

**PLEASE RESPOND ELECTRONICALLY TO CHASE HALE 2ND FLOOR, 602-262-4544**



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Departments Concerned

**Date:** July 12, 2023

**From:** Joshua Bednarek

Planning & Development Department Director

**Subject:** P.H.O. APPLICATION NO. PHO-1-23--Z-9-19-4 – Notice of Pending Actions  
by the Planning Hearing Officer

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **August 16, 2023**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **August 23, 2023**.

**DISTRIBUTION**

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CED (Michelle Pierson), 20th Floor

Fire Prevention (Aaron Conway), 2nd Floor

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Parks & Recreation (Natasha Hughes), 16th Floor

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Street Transportation Department (Maja Brkovic, Josh Rogers, Alan Hilty, Chris Kowalsky), 5th Floor

Street Transportation - Ped. Safety Coordinator (Mailen Pankiewicz), 5th Floor

Street Transportation - Floodplain Management (Kristina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor

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Village Planner (John Roanhorse III, Encanto Village)

Village Planning Committee Chair (Opal Wagner, Encanto Village)



## City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

### APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-23-Z-9-19

Council District: 4

Request For: Stipulation Modification

**Reason for Request:** Request to modify Stipulation 2 regarding public pedestrian plaza. Request to modify Stipulation 3 regarding a linear view corridor. Request to delete Stipulation 4 regarding public pedestrian accessways. Request to modify Stipulation 5 regarding public primary pedestrian accessway. Request to modify Stipulation 6 regarding public open space. Request to modify Stipulation 7 regarding three public open space areas. Request to delete Stipulation 14 regarding alignment of ingress and egress points with the existing street network.

Owner	Applicant	Representative
Julia Najafi, Central Park I LLC 3200 East Camelback Road, Suite 295 Phoenix AZ 85018 (602) 956-7200 jnajafi@pivotalgrou.com	Jason Morris, Withey Morris Baugh PLC 2525 East Arizona Biltmore Circle, Suite Phoenix AZ 85016 (602) 230-0600 jason@witheymorris.com	Jason Morris, Withey Morris Baugh PLC 2525 East Arizona Biltmore Circle, Suite Phoenix AZ 85016 P: (602) 230-0600 F: (602) 212-1787 jason@witheymorris.com

**Property Location:** Northeast corner of Central Avenue and Indian School Road

Zoning Map: H-8 Quarter Section: 17-28 APN: 155-25-001R Acreage: 17.72

Village: Encanto

Last Hearing: CC HEARING

Previous Opposition: Yes

Date of Original City Council Action: 07/03/2019

Previous PHO Actions:

Zoning Vested: WU T6:HWR

Supplemental Map No.:

Planning Staff: 083004

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,725.00	\$0.00	06/30/2023	23-0048947	Original Filing Fee

Signature of Applicant: \_\_\_\_\_ DATE: \_\_\_\_\_

### Hearing Results

Planning Hearing Officer

Date: 08/16/2023 1000 AM

Appealed?: \_\_\_\_\_  
Action: \_\_\_\_\_

Planning Commission

Date: \_\_\_\_\_

Appealed?: \_\_\_\_\_  
Action: \_\_\_\_\_

City Council

Date: \_\_\_\_\_

Action: \_\_\_\_\_



# The Central Park

NEC Central Avenue & Indian School Road

PHO-1-23-Z-9-19-4

# Development Team

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Developer/Owner  
Central Park I, LLC  
Managed by Pivotal Group  
3200 E. Camelback Road  
Suite 295  
Phoenix, AZ 85016



Representative  
Withey Morris Baugh, PLC  
2525 E. Arizona Biltmore Cir.  
Suite A-212  
Phoenix, AZ 85014



Architect  
AO Architects  
144 N. Orange Street  
Orange, CA 92866

# Introduction

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This firm represents Central Park I, LLC in its request to update the stipulations from its 2019 zoning case and allow the development of a modern urban mixed-use development as envisioned by original approvals. In the four years that have passed since this project was originally approved, the world has changed dramatically – and along with it the market and demand for land uses across the spectrum both locally and globally. The City of Phoenix is in the midst of a serious housing supply crisis, and a global pandemic has forever changed the way people work, shop, and dine. The new land use plan reflects these new realities – responding to the City's housing supply challenges with a more robust residential component, reducing the commercial office offerings, and reimagining the retail and restaurant experience to reflect consumer preferences and patterns.

This four-year intermission has also provided the development team an opportunity to evaluate the functionality and practicality of the original conceptual design more carefully and thoughtfully. The updated site layout reflects the lessons learned with a simpler, more efficient, and more accessible configuration that maintains fidelity to the intent of the original development concept and the Uptown TOD Plan. Central Park I, LLC is pleased to bring this application forward for a unique, walkable, and vibrant mixed-use development that will provide the urban hub of activity that has long been envisioned for this site and for the Uptown Phoenix corridor.

## Site Overview

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The Property consists of one parcel totaling approximately 17.82 gross acres at the northeast corner of Central Avenue and Indian School Road in Phoenix, Arizona as illustrated by the Aerial Map at **Tab 1**. The Property is currently vacant, unimproved land adjacent to Steele Indian School Park (the “Park”) and is currently zoned WU Code T6:HWR as indicated on the Zoning Map at **Tab 2**. The site is bounded by the Park to the north and the east, Central Avenue and the Metro Light Rail to the west, and Indian School Road to the south.

### Surrounding Land Uses

North	Steele Indian School Park (R-5)
East	Steele Indian School Park (R-5)
South	Great Western Bank Plaza (C-3 HR)
West	Callia Apartments (WU T5:5) and The Station on Central (R-4A)

# Zoning Case History

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On July 3, 2019, the Phoenix City Council approved application Z-9-19-4 to rezone the Property from C-2 H-R to WU Code T6:HWR for the development of The Central Park - an urban mixed-use high-rise development consisting of two office towers, two residential towers, a senior living tower, a hotel, and a movie theater totaling approximately 2.33 million square feet of gross floor area. The original land use plan was bisected diagonally from the southwest to the northeast by a pedestrian/view corridor colloquially referred to as the "Canyon". In order to configure the buildings around this corridor, variances were required to allow larger building setbacks from the primary and secondary frontages than would typically be permitted in the Walkable Urban Code, which encourages buildings to be pulled closer to the rights-of-way. The variances were originally approved in case number ZA-36-20 and extended in case number ZA-510-21. The site has remained vacant and undeveloped since the original July 2019 zoning approval.

## Project Overview

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The new design concept for The Central Park is the product of a yearslong iterative exploration of the feasibility, functionality, and practicality of an urban mixed-use development adjacent to both a major public park and major transportation corridor. Global events over the past four years, coupled with local shifts in land use planning priorities and market demand, compelled Central Park I, LLC to undertake a thorough evaluation of the original design concept for The Central Park. Through this process, Central Park I, LLC identified the concept's strengths, weaknesses, and areas for improvement to ensure that The Central Park becomes a vibrant hub of activity for the Central Corridor.

The reimagined Central Park will feature a total of seven buildings configured into three "blocks" accessed by internal north/south and east/west streets. See Conceptual Site Plan at **Tab 3**. The shift away from the diagonal corridor to a more traditional grid-style circulation system provides a more convenient and accessible development for both pedestrians and motorists alike, creating a more permeable site with superior pedestrian and vehicular traffic flow.

The northwest block of the development (buildings D, E, and G as noted on the Conceptual Site Plan) will feature a 21-story residential tower, an 18-story office tower, and a market/grocer space with an adjacent restaurant. The northwest block (buildings H and F) will offer a 21-story condo tower and a 320-unit senior independent living community over an 8,000 square-foot ground-floor restaurant/retail space. The residential and office towers in the northwest and northeast blocks will feature podium construction and each building will accommodate its own parking.

The updated design concept is anchored by a centralized open space plaza that will serve as the center of activity and gathering place for the development. Flanked on three sides by ground-floor restaurant and retail spaces with outdoor patios, this space is designed to be the nucleus of The

Central Park. See Conceptual Plaza Renderings at **Tab 4**. As illustrated in the renderings, the plaza will be adorned with turf areas, shade trees, seating areas, lighting, and art to create a comfortable, inviting, and vibrant space for visitors to dine, shop, gather, and relax. Above the ground-floor restaurant and retail spaces in the southern block of the development are a pair of eight-story luxury multi-family communities (buildings A, B, and C), bisected by the grand pedestrian corridor and gateway running from the corner of Central & Indian School to the main plaza.

