



City of Avondale

City Council Online Meeting

Monday, September 20, 2021

Mayor and Council

Kenneth Weise, Mayor

Veronica Malone, Vice Mayor

Tina Conde, Council Member | Pat Dennis, Council Member

Bryan Kilgore, Council Member | Curtis Nielson, Council Member

Mike Pineda, Council Member

Administration

Charles A. Montoya, City Manager

Cherlene Penilla, Assistant City Manager

Tracy Stevens, Deputy City Manager | Lindsey Duncan, Deputy City Manager

Nicholle Harris, City Attorney | Marcella Carrillo, City Clerk

Online Meeting

Join the meeting and view presentations: <https://avondaleaz.zoom.us/j/99706985158>

Using a Mobile Device? Download the Zoom Cloud Meeting App

Join the meeting with audio only: Call 301-715-8592 (meeting ID: 997 0698 5158)



City Council Online Meeting Notice & Agenda Monday, September 20, 2021

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Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should email a request to speak to PublicComment@AvondaleAZ.gov prior to consideration of that agenda item.

REGULAR MEETING 7:00 PM

CALL TO ORDER BY MAYOR PLEDGE OF ALLEGIANCE & MOMENT OF REFLECTION

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

(Time is limited per person. Please state your name.)

3. PRESENTATION ITEMS

a. LEGISLATIVE PROCLAMATION - 75TH ANNIVERSARY

City Council will accept a proclamation from the Legislative District 19 delegation. This item is for discussion only.

b. PROCLAMATION HONORING LEGISLATIVE DISTRICT 19 DELEGATION

City Council will present a proclamation to honor Avondale's state legislators for their leadership during the First Regular Session of the 55th Legislature.

c. PROCLAMATION RECOGNIZING KEN GALICA

City Council will present a proclamation to Ken Galica, Division Lead Planner, recognizing him for his fifteen years of loyal and dedicated service to the City of Avondale. This item is for discussion only.

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. MINUTES

City Council will consider a request to approve the July 5, 2021 City Council meeting minutes. The Council will take appropriate action.

b. APPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES

City Council will consider a request to approve the recommendations for the appointment of members of the City's Boards, Commissions and Committees. The Council will take appropriate action.

c. FISCAL YEAR 2022 MID-YEAR BUDGET ADJUSTMENTS

City Council will consider a request to: (a) approve FY2022 mid-year supplemental budget requests as summarized in the attached report; (b) authorize the necessary budget amendments from contingency appropriation budgets; (c) amend awarding authority based off the attached report; (d) modify the interfund transfer schedule; and (e) authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. PUBLIC ART FUND APPROPRIATION OF \$50,000 FOR A SIGNATURE PUBLIC ART PIECE AT ALAMAR PARK.

City Council will consider a request to approve an additional appropriation of \$50,000 from the Public Art Fund for a public art piece at Alamar Park in partnership with Brookfield Residential and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. CREATE A BLVD COMMERCIAL BUILDING CAPITAL IMPROVEMENT PROJECT (CIP) PROJECT AND AUTHORIZE THE NECESSARY BUDGET TRANSFER AND AWARDED AUTHORITY.

City Council will consider a request to: (a) create a new CIP project for a new commercial building and associated necessary infrastructure improvements in the BLVD area; (b) authorize a budget transfer in the amount of \$5,500,000 from General Fund Contingency to the newly created BLVD Building account, to fund the design and construction; (c) adjust the interfund schedule; (d) authorize staff to take the necessary action to complete the budget transfer, and; (e) authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The council will take appropriate action.

f. REVOCABLE LICENSE AGREEMENT WITH ADELANTE HEALTH CARE, INC (WIC)

City Council will consider a request to approve an amended Revocable License Agreement with Adelante Health Care, Inc (WIC) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. FOURTH AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH CHARLES A. MONTOYA

City Council will consider a request to approve the 4th amendment to the Employment Agreement with Charles A. Montoya and authorize the Mayor and Council to execute the necessary documents. The Council will take appropriate action.

h. RESOLUTION 1072-0921 - ALTERNATIVE EXPENDITURE LIMITATION - PERMANENT BASE ADJUSTMENT

City Council will consider a request to adopt Resolution 1072-0921, proposing to submit to the qualified electors at the August 2, 2022 election a question to provide for a \$10,408,000 permanent adjustment to the base expenditure limitation, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

i. RESOLUTION 1073-0921 - INTERGOVERNMENTAL AGREEMENT WITH CITY OF PHOENIX FOR TRAINING SERVICES

City Council will consider a request to adopt Resolution 1073-0921 authorizing an Intergovernmental Agreement (IGA) with the City of Phoenix to provide fire and medical service training and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

j. ORDINANCE 2045-0921 - DEDICATION OF A PERPETUAL EASEMENT TO THE UNITED STATES OF AMERICA - ON THOMAS ROAD, WEST OF 99TH AVENUE

City Council will consider a request to adopt Ordinance 2045-0921 dedicating a Perpetual Easement to the United States of America (USA) on Thomas Road west of 99th Avenue and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

k. ORDINANCE 2046-0921 - DEDICATION OF A PERPETUAL EASEMENT TO THE UNITED STATES OF AMERICA - ALONG THE WEST SIDE OF 99TH AVENUE AND SOUTH OF THOMAS ROAD

City Council will consider a request to adopt Ordinance 2046-0921 dedicating a Perpetual Easement to the United States of America (USA) along the west side of 99th Avenue and South of Thomas Road (also known as Holy Cross) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

l. ORDINANCE 2047-0921 - FIRST AMENDMENT TO LEASE AGREEMENT - ARIZONA INSTITUTE LLC DBA AVEDA INSTITUTE AVONDALE

City Council will consider a request to adopt Ordinance 2047-0921, approving the First Amendment to Lease Agreement with Arizona Institute LLC dba Aveda Institute Avondale for the properties located at 775 North 114th Avenue and 745 North 114th Avenue, Suite 102, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

m. ORDINANCE 2048-0921 - AVARI APARTMENTS LIMITED AND TEMPORARY FIRE ACCESS EASEMENT AGREEMENT

City Council will consider a request to adopt Ordinance 2048-0921 accepting a Limited and Temporary Fire Access Easement Agreement through PCCP CS Empire Avondale LLC's parcels to the Avari Apartments parcel under construction along the west side of Avondale Boulevard and north of Van Buren Street and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

n. ORDINANCE 2049-0921 - AMENDING THE AVONDALE CITY CODE, CHAPTER 10, FIRE PREVENTION AND PROTECTION

City Council will consider a request to adopt Ordinance 2049-0921, amending the City of Avondale Code, Chapter 10-2, appointment of Fire Chief and Firefighters, and Chapter 20, Police Department, Article I, in general, Section 20-2; appointment of officers, relating to the administration of The Fire Department and Police Department and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

5. REGULAR AGENDA

a. PUBLIC HEARING AND RESOLUTION 1074-0921- NORTON CIRCLE - MINOR GENERAL PLAN LAND USE MAP AMENDMENT – APPLICATION PL-19-0182

City Council will hold a public hearing and consider a City-initiated request to adopt Resolution 1074-0921, approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for 5.70 acres of property located at the southwest corner of 4th Avenue and Norton Street (a private street). The subject property is developed with Norton Circle, a 46-unit multi-family residential community owned and operated by the Housing Authority of Maricopa County (HAMC). Approval of the proposed Minor General Plan Amendment will amend the land use designation of the property from Medium High Density Residential (MHDR) to High Density Residential (HDR); the HDR land use designation allows for development of patio homes, apartments, condominiums, or townhomes with a density ranging between 12 and 30 dwelling units per acre. Approval of the Minor General Plan Amendment will facilitate redevelopment of the site with a new 100-unit multi-family apartment complex that will continue to be owned and operated by HAMC. An application rezoning the property to R-4 (Multi-Family Residential) will be considered separately. The Council will take appropriate action.

b. PUBLIC HEARING AND ORDINANCE 2050-0921 - NORTON CIRCLE - REZONING FROM MANUFACTURED HOME PARK (MH) TO MULTI-FAMILY RESIDENTIAL (R-4) - APPLICATION PL-19-0183

City Council will hold a public hearing and consider a City-initiated request to adopt Ordinance 2050-0921 to rezone approximately 5.70 gross acres of land located at the southwest corner of 4th Avenue and Norton Street (a private street) from Manufactured Home Park (MH) to Multi-Family Residential (R-4). The subject property is developed with Norton Circle, a 46-unit multi-family residential community owned and operated by the Housing Authority of Maricopa County (HAMC). Approval of the proposed rezoning will facilitate redevelopment of the site with a new 100-unit multi-family apartment complex that will continue to be owned and operated by HAMC. A separate application for a Minor General Plan Amendment, changing the land use designation of the property from Medium High Density Residential to High Density Residential, will be considered separately. Maricopa County and its agencies are statutorily exempt from City zoning regulations but are proceeding with the proposed applications in cooperation with the City of Avondale. The Council will take appropriate action.

c. PUBLIC HEARING AND RESOLUTION 1075-0921 - PARKSIDE - MINOR GENERAL PLAN LAND USE MAP AMENDMENT – APPLICATION PL-20-0308

City Council will hold a public hearing and consider a request to adopt Resolution 1075-0921, approving a request by Mr. Johnathan Bastianelli, William Lyon Homes, Inc., for a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Parkside, a proposed 137.27 net acre master planned community located approximately 600 feet south of the southwest corner of 99th Avenue and Indian School Road. The proposed Minor General Plan Amendment, if approved, will amend the land use designation of approximately 10 acres at the southeast corner of the subject property from Office/Professional to Medium High Density Residential (MHDR), a category that allows for single-family detached, single-family attached, townhomes, condominiums, patio homes, and the like with density ranging between 4.0 and 12.0 dwelling units per acre. Approval of the request will facilitate replacement of a previously planned office development with 54 additional detached single-family residential lots, increasing the total number of single-family residential lots in Parkside from 662 to 716. Related requests for a Major Amendment to the Parkside Planned Area Development (PAD) and Preliminary Plat Amendment will be considered separately. The Council will take appropriate action.

d. PUBLIC HEARING AND ORDINANCE 2051-0921 - PARKSIDE - MAJOR PLANNED AREA DEVELOPMENT (PAD) AMENDMENT - APPLICATION PL-20-0309

City Council will hold a public hearing and consider a request to adopt Ordinance 2051-0921, approving a request by Mr. Jonathan Bastianelli, William Lyon Homes, Inc., for a Major Amendment to the Parkside Planned Area Development (PAD), a proposed 137.27 net acre master planned community located approximately 600 feet south of the southwest corner of 99th Avenue and Indian School Road. The approved Parkside PAD provides for a 9.99-acre office development at the southeast corner of the site; the proposed Major PAD Amendment eliminates the planned office component, replacing that use with 54 additional detached single-family residential lots. The proposed Major Amendment also revises vehicular circulation in the southeast corner of the property, eliminating a previously planned Osborn Road alignment that will no longer be necessary given the elimination of office component. With approval of the PAD Amendment, the total number of planned single-family residential lots in Parkside will increase from 662 to 716. Related requests for a Minor General Plan Amendment and Preliminary Plat Amendment will be considered separately. The Council will take appropriate action.

e. PRELIMINARY PLAT AMENDMENT – PARKSIDE - APPLICATION PL-20-0307

City Council will consider a request by Mr. Jonathan Bastianelli, William Lyon Homes, Inc., for approval of an amended Preliminary Plat for Parkside, a proposed 716-lot single-family residential subdivision located on 137.27 net acres approximately 600 feet south of the southwest corner of 99th Avenue and Indian School Road. Related requests for a Minor General Plan Amendment and Major Planned Area Development (PAD) Amendment will be considered separately. Council will take appropriate action.

f. PUBLIC HEARING AND RESOLUTION 1076-0921 – AVONDALE COMMONS - FREEWAY CORRIDOR SPECIFIC PLAN AMENDMENT – APPLICATION PL-21-0204

City Council will hold a public hearing and consider a City-initiated request to adopt Resolution 1076-0921, approving a Freeway Corridor Specific Plan (FCSP) Amendment to increase the maximum allowed building height on approximately 25.23 acres located at the northwest corner of Avondale Boulevard and McDowell Road. Approval of the request will increase the maximum height allowed on the subject property by one (1) story, allowing for buildings with a maximum of four (4) stories to be developed on the site. A request to rezone the property to Avondale Commons Planned Area Development (PAD) will be considered separately; the proposed Avondale Commons PAD will facilitate development of the property in accordance with a mixed-use plan consisting of a 4-story, 324-unit multi-family residential complex and supportive commercial, retail, hospitality, and office uses. The Council will take appropriate action.

g. PUBLIC HEARING AND ORDINANCE 2052-0921 - AVONDALE COMMONS - REZONING FROM AGRICULTURAL (AG) TO AVONDALE COMMONS PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-21-0072

City Council will hold a public hearing and consider a request to adopt Ordinance 2052-0921, approving a request by Mr. Shaine T. Alleman, Tiffany & Bosco, P.A., to rezone approximately 25.23 gross acres (22.60 net acres) of land located at the northwest corner of Avondale Boulevard and McDowell Road from Agricultural to Avondale Commons Planned Area Development (PAD) to allow for a mixed use development of the site with a four-story, 324-unit multi-family residential complex on 12.5 net acres and supportive commercial, retail, hospitality, and office uses on 10.1 net acres. A request for an amendment to the Freeway Corridor Specific Plan to increase the maximum allowable building height (currently limited to three stories) to four stories will be considered separately. The Council will take appropriate action.

6. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone conference call. Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

State of Arizona



Legislative Proclamation

in honor of

CITY OF AVONDALE, ARIZ., 75TH ANNIVERSARY AS A CITY 1946 - 2021

Whereas, Avondale's history can be traced back to its origins as a stagecoach stop on the Butterfield Trail, a settlement first known as Coldwater, named for the flowing water from the nearby Agua Fria River; and

Whereas, on December 16, 1946, Avondale incorporated as a city, with D.W. Chisum appointed as the first Mayor of the City of Avondale; and

Whereas, Avondale has come a long way from its humble beginnings as a farming community to one of the fastest growing cities in the Metro-Phoenix area; and

Whereas, Avondale is a community where people share a deep sense of pride in what has been accomplished and what it is today. In Avondale, there is a strong belief that the blending of a broad spectrum of cultures comes from a true sense of harmony throughout the community. In Avondale, people and businesses are welcomed with open arms and supported in a way that exemplifies an innovative city that is Aspiring, Achieving and Accelerating; and

Whereas, the Avondale Edge is what continually attracts new major employers and businesses, along with Uniquely Avondale attractions and restaurants; and

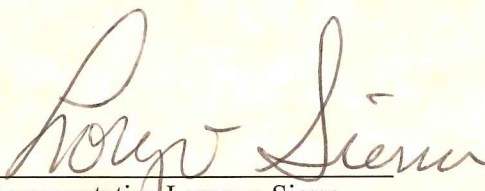
Whereas, the City of Avondale was named an All-America City in 2014; and

Whereas, the City of Avondale is home to Phoenix Raceway, and in November 2021 will again play host to the NASCAR Championship Weekend; and

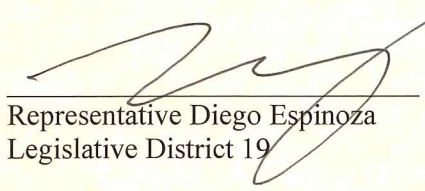
Whereas, the yearlong 75th Anniversary Celebration will offer all residents of Avondale the opportunity to commemorate and celebrate Avondale's proud past and discover all that our community has to offer while looking ahead to the exciting future history

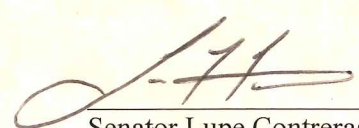
Therefore, Representative Sierra, Representative Espinoza, and Senator Contreras invite the House of Representatives of the State of Arizona to join them in honoring the City of Avondale's celebration of its 75th Anniversary as a City.

Dated this 19th day of May 2021


Representative Lorenzo Sierra
Legislative District 19




Representative Diego Espinoza
Legislative District 19


Senator Lupe Contreras
Legislative District 19



Proclamation Honoring Legislative District 19

September 20, 2021

A proclamation of the City of Avondale, Arizona, honoring the elected members of Legislative District 19 for their dedicated service to the Avondale community.

WHEREAS, the City of Avondale is represented in the state legislature by the elected members of Legislative District 19, including Senator Lupe Contreras, Representative Lorenzo Sierra, and Representative Diego Espinoza; and

WHEREAS, Senator Contreras proudly grew up in the Avondale neighborhood of Cashion; and

WHEREAS, Representative Sierra and Representative Espinoza previously served as city councilmembers for the cities of Avondale and Tolleson, respectively; and

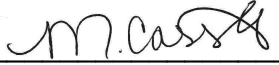
WHEREAS, all three legislators have faithfully served the shared constituents of the City of Avondale and Legislative District 19; and

WHEREAS, the League of Arizona Cities & Towns named all three legislators 2021 Champions & Friends for their outstanding public service and dedication to local governance.

NOW THEREFORE, be it resolved by the Council of the City of Avondale, Arizona, that the City hereby wishes to express its appreciation to Senator Contreras, Representative Sierra, and Representative Espinoza for their leadership and commitment to advocating for the needs of the residents of the City of Avondale during the First Regular Session of the 55th Legislature.



Mayor

Attest: 

City Clerk



Proclamation Honoring Ken Galica

September 20, 2021

A proclamation of the Council of the City of Avondale, Arizona, honoring Ken Galica for over 15 years of dedicated service to the Avondale community.

WHEREAS, Ken Galica answered the call to service on March 6, 2006, when he was hired as a Zoning Specialist in the Development and Engineering Services Department at the City of Avondale, Arizona; and

WHEREAS, Ken Galica was promoted to Senior Planner in 2013 and Division Lead Planner in 2017, supporting both current planning and long range planning efforts for Avondale. As Division Lead Planner, more commonly known as a Principal Planner, Ken served as a project manager and collaborated with various professional disciplines in the Department and throughout Avondale. Ken helped develop long range specific plans, managed numerous zoning cases and development requests, conducted neighborhood meetings, attended and presented at Planning Commission and City Council meetings, and assisted staff and citizens on special projects including volunteer events.

WHEREAS, Ken Galica served as a project manager having the knowledge, design abilities, and customer service skills representing the Avi way and was instrumental in shaping Avondale's growth.

WHEREAS, Ken Galica left the City of Avondale in September 2021 to become a Principal Planner for the City of Buckeye's Planning Division, where his leadership, expertise, talents and commitment to Making Lives Better will undoubtedly be invaluable as he continues his professional career in public service; and

WHEREAS, Ken Galica will be greatly missed and warmly remembered as Helpful, Kind, and Professional by those who had the privilege of working with him.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, that the City of Avondale hereby wishes to express its sincere gratitude and appreciation to Ken Galica for over 15 years of dedicated service to the City of Avondale.



Mayor

Attest: 

City Clerk

CITY COUNCIL REPORT

SUBJECT: Minutes

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk, (623) 333-1214

THROUGH: Tracy Stevens, Deputy City Manager, 623-333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Connected Community - Avondale will work directly and closely with our communities to develop programs and infrastructure that connect residents to the city's resources, the region, and each other.

The approval of this agenda item provides residents with access to a previous meeting's minutes, which includes a summary of the meeting. The minutes are posted online where residents can access and read the summary. The minutes provide another outlet for residents to connect with the City Council.

PURPOSE:

City Council will consider a request to approve the July 5, 2021 City Council meeting minutes. The Council will take appropriate action.

BACKGROUND:

n/a

DISCUSSION:

n/a

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

Staff recommends City Council approve the July 5, 2021 City Council meeting minutes.

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
ONLINE MEETING
JULY 5, 2021

A **Work Session** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 6:01 p.m. All participants attended by phone or video.

Members Present: Mayor Kenn Weise; Vice Mayor Veronica Malone; Council Members Tina Conde, Pat Dennis, Bryan Kilgore, and Curtis Nielson.

Members Absent: Council Member Pineda (excused absence).

Other Municipal Officials Present: Charles Montoya, City Manager; Cherlene Penilla, Assistant City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Keith Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately 80 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. DISCUSSION OF ALTERNATIVE EXPENDITURE LIMITATION - PERMANENT BASE ADJUSTMENT

City Council received an update from staff regarding a possible permanent adjustment to the base expenditure limitation. This item was for discussion only.

Lindsey Duncan, Deputy City Manager; stated the Arizona Constitution dictates the expenditure limitation for Arizona cities and towns, with the calculation based off a figure from the 1980 fiscal year revenues. The calculation excludes expenditures of nonlocal revenue sources. The number is adjusted for population and inflation over time. When the expenditure limitation is insufficient, the City has the option to use one of several alternative expenditure limitations, each of which is voter approved at a local election. Ms. Duncan provided a brief historic review of the changes in the City, including administration, population, operations, and economic data since 1980. The 2021 budget was established at \$280.1 million. There was \$32.6 million excluded from that limitation for nonlocal revenues, such as bond funded expenditures and grants. The total amount subject to the City's expenditure limitation was \$247.5 million for fiscal year 2021. The expenditure limit, based on those services and revenues received in 1980 adjusted for inflation and growth, is \$58.7 million.

Ms. Duncan reviewed the expenditure limitation alternatives. The permanent base adjustment allows a permanent adjustment of the expenditure base from the fiscal year 1980 amount to

an alternative amount. That amount would grow with population and inflation. The City has historically sought Home Rule elections with the most recent occurring in 2020. The Home Rule is effective through fiscal year 2025. The permanent base election is held once, rather than every four years. The amount of the ballot would reset the base from the 1980 amount. The base amount will adjust for population to today's dollars. Staff recommends Council consideration for referring a permanent base adjustment to the ballot. Staff prepared a calculation for an updated amount that is based on several factors such as an increase in the taxable sales. Staff plan to bring a resolution forward for approval at the September 20, 2021 meeting to place the item on the ballot for the next fall election. Arguments for and against the proposition would be received in May of 2022. Early ballots would be distributed in July of 2022 with the primary election on August 2, 2022.

Mayor Weise commented that the permanent base item is reasonable. Every four years, the City adds the Home Rule question on the ballot and while it always passes, there is no guarantee. There are potential impacts to public safety, water delivery, and other important services. The City is also looking at putting out a sales tax and bond question in the same time period. He inquired if the two proposals would impact each other in terms of timing. Charles Montoya, City Manager, noted that Council added this item as a priority last year. There are two opportunities to accomplish this goal. Next year in August, there would be no association with the presidential election to come in 2024, with a bond issue at a later date.

Council Member Kilgore stated he understood why the City is making the proposal. He stated it makes sense, with staff trying to do things better and more efficiently

Council Member Nielson asked if the current Home Rule will stay in effect if the proposition passes in 2022. Ms. Duncan stated the City would rely on the permanent base adjustment, even though the Home Rule is in place. In response to an additional question from Council Member Nielson, Ms. Duncan stated increased calculations are based on a state formula. The City would remain subject to the calculation set by the state.

In response to a question from Council Member Dennis, Mr. Montoya confirmed that future bond or sales tax questions approved by voters would be calculated based on the state formula. There may be a point in the future when revenues once again exceed the limit and the process would be repeated.

Council Member Conde agreed with Mayor Weise and was in support of the item.

Vice Mayor Malone did not have any questions for staff.

3. ADJOURNMENT

There being no further business before the Council, Vice Mayor Malone moved to adjourn the Work Session meeting; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

Meeting adjourned at 6:44 p.m.

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 7:00 p.m. All participants attended by phone or video.

Council Member Nielson led the Pledge of Allegiance, followed by a moment of silent reflection.

Members Present: Mayor Kenn Weise; Vice Mayor Veronica Malone; Council Members Tina Conde, Pat Dennis, Bryan Kilgore, and Curtis Nielson.

Members Absent: Council Member Pineda (excused absence).

Other Municipal Officials Present: Charles Montoya, City Manager; Cherlene Penilla, Assistant City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Keith Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Other Officials Present: Susan Segal, Outside Counsel for the City.

Audience: Approximately 100 members of the public were present.

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

None.

3. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Council Member Conde requested the following item be pulled from the consent agenda for further discussion:

- Agenda Item 3m: Resolution 1057-0721 – Amendments to the Personnel Policies and Procedures for Chapter 6 Employee Benefits, Chapter 8 Secondary Employment, and Chapter 9 Appearance and Conduct

Motion was made by Council Member Nielson, seconded by Council Member Conde, to approve the Consent Agenda with the exception of Agenda Item 3m.

Upon vote, the motion carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the May 3, 2021 City Council Meeting Minutes.

b. COUNCIL MEETING SCHEDULE FOR 2022

City Council approved the 2022 City Council Meeting Schedule and authorized the City Clerk to add, move, or cancel meetings as needed at the direction of the City Manager.

c. CONTRIBUTIONS ASSISTANCE PROGRAM FISCAL YEAR 2021-2022 FUNDING RECOMMENDATIONS

City Council approved the following funding recommendations made by the City Council Subcommittee for distribution of the proposed \$113,300 Contributions Assistance Program fund.

- | | |
|--|--|
| • A New Leaf, Inc. Siemer - \$4,000 | • Mercy House Community Center - \$5,000 |
| • A New Leaf - VITA - \$5,000 | • Mission of Mercy - \$5,000 |
| • Agua Fria Food Bank - \$7,000 | • Multicultural Family Network - \$2,000 |
| • Arizona Service Project - \$9,400 | • Phoenix Rescue Mission - \$5,000 |
| • Boys and Girls Clubs of the Valley - \$5,000 | • Raising Special Kids - \$5,000 |
| • Buckeye Lions Foundation - \$1,000 | • Read Better Be Better - \$5,000 |

- Community Bridges Inc. - \$7,000
- Diana Gregory Outreach - \$3,000
- Helping Families in Need - \$8,000
- Homeless Youth Connection - \$3,400
- Jobs for Arizona Graduates - \$2,500
- Junior Achievement of Arizona - \$3,000
- Lutheran Social Services- \$7,500
- Sounds of Autism - \$2,000
- Southwest Human Development - \$1,500
- Southwest Lending Closet - \$4,000
- Southwest Valley YMCA - \$5,000
- St. Mary's Food Bank Alliance - \$5,000
- The Opportunity Tree - \$3,000

d. BUDGET ADJUSTMENT - GENERAL FUND CONTINGENCY FOR THE DESIGN OF CIVIC CENTER PARK

City Council approved a budget adjustment in the amount of \$160,000 from the General Fund Contingency to the Civic Center Park project and authorized the City Manager and City Clerk to execute the necessary documents.

e. BUDGET ADJUSTMENT - AMERICAN RESCUE PLAN ACT

City Council approved a budget adjustment to create the appropriation in fiscal year 2022 for the anticipated expenses of Avondale's share of the American Rescue Plan Act and authorized staff to execute the necessary documents.

f. FUNDING APPROVAL FOR THE DEVELOPMENT OF THE AVONDALE AQUATIC CENTER

City Council approved funding for the development of the proposed Avondale Aquatic Center and authorized the City Manager and City Clerk to execute the necessary documents.

g. CREATE A BRIDGE HOUSING CAPITAL IMPROVEMENT PROJECT (CIP) PROJECT AND AUTHORIZE THE NECESSARY BUDGET TRANSFER

City Council approved a request to create a new CIP project for a bridge housing development and authorized a budget transfer in the amount of \$650,000 from General Fund Contingency to the newly created Bridge Housing account, to fund the design, acquisition, and construction, and to authorized staff to take the necessary action to complete the budget transfer.

h. REVOCABLE LICENSE AGREEMENT WITH ADELANTE HEALTH CARE, INC (WIC)

City Council approved a Revocable License Agreement with Adelante Health Care, Inc (WIC) and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

i. CONTRACT FOR SERVICES, LEASE AGREEMENT, AND ITEMIZED BUDGET AREA AGENCY ON AGING FISCAL YEAR 20212022

City Council (a) approved a contract with Area Agency on Aging (AAA) for fiscal year 2021-2022 in the amount of \$383,391; (b) approved a Vehicle Lease Agreement in the amount of \$5; (c) adopted an itemized budget for the Senior Center Program; (d) authorized a transfer of expenditure appropriations from the grant contingency account to provide the expenditure authority for these funds; and (e) authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

j. RESOLUTION 1054-0721 - INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF TRANSPORTATION - RIGHT-OF-WAY ABANDONMENT - 107TH AVENUE BETWEEN I-10 AND MCDOWELL ROAD

City Council adopted Resolution 1054-0721, authorizing an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) for Right-of-Way (ROW) Abandonment of a portion of 107th Avenue (currently owned by ADOT), located on the south side of McDowell Road and west of the centerline of 107th Avenue, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

k. RESOLUTION 1055-0721 – INTERGOVERNMENTAL AGREEMENT - WEST VALLEY MOBILE FIELD FORCE RESPONSE TEAM (“MFFRT”)

City Council adopted Resolution 1055-0721, approving an Intergovernmental Agreement with west valley law enforcement agencies for the creation and participation in the MFFRT and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

l. RESOLUTION 1056-0721 – AMENDMENT NO. 8 TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY ADMINISTERED BY THE HUMAN SERVICES DEPARTMENT

