



Agenda

City Council Formal Meeting

Wednesday, February 16, 2022

2:30 PM

phoenix.gov

*****REVISED Feb. 15, 2022*****

Item Added: 83

OPTIONS TO ACCESS THIS MEETING

Request to speak at a meeting:

- **Register online** by visiting the City Council Meetings page on phoenix.gov at least 1 hour prior to the start of this meeting. Then, click on this link at the time of the meeting and join the Webex to speak: <https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=ecb1e948687688e05e47bf3bd60f78f8b>

- **Register via telephone** at 602-262-6001 at least 1 hour prior to the start of this meeting, noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

At the time of the meeting:

- **Watch** the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable, or using the Webex link provided above.

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2552 400 8869# (for English) or 2550 420 5606# (for Spanish). Press # again when prompted for attendee ID.

Para nuestros residentes de habla hispana:

- **Para registrarse para hablar en español**, llame al 602-262-6001 al menos 1 hora antes del inicio de esta reunión e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2550 420 5606#. El intérprete le indicará cuando sea su turno de hablar.

- **Para solamente escuchar la reunión en español**, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2550 420 5606#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

CALL TO ORDER AND ROLL CALL**BOARDS AND COMMISSIONS**

- | | | |
|---|---|---------|
| 1 | Mayor and Council Appointments to Boards and Commissions | Page 11 |
|---|---|---------|

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

- | | | |
|----|---|----------------------|
| 2 | Liquor License - Special Event - Our Lady of Czestochowa Roman Catholic Parish Phoenix | District 1 - Page 14 |
| 3 | Liquor License - Romano's Macaroni Grill #31178 | District 1 - Page 15 |
| 4 | Liquor License - Ambassador Fine Cigars | District 3 - Page 20 |
| 5 | Liquor License - Good Time Smoke Beer & Wine | District 3 - Page 25 |
| 6 | Liquor License - Vegan & Vine | District 3 - Page 30 |
| 7 | Liquor License - Vegan & Vine | District 3 - Page 35 |
| 8 | Liquor License - 7- Eleven #21041H | District 4 - Page 40 |
| 9 | Liquor License - Special Event - Hermandad Del Senor De Los Milagros (Mesa, AZ) | District 5 - Page 45 |
| 10 | Liquor License - Special Event - SS Simon & Jude Roman Catholic Cathedral Phoenix | District 5 - Page 46 |
| 11 | Liquor License - Barro's Pizza | District 5 - Page 47 |
| 12 | Liquor License - Special Event - Madison District Educational Foundation, Inc. | District 6 -Page 52 |
| 13 | Liquor License - Special Event - Madison District Educational Foundation, Inc. | District 6 - Page 53 |

City Council Formal Meeting	Agenda	February 16, 2022
14	Liquor License - Special Event - United Phoenix Firefighters Emerald Society, Inc.	District 7 - Page 54
15	Liquor License - Special Event - Trees Matter	District 8 - Page 55
16	Liquor License - R & F Liquor	District 8 - Page 56
17	Liquor License - Golden Margarita	District 8 - Page 61
<u>PAYMENT ORDINANCE (Ordinance S-48322) (Items 18-29)</u>		Page 69
18	Settlement of Claim(s) Arangure v. City of Phoenix	
19	Settlement of Claim(s) Parvar v. City of Phoenix	
20	Settlement of Claim(s) Salt River Pima Indian Community v. City of Phoenix	
21	TransUnion Risk and Alternative Data Solutions, Inc.	
22	Recon Robotics	
23	Hale Outdoor Products, LLC doing business as MotoShot Target Systems	
24	Police Ordnance Company, Inc	
25	DJ Walworth Enterprises, Inc. doing business as Interstate Batteries of Arizona	
26	City of Glendale	
27	National Association of Housing and Redevelopment Officials	
28	Ralph Andersen & Associates	
29	Acrolect Solutions, LLC dba Endurance Group	
<u>ADMINISTRATION</u>		
30	Proposed 27th Avenue and Baseline Road Annexation (Ordinance S-48349)	District 8 - Page 73

- | | | |
|----|---|------------------------------------|
| 31 | Amend Ordinance S-47731 for Acquisition of Real Property for Cholla Tank 4M-B2 Pipeline Improvements (Ordinance S-48331) | District 6 - Page 75 |
| 32 | Acceptance and Dedication of Right-of-Way Abandoned by Arizona Department of Transportation Resolutions 2022-01-A-008, 2021-11-A-036 and 2021-02-A-006 (Ordinance S-48350) | District 5 - Page 77
District 8 |
| 33 | Pest Control Services - Requirements Contract - Coop 22-050 (Ordinance S-48328) | Citywide - Page 81 |
| 34 | Custodial Services (Police and Human Services Department Locations) Contract - Amendment (Ordinance S-48334) | Citywide - Page 83 |
| 35 | Evofinder System Warranty and Maintenance-Requirements Contract EXC 22-058 (Ordinance S-48340) | Citywide - Page 85 |
| 36 | Risk Management Information System and Ancillary Services - Requirement Contract - RFA 14-035 (Ordinance S-48345) | Citywide - Page 87 |
| 37 | Korn Ferry Leadership Architect Library (Ordinance S-48342) | Citywide - Page 88 |
| 38 | Employee Assistance Program and Elder Care Services (Ordinance S-48354) | Citywide - Page 90 |

COMMUNITY SERVICES

- | | | |
|----|--|--------------------|
| 39 | Request to Amend Contract to Allow for Pass-Through American Rescue Plan Act Funds and Increase the Landlord Incentive Program Payment Amount (Ordinance S-48358) | Citywide - Page 92 |
| 40 | Homeless and Victim Services Contracts - Amendments (Ordinance S-48335) | Citywide - Page 95 |
-

City Council Formal Meeting	Agenda	February 16, 2022
41	Veteran Navigation and Coordination Services Contract - Amendment (Ordinance S-48336)	Citywide - Page 98
42	Outreach and Engagement for Persons Experiencing Homelessness Contract - Amendment (Ordinance S-48337)	Citywide - Page 100
43	Phoenix Starfish Place for Victims of Human Trafficking Supportive Services Contract - Amendment (Ordinance S-48338)	District 3 - Page 102
44	Head Start Birth to Five Program Interpreter Services Qualified Vendors List - RFQu-21-EDU-53 (Ordinance S-48344)	Citywide - Page 104
45	Authorization to Issue a Request for Proposals for the Sale and Development of a City-Owned Property at 1121 W. Ironwood Drive	District 3 - Page 106
46	Rental Rehabilitation Program Project Award (Ordinance S-48356)	District 8 - Page 108
<u>ECONOMIC DEVELOPMENT</u>		
47	Foreign-Trade Zone Application for Sunlit Arizona LLC (Resolution 21992)	District 1 - Page 110
48	Adoption of Resolution Approving the Issuance of Hotel Revenue Bonds (CFC-Central Hotel, LLC Project) for Purposes of Arizona Revised Statutes, Section 35-721(B) (Resolution 21996)	District 4 - Page 112
<u>PUBLIC SAFETY</u>		
49	27th Avenue Corridor Community Safety and Crime Prevention Plan (Ordinance S-48351)	District 1 - Page 114 District 4 District 5
50	Hatcher Road Community Safety Plan (Ordinance S-48361)	District 3 - Page 121

City Council Formal Meeting	Agenda	February 16, 2022
51	Request to Enter Into an Intergovernmental Agreement with Arizona State University for the 27th Avenue Corridor Public Safety Initiative (Ordinance S-48357)	Citywide - Page 125
52	Peer Recovery Support Specialist Staffing - Requirements Contract - RFP 22-073 (Ordinance S-48325)	Citywide - Page 127
53	Authorization to Extend Agreements for FY 2019 Homeland Security Grant Program Funds (Ordinance S-48355)	Citywide - Page 129
54	Amend Contract with Maricopa County Department of Public Health to Provide Seasonal Influenza and Other Vaccines (Ordinance S-48359)	Citywide - Page 131
55	Telehealth Services- Requirements Contract - RFP 22-071 (Ordinance S-48360)	Citywide - Page 133
56	Donation from Phoenix Police Foundation of Motorist Assist Vehicles (Ordinance S-48353)	Citywide - Page 135
<u>TRANSPORTATION AND INFRASTRUCTURE</u>		
57	Fire Alarm System / Network and Fire Sprinkler / Suppression System Services - Amendment (Ordinance S-48332)	District 1 - Page 136 District 8 Out of City
58	North Gateway Transfer Station, Materials Recovery Facility Fire Suppression System - RFA 22-SW-035 - Requirements Contract (Ordinance S-48330)	District 2 - Page 138
59	Welding and Metal Fabrication Services - Contract Recommendation (Ordinance S-48333)	Citywide - Page 140
60	Phoenix Sky Harbor International Airport Terminal 4 Fire Pump and Service Entrance Section Replacement - Architectural Services - AV21000107 (Ordinance S-48324)	District 8 - Page 142
61	Amend Ordinance of Intention to form the Hedgepeth	District 1 - Page 145

**Waterline Replacement Improvement District
(Ordinance S-48327)**

- | | | |
|----|---|---|
| 62 | West Plaza Park Renovation - Design-Bid-Build Services - ND30010030 and PA75200609 (Ordinance S-48341) | District 5 - Page 156 |
| 63 | 2020-21 Parks Lighting Improvements Community Development Block Grant - Design-Bid-Build Services - ND30010029 (Ordinance S-48347) | District 2 - Page 158
District 3
District 8 |
| 64 | Citywide Civil Construction - Job Order Contracting Services - 4108JOC203 (Ordinance S-48348) | Citywide - Page 160 |
| 65 | Phoenix Deer Valley Airport Precision Approach Path Indicator System Upgrade - Engineering Services - Amendment 1 - AV31000091 (Ordinance S-48352) | District 1 - Page 163 |
| 66 | Adoption of Vision Zero Strategy Resolution for the City of Phoenix (Resolution 21995) | Citywide - Page 165 |
| 67 | Liquid Slide Out Asphalt Release Product - Requirements Contract - RFA 17-082A - Amendment (Ordinance S-48362) | Citywide - Page 170 |
| 68 | Wastewater Facilities Job Order Contract Program Engineering Support Services - WS90100001, WS90100094, WS90100100 & WS90100105 (Ordinance S-48323) | District 7 - Page 172 |
| 69 | 91st Avenue Wastewater Treatment Plant Electrical Job Order Contract Engineering Support Services - WS90100001, WS90100094, WS90100100 & WS90100105 (Ordinance S-48326) | District 7 - Page 175 |
| 70 | Deer Valley Water Treatment Plant Finished Water Pump Station and Chemical Facility Rehabilitation and Refurbishment - Construction Manager at Risk Preconstruction Services - WS85100050, WS85100056 and WS85263300 (Ordinance S-48329) | District 1 - Page 178 |
-

City Council Formal Meeting	Agenda	February 16, 2022
71	Total Organic Carbon Analyzers Agreement - Request for Award (Ordinance S-48343)	Citywide - Page 181
72	Non-hazardous Liquid Waste Removal Agreement - Request for Award (Ordinance S-48346)	Citywide - Page 183
<u>PLANNING AND ZONING MATTERS</u>		
73	Modification of Stipulation Request for Ratification of Jan. 19, 2022 Planning Hearing Officer Action - PHO-3-21--Z-111-01-8(7) - Northwest Corner of 75th Avenue and Baseline Road	District 7 - Page 185
74	Modification of Stipulation Request for Ratification of Jan. 19, 2022 Planning Hearing Officer Action - PHO-3-21--Z-6-04-7 - Southeast Corner of 107th Avenue and Lower Buckeye Road	District 7 - Page 194
75	Final Plat - 17 North - PLAT 210084 - Southeast Corner of I-17 and Dynamite Boulevard	District 2 - Page 199
76	Final Plat - Alta Bluewater - PLAT 210053 - Northwest Corner of Camelback Road and Arizona State Route 51 Highway	District 6 - Page 200
77	Final Plat - Bethany at 14th - PLAT 210093 - South of Bethany Home Road and West of 14th Place	District 6 - Page 201
78	Waiver of Federal Patent Easement - ABND 210058 - 31st Avenue and Pinnacle Vista Drive (Resolution 21993)	District 1 - Page 202
79	Abandonment of Right-of-Way - ABND 210058 - 31st Avenue and Pinnacle Vista Drive (Resolution 21994)	District 1 - Page 203
80	Extend Conservation Easement for 612 N. 5th Ave. (Ordinance S-48339)	District 7 - Page 204
81	Amend City Code - Ordinance Adoption - Rezoning Application PHO-4-21--Z-47-19-7- Approximately 800	District 7 - Page 219

**Feet South of the Southwest Corner of 59th Avenue
and Baseline Road (Ordinance G-6963)**

- 82 **(CONTINUED FROM JAN. 5, 2022 AND REMANDED
BACK TO PLANNING COMMISSION ON FEB. 3, 2022 BY
CITY COUNCIL ON JAN. 26, 2022) - Public Hearing and
Ordinance Adoption - Amend City Code - Rezoning
Application Z-69-20-6 (Autem Row PUD) - Approximately
300 Feet West of the Northwest Corner of 16th Street
and Maryland Avenue (Ordinance G-6943)** District 6 - Page 235

ADD-ON ITEMS

- *83 **Police Department Unmanned Aircraft System (Drones)
(Ordinance S-48363) ***REQUEST TO ADD-ON***** Citywide - Page 393

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN



City of Phoenix

City Council Formal Meeting

Report

Agenda Date: 2/16/2022, Item No. 1

Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A



City of Phoenix

To: City Council
From: Mayor Kate Gallego

Date: February 16, 2022

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Development Advisory Board

I recommend the following for appointment:

Monique Sermeno

Ms. Sermeno is the East Central Area Supervisor in the City of Phoenix Neighborhood Services Department. She will serve as the ex-officio representative of that department.

Estrella Village Planning Committee

Councilwoman Yassamin Ansari recommends the following for appointment:

Angelica Terrazas

Ms. Terrazas is the Government Affairs Director at Willetta Partners and a resident of District 7. She fills a vacancy for a term to expire November 19, 2023.

North Gateway Village Planning Committee

Councilwoman Ann O'Brien recommends the following for appointment:

Jennifer Krieger

Ms. Krieger is a substitute teacher and a resident of District 1. She fills a vacancy for a partial term to expire November 19, 2022.

Planning Commission

I recommend the following for appointment:

Marcia Busching

Ms. Busching is the owner of Busching Law PLC and a resident of District 8. She is moving from the Village Planning Committee seat to replace Roberta Shank in a Resident of Phoenix seat for a term to expire April 15, 2025.

Rio Vista Village Planning Committee

Councilwoman Ann O'Brien recommends the following for appointment:

Jeff Riederer

Mr. Riederer is a Project Manager at Dallas Professional Painting and a resident of District 2. He fills a vacancy for a term to expire November 19, 2023.

South Mountain Village Planning Committee

Councilwoman Yassamin Ansari recommends the following for appointment:

Francisca Montoya

Ms. Montoya is the Director of Community Development and Special Projects at Raza Development Fund and a resident of District 7. She fills a vacancy for a partial term to expire November 19, 2022.

Tourism and Hospitality Advisory Board

Councilwoman Betty Guardado recommends the following for appointment:

Mathew Lockwood

Mr. Lockwood is the General Manager at Grand Canyon University Hotel. He fills a vacancy to expire September 30, 2023.



Liquor License - Special Event - Our Lady of Czestochowa Roman Catholic Parish Phoenix

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

Summary

Applicant

Andrew Furga

Location

2828 W. Country Gables Drive

Council District: 1

Function

Festival

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

Feb. 26, 2022 - 10 a.m. to 8 p.m. / 2,500 attendees

Feb. 27, 2022 - 10 a.m. to 4 p.m. / 1,500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Romano's Macaroni Grill #31178

Request for a liquor license. Arizona State License Application 174806.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

2949 W. Agua Fria Fwy.

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 may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 19, 2022.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards 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:
"Romano's Macaroni Grill is a nationwide restaurant know for its Italian-American style dishes in a casual family-friendly atmosphere. Applicant would like to continue to offer guests 21 and over the opportunity to order alcoholic beverages as an incident to the menu items they enjoy."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Romano's Macaroni Grill #31178

Liquor License Map - Romano's Macaroni Grill #31178

Responsible Department

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

Liquor License Data: ROMANO'S MACARONI GRILL

#31178

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	79.11	121.23
Violent Crimes	9.21	11.06	21.23

*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

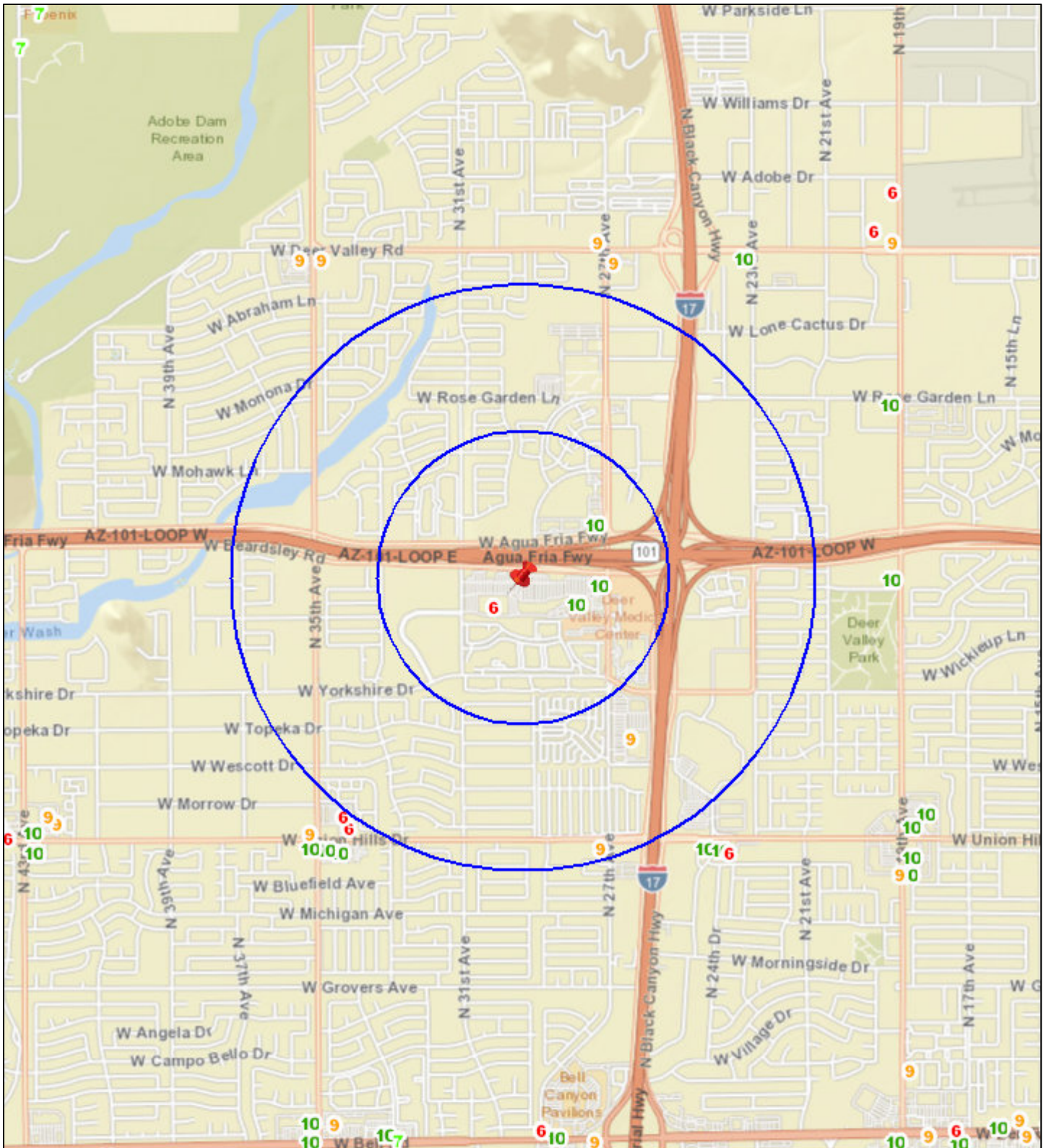
Description	Average	1/2 Mile Average
Parcels w/Violations	57	45
Total Violations	98	74

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6146001	940	88 %	0 %	9 %
6146003	1301	56 %	0 %	0 %
6146004	840	3 %	7 %	16 %
6146005	1209	50 %	9 %	3 %
6146006	953	0 %	29 %	0 %
6164001	1022	80 %	28 %	4 %
6164003	2380	0 %	5 %	9 %
6164004	1106	100 %	0 %	0 %
6164005	576	73 %	38 %	9 %
Average		61 %	13 %	19 %

Liquor License Map: ROMANO'S MACARONI GRILL #31178

2949 W AGUA FRIA FWY



Date: 12/30/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Ambassador Fine Cigars

Request for a liquor license. Arizona State License Application 06073609.

Summary

Applicant

Vartan Seferian, Agent

License Type

Series 6 - Bar

Location

10810 N. Tatum Blvd., Ste. 140

Zoning Classification: C-2

Council District: 3

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

The 60-day limit for processing this application is Feb. 27, 2022.

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

Other Active Liquor License Interest in Arizona

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

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

Ambassador Fine Cigars (Series 7)
7545 W. Bell Road, Peoria
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 am an owner and operator of Ambassador Fine Cigars located in Peoria. I will continue to abide by all rules, regulations and Title 4 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 location has been open and operational for 7 years. I would like the ability to offer my customers an adult beverage while enjoying a fine cigar."

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 - Ambassador Fine Cigars
Liquor License Map - Ambassador Fine Cigars

Responsible Department

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

Liquor License Data: AMBASSADOR FINE CIGARS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	31.76	47.34
Violent Crimes	9.21	2.28	3.39

*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

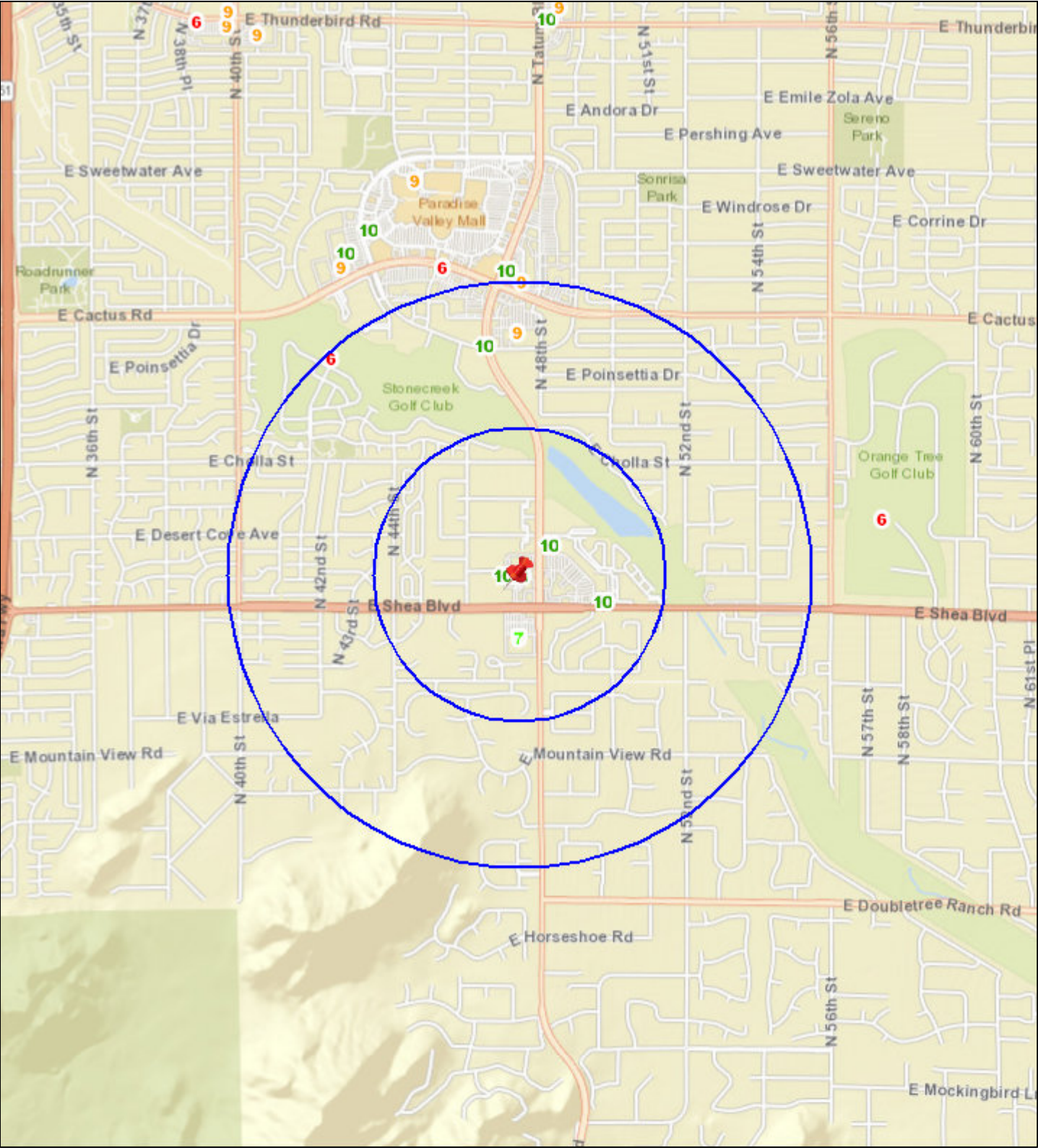
Description	Average	1/2 Mile Average
Parcels w/Violations	57	15
Total Violations	98	19

Census 2010 Data 1/2 Mile Radius

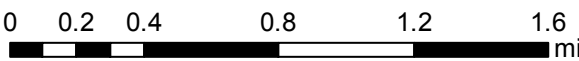
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032081	1605	97 %	10 %	12 %
1032082	1548	38 %	36 %	18 %
1032083	885	93 %	10 %	0 %
1032091	804	74 %	0 %	24 %
1032092	970	69 %	24 %	27 %
1050032	1980	98 %	12 %	10 %
1051012	1805	94 %	8 %	7 %
Average		61 %	13 %	19 %

Liquor License Map: AMBASSADOR FINE CIGARS

10810 N TATUM BLVD



Date: 1/4/2022





Liquor License - Good Time Smoke Beer & Wine

Request for a liquor license. Arizona State License Application 176497.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 10 - Beer and Wine Store

Location

12312 N. 32nd St.

Zoning Classification: C-2

Council District: 3

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

The 60-day limit for processing this application is Feb. 28, 2022.

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:
"Both owners have completed Title 4 Liquor Law Training. Strict policies will be place to ensure all rules, laws, and regulations will be followed."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has an existing series 10 liquor license. We are applying for a license to better facilitate a more convenient overall shopping experience for the community we serve."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Good Time Smoke Beer & Wine
Liquor License Map - Good Time Smoke Beer & Wine

Responsible Department

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

Liquor License Data: GOOD TIME SMOKE BEER & WINE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	35.03	36.09
Violent Crimes	9.21	4.29	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

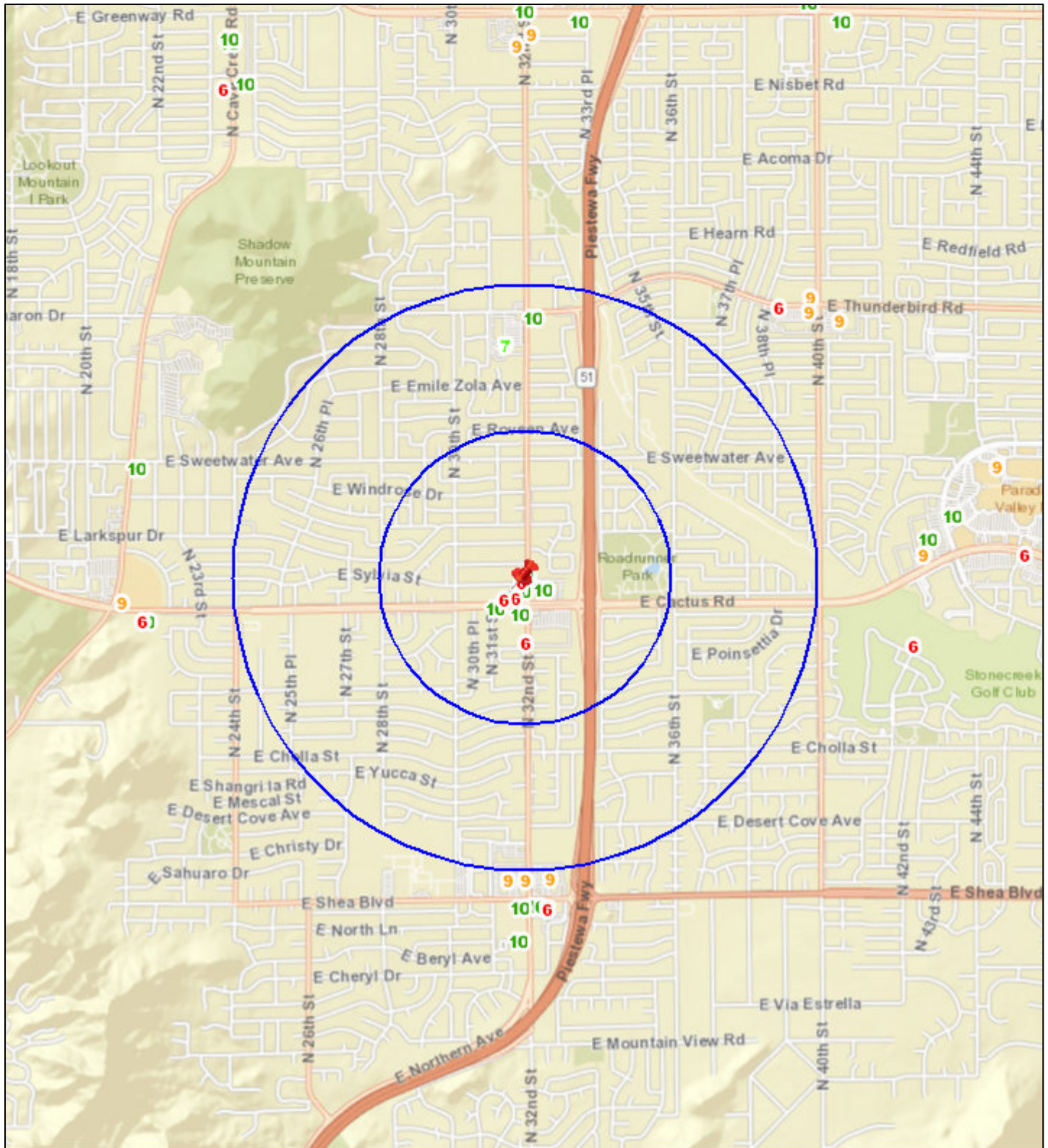
Description	Average	1/2 Mile Average
Parcels w/Violations	57	79
Total Violations	98	128

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1034001	1544	82 %	0 %	6 %
1035021	1498	61 %	5 %	10 %
1035023	1511	71 %	2 %	17 %
1035025	1744	70 %	0 %	4 %
1048021	941	84 %	0 %	4 %
1048022	1874	40 %	0 %	8 %
1049003	2131	84 %	6 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: GOOD TIME SMOKE BEER & WINE

12312 N 32ND ST



Date: 1/4/2022

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Vegan & Vine

Request for a liquor license. Arizona State License Application 176443.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 10 - Beer and Wine Store

Location

502 E. Thunderbird Road
Zoning Classification: PSC
Council District: 3

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

The 60-day limit for processing this application is Feb. 27, 2022.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“ I am a successful entrepreneur and own other businesses. I will ensure that my employees are trained in liquor law to avoid sales to intoxicated and or underage customers. I will uphold all city, state and county laws and work with the neighborhood associations to provide a safe and friendly environment to our clientele. Additionally, I held a 'liquor - license' in Seattle, WA from 1998 - 2006 with zero infractions.”

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

“This is a unique restaurant selling vegan products and alcoholic beverages to complement our food. The restaurant is adjacent to our vegan convenience store providing products that are not typically available in big box stores. It is a one stop shop concept where one can dine in and subsequently shop in the adjacent vegan convenience store. All things 'Plant - Based' in one convenient location!”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Vegan & Vine

Liquor License Map - Vegan & Vine

Responsible Department

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

Liquor License Data: VEGAN & VINE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	22.13	52.44
Violent Crimes	9.21	1.59	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

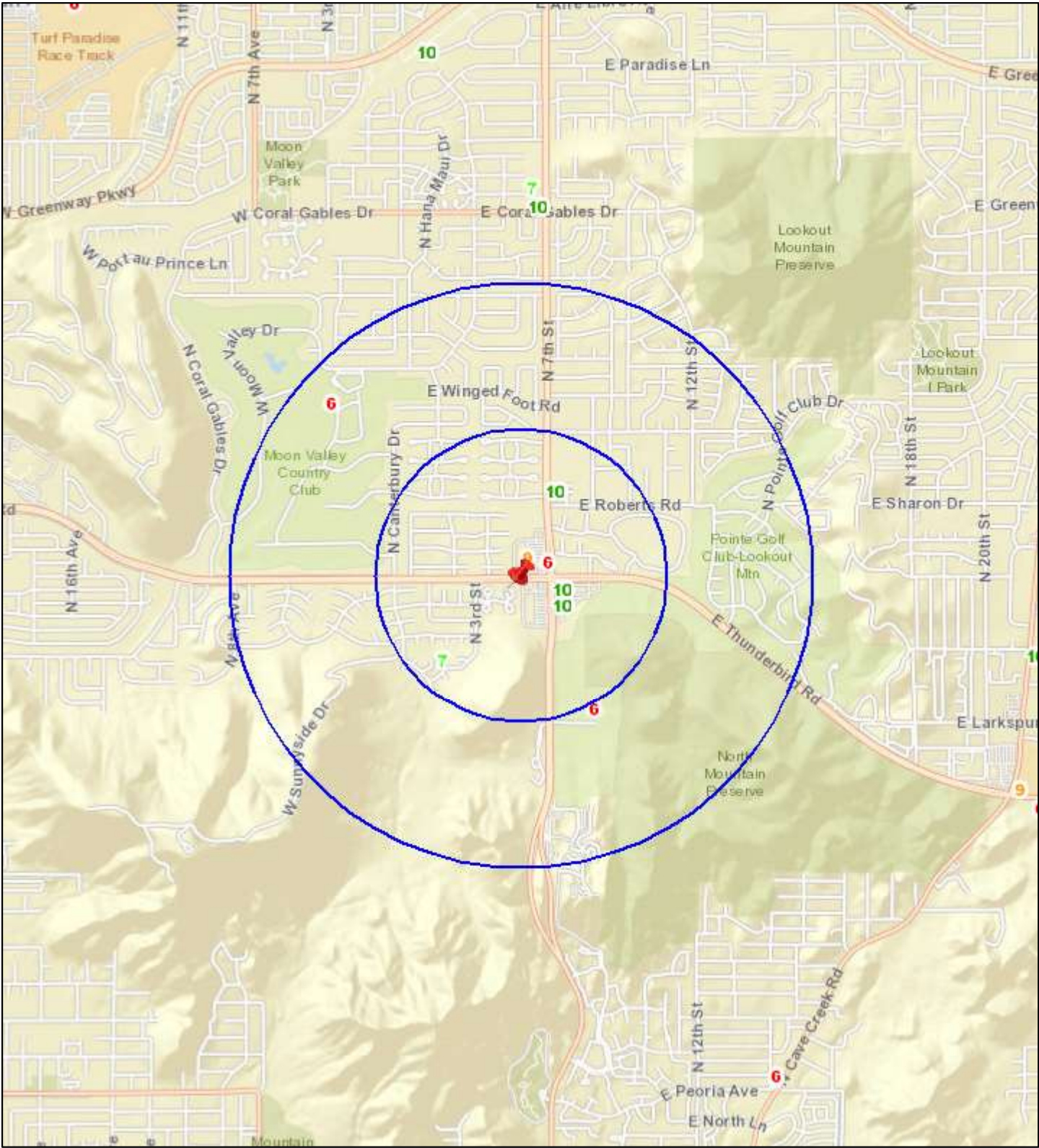
Description	Average	1/2 Mile Average
Parcels w/Violations	57	20
Total Violations	98	40

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036052	2124	92 %	0 %	3 %
1036053	797	92 %	20 %	1 %
1036113	2247	95 %	0 %	1 %
1036142	1037	91 %	4 %	2 %
1036151	906	52 %	16 %	12 %
1037012	1871	58 %	17 %	5 %
1037023	1050	23 %	4 %	11 %
Average		61 %	13 %	19 %

Liquor License Map: VEGAN & VINE

502 E THUNDERBIRD RD



Date: 1/4/2022

0 0.2 0.4 0.8 1.2 1.6 mi



Liquor License - Vegan & Vine

Request for a liquor license. Arizona State License Application 176434.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 12 - Restaurant

Location

502 E. Thunderbird Road
Zoning Classification: PSC
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. This location requires a Use Permit to allow alcohol sales as an accessory use to a restaurant in the PSC zoning district.

The 60-day limit for processing this application is Feb. 27, 2022.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“ I am a successful entrepreneur and own other businesses. I will ensure that my employees are trained in liquor law to avoid sales to intoxicated and or underage customers. I will uphold all city, state and county laws and work with the neighborhood associations to provide a safe and friendly environment to our clientele. Additionally, I held an active 'liquor - license' in Seattle, WA from 1998 - 2006 with zero infractions.”

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

“This is a unique restaurant selling vegan products and alcoholic beverages to complement our food. The restaurant is adjacent to our vegan convenience store providing products that are not typically available in big box stores. It is a one stop shop concept where one can dine in and subsequently shop in the adjacent vegan convenience store. All things 'Plant - Based' in one convenient location!”

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 - Vegan & Vine

Liquor License Map - Vegan & Vine

Responsible Department

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

Liquor License Data: VEGAN & VINE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	22.13	52.44
Violent Crimes	9.21	1.59	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

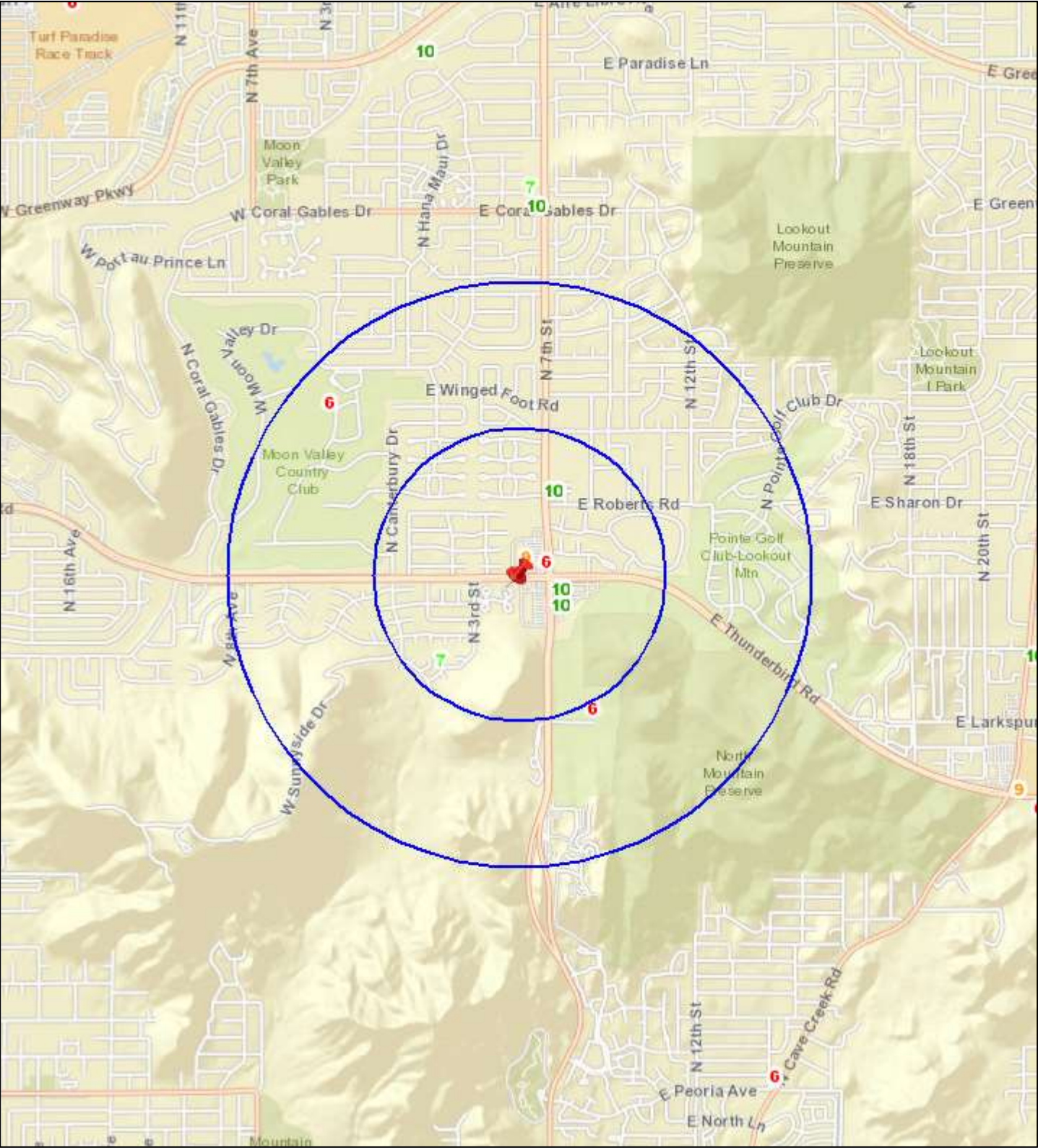
Description	Average	1/2 Mile Average
Parcels w/Violations	57	20
Total Violations	98	40

Census 2010 Data 1/2 Mile Radius

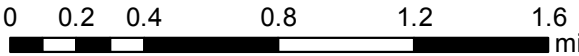
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036052	2124	92 %	0 %	3 %
1036053	797	92 %	20 %	1 %
1036113	2247	95 %	0 %	1 %
1036142	1037	91 %	4 %	2 %
1036151	906	52 %	16 %	12 %
1037012	1871	58 %	17 %	5 %
1037023	1050	23 %	4 %	11 %
Average		61 %	13 %	19 %

Liquor License Map: VEGAN & VINE

502 E THUNDERBIRD RD



Date: 1/4/2022





Liquor License - 7- Eleven #21041H

Request for a liquor license. Arizona State License Application 174282.

Summary

Applicant

Ryan Anderson, Agent

License Type

Series 10 - Beer and Wine Store

Location

4101 N. 27th Ave.

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is Feb. 16, 2022.

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: "7-Eleven, Inc. is a major convenience store retailer in the U.S. with thousands of stores in many states, some of which are operated by corporate and some of which are operated by franchisees. This store will operate as a corporate store. 7-Eleven, Inc. has a strict, comprehensive, and successful training program and record regarding alcohol sales both inside and outside of AZ. 7-Eleven, Inc. depends on its reputation regarding responsible operation of its stores and takes liquor compliance very seriously."

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

"This store has operated with a series 10 liquor license for years. Its customers and neighbors have grown accustomed to the one-stop shopping experience, and 7-Eleven will now be operating this location as a corporate store with the intention of improving it and making the best neighbor it can be."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - 7-Eleven #21041H

Liquor License Map - 7-Eleven #21041H

Responsible Department

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

Liquor License Data: 7-ELEVEN #21041H

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	173.54	203.39
Violent Crimes	9.21	59.76	93.41

*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

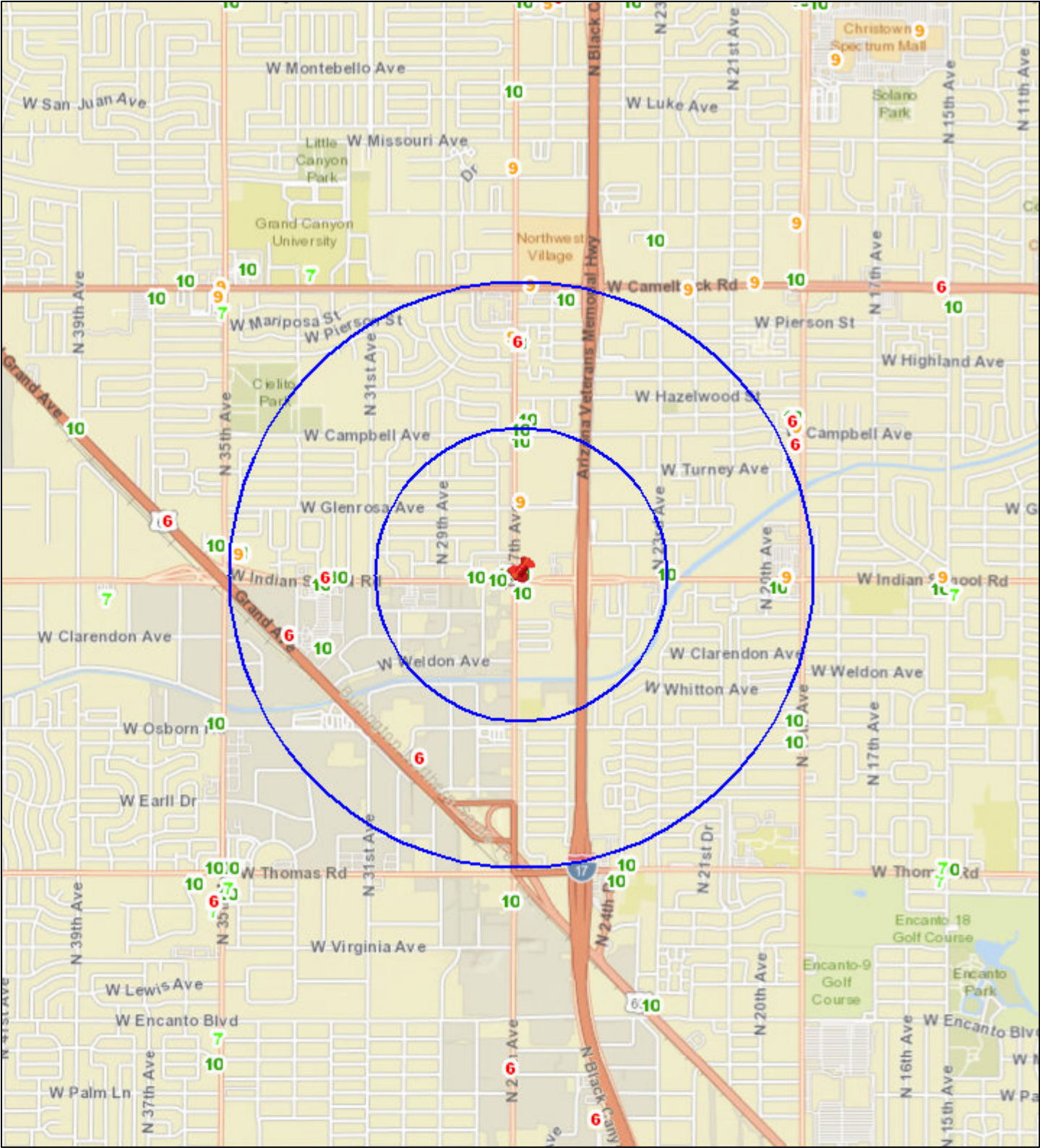
Description	Average	1/2 Mile Average
Parcels w/Violations	57	181
Total Violations	97	287

Census 2010 Data 1/2 Mile Radius

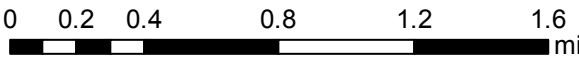
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1090011	1552	19 %	22 %	42 %
1090012	3369	0 %	11 %	59 %
1090031	2380	23 %	26 %	52 %
1090032	1204	16 %	30 %	56 %
1090033	1600	22 %	13 %	68 %
1090034	583	5 %	26 %	49 %
1091012	2067	85 %	10 %	30 %
1091022	2966	78 %	14 %	50 %
1169001	2535	66 %	12 %	50 %
1170002	1845	32 %	9 %	34 %
Average		61 %	13 %	19 %

Liquor License Map: 7-ELEVEN #21041H

4101 N 27TH AVE



Date: 12/28/2021





Liquor License - Special Event - Hermandad Del Senor De Los Milagros (Mesa, AZ)

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

Summary

Applicant

Sofia Vasquez Diaz

Location

7610 W. Indian School Road

Council District: 5

Function

Dance

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

March 11, 2022 - 9 p.m. to 2 a.m. / 500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



**Liquor License - Special Event - SS Simon & Jude Roman Catholic Cathedral
Phoenix**

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

Summary

Applicant
Phillip Lester

Location
6351 N. 27th Ave.
Council District: 5

Function
Dinner

Date(s) - Time(s) / Expected Attendance
March 26, 2022 - 5 p.m. to Midnight / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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



Liquor License - Barro's Pizza

Request for a liquor license. Arizona State License Application 176091.

Summary

Applicant

Bruce Barro, Agent

License Type

Series 12 - Restaurant

Location

6135 N. 35th Ave., Ste. 101

Zoning Classification: C-2

Council District: 5

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

The 60-day limit for processing this application is Feb. 26, 2022.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have 21 restaurants all with Series 12 liquor licenses and have never had a citation or problem with regards to serving alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We take selling alcohol very seriously and adhere to all laws & regulations."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Barro's Pizza
Liquor License Map - Barro's Pizza

Responsible Department

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

Liquor License Data: BARRO'S PIZZA

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Liquor Store	9	5	1
Beer and Wine Store	10	8	1
Restaurant	12	8	6

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	164.86	274.73
Violent Crimes	9.21	29.64	34.71

*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

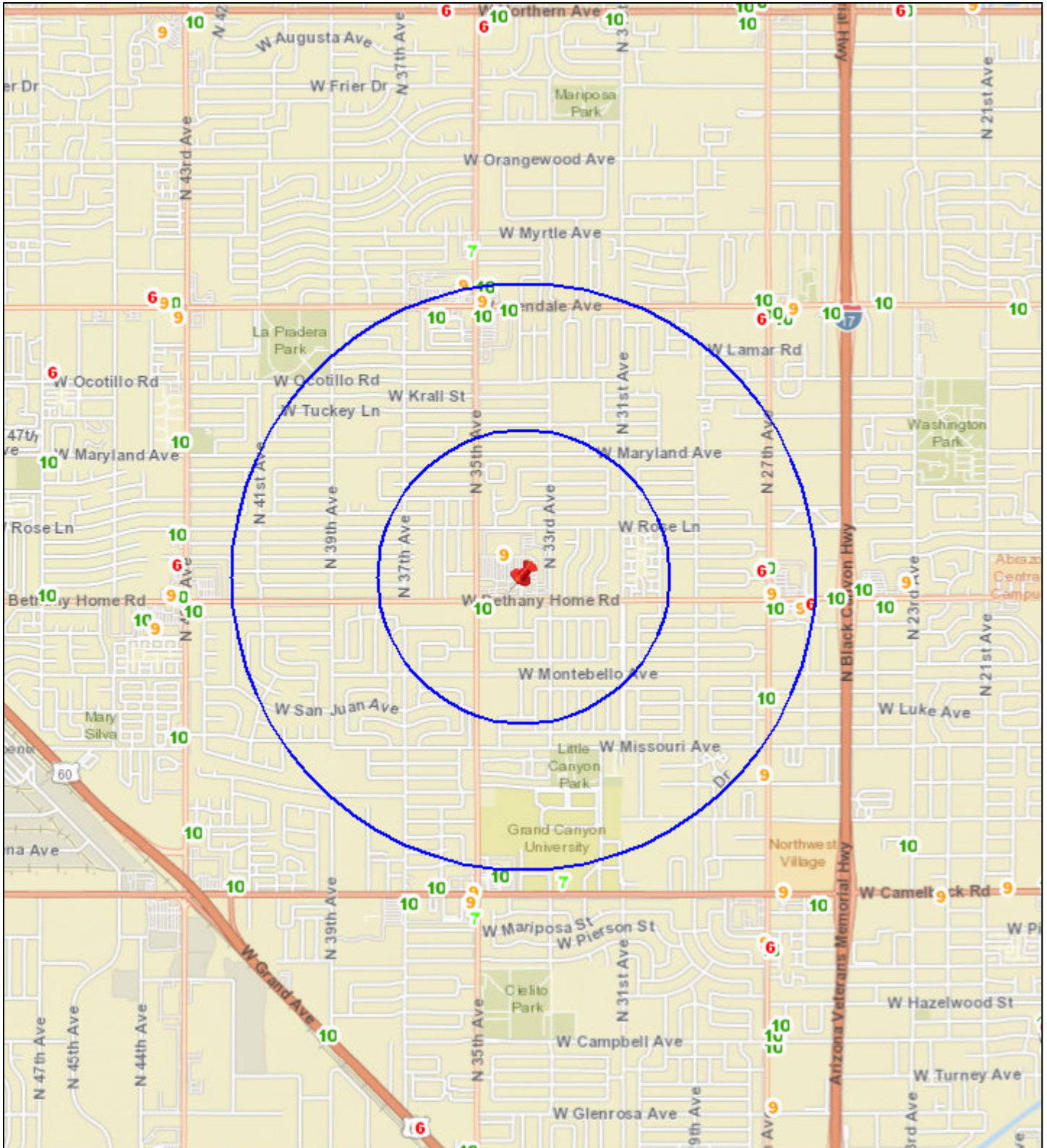
Description	Average	1/2 Mile Average
Parcels w/Violations	57	122
Total Violations	98	223

Census 2010 Data 1/2 Mile Radius

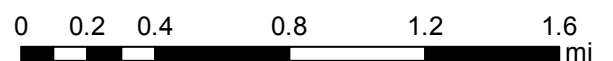
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1069002	2629	71 %	5 %	22 %
1069003	1767	77 %	0 %	14 %
1069004	2444	60 %	3 %	27 %
1070001	1623	80 %	6 %	32 %
1070002	1741	70 %	23 %	18 %
1071012	2416	62 %	10 %	43 %
1072021	3137	64 %	9 %	29 %
1072022	2085	62 %	5 %	22 %
Average		61 %	13 %	19 %

Liquor License Map: BARRO'S PIZZA

6135 N 35TH AVE



Date: 1/6/2022



City Clerk Department



Agenda Date: 2/16/2022, Item No. 12

Liquor License - Special Event - Madison District Educational Foundation, Inc.

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

Summary

Applicant

Ari Levin

Location

5601 N. 16th St.

Council District: 6

Function

Cultural Celebration

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

May 5, 2022 - 6 p.m. to 9:15 p.m. / 900 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Madison District Educational Foundation, Inc.

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

Summary

Applicant

Ari Levin

Location

5601 N. 16th St.

Council District: 6

Function

Dance

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

March 10, 2022 - 6 p.m. to 8:45 p.m. / 900 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - United Phoenix Firefighters Emerald Society, Inc.

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

Summary

Applicant

Joseph Cantelme

Location

18 W. Monroe St.

Council District: 7

Function

Festival

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

March 17, 2022 - 8 a.m. to 2 a.m. / 1,200 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Trees Matter

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

Summary

Applicant

Aimee Esposito

Location

907 N. 5th St.

Council District: 8

Function

Festival

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

April 15, 2022 - 4:20 p.m. to Midnight / 5,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - R & F Liquor

Request for a liquor license. Arizona State License Application 09070729.

Summary

Applicant

Steve Delly, Agent

License Type

Series 9 - Liquor Store

Location

4727 E. Southern Ave.

Zoning Classification: C-2

Council District: 8

This request is for an ownership transfer of a liquor license for a liquor store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Feb. 25, 2022.

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:
"This location has been owned and operated by our family for 24 years. We have always followed Arizona liquor laws and have never had any problems. We have proven ourselves to be conscience business owners."

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

"Being in business a this location for so long, our neighbors and the local community have become our regular patrons. Our neighbors know we operate a reputable business with fair prices."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - R & F Liquor

Liquor License Map - R & F Liquor

Responsible Department

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

Liquor License Data: R & F LIQUOR

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	36.09	42.99
Violent Crimes	9.21	8.14	9.97

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

Property Violation Data

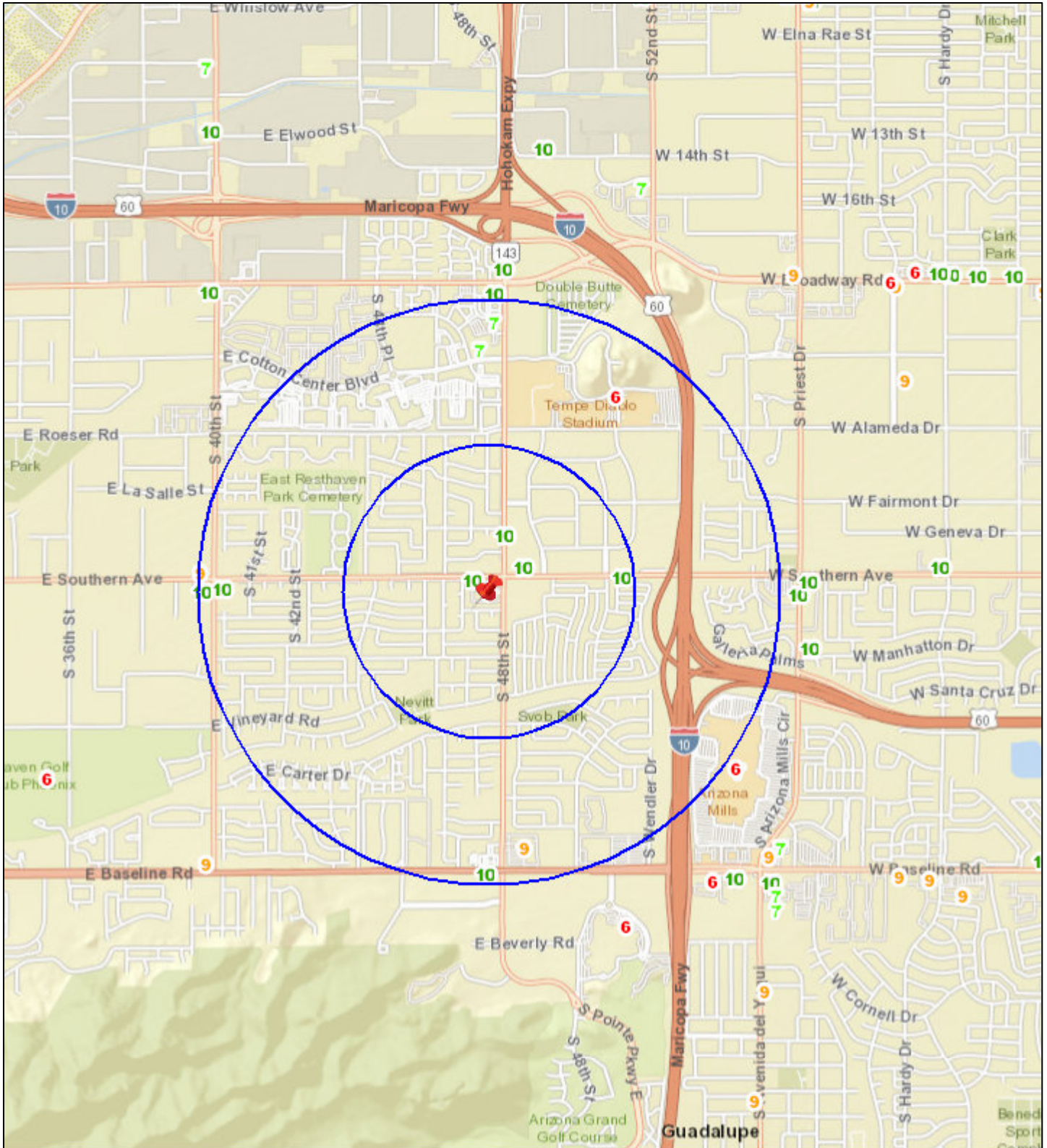
Description	Average	1/2 Mile Average
Parcels w/Violations	57	137
Total Violations	98	187

Census 2010 Data 1/2 Mile Radius

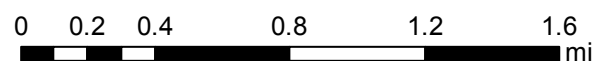
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1162021	1187	94 %	0 %	39 %
1162022	1836	62 %	0 %	20 %
1162023	1215	57 %	6 %	37 %
1162041	1426	79 %	6 %	24 %
1162042	1819	57 %	0 %	32 %
1162043	535	59 %	24 %	8 %
1162052	1024	85 %	4 %	26 %
3197031	1479	51 %	11 %	13 %
3197032	602	81 %	30 %	11 %
3197033	2085	30 %	14 %	34 %
3197041	1777	42 %	9 %	20 %
Average		61 %	13 %	19 %

Liquor License Map: R & F LIQUOR

4727 E SOUTHERN AVE



Date: 12/30/2021





Liquor License - Golden Margarita

Request for a liquor license. Arizona State License Application 175908.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

330 E. Roosevelt St.

Zoning Classification: DTC - East Evan Churchill

Council District: 8

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

The 60-day limit for processing this application is Feb. 21, 2022.

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

Two letters protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from local residents. They feel that the Golden Margarita has created an unsafe environment for the community with a history of noise complaints and shooting incidents at the location. They feel the applicant is not qualified or able to manage a liquor license.

Two letters supporting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from a local resident and a business owner who feel the Golden Margarita brings growth and is a great addition to the neighborhood that provides great service.

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 operating this establishment since 2020. Am filing under a new LLC. I will continue to abide by Title 4 laws and ensure my employees are trained in Title 4 liquor law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I would like to offer my patrons the choice of having an adult beverage while enjoying a bite to eat while in the art district of downtown."