The public plaza at the corner of the intersection of Central & Indian School will feature art, shade trees, seating areas, and a café outside the main pedestrian gateway to the project. See Conceptual Gateway Rendering at **Tab 5**. The corner plaza and gateway will serve as a visual landmark for the site, drawing visitors into The Central Park and Steele Indian School Park. In total, The Central Park will offer almost 78,000 square feet of ground-floor retail and restaurant space, 245,000 square feet of office space, and 1,450 residences designed in a walkable, vibrant, mixed-use setting.

## Stipulation Modification Requests

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A total of twenty-two (22) stipulations were included in the City Council's July 2019 approval of Z-9-19-4, as outlined in Ordinance G-6610, attached at **Tab 6**. The applicant is requesting modifications to seven (7) stipulations to accommodate the proposed development as outlined below:

2. A minimum ~~4~~ **0.75** gross acre public pedestrian plaza/public open space area shall be provided at the intersection of Central Avenue and Indian School Road.

**Rationale:** The reconfiguration of the site necessitates a slight reduction in the size of the corner plaza, which will have no impact on the overall walkability of the site or the pedestrian experience along the street frontages. The purpose of the corner plaza is to provide a gateway to draw people into the project, and a minor reduction in the square footage of the plaza will have no impact on the primary intent of this project element.

3. A linear view **PEDESTRIAN** corridor that is ~~an average of 85 feet in width~~, minimum ~~60~~ **40** feet in width, measured at the ground level and between buildings shall be provided from the southwest corner of the site to ~~the northeast corner of the site and begin with the pedestrian plaza A~~ **CENTRALIZED OPEN SPACE PLAZA**. The view corridor shall focus on the historic cafeteria tower and on the mountain views (Piestewa Peak) and be in general conformance with the Uptown TOD conceptual Master Plan **THE DEVELOPMENT SHALL FURTHER PROVIDE A MINIMUM OF TWO (2) PEDESTRIAN CONNECTIONS FROM THE CENTRALIZED OPEN SPACE PLAZA TO THE EASTERN AND NORTHERN BOUNDARIES OF THE SITE ADJACENT TO STEELE INDIAN SCHOOL PARK, ALLOWING PEDESTRIANS TO TRAVEL ON FOOT FROM THE PLAZA AT THE CORNER OF CENTRAL AVENUE AND INDIAN SCHOOL ROAD THROUGH THE DEVELOPMENT TO THE STEELE INDIAN SCHOOL PARK BOUNDARY**, as approved by the Planning and Development Department.

**Rationale:** As noted in the Introduction section of this narrative, the four years that have passed since the original approval of Z-9-19-4 provided the applicant with an opportunity to more carefully evaluate the site layout and the practical impacts of certain site elements. The diagonal view corridor, bisecting the site from the southwest to northeast was by far the most significant impediment to building placement, efficient vehicular and pedestrian circulation, and site navigation. Through an evaluation of countless site plan iterations, the development team concluded that any benefit provided by creating an unobstructed linear viewshed from the southwest corner of the site was significantly outweighed by its impact on the practical functionality of the development, particularly with respect to building orientation and site circulation.

The revised layout, which maintains the diagonal corridor from the Central & Indian School intersection to the development's centralized open space plaza and restaurant/retail area, is configured with a more traditional grid-style vehicular circulation pattern and building placement that breaks the site up into smaller "blocks". This configuration makes the site significantly more permeable and accessible from the adjacent arterial streets and Steele Indian School Park and provides a more convenient and logical access pattern for both pedestrians and motorists.

The small "block" design is also responsive to community feedback from other land use cases in Uptown TOD corridor, in which residents have expressed concern about "superblock" site designs that unnecessarily restrict the flow of pedestrian and vehicular movement. The "Canyon" in the original site design funneled the majority of pedestrian traffic through the site diagonally from the southwest to the northeast while diverting all vehicular traffic around the perimeter of the site. The updated design is considerably more permeable, allowing pedestrian and vehicular traffic to move through the site more freely from north to south and east to west. See Conceptual Aerial View at **Tab 7**.

From this perspective, the updated design is more consistent with the intent of the Uptown TOD Plan, which was adopted to facilitate a more walkable, bikeable urban environment. In the context of this site, the updated plan promotes the flow of people between the Metro Light Rail, the arterial streets, the development, and Steele Indian School Park in a more logical, convenient, and efficient manner.

4. ~~A minimum 26-foot-wide primary and a minimum 10-foot-wide secondary public pedestrian accessway shall be located within the view corridor and shall be constructed of a decorative material, as approved by the Planning and Development Department. The public accessway shall be provided at the southwest corner of the site and extend to the northeast end of the site.~~

**Rationale:** Because continuous linear view corridor has been eliminated in the interest of a more efficient and intuitive pedestrian circulation system, this stipulation is no longer necessary. The remaining diagonal pedestrian corridor from the corner of Central & Indian School to the centralized open space plaza will consist of one large pedestrian pathway that is not broken up by

other elements, such as landscaping tracts separating primary and secondary pedestrian pathways.

5. A minimum 26-foot-wide public pedestrian accessway shall be provided from the public primary pedestrian accessway within the view corridor and connecting to the light rail pedestrian crossing along the western property line, and shall be constructed with decorative material, as approved by the Planning and Development Department. **THE DEVELOPMENT SHALL PROVIDE AN EAST/WEST-ORIENTED PEDESTRIAN AND VEHICULAR THROUGHFARE ACCESSED FROM CENTRAL AVENUE AND ALLOWING PEDESTRIAN CONNECTIVITY FROM THE CENTRAL AVENUE LIGHT RAIL STATION, THROUGH THE DEVELOPMENT, TO THE BOUNDARY OF STEELE INDIAN SCHOOL PARK. THE THOROUGHFARE SHALL INCLUDE, BUT IS NOT LIMITED TO, DETACHED, LANDSCAPED SIDEWALKS, SHADE TREES, AND SEATING AREAS AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

**Rationale:** The reconfiguration of the pedestrian and vehicular circulation system necessitates a significant revision to this stipulation – one that ultimately results in better pedestrian and vehicular access to and through the development by providing a major east/west thoroughfare that bisects the site and creates an unobstructed view corridor between Central Avenue and Steele Indian School Park. Individuals standing on the Central Avenue Metro Light Rail platform will be able to look directly through the project to Steele Indian School Park, providing a visual indication of pedestrian accessibility through the development and into the Park – a feature that did not (and could not) exist in the previous conceptual plan with the diagonal view corridor.

6. The development shall provide a minimum **30** percent public open space on the site, excluding perimeter setbacks, as approved by the Planning and Development Department.

**Rationale:** The reconfiguration of the site and the shift to a grid-style development pattern with smaller “blocks” has reduced the development’s ability to provide publicly accessible open space on the property. However, this reduction is offset by the enhanced permeability and accessibility of the site, which more readily facilitates access to Steele Indian School Park – which offers over 67 acres of open space to the public. It is also offset by a significant increase in common open space above the first floor for residents and visitors of each of the individual buildings within the development, as illustrated by the Conceptual Roof Plan at **Tab 8**.

7. The development shall include a minimum of three distinct public open space areas, a minimum of 20,000 square feet in size ~~and shall be oriented to capture the view of the historic cafeteria tower and the mountain views (Piestewa Peak)~~. Each open space area shall follow the guidelines established in Section 1310 of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. All open space areas shall provide seating and be open to the public.

**Rationale:** In the original conceptual site plan, all three open space areas described in this stipulation were within the diagonal linear view corridor and therefore oriented in a similar fashion

toward the Park and Piestewa Peak. The reconfiguration of the site and distribution of the open space areas evenly throughout the development precludes the possibility of orienting them in compliance with this stipulation.

14. ~~Proposed site ingress and egress points to align with existing street network locations, as approved by the Planning and Development Department.~~

**Rationale:** The applicant is requesting deletion of this stipulation simply because it creates a redundant and unnecessary layer of regulation before the applicant has fully engineered the site. This stipulation restricts the ability of the Street Transportation Department to respond flexibly to unforeseen site engineering issues that may impact street alignment. A requirement of this nature is more appropriate for the site plan review process after both the applicant and the City of Phoenix have had the opportunity to appropriately explore, analyze, and discuss the engineering and vehicular circulation design of the project.

## Conclusion

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Although the configuration of the site has changed, the mission and design intent of The Central Park remains unchanged - to cultivate a walkable, vibrant, mixed-use environment that showcases Steele Indian School Park for the incredible public asset that it is. The requested stipulation revisions significantly improve upon the vehicular and pedestrian circulation patterns and facilitate a more efficient flow of people and vehicles within and through the site. At the same time, these changes allow the creation of a centralized hub of activity that will undoubtedly become the crown jewel of the Midtown/Uptown Central Corridor. As reimagined, The Central Park improves upon the vision in the Uptown TOD Plan to provide a walkable urban hub and a gateway to Steele Indian School Park.