City Council (a) adopted Resolution 1056-0721, approving Amendment No. 8 of the Intergovernmental Agreement (IGA) with the Maricopa County Human Services Department for the provision of the Community Action Program (CAP) services, (b) authorized a transfer of expenditure appropriations from the grant contingency account to provide the expenditure authority for these funds; and (c) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

m. RESOLUTION 1057-0721 – AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES FOR CHAPTER 6 EMPLOYEE BENEFITS, CHAPTER 8 SECONDARY EMPLOYMENT, AND CHAPTER 9 APPEARANCE AND CONDUCT

This item was pulled from the consent agenda for further discussion. Item is listed below in more detail.

n. ORDINANCE 2030-0721 – CHAPTER 2 CODE AMENDMENT, AMENDING THE DUTIES OF THE FINANCIAL SERVICES DEPARTMENT AND CHAPTER 27 CODE AMENDMENT, AMENDING THE CITY'S BOARDS AND COMMISSIONS

City Council adopted Ordinance 2030-0721, amending Chapter 2 of the Avondale City Code, relating to the role of the financial service department and amending Chapter 27 of the Avondale City Code, removing the Capital Improvement Plan Citizens Committee and updating the current listing of the Boards and Commissions, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

o. ORDINANCE 2031-0721 – GRANTING AN ELECTRICAL EASEMENT TO SALT RIVER PROJECT (SRP) FOR THE NEW CIVIC CENTER ANNEX BUILDING

City Council adopted Ordinance 2031-0721, granting an Electrical Easement to Salt River Project for the new Avondale Visitor and Conference Center building and authorized the Mayor or City Manager, and City Clerk to execute the necessary documents.

p. FINAL PLAT FOR AVONDALE 107 - APPLICATION PL-20-0347

City Council approved a request by Mr. James Brucci, Hunter Engineering, for approval of a Final Plat for Avondale 107, a partial Re-Plat of Lot 7 of the Griffith Commerce Park Final Plat. Consistent with the approved Griffith Commerce Park Planned Area Development (PAD), the proposed Final Plat creates three (3) lots for four (4) planned industrial buildings on the Avondale 107 site, dedicates half-street right-of-way for Pierce Street, 105th Avenue and 107th Avenue and dedicates public utility easements to serve the future commerce park. The site is approximately 24.89 gross acres of land located at the northeast corner of 107th Avenue and Pierce Street.

**THE FOLLOWING ITEM WAS PULLED FROM THE CONSENT AGENDA
FOR FUTHER DISUCSSION:**

m. RESOLUTION 1057-0721 – AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES FOR CHAPTER 6 EMPLOYEE BENEFITS, CHAPTER 8 SECONDARY EMPLOYMENT, AND CHAPTER 9 APPEARANCE AND CONDUCT

City Council considered a request to adopt Resolution 1057-0721, approving the proposed amendments to the Personnel Policies and Procedures, Chapter 6 Employee Benefits, Chapter 8 Secondary Employment, and Chapter 9 Appearance and Conduct, and authorize the City Manager, City Attorney, and City Clerk to executive the necessary documents.

Council Member Conde asked what triggered the changes regarding secondary employment. Mr. Montoya stated the changes in Chapter 6 were due to the pandemic. The City is attempting to provide employees with more ability to carry over leave. Mr. Montoya noted that the personnel policies and procedures are updated annually, with changes being made due to the fact the City is now self-funded. The changes add clarifications to policies that were previously in place.

Cherlene Penilla, Assistant City Manager, added that the intent is to streamline policies and make them easier for employees to find, read, and understand. The policies are being updated to match actual City practices and to be in compliance with legal requirements and case law. No new policy is being added, but a chapter is being renamed. One particular area of focus is outside employment activity that conflicts with an employee's City position while they are on FMLA or worker's compensation status. For example, one employee was unable to perform their City duties, but were able to complete the functions of their secondary job. The employee was allowed to continue their secondary job while receiving compensation and benefits from their primary job with the City. There are cases where an employee has a very physical primary job with the City but a less physically demanding secondary job outside of City employment. Other areas of focus include secondary employment which may conflict with an employee's primary position with the City.

Mr. Montoya noted that it is important for the City to know whether one of its employees is injured in the course of performing their duties for a secondary job.

In response to a question from Council Member Conde, Ms. Penilla noted the change from "Conflict of interest" to "Incompatibilities" was changed brought from the Attorney. Nicholle Harris, City Attorney, explained that phrase "Conflict of Interest" is determined within state statute.

Mayor Weise spoke about his past experiences with employees, being required to disclose secondary employment. In response to a question from Mayor Weise, Mr. Montoya confirmed that the policy applies to all City departments and employees.

Vice Mayor Malone commented that the word, "Incompatible," is broad, not black and white and not specific to a conflict of interest.

Susan Segal stated that incompatibility of public office is a longstanding concept, having been used for years. It is addressed in the Arizona Attorney General agency handbook. It was established from an opinion of the Arizona Supreme Court from 1942. Offices are incompatible when duties conflict or when it is physically impossible to perform the duties of both positions. When that is the case, acceptance of the second office automatically vacates the first position. Incompatibility is a doctrine codified by statute and has been addressed in Arizona Attorney General opinions since 1987 and in the Arizona Attorney General's handbook, revised in 2018. Discussion ensued regarding the differences and nuances of incompatibility versus conflict.

Vice Mayor Malone asked how the policy would impact an employee who may sit on one of the City's Boards and Commissions as a volunteer, rather than a paid position. Mr. Montoya that Worker's Compensation is provided regarding of whether the employee is paid or a volunteer. Ms. Segal provided an example of a Council Member of an organization also sat on a Board or Commission. Vice Mayor Malone inquired as to who is the final decision maker in terms of incompatibility. Mr. Montoya stated that the issue is department by department, through the HR department and ultimately comes to him; however, during his tenure with the City, he has never needed to make such decision.

Council Member Dennis inquired if all employment is required to go through the process within the policy. Mr. Montoya stated that every employee will have to comply with the policy. Council Member Dennis expressed concern with ensuring each department is aware of the process for the secondary employment to be approved. She noted clear communication regarding the fact that the City is not preventing employees from getting a secondary job but rather creating a process in order to protect employees as well as the community.

Mr. Montoya explained that the policy is being cleaned up to provide easier access to locate the information and it is ultimately less restrictive.

Council Member Kilgore inquired if the verbiage change has been implemented in other cities as well. Ms. Segal explained the verbiage change is to be more consistent and to make it more clear for the employees. She cited a City of Phoenix administrative regulation (AR 2.62) that was adopted on November 18, 2008 which incorporates the elements of the City's ethics policy and says outside employment of city employees is permissible and it does not adversely impact employee's city work. Ms. Segal cited more of the policy and provided the City Clerk with a web

link for distribution to the City Council. Ms. Segal provided an example within a school district, noting it is the responsibility of the Human Resource department to educate employees with the institution of a new policy or procedure. Council Member Kilgore asked about the process of notifying employees. Mr. Montoya stated that employees are required to know where the policies and procedures are located and required to read them. Upon any change to administrative policies and procedures, an email is sent to all employees. Every employee is required to go through annual training and to sign off on all materials. Council Member Kilgore inquired if the change was a result of the recent change in our insurance. Mr. Montoya explained that the change is a result of changing policies from the state as well as the self-funded change and the changes in self-insurance.

In response to a comment from a member of the public through the Zoom chat, Mayor Weise stated comments that criticizes anyone in the meeting will not be accepted.

Council Member Nielson noted his previous experience with an employer who required all employees to complete an annual review of the ethics policy. He concurred with the comments by Council Member Kilgore, explaining staff should take the time to explain the changes. Ms. Penilla discussed the City's online policy system, Safe Personnel. It is designed to ensure that all employees are provided with safety policies and trainings. When there are changes, employees must read and acknowledge the revisions. She noted that employees used to be required to complete a secondary employment form but discontinued that practice as it was an extra step for employees and for the Human Resources department. That responsibility was pushed down to the department directors as they know best what their employees are required to do on their specific jobs. If department directors were unsure, they would pass the information to the Human Resources department who would then consult with legal counsel.

Council Member Conde expressed her desire to have employees kept up to date as policies change, ensuring the City to continue to value its employees. Communicating with the residents is important to the Council and she wanted to ensure the same mindset is had with employees.

Vice Mayor Malone inquired how the incompatibility reference impacts the fire or police unions, specifically that of other organizations such as the City of Phoenix. Ms. Segal noted she does not do the collective bargaining for the City of Phoenix, but she does not believe the change in the policy conflicts with the employment Memorandum of Understanding with the Fire Association.

Vice Mayor Malone moved to not move forward with the item. Mayor Weise explained staff needed a motion to approve or deny the Resolution. Vice Mayor Malone asked Mayor Weise to move forward with stating the motion.

Mayor Weise moved to adopt Resolution 1057-0721, approving the proposed amendments to the Personnel Policies and Procedures, Chapter 6 Employee Benefits, Chapter 8 Secondary Employment, and Chapter 9 Appearance and Conduct, and authorize the City Manager, City Attorney, and City Clerk to execute the necessary documents; Council Member Dennis seconded the motion.

Upon vote, the motion was carried 5 to 1.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Vice Mayor Malone	Nay
Mayor Weise	Aye

4. REGULAR AGENDA

a. ROOSEVELT PARK II PHASE 4 – PRELIMINARY PLAT – APPLICATION PL-20-0353

City Council considered a request by Mr. Joe Petrucci, EPS Group Inc., for approval of a Preliminary Plat for Roosevelt Park II Phase 4, a proposed 56-unit, single-family residential subdivision located on approximately 15.43 gross acres at the southwest corner of 107th Avenue and Roosevelt Street. The subject site is part of the 144.91 gross acre Roosevelt Park II master planned community.

Michelle Simerdla, Senior Planner, Development and Engineering Services, reviewed the site details, history, location and surrounding area uses. The development is gated with private internal streets. There are two connections to the project, one at Roosevelt Street and a second one that is a private street. To the west of the development is a site reserved for the future Littleton Elementary School District. The closest planned traffic signals are at the intersection of Roosevelt Street and 107th Avenue. There will be 2.68 net acres of open space and a .75-acre amenity area. Landscaping and wall themes are consistent with Roosevelt Park II. Residents will have access to the existing community park and pool. Staff do support the application, as it conforms with the approved Roosevelt Park Planned Area Development. The pre-plat and landscape plan meet or exceed zoning ordinance subdivision regulations and single-family residential design renewal requirements. Sufficient access is provided to the project with the two previously mentioned access points. The City received certificates of adequate school facilities. The Planning Commission has recommended approval.

Council Members Kilgore and Nielson did not have any questions.

In response to a question from Council Member Conde, Mr. Montoya confirmed that the City will put a signal at 111th Avenue and Van Buren as SRP has completed placing piping under the road; however, the road will need to be widened.

Council member Dennis asked for clarification regarding the site to the west of the project. Mr. Montoya confirmed that the site is reserved for the school district.

Vice Mayor Malone asked when 111th Avenue will proceed past the Roosevelt alignment. Mr. Montoya stated that the intent is for 111th Avenue to go through to Roosevelt. It will allow access to the west to Avondale Boulevard and to the east to 107th Avenue. He explained staff are working with other developers to the east of the project so the street will need to be widened

once that development is complete. He did not have a timeline as to when that will be completed.

Council Member Nielson moved to approve Application PL-20-0353 Roosevelt Park II Phase 4 Preliminary Plat subject to four (4) conditions of approval as listed in the staff report.; Council Member Dennis seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

b. DUTCH BROS. – DEVELOPMENT PLAN – APPLICATION PL-20-0176

City Council considered a request by Mr. Bill Cantieri, PIAZZA Restaurant Development, for approval of a Development Plan for Dutch Bros., a proposed 1,093 square foot drive-through coffee shop on 1.08 acres at the southwest corner of Dale Earnhardt Drive and 114th Avenue in The BLVD.

Ken Galica, Division Lead Planner, Development and Engineering Services, reviewed the proposed development plan, including a history of the site, location, surrounding uses and BLVD zoning. There will one full access to the site off 114th Avenue. The site will include a double drive-thru lane, sufficient to accommodate up to 27 vehicles and will have 25 parking spaces. The building is approximately 1,100 square feet and features a pedestrian pick-up window and covered patio. The building itself will be for employee use only, with the exception of public restrooms. Pedestrian connectivity is provided by a crosswalk through the parking lot that connects the patio area to 114th Avenue, including signage and striping. Architectural design, elevation and landscape features were reviewed. The proposal conforms to The BLVD Park Avenue District General Plan designation, The BLVD Zoning District, and The BLVD Specific Plan. There is a limit of one standalone drive thru in the Park Avenue District. Although not anticipated to be needed, there is a stipulation that allows the City to require the developer to complete additional traffic-related improvements, including a potential secondary entrance. The Planning Commission recommended approval of the application.

Council Member Kilgore expressed excitement with this young business coming to the City of Avondale. He noted he is grateful for the advice, expertise, and insight of the Planning Commission and was glad to see they had approved the item. He stated the aesthetics of the building is visually pleasing. He noted he spoke to Mr. Montoya earlier in the day regarding concerns he had with traffic but was glad to see a study was completed and mitigation is in place. He was happy to see a stipulation in place in the change traffic is a concern. Council Member Kilgore inquired on where an extra exit would be placed, if it was found to be needed. Mr. Galica provided the location of a second exit, being placed to the west of the property. Mr. Montoya thanked Council Member Kilgore for bringing that up and he also thanked the

applicant for their willingness to include that within their proposal. Council Member Kilgore commended the developer for including the stipulation for the traffic concerns and for agreeing to the infrastructure repairs.

Council Member Nielson mentioned the sustainability aspect, noting that there is the potential for solar panels to be installed on the canopies. Mr. Montoya said the City always encourages such features; however, there must first be an agreement between the developer and the electric companies.

Council Member Dennis said this is a great opportunity for the City and the design looks good in terms of traffic mitigation and queuing. She asked why two of the Planning Commissioners voted against approval. Mr. Galica said one of comments pertained to traffic concerns; however, there was no formal voicing of the reason for the no vote.

Council Member Conde thanked staff and the developer for addressing the traffic concerns, stating Dutch Bros will be a good anchor for the area. She inquired if there would be misters for the walk-up order area. Caleb Berkey, franchisee with Dutch Bros Coffee stated that new locations have typically included misters.

Vice Mayor Malone spoke positively on the traffic mitigation measures and welcomed Dutch Bros to the City.

