

# PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor  
Thelda Williams

Vice Mayor  
District 2  
Jim Waring

District 1  
Thelda Williams

District 3  
Debra Stark

District 4  
Laura Pastor

District 5  
Daniel Valenzuela

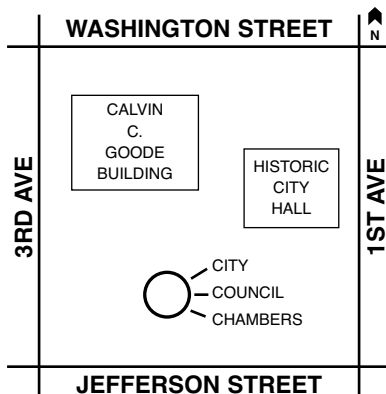
District 6  
Sal DiCiccio

District 7  
Michael Nowakowski

District 8  
Kate Gallego

Online agendas and  
results available at  
[www.phoenix.gov](http://www.phoenix.gov)

City Council Chambers  
200 W. Jefferson St.  
Phoenix, AZ 85003



## WELCOME!

Thank you for participating in the process of representative local government. We welcome your interest and hope you and your neighbors will often attend Phoenix City Council meetings. Democracy cannot endure without an informed and involved electorate.

Phoenix operates under a Council-Manager form of local government. Policy is set by the Mayor and Council, and the City Manager, who is appointed by the Council, directs staff to carry out the policies. This separation of policy-making and policy administration is considered the most economical and efficient form of city government.

## FORMAL CITY COUNCIL MEETINGS

The Council generally holds formal meetings at 2:30 p.m. on Wednesdays to take official action on Ordinances, Resolutions, and other items on the agenda. Although the formal agenda is subject to change, all changes to the printed agenda will be available at least 24 hours prior to the meeting. Visit <https://www.phoenix.gov/cityclerk/publicmeetings> to view the agenda and meeting schedule.

The formal meeting may appear to proceed very quickly, with important decisions reached with little discussion. However, councilmembers receive the agenda the week prior to the meeting, giving them the opportunity to study every item and to ask questions of City staff members. If no additional information is presented at the meeting, action may be taken without discussion.

## HOW CITIZENS CAN PARTICIPATE

The public may request to address the Council regarding an agenda item by submitting a yellow Request to Speak card at the meeting, or may submit a white card to state their support or opposition to an item for the record without speaking. Individuals should arrive and submit a card by the beginning of the meeting, before action is taken on the item. After action has been taken on an item, cards will not be accepted.

In addition, Citizen Comments are heard for up to 15 minutes at the start of the regular formal meeting and, if necessary, for up to 15 minutes (unless extended by the Chair) before adjournment or recess provided a quorum of the Council is present. Any member of the public will be given three minutes to address the Council on issues of interest or concern to them. Speakers will be called in the order in which requests to speak are received. As mandated by the Arizona Open Meeting Law, officials will not discuss matters raised during the Citizen Comment session, but may respond to personal criticism, and may direct staff to follow-up with the citizen.

If you have an individual concern involving the City, you are encouraged to contact your District councilmember at 602-262-7029 or the City Manager's Office at 602-262-4449. To reach the Mayor's Office, call 602-262-7111. We will do everything possible to be responsive to your individual requests.

## REGISTERED LOBBYISTS

Individuals paid to lobby on behalf of persons or organizations other than themselves must register with the City Clerk prior to lobbying or within five business days thereafter and must re-register annually. If you have any questions about registration or whether or not you must register, visit <https://www.phoenix.gov/cityclerk/publicmeetings> or contact the City Clerk's Office at 602-256-3186.

## ACCESSIBILITY

An assistive listening system is available in the Council Chambers for individuals with hearing loss. Obtain a headset unit at the entrance table in the Chambers. In addition, the City Clerk's Office will provide sign language interpreting services. Please call 602-256-3186 or Relay 7-1-1 as early as possible to coordinate needed arrangements.

Si necesita asistencia o traducción en español, favor de llamar lo mas pronto posible a la oficina de la Secretaría Municipal de Phoenix al 602-256-3186.

# City of Phoenix Council members and district boundaries



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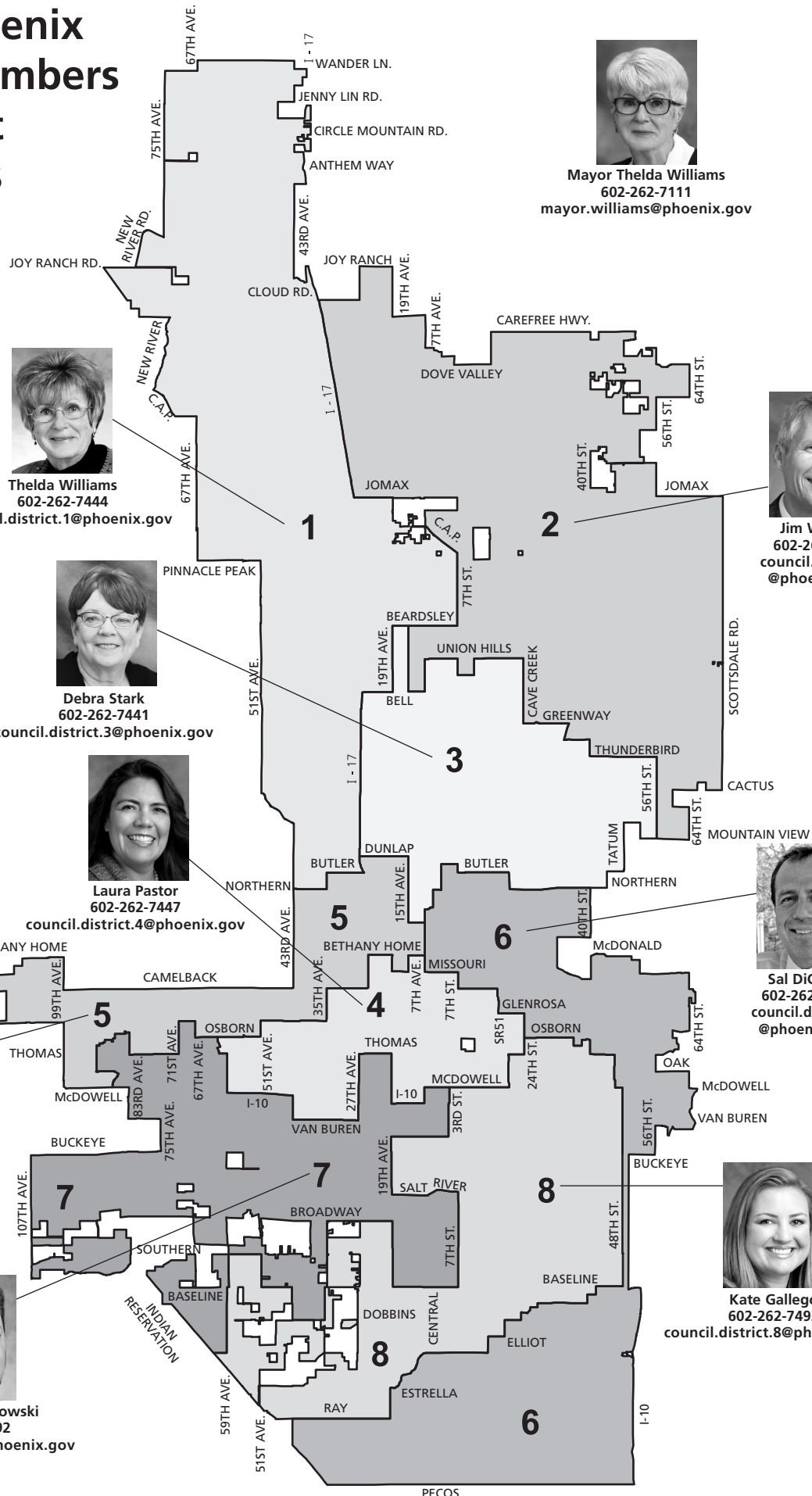
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# Agenda

## City Council Formal Meeting

Thursday, July 5, 2018

12:00 PM

phoenix.gov

\*\*\*REVISED July 2, 2018\*\*\*

Items Revised: 16-29; Item Requested to be Withdrawn: 72; Item Corrected: 86

### CALL TO ORDER AND ROLL CALL

### CITIZEN COMMENTS

### MINUTES OF MEETINGS

- |   |   |         |
|---|---|---------|
| 1 | For Approval or Correction, the Minutes of the Formal Meeting on April 4, 2018  | Page 13 |
| 2 | For Approval or Correction, the Minutes of the Formal Meeting on April 18, 2018 | Page 14 |
| 3 | For Approval or Correction, the Minutes of the Formal Meeting on May 2, 2018    | Page 15 |
| 4 | For Approval or Correction, the Minutes of the Formal Meeting on May 16, 2018   | Page 16 |

### BOARDS AND COMMISSIONS AND ADMINISTRATION OF OATHS

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| 5 | Mayor's Appointments to Boards and Commissions                 | Page 17            |
| 6 | City Council Appointments to Boards and Commissions            | Page 19            |
| 7 | Swearing in of Chief Presiding Judge and Municipal Court Judge | Citywide - Page 22 |

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

- |    |   |                      |
|----|---|----------------------|
| 8  | Liquor License - Beale St. Bar & Grill              | District 1 - Page 23 |
| 9  | Liquor License - City Tacos                         | District 3 - Page 28 |
| 10 | Liquor License - Special Event - St. Francis Xavier | District 4 - Page 33 |

**Roman Catholic Parish Phoenix**

- |     |  |                       |
|-----|--|-----------------------|
| 11  | <b>Liquor License - Citifarms Cafe</b>   | District 4 - Page 34  |
| 12  | <b>Liquor License - PT Noodles</b>   | District 4 - Page 39  |
| 13  | <b>Liquor License - Nishikawa Ramen</b>  | District 6 - Page 45  |
| 14  | <b>Liquor License - Ruby Tuesday</b>   | District 8 - Page 50  |
| 15  | <b>Liquor License - Concierge</b>  | District 8 - Page 52  |
| *16 | <b>Liquor License - JC Sushi &amp; Chinese ***REVISED***</b>                               | District 1 - Page 57  |
| *17 | <b>Liquor License - Machete #3 ***REVISED***</b>   | District 1 - Page 61  |
| *18 | <b>Liquor License - 2 Sons Food Mart LLC ***REVISED***</b>                                 | District 3 - Page 66  |
| *19 | <b>Liquor License - Caravan Bar ***REVISED***</b>  | District 4 - Page 71  |
| *20 | <b>Liquor License - La Chamba ***REVISED***</b>  | District 4 - Page 76  |
| *21 | <b>Liquor License - Wagon Wheel ***REVISED***</b>  | District 4 - Page 81  |
| *22 | <b>Liquor License - La Playa Mar y Tierra ***REVISED***</b>                                | District 5 - Page 86  |
| *23 | <b>Liquor License - Bitter &amp; Twisted ***REVISED***</b>                                 | District 7 - Page 91  |
| *24 | <b>Liquor License - Little Rituals Bar ***REVISED***</b>                                   | District 7 - Page 97  |
| *25 | <b>Liquor License - Mimi Forno Italiano ***REVISED***</b>                                  | District 7 - Page 103 |
| *26 | <b>Liquor License - Pizza Hut #26999 ***REVISED***</b>                                     | District 7 - Page 107 |
| *27 | <b>Liquor License - Imperio 667 Mariscos &amp; Sushi<br/>***REVISED***</b>                 | District 8 - Page 113 |
| *28 | <b>Liquor License - Rise Craft Coffee &amp; Eatery / Shine<br/>Patio Bar ***REVISED***</b> | District 8 - Page 118 |
| *29 | <b>Liquor License - Abacus Inn ***REVISED***</b>   | District 1 - Page 123 |
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**PAYMENT ORDINANCE (Items 30-46) (Ordinance S-44864)**

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- 30 (CONTINUED FROM JUNE 27, 2018) - City of Glendale
- 31 Maricopa County, Arizona, doing business as Maricopa  
County Elections Department
- 32 Courier Graphics Corp.
- 33 Arizona Forward
- 34 Various Vendors for Firefighting Nozzles, Valves and  
Clamps
- 35 L.N. Curtis and Sons - Fire Hose Equipment
- 36 L.N. Curtis and Sons - Firefighter Helmets
- 37 Language Line Services, Inc., doing business as  
Language Line Solutions
- 38 Matlick Enterprises, Inc., doing business as United Fire  
Equipment Company
- 39 Settlement of Claim *De La Cruz et al v. City of Phoenix*
- 40 Davis Miles McGuire Gardner, PLLC, Trust Account for  
BN Holdings, LLC
- 41 David S Woods, doing business as Fire Station  
Outfitters, LLC
- 42 Resource Guru Limited
- 43 PerkinElmer Health Sciences, Inc.
- 44 SW Services, LLC
- 45 Maxim Crane Works, L.P.
- 46 AZ Locators, LLC

**ADMINISTRATION**

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| 47 | <b>(CONTINUED FROM JUNE 27, 2018) - Dockless Bikeshare Program (Ordinance G-6474)</b>  | Citywide - Page 134                 |
|    |  |                                     |
| 48 | <b>Request for City Council to Meet in Executive Session on August 29, 2018, at 1 p.m., and on September 11, 2018, at 1 p.m.</b>   | Citywide - Page 142                 |
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| 49 | <b>Public Hearing on Adoption of Property Tax Levy for 2018-19 Fiscal Year</b>   | Citywide - Page 143                 |
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| 50 | <b>Adoption of Property Tax Levy for 2018-19 Fiscal Year (Ordinance S-44869)</b>   | Citywide - Page 144                 |
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| 51 | <b>Protective Footwear Contract (Ordinance S-44865)</b>  | Citywide - Page 150                 |
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| 52 | <b>Authorization to Enter Into Land Use License with Salt River Project for Public Art Located on Portions of Arizona Canals (Ordinance S-44866)</b>                       | District 4 - Page 152<br>District 6 |
|    |  |                                     |
| 53 | <b>Paramedic Textbooks and Dictionaries - Requirements Contract - IFB 18-088 (Ordinance S-44867)</b>   | Citywide - Page 154                 |
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| 54 | <b>Payment Ordinance For Summer Recess (Ordinance S-44870)</b>   | Citywide - Page 156                 |
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| 55 | <b>Authorization to Amend Lease with Arizona Public Service Company to Extend Term for Electrical Substation at Cave Creek Water Reclamation Plant (Ordinance S-44871)</b> | District 2 - Page 157               |
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| 56 | <b>Acceptance and Dedication of Easements for Public Utility Purposes (Ordinance S-44874)</b>  | District 6 - Page 159<br>District 8 |
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| 57 | <b>Purchase of Ambulances - Houston-Galveston Area Council Contract (Ordinance S-44875)</b>  | Citywide - Page 160                 |
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| 58 | <b>New York Times Online Subscription Service - Requirements Contract - RFA 18-016 (Ordinance S-44876)</b>   | Citywide - Page 161   |
| 59 | <b>CGI Advantage BRASS Software Maintenance - Requirements Contract - RFA 18-204 (Ordinance S-44878)</b>     | Citywide - Page 162   |
| 60 | <b>Custodial Services for Parks and Recreation Facilities - IFB 13-157A (Ordinance S-44884)</b>              | Citywide - Page 163   |
| 61 | <b>Contract for Pest Management with Related Products and Services - 110916-ORK (Ordinance S-44885)</b>      | Citywide - Page 164   |
| 62 | <b>Acquisition of Real Property for 27th Avenue and Olney Avenue Storm Drain Project (Ordinance S-44898)</b> | District 8 - Page 166 |
| 63 | <b>Executive Consulting Services (Ordinance S-44888)</b>   | Citywide - Page 168   |
| 64 | <b>Authorization to Enter Into Agreement for Data Entry Services Under FARE Program (Ordinance S-44891)</b>  | Citywide - Page 170   |
| 65 | <b>Ak-Chin Indian Community Gaming Grants (Ordinance S-44883)</b>  | Citywide - Page 172   |
| 66 | <b>Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-44887)</b>                   | Citywide - Page 173   |

**COMMUNITY SERVICES**

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| 67 | <b>National Endowment for the Arts "Art Works" Grant (Ordinance S-44873)</b>   | Citywide - Page 174   |
| 68 | <b>National Endowment for the Arts "Our Town" Grant (Ordinance S-44879)</b>  | Citywide - Page 176   |
| 69 | <b>Artist Fabrication and Construction Oversight Contract for 19th Avenue Corridor Phase II Public Art Project (Ordinance S-44880)</b> | District 5 - Page 177 |
| 70 | <b>Fiscal Year 2018-19 Community Arts Support Grant Allocations (Ordinance S-44881)</b>  | Citywide - Page 179   |
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**ECONOMIC DEVELOPMENT**

- 71      **Issuance of Education Facility Revenue Bonds (Vista College Preparatory Projects), Series 2018 (Resolution 21657)**      Citywide - Page 184

**PUBLIC SAFETY**

- \*72      **(CONTINUED FROM JUNE 27, 2018) - Electronic Patient Care Reporting (ePCR) System - Requirements Contract - RFP 18-032 (Ordinance S-44863)**      Citywide - Page 186  
     **\*\*\*REQUEST TO WITHDRAW\*\*\***
- 73      **Authorization to Amend Current Intergovernmental Agreement and Payment Ordinance with Arizona Attorney General's Office for Internet Crimes Against Children Task Force (Ordinance S-44890)**      Citywide - Page 188
- 74      **Authorization to Apply for, Accept and Enter into Agreement with U.S. Department of Justice, via Office of Community Oriented Policing Services, for 2018 Community Policing Development Grant Program (Ordinance S-44892)**      Citywide - Page 190
- 75      **Request to Enter into Agreement with National Police Foundation for Officer-Involved Shooting Study (Ordinance S-44893)**      Citywide - Page 192
- 76      **Request to Enter into an Agreement with National Training Institute on Race and Equity to Provide Implicit Bias and Cultural Competence Training (Ordinance S-44894)**      Citywide - Page 194
- 77      **Authorization to Enter into Agreement with Arizona Coliseum and Exposition Center for Increased Police Services during Arizona State Fair 2018 (Ordinance S-44895)**      District 4 - Page 196
- 78      **Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board (Ordinance S-44896)**      Citywide - Page 197
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**TRANSPORTATION AND INFRASTRUCTURE**

- |     |  |  |
|-----|--|--|
| 79  | <b>Authorization to Apply for and Accept Federal Transit Administration Grant Funds and Enter into Grant Agreement (Ordinance S-44897)</b> | Citywide - Page 198                                |
| 80  | <b>Small Wireless Facilities Master License Agreement to Mobilitie, LLC (Ordinance S-44886)</b>  | Citywide - Page 199                                |
| 81  | <b>Authorization to Enter into an Agreement with The Nature Conservancy (Ordinance S-44868)</b>  | Citywide - Page 201                                |
| 82  | <b>Predictive Maintenance Vibration Analysis Program (Ordinance S-44872)</b>   | District 1 - Page 203<br>District 7<br>Out of City |
| 83  | <b>Truck Scales Preventive Maintenance, Calibration and Repairs Contract (Ordinance S-44877)</b>   | Citywide - Page 205                                |
| 84  | <b>Spare Parts Replacement for Water Filtration Equipment (Ordinance S-44882)</b>  | District 7 - Page 207                              |
| 85  | <b>Ductile Iron Pipe and Fittings (Ordinance S-44889)</b>  | Citywide - Page 209                                |
| *86 | <b>Lake Pleasant Water Treatment Plant Service Agreement Second Amendment and Consent to Assign (Ordinance S-44899) ***REVISED***</b>      | District 1 - Page 210                              |

**PLANNING AND ZONING MATTERS**

- |    |   |                       |
|----|---|-----------------------|
| 87 | <b>Modification of Stipulation Request for Ratification of May 16, 2018 Planning Hearing Officer Action - Z-151-05-7(8)</b> | District 8 - Page 212 |
| 88 | <b>Final Plat - Dollar Self Storage #19 - 170086 - East of 23rd Avenue and South of Happy Valley Road</b>                   | District 1 - Page 222 |
| 89 | <b>Final Plat - Hillstone - North Parcel - 170071 - South of Happy Valley Road and 20th Street Alignment</b>                | District 2 - Page 223 |
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|-----|---|-----------------------|
| 90  | <b>Final Plat - Hillstone - South Parcel 1 - 170093 - West of Desert Peak Parkway and North of Cave Creek Dam Road</b>  | District 2 - Page 224 |
| 91  | <b>Final Plat - Sky Crossing - Parcel 5.2 - 180021 - 32nd Street North of Deer Valley Drive</b>   | District 2 - Page 225 |
| 92  | <b>Final Plat - Phoenix Northgate - Lot 1- 170076 - Southwest Corner of 26th Avenue and Bell Road</b>   | District 3 - Page 226 |
| 93  | <b>Final Plat - Harmony at Arcadia II - 170104 - East of 37th Street and South of Earll Drive</b>   | District 8 - Page 227 |
| 94  | <b>Final Plat - Park Meadows Unit 2 - 170054 - East of 31st Avenue and North of Southern Avenue</b>   | District 8 - Page 228 |
| 95  | <b>Final Plat - Prevalent at Madison Ranch - 180016 - North of Baseline Road and East of 24th Avenue</b>  | District 8 - Page 229 |
| 96  | <b>Abandonment of Easement - V180012A - 15822 South 22nd Street (Resolution 21654)</b>  | District 6 - Page 230 |
| 97  | <b>Abandonment of Right-of-Way - V180002A - Northwest of Desert Peak Parkway and Cave Creek Road (Resolution 21656)</b>   | District 2 - Page 231 |
| 98  | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-12-18-2 - Approximately 330 Feet North of the Northeast Corner of 71st Street and Tierra Buena Lane (Ordinance G-6481)</b> | District 2 - Page 232 |
| 99  | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-30-18-4 - Approximately 400 Feet West of the Southwest Corner of 3rd Street and Roanoke Avenue (Ordinance G-6479)</b>      | District 4 - Page 242 |
| 100 | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-23-18-8 - Northeast Corner of 16th Street and Polk Street (Ordinance G-6480)</b>   | District 8 - Page 248 |
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- |     |  |                       |
|-----|--|-----------------------|
| 101 | <b>Public Hearing - Appeal of Abandonment of Right-of-Way - Appeal of Hearing Officer Decision - V180035A - Northwest Corner of Portland Street and 1st Street (Resolution 21655)</b>  | District 7 - Page 256 |
| 102 | <b>Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-MV-2-18-5 - Northeast Corner of SR-101 and Indian School Road (Companion Case Z-16-18-5) (Resolution 21658)</b>                                   | District 5 - Page 263 |
| 103 | <b>Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-16-18-5 - Northeast Corner of SR-101 and Indian School Road (Ordinance G-6482)</b>   | District 5 - Page 271 |
| 104 | <b>Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-19-F-00-5 - Area Generally Bounded by 99th Avenue to 91st Avenue, and Thomas Road to Indian School Road and Campbell Avenue (Ordinance G-6483)</b>     | District 5 - Page 336 |
| 105 | <b>Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-20-17-2 - Approximately 220 Feet North of the Northwest Corner of the 27th Avenue Alignment and North Foothills Drive Alignment (Ordinance G-6484)</b> | District 2 - Page 371 |

### **CITIZEN PETITIONS**

- |     |   |                     |
|-----|---|---------------------|
| 106 | <b>Consideration of Citizen Petition Related to Internal and External Transparency on Officer-Involved Shootings</b>                              | Citywide - Page 418 |
| 107 | <b>Consideration of Citizen Petition Related to External Transparency on Funded Goals of Phoenix Police Department's 2017-2019 Strategic Plan</b> | Citywide - Page 421 |
-

**ITEM FOR RECONSIDERATION**

- |     |   |                     |
|-----|---|---------------------|
| 108 | Request for Reconsideration of Item 87 from the June 27, 2018 Formal Council Meeting  | Citywide - Page 425 |
| 109 | Reconsideration of Item 87 from the June 27, 2018 Formal Council Meeting - Request to Add-On - Transportation 2050 Funding for Street Maintenance | Citywide - Page 426 |

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

**CITIZEN COMMENTS**

**ADJOURN**



City of Phoenix

## City Council Formal Meeting

### City Council Report

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**Agenda Date:** 7/5/2018, **Item No.** 1

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### **For Approval or Correction, the Minutes of the Formal Meeting on April 4, 2018**

#### **Summary**

This item transmits the minutes of the Formal Meeting of April 4, 2018, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

#### **Responsible Department**

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



City of Phoenix

## City Council Formal Meeting

### City Council Report

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**Agenda Date:** 7/5/2018, **Item No.** 2

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### **For Approval or Correction, the Minutes of the Formal Meeting on April 18, 2018**

#### **Summary**

This item transmits the minutes of the Formal Meeting of April 18, 2018, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

#### **Responsible Department**

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



City of Phoenix

## City Council Formal Meeting

### City Council Report

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**Agenda Date:** 7/5/2018, **Item No.** 3

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### **For Approval or Correction, the Minutes of the Formal Meeting on May 2, 2018**

#### **Summary**

This item transmits the minutes of the Formal Meeting of May 2, 2018, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

#### **Responsible Department**

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



City of Phoenix

## City Council Formal Meeting

### City Council Report

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**Agenda Date:** 7/5/2018, **Item No.** 4

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### **For Approval or Correction, the Minutes of the Formal Meeting on May 16, 2018**

#### **Summary**

This item transmits the minutes of the Formal Meeting of May 16, 2018, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

#### **Responsible Department**

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





City of Phoenix

## City Council Formal Meeting

### City Council Report

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**Agenda Date:** 7/5/2018, **Item No.** 5

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#### **Mayor's Appointments to Boards and Commissions**

##### **Summary**

This item transmits the Mayor's recommendations for appointments and reappointments to various city boards and commissions.

##### **Responsible Department**

This item is submitted by the Mayor's Office.

## ATTACHMENT A



### City of Phoenix

**To:** City Council  
**From:** Thelda Williams  
Mayor

**Date:** July 5, 2018

**Subject:** BOARDS AND COMMISSIONS

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

#### **Board of Adjustment**

Councilman Daniel Valenzuela and I recommend the following for appointment:

##### Jonathan Ammon

Mr. Ammon is an architect and founder of JammonStudios and a resident of District 6. He replaces Susan Ehrlich, who resigned, and will serve his first term to expire May 2, 2022.

Vice Mayor Jim Waring and I recommend the following for appointment:

##### Richard Cole

Mr. Cole is an attorney and resident of District 6. He replaces Bryan Jeffries, who resigned, and will serve his first term to expire January 1, 2022.

#### **Industrial Development Authority**

The following members of the Industrial Development Authority were reappointed by the City Council on May 2, 2018. These individuals are being resubmitted to adjust their term expiration dates in accordance with ARS Sec. 35-705.

##### David Lujan

Mr. Lujan was serving a partial term and will serve his first full term to expire on November 1, 2023.

##### Barbara Ryan Thompson

Ms. Thompson was serving a partial term and will serve her first full term to expire on November 1, 2023.



City of Phoenix

## City Council Formal Meeting

### City Council Report

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**Agenda Date:** 7/5/2018, **Item No.** 6

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### **City Council Appointments to Boards and Commissions**

#### **Summary**

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

#### **Responsible Department**

This item is submitted by the City Council Office.

## ATTACHMENT A



## City of Phoenix

**To:** Mayor and City Council **Date:** July 5, 2018  
**From:** Penny Parrella  
Executive Assistant to the City Council  
**Subject:** BOARDS AND COMMISSIONS- CITY COUNCIL APPOINTEES

The purpose of this memo is to provide recommendations for an appointment to the following committees.

### **Estrella Village Planning Committee**

Councilman Michael Nowakowski recommends the following individual for appointment:

#### Serika Ademolu

Ms. Ademolu is an Enrollment Counselor at Grand Canyon University and a resident of District 7. She fills a vacancy on the Committee and will serve a partial first term to expire November 19, 2018.

### **North Gateway Village Planning Committee**

Mayor and Councilwoman Thelda Williams recommends the following for appointment:

#### Steve Tucker

Mr. Tucker works in IT at Meredith Corp. and is a resident of District 2. He fills a District 1 vacancy on the Committee and will serve his first term to expire November 19, 2019.

### **North Mountain Village Planning Committee**

Councilwoman Debra Stark recommends the following individual for appointment:

#### Kelsey Nelson

Ms. Nelson most recently served as a Business Analyst for the Arizona Supreme Court and a resident of District 3. She will fill a vacancy on the Committee and serve a first term to expire November 19, 2019.

Kristen Shields

Ms. Shields is the Director of Sales at Hyatt Place Phoenix North in the North Mountain Village. She will fill a vacancy on the Committee and serve a first term to expire November 19, 2019.



## **Swearing in of Chief Presiding Judge and Municipal Court Judge**

Request to permit the swearing in of the Chief Presiding Judge and Municipal Court Judge.

### **Summary**

Administer the oath of office for the Honorable B. Don Taylor III as Chief Presiding Judge of the Phoenix Municipal Court for a term to expire on June 30, 2019 and a four-year term as Judge of the Phoenix Municipal Court to end on Feb. 9, 2021.

Administer the oath of office for the Honorable Laura Lowery to a four-year term as Judge of the Phoenix Municipal Court to end on Sept. 30, 2022.

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

On April 9, 2018 the Judicial Selection Advisory Board recommended approval to the Public Safety and Veterans Subcommittee.

On June 13, 2018 the Public Safety and Veterans Subcommittee recommended approval to the City Council by a vote of 3-0.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the City Council Office.



## **Liquor License - Beale St. Bar & Grill**

Request for a liquor license. Arizona State License Application 21455.

### **Summary**

#### Applicant

Wilford Rhine, Agent

#### License Type

Series 12 - Restaurant

#### Location

9617 N. Metro Pkwy. W., Ste. 2032

Zoning Classification: PUD

Council District: 1

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

The 60-day limit for processing this application is July 20, 2018.

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

#### Other Active Liquor License Interest in Arizona

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

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Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have own bars & restaurant in the past for over 18 yrs. And have had #6 & #12 liquor lic. in the past."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Because this will be a restaurant that will serve a up and coming part of 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

Liquor License Data - Beale St. Bar & Grill  
Liquor License Map - Beale St. Bar & Grill

**Responsible Department**

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

## Liquor License Data: BEALE ST. BAR & GRILL

### Liquor License

Description	Series	1 Mile	1/2 Mile
Government	5	1	0
Bar	6	4	1
Beer and Wine Bar	7	1	0
Liquor Store	9	4	1
Beer and Wine Store	10	11	1
Hotel	11	4	2
Restaurant	12	25	19

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	80.09	117.30
Violent Crimes	3.28	11.67	15.71

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

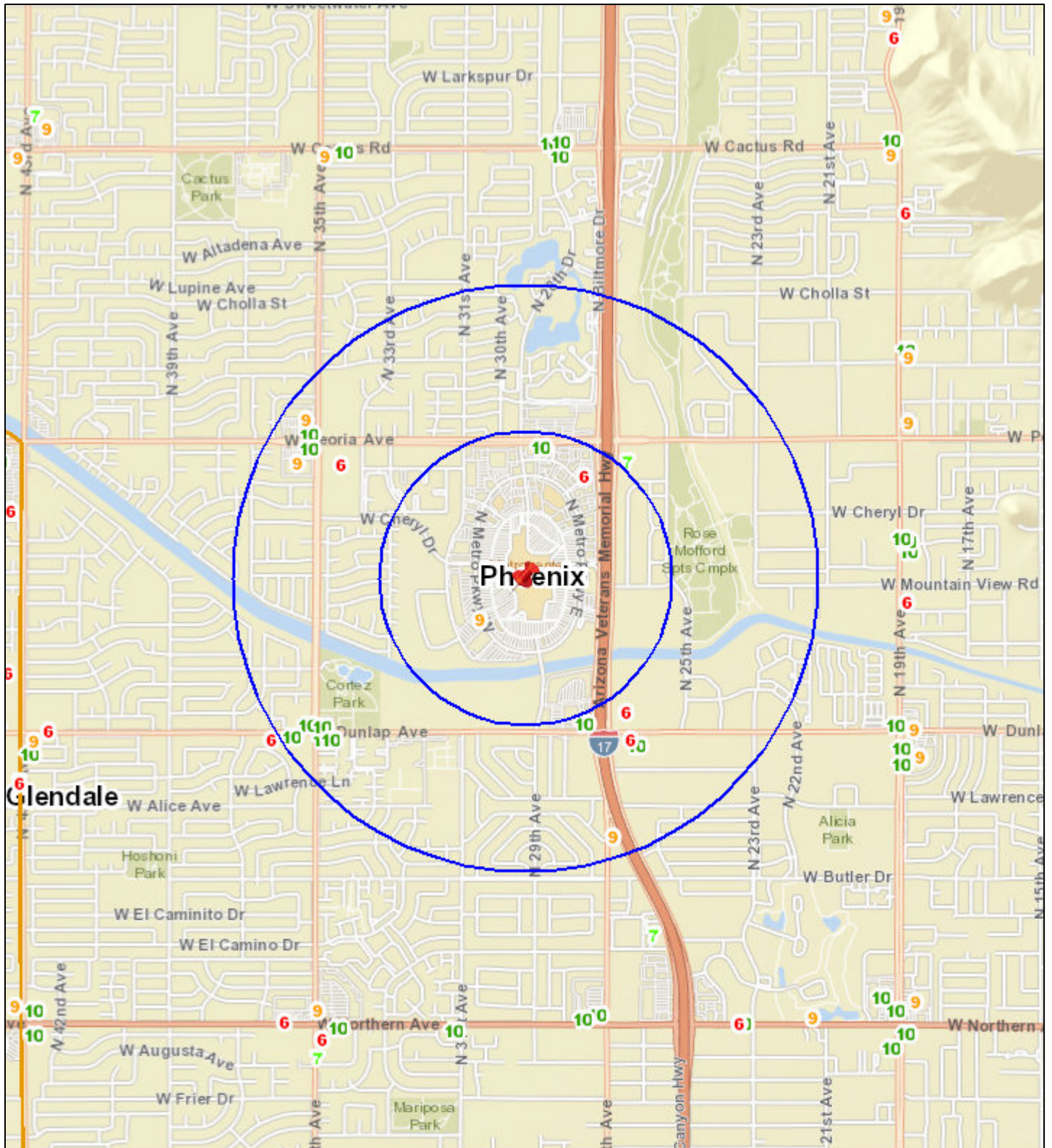
### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	67	18
Total Violations	118	32

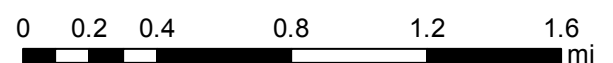
**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1042052	1406	22 %	16 %	17 %
1042053	1213	89 %	9 %	3 %
1042054	1577	5 %	21 %	30 %
1043012	1726	87 %	14 %	17 %
1043021	1469	9 %	28 %	7 %
1043022	1902	53 %	15 %	15 %
1044021	2555	24 %	18 %	15 %
Average		61 %	13 %	19 %

9617 N METRO PKWY



Date: 5/29/2018





## **Liquor License - City Tacos**

Request for a liquor license. Arizona State License Application 20855.

### **Summary**

#### Applicant

Ernesto Rascon, Agent

#### License Type

Series 12 - Restaurant

#### Location

903 E. Bell Road, Ste. 103

Zoning Classification: C-2

Council District: 3

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 10, 2018.

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 is an experienced licensee committed to upholding the highest standards for it's business practices and employees. I currently own more than one restaurant and convenience markets in the state of Arizona of which all sell alcohol beverages. I have been trained in the techniques of legal & responsibility & taken Title 4 liq law training. I will provide a safe experience for the bus & patron."

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

"The public convenience requires in the best interest of the community will be substantially served by the issuance of the liquor because: City Tacos would like the privilege of serving alcoholic beverages with meals upon the request of the restaurant patron."

### Staff Recommendation

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

### Attachments

Liquor License Data - City Tacos

Liquor License Map - City Tacos

### **Responsible Department**

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

# Liquor License Data: CITY TACOS

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Beer and Wine Bar	7	3	1
Liquor Store	9	7	3
Beer and Wine Store	10	5	2
Restaurant	12	22	13

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	53.66	111.57
Violent Crimes	3.28	6.36	12.63

\*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	68	29
Total Violations	119	56



## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036043	1058	42 %	16 %	4 %
1036111	1396	66 %	14 %	3 %
1036112	1335	87 %	10 %	0 %
1036121	649	0 %	41 %	18 %
1036124	1189	0 %	19 %	32 %
6189001	1603	54 %	10 %	6 %
6191001	2198	0 %	11 %	23 %
6191002	617	22 %	45 %	19 %
6192002	1223	0 %	15 %	29 %
6192003	2370	48 %	17 %	12 %
Average		61 %	13 %	19 %





**Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish  
Phoenix**

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

**Summary**

Applicant

Mary Musgrove

Location

4715 N. Central Ave.

Council District: 4

Function

Dinner/Dance

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

Oct. 6, 2018 - 6 p.m. to 11 p.m. / 400 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

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

## **Liquor License - Citifarms Cafe**

Request for a liquor license. Arizona State License Application 20775.

### **Summary**

#### Applicant

Patricia Edgelow, Agent

#### License Type

Series 12 - Restaurant

#### Location

2024 N. 7th St.

Zoning Classification: C-1

Council District: 4

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow alcohol sales, outdoor dining and outdoor alcohol consumption. This business is currently being remodeled with plans to open in August 2018.

The 60-day limit for processing this application is July 9, 2018.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have owned and operated many businesses and raised a large family. Currently, I own the property at 2024 N. 7th St., Phoenix and live next door. I also run the wellness center and yoga studio on the same property."

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

"I am sourcing local craft beer and wine to serve on tap along with Kombucha. Purchasing from local vendors strengthens our community and keeps money in our local economy. I am creating a low-key social environment for patrons of my wellness center, yoga studio and community."

Staff Recommendation

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

Attachments

Liquor License Data - Citifarms Cafe

Liquor License Map - Citifarms Cafe

**Responsible Department**

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

## Liquor License Data: CITIFARMS CAFE

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	54.75	71.01
Violent Crimes	3.28	10.80	8.91

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

### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	67	50
Total Violations	119	71

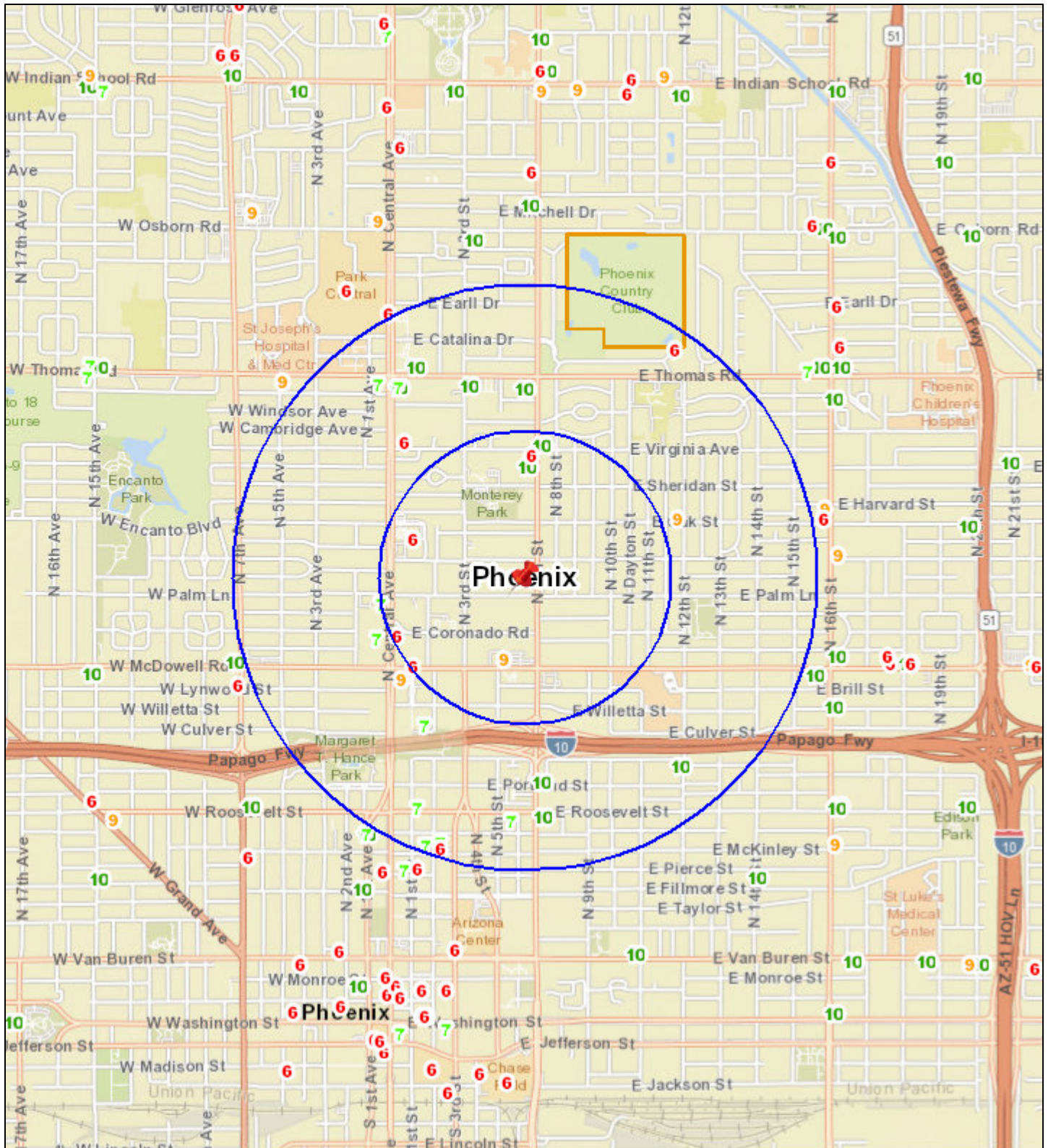
**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1117003	1057	64 %	2 %	10 %
1117004	1227	75 %	20 %	21 %
1118001	742	44 %	28 %	5 %
1118002	1030	67 %	9 %	17 %
1118003	996	65 %	15 %	4 %
1118004	671	62 %	6 %	6 %
1130002	873	29 %	21 %	38 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %



# Liquor License Map: CITIFARMS CAFE

2024 N 7TH ST



Date: 5/21/2018

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department





## **Liquor License - PT Noodles**

Request for a liquor license. Arizona State License Application 20555.

### **Summary**

#### Applicant

Nga Pham, Agent

#### License Type

Series 12 - Restaurant

#### Location

702 W. Camelback Road, Ste. 1

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is July 6, 2018.

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

#### Other Active Liquor License Interest in Arizona

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

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

PT Noodles (Series 12)  
13749 N. Litchfield Road, Ste. G-109, Surprise  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

PT Noodles (Series 12)  
10220 W. McDowell Road, Ste. 150, Avondale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have been in restaurant business for 6 years. I am currently holding a liquor license at our Surprise location. I have completed management training.

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"PT Noodles can effectively serve customers when they are enjoying food with their family at our restaurant. Alcohol are likely served while having foods help customers to relax after a long day working or facing stressful issues in their lives."

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - PT Noodles  
Liquor License Map - PT Noodles

**Responsible Department**

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

# Liquor License Data: PT NOODLES

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	69.71	92.35
Violent Crimes	3.28	13.95	15.49

\*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

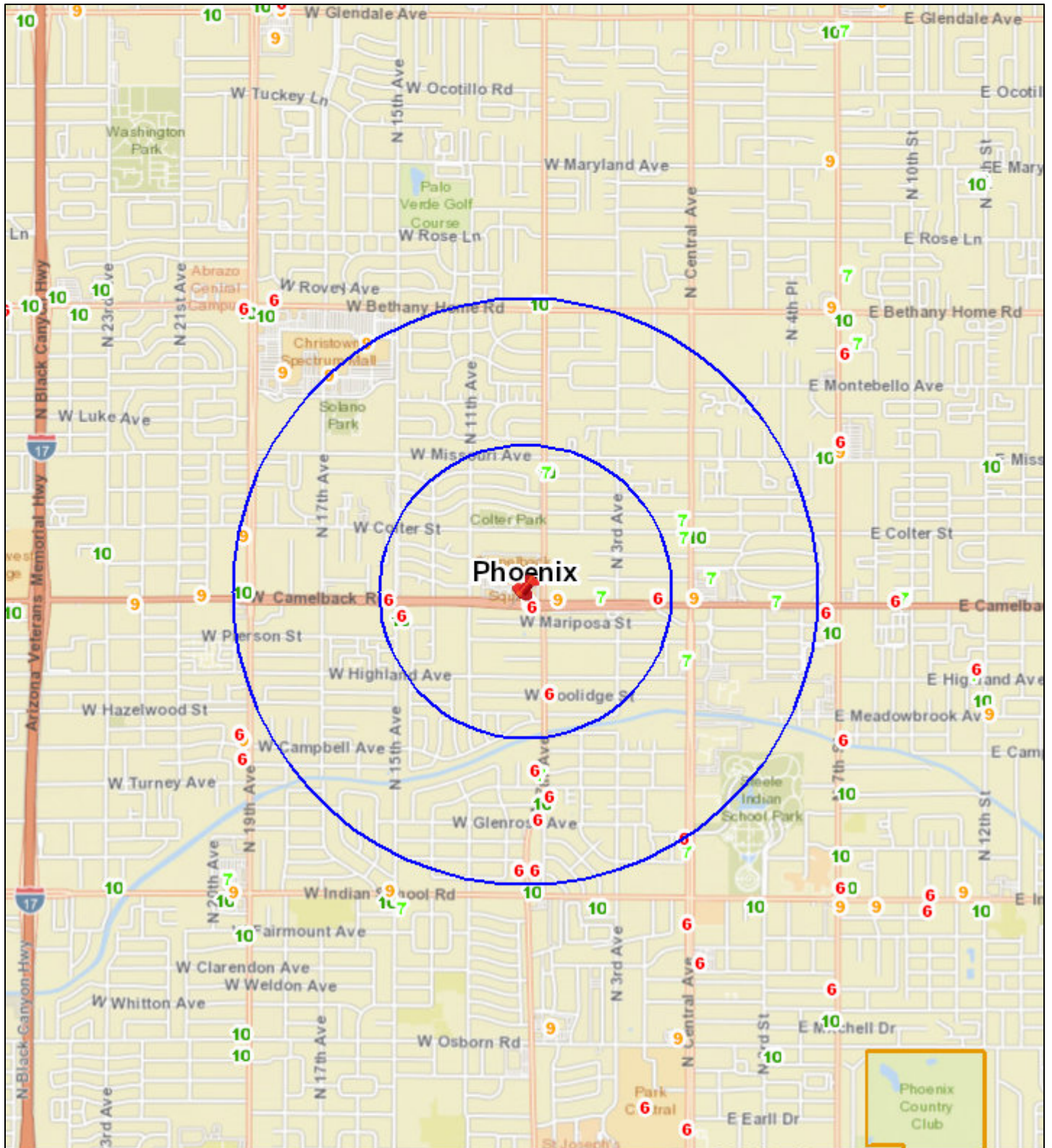
Description	Average	1/2 Mile Average
Parcels w/Violations	68	70
Total Violations	119	124

## Census 2010 Data 1/2 Mile Radius

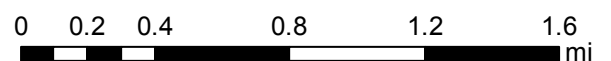
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1074001	1280	80 %	4 %	15 %
1074002	1009	62 %	7 %	16 %
1074004	1382	20 %	26 %	30 %
1074005	661	0 %	30 %	77 %
1074006	2186	16 %	13 %	53 %
1075002	1458	74 %	7 %	15 %
1075003	1599	46 %	15 %	14 %
1088021	1456	23 %	32 %	31 %
1089012	1297	31 %	23 %	54 %
1089021	1258	16 %	12 %	49 %
1089023	1072	28 %	3 %	47 %
1089024	1278	46 %	9 %	21 %
1171002	703	57 %	27 %	12 %
Average		61 %	13 %	19 %

# Liquor License Map: PT NOODLES

702 W CAMELBACK RD



Date: 5/22/2018



City Clerk Department



## **Liquor License - Nishikawa Ramen**

Request for a liquor license. Arizona State License Application 20861.

### **Summary**

#### Applicant

Xiaoyu Zhou, Agent

#### License Type

Series 12 - Restaurant

#### Location

3141 E. Indian School Road, Ste. 110

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 10, 2018.

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

#### Other Active Liquor License Interest in Arizona

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

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

Nishikawa Ramen (Series 12)

1909 E. Ray Road, #10, Chandler

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

Liquor license violations: In February 2017, a warning letter was issued for failure to display the license, knowledge of liquor laws and rules, and not maintaining an employee log.

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I understand the responsibilities and regulations that come with owning a liquor license. I take these responsibilities and regulations seriously as I am trying to ensure that my business is run successfully and professionally."

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

"Liquor will be served in a safe and regulated environment."

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Nishikawa Ramen

Liquor License Map - Nishikawa Ramen

#### **Responsible Department**

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



## Liquor License Data: NISHIKAWA RAMEN

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	1
Beer and Wine Bar	7	3	0
Liquor Store	9	3	0
Beer and Wine Store	10	7	4
Restaurant	12	21	8

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	42.33	58.49
Violent Crimes	3.28	6.07	8.59

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

### Property Violation Data

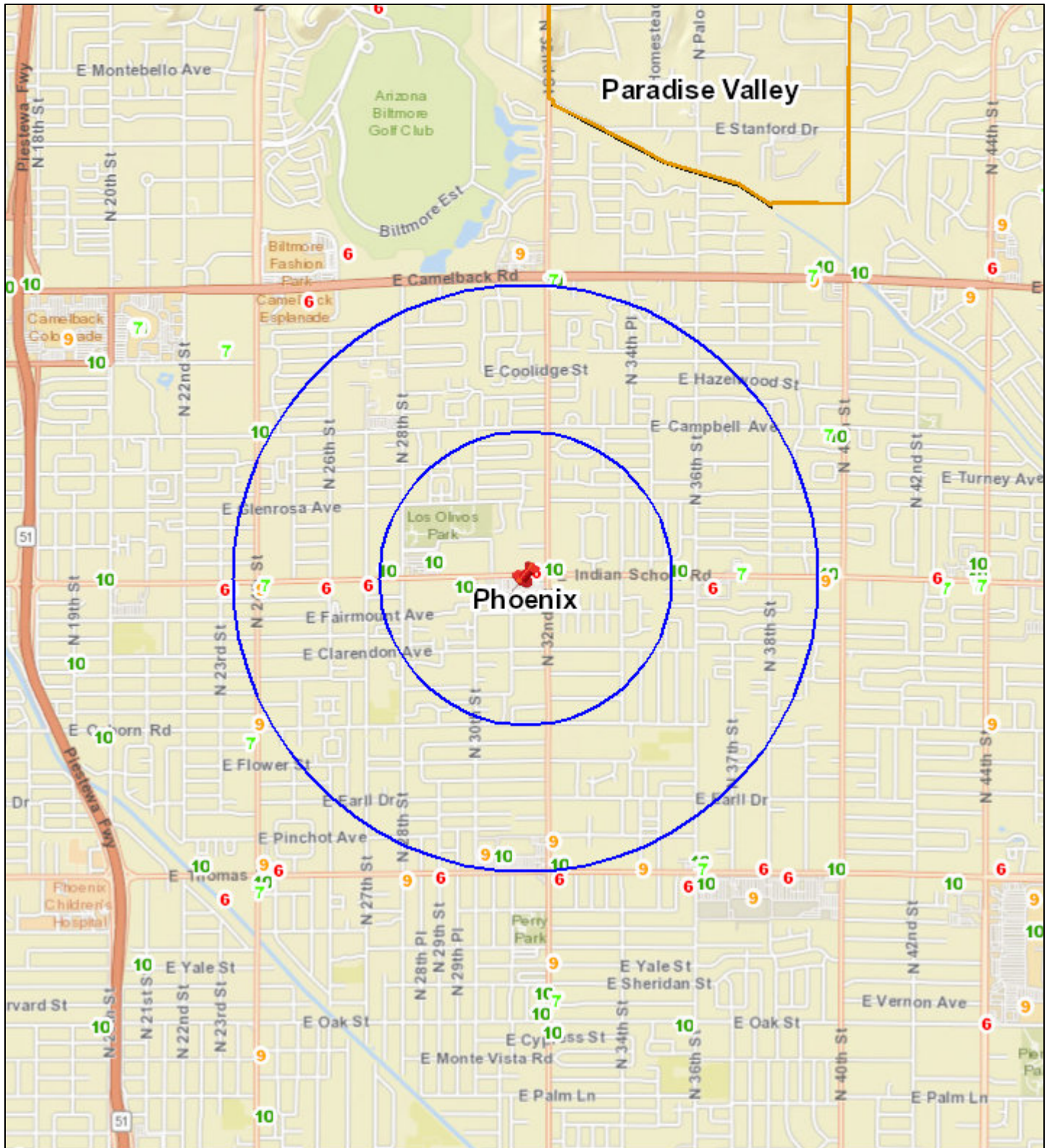
Description	Average	1/2 Mile Average
Parcels w/Violations	68	76
Total Violations	119	131

## Census 2010 Data 1/2 Mile Radius

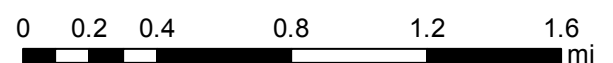
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1083021	1229	70 %	16 %	3 %
1084001	718	2 %	38 %	46 %
1084002	673	72 %	16 %	3 %
1084005	422	16 %	37 %	13 %
1108011	1736	56 %	27 %	40 %
1108012	1115	19 %	30 %	33 %
1108013	1077	47 %	26 %	14 %
1108021	948	75 %	27 %	13 %
1109011	665	96 %	10 %	13 %
1109012	2669	23 %	19 %	27 %
Average		61 %	13 %	19 %

# Liquor License Map: NISHIKAWA RAMEN

3141 E INDIAN SCHOOL RD



Date: 5/18/2018



City Clerk Department



## **Liquor License - Ruby Tuesday**

Request for a liquor license. Arizona State License Application 12077637.

### **Summary**

#### Applicant

H. J. Lewkowitz, Agent

#### License Type

Series 12 - Restaurant

#### Location

4415 E. Monroe St.

Zoning Classification: C-2 M-R TOD-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 17, 2018.

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

#### Other Active Liquor License Interest in Arizona

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

Ruby Tuesday (Series 12)

27 S. McClintock Drive, Tempe

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

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Liquor license violations: None

Ruby Tuesday (Series 12)  
2571 S. Market St., Gilbert  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Ruby Tuesday (Series 12)  
1035 N. Avondale Blvd., Avondale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"The pending Application is for a change of control of this existing licensed business. No management or staff changes or any other operational changes are taking place. Change of control due to a merger with the company's parent company. Acquiring company is a SEC-regulated investment fund and otherwise qualified for licensure."

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

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



## **Liquor License - Concierge**

Request for a liquor license. Arizona State License Application 21003.

### **Summary**

#### Applicant

Bradley King, Agent

#### License Type

Series 12 - Restaurant

#### Location

1140 E. Washington St., Ste. 101A

Zoning Classification: C-3 TOD-1

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 business has plans to open in August 2018.

The 60-day limit for processing this application is July 13, 2018.

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 a masters degree in business management. I ran my family restaurant in St. Louis Mo. as well as its bar & nightclub. I worked for Pabst Brewery in Milwaukee Wisconsin in the 1980's in their City Sales Division as a marketing representative. Prior to working for Pabst Brewery I worked for Johnson Bros Liquor Wholesaler again in the capacity as a marketing representative."

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

"Our business will work closely with other community stakeholders to develop strategies that align with the community's needs. We will hold ourselves accountable in assuring we're transparent & responsible in our due diligence towards professionalism & business practices. Finally we're committed to paying forward in investing in our youth population by making a financial contribution in education and youth & development programs."

Staff Recommendation

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

Attachments

Liquor License Data - Concierge

Liquor License Map - Concierge

**Responsible Department**

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

## Liquor License Data: CONCIERGE

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Wholesaler	4	1	1
Government	5	5	3
Bar	6	21	0
Beer and Wine Bar	7	6	0
Liquor Store	9	3	0
Beer and Wine Store	10	10	1
Hotel	11	4	0
Restaurant	12	56	1
Club	14	1	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	40.28	28.76
Violent Crimes	3.28	10.93	5.73

\*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	67	157
Total Violations	119	318

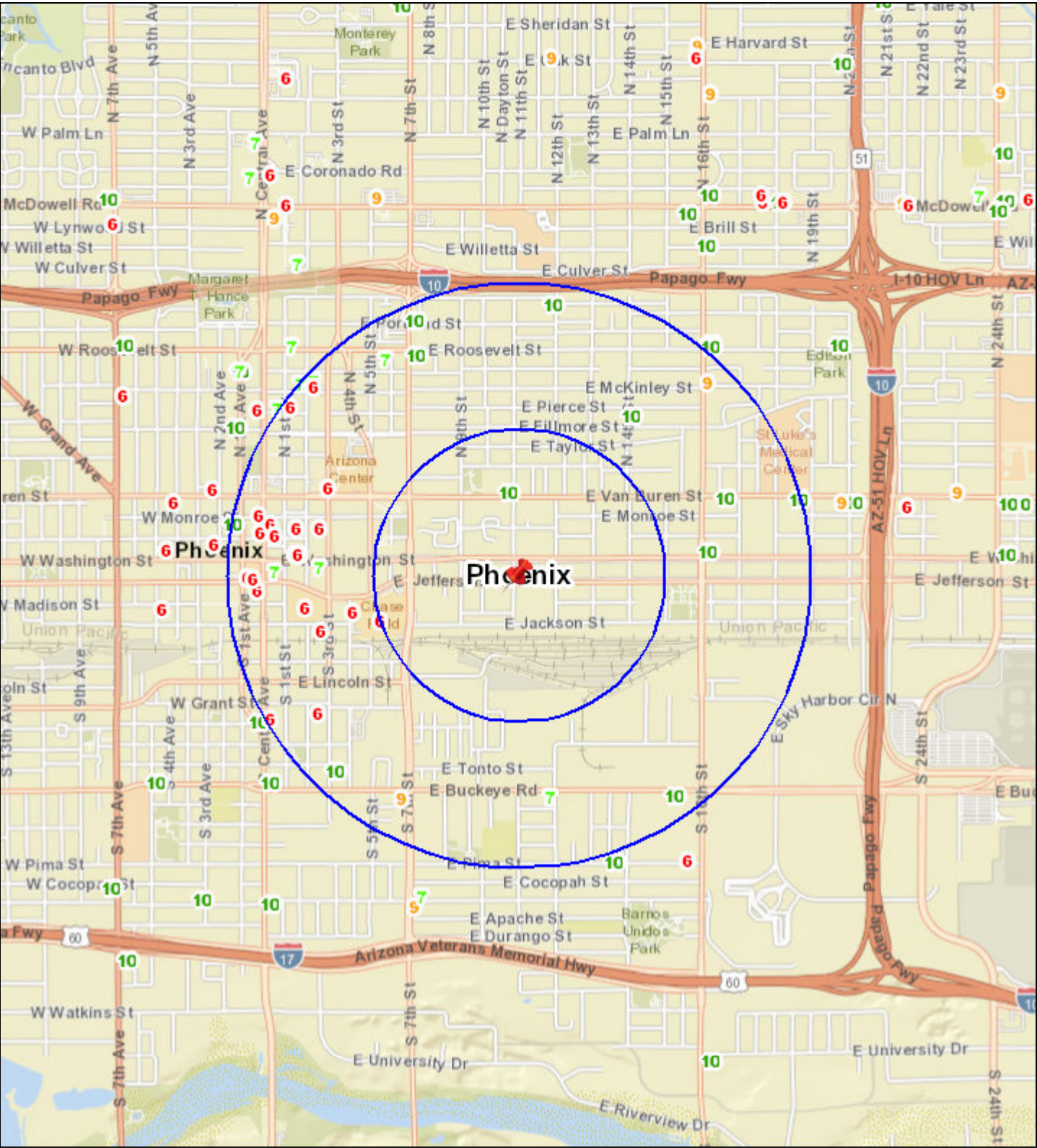


### Census 2010 Data 1/2 Mile Radius

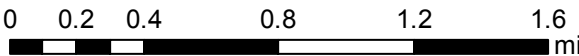
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131002	1242	3 %	7 %	33 %
1132012	962	50 %	23 %	44 %
1132022	1257	47 %	29 %	55 %
1140001	1831	25 %	20 %	47 %
1140002	78	77 %	0 %	32 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
Average		61 %	13 %	19 %

# Liquor License Map: CONCIERGE

1140 E WASHINGTON ST



Date: 5/21/2018





**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - JC Sushi & Chinese**

Request for a liquor license. Arizona State License Application 21707.

**Summary**

Applicant

Jian Yan, Agent

License Type

Series 12 - Restaurant

Location

2740 W. Bell Road

Zoning Classification: C-2

Council District: 1

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

The 60-day limit for processing this application is July 24, 2018.

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

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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:  
"I understand the responsibilities and regulations that come with owing a liquor license. I take these responsibilities and regulations seriously as I am trying to ensure that my business is run successfully and professionally ."

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

Staff Recommendation

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

Attachments

Liquor License Data - JC Sushi & Chinese  
Liquor License Map - JC Sushi & Chinese

**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager


**Date:** June 29, 2018

**From:** Cris Meyer *CM*  
City Clerk

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 16 ON THE JULY 5, 2018  
FORMAL AGENDA – JC SUSHI & CHINESE

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval.

APPROVED:

  
\_\_\_\_\_  
Toni Maccarone

## Liquor License Data: JC SUSHI & CHINESE

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	20.99	34.20	38.42
Violent Crimes	3.50	4.06	3.71

\*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	67	80
Total Violations	119	114

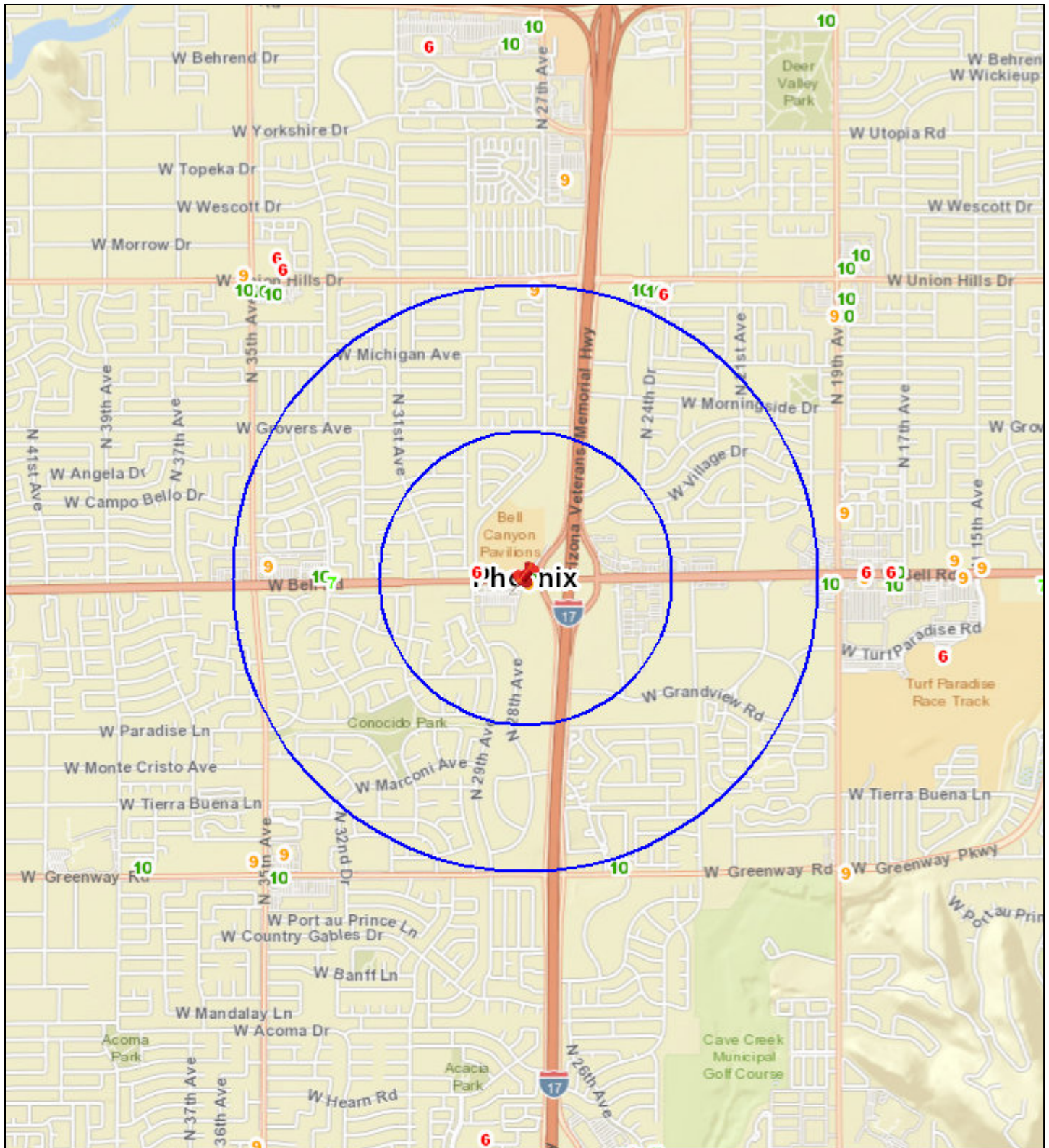
### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036081	2434	69 %	11 %	7 %
1042071	1972	85 %	6 %	5 %
1042072	1463	95 %	11 %	5 %
6185001	2076	86 %	7 %	5 %
6186003	1177	89 %	11 %	24 %
Average		61 %	13 %	19 %

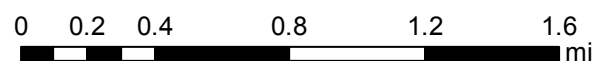


# Liquor License Map: JC SUSHI & CHINESE

2740 W BELL RD



Date: 6/7/2018



City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - Machete #3**

Request for a liquor license. Arizona State License Application 22342.

**Summary**

Applicant

Mark Gonzalez, Agent

License Type

Series 12 - Restaurant

Location

3549 W. Thunderbird Road

Zoning Classification: PSC

Council District: 1

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

The 60-day limit for processing this application is Aug. 3, 2018.

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:  
"I have been in the restaurant industry since September 2016 in all aspects of running this business successfully in the daily operations internally and external without incident. I am professional and responsible and will adhere to all rules and regulations as it pertains to my restaurant with the City codes and liquor laws."

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

"This restaurant will provide quality food at reasonable prices and will now be able to provide our clients to enjoy an alcoholic beverage with their meals. There is adequate parking so no traffic issues and the business provides opportunity for employment when needed to the community."

### Staff Recommendation

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

### Attachments

Liquor License Data - Machete #3

Liquor License Map - Machete #3

### **Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

**Date:** June 29, 2018

**From:** Cris Meyer *CM*  
City Clerk

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 17 ON THE JULY 5, 2018  
FORMAL AGENDA – MACHETE #3

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval.

APPROVED:

*Toni Maccarone*  
Toni Maccarone

## Liquor License Data: MACHETE #3

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	20.99	41.16	45.43
Violent Crimes	3.50	4.37	4.98

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

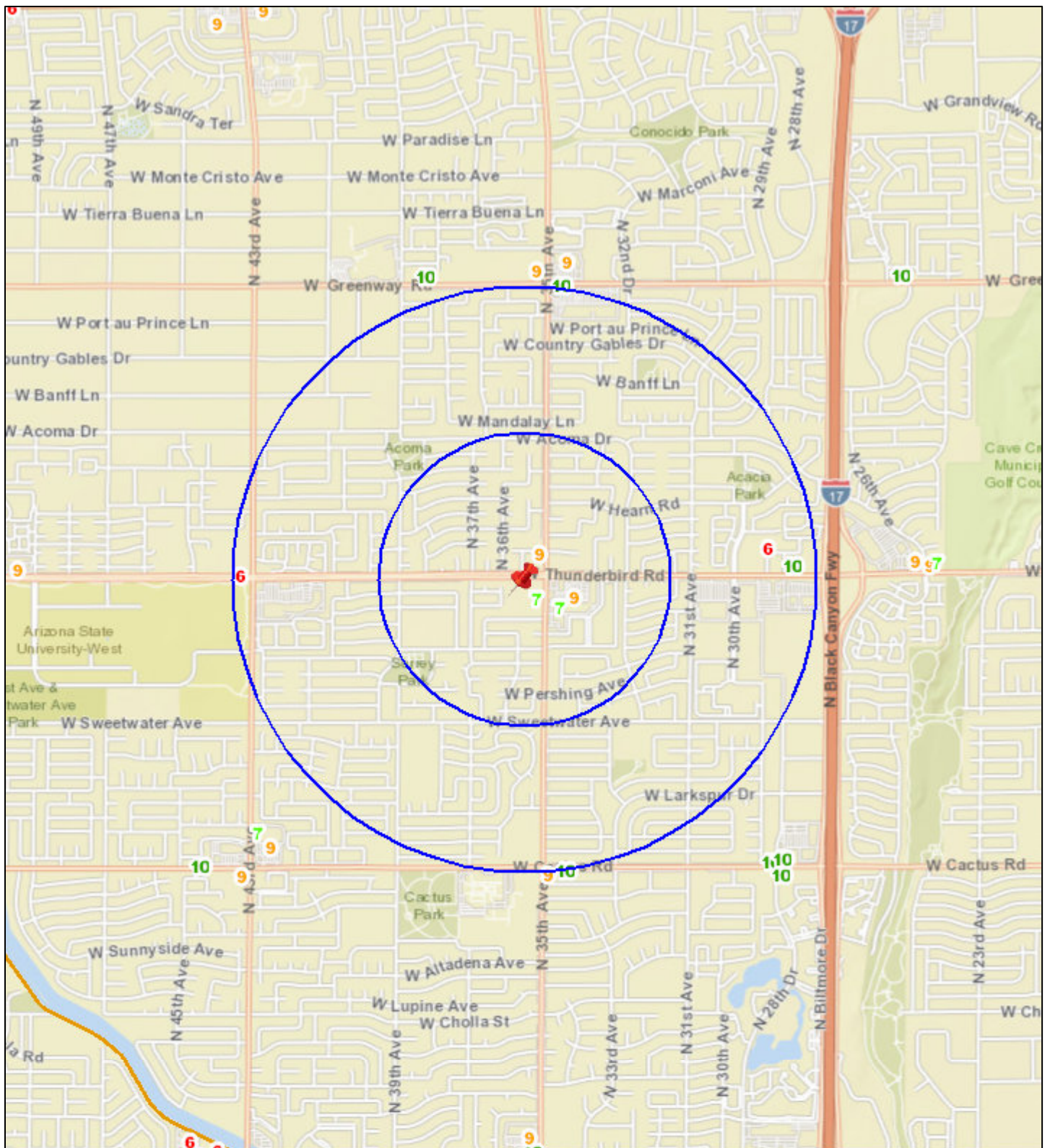
### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	68	200
Total Violations	119	338

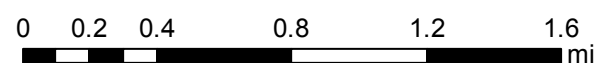
### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1040003	1994	97 %	0 %	11 %
1040004	2512	53 %	9 %	17 %
1041003	1454	87 %	0 %	7 %
1041004	1847	89 %	14 %	9 %
1042021	1471	85 %	2 %	7 %
1042022	2649	87 %	0 %	15 %
1042023	1420	88 %	18 %	4 %
1042122	1606	75 %	22 %	4 %
1042124	2501	80 %	3 %	5 %
Average		61 %	13 %	19 %

3549 W THUNDERBIRD RD



Date: 6/6/2018



City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - 2 Sons Food Mart LLC**

Request for a liquor license. Arizona State License Application 22403.

**Summary**

Applicant

Maqsood Saeed, Agent

License Type

Series 10 - Beer and Wine Store

Location

8941 N. Central Ave.

Zoning Classification: C-2

Council District: 3

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 Aug. 3, 2018.

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:  
"Operated gas station/convenient store with beer & wine license in Scottsdale."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Existing gas station/convenient store with a beer & wine license."

Staff Recommendation

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

Attachments

Liquor License Data - 2 Sons Food Mart LLC  
Liquor License Map - 2 Sons Food Mart LLC

**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager


**Date:** June 29, 2018

**From:** Cris Meyer *CW*  
City Clerk

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 18 ON THE JULY 5, 2018  
FORMAL AGENDA – 2 SONS FOOD MART LLC

This item was originally submitted as a no recommendation pending the completion of the posting process. However, staff has changed its recommendation to approval.