# **TAB 1**

# Aerial Map

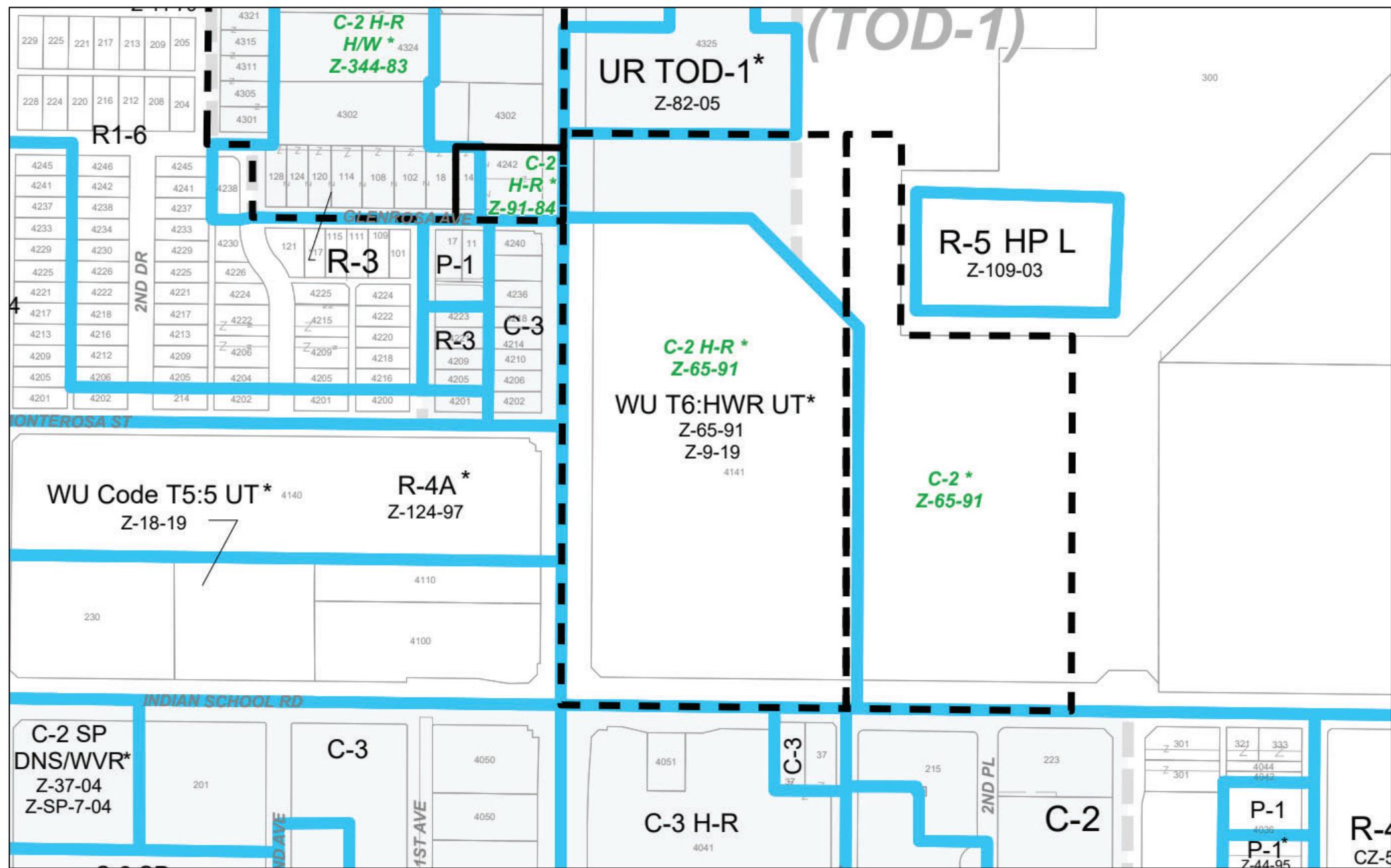


NEC Indian School Road & Central Avenue – Phoenix, AZ

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**TAB 2**

# Zoning Map



NEC Indian School Road & Central Avenue – Phoenix, AZ

# **TAB 3**



# **TAB 4**



## Phoenix Mixed-Use

Phoenix, AZ



CENTRAL PLAZA RENDERING 1



Scale  
Job No.  
Date

05

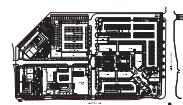
2023-1206  
2023-06-29



CENTRAL PLAZA RENDERING 2



# **TAB 5**



ENTRY PLAZA RENDERING

# **TAB 6**

ORDINANCE G-6610

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-9-19-4) FROM R-5 TOD-1 PISSP (APPROVED C-2 TOD-1 PISSP) (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, PHOENIX INDIAN SCHOOL SPECIFIC PLAN (APPROVED INTERMEDIATE COMMERCIAL DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, PHOENIX INDIAN SCHOOL SPECIFIC PLAN)) AND R-5 TOD-1 PISSP (APPROVED C-2 H-R TOD-1 PISSP) (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, PHOENIX INDIAN SCHOOL SPECIFIC PLAN (APPROVED INTERMEDIATE COMMERCIAL, HIGH-RISE AND HIGH-DENSITY DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, PHOENIX INDIAN SCHOOL SPECIFIC PLAN)) TO WU CODE T6:HWR UT (WALKABLE URBAN CODE, TRANSECT 6:HEIGHT WAIVER DISTRICT, TRANSIT UPTOWN CHARACTER AREA).

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

SECTION 1. The zoning of a 17.82 acre property located at the northeast corner of Central Avenue and Indian School Road in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.58 acres of "R-5 TOD-1 PISSP (Approved C-2 TOD-1 PISSP)" (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Phoenix Indian

School Specific Plan) (Approved Intermediate Commercial District, Interim Transit-Oriented Zoning Overlay District One, Phoenix Indian School Specific Plan)) and 17.24 acres of "R-5 TOD-1 PISSP (Approved C-2 H-R TOD-1 PISSP)" (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Phoenix Indian School Specific Plan (Approved Intermediate Commercial District, High-Rise and High-Density District, Interim Transit-Oriented Zoning Overlay District One, Phoenix Indian School Specific Plan) to "WU Code T6:HWR UT" (Walkable Urban Code, Transect 6:Height Waiver District, Transit Uptown Character Area).

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

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

1. The maximum building height shall be limited to 400 feet.
2. A minimum 1 gross acre public pedestrian plaza/public open space area shall be provided at the intersection of Central Avenue and Indian School Road.
3. A linear view corridor that is an average of 85 feet in width, minimum 60 feet in width, measured at the ground level and between buildings shall be provided from the southwest corner of the site to the northeast corner of the site and begin with the pedestrian plaza. The view corridor shall focus on the historic cafeteria tower and on the mountain views (Piestewa Peak) and be in general conformance with the Uptown TOD conceptual Master Plan, as approved by the Planning and Development Department.
4. A minimum 26-foot-wide primary and a minimum 10-foot-wide secondary public pedestrian accessway shall be located within the view corridor and shall be constructed of a decorative material, as approved by the Planning and

Development Department. The public accessway shall be provided at the southwest corner of the site and extend to the northeast end of the site.

5. A minimum 26-foot-wide public pedestrian accessway shall be provided from the public primary pedestrian accessway within the view corridor and connecting to the light rail pedestrian crossing along the western property line, and shall be constructed with decorative material, as approved by the Planning and Development Department.
6. The development shall provide a minimum 30 percent public open space on the site, excluding perimeter setbacks, as approved by the Planning and Development Department.
7. The development shall include a minimum of three distinct public open space areas, a minimum of 20,000 square feet in size and shall be oriented to capture the view of the historic cafeteria tower and the mountain views (Piestewa Peak). Each open space area shall follow the guidelines established in Section 1310 of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. All open space areas shall provide seating and be open to the public.
8. All pedestrian crossings, including but not limited to the stipulated public pedestrian accessways, constructed across driveways, shall be raised and shall consist of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department.
9. One of the following streetscape treatments shall be provided along Indian School Road:
  - a. A minimum 15-foot-wide uninterrupted public pedestrian accessway located behind the back of a minimum 10-foot wide detached landscape strip. The landscape strip may taper to allow for an appropriate transition into the one-gross acre open space area at the intersection of Central Avenue and Indian School Road. The accessway shall connect to the 1 gross acre open space area and shall provide the following amenities or similar features, as approved by the Planning and Development Department:
    - 1) Minimum four gathering areas with seating.
    - 2) Minimum four landscape planters.
    - 3) Decorative pavement.
    - 4) Art elements.

