

Attachment A

TO THE MAYOR AND CITY COUNCIL OF PHOENIX

WHEREAS, the Chinese Cultural Center and Garden has been an invaluable asset to the City of Phoenix for decades but has now been threatened with disfigurement and elimination since July, 2017 due to the expressed intentions of True North / 668 / David Tedesco, et. al.;

WHEREAS, the entire site as master planned community was required to comply in 1996 and again in 2001 as development improvements were to be zoned properly with then existing public art requirements;

WHEREAS, in a recent debate of candidates for Mayor of Phoenix saw a question posed to them as to whether or not they would properly support a public arts requirement for developments, phrased in such a manner as to imply this would be a new or different requisite;

WHEREAS, it is vital to the vibrant and viable development of any and all areas within our City that public art should be an integral and required element;

WHEREAS, the entire Chinese American community in metropolitan Phoenix is deeply interested as a cultural minority with an ancient and yet living cultural and artistic tradition leading to our deep and lasting commitment to the Chinese Cultural Center and Garden;

WHEREAS, attached hereto is ample documentation of the public art element for this site over the years and from different perspectives, in the current context of wanton, and surely illegal, destruction of an extensive area of the iconic tile roofing undertaken since Saturday October 13 in violation of a reasonable agreement reached for leak repairs only --

THEREFORE --

Pursuant to Chapter IV, Section 22 of the Phoenix City Charter, I, XXXX, as citizen and resident of the City of Phoenix, a petition to the City Council is herewith submitted regarding the following points of extreme urgency --

- 1) Is there still a public arts element required for all development in the City of Phoenix, or has there been any revision, reduction, or removal thereof?
- 2) Will the developer/owner of the site of the Phoenix Chinese Cultural Center and Garden be held liable and responsible for any such requirements of the past in the zoning and for any future activities?

Respectfully submitted,

M. CHEAK YEE

M. Cheak Yee
17 Oct 2018

w/ 5 Attachments

2018 OCT 17 PM 4:42
CITY CLERK DEPT.

I

The Facts that City of Phoenix, and its Councilmembers have obligations to preserve Chinese Cultural Center: -Preserve Public Art Program-Preserve Chinese Cultural Center

1. City Zoning in 1996 has stipulation demand Chinese Cultural Center was built **as the Public Art program, (Stipulation 11)**, to satisfy the zoning requirement for a master planned community called COFCO Phoenix Center, which include Chinese Cultural Center, (8.3 Acres), Medical Center (4,8 Acres), Palazzo Town homes (6.5 Acres), Hotels (3.8 Acres). (See attachment 1. City Zoning on COFCO Phoenix Center.)
2. To eliminate the Chinese Cultural Center, or its Garden, will impact the City's mandatory **Public Art Program** restriction on all the above development, and City so far turned blind eye and ear on its own stipulation, and did not require the public hearing before issue the roof replacement permits that affected not only its zoning stipulation but also creates impact on the economic burden for all other properties inside the Phoenix Center if the Chinese Cultural Center is eliminated. (See Attachment 2: City Planning Director 2001 zoning letter).
3. Chinese Cultural Center is built according to City Zoning stipulation, and City **public Art program**. Any changes of the use, and elimination of the Chinese Garden needs public hearing. (see attachment 3: City Ex-planning director declaration)
4. Chinese Cultural Center is a **commercial Condominium**, where each units owner only owns the air space inside its units, with all the common areas- Garden-building exteriors are owned as undivided common interests by all the owners; and where the attempt by one owner in eliminating the undivided interests of the common Garden and roof is fought by another owner in the court to stop it. (Cultural Center Condo plat and ownership records)
5. The City should not issue any permits before the court has resolved the legal battle, but instead, the City not only issued the roof change permit,

but also issued and renewed the Garden fence permit to favor one owner over the other, which caused the City liability and legal spending to defend its position in two law suits. (Attachment 5 : City Roof replacement permit, City Fence permit and fence permit renewal)

6. City is fully aware of the risks to favor one owner over the owner when they are in the legal battle regarding the change of use on the common area. Public records shows that City did put a permanent hold on the issuance of the permit on Chinese cultural Center in Sept. 2017, but the issued permits anyway in Oct. 2017, and even renewed the fence permit in Feb. 2018 when it is clear that court has issued injunction to prohibit any changes to the Center per the other owner's request. The City needs to investigate and explain to the public the timing of the Political donation Ms. Gallego has received from one of the Condo owners in Chinese Cultural Center, True North Companies and possible collusion. Public records shows clearly a pattern of the donation date and the fence permit date, and the maximum donation by this condo owners 5 out of 6 partners and spouse uniformly on the Certain amount on the certain date, with its CEO and in house counsel paying the amount beyond the campaign law allowed amount. (Attachment 6. Citizen petition on Gallego Donation investigation)
7. City of Phoenix has always had a reputation as a young All American City which promotes Cultural diversity and welcome residents of all cultural back ground. For the last 20 years the City has proudly listed Chinese Cultural Center at its website, and even participated in promoting the Center nationwide. To support one owner of the Center to eliminate the Chinese cultural elements against another minority owner's interests damages the City's image, and is the only City in the U.S. history that has destroyed a China town three times. (Attachment 7: City past participations to Chinese Cultural Center)
8. The City of Phoenix always promoted minority job growth as well as retail tax revenues. However, in the case of Chinese Cultural Center, City of Phoenix has refused support to one condo owner over the other condo

owner resulting in devastating job losses for over 70 Phoenix families. Furthermore to let one owner violate City approved zoning on the requirement to have retail (such as the Market), into office space, the city lost valuable sales taxes income forever. (Attachment 8: Video Ranch Market owner heartbreaking speech at City Hall <https://youtu.be/aKya1J06a7E>)

9. In the past, the City of Phoenix has maintained its reputation as one of the best places in the U.S. to work and live. The City has always helped to create the events that bring people of different background to work together in building this great city. However, when one owner of the Chinese Cultural Center used extreme tactics to harm other minority business owners , to eliminate minority jobs, the City refused to support a Citizen petition to condemn such uncivilized act, such as cut the power twice when the customers are still eating at the restaurants, chief still cutting food inside the kitchen, remove the roof top hood when the restaurant is still operating, cut off the phone lines twice to eliminate the service of the restaurant credit card machine etc (attachment 9. Citizen petition and the video by the Beijing Garden owners<https://youtu.be/zy97SVOBrF0>)

10. Recently, during a broadcasted Mayoral debate, Ms. Gallego admitted that the other condo owner in the Chinese Cultural Center (True North Companies) has donated over \$75,000 to her, and she did not disclose it when she voted in the issues favoring True North. She even argued that “ those people just want to be left alone, ” and that “ I do not like Putin, So that there is no reason for me to condemn Putin...”, total ignoring her duty equally to all the residents in Phoenix. Additionally she even told AZ Republic reporter Abe Kowk, that since she and Condo owner David Tedesco both are Howard alumni, she has the right to take the donation (in exchange for favors in City attitude towards him), (See attachment 10: Channel 12 records, AZ Republic Article)

11. District 8 residents are not happy over the irresponsibility of the City on allowing the elimination of the Chinese Cultural Center in their neighborhood. There are over 100 families filed petition sent to City, but was totally ignored (See Attachment 11: local residents petition on Cultural Center preservation)

We hope the above facts and information will help the City Councilman and councilwoman to become more informed and know they have duty and responsibility to preserve the Chinese Cultural Center, to enforce the City Zoning rules and regulations, and to protect the equal rights and cultural diversity for Phoenix residents, especially those who are under-privileged, and are minorities.

The city council and the Mayor candidates are all talking about enhance the Public Art, the cultural diversity, but totally ignore the fact that Chinese Cultural Center is built as a public Art program per City's zoning stipulation, and City council is not force the City planning department to enforce its own public art program and zoning stipulations.

The City is talking about create jobs, business opportunities for minority business owners, and equal rights for all residents, but let one rich and powerful company bully other minority owners, eliminating more than 70 jobs, and commit violation in zoning, eviction and political donations to buy favor from city council over the fence permits, roof permits.