APPROVED:

  
Toni Maccarone



## Liquor License Data: 2 SONS FOOD MART LLC

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	5	0
Beer and Wine Bar	7	2	1
Liquor Store	9	6	4
Beer and Wine Store	10	13	5
Restaurant	12	10	7
Club	14	2	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	20.99	46.36	57.74
Violent Crimes	3.50	9.44	13.48

\*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

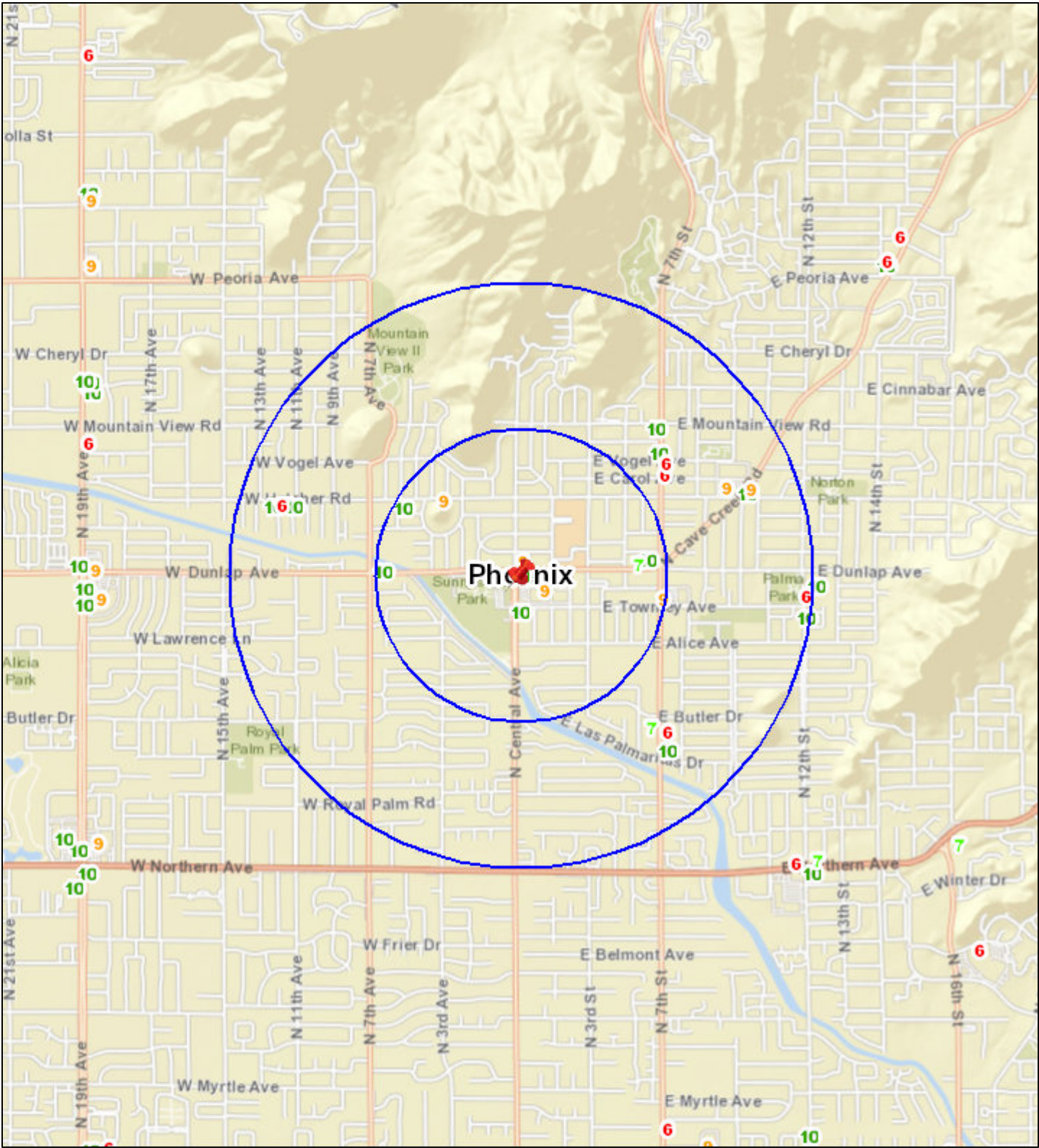
Description	Average	1/2 Mile Average
Parcels w/Violations	68	172
Total Violations	119	308

## Census 2010 Data 1/2 Mile Radius

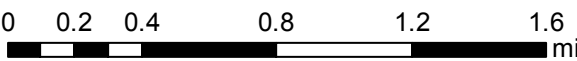
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1046001	1767	43 %	21 %	27 %
1046002	1676	20 %	20 %	39 %
1046003	1165	68 %	20 %	35 %
1047011	1012	13 %	34 %	21 %
1047022	1519	49 %	28 %	42 %
1052003	1140	66 %	15 %	17 %
1053001	1959	84 %	11 %	9 %
1053002	1704	34 %	25 %	42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

# Liquor License Map: 2 SONS FOOD MART LLC

8941 N CENTRAL AVE



Date: 6/6/2018





**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - Caravan Bar**

Request for a liquor license. Arizona State License Application 06070343.

**Summary**

Applicant

Juanita Esparza, Agent

License Type

Series 6 - Bar

Location

4835 N. 15th Ave.

Zoning Classification: C-2 TOD-1

Council District: 4

This request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow outdoor alcohol consumption. A Use Permit hearing has been scheduled.

The 60-day limit for processing this application is July 30, 2018.

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 an experienced licensee committed to upholding the highest standards for it's business practices and employees. I along with my employees have been trained in the techniques of legal & responsibility & will take the Title 4 liquor law training. I will provide a safe experience for the business & patrons."

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

"The public convenience requires in the best interest of the community will be substantially served by the issuance of the the liquor because: Caravan Bar like the privilege of serving alcoholic beverages upon the request of the bar patron."

Staff Recommendation

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

Attachments

Liquor License Data - Caravan Bar

Liquor License Map - Caravan Bar

**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

**Date:** June 29, 2018

**From:** Cris Meyer  
City Clerk *CM*

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 19 ON THE JULY 5, 2018  
FORMAL AGENDA – CARAVAN BAR

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval.

APPROVED:

*Toni Maccarone*  
Toni Maccarone

## Liquor License Data: CARAVAN BAR

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	13	4
Beer and Wine Bar	7	7	0
Liquor Store	9	10	1
Beer and Wine Store	10	5	1
Restaurant	12	19	1

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	20.99	99.30	115.39
Violent Crimes	3.50	19.08	24.94

\*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	67	93
Total Violations	119	176

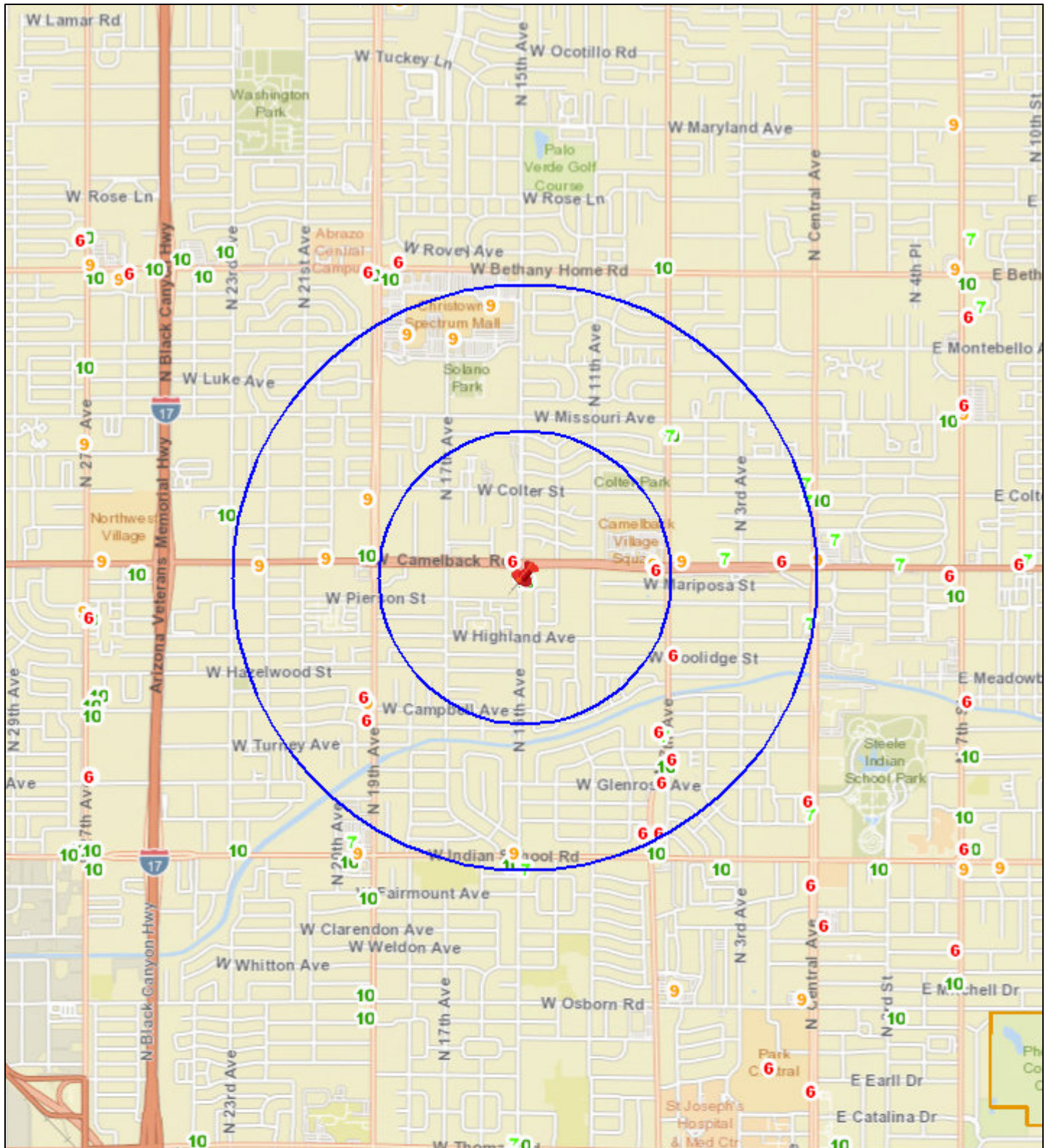
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1074002	1009	62 %	7 %	16 %
1074004	1382	20 %	26 %	30 %
1074005	661	0 %	30 %	77 %
1074006	2186	16 %	13 %	53 %
1075003	1599	46 %	15 %	14 %
1088021	1456	23 %	32 %	31 %
1089021	1258	16 %	12 %	49 %
1089022	1250	42 %	26 %	22 %
1089023	1072	28 %	3 %	47 %
1089024	1278	46 %	9 %	21 %
Average		61 %	13 %	19 %



# Liquor License Map: CARAVAN BAR

4835 N 15TH AVE



Date: 6/7/2018

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - La Chamba**

Request for a liquor license. Arizona State License Application 06070654.

**Summary**

Applicant

Patricia Serrano, Agent

License Type

Series 6 - Bar

Location

3501 N. 43rd Ave.

Zoning Classification: C-2

Council District: 4

This request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow patron dancing.

The 60-day limit for processing this application is July 22, 2018.

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:  
"I was a prior licensee in the state of Arizona and my investigation revealed that I met the capability, reliability and qualifications to hold a liquor license. I was in business at this same location and continued to proof that I possessed CRQ to hold a liquor license."

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

"This location previously went through the liquor licensing process and license was issued. In my opinion, as not only property owner, but also the owner of the business location I feel the public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license."

Staff Recommendation

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

Attachments

Liquor License Data - La Chamba

Liquor License Map - La Chamba

**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

**Date:** June 29, 2018

**From:** Cris Meyer *CM*  
City Clerk

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 20 ON THE JULY 5, 2018  
FORMAL AGENDA – LA CHAMBA

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval, 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.

APPROVED:

*Toni Maccarone*  
Toni Maccarone

## Liquor License Data: LA CHAMBA

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	50.61	68.47
Violent Crimes	3.28	11.22	14.75

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

### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	67	340
Total Violations	118	639

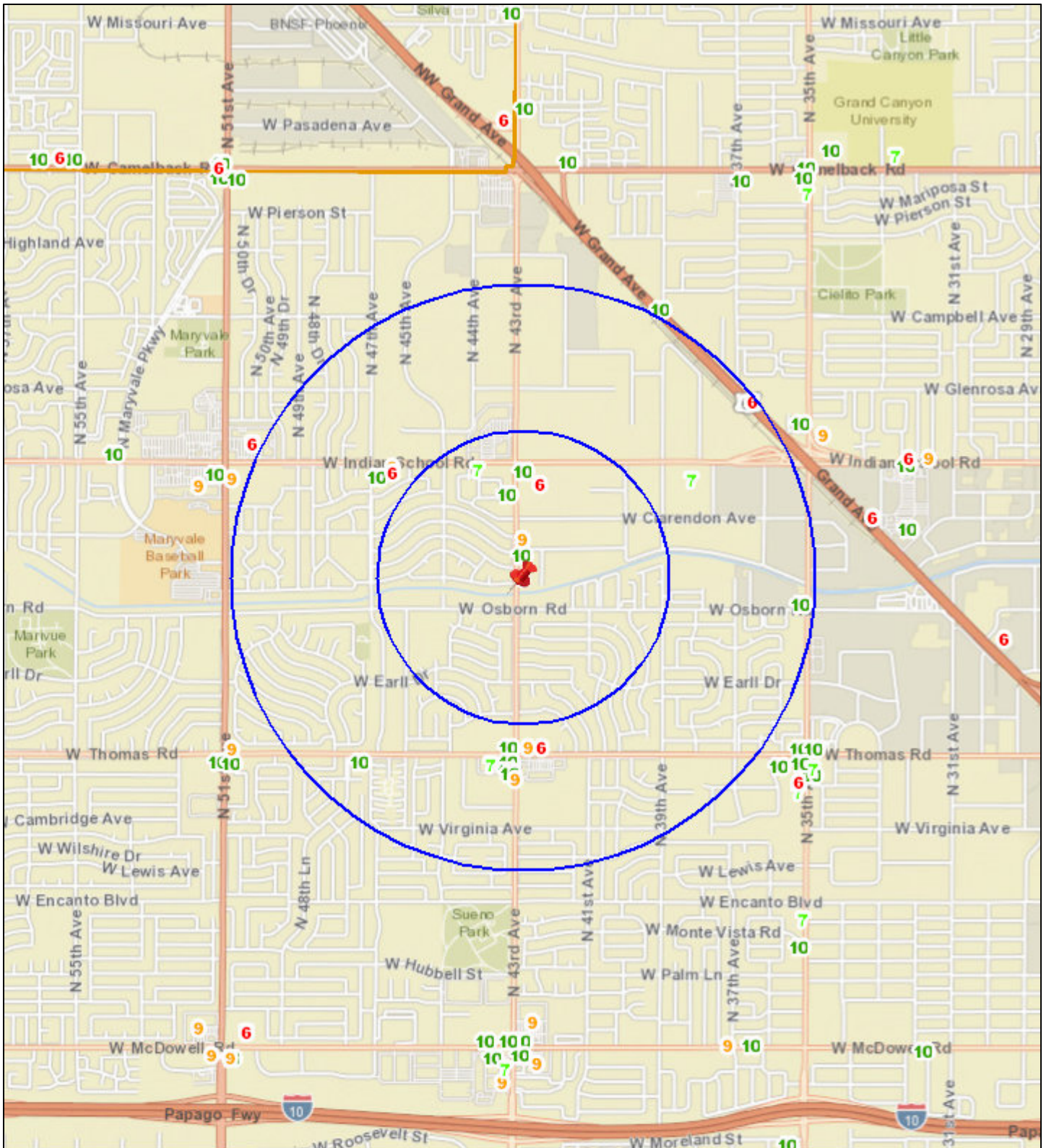
**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1092003	1593	11 %	26 %	32 %
1093001	1129	74 %	7 %	26 %
1100012	1781	69 %	8 %	14 %
1100022	2566	44 %	6 %	47 %
1101001	1919	16 %	15 %	58 %
1101003	2592	65 %	0 %	27 %
1101004	1252	80 %	7 %	41 %
Average		61 %	13 %	19 %



# Liquor License Map: LA CHAMBA

3501 N 43RD AVE



Date: 6/4/2018

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - Wagon Wheel**

Request for a liquor license. Arizona State License Application 06070541.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

710 W. Montecito Ave.

Zoning Classification: C-2 SAUMSO

Council District: 4

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. A Use Permit hearing has been scheduled. This business is currently being remodeled with plans to open in September 2018.

The 60-day limit for processing this application is July 24, 2018.

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 for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

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

"Applicant will provide a friendly, retro-themed neighborhood bar and backyard patio where guests can enjoy outdoor activities. Applicant would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages."

Staff Recommendation

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

Attachments

Liquor License Data - Wagon Wheel

Liquor License Map - Wagon Wheel

**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

**Date:** June 29, 2018

**From:** Cris Meyer *CM*  
City Clerk

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 21 ON THE JULY 5, 2018  
FORMAL AGENDA – WAGON WHEEL

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to disapproval based on a Street Transportation Department recommendation for disapproval pursuant to Arizona Revised Statute 4-207 which restricts a license from locating within 300 feet of a church or school. This proposed location is located within 300 feet of the Phoenix Central Seventh-day Adventist Church.

APPROVED:

*Toni Maccarone*  
Toni Maccarone

# Liquor License Data: WAGON WHEEL

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	13	6
Beer and Wine Bar	7	8	1
Liquor Store	9	6	0
Beer and Wine Store	10	6	3
Hotel	11	3	0
Restaurant	12	28	7

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	20.99	81.76	68.78
Violent Crimes	3.50	13.42	11.99

\*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

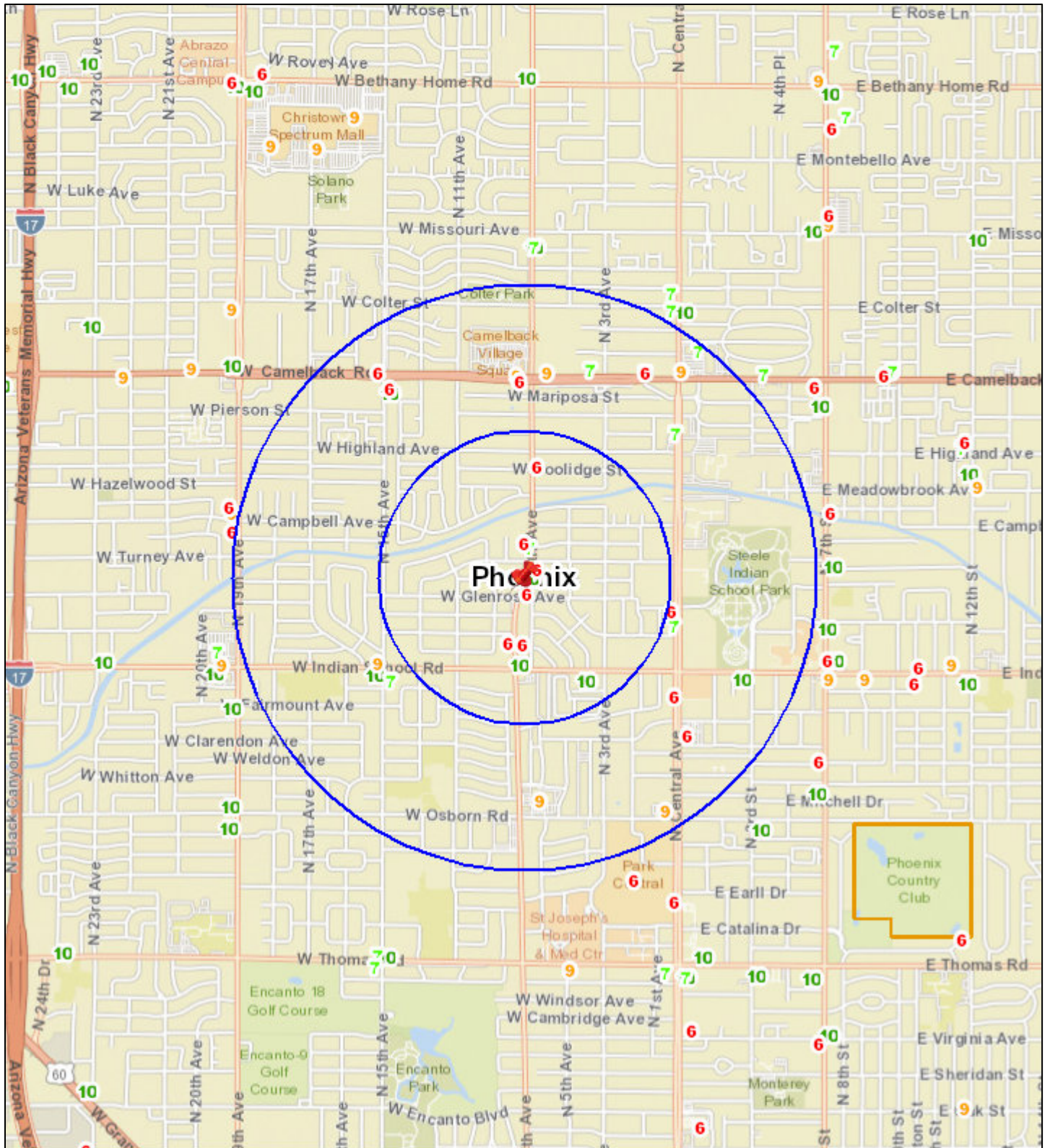
Description	Average	1/2 Mile Average
Parcels w/Violations	67	103
Total Violations	119	172

## Census 2010 Data 1/2 Mile Radius

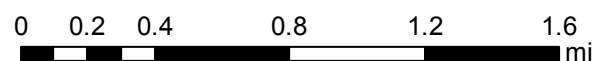
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1088021	1456	23 %	32 %	31 %
1089011	988	36 %	15 %	30 %
1089012	1297	31 %	23 %	54 %
1089013	956	82 %	4 %	8 %
1089022	1250	42 %	26 %	22 %
1089023	1072	28 %	3 %	47 %
1089024	1278	46 %	9 %	21 %
1104001	1724	53 %	6 %	33 %
1105011	551	49 %	20 %	14 %
1105012	1249	13 %	23 %	11 %
1171001	2126	10 %	15 %	10 %
1171002	703	57 %	27 %	12 %
Average		61 %	13 %	19 %

# Liquor License Map: WAGON WHEEL

710 W MONTECITO AVE



Date: 6/7/2018



City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - La Playa Mar y Tierra**

Request for a liquor license. Arizona State License Application 22206.

**Summary**

Applicant

Francisco Lopez, Agent

License Type

Series 12 - Restaurant

Location

7532 W. Indian School Road, Ste. A

Zoning Classification: C-2

Council District: 5

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. A Use Permit hearing has been scheduled. This business is currently being remodeled with plans to open in August 2018.

The 60-day limit for processing this application is July 30, 2018.

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:  
"I have over five years' experience as an owner and operator of two reception halls. Alcohol has been served at events that have taken place at the reception halls without incident. Prior to the issuance of a liquor license, I will have successfully completed Title 4 training. I am current on all taxes and other amounts due related to my business and am an upstanding member of the community."

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

"The location of the La Playa Mar y Tierra restaurant was a prior restaurant location and the operation of the restaurant with a liquor license will benefit the community due to the increased revenue and taxes that will flow back to the community. In connection with a patio permit, the City Counsel has reviewed the traffic for the area and has determined that restaurant will not pose any problem. The restaurant is located in a business area and there is, to my knowledge, only one other restaurant that serves alcohol in the nearby area."

Staff Recommendation

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

Attachments

Liquor License Data - La Playa Mar y Tierra  
Liquor License Map - La Playa Mar y Tierra

**Responsible Department**

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

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## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

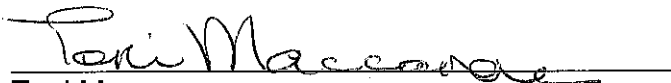
**Date:** June 29, 2018

**From:** Cris Meyer *CW*  
City Clerk

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 22 ON THE JULY 5, 2018  
FORMAL AGENDA – LA PLAYA MAR Y TIERRA

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval, 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.

APPROVED:

  
Toni Maccarone



# Liquor License Data: LA PLAYA MAR Y TIERRA

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	55.38	51.06
Violent Crimes	3.28	12.10	10.93

\*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

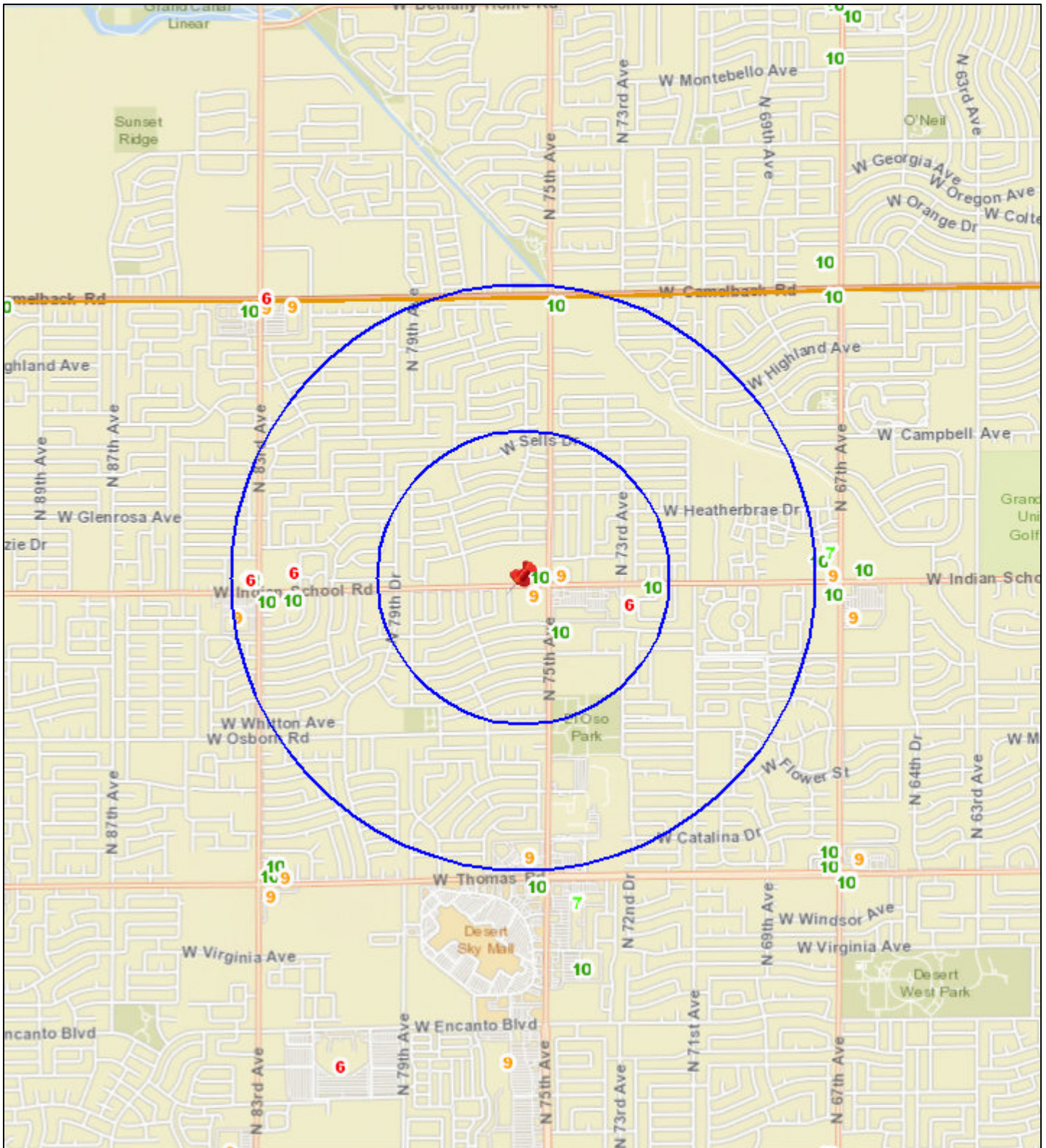
Description	Average	1/2 Mile Average
Parcels w/Violations	68	420
Total Violations	119	673

## Census 2010 Data 1/2 Mile Radius

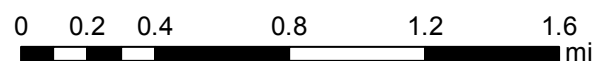
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1096012	1021	34 %	18 %	34 %
1096013	2174	69 %	19 %	21 %
1096021	1392	71 %	14 %	35 %
1096023	1946	79 %	0 %	22 %
1096031	852	79 %	11 %	3 %
1096032	1211	75 %	15 %	23 %
1096034	1269	66 %	0 %	17 %
1097021	1552	88 %	22 %	35 %
1097032	1653	33 %	12 %	31 %
1097041	1602	68 %	5 %	35 %
1097042	784	71 %	19 %	15 %
Average		61 %	13 %	19 %

# Liquor License Map: LA PLAYA MAR Y TIERRA

7532 W INDIAN SCHOOL RD



Date: 6/5/2018



City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO) Liquor License - Bitter & Twisted**

Request for a liquor license. Arizona State License Application 06073622.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

1 W. Jefferson St.

Zoning Classification: DTC - Business Core HP

Council District: 7

This request is for a new liquor license for a bar. This location is currently licensed for liquor sales. This location requires a Use Permit to allow outdoor alcohol service.

The 60-day limit for processing this application is July 22, 2018.

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

Other Active Liquor License Interest in Arizona

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

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

Bitter & Twisted (Series 6)  
1 W. Jefferson St., Phoenix  
Calls for police service: 2  
Liquor license violations: None

Residence Inn & Courtyard by Marriott Downtown Phoenix (Series 11)  
132 S. Central Ave., Phoenix  
Calls for police service: 38  
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:  
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Applicant is currently open and operating with a series 6 liquor license which will be transferred to a new location in downtown Phoenix. The pending series 6 will replace the transferring license."

#### Staff Recommendation

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

#### Attachments

Liquor License Data - Bitter & Twisted  
Liquor License Map - Bitter & Twisted

**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

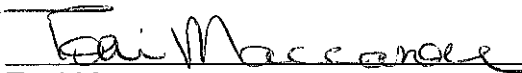
**Date:** June 29, 2018

**From:** Cris Meyer *CM*  
City Clerk

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 23 ON THE JULY 5, 2018  
FORMAL AGENDA – BITTER & TWISTED

This item was originally submitted as a no recommendation pending the completion of the posting process. However, staff has changed its recommendation to approval, 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.

APPROVED:

  
Toni Maccarone

# Liquor License Data: BITTER & TWISTED

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	1	0
Government	5	7	3
Bar	6	28	24
Beer and Wine Bar	7	8	2
Liquor Store	9	2	1
Beer and Wine Store	10	10	2
Hotel	11	5	4
Restaurant	12	71	40
Club	14	3	1

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	54.67	66.02
Violent Crimes	3.28	17.19	17.30

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	67	44
Total Violations	118	74

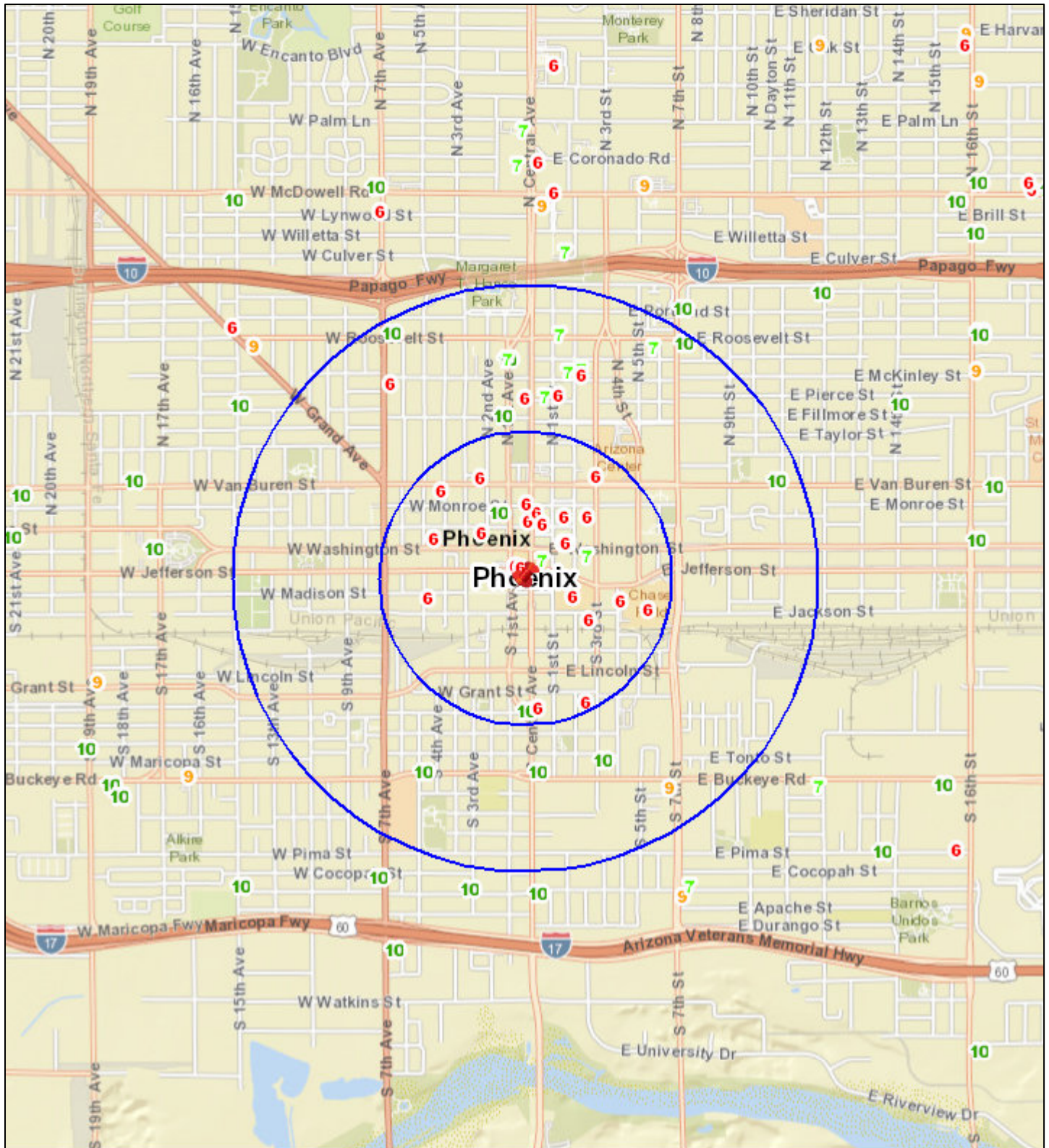


## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

# Liquor License Map: BITTER & TWISTED

1 W JEFFERSON ST



Date: 6/4/2018

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



**\*\*\*REVISED ITEM (SEE ATTACHED MEMO)\*\*\* Liquor License - Little Rituals Bar**

Request for a liquor license. Arizona State License Application 06070619.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

132 S. Central Ave., Ste. 401

Zoning Classification: DTC - Business Core

Council District: 7

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 11 - Hotel/Motel, liquor license. This business has plans to open in October 2018.

The 60-day limit for processing this application is July 30, 2018.

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

Other Active Liquor License Interest in Arizona

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

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

Residence Inn & Courtyard by Marriott Downtown Phoenix (Series 11)  
132 S. Central Ave., Phoenix  
Calls for police service: 38  
Liquor license violations: None

Bitter & Twisted (Series 6)  
1 W. Jefferson St., Phoenix  
Calls for police service: 2  
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:  
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"From the creators of Bitter & Twisted, Little Rituals will be a cocktail lounge with a stylish twist on the 4th floor of the Residence Inn & Courtyard by Marriott Downtown Phoenix. Applicant would like to offer alcoholic beverages to guests 21 and over."

#### Staff Recommendation

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

Attachments

Liquor License Data - Little Rituals Bar

Liquor License Map - Little Rituals Bar

**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

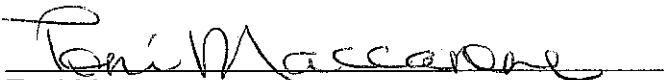
**Date:** June 29, 2018

**From:** Cris Meyer *CM*  
City Clerk

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 24 ON THE JULY 5, 2018  
FORMAL AGENDA – LITTLE RITUALS BAR

This item was originally submitted as a no recommendation pending the completion of the posting process. However, staff has changed its recommendation to approval, 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.

APPROVED:

  
Toni Maccarone

# Liquor License Data: LITTLE RITUALS BAR

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	1	0
Government	5	5	3
Bar	6	28	24
Beer and Wine Bar	7	8	2
Liquor Store	9	2	1
Beer and Wine Store	10	10	2
Hotel	11	5	3
Restaurant	12	71	35
Club	14	3	1

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	20.99	57.27	67.51
Violent Crimes	3.50	18.17	18.57

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	68	47
Total Violations	119	77

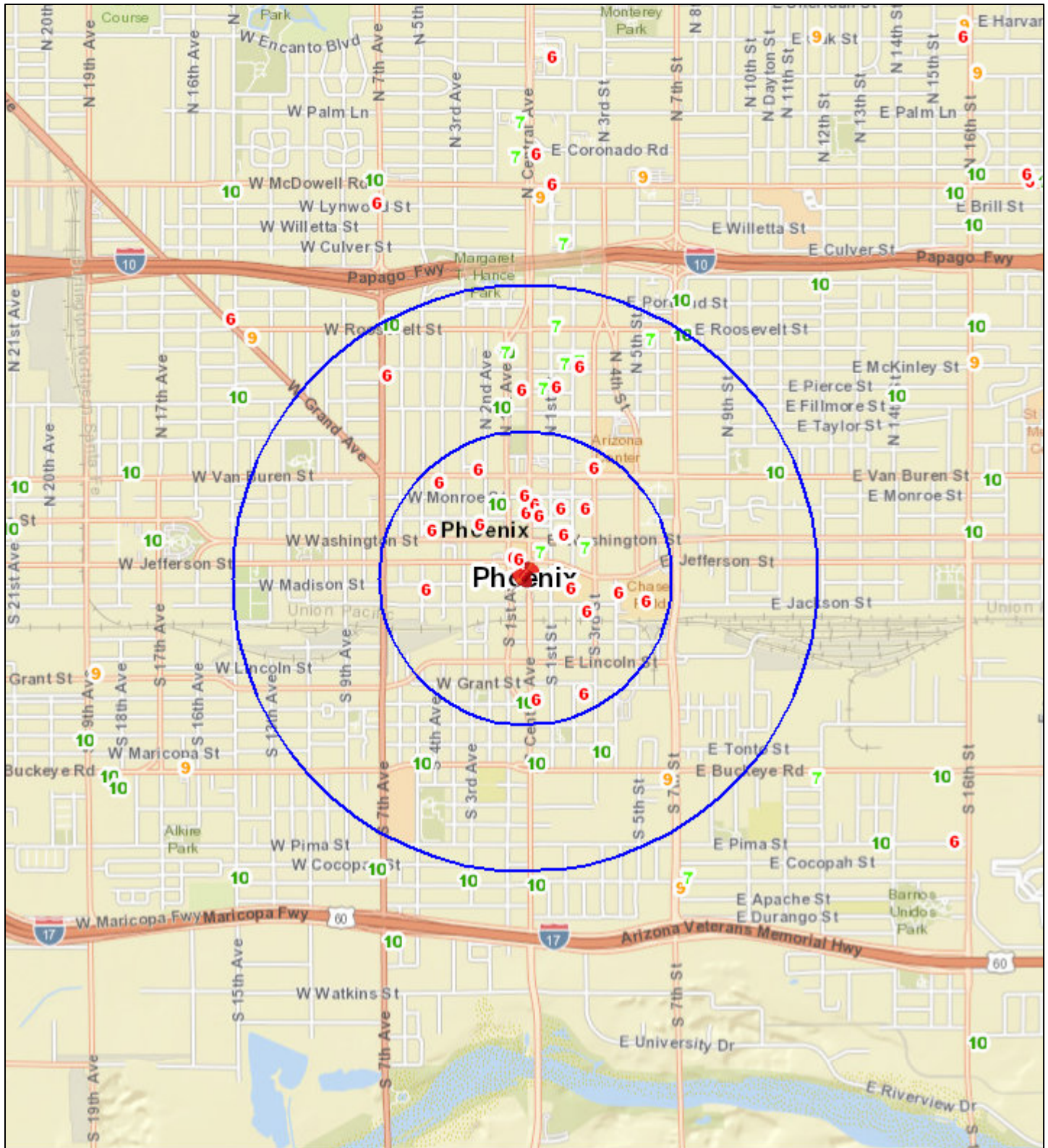
### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

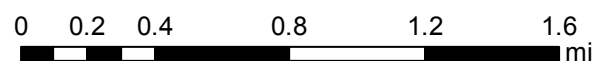


# Liquor License Map: LITTLE RITUALS BAR

132 S CENTRAL AVE



Date: 6/6/2018



City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - Mimi Forno Italiano**

Request for a liquor license. Arizona State License Application 21821.

**Summary**

Applicant

Domenico Cavallo, Agent

License Type

Series 12 - Restaurant

Location

3624 W. Baseline Road, Ste. 174

Zoning Classification: C-2

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 September 2018.

The 60-day limit for processing this application is July 28, 2018.

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:  
"I'm going to attend the management training required by the law, also I used to worked as server and I took several times the basic training before."

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

"A liquor license will have countless benefits for the community one of these benefits is that will create at least 12 new opportunities of jobs, for people in the community plus will help the revenue in this area also we create a new place when the people of our community (because we live there). Could enjoy a meal and a drink on a very clean and secure location."

### Staff Recommendation

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

### Attachments

Liquor License Data - Mimi Forno Italiano

Liquor License Map - Mimi Forno Italiano

### **Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

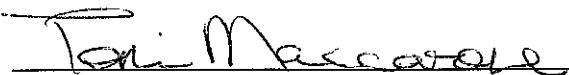
**Date:** June 28, 2018

**From:** Cris Meyer  
City Clerk *CM*

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 25 ON THE JULY 5, 2018  
FORMAL AGENDA – MIMI FORNO ITALIANO

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval, 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.

APPROVED:

  
Toni Maccarone

# Liquor License Data: MIMI FORNO ITALIANO

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	36.11	31.42
Violent Crimes	3.28	4.29	5.83

\*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	68	40
Total Violations	119	49

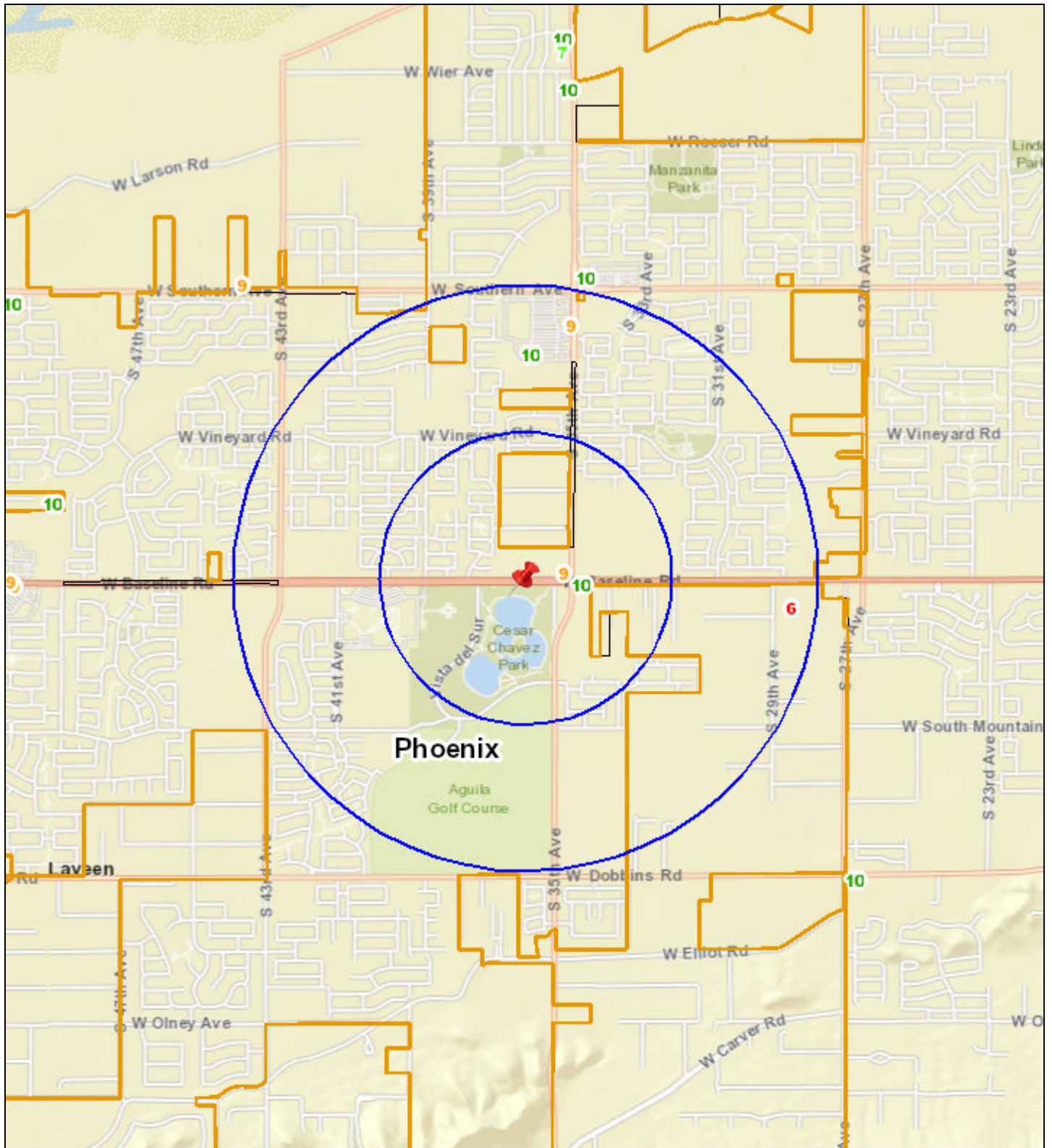
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1166062	1890	72 %	7 %	27 %
1166063	2092	67 %	0 %	29 %
1166102	2562	77 %	5 %	19 %
1166121	2293	90 %	9 %	4 %
1166123	1051	98 %	0 %	17 %
Average		61 %	13 %	19 %

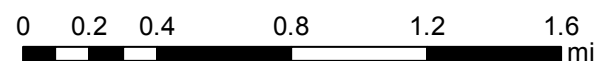


# Liquor License Map: MIMI FORNO ITALIANO

3624 W BASELINE RD



Date: 6/5/2018



City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - Pizza Hut #26999**

Request for a liquor license. Arizona State License Application 07070157.

**Summary**

Applicant

Theresa Morse, Agent

License Type

Series 7 - Beer and Wine Bar

Location

21 W. Van Buren St., Ste. G-4

Zoning Classification: DTC-Business Core

Council District: 7

This request is for a location transfer of a liquor license for a beer and wine bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor liquor service. This business is currently being remodeled with plans to open in Sept. 2018.

The 60-day limit for processing this application is Aug. 4, 2018.

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

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: "Hot Pizza LLC holds numerous liquor licenses throughout AZ doing business as Pizza Hut. They have not been in violation of any liquor laws due to close observation of their staff and frequent liquor law training. This application is a transfer from 1st Street to Van Buren where they will be able to service many downtown office personnel in the area. All owners have met capability, reliability and qualifications previously. Their business will be an asset to the downtown revitalization."

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

"The owners hold this series liquor license on 1st Street in Phoenix. This is merely a location transfer to service the needs of employees and visitors of the downtown Phoenix area. Pizza Hut averages at least 90% of their gross revenue from the sales of food, therefore it's primary purpose is a restaurant even though they hold a beer and wine bar license. The restaurant will be an asset to businesses and the downtown community as a whole as the restaurant will be within walking distance from many offices in the downtown area."

Staff Recommendation

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

Attachments

Liquor License Data - Pizza Hut #26999

Liquor License Map - Pizza Hut #26999



**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager


**Date:** June 29, 2018

**From:** Cris Meyer  
City Clerk *CM*

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 26 ON THE JULY 5, 2018  
FORMAL AGENDA – PIZZA HUT #26999

This item was originally submitted as a no recommendation pending the completion of the posting process. However, staff has changed its recommendation to approval, 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.

APPROVED:

  
Toni Maccarone

## Liquor License Data: PIZZA HUT #26999

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	0
Wholesaler	4	1	0
Government	5	8	2
Bar	6	28	22
Beer and Wine Bar	7	9	6
Liquor Store	9	2	1
Beer and Wine Store	10	11	3
Hotel	11	5	4
Restaurant	12	75	45
Club	14	2	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	20.99	60.37	96.28
Violent Crimes	3.50	19.05	24.84

\*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

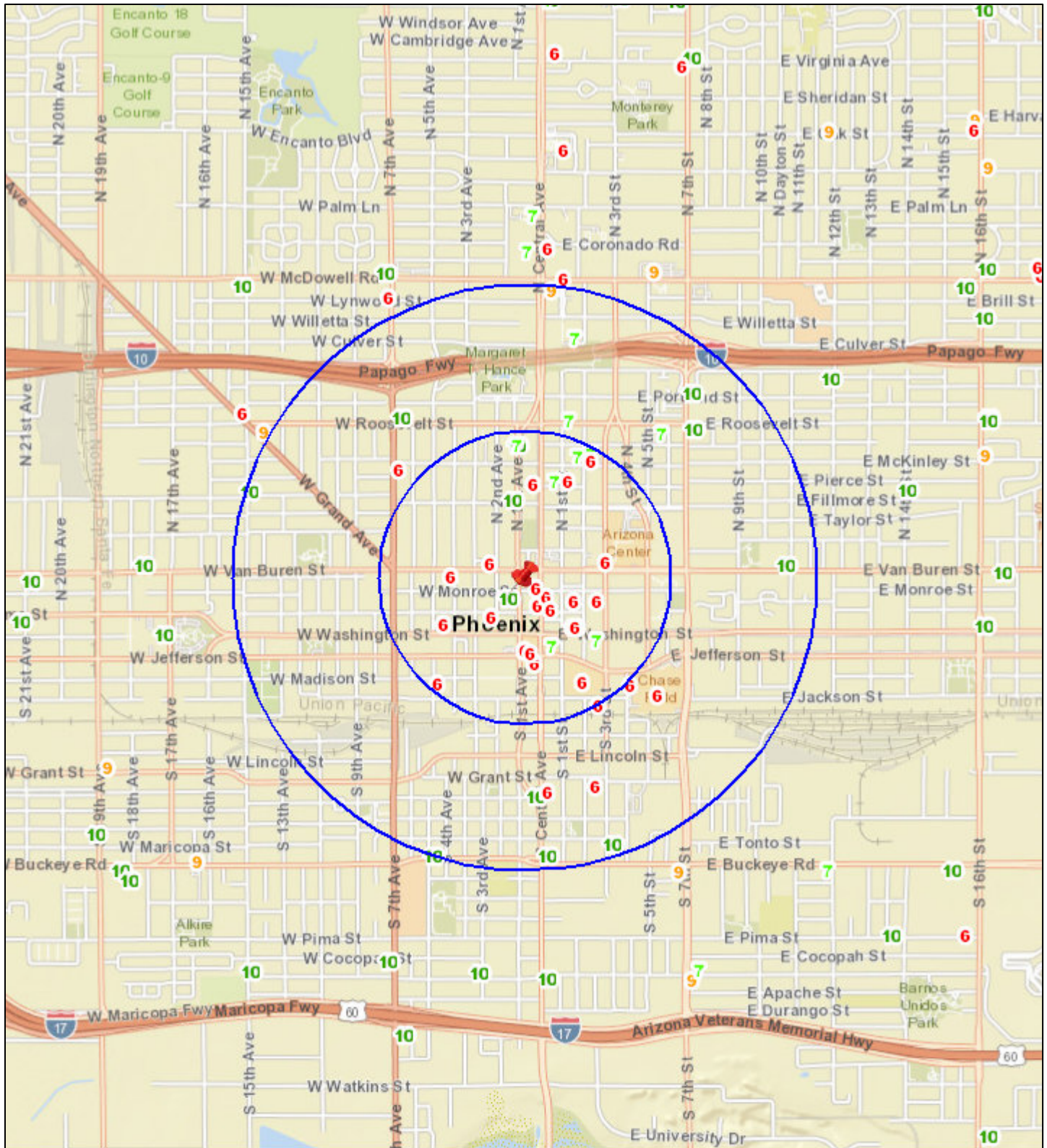
Description	Average	1/2 Mile Average
Parcels w/Violations	68	39
Total Violations	119	59

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

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

# Liquor License Map: PIZZA HUT #26999

21 W VAN BUREN ST



Date: 6/6/2018

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - Imperio 667  
Mariscos & Sushi**

Request for a liquor license. Arizona State License Application 21812.

**Summary**

Applicant

Orlando Ramirez, Agent

License Type

Series 12 - Restaurant

Location

2445 E. Thomas Road

Zoning Classification: C-2

Council District: 8

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

The 60-day limit for processing this application is July 28, 2018.

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

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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:  
"Responsoble - honest. Clean reccord 10 years experienst."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Tax mony employment. For comunity bussisnes for nehghboor hood."

Staff Recommendation

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

Attachments

Liquor License Data - Imperio 667 Mariscos & Sushi

Liquor License Map - Imperio 667 Mariscos & Sushi

**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

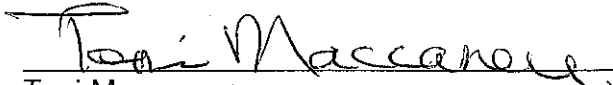
**Date:** June 29, 2018

**From:** Cris Meyer  
City Clerk *CM*

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 27 ON THE JULY 5, 2018  
FORMAL AGENDA – IMPERIO 667 MARISCOS & SUSHI

This item was originally submitted as a no recommendation pending the completion of the posting process. However, staff has changed its recommendation to approval.

APPROVED:

  
Toni Maccarone



# Liquor License Data: IMPERIO 667 MARISCOS & SUSHI

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	52.30	45.75
Violent Crimes	3.28	10.88	8.91

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

## Property Violation Data

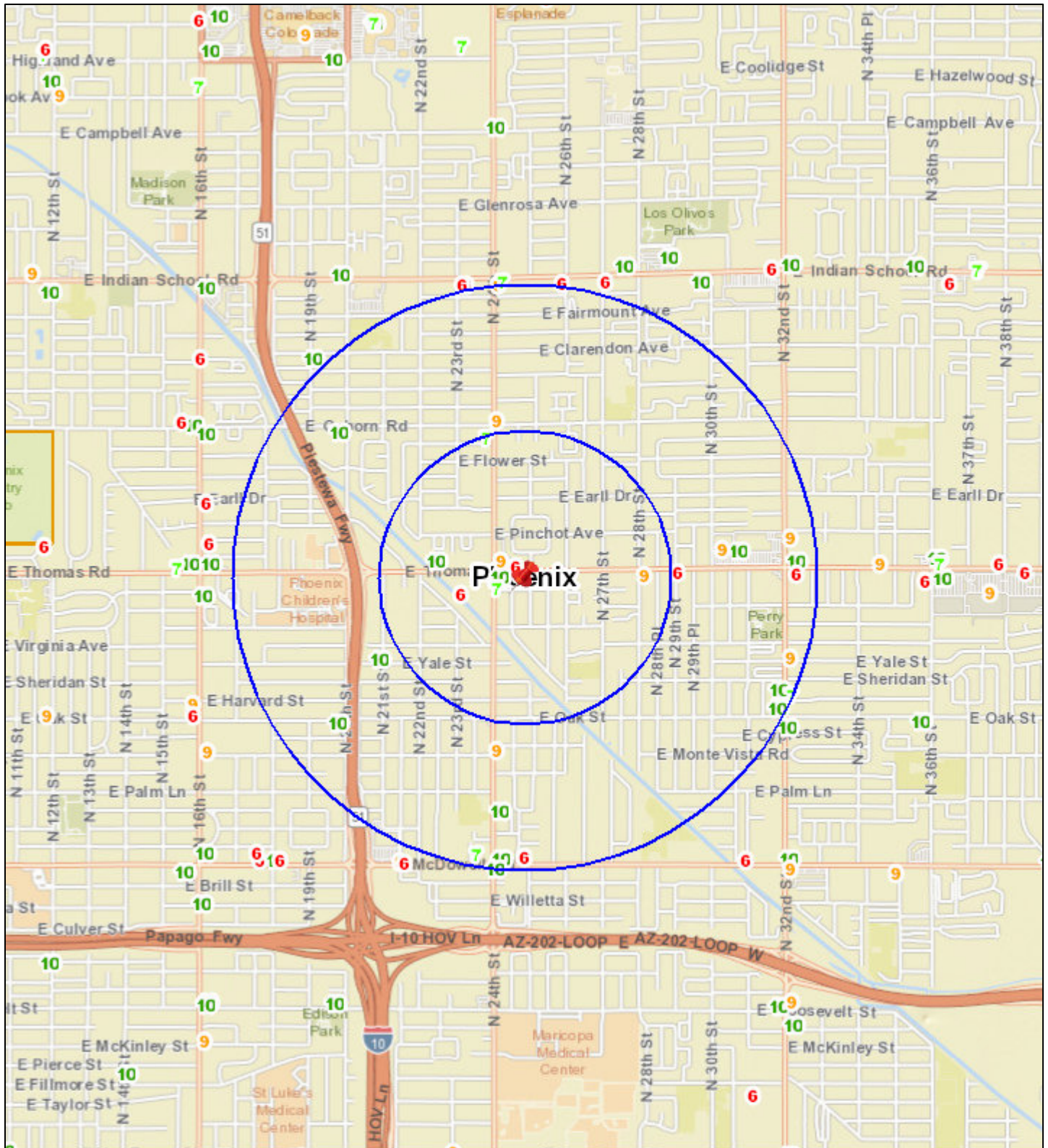
Description	Average	1/2 Mile Average
Parcels w/Violations	67	119
Total Violations	118	238

## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1107022	2172	32 %	20 %	32 %
1108021	948	75 %	27 %	13 %
1108022	1168	33 %	16 %	7 %
1115011	2020	44 %	16 %	43 %
1115021	1414	46 %	21 %	34 %
1115022	2109	42 %	7 %	17 %
1116011	1492	55 %	13 %	39 %
1116012	1200	65 %	11 %	40 %
Average		61 %	13 %	19 %

# Liquor License Map: IMPERIO 667 MARISCOS & SUSHI

2445 E THOMAS RD



Date: 6/4/2018

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - Rise Craft Coffee & Eatery / Shine Patio Bar**

Request for a liquor license. Arizona State License Application 22302.

**Summary**

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

918 N. 5th St.

Zoning Classification: DTC - East Evans Churchill ACSBO

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.

The 60-day limit for processing this application is July 31, 2018.

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

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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 for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Applicant offers a variety of creative menu items including craft coffee, breakfast, salads, sandwiches and more. Applicant would like to offer alcoholic beverages to guests 21+ as an incident to the meals they enjoy."

Staff Recommendation

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

Attachments

Liquor License Data - Rise Craft Coffee & Eatery / Shine Patio Bar  
Liquor License Map - Rise Craft Coffee & Eatery / Shine Patio Bar

**Responsible Department**

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



## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

**Date:** June 29, 2018

**From:** Cris Meyer  
City Clerk *cm*

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 28 ON THE JULY 5, 2018  
FORMAL AGENDA – RISE CRAFT COFFEE & EATERY / SHINE PATIO BAR

This item was originally submitted as a no recommendation pending the completion of the posting process. However, staff has changed its recommendation to approval, 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.

APPROVED:

*Toni Maccarone*  
\_\_\_\_\_  
Toni Maccarone

# Liquor License Data: RISE CRAFT COFFEE & EATERY / SHINE PATIO BAR

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Wholesaler	4	1	0
Government	5	8	3
Bar	6	27	4
Beer and Wine Bar	7	11	6
Liquor Store	9	3	0
Beer and Wine Store	10	9	2
Hotel	11	5	2
Restaurant	12	79	27
Club	14	1	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	20.99	69.98	67.94
Violent Crimes	3.50	15.36	18.89

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	68	164
Total Violations	119	343

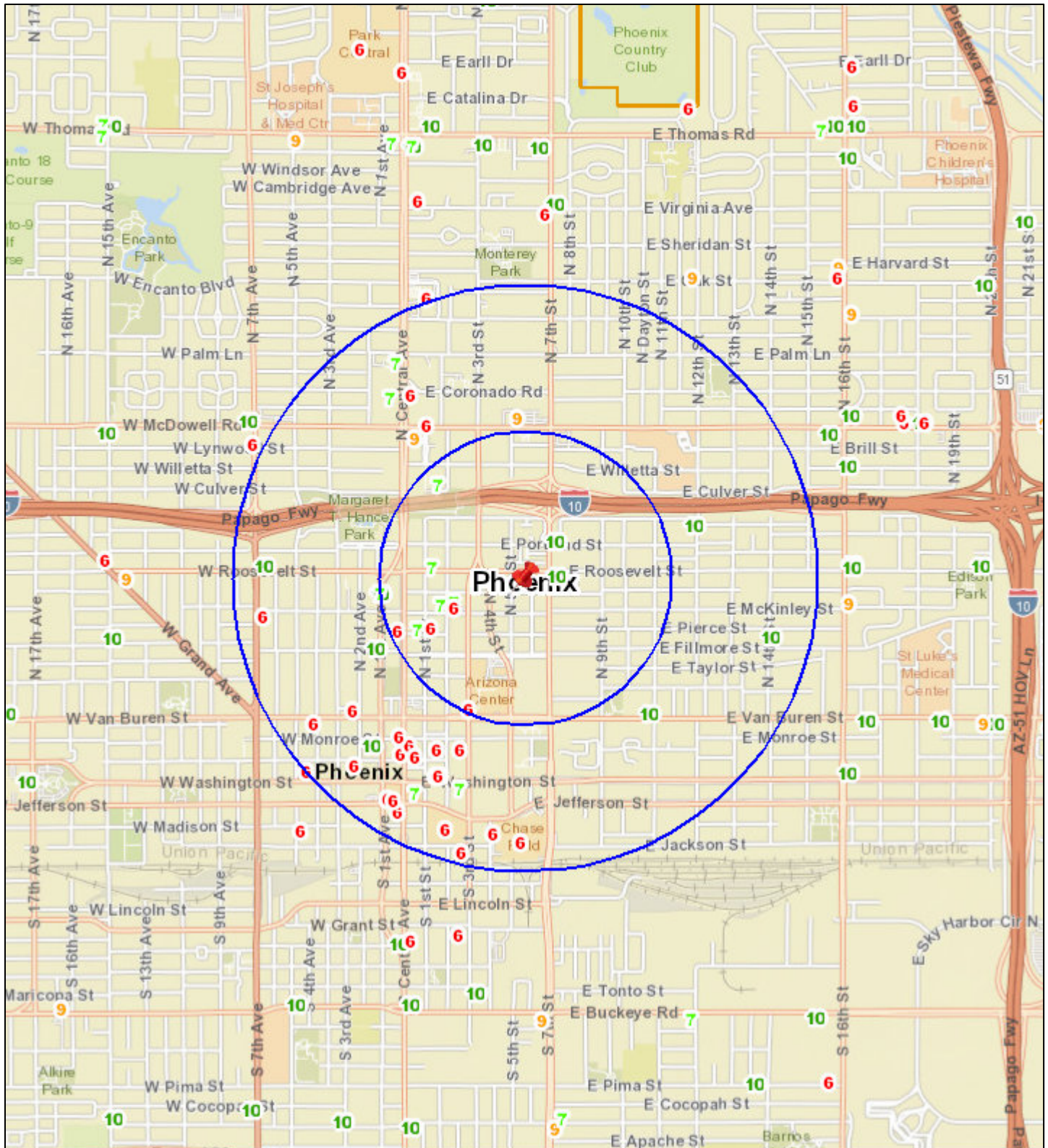
## Census 2010 Data 1/2 Mile Radius

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

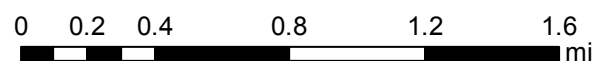


# Liquor License Map: RISE CRAFT COFFEE & EATERY / SHINE PATIO BAR

918 N 5TH ST



Date: 6/6/2018





**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Liquor License - Abacus Inn**

Request for a liquor license. Arizona State License Application 20688.

**Summary**

Applicant

Wei Wang, Agent

License Type

Series 12 - Restaurant

Location

3509 W. Thunderbird Road

Zoning Classification: PSC

Council District: 1

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

The 60-day limit for processing this application is July 8, 2018.

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 understand the responsibilities and regulation that come with owing a liquor license. I take these responsibilities and regulation seriously to ensure that my business is run successfully and professionally."

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

"As the primary purpose of the business is that of a restaurant and the sales of food the liquor is nothing more than a secondary purpose."

Staff Recommendation

Staff recommends disapproval of this application based on Police Department recommendation for disapproval. The Police Department disapproval is based on the applicant's failure to provide full financial disclosure and possible hidden ownership. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

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

Liquor License Data - Abacus Inn

Liquor License Map - Abacus Inn

Liquor License Police Department Recommendation - Abacus Inn

**Responsible Department**

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

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## City of Phoenix

**To:** Toni Maccarone  
Acting Deputy City Manager

**Date:** June 29, 2018

**From:** Cris Meyer *CM*  
City Clerk

**Subject:** REVISED STAFF RECOMMENDATION FOR ITEM 29 ON THE JULY 5, 2018  
FORMAL AGENDA – ABACUS INN

This item was originally submitted as a disapproval recommendation based on a Police Department recommendation for disapproval due to the applicant's failure to provide full financial disclosure. However, since that time the Police Department has withdrawn its opposition. Therefore, staff has changed its recommendation to approval, 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.

APPROVED:

*Toni Maccarone*  
Toni Maccarone

## Liquor License Data: ABACUS INN

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	19.85	38.80	43.94
Violent Crimes	3.28	4.59	4.67

\*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	68	223
Total Violations	119	398

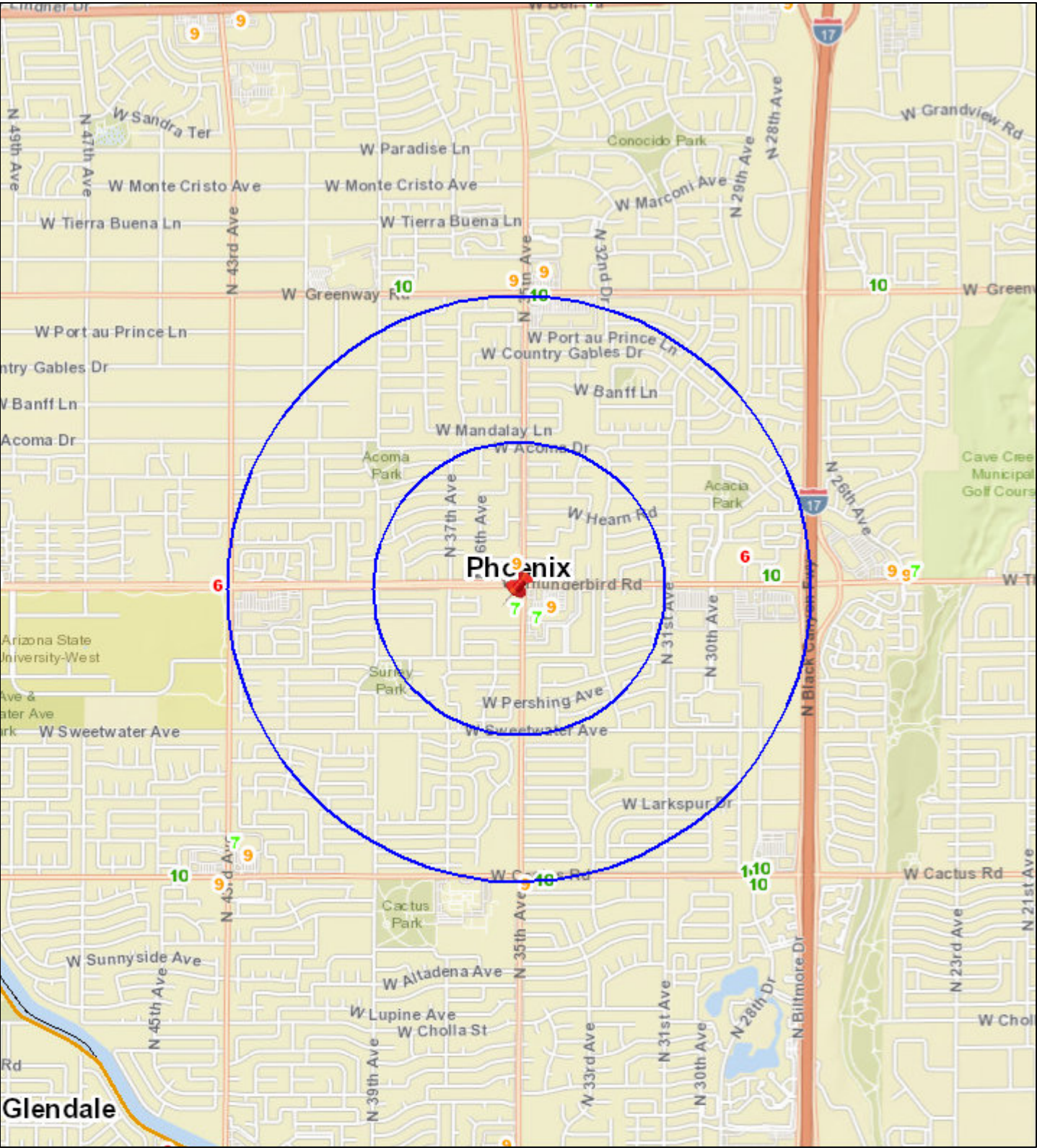
**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1040003	1994	97 %	0 %	11 %
1040004	2512	53 %	9 %	17 %
1041003	1454	87 %	0 %	7 %
1041004	1847	89 %	14 %	9 %
1042021	1471	85 %	2 %	7 %
1042022	2649	87 %	0 %	15 %
1042023	1420	88 %	18 %	4 %
1042122	1606	75 %	22 %	4 %
1042124	2501	80 %	3 %	5 %
Average		61 %	13 %	19 %



# Liquor License Map: ABACUS INN

3509 W THUNDERBIRD RD





# LIQUOR LICENSE DISAPPROVAL FORM

## Police Department Liquor License Disapproval Recommendation

### Application Information

<b>Business Name</b>	<b>ABACUS INN</b>	<b>District</b>	<b>1</b>
<b>Business Location</b>	<b>3509 West Thunderbird Rd</b>	<b>Series Type</b>	<b>12</b>
<b>Applicant Names</b>	<b>Wei Wang and Wenbin Liu</b>		

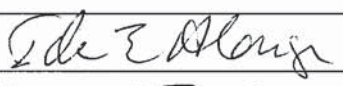

The Police Department recommends disapproval of this liquor license application due the applicants being not reliable, capable or qualified.

During the course of the investigation it was determined through the review of the State Liquor application and the City Questionnaire that Mr. Wei Wang failed to indicate that he had taken a \$30,000.00 personal loan from an unknown source to purchase the business and failed to provide all required financial documentation to complete the investigation.

According to the State application and City Questionnaire Mr. Wang and Mr. Wenbin Liu were the only listed owners and no other interested parties. During a 5/29/18 interview with Mr. Wang, when asked for bank statements related to the purchase of the Abacus Inn he stated through his nephew that he borrowed \$30,000.00 from a friend to pay for the business. He was then asked for this friend's name and whether the friend has interest in the business. Mr. Wang agreed to provide documentation of his bank statements and terms of his personal loan prior to the permit application due date. Det. Gokool attempted to contact Mr. Wang via telephone to remind him of the requested financial documentation and his phone continually rang with no response.

Due to a lack of required financial documentation and possible hidden ownership Mr. Wei Wang nor Mr. Wenbin Liu are reliable, capable or qualified to hold a liquor license.

This recommendation for disapproval is submitted by: Det. R. Gokool #7605

SIGNATURES	
<b>Administrative Licensing Investigator</b>	I. Alonge A4289 
<b>Liquor Enforcement Detail Supervisor</b>	Sgt. M. Doty 5785 





### **PAYMENT ORDINANCE (Items 30-46) (Ordinance S-44864)**

*Ordinance S-44864 is a request to authorize the City Controller to disburse funds up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.*

**30 (CONTINUED FROM JUNE 27, 2018) - City of Glendale**

For \$27,273.00 in payment authority to pay the City of Phoenix's share of the agreement with Baker, Donelson, Bearman, Caldwell & Berkowitz to provide West Valley Partner Communities comprehensive federal legislative consulting services to protect and enhance Luke Air Force Base, for the Office of Government Relations and the Aviation Department.