- 5) Decorative bollard lighting along the entire frontage.
- b. A minimum 6-foot-wide detached sidewalk and a landscape strip along Indian School Road for the length of the project site. The landscape strip, to be located between the sidewalk and the back of curb, shall begin at a minimum of 30 feet in width at the eastern property line and may taper to a minimum of 15 feet in width, as approved by the Planning and Development Department. The landscape strip shall include a minimum of 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings between the existing palm trees, as approved by the Planning and Development Department.
10. Bicycle parking shall be provided as follows:
  - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
  - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
  - c. A minimum of 10% of the required bicycle parking for nonresidential uses shall be secured.
11. The developer shall submit a Traffic Impact Study/Statement to the City for this development. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the City upon satisfactory resolutions of review comments by the City staff, as approved by the Street Transportation Department and the Planning and Development Department.
12. The development shall provide an internal vehicular and pedestrian circulation plan to address ingress and egress to and from the site, vehicle loading, pick up and drop off locations, pedestrian connections to existing light rail station and proposed mitigation to potential vehicle / pedestrian conflict points internal and external to the site. No preliminary approval of plans shall be granted until the internal vehicular and pedestrian circulation plan has been reviewed and approved by the Street Transportation and Planning and Development departments.
13. The development shall underground the existing overhead utility lines adjacent to Indian School Road for the entirety of its frontage, as approved by the Planning and Development Department.
14. Proposed site ingress and egress points to align with existing street network

locations, as approved by the Planning and Development Department.

15. The Central Avenue frontage shall comply with the Central Avenue Development Standards.
16. 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.
17. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
18. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure, a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
19. Prior to preliminary site plan approval, a report prepared by a qualified professional archaeologist determining the history of past uses of the property shall be submitted to the City Archaeology Office for review and comment. The report shall include compliance with ARS 41-865 (Arizona Burial Law). Results of the plan shall include a recommendation for further archaeologist testing or additional monitoring if recommended.
20. 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.
21. 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.
22. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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 3rd day of July, 2019.



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MAYOR

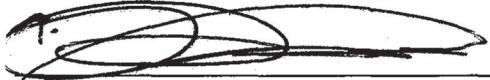
ATTEST:



City Clerk

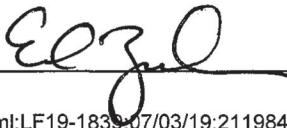


APPROVED AS TO FORM:



Acting City Attorney PM

REVIEWED BY:



City Manager

PL:tml:LF19-1839:07/03/19:2119847v1

Exhibits:

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-9-19-4

A portion of the Southeast quarter of Section 20, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows;

COMMENCING at the Southeast corner of said Section 20, monumented with a brass cap in handhole which bears South 00 degrees 08 minutes 34 seconds West 2641.49 feet from the East quarter corner of said Section 20, monumented with a brass cap in handhole;

Thence along the South line of the Southeast quarter of said Section 20 North 89 degrees 18 minutes 57 seconds West 1972.28 feet to the POINT OF BEGINNING; Thence continuing along said South line, North 89 degrees 18 minutes 57 seconds West 700.69 feet to the calculated South quarter corner of said Section 20;

Thence along the West line of the Southeast quarter of said Section 20, North 00 degrees 15 minutes 37 seconds East 1152.74 feet;

Thence South 89 degrees 44 minutes 23 seconds East 443.94 feet;

Thence South 44 degrees 44 minutes 23 seconds East 363.78 feet;

Thence South 00 degrees 15 minutes 37 seconds West 833.70 feet to a point on a line 67.00 feet North of and parallel with the South line of the Southeast quarter of said Section 20;

Thence South 00 degrees 41 minutes 03 seconds West 67.00 feet to the POINT OF BEGINNING.

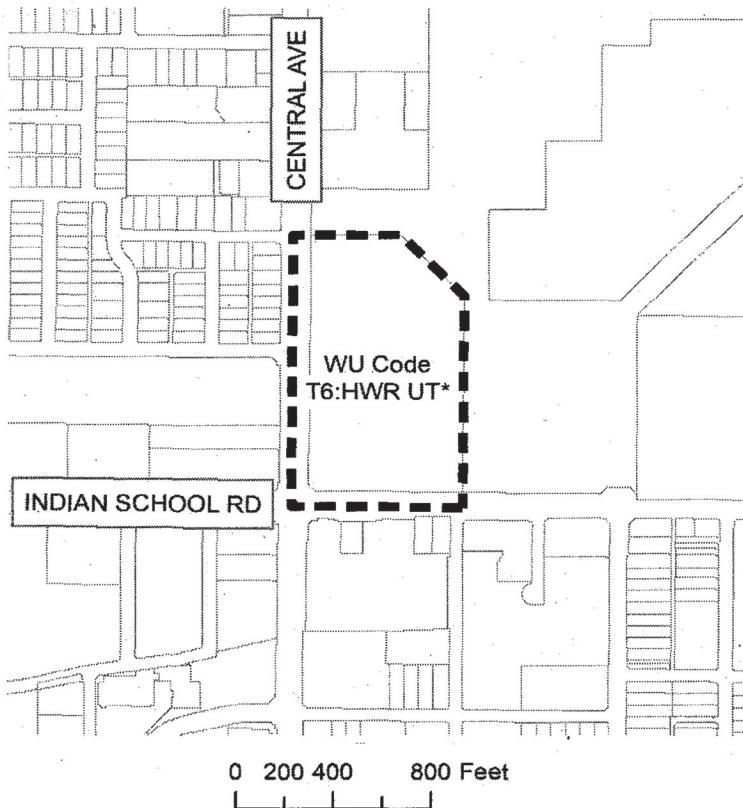
Comprising 17.837 acres or 776,980 square feet, subject to all easements of record.

# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*

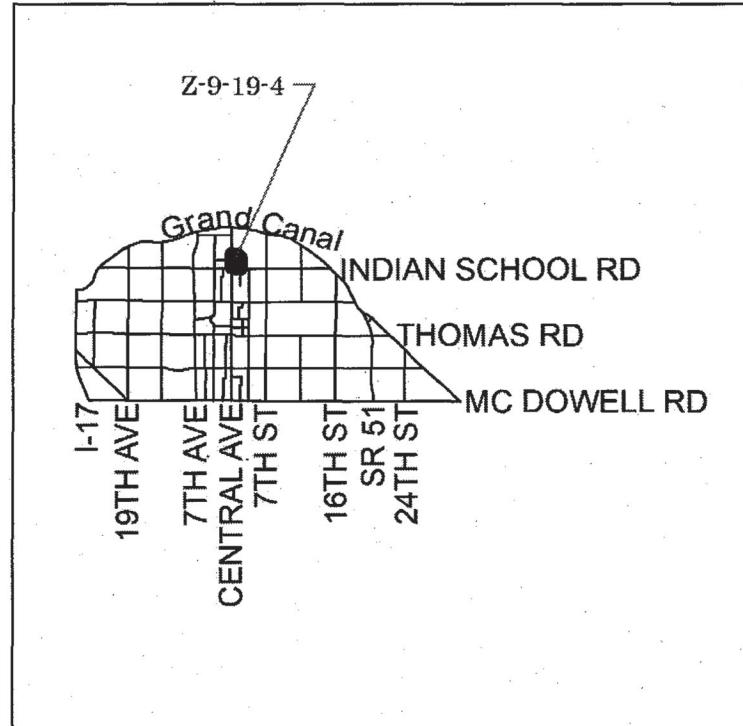
SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: Z-9-19-4

Zoning Overlay: Phoenix Indian School Specific Plan

Planning Village: Encanto



NOT TO SCALE



Drawn Date: 6/4/2019

\lonelpdd\Shared\Department Share\Information Systems\PL GIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\_OrdMaps\2019\_Ord7-3-19\Z-9-19-4.mxd

# **TAB 7**



## Phoenix Mixed-Use

Phoenix, AZ



AERIAL RENDERING



03  
Scale  
Job No.  
Date  
2023-1206  
2023-06-29

# **TAB 8**



ORDINANCE G-6610

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-9-19-4) FROM R-5 TOD-1 PISSP (APPROVED C-2 TOD-1 PISSP) (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, PHOENIX INDIAN SCHOOL SPECIFIC PLAN (APPROVED INTERMEDIATE COMMERCIAL DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, PHOENIX INDIAN SCHOOL SPECIFIC PLAN)) AND R-5 TOD-1 PISSP (APPROVED C-2 H-R TOD-1 PISSP) (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, PHOENIX INDIAN SCHOOL SPECIFIC PLAN (APPROVED INTERMEDIATE COMMERCIAL, HIGH-RISE AND HIGH-DENSITY DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, PHOENIX INDIAN SCHOOL SPECIFIC PLAN)) TO WU CODE T6:HWR UT (WALKABLE URBAN CODE, TRANSECT 6:HEIGHT WAIVER DISTRICT, TRANSIT UPTOWN CHARACTER AREA).