The City is talking about generating sales tax, but allow one privileged owner in Chinese Cultural Center to eliminating all the required retail and market elements to convert the Chinese Cultural Center into office use.

The above is written and assembled due to the fact that On October 3rd, 2018, City councilman told the Chinese Cultural Center supporters that he thought that there is nothing he can do except to write support letters, therefore, the above reasons with attachment are assembled to help City councilman ,councilwomen, city manager, city attorney and all city officers, who care about City reputation, code of conduct, equal rights for all residents, and clear election bill, to understand zoning requirement of the Center, the public Art program that controls Center's Garden and roof, the obvious conflict of interests existed between one past council woman and one of the two condo owner in the Chinese Cultural Center, and harm and damage that has done to all the Chinese minority

business owners, the job lost, the potential retail revenues and property tax lost, and the hardship the biased treatment city had impacted another minority property owner of the Chinese Cultural Center, and to all the City of phoenix residents who are for diversified Culture and harmony for this great city.

APPLICATION FOR PLANNING HEARING OFFICER ACTION
CITY OF PHOENIX, ARIZONA
PLANNING DEPARTMENT

PHO-1996

APPLICATION NO.: 172-88
COUNCIL DISTRICT: 8
FEE: \$ 630.00

REQUEST FOR:

☒ Modification of Stipulation ☒ Time Extension (Expiration Date: 8/7/91)

Owner/
Applicant BVV Corporation Representative Stephen C. Earl
Address 2425 E. Camelback Rd. Address 3101 N. Central Ave #1090
Phx Az Phoenix, Az 85012
Telephone _____ Telephone 265-0094

1. Property Location SWC Pinnacle Fwy at 44th St.
B-2, P1-6
2. Zoning District C-2 MR (approved) Zoning Map F-10 Quarter Section 11-37
3. Reason for Request/Stipulations for Modification: _____
To allow development of COFCO Phoenix Center,
a Chinese cultural center.
4. Date of Original City Council Action 2/7/90 Ratification _____ Public Hearing ☒
5. Previous PHO Actions: _____ Time Extension _____ Modification of Stipulation _____

Date(s): _____

6. Zoning Vested: no Supplementary Map # _____
7. A Filing Fee has been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover said cost whether or not the request is granted.

Signature of Applicant

222906
Receipt Number

(mailed)

Date

3/25/96
Donna K. Behm
Planning Staff Member

HEARING RESULTS

HEARING OFFICER

Hearing Date: 5/1/96
Appealed _____ Yes _____ No

ACTION _____

PLANNING COMMISSION

Hearing Date: _____
Appealed _____ Yes _____ No

ACTION _____

CITY COUNCIL

Hearing Date: _____
Appealed _____ Yes _____ No

ACTION _____

CITY OF PHOENIX, ARIZONA
OFFICIAL CITY RECEIPT

DATE

3/26

19

96

REC'D
FROM

ENU Corp.

STREET

2425E Camelback Rd., Ste 1000

CITY

Phoenix 85016

955-7229

\$

630.00

Six Hundred Thirty & NO

/100 DOLLARS

CASH ☐

CHECK ☒

PAYMENT ☐
IN FULL

PARTIAL ☐

FOR

PHO

2172-88-8

8207

DEPARTMENT

Eng

DIVISION

FA

8207

REC'D
BY

(signature)

Lynn West

222906

WHITE - CUSTOMER

YELLOW - DIV. OF ACCOUNTS

PINK - FILE

150-47
REV. 6-83

MODIFICATION OF REZONING STIPULATIONS

A City of Phoenix Planning Hearing Officer will hold a public hearing in Assembly Room C, First Floor, 200 West Washington, Phoenix, Arizona at 1:30 p.m. on ~~WEDNESDAY~~ April 16, 1996, on the following applications:

DISTRICT 8

NWC 44th St. & Fillmore St.
O (Location)

Rezoning Application No. 172-88-0 by Stephen C. Earl
(Representative)
representing BNM Corporation
(Owner)

A request for modification of stipulations pertaining to total square footage, floor area, access, proposed uses, site plan conformance, landscaping, screening, mass transit easement, contribution to planning studies, street improvement and conditional zoning time stipulation.
(approximately 25.99 acres). Existing zoning is: R1-6, R-3 (approved C-2 MR)

At the hearing, citizens and interested parties will have an opportunity to be heard.

PLANNING DEPARTMENT/ADMINISTRATION
INDEX NO. 011734
SARAH KERR 495-7030
PUBLISHED: ARIZONA REPUBLIC - CITYPAGE - FRIDAY, _____, 1993
SP5\k\c:\word\pfo\011294

OWNER'S ADDRESS

BNM Corporation
2425 E. Camelback Rd., Ste. 1000
Phoenix 85016

REPRESENTATIVE'S ADDRESS

Stephen C. Earl
3101 N. Central Ave., #1090
Phoenix 85012

CC ADDRESSES

Mr. Stanfield-Pinel
4343 E. Camelback Rd., Ste. 300
Phoenix 85018

Gally Vanderlaan
2618 N. 51st St.
Phoenix 85008

PHOENIX AD FORM.DOC

Barry Sanders
Pullman & Sanders
101 N. 1st Ave.
Phoenix 85003

Camelback East VPC Chair

Ruby Barnes
4622 E. Wilshire
Phoenix 85008
Steve Noel
3309 N. 41st St.
Phoenix 85008

Alex Marushch
American Slavic Assoc.
4525 E. McKinley St.
Phoenix 85008
Donald Conrad
1406 E. Monte Vista
Phoenix 85006



3240 East Camelback Road
Suite 180
PHOENIX, ARIZONA 85018

LEE ENGINEERING

(602) 955-7206 FAX (602) 955-7349

LETTER OF TRANSMITTAL

DATE <u>4/4/96</u>	JOB NO. <u>563,02</u>
ATTENTION <u>Carol Johnson</u>	
RE:	

TO City of Phoenix
Planning Dept. - 2nd Floor
City Hall

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
<u>2</u>	<u>3/22/96</u>		<u>Cofco Center Traffic Impact Analysis</u>

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☒ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO Gary King, EC&L

SIGNED: Ron Howell

If enclosures are not as noted, kindly notify us at once.



City of Phoenix
PLANNING DEPARTMENT

May 21, 1996

Elizabeth Mann
BNU Corporation
2425 E. Camelback Rd #1000
Phoenix, AZ 85016

Winner of the
Carl Bertelsmann
Prize for



Dear Applicant:

Re: Application No. 172-88-8

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.4 of the Zoning Ordinance, as amended, has on May 15, 1996, concurred in the recommendation of the Planning Hearing Officer and the Planning Commission and approved a request for a parcel located on the northwest corner of 44th Street & Fillmore Street (approximately 25.99 acres), for modification of stipulations pertaining to total square footage, floor area, access, proposed uses, site plan conformance, landscaping, screening, mass transit easement, contribution to planning studies, street improvement, and conditional zoning time stipulation, subject to stipulations.

STIPULATIONS

1. Zoning approval is granted for this overall mixed use Master Plan of 600,030 square feet (gross leasable area for office, retail and restaurant, and a 200-room hotel, subject to the phasing schedule and traffic circulation requirements outlined in the stipulations below:

✓ Phase I Core buildings and uses (106,175 square feet of general retail; 138,700 square feet of restaurant, and 51,360 square feet of office space. Maximum building heights shall be 60 feet for the office, retail and restaurant components.

Phase II Office component of 440,000 square feet, a 200-room hotel, and fast food restaurant of 2,500 square feet. Maximum building height of the office towers shall be 150 feet, and 122 feet for the hotel.

- A. In connection with the development of Phase I, the property owner shall provide the following:

- (1.) Establish 44th Street access at West McKinley Street alignment as approved by the Street Transportation Department, and access to the west Gateway Loop Road.