**31 Maricopa County, Arizona, doing business as Maricopa County Elections Department**

For \$20,000.00 in additional payment authority for Maricopa County to conduct a special election on Aug. 28, 2018, for the City of Phoenix. Additional payment authority is needed to pay for a required full text ballot insert provided by Maricopa County. The cost for the insert is normally included in the shared cost to each jurisdiction participating in the election, but because the City of Phoenix is the only jurisdiction that has items printed on the August election insert, the City must pay the full cost.

**32 Courier Graphics Corp.**

For \$85,000.00 in payment authority for the printing, addressing and mailing of a publicity pamphlet for the August 2018 Special Election for the City Clerk Department. The current contracted vendor, Century

Graphics, went out of business without giving the City advance notice. The cost for Courier Graphics to do the pamphlet is comparable to the contracted pricing for Century Graphics. State law and City Code require the mailing of a publicity pamphlet to households with at least one registered voter before early ballots are mailed. To meet this requirement, pamphlets must be mailed out 35 days prior to the election.

**33 Arizona Forward**

For \$20,000.00 in payment authority to purchase a membership for the Public Transit, Aviation, Public Works and Water Services departments. The City is an environmental and sustainability leader in the state and benefits from participating in Arizona Forward to ensure cooperation and idea-sharing on important topics such as smart growth and development, efficient transportation, improved air quality, responsible water management and energy alternatives. These statewide issues have a significant effect on quality of life in the Valley and benefit the City and its residents. This item was recommended for approval by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on June 19, 2018.

**34 Various Vendors for Firefighting Nozzles, Valves and Clamps**

For \$60,000.00 in additional payment authority, through Dec. 31, 2018, to continue to provide parts and services for various firefighting nozzles, valves and clamps used by the Fire Department. The various supplies are a critical part of the Fire Department's efforts to provide life safety services to the public. Additional payment authority will provide additional time to implement the replacement contract.

Matlick Enterprises, Inc., doing business as United Fire Equipment Company, Contract 133146  
L.N. Curtis & Sons, Contract 133144

**35 L.N. Curtis and Sons - Fire Hose Equipment**

For \$50,000.00 in additional payment authority to extend Contract 131190 through Dec. 31, 2018, for the purchase of fire hose equipment for the Fire Department. The fire hoses are used when responding to interior and exterior fire calls. This equipment is critical in support of the Fire Department's efforts to provide life safety services to the public.

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Additional payment authority will allow additional time to implement the replacement contract.

**36 L.N. Curtis and Sons - Firefighter Helmets**

For \$30,000.00 in additional payment authority for Contract 134109 for firefighter helmets for the Fire Department. The helmets are used to protect firefighters from head and neck injuries related to structural firefighting activities. This gear is a critical part of the Fire Department's efforts to provide life safety services to the public. Additional payment authority will allow additional time to implement the replacement contract.

**37 Language Line Services, Inc., doing business as Language Line Solutions**

For \$50,000.00 in additional payment authority for Contract 134160 for translation services, through Sept. 30, 2018, for the Police Department. Translation services are needed to provide the public with communication ability in more than 70 languages for public safety personnel during emergency and non-emergency scenarios. The additional payment authority will allow the Police Department to continue receiving uninterrupted translation services and pay for services through the end of the contract term until the new translation services contract is in place.

**38 Matlick Enterprises, Inc., doing business as United Fire Equipment Company**

For \$60,000.00 in additional payment authority for Contract 135695, through Dec. 31, 2018, to continue to provide leather bunker boots to be used as part of the gear worn on-call or in training, for the Fire Department. The leather bunker boots are a critical part of the Fire Department's efforts to provide life safety services to the public. Additional payment authority will provide additional time to implement the replacement contract.

**39 Settlement of Claim *De La Cruz et al v. City of Phoenix***

To make payment of \$350,000.00 in settlement of claim *De La Cruz et al v. City of Phoenix* in Maricopa County Superior Court, Case CV2017-012776, 16-0915-001 GL BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

40     **Davis Miles McGuire Gardner, PLLC, Trust Account for  
BN Holdings, LLC**

For \$50,570.67 to pay a court order entered against the City for judgment, plus statutory interest and taxable costs, in *City of Phoenix v. BN Holdings*, Case CV2014-008675, a condemnation case for land acquisition for Avenida Rio Salado/Broadway Road Street Improvement project, for the Finance Department, pursuant to Phoenix City Code chapter 42.

41     **David S Woods, doing business as Fire Station  
Outfitters, LLC**

For \$45,000.00 in additional payment authority for Contract 144783, through April 14, 2020, to continue to provide station seating for the Fire Department. Station seating is necessary to provide temporary sleeping arrangements for move-up crews during high call volume periods and general seating for the public and visiting local, county, state and social service agency employees. The majority of the station seating has exceeded its useful life and is in need of replacement as the warranty has expired and repairs are not a viable option.

42     **Resource Guru Limited**

For \$10,000.00 in payment authority for an annual subscription to start July 1, 2018, through June 30, 2019, for the use of an online scheduling application by 160 users to coordinate activity on 77 Regional Wireless Cooperative (RWC) interoperability radios by emergency services personnel. The RWC realizes a cost savings of approximately \$2,000 by transitioning from a month-to-month subscription to a yearly subscription. These costs are paid for by the various cities participating in the RWC and approved by the RWC Board of Directors.

43     **PerkinElmer Health Sciences, Inc.**

For \$82,000.00 in additional payment authority for Contract 142285 for lab equipment maintenance and repair for the Water Services Department. The Water Services Department utilizes 14 separate PerkinElmer instruments in its water testing process which require regular

maintenance, occasional repair, and replacement parts. Additional funding is requested because two instruments from an expiring contract were added to this contract for maintenance and repairs.

**44 SW Services, LLC**

For \$350,000.00 in additional payment authority for Contract 139885 for debris caps for the Water Services Department. Debris caps are used to prevent dirt and rubbish from accumulating around water valves and to allow for easier access. Additional funding is needed for these water valve caps due to increasing street overlay projects throughout the City.

**45 Maxim Crane Works, L.P.**

For \$13,037.00 in payment authority for the rental and return of a 22-ton boom truck for the Water Services Department. Rental of a large capacity boom truck at the 23rd Avenue Wastewater Treatment Plant was necessary to mitigate malfunctioning aeration basin gates and actuators while the plant boom truck was out of service for repairs.

**46 AZ Locators, LLC**

For \$10,000.00 in additional payment authority for Contract 143970 for locator equipment and associated testing, calibration, repairs, and maintenance to various electrical meters for the Water Services Department. The meters are used to locate water pipes, cables, and utilities. Costs for this contract increased due to higher utilization than the previous year.



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**(CONTINUED FROM JUNE 27, 2018) - Dockless Bikeshare Program (Ordinance G-6474)**

Request to authorize the City Manager, or his designee, to amend chapters 31 and 36 of the Phoenix City Code to establish a dockless bikeshare program effective July 30, 2018. There is no cost to the City of Phoenix. All costs associated with the program will be recovered through proposed permit fees.

**Summary**

The proposed bikeshare program was developed in response to the emergence of dockless shared individual mobility systems. The primary intent of this program is to ensure safety and mobility for all users of the right-of-way, while maintaining aesthetics and preventing potential visual blight in the Phoenix community. In addition to bikeshare programs, ebike and electric scooter sharing models are appearing nationwide.

Dockless bikeshare is a fee-based service in which bikes are made available in public right-of-way for shared use on a short-term basis. Users of dockless bikeshare services typically use a smartphone app to locate and rent a bike. A dockless bike may be located in designated areas, or at an appropriate spot left by the previous user. This is different from a docked bikeshare system in that there are no fixed docking stations for the bikes. The bikes are secured with an electronic wheel-locking mechanism that is unlocked via the bikeshare operator's smartphone app.

The proposed ordinance (**Attachment A**) establishes:

- Definitions related to the dockless bikeshare program.
- A permit requirement to operate a dockless bikeshare system in the City's right-of-way.
- Regulations for parking bikeshare bicycles in the right-of-way.
- The authority for the City (or its authorized representative) to assess a fee to relocate or repark dockless bikeshare bicycles parked in violation of City Code.
- An opportunity to include additional dockless shared individual mobility options such as scooters and electric bicycles as part of this program. City Code 36-64 currently prohibits motorized skateboards (scooters) and motorized play vehicles (electric

bicycles), which would need to be amended by future Council action if in the City's best interest to do so.

The program will allow dockless bikeshare operators to apply for permits and to initially deploy up to 500 bikes each. The City Manager, or his designee, may increase the maximum number of bikes allowed per operator if deemed in the best interest of the City. The permit will include requirements that address safety, parking, operations, maintenance, data sharing, as well as standard terms and conditions such as indemnification, insurance, and performance bonds.

The proposed program fees are intended to recover the City's costs of administering the program, and will be evaluated periodically and adjusted as appropriate.

- Dockless Bikeshare Permit Application Fee: \$500.
- Bike Permit Fee: \$20 per bike annually.
- Relocation/Re-Parking Fee: \$80 per bike relocated/re-parked.

During the first six months of the program, staff will evaluate its administrative efforts, and gather data from operators to determine if any revisions to the program are needed.

### **Financial Impact**

There is no cost to the City of Phoenix. All costs associated with the program are intended to be recovered through the proposed program fees. Staff will evaluate the fee structure after six months to determine if the fee structure needs to be modified.

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

The Transportation and Infrastructure Subcommittee recommended this item for approval on May 8, 2018 by a vote of 4-0. The Subcommittee directed staff to speak with bikeshare vendors to learn more about their ideas to implement dockless bikeshare, to evaluate if there is a need to allow dockless bikes to be parked only in designated areas and to complete a cost analysis after the first six months of the program to ensure cost recovery.

Staff met with representatives of the various bike share companies interested in operating in Phoenix to explain the proposed ordinance and permit process and answer questions. Overall, industry representatives indicated support of the proposed ordinance.

### **Responsible Department**

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

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## ATTACHMENT A

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

### ORDINANCE G-6474

AN ORDINANCE AMENDING PHOENIX CITY CODE CHAPTER 31 (STREETS AND SIDEWALKS), ARTICLE VII (TEMPORARY USE OF RIGHT-OF-WAY), SECTION 31-80(B) DEFINITIONS; AND TO ESTABLISH A DOCKLESS BIKESHARE PERMIT BY ADDING NEW SECTIONS 31-85 AND 31-86; AND AMENDING PHOENIX CITY CODE CHAPTER 36 (VEHICLES AND TRAFFIC), ARTICLE IX (BICYCLES), SECTIONS 36-97 AND 36-114 RELATING TO BICYCLE PARKING.

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

SECTION 1. Phoenix City Code Chapter 31 (Streets and Sidewalks), Article VII (Temporary Use of Right-of-Way), Section 31-80(B) Definitions is amended to read as follows:

~~B. Definitions.~~

- ~~1. Revocable permit means any permit issued to allow minor encroachments for an indefinite period within the public right-of-way.~~
- ~~2. Right-of-way temporary use permit means a permit issued to allow the temporary use or restriction of the public right-of-way including, but not limited to, a street, sidewalk or designated bicycle lane.~~
- ~~3. Right-of-way use permits means, collectively, revocable permits and right-of-way temporary use permits.~~
- ~~4. Minor encroachment means those underground facilities whose cross-sectional areas are less than two feet across; and, those encroachments whose surface and aerial uses are easily removed from the right-of-way as determined by the Street~~



~~Transportation Director, including but not limited to the following: Fences, surface parking, awnings, wells, overhangs, aerial cables, poles, bus shelters, or small temporary structures without foundations.~~

## **SEC. 31-80(B) DEFINITIONS.**

FOR THE PURPOSES OF THIS ARTICLE, UNLESS THE CONTEXT REQUIRES OTHERWISE, THE FOLLOWING TERMS, PHRASES, WORDS, AND THEIR DERIVATIVES SHALL HAVE THE MEANINGS GIVEN HEREIN:

*APPLICANT* MEANS A PERSON, ITS CONTRACTORS, AGENTS, OFFICERS, EMPLOYEES, SUBSIDIARIES, AFFILIATES, PARENT ORGANIZATION, SUCCESSOR-IN-INTEREST, PREDECESSOR-IN-INTEREST, OR JOINT VENTURES WHO APPLY FOR A RIGHT-OF-WAY PERMIT UNDER THIS ARTICLE.

*DOCKLESS BIKE SHARE OPERATOR OR OPERATOR* MEANS A PERSON THAT OPERATES A DOCKLESS BIKE SHARE SYSTEM, WHETHER FOR PROFIT OR NOT FOR PROFIT.

*DOCKLESS BIKE SHARE SYSTEM* MEANS A SYSTEM THAT PROVIDES BICYCLES FOR SHORT-TERM RENTALS AND WHICH MAY BE LOCKED AND UNLOCKED WITHOUT THE REQUIREMENT OF A BICYCLE RACK OR OTHER DOCKING STATION INSTALLED WITHIN CITY OF PHOENIX CORPORATE BOUNDARIES.

*MINOR ENCROACHMENT* MEANS THOSE UNDERGROUND FACILITIES WHOSE CROSS-SECTIONAL AREAS ARE LESS THAN TWO FEET ACROSS; AND THOSE ENCROACHMENTS WHOSE SURFACE AND AERIAL USES ARE EASILY REMOVED FROM THE RIGHT-OF-WAY AS DETERMINED BY THE STREET TRANSPORTATION DIRECTOR INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING: FENCES, SURFACE PARKING, AWNINGS, WELLS, OVERHANGS, AERIAL CABLES, POLES, BUS SHELTERS, OR SMALL TEMPORARY STRUCTURES WITHOUT FOUNDATIONS.

*PERMITEE OR PERMIT HOLDER* MEANS A PERSON HOLDING A CURRENT AND VALID PERMIT ISSUED UNDER THIS ARTICLE.

*PERSON* MEANS A PERSON OR BUSINESS ASSOCIATION ORGANIZED AS PROVIDED BY LAW.

*REVOCABLE DOCKLESS BIKE SHARE PERMIT* MEANS A PERMIT AUTHORIZING A DOCKLESS BIKE SHARE OPERATOR TO OPERATE A DOCKLESS BIKE SHARE SYSTEM IN THE PUBLIC RIGHT-OF-WAY AND SETTING FORTH THE CONDITIONS AND REQUIREMENTS FOR PERMITEES TO PLACE DOCKLESS BIKES IN THE PUBLIC RIGHT-OF-WAY.

*REVOCABLE PERMIT* MEANS ANY PERMIT ISSUED TO ALLOW MINOR ENCROACHMENTS FOR AN INDEFINITE PERIOD WITHIN THE PUBLIC RIGHT-OF-

WAY.

*RIGHT-OF-WAY TEMPORARY USE PERMIT* MEANS A PERMIT ISSUED TO ALLOW THE TEMPORARY USE OR RESTRICTION OF THE PUBLIC RIGHT-OF-WAY INCLUDING, BUT NOT LIMITED TO, A STREET, SIDEWALK, OR DESIGNATED BICYCLE LANE.

*RIGHT-OF-WAY USE PERMITS* MEANS, COLLECTIVELY, REVOCABLE PERMITS, RIGHT-OF-WAY TEMPORARY USE PERMITS, AND REVOCABLE DOCKLESS BIKE SHARE PERMITS.

SECTION 2. Phoenix City Code Chapter 31 (Streets and Sidewalks),

Article VII (Temporary Use of Right-of-Way) is amended to add new Sections 31-85 and 31-86 as follows:

**~~SEC. 31-85 – 31-89~~ Reserved**

**SEC. 31-85 REVOCABLE DOCKLESS BIKE SHARE PERMIT.**

THE CITY MANAGER IS AUTHORIZED TO ISSUE AND ADMINISTER A REVOCABLE DOCKLESS BIKE SHARE PERMIT TO A DOCKLESS BIKE SHARE OPERATOR FOR THE TERM OF ONE YEAR AND SET FEES TO OPERATE A DOCKLESS BIKE SHARE SYSTEM IN THE PUBLIC RIGHT-OF-WAY.

**SEC. 31-86 REVOCABLE DOCKLESS BIKE SHARE SYSTEM PERMIT REQUIRED.**

A DOCKLESS BIKE SHARE OPERATOR MUST APPLY FOR, OBTAIN, COMPLY WITH, AND BE BOUND BY ALL REVOCABLE DOCKLESS BIKE SHARE SYSTEM PERMIT TERMS AND CONDITIONS.

**SEC. 31-87 – 31-89 RESERVED**

SECTION 3. Phoenix City Code Chapter 36 (Vehicles and Traffic), Article

IX (Bicycles), Section 36-97 is amended to read as follows:

**36-97 Definitions.**

FOR THE PURPOSES OF THIS ARTICLE, UNLESS THE CONTEXT REQUIRES OTHERWISE, THE FOLLOWING TERMS, PHRASES, WORDS, AND THEIR DERIVATIVES SHALL HAVE THE MEANINGS GIVEN HEREIN:

*Bicycle:* A device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than sixteen inches in diameter and

including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

**FURNITURE ZONE** MEANS THE AREA BETWEEN THE ROADWAY CURB FACE AND THE EDGE OF THE RIGHT OF WAY.

**Owner:** A person who holds the legal title to a bicycle, or if the bicycle is the subject of a lease or an agreement for the conditional sale thereof, with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or leasee, or if a mortgagor of a vehicle is entitled to possession, then such lessee, conditional vendee or mortgagor shall be deemed the owner.

**PARKLET** MEANS A SMALL SEATING AREA OR PUBLIC SPACE CREATED AS A PUBLIC AMENITY ADJACENT TO A SIDEWALK.

**PERSON** MEANS A PERSON OR BUSINESS ASSOCIATION ORGANIZED AS PROVIDED BY LAW.

SECTION 4. Phoenix City Code Chapter 36 (Vehicles and Traffic), Article IX (Bicycles), Section 36-114 is amended to read as follows:

~~36-114 Parking of bicycles.~~

~~Bicycles may be parked in or near the roadway only under the following conditions or circumstances: upon the roadway against the curb; upon the sidewalk in a rack to support the bicycle; against a building; or at the curb in such manner as to afford the least obstruction to pedestrian traffic.~~

**SEC. 36-114 PARKING OF BICYCLES.**

A. A PERSON VIOLATES THIS SECTION IF A PERSON FAILS TO PARK A BICYCLE:

1. IN AN UPRIGHT POSITION ON ASPHALT PAVEMENT, CONCRETE, OR A SIMILAR HARD SURFACE; OR
2. TO MAINTAIN A MINIMUM WIDTH OF 48 INCHES FOR PEDESTRIAN TRAVEL; OR
3. TO MAINTAIN UNIMPEDED ACCESS TO PUBLIC OR PRIVATE ENTRANCES; OR

4. TO MAINTAIN UNIMPEDED ACCESS TO ANY DESIGNATED BICYCLE DOCKING STATION TO PARK AND LOCK BICYCLES; OR
5. TO MAINTAIN VEHICULAR TRAVEL; OR
6. IN AN AREA OR LOCATION DESIGNATED BY THE STREET TRANSPORTATION DIRECTOR; OR
7. ON STREETS WITHOUT SIDEWALKS, BICYCLES MAY BE PARKED IF THE TRAVEL LANE(S) AND A MINIMUM 48 INCH PEDESTRIAN CLEAR ZONE ARE NOT IMPEDED.

B. A PERSON VIOLATES THIS SECTION IF A PERSON PARKS A BICYCLE:

1. AT THE INTERSECTION OF TWO OR MORE SIDEWALKS; OR
2. ON STREETS WHERE THE FURNITURE ZONE IS LESS THAN 3 FEET WIDE, OR WHERE THERE IS NO FURNITURE ZONE; OR
3. ADJACENT TO OR WITHIN:
  - I. PARKLETS OR STREET EATERIES; OR
  - II. TRANSIT ZONES, INCLUDING BUS STOPS, SHELTERS, PASSENGER WAITING AREAS, BUS LAYOVER, AND STAGING ZONES, EXCEPT AT EXISTING BICYCLE RACKS; OR
  - III. LOADING ZONES; OR
  - IV. DISABLED PARKING ZONES; OR
  - V. STREET FURNITURE THAT REQUIRES PEDESTRIAN ACCESS (BENCHES, PARKING PAY STATIONS, BUS SHELTERS, TRANSIT INFORMATION SIGNS, OR KIOSKS); OR
  - VI. LANDSCAPED AREAS ADJACENT TO, OR WITHIN THE PUBLIC RIGHT-OF-WAY; OR
  - VII. CURB RAMPS; OR
  - VIII. WITHIN 10 FEET OF ENTRYWAYS AND EXITS.

C. ANY PARKED BICYCLE VIOLATING SECTION 36-114(A) OR 36-114(B), OR PARKED IN ONE LOCATION FOR MORE THAN SEVEN CONSECUTIVE DAYS, MAY BE REMOVED BY THE CITY AND STORED AT THE EXPENSE OF THE BICYCLE OWNER.

- D. A BICYCLE OWNER MUST REMOVE ANY PARKED BICYCLE VIOLATING THIS SECTION WITHIN TWO HOURS OF THE CITY SENDING NOTICE.
- E. THE CITY MAY ASSESS A FEE AGAINST THE BICYCLE OWNER TO RECOVER THE CITY'S COSTS AND EXPENSES TO REMOVE OR RELOCATE THE BICYCLE IF THE BICYCLE IS PARKED IN A PROHIBITED AREA.
- F. THE CITY MANAGER MAY DESIGNATE AREAS WHERE BICYCLE PARKING IS PROHIBITED AND PERMITTED.

PASSED by the Council of the City of Phoenix this 27th day of June,  
2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Acting City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

LWL:(LF18-1732):6/27/18: 2047240\_1.docx



**Request for City Council to Meet in Executive Session on August 29, 2018, at 1 p.m., and on September 11, 2018, at 1 p.m.**

Request authorization for the City Council to meet in Executive Session pursuant to Arizona Revised Statutes, section 38-431.02.A, on Wednesday, Aug. 29, 2018 at 1 p.m. in the East Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona; and on Tuesday, Sept. 11, 2018, at 1 p.m. in the East Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona.

**Public Outreach**

The Notice and Agenda for the Aug. 29, 2018 Executive Session will be posted no later than 1 p.m. on Aug. 28, 2018. The Notice and Agenda for the Sept. 11, 2018 Executive Session will be posted no later than 1 p.m. on Sept. 10, 2018.

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Law Department.



## **Public Hearing on Adoption of Property Tax Levy for 2018-19 Fiscal Year**

As required by State statute, request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2018-2019.

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

The proposed 2018-19 property tax levy reflects actions taken by the Council on the budget at the May 22, 2018 Policy meeting, at the June 6, 2018 Formal meeting to adopt the tentative 2018-19 budget, and at the June 27, 2018 Formal meeting to adopt the final 2018-19 budget. At the June 20, 2018 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

### **Responsible Department**

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



### **Adoption of Property Tax Levy for 2018-19 Fiscal Year (Ordinance S-44869)**

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, 2019.

The ordinance (**Attachment A**) provides for a primary property tax levy of \$163,218,253 (a General Fund revenue source) equating to a rate of \$1.3163 per \$100 of assessed valuation, including \$0.08 for maintenance of parks and playgrounds and \$0.3163 for the operation and maintenance of libraries; and an estimated secondary property tax levy of \$102,186,555 (used only for debt service) equating to a rate of \$0.8241 per \$100 of assessed valuation. The total rate is \$2.1404, down from \$2.1600 last year.

#### **NOTE TO CITY CLERK:**

Pursuant to A.R.S. 42-17107, this action must be considered by roll call vote.

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

The proposed 2018-19 property tax levy reflects actions taken by the Council on the budget at the May 22, 2018 Policy meeting, at the June 6, 2018 Formal meeting to adopt the tentative 2018-19 budget, and at the June 27, 2018 Formal meeting to adopt the final 2018-19 budget. At the June 20, 2018 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

#### **Responsible Department**

This item is submitted by City Manager Ed Zuercher 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, 2019.

WHEREAS, by the provisions of the City Charter an ordinance levying  
taxes for the fiscal year 2018-2019 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 \$1.3163 which is sufficient to generate a primary property levy of ONE HUNDRED SIXTY-THREE MILLION, TWO HUNDRED EIGHTEEN THOUSAND, AND TWO HUNDRED FIFTY-THREE DOLLARS (\$163,218,253), an amount less than 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 \$0.3163 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 \$0.8241 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 \$2.1404.

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 5th day of July, 2018.

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MAYOR

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney

REVIEWED BY:

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City Manager

PHOENIX, ARIZONA  
2018-19 LEGAL LIMIT  
PROPERTY TAX LEVY FOR PRIMARY PURPOSES  
A.R.S. § 42-17051, Subsection A

1.	Maximum allowable levy for the prior year	<u>\$ 163,196,849</u>
2.	The above figure increased by two percent (2%)	<u>166,460,786</u>
3.	Current Assessed Value of last year's property	<u>12,133,456,478</u>
4.	A. "3" divided by 100	<u>121,334,565</u>
	B. Maximum Allowable Tax Rate equals - "2" divided by "4A" <u>(\$166,460,786 ÷ \$121,334,565)</u>	<u>1.3719</u>
5.	Estimated Current Assessed Value	<u>12,399,776,105</u>
6.	A. Current Assessed Value divided by 100	<u>123,997,761</u>
	B. Levy equals - "4B" multiplied by "6A" <u>(\$1.3719 X \$123,997,761)</u>	<u>170,112,528</u>
	Estimated over collections of the 2017-18 primary property tax levy will reduce this estimate as follows:	
7.	A. Estimated over collections of 2017-18 primary levy	<u>-0-</u>
	B. Maximum Allowable Levy Limit for 2018-19	<u>\$ 170,112,528</u>
8.	Adjusted Allowable Levy Limit and Tax Rate:	
	A. Allowable Levy Limit for 2018-19	<u>\$ 170,112,528</u>
	B. Accepted Torts	<u>-0-</u>
	C. Adjusted Allowable Levy Limit	<u>\$ 170,112,528</u>
	D. Adjusted Allowable Tax Rate - "8C" divided by "6A" <u>(\$170,112,528 ÷ \$123,997,761)</u>	<u>1.3719</u>
	<b>2018-19 Primary Levy</b>	<b>\$ 163,218,253</b>
	<b>2018-19 Primary Tax Rate</b>	<b>1.3161</b>



## **Protective Footwear Contract (Ordinance S-44865)**

Request to authorize the City Manager, or his designee, to enter into a contract with Boot Barn, Foot Solutions for Life, LLC doing business as (dba) Foot Solutions, Uniforms, LLC dba Ace Uniforms of Phoenix, Red Wing Brands of America, Inc., and Jay R Rivin dba Jr's Shoes and Boots, to provide protective footwear to meet the requirements of Administrative Regulation 2.313 Personal Protective Equipment (PPE), in the amount not to exceed \$500,000. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

Administrative Regulation 2.313 sets administrative controls to eliminate employee exposure to unsafe conditions. Vendors will provide protective footwear to meet the Occupational Safety and Health Act section 5(a)(1) General Duty Clause, which states each employer "shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees." Primary users include the Parks and Recreation and Public Works departments. The requested products are critical to safe citywide operations.

### **Procurement Information**

RFQu 18-184 Protective Footwear was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 45 vendors and was posted on the City's website. Six offers were received by the Procurement Division on March 29, 2018.

The Deputy Finance Director recommends the offers from Boot Barn, Foot Solutions for Life, LLC dba Foot Solutions, Uniforms, LLC dba Ace Uniforms of Phoenix, Red Wing Brands of America, Inc., and Jay R Rivin dba Jr's Shoes and Boots to be accepted for the Qualified Vendor List.

### **Contract Term**

The five-year contract will begin July 1, 2018.

**Financial Impact**

The aggregate five-year contract value shall not exceed \$500,000. Funds are available in all City of Phoenix departments' budgets.

**Responsible Department**

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



**Authorization to Enter Into Land Use License with Salt River Project for Public Art Located on Portions of Arizona Canals (Ordinance S-44866)**

Request to authorize the City Manager, or his designee, to enter into a land use license agreement with Salt River Project Agriculture Improvement & Power District (SRP) for public art located on portions of the Arizona Canal, Grand Canal and Appropriators Canal (Canals) for a 10-year term. Further request pursuant to Phoenix City Code (PCC) 42-20(B) an exemption from the indemnification prohibition set forth in PCC 42-18(A) and (B) to permit the City to indemnify, release and hold harmless SRP, the Salt River Valley Water Users' Association, and the United States of America for (a) acts or omissions of the City, its agents, officers, directors, or employees; (b) the City's use or occupancy of the licensed property for the purposes contemplated by the license, including, but not limited to, claims by third parties who are invited or permitted onto the licensed property, either expressed or implied, by the City or by the nature of the City's improvement or other use of the licensed property pursuant to this license; and (c) the City's failure to comply with or fulfill its obligations established by the license or by law.

**Summary**

The license is for access, installation, and maintenance of four public art sculptures (Vessels). The Vessels are located on Federal Bureau of Reclamation right-of-way managed by SRP. The Vessels were installed in 1992 as part of the City of Phoenix Wall Cycle to Ocotillo Art Project which includes 35 sculptural pieces dispersed along a five-mile landscaped bicycle path through residential areas adjacent to State Route 51. Of the total 35 sculpture pieces, only four Vessels are located within the area covered by the license. The annual license fee of \$1,000 is waived by SRP.

**Contract Term**

The term of the license will be 10 years, and may be terminated by either party upon receipt of a 30-day written notice.

**Location**

The four Vessels are located along the Canals, between Thomas Road and Glendale Avenue, off State Route 51.

Council Districts: 4 and 6



**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters, the Office of Arts and Culture, and the Finance Department.



### **Paramedic Textbooks and Dictionaries - Requirements Contract - IFB 18-088 (Ordinance S-44867)**

Request to authorize the City Manager, or his designee, to enter into contracts with Complete Book and Media Supply, Inc. and Jones & Bartlett Learning, LLC to provide Paramedic Textbooks and Medical Dictionaries for the City of Phoenix Fire Department. The aggregate contract value will not exceed \$358,963. Further request authorization for the City Controller to disburse all funds related to this item.

#### **Summary**

These contracts are used to purchase a wide variety of paramedic textbooks for the Fire Department used to train firefighters to become Emergency Medical Technician (EMT) and Advanced Life Support (ALS) certified. The Fire Department training is needed for immediate emergency response to medical situations.

#### **Procurement Information**

An Invitation for Bid, IFB 18-088 Paramedic Textbooks and Dictionaries was conducted in accordance with Administrative Regulation 3.10. Four offers were received by the Procurement Division on March 29, 2018. Offers were evaluated and the following are the lowest-priced offers received.

Complete Book and Media Supply, Inc.: \$25,524.40  
Jones & Bartlett Learning, LLC: \$46,268.20

The Deputy Finance Director recommends that the offers from Complete Book and Media Supply, Inc. and Jones & Bartlett Learning, LLC, be accepted as the lowest-priced, responsive and responsible offeror.

#### **Contract Term**

The five-year contract term will begin on or about July 9, 2018.

#### **Financial Impact**

The aggregate contract value will not exceed \$358,963. Funds are available in Fire Department's budget.

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Fire Department.



### **Payment Ordinance For Summer Recess (Ordinance S-44870)**

This request is prepared each fiscal year end to allow for continuance of operations during the annual Council summer recess.

#### **Summary**

Request to authorize the City Controller to disburse funds, not to exceed \$100,000 per vendor, per occurrence, arising or otherwise due and payable during the period commencing on July 5, 2018 through Aug. 29, 2018, for the purpose of continuing payment authority for expenditure of public money for payment of claims against the City of Phoenix for normal, recurring, business operating expenditures.

#### **Responsible Department**

This item is submitted by Acting Deputy City Manager Toni Maccarone, the Chief Financial Officer and the City Controller.



**Authorization to Amend Lease with Arizona Public Service Company to Extend Term for Electrical Substation at Cave Creek Water Reclamation Plant (Ordinance S-44871)**

Request to authorize the City Manager, or his designee, to amend Contract 83529 with Arizona Public Service Company (APS) to extend the term for one year with one, one-year renewal option. Further request authorization for the City Treasurer to accept all funds related to this item.

**Summary**

APS leases 1.783 acres of land at the Water Services Department's Cave Creek Water Reclamation Plant. APS uses the site for operating an electrical power substation that serves the plant and third-party demands for electricity. The contract with APS is in its final option period and expires Aug. 11, 2018. APS is a long-term tenant in good standing at this location and has requested to extend the term for one year with one, one-year renewal option. Annual base rent during the extended term will be \$20,972.15, plus applicable taxes, which is within the range of market rents as determined by the Finance Department's Real Estate Division. Rent at the beginning of the renewal option period will increase at a flat rate of three percent, plus applicable taxes.

**Contract Term**

The contract will be amended to extend the term for one year, commencing Aug. 12, 2018, with one, one-year renewal option to be exercised upon mutual agreement by the City and APS.

**Financial Impact**

Revenue during the first year of the extended term will be \$20,972.15, plus applicable taxes.

**Concurrence/Previous Council Action**

Contract 83529 was authorized by Ordinance S-25262, adopted June 3, 1998.

**Location**

Near the northeast corner of Cave Creek Road and Deer Valley Drive.

Council District: 2

**Responsible Department**

This item is submitted by City Manager Ed Zuercher, Deputy City Manager Karen Peters, and the Water Services and Finance departments.



## **Acceptance and Dedication of Easements for Public Utility Purposes (Ordinance S-44874)**

Request for the City Council to accept and dedicate easements for public utility purposes; further ordering the ordinance recorded.

### **Summary**

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

#### Easement (a)

Applicant: Tsalm Services, LLC, its successors and assigns

Purpose: Public Utilities

Location: 2821 N. 28th Place

File: FN 180058

Council District: 8

#### Easement (b)

Applicant: Arash Hoss, its successors and assigns

Purpose: Public Utilities

Location: 5909 E. Lafayette Blvd.

File: FN 180052

Council District: 6

### **Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development and Finance departments.



## **Purchase of Ambulances - Houston-Galveston Area Council Contract (Ordinance S-44875)**

Request to authorize the City Manager, or his designee, for additional payment authority for Contract 145995 with Demers Ambulance USA, Inc., in an amount not to exceed \$600,000, to purchase ambulances for the Public Works Department, on behalf of the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Fire Department has an aging ambulance fleet and has received approval to purchase five ambulances during fiscal year 2018-19. The additional expenditures will allow for the purchase of replacement units. Ambulances are essential to the safety, health, and well-being of Phoenix residents.

### **Procurement Information**

Use of the Houston-Galveston Area Council (H-GAC) contract benefits the City due to national government pricing and volume discounts that exist with the use of a cooperative agreement. The H-GAC contract was awarded using a similar competitive process as set forth in Phoenix City Code, chapter 43.

### **Financial Impact**

Upon approval of the additional payment authority of \$600,000, the revised aggregate value will be \$1,850,000, through Sept. 30, 2018. Funds are available in the Fire Department's budget.

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

Use of the H-GAC contract with Demers Ambulance USA, Inc., was approved by formal Council action on Aug. 30, 2017.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters, Assistant City Manager Milton Dohoney, Jr., and the Public Works and Fire departments.





**New York Times Online Subscription Service - Requirements Contract - RFA 18-016 (Ordinance S-44876)**

Request to authorize the City Manager, or his designee, to enter into a contract with New York Times Company, to provide online subscription services for the Phoenix Public Library (PPL). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$93,300, including applicable taxes, with the anticipated annual expenditure of \$18,660.

**Summary**

This contract will provide PPL cardholders with timely access to historical and current New York Times news articles and publications. The online multi-platform news tool provides full access to content such as breaking news, multimedia, reviews and opinion blogs, videos and historical data. Additionally, online content will be accessible through NYTimes.com 'on the go' using phone and tablet apps for iPhone, iPad, Android, Windows Phone, BlackBerry and Kindle Fire.

**Contract Term**

The five-year contract term shall begin on or about July 5, 2018.

**Financial Impact**

The aggregate contract value will not exceed \$93,300, including applicable taxes, with the anticipated annual expenditure of \$18,660. Funds are available in the Library Department's budget.

**Responsible Department**

This item is submitted by Deputy City Manager Deanna Jonovich and the Library and Finance departments.



**CGI Advantage BRASS Software Maintenance - Requirements Contract - RFA 18-204 (Ordinance S-44878)**

Request to authorize the City Manager, or his designee, to enter into a contract with CGI Technologies and Solutions, Inc. (CGI) to provide maintenance and support for the Budget and Research Department's Budget Reporting and Analysis System (BRASS). Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

This contract will provide maintenance and support for BRASS, which is used to develop and manage the City's annual budget and Capital Improvement Program. Maintenance includes software releases, software incident corrections and ongoing enhancements to the software to address any technical and functional changes. Additionally, CGI will provide help desk support via telephone, email, and online.

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

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that the BRASS software and system developed and maintained by CGI is proprietary. The Deputy Finance Director recommends that the contract with CGI Technologies and Solutions, Inc. be accepted.

**Contract Term**

The five-year term shall begin on or about July 1, 2018.

**Financial Impact**

The aggregate contract value will not exceed \$650,310. Funds are available in the Budget and Research Department's budget.

**Responsible Department**

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

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## **Custodial Services for Parks and Recreation Facilities - IFB 13-157A (Ordinance S-44884)**

Request to authorize City Manager, or his designee, to extend Contract 136252 with ISS Facility Services, Inc. and increase funding by an additional amount of \$875,000 to continue to provide all labor, cleaning supplies, materials, equipment, tools, vehicles, uniforms, chemicals and supervision necessary for custodial services of Parks and Recreation Department facilities. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The additional funding of this contract is critical and essential to the continued business operations of the Parks and Recreation Department's community centers and the Pueblo Grande Museum. These facilities provide recreational opportunities and activities to many City residents, including programs for youth and seniors. Until a new contract is in place, custodial services are needed in order to provide sanitary facilities to residents and City staff.

### **Contract Term**

This request is for 12 additional months, on a month-to-month basis, through June 30, 2019, for additional time to review the Parks and Recreation Department's needs in an effort to complete a competitive, multi-year solicitation for contract award.

### **Financial Impact**

With the \$875,000 in additional funds, the revised aggregate value of the contract is \$3,176,385. Funds are available in the Parks and Recreation Department's budget.

### **Responsible Department**

This item is submitted by Deputy City Manager Deanna Jonovich and the Parks and Recreation and Finance departments.



## **Contract for Pest Management with Related Products and Services - 110916-ORK (Ordinance S-44885)**

Request to authorize the City Manager, or his designee, to access the National Joint Powers Alliance (NJPA) Cooperative Contract awarded as a result of solicitation RFP 110916 and to enter into a contract with Orkin, LLC for integrated pest management services at all Aviation Department facilities. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$655,000.

### **Summary**

The contract will provide integrated pest management services, which includes general pest control treatment, cockroach treatment, mosquito treatment, rodent control, bed bug inspection and treatment, bee, wasp, and hornet removal, termite inspection and control, and bird and bat management. The Aviation Department will use a combination of methods to keep pests at an acceptable level for the health and safety of staff and passengers at its facilities, which includes Phoenix Sky Harbor International Airport, the Rental Car Center, Deer Valley Airport, Phoenix Goodyear Airport, and their owned and maintained properties.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in Phoenix City Code, chapter 43. Cooperative agreements allow the City to benefit from national government pricing and volume discounts. The National Joint Powers Alliance contract covers all facets of integrated pest management, including pest control and elimination.

### **Contract Term**

The contract term shall begin on or about July 6, 2018, and will end on Dec. 31, 2020, with a one-year option to extend at the discretion of the Aviation Director.

### **Financial Impact**

The aggregate contract value will not exceed \$655,000. Funds are available in the

Aviation Department's budget.

**Responsible Department**

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation and Finance departments.



### **Acquisition of Real Property for 27th Avenue and Olney Avenue Storm Drain Project (Ordinance S-44898)**

Request to authorize the City Manager, or his designee, to acquire property rights required for drainage basins for 27th Avenue and Olney Avenue Storm Drain Project by donation, purchased within the City's appraised value, or by the power of eminent domain. Further request authorization for the City Controller to disburse all funds related to this item.

#### **Summary**

The City, in partnership with the Flood Control District of Maricopa County (FCDMC), is undertaking the 27th Avenue and Olney Avenue Storm Drain Project to alleviate flooding problems within major washes north of Olney Avenue and east of 27th and 23rd avenues, impacting nearby subdivisions. As part of the project, the City needs to acquire approximately four to five acres for the construction of drainage basins along 23rd Avenue and the Salt River Project (SRP) Canal, and along 22nd Avenue south of the canal.

The properties impacted by this project are identified by location and Maricopa County Assessor's Parcel Number (APN):

1. North of the SRP Canal and east of 23rd Avenue (if through), identified by APN 300-16-009J.
2. South of the SRP Canal and east of 23rd Avenue (if through), identified by APN 300-16-208A.
3. North of Olney Avenue and east of 22nd Avenue, identified by APN 300-16-009P.

#### **Financial Impact**

Funding is available in the Street Transportation and Drainage five-year Capital Improvement Program (CIP) budget.

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

An Intergovernmental Agreement (IGA) with the FCDMC for this project was recommended for approval at the Transportation and Infrastructure Subcommittee on Feb. 13, 2018, by a vote of 4-0.

City Council adopted Ordinance S-44314 on March 7, 2018, authorizing the IGA with FCDMC for this project.

**Location**

North of Olney Avenue, between 23rd and 21st avenues.

Council District: 8

**Responsible Department**

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



## **Executive Consulting Services (Ordinance S-44888)**

Request to authorize the City Manager, or his designee, to amend Contract 144971 with Interim Public Management, LLC for additional executive consulting services for the Human Resources Department in the amount not to exceed \$230,000. Funds are available in the Human Resources Department through salary savings being achieved with a vacant assistant director position. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

Interim Public Management, LLC (Consultant) previously provided executive level human resources consulting services to the City for a five-month period, from May to October 2017. During that time, the Consultant demonstrated the ability to provide sound and effective services to the City. The City is requesting to amend the existing contract with the Consultant to provide for additional HR executive services over the next 12 months.

### **Procurement Information**

In May 2017, the City received formal approval to enter into a contract with Interim Public Management, LLC for professional executive level consulting services using City of Maricopa Cooperative Contract 17-06. The contract was awarded through a competitive process consistent with the City's processes, as set forth by Phoenix City Code, chapter 43. The City of Maricopa contract covers various professional executive level consulting services required by the City, and the Consultant has been successful in the delivery of executive consulting services.

The City has determined additional executive consulting services are needed by the Consultant over the next 12 months. In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo citing that there is an unusual nature of the services that require a specific vendor for consistency.

### **Contract Term**

The one-year contract amendment will begin on or about June 30, 2018, and end on or about July 1, 2019.



**Financial Impact**

The total cost of the amended contract shall not exceed \$230,000. Funds are available in the Human Resources Department through salary savings being achieved with a vacant assistant director position.

**Concurrence/Previous Council Action**

City Council approved Contract 144971 on May 10, 2017.

**Responsible Department**

This item is submitted by Acting Deputy City Manager Toni Maccarone and the Human Resources Department.



## **Authorization to Enter Into Agreement for Data Entry Services Under FARE Program (Ordinance S-44891)**

Request to authorize the Phoenix Municipal Court to enter into an agreement with Conduent State & Local Solutions, Inc. to provide data entry services to the Phoenix Municipal Court under the Arizona Supreme Court's FARE (Fines, Fees, and Restitution Enforcement) program. The aggregate contract value will not exceed \$225,000. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Arizona Judicial Department's Administrative Office of the Courts ("AOC") administers the FARE program to enhance payment and collection capabilities for all participating courts, including the Phoenix Municipal Court. The AOC has a current contract with Conduent State & Local Solutions, Inc. to provide services essential to the operation of FARE, including data entry services that are key to the rapid entry of charge information into the FARE repository. The AOC is extending this arrangement with Conduent State & Local Solutions for an additional five years effective July 1, 2018. Because the Phoenix Municipal Court is an Arizona Judicial Department Court, the Phoenix Municipal Court has received data entry services by way of a work order agreement under the AOC's existing contract with Conduent State & Local Solutions, Inc. The Court would like to continue to receive needed data entry services by establishing a new work order agreement under the extension of the AOC's contract #2013-29 effective July 1, 2018.

### **Contract Term**

The agreement term for a three-year period will begin on or about July 1, 2018, with two one-year renewal options.

### **Financial Impact**

The aggregate contract value will not exceed \$225,000. Funds are available in the Phoenix Municipal Court's budget.

**Responsible Department**

The item is submitted by Chief Presiding Judge B. Don Taylor III and Deputy City Manager Karen Peters.



### **Ak-Chin Indian Community Gaming Grants (Ordinance S-44883)**

Request authorization for the City Manager, or his designee, to accept and enter into an agreement for \$100,000 in new funding from the Ak-Chin Indian Community. Authorization also is requested for the City Treasurer to accept, and the City Controller to disburse, funds as directed by Ak-Chin Indian Community in connection with this grant.

#### **Summary**

The funds would be applied as directed by the Ak-Chin Indian Community for the application submitted by Area Agency on Aging, a nonprofit organization, to support purchase and renovation of an auxiliary building. This building will provide space for a one-stop center for Area Agency on Aging's clients and caregivers to meet one-on-one with professional social workers and trained volunteers to explore answers and offer solutions to the challenges of growing older, create a senior Community Center offering evidence-based health promotion classes and computer learning lab, and a meeting center for programs, coalitions, and community partners.

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 of gaming, and promotion of commerce and economic development.

#### **Financial Impact**

There is no impact to the General Fund. Entities that receive gaming grants are responsible for the management of those funds.

#### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Office of Government Relations.



**Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-44887)**

Request authorization for the City Manager, or his designee, to transfer retirement funds for Shireen Boone in the amount of \$12,221 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

**Summary**

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the Council. The following former City of Phoenix employee has requested the balance of their credited service:

Boone, Shireen	\$12,221
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**Concurrence/Previous Council Action**

The COPERS Board approved this item at its June 7, 2018, meeting.

**Responsible Department**

This item is submitted by Acting Deputy City Manager Toni Maccarone and the Retirement Office.



## **National Endowment for the Arts "Art Works" Grant (Ordinance S-44873)**

Request to authorize the City Manager, or his designee, to apply for and accept, and enter into an agreement for up to \$50,000 in a National Endowment for the Arts (NEA) "Art Works: Local Arts Agencies" grant to enable the Phoenix Office Arts and Culture (POAC) to increase arts and cultural programming in communities Citywide through a Neighborhood Arts Projects Grant Program. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

### **Summary**

The Phoenix Office of Arts and Culture has an opportunity to continue, for a fourth year, the "Neighborhood Arts Projects Grant Program" through funding provided by this grant.

A \$50,000 NEA Art Works grant will be used to continue to into fiscal year 2019-20 the Neighborhood Arts Projects Grant Program created through NEA Art Works funding in 2016. The NEA funds will enable POAC to provide grants to cultural organizations and neighborhood community groups for projects that address community needs from an arts and culture perspective. Staff will work with community groups throughout Phoenix to explore opportunities and foster partnerships between these local entities to encourage submission proposals for projects ranging from murals to performances and festivals. The program will create highly visible temporary projects or long-term physical improvements.

### **Financial Impact**

The NEA grant requires a dollar-for-dollar match. The POAC Fiscal Year 2018-19 General Fund appropriation will be used to match the grant award.

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

The Phoenix Arts and Culture Commission recommended approval of this item at its June 19, 2018 meeting. The Parts, Arts, Education and Equality Subcommittee recommended this item for City Council approval at its June 27, 2018, by a vote of 3-0.

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Phoenix Office of Arts and Culture.



## **National Endowment for the Arts "Our Town" Grant (Ordinance S-44879)**

Request to authorize the City Manager, or his designee, to apply for, accept, enter into an agreement for, and disburse up to \$150,000 in a National Endowment for the Arts (NEA) "Our Town" grant. The grant would be used to create works of public art and design that spark new thinking about effective ways to increase shade and reduce the urban heat island effect as part of the Choice Neighborhoods Initiative in the Edison-Eastlake community and elsewhere in Phoenix. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

### **Summary**

The National Endowment for the Arts "Our Town" grant supports innovative arts and culture projects that strengthen communities by addressing significant economic, environmental or social conditions. The Phoenix Office of Arts and Culture would coordinate the grant with the Mayor and Council offices, multiple City departments, the ASU School of Sustainability, and community groups and businesses in the Edison-Eastlake neighborhoods. Recent studies have identified the urban heat island effect as a major health and environmental challenge for residents of these neighborhoods. The NEA "Our Town" grant would enable the City to create temporary public works that address this critical urban challenge, bolstering ongoing City efforts to develop effective strategies for reducing the urban heat island Citywide.

### **Financial Impact**

Cost to the City is in-kind resources only from the Phoenix Office of Arts and Culture General Fund operating budget.

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

The Phoenix Arts and Culture Commission recommended this item for approval at its June 19, 2018 meeting. The Parks, Arts, Education and Equality Subcommittee recommended this item for approval at its June 27, 2018, meeting by a vote of 3-0.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Office of Arts and Culture.





**Artist Fabrication and Construction Oversight Contract for 19th Avenue Corridor Phase II Public Art Project (Ordinance S-44880)**

Request to authorize the City Manager, or his designee, to enter into a contract with coLAB, LLC (or its City-approved designee) in an amount not to exceed \$145,000, in order for coLAB artists Matthew and Maria Salenger to fabricate, install, and oversee construction of the 19th Ave. Corridor Streetscape Phase II Public Art Project. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Fiscal Year 2017-22 Public Art Project Plan includes a project to commission coLAB to work with City departments and the community to fabricate and install an artist-designed bus shelter and surroundings as the final phase of City-funded public art improvements planned for the 19th Avenue corridor streetscape. The first phase, completed in 2011, included a 1,400-foot gabion wall between Maryland Ave. and Tuckey Lane, and a wall and additional landscaping in the Royal Palm neighborhood.

On Jan. 30, 2013, City Council approved a \$30,000 design contract (137883) for coLAB to work with City departments to design a bus shelter for Phase II of the 19th Avenue corridor improvements. The artist team worked with students from Orangewood Elementary School, and consulted with the Phoenix Police, Transit and Neighborhood Services departments to design and engineer a sculptural transit shelter that provides riders with improved visibility, ADA access and shade. The proposed contract would enable coLAB to coordinate the shelter's fabrication and oversee the site construction and shelter installation.

**Financial Impact**

The 19th Avenue Corridor Phase II Public Art Project is one of 31 projects in the Fiscal Year 2017-22 Public Art Project Plan that City Council approved on June 28, 2017. The Art Plan includes \$179,768 for this project. The proposed \$145,000 fabrication and construction oversight contract will cover all costs related to the artists working with City staff to fabricate and install the project. The percent-for-art funds for this project are available in the Water Services Department Capital Improvement Program.

**Concurrence/Previous Council Action**

The Phoenix Arts and Culture Commission approved this item at its June 19, 2018, meeting. The Parks, Arts, Education and Equality Subcommittee recommended this item for approval at its June 27, 2018, meeting by a vote of 3-0.

**Location**

The project will be located on 19th Avenue, near Maryland Avenue  
Council District: 5

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Office of Arts and Culture.



## **Fiscal Year 2018-19 Community Arts Support Grant Allocations (Ordinance S-44881)**

Request to authorize the City Manager, or his designee, to execute all necessary agreements between the Phoenix Office of Arts and Culture and approved applicants for Fiscal Year 2018-19 A+CCESS Level I, Level II, A+CTION operating support, Rental Support, Collaborative Communities and Youth Arts and Culture Engagement grant categories in an aggregate amount of \$915,346. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Phoenix Office of Arts and Culture has administered the Community Arts Support Grants Program since 1986. The program includes three tiers of Operating Support grants, Rental Support grants for arts organizations that are primary users of city-owned performance venues, and Project Grant requests in the Collaborative Communities and Youth Engagement categories. To be eligible for any category of funding, an organization must be a registered non-profit arts or cultural organization, must have tax-exempt status under Section 501(c)(3) of the Internal Revenue Code, and must provide a cultural service to Phoenix residents.

Funding allocations totaling \$915,346 are requested for 72 grants to 60 organizations funded through A+CCESS I, A+CCESS II, A+CTION, Rental Support, Youth Arts and Culture Engagement and Collaborative Communities grants categories (**Attachment A**). Applications for all grant categories of the Community Arts Support Grants Program were due to the Office of Arts and Culture on March 23, 2018.

A+CCESS (Arts + Culture Community Engagement Service Support) operating support grant allocations consist of a base award and a merit award. The base awards represent a percentage of an organization's three-year average contributed and earned income. The merit award is determined by the ranking an organization receives during the panel review of the following criteria:

- 1) Artistic/Program Value (30 percent)
- 2) Public Value (30 percent)
- 3) Financial Position (20 percent)
- 4) Diversity Initiatives (10 percent)

5) Administration/Governance (10 percent)

In A+CESS Level I, 11 organizations are recommended for funding totaling \$336,934. In A+CESS Level II, 16 organizations are recommended for funding totaling \$187,347. To qualify for Level I category funding, the organization must have an operating budget of at least \$2,500,000, must employ a paid professional, full-time manager, and must provide an audited financial statement for the last completed fiscal year. For Level II, the organization must have an operating budget of at least \$250,000, must employ a full-time manager, and must provide a reviewed or audited financial statement for the last completed fiscal year.

A+CTION (Arts + Culture Targeted Infrastructure and Organizational Needs) operating support grantees receive a flat \$7,000 award. Applicants in this category are ranked by a panel review of the following criteria:

- 1) Artistic/Program Value (20 percent)
- 2) Growth/Sustainability (20 percent)
- 3) Public Value (20 percent)
- 4) Diversity (20 percent)
- 5) Administration/Governance (20 percent)

A total of 13 organizations are recommended for funding totaling \$91,000. For A+CTION grantees, the organization must have an operating budget of at least \$25,000 and submit a Data Arts funders report.

Collaborative Communities project grants are designed to encourage arts and cultural organizations to collaborate with one or more schools, businesses, social-service organizations, parks, recreation centers, libraries, senior centers or any other community center or organization that would benefit from the collaboration. These applications were ranked by a panel using the following criteria:

- 1) Artistic Quality (25 percent)
- 2) Collaborative Engagement Quality (25 percent)
- 3) Project Logistics (25 percent)
- 4) Budget/Administrative Ability (25 percent)

Nineteen organizations are recommended for funding totaling \$55,065.

Last year, City Council added \$20,000 to the Community Arts Support program budget to support projects targeting youth. The Youth Arts and Culture Engagement grant category supports projects proposed by youth-led arts advisory boards, councils, groups, clubs or similar organizations within arts or cultural organizations. The program is administered by the Youth Arts and Culture Council of the Office of Arts and

Culture. Applicants were ranked using the following criteria:

- 1) Artistic Quality (33 percent)
- 2) Youth Engagement Quality (33 percent)
- 3) Budget (33 percent)

The grant is offered bi-annually, at the beginning of the school year and mid-year. Four applications are recommended for funding in the first round for a total of \$8,300. A second round of funding in the amount \$11,700 will be allocated in the fall.

To qualify for Rental Support Program grants, arts organizations must use the Orpheum Theatre, Symphony Hall, or Herberger Theater for a minimum of 15 performances per fiscal year, and must demonstrate financial and/or organizational need for the support. The Rental Support Program allocations of \$225,000 include \$125,000 of funding budgeted in the Phoenix Convention Center Department's operating budget, and \$100,000 in general purpose funds. Rental Support grant funds are released in three installments and are restricted to payment of rental costs for performances in the eligible facilities. Payments are made in installments so that adjustments can be made to allocations reflecting increases and decreases in the actual number of performances booked as the season progresses. Two new organizations joined the Herberger Theater this season as primary users, resulting in a total of nine organizations recommended for funding totaling \$225,000.

Organizations without tax-exempt status under Section 501(c)(3) of the Internal Revenue Code may apply to the project categories using a Fiscal Agent with tax-exempt status. The organization serving as fiscal agent must be an arts or cultural organization. This policy allows the Phoenix Office of Arts and Culture to broaden the reach of the grant program to small, emerging arts and cultural organizations and, through the fiscal agent partnership, establish relationships between large and small organizations in the hope that traditional partnering opportunities and resource sharing may develop.

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

The Phoenix Arts and Culture Commission is scheduled to review and approve the FY 2018-19 Community Arts Grants Program allocation recommendations at its meeting on June 19, 2018. The Parks, Arts, Education and Equality Subcommittee recommended this item for City Council approval at its June 27, 2018, meeting by a vote of 3-0.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Phoenix Office of Arts and Culture.

**Phoenix Office of Arts and Culture**  
**Attachment A: FY 2018-19 Grant Funding Recommendations**

Applicant	General Operating Support I	General Operating Support II	General Operating Support III	Rental Support	Collaborative Communities	Youth Engagement Grant	Applicant Total
Arizona Opera	15,874			13,670			29,544
Arizona Science Center	37,546						37,546
Arizona Theatre Company	18,402			35,487			53,889
Ballet Arizona	27,828			39,240			67,068
Children's Museum of Phoenix	20,883						20,883
Desert Botanical Garden	45,402						45,402
Heard Museum	37,119						37,119
Musical Instrument Museum	41,024						41,024
Phoenix Art Museum	30,903						30,903
Phoenix Symphony Association	26,478			74,325			100,803
Phoenix Theatre	35,475						35,475
Arizona Jewish Historical Society		9,050					9,050
Black Theatre Troupe, Inc.		12,083					12,083
Free Arts of Arizona		17,365					17,365
Great Arizona Puppet Theater		12,572					12,572
Jazz in Arizona, Inc.		13,292					13,292
Phoenix Boys Choir Association		7,909					7,909
Phoenix Center for the Arts		12,419				2,000	14,419
Phoenix Chamber Music Society		8,034					8,034
Phoenix Children's Chorus		11,000					11,000
Phoenix Chorale		10,057					10,057
Phoenix Conservatory of Music		13,576					13,576
Phoenix Film Foundation		9,138					9,138
Rosie's House: A Music Academy for Children		14,116					14,116
Rosson House/Heritage Square Foundation		9,060					9,060
Valley Youth Theatre		15,214		10,898			26,112
Xico		12,462					12,462
Alwun House Foundation			7,000				7,000
Artlink, Inc.			7,000		3,150		10,150
CALA Alliance			7,000				7,000
Cultural Coalition			7,000		3,000		10,000
Grand Canyon Performing Arts, Inc.			7,000				7,000
iTheatre Collaborative			7,000	2,543			9,543
MusicaNova Orchestra			7,000				7,000
North Valley Symphony Orchestra			7,000				7,000
Orpheus Male Chorus of Phoenix			7,000		3,150		10,150
Phoenix Women's Chorus			7,000				7,000

**Phoenix Office of Arts and Culture**  
**Attachment A: FY 2018-19 Grant Funding Recommendations**

Applicant	General Operating Support I	General Operating Support II	General Operating Support III	Rental Support	Collaborative Communities	Youth Engagement Grant	Applicant Total
Rising Youth Theatre			7,000		3,000		10,000
Scorpius Dance Theatre			7,000				7,000
Young Arts Arizona			7,000		2,800		9,800
Arab American Festival					2,274		2,274
Arizona Artists Guild					2,879		2,879
Arizona Broadway Theatre				14,530			14,530
Arizona Humanities Council					2,613		2,613
Convergence Ballet Company					3,500		3,500
Center Dance Ensemble				5,550			5,550
Childsplay Inc				28,757			28,757
India Association of Phoenix					2,274		2,274
Indo American Cultural Connect					2,975		2,975
Japanese Friendship Garden of Phoenix					2,450		2,450
Kids In Focus					3,150		3,150
Movement Source Inc.					1,900		1,900
Phoenix Blues Society					3,150		3,150
Playback Theatre of Arizona					3,500		3,500
Red Rocks Music Festival					3,150		3,150
Release the Fear					3,150		3,150
School of Hip Hop PHX					3,000		3,000
Arizona School for the Arts Film						2,000	2,000
Arizona School for the Arts Viola						1,300	1,300
Harmony Project Phoenix						3,000	3,000
<b>PROGRAM TOTAL</b>	<b>336,934</b>	<b>187,347</b>	<b>91,000</b>	<b>225,000</b>	<b>55,065</b>	<b>8,300</b>	<b>903,646</b>
					Youth Arts Fall Allocation		<b>11,700</b>
							<b>915,346</b>



## **Issuance of Education Facility Revenue Bonds (Vista College Preparatory Projects), Series 2018 (Resolution 21657)**

Request City Council approval for the issuance of Education Facility Revenue Bonds (Vista College Preparatory Projects), Series 2018, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed \$12,500,000.

### **Summary**

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz., (the "Phoenix IDA") has previously resolved to issue up to \$12,500,000 of Education Facility Revenue Bonds (the "Revenue Bonds") for use by Vista College Preparatory, Inc. (the "Borrower"), an Arizona nonprofit corporation, to

- a) refinance acquisition, construction, renovation, improvement, and equipping of charter school facilities in Phoenix, Arizona (the "Hadley Campus"),
- b) refinance leasing, construction, renovation, improvement, and equipping of charter school facilities in Phoenix, Arizona (the "Maryvale Campus")
- c) finance leasing, construction, improvement, and equipping of land and a building adjacent to the existing Maryvale Campus, and
- d) pay certain costs related to the issuance of the Revenue Bonds.

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

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on June 14, 2018.

### **Location**

The Projects are located at 812 and 902 S. 6<sup>th</sup> Ave., and 4520 W. McDowell Road (including the land adjacent to this location), all in Phoenix, Arizona.

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 Assistant City Manager Milton Dohoney, Jr.



**\*\*\*REQUEST TO WITHDRAW (SEE ATTACHED WITHDRAWAL MEMO)\*\*\*  
(CONTINUED FROM JUNE 27, 2018) - Electronic Patient Care Reporting (ePCR)  
System - Requirements Contract - RFP 18-032 (Ordinance S-44863)**

Request to authorize the City Manager, or his designee, to enter into a contract with ImageTrend, Inc., to purchase an electronic patient care reporting (ePCR) system for the Phoenix Fire Department. Further request the City Controller to disburse all funds related to this item.

**Summary**

The Phoenix Fire Department (PFD) has operated a fire-based emergency medical ambulance service since 1985, after successfully obtaining a Certificate of Necessity (CON) from the Arizona Department of Health Services (ADHS). The PFD provides fire and emergency medical services to approximately 1.5 million residents (plus visitors). For every EMS incident, the responding crew uses a standard paper-based quadruplicate form (EMS Incident Report) to document the location and nature of the the incident, the assessment and treatment of the patient and the additional pertinent information. PFD had over 170,000 EMS calls in 2016. If hospital services are needed for a patient, the transportation crew uses a second standard paper-based triplicate form (ETS Transport Ticket) to document the transportation details and additional treatment provided while the patient was en-route to the hospital. In 2016, PFD Rescue units transported more than 67,000 patients to Phoenix-area hospitals.

The new system will allow PFD to thoroughly and efficiently analyze incident and transportation information, which includes identification of public health trends, the monitoring and reporting of EMS performance and the effectiveness of emergency medical care.

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

**Procurement Information**

RFP 18-032 Electronic Patient Care Reporting (ePCR) System was conducted in accordance with Administrative Regulation 3.10. The procurement consisted of acquisition and deployment of an ePCR solution for every responding unit to transition

from a paper-based to an electronic method of documentation. The RFP was issued on Sept. 7, 2017, and a mandatory Pre-Offer Conference was held on Sept. 20, 2017. Three offers were received on Oct. 6, 2017. One offer was deemed non-responsive.

An evaluation committee was appointed to conduct detailed evaluations of the offers, establish a competitive range and select the offer to receive the contract award. The committee included subject matter experts (SMEs), field evaluators and a qualified voting panel from the Information Technology Services, Fire and Parks and Recreation Departments. The offers were scored based on the following criteria: Requirements [Functional, Technical, Informational, Interface and Proposer Demonstrations] (400 Points), Implementation and Support [Implementation Plan, Operation, Maintenance and Support Plan, PFD ePCR Activities, Deliverables and Milestones Response Form] (200 Points), Qualifications, Experience, and References [Company Overview, Company History, Experience and Qualification Information] (100 Points), Pricing [Five-year Cost of Ownership] (200 Points) and Offeror Financial Viability [Audited Financial Statements, Annual Reports or equivalent] (100 Points). The evaluation committee invited the two firms to participate in demonstrations held on Dec. 12 and 13, 2017. After demonstrations concluded, the evaluation committee recommended moving forward with the Best and Final Offer (BAFO) process with the two firms. During the final consensus held on Jan. 23, 2018, the evaluation committee recommended ImageTrend, Inc. for contract award.

The finalists and their scores are listed below.

ImageTrend, Inc.: 847.5  
Starwest Associates, LLC: 777.5

The Deputy Finance Director recommends the offer from ImageTrend, Inc., be accepted as the highest scored offeror.

### **Contract Term**

The five-year term shall begin on or about July 5, 2018.

### **Financial Impact**

The aggregate contract value will not exceed \$1,477,450. Funds are available in the Phoenix Fire Department's budget.

### **Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Phoenix Fire Department.



## City of Phoenix

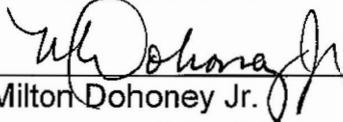
**To:** Milton Dohoney Jr.  
Assistant City Manager

**Date:** July 2, 2018

**From:** Kara Kalkbrenner  
Fire Chief

**Subject:** REQUEST TO WITHDRAW ITEM 72 ELECTRONIC PATIENT CARE  
REPORTING (ePCR) SYSTEM – REQUIREMENTS CONTRACT – RFP 18-032  
(ORDINANCE S-44863)

Request to withdraw Item 72 Electronic Patient Care Reporting System. Fire and Finance have cancelled the RFP.

  
\_\_\_\_\_  
Milton Dohoney Jr.



**Authorization to Amend Current Intergovernmental Agreement and Payment Ordinance with Arizona Attorney General's Office for Internet Crimes Against Children Task Force (Ordinance S-44890)**

Request authorization for the City Manager, or his designee, to amend the current agreement and payment ordinance (S-43916) with the Arizona Attorney General's Office for the Internet Crimes Against Children (ICAC) Task Force to accept additional funds and to extend the agreement period. Authorization of the amendment will make the total agreement \$4,500,000, and extend the agreement period one additional year. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

**Summary**

In 2016, the Police Department entered into an agreement to receive reimbursement from the Arizona Attorney General's Office for \$1,800,000 to support ICAC Task Force investigations. The agreement supports the ICAC Task Force by providing funding for personnel, technology, equipment and supplies. The goal of this task force is to identify, investigate and prosecute individuals who exploit children. In 2017, the agreement was amended to add an additional \$1,800,000 to the agreement, for a total award of \$3,600,000.

Recently, the Arizona Attorney General's Office advised the Police Department of two amendments to the current agreement. The amendments would add an additional \$900,000 in reimbursement to the City, and extend the agreement by one year. Authorization of the amendment will make the total agreement \$4,500,000, and extend the agreement period one additional year.

**Contract Term**

The initial contract began May 12, 2016. This amendment would extend the contract period end date from June 30, 2018, to June 30, 2019.

**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 Milton Dohoney, Jr. and the Police Department.



**Authorization to Apply for, Accept and Enter into Agreement with U.S. Department of Justice, via Office of Community Oriented Policing Services, for 2018 Community Policing Development Grant Program (Ordinance S-44892)**

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept and enter into an agreement to receive federal grant funds through the Office of Community Oriented Policing Services, 2018 Community Policing Development grant program. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant amount requested is \$300,000. No matching funds are required.

**Summary**

The Police Department is seeking federal funding to implement the Virtual Community Crime Prevention program. This innovative new program would combine the Virtual Block Watch program with the Crime Free Multi-Housing program to enhance community safety through a projected reduction in calls for service and violent crimes. The program goals and objectives are to develop an innovative policing strategy to address and respond to gangs, violent crimes, and the opioid crisis. The Virtual Community program would identify 60 multi-housing properties within the City of Phoenix with the highest number of calls for service. These properties would be invited to participate in the program where they would purchase and install a surveillance camera system and signage promoting their participation in the Virtual Community program. The Police Department would inspect the cameras, ensure access to the video footage, and then reimburse the property management company for the purchase of the surveillance camera system. Access to this camera footage could then be accessed by Police Department personnel during an investigation of a crime. The program goal is to reduce calls for service and violent crimes, while enhancing the quality of life for residents and the community. If awarded, grant funding will be utilized to reimburse Crime Free Multi-Housing complexes for the purchase of a monitored camera security system. The grant application was due June 7, 2018. If this request is denied, the grant application will be rescinded.

**Contract Term**

The term is two years, with an anticipated start date of Oct. 1, 2018 through Sept. 30, 2020.

**Financial Impact**

The grant amount requested is \$300,000. No matching funds are required. Cost to the City would be in-kind resources only.

**Concurrent/Previous Council Action**

This item was unanimously approved by the Public Safety and Veterans Subcommittee on June 13, 2018.

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.





**Request to Enter into Agreement with National Police Foundation for Officer-Involved Shooting Study (Ordinance S-44893)**

Request to authorize the City Manager, or his designee, to enter into an agreement with the National Police Foundation for an Officer-Involved Shooting (OIS) study. The estimated expenditure for the six-month study is \$149,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Phoenix Police Department (PPD) has an immediate and critical operational need to address the number of OIS incidents that have occurred since the beginning of the year. Between Jan. 1 and May 29, 2018, there have been 23 OIS incidents in Phoenix. Historically, this is the number of OIS incidents that occur on an annual basis. To illustrate, the annual number of OIS incidents for the most recent three-year period totaled: 21 in 2017, 25 in 2016 and 17 in 2015. The PPD has already exceeded the annual OIS incident totals for 2015 and 2017 in the first five months of the current year.

The PPD's top priority is ensuring the safety of both the community and our officers. An in-depth analysis of OIS incidents in Phoenix will provide the department with a deeper understanding of these events to gain a full picture of each incident to determine not only what occurred, but how, and why, from the point of initiation to conclusion. This insight, coupled with the study recommendations, will improve the chances of reducing the frequency of these deadly force encounters.

The NPF has a reputation of providing fair and impartial information. The NPF has been developing an extensive, multi-agency, OIS dataset as part of a groundbreaking collaborative with the Major Cities Chiefs Association. The dataset currently contains detailed information on more than 1,200 OIS encounters as reported by more than 50 of the largest law enforcement agencies across the United States and Canada. Access to this broader dataset allows the NPF to make regional and even national comparisons between OIS incidents in Phoenix to other agencies. The NPF can complete the analysis and provide a final report with recommendations in six months.

**Procurement Information**

The PPD obtained three quotes from different entities to complete the study.

Manning & Kass, Ellrod, Ramirez, Trester: \$140,000 plus travel cost  
National Police Foundation: \$149,000  
PERF: \$151,300

A Request for Proposal (RFP) process can take up to 12 months. Police is requesting a non-competitive procurement process in order to start the study as quickly as possible. The study will take six months to complete. The PPD cannot wait 18 months to get results from the study and begin implementing recommendations.

**Contract Term**

This agreement shall commence on or about July 1, 2018; the term shall be for six months.

**Financial Impact**

The cost of the study is \$149,000. Funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**

This item was approved unanimously by the Public Safety and Veterans Subcommittee at the June 13, 2018 meeting.

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



**Request to Enter into an Agreement with National Training Institute on Race and Equity to Provide Implicit Bias and Cultural Competence Training (Ordinance S-44894)**

Request to authorize the City Manager, or his designee, to enter into an agreement with the National Training Institute on Race and Equity (NTIRE) to conduct implicit bias and cultural competence training. The estimated expenditure for FY 2018-19 is \$150,000. The aggregate amount for the one-year agreement with two one-year options to extend shall not exceed \$450,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

In April 2015, the Phoenix Police Department (PPD) instituted a mandatory 40-hour training module for all sworn employees designed to enhance officer decision making and safety, as well as to develop trust, accountability and mutual respect with the community. To address the latter competencies, the module curriculum included eight hours of instruction on the subject of Cultural Consciousness taught by an outside vendor. Instruction was provided by the vendor from the start of the module sessions in April through June 2015, when the module sessions were suspended for the summer break. Prior to the module sessions resuming in August 2015, the vendor of the Cultural Consciousness training withdrew from the contract. A subsequent procurement for Police Cultural Competency training was initiated in October 2015, however, that process was unsuccessful in identifying a new vendor.