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

SECTION 1. The zoning of a 17.82 acre property located at the northeast corner of Central Avenue and Indian School Road in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.58 acres of "R-5 TOD-1 PISSP (Approved C-2 TOD-1 PISSP)" (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Phoenix Indian

School Specific Plan) (Approved Intermediate Commercial District, Interim Transit-Oriented Zoning Overlay District One, Phoenix Indian School Specific Plan)) and 17.24 acres of "R-5 TOD-1 PISSP (Approved C-2 H-R TOD-1 PISSP)" (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Phoenix Indian School Specific Plan (Approved Intermediate Commercial District, High-Rise and High-Density District, Interim Transit-Oriented Zoning Overlay District One, Phoenix Indian School Specific Plan) to "WU Code T6:HWR UT" (Walkable Urban Code, Transect 6:Height Waiver District, Transit Uptown Character Area).

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

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

1. The maximum building height shall be limited to 400 feet.

**Mod** 2. A minimum 1 gross acre public pedestrian plaza/public open space area shall be provided at the intersection of Central Avenue and Indian School Road.

**Mod** 3. A linear view corridor that is an average of 85 feet in width, minimum 60 feet in width, measured at the ground level and between buildings shall be provided from the southwest corner of the site to the northeast corner of the site and begin with the pedestrian plaza. The view corridor shall focus on the historic cafeteria tower and on the mountain views (Piestewa Peak) and be in general conformance with the Uptown TOD conceptual Master Plan, as approved by the Planning and Development Department.

**Del** 4. A minimum 26-foot-wide primary and a minimum 10-foot-wide secondary public pedestrian accessway shall be located within the view corridor and shall be constructed of a decorative material, as approved by the Planning and

Development Department. The public accessway shall be provided at the southwest corner of the site and extend to the northeast end of the site.

**Mod 5.**

A minimum 26-foot-wide public pedestrian accessway shall be provided from the public primary pedestrian accessway within the view corridor and connecting to the light rail pedestrian crossing along the western property line, and shall be constructed with decorative material, as approved by the Planning and Development Department.

**Mod 6.**

The development shall provide a minimum 30 percent public open space on the site, excluding perimeter setbacks, as approved by the Planning and Development Department.

**Mod 7.**

The development shall include a minimum of three distinct public open space areas, a minimum of 20,000 square feet in size and shall be oriented to capture the view of the historic cafeteria tower and the mountain views (Piestewa Peak). Each open space area shall follow the guidelines established in Section 1310 of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. All open space areas shall provide seating and be open to the public.

8. All pedestrian crossings, including but not limited to the stipulated public pedestrian accessways, constructed across driveways, shall be raised and shall consist of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department.
9. One of the following streetscape treatments shall be provided along Indian School Road:
  - a. A minimum 15-foot-wide uninterrupted public pedestrian accessway located behind the back of a minimum 10-foot wide detached landscape strip. The landscape strip may taper to allow for an appropriate transition into the one-gross acre open space area at the intersection of Central Avenue and Indian School Road. The accessway shall connect to the 1 gross acre open space area and shall provide the following amenities or similar features, as approved by the Planning and Development Department:
    - 1) Minimum four gathering areas with seating.
    - 2) Minimum four landscape planters.
    - 3) Decorative pavement.
    - 4) Art elements.

- 5) Decorative bollard lighting along the entire frontage.
  - b. A minimum 6-foot-wide detached sidewalk and a landscape strip along Indian School Road for the length of the project site. The landscape strip, to be located between the sidewalk and the back of curb, shall begin at a minimum of 30 feet in width at the eastern property line and may taper to a minimum of 15 feet in width, as approved by the Planning and Development Department. The landscape strip shall include a minimum of 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings between the existing palm trees, as approved by the Planning and Development Department.
10. Bicycle parking shall be provided as follows:
- a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
  - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
  - c. A minimum of 10% of the required bicycle parking for nonresidential uses shall be secured.
11. The developer shall submit a Traffic Impact Study/Statement to the City for this development. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the City upon satisfactory resolutions of review comments by the City staff, as approved by the Street Transportation Department and the Planning and Development Department.
12. The development shall provide an internal vehicular and pedestrian circulation plan to address ingress and egress to and from the site, vehicle loading, pick up and drop off locations, pedestrian connections to existing light rail station and proposed mitigation to potential vehicle / pedestrian conflict points internal and external to the site. No preliminary approval of plans shall be granted until the internal vehicular and pedestrian circulation plan has been reviewed and approved by the Street Transportation and Planning and Development departments.
13. The development shall underground the existing overhead utility lines adjacent to Indian School Road for the entirety of its frontage, as approved by the Planning and Development Department.

**Del** 14. Proposed site ingress and egress points to align with existing street network

locations, as approved by the Planning and Development Department.

15. The Central Avenue frontage shall comply with the Central Avenue Development Standards.
16. 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.
17. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
18. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure, a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
19. Prior to preliminary site plan approval, a report prepared by a qualified professional archaeologist determining the history of past uses of the property shall be submitted to the City Archaeology Office for review and comment. The report shall include compliance with ARS 41-865 (Arizona Burial Law). Results of the plan shall include a recommendation for further archaeologist testing or additional monitoring if recommended.
20. 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.
21. 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.
22. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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 3rd day of July, 2019.



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MAYOR

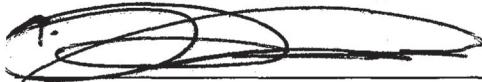
ATTEST:



City Clerk

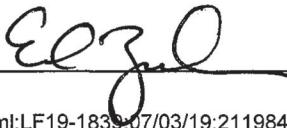


APPROVED AS TO FORM:



Acting City Attorney PM

REVIEWED BY:

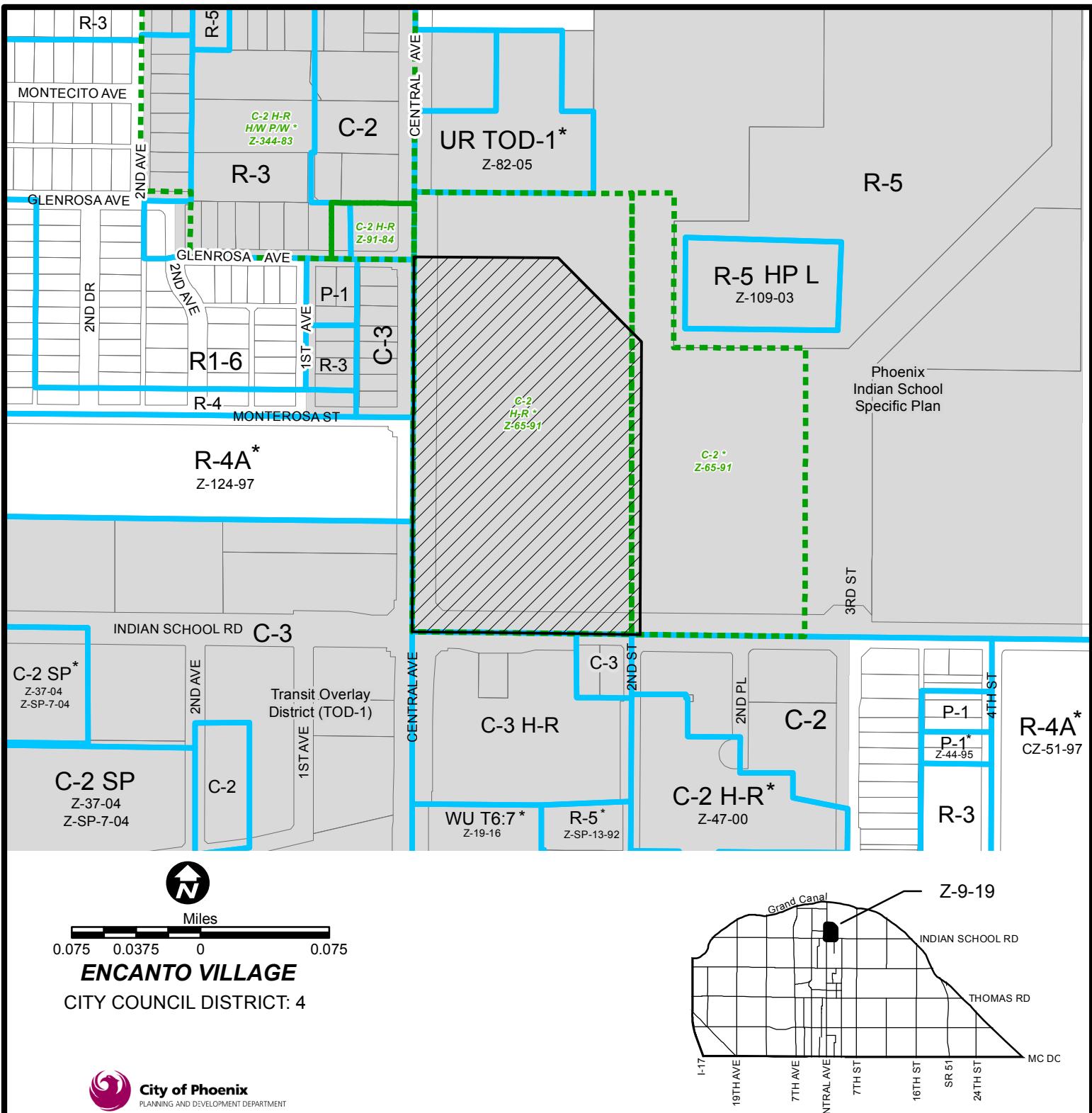


City Manager

PL:tml:LF19-1839:07/03/19:2119847v1

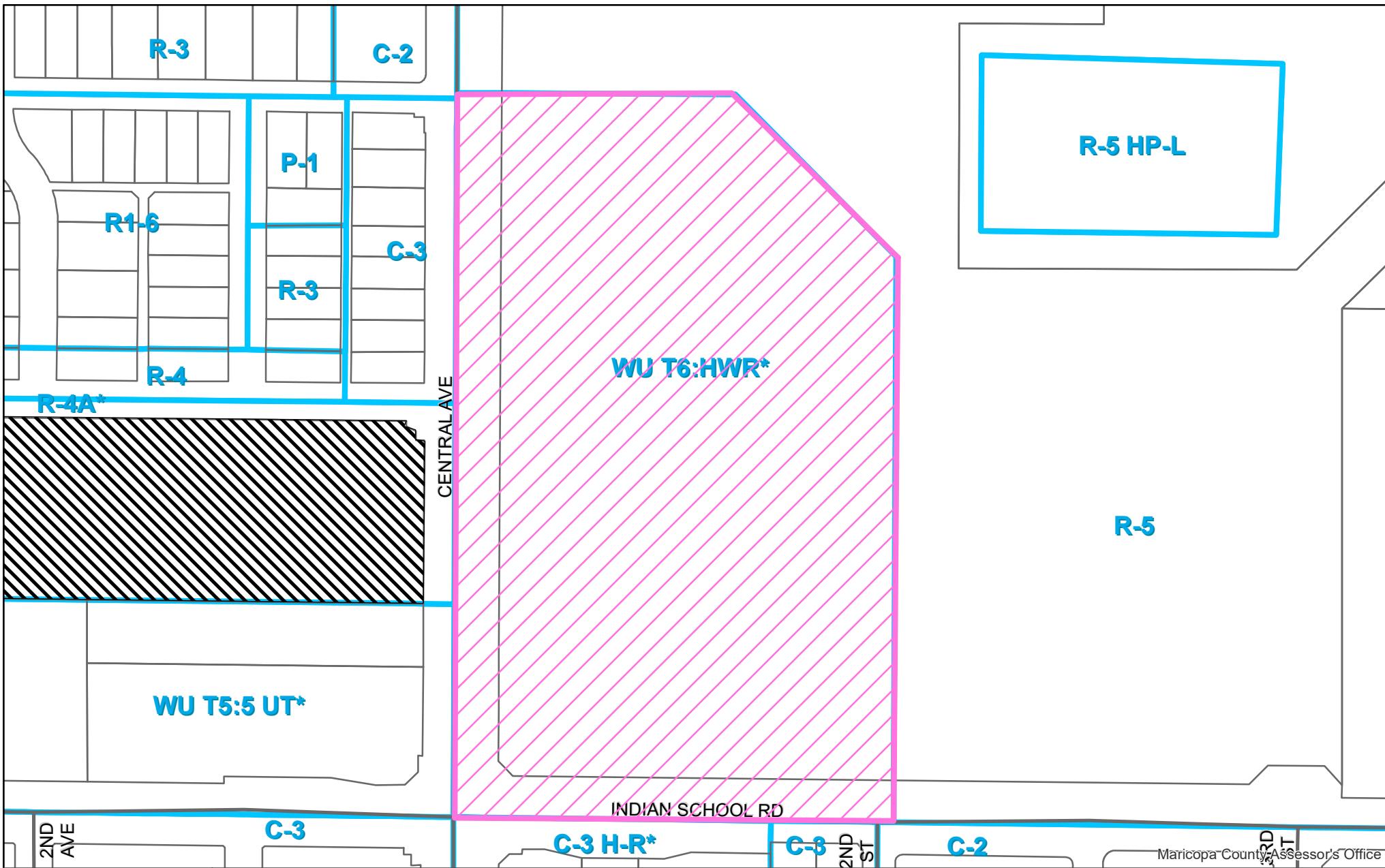
Exhibits:

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



APPLICANT'S NAME: <b>Withey Morris PLC - Jason Morris</b>		REQUESTED CHANGE:	
APPLICATION NO. <b>Z-9-19</b>		FROM: R-5 TOD-1 PISSP (Approved C-2 TOD-1 PISSP), 0.58 a.c. R-5 TOD-1 PISSP (Approved C-2 H-R TOD-1 PISSP), 17.24 a.c.	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. <b>17.82 Acres</b>		TO: WU Code T6:HWR UT ( 17.82 a.c.)	
MULTIPLES PERMITTED R-5 TOD-1 PISSP, (Approved C-2 TOD-1 PISSP), (Approved C-2 H-R TOD-1 PISSP)		CONVENTIONAL OPTION <b>775, (8), (2,503)</b>	
WU Code T6:HWR UT		No Maximum	
		* UNITS P.R.D. OPTION <b>930, (10), (N/A)</b>	
		N/A	

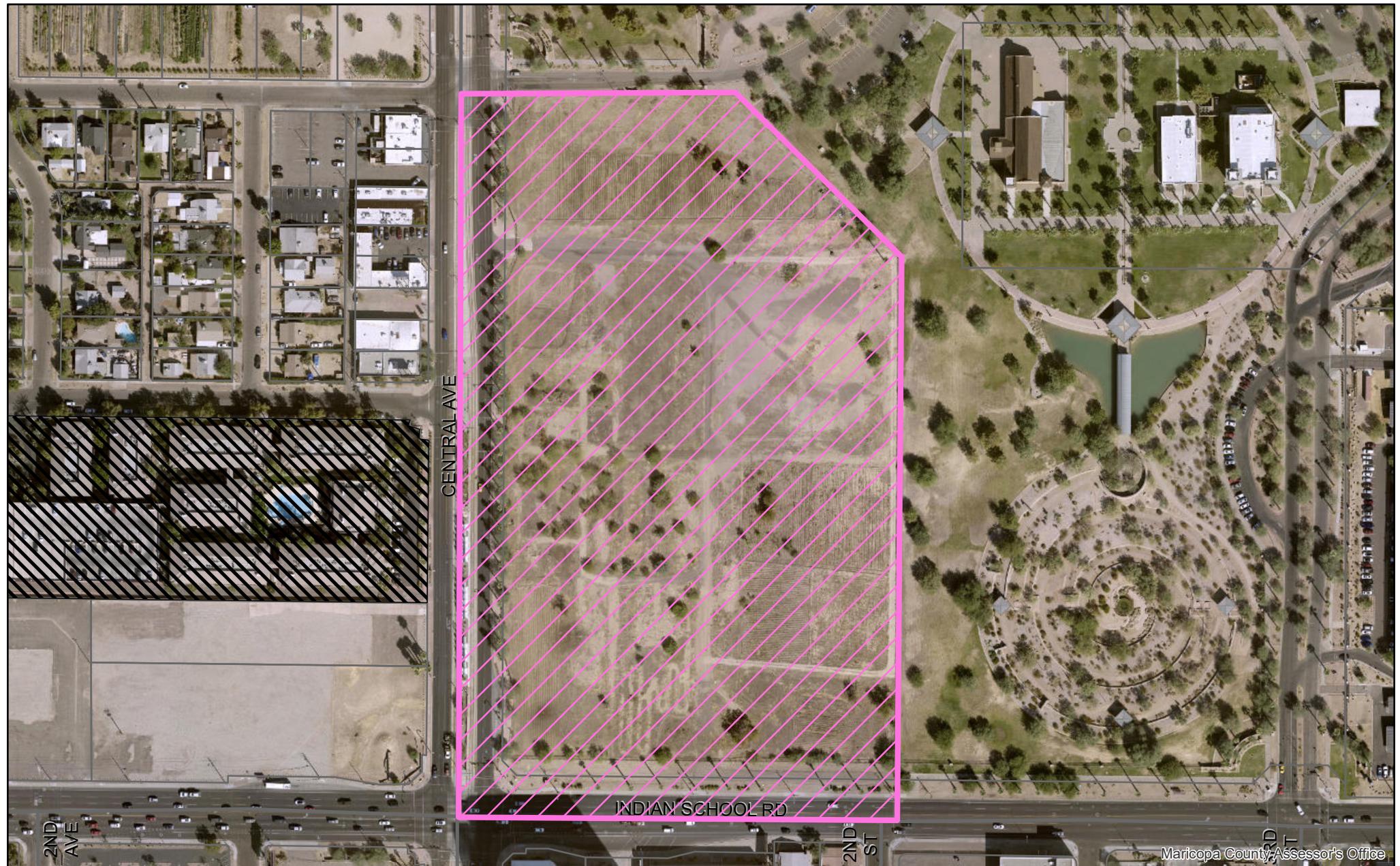
\* Maximum Units Allowed with P.R.D. Bonus



PHO-1-23-Z-9-19-4

**Property Location: Northeast corner of Central Avenue and Indian School Road**





PHO-1-23-Z-9-19-4

**Property Location: Northeast corner of Central Avenue and Indian School Road**



Councilman Nowakowski congratulated Councilwoman Pastor for her hard work in making this possible. He said he knew that Steele Indian School Park and Margaret T. Hance Park held major events, so he wanted to make sure people who leased from this building were aware there could be some loud events.