Council Member Council Member Dennis moved to approve Application PL-20-0176 Dutch Bros. Development Plan subject to five (5) recommended conditions as listed in the staff report; Council Member Kilgore seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

Note from the City Clerk: Items 4c and 4d were presented together and voted on indivial.

c. PUBLIC HEARING AND RESOLUTION 1058-0721 – MINOR GENERAL PLAN LAND USE MAP AMENDMENT FOR VILLAGES AT RIVER GROVE – APPLICATION PL-20-0348

City Council held a public hearing and considered a request to adopt Resolution 1058-0721, approving a request by Ms. Wendy Riddell, Berry Riddell LLC, for a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Villages at River Grove, a proposed 180unit town-homestyle multi-family residential development located at the southeast corner of Buckeye Road and El Mirage Road. The proposed Minor General Plan Amendment, if approved, will amend the land use designation of the 11.97 gross acre property from Local Commercial (LC) to High Density Residential (HDR). The HDR land use designation allows for

development of patio homes, apartments, condominiums, or townhomes with a density ranging between 12 and 30 dwelling units per acre. A request to rezone the property to Villages at River Grove PAD to allow for development in conformance with the HDR designation will be considered separately.

Ken Galica, Division Lead Planner, Development and Engineering Services, provided an overview of the site attributes, history, and surrounding uses. The primary entrance will be off Buckeye Road. The entry features of the property were discussed. A secondary entrance will be located at El Mirage Road. There will be multiple pedestrian access points and an onsite sidewalk system. The site contains 19 buildings with 180 townhome style units, a clubhouse and a leasing office. Unit sizes and attributes were reviewed. In addition to garages, a total of 80 uncovered parking spaces are planned throughout the site for residential overflow and guests, including six electric charging stations. Some private garages will include charging stations. Parking exceeds minimum requirements. The development includes 20 percent usable open space. Amenities include fitness center, business center, TV lounge, coffee bar, pool area, children's playground, basketball court, turf area and tree shaded low water use paseo feature runs through the project. A fitness trail encircles the entire development. Architectural design and elevations were reviewed.

Staff believes that the proposed General Plan Amendment and rezoning will result in development that is compatible with and complementary to existing uses. The proposed PAD conforms to the General Plan land use map as proposed and furthers housing-related goals and objectives of the General Plan. The attached ground floor garage is unique to the City. Development standards exceed zoning ordinance requirements with two small exceptions. These include the required setback from single family residential reduced in one location from 75 feet to 70 feet. Additional landscaping is provided for this buffer area. Typically, a multifamily community such as this would be eligible for two monument signs per entry at a maximum of six feet in height. In this case, the applicant proposes one sign per entry plus a third sign located at the corner of El Mirage and Buckeye Road with signs seven feet in height. A traffic study has been performed, with sufficient vehicle and pedestrian access to the site. The developer will construct improvements to El Mirage Road, including a full additional lane. Sidewalks and streetlights will be completed by the developer on Buckeye Road.

All required notifications have been completed. A neighborhood meeting was held through Zoom with six attendees with the largest discussion topic related to traffic. Three comments were received on aVOICE and two letters in support of the project were received. The school districts have confirmed adequate capacity, with Littleton noting a donation agreement is in place. The Planning Commission recommended approval of both agenda items.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Council Member Kilgore complimented several aspects of the development. He inquired on the anticipated rental rates for the units. Mr. Galica stated that one-bedrooms will be approximately \$1,000 a month with two and three-bedrooms ranging to \$1,600 and \$1,700. Mr. Montoya clarified that with the cost of building construction supplies having increased dramatically, the

rates may rise above these quotes. Council Member Kilgore explained he understood and was just interested in a ballpark figure and not a set amount. He was happy to see that the developer is considerate and making it as affordable as possible as he has a desire to see the residents happy.

Council Member Nielson did not have anything to add as Council Member Kilgore covered his comments. He thanked staff for the presentation and stated the project will be a nice addition to the area.

Council Member Dennis asked about a deceleration lane on Buckeye Road going east. Mr. Galica confirmed a deceleration lane into the project on Buckeye Road and there will also be an acceleration lane for traffic leaving the project. Council Member Dennis explained she did attend the neighborhood meeting and the mentioned issue was related to traffic. She noted the project is a great additional housing product that is unique to Avondale with nice recreational options. Lastly, she spoke positively about the charging station resources since the battery and electric environment has been growing.

Mr. Montoya noted that there will be an additional lane on El Mirage Road to help eliminate some of the traffic concerns.

Council Member Conde expressed excitement for the garage concept. She thanked Council Member Kilgore for addressing the affordable housing issue, noting her excitement for this project. In response to a question from Council Member Conde, Mr. Galica identified the locations for the pedestrian gates on the presentation map.

Vice Mayor Malone asked if the road along Cambridge Estates will be a part of the expansion on El Mirage Road. Mr. Galica stated that no deceleration lane is provided on El Mirage Road as it is provided on Buckeye into the primary entrance. The additional lane for this project, will not be a deceleration lane but a brand-new traffic lane. It will not affect the right turn lane at Buckeye Road. The lane will connect to the existing pavement adjacent to Cambridge Estates.

Mayor Weise commented that it is a unique development for the City, and he is glad to see it come to Avondale.

Vice Mayor Malone moved to adopt Resolution 1058-0721, approving Application PL-20-0348 Villages at River Grove, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the Land Use designation of 11.97 acres from Local Commercial to High Density Residential; Council Member Dennis seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

d. PUBLIC HEARING AND ORDINANCE 2032-0721 – REZONING FROM COLDWATER SPRINGS 3 PLANNED AREA DEVELOPMENT (PAD) TO VILLAGES AT RIVER GROVE PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL200349

City Council held a public hearing and considered a request by Ms. Wendy Riddell, Berry Riddell LLC, to rezone approximately 11.97 gross acres of land located at the southeast corner of Buckeye Road and El Mirage Road from Coldwater Springs 3 PAD to Villages at River Grove Planned Area Development (PAD). The proposed Villages at River Grove PAD would allow for development of the site with a 180-unit townhome-style multi-family residential community at a net density of 19.08 units per acre (based upon a net parcel area of 9.43 acres). A request to change the General Plan 2030 Land Use Map designation of the property from Local Commercial to High Density Residential to allow residential development at the proposed density will be considered separately.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing, opened the floor for comments from Council, and did not receive any comments from Council.

Council Member Nielson moved to adopt Ordinance 2032-0721, approving Application PL-20-0349 Villages at River Grove, a request to rezone approximately 11.97 acres from Coldwater Springs 3 Planned Area Development to Villages at River Grove Planned Area Development subject to two (2) conditions listed in the staff report; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

5. ADJOURNMENT

There being no further business before the Council, Council Member Kilgore moved to adjourn the Regular Meeting; Vice Mayor Malone seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

Meeting adjourned at 9:00 p.m.

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session and Regular Meeting of the Council of the City of Avondale held on the 5th day of July 2021. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Carrillo, City Clerk

Date Approved by City Council

CITY COUNCIL REPORT

SUBJECT: Appointment of Members to the City's Boards, Commissions and Committees

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk, (623) 333-1214

THROUGH: Tracy Stevens, Deputy City Manager, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Connected Community - Avondale will work directly and closely with our communities to develop programs and infrastructure that connect residents to the city's resources, the region, and each other. The approval of this agenda item will allow residents to serve Avondale as an appointed board member, increasing community engagement.

PURPOSE:

City Council will consider a request to approve the recommendations for the appointment of members of the City's Boards, Commissions and Committees. The Council will take appropriate action.

BACKGROUND:

The Council Boards, Commissions, and Committees Subcommittee makes recommendations for membership based on term expiration, vacancies from resignations, or changes to member eligibility status. As required in the City Council Rules of Procedures, the City Clerk emailed all candidates notifying them of the recommendations.

DISCUSSION:

The Council Subcommittee on Boards, Commissions and Committees held a meeting on September 1, 2021 to discuss and recommend candidates for appointment to the City's Boards, Commissions, and Committees. The Council Subcommittee recommendations for appointment are listed below:

JUDICIAL ADVISORY BOARD

- John Burkholder as a Regular Member to fulfill the Arizona municipal court judge requirement for a partial term to expire on 6/30/2024
- David Garrison as a Regular Member for a partial term to expire on 6/30/2025
- Ray Harwood as a Regular Member for a partial term to expire on 6/30/2023
- Michael Kielsky as a Regular Member to fulfill the State Bar of Arizona Member requirement for a full term to expire on 6/30/2025

MUNICIPAL ART COMMITTEE

- Jayaker Nagamella as an Alternate Member for a partial term to expire on 12/31/2023

PARKS AND RECREATION ADVISORY BOARD

- Rose Vasquez as a Regular Member for a partial term to expire on 12/31/2021
- Patti Nielson as an Alternate Member for a partial term to expire on 12/31/2022

PLANNING COMMISSION

- Alan Agundez Castillo as an Alternate Member for a partial term to expire on 12/31/2023

PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (POLICE/FIRE)

- Donald Foley as a Regular Member to serve on both Police and Fire boards for a partial term to expire on 12/31/2022

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

Staff is recommending that the Council approve the subcommittee's recommendations for the appointment of members of the city's boards, commissions, and committees.

CITY COUNCIL REPORT

SUBJECT: Fiscal Year 2022 Mid-Year Budget Adjustments

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Keith Fallstrom, Interim Finance & Budget Director, (623) 333-2016

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports all Avondale Strategic Outcome Areas. The Strategic Plan guides the allocation of funding to the highest priorities.

PURPOSE:

City Council will consider a request to: (a) approve FY2022 mid-year supplemental budget requests as summarized in the attached report; (b) authorize the necessary budget amendments from contingency appropriation budgets; (c) amend awarding authority based off the attached report; (d) modify the interfund transfer schedule; and (e) authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The final budget for FY2022 was adopted June 7, 2021. However, the city has continued to experience fast-paced growth resulting in increased demand for public services and the need for additional personnel that were not included in the original FY2022 budget. Departments have submitted mid-year supplemental funding requests, and city staff have analyzed these requests and recommend funding the items as summarized in the attached report. The additional appropriation will be transferred from the appropriate contingency appropriation.

DISCUSSION:

Departments were asked to identify additional needs that were not addressed in the adopted FY2022 budget. Staff evaluated those needs and is recommending the, requests detailed in the attachment to receive funding in FY2022. Total requests equal \$5,154,600 in expenses in FY2022 and will result in the creation of 16 new full-time equivalent (FTE) positions.

Staff recommends that the funding for these requests come from the appropriate fund contingencies. The fund balance requirements for each fund will still be met with the proposed budget adjustments.

In addition to the mid-year adjustments outlined here, City staff are currently developing a plan for the operations of city transit services. These discussions will likely lead to a need for additional resources. The plan will be presented to the Council within the next two months.

BUDGET IMPACT:

The total requests recommended for approval will impact each of the funds as follows in FY2022:

Fund	FY2022 Cost	New FTEs
General Fund	3,516,200	16
HURF	150,000	0
Enterprise Fund	524,800	0
Risk Fund	500,000	0
2019 PRO Debt	250,000	0
Public Safety Sales Tax	213,600	0
Recommended for Approval Total	5,154,600	16

There will be sufficient appropriations available in contingency line items after this adjustment for unanticipated items.

RECOMMENDATION:

Staff recommends that the Avondale Mayor and City Council authorize funding for the FY2022 mid-year supplemental budget requests as detailed in the attached report, authorize the necessary budget amendments from contingency appropriation to fund the recommended requests, amend awarding authority based off the attached report, modify the interfund transfer schedule, and authorize the City Manager and City Clerk to execute the necessary documents.

Additional information for FY2022 midyear budget adjustments

Fund	Request	Must do	Offset by Revenue or Reduced Expenses	One-time Costs	Ongoing Cost*
General Fund					
	Additional Funds Dedicated to Public Art			-	50,000
	Additional Public Safety Positions	X		65,000	436,000
	Municipal Security Officer Supervisor	X		-	93,000
	Police Background/Hiring Investigator	X		-	106,000
	Alamar Park Wifi	X		135,000	-
	Avondale Agua Fria Wetlands Design Study			140,000	-
	Business Intelligence Software	X		-	50,000
	City Hall Fountain Refurbishment			110,000	-
	Civic Center Park			500,000	-
	Code Database Software	X		55,800	15,200
	Coffee Cart		X	30,000	20,000
	Customer Service Banking Fees	X	X	-	50,000
	Cyber Security AirGap Storage from Ransomware	X		-	240,000
	Technology for new ARPA funded positions	X		4,800	1,200
	Homeless Encampment Clean-Up Services			-	25,000
	Homeless Services and Bridge Shelter	X		2,400	93,600
	Low Acuity Unit			-	721,000
	New A/P-Payroll Accounting Specialist	X		-	60,000
	Revenue Banking Fees	X	X	-	35,000
	Right-of-Way Management Coordinator	X	X	5,600	114,400
	SAFER grant staff on-going costs	X		-	20,000
	Senior Services Manager			2,400	93,600
	Strategy Blocks Software Additional Module			30,000	25,000
	Traffic Engineer			6,000	130,000
	Tyler Munis Software License Fees	X		-	65,000
	Move position from Finance to PW			-	(14,800)
General Fund Subtotal				1,087,000	2,429,200
2019 PRO Debt	Debt Service Payment Pledged Revenue Obligation Debt	X		250,000	-
HURF	Emergency Preemption Traffic Signal System			150,000	
Risk Fund	Risk Management Insurance Premium Increase	X		-	500,000
Sewer Construction	Dysart Rd Sewer Replacement/4th Ave		X	480,000	-
Sewer Operations	Sludge Storage Tank Cleaning		X	30,000	-
Water Operations	Move position from Finance to PW		X	-	14,800
PS Sales Tax	Additional Public Safety Positions			46,000	-
	Fire Ladder Equipment			100,000	-
	Low Acuity Unit			67,600	-
PS Sales Tax Subtotal				213,600	-
Grand Total				2,210,600	2,944,000

Note: Added positions include partial year funding due the timing for hiring mid-year. The FY2023 budget will incorporate the full cost for these positions.