May 21, 1996

172-88-8 Ratification

Page 2

2. That development be in general conformance to the site plan dated March 25, 1996.
3. That zoning shall vest on a phased basis concurrent with Development Service Department site plan approval of each phase.
4. That all undeveloped areas shall be kept in a neat and orderly manner in the interim period before construction of Phase II. All unimproved areas of the total site shall be maintained in a dust-free manner and include a landscape area with trees along the site's perimeter public street frontages, as approved by the Development Services Department.
5. An overall landscaping and streetscape plan encouraging pedestrian use shall be submitted for review and approval by the Development Services Department. Pedestrian amenities such as seating, art work and adequate shading shall be emphasized. Landscaping along 44th Street shall meet or exceed the standards outlined in the Gateway Design Guidelines.
6. That the building setback from the property line along 44th Street (after any right-of-way dedications required through this case except for a possible fourth through lane) shall be 40 feet. The building setback from the south property line shall be 35 feet, a minimum of 10 feet of which shall be landscaped. The minimum building setback from the property line along 42nd Street shall be 30 feet. Where additional right-of-way is required, all setbacks shall be measured from the new property line, except for a possible fourth through lane on 44th Street.
7. That no parking structures exceeding two levels be located within 50 feet of the westerly property line adjacent to the residential uses to the west.
8. That a row of mature drought-resistant shade trees and three-foot-high masonry screen walls with open wrought iron elements permitted up to a maximum height of six feet be provided along the west property line adjacent to the parking areas (without prejudice to the approval of a variance to parking lot screening requirements). The trees shall be placed 20 feet on center and have a caliper of 2-1/2 inches. These walls and trees are to be provided in Phase I.
9. That all structures be architecturally integrated with similar or harmonious materials, surface textures and/or as approved by the Development Services Department. That all glass being used will not have more than 20 percent exterior reflectance.
10. That the property owner shall dedicate an easement for a mass transit line at a reasonable location acceptable to the property owner and City, if and when such a system become a reality in the future.

- 11. That the property owner shall participate in the public art program for the project in coordination with the Commission on the Arts for the City of Phoenix and consistent with the guidelines adopted by the City Council on March 16, 1988.
- 12. That a 20 percent reduction of parking be approved for the total project with development subsequent to Phase I being subject to justification based on prior phase experience. An amended parking study shall be submitted addressing parking needs for each phase of development. Such studies shall include parking rates, as well as the total parking required for each phase. That in conjunction with the approved parking waiver, the property owner shall provide the following:
 - a. For the combined retail and office uses, there shall be no more than 25 percent assigned parking other than for carpooling and ridesharing programs. Additional reserved parking may be allowed for van and carpooling purposes on an as-needed basis.
 - b. Development and implementation of a traffic system management program, including carpooling and public transit, be accomplished and coordinated with all building occupants through the City of Phoenix Transit Department.
 - c. The developer promote the use of mass transit and, particularly, current Phoenix transit bus lines and carpooling in the following manner:
 - 1. Developer shall require its on-site property manager to function in part as a transit coordinator by selling monthly and annual bus passes on site to the public.
 - 2. Property manager shall further coordinate carpooling by means of posting and otherwise distributing printed information to the tenants of each building on site and also to the public.
 - 3. Developer shall actively participate in the City of Phoenix/MAG Regional Ridesharing Program by such actions as information, distribution and provision of designated stalls for car/van pools.
 - 4. Bicycle storage facilities will be provided on site for those living nearby.
 - d. The developer will employ a full-time on-site parking coordinator to manage the parking structures and encourage participation of all building tenants in the various alternative transportation modes outlined in the above stipulations for the office and retail portions of this mixed use project.
 - e. The parking coordinator shall evaluate and assess actual on-site parking utilization as the project is leased and report his findings to the appropriate municipal authority.

13. That a property owners' association be formed for the purpose of defining and implementing responsibilities for the maintenance of the infrastructure, open space, and public amenities. The property owners' association shall be maintained in perpetuity, as reflected in the stipulations of this approval.
14. The approval be conditioned upon development in accordance with Section 108-M of the Zoning Ordinance within 18 months of final approval of the modification of stipulations by the City Council.
15. Any request to amend these stipulations (including Stipulation No. 14 requiring commencement of construction within 18 months) must be brought back to the Planning Commission for public hearing.
16. Concurrent with commencement of Phase I, and II the developer shall provide the following improvements as reflected in the traffic impact report:
 - A. The developer will be responsible for 50 percent of the cost of the traffic signal at 44th Street and the west Gateway Loop Road when warranted, as determined by the Street Transportation Department. (Note: This percentage represents both this site's and Phoenix Gateway Center's share of this signal per private agreement between property owners.)
 - B. Install north/south spine road from Gateway Boulevard to 42nd Street with a 40-foot cross section and designate as a public access easement roadway.
 - C. Improve the east half of 42nd Street adjacent to the site and connect north/south spine road to 42nd Street as reflected on site plan dated March 22, 1996.
 - D. Install access driveway from 42nd Street into project courtyard at approximately the McKinley Road alignment.
 - E. Provide a right turn deceleration lane for southbound traffic on 44th Street at Gateway Boulevard.

With Phase I:

1. Provide a 250 foot right-turn deceleration lane, including required dedication and/or sidewalk easement, for southbound traffic on 44th Street at Gateway Boulevard and widening for the future median improvement.

With Phase II:

1. Provide a 140 foot right turn deceleration lane, including required dedication and/or sidewalk easement, for southbound traffic on 44th Street at Garfield Street and widening for the future median improvement.
2. Escrow sufficient funds to pay one-half of the cost of providing a right-turn deceleration lane for southbound traffic on 44th Street at McKinley West and widening for the future median improvement (which includes one half of the cost of paving, curb, gutter, sidewalk and street light relocation). Right-of-way and/or sidewalk easement to be provided by others.

At no additional cost to the Developer, full access, including left turns in and out, will continue to be provided at the main entryway at 44th Street and McKinley West and at 44th Street and Garfield under both the current median configuration and the reconfiguration depicted on Street Transportation Department Plan File Nos. 5418S3 and 5418S4 dated March 1996, or any other mutually acceptable alternative.

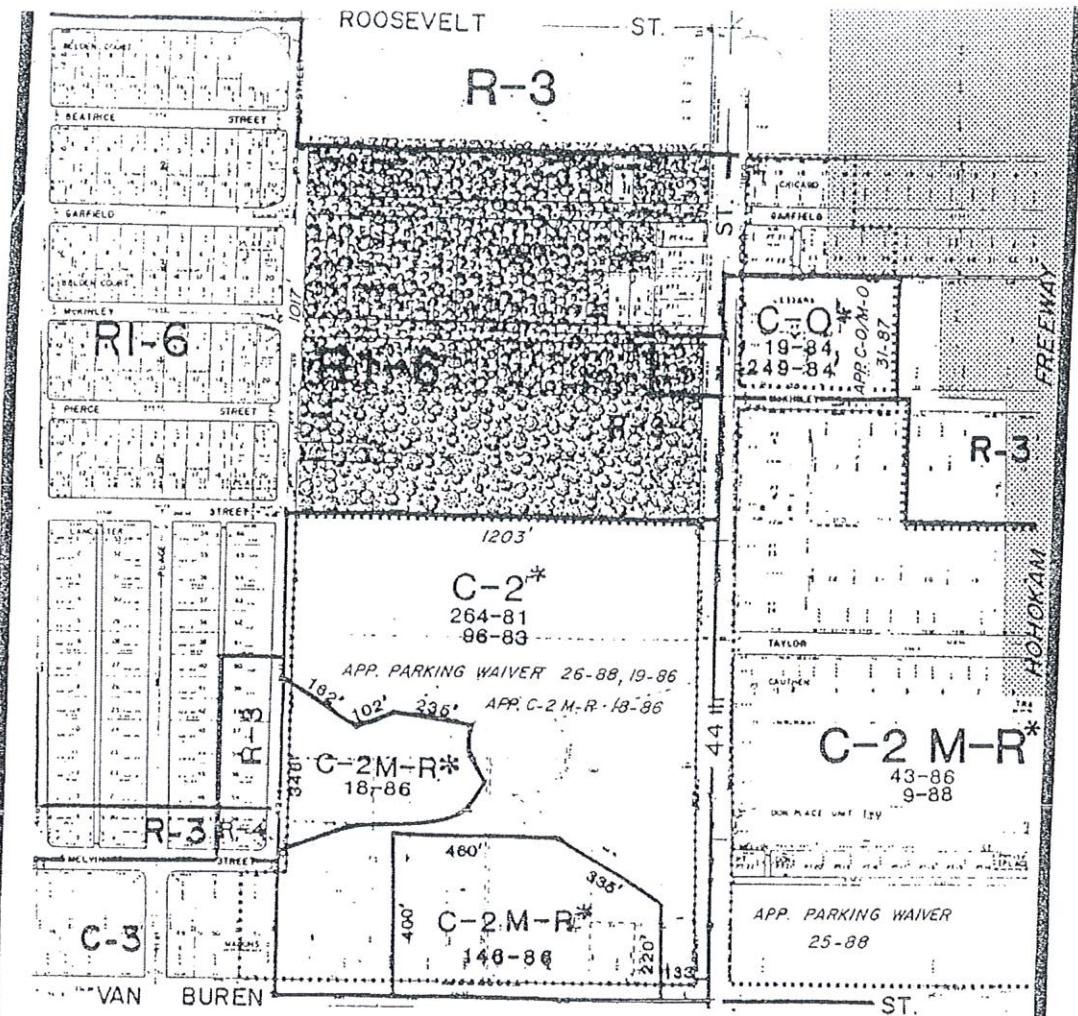
- F. Additional right-of-way and improvements can be required at the time of site plan approval.