Mayor Gallego declared the public hearing closed.

Note: Councilwoman Williams rejoined the voting body via telephone.

**The hearing was held. A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be approved per the Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

**No:** 0

**122 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-9-19-4 - Northeast Corner of Central Avenue and Indian School Road (Ordinance G-6610)**

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 Z-9-19-4 and rezone the site from R-5 TOD-1 PISSP (Approved C-2 TOD-1 PISSP) and R-5 TOD-1 PISSP (Approved C-2 H-R TOD-1 PISSP) to WU Code T6:HWR UT to allow mixed-use. This is a companion case to GPA-EN-1-19-4.

**Summary**

Application: Z-9-19-4

Current Zoning: R-5 TOD-1 PISSP (Approved C-2 TOD-1 PISSP) (0.58 acres) and R-5 TOD-1 PISSP (Approved C-2 H-R TOD-1 PISSP) (17.24 acres)

Proposed Zoning: WU Code T6:HWR UT

Acreage: 17.82

Proposed Use: Mixed-use

Owner: Central Park I, LLC

Applicant: Jason Morris, Withey Morris, PLC

Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Encanto Village Planning Committee heard this case on May 6, 2019 and recommended approval per the staff recommendation by a vote of 14-0.

PC Action: The Planning Commission heard this case on June 6, 2019, and recommended approval per the Addendum A Staff Report by a 9-0 vote.

**Location**

Northeast corner of Central Avenue and Indian School Road

Council District: 4

Parcel Address: 4221 N. Central Ave. and 4141 N. 3rd St.

**Discussion**

Mayor Gallego declared the public hearing open. She advised testimony was already taken on this item. She stated she looked forward to watching this project come forward as well as having more people enjoy its great amenities. Noting there was no one present wishing to speak, she declared the public hearing closed.

Note: See Item 121 for comments on this case.

**The hearing was held. A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be approved per the Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:**

**Yes:** 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

No: 0

**123 Public Hearing and Ordinance Adoption - Amend City Code -  
Rezoning Application Z-86-18-2 - Northeast and Southeast Corners  
of Black Canyon Highway and the Dynamite Boulevard Alignment  
(Ordinance G-6603)**

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. The request is to rezone the site from S-1 to CP/GCP for a recreational vehicle and boat storage facility.

**Summary**

Current Zoning: S-1

Proposed Zoning: CP/GCP

Acreage: 11.01

Proposed Use: Recreational vehicle and boat storage facility

Owner: The Prescott Valley Company

Applicant: Mark Temen, Fortress RV Storage, LLC

Representative: Lazarus, Silvyn, & Bangs, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard this case on May 16, 2019. There was a motion to recommend approval, however, the motion failed by a 3-5 vote.

PC Action: The Planning Commission heard this case on June 6, 2019 and recommended approval per the staff recommendation with additional stipulations by a 9-0 vote.

\*3/4 Vote Not Required.

**Location**

Northeast and southeast corners of Black Canyon Highway and the Dynamite Boulevard alignment.

Council District: 2

Parcel Address: N/A

**Discussion**

Planning Commission Minutes for June 6, 2019

Item #: 2  
Application #: Z-9-19-4 (Companion case GPA-EN-1-19-4)  
From: R-5 TOD-1 PISSP (Approved C-2 TOD-1 PISSP) and R-5 TOD-1 PISSP (Approved C-2 H-R TOD-1 PISSP)  
To: WU Code T6:HWR UT  
Acreage: 17.82  
Location: Northeast corner of Central Avenue and Indian School Road  
Proposal: Mixed-use  
Applicant: Withey Morris, PLC - Jason Morris  
Owner: Central Park I, LLC  
Representative: Withey Morris, PLC - Jason Morris

Ms. Racelle Escolar presented Item No. 2, Z-9-19-4, a request to rezone 17.82 acres located at the northeast corner of Central Avenue and Indian School Road.

The request is to rezone from 0.58-acres of R-5 (Multifamily Residence District) TOD-1 (Interim Transit-Oriented Zoning Overlay District One) in the Phoenix Indian School Specific Plan, Approved C-2 (Intermediate Commercial District) TOD-1 in the Phoenix Indian School Specific Plan; and 17.24 acres of R-5 TOD-1 in the Phoenix Indian School Specific Plan, Approved C-2 H-R (High-Rise and High-Density District) TOD-1 in the Phoenix Indian School Specific Plan; to Walkable Urban Code Transect 6:Height Waiver District in the Transit Uptown Character Area to allow mixed-use development.

The Encanto Village Planning Committee recommended approval, per the staff recommendation by a 14-0 vote.

At the village meeting, archaeological concerns were raised. The City Archaeologist was contacted and has provided a revised stipulation, as reflected in the Addendum A Staff Report. The added stipulation requires that additional archaeological efforts are completed prior to preliminary site plan approval.

In addition, the applicant has requested a modification to Stipulation No. 9 regarding an 8-foot detached sidewalk along Indian School Road. Staff has worked with the applicant to revise the stipulation to allow flexibility for the sidewalk to taper into the pedestrian amenity/open space area at the corner of Central Avenue and Indian School Road. This is also addresses in the addendum.

Staff recommends approval, per the Addendum A Staff Report.

Ms. Escolar asked if there were any questions.

Commissioner Wininger stated that she wanted to confirm. At the village, there were some concerns about archaeology.

Ms. Escolar stated that the stipulation that was added to address that is Stipulation No. 19. It states that, "Prior to preliminary site plan approval, a report prepared by a qualified professional archaeologist determining the history of past uses of the property shall be submitted to the city archaeology office for review and comment. The report shall include compliance with ARS 41-865, (Arizona Burial Law). Results of the

plan shall include a recommendation for further archaeologist testing or additional monitoring if recommended."

Commissioner Wininger thanked Ms. Esclar.

Chairman Johnson asked if there were any other questions.

**Commissioner Shank made a MOTION to approve Z-9-19-4, per the Addendum A Staff Report.**

**Commissioner Montalvo SECONDED.**

There being no further discussion, Chairman Johnson called for a vote and the MOTION PASSED 9-0.

Stipulations:

1. The maximum building height shall be limited to 400 feet.
2. A minimum 1 gross acre public pedestrian plaza/public open space area shall be provided at the intersection of Central Avenue and Indian School Road.
3. A linear view corridor that is an average of 85 feet in width, minimum 60 feet in width, measured at the ground level and between buildings shall be provided from the southwest corner of the site to the northeast corner of the site and begin with the pedestrian plaza. The view corridor shall focus on the historic cafeteria tower and on the mountain views (Piestewa Peak) and be in general conformance with the Uptown TOD conceptual Master Plan, as approved by the Planning and Development Department.
4. A minimum 26-foot-wide primary and a minimum 10-foot-wide secondary public pedestrian accessway shall be located within the view corridor and shall be constructed of a decorative material, as approved by the Planning and Development Department. The public accessway shall be provided at the southwest corner of the site and extend to the northeast end of the site.
5. A minimum 26-foot-wide public pedestrian accessway shall be provided from the public primary pedestrian accessway within the view corridor and connecting to the light rail pedestrian crossing along the western property line, and shall be constructed with decorative material, as approved by the Planning and Development Department.
6. The development shall provide a minimum 30 percent public open space on the site, excluding perimeter setbacks, as approved by the Planning and Development Department.
7. The development shall include a minimum of three distinct public open space areas, a minimum of 20,000 square feet in size and shall be oriented to capture the view of the historic cafeteria tower and the mountain views (Piestewa Peak). Each open space area shall follow the guidelines established in Section 1310 of the Phoenix

Zoning Ordinance, as approved by Planning and Development. All open space areas shall provide seating and be open to the public.