FY2022 Mid Year Adjustments

Fund	Request	Strategic Initiatives(s)	Summary	FTE	FY2022 Cost
General Fund	Additional Funds Dedicated to Public Art	Creative and Sustainable Community Development	Increase current GF contribution to the Public Art Fund from \$50,000 to \$100,000 to facilitate Public Art Masterplan	0	50,000
	Additional Public Safety Positions	Public Health and Safety	Description to follow.	2	501,000
	Municipal Security Officer Supervisor	Public Health and Safety	Supervise four existing Security Officers and oversee employee badging for all City staff. Badging was previously managed by Human Resources.	1	93,000
	Police Background/Hiring Investigator	Public Health and Safety	Investigate and process employee applicants seeking employment with the Avondale Police Department. The workload has increased with the increase in staff. In 2020 police conducted 217 background investigations for 34 hires.	1	106,000
	Alamar Park Wifi	Natural Resources & Open Spaces	Using General Fund to fund this improvement rather than ARPA dollars, ARPA dollars will be allocated to other Parks projects in FY2023.	0	135,000
	Avondale Agua Fria Wetlands Design Study	Diverse Recreation & Entertainment Opp; Natural Res. & Open Spaces	Increase to existing project budget to complete conceptual design and cost estimates for proposed Agua Fria Wetlands	0	140,000
	Business Intelligence Software	Innovative Program and Service Delivery	Business intelligence software platform to enable the IT Business System division to quickly and easily generate reports, dashboards, and analytics.	0	50,000
	City Hall Fountain Refurbishment	Natural Resources and Open Spaces	Aesthetic and mechanical refurbishment of City Hall fountain. This is the full cost to refurbish, not replace. Staff has had significant problems fixing with temporary solutions.	0	110,000
	Civic Center Park	Diverse Recreation & Entertainment Opp; Natural Res. & Open Spaces	This project includes developing public park amenities on the 4.39-acre parcel in the Civic Center Complex. Staff has also submitted a request for grant funding to match this funding, this is for the overall development of park to blend with the Aquatic center.	0	500,000
	Code Database Software	Creative and Sustainable Community Development	Manage all of Code Compliance's cases/incidents, photographs, documentation, timelines, court cases, and more.	0	71,000
	Coffee Cart		Start up costs for a coffee kiosk for the City Hall and Conference and Visitor Center. With the growing complex and the visitors center, park, aquatic center and special events, this will assist with staff purchasing on-site as well as event center rentals.	1	50,000
	Customer Service Banking Fees		Additional expenses due to growth of account/customer base due to construction and credit card processing fees	0	50,000
	Cyber Security AirGap Storage from Ransomware	Connected Community	Backup storage device to replicate our Storage Area Network between City Hall and Disaster Recovery	0	240,000
	Technology for new ARPA funded positions	Innovative Program & Service Delivery	Cover the one-time costs of items needed to support positions approved using ARPA funds.	0	6,000
	Homeless Encampment Clean-Up Services	Public Health and Safety/Innovative Program and Service Delivery	Provide all clean-up of identified homeless encampment sites, including any biohazard waste, debris or related items, including any temporary structures. The amount of debris has increased beyond what was anticipated.	0	25,000
	Homeless Services and Bridge Shelter	Public Health and Safety/Connected Community	Full-time position to develop, implement and manage the transitional/bridge housing program. This is for the temporary Avondale housing transition program that Council has previously approved. This person will be expanding the abilities of the center for oversight, management, and case management for the new program.	1	96,000
	Low Acuity Unit	Public Health and Safety	The low acuity unit will take on the growing number of basic life support calls, which in turn keeps the paramedic engine and ladder companies available to respond to the increased advanced life safety calls. This program was run as a pilot last year during the beginning part of Covid – it was successful in removing some of the medical calls off of the large fire apparatus, this unit will not be part of automatic aid, unless there is an emergency declared for additional personnel.	6	721,000
	New A/P-Payroll Accounting Specialist		Position to balance combined accounts payable and payroll workload. We have anticipated this increase as more employees have been hired, the new system is slated to be implemented January 2023.	1	60,000
	Revenue Banking Fees		Additional expenses due to growth of credit card processing fees and increased utilization of investment advisor	0	35,000
	Right-of-Way Management Coordinator	Creative and Sustainable Community Development	Primary responsibility will be to plan, organize, and perform a variety of real estate and land management services. This position will remove the current contracting for an outside consultant to perform. With the increase in ROW and growth, the City would be more efficient with costs and timing brining in-house.	1	120,000
	SAFER grant staff on-going costs	Public Health and Safety	To fund the City's portion of the ongoing costs for physical exams and uniform purchase/rentals for SAFER grant staff.	0	20,000
	Senior Services Manager	Public Health and Safety/Connected Community	One full-time position to manage the functions of the senior center and provides oversight of the budget and grant/contract preparation and compliance. Our Senior program has become highly successful, however with the larger facility and growing needs the increase of staff is needed to facilitate the expansion of services and programs.	1	96,000
	Strategy Blocks Software Additional Module		This will automate the transformation of the data collected on the metrics into visual data of the seven Strategic Outcome Areas on dashboards.	0	55,000
	Traffic Engineer		Additional traffic engineer to support construction in the city.	1	136,000
	Tyler Munis Software License Fees		Tyler Munis Software License Fees increasing to \$130,500, due June 2022.	0	65,000
	Move position from Finance to PW		Technical change.	0	-14,800
2019 PRO Debt	Debt Service Payment for 2019 PRO Debt		Technical change.	0	250,000
HURF	Emergency Preemption Traffic Signal System	Creative and Sustainable Community	Additional Traffic Engineer and Replacement of several emergency preemption traffic signal systems.	0	150,000
Risk Fund	Risk Management Insurance Premium Increase		City premiums increasing following a national trend in the market.	0	500,000
Sewer Constr	Dysart Rd Sewer Replacement/4th Ave	Innovative Program & Service Delivery	Take advantage of current by-pass pumping and road closure to perform large diameter repairs. Project Cost offset by future savings	0	480,000
Sewer Operati	Sludge Storage Tank Cleaning	Innovative Program & Service Delivery	Contract to clean the sludge storage tank and dispose of waste materials.	0	30,000
Water Operati	Move position from Finance to PW		Technical change.	0	14,800
Public Safety	Additional Public Safety Positions	Public Health and Safety	See above	0	46,000
	Fire Ladder Equipment	Public Health and Safety	Request for \$100K in equipment to retain and convert unit as a ladder tender at the new Van Buren Fire Station.	0	100,000
	Low Acuity Unit	Public Health and Safety	See above	0	67,600
Grand Total				16	5,154,600

CITY COUNCIL REPORT

SUBJECT: Public Art Fund Appropriation of \$50,000 for a signature public art piece at Alamar Park.

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Bryan Hughes, Parks and Recreation Director, (623) 333-2411

THROUGH: Tracy Stevens, Deputy City Manager, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

- Diverse Recreation and Entertainment Opportunities - Avondale provides residents with the ability to connect with amenities, businesses, and their community, enhancing the opportunity to live, work, and enjoy a healthy, active, and affordable lifestyle.

A signature art piece at Alamar Park will enhance the user experience and attract those seeking to enjoy the diverse public art collection the city has to offer.

PURPOSE:

City Council will consider a request to approve an additional appropriation of \$50,000 from the Public Art Fund for a public art piece at Alamar Park in partnership with Brookfield Residential and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Parks and Recreation and Marketing and Communications staff have been working with Brookfield Residential on public art for the new Alamar Park. There is currently \$50,000 allocated in the project budget for public art or a feature in the plaza area of the park. The Municipal Art Committee agreed in principle to provide additional funding of \$50,000 to the Alamar Park project for a combined \$100,000 to secure a signature public art piece for the park.

The Avondale Municipal Art Committee agreed to fund this project as part of its annual action plan, and the project is consistent with the newly adopted Public Art Masterplan. Staff will participate in selecting the artist, and the Municipal Art Committee will approve the selection and signature public art piece.

DISCUSSION:

Staff is seeking approval for an additional \$50,000 in appropriation within the Public Art Fund for the Alamar Park project for a signature public art piece at Alamar Park, for a total appropriation of \$100,000 for such an art piece.

BUDGET IMPACT:

This action would increase the appropriation for public art at Alamar Park by \$50,000. The FY2022 budget within the Public Art Fund will remain \$280,600.

RECOMMENDATION:

Staff recommends approval for an additional \$50,000 of appropriation within the Public Art Fund for public art at Alamar Park.

CITY COUNCIL REPORT

SUBJECT: Create a BLVD Commercial Building Capital Improvement Project (CIP) project and authorize the necessary budget transfer and awarding authority.

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Diverse Recreation and Entertainment Opportunities - Avondale provides residents with the ability to connect with amenities, businesses, and their community, enhancing the opportunity to live, work, and enjoy a healthy, active, and affordable lifestyle.

Construction of a new 2-story commercial building and associated infrastructure at The BLVD will increase visitor traffic to Avondale's entertainment, recreation, conference, and hospitality venues.

PURPOSE:

City Council will consider a request to: (a) create a new CIP project for a new commercial building and associated necessary infrastructure improvements in the BLVD area; (b) authorize a budget transfer in the amount of \$5,500,000 from General Fund Contingency to the newly created BLVD Building account, to fund the design and construction; (c) adjust the interfund schedule; (d) authorize staff to take the necessary action to complete the budget transfer, and; (e) authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The council will take appropriate action.

BACKGROUND:

In September 2019, the Avondale City Council approved a specific plan for its city core. Branded as The BLVD (The Boulevard), the revised specific plan now covers 356 acres comprising six trendy district concepts for shopping, dining, entertainment and living, with pedestrian-friendly streets and outdoor activities. The plan allows for incremental development to address market demands, reduced regulations, along with public-private development partnership opportunities. Along with the City's economic development toolbox for streamlined approvals and business assistance programs, The BLVD will be one of the West Valley's newest exciting mixed-use destinations for developers.

The Park Avenue District of The BLVD will include:

- Gathering Area for Community Events
- Large Scale Sports and Entertainment
- American Sports Center
- Theatre/Performing Arts Center
- Mixed-Use
- Boutique Mixed-Use/Main Street
- Retail
- Restaurants
- Urban Form Multi-Family
- Office
- Education Campus

Due to the increased recent interest by the Development Community and to further activate development in the district along with the City's Water Features project, the City is desiring the completion of one new 2-story commercial building of approximately 20,000 square feet. This project will also include infrastructure improvement adjacent to the project site to support the new commercial development.

DISCUSSION:

The project will consist of the design of two new 2-story buildings, and the construction of one of those buildings. The building will be approximately 20,000 square feet in size and will consist of vacant floor space with site utilities and HVAC system. The building will be located east of the newly constructed lake and south of the BLVD. The approximate cost of the building portion is \$4,500,000 and the associated infrastructure such as water, sewer and roadway is \$1,000,000.

The City will use Alternative Project Delivery Methods (APDM) such as Design Build for the proposed building and associated infrastructure improvements.

TENTATIVE PROJECT SCHEDULE

- Solicitation for procurement Services
- Project Design
- Construction
- September 2021
- Winter 2022
- Construction Complete Fall 2022

BUDGET IMPACT:

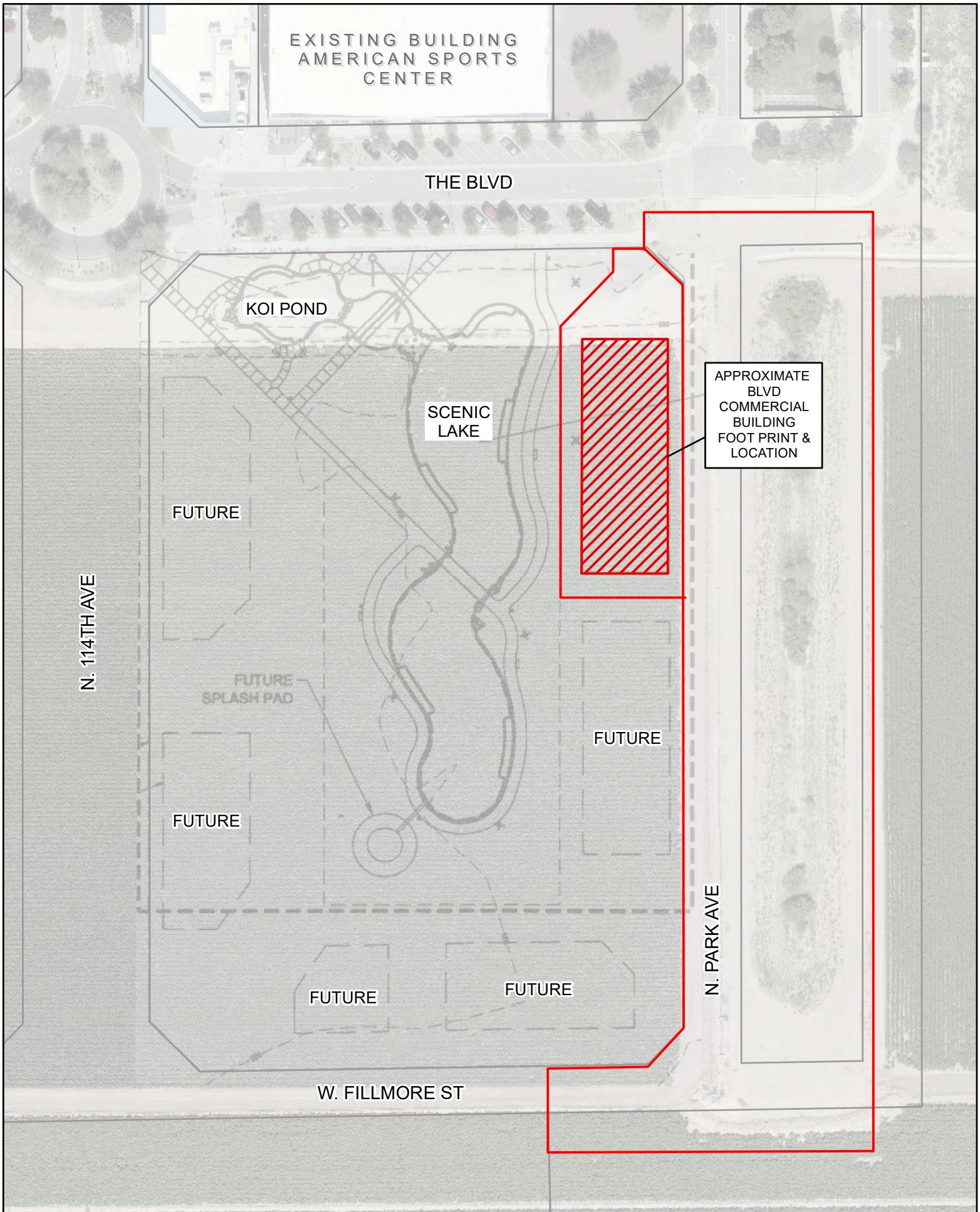
This action will create a new CIP project for BLVD building and transfer up to \$5,500,000 from the general contingency fund to create the necessary appropriation for the project. The project will reduce the amount of General Fund fund balance available for other priorities within the city.

RECOMMENDATION:

Staff recommends that City council authorize creation of a new CIP project for The BLVD building, authorize a budget transfer from General Fund Contingency, adjust the interfund transfer schedule by an equal amount as the transfer from General Fund Contingency, and authorize the Mayor and/or City Manager, and City Clerk to award all necessary contracts and execute the necessary documents.