Staff Recommendation

Staff recommends disapproval of this application based on Finance and Police Department recommendations for disapproval. The Police Department disapproval is based on the applicants history of liquor violations, prior history of failing to meet the percentage of food sales required for a restaurant license, currently operating more like a bar instead of a restaurant, reported violence at the establishment, and community noise complaints. Additionally, the current applicant was previously recommended for denial for this location by the City Council at the July 1, 2021 Formal Meeting. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments

Liquor License Data - Golden Margarita

Liquor License Map - Golden Margarita

Liquor License Police Department Recommendation - Golden Margarita

Responsible Department

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

Liquor License Data: GOLDEN MARGARITA

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	2
Government	5	8	4
Bar	6	45	13
Beer and Wine Bar	7	16	7
Liquor Store	9	4	1
Beer and Wine Store	10	11	4
Hotel	11	8	4
Restaurant	12	105	43
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	168.55	256.36
Violent Crimes	9.21	40.87	50.95

*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

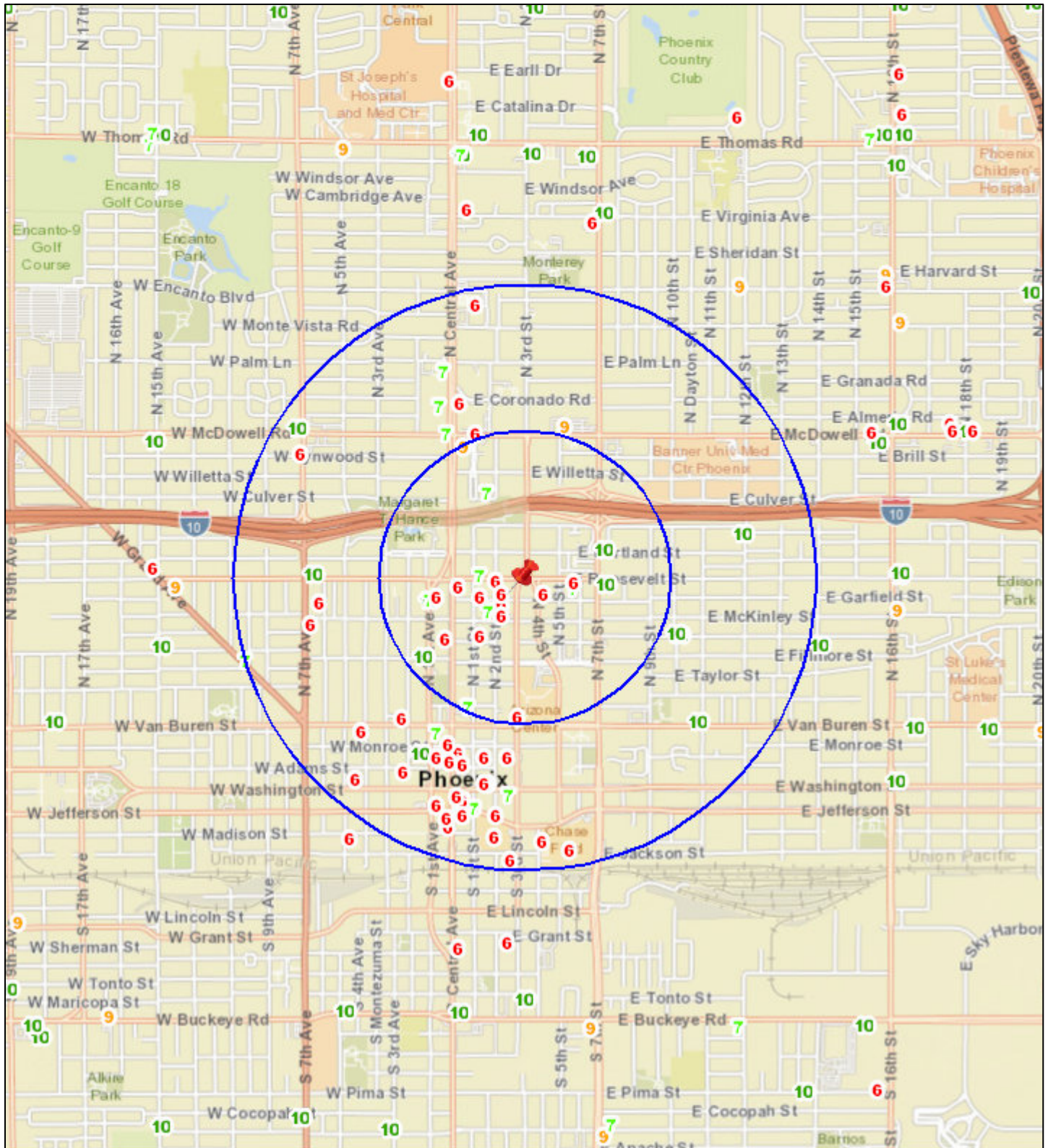
Description	Average	1/2 Mile Average
Parcels w/Violations	57	104
Total Violations	97	180

Census 2010 Data 1/2 Mile Radius

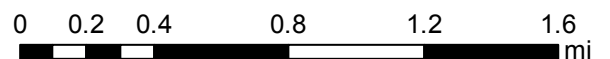
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %

Liquor License Map: GOLDEN MARGARITA

330 E ROOSEVELT ST



Date: 12/28/2021



City Clerk Department

Police Department Liquor License Disapproval Recommendation**Application Information**

Business Name	Golden Margarita	District	8
Business Location	330 E. Roosevelt Street		
Applicant Name	Golden Margarita LLC/Jeffrey Miller-Agent	Series Type	12

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

Previous Liquor License Violations

Saraj Gem Ray, is a Managing Member and controlling person for Golden Margarita LLC and has re-applied for a Series 12 restaurant liquor license for Golden Margarita located at 330 E. Roosevelt Street. Phoenix, AZ. Mr. Ray is also the sole Controlling Person of the establishment, Three Wise Men, at 7323 E. Shoeman Lane in Scottsdale. The Three Wise Men has a history of non-compliance as the Department of Liquor License (DLLC) has reported the following liquor license violations:

- The DLLC performed an audit, reference interim permit license 1207B288 for Three Wise men, using the information that the licensee provided from January 1, 2019, through December 29, 2019, and concluded that the licensee did not meet the definition of a restaurant because its food sales percentage for the audit period was 15.69%.
- On February 27, 2020, in response to an Order to Show Cause issued by the DLLC on February 26, 2020, the licensee submitted additional documentation raising the food sale percentage to 17.21%. In addition to failing the audit, the licensee failed to provide complete records as required by R19-1-317(D).
- On or about January 17, 2020, an investigation by Scottsdale PD discovered an assistant general manager was intoxicated while on duty.
- Licensee was ordered to pay the DLLC on or before March 16, 2020, a civil penalty pursuant to ARS 4-210.01(A) for \$6,500. The licensee failed to pay the DLLC as required; the licensee failed to comply with Title 4. The fine has since been paid.

Violence Reported at Golden Margarita

- Physical fights reported at the Golden Margarita; 3/19/21, 3/21/21, 3/29/21, 3/30/21, 5/30/21, 6/6/21, 6/13/21, 12/19/21, 1/1/21, 1/2/22.
- Threats with a gun or gunshots reported on 03/31/21, 3/14/21, 6/13/21, 1/2/21. Further, the neighboring businesses, surrounding the Golden Margarita, have authored a letter in protest against the Golden Margarita's ability to be a positive influence in the neighborhood.

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	Golden Margarita	District	8
Business Location	330 E. Roosevelt Street		
Applicant Name	Golden Margarita LLC/Jeffrey Miller-Agent	Series Type	12

Noise Complaints

During Det. Kevin Crotty's initial investigation in 2021, he confirmed complaints had been received by the City Manager's Office and additional city departments by surrounding neighbors regarding noise complaints. The noise complaints were specific to loud music coming from the establishment, Golden Margarita. One resident stated that during the week the music continues until 1:00 a.m. and 2:00 a.m. on the weekends. It should be noted that per the stipulations on the required use permit for this location, it is expressly written that the "volume shall not be greater than surrounding ambient conditions".

In this past year while running under a Series 12 Restaurant license, the City of Phoenix has received additional noise complaints from neighbors concerning Golden Margarita. Those complaints are for excessive loud noise/music coming from the Golden Margarita in August 2021(2), September 2021, October 2021, November 2021, and December 2021.

Establishment Not Operating as a Restaurant

Det. Crotty contacted Det. John Barchak, an investigator with the Arizona Department of Liquor and Control (DLLC) regarding the Golden Margarita operating as a Restaurant. Det. Barchak stated that Mr. Ray lost his ability to run a restaurant in Scottsdale, AZ due to a low finding of 17% food sales and several fights at the restaurant's location that generated a police response. Additionally, Mr. Ray had an outstanding fine with DLLC of \$6,500 that had not been paid at the time of the investigation. Det. Crotty was also informed that the Golden Margarita has three service bars located within the establishment eluding that the Golden Margarita may be set up for the possibility of becoming a bar/pub type atmosphere and not a restaurant environment.

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

This recommendation for disapproval is submitted by: Det. Kevin Crotty #9344

SIGNATURES	
Administrative Licensing Investigator	I. Alonge A4289 <i>I. Alonge</i>
Liquor Enforcement Detail Supervisor	Sgt. M. Walter 8360 <i>M. Walter 8360</i>



PAYMENT ORDINANCE (Ordinance S-48322) (Items 18-29)

Ordinance S-48322 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.

18 Settlement of Claim(s) Arangure v. City of Phoenix

To make payment of up to \$3,000,000.00 in settlement of claim(s) in *Arangure v. City of Phoenix*, 18-1368-002, AU, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury claim arising from a motor vehicle accident on April 7, 2019, involving the Fire Department.

19 Settlement of Claim(s) Parvar v. City of Phoenix

To make payment of up to \$40,000.00 in settlement of claim(s) in *Parvar v. City of Phoenix*, 20-1163-001, AU, BI, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury and property damage claim arising from a motor vehicle accident on April 9, 2021, involving the Police Department.

20 Settlement of Claim(s) Salt River Pima Indian Community v. City of Phoenix

To make payment of \$7,000,000 in settlement of claim(s) in *Salt River Pima Indian Community vs. City of Phoenix*, 20-018858, for the Water Services Department from project WS85500455. This is a settlement of an alleged trespassing of a water line at 67th and Southern avenues, involving the Water Services Department.

21 TransUnion Risk and Alternative Data Solutions, Inc.

For \$25,000.00 in payment authority to purchase TransUnion's TLOxp Online Investigative Services for the Police Department. The services include access to an online investigative research database of public and proprietary information. TLOxp's streamlined processes provide quick turnaround of requested information. The information available in this database is vital to the role and mission of the Police Department to provide life safety efforts.

22 Recon Robotics

For \$34,419.00 in payment authority to purchase two Throwbot 2 Kits, each containing a Throwbot 2 Robot (TB2) and an Operator Control Unit 3, for the Police Department's Crime Impact Unit's Fugitive Apprehension Investigations Detail. The TB2 is an updated robot equipped with a more precise camera and audio listening capabilities. The system enhances safety for the public and minimizes the risk of a critical incident with suspects. The TB2 affords the opportunity to accomplish multiple tasks within a tactical operation while physically displacing officers from inside a structure or hazardous area, thereby increasing the safety of all those involved. The camera system of the TB2 allows the operator to peer into locations that otherwise would require an officer to physically inspect inside a structure, such as bedrooms, attic/crawl spaces, and under beds.

23 Hale Outdoor Products, LLC doing business as MotoShot Target Systems

For \$27,432.00 in payment authority to purchase a MotoShot Target Elite, a moving target training system and accessories for the Police Department. A MotoShot Target Elite includes an Adaptable Platform (AP), fall response upgrades for MotoShot Robots, MotoMan three-dimensional torso with arms, and a decision-making target bi-directional target turner dedicated toggle. The MotoShot Target Elite and accessories are designed for close-quarter tactical and indoor-outdoor moving target training. The system will be used to train, prepare, and engage officers to be proficient in a real-time shooting of moving targets in different real-life environments and live firing scenarios. Additionally, the purchase of the MotoShot Elite AP will enhance officer shooting proficiency, decision-making, and public safety. Currently, the

Firearms Training Detail does not have a target system capable of providing portable and modular ballistic cover to train the officers.

24 Police Ordnance Company, Inc

For \$17,600.00 in additional payment authority for Contract 147152 for ARWEN 37T Launchers and Accessories for the Police Department. The equipment is a critical part of the Police Department's effort to provide life safety services to the public and for use in critical incidents and on complicated scenes. Funds are required to make additional purchases for ammunition and accessories for this system, that are needed on a regular basis and are only available from the Police Ordnance Company. The initial contract amount of \$60,000.00 was underestimated and thus necessitating more funds to be added to the contract.

25 DJ Walworth Enterprises, Inc. doing business as Interstate Batteries of Arizona

For \$25,000.00 in payment authority for a new contract, entered on or about Feb. 23, 2022, for a term of five years for small equipment batteries for the Parks and Recreation Department. The batteries are used for various small equipment utilized daily, such as gators, mowers, carts, and sweepers. In addition, the equipment is used to maintain 41,000 acres of desert parks and mountain preserve land with more than 200 miles of trails, 185 parks, 32 community and recreation centers, eight golf courses, and street landscapes throughout the City. Furthermore, the contract supports the Phoenix Strategic Plan to ensure Phoenix residents have quality parks and open space.

26 City of Glendale

For \$27,273.00 in payment authority for the Office of Government Relations and the Aviation Department to remit the City of Phoenix's portion of the shared cost under the Baker, Donelson, Bearman, Claldwell & Berkowitz agreement. The agreement provides West Valley Partner Communities comprehensive federal legislative consulting services to protect and enhance Luke Air Force Base.

27 National Association of Housing and Redevelopment Officials

For \$17,007.00 in payment authority for National Association of Housing

and Redevelopment Officials (NAHRO) annual membership for the Housing Department. NAHRO provides important support through training, advocacy, networking, and best practices. Membership ensures the City is informed about proposed regulatory changes that may impact the financial and operational sustainability of the City's Housing Department, as well as legislative updates to keep staff informed in advance of action being taken. The membership is paid by federal funds with no impact to the General Fund.

28 Ralph Andersen & Associates

For \$35,000.00 in payment authority for a new contract with Ralph Andersen & Associates, to be entered into on or about March 1, 2022, for a term of two years for executive recruitment and consulting services for the Human Resources Department. The services are needed to provide executive-level recruitment services for an Assistant Chief Information Officer position in the Information Technology Services Department. The executive search includes writing recruitment marketing materials, advertising, conducting applicant searches, identifying a diverse applicant pool, coordinating interviews, and facilitating negotiations and offer.

29 Acrolect Solutions, LLC dba Endurance Group

For \$36,895.00 in payment authority for hostage rescue training for the Special Assignments Unit (SAU) for the Police Department. The training course will focus on hostage rescue and will include numerous techniques including entry tactics, threat priorities, multi-room and multi-floor sequences, distraction devices, and simultaneous entry of multiple breach points and rapid decision making. Hostage rescue training is a core function of the SAU and is imperative to promote the safety of officers and citizens. Funding for this course is available in the Police Department's budget.



Proposed 27th Avenue and Baseline Road Annexation (Ordinance S-48349)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the 27th Avenue and Baseline Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Francisco M. Badilla with Badilla and Associates Consulting Engineers L.L.C, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on Oct. 6, 2021, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

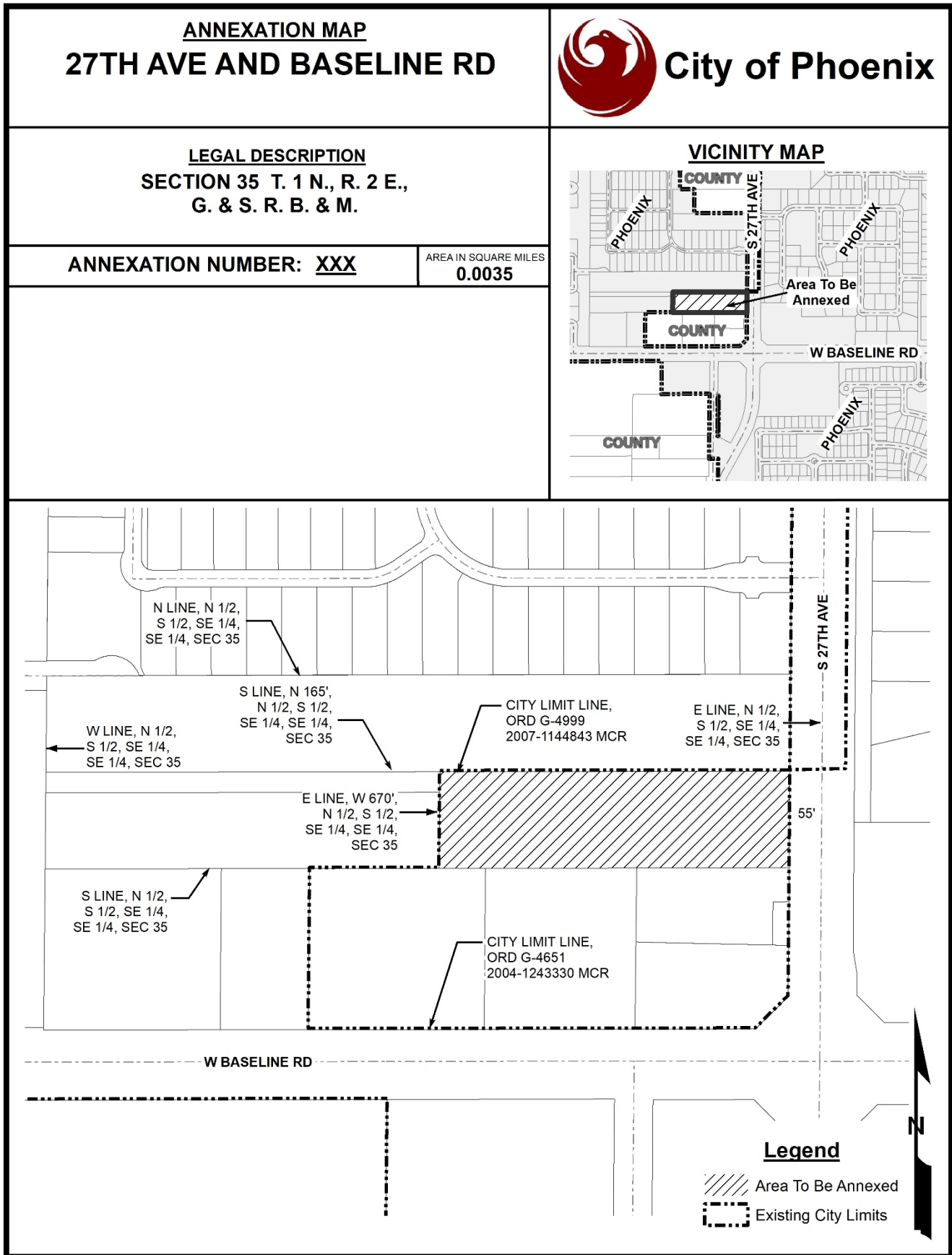
The proposed annexation area includes Maricopa County Assessor parcel 105-88-020V, located at 7416 S. 27th Avenue (**Attachment A**). The annexation area is approximately 2.25 acres (0.0035 sq. mi.) and the population estimate is three individuals.

Council District: 8

Responsible Department

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

ATTACHMENT A





Amend Ordinance S-47731 for Acquisition of Real Property for Cholla Tank 4M-B2 Pipeline Improvements (Ordinance S-48331)

Request the City Council to amend Ordinance S-47731 to acquire additional parcels for Cholla Tank 4M-B2 Pipeline improvements.

Summary

Ordinance S-47731 authorized acquisition for Cholla Tank 4M-B2 Pipeline improvements. It is necessary to acquire additional real property from parcels that were not originally identified to accommodate project and construction needs. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

The additional parcels impacted by this project are identified in **Attachment A**.

Financial Impact

Funding for acquisition is available in the Water Services Department's Capital Improvement Program budget.

Concurrence/Previous Council Action

The City Council approved Acquisition of Real Property for Cholla Tank 4M-B2 Pipeline Improvements (Ordinance S-47731) on June 23, 2021.

Location

Near East Cholla Lane and East Vista Drive and Invergordon Road.
Council District: 6

Responsible Department

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

Attachment A
Property Identification

City of Phoenix Waterline Improvement Project: WS85050023

The following improved and/or unimproved parcels affected by acquisition and included in this request are identified by the Maricopa County Assessor's parcel number (APN) and the address or location.

APN	Address / Location
172-12-155	5149 N. Ascent Drive
172-12-156	5145 N. Ascent Drive
172-12-157	5141 N. Ascent Drive
172-12-158	5137 N. Ascent Drive
172-12-159	5133 N. Ascent Drive



Acceptance and Dedication of Right-of-Way Abandoned by Arizona Department of Transportation Resolutions 2022-01-A-008, 2021-11-A-036 and 2021-02-A-006 (Ordinance S-48350)

Request for the City Council to accept and dedicate to public use right-of-way abandoned by Arizona Department of Transportation (ADOT) Resolutions 2022-01-A-008, 2021-11-A-036 and 2021-02-A-006; further ordering the ordinance recorded.

Summary

The right-of-way is no longer needed by ADOT for state transportation purposes, and the City will accept jurisdiction, ownership and maintenance responsibilities, subject to appurtenant, existing access control, which shall remain intact and under ADOT control. Costs of the additional maintenance are not significant.

Maps depicting the right-of-way can be found in **Attachment A**. The ADOT Resolutions will be recorded with the Maricopa County Recorder.

Location

2022-01-A-008 is located along West Dunlap and North 25th avenues, east of Interstate 17.

Council District: 5

2021-11-A-036 is located along North 16th Street between Culver and Willetta streets, north of Interstate 10.

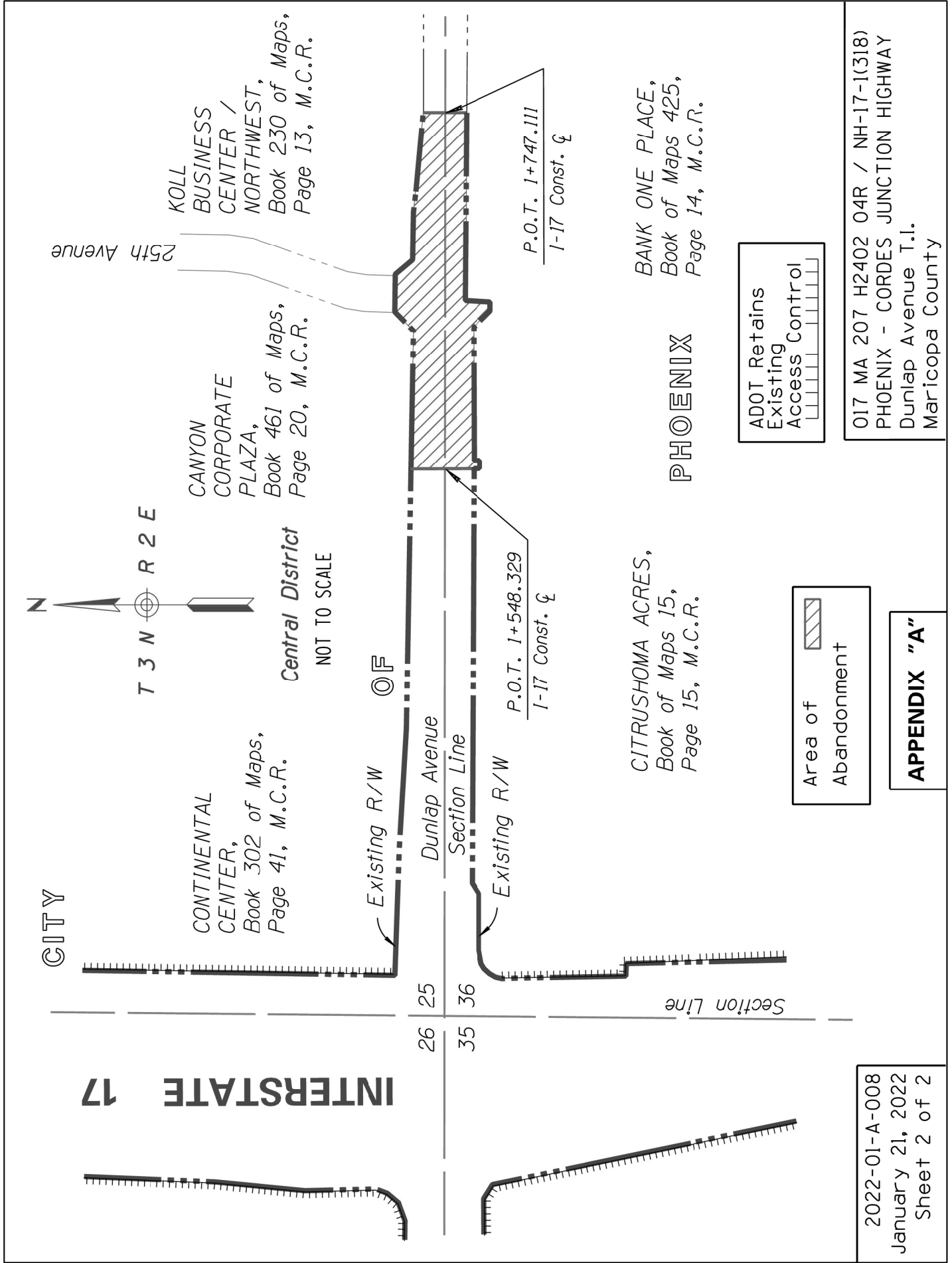
Council District: 8

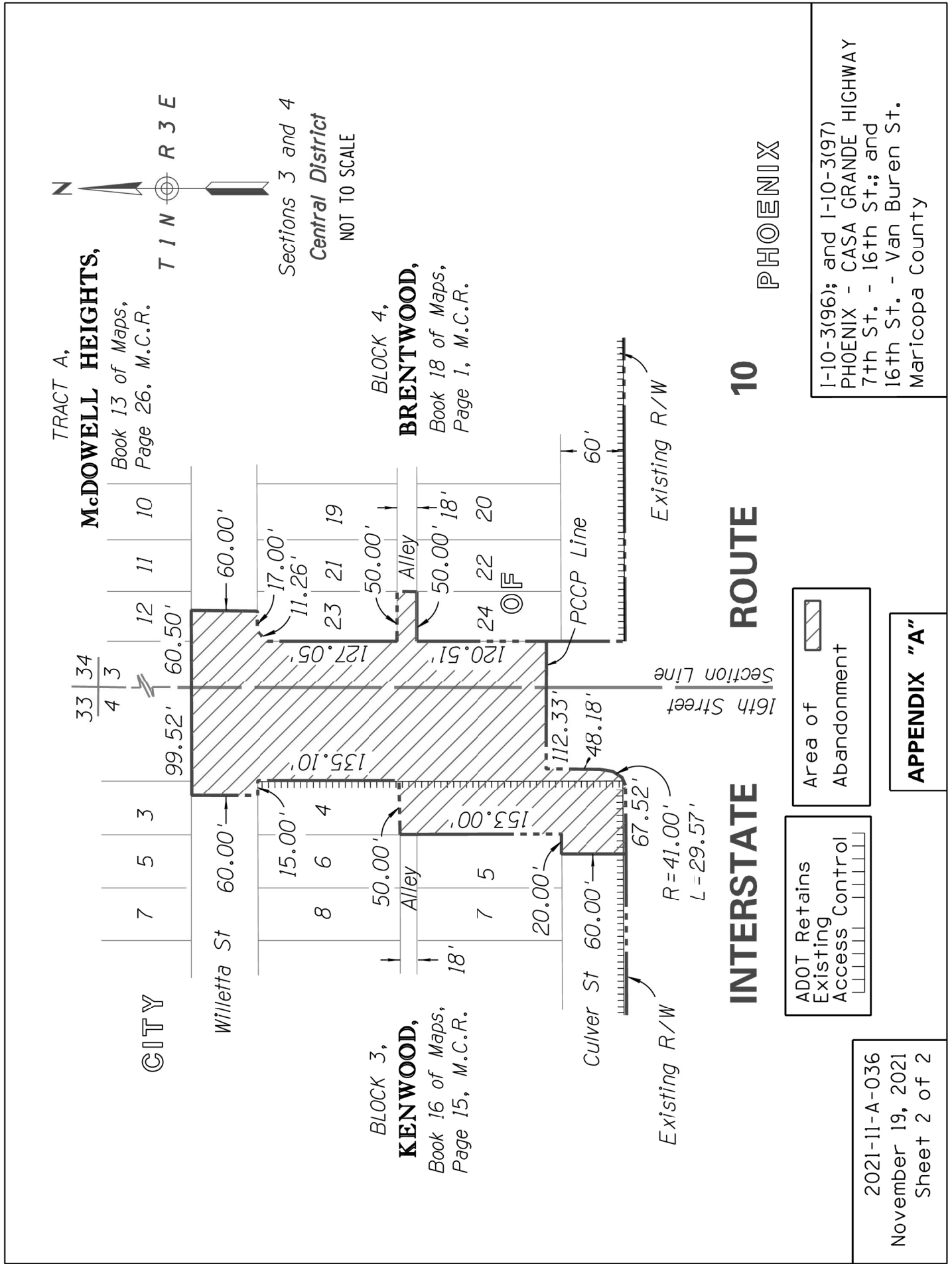
2021-02-A-006 is located along the Roosevelt Street alignment between North 41st and North 42nd streets, south of State Route 202.

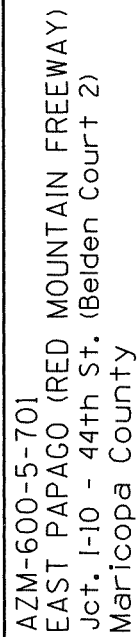
Council District: 8

Responsible Department

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









Pest Control Services - Requirements Contract - Coop 22-050 (Ordinance S-48328)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Orkin, LLC to procure pest control services for the Aviation and Housing departments. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$1,226,000.

Summary

The Aviation and the Housing Departments request to use a cooperative agreement with Orkin, LLC to provide pest control services for the City's airports and the City's large apartment buildings and structures. Orkin, LLC will provide 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. These services are necessary for the health and safety of City staff and the public, as well as to maintain compliance with local and federal laws and requirements.

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. A cooperative contract was established by Sourcewell under solicitation number 042821. The contract was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

The Sourcewell contract covers the purchase of pest control services as required by the Aviation and Housing departments. The contract was awarded on June 18, 2021. The use of this cooperative agreement will provide the City national discounts on these products.

Upon City Council approval of this item, a purchasing agreement(s) incorporating the City's terms and conditions will be fully executed between the referenced vendor and the City.

The Assistant Finance Director recommends that the cooperative participating agreement with Orkin, LLC be accepted.

Contract Term

The five-year contract term will begin on or about March 15, 2022.

Financial Impact

The aggregate contract value will not exceed \$1,226,000.

Funding is available in the Aviation and Housing departments' budgets.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Gina Montes, and the Aviation and Housing departments.



Custodial Services (Police and Human Services Department Locations) Contract - Amendment (Ordinance S-48334)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 144491 and 144492 with ISS Facility Services and Allied Universal Janitorial Services, respectively, to provide custodial services for the City of Phoenix Police and Human Services departments. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$808,678.

Summary

These contracts provide the City of Phoenix Police and Human Services Departments with all the necessary trained personnel, supervision, scheduling, equipment, tools, and other accessories required to perform custodial services for the general cleaning of the interiors and exteriors of certain Police Department and Human Services Department facilities. The extension of these contracts will provide continued janitorial services, which are critical to the health, safety and welfare of all users of those facilities, especially during the COVID-19 pandemic. This contract extension will allow for a new procurement to be completed without a lapse in services.

Contract Term

Upon approval, the term of both contracts will be extended through July 1, 2022. Without extension, both contracts would terminate after February 28, 2022.

Financial Impact

Upon approval of \$808,678 in additional funds, the revised aggregate value of the contracts will not exceed \$7,771,635. Funds are available in the Police and Human Services Departments' budgets.

Concurrence/Previous Council Action

The City Council approved:

- Contracts 144491 and 144492 to provide custodial services (Ordinance S-43169) on Jan. 25, 2017;
- Contracts 144491 and 144492 - Payment Authority (Ordinance S-46875) on Aug.

26, 2020; and

- Contract 144492 - Amendment (Ordinance S-47156) on Dec. 2, 2020.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Gina Montes, and the Police and Human Services Departments.



Evofinder System Warranty and Maintenance- Requirements Contract EXC 22-058 (Ordinance S-48340)

Request to authorize the City Manager, or his designee, to enter into a contract with Leeds Precision Instruments, Inc. to purchase the Evofinder system warranty and maintenance for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$156,500.

Summary

This contract will provide the Police Department with the extended warranty necessary to guarantee the Evofinder system is always maintained and running at maximum capacity. The extended warranty will provide maintenance services including necessary software updates, system hardware service, and repair of the Evofinder 3D digital bullet comparison scope system used by the Laboratory Services Bureau. The Evofinder Scanner is a 3D digital bullet comparison scope system that aids in the comparison of forensic evidence.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which cited Leeds Precision Instruments Inc. as the only vendor that can provide the Evofinder warranty and maintenance.

The Assistant Finance Director recommends that the contract with Leeds Precision Instruments, Inc. be accepted.

Contract Term

The five-year contract term will begin on or about May 27, 2022.

Financial Impact

The aggregate contract value will not exceed \$156,500 and funds are available in the Police Department's budget.

Responsible Department

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



Risk Management Information System and Ancillary Services - Requirement Contract - RFA 14-035 (Ordinance S-48345)

Request to authorize the City Manager, or his designee, to extend and continue using Ordinance S-43822 under Contract 138020 with Riskonnect Clearsight, LLC for the purchase of risk management information services for the Finance Department. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

This contract provides the Risk Management division of the Finance Department a web-based risk management information system with secure data storage, client service and system maintenance and also includes a key bill-payment interface that is linked to the Law Department's information system and a jointly-developed transaction interface with SAP. This extension will allow additional time to establish a new agreement for this service.

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

Contract Term

Upon approval, the contract term will be extended through Mar. 31, 2023.

Financial Impact

The aggregate value of this contract will not exceed \$1,325,000.00 and no additional funds are needed for the extension. Funding is available in the Finance Department's budget.

Concurrence/Previous Council Action

The contract was originally approved by City Council on March 19, 2014; supplemental actions include Ordinance S-43822 approved on Sept. 6, 2017.

Responsible Department

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



Korn Ferry Leadership Architect Library (Ordinance S-48342)

Request to authorize the City Manager, or his designee, to enter into a contract with Korn Ferry (US) to obtain Leadership Architect Library training materials to be used in city wide leadership training curriculums for five years beginning on or about Feb. 16, 2022. The aggregate value of the contract shall not exceed \$350,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract is needed to obtain hard copy and electronic books and other materials which are used in the Human Resources Organization Development's Engaging Leader, Inspiring Leader and Emerging Leader training curriculums. These citywide classes provide supervisors and managers with an electronic and hard copy library of job-related, ability-based competencies. The library of competencies provides the tools necessary to identify which leadership competencies are most highly aligned with success across City leadership and within specific positions. Predefined job-related competencies provide a framework of proficiency and a common language at all levels of the organization. The Leadership Architect Library of competencies has been the fundamental building block that Organizational Development has used to develop leadership curriculums for several years. Continued use provides continuity in leadership development and ensures curriculum is aligned with business needs.

The Water Services Department will be using this contract to purchase hard copy and electronic books and other materials for a total of \$25,000 in the five-year period.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of an approved Determination Memo citing Korn Ferry (US) as a special circumstance without competition, as they are the only producer of this material.

Contract Term

The five-year contract shall begin on or about Feb. 16, 2022.

Financial Impact

The aggregate five-year contract value will not exceed \$350,000. Funds are available

in the Human Resources Department's budget for \$325,000, and funds are available in the Water Services Department for \$25,000.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Human Resources and Water Services Departments.



Employee Assistance Program and Elder Care Services (Ordinance S-48354)

Request to authorize the City Manager, or his designee, to enter into a contract with ComPsych Corporation to provide an Employee Assistance Program, elder care services, and Public Safety traumatic event counseling in an amount not to exceed \$5,441,465 for a five-year period. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Employee Assistance Program and Elder Care Services agreement is needed to provide a broad range of services to full-time City employees and their household members including 12 free counseling sessions for any issue of personal concern; elder care referrals and counseling; onsite critical incident stress debriefings; supervisor referrals; employee training, and, substance abuse professional services. City retirees also receive elder care services.

Public Safety personnel from the Police and Fire Departments in certain non-sworn classifications that are identified with duties that expose them to the same traumatic events as sworn personnel, are eligible to receive 36 sessions of traumatic event counseling per event. Traumatic event counseling for Police and Fire Department Public Safety personnel is required by Arizona law effective August 2018. The City expanded these benefits to include specific non-sworn classifications.

Procurement Information

RFP HR 21-004 was conducted in accordance with Administrative Regulation 3.10. The Human Resources Department received two proposals. The Notice of Solicitation was emailed to 111 vendors registered in ProcurePHX.

The offers were scored on the following criteria: Qualifications and Experience (325 points), Method of Approach (425 points) and Price (250 points). Evaluation occurred by a six-person panel. The evaluation committee determined that one offer was within the competitive range. The competitive offeror submitted a Best and Final Offer (BAFO). After reviewing the BAFO response, it was the consensus of the evaluation committee to recommend awarding the contract to ComPsych Corporation.

The scores were as follows:

- ComPsych Corporation: 791.22
- Magellan Healthcare, Inc.: 466.80

The Acting Human Resources Director recommends the offer from ComPsych Corporation be accepted as the highest scored, responsive, and responsible offeror.

Contract Term

The five-year contract shall begin on or about April 1, 2022.

Financial Impact

The aggregate five-year contract value for these services shall not exceed \$5,441,465. For Employee Assistance Program and Elder Care Services, \$852,138 in aggregate is available in the Human Resources Department's budget, and \$474,842 in aggregate is available in the Police Department's budget. For Public Safety traumatic event counseling, \$880,615 in aggregate is available in the Police Department's budget, and \$3,233,870 in aggregate is available in the Fire Department's budget.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Human Resources, Police and Fire departments.



Request to Amend Contract to Allow for Pass-Through American Rescue Plan Act Funds and Increase the Landlord Incentive Program Payment Amount (Ordinance S-48358)

Request to authorize the City Manager, or his designee, to amend Contract 147189 with Quadel Consulting and Training (Quadel) to add contract authority of \$1 million in pass-through funding from the City of Phoenix-allocated American Rescue Plan Act (ARPA) funds for the Housing Department's Landlord Incentive Program, and authorize increasing the Landlord Incentive Program payment amount from \$500 to \$2,000 per incentive, not to exceed the previously allocated \$1 million ARPA funding. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

Due to the COVID-19 pandemic, on Aug. 26, 2020, City Council authorized utilizing federal CARES Act funding to initially launch the Landlord Incentive Program to help combat the shrinking number of units and fewer affordable housing opportunities for Phoenix Section 8 Housing Choice Voucher (HCV) holders. The program incentivizes Phoenix landlords to make their properties available to HCV holders by offering landlords a one-time \$500 payment for executing a Section 8 Housing Assistance Payment (HAP) contract. Due to the program's success, on Sept. 7, 2021, the City Council approved \$1 million of the first tranche of the City's allocation of ARPA funding to replenish the funds for the Landlord Incentive Program at \$500 per incentive payment.

On Jan. 26, 2022, at the request of the Economic Development and Equity (EDE) Subcommittee, the Housing Department presented disbursement rates for three varying payment amounts should the incentive payment be increased to \$1,000, \$1,500, and \$2,000, to fully expend the \$1 million at a higher rate (**Attachment A**). The EDE Subcommittee discussed the options and the fact that increasing the payment amount would further incentivize landlords to join the program or make additional units available to voucher holders to help sustain/increase the affordable housing stock options in the community.

Quadel is the current administrator of the City's Section 8 Housing Choice Voucher

program and manages the Landlord Incentive Program. Authorization to amend the Contract allows for the City-allocated ARPA funding as a pass through to landlords for the incentive program.

Financial Impact

Funding is available through the City's allocation of ARPA funding, \$1 million of the first tranche approved for the Housing Department's Landlord Incentive Program. There is no impact to the General Fund.

Concurrence/Previous Council Action

- On March 21, 2018, City Council approved awarding Quadel Contract 147189-0, per Ordinance S-44361.
- On Aug. 26, 2020, City Council approved \$500,000 of federal CARES Act funding to launch the Landlord Incentive Program, per Ordinance S-46887.
- On Sept. 7, 2021, City Council approved \$1 million of City-allocated ARPA funding to continue the Landlord Incentive Program, at the City Council Policy Session.
- On Jan. 26, 2022, the Economic Development and Equity Subcommittee discussed and gave direction to increase the Landlord Incentive Program payment amount from \$500 to \$2,000. The item was posted for information and discussion only. No formal action was taken.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Housing Department.

Attachment A

Landlord Incentive Program
\$1 Million ARPA Funding
Disbursement Rate Options

	Current	Option 1	Option 2	Option 3
Amount Per Incentive Payment	\$500	\$1,000	\$1,500	\$2,000
Projected Disbursement Timeline	24 Months Oct. 2021 - Oct. 2023	11 Months Jan. 2022 - Dec. 2022	7 Months Jan. 2022 - Aug. 2022	5 Months Jan. 2022 - June 2022
Number of Payments / Units Remaining	1,807	904	602	452



Homeless and Victim Services Contracts - Amendments (Ordinance S-48335)

Request to authorize the City Manager, or his designee, to execute an amendment to agreements with: Chicanos Por La Causa Contract 147432; Community Bridges, Inc. Rapid Rehousing Contract 147511; Native American Connections, Inc. Contract 147431; Southwest Behavioral Health Services, Inc. Contract 147433; and Arizona Coalition to End Sexual and Domestic Violence Contract 147434 to extend the term and allow additional expenditures for homeless and victim services. Further request to authorize the City Controller to disburse all funds related to this item for the life of the contracts. The aggregate value of the contracts will not exceed \$865,637 during a one-year extension period.

Summary

Throughout the COVID-19 pandemic, the Human Services Department (HSD) has been focused on developing, establishing and executing emergency services contracts to support residents who have been negatively impacted by the COVID-19 pandemic. Dedication of resources to the emergency services contracts meant staff was unable to provide the necessary time to develop the procurement for the homeless and victim services. As such, HSD is requesting to extend the existing contracts for one year to conduct a new procurement for these services. The procurement process may take from six months to a year, depending on the complexity of the services needed. This extension would provide HSD staff sufficient time to conduct the procurement process.

The City is currently contracted with the following vendors for the services identified below:

Victim Services

Arizona Coalition to End Sexual and Domestic Violence - \$200,000

This contract provides oversight, coordination, and operation of a 24-hour hot line for emergency shelter screening and housing vouchers assistance for individuals and families experiencing domestic violence, sexual violence, or sex trafficking in Maricopa County.

Emergency Crisis Shelter for Families

Chicanos Por La Causa, Inc. - \$166,818

This contract provides emergency shelter operations and services for families identified by the City of Phoenix Police, Fire, and Human Services departments.

Rapid Rehousing Bridge Support for Individuals Moving from Homelessness to Permanent Housing

Community Bridges, Inc. - \$174,665

This contract provides bridge support for individuals moving from unsheltered homelessness to permanent housing.

Rapid Rehousing Support Services for Unaccompanied Youth

Native American Connections, Inc. - \$97,650

This contract provides rapid rehousing support services for unaccompanied youth.

Navigation and Wrap Around Services for Justice Involved Individuals Experiencing Homelessness

Southwest Behavioral Health - \$226,504

This contract provides navigation and support to persons charged in Phoenix Municipal Court with repeat misdemeanor offenses related to their homelessness.

Contract Term

The term of the extension will be July 1, 2022, through June 30, 2023.

Financial Impact

Aggregate expenditures will not exceed \$865,637 during the extension period of the contracts. Funds are available from a combination of Emergency Solutions and Community Development Block grants, and City of Phoenix General Funds upon annual budget approval.

Concurrence/Previous Council Action

On May 2, 2018, the City Council approved the initial contracts for Arizona Coalition to End Sexual and Domestic Violence, Chicanos Por La Causa, CBI-Rapid Rehousing, Native American Connections, Inc., and Southwest Behavioral Health with Ordinance S-44540.

On May 15, 2019, the City Council approved exercising the extension options for Arizona Coalition to End Sexual and Domestic Violence, Chicanos Por La Causa, CBI-Rapid Rehousing, Native American Connections, Inc., and Southwest Behavioral Health through June 30, 2021; and added additional funding to Southwest Behavioral Health with Ordinance S-45647.

On Nov. 4, 2020, the City Council authorized a contract extension for Arizona Coalition

to End Sexual and Domestic Violence, Chicanos Por La Causa, CBI-Rapid Rehousing, Native American Connections, Inc., and Southwest Behavioral Health through June 30, 2022, with Ordinance S-47035.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



Veteran Navigation and Coordination Services Contract - Amendment (Ordinance S-48336)

Request to authorize the City Manager, or his designee, to execute an amendment to an agreement with Community Bridges, Inc. (CBI) Contract 143959 to extend the term for an additional year and approve additional funding to this vendor to provide veteran navigation and coordination services. Further request to authorize the City Controller to disburse all funds related to this item for the life of the contract. Expenditures will not exceed \$125,000 during the extension period. Funds are available in the General Funds upon annual budget approval.

Summary

Throughout the COVID-19 pandemic, the Human Services Department (HSD) has been focused on developing, establishing and executing emergency services contracts to support residents who have been negatively impacted by the COVID-19 pandemic. Dedication of resources to the emergency services contracts meant staff was unable to provide the necessary time to develop the procurement for Veteran navigation and coordination services. As such, HSD is requesting to extend the existing contract for one year to conduct a new procurement for these services. The procurement process may take from six months to a year, depending on the complexity of the services needed. This extension would provide HSD staff sufficient time to conduct the procurement process.

The City's current contract with CBI supports full-time navigators who work to engage and connect homeless Veterans to permanent housing. It also supports coordination services to include management and prioritization of a regional Veterans By-Name List to ensure the most vulnerable Veterans are prioritized for service.

Contract Term

The extended contract term will be July 1, 2022, through June 30, 2023.

Financial Impact

Expenditures will not exceed \$125,000 during the extension period of the contract. Funds are available in the General Fund upon annual budget approval.

Concurrence/Previous Council Action

On Nov. 3, 2016, the City Council authorized staff to contract with CBI for Veteran navigation and coordination services with Ordinance S-42987.

On June 5, 2019, the City Council authorized exercising the remaining contract extension options through Jun. 30, 2021, with Ordinance S-45713.

On Nov. 4, 2020, the City Council authorized a contract extension through June 30, 2022, with Ordinance S-47035.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



Outreach and Engagement for Persons Experiencing Homelessness Contract - Amendment (Ordinance S-48337)

Request to authorize the City Manager, or his designee, to execute an amendment to an agreement with Community Bridges, Inc. Contract 145545 to extend the term for an additional year and approve funding for this vendor to continue to provide outreach and engagement services for individuals experiencing homelessness through the extended term. Further request to authorize the City Controller to disburse all funds related to this item for the life of the contract. The total value of the contract extension will not exceed \$1,175,000 Funding is contingent upon the City's annual Community Development Block Grant (CDBG) allocation from the U.S. Department of Housing and Urban Development (HUD), the approval of the HUD Annual Action Plan, and the Phoenix City Council annual budget adoption.

Summary

Throughout the COVID-19 pandemic, the Human Services Department (HSD) has been focused on developing, establishing and executing emergency services contracts to support residents who have been negatively impacted by the COVID-19 pandemic. Dedication of resources to the emergency services contracts meant staff was unable to provide the necessary time to develop the procurement for outreach and engagement for individuals experiencing homelessness. As such, HSD is requesting to extend the existing contract for one year to conduct a new procurement for these services. The procurement process may take from six months to a year, depending on the complexity of the services needed. This extension would provide HSD staff sufficient time to conduct the procurement process.

The City's current contract with CBI supports navigation teams who assist persons experiencing homelessness and further supports the PHX C.A.R.E.S. program.

Contract Term

The extended contract term will be July 1, 2022, through June 30, 2023.

Financial Impact

Expenditures will not exceed \$1,175,000 during the extension period of the contract. Funding is contingent upon the City's annual CDBG allocation from HUD, the approval

of the HUD Annual Action Plan and the Phoenix City Council annual budget adoption.

Concurrence/Previous Council Action

On June 7, 2017, the City Council authorized staff to contract with Community Bridges, Inc. for outreach and engagement for person experiencing homelessness with Ordinance S-43631.

On Nov. 29, 2017, the City Council authorized additional funds be added to the contract with Ordinance S-44114.

On June 6, 2018, the City Council authorized additional funds be added to the contract with Ordinance S-44630.

On Oct. 21, 2020, the City Council authorized an administrative correction to Ordinances S-44114 and S-44630 to reflect the correct annual funding allocation with Ordinance S-46993.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



Phoenix Starfish Place for Victims of Human Trafficking Supportive Services Contract - Amendment (Ordinance S-48338)

Request to authorize the City Manager, or his designee, to amend Contract 145543 with Community Bridges, Inc. (CBI) to extend the term of the contract for one additional year and approve funding for this vendor to continue to provide contracted services through the extended term. The contract amount will not exceed \$150,000 during the extension period, for a total contract amount not to exceed \$900,000. Further request to authorize the City Controller to disburse all funds related to this item for the life of the contract. Funds are available through the City's federal Community Development Block Grant allocation from the United States Department of Housing and Urban Development. There is no impact to the General Fund.

Summary

The City contracts with CBI to provide supportive services at Phoenix Starfish Place. Under the contract, CBI provides professional, on-site staff who provide trauma informed case management services to victims of human trafficking. The program helps residents achieve housing stabilization and learn independent living skills. The current contract expires June 30, 2022.

Since March 2020, the Human Services Department (HSD) has been focused on the City's COVID-19 pandemic response. In this effort, staff members deferred previously established work plans and instead focused on developing and executing a variety of emergency pandemic response initiatives. Issuing a procurement for supportive services at Phoenix Starfish Place was one of several work plan items deferred during the pandemic. To continue to provide supportive services at Phoenix Starfish Place, HSD now requests authorization to extend the existing contract for a period of one year. Extending the current contract will allow HSD the time needed for staff to issue a competitive and thorough procurement for these services.

Contract Term

The extended contract term will begin July 1, 2022, through June 30, 2023.

Financial Impact

Expenditures will not exceed \$150,000 during the extension period of the contract.

Funds are available from the Community Development Block Grant. There is no impact to the General Fund.

Concurrence/Previous Council Action

On May 31, 2017, the City Council authorized staff to contract with Community Bridges, Inc. for victims of human trafficking at Phoenix Starfish Place with Ordinance S-43586.

Location

Council District: 3

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



Head Start Birth to Five Program Interpreter Services Qualified Vendors List - RFQu-21-EDU-53 (Ordinance S-48344)

Request to authorize the City Manager, or his designee, to approve a Qualified Vendors List (QVL) and enter into agreements with eligible contractors to provide interpreter services for the Head Start Birth to Five Program. Further request to authorize the City Controller to disburse all funds related to this item for the life of the contracts. The aggregate value of all agreements will not exceed \$250,000 over the life of the QVL.

Summary

The Early Head Start Home-Based Program provides family-centered services for low-income families with very young children. The program is designed to promote the development of the children and enable parents to fulfill their role as their child's primary teacher and move toward self-sufficiency. Enrolled families participate in 90-minute weekly home visits, monthly parent education opportunities and biweekly socialization events. The primary language of many of the participants is a language other than English, requiring the use of interpreters. The interpreters play a vital role in supporting the Early Head Start staff and the parents to ensure maximum benefit from the program.

Services will be delivered face-to-face in the participant's home, virtually or over the phone. The home visits, socialization sites, and parent educational opportunities are located within the City of Phoenix Head Start Birth to Five program boundaries, including the following school districts: Deer Valley; Washington; Isaac; Alhambra; Cartwright; Fowler; Pendergast; and Riverside.

The Qualified Vendor List is meant to identify highly qualified professionals with the certification, training and experience to provide the required interpreter services for Early Head Start Home-Based families.

Procurement Information

On Nov. 5, 2021, RFQu-21-EDU-53 for Head Start Birth to Five Program Interpreter Services was issued to solicit qualified professionals for interpreter services. The solicitation was conducted in accordance with City of Phoenix Administrative

Regulations 3.10 to establish a QVL. One offer was received on Dec. 10, 2021. The offer was determined to be responsive and responsible to the solicitation requirements.

The Evaluation Committee evaluated the offer based on the evaluation criteria, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The Evaluation Criteria was as follows:

- Method of Approach and Service Implementation - 300 possible points;
- Experience and Qualifications - 200 possible points;
- Number of Languages Offered - 200 possible points;
- Evaluation of Proficiency - 200 possible points; and
- Cost/Budget - 100 possible points.

The Evaluation Committee recommends the following offeror be added to the QVL:

- AZ Language Solutions, LLC

Contract Term

The contract term will begin on or about March 1, 2022, and will end on Feb. 28, 2027, with no option to extend.

Financial Impact

Expenditures are not to exceed \$250,000 over the life of the QVL. Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. No additional General Funds are required.

Concurrence/Previous Council Action

On April 12, 2021, the Head Start Birth to Five Policy Council approved the request to release the Interpreter Services RFQu.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



Authorization to Issue a Request for Proposals for the Sale and Development of a City-Owned Property at 1121 W. Ironwood Drive

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the sale and redevelopment of a City-owned property located at 1121 W. Ironwood Drive.

Summary

The Neighborhood Services Department (NSD) is seeking sealed proposals for the sale and redevelopment of City-owned property located at 1121 W. Ironwood Drive. The vacant parcel measures approximately 10,111 square feet, or 0.23 acres, and was purchased by the City from the State of Arizona in 2008. The purchase was made using general purpose bond funds for blight elimination and to facilitate the redevelopment of an infill home. The use of an RFP will encourage interested developers to activate a vacant parcel within the already established neighborhood. Upon City Council approval, staff will commission an appraisal to establish fair market value, payments, and other considerations to ensure public benefit. The completed appraisal will be made available to interested proposers to assist in the development of their proposal.

The proposed RFP will be publicly advertised and made available for download. A review panel will evaluate each proposal on a 1,000-point scale to evaluate the proposed development. NSD will seek City Council approval to enter into a redevelopment agreement with the proposer with the highest-rated proposal.

Concurrence/Precious Council Action

This item was approved by the Community and Cultural Investment Subcommittee on Feb. 2, 2022, by a 3-0 vote.

Financial Impact

There is no impact to the General Fund.

Location

1121 W. Ironwood Drive
Council District: 3

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Neighborhood Services Department.



Rental Rehabilitation Program Project Award (Ordinance S-48356)

Request to authorize the City Manager, or his designee, to enter into necessary loan agreements with Community Housing Partnership, Inc., and other agreements as necessary, for the completion of construction activities under the Rental Rehabilitation Program at the following five locations: 614 N. 9th St.; 1910 E. Adams St.; 1634 E. Monroe St.; 1638 E. Monroe St.; and 1905 E. Monroe St. Community Development Block Grant (CDBG) funds are available for these contract awards. Further request to authorize the City Controller to disburse funds up to \$800,000.

Summary

In March 2021, the City Council approved expanding the Rental Rehabilitation Program to facilitate the preservation of single- and multi-family rental properties. The program focuses on addressing structural, and health and safety codes and standards to ensure properties are habitable and affordable. In this manner, the Rental Rehabilitation Program supports the Housing Phoenix Plan's vision of utilizing innovative and solution-oriented policies to address housing challenges citywide.

Eligible properties include single- and multi-family rental properties of up to 24 units, occupied by, or set aside for, low- and moderate-income tenants. Financial assistance of up to \$40,000 per unit, with a maximum project award of \$400,000, is available to eligible owners to renovate their deteriorating property.

NSD staff analyze submitted applications monthly for eligibility before they are forwarded to the Rental Rehabilitation Program's review panel. The review panel, which is comprised of City staff and experts in the affordable housing and rental property management industries, evaluates applications (based on owner capacity, management plan and history, project readiness, and financial feasibility) and recommends project awards. The Rental Rehabilitation evaluation panel recommends funding the following five, four-unit properties up to \$40,000 per unit, or \$160,000 per property, for a total of \$800,000.

- 614 N. 9th St.
- 1910 E. Adams St.

- 1634 E. Monroe St.
- 1638 E. Monroe St.
- 1905 E. Monroe St.

These awards, in addition to previously awarded projects, may exhaust the \$1 million of CDBG program income reprogrammed by City Council for the expansion of the Rental Rehabilitation Program. Any additional amount will be funded with available current and prior year CDBG funds.

Financial Impact

This program is funded by the Community Development Block Grant, there is no impact to the General Fund.

Concurrence/Previous Council Action

The Community and Cultural Investment Subcommittee recommended approval of this item on Feb. 2, 2022, by a 3-0 vote.

Location

All properties are located in Council District 8.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Neighborhood Services Department.



Foreign-Trade Zone Application for Sunlit Arizona LLC (Resolution 21992)

Request a Resolution to authorize the City Manager, or his designee, to submit an application to the Foreign-Trade Zones Board of the U.S. Department of Commerce for Sunlit Arizona LLC, a subsidiary of United EM Holding Inc. (Sunlit), its subsidiaries, affiliates, or related entities, and to support property tax reclassification for activated Foreign-Trade Zones from property tax class 2 (or other classification) with a tax assessment ratio of 15 percent, to property tax class 6 with a tax assessment ratio of five percent pursuant to Arizona law (A.R.S. 42-12006). Also request authorization to enter into a Foreign-Trade Zone (FTZ) Operations Agreement (Agreement) and any other necessary documentation with Sunlit, or its City-approved nominee. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

The City of Phoenix, as Grantee of FTZ No. 75, has the right and authority to apply for FTZ site designations. Sunlit manufactures specialty chemicals to be used in microchip production which will help address the worldwide shortage of microchips that has led to supply chain issues with a variety of products and vehicles. Sunlit has requested an FTZ Subzone designation for property it owns located at 777 W. Alameda Rd. in Phoenix. The proposed FTZ site consists of approximately 17 acres. Building(s) expected to be constructed in Phase I will total approximately 130,000 square feet. The project will create 25 new jobs with a projected capital investment of \$50M.

Property tax support letters have been provided to the City from the following applicable tax jurisdictions: Central Arizona Water Conservation District and Western Maricopa Education Center. Support letters are pending from the following applicable tax jurisdictions: Deer Valley Unified School District, Valleywise Health, Maricopa County and Maricopa Community Colleges.

City staff will prepare an Operations Agreement with Sunlit requiring the company to:

- Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards
- Maintain record keeping satisfactory to the U.S. Customs and Border Protection
- Obtain business bonding and insurance satisfactory to the City and the U.S.

Customs and Border Protection

- Indemnify the City against claims arising from their FTZ operations
- Pay to the City all fees pursuant to the current zone fee schedule

The Agreement will contain other terms and conditions deemed necessary or appropriate.

Contract Term

The term of the Agreement, if approved, will be for 20 years unless the FTZ designation terminates sooner. Provisions of the contract may include an option to extend for as long as the FTZ designation exists which may be exercised by the City Manager or his designee.

Financial Impact

The City will incur no costs associated with Sunlit's application; however, the property may be reclassified to a lower tax rate once Sunlit successfully activates the FTZ. FTZ Operators pay annual fees to the City, pursuant to the current zone fee schedule, to administer the FTZ.

Location

777 W. Alameda Road
Council District(s): 1

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development Department.



Adoption of Resolution Approving the Issuance of Hotel Revenue Bonds (CFC-Central Hotel, LLC Project) for Purposes of Arizona Revised Statutes, Section 35-721(B) (Resolution 21996)

Requests City Council adoption of Resolution 21996 approving the issuance of Hotel Revenue Bonds (CFC-Central Hotel, LLC Project), Series 2022, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed \$60,000,000, solely for the purposes of complying with the Arizona Revised Statutes, section 35-721(B).

Summary

Background

On January 5, 2022, the City Council adopted Resolution 21985 granting approval of the proceedings under which The Phoenix Industrial Development Authority of the City of Phoenix, Ariz. (the "Phoenix IDA") had resolved to issue up to \$60,000,000 of Hotel Revenue Bonds (the "Revenue Bonds") as required by A.R.S. 35-721(B). The proceeds from the sale of the Revenue Bonds are to be used by CFC-Central Hotel, LLC (the "Borrower"), an Arizona limited liability company, to

- a) finance or refinance, as applicable, acquisition, construction, improvement, equipping and/or operation of a hotel in Phoenix, Ariz., and
- b) pay certain costs related to the issuance of the Revenue Bonds.

Resolution 21985 approved the proceedings of the Phoenix IDA under which the Revenue Bonds were issued. On February 10, 2022, the Phoenix IDA adopted a resolution amending such proceedings to reflect, among other things, that the project would not be subject to a ground lease.

Current Request

Because Resolution 21985 did not reflect the Phoenix IDA's subsequent proceedings, a new approval of the plan of financing and issuance of the Revenue Bonds is requested by adoption of Resolution 21996.

Concurrence/Previous Council Action

The Phoenix IDA Board previously resolved to issue the Revenue Bonds at its meeting

held on December 20, 2021 and February 10, 2022. For purposes of providing the approval required by Section 147(f) of the Internal Revenue Code, the City Council adopted Resolution 21985 on January 5, 2022, which approval remains valid.

Location

The Project is located at 3150 North Central Avenue in Phoenix, Ariz.

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer.



27th Avenue Corridor Community Safety and Crime Prevention Plan (Ordinance S-48351)

Request to authorize the City Manager, or his designee, to add six new positions to the Law Department/City Prosecutor's Office, four new civilian positions to the Police Department, and two new positions to the Neighborhood Services Department to support the 27th Avenue Corridor Community Safety and Crime Prevention Plan (Plan), which is a pilot project to address community safety in a collaborative manner, leveraging technology as well as community-based resources. Also request authorization to increase budgeted resources for the Prosecutor's Office and the Street Transportation and Neighborhood Services departments for the remainder of the fiscal year for the implementation of the Plan. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The Neighborhood Services, Police, Public Transit, Street Transportation, and Human Services Departments, along with the Law Department/City Prosecutor's Office, are working collaboratively through this pilot project to improve the safety and quality of life along the 27th Avenue Corridor adjacent to I-17. The 27th Avenue corridor is consistently a source of violent crime, prostitution, drug use, trespassing, blight, and other quality of life concerns. Ease of access to I-17, in combination with some poorly managed hotels, motels and apartment complexes creates an environment where crime can flourish with few impediments, which creates an undue burden for the residents along the corridor. The uniqueness of the 27th Avenue Corridor, coupled with limited resources, requires modern technological solutions as well as collaborative partnerships to positively impact the quality of life for the community members and businesses in this area. Staff has identified the following areas along 27th Avenue to focus the initiative:

Focus Areas

Midtown Corridor

- Indian School Road;
- Camelback Road*;
- Bethany Home Road*;

- Glendale Avenue*;
- Northern Avenue;

North Corridor

- Metrocenter Mall; and
- Bell Road.

Mobile Hot Spot Package*

- A mobile technology package to provide additional focus to areas based on current need or displacement as the Plan is implemented. These additional resources will allow the ability to focus on all areas of the corridor between Indian School Road and Bell Road in an agile manner, as determined by data and community input.