The Phoenix Police Department has an immediate and critical operational need to provide implicit bias and cultural competence training to police officers, as they have daily contact with the community. Being aware of implicit bias and having the tools will strengthen the relationship between the Police Department and the community. A vendor with experience in training law enforcement is preferred to provide an understanding of implicit bias, what causes this bias, how it impacts service to the community, how it can be managed and reduced in the workplace, and how one can self-recognize one's own individual implicit bias and use the training to overcome it.

In light of the issues experienced locally and nationally regarding race relations with law enforcement, the PPD would like to start providing implicit bias training as soon as

possible. The PPD would like to utilize the services of the NTIRE. Dr. Bryant T. Marks, Sr., founder and chief training officer of NTIRE, is known as an expert in the field of implicit bias training and has extensive experience in this field. Dr. Marks was cited as a national expert on implicit bias by the Los Angeles Police Commission, Office of Inspector General in a review of the Los Angeles Police Department's adherence with national best practices, reported in May 2017. As a diversity and implicit bias expert, Dr. Marks has provided implicit bias training to more than 2,000 police chiefs and executives via a series of briefings at the White House in 2016, and several thousand patrol officers in local police departments including the entire Los Angeles Police Department. He has also provided training related to diversity and implicit bias to individuals in education (K-12 and higher education), philanthropy, non-profits, local and federal government and several other sectors. NTIRE is an experienced training institute that can meet the law enforcement training needs required by a department the size of the PPD.

**Procurement Information**

A Request for Proposals (RFP) can take up to 12 months. The PPD is requesting a non-competitive procurement process to utilize the services of the NTIRE in order to begin training as soon as possible.

**Contract Term**

It is anticipated that the agreement will begin in fall 2018 and the term shall be for one year, with two one-year options.

**Financial Impact**

The annual cost of the agreement will not exceed \$150,000 per year, with an aggregate of \$450,000. Funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**

This item was approved unanimously by the Public Safety and Veterans Subcommittee at its June 13, 2018 meeting.

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



**Authorization to Enter into Agreement with Arizona Coliseum and Exposition Center for Increased Police Services during Arizona State Fair 2018 (Ordinance S-44895)**

Request authorization for the City Manager, or his designee, to enter into an agreement with the Arizona Coliseum and Exposition Center to provide increased traffic enforcement, perimeter security, proactive police patrol, permit parking enforcement, and vending enforcement in the area surrounding the State Fairgrounds during the State Fair. Further request authorization for the City Controller to receive and disburse all funds related to this item.

**Summary**

The intent of this agreement is to recover costs associated with providing such services. Additionally, Finance Tax Enforcement is requesting space at no charge for the licensing and collections of taxes from the vendors.

**Contract Term**

Increased services will take place from Oct. 5, 2018, through Oct. 28, 2018.

**Financial Impact**

The amount to be recovered by the Police Department is \$31,500. This figure is the cost associated with providing police services (\$19,000) and neighborhood services permit parking enforcement (\$12,500) to the State Fair.

**Location**

The area surrounding the Arizona State Fairgrounds located at 1826 W. McDowell Road.

Council District: 4

**Concurrence/Previous Council Action**

This item was approved unanimously by the Public Safety and Veterans Subcommittee on June 13, 2018.

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.

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## **Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board (Ordinance S-44896)**

Request authorization for the City Manager, or his designee, to enter into an agreement with the Arizona Peace Officer Standards and Training Board (AZPOST) for the reimbursement of basic training costs at the Phoenix Regional Police Academy. Further request authorization for the City Controller to receive and disburse all funds related to this item.

### **Summary**

The Phoenix Regional Police Academy is managed by the Phoenix Police Department Training Bureau and trains recruits from multiple Arizona law enforcement agencies. The Phoenix Regional Police Academy holds approximately 12 classes per fiscal year. In FY 2018-19, AZPOST shall pay \$2,500 per recruit who graduates and \$900 per recruit who completes at least 50% of the academy but does not graduate.

### **Contract Term**

This agreement is effective when ratified by all signatories, and terminates June 30, 2023, with annual options to amend for the per recruit amount.

### **Financial Impact**

Funds will be used for recruit training supplies, equipment, vehicle maintenance, fuel and capital improvements at the training facilities.

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

This item was unanimously approved by the Public Safety and Veterans Subcommittee at its June 13, 2018 meeting.

### **Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



## **Authorization to Apply for and Accept Federal Transit Administration Grant Funds and Enter into Grant Agreement (Ordinance S-44897)**

Request to authorize the City Manager, or his designee, to: (1) apply for the Federal Transit Administration (FTA) Section 5339 Bus and Bus Facilities discretionary grant for an amount not to exceed \$6,393,628; and (2) enter into an agreement with the FTA for the purpose of accepting the awarded grant; and, authorizing the City Treasurer to accept, and the City Controller to disburse, grant funds in accordance with the terms of the aforementioned grants and agreements.

### **Summary**

The Section 5339 Bus and Bus Facilities competitive grant program provides funds to State and local governmental authorities for capital projects to replace, rehabilitate, purchase or lease buses and related equipment and to rehabilitate, purchase, construct or lease bus-related facilities. The purpose of the Bus Program is to improve the condition of the nation's public transportation bus fleets, expand transportation access to employment, educational, and healthcare facilities, and to improve mobility options in rural and urban areas throughout the country.

The Public Transit Department will seek to utilize a combination of Section 5339 grant and local matching funds to purchase up to 15 buses to replace aging buses which have been utilized beyond the end of their useful life. The buses will replace aging buses used to operate daily transit service, providing transportation for a large number of passengers to reach employment and employment-related services.

### **Financial Impact**

Applications for the FTA Section 5339 grant requires a minimum 15 percent nonfederal cost share. The project's total cost is estimated to be \$7,521,915 with the Phoenix portion not to exceed \$1,128,287. The local match will come from regional Public Transportation Funds (Proposition 400) for the non-federal share.

### **Responsible Department**

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



**Small Wireless Facilities Master License Agreement to Mobilitie, LLC (Ordinance S-44886)**

Request to authorize the City Manager, or his designee, to grant a Small Wireless Facilities Master License Agreement ("Master License") to Mobilitie, LLC ("Licensee") to install, operate, and maintain small wireless facilities in the local public rights-of-way subject to the terms and conditions contained in the license and Phoenix City Code. Further request the City Treasurer to accept all funds related to this item. Also request that the Licensee sign the Master License within 60 days of Council action or this authorization will expire. Licensee will pay applicable rates and fees. There is no cost to the City of Phoenix.

**Summary**

Mobilitie, LLC has executed a City of Phoenix Agreement for Telecommunication Equipment in Right-Of-Way (City Contract 141632) effective Oct. 23, 2015, to install, use, and maintain wireless telecommunications equipment within the City right-of-way as required under Phoenix City Code section 5C-4. The Master License contains appropriate insurance and indemnification provisions, requires a standby irrevocable letter of credit, provides for terms of transfer and revocation, and sets applicable rates and fees for use of local public rights-of-way as provided by law. The Master License permits Licensee to install, operate, and maintain small wireless facilities at individual sites through site license agreements, which are subject to the terms and conditions of this Master License.

**Contract Term**

The Master License term begins on the date the City Clerk signs the Master License and expires after 10 years unless automatically renewed for an additional 10-year term as provided by law.

**Financial Impact**

Licensee will pay applicable rates and fees to install, operate, and maintain small wireless facilities in local public rights-of-way by law. There is no cost to the City of Phoenix.



**Responsible Department**

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



## **Authorization to Enter into an Agreement with The Nature Conservancy (Ordinance S-44868)**

Request to authorize the City Manager, or his designee, to enter into an agreement with The Nature Conservancy (TNC) to fund projects designed to protect the flows and improve water quality in the Salt and Verde Rivers. The aggregate value will not exceed \$300,000 over the life of the agreement. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Water Services Department obtains roughly half of its raw water supply from the Salt and Verde watershed. Reliable flows are critical to the City. Disruptions could result in increased treatment costs and/or service interruptions. It is in the City's best interest to enter into this strategic partnership to mitigate risks to the rivers and in doing so, to provide leadership to other Valley water providers. By designing and implementing cost-effective and protective Salt-Verde watershed projects, TNC will help create water security that supports continued public safety and economic development. Funds for these projects will be committed to TNC's Salt and Verde Alliance: Healthy Rivers, Healthy Communities. In addition to paid staff, TNC's extensive use of volunteers will provide a greater return on Phoenix's investment.

### **Procurement Information**

In accordance with City of Phoenix Administrative Regulation 3.10, competitive procurement was waived as a result of a Determination Memo citing there is an unusual nature of the goods or services that require a specific vendor due to TNC's network of private and public partners funding the project on the Verde River. TNC provides a one-of-a-kind opportunity for the City to fund collaborative projects that positively impact Phoenix's original water supply.

### **Contract Term**

The term is for three years effective July 5, 2018, through June 30, 2021.

### **Financial Impact**

The aggregate value of the contract is not to exceed \$300,000, with annual expenditures of \$100,000. Funding for this contract is available in the Water Services

Department's operating budget.

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Water Services Department.

## **Predictive Maintenance Vibration Analysis Program (Ordinance S-44872)**

Request to authorize the City Manager, or his designee, to enter into a contract with Caltrol, Inc. for a predictive maintenance vibration analysis program for the Water Services Department. The aggregate value shall not exceed \$150,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Water Services Department has a variety of pumps, blowers, fans, drive units, centrifuges, scrubbers, and mixers that require maintenance to remain in optimal working order. A predictive maintenance vibration analysis program will ensure assets are tested on a regular basis and reduce equipment failure by detecting and identifying worn or broken components, avoiding equipment failure.

### **Procurement Information**

A solicitation was completed in accordance with City of Phoenix Administrative Regulation 3.10. The Water Services Department received two offers, which were determined to be responsive to the solicitation requirements. The solicitations were evaluated on Experience and Qualifications, Method of Approach/Service Implementation, and Price for a total of 1,000 points.

#### Scores:

Caltrol, Inc.: 760

Maintenance Technology Systems: 632

### **Contract Term**

The contract term is for five years effective from July 1, 2018, to June 30, 2023.

### **Financial Impact**

The aggregate value of the contract shall not exceed \$150,000, with annual expenditures estimated at \$30,000. Funding for this contract is available in the Water Services Department's operating budget.

**Location**

23rd Avenue Wastewater Treatment Plant, 2470 S. 22nd Ave.

91st Avenue Wastewater Treatment Plant, 5615 S. 91st Ave.

24th Street Water Treatment Plant, 6202 N. 24th St.

Union Hills Water Treatment Plant, 2001 E. Deer Valley Road

Deer Valley Water Treatment Plant, 3030 W. Dunlap Road

Val Vista Water Treatment Plant, 3200 E. McDowell Road, Mesa, Ariz.

Council Districts: 1, 7, and Out of City

**Responsible Department**

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



## **Truck Scales Preventive Maintenance, Calibration and Repairs Contract (Ordinance S-44877)**

Request to authorize the City Manager, or his designee, to enter into a contract with Mettler-Toledo, LLC to provide preventive maintenance, calibration, and repairs for Mettler-Toledo truck scales. The aggregate contract value including all option years will not exceed \$225,000. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The Water Services Department uses contractual preventive maintenance, calibration, and repairs for truck scales installed at various water and wastewater treatment facilities. The truck scales measure the weight of trucks hauling processed solids before they leave the facilities. Solids hauling is regulated and requires weight documentation and reporting for State and City regulatory compliance.

### **Procurement Information**

In accordance with City of Phoenix Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo citing that there is only one source for the necessary goods and services as the truck scale services are only provided by Mettler-Toledo.

The Water Services Department requests a waiver from Phoenix City Code section 42-18(C). Mettler-Toledo seeks to restrict the standard indemnification terms. Mettler-Toledo will only agree to defend and indemnify the City for liability arising out of Mettler-Toledo's sole negligent or willful acts, subject to further restrictions set by Mettler-Toledo to cap its liability. If the City Council approves this waiver, allegations of wrongdoing against the City or a third party will require the City to defend and resolve any litigation itself and the City may be responsible for any liabilities above Mettler-Toledo's established cap.

### **Contract Term**

The contract term will be for 10 years, with one five-year option to extend, effective on or about July 6, 2018, with an end date of July 5, 2033.

**Financial Impact**

The aggregate contract value including all option years will not exceed \$225,000. Funds are available in the Water Services Department's operating budget.

**Responsible Department**

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



## **Spare Parts Replacement for Water Filtration Equipment (Ordinance S-44882)**

Request to authorize the City Manager, or his designee, to enter into a contract with Duperon Adaptive Technology to provide original parts for maintenance and repair of water filtration equipment located at the 91st Avenue Wastewater Treatment Plant (WWTP). The six-year contract value will not exceed \$2,250,000. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The City is seeking a six-year contract to provide spare parts used by Water Services Department WWTP staff for maintenance and repair of eight mechanical filters (Duperon FlexRake Bar Screens) used for large object and debris removal from the City's wastewater. The bar screens are the first WWTP primary filtration level for incoming wastewater. The system is in continuous use, requiring ongoing service and/or worn part replacement.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that there is only one source for the necessary goods and services. Duperon Corporation is the sole source for replacement parts for all Duperon FlexRake Bar Screens.

### **Contract Term**

The six-year contract term shall begin on or about July 1, 2018, with an end date of June 30, 2024.

### **Financial Impact**

The six-year contract value will not exceed \$2,250,000 (including applicable taxes). Funds are available in the Water Services Department's operating and Capital Improvement Program budgets.

### **Location**

91st Avenue Wastewater Treatment Plant, 5615 S. 91st Ave.  
Council District: 7



**Responsible Department**

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



## **Ductile Iron Pipe and Fittings (Ordinance S-44889)**

Request to authorize the City Manager, or his designee, to enter into a contract with Fullerform Irrigation & Waterworks (Fullerform) to provide various sizes of ductile iron pipe for the Water Services Department. The contract value shall not exceed \$260,000. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The City is seeking a one-year contract to provide frequently used ductile iron pipe and fittings pending solicitation and award of a multi-year contract. The previous contract expired and there is no replacement contract to support the City's infrastructure and warehouse inventory requirements. Award of this contract will ensure there is no lapse in service to provide ductile iron pipe and fittings for water distribution infrastructure repair and prevent off-contract purchases to mitigate warehouse shortages.

### **Procurement Information**

Fullerform was awarded the previous contract and has been providing these parts since 2014. In accordance with Administrative Regulation 3.10, Solicitation No. RFA-1718-WWT-183 was issued to Fullerform through a Special Circumstances Determination. The contractor has agreed to honor the same pricing contained in its previous contract, with no increases for the duration of this one-year contract.

### **Contract Term**

The one-year contract term shall begin on or about July 1, 2018, with an end date of June 30, 2019.

### **Financial Impact**

The contract value shall not exceed \$260,000 (including applicable taxes). Funds are available in the Water Services Department's operating budget.

### **Responsible Department**

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



**\*\*\*ITEM REVISED (SEE ATTACHED CORRECTION MEMO)\*\*\* Lake Pleasant Water Treatment Plant Service Agreement Second Amendment and Consent to Assign (Ordinance S-44899) \*\*\*REVISED\*\*\***

Request to authorize the City Manager, or his designee, to execute (i) a second amendment to Contract 107745 with American Water Enterprises, LLC formerly known as American Water Services, Inc. (American Water), (ii) a consent to the assignment of the Contract to Contract Services, LLC which will become an affiliate of Veolia Water North America Operating Services, LLC (Veolia), and (iii) all other documents as may be necessary or appropriate to implement the provisions of this Ordinance and the amendment and assignment of the Contract.

**Summary**

The Water Services Department (WSD) is currently in a 15-year contract with American Water to operate and maintain the Lake Pleasant Water Treatment Plant (WTP). This contract expires April 30, 2022. American Water is selling its merchant assets to Veolia nationwide. WSD seeks authorization to consent to assignment of the Lake Pleasant WTP contract from American Water to Contract Services, LLC which will become a Veolia company. The contract will also be amended to establish a \$30 million liability cap for damages resulting from breaches of the agreement, in accordance with current business practices in the industry, and to otherwise effectuate the assignment.

**Procurement Information**

American Water was chosen for this contract using a qualifications-based selection process according to section 34-604 of the Arizona Revised Statutes.

**Contract Term**

The contract term is unchanged by the amendment and will run through April 30, 2022, subject to an existing option by the City to extend the contract for an additional five-year term.

**Financial Impact**

There is no financial impact to the City of Phoenix.

**Previous Council Action**

On July 2, 2003, the City Council approved Contract 107745 with American Water for operation of the Lake Pleasant WTP, and on Jan. 1, 2014, approved the First Amendment to Contract 107745.

**Location**

Lake Pleasant WTP, Lake Pleasant Road and New River Road  
Council District: 1

**Responsible Department**

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



## City of Phoenix

**To:** Karen Peters  
Deputy City Manager

**Date:** June 29, 2018

**From:** Kathryn Sorenson  
Water Services Director

**Subject:** CORRECTION TO ITEM 86 ON THE JULY 5, 2018, FORMAL AGENDA – LAKE PLEASANT WATER TREATMENT PLANT SERVICE AGREEMENT SECOND AMENDMENT AND CONSENT TO ASSIGN (ORDINANCE S-44899)

The purpose of this memo is to correct a contract expiration date on Item 86 on the July 5, 2018, Formal agenda. Within the Summary and Contract Term sections of the report, the contract expiration date should be changed from April 30, 2022 to June 25, 2022.

Approved by:   
Karen Peters, Deputy City Manager



## City of Phoenix

**To:** Mario Paniagua  
Deputy City Manager

**Date:** June 26, 2018

**From:** Karen Peters  
Deputy City Manager

**Subject:** DELEGATION OF AUTHORITY

In accordance with Administrative Regulation No. 1.51, you are hereby authorized to act in my behalf and to approve and sign all documents requiring my approval during my absence from the office beginning on Thursday, June 28, 2018, through Friday, June 29, 2018, or until my return to the office.

c: Ed Zuercher  
Executive Team & Secs  
Nancy Allen  
Gail Browne  
Mark Hartman  
Gary Kula  
Frank McCune  
Kathryn Sorensen  
Ginger Spencer  
Judge Don Taylor



**Modification of Stipulation Request for Ratification of May 16, 2018 Planning Hearing Officer Action - Z-151-05-7(8)**

Request to authorize the City Manager, or his 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 16, 2018. This ratification requires formal action only.

**Summary**

Application: PHO-1-18--Z-151-05-7(8)

Current Zoning: S-1 (Approved C-2)

Acreage: 11.35

Applicant: Wendy Riddell, Berry Riddell, LLC

Representative: Wendy Riddell, Berry Riddell, LLC

Owner: 59th & Baseline, LLC

**Proposal:**

- 1) Modification of Stipulation 1A regarding general conformance to site plan date stamped Dec. 13, 2005.
- 2) Deletion of Stipulation 1B regarding general conformance to elevations date stamped Oct. 13, 2005.
- 3) Deletion of Stipulation 2 regarding a landscape plan to be administratively approved by the Planning Hearing Officer.
- 4) Deletion of Stipulation 2A regarding shading seating within the courtyard and plaza areas.
- 5) Deletion of Stipulation 2B regarding shaded seating areas on the patios adjacent to Pads D and K.
- 6) Deletion of Stipulation 2C regarding all entry drives shall be developed with a minimum 50 X 50 enhanced landscape areas.
- 7) Deletion of Stipulation 3 regarding pedestrian walkways shall be provided between Pads E and F.
- 8) Deletion of Stipulation 4 regarding pedestrian walkways located outside of driving aisles.
- 9) Deletion of Stipulation 14 regarding buildings being limited to single-story in height except for E and L.

- 10) Modification of Stipulation 16 regarding development shall be subject to a comprehensive sign plan that excluding LED electronic message reader boards.  
11) Technical correction to Stipulation 8.

**Location**

Southeast corner of 59th Avenue and Baseline Road.  
Council District: 8

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee recommended approval with modifications by an 8-0 vote at their May 14, 2018 meeting.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement and recommended approval with modifications on June 1, 2018.

**Responsible Department**

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



## Attachment A

### **STIPULATIONS: PHO-1-18 -- Z-151-05-7(8)**

GENERAL CONFORMANCE		
1.	<del>That</del> The development shall be in general conformance with the following plans	
	A.	The site plan date stamped <del>December 13, 2005</del> MARCH 2, 2018
	B	The elevations date stamped <del>October 13, 2005</del> MAY 15, 2018
LANDSCAPING & SCREEN WALLS		
2.	<del>That</del> The applicant shall provide a landscape plan to be administratively approved by the Planning Hearing Officer (PHO) with specific regard to landscaped office courtyards, plaza and patio areas and enhanced entry drives	
	A.	<del>That the courtyard and plaza areas within the offices shall include shaded seating areas.</del> 15% LANDSCAPING FOR THE ENTIRE SITE.
	B	<del>That the patios adjacent to Pads D &amp; K shall include shaded seating areas.</del> BASELINE ROAD LANDSCAPING SHALL BE CONSISTENT WITH THE BASELINE SCENIC DRIVE DESIGN GUIDELINES AS MODIFIED BY THE LAVEEN SOUTHWEST GROWHT STUDY.
	C..	<del>That all entry drives shall be developed with a minimum 50 x 50' enhanced landscape areas.</del> THE APPLICANT SHALL UTILIZE LANDSCAPE DIAMONDS THROUGHOUT THE PARKING LOT TO PROVIDE SHADING WITHIN THE PARKING AREA.
PEDESTRIAN WALKWAYS		
3.	<del>That a pedestrian walkway shall be provided between Pads E &amp; F as approved by the Development Services Department.</del>	
4.	<del>That all pedestrian walkways located outside of driving aisles shall be shaded as approved by the Development Services Department.</del>	
STREET TRANSPORTATION		
35.	<del>That</del> Right-of-way totaling 60 feet shall be dedicated for the south half of Baseline Road.	
46.	<del>That</del> Right-of-way totaling 55 feet shall be dedicated for the east half of 59 <sup>th</sup> Avenue flaring to 70 feet as per the Laveen Commons (Z-126-00-7) traffic impact analysis, as approved by the Street Transportation Department.	

57.	<del>That a</del> A 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 59 <sup>th</sup> Avenue and Baseline Road.
68.	<del>That t</del> The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median island landscaping, and other incidentals as per plans approved by the PLANNING AND Development <del>Services</del> Department. All improvements shall comply with all ADA accessibility standards.
79.	<del>That t</del> 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 standards.
TRANSIT	
810.	<del>That r</del> Right-of-way shall be dedicated and a transit accessory pad (detail P1261) and a transit bus bay (detail P1256-2) be constructed on eastbound Baseline Road east of 59 <sup>th</sup> Avenue as approved by the Public Transit Department.
PARKS & RECREATION	
911.	<del>That l</del> Landscaping and irrigation shall be provided on the north side of Laveen Area Conveyance Channel (LACC) pursuant to the LACC North Bank Trail Plan.
1012.	<del>That a</del> A 30-FOOT WIDE MULTI-USE TRAIL EASEMENT SHALL BE DEDICATED AND an ADA compliant 10-foot multi-use trail shall be constructed pursuant to the adopted detail along the south side of Baseline Road as approved by the Parks and Recreation Department.
STIPULATIONS CARRIED OVER FROM Z-126-00-7 (LAVEEN COMMONS)	
1113.	<del>That t</del> The development shall conform with the Baseline Scenic Drive Design Guidelines as modified by the Laveen Southwest Growth Study as recommended by the Laveen Village Planner.
14.	<del>That all buildings shall be limited to single story in height except for Pads E &amp; L. If Pads E &amp; L develop as a sit-down type restaurant, a second level outdoor patio roof top dining area shall be allowed at the rear of the buildings.</del>
1215.	<del>That a</del> All buildings shall have a common architectural theme that includes four-sided architecture.
1316.	<del>That the development shall be subject to a comprehensive sign plan approval in accordance with Section 705 of the Zoning Ordinance. The sign plan shall</del>

	<p><del>exclude LED electronic message reader boards. The sign plan shall be presented to the LVPC for review and comment prior to submission to the Zoning Administrator.</del></p> <p>A SIGN PACKAGE SHALL BE PRESENTED TO THE LVPC FOR REVIEW AND COMMENT PRIOR TO FINAL SITE PLAN APPROVAL. ELECTRONIC MESSAGE DISPLAY READER BOARDS SIGNS SHALL NOT BE PERMITTED.</p>
1417.	<p><del>That a</del>Any request to delete or modify stipulations be presented to theLVPC for review and comment prior to submission to the PHO/ZHO. Notification of such request must also be given to Steven Klein, Phil Hertel, and Jon Kimoto.</p>



## Village Planning Committee Meeting Summary

### PHO-1-18\_Z-151-05-7(8)

<b>Date of VPC Meeting</b>	May 14, 2018
<b>Request</b>	<ol style="list-style-type: none"> <li>1) Modification of Stipulation No. 1A regarding general conformance to site plan date stamped December 13, 2005;</li> <li>2) Deletion of Stipulation No. 1B regarding general conformance to elevations date stamped October 13, 2005;</li> <li>3) Deletion of Stipulation No. 2 regarding a landscape plan to be administratively approved by the Planning Hearing Officer;</li> <li>4) Deletion of Stipulation No. 2A regarding shading seating within the courtyard and plaza areas</li> <li>5) Deletion of Stipulation No. 2B regarding shaded seating areas on the patios adjacent to Pads D and K;</li> <li>6) Deletion of Stipulation No. 2C regarding all entry drives shall be developed with a minimum 50 X50 enhanced landscape areas;</li> <li>7) Deletion of Stipulation No. 3 regarding pedestrian walkways shall be provided between Pads E and F;</li> <li>8) Deletion of Stipulation No. 4 regarding pedestrian walkways located outside of driving aisles;</li> <li>9) Deletion of Stipulation No. 14 regarding buildings being limited to single-story in height except for E and L;</li> <li>10) Modification of Stipulation No. 16 regarding development shall be subject to a comprehensive sign plan that excluding LED electronic message reader boards;</li> <li>11) Technical correction to Stipulation No. 8</li> </ol>
<b>Zoning/ Proposed Use</b>	C-2/ ALDI Grocery and other commercial uses
<b>Location</b>	Southeast corner of 59th Avenue and Baseline Road
<b>VPC Recommendation</b>	Approval with modifications
<b>VPC Vote</b>	8-0

## **DISCUSSION & RECOMMENDED STIPULATIONS:**

**Ms. Wendy Riddell**, the applicant, provided the Committee with a brief presentation detailing the zoning history, surrounding uses and zoning districts, approved site plan and elevations, and proposed site plan and elevations. In addition, she described the specific stipulation modification requests and rationales.

**Ms. Riddell** explained that a Planning Hearing Officer (PHO) was needed because the previously approved site plan could not accommodate the addition of an ALDI grocery store. She noted that due to the changes in site layout, many of the stipulations are no longer relevant. Ms. Riddell stated that she worked with the Laveen Citizens for Responsible Development (LCRD) when designing elevations for the site.

**Ms. Linda Abegg** stated concerns with removing Stipulation 2 regarding PHO administrative approval of a landscape plan. She further. **Ms. Riddell** explained that landscaping will be addressed through the development process. She stated that she would not be comfortable returning to PHO again; however, she would be comfortable retaining the stipulation as it is.

**Ms. Cymone Bolding** expressed concerns regarding the removal of Stipulation 2.

**Mr. Carlos Ortega** stated he would encourage the developer to maintain a consistent look along the street fronts, especially Baseline Road. He also echoed concerns with removing Stipulation 2.

**Ms. Abegg** asked for clarification regarding whether or not PHO administrative approval requires a public hearing. **Ms. DiMartino** stated that if the stipulation is retained, the landscape plan would not come back to the Committee as it would be administratively approved by the Planning Hearing Officer. Administrative approvals do not come back before the Committee for public hearing.

**Ms. Riddell** reiterated that she would object to coming back to the Committee for another PHO hearing.

**Ms. Tonya Glass** was in agreement with Committee members Abegg, Bolding, and Ortega, regarding concerns related to removing Stipulation 2. She further explained that she had concerns about the removal of Stipulation 14 regarding building height.

**Mr. Ortega** asked the applicant if Mr. Phil Hertel, Mr. Jon Kimoto, and Mr. Steven Klein were working contracted for her as they are named in Stipulation 17. **Ms. Riddell** stated Mr. Hertel, Mr. Kimoto, and Mr. Klein, were not contracted by her company, they are just community residents. **Ms. DiMartino** clarified that Stipulation 17 was approved as part of the Z-151-05 rezoning case that took place in 2005.

**Mr. Gary Flunoy** asked if two-stories would be possible on the site? **Ms. Riddell** stated that two-stories and 30 feet are allowed on-site; however, the ALDI grocery store will not be two-stories in height.

**Mr. Phil Hertel, resident**, explained that the applicant worked on elevations with the LCRD and that he like the overall development. He expressed concerns with the

proposed deletion of Stipulation 2 and the proposed modification of Stipulation 16 as the applicant would not be required to come back to the Committee and PHO.

**Ms. Lori Gonzalez, resident**, stated that the LCRD did not take a formal position on the case. She explained that the LCRD members speaking on the case tonight, are speaking as individuals and not as representatives of the LCRD.

**Mr. Jon Kimoto, resident**, stated that he liked the overall project as the applicant had made some significant and positive changes to the site plan. He stated that he would like to see architectural details and features and a rural theme incorporated into the elevations. Additionally, he requested that the applicant include landscape diamonds for enhanced landscaping.

*Jennifer Rouse left the meeting, bringing the quorum to 8 members.*

**Mr. Sandy Hamilton, resident**, stated he is on the LCRD and would have liked the applicant to present the most updated changes at an LCRD meeting.

**Ms. Riddell** stated that she would prefer to retain the PHO administrative approval and would be willing to increase the landscaping requirement to 15%.

**Ms. Abegg** suggested modifying Stipulation 2 to retain PHO administrative approval and modify the language to require increased landscaping and parking islands and a consistent streetscape along Baseline Road.

**Mr. Ortega** asked if the rest of the LCRD would like to be added to Stipulation 17 for notification purposes. **Ms. Gonzalez** stated she would like the LCRD board added to the additional notification.

**Ms. Abegg** requested that the Committee discuss a potential motion. She outlined the potential stipulations:

Stipulations approved as requested: 1.a, 3, 4, 8, 14, and 16

Stipulations to be modified: 1.b, 2, 2.a, 2.b, 2.c, and 17

Stipulations to be deleted: None

#### **MOTION:**

**Ms. Linda Abegg** made a motion to approve the request with modifications, **Mr. Carlos Ortega** seconded the motion.

#### **VOTE:**

8-0 – Motion to approve with modifications passes.

## **STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

The VPC recommended stipulations are as follows:

1. That the development shall be in general conformance with the following plans:
  - a. The site plan date stamped ~~December 13, 2005~~ **MARCH 2, 2018;**
  - b. The elevations ~~date stamped October 13, 2005~~ **PRESENTED AT THE MAY 14, 2018 LAVEEN VPC HEARING.**
2. That the applicant shall provide a landscape plan to be administratively approved by the Planning Hearing Officer (PHO) with specific regard to ~~landscaped office courtyards, plaza and patio areas and enhanced entry drives. :~~
  - a. ~~That the courtyard and plaza areas within the offices shall include shaded seating areas~~
  - b. ~~That the patios adjacent to Pads D & K shall include shaded seating areas.~~
  - c. ~~That all entry drives shall be developed with minimum 50' x 50' enhanced landscape areas~~
    - A. 15% LANDSCAPING IN PARKING LOT;**
    - B. BASELINE ROAD LANDSCAPING SHALL BE CONSISTENT WITH THE BASELINE ROAD CORRIDOR STREETSCAPE;**
    - C. PARKING DIAMONDS**
3. ~~That all pedestrian walkways located outside of driving aisles shall be shaded as approved by the Development Services Department.~~
4. ~~That all pedestrian walkways located outside of driving aisles shall be shaded as approved by the Development Services Department.~~
8. 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~~ **PLANNING AND DEVELOPMENT DEPARTMENT**. All improvements shall comply with all ADA accessibility standards.
14. ~~That all buildings shall be limited to single story in height except for Pads E & L. If Pads E& L develop as a sit-down type restaurant, a second level outdoor patio-roof top dining area shall be allowed at the rear of the buildings.~~
16. ~~That development shall be subject to a comprehensive sign plan approval in accordance with Section 705 of the Zoning Ordinance. The sign plan shall exclude LED electronic message reader boards~~ **SHALL NOT BE PERMITTED**. ~~The sign plan shall be presented to the LVPC for review and comment prior to submission to the Zoning Administrator.~~
17. That any request to delete or modify stipulations be presented to the LVPC for review and comment prior to submission to the PHO/ZHO. Notification of such a request must also be given to ~~Steven Klein, Phil Hertel, and Jon Kimoto~~ **AND THE LCRD BOARD.**

- *Stipulation 17 was not advertised as part of the PHO. Staff would suggest maintaining Stipulation 17 and add a new stipulation that reads:*  
“That any request to delete or modify stipulations be presented to the LVPC for review and comment prior to submission to the PHO/ZHO. Notification of such a request must also be given to the LCRD Board.”





**Final Plat - Dollar Self Storage #19 - 170086 - East of 23rd Avenue and South of Happy Valley Road**

Plat: 170086  
Project: 16-2979  
Name of Plat: Dollar Self Storage #19  
Owner(s): Dollar Self Storage #19, LLC  
Engineer(s): HilgartWilson, LLC  
Request: A 1 Lot Commercial Plat  
Reviewed by Staff: June 8, 2018  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located east of 23rd Avenue and south of Happy Valley Road.  
Council District: 1

**Responsible Department**

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



**Final Plat - Hillstone - North Parcel - 170071 - South of Happy Valley Road and 20th Street Alignment**

Plat: 170071  
Project: 16-3288  
Name of Plat: Hillstone - North Parcel  
Owner(s): D.R. Horton, Inc.  
Engineer(s): HilgartWilson, LLC  
Request: A 131 Lot Residential Plat  
Reviewed by Staff: June 13, 2018  
Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with both Plat 170093 (Hillstone South) and Abandonment V180002A.

**Location**

Generally located south of Happy Valley Road and the 20th Street Alignment.  
Council District: 2

**Responsible Department**

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



**Final Plat - Hillstone - South Parcel 1 - 170093 - West of Desert Peak Parkway and North of Cave Creek Dam Road**

Plat: 170093  
Project: 16-3288  
Name of Plat: Hillstone - South Parcel 1  
Owner(s): D.R. Horton, Inc.  
Engineer(s): HilgartWilson, LLC  
Request: A 219 Lot Residential Plat  
Reviewed by Staff: June 13, 2018  
Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with both Plat 170071 (Hillstone North) and Abandonment V180002A.

**Location**

Generally located west of Desert Peak Parkway and north of Cave Creek Dam Road.  
Council District: 2

**Responsible Department**

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



**Final Plat - Sky Crossing - Parcel 5.2 - 180021 - 32nd Street North of Deer Valley Drive**

Plat: 180021  
Project: 16-1029  
Name of Plat: Sky Crossing - Parcel 5.2  
Owner(s): Cave Buttes Development Partners, LLC  
Engineer(s): HilgartWilson, LLC  
Request: A 35 Lot Residential Subdivision Plat  
Reviewed by Staff: June 6, 2018  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located west of 32nd Street and north of Deer Valley Drive.  
Council District: 2

**Responsible Department**

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



**Final Plat - Phoenix Northgate - Lot 1- 170076 - Southwest Corner of 26th Avenue and Bell Road**

Plat: 170076  
Project: 11-1212  
Name of Plat: Phoenix Northgate - Lot 1  
Owner(s): Arizona State Land Department  
Engineer(s): HilgartWilson, LLC  
Request: A 1 Lot Commercial Plat  
Reviewed by Staff: June 7, 2018  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at the southwest corner of 26th Avenue and Bell Road.  
Council District: 3

**Responsible Department**

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



**Final Plat - Harmony at Arcadia II - 170104 - East of 37th Street and South of Earll Drive**

Plat: 170104  
Project: 17-891  
Name of Plat: Harmony at Arcadia II  
Owner(s): D.R. Horton, Inc.  
Engineer(s): HilgartWilson, LLC  
Request: A 38 Lot Residential Plat  
Reviewed by Staff: June 1, 2018  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located east of 37th Street and south of Earll Drive.  
Council District: 8

**Responsible Department**

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



**Final Plat - Park Meadows Unit 2 - 170054 - East of 31st Avenue and North of Southern Avenue**

Plat: 170054

Project: 16-585

Name of Plat: Park Meadows Unit 2

Owner(s): Cherokee Development Partners, LLC

Engineer(s): Clouse Engineering, Inc.

Request: A 34 Lot Single Family Residential Subdivision Plat

Reviewed by Staff: June 12, 2018

Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located east of 31st Avenue and north of Southern Avenue.

Council District: 8

**Responsible Department**

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



**Final Plat - Prevalent at Madison Ranch - 180016 - North of Baseline Road and East of 24th Avenue**

Plat: 180016  
Project: 17-2507  
Name of Plat: Prevalent at Madison Ranch  
Owner(s): Prevalent 24, LLC  
Engineer(s): Sunrise Engineering  
Request: A 29 Lot Residential Plat  
Reviewed by Staff: June 8, 2018  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located north of Baseline Road and east of 24th Avenue.  
Council District: 8

**Responsible Department**

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





**Abandonment of Easement - V180012A - 15822 South 22nd Street (Resolution 21654)**

Request: To abandon a portion of the pedestrian access, refuse collection and emergency and service access easements identified on lot addressed 15822 S. 22nd St. (APN 301-78-939).

Date of Decision: May 2, 2018

Abandonment: V180012A

Project: 00-2747

Applicant: John Johnson

**Financial Impact**

Pursuant to Phoenix City Code Art. 5, Sec. 31-64 (e) as 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, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

**Location**

15822 S. 22nd St.

Council District: 6

**Responsible Department**

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



**Abandonment of Right-of-Way - V180002A - Northwest of Desert Peak Parkway and Cave Creek Road (Resolution 21656)**

Abandonment: V180002A

Project: 16-3288

Applicant(s): D.R. Horton, Incorporated

Request: To abandon the easement for Highway purposes per Maricopa County Recorder Docket 12306, Page 437 - 439, aka Cave Creek Dam Road, adjacent to the north parcel line of APN 212-15-001L and 212-15-001M, excluding any area within the State Trust Land; along with the Roadway Easement and Water Easement dedicated per Ordinance S-18333 on the parcels identified as APN 212-15-003A and 212-15-003B.

**Summary**

The resolution of the abandonment and both of the following subdivision plats, "Hillstone - North Parcel", Plat 170071, and "Hillstone - South Parcel 1", Plat 170093, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plats are recorded second.

**Location**

3000 feet northwest of Desert Peak Parkway and Cave Creek Road.

Council District: 2

**Financial Impact**

Pursuant to Phoenix City Code Art. 5, Sec. 31-64 (e) as 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, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

**Responsible Department**

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



**Amend City Code - Ordinance Adoption - Rezoning Application Z-12-18-2 - Approximately 330 Feet North of the Northeast Corner of 71st Street and Tierra Buena Lane (Ordinance G-6481)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-12-18-2 and rezone the site from C-2 PCD and C-2 HGT/WVR PCD to PUD zoning to allow a mix of uses including multifamily residential and/or commercial uses.

**Summary**

Current Zoning: C-2 PCD (Intermediate Commercial, Planned Community District) and C-2 HGT/WVR PCD (Intermediate Commercial, Height Waiver, Planned Community District)

Proposed Zoning: PUD (Planned Unit Development)

Acreage: 4.17

Proposed Use: LMC Kierland PUD to allow a mix of uses including multifamily residential and/or C-2 commercial uses

Owner: Kierland Office Limited Partnership and Beauty and Barber Supply Institute, Inc.

Applicant: Lennar Multifamily Communities (LMC)

Representative: Nick Wood, Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Paradise Valley Village Planning Committee heard this case on June 4, 2018 and recommended approval by a 14-0 vote.

PC Action: The Planning Commission heard this case on June 7, 2018 and recommended approval per the Addendum A Staff Report with an additional stipulation as read into the record by a 7-0 vote.

**Location**

Approximately 330 feet north of the northeast corner of 71st Street and Tierra Buena Lane.

Council District: 2

Parcel Addresses: 15825 and 15849 N. 71st St.

**Responsible Department**

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-12-18-2) FROM C-2 PCD (INTERMEDIATE COMMERCIAL DISTRICT, PLANNED COMMUNITY DISTRICT) AND C-2 HGT/WVR (INTERMEDIATE COMMERCIAL DISTRICT, HEIGHT WAIVER DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT DISTRICT).

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

SECTION 1. The zoning of an approximately 4.17-acre property located approximately 330 feet north of the northeast corner of 71st Street and Tierra Buena Lane in a portion of Section 3, Township 3 North, Range 4 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 PCD" (Intermediate Commercial District, Planned Community District) and "C-2 HGT/WVR" (Intermediate Commercial District, Height Waiver District), to "PUD" (Planned Unit Development 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. An updated Development Narrative for the LMC Kierland 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 May 14, 2018, as modified by the following stipulations:
  - a. Front Cover: Remove "hearing draft" and revise submittal date information on bottom of the cover page as follows:  
1st Submittal: February 14, 2018  
2nd Submittal: May 2, 2018  
Hearing Draft: May 14, 2018  
City Council adopted: [Add adoption date]
  - b. Page 4, List of Exhibits: Provide page numbers for all exhibits.
  - c. Page 4, Purpose & Intent: Move header to page 5.
  - d. Page 6, Project Overview and Goals: Move "The proposed PUD rezone will accomplish the following" to page 7.
  - e. Page 14, General Plan Exhibit: Remove blue fill over the subject site to illustrate the General Plan Land Use designation colors underneath.
  - f. Page 19, Existing and Adjacent Zoning & Land Uses: Add rezoning case number for amendment F, Z-11-F-75.
  - g. Page 27, Lighting modify as follows: "All lighting will be consistent with the standards of Section 704 and section 507.Tab A.II.A.8 of the Phoenix Zoning Ordinance. The plan excludes exterior lighting appropriate for the project. Special care will be taken with the podium parking lighting to provide lighting levels that promote security while avoiding spill over onto adjacent residential properties."
  - h. Page 28, Delete Design Guidelines header and modify as follows:
    - (1) Delete number 1.
    - (2) Remove "enhanced landscaping" from number 2 and move below Design Standards.
    - (3) Move numbers 3, 4 and 5 below Design Standards.

- i. Page 28, Design Standards: modify as noted below:
1. Remove and replace with the following language: "All sides of the building shall exhibit four sided architecture."
  4. Modify as follows: "Balconies will be provided for a minimum of 30% of units. ~~As a means of providing a private outdoor amenity space for residents with~~ Each balcony shall be a minimum area of 40 square feet per balcony."
  5. Modify as follows: ~~As a means of presenting a residential character on 71st Street, there will be~~ "Townhome Frontage shall be utilized for a minimum of 50% of the total building frontage length along 71st this Street. Townhome Frontage is defined by the following characteristics/standards:"
  6. Remove and replace with the following: "The non-townhome frontage along 71st Street will ~~not exceed 20 linear feet without being interrupted by a window, or variation in building treatment or design~~ include a minimum 3,300 square foot open space area, open to the public from dawn to dusk and include the following features:
    - minimum of three seating areas.
    - combination of enhanced paving and synthetic turf. synthetic turf cannot be located within the landscape setback.
- j. Page 36, Comparison Zoning Standards Table; Modify as noted below:

<b>Development Standards for Multifamily Residential Development</b>			
	<b>Development Standard</b>	<b>R-3 PRD Standards</b>	<b><del>Allowance PUD</del></b>
a	Maximum Density (dwelling units per acre)	15.23; 17.40 with bonus <del>6.5 PRD; 12 with bonus</del>	72
b	Minimum Lot Width / Depth	45 ft/ <del>No standard</del>	No minimum
c	Minimum Building Setbacks:		
	Front (West)	Street: 20' 15'	10' 15' <del>5'</del> 10' landscape and 5' detached sidewalk
	Rear (East)	20' 15' <del>(1-story)</del> , 20' <del>(2-story)</del>	20'
	Side (North)	15' 10' <del>(1-story)</del> , 15' <del>(2-story)</del>	20'
	Side (South)	15' 10' <del>(1-story)</del> , 15' <del>(2-story)</del>	15'
d	Maximum Building Height	2 stories or 30' for first 150'; 1' in 5' increase to 48' high, 4 story maximum	70'

		2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture) *7	
e	Maximum Lot Coverage	45% 40% Primary Structure 50% Total	85%
f	Minimum Bicycle Parking	No standard	0.25/unit + 4 visitor spaces
g	Minimum Landscape Setbacks:		
	Front (West)	20'	10' 15'
	Rear (East)	5'	20'
	Side (North)	5'	20'
	Side (South)	5'	15'

k. Page 37, Comparative Landscape Standards: delete

l. Page 23, development standards table; front (west) building setback, modify as noted below:

Front (west)	15-ft  10-ft landscape and 5-ft detached sidewalk
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m. Page 24, landscape standards table, front (west) landscape setback, modify as noted below:

Landscape setback	Minimum 15-ft setback
-------------------	-----------------------

n. Exhibit m.9, conceptual elevations: add western facing elevations illustrating the frontage along 71st street to include open space and landscaping to be consistent with the exhibits date stamped June 6, 2018.

o. Exhibit m.9, conceptual site plan: update and replace to demonstrate 15-foot landscape and building setback. also identify the open space area and note that the area shall remain open to the public along 71st street from dawn to dusk to be consistent with the exhibits date stamped June 6, 2018.

p. Exhibit m.10, conceptual landscape plan: update and replace to demonstrate 15-foot landscape and building setback along 71st street. also identify the open space area and note that the area shall remain open to the public from dawn to dusk to be consistent with the exhibits date stamped June 6, 2018.



- q. Exhibit M.10, open space legend: update to demonstrate the new open space area along 71st street to be consistent with the exhibits date stamped June 6, 2018.
  - r. Exhibit M.11, street cross section: update to demonstrate the additional 5-foot landscape area to be consistent with the exhibits date stamped June 6, 2018.
  - s. Exhibit M.12, circulation plan: update to demonstrate the additional open space area to be consistent with the exhibits date stamped June 6, 2018.
2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
  3. The developer shall submit a Traffic Impact Study or Statement (to be determined at time of meeting with the Street Transportation Department) to the Street Transportation Department for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
  4. The property owner shall record documents that disclose the existence, and operational characteristics of Scottsdale Municipal Airport (SDL) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
  5. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
  6. 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.
  7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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 7th day of July, 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-12-18-2

LOT 1 AND LOT 2 ACCORDING TO BOOK 481 OF MAPS, PAGE 21, OFFICIAL RECORDS OF MARICOPA COUNTY, LOCATED IN A PORTION OF SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT SOUTHWEST CORNER OF SAID LOT 1;

THENCE NORTH 6 DEGREES 6 MINUTES 24 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 1 AND SAID LOT 2, A DISTANCE OF 424.98 FEET TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE EAST, WITH A CHORD BEARING OF NORTH 0 DEGREES 21 MINUTES 1 SECOND EAST, A CHORD DISTANCE OF 104.57 FEET;

THENCE NORTHERLY ALONG SAID NON-TANGENT CURVE AND THE WEST LINE OF SAID LOT 2, HAVING A RADIUS OF 464.90 FEET, THROUGH A CENTRAL ANGLE OF 12 DEGREES 54 MINUTES 55 SECONDS, A DISTANCE OF 104.80 FEET TO THE NORTHWEST CORNER OF SAID LOT 2;

THENCE NORTH 89 DEGREES 38 MINUTES 27 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 328.12 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 0 DEGREES 6 MINUTES 24 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 2 AND SAID LOT 1, A DISTANCE OF 527.89 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE SOUTH 89 DEGREES 44 MINUTES 8 SECONDS WEST, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 284.53 FEET TO THE **POINT OF BEGINNING**.

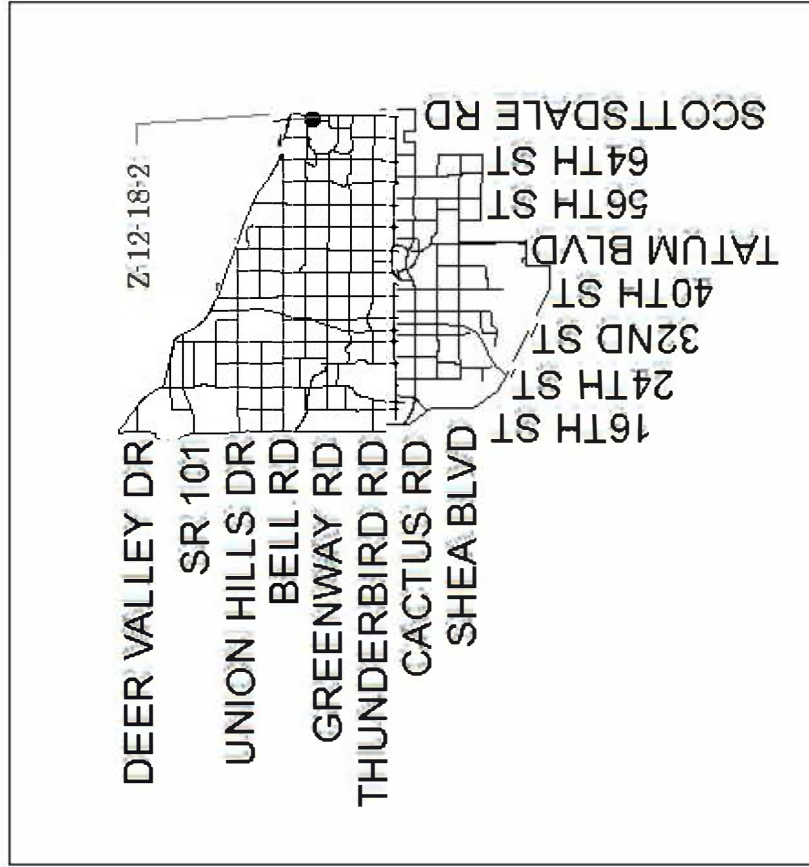
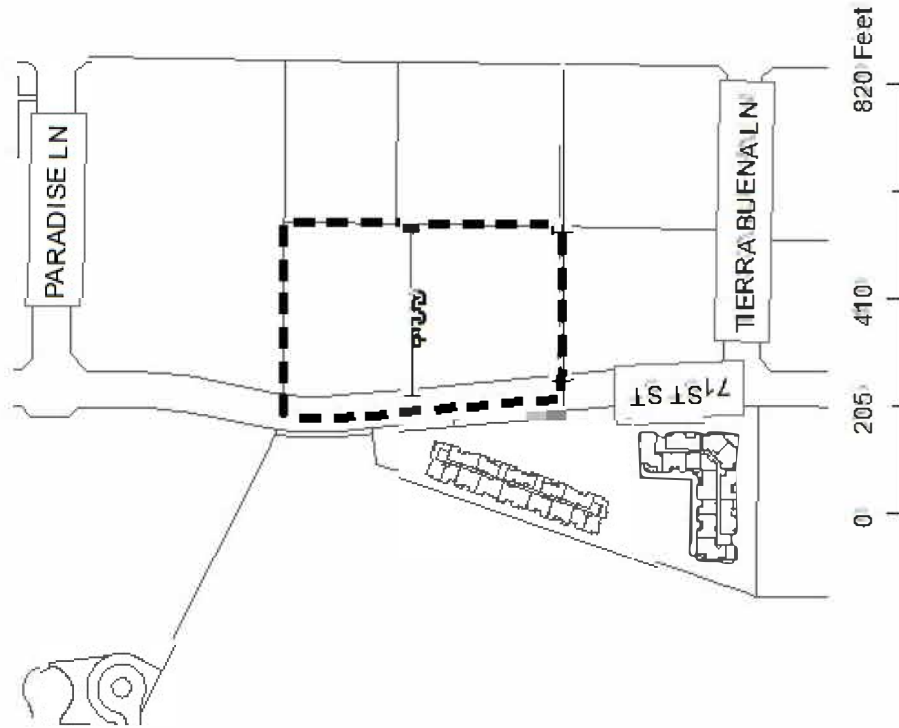
SAID PARCEL CONTAINS 164,332 SQUARE FEET OR 3.773 ACRES, MORE OR LESS

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-12-18-2  
 Zoning Overlay: N/A  
 Planning Village: Paradise Valley

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



NOT TO SCALE



Drawn Date: 6/7/2018



**Amend City Code - Ordinance Adoption - Rezoning Application Z-30-18-4 - Approximately 400 Feet West of the Southwest Corner of 3rd Street and Roanoke Avenue (Ordinance G-6479)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-30-18-4 and rezone the site from C-2 HRI TOD-1, C-1 TOD-1, and P-2 TOD-1 to WU Code T5:7 MT for a fitness and conference center.

**Summary**

Current Zoning: C-2 HRI TOD-1, C-1 TOD-1, and P-2 TOD-1

Proposed Zoning: WU Code T5:7 MT

Acreage: 1.86 acres

Proposed Use: Fitness and conference center

Owner: Nicole Hosking, Amerco Real Estate Co

Applicant: Philip A. Carhuff

Representative: Philip A. Carhuff

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Encanto Village Planning Committee heard this case on June 4, 2018 and recommended approval per the staff recommendation by a 13-0 vote.

PC Action: The Planning Commission heard this case on June 7, 2018 and recommended approval per the Encanto Village Planning Committee recommendation by a 6-0 vote (1 recusal).

**Location**

Approximately 400 feet west of the southwest corner of 3rd Street and Roanoke Avenue.

Council District: 4

Parcel Addresses: 2721 N. Central Ave.; and 43, 47, 53, 57, and 61 E. Roanoke Ave.

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-30-18-4) FROM C-2 HRI TOD-1 (INTERMEDIATE COMMERCIAL DISTRICT, HIGH-RISE INCENTIVE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), C-1 TOD-1 (NEIGHBORHOOD RETAIL DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), AND P-2 TOD-1 (PARKING DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU CODE T5:7 MT (WALKABLE URBAN CODE, TRANSECT 5:7 DISTRICT, MIDTOWN CHARACTER AREA).

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

SECTION 1. The zoning of an approximately 1.86-acre property located approximately 400 feet west of the southwest corner of 3rd Street and Roanoke Avenue in a portion of Section 32, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 0.90 acres of "C-2 HRI TOD-1" (Intermediate Commercial District, High-Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One), 0.34 acres of "C-1 TOD-1" (Neighborhood Retail District, Interim Transit-Oriented Zoning Overlay District One), and 0.62 acres of "P-2 TOD-1"

(Parking District, Interim Transit-Oriented Zoning Overlay District One) to “WU Code T5:7 MT” (Walkable Urban Code, Transect 5:7 District, Midtown Character Area).

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

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

1. In the event the applicant elects to pursue an alternative frontage design, one element of the alternative design shall be development of an enhanced corner per the requirements of Phoenix Zoning Ordinance Section 1207.M at the northeast corner of the building.
2. 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.
3. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)



EXHIBIT A

LEGAL DESCRIPTION FOR Z-30-18-4

WITHIN A PORTION OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 11: (118-44-044 AND 118-44-045)  
LOT 29, OF WEST BALTIMORE HEIGHTS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY. ARIZONA, IN BOOK 4 OF MAPS, PAGE 31.

PARCEL NO. 3: (118-44-046)  
THE EAST 60.5 FEET OF LOT 30, WEST BALTIMORE HEIGHTS, ACCORDING TO BOOK 4 OF MAPS, PAGE 31, RECORDS OF MARICOPA COUNTY. ARIZONA.

PARCEL NO. 12: (118-44-047. 118-44-048 AND 118-44-049)  
LOT 31 AND THE WEST 46.5 FEET OF LOT 30, OF WEST BALTIMORE HEIGHTS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY. ARIZONA, IN BOOK 4 OF MAPS, PAGE 31

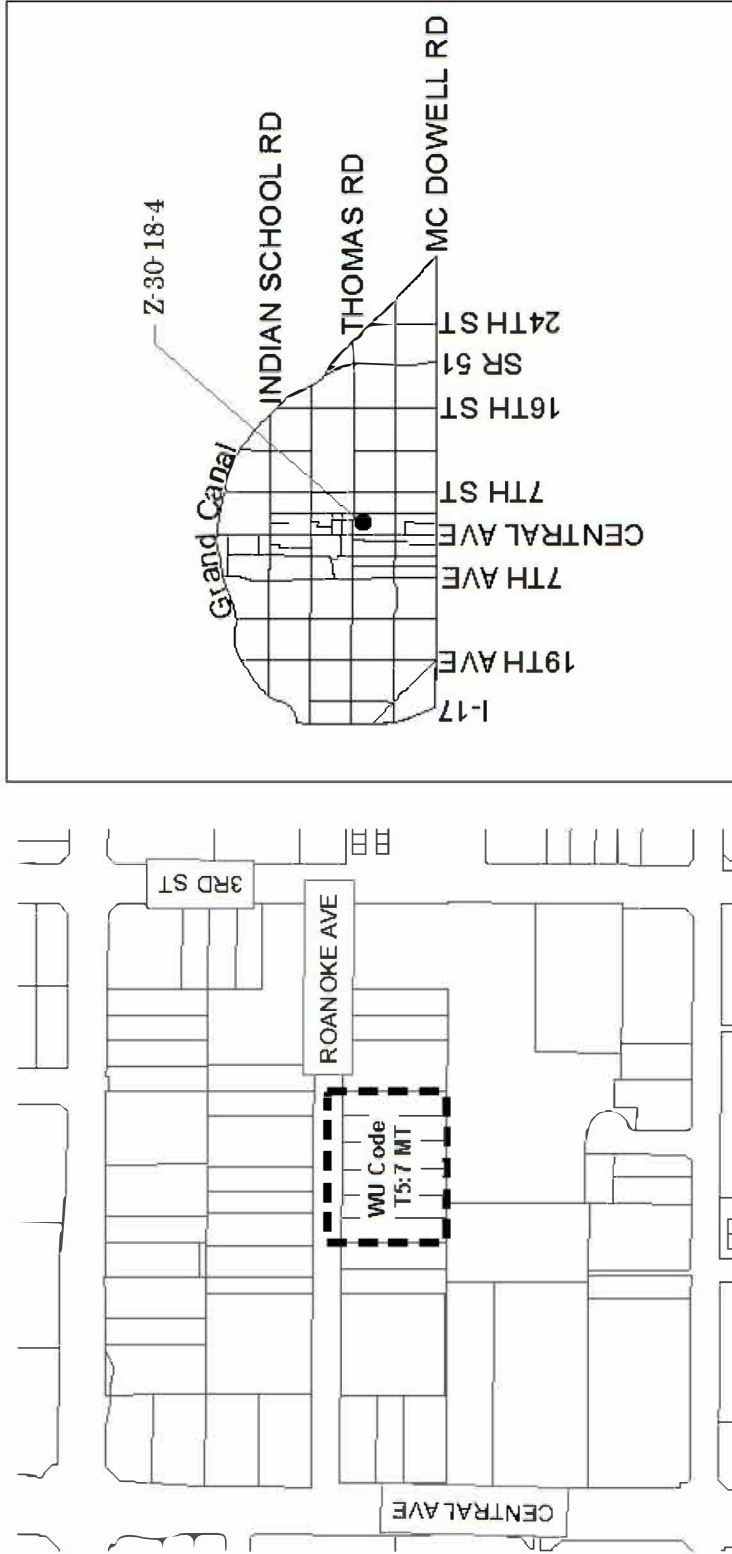
# EXHIBIT B

## EXHIBIT B

### ORDINANCE LOCATION MAP

Zoning Case Number: Z-30-18-4  
Zoning Overlay: N/A  
Planning Village: Encanto

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



NOT TO SCALE



Drawn Date: 6/13/2018

\\one\pdd\Shared\Department Share\Information Systems\PLGIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\_Ord\7-5-18\Z-30-18-4.mxd



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

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

**Summary**

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

Proposed Zoning: WU Code T5:6 EG

Acreage: 9.18 acres

Proposed Use: Veterans Affairs clinic and medical offices

Owner: 16th & Polk, LLC

Applicant: Huellmantel & Affiliates

Representative: Charles Huellmantel, Huellmantel & Affiliates

Staff Recommendation: Approval, subject to stipulations.

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

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

**Location**

Northeast corner of 16th Street and Polk Street.

Council District: 8

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

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

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

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

SECTION 1. The zoning of an approximately 9.18-acre property located at northeast corner of 16th Street and Polk Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “C-3” (General Commercial District), “R-4 RI” (Multifamily Residence District, Residential Infill District), and “P-1” (Parking P-1 District – Passenger Automobile Parking, Limited) to “WU Code T5:6 EG” (Walkable Urban Code, Transect 5:6 District, Eastlake-Garfield Character Area).

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

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

1. The conceptual elevations and site plan shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
  - a. Pedestrian access to the site from 16th Street shall be provided in a manner which minimizes walking distances from bus stops and the signalized crossing at Villa Street.
  - b. Pedestrian access to the site from 16th Street shall connect to the primary entrance of the medical center building without crossing vehicular aisles.
  - c. Fencing installed along the street frontages for security purposes shall be a minimum of 60% view fencing and shall incorporate artistic elements.
  - d. The medical clinic (primary building) shall be located adjacent to 16th Street, and the parking structure shall be located adjacent to 17th Street.
  - e. The surface parking area shall be designed with shaded pedestrian connections to the primary building.
  - f. All locations where vehicles cross sidewalks shall be designed to recognize the pedestrian environment. This can be accomplished through the use of differentiating paving materials, speed stops and/or pavement markers.
2. There shall be no more than one vehicular entrance from 16th Street.
3. Driveways shall be no greater than 24 feet in width.
4. A minimum of 50% of the required open space shall be located adjacent to the north property line and shall:
  - a. Be designed so that it can seamlessly appear to connect to the adjacent triangular parcel in the event that parcel is developed/improved as a community open space node.

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

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

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

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

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MAYOR

ATTEST:

\_\_\_\_\_ City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_ City Attorney

REVIEWED BY:

\_\_\_\_\_ City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT



EXHIBIT A

LEGAL DESCRIPTION FOR Z-23-18-8

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

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

DRAFT

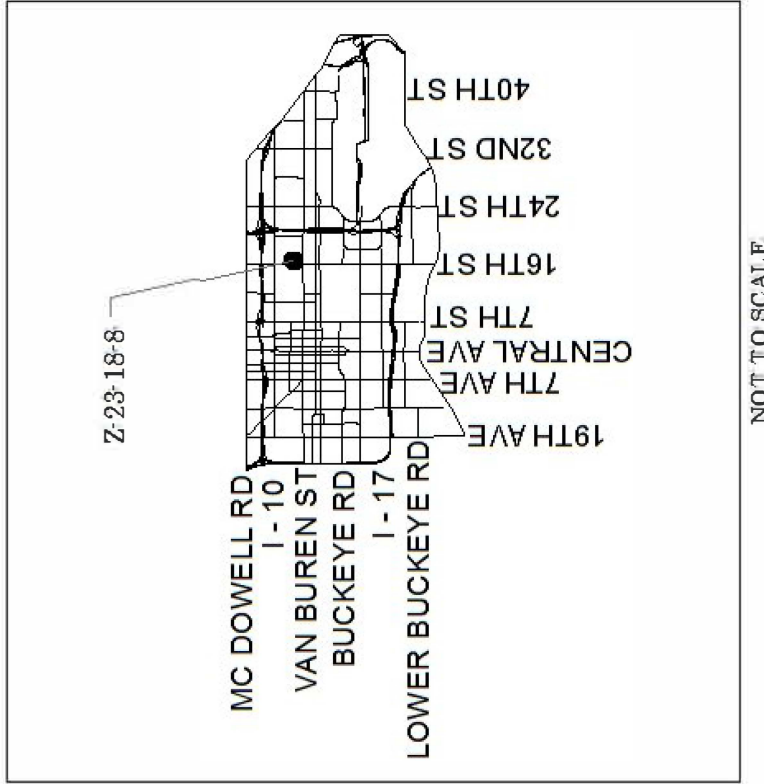
# EXHIBIT B

## EXHIBIT B

### ORDINANCE LOCATION MAP

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

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



Drawn Date: 6/7/2018

\\one\pdd\Shared\Department Share\Information Systems\PLGIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\_OrdMaps\2018\_Ord\7-5-18\Z-23-18-8.mxd



**Public Hearing - Appeal of Abandonment of Right-of-Way - Appeal of Hearing Officer Decision - V180035A - Northwest Corner of Portland Street and 1st Street (Resolution 21655)**

Request to hold a public hearing to appeal the Hearing Officer's decision regarding abandonment of Right-of-Way - V180035A, located at the Northwest corner of Portland Street and 1st Street (alley as indicated on **Attachment A**). This appeal request was approved by the Planning and Development Director for scheduling prior to the initial public hearing by the Abandonment Hearing Officer on June 18, 2018. The appeal period for this case will expire on July 3, 2018. If no actual appeal is filed by 5 p.m. on this date, this item will be withdrawn. If an appeal is filed, additional information will be provided at the hearing on July 5, 2018. Scheduling in this manner was necessary to ensure that this matter was heard before the City Council summer break to meet the applicant's stated timeline.

The alley proposed for abandonment is part of the Knipe House redevelopment, which was solicited by the Community and Economic Development Department through a Request for Proposals process.

**Summary**

Abandonment: V180035A

Project: 18-1603

Abandonment Applicant: True North Holdings, Limited Liability Corporation

Date of Abandonment Hearing Officer's Decision: June 18, 2018

Appellant: Case must be appealed by July 3, 2018 or the request will be withdrawn from the City Council agenda.

Appellant Rationale: Will be provided at the Hearing if appealed.

**Location**

Northwest Corner of Portland Street and 1st Street.

Council District: 7

**Responsible Department**

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

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**City of Phoenix**

Planning and Development Department

**CONDITIONAL APPROVAL – 180035A**

Your abandonment request was granted **CONDITIONAL APPROVAL** by **Christopher DePerro, Abandonment Hearing Officer**.

This request will NOT be completed until all the stipulations have been met and this request is formally adopted by City Council. It is the **APPLICANT'S RESPONSIBILITY** to ensure that all stipulations are satisfied. **Please contact Robert Martinez at (602) 495-0806** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations Robert Martinez will schedule your request for City Council action.

If the stipulations of abandonment are not completed within **two years** from the date of your conditional approval (**your expiration date is June 18, 2020**), this request will then expire. At that time a new submittal will be required along with the required payment for the abandonment process. A one time, **one-year** extension can be requested prior to the expiration date, with applicable extension fee due.



## **City of Phoenix**

Planning and Development Department

June 18, 2018

Abandonment Staff Report: **V180035A**

Project# **18- 1603**

Quarter Section: **12-28**

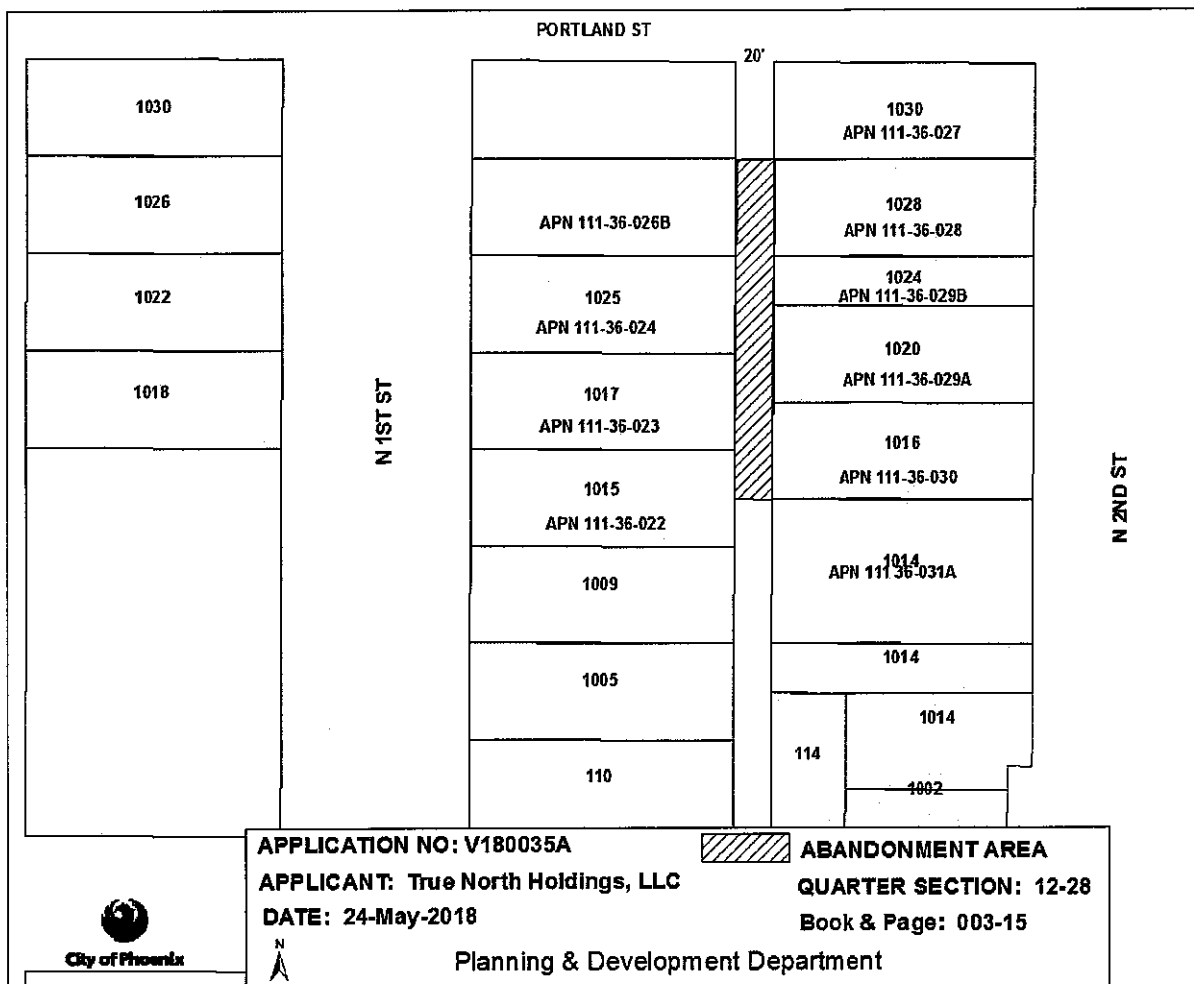
**Location:** SEC of Portland Street and 1st Street

**Applicant:** True North Holdings, LLC

**Request to abandon:** To abandon the 20 – ft. Alleyway located between APN's 111-36-029A, 111-36-029B, 111-36-030, 111-36-022, 111-36-023, 111-36-024, 111-36-026B and 111-36-028.

**Purpose of request:** The applicant states: To comply with approved project associated with a City issued RFP, the development project must build over the alleyway. To do so, required abandonment of said alleyway, to allow for development above it. The developer will attain the alleyway as a passable alleyway so that other users (those parcels to the south and north) will not be impacted by this request.

**Hearing date:** **June 18, 2018**



## Hearing Summary

Nick Woods, with Snell and Wilmer, represented the applicant, True North Holdings, LLC. Mr. Woods stated that the alley abandonment is needed to build below and above where the alley is located. Several discussions have taken place and the intent is to have the alley remain open to the public. The site will consist of a parking garage and a mixed-use office space. This project is the result of the "Knipe House RFP" issued by the City of Phoenix. Mr. Woods stated that his clients have acquired several parcels adjacent to the alley and are in the final stages of an acquisition agreement for the remaining parcels.

Mr. Woods discussed the stipulations with the Hearing Officer, Christopher DePerro. He requested clarification of stipulation 2a and a modification. Currently, an easement agreement is being negotiated with the City of Phoenix that grants the ability the property the ability to police itself. This would grant them the ability to have cars towed when necessary or loiters removed from the property by security. They would like the ability to do that and will be reserving that as part of the easement.

Second, Mr. Woods requested that the minimum height in the stipulation be reduced from 20' to 14'. The plan is to remove the utilities and place them underground. However, Mr. Woods stated that he understood that permission would be needed from any affected utilities which might need to continue to use the alley for access for service vehicles. The height modification is requested due to the size of the parking garage. Additional parking is being built to accommodate the events that take place at Margaret

T. Hance Park a block away.

Mr. Woods requested that stipulation 3 be removed from the report and stipulation 4 be modified from 24' to 20'. Mr. Hilty agreed to two ten foot lanes, under the condition, that there be absolutely no encroachments into the lanes and it remain free and clear. Mr. Woods agreed that there would be no encroachments.