BLVD COMMERCIAL BUILDING EXHIBIT



CITY COUNCIL REPORT

SUBJECT: Revocable License Agreement with Adelante Health Care, Inc (WIC)

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Christopher Lopez, Director, (623) 333-2711

THROUGH: Tracy Stevens, Deputy City Manager, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

Public Health and Safety - Partner with key stakeholders to implement integrated community health and wellness programs. Adelante Healthcare WIC program is a critical public health partner housed at the Arizona Complete Health Avondale Resource Center.

PURPOSE:

City Council will consider a request to approve an amended Revocable License Agreement with Adelante Health Care, Inc (WIC) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The Adelante Healthcare (WIC) Women, Infant and Children program has utilized space in the resource center for the last 10 years at no cost. The organization continues to provide vital services to the community. These services have been of benefit to numerous expectant mothers and their children 0-5 years of age. The services they provide include: nutrition education, breastfeeding support, financial assistance to purchase healthy food, referrals to health care and referrals to other community services.

DISCUSSION:

The Adelante Healthcare WIC program provides services to residents of the Southwest Valley (Avondale, Goodyear, Litchfield Park and parts of Tolleson and Glendale). Over the past year there has been an increase in requests for services due to the COVID-19 pandemic. Throughout this increase, WIC staff have maintained high quality services via phone and virtual meetings. The organization looks forward to welcoming participants back in person in the fall. With the transition of services into the new Arizona Complete Health Avondale Resource Center, staff are recommending that partnering organizations provide a reasonable financial contribution to support the overall operation of the resource center.

The level of contribution is determined by several factors, which include the following:

- Amount of physical space utilized
- Duration and frequency of use
- Amenities utilized
- Services required

On July 5, 2021, this item was approved by City Council in which Adelante Healthcare agreed to provide the City of Avondale compensation for space utilized at the resource center annually in the amount of \$17,234.16. The revenue generated from this agreement will offset a portion of the operational costs of the Arizona Complete Health Avondale Resource Center. However, due to recent changes in Adelante Healthcare's leadership, the agreement is being amended to reference the correct contact, including an updated scope of work and incorporating a 60-day clause. Amendments were reviewed and approved by the City Attorney.

BUDGET IMPACT:

Adelante Healthcare will provide the City of Avondale compensation for space utilized at the resource center annually in the amount of \$17,234.16. The revenue generated from this amended agreement will offset a portion of the operational costs of the Arizona Complete Health Avondale Resource Center.

RECOMMENDATION:

Staff recommends approval of the amended Revocable License Agreement between The City of Avondale and Adelante Healthcare, Inc (WIC) to include compensation for utilization of space in the resource center.

**ARIZONA COMPLETE HEALTH
AVONDALE RESOURCE CENTER
REVOCABLE LICENSE AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
ADELANTE HEALTHCARE, INC.**

This Revocable License Agreement (this “Agreement”) is entered into as of September 7, 2021, between the CITY OF AVONDALE, an Arizona municipal corporation (“Grantor”), and ADELANTE HEALTHCARE, INC., an Arizona non-profit corporation (“Grantee”).

RECITALS:

A. Grantor is the owner of real property located at 995 E. Riley Dr., Avondale, Arizona 85323 (the “Grantor Property”), commonly known as the Arizona Complete Health Avondale Resource Center (the “Resource Center”).

B. The Resource Center is a multifaceted hub for human services made possible by the innovative public and private partnership between Arizona Complete Health of Arizona, Inc., First Things First, and Grantor. Grantor partners with various non-profit organizations (the “Organizations”) and offers space at the Resource Center to provide the needed services to the community. The Resource Center is a one-stop shop facility located in historic Avondale. Services provided by the partner Organizations may include one or more of the following:

1. Tutoring in English and literacy
2. Teen pregnancy support
3. Employment services
4. Parent education
5. AHCCCS, TANF, SNAP and Affordable Care
6. Act Application and Enrollment
7. WIC (Women, Infant and Children) Services
8. Rental and utility assistance
9. Citizenship classes
10. Medicare benefits counseling
11. Housing assistance, programs and referrals
12. Legal aid services
13. Domestic violence support groups
14. Veteran Navigation Services

C. Grantee desires to occupy and use office space in the Resource Center, and Grantor has agreed to grant Grantee a temporary non-exclusive revocable license over a portion of the Grantor Property for purposes of providing services to the community, as detailed in the Scope of Work, attached hereto as Exhibit A and incorporated herein by reference (the “Services”).

AGREEMENT:

NOW, THEREFORE, in consideration of the foregoing introduction and recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee hereby agree as follows:

1. Grant of License. Grantor hereby grants and conveys to Grantee a temporary non-exclusive revocable license (the “License”) over and on a certain portion of the Grantor Property described and depicted on the Map attached hereto as Exhibit B and incorporated herein by reference (the “License Area”) for the performance of the Services. Grantee’s License Area may be relocated to another area within the Resource Center at Grantor’s sole and absolute discretion. Grantee agrees to use due care in the use of the License and in the performance of the Services so as to not unreasonably disturb Grantor’s or other grantees’ use of the Grantor Property. Grantor and Grantee will coordinate a schedule for Grantee’s access to the License Area to perform the Services.

2. Term of Agreement; Termination.

2.1 Initial Term. This term of the License shall be July 1, 2021 to June 30, 2022 (the “Initial Term”), unless terminated as otherwise provided in this Agreement.

2.2 Renewal Terms. After the expiration of the Initial Term, the License may be extended for up to four successive one-year terms (each, a “Renewal Term”) as evidenced in a written amendment to this Agreement.

2.3 Termination. Either party may terminate this Agreement by providing 60 days written notice to the other party.

3. Compensation. For the Initial Term, the Grantee shall pay Grantor **\$17,234.16** for use of the Resource Center as set forth in the Cost Breakdown attached hereto as Exhibit E and incorporated herein by reference. For each subsequent Renewal Term, if any, Grantee shall pay Grantor an amount as agreed upon between Grantor and Grantee and as set forth in the updated Cost Breakdown, which shall be attached hereto as part of Exhibit E.

4. Grantee Obligations. Grantee will use the Grantor Property and the License Area in accordance with: (a) the Resource Center Rules and Regulations attached hereto as Exhibit C, and (b) the Room Use Policy and Procedures attached hereto as Exhibit D, incorporated herein by reference.

5. Utilities and Resources. If applicable, Grantor will provide Grantee with access to the internet, printing, copying and faxing services, subject to guidelines set by the Resource Center Coordinator. The cost of all utilities for the Grantor Property will be provided at Grantor’s sole expense.

6. Independent Contractor. It is clearly understood that each party will act in its individual capacity and not as an agent, employee, partner, joint venture, or associate of the other. An employee or agent of one party shall not be deemed or construed to be the employee or agent of the other for any purpose whatsoever. Grantee acknowledges and agrees that the Services provided under this Agreement are being provided as an independent contractor, not as an employee or agent of Grantor, and Grantee and its employees are not entitled to workers' compensation benefits from Grantor. Grantee has sole authority over the manner and means by which the Services are provided.

7. Indemnification. To the fullest extent permitted by law, Grantee shall indemnify, defend and hold harmless the Grantor and each council member, officer, employee or agent thereof (the Grantor and any such person being herein called an "Indemnified Party"), for, from and against any and all losses, claims, damages, liabilities, costs and expenses (including, but not limited to, reasonable attorneys' fees, court costs and the costs of appellate proceedings) to which any such Indemnified Party may become subject, under any theory of liability whatsoever ("Claims"), insofar as such Claims (or actions in respect thereof) relate to, arise out of, or are caused by or based upon the negligent acts, intentional misconduct, errors, mistakes or omissions, in connection with the use of the License Area, or the performance of the Services by Grantee, its officers, employees, agents, or any tier of subcontractor. The amount and type of insurance coverage requirements set forth below will in no way be construed as limiting the scope of the indemnity in this Section.

8. Insurance. During the term of this Agreement, Grantee shall purchase and maintain, at its own expense, the insurance policies described herein. Policies must be issued by insurance companies authorized to do business in the State of Arizona pursuant to ARIZ. REV. STAT. § 20-206, as amended, with a current AM Best, Inc. rating of A- or above. Grantee shall furnish Grantor with certificates of insurance and a copy of the declaration page(s) of the insurance policies evidencing the required coverages, conditions and limits required by this Section. The insurance policies, except Worker's Compensation, shall name Grantor, its agents, officers, officials, employees and volunteers as additional insureds. In the event an insurance policy required by this Agreement is written on a "claims made" basis, coverage shall extend for three years past expiration of this Agreement and must be evidenced by annual certificates of insurance and necessary endorsements citing applicable coverage is in force and contains the provisions as required herein for the three-year period. The insurance policy shall not expire, be cancelled, suspended, voided or materially changed without 30 days prior written notice to Grantor. Grantee's insurance must be primary and any insurance or self-insurance maintained by Grantor shall not contribute to it. If any part of this Agreement is subcontracted, the indemnification provisions set forth above and the insurance requirements contained herein shall apply to the subcontractor. Grantee shall purchase and maintain the following insurance coverages:

8.1 Commercial General Liability insurance with an unimpaired limit of not less than \$1,000,000 for each occurrence for bodily injury, property damage, personal injury, products and completed operations including, but not limited to, the liability assumed under the indemnification provision of this Agreement.

8.2 Automobile Liability insurance with a combined single limit for bodily injury and property damage of not less than \$1,000,000 for each occurrence with respect to Grantee's owned, hired, and non-owned vehicles assigned to or used in the performance of the Grantee's work or services under this Agreement.

8.3 Workers' Compensation insurance with limits statutorily required by any federal and state law having jurisdiction over Grantee's employees performing services under this Agreement and Employers Liability insurance of not less than \$100,000 for each accident, \$100,000 disease for each employee, and \$500,000 disease policy limit.

9. Conflict of Interest. This Agreement may be canceled by the Grantor pursuant to ARIZ. REV. STAT. § 38-511.

10. Assignment; Delegation. Grantee shall have no right or authority to assign or delegate, in whole or in part, any of its rights or interest under this Agreement to any third party without the prior written consent of the Grantor.

11. Entire Agreement. This instrument contains the entire agreement between the parties relating to the use of the License Area by the Grantee for the purposes set forth herein. No representations, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in any other contemporaneous written agreement executed for the purposes of carrying out the provisions of this Agreement.

12. Counterparts. This document may be executed in any number of counterparts, each of which shall be deemed to constitute one and the same instrument, and each of said counterparts shall be deemed original hereof.

13. Severability. The provisions of this Agreement are severable to the extent that any provision or application held to be invalid by a court of competent jurisdiction shall not affect any other provision or application of this Agreement which may remain in effect without the invalid provision or application.

14. Israel. Grantee certifies that it is not currently engaged in, and agrees for the duration of this Agreement that it will not engage in a "boycott," as that term is defined in ARIZ. REV. STAT. § 35-393, of Israel.

15. Notices. Any notice or other communication required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if (A) delivered to the party at the address set forth below, (B) deposited in the U.S. Mail, registered or certified, return receipt requested, to the address set forth below or (C) given to a recognized and reputable overnight delivery service, to the address set forth below:

If to Grantor: City of Avondale
11465 West Civic Center Drive
Avondale, Arizona 85323
Attn: Charles A. Montoya, City Manager

If to Grantee: Adelante Healthcare Inc.
3033 North Central Avenue, Suite 145
Phoenix, Arizona 85012
Attn: Pedro Cons, CEO

or at such other address, and to the attention of such other person or officer, as any party may designate in writing by notice duly given pursuant to this Section. Notices shall be deemed received (A) when delivered to the party, (B) five business days after being placed in the U.S. Mail, registered or certified, properly addressed, with sufficient postage or (C) the following business day after being given to a recognized overnight delivery service, with the person giving the notice paying all required charges and instructing the delivery service to deliver on the following business day. If a copy of a notice is also given to a party's counsel or other recipient, the provisions above governing the date on which a notice is deemed to have been received by a party shall mean and refer to the date on which the party, and not its counsel or other recipient to which a copy of the notice may be sent, is deemed to have received the notice.

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this instrument as of the date and year first written above.

Grantor:

CITY OF AVONDALE,
an Arizona municipal corporation

Charles A. Montoya, City Manager

ATTEST:

Marcella Carrillo, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared Charles A. Montoya, the City Manager of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

Notary Public

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

Grantee:

ADELANTE HEALTHCARE, INC.,
an Arizona non-profit corporation

By: _____

Name: _____

Title: _____

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared _____
_____, the _____ of ADELANTE HEALTHCARE,
INC., an Arizona non-profit corporation, whose identity was proven to me on the basis of
satisfactory evidence to be the person who he/she claims to be, and acknowledged that he/she
signed the above document on behalf of the corporation.

Notary Public

(Affix notary seal here)

EXHIBIT A
TO
REVOCABLE LICENSE AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
ADELANTE HEALTHCARE, INC.

[Scope of Work]

See following pages.

Scope of Work

Agency Name: Adelante Healthcare WIC
Agency Contact: Pedro Cons, WIC Program Manager
Agency Resource Center Contact: _____

Agency Mission/Vision:

The Arizona Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides nutrition education and breastfeeding support services, supplemental nutritious foods and referrals to health and social services. WIC serves pregnant, breastfeeding, and postpartum women; infants; and children under the age of five who are determined to be at nutritional risk. The WIC Program is funded by the United States Department of Agriculture.

Services to be provided at the Resource Center:

1. Perform WIC certification procedures such as categorical, income screening, health assessments and nutrition assessments.
2. Provide participant centered nutrition and breastfeeding support.
3. Provide mandatory and appropriate referrals based on family needs.
4. Issue WIC benefits tailored to family needs
5. Ensure the collection and record accurate data in HANDS system.
6. Provide professional training, mentoring and monitoring of WIC staff in order to deliver WIC services.

Dates/Times of Services to be provided:

Monday-Friday 8 am-5 pm
Lunch 12 pm-1 pm

Hours of operation will be determined based on the need of the participants and will be modified as needed.

Outreach Strategy for agency's services:

Outreach Goal #1: **Pregnant Women in the First Trimester:**

Coordinate services and inform pregnant women of WIC services, locations, eligibility and benefits of enrolling to the WIC program.

Outreach Goal #2: **Child Retention:**

Coordinate services and work with community partners that service 1-5 years old about WIC services, location, and eligibility. Retain children on the WIC program through emphasizing that WIC is up the age of 5. Educate families on the new food package that are kid friendly such as Yoplait Go Gurts, string cheese and whole grain pastas.

Outreach Goal #3: **Migrant/Agriculture Workers:**

Coordinate services and inform migrants organizations of WIC services, locations, and eligibility process.

Cross Referral Strategy:

WIC program offers referral to other health and human services as an adjunct to good health based on participants needs.

