

PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor
Thelda Williams

Vice Mayor
District 2
Jim Waring

District 1
Thelda Williams

District 3
Debra Stark

District 4
Laura Pastor

District 5
Vania Guevara

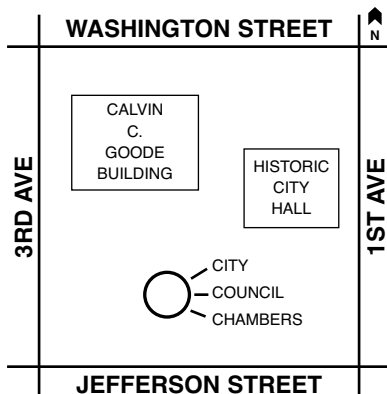
District 6
Sal DiCiccio

District 7
Michael Nowakowski

District 8
Felicita Mendoza

*Online agendas and
results available at
www.phoenix.gov*

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



WELCOME!

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

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

FORMAL CITY COUNCIL MEETINGS

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

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

HOW CITIZENS CAN PARTICIPATE

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

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

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

REGISTERED LOBBYISTS

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

ACCESSIBILITY

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

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

City of Phoenix Council members and district boundaries



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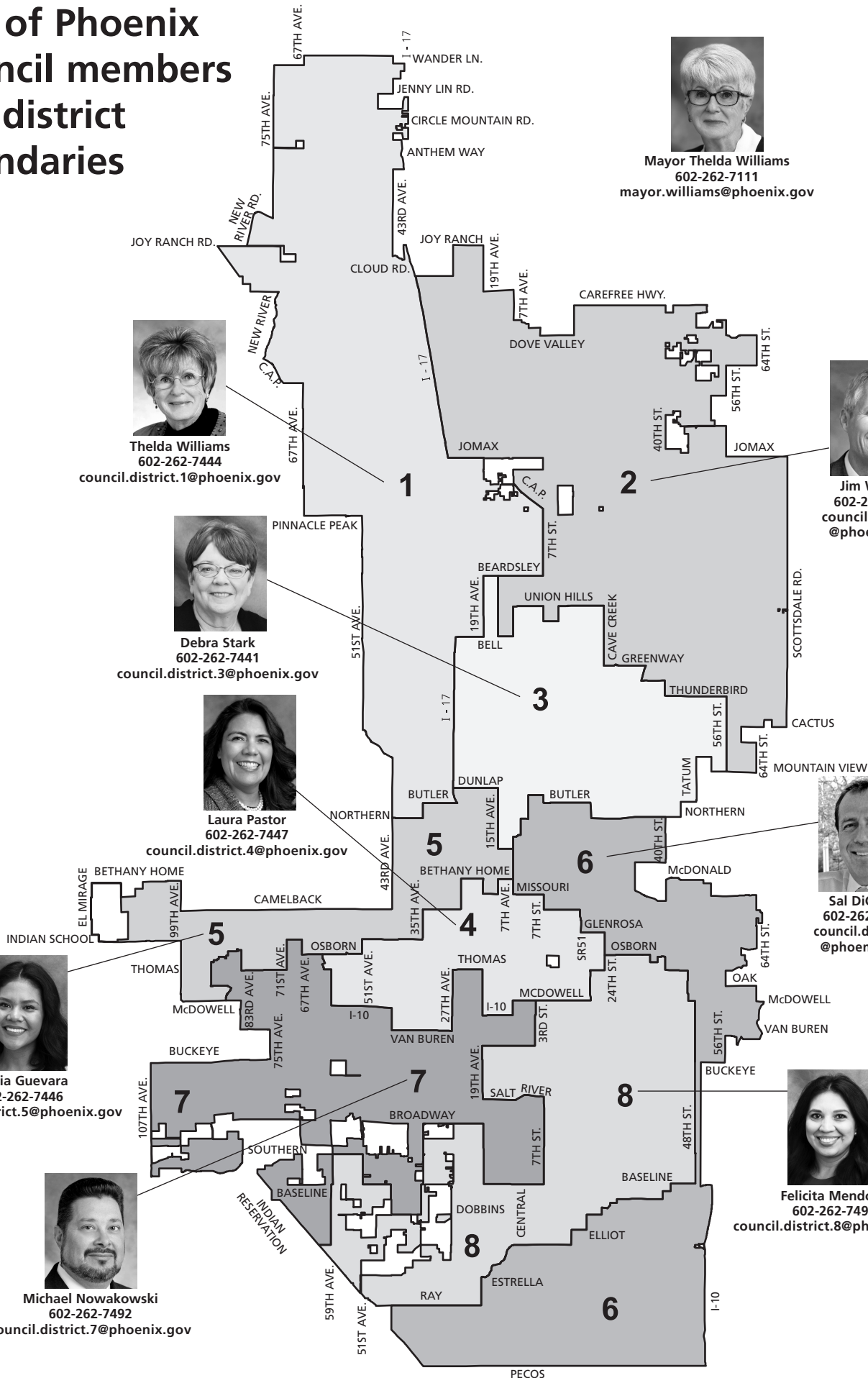
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Agenda City Council Formal Meeting

Wednesday, March 6, 2019

2:30 PM

phoenix.gov

*****REVISED March 5, 2019*****

Items Revised: 1, 48, 59; Item Requested to be Withdrawn: 29; Items Added: 60, 61

CALL TO ORDER AND ROLL CALL

CITIZEN COMMENTS

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

ADJOURN



City of Phoenix

City Council Formal Meeting

City Council Report

Agenda Date: 3/6/2019, Item No. *1

*****REVISED ITEM (SEE ATTACHMENT)*** 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 **Date:** March 6, 2019
From: Thelda Williams
Mayor
Subject: REVISED* FOR ADD-ON BOARDS AND COMMISSIONS – APPOINTEES

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

Census Complete Count Committee

I recommend the following individuals for appointment:

Education

David Lujan, Director, Arizona Center for Economic Progress

Francisco Avalos, Director of Engagement, Valley of the Sun United Way

Communities of Faith

Ignacio Rodriguez, Assistant Director, Ethnic Ministries at the Diocese of Phoenix

***Central City Village Planning Committee**

Councilwoman Felicita Mendoza recommends the following individuals for appointment:

Lauren Booth

Ms. Booth is the Manager of Bunky Boutique and a resident of District 4. She fills a vacancy on the board and will serve a term to expire November 19, 2020.

Nate Sonoskey

Mr. Sonoskey is a Development Manager and Architect at True North Studio and a resident of District 6. He fills a vacancy on the board and will serve a term to expire November 19, 2020.

Civil Service Board

I recommend the following individual for reappointment:

Bruce Meyerson

Mr. Meyerson is an attorney and the owner of Bruce Meyerson PLLC. He will serve his third term to expire April 30, 2021.

***Estrella Village Planning Committee**

Councilman Nowakowski recommends the following individuals for reappointment:

Bill Barquin

Mr. Barquin is the General Sales Manager at Radio Campesina and a resident of District 7. He is serving his sixth term to expire November 19, 2019.

Daniel Rush

Mr. Rush is the CEO of Rush Auto Recyclers, Inc. and a resident of District 7. He is serving his third term to expire November 19, 2019.

Fast-Track Cities Ad Hoc Committee

I recommend the following individuals for appointment:

Debbie Rubenstrunk

Ms. Rubenstrunk is the Executive Director of the International Alliance for the Prevention of AIDS and is a resident of Mesa. She will serve her first term to expire January 18, 2020.

Wendy Wolfensteig

Ms. Wolfensteig is the Director of the Office of Evaluation & Partner Contracts in the Arizona State University Southwest Interdisciplinary Research Center and is a resident of Tempe. She will serve her first term to expire January 18, 2020.

Mayor's Human Trafficking Task Force

I recommend the following individual for appointment:

Alicia Shields

Ms. Shields is the Chief Nursing Officer at the Fort Defiance Indian Hospital Board. She fills a vacancy on the task force and will serve her first term to expire March 6, 2025.

Parks and Recreation Board

I recommend the following individual for reappointment:

Sarah Porter

Ms. Porter is the Director of the Kyl Center for Water Policy at Arizona State University. She currently serves as the board's Chair and will serve her second term to expire April 4, 2024.

***South Mountain Village Planning Committee**

I recommend the following individual for appointment:

Matthew Aguilar

Mr. Aguilar is an Account Representative for State Farm and a resident of District 7. He fills a vacancy created by the resignation of Kenneth Mims and will serve a partial term to expire November 19, 2019.

Councilman Michael Nowakowski recommends the following individual for reappointment:

Martin Hayime Monge Kotake

Mr. Kotake is the Project Manager at Dumac LLC. He is a resident of District 8 and is serving his second term to expire November 19, 2019.

***Water/ Wastewater Rate Advisory Committee**

I recommend the following individual for appointment:

Henrietta Andersson

Ms. Andersson is an IT Specialist at Phoenix Union High School District and a resident of District 4. She replaces Sandra Fabritz-Whitney on the committee and will serve her first term to expire March 18, 2022.

I recommend the following individual for reappointment:

Wes Harris

Mr. Harris is a resident of District 3 and the Senior Manager at Harris Barrelworks. He will serve his second term to expire March 18, 2022.



Liquor License - Luccicare

Request for a liquor license. Arizona State License Application 48008.

Summary

Applicant

Patrick Frederick, Agent

License Type

Series 12 - Restaurant

Location

4727 E. Bell Road, Ste. 59
Zoning Classification: PSC
Council District: 2

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

The 60-day limit for processing this application is March 18, 2019.

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.

Danky's Bar B Q (Series 12)
4727 E. Bell Road, Ste. 31
Calls for police service: 68
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held a liquor license for another business since 2015."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will accomodate our guests ethically and safely within our restaurant."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Luccicare
Liquor License Map - Luccicare

Responsible Department

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

Liquor License Data: LUCCICARE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	25.68	26.45	52.12
Violent Crimes	4.39	1.83	3.82

*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

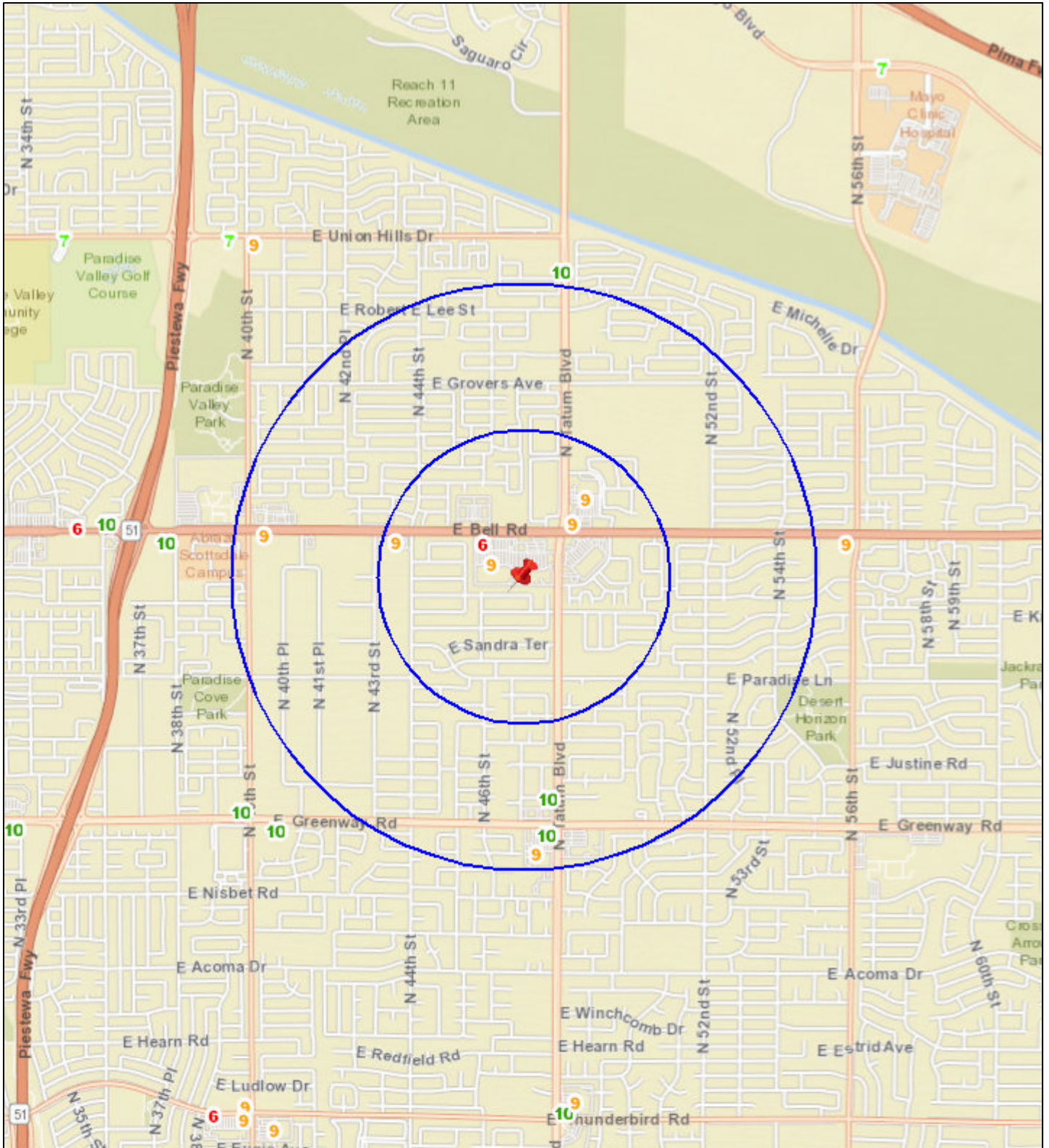
Description	Average	1/2 Mile Average
Parcels w/Violations	69	16
Total Violations	123	18

Census 2010 Data 1/2 Mile Radius

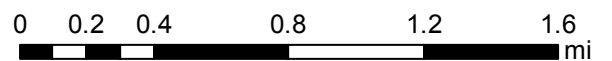
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032151	1421	86 %	0 %	2 %
1032152	1418	91 %	18 %	4 %
1032163	1647	68 %	5 %	2 %
1032164	996	57 %	0 %	0 %
6198001	1043	95 %	8 %	2 %
6198002	1789	5 %	13 %	9 %
6198003	1556	82 %	0 %	5 %
6199002	1589	43 %	4 %	7 %
Average		61 %	13 %	19 %

Liquor License Map: LUCCICARE

4727 E BELL RD



Date: 1/28/2019



City Clerk Department



**Liquor License - Special Event - Combat Veterans Motorcycle Association
Chapter 32-5**

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

Summary

Applicant

Michael Phillips

Location

12001 N. Cave Creek Road
Council District: 3

Function

Live Music Performance

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

March 24, 2019 - 11 a.m. to 3 p.m. / 174 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Ginza Sushi Fusion Cuisine

Request for a liquor license. Arizona State License Application 47301.

Summary

Applicant

Maggie Liao, Agent

License Type

Series 12 - Restaurant

Location

13216 N. 7th St., Ste. B2
Zoning Classification: PSC
Council District: 3

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 March 8, 2019.

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.

Sushi J (Series 12)
4320 N. Miller Road, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I have substantial experience in the restaurant business having worked over the last 14 years at various including work in the kitchen, as server, a hostess, manager, and as an owner for last 5 years at a restaurant in Scottsdale, AZ called Sushi J. I am currently the agent series 12 license for Sushi J. I believe I have demonstrated my capability, reliability and qualification."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The issuance of this liquor license will be important for the establishment of a new small business in the north central Phoenix community and will also create new jobs. The issuance of this license will serve the public convenience and the best interest of the community and provide diversity in ownership and in the type of business in the community."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Ginza Sushi Fusion Cuisine
Liquor License Map - Ginza Sushi Fusion Cuisine

Responsible Department

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

Liquor License Data: GINZA SUSHI FUSION CUISINE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	25.68	13.77	30.89
Violent Crimes	4.39	0.90	2.33

*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

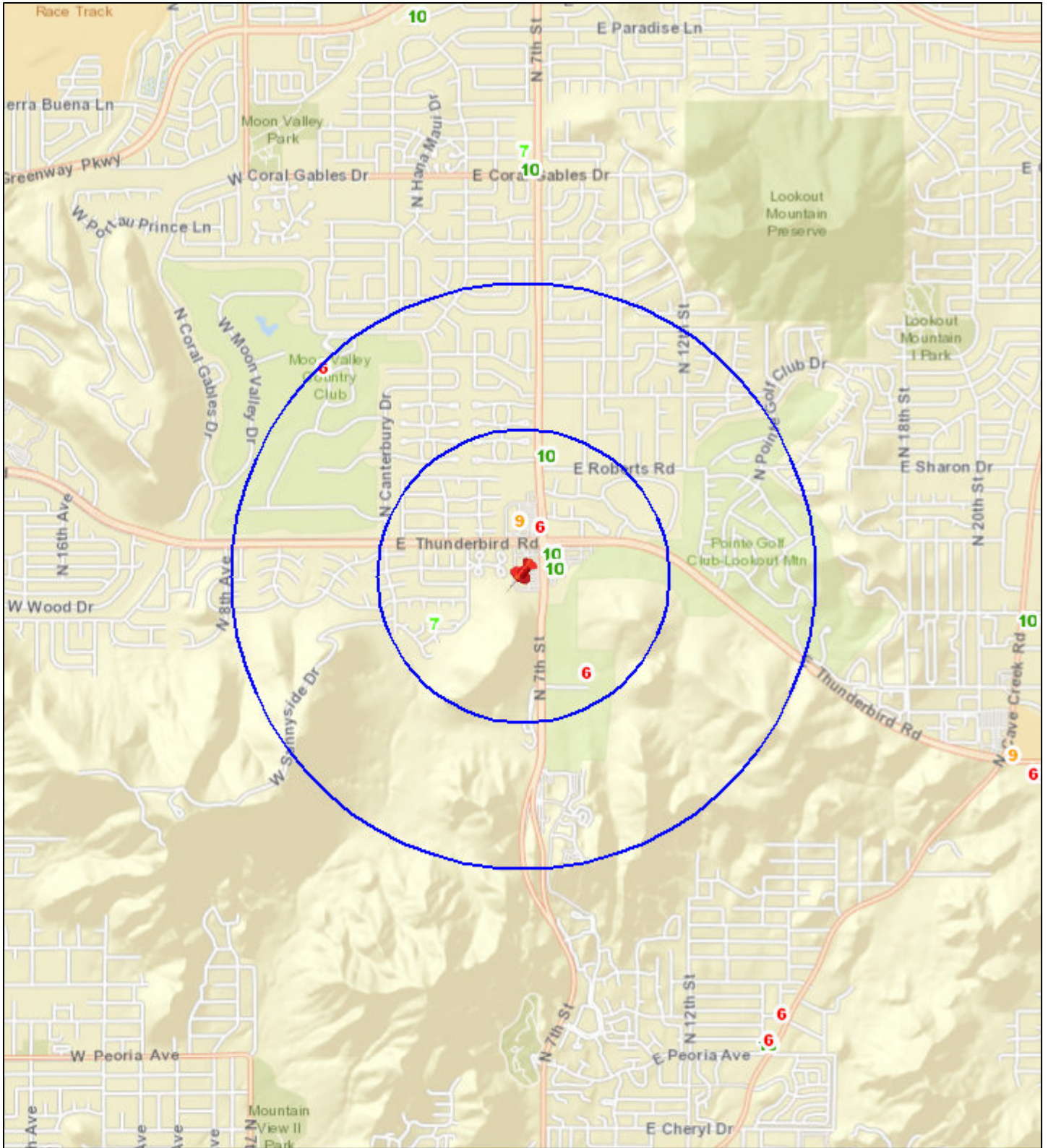
Description	Average	1/2 Mile Average
Parcels w/Violations	70	8
Total Violations	124	16

Census 2010 Data 1/2 Mile Radius

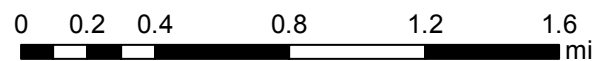
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036052	2124	92 %	0 %	3 %
1036053	797	92 %	20 %	1 %
1036113	2247	95 %	0 %	1 %
1036142	1037	91 %	4 %	2 %
1036151	906	52 %	16 %	12 %
1037012	1871	58 %	17 %	5 %
1037023	1050	23 %	4 %	11 %
Average		61 %	13 %	19 %

Liquor License Map: GINZA SUSHI FUSION CUISINE

13216 N 7TH ST



Date: 1/17/2019



City Clerk Department



Liquor License - Special Event - Friends of Encanto Park

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

Summary

Applicant

Kelly Larabee Morlan

Location

2605 N. 15th Ave.

Council District: 4

Function

Street Fair

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

March 24, 2019 - 10 a.m. to 4 p.m. / 2,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - In Perfetto

Request for a liquor license. Arizona State License Application 47986.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

1616 N. Central Ave., Ste. 103
Zoning Classification: DTC - DG
Council District: 4

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

The 60-day limit for processing this application is March 17, 2019.

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.

Forno 301 (Series 12)
1616 N. Central Ave., Ste. 104, Phoenix
Calls for police service: 88
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:
"Applicant is an experienced licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"From the owner of Forno 301, In Perfetto is a casual neighborhood restaurant featuring rustic breads, salads, sandwiches and gelato. Applicant would like to offer alcohol beverages as an incident to the meals enjoyed by guests 21 and over."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - In Perfetto
Liquor License Map - In Perfetto

Responsible Department

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

Liquor License Data: IN PERFETTO

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Government	5	4	3
Bar	6	12	3
Beer and Wine Bar	7	12	4
Liquor Store	9	2	2
Beer and Wine Store	10	9	0
Hotel	11	2	1
Restaurant	12	62	15
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	25.68	79.19	105.83
Violent Crimes	4.39	15.71	21.12

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

Property Violation Data

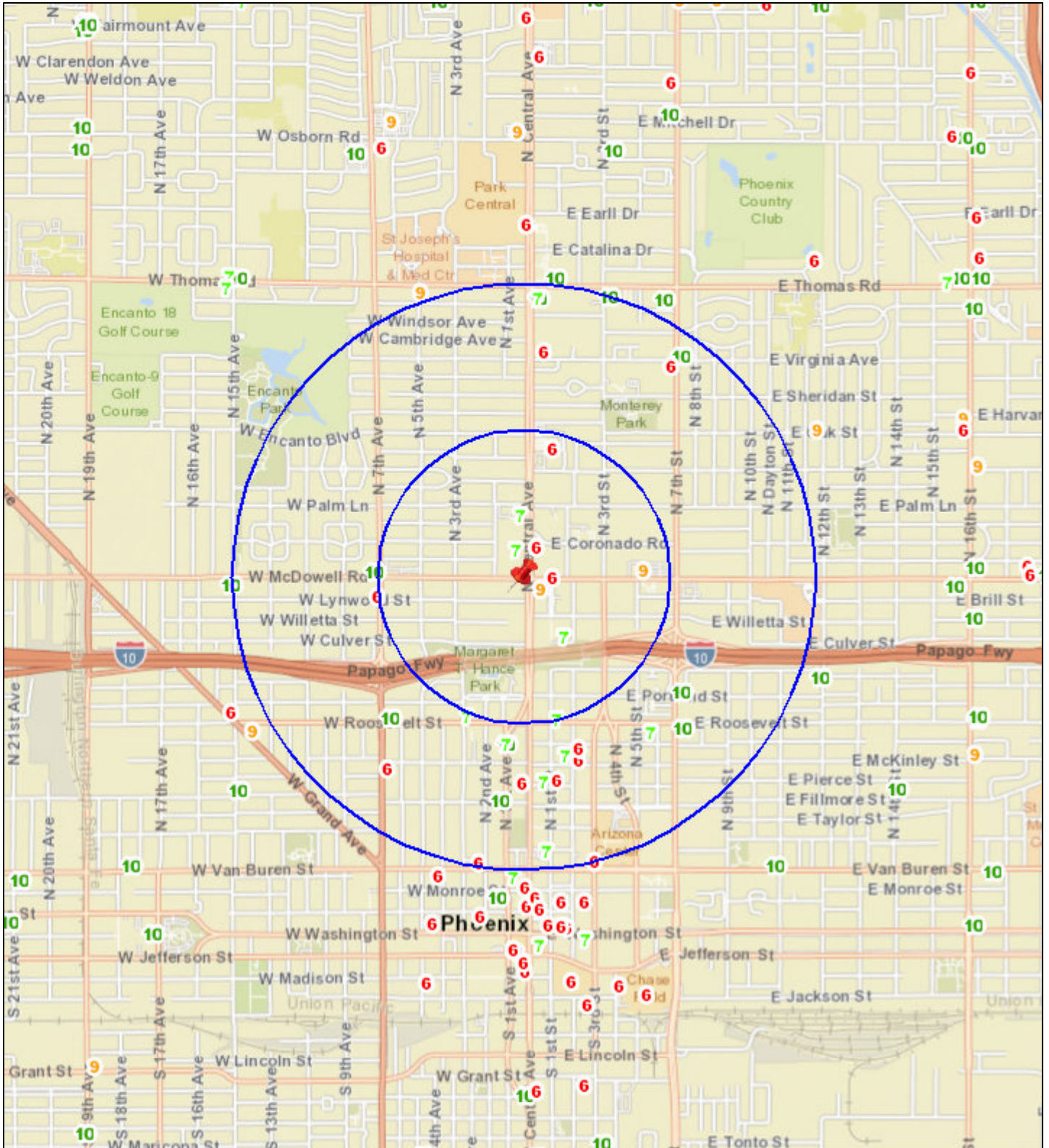
Description	Average	1/2 Mile Average
Parcels w/Violations	70	41
Total Violations	123	70

Census 2010 Data 1/2 Mile Radius

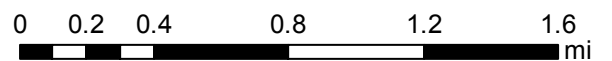
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1118003	996	65 %	15 %	4 %
1118004	671	62 %	6 %	6 %
1119002	899	68 %	5 %	9 %
1129001	1670	70 %	4 %	19 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
Average		61 %	13 %	19 %

Liquor License Map: IN PERFETTO

1616 N CENTRAL AVE



Date: 1/23/2019



City Clerk Department



Liquor License - Persepshen

Request for a liquor license. Arizona State License Application 47598.

Summary

Applicant

Jason Dwight, Agent

License Type

Series 12 - Restaurant

Location

4700 N. Central Ave., Ste. 122
Zoning Classification: C-2 TOD-1
Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business has plans to open in April 2019.

The 60-day limit for processing this application is March 11, 2019.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have worked twenty-five years in the industry to get to this point. I am a husband and father of two, looking to support our family with the success of our restaurant."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will provide a restaurant focused on local, organic, sustainability. Educating families on the ability to utilize all that our Desert has to offer. Striving to build community through food. Complemented by local beer & wine & delicious craft cocktails."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Persepshen

Liquor License Map - Persepshen

Responsible Department

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

Liquor License Data: PERSEPSHEN

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	2
Bar	6	16	2
Beer and Wine Bar	7	11	8
Liquor Store	9	6	2
Beer and Wine Store	10	12	1
Restaurant	12	40	18

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	25.68	81.07	63.05
Violent Crimes	4.39	14.59	10.08

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

Property Violation Data

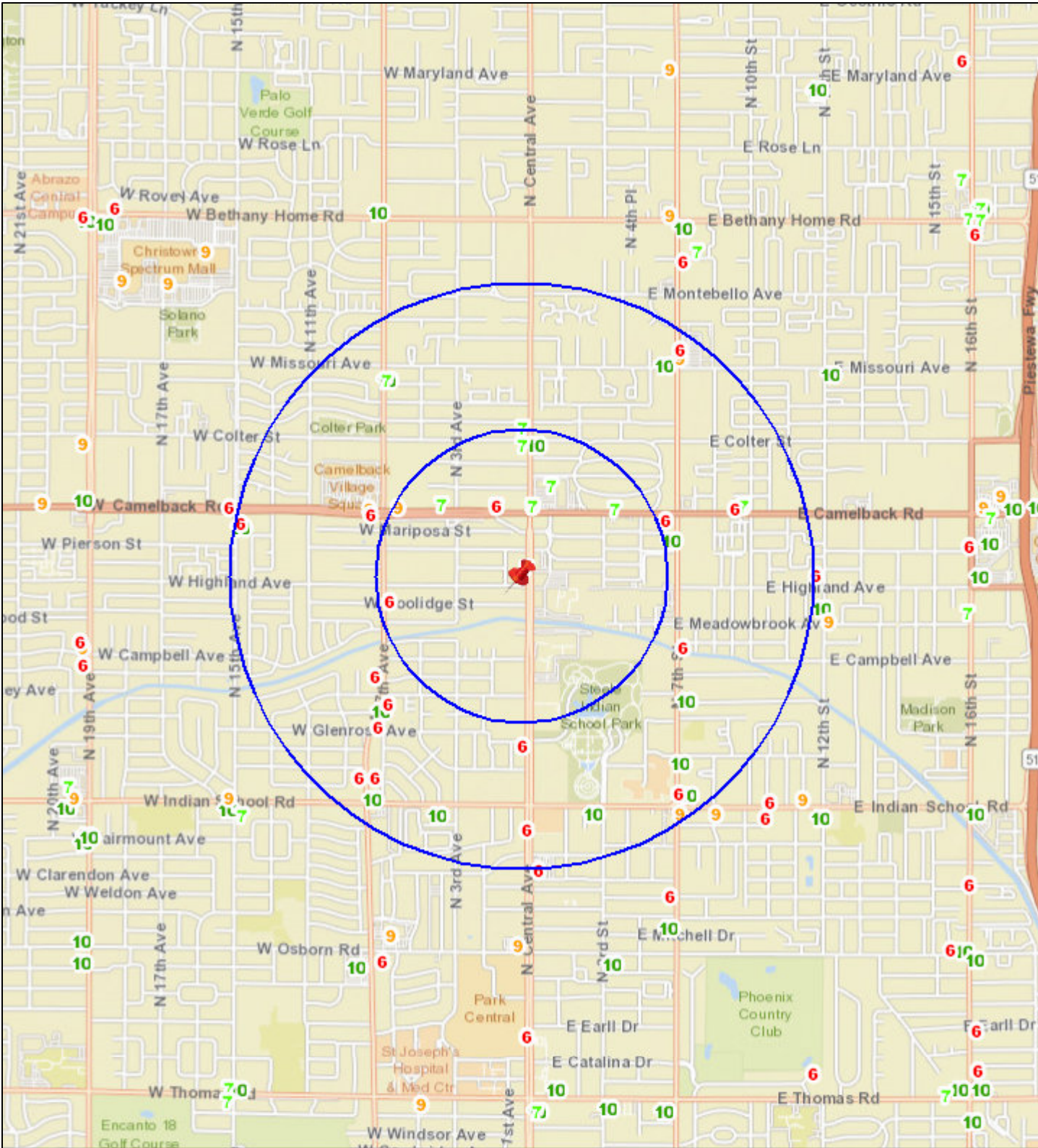
Description	Average	1/2 Mile Average
Parcels w/Violations	70	48
Total Violations	125	99

Census 2010 Data 1/2 Mile Radius

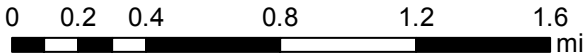
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1075001	758	80 %	2 %	3 %
1075003	1599	46 %	15 %	14 %
1088021	1456	23 %	32 %	31 %
1088022	435	43 %	41 %	19 %
1089023	1072	28 %	3 %	47 %
1089024	1278	46 %	9 %	21 %
1171001	2126	10 %	15 %	10 %
1171002	703	57 %	27 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: PERSEPSHEN

4700 N CENTRAL AVE



Date: 2/21/2019





Liquor License - Special Event - Fallen Heroes Wreath Program, Inc.

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

Summary

Applicant

Erin Morgan

Location

906 E. Camelback Road
Council District: 6

Function

Cultural Celebration

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

March 17, 2019 - 8 a.m. to 2 a.m. / 1,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Maggie's Place, Inc.

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

Summary

Applicant

Linda Torkelson

Location

4001 N. 30th St.
Council District: 6

Function

Dinner

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

April 6, 2019 - 6 p.m. to 11 p.m. / 150 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Phoenix Youth Ballet Theatre

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

Summary

Applicant

Samantha Gobeille

Location

5601 N. 16th St.
Council District: 6

Function

Ballet Performance/Dinner/Award Ceremony

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

March 16, 2019 - 7 p.m. to 11 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - St. Theresa Roman Catholic Parish Phoenix

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

Summary

Applicant

Omar Alvarez

Location

5001 E. Thomas Road
Council District: 6

Function

Musical Theater Performance

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

March 21, 2019 - 6 p.m. to 9 p.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - St. Theresa Roman Catholic Parish Phoenix

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

Summary

Applicant

Omar Alvarez

Location

5001 E. Thomas Road
Council District: 6

Function

Musical Theater Performance

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

March 23, 2019 - 6 p.m. to 9 p.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Tocaya Organica

Request for a liquor license. Arizona State License Application 48206.

Summary

Applicant

Sean Hennick, Agent

License Type

Series 12 - Restaurant

Location

2525 E. Camelback Road, Ste. 115
Zoning Classification: C-2 H-R CEPCSP
Council District: 6

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

The 60-day limit for processing this application is March 19, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "Tocaya Biltmore LLC is part of a larger restaurant organization with multiple locations in the state of CA and Az. This location in Phoenix will be the second location in Arizona. As a licensee, we take the sale and consumption of alcohol very seriously, our staff under go extensive in house training along with the state required alcohol awareness training. At all times the restaurant is open there will be a full menu of healthy organic meal options. Alcohol is secondary to the sale and consumption of food."

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

"This is a fast casual-service restaurant serving the surrounding community and visiting public 7 days a week. The restaurant will prove to be extremely desirable to the public by offering fresh organic Mexican food at a reasonable prices with alcohol sales as an ancillary option. The hours of operation are modest and will not disturb the quite peacefully enjoyment of the community."

Staff Recommendation

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

Attachments

Liquor License Data - Tocaya Organica
Liquor License Map - Tocaya Organica

Responsible Department

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

Liquor License Data: TOCAYA ORGANICA

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	2
Beer and Wine Bar	7	3	1
Liquor Store	9	3	0
Beer and Wine Store	10	6	0
Hotel	11	2	1
Restaurant	12	41	15

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	25.68	53.02	50.53
Violent Crimes	4.39	3.74	4.45

*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

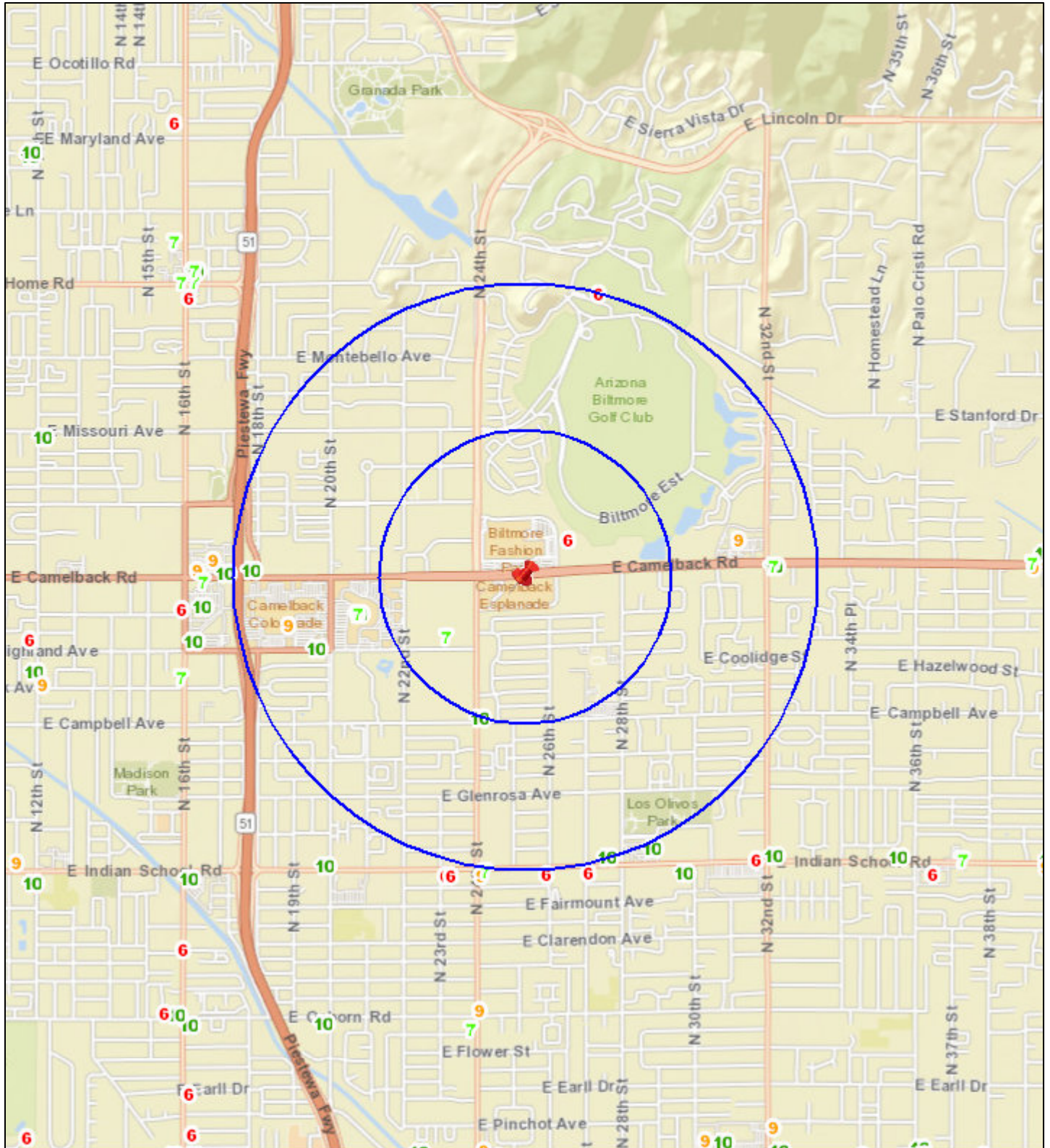
Description	Average	1/2 Mile Average
Parcels w/Violations	70	32
Total Violations	123	51

Census 2010 Data 1/2 Mile Radius

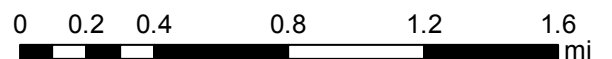
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1077002	738	57 %	10 %	8 %
1078002	1477	63 %	28 %	5 %
1084003	1071	34 %	8 %	40 %
1084004	1641	65 %	7 %	19 %
1084005	422	16 %	37 %	13 %
1085022	732	23 %	28 %	12 %
1085024	549	43 %	31 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: TOCAYA ORGANICA

2525 E CAMELBACK RD



Date: 1/25/2019





Liquor License - Dos Gordos Grill

Request for a liquor license. Arizona State License Application 47742.

Summary

Applicant

Linda Sanchez, Agent

License Type

Series 12 - Restaurant

Location

3552 W. Baseline Road, Ste. 144

Zoning Classification: C-2

Council District: 7

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

The 60-day limit for processing this application is March 15, 2019.

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.