**Added to the Plan based on feedback at and following the Public Safety and Justice Subcommittee meeting in January 2022.*

The City will be partnering with Arizona State University (ASU) to conduct a pre- and post-intervention study of the areas and monitor performance measurements. For this study, the focus areas above will run from 15th to 35th avenues to account for any displacement that occurs due to the intervention of the initiative.

This initiative focused on the 27th Avenue corridor is intended to be phase one of community safety and crime prevention efforts planned along I-17. A second phase, pending inclusion in the approved FY 2022-23 budget, would follow to include focus areas along the 19th Avenue corridor. Beginning with phase one, Cactus Park and Desert Horizon Precincts, along with the other departments, will collaborate closely on the implementation. Both precincts will be included in the planning and review from inception. Implementing in two phases will enable departments to successfully hire the additional staff, procure and install equipment, coordinate with the community and implement other elements. Phase two resources will be proposed to the City Council in the City Manager's 2022-23 Trial Budget.

To address these community concerns, the departments have set out to achieve the following within the key focus areas of the 27th Avenue Corridor:

- Improve the safety of area residents, businesses, patrons and students;
- Build upon the City's relationships with area community groups and business partners;
- Increase coordination of resources to residents experiencing homelessness, mental/behavioral health issues and/or those victimized by human trafficking; and

- Reduce violent and quality of life crimes at key intersections along the corridor.

Strategy Areas

The City Manager's Office will coordinate the multi-department effort over a proposed two-year pilot period with three strategies to address community concerns within the corridor.

Outreach, Education and Partnerships

To develop and foster ongoing collaboration with key stakeholders, the outreach, education and partnerships strategy will include leveraging strategic coordination activities to engage and inform the community.

- Provide presentations to community organizations and schools.
- Collaborate with ASU for pre- and post-intervention study and performance measurements.
- Facilitate coordination between businesses through the North Ocotillo Business Alliance, D27 Business Alliance, the Violence Impact Coalition, and the Metro District Community Collaboration for their respective areas and encourage collaboration amongst the groups.
- Coordinate with area partners to conduct area clean ups bi-monthly along 27th Avenue.
- Install additional lighting in the I-17 underpasses.
- Map the locations of current City activity in focus areas, including active Authority to Arrest documents, blight cases, and PHX C.A.R.E.S. cases to inform action steps.
- Add focus areas to the PHX C.A.R.E.S. "hot spot" list for more weekly, proactive outreach efforts.
- Incorporate mental health outreach efforts when upcoming contracts are approved.

Prevention and Intervention

To proactively address community issues and concerns, the prevention and intervention strategy will include monitoring and reporting of blight and working with the community to identify solutions and inform service approach.

- Engage and activate community groups.
- Promote Crime Prevention Through Environmental Design (CPTED) principals with community members, groups and businesses to enhance neighborhood safety.
- Monitor and address criminal activity at bus stops and review bus stop cleaning activities, signage and amenities.
- Conduct proactive monthly common blight inspections, graffiti and shopping cart

removals.

- Ensure outreach teams obtain additional information from clients during outreach to inform service approach.
- Identify and work with local partners to identify ways they can support the City's efforts to address drug-related issues (e.g., New Freedom, Community Medical Services, Southwest Behavioral and Health Services, Phoenix Rescue Mission).
- Identify potential alleys, as appropriate, to recommend further expansion of the Gated Alley Program Pilot.
- Conduct CPTED audits within focus areas and ensure staff assigned to this area are properly trained in CPTED principles.
- Work with property owners on solutions for ongoing issues.
- Work with business owners to provide resource information on and within their businesses regarding where to get help.

Enforcement

To decrease violent crime and address quality of life concerns with limited staffing availability, modern technological solutions are necessary to support the Phoenix Police Department's field operations and violent crime follow-up investigations. The enforcement strategies will include portable solutions to work in conjunction with partnering departments on the initiative.

- Provide increased undercover operations to include narcotics, human trafficking, and the Neighborhood Engagement Team.
- Introduce bike-mounted officers and police assistants.
- Utilize portable technology solutions including gunshot detection capabilities, mobile license plate readers, and temporarily installed fixed cameras.
- Dedicate Community Prosecution staff to work with law enforcement, other City departments, and the community to provide resources and education in the administration of justice.
- City Departments will employ a coordinated approach to address properties with blight and zoning issues that are contributing to the overall identified crime that is having a negative impact in the area.
- Provide focused Code Enforcement efforts in the focus areas.
- Identify vacant buildings and ensure they are secured to City specifications.
- Promote Authority to Arrest and proper signage for private properties.
- Identify opportunities for additional enforcement tools like Drug-free zones near schools.

Performance Measurements

The City is collaborating with ASU to study the areas pre- and post-intervention. The success of the initiative will be measured through the following performance indicators:

- Calls for police service in focus areas;
- Types of calls for police service in focus areas;
- Resident/merchant perceptions of problems in focus areas;
- Complaints or commendations from the community about the new responses to the problems;
- Visible signs of disorder in focus areas;
- Referrals of individuals-in-need to social services and uptake of those referrals;
- Ease of procuring illegal drugs in focus areas (i.e., search time);
- Reduction in drug crimes;
- Reduction in overdoses;
- Reduction in violent crime;
- Achieve a voluntary code enforcement compliance rate of at least 90 percent in the focus corridor areas;
- Assessments of vacant structures completed within 90 days (of filling the proposed Neighborhood Inspector I position);
- Initiate any appropriate property abatement cases within 48 hours of assessment inspection;
- Four neighborhood clean-ups conducted;
- Two CPTED audits conducted per month; and
- Improved coordination, communication, and education with law enforcement partners and the community in the administration of justice.

Financial Impact

The total cost for the implementation of the initiative is \$4,146,881 for the first year, and \$1,642,011 annually thereafter. The cost for the current fiscal year for the proposed additions will be absorbed in the current 2021-22 Budget. The full-year costs will be built into the fiscal year 2022-23 Budget. A summary of the resources for each department are outlined in **Attachment A**.

Concurrence/Previous Council Action

The Public Safety and Justice Subcommittee discussed this item at the Jan. 12, 2022, meeting. The Subcommittee recommended the item for City Council approval, with direction to staff to conduct further research and provide information on additional focus areas, with a vote of 3-1.

Location

Council Districts: 1, 4 and 5

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Gina Montes and the Neighborhood Services, Public Transit, Police, Street Transportation, and Human Services departments and the City Prosecutor's Office in the Law Department.

Attachment A

	<u>FY 21-22</u>	<u>FY 22-23</u>
City Prosecutor's Office	\$256,632	\$797,676
Add three Assistant City Attorney III (Prosecutor) positions to work as Community Prosecutors, two Administrative Assistants, and one Legal Assistant. The increased staffing will allow for a dedicated team to perform legal and property-records research, review and redact body worn camera video, analyze property records, calls-for-service and criminal history, and prepare and draft legal pleadings to pursue the above-stated goals in the focus areas.	6.0	6.0
Neighborhood Services	\$94,528	\$214,381
Add one Neighborhood Preservation Inspector I and one Neighborhood Specialist to provide dedicated support to City coordinated efforts along the 27th Avenue corridor through focused code enforcement in collaboration with other City departments. The inspector would enforce on blight, zoning, and regulated business city code violations within a specified area in support of the City's efforts to suppress crime, reduce blight and eliminate illegal business operations. The specialist would facilitate coordination between neighborhood groups, business associations, and stakeholders to engage and inform the community.	2.0	2.0
Street Transportation	\$225,000	\$0
Add funding for additional lighting under the I-17 underpasses. The estimated costs to improve lighting of the I-17 underpass locations have increased as staff further refined the scope of work, and in light of market increases in both labor and materials costs.	0.0	0.0
Police	\$3,570,721	\$629,954
Add four Police Assistant positions and funding for a technology-based, portable solution to work in conjunction with our partnering departments to decrease violent crime and address quality of life concerns with limited staffing availability. Modern technological solutions are necessary to support field operations and violent crime follow-up investigations. The Police Assistants will implement and monitor the technological solutions.	4.0	4.0
Total:	\$4,146,881	\$1,642,011



Hatcher Road Community Safety Plan (Ordinance S-48361)

Request to authorize the City Manager, or his designee, to add one new civilian position to the Police Department and increase budgeted resources for the Street Transportation Department for the remainder of the fiscal year for increased street cleanings to support the Hatcher Road Community Safety Plan (Plan). Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The Neighborhood Services, Police, Public Transit, Street Transportation, and Human Services Departments, along with the Law Department/City Prosecutor's Office, are working collaboratively to improve the safety and provision of resources along Hatcher Road in west Sunnyslope. Staff has identified the following area along Hatcher Road to focus the initiative:

Focus Area

- Hatcher Road, from 7th to 19th avenues.

To address these community concerns, the departments have set out to achieve the following:

- Improve the safety of area residents, businesses, and patrons;
- Build upon the City's relationships with area community groups and business partners to provide additional resources to the community, including residents experiencing homelessness; and
- Reduce quality of life crimes at key intersections along Hatcher Road and protect vulnerable community residents from victimization.

Strategy Areas

The City Manager's Office will coordinate the multi-department effort over a proposed two-year pilot period in three strategic areas to address community concerns.

Outreach, Education and Partnerships

To develop and foster ongoing collaboration with key stakeholders, the outreach, education and partnerships strategies will include leveraging strategic coordination activities to engage and inform the community.

- Provide presentations to community organizations and schools.
- Facilitate coordination between businesses.
- Coordinate with area partners to conduct area clean ups bi-monthly.
- Map the locations of current City activity in the focus area, including blight cases and PHX C.A.R.E.S. cases to inform action steps.
- Add the focus area to the PHX C.A.R.E.S. “hot spot” list for more weekly, proactive outreach efforts.
- Work collaboratively with local service providers to improve service delivery while minimizing negative impacts to neighborhood residents and businesses.

Prevention and Intervention

To proactively address community issues and concerns, prevention and intervention strategies will include working with the community to identify solutions and inform service approach.

- Engage and activate community groups.
- Promote Crime Prevention Through Environmental Design (CPTED) principals with community members, groups and businesses to enhance neighborhood safety.
- Monitor bus stop cleaning activities, signage and amenities.
- Conduct proactive monthly common blight inspections, graffiti and shopping cart removals.
- Ensure outreach teams obtain additional information from clients during outreach to inform service approach.
- Identify and work with local partners to identify ways they can support the City’s efforts to provide resources for drug-related issues (e.g., New Freedom, Community Medical Services, Southwest Behavioral and Health Services, Phoenix Rescue Mission).
- Conduct CPTED audits within focus areas and ensure staff assigned to this area are properly trained in CPTED principles.
- Work with property owners on solutions for ongoing issues.
- Work with business owners to provide resource information on and within their

businesses regarding where to get help.

Enforcement

To decrease crime and address quality of life concerns with limited staffing availability, modern technological solutions are necessary to support the Phoenix Police Department's field operations. The enforcement strategies will include portable solutions to work in conjunction with partnering departments on the initiative.

- Utilize portable technology solutions including temporarily installed fixed cameras.
- Provide focused Code Enforcement efforts in the focus area.

Financial Impact

The total cost for the implementation of the Plan is \$167,206 for the first year, and \$ 111,702 annually thereafter. The cost for the current fiscal year for the proposed additions will be absorbed in the current 2021-22 Budget. The full-year costs will be built into the fiscal year 2022-23 Budget. A summary of the resources for each department are outlined in **Attachment A**.

Location

Hatcher Road, from 7th to 19th avenues.

Council District: 3

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Gina Montes and the Neighborhood Services, Public Transit, Police, Street Transportation, and Human Services departments and the City Prosecutor's Office in the Law Department.

Attachment A

	FY 21-22	FY 22-23
Street Transportation	\$6,500	\$17,500
Add funding for contractual costs for once per week street cleanings around Ninth Avenue and Hatcher Roads.	0.0 FTE	0.0 FTE
Police	\$160,706	\$94,202
Add one Police Assistant position and funding for a technology-based, portable solution to work in conjunction with our partnering departments to decrease crime and address quality of life concerns with limited staffing availability. The Police Assistants will implement and monitor the technological solutions.	1.0 FTE	1.0 FTE
Total:	\$167,206	\$111,702



Request to Enter Into an Intergovernmental Agreement with Arizona State University for the 27th Avenue Corridor Public Safety Initiative (Ordinance S-48357)

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into an Intergovernmental Agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU), School of Criminology and Criminal Justice Department, for the 27th Avenue Corridor Public Safety Initiative. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of this agreement will not exceed \$52,581.

Summary

In response to a request for research and technical assistance from the City of Phoenix and the Police Department, ASU will work collaboratively with key City officials to develop and evaluate new responses to crime and disorder concerns in selected areas of the City, to include major intersections along the 27th Avenue corridor as well as other identified areas of concern within proximity of the corridor.

The analysis of the project will define the parameters of the focus areas, gather, and analyze police data to understand and substantiate the public safety problems in these areas. The project will entail interviewing key police and City officials knowledgeable about these areas, to understand the precise public safety concerns and develop testable explanations for what is causing or contributing to them.

ASU will further assist the Police Department and other City officials to explore possible new responses to these problems so that decision-makers can decide upon a plan of action. This will include reviewing published research and other reports about the relative effectiveness of response options.

ASU will help document the action plan's development and implementation so that there is a clear record of what actions were taken and what challenges, if any, there were to implement; will assess the effectiveness of the implemented responses to improve public safety in the target areas, as well as look for any evidence of displacement of the problems to other areas or conversely, added benefits to public safety experienced outside the target areas; and will encourage the Police Department

and other City officials to engage with the communities affected by the problems to develop an action plan and implement and measure its impact.

Contract Term

The agreement will be valid for two years from the date of execution of all parties.

Financial Impact

Funding for this project is available in the Police Department's budget.

Responsible Department

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



Peer Recovery Support Specialist Staffing - Requirements Contract - RFP 22-073 (Ordinance S-48325)

Request to authorize the City Manager, or his designee, to enter into contracts with Terros, Inc., dba Terros Health and EMPACT Suicide Prevention Center to purchase peer recovery support specialist staffing services for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$23,000,000.

Summary

Peer recovery support specialist staffing services are being used to staff one member of the two-member behavioral health units. Behavioral health units are being created by the Fire Department to respond to low-acuity behavioral health and social welfare calls received by the 9-1-1 dispatch center.

Procurement Information

RFP 22-073 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on Dec. 28, 2021. The notification was sent to 250 suppliers and was publicly posted and available for download from the City's website.

The proposals were scored by a five-member evaluation panel based on the following criteria:

Method of Approach - 400 points

Experience and Qualifications - 300 points

Capacity - 200 points

Price - 100 points

The Assistant Finance Director recommends that the offers from Terros, Inc, dba Terros Health and EMPACT Suicide Prevention Center be accepted as the highest scored, responsive and responsible offers that are most advantageous to the City.

Contract Term

The one-year contract terms with four one-year options to extend will begin on or about March 15, 2022.

Financial Impact

The aggregate contract value will not exceed \$23,000,000. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

This item was scheduled for information and discussion only at the Public Safety and Justice Subcommittee on Feb. 9, 2022.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Ginger Spencer and the Fire Department.



Authorization to Extend Agreements for FY 2019 Homeland Security Grant Program Funds (Ordinance S-48355)

Request to authorize the City Manager, or his designee, to extend agreements for the FY 2019 Homeland Security Grant Program from federal fiscal year 2019 Department of Homeland Security grant funds, that include the Urban Area Security Initiative, and the State Homeland Security Grant Program through the Arizona Department of Homeland Security. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

In September 2019, City Council approved entering into grant agreements for the award of FFY 2019 Department of Homeland Security grant funds for up to \$5 million from the federal fiscal year (FFY) 2019 Department of Homeland Security Grant Program that includes funds from the Urban Area Security Initiative (UASI), and the State Homeland Security Grant Program (SHSGP), through the Arizona Department of Homeland Security (AZDoHS). The US Department of Homeland Security distributes Homeland Security Grant funds to enhance the ability of regional authorities to prepare, prevent and respond to terrorist attacks and other disasters.

UASI and SHSGP grant funds are used by the Police and Fire Departments to purchase equipment and vehicles, conduct training and exercises, perform assessments of critical infrastructure sites, and implement target hardening measures to protect critical infrastructure. Programs funded under the Homeland Security Grant Program include Terrorism Liaison Officer Program, Community Emergency Response Teams, Rapid Response Task Force, and the Metropolitan Medical Response System.

AZDoHS has requested a federal extension to the original grant period of performance for the Phoenix Police and Fire Departments to complete program objectives and expend the previously awarded federal funds.

Contract Term

The term of the grant agreements, which began on Oct. 1, 2019, through June 30, 2022, will be extended through Sept. 30, 2023.

Financial Impact

No matching funds are required and no additional funds are awarded. Grant funds will be managed through the Police and Fire Departments.

Concurrence/Previous Council Action

This item was previously approved with Ordinance S-46036 at the Phoenix City Council meeting on Sept. 18, 2019.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, and the Police and Fire departments.



Amend Contract with Maricopa County Department of Public Health to Provide Seasonal Influenza and Other Vaccines (Ordinance S-48359)

Request to authorize the City Manager, or his designee, to execute an amendment to City Contract No. 153292 to extend the contract with the Maricopa County Department of Public Health (MCDPH) to continue to provide seasonal influenza and other vaccines. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

City Contract No. 153292 was originally approved by the City Council on Oct. 7, 2020 to provide seasonal influenza and other vaccines. MCDPH is exercising the second renewal period extending the contract through March 31, 2023.

The Phoenix Fire Department (PFD) has a long history of providing immunizations at community locations, schools, community centers and other non-medical facilities, to children and adults. The PFD has successfully immunized many Maricopa County residents in partnership with MCDPH through previous agreements.

The City has partnered with MCDPH, to provide seasonal influenza vaccines (as well as other types of vaccines if needed) to individuals six months of age and older. The intent of this agreement is to increase access to vaccines thereby decreasing the overall spread of viruses.

Contract Term

The term of the agreement, which began Nov. 2, 2020, will be extended through March 31, 2023.

Financial Impact

No additional funds are being awarded. MCDPH will reimburse the PFD for the vaccinations on a per unit cost basis up to \$100,000 over a five-year period.

Concurrence/Previous Council Action

City Contract No. 153292 was approved by the City Council on Oct. 7, 2020.

Responsible Department

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



Telehealth Services- Requirements Contract - RFP 22-071 (Ordinance S-48360)

Request to authorize the City Manager, or his designee, to enter into a contract with MD Ally, Inc. for comprehensive turnkey Telehealth Services for the Phoenix Fire Department (PFD). Further request authorization for the City Controller to disburse all funds related to this item. The offeror will provide services free of charge to the City.

Summary

The PFD responds to thousands of behavioral health and low acuity 9-1-1 calls for service each year. These calls are received and routed for service through the Phoenix Fire Department Regional Dispatch Center (PFDRDC). The PFD seeks innovative turnkey telehealth delivery solutions from telehealth providers that can be integrated into its existing 9-1-1 procedures to enhance communication, reduce response times, deliver additional lines of care, and provide prevention strategies to maximize the PFD's availability for the next service call.

This system shall provide a secure interactive audio/visual application, communications platform, data storage, data management functions, and robust business intelligence tools for reporting. The contractor will use these communications and data tools to provide access to health care professionals (doctors, osteopaths, registered nurses, licensed practical nurses, licensed clinical social workers, substance use and abuse counselors, crisis intervention counselors, or other allied health professionals), that deliver crisis, mental, behavioral, and medical health services.

The PFD expects that referring 9-1-1 callers directly to outstanding care services will have the secondary benefit of reducing low acuity dispatches of PFD units (diversion at dispatch), thereby decreasing non-emergency transports.

Procurement Information

RFP 22-071 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Procurement Division on Dec. 27, 2021. The notification was sent to 250 suppliers and was publicly posted and available for download from the City's website.

The proposal was scored by a seven-member evaluation panel based on the following criteria:

Experience and Qualifications - 400

Method of Approach - 300

Capacity - 200

Cost - 100

The Assistant Finance Director recommends that the offer from MD Ally, Inc. be accepted as the highest scored, responsive, and responsible offer most advantageous to the City.

Contract Term

The contract will begin on or about March 15, 2022, for a one-year term with four options to extend.

Financial Impact

The offeror will provide services free of charge to the City; by following the model partnering with insurance payors across the country to initiate cost savings agreements, benefits service providers and patients receive care without associated costs. There will be no financial impact to the Phoenix Fire Department's budget.

Concurrence/Previous Council Action

This item was scheduled for information and discussion only at the Public Safety and Justice Subcommittee on Feb. 9, 2022.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Ginger Spencer and the Phoenix Fire Department.



Donation from Phoenix Police Foundation of Motorist Assist Vehicles (Ordinance S-48353)

Request to authorize the City Manager, or his designee, to accept a donation of two Toyota trucks from the Phoenix Police Foundation valued at approximately \$52,000 each.

Summary

This donation is for two Toyota trucks that will be utilized by the Police Department's Motorist Assist Program. This program consists of uniformed civilians who assist motorists who have encountered vehicular problems while using city streets. Assistance provided may include, but is not limited to, pushing and starting vehicles; opening vehicle doors; providing fuel, air, or water; assisting with changing a tire/s; arranging transportation; or other assistance reasonably required to aid the temporarily stranded motorist. Personnel may be called upon to assist at vehicular accident scenes for traffic control or assist at special events. The donation of these vehicles will enable the program to enhance their assistance to the community.

The Phoenix Police Foundation is a 501(c)(3) charitable organization. The Foundation is committed to addressing unmet capital needs of the Phoenix Police Department, providing financial assistance in crisis situations and recognizing those who protect our community.

Financial Impact

Costs to the City will include standard operation and maintenance expenses. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This item was recommended for approval by the Public Safety and Justice Subcommittee on Feb. 9, 2022, by a 4-0 vote.

Responsible Department

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



Fire Alarm System / Network and Fire Sprinkler / Suppression System Services - Amendment (Ordinance S-48332)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 146996 with Climatec, LLC, to provide additional funding for fire alarm, suppression and sprinkler system services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the additional expenditures will not exceed \$585,000.

Summary

On Feb. 21, 2018, the City Council approved Contract 146996 to provide code mandated testing and inspection services as well as repair and maintenance of both the fire alarm system and the fire sprinkler system on an as-needed basis at Phoenix Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport (Airports).

The purpose of this amendment is to provide additional funds for unforeseen expenditures due to failed sprinkler heads and various emergency repairs as well as additional National Fire Protection Association (NFPA) required inspections and repairs for fire hydrants, hose cabinets, and fire system backflows. Additionally, in March 2020, the contract was amended to add Phoenix Fire Department mandated reporting for all fire protection systems. It is now required that all fire protection system inspections be tracked by a Compliance Engine web portal which immediately reports any critical impairments directly to the Phoenix Fire Department. This new required reporting system includes filing fees and administrative fees per report which were not in effect when this contract was awarded.

Contract Term

There is no change to the current two-year term of the contract, which began on March 1, 2018 and includes three, one-year options to extend, for a five-year aggregate contract term.

Financial Impact

The initial authorization for the services contract was for an expenditure not to exceed \$5.5 million. This request will increase the authorization for the contract by an additional \$585,000, for a new total not-to-exceed contract value of \$6,085,000.

Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action

The City Council approved Contract 146996 (Ordinance S-44276) on Feb. 21, 2018.

Location

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.;

Phoenix Deer Valley Airport - 702 W. Deer Valley Road; and

Phoenix Goodyear Airport - 1658 S. Litchfield Road, Goodyear, Ariz.

Council Districts: 1, 8 and Out of City

Responsible Department

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



North Gateway Transfer Station, Materials Recovery Facility Fire Suppression System - RFA 22-SW-035 - Requirements Contract (Ordinance S-48330)

Request to authorize the City Manager, or his designee, to enter into an agreement with Fire Rover LLC, to install a fire protection system at the Public Works Department's North Gateway Materials Recovery Facility. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount of \$194,400.

Summary

This agreement will provide a comprehensive fire protection system for the Materials Recovery Facility at the North Gateway Transfer Station. It will integrate heat, smoke and flame detection using remote fire suppression services, video monitoring, and state of the art heat sensing cameras. This system will provide additional coverage to the current infrastructure for fire protection and will be monitored 24 hours-per-day, seven days-per-week by the contractor.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo, citing special circumstance, without competition.

Contract Term

This contract is to begin after receiving City Council approval and will be for one year. Provisions of the contract may include an option to extend the term up to two years, to be taken in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

The estimated annual expenditure is \$64,800, and total aggregate amount not to be exceeded over the life of the contract is \$194,400.

Funding is available in the Public Works Department's budget.

Location

North Gateway Transfer Station - 30205 N. Black Canyon Hwy.

Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.



Welding and Metal Fabrication Services - Contract Recommendation (Ordinance S-48333)

Request to authorize the City Manager, or his designee, to enter into two separate contracts with Lincoln Constructors, Inc., and Jerry R. Elliot, DBA Certi-Welders, for welding and metal fabrication services. Further request to authorize for the City Controller to disburse all funds related to this item. This item will have an aggregate amount of \$520,760.

Summary

The Public Works Department is responsible for maintaining over 600 heavy-duty vehicles and equipment including tractors, front loaders, backhoes, and refuse trucks that provide critical services to City residents. The department uses welding and metal fabrication services for various operational needs including trash collection and recycling bin repairs, and repairs to City buildings and property.

Procurement Information

Invitation for Bid (IFB) 22-FSD-034 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department notified 43 vendors of the bid opportunity, and received two bids. Both bids were evaluated based on responsiveness and responsibility with both vendors being recommended for award based on the following labor rates for onsite services:

Lincoln Constructors, Inc: \$75.00/hr

Jerry R. Elliot, DBA Certi-Welders: \$80.00/hr

Contract Term

The contract will begin on or about April 1, 2022 with an initial one-year contract term, with four option years to be exercised in increments of up to one year, for a total contract term of five years.

Financial Impact

This item will have an estimated annual expenditure of \$104,152, with a total aggregate amount of \$520,760.

Funding is available in the Public Works Department's budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.



Phoenix Sky Harbor International Airport Terminal 4 Fire Pump and Service Entrance Section Replacement - Architectural Services - AV21000107 (Ordinance S-48324)

Request to authorize the City Manager, or his designee, to enter into an agreement with SmithGroup, Inc., to provide Architectural Services that include design and possible construction administration and inspection services for the Phoenix Sky Harbor International Airport Terminal 4 Fire Pump and Service Entrance Section Replacement project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$500,000.

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

Summary

The purpose of this project is to replace and upgrade the Phoenix Sky Harbor International Airport Terminal 4 Processor main fire pump and connected Service Entrance Section to support existing and new fire pump loads and to comply with current electrical code requirements.

As part of the Phoenix Sky Harbor International Airport Terminal 4 South 1 concourse project, SmithGroup, Inc. prepared a study of the existing Terminal 4 fire protection system and found the existing fire pump serving Terminal 4 does not currently have the capability to meet the minimum required flow and pressure for the system and will

need to be replaced. In addition, the electrical service will need to be upgraded to accommodate the pump upgrade. SmithGroup, Inc. has developed 30 percent schematic documents and is uniquely qualified to complete the design to ensure compliance with all applicable codes.

As a result of this process, SmithGroup, Inc. and its subconsultants have become very familiar with the requirements and operations of Phoenix Sky Harbor International Airport Terminal 4 fire protection system and electrical service as well as operations of the facility to minimize impacts while developing and completing this work.

SmithGroup Inc.'s services include, but are not limited to: 60 percent Design Development including load studies and capacity analysis to evaluate emergency power options; prepare pre-purchase packages for long-lead equipment; prepare 95 percent and 100 percent construction documents; cost estimating; provide Bid Phase services; possible construction administration and inspection services; and other tasks as assigned for a complete project.

Procurement Information

SmithGroup, Inc. was chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes (A.R.S.). The Direct Select process will reduce the time to procure architectural services as opposed to an advertised selection process; meeting the project deadline, ensuring continuity and the most efficient use of staff and funding resources.

Contract Term

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

Financial Impact

The agreement value for SmithGroup, Inc. will not exceed \$500,000, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.
Council District: 8

Responsible Department

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



Amend Ordinance of Intention to form the Hedgepeth Waterline Replacement Improvement District (Ordinance S-48327)

Request City Council approval of the Amended Ordinance of Intention to form the Hedgepeth Waterline Replacement Improvement District due to design changes and increased costs.

Summary

On July 3, 2019, City Council approved Ordinance S-45902 (**Attachment A**) declaring the intention to form the Hedgepeth Waterline Improvement District and adopted preliminary plans for construction of a new distribution waterline in an area generally bounded by 51st to 43rd avenues from Loop 101 to Pinnacle Peak Road (**Attachment B**) for Project WS85503001 (ID1309). City Council authorized the cost of improvements to be assessed upon the District and authorized the work to be performed under Arizona Revised Statutes Sections 48-571 to 48-621.

The original suggested waterline design approved by City Council provided an alignment along 51st Avenue which avoids a dead-end condition in the existing section of waterline on Tonopah Drive between 51st Avenue and 49th Drive. Dead-end conditions can result in stagnant water in the pipe and can lead to the need for City of Phoenix Water Services Department (WSD) crews flushing lines manually resulting in loss of water and added maintenance costs in order to maintain water quality. The 51st Avenue alignment will encroach into the Arizona Department of Transportation (ADOT) right-of-way (ROW). WSD has engaged ADOT in detailed discussions regarding the conditions ADOT is requiring for the installation of the water line in its ROW at the Agua Fria/Loop 101 Freeway. The additional ADOT design requirements (**Attachment C**) and market conditions have increased the anticipated cost of either alignment by \$1.64 million. The 51st Avenue alignment is estimated to cost \$3.6 million based on the final design. In September 2021, the Street Transportation Department and WSD re-balloted the affected owners to determine if there was sufficient support to proceed given the increase to \$3.6 million dollars.

The City plans to construct the 51st Avenue alignment in order to maintain water quality by reducing stagnant water. After the revised \$3.6 million project cost estimate was shared with the developers, the developers asked that the City consider the 49th

Drive alternative alignment, hoping to achieve lower costs. The parties agreed that both alignments, 51st Avenue and 49th Drive, would be advertised for bids. However, only the 51st Avenue alignment will be constructed. The City will contribute the difference in funds if the 51st Avenue alignment is more expensive than the 49th Drive alignment. If the 51st Avenue alignment is less expensive than the 49th Drive alignment, the City will not contribute funds to the project.

Financial Impact

The revised improvement cost to the property owners is estimated at \$3.6 million, including soft costs. The original approved estimate was \$1.96 million. The estimated participation from the City of Phoenix is \$0-550,800 (0-15.3 percent of final costs) depending on whether the 51st alignment is more expensive than the 49th Drive alignment. These estimates include design, right-of-way, construction, and administration costs.

Funding is available in the Water Services Department's Capital Improvement Program Budget.

Concurrence/Previous Council Action

The City Council approved the ordinance of intention to form the Hedgepeth Waterline Replacement Improvement District (Ordinance S-45902) on July 3, 2019.

Public Outreach

- October 2017 - All affected property owners were petitioned and 76.2 percent approved the request to form the improvement district.
- April 2018 - All affected property owners were balloted and 73.6 percent supported the waterline improvement project.
- July 11, 2019 (first Thursday after Ordinance approval) - Ordinance of Intention was published in the Arizona Business Gazette.
- July 18, 2019 (first Thursday following first publishing) - Ordinance of Intention was published in the Arizona Business Gazette.
- Aug. 9, 2019 - Ordinance of Intention was posted every 300 feet within the proposed improvement area.
- Aug. 27, 2019 - Legal protest period for the Ordinance of Intention to form the Improvement District expired with no protests filed.
- May 11, 2020 - City of Phoenix mailed an updated cost letter to all affected property owners.
- April 2021 - City of Phoenix mailed ballots to all affected property owners to determine the level of support for the proposed improvements.

- July 2021 - City of Phoenix mailed ballots to all affected property owners to determine the level of support for the proposed improvements given the revised project cost estimates.
- Sept. 14, 2021 - City of Phoenix mailed a letter to all affected property owners explaining the ballot results that showed 68.6 percent of the property owners supported the revised project. Eight property owners rejected the proposed improvement district and four property owners did not respond to the ballot.

Location

The proposed waterline improvement district includes single-family residences and one commercial business located within an area generally bounded by 51st to 43rd avenues from Loop 101 to Pinnacle Peak Road.

Council District: 1

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, and the Street Transportation and Water Services departments.

Attachment A

ORDINANCE S-45902

AN ORDINANCE OF THE COUNCIL OF THE CITY OF PHOENIX DECLARING ITS INTENTION TO FORM THE HEDGEPEETH WATERLINE IMPROVEMENT DISTRICT, TO ADOPT PRELIMINARY PLANS FOR THE IMPROVEMENT OF THE INSTALLATION OF A WATERLINE IN AN AREA GENERALLY BOUNDED BY 51ST AVENUE TO 43RD AVENUE FROM LOOP 101 TO PINNACLE PEAK ROAD, AND DETERMINING THAT IMPROVEMENT BONDS WILL BE ISSUED TO REPRESENT THE COSTS AND EXPENSES THEREOF, AND ADOPTING THE RELATED PRELIMINARY PLANS; AND DECLARING THE WORK OR IMPROVEMENTS TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT; AND THAT THE COSTS OF WORK OR IMPROVEMENTS WILL BE ASSESSED UPON THE DISTRICT; AND PERFORMED UNDER ARIZONA REVISED STATUTES SECTIONS 48-571 TO 48-621.

SECTION 1. The public interest and convenience require, and it is the intention of the Council of the City of Phoenix to form the Hedgepeth Waterline Improvement District (WS85503001 ID 1309) for the real property located within an area generally bounded by 51st Avenue to 43rd Avenue from Loop 101 to Pinnacle Peak Road, and adopting the related preliminary plans. The proposed improvements shown in the Hedgepeth Waterline Improvement Preliminary Boundary Map and Scope ("Attachment A"), includes, but is not limited to, installation of new waterline, relocation of existing improvements as needed, and performance of all items of work called for in these preliminary plans,

specifications, or indicated by estimates of improvements costs. The proposed improvements may be constructed under one or more contracts.

SECTION 2. The estimated improvement cost are estimated at ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$1,800,000.00) for Option B 12-inch waterline and ONE MILLION NINE HUNDRED SIXTY THOUSAND DOLLARS (\$1,960,000.00) for Alternate Bid Option B 16-inch waterline. These costs include design, surveys, construction and administration cost. Funding is available in the Water Services Department's Capital Improvement Program Budget.

SECTION 3. Preliminary plans for the improvements showing location and the type and character of the improvements and estimates of the cost and expenses are on file with the Phoenix City Clerk and are hereby adopted and approved.

SECTION 4. All of the above work or improvements will be done in accordance with the final plans and specifications for City of Phoenix Improvement Project No. WS85503001 ID 1309 to be filed in the office of the Superintendent of Streets and the office of the City Clerk prior to the adoption by City Council of the resolution ordering the work and in further accordance with City of Phoenix contract documents, standard specifications, general conditions and any special provisions.

SECTION 5. The contemplated work or improvements, in the opinion of the Council, are of more than local or ordinary public benefit, and that the City Council hereby makes the costs and expenses of work or improvements chargeable upon this district and hereby declares that the Hedgepeth Waterline Improvement District in the City of Phoenix, benefited by the work or

improvements, will be assessed to pay the costs and expenses thereof, in proportion to the benefits to be derived from the District as depicted in Attachment A

SECTION 6. The Council finds that pub_lic convenience requires that improvement bonds will be issued to represent the costs and expenses of such work or improvements, and determines that improvement bonds will be issued under provisions of A.R.S., Sections 48-571 to 48-621 and amendments thereto, in the name of the City of Phoenix, and payable out of a special fund collected by the City of Phoenix from special assessments levied and assessed upon the lots, pieces and parcels of land included within the above described district. Said bonds will bear interest at the maximum rate of six and nine-tenths percent (6.9%) per annum. Bonds will be payable in the manner, and be subject to the provisions as to collection of assessments, for the payments as prescribed in A.R.S., Sections 48-571 to 48-621, and amendments thereto, save and except that the method of collection of assessments will be as provided by A.R.S., Sections 48-600 to 48-607; Section 48-608 is not applicable.

SECTION 7. The Superintendent of Streets is hereby authorized and directed to cause final plans and specifications to be prepared and filed in the office of the Superintendent of Streets and the City Clerk prior to adopting the resolution ordering the work.

SECTION 8. The Superintendent of Streets will post notices of the proposed improvements and the City Clerk will attest the passage of this ordinance, and will cause the same to be published in the Arizona Business Gazette, a weekly newspaper published and circulated in the City of Phoenix, and designated for that purpose. The Superintendent of Streets will prepare

duplicate diagrams of the district described in this ordinance, to be assessed to pay the costs and expenses thereof, under and in accordance with the provisions of A.R.S., Sections 48-571 through 48-621 and amendments thereto.

SECTION 9. This ordinance will take effect and be in force from and after its passage, publication and posting as required by law.

SECTION 10. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

PASSED by the Council of the City of Phoenix this 3rd day of July, 2019.

AT TEI

APPROVED AS TO FORM:

Acting City Attorney

REVIEWED BY:

City Manager

JMK:vh:2119982: (LF19-1617) 7/3/19

Published: Arizona Business Gazette

July 11, 2019

July 18, 2019

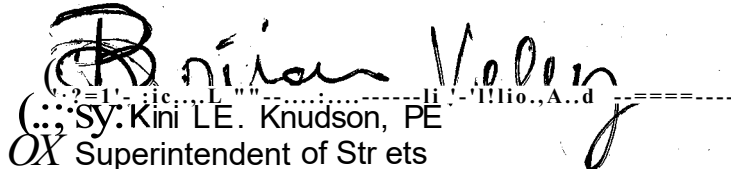


CITY OF PHOENIX, ARIZONA
OFFICE OF THE SUPERINTENDENT OF STREETS

The City Clerk of the
City of Phoenix, Arizona

To comply with the requirement of A.R.S. § 48-577 and amendments thereto, I hereby submit plans and an estimate of cost for the proposed improvements for Project No. WS85503001 (ID 1309) and hereby estimate the cost and expenses of these improvements described as follows: The improvement of the area generally bounded by Loop 101 on the south to Tonopah Drive on the north from 51st Avenue on the west to 47th Ave on the east, by the installation of a waterline improvement and performance of all items of work related to the project.

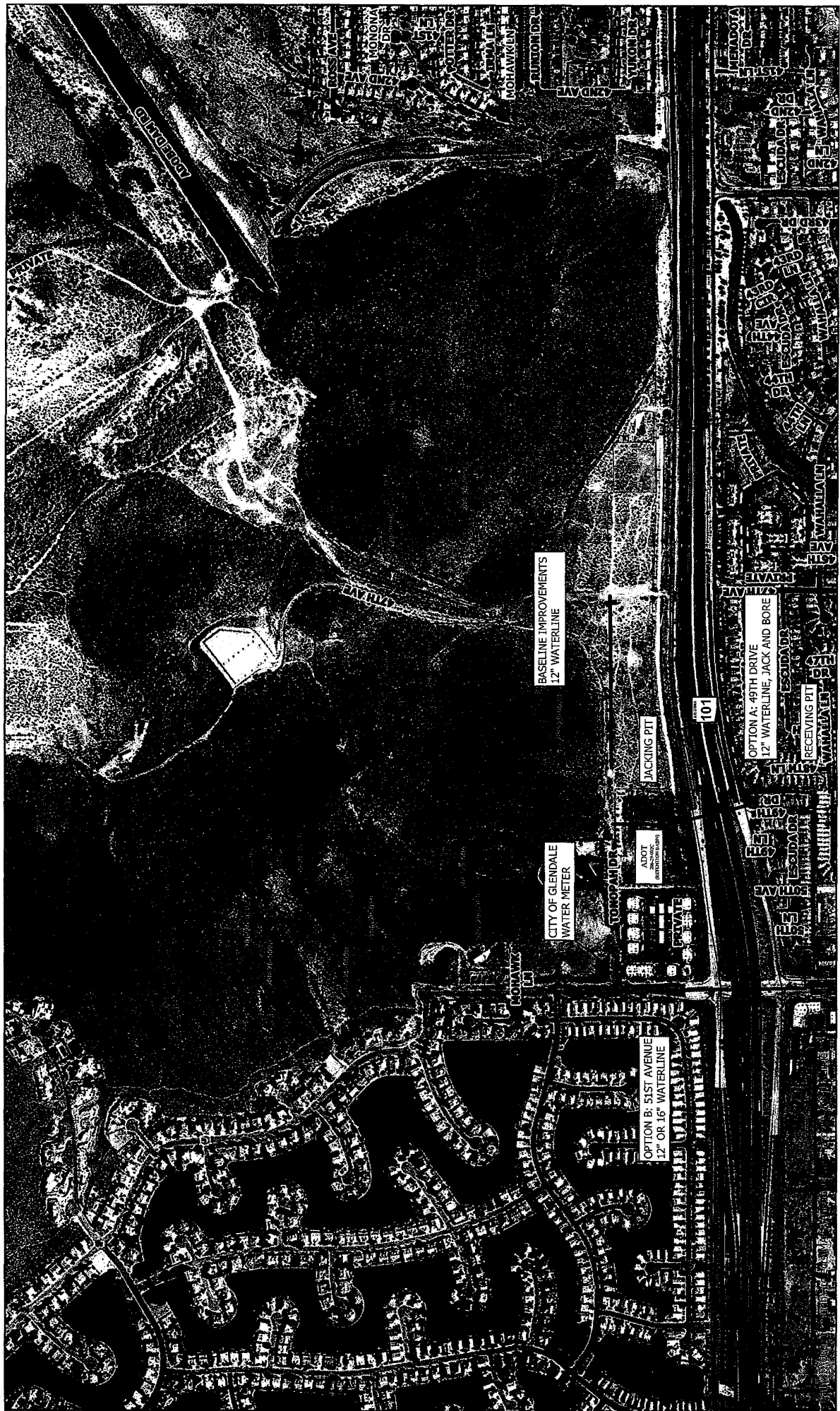
Opt. B 12-inch Construction Cost:	\$ 900,000
Incidental Construction Cost:	\$ <u>252,000</u>
Design, Right of Way & Adm Cost:	\$ <u>648,000</u>
Total Estimated 12-inch Project Cost:	\$1,800,000
Alt. Bid Opt. B 16-inch Construction Cost:	\$1,009,000
Incidental Construction Cost:	\$ <u>252,000</u>
Design, Right of Way & Adm Cost:	\$ <u>699,000</u>
Total Estimated 16-inch Project Cost:	\$1,960,000


Sybil E. Knudson, PE
Superintendent of Streets

Published: The Arizona Business Gazette
July 11th, 2019
July 18th, 2019

Attachment A - Preliminary Boundary Map

Hedgepeth Waterline ID Study, Area Bound By {ABB}: 51st Ave to 43rd Ave from Loop 101 to Pinnacle Peak Rd Alignment



Attachment B - Preliminary Boundary Map

Hedgepeth Waterline ID Study, Area Bound By (ABB): 51st Ave to 43rd Ave from Loop 101 to Pinnacle Peak Rd Alignment







West Plaza Park Renovation - Design-Bid-Build Services - ND30010030 and PA75200609 (Ordinance S-48341)

Request to authorize the City Manager, or his designee, to accept DNG Construction, LLC as the lowest-priced, responsive and responsible bidder and to enter into an agreement with DNG Construction, LLC for Design-Bid-Build Services for the West Plaza Park Renovation project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed \$1,902,818.98.

Summary

The purpose of this project is to provide renovations and park enhancements to West Plaza Park to include new picnic ramadas, walking pathways, basketball and sand volleyball sports courts, a fitness plaza, area lighting, and landscape and irrigation improvements.

DNG Construction, LLC's services include, but are not limited to: provide and install park furnishings and equipment; electrical and area lighting; walkways, ramps, grading and drainage, landscape and irrigation; and other improvements as required for a complete project in compliance with approved plans.

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on Dec. 7, 2021 and were sent to the Neighborhood Services Department for review to determine contractor compliance and responsiveness to Community Development Block Grant program compliance and Neighborhood Services Department's Section 3 project requirements. A Disadvantaged Business Enterprise goal has not been established for this project.

The Opinion of Probable Cost and the two lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: \$2,004,001.15
DNG Construction, LLC: \$1,902,818.98

AJP Electric, Inc.: \$2,097,188.10

Bidders who were deemed non-responsive are listed below, in alphabetical order:
Straight Arrow Contracting, LLC

The bid award amount is within the total budget for this project.

Contract Term

The term of the agreement is 170 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for DNG Construction, LLC will not exceed \$1,902,818.98, including all subcontractor and reimbursable costs.

Funding is available in the Parks and Recreation Capital Improvement Program budget, and Neighborhood Services Department's Capital Improvement Program budget using U.S. Housing and Urban Development Community Development Block Grant funds. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

6549 N. 43rd Ave.
Council District: 5

Responsible Department

This item is submitted by Deputy City Managers Gina Montes, Inger Erickson and Mario Paniagua, the Neighborhood Services Department, the Parks and Recreation Department, and the City Engineer.



2020-21 Parks Lighting Improvements Community Development Block Grant - Design-Bid-Build Services - ND30010029 (Ordinance S-48347)

Request to authorize the City Manager, or his designee, to accept Kimbrell Electric, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Kimbrell Electric, Inc. for Design-Bid-Build Services for the 2020-21 Parks Lighting Improvements Community Development Block Grant project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed \$1,957,442.48.

Summary

The purpose of this project is to improve the area and sports lighting at five local parks: Central Park; El Prado Park; Nevitt Park; Palomino Park and Sweetwater Park, using U.S. Housing and Urban Development Community Development Block Grant (CDBG) funds.

Kimbrell Electric, Inc.'s services include, but are not limited to: removal and installation of ball field lighting structures including underground electrical conduit runs; removal of poles/lighting structures and installation of lighting structures including concrete foundations; replacement of interior and exterior light fixtures on the restroom buildings; installation of underground electrical conduit to the new lighting structures; and provide other improvements as required for a complete project in compliance with approved plans.

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on Dec. 14, 2021 and were sent to the Neighborhood Services Department for review and to determine contractor compliance and responsiveness to CDBG program compliance and Neighborhood Services Department's Section 3 project requirements.

The Opinion of Probable Cost and the two lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: \$2,046,180.00

Kimbrell Electric, Inc.: \$1,957,442.48
Hawkeye Electric, Inc.: \$2,056,999.87

Bidders who were deemed non-responsive are listed below, in alphabetical order:
Sellers and Sons, Inc.

The bid award amount is within the total budget for this project.

Contract Term

The term of the agreement is 170 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for Kimbrell Electric, Inc. will not exceed \$1,957,442.48, including all subcontractor and reimbursable costs.

Funding is available in the Neighborhood Services Department's Capital Improvement Program budget and the Neighborhood Services Department's budget with CDBG funds. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

Central Park - 140 E. Tonto St.
El Prado Park - 6428 S. 19th Ave.
Nevitt Park - 6815 S. 44th Way
Palomino Park - 15815 N. 30th St.
Sweetwater Park - 13230 N. 44th St.

Council Districts: 2, 3 and 8

Responsible Department

This item is submitted by Deputy City Managers Inger Erickson, Gina Montes and Mario Paniagua, the Parks and Recreation and Neighborhood Services departments, and the City Engineer.



**Citywide Civil Construction - Job Order Contracting Services - 4108JOC203
(Ordinance S-48348)**

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors, to provide Citywide Civil Construction Job Order Contracting services. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$25 million for each master agreement, for a total fee for services that will not exceed \$75 million.

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

Summary

The Job Order Contractors (JOC) will be used on an as-needed basis to provide Citywide Civil Construction Job Order Contracting Services. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

The selections were made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Fourteen firms submitted proposals and are listed in **Attachment A**.

Contract Term

The term of each master agreement is for up to five years, or up to \$25 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement value for each of the JOC contractors will not exceed \$25 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$75 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

Funding is available in the citywide department's Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

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

ATTACHMENT A

Selected Firms

Rank 1: Hunter Contracting Co.

Rank 2: Talis Construction Corporation

Rank 3: J. Banicki Construction, Inc.

Additional Proposers

Rank 4: DCS Contracting, Inc.

Rank 5: DNG Construction, LLC

Rank 6: FNF Construction, Inc.

Rank 7: Markham Contracting Co., Inc.

Rank 8: Mark Scott Construction, Inc.

Rank 9: Nesbitt Contracting Co., Inc.

Rank 10: Rummel Construction, Inc.

Rank 11: SDB, Inc. dba SDB Contracting Services

Rank 12: Stormwater Plans, LLC dba SWP Contracting & Paving

Rank 13: Sunland Asphalt & Construction, LLC

Rank 14: ViaSun Corporation



Phoenix Deer Valley Airport Precision Approach Path Indicator System Upgrade - Engineering Services - Amendment 1 - AV31000091 (Ordinance S-48352)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 152896 with Lean Technology Corporation, to provide additional Engineering Services for the Phoenix Deer Valley Airport Precision Approach Path Indicator System Upgrade project. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$100,000.

Summary

The purpose of this project is to upgrade the existing two-box Federal Aviation Administration Precision Approach Path Indicator system to a four-box LED Precision Approach Path Indicator System at Phoenix Deer Valley Airport. Phoenix Deer Valley Airport's four existing Precision Approach Path Indicators utilize a two-light system. These lights provide information to the pilot for the approaching aircraft whether the aircraft is above or below the ideal glide path to the runway. A four-light system provides the pilot with more precise information. The proposed four-light system enhances a pilot's situational awareness and increases safety.

This amendment is necessary because the initial authorization was insufficient to cover all design and construction administration and inspection services. This amendment will provide additional funds to the agreement.

Lean Technology Corporation's additional services include, but are not limited to: completing design, and generating and updating existing drawings and specifications as required; providing inspections; review of construction submittals for project compliance; review and approve pay requests and change orders; conduct substantial completion inspection; issue letter of Substantial completion; and conduct warranty walk and inspection.

Contract Term

The term of the agreement is unchanged from five years from the issuance of the

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

Financial Impact

- The initial agreement for Engineering Services was approved for an amount not to exceed \$108,000, including all subconsultant and reimbursable costs.
- This amendment will increase the agreement by an additional \$100,000, for a new total amount not to exceed \$208,000, including all subconsultant and reimbursable costs.

Aviation Department has received two Arizona Department of Transportation grants for this project. Funding is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved Engineering Services Agreement 152896 (Ordinance S-46895) on Sept. 2, 2020.

Location

Phoenix Deer Valley Airport - 702 W. Deer Valley Road
Council District: 1

Responsible Department

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



Adoption of Vision Zero Strategy Resolution for the City of Phoenix (Resolution 21995)

Request City Council approval of a resolution to adopt the Vision Zero strategy for the City of Phoenix and incorporate Vision Zero goals into the Comprehensive Road Safety Action Plan.

Summary

On Jan. 25, 2022, City Council was provided with an update on the development of the Street Transportation Department's Comprehensive Road Safety Action Plan (RSAP) to improve safety on Phoenix roadways. The City Council approved Phoenix to become part of the Vision Zero Network and incorporate Vision Zero into the goals of the RSAP. The proposed resolution provided as **Attachment A** adopts the Vision Zero strategy with the goal of eliminating all traffic fatalities on Phoenix roadways.

Road Safety Action Plan

The RSAP will be a comprehensive safety plan applying a data-driven, decision-making process to identify and prioritize transportation safety improvements with a "Four E's" approach (Evaluation, Education, Engineering, and Enforcement). Phoenix's existing efforts on the RSAP closely align with the framework of a Vision Zero Action Plan, with its emphasis on meaningful community engagement, equity, and data-driven, systems-based strategies to improve road safety for all Phoenixians.

Vision Zero Network

The Vision Zero Network is a U.S.-based non-profit organization that advocates for cities to adopt the core philosophy of Vision Zero: that traffic-related deaths and serious injuries are preventable. The Vision Zero Network recognizes cities that take action adopting this approach to road safety as a "Vision Zero Community." One of the key steps toward this recognition is a political commitment to adopt the goal of eliminating all traffic-related deaths. To date, fifty-one cities in the United States have been recognized by the Vision Zero Network.

Financial Impact

There is no financial impact to the City for adoption of this resolution.

Concurrence/Previous Council Action

The Citizens Transportation Commission:

- Recommended City Council approval of the development of the RSAP on Jan. 28, 2021, by a vote of 15-0; and
- Received an update on the RSAP on Oct. 28, 2021.

The Transportation, Infrastructure and Innovation Subcommittee:

- Recommended City Council approval for the development of the RSAP on Feb. 3, 2021, by a vote of 4-0.

The Transportation, Infrastructure and Planning Subcommittee:

- Received an update on the RSAP on Oct. 20, 2021, with a request to provide a recommendation to Council regarding the Vision Zero strategy.

The City Council:

- Approved the development of the RSAP, completion of near-term projects, and additional staffing resources on March 2, 2021; and
- Received an update on the development of the RSAP and approved moving forward with the Vision Zero strategy and incorporation of Vision Zero goals into the RSAP on Jan. 25, 2022, by a vote of 7-2.

Public Outreach

Street Transportation Department staff developed a Public Involvement Plan, which established an interactive website featuring a community engagement survey that will remain live through February 2022, and interactive participation in citywide and Council District-specific meetings. The first citywide virtual meeting was held on Nov. 16, 2021, and the following Council-hosted public meetings were held or have been scheduled to date:

- Virtual meeting on Dec. 2, 2021 with Council member Guardado;
- In-person coffee talk on Dec. 8, 2021, and virtual meeting on Feb. 1, 2022 with Council member Stark;
- In-person coffee talk on Jan. 28, 2022 with Council member O'Brien;
- In-person community event on Feb. 12, 2022 with Council member Ansari;
- Virtual coffee chat on Feb. 16, 2022 with Vice Mayor Pastor;
- Virtual meeting scheduled for Feb. 24, 2022 with Council member Garcia.

Responsible Department

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

Attachment A - Vision Zero Draft Resolution

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

RESOLUTION

A RESOLUTION ADOPTING THE VISION ZERO STRATEGY FOR THE CITY OF PHOENIX AND INCORPORATE VISION ZERO GOALS INTO THE COMPREHENSIVE ROAD SAFETY ACTION PLAN.

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

WHEREAS, Phoenix aspires to reduce the number of fatal and serious injury crashes on its streets to zero;

WHEREAS, Vision Zero is a City safety policy that takes an ethical approach toward achieving safety for all road users;

WHEREAS, traffic-related deaths and serious injuries are preventable;

WHEREAS, the severity of motor vehicle-related crashes can be reduced;

WHEREAS, Phoenix wants to be proactive in reducing fatal and serious injury crashes on our streets;

WHEREAS, transportation safety is everybody's responsibility, including the City and road users;

WHEREAS, multiple City Departments, that include Street Transportation, Planning and Development, and Phoenix Police departments, are actively employing programs to improve safety; and

WHEREAS, Vision Zero leverages existing programs and can create new programs and strategies to help meet the Council's adopted performance measure to achieve a reduction in the number of fatal and serious injury crashes to zero.

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

SECTION 1. The Phoenix City Council hereby adopts the Vision Zero strategy with the goal of eliminating all traffic fatalities for all users on Phoenix roadways.

SECTION 2. The Phoenix City Council hereby incorporates Vision Zero goals into the Comprehensive Road Safety Action Plan.

PASSED by the Council of the City of Phoenix this 16th day of February, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: _____ *RRH*

REVIEWED BY:

Jeffrey Barton, City Manager

RRH:tml:21-3594:2-16-2022:2300228v1



Liquid Slide Out Asphalt Release Product - Requirements Contract - RFA 17-082A - Amendment (Ordinance S-48362)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 144624 with Brody Chemical Inc., to provide additional time to the contract for the purchase of Liquid Slide Out Asphalt Release Product for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are requested as part of this amendment.

Summary

The purpose of this amendment is to extend the contract to allow additional time for a new solicitation to be developed.

Brody Chemical, Inc. provides the liquid slide out asphalt release product, Slippery Wizard, which is used to clean large, specialized asphalt equipment and asphalt tools utilized by the Street Transportation Department. The asphalt release agent prevents the asphalt from adhering to equipment and tools and preserves the life of the equipment.

Contract Term

This amendment will extend the date of the contract term from Feb. 28, 2022 through Feb. 28, 2023.

Financial Impact

The initial authorization for Contract 144624 was for an expenditure not-to-exceed \$360,000. No additional funds are requested with this amendment as remaining funds authorized by previous Council action are available.

Funding is available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

The City Council approved Liquid Slide Out Asphalt Release Product Contract 144624 (Ordinance S-43245) on Feb. 15, 2017.

Responsible Department

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



Wastewater Facilities Job Order Contract Program Engineering Support Services - WS90100001, WS90100094, WS90100100 & WS90100105 (Ordinance S-48323)

Request to authorize the City Manager, or his designee, to enter into an agreement with Water Works Engineers, LLC, to provide Engineering Support Services that include design and construction administration and inspection services for the Wastewater Facilities Job Order Contract Program Engineering Support Services project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$3.2 million.

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

Summary

The purpose of this project is to provide engineering support services for the Wastewater Facilities Job Order Contract (JOC) Program at the 91st Avenue Wastewater Treatment Plant.

Water Works Engineers, LLC's (Water Works) services include, but are not limited to, design and construction administration and inspection services for various project types as identified by City staff for implementation under the JOC program. These projects differ in size, scope, and complexity. Frequently, the work performed under the JOC program requires some level of design effort as well as construction administration and inspection services. Additionally, coordination with appropriate

regulatory agencies such as Maricopa County, City of Phoenix Planning & Development Department, Arizona Department of Environmental Quality and Arizona Department of Water Resources is necessary.

The 91st Avenue Wastewater Treatment Plant is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

Procurement Information

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

Selected Firm

Rank 1: Water Works Engineers, LLC

Additional Proposers

Rank 2: Wilson Engineers, LLC

Rank 3: GHD, Inc.

Rank 4: Kimley-Horn and Associates

Rank 5: ProTech Services, LLC

Contract Term

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

Financial Impact

The agreement value for Water Works will not exceed \$3.2 million, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget using SROG funds.

Concurrence/Previous Council Action

The SROG Advisors authorized the project on Jan. 13, 2022., by a vote of 5-0.

The SROG Managers authorized the project on Feb. 9, 2022, by a vote of 5-0.

Location

91st Avenue Wastewater Treatment Plant
Council District: 7

Responsible Department

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



91st Avenue Wastewater Treatment Plant Electrical Job Order Contract Engineering Support Services - WS90100001, WS90100094, WS90100100 & WS90100105 (Ordinance S-48326)

Request to authorize the City Manager, or his designee, to enter into an agreement with EIC Engineers, LLC, to provide Electrical Job Order Contract Support Services that include: design and construction administration and inspection services for the 91st Avenue Wastewater Treatment Plant Electrical Job Order Contract Engineering Support Services project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$2.1 million.

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

Summary

The purpose of this project is to provide design and construction administration and inspection services for electrical, instrumentation and control replacements or upgrades at the 91st Avenue Wastewater Treatment Plant.

EIC Engineers, LLC's services include, but are not limited to: design and construction administration, and inspection services for various projects dealing with electrical, instrumentation and control equipment being replaced or upgraded as identified by City staff for implementation under the Job Order Contract (JOC) Program. These projects differ in size, scope and complexity. Frequently, the work performed under the

JOC Program requires some level of design effort as well as construction administration and inspection services. Additionally, coordination with appropriate regulatory agencies such as Maricopa County, City of Phoenix Planning and Development Department, Arizona Department of Environmental Quality, and Arizona Department of Water Resources is necessary.

The 91st Avenue Wastewater Treatment Plant is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

Procurement Information

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

Selected Firm

Rank 1: EIC Engineers, LLC

Additional Proposers

Rank 2: M3 Engineering and Technology Corporation

Rank 3: Pre-Tech Services, LLC

Contract Term

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

Financial Impact

The agreement value for EIC Engineers, LLC will not exceed \$2.1 million, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget using SROG funds.

Concurrence/Previous Council Action

The SROG Advisors authorized the project on Jan. 13, 2022, by a vote of 5-0.

The SROG Managers authorized the project on Feb. 9, 2022, by a vote of 5-0.

Location

91st Avenue Wastewater Treatment Plant
Council District: 7

Responsible Department

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



Agenda Date: 2/16/2022, Item No. 70

Deer Valley Water Treatment Plant Finished Water Pump Station and Chemical Facility Rehabilitation and Refurbishment - Construction Manager at Risk Preconstruction Services - WS85100050, WS85100056 and WS85263300 (Ordinance S-48329)

Request to authorize the City Manager, or his designee, to enter into an agreement with PCL Construction, Inc. to provide Construction Manager at Risk Preconstruction Services for the Deer Valley Water Treatment Plant Finished Water Pump Station and Chemical Facility Rehabilitation and Refurbishment project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$300,000.

Summary

The purpose of this project is to increase the water to be moved from the Deer Valley Water Treatment Plant (WTP) to water infrastructure in north Phoenix to supplement and provide resiliency for the water system. The City of Phoenix Water Services Department completed a study to determine how to supplement the water system in the event there are restrictions placed on Colorado River water delivered through the Central Arizona Project (CAP). The City of Phoenix treats CAP water at the Union Hills and Lake Pleasant WTPs which supply water to north Phoenix. If there are restrictions, both WTPs would be impacted and there would be a shortfall in the areas serviced by the two WTPs. Improving the pump stations at Deer Valley WTP will help to supplement water to north Phoenix in that event.

PCL Construction, Inc. (PCL) will begin in an agency support role for Construction Manager at Risk Preconstruction Services. PCL will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

PCL's services include, but are not limited to, being responsible for construction means and methods, and will be required to solicit bids from prequalified subcontractors to perform the work, provide detailed cost estimation and knowledge of marketplace conditions, provide construction phasing and scheduling that will minimize interruption to City operations, as well as provide alternate systems evaluation and constructability studies. A Small Business Enterprise goal will be established for this

project upon substantial completion of Preconstruction Services and prior to the start of construction.

Procurement Information

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

Selected Firm

Rank 1: PCL Construction, Inc.

Additional Proposers

Rank 2: McCarthy Building Companies, Inc.

Rank 3: MGC Contractors, Inc.

Rank 4: J.R. Filanc Construction Company

Rank 5: MWH Constructors, Inc.