Three speaker cards were submitted. All were in favor of the project but did not wish to speak.

Mr. DePerro discussed with Mr. Woods stipulation 2a. Stipulation 2a will have an additional clause that reads as, may allow the private property owner to control the alley in terms of uses that are not specifically permitted by the easement. Such as parking, loitering, etc...

Mr. DePerro stated that 14' worked for Solid Waste because that is their new tree trimming plants, but would need to make sure that it was also applicable to structures and not just a tree branch. Mr. Nate Sonoskey, True North Holdings, stated that they have worked with their architects and the International Building Code stipulates a minimum of 14' access for garbage trucks and firetrucks. Additionally, the geometry of the parking garage is as such, the ramp into the garage and up to the second floor, gets high enough to achieve 14' clear of the alley, but anything higher would change the angle of the ramp and cause some hardship to the parking garage access. That is the main reason for that request. Mr. DePerro stated that he did not have a problem with the height, but wanted to make sure that it covered what everyone needed. Mr. DePerro agreed to change the height to 14', unless, any of the existing utility access requires additional height.

Mr. Woods asked if all the utilities were removed from the alley with proof, would that be sufficient. Mr. DePerro stated that it would with written confirmation.

Mr. DePerro asked Mr. Hilty if he was fine with removing stipulation three and modifying stipulation 4 from 24' to 20'. Mr. Hilty stated that he was fine with this.

The Hearing Officer approved the abandonment with a conditional approval and modified stipulations.

### **Stipulations of Conditional Approval**

The request of abandonment, is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

1. Utilities:
  - a. All utility relocation work is to be done at no expense to the affected utility companies. An appropriate performance agreement, in an approved form and cost amount, must be posted with the Planning and Development Department to guarantee the improvements.
  - b. The existing sewer main must be relocated as approved by the Water Services Department. The extent of the portion to be relocated has not been determined at this time, but may include portions of this main located outside of the abandonment area, and other affected mains, as determined by WSD.
  - c. The existing Southwest Gas facilities must be relocated as approved by Southwest Gas. If Southwest Gas approves relocation of public lines within this development, a gas easement must be dedicated as determined by Southwest Gas.
  - d. The existing electrical lines and facilities must be relocated, as approved by APS. If APS

approves relocation of public lines within this development, an electrical easement must be dedicated as determined by APS.

- e. The existing communications lines and facilities must be relocated, as approved by CenturyLink and Cox Communications. If the affected utility approves relocation of public lines within this development, a communications easement must be dedicated as determined by the affected utility.
2. The following easements must be retained:
    - a. A public ingress/egress and service vehicle easement, with a minimum width of 20' (full alley width). This easement may be limited to the area from the surface of the alley pavement to a plane measured a minimum of 14' above the crown of the pavement. This easement may also be limited to through access; that is parking, loitering, and other similar uses which are not considered necessary to provide ingress and egress may be restricted and enforced by the future property owner. Otherwise, the ingress/easement access shall be provided at all times and no gates or other means of access restriction are permitted.
    - b. A drainage easement over all of the area to be abandoned. This easement may be limited to surface drainage only. This easement will not be required if a grading and drainage plan and/or report is submitted by the developer and approved by PDD showing that the abandonment area is not necessary to accommodate on site or off site stormwater.
  3. The developer shall pave the abandoned alley/easement area per City standards for local streets for the entire length of the project, including the portion of the alley connecting to Portland Street. The minimum pavement width that shall be provided is 20'. Parking and loading may not be provided within the 20' easement area.
  4. The development shall be designed so that all access and facilities for the following are located adjacent to Portland Street (designated Side Street), the abandoned alley, or remaining portions of the dedicated alley, as approved by the PDD:
    - a. Refuse collection
    - b. Utility facilities (i.e. transformers, services, or similar utility appurtenances).
    - c. Commercial deliveries/loading
  5. Consideration which provides a public benefit to the City is required in accordance with City Code Art. 5, Sec. 31-64 and Ordinance G-5332. Cost for abandoned Right-of-Way adjacent to property not zoned single family residential will be \$500 OR Fair Market Value<sup>1</sup> whichever is greater. Cost for property zoned single family residential is \$1.00 a square foot for the first 500 square feet, \$0.10 a square foot thereafter; OR Fair Market Value at the option of the Planning and Development Director or designee. The applicant shall submit calculation and fee to Planning and Development Department. The applicant shall request a selection of approved appraisers from the current list maintained by the Real Estate division of the Finance Department.
  6. All stipulations must be completed within two years from the Abandonment Hearing Officer's decision.

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<sup>1</sup> If the area to be abandoned is within or adjacent to a redevelopment area established pursuant to A.R.S. §36-1471 ET.SEQ., Consideration may be given to the restrictions upon the property and the covenants, conditions and obligations assumed by the redeveloper in the determination of fair market value.



This conditional approval has been reviewed and approved by the Abandonment Hearing Officer.

Hearing Officer Signature: \_\_\_\_\_



Date: \_\_\_\_\_

6.18.18

REPORT SUBMITTED BY: Amanda Murrietta, Abandonment Secretary

cc: Applicant/Representative, True North Holdings, LLC

Christopher DePerro, Abandonment Hearing Officer



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

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

**Summary**

Application: GPA-MV-2-18-5

Current General Plan Land Use Map Designation: Mixed Use (Commercial/Industrial)

Proposed General Plan Land Use Map Designation: Residential 3.5 to 5 dwelling units per acre

Acreage: 130.16

Proposal: Single-family residential

Owner: Jim Miller & Tim Wright, John F. Long Properties

Applicant: Jim Miller & Tim Wright, John F. Long Properties

Representative: Stephen W. Anderson, Gammage & Burnham, PLC

VPC Action: The Maryvale Village Planning Committee heard the request on May 9, 2018 and recommended approval by an 8-0 vote (1 abstention).

PC Action: The Planning Commission heard the request on June 7, 2018 and recommended approval per the Maryvale Village Planning Committee recommendation by a 6-0 vote (1 recusal).

**Location**

Northeast corner of SR-101 and Indian School Road

Council District: 5

Parcel Address: N/A

**Responsible Department**

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

**ATTACHMENT A**

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

RESOLUTION \_\_\_\_\_



A RESOLUTION ADOPTING AN AMENDMENT TO THE  
2015 GENERAL PLAN FOR PHOENIX, APPLICATION  
GPA-MV-2-18-5, CHANGING THE LAND USE  
CLASSIFICATION FOR THE PARCEL DESCRIBED  
HEREIN.

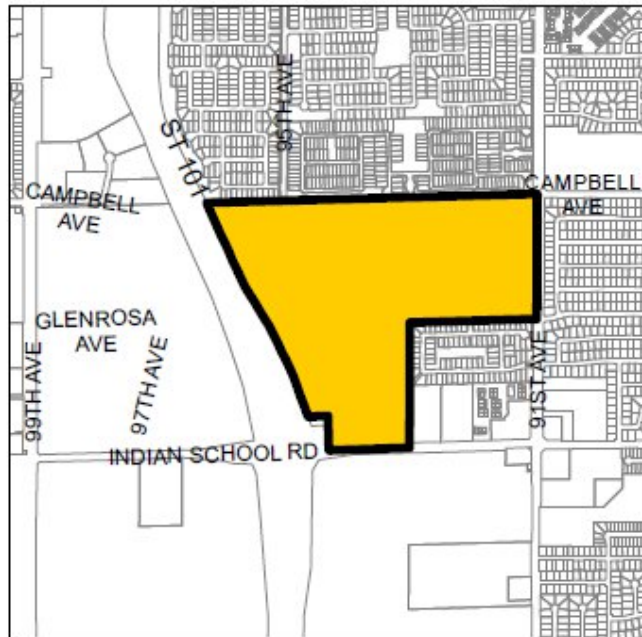
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX, as  
follows:

SECTION 1. The 2015 Phoenix General Plan which was adopted by Resolution No. 21307, is hereby amended by adopting GPA-MV-2-18-5, for 130.16 acres located at the northeast corner of SR-101 and Indian School Road for Residential 3.5 to 5 dwelling units per acre as approved by the City Council on July 5, 2018 and that the Planning and Development Director is instructed to modify The 2015 Phoenix General Plan to reflect this land use classification change as shown below:

**PROPOSED CHANGE:**

Residential 3.5 to 5 (130.16 +/- Acres)

-  Proposed Area  
 Residential 3.5 to 5 du/ac



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

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Acting City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

PL:amt:\_\_\_\_v1 (CM \_\_) (Item \_\_) 5/2/18

## GENERAL PLAN AMENDMENT STAFF ANALYSIS May 1, 2018

<u>Application:</u>	GPA-MV-2-18-5
<u>Applicant:</u>	Jim Miller & Tim Wright, John F Long Properties
<u>Representative:</u>	Stephen Anderson, Gammage & Burnham, PLC.
<u>Location:</u>	Northeast corner of Loop 101/Agua Fria Freeway and Indian School Road
<u>Acreage:</u>	130.16 acres
<u>Current Plan Designation:</u>	<a href="#">Mixed Use</a> (Commercial/Industrial)
<u>Requested Plan Designation:</u>	<a href="#">Residential 3.5 to 5 dwelling units per acre</a>
<u>Reason for Requested Change:</u>	Amend the <a href="#">General Plan Land Use Map</a> to allow for development of single-family residential
<u>Village Planning Committee Date:</u>	Maryvale Village – May 9, 2018
<u>Staff Recommendation:</u>	Approval

### **Findings:**

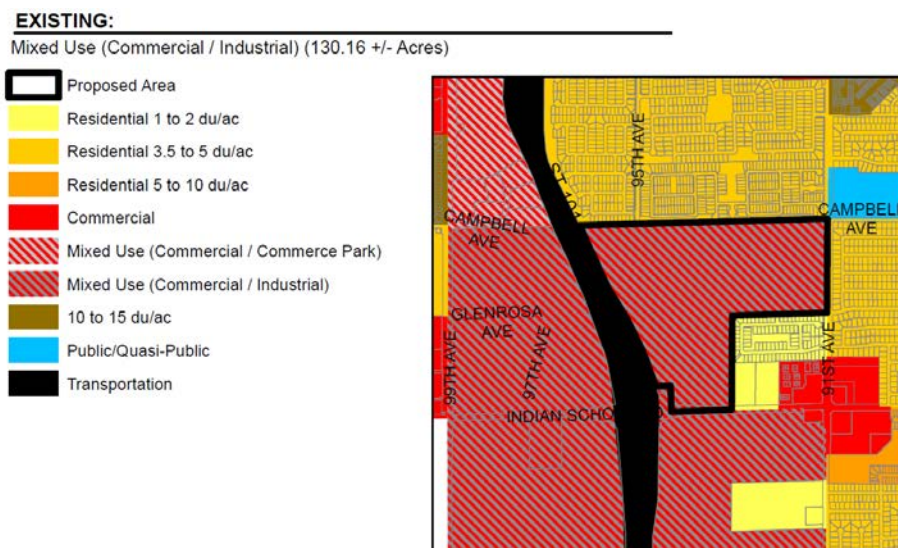
- 1) The proposed General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre is compatible with and will complement the uses developed in the vicinity.
- 2) The companion zoning case, Z-16-18-5, will help ensure high-quality development compatible with surrounding uses.

### **BACKGROUND**

The subject site is located at the northeast corner of Loop 101/Agua Fria Freeway and Indian School Road. This request would amend the existing General Plan Land Use Map designation from Mixed Use (Commercial/Industrial) to Residential 3.5 to 5 dwelling units per acre for 130.16 acres. Rezoning cases Z-19-F-00-5 and Z-16-18-5, are companion cases running concurrently with this general plan amendment request. Z-19-F-00-5 is a request to remove the subject site from the Algodón Center PUD PCD boundary. Z-16-18-5 is a request to rezone the subject site to R1-6 to allow for a development of single-family residential.

## **SURROUNDING LAND USES**

The subject site is currently undeveloped and used for agriculture purposes. The General Plan designation for the site is Mixed Use (Commercial/Industrial).



Source: City of Phoenix Planning and Development Department

To the north and east, across 91st Avenue, are subdivisions zoned R1-6 (Single-Family Residence District) and designated Residential 3.5 to 5 dwelling units per acre on the General Plan Land Use Map.

West is the Loop 101 Freeway and to the south, across Indian School Road, is undeveloped land used for agriculture purposes. These properties are zoned PUD PCD (Algodón Center PUD), and designated Mixed Use (Commercial/Industrial) on the General Plan Land Use Map.

Southeast of the subject site is a subdivision zoned R1-8 (Single-Family Residence District) and a self-service storage use zoned C-2 SP (Intermediate Commercial with a Special Permit), both designated for Residential 1 to 2 dwelling units per acres on the General Plan Land Use Map.

This General Plan Amendment (GPA-MV-2-18-5) is requesting the entire site be changed to Residential 3.5 to 5 dwelling units per acre.

## **RELATIONSHIP TO GENERAL PLAN GOALS AND POLICIES**

### **CONNECT PEOPLE AND PLACES**

- *OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.*

The proposed single family subdivision will provide additional housing choices for area residents within the Loop 101 Major Employment Center and in close proximity to planned employment generating uses within the Algodón Center

PUD to the south across Indian School Road.

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

- *CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.*

The proposed development, via accompanying rezoning case Z-16-18-5, will be sensitive in design and character to the surrounding neighborhoods and uses by incorporating several design provisions to limit the number of lots, and encourage additional landscape and open space, pedestrian trails, and shaded detached sidewalks.

- *CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Enhance the compatibility of residential infill projects by carefully designing the edges of the development to be sensitive to adjacent existing housing. Create landscape buffers and other amenities to link new and existing development.*

The proposal, via accompanying rezoning case Z-16-18-5, will provide enhanced perimeter landscape buffers and a pedestrian trail network for the area's residents.

## **CONCLUSION AND RECOMMENDATION**

Staff recommends approval of the request.

Approval of this General Plan Amendment will further the goals of the General Plan. Approval is generally consistent with the residential development patterns north, south and east of the site. Addition of single-family residential will help to provide additional residential options to support future development envisioned through the Algodón PUD and support the larger established Loop 101 / Agua Fria designated Employment Center.

### **Writer**

Joél Carrasco  
May 1, 2018

### **Exhibits**

Sketch Map










# GENERAL PLAN AMENDMENT

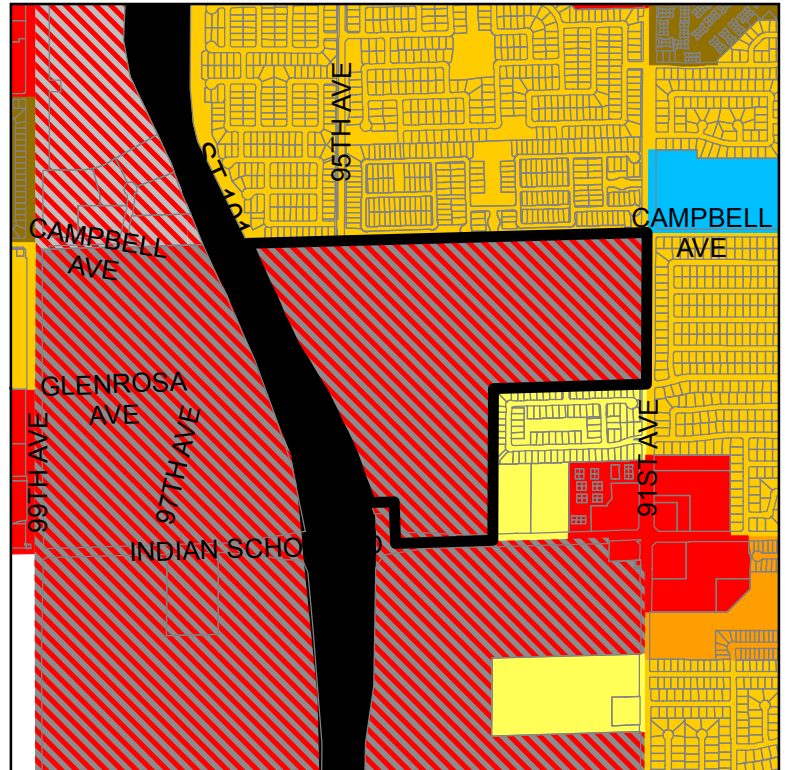
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-MV-2-18	ACRES: 130.16 +/-
VILLAGE: Maryvale	COUNCIL DISTRICT: 5
APPLICANT: Jim Miller & Tim Wright	

## EXISTING:



Mixed Use (Commercial / Industrial) (130.16 +/- Acres)

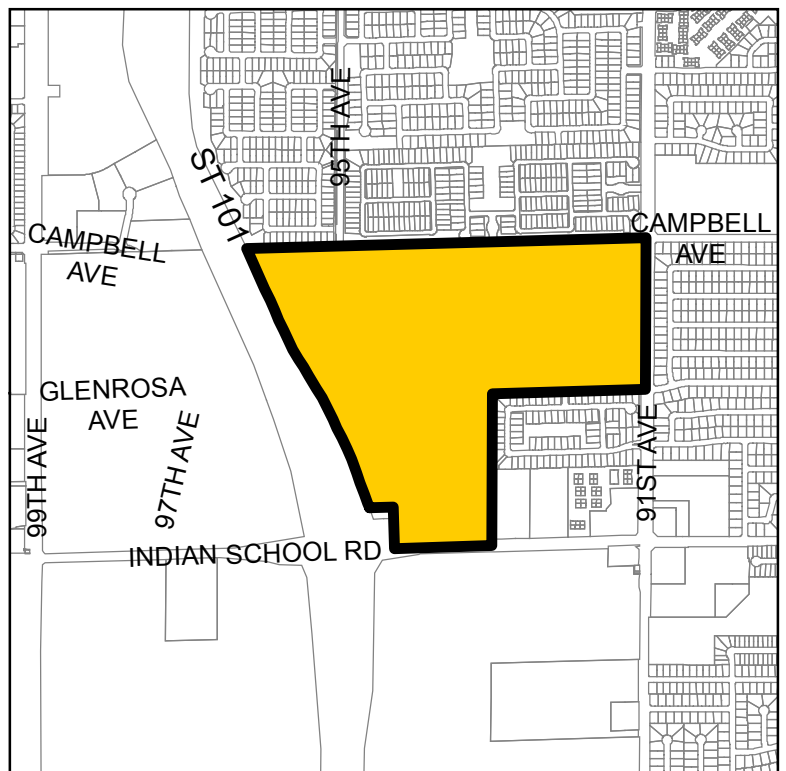
-  Proposed Area
-  Residential 1 to 2 du/ac
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Commercial
-  Mixed Use (Commercial / Commerce Park)
-  Mixed Use (Commercial / Industrial)
-  10 to 15 du/ac
-  Public/Quasi-Public
-  Transportation



## PROPOSED CHANGE:

Residential 3.5 to 5 (130.16 +/- Acres)

-  Proposed Area
-  Residential 3.5 to 5 du/ac





## Attachment C

### REPORT OF PLANNING COMMISSION ACTION June 07, 2018

ITEM NO: 1	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	GPA-MV-2-18-5 (Companion Cases Z-16-18-5 and Z-19-F-00-5)
Location:	Northeast corner of SR-101 and Indian School Road
Request:	From: Mixed Use (Commercial/Industrial) To: Residential 3.5 to 5 dwelling units per acre Acreage: 130.16
Proposal:	Residential 3.5 to 5 dwelling units per acre
Applicant:	Jim Miller & Tim Wright
Owner:	Jim Miller & Tim Wright
Representative:	Stephen W. Anderson

#### **ACTIONS:**

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

**Maryvale** 5/9/2018 Approval, per the staff recommendation. Vote: 8-0 (Weber abstained).

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

Motion discussion: N/A

Motion details – Commissioner Katsenes made a MOTION to approve GPA-MV-2-18-5, per the Maryvale Village Planning Committee recommendation.

Maker: Katsenes  
Second: Whitaker  
Vote: 6-0 (Shank recused)  
Absent: Heck  
Opposition Present: No

#### **Findings:**

1. The proposed General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre is compatible with and will complement the uses developed in the vicinity.
2. The companion zoning case, Z-16-18-5, will help ensure high-quality development compatible with surrounding uses.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.



**Amend City Code - Public Hearing and Ordinance Adoption - Rezoning  
Application Z-16-18-5 - Northeast Corner of SR-101 and Indian School Road  
(Ordinance G-6482)**

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. Request is to rezone the site from PUD PCD to R1-6 to allow single-family residential. This is a companion case to GPA-MV-2-18-5 and related to Z-19-F-00-5.

**Summary**

Current Zoning: PUD PCD (Planned Unit Development, Planned Community District)

Proposed Zoning: R1-6 (Single-Family Residence District)

Acreage: 131.27 acres

Proposed Use: Single-family residential

Owner: Algodon AG Revocable Land Trust

Applicant: Algodon AG Revocable Land Trust

Representative: Stephen W. Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Maryvale Village Planning Committee heard this case on May 9, 2018 and recommended approval, per the staff recommendation by a 5-4 vote.

PC Action: The Planning Commission heard the case on June 7, 2018 and recommended approval per the Addendum A Staff Report by a 6-0 vote (1 recusal).

**Location**

Northeast corner of SR-101 and Indian School Road.

Council District: 5

Parcel Addresses: N/A

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-16-18-5) FROM PUD PCD (PLANNED UNIT DEVELOPMENT, PLANNED COMMUNITY DISTRICT) TO R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of an approximately 131.27-acre property located at the northeast corner of SR-101 and Indian School Road in a portion of Section 21, Township 2 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from "PUD PCD" (Planned Unit Development, Planned Community District), to "R1-6" (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 project shall not exceed 524 lots.
2. A minimum of 20 percent of the gross site area shall be retained as open space, as approved by the Planning and Development Department.
3. An average 100-foot-wide landscape setback shall be provided and maintained along the west boundary of the development as approved by the Planning and Development Department. Landscaping within the setback shall include a double row of trees with a minimum mixture of 1-½ inch (50%) and 1-inch (50%) caliper trees planted at a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. A landscaped entry and monument sign(s) shall be provided at each entryway into the development from 91st Avenue and Indian School Road. The landscaped entries shall be a minimum of 250 square feet and be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.
5. The development's circulation elements (sidewalks, trails, and traffic mitigation infrastructure) shall be in general conformance with the Circulation Plan date stamped June 4, 2018, as approved or modified by the Planning and Development Department with specific regard to the, sizes, quantities and locations of the elements and the inclusion of the following provisions:
  - a. Detached sidewalks shall include a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk.
  - b. Each “detached sidewalk choker traffic calming” element shall be a minimum length of 60 feet and the Planning and Development Department shall have the authority to reduce the minimum length to accommodate other site considerations upon request.

#### PUBLIC TRANSIT

6. The right-of-way shall be dedicated and bus stop pads constructed at the following locations, as approved by the Planning and Development Department:
  - Westbound Indian School Road
  - Southbound 91st Avenue south of Campbell RoadThe bus stop pads shall be built per City of Phoenix Standard Detail P1262 with a depth of at least 10 feet and placed between 60 and 110 feet from the

intersections. Walk paths and pedestrian entrances to the community shall be provided near each bus stop.

#### STREETS

7. Right-of-way totaling 35 feet shall be dedicated for the west half of 91st Avenue, as approved by Planning and Development Department.
8. 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.
9. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
10. The applicant shall provide a signal warrant analysis for the intersection of 91st Avenue and Campbell Avenue, as approved by the Street Transportation Department and the Planning and Development Department.
11. The Indian School Road access point shall be located to align with the 93rd Avenue and Indian School Road major access point into the Algodon Center, as approved with the Planning and Development Department.

#### AVIATION

12. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of the City of Glendale 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.

#### OTHER

13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
14. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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 5th day of July, 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

Exhibits:

A – Legal Description (1 Pages)

B – Ordinance Location Map (1 Page)

## EXHIBIT A

### LEGAL DESCRIPTION FOR Z-16-18-5

That part of Section 21, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

From the Southeast corner of said Section 21, measure; thence South 88 degrees 18 minutes 16 seconds West along the South line of the Southeast quarter of said Section 21, 1325.93 feet to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 21 and the Point of Beginning; thence continuing South 88 degrees 18 minutes 16 seconds West, 844.14 feet; thence North 01 degrees 41 minutes 44 seconds West, 360.00 feet; thence South 88 degrees 18 minutes 16 seconds West, 206.57 feet; thence South 69 degrees 54 minutes 58 seconds West, 25.00 feet to a point on a line that is 25.00 feet Southwesterly and parallel with the Easterly right-of-way line of the Agua Fria Freeway, State Route 101 ;

thence continuing along said parallel line as follows:

thence North 20 degrees 05 minutes 02 seconds West, 514.58 feet;

thence North 26 degrees 21 minutes 15 seconds West, 530.81 feet;

thence North 29 degrees 24 minutes 26 seconds West, 501.81 feet;

thence North 25 degrees 24 minutes 23 seconds West, 942.97 feet;

thence leaving said parallel line, North 64 degrees 35 minutes 37 seconds East, 25 .00 feet to said Easterly right of way line of State Route 101 and a point on the

East-West mid-section line from which the West quarter corner of said Section 21 bears South 88 degrees 27 minutes 01 seconds West, 1849.23 feet; Thence leaving said

Easterly right-of-way line North 88 degrees 27 minutes 01 seconds East along said East-West mid-section line, 809.12 feet to the center of said Section 21;

thence North 88 degrees 27 minutes 00 seconds East along said East-West mid-section line, 2658.76 feet to the East quarter corner of said Section 21; thence

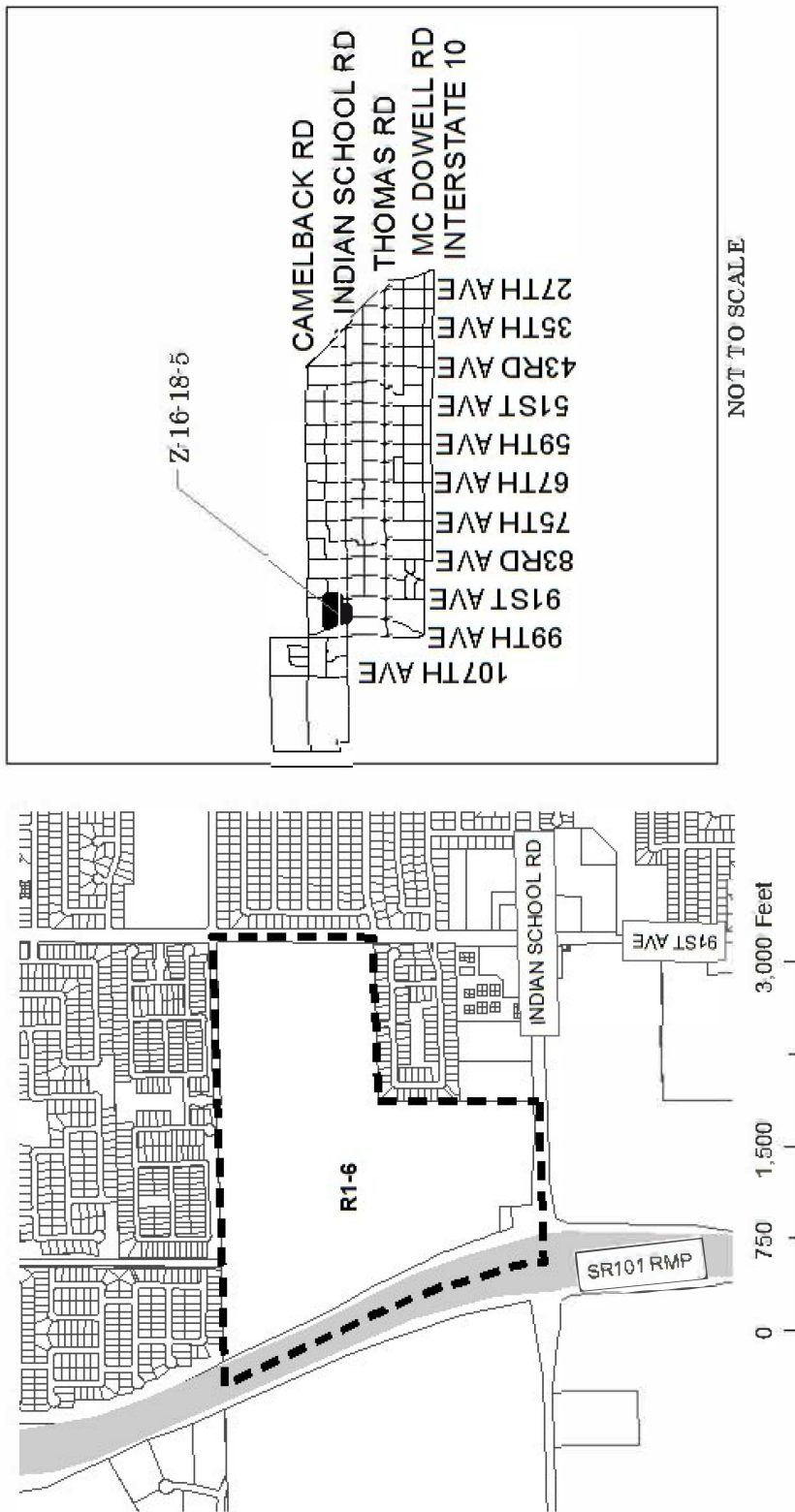
South 00 degrees 21 minutes 06 seconds West along the East line of the Southeast quarter of said Section 21 , 1316.90 feet to the Northeast corner of the Southeast quarter of the Southeast quarter of said Section 21; thence South 88 degrees 22 minutes 39 seconds West, 1327.65 feet to the Northwest corner of said Southeast quarter of the Southeast quarter of Section 21; thence South 00 degrees 16 minutes 27 seconds West along the West line of said Southeast quarter of the Southeast quarter of Section 21, 1318.53 to the Point of Beginning.

**EXHIBIT B**

# ORDINANCE LOCATION MAP

**Zoning Case Number:** Z-16-18-5  
**Zoning Overlay:** N/A  
**Planning Village:** Maryvale

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



NOT TO SCALE

Drawn Date: 6/7/2018

%one\pdd\Shared\Department Share\Information Systems\PL GIS\IS\_Team\Core\_Funcions\Zoning\SuppMaps\_Ord\7-5-18\Z-18-18-5.mxd



## Attachment B

### Staff Report Z-16-18-5 May 1, 2018

Maryvale [Village Planning Committee](#) Meeting Date: May 9, 2018  
[Planning Commission](#) Hearing Date: June 7, 2018  
Request From: [PUD PCD](#) (131.27 Acres)  
Request To: [R1-6](#) (131.27 Acres)  
Proposed Use: Single-Family Residential  
Location: Northeast corner of Loop 101/Agua Fria Freeway and Indian School Road  
Owner/Applicant: Algodón AG Revocable Land Trust  
Representative: Stephen W. Anderson, Gammage & Burnham, PLC  
Staff Recommendation: Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Designation</a>	Current: Mixed Use (Commercial/Industrial)		
	Proposed (GPA-MV-2-18-5): Residential 3.5 to 5 dwelling units per acre		
<a href="#">Street Map Classification</a>	91st Avenue	Arterial	33-foot west half street
	Indian School Road	Major Arterial	55 plus-foot north half street
<b><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 neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.</i></b>			

To the north, east and south are existing single-family subdivisions. The proposed development will be compatible in density and scale with the existing subdivisions as well as provide a buffer to the planned commercial, industrial, and multifamily uses permitted within the Algodón Center PUD to the south, across Indian School Road.

**CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.**

The proposed single-family subdivision will provide additional housing choices for area residents within the Loop 101 Major Employment Center and in close proximity to planned employment generating uses within the Algodón Center PUD to the south, across Indian School Road.

**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.**

As stipulated, the proposed development will integrate trees and shade into the design of the new development with the use of detached sidewalks and shade trees, a minimum of 15 percent open space in the form of park/retention, paseo/retention and buffer/retention areas, as well as an average 100-foot-wide landscape setback along the west boundary.

**CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; SAFE NEIGHBORHOODS – POLICE/FIRE; DESIGN PRINCIPLE: Provide for adequate emergency vehicle access within neighborhoods.**

Through compliance with the City of Phoenix Subdivision Ordinance, the proposed development will ensure adequate emergency vehicle access is provided within the neighborhood via connections to the existing street network bordering the site.

#### **Applicable Plans, Overlays, and Initiatives**

Tree and Shade Master Plan – see analysis #10 and #11.  
Complete Streets Guiding Principles – see analysis #10 and #11.  
Reimagine Phoenix Initiative – see analysis #17.

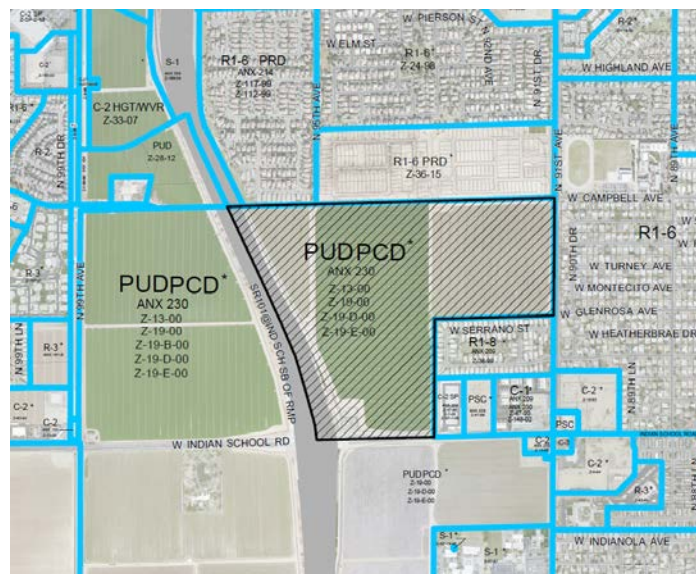
Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Agriculture (farming)	PUD PCD (Algodón Center)
<b>North</b>	Single-family residential	R1-6
<b>South (across Indian School Road)</b>	Agriculture (farming)	PUD PCD (Algodón Center)
<b>East (across 91st Avenue)</b>	Single-family residential	R1-6
<b>Southeast</b>	Single-family residential and self-service storage	R1-8 and C-2 SP
<b>West</b>	Loop 101/Agua Fria Freeway	PUD PCD (Algodón Center)

R1-6 (Single-Family Residential), Planned Residential Development		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Gross Acreage	-	131.22
Total Number of Units	695; 853 w/ bonus (max.)	524
Density (du/acre)	5.5, 6.5 w/ bonus (max.)	Met – 3.99
Typical Lot Size	45-foot minimum width, no minimum depth except 110' adjacent to freeway or arterial	*Not Met - 40'x120' Met - 45'x120' Met - 50'x120' Met - 55'x120'
Subject to Single Family Design Review	Required for subdivisions with lots less than 65-foot width	Yes, proposal includes lots with less than 65-foot width
Common Area	5%	Met - 26%
Perimeter Building Setbacks		
Street (Campbell Avenue)	15 feet (in addition to landscape setback)	Not shown
Street (91st Avenue)		Not shown
Street (Indian School Road)		Not shown
Street (Loop 101)		Not shown
Property Line (north)	Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)	Not shown
Property Line (south)		Not shown
Property Line (west)		Not shown
Common Landscape setback adjacent to perimeter streets		
Street (Campbell Avenue)	15' average, 10' minimum (Does not apply to lots	Not shown
Street (91st Avenue)		Not shown

Street (Indian School Road)	fronting onto perimeter streets)	Not shown
Street (Loop 101)		Met - 100 feet
Lot Coverage	Primary Structure 40%, Total 50%	Not shown
Building Height	2 stories and 30 feet (Max.)	Not shown
* 45' minimum (unless approved by either the design advisor or the Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage		

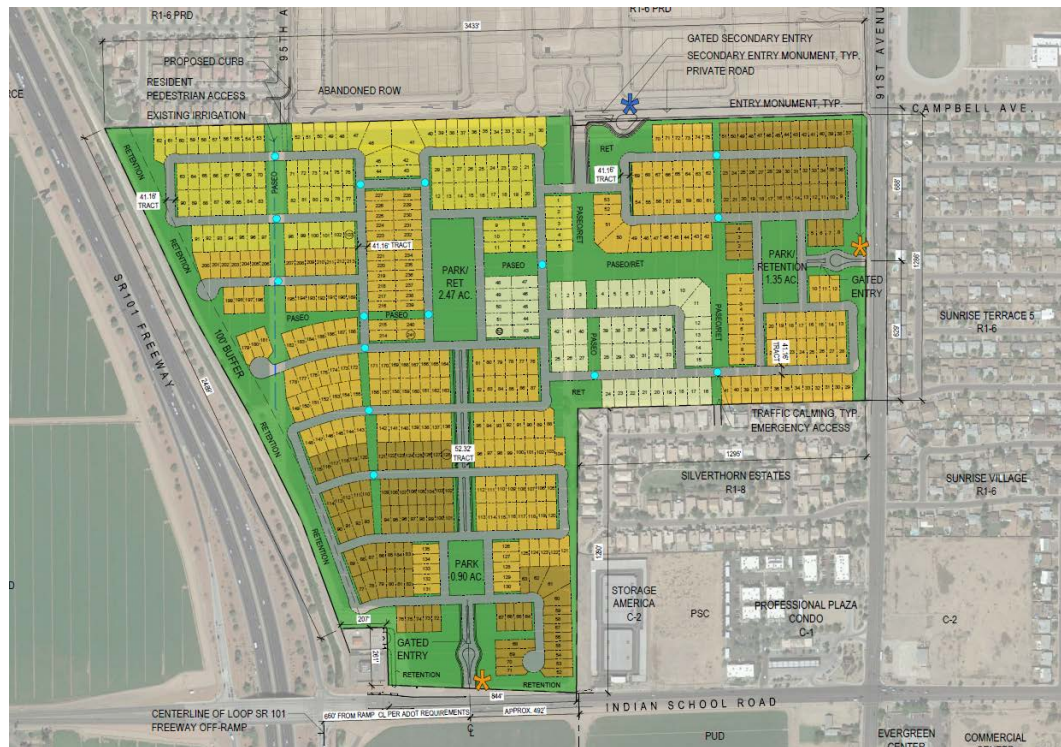
### **Background/Issues/Analysis**

1. The subject 131.27-acre site is located at the northeast corner of Loop 101/Agua Fria Freeway and Indian School Road. This request is to rezone the parcel from PUD PCD (Mixed Use Commercial/Industrial) to R1-6 (Single-Family Residence District) to allow a single-family subdivision.
2. Rezoning case Z-19-F-00-5 and GPA-MV-2-18-5 are companion cases running concurrently with this request. Z-19-F-00-5 is a request to remove the subject parcel from the Algodón Center PUD PCD boundary. GPA-MV-2-18-1 is a request to amend the existing General Plan Land Use Map designation from Mixed Use (Commercial/Industrial) to Residential 3.5 to 5 dwelling units per acre for the subject parcel.
3. Currently the subject parcel is undeveloped and used for agriculture purposes. To the north and to the east across 91st Avenue are subdivisions zoned R1-6 (Single-Family Residence District); to the west is the Loop 101/Agua Fria Freeway zoned PUD PCD (Algodón Center PUD); to the south, across Indian School Road, is undeveloped land used for agriculture purposes zoned PUD PCD (Algodón Center PUD); to the southeast is a subdivision zoned R1-8 (Single-Family Residence District) and a self-service storage use zoned C-2 SP (Intermediate Commercial with a Special Permit).



Source: City of Phoenix Planning and Development Department

4. The proposed site plan shows a 524-lot single-family subdivision with gated vehicular access and entry monuments identified at Campbell Avenue, 91st Avenue, and Indian School Road. Staff is recommending a stipulation that the project shall not exceed 524 lots. This is addressed in Stipulation 1.



Source: Lennar / Anderson Baron

5. A private internal street network is depicted throughout the subdivision with one resident access gate located to the north, in alignment with the existing 95th Avenue “stub” street that was constructed as part of the subdivision to the north. The proposed site plan depicts an emergency access only to the southeast in alignment with the existing 92nd Avenue “stub” street that was constructed as part of the subdivision to the southeast. The proposal does not depict any publicly accessible vehicular, pedestrian, or bicycle connections to either existing “stub” streets constructed by the subdivisions to the north (95th Avenue) or the southeast (92nd Avenue). Multimodal (vehicular, pedestrian, and bicycle) connections to the existing single-family residential subdivisions to the north and southeast will create a larger integrated neighborhood and serve to create connectivity to allow alternative modes of access and interaction between residents. Staff highly recommends the subdivision layout be reconfigured to better integrate with the existing surrounding neighborhoods and communities.
6. The City of Phoenix Subdivision Ordinance has several provisions related to connectivity that the project will ultimately be required to address as it proceeds through the site planning and site development processes. One specific concern the site plan will need to address is providing street connections at the boundary of the development

to provide access between adjoining neighborhoods.

7. Approximately 26 percent open space is depicted on the site plan in the form of park/retention, paseo/retention and buffer/retention areas. Staff is recommending a stipulation that a minimum of 15 percent open space be provided to ensure compatibility with the scale and character of existing neighborhoods. This is addressed in Stipulation 2.
8. The conceptual site plan depicts an average 100-foot-wide buffer/retention area along the west boundary adjacent to the Loop 101/Agua Fria Freeway. Given the size of the landscape setback staff is recommending additional trees be planted to ensure that the area has adequate shade and screening. The circulation plan depicts a private pedestrian pathway for a short distance along the eastern edge of this 100-foot buffer/retention area. Staff is also recommending a stipulation that this 100-foot-wide setback include a pedestrian pathway for the full length of the western boundary. These provisions are addressed in Stipulation 3 and 4.
9. The proposed site plan shows gated vehicular access and entry monuments identified at Campbell Avenue, 91st Avenue, and Indian School Road. Staff is recommending a stipulation that a landscaped entry and monument sign(s) be provided at each entryway into the development. This is addressed in Stipulation 5.
10. The proposed Circulation Plan shows detached sidewalks at entryways and where adjacent to perimeter public streets, however, detached sidewalks are not shown for the remainder of the developments internal street network. To ensure that the proposed development contributes to the larger neighborhood's connectivity is an important part of its contribution to the area's livability. The creation of a shaded internal pedestrian network connecting all the development's residences with each of the designated open space areas and adjacent amenities (existing and planned), coupled with detached sidewalks and street trees, will further establish the development as a safe, shaded, healthy, and "walkable" community. Creating connected healthy communities is called for in the General Plan. It is recommended that all sidewalks be detached from the curb and a landscape strip be planted with trees between the curb and the sidewalk. The combined landscaping with trees, detached sidewalks and landscape strip, are consistent with the guiding policies and principles in the General Plan and encourage a safe and walkable neighborhood environment. This is addressed in Stipulation 6.
11. The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. Toward that end, future improvements of this site will contribute to the urban forest infrastructure through the provision of trees along the right-of-way, adjacent to sidewalks, and providing thermal comfort for pedestrians. This is also addressed in Stipulation 6.



## COMMUNITY INPUT

12. At the time this staff report was written, staff had not received any public correspondence regarding the request.

## INTERDEPARTMENTAL COMMENTS

13. The Public Transit Department has requested right-of-way dedication and bus stop pad construction for future bus stop pad locations adjacent to the subject property and that pedestrian entrances to the community be located near the bus stops. This is addressed in Stipulation 7.
14. The Street Transportation Department has requested the dedication of property for right-of-way use, curb, gutter, sidewalks as well as off-street improvements to meet ADA requirements; the submittal of a Developer Project Information Form for the MAG Transportation Improvement Program; a signal warrant analysis for the intersection of 91st Avenue and Campbell Avenue; and that the Indian School Road access point shall be located to align with the 93rd Avenue and Indian School Road major access point into the Algodón Center. These provisions are addressed in Stipulations 8, 9, 10, 11, and 12.
15. The Water Services Department has noted that the developer will be required to construct all required water and sewer main extensions to serve the development.
16. The Aviation Department has requested that a notice be given to prospective purchasers of properties in the city of Phoenix underlying the flight patterns of the city of Glendale Airport. The area may be subject to overflights of aircraft operating at the Airport. This is addressed in Stipulation 13.

## OTHER

17. As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. The City of Phoenix offers recycling collection for all single-family residences. The provision of recycling containers was not addressed in the applicant's submittals; however, per City Code, the City provides recycling containers and services to all single-family residences.
18. 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 14.
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 not consistent with the General Land Use Map designation of Mixed Use (Commercial/Industrial). However, a companion General Plan Amendment request (GPA-MV-2-18-5) for a designation of Residential 3.5 to 5 dwelling units per acre is being processed concurrently.
2. The proposal, as stipulated and through compliance with the City of Phoenix Zoning and Subdivision Ordinances, is compatible with the surrounding land use patterns in the area.
3. The development will provide additional housing choices for Maryvale Village residents within the Loop 101 Major Employment Center and in close proximity to planned employment generating uses within the Algodón Center PUD to the south across Indian School Road.

## **Stipulations**

1. The project shall not exceed 524 lots.
2. A minimum of 15 percent of the gross site area shall be retained as open space, as approved by the Planning and Development Department.
3. An average 100-foot-wide landscape setback shall be provided and maintained along the west boundary of the development as approved by the Planning and Development Department. Landscaping within the setback shall include a double row of trees with a minimum mixture of 1-½ inch (50%) and 1-inch (50%) caliper trees planted at a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. A pedestrian pathway shall be provided along the full length of the western boundary, within the 100-foot-wide landscape setback in accordance with the City of Phoenix standard trail detail, as approved by the Planning and Development Department.
5. A landscaped entry and monument sign(s) shall be provided at each entryway into the development from 91st Avenue and Indian School Road. The landscaped entries shall be a minimum of 250 square feet and be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.



6. All sidewalks shall be detached with a minimum five-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by the property owner.

#### PUBLIC TRANSIT

7. The right-of-way shall be dedicated and bus stop pads constructed at the following locations, as approved by the Planning and Development Department.
  - Westbound Indian School Road
  - Southbound 91st Avenue south of Campbell RoadThe bus stop pads shall be built per City of Phoenix Standard Detail P1262 with a depth of at least 10 feet and placed between 60 and 110 feet from the intersections. Walk paths and pedestrian entrances to the community shall be provided near each bus stop.

#### STREETS

8. Right-of-way totaling 35 feet shall be dedicated for the west half of 91st Avenue, as approved by Planning and Development Department.
9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
11. The applicant shall provide a signal warrant analysis for the intersection of 91st Avenue and Campbell Avenue, as approved by the Street Transportation Department and the Planning and Development Department.
12. The Indian School Road access point shall be located to align with the 93rd Avenue and Indian School Road major access point into the Algodon Center, as approved with the Planning and Development Department.

#### AVIATION

13. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational

characteristics of the City of Glendale 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

**OTHER**

14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

**Writer**

Joél Carrasco  
May 1, 2018  
Samantha Keating

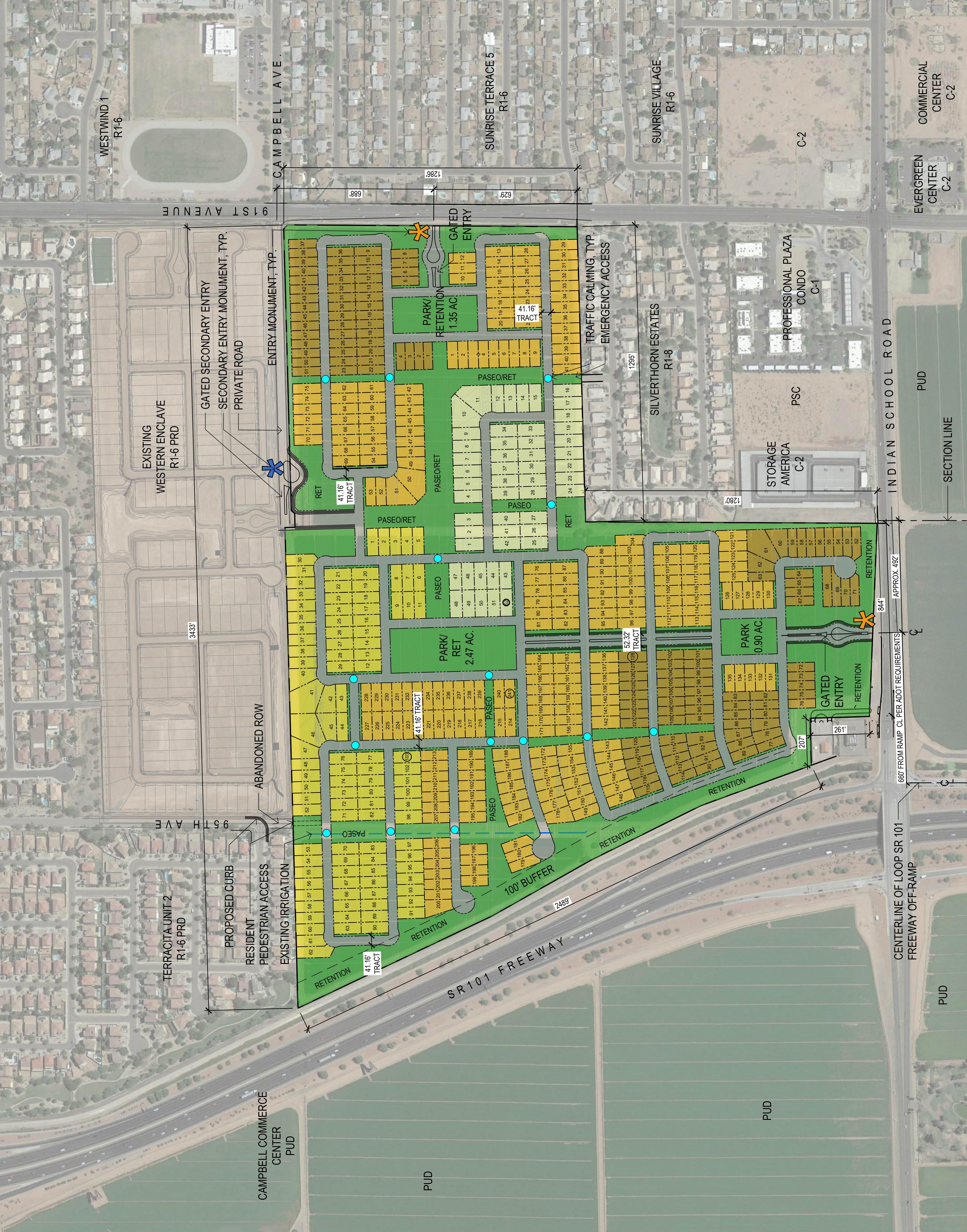
**Exhibits**

Zoning sketch  
Aerial  
Conceptual Site Plan date stamped March 08, 2018  
Renderings and Floor Plans date stamped March 13, 2018 (28 pages)  
Circulation Plan date stamped April 19, 2018









consultant team  
planner / landscape architect:  
andersonbaron  
50 n. mcclintock dr, ste 1  
chandler, arizona 85226  
p. 480.699.7956  
f. 480.699.7986  
contact: andy baron

client:  
lennar  
890 w. elliot rod  
gilbert, az 85233  
p. 480-476-8441  
contact: chris clonts

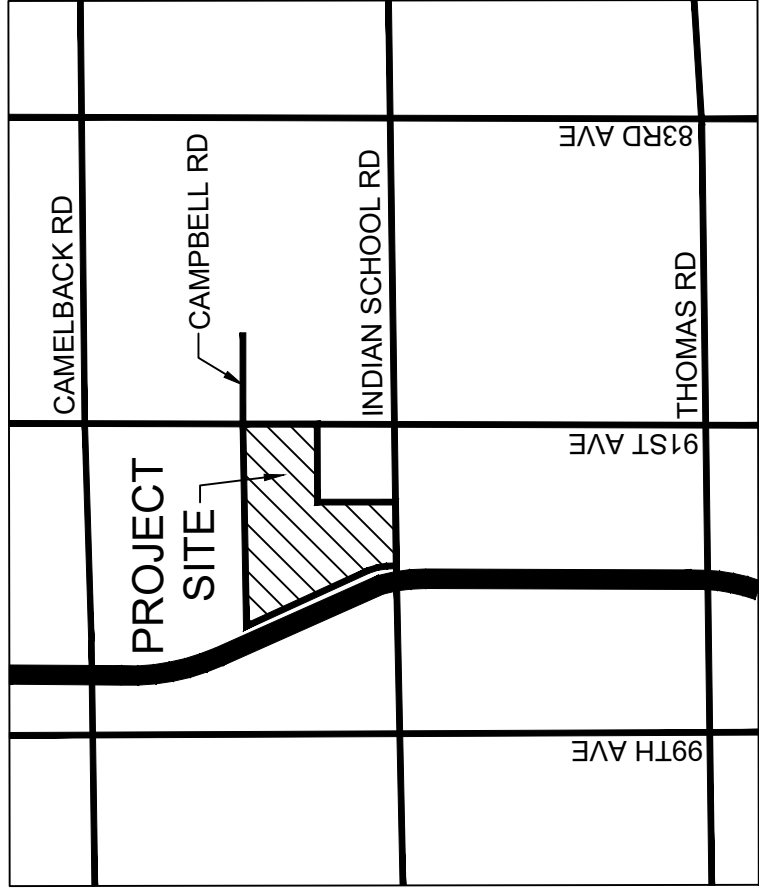
site data  
address: northeast corner of  
indian school rd & SR101  
applicant: andersonbaron  
contact: andy baron  
existing zoning: PUD, PCD  
proposed zoning: R1-6, PRD  
gross acreage: ± 131.22 ac.

Site Data			
Gross Ac.	131.22 Ac.	3.99 DU/Ac.	
Net Ac.	126.57 Ac.		
Open Space	33.02 Ac.	26.1%	
Unit	Quantity	Mix	
40' x 120' Lots	128	24.4%	
45' x 120' Lots	241	46.0%	
50' x 120' Lots	103	19.7%	
55' x 120' Lots	52	9.9%	
Total	524	100.0%	

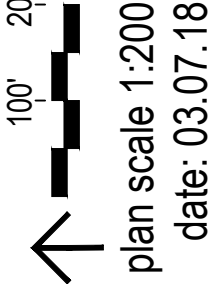
CITY OF PHOENIX

MAR 08 2018

Planning & Development  
Department



VICINITY MAP



Conceptual Site Plan

andersonbaron  
plan · design · achieve  
50 n. mcclintock drive, ste 1  
chandler, arizona 85226  
ph. 480.699.7956 f. 480.699.7986

LENNAR

INDIAN SCHOOL AND 101





**CALATLANTIC HOMES<sup>SM</sup>**  
A LENNAR COMPANY

COTTAGES AT BLUE HORIZONS

**Plan 2725 | 4-5 Bedroom | 2.5-4 Bath | 2 Car Garage | 2,519 sq. ft.**



Spanish Colonial Elevation A



Craftsman Elevation C



French Cottage Elevation F

**CITY OF PHOENIX**

**MAR 13 2018**

**Planning & Development  
Department**



**CALATLANTIC  
HOMES<sup>SM</sup>**

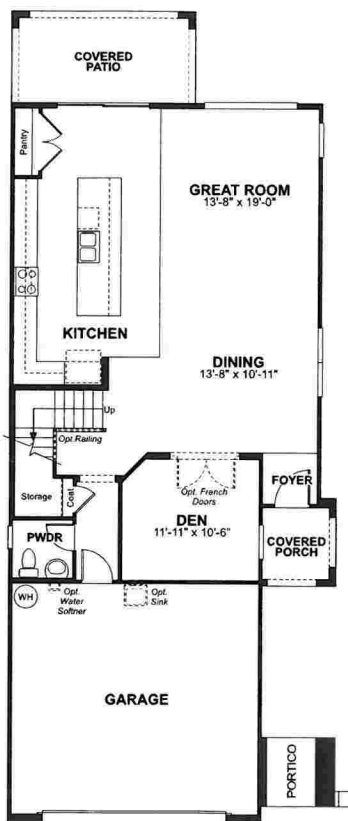
[CalAtlanticHomes.com](http://CalAtlanticHomes.com)



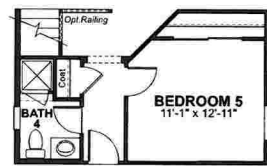
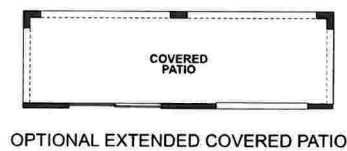
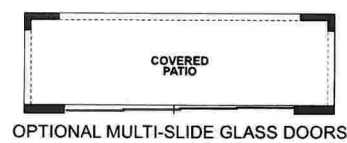
Square footage shown is only an estimate and actual square footage will differ. Buyer should rely on his or her own evaluation of useable area. Prices, plans and terms are effective on the date of publication and subject to change without notice. Depictions of homes or other features are artist conceptions. Hardscape, landscape and other items shown may be decorator suggestions that are not included in the purchase price and availability may vary. Floorplans are the property of CalAtlantic Homes and may not be reproduced without the written agreement of CalAtlantic Homes. CalAtlantic Homes of Arizona, Inc. Construction by: HSP Arizona, Inc., ROC144869A, ROC138431B, ROC242267B-2. A public report is available on the Arizona Department of Real Estate's website.



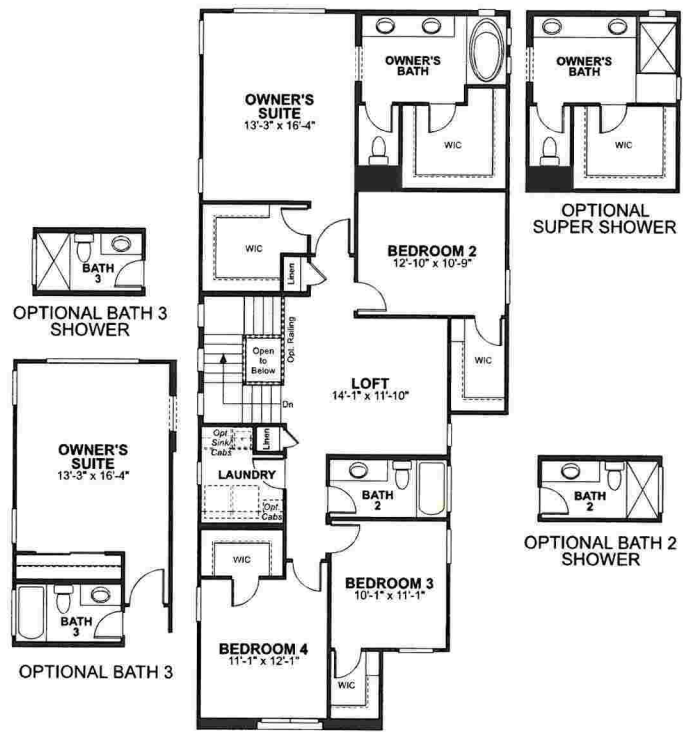
Plan 2725 | 4-5 Bedroom | 2.5-4 Bath | 2 Car Garage | 2,519 sq. ft.



FIRST FLOOR



OPTIONAL BEDROOM 5/BATH 4



SECOND FLOOR



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A LENNAR COMPANY

COTTAGES AT BLUE HORIZONS

**Plan 2820 | 3-4 Bedroom | 2.5 Bath | 2 Car Garage | 1,993 sq. ft.**



Spanish Colonial Elevation A



Craftsman Elevation C



French Cottage Elevation F



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[CalAtlanticHomes.com](http://CalAtlanticHomes.com)

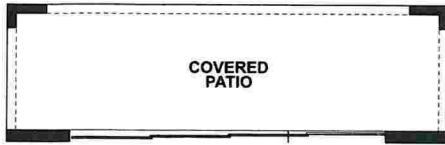


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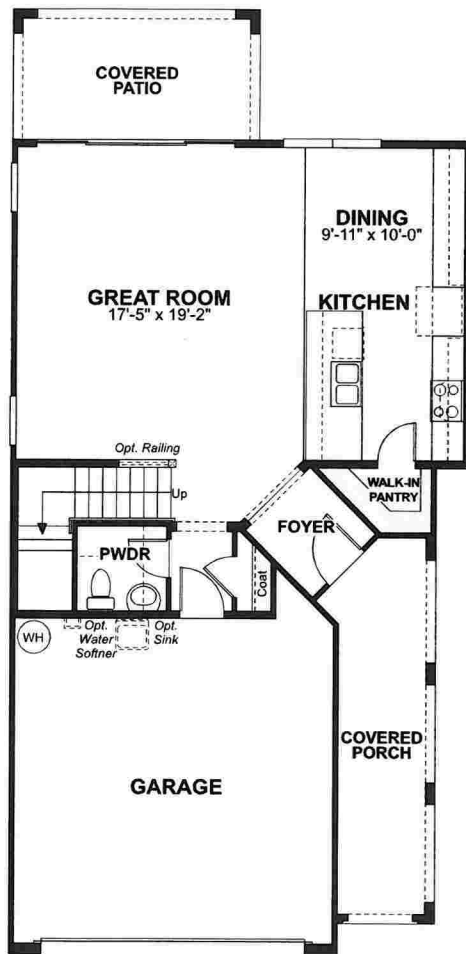
**Plan 2820 | 3-4 Bedroom | 2.5 Bath | 2 Car Garage | 1,993 sq. ft.**



OPTIONAL MULTI-SLIDE GLASS DOOR



OPTIONAL EXTENDED COVERED PATIO



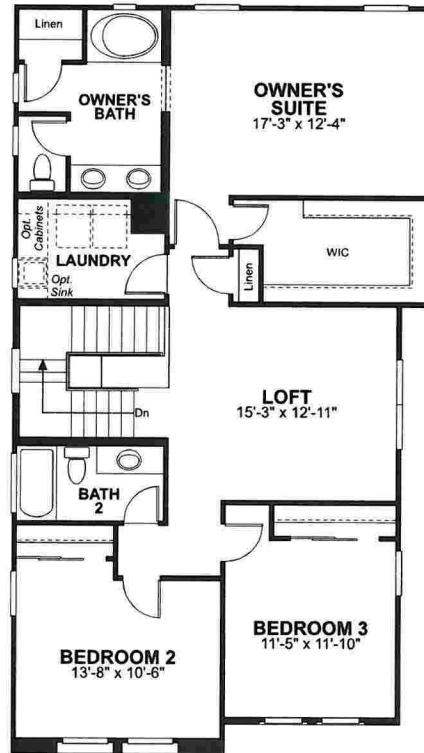
OPTIONAL SUPER SHOWER



OPTIONAL OWNER'S SHOWER



OPTIONAL BATH 2 SHOWER



SECOND FLOOR



OPTIONAL BEDROOM 4



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**CALATLANTIC HOMES**<sup>SM</sup>  
A LENNAR COMPANY

COTTAGES AT BLUE HORIZONS

**Plan 3016 | 3 Bedroom | 2 Bath | 2 Car Garage | 1,609 sq. ft.**



Spanish Colonial Elevation A



Craftsman Elevation C



French Cottage Elevation F



**CALATLANTIC**  
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COTTAGES AT BLUE HORIZONS

Plan 3016 | 3 Bedroom | 2 Bath | 2 Car Garage | 1,609 sq. ft.



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COTTAGES AT BLUE HORIZONS

**Plan 3024 | 3-4 Bedroom | 2.5-3 Bath | 2 Car Garage | 2,427 sq. ft.**



Spanish Colonial Elevation A



Craftsman Elevation C



French Cottage Elevation F



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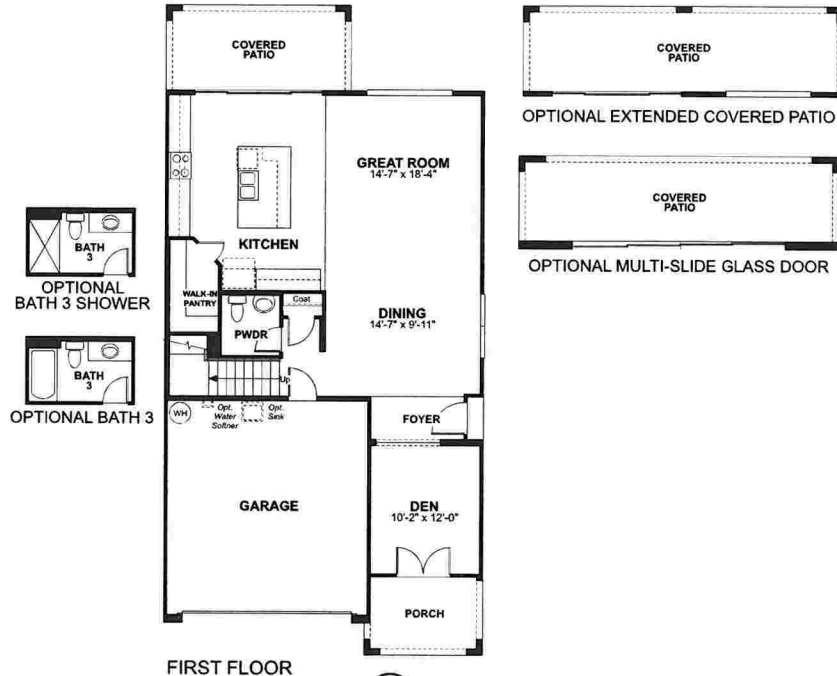
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**Plan 3024 | 3-4 Bedroom | 2.5-3 Bath | 2 Car Garage | 2,427 sq. ft.**



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ARBOR AT WESTERN ENCLAVE

**Mesquite** | Plan 3516 | 3-4 Bedrooms | Study | 2 Baths | 2 Car Garage | 1,742 sq.ft.



Elevation E | Tuscan



Elevation A | Spanish Colonial



Elevation F | French Country



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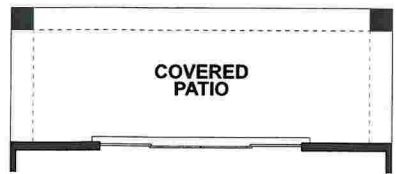
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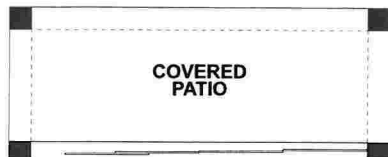
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**Mesquite** | Plan 3516 | 3-4 Bedrooms | Study | 2 Baths | 2 Car Garage | 1,742 sq.ft.



OPTIONAL  
CENTER-SLIDING DOOR



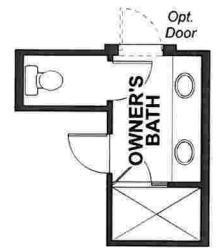
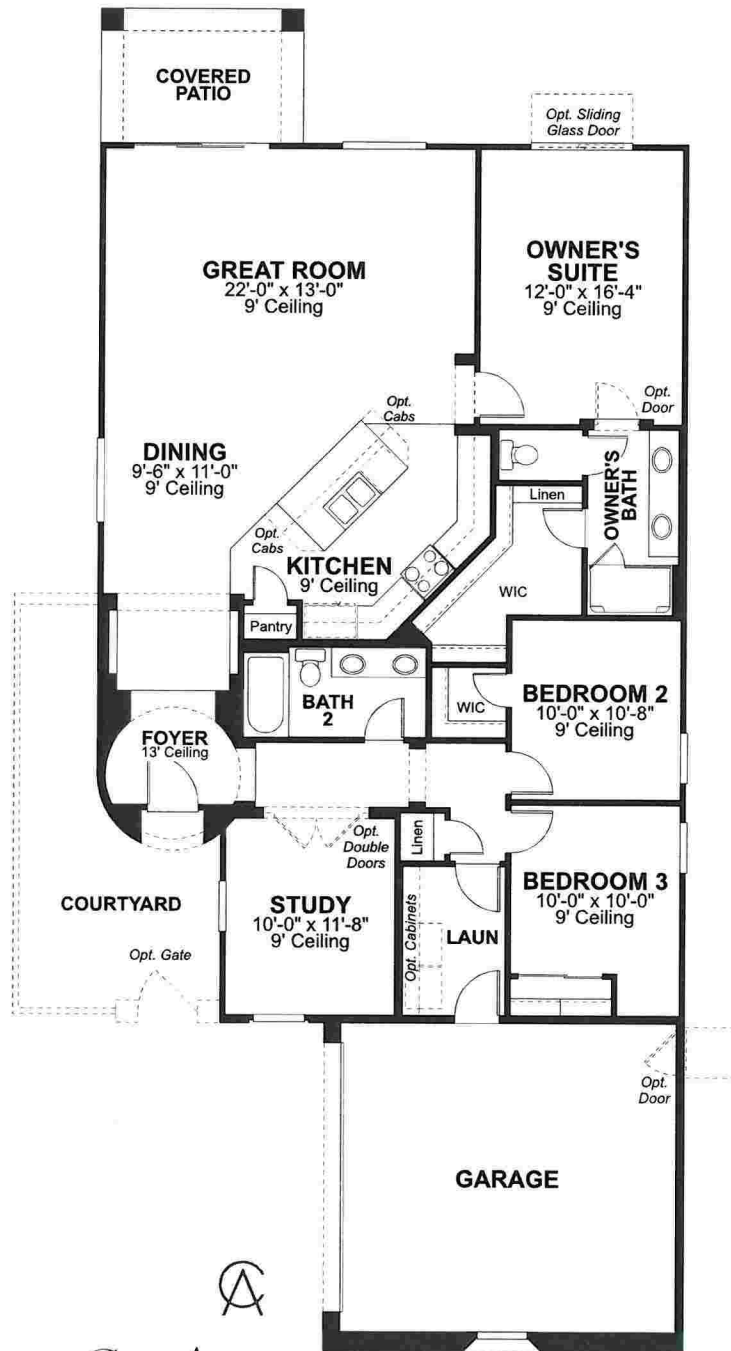
OPTIONAL 20'  
MULTI-SLIDING DOOR



OPTIONAL EXTENDED  
COVERED PATIO



OPTIONAL  
BEDROOM 4



OPTIONAL  
ENLARGED  
SHOWER



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ARBOR AT WESTERN ENCLAVE

**Acacia** | Plan 3517 | 3 Bedrooms | 2 Baths | 2 Car Garage | 1,764 sq.ft.



Elevation A | Spanish Colonial



Elevation C | Craftsman



Elevation H | Ranch Hacienda



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**Acacia** | Plan 3517 | 3 Bedrooms | 2 Baths | 2 Car Garage | 1,764 sq.ft.



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ARBOR AT WESTERN ENCLAVE

**Ironwood** | Plan 3518 | 3-4 Bedrooms | 2.5-3 Baths | 2.5 Car Garage | 1,771 - 1,943 sq.ft.



Elevation C | Craftsman



Elevation A | Spanish Colonial



Elevation I | Western Territorial



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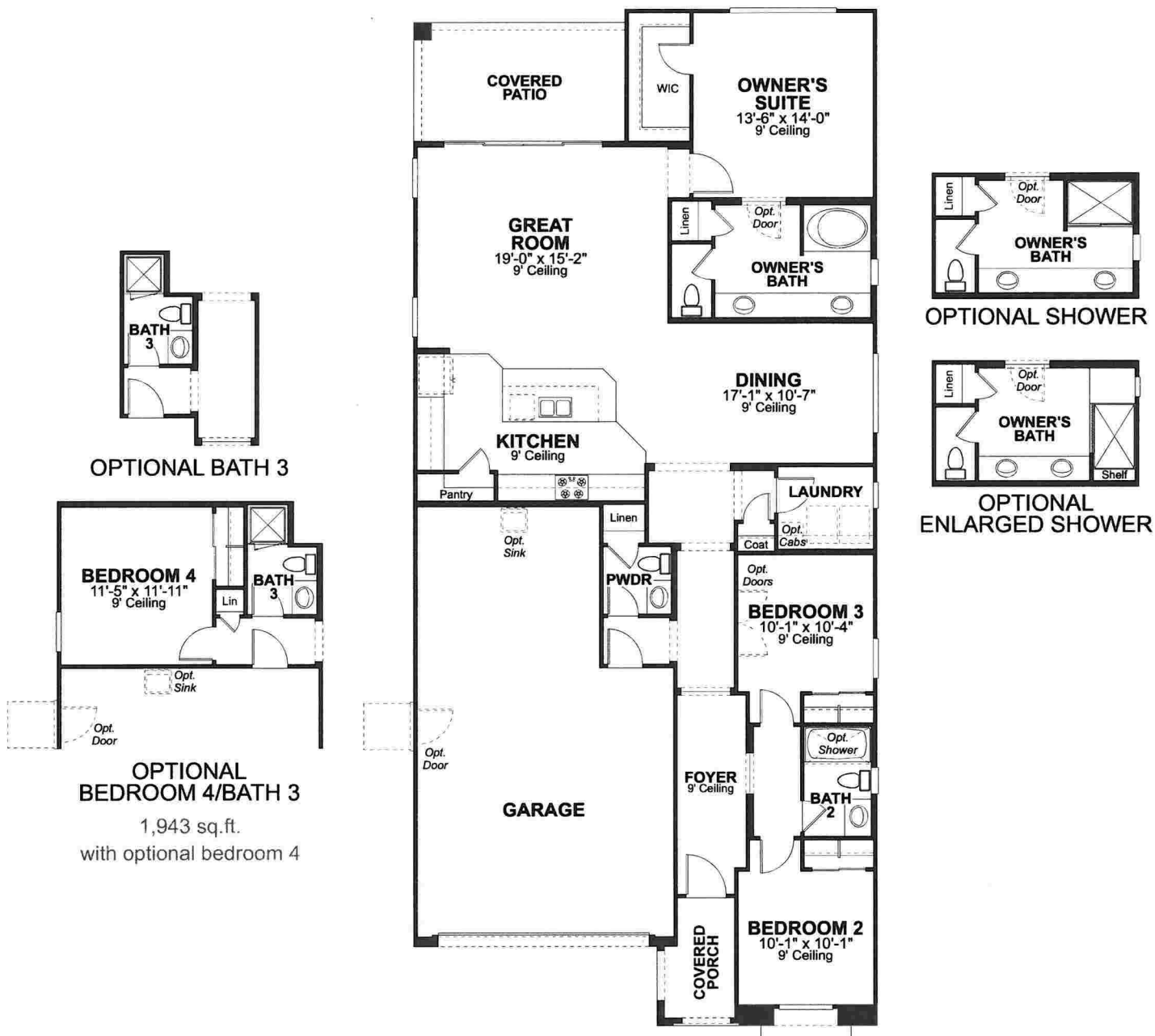
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**Ironwood** | Plan 3518 | 3-4 Bedrooms | 2.5-3 Baths | 2.5 Car Garage | 1,771 - 1,943 sq.ft.