Cilantro's Mexican Cocina (Series 12)
20928 N. John Wayne Pkwy. #C-8, Maricopa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have worked in the Food Business for over 15 years, I also own another Restaurant for over 5 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Will be allowed to hire and create jobs in the community."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Dos Gordos Grill
Liquor License Map - Dos Gordos Grill

Responsible Department

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

Liquor License Data: DOS GORDOS GRILL

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	25.68	44.53	37.89
Violent Crimes	4.39	5.28	7.64

*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

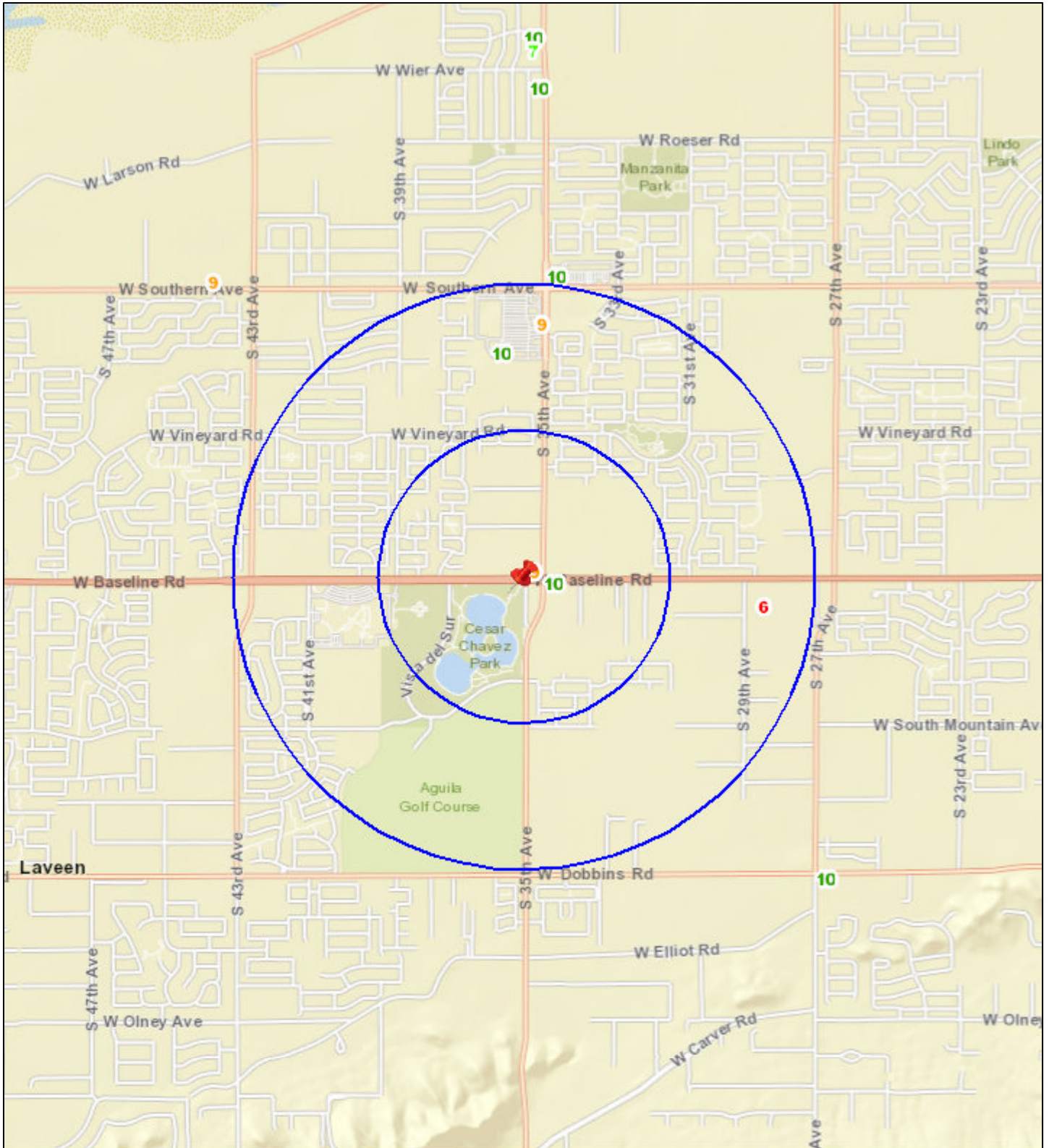
Description	Average	1/2 Mile Average
Parcels w/Violations	70	44
Total Violations	124	53

Census 2010 Data 1/2 Mile Radius

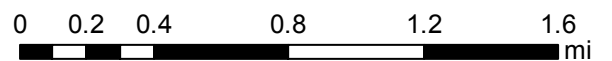
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1166062	1890	72 %	7 %	27 %
1166063	2092	67 %	0 %	29 %
1166102	2562	77 %	5 %	19 %
1166121	2293	90 %	9 %	4 %
1166123	1051	98 %	0 %	17 %
Average		61 %	13 %	19 %

Liquor License Map: DOS GORDOS GRILL

3552 W BASELINE RD



Date: 1/17/2019



City Clerk Department



Liquor License - Friends Grill & Cocktails

Request for a liquor license. Arizona State License Application 47743.

Summary

Applicant

Rhonda Jaynes, Agent

License Type

Series 12 - Restaurant

Location

101 N. 1st Ave., Ste. 160

Zoning Classification: DTC - BC

Council District: 7

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

The 60-day limit for processing this application is March 15, 2019.

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 law abiding citizen of Maricopa County. I have an outstanding record and would like to provide quality service to the City of Phoenix, through our food and cocktails."

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

"Our high quality of food and cocktails will be an asset to the surround areas. Corporate Phoenix and Events will be delighted."

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 - Friends Grill & Cocktails

Liquor License Map - Friends Grill & Cocktails

Responsible Department

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

Liquor License Data: FRIENDS GRILL & COCKTAILS

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	1
Wholesaler	4	1	0
Government	5	8	3
Bar	6	31	25
Beer and Wine Bar	7	12	5
Liquor Store	9	1	1
Beer and Wine Store	10	11	2
Hotel	11	5	4
Restaurant	12	82	46
Club	14	3	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	25.68	74.89	108.06
Violent Crimes	4.39	23.35	29.51

*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

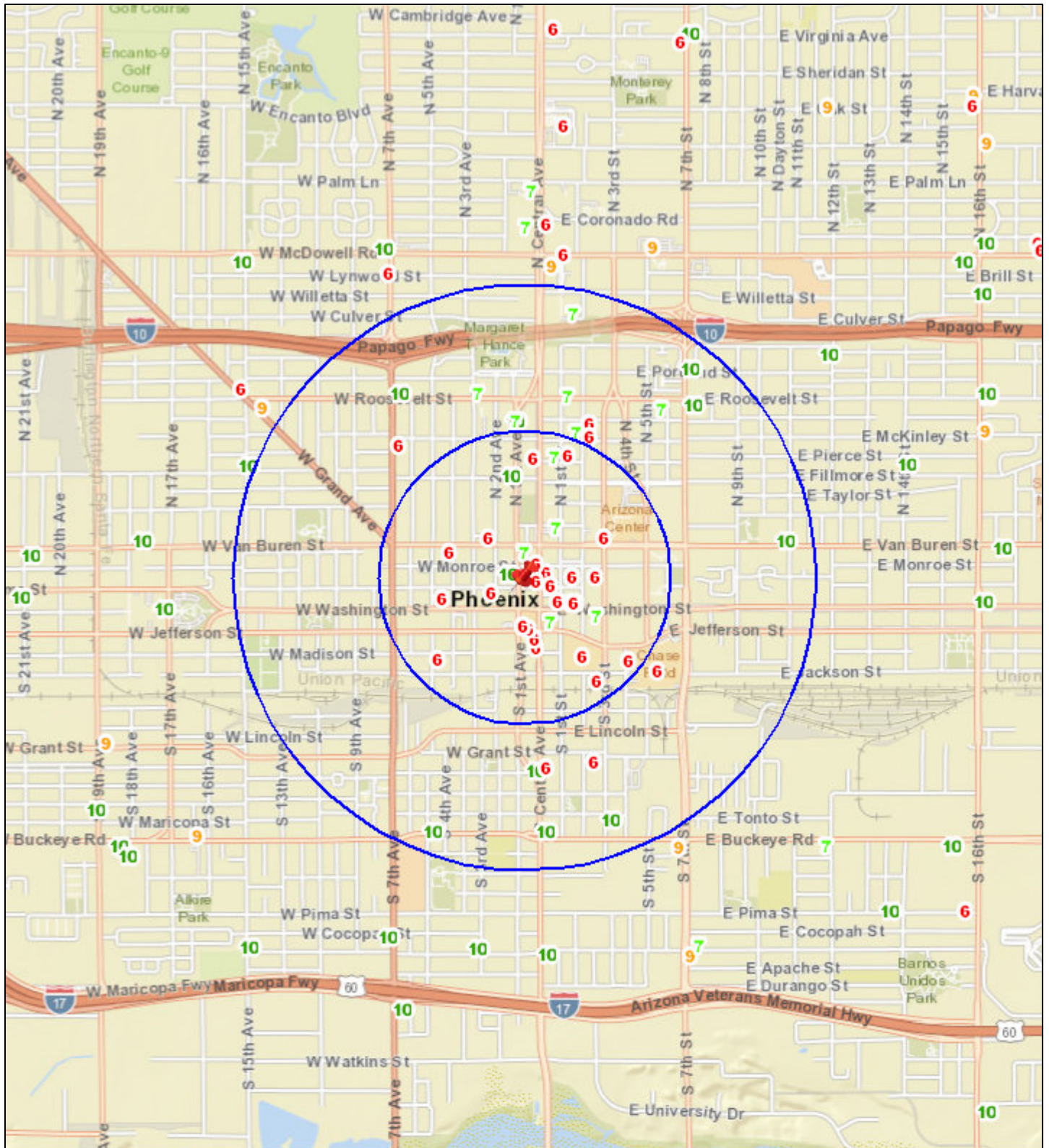
Description	Average	1/2 Mile Average
Parcels w/Violations	69	33
Total Violations	123	66

Census 2010 Data 1/2 Mile Radius

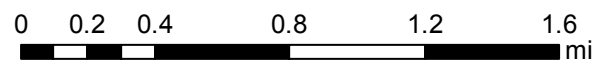
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

Liquor License Map: FRIENDS GRILL & COCKTAILS

101 N 1ST AVE



Date: 1/28/2019





Liquor License - Special Event - Artist Relief Fund, Inc.

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

Summary

Applicant

Sasha Vincett

Location

2835 E. Washington St.
Council District: 8

Function

Ballet Performance/Reception

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

March 30, 2019 - 6 p.m. to 11:30 p.m. / 350 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Forty Eight Foundation

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

Summary

Applicant

Sean McBath

Location

401 S. 1st Ave.

Council District: 8

Function

Dance

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

April 5, 2019 - 7 p.m. to 1 a.m. / 1,000 attendees

April 6, 2019 - 7 p.m. to 1 a.m. / 1,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Carniceria Del Pacifico

Request for a liquor license. Arizona State License Application 10076628.

Summary

Applicant

Jorge Felix, Agent

License Type

Series 10 - Beer and Wine Store

Location

2911 N. 36th St.

Zoning Classification: C-2

Council District: 8

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

The 60-day limit for processing this application is March 11, 2019.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I am capable to hold a liquor license because I have been working for this business for six years now. I know exactly how this business works and how to handle/run our family owned business. I have the qualifications and the experience to hold a liquor license because in these six years we have not had any liquor violations.”

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - 7-Eleven #25730 D

Request for a liquor license. Arizona State License Application 48014.

Summary

Applicant

Sudershan Kalsi, Agent

License Type

Series 10 - Beer and Wine Store

Location

1601 E. Southern Ave.

Zoning Classification: C-2 BAOD

Council District: 8

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 March 18, 2019.

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.

7-Eleven #26062C (Series 10)
2401 E. McDowell Road, Phoenix
Calls for police service: 49
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 currently the franchisee and responsible operator of a 7-Eleven convenience store. I have been a 7-Eleven franchisee since 2001 and have completed an extensive corporate training program regarding the operation of 7-Eleven stores and have completed basic and management liquor training by an authorized trainer, as required by Arizona 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 a 7-Eleven store for many years. I will operate the store in the same responsible manner as my other store and with the high standards required of 7-Eleven franchisees. I plan to continue to provide quality service to the neighbors of this store, and to the general public which they have enjoyed and have come to rely on for many years."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - 7-Eleven #25730 D
Liquor License Map - 7-Eleven #25730 D

Responsible Department

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

Liquor License Data: 7-ELEVEN #25730D

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	4	2
Beer and Wine Store	10	3	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	25.68	43.78	69.95
Violent Crimes	4.39	9.02	12.84

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

Property Violation Data

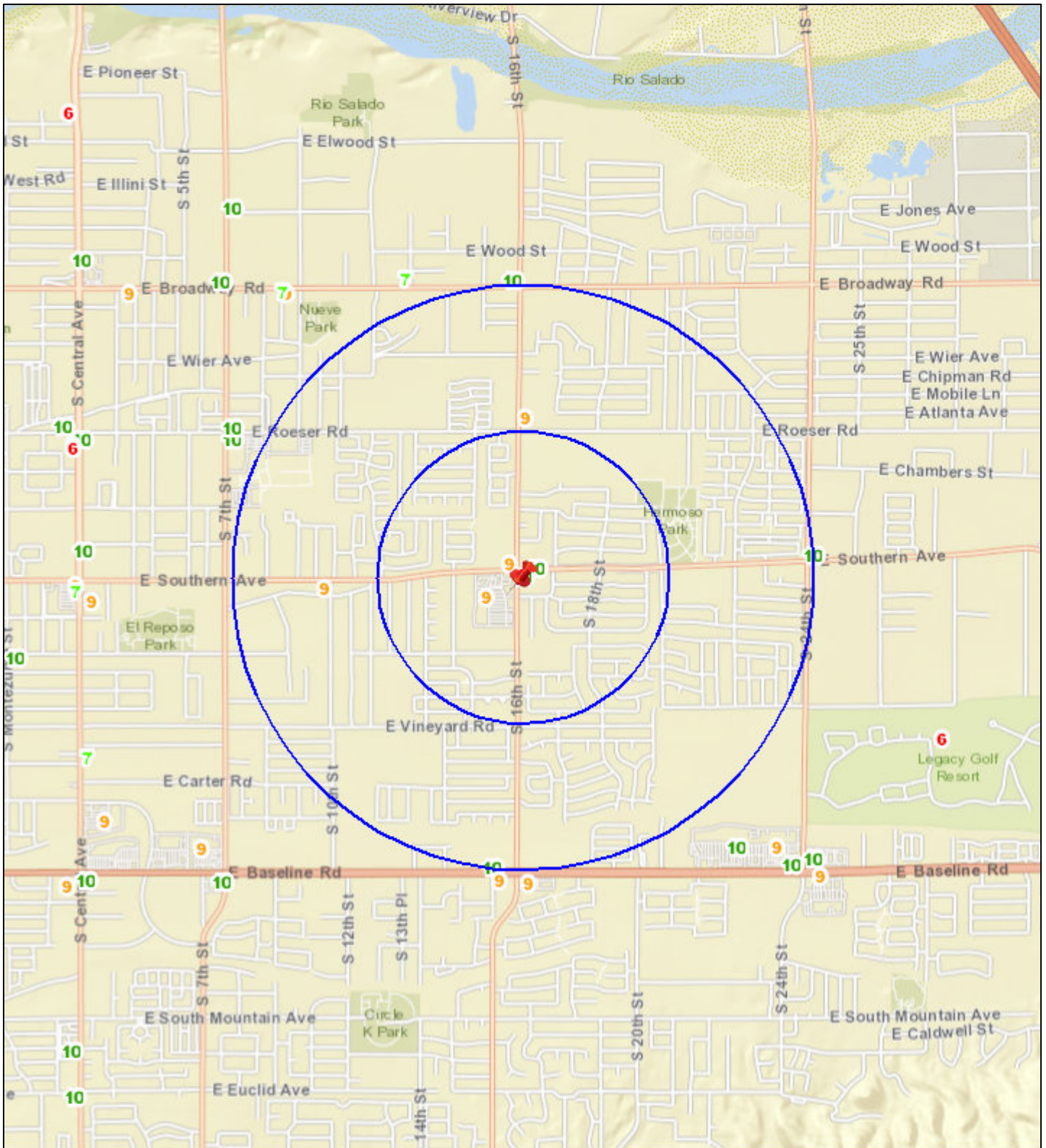
Description	Average	1/2 Mile Average
Parcels w/Violations	70	122
Total Violations	123	207

Census 2010 Data 1/2 Mile Radius

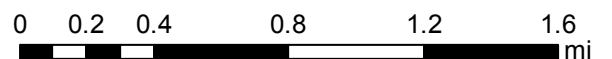
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1159001	1461	63 %	20 %	45 %
1159002	2720	55 %	22 %	30 %
1160002	2674	85 %	19 %	9 %
1160003	1802	54 %	17 %	38 %
1163001	2349	79 %	10 %	54 %
1163002	1956	86 %	12 %	12 %
1164001	1714	63 %	0 %	33 %
Average		61 %	13 %	19 %

Liquor License Map: 7-ELEVEN #25730 D

1601 E SOUTHERN AVE



Date: 1/25/2019



City Clerk Department



Liquor License - Carniceria Azteca

Request for a liquor license. Arizona State License Application 41650.

Summary

Applicant

Rebeckah White, Agent

License Type

Series 10 - Beer and Wine Store

Location

1628 E. Southern Ave.

Zoning Classification: C-2

Council District: 8

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 was Feb. 4, 2019. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Carniceria Azteca (Series 10)
1628 E. Southern Ave., Phoenix
Calls for police service: 4
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have managed a grocery store with a liquor licenses for over 3 years. During this time I have been trained and attended classes regaedinghe liquor laws of the State of Arizona."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"A liquor license at our store will allow us to prvide a safe family friendly store where families can shop together in a pleasant envornment."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Carniceria Azteca
Liquor License Map - Carniceria Azteca

Responsible Department

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

Liquor License Data: CARNICERIA AZTECA

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	4	2
Beer and Wine Store	10	5	3
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	24.90	44	67.40
Violent Crimes	4.27	9.07	12.31

*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

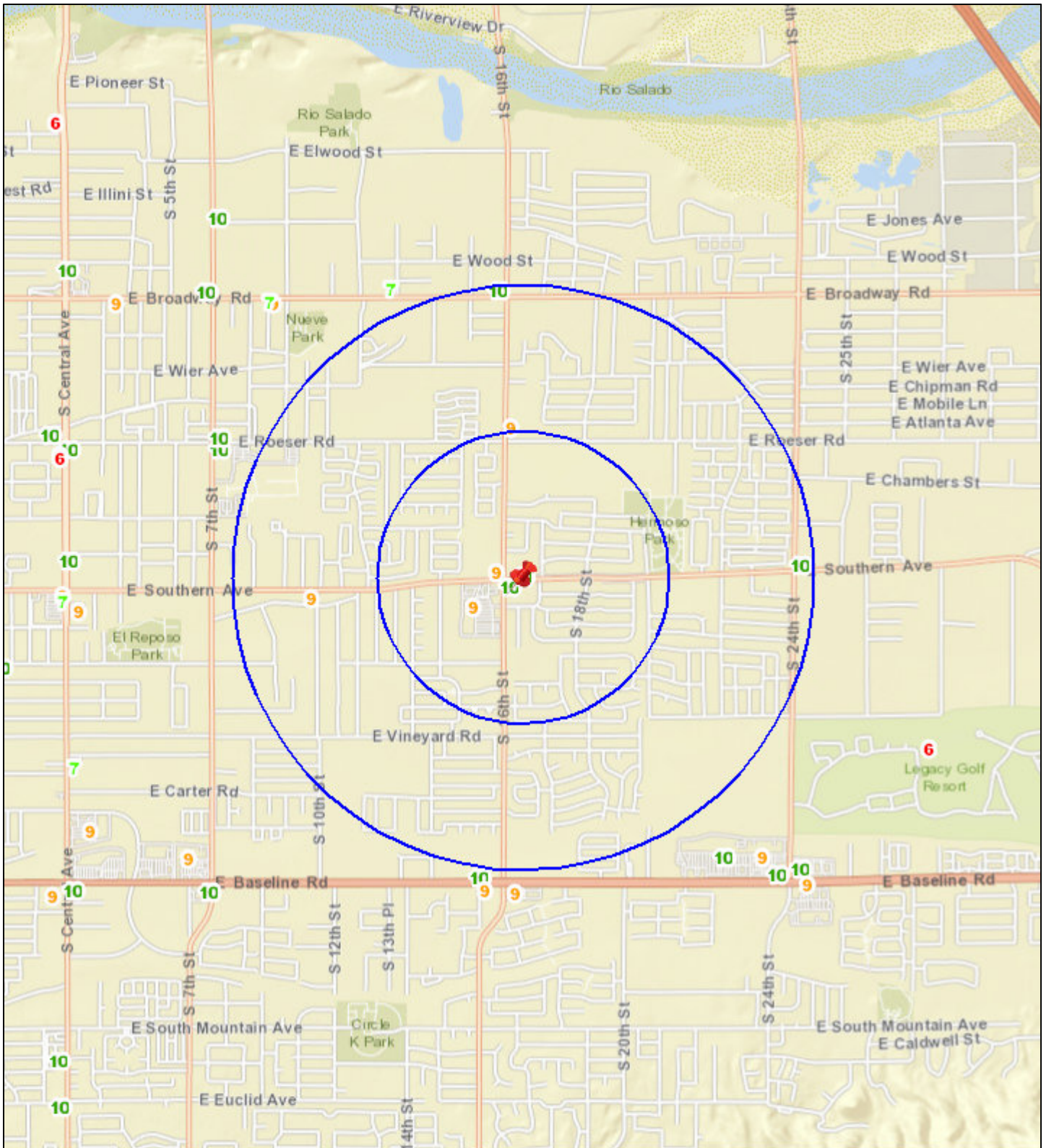
Description	Average	1/2 Mile Average
Parcels w/Violations	69	108
Total Violations	122	192

Census 2010 Data 1/2 Mile Radius

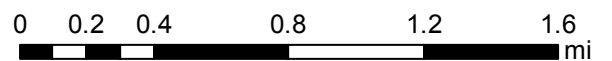
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1159001	1461	63 %	20 %	45 %
1159002	2720	55 %	22 %	30 %
1160002	2674	85 %	19 %	9 %
1160003	1802	54 %	17 %	38 %
1163001	2349	79 %	10 %	54 %
1163002	1956	86 %	12 %	12 %
1164001	1714	63 %	0 %	33 %
Average		61 %	13 %	19 %

Liquor License Map: CARNICERIA AZTECA

1628 E SOUTHERN AVE



Date: 12/14/2018



City Clerk Department



Liquor License - Urban Bricks Pizza

Request for a liquor license. Arizona State License Application 48210.

Summary

Applicant

Anish Patel, Agent

License Type

Series 12 - Restaurant

Location

4750 S. 48th St., Ste. 107

Zoning Classification: C-2

Council District: 8

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in April 2019.

The 60-day limit for processing this application is March 19, 2019.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I have no violations or crimes on my record. From working in corporate America and managing and owning businesses has gave me the experience and has taught me many skills such as managing employees and controlling situations. I believe managing successful businesses with zero violations gives me experience to run a quick service restaurant with a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The community will benefit from having a quick service restaurant serving beer. Also having the spring training facility across the street will allow locals to visit the restaurant during breaks. Also we will hold community fundraisers for local sporting teams, and also ask the community what they would like."

Staff Recommendation

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

Attachments

Liquor License Data - Urban Bricks Pizza

Liquor License Map - Urban Bricks Pizza

Responsible Department

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

Liquor License Data: URBAN BRICKS PIZZA

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	25.68	15.87	22.08
Violent Crimes	4.39	3.23	6.26

*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

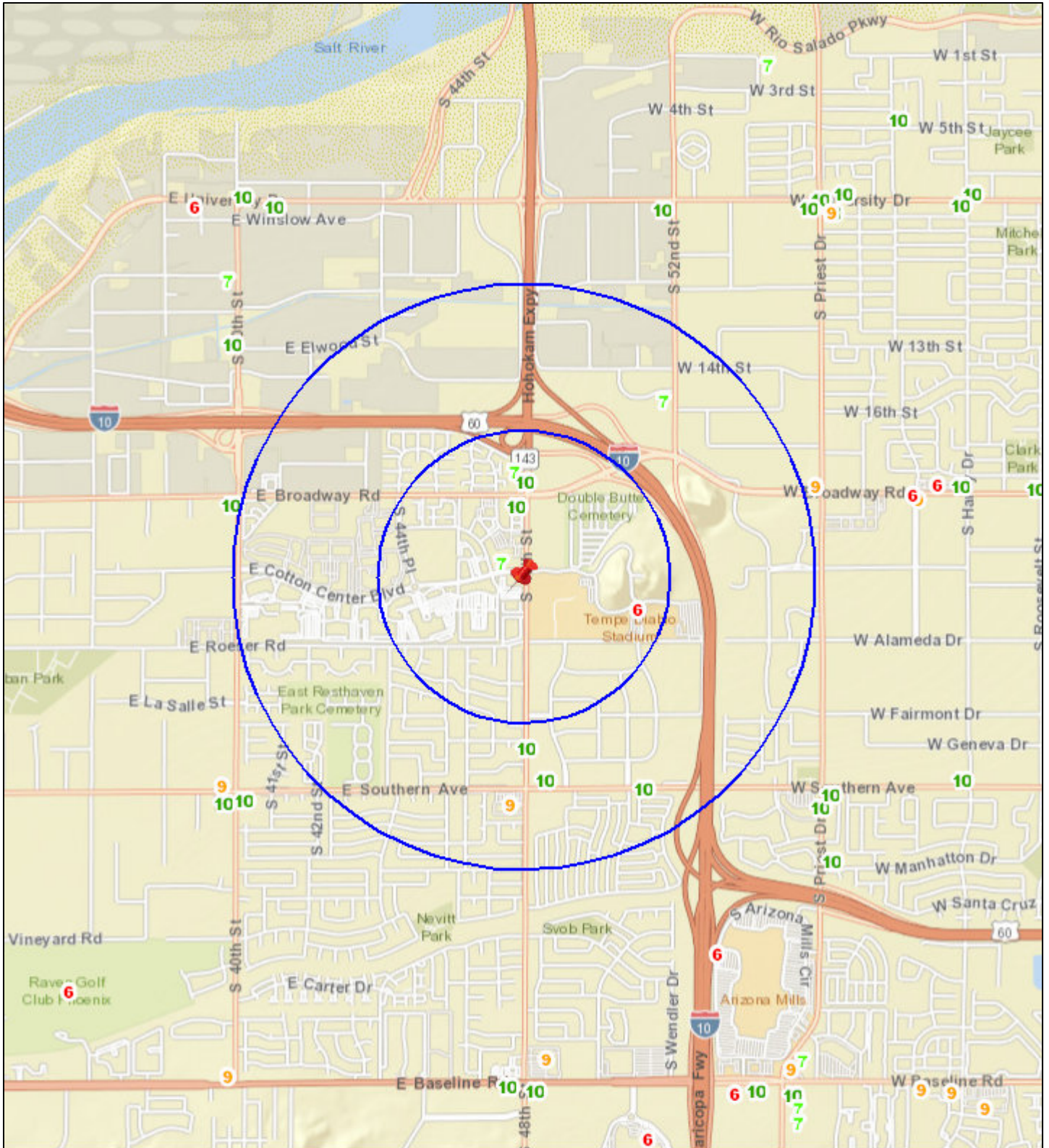
Description	Average	1/2 Mile Average
Parcels w/Violations	69	78
Total Violations	123	106

Census 2010 Data 1/2 Mile Radius

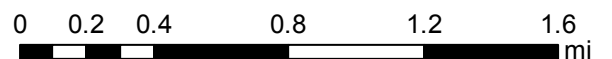
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1152001	1118	13 %	16 %	58 %
1152003	546	8 %	44 %	45 %
1162041	1426	79 %	6 %	24 %
1162042	1819	57 %	0 %	32 %
1162043	535	59 %	24 %	8 %
3197041	1777	42 %	9 %	20 %
Average		61 %	13 %	19 %

Liquor License Map: URBAN BRICKS PIZZA

4750 S 48TH ST



Date: 1/28/2019





PAYMENT ORDINANCE (Ordinance S-45413) (Items 22-27)

Ordinance S-45413 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.

22 Maintenance and Repair of Traffic Controller Devices - Requirements Contract

For \$50,000.00 in payment authority for a new contract, entered on or about March 15, 2019, for a term of five years for maintenance and repair of traffic controller treadle devices for the Parks and Recreation Department. This contract will provide maintenance and repair services, parts and replacement traffic controller treadles at various locations. The Department uses the treadles to secure mountain preserve and trail entrances after hours, as well as to control the flow of traffic at these locations.

23 Settlement of Claim(s) De Palma v. City of Phoenix

To make payment of \$225,000.00 in settlement of claim(s) in *De Palma v. City of Phoenix*, GL, BI, CV2017-056481, 17-0030-001, for the Finance Department pursuant to Phoenix City Code Chapter 42.

24 Settlement of Claim(s) Miller v. City of Phoenix

To make payment of \$315,000.00 in settlement of claim(s) in *Miller v. City of Phoenix*, Maricopa County Superior Court Case CV2016-050597, 15-0436-001, for the Finance Department pursuant to Phoenix City Code Chapter 42.

25 Settlement of Claim(s) Copeland v. City of Phoenix

To make payment of \$3,000,000.00 in settlement of claim(s) in *Copeland v. City of Phoenix*, CV2017-001506, City File 16-0412-001, for the Finance Department pursuant to Phoenix City Code Chapter 42.

26 Settlement of Claim(s) Somerville v. City of Phoenix

To make payment of \$362,500.00 in settlement of claim(s) in *Somerville v. City of Phoenix*, Maricopa County Superior, CV2017-009212, GL, BI, City File No.16-0861-002, for the Finance Department pursuant to Phoenix City Code Chapter 42.

27 Independent Medical Examination Services for Disability Applications

For \$75,000.00 in additional payment authority for Contract 144922 for independent medical evaluations for the Retirement Office. The number of applications submitted has increased from previous years, requiring additional independent medical evaluations. Independent medical evaluations are used when either the City of Phoenix Employees' Retirement System Board, Disability Assessment Committee, or the Local Police and Fire Retirement Boards require information to determine the eligibility of individuals for a disability retirement. Further, state statute requires all public safety members who have filed an application for disability retirement be referred for an independent medical evaluation by a board-certified, Arizona licensed physician to determine if they meet the criteria listed in Arizona Revised Statutes, section 38-859.



Request to Maintain Pediatric Health Care Initiative Fund (Ordinance S-45435)

Request to authorize the City Manager, or his designee, to maintain the Pediatric Health Care Initiative Fund (Fund) established by Ordinance S-41038, dated July 2, 2014, (Ordinance) and to amend the Ordinance to remove the reference to the Safety Net Care Pool (SNCP) to allow the City to leverage other Arizona Health Care Cost Containment System (AHCCCS) supplemental payments, both existing and under development, and to amend the Ordinance to change references to "H.B. 2010" to "state law."

Summary

In 2014, federal SNCP payments required local match funds. The City Council created the Fund to accept private third-party donations to be transferred to AHCCCS to finance the non-federal share of SNCP payments to eligible freestanding children's hospitals in the Phoenix area. This transfer arrangement was allowed by Arizona and federal law and is similar to transfer arrangements between AHCCCS and other governmental entities in the state. In December 2017, federal authorization for SNCP expired, with the expectation that it would be replaced with alternative and sustainable Medicaid funding mechanisms. Such replacement Medicaid payments would also require local match dollars. Those replacements include Disproportionate Share Hospital payments, Graduate Medical Education payments, the Access to Professional Services Initiative, as well as others that AHCCCS might develop. Arizona Revised Statutes (A.R.S.) § 36-2903.01(P) (DSH) and A.R.S. § 36-2903.01(G)(9)(f) (GME), and A.R.S. § 36-2913(C)(5) (general authority for AHCCCS to accept sources of funds). These changes to the Ordinance will support the continuation of access to high quality specialized pediatric care at Phoenix Children's Hospital's.

The Ordinance needs to be amended to eliminate references to SNCP and to allow use of these alternative AHCCCS payment programs and any other programs that may become available in the future for augmentation of funding sources to freestanding children's hospitals (collectively "AHCCCS Payment Programs"). Additionally, the Ordinance needs to be amended to change any reference to "H.B. 2010," which referenced SNCP, to "state law."

Concurrence/Previous Council Action

The City Council approved Ordinance S-41038 on July 2, 2014.

Responsible Department

This item is requested by Phoenix Children's Hospital and is submitted by the City Manager's Office and the Law and Finance departments.



*****REQUEST TO WITHDRAW (SEE ATTACHED MEMO)*** Master Communications System Agreement Upgrade and Amendment between City of Phoenix and Motorola Solutions, Inc. (Ordinance S-45415)**

Request to authorize the City Manager, or his designee, to amend the Master Communications Agreement (SOW 16) and to add additional funds to Master Communications System Agreement 124391 with Motorola Solutions, Inc., in the amount of \$2,297,016. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Motorola Solutions, Inc. SOW 16 provides the Regional Wireless Cooperative (RWC) hardware, software and implementation of services required to execute up to one system infrastructure upgrade every two-year period over the course of the 10-year ASTRO 25 System Upgrade (SUA) II. Additional equipment is required to add two Network Monitoring (NM) Clients and licenses to the RWC Network Operations Center (NOC) for the master site in Zone 4 located in Glendale, Ariz. The equipment will allow RWC NOC to have separate computer monitors to see all alarms from Zone 4. Additionally, \$2,193,956 will be used to cover required taxes throughout the remainder of the contract.

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

Contract Term

The term of Master Communications System Agreement 124391 is set to expire on Aug. 9, 2028. All other terms and conditions of Contract 124391 will remain unchanged.

Financial Impact

With the \$2,297,016 in additional funds, the revised aggregate expenditures against this SOW will be \$28,677,016 (including applicable taxes), with new estimated expenditures of \$2,900,000. Funds are available in the Regional Wireless Cooperative budget with all members sharing the total cost proportionately.

Concurrence/Previous Council Action

City Council approved SOW 16 on Aug. 30, 2017, with an original aggregate value of \$26,380,000.

Responsible Department

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



City of Phoenix

OFFICE OF GOVERNMENT RELATIONS

To: Deanna Jonovich
Assistant City Manager

Date: March 5, 2019

From: Frank McCune 
Director of Government Relations

Subject: WITHDRAW MEMO – ITEM 29 – MASTER COMMUNICATIONS SYSTEM AGREEMENT UPGRADE AND AMENDMENT BETWEEN CITY OF PHOENIX AND MOTOROLA SOLUTIONS, INC. (ORDINANCE S-45415) ON THE MARCH 6, 2019 FORMAL AGENDA

This memo requests to withdraw Item 29 – Master Communications System Agreement Upgrade and Amendment between City of Phoenix and Motorola Solutions, Inc.

The item will be on the April 3, 2019 Formal Agenda Meeting.

Approved:  3/5/19
Deanna Jonovich, Assistant City Manager Date



Acceptance of Easements for Sewer Purposes (Ordinance S-45419)

Request for the City Council to accept easements for sewer purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: Mival, L.L.C., its successor and assigns

Purpose: Sewer

Location: 842 S. 59th Ave.

File: FN 180139

Council District: 7

Easement (b)

Applicant: Mival, L.L.C., its successor and assigns

Purpose: Sewer

Location: 842 S. 59th Ave.

File: FN 180139

Council District: 7

Responsible Department

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



Acceptance and Dedication of Easements for Multi-Use Trail and Sidewalk Purposes (Ordinance S-45420)

Request for the City Council to accept and dedicate easements for multi-use trail and sidewalk purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: Phoenix Retail Co., LLC, its successor and assigns

Purpose: Multi-Use Trail

Location: 1200 N. 40th St.

File: FN 170130

Council District: 8

Easement (b)

Applicant: Phoenix Retail Co., LLC, its successor and assigns

Purpose: Sidewalk

Location: 1200 N. 40th St.

File: FN 170130

Council District: 8

Responsible Department

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



Sports Lighting, Scoreboard and Area Lighting Repair and Maintenance Services - Requirements Contract IFB 19-073 (Ordinance S-45421)

Request to authorize the City Manager, or his designee, to enter into a contract with Hawkeye Electric, Inc. for the maintenance and repair of area and sports lighting and scoreboards for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The five-year aggregate contract value will not exceed \$96,000, with an estimated annual expenditure of \$19,200.

Summary

This contract will provide repair and maintenance services, as needed, for more than 180 parks, mountain preserves and golf courses throughout the city of Phoenix. The contract services include periodic scheduled maintenance visits and as-needed repair services to ensure all sports and area lighting and scoreboards are working properly for the Parks and Recreation Department.

Procurement Information

IFB 19-073 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Dec. 28, 2018. Following are the lowest-priced offers:

Hawkeye Electric, Inc.

Journeyman Electrician - \$56 per hour

Helper - \$30 per hour

2-Hour Urgent Response: \$84 flat rate

Fluoresco Services, LLC

Journeyman Electrician - \$189 per hour

Helper - \$129 per hour

2-Hour Urgent Response: \$284 per hour

The Deputy Finance Director recommends that the offer from Hawkeye Electric, Inc. be accepted as the lowest priced, responsive and responsible offer.

Contract Term

The five-year contract term will begin on or about April 1, 2019.

Financial Impact

The aggregate contract value will not exceed \$96,000, with an estimated annual expenditure of \$19,200. Funds are available in the Parks and Recreation Department budget.

Responsible Department

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



Temporary Staffing Services - Requirements Contract (Ordinance S-45422)

Request to authorize the City Manager, or his designee, to enter into a contract with Accounting & Finance Professionals, Inc., Accurate Placement, L.C., All About People, Inc., Allstaff Services, Inc., RW Staffing Solutions, LLC, and Scott Business Group, LLC, to provide temporary staff on an as-needed basis in the amount not to exceed \$27,500,000 over five years, or approximately \$5,500,000 annually. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Contractors provide temporary staff to all City departments. The primary departments using the contracts are: Aviation, City Clerk, City Council Office and Office of the Mayor, Finance, Fire, Housing, Human Services, Information Technology Services, Neighborhood Services, Planning and Development, Parks and Recreation, Police, Public Transit, Public Works, Street Transportation and Water Services. Temporary staff are necessary to fulfill short-term or highly specialized staffing needs throughout the City. Departments use the most cost effective contract to hire qualified temporary staff.

Procurement Information

RFQu 19-060 Temporary Staffing Services was conducted as an SBE Reserve Contract in accordance with Administrative Regulation 1.89. The solicitation was emailed to 20 vendors. Six offers were received by the Procurement Division on Jan. 11, 2019.

The Deputy Finance Director recommends the offers from Accounting & Finance Professionals, Inc., Accurate Placement, L.C., All About People, Inc., Allstaff Services, Inc., RW Staffing Solutions, LLC, and Scott Business Group, LLC to be accepted for the Qualified Vendor List.

Contract Term

The five-year contract period for these vendors will begin June 1, 2019.

Financial Impact

The aggregate five-year contract value shall not exceed \$27,500,000, or approximately

\$5,500,000 annually. The contract value is based on historical spend increased by 10 percent. Funds are available in all City of Phoenix departments' budgets. Approximately 30 percent of the aggregate contract amount is utilized by enterprise funded departments.

Responsible Department

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



Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45427)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Matthew Cannon in the amount of \$6,557.15 to the Arizona State Retirement System, and further request authorization to the City Controller to disburse funds.

Summary

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

Cannon, Matthew: \$6,557.15

Concurrence/Previous Council Action

The COPERS Board approved this item at its Feb. 7, 2019 meeting.

Responsible Department

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



Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45428)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Alvino Cantu in the amount of \$102,817.60 to the Arizona State Retirement System, and further request authorization to the City Controller to disburse funds.

Summary

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

Cantu, Alvino: \$102,817.60

Concurrence/Previous Council Action

The COPERS Board approved this item at its Feb. 7, 2019 meeting.