Rank 6: Felix Construction Company

Contract Term

The term of the agreement is five years from issuance of the Notice to Proceed. Work scope has been identified and incorporated into the agreement. Prior to the end of the term the parties may agree that work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for PCL Construction, Inc. will not exceed \$300,000, including all subcontractor and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

Deer Valley Water Treatment Plant

Council District: 1

Responsible Department

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



Total Organic Carbon Analyzers Agreement - Request for Award (Ordinance S-48343)

Request to authorize the City Manager, or his designee, to enter into an agreement with YSI, Inc. to provide Total Organic Carbon Analyzers for the purpose of testing natural organic material that exists in surface water. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will not exceed \$400,000.

Summary

The purpose of this agreement is to support the City of Phoenix Water Services Department laboratories, which provide on-site support for the drinking water plants, with the ability to purchase Total Organic Carbon analyzers required to measure natural organic material that exists in surface water.

YSI's services include, but are not limited to, development and creation of customized Total Organic Carbon Analyzer equipment, consumables and the maintenance services required to maintain proper operation.

Procurement Information

The recommendation was made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid and is listed below. The bid was found to be responsive and responsible.

Selected Bidder

YSI, Inc.: \$400,000

Contract Term

The agreement will begin on or about Feb. 16, 2022, for a five-year term.

Financial Impact

The agreement value for YSI, Inc. will not exceed \$400,000.

Funding is available in the Water Services Department Operating Budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Non-hazardous Liquid Waste Removal Agreement - Request for Award (Ordinance S-48346)

Request to authorize the City Manager, or his designee, to enter into an agreement with MP Environmental Services, Inc., to provide non-hazardous liquid waste removal services for the purpose of remaining in compliance with the City's stormwater program and permit. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will not exceed \$360,000.

Summary

The purpose of this agreement is to provide non-hazardous liquid waste removal on an as-needed basis. Non-hazardous liquid waste is disposed of from Water Services Department Water Treatment Plants to an approved facility. This service is necessary to remain in compliance with the City's stormwater program and permit.

MP Environmental's services include but are not limited to testing, removal, transporting, and disposal of non-hazardous liquid waste from multiple Water Services Department Water Treatment Plants.

Procurement Information

The recommendation was made using an Invitation for Bid procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids, one bid was received late. One bid was found to be responsive and responsible.

Selected Bidder

MP Environmental Services, Inc. \$19,500

Contract Term

The agreement will begin on or about Feb. 16, 2022, for a six-year aggregate term with no options to extend.

Financial Impact

The agreement value for MP Environment Services, Inc. will not exceed \$360,000.

Funding is available in the Water Services Department Operating budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



Modification of Stipulation Request for Ratification of Jan. 19, 2022 Planning Hearing Officer Action - PHO-3-21--Z-111-01-8(7) - Northwest Corner of 75th Avenue and Baseline Road

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 Jan. 19, 2022. This ratification requires formal action only.

Summary

Application: PHO-3-21--Z-111-01-8(7)

Existing Zoning: R1-8, R-3A, C-1

Acreage: 39.67

Owner: 75 Baseline LLC and Coplen 64 LLC

Applicant: Cassandra Ayres, Beus Gilbert McGroder

Representative: Paul E. Gilbert, Beus Gilbert McGroder

Proposal:

1. Review of conceptual building elevations per Stipulation 2.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Jan. 10, 2022, and recommended approval by a vote of 7-0.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Jan. 19, 2022, and recommended approval with a modification and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Northwest corner of 75th Avenue and Baseline Road.

Council District: 7

Parcel Address: N/A

Responsible Department

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

Attachment A- Stipulations- PHO-3-21--Z-111-01-8(7)

Location: Northwest corner of 75th Avenue and Baseline Road

Stipulations:

1.	The development shall be in general conformance with the site plan date stamped October 19, 2021 as modified by the following stipulations, as approved by the Planning and Development Department, and with specific regard to the following:
a.	Multifamily residential development on the property zoned C-1 shall not exceed 97 units.
2.	THE SINGLE-FAMILY AND MULTIFAMILY DEVELOPMENTS SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED JANUARY 14, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. 2-	Conceptual building elevations for single-family, multifamily, and/or commercial development shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to final site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
STREETS AND RIGHT-OF-WAY	
4. 3-	Right-of-way totaling 55 feet and a 10-foot sidewalk easement shall be dedicated for the north half of Baseline Road.
5. 4-	Right-of-way totaling 30 feet shall be dedicated for the west half of 71st Avenue.
6. 5-	Right-of-way totaling 80 feet with a 20-foot sidewalk easement shall be dedicated for 75th Avenue.
7. 6-	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the northeast and northwest corners of 75th Avenue and Baseline Road.
8. 7-	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the northwest corner of 71st Avenue and Baseline Road.
9. 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 City. All improvements shall comply with all ADA accessibility standards
10. 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.
LANDSCAPED SETBACKS, OPEN SPACE, TRAILS, FENCING AND ENTRANCES	
11. 10.	Each entrance to the subdivision on Baseline Road shall incorporate subdivision entry signage and monumentation into the perimeter wall of the subdivision. Samples of fencing and entry design concepts shall be consistent with the Laveen Plan and approved by the Planning and Development Department.
12. 11.	Fence line shown on southern boundary of parcels three and four to substantially conform to zoning exhibit dated April 5, 2002 and stay broken down into smaller segments that undulate to break up the fence line on Baseline Road as shown.
13. 12.	Walls constructed adjacent to internal trails and open space areas shall be view walls. View walls shall be 100% wrought iron or a combination of 4 feet masonry and 2 feet of wrought iron. This standard is exclusive of the single-family homes next to 71st Avenue, open space on the southern portion of the site and the residential developments adjacent to commercial development.
14. 13.	The development shall comply with the Laveen Plan regarding the 50-foot setback along Baseline Road.
15. 14.	A 10-foot multi-use trail shall be provided along Baseline Road, and along the northern boundary of the property in conjunction with the property to the north. An 8-foot multi-use trail shall be provided along the east side of 75th Avenue. Trails shall be consistent with the approved trail standards as approved by the Parks and Recreation Department.
16. 15.	A 10-foot shared use path (sidewalk) shall be provided within the 20-foot sidewalk easement along the west side of 71st Avenue as approved by the Parks and Recreation Department.
17. 16.	Passive and/or active recreational amenities shall be provided in the open space area.
18. 17.	Pedestrian walkways/connections shall be provided between the multi-family and commercial development.

19. 18.	Pedestrian walkways/connections within the commercial and multi-family residential developments shall be constructed of materials other than asphalt. If concrete is used, it must be stamped.	
TRANSIT STOPS		
20. 19.	a.	Right-of-way and construction of bus bay (P1257) and transit pad (P1261) shall be constructed at the following locations: Northbound 75th Avenue north of Baseline Road.
	b.	Right-of-way shall be dedicated at the following location for future construction of bus bay and transit pad: Westbound Baseline Road west of 75th Avenue.
21. 20.	Right-of-way and construction for transit pads (P1262) shall be constructed at the following locations:	
	a.	Northbound 75th Avenue north of Fremont Road.
	b.	Southbound 75th Avenue south of Fremont Road.
	c.	Westbound Baseline Road west of 71st Avenue.
	d.	Westbound Baseline Road west of 73rd Avenue
COMMERCIAL DESIGN		
22. 21.	All buildings shall have a similar architectural character. A theme consistent with the Laveen Plan shall be approved by the Planning and Development Department prior to any preliminary site plan approval. The theme shall include a minimum of two of the following materials as accent materials: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), or exposed aggregate concrete.	
23. 22.	Rear and side facades and roofline treatment, including color, texture and material shall be "architecturally finished" to minimize visual impact to adjacent residential areas as approved by the Planning and Development Department.	
24. 23.	A shade arcade, a minimum of ten feet in width, shall be provided along any building wall with a primary customer entrance.	
25. 24.	Fifteen percent of surface parking areas within the commercial development, exclusive of the required perimeter landscaping and front setbacks, shall be landscaped and maintained. Landscaping shall be dispersed throughout the parking area with the interior width of all planting islands to be no less than eight feet in width and a minimum of 120 square feet in area.	

26. 25.	There shall be no more than six parking spaces between any pad structure and Baseline Road.
27. 26.	There shall be no overnight parking of recreational vehicles, travel trailers, or similar vehicles.
28. 27.	There shall be no permanent installation of mobile containers permitted, exclusive of temporary loading and unloading.
29. 28.	Any drive-through shall be screened from view of the perimeter street with a landscaped berm or a combination of a wall and landscaped berm at least four feet in height.
30. 29.	The site plan (commercial development) shall connect the parcels/buildings together with shade protected walkways as approved by the Planning and Development Department. The pathways shall reflect a common landscaping theme and include a minimum of two-inch caliper shade trees placed 20 feet on center exclusive of driveway/roadway crossings.
31. 30.	The setbacks shall be landscaped with 2-inch caliper shade trees planted an average of 20 feet on center.
32. 31.	Any service station canopies or drive-through canopies shall not exceed 16 feet in height measured from the ground to the underside of the canopy.
33. 32.	All canopy support pillars shall be a minimum of two feet wide by two feet deep, from the ground to the underside of the canopy, and shall be finished with the same body and accent materials as the primary building.
34. 33.	Electrical and service boxes shall be painted to match the building and/or screened from view.
35. 34.	All canopy lighting shall be flush-mounted or recessed, as approved by the Planning and Development Department.
OTHER	
36. 35.	The property owner shall record documents that disclose to purchasers of property within the development the existence and potential characteristics of agricultural use property in the vicinity. The form and content of such documents shall be reviewed and approved by the City Law Department prior to final site plan approval.
37. 36.	The subject site has the potential to contain archaeological resources. The applicant shall submit an archaeological survey for review and approval by the City Archaeologist (602) 495-0901.
38. 37.	The maximum density relating to the R1-8 PRD portion shall not exceed 3.76 du/acre.

39. 38.	The minimum residential lot width shall be 45 feet for single-family detached residential uses, except that smaller lot widths are allowed on cul-de-sacs and curves, as approved or modified by the Planning and Development Department.
40. 39.	The minimum amount of open space shall not be less than 12%. (This 12% as indicated on the April 5, 2002 site plan will be "interior" to the overall residential neighborhood, which includes the contiguous development to the north. Also, open space is set aside for trail continuity, along the outside edge, as part of the 12%).
41. 40.	Sidewalks, curbs, and streetscapes on residentially zoned property shall be designed in such a way to allow for rural mail delivery.
42. 41.	The minimum overhang on any given product with a peaked roof will be 18 inches.
43. 42.	On the site plan dated April 10, 2002, homes on lots 5-7, 124-128 (Parcel 3), 8-11, 117-126 (Parcel 4) not exceed one-story.
44. 43.	Dwelling footprints will be placed in such a manner as to maximize the distance between houses.
45. 44.	Building setbacks will be offset along the street frontage.
46. 45.	Wrap-around architectural details and materials will be used on both sides of houses along street frontages on corner lots.
47. 46.	A variety of at least two different types of roof styles (e.g., flat concrete shingles and "S" concrete shingles) shall be offered in at least two colors.
48. 47.	At least one elevation per floor plan shall include either brick or stone accents.
49. 48.	All mechanical equipment and dishes larger than 20 inches must be ground-mounted.
50. 49.	Lots 111-121, Parcel 4, on the east side of the project shall be a minimum of 10,000 square feet in size as shown on zoning exhibit dated April 5, 2002.
51. 50.	For multifamily residential development, the developer shall provide secured bicycle parking as required in Chapter 13, Section 1307.H for multifamily development, as approved by the Planning and Development Department.

52. 51.	Any request to change, delete, or modify stipulations shall be presented through the Planning Hearing Officer process and notification shall be given to the Laveen Village Planning Committee prior to the Planning Hearing Officer hearing.
53. 52.	Front elevations of lots zoned R1-8 and R-3A on the west side of 75th Avenue shall contain a combination of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size and location, or overhang canopies, as approved by the Planning and Development Department.
54. 53.	Front elevations of lots zoned R1-8 and R-3A on the west side of 75th Avenue shall incorporate a minimum of three of the following building materials: stone veneer, textured brick, stucco, and board and batten siding, shutters, or decorative gable vents, as approved by the Planning and Development Department.
55. 54.	Front elevations of lots zoned R1-8 and R3-A on the west side of 75th Avenue shall be comprised of a maximum of 75% stucco or other main material, and a minimum of 25% accent material.
56. 55.	Lots zoned R1-8 and R-3A on the west side of 75th Avenue shall include theme walls which shall include material and textural differences such as stucco and/or split face block, as approved by the Planning and Development Department.
57. 56.	Garage doors on lots zoned R1-8 and R-3A on the west side of 75th Avenue shall incorporate decorative embellishments such as added materials surrounding the door, garage door hardware, or stamped panel doors, as approved by the Planning and Development Department.
58. 57.	Attached residential units on the property on the west side of 75th Avenue shall reduce building mass by using a combination of the following techniques, as approved by the Planning and Development Department.
a.	Variation in the roofline and form.
b.	Use of protected or recessed building entrances.
c.	Vertical elements on or in front of expansive blank walls.
d.	Use of wall plane offsets and projections.
e.	Use of focal points and vertical accents.
f.	Inclusion of windows on elevations facing streets and pedestrian areas.

59. 58.	Front facades greater than 60 feet in length of attached residential units on the property on the west side of 75th Avenue shall include a minimum of two of the following elements repeating at appropriate intervals, either horizontally or vertically: texture and material changes, offsets, reveals, recessed front entries, archways or projecting ribs, wall plane projections or recesses, variations in window systems, or vertical landscape features, as approved by the Planning and Development Department.
60. 59.	Attached residential units on the property on the west side of 75th Avenue shall have pitched, gable, or hipped roof types.
61. 60.	Driveways for lots zoned R1-8 and R-3A on the west side of 75th Avenue shall be 22 feet in length as measured from the back of the sidewalk.
62. 61.	The maximum building height shall be 25 feet for all single-family detached residential lots along 75th Avenue and the northern boundary of the subject property.
63. 62.	All lots zoned R1-8 and R3-A on the west side of 75th Avenue, which are developed with single-family detached residential units, shall provide minimum five-foot side yard building setbacks.
64. 63.	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.



Modification of Stipulation Request for Ratification of Jan. 19, 2022 Planning Hearing Officer Action - PHO-3-21--Z-6-04-7 - Southeast Corner of 107th Avenue and Lower Buckeye Road

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 Jan. 19, 2022. This ratification requires formal action only.

Summary

Application: PHO-3-21--Z-6-04-7

Existing Zoning: C-2

Acreage: 2.29

Owner: QuikTrip Corporation

Applicant/Representative: Lauren Proper Potter

Proposal:

1. Review of commercial elevations per Stipulation 7.
2. Technical corrections to Stipulations 3, 4 and 8.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Jan. 18, 2022, and recommended approval with a modification by a vote of 5-0.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Jan. 19, 2022, and recommended approval with a modification and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Southeast corner of 107th Avenue and Lower Buckeye Road.

Council District: 7

Parcel Address: N/A

Responsible Department

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

Attachment A- Stipulations- PHO-3-21--Z-6-04-7

Location: Southeast corner of 107th Avenue and Lower Buckeye Road

Stipulations:

TRAILS AND LANDSCAPING

1. ~~That~~ The development shall conform to the Estrella Village Arterial Street Landscaping program that specifically provides landscaping requirements for Lower Buckeye Road defined in the plan as a village parkway.
2. ~~That~~ The developer shall provide a 30-foot wide public trail easement along the east side of 107th Avenue and along the south side of Lower Buckeye Road exclusively for public utility easement trail and landscaping unless modified by the Parks and Recreation Department.

RESIDENTIAL

3. ~~That~~ The single-family development shall be in general conformance to the site plan date stamped January 15, 2004 as approved or modified by the PLANNING AND Development Services Department.
4. ~~That~~ A minimum 40 x 40 foot triangular landscape entry area SHALL be provided on each corner at the main entrance to the residential subdivision to be located on 107th Avenue as approved or modified by the PLANNING AND Development Services Department.
5. ~~That~~ Open space amenities shall be located outside of retention areas.
6. ~~That~~ The property owner shall record documents that disclose to purchasers of the property within the development the existence and potential characteristics of the Tolleson Wastewater Treatment Plant and the Phoenix Goodyear Airport. The form and content of such documents shall be reviewed and approved by the city attorney.

COMMERCIAL

7. ~~That the commercial elevations shall be reviewed and approved through the Planning Hearing Officer process prior to preliminary site plan approval with the Development Services Department.~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED DECEMBER 2, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

8. THE DEVELOPER SHALL PROVIDE MINIMUM TWO PEDESTRIAN ACCESS POINTS CONNECTING THE ADJACENT PUBLIC RIGHTS-OF-WAY TO BUILDING ENTRANCES, AS DEPICTED ON THE SITE PLAN

DATE STAMPED JANUARY 19, 2022, AS APPROVED OR MODIFIED BY
THE PLANNING AND DEVELOPMENT DEPARTMENT.

9. That the commercial site shall be developed with a similar architectural theme.
- ~~8.~~ The theme shall assure that the building and canopy colors, elevations, exterior materials, landscaping, lighting and signage convey a sense of continuity throughout the development. A master architectural theme shall be provided before preliminary site plan approval of the first building, as approved and modified by THE PLANNING AND Development ~~Services~~ Department.
10. ~~That~~ The development shall conform to the Estrella Village Arterial Street
- ~~9.~~ Landscaping program that specifically requires an entry feature on the southeast corner of 107th Avenue and Lower Buckeye Road designated as a gateway intersection in the plan.

STREET IMPROVEMENTS

11. ~~That a~~ Right-of-way totaling 55 feet shall be dedicated for the south half of
- ~~40.~~ Lower Buckeye Road.
12. ~~That a~~ Right-of-way totaling 55 feet shall be dedicated for the east half of
- ~~44.~~ 107th Avenue.
13. ~~That~~ The developer shall construct all streets within and adjacent to the
- ~~42.~~ development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the city. All improvements shall comply with all ADA accessibility standards.
14. ~~That~~ The applicant shall complete and submit the Developer Project
- ~~43.~~ Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
15. THE DEVELOPER SHALL CONSTRUCT AND LANDSCAPE A 14-FOOT-WIDE MEDIAN ISLAND ALONG LOWER BUCKEYE ROAD FROM 107TH AVENUE TO THE EXISTING MEDIAN TO THE EAST, AS APPROVED BY THE PLANNING AND DEVELOPMENT AND STREET TRANSPORTATION DEPARTMENTS.
16. THE DEVELOPER SHALL CONSTRUCT A MINIMUM 5-FOOT-WIDE DETACHED SIDEWALK ALONG THE SOUTH SIDE OF LOWER BUCKEYE ROAD TO BE DETACHED WITH A MINIMUM 10-FOOT-WIDE LANDSCAPE STRIP LOCATED BETWEEN THE BACK OF CURB AND SIDEWALK. TREES PLANTED IN THE LANDSCAPE AREA ARE TO BE PLACED NEAR THE SIDEWALK TO PROVIDE THERMAL COMFORT FOR PEDESTRIANS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
17. THE DEVELOPER SHALL CONSTRUCT ONE BUS STOP PAD ALONG EASTBOUND LOWER BUCKEYE ROAD EAST OF 107TH AVENUE. THE

BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET AND SHALL BE SPACED FROM THE INTERSECTION OF 107TH AVENUE ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1258, AS APPROVED OR MODIFIED BY THE PUBLIC TRANSIT DEPARTMENT.

18. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

DRAFT



Final Plat - 17 North - PLAT 210084 - Southeast Corner of I-17 and Dynamite Boulevard

Plat: 210084

Project: 20-2966

Name of Plat: 17 North

Owner: James F. McDonald, Trustee of the McDonald Family Trust; Fred A. Bishop, a single man; Fred A. Bishop and Victoria A. Fodale, husband and wife; Margie Lauree Wick, Trustee of the Wick Family Trust; and The Pentad CO-OP, a joint venture.

Engineer: James A. Loftis, RLS

Request: A 272 Lot Subdivision Plat

Reviewed by Staff: Feb. 3, 2022

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 southeast corner of I-17 and Dynamite Boulevard.

Council District: 2

Responsible Department

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



Final Plat - Alta Bluewater - PLAT 210053 - Northwest Corner of Camelback Road and Arizona State Route 51 Highway

Plat: 210053
Project: 19-4369
Name of Plat: Alta Bluewater
Owner: Alta Bluewater, LLC
Engineer: Brian J. Diehl, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Dec. 22, 2021
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 northwest corner of Camelback Road and the Arizona State Route 51 Highway.
Council District: 6

Responsible Department

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



Report

Agenda Date: 2/16/2022, Item No. 77

Final Plat - Bethany at 14th - PLAT 210093 - South of Bethany Home Road and West of 14th Place

Plat: 210093
Project: 20-1702
Name of Plat: Bethany at 14th
Owner: Silver Stage Capital, LLC
Engineer: John Hook, RLS
Request: An 8 Lot Residential Subdivision Plat
Reviewed by Staff: January 18, 2022
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 south of Bethany Home Road and west of 14th Place.
Council District: 6

Responsible Department

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



Waiver of Federal Patent Easement - ABND 210058 - 31st Avenue and Pinnacle Vista Drive (Resolution 21993)

Abandonment: ABND 210058

Project: 20-2345

Applicant: K. Hovnanian Homes

Request: 33-foot Federal patent easement reservations located on the northeast corner of 31st Avenue and Pinnacle Vista Drive and 17-foot right-of-way dedicated on APN: 205-01-007C.

Date of Decision/Hearing: Dec. 28, 2021

Summary

ABND 210058 entails a waiver of federal patent easement and an abandonment of right-of-way. While heard as part of the same abandonment request, the resolutions need to be written differently and therefore two separate requests to City Council exist for the same case (this one, and LN 21-3561). This request is for the waiver of the City's interest in the federal patent easement. Both resolutions are to be recorded together with the Maricopa County Recorder on the same day, at the same time. The sequence of the recording of the two resolutions is not significant.

Location

31st Avenue and Pinnacle Vista Drive.

Council District: 1

Financial Impact

None. No consideration fee was required as a part of this federal patent easement waiver, although filing fees were paid.

Responsible Department

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



Abandonment of Right-of-Way - ABND 210058 - 31st Avenue and Pinnacle Vista Drive (Resolution 21994)

Abandonment: ABND 210058

Project: 20-2345

Applicant: K. Hovnanian Homes

Request: 33-foot Federal patent easement reservations located on the northeast corner of 31st Avenue and Pinnacle Vista Drive and 17-foot right-of-way dedicated on APN: 205-01-007C.

Date of Decision/Hearing: Dec. 28, 2021

Summary

ABND 210058 entails a waiver of federal patent easement and an abandonment of right-of-way. While heard as part of the same abandonment request, the resolutions need to be written differently and therefore two separate requests to City Council exist for the same case (this one, and LN 21-3531). This request is for the abandonment of the dedicated right-of-way. Both resolutions are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of the recording of the two resolutions is not significant.

Location

31st Avenue and Pinnacle Vista Drive.

Council District: 1

Financial Impact

None. No consideration fee was required as a part of this right-of-way abandonment, although filing fees were paid.

Responsible Department

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



Extend Conservation Easement for 612 N. 5th Ave. (Ordinance S-48339)

Request to authorize the City Manager, or his designee, to amend the Conservation Easement on 612 N. 5th Ave. to extend the term an additional 15 years.

Summary

In 2007, the property owner, RAN Holdings, LLC, received a \$10,000 Exterior Rehabilitation grant from the City of Phoenix Historic Preservation (HP) Office to repair and replace windows, repair masonry, and replace the roof of the historic duplex at the front of this property. In exchange for the grant funds, the City received a conservation easement on the property, which remains in effect until June 26, 2022. The conservation easement requires that the historic character of the property be preserved and that the City review and approve exterior changes to the property.

In August of 2021, the property owner's representative filed a Certificate of Appropriateness application to allow the construction of a new detached three-story, four-unit building with a rooftop deck and roof screening structure at the rear of the subject property. On September 23, 2021, the HP Hearing Officer approved the application subject to the stipulation that the building height be reduced to two stories to maintain similarity in height to historic structures in the vicinity. The applicant appealed the decision to HP Commission, which heard the case on October 18, 2021, and continued the hearing to November 15, 2021 and December 20, 2021. At the December hearing, the HP Commission voted 5-1 to modify the HP Hearing Officer's decision and approve the three-story structure with rooftop garden in conjunction with the proposed recording of an extension of the current conservation easement for an additional 15 years.

Prior to the December 20, 2021 hearing, the property owner's representative delivered to the City an amendment to the deed of conservation easement signed by the property owner. The amendment extends the term of the conservation easement 15 years so it will expire on June 26, 2037. Subject to City Council approval, the amendment will be signed by staff and recorded with the Maricopa County Recorder.

Concurrence/Previous Council Action

The Historic Preservation Commission recommended approval of this item on Dec. 20,

2021.

The Economic Development and Equity Subcommittee recommended unanimous approval on Jan. 26, 2022.

Location

612 N. 5th Ave.

Council District: 7

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

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20080803224 09/17/2008 09:43 #123112DCE0
ELECTRONIC RECORDING (7 pages)

WHEN RECORDED RETURN TO:
City of Phoenix
City Manager's Office
Historic Preservation Office
200 W. Washington Street, 17th Floor
Phoenix, Arizona 85003

EXEMPT UNDER A.R.S. 11-1134 (A) (2)

DEED OF FACADE CONSERVATION EASEMENT

123112-DCE

THIS DEED OF FACADE CONSERVATION EASEMENT (the "Easement") is made as of the 26 day of June, 2007, by and between Ran Holdings LLC, an Arizona limited liability company (the "Property Owner"), whose principal address is P.O. Box 877, Phoenix, Arizona 85001 and the City of Phoenix, a municipal corporation organized and existing under the laws of the State of Arizona, (the "City").

RECITALS

A. The City is authorized under Arizona's Uniform Conservation Act, Arizona Revised Statutes, Sections 33-271 through 276, inclusive (collectively, as and if amended, the "Act") to accept easements to protect property significant in Arizona history and culture for the education of the general public.

B. The City is a municipal corporation whose responsibilities include the protection of the public interest in preserving architecturally significant structures within the City of Phoenix.

C. The Property Owner is the owner in fee simple of that certain property located at 612-614 North 5th Avenue, Phoenix, Maricopa County, Arizona, which is more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Property"), including all improvements, fixtures and buildings thereon (the "Structures"). (Any reference to the "Property" hereinafter shall be deemed to include each of the "Structures".)

D. The Property is listed on the Phoenix Historic Property Register; and the Property Owner and the City recognize the historical or architectural value and significance of the Property and have the common purpose of conserving and preserving the aforesaid value and significance of the Property.

E. On June 26, 2007, the Property Owner executed an Exterior Rehabilitation Program Agreement (the "Program Agreement"), wherein the Property Owners have agreed to sell to the City an Easement on the exterior surfaces of each of the Structures (collectively, the "Facades") and any associated fences, walls, or fixtures on the site (collectively the "Site"), and use the proceeds of the sale together, if applicable, with a matching amount of Property Owner's funds or own labor to rehabilitate the Facades.

F. In order to effectuate the obligations of the Property Owner under the Program Agreement, the Property Owner desires to sell, grant, convey, transfer and assign to the City and the City, pursuant to the Act, desires to accept an Easement on the Facades and Site.


Initials

AGREEMENT

NOW, THEREFORE, in consideration of the City's agreement to pay the Property Owners up to \$10,000.00, (the "Purchase Price") subject to the terms and conditions of the Program Agreement, the Property Owners and the City hereby agree as follows:

1. Grant of Easement: The Property Owner does hereby irrevocably grant, convey, transfer and assign unto the City an Easement, as provided for under the Act, in gross for a term of fifteen (15) years from the date hereof through and including June 26, 2022 (the "Term"), in and to the Facades and Site, and which covenants contained herein contribute to the public purpose of conserving and preserving the Facades and accomplishing the other objectives set forth herein.

2. Property Owner's Covenants: In furtherance of the Easement herein granted, the Property Owner hereby covenants and agrees with the City as follows:

2.1 Documentation of the Exterior Condition of the Facades and Site. For the purpose of this Easement, the owner or his designee shall depict the exterior Facades and Site in an original set of photographs dated thirty (30) days following the request for reimbursement from the Historic Preservation Bond Fund by the Grantor(s), (collectively, the "Photographs") and filed in the office of the City of Phoenix Historic Preservation Officer, or designated successor. The exterior condition and appearance of the Facades and Site as depicted in the Photographs (collective, the "Present Facades") is deemed to describe their external nature as of the date thereof.

2.2 Maintenance of the Facades. The Property Owner will, at all times, maintain each of the Structures and their respective Facades, as well as the Site, in a good and sound state of repair in accordance with the City's existing guidelines for the historic district in which the Property is located (the "Standards") so as to prevent the deterioration of the Facades or any portion thereof; to prevent visual obstruction of the Facades from public viewpoints such as adjacent streets; and prevent the intrusion of new improvements, walls, fences, statues, landscaping or fixtures which substantially modify the public view of the Property and its associated streetscape and open space, and are deemed to be not in accordance with the Standards delineated above. The Property Owner will request and obtain advance approval from the City Historic Preservation Office prior to implementing any physical changes to Structures or Facades on the Property or to the Site. This provision does not apply to routine maintenance, landscaping other than hardscape improvements, or installation of sprinkler systems. Subject to the casualty provisions of Paragraph 4 below, this obligation to maintain shall require replacement, repair and reconstruction according to the Standards within a reasonable time whenever necessary to have the external nature of the Structure at all times appear to be the same as the Present Facades.

2.3 Maintenance of the Structural Elements. The Property Owner will maintain and repair each of the Structures, and any associated fences, walls or fixtures on the Site, as is required to ensure the structural soundness and the safety of the Structures and the Facades, and the fences, walls or fixtures on the Site.

2.4 Inspection. In order to periodically observe the Structures and Facades, representatives of the City shall have the right to enter the Property to inspect the exterior Facade. This inspection will be made at a time mutually agreed upon the Property Owner and the City.

2.5 Conveyance and Assignment. The City may convey, transfer and assign this Easement to a similar local, state or national organization whose purposes, inter alia, are to promote

historic preservation, and which is a "qualified organization" under Section 170(h)(3) of the Internal Revenue Code of 1986, as amended, provided that any conveyance or assignment requires that the conservation purposes for which this Easement was granted will continue to be carried out.

2.6 Insurance. The Property Owner, at their sole cost and expense, shall at all times (a) keep the Structures insured at their replacement cost value on an "all risk" basis to ensure complete restoration of the Facades and Site in the event of loss or physical damage. Said property coverage policy shall contain provisions which ensure that the face amount of the policy is periodically adjusted for inflation, and the Property Owner shall provide a Certificate of Insurance to the City evidencing such insurance, including an endorsement naming the City as a loss payee; and (b) carry and maintain liability insurance in an amount satisfactory to the City to protect against injury to visitors or other persons on the property, and to provide a Certificate of Insurance to the City evidencing such insurance, and naming the City as an additional insured on the policy.

2.7 Visual Access. The Property Owner agrees not to substantially obstruct the opportunity of the general public to view the exterior architectural and archaeological features of the Property from adjacent publicly accessible areas such as public streets and sidewalks. The Property Owner shall obtain advance approval from the City Historic Preservation Office for any proposed changes to the site which would obstruct or modify the general public view of the exterior architectural or archeological features of the Property from adjacent publicly accessible areas. If the Structures are not visible from a public area, then the Property Owner agrees that the general public shall be given the opportunity on a periodic basis to view the characteristics and features of the Facades which are preserved by this Easement to the extent consistent with the nature and conditions of the Property.

3. Warranties and Representations of the Property Owners. The Property Owner hereby represent and warrant to the City as follows:

3.1 Information Furnished, True and Correct. All information given to the City by the Property Owner in order to induce the City to accept this Easement, including all information contained in this Easement, is true, correct and complete.

3.2 Legal, Valid and Binding. This Easement is in all respects, legal, valid and binding upon the Property Owner and enforceable in accordance with its terms, and grants to the City a direct, valid and enforceable conservation easement upon each of the Facades.

3.3 No Impairment of Facade Easement. The Property Owner, for himself, his heirs, personal representatives, and assigns, has not reserved, and to his knowledge, no other person or entity has reserved, any rights, the exercise of which may impair the Easement granted herein.

4. Application of Insurance Proceeds. Subject to the insurance proceeds requirements of any recorded Deed of Trust or Mortgage applicable to the Property, in the event of damage or destruction of any of the Structures resulting from casualty, the Property Owners agree to apply all available insurance proceeds and donations to the repair and reconstruction of each of the damaged Structures and any associated fences, walls or fixtures on the Site. In the event the City determines, in its reasonable discretion, after reviewing all bona fide cost estimates in light of all available insurance proceeds and other monies available for such repair and reconstruction, that the damage to the Structures or Site is of such magnitude and extent that repair and reconstruction of the damage would not be possible or practical, then the Property Owner may elect not to repair or reconstruct the damaged Structures or associated fences, walls or fixtures on the Site. Notwithstanding the foregoing, in the event the City notifies the Property Owner in writing that the City has determined that repair and reconstruction of the damaged Structures or associated fences, walls or fixtures on the Site

is impossible or impractical and that the damaged Structures presents an imminent hazard to public safety, the Property Owner will at his sole cost and expense raze the damaged Structures or associated fences, walls or fixtures on the Site and remove all debris, slabs, and any other portions and parts of the damaged structure or associated fences, walls or fixtures on the Site within the time period required by the City to protect the health, safety and welfare of the public, unless the Property Owner has commenced and is diligently pursuing repair or reconstruction of the damaged Structures or associated fences, walls or fixtures on the Site. Upon razing of the damaged portion of the Structures or associated fences, walls or fixtures on the Site, the City shall release any interest it has in the insurance proceeds for the damaged Structures or associated fences, walls or fixtures on the Site. Nothing in this paragraph is intended to supersede or impair the rights to insurance proceeds of a lienholder pursuant to a recorded Deed of Trust of Mortgage applicable to the Property.

5. Indemnification. The Property Owner covenant that he shall pay, protect, indemnify, hold harmless and defend the City at the Property Owner's sole cost and expense from any and all liabilities, claims, costs, attorneys' fees, judgments or expenses asserted against the City, its mayor, city council members, employees, agents or independent contractors, resulting from actions or claims of any nature arising out of the conveyance, possession, administration or exercise of rights under this Easement, except in such matters arising solely from the gross negligence of the City, its mayor, city council members, employees and agents.

5.1 Survival of Indemnification. The obligations of the Property Owner under this indemnification shall continue beyond the term of this Easement for a period of two (2) years.

5.2 Explanation of Indemnification. For purposes of explanation of Paragraph 5 only, and without in any manner limiting the extent of the foregoing indemnification, the Property Owner and the City agree that the purpose of Paragraph 5 is to require the Property Owner to bear the expense of any claim made by any third party against the City, which arises because the City has an interest in the Property as a result of this Easement. The Property Owner will have no obligation to the City for any claims which may be asserted against the City as a direct result of the City's intentional misconduct or gross negligence.

6. Default/Remedy. In the event the Property Owner (a) fails to perform any obligation of the Property Owner set forth herein or in the Program Agreement, or otherwise comply with any stipulation or restriction set forth herein, or (b) any representation or warranty of the Property Owner set forth herein, is determined by the City to have been untrue when made, in addition to any remedies now or hereafter provided by law and in equity, the City or its designee, following prior written notice to the Property Owner, may (aa) institute suit(s) to enjoin such violation by ex parte, temporary, preliminary or permanent injunction, including prohibitory and or mandatory injunctive relief, and to require the restoration of the Property to the condition and appearance required under this Easement or (bb) enter upon the Property, correct any such violation, and hold the Property Owner responsible for the cost thereof, and such cost until repaid shall constitute a lien on the Property. In the event the Property Owner violates any of its obligations under this Easement, the Property Owner shall reimburse the City for any and all costs and expenses incurred in connection therewith, including all court costs and attorneys' fees.

7. Waiver of Remedy. The exercise by the City or its designee of any remedy hereunder shall not have the effect of waiving or limiting any other remedy and the failure to exercise any remedy shall not have the effect of waiving or limiting the use of any other remedy or the use of such remedy at any other time.

8. Waiver of Claims for Diminution in Value of Property Under Proposition 207. By executing this Easement for the real property owned by the Property Owner more particularly described in the attached Exhibit A, the Property Owner with its heirs, successors or assignees hereby voluntarily waives its rights to make any claim for any diminution in value of the Property pursuant to A.R.S. 12-1134 that may directly or indirectly occur as a result of this Easement. The Property Owner understands that this Waiver shall run with the Property and be binding upon subsequent landowners and successors in interest. The duration of this Waiver shall be for a period of three (3) years from the effective date of this Easement. Property Owner acknowledges that this Easement with accompanying Waiver are granted voluntarily and without duress and based on consideration as set forth herein and in the Program Agreement.

9. Effect and Interpretation. The following provisions shall govern the effectiveness and duration of this Easement:

9.1 Interpretation. Any rule of strict construction designed to limit the breadth of restriction on alienation or use of property shall not apply in the construction or interpretation of this Easement, and this Easement shall be interpreted broadly to affect the transfer of rights and restrictions on use herein contained.

9.2 Invalidity of the Act. This Easement is made pursuant to the Act as the same now exists or may hereafter be amended, but the invalidity of such Act or any part thereof, or the passage of any subsequent amendment thereto, shall not affect the validity and enforceability of this Easement according to its terms, it being the intent of the parties hereto to agree and to bind themselves, their successors, heirs and assigns, as applicable, during the Term hereof, whether this Easement be enforceable by reason of any statute, common law or private agreement either in existence now or at any time subsequent thereto.

9.3 Violation of Law. Nothing contained herein shall be interpreted to authorize or permit the Property Owner to violate any ordinance or regulation relating to building materials, construction methods or use, and the Property Owner agrees to comply with all applicable laws, including, without limitation, all building codes, zoning laws and all other laws related to the maintenance and demolition of historic property. In the event of any conflict between any such laws and the terms hereof, the Property Owner promptly shall notify the City of such conflict and shall cooperate with City and the appropriate authorities to accommodate the purposes of both this Easement and such ordinance or regulation.

9.4 Amendments and Modifications. For purposes of furthering the preservation of the Facades, the Structures and the other Property and the other purposes of this Easement, and to meet changing conditions, the Property Owner and the City are free to amend jointly the terms of this Easement in writing without notice to any party; provided, however, that no such amendment shall limit the terms or interfere with the conservation purposes of this Easement. Such amendment shall become effective upon recording the same among the land records of Maricopa County, Arizona, in the office of the County Recorder.

9.5 Recitals. The above Recitals are incorporated herein by this reference.

9.6 Time of the Essence. Time is of the essence in the performance of each and every term and condition of this Easement by the Property Owner.

9.7 Feminine and Masculine. For purposes of this Easement, the feminine shall include the masculine and the masculine shall include the feminine.

IN WITNESS WHEREOF, the Property Owner and the City executed this Easement on the date first above written, which Easement shall be effective immediately upon such execution.

"PROPERTY OWNER"

Ran Holdings LLC

By

Its

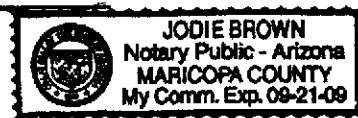
STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 26 day of June, 2007 by Amir Ran, as member/manager of Ran Holdings LLC, an Arizona limited liability company, on behalf of said limited liability company.

My Commission Expires:

9/21/09

Notary Public



CITY OF PHOENIX, a municipal
corporation
FRANK FAIRBANKS, City Manager

By

Barbara Stocklin, Historic Preservation Officer

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 23 day of Jan, 2007, by Barbara Stocklin, Historic Preservation Officer.

Notary Public

My Commission Expires:

9/1/2010

ATTEST

[Signature]
DEPUTY City Clerk



APPROVED AS TO FORM:

[Signature]
ACTING City Attorney

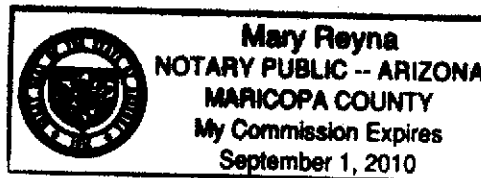


EXHIBIT "A"
Legal Description
612-614 North 5th Avenue
Phoenix, Arizona 85003

Lot 8, Block F, BENNETT PLACE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 2 of Maps, page 43.

ATTACHMENT B

WHEN RECORDED RETURN TO:

City of Phoenix
Planning and Development Department
Historic Preservation Office
200 W. Washington Street, 3rd Floor
Phoenix, AZ 85003

Exempt under A.R.S. § 11-1134 (A) (2)

FIRST AMENDMENT TO DEED OF FACADE CONSERVATION EASEMENT

This FIRST AMENDMENT TO DEED OF FACADE CONSERVATION EASEMENT (the "Amendment") is made as of the _____ day of _____, 202__, by and between Ran Holdings L.L.P., an Arizona limited liability partnership (the "Property Owner"), whose principal address is P.O. Box 877, Phoenix, Arizona 85001 and the City of Phoenix, a municipal corporation organized and existing under the laws of the State of Arizona (the "City"). The Property Owner and the City are sometimes referred to collectively herein as the "Parties" and individually as a "Party."

RECITALS

A. The City is authorized under Arizona's Uniform Conservation Act, Arizona Revised Statutes, Sections 33-271 through 276, inclusive (collectively, as and if amended, the "Act") to accept easements to protect property significant in Arizona history and culture for the education of the general public.

B. The City is a municipal corporation whose responsibilities include the protection of the public interest in preserving architecturally significant structures within the City of Phoenix.

C. The Property Owner is the owner in fee simple of that certain property located at 612-614 North 5th Avenue, Phoenix, Maricopa County, Arizona, which is more particularly described in Exhibit "A" attached hereto and made a part hereof ("Owner's Parcel").

D. The Property Owner and the City are parties to that Deed of Facade Conservation Easement, which was executed by the Parties and recorded in the Office of the Recorder of Maricopa County, Arizona at 2008-0803224 ("Original Easement"), to protect an existing historic structure on Owner's Parcel.

E. The Original Easement was granted to the City for a fifteen (15) year term and is set to expire on June 26, 2022.

F. The Property Owner is willing to extend the term of the Original Easement in order to erect a proposed three-story structure behind the historic structure on the Property.

G. The Parties recognize timing issues associated with the Property Owner granting an extension of the existing term of the Original Easement before the Property Owner has received the ordinary and necessary approvals from the City of Phoenix to erect a new three-story structure on the Owner's Parcel (including Historic Preservation Commission approval, Zoning Adjustment approval, Site Plan approval, and building permit approval) and have therefore added a condition precedent to the extension of the Original Easement to address that timing issue.

AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

1. The Parties hereby amend the Original Agreement to extend the Term of the Original Easement granted in Section 1 of the Original Agreement through and including June 26, 2037 ("Easement Extension"), subject to the condition precedent stated in Section 2 herein and subject to the same terms as stated in the Original Agreement (except for the expiration date, which shall be replaced by the expiration date stated in this Section 1 of this Amendment, and except as stated herein).
2. Notwithstanding the foregoing, and as a condition precedent to the effectiveness, activation, and validity of the Easement Extension, the Easement Extension shall not become effective unless and until the moment the City grants approval of a pre-slab inspection for a three-story structure on Owner's Parcel ("Pre-Slab Inspection Approval") at which time the Easement Extension shall immediately become fully effective.
3. Following the Pre-Slab Inspection Approval, and upon written request of either of the Parties, the Parties shall work together to draft and record a notice acknowledging the Easement Extension has become effective and legally operative.
4. This Amendment, and the Easement Extension if and when it becomes effective, shall run with the land and shall inure to the benefit of the Parties and each of their respective successors and assigns.
5. The Parties hereby ratify all other terms, conditions, covenants, representations, warranties and indemnities set forth in the Original Agreement as modified by this Amendment.
6. Capitalized terms used, but not defined, herein, shall have the same meanings ascribed to such term in the Original Agreement.

7. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

[Signature Pages to Follow]

IN WITNESS WHEREOF, the Parties have executed this Amendment through their representatives duly authorized to execute this document and bind their respective entities to the terms and obligations herein contained on the day and year first written above.

PROPERTY OWNER

Ran Holdings L.L.P, an Arizona
Limited Liability Partnership

Signature 

Name RAN EYAL

Its MEMBER - MANAGER

STATE OF Arizona)
) ss:
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me this 15th day of December, 2021, by Eyal Ran as Member - Manager of Ran Holdings L.L.P., an Arizona limited liability partnership, on behalf of said limited liability partnership.

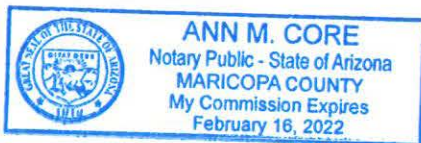
IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public

My Commission Expires:

2/16/22



CITY

CITY OF PHOENIX, a municipal
corporation

Jeff Barton, City Manager

By: _____

Michelle Dodds

Historic Preservation Officer

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this _____ day of _____, 20____,
by Michelle Dodds, Historic Preservation Officer of the CITY OF PHOENIX, a municipal
corporation, on behalf of the City of Phoenix.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires:

EXHIBIT "A"
Legal Description
612-614 North 5th Avenue
Phoenix, Arizona 85003

Lot 8, Block F, BENNETT PLACE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 2 of Maps, page 43.



Amend City Code - Ordinance Adoption - Rezoning Application PHO-4-21--Z-47-19-7- Approximately 800 Feet South of the Southwest Corner of 59th Avenue and Baseline Road (Ordinance G-6963)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Jan. 19, 2022.

Summary

Application: PHO-4-21--Z-47-19-7

Existing Zoning: C-2 HGT/WVR

Acreage: 8.16

Owner: Laveen Baseline LLC

Applicant: Laveen Baseline LLC

Representative: Wendy Riddell, Berry Riddell LLC

Proposal:

1. Review of site plan, landscape plan, and elevations per Stipulation 24.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Jan. 10, 2022 and recommended approval by a vote of 7-0.

PHO Action: The Planning Hearing Officer heard this case on Jan. 19, 2022 and recommended approval with a modification and additional stipulations. See

Attachment A for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 800 feet south of the southwest corner of 59th Avenue and Baseline Road.

Council District: 7

Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-47-19-7 PREVIOUSLY APPROVED BY
ORDINANCE G-6659.

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

SECTION 1. The zoning stipulations applicable located approximately
800 feet south of the southwest corner of 59th Avenue and Baseline Road in a
portion of Section 6, Township 1 South, Range 2 East, as described more specifically
in Attachment “A”, are hereby modified to read as set forth below.

STIPULATIONS:

Overall Site

1. The development shall be in General Conformance to the Conceptual Master Site Plan date stamped October 23, 2019, with specific regard to the site locations, as approved by the Planning and Development Department.
2. All parking areas adjacent to public streets, excluding the freeway, shall be screened by a combination of decorative screen walls and a minimum 3-foot high landscaped mound/berm along the perimeter streets, as approved by the Planning and Development Department.
3. All sidewalks adjacent to public streets shall be detached with a minimum 5-foot wide continuous landscape area located between the sidewalk and back of curb; and shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 25 feet on center or in equivalent groupings; and minimum 5-gallon shrubs

with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department. If there is limited right-of-way along the Baseline Road frontage requiring a modified cross section, an attached sidewalk design may be considered, as approved by the Planning and Development Department.

4. The developer shall provide clearly defined, accessible pathways at vehicular crossings, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces for internal drive aisles and accessways, as approved by the Planning and Development Department.
5. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development for review and approval by the Street Transportation Department (except for the Site A, Harkins) prior to the submittal of preliminary site plans. Additional right-of-way and street improvements may be required following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations. Phased street improvements will require the installation of pavement transition tapers, as approved by the Street Transportation Department.
6. The developer shall construct all streets within and adjacent to the development required for each phase with paving, curb, gutter, minimum 5-foot wide sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
7. Open irrigation facilities are to be piped outside of right-of-way and shown on the preliminary site plan, as approved by the Planning and Development Department.
8. All multi-use trails and shared use paths shall be shaded a minimum of 50 percent with 2-inch minimum caliper, large canopy shade trees, located 5 to 8 feet from the edge of the trail, as approved by the Planning and Development Department.
9. The right-of-way shall be dedicated, if required, and a bus pad (detail P1260 or P1262) constructed at the following locations, unless otherwise modified by the Planning and Development Department and Public Transit Department:
 - a. Eastbound Baseline Road east of 63rd Avenue. Pad shall be spaced from the intersection of 63rd Avenue and Baseline Road according to City of Phoenix Standard Detail P1258.
 - b. Three bus stop pads shall be located along Southbound 59th Avenue.
10. 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.

11. 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.
12. 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.
13. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

Site A

14. The development shall be in general conformance with the site plan and elevations date stamped October 23, 2019, as modified by the following stipulations and approved by the Planning and Development Department.
15. The maximum building height shall be limited to 56 feet.
16. There shall be a 150-foot stepback provided from 59th Avenue for buildings over 30 feet in height.
17. A minimum of one clearly defined pedestrian connection shall be provided from Site A to connect with the trail along the Laveen Area Conveyance Channel with one pedestrian scale amenity (benches, tables, etc.) provided within close proximity of the trail, as approved by the Planning and Development Department.
18. A minimum of two pedestrian pathways that are a minimum 6 feet wide shall be provided from the west side of Site B through Site A to the proposed buildings. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element, as approved by the Planning and Development Department.
19. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

20. The developer shall construct the west half street of 59th Avenue, as
~~19.~~ consistent with the Street Classification Map, including the landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site A, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
21. The developer shall construct a 10-foot-wide Shared Use Path (SUP) along
~~20.~~ the west side of 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
22. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
~~21.~~ south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site B (Retail/Restaurant)

23. The maximum building height shall be limited to 30 feet within 150 feet of 59th
~~22.~~ Avenue and 45 feet for the remainder of Site B.
24. There shall be a 150-foot stepback provided from 59th Avenue for building
~~23.~~ over 30 feet in height.
25. ~~The site plan, landscape plan showing pedestrian circulation and elevations,~~
~~24.~~ ~~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 Southwest Growth Study which shall include the following:~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND LANDSCAPE PLAN DATE STAMPED DECEMBER 3, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS, WITH SPECIFIC REGARD TO THE FOLLOWING, AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- a. ~~Promoting the overall pedestrian circulation within the commercial corner through wide sidewalks, detached sidewalks and overall connectivity including:~~
 - A. A minimum of two pedestrian pathways that are a minimum of 6
(i) feet wide shall be provided from 59th Avenue through the site to connect to buildings and the pedestrian pathways at Site A. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element.

- Page 225

thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.

- 32. The developer shall construct the west half street of 59th Avenue, as
~~30.~~ consistent with the Street Classification Map, including landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site B, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 33. The developer shall construct a 10-foot Shared Use Path (SUP) on 59th
~~34.~~ Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 34. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
~~32.~~ south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site C (Multifamily)

- 35. The site plan, landscape plan showing pedestrian circulation, and elevations
~~33.~~ 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 Southwest Growth Study which shall include the following:
 - a. Promoting pedestrian connections with the adjacent commercial development through sidewalks, detached sidewalks and overall connectivity including:
 - b. A minimum of three evenly dispersed pedestrian connection points to the commercial development to the north. This pedestrian connection shall be clearly defined and minimize vehicular conflicts.
 - c. Arcades and overhangs shall be incorporated into the buildings to promote shade.
 - d. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet, as approved by the Planning and Development Department.
 - e. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 36. There shall be a minimum of 10 percent common area open space provided
~~34.~~ onsite, as approved by the Planning and Development Department.

37. A minimum of 25 percent of the surface parking areas shall be shaded by a
35. minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
38. The developer shall construct the west half street of 59th Avenue, as
36. consistent with the Street Classification Map, including the landscaped median for the full extent of Site C, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
39. The developer shall construct a 10-foot wide Shared Use Path (SUP) on 59th
37. Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
40. The developer shall provide conduit plan and junction boxes at 59th Avenue
38. and South Mountain Avenue on project site for future traffic signal equipment and all work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer, as approved by the Planning and Development Department.

Site D (Commerce Park/General Commerce Park North of the LACC)

41. The site plan, landscape plan showing pedestrian circulation and elevations
39. 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 Southwest Growth Study which shall include the following:
- a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
 - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
 - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
 - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window

fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.

- d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 42. There shall be a minimum of one exterior employee balcony provided on each
~~40.~~ four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 43. The glazing on all building windows shall have a maximum reflectivity of 20
~~41.~~ percent, as approved by the Planning and Development Department.
- 44. A minimum of 25 percent of the surface parking areas shall be shaded by
~~42.~~ minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 45. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for
~~43.~~ each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 46. A minimum of 30 percent of building linear frontage, that has main public
~~44.~~ entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 47. The developer shall protect in place the shared-use path and 20-foot wide
~~45.~~ public trail/sidewalk easement along the north side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 48. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement
~~46.~~ along the west side of the 202 Loop or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot-wide shared-use path (SUP) within the easement as indicated in section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 49. A minimum 10-foot public multi-use trail shall be constructed within a 30-foot
~~47.~~ easement in accordance with MAG supplemental detail 429 along the south side of Baseline Road to connect to the trails to the east and west, as approved by the Parks and Recreation Department.

50. The developer shall dedicate 60 feet of right-of-way for the full parcel limits for the south half of Baseline Road, as approved by the Planning and Development Department.
51. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, as approved by the Street Transportation Department.
52. The developer shall dedicate 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue and improvements as required by the TIS, as approved by the Planning and Development. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
53. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the southeast corner of Baseline Road and 63rd Avenue, as approved the Planning and Development Department.

Site E (Commerce Park/General Commerce Park South of the LACC)

54. The site plan, landscape plan showing pedestrian circulation 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 Southwest Growth Study which shall include the following:
- a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
 - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
 - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
 - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.

- d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
55. There shall be a minimum of one exterior employee balcony provided on each
~~53.~~ four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
56. The glazing on all building windows shall have a maximum reflectivity of 20
~~54.~~ percent, as approved by the Planning and Development Department.
57. A minimum of 25 percent of the surface parking areas shall be shaded by
~~55.~~ minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
58. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for
~~56.~~ each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
59. A minimum of 30 percent of building linear frontage, that has main public
~~57.~~ entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
60. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement
~~58.~~ along the west side of the 202 Loop Freeway or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot wide shared-use path (SUP) within the easement per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
61. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
~~59.~~ south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
62. The developer shall dedicate a minimum of 40 feet of right-of-way for the full
~~60.~~ parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, and as approved by the Street Transportation Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, excepting the frontage of APN 300-020-017C, as approved by the Street Transportation Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6659 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6659 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 16th day of February, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-4-21--Z-47-19-7

A PORTION OF LOT 2 ACCORDING TO THE LOT COMBINATION MAP RECORDED IN BOOK 1309 OF MAPS, PAGE 41, OFFICIAL RECORDS OF MARICOPA COUNTY, LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2;

THENCE NORTH 67 DEGREES 50 MINUTES 59 SECONDS EAST, A DISTANCE OF 60.00 FEET TO A POINT ON THE MONUMENT LINE OF 59TH AVENUE;

THENCE SOUTH 22 DEGREES 09 MINUTES 01 SECOND EAST, ALONG SAID MONUMENT LINE OF 59TH AVENUE, A DISTANCE OF 620.15 FEET;

THENCE SOUTH 67 DEGREES 50 MINUTES 59 SECONDS WEST, DEPARTING SAID MONUMENT LINE, A DISTANCE OF 216.53 FEET TO A POINT OF CURVATURE TO THE RIGHT, HAVING A RADIUS OF 540.00 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22 DEGREES 09 MINUTES 01 SECONDS, A DISTANCE OF 208.76 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 279.08 FEET;

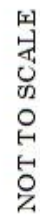
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 561.04 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2 AND TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT, WHOSE RADIUS BEARS NORTH 11 DEGREES 23 MINUTES 11 SECONDS WEST, A DISTANCE OF 2,600.00 FEET;

THENCE EASTERLY ALONG SAID NON-TANGENT CURVE AND SAID NORTH LINE, THROUGH A CENTRAL ANGLE OF 09 DEGREES 02 MINUTES 01 SECONDS, A DISTANCE OF 409.93 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 355,607 SQUARE FEET OR 8.164 ACRES, MORE OR LESS.

EXHIBIT B

Zoning Case Number: PHO-4-21-Z-47-19-7
Zoning Overlay: N/A
Planning Village: Laveen



Drawn Date: 1/20/2022



(CONTINUED FROM JAN. 5, 2022 AND REMANDED BACK TO PLANNING COMMISSION ON FEB. 3, 2022 BY CITY COUNCIL ON JAN. 26, 2022) - Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-69-20-6 (Autem Row PUD) - Approximately 300 Feet West of the Northwest Corner of 16th Street and Maryland Avenue (Ordinance G-6943)

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-69-20-6 and rezone the site from R-O (Residential Office - Restricted Commercial District) to PUD (Planned Unit Development) to allow multifamily residential.

Summary

Current Zoning: R-O (Residential Office - Restricted Commercial District)

Proposed Zoning: PUD (Planned Unit Development)

Acreage: 0.89 acres

Proposal: Multifamily residential

Owner: East Maryland, LLC

Applicant: AUTEM Development

Representative: John Oliver and William E. Lally, Esq., Tiffany & Bosco, PA

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on May 4, 2021 for information only. The Camelback East Village Planning Committee heard this case on Oct. 5, 2021 and recommended denial, by a vote of 8-3.

PC Action: The Planning Commission heard this case on Nov. 4, 2021 and continued the case to Dec. 2, 2021. The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the Addendum B Staff Report with modified and additional stipulations, by a vote of 8-1.

The applicant appealed the Planning Commission recommendation on Dec. 9, 2021.

CC Action: The City Council heard this case on Jan. 5 and Jan. 26, 2022, and remanded the case back to the Planning Commission due to a sign posting (public notification) error.

PC Action: The Planning Commission heard this case on Feb. 3, 2022 and

recommended approval, per the staff memo dated Feb. 3, 2022, with a modified stipulation, by a vote of 8-0.

Location

Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue.

Council District: 6

Parcel Address: 1536 and 1538 E. Maryland Ave.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer 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-69-20-6) FROM R-O (RESIDENTIAL OFFICE – RESTRICTED COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 0.89-acre site located approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue in a portion of Section 9, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “R-O” (Residential Office – Restricted Commercial District) to “PUD” (Planned Unit Development).

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

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

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

1. An updated Development Narrative for the Autem Row 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 December 2, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: December 2, 2021; City Council adopted: [Add adoption date].
 - b. Page 7: Update the reference to proposed number of units to 15.
 - c. Page 8, Land Use Plan: Update the reference to proposed number of units to 15.
 - d. Page 9, Development Standards Table: Update the maximum density to 15 dwellings units and 16.85 du/ac.
 - e. Page 9, Development Standards Table: Update guest parking to 0.46 spaces per residential unit to reflect minimum of 7 guest parking spaces.
 - f. Page 12, Design Guidelines Section E.1.h.: Replace with the following:

Bicycle parking will be installed where indicated on the attached site plan (Exhibit 9). A bicycle repair station shall be provided on the north end of the site in close proximity to the bicycle storage area shown on Exhibit 9.
 - g. Page 14, Section H.2. Circulation: Update the paragraph to reduce number of units to 15 and to describe the layout as proposed in the site plan in Exhibit 9.
 - h. Page 15, Comparative Zoning Table: Update the number of units, density ratio, and minimum guest parking on PUD zoning column.
 - i. Page 36, Exhibit 9 (Conceptual Site Plan): Remove the reference to the bicycle repair station.
 - j. Page 4, Exhibits: Delete reference to Exhibit 10.

- k. Page 12, Design Guidelines Section E.1.: Modify the provision that requires the southernmost units to incorporate street-facing front doors and glazing to be oriented towards Maryland Avenue, and also the stoops and stairs to be oriented towards Maryland Avenue.
 - l. Page 28: Revise Exhibit 6 (Streetside Scale Context Exhibit) to be consistent with the revised rendering on the cover of the PUD Narrative.
 - m. Pages 33-34: Revise Exhibit 8 (Conceptual Rendering) to be consistent with the revised rendering on the cover of the PUD Narrative.
- 2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
 - 3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
 - 4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
 - 5. 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.
 - 6. The developer shall provide on-site trash and recycling pick up, as approved by the Planning and Development Department.
 - 7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 1st day of December,
2021.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey J. Barton, City Manager
Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-69-20-6

THAT PART OF FARM UNIT F (OR THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER), SECTION 9, TOWNSHIP 2 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, WHICH POINT IS 336.78 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION;

THENCE NORTH 355.33 FEET TO A POINT;

THENCE WEST 162.78 FEET;

THENCE SOUTH 355.33 FEET TO THE POINT OF BEGINNING:

EXCEPT THE NORTH 120.00 FEET.

AND ALSO EXCEPT THE SOUTH 33.00 FEET.

THIS DESCRIPTION ENCOMPASSES THE PROPERTIES RECORDED IN DOCUMENT NUMBERS 2013-0016773 AND 2012-0878219 OF MARICOPA COUNTY RECORDS.