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ARBOR AT WESTERN ENCLAVE

**Palo Verde** | Plan 3519 | 4 Bedrooms | 2 Baths | 2 Car Garage | 1,923 sq.ft.



Elevation H | Ranch Hacienda



Elevation A | Spanish Colonial



Elevation C | Craftsman



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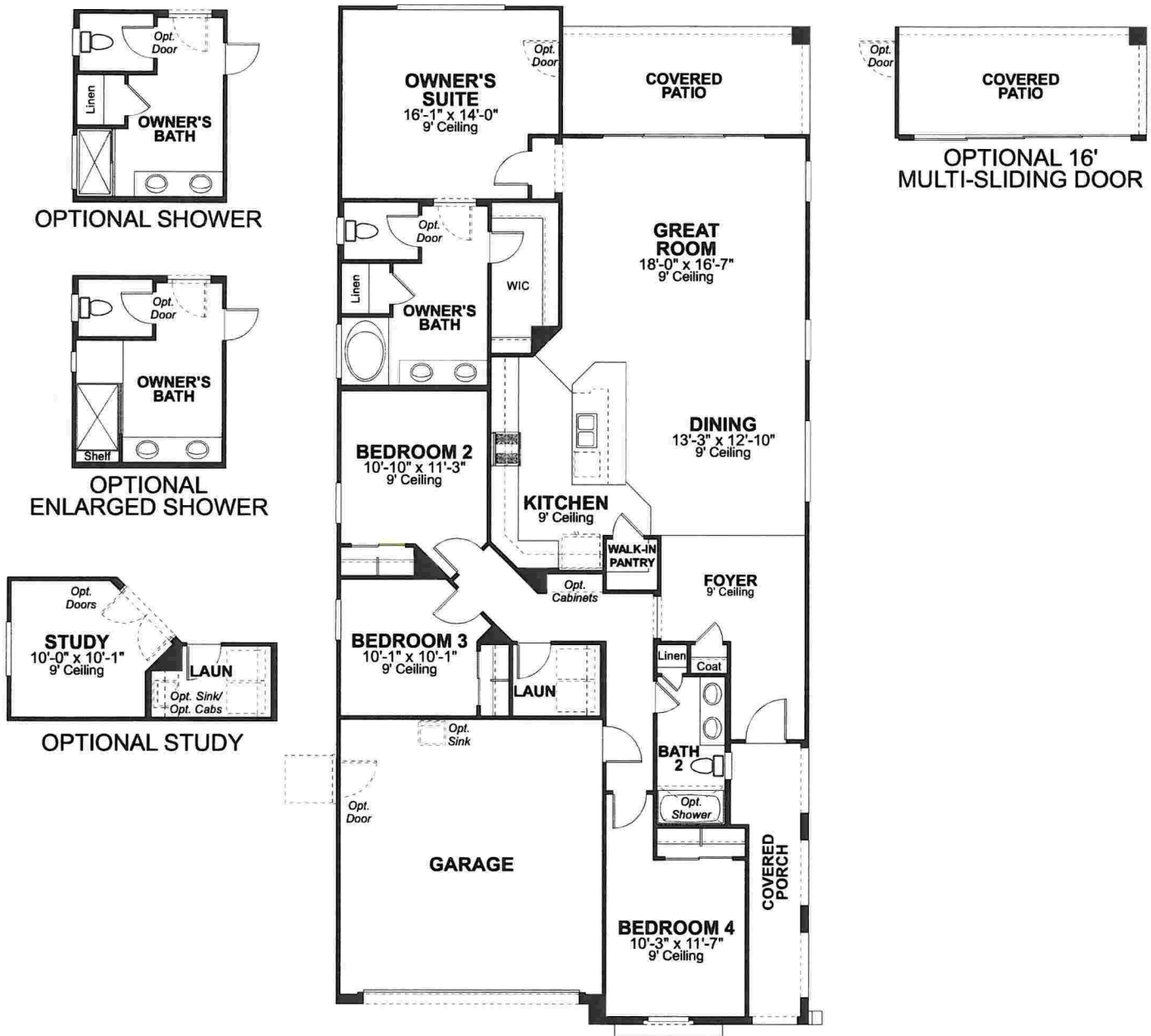
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ARBOR AT WESTERN ENCLAVE

**Ocotillo** | Plan 3520 | 4-5 Bedrooms | Study | 3 Baths | 2 Car Garage | 1,968 sq.ft.



Elevation C | Craftsman



Elevation A | Spanish Colonial



Elevation H | Ranch Hacienda



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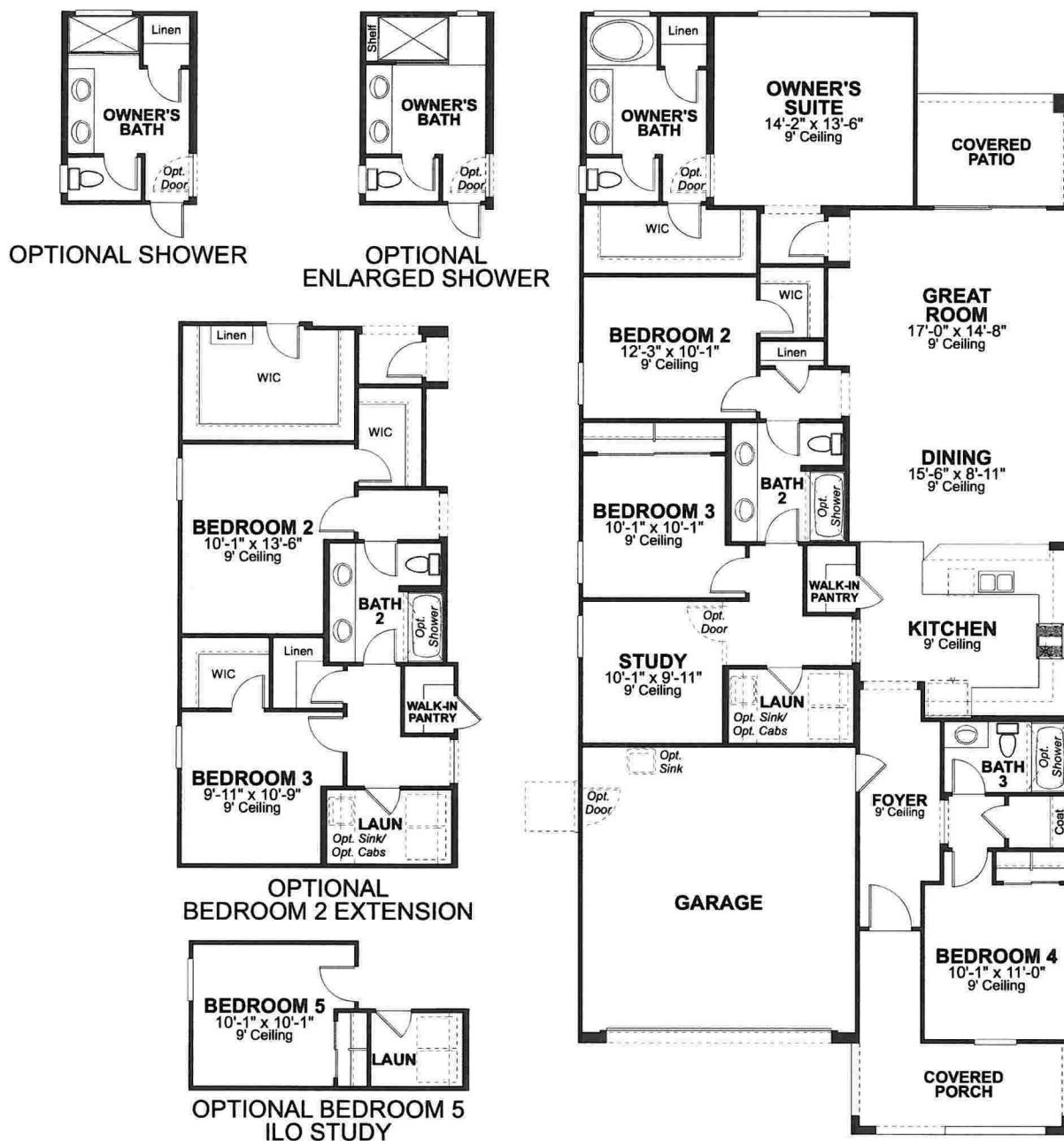
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**Ocotillo** | Plan 3520 | 4-5 Bedrooms | Study | 3 Baths | 2 Car Garage | 1,968 sq.ft.



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DESERT BLOOM AT WESTERN ENCLAVE

**Sage** | Plan 4022 | 4-5 Bedrooms | 3-4 Baths | 2-2.5 Car Garage | 2,121-2,286 sq.ft.



Elevation C | Craftsman



Elevation A | Spanish Colonial



Elevation E | Tuscan



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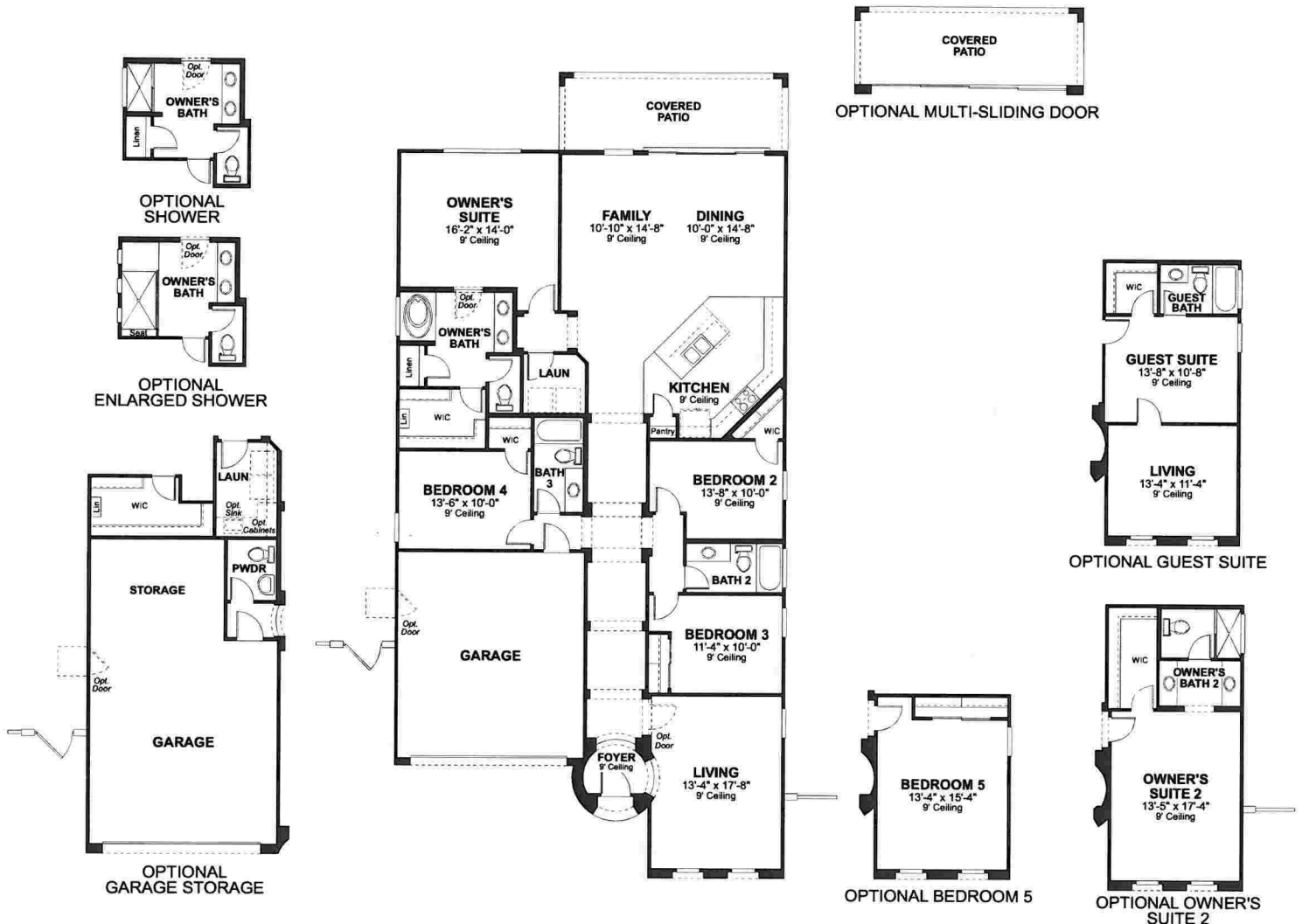
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DESERT BLOOM AT WESTERN ENCLAVE

**Sage** | Plan 4022 | 4-5 Bedrooms | 3-4 Baths | 2-2.5 Car Garage | 2,121-2,286 sq.ft.



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DESERT BLOOM AT WESTERN ENCLAVE

**Daisy** | Plan 4421 | 3-4 Bedrooms | Study | 2.5-3 Baths | 3 Car Garage | 2011-2,152 sq. ft.



Elevation A | Spanish Colonial



Elevation H | Ranch Hacienda



Elevation F | French Country



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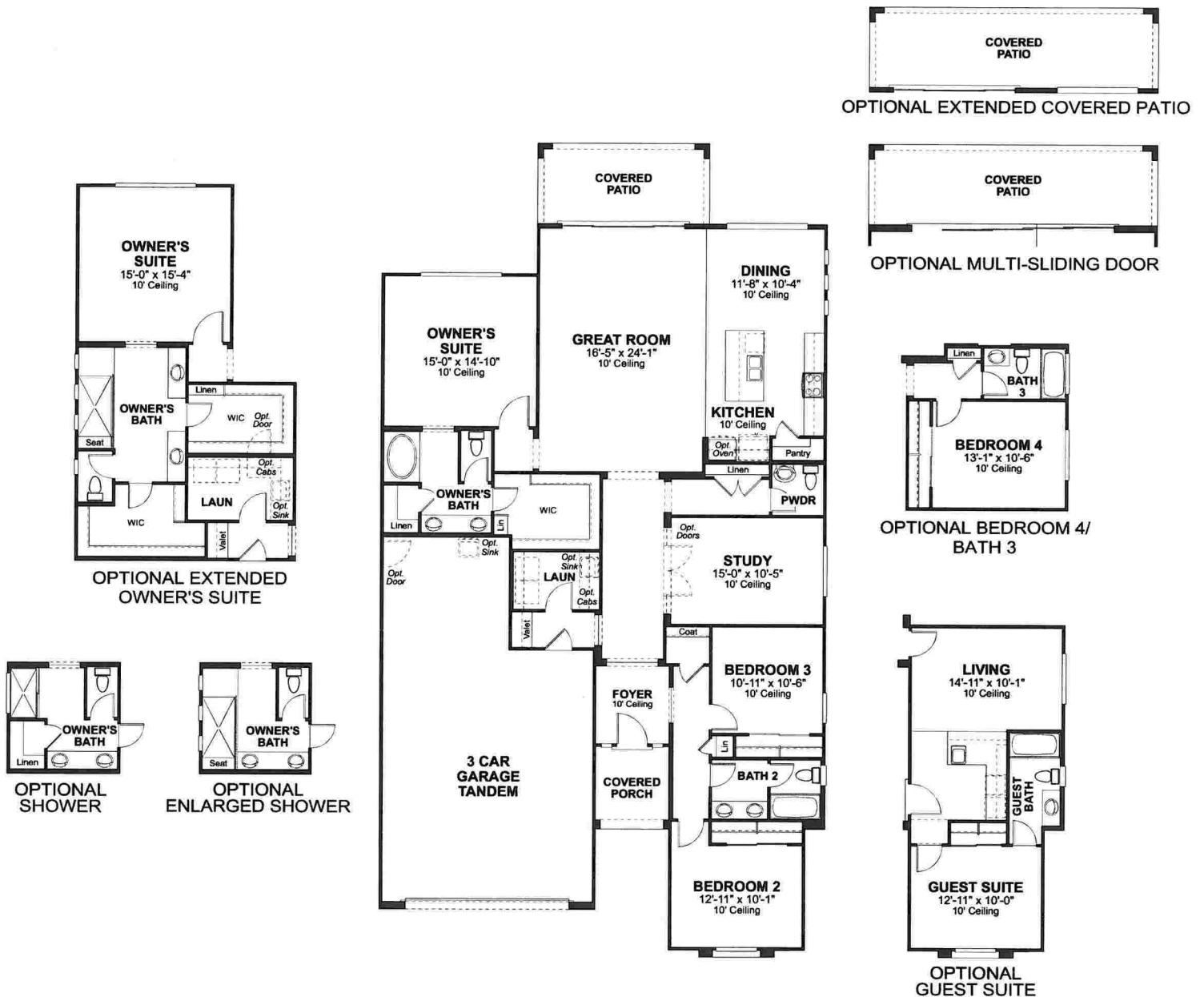




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DESERT BLOOM AT WESTERN ENCLAVE

**Daisy** | Plan 4421 | 3-4 Bedrooms | Study | 2.5-3 Baths | 3 Car Garage | 2011-2,152 sq. ft.



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DESERT BLOOM AT WESTERN ENCLAVE

**Lavender** | Plan 4524 | 3-5 Bedrooms | Study | 3-4 Baths | 3 Car Tandem Garage | 2,420-2,607 sq.ft.



Elevation G | Italianate



Elevation A | Spanish Colonial



Elevation I | Western Territorial



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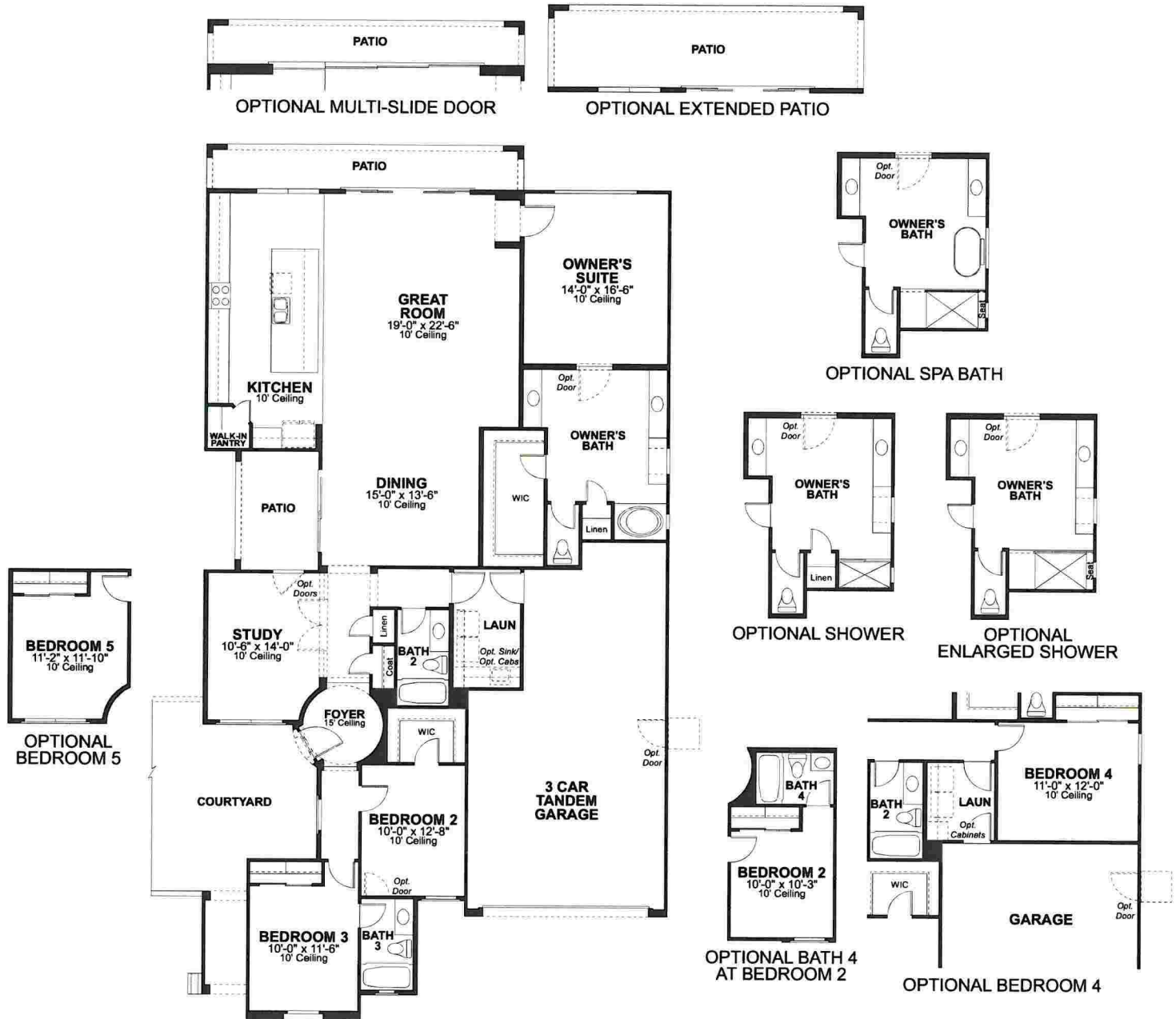
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**Lavender** | Plan 4524 | 3-5 Bedrooms | Study | 3-4 Baths | 3 Car Tandem Garage | 2,420-2,607 sq.ft.







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DESERT BLOOM AT WESTERN ENCLAVE

**Jasmine** | Plan 4525 | 3-4 Bedrooms | Study | 2.5 Baths | 3 Car Tandem Garage | 2,564 sq.ft.



Elevation I | Western Territorial



Elevation A | Spanish Colonial



Elevation H | Ranch Hacienda



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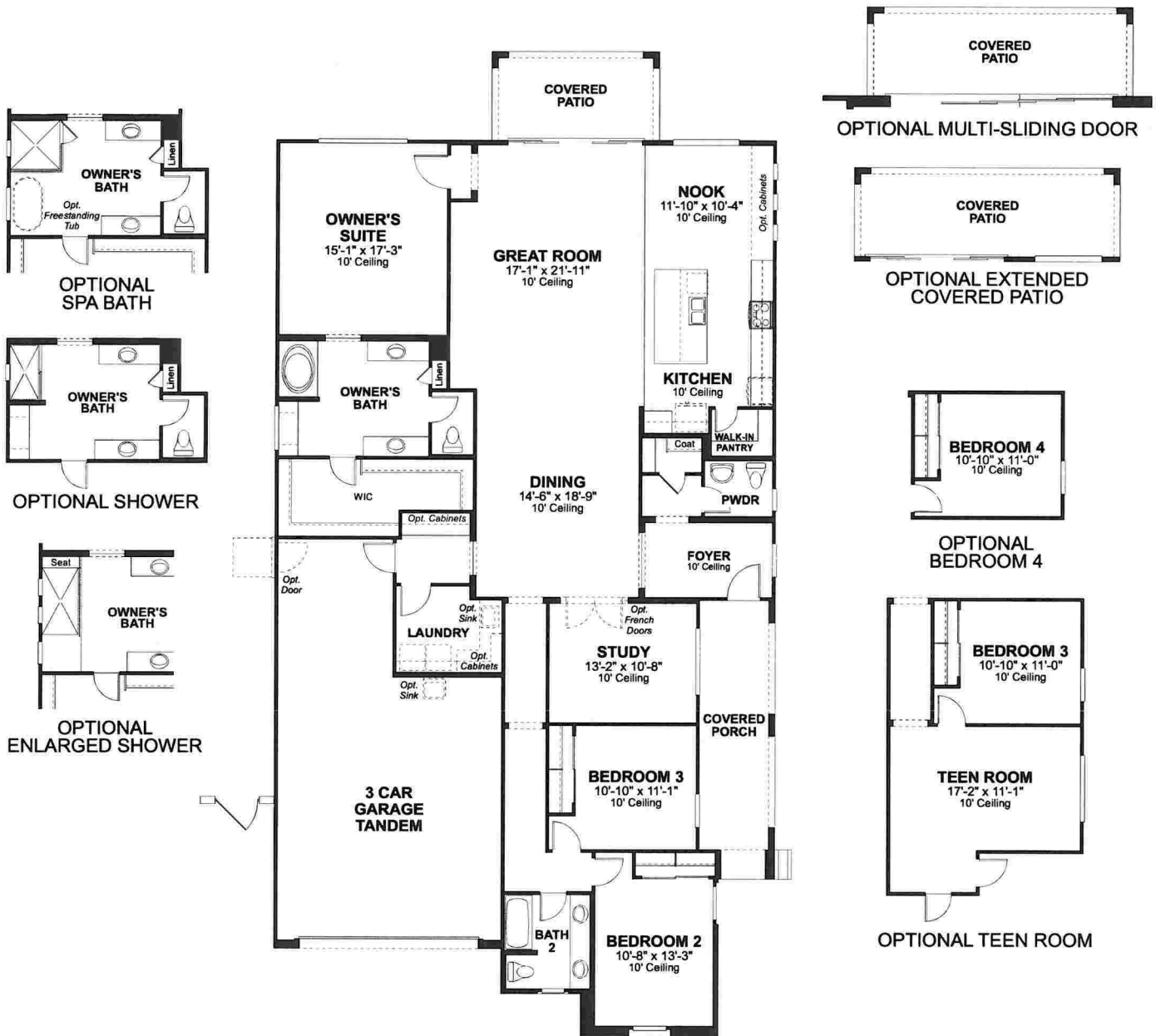
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**Jasmine** | Plan 4525 | 3-4 Bedrooms | Study | 2.5 Baths | 3 Car Tandem Garage | 2,564 sq.ft.



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DESERT BLOOM AT WESTERN ENCLAVE

**Lantana** | Plan 4526 | 4 Bedrooms | Teen Room | 3-4 Baths | 3 Car Tandem Garage | 2,586 sq.ft.



Elevation F | French Country



Elevation A | Spanish Colonial



Elevation C | Craftsman



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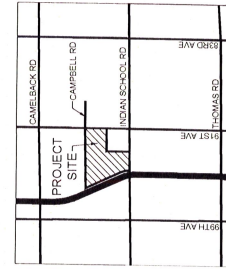
# TRAIL LEGEND

SYMBOL	DESCRIPTION
	5' DETACHED SIDEWALK
	5' CONCRETE SIDEWALK ATTACHED TO BOC
	4' CONCRETE SIDEWALK ATTACHED TO BOC
	4' DETACHED SIDEWALK
	5' CONCRETE PATH
	EXISTING 5' CONCRETE PATH
	PEDESTRIAN GATE

**CITY OF PHOENIX**

APR 19 2018

**Planning & Development  
Department**



VICINITY MAP

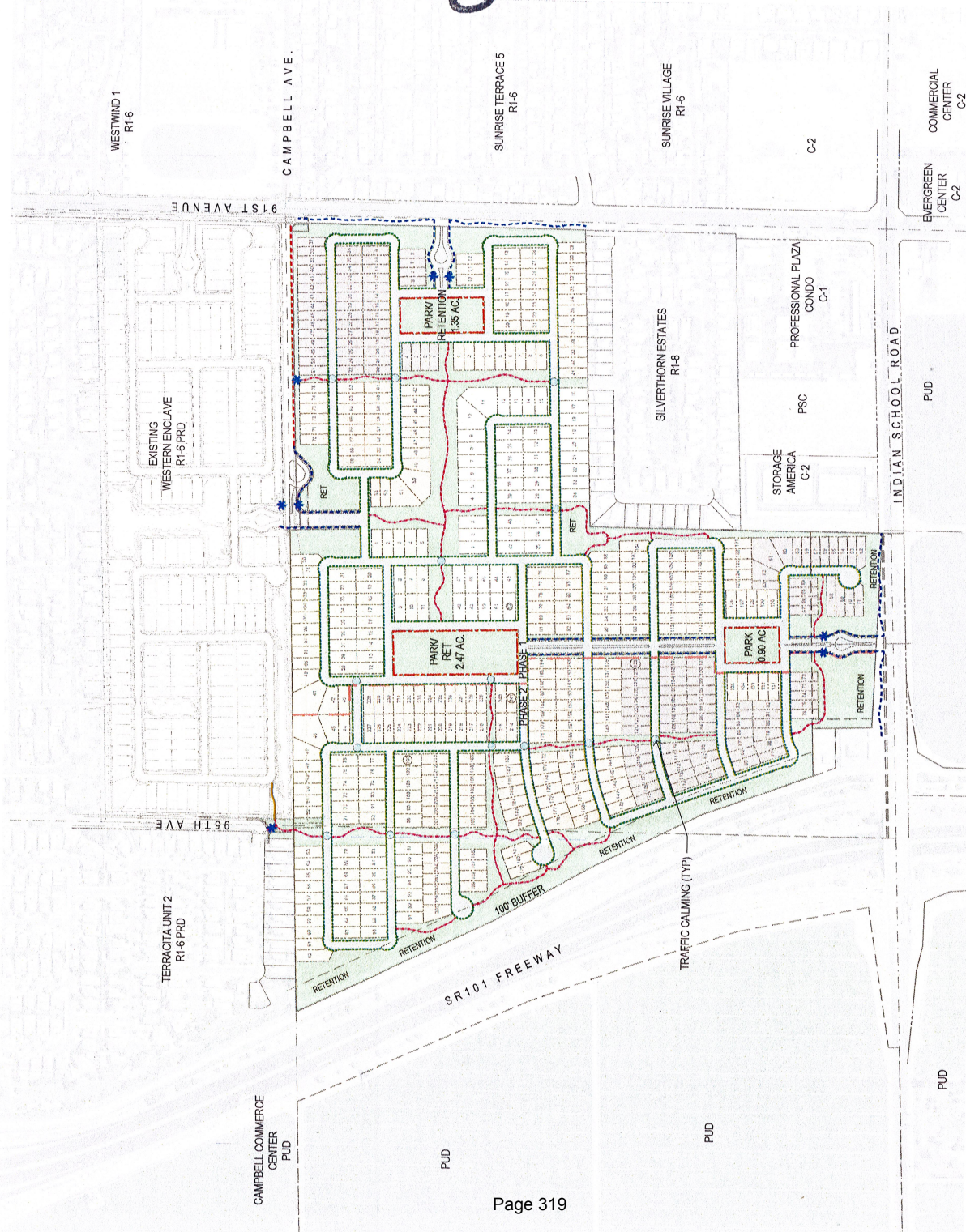


Andersonbaron  
Planning & Development  
1000 North Central Expressway  
Phoenix, Arizona 85028  
PH: 480.937.7950 FAX: 480.937.7986

plan scale 1:200  
date: 04.18.18

## INDIAN SCHOOL AND 101

**LENNAR**



**ADDENDUM A**  
**Staff Report: Z-16-18-5**  
June 7, 2018

Maryvale <a href="#">Village Planning Committee</a>	May 9, 2018
Meeting Date:	
<a href="#">Planning Commission</a> Hearing Date:	June 7, 2018
Request From:	<a href="#">PUD PCD</a> (131.27 Acres)
Request To:	<a href="#">R1-6</a> (131.27 Acres)
Proposed Use:	Single-Family Residential
Location:	Northeast corner of Loop 101/Agua Fria Freeway and Indian School Road
Owner/Applicant:	Algodón AG Revocable Land Trust
Representative:	Stephen W. Anderson, Gammage & Burnham, PLC
Staff Recommendation:	Approval, subject to stipulations

The Maryvale Village Planning Committee heard the request on May 9, 2018 alongside companion case GPA-MV-2-18-5. The committee recommended approval of the companion case GPA-MV-2-18-5, by a vote of 8-0-1, and approval of Z-16-18-5 as recommended by staff, by a vote of 5-4.

As a result of ongoing dialogue, and the applicant's submittal of a revised Circulation Plan, city staff and the applicant have come to an agreement to revise the following:

- Revise stipulation 2 to increase the minimum open space from 15% to 20%.
- Remove stipulation 4 which has been addressed through the depiction of a pedestrian pathway along the western boundary in the revised Circulation Plan.
- Modify stipulation 6 to stipulate general conformance to the quantity and location of circulation elements (sidewalks, trails, and traffic mitigation infrastructure) as depicted on the revised Circulation Plan.

**Revised Stipulations**

1. The project shall not exceed 524 lots.
2. A minimum of 4520 percent of the gross site area shall be retained as open space, as approved by the Planning and Development Department.

3. An average 100-foot-wide landscape setback shall be provided and maintained along the west boundary of the development as approved by the Planning and Development Department. Landscaping within the setback shall include a double row of trees with a minimum mixture of 1-½ inch (50%) and 1-inch (50%) caliper trees planted at a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
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- A. DETACHED SIDEWALKS SHALL INCLUDE A MINIMUM FIVE-FOOT-WIDE LANDSCAPED STRIP LOCATED BETWEEN THE SIDEWALK AND BACK OF CURB AND MINIMUM 2-INCH CALIPER SHADE TREES PLANTED A MINIMUM OF 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS ALONG BOTH SIDES OF THE SIDEWALK.
- B. EACH "DETACHED SIDEWALK CHOKER TRAFFIC CALMING" ELEMENT SHALL BE A MINIMUM LENGTH OF 60 FEET AND THE PLANNING AND DEVELOPMENT DEPARTMENT SHALL HAVE THE AUTHORITY TO REDUCE THE MINIMUM LENGTH TO ACCOMMODATE OTHER SITE CONSIDERATIONS UPON REQUEST.



## PUBLIC TRANSIT

6. The right-of-way shall be dedicated and bus stop pads constructed at the  
~~7.~~ following locations, as approved by the Planning and Development Department.
- Westbound Indian School Road
  - Southbound 91st Avenue south of Campbell Road
- The bus stop pads shall be built per City of Phoenix Standard Detail P1262 with a depth of at least 10 feet and placed between 60 and 110 feet from the intersections. Walk paths and pedestrian entrances to the community shall be provided near each bus stop.

## STREETS

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11. The Indian School Road access point shall be located to align with the 93rd  
~~12.~~ Avenue and Indian School Road major access point into the Algodon Center, as approved with the Planning and Development Department.

## AVIATION

12. The property owner shall record a Notice to Prospective Purchasers of  
~~13.~~ Proximity to Airport in order to disclose the existence and operational characteristics of the City of Glendale 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

## OTHER

13. In the event archaeological materials are encountered during construction, the  
~~14.~~ developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

14. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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**

Joél Carrasco  
June 7, 2018

**Team Leader**

Samantha Keating

**Exhibits:**

Conceptual Circulation Plan date stamped June 4, 2018  
Illustrative Perspective date stamped May 29, 2018

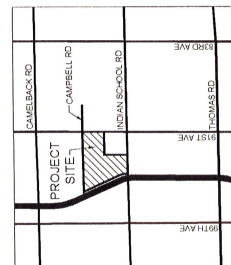
5' DETACHED SIDEWALK  
5' CONCRETE SIDEWALK  
ATTACHED TO BOC  
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ATTACHED TO BOC  
4' DETACHED SIDEWALK  
5' CONCRETE PATH  
EXISTING 5' CONCRETE PATH

DETACHED SIDEWALK CHOKER  
TRAFFIC CALMING LOCATION

**CITY OF PHOENIX**  
A 2018

JUN 04 2018

**Planning & Development  
Department**



plan scale 1:200

date: 06.01.18

**andersonbaron**

plan • design • achieve  
SON. meclintock drive, ste 1

chandler, arizona 85226  
ph 480.699.7956 f.480.699.7986

## Circulation Plan

# INDIAN SCHOOL AND 101

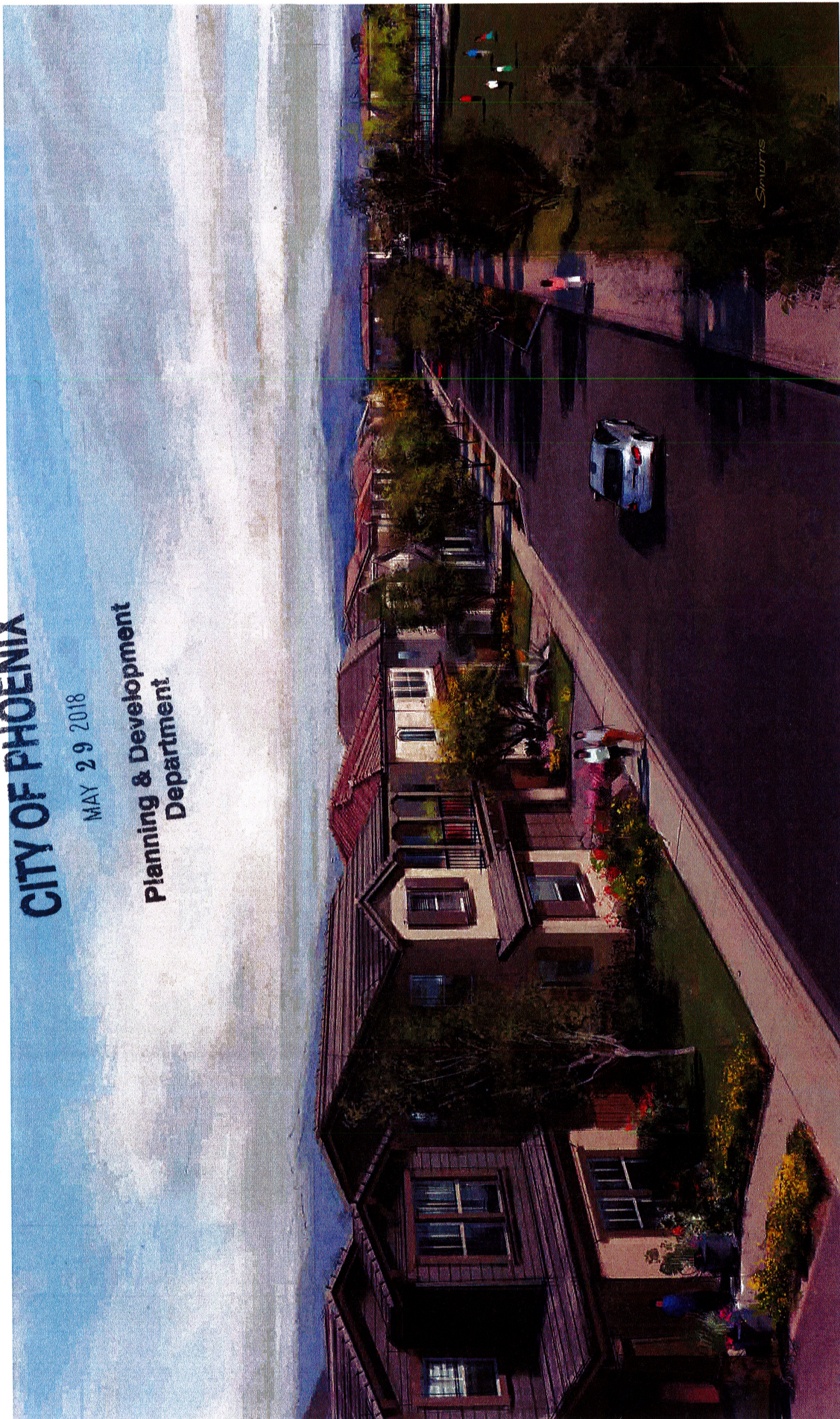
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# CITY OF PHOENIX

MAY 29 2018

Planning & Development  
Department





## Attachment C

### **ADDENDUM A** **Staff Report: Z-16-18-5** June 7, 2018

<b>Maryvale <a href="#">Village Planning Committee</a></b>	May 9, 2018
<b>Meeting Date:</b>	
<b><a href="#">Planning Commission</a> Hearing Date:</b>	June 7, 2018
<b>Request From:</b>	<a href="#">PUD PCD</a> (131.27 Acres)
<b>Request To:</b>	<a href="#">R1-6</a> (131.27 Acres)
<b>Proposed Use:</b>	Single-Family Residential
<b>Location:</b>	Northeast corner of Loop 101/Agua Fria Freeway and Indian School Road
<b>Owner/Applicant:</b>	Algodón AG Revocable Land Trust
<b>Representative:</b>	Stephen W. Anderson, Gammage & Burnham, PLC
<b>Staff Recommendation:</b>	Approval, subject to stipulations

The Maryvale Village Planning Committee heard the request on May 9, 2018 alongside companion case GPA-MV-2-18-5. The committee recommended approval of the companion case GPA-MV-2-18-5, by a vote of 8-0-1, and approval of Z-16-18-5 as recommended by staff, by a vote of 5-4.

As a result of ongoing dialogue, and the applicant's submittal of a revised Circulation Plan, city staff and the applicant have come to an agreement to revise the following:

- Revise stipulation 2 to increase the minimum open space from 15% to 20%.
- Remove stipulation 4 which has been addressed through the depiction of a pedestrian pathway along the western boundary in the revised Circulation Plan.
- Modify stipulation 6 to stipulate general conformance to the quantity and location of circulation elements (sidewalks, trails, and traffic mitigation infrastructure) as depicted on the revised Circulation Plan.

#### **Revised Stipulations**

1. The project shall not exceed 524 lots.
2. A minimum of 4520 percent of the gross site area shall be retained as open space, as approved by the Planning and Development Department.

3. An average 100-foot-wide landscape setback shall be provided and maintained along the west boundary of the development as approved by the Planning and Development Department. Landscaping within the setback shall include a double row of trees with a minimum mixture of 1-½ inch (50%) and 1-inch (50%) caliper trees planted at a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
- ~~4. A pedestrian pathway shall be provided along the full length of the western boundary, within the 100-foot-wide landscape setback in accordance with the City of Phoenix standard trail detail, as approved by the Planning and Development Department.~~
4. A landscaped entry and monument sign(s) shall be provided at each entryway into the development from 91st Avenue and Indian School Road. The landscaped entries shall be a minimum of 250 square feet and be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.
- ~~5. All sidewalks shall be detached with a minimum five-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by the property owner.~~

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- B. EACH "DETACHED SIDEWALK CHOKER TRAFFIC CALMING" ELEMENT SHALL BE A MINIMUM LENGTH OF 60 FEET AND THE PLANNING AND DEVELOPMENT DEPARTMENT SHALL HAVE THE AUTHORITY TO REDUCE THE MINIMUM LENGTH TO ACCOMMODATE OTHER SITE CONSIDERATIONS UPON REQUEST.

## PUBLIC TRANSIT

6. The right-of-way shall be dedicated and bus stop pads constructed at the  
~~7.~~ following locations, as approved by the Planning and Development Department.
- Westbound Indian School Road
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- The bus stop pads shall be built per City of Phoenix Standard Detail P1262 with a depth of at least 10 feet and placed between 60 and 110 feet from the intersections. Walk paths and pedestrian entrances to the community shall be provided near each bus stop.

## STREETS

7. Right-of-way totaling 35 feet shall be dedicated for the west half of 91st  
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## AVIATION

12. The property owner shall record a Notice to Prospective Purchasers of  
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## OTHER

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**Writer**

Joél Carrasco  
June 7, 2018

**Team Leader**

Samantha Keating

**Exhibits:**

Conceptual Circulation Plan date stamped June 4, 2018  
Illustrative Perspective date stamped May 29, 2018

TRAIL LEGEND

SYMBOL	DESCRIPTION
	5' DETACHED SIDEWALK
	5' CONCRETE SIDEWALK ATTACHED TO BOC
	4' CONCRETE SIDEWALK ATTACHED TO BOC
	4' DETACHED SIDEWALK
	5' CONCRETE PATH
	EXISTING 5' CONCRETE PATH



PEDESTRIAN GATE

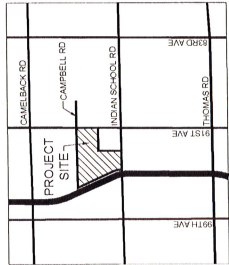


DETACHED SIDEWALK CHOKER  
TRAFFIC CALMING LOCATION

CITY OF PHOENIX

JUN 04 2018

Planning & Development  
Department



VICINITY MAP

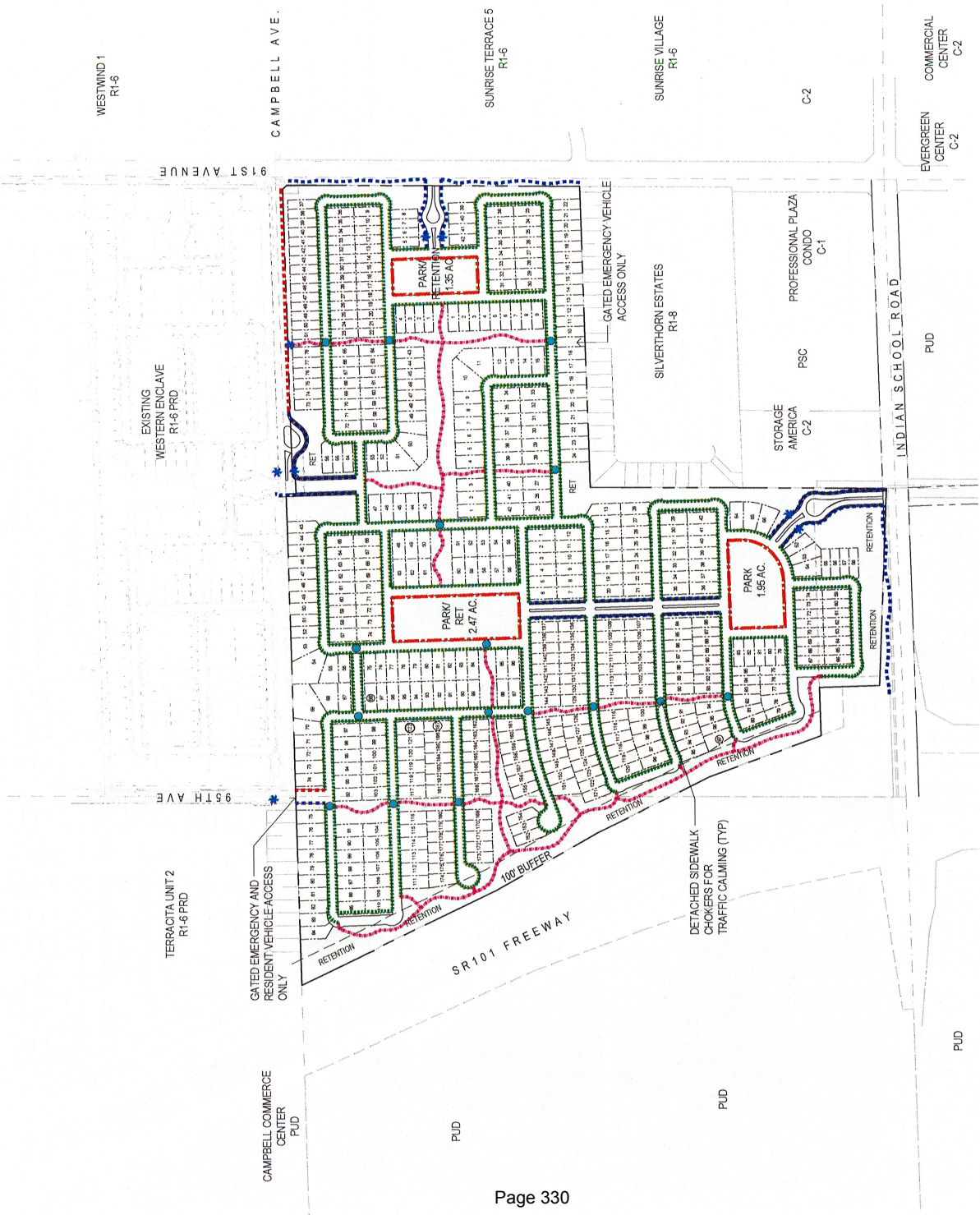
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andersonbaron  
plan · design · achieve  
500 N. PUEBLO AVENUE, SUITE 200  
PHOENIX, AZ 85006  
PH: 480.699.7956 FAX: 480.699.7986

Circulation Plan

INDIAN SCHOOL AND 101

LENNAR

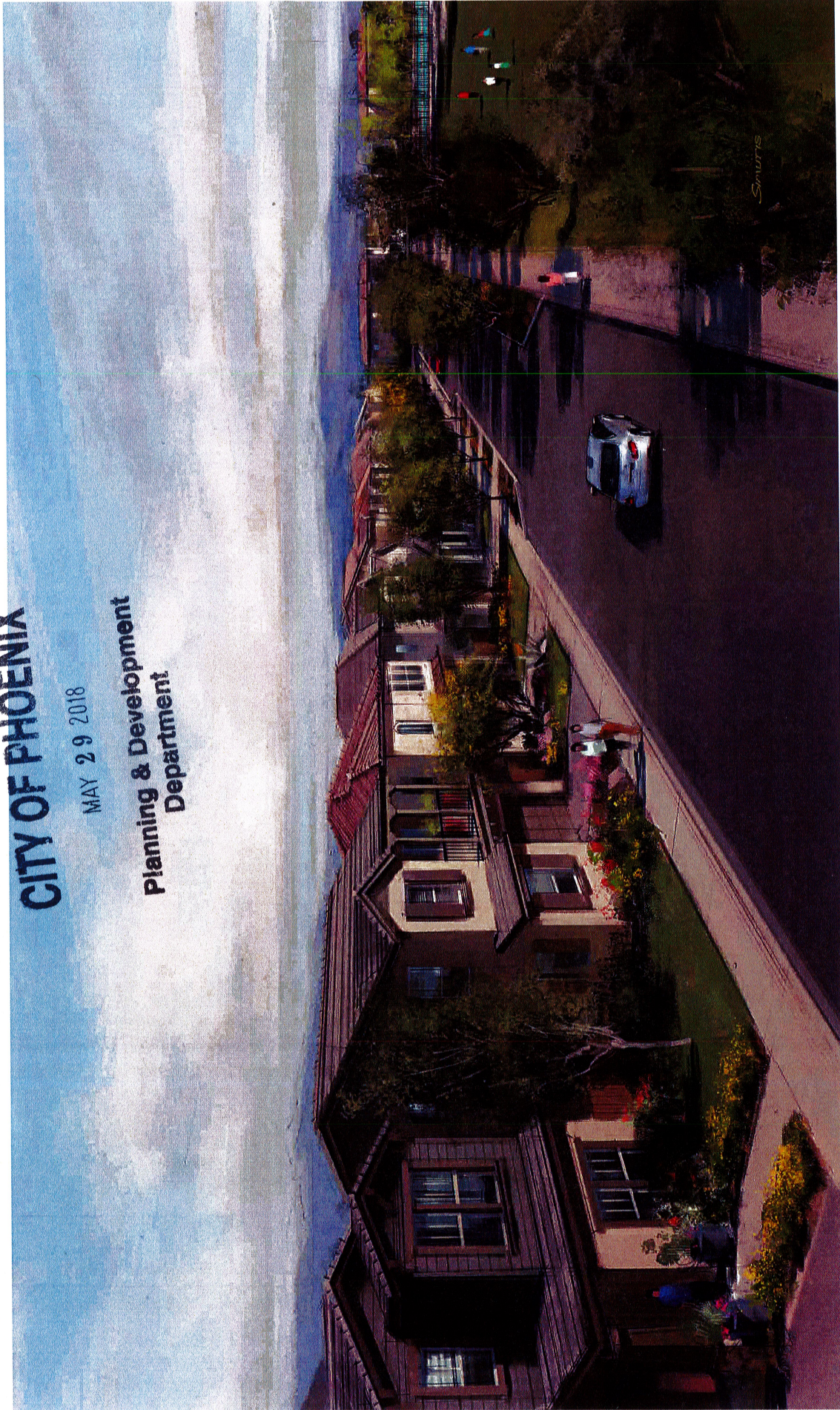




# CITY OF PHOENIX

MAY 29 2018

Planning & Development  
Department





## Attachment D

### REPORT OF PLANNING COMMISSION ACTION June 07, 2018

ITEM NO: 3	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-16-18-5 (Companion Case GPA-MV-2-18-5)
Location:	Northeast corner of SR-101 and Indian School Road
Request:	From: PUD PCD To: R1-6 Acreage: 131.27
Proposal:	Single-Family residential
Applicant:	Algodón AG Revocable Land Trust
Owner:	Algodón AG Revocable Land Trust
Representative:	Stephen W. Anderson, Gammage & Burnham, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, per the Addendum A Staff Report.

Village Planning Committee (VPC) Recommendation:

**Maryvale** 5/9/2018 Approval, per the staff recommendation. Vote: 5-4 (DePascal, Ellis, Shapiro, Weber).

Planning Commission Recommendation: Approval, per the Addendum A Staff Report.

Motion Discussion: N/A

Motion details – Commissioner Katsenes made a MOTION to approve Z-16-18-5, per the Addendum A Staff Report.

Maker: Katsenes  
Second: Whitaker  
Vote: 6-0 (Shank recused)  
Absent: Heck  
Opposition Present: No

#### **Findings:**

1. The proposal is not consistent with the General Land Use Map designation of Mixed Use (Commercial/Industrial). However, a companion General Plan Amendment request (GPA-MV-2-18-5) for a designation of Residential 3.5 to 5 dwelling units per acre is being processed concurrently.
2. The proposal, as stipulated and through compliance with the City of Phoenix Zoning and Subdivision Ordinances, is compatible with the surrounding land use patterns in the area.

3. The development will provide additional housing choices for Maryvale Village residents within the Loop 101 Major Employment Center and in close proximity to planned employment generating uses within the Algodón Center PUD to the south across Indian School Road.

Stipulations:

1. The project shall not exceed 524 lots.
2. A minimum of ~~45~~20 percent of the gross site area shall be retained as open space, as approved by the Planning and Development Department.
3. An average 100-foot-wide landscape setback shall be provided and maintained along the west boundary of the development as approved by the Planning and Development Department. Landscaping within the setback shall include a double row of trees with a minimum mixture of 1-½ inch (50%) and 1-inch (50%) caliper trees planted at a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
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- B. EACH "DETACHED SIDEWALK CHOKER TRAFFIC CALMING" ELEMENT



SHALL BE A MINIMUM LENGTH OF 60 FEET AND THE PLANNING AND DEVELOPMENT DEPARTMENT SHALL HAVE THE AUTHORITY TO REDUCE THE MINIMUM LENGTH TO ACCOMMODATE OTHER SITE CONSIDERATIONS UPON REQUEST.

#### PUBLIC TRANSIT

6. The right-of-way shall be dedicated and bus stop pads constructed at the following  
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#### AVIATION

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This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.



**Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-19-F-00-5 - Area Generally Bounded by 99th Avenue to 91st Avenue, and Thomas Road to Indian School Road and Campbell Avenue (Ordinance G-6483)**

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. Request is to rezone the site from PUD PCD to PUD PCD to allow a major amendment to the Algodon PUD (Z-19-E-00-5) to modify the PUD boundary. This case is related to GPA-MV-2-18-5 and Z-16-18-5.

**Summary**

Current Zoning: PUD PCD (Planned Unit Development, Planned Community District)

Proposed Zoning: PUD PCD (Planned Unit Development, Planned Community District)

Acreage: 672.92 acres

Proposed Use: Major amendment to the Algodon PUD (Z-19-E-00-5) to modify the PUD boundary

Owner: Algodon AG Revocable Land Trust

Applicant: Algodon AG Revocable Land Trust

Representative: Stephen W. Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Maryvale Village Planning Committee heard this case on May 9, 2018 and recommended approval, per the staff recommendation by a 8-1 vote.

PC Action: The Planning Commission heard the case on June 7, 2018 and recommended approval per the Addendum A Staff Report by a 6-0 vote (1 recusal).

**Location**

Area generally bounded by 99th Avenue to 91st Avenue, and Thomas Road to Indian School Road and Campbell Avenue

Council District: 5

Parcel Addresses: 9150 W. Thomas Road, 3000 N. 91st Ave., 9304 W. Thomas Road, 3750 N. 93rd Ave., 3100 N. 91st Ave., 3301 N. 99th Ave., 9250 W. Thomas Road, 9701 W. Indian School Road, 9130 W. Thomas Road, 3701 N. 99th Ave., 3640 N. 91st

Ave., 3000 N. 93rd Ave., 3170 N. 93rd Ave., 3000 N. 91st Ave., 9840 W. Indian School Road, 9410 W. Thomas Road, 3802 N. 91st Ave., and 3020 N. Algodon Way.

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-19-F-00-5) FROM PUD PCD (PLANNED UNIT DEVELOPMENT, PLANNED COMMUNITY DISTRICT) TO PUD PCD (PLANNED UNIT DEVELOPMENT, PLANNED COMMUNITY DISTRICT) TO MODIFY THE PUD BOUNDARY.

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

SECTION 1. The zoning of an approximately 672.92-acre property located in an area generally bounded by 99th Avenue to 91st Avenue, and Thomas Road to Indian School Road and Campbell Avenue in a portion of Sections 21 and 28, Township 2 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from "PUD PCD" (Planned Unit Development, Planned Community District), to "PUD PCD" (Planned Unit Development, Planned Community District) to modify the PUD boundary.

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 Algodón PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 25, 2018, as modified by the following stipulations.
2. An updated General Development Plan / PCD Masterplans for the Algodón PCD shall be submitted to the Planning and Development Department within 90 days of City Council approval of this request.

#### PUBLIC TRANSIT

3. The right-of-way shall be dedicated and a bus stop pad constructed at the following locations, as approved by the Planning and Development Department.
  - Westbound Thomas Road west of 93rd Avenue
  - Westbound Thomas Road approximately 1,200 feet east of 99th Avenue
  - Eastbound Indian School Road east of 99th Avenue
  - Eastbound Indian School Road approximately 1,200 feet east of 99th Avenue
  - Westbound Indian School Road west of 93rd Avenue
  - Westbound Indian School Road approximately 1,200 feet east of 99th Avenue
  - Northbound 99th Avenue north of Thomas Road and every quarter mile for the length of the project

The bus stop pads should be built per City of Phoenix Standard Detail P1260 or P1262 (where adjacent to detached sidewalks) with a depth of at least 10 feet and placed between 95 and 145 feet from the intersection where there is a traffic signal and between 60 and 110 feet where there is no traffic signal.

#### AVIATION

4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational

characteristics of the City of Glendale 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

## STREET

5. A Master Street Plan showing all public arterial and collector streets shall be submitted to the Street Transportation and Planning Development Departments for review and approval.
6. The applicant shall submit a revised Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review for the first phase of development. No preliminary approval of plans shall be granted until the study is reviewed and approved. The applicant shall be responsible for any dedications and required improvements as recommended by the approved Traffic Impact Study and as approved by Planning and Development Department and the Street Transportation Department. Contact Mr. Mani Kumar, (602) 495-7129, to set up a meeting to discuss the requirements of the study.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review.
9. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
10. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
12. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. 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 5th day of July, 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

Exhibits:

A – Legal Description (7 Pages)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-19-F-00-5

Parcel 1

That portion of the West half of Section 28 and the Southwest quarter of Section 21, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

Beginning at the West quarter corner of said Section 28 marked by a Maricopa County Highway Department brass cap in a hand hole;

Thence North 00 degrees 08 minutes 18 seconds East a distance of 2638.37 feet to the Northwest corner of said Section 28, said point also being the Southwest corner of said Section 21;

Thence North 00 degrees 03 minutes 05 seconds East along the West line of said Southwest quarter 2646.32 feet to the Northwest corner of said Southwest quarter (West quarter corner of Section 21);

Thence North 88 degrees 27 minutes 01 seconds East along the North line of said Southwest quarter (East-West mid-section line) 1461.01 feet to a point on the Westerly right-of-way line of the Agua Fria Freeway (Loop 101) from which the center of Section bears North 88 degrees 27 minutes 01 seconds East, 1197.34 feet;

Thence continuing along said right-of-way as follows;

South 22 degrees 27 minutes 19 seconds East, 95.60 feet;

Thence South 24 degrees 15 minutes 37 seconds East, 1000.05 feet;

Thence South 20 degrees 15 minutes 34 seconds East, 501.60 feet;

Thence South 18 degrees 30 minutes 04 seconds East a distance of 476.28 feet;

Thence South 11 degrees 18 minutes 42 seconds East a distance of 580.30 feet;

Thence South 81 degrees 01 minutes 13 seconds West a distance of 614.97 feet;

Thence leaving said Westerly right of way line South 01 degrees 41 minutes 34 seconds East a distance of 47.00 feet to a point on the South line of said Southwest quarter of Section 21;

Thence along said South line South 88 degrees 18 minutes 26 seconds West a distance of 119.99 feet;

Thence leaving said South line South 01 degrees 41 minutes 34 seconds East a distance of 35.00 feet to a point on the Westerly right of way line of the Agua Fria Freeway (State Route Loop 101)

Thence along said Westerly right of way line as follows:

South 85 degrees 16 minutes 27 seconds East a distance of 402.52 feet;  
Thence South 76 degrees 26 minutes 16 seconds East a distance of 114.02 feet;  
Thence South 88 degrees 40 minutes 48 seconds East a distance of 190.26 feet;  
Thence South 23 degrees 17 minutes 15 seconds East a distance of 117.28 feet;  
Thence South 05 degrees 20 minutes 43 seconds East a distance of 484.94 feet;  
Thence South 04 degrees 19 minutes 58 seconds East a distance of 1003.19 feet;  
Thence South 00 degrees 14 minutes 28 seconds West a distance of 1000.00 feet;  
Thence South 02 degrees 02 minutes 58 seconds East a distance of 500.40 feet;  
Thence South 01 degrees 23 minutes 13 seconds West a distance of 500.10 feet;

Thence South 08 degrees 22 minutes 16 seconds West a distance of 707.11 feet;  
Thence South 00 degrees 45 minutes 26 seconds West a distance of 725.40 feet;  
Thence South 46 degrees 45 minutes 27 seconds West a distance of 99.71 feet;

Thence South 88 degrees 30 minutes 13 seconds West a distance of 200.00 feet;  
Thence South 01 degrees 29 minutes 47 seconds East a distance of 80.00 feet to  
to a point on the South line of said Southwest quarter of Section 28 from which the  
South quarter corner of said Section 28 bears North 88 degrees 30 minutes  
13 seconds East a distance of 516.49 feet;

Thence South 88 degrees 30 minutes 13 seconds West a distance of 2133.03 feet to  
the Southwest corner of said Section 28 marked by a Maricopa County Highway  
Department brass cap in a hand hole;

Thence North 00 degrees 18 minutes 04 seconds West a distance of 2,638.00 feet to  
the Point of Beginning.

Note: The above described parcel contains 18,079,795 square feet or 415.0550 acres  
more or less.

## Parcel 2

A portion of "Algodon Medical Office Park" as recorded in Book 978 of Maps, Page 34,  
records of Maricopa County and "Map of Dedication for 93rd Avenue Alignment", as  
recorded in Book 983 of Maps, Page 31, records of Maricopa County and a portion of  
the East half of Section 28, Township 2 North, Range 1 East of the Gila and Salt River  
Base and Meridian, Maricopa County, Arizona described as follows:

Commencing at the Southeast corner of said Section 28 marked by a City of Phoenix  
brass cap in a handhole;

Thence South 88 degrees 30 minutes 33 seconds West along the South line of said  
East half of Section 28 a distance of 1,325.00 feet;

Thence North 01 degrees 29 minutes 27 seconds West a distance of 39.07 feet to a Point on the Easterly right of way line of the Agua Fria Freeway (State Route Loop 101) and the Point of Beginning;

Thence along said Easterly right of way line as follows:

North 89 degrees 02 minutes 12 seconds West a distance of 722.40 feet;  
Thence North 85 degrees 22 minutes 31 seconds West a distance of 140.80 feet;  
Thence South 88 degrees 30 minutes 33 seconds West a distance of 60.00 feet;  
Thence North 52 Degrees 22 Minutes 47 Seconds West a distance of 82.85 feet;  
Thence North 04 Degrees 23 Minutes 29 Seconds West a distance of 1421.54 feet;  
Thence North 02 Degrees 02 Minutes 58 Seconds West a distance of 500.40 feet;  
Thence North 01 Degrees 23 Minutes 13 Seconds East a distance of 1500.30 feet;  
Thence North 08 degrees 12 minutes 39 seconds East a distance of 504.88 feet;  
Thence North 00 Degrees 53 Minutes 32 Seconds East a distance of 1020.28 feet;  
Thence North 29 Degrees 22 Minutes 34 Seconds East a distance of 130.03 feet;  
Thence North 80 Degrees 17 Minutes 59 Seconds East a distance of 323.16 feet;

Thence leaving said easterly right of way line, North 01 Degrees 41 Minutes 44 Seconds West a distance of 55.00 feet to a point on the North line of said East half of Section 28 from which the North quarter corner bears South 88 degrees 18 minutes 16 seconds West a distance of 691.80 feet;

Thence North 88 degrees 18 minutes 16 seconds East along said North line a distance 634.13 feet to a point from which the Northeast corner of said Section 28 bears North 88 degrees 18 minutes 16 seconds East a distance of 1325.93 feet said point also being a point on the centerline of that particular water and sewer easement as described in Book 983 of Maps, Page 31, records of Maricopa County, Arizona;

Thence along said centerline as follows;

South 01 degrees 41 minutes 39 seconds East a distance of 496.48 feet to the beginning of a tangent curve whose center bears South 88 degrees 18 minutes 21 seconds West a distance of 500.00 feet;

Thence along the arc of said curve through a central angle of 14 degrees 49 minutes 21 seconds and an arc length of 129.35 feet;

Thence South 13 degrees 07 minutes 42 seconds West a distance of 188.55 feet to the beginning of a tangent curve whose center bears South 76 degrees 52 minutes 18 seconds East a distance of 500.00 feet;

Thence along the arc of said curve through a central angle of 12 degrees 52 minutes 31 seconds and an arc length of 112.36 feet;

Thence South 00 degrees 15 minutes 11 seconds West a distance of 776.99 feet to the beginning of a tangent curve whose center bears South 89 degrees 44 minutes 49 seconds East a distance of 500.00 feet;

Thence along the arc of said curve through a central angle of 14 degrees 23 minutes 30 seconds and an arc length of 125.59 feet;

Thence South 14 degrees 08 minutes 19 seconds East a distance of 200.61 feet to the beginning of a tangent curve whose center bears South 75 degrees 51 minutes 41 seconds West a distance of 500.00 feet;

Thence along the arc of said curve through a central angle of 26 degrees 05 minutes 36 seconds and an arc length of 227.71 feet;

Thence South 11 degrees 57 minutes 17 seconds West a distance of 150.00 feet to the beginning of a tangent curve whose center bears South 78 degrees 02 minutes 43 seconds East a distance of 1000.00 feet;

Thence along the arc of said curve through a central angle of 11 degrees 42 minutes 25 seconds and an arc length of 204.33 feet to a point on the centerline of 93rd Avenue as described in said Book 978 of Maps, Page 34, records of Maricopa County, Arizona;

Thence along said centerline as follows;

South 00 degrees 14 minutes 52 seconds West a distance of 815.18 feet to the beginning of a tangent curve whose center bears North 89 degrees 45 minutes 08 seconds West a distance of 500.00 feet;

Thence along the arc of said curve through a central angle of 43 degrees 16 minutes 58 seconds and an arc length of 377.71 feet;

Thence South 43 degrees 31 minutes 50 seconds West a distance of 230.37 feet to the beginning of a tangent curve whose center bears South 46 degrees 28 minutes 10 seconds East a distance of 400.00 feet;

Thence along the arc of said curve through a central angle of 45 degrees 01 minutes 17 seconds and an arc length of 314.31 feet;

Thence South 01 degrees 29 minutes 27 seconds East a distance of 100.00 feet to the beginning of a tangent curve whose center bears North 88 degrees 30 minutes 33 seconds East a distance of 400.00 feet;

Thence along the arc of said curve through a central angle of 90 degrees 00 minutes 00 seconds and an arc length of 628.32 feet;

Thence South 01 degrees 29 minutes 27 seconds East a distance of 560.93 feet to the Point of Beginning.

Note: The above described parcel contains 5,097,524 square feet or 117.0231 acres more or less.

### Parcel 3

A portion of "Algodon Medical Office Park" as recorded in Book 978 of Maps, Page 34, records of Maricopa County and "Map of Dedication for 93rd Avenue Alignment", as recorded in Book 983 of Maps, Page 31, records of Maricopa County and a portion of the East half of Section 28, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

Commencing at the Southeast corner of said Section 28 marked by a City of Phoenix brass cap in a handhole;

Thence South 88 degrees 30 minutes 33 seconds West along the South line of said East half of Section 28 a distance of 1,325.00 feet to a point on the centerline of 93rd Avenue as described in said Book 978 of Maps, Page 34, records of Maricopa County, Arizona;

Thence along said centerline North 01 degrees 29 minutes 27 seconds West a distance of 501.79 feet to the Point of Beginning;

Thence along said centerline as follows;

Thence continuing North 01 degrees 29 minutes 27 seconds West a distance of 98.21 feet to a point on the arc of a non- tangent curve whose center bears North 01 degrees 29 minutes 27 seconds West a distance of 400.00 feet;

Thence Northwesterly along the arc of said curve through a central angle of 90 degrees 00 minutes 00 seconds and an arc length of 628.32 feet;

Thence North 01 degrees 29 minutes 27 seconds West a distance of 100.00 feet to the beginning of a tangent curve whose center bears North 88 degrees 30 minutes 33 seconds East a distance of 400.00 feet;

Thence Northeasterly along the arc of said curve through a central angle of 45 degrees 01 minutes 17 seconds and an arc length of 314.31 feet;

Thence North 43 degrees 31 minutes 50 seconds East a distance of 230.37 feet to the beginning of a tangent curve whose center bears North 46 degrees 28 minutes 10 seconds West a distance of 500.00 feet;

Thence Northeasterly along the arc of said curve through a central angle of 43 degrees 16 minutes 58 seconds and an arc length of 377.71 feet;

Thence North 00 degrees 14 minutes 52 seconds East a distance of 815.18 feet to a point on the centerline of that particular water and sewer easement as described in Book 983 of Maps, Page 31, records of Maricopa County, Arizona, said point also being the beginning of a tangent curve whose center bears South 89 degrees 45 minutes 08 seconds East a distance of 1000.00 feet;

Thence Northerly along the arc of said curve through a central angle of 11 degrees 42 minutes 25 seconds and an arc length of 204.33 feet;

Thence along last said centerline as follows:

Thence North 11 degrees 57 minutes 17 seconds East a distance of 150.00 feet to the beginning of a tangent curve whose center bears North 78 degrees 02 minutes 43 seconds West a distance of 500.00 feet;

Thence Northerly along the arc of said curve through a central angle of 26 degrees 05 minutes 36 seconds and an arc length of 227.71 feet;

Thence North 14 degrees 08 minutes 19 seconds West a distance of 200.61 feet to the beginning of a tangent curve whose center bears North 75 degrees 51 minutes 41 seconds East a distance of 500.00 feet;

Thence Northerly along the arc of said curve through a central angle of 14 degrees 23 minutes 30 seconds and an arc length of 125.59 feet;

Thence North 00 degrees 15 minutes 11 seconds East a distance of 776.99 feet to the beginning of a tangent curve whose center bears South 89 degrees 44 minutes 49 seconds East a distance of 500.00 feet;

Thence Northerly along the arc of said curve through a central angle of 12 degrees 52 minutes 31 seconds and an arc length of 112.36 feet;

Thence North 13 degrees 07 minutes 42 seconds East a distance of 188.55 feet to the beginning of a tangent curve whose center bears North 76 degrees 52 minutes 18 seconds West a distance of 500.00 feet;

Thence Northerly along the arc of said curve through a central angle of 14 degrees 49 minutes 21 seconds and an arc length of 129.35 feet;

Thence North 01 degrees 41 minutes 39 seconds West a distance of 496.48 feet to a point on the North line of said East half of Section 28 from which the North quarter corner of said Section 28 bears South 88 degrees 18 minutes 16 seconds West a distance of 1325.93 feet;



Thence North 88 degrees 18 minutes 16 seconds East along said North line a distance 1010.74 feet to a point from which the Northeast corner of said Section 28 bears North 88 degrees 18 minutes 16 seconds East a distance of 315.18 feet;

Thence South 00 degrees 15 minutes 51 seconds West a distance of 210.12 feet;

Thence North 88 degrees 18 minutes 16 seconds East a distance of 232.14 feet;

Thence South 00 degrees 15 minutes 51 seconds West a distance of 50.03 feet;

Thence North 88 degrees 18 minutes 16 seconds East a distance of 83.05 feet to a point on the East line of the Northeast quarter of said Section 28;

Thence South 00 degrees 15 minutes 51 seconds West along said East line a distance of 15.85 feet;

Thence North 89 degrees 44 minutes 09 seconds West a distance of 90.00 feet;

Thence South 00 degrees 15 minutes 51 seconds West a distance of 4.00 feet;

Thence South 89 degrees 44 minutes 09 seconds East a distance of 90.00 feet to a point on said East line of the Northeast quarter of Section 28;

Thence South 00 degrees 15 minutes 51 seconds West a distance of 743.48 feet;

Thence South 88 degrees 21 minutes 09 seconds West a distance of 1325.69 feet;

Thence South 00 degrees 15 minutes 11 seconds West a distance of 674.44 feet;

Thence North 88 degrees 21 minutes 09 seconds East a distance of 1325.56 feet to a point on said East line of the Northeast quarter of Section 28;

Thence South 00 degrees 15 minutes 51 seconds West a distance of 949.37 feet to the East quarter corner of said Section 28;

Thence South 00 degrees 14 minutes 52 seconds West a distance of 2125.49 feet;

Thence South 88 degrees 30 minutes 33 seconds West a distance of 742.79 feet;

Thence South 56 degrees 15 minutes 44 seconds West a distance of 37.90 feet;

Thence South 88 degrees 30 minutes 33 seconds West a distance of 566.00 feet to the Point of Beginning.

