL BE SET BACK A MINIMUM OF 150 FEET FROM ABUTTING RIGHT-OF-WAY OR RESIDENTIALLY ZONED PROPERTY; IN ADDITION TO THE FOLLOWING: (R*)

5.1.1. THE EQUIPMENT MUST BE FULLY SCREENED BY A BUILDING THAT IS VISUALLY INTEGRATED WITH THE DESIGN OF THE OVERALL DEVELOPMENT; OR

5.1.2 THE EQUIPMENT MUST BE FULLY SCREENED BY A DECORATIVE SCREEN WALL HAVING VARIATIONS IN COLORS, MATERIALS, PATTERNS, TEXTURES, AND/OR AN ART INSTALLATION SUCH AS A MURAL.

RATIONALE: GROUND EQUIPMENT SHOULD BE ENCLOSED AND SET BACK TO PROVIDE VISUAL SCREENING AND REDUCE NOISE LEVELS.

5.2. **LANDSCAPE SETBACK.** A MINIMUM 30-FOOT WIDE PERIMETER LANDSCAPE SETBACK SHALL BE PROVIDED, SUBJECT TO THE FOLLOWING:

5.2.1. TWO STAGGERED ROWS OF LARGE CANOPY SHADE TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPING SHALL BE PROVIDED, AS APPROVED BY THE PDD LANDSCAPE ARCHITECT. (T)

5.2.2 FIVE 5-GALLON SHRUBS PER TREE SHALL BE PROVIDED, AT A MINIMUM. (T)

5.2.3 GROUNDCOVERS SHALL BE PROVIDED TO SUPPLEMENT THE TREES AND SHRUBS SO THAT A MINIMUM 75% LIVE COVERAGE IS ATTAINED. (T)

RATIONALE: AN ENHANCED LANDSCAPE SETBACK WITH A DENSE NUMBER OF TREES AND SHRUBS HELPS TO MITIGATE NEGATIVE VISUAL IMPACTS.

5.3. **ARCHITECTURE.**

5.3.1. BUILDING FACADES THAT EXCEED 100 FEET SHOULD CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, WINDOW FENESTRATION (INCLUDING FAUX WINDOWS), SHADOW BOXES, AND OVERHEAD/CANOPIES. (P)

5.3.2. ALL SIDES OF A BUILDING/STRUCTURE SHOULD PROVIDE AN ENHANCED DESIGN INCLUDING A VARIATION IN COLORS, MATERIALS, PATTERNS, TEXTURES, HEIGHT, WINDOWS (INCLUDING FAUX WINDOWS), ARTICULATION, AND/OR ART INSTALLATIONS. (P)

5.3.3. EACH MAIN ENTRANCE SHOULD INCLUDE A FEATURE THAT DIFFERENTIATES IT FROM THE REMAINDER OF THE BUILDING FACADE BY A CHANGE IN BUILDING MATERIAL, PATTERN, TEXTURE, COLOR, AND/OR ACCENT MATERIAL, AND THAT PROJECTS OR IS RECESSED FROM THE ADJOINING BUILDING PLANE. (P)

5.3.4. ARCHITECTURAL DESIGN SHOULD TAKE INTO ACCOUNT THE SOLAR CONSEQUENCES OF BUILDING HEIGHT, BULK, AND AREA. (C)

RATIONALE: DATA CENTER BUILDINGS SHOULD INCLUDE ENHANCED ARCHITECTURAL DESIGN FEATURES IN ORDER TO PROVIDE VISUAL INTEREST, TO BREAK UP THE MASS OF THE BUILDING/STRUCTURE AND TO PROVIDE AN ENHANCED DESIGN INTERFACE WHERE VISIBLE FROM A RIGHT-OF-WAY AND/OR RESIDENTIALLY ZONED PROPERTY.

5.4. **STREETSCAPE.** FOR EACH STREET FRONTAGE, A MINIMUM 6-FOOT-WIDE DETACHED SIDEWALK SEPARATED FROM THE CURB BY A MINIMUM 8-FOOT-WIDE LANDSCAPE STRIP, SUBJECT TO THE FOLLOWING:

5.4.1. SINGLE-TRUNK, LARGE CANOPY SHADE TREES, PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS, SHALL BE PROVIDED ON BOTH SIDES OF THE SIDEWALK AND PROVIDE A MINIMUM OF 75% SHADE. (T)

5.4.2 A MIXTURE OF SHRUBS, ACCENTS, AND VEGETATIVE GROUNDCOVERS WITH A MAXIMUM MATURE HEIGHT OF TWO FEET SHALL BE DISTRIBUTED THROUGHOUT THE LANDSCAPE AREAS TO ACHIEVE A MINIMUM OF 75% LIVE COVERAGE. (T)

5.4.3 ALL NEW OR RELOCATED ELECTRIC LINES 12 KV AND SMALLER, COMMUNICATIONS AND CABLE TELEVISION AND ALL ON PREMISE WIRING SHALL BE PLACED UNDERGROUND IN ALL DEVELOPMENTS WHERE VISIBLE FROM STREETS OR ADJOINING PROPERTIES, UNLESS OTHERWISE APPROVED THROUGH A TECHNICAL APPEAL. (T)

RATIONALE: AN ENHANCED STREETSCAPE HELPS TO SOFTEN THE EDGE OF THE DEVELOPMENT OF A LARGER NON-RESIDENTIAL USE.

5.5. SHADE.

5.5.1. ALL ON-SITE PEDESTRIAN PATHWAYS SHOULD BE SHADED A MINIMUM OF 75% BY A STRUCTURE, LANDSCAPING, OR A COMBINATION OF THE TWO. (P)

5.5.2 DEDICATED MULTI-USE TRAILS ADJACENT TO THE SITE SHOULD BE SHADED A MINIMUM OF 50% AT TREE MATURITY. (P)

RATIONALE: ENHANCED PEDESTRIAN COMFORT SHOULD BE PRIORITIZED ADJACENT TO AND WITHIN DATA CENTER DEVELOPMENTS ACROSS THE CITY.

SECTION 5: The Code of the City of Phoenix, Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 is hereby amended to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards to read as follows:

Section 647. Special Permit Uses.

- A. **Permitted uses.** There shall be permitted, in addition to the uses enumerated in the several use districts, certain additional uses subject to the requirements of this section.

2. A special permit may be granted by the Council upon recommendation of the Commission to establish the following uses in the use districts named:

KK. DATA CENTERS IN THE C-2, C-3, CP/GCP, A-1 AND A-2 ZONING DISTRICTS, SUBJECT TO THE FOLLOWING:

- (1) THE DEVELOPMENT SHALL BE NO CLOSER THAN 2,640 FEET FROM AN APPROVED HIGH-CAPACITY TRANSIT STATION.
- (2) PRELIMINARY SITE PLAN APPROVAL WILL NOT BE GRANTED FOR A DATA CENTER UNTIL SUCH TIME THAT A LOCAL UTILITY COMPANY PROVIDES A CONTRACTUAL AGREEMENT THAT AFFIRMS ITS CAPACITY AND COMMITMENT TO SERVE THE ENERGY DEMAND FOR THE PROPOSED DATA CENTER. THE AGREEMENT FROM THE UTILITY COMPANY SHALL BE SUBMITTED TO PDD CONCURRENT WITH THE PRELIMINARY SITE PLAN.
- (3) THE FOLLOWING SHALL APPLY WHEN THE SITE IS LOCATED WITHIN 300 FEET OF A RESIDENTIAL ZONING DISTRICT:

- (a) PRELIMINARY SITE PLAN APPROVAL FOR A DATA CENTER SHALL NOT BE GRANTED UNLESS IT HAS BEEN DEMONSTRATED THAT THE DATA CENTER, INCLUDING ALL ON-SITE MECHANICAL EQUIPMENT AND FACILITIES, WILL NOT EXCEED THE EXISTING AMBIENT NOISE LEVEL FOR THE SITE BY MORE THAN 5% OR A SPECIFIC NOISE STANDARD MAY BE STIPULATED AS A CONDITION OF AN APPROVED SPECIAL PERMIT.
- (b) TO DETERMINE COMPLIANCE WITH THE PRIOR SUBSECTION, THE DEVELOPER SHALL SUBMIT A NOISE STUDY TO PDD PRIOR TO OR CONCURRENT WITH THE PRELIMINARY SITE PLAN. THE NOISE STUDY SHALL BE PERFORMED BY A THIRD-PARTY ACOUSTICAL ENGINEER TO DOCUMENT BASELINE NOISE LEVELS IN THE AREA OF THE PROPOSED DATA CENTER, INCLUDING NOISE LEVELS MEASURED AT THE PROPERTY LINE OF THE NEAREST RESIDENTIAL ZONING DISTRICT TO THE PROPOSED DATA CENTER PROPERTY.
- (c) UPON APPROVAL OF THE NOISE STUDY, THE METHODS PROPOSED TO MITIGATE NOISE SHALL BE STIPULATED AS A CONDITION OF FINAL SITE PLAN APPROVAL. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED IF THE AMBIENT NOISE EXCEEDS THE PRIOR EXISTING NOISE LEVEL BY MORE THAN 5%.

- (4) THESE REGULATIONS AND THE DESIGN GUIDELINES SET FORTH IN SECTION 507 TAB A.II.D.5., DATA CENTERS ARE NOT APPLICABLE TO DATA CENTERS WHICH HAVE RECEIVED FINAL SITE PLAN APPROVAL; OR A DATA CENTER USE THAT IS SPECIFICALLY LISTED AS A PERMITTED USE OR SPECIFICALLY DISCUSSED IN A COUNCIL ADOPTED PLANNED UNIT DEVELOPMENT NARRATIVE PRIOR TO [*THE EFFECTIVE DATE OF THIS ORDINANCE*]. OTHERWISE, THE DEVELOPMENT IS SUBJECT TO THESE REGULATIONS AND ALL APPLICABLE DESIGN GUIDELINES SET FORTH IN SECTION 507 TAB A, INCLUDING THOSE FOR SECTION II.D.5, DATA CENTERS.

PASSED by the Council of the City of Phoenix this 2nd day of July, 2025.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-2-25-Y
May 1, 2025

Application No. Z-TA-2-25-Y: Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers; and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial), and A-2 (Industrial) zoning districts, with a Special Permit and performance standards

Staff recommendation: Staff recommends approval of Z-TA-2-25-Y as shown in the proposed text in Exhibit A.

BACKGROUND

In 2024, the Mayor and City Council directed City staff to create new policy guidance and zoning regulations related to data centers, in response to the increased frequency and development of these types of facilities. Data centers house a large collection of technological equipment designed to store, process, and manage vast amounts of digital information. One major concern with data centers is that their energy demand is expected to increase significantly, in large part due to Artificial Intelligence. Another major concern is the scale at which these types of facilities are built and how they can negatively affect the surrounding community they are built in. The companion general plan amendment, GPA-2-25-Y is a request to amend the 2025 General Plan to add a section to provide policy guidance for data centers addressing the major concerns they pose to the community and to the city.

Staff researched other cities in the nation that have adopted ordinances related to data centers for best practices and looked at ways Phoenix could enhance those ordinances.

PURPOSE

The intent of the proposed text amendment is to create a regulatory framework for data centers. Data centers are not defined nor are they explicitly listed as a permitted use in the Phoenix Zoning Ordinance; therefore were addressed via informal interpretation.

This text amendment will create a new definition for “data center”; create design guidelines such as setback requirements and screening design standards for equipment enclosures and accessory public utility buildings and facilities, such as electrical substations; and create enhanced landscaping, architectural, and streetscape standards to soften the design of data centers so they can better blend into the surrounding environment they are built in; and develop location criteria and performance standards for data centers. This includes spacing from high-capacity transit; noise standards to reduce the impact of data centers when located within a certain distance from residential; and allow data centers only the following zoning districts: C-2, C-3, CP/GCP, A-1 and A-2 with a Special Permit.

DESCRIPTION OF THE PROPOSED TEXT

The proposed text amendment includes three main components: Definitions, Data Center-Specific Design Guidelines, and special permit requirements and performance standards:

1. Definitions:

The Zoning Ordinance currently does not have a definition for the term “data center”. The proposed definition states generally what a data center is and when it may be considered as an accessory use to a non-residential use, if it occupies no more than 10 percent of the building footprint, is used to serve the enterprise functions of the on-site property owner, is not used to lease data storage and processing services to third parties and is not housed in a separate stand-alone structure on the site.

2. Data Center-Specific Design Guidelines:

The proposed regulations for data centers were based and built upon established practices in other municipalities. Equipment enclosures would need to be setback a minimum of 150 feet from abutting rights-of-way and residentially zoned properties, and screened by a decorative solid wall or building. Mechanical equipment, such as an electrical substation, would also need to meet similar setbacks and decorative screening requirements. Since data centers are very large in scale, enhanced streetscape, landscape setback and planting standards will help to soften the edges of data center sites and will beautify the edges of the site that interacts with the surrounding community. Enhanced architectural design guidelines, such as variation in colors, materials, patterns, textures, height, window fenestration, and articulation, and standards for art in private development, will help to avoid large, monotonous, undifferentiated surfaces and avoid large, monolithic buildings, and instead will provide an enhanced design interface with a visual interest for the surrounding community.

3. Special Permit Requirements and Performance Standards:

The Zoning Ordinance currently does not have development regulations for data centers. The proposed text amendment would allow data centers in the C-2, C-3, CP/GCP, A-1 and A-2 zoning districts with a Special Permit. The performance standards for data centers include a half a mile spacing from approved high-capacity transit, noise study and noise mitigation requirements for data centers located within 300 feet of a residential zoned district and a will-server letter from the utility company that it can serve the energy demand within two years.

Conclusion:

This text amendment will create a process for data centers to be proposed and evaluated through a public hearing process. The text amendment will provide standards to address major concerns that data centers cause. By adding a definition for the term “data center”, clarifying the districts in which they are permitted, and adding standards for data centers to follow, Phoenix will be leading in ensuring that data centers blend with the surrounding environment while limiting negative impacts to existing communities.

Staff recommends approval of the changes to the Zoning Ordinance as proposed in Exhibit A.

Writer

Adrian Zambrano

May 1, 2025

Team Leader

Racelle Escolar

Exhibit

A. Proposed Language

Exhibit A

Staff Proposed Language That May Be Modified During the Public Hearing Process is as follows:

Amend Chapter 2, Section 202 (Definitions) to add a definition for data centers.

Section 202. Definitions.

DATA CENTER: A FACILITY USED PRIMARILY FOR DATA SERVICES, INCLUDING THE STORAGE, PROCESSING, MANAGEMENT, AND TRANSMISSION OF DIGITAL DATA. A FACILITY SHALL NOT BE CONSIDERED A DATA CENTER WHEN IT DOES NOT EXCEED 10% OF THE GROSS FLOOR AREA OF ALL ON-SITE BUILDINGS; IS USED TO SERVE THE ENTERPRISE FUNCTIONS OF THE ON-SITE PROPERTY OWNER; AND IS NOT USED TO LEASE DATA SERVICES TO THIRD PARTIES.

Amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers, and to read as follows:

Section 507 Tab A. Guidelines for design review.

- II. CITY-WIDE DESIGN REVIEW GUIDELINES. The design review guidelines ~~indicate specific standards of implementation and are categorized as Requirements (R), Presumptions (P), or Considerations (C).~~ INDICATED WITH THE MARKERS (R), (R*), (P), (T), AND (C) SHALL BE APPLIED AND ENFORCED IN THE SAME MANNER AS INDICATED IN SECTION 507. ITEMS NOT INDICATED WITH AN (R), (R*), (P), (T), AND (C) SHALL BE TREATED AS (R).

D. Specialized Uses.

5. DATA CENTERS.

- 5.1. **SETBACKS.** ALL MECHANICAL EQUIPMENT, INCLUDING BUT NOT LIMITED TO ELECTRICAL TRANSFORMERS AND GENERATORS, SHALL BE SET BACK A MINIMUM OF 150 FEET FROM ABUTTING RIGHT-OF-WAY OR RESIDENTIALLY ZONED PROPERTY; IN ADDITION TO THE FOLLOWING: (R*)

5.1.1. THE EQUIPMENT MUST BE FULLY SCREENED BY A BUILDING THAT IS VISUALLY INTEGRATED WITH THE DESIGN OF THE OVERALL DEVELOPMENT; OR

5.1.2 THE EQUIPMENT MUST BE FULLY SCREENED BY A DECORATIVE SCREEN WALL HAVING VARIATIONS IN COLORS, MATERIALS, PATTERNS, TEXTURES, AND/OR AN ART INSTALLATION SUCH AS A MURAL.

RATIONALE: GROUND EQUIPMENT SHOULD BE ENCLOSED AND SET BACK TO PROVIDE VISUAL SCREENING AND REDUCE NOISE LEVELS.

- 5.2. **LANDSCAPE SETBACK.** A MINIMUM 30-FOOT WIDE PERIMETER LANDSCAPE SETBACK SHALL BE PROVIDED, SUBJECT TO THE FOLLOWING:

5.4.1. TWO STAGGERED ROWS OF LARGE CANOPY SHADE TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPING SHALL BE PROVIDED, AS APPROVED BY THE PDD LANDSCAPE ARCHITECT. (T)

5.4.2 FIVE 5-GALLON SHRUBS PER TREE SHALL BE PROVIDED, AT A MINIMUM. (T)

5.4.3 GROUNDCOVERS SHALL BE PROVIDED TO SUPPLEMENT THE TREES AND SHRUBS SO THAT A MINIMUM 75% LIVE COVERAGE IS ATTAINED. (T)

RATIONALE: AN ENHANCED LANDSCAPE SETBACK WITH A DENSE NUMBER OF TREES AND SHRUBS HELPS TO MITIGATE NEGATIVE VISUAL IMPACTS.

- 5.3. **ARCHITECTURE.**

- 5.3.1. BUILDING FACADES THAT EXCEED 100 FEET SHOULD CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, WINDOW FENESTRATION (INCLUDING FAUX WINDOWS), SHADOW BOXES, AND OVERHEAD/CANOPIES. (P)
- 5.3.2. ALL SIDES OF A BUILDING/STRUCTURE SHOULD PROVIDE AN ENHANCED DESIGN INCLUDING A VARIATION IN COLORS, MATERIALS, PATTERNS, TEXTURES, HEIGHT, WINDOWS (INCLUDING FAUX WINDOWS), ARTICULATION, AND/OR ART INSTALLATIONS. (P)
- 5.3.3. EACH MAIN ENTRANCE SHOULD INCLUDE A FEATURE THAT DIFFERENTIATES IT FROM THE REMAINDER OF THE BUILDING FACADE BY A CHANGE IN BUILDING MATERIAL, PATTERN, TEXTURE, COLOR, AND/OR ACCENT MATERIAL, AND THAT PROJECTS OR IS RECESSED FROM THE ADJOINING BUILDING PLANE. (P)
- 5.3.4. ARCHITECTURAL DESIGN SHOULD TAKE INTO ACCOUNT THE SOLAR CONSEQUENCES OF BUILDING HEIGHT, BULK, AND AREA. (C)

RATIONALE: DATA CENTER BUILDINGS SHOULD INCLUDE ENHANCED ARCHITECTURAL DESIGN FEATURES IN ORDER TO PROVIDE VISUAL INTEREST, TO BREAK UP THE MASS OF THE BUILDING/STRUCTURE AND TO PROVIDE AN ENHANCED DESIGN INTERFACE WHERE VISIBLE FROM A RIGHT-OF-WAY AND/OR RESIDENTIALLY ZONED PROPERTY.

- 5.4. **STREETSCAPE.** FOR EACH STREET FRONTAGE, A MINIMUM 6-FOOT-WIDE DETACHED SIDEWALK SEPARATED FROM THE CURB BY A MINIMUM 8-FOOT-WIDE LANDSCAPE STRIP, SUBJECT TO THE FOLLOWING:

5.4.1. SINGLE-TRUNK, LARGE CANOPY SHADE TREES, PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS, SHALL BE PROVIDED ON BOTH SIDES OF THE SIDEWALK AND PROVIDE A MINIMUM OF 75% SHADE. (T)

5.4.2 A MIXTURE OF SHRUBS, ACCENTS, AND VEGETATIVE GROUNDCOVERS WITH A MAXIMUM MATURE HEIGHT OF TWO FEET SHALL BE DISTRIBUTED THROUGHOUT THE LANDSCAPE AREAS TO ACHIEVE A MINIMUM OF 75% LIVE COVERAGE. (T)

5.4.3 ALL EXISTING OVERHEAD UTILITIES WITHIN THE RIGHTS-OF-WAY ABUTTING THE DEVELOPMENT SHALL BE PLACED UNDERGROUND, UNLESS OTHERWISE APPROVED THROUGH A TECHNICAL APPEAL. (T)

RATIONALE: AN ENHANCED STREETSCAPE HELPS TO SOFTEN THE EDGE OF THE DEVELOPMENT OF A LARGER NON-RESIDENTIAL USE.

5.5. **SHADE.**

5.5.1. ALL ON-SITE PEDESTRIAN PATHWAYS SHOULD BE SHADED A MINIMUM OF 75% BY A STRUCTURE, LANDSCAPING, OR A COMBINATION OF THE TWO. (P)

5.5.2 DEDICATED MULTI-USE TRAILS ADJACENT TO THE SITE SHOULD BE SHADED A MINIMUM OF 50% AT TREE MATURITY. (P)

RATIONALE: ENHANCED PEDESTRIAN COMFORT SHOULD BE PRIORITIZED ADJACENT TO AND WITHIN DATA CENTER DEVELOPMENTS ACROSS THE CITY.

Amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards to read as follows:

Section 647. Special Permit Uses.

- A. **Permitted uses.** There shall be permitted, in addition to the uses enumerated in the several use districts, certain additional uses subject to the requirements of this section.

2. A special permit may be granted by the Council upon recommendation of the Commission to establish the following uses in the use districts named:

- KK. DATA CENTERS IN THE C-2, C-3, CP/GCP, A-1 AND A-2 ZONING DISTRICTS, SUBJECT TO THE FOLLOWING:
- (1) THE DEVELOPMENT SHALL BE NO CLOSER THAN 2,640 FEET FROM AN APPROVED HIGH-CAPACITY TRANSIT STATION.
 - (2) PRELIMINARY SITE PLAN APPROVAL WILL NOT BE GRANTED FOR A DATA CENTER UNTIL SUCH TIME THAT A LOCAL UTILITY COMPANY CONFIRMS IN WRITING WITH A "WILL-SERVE" LETTER THAT IT CAN SERVE THE ENERGY DEMAND WITHIN TWO YEARS FOR THE PROPOSED DATA CENTER. THE LETTER FROM THE UTILITY COMPANY SHALL BE SUBMITTED TO PDD CONCURRENT WITH THE PRELIMINARY SITE PLAN.
 - (3) THE FOLLOWING SHALL APPLY WHEN THE SITE IS LOCATED WITHIN 300 FEET OF A RESIDENTIAL ZONING DISTRICT:

- (a) PRELIMINARY SITE PLAN APPROVAL FOR A DATA CENTER SHALL NOT BE GRANTED UNLESS IT HAS BEEN DEMONSTRATED THAT THE DATA CENTER, INCLUDING ALL ON-SITE MECHANICAL EQUIPMENT AND FACILITIES, WILL NOT EXCEED THE EXISTING AMBIENT NOISE LEVEL FOR THE SITE BY MORE THAN 5%. (T)
- (b) TO DETERMINE COMPLIANCE WITH THE PRIOR SUBSECTION, THE DEVELOPER SHALL SUBMIT A NOISE STUDY TO PDD PRIOR TO OR CONCURRENT WITH THE PRELIMINARY SITE PLAN. THE NOISE STUDY SHALL BE PERFORMED BY A THIRD-PARTY ACOUSTICAL ENGINEER TO DOCUMENT BASELINE NOISE LEVELS IN THE AREA OF THE PROPOSED DATA CENTER, INCLUDING NOISE LEVELS MEASURED AT THE PROPERTY LINE OF THE NEAREST RESIDENTIAL ZONING DISTRICT TO THE PROPOSED DATA CENTER PROPERTY.
- (c) UPON APPROVAL OF THE NOISE STUDY, THE METHODS PROPOSED TO MITIGATE NOISE SHALL BE STIPULATED AS A CONDITION OF FINAL SITE PLAN APPROVAL. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED IF THE AMBIENT NOISE EXCEEDS THE PRIOR EXISTING NOISE LEVEL BY MORE THAN 5%.
- (4) THE DEVELOPMENT IS SUBJECT TO ALL APPLICABLE DESIGN GUIDELINES SET FORTH IN SECTION 507 TAB A, INCLUDING THOSE FOR SECTION II.D.5, DATA CENTERS.