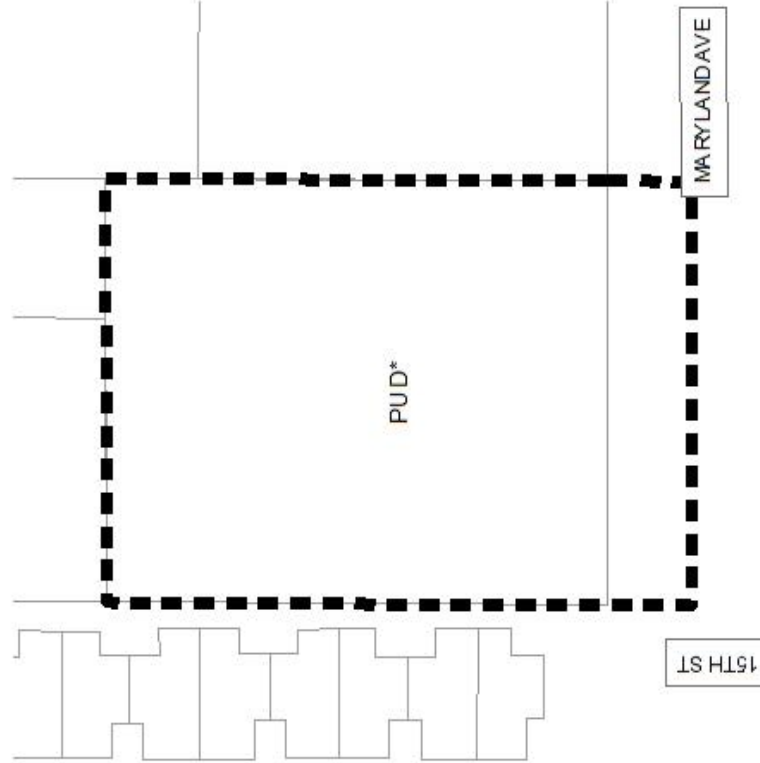
ASSESSOR'S PARCEL NUMBER: 161-08-050C

EXHIBIT B

ORDINANCE LOCATION MAP

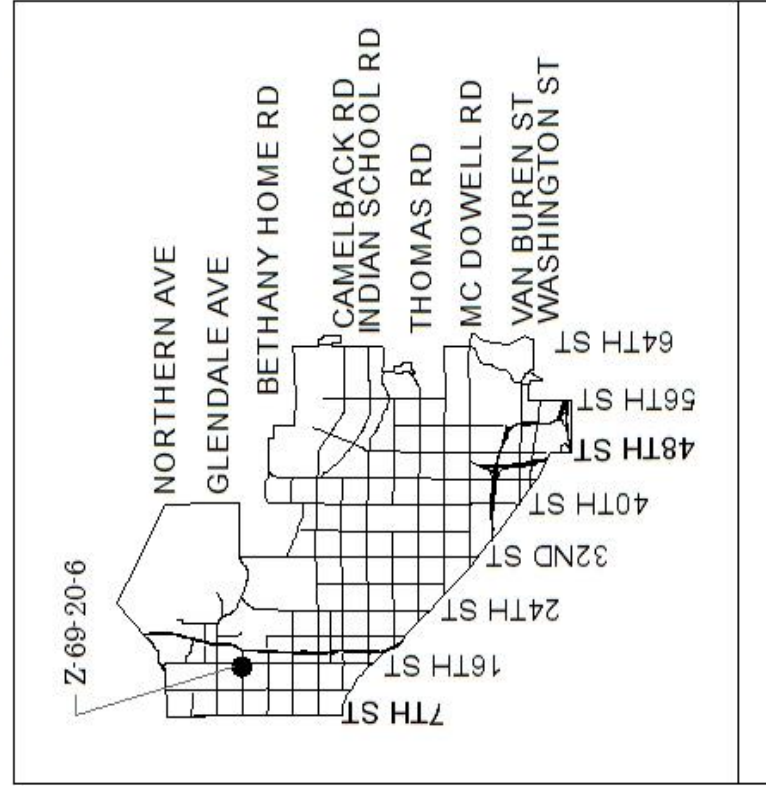
Zoning Case Number: Z-69-20-6
 Zoning Overlay: N/A
 Planning Village: Camelback East

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



0 30 60 120 Feet

NOT TO SCALE



Drawn Date: 10/29/2021

\\onepdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_Ord\Mapsl2-121\Z-69-20-6.mxd



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-69-20-6
September 24, 2021

<u>Camelback East Village Planning Committee Meeting Date</u>	October 5, 2021
<u>Planning Commission Hearing Date</u>	November 4, 2021
Request From:	<u>R-O</u> (0.89 acres)
Request To:	<u>PUD</u> (0.89 acres)
Proposed Use	Multifamily residential
Location	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
Owner	East Maryland, LLC
Applicant	AUTEM Development
Representative	William E. Lally, Esq., Tiffany & Bosco
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity			
<u>General Plan Land Use Map Designation</u>		Residential 3.5 to 5 dwelling units per acre	
<u>Street Map Classification</u>	Maryland Avenue	Minor collector	33-foot north half street
<p>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.</p> <p>The proposal seeks to convert a site that currently houses two small offices into a single-family attached residential development, which will provide more housing options for residents in the area along a popular bicycle thoroughfare and in close proximity to bus stops to the east, on 16th Street. The site is also close to the State Route 51 freeway to the east and to commercial centers on Bethany Home Road to the south.</p>			

CONNECT PEOPLE AND PLACES CORE VALUE; COMPLETE STREETS; DESIGN

PRINCIPLE: *In order to balance a more sustainable transportation system, development should be designed to include increased amenities for transit, pedestrian and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding.*

The PUD (Planned Unit Development) seeks to improve the pedestrian environment along its Maryland Avenue street frontage with robust tree shade cover, a pedestrian-scale entrance into the community with bench seating, bicycle parking, bicycle repair station, decorative way-finding signage, pedestrian-scale lighting, and a decorative water feature. These elements will help create a pedestrian-friendly environment along the front of the development and will support users of the existing bicycle route along Maryland Avenue.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: *Provide high quality urban design and amenities that reflect the best of urban living at an appropriate village scale.*

The proposed PUD development narrative sets forth enhanced design guidelines for both the architectural style and the site layout for the development. In addition to the pedestrian-scale amenities provided along the Maryland Avenue streetscape, extensive requirements for building mass articulation, balconies, a shaded community corridor, and high-quality building materials, will ensure superior urban design in this part of the Camelback East Village.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: *Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.*

The proposed PUD narrative includes landscaping standards that exceed those set forth in the Zoning Ordinance to provide robust tree shade coverage on the pedestrian realm.

Applicable Plan, Overlays, and Initiatives

[Housing Phoenix Plan](#) – See Background Item No. 7.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 8.

[Tree and Shade Master Plan](#) – See Background Item No. 9.

[Complete Streets Guiding Principles](#) – See Background Item No. 10.

[Zero Waste PHX](#) – See Background Item No. 11.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Offices	R-O
North	Single-family residences, surface parking lot	R1-6, R-3, P-1
South (Across Maryland Avenue)	Single-family residences	R1-6
East	Offices and retail	R-5, C-1
West	Condominiums	R-3

Background/Issues/Analysis

SUBJECT SITE

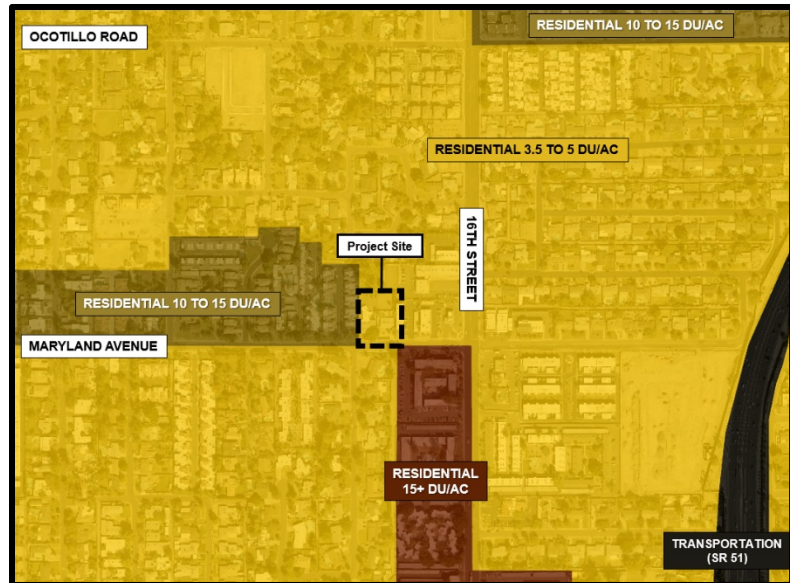
1. This request is to rezone a 0.89-acre site located approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue from R-O (Residential Office – Restricted Commercial District) to PUD (Planned Unit Development) to allow a multifamily residential development.



Aerial Map

Source: City of Phoenix Planning and Development Department

2. The site has a General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. The same designation exists to the north, east and south of the site. West of the site is the Residential 10 to 15 dwelling units per acre designation. To the southeast of the site, across Maryland Avenue, is the Residential 15+ dwelling units per acre designation. Further to the east of the site, east of 16th Street, is the State Route 51 freeway, which is designated Transportation. The proposal is not consistent with the Residential 3.5 to 5 dwelling units per acre designation. However, as the site is under 10 acres, a General Plan Amendment is not required.

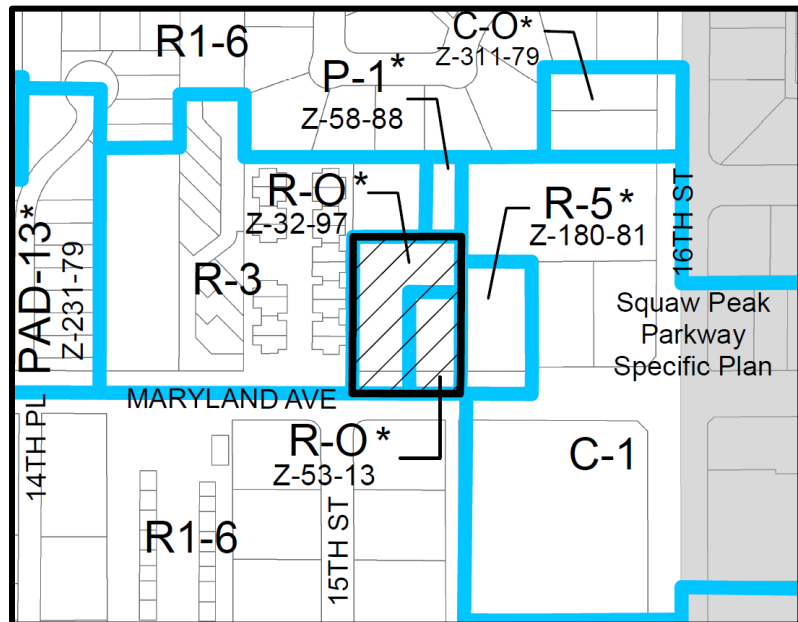


General Plan Land Use Map

Source: City of Phoenix Planning and Development Department

EXISTING CONDITIONS & SURROUNDING ZONING

3. The site is currently zoned R-O (Residential Office – Restricted Commercial District) and is occupied by two residential-scale offices. North of the site are single-family residences zoned R1-6 (Single-Family Residence District) and R-2 (Multifamily Residence District); and a surface parking lot zoned P-1 (Parking District – Passenger Automobile Parking, Limited). East of the site are offices and miscellaneous retail.



Zoning Map

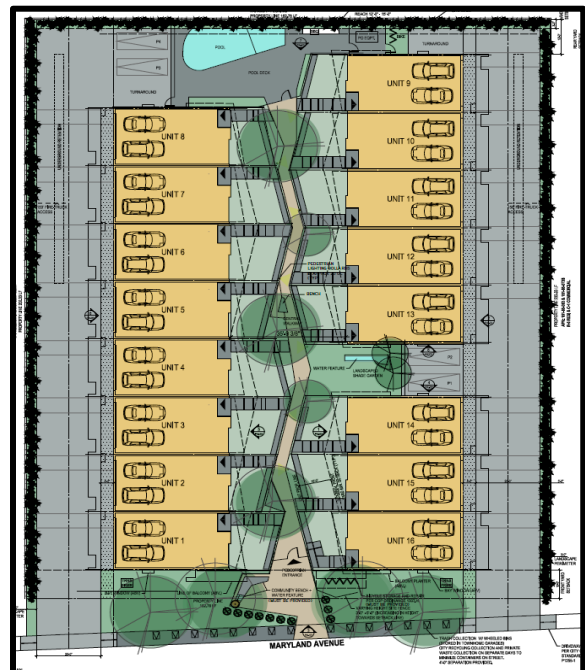
Source: City of Phoenix Planning and Development Department

The property directly adjacent to the east is zoned R-5 (Multifamily Residence District), and the property further to the east, on the northwest corner of 16th Street and Maryland Avenue, is zoned C-1 (Neighborhood Retail District). West of the site are condominiums zoned R-3 (Multifamily Residence District), and to the south, across Maryland Avenue, are single-family residences zoned R1-6 (Single-Family Residence District).

The proposal is compatible with the multifamily residential zoning districts present to both the east and west of the site, with the maximum proposed density falling between those permitted on the two adjacent properties. This will create an appropriate transition in permitted maximum density to the higher densities closer to 16th Street.

PROPOSAL

4. The proposal was developed utilizing the PUD zoning designation. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.
5. The PUD sets forth a limited list of permitted land uses for the site. The development narrative lists Single-Family Attached and Multifamily Residential Uses, both of which shall adhere to the development standards set forth in the PUD. All temporary and accessory uses shall be subject to the Zoning Ordinance.
6. The PUD proposes development standards designed to accommodate a three-story single-family attached residential building at a scale that is compatible with the surround area, with a maximum height of 35 feet and a maximum density of 17.98 dwelling units per acre. The development standards have been crafted to allow a unique building layout to be placed on the site, with centralized pedestrian corridor connecting the front porches and entrances of individual units, and drive aisles with access to individual garages on the perimeters of the site. Below is a summary of the key development standards set forth in the narrative.

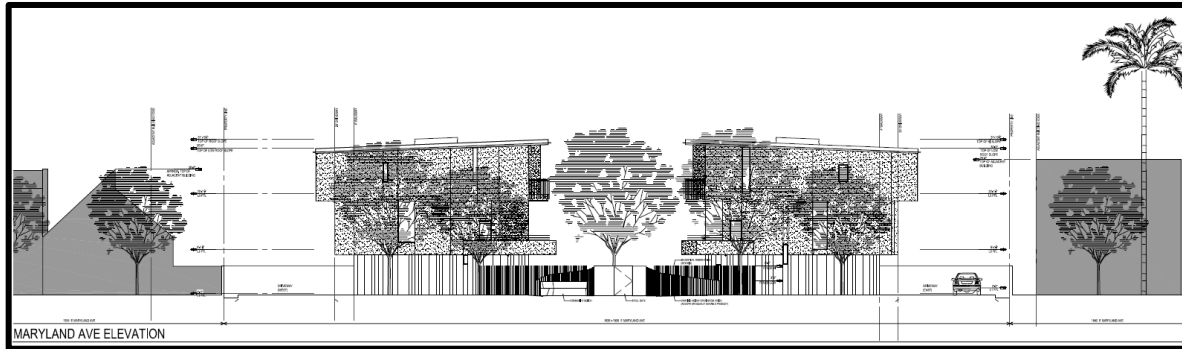


Conceptual Site Plan
Source: Works Bureau

Development Standards	
Standard	Proposed
<i>Density</i>	16 dwelling units maximum 17.98 du/ac maximum
<i>Building Height</i>	3 stories and 35 feet
<i>Building Setbacks</i>	
Front (Maryland Avenue)	10 feet minimum
Sides (east and west)	27 feet minimum at grade level
Rear (north)	12 feet minimum
<i>Maximum Lot Coverage</i>	46 percent maximum
<i>Parking Minimum</i>	
Residents	1.3 spaces per efficiency unit 1.5 spaces per 1- and 2-bedroom units 2 spaces per 3- or more bedroom units 1 space per units less than 600 square feet
Unreserved guest parking	0.25 spaces per 1, 2, or 3-bedroom unit
Bicycle	Minimum 0.5 spaces per unit
<i>Landscape setbacks</i>	
Front (Maryland Avenue)	10 feet minimum
Perimeter	3 feet minimum
<i>Open Space</i>	8 percent minimum
<i>Central Courtyard Corridor</i>	Central corridor with meandering path no narrower than 3 feet 6 inches and no wider than 10 feet 11 inches.

Building Height Compatibility

The proposed building height of three stories and 35 feet is comparable to both existing and entitled building heights in the surrounding area. The property directly to the east is zoned R-5 (Multifamily Residence District), which permits a maximum height of 4 stories and 48 feet. The existing building height on this site is approximately 2 stories and 28 feet. The property to the west of the project site is zoned R1-6 (Single-Family Residence District), which permits a height of 2 stories and 30 feet. The current building height on the property is approximately 26 feet. Further west is a condominium development zoned R-3 (Multifamily Residence District) that permits a height of up to 4 stories and 48 feet. The proposed height of this PUD is comparable to the existing and entitled heights in this area, as depicted in the following exhibit.



Building Height Comparison Exhibit

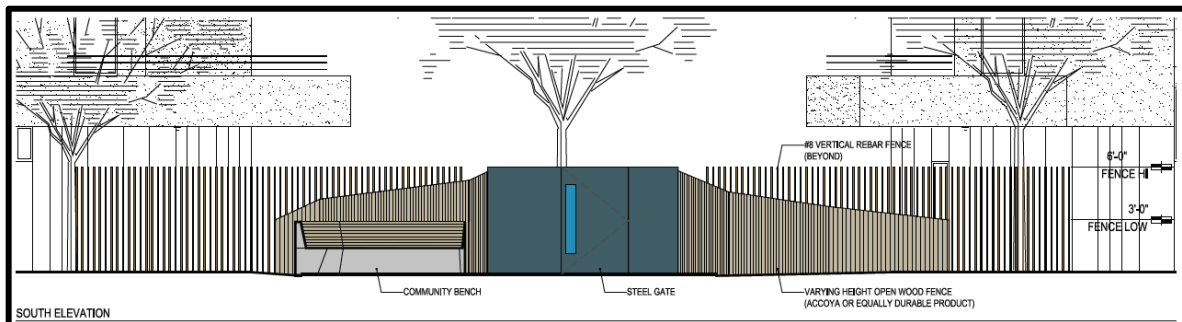
Source: Works Bureau

Landscape Standards

The PUD sets forth minimum planting requirements for the landscape setback areas that exceed the requirements of the Zoning Ordinance. All landscape setback areas shall include a mix of minimum 2-inch caliper and 4-inch caliper trees, contributing to a lush overall landscape aesthetic. These trees shall be planted 20 feet on center or in equivalent groupings, with minimum five, 5-gallon shrubs per tree, and vegetative groundcover to provide 75 percent live groundcover in all landscape areas. The PUD also requires that all pedestrian paths and open space areas be shaded to 75 percent shade at maturity.

Fences/Walls

In addition to standard six-foot-tall walls along the interior perimeter property lines of the development site, the PUD set forth standards to allow for an architecturally unique front entrance gate and privacy fence that will serve not only security purposes but will also beautify the Maryland Avenue streetscape. This fence shall have minimum 50 percent visibility (open fencing), and will vary in height, from three to six feet. The wall shall adhere to the design intent depicted in the conceptual elevation for this feature.



Fence Design Concept

Source: Works Bureau

The overall intent of this PUD is to provide high quality architectural design. The PUD lists several design guidelines to achieve this intent.

Streetscape Design

In addition to the artistic fence element and robust landscaping, the Maryland Avenue frontage will be furnished with a shaded pedestrian seating area, water feature, bicycle racks, and a bicycle repair station to serve residents, guests, and local bicycle commuters.

Building Design

The purpose and intent of this PUD is to produce a “design-first” residential development. The PUD narrative has listed several standards to ensure that the design concept envisioned for the site is achieved. These include floor to ceiling windows and doors, interfacing patios, wrap around balconies that front the street, bay windows, and skylights. The design standards also include minimum requirements for a mix of high-quality building materials. These design standards set forth in the narrative exceed the requirements outlined in the Phoenix Zoning Ordinance for multifamily residential developments.



*Conceptual Rendering
Source: Works Bureau*

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

7. [Housing Phoenix Plan](#)

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix’s rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan’s goal of preserving or creating 50,000 housing units by 2030 by

providing an opportunity for medium or higher density residential development.

8. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal incorporates standards for bicycle parking for residents and guests, and a bicycle repair station.

9. **Tree and Shade Master Plan**

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. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. The PUD sets forth standards for large tree plantings along the streetscape and along perimeter property lines, as well as a requirement for minimum 75 percent shade for all open space areas and pedestrian paths.

10. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The PUD requires that the development provide bicycle infrastructure in the form of bicycle parking and a bicycle repair station along Maryland Avenue, as well as robust tree shade cover for a thermally pleasant pedestrian environment.

11. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. 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 proposal will utilize individual trash and recycling bins for each residential unit, which will be brought out onto the street for city solid waste collection.

COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff received twenty letters in opposition and six letters with general inquiries regarding the PUD rezoning process. Those opposed to the project cited concerns with height, density, traffic, and the nuisance of individual trash bins for all 16 units being places on a narrow street frontage.

INTERDEPARTMENTAL COMMENTS

13. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
14. The Public Transit Department has required that clearly defined, accessible pedestrian pathways be provided to connect all main site elements and public sidewalks, and, where they intersect drive aisles, they be constructed of materials that visually contrast with parking surfaces. The department further required that all pedestrian sidewalks be shaded to 75 percent at tree maturity. These standards have been incorporated into the PUD narrative as regulatory standards.
15. The Street Transportation Department has required that the developer dedicate a 7-foot sidewalk easement along the north side of Maryland Avenue, that a traffic statement be submitted to the City for the development prior to any preliminary approval of plans, and that all streets be constructed with all required improvements and comply with current ADA standards. These are addressed in Stipulation Nos. 2, 3, and 4.

OTHER

16. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33 feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 5.
17. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposed PUD will provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.
2. The site is appropriately situated in close proximity to the State Route 51 freeway to the east and major commercial centers on Bethany Home Road to the south.
3. The PUD will provide significant streetscape improvements along Maryland Avenue, including robust tree shade coverage, public pedestrian seating, and bicycle amenities.

Stipulations

1. An updated Development Narrative for the Autem Row 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 September 21, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: September 21, 2021; City Council adopted: [Add adoption date].
2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
5. 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

Sofia Mastikhina

September 14, 2021

Team Leader

Samantha Keating

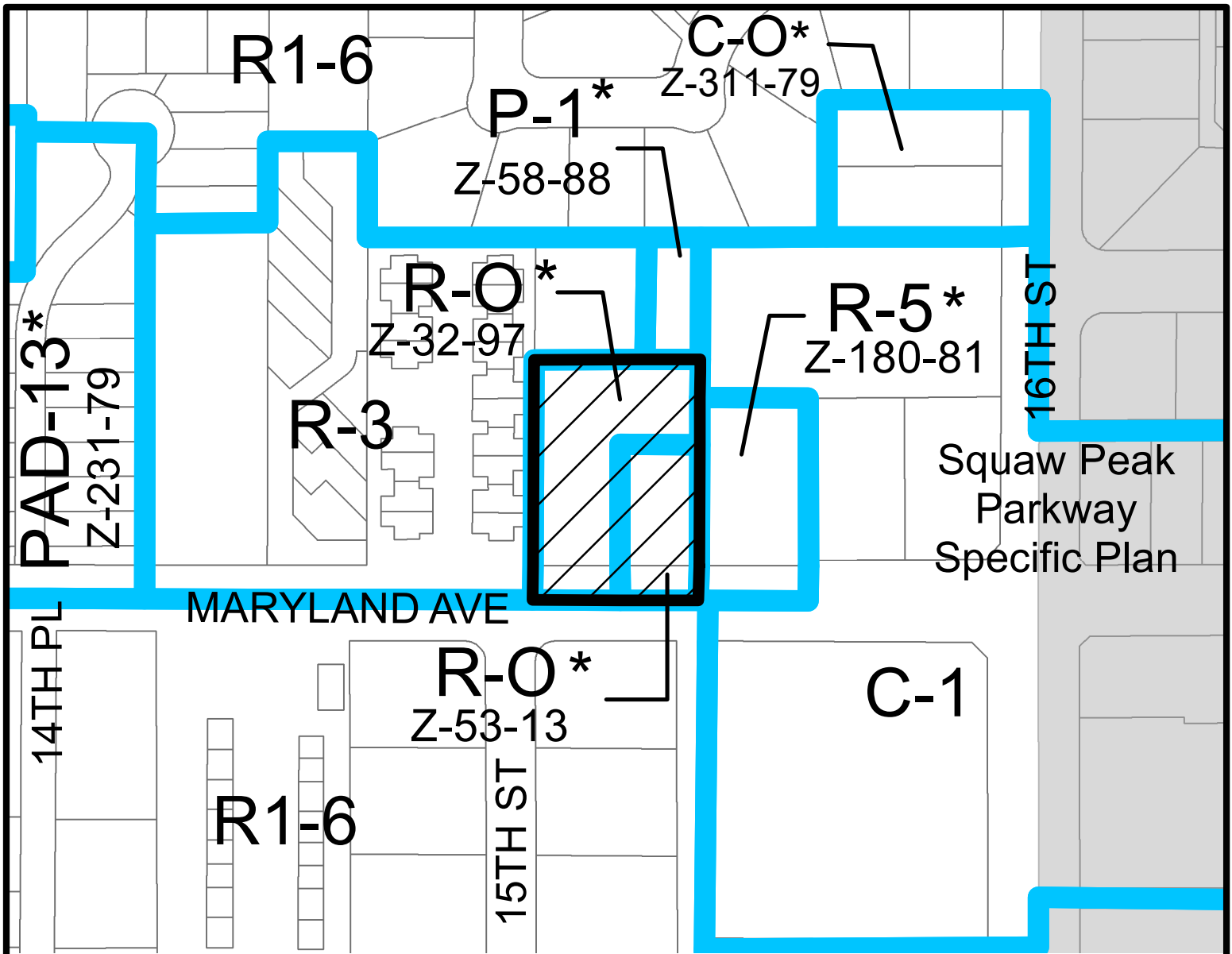
Exhibits

Sketch Map

Aerial

Community Correspondence (39 pages)

Autem Row PUD date stamped September 21, 2021



**Squaw Peak
Parkway
Specific Plan**



Miles

0.025 0.0125 0 0.025

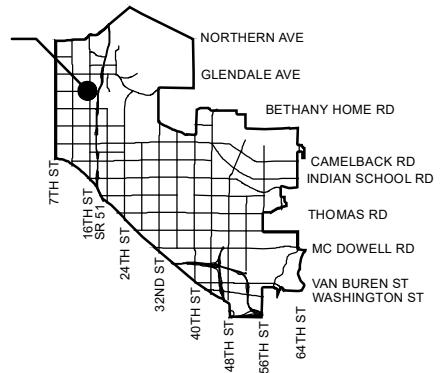
CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 6



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Z-69-20



APPLICANT'S NAME: AUTEM Development

APPLICATION NO. Z-69-20

DATE: 1/05/2021
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

0.89 Acres

**AERIAL PHOTO &
QUARTER SEC. NO.**
QS 22-30

ZONING MAP
I-9

REQUESTED CHANGE:

FROM: R-O (0.89 a.c.)

TO: PUD (0.89 a.c.)

MULTIPLES PERMITTED

R-O
PUD

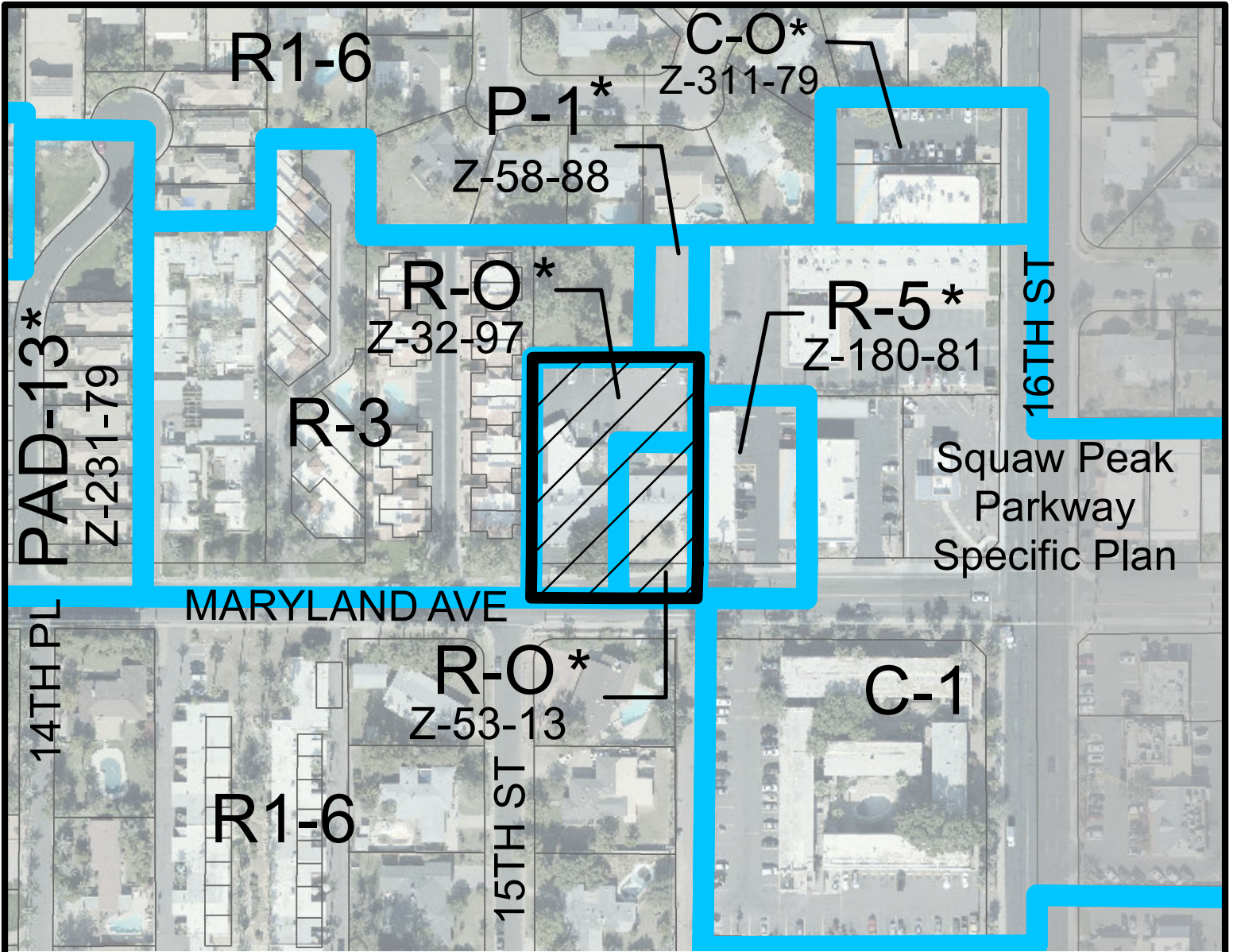
CONVENTIONAL OPTION

1/development
16

*** UNITS P.R.D. OPTION**

N/A
N/A

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



Miles

0.025 0.0125 0 0.025

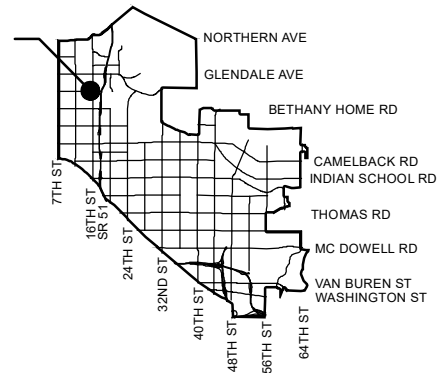
CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 6



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Z-69-20



APPLICANT'S NAME: AUTEM Development

APPLICATION NO. Z-69-20

DATE: 1/05/2021
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

0.89 Acres

AERIAL PHOTO &
QUARTER SEC. NO.

QS 22-30

ZONING MAP

I-9

REQUESTED CHANGE:

FROM: R-O (0.89 a.c.)

TO: PUD (0.89 a.c.)

MULTIPLES PERMITTED

R-O

PUD

CONVENTIONAL OPTION

1/development

16

* UNITS P.R.D. OPTION

N/A

N/A

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

Sofia Mastikhina

From: Mary Ann Pikulas <mapikaz@aol.com>
Sent: Monday, January 18, 2021 11:31 PM
To: Sofia Mastikhina
Cc: info@mssinaz.com; Mary Ann Pikulas
Subject: Application Number Z-69-20 Autem Row

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Sofia,

I am the President of the Madison Groves Manor HOA, a community located at Maryland Ave and 14th Place, a short distance from the proposed project referenced above. A number of our owners have expressed extreme concern over the prospect of such a development being approved due to several factors. This area has been infilled significantly with a number of developments but none as intrusively as this. I am writing on behalf of the owners of Madison Groves Manor and on my own behalf. The most prominent reasons we oppose this project are, briefly:

First, the height of over three stories for the buildings proposed is not at all compatible with existing low building heights that predominate in this neighborhood, which we greatly enjoy, nor would they blend into the existing profile. The phrase "would stick out like a sore thumb" comes to mind. It would appear to have been shoved into a much too small lot, rising above structures below like bread dough when pressed on each side. Townhouse owners next to this property must be beside themselves at the prospect of being blocked off on their east side. It would also frankly ruin the appearance of Maryland when turning into it from 16th St with this structure that's so incongruous to its surroundings. We have a lovely and enviable street that drivers enjoy that would be quite impacted.

Second, the lot is only .87 acre, so very small for 16 three-story+ units with a pool and amenities. That's an unbelievable number and hard to imagine not belonging on a larger property. We are very concerned about the density resulting on such a small lot and the congestion that would result.

Third, our community of 19 units houses 55 residents. There is no reason not to think at least 50 residents on the low end would live there, especially if the units are three-bedrooms. Maryland traffic has increased somewhat through the years but is still manageable. Being so close to 16th St would only increase the traffic and congestion already present with vehicles backing up on Maryland during busy hours, exposing drivers and pedestrians to possible accidents.

To summarize, this project is simply out of place and we would greatly appreciate your kind consideration of our deep concerns and disapprove.

Thank you,

Mary Ann Pikulas
President,
Madison Groves Manor HOA

Sofia Mastikhina

From: Rebecca Reimers <rebecca.reimers@yahoo.com>
Sent: Monday, January 18, 2021 9:55 PM
To: Sofia Mastikhina
Subject: 1536 East Maryland / Tiffany & Bosco

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Mastikhina,

I am a board member at Madison Groves Manor (MGM), located at 14th Place and Maryland. I am writing to you about the proposed development on 1536 East Maryland by Tiffany & Bosco. Several homeowners in MGM have expressed concern to me about this development, particularly about the height (3 story) of the planned homes. As you know, we do not have homes taller than 2 stories in the neighborhood. If these homes are allowed, the concern is that it is only a matter of time before other properties on Maryland are also bought and built up in a similar fashion. With adding many townhomes in such a small footprint, there is also a danger of more congestion and traffic on an already increasingly busy street.

I am not able to attend the upcoming meeting, but I hope this email helps you understand how current residents feel about this proposal.

Thank you for your time,
Rebecca Reimers
602-743-5028

Sofia Mastikhina

From: Chic <chicolder@gmail.com>
Sent: Wednesday, January 20, 2021 5:51 AM
To: Sofia Mastikhina
Cc: Mary Ann Pikulas; Lisa Spresser; Maggie Williams; rebecca.reimers
Subject: Comments on zoning case Z-69-20

Dear Sofia:

I offer these comments on zoning case Z-69-20, which deals with the property located at 1536-38 East Maryland. I have owned a home at 6520 N 14th Place for approximately 20 years so this is in my immediate neighborhood.

If one were to put the property being considered at the center of a circle with a radius of 1 mile, it would be clear this entire circle is experiencing substantial, rapid, growth. For that reason it is hard for me to generally oppose the proposed development. What I do take issue with is the 3 story height of the townhomes which are the subject of the zoning meeting.

When I bought my home in 2000 I feel I had a reasonable expectation of the profile of the community. The area density is now being substantially changed with the proliferation of homes being crammed into small spaces. What I oppose is when these structures restrict views, natural light, and create a corridor effect on what was distinctly a suburban area.

It would be intellectually difficult for me to totally oppose the building of the proposed townhomes; I do oppose these structure being 3 stories high and implore you to not issue building permits unless the height of the proposed structures is modified downward.

Chic Older
Chicolder@gmail.com
602.999.0555

Sent from my iPad

Sofia Mastikhina

From: Jill Peters <jillapeters@yahoo.com>
Sent: Wednesday, January 20, 2021 12:32 PM
To: azm@tblaw.com; Sofia Mastikhina
Cc: Katie Gerlach
Subject: Resident comments re: Rezoning case Z-69-20

Follow Up Flag: Follow up
Flag Status: Flagged

January 20, 2021

Ashley Z. Marsh, Attorney at Law Sofia Mastikhina
Tiffany & Bosco P.A. City of Phoenix Planning and Development Department
2525 E. Camelback Road, Suite 700 200 West Washington Street, 2nd Floor
Phoenix, AZ 85016 Phoenix, AZ 85003

RE: Rezoning case number Z-69-20

To Whom it May Concern:

I am writing regarding the recent letter from Tiffany & Bosco P.A. to notify neighboring residents of the rezoning request (Case # Z-69-20) concerning 1536 & 1538 E. Maryland Avenue, Phoenix, 85014 on of behalf of Autem Development. The rezoning request is intended to allow redevelopment of the current business property into a townhome community.

The purpose of my letter is to convey my strong opposition to the proposed development as described in the legal notice. I also signed a petition of opposition from current residents at 1530 E. Maryland, based on similar concerns. The primary reasons for my opposition are due to: 1) obstruction of current views due to the proposed 3-level townhomes on adjacent homes at 1530 E. Maryland; 2) privacy issues; and, 3) construction nuisance for an indeterminate amount of time.

I have been a home-owner at 1530 E. Maryland since 2011; the east side of my condominium would face the proposed new development. Part of the appeal of purchasing this property is the location in a desirable area of Phoenix, particularly one that allows a scenic view of Piestewa Peak from the east side of the condominiums. Based on the proposed blueprint of the townhomes, the three-level structure would block my and other residents' views that we currently enjoy. The new development unfairly impacts a key facet of our current housing community and could potentially adversely impact our overall value of our properties as well in the future should the development go forward as proposed.

Second, the proposed 3-level structure would be invasive to our properties as the units would overlook into our condominiums and backyards. The current homes at 1530 E. Maryland are two-level units and our backyards are open areas facing east. Again, residents like myself who purchased condominiums at 1530 E. Maryland deserve our privacy and antecedence as current homeowners.

Obviously the new development would result in a lengthy construction period that will adversely impact our overall neighborhood and in particular the units facing the development. Noise levels would be intrusive and detrimental at any time, but in particular during this pandemic when residents like myself are working from home and would face these distractions every work day during the construction period.

I appreciate the opportunity to provide my comments and would request a response as to how the developer will respond to the concerns of current community residents.

Sincerely,

Jill Peters, Homeowner
1530 E. Maryland Avenue Unit 3

Sofia Mastikhina

From: Karolyn Benger <kbenger@gmail.com>
Sent: Wednesday, January 20, 2021 7:00 PM
To: Sofia Mastikhina
Subject: New Development on E Maryland

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Mastikhina,

I am writing to express my concern about the proposed new development on E Maryland. Specifically, I am deeply concerned about the following:

1. This would be the only 3 story building on Maryland Ave which affects the privacy of nearby homes and look/feel of the neighborhood
2. This would drastically increase traffic on Maryland and visibility with the parking
3. The plan for trash and recycling pickup would place 16 trash bins and 16 recycling bins on the street twice a week -- contributing to traffic, congestion, and it is quite unappealing

Thank you for your consideration of my concerns.

Thank you,
Karolyn R. Benger
kbenterpriseconsulting.com [kbenterpriseconsulting.com]

I am offline from Friday evenings until Saturday evenings

Sofia Mastikhina

From: Sofia Mastikhina
Sent: Wednesday, January 20, 2021 9:26 AM
To: Katie Gerlach
Subject: RE: upcoming hearing information
Attachments: Z-69-20 Affidavit of Notification Packet 2.pdf

Good morning Katie,

The meeting tonight is organized and hosted by the applicant, and is not associated with the city. This is a requirement of their rezoning process. So, you are correct that tonight's meeting is simply to inform and gather input from neighbors. If you have concerns, voicing them to the applicant at this meeting may be helpful. You can contact Ashley Marsh at azm@tblaw.com to ask about participating tonight, and I believe the letter they sent out has a meeting link you can access. I've attached their notification letter to this email, just in case.

Please let me know if you have any further questions.

Best regards,



Sofia Mastikhina, CNU-A
(she/her/hers) [What is this?](#)
Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003



From: Katie Gerlach <katie@petersoncompany.com>
Sent: Wednesday, January 20, 2021 8:28 AM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Re: upcoming hearing information

Okay, thanks.

So, if I have owners that would like to speak this would not be the appropriate meeting for that? Also, the purpose of this meeting is not to approve/table/disapproved the proposed development but rather just for informational purposes? Is that correct?

Thank you,

Katie Gerlach

Get [Outlook \[aka.ms\]](#) for iOS

From: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Sent: Monday, January 18, 2021 6:06:23 PM
To: Katie Gerlach <katie@petersoncompany.com>
Subject: RE: upcoming hearing information

Hi Katie,

This case has not yet been scheduled for any public hearings, so it has not been posted to a public hearing notice yet. Once the case is scheduled for public hearings, it will appear in the monthly Camelback East Village Planning Committee meeting agenda.

Thanks,



Sofia Mastikhina, CNU-A
(she/her/hers) [What is this?](#)
[\[mypronouns.org\]](#)

Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003



From: Katie Gerlach <katie@petersoncompany.com>
Sent: Friday, January 15, 2021 6:45 PM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Re: upcoming hearing information

Hi Sofia, I don't see that the agenda for the Autem Row hearing posted? Unless, I am looking in the wrong place.

Thank you,

Katie Gerlach

Get [Outlook \[aka.ms\]](#) for iOS

From: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Sent: Friday, January 15, 2021 8:59:04 AM
To: Katie Gerlach <katie@petersoncompany.com>
Subject: RE: upcoming hearing information

Good morning Katie,

Rezoning Case No. Z-69-20-6 (Autem Row PUD) has not yet been scheduled for any public hearings. It is still in the first staff review stage. As this is a Planned Unit Development request, the case will be required to go before the Camelback East Village Planning Committee twice – once for an informational session, and then again at a later date for a recommendation and a vote. Once these dates are set, they will be posted on a sign on the property, and letters will be sent out to property owners within 600 feet of the site. To register to speak at upcoming hearings, please email me your request and also use the link on the meeting agenda to register your information. Posted agendas can be found here:
<https://www.phoenix.gov/cityclerk/publicmeetings/notices>.

Please let me know if you have any additional questions.

Best regards,



Sofia Mastikhina, CNU-A
(she/her/hers) [What is this?](https://www.whatisthis.org/)
[\[mypronouns.org\]](https://www.mypronouns.org/)

Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003



From: PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>
Sent: Friday, January 15, 2021 8:18 AM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: FW: upcoming hearing information

Hi Sofia,

Is this something you can assist Katie with?

Thank you,
Eric Morales, Planner II
Office: 602-262-7927



City of Phoenix
► Planning & Development Department
Planning Division
200 West Washington Street
Phoenix, AZ 85003

Mission: Planning, Development and Preservation for a Better Phoenix

From: PDD Zoning <zoning@phoenix.gov>
Sent: Thursday, January 14, 2021 11:44 AM
To: PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>
Subject: FW: upcoming hearing information

Hello, Please reply to this customer. - Julie

From: PDD Development Services <pdd@phoenix.gov>
Sent: Thursday, January 14, 2021 11:23 AM
To: PDD Zoning <zoning@phoenix.gov>
Subject: upcoming hearing information

Good morning,

Please see email below regarding hearing from customer.
Thank you

From: no-reply@phoenix.gov <no-reply@phoenix.gov>
Sent: Thursday, January 14, 2021 10:41 AM
To: PDD Development Services <pdd@phoenix.gov>
Subject: emplanisd - Form Submission

FROM : Katie Gerlach

SUBJECT : Register to Speak

MESSAGE : Hello: I need to know the deadline to register to speak at the upcoming hearing for the Autem Row Development (Case #Z-69-20) as soon as possible. Also, where do I register to speak? Thank you.

Email : Katie@petersoncompany.com

AREA : 602

PHONE : 7995632

ADDRESS : P.O. Box 15427

CITY : Scottsdale

STATE : Arizona

ZIP : 85267

Submission ID: 459a63d1370a4386a63cd80be457158d

Form Submission On : 1/14/2021 10:41:09 AM

Referer: <https://phoenix.gov/pdd>

This is Not Spam - This message is sent on behalf of the City of Phoenix.
Please handle appropriately.

Sofia Mastikhina

From: Lisa Spresser <spresser.mariesplace@gmail.com>
Sent: Wednesday, January 20, 2021 8:18 AM
To: Chic
Cc: Sofia Mastikhina; Mary Ann Pikulas; Maggie Williams; rebecca.reimers
Subject: Re: Comments on zoning case Z-69-20

Sofia, per the letter I plan to be in attendance at the hearing tonight. I live at 6514 N 14th Pl, Phoenix, AZ 85014, and have also been here 20 years. I am also referencing case number Z-69-20.

I have the exact same concern. I am not opposed to seeing the property developed. I am opposed to the 3 story profile. I would like to see the business model for the property changed to luxury two stories. Part of the value of the area is the proximity to and view of Piestewa. It would be unfortunate to "see" a mountain encapsulated by high-rises. We have other parts of the city trending that way, along the light rail would be a more suitable place for such a choice. Parking for local markets is also becoming congested due to the infill that has been occurring as older and larger lots are taking on more units per acre. There is an existing 3 story in the area, but it is on a corner. This proposed 3 story sits between two two story buildings and would stick out like a sore thumb.

Lisa French

On Wed, Jan 20, 2021 at 5:50 AM Chic <chicolder@gmail.com> wrote:

Dear Sofia:

I offer these comments on zoning case Z-69-20, which deals with the property located at 1536-38 East Maryland. I have owned a home at 6520 N 14th Place for approximately 20 years so this is in my immediate neighborhood.

If one were to put the property being considered at the center of a circle with a radius of 1 mile, it would be clear this entire circle is experiencing substantial, rapid, growth. For that reason it is hard for me to generally oppose the proposed development. What I do take issue with is the 3 story height of the townhomes which are the subject of the zoning meeting.

When I bought my home in 2000 I feel I had a reasonable expectation of the profile of the community. The area density is now being substantially changed with the proliferation of homes being crammed into small spaces. What I oppose is when these structures restrict views, natural light, and create a corridor effect on what was distinctly a suburban area.

It would be intellectually difficult for me to totally oppose the building of the proposed townhomes; I do oppose these structures being 3 stories high and implore you to not issue building permits unless the height of the proposed structures is modified downward.

Chic Older
Chicolder@gmail.com
602.999.0555

Sent from my iPad

Sofia Mastikhina

From: Lisa Spresser <spresser.mariesplace@gmail.com>
Sent: Wednesday, January 20, 2021 7:06 PM
To: Sofia Mastikhina
Cc: Chic; Mary Ann Pikulas; Maggie Williams; rebecca.reimers
Subject: Re: Comments on zoning case Z-69-20

Follow Up Flag: Follow up
Flag Status: Flagged

As a result of a meeting we now understand that there will be 64'-0" of trash cans lining Maryland twice a week. 16 cans with a spacing of 4'-0". Please add this to my concern(s) about the project.

Case Z-69-20

Lisa French
6514 N 14th Pl, Phoenix, AZ 85014

On Wed, Jan 20, 2021 at 9:28 AM Sofia Mastikhina <sofia.mastikhina@phoenix.gov> wrote:

Good morning Lisa,

Just to clarify, the meeting tonight is an neighborhood meeting organized and hosted entirely by the applicant, and not associated with any of the city's hearing bodies. The city hearings have not yet been scheduled for this case. Please contact Ashley Marsh azm@tblaw.com for inquiries regarding the neighborhood meeting.

I have placed a copy of your email with your concerns in the case file for the record. Please let me know if you have any questions.

Best regards,



Sofia Mastikhina, CNU-A

(she/her/hers) [What is this?
\[mypronouns.org\]](https://www.whatisthis.org/mypronouns.org)

Planner II - Village Planner

City of Phoenix



Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

From: Lisa Spresser <spresser.mariesplace@gmail.com>
Sent: Wednesday, January 20, 2021 8:18 AM
To: Chic <chicolder@gmail.com>
Cc: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Mary Ann Pikulas <mapikaz@aol.com>; Maggie Williams <maggie.p.williams@gmail.com>; rebecca.reimers <rebecca.reimers@yahoo.com>
Subject: Re: Comments on zoning case Z-69-20

Sofia, per the letter I plan to be in attendance at the hearing tonight. I live at 6514 N 14th Pl, Phoenix, AZ 85014, and have also been here 20 years. I am also referencing case number Z-69-20.

I have the exact same concern. I am not opposed to seeing the property developed. I am opposed to the 3 story profile. I would like to see the business model for the property changed to luxury two stories. Part of the value of the area is the proximity to and view of Piestewa. It would be unfortunate to "see" a mountain encapsulated by high-rises. We have other parts of the city trending that way, along the light rail would be a more suitable place for such a choice. Parking for local markets is also becoming congested due to the infill that has been occurring as older and larger lots are taking on more units per acre. There is an existing 3 story in the area, but it is on a corner. This proposed 3 story sits between two two story buildings and would stick out like a sore thumb.

Lisa French

On Wed, Jan 20, 2021 at 5:50 AM Chic <chicolder@gmail.com> wrote:

Dear Sofia:

I offer these comments on zoning case Z-69-20, which deals with the property located at 1536-38 East Maryland. I have owned a home at 6520 N 14th Place for approximately 20 years so this is in my immediate neighborhood.

If one were to put the property being considered at the center of a circle with a radius of 1 mile, it would be clear this entire circle is experiencing substantial, rapid, growth. For that reason it is hard for me to generally oppose the proposed development. What I do take issue with is the 3 story height of the townhomes which are the subject of the zoning meeting.

When I bought my home in 2000 I feel I had a reasonable expectation of the profile of the community. The area density is now being substantially changed with the proliferation of homes being crammed into small spaces. What I oppose is when these structures restrict views, natural light, and create a corridor effect on what was distinctly a suburban area.

It would be intellectually difficult for me to totally oppose the building of the proposed townhomes; I do oppose these structure being 3 stories high and implore you to not issue building permits unless the height of the proposed structures is modified downward.

Chic Older
Chicolder@gmail.com
602.999.0555

Sent from my iPad

Sofia Mastikhina

From: Maggie Williams <maggie.p.williams@gmail.com>
Sent: Wednesday, January 20, 2021 8:21 PM
To: Sofia Mastikhina
Subject: Zoning Case Z-69-20 Autem

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Sofia,

My name is Margaret (Maggie) Luciano-Williams and I've owned my home at 6518 North 14th Place (Madison Grove Manor) just west of the proposed development at 1536 East Maryland, for 20 years.

I'm concerned about the density of this complex along with the height of the overall structure. With that number of units, I'm almost sure there will have to be overflow parking into the street where there is a bike lane. I'm also concerned about it's proximity to the corner and the traffic congestion that the complex may create in addition to other dense properties in the area.

While I'm in favor of the neighborhood being redeveloped and becoming more appealing, I don't think the way the density of the complex will add beauty or functionality to our neighborhood. Perhaps if the number of units were cut by half and the building height was lower, it would then be more appropriate to the small lot that it will be on.

I'm opposed to the current structure as proposed.

I appreciate your time listening to my concerns.

--

Maggie Williams

Direct Line: 310.990.1231
email: Maggie.P.Williams@gmail.com

Sofia Mastikhina

From: Margaret Lochhead <magstwo@cox.net>
Sent: Wednesday, January 20, 2021 4:08 PM
To: azm@tblaw.com; Sofia Mastikhina
Subject: rezoning case number Z-69-20, parcel 161-05-050C

Follow Up Flag: Follow up
Flag Status: Flagged

To Ashley Marsh and Sofia Mastikhina

I am a homeowner in the neighborhood directly to the north of the planned project mentioned above. I am against the zoning change because it is a 3 story project. Maryland Avenue has many 2 story multi-family buildings and I feel to approve this project will open the door for many more buildings over 2 stories.

In addition, the many zoning changes in our area has led to increased noise, pollution, safety issues and unbelievable traffic problems and is having a very negative affect on our neighborhoods.

I have attended other neighborhood meetings and have found that the city zoning department never has any answers to the issues that result from increasing the density in our area.

I would like this project to be terminated or at the very least be redesigned to accommodate 2 story units.

Sincerely,

Maggie Lochhead

1452 E. McLellan Blvd.

Phoenix, AZ 85014

Sofia Mastikhina

From: Mary Ann Pikulas <mapikaz@aol.com>
Sent: Wednesday, January 20, 2021 9:28 PM
To: Sofia Mastikhina
Cc: Mary Ann Pikulas
Subject: Re: Application Number Z-69-20 Autem Row

Follow Up Flag: Follow up
Flag Status: Flagged

Sofia,

Kindly resubmit my email to the applicant. Ashley had not read those submitted by owners from my community yet and I would like her to see my additional concerns following tonight's meeting:

Ashley:

Following discussion after the Neighborhood Meeting with other Madison Groves Manor owners, we have no choice but to submit our very strong objection to plans for trash collection. Lining up 16 trash bins twice a week on Maryland in front of your project, blighting what has always been beautiful Maryland with unsightly bins and having trash trucks blocking traffic during pickup on a one lane street each way, is incomprehensible. Debris often drops from these trucks as well, adding to the blight.

With space between each bin for the lift mechanism, a calculation of needing 64 feet has been made to line them up. Yikes! If City services are used, a distance of 4 feet between bins is required. Even with each bin touching the next, this would require over 33 feet. The answer that this is how it's done elsewhere was less than satisfactory. This is not elsewhere, this is the lovely, peaceful street we have always been proud of.

The addition of traffic created by this project would be unfortunate enough. Adding dirty, unsightly, often overfilled trash bins outside as drivers turn onto Maryland would ruin the loveliness of our street and could very well impact the ability of other property owners to sell their homes at desired prices when time. We are a neat and clean neighborhood and need to keep it this way for our enjoyment and to protect our property values.

As there would only be four guest spaces, extra vehicles would be parked in the street, adding to a problem already accelerating. This means two days a week your owners would not be able to utilize the curb in front of this property but that in front of neighboring ones. This is not good planning. Street parking is already an issue.

Another plan for garbage collection must be found. Sadly, it appears the designers/developers may not have given enough thought to the needs of the neighborhood or to those of neighbors.

Height is still an issue based on the comments from 1530 next door to this. Again, a 3-story structure as mentioned in another neighborhood has no bearing on justifying 3-stories in our own neighborhood of 2-story buildings.

Kindly consider these comments. We all want what's best for all of us, not just the few. We appreciate the meeting and look forward to other opportunities for neighborhood input.

Thank you,
Mary Ann Pikulas

On Jan 19, 2021, at 8:33 AM, Sofia Mastikhina <sofia.mastikhina@phoenix.gov> wrote:

Good morning Mary Ann,

Thank you for your comments. I have saved your email to the case file for the record and have forwarded it to the applicant. Please let me know if you have any questions.

Best regards,

Sofia Mastikhina, CNU-A
(she/her/hers) [What is this?](#)
[\[mypronouns.org\]](#)

<image003.jpg>

Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

<image004.jpg>

From: Mary Ann Pikulas <mapikaz@aol.com>
Sent: Monday, January 18, 2021 11:31 PM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Cc: info@mssinaz.com; Mary Ann Pikulas <mapikaz@aol.com>
Subject: Application Number Z-69-20 Autem Row

Hi Sofia,

I am the President of the Madison Groves Manor HOA, a community located at Maryland Ave and 14th Place, a short distance from the proposed project referenced above. A number of our owners have expressed extreme concern over the prospect of such a development being approved due to several factors. This area has been infilled significantly with a number of developments but none as intrusively as this. I am writing on behalf of the owners of Madison Groves Manor and on my own behalf. The most prominent reasons we oppose this project are, briefly:

First, the height of over three stories for the buildings proposed is not at all compatible with existing low building heights that predominate in this neighborhood, which we greatly enjoy, nor would they blend into the existing profile. The phrase "would stick out like a sore thumb" comes to mind. It would appear to have been shoved into a much too small lot, rising above structures below like bread dough when pressed on each side. Townhouse owners next to this property must be beside themselves at the prospect of being blocked off on their east side. It would also frankly ruin the appearance of Maryland when turning into it from 16th St with this structure that's so incongruous to its surroundings. We have a lovely and enviable street that drivers enjoy that would be quite impacted.

Second, the lot is only .87 acre, so very small for 16 three-story+ units with a pool and amenities. That's an unbelievable number and hard to imagine not belonging on a larger property. We are very concerned about the density resulting on such a small lot and the congestion that would result.

Third, our community of 19 units houses 55 residents. There is no reason not to think at least 50 residents on the low end would live there, especially if the units are three-bedrooms. Maryland traffic has increased somewhat through the years but is still manageable. Being so close to 16th St would only increase the traffic and congestion already present with vehicles backing up on Maryland during busy hours, exposing drivers and pedestrians to possible accidents.

To summarize, this project is simply out of place and we would greatly appreciate your kind consideration of our deep concerns and disapprove.

Thank you,

Mary Ann Pikulas
President,
Madison Groves Manor HOA

Sofia Mastikhina

From: Samantha Keating
Sent: Friday, January 22, 2021 12:15 PM
To: Sofia Mastikhina
Subject: FW: Development at 1536 and 1538 East Maryland, Phoenix, 85014

Follow Up Flag: Follow up
Flag Status: Flagged

FYI



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: David Urbinato <david.urbinato@phoenix.gov>
Sent: Friday, January 22, 2021 10:12 AM
To: Council District 6 PCC <District6@phoenix.gov>
Cc: Samantha Keating <samantha.keating@phoenix.gov>
Subject: RE: Development at 1536 and 1538 East Maryland, Phoenix, 85014

We'll forward to the village planner so they can include this in the file for that case.

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Council District 6 PCC <District6@phoenix.gov>
Sent: Friday, January 22, 2021 9:30 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Subject: FW: Development at 1536 and 1538 East Maryland, Phoenix, 85014

Hi David – here is an email we received regarding an proposed PUD.

Thanks!
Erin

From: TimePro@cox.net <timepro@cox.net>
Sent: Thursday, January 21, 2021 10:14 AM
To: Council District 6 PCC <District6@phoenix.gov>
Subject: Development at 1536 and 1538 East Maryland, Phoenix, 85014

Mr. DiCiccio,

Last evening I listened in on a meeting about the proposed PUD for 1536 and 1538 East Maryland. After clearly understanding the proposal for 16 three-story residences, I am opposed to this development as presented.

This is a neighborhood of predominantly one-story ranch homes. Several homes here have been updated in that style and are most attractive. Please bring all possible influence available from your office to the Zoning Committee to oppose this development as presented. If you or another office wishes to contact me about this, please do.

Your support will be greatly appreciated.

Sincerely,
Glenda Whitten
6644 North 13th Street, 85014

*We are not all in the same boat. We are
all in the same storm. Damian Barr*

Sofia Mastikhina

From: Michael Beyo <michael.beyo@gmail.com>
Sent: Thursday, January 21, 2021 7:24 PM
To: Sofia Mastikhina
Subject: Townhouses on Maryland

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Mastikhina,

I am writing to express my concern for the proposed development on E Maryland. For the reasons I am outlining here below I am opposed to this project:

1. Privacy concerns since this would be a 3 stories building and it will impact the nearby homes.
2. Aesthetically a 3 story building will stick out as a foreign object in our neighborhood
3. Traffic will increase on an already heavily trafficked road.
4. The worst idea then is the plan for the trash and recycling pickup would place 16 trash bins and 16 recycling bins on the sidewalk street twice a week. This will increase stray cats, rats, unappealing view, disruption for people walking and so much more

Thank You!

Rabbi Michael Beyo

Sofia Mastikhina

From: Marielle Brown
Sent: Friday, February 26, 2021 1:57 PM
To: Sofia Mastikhina; Joel Carrasco
Subject: Fw: Maryland bike corridor

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Sofia and Joel,

Jason Stephens from MAG passed this along to me. I think the resident's issue is really with the rezoning case, rather than the bike lanes. Are you able to respond? Feel free to cc me if you would like. It looks like it is in Camelback East.

Thank you,

Marielle

From: Jason Stephens <JStephens@azmag.gov>
Sent: Friday, February 26, 2021 7:50 AM
To: Marielle Brown <marielle.brown@phoenix.gov>
Subject: FW: Maryland bike corridor

This came to us, but it's a COP thing :)
You mind responding to this person?
Thanks!
Me

-----Original Message-----

From: Chic <chicolder@gmail.com>
Sent: Thursday, February 25, 2021 6:50 PM
To: MAG General Mailbox <mag@azmag.gov>
Cc: Mary Ann Pikulas <mapikaz@aol.com>; rebecca.reimers <rebecca.reimers@yahoo.com>; Maggie Williams <maggie.p.williams@gmail.com>; Lisa Spresser <spresser.mariesplace@gmail.com>
Subject: Maryland bike corridor

This message came from an external source. Use caution clicking links and opening attachments.

Hi Bike Planners:

I am writing to ask for some guidance.

I live on 14th place, 100 yards north of Maryland (1/4 mile to the west of 16th st). Maryland has a stripped east/west bike paths and sees quite a bit of bike usage every day. Between 16th st and 14th place there are some confusing "no parking" signs which means often there are cars parked on Maryland, mostly the north side, obstructing the bike lane. It presents a further hazard in that cars going south from their homes onto Maryland often have an obstructed view of

bike traffic going west on Maryland because of parked cars.

We have recently learned of a proposed townhouse development at 1536 E Maryland with what I feel are high density homes and not enough space to accommodate the parking, and garbage pickup, needs of the proposed development. To me, this means further blocking and obstruction of the west bound designated bike lane on Maryland when residents of this proposed development have nowhere to park, or leave their garbage cans out for pickup, other than on Maryland.

In my mind where the city planners and general public are seeking ways to address congestion, and emissions, allowing yet one more development that is counter to safe, unobstructed, bike access crosses the line and should not be allowed.

Can you guide me to the proper source for me to voice this concern and get the city involved in protecting encroachment on city designated bike lanes?

Chic Older
6520 N 14th Place
Phoenix, AZ
85014

Sent from my iPad

Sofia Mastikhina

From: Janet Bauer <glowingexpressionsskincare@gmail.com>
Sent: Monday, March 1, 2021 11:04 AM
To: Sofia Mastikhina
Subject: Autem Row Project

Follow Up Flag: Follow up
Flag Status: Flagged

Sofia,

My name is Janet Bauer and I live at 1530 E, Maryland ave #8, Phoenix Az 85014. I am the Vice President of our home owners association. I am emailing you to express my concerns with this project. I live behind this proposed project and I know this project will have a definite negative effect on our community. My concerns include their plans to build a three story complex, trash and recycle as well as parking. We don't have any three story buildings and this project will look directly into our backyards. We have a dumpster on our property for our trash, I cannot imagine 16 trash and recycle cans lined up on Maryland to be picked up Every week. This would definitely be an eyesore as well as having very negative traffic concerns. We have more than 4 visitor parking spots in our complex and these spots are always occupied and we have a parking shortage now I can only imagine that this project will negatively impact a continuous exsisting parking issue for us and our surrounding communities. I plan to be listening in to the com meeting tomorrow evening. Any help concerning these matters would greatly be appreciated.