Note: The above described parcel contains 5,752,845 square feet or 132.0671 acres more or less.

# EXHIBIT B

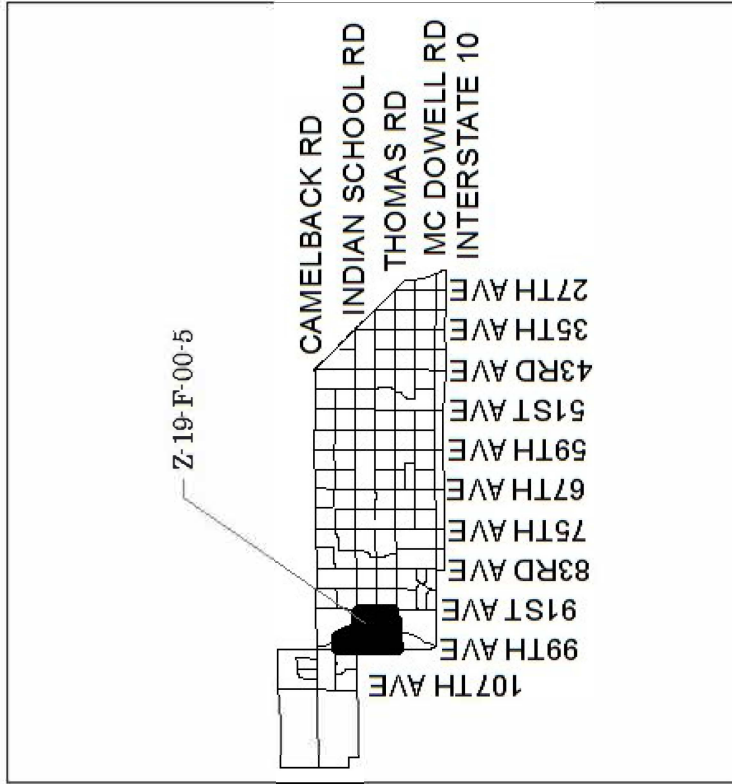
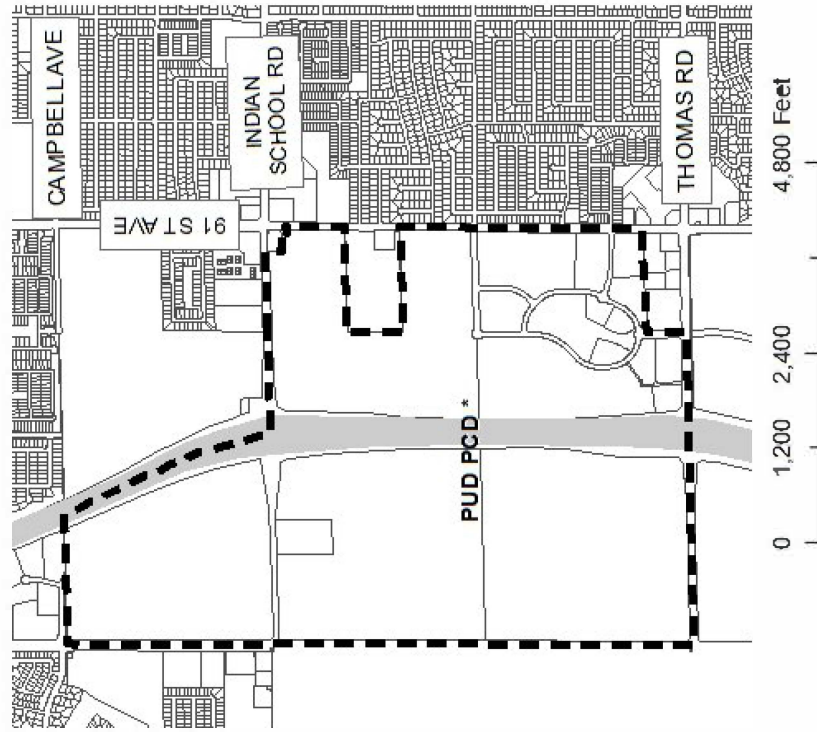
## ORDINANCE LOCATION MAP

### EXHIBIT B

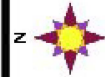
Zoning Case Number: Z-19-F-00-5  
 Zoning Overlay: N/A  
 Planning Village: Maryvale

ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 6/7/2018

\\one\pdd\Shared\Department Shared\Information Systems\PL GIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\_OrdMaps\2018\_Ord\7-5-18\Z-19-F-00-5.mxd

## Attachment B

### Staff Report Z-19-F-00-5

May 1, 2018

**Maryvale [Village Planning Committee](#)**      May 9, 2018  
**Meeting Date**  
**[Planning Commission](#) Hearing Date**      June 7, 2018

**Request From:**      [PUD PCD](#) (672.92 Acres)  
**Request To:**      [PUD PCD](#) (672.92 Acres)  
**Proposed Use**      Major amendment to the Algodón PUD (Z-19-E-00-5) to modify the PUD boundary  
**Location**      Area generally bounded by 91st Avenue, 99th Avenue, Thomas Road to Campbell Avenue  
**Owner/Applicant**      Algodón AG Revocable Land Trust  
**Representative**      Stephen W. Anderson, Gammage and Burnham, PLC.  
**Staff Recommendation**      Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Designation</a>		Mixed-Use (Commercial/Industrial)	
<a href="#">Street Map Classification</a>	99th Avenue	Arterial	65 to 75-foot east half street right-of-way
	Campbell Avenue	Collector	30-foot half street
	Indian School Road (West of Loop 101)	Major Arterial	68 plus-foot total right-of-way
	Indian School Road (East of Loop 101)		55 plus-foot south half street
	91st Avenue	Arterial	33 to 55-foot west half street right-of-way
	Thomas Rd	Arterial	50 to 85-foot north half street right-of-way
	Loop 101/Agua Fria Freeway	Freeway Frontage Road	As required by Arizona Department of Transportation (ADOT)

**CONNECT PEOPLE AND PLACES CORE VALUE; CORE, CENTERS AND CORRIDORS; CODES TOOL: Support healthy urban villages, with a balance mix of housing, employment opportunities and services as a principal means to reduce vehicle trip length and associated emissions.**

The original Algodón Planned Community Development (PCD) was approved by City Council as a major employment corridor. Past amendments only strengthened that assessment by adding additional uses, heights, and acreage. The most recent amendment (Z-19-E-00-5) adjusted the PUD PCD boundary to allow a single-family subdivision to be developed at a compatible density and scale at the northwest corner of 91st Avenue and Campbell Avenue. This request to adjust the PUD PCD boundary even further will allow additional single-family subdivisions to be developed north of Indian School Road and provide the existing subdivisions a buffer to the planned commercial, industrial and multifamily uses permitted in the Algodón Center PUD for a more cohesive integration of the “major employment corridor” with its existing context.

**CONNECT PEOPLE AND PLACES CORE VALUE; CORE, 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 subject property is located on the perimeter of the Maryvale Village and is adjacent to the Loop 101/Agua Fria Freeway, a major regional transportation corridor. This strategic location is appropriate for regional service area land uses such as a hospital and medical uses, retail, and offices. This request to adjust the PUD PCD boundary will encourage a more appropriate transition between the existing neighborhoods to the north and the proposed regional service area land uses that are part of the Algodón Center PUD.

**CONNECT PEOPLE AND PLACES CORE VALUE; PUBLIC TRANSIT; LAND USE PRINCIPLE: Encourage integrated land uses and transportation systems, which furthers the urban village model and minimizes the adverse impacts of the transportation system on housing, businesses and public uses.**

The development will serve as a service area supporting the village core and surrounding neighborhoods. This request to adjust the PUD PCD boundary will allow a single-family subdivision to be developed in close proximity to planned employment, retail, and other regional services. It will reduce the need for additional vehicle trips outside the village for employment and the purchase of goods and services.

## PROPOSAL

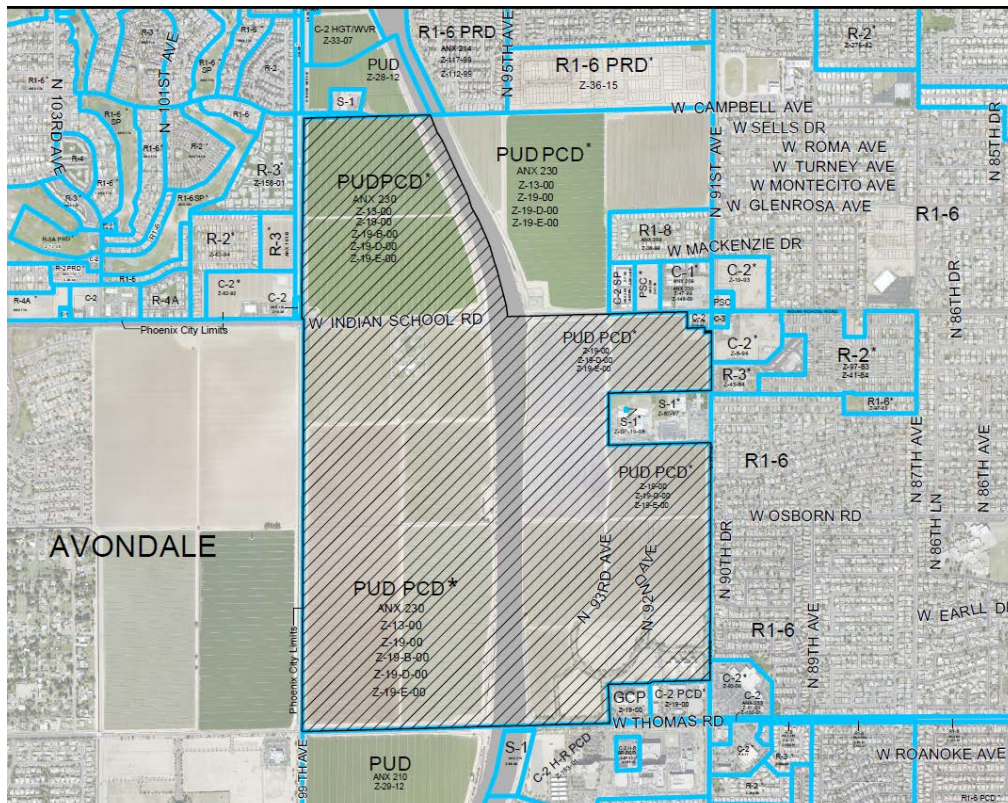
1. This request to amend the Algodón PUD PCD boundary has no changes to the previously approved development standards and approval will have no impact on the development standards.

## BACKGROUND

2. The General Plan for Phoenix in 1985, designated the subject land as low-density residential development. The Loop 101/Agua Fria Freeway bisects the area making development more challenging. In 2000, City Council approved Rezoning Case Z-19-00-5 for an 853-acre Planned Community Development (PCD) referred to as Algodón Center. A General Plan Amendment, GPA-MV-1-99-5 was also approved to change the area's General Plan Land Use designation from Residential 0 to 2 and 2 to 5 dwelling units per acre to Mixed Use/Commercial and Industrial. Algodón Center is the largest vacant parcel in Maryvale and along the Loop 101.

## SUBJECT SITE

3. City Council approved a Major Amendment to the Algodón PCD in June 2011 for 607.52 acres of the PCD to a PUD to allow a mix of uses (multifamily, residential, retail, office, and commerce park), via case Z-19-B-00-5. A subsequent amendment in 2011, Z-19-C-00-5, was withdrawn prior to being granted City Council approval.
4. City Council approved an additional Major Amendment to the Algodón PUD PCD in May 2012, via case Z-19-D-00-5, for the previously existing 607.52-acre PUD PCD with additional acreage from adjacent parcels. The request designated approximately 852.61 acres generally located west of the 93rd Avenue alignment as a Planned Unit Development (Algodón PUD).
5. In 2015 City Council approved another Major Amendment Z-19-E-00-5 to the existing 852.61-acre PUD PCD. This request was to adjust the Algodón PUD PCD boundary to exclude approximately 50.86 acres at the northwest corner of 91st Avenue and the Campbell Avenue alignment and was processed with companion case Z-36-15-5 for a single-family residential development.
6. This application is a Major Amendment to the existing 804.82-acre PUD PCD. The request will adjust the Algodón PUD PCD boundary to exclude approximately 131.27-acres at the northeast corner of Loop 101/Agua Fria Freeway and Indian School Road with companion case Z-16-18-5 for single-family residential to support existing and future commercial uses in the area.



Source: City of Phoenix Planning and Development Department

## SURROUNDING USES & ZONING

### 7. North

Directly north of the parcel and east of the Loop 101 is the companion request Z-16-18-5, a request to rezone the parcel to R1-6. Directly north of the parcel and to the west of the Loop 101 are parcels zoned S-1, PUD and C-2 HGT/WVR which are currently used as agriculture land and a fire station. Just north of this proposal, along the Loop 101, are the University of Phoenix Stadium, Gila River Arena, Camelback Ranch Spring Training Facility, and the Westgate Center (see Algodón PUD Exhibit 2.0).

### West

The land to the west is the jurisdiction of Avondale. The city of Avondale has approved multiple high-intensity, mixed-use zoning including the Avondale Live mixed-use project at 99th and Encanto and Entorno mixed-use project at 99th Avenue and Indian School Road.

### South

To the south of this request on the east side of Loop 101 is Banner Estrella Medical Center zoned C-2 H-R PCD and C-2 H-R SP PCD. To the south, west of the Loop 101 is the Sheely Farms PCD including a mix of uses and approved heights to 250 feet zoned PUD.

### East



The Pendergrast School and various commercial and single-family residential developments are to the east, zoned S-1, C-2, GCP, R-3, and R1-6.

#### COMMUNITY INPUT

8. At the time this staff report was written, staff had not received any public correspondence regarding the request.

#### INTERDEPARTMENTAL COMMENTS

9. The Public Transit Department has requested right-of-way dedication and bus stop pad construction for future bus stop pad locations adjacent to the subject property. This is addressed in Stipulation 3.
10. The Aviation Department has requested that a notice be given to prospective purchasers of properties in the city of Phoenix underlying the flight patterns of the City of Glendale Airport. The area may be subject to overflights of aircraft operating at the Airport. This is addressed in Stipulation 4.
11. The Street Transportation Department has requested a Master Street Plan showing all public arterial and collector streets; a revised Traffic Impact study and construction of all streets within and adjacent to the development to meet ADA requirements; submittal of paving plans for all arterials within and adjacent to the development; submittal of a Developer Project Information Form for the MAG Transportation Improvement Program; and updating of all existing off-site improvement to current ADA guidelines. These provisions are addressed in Stipulations 5, 6, 7, 8, 9, and 10.

#### MISCELLANEOUS

12. As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.
13. 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 11.
14. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

## **Findings**

1. The development is consistent with the surrounding regional destinations and planned projects approved within adjacent jurisdictions.
2. The proposed development will provide increased employment, retail and residential living opportunities in the area.

## **Stipulations**

1. An updated Development Narrative for the Algodón PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 25, 2018, as modified by the following stipulations.
  - A. Update Exhibit 10.0, Circulation and Street Setbacks to show an illustrative location of the proposed light rail corridor as described on page 16 and 17 of Development Narrative.
2. An updated General Development Plan / PCD Masterplans for the Algodón PCD shall be submitted to the Planning and Development Department within 90 days of City Council approval of this request.

## **PUBLIC TRANSIT**

3. The right-of-way shall be dedicated and a bus stop pad constructed at the following locations, as approved by the Planning and Development Department.
  - Westbound Thomas Road west of 93rd Avenue
  - Westbound Thomas Road approximately 1,200 feet east of 99th Avenue
  - Eastbound Indian School Road east of 99th Avenue
  - Eastbound Indian School Road approximately 1,200 feet east of 99th Avenue
  - Westbound Indian School Road west of 93rd Avenue
  - Westbound Indian School Road approximately 1,200 feet east of 99th Avenue
  - Northbound 99th Avenue north of Thomas Road and every quarter mile for the length of the project.

The bus stop pads should be built per City of Phoenix Standard Detail P1260 or P1262 (where adjacent to detached sidewalks) with a depth of at least 10 feet and placed between 95 and 145 feet from the intersection where there is a traffic signal and between 60 and 110 feet where there is no traffic signal.

## **AVIATION**

4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational



characteristics of the City of Glendale 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

#### STREET

5. A Master Street Plan showing all public arterial and collector streets shall be submitted to the Street Transportation and Planning Development Departments for review and approval.
6. The applicant shall submit a revised Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review for the first phase of development. No preliminary approval of plans shall be granted until the study is reviewed and approved. The applicant shall be responsible for any dedications and required improvements as recommended by the approved Traffic Impact Study and as approved by Planning and Development Department and the Street Transportation Department. Contact Mr. Mani Kumar, (602)495-7129, to set up a meeting to discuss the requirements of the study.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review.
9. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
10. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

**Writer**

Joél Carrasco

May 1, 2018

**Team Leader**

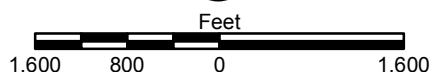
Samantha Keating

**Exhibits**

Sketch Map

Aerial Map

[Algodón PUD Narrative](#) date stamped April 25, 2018



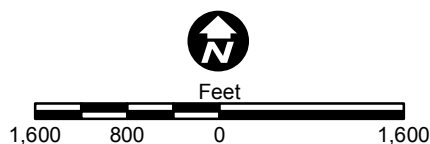
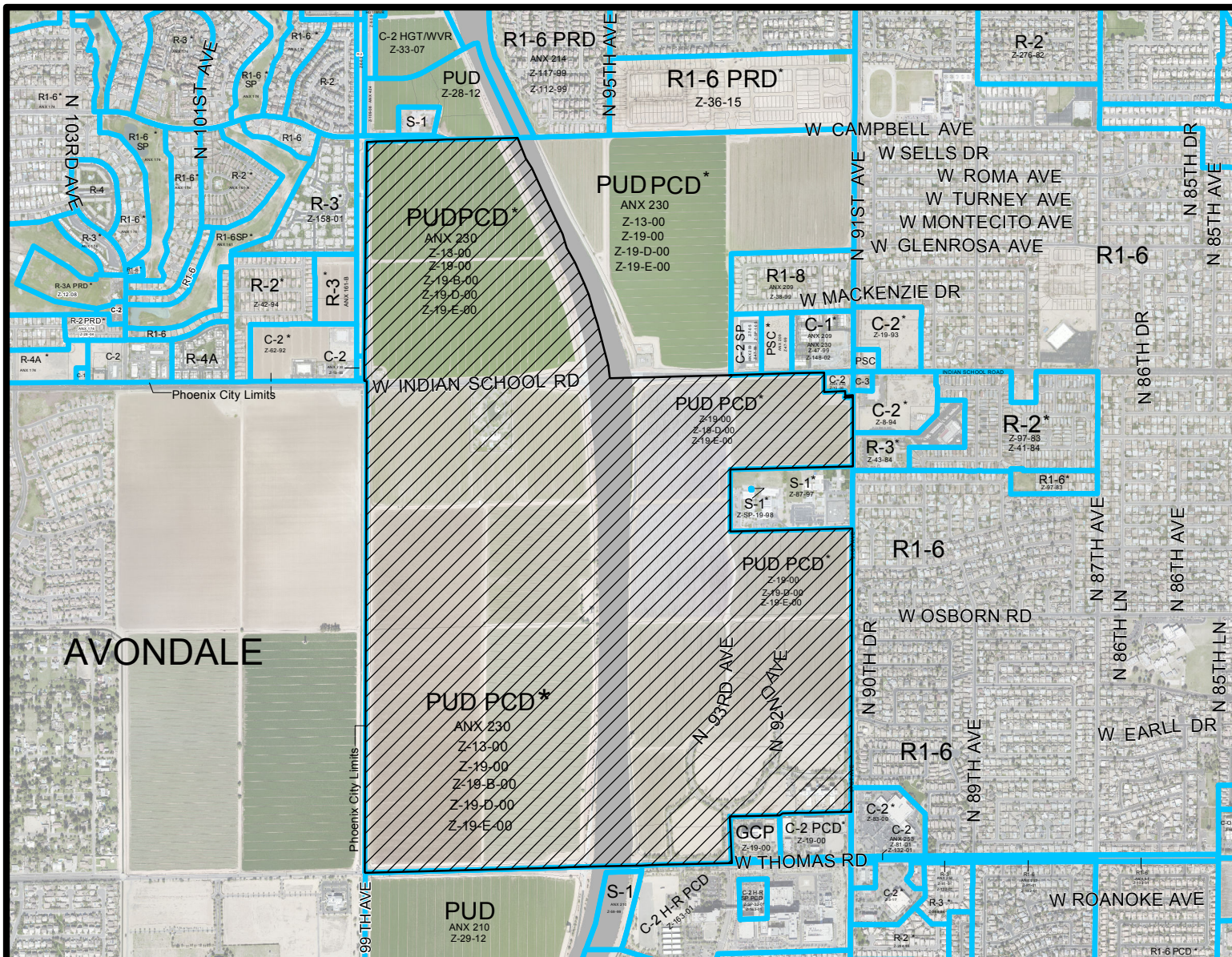
**MARYVALE VILLAGE**  
CITY COUNCIL DISTRICT: 5



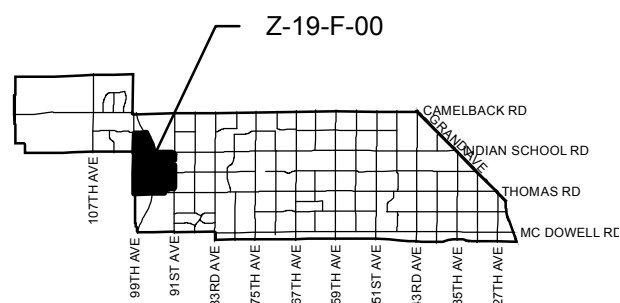
APPLICANT'S NAME: <b>Algodon AG Revocable Land Trust</b>		REQUESTED CHANGE:	
APPLICATION NO. <b>Z-19-F-00</b>		FROM: <b>PUD PCD (672.92 a.c.)</b>	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.		TO: <b>PUD PCD (672.92 a.c.)</b>	
<b>672.92 Acres</b>			
MULTIPLES PERMITTED		CONVENTIONAL OPTION	
PUD PCD		35,126	
PUD PCD		35,126	
		*    UNITS P.R.D. OPTION	
		N/A	
		N/A	

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





**MARYVALE VILLAGE**  
CITY COUNCIL DISTRICT: 5



APPLICANT'S NAME: **Algodon AG Revocable Land Trust**

APPLICATION NO. **Z-19-F-00**

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

**672.92 Acres**

DATE: **3/27/2018**

REVISION DATES:

**4/18/2018**

AERIAL PHOTO &  
QUARTER SEC. NO.  
QS 15-5, 15-6, 16-5,  
16-6, 17-5

ZONING MAP  
G-2, G-3  
H-2, H-3

REQUESTED CHANGE:

FROM: **PUD PCD (672.92 a.c.)**

TO: **PUD PCD (672.92 a.c.)**

**MULTIPLES PERMITTED**

**PUD PCD**

**PUD PCD**

**CONVENTIONAL OPTION**

**35,126**

**35,126**

**\* UNITS P.R.D. OPTION**

**N/A**

**N/A**

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

**ADDENDUM A**  
**Staff Report: Z-19-F-00-5**  
June 7, 2018

Maryvale <a href="#">Village Planning Committee</a>	May 9, 2018
Meeting Date:	
<a href="#">Planning Commission</a> Hearing Date:	June 7, 2018
Request From:	<a href="#">PUD PCD</a> (672.92 Acres)
Request To:	<a href="#">PUD PCD</a> (672.92 Acres)
Proposed Use	Major amendment to the Algodón PUD (Z-19-E-00-5) to modify the PUD boundary
Location	Area generally bounded by 91st Avenue, 99th Avenue, Thomas Road to Campbell Avenue
Owner/Applicant	Algodón AG Revocable Land Trust
Representative	Stephen W. Anderson, Gammage and Burnham, PLC.
Staff Recommendation	Approval, subject to stipulations

The Maryvale Village Planning Committee heard the request on May 9, 2018 and recommended approval of Z-19-F-00-5 as recommended by staff, by a vote of 8-1.

As a result of ongoing dialogue and the applicant's submittal of an updated "Exhibit 10.0, Circulation and Street Setbacks" to depict an illustrative location of the proposed light rail corridor as described on page 16 and 17 of Development Narrative date stamped April 25, 2018, staff is recommending the removal of stipulation 1.A. as follows:

**Revised Stipulations**

1. An updated Development Narrative for the Algodón PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 25, 2018, as modified by the following stipulations.

- A. ~~Update Exhibit 10.0, Circulation and Street Setbacks to show an illustrative location of the proposed light rail corridor as described on page 16 and 17 of Development Narrative.~~
2. An updated General Development Plan / PCD Masterplans for the Algodón PCD shall be submitted to the Planning and Development Department within 90 days of City Council approval of this request.

#### PUBLIC TRANSIT

3. The right-of-way shall be dedicated and a bus stop pad constructed at the following locations, as approved by the Planning and Development Department.
- Westbound Thomas Road west of 93rd Avenue
  - Westbound Thomas Road approximately 1,200 feet east of 99th Avenue
  - Eastbound Indian School Road east of 99th Avenue
  - Eastbound Indian School Road approximately 1,200 feet east of 99th Avenue
  - Westbound Indian School Road west of 93rd Avenue
  - Westbound Indian School Road approximately 1,200 feet east of 99th Avenue
  - Northbound 99th Avenue north of Thomas Road and every quarter mile for the length of the project.

The bus stop pads should be built per City of Phoenix Standard Detail P1260 or P1262 (where adjacent to detached sidewalks) with a depth of at least 10 feet and placed between 95 and 145 feet from the intersection where there is a traffic signal and between 60 and 110 feet where there is no traffic signal.

#### AVIATION

4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of the City of Glendale 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

#### STREET

5. A Master Street Plan showing all public arterial and collector streets shall be submitted to the Street Transportation and Planning Development Departments for review and approval.
6. The applicant shall submit a revised Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review for the first phase of development. No preliminary approval of plans shall be granted until the study is reviewed and approved. The applicant shall be responsible for any dedications and required improvements as recommended by the approved Traffic Impact Study and as approved by Planning and Development Department and the Street



Transportation Department. Contact Mr. Mani Kumar, (602)495-7129, to set up a meeting to discuss the requirements of the study.

7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review.
9. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
10. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
12. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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**

Joél Carrasco  
June 7, 2018

**Team Leader**

Samantha Keating

**Exhibits:**

Exhibit 10.0, Circulation and Street Setbacks, date stamped June 5, 2018.



# CITY OF PHOENIX

JUN 05 2018

Planning & Development  
Department

## Key

30' setback at arterial streets and freeway

20' setback at local or collector streets  
0' setback with mixed use

Pedestrian Corridor  
(may be located on either side)

proposed Light-Rail route

100' setback



## Circulation & Setbacks



Exhibit 10.0  
04/23/18

major PCD & PUD amendments



## Attachment C

### **ADDENDUM A** **Staff Report: Z-19-F-00-5** June 7, 2018

Maryvale <a href="#">Village Planning Committee</a>	May 9, 2018
Meeting Date:	
<a href="#">Planning Commission</a> Hearing Date:	June 7, 2018
Request From:	<a href="#">PUD PCD</a> (672.92 Acres)
Request To:	<a href="#">PUD PCD</a> (672.92 Acres)
Proposed Use	Major amendment to the Algodón PUD (Z-19-E-00-5) to modify the PUD boundary
Location	Area generally bounded by 91st Avenue, 99th Avenue, Thomas Road to Campbell Avenue
Owner/Applicant	Algodón AG Revocable Land Trust
Representative	Stephen W. Anderson, Gammage and Burnham, PLC.
Staff Recommendation	Approval, subject to stipulations

The Maryvale Village Planning Committee heard the request on May 9, 2018 and recommended approval of Z-19-F-00-5 as recommended by staff, by a vote of 8-1.

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#### **Revised Stipulations**

1. An updated Development Narrative for the Algodón PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 25, 2018, as modified by the following stipulations.

- A. ~~Update Exhibit 10.0, Circulation and Street Setbacks to show an illustrative location of the proposed light rail corridor as described on page 16 and 17 of Development Narrative.~~
2. An updated General Development Plan / PCD Masterplans for the Algodón PCD shall be submitted to the Planning and Development Department within 90 days of City Council approval of this request.

#### PUBLIC TRANSIT

3. The right-of-way shall be dedicated and a bus stop pad constructed at the following locations, as approved by the Planning and Development Department.
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  - Northbound 99th Avenue north of Thomas Road and every quarter mile for the length of the project.

The bus stop pads should be built per City of Phoenix Standard Detail P1260 or P1262 (where adjacent to detached sidewalks) with a depth of at least 10 feet and placed between 95 and 145 feet from the intersection where there is a traffic signal and between 60 and 110 feet where there is no traffic signal.

#### AVIATION

4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of the City of Glendale 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

#### STREET

5. A Master Street Plan showing all public arterial and collector streets shall be submitted to the Street Transportation and Planning Development Departments for review and approval.
6. The applicant shall submit a revised Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review for the first phase of development. No preliminary approval of plans shall be granted until the study is reviewed and approved. The applicant shall be responsible for any dedications and required improvements as recommended by the approved Traffic Impact Study and as approved by Planning and Development Department and the Street

Transportation Department. Contact Mr. Mani Kumar, (602)495-7129, to set up a meeting to discuss the requirements of the study.

7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review.
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10. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.
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12. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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**

Joél Carrasco  
June 7, 2018

**Team Leader**

Samantha Keating

**Exhibits:**

Exhibit 10.0, Circulation and Street Setbacks, date stamped June 5, 2018.



# CITY OF PHOENIX

JUN 05 2018

Planning & Development  
Department

## Key

30' setback at arterial streets and freeway

20' setback at local or collector streets  
0' setback with mixed use

Pedestrian Corridor  
(may be located on either side)

proposed Light-Rail route

100' setback



## Circulation & Setbacks



Exhibit 10.0  
04/23/18

major PCD & PUD amendments



## Attachment D

### REPORT OF PLANNING COMMISSION ACTION June 07, 2018

ITEM NO: 2	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-19-F-00-5 (Companion Cases GPA-MV-2-18-5 and Z-16-18-5)
Location:	Area generally bounded by 99th Avenue to 91st Avenue and Thomas Road to Indian School Road and Campbell Avenue
Request:	From: PUD PCD To: PUD PCD Acreage: 672.92
Proposal:	Major amendment to the Algodón PUD (Z-19-E-00-5) to modify the PUD boundary
Applicant:	Algodón AG Revocable Land Trust
Owner:	Algodón AG Revocable Land Trust
Representative:	Stephen W. Anderson, Gammage & Burnham, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, per the Addendum A Staff Report.

Village Planning Committee (VPC) Recommendation:

**Maryvale** 5/9/2018 Approval, per the staff recommendation. Vote: 8-1 (Weber).

Planning Commission Recommendation: Approval, per the Addendum A Staff Report.

Motion Discussion: N/A

Motion details – Commissioner Katsenes made a MOTION to approve Z-19-F-00-5, per the Addendum A Staff Report.

Maker: Katsenes

Second: Whitaker

Vote: 6-0 (Shank recused)

Absent: Heck

Opposition Present: No

#### **Findings:**

1. The development is consistent with the surrounding regional destinations and planned projects approved within adjacent jurisdictions.
2. The proposed development will provide increased employment, retail and residential living opportunities in the area.

### Stipulations:

1. An updated Development Narrative for the Algodón PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 25, 2018, as modified by the following stipulations.
  - A. ~~Update Exhibit 10.0, Circulation and Street Setbacks to show an illustrative location of the proposed light rail corridor as described on page 16 and 17 of Development Narrative.~~
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### PUBLIC TRANSIT

3. The right-of-way shall be dedicated and a bus stop pad constructed at the following locations, as approved by the Planning and Development Department.
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The bus stop pads should be built per City of Phoenix Standard Detail P1260 or P1262 (where adjacent to detached sidewalks) with a depth of at least 10 feet and placed between 95 and 145 feet from the intersection where there is a traffic signal and between 60 and 110 feet where there is no traffic signal.

### AVIATION

4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of the City of Glendale 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

### STREET

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This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.





**Amend City Code - Public Hearing and Ordinance Adoption - Rezoning  
Application Z-20-17-2 - Approximately 220 Feet North of the Northwest Corner of  
the 27th Avenue Alignment and North Foothills Drive Alignment (Ordinance G-  
6484)**

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. Request to rezone the site from PCD NBCOD (Approved C-2 / CP M-R PCD NBCOD) to C-2 M-R NBCOD for a PCD removal to allow for future development.

**Summary**

Current Zoning: PCD NBCOD (Approved C-2 / CP M-R PCD NBCOD)

Proposed Zoning: C-2 M-R NBCOD

Acreage: 19.22

Proposed Use: PCD removal to allow for future development

Owner: Robert L. Eaton, Jr.

Applicant: City of Phoenix Planning Commission

Representative: Michael Withey, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Gateway Village Planning Committee heard this case on May 10, 2018 and recommended approval per the Addendum A Staff Report by a 6-0 vote.

PC Action: The Planning Commission heard the case on June 7, 2018 and recommended approval per the Addendum B Staff Report by a 7-0 vote.

**Location**

Approximately 220 feet north of the northwest corner of the 27th Avenue alignment and North Foothills Drive alignment.

Council District: 2

Parcel Address: 32000 N. 28th Ave.

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department

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## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-20-17) FROM PCD NBCOD (APPROVED C-2 / CP M-R PCD NBCOD) (PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT, APPROVED INTERMEDIATE COMMERCIAL DISTRICT OR COMMERCE PARK DISTRICT, MID-RISE DISTRICT, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT) TO C-2 M-R NBCOD (INTERMEDIATE COMMERCIAL DISTRICT, MID-RISE DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 19.22-acre property located approximately 220 feet north of the northwest corner of the 27th Avenue alignment and North Foothills Drive alignment in a portion of Section 14, Township 5 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from PCD NBCOD (APPROVED C-2 / CP M-R PCD NBCOD) (Planned Community District, North Black Canyon Overlay District, approved Intermediate Commercial District or Commerce Park District, Mid-Rise District, Planned Community District, North Black Canyon Overlay

District) to C-2 M-R NBCOD (Intermediate Commercial District, Mid-Rise District, North Black Canyon Overlay District).

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

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

1. All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by property owner.
2. The maximum building height shall be limited to 150 feet provided that any development will demonstrate sufficient water/sewer and vehicular infrastructure capacity, as approved by the Planning and Development Department.
3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
5. The east and west pedestrian connection (Paseo Del Prado) shall be provided in accordance with the North Gateway Core Plan, as modified by the following stipulations and approved by the Planning and Development Department:
  - a. The Paseo Del Prado shall align with the Bronco Butte Tank and continue through the site to the west.

- b. A pedestrian access easement of 20 feet shall be dedicated for the pedestrian connection (Paseo Del Prado). Of the 20 feet, 12 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 8 feet may be used for pedestrian friendly uses such as restaurant seating, vendor stalls, artist displays, etc.
  - c. A minimum of 50% of the 20-foot pedestrian access easement for the Paseo Del Prado shall be shaded by a structure, landscaping or a combination of the two.
  - d. The site shall be designed in such a manner that the building placement creates an alignment and synergy for the Paseo Del Prado. This can be achieved by placing active uses such as outdoor seating, restaurants and retail along the pedestrian path.
6. Right-of-way totaling 40 feet shall be dedicated along the northern property line consistent with the alignment for Bronco Butte Trail or, alternatively, right-of-way totaling 60 feet with adjacent 10-foot wide sidewalk easements for a total of 80 feet shall be dedicated for 27th Avenue from Bronco Butte Trail to the southern property line, as approved by the Planning and Development Department.
7. All pedestrian pathways, including those that intersect vehicular traffic lanes, shall be constructed with decorative pavers, stamped or colored concrete, or another material other than those used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department.
8. The use of artificial turf is prohibited in areas visible from public right-of-way or parking lots, as approved by the Planning and Development Department.
9. Turf shall only be used in active retention basins, as approved by the Planning and Development Department.
10. All retention areas shall be natural and organic in shape, as approved by the Planning and Development Department.
11. The hotel development shall be in general conformance with the elevations date stamped April 18, 2018, with specific regard to the massing, articulation, window placement and building entry, as approved by the Planning and Development Department.
12. The color and material palette for the buildings shall be determined at site plan review and shall comply with the North Black Canyon Overlay District, with specific regard to colors being muted and blend with, rather than contrast strongly, with the surrounding desert environment, as approved by the Planning and Development Department.

13. The glazing on all building windows shall have a maximum reflectivity of 20%, as approved by the Planning and Development Department.
14. All service areas must be screened to conceal trash containers, recycling containers, loading docks, transformers, backflow preventers and other mechanical and or electrical equipment from eye level adjacent to all public streets and private drives, as approved by the Planning and Development Department.
15. A minimum landscape setback of 10 feet shall be required along property lines that are not adjacent to public right-of-way and planted in accordance with C-2 planting size and spacing standards, as approved by the Planning and Development Department.
16. The Bronco Butte Water Tank shall be fully preserved, in place, as it naturally occurs and shall be identified on all site plan documents through permitting to ensure preservation.
17. View corridors of Bronco Butte, Pyramid Peak, Union Hills and no name mountain, as shown on Exhibit B in the North Gateway Core Plan, shall be retained through building placement and step backs, as approved by the Planning and Development Department.

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

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

---

MAYOR

ATTEST:

---

City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_ City Attorney

REVIEWED BY:

\_\_\_\_\_ City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-20-17-2

A PORTION OF LAND BEING SITUATED WITHIN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A FOUND MARICOPA COUNTY BRASS CAP DATED 2001 ACCEPTED AS THE EAST QUARTER CORNER OF SAID SECTION 14 FROM WHICH A FOUND REBAR WITH CAP RLS 21081 ACCEPTED AS THE CENTER OF SAID SECTION 14 BEARS SOUTH 89°32'56" WEST, 2639.42 FEET;

THENCE SOUTH 00°22'13" EAST, 1324.91 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A FOUND REBAR WITH CAP RLS 27239 ACCEPTED AS THE 1/16<sup>TH</sup> CORNER OF SAID SECTION;

THENCE LEAVING SAID EAST LINE, SOUTH 89°35'43" WEST, 562.27 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER;

THENCE LEAVING SAID SOUTH LINE, NORTH 20°07'05" WEST, 223.66 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 45.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 20°00'00", AN ARC LENGTH OF 15.71 FEET TO A TANGENT LINE;

THENCE NORTH 00°07'05" WEST, 1098.45 FEET;

THENCE NORTH 89°32'56" EAST, 635.65 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 837,236 SQ. FT. (19.2203 ACRES) MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY OF RECORD OR OTHERWISE.

THE DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE ANY SUBDIVISION REGULATION OF THE STATE, COUNTY AND/OR MUNICIPALITY OR ANY LAND DIVISION RESTRICTIONS.

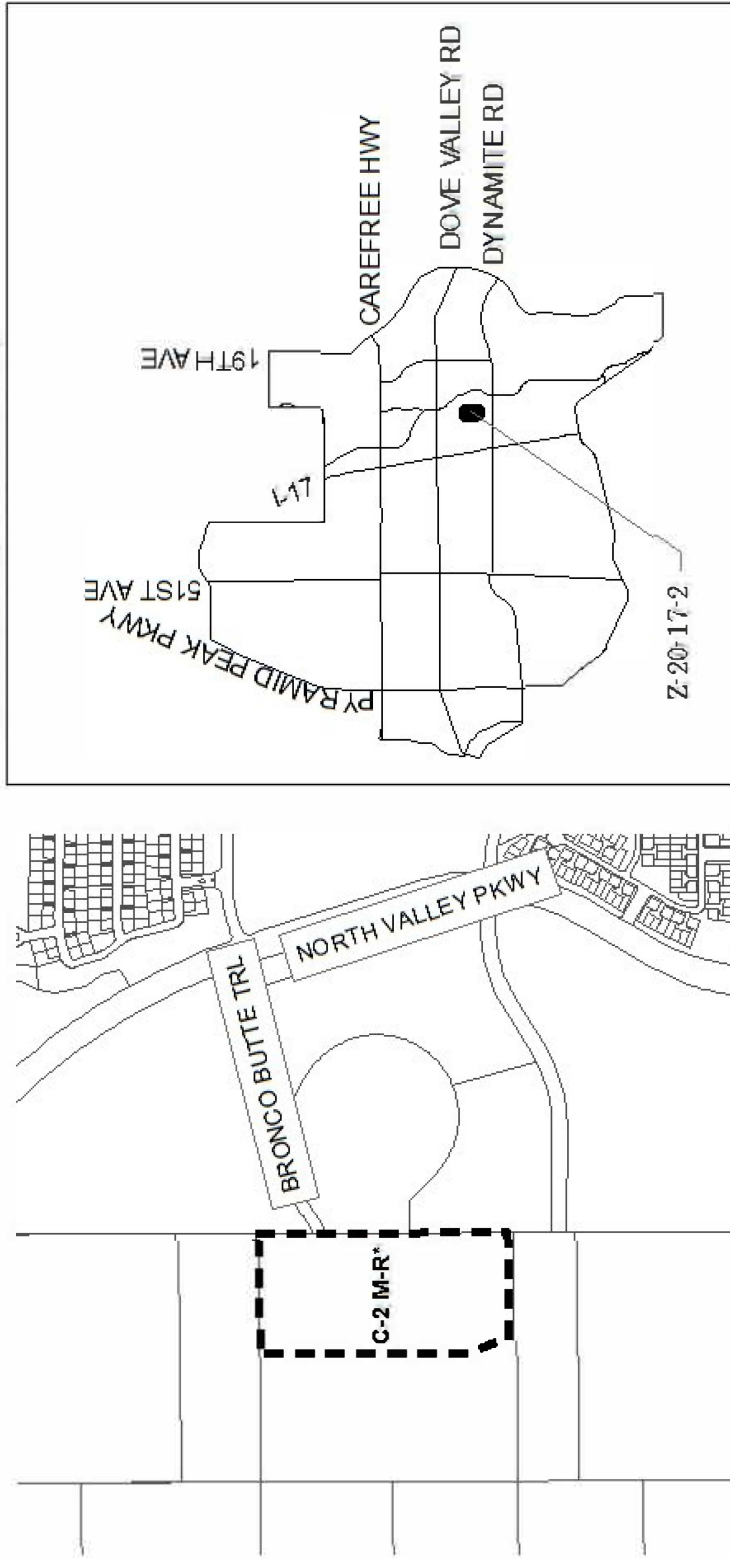


EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-20-17-2  
 Zoning Overlay: North Black Canyon Corridor and Overlay  
 District  
 Planning Village: North Gateway

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



NOT TO SCALE

Drawn Date: 6/7/2018

%one\pdd\Shared\Department Shared Information Systems\PL GIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\_OrdMaps\2018\_Ord\7-5-18\Z-20-17-2.mxd

**Staff Report Z-20-17-2  
October 6, 2017**

**North Gateway Village Planning Committee Meeting Date:** October 26, 2017

**Planning Commission Hearing Date:** November 2, 2017

**Request From:** PCD NBCOD (approved C-2/CP M-R PCD NBCOD) (40.21 Acres)

**Request To:** C-2 M-R NBCOD (40.21 Acres)

**Proposed Use:** PCD removal to allow for future development

**Location:** Approximately 220 feet north of the northwest corner of the 27th Avenue alignment and North Foothills Drive alignment

**Owner:** Greater Maricopa Investors 1986

**Applicant:** City of Phoenix Planning Commission

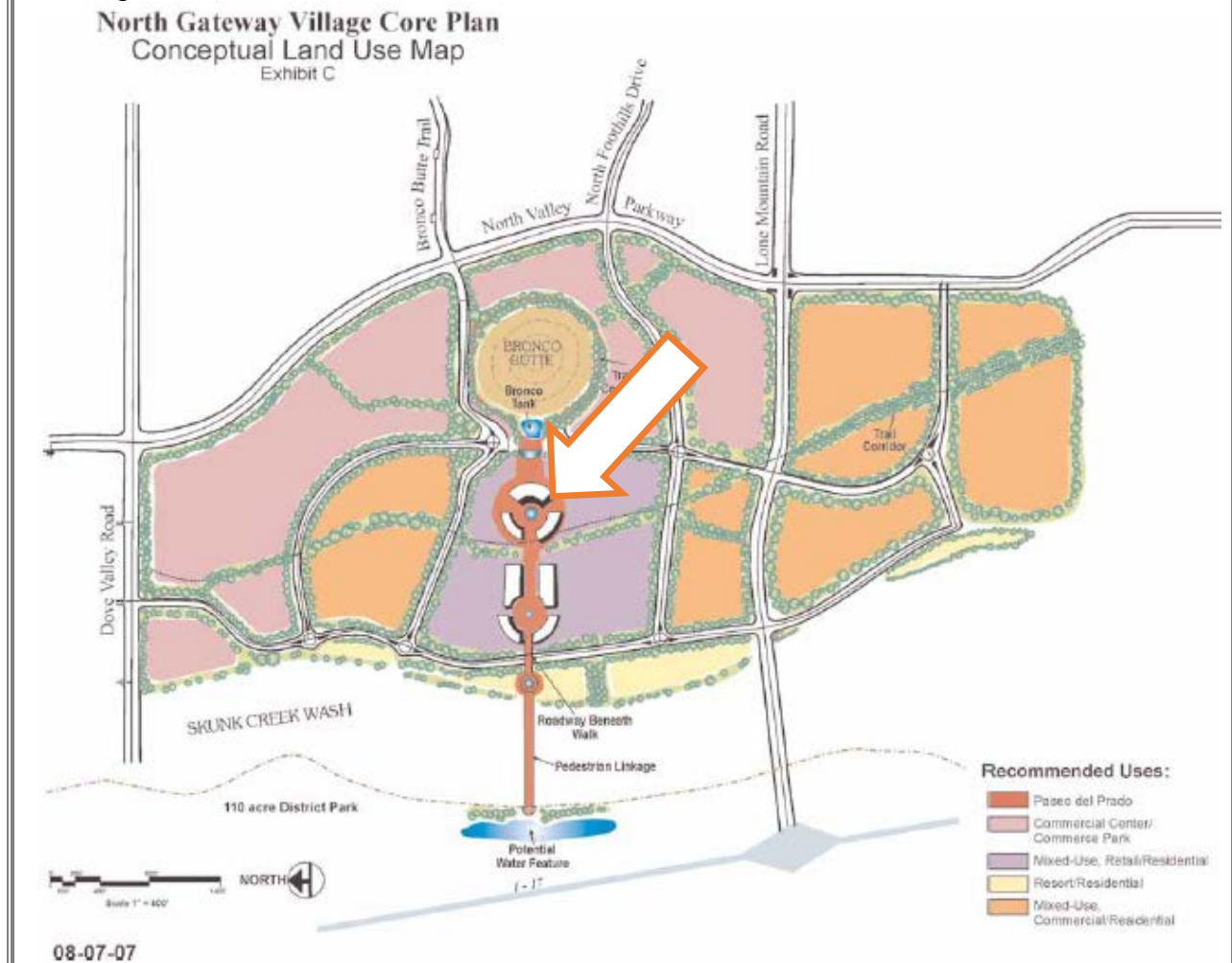
**Representative:** Michael Withey, Withey Morris, PLC

**Staff Recommendation:** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designation</b>	Mixed Use (Commercial / Commerce Park)		
<b>Street Map Classification</b>	27 <sup>th</sup> Ave	Collector	No dedication made
	North Foothills Drive	Collector	No dedication made
<p><b><i>CELEBRATE OUR DIVERSE COMMUNITIES &amp; NEIGHBORHOODS; CERTAINTY &amp; CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.</i></b></p> <p>As stipulated, the Planning Hearing Officer will review and approve site plans and elevations to ensure that a sense of continuity throughout the development is conveyed and to ensure the intent of the North Gateway Core Plan is met.</p>			

**CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DESIGN:** Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking, and vehicle parking in architecturally disguised structures or underground where feasible.

The subject site is in the heart of the North Gateway Village Core (see arrow in exhibit below), with its location being adjacent to Bronco Butte. As shown on the Conceptual Land Use Map within the North Gateway Village Core Plan, the pedestrian connection named “Paseo del Prado” runs through the subject site. It is imperative that the intent of the Paseo Del Prado is maintained to ensure overall pedestrian connectivity through the entire North Gateway Core. To ensure compliance with the North Gateway Core Plan, any future site plans and elevations must be reviewed and approved by the Planning Hearing Officer.



### Area Plans

The site is within the North Black Canyon Corridor Plan boundaries. See number 6 below.

### Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant	PCD
<b>North</b>	Vacant	PCD
<b>South</b>	Vacant	PCD
<b>East</b>	Vacant	PCD
<b>West</b>	Vacant	PCD

### Background/Issues/Analysis

#### SUBJECT SITE

1. This is a request to rezone a 40.21-acre parcel of land from PCD NBCOD (approved C-2/CP M-R PCD NBCOD) to C-2 M-R NBCOD. This rezoning request was initiated by the Planning Commission to remove the property from the North Gateway PCD. The North Gateway PCD was a city initiated PCD in 2001 with the desire that a master developer would develop the infrastructure as stipulated in the case. Since a master developer never installed the infrastructure and all of the parcels are individually owned, the PCD is considered somewhat defunct. In order for property owners to develop their properties individually without the requirement of complying with all of the stipulations in the PCD, which includes overall infrastructure improvements, the properties have to be rezoned out of the PCD.
2. At the time the North Gateway PCD was established (Z-34-01) the subject property was given the option of either choosing the C-2 or CP zoning district at during site plan review. Through this rezoning process of removing the PCD, the applicant chose the C-2 zoning district.
3. The General Plan Land Use Map designation for this property is Mixed- Use (Commercial/Commerce Park). The proposed zoning district of C-2 M-R NBCOD conforms to the Land Use Map designation and a General Plan Amendment is not required.

#### SURROUNDING USES & ZONING

3. The subject parcel is located in the heart of the North Gateway Core with Bronco Butte located directly to the east of the site.

## PROPOSAL

4. The purpose of the the requested rezoning case is to remove the property from the North Gateway PCD. At this time, there is not a corresponidng development plan. The removal of the PCD allows development to occur on the property without having to comply with the stipulations set forth in the PCD document that were intended to be met by a master developer.
5. The subject site is in the heart of the North Gateway Core with adjacency to Bronco Butte and Bronco Tank. The North Gateway Core Plan sets forth goals, polices and recommendations to achieve a cohesive, mixed-use village core. As defined in the North Gateway Core Plan as “the most imporant element of the core”, the Paseo del Prado is shown to run directly through the subject site. The preservation of the intent of the Paseo del Prado is critical, as it is planned to serve as a pedestrian spine through the entire North Gateway Core. In additon to maintiaing the intent of the Paseo Del Prado, the following shall be considered through the Planning Hearing Officer process:
  - a. Pedestrian connections between buildings and any future development shall be created.
  - b. A pedestrian connection shall be created between the core and Skunk Creek Wash to the west through the development of Paseo del Prado.
  - c. Mixed-use development shall be located along Paseo Del Prado, emphasizing retail and residential uses.
  - d. The architectural style of future developments shall withstand changes in style and with the economy in order to enable adaptive re-uses in the future.
  - e. View corridors of Bronco Butte, Pyramid Peak, Union Hills, and No Name Mountain shall be maintained by encouraging building step backs.
  - f. The integrity of Bronco Tank shall be preserved and integrated into the design of the Paseo del Prado.

See stipulation number 4.

6. The project site is located within the North Black Canyon Corridor (NBCC) which is one of the city's premier growth areas. Located along both the east and west sides of Interstate 17, the North Black Canyon Corridor stretches from Happy Valley Road to the northern city limits. The North Black Canyon Corridor Plan is applicable to this area. The proposal is consistent with the intent of the following goals:
  - *Goal 2: Achieve a balance between employment and housing.*  
The requested rezoning enhances the mixture of uses within the area by creating an opportunity for a development that could include both employment and housing. The parcel is located within the North Gateway Village Core, which is envisioned as a high-density, mixed-use urban environment.

- *Goal 4: Preserve North Sonoran Desert amenities and use these features to define community form and identity.* Although there is not a development plan to review with the request, when a site plan and elevations are submitted, the plans will be reviewed through the Planning Hearing Officer process to ensure compatibility with the area.
7. The parcels within the North Gateway Core have a Mid-Rise overlay to promote high-intensity development that furthers the vision of the village core. The Mid-Rise overlay doesn't address a maximum height. In order to ensure view corridors are maintained, Stipulation 3 has been added that limits the building height to a maximum of 150-feet.
  8. The project site is located within the North Black Canyon Overlay District. This overlay implements the designs and concepts set forth in the North Black Canyon Corridor Plan.

#### DEPARTMENT COMMENTS

9. The Water Services Department indicates there is a water and sewer main that could serve the project.
10. The Street Transportation Department noted that the developer shall dedicate and construct 29<sup>th</sup> Avenue and Bronco Butte Trail. This is addressed in Stipulation 2, 3 and 5.
11. The Fire Department does not anticipate any problems with this rezoning application. It was noted that the site and/or buildings shall comply with the Phoenix Fire Code.
12. No known archaeological work is necessary for this project. 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 6.
13. The Public Transit, Parks and Recreation and Aviation Departments had no comments regarding the request.

#### **Findings**

1. The request is consistent with the General Plan Land Use Map designation of Mixed-Use (Commercial/Commerce Park).
2. As stipulated, the C-2 M-R NBCOD zoning district will allow development that is consistent in scale and character with the vision of the North Gateway Village Core Plan

#### **Stipulations**

1. All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by property owner.
2. Right-of-way totaling 30 feet from the street design centerline shall be dedicated and constructed as an “F” section roadway as defined by the City’s Street Classification Map for the east half of 29<sup>th</sup> Avenue as approved by the Planning and Development Department and the Street Transportation Department.
3. Bronco Butte Trail shall be fully dedicated and constructed as an “F” section roadway as defined on the City’s Street Classification Map. Bronco Butte Trail shall connect with 29<sup>th</sup> Avenue as approved by Planning and Development Department and the Street Transportation Department.
3. The maximum building height shall be limited to 150 feet.
4. Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the North Gateway Village Core Plan.
5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

**Writer**

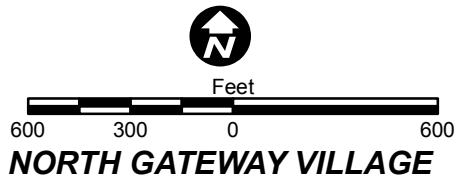
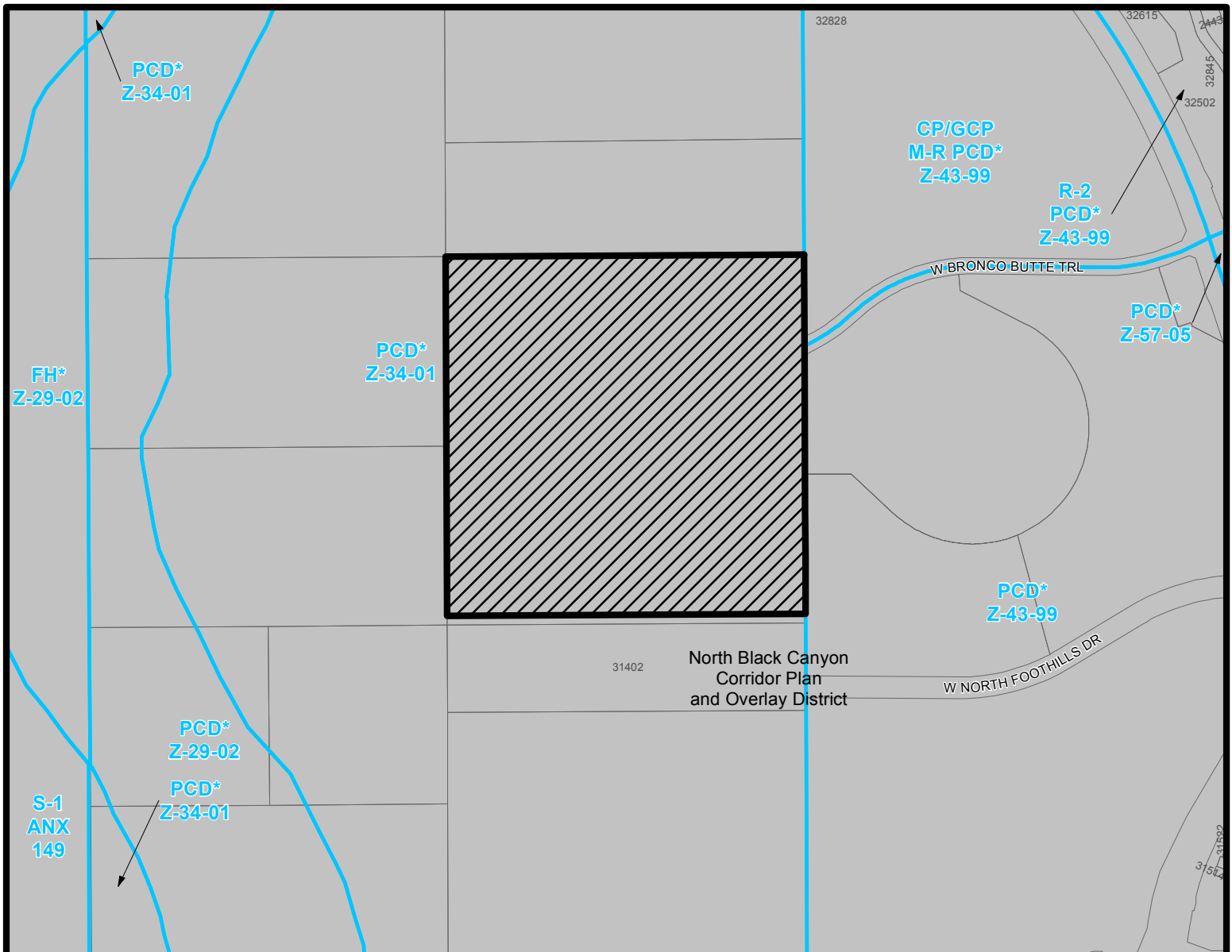
Kaelee Wilson  
October 10, 2017  
Joshua Bednarek



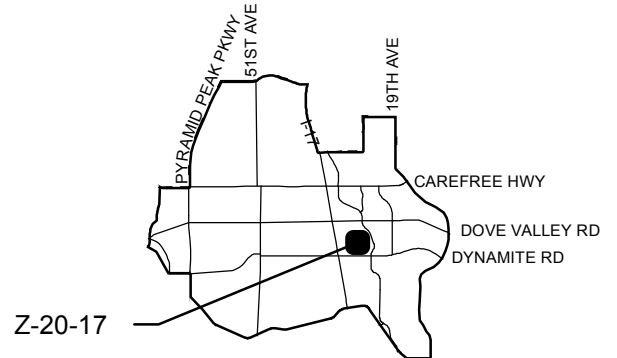
**Attachments**

Zoning sketch

Aerial



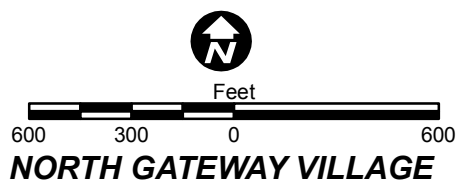
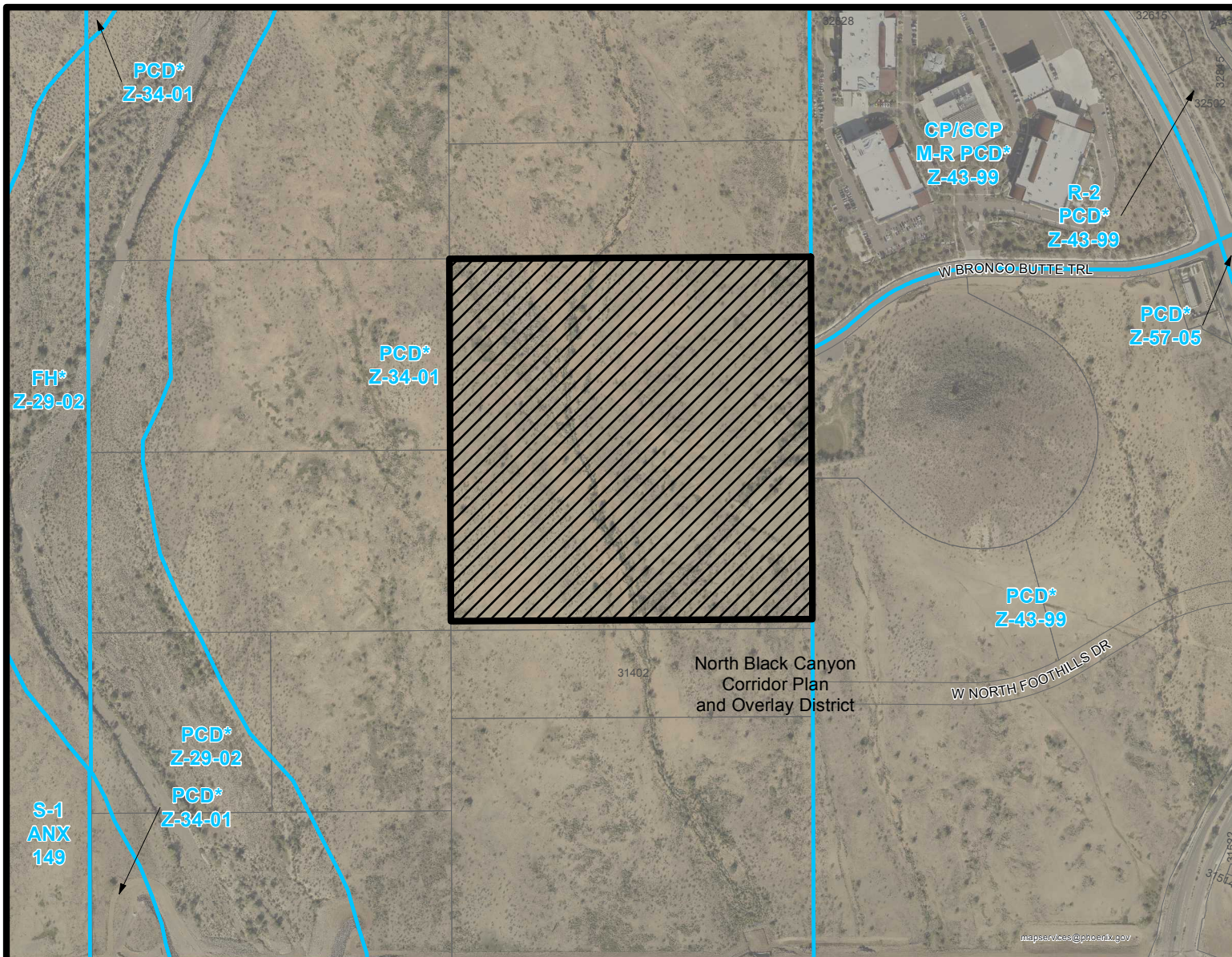
CITY COUNCIL DISTRICT: 2



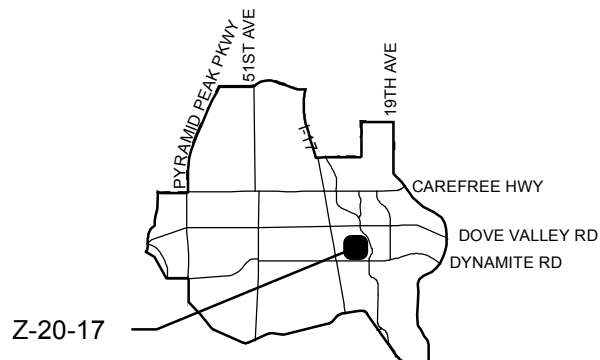
Z-20-17

<b>APPLICANT'S NAME:</b> City of Phoenix Planning Commission		<b>REQUESTED CHANGE:</b> FROM: PCD NBCOD (Approved C-2 / CP M-R PCD NBCOD) (40.21 a.c.)  TO: C-2 M-R NBCOD (40.21 a.c.)	
<b>APPLICATION NO.</b> Z-20-17	<b>DATE:</b> 08/10/2017 <b>REVISION DATES:</b>		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.  40.21 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 55-22		
<b>MULTIPLES PERMITTED</b> PCD NBCOD (Approved C-2 / CP M-R PCD NBCOD) C-2 M-R NBCOD		<b>CONVENTIONAL OPTION</b> N/A 583	
		<b>* UNITS P.R.D. OPTION</b> N/A 699	

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



CITY COUNCIL DISTRICT: 2



APPLICANT'S NAME: City of Phoenix Planning Commission

APPLICATION NO. Z-20-17

DATE: 08/10/2017  
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

40.21 Acres

AERIAL PHOTO &  
QUARTER SEC. NO.  
QS 55-22

ZONING MAP  
Q-7

REQUESTED CHANGE:

FROM: PCD NBCOD  
(Approved C-2 / CP M-R PCD NBCOD) (40.21 a.c.)

TO: C-2 M-R NBCOD (40.21 a.c.)

MULTIPLES PERMITTED

PCD NBCOD (Approved C-2 / CP M-R PCD NBCOD)

C-2 M-R NBCOD

CONVENTIONAL OPTION

N/A (583 / N/A)

583

\* UNITS P.R.D. OPTION

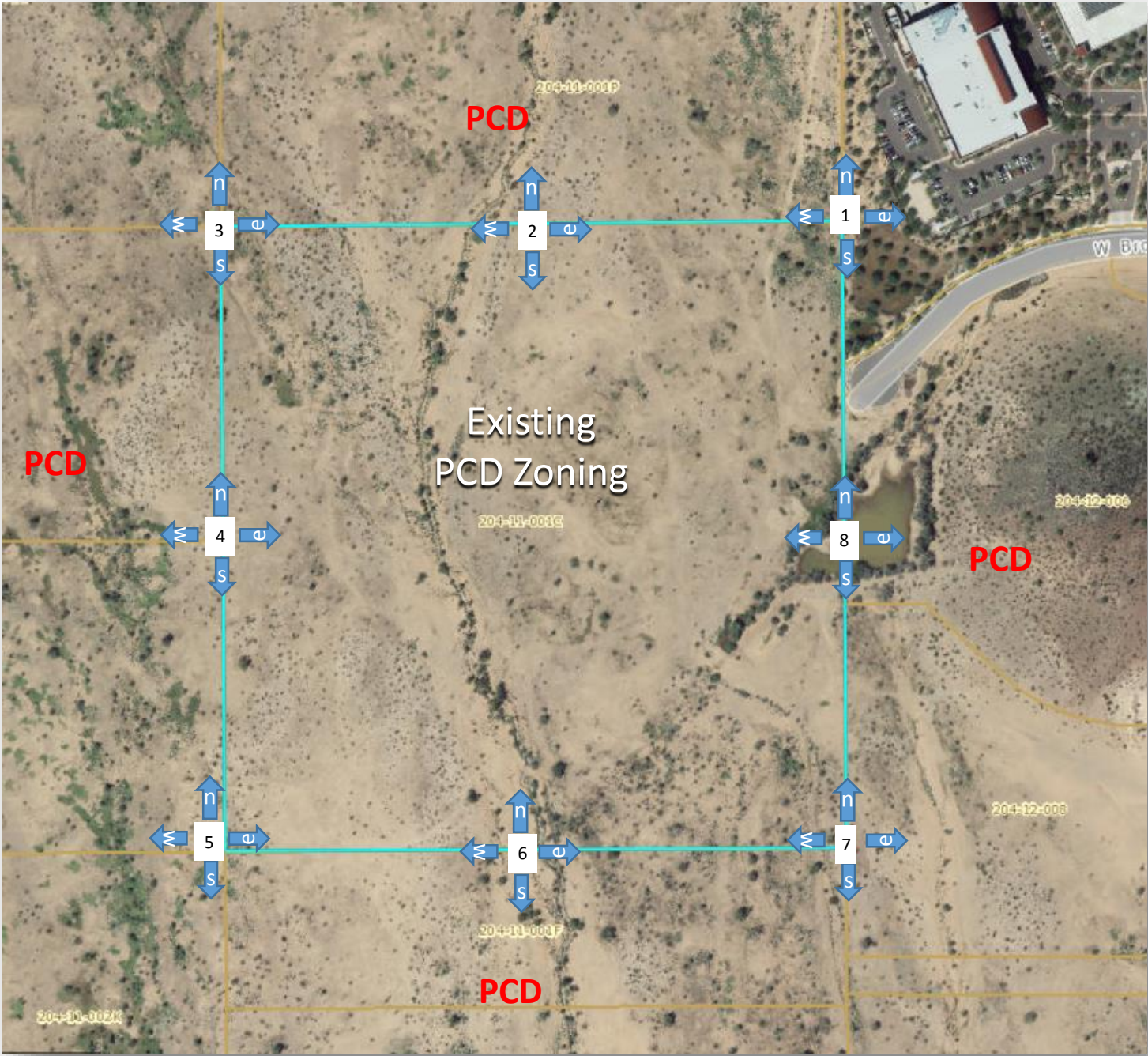
N/A (699 / N/A)

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

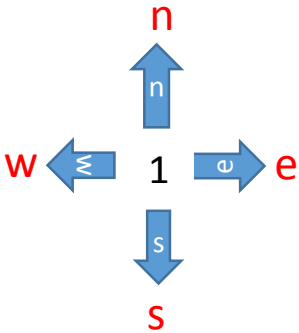


# Context Key Photo Map

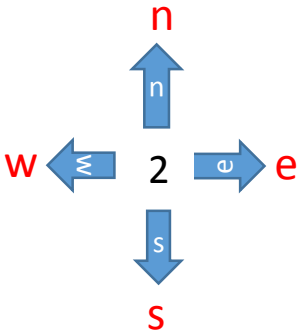




# Context Map Photos

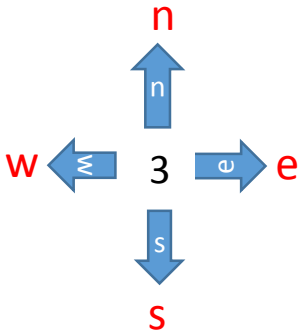


# Context Map Photos



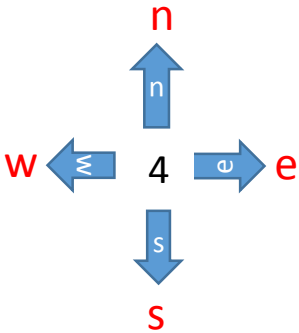


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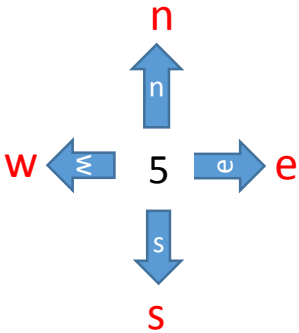




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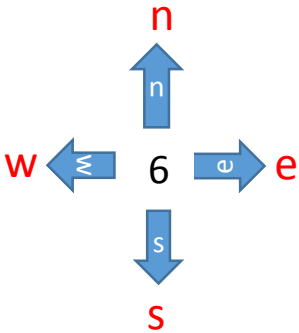


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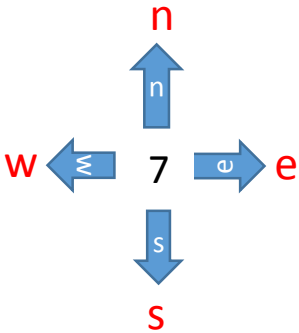




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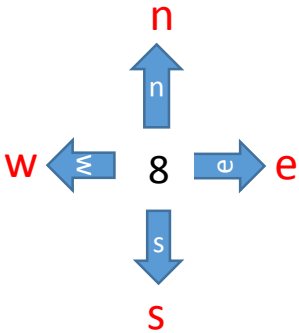


# Context Map Photos





# Context Map Photos



## Attachment C

### **ADDENDUM A** **Staff Report Z-20-17-2** May 12, 2018

<b>North Gateway Village Planning Committee Meeting Date:</b>	May 10, 2018
<b>Planning Commission Hearing Date:</b>	June 7, 2018
<b>Request From:</b>	PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) (19.22 Acres)
<b>Request To:</b>	C-2 M-R NBCOD (19.22 Acres)
<b>Proposed Use:</b>	PCD removal to allow for future development
<b>Location:</b>	Approximately 220 feet north of the northwest corner of the 27th Avenue alignment and North Foothills Drive alignment
<b>Owner:</b>	Greater Maricopa Investors 1986
<b>Applicant:</b>	City of Phoenix Planning Commission
<b>Representative:</b>	Michael Withey, Withey Morris, PLC

The rezoning request for this property was originally submitted in March 2017. At the time of the initial submittal no site plan or elevations for the property were provided. The applicant has now provided site plan and elevations for a 19.22-acre portion of the original request. As a result of a proposed conceptual site plan and elevations being submitted, staff is recommending revised stipulations. The original staff report included a stipulation that would require the site plan and elevations to come back through the Planning Hearing Officer process for approval. Since a site plan and elevations are being proposed, the applicant has requested revised stipulations that relate to the specific site plan and elevations. It is important to note that the acreage of the rezoning request has now been reduced from the original request. The acreage has been modified from 40.21 acres to only include the eastern 19.22 acres. The remainder of the site will have to come back through the PCD removal process through a separate rezoning case at a later date.