ATTACHMENT C

Z-TA-2-25-Y: Text Amendment to address data centers Village Planning Committee Summary Results

Village	Recommendation Date	Recommendation	Vote
Ahwatukee Foothills	5/19/25	Denial	10-0
Alhambra	5/20/25	Denial	11-0
Camelback East	6/3/25	Denial with direction to: <ul style="list-style-type: none"> Revise the noise requirement to an objective decibel level to be verified by the City. Allow for an additional 90-day review period to include a review of ordinances from other municipalities, including Chandler. Add separation requirements for data centers from other data centers and from residential uses. 	17-0
Central City	5/12/25	Approval, with direction: <ul style="list-style-type: none"> Allow a minimum of 60 days for public comment Remove the special permit requirement for A-1, A-2, or CP/GCP Remove the "will serve letter" requirement 	8-1-1
Deer Valley	5/20/25	No quorum	-
Desert View	6/3/25	Denial, with direction: <ul style="list-style-type: none"> Allow more time for stakeholder input Remove the provision in the proposed definition for a facility that is not considered a data center to not exceed 10% of the gross floor area of all on-site buildings Clarify the noise study requirements and ensure 	11-0

		<p>the noise is measured in decibels</p> <ul style="list-style-type: none"> • Remove the will-serve letter requirement • Add data centers as a permitted use in the CP/BP zoning district • Only require a Special Permit in the C-2 and C-3 commercial zoning districts 	
Encanto	6/2/25	Denial	13-0-1
Estrella	5/20/25	Approval, with the modification that a Special Permit will be required for C-2, C-3, and CP/GCP but not A-1 and A-2; and with direction regarding water conservation and heat mitigation implementation	4-0
Laveen	5/12/25	Approval, with direction regarding water and power conservation, square footage limitations, noise mitigation, and increased impact fees	13-0
Maryvale	5/14/25	Approval	13-0
North Gateway	5/8/25	Approval	8-0
North Mountain	5/21/25	Denial, with direction to reengage with the stakeholder community and bring the matter back to the VPC in 90 days	12-0-1
Paradise Valley	6/2/25	Approval, with the modification to only allow data centers within the A-1 and A-2 zoning districts with a Special Permit.	8-5-1
Rio Vista	5/13/25	Denial, with direction to allow more time for stakeholder input	3-2
South Mountain	5/13/25	<p>Approval, with direction:</p> <ul style="list-style-type: none"> • No data centers be allowed within 1.5 miles of the Rio Salado Restoration area • 5.1 be modified to include setback requirements from the mechanical equipment and the 	14-1-1

		<p>building from residential zoned property and schools</p> <ul style="list-style-type: none"> • Include provision that encourages recycling of water and usage of recycled water on site 	
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Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	May 19, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Denial
VPC Vote	10-0

VPC DISCUSSION:

Item Nos. 4 (GPA-2-25-Y) and 5 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak on this item, one in support, and one in opposition.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed General Plan Amendment, including background and details of the location criteria, design, and energy and sustainability policies proposed to be added for data centers, further providing information about the proposed Text Amendment, including a definition for data centers, design guidelines, and a requirement for a Special Permit and performance standards, finally noting the timeline for the proposals.

QUESTIONS FROM COMMITTEE

Chair Gasparro asked for clarification on the noise requirement, noting that in areas with higher ambient decibel levels, a 5% increase could be significant. **Mr. Grande**

replied that the proposed language is taking into account existing ambient levels. **Vice Chair Mager** suggested redefining the noise requirement based on decibels.

Committee Member Fisher stated concerns about Phoenix becoming a location with many data centers in the future, noting some issues, including that they can pull power off the grid by having first right to power. **Mr. Grande** noted that the text amendment would add additional regulations for data centers, including a requirement for a Special Permit, which does not exist today.

Committee Member Slobodzian stated there are concerns with water usage for data centers.

Vice Chair Mager commented that it appears the motivation is to allow the City to have more control over approving data centers. **Committee Member Fisher** stated a concern with the number of zoning districts would permit data centers. **Mr. Grande** clarified that this proposal would add a Special Permit requirement where it doesn't exist today, and suggested that the Committee could approve with direction for any items of concern, including the inclusion of C-2 and C-3 zoning districts in the list.

PUBLIC COMMENTS

Cepand Alizadeh with the Arizona Technology Council spoke in favor of the proposal, but noting several concerns: a lack of clarity regarding the 5% requirement for decibel level measurements and how emergencies are handled and that the 2-year will serve letter from utility companies is not feasible.

Chair Gasparro stated a concern about asking for a 10-year will serve letter requirement. **Committee Member Fisher** noted that it appears that the facilities would be stating they don't have the power to serve them.

Committee Member Fisher asked about the appeal of locating data centers in the City of Phoenix. **Mr. Alizadeh** commented about tax revenue. **Chair Gasparro** noted that these could be redevelopments. **Mr. Fisher** noted that in any case, they are massive buildings. **Committee Member Barua** noted that they do not have a good understanding of the number of employees that are typically at a data center. **Mr. Alizadeh** commented that the tech industry is booming in Phoenix and companies want to be here.

Henry Hardy with Rose Law Group spoke in opposition to the proposal, stating that he had never seen a text amendment move this quickly through the process, that there should be a 90-day extension in the process, that the will serve letter will result in no more data centers locating in Phoenix, and that there are Proposition 207 issues with the proposal.

Chair Gasparro asked if Mr. Hardy had clients that resulted in him attending this meeting. **Mr. Hardy** replied that data center stakeholders have been involved. **Chair**

Gasparro asked for clarification on the will serve letter request. **Mr. Hardy** stated that the request is for 10 years, noting that many developments are phased.

Mr. Fisher asked who is pushing this item. **Mr. Hardy** said he did not know.

Committee Member Blackman asked if they wanted the will serve letter requirement removed, noting concerns about possible blackouts. **Mr. Hardy** replied that they want the requirement to align with industry standards and that the will serve letters allow the utility companies to plan for the future to ensure sufficient capacity. **Ms. Blackman** followed up with a question about whether the data centers will need to pay for the infrastructure. **Mr. Hardy** replied that they would.

Committee Member Slobodzian asked what changes would be looked at if more time is given for review. **Mr. Hardy** replied that they would like to review the will serve letter requirement and issues around existing rights.

Committee Member Jain asked if data centers currently participate in demand response. **Mr. Hardy** replied that he is not sure, but they do have comprehensive independent generation systems.

Committee Member Fisher stated he was nervous about extending the timeframe for will serve letters, adding it is not clear where all the power will come from, and data centers do not provide a lot of jobs.

Committee Member Barua added that utility companies give discounts to data centers.

Chair Gasparro asked if staff can look into any comments received from utility companies.

COMMITTEE DISCUSSION

Committee Member Fisher suggested voting for a continuance in order to slow the process down, noting that the Committee doesn't have time to get answers to their questions.

Chair Gasparro noted that voting for a continuance may not slow it down, as the Planning Commission could still move it forward, and it could result in losing the opportunity to put the Committee's concerns on record.

Vice Chair Mager suggested the Committee put their concerns into a formal motion, noting a possibility of approval with direction to staff. Committee Members discussed the various options for motions. **Mr. Fisher** suggested a motion for denial, noting the following items:

- Decibel clarification to industry standards;
- Confusion about ramifications of will serve letter requirement; and
- The speed of the process and not including stakeholders.

Mr. Grande noted that the Committee's concerns would be written in the minutes for review by the Planning Commission if the Committee recommends denial.

Committee Member Slobodzian stated that the most effective motion would be for denial.

MOTION (Z-TA-2-25-Y)

Alyson Slobodzian made a motion to recommend denial of Z-TA-2-25-Y. **Prakshal Jain** seconded the motion.

VOTE (Z-TA-2-25-Y)

10-0; motion to recommend denial of Z-TA-2-25-Y passed; Committee Members Barua, Blackman, Fisher, Golden, Jain, Maloney, Ostendorp, Slobodzian, Mager, and Gasparro in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	May 20, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Denial
VPC Vote	11-0

VPC DISCUSSION

Item Nos. 4 (GPA-2-25-Y) and 5 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak in opposition to these items.

STAFF PRESENTATION

John Roanhorse, staff, provided a presentation on the Data Center General Plan Amendment noting the development background, review process, and the rationale behind the proposed amendment. Mr. Roanhorse stated that the proposed text amendment is a companion to the General Plan Amendment and is intended to support the regulatory framework for data centers. Mr. Roanhorse stated that the City Council had initiated creation of new policy guidance in response to the growing number of requests for data center facilities, which possess unique characteristics not currently addressed. Mr. Roanhorse expressed the importance of the General Plan Amendment due to land use considerations, the need for adaptation to existing developments, and the importance of connecting these facilities to infrastructure. Mr. Roanhorse noted that one of the primary reasons for the amendment is that data centers are not directly addressed in either the General Plan or the Zoning Ordinance and previous

developments have been permitted through informal interpretations. Mr. Roanhorse discussed the key elements of the amendment, including location criteria, design policies, and sustainability measures. Mr. Roanhorse reviewed site placement criteria, highlighting core areas and centers as not preferred locations, and noted various suitability factors. Mr. Roanhorse discussed required setbacks, the integration of art features, dark sky compliance, noise mitigation, and architectural design standards. Mr. Roanhorse noted the energy demands associated with data centers and the importance of incorporating energy efficiency measures. Mr. Roanhorse stated that the amendment would offer additional detail regarding definitions, guidelines, and performance standards.

QUESTIONS FROM THE COMMITTEE

Committee Member Jim DeGraffenreid asked if Data Centers would require additional water use and if water was mainly used for cooling. **Mr. Roanhorse** responded that water is a concern, however it is addressed within the sustainability component of the text amendment. Mr. Roanhorse stated based on information provided data centers recycle water and take measures to prevent increasing water use.

Committee Member David Krietor asked if Data Centers could be developed in existing buildings as an adaptive reuse and that it appears that there might not be many places for Data Centers in the Alhambra Village. **Mr. Roanhorse** responded that it is less likely that a data center would be developed on an existing site however in the past there are data centers that have been established in existing buildings but typically their sizes are limited.

Committee Member Alexander Malkoon commented the increase of Data Centers reflects the growth of technology like artificial intelligence and the facilities house substantial servers and equipment. Committee Member Malkoon commented that the Text Amendment responds to the needs but asked if what is presented is appropriate to the level of development. **Mr. Roanhorse** responded that the preparation of the text amendment included interaction with stakeholders and an analysis of existing data centers and the direction of current technology development in other cities that have widely developed data center facilities.

Committee Member DeGraffenreid commented that he is supportive of Data Centers and the Text Amendment but does have concern that water and energy issues will not be addressed. **Mr. Roanhorse** responded that water use is a concern and the text amendment does provide sustainability details as part of the proposal.

Vice Chair Melisa Camp asked if there will be sufficient requirements in response to mitigate increased heat temperatures. **Mr. Roanhorse** responded that the operation of a data center does generate internal heat which has cooling and other mechanical systems to maintain the temperature for the development and factors on the site such as shading, landscaping and other features would contribute to external heat reduction

and mitigation. Mr. Roanhorse discussed the proposed design guidelines, which include setback requirements, perimeter landscaping, and specific landscape coverage standards. Mr. Roanhorse discussed enhancements to architectural elements, including building frontages with the integration of art, color, texture, and orientation, along with requirements for pedestrian amenities and sidewalks. Mr. Roanhorse displayed the proposed timeline for both the General Plan and Text Amendments and indicated that both items would proceed to the Planning Commission and ultimately to the City Council by June 2025.

Committee Member Alexander Malkoon asked the time frame for access to utility service for a Data Center. **Mr. Roanhorse** responded that it would depend on the timing and application of the data center submittal. Mr. Roanhorse noted that as part of the process the applicant would have to provide the will serve letter.

Committee Member Jim DeGraffienried asked if energy use for a Data Center will increase over the years. **Mr. Roanhorse** responded that typically data centers would have sufficient energy provided as part of the utility grid they are in. Mr. Roanhorse noted that the utilities have provided information regarding energy use for proposed data centers.

PUBLIC COMMENTS

Samantha DeMoss, representing Rose Law Group, introduced herself and stated that Data Centers are an expanding use and reflect an important economic sector for the Phoenix area. Ms. DeMoss stated that addressing Data Centers is very important and will have long-term implications for growth and development. Ms. DeMoss stated there are concerns with the current General Plan Amendment specifically that with process review and timing and the design criteria. Ms. DeMoss stated that additional review time would be necessary to review and address many of the incomplete details in the General Plan Amendment as presented. Ms. DeMoss said that additional review time would allow more stakeholder review and input. Ms. DeMoss stated that the committee consider a 90-day period be granted to allow for more time for a thorough review and comment.

Cepand Alizadeh, representing the Arizona Technology Council, introduced himself and shared a personal experience to illustrate the importance of access to electronic medical information and the critical role of Data Centers. Mr. Alizadeh explained that he works with an organization that provides information and supports a variety of technology industries, emphasizing its alignment with economic development efforts. Mr. Alizadeh stated that correspondence outlining the Arizona Technology Council's position on the proposed text amendment had been submitted to the Mayor's Office and members of the City Council. Mr. Alizadeh stated that data centers are an essential component of the modern economy, noting that several facilities are either under consideration or already under construction in different areas of the city, with more expected in the near future. Mr. Alizadeh also pointed out that data centers vary in size

and capacity, both in terms of the volume of information housed and the operations conducted within the facilities. Mr. Alizadeh stated that he works with a range of businesses and organizations that develop services, maintain technology systems, and ensure that critical information remains readily available. Mr. Alizadeh said on behalf of the Arizona Technology Council, he expressed concerns about the proposed text amendment, specifically regarding the process timeline and the requirements for sound abatement. Mr. Alizadeh stated that additional time is needed to allow for a comprehensive review and to provide informed feedback on the proposed amendment. Mr. Alizadeh further noted that the draft text amendment does not sufficiently address appropriate sound control measures that would be consistent with the functional and operational needs of data centers.

DISCUSSION

Vice Chair Camp asked if there has been consultation with utility companies regarding the development of data centers. **Ms. DeMoss** responded that there has been some discussion with the utility companies, however, like many other details, this proposed amendment is moving quickly and more discussion and review would be beneficial to all parties.

Committee Member John Owens asked if there was information on existing data centers and their locations. Committee Member Owens commented that typically data centers and more similar uses would be aligned with freeway corridors and what would be the best approach to have balanced locations to accommodate connection to the infrastructure grid. **Ms. DeMoss** responded that there are many potential locations for data centers but locating them in the appropriate place would consider many factors and they are evaluating such options but more time to review the proposed General Plan Amendment would be a good starting point to ensure all details are addressed appropriately.

Committee Member John Owens asked what other cities in the area are developing data centers and what issues have been presented with them. **Mr. Alizadeh** responded that most adjacent cities have data centers including Tempe and Chandler. Mr. Alizadeh stated that the city of Chandler has been responsive and on the forefront of data center development and has ordinance and policies to accommodate them.

Committee Member Malkoon asked how the City of Chandler responded to the issue of noise abatement with data centers in their jurisdiction. **Mr. Alizadeh** responded that the City of Chandler has information in their ordinance for noise mitigation for data centers and it is more appropriately suited to the current type of designs that are being developed.

Committee Member Malkoon commented that he had experience in the development of call centers and was familiar with the scope of large-scale development. Committee Member Malkoon asked if back up power generators will be included in data centers

and how much sound is expected. **Mr. Alizadeh** responded that yes data centers do include backup generators and currently they are powered by diesel fuel so there would be some sound associated with the current data centers, but physical measures would dramatically reduce any loud noises associated with data centers.

Committee Member Owens commented that data centers are part of the future growth for the city and the economy and asked what measures are being taken to bring more data centers to the area. **Mr. Alizadeh** responded that yes data centers are a growing industry, and Phoenix is an ideal location for this growing industry. Mr. Alizadeh stated that having a responsive ordinance and policies is necessary to accommodate data centers and provide jobs and tax revenue for the local economies.

Committee Member Carlos Velasco commented that the Alhambra Village is land locked however it is important to promote economic opportunities, create jobs and promote tax benefits. Committee Member Velasco asked what type of jobs come with data centers and is there a higher pay scale. **Mr. Alizadeh** responded that jobs associated with data centers are high paying and will promote economic development. Mr. Alizadeh stated that in addition to jobs being provided data centers will also contribute to local economies by the services and supporting needs from local businesses in the area.

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

MOTION

Committee Member Alexander Malkoon motioned to recommend the denial of Z-TA-2-25-Y. **Member Keith Ender** seconded the motion.

VOTE

11-0, motion to deny Z-TA-2-25-Y passed with Committee Members DeGraffenreid, Ender, Gamiño Guerrero, Krietor, Malkoon, Owens, Smith, Vallo, Velasco, Camp and Sanchez in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comment.

Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	May 12, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	8-1-1

Item Nos. 6 (GPA-2-25-Y) and 7 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak in opposition on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed General Plan Amendment, including background and details of the location criteria, design, and energy and sustainability policies proposed to be added for data centers. Mr. Rogers provided information about the proposed Text Amendment, including a definition for data centers, design guidelines, and a requirement for a Special Permit and performance standards, finally noting the timeline for the proposals.

QUESTIONS FROM THE COMMITTEE

Committee Member Frazier Johnson asked what happens if a facility leases data services. **Samuel Rogers**, staff, stated that if a facility is proposing to lease data services it would not be allowed and explained the definition of a data center.

Committee Member Faith Burton stated that dead office towers are leasing their space for data centers and asked if the proposal would impact those uses. **Mr. Rogers** stated that staff is working through what will have grandfathered rights. Committee Member Burton explained that there are many dead office towers with excess power capacity that will likely never be used due to modern office uses not requiring high energy loads.

Vice Chair Darlene Martinez asked if there is a reason data centers are not allowed to lease their data services. **Mr. Rogers** explained that the intent is to prevent the primary use of data centers from being external data hosting and to discourage expansion solely to accommodate off-site users.

Committee Member Burton explained that many data centers lease services to businesses without office space.

Chair Cyndy Gaughan asked if staff is working through the issue of existing conditions. **Mr. Rogers** confirmed Chair Gaughan's inquiry.

Committee Member Zach Burns asked what prevents a facility from leasing out data services. **Mr. Rogers** explained that a facility must meet all the requirements in the definition of a data center to be considered a data center. **Chair Gaughan** stated that enforcement would be the challenge.

Committee Member Janey Pearl Starks asked why shade was not included in the General Plan Amendment's design policy slide. **Mr. Rogers** explained that data centers would need to go through the Special Permit process and be subject to rezoning stipulations, which could address those design elements.

Committee Member Ian O'Grady asked if there are other uses that require a Will Serve Letter. **Mr. Rogers** stated that he is not aware of any other uses requiring a Will Serve Letter.

Committee Member Ali Nervis asked whether the perception is that data centers are inherently negative. **Mr. Rogers** stated that public outreach has revealed concerns about data centers, explained that data centers are currently allowed in zoning districts which allow offices, without any performance or design standards, and reiterated that data centers use significant amounts of energy.

Committee Member Frazier Johnson asked whether there has been an increase in data centers within the Central City Village. **Mr. Rogers** stated that he is not aware of the number of data centers in the Central City Village and explained that there has been an increase in data centers over time within the City.

Chair Gaughan stated that there is land around the airport that could be suitable for data centers and noted that data centers are currently somewhat unregulated.

Committee Member Nate Sonoskey asked for confirmation that data centers can currently be built anywhere office uses are allowed and asked about what requirements currently apply to data centers. **Mr. Rogers** confirmed that data centers can currently be built wherever office uses are allowed and explained that an informal interpretation from 20 years ago considered data centers analogous to office uses. Mr. Rogers stated that data center demands have significantly changed and stated that data centers are not currently subject to any data center specific performance or design standards. Committee Member Sonoskey asked how many data centers have been built in office zones. Mr. Rogers stated that he does not have data on the number of data centers in Phoenix.

Committee Member Sonoskey asked whether the City is considering allowing data centers by right in industrial areas and stated that it is common to allow data centers in industrial zones. **Mr. Rogers** stated that most cities in the Phoenix metro area do not have specific regulations for data centers.

Chair Gaughan stated that data centers are not sustainable job creators.

Committee Member Nervis asked whether there are any requirements regarding energy efficiency. **Mr. Rogers** stated that he is not knowledgeable about energy efficiency requirements.

Committee Member Sonoskey asked if the proposal would go into effect immediately, asked whether the City has received any pushback from large companies, and stated that many companies have already acquired land for data centers.

Mr. Rogers explained that the proposal would be subject to a 30-day appeal period and stated that some developers have expressed concerns.

Committee Member Frazier Johnson stated that there are data centers everywhere but people do not know they are present because they do not look like data centers.

Committee Member Burton stated that many developments do not have other options, explained that data centers can give a development a second life, and explained concerns about how overreaching the proposal is.

Mr. Rogers stated that the goal of the proposal is not to eliminate data centers but to establish a formalized review process.

Committee Member Frazier Johnson asked about the timeline. **Mr. Rogers** described the timeline for upcoming public hearings.

PUBLIC COMMENT

Henry Hardy introduced himself, explained that he works for Rose Law Group, stated that he represents data center stakeholders, and explained that the stakeholders were

made aware of the text amendment only two weeks prior. Mr. Hardy stated that the amendment is moving too quickly, requested a recommendation for continuation, acknowledged there are positive elements in the proposal, and stated some components would make data centers unfeasible. Mr. Hardy explained that data centers can provide 80 to 150 high-paying jobs and are essential to the region's technology infrastructure, expressed concern that the proposal creates uncertainty around property rights and may result in Proposition 207 litigation, stated that requiring a Will Serve Letter is inconsistent with current utility processes and will hinder projects, and emphasized the limited time between village planning committee reviews and City Council hearings.

Committee Member Frazier Johnson asked what specific concerns the stakeholders have. **Mr. Hardy** described concerns with the Will Serve Letter, Proposition 207 implications, and existing properties planning future expansions. Mr. Hardy stated that there are long lead times on data center developments.

Vice Chair Martinez asked if data center users are conducting outreach. **Mr. Hardy** stated that outreach is being conducted through agents such as himself and reiterated that the current timeline is short.

Committee Member O'Grady asked how much power a typical data center requires. **Mr. Hardy** explained that power needs vary, stated that it is often impossible to obtain a utility commitment for under ten years, stated the Will Serve Letter requirement is impractical, and stated that while data centers may not employ large numbers of people, they still provide employment. Mr. Hardy clarified that the stakeholders are not opposed to the text amendment itself but believe additional time for discussion is necessary.

STAFF RESPONSE

Mr. Rogers stated that the City's Law Department has not raised any concerns regarding Proposition 207 and stated that he could not speak to wet utility requirements.

Committee Member Starks noted that the proposal is on an expedited timeline and asked how long a standard text amendment process typically takes. **Mr. Rogers** explained that text amendments are usually processed over a longer period, but staff was directed to bring the General Plan Amendment and Text Amendment to City Council prior to the summer break. Mr. Rogers stated that past text amendments were typically presented for information only and for recommendation the following month at each of the three hearing bodies. Committee Member Starks asked for confirmation that the hearing schedule is limited to two months. Mr. Rogers confirmed Committee Member Starks' inquiry.

Committee Member Sonoskey asked whether other village planning committees had already reviewed the item. **Mr. Rogers** stated that one village heard the item the

previous week and explained that he was unaware of the outcome due to staff absences. **Mr. Hardy** stated that he attended the previous village meeting and noted that both items were recommended for approval.

Committee Member Sonoskey asked for clarification on the difference between the General Plan Amendment and the Text Amendment. **Mr. Rogers** explained that the General Plan Amendment sets policy direction, while the Text Amendment defines the ordinance requirements.

Committee Member Nervis asked why the City Council wants to consider the items before the summer break. **Mr. Rogers** stated that he was unaware of any specific reason for the timeline, explained that his department was instructed to complete the process before the summer break, and stated that a delay would postpone the items until September.

Committee Member Sonoskey expressed concern that extending the process would cause significant confusion and delay due to heavy investment in data center land acquisition. Committee Member Sonoskey stated that the General Plan Amendment is only a partial step, stated that policy is needed, and stated that the Text Amendment contains substantive requirements, but it has not been sufficiently discussed. Committee Member Sonoskey questioned how utility providers such as APS and SRP view the Will Serve Letter requirement. **Mr. Rogers** stated that APS and SRP participated in the stakeholder meetings.

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

Motion #1:

Committee Member Ali Nervis made a motion to recommend approval of Z-TA-2-25-Y per the staff recommendation. **Committee Member Janey Pearl Starks** seconded the motion.

Vote #1:

4-5-1, motion to recommend approval of Z-TA-2-25-Y per the staff recommendation. fails with Committee Members Burns, Nervis, Starks, and Vargas in favor, Committee Members Burton, Frazier Johnson, Sonoskey, Martinez, and Gaughan opposed, and Committee Member O'Grady. abstained.

Committee Member Frazier Johnson explained that she believes there should be more time for public comment.

Committee Member Burton suggested allowing data centers on industrially zoned properties by right and expressed concerns with the definition of data center.

Committee Member Burns stated that the Committee is not happy with the timeframe.

Committee Member Sonoskey explained that he could see data centers being allowed on industrially zoned properties and stated that the Will Serve Letter is a very hard ask.

Committee Member O’Grady explained that he does not know if a utility company will give a Will Serve Letter without a permit being issued. **Committee Member Burns** stated that APS will typically not review a project until a permit is issued.

Committee Member Burton explained that she understands the timeline but stated that data centers are a huge component of economy.

Committee Member Starks stated that she wonders why the City would do this and stated that the City knows the power that is about to come against the Text Amendment.

Committee Member O’Grady explained that Phoenix is the second largest market for data centers behind Virginia and stated that development is occurring quickly.

Vice Chair Martinez explained that a Special Permit is difficult to get.

Committee Member O’Grady asked about the landscape setback for industrially zoned properties. **Mr. Rogers** explained that the proposed 30-foot landscape setback is consistent with industrial zoning district requirements and clarified that the Special Permit process is the same process as the rezoning process.

Committee Member O’Grady stated that he could motion to continue. **Mr. Rogers** explained that the item is already scheduled for Planning Commission and City Council.

Motion #2:

Vice Chair Darelene Martinez made a motion to recommend approval of Z-TA-2-25-Y per the staff recommendation, with direction to allow 60-days for public comment.

Chair Cyndy Gaughan seconded the motion.