Sincerely,


Mark Steele, AICP
Principal Planner

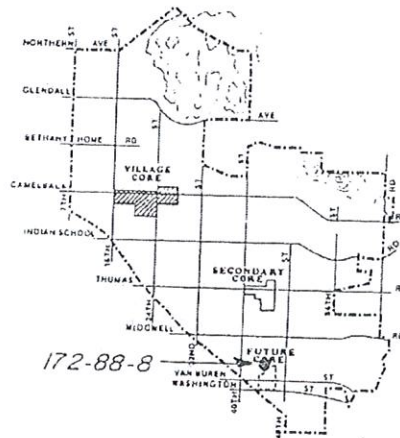
MS:law:

c: City Clerk
Randy Watson
Bob Wagenfehr
Victor Morrison-Vega, NSD
Rick Doell, Building Safety, DSD
Bob Luxton, DSD
Ben Leonard, Public Transit
Kelly Zak, Site Planning, DSD
~~Files~~
Stephen Earl
Earl, Curley & Lagarde
3101 N. Central Ave #1090
Phoenix, AZ 85012



0 400 800
GRAPHIC SCALE IN FEET

CITY OF PHOENIX PLANNING DEPARTMENT
CAMELBACK EAST VILLAGE
CITY COUNCIL DISTRICT 8



APPLICANT'S NAME <i>CAMELHEAD EQUITIES</i>		REQUESTED CHANGE	
APPLICATION NO. <i>172-88-8</i>	HEARING DATES		MODIFICATION OF STIPULATIONS PERTAINING TO TOTAL SQUARE FOOTAGE, FLOOR AREA, ACCESS, PROPOSED USES, SITE PLAN CONFORMANCE, LANDSCAPING, SCREENING, MASS TRANSIT EASEMENT, CONTRIBUTION TO PLANNING STUDIES, STREET IMPROVEMENT, AND CONDITIONAL ZONING TIME STIPULATION
	Z.H.O. 11-21-88	P.C. 4-24-96 5-24-89 4-26-89 4-12-89	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. <i>25.99</i> ACRES	AERIAL PHOTO & QUARTER SEC. NO. <i>11-37</i>	ZONING MAP <i>F-10 (E-8)</i>	ZONED: <i>R1-6 & R-3</i> (APP. C-2 M-R w/ DENSITY AND PARKING WAIVERS)
MULTIPLES PERMITTED	UNITS STANDARD OPTION		

* MAXIMUM UNITS ALLOWED WITH P.R.D. BONUS

May 15, 1996

OLD BUSINESS

ITEM 37

DISTRICT 6 -
LIQUOR LICENSE
APPLICATION - F-371

Continued from May 1, 1996 - The Council heard request for a Series 6 (On sale - all liquor) liquor license in an area zoned C-2 (Arizona State Application 06070077).

Applicant: Kenneth M. LaCivita, Agent
Payton's Sports Grill
3626 East Indian School Road

This request is for an ownership and location transfer of a Series 6 liquor license from Scottsdale. The Series 6 license will replace a Series 12 Restaurant liquor license that is presently in use at this business. The Series 12 license will be surrendered when the Number 6 license is issued. The sixty-day limit for processing this application is May 11, 1996.

No departments recommended disapproval. No petitions or protests were received.

Mr. DiCiccio said his policy with any Series 6 was to encourage a meeting between homeowners and the applicant to resolve problems and open a dialogue. He understood the applicant would finally be making a call to arrange such a meeting.

MOTION was made by Mr. DiCiccio, **SECONDED** by Mr. Nelson, that Item 37 be continued to May 29, 1996, at 3:00 p.m.

Mr. O'Connell advised Mayor Rimsza that the State Liquor Board generally accommodated the City's attempts to resolve these issues.

MOTION CARRIED UNANIMOUSLY.

ITEM 38

DISTRICT 8 -
MODIFICATION OF
STIPULATION REQUEST -
F-2700

Continued from May 8, 1996 - The Council heard the following application at its public hearing.

DISTRICT 8 -
OWNER: BNU CORPORATION
REPRESENTATIVE:
STEPHEN C. EARL OF EARL,
CURLEY & LAGARDE

Application 172-88-8 - Request for modification of stipulations pertaining to total square footage, floor area, access, proposed uses, site plan conformance, landscaping, screening, mass transit easement, contribution to planning studies, street improvement, and

May 15, 1996

conditional zoning time stipulation (approximately 25.99 acres) for a parcel located on the northwest corner of 44th Street & Fillmore Street. Existing zoning is R1-6, R-3 (approved C-2 MR).

The Planning Commission recommended, 5-0 vote, that the Planning Hearing Officer's action of April 16, 1996 be approved with modification of stipulations.

This item may be ratified by Council if an appeal is not received by 5 p.m., May 1, 1996. If an appeal is received by the deadline, this item should be continued to the May 15, 1996 Council Recessed Agenda.

Stipulations

The Planning Hearing Officer moved to recommend approval of the application with modifications to stipulations as follows:

1. Zoning approval is granted for this overall mixed use Master Plan of ~~542,325~~ 600,030 square feet (gross leasable area for office, retail and ~~entertainment restaurant elements--~~ limited to a maximum F.A.R. of 0.48), and a 385 200-room hotel and 130-150 residential units, subject to the phasing schedule and traffic circulation requirements outlined in the stipulations below:

Phase I Core buildings and uses (~~66,125~~ 106,175 square feet of ~~service general~~ retail; ~~138,700~~ square feet of, including restaurants, and entertainment uses; ~~150,000~~ 51,360 square feet of office space, and a ~~385-room hotel and support uses~~). Maximum building heights shall be ~~122~~ feet for the hotel; ~~120~~ 60 feet for the office, retail and restaurant components, and ~~85~~ feet for the retail/entertainment component. Applicant shall undertake a complete marketing effort for the Phase I-a residential component as a part of Phase I development, which shall include design, marketing brochures, and constructing a full scale residential unit staffed with the appropriate sales personnel.

Phase I-a ~~130-150 residential units (to commence upon the successful marketing of 50 percent of the units through Phase I marketing effort). Maximum building height shall be 140 feet. Office uses beyond Phase I shall not proceed until commencement of construction on Phase I-a of residential units.~~

Phase II Office component of ~~175,000~~ 440,000 square feet, a ~~200-room hotel, and fast food restaurant of 2,500 square feet, and retail of 12,500 maximum.~~ Maximum building height of the office towers shall be 150 feet, and 122 feet for the hotel.