Responsible Department

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



Authorization to Apply for Five-Year (2019-2024) Head Start Birth to Five Grant and Five-Year (2019-2024) Early Head Start Child Care Partner Grant, Accept 2019-2020 Head Start Birth to Five and Early Head Start-Child Care Partner Funds and Enter into or Extend Contracts (Ordinance S-45416)

Request to authorize the City Manager, or his designee, to (a) Apply for Five-Year (2019-2024) Head Start Birth to Five Grant and Five-Year (2019-2024) Early Head Start Child Care Partner Grant for approximately \$175,073,700 combined over the life of the grants and (b) Accept 2019-2020 Head Start Birth to Five and 2019-2020 Early Head Start Child Care Partner Funds for up to a total of \$35,014,740, (c) Enter into or extend contracts with Delegate and Child Care Partners and (d) Amend contracts to move one time monies to Delegate Agencies and Child Care Partners for necessary health and safety items, provide direct and administrative services to Head Start families, or enter into or amend collaborative contracts or other related agreements required for Head Start services. All additional funding to Delegate Agencies and Child Care Partners will be approved by the Head Start Governing Board prior to contract amendment. Further request authorization for the City Treasurer to accept and the City Controller disburse all funds related to this item. There is no impact to the General Fund.

Summary

The City of Phoenix Head Start program provides comprehensive education and social services through two service delivery models: Early Head Start (0-3 years) and Head Start (3-5 years). There are 488 families with infants and toddlers in Early Head Start and 2,963 children in Head Start. The current Early Head Start Child Care Partners and Head Start Delegate Agencies are:

Child Care Partners

- Cactus Kids
- Kids Campus
- Out of This World Childcare
- Robin's Nest

Delegate Agencies

- Alhambra Elementary School District

Booker T. Washington Child Development Center
Deer Valley Unified School District
Fowler Elementary School District
Greater Phoenix Urban League
Murphy Elementary School District
Roosevelt Elementary School District
Washington Elementary School District
Wilson Elementary School District

Contract Term

If awarded, the City of Phoenix, as the Grantee, is entering into the first year of new five-year grant for the Head Start Birth to Five program and the Early Head Start Child Care Partner programs. The contract term for the first year is July 1, 2019 to June 30, 2020.

Financial Impact

The grant funding for the first year of \$35,014,740 is inclusive of \$7,160,659 for Early Head Start Child Care Partners and \$27,854,081 for Head Start. This amount also reflects a 1.77 percent Cost of Living Adjustment expected in Federal Fiscal Year 2020. An annual refunding application will be required in subsequent years of both five-year grants.

There are no General Funds required to operate the City of Phoenix Head Start Program.

Concurrence/Previous Council Action

This item was approved by the Head Start Policy Council on Jan. 14, 2019.
This item was recommended for approval by the Parks, Arts, Libraries and Education (PALE) Subcommittee, which serves as the Head Start Governing Body, at the Feb. 27, 2019 meeting, by a vote of 4-0.

Public Outreach

A series of Head Start focus groups were conducted in November 2018 as part of the Head Start Strategic Planning Process required for the grant application.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Human Services Department.



Amend Agreement and Accept Additional Arizona Department of Economic Security Funding (Ordinance S-45424)

Request to authorize the City Manager, or his designee, to amend Intergovernmental Agreement (IGA) 140755 with the Arizona Department of Economic Security (DES) to accept an additional \$194,651 in Low-Income Home Energy Assistance Program (LIHEAP) administrative funds for a new contract total of \$10,518,093.70 for the period between July 1, 2018 and June 30, 2019. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

Additional LIHEAP administrative funds have been allocated by DES to support additional LIHEAP program funds of that were approved as part of a previous Council action on Nov. 14, 2018 (Ordinance S-45149) for this fiscal year.

Contract Term

This amendment is for fiscal year July 1, 2018, through June 30, 2019. The entire term of the existing IGA is July 1, 2015, through June 30, 2020.

Financial Impact

There is no impact to the General Fund. There are no matching fund requirements.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Human Services Department.



Arizona Commission on the Arts FY 2019-20 Community Investment Level VI Grant Application (Ordinance S-45418)

Request authorization for the City Manager, or his designee, to apply for, accept, and if awarded, enter into an agreement for Arizona Commission on the Arts (ACA) Community Investment Level VI matching grant funds in an amount up to \$60,000 for fiscal year 2019-20. Further authorize the City Treasurer to accept and the City Controller to disburse the funds for purposes of this ordinance. The grant funds would be used by the Phoenix Office of Arts and Culture in FY 2019-20 to support initiatives identified through the Office's planning process with the local cultural community.

Summary

The ACA Community Investment Level VI Grant is a flexible funding category developed to recognize and assist the cultural programming and achievements of Arizona's local arts agencies. Funds may be used to support agency operations and special projects. The Phoenix Office of Arts and Culture has applied for and received annual grant funds from the Arizona Commission on the Arts since 1994.

If awarded, the grant funds will support development and distribution of informational materials regarding the: arts and cultural community; provision of management and technical assistance services to artists and cultural organizations; development of educational public outreach programs that promote an appreciation of arts and culture; and support for special community arts and culture initiatives.

Financial Impact

The ACA Community Investment Level VI Grant requires a one-to-one match by applicants. The Phoenix Office of Arts and Culture FY 2019-20 General Fund appropriation will be used to match the FY 2019-20 grant award.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed this item at its Jan. 15, 2019 meeting and recommended approval.

This item was recommended for approval at the Parks, Arts, Libraries and Education Subcommittee meeting on Jan. 23, 2019, by a vote of 3-0.

Responsible Department

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



Fixed Wing Pilot Training - Requirements Contract - IFB 19-016 (Ordinance S-45431)

Request to authorize the City Manager, or his designee, to enter into a contract with Bird Acquisition LLC, dba Aeroguard Flight Training Center to provide the Phoenix Police Department's Air Support Unit with Fixed Wing Pilot Training in an amount not to exceed \$285,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department's Air Support Unit will utilize fixed wing pilot training with Bird Acquisition LLC, dba Aeroguard Flight Training Center to train new pilots, as in-house pilot training is no longer feasible. The proposed training will streamline the training process for new pilots and reduce the length of time it takes to achieve the pilot certificates this contract will provide. It will also provide the Air Support Unit with oversight from a Federal Aviation Administration (FAA) certified flight instructor school. Risk mitigation from learning to fly non-departmental aircraft first, and then transitioning into the Air Support's aircraft, is also a benefit of outsourcing the pilot training.

Procurement Information

IFB 19-016, Fixed Wing Pilot Training, was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 28 vendors and was posted on the City's website. One offer was received by the Procurement Division on February 8, 2019. The price has been determined to be fair and reasonable based on a current contract with similar requirements and from previous purchases for similar training.

Contract Term

The contract term will begin on or about March 15, 2019 and end on or about March 14, 2024.

Financial Impact

Expenditures against this contract shall not exceed the aggregate amount of \$285,000. Funds are available in the Police Department's budget.

Responsible Department

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



Request Authorization to Accept Funding from Phoenix Fire Foundation for Emergency Medical Education and Outreach (Ordinance S-45425)

Request authorization for the City Manager, or his designee, to accept a donation of \$15,000 from the Phoenix Fire Foundation for Emergency Medical Education and Outreach. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, any grant monies awarded. If not approved, the donation would be turned down.

Summary

The Phoenix Fire Foundation received a \$15,000 grant from the Phoenix Suns Charities to fund a collaborative effort, with Food Allergy Research and Education, Inc., to develop a food allergy training curriculum for firefighters, 911 dispatchers, and the public. The funding also will be used to obtain training materials, to obtain supplies to be used when firefighters respond to allergic reaction emergencies, and to produce and distribute public service announcements regarding related health and safety issues.

The Phoenix Fire Foundation is a 501(c)(3) charitable organization. The Foundation is committed to supporting the Phoenix Fire Department and other public safety agencies in metro Phoenix in their daily efforts to save lives, and protect families and communities. This request is part of the Charitable Donations Process that was presented to the Public Safety and Veterans Subcommittee on Sept. 12, 2018.

Contract Term

The contract term is for one year and will end on Dec. 31, 2019.

Financial Impact

The grant funding includes overtime for Fire Department staff. There will be no cost to the City.

Responsible Department

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



Authorization to Purchase a Mobile Gunshot Detection System for Police Department (Ordinance S-45433)

Request to authorize the City Manager, or his designee, to allow the Phoenix Police Department to purchase a mobile gunshot detection system and a covert camera system to augment crime suppression efforts in the community. The total cost of the system will not exceed \$253,565. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The National Crime Gun Intelligence Center Grant Initiative (Award Number 2017-DG-BX-0002) allowed funding through the grant to purchase a Shotspotter Flex Gunfire Detection System. The total value awarded through the grant was \$253,565 and was specifically allocated to this piece of equipment. In early 2018, Shotspotter provided a presentation to the Police Department's Executive & Command staff to demonstrate the capabilities of the system. At the conclusion of the presentation, several notable limitations were observed with the most significant limitation being the mobility of the equipment. As a result, a decision was made to not pursue the purchase of the system and to seek other technology options to better support the needs of the department.

After several months of research, a gun detection system that meets the needs of the Department was identified. This system has been successfully utilized by the Colorado Springs Police Department in connection with a serial shooter investigation.

On Dec. 11, 2018, the vendor provided a presentation to Police Department personnel on the capabilities of the system. Based upon the information presented, cost effectiveness, and the mobility of the equipment, a decision was made to pursue the purchase of this system.

The Phoenix Police Department is actively seeking solutions to reduce violent crime through the use of technology and recognizes the need for additional flexibility and dimensions to support crime suppression. The purchase of this system will provide investigators with a variety of ways to collect data and the ability to identify, locate and apprehend criminal offenders committing crimes through gun violence.

Procurement Information

This procurement will be a non-competitive process. The equipment is purchased directly from the vendor. No other vendor makes a product with the same capabilities.

Financial Impact

The total cost of the system will not exceed \$253,565. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This item was heard and approved unanimously at the Public Safety and Veterans Subcommittee meeting on Feb. 13, 2019.

Responsible Department

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



Authorization to Enter Into Intergovernmental Agreements with Arizona Law Enforcement Agencies through Internet Crimes Against Children Task Force (Ordinance S-45434)

Request authorization for the City Manager, or his designee, to enter into Intergovernmental Agreements (IGAs) with Arizona law enforcement agencies to support the efforts of the Internet Crimes Against Children Task Force. Further request the City Controller to disburse funds associated with these IGAs.

Summary

The Arizona Internet Crimes Against Children (ICAC) Task Force is managed by the Phoenix Police Department (PPD) and establishes partnerships with law enforcement agencies statewide to combat cybercrimes involving children. Funding for this task force is provided through various funding sources including but not limited to: the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention and the Arizona Attorney General's Office. The duration of the IGAs would be three years from the date of execution.

The ICAC Task Force assists state and local law enforcement agencies in responding to online child victimization and child pornography cases. The goal of the task force is to investigate, prosecute and deter the possession, production and distribution of unlawful images depicting the sexual exploitation of minors and the utilizations of the internet to seek children as sexual victims. Through the various funding sources, the PPD is able to establish IGAs to partner with Arizona law enforcement agencies and provide financial assistance with forensic and investigative components, training and technical assistance and community education. The funding that the PPD has available annually to distribute to the law enforcement agencies through the IGAs has historically been approximately \$100,000. The ICAC Task Force has conducted thousands of investigations resulting in the incarceration of hundreds of offenders. In addition, the ICAC Task Force has provided training presentations to children, parents, and community groups to educate them on how to protect children from internet crimes. Currently, the PPD has established IGAs with 24 law enforcement agencies statewide.

Contract Term

The IGAs would be valid for three years from the date of execution.

Financial Impact

The cost to the City is in-kind resources only.

Concurrence/Previous Council Action

This item was heard and approved unanimously at the Public Safety and Veterans Subcommittee meeting on Feb. 13, 2019.

Responsible Department

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



Authorization for the Issuance of Obligations for the Water Department's Capital Improvement Program (Ordinance S-45429)

An ordinance authorizing the City Manager to cause the issuance of one or more series of obligations of or by a municipal property corporation or by a private leasing company as short- and/or long-term obligations and to issue long-term obligations to refund short-term obligations authorized hereby, authorizing the City Manager to execute and deliver all leases and other agreements necessary or appropriate for the financing of costs to expand and improve the water system of the City. Further authorizing the City Manager to execute other appropriate agreements in connection therewith, including but not limited to any official statements and bond purchase agreements and certificates necessary or appropriate to finance or reimburse a principal amount not exceeding \$600,000,000 plus related financing costs; authorizing the City Manager to take any and all other necessary or desirable actions in connection with such issuance; and authorizing the City Controller to expend all necessary funds therefor.

Summary

As part of the rate setting process, the Water Department provided Council with an overview of infrastructure needs over the next five years totaling over \$1.5 billion (the "Water CIP"). Consistent with the Council's authorization, the Chief Financial Officer expects to fund approximately \$600,000,000 of the Water CIP with debt financing, consisting of issuing tax-exempt bonds and entering into a Water Infrastructure Finance and Innovation Act (WIFIA) loan.

The Finance Department looks at all options available to find the lowest interest costs, mitigate complexities of use for each product and provide flexibility. For example, the City may want to pay slightly more now in order to pay-off the debt early without penalty later. Each financing tool is considered along with City needs and market circumstances at the time. Due to the City's high credit ratings (AAA by S&P and Aa2 by Moody's), tax-exempt bond financing will likely be the lowest cost option for the City; however, the Water Department has been granted an opportunity by the Federal Environmental Protection Agency (EPA) to apply for a WIFIA loan.

WIFIA

Congress enacted WIFIA as part of the Water Resources Reform and Development Act of 2014. It was modeled after a similar program at the Department of Transportation called TIFIA, which was considered successful. The program is administered by the EPA and provides federal credit assistance in the form of a secured (direct) loan for eligible water infrastructure projects. Eligibility is based on creditworthiness, technical feasibility of the project and whether the project meets the strategic objectives outlined in the WIFIA statute and regulation.

The Water Department was successful in meeting eligibility on one of its Water Main projects. The EPA has invited the City to apply for a loan for up to \$49 million to pay for approximately 49 percent of the project. Given current market rates, the WIFIA loan cost is slightly more than the cost for tax-exempt bond financing, if the timing of locking in the WIFIA loan rate and issuing tax-exempt debt happens simultaneously. In addition, the Water Department would have to be in compliance with certain federal laws pertaining to NEPA, Davis-Bacon, American Iron and Steel and all federal cross-cutting provisions. Compliance with these regulations should not be an issue. After discussions with the Water Department staff and considering all these provisions, the Finance Department believes there are still significant advantages to securing the WIFIA loan.

1. The WIFIA loan allows the City to lock-in the rate without securing funds; whereas, the rate can only be locked-in on tax-exempt financing when funds are received.
2. The WIFIA loan allows the City to draw funds as needed while tax-exempt financing requires all funds to be drawn at the time of closing.
3. The City is not obligated nor is there a penalty to draw on the loan if market rate conditions are more favorable to issue tax-exempt debt.
4. The WIFIA loan has flexible payment options which allow the City to pay-back at any time without penalty.

Financing Considerations

As part of the Finance Departments overall strategic plan to provide financial excellence, staff will continue to monitor financing options prior to any actual issuance. Financing options will be executed based on market timing, prevailing interest costs and option flexibility. The Ordinance allows for flexibility in financing options.

Financial Impact

This Ordinance provides authorization to issue obligations, including a WIFIA loan, to fund the Water CIP. All expenditures related to the issuance and payment of any such obligations will be paid for with Water revenues.

Responsible Department

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



Authorization for the Issuance of Obligations for the Street Transportation Department's Accelerated Pavement Maintenance (Ordinance S-45432)

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation or by a leasing entity as short-term and/or long-term obligations and to issue long-term obligations to refund short-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing or reimbursing of costs of maintaining, expanding and improving the City's streets and roadways and associated financing costs; pledge, if deemed appropriate, voter-approved Excise Taxes or other lawfully available funds for such purposes and to pay financing costs; and authorizing the City Controller to receive and expend all necessary funds therefore.

Summary

This Ordinance authorizes the Chief Financial Officer to proceed with issuance of debt obligations to fund the accelerated pavement program approved by the Council at the Oct. 3, 2018 formal City Council meeting. The Council voted to accelerate street pavement funding by up to \$200 million during the next five fiscal years through financing within the existing Streets Transportation Department's allocation of the Transportation 2050 Tax.

Concurrence/Previous Council Action

At the Oct. 3, 2019 Formal meeting, the Council approved the accelerated street pavement maintenance program of up to \$200 million over the next five fiscal years through financing within the existing Streets Transportation Department's allocation of the Transportation 2050 Tax.

Responsible Department

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



Air Conditioning, Cooler Parts and Equipment - Requirements Contract - IFB 19-FMD-015

Request to authorize the City Manager, or his designee, to enter into contract with United Refrigeration, American Refrigeration Supplies, Inc., Ferguson Enterprises, Inc., Aspen Refrigerant, Inc. and Trane U.S., Inc. for purchase of air conditioning and cooler parts and equipment for existing Citywide heating, ventilation and air conditioning (HVAC) systems on an as-needed basis. The total aggregate amount is \$6,286,000 over the life of the contracts. Further request authorization for City Controller to disburse all funds related to this item.

Summary

The purchase of air conditioning and cooler parts and equipment are necessary to maintain the functional operation and longevity of existing HVAC systems for various City departments including, but not limited to: Aviation, Water Services, Parks and Recreation, Housing, Convention Center and Public Works.

Procurement Information

Invitation for Bid (IFB) 19-FMD-015 was conducted in accordance with Administrative Regulation 3.10. There were six bid offers received by the Public Works Procurement Services Division on Jan. 9, 2019. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required goods. The offers submitted by United Refrigeration, American Refrigeration Supplies, Inc., Ferguson Enterprises, Inc., Aspen Refrigerant, Inc. and Trane U.S., Inc. are deemed to be fair and reasonable based on the market and previous contract pricing.

The following represent the discount percentage off the manufacturer parts price list offered by each selected vendor.

<u>Vendor Name</u>	<u>Discount Percentage</u>
United Refrigeration	15 to 61 percent
American Refrigeration Supplies, Inc.	54 to 60 percent
Ferguson Enterprises, Inc.	0 to 53 percent
Aspen Refrigerant, Inc.	0 to 10 percent
Trane U.S., Inc.	0 to 10 percent

Due to the large volume of parts necessary to maintain the wide variety of air conditioning and cooler unit manufacturers used throughout the City, all five offers are being recommended for contract award. In addition to the variety of manufacturers covered, multiple awards are necessary to ensure contractor availability during summer months when contractor availability is diminished.

Contract Term

The initial one-year contract term shall begin on or about March 15, 2019, with four options to extend in increments of up to one year, for a total contract option term of five years.

Financial Impact

This contract will have a \$1,257,200 estimated annual expenditure, with a total aggregate amount of \$6,286,000 over the life of the contract. Funds are available in the Water Services, Convention Center, Aviation, Housing, Parks and Recreation and Public Works departments' budgets.

Responsible Department

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



Rejection of Construction Bids - Marcos de Niza Senior Center Site Improvements Rebid - Design-Bid-Build - ND30010025

Request to authorize the City Manager, or his designee, to reject all bids for the Marcos de Niza Senior Center Site Improvements project. Although the lone bidder was deemed responsive, all bids exceeded the Engineer's Estimate by 56 percent. This project will not be re-bid. The Neighborhood Services Department will utilize the City's Job Order Contracting program to contract this work.

Summary

The purpose of this project is to utilize Community Development Block Grant (CDBG) funds to make minor modifications to the existing Marcos de Niza Senior Center building. Work includes, but is not limited to: installation of new aluminum storefront system at the east entrance and corresponding new security hardware to operate the entrance; providing all required building modifications to accommodate the indicated new features; installation of a new storefront window system in the multi-purpose room exterior wall, including all necessary modifications to the existing exterior wall to receive the system; and installation of a new pre-fabricated shade canopy on the south side of the building, including concrete foundations and associated minor site improvements and indicated sidewalk paths.

Procurement Information

The Invitation for Bids procurement process is set forth in section 34-201 of the Arizona Revised Statutes. The original process for this project received three bids on Sept. 25, 2018, and all of those bids were rejected due to being non-responsive. For this re-bid, one bid was received on Dec.18, 2018. The bidder was deemed responsive.

The Engineer's estimate and the one responsive, responsible bidder is listed below:

Engineer's Estimate: \$65,000

Simpson Walker Contracting Corporation: \$101,385

The lowest bid received exceeds the Engineer's Estimate by 56 percent and is not within the budget for this project.

Concurrence/Previous Council Action

The City Council approved the original rejection of construction bids (Ordinance S-45145) on Nov. 14, 2018.

Location

305 W. Pima St.
Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Deanna Jonovich and Mario Paniagua, the Neighborhood Services and Human Services departments, and the City Engineer.



Small Wireless Facilities Master License Agreement to ExteNet Systems, Inc. (Ordinance S-45426)

Request to authorize the City Manager, or his designee, to grant a Small Wireless Facilities Master License Agreement ("Master License") to ExteNet Systems, Inc. ("Licensee") to install, operate, and maintain small wireless facilities in the local public rights-of-way subject to the terms and conditions contained in the license and Phoenix City Code. Further request the City Treasurer to accept all funds related to this item. Also request that the licensee sign the Master License within 60 days of Council action or this authorization will expire. Licensee will pay applicable rates and fees. There is no cost to the City of Phoenix.

Summary

ExteNet Systems, Inc. has executed a City of Phoenix Telecommunications Services and Interstate Telecommunications Services License (City Contract 145032) effective May 25, 2017 to construct, install, operate, maintain, and use the public highways in the City for telecommunication services as required under Phoenix City Code section 5C-4. The Master License contains appropriate insurance and indemnification provisions, requires a standby irrevocable letter of credit, provides for terms of transfer and revocation, and sets applicable rates and fees for use of local public rights-of-way as provided by law. The Master License permits Licensee to install, operate, and maintain small wireless facilities at individual sites through site license agreements, which are subject to the terms and conditions of this Master License.

Contract Term

The Master License term begins on the date the City Clerk signs the Master License and expires after 10 years unless automatically renewed for an additional 10-year term as provided by law.

Financial Impact

Licensee will pay applicable rates and fees to install, operate, and maintain small wireless facilities in local public rights-of-way by law. There is no cost to the City of Phoenix.

Responsible Department

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



*****REVISED ITEM (SEE ATTACHED MEMO)*** 1-Step and 2-Step Job Order Contracting Services Amendments (Ordinance S-45430)**

Request to authorize the City Manager, or his designee, to amend separate Job Order Contract (JOC) master agreements listed in **Attachment A**, to increase the individual project limit authorized under each JOC master agreement to an amount not to exceed \$4 million. The change will help streamline the process for completing large City capital projects, including the Council-directed accelerated street maintenance program, as well as other capital improvement projects. This authorization will not change the Council-approved JOC master agreement total contract capacity.

Summary

JOC contractors are used on an as-needed basis to provide various construction services Citywide in support of all City departments.

The amendments are necessary to adjust the existing per project limit of \$2 million, which was established more than 15 years ago, and prior to the Great Recession, to account for market-related labor and materials price increases and to provide a more streamlined project delivery approach for construction projects that cost less than \$4 million. Increasing the per project (job order agreement) limit to \$4 million also allows for greater flexibility and efficiency in administering the construction work.

These JOC contractors will still be responsible for fulfilling the Small Business Enterprise program requirements included in each of their JOC master agreements by soliciting bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process.

Procurement Information

All JOC contractor selections were made using either one-step (qualifications-based) or two-step (qualifications and price-based) selection processes set forth in section 34-603 and section 34-604 of the Arizona Revised Statutes (A.R.S.).

Contract Term

The terms of the existing JOC master agreements will not change. For each of the existing JOC master agreements, the contract terms are for up to five years, or up to

the Council-approved contract capacity, whichever occurs first.

Financial Impact

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

Funding is available in the Citywide departments' 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.

Concurrence/Previous Council Action

Council has previously approved the JOC master agreements listed in **Attachment A** through S-Ordinances.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters, Deanna Jonovich and Mario Paniagua, and the Aviation, Parks and Recreation, Water Services and Street Transportation departments, and the City Engineer.



City of Phoenix


To: Mario Paniagua
Deputy City Manager

Date: March 5, 2019

From: Eric J. Froberg, PE, City Engineer 
Street Transportation Department

Subject: CORRECTION TO ITEM 48 ON MARCH 6, 2019 FORMAL AGENDA - 1-STEP
AND 2-STEP JOB ORDER CONTRACTING SERVICES AMENDMENTS
(ORDINANCE S-45430).

This purpose of this memo is to correct the list of contracts and contractors in Attachment A. The firm names were updated to reflect the complete legal name as identified with the Arizona Corporation Commission.



Approved:
Mario Paniagua, Deputy City Manager

ATTACHMENT A - JOB ORDER CONTRACT LIST

JOB ORDER CONTRACT CATEGORY	CONTRACT NUMBER	FIRM NAME	CONTRACT EXPIRATION DATE
120 STR Sidewalk Ramp Retrofit	138270	Talis Construction Corporation	6/16/2019
122 Citywide General Construction	138903	Brycon Corporation	7/18/2019
122 Citywide General Construction	138904	D.L. Norton General Contracting, Inc.	7/25/2019
122 Citywide General Construction	138905	DNG Construction, LLC	7/18/2019
122 Citywide General Construction	138906	ForeSite Design & Construction, Inc.	7/25/2019
122 Citywide General Construction	138907	Hardison/Downey Construction, Inc.	7/25/2019
122 Citywide General Construction	138908	McCarthy Building Companies, Inc.	7/25/2019
122 Citywide General Construction	138909	SDB Contracting Services	7/18/2019
122 Citywide General Construction	138910	Sun Eagle Corporation	7/18/2019
123 Citywide General Electrical Service and Park Lighting	138440	AJP Electric, Inc.	7/30/2019
123 Citywide General Electrical Service and Park Lighting	138441	Hawkeye Electric, Inc	7/2/2019
123 Citywide General Electrical Service and Park Lighting	138442	Spectra Electrical Services, Inc.	7/16/2017
125 Citywide Fire Alarm Services	139815	American Fire Equipment Sale & Service Corporation	2/10/2020
125 Citywide Fire Alarm Services	139816	Fire Protection Services, LLC dba CopperState Fire Protection, Inc.	1/6/2020
125 Citywide Fire Alarm Services	139817	Tri-Signal Integration, Inc.	1/12/2020
126 Citywide Fire Sprinkler Services	140509	RCI Systems, Inc.	6/23/2020
126 Citywide Fire Sprinkler Services	140510	American Fire Equipment Sale & Service Corporation	6/30/2020
126 Citywide Fire Sprinkler Services	140511	Western States Fire Protection Company	6/10/2020
127 Citywide Demolition	140031	B.C.S. Enterprises, Inc.	4/14/2020
127 Citywide Demolition	140032	BWC Enterprises, Inc.	2/2/2020
127 Citywide Demolition	140033	Breinholt Contracting, Inc.	4/14/2020
127 Citywide Demolition	140034	C & W Son's, Enterprises, Inc.	2/10/2020
129 STR Bridge and Dam Safety Repair and Rehabilitation	140658	The Truesdell Corporation	7/13/2020
131 Aviation Civil Construction	140622	J. Banicki Construction, Inc.	9/1/2020
132 Wastewater Facilities General Construction	142096	PCL Construction, Inc.	6/3/2019
132 Wastewater Facilities General Construction	142099	Felix Construction Company	6/3/2019
133 STR Portland Cement Concrete Repair	142505	Nesbitt Contracting Co., Inc.	8/18/2019
133 STR Portland Cement Concrete Repair	142504	Talis Construction Corporation	8/18/2019
134 STR Pavement Surface Treatment	143043	Southwest Slurry Seal, Inc.	8/18/2019
134 STR Pavement Surface Treatment	143044	ViaSun Corporation	8/22/2019
135 Aviation Architectural	143038	McCarthy Building Companies, Inc.	10/10/2016
135 Aviation Architectural	143039	SDB Contracting Services	10/14/2019
136 Water Main Inspection Assesment	142742	Professional Piping Systems, LLC dba WACO Contracting	10/31/2021
136 Water Main Inspection Assesment	142743	Achen-Gardner Construction, LLC	10/31/2021
137 Water Lines Repair and Replacement	143132	Professional Piping Systems dba WACO Contracting	10/31/2019
138 WSD Large Valve Repair	143089	Professional Piping Systems dba WACO Contracting	10/31/2019
140 Street Landscape Maintenance	144402	United Right-of-Way	3/1/2020
140 Street Landscape Maintenance	144859	Brightview Landscape Services, Inc.	5/12/2020
142 PRD LED Lighting Replacement	143971	Hawkeye Electric, Inc	1/23/2020
142 PRD LED Lighting Replacement	143972	Sellers & Sons, Inc.	1/23/2020
143 WSD Right-of-Way Water Main Replacement Program	143566	Talis Construction Corporation	12/15/2021
143 WSD Right-of-Way Water Main Replacement Program	143567	J. Wise Corp.	12/15/2021
143 WSD Right-of-Way Water Main Replacement Program	143568	Achen-Gardner Engineering, LLC	12/15/2021
144 WSD Water Main Replacement Program Plumbing	145497	Talis Construction Corporation	7/19/2020
144 WSD Water Main Replacement Program Plumbing	145498	RKS Plumbing & Mechanical, Inc.	7/19/2020
145 STR Right-of-Way F.A.S.T.	145615	Cactus Asphalt, L.L.C a division of Cactus Civil L.L.C	10/8/2020
145 STR Right-of-Way F.A.S.T.	145644	VSS International, Inc.	10/8/2020
146 Water Remote Faciites	144297	Felix Construction Company	2/1/2020
146 Water Remote Faciites	144298	MGC Contractors, Inc.	1/26/2022
147 Water Facilites General Construction	144300	J.R. Filanc Construction Company, Inc.	3/2/2022
147 Water Facilites General Construction	144301	PCL Construction, Inc.	3/2/2022
148 Citywide Landscape	144570	Valley Rain Construction Corporation	12/31/2020
148 Citywide Landscape	144571	Haydon Bulding Corp.	12/31/2020
148 Citywide Landscape	144572	SiteWorks Landscape Development, LLC	12/31/2020
149 STR Freeway Landscape Maintenance	144366	DLC Resources, Inc.	12/31/2020
149 STR Freeway Landscape Maintenance	144367	Caretaker Landscape and Tree Management	3/1/2020
151 WSD Annual Fire Hydrant	144949	Talis Construction Corporation	6/15/2020
151 WSD Annual Fire Hydrant	144950	Professional Piping Systems dba WACO Contracting	6/15/2020
152 Wastewater Facilities Process Control	144674	Felix Construction Company	6/4/2020
152 Wastewater Facilities Process Control	144675	Ludvik Electric Co.	5/15/2020
153 WSD Sanitary Sewer Collection	144671	Achen-Gardner Construction, LLC	6/12/2020
153 WSD Sanitary Sewer Collection	144672	B & F Contracting, Inc.	6/4/2020
154 STR Subsurface Utility Excavation Services	145423	Cardno, Inc.	8/17/2020
155 STR Pavement Restoration 2-Step	145426	M.R. Tanner Development & Construction, Inc.	9/5/2020
155 STR Pavement Restoration 2-Step	145427	Sunland Asphalt & Constuction, Inc.	9/5/2020
155 STR Pavement Restoration 2-Step	145428	Talis Construction Corporation	9/11/2020
156 Citywide Civil Construction	144521	Talis Construction Corporation	3/1/2020
156 Citywide Civil Construction	144522	J. Banicki Construction, Inc.	3/1/2020
157 Citywide Energy EfficiencyServices	145620	Ameresco, Inc.	9/30/2023
157 Citywide Energy EfficiencyServices	145621	Honeywell Building Solutions SES Corporation	10/9/2023
157 Citywide Energy EfficiencyServices	145622	McKinstry Essention, LLC	9/30/2023
157 Citywide Energy EfficiencyServices	145623	Noresco, LLC of Delaware	9/30/2023
157 Citywide Energy EfficiencyServices	145624	Trane U.S. Inc.	9/30/2023
158 STR Right-of-Way General Construction	145062	Talis Construction Corporation	8/4/2020
158 STR Right-of-Way General Construction	145063	Sunland Asphalt & Constuction, Inc.	6/22/2020
158 STR Right-of-Way General Construction	145064	Achen-Gardner Construction, LLC	7/20/2020
159 STR ADA Ramp Retrofit	145616	Michael J Valente Contracting, Inc.	9/6/2020
159 STR ADA Ramp Retrofit	145645	Talis Construction Corporation	9/6/2020

160 STR Traffic Signal Foundation & Conduit Install	145617	Kimbrell Electric, Inc.	11/3/2020
160 STR Traffic Signal Foundation & Conduit Install	145646	Utility Construction Company, Inc.	11/8/2020
161 Citywide Abatement Asbestos & Lead Paint	145073	Spray Systems of Arizona	8/4/2019
161 Citywide Abatement Asbestos & Lead Paint	145074	East Valley Disaster Services Inc.	8/7/2019
161 Citywide Abatement Asbestos & Lead Paint	145075	Comprehensive Risk Services, LLC	8/1/2019
161 Citywide Abatement Asbestos & Lead Paint	145076	Sagebrush Restoration, LLC	8/1/2019
161 Citywide Abatement Asbestos & Lead Paint	145077	Southwest Hazard Control, Inc.	8/1/2019
162 STR Speed Hump/Cushion Program	145618	Swaine Asphalt Corp.	12/20/2020
163 STR Specialized Equipment and Infrastructure Coatings	146912	Joseph Painting Company, Inc.	4/15/2021
164 STR Crack Seal and Preservative Treatment	147901	M.R. Tanner Development & Construction, Inc.	7/25/2021
164 STR Crack Seal and Preservative Treatment	147902	Sunland Asphalt & Constuction, Inc.	9/20/2021
165 WSD Pavement Restoration	148533	ViaSun Corporation	11/13/2021
165 WSD Pavement Restoration	148534	Sunland Asphalt & Constuction, Inc.	11/14/2021
166 WSD Wastewater Facilities General Construction	147890	Felix Construction Company	7/23/2021
166 WSD Wastewater Facilities General Construction	147891	PCL Construction, Inc.	7/25/2021
166 WSD Wastewater Facilities General Construction	147892	MGC Contractors, Inc.	7/16/2021
167 WSD Small Diameter Sanitary Sewer Rehab	148532	SAK Construction LLC	12/25/2023
169 Citywide Mechanical JOC	149087	HACI Service, LLC	12/31/2021
169 Citywide Mechanical JOC	149088	Summa Mechanical Contractors, Inc.	12/31/2021
171 AVN Civil Construction	149208	Rummel Construction, Inc.	In Process



Amend and Extend Pumps Contracts (Ordinance S-45417)

Request to authorize the City Manager, or his designee, to amend five contracts: Contract 138110 with Hennesy Mechanical Sales, LLC; Contract 138107 with James, Cooke & Hobson Inc.; Contract 138103 with Phoenix Pumps, Inc.; Contract 138104 with Pump Systems, Inc.; and Contract 138109 with Quadna, A DXP Company, to provide pumps, parts, and accessories. The amendments will extend each contract term for six months, from April 1, 2019, through Sept. 30, 2019. Further request authorization for the City Manager, or his designee, to add an additional contract amount not to exceed \$1,437,000. The amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The five contracts provide pumps, pump parts, and accessories necessary to replace and/or maintain equipment for the Public Works, Aviation, Convention Center, Parks and Recreation, and Water Services departments. The contracts also include repair and maintenance of the pumps. The extensions will allow sufficient time to complete a competitive process to award multi-year contracts for these services.

Contract Term

The term of the contracts will be extended from April 1, 2019 through Sept. 30, 2019.

Financial Impact

The six-month extension of the five contracts will add an additional \$1,437,000, for a total cost for the contracts not to exceed \$12,196,000. Funds are available in the Public Works, Aviation, Convention Center, Parks and Recreation, and Water Services departments' operating and capital Improvement Program budgets.

Concurrence/Previous Council Action

The five contracts were awarded by the City Council (Ordinance S-40629) on March 19, 2014, for an initial term of three years with two, one-year options to extend through March 31, 2019.

The original aggregate cost of the contracts was \$8,000,000. Council approved the below payment ordinances to increase the funding for a total of \$10,759,000:

- S-42275 added \$84,000 to Contract 138103 with Phoenix Pumps, Inc. on February 3, 2016;
- S-42751 added \$1,200,000 to Contract 138108 with Clearwater Engineering, LLC, Contract 138110 with Hennesy Mechanical Sales, LLC, Contract 138107 with James, Cooke & Hobson, Inc., Contract 138103 with Phoenix Pumps, Contract 138104 Pump Systems, Inc., Contract 138109 with DXP Enterprises, Inc., Contract 138106 with Western Drilling Company, LLC dba The Pump Company, and Contract 134111 with Westcoast Rotor, Inc. on July 1, 2016;
- S-44957-0019 added \$1,475,000 to Contract 138103 with Phoenix Pumps, Inc. on Sept. 5, 2018

The six-month extension of the five contracts adds \$1,437,000, bringing the total not-to-exceed cost of the contracts to \$12,196,000.

Responsible Department

This item is submitted by Deputy City Managers Deanna Jonovich and Karen Peters, and the Convention Center, Parks and Recreation, Public Works, Aviation, and Water Services departments.



Fire Hydrants and Accessories Contracts

Request to authorize the City Manager, or his designee, to enter into a contract with Mueller Company to provide fire hydrants, and enter into contracts with Dana Kepner Company Inc., Ferguson Waterworks, and Fortiline Waterworks to provide fire hydrants, parts, kits, and accessories for the Water Services Department for a five-year term. The total requested amount will not exceed \$5,845,065. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department will use these contracts for purchase of new fire hydrants, parts, kits, and accessories. Fire hydrants are within the City water distribution system and are used primarily for fire suppression, and also for line flushing to ensure water quality, to test hydraulic capabilities, and as part of commercial construction and street cleaning.

Procurement Information

Invitation for Bid (IFB) 1819-WWD-169 was conducted in accordance with Administrative Regulation 3.10 and Phoenix City Code section 43-12 (A) and (B). The IFB was posted on the City's solicitation website on November 28th, 2018 and sent to thirteen prospective vendors who were registered on the City's eProcurement system in Product Category Code 340600000. A pre-bid conference was held on Dec. 5, 2018 and bids were due on Dec. 27, 2018. It was determined that it would be in the City's best interest to award one vendor for fire hydrants, based on the lowest responsible offer. Similarly, three vendors were recommended for award of contracts for the six manufacturers of fire hydrant parts, kits and accessories as a single-digit discount off the catalog list price. The award recommendations are as follows:

<u>Fire Hydrants</u>	<u>Vendor</u>	<u>Unit Cost</u>
Mueller 250	Mueller Co.	\$1,243.72
<u>Parts/Kits/Accessories</u>	<u>Vendor</u>	<u>Group Discount Bid</u>
Mueller Co. Super Cent.	Fortiline Waterworks	37.50%
Clow Medallion	Ferguson Waterworks	27%
Kennedy K-81	Dana Kepner	30%

M & H Model	Ferguson Waterworks	27%
American Flow Control	Dana Kepner	30%
Product 72940D	Ferguson Waterworks	0.05%

Contract Term

The 5-year contract shall begin on or about March 1, 2019, thru Feb. 28, 2024, with no options to extend.

Financial Impact

The total five-year aggregate amount will not exceed \$5,845,065. Funds are available in the Water Services Department's operating and Capital Improvement Project budgets.

Responsible Department

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



Final Plat - 29th Street Subdivision - 180057 - 283 Feet +/- South of Utopia Road and East Side of 29th Street

Plat: 180057
Project: 17-722
Name of Plat: 29th Street Subdivision
Owner(s): DLR Properties, LLC
Engineer(s): Everland Engineering Associates
Request: A 5 Lot Residential Plat
Reviewed by Staff: Feb. 4, 2019
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 283 Feet +/- south of Utopia Road on the east side of 29th Street.
Council District: 2

Responsible Department

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



Amend City Code - Official Supplementary Zoning Map 1184 (Ordinance G-6561)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1184. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-172-88-8 and the entitlements are fully vested.