Vote #2:

2-7-1, made a motion to recommend approval of Z-TA-2-25-Y per the staff recommendation, with direction to allow 60-days for public comment fails with Committee Members Martinez and Gaughan in favor, Committee Members Burns, Burton, Frazier Johnson, Nervis, Sonoskey, Starks, and Vargas opposed, and Committee Member O’Grady. abstained.

Committee Member Sonoskey stated that the proposal needs more time and stated that it looks like the City is moving forward.

Mr. Hardy stated that whether the Text Amendment is recommended to be approved or denied, the most important thing is the Committee express their concerns with the proposal.

Committee Member Frazier Johnson stated that the Committee wants City Council to know the Village Planning Committee's concerns. **Committee Member O'Grady** explained that staff will draft meeting minutes that will include the Village Planning Committee's concerns. **Mr. Rogers** confirmed that he will draft a recommendation form that will be available for the Planning Commission and City Council

Committee Member Burton suggested a motion to deny with direction to narrow the scope and requirements.

Mr. Rogers summarized the concerns that have been discussed.

Committee Member Frazier Johnson asked how the Committee can express concerns that the proposal will eliminate Phoenix in the data center market. **Mr. Rogers** encouraged the committee members to provide comments when they vote on the item.

Motion #3:

Committee Member Ali Nervis made a motion to recommend approval of Z-TA-2-25-Y per the staff recommendation, with direction to allow a minimum of 60-days for public comment, allow data centers by right in A-1, A-2, and CP/GCP with performance standards, and remove the requirement for the Will Serve Letter. **Vice Chair Martinez** seconded the motion.

Vote #3:

8-1-1, motion to recommend approval of Z-TA-2-25-Y per the staff recommendation, with direction to allow a minimum of 60-days for public comment, allow data centers by right in A-1, A-2, and CP/GCP with performance standards, and remove the requirement for the Will Serve Letter passed with Committee Members Burns, Frazier Johnson, Nervis, Sonoskey, Starks, Vargas, Martinez, and Gaughan in favor, Committee Member Burton opposed, and Committee Member O'Grady. abstained.

Committee Member Frazier Johnson explained she would like to figure out a way that the proposal can work for businesses and the community and stated she does not want to be in a situation where the City of Phoenix is not in the game for data centers.

Committee Member Sonoskey explained that the definition and requirements should be further refined during the recommended additional public comment period.

Committee Member Vargas stated that it does not feel like there has been a real stakeholder meeting and stated that he believes the State will take up this issue in the next year.

Vice Chair Martinez echoed Committee Member Vargas' comments.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	June 3, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards
VPC Recommendation	Denial with direction
VPC Vote	17-0

VPC DISCUSSION:

Item Nos. 4 (GPA-2-25-Y) and 5 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak on this item, both in opposition. One member of the public registered in opposition, not wishing to speak.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed General Plan Amendment, including background and details of the location criteria, design, and energy and sustainability policies proposed to be added for data centers, further providing information about the proposed Text Amendment, including a definition for data centers, design guidelines, and a requirement for a Special Permit and performance standards, finally noting the timeline for the proposals.

QUESTIONS FROM COMMITTEE

Committee Member Eichelkraut asked if the text made a distinction between different types of data centers, noting that data centers becoming AI data centers in the future could be an issue. **Mr. Grande** replied that the text did not make a distinction.

Committee Member Swart asked if City staff is able to measure decibel levels. **Mr. Grande** replied that there are some parts of the code that have decibel limits, and the Neighborhood Services Department needs to enforce those requirements.

Committee Member Schmieder stated that the noise limit should simply be a flat decibel limit, rather than a percentage.

Committee Member Augusta asked for clarification on how the location criteria policy would be enforced. **Mr. Grande** replied that each data center will be required to go through the Special Permit process, where staff and the Committee can review the request in relation to the location criteria in the policy.

Committee Member Whitesell stated that it would be better if City staff conducted the noise readings, rather than the applicant, and that C-2 and C-3 are not appropriate for data centers, which should be limited to industrial districts. **Chair Fischbach** noted that Proposition 207 could have been a concern when drafting the language.

Committee Member Todd asked for clarification that if this text is approved, every data center will be a rezoning case. **Mr. Grande** replied that they would be. **Mr. Todd** added that data centers in C-2 is concerning and that the landscaping requirements seem too extreme. **Chair Fischbach** noted that the plants would be drought-tolerant, which alleviates some water usage concerns.

Committee Member Schmieder asked for clarification on the landscaping requirement and if it would be consistent with the environment in industrial districts. **Mr. Grande** replied with background about industrial zoning landscaping requirements.

Committee Member Eichelkraut asked if there is a requirement for separation between data centers. **Mr. Grande** replied that there is not.

Committee Member Whitesell asked for clarification that the requirement is for a Special Permit, not a Use Permit. **Mr. Grande** replied that the text is clear that it is a Special Permit requirement.

Committee Member Eichelkraut stated a concern about the future with energy consumption of data centers that will evolve over time.

Vice Chair Paceley provided background regarding the requirements with utility companies, noting that data centers would be responsible for the required infrastructure and have to sign favorable agreements with utility companies.

Chair Fischbach stated that the primary issue with developing data centers is the need for power, noting that their development can be positive in some ways while highlighting a challenge presented with power supply at a data center on 40th Street.

Committee Member Schmieder asked if APS and SRP will be able to handle the growth into the future. **Vice Chair Paceley** replied that the utilities are planning far into the future to meet future demand.

Committee Member Whitesell asked for clarification on the will serve letter. **Vice Chair Paceley** provided clarification.

PUBLIC COMMENTS

Melissa Rhodes introduced herself and spoke in opposition to the proposal, noting that this proposal does not incorporate the stricter standards found in the data center ordinances of other municipalities, such as Chandler, adding that the development of data centers in commercial districts will be detrimental to neighborhoods and that we don't have the energy for data centers.

Samantha DeMoss with Rose Law Group, introduced herself and spoke in opposition to the proposal, noting that this process is moving too fast for a code change like this, that it doesn't address grandfathering, and that as written, this is a moratorium on data centers, requesting a denial and a 90-day continuance.

Chair Fischbach asked for an example scenario related to the grandfathering issue. **Ms. DeMoss** stated that someone could have purchased property with CP/GCP zoning under the assumption that they could develop a data center but that this text amendment would remove that right, especially considering the will serve letter requirement.

COMMITTEE DISCUSSION

Chair Fischbach stated that based on the discussion so far, one option would be to recommend approval with direction to City staff.

MOTION:

Committee Member Schmieder made a motion to recommend denial of Z-TA-2-25-Y with direction to City staff to:

- Revise the noise requirement to an objective decibel level to be verified by the City.
- Allow for an additional 90-day review period to include a review of ordinances from other municipalities, including Chandler.
- Add separation requirements for data centers from other data centers and from residential uses.

Committee Member Noel seconded the motion.

VOTE:

17-0; motion to recommend denial of Z-TA-2-25-Y with direction passed; Committee Members Abbott, Augusta, Beckerleg Thraen, Eichelkraut, Garcia, Langmade, McClelland, Noel, Schmieder, Sharaby, Siegel, Swart, Todd, Whitesell, Williams, Paceley, and Fischbach in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.

Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	June 3, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Denial, with direction
VPC Vote	11-0

VPC DISCUSSION:

Agenda Item 3 (GPA-2-25-Y) and Agenda Item 4 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Committee Member Michelle Santoro declared a conflict of interest and recused herself from this item, bringing the quorum to 11 members.

Three members of the public registered to speak on this item, in opposition.

Staff Presentation:

Adrian Zambrano, staff, provided background on GPA-2-25-Y and Z-TA-2-25-Y. Mr. Zambrano discussed concerns with data centers that the General Plan Amendment and Text Amendment are trying to address. Mr. Zambrano explained the policy guidance for data centers that the General Plan Amendment includes. Mr. Zambrano then discussed the three main components of the Text Amendment. Mr. Zambrano shared the proposed Zoning Ordinance definition for a data center. Mr. Zambrano then discussed the proposed design guidelines and their purpose. Mr. Zambrano shared the zoning

districts that data centers would be permitted in, subject to a Special Permit and other performance standards, and noted that Special Permits go through the same public hearing process as rezoning cases. Mr. Zambrano stated that a noise study would be required if the data center is within a certain distance from residential. Mr. Zambrano shared the upcoming public hearing schedule and stated that staff recommends approval per the language in Exhibit A of the staff reports.

Questions from Committee:

Committee Member Rick Nowell asked why a large data center would be considered within a small commercially-zoned shopping center. **Mr. Zambrano** responded that there would have to be a large enough area that is commercially zoned in order for the data center to fit. Mr. Zambrano added that a rezoning may be required in some cases to one of the zoning districts that a data center would be permitted in.

Chair Steven Bowser asked if there are any other zoning districts, other than those already listed, that a Special Permit would not be required. **Mr. Zambrano** responded that data centers would only be permitted within the C-2, C-3, CP/GCP, A-1 and A-2 zoning districts, subject to a Special Permit, and they would not be permitted in any other zoning districts. Chair Bowser asked if a data center would be permitted in a heavy industrial district. Mr. Zambrano responded that A-1 is the light industrial district and A-2 is the heavy industrial district, and a Special Permit would still be required.

Committee Member David Kollar asked which zoning districts data centers are currently located in. **Mr. Zambrano** responded that data centers have previously been permitted through an informal interpretation of the Zoning Ordinance and were determined to be analogous to an office use, so any zoning district that permitted an office use is where they have been permitted. Mr. Zambrano stated that the commercial, commerce park, and industrial districts all permit office use. Mr. Zambrano added that some data centers have gone through the PUD (Planned Unit Development) process to permit them.

Vice Chair Louis Lagrave asked what the typical size is of a data center. **Mr. Zambrano** responded that they are typically very large in scale and could cover many acres of land. Mr. Zambrano added that they typically are not small-scale. Vice Chair Lagrave asked for clarification that it most likely would not be able to fit within a mostly vacant shopping center. Mr. Zambrano responded affirmatively.

Committee Member Kollar stated that some vacant high-rises have been retrofitted for data centers. Committee Member Kollar stated that a large amount of space is needed for a successful data center development. Committee Member Kollar added that data centers are very particular with mechanical, electrical and water needs. **Vice Chair Lagrave** asked if the space in this example would be less than 10 percent of the floor area of the entire development. Committee Member Kollar responded that unless it is for a specific user that has their own data needs, a data center is typically a giant empty warehouse with a lot of racks that need to be cooled. Mr. Kollar reiterated that a lot of square footage is needed. Mr. Kollar stated that a majority of the space is taken up by data infrastructure and a small remainder of the space is used for office space. Vice

Chair Lagrave asked if the noise is continuously generated 24/7. Committee Member Kollar responded that data centers generate noise from rooftop mechanical equipment and there may be some light humming from the racks and servers in the interior. Committee Member Kollar added that the massive air handlers that support cooling of the equipment also generate noise.

Committee Member Reginald Younger asked about data center water usage. **Mr. Zambrano** responded that some data centers may use water cooling to help cool their data infrastructure.

Committee Member Nowell expressed concerns with allowing a five percent increase in the ambient noise level in residential areas. Committee Member Nowell asked why the Text Amendment would allow an increase in the ambient noise level. **Mr. Zambrano** responded that this language was based off of what other municipalities have done that have adopted a data center ordinance. Committee Member Nowell suggested that Phoenix take the lead and say that the ambient noise level cannot be exceeded.

Committee Member Kollar asked if there is a decibel range that is considered an ambient noise level. **Mr. Zambrano** responded that the noise study would determine what the ambient noise level is, which would be conducted by an acoustical engineer. Committee Member Kollar stated that an acceptable decibel range would make more sense.

Committee Member Jason Israel stated that noise levels inside data centers typically range from 80 to 90 dBA (A-weighted decibels) and peak levels can reach up to 96 dBA. Committee Member Israel concurred with clarifying the ambient noise level requirement. **Mr. Zambrano** responded that the ambient noise level would be the baseline noise level before a data center is built in the area. Mr. Zambrano added that the ambient noise level can vary based on the surrounding context of a site and a specific decibel number would not cover the entire city, since noise level can vary from one part of the city to another.

Committee Member Barbara Reynolds stated that smaller data centers can operate in buildings from 5,000 to 10,000 square feet and larger facilities require up to 300 acres. Committee Member Reynolds agreed with not allowing data centers in commercial areas.

Committee Member Richard Carlucci expressed concerns with the noise study requirement, noting that developers could go to the nearest street during the busiest time of the day and measure the noise levels from there to get the highest ambient noise level. Committee Member Carlucci stated that the noise study needs more objective standards. Committee Member Carlucci asked why a Special Permit is needed. **Mr. Zambrano** responded that the Special Permit requirement would allow community input, which would not happen if a data center was allowed by-right in a zoning district. Committee Member Carlucci stated that data center developers that invest a lot of money into a site deserve some certainty. Mr. Zambrano responded that part of the Village Planning Committee (VPC) recommendation is determining whether a

Special Permit is appropriate for all zoning districts or not and if data centers should be permitted in the listed zoning districts or not, or if there are additional zoning districts they should be permitted in.

Chair Bowser stated that a Special Permit is different from a Use Permit. Chair Bowser clarified that a Use Permit is typically for a use such as a drive-through and a Special Permit is similar to a rezoning case. Chair Bowser stated that data centers are used on a daily basis without knowing it. Chair Bowser added that Phoenix is an area that does not have natural disasters like other parts of the country and thus, Phoenix is a prime area to build data centers. Chair Bowser stated that there should be more incentives to encourage data centers in old industrial areas and old retail areas that need to be redeveloped.

Committee Member Carlucci asked if the will-serve letter would require a confirmation of energy from the utility company within two years. **Mr. Zambrano** responded affirmatively. Committee Member Carlucci asked why the will-serve letter would be required. Mr. Zambrano responded that the purpose was to ensure that there is not a significant strain on the power grid due to data centers, which require a significant amount of energy. Committee Member Carlucci asked if the City is concerned that the utility company will mismanage their resources, make commitments they cannot meet, and put the power grid in danger. Mr. Zambrano responded that generally, energy usage is one of the major concerns of data centers, and it is not just a City concern. Mr. Zambrano stated that the City wants to ensure there is sufficient energy supply for data centers. Mr. Zambrano added that if the VPC does not agree with the two-year timeframe, then part of the VPC recommendation could be to modify it.

Committee Member Kollar asked if the proposed definition for a data center was defined by the City or by another source. **Mr. Zambrano** responded that the City looked at other municipalities and how they defined a data center. Mr. Zambrano stated that the definition was intended to be simplified. Committee Member Kollar expressed concerns with the second part of the proposed definition for data centers, noting that some accessory data center uses may exceed 10 percent of the gross floor area. Mr. Zambrano shared and explained the proposed definition again. Mr. Kollar asked if a software company would be considered a data services company if they have servers and racks that exceed 10 percent of their gross floor area. Mr. Zambrano responded that based on the proposed definition, if they exceeded the 10 percent threshold, then they would be considered a primary data center use. Mr. Kollar expressed concerns with software and technology companies, since they have robust servers and racks for the nature of their business, which may exceed 10 percent of their gross floor area. Mr. Zambrano responded that the 10 percent threshold came from another municipality and how they defined a data center as an accessory use. Mr. Zambrano added that this could be another modification that could be a part of the VPC recommendation.

Chair Bowser asked if 50 percent of the gross floor area is more common. **Committee Member Kollar** responded that it is not uncommon. Committee Member Kollar stated that there are a lot of technology companies in the area that would probably need more than 10 percent of their gross floor area in order to not be considered a data center.

Committee Member Kollar added that some may be able to fit in a closet, but companies' floor areas are shrinking as more people are teleworking, which also increases server needs.

Mr. Zambrano stated that there is an established Zoning Ordinance definition for gross floor area and noted that it would cover the floor area of each floor of a multi-story building.

Committee Member Gary Kirkilas asked if the first part of the proposed definition would cover companies with facilities that are not primarily used for data services. **Committee Member Kollar** responded that it would depend on how data services is defined. Committee Member Kirkilas asked for clarification on encouraging energy efficiency.

Mr. Zambrano responded that data centers would be encouraged to utilize the Phoenix Green Construction Code in order to maximize their energy efficiency, since data centers have such high energy demand. Mr. Zambrano added that maximizing energy efficiency would reduce their energy demand.

Committee Member Carlucci stated that the architectural requirements would add more areas for energy to leak out rather than a flat façade that could better retain energy. **Mr. Zambrano** responded that the surrounding community to a data center would not want to see a large, monolithic, concrete box right next to their community. Mr. Zambrano stated that the architectural requirements address the negative visual impact that data centers could have on the surrounding community.

Vice Chair Lagrave expressed concerns with the 10 percent threshold in the definition.

Committee Member Younger expressed concerns with energy efficiency not being a requirement. Committee Member Younger asked if energy efficiency could be changed to a standard requirement. **Mr. Zambrano** responded that encouraging energy efficiency is from the General Plan Amendment, which would be the policy guidance. Mr. Zambrano added that if data centers are required to obtain a Special Permit, then City staff would look at the adopted policy guidance during that process and try to ensure the development is being consistent with adopted policy. Mr. Zambrano added that the VPC recommendation could include modifying this to a requirement.

Public Comments:

Benjamin Graff, with Quarles & Brady, LLP, introduced himself as a representative of American Express, opposed to this item. Mr. Graff displayed the existing American Express campus at the southeast corner of Mayo Boulevard and 56th Street, noting that the site is zoned CP/BP (Commerce Park District, Business Park Option). Mr. Graff noted that data centers were previously permitted in the CP/BP zoning district by right. Mr. Graff stated that American Express leased the land from the Arizona State Land Department with the intention of building two companion data centers in the vacant land to the north of the existing campus. Mr. Graff stated that these data centers would not be leased out and would support the American Express operations. Mr. Graff stated that

the 10 percent threshold in the proposed definition would be exceeded by the proposed data centers, and the CP/BP zoning district would not permit data centers in the current draft ordinance. Mr. Graff added that Text Amendments typically take a year to go through the process and stakeholders like American Express are contacted and brought into stakeholder meetings. Mr. Graff stated that there has been no outreach that he is aware of to American Express. Mr. Graff requested that the Text Amendment be slowed down. Mr. Graff recommended that the 10 percent threshold in the proposed definition be removed and that the CP/BP zoning district be added to the zoning districts that permit data centers. Mr. Graff added that American Express has final site plan approval for Phase II of the American Express campus, which includes their first data center. Mr. Graff stated that if it becomes a legal non-conforming use overnight, it would create many issues with lenders and financing that previously had other assurances.

Ty Utton, representative with Rose Law Group, introduced himself as a representative of a broad coalition of data centers, opposed to this item. Mr. Utton echoed Mr. Graff regarding the Text Amendment schedule. Mr. Utton stated that it was not an inclusive process and was not the delivered approach typically seen from the City of Phoenix. Mr. Utton expressed concerns with Proposition 207. Mr. Utton requested that the Text Amendment be delayed.

Cepand Alizadeh, representative with the Arizona Technology Council (AZTC), introduced himself as a stakeholder opposed to this item. Mr. Alizadeh shared a story about a car accident, noting that his medical records were readily available to the hospital because of a data center. Mr. Alizadeh stated that AZTC is a coalition of over 750 tech companies across Arizona, including numerous data center partners. Mr. Alizadeh expressed concerns with the fast schedule for the Text Amendment. Mr. Alizadeh stated that the City of Chandler took 20 months, and the City of Surprise took 24 months, to come up with a data center ordinance. Mr. Alizadeh stated that the will-serve letter would not be possible, noting that data centers take years to develop. Mr. Alizadeh expressed concerns with the noise study, noting that there is no mention of measuring the noise in decibels. Mr. Alizadeh stated that the Text Amendment is missing key language and stakeholders have not had any time to provide input. Mr. Alizadeh requested that the Text Amendment be slowed down and noted that other VPCs at the meetings he has attended have all denied it.

Staff Response:

Mr. Zambrano responded that projects with preliminary site plan approval before the Text Amendment is adopted and goes into effect would still be able to develop and would be considered a legal non-conforming use. Mr. Zambrano added that if they wanted to expand in the future, then that is when the new zoning regulations would apply. Mr. Zambrano stated that Proposition 207 concerns are a concern of the City Council and should not be a concern at the VPC level. Mr. Zambrano stated that the VPC recommendation could modify the 10 percent threshold of the proposed definition as well as the noise study requirement. Mr. Zambrano added that the Mayor and City Council requested that these items be before them to vote on before their summer recess, which is why the schedule is rushed.

Discussion:

Committee Member Joseph Barto asked if the schedule is a normal timeframe or if it is a faster schedule. **Mr. Zambrano** responded that the public hearing schedule is a bit more rushed, noting that the VPC, Planning Commission, and City Council meetings are usually a month apart, resulting in at least a three-month public hearing schedule. Mr. Zambrano stated that the public hearing schedule for these items is scheduled at about a month and a half, so it is a faster timeline in that sense. Mr. Zambrano added that it has been in the works since the beginning of the year and there have been three stakeholder meetings. Mr. Zambrano stated that City staff is actively working with stakeholders to get their input.

Committee Member Carlucci stated that although data centers are not a large source of traditional jobs, they are a large source of construction jobs. Committee Member Carlucci expressed concerns with major employers not coming to Phoenix if data centers do not get built because of this Text Amendment. Committee Member Carlucci added that data centers are critical national security infrastructure and are critical to helping win the race for Artificial Intelligence (AI). Committee Member Carlucci stated that the Text Amendment seems more like a ban on data centers. Committee Member Carlucci stated that data centers need to be built faster and bigger. Committee Member Carlucci stated that energy concerns should be addressed by the power companies on how they can scale up energy production. Committee Member Carlucci expressed opposition for these items.

Chair Bowser stated that he believes there are appropriate areas for data centers, such as a large commerce park area, and a Special Permit requirement seems like an overreach for those areas. Chair Bowser added that old retail areas may be more appropriate for a Special Permit requirement due to proximity to residential.

Committee Member Kirkilas asked what the stakeholder input has been so far. **Mr. Zambrano** responded that he has not been involved in the stakeholder meetings, so he cannot say what has been discussed in those meetings. Mr. Zambrano reiterated that the Mayor and City Council requested these items to be before them to vote on before their summer recess, which is why City staff is moving forward with the current schedule.

Committee Member Kollar asked if stakeholder comments were considered and incorporated into the Text Amendment. **Mr. Zambrano** responded that there was one stakeholder meeting at the time the staff report was written. Mr. Zambrano added that City staff may make some modifications to the draft ordinance language for the Planning Commission and the City Council meetings, based on feedback heard from the stakeholder meetings and the VPC meetings. Committee Member Kollar stated that it seems pre-mature to vote on the Text Amendment if it is going to be amended. Committee Member Kollar expressed concerns with stakeholder input not being incorporated into the Text Amendment. Committee Member Kollar stated that the current draft ordinance seems over-prohibitive. Mr. Zambrano responded that these are all factors that the VPC can consider, and this is part of the discussion. Mr. Zambrano stated that the main question is whether the VPC agrees with the current draft

ordinance or not, and if not, which parts does the VPC not agree with and how can those parts be modified. Mr. Zambrano added that this information will be used for further discussions with the Planning Commission and the City Council.

Vice Chair Lagrave stated that the Text Amendment seems incomplete. Vice Chair Lagrave stated that the issues he sees are the 10 percent threshold of the proposed definition, the exclusion of the CP/BP zoning district, the noise study requirements, and proximity to residential. Vice Chair Lagrave stated that these issues need to be addressed. Vice Chair Lagrave asked which type of motion would be more likely to be heard. **Mr. Zambrano** responded that there are a few different options, including recommending denial with direction, with the direction to take another look at the items of concern. Mr. Zambrano added that the VPC could recommend approval, per the staff recommendation, with modifications, and recommend certain modifications to the text amendment.

Committee Member Reynolds recommended adding the will-serve letter requirement to the list of concerns.

Committee Member Israel asked for clarification if the calculation for the 10 percent threshold of the accessory data centers for the American Express site would include the gross floor area of all on-site buildings of Phase I, Phase II, and Phase III, based on the proposed definition. **Mr. Zambrano** responded that if the data centers are solely serving the enterprise functions of American Express, then the gross floor area would include all buildings on the campus, including the existing American Express buildings. Committee Member Israel asked for clarification if the proposed definition would not allow data services to be leased to third parties. Mr. Zambrano clarified that this part of the definition intends to clarify that a data center would be considered an accessory use only if it is used for the on-site enterprise and is not leased to other entities.

Committee Member Carlucci asked if there are other zoning districts that could be added in addition to the CP/BP zoning district, such as industrial districts. **Chair Bowser** responded that the A-1 and A-2 industrial zoning districts are already listed. Committee Member Carlucci stated that part of the recommendation should include removing the Special Permit requirement.

Mr. Zambrano asked for clarification if the recommendation would include removing the Special Permit requirement for only the industrial zoning districts or for all the zoning districts. **Committee Member Carlucci** suggested that the Special Permit requirement be removed from all the zoning districts.

Vice Chair Lagrave stated that the Special Permit requirement should be retained for the commercial zoning districts.

Mr. Zambrano repeated that the VPC wanted to add data centers as a permitted use in the CP/BP zoning district and that the VPC wanted to allow more time for stakeholder input. Mr. Zambrano asked for clarification if the VPC wanted to increase the 10 percent threshold in the proposed definition. **Vice Chair Lagrave** responded that it should be

removed. Mr. Zambrano asked for clarification if the VPC wants to increase the number of years for the will-serve letter requirement or remove it altogether. Vice Chair Lagrave responded that it should be removed. Vice Chair Lagrave added that the Special Permit should remain required for the C-2 and C-3 zoning districts but should not be required for the CP/BP, CP/GCP, A-1 or A-2 zoning districts.