- a. In connection with the development of Phase I, the property owner shall provide the following traffic circulation improvements:

May 15, 1996

1. Establish 44th Street access at West McKinley Street alignment as approved by the ~~City Traffic Engineering Department (Street Transportation Department)~~ and access to the west Gateway Loop Road.
2. ~~Either one of the following two access options:~~
 - a. ~~Access to 40th Street via Fillmore Street.~~
 - b. ~~Access to the WEST Gateway Loop Road.~~
2. That development be in general conformance to the site plan dated ~~April, 1989~~ March 25, 1996.
3. That zoning shall vest on a phased basis concurrent with Development Coordination Office Service Department site plan approval of each phase.
4. ~~THAT WITHIN 90 DAYS OF ZONING CASE APPROVAL, THE SITE SHALL BE CLEARED OF ALL STRUCTURES INCLUDING FOUNDATIONS.~~ That all undeveloped areas cleared shall be kept in a neat and orderly manner in the interim period before construction of Phase I ~~II~~. All unimproved areas of the total site shall be maintained in a dust-free manner and include a 20-foot landscape area with trees along the site's perimeter public street frontages, as approved by the Development Coordination Office Services Department.
5. An overall landscaping and streetscape plan encouraging pedestrian use shall be submitted for review and approval by the Development Services Department. Pedestrian amenities such as seating, art work and adequate shading shall be emphasized. Landscaping along 44th Street shall meet or exceed the standards outlined in the Gateway Design Guidelines.
6. That the building setback from the property line along 44th Street (after any right-of-way dedications required through this case except for a possible fourth through lane) shall be 40 feet. The building setback from the south property line shall be 35 feet, a minimum of 10 feet of which shall be landscaped. The minimum building setback from the property line along 42nd Street shall be 30 feet. Where additional right-of-way is required, all setbacks shall be measured from the new property line, except for a possible fourth through lane on 44th Street.
7. That no parking structures exceeding two levels be located within 50 feet of the westerly property line adjacent to the residential uses to the west.
8. That a row of mature drought-resistant shade trees and ~~four~~ three-foot-high masonry screen walls with open wrought iron elements permitted up to a maximum height of six feet be provided along the west property line adjacent to the parking areas (without prejudice to the approval of a variance to parking lot screening requirements). The trees shall be placed 20 feet on center and have a caliper of 2 1/2 inches. These walls and trees are to be provided in Phase I.

May 15, 1996

9. That all structures be architecturally integrated with similar or harmonious materials, surface textures and/or as approved by the Development ~~Coordination Office~~ Services Department. That all glass being used will not have more than 20 percent exterior reflectance.
10. That the property owner shall dedicate an easement for a mass transit line at a reasonable location acceptable to the property owner and City, ~~should~~ if and when such a system become a reality in the future.
11. That the property owner shall participate in the public art program for the project in coordination with the Commission on the Arts for the City of Phoenix and consistent with the guidelines adopted by the City Council on March 16, 1988.
12. ~~That the property owner agrees to contribute \$5,000 to help fund the studies necessary for the development of a specific plan of the 44th Street corridor, which shall encompass an area described as 1,300 feet east and west of 44th Street, from the City boundaries on the north to Washington Street on the south. Such sum shall be paid within 120 days following zoning approval by the City Council.~~
- 13
12. That a 20 percent reduction of parking be approved for the total project with development subsequent to Phase I being subject to justification based on prior phase experience. An amended parking study shall be submitted addressing parking needs for each phase of development. Such studies shall include parking rates, as well as the total parking required for each phase. That in conjunction with the approved parking waiver, the property owner shall provide the following:
 - a. For the combined retail and office uses, there shall be no more than 25 percent assigned parking other than for carpooling and ridesharing programs. Additional reserved parking may be allowed for van and carpooling purposes on an as-needed basis.
 - b. Development and implementation of a traffic system management program, including carpooling and public transit, be accomplished and coordinated with all building occupants through the City of Phoenix Transit Department.
 - c. The developer promote the use of mass transit and, particularly, current Phoenix transit bus lines and carpooling in the following manner:
 1. Developer shall require its on-site property manager to function in part as a transit coordinator by selling monthly and annual bus passes on site to the public.
 2. Property manager shall further coordinate carpooling by means of posting and otherwise distributing printed information to the tenants of each building on site and also to the public.
 3. Developer shall actively participate in the City of Phoenix/MAG Regional Ridesharing Program by such actions as information, distribution and provision of designated stalls for car/van pools.

May 15, 1996

4. Bicycle storage facilities will be provided on site for those living nearby.
 - d. The developer will employ a full-time on-site parking coordinator to manage the parking structures and encourage participation of all building tenants in the various alternative transportation modes outlined in the above stipulations for the office and retail portions of this mixed use project.
 - e. The parking coordinator shall evaluate and assess actual on-site parking utilization as the project is leased and report his findings to the appropriate municipal authority.
- 14
13. That the ~~property owner form~~ a property owners' association be formed for the purpose of defining and implementing responsibilities for the ~~implementation of the~~ maintenance of the infrastructure, open space, and public amenities. The property owners' association shall be maintained in perpetuity, as reflected in the stipulations of this approval.
- 15
14. The approval be conditioned upon development in accordance with Section 108-M of the Zoning Ordinance within 18 months of final approval of the ~~change of zone~~ modification of stipulations by the City Council.
- 16
15. Any request to amend these stipulations (including Stipulation No. ~~15~~ 14 requiring commencement of construction within 18 months) must be brought back to the Planning Commission for public hearing.
- 17
16. Prior to Concurrent with commencement of Phase I, IA and II the developer shall provide the following improvements as reflected in the traffic impact report:
- a. ~~a closure of the median at McKinley EAST is essential for access to the Oasis site at this intensity of development:~~
 1. ~~The developer is to provide agreements with all the impacted parties on the east side of 44th Street (Tanner, Serbian Orthodox Church, OPUS, American Slavic Association, Gateway, and other property owners) as to the various access restrictions and modifications that will result from the proposed circulation patterns unless otherwise accepted by City Council as a separate action.~~
 2. ~~The median on 44th Street is to be extended through the intersection of McKinley (EAST). The intersection of 44th Street and McKinley (Realigned) is to be designed to prohibit left turns out of the Oasis site, and out of the Tanner site.~~
- B. ~~The developer is to provide right-of-way and improvements for an additional southbound land on the west side of 44th Street from the north property line to the south driveway, including acquiring, dedicating to the City, and improving the frontage on 44th Street that the property owner does not own. The south~~

May 15, 1996

~~termination of this lane is to be determined at the time of Development Coordination Office site plan review and the geometry of the termination is to be reviewed by the Street Transportation Department. All driveways, with the exception of the McKinley (Realigned) entrance, are to be restricted to right-turn in-and-out movements only.~~

- ~~C. The developer will be financially responsible for the costs of the right-of-way and improvements of the connector roadway between McKinley East and East Gateway Loop Road. If the East Gateway Loop Road is not built at the time when this connection is required, then the property owner will be financially responsible for the construction of the loop road between the connector road and 44th Street, as determined by the Street Transportation Department.~~
- ~~D. The developer will be responsible for any right-of-way and improvements needed for Fillmore Street, based on Street Transportation Department's review and approval of the proposed geometries, including such right-of-way that would protect the neighborhood, as determined by the Planning Department.~~
- ~~EA. The developer will be responsible for 50 percent of the cost of the traffic signal at 40th Street and Fillmore 44th Street and the west Gateway Loop Road when warranted, as determined by the Street Transportation Department. (Note: This percentage represents both this site's and Phoenix Gateway Center's share of this signal per private agreement between property owners.)~~
- ~~B. Install north/south spine road from Gateway Boulevard to 42nd Street with a 40-foot cross section and designate as a public access easement roadway.~~
- ~~C. Improve the east half of 42nd Street adjacent to the site and connect north/south spine road to 42nd Street as reflected on site plan dated March 22, 1996.~~
- ~~D. Install access driveway from 42nd Street into project courtyard at approximately the McKinley Road alignment.~~
- ~~E. Provide a right turn deceleration lane for southbound traffic on 44th Street at Gateway Boulevard.~~
- ~~F. Additional right-of-way and improvements can be required at the time of site plan approval. Right-of-way dedications and improvements to 44th Street, including potential out parcels, shall be the responsibility of the developer as may be determined or subsequently modified by the Street Transportation and Development Services Departments through the site plan review process.~~

18

17. That where the property owner has demonstrated to the City that every effort has been made to secure necessary stipulated right-of-way, the City may consider condemning the needed right-of-way based on geometrics prepared by the property owner and approved by the Street Transportation Department. The property owner or his successor in interest will pay all costs associated with the condemnation process required to support each phase of development prior to issuance of building permits for that phase.