Summary

To rezone a parcel located on the northeast corner of Fillmore Street and 42nd Street.
Z-172-88-8

Zoning: C-2 MR*

Owner: Camelback Equities

Acreage: Approximately 4.07

Location

Northeast corner of Fillmore Street and 42nd Street.

Council District: 8

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY
OF PHOENIX ZONING ORDINANCE BY ADOPTING
OFFICIAL SUPPLEMENTARY ZONING MAP 1184

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

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is
hereby amended by adopting Official Supplementary Zoning Map 1184 signed by the
Mayor and City Clerk, which is accompanies and is annexed to this ordinance and
declared a part hereof.

PASSED by the Council of the City of Phoenix this 6th day of March 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

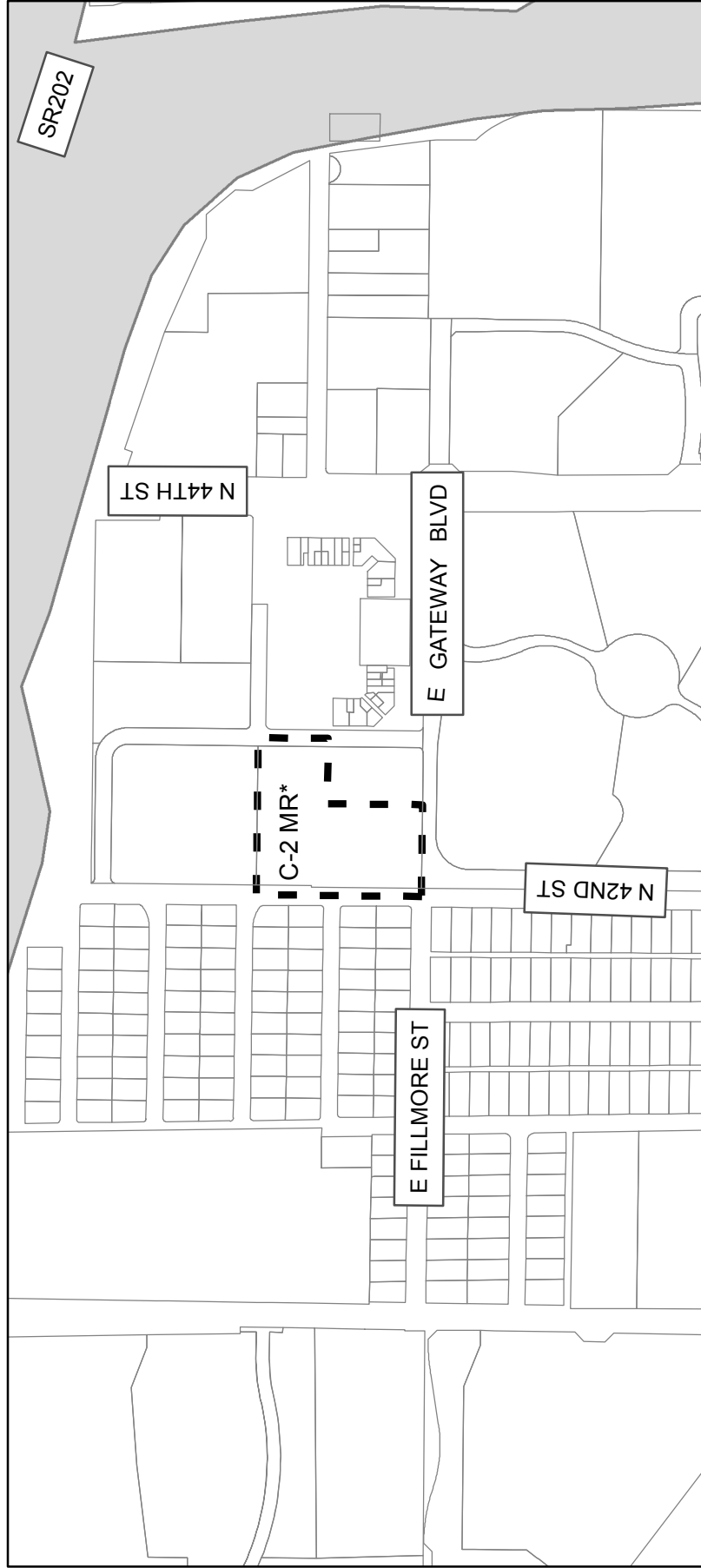
_____ City Manager

DRAFT

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1184 Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 6th day of March 2019.



Z-172-88-8

Drawn by: CM



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ZONING SUBJECT TO STIPULATIONS: *
AREA INVOLVED BOUNDED THUS: ■■■■■■



Amend City Code - Ordinance Adoption - Rezoning Application Z-70-18-4 - Approximately 170 Feet South of the Southwest Corner of 17th Street and Glenrosa Avenue (Ordinance G-6565)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-18-4 and rezone the site from R-3 to R-4 to allow multifamily residential.

Summary

Current Zoning: R-3

Proposed Zoning: R-4

Acreage: 0.94

Proposed Use: Multifamily residential

Owner: Ascend Properties

Applicant: Ascend Properties

Representative: Ashley Marsh, Tiffany & Bosco, PA

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation with an additional stipulation by an 11-0 vote.

PC Action: The Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Camelback East Village Planning Committee recommendation, with an additional stipulation by a 9-0 vote.

Location

Approximately 170 feet south of the southwest corner of 17th Street and Glenrosa Avenue.

Council District: 4

Parcel Addresses: 4238 N. 17th St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-70-18-4) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-4 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 0.94-acre property located approximately 170 feet south of the southwest corner of 17th Street and Glenrosa Avenue in a portion of Section 22, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R-3" (Multifamily Residence District) to "R-4" (Multifamily Residence District).

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

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

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

1. The architecture, design, color, and building materials shall be compatible for all of the buildings within the development, as approved by the Planning and Development Department.
2. Each new unit shall provide a covered entryway, as approved by the Planning and Development Department.
3. Pedestrian connections shall be provided to the street and from the existing building to the new buildings. All pedestrian walkways shall consist of a contrasting material such as decorative pavers, stamped or colored concrete, or another contrasting material, other than those used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department.
4. There shall be a minimum 5-foot-wide detached sidewalk along 17th Street with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
5. Minimum 3-inch caliper trees, planted 20 feet on center, or in equivalent groupings, shall be planted along the side yards adjacent to residential zoning to provide screening for adjacent residences, as approved by the Planning and Development Department.
6. The developer shall install secured bicycle parking at 0.25 spaces for each residential unit and a minimum of four inverted U-bicycle racks for guests located near entrances to the building, installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.
7. The surface parking lot area shall be landscaped with a minimum 2-inch caliper shade trees. Landscaping must be dispersed throughout the parking area, as approved by Planning and Development Department.
8. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

9. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
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. The development shall be limited to two stories and 30 feet.
14. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of March, 2019.

MAYOR

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-70-18-4

Parcel 1: APN# 163-28-047B

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE WEST QUARTER CORNER OF SAID SECTION 22;

THENCE SOUTH $00^{\circ}16'56''$ WEST A DISTANCE OF 1320.96 FEET A LONG THE MONUMENT LINE OF 16TH STREET AND THE WEST LINE OF SAID SECTION 22 TO A POINT ON THE MONUMENT LINE OF GLENROSA AVENUE;

THENCE NORTH $89^{\circ}29'26''$ EAST ALONG THE MONUMENT LINE OF SAID GLENROSA AVENUE A DISTANCE OF 659.06 FEET TO A POINT ON THE MONUMENT LINE OF 17TH STREET;

THENCE SOUTH $00^{\circ}15'34''$ WEST ALONG THE MONUMENT LINE OF SAID 16TH STREET A DISTANCE OF 171.60 FEET;

THENCE SOUTH $89^{\circ}29'47''$ WEST A DISTANCE OF 25.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID 16TH STREET, AND THE NORTHEAST CORNER OF LOT 22, MORNING ACRES, ACCORDING TO BOOK 14 OF MAPS, PAGE 17;

THENCE SOUTH $89^{\circ}29'47''$ WEST A DISTANCE OF 130.07 FEET ALONG THE NORTH LINE OF SAID LOT 22 TO THE SOUTHEAST CORNER OF THE WEST 168.00 FEET OF SOUTH 78.00 FEET OF LOT 2, MORNINGSIDE ACRES, ACCORDING TO BOOK 14 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH $89^{\circ}29'47''$ WEST ALONG THE SOUTH LINE OF SAID WEST 168.00 FEET OF THE SOUTH 78.00 FEET OF LOT 22 AND THE NORTH LINE OF SAID LOT 23 A DISTANCE OF 168.00 FEET TO THE SOUTHWEST CORNER;

THENCE NORTH $00^{\circ}16'32''$ EAST ALONG THE WEST LINE OF SAID WEST 168.00 FEET OF THE SOUTH 78.00 FEET OF LOT 22 A DISTANCE OF 78.00 FEET TO THE NORTHWEST CORNER;

THENCE NORTH $89^{\circ}29'47''$ EAST ALONG THE NORTH LINE OF SAID WEST 168.00 FEET OF THE SOUTH 78.00 FEET A DISTANCE 168.00 FEET TO THE NORTHEAST CORNER;

THENCE SOUTH 00°16'32" ALONG THE EAST LINE OF SAID WEST 168 FEET OF THE SOUTH 78.00 FEET A DISTANCE OF 78 FEET TO THE TRUE POINT OF BEGINNING.

Parcel 2: APN# 163-28-045

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE WEST QUARTER CORNER OF SAID SECTION 22;

THENCE SOUTH 00°16'56" WEST A DISTANCE OF 1320.96 FEET A LONG THE MONUMENT LINE OF 16TH STREET AND THE WEST LINE OF SAID SECTION 22 TO A POINT ON THE MONUMENT LINE OF GLENROSA AVENUE;

THENCE NORTH 89°29'26" EAST ALONG THE MONUMENT LINE OF SAID GLENROSA AVENUE A DISTANCE OF 659.06 FEET TO A POINT ON THE MONUMENT LINE OF 17TH STREET;

THENCE SOUTH 00°15'34" WEST ALONG THE MONUMENT LINE OF SAID 16TH STREET A DISTANCE OF 171.60 FEET;

THENCE SOUTH 89°29'47" WEST A DISTANCE OF 25.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID 16TH STREET, THE NORTHEAST CORNER OF THE NORTH ONE-HALF OF LOT 22, MORNING ACRES, ACCORDING TO BOOK 14 OF MAPS, PAGE 17, AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°15'34" WEST ALONG THE WEST RIGHT OF WAY LINE OF SAID 16TH STREET AND THE EAST LINE OF SAID LOT 22 A DISTANCE OF 85.79 FEET TO THE SOUTHEAST CORNER OF THE SAID NORTH ONE HALF OF LOT 22;

THENCE NORTH 89°29'56" WEST ALONG THE SOUTH LINE OF SAID NORTH-HALF OF LOT 22 A DISTANCE OF 289.10 FEET TO THE SOUTHWEST CORNER ;

THENCE NORTH 00°16'32" WEST ALONG THE WEST LINE OF SAID LOT 22 A DISTANCE OF 85.78 TO THE NORTHWEST CORNER OF SAID LOT 22;

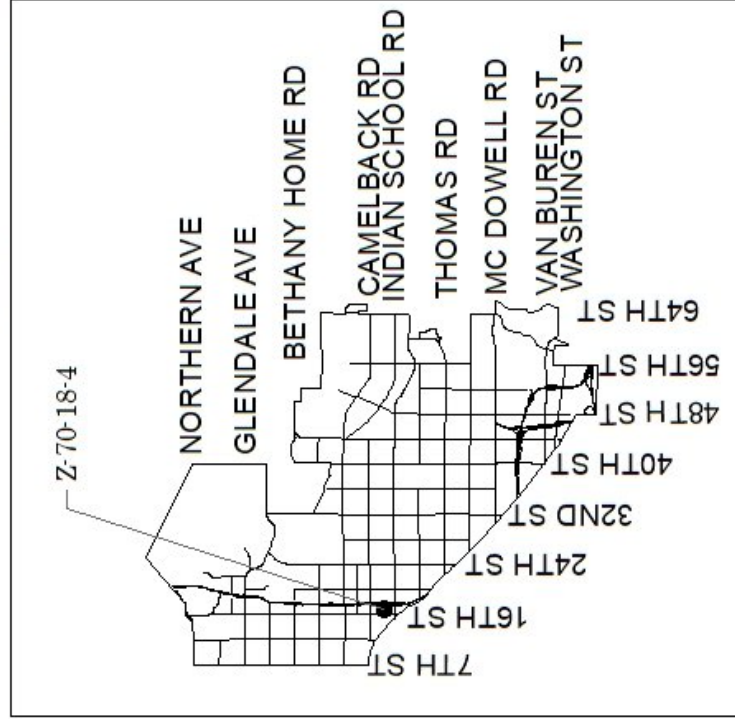
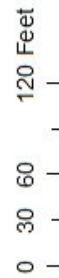
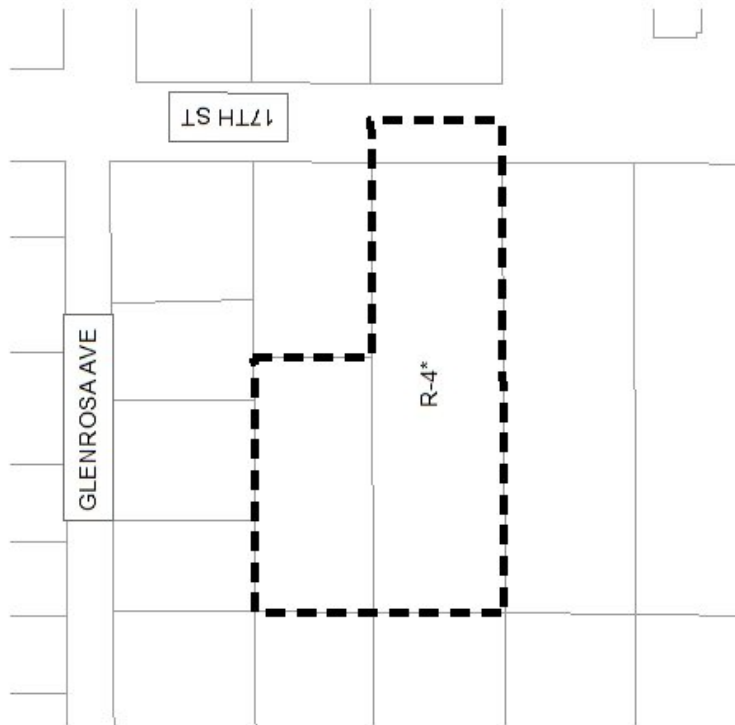
THENCE NORTH 89°29'47" EAST ALONG THE NORTH LINE OF SAID LOT 22 A DISTANCE OF 298.07 FEET TO THE TRUE POINT OF BEGINNING.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z 70 18 4
Zoning Overlay: N/A
Planning Village: Camelback East

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



NOT TO SCALE



Drawn Date: 2/6/2019



**Amend City Code - Ordinance Adoption - Rezoning Application Z-69-18-7-
Southwest Corner of 103rd Avenue and Broadway Road (Ordinance G-6566)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-69-18-7 and rezone the site from S-1 and RE-43 to R1-8 for a single-family residential subdivision.

Summary

Current Zoning: S-1 and RE-43

Proposed Zoning: R1-8

Acreage: 103.29

Proposed Use: Single-family residential subdivision

Owner: MHale Family, LLP

Applicant: The Lead Group, LLC - Richard Jellies

Representative: EPS Group, Inc - Jorge Villasenor

Staff Recommendation: Approval, per Addendum A Staff Report.

VPC Action: Estrella Village Planning Committee did not hear this case as there was no quorum.

PC Action: Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Addendum A, Staff Report with modified and additional stipulations by a 9-0 vote.

Location

Southwest corner of 103rd Avenue and Broadway Road.

Council District: 7

Parcel Addresses: 4601 and 5001 S. 104th Ave., 5101 S. 106th Ave., and 5001 S. 107th Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-69-18-7) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) AND RE-43 (ONE-FAMILY RESIDENCE DISTRICT) TO R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 103.29-acre property located at the southwest corner of 103rd Avenue and Broadway Road in a portion of Section 29, Township 1 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from 102.44 acres of "S-1" (Ranch or Farm Residence District) and 0.85 acres of "RE-43" (One-Family Residence District) to 103.29 acres of "R1-8" (Single-Family Residence District).

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

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

1. A minimum of 15% of the gross project area shall be retained as common area, as approved by the Planning and Development Department.
2. The developer shall provide detached sidewalks, as depicted on the pedestrian connectivity exhibit, date stamped February 7, 2019, with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, as approved by the Planning and Development Department.
3. The portion of Broadway Road adjacent to this development shall comply with the Estrella Village Arterial Landscaping Program, as approved by the Planning and Development Department.
4. The developer shall construct a 10-foot wide public multi-use trail (MUT) within a 30-foot wide multi-use trail easement (MUTE) as indicated in Section 429 of the City of Phoenix MAG Supplement, along the west side of 103rd Avenue, as approved by the Planning and Development Department.
5. Right-of-way totaling 55 feet shall be dedicated for the south half of Broadway Road, as approved by the Planning and Development Department.
6. Right-of-way totaling 30 feet shall be dedicated for the west half of 103rd Avenue. At the intersection of Broadway Road, 40 feet of right-of-way shall be dedicated for the west side of 103rd Avenue for 150 feet south of the intersection. A right-of-way taper shall be dedicated for 125 feet between the 40 foot and 30 foot dedications, as approved by the Planning and Development Department.
7. A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southwest corner of 103rd Avenue and Broadway Road, as approved by the Planning and Development Department.
8. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlight, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
9. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street

Transportation Department prior to final site plan approval. This form is a requirement of the EPA to meet clean air quality requirements.

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 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. The development shall provide for a minimum of three two-inch caliper trees in each front yard, with two of those trees planted within five feet of the sidewalk and placed no more than 20 feet on center. The developer will provide a master tree plan with a species theme for each street, as approved by the Planning and Development Department.
14. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the city to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of March,
2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:
A – Legal Description (6 Pages)
B – Ordinance Location Map (1 Page)

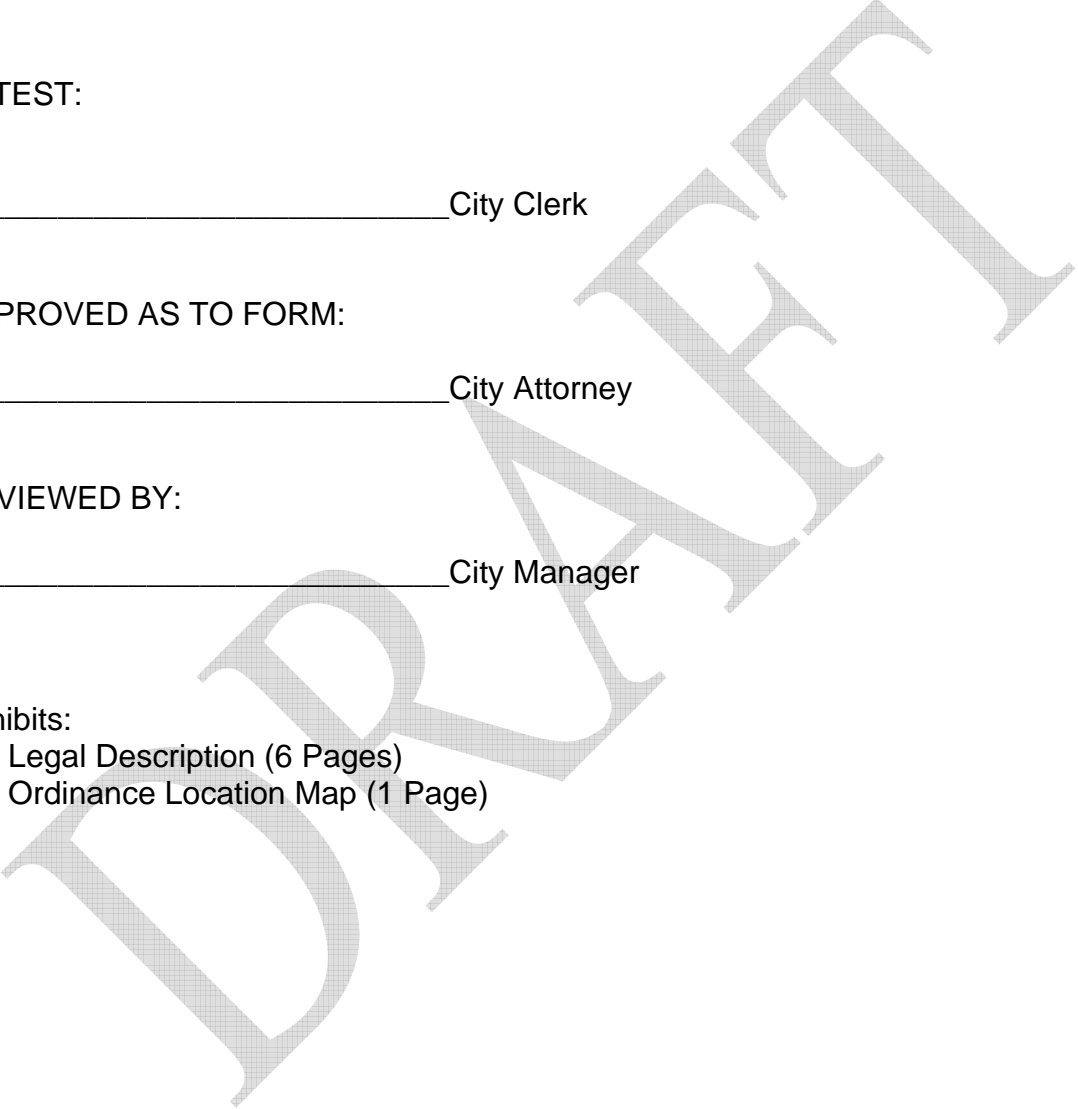


EXHIBIT A

LEGAL DESCRIPTION FOR Z-69-18-7

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE SOUTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1329.33 FEET TO THE SOUTHEAST CORNER OF THE EAST 656 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 665 FEET, AND THE TRUE POINT OF BEGINNING;

THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1193 FEET, MORE OR LESS TO THE CENTER LINE OF AN IRRIGATION DITCH RUNNING NORTHERLY AND SOUTHERLY THROUGH SAID NORTHWEST QUARTER; THENCE SOUTHERLY ALONG THE CENTER LINE OF SAID IRRIGATION DITCH TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER;

THENCE EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO A POINT WHICH IS THE INTERSECTION OF SAID SOUTH LINE AND THE EAST LINE OF SAID NORTHWEST QUARTER;

THENCE NORTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING.

ALSO EXCEPT THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE SOUTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1329.33 FEET TO THE SOUTHEAST CORNER OF THE EAST 656

FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29, AND THE TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 665 FEET;

THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1193 FEET, MORE OR LESS, TO THE CENTER LINE OF AN IRRIGATION DITCH RUNNING NORTHERLY AND SOUTHERLY THROUGH SAID NORTHWEST QUARTER;

THENCE NORTHERLY ALONG THE CENTER LINE OF SAID IRRIGATION DITCH TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 AT A POINT WHICH IS 89.70 FEET EASTERLY FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ANY PORTION OF SAID LAND LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

THE SOUTH 150 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

ALSO EXCEPTING THEREFROM ANY PORTION OF SAID LAND LYING WITHIN THE WEST 40 FEET OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 29;

THENCE SOUTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1329.33 FEET TO THE SOUTHEAST CORNER OF THE EAST 656 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 665 FEET, AND THE TRUE POINT OF BEGINNING;

THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1193 FEET, MORE OR LESS TO THE CENTER LINE OF AN IRRIGATION DITCH RUNNING NORTHERLY AND SOUTHERLY THROUGH SAID NORTHWEST QUARTER;

THENCE SOUTHERLY ALONG THE CENTER LINE OF SAID IRRIGATION DITCH TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER;

THENCE EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO A POINT WHICH IS THE INTERSECTION OF SAID SOUTH LINE AND THE EAST LINE OF SAID NORTHWEST QUARTER;

THENCE NORTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION OF SAID LAND LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

THE SOUTH 150 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

ALSO EXCEPTING THEREFROM ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING WITHIN THE ABOVE-DESCRIBED PARCEL:

BEGINNING AT A CITY OF PHOENIX BRASS CAP FLUSH MARKING THE NORTH QUARTER CORNER OF SAID SECTION 29, FROM WHICH A MARICOPA COUNTY BRASS CAP IN HANDHOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 29 BEARS SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST 2602.00 FEET, SAID LINE IS THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29 AND IS THE BASIS FOR THE BEARINGS IN THIS DESCRIPTION;

THENCE SOUTH 01 DEGREE 39 MINUTES 33 SECONDS EAST 2659.23 FEET ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 29 AS SHOWN ON THAT SURVEY PREPARED BY DANIEL M. WEIR, RECORDED IN BOOK 99 OF MAPS, PAGE 28, MARICOPA COUNTY RECORDS TO A FOUND 2 INCH IRON PIPE;

THENCE SOUTH 89 DEGREES 39 MINUTES 10 SECONDS WEST 34.46 FEET TO A FOUND ½ INCH IRON PIPE TAGGED 15573 AT THE INTERSECTION OF THE OPPOSING QUARTER CORNER CORNERS OF SAID SECTION 29;

THENCE NORTH 00 DEGREES 55 MINUTES 00 SECONDS WEST 2658.67 FEET ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 29 AS SHOWN

ON THE SUBDIVISION OF FARMINGTON GLEN, AS RECORDED IN BOOK 697, PAGE 16, MARICOPA COUNTY RECORDS, TO THE POINT OF BEGINNING.

PARCEL NO. 3:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 29;

THENCE SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1329.33 FEET TO THE SOUTHEAST CORNER OF THE EAST 656 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29, AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 665 FEET;

THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1193 FEET, MORE OR LESS, TO THE CENTER LINE OF AN IRRIGATION DITCH RUNNING NORTHERLY AND SOUTHERLY THROUGH SAID NORTHWEST QUARTER;

THENCE NORTHERLY ALONG THE CENTER LINE OF SAID IRRIGATION DITCH TO APPOINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 AT A POINT WHICH IS 89.70 FEET EASTERLY FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE CONTINUING NORTHERLY ALONG SAID CENTER LINE TO A POINT ON THE NORTH LINE OF SAID SECTION 29, WHICH IS 102.00 FEET EASTERLY FROM THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 543 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THE EAST 656 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH, ALONG THE WEST LINE OF THE EAST 656 FEET OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, TO THE SOUTHWEST CORNER OF THE EAST 656 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE EAST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 656 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29, A FOUND MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN A HAND HOLE, FROM WHICH THE NORTHWEST CORNER A FOUND BRASS CAP IN A HAND HOLE, OF SAID SECTION 29 BEARS SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST (BASIS OF BEARING) A DISTANCE OF 2602.04 FEET (MEASURED);

THENCE SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST A DISTANCE OF 879.03 FEET COINCIDENT WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH 00 DEGREES 53 MINUTES 41 SECONDS EAST A DISTANCE OF 50 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BROADWAY ROAD, MARKED WITH A ONE HALF INCH REBAR CAPPED WITH A SALT RIVER PROJECT BRONZE CAP STAMPED LS 15925, SAID POINT BEING THE POINT OF BEGINNING OF SAID PROPOSED SUBSTATION SITE;

THENCE CONTINUING SOUTH 00 DEGREES 53 MINUTES 41 SECONDS EAST A DISTANCE OF 300 FEET TO A ONE HALF INCH REBAR CAPPED WITH A SALT RIVER PROJECT BRASS CAP STAMPED LS 15925;

THENCE SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST TO A POINT ON THE EASTERLY LINE OF A NON EXCLUSIVE APPURTENANT EASEMENT FOR ROADWAY AND DITCH PURPOSES AS DESCRIBED IN PARCEL 2 OF DOCUMENT RECORDED IN RECORDING NO. 1998-1170146, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT MARKED BY A ONE HALF INCH REBAR CAPPED WITH A SALT RIVER PROJECT BRONZE CAP STAMPED LS 15925;

THENCE NORTH 00 DEGREES 53 MINUTES 41 SECONDS WEST COINCIDENT WITH THE EASTERLY LINE OF SAID EASEMENT FOR ROADWAY AND DITCH PURPOSES, A DISTANCE OF 300 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BROADWAY ROAD MARKED WITH A ONE HALF INCH REBAR CAPPED WITH A SALT RIVER PROJECT BRONZE CAP STAMPED LS 15925;

THENCE NORTH 89 DEGREES 35 MINUTES 57 SECONDS EAST COINCIDENT WITH SAID SOUTHERLY RIGHT OF WAY LINE OF BROADWAY ROAD, A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 4:

THE EAST 656.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPTING THEREFROM ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING WITHIN THE ABOVE-REFERENCED PARCEL:

BEGINNING AT A CITY OF PHOENIX BRASS CAP FLUSH MARKING THE NORTH QUARTER CORNER OF SAID SECTION 29, FROM WHICH A MARICOPA COUNTY BRASS CAP IN HANDHOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 29 BEARS SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST 2602.00 FEET, SAID LINE IS THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29 AND IS THE BASIS FOR THE BEARINGS IN THIS DESCRIPTION;

THENCE SOUTH 01 DEGREE 39 MINUTES 33 SECONDS EAST 2659.23 FEET ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 29 AS SHOWN ON THAT SURVEY PREPARED BY DANIEL M. WEIR, RECORDED IN BOOK 99 OF MAPS, PAGE 28, MARICOPA COUNTY RECORDS TO A FOUND 2 INCH IRON PIPE;

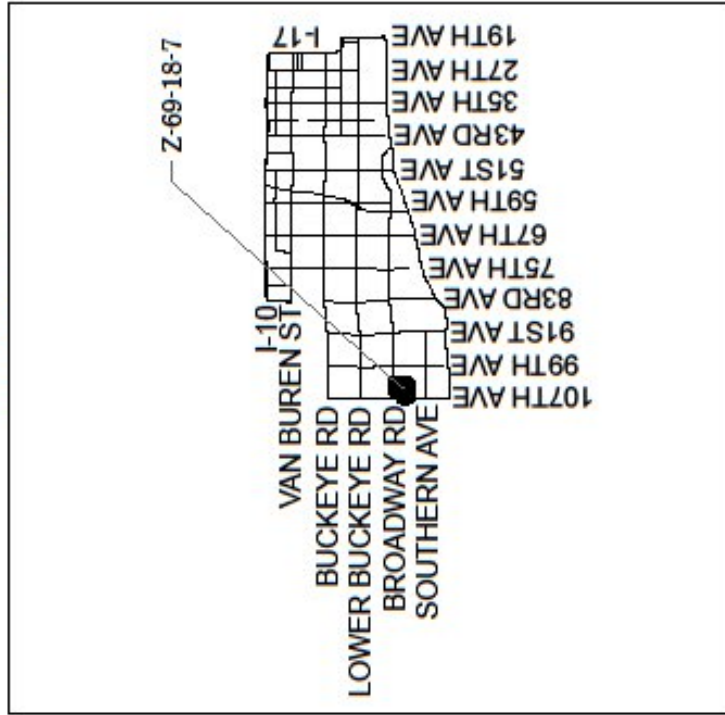
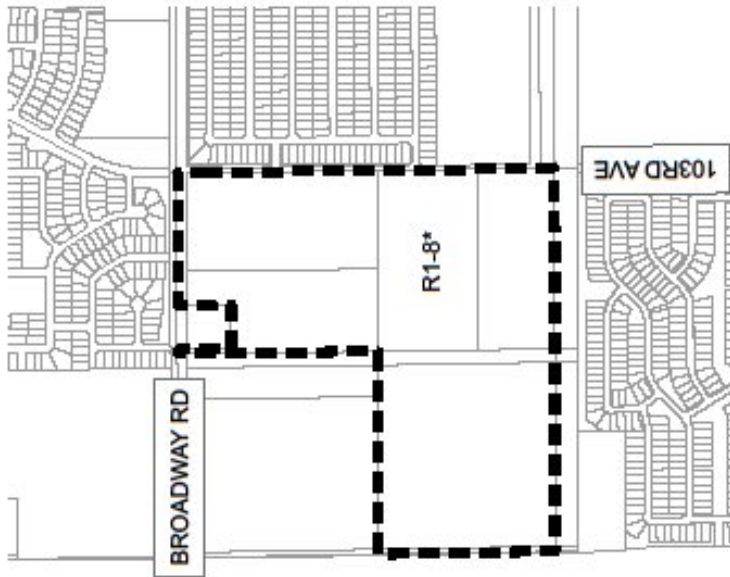
THENCE SOUTH 89 DEGREES 39 MINUTES 10 SECONDS WEST 34.46 FEET TO A FOUND ½ INCH IRON PIPE TAGGED 15573 AT THE INTERSECTION OF THE OPPOSING QUARTER CORNER CORNERS OF SAID SECTION 29;
THENCE NORTH 00 DEGREES 55 MINUTES 00 SECONDS WEST 2658.67 FEET ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 29 AS SHOWN ON THE SUBDIVISION OF FARMINGTON GLEN, AS RECORDED IN BOOK 697 OF MAPS, PAGE 16, MARICOPA COUNTY RECORDS, TO THE POINT OF BEGINNING.

DRAFT

ORDINANCE LOCATION MAP

Zoning Case Number: Z-69-18-7
Zoning Overlay: N/A
Planning Village: Estrella

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



NOT TO SCALE

Drawn Date: 2/6/2019



Amend City Code - Ordinance Adoption - Rezoning Application Z-44-18-6 - Southeast Corner of 44th Street and Indianola Avenue Alignment (Ordinance G-6564)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-44-18-6 and rezone the site from R1-10 to PUD for a Planned Unit Development to allow dementia care and an education campus.

Summary

Current Zoning: R1-10

Proposed Zoning: PUD

Acreage: 3.56

Proposed Use: Planned Unit Development to allow dementia care and education campus

Owner: Hospice of Valley

Applicant: Dennis M. Newcombe, Beus Gilbert, PLLC

Representative: Paul E. Gilbert, Beus Gilbert, PLLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Feb. 5, 2019 and recommended approval, per the Addendum A Staff Report by an 18-0 vote.

PC Action: The Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Camelback East Village Planning Committee recommendation with additional stipulations by a 9-0 vote.

Location

Southeast corner of 44th Street and Indianola Avenue.

Council District: 6

Parcel Address: 3811 N. 44th St.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development Department

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-44-18-6) FROM R1-10 (SINGLE-FAMILY RESIDENCE 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 3.56-acre property located at the southeast corner of 44th Street and Indianola Avenue in a portion of Section 30, Township 2 North, Range 4 East, as described more specifically in Exhibit "A", is hereby changed from "R1-10" (Single-Family Residence 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 Hospice of the Valley Campus 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 18, 2018, as modified by the following stipulations:
 - a. Front Cover: Revise the submittal date information on the bottom to add the following: City Council adopted: [Add adoption date].
 - b. Page 4, Table of Contents: Update page numbers to match the PUD sections.
 - c. Page 4, Exhibits: Modify Exhibit 10 to “Cross-Section along Indianola Avenue” and Exhibit 11 to “Proposed Building Height and Building and Landscape Setback Exhibit”.
 - d. Page 11, 1st sentence, Revise as follows: “Clearly, even the proposed height is consistent and compatible with the single-family residential zoning districts....”.
 - e. Page 16, Building Height, 2nd Paragraph, 2nd Sentence, Revise as follows: The result of this compatible lot coverage is the creation of greater openness...”.
 - f. Page 16, Building Height, 2nd Paragraph, 4th Sentence: Delete.
 - g. Page 17, The Landscape Design, 4th Paragraph, 1st Sentence: Modify as follows: An average 28-foot landscape setback...”
 - h. Page 18, List of Uses: Add the following below 1.a): b) No residential dwelling units, as defined by Section 202 of the City of Phoenix Zoning Ordinance shall be permitted.
 - i. Page 21, Development Standards, Building Setbacks: Modify to Exhibit K-11.
 - j. Page 22, Add: Development Standards header at the top of the table.
 - k. Page 22, Landscape Setbacks/Area and Building Height: Modify to Exhibit K-11.

- l. Page 22, Second Building Height Standard, Add “Maximum” in front of Building Height and change the maximum building height to 25-feet.
 - m. Page 22, Lot Coverage, Delete: “Note: Calculations assume gross site area including Indianola Avenue”.
 - n. Page 26, Design Guidelines, 2.c, Modify as follows: “Building facades shall not exceed 40 linear feet without architectural embellishments...”
 - o. Page 26, Design Guidelines, Façade articulation standards, Add the following: “g. Second story windows shall be prohibited along the southern property line.
 - p. Page 29, Sustainability, Add the following requirement: “6. Recycling collection areas shall be identified on the site plan at the time of the site plan review process. A minimum of two recycle containers to service the development shall be provided, as approved by the Planning and Development Department.”
 - q. Exhibit 8: Modify the North and South Building Setbacks for the R1-10 Subdivision column to the following: “3 or 10 feet”.
 - r. Exhibit 11: Add “Proposed Building Height and Building and Landscape Setback Exhibit” above the legend and increase the legend font size.
 - s. Add a lot coverage exhibit exhibiting the following:
 - 1. The primary building and the accessory structures square footage divided by the net lot area; provide calculation at the bottom of exhibit.
 - 2. Portions of the parking garage that are above 4 feet 6 inches from the natural grade square footage divided by the net lot area; provide calculations at the bottom of exhibit.

Make a reference to the exhibit in the development standards table for lot coverage in the following manner: “* See Exhibit K-13 for lot coverage calculation standards.”
2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

3. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
5. Provide a left-turn arrow light off of 44th Street and Indianola to the existing light, as approved by the Planning and Development Department.
6. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of March, 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-44-18-6

LEGAL DESCRIPTION:

LOT 2 (PER TITLE REPORT):

THE LAND REFERRED TO HEREIN BELOW IS SITUATED PHOENIX, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS: LOT 2, OF ARCADIA HIGH SCHOOL, ACCORDING TO BOOK 1248 OF MAPS, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 2 (METES AND BOUNDS, SEE BK 1259, PG 08, MCR):

THAT PART OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY ARIZONA, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 30, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 30 BEARS SOUTH 87°51'48" EAST, A DISTANCE OF 2684.68 FEET;

THENCE SOUTH 0°17'18" WEST, ALONG THE MID-SECTION LINE OF SAID SECTION 30, A DISTANCE OF 993.73 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30;

THENCE, DEPARTING FROM SAID MID-SECTION LINE, SOUTH 87°57'36" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 40.02 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 44TH STREET, ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PART;

THENCE CONTINUING SOUTH 87°57'36" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 428.06 FEET;

THENCE, DEPARTING FROM SAID NORTH LINE, SOUTH 0°54'31" WEST, A DISTANCE OF 330.68 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 30;

THENCE NORTH 87°59'13" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 424.47 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID 44TH STREET;

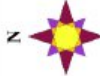
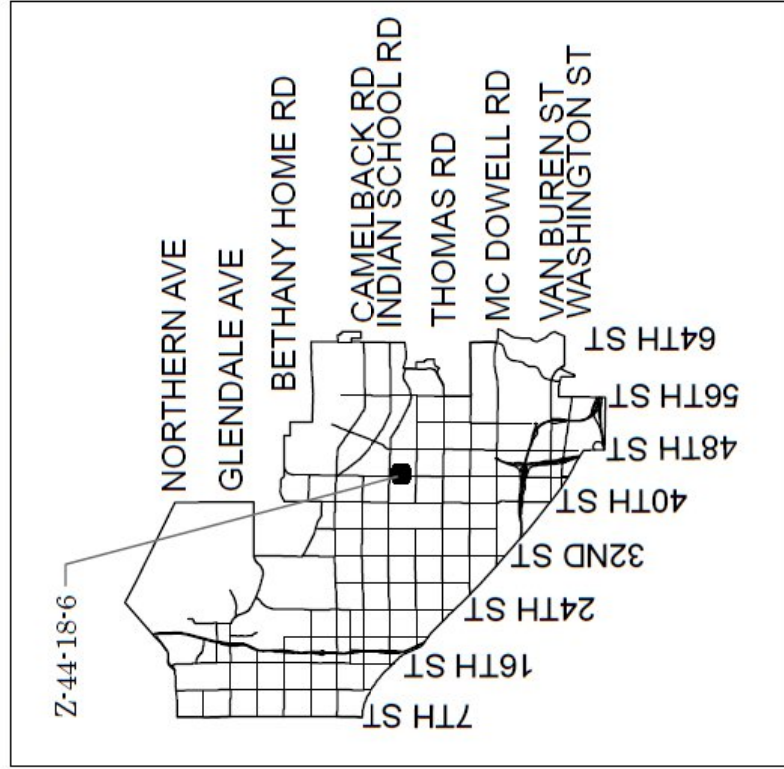
THENCE NORTH 0°17'18" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 330.98 FEET TO THE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

Zoning Case Number: Z-44-18-6
 Zoning Overlay: N/A
 Planning Village: Camelback East

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■■■■■■





Amend City Code - Ordinance Adoption - Rezoning Application Z-74-18-2 - Southwest Corner of Cave Creek Dam Road and Desert Peak Parkway Alignment (Ordinance G-6562)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-74-18-2 and rezone the site from R1-6 DVAO to C-O/G-O DVAO for an office. This item has a companion case Z-76-18-2.