Committee Member Nowell stated that the ambient noise level should not be exceeded. **Vice Chair Lagrave** responded that the noise level must be measured in decibels. Vice Chair Lagrave stated that he was okay with leaving the five percent allowance to exceed the ambient noise level.

Committee Member Kirkilas asked for clarification that the Special Permit requirement would be recommended to be kept near residential areas. **Vice Chair Lagrave** responded affirmatively, noting that it would be kept for the commercial zoning districts.

Committee Member Nowell asked why the ambient noise level should be increased by five percent for data centers in commercial zoning districts near residential areas. **Vice Chair Lagrave** responded that the noise level could be addressed at the time that the data center developer goes through the Special Permit process.

MOTION – Z-TA-2-25-Y:

Vice Chair Lagrave made a motion to recommend denial, with direction to allow more time for stakeholder input, to remove the threshold for 10 percent of the gross floor area of all on-site buildings in the proposed definition, to clarify the noise study requirements and ensure that noise is measured in decibels, to remove the will-serve letter requirement, to add data centers as a permitted use in the CP/BP zoning district, and to only require a Special Permit for the C-2 and C-3 commercial zoning districts.

Committee Member Carlucci seconded the motion.

VOTE – Z-TA-2-25-Y:

11-0; the motion to recommend denial of Z-TA-2-25-Y with direction passes with Committee Members Barto, Birchby, Carlucci, Israel, Kirkilas, Kollar, Nowell, Reynolds, Younger, Lagrave and Bowser in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.

Village Planning Committee Meeting Summary

Z-TA-2-25-Y

Date of VPC Meeting	May 20, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Village Planning Committee Meeting Summary

Z-TA-2-25-Y

Date of VPC Meeting	June 2, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Denial
VPC Vote	13-0-1

VPC DISCUSSION:

Item Nos. 5 (Z-TA-25-Y) and 6 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak on these items in opposition.

STAFF PRESENTATION:

John Roanhorse, staff, provided a presentation on the Data Center General Plan Amendment noting the development background, review process, and the rationale behind the proposed amendment. Mr. Roanhorse stated that the proposed text amendment is a companion to the General Plan Amendment and is intended to support the regulatory framework for data centers. Mr. Roanhorse stated that the City Council had initiated creation of new policy guidance in response to the growing number of requests for data center facilities, which possess unique characteristics not currently addressed. Mr. Roanhorse expressed the importance of the General Plan Amendment due to land use considerations, the need for adaptation to existing developments, and the importance of connecting these facilities to infrastructure. Mr. Roanhorse noted that one of the primary reasons for the amendment is that data centers are not directly addressed in either the General Plan or the Zoning Ordinance and previous developments have been permitted through informal interpretations. Mr. Roanhorse discussed the key elements of the amendment, including location criteria, design policies, and sustainability measures. Mr. Roanhorse reviewed site placement criteria,

highlighting core areas and centers as not preferred locations, and noted various suitability factors. Mr. Roanhorse discussed required setbacks, the integration of art features, dark sky compliance, noise mitigation, and architectural design standards. Mr. Roanhorse noted the energy demands associated with data centers and the importance of incorporating energy efficiency measures. Mr. Roanhorse stated that the amendment would offer additional detail regarding definitions, guidelines, and performance standards.

QUESTIONS FROM THE COMMITTEE:

Committee Member Opal Wagner asked if an assessment was done regarding data centers and if there were potential sites within the Encanto Village and how large of a footprint data centers would require. **John Roanhorse**, staff, responded that there were not many suitable sites available for a large data center and made an initial review and noted that most of the areas within Encanto Village are already developed. Mr. Roanhorse stated that the scale and magnitude of many proposed data centers would likely not be feasible due to structural limitations but also because of existing development and the Encanto Village probably would not be an ideal location for such facilities.

Committee Member Robert Warnicke stated there were two main concerns with the presented text amendment. Committee Member Warnicke stated first, is a perceived contradiction in the criteria for data center locations and noted that while the guidelines discourage placement within or adjacent to identified cores centers and corridors, they simultaneously encourage data centers in redevelopment areas where infrastructure investment is needed. Committee Member Warnicke stated that, in his experience, developers often promote zoning changes by emphasizing the infrastructure improvements their projects will bring and there is concern that this approach has been made in other villages and might create confusion or loopholes in applying the criteria consistently. Committee Member Warnicke said his second concern was more technical and related to the definition of a data center and noted a portion of the definition states a data center as a facility primarily used for data services but includes a carve-out stating the facility is not used to lease data services to third parties. Committee Member Warnicke stated there is confusion over the purpose of that clause and asked why it was included. Committee Member Warnicke stated that such a carve-out might allow companies to build facilities for their own use while leasing excess capacity to others, potentially bypassing the intended regulatory framework. Committee Member Warnicke said the carve-out as is much like the tail wagging the dog and warned that it could be exploited, allowing data centers to be built anywhere as a private use. **Mr. Roanhorse** responded that the city is currently focused on regulating developments that are already in progress and while also considering future plans. Mr. Roanhorse stated the city has met with stakeholders and has presented the text amendment information at the Village Planning Committees to get feedback and promote consistency.

Committee Member Robert Warnicke echoed his concern and stated that the business model whether the data services are leased out or used internally should not affect how a facility is regulated. Committee Member Warnicke stated that the impact on

the city and surrounding areas would be the same regardless of the business structure and stated there should be more analysis of this issue.

Committee Member Rick Mahrle commented on a point of clarification regarding the carve-out and stated that the text language is not used to lease data services to third parties and should be read as excluding facilities that are solely serving their own enterprises. Committee Member Mahrle stated an example of a law firm that operates a large computer storage system occupying less than 10 percent of its gross floor area. Committee Member Mahrle noted that as long as that system is not used to lease services externally and solely supports the business itself it should not be classified as a data center. Committee Member Mahrle stated that this was his interpretation noting Committee **Member Warnicke's** concern and clarified that the purpose of the clause is to distinguish private enterprise systems from commercial data centers.

Committee Member Mark Cardenas stated that he agreed with the concerns previously stated and noted that major corporations such as Amazon, Google, and Microsoft already operate data centers and infrastructure within the Phoenix area. Committee Member Cardenas said that when individuals use services like Microsoft Outlook, Cortana, or cloud storage, they are essentially leasing storage space from these companies and that he personally purchases additional storage to save family vacation photos and said that this kind of licensing arrangement is common. Committee Member Cardenas said there is a concern that under the current definition, if companies like Amazon or Google choose to build new data centers in Phoenix, they could avoid regulation simply by stating that they are not leasing the space but in reality, they are selling licenses to the public. Committee Member Cardenas emphasized that Phoenix's 1.6 million residents purchase data licenses from these companies every day, and that the language in the proposed text amendment excluding facilities that do not lease data services is problematic. Committee Member Cardenas stated that this exception creates a loophole that undermines the intent of the regulation. **Mr. Roanhorse** noted that from the city's perspective, the distinction lies in how data is managed and licensed and noted that individual consumers are not directly investing in or operating data infrastructure but are instead purchasing licenses or subscriptions. Mr. Roanhorse stated that data is often transferred between entities, and that the bulk of such information is typically owned and managed by larger corporations, not individual users. Committee Member Cardenas replied that this understanding was not entirely accurate and as a business owner operating an LLC, that purchases increased email storage or data capacity, he is not buying hardware or servers directly he is licensing space in a data center. Committee Member Cardenas stated the definition excludes leased services and his business would technically be unable to continue purchasing additional data storage from companies like Microsoft and this interpretation could restrict the ability of local businesses to operate effectively, and questioned whether the current language adequately reflects the real-world use of data center services. **Mr. Joshua Bednarek**, Planning and Development Department Director, responded by stating that Committee Member Cardenas's explanation was essentially correct and aligned with the intent behind the current definition and that the language was designed to prevent large organizations that operate internal data systems from being classified as commercial data centers. Mr. Bednarek stated that as long as an entity demonstrates that its data center is used exclusively for internal operations, it would not be considered

a regulated data center under the proposed definition and further explained, the definition was to provide flexibility for larger employers with legitimate internal data needs, without unintentionally subjecting them to data center regulations.

Committee Member Sabrina Perez asked about the location criteria policy and stated that her organization works extensively with data centers and expressed concern with the language that states data centers are discouraged within and adjacent to identified cores centers and corridors. Committee Member Perez stated that, in her experience data centers are often located adjacent to housing and financial centers and, over time, they begin to create their own core areas and economic corridors. Committee Member Perez stated that the intent seems counterintuitive that the policy would discourage data centers from being near such areas given that the growth and presence of data centers can actively contribute to the formation of vibrant economic hubs. Committee Member Perez stated that rather than being out of place, data centers often become integral to the development of their surroundings, supporting an ecosystem of businesses and services. Committee Member Perez stated the policy language that encourages data centers in identified redevelopment areas and noted that many of these locations already contain existing space and are positioned to support ancillary services and suggested the language may be misaligned with how these areas are practically developing. Committee Member Perez stated there is a technical concern about utility infrastructure and data centers often build their own substations on site for power generation and that the Department of Energy (DOE) has invested in small modular reactors (SMRs) that can be integrated into such developments. Committee Member Perez stated that utility will-serve letters are increasingly irrelevant in these cases because data centers are largely self-sustaining in terms of power needs. **Mr.**

Bednarek responded stating that the proposal involves two components: a general plan amendment and a text amendment where the general plan amendment includes location criteria that are meant to guide decision-making, while the text amendment introduces specific zoning tools to regulate data centers such as the requirement of a special permit, similar to what is currently required for self-storage facilities. Mr. Bednarek stated the general plan language is not absolute and is intended to serve as a policy foundation and framework to help committees and staff evaluate whether a proposed data center aligns with the city's long-term goals. Mr. Bednarek stated that a location example of Thomas Road and Central Avenue, a designated core area where residents and city leaders have expressed a desire for amenities like restaurants and gathering places and if there were to propose a data center in that area, the location criteria would serve as a signal to pause and consider whether the proposed use is appropriate.

Mr. Bednarek stated that while the criteria provide guidance, a special permit process allows for case-by-case evaluation, which includes input from staff, the committee, and ultimately the City Council and reiterated that the intent of the proposed changes is to ensure that data centers are subject to thoughtful planning and design standards, and that such policies are reflected both in the general plan and the zoning ordinance.

Committee Member Tom Doescher stated a concern about the low energy rates being promoted by the Arizona Corporation Commission and noted that the Commission has

opened public comment on this issue, and emphasized that the more data centers are developed, the more electricity and energy they will consume. Committee Member Doescher said that the Commission does not want consumers to bear the financial burden of these increased energy demands and asked how the city plans to address potential issues related to the size and location of smaller modular reactors (SMRs), especially when these reactors are situated adjacent to existing buildings. **Mr.**

Bednarek responded, stating that the purpose of the general plan amendment and the accompanying text amendment is to better the position the city in response to the growing needs of the data center industry and emphasized that the city wants to ensure that the location of new data centers is subject to discussion and evaluation, much like other land uses. Mr. Bednarek stated that presently no such discussion takes place before a data center is developed, not with this committee, not with neighboring residents, and not with the City Council. Mr. Bednarek said the proposed amendments would establish a regulatory framework that enables those conversations to occur. Mr. Bednarek further explained that, under this proposed process, both large and small data center proposals would be evaluated to determine whether they are appropriate for a given location and that evaluation would include considerations such as energy demand, infrastructure capacity, and community impacts that are not currently part of the review process.

Committee Member Mahrle commented that the committee's concerns should not be interpreted as opposition to data centers and stated the need for careful and thoughtful regulation, especially in response to concerns raised about the clarity of the definition language in the proposed text amendment. Committee Member Mahrle suggested that the Planning Commission should revisit the definition to ensure it accurately captures the intended meaning and scope. Committee Member Mahrle commented that the issue of infrastructure improvements, referencing the general plan's encouragement of data centers in redevelopment areas and stated he is supportive of the idea of placing data centers in locations where infrastructure upgrades are needed, with the understanding that developers would contribute financially by constructing required improvements such as half-streets, traffic signals, and road upgrades. Committee Mahrle stated that this is a sound concept, and he wants to ensure it is clearly reflected in the final policy language.

Committee Member Cardenas commented on an earlier point made by Mr. Bednarek and expressed his support for the creation of general policies governing the location and design of data centers. Committee Member Cardenas stated a concern about the accelerated timeline of the current process. Committee Member Cardenas said that with the Preserve Historic Plan and this data center amendment it is moving faster than any other text amendment he has seen. Committee Member Cardenas asked why the process is being rushed, pointing out that the amendment is scheduled to go through all Village Planning Committees in June 2025, Historic Preservation Commission in July, Planning Commission in August, Subcommittee review in September, and City Council vote in October. Committee Member Cardenas stated that if the city intends for the policy to have a long-term impact, the current speed of adoption does not appear appropriate. **Mr. Bednarek** responded that he understood the concerns expressed by the committee regarding the sense of urgency behind the amendment. Mr. Bednarek stated that currently, the City does not have any policy framework in place to guide or

regulate data centers. Mr. Bednarek said this absence of a well-developed framework like the city already has for historic preservation, noting that the lack of a similar structure for data centers is problematic given the sheer volume of space and capital investment involved.

Mr. Bednarek stated that the proposed text amendment is not a prohibition on data centers, just as current zoning policies do not prohibit self-storage facilities instead, it is about establishing a process for reviewing such developments that allows community members to participate meaningfully. Mr. Bednarek stated that the goal is to determine whether a framework is needed, and if so, to ensure that future data center proposals are subject to public input and formal review. Mr. Bednarek stated that there are two key questions: Do we need a policy framework, and should the community have a role in evaluating future proposals?

Committee Member Cardenas commented that when the issue of regulating data centers had surfaced months ago, he shared that he had texted city staff about the matter as early as February and was told they would be notified when the draft was ready. Committee Member Cardenas stated that now the draft is available, he expressed concern that the process appears rushed, particularly in comparison to previous planning efforts and cited a prior presentation in which a four-month review period was provided, allowing for feedback and adjustments before finalizing this proposal in contrast appears to be on an accelerated timeline, raising concerns about potential unintended consequences and insufficient public engagement. Mr. Cardenas stated there were issues when pushing the amendment through quickly could lead to blowback from companies like TSMC, which are closely tied to the semiconductor and data storage sectors. Committee Member Cardenas stated that as a resident in the fifth-largest city in the country, he emphasized that his concerns were not trivial and requested that the City pump the brakes and slow the timeline, expressing doubt that a Planning Commission hearing scheduled just two days away would allow for proper consideration of the issues raised. Committee Member Cardenas stated concern regarding the reliability of will-serve letters, which utilities are expected to provide as evidence that they can meet future energy needs. Committee Member Cardenas stated that the time frames for service projections may exceed four years, and such letters could be invalid if no action occurs for several years. **Mr. Bednarek** responded by acknowledging the concerns related to the current wording of the will-serve letter requirement, stating that staff was prepared to propose modifications to that section and noted that all other Village Planning Committees had already offered recommendations on the draft amendment, and that there was a strong sense of urgency from the City Council to adopt a framework sooner rather than later. Mr. Bednarek encouraged committee members to submit specific suggestions regarding any language they felt needed revision, particularly if they had concerns beyond the will-serve language. Mr. Bednarek emphasized that all feedback would be considered during Planning Commission and City Council deliberations.

Committee Member Procaccini asked about energy usage and asked whether there had been any analysis related to promoting energy infrastructure improvements and green building standards. Committee Member Procaccini inquired if the city was considering standards such as requiring lighter colored roofs or limiting the amount of

power used. **Mr. Bednarek** responded that those types of considerations could certainly be addressed as part of a Special Permit request, should the proposed text amendment be adopted. Mr. Bednarek stated that, currently, the city does not have the opportunity to evaluate such design and infrastructure elements. Mr. Bednarek stated that if the proposed framework is approved, special permit applications could include requirements related to energy efficiency and sustainability, such as solar installations and design standards. Mr. Bednarek noted that some provisions in the draft already address issues like shading within project streets but emphasized that the special permit process would allow for case-by-case refinement of requirements through conversations between applicants, planning staff, and the community.

Committee Member Perez asked about the intention of the will-serve letter and if there could be language requiring it to be reviewed annually based on available utility resources and acknowledged that this might result in additional paperwork, but stated that given the long development timelines for data centers, there should be an annual reassessment to ensure that commitments made in the letter remain valid. Committee Member Perez asked how the city would hold developers accountable if they were leasing their space to third parties. **Mr. Bednarek** responded that the concern about third-party leasing was valid and said that the intent of the will-serve letter requirement is to ensure the city has a clear understanding of future energy demand and is not allowing data centers to consume limited energy capacity, thereby displacing other community-serving uses like housing, restaurants, or recreational facilities. Mr. Bednarek stated that the proposed language is being refined, and the goal is to prevent large parcels of land from sitting idle for years while awaiting energy infrastructure buildout. Mr. Bednarek stated that third-party leasing is not explicitly addressed in the current draft but is being discussed and that enforcement would occur through NSD (Neighborhood Services Department) if a facility violated its zoning approval. Mr. Bednarek said if a campus-based user such as a hospital or major employer proposed a data facility for internal operations, the city would verify the use during the permitting process and if the purpose changed later, it could trigger a zoning ordinance violation.

Committee Member Perez commented that, with over 20 years of experience as an engineer and significant involvement in data center projects, she believes the general public lacks the technical understanding to adequately evaluate the implications of such a text amendment. Committee Member Perez stated that many residents and committee members may not have the necessary background to assess these facilities, and that relying on a few informed stakeholders places an unfair burden on the public. Committee Member Perez stated the process as overly aggressive, noting that not everyone has recently gained familiarity with the industry the way some committee members or their clients have.

Committee Member Cardenas expressed appreciation for Mr. Bednarek's repeated acknowledgment that the language is still being refined and that he understands staff have constraints and must sell proposals up the chain of command but emphasized that the lack of clarity on certain provisions particularly around third-party leasing remains troubling. Committee Member Cardenas stated that there is no current process outlined for situations where a company like Amazon builds a data center and later leases space to small businesses or third-party operators. Committee Member Cardenas stated that

the definition section of the draft text amendment does not sufficiently address or distinguish these scenarios and said this as a critical oversight, noting that the ambiguity could lead to unintended consequences if the city fails to differentiate between internal-use data centers and commercial or leased data facilities. **Mr. Bednarek** responded by stating that the intention of the language is to address owner-operated facilities, such as Amazon using a data center solely for its own internal operations the facility is still considered a data center under the proposed language. Mr. Bednarek commented that leasing scenarios where a facility is marketed to third-party users are not clearly addressed in the draft and stated that refining the language to provide clarity on these distinctions is under active consideration, and that additional comments and suggestions from the committee would be welcomed during the Planning Commission and City Council review phases.

Committee Member Cardenas stated that the current definitions and structure of the proposed amendment do not capture the complexity of how data centers may be used and noted that projects such as Microsoft's facility or others where land was donated or where terms were negotiated could fall into gray areas not currently addressed. Committee Member Cardenas stated he disagreed with Mr. Bednarek's interpretation and urged further revisions to ensure transparent and enforceable definitions.

Committee Member Warnicke commented that there was uncertainty in a comment made earlier and that may have been a misunderstanding and with the previous discussion the issue has more clarity but there should be some adjustments to the definition.

Committee Member Mahrle asked for clarification on the data center definition and asked for help understanding a hypothetical scenario where a company such as Infinix were to build a facility and use the entire building to house servers, would that qualify as a data center even if the space was dedicated to internal use only. Committee Member Mahrle asked if a hospital could have extensive computer systems in place to support its medical operations and if the data and server space remained under 10 percent of the gross floor area of the hospital's onsite buildings, would this be classified as a data center under the proposed definition. Committee Member Mahrle expressed that this exemption appeared to be based on usage and proportion of floor area, unless the hospital began leasing the data capacity to third-party entities, which would then reclassify it as a data center.

Committee Member Cardenas asked how many hospitals currently exceed that 10 percent threshold and whether some of them might already be marketing or using their facilities in ways that could bring them under this definition. Committee Member Cardenas stated that this gray area could lead to confusion about when an otherwise exempt facility becomes subject to the proposed regulations. **Mr. Bednarek** responded that the intent of the definition is to allow institutions like hospitals or universities to manage their own internal data operations without triggering the full regulatory framework. Mr. Bednarek stated that as long as the use remains internal and under the 10 percent gross floor area threshold, such facilities would not be considered data centers under the ordinance, however, if they began leasing server space to third parties, they would then fall within the scope of the data center designation. Mr.

Bednarek said that this flexibility was intended to accommodate facilities that have legitimate internal data needs, such as hospitals, while ensuring that purpose-built commercial data centers are subject to community oversight through the proposed special permit process.

Committee Member Cardenas asked for confirmation that any facility with server or data operations occupying more than 10 percent of the gross floor area regardless of intended use would be defined as a data center under the text amendment. **Mr. Bednarek** responded that this was correct.

Committee Member Perez commented that Google has started doing tenant improvements and this may suggest they may not own their buildings on their own land and may be leasing space for a data center. Committee Member Perez asked if this situation has been considered and what would the response be. **Mr. Bednarek** responded this would be treated just like the adoption any new ordinance if you were in the middle of a building permit and, those are the things that we're going to have to sort out on a case-by-case basis with every property owner depending on where they are at in the process. Mr. Bednarek stated in the new framework for data centers is appropriate and it is the simplest process, but some adjustments will be made, and staff will work through it properly.

PUBLIC COMMENT

Cepand Alizadeh, representing the Arizona Technology Council, introduced himself and shared a personal experience to illustrate the importance of access to electronic medical information and the critical role of Data Centers. Mr. Alizadeh explained that he works with an organization that provides information and supports a variety of technology industries, emphasizing its alignment with economic development efforts. Mr. Alizadeh stated that correspondence outlining the Arizona Technology Council's position on the proposed text amendment had been submitted to the Mayor's Office and members of the City Council. Mr. Alizadeh stated that data centers are an essential component of the modern economy, noting that several facilities are either under consideration or already under construction in different areas of the city, with more expected in the near future. Mr. Alizadeh also pointed out that data centers vary in size and capacity, both in terms of the volume of information housed and the operations conducted within the facilities. Mr. Alizadeh stated that he works with a range of businesses and organizations that develop services, maintain technology systems, and ensure that critical information remains readily available. Mr. Alizadeh said on behalf of the Arizona Technology Council, he expressed concerns about the proposed text amendment, specifically regarding the process timeline and the requirements for sound abatement. Mr. Alizadeh stated that additional time is needed to allow for a comprehensive review and to provide informed feedback on the proposed amendment. Mr. Alizadeh further noted that the draft text amendment does not sufficiently address appropriate sound control measures that would be consistent with the functional and operational needs of data centers.

Samantha DeMoss, representing Rose Law Group, introduced herself and stated that Data Centers are an expanding use and reflect an important economic sector for the Phoenix area. Ms. DeMoss stated that addressing Data Centers is very important and will have long-term implications for growth and development. Ms. DeMoss stated there are concerns with the current General Plan Amendment specifically that with process review and timing and the design criteria. Ms. DeMoss stated that additional review time would be necessary to review and address many of the incomplete details in the General Plan Amendment as presented. Ms. DeMoss said that additional review time would allow more stakeholder review and input. Ms. DeMoss stated that the committee consider a 90-day period be granted to allow for more time for a thorough review and comment.

STAFF RESPONSE

Mr. Bednarek responded that industry participation in the stakeholder discussion has been included in the current language regarding sound levels and is within 5 percent so that could be adjusted to the ambient levels in the area if it were next to a neighborhood that they can extend to another location Mr. Bednarek stated that if there's a desire by the committee to insert a specific decibel level right now the idea was that for sound they are required to hire an engineer to do a study that shows the level next to the adjacent property and what will be done to maintain appropriate sound levels.

Mr. Bednarek responded that the review process has moved quickly and noted there is a sense of urgency from the Mayor and Council and many of the policy issues have been discussed. Mr. Bednarek stated that currently data centers are not addressed in the zoning ordinance, and this is a great concern.

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

Committee Member Kleinman asked what the results were from other Village Planning Committees regarding data centers. **Mr. Bednarek** responded that there has been a split with up to five committees in opposition and some approvals with direction.

Committee Member Perez asked if there was information on the committees that voted for denial, did any have any active plans for data centers. **Mr. Bednarek** responded a few are in progress but any new policy and framework will not prohibit data centers from moving forward.

Committee Member Cardenas commented that there is a stakeholder process and other actions such as the adoption of marijuana facilities had an extensive public engagement and with data centers there are many issues and more discussion is needed.

Committee Member Warnicke commented that he was concerned with data centers being allowed in C-2 and C-3 zoning areas and this may have an impact in the Encanto Village. Committee Member Warnicke stated he was less concerned with the sound mitigation which would be addressed in a special permit or variance action. **Mr.**

Bednarek responded that the General Plan Amendment, which is land use criteria, and a special permit will still be required.

Committee Member George asked if motion were to be approved would there be guidance attached to clarify the committee's position. **Mr. Roanhorse** responded that the committee may add comments or provide direction for the vote.

Committee Member Wagner commented that with the information presented and the discussion more work needs to be done on data centers. Committee Wagner stated that with audible level they are logarithmic not linear and a small increment can mean massive change so specific units should be addressed.