The Planning Commission has continued the case several times. The most recent motion being a continuance to the June 7, 2018 Planning Commission hearing. In review of the submitted site plan and elevations, staff is recommending additional stipulations that address the following:

- Compliance with the North Gateway Core Plan, specifically related to the Paseo Del Prado and preservation of Bronco Butte Water Tank.

- Compatibility of building materials and colors with the natural environment and consistency with the guidelines in the North Black Canyon Overlay District.
- Revised right-of-way improvements due to an updated request area.

**Staff recommends the following regarding the additional stipulations:**

**Revised Stipulations**

1. All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by property owner.
- ~~2. Right-of-way totaling 30 feet from the street design centerline shall be dedicated and constructed as an "F" section roadway as defined by the City's Street Classification Map for the east half of 29th Avenue as approved by the Planning and Development Department and the Street Transportation Department.~~
- ~~3. Bronco Butte Trail shall be fully dedicated and constructed as an "F" section roadway as defined on the City's Street Classification Map. Bronco Butte Trail shall connect with 29th Avenue, as approved by Planning and Development Department and the Street Transportation Department.~~
- ~~2.3. The maximum building height shall be limited to 150 feet.~~
- ~~4. Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the North Gateway Village Core Plan.~~
3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.



5. THE EAST AND WEST PEDESTRIAN CONNECTION (PASEO DEL PRADO) SHALL BE PROVIDED IN ACCORDANCE WITH THE NORTH GATEWAY CORE PLAN, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:
  - A. THE PASEO DEL PRADO SHALL ALIGN WITH THE BRONCO BUTTE TANK AND CONTINUE THROUGH THE SITE TO THE WEST.
  - B. A PEDESTRIAN ACCESS EASEMENT OF 20 FEET SHALL BE DEDICATED FOR THE PEDESTRIAN CONNECTION (PASEO DEL PRADO). OF THE 20 FEET, 12 FEET SHALL REMAIN COMPLETELY FREE OF ANY PEDESTRIAN IMPEDIMENTS, INCLUDING BENCHES. (THE REMAINING 8 FEET MAY BE USED FOR PEDESTRIAN FRIENDLY USES SUCH AS RESTAURANT SEATING, VENDOR STALLS, ARTIST DISPLAYS, ETC.)
  - C. A MINIMUM OF 50% OF THE 20 FOOT PEDESTRIAN ACCESS EASEMENT FOR THE PASEO DEL PRADO SHALL BE SHADED BY A STRUCTURE, LANDSCAPING OR A COMBINATION OF THE TWO.
  - D. THE SITE SHALL BE DESIGNED IN SUCH A MANNER THAT THE BUILDING PLACEMENT CREATES AN ALIGNMENT AND SYNERGY FOR THE PASEO DEL PRADO. THIS CAN BE ACHIEVED BY PLACING ACTIVE USES SUCH AS OUTDOOR SEATING, RESTAURANTS AND RETAIL ALONG THE PEDESTRIAN PATH.
6. RIGHT-OF-WAY TOTALING 80 FEET SHALL BE DEDICATED FOR 27TH AVENUE FROM BRONCO BUTTE TRAIL TO NORTH FOOTHILLS DRIVE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
7. ALL PEDESTRIAN PATHWAYS, INCLUDING THOSE THAT INTERSECT VEHICULAR TRAFFIC LANES, SHALL BE CONSTRUCTED WITH DECORATIVE PAVERS, STAMPED OR COLORED CONCRETE, OR ANOTHER MATERIAL OTHER THAN THOSE USED TO PAVE THE PARKING SURFACES AND DRIVE AISLES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
8. THE USE OF ARTIFICIAL TURF IS PROHIBITED IN AREAS VISIBLE FROM PUBLIC RIGHT-OF-WAY OR PARKING LOTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
9. TURF SHALL ONLY BE USED IN ACTIVE RETENTION BASINS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
10. ALL RETENTION AREAS SHALL BE NATURAL AND ORGANIC IN SHAPE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

11. THE HOTEL DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED APRIL 18, 2018, WITH SPECIFIC REGARD TO THE MASSING, ARTICULATION, WINDOW PLACEMENT AND BUILDING ENTRY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
12. THE COLOR AND MATERIAL PALETTE FOR THE BUILDINGS SHALL BE DETERMINED AT SITE PLAN REVIEW AND SHALL COMPLY WITH THE NORTH BLACK CANYON OVERLAY DISTRICT, WITH SPECIFIC REGARD TO COLORS BEING MUTED AND BLEND WITH, RATHER THAN CONTRAST STRONGLY, WITH THE SURROUNDING DESERT ENVIRONMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
13. THE GLAZING ON ALL BUILDING WINDOWS SHALL HAVE A MAXIMUM REFLECTIVITY OF 20%, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
14. ALL SERVICE AREAS MUST BE SCREENED TO CONCEAL TRASH CONTAINERS, RECYCLING CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL AND OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS AND PRIVATE DRIVES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
15. A MINIMUM LANDSCAPE SETBACK OF 10 FEET SHALL BE REQUIRED ALONG PROPERTY LINES THAT ARE NOT ADJACENT TO PUBLIC RIGHT OF WAY AND PLANTED IN ACCORDANCE WITH C-2 PLANTING SIZE AND SPACING STANDARDS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT
16. THE BRONCO BUTTE WATER TANK SHALL BE FULLY PRESERVED, IN PLACE, AS IT NATURALLY OCCURS AND SHALL BE IDENTIFIED ON ALL SITE PLAN DOCUMENTS THROUGH PERMITTING TO ENSURE PRESERVATION.
17. VIEW CORRIDORS OF BRONCO BUTTE, PYRAMID PEAK, UNION HILLS AND NO NAME MOUNTAIN, AS SHOWN ON EXHIBIT B IN THE NORTH GATEWAY CORE PLAN, SHALL BE RETAINED THROUGH BUILDING PLACEMENT AND STEP BACKS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

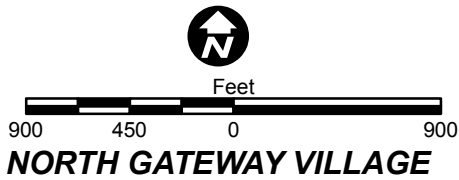
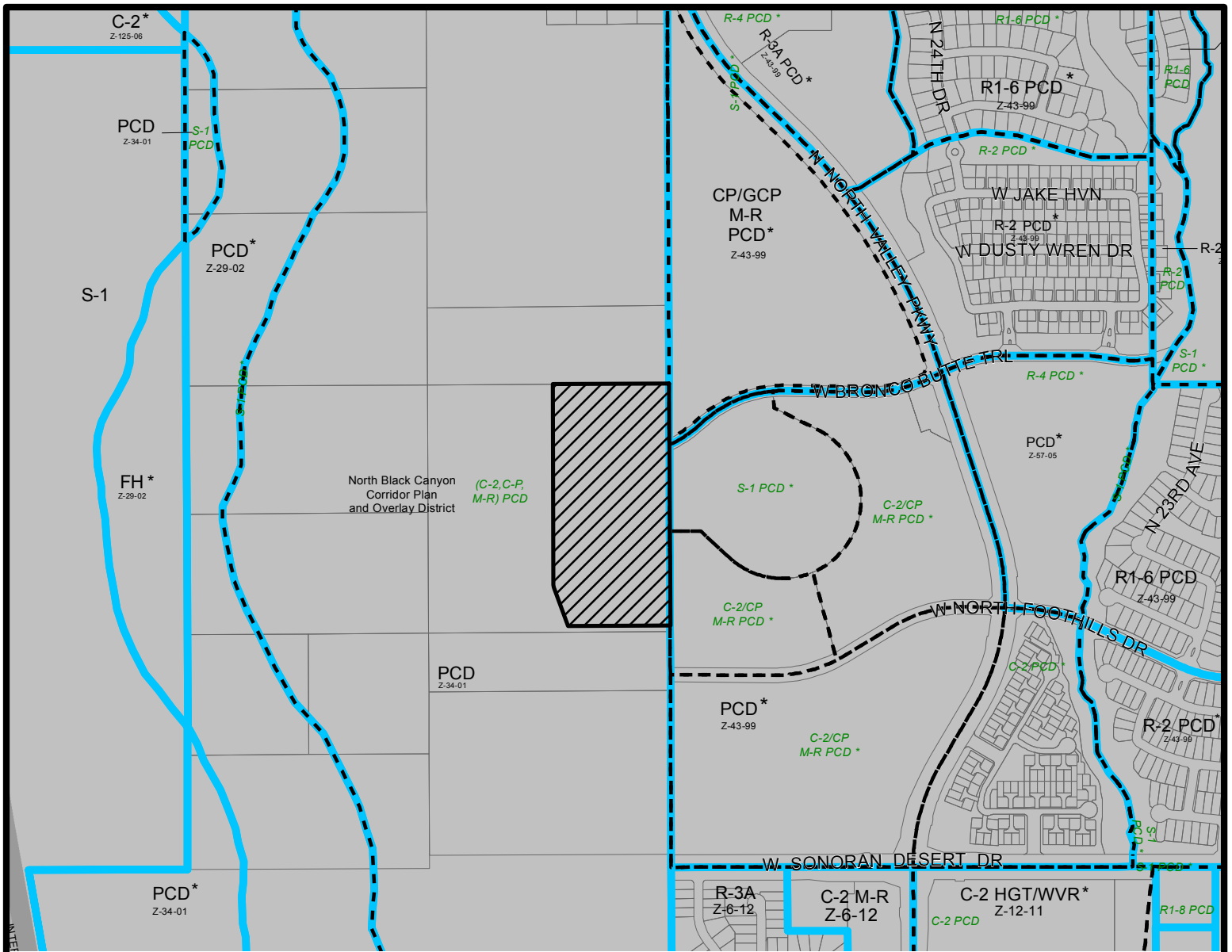
**Exhibits**

Sketch Map

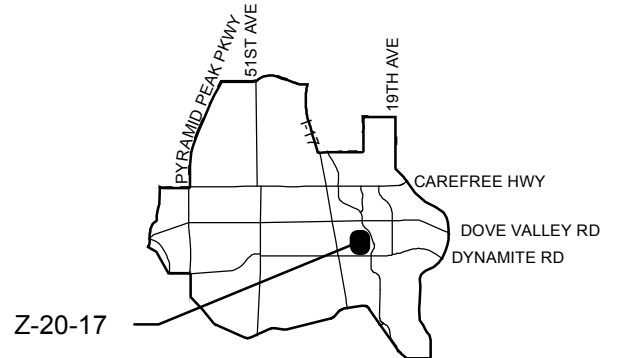
Aerial Map

Site Plan, date stamped April 18, 2018

Elevations and renderings, date stamped April 18, 2018 (5 pages)



CITY COUNCIL DISTRICT: 2



Z-20-17

APPLICANT'S NAME: City of Phoenix Planning Commission

APPLICATION NO. Z-20-17

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

19.22 Acres

DATE: 08/10/2017	REVISION DATES:		
04/18/2018			
04/26/2018			
AERIAL PHOTO & QUARTER SEC. NO.	ZONING MAP		
QS 55-22	Q-7		

**REQUESTED CHANGE:**

FROM: PCD NBCOD  
(Approved C-2 / CP M-R PCD NBCOD) (19.22 a.c.)

TO: C-2 M-R NBCOD (19.22 a.c.)

**MULTIPLES PERMITTED**

PCD NBCOD (Approved C-2 / CP M-R PCD NBCOD)

C-2 M-R NBCOD

**CONVENTIONAL OPTION**

N/A, (278, N/A)

278

**\* UNITS P.R.D. OPTION**

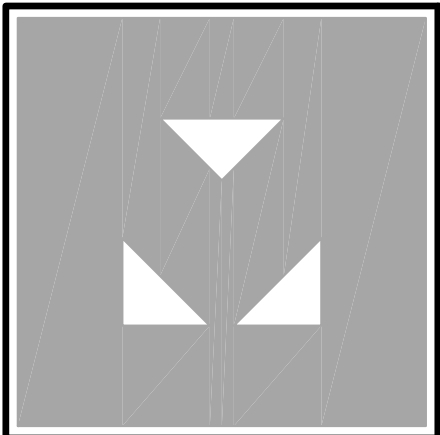
N/A, (334, N/A)

334

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







K & I

A R C H I T E C T S

1850 N CENTRAL AVE.  
SUITE 200  
PHOENIX, AZ 85004

PH: 602.262.3938  
FAX: 602.262.3938

OWNER:

EATON (SABINA A.) ROBERT L JR  
PHONE: (480) 595-2719  
CONTACT: ROBERT EATON  
EMAIL: ROBERT@TUSCANPOINTE.COM

ARCHITECT

K&I ARCHITECTS AND INTERIORS, L.L.C.  
200  
PHOENIX, ARIZONA 85004  
PHONE: (602) 262-3920  
CONTACT: JAY JOLLEY  
EMAIL: JAYJ@K&IARCHITECTS.COM

ATTORNEY:

WITHEY MORRIS, PLLC  
5525 EAST ARIZONA BILTMORE CIRCLE  
PHOENIX, ARIZONA 85016  
PHONE: (602) 230-0600  
CONTACT: KRISTE KOVALSKY  
EMAIL: KRISTE@WITHEYMORRIS.COM

ELEGACY SITE PLAN

PARKING LOT

32000 NORTH 28TH AVENUE  
PHOENIX, ARIZONA

REVISIONS

NO.	DESCRIPTION	DATE

OWNERSHIP OF DOCUMENTS

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT. WHETHER THE PROJECT FOR WHICH THEY WERE PREPARED IS COMPLETED OR NOT, ALL RIGHTS ARE RESERVED ON OTHER PROJECTS OR TO EXTENSIONS TO THIS PROJECT EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO K & I ARCHITECTS AND INTERIORS.

SHEET TITLE:

OVERALL SITE PLAN

JOB NUMBER:

181900

DRAWN BY:

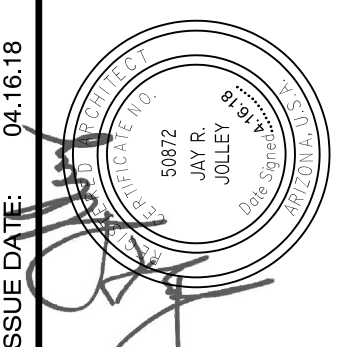
J. JOLLEY

CHECKED BY:

J. JOLLEY

ISSUE DATE:

04.16.18

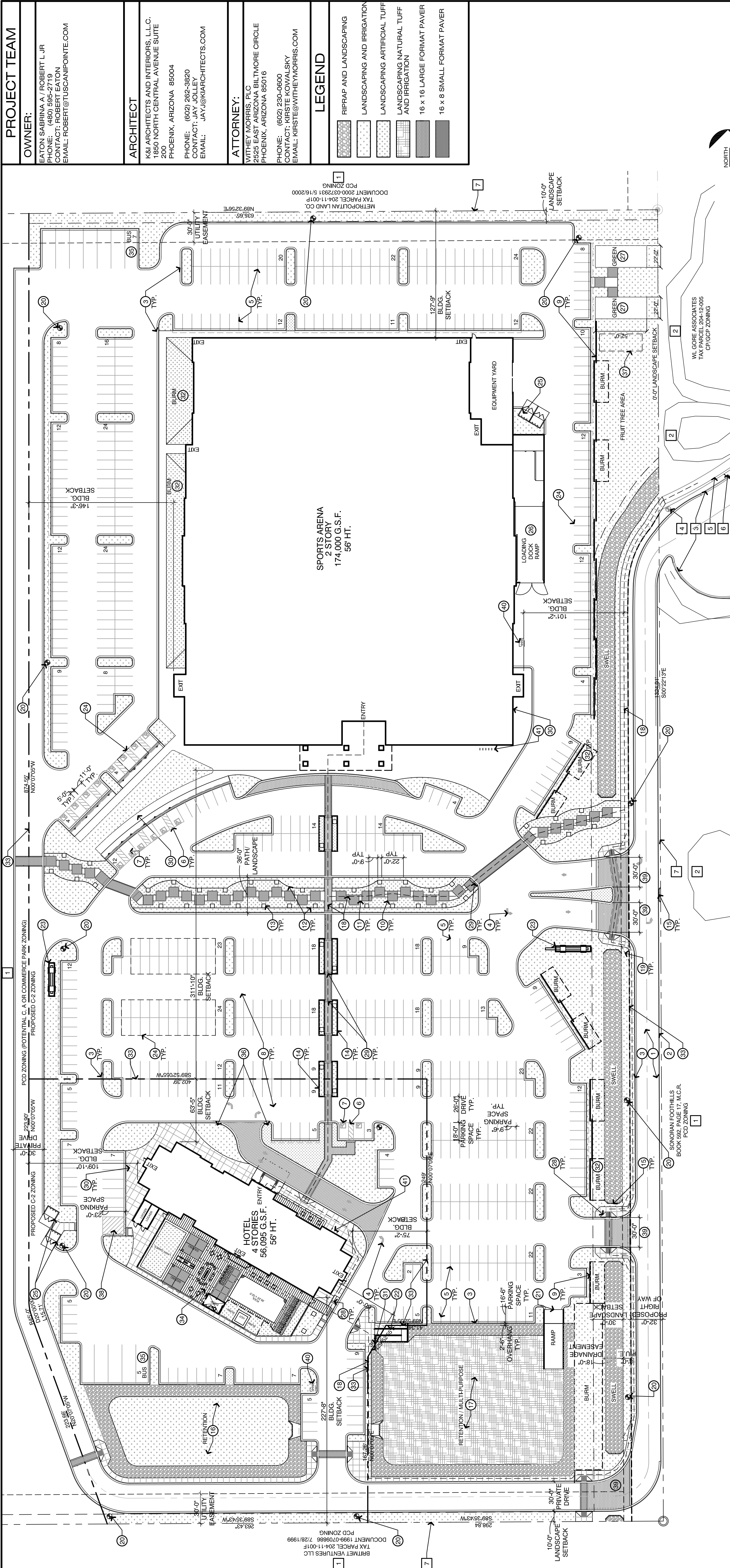


Expire: 06/30/2019

SHEET NUMBER:

SP1.0

1 OF 1



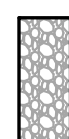
PROJECT TEAM

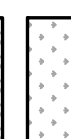
OWNER:  
EATON (SABINA A.) ROBERT L JR  
PHONE: (480) 595-2719  
CONTACT: ROBERT EATON  
EMAIL: ROBERT@TUSCANPOINTE.COM


ARCHITECT  
K&I ARCHITECTS AND INTERIORS, L.L.C.  
200  
PHOENIX, ARIZONA 85004  
PHONE: (602) 262-3920  
CONTACT: JAY JOLLEY  
EMAIL: JAYJ@K&IARCHITECTS.COM


ATTORNEY:  
WITHEY MORRIS, PLLC  
5525 EAST ARIZONA BILTMORE CIRCLE  
PHOENIX, ARIZONA 85016  
PHONE: (602) 230-0600  
CONTACT: KRISTE KOVALSKY  
EMAIL: KRISTE@WITHEYMORRIS.COM

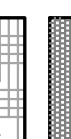
LEGEND

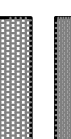
 RIPRAP AND LANDSCAPING

 LANDSCAPING AND IRRIGATION

 LANDSCAPING ARTIFICIAL TURF

 LANDSCAPING NATURAL TURF AND IRRIGATION

 16 x 16 LARGE FORMAT PAVER

 16 x 8 SMALL FORMAT PAVER

2 OVERALL SITE PLAN

SCALE: 1" = 50'-0"

PROJECT SPORTS COMPLEX SITE.DWG

DSD APPROVAL

CITY OF PHOENIX

APR 18 2018

Planning & Development Department

KEYNOTES

1 EXISTING AREA TO REMAIN AS-IS

2 EXISTING NATURAL WASH / RETENTION

3 EXISTING STREET TO REMAIN

4 EXISTING FIRE HYDRANT TO REMAIN

5 EXISTING SIDEWALK TO REMAIN

6 EXISTING LANDSCAPE TO REMAIN

7 EXISTING PROPERTY LINE TO REMAIN

8 HALF ASPHALT PAVED CITY STREET PER STANDARD F SECTION DRIVE

9 TEMPORARY EXTRUDED CONCRETE CURB

10 CONCRETE CURB AND GUTTER

11 PAINTED DIRECTIONAL STREET SIGNAGE

12 4" WIDE WHITE PAINTED PARKING SPACE STRIP

13 4" WIDE YELLOW PAINTED DIAGONAL ACCESSIBLE PATH STRIPING

14 PAINTED ADA SYMBOL AND POST MOUNTING SIGN

15 ASPHALT PAVED PARKING LOT

16 3'-0" HIGH BOARD FORM CONCRETE SCREEN WALL

17 10' x 10' DECORATIVE TREX PATH

18 DECORATIVE TROWEL FINISH CONCRETE PATH PAD

19 DECORATIVE CORTEN METAL BAND

20 DECORATIVE CORTEN METAL TREE BOX

21 SLOPED BOARD FORM CONCRETE RAISED PLANTER

22 CONCRETE HEADWALL WITH METAL SECURITY GRATE AND GALVANIZED UNDERGROUND TRANSFER PIPE

23 LANDSCAPE WATER RETENTION AREA WITH DRYWELL(S)

24 MULTI-FUNCTION TUFF LANDSCAPE WATER RETENTION AREA WITH DRYWELL(S)

1 SITE ACCESSIBLE ROUTE

2 20' x 10' VISIBILITY TRIANGLE

3 FIRE HYDRANT

4 VEHICLE ACCESS CONCRETE RAMP WITH REMOVABLE METAL GUARD RAIL

5 ACCESSIBLE CONCRETE RAMP/RAILING

6 PROPOSED LOCATION OF MONUMENT SIGN

7 SOLAR COVER PARKING CANOPY

8 BOARD FORM TRASH ENCLOSURE WITH DECORATIVE METAL GATE

9 LOADING DOCK WITH 8'-0" HIGH BOARD FORM CONCRETE SCREEN WALL AND DECORATIVE METAL GATE

10 CONCRETE SLAB FOR PREFABRICATED GREEN HOUSE

11 ADA COMPLIANT CONCRETE RAMP WITH 2'-0" TRUNCATED DOME DETECTABLE WARNING PAVER

12 2'-0" TRUNCATED DOME DETECTABLE WARNING PAVER

13 DECORATIVE TROWEL FINISH CONCRETE HARDSCAPE

14 BOARD FORM RETAINING WALL

15 BUILT-UP LANDSCAPE BURM

16 PROPOSED NEW PROPERTY LINE

17 HOTEL POOL/HOT TUB/GRILL AND OUTDOOR LOUNGE AREA

18 40'-0" x 14'-0" BUS PARKING SPACE

19 ONE-WAY DO NOT ENTER SIGNAGE

20 UNDERGROUND GRAY WATER TANK WITH PUMP FOR LANDSCAPE IRRIGATION

21 UNDERGROUND WITH 4" WIDE YELLOW PAINTED DIAGONAL STRIPING AND SIGNAGE

22 SITE DRIVE LOCATION

23 UNDERGROUND GREASE INTERCEPTOR

24 BIKE RACK

PROJECT DATA

ADDRESS: 32000 NORTH 28TH STREET  
PHOENIX, ARIZONA  
PARCEL #S: 204-11-001C

PROPOSED USE: MIXED USE (HOTEL AND SPORTS ARENA)  
GROSS NET SITE AREA LOT 1 (HOTEL): 160,377.72 S.F. OR 3.68 ACRE  
GROSS NET SITE AREA LOT 2 (ARENA): 645,155.88 S.F. OR 14.81 ACRE  
NET SITE AREA LOT 2 (ARENA): 645,155.88 G.S.F. OR 14.81 ACRE

EXISTING ZONING: PCD C-2  
PROPOSED ZONING: PCD C-2

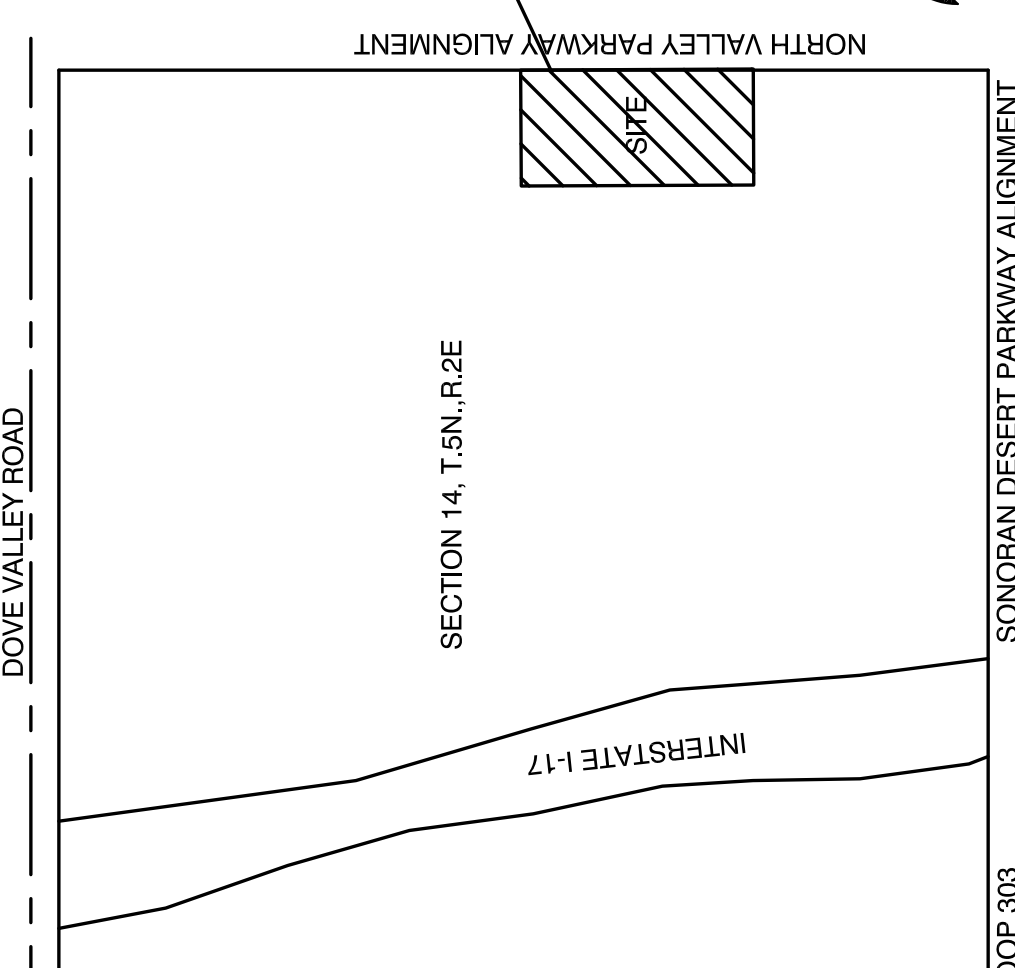
BUILDINGS:  
HOTEL (TYPE V-A)  
MAIN LEVEL 14,560 G.S.F.  
2ND FLOOR 13,845 G.S.F.  
3RD FLOOR 13,845 G.S.F.  
4TH FLOOR 13,845 G.S.F.  
SPORTS ARENA (TYPE V-B)  
MAIN LEVEL 174,000 G.S.F.  
2ND FLOOR 43,000 G.S.F.

LOT COVERAGE:  
LOT 1 (HOTEL) 50% (MAX. OF NET) 9.07%  
LOT 2 (SPORTS ARENA) 20.3%  
LANDSCAPE:  
LOT 1 (HOTEL) 10% (MIN) 17.55%  
LOT 2 (SPORTS ARENA) 16.92%

PARKING:  
HOTEL  
92 ROOMS  
92 ROOMS 1 PER ROOM = 92  
PUBLIC ASSEMBLY - SPECTATOR 1,020 SEATS / 4 = 255  
PUBLIC ASSEMBLY - GENERAL 4,000 S.F. / 60 = 67  
FIELD SPORTS 2 FIELDS X 15 = 30  
VOLLEY BALL / BASKETBALL COURT 5 COURTS X 9 PLUS 1 HALF X 6 = 51  
RETAIL OFFICE / GYM 3,600 S.F. / 300 = 12  
RESTAURANT OUTDOOR 3,000 S.F. / 200 = 15  
TOTAL: 702 PARKING SPACES REQUIRED  
728 PARKING SPACES PROVIDED OF WHICH 2% (16) ARE ADA COMPLIANT

VICINITY MAP

SIGNATURE OF COPYRIGHT OWNER  
JAY R. JOLLEY  
PRINTED NAME OF COPYRIGHT OWNER  
DATE: 04.16.18







1 SOUTH ELEVATION  
1/8" = 1'-0"

## KEYNOTES

- 4" EIFS WALL SYSTEM
- 1 1/2" EIFS WALL SYSTEM
- 3 COAT STUCCO SYSTEM OVER 4" RIGID INSULATION, STAMP FINAL COAT TO MATCH BOARD FORM CONCRETE - INTEGRAL COLOR
- FACTORY FINISH FASCIA
- METAL WALL PANEL, AEP SPAN, FLEX SERIES 1.2FX10-12 OVER 1 1/2" RIGID INSULATION
- FACTORY FINISH ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED GLASS
- FACTORY FINISH AUTOMATIC SLIDING DOOR SYSTEM WITH 1" INSULATED GLASS.
- EIFS SCORE JOINTS
- EXTERIOR STOREFRONT DOOR, FRAME AND HARDWARE WITH 1" INSULATED GLASS
- FACTORY FINISH STANDING SEAM ROOFING SYSTEM, CURVED SPAN LOCK, AEP SPAN WITH PC SNAP ON SYSTEM, 2" BATTEN
- FACTORY FINISH STANDING SEAM ROOFING SYSTEM, FLAT STANDING SEAM, AEP SPAN WITH PC SNAP ON SYSTEM, 2" BATTEN
- 1X6 TREX WALL CAP
- BOARD FORM CONCRETE WALL / COLUMN
- FACTORY FINISH METAL COPING
- FACTORY FINISH ALUMINUM STORE FRONT SYSTEM WITH SINGLE PANE FROSTED GLAZING
- WALL MOUNTED AC UNIT (TYPICAL) - MATCH WINDOW MULLION FINISH
- TUBE STEEL - PAINTED
- FAUX WOOD PLANK
- STEEL BEAM

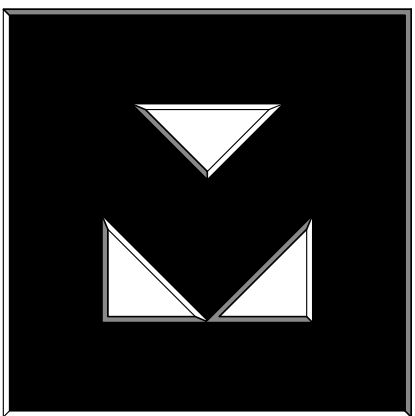
## COLOR SCHEDULE

<b>EIFS SYSTEM: PAREX USA</b>		<b>WINDOW MULLIONS</b>	
E-1	DE 5354 HONEY GLOW	W-1	KYNAR 500 SHASTA WHITE
E-2	DE 6376 LOOKING GLASS	<b>DECKING TREX</b>	
E-3	DE 5732 TEAL ME NO LIES	T-1	HAVANA GOLD
<b>WALL PANEL: AEP SPAN</b>		<b>CEILING</b>	
WP-1	KYNAR 500 - CHARCOAL GREY	C-1	MAPLE EXTERIOR
<b>ROOF PANEL</b>			
R-1	KYNAR 500 - CHARCOAL GREY		
<b>PAINT: DUNN EDWARDS</b>			
P-1	DE 5354 HONEY GLOW		
P-2	DE 6376 LOOKING GLASS		
P-3	DE 5732 TEAL ME NO LIES		
P-4	DE 6372 LACE VEIL		
<b>STUCCO</b>			
S-1	DAVIS COLORS GREEN SLATE 3885		

2 EAST ELEVATION  
1/8" = 1'-0"



2 EAST ELEVATION  
1/8" = 1'-0"



**K & J**

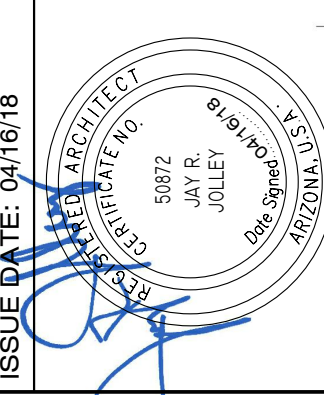
ARCHITECTS

1850 N. CENTRAL AVE.  
SUITE 200  
PHOENIX, AZ 85004

PH: 602.262.3838  
FAX: 602.262.3938

ELEGACY HOTEL  
3200 NORTH 28TH AVENUE,  
PHOENIX, ARIZONA

#	Description	Date
1	ISSUE DATE: 04/16/18	



5892  
J. JOLLEY  
06/30/2019

REGISTERED PROFESSIONAL ENGINEER  
STATE OF ARIZONA

JOB NUMBER: 181901

DRAWN BY: S. VALLEE

CHECKED BY: J. JOLLEY

OWNERSHIP OF DOCUMENTS

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SHEET TITLE:  
EXTERIOR  
ELEVATIONS

SHEET NUMBER:

A4.1

DESIGN  
DEVELOPMENT



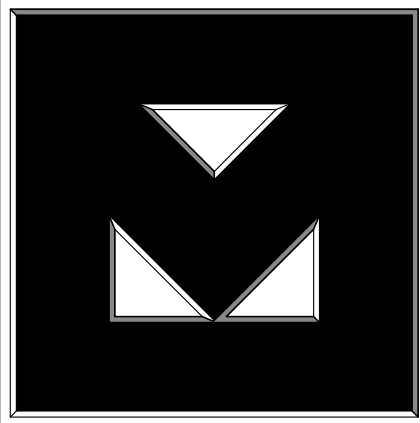






CITY OF PHOENIX  
APR 11 2018  
Planning & Development  
Department

1 PERSPECTIVE VIEW

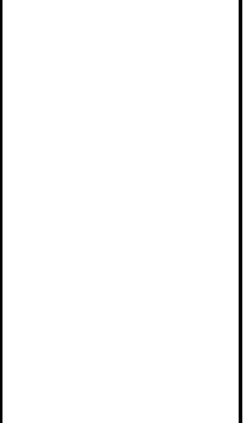


K&I

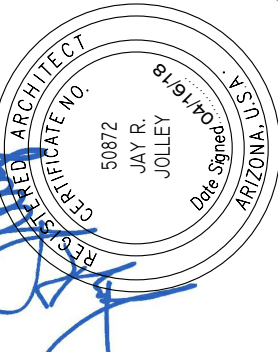
ARCHITECTS

1850 N. CENTRAL AVE.  
SUITE 200  
PHOENIX, AZ 85004

PH: 602.262.3838  
FAX: 602.262.3938




eLEGACY HOTEL  
3200 NORTH 28TH AVENUE,  
PHOENIX, ARIZONA

Revisions	
#	Description
Date	
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JOB NUMBER: 181801	
DRAWN BY: S. VALLEE	
CHECKED BY: J. JOLLEY	
ISSUE DATE: 04/16/18	
	
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SHEET NUMBER:	
<b>R1.1</b>	
DESIGN DEVELOPMENT	



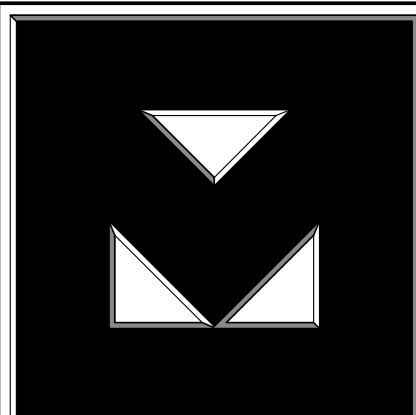


Revisions	#	Description	Date
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DRAWINGS AND SPECIFICATIONS AS SHOWN ON THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF THE ARCHITECT. NO PARTS THEREOF OR ANY OF WHICH THEY WERE PREPARED IS TO BE REPRODUCED OR USED FOR ANY PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. NO EXTENSIONS TO THIS PROJECT EXCEPT BY ADDITIONAL DOCUMENTS SHALL BE MADE WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. APPROPRIATE COMPENSATION TO K & L ARCHITECTS AND INTERIORS.			
JOB NUMBER: 181901			
DRAWN BY: S. VALLEE			
CHECKED BY: J. JOLLEY			
ISSUE DATE: 04/13/18			
			
SHEET TITLE: <b>RENDERINGS</b>			
SHEET NUMBER:			
<b>R1.2</b>			
DESIGN DEVELOPMENT			

**eLEGACY HOTEL**  
3200 NORTH 28TH AVENUE,  
PHOENIX, ARIZONA

**K&I** I N T E R I O R S  
A R C H I T E C T S

1850 N. CENTRAL AVE  
SUITE 200  
PHOENIX, AZ 85004  
PH: 602.262.3838  
FAX: 602.262.3938

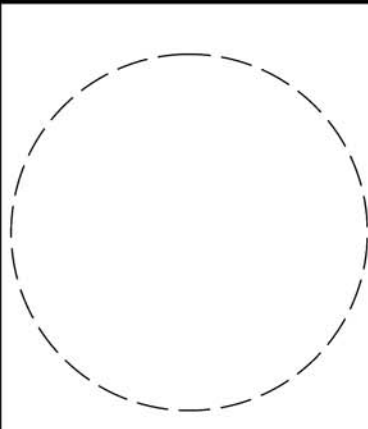




M2

TOTAL

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JOB NUMBER

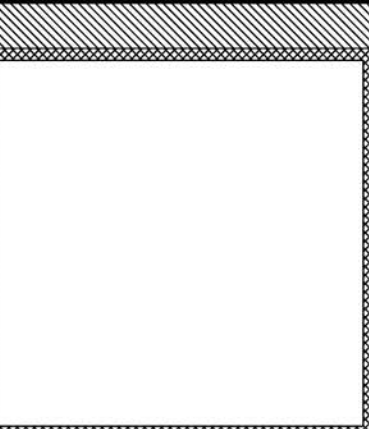


CONTENTS:	

DRAWN BY:	EDM
	DATE
CHECKED	EDM
	DATE
Printed	SPATES
	STIMES

EATON ARENA  
Project Location  
City, State  
Date  
THE MILBERGER ARCHITECTURAL GROUP, LLC  
7500 South Memorial Parkway, Ste 112, Huntville, AL 35892 (256)514-0677 www.milberger.com

REVISIONS	



ARCHITECTURAL GROUP

M2

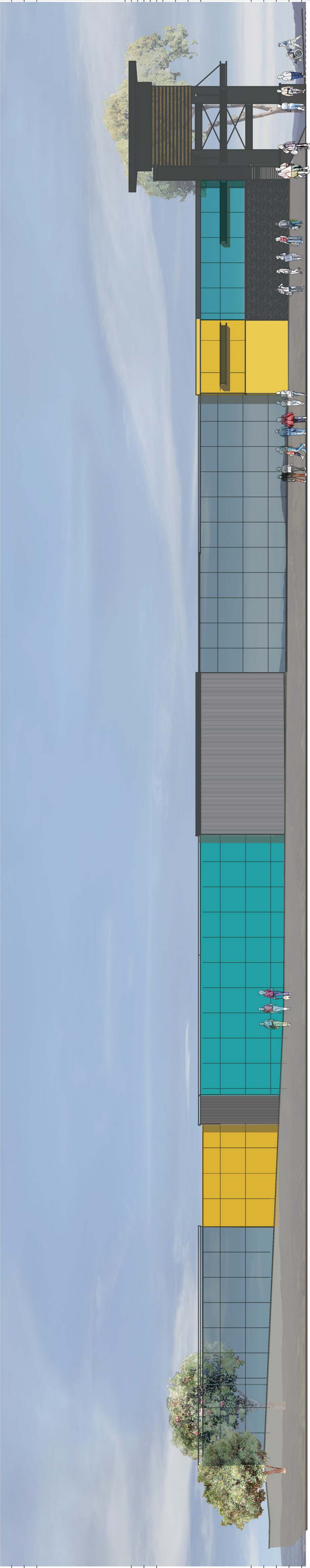
THE MILBERGER

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CITY OF PHOENIX  
APR 18 2018  
Planning & Development  
Department

2 EXTERIOR ELEVATION LEFT  
Scale | 1/16"=1'-0"



1 EXTERIOR ELEVATION A  
Scale | 1/16"=1'-0"





## Attachment D



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**ADDENDUM B**  
**Staff Report Z-20-17-2**  
June 7, 2018

<b>North Gateway <a href="#">Village Planning Committee</a> Meeting Date:</b>	May 10, 2018
<b><a href="#">Planning Commission</a> Hearing Date:</b>	June 7, 2018
<b>Request From:</b>	PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) (19.22 Acres)
<b>Request To:</b>	C-2 M-R NBCOD (19.22 Acres)
<b>Proposed Use:</b>	PCD removal to allow for future development
<b>Location:</b>	Approximately 220 feet north of the northwest corner of the 27th Avenue alignment and North Foothills Drive alignment
<b>Owner:</b>	Robert L. Eaton, Jr.
<b>Applicant:</b>	City of Phoenix Planning Commission
<b>Representative:</b>	Michael Withey, Withey Morris, PLC

The North Gateway Village Planning Committee heard the request on May 10, 2018 and recommended approval per Addendum A to the Staff Report Z-20-17-2, by a vote of 6-0.

As a result of ongoing dialogue with city staff and adjacent property owners the applicant is proposing modifications to stipulations 2 and 6 that address the following:

- Additional language has been included in stipulation 2 ensuring the developer will demonstrate sufficient infrastructure capacity is available to support the desired maximum building height.
- Additional language has been included in stipulation 6 to allow for the possibility that access be provided along the northern property line in alignment with the Bronco Butte Trail alignment in lieu of 27th Avenue.

### **Revised Stipulations**

1. All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by property owner.

- ~~2. Right-of-way totaling 30 feet from the street design centerline shall be dedicated and constructed as an "F" section roadway as defined by the City's Street Classification Map for the east half of 29th Avenue as approved by the Planning and Development Department and the Street Transportation Department.~~
- ~~3. Bronco Butte Trail shall be fully dedicated and constructed as an "F" section roadway as defined on the City's Street Classification Map. Bronco Butte Trail shall connect with 29th Avenue, as approved by Planning and Development Department and the Street Transportation Department.~~
32. The maximum building height shall be limited to 150 feet **PROVIDED THAT ANY DEVELOPMENT WILL DEMONSTRATE SUFFICIENT WATER/SEWER AND VEHICULAR INFRASTRUCTURE CAPACITY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
- ~~4. Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the North Gateway Village Core Plan.~~
3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
5. THE EAST AND WEST PEDESTRIAN CONNECTION (PASEO DEL PRADO) SHALL BE PROVIDED IN ACCORDANCE WITH THE NORTH GATEWAY CORE PLAN, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:
  - A. THE PASEO DEL PRADO SHALL ALIGN WITH THE BRONCO BUTTE TANK AND CONTINUE THROUGH THE SITE TO THE WEST.
  - B. A PEDESTRIAN ACCESS EASEMENT OF 20 FEET SHALL BE DEDICATED FOR THE PEDESTRIAN CONNECTION (PASEO DEL PRADO). OF THE 20 FEET, 12 FEET SHALL REMAIN COMPLETELY FREE OF ANY PEDESTRIAN IMPEDIMENTS, INCLUDING BENCHES. THE REMAINING 8 FEET MAY BE USED FOR PEDESTRIAN FRIENDLY USES SUCH AS RESTAURANT SEATING, VENDOR STALLS, ARTIST DISPLAYS, ETC.

- C. A MINIMUM OF 50% OF THE 20-FOOT PEDESTRIAN ACCESS EASEMENT FOR THE PASEO DEL PRADO SHALL BE SHADED BY A STRUCTURE, LANDSCAPING OR A COMBINATION OF THE TWO.
  - D. THE SITE SHALL BE DESIGNED IN SUCH A MANNER THAT THE BUILDING PLACEMENT CREATES AN ALIGNMENT AND SYNERGY FOR THE PASEO DEL PRADO. THIS CAN BE ACHIEVED BY PLACING ACTIVE USES SUCH AS OUTDOOR SEATING, RESTAURANTS AND RETAIL ALONG THE PEDESTRIAN PATH.
- 6. RIGHT-OF-WAY TOTALING **40 FEET SHALL BE DEDICATED ALONG THE NORTHERN PROPERTY LINE CONSISTENT WITH THE ALIGNMENT FOR BRONCO BUTTE TRAIL OR, ALTERNATIVELY, RIGHT-OF-WAY TOTALING 60 FEET WITH ADJACENT 10-FOOT WIDE SIDEWALK EASEMENTS FOR A TOTAL OF 80-FEET** SHALL BE DEDICATED FOR 27TH AVENUE FROM BRONCO BUTTE TRAIL **TO THE SOUTHERN PROPERTY LINE ~~NORTH FOOTHILLS DRIVE~~**, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 7. ALL PEDESTRIAN PATHWAYS, INCLUDING THOSE THAT INTERSECT VEHICULAR TRAFFIC LANES, SHALL BE CONSTRUCTED WITH DECORATIVE PAVERS, STAMPED OR COLORED CONCRETE, OR ANOTHER MATERIAL OTHER THAN THOSE USED TO PAVE THE PARKING SURFACES AND DRIVE AISLES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 8. THE USE OF ARTIFICIAL TURF IS PROHIBITED IN AREAS VISIBLE FROM PUBLIC RIGHT-OF-WAY OR PARKING LOTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 9. TURF SHALL ONLY BE USED IN ACTIVE RETENTION BASINS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 10. ALL RETENTION AREAS SHALL BE NATURAL AND ORGANIC IN SHAPE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 11. THE HOTEL DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED APRIL 18, 2018, WITH SPECIFIC REGARD TO THE MASSING, ARTICULATION, WINDOW PLACEMENT AND BUILDING ENTRY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.



12. THE COLOR AND MATERIAL PALETTE FOR THE BUILDINGS SHALL BE DETERMINED AT SITE PLAN REVIEW AND SHALL COMPLY WITH THE NORTH BLACK CANYON OVERLAY DISTRICT, WITH SPECIFIC REGARD TO COLORS BEING MUTED AND BLEND WITH, RATHER THAN CONTRAST STRONGLY, WITH THE SURROUNDING DESERT ENVIRONMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
13. THE GLAZING ON ALL BUILDING WINDOWS SHALL HAVE A MAXIMUM REFLECTIVITY OF 20%, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
14. ALL SERVICE AREAS MUST BE SCREENED TO CONCEAL TRASH CONTAINERS, RECYCLING CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL AND OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS AND PRIVATE DRIVES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
15. A MINIMUM LANDSCAPE SETBACK OF 10 FEET SHALL BE REQUIRED ALONG PROPERTY LINES THAT ARE NOT ADJACENT TO PUBLIC RIGHT-OF-WAY AND PLANTED IN ACCORDANCE WITH C-2 PLANTING SIZE AND SPACING STANDARDS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
16. THE BRONCO BUTTE WATER TANK SHALL BE FULLY PRESERVED, IN PLACE, AS IT NATURALLY OCCURS AND SHALL BE IDENTIFIED ON ALL SITE PLAN DOCUMENTS THROUGH PERMITTING TO ENSURE PRESERVATION.
17. VIEW CORRIDORS OF BRONCO BUTTE, PYRAMID PEAK, UNION HILLS AND NO NAME MOUNTAIN, AS SHOWN ON EXHIBIT B IN THE NORTH GATEWAY CORE PLAN, SHALL BE RETAINED THROUGH BUILDING PLACEMENT AND STEP BACKS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

**Writer**

Joél Carrasco

June 7, 2018

**Team Leader**

Samantha Keating

## Attachment E

### REPORT OF PLANNING COMMISSION ACTION June 07, 2018

ITEM NO: 10	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-20-17-2
Location:	Approximately 220 feet north of the northwest corner of the 27th Avenue alignment and North Foothills Drive alignment
Request:	From: PCD NBCOD (Approved C-2 / CP M-R PCD NBCOD) To: C-2 M-R NBCOD Acreage: 19.22
Proposal:	PCD removal to allow for future development
Applicant:	City of Phoenix Planning Commission
Owner:	Greater Maricopa Investors 1986
Representative:	Michael Withey, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, per the Addendum B Staff Report.

Village Planning Committee (VPC) Recommendation:

**North Gateway** 10/26/2017 Continued. Vote: 7-0.

**North Gateway** 1/11/2018 Approval, per the staff recommendation. Vote: 7-0.

**North Gateway** 5/10/2018 Approval, per the staff recommendation (Addendum A). Vote: 6-0.

Planning Commission Recommendation: Approval, per the Addendum B Staff Report.

Motion Discussion: N/A

Motion details – Commissioner Katsenes made a MOTION to approve Z-20-17-2, per the Addendum B Staff Report.

Maker: Katsenes  
Second: Shank  
Vote: 7-0  
Absent: Heck  
Opposition Present: No

#### **Findings:**

1. The request is consistent with the General Plan Land Use Map designation of Mixed-Use (Commercial/Commerce Park).
2. As stipulated, the C-2 M-R NBCOD zoning district will allow development that is consistent in scale and character with the vision of the North Gateway Village Core Plan.

Stipulations:

1. All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by property owner.
2. ~~Right-of-way totaling 30 feet from the street design centerline shall be dedicated and constructed as an "F" section roadway as defined by the City's Street Classification Map for the east half of 29th Avenue as approved by the Planning and Development Department and the Street Transportation Department.~~
3. ~~Bronco Butte Trail shall be fully dedicated and constructed as an "F" section roadway as defined on the City's Street Classification Map. Bronco Butte Trail shall connect with 29th Avenue, as approved by Planning and Development Department and the Street Transportation Department.~~
32. The maximum building height shall be limited to 150 feet **PROVIDED THAT ANY DEVELOPMENT WILL DEMONSTRATE SUFFICIENT WATER/SEWER AND VEHICULAR INFRASTRUCTURE CAPACITY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
4. ~~Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the North Gateway Village Core Plan.~~
- 5-3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 6-4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
5. **THE EAST AND WEST PEDESTRIAN CONNECTION (PASEO DEL PRADO) SHALL BE PROVIDED IN ACCORDANCE WITH THE NORTH GATEWAY CORE PLAN, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:**

- A. THE PASEO DEL PRADO SHALL ALIGN WITH THE BRONCO BUTTE TANK AND CONTINUE THROUGH THE SITE TO THE WEST.
  - B. A PEDESTRIAN ACCESS EASEMENT OF 20 FEET SHALL BE DEDICATED FOR THE PEDESTRIAN CONNECTION (PASEO DEL PRADO). OF THE 20 FEET, 12 FEET SHALL REMAIN COMPLETELY FREE OF ANY PEDESTRIAN IMPEDIMENTS, INCLUDING BENCHES. THE REMAINING 8 FEET MAY BE USED FOR PEDESTRIAN FRIENDLY USES SUCH AS RESTAURANT SEATING, VENDOR STALLS, ARTIST DISPLAYS, ETC.
  - C. A MINIMUM OF 50% OF THE 20-FOOT PEDESTRIAN ACCESS EASEMENT FOR THE PASEO DEL PRADO SHALL BE SHADED BY A STRUCTURE, LANDSCAPING OR A COMBINATION OF THE TWO.
  - D. THE SITE SHALL BE DESIGNED IN SUCH A MANNER THAT THE BUILDING PLACEMENT CREATES AN ALIGNMENT AND SYNERGY FOR THE PASEO DEL PRADO. THIS CAN BE ACHIEVED BY PLACING ACTIVE USES SUCH AS OUTDOOR SEATING, RESTAURANTS AND RETAIL ALONG THE PEDESTRIAN PATH.
- 6. RIGHT-OF-WAY TOTALING **40 FEET SHALL BE DEDICATED ALONG THE NORTHERN PROPERTY LINE CONSISTENT WITH THE ALIGNMENT FOR BRONCO BUTTE TRAIL OR, ALTERNATIVELY, RIGHT-OF-WAY TOTALING 60 FEET WITH ADJACENT 10-FOOT WIDE SIDEWALK EASEMENTS FOR A TOTAL OF 80-FEET** SHALL BE DEDICATED FOR 27TH AVENUE FROM BRONCO BUTTE TRAIL **TO THE SOUTHERN PROPERTY LINE NORTH FOOTHILLS DRIVE**, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 7. ALL PEDESTRIAN PATHWAYS, INCLUDING THOSE THAT INTERSECT VEHICULAR TRAFFIC LANES, SHALL BE CONSTRUCTED WITH DECORATIVE PAVERS, STAMPED OR COLORED CONCRETE, OR ANOTHER MATERIAL OTHER THAN THOSE USED TO PAVE THE PARKING SURFACES AND DRIVE AISLES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 8. THE USE OF ARTIFICIAL TURF IS PROHIBITED IN AREAS VISIBLE FROM PUBLIC RIGHT-OF-WAY OR PARKING LOTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 9. TURF SHALL ONLY BE USED IN ACTIVE RETENTION BASINS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 10. ALL RETENTION AREAS SHALL BE NATURAL AND ORGANIC IN SHAPE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

11. THE HOTEL DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED APRIL 18, 2018, WITH SPECIFIC REGARD TO THE MASSING, ARTICULATION, WINDOW PLACEMENT AND BUILDING ENTRY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
12. THE COLOR AND MATERIAL PALETTE FOR THE BUILDINGS SHALL BE DETERMINED AT SITE PLAN REVIEW AND SHALL COMPLY WITH THE NORTH BLACK CANYON OVERLAY DISTRICT, WITH SPECIFIC REGARD TO COLORS BEING MUTED AND BLEND WITH, RATHER THAN CONTRAST STRONGLY, WITH THE SURROUNDING DESERT ENVIRONMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
13. THE GLAZING ON ALL BUILDING WINDOWS SHALL HAVE A MAXIMUM REFLECTIVITY OF 20%, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
14. ALL SERVICE AREAS MUST BE SCREENED TO CONCEAL TRASH CONTAINERS, RECYCLING CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL AND OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS AND PRIVATE DRIVES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
15. A MINIMUM LANDSCAPE SETBACK OF 10 FEET SHALL BE REQUIRED ALONG PROPERTY LINES THAT ARE NOT ADJACENT TO PUBLIC RIGHT-OF-WAY AND PLANTED IN ACCORDANCE WITH C-2 PLANTING SIZE AND SPACING STANDARDS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
16. THE BRONCO BUTTE WATER TANK SHALL BE FULLY PRESERVED, IN PLACE, AS IT NATURALLY OCCURS AND SHALL BE IDENTIFIED ON ALL SITE PLAN DOCUMENTS THROUGH PERMITTING TO ENSURE PRESERVATION.
17. VIEW CORRIDORS OF BRONCO BUTTE, PYRAMID PEAK, UNION HILLS AND NO NAME MOUNTAIN, AS SHOWN ON EXHIBIT B IN THE NORTH GATEWAY CORE PLAN, SHALL BE RETAINED THROUGH BUILDING PLACEMENT AND STEP BACKS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.



## **Consideration of Citizen Petition Related to Internal and External Transparency on Officer-Involved Shootings**

This report provides the City Council with information in response to a citizen petition submitted by Ms. Joanne Scott Woods at the June 27, 2018 Formal City Council meeting regarding internal and external transparency on officer-involved shootings **(Attachment A)**.

### **Summary**

The petitioner requests the City Council consider the transparency model developed by the Las Vegas Metropolitan Police Department utilized in deadly force incidents involving employees for use by the Phoenix Police Department as a means to increase transparency.

Staff has reviewed the petition and will take into consideration the transparency model referenced by the petitioner to further enhance the Police Department's external transparency with the public. Staff appreciates Ms. Woods input. The Police Department is committed to increasing legitimacy with the community it serves, and remains focused on employing strategies that foster accountability, improves transparency and continually seeks to employ best practices throughout the organization.

### **Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.

CITIZEN PETITION

INTERNAL AND EXTERNAL TRANSPARENCY ON OFFICER-INVOLVED SHOOTINGS

phoenix.gov/police Important Links/"Community Relations"

MODELED AFTER THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT

lvmpd.com/transparency

June 27, 2018

Following our 2009-2014 Officer-Involved Shooting Review, both officers and community members of good conscience supported transparency and accountability in policies, practices and training to reduce number of shootings that show that black and brown citizens are being killed at disproportionately higher rates.

Currently, in 2018, there has been a dramatic increase in the number of officer-involved shootings that has also increased the demand for accountability and transparency from citizens. A study to address the growing number of shootings was requested on June 13th by the Department that will hopefully improve the chances of reducing the frequency of these deadly force encounters through changes in protocol, but the analysis will not lessen citizen need for "public dissemination of releasable police information and data" and for expedited "expansion of the Body-Worn Camera Program to other precincts within the Patrol Division." These two needs, along with the development and formalization of a transparency protocol for use following critical incidents to enhance information sharing internally and externally, are three means identified in the 2017-2019 PPD Strategic Plan to improve internal and external transparency.

To fulfill this increased need for transparency, this Citizen Petition requests that the model of Transparency developed by the Las Vegas Metropolitan Police Department be considered for our Department.

In all, there are 10 Links to "TRANSPARENCY:" "Annual Reports," "Body Camera Video," "ACLU/NAACP Petition Recommendations," "Air Support," "COPS," "Force-Related Policies," "Fatal Officer Involved Shootings," "Non-Fatal Officer Involved Shootings," "Statistical Data & Reports," "Press Releases," "Consortium for Police Leadership in Equity Report," "Internal Affairs," and "Internal Oversight & Constitutional Policing."

On their website under "Transparency," the vision statement for the "Internal Oversight and Constitutional Policing" appears to align with our Department's Goal 5 of the 2017-2019 Strategic Plan to "Increase Legitimacy" by "Improv(ing) Internal and External Transparency." Their statement clearly states:

"Our vision is to significantly reduce deadly force incidents" and to accomplish this by "providing a continuous critical review in order to be more accountable to the community."



"The goals of (their) Office of Internal Oversight are based upon seven fundamentals of Policy, Training, Tactics, Leadership, Investigations, Accountability and Community Inclusion."

"LVMPD's commitment to the public is to be both transparent and accountable regarding (their) use of deadly force incidents involving employees. For each use of deadly force incident that has not been through the Coroner's Inquest process, (they) have made available to (the community) three reports. Beginning with the first use of deadly force in December of 2010 and moving forward chronologically, the report allows (the citizen) to be able to view the following documents:"

1. District Attorney's Decisions
2. Force Investigation Team (FIT) Reports
3. Office of Internal Oversight (OIO) Review

Additional Documents may include:

- a. VIDEO: On Scene Briefing
- b. VIDEO: Media Briefing
- c. Initial Press Release
- d. Officer Identified
- e. Final Press Release

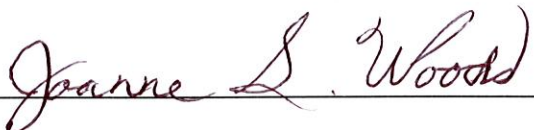
Beginning in 2012, "the LVMPD allowed (the release of reports) on non-fatal shootings similar to the way (the Department) released reports in events resulting in death." Because, in many, "there are related criminal charges pending," reports are made available on the OIO website when they become public records. "For this reason, LVMPD (does) not (release these) reports in chronological order."

Application of this "best practices" model which provides transparency through primary source documentation and official records of decisions, reports and reviews offers us an opportunity to further strengthen the trust between our community and our department that began in 2010 with Councilman Michael Johnson's Phoenix police altercation and began once more in 2015 following the officer-involved shooting of Romain Brisbon. Trust can only be built on transparency and constant communication.

PASSED by the Council of the City of Phoenix this day of \_\_\_\_\_, 20\_\_.

Respectfully Submitted,

Joanne Scott Woods 15449 N. 25<sup>th</sup> Ave., #2012, Phoenix, AZ 85023

  
\_\_\_\_\_



## **Consideration of Citizen Petition Related to External Transparency on Funded Goals of Phoenix Police Department's 2017-2019 Strategic Plan**

This report provides the City Council with information in response to a citizen petition submitted by Ms. Joanne Scott Woods at the June 27, 2018 Formal City Council meeting recommending a chart be utilized and posted online to reflect the funding progress for specified goals outlined in the Police Department's strategic plan as a means to improve external transparency (**Attachment A**).

### **Summary**

The petitioner requests the City Council consider the visual tracking model utilized by the City of Tucson contained in **Attachment A** be used to reflect the annual funding progress by stage for three of the Police Department's strategic plan goals.

Staff has reviewed the petition and will take into consideration the tracking model submitted by the petitioner, as best practices are continually assessed to further enhance external transparency within the Police Department. Staff appreciates Ms. Woods input. The Police Department is committed to increasing legitimacy with the community it serves, and remains focused on employing strategies that foster accountability, improves transparency and continually seeks to employ best practices throughout the organization.

### **Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.

2018 JUN 27 PM 7:11

CITY CLERK DEPT.

## CITIZEN PETITION

EXTERNAL TRANSPARENCY ON FUNDED GOALS OF THE PHOENIX POLICE DEPARTMENT'S 2017-2019 STRATEGIC  
PLAN  
THROUGH A HORIZONTAL BAR CHART TRACKING REAL-TIME PROGRESS  
THROUGH FOUR STAGES OF ACHIEVEMENT –  
PLANNING/DESIGN, ORDERING/PROCUREMENT, RECEIPT/HIRING, AND COMPLETION OF A GOAL

phoenix.gov/police Important Links/"Community Relations"

June 27, 2018

Following our 2009-2014 Officer-Involved Shooting Review, both officers and community members of good conscience mutually supported transparency and accountability in policies, practices and training to reduce the number of shootings that show that black and brown citizens are being killed at a disproportionately higher rates. In addition, transparency on progress for equipping officers with tools to enhance officer and community trust was a stated objective in the City Manager's Community and Police Trust Initiative (CPTI). "The goal (was) to report progress by December of 2017" and "thereafter during the annual budget process in March of each year." Progress on one of the CPTI recommendations, "body cameras on all first responders within three to five years" and for another, "Civilian Oversight," were two for which the City Manager's Office was held accountable.

In the 2016/2017 City Budget, \$5 million was set aside in the City's contingency fund for body-worn cameras on all patrol officers over a five-year period. A second Referral for Proposal was approved on February 14, 2018. "The new RFP contain(ed) a number of new technical requirements that (would) allow the City to procure the best hardware, software and storage solutions possible."

The deployment of 1200 body cameras was included in the 2017-2019 Phoenix Police Department Strategic Plan under "Goal 5: Improve Internal and External Transparency," as "Expand the Body-Worn Camera Program to other precincts within the Patrol Division."

Previously, there has been no external transparency in the budget process on the progress on the planning, ordering, receipt and deployment of cameras for citizens by the City Manager's Office. Neither was there for the Civilian Review Board which was eventually removed from the CPTI by the Mayor. A subsequent motion delegated its study to the Public Safety and Veterans Subcommittee and the Assistant City Manager with no target date set.

The Tucson Police Department and Fire Department have developed a chart tracking their progress annually on the use of funds received from a half-cent sales tax increase in 2017, known as "Tucson Delivers." (See attached.)

I am submitting their model for consideration for charting the following funded goals:

GOAL 3 – Hiring, Training and Retention

*Enhance Training and Streamline Delivery Methods*

- **AGREEMENT WITH THE NATIONAL TRAINING INSTITUTE ON RACE AND EQUITY** to provide Implicit Bias and Cultural Competence Training

GOAL 4: Employee Well-Being

*Promote Employee Wellness*

- **DEPARTMENT WELLNESS PROGRAM** FOR POLICE EMPLOYEES
- **COLLABORATION WITH EXTERNAL RESOURCES OF SUPPORT OPTIONS**
- **ON-DUTY WORK-OUT PROGRAM** FOR SWORN AND CIVILIAN EMPLOYEES
- **SERVICES OF AN ON-SITE PSYCHOLOGIST**

GOAL 5: Increase Legitimacy

*Foster Accountability*

- **EARLY INTERVENTION SYSTEM** Software

*Improve Internal and External Transparency*

- **TRANSPARENCY PROTOCOL** Following Critical Incidents
- **EXPANSION OF BODY-WORN CAMERA PROGRAM** TO OTHER PRECINCTS WITHIN THE PATROL DIVISION
  - **Hardware**
  - **Software**
  - **Storage Solutions**
  - **Staffing of Records Request Staff and City Prosecutors**
    - **Sergeant as Administrator for Each BWC Unit Needed**
    - **5 Non-Sworn to Search Cloud**
    - **4 Additional Attorneys for Prosecutor's Office as a Supplemental Package to be approved by Mayor and Council**
- **AGREEMENT WITH NATIONAL POLICE FOUNDATION FOR AN OFFICER-INVOLVED SHOOTING STUDY** on the dramatic increase since the beginning of the year, between January 1 and May 29, 2018, to 23 OIS incidents.

Our community and our department will be served well by the awareness it will bring to all in urgent anticipation of preventing death and injury.

PASSED by the Council of the City of Phoenix this day of \_\_\_\_\_, 20\_\_.

Respectfully Submitted,

Joanne Scott Woods 15449 N. 25<sup>th</sup> Ave., #2012, Phoenix, AZ 85023

\_\_\_\_\_



# TUCSON DELIVERS, SAFER CITY

Year 1 July 2017 - June 2018  
Revised May 24, 2018



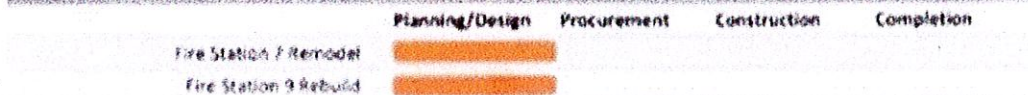
## TUCSON FIRE DEPARTMENT VEHICLES



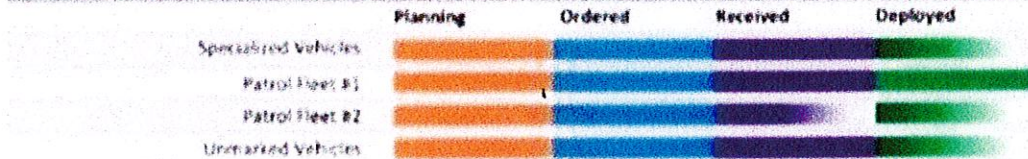
## TUCSON FIRE DEPARTMENT EQUIPMENT



## TUCSON FIRE DEPARTMENT FACILITIES



## TUCSON POLICE DEPARTMENT VEHICLES



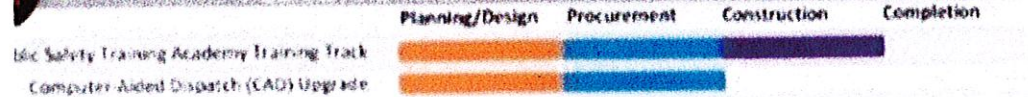
## TUCSON POLICE DEPARTMENT EQUIPMENT



## TUCSON POLICE DEPARTMENT FACILITIES



## TUCSON POLICE DEPARTMENT PROJECTS





## **Request for Reconsideration of Item 87 from the June 27, 2018 Formal Council Meeting**

Request for reconsideration of Item 87 - Request to Add-On - Transportation 2050 Funding from Street Maintenance from the June 27, 2018 City Council Formal Meeting, pertaining to staff evaluation of Transportation 2050 revenues, projects and expenditure schedules, and to evaluate how adjustments to future light rail or other transportation projects would allow expediting street pavement maintenance.

### **Summary**

At the June 27, 2018 meeting, the vote of the City Council on Transportation 2050 Funding from Street Maintenance was 2-5 with Mayor Thelda Williams, Councilwoman Kate Gallego, Councilman Michael Nowakowski, Councilwoman Laura Pastor and Councilman Daniel Valenzuela in opposition. Therefore, the item failed to pass.

This reconsideration is being placed on the next available agenda in accordance with a memo requesting reconsideration from Mayor Williams.

Pursuant to the City Charter and the Rules of Council Proceedings, Item 87 from the June 27, 2018, Formal Council Meeting has been placed on the agenda immediately following this request for reconsideration. If this request is approved, the City Council will reconsider this item. If this request is not approved, the City Council will not reconsider this item and the original action on the item will stand.

### **Responsible Department**

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



**Reconsideration of Item 87 from the June 27, 2018 Formal Council Meeting - Request to Add-On - Transportation 2050 Funding for Street Maintenance**

Per Council rules, an item for the agenda was requested by Mayor Thelda Williams (co-signed by Vice Mayor Jim Waring, **Attachment A**). This item is for City Council discussion and possible action to direct staff about evaluating Transportation 2050 revenues, projects and expenditure schedules, and to evaluate how adjustments to future light rail or other transportation projects would allow expediting street pavement maintenance. This could include the use of financing to accelerate street paving.

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the City Manager's Office, and the Street Transportation and Public Transit departments.





**City of Phoenix**

OFFICE OF THE MAYOR

June 21, 2018

Ed Zuercher  
City Manager  
200 W. Washington Street  
12th Floor  
Phoenix, AZ 85003

Dear Ed:

As you know, and as the Council has discussed on several occasions, many Phoenix roads are in serious need of repair. The City's ability to meet the needs of our streets took a significant hit with the loss of state Highway User Revenue Fund dollars, and voters approved in 2015 an enhanced revenue source to help make up for the loss of those resources.

Even with those additional revenues, however, the schedule to service many roads falls unacceptably short. In an effort to best meet the urgent needs of our community, I respectfully request an evaluation of Transportation 2050 revenues – and specifically whether adjusting the timeline of some distant future rail projects could allow us to expedite the service schedule for many streets projects through bonds. This evaluation should be ready for presentation to the Council in the very near future, possibly before summer recess.

Sincerely,

Thelda Williams  
Mayor

Jim Waring  
Vice Mayor

200 WEST WASHINGTON STREET, 11TH FLOOR, PHOENIX, ARIZONA 85003-1611  
PHONE 602-262-7111 FAX 602-495-5583 TTY 602-334-5500

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