Summary

Current Zoning: R1-6 DVAO
Proposed Zoning: C-O/G-O DVAO
Acreage: 6.61
Proposed Use: Office

Owner: Patrick Brown, DR Horton, Inc
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Desert View Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation by a 7-0 vote.
PC Action: The Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Desert View Planning Committee recommendation by a 8-0 vote.

Location

Southwest corner of Cave Creek Dam Road and Desert Peak Parkway alignment.
Council District: 2
Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED 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-74-18-2) FROM R1-6 DVAO (SINGLE-FAMILY RESIDENCE DISTRICT, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO C-O/G-O DVAO (COMMERCIAL OFFICE/GENERAL OFFICE, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 6.61-acre property located at the southwest corner of Cave Creek Dam Road and Desert Peak Parkway alignment in a portion of Section 10, Township 4 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from R1-6 DVAO (Single-Family Residence District, Deer Valley Airport Overlay District) to C-O/G-O DVAO (Commercial Office/General Office, Deer Valley Airport Overlay District).

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

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

1. The development shall be in general conformance with the elevations date stamped November 21, 2018, with specific regard to the building articulation and as modified by the following stipulations and as approved by the Planning and Development Department.
2. The color and material palette for the buildings shall be determined at site plan review and shall be muted and blend with, rather than contrast strongly or be reflective, with the surrounding desert environment, as approved by the Planning and Development Department.
3. A minimum landscape setback of 25 feet shall be required along property lines adjacent to residential zoning districts, as approved by the Planning and Development Department.
4. All parking lot landscaping requirements shall comply with the C-2 standards with the exception that there shall be 1 island every 8 parking spaces at a minimum width of 8-feet, as approved by the Planning and Development Department.
5. All landscape material shall be native, drought tolerant plant types, as approved by the Planning and Development Department.
6. All retention areas shall be natural and organic in shape, as approved by the Planning and Development Department.
7. The glazing on all building windows shall have a maximum reflectivity of 20%, as approved by the Planning and Development Department.
8. The developer shall construct all streets 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 all ADA accessibility standards.
9. The applicant shall plan for a minimum of 1 driveway stub, on the north side of the development, to connect to the future extension of Desert Peak Parkway, as approved by the Planning and Development Department.
10. The developer shall grant and record an avigation notice to the City of Phoenix

Aviation and Planning and Development Departments for the site, per Zoning Ordinance Section 658D and per the content and form prescribed by the City Attorney prior to final site plan approval.

11. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
12. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
13. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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 6th day of March, 2019.

MAYOR

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-74-18-2

A portion of land being situated within the South half of the Northwest quarter of Section 10, Township 4 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found stone w/ tag #19854, accepted as the North quarter corner of said Section 10 from which a found Maricopa County aluminum cap, accepted as the Northwest corner thereof bears North 89°59'59" West, 2615.89 feet;

Thence North 89°59'59" West, 1307.94 feet along the north line of said Northwest quarter;

Thence leaving said north line, South 00°00'49" East, 1320.11 feet along the east line of the Northwest quarter of said Northwest quarter to the southeast corner of said Northwest quarter of the Northwest quarter, being the **POINT OF BEGINNING**;

Thence along the east line of the Southwest quarter of said Northwest quarter, also being the centerline of Cave Creek Dam Road, as shown on the Final Plat for "Hillstone – South Parcel 1", as recorded in Book 1404, Page 31, Maricopa County Records, Arizona, South 00°00'49" East, 42.96 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 500.00 feet;

Thence continuing along said centerline and southeasterly along said curve, through a central angle of 23°52'11", an arc length of 208.30 feet to a non-tangent line;

Thence South 64°50'27" West, 664.22 feet;

Thence North 24°33'55" West, 579.84 feet;

Thence North 89°58'41" East, 799.44 feet along the north line of said Southwest quarter of the Northwest quarter, to the **POINT OF BEGINNING**.

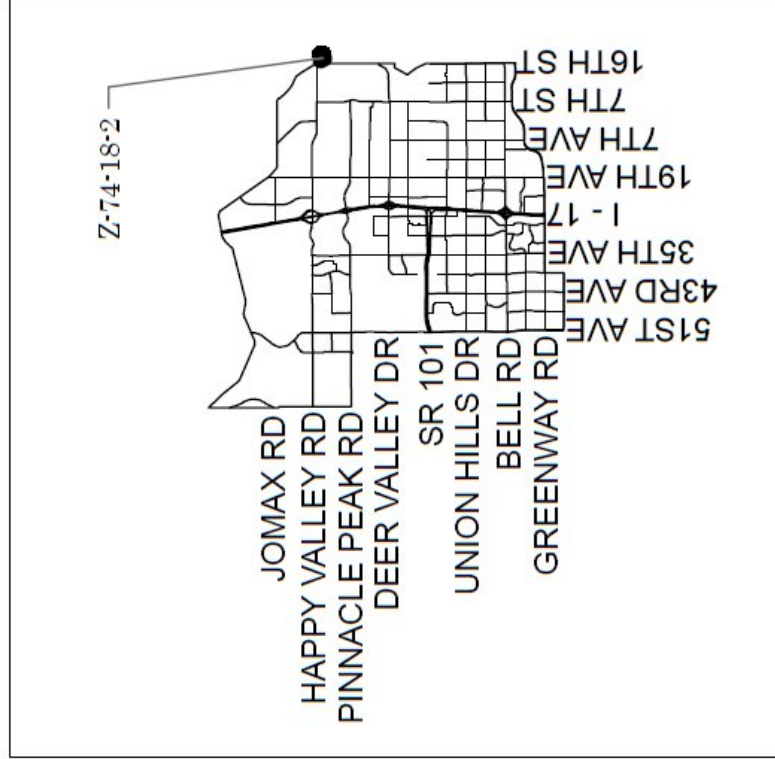
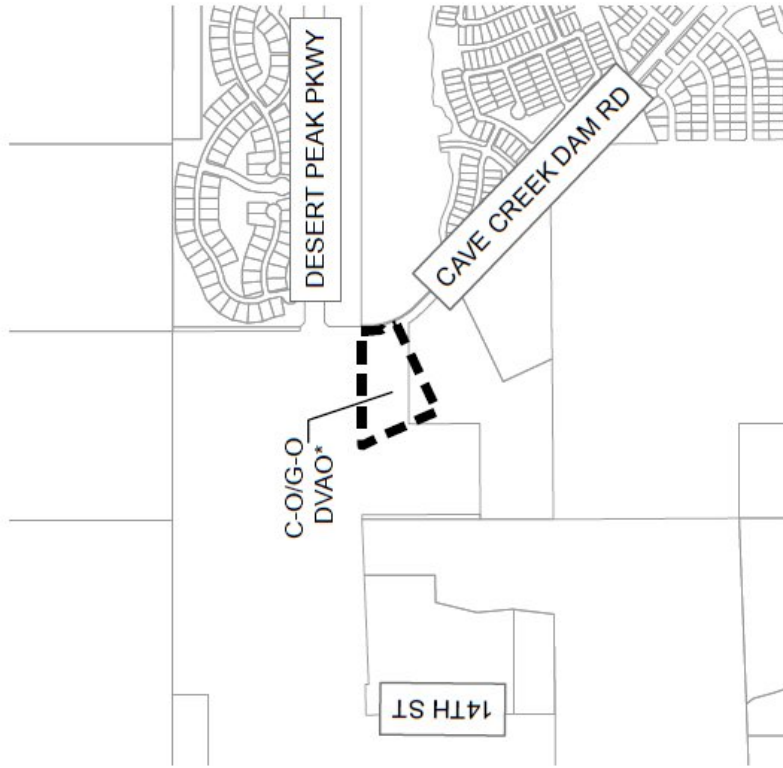
The above described parcel contains a computed area of 288,200 sq. ft. (6.6162 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

ORDINANCE LOCATION MAP

Zoning Case Number: Z-74-18-2
Zoning Overlay: Deer Valley Airport Overlay District
Planning Village: Desert View

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



NOT TO SCALE



Amend City Code - Ordinance Adoption - Rezoning Application Z-76-18-2 - Southwest Corner of Cave Creek Dam Road and Desert Peak Parkway Alignment (Ordinance G-6563)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-76-18-2 and rezone the site from R1-6 DVAO (Pending C-O/G-O DVAO) to C-O/G-O HGT/WVR DVAO for a height waiver to allow up to 38 feet for an office. The companion case is Z-74-18-2.

Summary

Current Zoning: R1-6 DVAO (Pending C-O/G-O DVAO)

Proposed Zoning: C-O/G-O HGT/WVR DVAO

Acreage: 6.61

Proposed Use: Height waiver to allow up to 38 feet

Owner: Patrick Brown, DR Horton, Inc

Applicant: Jason Morris, Withey Morris, PLC

Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Desert View Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation by a 7-0 vote.

PC Action: The Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Desert View Village Planning Committee recommendation by a 8-0 vote.

Location

Southwest corner of Cave Creek Dam Road and Desert Peak Parkway alignment.

Council District: 2

Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED 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-76-18-2) FROM R1-6 DVAO (PENDING C-O/G-O DVAO) (SINGLE-FAMILY RESIDENCE DISTRICT, DEER VALLEY AIRPORT OVERLAY DISTRICT (PENDING COMMERCIAL OFFICE/GENERAL OFFICE, DEER VALLEY AIRPORT OVERLAY DISTRICT)) TO C-O/G-O HGT/WVR DVAO (COMMERCIAL OFFICE/GENERAL OFFICE, HEIGHT WAIVER, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 6.61-acre property located at the southwest corner of Cave Creek Dam Road and Desert Peak Parkway alignment in a portion of Section 10, Township 4 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from R1-6 DVAO (Pending C-O/G-O DVAO) (Single-Family Residence District, Deer Valley Airport Overlay District (Pending Commercial Office/General Office, Deer Valley Airport Overlay District)) to C-O/G-O HGT/WVR DVAO (Commercial Office/General Office, Height Waiver, Deer Valley Airport Overlay District).

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

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

1. The development shall be in general conformance with the elevations date stamped November 21, 2018, with specific regard to the building articulation and as modified by the following stipulations and approved by the Planning and Development Department.
2. The maximum building height shall be 38 feet.
3. The color and material palette for the buildings shall be determined at site plan review and shall be muted and blend with, rather than contrast strongly or be reflective, with the surrounding desert environment, as approved by the Planning and Development Department.
4. A minimum landscape setback of 25 feet shall be required along property lines adjacent to residential zoning districts, as approved by the Planning and Development Department.
5. All parking lot landscaping requirements shall comply with the C-2 standards with the exception that there shall be 1 island every 8 parking spaces at a minimum width of 8-feet, as approved by the Planning and Development Department.
6. All landscape material shall be native, drought tolerant plant types, as approved by the Planning and Development Department.
7. All retention areas shall be natural and organic in shape, as approved by the Planning and Development Department.
8. The glazing on all building windows shall have a maximum reflectivity of 20%, as approved by the Planning and Development Department.
9. The developer shall construct all streets 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 all ADA accessibility standards.

10. The applicant shall plan for a minimum of 1 driveway stub, on the north side of the development, to connect to the future extension of Desert Peak Parkway, as approved by the Planning and Development Department.
11. The developer shall grant and record an avigation notice to the City of Phoenix Aviation and Planning and Development Departments for the site, per Zoning Ordinance Section 658D and per the content and form prescribed by the City Attorney prior to final site plan approval.
12. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
13. 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.
14. 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.
15. 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.

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 6th day of March,
2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

- Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-76-18-2

A portion of land being situated within the South half of the Northwest quarter of Section 10, Township 4 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found stone w/ tag #19854, accepted as the North quarter corner of said Section 10 from which a found Maricopa County aluminum cap, accepted as the Northwest corner thereof bears North 89°59'59" West, 2615.89 feet;

Thence North 89°59'59" West, 1307.94 feet along the north line of said Northwest quarter;

Thence leaving said north line, South 00°00'49" East, 1320.11 feet along the east line of the Northwest quarter of said Northwest quarter to the southeast corner of said Northwest quarter of the Northwest quarter, being the **POINT OF BEGINNING**;

Thence along the east line of the Southwest quarter of said Northwest quarter, also being the centerline of Cave Creek Dam Road, as shown on the Final Plat for "Hillstone – South Parcel 1", as recorded in Book 1404, Page 31, Maricopa County Records, Arizona, South 00°00'49" East, 42.96 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 500.00 feet;

Thence continuing along said centerline and southeasterly along said curve, through a central angle of 23°52'11", an arc length of 208.30 feet to a non-tangent line;

Thence South 64°50'27" West, 664.22 feet;

Thence North 24°33'55" West, 579.84 feet;

Thence North 89°58'41" East, 799.44 feet along the north line of said Southwest quarter of the Northwest quarter, to the **POINT OF BEGINNING**.

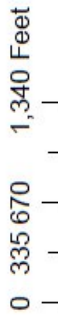
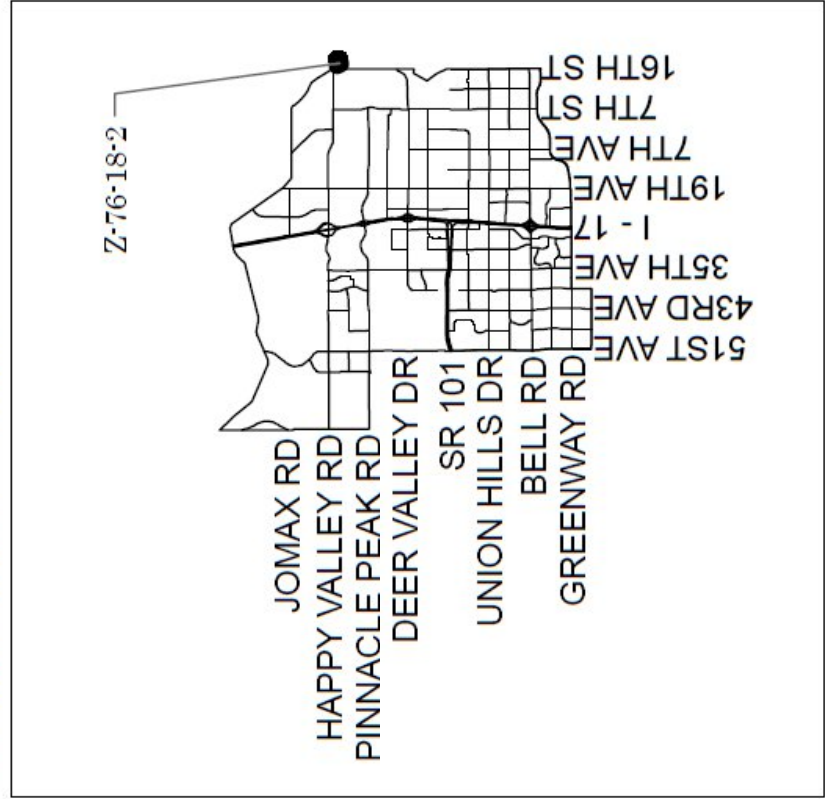
The above described parcel contains a computed area of 288,200 sq. ft. (6.6162 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

ORDINANCE LOCATION MAP

Zoning Case Number: Z-76-18-2
 Zoning Overlay: Deer Valley Airport Overlay District
 Planning Village: Desert View

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



NOT TO SCALE





Amend City Code - Ordinance Adoption - Rezoning Application Z-71-18-8 - Approximately 200 Feet East of the Northeast Corner of 16th Street and Roeser Road (Ordinance G-6567)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-71-18-8 and rezone the site from PSC SPVTABDO to C-1 SPVTABDO for multifamily residential.

Summary

Current Zoning: PSC SPVTABDO

Proposed Zoning: C-1 SPVTABDO

Acreage: 4.42

Proposed Use: Multifamily residential

Owner: IP 1616 East Roeser Road, LLC

Applicant: Charles Huellmantel/Huellmantel & Affiliates

Representative: Charles Huellmantel/Huellmantel & Affiliates

Staff Recommendation: Approval, subject to stipulations.

VPC Action: South Mountain Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation by an 11-3 vote.

PC Action: Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the South Mountain Village Planning Committee recommendation, with an additional stipulation by an 8-0 vote.

Location

Approximately 200 feet east of the northeast corner of 16th Street and Roeser Road.

Council District: 8

Parcel Addresses: 1616 E. Roeser Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-71-18-8) FROM PSC SPVTABDO (PLANNED SHOPPING CENTER DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY DISTRICT) TO C-1 SPVTABDO (NEIGHBORHOOD RETAIL DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 4.42-acre property located approximately 200 feet east of the northeast corner of 16th Street and Roeser Road in a portion of Section 27, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "PSC SPVTABDO" (Planned Shopping Center District, South Phoenix Village and Target Area B Design Overlay District) to "C-1 SPVTABDO" (Neighborhood Retail District, South Phoenix Village and Target Area B Design Overlay District).

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

1. The developer shall install a minimum of 4 inverted-U bicycle racks for guests, installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
2. The sidewalk along Roeser Road shall be detached with a minimum 5-foot wide landscaped strip between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings, as approved by the Planning and Development Department.
3. The driveway access from Roeser Road shall be restricted to right-in/right-out access, as approved by the Planning and Development Department.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
5. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to property assess the materials
7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of March, 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-71-18-8

That part of the Northwest quarter of Section 27, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

The courses given being based on an assumed course of North for the West line of the Northwest quarter of said Section 27, to wit:

From the West quarter corner of said Section 27 run North along the West line of the Northwest quarter of said Section 27, a distance of 43.0 feet to a point on the center line of Roeser Road as shown in Book 1 of Road Maps, page 36, records of Maricopa County, Arizona, the POINT OF BEGINNING to the parcel of land herein described and the Southwest corner thereof;

Thence North along the West line of the Northwest quarter of said Section 27, a distance of 893.37 feet;

Thence East 604.28 feet;

Thence South 12 degrees 29 minutes 30 seconds West 297.10 feet;

Thence South 594.89 feet to a point on the center line of afore mentioned Roeser Road from which the intersection of said Roeser Road with the East line of the Northwest quarter of said Section 27 bears North 89 degrees 06 minutes East 2106.48 feet;

Thence South 89 degrees 06 minutes West 540.07 feet along the center line of Roeser Road to the POINT OF BEGINNING;

Except therefrom the North 418.25 feet as measured along the West line thereof; and

Except therefrom the South 190 feet of the West 215 feet; and

Except the North 110 feet of the South 300 feet of the West 205 feet.



*****REVISED ITEM (SEE ATTACHED MEMO)*** Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-81-18-6 - Approximately 320 Feet West of the Northwest Corner of 22nd Place and Rovey Avenue (Ordinance G-6568)**

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application rezoning application Z-81-18 and rezone the site from RE-35 to R1-18 and RE-35 for single-family residential. This item requires a 3/4 vote.

Summary

Current Zoning: RE-35

Proposed Zoning: R1-18 and RE-35

Acreage: 12.00

Proposed Use: Single-family residential

Owner: Rocky Acres 6204, LLC, et al.

Applicant: Brennan Ray, Burch & Cracchiolo, P.A.

Representative: Brennan Ray, Burch & Cracchiolo, P.A.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: Camelback East Village Planning Committee heard this case on Jan. 8, 2019 and recommended approval, per the staff recommendation by a 10-2 vote.

PC Action: Planning Commission heard this case on Feb. 7, 2019 and recommended approval, per the Addendum A Staff Report with additional stipulations by an 8-0 vote.

Location

Approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue.

Council District: 6

Parcel Addresses: 2140 E. Bethany Home Road.; and 6001, 6004, 6006, 6010, 6011, 6014, 6018, 6022, 6024, 6026, 6030, 6034, 6037, 6038, 6042, 6043, and 6044 N. 21st Place

Responsible Department


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



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: March 1, 2019

From: Alan Stephenson 
Planning and Development Director

Subject: CORRECTION TO ITEM 59 ON THE MARCH 6, 2019 FORMAL AGENDA –
PUBLIC HEARING/ORDINANCE ADOPTION OF Z-81-18-6 (G-6568)

Item 59, is a request for Ordinance Adoption of Rezoning Application Z-81-18-6 (G-6568), to rezone 12.00 acres located approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue from RE-35 to R1-18 and RE-35 to allow single-family residential.

This memo corrects the request in the agenda requiring a 3/4 vote. The 3/4 vote is not required on this item.

Approved:



Mario Paniagua, Deputy City Manager

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-81-18-6) FROM RE-35 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R1-18 (SINGLE-FAMILY RESIDENCE DISTRICT) AND RE-35 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 12.00-acre property located approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue in a portion of Section 10, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 12.00 acres of "RE-35" (Single-Family Residence District) to 10.36 acres of "R1-18" (Single-Family Residence District) and 1.64 acres of RE-35 (Single-Family Residence District).

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

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

1. The development shall be limited to a maximum of 14 lots within the R1-18 zoning area and a maximum of 1 lot within the RE-35 zoning area.
2. The primary structure located on the RE-35 lot shall be limited to a maximum of 1-story and 25 feet in height.
3. The R1-18 rezoning area shall be subject to the perimeter standards for the RE-35, Planned Residential Development option, as approved by the Planning and Development Department. This stipulation does not affect the applicability of existing variances/use permits, nor does it preclude a property owner from pursuing a variance/use permit through the Zoning Adjustment public hearing process.
4. The RE-35 rezoning area shall be subject to the RE-35, subdivision development option, as approved by the Planning and Development Department. This stipulation does not preclude a property owner from pursuing a variance/use permit through the zoning adjustment public hearing process.
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. 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.
7. **There shall be a 60-foot setback from the south property line.**

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 6th day of March, 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-81-18-6

R1-18 LEGAL DESCRIPTION

Within a portion of Section 10, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Lots 1 to 12, Lot 14, and Tracts A, B, and F, "2200 E. Bethany," according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 454 of Maps, Page 8; and

Lot 13, "2200 E. Bethany Lot 13 Amended," according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 863 of Maps, Page 50.

RE-35 LEGAL DESCRIPTION

Within a portion of Section 10, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

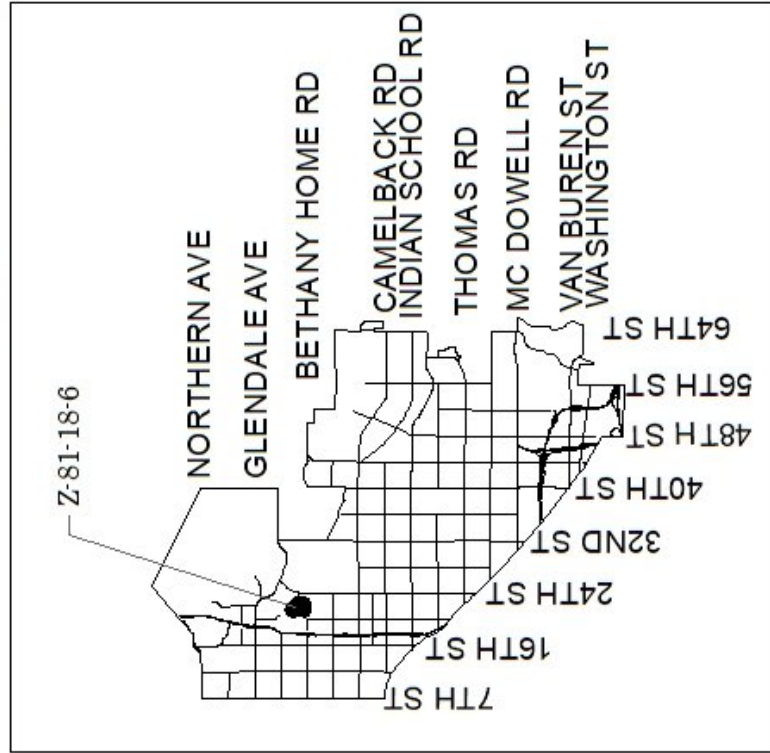
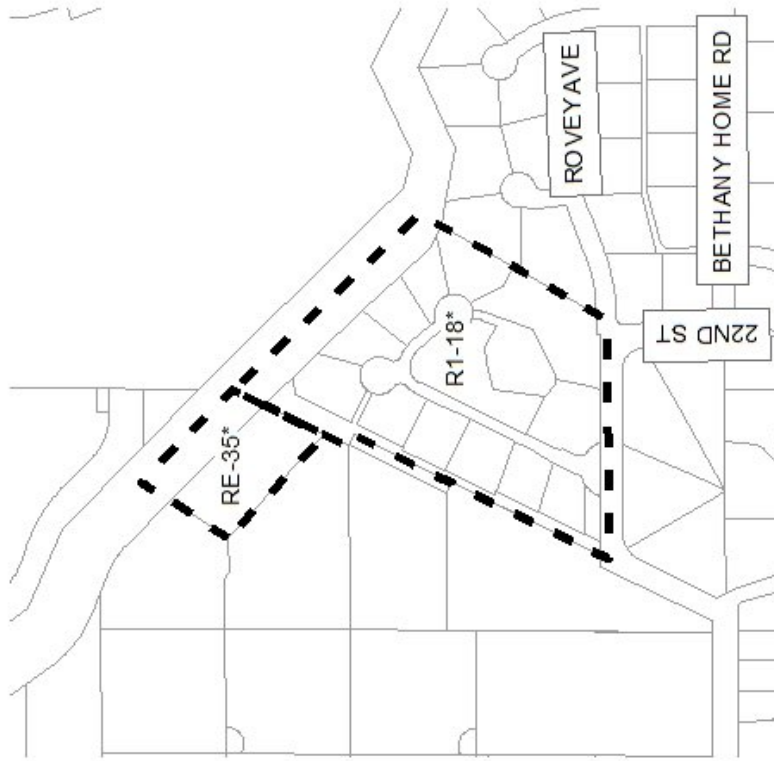
Tract E, "2200 E. Bethany," according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 454 of Maps, Page 8.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z 81 18 6
Zoning Overlay: N/A
Planning Village: Camelback East

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



NOT TO SCALE



Drawn Date: 2/6/2019



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report: Z-81-18-6
December 27, 2018

Camelback East [Village Planning Committee Meeting Date](#) January 8, 2019
[Planning Commission Hearing Date](#) February 7, 2019

Request From: [RE-35](#) (12.00 acres)
Request To: [R1-18](#) (10.36 acres)
[RE-35](#) (1.64 acres)

Proposed Use Single-Family Residential

Location Approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue

Owner Rocky Acres 6204, LLC, et al.
Applicant/ Representative Brennan Ray, Burch & Cracchiolo, P.A.
Staff Recommendation Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 1 to 2 dwelling units per acre	
Street Map Classification	Bethany Home Road/ Rovey Avenue	Local	25 to 28-foot north half street
<p><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.</i></p> <p>As stipulated, the existing single-family subdivision and the new single-family home will be compatible in height, scale and intensity with the surrounding neighborhood.</p>			
<p><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS; CERTAINTY AND CHARACTER; LAND USE PRINCIPLE: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.</i></p> <p>The proposed use is consistent with the surrounding residential properties in the area.</p>			

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Single-family residences and tennis court	RE-35
North	Canal	RE-35
South	Single-family residences	RE-35 and RE-24
East	Single-family residences	RE-24
West	Single-family residences	RE-35

RE-35, Single-Family Residence District and R1-18, Single-Family Residence District (Planned Residential Development Option)				
<u>Standards</u>	<u>Requirements RE-35</u>	<u>Proposed</u>	<u>Requirements R1-18</u>	<u>Existing</u>
<i>Gross Acreage</i>	-	1.64	-	10.36
Total Number of Units	2 maximum	1 (met)	24 maximum	14
Density (dwelling units/acre)	1.15; 1.32 maximum with bonus	0.60 (met)	2.05; 2.34 maximum with bonus	1.35 (met)
Typical Lot Size	None	190 x 179 (met)	None	Varies**
Building Height	2 stories; 30 feet	1 story; 25 feet*	2 stories; 30 feet	2 stories; 30 feet (met)**
Lot Coverage	Primary structure, not including attached shade structure: 25% Total: 30%	7.8% (met)	Primary structure, not including attached shade structure: 25% Total: 30%	30% (met)**
Common Area	Minimum 5% of gross area	Not provided	Minimum 5% of gross area	5% (met)

<u>Building Setbacks</u>	<u>Requirements RE-35</u>	<u>Proposed</u>	<u>Requirements R1-18</u>	<u>Existing</u>
Perimeter (adjacent to street)	40 feet minimum	N/A (no streets adjacent to subject site)	20 feet minimum	40 feet (met)**
Perimeter (Adjacent to property line)	North: 20 feet minimum South: 20 feet minimum West: 20 feet minimum	North: 50 feet (met) South: 20 feet (met) West: 40 feet (met)	North: 15 feet minimum West: 15 feet minimum East: 15 feet minimum	20 feet (met)**
Front	East: 25 feet minimum	East: 40 feet (met)	25 feet minimum	25 feet (met)

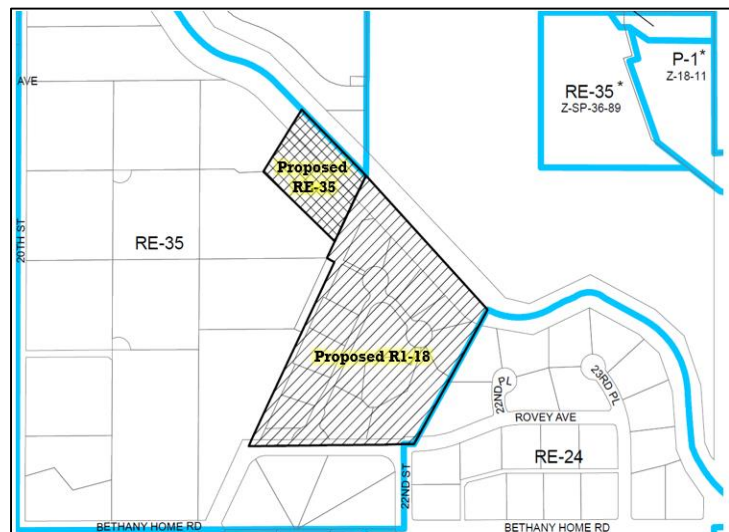
*Stipulation No. 2 requires a height limit of 1 story and 25 feet.

**The existing 14-lot subdivision was developed per the RE-35 PRD standards with the exception of one vacant lot. Stipulation No. 3 requires that the entire development be subject to the perimeter standards of the RE-35 PRD development option, the only standard that is more restrictive than the R1-18 PRD development option, all other development standards are identical.

Background/Issues/Analysis

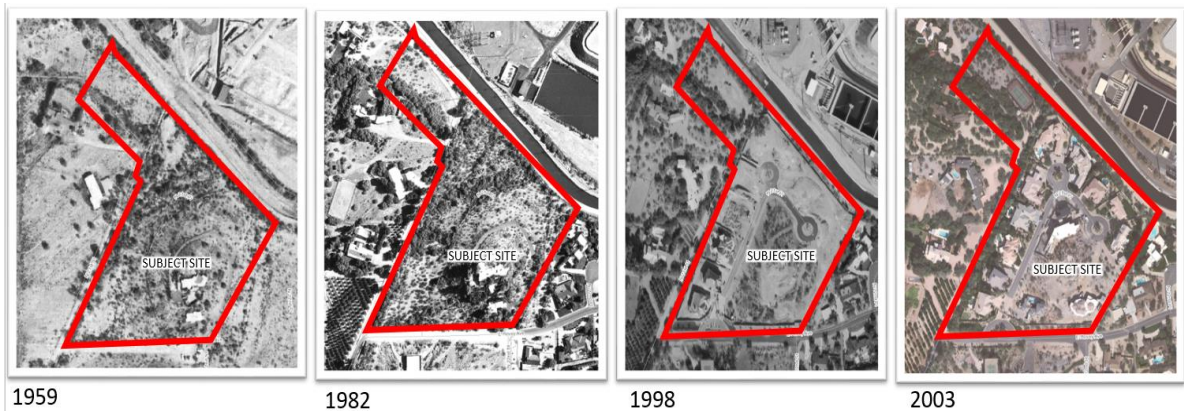
SUBJECT SITE

1. This request is to rezone a 12.00-acre site, located approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue from RE-35 (Single-Family Residence District) to 10.36 acres of R1-18 (Single-Family Residence District) and 1.64 acres of RE-35 (Single-family Residence District) to allow single-family residences.



Source: City of Phoenix Planning and Development Department

2. The subject site is currently developed with a 14-lot single-family subdivision and a tennis court as a recreation area for the residents of the existing subdivision. The subject site was annexed into the City of Phoenix in 1959 per Annexation No. 45. During that time, there was one home developed within the subject site and a single-family home to the west of the subject site. Maricopa County Historical Aerials indicate that subdivisions began to develop around the subject site in 1982 and that development of the subject site began in 1998 with the completion of all lots by 2003. The subdivision was developed under the Planned Residential Development (PRD) option of the RE-35 zoning district. The 14 lots were permitted through the attainment of bonus points for additional open space for a maximum of 1.32 dwelling units per acre whereas 1.15 dwelling units per acre would be permitted without density bonus. The existing density for the development is 1.17 dwelling units per acre. The existing density for the development is 1.17 dwelling units per acre inclusive of the tennis court portion of the subdivision.

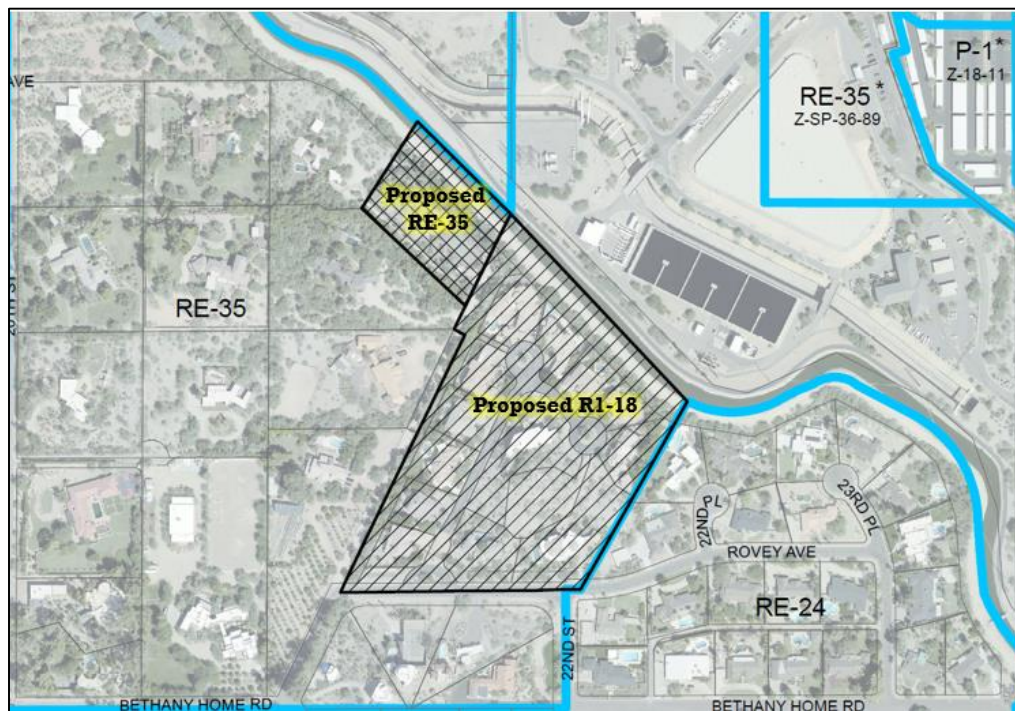


Source: Maricopa County Historical Aerials

SURROUNDING USES AND ZONING

3. The subject site consists of approximately 12 gross acres consisting of single-family lots, tracts, easements, and common area zoned RE-35 (Single-Family Residence District). Aside from the tracts and easements, the subdivision is improved with 14 single-family homes and a tennis court common area for the residents within the subdivision.

4.



Source: City of Phoenix Planning and Development Department

NORTH

North of the subject site is the Arizona Canal. Across the canal is a City of Phoenix water treatment plant zoned RE-35 (Single-Family Residence District).

SOUTH

South of the subject site are single-family residences zoned RE-35 (Single-Family Residence District)

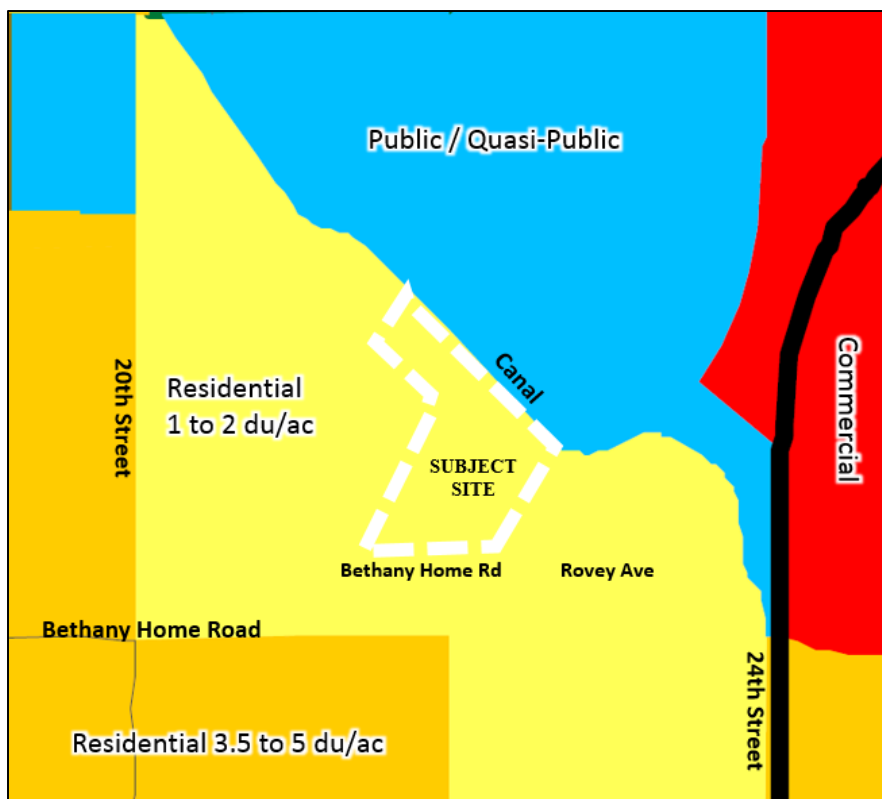
EAST

East of the subject site are two single-family residences zoned RE-24 (One-Family Residence District).