May 15, 1996

18. That specified right-of-way and improvements may be modified or deleted as approved by the Street Transportation and Development Services Departments based on subsequent modification to the traffic study justifying the change. It is the intent of this stipulation to accommodate the applicant's proposed development plan to the greatest extent possible.

The Planning Commission recommended approval of the stipulations as modified below:
Stipulation 16.

E. With Phase I:

1. Provide a 250-foot right-turn deceleration lane, including required dedication and/or sidewalk easement, for southbound traffic on 44th Street at Gateway Boulevard and widening for the future median improvement.

With Phase II:

1. Provide a 140-foot right-turn deceleration lane, including required dedication and/or sidewalk easement, for southbound traffic on 44th Street at Garfield Boulevard and widening for the future median improvement.
2. Escrow sufficient funds to pay one-half of the cost of providing a right-turn deceleration lane for southbound traffic on 44th Street at McKinley West and widening for the future median improvement (which includes one-half of the cost of paving, curb, gutter, sidewalk and street light relocation). Right-of-way and/or sidewalk easement to be provided by others.

At no additional cost to the developer, full access, including left turns in and out, will continue to be provided at the main entryway at 44th Street and McKinley West and at 44th Street and Garfield under both the current median configuration and the reconfiguration depicted on Street Transportation Department Plan File Nos. 5418S3 and 5418S4 dated March 1996, or any other mutually acceptable alternative.

MOTION was made by Mr. DiCiccio, SECONDED by Mr. Lingner, to ratify Item 38. MOTION CARRIED UNANIMOUSLY.

ORDINANCES AND RESOLUTIONS

An affidavit was presented to the Council by the City Clerk stating that twenty-four hours before the Council meeting, copies of titles of Ordinances G-3923 and G-3924; S-23549 through S-23573; and 18709 through 18714, were available in the office of the City Clerk and, therefore, the ordinances and resolutions could be read by title or agenda item only, pursuant to the 1969 Code as amended

April 24, 1996

Application No. 172-88-8
Owner: BNU Corporation
Representative Stephen C. Earl of Earl, Curley & Lagarde
Subject: Request for modification of stipulations pertaining to total square footage, floor area, access, proposed uses, site plan conformance, landscaping, screening, mass transit easement, contribution to planning studies, street improvement, and conditional zoning time stipulation (approximately 25.99 acres) from a parcel located on the northwest corner of 44th Street & Fillmore Street. Existing zoning R1-6, R-3 (approved C-2 MR).

Ms. Savage declared a conflict of interest and stepped down.

This application was scheduled for consent by the Planning Commission.

There was no opposition.

Mr. Richert noted for the record that there were cards in support. He said it is important to note that the neighborhood and the developer had worked together to come to a resolve on a project of this size and the controversy that existed. The applicant is proposing changes to stipulation nos. 16 E, 17, and the deletion of stipulation no. 18. Stipulation no. 16 basically talks in terms of street improvements along 44th Street. And there has been further refinement that street improvements in front of this project would be done in two phases.

Mr. Sasser indicated there was a letter from the attorney of record proposing modifications of the stipulations. He asked if the proposed modifications sent to the Commission were the ones the Hearing Officer approved.

Mr. Richert stated yes, the modifications are either underlined, crossed out, or added in caps. The request is to modify the Zoning Hearing Officer's stipulation no. 16 which is a further refinement that the Hearing Officer did not have. The project will be slightly bigger than originally planned. But the Chinese Culture Center that will be built is a significant addition to that part of the community.

Mr. Bielecki made the MOTION that Application No. 172-88-8 be forwarded to the City Council with a recommendation for approval per staff's recommendation.

Mr. Berry SECONDED the motion.

There was no further discussion, Chairperson Waits called for a vote and the MOTION PASSED five to zero.

* * * *

April 24, 1996

Z 172-88-8

Page 2

STIPULATIONS:

The Planning Hearing Officer moved to recommend approval of the application with modifications to stipulations as follows:

1. Zoning approval is granted for this overall mixed use Master Plan of ~~542,325~~ 600,030 square feet (gross leasable area for office, retail and ~~entertainment restaurant elements--limited to a maximum F.A.R. of 0.48~~), and a ~~385~~ 200-room hotel and ~~130-150~~ residential units, subject to the phasing schedule and traffic circulation requirements outlined in the stipulations below:

Phase I Core buildings and uses (~~66,125~~ 106,175 square feet of ~~service general~~ retail; ~~138,700~~ square feet of, including restaurants, and entertainment uses; ~~150,000~~ 51,360 square feet of office space, and a ~~385~~-room hotel and support uses). Maximum building heights shall be ~~122~~ feet for the hotel, ~~120~~ 60 feet for the office, retail and restaurant components, and ~~85~~ feet for the retail/entertainment component. ~~Applicant shall undertake a complete marketing effort for the Phase I-A residential component as a part of Phase I development, which shall include design, marketing brochures, and constructing a full scale residential unit staffed with the appropriate sales personnel.~~

Phase I-A ~~130-150~~ residential units (to commence upon the successful marketing of ~~50~~ percent of the units through Phase I marketing effort). Maximum building height shall be ~~140~~ feet. ~~Office uses beyond Phase I shall not proceed until commencement of construction on Phase I-A of residential units.~~

Phase II Office component of ~~175,000~~ 440,000 square feet, a ~~200~~-room hotel, and fast food restaurant of ~~2,500~~ square feet, and retail of ~~12,500~~ maximum. Maximum building height of the office towers shall be ~~150~~ feet, and ~~122~~ feet for the hotel.

- A. In connection with the development of Phase I, the property owner shall provide the following traffic circulation improvements:
 1. Establish 44th Street access at West McKinley Street alignment as approved by the City Traffic Engineering Department (Street Transportation Department) and access to the west Gateway Loop Road.
 2. ~~Either one of the following two access options:~~
 - a. ~~Access to 40th Street via Fillmore Street.~~
 - b. ~~Access to the WEST Gateway Loop Road.~~

2. That development be in general conformance to the site plan dated ~~April, 1989~~ March 25, 1996.

Recycled Paper

Stipulation No. 7: Stipulation No. 7 is not applicable since only at-grade parking is proposed.

Stipulation No. 8: The stipulated streetscape landscaping improvements have been installed and compliance with the stipulation has been met.

Stipulation No. 9: You have noted that some of the colors and surface treatments and materials of the Chinese Cultural Center will be incorporated which complies with the stipulation. The maximum 20% reflectivity of glass windows will also be provided as stipulated.

Stipulation No. 10: The mass transit easement has not been determined but will be the responsibility of the master developer and will not affect the development of this project.

Stipulation No. 11: The existing public art in the Chinese Cultural Center Gardens has met the stipulation and no other art is required with this project.

Stipulation No. 12: Compliance with the approved 20% parking reduction will be determined upon final review of the amended parking study.

Stipulation No. 13: A property owners association has been formed for maintenance of infrastructure, open space and amenities. This project will become part of that association and be in compliance with the stipulation.