Thank you,
Janet Bauer
480-861-0568

Sent from my iPhone

Sofia Mastikhina

From: Lisa Spresser <spresser.mariesplace@gmail.com>
Sent: Wednesday, March 3, 2021 7:51 AM
To: Mary Ann Pikulas
Cc: Chic; Sofia Mastikhina; Marielle Brown; maggie.p.williams@gmail.com; rebecca.reimers@yahoo.com
Subject: Re: Subject: Maryland bike corridor (Z-69-20)

Follow Up Flag: Follow up
Flag Status: Flagged

I agree that having the trash on sidewalks instead of the street might help with traffic, yet it would keep the area looking unsightly on a regular basis. Maryland was not designed to become an alley. A plan for 8 units instead of 16 would be a more appropriate solution. Widening sidewalks is a bandaid not a solution.

On Tue, Mar 2, 2021, 7:25 PM Mary Ann Pikulas <mapikaz@aol.com> wrote:

Chic,

So glad to see an effective process to forward communications, nice. One issue, we in no way meant trash and recycle bins would be placed literally on the street itself, which was not said at the homeowners meeting nor would make sense, but along the sidewalk on the street, which was said. Widening the sidewalks is certainly not a solution. There will still be a trash truck on the street blocking traffic and 16 unsightly bins two days a week plus piles of bulk trash sitting for days waiting for quarterly pickup. Not a pretty or healthy picture.

Chic, may I share your email with Maryland Village East and our Neighborhood Associations?

I would like this email added to the case file.

Mary Ann

-----Original Message-----

From: Chic <chicolder@gmail.com>
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Cc: Marielle Brown <marielle.brown@phoenix.gov>; Mary Ann Pikulas <mapikaz@aol.com>; Maggie Williams <maggie.p.williams@gmail.com>; rebecca.reimers <rebecca.reimers@yahoo.com>; Lisa Spresser <spresser.mariesplace@gmail.com>
Sent: Tue, Mar 2, 2021 5:40 pm
Subject: Re: Subject: Maryland bike corridor

Dear Sofia:

Thank you for getting back to me; yes, I would appreciate my comments be included in the case file.

Chic Older

6520 N 14th Place

Sent from my iPad

On Mar 1, 2021, at 9:02 AM, Sofia Mastikhina <sofia.mastikhina@phoenix.gov> wrote:

Good morning Chic,

I hope this email finds you well. The message below was forwarded to me from our Street Transportation Department, and they received it from MAG. I believe we have already corresponded regarding this rezoning case (Z-69-20: Autem Row PUD) previously. Would you like the email below to be included in the case file, in addition to your previous comments?

As you are aware, this case is still under review by the city, and we are awaiting the applicant's resubmittal. In staff's first round of comments, the Street Transportation Department noted that on-street parking will not be permitted due to the existing bike lanes. Further, in discussions with the applicant, it was determined that the trash and recycling bins will not be placed on the street, but rather along the sidewalk for pick-up. We have instructed the applicant to provide enhanced development standards for the public sidewalks so that cans may be accommodated without obstructing pedestrian traffic (they are proposing wider sidewalks, or additional paved areas to accommodate cans).

I have also copied Marielle Brown from our Street Transportation Department, as she handles the bicycle infrastructure coordination for the city, and may help address any questions you have regarding bike lane standards, specifically.

If you have any further questions, please don't hesitate to contact me.

Best regards,

<image002.jpg>	<p>Sofia Mastikhina, CNU-A <i>(she/her/hers) What is this?</i> [mypronouns.org] Planner II - Village Planner City of Phoenix Long Range Planning Office: 602-256-5648 200 West Washington Street Phoenix, AZ 85003</p>	<image003.jpg>
----------------	---	----------------

--

-----Original Message-----

From: Chic <chicolder@gmail.com>

Sent: Thursday, February 25, 2021 6:50 PM

To: MAG General Mailbox <mag@azmag.gov>

Cc: Mary Ann Pikulas <mapikaz@aol.com>; rebecca.reimers <rebecca.reimers@yahoo.com>; Maggie Williams <maggie.p.williams@gmail.com>; Lisa Spresser <spresser.mariesplace@gmail.com>

Subject: Maryland bike corridor

This message came from an external source. Use caution clicking links and opening attachments.

Hi Bike Planners:

I am writing to ask for some guidance.

I live on 14th place, 100 yards north of Maryland (1/4 mile to the west of 16th st). Maryland has a stripped east/west bike paths and sees quite a bit of bike usage every day. Between 16th st and 14th place there are some confusing "no parking" signs which means often there are cars parked on Maryland, mostly the north side, obstructing the bike lane. It presents a further hazard in that cars going south from their homes onto Maryland often have an obstructed view of bike traffic going west on Maryland because of parked cars.

We have recently learned of a proposed townhouse development at 1536 E Maryland with what I feel

are high density homes and not enough space to accommodate the parking, and garbage pickup, needs of the proposed development. To me, this means further blocking and obstruction of the west bound designated bike lane on Maryland when residents of this proposed development have nowhere to park, or leave their garbage cans out for pickup, other than on Maryland.

In my mind where the city planners and general public are seeking ways to address congestion, and emissions, allowing yet one more development that is counter to safe, unobstructed, bike access crosses the line and should not be allowed.

Can you guide me to the proper source for me to voice this concern and get the city involved in protecting encroachment on city designated bike lanes?

Chic Older
6520 N 14th Place
Phoenix, AZ
85014

Sent from my iPad

Sofia Mastikhina

From: Sandy Grunow <phxmidcenturymodernna@gmail.com>
Sent: Wednesday, March 10, 2021 3:18 PM
To: Sofia Mastikhina
Cc: Mary Crozier; Larry Whitesell; Dan Trozzi; Mary Ann Pikulas; Phoenix Mid-Century Modern Neighborhood Assoc.
Subject: Case # Z 69-20

Thank you for providing an update regarding the proposed PUD on East Maryland Avenue, rezoning case number Z-69-20.

Neighborhood representatives met on March 4th via Zoom call with Autem Development to discuss the proposed project at 1536 and 1538 East Maryland Avenue. We met with applicants, Alexander Diamont and Jared Amzalleg. We offer the following information as you and your staff evaluate the proposed PUD.

Design: The overall design with driveways on the east and west sides provide a nice setback from the adjacent properties.

Density: The density exceeds surrounding multifamily builds in the surrounding community. We understand some increase is reasonable but this far exceeds even the newer builds. With so much density, we believe the parking and garbage collection cannot meet minimum standards.

Guest Parking: Only 4 guest parking spaces are planned for 16 units. Additional guests are expected to park on Maryland Avenue, a minor collector street servicing businesses, homes, residential complexes, residential streets, and several schools. There are bicycle lanes on both sides of the street with restricted parking most hours. The existing limited street parking already negatively impacts Maryland Avenue creating safety hazards especially for cyclists. This also begs the question about deliveries: Where will FEDEX, Amazon, food deliveries, etc., park?

Trash: The proposed 16 unit three story complex has no plan for commercial trash pickup. According to the developers each unit will utilize trash pick up by pulling their bins to Maryland Avenue twice a week, one day for trash, a second day for recycling. Commercial trash as opposed to individual trash bins appears more appropriate for a planned unit development. The other multi-family properties on both sides of Maryland use commercial service even though they quality for City services.

Height: We support the maximum 34 ft. height for three stories. The developers were uncertain but may be placing air conditioning units on the roof which would add to the overall height. We believe 34 feet is consistent with the existing structures that surround the subject site.

In conclusion, significant parking issues, deliveries and trash collection matters could all be resolved if one or two units were eliminated. We discussed reducing the density by one or two units with Mr. Diamont and Mr. Amzalleg who are at this time unwilling. The overall design appears appropriate but without sufficient guest parking and commercial trash pick up it fails to provide the superior environment anticipated in a planned unit development.

Once the Staff Report is available to public, please let us know. Do you have any questions of us?

Sincerely,

Sandy Grunow, Co-Chair, Phoenix Mid-Century Modern Neighborhood Association
Mary Crozier, North Central Phoenix Homeowners' Association
Larry Whitesell, Co-Chair, The Peak Neighborhood Association
Dan Trozzi, President, Squaw Peak Heights Neighborhood Association
Mary Ann Pikulas, President, Madison Groves Manor Homeowners Association

Sofia Mastikhina

From: Deborah E. Basehore <deb@equityconcepts.com>
Sent: Sunday, May 2, 2021 4:47 PM
To: Sofia Mastikhina
Subject: PUD Application #Z-69-20

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Mastikhina:

My name is Deborah Basehore and I live at 1530 E. Maryland Ave. I am writing in regards to the proposed re-zoning request by Autem Development on parcel #161-05-050C, re-zoning Case #Z-69-20. I hereby submit the following comments and objections:

1. Increased Density: Within 1 mile of my location, 1530 E. Maryland Ave., the number of residential units (apartments, condos, homes) has increased exponentially with increased mega-apartment units on 7th St. & Maryland, condos/townhomes on 12th St. & Marlette, luxury homes on 16th St. between Maryland and Ocotillo to name a few that have just been built within the last 12 mos. or less. This list is composed of only those developments on “major” traffic streets within <or= .5 miles of me. This area is already too dense for all of the following objections.
2. Since the back of my condo will abut the proposed development, my privacy will be impinged upon due to the proposed 3-story height. This will allow the new unit owners a clear view of my backyard and the doors and windows of my unit.
3. Maryland Ave. already has problems with parking in unauthorized areas. There is no parking on the street during designated hours. These hours are consistently broken by many people. We have limited guest parking in Maryland Village East but even those spaces are often used by residents leaving no guest parking. Autem Development’s proposal will only exacerbate this problem but may be a cause for their residents & guests to look to park in our guest parking areas.
4. Maryland Ave. already has problems with traffic. At 12th St. & Maryland, there are only 2 lanes, one right – turn lane and one through lane. In fact, Maryland is a 2 lane street, one for each direction. I work .75 miles west of our complex but, due to traffic demands and school crossings, I am literally stuck in traffic jams 2 times per day because there is no left turn lane at 12th St. and 10th St. Adding additional cars to Maryland Ave. will only increase the existing problems.
5. Infrastructure on Maryland Ave. will be impacted negatively with excessive stress on existing pavement and potholes, sewer capacity, degrading sidewalks and clean water.
6. Quality of life is an extremely important issue for me. With our area already experiencing awful air quality, with ozone alerts on most hot days, I suffer even more than others. I have COPD. When will the city planners begin to recognize that this city needs less, not more, polluting sources? It seems to me that every development in my area has received a rubber stamp from the city planners without consideration of the existing residents of this neighborhood.
7. Garbage & Recycle barrels are proposed to be collected by the City of Phoenix. I can only imagine 32 of them stacked along Maryland Ave., ending up in front of our complex and the building to the east of the proposed development.
8. Crime has been increasing in our area steadily and my concern is that an “alley” will be created between our complex and the proposed complex providing an easy dark access for thieves and the homeless.

Although these are great considerations in this planning procedure, I am sure that there are many more concerns from our neighbors in the area so please register me to attend virtually and to make additional comments at the meeting on May 4 at 6 pm, if time allows.

Sincerely,

Deborah Basehore

Sofia Mastikhina

From: Mary Ann Pikulas <mapikaz@aol.com>
Sent: Sunday, May 2, 2021 8:51 PM
To: Sofia Mastikhina
Cc: Mary Ann Pikulas; spresser.mariesplace@gmail.com; chicolder@gmail.com; maggie.p.williams@gmail.com; rebecca.reimers@yahoo.com
Subject: Case No. Z-69-20 AUTEM Row
Attachments: Z-69-20 AUTEM Row MGM Letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Sofia,

I am the president of the Madison Groves Manor HOA, one of the nearby communities of the proposed AUTEM Row project. In February, we submitted a letter with 41 signatures listing our serious concerns, which were four. Three are still very much a concern as we understand the fourth, height, is within zoning requirements.

With other Neighborhood Association Leaders in March, I attended a meeting with the developers, who indicated they would look into these matters. Because we live here, we know and understand this neighborhood and the issues that especially two of the concerns will present:

First, with limited guest parking, it is inevitable that visitors and delivery vehicles will park on Maryland Ave. Maryland is a major Bicycle Corridor with a bike lane on each side in east and west directions. That parking is already allowed on Maryland from 16th Street to 14th Place at any time at all is very concerning and constantly endangers bikers who are squeezed between parked cars and moving vehicles. Adding more parked cars, some of which are already parked illegally, will be extremely detrimental. This only increases the possibility of accidents not only for bikers but for community drivers trying to turn onto Maryland. Parked cars already block a clear view of the street.

Second, spreading 16 trash containers along Maryland twice a week is not only unsightly but unhealthy. Besides being a busy bike route, the sidewalk along Maryland is also a favorite walking path for pedestrians. Our suggestion is for the developers to ask the City to waive the 50 yard limit imposed on commercial trash trucks entering a community. In this way, large community bins can be utilized in back instead of having 32 bins, some possibly overflowing, rolled out to Maryland each week, keeping Maryland clean and safe for pedestrians.

I am attaching our original letter for your reference.

Thank you for your attention.

Respectfully submitted,

Mary Ann Pikulas
President, Madison Groves Manor

Sofia Mastikhina

From: Janet Bauer <janlg2000@hotmail.com>
Sent: Monday, May 3, 2021 1:15 PM
To: Sofia Mastikhina
Subject: Autumn Row hearing

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Janet Bauer and I live at 1530 E, Maryland ave #8, Phoenix Az 85014. I have many concerns with this project that is directly in back of my condo.

1. Parking, they only 4 visitor spaces and parking is such an issue in this area, it is definitely not enough. And the traffic situation on Maryland is already bad and this project will only increase the problem.
2. We do not have 3 story building in this area, this would have a negative impact on our neighborhood and totally block any views that we currently have.
3. The trash situation as I understand it currently is that they want to put 16 trash cans and 16 recycle cans directly on Maryland for pick up. This would impact our traffic situation, walking on the sidewalk and be an eyesore.

I will be attending the meeting but not speaking.

Thank you,

Janet Bauer

Sent from my iPhone

Sofia Mastikhina

From: Katie Gerlach <katie@petersoncompany.com>
Sent: Friday, January 15, 2021 6:45 PM
To: Sofia Mastikhina
Subject: Re: upcoming hearing information

Hi Sofia, I don't see that the agenda for the Autem Row hearing posted? Unless, I am looking in the wrong place.

Thank you,

Katie Gerlach

Get [Outlook \[aka.ms\]](#) for iOS

From: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Sent: Friday, January 15, 2021 8:59:04 AM
To: Katie Gerlach <katie@petersoncompany.com>
Subject: RE: upcoming hearing information

Good morning Katie,

Rezoning Case No. Z-69-20-6 (Autem Row PUD) has not yet been scheduled for any public hearings. It is still in the first staff review stage. As this is a Planned Unit Development request, the case will be required to go before the Camelback East Village Planning Committee twice – once for an informational session, and then again at a later date for a recommendation and a vote. Once these dates are set, they will be posted on a sign on the property, and letters will be sent out to property owners within 600 feet of the site. To register to speak at upcoming hearings, please email me your request and also use the link on the meeting agenda to register your information. Posted agendas can be found here:
<https://www.phoenix.gov/cityclerk/publicmeetings/notices>.

Please let me know if you have any additional questions.

Best regards,



Sofia Mastikhina, CNU-A
(she/her/hers) [What is this?](#)
[\[mypronouns.org\]](https://mypronouns.org/)
Planner II - Village Planner
City of Phoenix
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003



From: PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>
Sent: Friday, January 15, 2021 8:18 AM
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: FW: upcoming hearing information

Hi Sofia,

Is this something you can assist Katie with?

Thank you,

Eric Morales, Planner II

Office: 602-262-7927



City of Phoenix

► Planning & Development Department

Planning Division

200 West Washington Street

Phoenix, AZ 85003

Mission: Planning, Development and Preservation for a Better Phoenix

From: PDD Zoning <zoning@phoenix.gov>

Sent: Thursday, January 14, 2021 11:44 AM

To: PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>

Subject: FW: upcoming hearing information

Hello, Please reply to this customer. - Julie

From: PDD Development Services <pdd@phoenix.gov>

Sent: Thursday, January 14, 2021 11:23 AM

To: PDD Zoning <zoning@phoenix.gov>

Subject: upcoming hearing information

Good morning,

Please see email below regarding hearing from customer.

Thank you

From: no-reply@phoenix.gov <no-reply@phoenix.gov>

Sent: Thursday, January 14, 2021 10:41 AM

To: PDD Development Services <pdd@phoenix.gov>

Subject: emplansd - Form Submission

FROM : Katie Gerlach

SUBJECT : Register to Speak

MESSAGE : Hello: I need to know the deadline to register to speak at the upcoming hearing for the Autem Row Development (Case #Z-69-20) as soon as possible. Also, where do I register to speak? Thank you.

Email : Katie@petersoncompany.com

AREA : 602

PHONE : 7995632

Sofia Mastikhina

From: Vanessa and Brian Lee <leecrew@cox.net>
Sent: Monday, January 25, 2021 6:59 PM
To: Sofia Mastikhina
Subject: Questions re: Z-69-20. parcel # 161-05-050C

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

I am neighbor in Madison Manor 2, located in the circle of single family homes north of the planned development for 3-story townhomes by Autem Development. I attended the neighborhood meeting last Wednesday evening.

Can you tell me what the next step is in the city review process? We are concerned about the addition of a 3-story development just south of our quiet circle of one-story single family homes. Neighbors from south and west of the development expressed their concerns about traffic and the height of the project but I'm not clear what the north side of development will look like. It appears on the map that we have a small buffer right now from the south end of our neighbor's property (parcel #161-08-054C) which butts up against the development. There is also a parking area to the east (parcel 161-08-054B) of that parcel. Is that correct? Are there any projects planned for those two sites?

Thank you very much for your time and attention.

Kind regards,

Vanessa Lee

1502 E. McLellan Blvd.

Sofia Mastikhina

From: Lisa Spresser <spresser.mariesplace@gmail.com>
Sent: Sunday, January 31, 2021 6:32 PM
To: Zander Diamont; Ashley L Loan; Sofia Mastikhina
Subject: Re: Autem Development Inquiry

Follow Up Flag: Follow up
Flag Status: Completed

You can have a three story building with a two story profile, that does not exceed adjacent buildings. You could go Haver style (Ralph Haver in case you are not aware of his architectural presence in our community) with the windows in the bedrooms. The bedrooms could go underneath the garage, in the ground. This could be a win for you as you might be able to secure a taller garage while respecting the community's wishes or higher ceilings in the living room/kitchen. Netflix Grand Designs has some excellent examples of this. This would also make the bedrooms more thermally efficient and private.

On Fri, Jan 29, 2021 at 11:56 AM Zander Diamont <zander@autemdev.com> wrote:
Hey Lisa--

I wanted to first thank you for your concerns and efforts in reaching out.

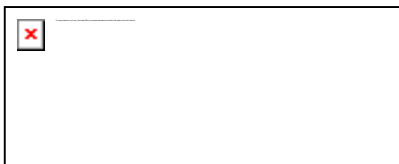
I want you to know that I hear your concerns about height and want to ensure this is something we have taken into consideration since our first design meeting. We will be making available a height comparison image on our website for you. With that being said, our structure is only a couple feet taller than the adjacent structure to the east. Our goal was to give our three story design a two story profile.

We will be doing all that we can to ensure our design only enhances, and doesn't disturb, the current vibe and beauty that Maryland Ave offers.

Thank you for reaching out.

Please do not hesitate to call me personally if you have any questions or further concerns. I'm happy to chat!

Thank you :)



Sofia Mastikhina

From: Lisa Spresser <spresser.mariesplace@gmail.com>
Sent: Sunday, January 31, 2021 6:44 PM
To: Jared Amzallag; Sofia Mastikhina
Cc: Zander Diamont; Ashley Zimmerman Marsh
Subject: Re: Autem Development Inquiry

Follow Up Flag: Follow up
Flag Status: Completed

Maryland is a lifeline to the canal for many cycling communities, they are being brought into awareness of this issue. 16 trash cans twice a week is 64 feet of trash cans blocking the cycling lanes. Due to the density you are aspiring for, guests will be filling the spots not on Maryland, but in front of the houses just south of Maryland. In effect you have commanded the neighbors to support your project with a design that may be lucrative to your team, but devaluing to those who have already invested in the area.

You have hired a reputable architectural firm who can do better for you and us. The bike lanes need to be preserved and guest parking needs to be contained to those living in the project.

On Fri, Jan 29, 2021 at 11:57 AM Jared Amzallag <jared@autemdev.com> wrote:

Hi Lisa,

Thanks for your inquiry and thank you again for putting forth your thoughts for us! We genuinely appreciate your feedback and we aim to be as aligned with the neighborhood as possible with this development.

In regards to trash collection, we have arranged to have 16 bins collected on two different days of the week instead of 32 bins on one day which is a great help here. This type of bin collection is very in line with communities in the area/neighborhood and not at all a challenge for trash collection companies to manage. I have spoken with the trash collection companies myself to ensure there is no issue here.

I understand that there are other developments going up in this neighborhood and that adjusting to the change can have its pros and cons. Our team has gone the extra mile to create a design first community here that the neighborhood can be proud of, and we're taking every measure to as accomodating as possible for everyone in the area.

If you would like to jump on a call to discuss any of your concerns, please feel free to let me know and I will make myself available for you!

Best,

Sofia Mastikhina

From: deb.english@cox.net
Sent: Tuesday, February 16, 2021 10:21 AM
To: Sofia Mastikhina
Subject: 1536 E Maryland project

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Sofia

You left your email as the person to contact on the zoning hearing and neighborhood conversations this developer is involved in for their project at 16th St and Maryland.

I have a question for my client that has the adjoining lot to the north. Part of this project encroaches on the setbacks and is not in the best interests for my client's property use. What is the process for protecting our setbacks and to know and be kept aware of the process on this project?

Thank you.

Debbie English

Realtor, Interior Designer, LEED AP

 **Uptown Design**



PH: 602-432-9202

Fax: 602-386-1634

[Search for Homes in Arizona \[homesmart.com\]](https://www.homesmart.com)

[Search for NEW Homes in Arizona \[showingnew.com\]](https://www.showingnew.com)

Sofia Mastikhina

From: Linda Richards <januaryeditor@gmail.com>
Sent: Sunday, February 28, 2021 8:35 PM
To: Sofia Mastikhina
Cc: Katie Gerlach; Sarah Entz
Subject: Autem Row

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Sofia,

I am president of the Maryland Village East HOA. We are located next door to the proposed Autem Row development.

It has come to my attention — and not through channels — that the meeting you were going to be hosting on this topic on March 2nd has been postponed until April because the developers did not meet the timeline for submitting their final plans. Is this correct?

The same source let me know that the title of the property in question — 1536 E. Maryland Avenue — has not yet changed hands. Is that something you are aware of or can confirm?

Best,

Linda

Direct Line: 805-459-1550

--

Author, Journalist, Photographer

[https://urldefense.com/v3/__http://lindalrichards.com/__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTExkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIBbnIzLQ\\$](https://urldefense.com/v3/__http://lindalrichards.com/__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTExkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIBbnIzLQ$)

Editor, January Magazine

[https://urldefense.com/v3/__http://www.januarymagazine.com__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTExkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIjffevZQ\\$](https://urldefense.com/v3/__http://www.januarymagazine.com__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTExkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIjffevZQ$)



Village Planning Committee Meeting Summary

Z-69-20-6

INFORMATION ONLY

Date of VPC Meeting	May 4, 2021
Request From	R-O (Residential Office – Restricted Commercial District)
Request To	PUD (Planned Unit Development)
Proposed Use	Multifamily residential
Location	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Bill Lally, representative with Tiffany & Bosco, presented an overview of the request and explained that this is simply an introduction of the project and that no action will be taken by the committee at this time. He proceeded to outline the site conditions with the two existing homes that are zoned R-O and have been operating as two separate home businesses for some time. The site is situated in a fairly densely populated area and located directly to the west of a commercial corner. He presented an aerial map depicting other nearby residential developments of similar size and intensity to the proposed project, explaining that these types of infill projects have happened successfully within the village. He outlined the public outreach process which included creating a website with information regarding the project, a neighborhood meeting which is the first of two required by the city, and several one-on-one conversations and emails with individual community members. He then presented the proposed site plan and explained that the main reason that a PUD is being requested is the unique layout of the site, which provides driveways on the perimeters of the site instead of the more traditional townhome designs of a main centralized driveway. This then creates an internal pedestrian plaza that fosters a stronger sense of community and encourages interactions among residents. In addition to the ability to restrict uses, the PUD provides the toolkit necessary to create this unique site layout. He then presented the architectural elevations, noting that the garages will be facing outwards, the front of the buildings, with balconies, will be facing the interior pedestrian courtyard, and the Maryland frontage will have the sides of the building. A conceptual rendering of the Maryland frontage includes landscaping, a bike station, bench and maybe a water feature. The wall along the street frontage will be made of wooden slats instead of traditional CMU block, providing a more engaged pedestrian frontage. A conceptual rendering of the interior of the site shows a pedestrian friendly realm with ground floor

patios and balconies on upper floors to provide a high-end design product, which the area needs. He concluded his presentation and made himself available to answer any questions that the committee has.

PUBLIC COMMENT

Deborah Basehore expressed concern with the proposed density of the project, the lack of inviting open space, and the impact the development will have on Maryland Avenue. She explained that this street is not meant to be a thoroughfare and is a two-lane street that already experiences an overflow of traffic. She also expressed concern with the trash collection along Maryland Avenue, as the developer is proposing to put 32 individual bins for pick up along the street.

Sarah Entz, representative for the townhomes directly west of the project site, expressed her community's concerns with the proposed height, parking, and trash collection. She stated that this will be the only three-story building in the immediate area, which is not compatible. Further, there are only four proposed guest parking spaces for the 16 units, which would exacerbate an already existing on-street parking problem in the neighborhood. The proposed trash collection, which would put sixteen trash cans out on Maryland twice a week will make the traffic issues on Maryland even worse. She explained that they are not opposed to multifamily development but requested that there be a delay in a decision to allow the developers to work with the community on addressing these concerns.

Sandy Grunow, representing community leaders of the Phoenix Midcentury Modern Neighborhood Association, Phoenix North Central, the Peak Neighborhood and Madison Grove, stated that she and the other leaders have met with the developers to discuss the proposal. She stated that the driveway design around the buildings provides a nice setback, but that the density far exceeds the surrounding multifamily developments and the guest parking is below the 8 required spaces for 16 residential units. She explained that Maryland is a minor collector road that has businesses, homes, residential complexes, and several schools. All of this results in a lot of traffic on the already limited streets, which poses safety hazards, especially for bicyclists. She then asked where delivery trucks such as Amazon and FedEx would park given the limited on-site parking. She then stated that the community is supportive of the 31.5-foot building height of three stories, but noted that the developer, at their meeting, had mentioned needing to go higher, to 34 feet, to accommodate air conditioning units, so she asked that they go no higher than that. Finally, she proposed two suggestions to mitigate the density concern: explore adding the lot to the north of the site or reduce the density by one to two units. Both scenarios would also allow for the inclusion of an internal trash pick up area, as well as the required 8 guest parking spaces.

Lally thanked the members of the public for their comments and stated that his team had discussed many of these issues with individuals already. He addressed the concern regarding the building height, explaining that the City of Phoenix does not include air conditioning units in building height measurements, but stated that these buildings are not likely to have air conditioning units on top of them. The proposed building height is 30 feet and, for context, the residential complex to the west has a building height of 26 feet, so there will only be a difference of 4 feet between the two developments, in addition to a 25-foot building setback between the two. Further, on the east side is a 28-foot tall building, so the difference is approximately 2 feet. He explained that the

proposed height of this development would be in line with what is existing and would not be out of character for this area. He then explained that if the site was zoned R-3, similar to the development to the west, they would be able to build up to 40 feet. However, the PUD will limit the building height to 30 feet. He then addressed the concerns about guest parking, explaining that although the City of Phoenix requires a certain number of spaces, the world has changed and the way people visit places has also changed, with more and more people opting for alternative modes of transportation such as bicycles and other non-vehicular travel. The developer is also hoping to negotiate a shared parking agreement with the property owner to the east of the site to be able to provide additional parking. The biggest issue with the proposal so far has been the matter of the trash collection, and the developer will pursue an appeal with the city to allow on-site trash pickup. Delivery trucks will be able to park on site for quick deliveries, as most trucks these days are fairly small. He states that all infill development projects such as this have site logistics issues, but that they will continue to work with the community to come up with solutions and bring a quality development to the neighborhood.

Daniel Sharaby asked how many guest parking spaces are required by the city. **Mastikhina** replied that the Zoning Ordinance requires 0.5 guest parking spaces per residential unit in a multifamily development, which would come out to 8 parking spaces for this project.

Chair Jay Swart encouraged Mr. Lally to work closely with the neighbors to solve the issues brought up at this meeting before coming back to the committee for a vote, especially regarding the trash collection appeal and the shared parking agreement, as there seems to be plenty of space on adjacent properties.



Village Planning Committee Meeting Summary

Z-69-20-6

Date of VPC Meeting	October 5, 2021
Request From	R-O (Residential Office – Restricted Commercial District)
Request To	PUD (Planned Unit Development)
Proposed Use	Multifamily residential
Location	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
VPC Recommendation	Denial
VPC Vote	8-3

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Sofia Mastikhina, staff, provided an overview of the request, including its location, current and surrounding zoning and land uses and General Plan Land Use Map designation. She outlined the proposed development standards, which include a maximum density of 16 dwelling units, maximum height of three stories and 35 feet, and a central courtyard landscape area. She presented a height comparison exhibit provided by the applicant that shows the proposed building next to the existing neighboring structures. She then presented the conceptual elevations and explained some of the proposed design guidelines contained in the PUD, which also address provisions for an architecturally integrated entry gate and fence along Maryland Avenue. She stated staff's recommendation for approval and listed the associated stipulations.

John Oliver, representative with Tiffany & Bosco, provided an overview of the request including the site's proximity to major transportation corridors. He presented the conceptual site plan, noting that units will have individual garages that are accessible from the east and west, there will be a central amenity courtyard corridor running the length of the property, as well as enhanced landscaping along Maryland Avenue. He then presented the conceptual elevations which depict floor to ceiling windows and wrap-around balconies. He explained that the intent of the central courtyard corridor is to create a sense of community among residents, whereas many developments in the area create division between units through central vehicular drive aisles that split a development site. He also showed photos of some examples in the nearby area. He presented additional conceptual renderings of the development, pointing out the central courtyard, pedestrian-level amenities such as shaded seating, the architectural entry gate, and bicycle amenities such as a publicly accessible bike repair station. He then

outlined the community outreach process, which has been ongoing for the past 10 months.

PUBLIC COMMENT

Sarah Entz, representing the community to the west of the subject site, stated that their community has expressed two main concerns since this case first came to be, and have expressed these same concerns at the last committee meeting also. The first is the matter of parking, as the site only proposes four guest spaces to serve the 16 dwelling units. She stated that this will result in on-street parking and blocking of bike lanes. The second issue is that of trash collection. The development proposes to place 16 individual trash bins along Maryland Avenue for collection, which will be an unsightly nuisance and will also block the bike lanes. She stated that neither of these issues have been addressed by the applicant.

Linda Richards stated that she lives in the community to the west of the site, where there are 18 residential units served by seven guest parking spaces. She explained that guest overflow parking is a huge issue there, as there is not enough on-site parking. She expressed concern at the applicant's inability to address this concern and stated that she felt disrespected by the applicant at their neighborhood meeting.

Larry Whitesell, Co-Chair of the Peak Neighborhood Association, explained that the community started meeting with the developer in March of 2021, where they expressed their support for this type of development, but that there are concerns that needed to be addressed first. He stated that the first concern was the proposed ten-foot building setback along Maryland Avenue, which staff had also been concerned about, per the first and second staff review comment letters. The applicant had provided examples of similarly reduced setbacks in nearby properties to justify their request. **Whitesell** presented photos and measurements that show larger setbacks on those properties than what was provided by the applicant.

Sandy Grunow, representing the Phoenix Midcentury Modern Neighborhood Association, stated that the developer has approached city staff to request a technical appeal to allow trash trucks to enter and back out of the development for waste collection. Otherwise, there will be 16 trash cans lined up along Maryland Avenue once per week, blocking the bike lane and creating safety hazards. She presented an alternative, per a letter from Megan Sheets, the city's Public Works Project Manager, which states the applicant can seek to obtain a variance to allow 90-gallon waste and recycling bins in an enclosure within the landscape setback. She stated that the community supports this alternative.

Mary Crozier, president of the North Central Phoenix Homeowners Association, stated that she bikes along Maryland Avenue frequently and that this is one of her least favorite stretches of the Sonoran Bike Trail. She stated that the bike lanes are frequently blocked by parked cars and trash bins, as the city is too understaffed to enforce parking regulations, so this proposal would only further exacerbate the issue. She also expressed her concern over the reduced front yard setback, which will bring the building closer to the street and reduce sight visibility for cars entering and existing this location, which will be a hazard for cyclists on this road. She stated that she is supportive of new housing in the city, but that there are better ways to solve the parking and trash placement issues. She also explained that currently the General Plan would allow this property up to 14 dwelling units and that, if the applicant reduces their request

to this number, the problems expressed by the community would be solved. She stated that the community has been asking for this for several months and asked that the committee strongly consider the challenges that this development will pose on the community.

Dan Trozzi, president of the S. Peak Height Neighborhood Association, stated that he has lived in this neighborhood for several years and that the community has worked hard to ensure positive, compatible changes. He stated that he is not opposed to new developments, but that there are significant issues with this proposal that have not been addressed. He stated that if the developer deletes the two units closest to Maryland, it will solve the concerns with the setback, the sight visibility for vehicles, the guest parking spaces, and would also reduce the overall lot coverage on the site. He presented a financial analysis to show that the reduction in units would not be a financial burden on the developer and that they would still be able to make a profit on the development.

Mary Ann Pikulas stated that parking has been a critical issue since the community meeting with the developer in March and explained that Maryland Avenue does not allow any on-street parking due to the existence of bike lanes on both sides of the street. She also expressed her concern with the reduction of guest parking spaces, noting that staff shared the same concern in their comment letter to the applicant, to which the applicant provided guest parking calculations for nearby developments that are similarly underparked. She stated that these other developments also have insufficient guest parking that has resulted in congestion issues. She agreed with Dan Trozzi's suggestion of reducing the residential unit count to solve these issues.

Chair Jay Swart asked if the trash collection along Maryland Avenue is imposed by the city. **Mastikhina** explained that it is required by code and that deviation from it requires approval of a technical appeal.

Oliver restated the three main community concerns, which are the trash, the parking, and the height. He explained that the trash collection method is required by the City of Phoenix for this type of development, but that they are planning on pursuing approval of a technical appeal once they receive the zoning, as an appeal cannot be filed until this portion is complete. Regarding parking, he stated that the Zoning Ordinance requires 1.5 spaces per one- and two-bedroom units, which would total 24 required spaces. Each unit will have a two-space garage, so there will be 23 parking spaces, which is a surplus of 8 spaces. The ordinance also requires 0.5 guest parking spaces per one- or two-bedroom units, which results in eight required guest parking spaces. The proposal has four guest parking spaces, so they are short four spaces. However, with the eight-space surplus noted for residential parking, there is an overall parking space surplus of four parking spaces on the site. He also stated that the city's parking requirements were written before the advent of rideshare services such as Lyft and Uber, which are now more commonplace in people's lives. He then addressed the concerns with height, noting that there is only a difference of four to six feet between adjacent buildings and the proposed project. He then addressed the concern regarding the reduced building setback, stating that it will be robustly landscaped, and that the city has also been promoting more walkable urban environments, which include pushing buildings closer to sidewalks for visual interest.

Chair Swart expressed concern with Linda Richards' comment that the community was disrespected at the neighborhood meeting and asked the applicant if he remembers such an incident at any of their meetings. **Oliver** replied that he does not recall any such moment but noted that it is very challenging to run virtual meetings via Zoom when there are many attendees, in which case some people may not get a chance to speak or are inadvertently talked over as others unmute themselves. He stated that it is never the intent of this development team to be disrespectful to any community members and apologized if that was the impression. He reiterated their openness to community discussion and has offered up his phone number for members of the community to discuss the case at any time.

Daniel Sharaby stated that the community has been dismissed and hasn't been heard through this process, noting that the applicant's rebuttal regarding the overall parking space count does not address the guest parking issue, since most of the spaces will be provided in private enclosed garages.

MOTION

Daniel Sharaby made a motion to deny the request as filed. **Barry Paceley** seconded the motion.

DISCUSSION

Daniel Sharaby stated that the community has been dismissed and hasn't been heard through this process, noting that the applicant's rebuttal regarding the overall parking space count does not address the guest parking issue, since most of the spaces will be provided in private enclosed garages. He also fails to see how this proposal goes above and beyond what is required by code.

Linda Bair expressed concerns over the proliferation of PUD requests, which she recalls were originally intended to help with development on assemblages of mixed-use sites. In the past year, applications have been submitted for small sites and have been an abuse of the Zoning Ordinance, as developers simply want to maximize the height and density for their projects. She expressed concern with the city recommending approval for these requests and stated that there needs to be some discussion within the Planning and Development Department regarding the appropriateness of these requests. She also expressed concern with the safety along Maryland Avenue, which already presents sight visibility issues. **Chair Swart** asked staff to relay this concern to management to start a conversation regarding PUDs within the city.

VOTE

8-3: Motion passes with committee members Bair, Thraen, Eichelkraut, Garcia, Miller, Paceley, Sharaby, and Tribken in favor, and committee members Swart, Abbott, and Bayless dissenting.



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report: Z-69-20-6
November 3, 2021

<u>Camelback East Village Planning Committee Meeting Date</u>	October 5, 2021
<u>Planning Commission Hearing Date</u>	November 4, 2021
Request From:	R-O (0.89 acres)
Request To:	PUD (0.89 acres)
Proposed Use	Multifamily residential
Location	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
Owner	East Maryland, LLC
Applicant	AUTEM Development
Representative	William E. Lally, Esq., Tiffany & Bosco
Staff Recommendation	Approval, subject to stipulations

The purpose of this addendum is to revise the staff recommended stipulations to account for changes to the PUD development narrative, per the applicant's request.

On October 5, 2021, the Camelback East Village Planning Committee heard this request and recommended denial, noting the continued community opposition to the case due to ongoing concerns regarding the proposed density, reduction in guest parking, and on-street waste collection. After the meeting, the applicant worked with members of the community on modifications to the request to address these concerns and has requested modifications to the PUD development narrative to accommodate the changes made to the proposal. The key modifications are as follows:

- Density reduction from 16 units to 15 units
- Increase of guest parking from 4 spaces to 6 spaces
- Relocation of bicycle repair station to the interior of the development
- Exploration of alternative waste collection methods

The below stipulations list the applicant's requested modifications to the PUD development narrative and an additional stipulation to address alternative waste collection. Staff recommends approval subject to the following revised stipulations:

1. An updated Development Narrative for the Autem Row 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 September 21, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: September 21, 2021; City Council adopted: [Add adoption date].
 - B. PAGE 5, OVERALL DESIGN CONCEPT: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
 - C. PAGE 7: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
 - D. PAGE 8, LAND USE PLAN: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
 - E. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE THE MAXIMUM DENSITY TO 15 DWELLINGS UNITS AND 16.85 DU/AC.
 - F. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE GUEST PARKING TO 0.40 SPACES PER RESIDENTIAL UNIT TO REFLECT MINIMUM OF 6 GUEST PARKING SPACES.
 - G. PAGE 12, DESIGN GUIDELINES SECTION E.1.H.: REPLACE WITH THE FOLLOWING:

BICYCLE PARKING WILL BE INSTALLED WHERE INDICATED ON THE ATTACHED SITE PLAN (EXHIBIT 9). A BICYCLE REPAIR STATION SHALL BE PROVIDED ON THE NORTH END OF THE SITE IN CLOSE PROXIMITY TO THE BICYCLE STORAGE AREA SHOWN ON EXHIBIT 9.
 - H. PAGE 14, SECTION H.2. CIRCULATION: UPDATE THE PARAGRAPH TO REDUCE NUMBER OF UNITS TO 15 AND TO DESCRIBE THE LAYOUT AS PROPOSED IN THE SITE PLAN DATE STAMPED OCTOBER 28, 2021.
 - I. PAGE 15, COMPARATIVE ZONING TABLE: UPDATE THE NUMBER OF UNITS, DENSITY RATIO, AND MINIMUM GUEST PARKING ON PUD ZONING COLUMN.
 - J. PAGE 36, EXHIBIT 9 (CONCEPTUAL SITE PLAN): REPLACE WITH THE SITE PLAN DATE STAMPED OCTOBER 28, 2021 AND REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION.
 - K. PAGE 38, EXHIBIT 10 (FENCE DIAGRAM): REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION.

2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
5. 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.
6. THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT'S SOLID WASTE REVIEWER TO PURSUE ALTERNATIVE METHODS OF WASTE COLLECTION TO ALLOW FOR ON-SITE TRASH AND RECYCLING PICK UP.

Exhibits

Site plan date stamped October 28, 2021 (1 page)

Community correspondence (56 pages)

SITE PLAN NOTES

5. ALL DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
6. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAYS ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
7. ALL NEW LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM THE ADJACENT RESIDENTIAL TRAFFIC AND WILL NOT EXCEED ONE FOOT CANDLE AT ANY LEVEL EXCEEDING THE SECOND LEVEL OF THE DRIVEWAY. NO NOISE, ODOR, OR VIBRATION EMITTED BY USE IN THE AREA OUTSIDE THE SITE.
8. THE OWNERS OF PROPERTY ADJACENT TO THE PUBLIC RIGHTS OF WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHT OF WAY IN ACCORDANCE WITH THE APPROVED PLANS.
9. ALL FOOTCOT EQUIPMENT AND SATELLITE DISHES SHALL BE RELOCATED TO THE HEIGHT OF THE TALLEST EQUIPMENT.
10. ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, REFRIGERATORS, FREEZERS, OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS.
11. BARBED WIRE, OR CONCRETE WALLS OR BOLLARDS SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM THE PUBLIC STREETS OR LOCATED IN RESIDENTIAL AREAS.
12. ALL SIGNAGE REQUIRES SEPARATE REVIEW, APPROVALS, AND PERMITS TO THE SIGNAGE ARE PROVIDED PER THIS PLAN.
13. IN ORDER TO THE REPRODUCTION OF THIS SITE PLAN PROVIDED THAT IF MODIFICATIONS ARE MADE, THE PROFESSIONALS WHO MAKE SUCH MODIFICATIONS SHALL BE RESPONSIBLE FOR THE ACCURACY AND LIABILITY FOR THE MODIFIED PORTIONS OF THE PLAN.

PROPOSED DEVELOPMENT - PUD

- | | | | |
|-------------------|--|--|---|
| | PUD - TOWNHOMES FOR SALE | X 2 PER GARAGE = 30 SPACES
X 6 INDIVIDUAL UNITS = 6 SPACES
(RECYCLE WASTE)
PUD OF 6 GUEST SPACES) | |
| PROPOSED USE: | 3 STORES / 1-0 TH | | |
| HEIGHT: | | | |
| DENSITY: | 15 TOWNHOMES | 38 TOTAL SPACES | |
| UNITS (CARPARKS): | | PROVIDED | |
| WASTE: | 15 CHEMICAL UNITS
300 INDIVIDUAL WHEELIE BINS PROVIDED
15 REGULAR WASTER
15 RECYCLE WASTE
PRIVATE COLLECTION ON 2 DAYS FROM MARTLAND AVE | | |
| OPEN SPACE: | 200,699.38 SF PROVIDED | | |
| LOT COVERGE: | BUILDING 1 = 7,698 SF
BUILDING 2 = 4,748 SF
TOTAL = 12,446 SF | | |
| | | | 32.95 NSF / 15.20% = 46 OR 46% LOT COVERAGE |

ZONING

- | | | | | | | | | | | |
|--|--|------------------------------------|-----|---|--|-----------------|---------|--------------------------------------|---------------------------------|--|
| 1530 E HWY/LAND AVE,
PHOENIX, ARIZONA 85014 | NEAR 378' N 60° 17' 30" E OF SEC 04 E 1/4 OF PT 5 S 1/4 OF NE 1/4 33RD N W OF SEC 03 N 1/4 33RD N W 162' 78" E N 33° 33' 30" E OF THE 162' 78" TO POB E N 120° 1' 10" OF E N 53° 33' 30" RD PF 14-20414560 | 0.07 ACRES GROSS
0.06 ACRES NET | R-0 | REQUIRE NEW SETBACKS, INCREASED HEIGHT,
REDUCED LANDSCAPE BUFFER, TO A REDUCED
VISITOR PARKING TO 50% OF REQUIRED | MINIMUM 5% OF GROSS LOT AREA REQUIRED
5% OF 7,850 SF = 1,063 SF | 1,822 SF | PER PUD | OPEN SPACE PROVIDED;
LOT COVERAGE | RETRACTS;
PROPOSED UNDER PUD | 16' FRONT
12' REAR (OFF PERMETER LINE)
3' LANDSCAPE PERMETER- SIDE AND REAR
27' SIDE SETBACK AT GRADE LEVEL
12' SIDE SETBACK AT 12' ELEVATION
19' SIDE SETBACK AT 13' |
|--|--|------------------------------------|-----|---|--|-----------------|---------|--------------------------------------|---------------------------------|--|

PROJECT DESCRIPTION

AUTEA DEVELOPMENT PLANS TO BUILD A 15 UNIT TOWNHOME COMMUNITY AT E MARLOW AVE. ON A 3.63 AC. PARCEL. THE SITE IS CURRENTLY USED FOR RESIDENTIAL AND OFFICE SPACE. THE PROJECT IS CENTERED BETWEEN TWO DRIVEWAYS ON THE EAST AND WEST OF THE SITE WITH A LANDSCAPED COMMUNITY ZONE AND PATHWAY SERVING THE TOWNHOME STRUCTURES. THE BUILDINGS WILL BE A COMBINATION OF MASONRY AND WOOD FRAME CONSTRUCTION WITH INDIVIDUAL ENTRANCES AND GARAGE ACCESS TO EACH UNIT.

THERE IS ONE 1,175F UNIT TYPE WITH A UNIQUE ARCHITECTURAL CHARACTER. UNITS ARE PROVIDED WITH THEIR OWN FRONT GARDEN WHICH FACES ONTO THE COMMUNITY WALKWAY. EACH UNIT HAS 2-CAR GARAGE AND 4 GUEST SPACES ARE PROVIDED. THERE WILL BE A MASONRY FENCE ALONG THE SITE PERIMETER. THE PRIMARY ENTRANCES WILL BE ALONG MARY, AND AVE.

THE COMMUNITY AMENITIES WILL INCLUDE: COMMUNITY WALKWAY WITH FIRE AND WATER FEATURES, LUSH LANDSCAPING, POOL, AND COMMUNITY BBQ. THESE AREAS ARE DISPERSED ABOUT THE SITE WITH THE OUTDOOR COMMON SPACES.

APPLICANT

- DEVELOPER:
AUTUMN DEVELOPMENT
2525 E CAMELBACK RD #407
PHOENIX AZ 85016
JARED@AUTUMNDEV.COM
602-783-2107
ZANDER@AUTUMNDEV.COM
310-617-1695
- ARCHITECT:
WORKSBUREAU INC.
2525 E CAMELBACK RD #31
PHOENIX AZ
MIKE ALEXANDER / MALEXANDER@WORKSBUREAU.COM
602-321-9900

LEGAL REPRESENTATIVE:

2525 E CAMELBACK ROAD, 7TH FLOOR
PHOENIX, AZ 85016
WILLIAM E. LALLY ESQ./WEL@TBLAW.COM
602-452-2716

WORKSBUREAU

2324 NORTH 24TH STREET
PHOENIX ARIZONA 85008 USA
+1 602 324 6000

**NOT FOR
CONSTRUCTION**

[illegible]

HEET SCALE

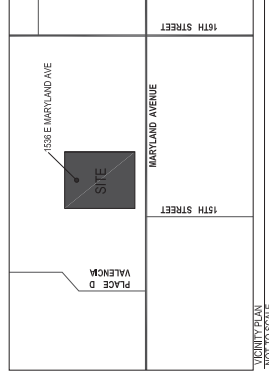
SITE PLAN
AUTUM ROW
1526 E MARYLAND
PHOENIX, ARIZONA 850

ADOLPH
1526 E MARYLAND
PHOENIX, ARIZONA 85014

DATE 21 OCTOBER 2021
DRAWN BY: MA
CHECKED BY: MA

PROJECT # 20137
PUD APPLICATION

PA-01



VICINITY PLAN
NOT TO SCALE



SITE PLAN

Sofia Mastikhina

From: Karolyn Benger <kbenger@gmail.com>
Sent: Friday, October 1, 2021 5:08 PM
To: Sofia Mastikhina
Subject: Development on Maryland Street

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Mastikhina,

I am writing about my concerns with the new development being planned on Maryland Street.

Having 16 trash bins and 16 recycling bins lined up two days a week on Maryland, will cause problems for bikers and pedestrians. Cars trying to get out from the trash collection will drive into the oncoming traffic lane, creating a horrible risk of a head on collision. Further, these bins will be an unsightly blight on our street.

There are only 4 guest spaces planned, one of which is designated for the disabled. If not requesting a special classification, 8 spaces would be the required number. With anywhere from 30 to 40 plus residents possibly living there, each with family or friends visiting and others. Where will they park? If on Maryland this takes away the bike lane and blocks driver's line of vision when trying to turn into Maryland. It's simply not safe.

These concerns have been raised for many months and there has yet to be any plan put forward by the developers to address this.

I am deeply concerned as I, and my children, bike on this bike lane and walk our dog down this street. This is truly scary when a few modifications could address these concerns.

Thank you,

Karolyn Benger
Sent from my phone

Sofia Mastikhina

From: Larry Whitesell <thepeakhomeassoc@gmail.com>
Sent: Wednesday, October 20, 2021 11:07 AM
To: Sofia Mastikhina
Cc: John T. Oliver; Mary Ann Pikulas; Linda Richards; Sandy Grunow; Dan Trozzi
Subject: Z-69-20 Autem Row Meeting Recap
Attachments: 19 Oct 2021 Meeting Recap.pdf

Good morning, Sofia -

This email is to share with you the result of a recent meeting between Mr. Oliver and neighborhood representatives concerning the Autem Row application, Z-69-20. I offered to send this meeting recap to you so you are aware of the position of the neighborhood representatives on several issues. There are a couple of items that Mr. Oliver indicated are encouraged by Zoning staff. He supported my offer to inform you about our remaining issues so that possible revision of those items would not become concerns of Zoning staff.

Please contact me if you want to discuss any of the contents of the attached meeting recap.

Larry Whitesell, Co-chair
the PEAK NA
602-370-8453

On Tuesday, October 19th several neighborhood representatives met virtually with John Oliver, Law Clerk at Tiffany & Bosco, who represents the Autem Row developers. Mr. Oliver reached out to us to discuss the developer's revision of the site plan to eliminate 1 unit and increase the guest parking spaces to 6. While we appreciate their willingness to make this revision, the proposal still lacks neighborhood support for several reasons. We discussed these in detail with Mr. Oliver.

1. The developers are considering elimination of 1 unit, possibly unit 8 on the current site plan, the north-west unit.
2. Guest Parking: Elimination of 1 two bedroom unit reduces the required guest parking spaces from 8 to 7.5. Adding 2 spaces to the original proposal of 4, gets closer to the required number. The 2 spaces would be located in the north-west corner of the property next to the already planned 2 spaces and turnaround. However, there is still great concern about the likelihood of guest parking on Maryland in the bike lane. More about this is in the solutions paragraph below.
3. Trash and Recycling: Mr. Oliver has stated on several occasions that they would submit a technical appeal to make it possible for a centralized collection compound to be used rather than 15 individual bins being placed on Maryland in the bike lane twice per week. We support this proposal but with a modification of the proposed location of the compound. They are considering the compound being located in the north-west corner of the property. We have an alternative proposal below.
4. Bicycle Storage/Repair/Bench: Mr. Oliver stated this is an amenity encouraged by Zoning staff. We expressed a concern about having a bicycle storage/repair area and bench that is in the landscape setback on the south side of the proposed fence. We believe that having an unsecured area open to the public is a potential attraction to individuals living on the streets.

Please be aware of the current conditions in the area. Maryland dead-ends at the St Rt 51 wall just 1500 feet from the subject property. This is where several homeless people locate. There is a large single family detached (R-1-6) development under construction on the south side of Maryland, east of 16th St at the freeway wall. This will cause the unhoused people to relocate. It is predictable that some will move to any area that provides shelter and seclusion, such as the proposed bike area and bench.

We stated that homeowners in the complex will likely store their bicycles in their garages, especially with more room created by not having to locate their trash and recycling bins in the garage. Also, the Comprehensive Bicycle Master Plan does not mention having publicly accessible bike storage and repair. There are two recent cases in Camelback East VPC, Z-920-6 the Willowick PUD south-west corner of 16th St & Colter, and Z-65-20 PUD at 5727 N 7th St., that included bike storage/repair within the confines of the buildings. Note these are apartments without individual garages, unlike Autem Row that is owner occupied with individual garages.

5. Front Set-Back: We continue to be concerned with the front set-back. Mr. Oliver stated that Zoning staff was interested in having the front of the building interact with the sidewalk/street. We understand this concept as it is incorporated into the Walkable Urban Code. The subject property is not close to any area that is in the WU Code or Transportation Oriented Districts. Also, in two reviews by Zoning staff of the proposed develop, Zoning staff stated that they were not in agreement with the limited front set-back. That concern is dropped in the 3rd review and staff report. The neighborhood representatives still hold that concern.

6. The neighborhood representatives proposed the following solutions that resolve every issue. We strongly encourage the developer to eliminate 2 units, preferably units 1 and 9 on the south side of the site. This would provide ample area for:

a. 4 more guest parking spaces bringing the total to 8 (7 would be required).

b. locating the centralized trash/recycling compound at the street side of the property but behind the fence, thus eliminating 15 trash and recycling bins being placed in on Maryland in the bike lane, and eliminating the need for a technical appeal because the collection truck would not have to back up more than 50 feet.

3. putting bike storage/repair behind the fence in a secure area if needed at all.

4. the south facing wall of the closest units to be approximately 37 feet from the curb. This eliminates the looming 32' high, 80 linear foot wall close to the public sidewalk and street. We are not opposed to having the 3'-6' graduated view fence located as currently pproposed approximately 17' from the curb. This will still provide interaction between the project and the sidewalk/street.

Mr. Oliver said he would discuss the input from the meeting with his clients. We anticipate a reply and a revision of the site plan fairly quickly, or for a continuance of the Planning Commission agenda item to be requested to give the developer time to consider changes and to submit a revised site plan.

From: Michael Cocanower <mwcoanower@gmail.com>
Sent: Saturday, October 23, 2021 5:57 PM
To: PDD Planning Commission
Subject: Project Z-69-20 Autem Row

Hello -

I would just like to share my feedback regarding the proposed Autem Row project (referenced in the subject) which is proposed for Maryland Avenue just west of 16th Street.

I live just north of 14th Place and Maryland - down the street from the proposed project - at 6510 N 14th Place.

While I would like to see more of this type of project in infill locations through the neighborhood, this project has what I would consider to be two flaws which have existed for as long as I've known about the project and have NEVER been addressed by the developers in spite of concerns repeatedly expressed to them by neighborhood groups, residents, and even the Planning Committee.

First, the project has inadequate guest parking. In my opinion this will create additional street parking along Maryland - an already overly congested street parking area - making an existing problem even worse. These vehicles make visibility getting in and out of 14th Place very difficult and also block the bike lane. The contrast between Maryland east of 16th Street (where no street parking is allowed) and west of 16th Street is stark in terms of curb appeal and overall appearance. I don't feel this project should be approved with less than the required visitor parking spaces.

Second, the project does not have enough space for commercial trash pickup. Without a variance from the city to allow garbage trucks to enter the development, that will mean 32 trash containers along Maryland weekly (16 homes in the development, each with a trash and recycle container). Given the existing parking issues described above which will be made worse by lack of required guest spaces, I'm not sure where these 32 containers will go. I run along this section of Maryland twice per day, and already have to navigate traffic, parked cars, and pedestrians. Adding 32 trash cans will make it impossible, and that doesn't even consider how unsightly it will all be.

I would strongly encourage you NOT to approve this project as submitted. I believe there are solutions (many of which have been offered during neighborhood and planning committee meetings) which can solve both of these problems (such as reducing the number of units in the proposed development). This could be a great project if properly designed, but I do not feel it should be approved in its current form.

Thank you for your consideration.

Michael Cocanower

Racelle Escolar

From: Lyndon Hara <lyndonharasafety@gmail.com>
Sent: Saturday, October 30, 2021 8:43 AM
To: PDD Planning Commission
Cc: Sandy Grunow; Lyndon M Hara
Subject: Re: Item #20, case number Z-69-20-6 1536 and 1538 East Maryland Avenue

Dear Sir:

I am a resident in the Madison neighborhood (Rose Lane and 7th St.).

I am writing to you about the concerns we have about the proposed development at 1536 and 1538 East Maryland Avenue.

Our concerns are:

1. High density trash containers stored on Maryland Ave 2x per week.
2. Bike lane blockage.
3. Lesser property set back requirement.
4. Lesser minimum parking spot requirement.
5. Too high living density at the project.

Please have the developer address these issues with an adequate abatement plan.

Should you desire additional input, please feel free to contact me.

Thank you.

Sincerely,

Lyndon Hara, CSP
Chandra Hara
736 E Rose Lane
Phoenix, AZ 85014
6025181852

Racelle Escolar

From: Karolyn Benger <kbenger@gmail.com>
Sent: Friday, October 29, 2021 4:32 PM
To: PDD Planning Commission
Subject: Item #20 case number z-69-20-6

I am writing to express my concerns with the new development being planned on Maryland Street.

Having 16 trash bins and 16 recycling bins lined up two days a week on Maryland Street, will cause problems for bikers and pedestrians. Cars trying to get out from the trash collection will drive into the oncoming traffic lane, creating a horrible risk of a head on collision. Further, these bins will be an unsightly blight on our street.

There are only 4 guest spaces planned, one of which is designated for the disabled. If not requesting a special classification, 8 spaces would be the required number. With anywhere from 30 to 40 plus residents possibly living there, each with family or friends visiting and others. Where will they park? If on Maryland Street this takes away the bike lane and blocks the driver's line of vision when trying to turn into Maryland. It's simply not safe.

These concerns have been raised for many months and there has yet to be any plan put forward by the developers to address this.

I am deeply concerned as I, and my children, bike on this bike lane and walk our dog down this street. This is truly scary when a few modifications could address these concerns.

Thank you,
Karolyn R. Benger
kbenterpriseconsulting.com [kbenterpriseconsulting.com]

I am offline from Friday evenings until Saturday evenings

From: Pat Mayer <pm85014@gmail.com>
Sent: Saturday, October 30, 2021 12:33 PM
To: PDD Planning Commission
Subject: Z-69-20-6

Greetings,

I am writing in opposition to the requested Autem Row PUD, item 20 on the November 4, 2021 schedule.

The developer for this condominium is trying to cram 20 pounds of flour into a 5 pound sack. Sixteen units on these two plots is several units too many, with no plans for communal trash dumpsters. Maryland Ave. is already a problem, with too many people parking their cars outside of allowed times, and in a narrow shoulder not really wide enough for safe parking. I walk that way often and just the other day saw a parked car that had been hit, presumably overnight, sustaining rear damage and getting pushed into the parked car in front of it. Imagine how much worse if the residents of Autem Row have their 16 trash and 16 recycle bins lined up, on the sidewalk or in the street. Cars will either park there and block the dumpsters or will park further down the street, compounding the already problematic situation. Bicyclists and pedestrians will encounter more obstacles and risks.

If they would scale back the size of the development and allow for communal large dumpsters and room for the trucks to maneuver, as well as perhaps more visitor parking spaces, they would find fewer objections from the neighborhood.

Patricia Mayer
815 E. Rose Lane, unit 119
Phoenix, AZ 85014

Racelle Escolar

Subject: FW: Z-69-20-6 PUD Planning Commission Hearing 11-4-21

From: Sandy Grunow <phxmidcenturymodernna@gmail.com>

Sent: Monday, November 1, 2021 1:15 PM

To: PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>

Subject: Z-69-20-6 PUD Planning Commission Hearing 11-4-21

Dear Chairman and Members of the Planning Commission:

I represent the Phoenix Mid-Century Modern Neighborhood Association. After attending the first Autem Developement's neighborhood meeting of January 20, 2021, myself and other neighborhood leaders made several attempts to meet with the Developer and the representing law firm. We finally met with the Developers on March 4, 2021, attended the subsequent neighborhood meetings, then met virtually with the legal representative John Oliver on October 19th.

From the very beginning we communicated the following concerns with the proposed PUD:

Density, height, building setback, on street trash collection, guest parking

Density: 16 three story units on .87 acres far exceeds the density along Maryland Avenue between 12th Street and 16th Street. Is this proper use of the PUD designation? A member of the Camelback East Village questioned this use as well.

Height: The proposed three story townhouse at 35 feet in height is not in keeping with this mid-century modern neighborhood. Single family residents and residential complexes are concerned about their privacy.

Building set back: The proposed set back of 10 feet is dramatically less than other complexes along Maryland Avenue between 12th Street and 16th Street. The setbacks are 20 to 27 feet.

Trash Collection: Due to the proposed density there is no room for bulk trash collection. The Developers plan for the townhouse residents to take their trash to the street on one day for pick up the second day. Then the individual recycling containers would be rolled out yet another day for pick up. Keep in mind, the collection containers will sit in the bike lane for 3 to 4 days total each week. Cyclists will have to ride into the motor vehicle lanes creating a safety hazard with potential for injury. The 16 collection cans will create a hazard as drivers exiting the property from the east and west driveways will have their view of East Maryland obstructed especially if they drive a low profile vehicle.

Guest Parking: The Developers planned for 4 guest parking spaces when 8 spaces are more appropriate. Allowing less than 8 spaces would require on the street parking. East Maryland Avenue contains bike lanes on both the north and south sides. Maryland Avenue is very busy at times especially when Madison Traditional Academy and Rose Lane Schools are in session. Maryland Avenue is also the route to Madison Meadows. During two meetings with the developer's legal representative we were told that guests are resourceful and can park in surrounding parking lots. Trespassing should not be encouraged.