WEST

West of the subject site are four single-family residences zoned RE-35 (Single-Family Residence District).

5. The General Plan Land Use Map designation for the subject site is Residential 1 to 2 dwelling units per acre. The request is consistent with the General Plan Land Use Map designation for both zoning areas.

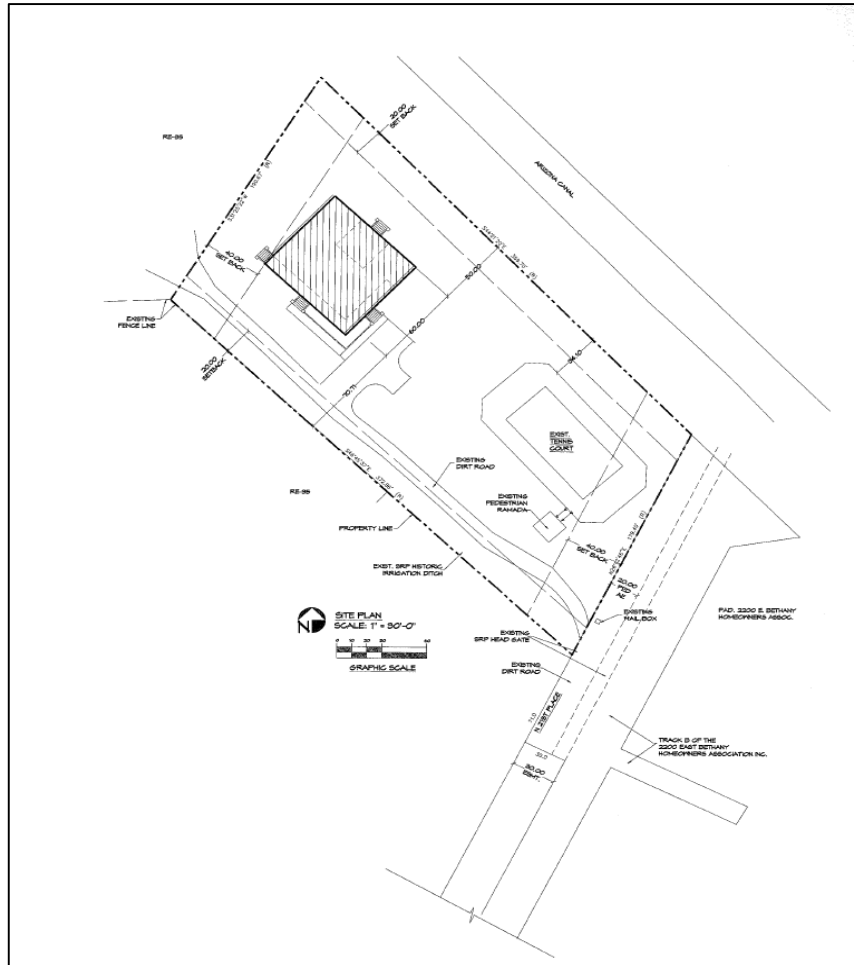


Source: City of Phoenix Planning and Development

PROPOSAL

6. The proposed project is for the development of one single-family residential home. The proposed home is to be located on the existing tennis court tract on the west side of the developed subdivision included in the rezoning request. The subdivision known as 2200 East Bethany was constructed with 14 lots on a 12.00-acre site. The density of the subject site was achieved through bonus points given for the excess open space, including the tennis courts. Since the development of the subdivision, the homeowner's association sold the tennis court tract. Today, the tennis court tract is non-developable because developing the tract would result in a reduction of open space for the current subdivision and put the subdivision over their density limit. There are no modifications being proposed for the existing residential lots. The R1-18 zoning designation would allow the current 14-lot subdivision to remain. In addition, the RE-35 proposal would allow the tennis court tract to be improved with a custom single-family residence in addition to the tennis court. Staff has requested that no more than 14 lots be permitted in the proposed R1-18 zoned area and that no more than one lot be permitted in the proposed RE-35 zoned area to ensure that the existing lots are maintained and that the development is compatible with the

surrounding properties. This is addressed in Stipulation No.1. Also, staff is requesting that the new home be single-story with a maximum height of 25 feet to be compatible with the surrounding neighborhood. This is addressed in Stipulation No. 2.



Source: Conceptual site plan provided by the applicant.

The new home being proposed is approximately 5,100 square feet in size, built to the west of the tennis court. The home will be accessible from Bethany Home Road through an easement to be used as a private driveway. Many of the homes surrounding the property are low-scale, low-density in nature. To that end, staff is recommending that the existing subdivision continue to meet the RE-35 PRD development standards, specifically the perimeter standards, the only standard in which R1-18 varies and is less restrictive.

Additionally, some lots within the existing subdivision have previously applied for and received variances to deviate from the RE-35 PRD development standards. The zoning adjustment entitlements that were previously approved on these lots shall remain and not be affected by the rezoning proposal. Furthermore, any future deviations from the RE-35 PRD standards may be processed through the Zoning

Adjustment public hearing process and will not be required to go through a PHO (Planning Hearing Officer) process. This is addressed in Stipulation No. 3.

COMMUNITY INPUT SUMMARY

7. At the time this staff report was written, staff had not received any public correspondence regarding the request.

INTERDEPARTMENTAL COMMENTS

8. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development. However, there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.
9. The Floodplain Management division indicated that the parcel is not located in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1745 L of the Flood Insurance Rate Maps (FIRM) dated April 07, 2017.
10. The Street Transportation Department did not have any comments regarding the proposal.
11. The Fire Department does not anticipate any problems with this case. They noted that the site and/or buildings shall comply with the Phoenix Fire Code.
12. 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. 4.

OTHER

13. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation.
2. The proposed rezoning will allow for the conversion of an underutilized open space area.
3. As stipulated, the subdivision will be compatible with the surrounding neighborhood.

Stipulations

1. The development shall be limited to a maximum of 14 lots within the R1-18 zoning area and a maximum of 1 lot within the RE-35 zoning area.
2. The primary structure located on the RE-35 lot shall be limited to a maximum of 1-story and 25 feet in height.
3. The entire development shall be subject to the perimeter standards for the RE-35, Planned Residential Development option, as approved by the Planning and Development Department. This stipulation does not affect the applicability of existing variances/use permits, nor does it preclude a property owner from pursuing a variance/use permit through the Zoning Adjustment public hearing process.
4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer

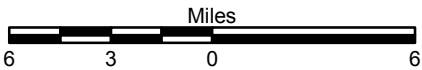
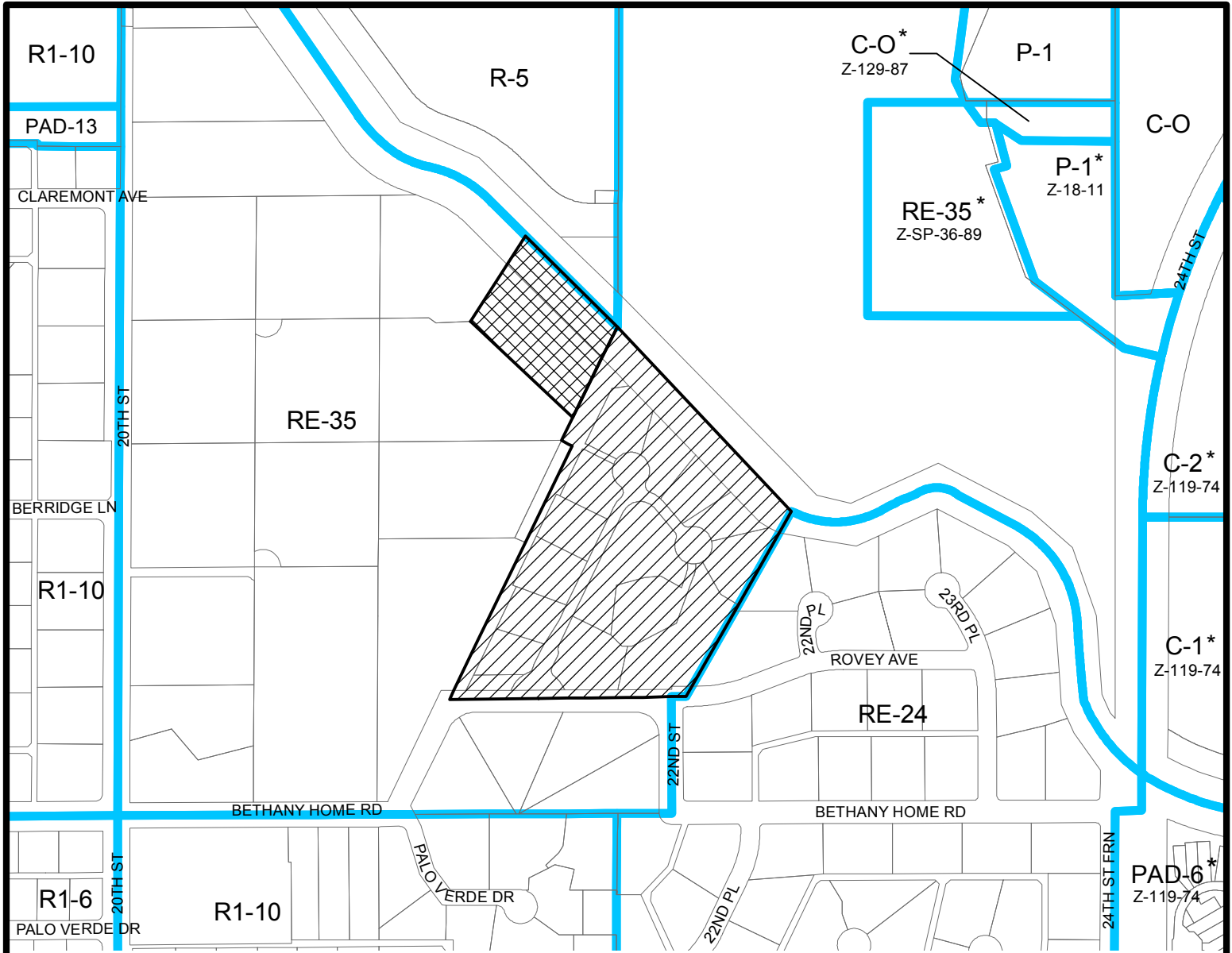
Maja Brkovic
December 27, 2018

Team Leader

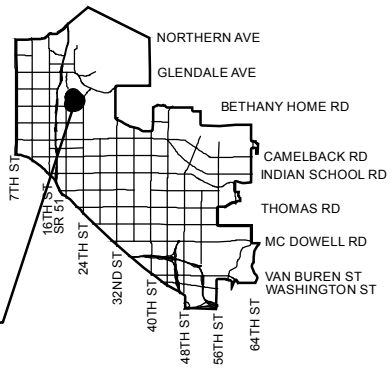
Samantha Keating

Exhibits

Sketch Map
Aerial
Site Plan Date Stamped November 13, 2018



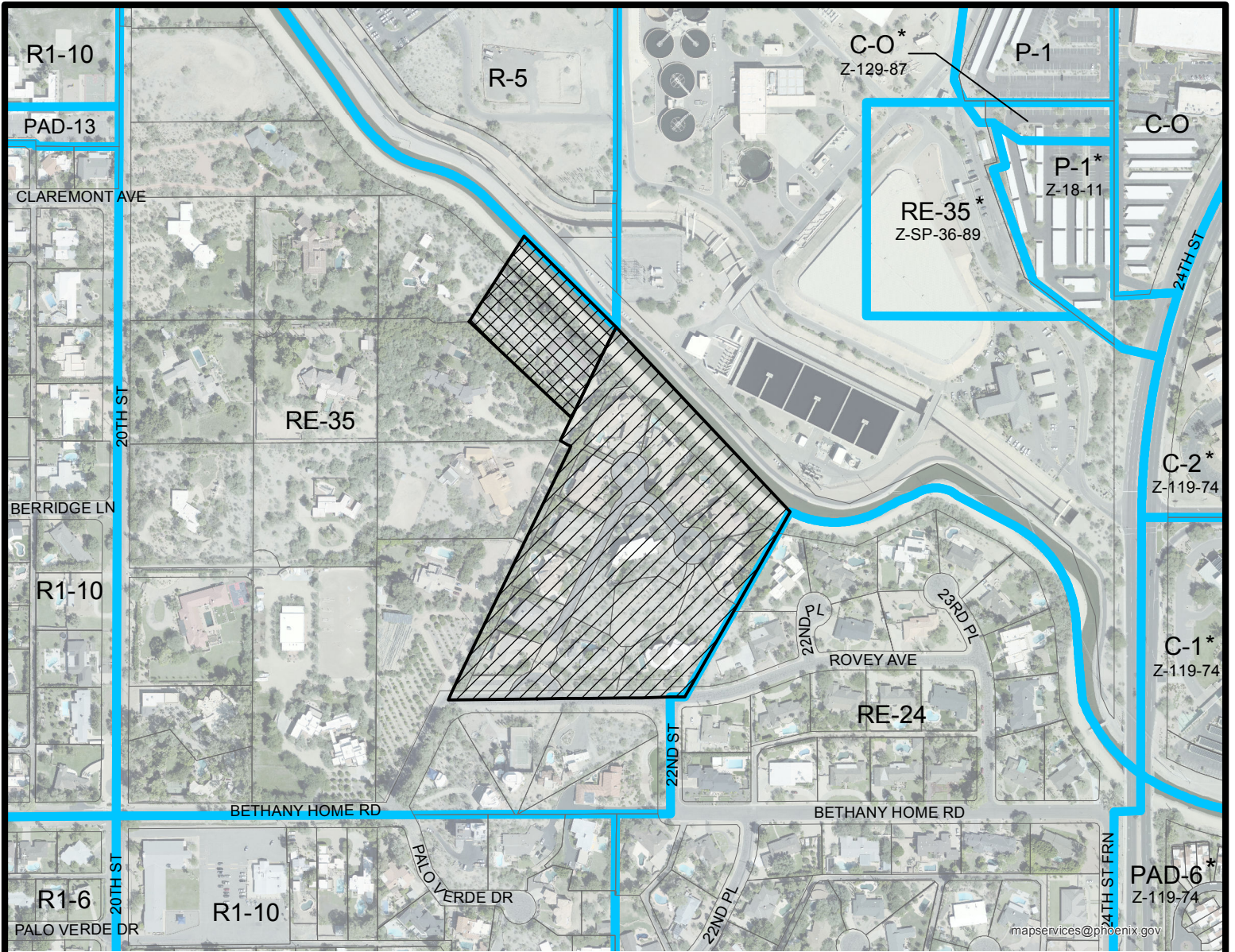
CAMELBACK EAST VILLAGE
CITY COUNCIL DISTRICT: 6


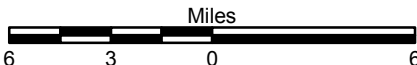


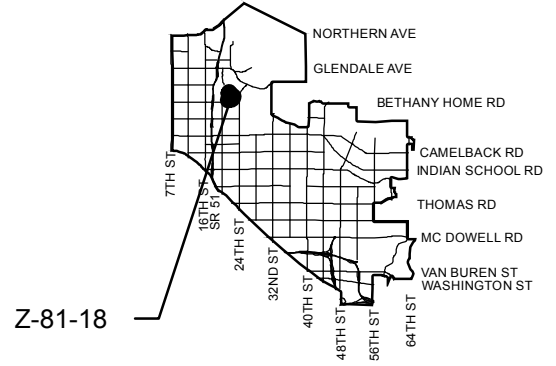
Z-81-18



APPLICANT'S NAME: Brennan Ray - Burch & Cracchiolo, P.A.		REQUESTED CHANGE:	
APPLICATION NO. Z-81-18		FROM: RE-35 (12.00 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 12.00 Acres		TO: R1-18 (10.36 a.c.)	
<small>DATE:</small> 12/6/2018 <small>REVISION DATES:</small>		RE-35 (1.64 a.c.)	
<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 21-32		<small>ZONING MAP</small> I-9	
MULTIPLES PERMITTED RE-35 R1-18, RE-35		CONVENTIONAL OPTION 13 20, 2	
		* UNITS P.R.D. OPTION 16 24, 2	

* Maximum Units Allowed with P.R.D. Bonus



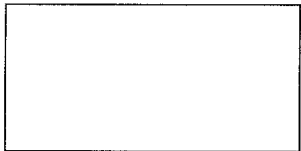

 Miles

CAMELBACK EAST VILLAGE
 CITY COUNCIL DISTRICT: 6



APPLICANT'S NAME: Brennan Ray - Burch & Cracchiolo, P.A.		REQUESTED CHANGE: FROM: RE-35 (12.00 a.c.)	
APPLICATION NO. Z-81-18	DATE: 12/6/2018 REVISION DATES:	TO: R1-18 (10.36 a.c.)  RE-35 (1.64 a.c.) 	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 12.00 Acres			
MULTIPLES PERMITTED RE-35 R1-18, RE-35	CONVENTIONAL OPTION 13 20, 2	* UNITS P.R.D. OPTION 16 24, 2	

* Maximum Units Allowed with P.R.D. Bonus

REVISIONS:

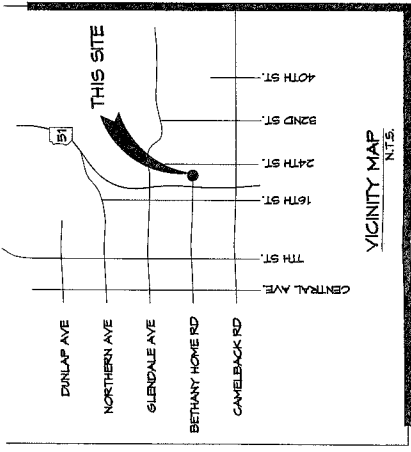


NEW RESIDENTIAL HOME
ROCKY ACRES 6204 LLC
 PHOENIX AZ

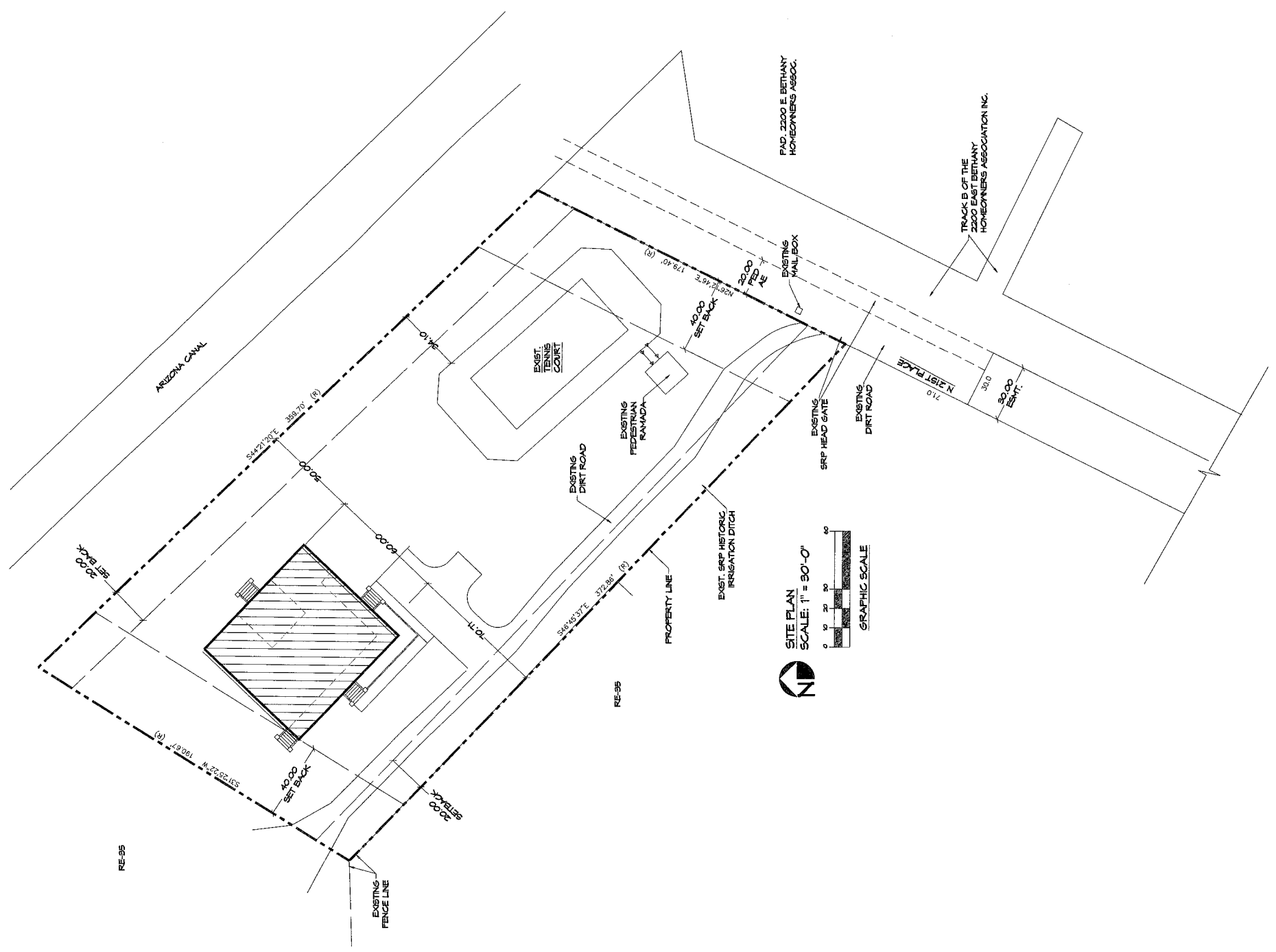


JOHN ELDO BROWN
ARCHITECT/PLANNER, INC.
 4462 EAST FLOWER
 PHOENIX, ARIZONA 85018
 (602) 273-1948

Project No. **201610**
 Date: **8/31/18**
 Sheet: **SITE**



GENERAL INFORMATION:
DESCRIPTION OF PROJECT:
 NEW RESIDENTIAL SINGLE STORY HOME
STREET ADDRESS:
 CURRENTLY NO ADDRESS
 PARCEL: 164-42-070
OWNER:
 LESLIE WILLIAMS
 3104 E CAMELBACK D #405
 PHOENIX AZ 85016
ZONING: RE-95
 LOT AREA: 65,219.72 = 1.44 ACRE
 NEW RESIDENTIAL HOME - 5,100 SQ. FT. (UNDER ROOF)
 LOT COVERAGE: 5,100 SQ. FT. / 65,219.72 = 7.8%
 BUILDING HEIGHT - 24'-0" TOP OF ROOF
BUILDING SETBACKS:
 FRONT - 40'-0"
 REAR - 40'-0"
 SIDES - 20'-0"



CITY OF PHOENIX
 NOV 13 2018
 Planning & Development
 Department



Village Planning Committee Meeting Summary

Z-81-18-6

Date of VPC Meeting	January 8, 2019
Request From	RE-35 (12.00 acres)
Request To	R1-18 (10.36 acres) RE-35 (1.64 acres)
Proposed Use	Single-Family Residential
Location	Approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue
VPC Recommendation	Approval
VPC Vote	10-2 (Beckvar and Abbott)

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

5 cards were submitted in support wishing to speak.
6 cards were submitted in support not wishing to speak.
4 cards were submitted in opposition wishing to speak.

Ms. Maja Brkovic provided an overview of the request noting the projects location, surrounding uses, surrounding zoning, general plan designation and staff's findings and recommendation.

Ms. Karen Beckvar asked for clarification regarding the request, specifically in regard to the tennis court lot. **Ms. Brkovic** noted that the tennis court lot was current an amenity area for the residential subdivision to the east. She noted that the rezoning would result in the lot becoming privately owned and developed and no longer belong to the HOA. She indicated that the applicant planned on developing a single family residence on the lot and would maintain the tennis court for themselves. **Ms. Beckvar** asked if the property was already sold and if it was, did it put the subdivision out of compliance. **Ms. Brkovic** confirmed Ms. Beckvar' s statements.

Mr. Tom O'Malley asked if all of the homeowners within the subdivision have consented in the rezoning. **Ms. Brkovic** noted that they have all provided letters of authorization for the request.

Brennan Ray, Burch & Cracchiolo, representing the applicant, provided an overview of the request noting that his client purchased the property from the HOA in 2016. He provided an overview of the current condition of the tennis court lot and noted that the request was consistent with the General Plan designation. He noted that the private

deeds and restrictions permitted his client to develop on the lot while the zoning did not. He provided an overview of the elevations and noted that the development would be compatible with the surrounding area.

Chairman Jay Swart asked what the size of the existing lots were. **Mr. Ray** noted that he did not have that information but believed that they were about half an acre in size.

Ms. Hayleigh Crawford asked if there was a dispute in regard to the access easement. **Mr. Ray** noted that there were no issues in regard to the easement.

Mr. Tom O'Malley asked if there was ever an agreement between Rocky Acres and the HOA in regard to using the tennis court for all residents. **Mr. Ray** noted that he did not believe that there was ever an agreement to allow Rocky Acres residents to use the tennis court.

Vice Chairman Fischbach noted that there were court proceedings set in place if Rocky Acres residents wanted to claim beneficial interest in the tennis court property to vindicate rights they may have on the subject site. **Mr. Ray** noted that there were processes set in place if the Rocky Acres residents wanted to pursue that avenue.

Chairman Jay Swart asked that Mr. Taylor Earl address the committee.

Taylor Earl, Earl Curley and Lagarde P.C., representing the Bethany Home HOA, noted that all of the property owners within 2200 Bethany Home subdivision have signed letters of authorization for the rezoning proposal. He noted that he represented the board and not the individual owners. He noted that the tennis court was heavily underutilized and became a significant burden on the HOA because of its access to the canal which resulted in security issues.

Ms. Beckvar asked if the vacant lot was privately owned or owned by the HOA. **Mr. Earl** noted that it was privately owned.

Mr. Fischbach asked if there were challenges in regard to vagrancy due to the location of the canal. **Mr. Earl** noted that there were many challenges with securing the property considering its proximity to the canal.

Chairman Jay Swart opened the floor for public comments.

Mr. Michael Valder, president of Rocky Acres environmental protection association, resident in the area and in opposition of the request, made the following comments regarding the proposal:

- Not compatible with the surrounding properties.
- All other properties within Rocky Acres are required to be 2 acres in size.
- Noted that there were restricted deeds in the subdivision that did not allow the development of the lot.

Mr. Jay Wiggins, resident in the area and in opposition of the request made the following comments regarding the proposal:

- Concerned about the wildlife living on the tennis court lot.

- Bought his house with the understanding that the lot next to him was undevelopable.
- Concerned about views being blocked.
- Sought information out from the City of Phoenix and was provided information regarding the lot and the open space. He was told by the City that the lot was flagged and that it would not be allowed to develop under the current zoning.
- Indicated that the lot would have to obtain a variance for access along the easement and to have a lot without legal frontage.
- Noted that the lot should be sold back to the HOA.
- Concerned about the precedent that this case would set.

Mr. Randy Javitz, resident in the area and in opposition of the request made the following comments regarding the proposal:

- Noted that the tennis court site was within the Rocky Acres subdivision.
- Provided a petition from the Rocky Acres HOA.
- Noted that the request was simply for financial gain.
- Neighborhood meeting was held but no answers were given regarding the clause of the contract regarding the sale.
- Noted that the lot was a critical transitional area between the canal and the Rocky Acres subdivision.
- Noted the importance of environmental protections and maintenance of open space.
- Noted that the access way to the canal should remain open.

Ms. Ruth Chmelik, resident in the area and in opposition of the request made the following comments regarding the proposal:

- Noted that the applicant did not have rights to water on the site and asked how he would gain that access.

Chairman Jay Swart asked that staff address the letter written by the City of Phoenix and handed out by Mr. Wiggins.

Ms. Brkovic noted that the letter was a memo written by the Site Development supervisor noting the issue on the lot and explaining why it was not developable in its current state. She noted that the letter was not written as a result of the rezoning case.

Ms. Beckvar asked for clarification regarding the open space and the density. **Ms. Brkovic** noted that the tennis court lot was included as part of the Bethany Home subdivision open space to permit the 14 lots. She indicated that the subdivision would have been permitted 12 lots without the additional open space.

Mr. Vincent Reenan, resident in the area and in support of the request made the following comments regarding the proposal:

- Resident since 2007, on the board for 6 years.
- Amenity has not been used by the Bethany Home subdivision.
- Tennis courts are typically built north/south facing not east/west facing.
- Tennis court had become a bourdon for the HOA and was not safe.
- Access to the lot could not be controlled at night.

Ms. Marilyn Alexander, resident in the area and in support of the request made the following comments regarding the proposal:

- Lives to the east of the tennis court lot.
- The area needed to be cleaned up, development of the tennis court lot would improve property values.

Mr. Doug Northup, resident in the area and in support of the request made the following comments regarding the proposal:

- Noted that the location of the lot was not within the community.
- Development of the lot would improve the area and clean up an underutilized site.

Mr. Brennan Ray noted that the proposal was not for a 38 lot subdivision but rather a single family home that was compatible to the area. He noted the nature of the surrounding properties was the reason why his client wanted to live in the area. He indicated that he did not want to go too far into the deed restrictions unless the committee wanted him to but explained that his client was exempt from the two-acre rule and was able to develop on the lot. He indicated that his client was working with the Water Services Department to make sure that access to water can be attained.

Ms. Ronda Beckerleg Thraen noted that many neighbors noted concerns about wildlife roaming on the site and asked if the development of the home would result in the restriction of wildlife entering onto the property.

Mr. Ray noted that the development would not be walled off to restrict wild life entering onto the property.

Ms. Beckvar asked if there was fencing around the current tennis court lot. **Mr. Ray** noted that there was.

Ms. Crawford asked if the lot was publically listed. **Mr. Earl** noted that the applicant approached the HOA to purchase the lot and that the HOA agreed because the applicant wanted to build a single family home on the site.

Motion:

Ms. Ronda Beckerleg Thraen made a motion to approve Z-81-18-6 per staff's stipulations. She noted that the development of the lot was compatible with the surrounding uses.

Mr. William Fischbach seconded the motion.

Discussion:

Ms. Karen Beckvar noted that she believed that although a single-family home was the best alternative use on the tennis court site she would not be in support of the proposal.

Mr. Tom O'Malley noted that he was supportive of the proposal but did not want a precedent to be set moving forward.

Mr. Greg Abbott noted that he would not be in support of the case and indicated that the HOA had a responsibility to maintain the open space.

Roll Call:

Yes: Jay Swart, William Fischbach, Ronda Beckerleg Thraen, Hayleigh Crawford, Andrea Hardy, Kathryn Langmade, Lee Miller, Ashley Nye, Tom O'Malley and Ryan Trauscht.

No: Greg Abbott and Karen Beckvar.

Vote: 10-2

Motion approved.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no comments.



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report: Z-81-18-6
February 7, 2019

Camelback East Village Planning Committee Meeting Date:	January 8, 2019
Planning Commission Date:	February 7, 2019
Request From:	RE-35 (12.00 acres)
Request To:	R1-18 (10.36 acres) RE-35 (1.64 acres)
Proposed Use:	Single-family Residential
Location:	Approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue
Owner:	Rocky Acres 6204, LLC, et al.
Applicant/ Representative:	Brennan Ray, Burch & Cracchiolo, P.A.
Staff Recommendation:	Approval, subject to stipulations

At the time the initial staff report was written, staff included a development standards table identifying the development requirements of the RE-35 and R1-18 Zoning Districts, specifically addressing the PRD (Planned Residential Development) development option. The applicant has noted that the RE-35 rezoning area will be replatted as a one lot subdivision, separate from the 2200 East Bethany Home Subdivision, and developed per the Subdivision development option of the RE-35 zoning district. The R1-18 rezoning area will be required to continue to meet the perimeter standards of the RE-35 PRD development option standards identified in the staff report, including the minimum 5% common area. Because of this clarification, revised development standard tables and stipulations have been provided to clarify the existing and proposed development requirements of the RE-35 and R1-18 rezoning areas.

In addition, area residents have identified concerns regarding the capability of the RE-35 rezoning area tapping in to the surrounding water and sewer mains. The Water Services Department has reviewed the rezoning proposal and has identified that the site has the ability to tap into the sewer main adjacent to the site and additional options to tap into a water main.

Revised Development Standard Tables

RE-35, Single-Family Residence District (Subdivision Development Option)		
<u>Standards</u>	<u>Requirements RE-35</u>	<u>Proposed</u>
<i>Gross Acreage</i>	-	1.64
Total Number of Units	2 maximum	1 (met)
Density (dwelling units/acre)	1.10	0.61 (met)
Typical Lot Size	150 X 175, Minimum area 35,000 square feet	190 x 179, 65,219 square feet (met)
Building Height	2 stories; 30 feet	1 story; 24 feet (met)*
Lot Coverage	25% maximum, except if all structures are less than 20 feet and 1 story in height then a maximum of 30% lot coverage is allowed	7.8% (met)
Common Area	None	N/A
<u>Building Setbacks</u>		
Perimeter standards	N/A	N/A
Front	East: 40 feet minimum	East: 40 feet (met)
Rear	West: 40 feet minimum	West: 40 feet (met)
Sides	North: 20 feet minimum South: 20 feet minimum	North: 20 feet minimum (met) South: 20 feet minimum (met)
Street standards	Public street required	No public street frontage (not met)**

*Stipulation No. 2 requires a height limit of 1 story and 25 feet.

**Variance will be required.

R1-18, Single-Family Residence District (Planned Residential Development Option)		
<u>Standards</u>	<u>Requirements R1-18</u>	<u>Existing</u>
<i>Gross Acreage</i>	-	10.36
Total Number of Units	21 to 24 maximum	14
Density (dwelling units/acre)	2.05; 2.34 maximum with bonus	1.35 (met)
Typical Lot Size	None	Varies
Building Height	2 stories; 30 feet	2 stories;30 feet (met)
Lot Coverage	Primary structure, not including attached shade structure: 25% Total: 30%	30% (met)
Common Area	Minimum 5% of gross area	Not shown on site plan
<u>Building Setbacks</u>		
Perimeter (adjacent to street)	20 feet minimum	40 feet (met)*
Perimeter (Adjacent to property line)	North:15 feet minimum West:15 feet minimum East:15 feet minimum	20 feet (met)*
Front	25 feet minimum	25 feet (met)
Street standards	Public street or private accessway required	Private accessway

*The existing 14-lot subdivision was developed per the RE-35 PRD standards with the exception of one vacant lot. Stipulation No. 3 requires that the entire development be subject to the perimeter standards of the RE-35 PRD development option, the only standard that is more restrictive than the R1-18 PRD development option, all other development standards are identical.

Revised Stipulations

1. The development shall be limited to a maximum of 14 lots within the R1-18 zoning area and a maximum of 1 lot within the RE-35 zoning area.
2. The primary structure located on the RE-35 lot shall be limited to a maximum of 1-story and 25 feet in height.
3. The R1-18 ~~entire development~~ REZONING AREA shall be subject to the perimeter standards for the RE-35, Planned Residential Development option, as approved by the Planning and Development Department. This stipulation does not affect the applicability of existing variances/use permits, nor does it preclude a property owner from pursuing a variance/use permit through the Zoning Adjustment public hearing process.

4. THE RE-35 REZONING AREA SHALL BE SUBJECT TO THE RE-35, SUBDIVISION DEVELOPMENT OPTION, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. THIS STIPULATION DOES NOT PRECLUDE A PROPERTY OWNER FROM PURSUING A VARIANCE/USE PERMIT THROUGH THE ZONING ADJUSTMENT PUBLIC HEARING PROCESS.

- 4.5. 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

Maja Brkovic

January 7, 2019

Team Leader

Samantha Keating

Attachment E - Planning Commission Summary

REPORT OF PLANNING COMMISSION ACTION

February 7, 2019

* Revised February 14, 2019

ITEM NO: 10	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-81-18-6
Location:	Approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue
From:	RE-35
To:	R1-18 and RE-35
Acreage:	12.00
Proposal:	Single-Family Residential
Applicant:	Brennan Ray, Burch and Cracchiolo, P.A.
Owner:	* Rocky Acres 6204, LLC, et al.
Representative:	Brennan Ray, Burch and Cracchiolo, P.A.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Camelback East 1/8/2019 Approval, per the staff recommendation. Vote: 10-2.

* Planning Commission Recommendation: Approval, per the Addendum A Staff Report, with additional stipulations as read into the record.

Motion Discussion: Mr. Glenn asked Mr. Ray if the applicant is willing to stipulate to a 70-foot setback from the south property line.

Mr. Ray said that the building envelope right now calls for 60 feet, and would agree to a building setback of 60 feet.

Mr. Glenn asked Mr. Ray if he would agree to a stipulation of a 65-foot setback from the south property line.

Mr. Ray agreed to the 65-foot setback.

Chairman Johnson asked if Mr. Ray and his client would be willing to meet with Mr. Dell'Artino to discuss his concerns with the project before the City Council hearing.

Mr. Ray replied that he would be happy to meet with Mr. Dell'Artino.

Chairman Johnson stated that this was a very challenging case that required compromise and that he is happy to help be involved in future discussion with the applicant and neighbors before the City Council hearing.

Commissioner Shank agreed with Chairman Johnson that this was a difficult case to hear, but decided to vote in favor of the rezoning because the 1978 agreement allows for one single-family detached house to be built on the tract and that a house would be preferable to a clubhouse in terms of noise and view.

Chairman Johnson and Commissioner Shank thanked all of the neighbors for coming out to voice their opinions. Chairman Johnson closed the discussion for a vote on the motion on the table.

Motion details: Commissioner Shank made a MOTION to approve Z-81-18-6, per the Addendum A Staff Report, with an additional stipulation as read into the record and an additional stipulation of an addition of a 60-foot setback from the south property line.

Maker: Shank
Second: Heck
Vote: 8-0 (Wininger recused)
Absent: None
* Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation.
2. The proposed rezoning will allow for the conversion of an underutilized open space area.
3. As stipulated, the subdivision will be compatible with the surrounding neighborhood.

Stipulations:

1. The development shall be limited to a maximum of 14 lots within the R1-18 zoning area and a maximum of 1 lot within the RE-35 zoning area.
2. The primary structure located on the RE-35 lot shall be limited to a maximum of 1-story and 25 feet in height.
3. The R1-18 ~~entire development~~ REZONING AREA shall be subject to the perimeter standards for the RE-35, Planned Residential Development option, as approved by the Planning and Development Department. This stipulation does not affect the applicability of existing variances/use permits, nor does it preclude a property owner from pursuing a variance/use permit through the Zoning Adjustment public hearing process.
4. THE RE-35 REZONING AREA SHALL BE SUBJECT TO THE RE-35, SUBDIVISION DEVELOPMENT OPTION, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. THIS STIPULATION DOES NOT PRECLUDE A PROPERTY OWNER FROM PURSUING A VARIANCE/USE PERMIT THROUGH THE ZONING ADJUSTMENT PUBLIC HEARING PROCESS.

- 4.5. 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. 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.
7. THERE SHALL BE A 60-FOOT SETBACK FROM THE SOUTH PROPERTY LINE.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

Attachment F - Appeal

CITY OF PHOENIX
 PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-81-18-6 Approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue	(SIGNATURE ON ORIGINAL IN FILE)	
		opposition	X applicant
APPEALED FROM:	PC 02/07/19	Maria Beam 623-670-0406	
	<i>PC/CC DATE</i>	<i>NAME / PHONE</i>	
TO PC/CC HEARING	CC 03/06/19	6050 North 22nd Street Phoenix, AZ 85016	
	<i>DATE</i>	<i>STREET ADDRESS/CITY/STATE/ZIP</i>	
REASON FOR REQUEST: Request attached.			
RECEIVED BY:	AM / JB	RECEIVED ON:	02/11/19

Alan Stephenson
 Joshua Bednarek
 Tricia Gomes
 Christina Encinas
 Stephanie Vasquez
 Leah Swanton
 Amanda Murrietta
 Mark Newman
 Applicant

FEB 11 2019



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development
Department

The **PLANNING COMMISSION** agenda for **February 7, 2019** 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. **February 14, 2019.**

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., **February 14, 2019.**

- 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. **February 14, 2019.**

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. **February 21, 2019.**

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-81-18-6
APPLICATION NO.