VOTE

13-0-1, motion to deny Z-TA-2-25-Y passes with Committee Members Cardenas, Doescher, Garcia, Kleinman, Mahrle, Perez, Picos, Procaccini, Schiller, Tedhams, Wagner, Warnicke and Matthews with George abstaining.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	May 20, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data center within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Approval, with a modification and direction
VPC Vote	4-0

VPC DISCUSSION:

Item Nos. 5 (GPA-2-25-Y) and 6 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, stated that the proposed general plan amendment and text amendment were to add a definition for data centers in the Zoning Ordinance and implement performance standards and location criteria. Ms. Sanchez Luna noted that the general plan amendment would discourage data centers from being located in centers, cores, and corridors. Ms. Sanchez Luna provided the proposed data center definition and noted that the text amendment would require a Special Permit for data centers. Ms. Sanchez Luna concluded the presentation by summarizing the proposed design improvements and noting that staff recommends approval of both the general plan amendment and text amendment.

Questions from the Committee:

Chair Parris Wallace noted that the majority of her questions were answered. Chair Wallace asked if anyone has discussed the increase in internet infrastructure because communities could benefit from the added infrastructure. **Ms. Sanchez Luna** stated that

that was not something that has been discussed in detail with internal staff. **Chair Wallace** asked for more information regarding traffic. **Ms. Sanches Luna** added that this would not produce the same levels of traffic as a multifamily project but that commercial and semi-trailer traffic would be present.

Romona Burris asked if there were any data centers in the area. **Ms. Sanchez Luna** stated that she will have to follow up with that information.

Chair Wallace asked if the text amendment would apply to new and stand-alone data centers. **Ms. Sanchez Luna** confirmed that the text amendment would apply to new data centers and reiterated that this would not apply to collage campuses like Grand Canyon University.

Ms. Burris asked if they there were data centers for general operations such as artificial intelligence. **Ms. Sanchez Luna** confirmed. **Ms. Burris** asked for more information regarding sustainability measures. **Ms. Sanchez Luna** stated that they will be required to obtain a letter from the utility company and that the general plan amendment would help implement sustainability measures. Ms. Sanchez Luna added that other Village Planning Committees have made motions with direction if they wished to approve the text amendment and general plan amendment and still provide more direction. **Ms. Burris** stated that she would like to ensure that water conservation is added.

Public Comment:

Jon Gillespie stated that he was a land use attorney that represented numerous data center companies and emphasized that this industry is important for the City. Mr. Gillespie noted that the City is an attractive place for data centers because of the lack of natural disasters, available land, and low cost. Mr. Gillespie added that electric companies are aware of the higher demand for power but have ensured that the cost would not increase for residents. Mr. Gillespie noted that data centers are an important economic driver and that they should be involved in the text amendment process. Mr. Gillespie added that data centers have been decreasing the amount of water needed to keep an adequate climate. Mr. Gillespie supported the idea of researching ways to implement more water conservation. Mr. Gillespie stated that the required “will serve letter” would rush development and possibly discouraging other companies from building in Phoenix. Mr. Gillespie requested the text amendment and general plan be denied with a recommendation of a 90 day extension to evaluate all the concerns from the committee and industry owners. Mr. Gillespie added that there are concerns with Proposition 207 since the text amendment would require additional zoning requirements that have not been previously established.

Committee Discussion/Motion/Vote:

Ms. Burris stated that the west side of the City is approximately 5 degrees hotter and asked how the data centers would be mitigating heat. **Mr. Gillespie** stated that he was unaware of any data centers in the Estrella Village. Mr. Gillespie stated that there has not been significant research that demonstrates that data centers contribute to the heat island effect. **Ms. Burris** asked for clarification on the motion that Mr. Gillespie would like to see. **Mr. Gillespie** stated that he would like the text amendment and general plan amendment to be denied with a 90 day extension so that they can have time to involve industry stakeholders, gather data and address concerns regarding heat. **Ms. Burris** asked for

more information on why the data center industry was opposed to the text amendment. **Mr. Gillespie** stated that one major concern was the “will serve” letter because it would require site plan approval and certificate of occupancy to be completed within two years which is an unreasonable condition. Mr. Gillespie added that he did not want the text amendment to discourage data center companies from building in Phoenix and investing in the community. **Ms. Burris** asked why the City wanted to implement restrictions on data centers. **Ms. Sanchez Luna** stated that a lot of available land for job opportunities and housing has been lost to data center development, and that the development does not create a walkable pedestrian environment.

Chase Hales, with the Planning and Development Department, stated that by allowing a Special Permit, then only a data center would be allowed on site unless otherwise stated. Mr. Hales noted that the “will serve” letter would ensure development rather than allowing companies to sit on vacant properties and not built.

Mr. Thrower asked for more information regarding the lack of jobs associated with data centers. **Mr. Gillespie** stated that larger data centers only employ approximately 80 to 100 on site technicians of high paying jobs. Mr. Gillespie noted that someone from Mesa could come to the Phoenix data center and work on site. Mr. Gillespie encouraged the free market of being able to develop data centers where they were permitted. Mr. Gillespie cited the importance of technology and artificial intelligence. Mr. Gillespie clarified that his intent is for the text amendment to be denied allowing for a 90 day extension.

Renee Dominguez asked for the average square footage of a data center that employs 80 to 100 people. **Mr. Gillespie** state that it ranged from 5 acres to 60 acres and from 500 square feet to 500,000 square feet. Mr. Gillespie provided an example along the Loop 202 Freeway. Mr. Gillespie emphasized that his intent was to extend the text amendment to allow for more stakeholder involvement and for staff to study the economic and job impact. Mr. Gillespie stated that the zoning districts where data centers are located do not allow for residential use.

Chair Wallace stated that C-2 and C-3 do allow for multifamily housing. **Ms. Sanchez Luna** confirmed. **Chair Wallace** noted that housing was a key priority. **Mr. Gillespie** stated that C-2 and C-3 are not the target sites for data centers. Mr. Gillespie realized that housing conservation is important.

Mr. Gillespie noted that his request was a denial to allow more stakeholder engagement and to address issues with water resources and housing and the economic and job industry. Mr. Gillespie added that the extension would also allow for clarification regarding Proposition 207.

Chair Wallace clarified that her biggest issue is housing and that she did not want to lose available C-2 and C-3 land to data centers. **Ms. Burris** asked what incentives the data center industry provides since they would be taking land that was intended for housing. Ms. Burris asked if the data center industry had some sort of program to help first-time home buyers. **Mr. Gillespie** stated that he was aware of the concern regarding losing available land but that data centers provide high paying wages and produce millions of dollars that are invested in the community. Mr. Gillespie agreed that C-2 and C-3 should be preserved for housing but that this would affect areas that already have CP/GCP, A-1 and A-2 zoning which are areas that are primarily industrial.

Ms. Burris asked for more information on what a yes vote would mean and what a no vote would mean. **Ms. Sanchez Luna** clarified the intent and proposed changes in the general plan amendment and text amendment. **Ms. Burris** asked for clarification and asked if approving it would limit data centers. **Ms. Sanchez Luna** stated that the text amendment would limit where they could be placed and allow for a special permit. **Ms. Burris** suggested an extension of 90 days so that the necessary data could be gathered and presented to the committee. **Ms. Sanchez Luan** clarified that a yes vote would mean that she supported the initiatives to limit data center development.

Chair Wallace stated that she would like to explain her vote. Chair Wallace stated that C-2 and C-3 properties would be able to service the community and that she would prefer businesses that generated jobs in the community rather than outside resources. Chair Wallace noted that these decisions will affect all children in the future and stated that the text amendment was forward thinking.

Ms. Burris noted that individuals with high paying jobs could find houses they could afford in the City. Ms. Burris stated that she supported incentives to help first-time homeowners purchase a house and keep individuals in their community. **Ms. Sanchez Luna** clarified that any sort of incentive to assist first-time home buyers would not be enforceable by the Planning and Development Department. Ms. Sanchez Luna stated that the intent of these amendments was in relation to land use policy and development standards.

Mr. Thrower stated that the text amendment was too broad. Mr. Thrower noted that a special permit made sense in C-2, C-3, and CP/GCP, but that he did not want to limit any potential business investments in A-1 and A-2. **Ms. Sanchez Luna** noted that an alternative motion could be to recommend approval with the modification that a special permit be required in C-2, C-3, and CP/GCP.

Motion:

Chair Parris Wallace recommended to approve Z-TA-2-25-Y per the staff recommendation with a modification that would require a Special Permit for C-2, C-3, and CP/GCP but not A-1 and A-2 and with direction to include a water conservation plan and heat mitigation implementation. **Dustin Thrower** seconded.

Vote:

4-0, Motion to recommend approval of Z-TA-2-25-Y, per the staff recommendation with a modification and direction passed with Committee Members Burris, Dominguez, Thrower, and Wallace in favor.

Staff Comments Regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	May 12, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Approval, per staff recommendation, with direction
VPC Vote	13-0

VPC DISCUSSION:

Item No. 5 (GPA-2-25-Y) and Item No. 6 (Z-TA-2-25-Y) were heard together.

Two members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, stated that the proposed general plan amendment and text amendment were to add a definition for data centers in the Zoning Ordinance and implement performance standards and location criteria. Ms. Sanchez Luna noted that the general plan amendment would discourage data centers from being located in centers, cores, and corridors. Ms. Sanchez Luna provided the proposed data center definition and noted that the text amendment would require a special permit for data centers. Ms. Sanchez Luna concluded the presentation by summarizing the proposed design improvements and noting that staff recommends approval of both the general plan amendment and text amendment.

Questions from the Committee:

Chair Stephanie Hurd stated that Amazon had recently purchased a large piece of land within the South Mountain Tech Corridor, severely limiting employment opportunities. Chair Hurd noted that property owners were encouraged to not sell their

land to data centers but after SRP's announcement regarding the South Mountain Transmission Project, data center companies are pushing to purchase land. Chair Hurd voiced her disappointment in losing land that was meant for employment opportunities. Chair Hurd added that this request would protect Laveen and the City of Phoenix. Chair Hurd asked staff to explain what would happen with properties that have been recently rezoned to allow C-2, C-3, and CP/GCP uses. **Ms. Sanchez Luna** stated that that question has been presented to staff and that there has been discussion internally, but that the determination would be made by the Law Department and Mayor and Council. **Chair Hurd** noted that several data center representatives have been present at VPC meetings.

Rebecca Perrera asked if the performance standards regarding sustainability would also address water. **Ms. Sanchez Luna** confirmed. Ms. Sanchez Luna added that data centers utilize a lot of water. **Ms. Perrera** noted that these data centers should be finding solutions to recycle water and utilize their water to maintain landscaping areas. Ms. Perrera suggested adding more provisions on water conservation.

Juanita Darby stated that her husband works in the data center industry. Ms. Darby noted that her husband and her were opposed to the proposed Amazon data center. Ms. Darby added that data centers use a lot of energy and that in other cities they are unable to generate any additional power. Ms. Darby stated that they should voice their concerns to protect Laveen and the City of Phoenix. Ms. Darby was opposed to data centers in the area.

Kristi McCann asked if the Gila Foothills PUD was identified as a Center or a Corridor, would it discourage data centers from being developed in the area. **Chair Hurd** noted that the text amendment would help prevent data centers in the Gila Foothills PUD area. **Ms. Sanchez Luna** added that from a policy standpoint, if the General Plan does not support data centers in a Center, then staff would not be supportive of a proposed data center.

Patrick Nasser-Taylor noted that he did not like the word "discourage" presented in the presentation. Mr. Nasser-Taylor stated that since the employment corridor was along the Loop 202, would this prevent any future data centers. **Ms. Sanchez Luna** noted that it would be discouraged and that a Special Permit would be required. **Mr. Nasser-Taylor** asked if the amendments could have changes in the language. **Ms. Sanchez Luna** stated that similar to previous text amendments, the committee could vote to approve the amendment but add to the recommendation in the form of direction.

Mixen Rubio-Raffin was aware of the high-water usage and noted that new technology like artificial intelligence have increased the demand for data centers. Ms. Rubio-Raffin added that in terms of technology and policy, policy seems to be a few steps behind technology. Ms. Rubio-Raffin advocated for a water efficiency plan to be added to the text amendment.

Michael Doromal noted that data centers utilize a lot of power. Mr. Doromal suggested data centers be required to self-generate a portion of their required power so they don't put a strain on the community.

Chair Hurd asked Committee Member Darby if she had any information on energy conservation. **Ms. Darby** asked her husband, Brian Darby, for clarification. **Brian Darby** stated that so much energy is required that the development can't generate all of it's power through solar panels. **Mr. Doromal** noted that he was requesting a portion of it to be generated. **Mr. Darby** added that other projects have implemented alternative forms but that the data center requires constant power. **Mr. Doromal** added that the data center will be part of the community and should contribute. Mr. Doromal wanted a percentage of self-generating power.

Carlos Ortega wanted to vote on the item. Mr. Ortega stated that data centers also benefit schools via impact fees.

Linda Abegg voiced her appreciation for the Mayor and Council regarding getting the text amendment approved quickly. Ms. Abegg stated that she will support the case moving forward. Ms. Abegg noted that she was aware of a subcommittee being implemented for this text amendment. Ms. Abegg added that she expected the language to be reviewed by the Law Department to ensure enforceability.

Ms. Perrera stated that Committee Member Ortega's comment was incorrect. Ms. Perrera stated that data centers receive a lot of tax breaks.

Mr. Nasser-Taylor stated that he was concerned on how this would affect Laveen. Mr. Nasser-Taylor noted that the Gila Foothills PUD allows C-2 uses and asked how this would affect the allowed uses. **Ms. Sanchez Luna** stated that that was being discussed with the Law Department but that any future properties would need to be rezoned to obtain a Special Permit. **Mr. Nasser-Taylor** asked if this would mean that the case would be presented to the Village for recommendation. **Ms. Sanchez Luna** confirmed. Ms. Sanchez Luna added that the text amendment would prevent data centers to be allowed by right in C-2, C-3, CP/GCP, A-1 and A-2.

Ms. Abegg stated that the Council Members were the ones that initiated the request which she would assume meant that they are opposed to data centers being built anywhere.

JoAnne Jensen agreed with Committee Member Abegg and Rubio-Raffin. Ms. Jensen noted that the Gila Foothills PUD area was designated as a Major Urban Center. Ms. Jensen suggested implanting language regarding water. Ms. Jensen also had concerns with the noise requirements and added that there should be no noise permitted on weekends, holidays, and at night. Ms. Jensen voiced her appreciation for Mayor and Council.

Ms. Rubio-Raffin suggested limiting the data center height to two stories and ensuring

that some sort of art feature is implemented. **Chair Hurd** noted that the art and architectural embellishments were already part of the text amendment.

Public Comment:

Tom Galvin noted that there were numerous concerns regarding the text amendment. Mr. Galvin stated that data centers have contributed millions of dollars to the City of Phoenix. Mr. Galvin added that data centers require million of dollars of investments. Mr. Galvin stated that the cases were being rushed and that he was requesting a minimum 60-day continuance. Mr. Galvin stated that there could be issues with Proposition 207 and that no text amendment has been going through the process so quickly. **Ms. Abegg** stated that when the data center company bought land, they did not present nor contact members of the committee. Ms. Abegg said it was unusual for representatives to request a continuation when they never bothered to speak to the community or the committee. **Mr. Galvin** asked if the committee supported the lack of interaction from stakeholders. **Chair Hurd** noted that this was the public comment portion of the hearing.

Anirudh Krishna voiced his concerns regarding water usage and that he agreed with all the comments provided by the committee.

Committee Discussion/Motion/Vote:

Ms. Abegg suggested adding language regarding energy and water conservation.

Vice Chair Jensen suggested more noise standards.

Mr. Ortega suggested larger impact fees.

Ms. Rubio-Raffin suggested limiting the square footage of land. Ms. Rubio-Raffin added that there needed to be more than two stories. **Ms. Abegg** voiced her concerns regarding enforceability. Ms. Abegg recommended special attention and minimizing square footage.

Motion:

Linda Abegg motioned to recommend Z-TA-2-25-Y per the staff recommendation with direction to incorporate more water and power conservation, limit square footage, implement noise mitigation, and increase impact fees. **Jeniffer Rouse** seconded the motion.

Vote:

13-0, motion to recommend approval of Z-TA-2-25-Y, per staff recommendation with direction passed with Committee Members Abegg, Darby, Doromal, McCann, Nasser-Taylor, Ortega, Perrera, Rouse, Rubio-Raffin, Serrette, Barraza, Jensen, and Hurd in favor.

Staff Comments Regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary

Z-TA-2-25-Y

Date of VPC Meeting	May 14, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	13-0

VPC DISCUSSION:

Item Nos. 4 (GPA-2-25-Y) and 5 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak on this item.

Committee Member Chris Demarest left during this item bringing quorum to 13.

Staff Presentation

Matteo Moric, staff, shared information on how the Village Planning Committee can stay involved with the General Plan Amendment and Text Amendment throughout the entire process. Mr. Moric explained how comments will be forwarded onto Planning Commission on June 5th and City Council on June 18th prior to the City Council break.

Mr. Moric stated the Mayor and City Council in December of 2024 requested staff to create policy guidance and zoning regulations for data centers. Mr. Moric explained how the City was working under previous informal interpretations completed about 20 years ago. Mr. Moric stated the location criteria is to be for the General Plan item and the areas in which they would be encouraged and discouraged. Mr. Moric reminded

the Committee that usually when development comes in it is already required to provide infrastructure such as sidewalks, shading, bus stops, etc.

Mr. Moric identified design guidelines being proposed for these facilities. Mr. Moric added the design guidelines of the architecture which are typically required in the Zoning Ordinance. Mr. Moric stated the zoning districts by which these facilities were proposed to require a Special Permit.

Questions from the Committee/Public Comments

Chris Demarest said he was familiar with the data center on 40th Street and McDowell Road.

Ken DuBose thought these data centers were needed because of all the new Artificial Intelligence (AI) technology.

AI DePascal said they need lots of water.

Saundra Cole asked if they could request solar on the buildings. **Mr. Moric** said yes and that the end decision will be made by City Council, but at the same time it could inform City Council of what the VPC would like to see at these new facilities.

Meli Acevedo emphasized the importance of water. **Mr. Moric** said he was not sure how these facilities actually operate and if they need to be close to the end user or if they could be far away from the community of users.

Chair Barba said that after the presentation perhaps the guest speaker could provide additional information.

Ms. Cole asked how many jobs would be provided. **Mr. Moric** said that the data center facilities he knew of were not big employment generators, but said the guest speaker could probably clarify this.

Public Comment

John Gillespie, a land use attorney from the Rose Law Group, said they represent a large stakeholder group of the data center industry. Mr. Gillespie said there is a great economic impact to the community and it provides many high paying jobs with 80 to 150 onsite jobs with an average pay of \$97,000 per year. Mr. Gillespie said they need a good regulatory process in place. Mr. Gillespie said they were concerned with the timeline for the text amendment changes and it was a little fast with limited stakeholder engagement. Mr. Gillespie asked for 60 more days to allow the industry to interact with city staff and leaders to iron out the kinks. Mr. Gillespie said many sites had a vested right to build data centers. Mr. Gillespie added that projects in the pipeline should not be stopped and should be able to continue. Mr. Gillespie also identified a concern with the “will serve” letter which is a commitment from a public utility company that power will be for a minimum timeframe. Mr. Gillespie noted the desire for the timeline to be extended or taken away so they can work with utilities.

Mr. Gillespie said without provisions the City could expose themselves to Proposition 207 waiver of claims. Mr. Gillespie felt more direction should be given to staff and respectfully urged more time to work out the kinks.

Chair Barba asked on average how much space is needed for a data center. **Mr. Gillespie** responded that some projects are on 10-acre sites and others on 50 to 60 acres. Chair Barba asked what size site Mr. Gillespie based the average 80 to 100 jobs on. Mr. Gillespie responded on the 50-to-60-acre site. Chair Barba asked about job training for the data center jobs. Mr. Gillespie said that here in Phoenix it currently has people with the right schooling and education to support the technology.

Chair Barba felt the VPC responsibility was to be good stewards not only to provide a good place to live and work. Chair Barba asked if there was a commitment from Mr. Gillespie's clients to support educational assistance for these sorts of jobs. **Mr. Gillespie** was not sure about the commitment of his clients to these types of jobs, but he recognized it as a good question and noted he would investigate it more with his clients and would like to follow-up on it.

Mr. DuBose said we were always lagging behind and with the growth of AI and emphasized the need for data centers and that AI was the next largest growth in any community. Mr. DuBose shared frustration of how the rail system is 25 years behind when it was voted 30 to 40 years ago. Mr. DuBose expressed the importance of knowing the issues of how much water would be used and how much energy is needed. Mr. DuBose recognized the need to come together with a smart plan but also expressed fear of falling behind.

Mr. Gillespie said that the data center industry wants to be on the front edge of AI and it sees Phoenix as an attractive area since it does not have natural disasters, it has a low regulatory environment and a good climate. Mr. Gillespie added it has the right people to support the industry. Mr. Gillespie expressed concern about creating a roadblock to this industry. Mr. Gillespie noted the technology has advanced to not be a high water user but rather a high energy power electricity user.

Mr. DuBose noted he would like to see Maryvale have an IT program for their high school kids.

Mr. Gillespie mentioned companies like Google and Apple want to invest in Arizona, but data centers is a nationwide industry. Mr. Gillespie was not certain of who the top Arizona companies are with interest here but knew there was a nationwide interest.

Ms. Acevedo reminded the VPC of the many deaths in Maricopa County due to extreme heat. Ms. Acevedo has concerns with energy and housing shortages. Ms. Acevedo said too often we put profit over people. Ms. Acevedo asked about water.

Mr. Gillespie said the amount of water needed has gone down and they could potentially use grey water. Mr. Gillespie noted heat as a real issue facing Arizona. Mr.

Gillespie said he was not aware of heat increasing due to the data center. Mr. Gillespie admitted heat was an issue, but did not believe the off-put of a data center was any different than heavy industrial type of uses. Mr. Gillespie did not know if more heat would be generated from A-1 and A-2 type of uses. Mr. Gillespie added they were not asking for data centers to be built in any other area than currently allowed and added that it was a commercial and industrial use and that's where it should be.

Ms. Acevedo expressed concern about providing energy for computers versus people.

Mr. Gillespie said the number one priority of SRP and APS power companies is they need solar and their number one priority is to protect consistent customers.

Chair Barba asked about increases of prices to the surrounding communities on utilities. **Mr. Gillespie** said that there are no reports of that.

Chair Barba expressed concerns that consumers have to offset the costs. **Mr. Gillespie** said that the text amendment would require proof they could get electricity.

Mr. Gillespie said data centers want to locate near good infrastructure.

Chair Barba asked about noise associated with these facilities. **Mr. Gillespie** felt the noise study of no more than 5 percent increase should resolve this issue.

Vice Chair Derie brought to the Committee's attention the topic of Motorola coming to Arizona in 1950's and 60's and now data centers are the next leap in technology and reminded the VPC of the large nuclear power plant nearby. Vice Chair Derie wanted all forms of energy sources to be considered and utilized.

Mr. Gillespie said the Arizona State Government has a pro-technology stance and favorable regulatory environment for data centers. Mr. Gillespie said at the municipality level is where control is desired.

Vice Chair Derie said communities jumped on the idea of light rail and all of a sudden the State says we don't like light rail and had hoped light rail would be in Maryvale already.

Mr. Gillespie said the industry itself is driving the demand and said it's a different animal than the light rail.

Ms. Cole asked what the backers were if they were mainly American and she asked if there are international ones.

Warren Norgaard stated the main question is not if they want data centers but if they are proposed what the specific language is for their guidance. Mr. Norgaard

expressed concerns with data centers running on methane gas generators which are causing people to get ill.

Mr. Gillespie said they should let the developers show they have an alternative source of energy or for there to be a creative solution.

Victoria Stahl asked about projects to be grandfathered in, without following the guidelines. **Mr. Gillespie** said there are more than 5 to 10 projects that are currently in the process. Mr. Gillespie said there could be more but needless to say these are millions of dollars to purchase land, design buildings and sites. Mr. Gillespie said grandfathering language allows projects to continue and felt there was a need for 60 more days of stakeholder engagement.

Al DePascal asked why Mr. Gillespie wants a 60-day delay. **Mr. Gillespie** said this text amendment is going faster than other text amendments.

Mr. Gillespie explained the second phase of existing sites and facilities may have to come through a special permit. Mr. Gillespie expressed concern over a 207 waiver of claims since sites for data centers may have been purchased and invested in. Mr. Gillespie said many data centers are in the queue to complete these facilities and hundreds of millions of dollars have been spent on the land to develop these sites and this could lead to a battle with the City with a 207 waiver issue. Mr. Gillespie said these facilities would still have to go through the permitting process. To modify a building limits the number of changes permitted or otherwise it would have to follow today's codes.

Mr. Moric asked if Mr. Gillespie knew why the stakeholder group did not include Planned Unit Developments (PUD's) requiring the special permits. **Mr. Gillespie** wanted some districts not to go through special permit processes such as A-1 or A-2. Mr. Gillespie said that it might make sense to include the PUD's in the text amendment.

Floor/Public Discussion Closed: Motion, Discussion, and Vote.

MOTION

Ken DuBose motioned to recommend approval of Z-TA-2-25-Y per the staff recommendation. **Warren Norgaard** seconded the motion.