We neighbors have gone out of our way to communicate with the Developers and their legal representative. Most matters could be resolved if the density was reduced by two units. The Developers' response was the 16 units were necessary to arrive at their desired return on investment (ROI). I suggest their proposed build is not appropriate for this site.

Lastly, **below** please see a photo of the Developer's sign communicating the designated hearing dates to the community. One cannot see the sign from the street without entering the property behind the tall hedge. Why is this required notification being hidden?

Sandy Grunow
602-819-1482



Racelle Escolar

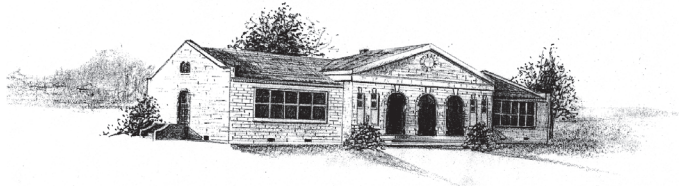
From: art schneider <aschneider17@cox.net>
Sent: Monday, November 1, 2021 2:15 PM
To: PDD Planning Commission
Subject: Z-69-20-6- (Autem Row Pud)

I am opposed to this development unless a few changes occur.

1. Reduce the development by two units.
2. More guest parking spaces made available.
3. Provide area for enclosed trash containment. I am against having trash and recycle bins on Maryland Ave.

Thank you,
Art Schneider
6504 N 14th Pl
Phoenix 85014

Phoenix Historic Neighborhoods Coalition



HISTORIC FRANKLIN SCHOOL

October 30, 2021

Members of the Planning Commission

RE: Item #20, Case# Z-69-20-06

1536-1538 E. Maryland Avenue

Agenda: 11/4/2021

Dear Members of the Phoenix Planning Commission,

I write as an advocate for preservation throughout our city. There are neighborhoods in Phoenix that may never have a chance to preserve important early 20th Century and significant Mid-Century buildings if incompatible, poorly thought-out developments such as this one proposed for 1536-1538 East Maryland Avenue are allowed to flourish at 35' in height.

Homeowners in the vicinity of the proposed development have indicated to me that the area between 7th Street and 16th Street has numerous residences of historic significance.

For example: the Palm Lane Gardens Condominiums at 1441 East Maryland Avenue, with 25 single story units was built in 1958. There are several other single-story properties along East Maryland Avenue dating back to 1925.

Please deny this out of scale development at 1536-1538 East Maryland Avenue.

Thank you for your time and consideration of these facts.

G.G. George, President

Encanto Citizens Association & Phoenix Historic Neighborhoods Coalition

1102 W. Palm Lane

Phoenix, AZ 85007

602-252-3151

Subject: FW: Addendum to previous email - Item 20, Z-69-20-6

From: Mary Mulligan <mkmullign@aol.com>
Sent: Monday, November 1, 2021 1:11 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Cc: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Subject: Addendum to previous email - Item 20, Z-69-20-6

Planning Commission -

I am sending an addendum to an email of opposition that I sent earlier this morning. I'd like for you to examine the following two photographs.

After sending you the earlier email, I wanted to check out the location of the subject property once again. Before I realized it, I had completely passed the property. The position of the zoning sign is disgraceful. Thank you for the opportunity to communicate with you once again.

-Mary

View from Maryland Avenue, looking eastward. Interesting that the "Available" sign is so strategically placed. Compare to the zoning sign in the background:



A pedestrian’s view, looking westward on Maryland. Look carefully; there’s a zoning sign in there somewhere!:



Dear Planning Commissioners:

We are writing regarding case Z-69-20-6, item 20 (1536 and 1538 E. Maryland Avenue). We are opposed to the granting of a PUD.

For the record, we walk and drive regularly past this location, and by the way, even though we were updated about this proposal several times by a concerned neighbor, we didn't see the posted zoning sign for months due to its unconventional placement in an obscure spot. We were surprised to realize we'd passed it many times in our car as well as on foot without noticing it.

The applicant's narrative tells us that so many things are wrong with this lot that the only way this project can be completed is by changing the rules - numerous rules - through a PUD.

To the detriment of the surrounding community, the applicant wants to change characteristics including:

- Parking
- Density

- Height
- Setbacks
- Lot coverage

Clearly, the parcel is not appropriate for the proposed project when so many factors are incompatible with the project plan. Furthermore, in our opinion, a PUD is not appropriate for a lot of only .89 acres.

Benefit to a developer should not come at the expense of the surrounding community; a project should be mutually beneficial to both.

Apparently, however, this developer expects surrounding businesses to accommodate guest parking that the developer is in part unwilling to provide.

Apparently the developer is unconcerned with pedestrians and cyclists who use the sidewalk and bike lane, and drivers who park along the 160' of frontage on Maryland (minus the width of the project's two driveways), who would be adversely impacted because the developer does not plan to provide bulk trash pickup, as is done in nearby complexes.

Imagine the nuisance and aesthetics of 16 trash barrels lined up 4' apart along this small stretch of Maryland on one day, and 16 recyclables cans on another - and potentially up to 16 cans of curbside green organics containers if future residents are concerned about the environment!

Apparently the developer thinks this project merits an exception to the typical streetside setbacks in the area (about 25' along Maryland), requesting a significant decrease to a mere 10'. (How does this benefit the neighborhood?)

Neighbors have expressed legitimate concerns regarding this project through appropriate channels. If the developer is unwilling to modify plans out of respect for the neighborhood or if the project is not financially feasible under existing zoning, surely a more appropriate site can be located in this, the fifth large city in the country, that will result in a project that satisfies both the surrounding community and the requirements of this ambitious project.

Please deny this zoning change request.

Sincerely,

John E. Hathaway
Mary K. Mulligan
125 E. Maryland Ave.
Phoenix, AZ 85012

From: Larry Whitesell <thepeakhomeassoc@gmail.com>
Sent: Monday, November 1, 2021 9:11 PM
To: PDD Planning Commission
Subject: Opposition to Z-69-20-6 Autem Row
Attachments: Written Submission.pdf; Exhibit A - Lot Sales.pdf; Exhibit D - Response to Set-backs - 2nd Review.pdf; Exhibit C - Front Setback Comparison.pdf; Exhibit B - Comparison Setbacks.pdf; Exhibit F - Sheets re Centralized Collection.pdf; Exhibit E - Trash Can Placement.pdf; Exhibit F - SW Standard Page 4 RETROFIT.pdf

Phoenix Planning Commission

Submitted via email: pdd.planningcomm@phoenix.gov

November 1, 2021

Rezoning Case: Z-69-20-6 Autem Row PUD

Meeting Date: November 4, 2021

Agenda Item: 20

Dear Planning Commission Members:

I have been involved with the above PUD application since reaching out to the developers for a meeting that was held March 4th. The meeting participants told the developers at the time, and we still agree, that we support a development of this nature at this location. However, there were then, and still are, a few areas of concern.

During our preparation for the public hearing process we tracked three project proposals submitted by the applicant, the Zoning Staff reviews of those proposals, the applicant responses, and the Staff Report that resulted. Our analysis found that several important concerns stated by Zoning Staff are not resolved. We share those concerns. These include lot coverage, front setback, guest parking, and trash/recycling collection. Bicycle storage and repair is another concern of affected neighbors. Public safety was not directly addressed by Zoning Staff but must also be considered. It is impacted by all of the above unresolved concerns.

It is notable that the Camelback East VPC voted 8-3 to deny the application. It is rare for Camelback East to not just deny, but to so overwhelmingly deny, a rezoning case.

Especially notable is that member Daniel Sharaby made the motion to deny, and stated that in his time on the Camelback East VPC, he remembers voting against a rezoning case maybe 1 other time. His stated concerns are: 1. inadequate guest parking; 2. the applicant stated guests would find parking on nearby commercial lots; 3. using resident parking allocation of 1.5 spaces per 2 bedroom unit to make up for lack of required guest parking; 4. not 1 neighbor wrote or spoke in favor of the project.

Another member, Linda Bair, stated that she is concerned about the application for PUDs that do not comply with the purpose of a PUD – for developers to be able to put together projects on two or more parcels that have different zoning categories. She stated developers are using the PUDs as a way to build too high and too dense than would otherwise be allowed.

We have been told that the applicant is planning to revise the project to address the issue of guest parking. However, as of submitting this statement of opposition, that revision has not been shared with us.

The issues of Lot Coverage, Building Setback, Guest Parking, Trash/Recycling Collection, and Safety are addressed in the attached review of Zoning Staff concerns, applicant responses, and realities. Several exhibits are included to illustrate the relevant points.

Your careful review of this information is appreciated. I look forward to speaking on this case at the upcoming meeting.

Sincerely,
Larry Whitesell, Co-chair
the PEAK NA
602-370-8453

I. Lot Coverage

1st Review – Zoning Staff

Lot coverage should not exceed 35% net

Status of patios being part of 100% lot coverage for individual lot sales

Applicant Response: Resubmittal shows a lot coverage of forty-six percent based on net area.

2nd Review – Zoning Staff

46% lot coverage is still a concern

100% lot coverage for individual lots still remains

Recommend maximum lot coverage for individual lots and minimum front yard setback

Applicant Response:

46% maximum lot coverage based on net lot area

Minimum individual lot coverage % is not being proposed at this point in time

3rd Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS

All comments from the first review shall apply

Staff Report

The proposal is compatible with the multifamily residential zoning districts present to both the east and west of the site, with the maximum proposed density falling between those permitted on the two adjacent properties.

REALITY

- The Staff Report is comparing what could have been built on adjacent properties per zoning districts, not what was actually built. Actual developments have less density than maximum allowable.
- "...at this point in time." is an opportunity for the applicant to convert to individual lot sales in the future. In fact, the Site Plan, pg 7, Proposed Development – PUD
"LOT SALES PROPOSED: YES" (Exhibit A)

II. Building Setbacks

1st Review – Zoning Staff

Maximum Building Setbacks – Divide into perimeter and individual lots

Consider a minimum front yard setback

Applicant Response:

We are not proposing individual lots at this point in time

Yards have varying depth with 10' setback as minimum

2nd Review – Zoning Staff

Staff still not supportive of 10' setback along Maryland. Average setback on Maryland is 30'; closest building (east) is 20' from property line

Applicant Response:

- Setback is more than 3 properties, property address provided as evidence
- More advanced architecture than the properties listed above; the impact to Maryland Avenue will not be as substantial
- 6'6" more between property line and sidewalk
- Open fence, lush landscape and bench

November 1, 2021

3rd Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS
All comments from the first review shall apply

Staff Report – This concern is not addressed

VPC Presentation

In rebuttal to my evidence that the 3 properties cited as examples of having closer setbacks, Mr. Oliver stated that he was referring to Landscape setbacks.

REALITY:

- Setbacks on properties on the east, west and south side of the proposed development are farther from the sidewalk. **(Exhibit B)**
- The buildings of the properties cited by the applicant are farther from the sidewalk than the proposed development. **(Exhibit C)**
- 2 of the 3 properties cited by the applicant are side yard set-backs. The property addresses are not on Maryland.
- The written document in which Mr. Oliver cited the 3 properties as having less setbacks is under Building Setbacks, not the section on Landscape setbacks. **(Exhibit D)**
- The proposed development parallels Maryland with a building wall of of approximately 80 linear feet, 32 feet high within 17' of the sidewalk. This is far more negative impact than the 3 low profile, single story homes set farther back from the sidewalk cited by the applicant.

III. Parking

1st Review – Zoning Staff

1. Give ratio of bicycle parking
2. Guest parking should be provided

Maryland has a bike lane so no on-street parking may be permitted

Applicant Response:

Bike storage and repair has been added

2nd Review – Zoning Staff

Staff not supportive of reduced guest parking

Applicant Response:

Guest spaces conforms with similar properties
Number of guest spaces on similar properties is stated
Ride share has increased
Cross-parking agreements with commercial properties could be an option

3rd Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS
All comments from the first review shall apply

Since VPC denial the applicant has stated that they will reduce the number of units by 1 and increase the guest parking by 2 making the total 6.

REALITY:

- Parking on Maryland is prohibited and causes a safety hazard due to the bike lane
- Guest parking on similar properties was not accurately counted
- Guest parking on similar properties is inadequate and is an on-going concern of residents living in those communities
- Reduction of 1 – 2 bedroom unit reduces the requirement by .5; 7.5 required
- Adding 2 guest spaces makes the total 6, still below the requirement

IV. Public Works – Trash Collection

1st Review – Zoning Staff

Trash collection needs more info e.g. impact on streetscape, will concrete pads be needed

Applicant Response:

Approached Zoning Staff about a technical appeal to allow trucks to backup more than 50 ft.
Will have 16 individual cans twice a week if appeal not approved

2nd Review – Zoning Staff

All comments from first review shall apply

Applicant Response:

Allows for 16 individual collection bins for trash and recycling

3rd Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS

All comments from the first review shall apply

REALITY:

- 16 trash/recycling cans placed in the bike path starting the evening before collection and ending, potentially, the day after collection is unsightly and is a safety hazard
- The City ordinance states that collection bins be placed at the curb, not on the sidewalk **(Exhibit E)**
- No other multifamily housing developments with access to Maryland require residents to place trash/recycling on the street or on the sidewalk
- Megan Sheets, Project Manager for the Public Works Department offered 2 solutions to individual trash collection bins:

Variance for trash/recycling enclose in the landscape setback

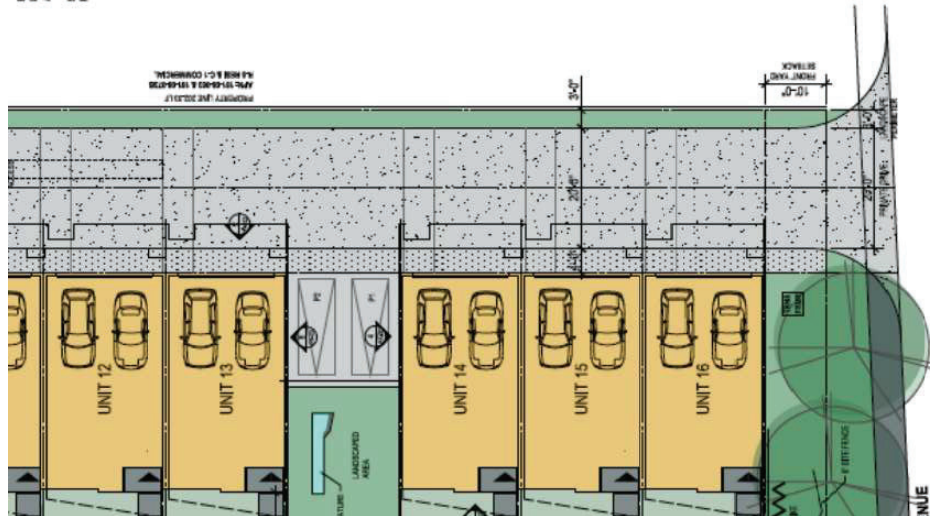
Technical appeal to allow collection truck to back up more than 50 ft

She states:

“A centralize enclosure would make it a lot easier for each resident instead of wheeling a 90-gallon bin twice a week (one day refuse & another day recycle) to Maryland.” **(Exhibit F)**

Exhibit A

IS BASED, SAID OR CONCERNED HERE OR SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM THE PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS.
 IS ALL SEWAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SEWAGE APPROVED FOR THIS PLAN.



ATTORNEY:
 TITANY & BODCO
 2325 E CAMELBACK ROAD
 SUITE 100
 ASHLEY ZIMMERMAN WARDEN@TITANYBODCO.COM

ZONING

PROP ADDRESS: 1538 E MARYLAND AVE, PHOENIX, ARIZONA 85014
 LEGAL DESCRIP: TH PT BEA NEA SEC 9 TON RIE DAF BEG AT PT S L 1/2 NEA 336.78' W OF SE COR TH N 35.33' TO W 162.78' TH S 35.33' TH E 162.78' TO COR EX N 135' TH OF & EX S 35' 33' PT 142841860
 PARCEL #: PARCEL #15-04-000C
 SITE AREA: 0.77 ACRES GROSS, 0.78 ACRES NET
 CURRENT ZONING: RM
 PROPOSED ZONING: PUD

PROPOSED DEVELOPMENT - PUD

PROPOSED USE: PUD
 LOT SALES PROPOSER: YES
 HEIGHT: 3 STORIES AT 31'-10"
 DENSITY: 18 DWELLING UNITS
 CAR PARKS: 18 UNITS X 2 PER GARAGE = 36 SPACES
 PROVIDED: 18 UNITS X 2 GUEST SPACES = 36 TOTAL SPACES
 BICYCLE: 8 SPOTS FOR STORAGE PROVIDED (8 IN FRONT, 3 IN BACK)
 OPEN SPACE: 1,420 (8 POOL (ACTIVE), 587 SF @ SHADE GARDEN (CONCRETE), 4,135 SF @ TOTAL MEANS (PAVEMENT), 4,135 SF TOTAL OPEN SPACE PROVIDED
 LOT COVERAGE: BUILDING 1 = 3,507 SF, BUILDING 2 = 3,095 SF, BUILDING 3 = 3,178 SF, TOTAL BUILDING FOOTPRINT = 11,780 SF, 37,805 NSF / 11,780 SF = 31% LOT COVERAGE
 SETBACKS: 10' FRONT, 12' REAR (OFF PROPERTY LINE), 3' LANDSCAPE SETBACK

LOT SALES PROPOSED: YES

AUTUM ROW
 PHOENIX, ARIZONA 85014

DATE: 12/15/2023
 DRAWN BY: EY/MA
 CHECKED BY: BM
 PROJECT NO: 2307
 PRE-APPLICATION

PA-01

North side of Maryland

East Office Building:

11' to wall

26.25' to building

West Residential

Development:

37.75' to wall

36.5' to wall

South side of Maryland

Right to Left

Apartment Building:

32.5' to building

Single Family Res:

25.5' to building

Single Family Res:

32' to building

Note that the Single Family Residences directly across Maryland from the subject property are single story, and set at angles providing extensive open space rather than a 35' barricade looming within 17' of the street.

EXHIBIT B

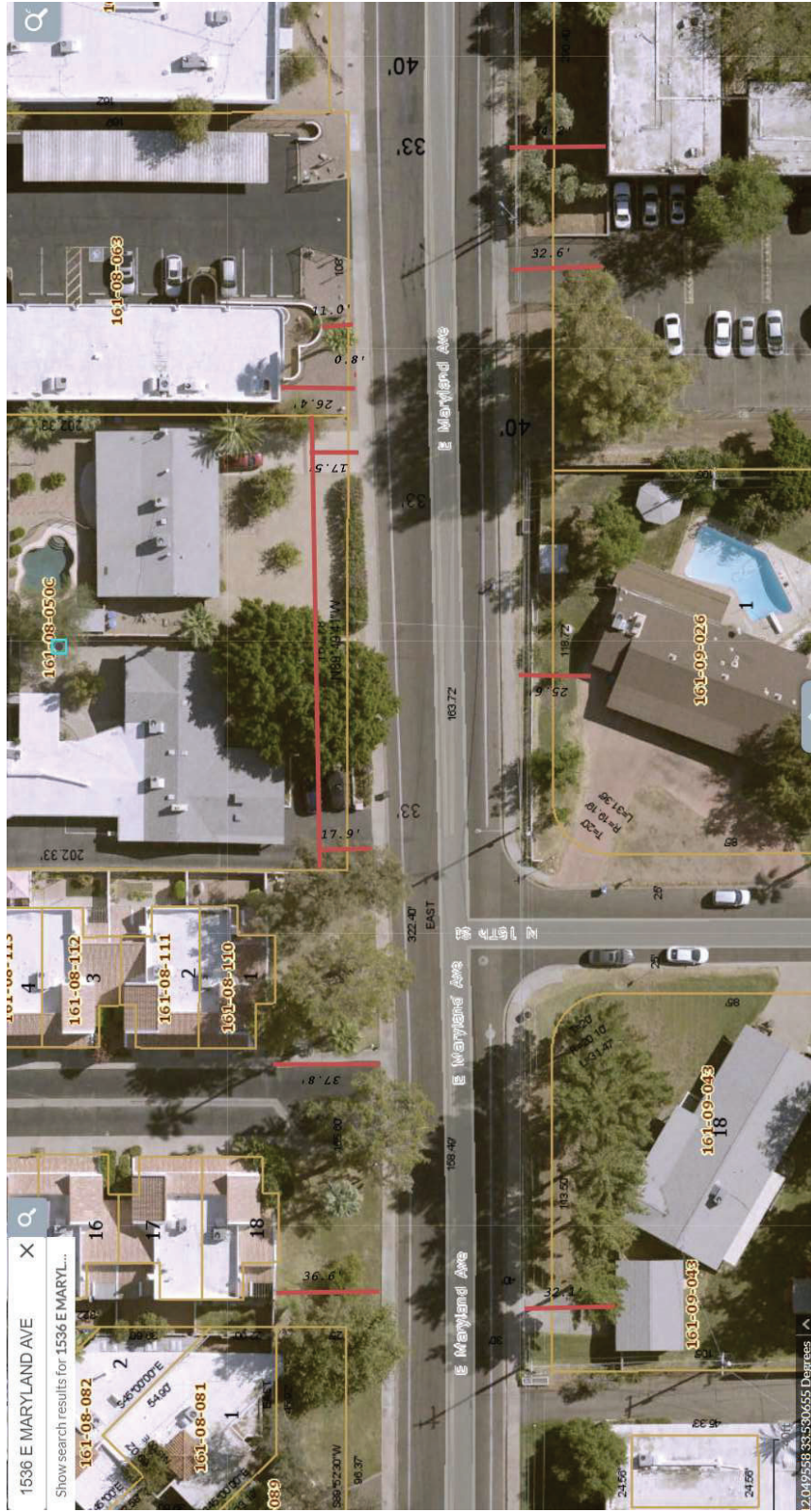
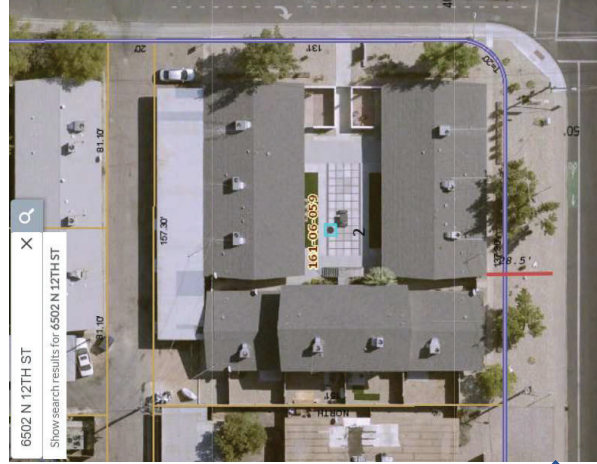


EXHIBIT C

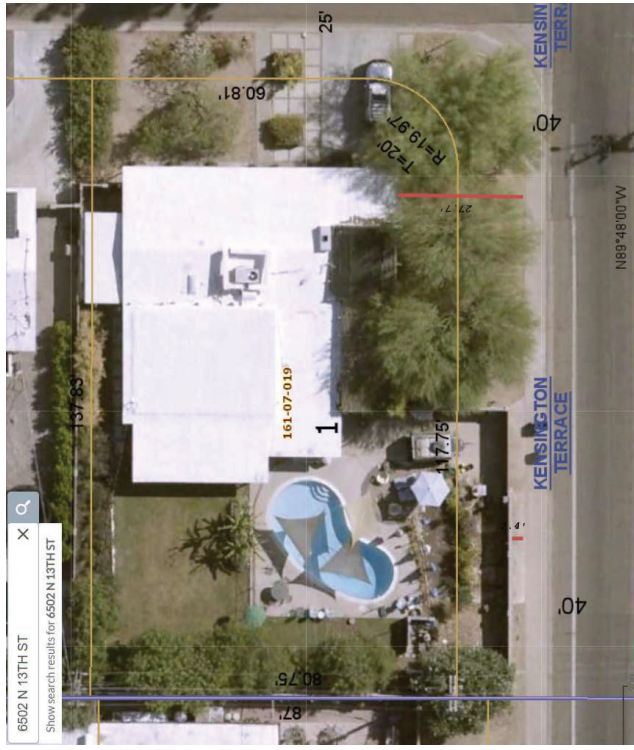
6348 N. 13th St
(APN 161-12-205)
13' side walk to fence
22' sidewalk to eave



6502 N. 12th St
(APN 161-07-059)
28.5' sidewalk to eave
Side yard setback



6502 N. 13th St
(APN 161-07-019)
4' sidewalk to fence
27' sidewalk to building
Side yard setback





to account for the envisioned patio spaces.

Response: The project narrative has been updated to state a maximum lot coverage of forty-six (46) percent based on net lot area. We are not proposing a minimum individual lot coverage percentage at this point in time.

b. Minimum Building Setbacks: Please divide this section into perimeter setbacks and individual lot setbacks (repeat comment from 1st review). For individual lots, specify what is considered the front yard (internal facing).

Response: We are not proposing individual lots at this point in time.

i. General comment: Staff is still not supportive of such a reduced setback (10 feet) along Maryland Avenue. Setbacks along this street average at 30 feet, with the closest building (to the east of the subject site) at 20 feet from the property line.

Response: The proposed setback is compatible with other properties along Maryland Ave. Specifically, the proposed development would be setback further than the buildings located at 6348 N. 13th St., Phoenix 85014 (APN: 161-12-205), 6502 N. 13th St., Phoenix 85014 (APN: 161-07-019); and 6502 N. 12th St., Phoenix, 85014 (APN: 161-06-059); therefore, the proposed setback mirrors the setback enjoyed by other developments in the area. Moreover, the proposed development features more advance architectural than the properties listed above; therefore, the impact to Maryland Avenue will not be as substantial. Additionally, there is a minimum of 6'-6" of further landscaped zone to the south of our property line before the sidewalk which provides additional buffer to the property from the street.

Further, the proposed setback allows the development to maximize its architectural potential. The setback along Maryland Avenue will feature lush landscaping, an 'open fence' (as described in the narrative, and a central bench area.

ii. Side Setbacks: Please be advised that no portion of the building may overhang above utility easements. Keep this in mind when planning utilities on the site.

Response: Understood. We appreciate the comment.

c. Landscape Setbacks:

i. Street Side: Staff's concern regarding an insufficient landscape setback along Maryland Avenue remains.

Response: The closest unit to Maryland Ave. will be setback seventeen feet (17') minimum from the Maryland Ave. streetscape. The developers will maintain the area south of their property line and north of the Maryland Ave. streetscape so that it mirrors the Property's landscape setback and does not fall into disrepair. Therefore, the actual landscape setback will larger than actually represented.

Further, the Property's landscape setback will feature a community bench and a water

Exhibit E

11:54 AM (5
minutes ago)

Eric MacDonald

to me

Hi Larry,

In order to comply with ADA (Americans with Disabilities Act) regulations, containers should not be placed on the sidewalk. Containers should be placed right up against the sidewalk or curb and spaced four feet apart from each other (trash container 4 feet from recycle container). I know this one can be a little confusing, hopefully this clears things up for you.

If you have any other questions or concerns let me know. If not have a wonderful day!

Exhibit F

From: **Megan Sheets** <megan.sheets@phoenix.gov>
Date: Fri, Mar 19, 2021 at 8:30 AM
Subject: RE: Z-69-20
To: Larry Whitesell <thepeakhomeassoc@gmail.com>
Cc: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>

Larry,

The site plan states the 16 townhome units will be lot sales, therefore the City will be collecting for both refuse and recycle. A centralize enclosure would make it a lot easier for each resident instead of wheeling a 90-gallon bin twice a week (one day refuse & another day recycle) to Maryland. Enclosures cannot be located in the landscape setback (without a variance) which makes it difficult to place towards the front where a truck could possibly collect and back up.

If you take the variance route, send me a revised site plan showing the enclosure location so I can approve. Sixteen units will require one 4 cy bin for refuse and one 4 cy bin for recycle. Attached is our infill enclosure that could be used for this community. See figure G.

Megan Sheets
Project Manager
Public Works Department
Working remotely
Cell: 602.896.7751

CITY OF PHOENIX PUBLIC WORKS DEPARTMENT SOLID WASTE ACCESS AND CONTAINMENT STANDARD DETAILS - SUPPLEMENT

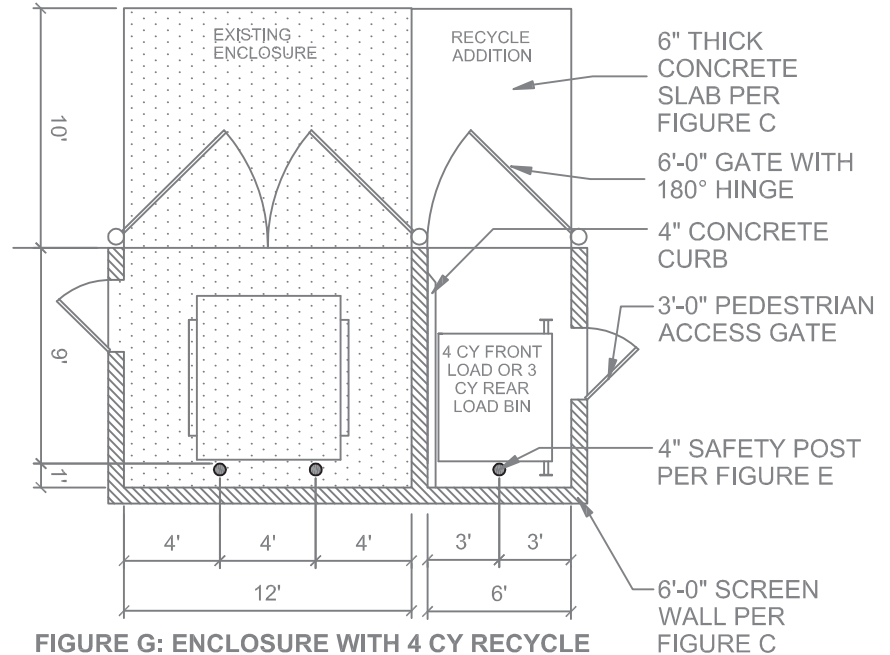


APPROVAL : _____
PUBLIC WORKS DIRECTOR DATE

PAGE 1 OF 1

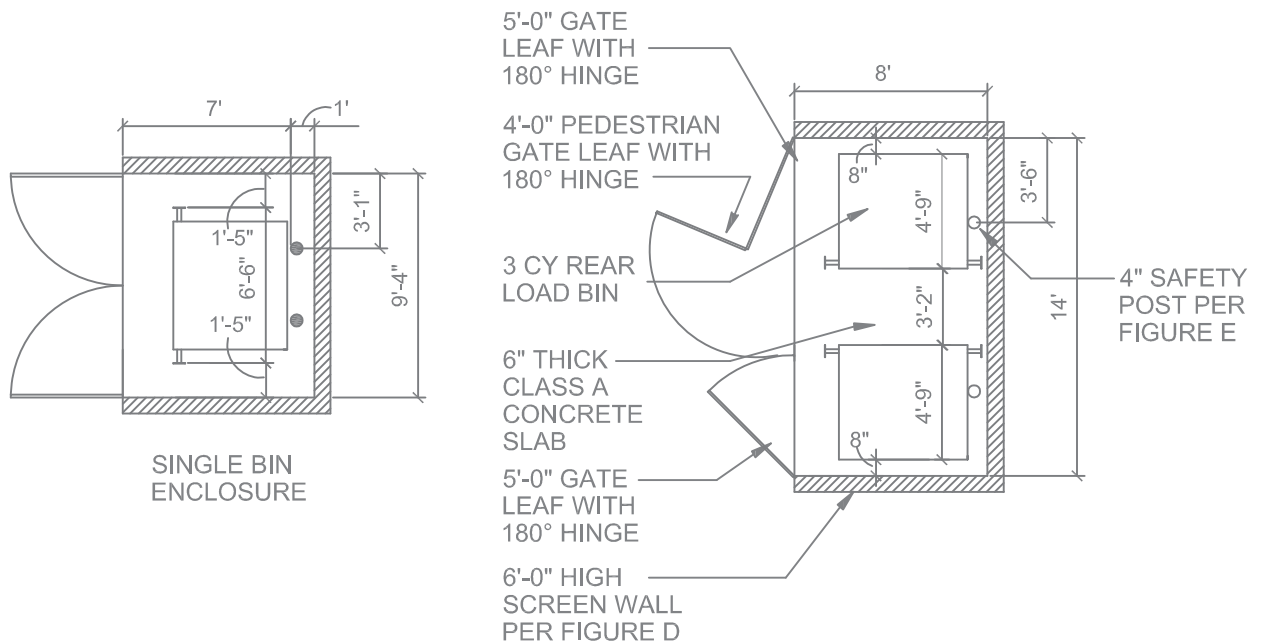
ENCLOSURE WITH 4 CY RECYCLE BIN

1. 6'-0" WIDE COMPARTMENT TO ACCOMMODATE A 4 CY FRONT LOAD BIN OR A 3 CY REAR LOAD BIN.
2. THIS DESIGN CAN BE USED IN LIEU OF TWO SEPARATE STANDARD ENCLOSURES FOR A MAXIMUM 4 CY CAPACITY FOR RECYCLE.



REAR LOAD ENCLOSURES FOR INFILL AND LIMITED ACCESS SITES:

1. CITY OF PHOENIX WILL APPROVE THE USE OF REAR LOADING EQUIPMENT ON A CASE BY CASE BASIS FOR INFILL RESIDENTIAL DEVELOPMENTS AND RESIDENTIAL DEVELOPMENTS WITH LIMITED ACCESS.
2. A TURN AROUND TO ACCOMMODATE REAR LOAD TRUCK IS REQUIRED.
3. BINS WILL BE ROLLED FROM THE ENCLOSURE TO THE SOLID WASTE COLLECTION VEHICLE ACCESS ROUTE. PROVIDE A MINIMUM 6'-0" SIDEWALK WITH CURB RAMPS OR FLUSH TRANSITIONS TO SOLID WASTE COLLECTION VEHICLE ACCESS. SLOPES WILL NOT EXCEED 1:20 EXCEPT AT CURB RAMPS.



I. Lot Coverage

1st Review – Zoning Staff

Lot coverage should not exceed 35% net

Status of patios being part of 100% lot coverage for individual lot sales

Applicant Response: Resubmittal shows a lot coverage of forty-six percent based on net area.

2nd Review – Zoning Staff

46% lot coverage is still a concern

100% lot coverage for individual lots still remains

Recommend maximum lot coverage for individual lots and minimum front yard setback

Applicant Response:

46% maximum lot coverage based on net lot area

Minimum individual lot coverage % is not being proposed at this point in time

3rd Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS

All comments from the first review shall apply

Staff Report

The proposal is compatible with the multifamily residential zoning districts present to both the east and west of the site, with the maximum proposed density falling between those permitted on the two adjacent properties.

REALITY

- The Staff Report is comparing what could have been built on adjacent properties per zoning districts, not what was actually built. Actual developments have less density than maximum allowable.
- "...at this point in time." is an opportunity for the applicant to convert to individual lot sales in the future. In fact, the Site Plan, pg 7, Proposed Development – PUD
"LOT SALES PROPOSED: YES" (Exhibit A)

II. Building Setbacks

1st Review – Zoning Staff

Maximum Building Setbacks – Divide into perimeter and individual lots

Consider a minimum front yard setback

Applicant Response:

We are not proposing individual lots at this point in time

Yards have varying depth with 10' setback as minimum

2nd Review – Zoning Staff

Staff still not supportive of 10' setback along Maryland. Average setback on Maryland is 30'; closest building (east) is 20' from property line

Applicant Response:

- Setback is more than 3 properties, property address provided as evidence
- More advanced architecture than the properties listed above; the impact to Maryland Avenue will not be as substantial
- 6'6" more between property line and sidewalk
- Open fence, lush landscape and bench

November 1, 2021

3rd Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS
All comments from the first review shall apply

Staff Report – This concern is not addressed

VPC Presentation

In rebuttal to my evidence that the 3 properties cited as examples of having closer setbacks, Mr. Oliver stated that he was referring to Landscape setbacks.

REALITY:

- Setbacks on properties on the east, west and south side of the proposed development are farther from the sidewalk. **(Exhibit B)**
- The buildings of the properties cited by the applicant are farther from the sidewalk than the proposed development. **(Exhibit C)**
- 2 of the 3 properties cited by the applicant are side yard set-backs. The property addresses are not on Maryland.
- The written document in which Mr. Oliver cited the 3 properties as having less setbacks is under Building Setbacks, not the section on Landscape setbacks. **(Exhibit D)**
- The proposed development parallels Maryland with a building wall of of approximately 80 linear feet, 32 feet high within 17' of the sidewalk. This is far more negative impact than the 3 low profile, single story homes set farther back from the sidewalk cited by the applicant.

III. Parking

1st Review – Zoning Staff

1. Give ratio of bicycle parking
2. Guest parking should be provided

Maryland has a bike lane so no on-street parking may be permitted

Applicant Response:

Bike storage and repair has been added

2nd Review – Zoning Staff

Staff not supportive of reduced guest parking

Applicant Response:

Guest spaces conforms with similar properties
Number of guest spaces on similar properties is stated
Ride share has increased
Cross-parking agreements with commercial properties could be an option

3rd Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS
All comments from the first review shall apply

Since VPC denial the applicant has stated that they will reduce the number of units by 1 and increase the guest parking by 2 making the total 6.

REALITY:

- Parking on Maryland is prohibited and causes a safety hazard due to the bike lane
- Guest parking on similar properties was not accurately counted
- Guest parking on similar properties is inadequate and is an on-going concern of residents living in those communities
- Reduction of 1 – 2 bedroom unit reduces the requirement by .5; 7.5 required
- Adding 2 guest spaces makes the total 6, still below the requirement

IV. Public Works – Trash Collection

1st Review – Zoning Staff

Trash collection needs more info e.g. impact on streetscape, will concrete pads be needed

Applicant Response:

Approached Zoning Staff about a technical appeal to allow trucks to backup more than 50 ft.

Will have 16 individual cans twice a week if appeal not approved

2nd Review – Zoning Staff

All comments from first review shall apply

Applicant Response:

Allows for 16 individual collection bins for trash and recycling

3rd Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS

All comments from the first review shall apply

REALITY:

- 16 trash/recycling cans placed in the bike path starting the evening before collection and ending, potentially, the day after collection is unsightly and is a safety hazard
- The City ordinance states that collection bins be placed at the curb, not on the sidewalk **(Exhibit E)**
- No other multifamily housing developments with access to Maryland require residents to place trash/recycling on the street or on the sidewalk
- Megan Sheets, Project Manager for the Public Works Department offered 2 solutions to individual trash collection bins:

Variance for trash/recycling enclose in the landscape setback

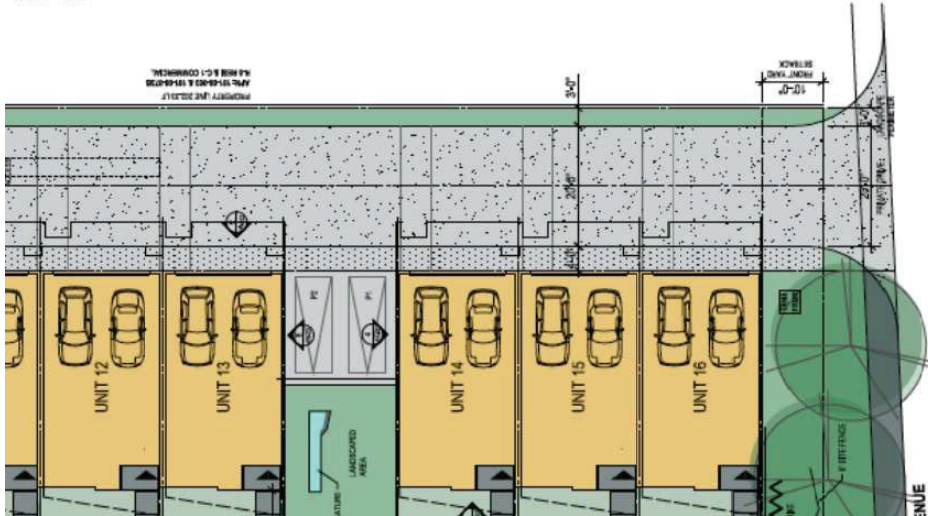
Technical appeal to allow collection truck to back up more than 50 ft

She states:

“A centralize enclosure would make it a lot easier for each resident instead of wheeling a 90-gallon bin twice a week (one day refuse & another day recycle) to Maryland.” **(Exhibit F)**

Exhibit A

IS BASED, SAID OR CONCERNED HERE OR SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM THE PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS.
 IS ALL SEWAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SEWAGE APPROVED FOR THIS PLAN.



ATTORNEY:
 TITANY & BODCO
 2325 E CAMELBACK ROAD
 SUITE 100
 ASHLEY ZIMMERMAN WARDEN@TITANY.COM

ZONING
 PROP ADDRESS: 1538 E MARYLAND AVE, PHOENIX, ARIZONA 85014
 LEGAL DESCRIP: TH PT B54 NE4 SEC 9 TON R2E D4E B54 AT PT S 11 S 10 NE4 S38.78' W OF SE COR TH N 35.33' TO W 92.28' TH S 35.33' TH E 182.28' TO COR EX N 135' TH OF & EX S 35' 30" PT 142841860
 PARCEL #: PH001-018-040-000
 SITE AREA: 0.17 ACRES GROSS, 0.16 ACRES NET
 CURRENT ZONING: R40
 PROPOSED ZONING: PUD

PROPOSED DEVELOPMENT - PUD

PROPOSED USE: PUD
 LOT SALES PROPOSER: YES
 HEIGHT: 3 STORIES AT 31'-10"
 DENSITY: 18 DWELLING UNITS
 CAR PARKS: 18 UNITS X 2 PER GARAGE = 36 SPACES, 18 UNITS X 1 GUEST SPACES = 18 SPACES, 36 TOTAL SPACES
 PROVIDED: 8 SPOTS FOR STORAGE PROVIDED (5 IN FRONT, 3 IN BACK)
 BICYCLE: 1,420 (8 POOL (ACTIVE), 587 SF @ SHADE GARDEN (CONCH))
 OPEN SPACE: 4,125 SF (3 TOTAL MEANS (PASTURE), 4,125 SF TOTAL OPEN SPACE PROVIDED)
 PROVIDED: BUILDING 1 = 3,507 SF, BUILDING 2 = 3,095 SF, BUILDING 3 = 3,178 SF, TOTAL BUILDING FOOTPRINT = 11,780 SF
 LOT COVERAGE: 37,800 NSF / 111,768 SF = 34% ON 31% LOT COVERAGE

SETBACKS
 FRONT: 10' FRONT
 REAR: 12' REAR OFF PROPERTY LINE
 LANDSCAPE: 3' LANDSCAPE SETBACK

LOT SALES PROPOSED: YES

NO	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		

SITE PLAN
 AUTUM ROW
 PHOENIX, ARIZONA 85014

DATE: 12/15/2023
 DRAWN BY: EY/MA
 CHECKED BY: BM
 PROJECT NO: 2307
 PRE-APPLICATION

PA-01

North side of Maryland

East Office Building:

11' to wall

26.25' to building

West Residential

Development:

37.75' to wall

36.5' to wall

South side of Maryland

Right to Left

Apartment Building:

32.5' to building

Single Family Res:

25.5' to building

Single Family Res:

32' to building

Note that the Single Family Residences directly across Maryland from the subject property are single story, and set at angles providing extensive open space rather than a 35' barricade looming within 17' of the street.

EXHIBIT B

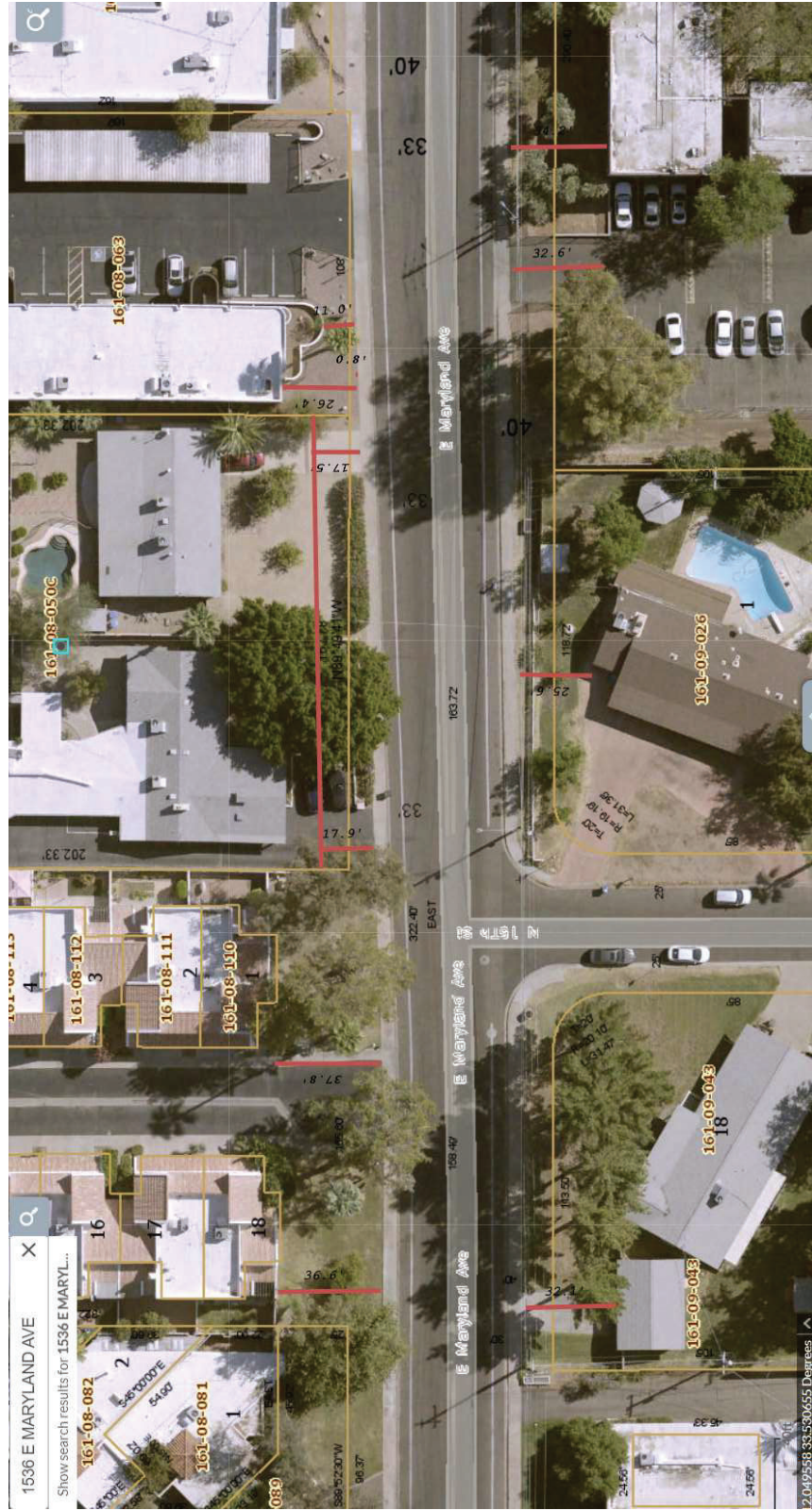
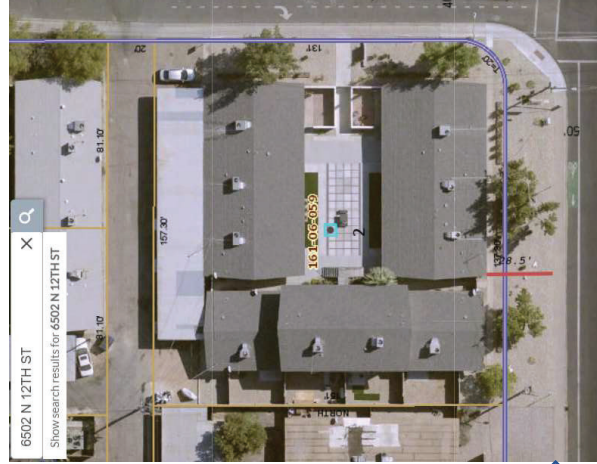


EXHIBIT C

6348 N. 13th St
(APN 161-12-205)
13' side walk to fence
22' sidewalk to eave



6502 N. 12th St
(APN 161-07-059)
28.5' sidewalk to eave
Side yard setback



6502 N. 13th St
(APN 161-07-019)
4' sidewalk to fence
27' sidewalk to building
Side yard setback





to account for the envisioned patio spaces.

Response: The project narrative has been updated to state a maximum lot coverage of forty-six (46) percent based on net lot area. We are not proposing a minimum individual lot coverage percentage at this point in time.

b. Minimum Building Setbacks: Please divide this section into perimeter setbacks and individual lot setbacks (repeat comment from 1st review). For individual lots, specify what is considered the front yard (internal facing).

Response: We are not proposing individual lots at this point in time.

i. General comment: Staff is still not supportive of such a reduced setback (10 feet) along Maryland Avenue. Setbacks along this street average at 30 feet, with the closest building (to the east of the subject site) at 20 feet from the property line.

Response: The proposed setback is compatible with other properties along Maryland Ave. Specifically, the proposed development would be setback further than the buildings located at 6348 N. 13th St., Phoenix 85014 (APN: 161-12-205), 6502 N. 13th St., Phoenix 85014 (APN: 161-07-019); and 6502 N. 12th St., Phoenix, 85014 (APN: 161-06-059); therefore, the proposed setback mirrors the setback enjoyed by other developments in the area. Moreover, the proposed development features more advance architectural than the properties listed above; therefore, the impact to Maryland Avenue will not be as substantial. Additionally, there is a minimum of 6'-6" of further landscaped zone to the south of our property line before the sidewalk which provides additional buffer to the property from the street.

Further, the proposed setback allows the development to maximize its architectural potential. The setback along Maryland Avenue will feature lush landscaping, an 'open fence' (as described in the narrative, and a central bench area.

ii. Side Setbacks: Please be advised that no portion of the building may overhang above utility easements. Keep this in mind when planning utilities on the site.

Response: Understood. We appreciate the comment.

c. Landscape Setbacks:

i. Street Side: Staff's concern regarding an insufficient landscape setback along Maryland Avenue remains.

Response: The closest unit to Maryland Ave. will be setback seventeen feet (17') minimum from the Maryland Ave. streetscape. The developers will maintain the area south of their property line and north of the Maryland Ave. streetscape so that it mirrors the Property's landscape setback and does not fall into disrepair. Therefore, the actual landscape setback will larger than actually represented.

Further, the Property's landscape setback will feature a community bench and a water

Exhibit E

11:54 AM (5
minutes ago)

Eric MacDonald

to me

Hi Larry,

In order to comply with ADA (Americans with Disabilities Act) regulations, containers should not be placed on the sidewalk. Containers should be placed right up against the sidewalk or curb and spaced four feet apart from each other (trash container 4 feet from recycle container). I know this one can be a little confusing, hopefully this clears things up for you.

If you have any other questions or concerns let me know. If not have a wonderful day!

Exhibit F

From: **Megan Sheets** <megan.sheets@phoenix.gov>
Date: Fri, Mar 19, 2021 at 8:30 AM
Subject: RE: Z-69-20
To: Larry Whitesell <thepeakhomeassoc@gmail.com>
Cc: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>

Larry,

The site plan states the 16 townhome units will be lot sales, therefore the City will be collecting for both refuse and recycle. A centralized enclosure would make it a lot easier for each resident instead of wheeling a 90-gallon bin twice a week (one day refuse & another day recycle) to Maryland. Enclosures cannot be located in the landscape setback (without a variance) which makes it difficult to place towards the front where a truck could possibly collect and back up.

If you take the variance route, send me a revised site plan showing the enclosure location so I can approve. Sixteen units will require one 4 cy bin for refuse and one 4 cy bin for recycle. Attached is our infill enclosure that could be used for this community. See figure G.

Megan Sheets
Project Manager
Public Works Department
Working remotely
Cell: 602.896.7751

CITY OF PHOENIX PUBLIC WORKS DEPARTMENT SOLID WASTE ACCESS AND CONTAINMENT STANDARD DETAILS - SUPPLEMENT



APPROVAL : _____
PUBLIC WORKS DIRECTOR DATE

PAGE 1 OF 1

ENCLOSURE WITH 4 CY RECYCLE BIN

1. 6'-0" WIDE COMPARTMENT TO ACCOMMODATE A 4 CY FRONT LOAD BIN OR A 3 CY REAR LOAD BIN.
2. THIS DESIGN CAN BE USED IN LIEU OF TWO SEPARATE STANDARD ENCLOSURES FOR A MAXIMUM 4 CY CAPACITY FOR RECYCLE.

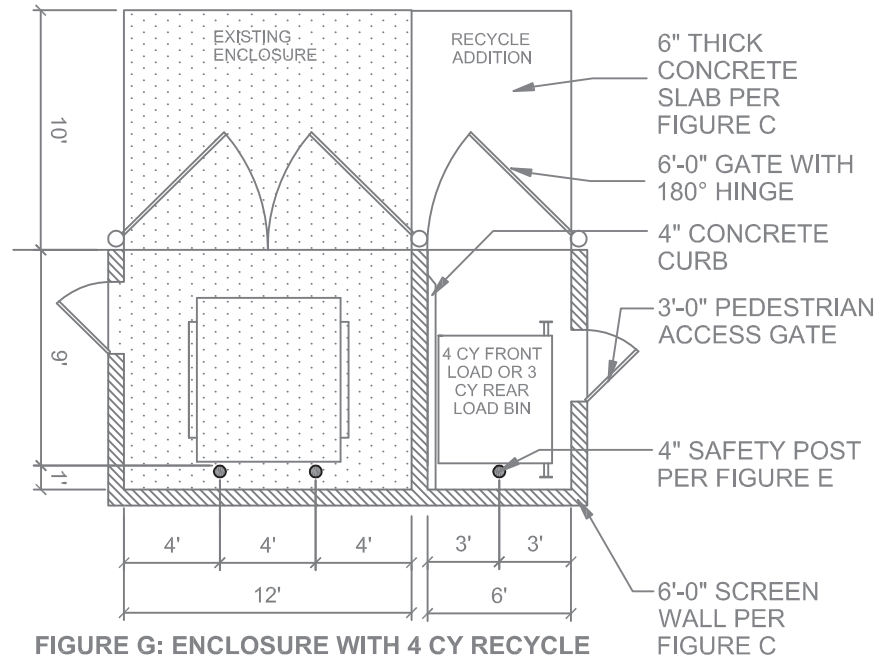


FIGURE G: ENCLOSURE WITH 4 CY RECYCLE

REAR LOAD ENCLOSURES FOR INFILL AND LIMITED ACCESS SITES:

1. CITY OF PHOENIX WILL APPROVE THE USE OF REAR LOADING EQUIPMENT ON A CASE BY CASE BASIS FOR INFILL RESIDENTIAL DEVELOPMENTS AND RESIDENTIAL DEVELOPMENTS WITH LIMITED ACCESS.
2. A TURN AROUND TO ACCOMMODATE REAR LOAD TRUCK IS REQUIRED.
3. BINS WILL BE ROLLED FROM THE ENCLOSURE TO THE SOLID WASTE COLLECTION VEHICLE ACCESS ROUTE. PROVIDE A MINIMUM 6'-0" SIDEWALK WITH CURB RAMPS OR FLUSH TRANSITIONS TO SOLID WASTE COLLECTION VEHICLE ACCESS. SLOPES WILL NOT EXCEED 1:20 EXCEPT AT CURB RAMPS.

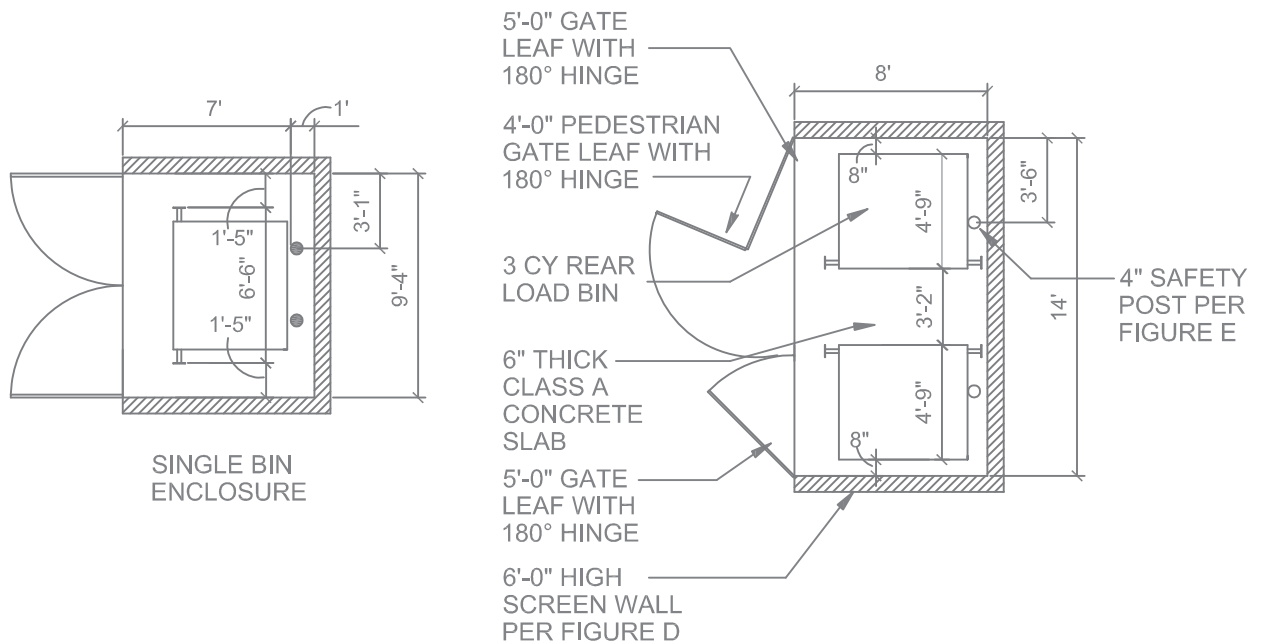


FIGURE H: REAR LOAD ENCLOSURE

Racelle Escolar

From: William Reimers <williamcreimers@gmail.com>
Sent: Monday, November 1, 2021 4:48 PM
To: PDD Planning Commission
Subject: Z-69-20-6 (AUTEM Row PUD)

To the committee

This development should not be approved in its current state. My family frequently walks,rides and runs in front of the lot. The prospect of dozens of trash containers and more street parking is not safe. It would be much better for the developer to adjust for the trash and parking needs of their residents as has been recommended by many people and groups in our area. Thank you for protecting our families and quality of life.

Regards,
Will Reimers
6503 N 14th Pl, Phoenix, AZ 85014

Hello, My name is Dan Trozzi. I live at 6746 N. 12th Way, Phoenix, AZ 85014. I have lived in this neighborhood for 39 years and I am the president of Squaw Peak Heights Neighborhood Association.

Over the years I have seen many changes in this neighborhood. Mostly good. As the neighborhood matures, we (my neighbors and I) have worked for positive, compatible changes, while trying to preserve its original character.

I am not opposed to this development but there are several significant issues that affect the livability, walkability and safety for this neighborhood. Issues that mean a lot to this neighborhood and to the City of Phoenix.

Guest parking has been a critical issue since Neighborhood Leaders met with the developers on March 4, during which this was addressed. This is their first multi-unit project and oversights were apparent. It was obvious to all Neighborhood Leaders that 4 guest spaces are acutely inadequate. Suggestions to solve this dilemma were made at this meeting. However, there has been little credible response. Disregard for the needs of our neighborhood to provide guest parking and trash removal on-site has continued.

Overflow guests parking will end up parking on Maryland Ave.

As cautioned in the 1st Review of May 28 from City Planning, quote, “Maryland has a bike lane so no on-street parking may be permitted.” In fact, Maryland has a bike lane on both sides of the street. It’s a major bike path for the City. This is not an option. In fact, the only response by the developer to the no parking caution in the 1st Review was that “bike storage and repair had been added,” completely unrelated, no response to the no parking caution was submitted. Not addressing this to the full extent needed has continued.

Parking is prohibited on bike lanes. Maryland has two bike lanes. Logically, to preserve the treasured atmosphere on Maryland enjoyed by walkers as well, the proposed development should be self-contained as other communities are. Parking in bike lanes endangers recreational users and passing drivers. It creates opportunities for accidents. As suggested March 4, a reduction in the number of units would resolve these issues, ideally two to accommodate more guest parking and an enclosed commercial trash pickup area. We know this can be done. Autem would be a self-contained community like the others. Anything less will be unsafe and unsightly. This was suggested as early as March 4 at the meeting with the developers. It is the only solution that makes sense for everyone.

The 2nd Review of June 30 stated: “Staff is not supportive of the proposed reduction in required guest spaces.” The developer response contained percentages of guest spaces at other communities in support of the planned four. One example was for adjacent Maryland Village East stating 5 guest spaces for 18 units. Actually, they have 7 and comments from this community are that 7 are not enough, which decidedly supports the need for more than 4 at the proposed development. Also, the use of ride sharing suggested by the developer as an option cannot be predicted nor assumed as a substitute for lack of guest spaces.

The 3rd Review of August 20 contained no reference to the guest parking issue.

The reality is all communities along Maryland are self-contained, providing guest parking and on-site trash pickup. This is why Maryland has a clean and inviting appearance with a reputation as one of the loveliest streets in Central Phoenix. Just one community like Autem passing off its own responsibilities for parking and trash to the surrounding neighborhood would have a huge damaging impact on all of Maryland. Many emails of deep concern from the public on these issues have been sent to the Zoning staff.

We have advocated for two units to be removed that allows for the trash and recycling containers to be properly stored and to have an adequate number of guest parking spots. The developer has said it would reduce one unit. This still does not resolve the problem of bin storage and adequate guest parking spots.