Stipulation No. 14: This stipulation has been met with the construction and completion of the Chinese Cultural Center. No further actions are necessary for this project.

Stipulation No. 15: This stipulation states the procedure to follow for amending any of the rezoning stipulations. No action necessary for the project as proposed.


Stipulation No. 14: Required traffic improvements:

- A. The Master Developer will be responsible for 50% of the cost of a traffic signal at 44th St. and Gateway Loop Rd. when warranted. This is not applicable to the developers of this project.
- B. The required north-south spine road between Gateway Blvd. to 42nd St. is complete. No further action necessary as relates to this project.
- C. The east 1/2 half of 42nd St. has been installed. No further action necessary as relates to this project.
- D. This site plan indicates compliance with the vehicular access requirement from 42nd St. to the project courtyard at approximately the McKinley Rd. alignment. Any modification of this stipulation will be reviewed based on the merits of the requested change.
- E. A right turn deceleration lane on 44th St. at Gateway Blvd. has been completed with Phase I. Phase II deceleration lane at Garfield Rd. may be renegotiated with the Development Services Department because of the reduction in overall intensity of the project for that phase. The Master Developer will provide sufficient financial assurances to the City to guarantee any improvements mutually agreed to for Phase II.

F. Improvements required as part of The Gateway Medical Building will be developed at the time of site plan/development review with the Development Services Department. Compliance will be met through that review process.

Please consider this letter as acknowledgement and confirmation of stipulation compliance for the above referenced rezoning application. If I can be of further assistance please call me at 602-262-XXXX.

Sincerely,



David E. Richert

Planning Director

COFCO.doc
jv

IV

Declaration of David E. Richert

I, David E. Richert, make this Declaration of my own knowledge, and I am competent to testify to the matters contained herein.

1. I have worked in the capacity as the Director of Planning of the City of Phoenix between 1992 and 2005.

2. In 1996, 1997, I worked with BNU/COFCO and Elizabeth Mann, for the development of COFCO Phoenix Center, including, in particular, Lot 1A: the COFCO Chinese Cultural Center. I am knowledgeable about all the terms and conditions that the City has put in its Zoning Stipulations and requirements.

3. COFCO Chinese Cultural Center was an important development for the City of Phoenix, and received a lot of support from the various City Departments to make it happen. In return, the City placed strict requirements on the developer with respect to its permitted commercial uses, parking, and the inclusion of an intensive Chinese Cultural and Public Art program, which the developer agreed to provide with its Iconic Royal Chinese rooflines and unique large scale Chinese garden and statues depicted by the August 6, 1997 Site Plan and the handmade rendering done by its Chinese Architect.

4. Both the City of Phoenix and the developer expected the Chinese Cultural Center to become a landmark for the City. Therefore, it was understood that any changes to its appearance, use of space, and change of the uses of parking would require a public hearing. This issue was clearly discussed in many meetings. Consequently, it is inappropriate to allow the current change of its unique public art roof tile without a public hearing. This action would contradict the City's Stipulations and all prior zoning requests.

5. COFCO Chinese Cultural Center started its construction in February 1997, and finished by January 1998. Due to the complexity of the construction that involved both U.S. and Chinese architects and construction teams, the City's Planning Department allowed the developer and its architect to present a Site Plan on a phased basis to meet the City's requirements. Thus, the amended August 6, 1997 Site Plan superseded the March 25, 1996

1 Site Plan as the final approved Site Plan for the Zoning Stipulations for this phase of the
2 COFCO Phoenix Center development. See Attachment A.

3 6. The March 25, 1996 Site Plan was amended upon completion of each phase of
4 the development of the COFCO Chinese Cultural Center as follows: Amendment No.1 dated
5 March 28, 1997, Amendment No. 2 dated August 6, 1997, and Amendment No. 3 dated July
6 17, 2001. These three amendments reconfirmed all the Chinese cultural elements required by
7 the City's Chinese Cultural and Public Arts Program and the City's Zoning Stipulations as to
8 the restricted uses and parking of the COFCO Chinese Cultural Center.

9 7. Because the August 6, 1997 Site Plan provides details of all the Chinese cultural
10 elements required by the City and displayed the final vision for the uses and parking of the
11 COFCO Chinese Cultural Center, it should be the only Site Plan used to consider and approve
12 any change to the Chinese Cultural Center.

13 8. All other Site Plans in the files of the City's Planning Department relate to the
14 development of the other Lots in the COFCO Phoenix Center and, therefore should not be
15 used for any zoning request with respect to the Chinese Cultural Center.

16 9. I declare under penalty of perjury under the laws of the State of Arizona
17 that I have read the above Declaration, am familiar with its contents, and know the same
18 to be true and correct of my own personal knowledge.

19 Dated January 29 2018.

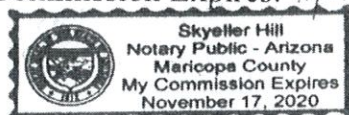

David E. Richert

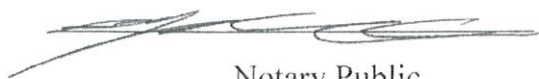
20 State of Arizona

21 County of Maricopa

22 The foregoing instrument was acknowledged before me, this 29th day of
23 January 2018, by David E. Richert.

24 My Commission Expires: 11/17/2020




Notary Public



City of Phoenix
DEVELOPMENT SERVICES DEPARTMENT
200 West Washington Street
Phoenix, AZ 85003
(602) 256-4240 FAX (602) 495-3637

③

DATE: 08/06/1997
TO: Cofco/Bnu
2425 E. Camelback Road, Suite #1000
Phx AZ 85016
PHONE:
FROM: SITE PLANNING DIVISION
SUBJECT: MINOR SITE PLAN AMENDMENT P96443A2 EFN:
LOCATION: NWC 44th St
Gateway
QUARTER SECTION # N 11 E 37
REQUEST: amendment to require sidewalk on north side of
COFCO Ctr. Blvd. with Phase II construction
RECOMMENDATION:

The Site Planning Division approves the minor amendment
received 06/10/1997 .

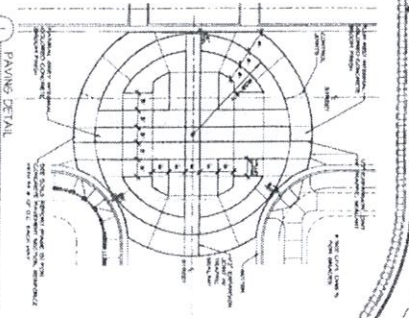
A copy of this plan is attached.

Approval of 08/06/1997 supersedes all previous plans.

COPY TO:

Building Safety
File

Cornoyer Hedrick
2425 E. CAMELBACK RD 4TH FLOOR
PHOENIX AZ 85016
PHONE: (602) 381-4848

[illegible]



668 NORTH 44TH STREET; PHOENIX, ARIZONA

PROJECT SUMMARY	
ADDRESS	4-20-60 (DOWNS) AND IMPROV. TO
CHUCKLE UP	(CHUCKLE)
DATE OF ACQ.	1-10-1960
DATE OF ACQ.	2-10-1960

Chempharm Ltd 2423 East Broadway Suite 400 Vancouver, BC V6L 1A5 Telephone: 603-361-4343 Facsimile: 603-361-4344	
Product Name B.Y.E.T. R. CLAY Address to U. ARVINA Product Code 00000000	