VOTE

13-0, Motion to recommend approval of Z-TA-2-25-Y per the staff recommendation passed, with Committee Members Acevedo, Alonzo, Cole, DePascal, DuBose, Galaviz, Jimenez, Norgaard, Ramirez, Stahl, Weber, Derie and Barba in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	May 8, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	8-0

VPC DISCUSSION:

Agenda Item 3 (GPA-2-25-Y) and Agenda Item 4 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak on this item, in opposition.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of GPA-2-25-Y and Z-TA-2-25-Y. Mr. Zambrano discussed concerns with data centers that the General Plan Amendment and Text Amendment are trying to address. Mr. Zambrano explained the policy guidance for data centers that the General Plan Amendment includes. Mr. Zambrano then discussed the three main components of the Text Amendment. Mr. Zambrano shared the proposed Zoning Ordinance definition for a data center. Mr. Zambrano then discussed the proposed design guidelines and their purpose. Mr. Zambrano shared the zoning districts that data centers would be permitted in, subject to a Special Permit and other performance standards, and noted that Special Permits go through the same public hearing process as rezoning cases. Mr. Zambrano stated that a noise study would be

required if the data center is within a certain distance from residential. Mr. Zambrano shared the upcoming public hearing schedule and stated that staff recommends approval per the language in Exhibit A of the staff report.

Questions from Committee:

Committee Member Kylie Kennelly asked if there are any successful cases where data centers have been integrated into communities. **Mr. Zambrano** responded that some of the design guidelines were inspired by the Evans Churchill APS substation in Downtown Phoenix, which is hidden behind an enhanced design interface with murals and art installations.

Vice Chair Michelle Ricart stated that data centers should be separated from each other. Vice Chair Ricart asked for clarification that data centers usually do not employ many people and do not bring many jobs to an area. **Mr. Zambrano** responded affirmatively.

Public Comments:

Henry Hardy, with Rose Law Group, introduced himself as a stakeholder opposed to this item. Mr. Hardy stated that stakeholders were only made aware of this about a week and a half ago. Mr. Hardy stated that the public hearing process would be about a month and a half, which they believe is extremely abbreviated. Mr. Hardy requested a continuance or delay in the process for more stakeholder input. Mr. Hardy stated that their primary concern is with existing data centers and data centers that are currently being developed. Mr. Hardy asked that those data centers be grandfathered-in under the existing code. Mr. Hardy expressed concerns with Proposition 207 for diminution in property value. Mr. Hardy noted that each data center is billions of dollars of development being brought into the City of Phoenix and tens of millions of dollars coming back to the City in the form of tax revenue. Mr. Hardy added that data centers are an essential element of tech infrastructure and are essential for Phoenix to remain a competitive employment hub and tech hub. Mr. Hardy reiterated that they just want more time to talk about the proposal with staff and with stakeholders.

Staff Response:

Mr. Zambrano responded that Proposition 207 concerns are a City Council concern and should not be a concern at the Village Planning Committee level. Mr. Zambrano added that existing data centers would be considered legal non-conforming and would be “grandfathered-in”, but if they want to expand in the future, then that is when the new regulations would apply.

Discussion:

Committee Member Scott McGill asked if there are any data centers that are coming into North Phoenix or the North Gateway Village at this time. **Mr. Hardy** responded that he is not aware of any. Mr. Hardy stated that there has been an increased demand for them, and the industry is getting ready to build more to meet that demand. Committee Member McGill asked for clarification that data centers are not generators of job growth. Mr. Hardy responded that data centers are typically not major employers and could have between five to 20 employees within the data center. Mr. Hardy expressed

concerns with the will-serve letter from the power company, noting that it is not consistent with industry standards and would make development not feasible. Mr. Hardy stated that a 10-year timeframe for the will-serve letter would be better since data centers are typically phased and their energy demand would be related to when each phase is built. Mr. Hardy asked for more time to work through these details with staff and stakeholders. Committee Member McGill asked how long of a continuance Mr. Hardy is asking for. Mr. Hardy responded that there is no specific timeline, but staff and stakeholders could discuss it over the summer.

Vice Chair Ricart stated that fire departments are concerned with data centers as well due to their massive size, complex floor plans, and the type of equipment and batteries within them. Vice Chair Ricart stated that she agrees with the Special Permit requirement because the community needs to be able to have an input on data centers before they are approved. Vice Chair Ricart stated that self-service storage facilities also require a Special Permit and noted that it is good for the surrounding community to know that a data center is being proposed nearby their community. Vice Chair Ricart stated that she likes the location criteria and design policy proposed.

Committee Member Thomas Salow asked for clarification if the turnaround time for the public hearing process is typical or expedited. **Mr. Zambrano** responded that it is expedited by about a month, noting that the Mayor and City Council has directed staff to get these two items to the City Council before their summer recess, which is why staff is moving forward with the proposed schedule. Mr. Zambrano stated that rezoning cases typically have at least a three-month public hearing process with the Village Planning Committee, Planning Commission, and City Council hearings a month apart. Mr. Zambrano added that he was not involved in the stakeholder meetings but believes there have been one or two meetings so far.

Vice Chair Ricart added that there are 14 other Village Planning Committee hearings that are coming up.

Committee Member Kennelly asked what the difference is between the General Plan Amendment and the Text Amendment. **Mr. Zambrano** responded that the General Plan Amendment would amend the 2025 General Plan, which is the policy guidance, and the Text Amendment would amend the Zoning Ordinance to create zoning regulations for data centers.

Committee Member Andrea Crouch asked if the design guidelines for data centers are intended to blend the data center into the surrounding area, similar to how some cellphone towers look like trees. **Mr. Zambrano** responded affirmatively, noting that the design guidelines are trying to discourage massive, monolithic buildings and are trying to soften the design.

Vice Chair Ricart asked if tattoo parlors also require a Special Permit. **Mr. Zambrano** responded that they require a Use Permit, which goes through a different process. Mr. Zambrano stated that Special Permits are heard by the Village Planning Committee

and go through the rezoning process. Vice Chair Ricart reminded Committee members that they could abstain from the vote.

MOTION – Z-TA-2-25-Y:

Committee Member Andrea Crouch motioned to recommend approval of Z-TA-2-25-Y, per the staff recommendation. **Committee Member Kylie Kennelly** seconded the motion.

VOTE – Z-TA-2-25-Y:

8-0; the motion to recommend approval of Z-TA-2-25-Y per the staff recommendation passes with Committee members Crouch, Kennelly, Li, Manion, McGill, Salow, Stein, and Ricart in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	May 21, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Denial, with direction
VPC Vote	12-0-1

VPC DISCUSSION:

Item No. 6 (GPA-2-25-Y) and Item No. 7 (Z-TA-2-25-Y) are companion cases and were heard together.

Two members of the public registered to speak on this item.

STAFF PRESENTATION

Robert Kuhfuss, staff, provided a presentation regarding both proposals, reviewing the background, concerns, proposed policy changes, proposed regulatory changes, and the staff recommendations. Mr. Kuhfuss stated that both items were scheduled for Planning Commission on June 5, 2025 and City Council on June 18, 2025.

QUESTIONS FROM THE COMMITTEE

Committee Member Jason Barraza asked if staff had consulted with the industry regarding the proposed changes. **Mr. Kuhfuss** stated that it was his understanding that staff consulted with the industry, but did not know the number of groups that were contacted. Committee Member Barraza asked if will-serve letters were commonly

used in the City of Phoenix or if it was novel to data centers. Mr. Kuhfuss stated that he did not specifically know the extent to which the City of Phoenix requires will-serve letters but was aware of other jurisdictions that routinely require will-serve letters.

Committee Member Fred Hepperle stated that data centers are generally quiet and that servers do not care about looking out a window. Committee Member Hepperle stated that employees working in a data center would not necessarily care about the distance to a transit center. Committee Member Hepperle stated that the ability to serve could be compared to a water service provider. Committee Member Hepperle stated that he did not see a reason to pause the General Plan Amendment.

Vice Chair Joshua Matthews asked if there were any Proposition 207 concerns and if there were any zoning districts today that allow data centers that would not be allowed if the Zoning Text Amendment were to be approved. **Mr. Kuhfuss** stated that the City's Legal Department has evaluated the risk associated with Proposition 207 and has determined there is minimal risk. Mr. Kuhfuss stated that the zoning ordinance was silent on data centers and that data centers were currently being allowed as a result of an informal interpretation of the zoning ordinance.

Committee Member Steve Pamperin asked what the results were from the other villages. **Mr. Kuhfuss** stated that one village did not have quorum and that some villages were supportive while others were apprehensive.

Committee Massimo Sommacampagna asked about the 5% over ambient noise provision. **Mr. Kuhfuss** stated that a noise study would be required prior to preliminary site plan approval and that the noise study would require that ambient noise levels would be taken at the site, presumably over a period of time, to obtain an average. Mr. Kuhfuss stated the data center would then be allowed to operate at a level that is 5% above the measured ambient level.

Committee Member Steve Pamperin stated that Arizona Public Service was in the process of seeking approval from the Arizona Corporation Commission to allow a rate increase to offset the cost of the energy and infrastructure needed to support data centers, and that the General Plan Amendment should include language that places more cost burden on the data centers as opposed to the costs being absorbed by the homeowners. **Mr. Kuhfuss** stated that the issue ties back to the reason for the will-serve letter and that if the electrical provider does not have the capacity or infrastructure available to serve the facility, the provider would not issue a will-serve letter. Committee Member Pamperin expressed concerns that residents would be required to pay for the infrastructure needed to support data centers when the data center operators should be responsible for any infrastructure improvements needed to support the facility. Committee Member Pamperin reiterated that residents should not have to pay for the infrastructure needed to support data centers. Mr. Kuhfuss stated that it appeared there were two issues being discussed: one being a rate increase being considered by the Arizona Corporation Commission versus a city requirement that the developer make those investments. Mr. Kuhfuss stated that the discussion should not necessarily mix the city's proposed General Plan Amendment with Arizona

Corporation Commission's policy. Mr. Kuhfuss stated that if there was some additional policy that could be included in the General Plan Amendment, the Committee could consider those changes.

Committee Massimo Sommacampagna asked if there was language that would encourage adaptive reuse. **Mr. Kuhfuss** stated that he did not recall specific language in the proposed Zoning Text Amendment regarding adaptive reuse but there was existing language in the zoning code that might apply.

Chair Stephanie Fogelson stated that she has been part of the Village Planning Committee for approximately four to five years and has never received a phone call from the Mayor's Office expressing an opinion regarding the Mayor's position on a proposed case and asked if that was common practice. **Mr. Kuhfuss** stated that he did not know the Council's common practice, but understands there is some urgency regarding the matter, which has led to the June 18th City Council date. Chair Fogelson asked what the urgency was. Mr. Kuhfuss referenced a slide containing six bullet points that expressed the rationale for the proposed General Plan Amendment and Zoning Text Amendment. Chair Fogelson stated that many of those issues seemed to be based on opinion rather than data and wanted to know where the urgency is coming from. Mr. Kuhfuss stated that he did not know specifically.

Committee Member Fred Hepperle asked if the art installations would be internal to the building or visible to the public. **Mr. Kuhfuss** stated they would be visible to the public.

Committee Member Jason Barraza stated that his understanding is that nothing like this currently exists in the city and that data centers pretty much have free reign currently. **Mr. Kuhfuss** stated that he would not classify it as "free reign" and reiterated the existence of the informal interpretation of the code. Committee Member Barraza asked if there were any existing data centers in the city that would not be in compliance if the proposed Zoning Text Amendment were to be approved. Mr. Kuhfuss stated that he did not have the answer to that question.

Committee Member Massimo Sommacampagna asked about the timing of the hearing schedule. **Mr. Kuhfuss** stated that the timing of the matter was handed to us.

PUBLIC COMMENT

Cepand Alizadah stated that he is the Government Relations Specialist with the Arizona Technology Council. Mr. Alizadah stated that he was present during the Alhambra Village Planning Committee meeting the previous night and had also attended the Ahwatukee Village Planning Committee meeting. Mr. Alizadah stated anecdotally that he had emergency surgery a month prior as a result of a car accident in a remote area and that all of his medical data was readily available to the medical staff as it had been saved to a data center, which gave the healthcare team access to his allergies and other health conditions. Mr. Alizadah stated that the Arizona Technology Council is a trade association that represents 750 technology companies

of all sizes. Mr. Alizadah stated that the future of technology is Artificial Intelligence and that AI's backbone is data centers. Mr. Alizadah stated that data centers are job creators, not only in manufacturing, but during operation, ranging from 10 to 15 employees for a small facility to as many as 50 employees for a large facility and generate hundreds of thousands of dollars in wages. Mr. Alizadah stated that data centers generate tax revenue and pay permit fees. Mr. Alizadah stated that the City of Chandler passed a data center ordinance in February of 2022, which has been well received by the data center community, and that he wished to speak on two specific aspects of the proposed Zoning Text Amendment. Mr. Alizadah stated that audio engineers do not measure sound levels as percentages but use an A-Weighted decibel threshold and asked the Committee to replace the language relating to percentages with language referencing an A-Weighted decibel threshold, and to include period measurement specifications. Mr. Alizadah also expressed concerns over the requirement for a utility will-serve letter stating that a will-serve letter is common, but the two-year item frame is too short as data centers require several years of planning. Mr. Alizadah stated that a ten-year time frame is more appropriate. Mr. Alizadah stated that the Ahwatukee Village Planning Committee did not vote in favor of the General Plan Amendment or Zoning Text Amendment citing concerns over the noise measurement standards and a desire for more stakeholder engagement.

Samantha DeMoss, with Rose Law Group, asked for either a denial of the proposed General Plan Amendment and Zoning Text Amendment or a 90-day continuance. Ms. DeMoss stated that the current General Plan Amendment and Zoning Text Amendment is moving through the process too quickly for such a complex use with no stakeholder input, or Village input prior to the public hearing process. Ms. DeMoss stated that the proposed language of the Zoning Text Amendment would effectively constitute a ban on data centers. Ms. DeMoss also expressed concerns over the requirement for a will-serve letter stating that Arizona Public Service currently has an eight- to twelve-year back up on major projects and that a two-year window would make data centers impossible to achieve. Ms. DeMoss expressed concerns over Proposition 207 with respect to data centers that are already being sought out. Ms. DeMoss stated there is a lot of conversation around job creation and that data centers create jobs both directly and indirectly. Ms. DeMoss stated that for every direct job there are six related but indirect jobs and that there are currently 200,000 jobs within the City of Phoenix that are affiliated with data centers. Ms. DeMoss also stated that data centers create tens of millions of dollars in tax revenue. Ms. DeMoss reiterated that the currently proposed language would make data centers infeasible and requested the Committee deny the request with a 90-day continuance to allow a redraft following appropriate stakeholder input. **Committee Member**

Sommacampagna asked for additional clarification regarding will-serve letters. Ms. DeMoss stated that the utility company issues a letter stating that they will provide services in a specified amount of time based on capacity. Ms. DeMoss stated that utility companies are ramping up production and data centers will need to wait their turn but that will not happen within two years, which makes financial feasibility improbable. Ms. DeMoss stated that co-location also becomes difficult as only 10% may be shared. **Committee Member Pérez-Pawloski** asked who is responsible for

obtaining a will-serve letter. Ms. DeMoss stated that it was the developer's responsibility, and that it is probable that a facility may be constructed in more than one phase which may require multiple will-serve letters and should be addressed in the proposed language. Committee Member Pérez-Pawloski stated that it was her recollection that data centers were allowed with a Special Permit. Ms. DeMoss stated that data centers do not currently require a Special Permit but rely on an informal interpretation. Ms. DeMoss stated that the proposed language came out too fast and there would be Proposition 207 implications if approved as proposed. **Committee Member Pamperin** asked about water and whether data centers would be considered high water users. Ms. DeMoss stated that was the case but that water consumption associated with data centers has decreased over the years.

COMMITTEE DISCUSSION

Committee Member Heather Garbarino stated that a Proposition 207 Waiver is an option that the city could offer to a developer seeking to build a data center. Committee Member Garbarino stated that she has read Chandler's ordinance regarding data centers and finds the language to be very similar to that being proposed.

Vice Chair Joshua Matthews stated that the issue with Proposition 207 is that a change to the zoning ordinance could render a potential site ineligible for a data center and if that site was already under contract, the property owner could claim diminution of value. Vice Chair Matthews stated that he had been contacted by a zoning attorney who stated that he did not object to the idea of enacting new language but that the currently proposed language was being rushed. Vice Chair Matthews stated that it was his understanding that the stakeholder input process had been run concurrently with the Village Planning Committee hearing process as opposed to it being a linear process. Vice Chair Matthews stated that typically, a proposed Text Amendment would go to the stakeholder and neighborhood meetings, then incorporate changes to the proposed language prior to it coming before the Village Planning Committee. Vice Chair Matthews stated that he supported what the city is trying to accomplish but expressed concerns that it was being rushed through the process. Vice Chair Matthews stated that he did not understand why a three-month delay was not possible. Vice Chair Matthews stated that he was leaning towards denial.

Committee Member Massimo Sommacampagna stated that he agreed with the Vice Chair and that the city can do a better job.

Chair Stephanie Fogelson reiterated that this was the first time that she had been contacted by a city official regarding a proposal and stated that she did not appreciate the unwelcome influence.

Committee Member Heather Garbarino stated that she generally prefers to support staff but, in this instance, waiting another three months to allow additional discussion seems more appropriate.

Vice Chair Joshua Matthews emphasized that he in no way was being critical of staff as they are responding to directions from the Mayor and City Council. Vice Chair Matthews stated that he does question the intent of the elected officials. Vice Chair Matthews stated that in his capacity as a Planning Commissioner, the Planning Commission is often presented with an urgent matter that needs to be addressed, including changes in state law that must be implemented within a certain time frame to avoid consequences. Vice Chair Matthews stated that without a compelling explanation, there is no reason not to delay action for three months to allow time for more discussions with the stakeholders.

Committee Member Fred Hepperle stated that he was supportive of the proposed General Plan Amendment but was not supportive of the proposed Zoning Text Amendment.

Committee Member Elizabeth Pérez-Pawloski stated that if a developer wants to build in the city, they should expect to meet certain requirements, but also stated that the will-serve letter component was too quick.

Committee Member Jason Barraza stated that he was supportive of the language of the Zoning Text Amendment as currently written with respect to noise levels but had concerns with requiring a will-serve letter from the power company in that his understanding is that the state legislature was considering a bill that would allow data centers to internalize their own power production in which case a will-serve letter would be unnecessary. Committee Member Barraza stated there were also discussions regarding nuclear power and its potential effect on data center locations and expressed concerns with rushing forward just to get something on the books when that may not be appropriate at this time given that information is evolving.

Vice Chair Joshua Matthews stated that the noise level methodology implies that if the ambient noise level was 10 decibels, then a specified percent increase would bring the noise level up to a certain higher level; however, that noise level may not be disruptive since we live in an environment that operates about 40 to 70 decibels. Vice Chair Matthews stated that working with industry standards up to a certain level could be an acceptable option. Vice Chair Matthews stated that it could be worked out, but more time was needed.

MOTION:

Vice Chair Joshua Matthews motioned to recommend denial of Z-TA-2-25-Y, with direction for the city to reengage with the stakeholders and return to the Committee with revised language in 90 days. **Committee Member Gabriel Jaramillo** seconded the motion.

VOTE:

12-0-1, motion to recommend denial of Z-TA-2-25-Y, with direction for the city to reengage with the stakeholders and return to the Committee with revised language in 90 days passes with Committee Members Alauria, Barraza, Garbarino, Harris,

Hepperle, Jaramillo, Larson, Pamperin, Pérez-Pawloski, Sommacampagna, Matthews, and Fogelson in favor; and Committee Member Edwards in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None

Village Planning Committee Meeting Summary Z-TA-2-25-Y

Date of VPC Meeting	June 2, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data center within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial zoning districts, with performance standards.
VPC Recommendation	Approval, per the staff recommendation with modifications
VPC Vote	8-5-1

VPC DISCUSSION:

Item Nos. 3 (GPA-2-25-Y) and 4 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak on this item.

Staff Presentation

Matteo Moric, staff, provided an overview related to the data center agenda items. Mr. Moric explained that the general plan amendment and text amendment would be heard together, however, each would require its own vote. Mr. Moric noted the Mayor and Council provided direction to staff in December of 2024 to work on the policies for data centers. Mr. Moric explained “the why” for why the data center policy is necessary. Mr. Moric mentioned the policy for the general plan amendment would focus on three key areas, including: location criteria policy, design policy, and energy and sustainability policy. Mr. Moric stated the location criteria policy was to identify areas to discourage and encourage data centers while the design policy focused on design elements to incorporate within the site and facilities, and the energy and sustainability policy was to ensure capacity and efficiency.

Mr. Moric noted the main components of the proposed text amendment to include a provision for a definition, specific design guidelines and special permit requirements and performance standards.

Mr. Moric concluded by laying out the staff recommendations.

Questions from Committee

Regina Schmidt was concerned there were energy requirements but no water requirements.

Marc Soronson said he was specifically concerned about land use placement when the Arizona Republic building in Downtown Phoenix was converted into a technology center which led to an immense decrease in employment relative to the previous user.

Diane Petersen also expressed concerns with the water supply and asked if staff reviewed the water issue. **Mr. Moric** said that when new facilities come in they would need to go through the Water Services Department and ensure there was an assured water supply.

Ms. Petersen expressed additional concern with the rushing of the policy and text amendment through the process. **Mr. Moric** indicated the Council is seeking direction and if the Committee sees fit to do so they should add a concern regarding the water issue.

Patrice Marcolla wanted to understand the stakeholders involved in establishing these amendments and questioned the “will serve” letter. Ms. Marcolla believed it was an unknown item of understanding with APS and SRP, and thought there was more time needed prior to making a decision.

Anna Sepic was concerned with the high power and water usage of data centers. Ms. Sepic indicated not being in favor of C-1 and C-2 zoning, as that is typically where you would see retail centers and shops and those properties are high community-traffic areas. Ms. Sepic felt these sites should be located in heavy industrial areas such as where A-2 zoning can be found. Ms. Sepic felt locating these sites where there was already existing higher manufacturing and energy support was appropriate.

Public Comments

Ty Utton with Rose Law Group indicated he represented a broad coalition of data center developers and land use attorneys. Mr. Utton noted they were just recently notified about these data center policies and this was an unusually fast for a text amendment especially as it is one of the most capital intense land uses out there. Mr. Utton requests a recommendation of denial so it can be sent back to staff and have more stakeholder engagement. Mr. Utton explained the stakeholder engagement was three meetings with five people at the first meeting and one hundred people at the last meeting. Mr. Utton said there needed to be more engagement and voiced concerns

about the fairness and legal exposure to the City and added concern about the language not including a grandfather clause for landowners and developers as many companies have already invested millions of dollars into the planning of these facilities and the purchasing of land. Mr. Utton felt this could be a regulatory taking of property rights. Mr. Utton also does not like the vague provision of “will serve” letter, and feels the stakeholders investing in this need to be engaged. Mr. Utton emphasized the proposal leaves significant risks for the City and wants the utility language to be clarified. Mr. Utton concluded that he did not want the City to stop the Ordinance change but just to get it right. Mr. Utton wanted the proposal to be denied or delayed so they could work together. Mr. Utton provided a response to the water question, that all the data center projects he had been working on do not use water as data centers used to because of the newer technology and most of the cooling was done by electric power. Mr. Utton noted that some of the data centers still use a lot of water.

Ms. Sepic asked how much energy was being used and thought data centers should have a green energy component.

Ms. Marcolla reminded the Committee of the previous case for an 8-lot subdivision and said it was going through the development process for 2 ½ years and believed the short turnaround time for the data center text amendment is a concern. Ms. Marcolla believed with the limited information that it was not clear where data centers shall be placed within the community.

Ms. Sepic initially felt the item needed to be postponed and there needed to be further clarification and input. Additionally, Ms. Sepic said there should be heat mapping to determine where these data centers should be strategically placed.

Ms. Petersen wanted to better understand what the difference would be between a denial and a postponement and how it would affect the outcome of these policies. Ms. Petersen did not want to see it postponed then come up in another 45 days or deny with a caveat that certain components be done before it gets brought back to the Committee.

Mr. Moric said it would be at the discretion of the Committee, but the recommendation would still get moved forward to the Planning Commission and City Council since there are 15 Villages it goes through.

Robert Goodhue reiterated that it goes to 15 different Village Planning Committees and the Committee could act or deny the proposal, but it would still get forwarded on for action to the Planning Commission and City Council. Mr. Goodhue reminded the Committee of their role as an advisory body and the VPC’s decision would help the future decision makers get a pulse of the community. Mr. Goodhue said there are no adequate requirements for data centers and there are a lot coming in and would hate for there to be black outs because of all the electricity being used up. Mr. Goodhue emphasized his feeling that this was coming in front of the Committee since it is an important issue.

Marc Soronson reminded the VPC that they were an advisory group and he wanted to better understand why it was being fast tracked and said he would be reluctant to deny this proposal and would support the staff recommendation as written.

Roy Wise felt a denial would be better as it would set a stronger message to the Planning Commission and City Council.

Robert Gubser was afraid there was not enough input in the process. **Mr. Moric** reminded the Committee that the City was working under the old interpretation from 20 years ago and said that he heard there were at least 5 to 10 data center cases coming in now and said the City is trying to play catchup.

Chair Mortensen asked if there is a motion to postpone the item. **Anna Sepic** stated it would not make sense to allow data centers on the C-1 and C-2 zoned properties and had concerns of them going too close to residential areas. Ms. Sepic added that she thought it would make the most sense to locate data centers in A-2 and maybe in A-1 zoned areas.

MOTION 1:

Anna Sepic motioned to recommend denial or postponement of Z-TA-2-25-Y. **Roy Wise** seconded the motion.

Committee Discussion:

Ms. Sepic asked to see the list of districts where a special permit would be required and explained that the C-2 and C-3 districts allow any type of retail uses and C-3 zoning allows for heavy material storage but materials are not supposed to be stored outside in these districts. Ms. Sepic reiterated that she does not want data centers near residential areas and felt these data centers would be better suited in heavy industrial areas where there are more intense energy users. Ms. Sepic favored the denial of any C-2 and C-3 areas and wanted to limit them to A-1 and A-2 areas.