We are offering a Solution: If this development deleted 1 unit on the east and 1 unit on the west. It would provide:

1. More compatible setbacks with current neighborhood properties
2. Reduces lot coverage more in line with the rest of Maryland Ave.
3. Eliminates 1 guest parking space required ($14 \text{ 2/bd units} \times .5 = 7$)
4. Makes space for 3 additional guest parking spaces that meets the requirement
5. And Provides space for centralized enclosure for refuse/recycling bins

RETURN OF INVESTMENT IS THE SAME PROFIT MARGIN WITH 14 OR 16 UNITS

Construction cost/unit: $1750 \text{ sq ft} / \$550\text{K} = \$320 \text{ sq ft} / 2 = \157 sq ft

16 Units Construction cost: $\$157/\text{sq ft} \times 1750 \text{ sq ft} = \$274,750 \times 16 \text{ Units} = \4.4 M (rounded)

Revenue: 16 Units X \$550 K = \$8.8 M (2 X ROI)

14 Units

Construction cost: \$157/ sq ft X 1750 sq ft = \$274, 750 X 14 = \$3.85 M

Revenue: 14 units X \$550 K = \$7.7 M (2X ROI)

Also,

.5 guest parking space is required for every 2 bedroom unit.

16 units is 8 spaces; 4 spaces provided on current plan

15 units is 7.5 spaces. Eliminating 1 unit makes room for 2 spaces.

So the revised plan would be 6 spaces, 1.5 short.

Eliminating 1 more unit would reduce the requirement to 7 spaces and make room for 2 more spaces, bringing the total to 8 spaces, 1 more than required. That's good!

A Camelback East Village Planning Committee member had concerns that the developer mentioned that guests could find spaces on commercial lots in the area. This is not acceptable to the neighborhood or I am sure to the commercial properties. Guests could also turn to use guest parking spots at neighboring complexes.

This small change, reducing one more unit, provides a simple, easy path for compliance and acceptance by the neighborhood.

Thank you

From: Mary Ann Pikulas <mapikaz@aol.com>
Sent: Tuesday, November 2, 2021 3:55 PM
To: PDD Planning Commission
Cc: Mary Ann Pikulas
Subject: Z-69-20-6 Autem Row PUD

Dear Chairman and Planning Commission Members:

Guest parking has been a critical issue since meeting with the two developers of this project on March 4 of this year, during which the lack of guest parking was addressed. This is the first multi-unit project for these developers and oversights were apparent. It was obvious to all attending Neighborhood Leaders that 4 guest spaces for 16 units would be acutely inadequate. Actually, only 3 spaces would be fully available as one would be reserved with the required disabled designation. The required guest spaces are 8 for 16 units.

Suggestions to solve this dilemma, discussed below, were made early on at this meeting. However, there was no credible response to follow until after the Camelback East Village Planning Committee decision to not approve this application on October 5, a vote of 8-3. Disregard for the needs of our neighborhood to provide adequate guest parking continued until then and still continues for on-site trash removal. As for this, the plan for 32 unsightly and unhealthy trash bins lined up over two days on Maryland Ave where none now exist continues. It's one of the attractive features of Maryland, no trash bins.

Unit reduction was presented to the developers at our March meeting to resolve the guest parking and trash removal deficiencies but was resoundingly rejected and continued to be at neighborhood meetings. Removing two units would add more parking and allow space for an on-site, enclosed trash containment and removal area, problems solved. Autem would be self-contained as other communities on Maryland are, problem solved. Following the Oct 5 Camelback Committee meeting, the developers finally offered to remove one unit to provide two more guest spaces, period. This would mean 6 guest parking spaces, 5 for full use. Six is still not the required number nor is it adequate. No updated site plan has yet to be submitted to reflect this change. Removing two units would still be required to meet neighborhood needs.

The parking issue is - where will drivers go to park when the available spaces that are planned are full? Not on Maryland!

As cautioned in the 1st Review of May 28 from City Planning, quote, "Maryland has a bike lane so *no on-street parking may be permitted.*" In fact, Maryland has a bike lane on each side of the street as it is a major bike path from the Dreamy Draw area to the west side of Phoenix. The very limited timed parking allowed by signs is on a very short section of Maryland and constantly abused with illegally parked cars. Parking here is not an option! Except for mention at the June 2 neighborhood meeting of a possible lease of 4 spaces at the adjacent commercial building, a temporary measure at best fraught with problems, the guest parking overflow issue has not been addressed at all except for reference by the legal representative that drivers will be creative and use nearby commercial and business lots. Really?!?

In fact, the only response by the developer to the no parking caution in the 1st Review was that "bike storage and repair had been added," completely unrelated. There was no response to the no parking caution. Again, this critical issue has yet to be addressed. The property is very small, under .90 acre. The question is, where will drivers go to park, whether visiting or on business, when the spaces, whether 3 or 5, are taken, which will be a common occurrence with so few planned. One need only ask the other nearby communities how often their spaces are used.

The 2nd Review of June 30 from staff rightly stated: "Staff is not supportive of the proposed reduction in required guest spaces." The response received contained percentages of guest spaces in relation to units at other communities in support of the planned four. The adjacent Maryland Village East was quoted with 5 guest

spaces for 18 units. Actually, they have 7 and comments from this community are that 7 are not enough, which decidedly supports the need for more spaces at the proposed development. The use of ride sharing suggested by the developer or bicycles as options cannot be predicted nor assumed as substitutes for lack of guest spaces.

The 3rd Review of August 20 contained no reference to the guest parking issue.

The reality is all communities along Maryland are self-contained, providing trash pickup and adequate guest spaces on-site. This is why Maryland has a clean and inviting appearance with a reputation as one of the loveliest streets in Central Phoenix. Just one community like Autem pushing its own on-site responsibilities for parking and trash onto the surrounding neighborhood would have a huge negative impact on all of Maryland. It's located near the entrance to Maryland from 16th St. and what happens there would negatively set the tone for the entire stretch of Maryland to 12th St. We are very proud of our street and do what we can to maintain its cleanliness and attractiveness. What this project offers as planned would simply degrade the neighborhood we value.

Besides meeting with the developers, many emails of deep concern from various communities and residents were sent to the Zoning staff. Other communities were built before the current parking ordinance and grand-fathered in when revised, some granted variances. This development will not be grand-fathered in and will have .50 factor for 16 units in place, 8 guest spaces.

Parking is prohibited on bike lanes. Maryland has two bike lanes. Again, where will people park? Logically, to preserve the treasured atmosphere along Maryland enjoyed by residents and the many who bike, walk and run along it, the proposed project must be self-contained. All others communities are.

Maryland has been cited as a no parking permitted street by City Planning. Parking in bike lanes is not an option, endangering recreational users and passing drivers. Turning onto Maryland from our communities is another hazard as parked cars would block our view, forcing us to inch out, making turns very dangerous. We have experienced this with illegally parked cars.

A reduction in the number of units by two would resolve both parking and trash bin issues and greatly alleviate the alarming concerns of Maryland communities. It would provide space for additional guest parking and an enclosed commercial trash enclosure. Autem would then be a self-contained community like the others that give Maryland Ave its enviable uniqueness that attracts buyers. This result we would welcome. Anything less will be unsafe and unsightly, negatively impacting our neighborhood significantly.

Unit reduction was suggested as early as March 4 at our meeting with the developers. It is time for the developers to take part with concern for the welfare of the neighborhood they wish to enter rather than disrupt it with no regard to the needs of the existing neighborhood. Reducing this project by two units to create a self-contained development is the only solution that will provide what is needed to result in a harmonious neighborhood. It is what makes sense.

Sincerely,

Mary Ann Pikulas, President and Neighborhood Leader
Madison Groves Manor (Maryland Ave & 14th Place)
602-930-3004

From: Mary Crozier <marycrz@cox.net>
Sent: Tuesday, November 2, 2021 4:54 PM
To: PDD Planning Commission
Subject: Z-69-20-6

Dear Planning Commission Members:

I frequently bike down Maryland Avenue and am constantly faced with illegal parking in the City of Phoenix public bike lanes, especially near the proposed PUD subject site. It is my opinion that many of the higher density properties do not have adequate parking. As a result, a bicyclist must navigate through speeding traffic on Maryland. Why have No Parking Zones if no one is going to enforce that?

The addition of this proposed project will add to the existing congestion. And to hear that the developer has not provided for on-site garbage collection is ludicrous! Sixteen garbage cans in the bike lanes twice a week. That means when people do not move their cans the bike lanes will be filled with obstacles for days.

Lastly, great time, thought and energy was put into our General Plan. The General Plan states the **maximum number** of units at this location is 14. Why would anyone approve more units without adequate garbage collection and parking? The PUD concept was developed to create a superior product, not to be a convenient tool for a developer to make more money and provide an inferior project.

These issues will diminish the property rights of the adjacent neighborhood and for the general public who want to use the bike paths in a safe and reasonable manner.

I am not opposed to new development at this site, and would fully support 14 units, more parking and on-site garbage collection. Also, I do believe creating a PUD on less than an acre is not the spirit and intention of why a PUD was created. Someone is clearly taking advantage of the system at the expense of others.

Sincerely,

Mary L. Crozier

Racelle Escolar

From: Sarah Entz <sarah.entz@gmail.com>
Sent: Tuesday, November 2, 2021 4:53 PM
To: PDD Planning Commission
Cc: Linda Richards
Subject: Z-69-20-6 (Autem Row PUD) - Comments

Thank you for reading my comments for this project. There are three large issues with the proposed development:

1. Trash cans. They are proposing putting 30 trash cans in the bike lane, or worse the sidewalk, multiple times a week. This has been repeatedly pointed to as an issue and no solution has been provided. They state they have requested a variance from the City, however that will not be granted as the waste management vehicles will not back up, as it is a safety hazard.
2. Set back from Maryland Ave. The proposed setback is drastically narrower than the rest of Maryland properties. This is not in line with the beautification of the space.
3. Parking. Even with the removal of one unit to increase the parking to six spaces, this still will not meet the needs of the property. This will result in even more people parking in front of our neighbor's homes which has already caused issue amongst our community.

I am not against development in the neighborhood. I am against any development that puts multitudes of trash cans and cars in the bike lane. I suggest going back to the architect to redesign to allow for the needed eight parking spaces and trash on premises.

Thank you again for listening.

Best,
Sarah Entz
1530 E Maryland Ave, Phoenix, AZ 85014
858-692-4744

Racelle Escolar

From: Kyle Paskey <kyle.paskey@gmail.com>
Sent: Tuesday, November 2, 2021 4:59 PM
To: PDD Planning Commission
Subject: Z-69-20-6 (AUTEM Row PUD)

Hello.

I'm writing to express my objections to this purposes development.

I live close to the purposed site and this development far exceeds what should be considered.

The developers have been not been forthcoming or been supportive of neighbors in their meetings.

Specifically there are too many units purposed for the site, no where near sufficient guest parking, and no plan for trash removal and recycling pick up.

I purchased my home on Maryland Avenue as it has designated bike lanes. Those lanes are already filled with parked cars - mostly already in violation of posted (but rarely enforced) daytime posted parking restrictions. Adding new housing units will likely only add to the parking issues on Maryland Avenue and continue to impact the safety of the neighborhood.

I'm not opposed to developing the lots in question, but the issues above should be addressed before any vote to approve occurs.

Thank you for your consideration of my comments.

Kyle Paskey
6504 N 14th Pl, Phoenix, AZ 85014
602-903-8179

Racelle Escolar

From: Janis & Ben Harris <janisandbenharris@gmail.com>
Sent: Thursday, November 4, 2021 8:19 AM
To: PDD Planning Commission
Subject: Z-69-20-6 Item #20

Dear Sir,

We oppose the proposal for 16 units at 1536-1538 East Maryland.

The developer is trying to crowd too many units onto this property. We would like to eliminate 2 units to allow more guest parking and allow space for trash pick up.

Please oppose the developer's proposal.

Thank you,
Janis and Ben Harris
516 East Stella Lane
Phoenix AZ 85012

Sofia Mastikhina

From: Karolyn Benger <kbenger@gmail.com>
Sent: Friday, October 1, 2021 5:08 PM
To: Sofia Mastikhina
Subject: Development on Maryland Street

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Mastikhina,

I am writing about my concerns with the new development being planned on Maryland Street.

Having 16 trash bins and 16 recycling bins lined up two days a week on Maryland, will cause problems for bikers and pedestrians. Cars trying to get out from the trash collection will drive into the oncoming traffic lane, creating a horrible risk of a head on collision. Further, these bins will be an unsightly blight on our street.

There are only 4 guest spaces planned, one of which is designated for the disabled. If not requesting a special classification, 8 spaces would be the required number. With anywhere from 30 to 40 plus residents possibly living there, each with family or friends visiting and others. Where will they park? If on Maryland this takes away the bike lane and blocks driver's line of vision when trying to turn into Maryland. It's simply not safe.

These concerns have been raised for many months and there has yet to be any plan put forward by the developers to address this.

I am deeply concerned as I, and my children, bike on this bike lane and walk our dog down this street. This is truly scary when a few modifications could address these concerns.

Thank you,

Karolyn Benger
Sent from my phone

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Mark Hodgson

Property Owner Name (print)

6234 N 14th Place

Address

10/27/2021

Date

February 3rd, 2021

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for City of Phoenix Rezoning Case No. Z-69-20

I have reviewed the development plans for the property west of the northwest corner of 16th St and Maryland Ave and I eagerly support the rezoning for the townhome development. As neighbors to the development, our family does not believe that the proposal will bring any negative impacts to the neighborhood, and feel that the developer's plans would be an asset to the community. Our community is known for its beautiful diversity of architecture and design but we've recently been subjected to historic demolitions in order to build cheap, tasteless gated off track homes that are an embarrassment and do not serve the community. I'm elated that this proposed development would be in line with the true design forward spirit of our neighborhood, as well as provide a more community forward culture instead of further walling everyone off from each other. For the good of our community, please support this rezoning case.

Miles Willis McDermott

Art Director of Moses Inc.

6530 North Place D'Valencia - Phoenix AZ 85014

RCVD 11/2/2021

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Benjamin Nesbeitt

Property Owner Name (print)

1407 E. Solano Drive, Phoenix AZ 85014

Address

2 November 2021

Date

RCVD 11/2/2021

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

MIKE ALEXANDER

Property Owner Name (print)

5566 N 10TH STREET, PHOENIX, 85014

Address

11/02/21

Date

RCVD 11/2/2021

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003


**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Paul Howell

Property Owner Name (print)

1429 East Solano Drive Phoenix AZ 85014

Address

110221

Date

November 2nd, 2021

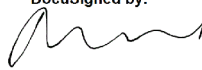
City of Phoenix

Planning and Development Department 200 W. Washington Street, 2nd Floor Phoenix, AZ 85003

Re: Support for City of Phoenix Rezoning Case No. Z-69-20

I am a long time resident in our neighborhood and am eager to support this rezoning case to ultimately re-develop the property at 1536 E. Maryland Ave. As the city and our neighborhood grow, we are in need of thoughtful communities exactly like this. In addition to adding much needed single family residences in our neighborhood, this development adds significant character and architectural integrity to our area. It is clear that this builder is going the extra mile to create something special here, and I believe this is something fantastic for our community to stand behind. This level of design and effort is something that our neighborhood should support as an example of how communities should be developed throughout Phoenix.

Please support this rezoning.

DocuSigned by:

03C824A4539046B...

Emanuel Suleymanov

6767 N 7th St
Phoenix AZ 85014

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

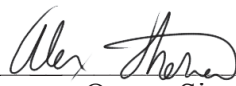
**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

R. Alex Therien

Property Owner Name (print)

6544 N. 13th Street, PHX 85014

Address

2 November 2021

Date



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM B
Staff Report: Z-69-20-6
December 2, 2021

<u>Camelback East Village Planning Committee Meeting Date</u>	October 5, 2021
<u>Planning Commission Hearing Date</u>	November 4, 2021 December 2, 2021
Request From:	<u>R-O</u> (0.89 acres)
Request To:	<u>PUD</u> (0.89 acres)
Proposed Use	Multifamily residential
Location	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
Owner	East Maryland, LLC
Applicant	AUTEM Development
Representative	William E. Lally, Esq., Tiffany & Bosco
Staff Recommendation	Approval, subject to stipulations

The purpose of this addendum is to revise the staff recommended stipulations to account for changes to the PUD development narrative, per the applicant's request.

On October 5, 2021, the Camelback East Village Planning Committee heard this request and recommended denial, noting the continued community opposition to the case due to ongoing concerns regarding the proposed density, number of guest parking spaces, and on-street waste collection. After the meeting, the applicant worked with the community on modifications to the request to address these concerns and has requested modifications to the PUD development narrative to accommodate the changes made to the proposal.

The request was heard by the Planning Commission on November 4, 2021, and was continued to the December 2, 2021 Planning Commission hearing to allow the applicant to work with the community on modifications to the development narrative and conceptual site plan to address the following:

- Modify the development standards and site plan to provide street-facing residential units along Maryland Avenue;
- Remove the front yard fence along Maryland Avenue to provide an open entrance to the development;
- Remove the public seating area from the front of the development, and move the bicycle repair station to the interior of the development.

The applicant revised the PUD narrative to incorporate the above modifications. Staff recommends approval subject to the following revised stipulations:

1. An updated Development Narrative for the Autem Row 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 ~~September 21, 2021~~ **DECEMBER 2, 2021**, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: ~~September 21, 2021~~ **DECEMBER 2, 2021**; City Council adopted: [Add adoption date].
 - ~~B. PAGE 5, OVERALL DESIGN CONCEPT: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
 - ~~C. PAGE 7: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
 - ~~D. PAGE 8, LAND USE PLAN: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
 - ~~E. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE THE MAXIMUM DENSITY TO 15 DWELLINGS UNITS AND 16.85 DU/AC.~~
 - ~~F. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE GUEST PARKING TO 0.40 **0.46** SPACES PER RESIDENTIAL UNIT TO REFLECT MINIMUM OF 6 **7** GUEST PARKING SPACES.~~
 - ~~G. F. PAGE 12, DESIGN GUIDELINES SECTION E.1.H.: REPLACE WITH THE FOLLOWING:

BICYCLE PARKING WILL BE INSTALLED WHERE INDICATED ON THE ATTACHED SITE PLAN (EXHIBIT 9). A BICYCLE REPAIR STATION SHALL BE PROVIDED ON THE NORTH END OF THE SITE IN CLOSE PROXIMITY TO THE BICYCLE STORAGE AREA SHOWN ON EXHIBIT 9.~~
 - ~~H. G. PAGE 14, SECTION H.2. CIRCULATION: UPDATE THE PARAGRAPH TO REDUCE NUMBER OF UNITS TO 15 AND TO DESCRIBE THE LAYOUT AS PROPOSED IN THE SITE PLAN DATE STAMPED OCTOBER 28, 2021. **IN EXHIBIT 9.**~~
 - ~~I. H. PAGE 15, COMPARATIVE ZONING TABLE: UPDATE THE NUMBER OF UNITS, DENSITY RATIO, AND MINIMUM GUEST PARKING ON PUD ZONING COLUMN.~~
 - ~~J. PAGE 36, EXHIBIT 9 (CONCEPTUAL SITE PLAN): REPLACE WITH THE SITE PLAN DATE STAMPED OCTOBER 28, 2021 AND REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION.~~

~~K. PAGE 38, EXHIBIT 10 (FENCE DIAGRAM): REMOVE THIS EXHIBIT.~~

I. PAGE 4, EXHIBITS: DELETE REFERENCE TO EXHIBIT 10.

2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
5. 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.
6. THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT'S SOLID WASTE REVIEWER TO PURSUE ALTERNATIVE METHODS OF WASTE COLLECTION TO ALLOW FOR ON-SITE TRASH AND RECYCLING PICK UP.

Exhibits

Autem Row PUD development narrative date stamped December 2, 2021

Attachment G

REPORT OF PLANNING COMMISSION ACTION December 2, 2021

ITEM NO: 17	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-69-20-6 (Autem Row PUD) (Continued from 11/4/2021)
Location:	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
From:	R-O
To:	PUD
Acreage:	0.89
Proposal:	Planned Unit Development to allow multifamily residential.
Applicant:	AUTEM Development
Owner:	East Maryland, LLC
Representative:	William E. Lally, Esq., Tiffany & Bosco, PA

ACTIONS:

Staff Recommendation: Approval, per the Addendum B Staff Report and modifications to Stipulation Nos. 1.f and 1.j, additional stipulations to modify Exhibits 6 and 8 in the PUD Narrative to be consistent with the revised rendering on the cover of the PUD Narrative, and the standard Proposition 207 waiver of claims stipulation.

Village Planning Committee (VPC) Recommendation:

Camelback East 5/4/2021 Information only.

Camelback East 10/5/2021 Denial. Vote: 8-3 (1 abstained).

Planning Commission Recommendation: Approval, per the Addendum B Staff Report with modified and additional stipulations.

Motion Discussion: Commissioner Johnson made a motion to approve Z-69-20-6, per the Addendum B Staff Report with the modified and additional stipulations as read into the record, with the added modification that the developer shall provide onsite trash and recycling pickup, modify the stoops and stairs in the two southern units to face Maryland, and to stay in general conformance within the site plan, so the seven parking spots will remain.

Ms. Racelle Escolar (staff) stated that the modification to add the stoop and stairways facing Maryland is not necessary because there is a provision in the revised narrative that requires the southernmost end units will incorporate street-facing front doors and glazing so as to be orientated towards Maryland Avenue. There is also a requirement in the revised narrative that they adhere to the design intent, depicted in Exhibit 8. Exhibit 8 is one that needs to be replaced in the narrative to be consistent with the rendering shown on the cover.

Commissioner Johnson stated that the stairs and stoops face each. They face the opposite units instead of Maryland. That is what he was trying to change.

Ms. Escolar confirmed that Commissioner Johnson wanted the stairways to also face Maryland.

Commissioner Johnson asked if he had to address the parking spot.

Ms. Escolar stated that it was already addressed in the Addendum because there is a stipulation that requires seven spaces. She stated that they could modify Stipulation No. 6. to change the onsite collection, as he stated earlier, that the developer shall provide onsite trash and recycling pickup, as approved by the Planning and Development Department. In order to incorporate the stoop and stairs facing Maryland, they would add a stipulation to update page 12 of the narrative, to modify the stoop and stairways to face Maryland Avenue. They could add a stipulation to change that provision on page 12.

Ms. Escolar asked for confirmation if the motion is to approve, per the Addendum B Staff Report with the modified and additional stipulations that were read into the record; and a stipulation to modify page 12 of the narrative, the provision that requires the southernmost units to incorporate street-facing front doors and glazing to be oriented towards Maryland, and also the stoops and stairs to be oriented towards Maryland; and a change to Stipulation No. 6 to require onsite trash and recycling pickup, as approved by the Planning and Development Department.

Commission Johnson confirmed that the motion was correct.

Commission Gorraiz seconded the motion.

Motion details: Commissioner Johnson made a MOTION to approve Z-69-20-6, per the Addendum B Staff Report with the modified and additional stipulations that were read into the record; and a stipulation to modify page 12 of the narrative, the provision that requires the southernmost units to incorporate street-facing front doors and glazing to be oriented towards Maryland, and also the stoops and stairs to be oriented towards Maryland; and a change to Stipulation No. 6 to require onsite trash and recycling pickup, as approved by the Planning and Development Department.

Maker: Johnson
Second: Gorraiz
Vote: 8-1 (Perez)
Absent: None
Opposition Present: Yes

Findings:

1. The proposed PUD will provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.
2. The site is appropriately situated in close proximity to the State Route 51 freeway to the east and major commercial centers on Bethany Home Road to the south.
3. The PUD will provide significant streetscape improvements along Maryland Avenue, including robust tree shade coverage, public pedestrian seating, and bicycle amenities.

Stipulations:

1. An updated Development Narrative for the Autem Row 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 ~~September 21, 2024~~ DECEMBER 2, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: ~~September 21, 2024~~ DECEMBER 2, 2021; City Council adopted: [Add adoption date].
 - ~~B.~~ ~~PAGE 5, OVERALL DESIGN CONCEPT: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
 - C. B. PAGE 7: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
 - ~~D.~~ C. PAGE 8, LAND USE PLAN: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
 - ~~E.~~ D. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE THE MAXIMUM DENSITY TO 15 DWELLINGS UNITS AND 16.85 DU/AC.
 - ~~F.~~ E. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE GUEST PARKING TO ~~0.40~~ 0.46 SPACES PER RESIDENTIAL UNIT TO REFLECT MINIMUM OF ~~6~~ 7 GUEST PARKING SPACES.
 - ~~G.~~ F. **PAGE 12, DESIGN GUIDELINES SECTION E.1.H.: REPLACE WITH THE FOLLOWING:**

BICYCLE PARKING WILL BE INSTALLED WHERE INDICATED ON THE ATTACHED SITE PLAN (EXHIBIT 9). A BICYCLE REPAIR STATION SHALL BE PROVIDED ON THE NORTH END OF THE SITE IN CLOSE PROXIMITY TO THE BICYCLE STORAGE AREA SHOWN ON EXHIBIT 9.
 - ~~H.~~ G. PAGE 14, SECTION H.2. CIRCULATION: UPDATE THE PARAGRAPH TO REDUCE NUMBER OF UNITS TO 15 AND TO DESCRIBE THE LAYOUT AS PROPOSED IN THE SITE PLAN ~~DATE STAMPED OCTOBER 28, 2024.~~ IN EXHIBIT 9.
 - ~~I.~~ H. PAGE 15, COMPARATIVE ZONING TABLE: UPDATE THE NUMBER OF UNITS, DENSITY RATIO, AND MINIMUM GUEST PARKING ON PUD ZONING COLUMN.
 - ~~J.~~ I. **PAGE 36, EXHIBIT 9 (CONCEPTUAL SITE PLAN): REPLACE WITH THE SITE PLAN DATE STAMPED OCTOBER 28, 2024 AND REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION.**
 - ~~K.~~ ~~PAGE 12, EXHIBIT 10 (FENCE DIAGRAM): REMOVE THIS EXHIBIT.~~
 - ~~I.~~ J. PAGE 4, EXHIBITS: DELETE REFERENCE TO EXHIBIT 10.

- K. **PAGE 12, DESIGN GUIDELINES SECTION E.1.: MODIFY THE PROVISION THAT REQUIRES THE SOUTHERNMOST UNITS TO INCORPORATE STREET-FACING FRONT DOORS AND GLAZING TO BE ORIENTED TOWARDS MARYLAND AVENUE, AND ALSO THE STOOPS AND STAIRS TO BE ORIENTED TOWARDS MARYLAND AVENUE.**
- L. **PAGE 28: REVISE EXHIBIT 6 (STREETSIDE SCALE CONTEXT EXHIBIT) TO BE CONSISTENT WITH THE REVISED RENDERING ON THE COVER OF THE PUD NARRATIVE.**
- M. **PAGES 33-34: REVISE EXHIBIT 8 (CONCEPTUAL RENDERING) TO BE CONSISTENT WITH THE REVISED RENDERING ON THE COVER OF THE PUD NARRATIVE.**
2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
5. 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.
6. ~~THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT'S SOLID WASTE REVIEWER TO PURSUE ALTERNATIVE METHODS OF WASTE COLLECTION TO ALLOW FOR~~ **PROVIDE ON-SITE TRASH AND RECYCLING PICK UP, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENTS.**
7. **PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.**

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

DEC 09 2021

Planning & Development
Department

The **PLANNING COMMISSION** agenda for **December 2, 2021** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **December 9, 2021**.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., **December 9, 2021**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **December 9, 2021**.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **December 16, 2021**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-69-20-6 (Autem Row PUD)

Approximately 300 feet west of the northwest corner of 16th St. and Maryland Ave.

APPLICATION NO.

12/09/2021

LOCATION OF APPLICATION SITE

Greg Harmon

DATE APPEALED FROM

☐ OPPOSITION
☒ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

John T. Oliver

PRINTED NAME OF PERSON APPEALING

2525 E. Camelback Rd., Ste. 700

STREET ADDRESS

Phoenix, Arizona 85016

CITY, STATE & ZIP CODE

jto@tblaw.com

EMAIL ADDRESS

REASON FOR REQUEST

SIGNATURE

12/09/2021

DATE OF SIGNATURE

(602) 452-2733

TELEPHONE NO.

This appeal is being filed in order to schedule Z-69-20-6 for a public hearing to further discuss a stipulation proposed at Planning Commission pertaining to on-site trash collection.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:											
APPLICATION NO/ LOCATION	Z-69-20-6 (Autem Row PUD) Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: left; padding: 2px;">(SIGNATURE ON ORIGINAL IN FILE)</th> </tr> <tr> <td style="width: 33%; padding: 2px; text-align: center;">opposition</td> <td style="width: 10%;"></td> <td style="width: 33%; padding: 2px; text-align: center;">applicant</td> <td style="width: 10%; padding: 2px; text-align: center;">x</td> </tr> </table>		(SIGNATURE ON ORIGINAL IN FILE)				opposition		applicant	x
(SIGNATURE ON ORIGINAL IN FILE)											
opposition		applicant	x								
APPEAL FROM:	PC 12/2/2021	2525 East Camelback Road, Suite 700 Phoenix, AZ 85016									
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>									
TO PC/CC HEARING	CC 2/2/2022 1/5/2022	John T. Oliver 1-602-452-2733 jto@tblaw.com									
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>									
REASON FOR REQUEST: This appeal is being filed in order to schedule Z-69-20-6 for a public hearing to further discuss a stipulation proposed at Planning Commission pertaining to on-site trash collection.											
RECEIVED BY:		RECEIVED ON:									

Alan Stephenson
 Joshua Bednarek
 Tricia Gomes
 Racelle Escolar
 Stephanie Vasquez
 David Urbinato
 Vikki Cipolla-Murillo

Greg Harmon
 Samantha Keating
 Paul M. Li
 Village Planner
 GIS
 Applicant

Attachment I

Chairwoman Shank
City of Phoenix Planning Commission
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

**Re: Support for Rezoning Request - Application No.: Z-43-21
4048 N. 40th Pl., Phoenix, Arizona 85018**

Chairwoman Shank and Planning Commissioners:

My name is Geoff Edlund and I own the three properties located at 3943, 3937 and 3933 E Monterosa St under the name Chapter 2, LLC.. I support the rezoning request to allow the property located at 4048 N. 40th Pl., Phoenix, Arizona 85018 to be rezoned from R1-6 to R-O. The Applicant has explained their rezoning request in great detail and it is my understanding that their rezoning request is necessary in order to allow their already existing building to expand. In my opinion, approval of their rezoning request will not negatively impact the surrounding area but will instead allow a welcomed business to expand their footprint. I have seen much of Studio Ma's design work and I have no doubt their expansion will be tastefully done and add value to the neighborhood.

In short, I fully support the Applicant's rezoning request because the request will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Geoff Edlund

Property Owner Name (print)

11 / 1 / 2021

Date

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Justin Novak

Property Owner Name (print)

6114 n. 8th street

Address

11/02/2021

Date

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

John Dimmel

Property Owner Name (print)

1019 E. Georgia Ave

Address

November 2, 2021

Date

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Galina Mihaleva

Property Owner Name (print)

1435 E. Solano Drive, Phoenix, AZ, B5014

Address

11.04.2021

Date



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Ginger Spencer
Deputy City Manager

Date: January 3, 2022

From: Alan Stephenson
Planning and Development Director

Subject: REQUEST FOR ADD-ON TO THE JANUARY 5, 2022 FORMAL AGENDA –
PUBLIC HEARING AND ORDINANCE ADOPTION – REZONING APPLICATION
Z-69-20-6 – 300 FEET WEST OF THE NORTHWEST CORNER OF 16TH
STREET AND MARYLAND AVENUE

This memo requests an add-on to the January 5, 2022 Formal Agenda for a public hearing for rezoning application Z-69-20-6 (Autem Row PUD). The request is to rezone the 0.89-acre site from R-O (Residential Office – Restricted Commercial District) to PUD (Planned Unit Development) to allow multi-family residential.

This application was scheduled and advertised to be heard on the January 5 Formal Agenda, but due to an administrative error it was assigned to the February 2, 2022 City Council Formal Agenda. This add-on request addresses this error.

The Camelback East Village Planning heard this case on October 5, 2021 and recommended denial by a vote of 8-3. The Planning Commission heard this case on December 2, 2021 and recommended approval, per the Addendum B Staff Report with modified stipulations, by a vote of 8-1.

The applicant appealed the Planning Commission's recommendation on December 9, 2021 due to concerns with the modified stipulations approved by the Commission. The appeal for a public hearing permits the City Council to consider and act on the applicant's request to modify the Planning Commission's recommended stipulations.

Approved:

A handwritten signature in black ink, appearing to be 'Ginger Spencer', written over a horizontal line.
Ginger Spencer, Deputy City Manager

ORDINANCE G-6943

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-69-20-6) FROM R-O (RESIDENTIAL OFFICE – RESTRICTED COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 0.89 acre site located approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue in a portion of Section 9, Township 2 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “R-O” (Residential Office – Restricted Commercial District) to “PUD” (Planned Unit Development).

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

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

1. An updated Development Narrative for the Autem Row 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 December 2, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: December 2, 2021; City Council adopted: [Add adoption date].
 - b. Page 7: Update the reference to proposed number of units to 15.
 - c. Page 8, Land Use Plan: Update the reference to proposed number of units to 15.
 - d. Page 9, Development Standards Table: Update the maximum density to 15 dwellings units and 16.85 du/ac.
 - e. Page 9, Development Standards Table: Update guest parking to 0.46 spaces per residential unit to reflect minimum of 7 guest parking spaces.
 - f. Page 12, Design Guidelines Section E.1.h.: Replace with the following:

Bicycle parking will be installed where indicated on the attached site plan (Exhibit 9). A bicycle repair station shall be provided on the north end of the site in close proximity to the bicycle storage area shown on Exhibit 9.
 - g. Page 14, Section H.2. Circulation: Update the paragraph to reduce number of units to 15 and to describe the layout as proposed in the site plan in Exhibit 9.
 - h. Page 15, Comparative Zoning Table: Update the number of units, density ratio, and minimum guest parking on PUD zoning column.
 - i. Page 36, Exhibit 9 (Conceptual Site Plan): Remove the reference to the bicycle repair station.
 - j. Page 4, Exhibits: Delete reference to Exhibit 10.
 - k. Page 12, Design Guidelines Section E.1.: Modify the provision that requires the southernmost units to incorporate street-facing front doors and glazing to be oriented towards Maryland Avenue, and also the stoops and stairs to be oriented towards Maryland Avenue.

- l. Page 28: Revise Exhibit 6 (Streetside Scale Context Exhibit) to be consistent with the revised rendering on the cover of the PUD Narrative.
 - m. Pages 33-34: Revise Exhibit 8 (Conceptual Rendering) to be consistent with the revised rendering on the cover of the PUD Narrative.
- 2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
- 3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
- 4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
- 5. 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.
- 6. The developer shall provide on-site trash and recycling pick up, as approved by the Planning and Development Department.
- 7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 26th day of January,
2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

Pml

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

PL:tml:LF21-2833:1-26-2022:2296348v1

EXHIBIT A

LEGAL DESCRIPTION FOR Z-69-20-6

THAT PART OF FARM UNIT F (OR THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER), SECTION 9, TOWNSHIP 2 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, WHICH POINT IS 336.78 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION;

THENCE NORTH 355.33 FEET TO A POINT;

THENCE WEST 162.78 FEET;

THENCE SOUTH 355.33 FEET TO THE POINT OF BEGINNING:

EXCEPT THE NORTH 120.00 FEET.

AND ALSO EXCEPT THE SOUTH 33.00 FEET.

THIS DESCRIPTION ENCOMPASSES THE PROPERTIES RECORDED IN DOCUMENT NUMBERS 2013-0016773 AND 2012-0878219 OF MARICOPA COUNTY RECORDS.

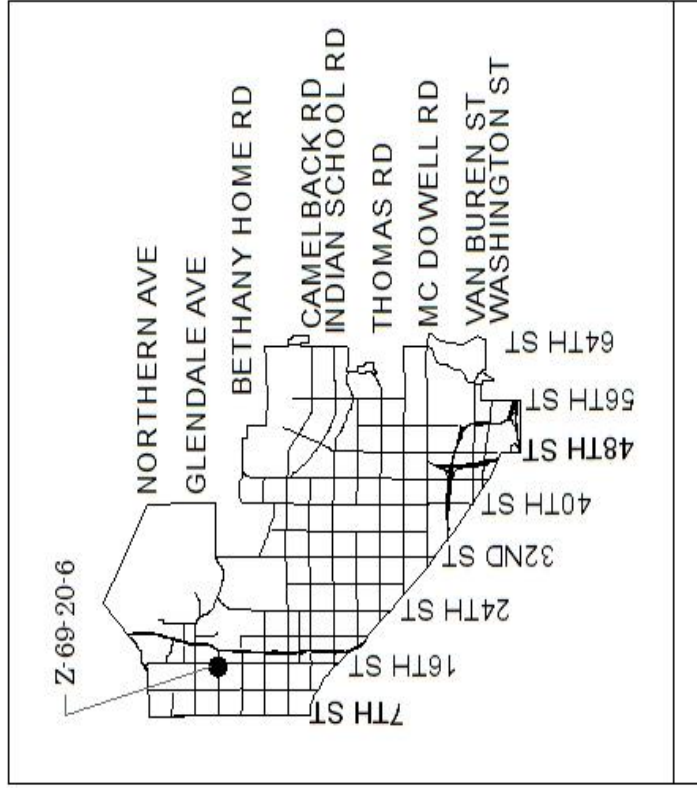
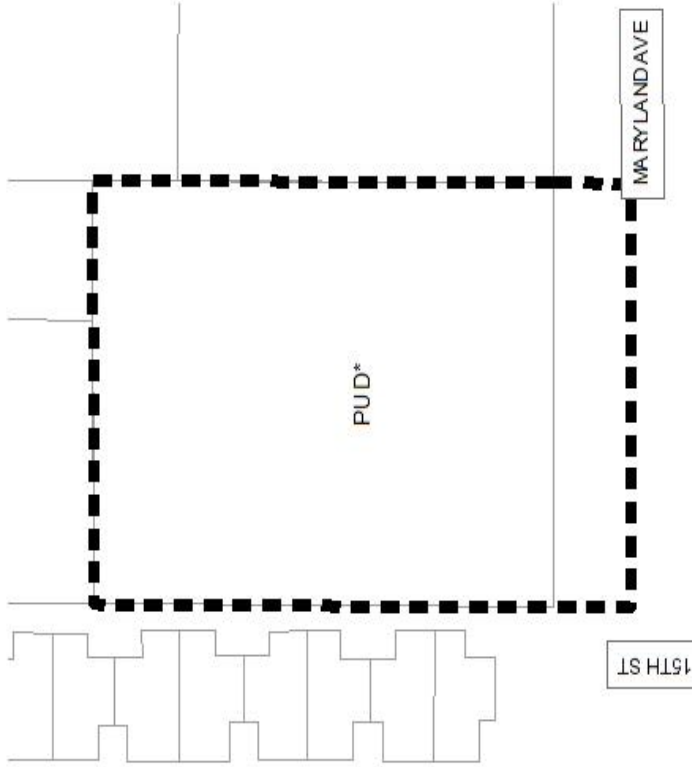
ASSESSOR'S PARCEL NUMBER: 161-08-050C

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 10/29/2021

\\onelpdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SupplMaps_Ord\Maps\2021 Ord\12-1-21\Z-69-20-6.mxd

Attachment J

REPORT OF PLANNING COMMISSION ACTION February 3, 2022

ITEM NO: 13	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-69-20-6 (Autem Row PUD) (Remanded back from City Council 1/26/22)
Location:	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
From:	R-O
To:	PUD
Acreage:	0.89
Proposal:	Planned Unit Development to allow multifamily residential.
Applicant:	AUTEM Development
Owner:	East Maryland, LLC
Representative:	William E. Lally, Esq., Tiffany & Bosco, PA

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Camelback East 5/4/2021 Informational only.

Camelback East 10/5/2021 Denial. Vote: 8-3.

Planning Commission Recommendation:

12/2/2021 Approval, per the Addendum B Staff Report, with modified and additional stipulations.

2/3/2022 Approval, per the staff memo dated February 3, 2022, with modified stipulation.

Motion Discussion: There was discussion about modifying the stipulations to reduce the number of units to 14, as well as a stipulation to require seven guest parking spaces, rather than six.

Motion details: Commissioner Johnson made a MOTION to approve Z-69-20-6, per the staff memo dated February 3, 2022, with a modification to require seven guest parking spaces.

Maker: Johnson

Second: Gorraiz

Vote: 8-0

Absent: None

Opposition Present: Yes

Findings:

1. The proposed PUD will provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.
2. The site is appropriately situated in close proximity to the State Route 51 freeway to the east and major commercial centers on Bethany Home Road to the south.

3. The PUD will provide significant streetscape improvements along Maryland Avenue, including robust tree shade coverage, public pedestrian seating, and bicycle amenities.

Stipulations:

1. An updated Development Narrative for the Autem Row 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 ~~September 21, 2021~~ DECEMBER 2, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: ~~September 21, 2021~~ DECEMBER 2, 2021; City Council adopted: [Add adoption date].
 - ~~B. PAGE 5, OVERALL DESIGN CONCEPT: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
 - ~~C. B. PAGE 7: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
 - ~~D. C. PAGE 8, LAND USE PLAN: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
 - ~~E. D. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE THE MAXIMUM DENSITY TO 15 DWELLINGS UNITS AND 16.85 DU/AC.~~
 - ~~F. E. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE GUEST PARKING TO 0.40-0.46-0.40 0.46 SPACES PER RESIDENTIAL UNIT TO REFLECT MINIMUM OF 6-7-6 7 GUEST PARKING SPACES.~~
 - F. PAGE 9, BICYCLE PARKING: REPLACE WITH THE FOLLOWING:

8 BICYCLE PARKING SPACES; 0.25 BICYCLE PARKING SPACES PER DWELLING UNIT.

BICYCLE PARKING MAY BE PLACED IN THE FRONT SETBACK AND MAY BE ALLOWED IN THE RIGHT-OF-WAY SUBJECT TO A REVOCABLE PERMIT FROM THE STREET TRANSPORTATION DEPARTMENT.

BICYCLE PARKING WILL COMPLY WITH ADA REQUIREMENTS AND WILL NOT IMPEDE ON-SITE PEDESTRIAN ACCESS. A CLEARANCE OF AT LEAST FOUR FEET IN WIDTH WILL BE PROVIDED FOR PEDESTRIAN ACCESS.

BICYCLE RACKS AND/OR STORAGE AREAS WILL BE LOCATED WITHIN 50 FEET FROM BUILDING ENTRY POINTS.

BICYCLE RACKS WILL BE AT LEAST 30 INCHES FROM A WALL OR OTHER OBSTRUCTION. THE MINIMUM LENGTH FOR BICYCLE PARKING WILL BE 72 INCHES.

BICYCLE RACKS AND/OR STORAGE AREAS WILL BE LOCATED NEAR HIGH TRAFFIC AREAS AND VISIBLE TO THE PUBLIC BUT SHOULD NOT IMPEDE THE FUNCTION OF THE PEDESTRIAN WALKWAY.

- G. PAGE 10, LANDSCAPE STANDARDS TABLE STREETSCAPE - ADJACENT TO MARYLAND: ADD THE FOLLOWING LANGUAGE BELOW THE CURRENT STANDARDS:

AN ON-SITE SOLID WASTE AND RECYLING ENCLOSURE MAY BE LOCATED IN THE LANDSCAPE SETBACK.

THE SOLID WASTE AND RECYLING ENCLOSURE SHALL BE FULLY SCREENED WITH A GREEN SCREEN CONSISTING OF VINES OR OTHER VEGETATIVE COVER. AT A MINIMUM THE ENCLOSURE SHALL BE LANDSCAPED ALONG ITS PERIMETER WALLS WITH 5-GALLON SHRUBS PLACED FOUR FEET ON CENTER OR IN EQUIVALENT GROUPINGS.

THE DIMENSIONS OF THE ENCLOSURE SHALL BE A MINIMUM OF 14 FEET BY 8 FEET WITH A MINIMUM 6-FOOT-TALL DECORATIVE SCREEN WALL. THE ENCLOSURE AND SCREEN WALL SHALL BE PERMITTED WITHIN THE LANDSCAPE SETBACK.

THE ENCLOSURE WALLS WILL BE CONSTRUCTED USING 4-INCH BY 4-INCH BY 16-INCH CONCRETE MASONRY UNITS AND WILL BE FITTED WITH TWO 5-FOOT FATE LEAFS WITH 180 DEGREE HINGES WITH ONE 4-FOOT PEDESTRIAN GATE LEAF WITH 180 DEGREE HINGES, UNLESS OTHERWISE AGREED TO BETWEEN THE APPLICANT, THE PUBLIC WORKS DEPARTMENT, AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- G. F. ~~PAGE 12, DESIGN GUIDELINES SECTION E.1.H.: REPLACE WITH THE~~
H. ~~FOLLOWING:~~

~~BICYCLE PARKING WILL BE INSTALLED WHERE INDICATED ON THE ATTACHED SITE PLAN (EXHIBIT 9). A BICYCLE REPAIR STATION SHALL BE PROVIDED ON THE NORTH END OF THE SITE IN CLOSE PROXIMITY TO THE BICYCLE STORAGE AREA SHOWN ON EXHIBIT 9.~~

PAGE 12, DESIGN GUIDELINES SECTION E.1.H.: REPLACE WITH THE FOLLOWING:

BICYCLE PARKING WILL BE INSTALLED IN AN ACCESSIBLE LOCATION ON THE SITE. ~~WHERE INDICATED ON THE ATTACHED SITE PLAN (EXHIBIT 9).~~ A BICYCLE REPAIR STATION SHALL BE PROVIDED ON THE NORTH END OF THE SITE IN CLOSE PROXIMITY TO THE BICYCLE STORAGE AREA SHOWN ON EXHIBIT 9.

- ~~H. G.~~ I. PAGE 14, SECTION H.2. CIRCULATION: UPDATE THE PARAGRAPH TO REDUCE NUMBER OF UNITS TO 15 AND TO DESCRIBE THE LAYOUT AS PROPOSED IN THE SITE PLAN ~~DATE STAMPED OCTOBER 28, 2021.~~ IN EXHIBIT 9.
- ~~I. H.~~ J. PAGE 15, COMPARATIVE ZONING TABLE: UPDATE THE NUMBER OF UNITS, DENSITY RATIO, AND MINIMUM GUEST PARKING ON PUD ZONING COLUMN.
- ~~J. I.~~ K. ~~PAGE 36, EXHIBIT 9 (CONCEPTUAL SITE PLAN): REPLACE WITH THE SITE PLAN DATE STAMPED OCTOBER 28, 2021 AND REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION.~~
- PAGE 36, EXHIBIT 9 (CONCEPTUAL SITE PLAN): ~~REPLACE WITH THE SITE PLAN DATE STAMPED OCTOBER 28, 2021 AND REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION AND REPLACE WITH THE SITE PLAN DATE STAMPED JANUARY 18, 2022.~~
- ~~K.~~ ~~PAGE 38, EXHIBIT 10 (FENCE DIAGRAM): REMOVE THIS EXHIBIT.~~
- ~~I. J.~~ L. PAGE 4, EXHIBITS: DELETE REFERENCE TO EXHIBIT 10.
- ~~K.~~ M. PAGE 12, DESIGN GUIDELINES SECTION E.1.: MODIFY THE PROVISION THAT REQUIRES THE SOUTHERNMOST UNITS TO INCORPORATE STREET-FACING FRONT DOORS AND GLAZING TO BE ORIENTED TOWARDS MARYLAND AVENUE, AND ALSO THE STOOPS AND STAIRS TO BE ORIENTED TOWARDS MARYLAND AVENUE.
- ~~L.~~ N. PAGE 28: REVISE EXHIBIT 6 (STREETSIDE SCALE CONTEXT EXHIBIT) TO BE CONSISTENT WITH THE REVISED RENDERING ON THE COVER OF THE PUD NARRATIVE.
- ~~M.~~ O. PAGES 33-34: REVISE EXHIBIT 8 (CONCEPTUAL RENDERING) TO BE CONSISTENT WITH THE REVISED RENDERING ON THE COVER OF THE PUD NARRATIVE.
- P. PAGE 11: FENCES / WALLS. ADD THE FOLLOWING LANGUAGE: A PEDESTRIAN CONNECTION FENCE MUST BE LOCATED TOWARDS THE NORTHEAST CORNER OF THE PROPERTY TO ALLOW PEDESTRIANS TO ACCESS THE COMMERCIAL PARKING LOT NORTHEAST OF THE PROPERTY.
2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development Department.

3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
5. 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.
6. ~~THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT'S SOLID WASTE REVIEWER TO PURSUE ALTERNATIVE METHODS OF WASTE COLLECTION TO ALLOW FOR PROVIDE ON-SITE TRASH AND RECYCLING PICK UP, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~
7. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

ORDINANCE G-6943

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-69-20-6) FROM R-O (RESIDENTIAL OFFICE – RESTRICTED COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 0.89 acre site located approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue in a portion of Section 9, Township 2 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “R-O” (Residential Office – Restricted Commercial District) to “PUD” (Planned Unit Development).

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

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

violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Autem Row 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 December 2, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: December 2, 2021; City Council adopted: [Add adoption date].
 - b. Page 7: Update the reference to proposed number of units to 15.
 - c. Page 8, Land Use Plan: Update the reference to proposed number of units to 15.
 - d. Page 9, Development Standards Table: Update the maximum density to 15 dwellings units and 16.85 du/ac.
 - e. Page 9, Development Standards Table: Update guest parking to 0.46 spaces per residential unit to reflect minimum of 7 guest parking spaces.
 - f. Page 12, Design Guidelines Section E.1.h.: Replace with the following:

Bicycle parking will be installed where indicated on the attached site plan (Exhibit 9). A bicycle repair station shall be provided on the north end of the site in close proximity to the bicycle storage area shown on Exhibit 9.
 - g. Page 14, Section H.2. Circulation: Update the paragraph to reduce number of units to 15 and to describe the layout as proposed in the site plan in Exhibit 9.
 - h. Page 15, Comparative Zoning Table: Update the number of units, density ratio, and minimum guest parking on PUD zoning column.
 - i. Page 36, Exhibit 9 (Conceptual Site Plan): Remove the reference to the bicycle repair station.
 - j. Page 4, Exhibits: Delete reference to Exhibit 10.

- k. Page 12, Design Guidelines Section E.1.: Modify the provision that requires the southernmost units to incorporate street-facing front doors and glazing to be oriented towards Maryland Avenue, and also the stoops and stairs to be oriented towards Maryland Avenue.
 - l. Page 28: Revise Exhibit 6 (Streetside Scale Context Exhibit) to be consistent with the revised rendering on the cover of the PUD Narrative.
 - m. Pages 33-34: Revise Exhibit 8 (Conceptual Rendering) to be consistent with the revised rendering on the cover of the PUD Narrative.
- 2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
 - 3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
 - 4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
 - 5. 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.
 - 6. The developer shall provide on-site trash and recycling pick up, as approved by the Planning and Development Department.
 - 7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 16th day of February, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

Pml

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

PL:tml:LF21-3621:2-16-2022:2300847v1

EXHIBIT A

LEGAL DESCRIPTION FOR Z-69-20-6

THAT PART OF FARM UNIT F (OR THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER), SECTION 9, TOWNSHIP 2 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, WHICH POINT IS 336.78 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION;

THENCE NORTH 355.33 FEET TO A POINT;

THENCE WEST 162.78 FEET;

THENCE SOUTH 355.33 FEET TO THE POINT OF BEGINNING:

EXCEPT THE NORTH 120.00 FEET.

AND ALSO EXCEPT THE SOUTH 33.00 FEET.

THIS DESCRIPTION ENCOMPASSES THE PROPERTIES RECORDED IN DOCUMENT NUMBERS 2013-0016773 AND 2012-0878219 OF MARICOPA COUNTY RECORDS.

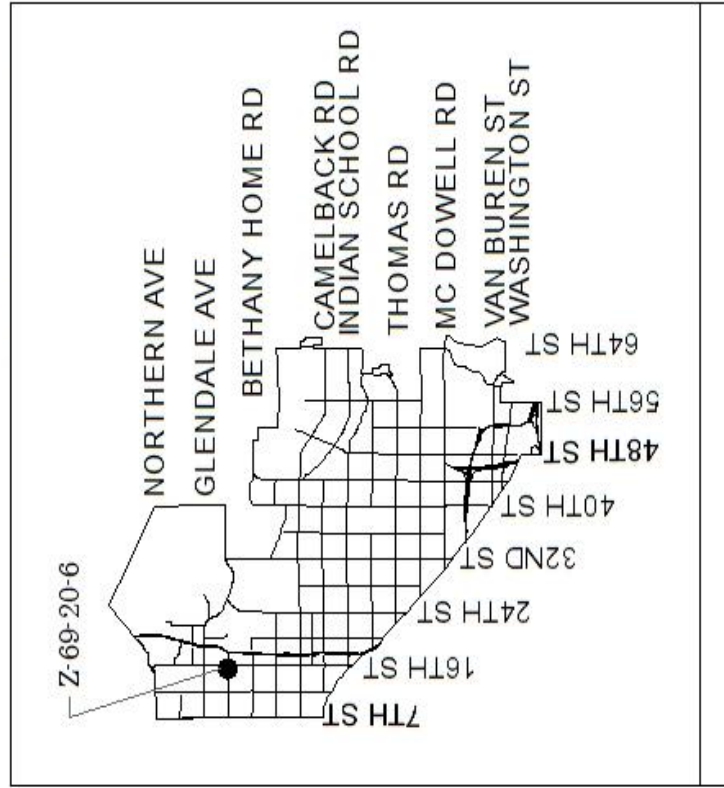
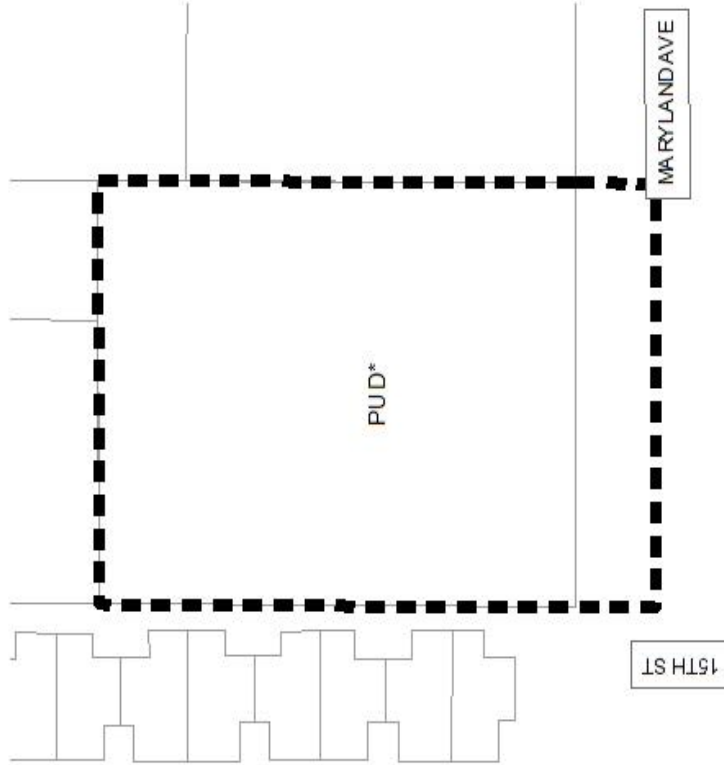
ASSESSOR'S PARCEL NUMBER: 161-08-050C

ORDINANCE LOCATION MAP

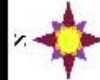
EXHIBIT B

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

Zoning Case Number: Z-69-20-6
Zoning Overlay: N/A
Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 10/29/2021

\\onepdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_Ord\Map2021 Ord\12-1-21 Z-69-20-6.mxd

Ordinance G-6943

- 6 -



*****REQUEST TO ADD-ON (SEE ATTACHED MEMO)*** Police Department
Unmanned Aircraft System (Drones) (Ordinance S-48363)**

On Feb. 14, 2022, Councilwoman Ann O'Brien, Mayor Kate Gallego and Council members Debra Stark and Jim Waring submitted a memo to City Manager Jeff Barton requesting an Add-On item for the Feb. 16 Formal for the "purchase of drones for the Phoenix Police Department" (**Attachment A**). According to the Rules of Council Proceedings, Rule 2(c), the City Manager will place this item on the Feb. 16, 2022 Formal agenda (**Attachment B**).

Request to authorize the City Manager, or his designee, to allow the Police Department to create and deploy a small Unmanned Aerial System (sUAS)/Unmanned Aircraft System (UAS) "drone" program, including the purchase of drones from an approved vendor, using a cooperative agreement as necessary. This equipment, which is critical for the safety of department personnel, will be used during high-risk tactical incidents to conduct highly detailed and complex investigations and support major planned/unplanned events. Further request to authorize the City Controller to disburse all funds related to this item. The cost for this purchase shall not exceed \$516,400.

Summary

The City of Phoenix presented a phased UAS ("drone") program to the Public Safety and Justice subcommittee in January 2022 where the first phase of the program was approved, authorizing the Fire Department to implement a drone program. The Police Department was included in phase three of the program at that time, which was not yet approved. This action would effectively include the Police Department in phase one, authorizing the Police Department to implement a drone program.

Over 1,500 public safety agencies across the country utilize sUAS technology and 1,103 of those agencies are law enforcement. At least 36 agencies in Arizona have implemented sUAS technology in support of their respective public safety missions.

The Phoenix Police Department has identified several specific work units within the department where the use of sUAS technology will have the greatest impact and opportunity for success. These work units have been identified below.

The Tactical Support Unit will utilize this technology during high-risk tactical incidents, where on-scene intelligence is crucial to the safety of department personnel. The ability to deploy sUAS to gather aerial intelligence or determine a suspect's location significantly reduces risk and exposure of a tactical operator having to be placed in harm's way to collect similar intelligence.

Application of this technology also improves suspect safety as it provides visual capabilities allowing tactical operators to communicate with the suspect prior to contact, minimizing direct confrontation during high-risk, high-stress encounters. Direct communication can be used to provide specific instructions to the suspect and to facilitate de-escalation efforts and hazard avoidance.

The Violent Crimes Bureau (Homicide Unit), Vehicular Crimes Unit, and the Laboratory Services Bureau will utilize this technology to enable investigators to conduct high definition photography, videography, and crime scene mapping; increasing efficiency and accuracy in evidence collection and crime scene management. Application of sUAS technology will enable investigators to conduct crime scene mapping in most cases in about 8-10 minutes, with larger more complex scenes taking approximately 25 minutes based on individual crime scene dynamics. This represents a time savings of approximately 40-60 percent as compared to the current conventional methodology.

The Homeland Defense Bureau will deploy this technology as a real-time aerial platform in support of major planned/unplanned events or significant incidents. The use of sUAS will provide department leadership information to make more effective operational decisions involving the deployment of department resources and personnel.

The impact of not funding, equates to an increased risk for tactical operators while the lack of real-time intelligence can adversely impact operational decision-making in the field; diminishes the command and controlled decision-making for the deployment of resources and personnel during high-profile events; and the ability for the department's Homicide Unit, Vehicular Crimes Unit, and the Laboratory Services Bureau to utilize this technology to provide a wide variety of investigative support tools that adversely impact their ability to conduct aerial photography, videography, crime scene mapping, and reconstruction as a substantial component to crime scene management.

The utilization of sUAS technology by law enforcement for investigative support has become the "gold standard" and is nationally recognized as the institutionalized best practice for conducting these highly detailed and complex investigations. The use of sUAS technology is a significant time saver for detectives on scene and reduces the amount of time spent on scene and impacts the public by shortening road closure

times due to on-scene investigations.

Timeline

Currently the Department has a training lesson plan drafted, and expects to provide pilot training during procurement of the necessary equipment. Prior to use and deployment of the sUAS, standard operating procedures must be drafted and approved, and the department must obtain all relevant and appropriate approvals, in addition to obtaining the required waivers and licensing. It is estimated that the program can be enacted within 3-6 months. The Police Department also has a draft policy, which is currently being reviewed by the legal team, including a contracted privacy law attorney and the Department will provide updates to the City Council or its subcommittee as requested.

Financial Impact

Funding for this program will be built into the FY2021-22 and FY2022-23 general fund budget.

Responsible Department

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



City of Phoenix

OFFICE OF COUNCILWOMAN ANN O'BRIEN

February 14, 2022

Jeff Barton
City Manager
City of Phoenix
200 W. Washington Street, 12th Floor
Phoenix, AZ 85003

Re: February 16 Formal Council Add-On Item –Purchase of Drones for the Phoenix Police Department

City Manager Barton,

In the early morning hours of February 11, our officers were ambushed when responding to a call for service at a two-story home in Southwest Phoenix near 54th Avenue and Broadway. Nine of our police officers were injured but thankfully all of them are recovering.

During this incident, it was determined for the safety of our officers a drone would need to be utilized to neutralize the situation. Currently, Phoenix does not own any drones for use by our Police Department, therefore we had to rely on the grace of our neighbor, the City of Glendale, to provide our department with a drone.

Just last month, the City of Phoenix Public Safety Subcommittee approved the first phase of our drone program, which includes the Fire Department. The Police Department is currently in the third phase of this program and wouldn't be slated to receive drones for another twelve months.

We believe the use of drones for the Police Department needs to be escalated – as the fifth largest city in the country, we need to provide our department with the most up to date technology.

We are requesting the Police Department be approved to purchase drones as soon as possible. We request this item be added to the Wednesday, February 16, 2022 Formal Council Agenda for discussion and vote.

Councilwoman Ann O'Brien
Councilwoman, District 1

Mayor Kate Gallego
Mayor, City of Phoenix

Councilwoman Deb Stark
Councilwoman, District 3

Councilman Jim Waring
Councilman, District 2



City of Phoenix

To: Lori Bays
Assistant City Manager

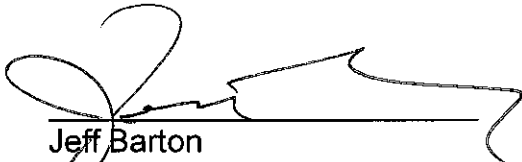
Date: February 14, 2022

From: Jeff Barton
City Manager

Subject: FEBRUARY 16, 2022 FORMAL COUNCIL ADD-ON ITEM – PURCHASE OF DRONES FOR THE PHOENIX POLICE DEPARTMENT

In response to the four-person memo from Councilwoman Ann O'Brien, Mayor Kate Gallego, Councilwoman Debra Stark and Councilman Jim Waring dated February 14, 2022 requesting an Add-On Item – Purchase of Drones for the Phoenix Police Department on the February 16, 2022 Formal Agenda, please prepare a staff report in response to the memo.

Please include the Police Department's research on small Unmanned Aerial Systems (Drones), use, related costs and timeline. Thank you.



Jeff Barton
City Manager