Approx. 320ft W of the N/E corner of 22nd Place + Rowley Ave
LOCATION OF APPLICATION SITE

2.11.2019
DATE APPEALED FROM

OPPOSITION
 APPLICANT

Mark Newman
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Maria Beam
PRINTED NAME OF PERSON APPEALING

[Signature]
SIGNATURE

6050 N. 22nd St.
STREET ADDRESS

2.11.2019
DATE OF SIGNATURE

Phoenix AZ 85016
CITY, STATE & ZIP CODE

623.670.0406
TELEPHONE NO.

REASON FOR REQUEST

Applicants do not meet Development standards for R1-18

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Plus (See Attachment) / No attachments

Attachment G - Opposition

From: [Hill, Bryan \(FM&C\)](#)
To: [Maja Brkovic](#)
Subject: Please say 'no' to development of the tennis court lot
Date: Tuesday, January 08, 2019 10:44:59 AM
Attachments: [Note to Ms. Brkovic.docx](#)

Honeywell Internal

Hello Ms. , Our neighborhood is under attack by a developer, again. Last time when Greenstreet was involved Mr. Diccio helped us change their plans. This time is less egregious, but the gated community next to us is trying to change our zoning in order to solve a problem that was created when their community was designed. I opposed their use of the land in our development for their open space when it was approved, but it got approved. Please keep them from being able to develop that property.

Best Regards, Bryan Hill

JAN 08 2019

Planning & Development
Department

UNANIMOUS WRITTEN CONSENT
OF
BOARD OF DIRECTORS
OF
ROCKY ACRES ENVIRONMENTAL PROTECTION
ASSOCIATION

The Board of Directors of Rocky Acres Environmental Protection Association, acting by unanimous written consent in accordance with the Bylaws, hereby adopts the following resolution:

WHEREAS, Leslie C. Williams, through an LLC known as Rocky Acres 6204 LLC, has recently filed a request to rezone the existing homes within the 2200 East Bethany Subdivision to RI-18 Planned Residential Development and rezone the tennis court lot located at the north end of the Rocky Acres subdivision on 22nd street to RE-35 to allow a single family residence; and

WHEREAS, the effect of the rezoning application will mean that the one and one-half acre lot known as the "tennis court lot" which the 2200 East Bethany Home Subdivision dedicated to open space in order to meet density requirements established by the City of Phoenix and by negotiation with the Rocky Acres Subdivision will no longer be open space; and

WHEREAS, Rocky Acres Environmental Protection Association was established and approved by the Internal Revenue Service of the United States as a Section 501(c)(3) charitable nonprofit with the explicit goal "*to protect the Phoenix area from inappropriate developments, promote wildlife and open spaces and uphold deed restrictions reducing density and promote pedestrian access to waterways and riparian areas*" [quotation from corporate charter on file at Arizona Corporation Commission]; and

WHEREAS, the tennis court lot is nestled between a majestic Eucalyptus Grove adjacent to SRP's Grand Canal and the SRP lateral with scenic white water and a riparian way with ancient Cottonwoods and Arizona Ash, which scores of pedestrians enjoy daily to walk to and from the North Canal walkways; and

WHEREAS, the tennis court lot is also a thoroughfare for wildlife for all of Rocky Acres, where coyotes and raccoons, foxes and wildcats, owls and hawks all make their home; and

WHEREAS, the loss of this open space will create a loss of this habitat for wildlife and a loss of scenic pleasure for pedestrians; and

WHEREAS, the Rocky Acres Environmental Protection Association embraces the wisdom of infill on *appropriate home sites*, the tennis court lot has never had a home, and lacks water, sewer and electric service, and constitutes a site of vanishingly rare environmental importance; and

WHEREAS, it would set a dangerous precedent if the City of Phoenix allowed the 2200 East Bethany Home Subdivision to monetize its open space and enrich itself and a land speculator who bought this land at a steep discount on the “brag” that he had the “juice” to get it rezoned; and

WHEREAS, given the peculiar importance of this open space to pedestrians and to wildlife in the increasingly densely developed central Phoenix corridor,

NOW BE IT RESOLVED, that the Rocky Acres Environmental Protection Association opposes the rezoning sought by Leslie C. Williams on behalf of his LLC, Rocky Acres 6204 LLC and on behalf of 2200 East Bethany Subdivision as against the best interests of the Phoenix community; and

FURTHER RESOLVED, that the proposed rezoning will lead, in the opinion of the Board of Directors of Rocky Acres Environmental Protection Association, to inappropriate development, loss of wildlife habitat, loss of open space, and deleterious effect on the pedestrian access to waterways and riparian areas, all in contravention to this neighborhood association’s corporate charter and reason for being; and

FURTHER RESOLVED, that the City of Phoenix should be urged not only to deny this rezoning request but to encourage 2200 East Bethany Subdivision to restore the open space amenity it has so carelessly ignored, including replanting destroyed native vegetation on the tennis court lot and either removing the derelict tennis court or bringing it into good repair.

Signed this 2nd day of December, 2018 by each of the directors:

 _____ Michael Valder, President	 _____ Beau Ralphs, Treasurer
 _____ Maria Beam, Secretary	 _____ Ken Dickey, Director
 _____ Leah Pallin-Hill, Director	 _____ Wendell Cook, Director

From: [Leah Pallin-Hill](#)
To: [Maja Brkovic](#)
Cc: [Council District 6 PCC](#)
Subject: Re: 2200 E. BETHANY
Date: Tuesday, January 15, 2019 9:12:32 AM

Thank you for the response. This is a very distressing situation for me and my neighbors. The sale must be rescinded. That is the only solution that is fair and just. Scofflaws should not be rewarded for their illegal conduct. I hope you and the Councilman agree.

Leah Pallin-Hill
602-318-9731

Sent from my iPhone

On Jan 15, 2019, at 9:02 AM, Maja Brkovic <maja.brkovic@phoenix.gov> wrote:

Hello Ms. Hill,

Thank you for your e-mail pertaining to Rezoning Case No. Z-81-18. Please know that a copy of your e-mail will be sent to all of the hearing bodies, saved in the rezoning case file for record and forwarded to the applicant so that they are aware of your concerns. The most recent hearing, on January 8, 2019, was at the Camelback East Village Planning Committee. The case will be heard at the Planning Commission and City Council on the following dates:

Planning Commission:

Date: February 7, 2019 at 6:00 PM

Locations: City of Phoenix City Council Chambers, 200 W. Jefferson Street Phoenix, AZ 85003

City Council:

Date: March 6, 2019 at 2:30 PM

Locations: City of Phoenix City Council Chambers, 200 W. Jefferson Street Phoenix, AZ 85003

Please let me know if you have any questions. Thank you!

Respectfully,

Maja Brkovic
Planner II – Village
Camelback East & Encanto

City of Phoenix Planning & Development Department
200 West Washington Street, 3rd Floor
Phoenix, AZ 85003-1611
maja.brkovic@phoenix.gov
Office: 602-261-8701

From: Leah Pallin-Hill [<mailto:leahpallinhill@aol.com>]
Sent: Monday, January 14, 2019 3:33 PM
To: Council District 6 PCC <District6@phoenix.gov>
Cc: Maja Brkovic <maja.brkovic@phoenix.gov>
Subject: 2200 E. BETHANY

Dear Mr. DiCiccio, My husband, Bryan Hill, and I reside in Rocky Acres at [6139 N. 20th Street](#) and are writing because we are outraged that the rezoning request for 2200 E Bethany was approved by the Planning Commission last [Tuesday night](#) thus allowing Leslie Williams to construct a home on land adjacent to Rocky Acres residents. This land was flagged open space by the City of Phoenix ("City") in exchange for the City allowing the 2200 E. Bethany subdivision to exceed density requirements. Approval of rezoning 20 years later is a serious mistake and sets a dangerous precedent. The Planning Commission is rewarding homeowners at 2200 E Bethany for failing to take care of the open space they were obligated to maintain and for selling that land in violation of zoning requirements. None of these residents is impecunious. They live in million dollar + homes and can well afford to take care of the property. Their claims of safety concerns are unfounded and exaggerated and Rocky Acres homeowners were not given equal time at the meeting to rebut them. They will do so at the next meeting but we are requesting that you oppose any proposed rezoning that makes a mockery of our established zoning laws. Please feel free to contact me at the number below if you have questions. Unfortunately, I am under treatment for pancreatic cancer and cannot attend, but my husband Bryan Hill will be there.

Sincerely,
Leah Pallin-Hill ([602\) 318-9731](tel:6023189731)
Bryan Hill

Sent from my iPad

Racelle Escolar

From: JOHN CHMELIK Owner <jchmelik@centurylink.net>
Sent: Friday, February 01, 2019 9:41 AM
To: Racelle Escolar
Subject: Oppose the rezoning application for No. Z-81-18

Dear Racelle,

I am totally opposed to the rezoning of the designated Open space for 200 East Bethany Home road, No. Z-81-18. The failure of this community to maintain their tennis court is not good reason to set a precedent of rezoning the "Tennis Court Lot". My father live next door to this property and Mr. Leslie William told him he does this all the time, finds communities that will sell off their open space for cheap and then he rezones and build on them. If you have ever been to this property it is very special!

Please take my opposition into consideration.

Thank you Ruth Chmelik

Racelle Escolar

From: Jenny E. Schultz <jenneschultz@hotmail.com>
Sent: Saturday, February 02, 2019 10:13 AM
To: Racelle Escolar
Cc: Gregory O'Coynne
Subject: Opposing Rezoning Application No.Z-81-18

To Racelle,

This email is in opposition of the rezoning application No. Z-81-18.

This should remain open space and not rezoned.

Thank you for your time and effort to understand this issue.

Jenny Schultz

Racelle Escolar

From: Sarah & Steve <astaburg@gmail.com>
Sent: Monday, February 04, 2019 8:53 AM
To: Racelle Escolar
Subject: Rezoning Application No. Z-81-18 -- OPPOSED

Racelle – We are strongly opposed to Rezoning Application No. Z-81-18 in the area of 2200 East Bethany Home Road. We have lived in the neighborhood for over 22 years. We often bike and walk along the canal north of the subject property and walk our dogs on the dirt road east of the property. The Application would allow for the destruction of open space, which is so precious in our mature, fully-developed neighborhood. We understand that a commitment was made in the past to create this open space to allow residential development nearby, and it would be a tragedy for the City to break that commitment now. We urge the City to PROTECT THE OPEN SPACE!

Steve Burg & Sarah Asta
2014 East Solano Drive
Phoenix, AZ 85016

Racelle Escolar

From: Rita Dickinson <ritahdickinson@gmail.com>
Sent: Monday, February 04, 2019 10:14 AM
To: Racelle Escolar
Subject: No Z-81-18

Please be aware of our opposition to the rezoning application for Z-81-18 Rocky Acres development.
Tom and Rita Dickinson
2002 E Rancho Dr
Phoenix AZ 85016

“Our lives begin to end the day we become silent about things that matter.” Rev. Dr. Martin Luther King, jr.

Racelle Escolar

From: O'Coyn, Gregory <gocoyn@midwestern.edu>
Sent: Monday, February 04, 2019 10:58 AM
To: Racelle Escolar
Subject: Opposing Rezoning Application No.Z-81-18

Dear Racelle,

This email is in opposition of the rezoning application No. Z-81-18.

This should remain open space and not rezoned.

Thank you for your time and effort to understand this issue.

Greg O'Coyn
gocoyn@midwestern.edu

Racelle Escolar

From: cnote100 <cnote100@cox.net>
Sent: Monday, February 04, 2019 4:31 PM
To: Racelle Escolar
Cc: Charlotte Freebury
Subject: Application No. Z-81-18

Hi Racelle,

I'm writing to state my firm opposition to Rezoning Application Number Z-18-81.

We strongly oppose development of what has been designated "open space" by the city, in our neighborhood.

Thank you,

Charlotte Freebury

Racelle Escolar

From: Sallie Najafi <snajafi@cox.net>
Sent: Monday, February 04, 2019 11:51 PM
To: Racelle Escolar
Subject: OPPOSITION to Rezoning Application No. 2-81-18

>> Dear Ms. Escolar,

>> I am writing in opposition to the current rezoning application on 22nd street and Rovey Ave. I grew up at 6202 N. 22nd street next to the lot with the tennis court, which is the subject of the rezoning application. I continue to visit my parents at their home to the present day. The tennis court lot was used as an open space condition, so that the development at 2200 East Bethany could achieve the current zoning. I think it would be a very poor precedent for the city to rezone the open space, that previously met a developer's condition to obtain that zoning. The current owner of the lot, Mr. Williams, told my parents that this is what he has done, that is to rezone open space, in many other HOA's, and that he has influence and connections to do this again. As I have continued to visit my parents home until the present, I witnessed Mr. William in 2017 hire workers to cut down much of the desert trees on the lot, including some on my parents' lot. The workers then left the piles of cutting rubbish all over the lot, including their empty plastic water bottles, cans, and other trash on the site. When I called him to ask him to please clean it up, as my parents and me did not like seeing all the garbage next to my parents house, he said he was going to clean it up. But he has never cleaned any of it up! Not a great neighbor. But I suspect he is just a speculator who plans on immediately flipping the lot, if he is able to game the system and prevails in getting it rezoned. I don't even understand how the HOA could of legally sold to him their open space lot.

>> Also, there are certain factual inaccuracies in the staff report. At the Village Planning Committee meeting in January, none of the opposition documents were submitted to the committee. Afterwards it was found out that the staff member in charge was on vacation. The staff report says that there are existing sewer and water lines. But where are those located? It is my understanding that sewer and water can only be accessed by crossing over private neighbors homes, who have all stated that they are unwilling to grant access.

>> Again, I want to state my opposition to rezoning the open space tennis court lot.

> Respectfully submitted,

> Sallie Brophy Najafi

602-625-8236

>

>>

>> Sent from my iPhone

Racelle Escolar

From: Freebury Mark T <Mark.Freebury@srpnet.com>
Sent: Tuesday, February 05, 2019 5:58 AM
To: Racelle Escolar
Subject: Application No. Z-81-18

Hi Racelle,

I'm writing to state my firm opposition to Rezoning Application Number Z-18-81.

We strongly oppose development of what has been designated "open space" by the city, in our neighborhood.

Thank you,

Mark Freebury



HUNTER, HUMPHREY & YAVITZ, PLC
Creative Approaches—Solid Results

2633 E. Indian School Rd., Suite 440
Phoenix, Arizona 85016

Candess J. Hunter
Isabel M. Humphrey
Randy Yavitz

CITY OF PHOENIX

FEB 05 2019

**Planning & Development
Department**

Telephone: (602) 275-7733
Direct Fax: (480) 452-1377
Direct E-mail: randy@hhylaw.com

February 5, 2019

VIA FIRST CLASS MAIL

CITY OF PHOENIX PLANNING COMMISSION

Re: Application for Rezoning 2200 E. Bethany Home Road Subdivision

Dear Esteemed Planners:

Rocky Acres Environmental Protection Association, a 501(c)(3) organization, and a client of this firm, opposes the application by Leslie C. Williams to rezone the 2200 Bethany Home Subdivision from RE-35 PRD to R1-18. We have attached the

Unanimous Written Consent of Board of Directors of
Rocky Acres Environmental Protection Association

This document reflects the unanimous opinion of the adjacent neighborhoods who are concerned that the City of Phoenix should not facilitate the sale and development of a common area tract that the approved site plan labels "Undisturbed Natural Area." The HOA is seeking to profit by the development of its open space, breaking a promise to the City and to the neighbors.

Also attached is a letter from attorney Ari Ramras dated May 24, 2016, which forcefully argues the position of the adjacent neighbors.

We hope that these documents facilitate your evaluation.

Best Regards,

HUNTER, HUMPHREY & YAVITZ, PLC


Candess Hunter

**UNANIMOUS WRITTEN CONSENT
OF
BOARD OF DIRECTORS
OF
ROCKY ACRES ENVIRONMENTAL PROTECTION
ASSOCIATION**

The Board of Directors of Rocky Acres Environmental Protection Association, acting by unanimous written consent in accordance with the Bylaws, hereby adopts the following resolution:

WHEREAS, Leslie C. Williams, through an LLC known as Rocky Acres 6204 LLC, has recently filed a request to rezone the existing homes within the 2200 East Bethany Subdivision to RI-18 Planned Residential Development and rezone the tennis court lot located at the north end of the Rocky Acres subdivision on 22nd street to RE-35 to allow a single family residence; and

WHEREAS, the effect of the rezoning application will mean that the one and one-half acre lot known as the "tennis court lot" which the 2200 East Bethany Home Subdivision dedicated to open space in order to meet density requirements established by the City of Phoenix and by negotiation with the Rocky Acres Subdivision will no longer be open space; and

WHEREAS, Rocky Acres Environmental Protection Association was established and approved by the Internal Revenue Service of the United States as a Section 501(c)(3) charitable nonprofit with the explicit goal *"to protect the Phoenix area from inappropriate developments, promote wildlife and open spaces and uphold deed restrictions reducing density and promote pedestrian access to waterways and riparian areas"* [quotation from corporate charter on file at Arizona Corporation Commission]; and

WHEREAS, the tennis court lot is nestled between a majestic Eucalyptus Grove adjacent to SRP's Grand Canal and the SRP lateral with scenic white water and a riparian way with ancient Cottonwoods and Arizona Ash, which scores of pedestrians enjoy daily to walk to and from the North Canal walkways; and

WHEREAS, the tennis court lot is also a thoroughfare for wildlife for all of Rocky Acres, where coyotes and raccoons, foxes and wildcats, owls and hawks all make their home; and

WHEREAS, the loss of this open space will create a loss of this habitat for wildlife and a loss of scenic pleasure for pedestrians; and

WHEREAS, the Rocky Acres Environmental Protection Association embraces the wisdom of infill on *appropriate home sites*, the tennis court lot has never had a home, and lacks water, sewer and electric service, and constitutes a site of vanishingly rare environmental importance; and

WHEREAS, it would set a dangerous precedent if the City of Phoenix allowed the 2200 East Bethany Home Subdivision to monetize its open space and enrich itself and a land speculator who bought this land at a steep discount on the "brag" that he had the "juice" to get it rezoned; and

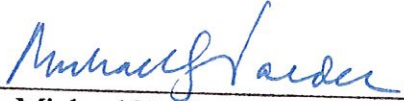
WHEREAS, given the peculiar importance of this open space to pedestrians and to wildlife in the increasingly densely developed central Phoenix corridor,

NOW BE IT RESOLVED, that the Rocky Acres Environmental Protection Association opposes the rezoning sought by Leslie C. Williams on behalf of his LLC, Rocky Acres 6204 LLC and on behalf of 2200 East Bethany Subdivision as against the best interests of the Phoenix community; and

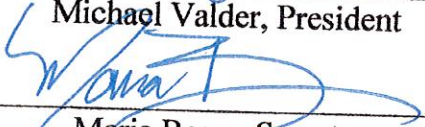
FURTHER RESOLVED, that the proposed rezoning will lead, in the opinion of the Board of Directors of Rocky Acres Environmental Protection Association, to inappropriate development, loss of wildlife habitat, loss of open space, and deleterious effect on the pedestrian access to waterways and riparian areas, all in contravention to this neighborhood association's corporate charter and reason for being; and

FURTHER RESOLVED, that the City of Phoenix should be urged not only to deny this rezoning request but to encourage 2200 East Bethany Subdivision to restore the open space amenity it has so carelessly ignored, including replanting destroyed native vegetation on the tennis court lot and either removing the derelict tennis court or bringing it into good repair.

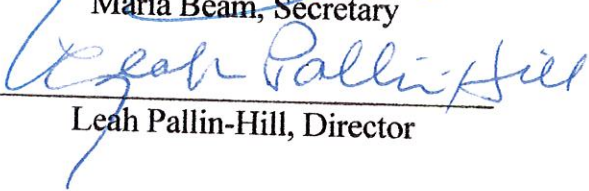
Signed this 2nd day of December, 2018 by each of the directors:



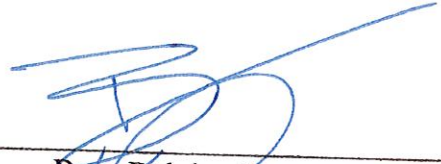
Michael Valder, President



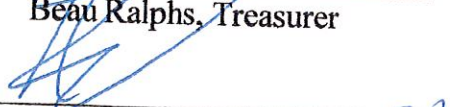
Maria Beam, Secretary




Leah Pallin-Hill, Director



Beau Ralphs, Treasurer



Ken Dickey, Director



Wendell Cook, Director

May 24, 2016

Via E-Mail (brad.holm@phoenix.gov)
Brad Holm
City of Phoenix
City Attorney

Via E-Mail (alan.stephenson@phoenix.gov)
Alan Stephenson
City of Phoenix
Planning & Development Director

Re: APN 164-42-070

Dear Brad and Alan,

I represent Jay Wiggins and Carrie J. Wheeler (husband and wife), the owners of the house located at 6130 N. 22nd St., Phoenix, AZ 85016, which abuts the above-referenced parcel, which, at least until recently was improved with a tennis court (the "Tennis Court Parcel") as a common area tract for the 2200 E. Bethany subdivision (the "Subdivision"). My clients were shocked to learn that the HOA recently purported to sell the Tennis Court Parcel to a third party developer, Rocky Acres 6204, LLC (the "Developer"), who intends to build on it.

After reviewing the City's Site Plan File P97129, it is clear that the Tennis Court Parcel was specifically added during the approval process as an appendix to the Subdivision to enable it to meet dwelling unit density limitations¹; and that the Subdivision would never have been approved without it. The approved site plan clearly sets the Tennis Court Parcel aside as a tennis court and "Undisturbed Natural Area"; and the approved final plat clearly labels it a common area tract. My clients relied on this treatment when they purchased their house.

Aside from the Developer's apparent intent to ignore the restrictions contained in the plat and CC&Rs, the recent purported sale, without any attempt to re-plat the Subdivision, is a blatant and unabashed attempt to circumvent the City's zoning and subdivision laws. If an HOA could sell a common area tract following subdivision approval, then any common area and density requirements would be rendered illusory. Condoning these shenanigans would surely embolden other HOAs to liquidate common area parcels throughout the City.

¹ It may also have been necessary to meet minimum common area requirements, as it is not clear whether private roadways were appropriately included in that calculation.

May 22, 2016

Page 2

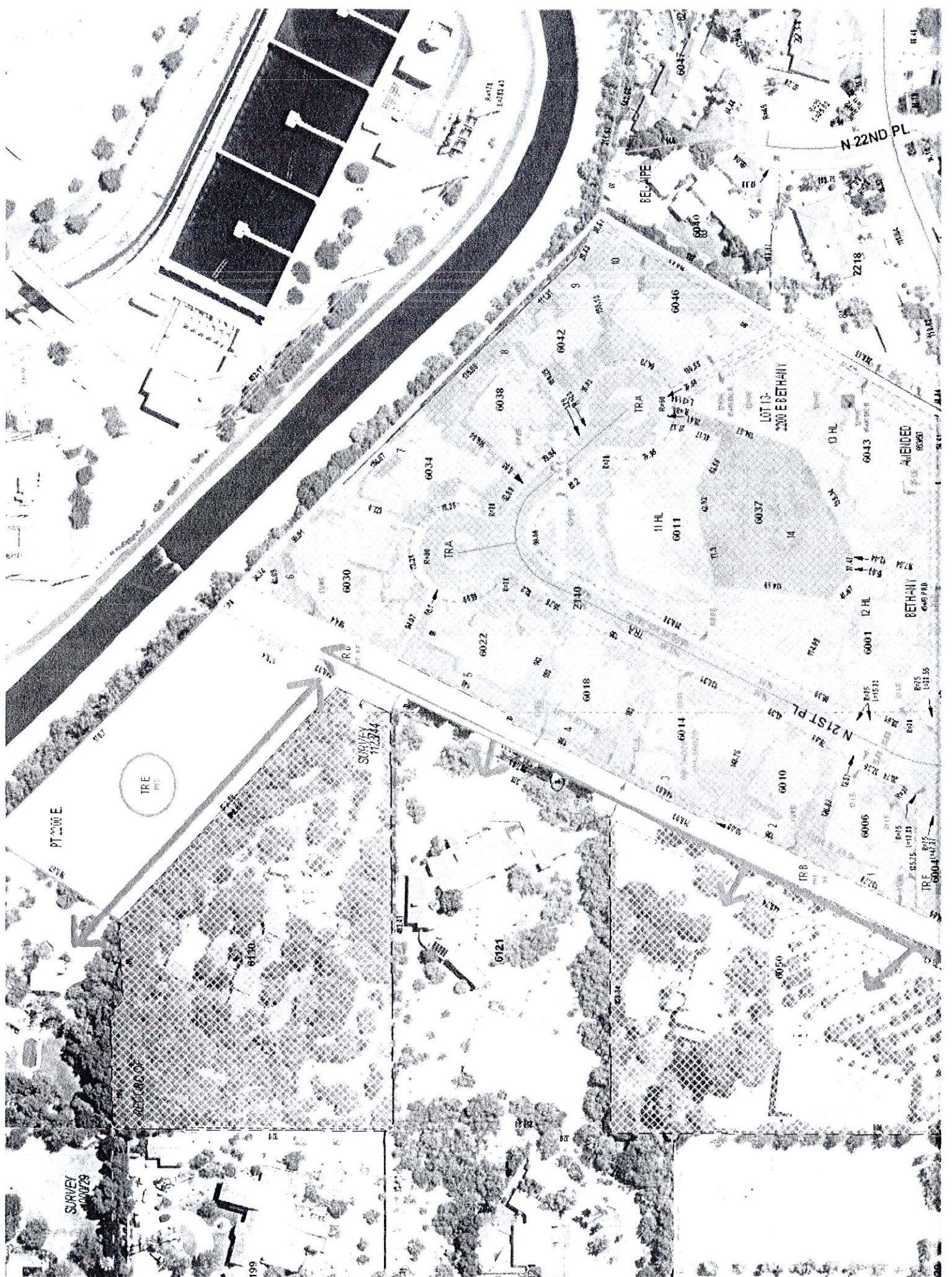
Please confirm that, if a building permit is sought for the Tennis Court Parcel, the City will enforce its zoning and subdivision laws and deny same.

Thank you for your attention to this matter. Please let me know if you have any questions, and call if you would like to discuss this further.

Sincerely,

/s/

Ari Ramras



Racelle Escolar

From: Brophy, Fiona (Perkins Coie) <FBrophy@perkinscoie.com>
Sent: Tuesday, February 05, 2019 1:59 PM
To: Racelle Escolar
Cc: Brophy, Fiona (Perkins Coie)
Subject: OPPOSITION to Rezoning application No. Z-81-18

Dear Ms. Escolar,

I write in objection to the proposed rezoning application No. Z-81-18 (approximately 22nd Place and Rovey Avenue). I am the daughter of the current homeowners located at 6202 N. 22nd Street (the “Brophy/Wootton Parcel”), which is immediately adjacent to the existing open space lot that is the subject of this rezoning application (the “North 22nd Street Tennis Court Lot”). My mother resided on the Brophy/Wootton Parcel for the last 50 years and I was born there, lived there until adulthood and continue to visit that property on a regular basis. I am currently one of the trustees of the Trust that owns the Brophy/Wootton Parcel and thus have a vested interest in the outcome of this rezoning application.

As you may know, 22nd Street north of Bethany Home Road is a unique street – I suspect one of the few remaining dirt roads within the central Phoenix corridor and a lovely drive that has large multi-acre lots on one side and a small creek leading from the canal bank south toward Bethany Home Road on the other side. It is used as regular access for the entire community (stretching south down 20th street, east across Bethany Home Road and west into the Rovey neighborhood) to access the canal bank for recreational activities. With 50 years of experience living and visiting that neighborhood, I (along with my other family members) have the longest history and knowledge of the property of anyone in the neighborhood. I recall the days when the current development at 2200 East Bethany (the “Housing Development”) was a single multi-acre lot owned by Mel Ensign, and a place where neighborhood kids would build forts and play along the little creek.

As I understand it, at the time the Housing Development on the Ensign Property was approved for the development of 14 single family home lots – which had a material and negative impact on all of the neighbors who lived across the creek from that parcel along 22nd Street – it was done SOLELY on the condition that there be sufficient open space to justify that density of housing. The North 22nd Street Tennis Court Lot provided that additional open space and was critical in the decision to permit the Housing Development to build 14 single family homes. Without that accommodation, I believe there would have been intense opposition to the Housing Development and it is highly possible that the requested zoning would have been rejected.

Now, it seems that the Housing Development and Leslie Williams seek to unwind that deal (well after it was made and relied upon by all of the neighbors) and effectively have their cake and eat it too. Not only do they want to retain the benefits of being able to have 14 homesites in the subdivision, but they also want to add a 15th home on the North 22nd Street Tennis Court Lot, thus doing away with the open space requirement that was so essential to them receiving their original 14 home allotment. They are effectively killing the open space obligation and profiteering by the sale of the open space lot for development of a 15th home on the North 22nd Street Tennis Court lot. There is no doubt in my mind that they are gaming the system, and if this proposal were to pass it will greatly deteriorate the public trust that so many landowners have placed in the zoning commission’s decision-making process. It simply cannot be the case that developers can obtain lucrative higher density re-zoning on the promise of maintaining sufficient open space to warrant that zoning, only to thereafter develop that open space and further increase the housing density in a housing development. It actually shocks the conscience that this would be permitted by the zoning commission. The landowners in the neighborhood, and most importantly, those who reside along North 22nd Street relied on the Housing Development’s promise of open space and have continued to do so for several decades now. New landowners have bought into the neighborhood relying on that promise of open space. That reliance should be upheld and maintained.

Further, I ask that this commission investigate the sale of the North 22nd Street Tennis Court Lot to Leslie Williams. I do not understand how the Housing Development even had the authority to sell that lot given it was so inextricably intertwined with the Housing Development's internal zoning obligations. Someone on this committee or the staff supporting this committee should be prepared to address this question at the February 7, 2019 hearing as a number of neighbors have questioned the underlying validity of that sale. If the terms of that sale are unknown, they should be investigated so that there can be full transparency on the economic motivations of the parties submitting this application for rezoning, and those supporting it.

In addition, and this is important, in my view Mr. Williams has been a terrible neighbor from the very moment he ostensibly took ownership of the North 22nd Street Tennis Court Lot. He ripped out the desert landscape (which was home to much wildlife in the area), and left piles of rubbish and junk all around it. The workers that scraped this desert landscape left coke cans, plastic bottles and other plastic refuse around the property. My parents have asked him repeatedly and for over a year to clean up this mess to no avail (as they have to drive by it on the way to their home). I have personally witnessed these piles of refuse which continue to this day unabated. Mr. Williams has created a nuisance and has ignored the requests of neighbors to "be a good neighbor" and clean up his detritus.

Mr. Williams has also told my parents that he intends to "flip" the lot once he gets it re-zoned and that he should have no problem doing so because he is "well-connected". In fact, he told my parents that he had done this very thing successfully on other open space lots and with other HOA associations. The arrogance, hubris and lack of concern for neighbors is unprecedented in our experience in that neighborhood (experience that goes back 50 years) as the neighborhood has always enjoyed great relations among neighbors where generations of civic minded families have raised their children.

I am told that at the January 8, 2019 hearing in front of the East Camelback Neighborhood Association, the lawyers for the applicants tried to paint a picture of the North 22nd Street Tennis Court Lot as a "dangerous" place where people go to party or to deposit trash. I can tell you that it is not dangerous by any stretch of the imagination. Our family has lived adjacent to that lot for over 50 years and it hasn't changed materially during that time. If there was an uptick in dumping in recent years, it is likely due to Mr. Williams' actions as has left the lot in such a state of disrepair, with piles of refuse, that others now think of it as a dumping ground. I believe he also removed a barrier to dumping that caused an increase there. I am not aware of a single reported crime occurring at that location. My parents and their friends drive by that location several times a day, and families are constantly walking up and down that dirt road with children in tow and babies in carriages. Only occasionally do you see a car parked near the tennis court and often when you do it is the SRP truck working on irrigation flows. Mr. Williams' attorney's portrayal of that open space as dangerous or crime ridden is false. If anything, Mr. Williams is responsible for any illegal dumping given the condition that he has left the lot in – and it would not surprise me if his neglect of the property is part of a master plan to "manufacture" a fake crisis for the sole purpose of enhancing his rezoning application.

I have also learned that the East Camelback Neighborhood Association did not have all information submitted in opposition to this re-zoning application in front of it when it made its recommendation – as I understand the person responsible for getting that information to committee members was on vacation. The Neighborhood Association's vote should, therefore, be met with some skepticism as to its validity as they apparently did not have the complete factual record before them, including the comments of neighbors in opposition to the rezoning.

Finally, I do not understand the Staff's comments that the North 22nd Street Tennis Court lot has access to water. I do know that Mr. Williams asked my parents to grant him access to water through their property, which they declined. The site map that is attached as part of the Staff's report shows no designation for how water will become accessible to the property and the applicant should be required to include a detailed explanation as to how that will be possible given the neighborhood's unanimous opposition to the rezoning application (other than, of course, the Housing Development which stands to gain financially from such rezoning).

In sum, I urge this commission to reject the proposed re-zoning for all the reasons noted above. The rezoning application should be rejected as a matter of fundamental fairness to the good neighbors of the Housing Development,

who have relied for so long on their promise of maintain adequate open space to justify their existing higher density zoning. You simply cannot unwind the promises that were made at the time the Housing Development received its initial zoning. These were promises that were relied upon by landowners (those who did not so vociferously object to the original Housing Development, as well as new purchasers of lots along North 22nd street who have relied upon that North 22nd Street Tennis Court Lot remaining as open space in making their purchase decision). The Housing Development should not benefit from its own deception – it cannot unwind the promises it made to secure its original zoning. To do so would call into question every zoning decision that included an open space requirement and sets an extraordinarily bad precedent for this commission and threatens to undermine the public trust in the validity and longevity of zoning decisions.

Respectfully submitted,

Fiona Brophy
Attorney at law
Fiona.brophy@gmail.com

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

Racelle Escolar

From: Alison Chandler <Alchandler@cox.net>
Sent: Tuesday, February 05, 2019 3:51 PM
To: Racelle Escolar
Subject: Rezoning Application #Z-81-18

I live in the area of 22nd Street and Bethany Home. I am vehemently opposed to the illegal rezoning of public open space at 22nd Street, north of Bethany Home, by the SRP canal, Application # Z-81-18. I cannot believe that the city would sell out our neighborhood to a greedy developer. The land in question should never have been allowed to be up for purchase in the first place, it is public open space. Someone in the City of Phoenix has done something sneaky and illegal, it stinks.

I am asking you to vote NO on the rezoning application for Mr. Leslie Williams, Vote No on application # Z-81-18. Say no to greed, say yes to our neighborhood.

Thank you,

Alison Chandler
2027 E. Rancho Drive
Phoenix, AZ 85016
Alchandler@cox.net

Racelle Escolar

From: Mike Gagnon <mtgags@gmail.com>
Sent: Tuesday, February 05, 2019 4:44 PM
To: Racelle Escolar
Subject: Opposition to Rezoning Application No. Z-81-18

Hi Racelle,

We would like to voice our opposition to rezoning application No. Z-81-18. We live in the neighborhood and many children(including ours) love to play near the area in question. Doing away with the currently designated 'open space' will bring more traffic to the location and increase the level of danger for the neighborhood children who frequently ride their bikes in that area.

Thank you in advance for your help and understanding. Please call us if you have any questions or need additional information.

Best regards,
Mike and Shannon Gagnon
2202 E. Montebello Ave, Phoenix, AZ 85016
(602) 615-6592

Racelle Escolar

From: Chris O'Gara <cogara@cox.net>
Sent: Tuesday, February 05, 2019 5:58 PM
To: Racelle Escolar
Subject: Opposing the rezoning application

To whom it may concern,

I opposed the rezoning application No. Z - 81 - 18 to the Planning Commission.

Sincerely,

Chris O'Gara
2225 E Montebello Ave
Phoenix AZ 85016

Racelle Escolar

From: Christy O'Gara <cmogara@cox.net>
Sent: Tuesday, February 05, 2019 7:28 PM
To: Racelle Escolar
Subject: Z-81-18

Hello,

I live at 2225 East Montebello Ave. in Phoenix and I would like to email in regards to the rezoning application number Z – 81 - 18. I am opposed to this re-zoning for various reasons. Please do not hesitate to reach out with any questions you might have about my opposition to this project.

Thank you,
Christy O'Gara
402-657-6254

Blessings,
Christy

Live your faith. Share your heart. Trust in God.

Sent from my iPhone

Racelle Escolar

From: Sherry M Schurhammer <sschurhammer@cox.net>
Sent: Tuesday, February 05, 2019 7:43 PM
To: Racelle Escolar
Subject: Oppose Rezoning Application No. Z-81-18

I oppose rezoning application No. Z-81-18. The subject property was designated open space by the City of Phoenix and is a dedicated public utility easement.

In lieu of speaking at the February 7 hearing, I donate my time to Rocky Acres/Randy Yavitz.

Thank you for your time and consideration on this very important matter to the neighborhood.

Sherry Schurhammer
2001 East Solano Dr
Phoenix 85016

Sent from my iPad

Racelle Escolar

From: dpoulos@cox.net
Sent: Wednesday, February 06, 2019 5:45 AM
To: Racelle Escolar
Subject: oppose rezoning application No. Z-81-18

Please note my opposition to rezoning application No. Z-81-18

My family has lived in this neighborhood since 1960 – nearly 60 years. It's not that I am opposed to change, per se, but the sizeable lots with limited residences preserve a bucolic oasis amid urban North Central sprawl with encroaching density.

In this area, families with dogs and cats have coexisted with horses, a camel, and peacocks, as well as wild coyotes, for decades. Anyone is free to walk along the dirt road lined by an irrigation ditch, which is like a country lane with a bubbling creek.

Deanne Poulos

Racelle Escolar

From: Christina Woodward <christinam.woodward@gmail.com>
Sent: Wednesday, February 06, 2019 8:43 AM
To: Racelle Escolar
Subject: Application No. Z-81-18

Hello Racelle,

My husband and I live at 2041 E Bethany Home Rd and we oppose the rezoning of the 2200 East Bethany Home subdivision and will be in attendance tomorrow night.

Thank you,
Christina Woodward-Reeb

Racelle Escolar

From: JOHN CHMELIK Owner <jchmelik@centurylink.net>
Sent: Wednesday, February 06, 2019 11:03 AM
To: Racelle Escolar
Subject: Oppose the rezoning application for No. Z-81-18

Dear Racelle,

My father-in-law owns the property at 6202 N. 22nd Street. I have been part of the family for 35 years and I am emphatically opposed to the rezoning of the open space for 2200 East Bethany Home Road, No. Z-81-18.

This open space was required by the city in order for 2200 East Bethany Home to develop the 14 homes that are in that community. Why would the city reverse that requirement now? To my knowledge, there is no existing residential water service to that property. If this is in fact true, how can the city issue a permit to build a home that has no access to water service? I also believe that the city currently requires a public road entrance to a residential property for emergency vehicle access which is not feasible for this lot.

The intention for this open space has always been to maintain a natural, undeveloped environment that maintains the beauty and uniqueness to Rocky Acres. For Mr. Williams to be allowed to build a house that I believe he has no intention of occupying, and is only trying to profit from, would be devastating to the community.