CENTER
ORATION
URAL CENTE
ORATION
Arizona



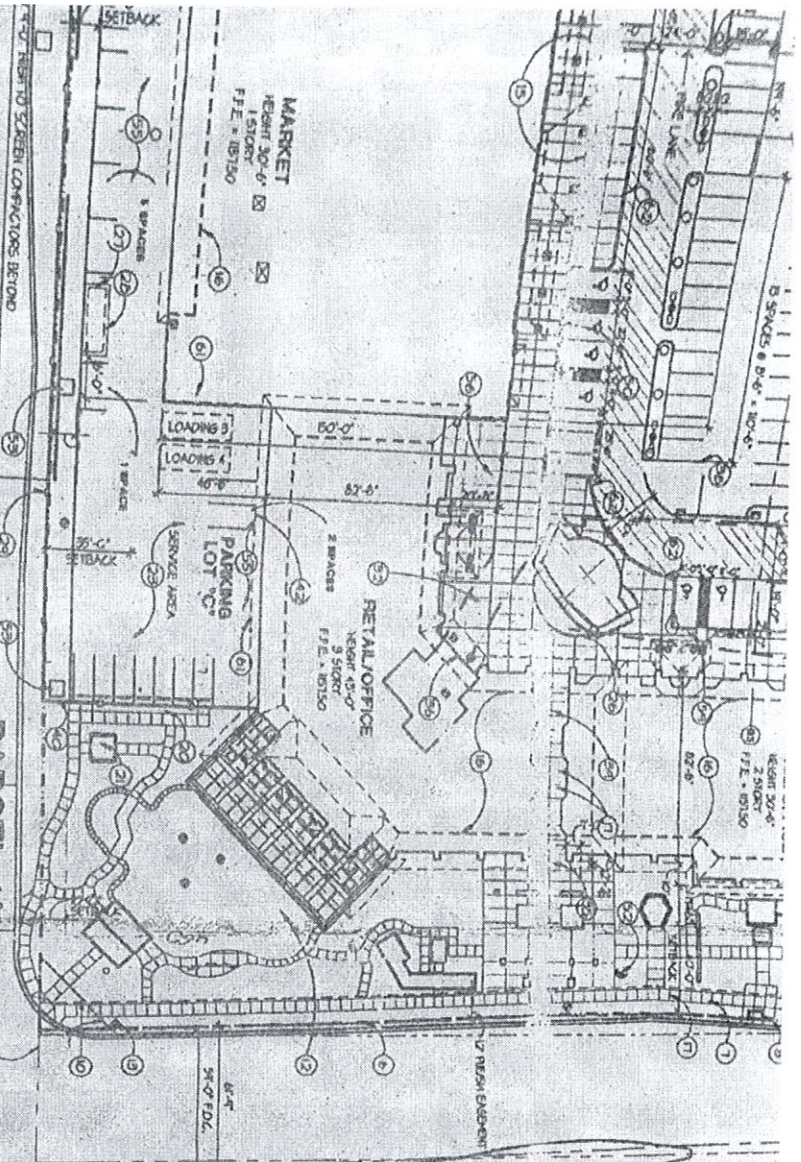
COFCO

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COFCO PHOENIX CENTER
 DEVELOPED BY B.N.U. CORPORATION
COFCO CHINESE CULTURAL CENTER
 BY COFCO DEVELOPMENT CORPORATION
 606 North 44th Street, Phoenix, Arizona


COFCO PHOENIX CENTER
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COFCO PHOENIX CENTER
 DEVELOPED BY B.N.U. CORPORATION
COFCO CHINESE CULTURAL CENTER
 BY COFCO DEVELOPMENT CORPORATION
 606 North 44th Street, Phoenix, Arizona



**APPROVED SITE PLAN
AMENDMENT**

City of Phoenix Development Services Department
Attachment # 3
49-3792, REV 99.000.613
DSD Tracking Numbers
7-17-01
SHEET # 1

PARCEL 1A

GROSS AREA = 7.45 ACRES (EXCLUDES 44TH ST)
NET AREA = 6.81 ACRES (EXCLUDES ALL STREETS)



Planning & Development
RECORDS COPY

ISAIAH CUEVAS

- 43. 0'-0" FROM 2ND LANE TO 1ST LANE
- 44. 30'-0" x 30'-0" TEMPORARY STOP-WATER RETENTION EASEMENT
- 45. LANDSCAPE PLANTER, SEE L-101
- 46. GARAGE STAIR
- 47. FIRE DEPARTMENT CONNECTION
- 48. LINE OF GARAGE BOLLION
- 49. HATCHWORK ACCESSIBLE
- 50. SIGN - TYPICAL EACH ACCESSIBLE SPACE - MOUNT SIGN 4'-0" ABOVE PAVING ON 5'-0" x 15' BOLLARD
- 51. LIGHT FIXTURE, TYPICAL
- 52. BACKLASH PERMITS
- 53. TRANSFORMER
- 54. TELEPHONE CABINET
- 55. GARAGE INTERCEPTORS - SEE PLUMB DRAWS FOR LOCATIONS
- 56. NATURAL GRAY CONCRETE PAVING, MEDIUM BROOD FINISH
- 57. INTEGRAL COLOR CONCRETE WALK
- 58. INTEGRAL COLOR CONCRETE BAND
- 59. ACCESSIBLE RAMP - SEE DETAIL 4A-102
- 60. CONCRETE CURB TRANSITION
- 61. CONCRETE BOLLARD
- 62. 1" WIDE CONCRETE ACCENT RIBBON
- 63. GROUND GREEN PAINT AT 5'-0" ABOVE FINISH GRADE

GENERAL NOTES:

ALL CORNER TYPICAL SITE PLAN
AMENDMENT APPROVED
P9644342
TRACKING NUMBERS 6/11/97
P9644342-01345926, QS II-37

RIVA 98-3792 SDEV 990000613

**APPROVED SITE PLAN
AMENDMENT**

City of Phoenix Development Services Department
Attachment # 4
49-3792, REV 99.000.613
DSD Tracking Numbers
7-17-01
SHEET # 2

Item	Description	Date
1	CONCRETE GARDEN	
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A-101



----- Forwarded Message -----

From: Leslie Moon Gin <lesliemoongin@gmail.com>
To: Albert L Lin <dongfangzun2001@yahoo.com>
Sent: Monday, July 31, 2017 9:43 PM
Subject: Fwd: Chinese Cultural Center

Here's information on the Phoenix Chinese cultural center demolition
Best,

Les,

Les Gin
858.866.6490
lesliemoongin@gmail.com

Begin forwarded message:

From: Buck Yee <BYee@thedavisexperience.com>
Date: July 26, 2017 at 4:31:47 PM PDT
To: "Lesgin01@gmail.com" <Lesgin01@gmail.com>, "lesliemoongin@gmail.com" <lesliemoongin@gmail.com>
Subject: Chinese Cultural Center

Les:

Hope this email gets to you. We grew up with you guys in Tucson. My sisters are Fairy, Lillian, Elenore, Nery and my brother Henry. The reason for this email is to chat with you about Chinese Cultural Center (CCC) on 44th St. in Phoenix. I believe you were the branch manager of the Asian Bank located there and the 1st Vice President of Phoenix Chinese Week.

In 1996 I was the project architect of the CCC. The project has now sold and the new Owner hired us to renovate the building into modern office buildings. That means that all the Chinese ornamentation and articulation is coming off the buildings. The new Owner wants to offer the artifacts and sculptures in the Chinese Garden to a community organization willing to take them. I researched and found the following organizations:

<http://www.phoenixchineseunited.org/>

<http://www.fcbcphx.org/>

<http://www.phoenixchineseweek.org/community-links-2/>

My new client wants to make this offer knowing that there may be some cultural sensitivities with the Chinese Cultural Center being the 1st Chinatown in Phoenix. Let me know your thoughts and if there are other organizations out there interested in the artifacts, pagodas, statues and lanterns.

Following is the official notice I will be presenting to each organization:

“The client wishes to make this offer to the Chinese community knowing that there is some cultural history with the Chinese Cultural Center being the first Chinatown in Phoenix. If the organization would like to take any of the artifacts from the Chinese garden they would be responsible for removing them off the site premises at their own expense. You will have to coordinate the removal with the client’s general contractor. Anything left on site after (__-__-17 insert date here) will be removed and taken to the landfill. Please let us know your interest in preserving any of the Chinese garden artifacts.”

There will be about 6 to 8 months allowed for the removal of the artifacts after the last tenant has left the premises. Call me or reply to this email with your thoughts. You are the first person I have contacted so far.

Thanks,