Outcomes:

1. Increase the rate of initiation, duration, exclusively breastfeeding.
2. Reduce the proportion of adults and children who are considered overweight.
3. Reduce the proportion of adults and children who are considered obese.
4. Increase the consumption of whole grains, variety of fruits and vegetables.
5. Decrease the amount of television view or videos.

EXHIBIT B
TO
REVOCABLE LICENSE AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
ADELANTE HEALTHCARE, INC.

[Resource Center Map]

See following page.

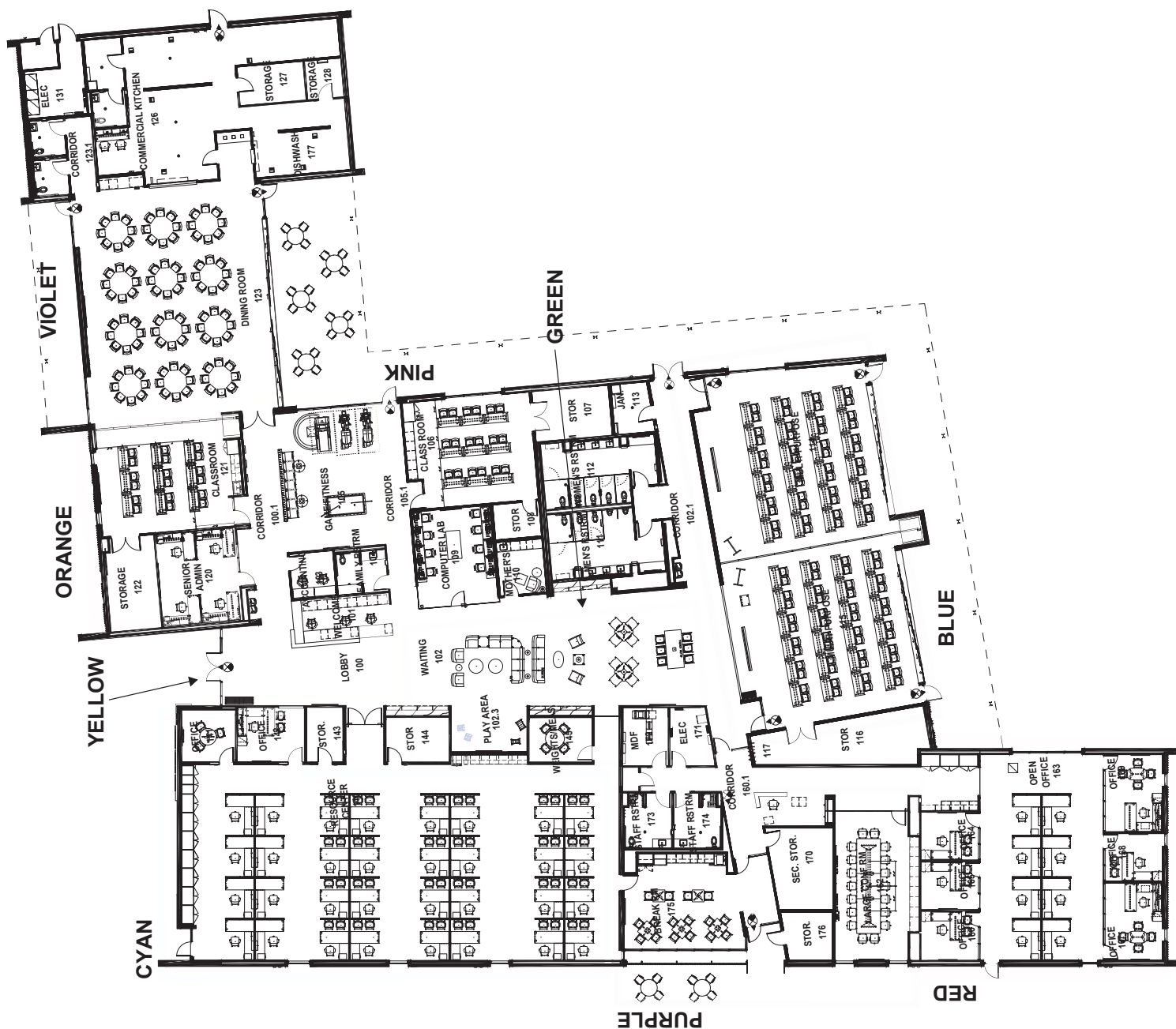


EXHIBIT C
TO
REVOCABLE LICENSE AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
ADELANTE HEALTHCARE, INC.

[Resource Center Rules and Regulations]

See following page.

Resource Center Rules and Regulations

1. Contact Information. Grantee will provide emergency contact information for all staff working at the Resource Center to the Resource Center Coordinator, Family Services Manager and/or authorized designee.
2. Performance Measures. Grantee will submit performance measures to the Resource Center Coordinator, Family Services Manager and/or authorized designee **on or before the 3rd of every month**.
3. Security Clearance. Grantee must complete a background check for all staff working at the Resource Center.
4. Staffing. Grantee shall communicate, via email to the Resource Center Coordinator, Family Services Manager and/or authorized designee, any changes in Grantee staff or changes in Grantee staff schedule **immediately**.
5. Equal Opportunity. Grantee will not discriminate on the basis of disability, in admission to, access to, or operation of the Services and activities it provides at the Resource Center. Grantee will adhere to all requirements of the Americans with Disabilities Act.
6. Childcare Services. If childcare is provided by Grantee, all childcare providers must adhere to the guidelines in the First Things First Standards of Practice, attached hereto as Attachment 1 to Exhibit C and incorporated herein by reference.
7. Meetings. Grantee must attend and participate in the weekly Friday huddle Meetings and Monthly Networking Meeting facilitated by the Resource Center Coordinator, Family Services Manager and/or authorized designee.
8. Marketing. Grantee agrees to promote the additional services provided at the Resource Center. Grantee will refer clients to other agencies in the Resource Center when applicable. Grantor will support and promote Grantee's services and referrals.
9. Clients. Grantor will provide reception services during regular business hours for Grantee's clients. Grantee shall ensure that all clients receiving services at the Resource Center check in at the front desk upon arrival and complete an intake form. Grantor will maintain the confidentiality of Grantee and its clients, and will not disclose confidential information as required by law.

ATTACHMENT 1 TO EXHIBIT C
TO
REVOCABLE LICENSE AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
ADELANTE HEALTHCARE, INC.

[First Things First Standards of Practice]

See following pages.

FAMILY RESOURCE CENTERS

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I. INTENT OF STRATEGY

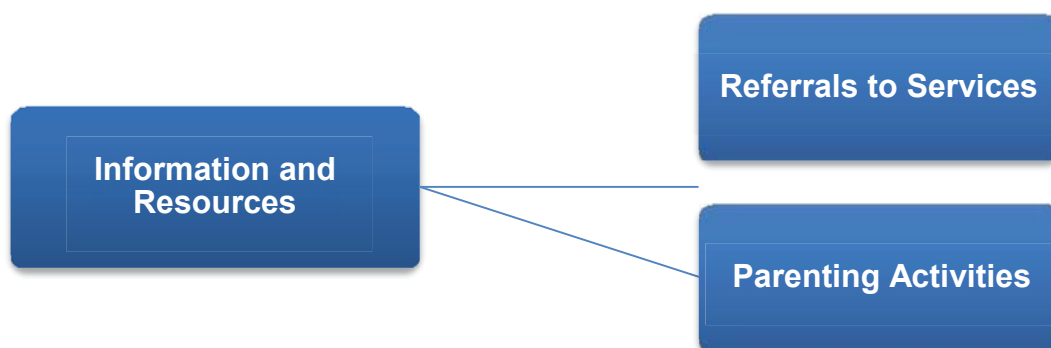
All Arizona’s families with young children can benefit from information about child development, increased support in developing parenting skills, and access to resources. Data collected by First Things First (FTF) in statewide and regional needs and assets reports and through the findings from the 2012 Family and Community Survey show that when survey respondents were asked at what age an infant or young child begins to sense and react to their surroundings, less than half of Arizona families (47%) acknowledged that babies sense and react to their surroundings in the first month of life and, over half (53%) still believe that children do not take in and react to their environment until two months of age or later. However, promisingly, 80 percent of Arizona families acknowledge that they can significantly impact a child’s brain development at or before birth.

Arizona’s young children are more likely than their national peers to be born into challenging situations such as poverty and being raised by single parents, teenage parents or grandparents. They also are less likely to receive the supports that can help mitigate the effects of poverty on their overall well-being (Building Bright Futures, 2015). The intent of a Family Resource Center is to increase families’ access to concrete supports and services in times of need; improve knowledge of parenting and child development; foster parental resilience; successfully connect families to supports in the community; and promote social and emotional competence in children. Working with families who have a wide spectrum of needs, from those in crisis to those who are thriving, avoids the stigma associated with traditional social services systems (Warren-Adamson, 2006).

Family Resource Centers are a promising approach for addressing issues such as: family stability, family isolation, family health, child abuse and neglect, substance abuse, family violence, and educational outcomes and work toward creating environments that help increase protective factors, such as developing community connections, improving access to resources, reducing social isolation, improving parenting skills, and stabilizing families (The California Family Resource Center Learning Circle, 2000). Knowledge of positive parenting practices and child development including “accurate information about raising young children and appropriate expectations for their behavior” has been cited by the Doris Duke Strengthening Families Initiative as one of five key protective factors that improve child outcomes and reduce the incidence of child abuse and neglect (Center for the Study of Social Policy, 2008). The strengths- based approach is essential to Family Resource Centers, which builds on families’ potential and abilities to thrive while simultaneously developing their skills and capacity to access and utilize resources on their own. Family Resource Centers also bring together services and activities that provide information and education for families to promote positive changes in behavior and strengthen families. This increases the capacity of families to be strong, healthy and involved members of dynamic communities. Services are designed with the flexibility to respond to the wide spectrum of needs of the community and reach diverse families, while working collaboratively with key community partners to convene resources and activities into an integrated service delivery system that is accessible and responsive.

Core Components of the Family Resource Centers Strategy

Family Resource Centers serve as safe, accessible community hubs and provide flexible, family-focused, and culturally responsive information, resources, and services covering a wide range of topics. Staff are available to help families access resources and services at the Family Resource Center and in the local community, as well as offer referrals to programs and services designed to meet their diverse needs.



FAMILY-CENTERED PRACTICE

Families play a critical role in their children's healthy development, learning and future success in school. Parenting Education services are grounded in approaches that highlight the importance of building relationships with families to support family well-being; nurture strong relationships between families and their children; and provide opportunities for ongoing learning and development for all family members. The [Principles of Family Support Practice](#), the [Protective Factors Framework](#) and the [Two-Generational Approach](#) are the foundations of quality family support programs and promote positive and enduring change for children and families.

Principles of Family Support Practice

Family Support America developed the Guidelines for Family Support Practice. The Principles, developed from these guidelines, are used as a resource for practitioners to create a shared definition of elements required in quality practice in the field of family support.

- Staff enhance families' capacity to support the growth and development of all family members – adults, youth and children.
- Practitioners work with families to mobilize formal and informal resources to support family development.
- Programs affirm and strengthen families' cultural, racial, and linguistic identities and enhance their ability to function in a multicultural society.
- Programs advocate with families for services and systems that are fair, responsive, and accountable to the families served.
- Staff and families work together in relationships based on equality and respect.
- Programs are flexible and continually responsive to emerging family and community issues.
- Families are resources to their own members, to other families, to programs, and to communities.
- Programs are embedded in their communities and contribute to the community-building process.
- Principles of family support are modeled in all program activities, including planning, governance and administration.

Protective Factors Framework

The Center for the Study of Social Policy developed Strengthening Families: A Protective Factors Framework™ to define and promote quality practice for families. The research-based, evidence-informed Protective Factors are characteristics that have been shown to make positive outcomes more likely for young children and their families, and to reduce the likelihood of child abuse and neglect.

- **Parental Resilience.** Families who are resilient are more likely to achieve healthy, favorable outcomes.
- **Social Connections.** Families' constructive and supportive relationships with family members, friends, neighbors, co-workers, community members and service providers are valuable resources who provide emotional, informational, instrumental and spiritual support.
- **Concrete Supports.** Concrete support in times of need helps to ensure families receive the basic necessities everyone deserves in order to grow.
- **Knowledge of Parenting and Child Development.** Knowledge of parenting strategies and child development helps families understand what to expect and how to provide what children need during each developmental phase.
- **Social and Emotional Competence of Children.** Research shows a strong link between young children's social-emotional competence and their cognitive development, language skills, mental health and school success.

Two-Generational Approach

Two-generation approaches provide opportunities for and meet the needs of children and their parents and caregivers together. They build education, economic assets, social capital, and health and wellbeing to create a legacy of economic security that passes from one generation to the next.

Early Language and Literacy

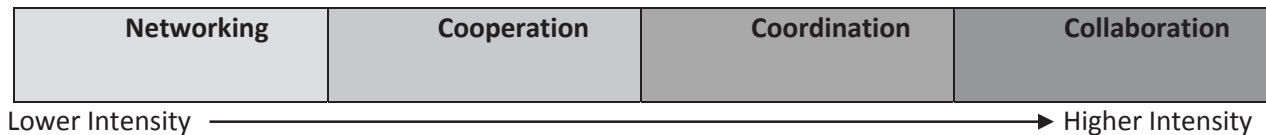
Language and literacy development in early childhood provides the foundation for future literacy success, supports a child's ability to become a successful independent reader, and provides a foundation for later academic success (Lonigan, Scatschneider, Westberg, with the National Early Literacy Panel, 2008). Children develop important language skills from birth—and early language abilities are directly related to later reading abilities. The key to literacy is a progression of skills that begins with the ability to understand spoken words and decode written words, and culminates in the deep understanding of text and written communication. Reading development involves a range of complex language foundations including awareness of speech sounds, spelling patterns, word meaning, grammar, and patterns of word formation, all of which provide a necessary platform for reading fluency and comprehension (2014 Read On Arizona—A Continuum of Effective Literacy Practices). With only 41% of third graders in Arizona passing the [AzMERIT](#) English Language Arts assessment in the 2015/2016 school year, focused efforts to support early literacy and language development are necessary. First Things First (FTF), in partnership with the Arizona Department of Education and Read On Arizona, share a common vision of improving early literacy and language experiences and opportunities for Arizona's young children. The [Arizona State Literacy Plan](#) outlines the developmental trajectory of language and literacy development and the necessary conditions for learning and instruction.

Family Resource Centers support and promote meaningful literacy experiences and opportunities across settings and environments so that any parent, caregiver, or family member has the necessary information on how to support their children's early language and literacy development. The [Early Literacy Guide for Families](#) includes messaging around the importance of language development and reading routines. The [Building Blocks to Becoming a Reader](#) highlights key literacy development milestones from birth to third grade and what adults can do with children to support language and literacy skills. Strategy specific standards related to early literacy and language have been included and are required with the implementation of this strategy.