Thank you.
John Chmelik

Racelle Escolar

From: Bill Schubert <bschubert2313@gmail.com>
Sent: Wednesday, February 06, 2019 11:54 AM
To: Racelle Escolar
Subject: Rezoning Application No. Z-81-18

Ms. Escolar, I strongly object to zoning application Z-81-18. The City must live up to commitments made in prior rezoning related to the subject property and the related subdivision east of the property. I've lived in the neighborhood for the last 43 years and have an excellent memory. This rezoning would be totally contrary to anyone's sense of fairness. Bill Schubert 2313 E. Montebello, Phoenix 85016

Racelle Escolar

From: Debra Thornburg <tdebrat@verizon.net>
Sent: Wednesday, February 06, 2019 2:51 PM
To: Racelle Escolar
Subject: Rezoning application opposition

To Whom It May Concern:

As a longtime homeowner in the Rocky Acres subdivision, I object to the rezoning application #Z-81-18 to build a home on the current tennis courts. This land was sold with the stipulation that it was not to be developed.

Sincerely,
Debra Trausch Thornburg
6121 N. 20th St.
Phoenix, AZ 85016
Tdebrat@verizon.net

Racelle Escolar

From: Annie Meade <jdnannie@gmail.com>
Sent: Wednesday, February 06, 2019 3:52 PM
To: Racelle Escolar
Subject: Opposed-Rezoning Application #Z-81-18

Hello,

I'm unable to be at the Planning Committee meeting tomorrow evening regarding Mr. Williams property. As a neighbor who regularly walks by the property for canal access with my young children, I'm opposed to any housing that will increase traffic on this limited access road. I would like to donate my time to Rocky Acres/Randy yavitz at the meeting. Please listen to the community and keep the zoning the way it was intended.

Sincerely,

Annie Meade
5711 N 18th St
Phoenix 85016

Racelle Escolar

From: Dan Stites <dstites@cox.net>
Sent: Wednesday, February 06, 2019 6:24 PM
To: Racelle Escolar
Cc: dstites@cox.net
Subject: Oppose No Z-81-18 Rezoning Application

Dear Miss Escolar,

I am writing to voice my vigorous opposition to rezoning application No Z-81-18. It should not be granted given that the subject parcel (Tract E) was approved in September 1997 as designated open space for the gated development at 2200 East Bethany (Home Rd) subdivision. It was set aside to reduce the density of the 2200 East Bethany subdivision when it was zoned RE-35. Further, the tract is a dedicated public utility easement.

I would like to donate my time to Rocky Acres/Randy Yaritza as I am unable to attend the Planning Commission hearing on February 7.

Please let me know you received my email.

Thank you
2000 East Solano Drive
Phoenix 85016

Sent from my iPad

Racelle Escolar

From: rory murphy <rorymurphy@me.com>
Sent: Wednesday, February 06, 2019 7:37 PM
To: Racelle Escolar
Subject: Opposition to rezoning application z 81 18

Hello,

I would like to strongly express my opposition to z 81 18

It is out of character with the area and builds on important open space next to the canal.

This open space is very important for the community as an amenity and wildlife.

Rory Murphy
5823 Nth 23rd street

Racelle Escolar

From: joe hanss <i143joyce@yahoo.com>
Sent: Thursday, February 07, 2019 8:31 AM
To: Racelle Escolar
Subject: Rezonig application Z-81-18

Racelle,

I am opposed to the rezoning of the property at 2200 East Bethany Home Road as detailed in application Z-81-18. The original project on this property resulted after a great deal of negotiations between the developer and neighborhood. The process produced a nice project that enhances the open feel of the neighborhood while allowing development. An effort to restructure that agreement will drastically change the open space portion of the project making it no longer fit the neighborhood.

Thank you,
Joe Hanss
2007 E. Rancho Dr.
Phoenix, Az. 85016
602-390-2242

Racelle Escolar

From: GERI EPCAR <gepcar@cox.net>
Sent: Thursday, February 07, 2019 8:32 AM
To: Racelle Escolar
Subject: Please vote NO Z-81-18

Ms. Escolar,

I was appalled by the behavior at the Camelback East Village Planning Committee meeting for the rezoning of the 2200 E. Bethany "free space". This was my first time attending such a meeting and while we had been warned by Mr. Williams (who purchased the "free space" from the subdivision who had no right to sell it) that he had "connections" with the committee and we would be wasting our time opposing him, I didn't believe an entire committee could be swayed in this way. It became very obvious he was right ~ the gentleman running the meeting got up out of his seat to personally greet Mr. Williams and members of the group attending from the property at 2200 E. Bethany Subdivision, and actually handed out cards to him and the group giving them permission to speak to the committee. He did not make the same gesture to our group, the Rocky Acres owners.

There is no reason for Mr. Williams to build a home on that property other than to make a fortune turning it (it's worth many times what he paid for it). That's what he does and why he is so close with members of Village Planning Committee. He doesn't want to live there as was evidenced by his claim that it is a magnet for the countless hordes of people walking past it every day from the canal and leaving trash everywhere. Does he think those hordes are going to disappear if he builds a house there? He also made claims about what a trash dump the "free space tennis court" had become, which it shouldn't be!!! The 2200 E. Bethany Subdivision charges maintenance fees to its owner/members and provides ground maintenance ~ it was their responsibility to maintain that "free space" property as well, since they owned it! Obviously the subdivision drooled when they discovered that Mr. Williams would pay them \$300,000 for that property which would go into their "slush fund". Mr. Williams has now "owned" that lot for more than two years but has done no maintenance, forcing the adjoining neighbors of the property to address some of the safety issues at their own expense.

Being a neophyte to these meetings, I can't understand why the members of the Camelback East Village Planning Committee could vote to approve this rezoning. What

do they have to gain? There is no water, sewer or electric available to that piece of property. The "free space" should never have been legally sold and the committee should have stuck to the legal zoning decision made years ago. The 2200 E. Bethany Subdivision should return Mr. Williams' \$300,000 and maintain the "free space" as they agreed to over 20 years ago.

Mrs. G. Epcar

Racelle Escolar

From: R Salazar <robisalazar@gmail.com>
Sent: Thursday, February 07, 2019 8:57 AM
To: Racelle Escolar
Subject: Rezoning application N. Z-81-18

Dear members of the Camelback East Planning Commission:

My name is Roberta Salazar and I live at 6638 N. Majorca Way East, Phoenix 85016. I strongly oppose the approval of Rezoning application N. Z-81-18, The property in question has been designated as an "open space" since 1997 as a requirement for the 2200 East Bethany Home Subdivision to obtain approval for their development. I see no compelling reason for this to change for the benefit of one greedy developer.

The open space property enhances the ambiance of the neighborhood and is used by multiple people and groups for recreation.

Thank you,
Roberta Salazar

--

We the willing, led by the unknowing, are doing the impossible for the ungrateful. We have done so much, with so little, for so long, we are now qualified to do anything with nothing.

- Mother Teresa of Calcutta

Racelle Escolar

From: Ciara H <ciara.s.hickey@gmail.com>
Sent: Thursday, February 07, 2019 6:20 PM
To: Racelle Escolar
Subject: Opposition to rezoning application z 81 18

Hello,

I would like to strongly express my opposition to z 81 18

It is out of character with the area and builds on important open space next to the canal.

This open space is very important for the community as an amenity and wildlife.

Ciara Hickey
5823 Nth 23rd street

We, the citizens of Phoenix, petition the City of Phoenix Planning Commission & City Council to DENY the Rezoning Application No. Z-81-18. Tract "E", also known as the "Tennis Court Lot", was purchased by the 2200 East Bethany Home Subdivision back in 1996 specifically for the purposes of obtaining approval for RE-35 Planned Residential Development No. P97129S. Tract "E" the (Tennis Court Lot) was designated as "Open Space" used as a requirement to reduce the overall gross density permitted for RE-35 in order to build 14 homes. In April of 2016, the 2200 East Bethany Home Subdivision decided to monetize their open space. They made a plan with Mr. Leslie Williams to violate the City of Phoenix's Zoning Regulations. The subdivision should be held accountable for their actions and ordered to secure and maintain their open space. Reverting the sale or repurchasing Tract "E" would put them back into compliance and able to develop the last lot 14. PLEASE MAKE NO EXCEPTIONS. Deny the Rezoning Application in question and keep both properties at RE-35.

Here is a quote from one of the City of Phoenix's Principal Planners:

"Tract E, the Subject Parcel, just manages to provide all of the required and additional open space required to permit the density of 1.19 du/ac. If Tract E had not been included, only 13 lots (not 14) would have been permitted for this development." ~ July 7, 2016~

Mr. Williams, the current owner of Tract "E" (Tennis Court Lot) has bragged about being able to rezone open space in the past. Approving the rezoning application sets a precedent and rewards greedy behavior.

CITY OF PHOENIX
Planning & Development
FEB 7 2019

DENY REZONING APPLICATION NO: Z81-18

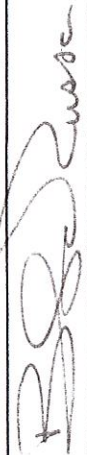
Signature <i>Vera Ann Stiesmeyer</i>	Print Name <i>Vera Ann Stiesmeyer</i>	Department <i>Planning & Development</i>
Address <i>1940 E. Palo Verde Dr. PHX, AZ 85016</i>	Email <i>Vera.Stiesmeyer@aol.com</i>	Date <i>Feb 2, 2019</i>


Signature <i>Ingrid Swenson</i>	Print Name <i>INGRID SWENSON</i>	Date <i>2/2/2019</i>
Address <i>1828 E. Palo Verde DR</i>	Email	


Signature <i>Christine Herington</i>	Print Name <i>CHRISTINE HERINGTON</i>	Date <i>2/2/2019</i>
Address <i>1828 E. Palo Verde Dr</i>	Email	

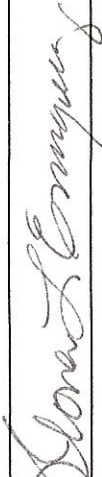
Signature <i>Jaclyn Lavin</i>	Print Name <i>Jaclyn Lavin</i>	Date <i>2/2/19</i>
Address <i>1839 E. Palo Verde Dr.</i>	Email	


DENY REZONING APPLICATION NO: Z81-18


Signature		Print Name	Bonnie L. Russa	Date	1/31/2019
Address	30 W Beryc Phoenix AZ 85021	Email	laccapitolrussa@aol.com		

Signature		Print Name	Ken-Yu Chuang	Date	2/1/2019
Address	2101 E Palo Verde, Phoenix AZ 85016	Email	cyclingwilly@hotmail.com		

Signature		Print Name	Dennis Eeaglestone	Date	2.1.19
Address	1719 E Sierra Vista Dr.	Email	djeaglestone@gmail.com		

Signature		Print Name	FLORA L. ENRIQUEZ	Date	2/1/2019
Address	7221 N. 26TH STREET DRIVE	Email			

Signature		Print Name	Jim Garcia	Date	2/1/2019
Address	5807 W. 10th St Phoenix, AZ	Email	JimV.Garcia@gmail.com		

Signature		Print Name	Ken Bartsch	Date	2/1/19
Address	5811 N. 18th St	Email	KBBB222@aol.com		

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DENY REZONING APPLICATION NO: Z81-18


Signature <i>Stacey Mosbrucker</i>	Print Name Stacey Mosbrucker	Date 1/28/19
Address 2433 E Indian School Rd #440 Phoenix 85016	Email Stacey@hhylaw.com	


Signature <i>Candess J. Hunter</i>	Print Name Candess J. Hunter	Date 1/28/19
Address 2302 N. Central Ave #208 Phoenix 85004	Email hunter@hhylaw.com	


Signature <i>Jose Canales</i>	Print Name Jose Canales	Date 1/28/2019
Address 3014 W. Lane Ave	Email	


Signature <i>Whitney Alvarez</i>	Print Name Whitney Alvarez	Date 1/28/19
Address 6050 N. 22 nd St.	Email	

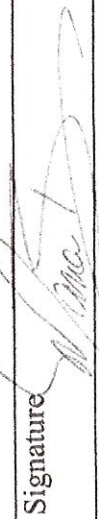
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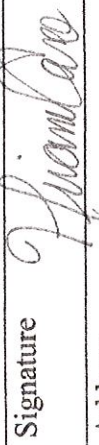
Signature		Print Name	RANDALL JAVITZ	Date	1/27/19
Address	6050 N 22nd St. Phoenix, 85016				
		Email	Randy & HYLARV.COM		

Signature		Print Name	MARK HERBERT	Date	1-27-19
Address	1836 E. Bethany Ave RD				
		Email	MARKANDSHIRLEY55@GMAIL.COM		

Signature		Print Name	Anne Novak	Date	1-27-19
Address	1411 E Montebello Ave				
		Email	bluegrayangie@gmail.com		

Signature		Print Name	Sam Novak	Date	1-27-19
Address	1311 E Montebello Ave				
		Email	sam.novak@mac.com		

Signature		Print Name	Maria Beam	Date	1.27.2019
Address	6050 N. 22nd St.				
		Email	grandma.noonbeam@gmail.com		

Signature		Print Name	HIRAM CARO	Date	1/27/19
Address	7221 N. 26 TH DR.				
		Email	hueylong92185@yahoo.com		

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Signature <i>Donna Wanser</i>	Print Name <i>Donna Wanser</i>	Date <i>1.28.19</i>
Address <i>1810 E. Povey</i>	Email <i>donna.wanser@gmail.com</i>	

Signature <i>Carrie Wheeler</i>	Print Name <i>Carrie J Wheeler</i>	Date <i>1/29/19</i>
Address <i>6130 N. 22nd St.</i>	Email <i>Carrie@Crackingood.com</i>	

Signature <i>Jay Wiggins</i>	Print Name <i>Jay Wiggins</i>	Date <i>1/29/19</i>
Address <i>6130 N. 22nd St</i>	Email <i>jay@irk.com</i>	

Signature <i>Christina Reeb</i>	Print Name <i>Christina Reeb</i>	Date <i>1/29/19</i>
Address <i>2041 E. Bethany Home Rd</i>	Email <i>Christina.M.Woodward@gmail.com</i>	

DENY REZONING APPLICATION NO: Z81-18

Signature <i>Jeanette Woodward</i>	Print Name JEANETTE WOODWARD	Date 1/30/19
Address 2836 E. SHERAN LN FAX 8506	Email jeanette@adl.com	

Signature <i>Catherine Vittek</i>	Print Name CATHERINE VITTEK	Date 1/30/19
Address 1949 E Harshard Ave	Email catvittek@gmail.com	

Signature <i>Milana Sebesta</i>	Print Name MILAN SEBESTA	Date 1/30/19
Address 1949 E. Harshard Ave	Email SNOWSKER@YAHOO.COM	

Signature <i>Leta Fallin Hill</i>	Print Name LETA FALLIN HILL	Date 1/30/19
Address 6139 N. 20th St.	Email leahpfallinhill@aol.com	

Signature <i>Joyce McLain</i>	Print Name BRYAN HILL	Date 1/30/19
Address 6139 N. 20th St	Email Bryan.Hill@Honeywell.com	

Signature <i>Joyce McLain</i>	Print Name Joyce McLain	Date 1/31/19
Address 6146 E. Bethany Ave	Email joymclain@cox.net	

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Signature	<i>KCZ</i>	Print Name	Katherine Chuang	Date	2/1/19
Address	2401 E. Palo Verde Dr. Phoenix, AZ 85016	Email	kmccemail@arizona.edu		

Signature	<i>Eric Morrison</i>	Print Name	Eric Morrison	Date	2/3/19
Address	5721 N. 21st Street	Email	ehm100@me.com		

Signature	<i>Angela Gallenstein</i>	Print Name	Angela Gallenstein	Date	2-3-19
Address	5721 N. 21st St	Email	alg100@me.com		

Signature	<i>Patty Levesen</i>	Print Name	Patty Levesen	Date	2-3-19
Address	1940 E Claremont St	Email	PAT7@yahoo.com		

DENY REZONING APPLICATION NO: Z81-18

Signature	<i>Joe Sobieszczyk</i>	Print Name	Joe Sobieszczyk	Date	Feb 2/19
Address	2019 E. Turney	Email			

Signature	<i>Thomas Spear</i>	Print Name	Thomas Spear	Date	2/2/19
Address	2045 E. Bethany Home Rd PHX AZ	Email	spear1@gmail.com		

Signature	<i>David A. Wood</i>	Print Name	DAVID A. WOOD	Date	2/2/19
Address	2234 E ROVEY AVE PHX AZ 85016	Email	dauidano@gmail.com		

Signature	<i>Lorraine J Rhoads</i>	Print Name	Lorraine Rhoads	Date	2/3/19
Address	1911 E. Claremont. Phoenix, AZ 85016	Email	lorain@hotmail.com		

Signature	<i>Sandra Ralphs</i>	Print Name	Sandra Ralphs	Date	2-13/19
Address	6315 N. 20th St. PHX 85016	Email	sayloraze@yahoo.com		

Signature	<i>David Ralphs</i>	Print Name	David Ralphs	Date	2/3/19
Address	6315 N. 20th St PHX, AZ 85016	Email	benralphs@yahoo.com		

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Signature <i>Benita Ocolmain</i>	Print Name BENITA OCOLMAIN	Date Feb. 2, 2019
Address 2131 E Palo Verde Dr, Phoenix, AZ 85016	Email ocolmain@msn.com	

Signature <i>Rachel Liles</i>	Print Name Rachel Liles	Date 2/2/19
Address 2213 E Rovey Ave	Email RachelLiles@me.com	

Signature <i>Lisa L. Heimburg</i>	Print Name Lisa L. Heimburg	Date 2.2.19
Address 2335 E Bethany home Rd	Email lheimburg87@gmail.com	

Signature <i>Roy Herberger</i>	Print Name Roy Herberger	Date 2/2/19
Address 5834 N. 22nd Ave	Email rherberger@gmail.com	

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Signature <i>Meghan DeLuca</i>	Print Name Meghan DeLuca	Date 2/1/19
Address 6121 N. 22nd St. Phoenix AZ	Email meghanaz2@gmail.com	

Signature <i>Annie Cook</i>	Print Name Annie Cook	Date 2/2/19
Address 847 W. Clarendon Ave. PHX 85013	Email	

Signature <i>Edmundo Robaina</i>	Print Name Edmundo Robaina	Date 2/2/19
Address 2245 E. Romy Avenue	Email	

Signature <i>John J. Coleman</i>	Print Name John J. Coleman	Date 2/2/19
Address 2131 E. Palo Verde Dr. PHX 85016	Email jocolemain@msn.com	

Signature <i>Fiberte Sizer</i>	Print Name Fiberte Sizer	Date 2-2-19
Address 6638 N. Majorca Way E PHX 85016	Email	

Signature <i>Lisa Pool</i>	Print Name Lisa Pool	Date 2-2-19
Address 1974 E. Overland Ave PHX 85016	Email lisadcc101@producers.com	

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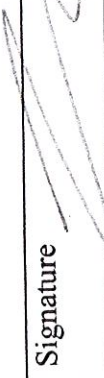
Signature <i>Jack Griffin</i>	Print Name Jack Griffin	Date 1/30/19
Address 1919 S. Bethany Home Road	Email jcgriffin@cox.net	


Signature <i>William C. Lewis</i>	Print Name William C. Lewis	Date 1-31-19
Address 6225 N. 26th St.	Email wclewis3@icloud.com	


Signature <i>Kevin Paxton</i>	Print Name KEVIN PAXTON	Date 1/31/19
Address 6502 N. Camelback Rd	Email paxtonkt@yahoo.com	


Signature <i>Christopher Farnham</i>	Print Name Christopher Farnham	Date 1/31/19
Address 7647 S. 47th Place	Email CWFarnham@icloud.com	


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Signature		Print Name	Katie Chandler	Date	2/1/19
Address	5712 N. 18th Place, PHX 85016				
		Email	trainerkatiephx@gmail.com		

Signature		Print Name	Win Copland	Date	2/1/19
Address	1831 E. Earll Dr				
		Email	wincopland@hotmail.com		

Signature		Print Name	Stephanie Heller	Date	2/1/19
Address	5739 N. 18th Place				
		Email			

Signature		Print Name	Gregory O'Coynne	Date	2/1/19
Address	5742 N. 18th Place, Phx, AZ 85016				
		Email	gregoryoynne@gmail.com		

Signature		Print Name	Jenny Schultz	Date	2/1/19
Address	5742 N. 18th Place, Phx, AZ 85016				
		Email	jenneschultz@hotmail.com		

Signature		Print Name	Mark Merrill	Date	2/1/19
Address	1801 E. San Miguel Ave. Phx AZ 85016				
		Email	markmerrill123@gmail.com		


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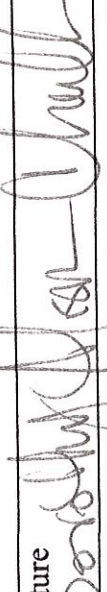
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Signature		Print Name	Robbie Roberts	Date	2/4/2019
Address	1802 E. Berridge Lane	Email	Robbie.Roberts@gmail.com		

Signature		Print Name	Lindsay Kessler	Date	2/4/19
Address	1821 E. Kujon Dr. PHX AZ 85016	Email	lindsaykessler@gmail.com		

Signature		Print Name	Dorothy Alison Chandler	Date	2-4-19
Address	2027 E. Rancho Drive Phoenix AZ 85015	Email	alchandler@cox.net		

Signature		Print Name	DALTON BRADLEY CHANDLER	Date	2.4.19
Address	2027 E. Rancho Dr. Phoenix AZ 85015	Email	xchandler@cox.net		

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Signature		Print Name	Robert T Hoob	Date	2/2/19
Address	1646 E Roney Ave Phx 85016	Email	RPHOBT1943@gmail.com		

Signature		Print Name	JOHN ECKSTEIN	Date	2-2-19
Address	2449 E. Rancho DR	Email	ECKSTJ@COX.NET.		

Signature		Print Name	Lorena Suarez	Date	2-2-19
Address	1821 E. Montebello Ave, Phoenix, AZ	Email	EMAS460@gmail.com		

Signature		Print Name	Pamela Sonn McCants	Date	2/2/19
Address	4121 E Bethany Home Rd	Email	pdiva1822@gmail.com		

Signature		Print Name	Lauren Brooks	Date	2/2/19
Address	632 W 17th St.	Email	smaldy@gmail.com		

Signature		Print Name	DANIEUE BRYANT	Date	2/2/19
Address	5730 N. 117th Way Phx. AZ 85014	Email	DANIELLE@THEIVE.COM		


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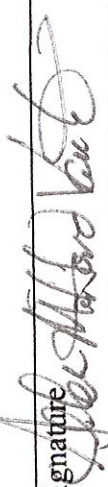
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Signature		Print Name	Julianne Levere	Date	2/3/2019
Address	1940 E. claremont st PITX, AZ 85016				
		Email	juliskolatic@gmail.com		

Signature		Print Name	NICK KALOS	Date	2-3-19
Address	2044 E. GLENDALE AVE.				
		Email	NICKALOS@VAHOO.COM		

Signature		Print Name	Allen Milford Vanik	Date	2-4-2019
Address	2028 East Peach Dr				
		Email	allen@allenmilfordvanik.com		

Signature		Print Name	Julie McRoberts	Date	2-4-2019
Address	1804 S. Berridge Lane				
		Email	jmcroberts@gmail.com		

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Signature <i>Laverne Tijerina</i>	Print Name LAVERNE TIJERINA	Date 2-2-19
Address 1909 E. Palo Verde Dr	Email LAVERNE3PHX@gmail.com	

Signature <i>Greg Lieberg</i>	Print Name GREG LIEBERG	Date 2-2-19
Address 1909 E. Palo Verde Dr.	Email greg3phx@gmail.com	

Signature <i>Jemma Schmidt</i>	Print Name JEMMA SCHMIDT	Date 2-2-19
Address 5808 N. 19th St Phx AZ	Email JEMMASCHMIDT@gmail.com	

Signature <i>Jody Kaye Schmidt</i>	Print Name JODY KAYE SCHMIDT	Date Feb 3, 2019
Address 5808 N 19th St Phx AZ	Email	

Signature <i>Matthew Auer</i>	Print Name MATTHEW AUER	Date 02.03.19
Address 5701 N. 19th St Phx AZ 85016	Email MZZADYAC@ME.COM	

Signature <i>Charlton B. Rhoads</i>	Print Name CHARLTON B. RHOADS	Date 2/3/19
Address 1911 E. CLAREMONT ST. PHOENIX, AZ 85016	Email charlton@charltonrhoads.com	

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Signature	<i>Lanie Ziger</i>	Print Name	LANIE ZIGLER	Date	2/4/19
Address	5606 N. 24th St.	85016	Email	lziger@azcnsi.com	

Signature	<i>Michael Ramsey</i>	Print Name	Michael Ramsey	Date	2/4/19
Address	2231 E Montebello	85016	Email		

Signature	<i>Kathryn Ramsey</i>	Print Name	KATHRYN RAMSEY	Date	2/4/19
Address	2231 E. Montebello Avenue		Email	Kate Ramsey, com	

Signature	<i>Joni Lewis</i>	Print Name	Joni Lewis	Date	2/4/19
Address	2237 E Montebello		Email		

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Signature	Judy Brunacini	Print Name	Holly Brunacini	Date	Feb 4 2019
Address	5830 N 24th St	Email	hbrunacini@cox.net		

Signature	Mark Freebury	Print Name	MARK FREEBURY	Date	2-4-2019
Address	1837 E. CLAREMONT, PHX, AZ 85016	Email	mark.freebury@srpnet.com		

Signature	Charlotte Freebury	Print Name	Char 10th Freebury	Date	Feb 4 2019
Address	1837 E. Claremont St.	Email	char10th@cox.net		

Signature	Bill Schubert	Print Name	Bill Schubert	Date	2/5/19
Address	2313 E. MONTEBELLO PHX 85016	Email	bschubert2313@gmail.com		

Signature	Shannon Gagnon	Print Name	Shannon Gagnon	Date	2/5/19
Address	2202 E Montebello Ave, Phoenix AZ 85016	Email	Smgagnon17@gmail.com		

Signature	Mike Gagnon	Print Name	MIKE GAGNON	Date	2/5/19
Address	2202 E. MONTEBELLO AVE PHOENIX AZ 85016	Email	MTGAGSC@GMAIL.COM		

1. The citizens of Phoenix, petition the City of Phoenix Planning Commission & City Council to DENY the Rezoning Application No. Z81-18. Tract "E", also known as the "Tennis Court Lot", was purchased by the 2200 East Bethany Home Subdivision back in 1996 specifically for the purposes of obtaining approval for RE-35 Planned Residential Development No. P97129S. Tract "E" the (Tennis Court Lot) was designated as "Open Space" used as a requirement to reduce the overall gross density permitted for RE-35 in order to build 14 homes. In April of 2016, the 2200 East Bethany Home Subdivision decided to monetize their open space. They made a plan with Mr. Leslic Williams to violate the City of Phoenix's zoning Regulations. The subdivision should be held accountable for their actions and ordered to secure and maintain their open space. Reverting the sale or repurchasing Tract "E" would put them back into compliance and able to develop the last lot 14. PLEASE MAKE NO EXCEPTIONS. Deny the Rezoning Application in question and keep both properties at RE-35.

2. Here is a quote from one of the City of Phoenix's Principal Planners:

"Tract E, the Subject Parcel, just manages to provide all of the required and additional open space required to permit the density of 1.19 du/ac. If Tract F had not been included, only 13 lots (not 14) would have been permitted for this development." ~ July 7, 2016~

3. Mr. Williams, the current owner of Tract "E" (Tennis Court Lot) has bragged about being able to rezone open space in the past. Approving the rezoning application sets a precedent that rewards greedy behavior.

DENY REZONING APPLICATION NO: Z81-18

Signature		Print Name	James Wootton	Date	1-29-19
Address	6202 N. 27th St.	Email	SindianeW1@yahoo.com		

Signature		Print Name	TARA FARNSWORTH	Date	1-29-19
Address	1924 E. CAMBRIDGE RD. # 120-493	Email	tara@taraconsulting.com		

Signature		Print Name	JANET T. VALDER	Date	2/1/2019
Address	6211 N. 20th St.	Email	JTVALDER@cox.net		

Signature		Print Name	MICHAEL J. VALDER	Date	2/1/19
Address	6211 N. 20th St.	Email	MValder@cox.net		

DENY REZONING APPLICATION NO: Z81-18

Signature		Print Name	KIMBERLY KELLOG	Date	1/20/19
Address	1915 E. MEDLOCK DR PHX. AZ. 85016	Email	KIM.KELLOG@COX.NET		

Signature		Print Name	Debi Pompo	Date	1/30/19
Address	1907 EAST MEDLOCK PHOENIX, AZ 85016	Email	skygaddress1990@gmail.com		

Signature		Print Name	Debbie O'Briant	Date	1/29/19
Address	1913 E. Medlock drive PHOENIX, AZ 85016	Email	debbie.obriant@unco.com		

Signature		Print Name	KATIE WAST	Date	1/29/19
Address	1045 N. 7th St. PHOENIX, AZ 85009	Email	KCOAST@email.arizona.edu		

Signature		Print Name	BRIDGET BROPHY	Date	1/29/19
Address	3500 E. Lincoln Dr #6 PHOENIX, AZ 85018	Email	bridgetbrophy@cox.net		

Signature		Print Name	Kristine Dearier	Date	1/29/19
Address	6337 N. 14th St. PHOENIX, AZ 85014	Email	Kristinedeardase@me.com		

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DENY REZONING APPLICATION NO: Z81-18

Signature	James Michael Shea	Print Name	JAMES MICHAEL SHEA	Date	2/4/19
Address	3620 N. 14th St - 277A Phoenix AZ 85014	Email	JIMMSHEA@7CLOUD.COM		

Signature	Alyce Baker	Print Name	CLYDE BAKER	Date	2/7/19
Address	5802 N 18th Pl. PHX. AZ 85016	Email	NONE		

Signature	Alyce Baker	Print Name	AVALYN BAKER	Date	2/4/19
Address	5802 N. 18th Pl., PHX, AZ 85016	Email	awesomeavalyn@gmail.com.		

Signature	Sherry M. Schurhammer	Print Name	Sherry M. Schurhammer	Date	2/4/19
Address	2001 E. Solano Dr 85016	Email	sschurhammer@cox.net		


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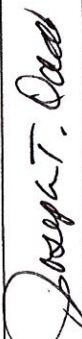
Signature		Print Name	Andrew Jaber	Date	1-30-19
Address	2035 W Maryland Ave	Email	AndrewJaber89@gmail.com		


Signature		Print Name	Matt Furler	Date	1-30-19
Address	1801 E Montebello Ave	Email	Matt@TheWhiningPig.com		


Signature		Print Name	JASON COON	Date	1-30-19
Address	1321 W. Villa Rita Dr.	Email	jasoncoon1212@yahoo.com		


Signature		Print Name	Kathryn Cody	Date	1-30-19
Address	4202 E Cactus Rd # 2110	Email	Kathrynbruner@gmail.com		


DENY REZONING APPLICATION NO: Z81-18


Signature		Print Name	JOSEPH T. ODO	Date	1/30/19
Address	1117 E. STATE	Email	JOETOODO41@GMAIL.COM		

Signature		Print Name	DANIEL CAPRICIO	Date	1/31/19
Address	932 W. FURBURN DR.	Email	DANIELE@THEWHITINGPLG.COM		

Signature		Print Name	Stratton Taylor	Date	1/31/19
Address	4325 N. 29 th PL.	Email	thebluepenguin@hotmail.com		

Signature		Print Name	TREVONE BRILL	Date	1/31/19
Address	2232 W SNN MIGUEL AVENUE	Email	tbri11@icloud.com		

Signature		Print Name	Ace Cohen	Date	1/31/19
Address	3104 E. Campbell Rd. 85016	Email	acecohen@gmail.com		

Signature		Print Name	Lisa Cohen	Date	1/31/19
Address	3104 E Campbell Rd 85016	Email	lisacohencox.net		


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DENY REZONING APPLICATION NO: Z81-18

Signature		Print Name	David McGoldrick	Date	2/4/19
Address	4754 E. Wenden Rd Phoenix AZ 85032				
		Email	DavidVT77@yahoo.com		

Signature		Print Name	Corey EPCAR	Date	2/4/19
Address	1011 N. 20th St Phoenix AZ 85016				
		Email	COREY@EPCAR@EMAIL.COM		

Signature		Print Name	David S. Valentine	Date	2/4/19
Address	4810 N. 43rd St Phoenix, AZ 85018				
		Email	DVA@STINE & LITE USA LLC		

Signature		Print Name		Date	
Address		Email			

DENY REZONING APPLICATION NO: Z81-18

Signature <i>Deanne Poulos</i>	Print Name STANNE POULOS	Date 2/5/19
Address 6034 N. 20th St., #HX 85016	Email dpoulos@cox.net	

Signature <i>Don Stites</i>	Print Name Don Stites	Date 2/4/19
Address 201 E. South St 85016	Email dstites@cox.net	

Signature	Print Name	Date
Address	Email	

Signature	Print Name	Date
Address	Email	

Signature	Print Name	Date
Address	Email	

Signature	Print Name	Date
Address	Email	

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DENY REZONING APPLICATION NO: Z81-18


Signature		Print Name	Ross Orr	Date	02/04/19
Address	6522 N. 12th Place, Phoenix, AZ 85016				
		Email	RossOrr@aol.com		

Signature		Print Name	Stephen Orr	Date	02/04/19
Address	1807 W. Mary Jane Ave. Phx, 85015				
		Email	OrryBball@gmail.com		

Signature		Print Name		Date	
Address		Email			

Signature		Print Name		Date	
Address		Email			

DENY REZONING APPLICATION NO: Z81-18

Signature		Print Name	Andy Hartman	Date	2-2-19
Address	1388 N. 32nd Way Phoenix, AZ 85018 Email: cawilliz@aol.com				

Signature		Print Name		Date	
Address		Email			

Signature		Print Name		Date	
Address		Email			

Signature		Print Name		Date	
Address		Email			

Signature		Print Name		Date	
Address		Email			

Signature		Print Name		Date	
Address		Email			

DENY REZONING APPLICATION NO: Z81-18

Signature <i>Danielle Colvin</i>	Print Name <i>Danielle Colvin</i>	Date <i>2.6.19</i>
Address <i>4810 N. 43rd St. PMB. Az 85018</i>	Email <i>dcolvine@uioisa.com</i>	

Signature	Print Name	Date
Address	Email	

Signature	Print Name	Date
Address	Email	

Signature	Print Name	Date
Address	Email	

Signature	Print Name	Date
Address	Email	

Signature	Print Name	Date
Address	Email	

Attachment H - Opposition Withdraw Z-81-18-6

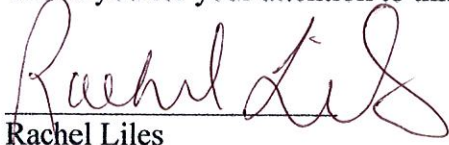
Tricia Gomes
Zoning Administrator
City of Phoenix Planning & Development Department
200 West Washington Street, 2nd Floor
Phoenix, AZ 85003-1611
tricia.gomes@phoenix.gov

Ms. Gomes,

My name is Rachel Liles. I live at 2213 East Rovey Ave., Phoenix AZ 85016 (APN: 164-42-042). I am writing with regard to rezoning case Z-81-18-6, which is for a property located approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue (i.e. the 2200 E. Bethany neighborhood and "Tract E").

I previously signed a petition to legally protest Z-81-18-6, **but I am hereby withdrawing my legal protest against rezoning case Z-81-18-6. Similarly, I am also hereby withdrawing my authorization for my property to be included in any legal protests that may have been or may yet be filed against rezoning case Z-81-18-6.**

Thank you for your attention to this important matter,


Rachel Liles

CC: Racelle Escolar, City of Phoenix (racelle.escolar@phoenix.gov)

CITY OF PHOENIX

FEB 14 2019

**Planning & Development
Department**

Tricia Gomes
Zoning Administrator
City of Phoenix Planning & Development Department
200 West Washington Street, 2nd Floor
Phoenix, AZ 85003-1611
tricia.gomes@phoenix.gov

Ms. Gomes,

My name is Mary Pamela McCants. I live at 2121 East Bethany Home Rd., Phoenix AZ 85016 (APN: 164-42-027). I am writing with regard to rezoning case Z-81-18-6, which is for a property located approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue (i.e. the 2200 E. Bethany neighborhood and "Tract E").

I previously signed a petition to legally protest Z-81-18-6, **but I am hereby withdrawing my legal protest against rezoning case Z-81-18-6. Similarly, I am also hereby withdrawing my authorization for my property to be included in any legal protests that may have been or may yet be filed against rezoning case Z-81-18-6.**

Thank you for your attention to this important matter,


Mary Pamela McCants

CC: Racelle Escolar, City of Phoenix (racelle.escolar@phoenix.gov)

CITY OF PHOENIX

FEB 14 2019

**Planning & Development
Department**



*****REQUEST TO ADD-ON (SEE ATTACHED MEMO)*** Final Plat - Encanto at Bell Park - 180108 - Southeast Corner of 12th Street and Bell Road**

Plat: 180108
Project: 15-3171
Name of Plat: Encanto at Bell Park
Owner(s): Metro Living on Bell, LLC
Engineer(s): Miller & Sons Surveying
Request: A 35 Lot Residential Subdivision Plat
Reviewed by Staff: Feb. 28, 2019
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V180072.

Location

Generally located at the southeast corner of 12th Street and Bell Road.
Council District: 3

Responsible Department

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




City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: March 1, 2019

From: Alan Stephenson 
Planning and Development Director

Subject: REQUEST FOR ADD-ON TO THE MARCH 6, 2019 FORMAL AGENDA - FINAL PLAT – ENCANTO AT BELL PARK – 180108 – SOUTHEAST CORNER OF 12TH STREET AND BELL ROAD

This memo requests an add-on to the March 6, 2019 Formal Agenda for City Council approval of a Final Plat for Encanto at Bell Park – 180108 located at southeast corner of 12th Street and Bell Road.

The reason for this request is so that the applicant can meet financing deadlines.

Approved: 
Mario Paniagua, Deputy City Manager

3/1/19
Date



*****REQUEST TO ADD-ON (SEE ATTACHED MEMO)*** Abandonment of Easement
- V180072A - 16875 N. 12th St. (Resolution 21722)**

Abandonment: V180072A

Project: 15-3171

Applicant: Justin Johnson - Metro Living on Bell, Limited Liability Corporation

Request: To abandon 32.04 foot by 266.50 foot drainage easement, located southwest corner of Final Plat "Eckerd Store No. 5343"; Book 657, Page 4.

Date of Decision: Jan. 28, 2019

Summary

The resolution of the abandonment and the subdivision Final Plat "Encanto at Bell Park," 180108, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is to record resolution first and record plat second.

Financial Impact

Pursuant to Phoenix City Code Art. 5, Sec. 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the city, maintenance expenses, and undesirable traffic patterns, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

Location

16875 N. 12th St.

Council District: 3

Responsible Department


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



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: March 1, 2019

From: Alan Stephenson 
Planning and Development Director

Subject: REQUEST FOR ADD-ON TO THE MARCH 6, 2019 FORMAL AGENDA –
ABANDONMENT OF EASEMENT – V180072A – 16875 N. 12TH STREET -
(RESOLUTION 21722)

This memo requests an add-on to the March 6, 2019 Formal Agenda for City Council approval of an Abandonment of Easement – V180072A located at 16875 N. 12th Street.

This request for an abandonment is a companion case to the Final Plat – Encanto at Bell Park – 180108 that is also on the March 6 Formal Agenda.

Approved:  3/1/19
Mario Paniagua, Deputy City Manager Date