Robert Goodhue asked if Ms. Sepic thought it should be eliminated in the C-2, C-3 and CP/GCP zoned areas. Ms. Sepic thought this was the best and believed they should only be allowed in A-1 and A-2 zoned areas. Mr. Goodhue then said the motion would need to be amended.

Ms. Sepic said she wanted to amend her motion to only allow data centers in A-1 and A-2 zoned areas.

Mr. Utton said there were good points but he said that it would not be allowed by right in C-2 and C-3 zoned areas but the proposal required a special permit. Mr. Utton noted a lot of companies such American Express have data centers to support their campus.

Ms. Sepic said it's hard to find A-1 or A-2 sites over ten acres and it should be limited and thought they would be allowed if a PUD was crafted. Ms. Sepic felt if the likes of

Google would develop a campus they would not pick A-1 or A-2 as a mandatory box and most likely go to create a PUD.

Ms. Petersen said it brings up a point for grandfathering such as an American Express. **Mr. Utton** said grandfathering is an issue of concern.

Ms. Marcolla noted this type of data center use does not drive a lot of traffic and usually requires larger lots.

Ms. Sepic said additional use permits are not the same process as rezoning and would not protect the community. Ms. Sepic said lots of communities do not like data centers as they do not generate many jobs and they put a constraint on the grid system. Ms. Sepic added they push land prices up but are not a great benefit. Ms. Sepic voiced her support for approval within the A-1 and A-2 zoned areas only. Ms. Sepic repeated the motion that she requests an amendment only to allow them within A-1 and A-2 and wanted to remove them from the C-2, C-3 and CP districts.

Mr. Moric indicated the general plan item is usually heard first.

Ms. Sepic asked where data centers were allowed on the General Plan.

Ms. Sepic withdrew her earlier motion, and Roy Wise withdrew the second.

MOTION 2:

Diane Petersen motioned to deny Z-TA-2-25-Y. **Anna Sepic** seconded the motion.

Ms. Sepic said she was concerned by the performance standards.

Mr. Goodhue expressed confusion about making a full denial when the Committee already approved the General Plan Amendment. Mr. Goodhue thought Ana's earlier recommendation was good as the Planning Commission and City Council could look at what was approved and potentially modify it.

Ms. Sepic felt it may be approved in A-1 and A-2 with a caveat of performance standards.

Rob Gubser said it would not make sense in the C-2 and C-3 zoning districts. Mr. Gubser said this is where he thought there should be a modification to the text amendment recommendation.

Ms. Sepic said she only wanted to see data centers in the A-1 and A-2 zoned areas.

Ms. Petersen said to keep the motion as a denial and there was a new second by **Ms. Marcolla**.

Ms. Balarama asked if she could abstain since she felt there was not enough information. **Mr. Moric** said yes, if that is what you feel comfortable with.

MOTION 3:

Diane Petersen motioned to deny Z-TA-2-25-Y. **Ms. Marcolla** seconded the motion.

Vote

5-8-1; Motion to recommend denial per staff recommendation fails with Committee Members Franks, Marcolla, Petersen, Wise and Sommer in favor. Goodhue, Gubser, Hamra, Mazza, Schmidt, Sepic, Soronson, and Mortensen in opposition. Balderrama abstained.

Ms. Marcolla asked if the Committee was comfortable with all the other performance standards within the proposed text amendment. Ms. Marcolla also expressed concerns with the “will serve” letter from the utility companies.

Mr. Mazza offered a friendly amendment to modify the “will serve” letter.

Mr. Goodhue said data centers use a lot of energy.

Mr. Mazza said it was Mr. Goodhue’s motion and left the friendly amendment up to him.

Mr. Goodhue said data centers use a lot of energy and they will use more and more and by putting it in the text amendment it will allow the discussion between the City and the utility companies. Mr. Goodhue said that it would probably take up to two years to build these data centers.

Ms. Marcolla was concerned that data centers have invested lots of money and that a guarantee for electricity would be difficult.

Mr. Gubser was concerned that this text amendment was being rushed.

Mr. Mazza said that he hoped the Planning Commission and City Council would look more into the “will serve” letter and possibly remove it.

Ms. Schmidt echoed Mr. Gubser concern of needing more time.

Ms. Sepic felt if the rezoning and site plan for an 8-lot subdivision took 2 years that she did not want these data centers being rushed as they would have a massive impact on the grid system. Ms. Sepic explained she does not want Phoenix to turn into California or Texas where there is a possibility of no air conditioning in the summertime. Ms. Sepic said utility companies may need to upgrade their grid system and does not want a rushed process.

MOTION 4:

Robert Goodhue motioned to recommend the approval of the text amendment with the modification to require the Special Permit, but to only allow it within the A-1 and A-2 Zoning Districts. **Danielle Mazza** seconded the motion.

Vote

8-5-1; Motion to recommend the approval of the text amendment with the modification to require the Special Permit, but to only allow it within the A-1 and A-2 Zoning Districts, passes with Committee Members Franks, Goodhue, Hamra, Mazza, Sepic, Soronson, Wise, and Mortensen in favor; Gubser, Marcolla, Petersen, Schmidt, and Sommer opposed; and Balderrama abstained.

Village Planning Committee Meeting Summary

Z-TA-2-25-Y

Date of VPC Meeting	May 13, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Denial, with direction
VPC Vote	3-2

VPC DISCUSSION:

Agenda Item 4 (GPA-2-25-Y) and Agenda Item 5 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

One member of the public registered to speak on this item, in opposition.

Staff Presentation:

John Roanhorse, staff, provided an overview of GPA-2-25-Y and Z-TA-25-Y. Mr. Roanhorse discussed why the General Plan Amendment and Text Amendment are needed. Mr. Roanhorse summarized and explained the policy guidance for data centers that the General Plan Amendment includes. Mr. Roanhorse then discussed the three main components of the Text Amendment. Mr. Roanhorse shared the proposed Zoning Ordinance definition for a data center and proposed design guidelines. Mr. Roanhorse shared the zoning districts that data centers would be permitted in, subject to a Special Permit and other performance standards. Mr. Roanhorse shared the upcoming public hearing schedule and stated that staff recommends approval per the language in Exhibit A of the Staff Report.

Questions from Committee:

Committee Member Ozzie Virgil stated that these cases are going through the process very quickly and asked what they are needed for. **Mr. Roanhorse** responded that data centers are used for storage and processing of digital data, such as photos saved in the digital cloud.

Vice Chair Scott Lawrence stated that municipalities did not have to worry about data centers because they did not exist 20 to 30 years ago, so they are trying to find a way to make them more aesthetically pleasing and to fit into the community.

Chair Dino Cotton stated that there are some existing data centers around and more are being built.

Vice Chair Lawrence asked why it would matter if data services are leased to third parties or not. **Mr. Roanhorse** responded that existing data centers would likely be retrofitted.

Committee Member Virgil asked how many data centers will be built. **Mr. Roanhorse** responded that it is unknown, and the market is open for data centers to be built at a number of different locations.

Chair Cotton stated that Tricia Gomes, Deputy Director with the Planning and Development Department, reached out to him to discuss the proposed General Plan Amendment and Text Amendment.

Committee Member Virgil expressed concerns with the rushed public hearing schedule.

Chair Cotton asked Mr. Roanhorse to clarify the water usage of data centers. **Mr. Roanhorse** stated that he is not too familiar with how a data center functions, but they likely use a large amount of water for cooling.

Committee Member Eileen Baden stated that this topic came up during the Maricopa County Comprehensive Plan Framework 2040 conference and members of the public were concerned with increased water usage. Committee Member Baden added that the Maricopa County Planning and Development Director said that they could add into the Comprehensive Plan that they will work more closely with cities and towns when these big projects come in. Committee Member Baden asked if there would need to be some coordination with Maricopa County if the project is over a certain size. **Mr. Roanhorse** responded that there would not be. Mr. Roanhorse stated that for all rezoning cases, utilities are looked at to ensure there is access and capacity for water, wastewater, and electricity. Committee Member Baden expressed concerns with affecting the power grid due to the increased energy demand created from data centers. Committee Member Baden recommended increasing the sidewalk width to eight feet so emergency response vehicles could use the sidewalk path in the event of an emergency. Committee Member Baden added that language could be added that improvements for data centers may be needed off-site due to the larger impact they could have on the surrounding community. Mr. Roanhorse responded that those comments can be

included in the recommendation and added that capacity is always looked at for any development before it is approved.

Committee Member Virgil expressed concerns with what was being stored in data centers.

Chair Cotton clarified that the Village Planning Committee is reviewing the land use and design, not what is inside of the data center.

Mr. Roanhorse clarified the elements that the design guidelines would affect.

Committee Member Will Holton asked if there is a maximum square footage requirement for data centers. **Mr. Roanhorse** responded that there is not. Mr. Roanhorse clarified that the main concern is how data centers can best fit into a location. Committee Member Holton expressed concerns with building height. Committee Member Holton asked if data centers have backup generators. Mr. Roanhorse responded that the three data centers he is aware of do.

Committee Member Baden recommended increasing the sidewalk width required around data center sites to eight or 10 feet.

Chair Cotton expressed concerns with widening the sidewalks due to the urban heat island effect.

Vice Chair Lawrence agreed with the design guidelines, noting that they make an unattractive building that a developer could get away with more community-friendly. Vice Chair Lawrence stated that it would be more important where the data center building is placed on a site rather than how tall it is.

Committee Member Holton stated that it would be seen regardless due to the height.

Chair Cotton stated that a comment could be added that the Committee does not want data centers to be tall.

Committee Member Baden stated that a difference of two feet in the sidewalk width would likely not make a difference in the urban heat island effect. Committee Member Baden expressed concerns with accessibility and connectivity.

Public Comments:

Henry Hardy, with Rose Law Group, introduced himself as a representative of stakeholders in the industry, opposed to the proposal. Mr. Hardy stated that they were made aware of this proposal about two weeks ago. Mr. Hardy stated that the public hearing process is a very quick turnaround time. Mr. Hardy added that the Accessory Dwelling Unit (ADU) Text Amendment public hearing process was about a seven-month process. Mr. Hardy stated that they would like more time to go through the details of this proposal. Mr. Hardy stated that the data center stakeholders are fine with the architectural and landscape standards and understand that data centers should fit

properly into a community. Mr. Hardy explained that there are elements of the proposal that do not align with investment and do not address how existing investments for data centers would be affected. Mr. Hardy expressed concerns with Proposition 207 for diminution of property values. Mr. Hardy asked for a continuance to allow more time over the summer for everyone to understand the impacts. Mr. Hardy stated that although data centers do not employ as many employees as other major employers, each data center could employ between 80 to 150 people and are high-paying jobs with median incomes of \$95,000 annually. Mr. Hardy added that recent studies said indirect employment in this industry in Phoenix is around 80,000 employees and direct employment is about 20,000 employees. Mr. Hardy stated that the will-serve letter requirement is not consistent with how data centers are developed. Mr. Hardy stated that other business leaders and investors are watching this amendment and see it as anti-enterprise legislation. Mr. Hardy stated that they understand that data centers should better the community and should not be forced upon a community. Mr. Hardy clarified that they need more engagement.

Staff Response:

None.

Discussion:

Committee Member Holton asked how data centers specifically benefit the community. Committee Member Holton asked how long the amendment has been in the works. **Mr. Hardy** responded that they were notified of the amendment about two weeks ago. Committee Member Holton asked how many major cities are doing a similar amendment. Mr. Hardy responded that he was not sure. Mr. Hardy stated that nationally there is a lot of discussion around data centers and some cities are trying to attract them. Committee Member Holton asked how data centers are benefiting the community. Mr. Hardy responded that data centers are multi-billion-dollar investments that each return tens of millions of dollars to the City in tax revenue. Committee Member Holton asked what data centers do. Mr. Hardy responded that data centers handle everything from the GPS system in a car to the data storage where people work. Mr. Hardy stated that every time a file is saved to the computer or to the phone, it is saved somewhere in the cloud, which is stored and processed by data centers. Mr. Hardy stated that the future is data centers.

Vice Chair Lawrence stated that the City seems to be contradicting of wanting to be a tech center by wanting investment from the Taiwan Semiconductor Manufacturing Company (TSMC) but not wanting investment from data centers.

Committee Member Holton stated that he could understand how TSMC could make something that he would actually use versus a data center.

Mr. Hardy stated that TSMC is making chips that go into data centers. Mr. Hardy stated that it is the future of the economy nationally and globally. Mr. Hardy asked the Committee to express concerns that the timeline is too fast and to come back with a better proposal.

Chair Cotton asked for clarification if the data center industry is wanting more time to go through the design guidelines and make them less restrictive. **Mr. Hardy** responded that the design guidelines are not an issue. Mr. Hardy stated that their issues are Proposition 207, that the text does not say anything about existing data centers and how the text amendment would affect them, and the text does not say anything about proposed data centers currently in the development review process and how the text amendment could affect their existing investments. Mr. Hardy added that the will-serve letter from the power company to be able to serve the power of the data center in two years is another major concern. Mr. Hardy stated that a data center cannot get a commitment for power within two years, and it is probably more around 10 years. Mr. Hardy added that the power company would ask if the data center has a permit from the local municipality before providing a will-serve letter. Chair Cotton stated that it seems the City is trying to rush the text amendment to avoid legal input.

Committee Member Virgil stated that he feels like he does not have enough information to vote on this item, such as what the height is.

Vice Chair Lawrence concurred.

Mr. Hardy stated that this is the fastest they have seen a text amendment go through the public hearing process.

Committee Member Holton asked where data centers are being proposed within the Rio Vista Village.

Committee Member Baden stated that they would be allowed anywhere where that is zoned for them.

Chair Cotton stated that he does not believe the Village Planning Committee asking for a continuance would have any impact, since it is still scheduled to be heard by the Planning Commission and the City Council on their scheduled dates.

Mr. Hardy stated that they want that concern to be passed along to the Planning Commission and City Council.

Mr. Roanhorse stated that the City has a narrow timeframe to approve or deny a request due to the State Legislature, and a continuance is typically reserved for the City Council.

Committee Member Holton stated that he does not understand how the proposal would impact pending permits.

Vice Chair Lawrence stated that if all the Village Planning Committees vote against it, then the City Council may negotiate a longer term for this proposal.

Committee Member Baden stated that she believes the City is trying to minimize the impacts that data centers have. Committee Member Baden stated that she is generally

supportive of a majority of the proposal. Committee Member Baden stated that she understands there are a few elements that may need some more discussion and more review.

Committee Member Cotton concurred and stated that he is supportive of the design guidelines and would vote to approve the design guidelines.

Committee Member Baden added that the Fire Department should have sufficient time to review this proposal because they are supportive of perimeter paths around new developments, which help with accessibility and connectivity. Committee Member Baden requested that the sidewalk requirement be widened so emergency vehicles could use them in the event of an emergency. Committee Member Baden added that language should be added to state that data centers may require off-site improvements for fire safety of very large data centers.

MOTION – Z-TA-2-25-Y:

Vice Chair Lawrence motioned to recommend denial of Z-TA-2-25-Y, with direction to allow more time for stakeholder input. **Committee Member Holton** seconded the motion.

VOTE – Z-TA-2-25-Y:

3-2; the motion to recommend denial of Z-TA-2-25-Y with direction passed with Committee members Holton, Virgil and Lawrence in favor and Committee members Baden and Cotton opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary

Z-TA-2-25-Y

Date of VPC Meeting	May 13, 2025
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards.
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	14-1-1

Item Nos. 5 (GPA-2-25-Y) and 6 (Z-TA-2-25-Y) are companion cases and were heard concurrently.

Two members of the public registered to speak on this item, one in support, and one that did not indicate support or opposition.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed General Plan Amendment, including background and details of the location criteria, design, and energy and sustainability policies proposed to be added for data centers. Mr. Rogers provided information about further about the proposed Text Amendment, including a definition for data centers, design guidelines, and a requirement for a Special Permit and performance standards, finally noting the timeline for the proposals.

QUESTIONS FROM THE COMMITTEE

Committee Member Greg Brownell asked if they could add a requirement to not allow Data Centers within one mile of the Rio Salado Restoration Area. **Mr. Rogers** stated that the requirement could be recommended as a part of the motion.

Committee Member Gene Holmerud explained that Iceland is a popular location for data centers, stated that places like Iceland make more sense because data centers produce so much heat, and stated he was surprised there is a demand for data centers in Phoenix.

Committee Member Trent Marchuk explained that the lack of natural disasters in the Phoenix area make it an attractive place to locate data centers and asked about the definition of high-capacity transit. **Mr. Rogers** explained that high-capacity transit options are the light rail and bus rapid transit. Committee Member Marchuk asked about existing data centers. Mr. Rogers stated that existing data centers would be grandfathered and explained staff is still looking into other items such as phased developments.

Committee Member Petra Falcon asked for staff to display the slide showing the public hearing dates. **Mr. Rogers** displayed the slide.

Committee Member Tamala Daniels asked how health hazards are being addressed and explained that data centers contribute to noise pollution, air pollution, respiratory illnesses, heat emissions, traffic congestion, and security risks. **Mr. Rogers** explained that data centers will be required to go through the Special Permit process and the Village Planning Committees will have the opportunity to analyze if a site is appropriate. Mr. Rogers explained a Will Serve letter will be required to ensure data centers are not over burdening the electric grid, stated that a noise study will be required, stated that data centers will not be allowed to exceed five percent of the area's ambient noise, explained that some data centers have been in the news because of pollution generated from natural gas fueled fans, and stated that he expects the data centers in Phoenix to get their power from the electric grid.

Committee Member Mark Beehler echoed Committee Member T. Daniels' concerns, stated the cases that the Village Planning Committee (VPC) recommends for denial are not always ultimately denied by the City Council, stated that he foresees data centers as something that will be dumped on South Phoenix, and echoed Committee Member Brownell's concerns about data centers near the Rio Salado Habitat Restoration area. **Mr. Rogers** explained that General Plan Amendment includes guidance to not allow data centers near corridors and explained that the Rio Salado area is one of the potential corridors that will be designated as a part of the General Plan implementation.

Committee Member Kay Shepard asked about rezoning requirements. **Mr. Rogers** explained that a Special Permit would be needed to allow a data center.

Committee Member Ralph Thompson II asked about the number of data centers in South Phoenix and asked how many jobs data centers generate. **Mr. Rogers** stated that he does not have data on the number of data centers in South Phoenix and explained that at the Central City Village Planning Committee an attorney had stated that data

centers create 80 to 150 jobs. **Chair Arthur Greathouse III** stated that a further breakdown of the jobs would be needed to understand the job creation.

Committee Member George Brooks stated that the issues of data centers will continue to increase, asked if this is something we can spend more time on, described environmental concerns, and stated that data centers have loud air conditioning units and heat pumps that will make areas hotter. Committee Member Brooks stated he does not want data centers to be dumped on South Phoenix, stated that savvy attorneys will argue for permitting data centers, and stated that more time should be spent on the topic.

Committee Member Lee Coleman asked for confirmation that data centers can currently go into any office location. **Mr. Rogers** explained that data centers are currently allowed anywhere an office use is allowed.

Committee Member Fred Daniels asked if there are any data centers that are currently in the pipeline. **Mr. Rogers** explained he is not aware of any data centers currently in the pipeline in South Mountain, but he is aware of others around the City.

Chair Greathouse asked about a buffer between data centers and residential and stated that there is a data center on 40th Street and McDowell Road that is right next to residential. **Committee Member Marcia Busching** stated that there is a 150-foot buffer required from residential. Chair Greathouse stated that 150 feet is not very far.

Committee Member Busching stated that landscape setbacks are required, but walls are not addressed, stated that there is not a definition of live coverage, stated that water consumption is not addressed, explained that the buildings have architecture requirements indicating that the building will likely be able to be seen from the street, and stated that she likes the idea of a distance requirement from the Rio Salado Habitat Restoration area.

Mr. Rogers stated that live coverage is often a stipulation on rezoning cases, explained that live coverage means the area that is covered in trees and shrubs, stated that walls greater than three feet are not allowed in landscape setbacks, and explained that additional architecture concerns can be addressed through stipulations during the Special Permit process.

Committee Member Edward Aldama asked for confirmation that data centers are currently allowed anywhere an office is and asked if the text amendment will create a formalized process for the data centers. **Mr. Rogers** confirmed the General Plan Amendment and Text Amendment requests will create a formalized process to permit data centers and mitigate their impacts.

Committee Member Marchuk explained that he had visited a data center for work, explained that the site he visited had a water treatment facility on site that processed grey

water, and stated that using grey water would be something that would be interesting to investigate. **Mr. Rogers** explained that the city has high water user requirements that require a certain percent of water be recycled.

Committee Member Marchuk asked about the location policy that encourages data centers in identified redevelopment areas where infrastructure investments are needed and asked about identified redevelopment areas within South Mountain. **Mr. Rogers** explained there is the Target Area B Redevelopment Area in South Mountain, stated much of it is along proposed and existing corridors, and explained that areas with needed infrastructure investments are generally areas on the periphery of the city that need roads and utilities.

Committee Member Brownell described some of the challenges of South Mountain and explained attorneys will argue for data centers. **Mr. Rogers** explained that this is putting in a process to regulate data centers rather than the status quo that lets data centers come in wherever an office use is allowed.

Committee Member Brownell asked about live coverage and asked about the height limitations. **Mr. Rogers** explained live coverage is provided through shrubs and tree coverage and stated that building heights will be regulated through the underlying zoning district. Committee Member Brownell stated that he would rather have a human scale wall closer to the sidewalk than a large wall further from the sidewalk.

Committee Member T. Daniels asked if data centers can be restricted to only be allowed on industrially and commercially zoned parcels. **Mr. Rogers** explained that the proposal only allows for data centers to be allowed on industrially and commercially zoned properties.

PUBLIC COMMENT

Jon Gillespie introduced himself, explained that he is from Rose Law Group, described tax revenue generated from data centers, stated he is concerned about the timeline of the process, stated he would like at least 60 more days for public comment, stated that there has been a lot of investment by data center users, discussed grandfathering of developments, expressed concerns about phased developments, explained potential Proposition 207 litigation, and explained the Will Serve Letter requirement is unfeasible.

Ron Norse explained that he is a building inspector, stated that he is a former City of Phoenix inspector, offered a tour of a data center, and stated that he has been inspecting microchip factories for the last 5 years.

Kay Shepard asked if data centers are the same thing as chip makers. **Mr. Rogers** stated that it is his understanding that they are different.

Gene Holmerud described different sound decibel levels and stated he wants to know more about the sound regulations.

STAFF RESPONSE

Mr. Rogers explained that the City's Law Department has determined there will not be any Proposition 207 issues, stated that the City is still working on what projects will be grandfathered in, and explained that the Central City Village Planning Committee had asked for more time.

Committee Member Marchuk asked about phased data center developments. **Mr. Rogers** explained that his team is still working through questions about what projects will be grandfathered in.

Committee Member Kay Shepard asked about how the other villages have voted. **Mr. Rogers** summarized the results of the other villages that have heard the items.

Vice Chair Emma Viera stated that she appreciates that we are putting regulations on data centers and stated that she would like to see distance requirements for schools and residential. **Mr. Rogers** stated that there is a distance requirement from residential areas but not from schools. Vice Chair Viera stated that 150 feet is not enough and stated that a distance requirement from schools should be added.

Committee Member Brownell stated support for a distance requirement from schools, stated that there are high asthma rates in Arizona schools, and explained data centers will make it worse.

Mark Beehler stated that determining specific distance requirements is out of the Village Planning Committee's scope and stated that he agrees that distance from schools should be added.

Committee Member Busching stated that she would like any motion on the General Plan amendment to include direction to encourage recycling of water.

Committee Member Marchuk asked about the motion and providing direction versus requiring modifications. **Mr. Rogers** explained that other committees have made motions with direction.

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

Motion:

Committee Member Marcia Busching made a motion to recommend approval of Z-TA-2-25-Y with direction that no data centers be allowed within 1.5 miles of the Rio Salado Habitat Restoration Area, that II.D.5.1 be modified to require a 150-foot setback from

schools, and that a provision be included that encourages the recycling of water and usage of recycled water on site. **Committee Member Greg Brownell** seconded the motion.

Committee Member Beehler introduced a friendly amendment to modify II.D.5.1 to require that the setback requirement be from a building. **Committee Member Busching** stated that she accepts the friendly amendment.

Committee Member Shepard introduced a friendly amendment to only allow data centers on properties that have A-1 or A-2 zoning. **Committee Member Marchuk** stated that C-2 had been removed in the General Plan Amendment motion. **Committee Member Busching** did not accept the friendly amendment.

Committee Member Marchuk stated something should be added regarding grandfathering in projects that are already in the process or that have phased plans. **Chair Greathouse** stated that his company has land that has grandfathered rights, stated that governance will understand grandfathered rights, and stated that he expects that projects will have to abide by the rules and regulations at the time they applied. **Committee Member Marchuk** stated that there is still ambiguity and stated that providing some direction on the matter will be beneficial. **Committee Member Brownell** suggested having a five-year timeframe for projects to be constructed under the current code. **Chair Greathouse** stated he does not like the idea of a five-year timeframe and stated that there could be an event like a pandemic that causes delays. **Committee Member Beehler** stated that he does not think that there should be grandfathering rights.

Committee Member Busching called the question.

Vice Chair Viera asked if **Committee Member Busching** would be open to adding a requirement regarding the usage of renewable energy. **Committee Member Busching** stated that the question has been called so she is not open to an amendment.