8. All pedestrian crossings, including but not limited to the stipulated public pedestrian accessways, constructed across driveways, shall be raised and shall consist of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department.
9. ~~A minimum 8 foot wide sidewalk along Indian School Road shall be detached with a minimum 30 foot wide landscape strip located between the sidewalk and back of curb, as approved by the Planning and Development and Street Transportation Department. The landscape strip and sidewalk may taper to allow for the sidewalk to appropriately transition into the 1 acre open space area at the intersection of Central Avenue and Indian School Road, as approved by the Planning and Development and Street Transportation Department. The landscape strip shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings between the existing Palm trees and along both sides of the sidewalk, as approved by the Planning and Development Department.~~
9. ONE OF THE FOLLOWING STREETSCAPE TREATMENTS SHALL BE PROVIDED ALONG INDIAN SCHOOL ROAD:
  - A. A MINIMUM 15-FOOT-WIDE UNINTERRUPTED PUBLIC PEDESTRIAN ACCESSWAY LOCATED BEHIND THE BACK OF A MINIMUM 10-FOOT WIDE DETACHED LANDSCAPE STRIP. THE LANDSCAPE STRIP MAY TAPER TO ALLOW FOR AN APPROPRIATE TRANSITION INTO THE ONE-GROSS ACRE OPEN SPACE AREA AT THE INTERSECTION OF CENTRAL AVENUE AND INDIAN SCHOOL ROAD. THE ACCESSWAY SHALL CONNECT TO THE 1 GROSS ACRE OPEN SPACE AREA AND SHALL PROVIDE THE FOLLOWING AMENITIES OR SIMILAR FEATURES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:
    1. MINIMUM FOUR GATHERING AREAS WITH SEATING.
    2. MINIMUM FOUR LANDSCAPE PLANTERS.
    3. DECORATIVE PAVEMENT.
    4. ART ELEMENTS.
    5. DECORATIVE BOLLARD LIGHTING ALONG THE ENTIRE FRONTAGE.
  - B. A MINIMUM 6-FOOT-WIDE DETACHED SIDEWALK AND A LANDSCAPE STRIP ALONG INDIAN SCHOOL ROAD FOR THE LENGTH OF THE PROJECT SITE. THE LANDSCAPE STRIP, TO BE LOCATED BETWEEN THE SIDEWALK AND THE BACK OF CURB, SHALL BEGIN AT A MINIMUM OF 30 FEET IN WIDTH AT THE EASTERN PROPERTY LINE AND MAY TAPER TO A MINIMUM OF 15 FEET IN WIDTH, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. THE LANDSCAPE STRIP

SHALL INCLUDE A MINIMUM OF 2-INCH CALIPER SHADE TREES PLANTED A MINIMUM OF 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS BETWEEN THE EXISTING PALM TREES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

10. Bicycle parking shall be provided as follows:
  - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
  - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
  - c. A minimum of 10% of the required bicycle parking for nonresidential uses shall be secured.
11. The developer shall submit a Traffic Impact Study/Statement (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the City upon satisfactory resolutions of review comments by the City staff, as approved by the Street Transportation Department and the Planning and Development Department.
12. The development shall provide an internal vehicular and pedestrian circulation plan to address ingress and egress to and from the site, vehicle loading, pick up and drop off locations, pedestrian connections to existing light rail station and proposed mitigation to potential vehicle / pedestrian conflict points internal and external to the site. No preliminary approval of plans shall be granted until the internal vehicular and pedestrian circulation plan has been reviewed and approved by the Street Transportation and Planning and Development Department.
13. The development shall underground the existing overhead utility lines adjacent to Indian School Road for the entirety of its frontage, as approved by the Planning and Development Department.
14. Proposed site ingress and egress points to align with existing street network locations, as approved by the Planning and Development Department.
15. The Central Avenue frontage shall comply with the Central Avenue Development Standards.
16. 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.
17. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky

Harbor International Airport (PHX) to future owners or tenants of the property.

18. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.
19. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, A REPORT PREPARED BY A QUALIFIED PROFESSIONAL ARCHAEOLOGIST DETERMINING THE HISTORY OF PAST USES OF THE PROPERTY SHALL BE SUBMITTED TO THE CITY ARCHAEOLOGY OFFICE FOR REVIEW AND COMMENT. THE REPORT SHALL INCLUDE COMPLIANCE WITH ARS 41-865, (ARIZONA BURIAL LAW). RESULTS OF THE PLAN SHALL INCLUDE A RECOMMENDATION FOR FURTHER ARCHAEOLOGIST TESTING OR ADDITIONAL MONITORING IF RECOMMENDED.
19. If determined necessary by the Phoenix Archaeology Office, the applicant shall
20. 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.
20. 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.
21. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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**Ms. Layla Ressler** brought up concern regarding the archology stipulation in relation to Ms. Talahongava's concerns. She specifically had concerns with using the term "if determined necessary" in the stipulation. **Ms. Brkovic** noted that the stipulations utilized standard language that is used on all properties throughout the City of Phoenix for archeologically sensitive sites. She noted that she will connect Ms. Talahongava with the archeology department to help answer any questions that she may have.

**Motion:**

**Brent Kleinman** made a motion to approve GPA-EN-1-19-4.

**Abraham James** seconded the motion.

**Vote:**

The motion was approved, Vote: 14-0

**Roll Call:**

**Yes** - Jake Adams, Ann Cothron, Paul Benjamin, Drew Bryck, G.G. George, Matthew Jewett, Abraham James, Matthew Jewett, Brent Kleinman, Jayson Matthews, Steve Procaccini, Layal Ressler, Nicole Rodriguez, Aaron Searles and Rebecca Wininger.

**No – None**

4. **Z-9-19-4: Presentation, discussion and possible recommendation regarding a request to rezone 17.82 acres located at the northeast corner of Central Avenue and Indian School Road from R-5 TOD-1 PISSP (Approved C-2 TOD-1PISSP) and R-5 TOD-1 PISSP (Approved C-2 H-R TOD-1 PISSP) to WU Code T6:HWR UT (Walkable Urban Code, Transect 6:Height Waiver District, Transit Uptown Character Area) to allow mixed-use.**

2 cards were submitted in support, wishing to speak.

3 cards were submitted wishing to speak but did not indicate support or opposition.

**Motion:**

**Brent Kleinman** made a motion to approve Z-9-19-4 per staff stipulations.

**Nicole Rodriguez** seconded the motion.

**Vote:**

The motion was approved, Vote: 14-0

**Roll Call:**

**Yes** - Jake Adams, Ann Cothron, Paul Benjamin, Drew Bryck, G.G. George, Matthew Jewett, Abraham James, Matthew Jewett, Brent Kleinman, Jayson Matthews, Steve Procaccini, Layal Ressler, Nicole Rodriguez, Aaron Searles and Rebecca Wininger.

**No** – None

5. **INFORMATION ONLY:** Presentation and discussion regarding affordable housing in the City of Phoenix.

**Mr. Joseph MacEwan**, Community and Economic Development Research Specialist, provided an overview of multifamily housing in Central City. He noted that the population in the Central City area declined in the 1990's but was on an incline as of recent. He provided an overview of the number of employees, average salaries and the types of housing provided in the area. He provided data based on the amount of market rate, affordable and workforce housing provided and identified areas of opportunity for more affordable and workforce housing.

**Ms. Cindy Stotler**, City of Phoenix Housing Director, provided an overview of affordable housing identifying the difference between affordable and workforce housing. She provided an overview of funding properties, permanent supportive housing, the decline of affordable housing in Phoenix and affordable housing needs. She explained what the Housing Department was doing to address the needs of affordable housing. She noted that there had been several affordable housing projects along the light rail. She indicated that there would never be enough affordable housing if density was not embraced.

**Ms. Ann Cothron** expressed that there was a deficit in the amount of beds provided versus the number of homeless individuals. She noted there was 4,000 units in deficit and that the number would keep rising until a solution was found. **Ms. Stotler** noted that there were many vouchers assigned to the homeless and that 10 million dollars is spent on Section 8 for housing the homeless population per year. She indicated that Housing also provides voucher to CASS and the vouchers were available for veterans. **Ms. Cothron** asked if the Housing Department has had problems in other Villages regarding rezoning properties for affordable housing. **Ms. Stotler** noted that she had not run into any issues.

**Ms. Wininger** asked for clarification regarding the State Statute related to affordable housing and the City's limitation on requiring or incentivizing affordable housing units. **Mr. Bednarek** noted that there were incentives to allow additional