Vote:

14-1-1, motion to recommend approval of Z-TA-2-25-Y with direction that no data centers be allowed within 1.5 miles of the Rio Salado Habitat Restoration Area, that a provision be included that encourages the recycling of water and usage of recycled water on site, and that II.D.5.1 be modified to require a 150-foot setback from schools and that that the setback be measured from a building, passed with **Committee Members Aldama, Beehler, Brooks, Brownell, Busching, Coleman, F. Daniels, T. Daniels, Falcon, Jackson, Marchuk, Thompson, Viera, and Greathouse** in favor, **Committee Member Shepard** opposed, and **Committee Member Holmerud** abstained.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

ATTACHMENT D



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission

Date: June 4, 2025

From: Tricia Gomes
Planning and Development Deputy Director

Subject: BACK UP TO ITEM NO. 3 – Z-TA-2-25-Y – DATA CENTERS TEXT
AMENDMENT

Text Amendment No. Z-TA-2-25-Y is a request to amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers; and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial), and A-2 (Industrial) zoning districts, with a Special Permit and performance standards.

The Village Planning Committees considered the request throughout May and beginning of June. Two VPCs recommended approval, per the staff recommendation; three VPCs recommended approval, per the staff recommendation, with direction; one VPC recommended approval, per the staff recommendation, with a modification; one VPC recommended approval, per the staff recommendation, with a modification and direction; three VPCs recommended denial; four VPCs recommended denial, with direction; and one VPC did not have quorum.

Three stakeholder meetings were held with individuals representing a wide range of interests in data center development such as land use attorneys, real estate and construction professionals, data center operators, and utility companies.

The language in this proposed text amendment has been modified to address some of the primary concerns as recommended by the Village Planning Committees and shared at the stakeholder meetings including the following concerns: undergrounding of large utility lines, obtaining a will serve letter within two years, noise standards and applicability of the new development standards and requirement to secure a Special Permit.

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

Amend Chapter 2, Section 202 (Definitions) to add a definition for data centers.

Section 202. Definitions.

DATA CENTER: A FACILITY USED PRIMARILY FOR DATA SERVICES, INCLUDING THE STORAGE, PROCESSING, MANAGEMENT, AND TRANSMISSION OF DIGITAL DATA. A FACILITY SHALL NOT BE CONSIDERED A DATA CENTER WHEN IT DOES NOT EXCEED 10% OF THE GROSS FLOOR AREA OF ALL ON-SITE BUILDINGS; IS USED TO SERVE THE ENTERPRISE FUNCTIONS OF THE ON-SITE PROPERTY OWNER; AND IS NOT USED TO LEASE DATA SERVICES TO THIRD PARTIES.

Amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers, and to read as follows:

Section 507 Tab A. Guidelines for design review.

- II. CITY-WIDE DESIGN REVIEW GUIDELINES. The design review guidelines ~~indicate specific standards of implementation and are categorized as Requirements (R), Presumptions (P), or Considerations (C).~~ INDICATED WITH THE MARKERS (R), (R*), (P), (T), AND (C) SHALL BE APPLIED AND ENFORCED IN THE SAME MANNER AS INDICATED IN SECTION 507. ITEMS NOT INDICATED WITH AN (R), (R*), (P), (T), AND (C) SHALL BE TREATED AS (R).

D. Specialized Uses.

5. DATA CENTERS.

5.1. **SETBACKS.** ALL MECHANICAL EQUIPMENT, INCLUDING BUT NOT LIMITED TO ELECTRICAL TRANSFORMERS AND GENERATORS, SHALL BE SET BACK A MINIMUM OF 150 FEET FROM ABUTTING RIGHT-OF-WAY OR RESIDENTIALLY ZONED PROPERTY; IN ADDITION TO THE FOLLOWING: (R*)

5.1.1. THE EQUIPMENT MUST BE FULLY SCREENED BY A BUILDING THAT IS VISUALLY INTEGRATED WITH THE DESIGN OF THE OVERALL DEVELOPMENT; OR

5.1.2 THE EQUIPMENT MUST BE FULLY SCREENED BY A DECORATIVE SCREEN WALL HAVING VARIATIONS IN COLORS, MATERIALS, PATTERNS, TEXTURES, AND/OR AN ART INSTALLATION SUCH AS A MURAL.

RATIONALE: GROUND EQUIPMENT SHOULD BE ENCLOSED AND SET BACK TO PROVIDE VISUAL SCREENING AND REDUCE NOISE LEVELS.

5.2. **LANDSCAPE SETBACK.** A MINIMUM 30-FOOT WIDE PERIMETER LANDSCAPE SETBACK SHALL BE PROVIDED, SUBJECT TO THE FOLLOWING:

5.4.1. TWO STAGGERED ROWS OF LARGE CANOPY SHADE TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPING SHALL BE PROVIDED, AS APPROVED BY THE PDD LANDSCAPE ARCHITECT. (T)

5.4.2 FIVE 5-GALLON SHRUBS PER TREE SHALL BE PROVIDED, AT A MINIMUM. (T)

5.4.3 GROUNDCOVERS SHALL BE PROVIDED TO SUPPLEMENT THE TREES AND SHRUBS SO THAT A MINIMUM 75% LIVE COVERAGE IS ATTAINED. (T)

RATIONALE: AN ENHANCED LANDSCAPE SETBACK WITH A DENSE NUMBER OF TREES AND SHRUBS HELPS TO MITIGATE NEGATIVE VISUAL IMPACTS.

5.3. **ARCHITECTURE.**

- 5.3.1. BUILDING FACADES THAT EXCEED 100 FEET SHOULD CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, WINDOW FENESTRATION (INCLUDING FAUX WINDOWS), SHADOW BOXES, AND OVERHEAD/CANOPIES. (P)
- 5.3.2. ALL SIDES OF A BUILDING/STRUCTURE SHOULD PROVIDE AN ENHANCED DESIGN INCLUDING A VARIATION IN COLORS, MATERIALS, PATTERNS, TEXTURES, HEIGHT, WINDOWS (INCLUDING FAUX WINDOWS), ARTICULATION, AND/OR ART INSTALLATIONS. (P)
- 5.3.3. EACH MAIN ENTRANCE SHOULD INCLUDE A FEATURE THAT DIFFERENTIATES IT FROM THE REMAINDER OF THE BUILDING FACADE BY A CHANGE IN BUILDING MATERIAL, PATTERN, TEXTURE, COLOR, AND/OR ACCENT MATERIAL, AND THAT PROJECTS OR IS RECESSED FROM THE ADJOINING BUILDING PLANE. (P)
- 5.3.4. ARCHITECTURAL DESIGN SHOULD TAKE INTO ACCOUNT THE SOLAR CONSEQUENCES OF BUILDING HEIGHT, BULK, AND AREA. (C)

RATIONALE: DATA CENTER BUILDINGS SHOULD INCLUDE ENHANCED ARCHITECTURAL DESIGN FEATURES IN ORDER TO PROVIDE VISUAL INTEREST, TO BREAK UP THE MASS OF THE BUILDING/STRUCTURE AND TO PROVIDE AN ENHANCED DESIGN INTERFACE WHERE VISIBLE FROM A RIGHT-OF-WAY AND/OR RESIDENTIALLY ZONED PROPERTY.

- 5.4. **STREETSCAPE.** FOR EACH STREET FRONTAGE, A MINIMUM 6-FOOT-WIDE DETACHED SIDEWALK SEPARATED FROM THE CURB BY A MINIMUM 8-FOOT-WIDE LANDSCAPE STRIP, SUBJECT TO THE FOLLOWING:
 - 5.4.1. SINGLE-TRUNK, LARGE CANOPY SHADE TREES, PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS, SHALL BE PROVIDED ON BOTH SIDES OF THE SIDEWALK AND PROVIDE A MINIMUM OF 75% SHADE. (T)

5.4.2 A MIXTURE OF SHRUBS, ACCENTS, AND VEGETATIVE GROUNDCOVERS WITH A MAXIMUM MATURE HEIGHT OF TWO FEET SHALL BE DISTRIBUTED THROUGHOUT THE LANDSCAPE AREAS TO ACHIEVE A MINIMUM OF 75% LIVE COVERAGE. (T)

5.4.3 ALL **NEW OR RELOCATED ELECTRIC LINES 12 KV AND SMALLER, COMMUNICATIONS AND CABLE TELEVISION AND ALL ON PREMISE WIRING SHALL BE PLACED UNDERGROUND IN ALL DEVELOPMENTS WHERE VISIBLE FROM STREETS OR ADJOINING PROPERTIES** EXISTING ~~OVERHEAD UTILITIES WITHIN THE RIGHTS-OF-WAY ABUTTING THE DEVELOPMENT SHALL BE PLACED UNDERGROUND, UNLESS OTHERWISE APPROVED THROUGH A TECHNICAL APPEAL.~~ (T)

RATIONALE: AN ENHANCED STREETSCAPE HELPS TO SOFTEN THE EDGE OF THE DEVELOPMENT OF A LARGER NON-RESIDENTIAL USE.

5.5. **SHADE.**

5.5.1. ALL ON-SITE PEDESTRIAN PATHWAYS SHOULD BE SHADED A MINIMUM OF 75% BY A STRUCTURE, LANDSCAPING, OR A COMBINATION OF THE TWO. (P)

5.5.2 DEDICATED MULTI-USE TRAILS ADJACENT TO THE SITE SHOULD BE SHADED A MINIMUM OF 50% AT TREE MATURITY. (P)

RATIONALE: ENHANCED PEDESTRIAN COMFORT SHOULD BE PRIORITIZED ADJACENT TO AND WITHIN DATA CENTER DEVELOPMENTS ACROSS THE CITY.

Amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards to read as follows:

Section 647. Special Permit Uses.

2. A special permit may be granted by the Council upon recommendation of the Commission to establish the following uses in the use districts named:

KK. DATA CENTERS IN THE C-2, C-3, CP/GCP, A-1 AND A-2 ZONING DISTRICTS, SUBJECT TO THE FOLLOWING:

- (1) THE DEVELOPMENT SHALL BE NO CLOSER THAN 2,640 FEET FROM AN APPROVED HIGH-CAPACITY TRANSIT STATION.
- (2) PRELIMINARY SITE PLAN APPROVAL WILL NOT BE GRANTED FOR A DATA CENTER UNTIL SUCH TIME THAT A LOCAL UTILITY COMPANY ~~CONFIRMS IN WRITING WITH A "WILL SERVE" LETTER~~ **PROVIDES A CONTRACTUAL AGREEMENT THAT IT CAN AFFIRMS ITS CAPACITY AND COMMITMENT TO** SERVE THE ENERGY DEMAND ~~WITHIN TWO YEARS~~ FOR THE PROPOSED DATA CENTER. THE ~~LETTER AGREEMENT~~ FROM THE UTILITY COMPANY SHALL BE SUBMITTED TO PDD CONCURRENT WITH THE PRELIMINARY SITE PLAN.
- (3) THE FOLLOWING SHALL APPLY WHEN THE SITE IS LOCATED WITHIN 300 FEET OF A RESIDENTIAL ZONING DISTRICT:
 - (a) PRELIMINARY SITE PLAN APPROVAL FOR A DATA CENTER SHALL NOT BE GRANTED UNLESS IT HAS BEEN DEMONSTRATED THAT THE DATA CENTER, INCLUDING ALL ON-SITE MECHANICAL EQUIPMENT AND FACILITIES, WILL NOT EXCEED THE EXISTING AMBIENT NOISE LEVEL FOR THE SITE BY MORE THAN 5% **OR A SPECIFIC NOISE STANDARD MAY BE STIPULATED AS A CONDITION OF AN APPROVED SPECIAL PERMIT.**

- (b) TO DETERMINE COMPLIANCE WITH THE PRIOR SUBSECTION, THE DEVELOPER SHALL SUBMIT A NOISE STUDY TO PDD PRIOR TO OR CONCURRENT WITH THE PRELIMINARY SITE PLAN. THE NOISE STUDY SHALL BE PERFORMED BY A THIRD-PARTY ACOUSTICAL ENGINEER TO DOCUMENT BASELINE NOISE LEVELS IN THE AREA OF THE PROPOSED DATA CENTER, INCLUDING NOISE LEVELS MEASURED AT THE PROPERTY LINE OF THE NEAREST RESIDENTIAL ZONING DISTRICT TO THE PROPOSED DATA CENTER PROPERTY.
- (c) UPON APPROVAL OF THE NOISE STUDY, THE METHODS PROPOSED TO MITIGATE NOISE SHALL BE STIPULATED AS A CONDITION OF FINAL SITE PLAN APPROVAL. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED IF THE AMBIENT NOISE EXCEEDS THE PRIOR EXISTING NOISE LEVEL BY MORE THAN 5%.
- (4) THESE REGULATIONS AND THE DESIGN GUIDELINES SET FORTH IN SECTION 507 TAB A.II.D.5., DATA CENTERS ARE NOT APPLICABLE TO DATA CENTERS WHICH HAVE RECEIVED FINAL SITE PLAN APPROVAL; OR A DATA CENTER USE THAT IS SPECIFICALLY LISTED AS A PERMITTED USE OR SPECIFICALLY DISCUSSED IN A COUNCIL ADOPTED PLANNED UNIT DEVELOPMENT NARRATIVE PRIOR TO [THE EFFECTIVE DATE OF THIS ORDINANCE]. OTHERWISE, THE DEVELOPMENT IS SUBJECT TO THESE REGULATIONS AND ALL APPLICABLE DESIGN GUIDELINES SET FORTH IN SECTION 507 TAB A, INCLUDING THOSE FOR SECTION II.D.5, DATA CENTERS.**

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION June 5, 2025

ITEM NO: 3	
	DISTRICT NO.: Citywide
SUBJECT:	
Application #:	Z-TA-2-25-Y (Companion Case GPA-2-25-Y)
Location:	Citywide
Proposal:	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers; and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial), and A-2 (Industrial) zoning districts, with a Special Permit and performance standards.
Applicant:	City of Phoenix Planning Commission
Representative:	City of Phoenix, Planning and Development Department

ACTIONS:

Staff Recommendation: Approval, per the staff memo dated June 4, 2025.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 5/19/2025 Denial. Vote: 10-0.

Alhambra 5/20/2025 Denial. Vote: 11-0.

Camelback East 6/3/2025 Denial, with direction. Vote: 17-0.

Central City 5/12/2025 Approval, with direction. 8-1-1.

Deer Valley 5/20/2025 No quorum.

Desert View 6/3/2025 Denial, with direction. Vote 11-0.

Encanto 6/2/2025 Denial. Vote 13-0-1.

Estrella 5/20/2025 Approval, with direction and a modification. Vote: 4-0.

Laveen 5/12/2025 Approval, with direction. Vote: 13-0.

Maryvale 5/14/2025 Approval. Vote: 13-0.

North Gateway 5/8/2025 Approval. Vote: 8-0.

North Mountain 5/21/2025 Denial, with direction. Vote: 12-0-1.

Paradise Valley 6/2/2025 Approval, with a modification. Vote: 8-5-1.

Rio Vista 5/13/2025 Denial, with direction. Vote: 3-2.

South Mountain 5/13/2025 Approval, with direction. Vote: 14-1-1.

Planning Commission Recommendation: Approval, per the staff memo dated June 4, 2025, with direction.

Motion Discussion:

Commissioner Matthews made a MOTION to approve Z-TA-2-25-Y, per the staff memo dated June 4, 2025. Commissioner James seconded that motion.

Vice-Chairman Boyd proposed an AMENDED MOTION to include direction to evaluate issues with decibel level restrictions, allowance in Commerce Park zoning, co-location of data centers

and the 10% size reduction, and grandfathered use and 207 waivers. Commissioner Gorraiz seconded the motion to amend.

Chairperson Busching asked if they would be amenable to adding direction to also evaluate heat mitigation and a de-minimus exception.

Vice-Chairperson Boyd and Commissioner Gorraiz agreed.

Motion details: Vice-Chairperson Boyd made a MOTION to approve Z-TA-2-25-Y per the staff memo dated June 4, 2025, with direction to evaluate issues with decibel level restrictions, allowance in Commerce Park zoning, co-location of data centers and the 10% size reduction, grandfathered use and 207 waivers, heat mitigation, and a de-minimus exception.

Maker: Vice-Chairperson Boyd

Second: Gorraiz

Vote: 9-0

Absent: None.

Opposition Present: Yes.

Findings: This text amendment will create a process for data centers to be proposed and evaluated through a public hearing process. The text amendment will provide standards to address major concerns that data centers cause.

Proposed Language:

Amend Chapter 2, Section 202 (Definitions) to add a definition for data centers.

Section 202. Definitions.

DATA CENTER: A FACILITY USED PRIMARILY FOR DATA SERVICES, INCLUDING THE STORAGE, PROCESSING, MANAGEMENT, AND TRANSMISSION OF DIGITAL DATA. A FACILITY SHALL NOT BE CONSIDERED A DATA CENTER WHEN IT DOES NOT EXCEED 10% OF THE GROSS FLOOR AREA OF ALL ON-SITE BUILDINGS; IS USED TO SERVE THE ENTERPRISE FUNCTIONS OF THE ON-SITE PROPERTY OWNER; AND IS NOT USED TO LEASE DATA SERVICES TO THIRD PARTIES.

Amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers, and to read as follows:

Section 507 Tab A. Guidelines for design review.

- II. CITY-WIDE DESIGN REVIEW GUIDELINES. The design review guidelines indicate ~~specific standards of implementation and are categorized as Requirements (R), Presumptions (P), or Considerations (C).~~ INDICATED WITH THE MARKERS (R), (R*), (P), (T), AND (C) SHALL BE APPLIED AND ENFORCED IN THE SAME MANNER AS INDICATED IN SECTION 507. ITEMS NOT INDICATED WITH AN (R), (R*), (P), (T), AND (C) SHALL BE TREATED AS (R).

D. **Specialized Uses.**

5. **DATA CENTERS.**

- 5.1. **SETBACKS.** ALL MECHANICAL EQUIPMENT, INCLUDING BUT NOT LIMITED TO ELECTRICAL TRANSFORMERS AND GENERATORS, SHALL BE SET BACK A MINIMUM OF 150 FEET FROM ABUTTING RIGHT-OF-WAY OR RESIDENTIALLY ZONED PROPERTY; IN ADDITION TO THE FOLLOWING: (R*)

5.1.1. THE EQUIPMENT MUST BE FULLY SCREENED BY A BUILDING THAT IS VISUALLY INTEGRATED WITH THE DESIGN OF THE OVERALL DEVELOPMENT; OR

5.1.2 THE EQUIPMENT MUST BE FULLY SCREENED BY A DECORATIVE SCREEN WALL HAVING VARIATIONS IN COLORS, MATERIALS, PATTERNS, TEXTURES, AND/OR AN ART INSTALLATION SUCH AS A MURAL.

RATIONALE: GROUND EQUIPMENT SHOULD BE ENCLOSED AND SET BACK TO PROVIDE VISUAL SCREENING AND REDUCE NOISE LEVELS.

- 5.2. **LANDSCAPE SETBACK.** A MINIMUM 30-FOOT WIDE PERIMETER LANDSCAPE SETBACK SHALL BE PROVIDED, SUBJECT TO THE FOLLOWING:

5.4.1. TWO STAGGERED ROWS OF LARGE CANOPY SHADE TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPING SHALL BE PROVIDED, AS APPROVED BY THE PDD LANDSCAPE ARCHITECT. (T)

5.4.2 FIVE 5-GALLON SHRUBS PER TREE SHALL BE PROVIDED, AT A MINIMUM. (T)

5.4.3 GROUNDCOVERS SHALL BE PROVIDED TO SUPPLEMENT THE TREES AND SHRUBS SO THAT A MINIMUM 75% LIVE COVERAGE IS ATTAINED. (T)

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- 5.3.1. BUILDING FACADES THAT EXCEED 100 FEET SHOULD CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, WINDOW FENESTRATION (INCLUDING FAUX WINDOWS), SHADOW BOXES, AND OVERHEAD/CANOPIES. (P)
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RATIONALE: DATA CENTER BUILDINGS SHOULD INCLUDE ENHANCED ARCHITECTURAL DESIGN FEATURES IN ORDER TO PROVIDE VISUAL INTEREST, TO BREAK UP THE MASS OF THE BUILDING/STRUCTURE AND TO PROVIDE AN ENHANCED DESIGN INTERFACE WHERE VISIBLE FROM A RIGHT-OF-WAY AND/OR RESIDENTIALLY ZONED PROPERTY.

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- 5.5.1. ALL ON-SITE PEDESTRIAN PATHWAYS SHOULD BE SHADED A MINIMUM OF 75% BY A STRUCTURE, LANDSCAPING, OR A COMBINATION OF THE TWO. (P)
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Amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial) and A-2 (Industrial) zoning districts, with performance standards to read as follows:

Section 647. Special Permit Uses.

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- (2) PRELIMINARY SITE PLAN APPROVAL WILL NOT BE GRANTED FOR A DATA CENTER UNTIL SUCH TIME THAT A LOCAL UTILITY COMPANY ~~CONFIRMS IN WRITING WITH A "WILL-SERVE" LETTER~~ PROVIDES A CONTRACTUAL AGREEMENT THAT ~~IT CAN~~ AFFIRMS ITS CAPACITY AND COMMITMENT TO SERVE THE ENERGY DEMAND ~~WITHIN TWO YEARS~~ FOR THE PROPOSED DATA CENTER. THE ~~LETTER~~ AGREEMENT FROM THE UTILITY COMPANY SHALL BE SUBMITTED TO PDD CONCURRENT WITH THE PRELIMINARY SITE PLAN.
- (3) THE FOLLOWING SHALL APPLY WHEN THE SITE IS LOCATED WITHIN 300 FEET OF A RESIDENTIAL ZONING DISTRICT:
 - (a) PRELIMINARY SITE PLAN APPROVAL FOR A DATA CENTER SHALL NOT BE GRANTED UNLESS IT HAS BEEN DEMONSTRATED THAT THE DATA CENTER, INCLUDING ALL ON-SITE MECHANICAL EQUIPMENT AND FACILITIES, WILL NOT EXCEED THE EXISTING AMBIENT NOISE LEVEL FOR THE SITE BY MORE THAN 5% OR A SPECIFIC NOISE STANDARD MAY BE STIPULATED AS A CONDITION OF AN APPROVED SPECIAL PERMIT.
 - (b) TO DETERMINE COMPLIANCE WITH THE PRIOR SUBSECTION, THE DEVELOPER SHALL SUBMIT A NOISE STUDY TO PDD PRIOR TO OR CONCURRENT WITH THE PRELIMINARY SITE PLAN. THE NOISE STUDY SHALL BE PERFORMED BY A THIRD-PARTY ACOUSTICAL ENGINEER TO DOCUMENT BASELINE NOISE LEVELS IN THE AREA OF THE PROPOSED DATA CENTER, INCLUDING NOISE LEVELS MEASURED AT THE PROPERTY LINE OF THE NEAREST RESIDENTIAL ZONING DISTRICT TO THE PROPOSED DATA CENTER PROPERTY.
 - (c) UPON APPROVAL OF THE NOISE STUDY, THE METHODS PROPOSED TO MITIGATE NOISE SHALL BE STIPULATED AS A CONDITION OF FINAL SITE PLAN APPROVAL. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED IF THE AMBIENT NOISE EXCEEDS THE PRIOR EXISTING NOISE LEVEL BY MORE THAN 5%.

- (4) THESE REGULATIONS AND THE DESIGN GUIDELINES SET FORTH IN SECTION 507 TAB A.II.D.5., DATA CENTERS ARE NOT APPLICABLE TO DATA CENTERS WHICH HAVE RECEIVED FINAL SITE PLAN APPROVAL; OR A DATA CENTER USE THAT IS SPECIFICALLY LISTED AS A PERMITTED USE OR SPECIFICALLY DISCUSSED IN A COUNCIL ADOPTED PLANNED UNIT DEVELOPMENT NARRATIVE PRIOR TO [THE EFFECTIVE DATE OF THIS ORDINANCE]. OTHERWISE, THE DEVELOPMENT IS SUBJECT TO THESE REGULATIONS AND ALL APPLICABLE DESIGN GUIDELINES SET FORTH IN SECTION 507 TAB A, INCLUDING THOSE FOR SECTION II.D.5, DATA CENTERS.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, saneeya.mir@phoenix.gov, TTY: Use 7-1-1.

ATTACHMENT F

Correspondence for GPA-2-25-Y and Z-TA-2-25-Y are available on the staff report website under Z-TA-2-25-Y:

<https://www.phoenix.gov/administration/departments/pdd/about-us/reports-data/staff-reports.html>




City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: June 11, 2025

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 152 ON THE JUNE 18, 2025, FORMAL AGENDA –
PUBLIC HEARING - AMEND CITY CODE - ORDINANCE ADOPTION - DATA
CENTERS - Z-TA-2-25-Y (ORDINANCE G-7396) – CITYWIDE

Item 152, Text Amendment No. Z-TA-2-25-Y is a request to amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add a definition for data centers; amend Chapter 5, Section 507 Tab A.II.D (Guidelines for Design Review, City-Wide Design Review Guidelines, Specialized Uses) to modify the section title and add design standards for data centers; and amend Chapter 6, Section 647 (Special Permit Uses), Section 647.A.2 to add data centers within the C-2 (Intermediate Commercial), C-3 (General Commercial), CP/GCP (Commerce Park/General Commerce Park), A-1 (Light Industrial), and A-2 (Industrial) zoning districts, with a Special Permit and performance standards.

Staff recommends continuing this item to the July 2, 2025, City Council Formal meeting to evaluate comments and suggestions received.

Approved:


Alan Stephenson
Deputy City Manager