Coordination and Collaboration

Arizona's early childhood development and health system works to promote and establish a seamless, coordinated and comprehensive array of services that can meet the multiple and changing needs of young children and families. Organizations and individuals must work together to establish such a coordinated service network and requires state and regional coordination of both public and private human resources, services, and funding. Agencies that work together and achieve high level coordination and collaboration are often easier for families to access and the services provided are more responsive to the needs of the families. Coordination efforts may also result in increased capacity to deliver services because of the work that organizations do to identify and address gaps in the service delivery continuum. Therefore, by supporting a variety of coordination efforts, a high quality, interconnected, and comprehensive early childhood service delivery system that is timely, culturally responsive, family driven, community based, and directed toward enhancing children's overall development can be achieved.

Service Coordination is the process of multiple organizations working across traditional organizational boundaries to access needed resources and to achieve a common goal. At the heart of coordination is the relationship between organizations. (Bolland & Wilson, 1994; Mulford, Rogers, & Whetten, 1982) These relationships often take time to develop and occur along a continuum from networking to collaboration. Key to effective service coordination is the effective engagement of the partners responsible for the provision of services available to families. When partners are engaged and committed to working together it brings about change to build and strengthen capacity, maximize resources and promote systemic policies that support the shared vision for a coordinated, responsive and effective early childhood system.



Networking: Includes the exchange of information for mutual benefit and includes activities that result in bringing individuals or organizations together for relationship building and information sharing. Networking results in increased understanding of the current system of services. There is no effort directed at changing the existing system.

Cooperation: Information is exchanged, leading to altering activities and sharing resources for mutual benefit to achieve a common purpose. Relationships are characterized by short-term, informal relationships that exist without a clearly defined mission, structure, or planning effort. Cooperative partners share information only about the subject at hand. Each organization retains authority and keeps resources separate.

Coordination: Coordination involves exchanging information and altering program activities for mutual benefit to achieve a common purpose. There is increased organizational commitment, and this level requires more organizational involvement and a higher level of trust than networking. Coordination involves some planning and division of roles and opens communication channels between organizations. Authority rests with individual organizations, however, risk increases. Resources are made available to participants and rewards are shared.

Collaboration: Collaboration includes exchanging information, as well as altering activities, sharing resources, and enhancing each other's capacity for mutual benefit to achieve a common goal. These relationships are more durable and pervasive. At the collaboration level, participating organizations share risks, responsibilities and rewards. It requires a substantial time commitment, sharing of resources and turf, and a high level of trust. Collaboratives can take significant time and a strong commitment by participants along with resources. Collaboration is a process that leads to reaching goals that cannot be achieved by one single agent and includes jointly developing and agreeing on a set of common goals and directions; sharing responsibility for obtaining those goals; pooling or jointly securing resources; working together to achieve the goals using the expertise and resources of each collaborator; and sharing the risk, the results and the rewards.

Strategy specific standards related to coordination and collaboration have been included and are required with the implementation of this strategy.

II. STRATEGY IMPLEMENTATION STANDARDS

1. Site Standards

- a. Family Resource Centers must be:
 - i. Accessible to the target population;
 - ii. Visible from the street or have clear street signage to welcome families into the space; and
 - iii. Accessible via walking, public transportation, or driving with adequate parking space for families and community partners.
- b. Family Resource Centers must provide services year-round (at least 48 weeks per year) and during times that are convenient for families. If the Family Resource Center is not able to be open year-round, services are offered through partnerships with other organization(s) that offer a temporary or shared location where staff are accessible to families in need of support (i.e. recreation center, church, library, health clinic, etc.). Family Resource Centers operate at least 40 hours per week, one evening per week and one weekend day per month. Minimally, at least one location (optimally all locations) must adhere to these standards.
- c. At each location, employ at least two staff for a total of 80 hours per week to provide services and support to the Family Resource Center. At least two staff are scheduled together on-site during peak hours of operation. Staff may or may not be funded by First Things First.
- d. Staff are available to greet families in a friendly manner and are readily available to provide information, direct families to and answer questions about resources, and provide referrals to services according to the identified needs of families.
- e. Maintain a current event calendar that lists the activities located at or sponsored by the Family Resource Center.
- f. Offer structured opportunities for families to give feedback on a regular basis about services provided. Examples of methods to collect feedback include satisfaction surveys, a suggestion box, focus groups, and parent advisory committees.
 - i. Feedback forms are readily available and visible to families visiting the Family Resource Center and allow families to indicate and prioritize information and activities that are important to them.
 - ii. Feedback is reviewed by staff and decisions are made regarding program implementation based on the feedback.
- g. On-Site Child Care: Child care is not required to be offered at Family Resource Centers, however best practice is to provide on-site child care for all adult-only activities offered or hosted at Family Resource Centers to remove barriers for families' participation. A link to the Requirements for On-Site Child Care can be found in the [References and Resources](#) section of this document.

- i. For activities involving both adults and children, on-site child care is required for children who are not participating in the adult/child activity. Child care does not have to cover the full number and age ranges of children in attendance. For example, due to staff capacity, there may only be a certain number of slots available, or child care may only be for infants or older children.
- 2. **Outreach and Recruitment:** Conduct outreach and recruitment activities aligned to the targeted geographic areas and target populations as specified in the contract Scope of Work.
 - a. Develop a written plan to recruit families into the program which includes:
 - i. Specific recruitment activities, frequency and dosage;
 - ii. Approaches to outreach that demonstrate the ability to successfully identify, outreach, and collaborate with other providers, community agencies and organizations that are currently serving and/or have access to the target population to identify and connect with families who are potentially in need of the service (for example; local businesses, grocery stores, laundromats, Women, Infants, and Children [WIC] clinics, local hospitals, health departments, food pantries, etc.);
 - iii. Strategies to target families with young children who may not already be connected to the early childhood or K-12 system. Family Resource Centers co- located in schools and/or faith-based institutions must extend outreach and recruitment activities to families who are not affiliated with their current student body and/or congregation; and
 - iv. Development of materials and activities to engage community partners and leverage outreach opportunities that are reflective of and responsive to the target population (e.g. posters, flyers, brochures, postcards, program newsletters, community events, speaking opportunities, promotional items, digital content such as websites, social media, applications, and text messages, etc.).
 - b. All activities conducted off-site by Family Resource Center staff must include the purpose of recruiting and directing families to the Family Resource Center location(s) and encourage access to additional services and ongoing support.
 - c. Keep a record of recruitment/engagement strategies and referral sources into the program (e.g., staffed event, word of mouth, community partner, medical care provider, government office, etc.).
 - d. Regularly review the success of the recruitment activities and adjust the plan as needed.
- 3. **Early Language and Literacy**
 - a. Family Resource Centers promote early literacy by providing resources and engaging in discussion of appropriate methods and practices on early literacy with parents/caregivers of young children informally and in structured settings.
 - b. Establish a family-friendly literacy space that includes wide selection of age-appropriate books about people of varying races, ages, and abilities; places, animals, familiar objects

and familiar routines; and, a mix of fiction and non-fiction. See the [References and Resources](#) section of this document for information on appropriate books.

- i. Books contain pictures and stories reflective of the local community and the families that typically visit the Family Resource Center(s).
 - ii. Books address issues that families experience (e.g. when a child gets sick, when a loved one or pet dies, etc.).
 - iii. The area is welcoming and has comfortable seating for both young children and adults to encourage interaction.
 - iv. There is a process to rotate the books on a regular basis to allow access to a variety of books and remove and replace damaged books.
 - c. Have the following print materials available to families visiting Family Resource Centers:
 - i. Lists of local library locations and calendars of library events (story times, etc.).
 - ii. The Building Blocks to Becoming a Reader developed by Read On Arizona to increase awareness of early language and literacy development.
 - d. Have a written plan for how early literacy is incorporated into program implementation in a way that will enable families to support their child's development of listening, speaking, reading and writing skills.
 - e. At least twice per year, offer parenting activities that cover the Early Language and Literacy Core Topic area including information on the Building Blocks (See Table 1).
4. **Core Topic Areas:** All Family Resource Centers **must** provide Information and Resources, Referrals to Services, and Parenting Activities addressing the Core Topic Areas of Parenting, Family Stability, Child Development and Early Learning, Health and Safety, Early Language and Literacy, and Specific Populations. Examples of information under each of the Core Topic Areas are provided in Table 1.

Table 1. CORE TOPIC AREAS

PARENTING

Positive Parenting Practices	Adult/Child Communication	Parent/Child Interaction
Developmental Stages and Behavior	Routines	Nurturing Caregiving
Discipline versus Punishment	Infant/Baby Care	Potty Training
	Challenging Behavior	Community Resources

FAMILY STABILITY

Basic Needs	Community Resources and Referrals	Trauma
Adult Mental Health	Maternal/Paternal Depression	Grief and Loss
Support Networks	Food Security	Poverty
Women, Infants, and Children	Adverse Childhood Experiences (ACEs)	Community Resources (e.g. utility assistance, TANF, etc.)

CHILD DEVELOPMENT AND EARLY LEARNING

Social/Emotional Development	Developmental Screening	Developmental Milestones and Red Flags
Physical Development	Early Intervention Services	Family, Friend, and Neighbor
Motor Development	Quality Child Care/Quality First	Child Care
Cognitive Development	School Readiness/Kindergarten Readiness	Community Resources (e.g. AZ FIND)
Choosing Childcare or Preschool	Language Development	

HEALTH AND SAFETY

Oral Health Hygiene	Behavioral Health Services	Safe Home Environments
Hearing Screening	Breastfeeding	Water Safety
Vision Screening	Physical Activity	Shaken Baby Syndrome
Nutrition	Car Seat Safety	Safe Sleep
Prenatal Care	Health Insurance Enrollment	Injury Prevention
Well-Child Visits	Medical/Dental homes	Choking Hazards
Child Mental Health	Immunizations	Community Resources (e.g. car seats, pool safety, etc.)
EARLY LANGUAGE AND LITERACY		
Screen Time	Reading Behaviors	Community Resources (e.g. libraries, Read On Arizona, etc.)
Language Development	Book Handling	
Language and Literacy Milestones	Talking/Singing/Storytelling/Playing	
Pre-literacy skills	Vocabulary	
Reading Routines		
SPECIFIC POPULATIONS		
Teen Parents	Kinship Care Providers	Children with Incarcerated Parents
Grandparents Raising Grandkids	Foster Care Providers	LGBTQ Families
Mothers	Military Families	Community Resources
Fathers	Divorce	

5. **Community Information and Resources:** Family Resource Centers provide families with access to information and offer a library of print and digital resources and information covering all Core Topic Areas.
- Maintain a library of printed information and resource materials that families can access. Printed materials must address the Core Topic Areas (Table 1).
 - Information must be displayed and visible upon entering the Family Resource Center for families to browse and collect based on their needs and interests.
 - Have a computer with internet access available to families. Computer use may be facilitated by Family Resource Center staff.
 - Maintain a digital library of information from reliable and trusted sources. An electronic or digital library is a collection of electronic information that can include text, visual material, audio material, and/or video material which is stored as electronic media formats (e.g. web links, articles, interactive worksheets/templates, PDFs, recorded webinars, community events calendars, etc.).
 - When a resource item is provided to families, instructions and guidance on how the item supports early childhood health and development and ways to continue use at home must be provided.
 - Resources and information must be accurate and regularly updated to ensure information is current.
 - Basic Needs Assistance: Families are provided with connections to goods and concrete household items to meet their basic living needs. FRCs may distribute the needed items on-site or provide referrals to nearby locations. Examples include food, clothing, diapers, personal care items and furniture.
 - Families are provided written contact information on how to contact the Family Resource Center.
 - Print materials must be written at no higher than a 5th grade reading level.

- j. Permission for the use of copyright materials must be documented and cited.
 - k. All activities must adhere to the FTF Communications guidelines including branding protocols which can be found in the First Things First Communications Toolkit.
6. **Referrals to Services:** Family Resource Centers must provide Community Referral Services in response to families' individual and unique needs.
- a. Complete an intake form to collect demographic information.
 - b. Maintain a process that captures a record of all referrals to services made on behalf of families. The record of referrals to services includes (at minimum) the:
 - i. Name of the organization or agency;
 - ii. Type of service provided by the agency or organization;
 - iii. Date the referral was made;
 - iv. Name and contact information for the family member receiving the referral; and
 - v. Result of the follow up on all referrals given to families.
 - c. Within 30 days of referring a family to a service, make attempts (no more than three) to contact the family to follow up on the status of the referral. Follow up on referrals can be by phone/text, email, Survey Monkey, mail survey, in person, etc., or through additional questions incorporated into general satisfaction surveys.
 - d. Document all contact efforts and record the outcome of the referral as reported by the family (e.g., service received, service not received or available, service is still pending).

Definitions

Information includes general print, web-based, and/or multimedia information supplied about an early childhood development, health, or family support topic and can take the form of brochures, flyers, resources lists, newsletters, and videos. Information is universally provided and many families may gather information just by entering Family Resource Centers and may not necessarily be provided to families based on an identified need.

Resources include items and materials that are distributed to families. For example books may be distributed to families to promote early literacy; children's toothbrushes to promote oral health; magnets with mealtime tips; and household safety items such as outlet covers or cabinet locks. Resources are universally available to families accessing Family Resource Centers and may not necessarily be provided to families based on an identified need.

Referral to Services is the process of providing direct assistance to families with the intent of linking families to services based on an identified need and follow up to determine if needs were met. Referrals include services and supports offered by both internal and partner staff at Family Resource Centers and/or to other organizations outside the FRC. A referral to a service involves a meaningful conversation with a family to discuss their concerns or needs. This may involve using guidance prompts such as a list of informing questions to uncover needs or a formal assessment. The result is providing them with the help they need to access a service based on the family's capacity to navigate the system. Some families may need more help than others, such as in filling out forms, reviewing supporting documents, or making a phone call on behalf of or with a family member. Other families may only need the application itself, a list of supporting documents needed for the service, or the telephone number to call.

7. **Parenting Activities:** Parenting Activities are group-based opportunities for families that are designed to increase awareness about the core areas of family support and provide information on the healthy physical, social/emotional, cognitive, and early literacy development of young children. Parenting Activities may be offered by Family Resource Center staff or by inviting other community partners to facilitate Parenting Activities at the Family Resource Center. Parenting Activities must cover one or more of the Core Topic Areas (Table 1), the Protective Factors and Family Support Principles¹.
- a. **Workshops** are structured, interactive activities designed to inform families who are parenting young children on a parenting topic. The workshop content is selected from the six Core Topic Areas for the purpose of increasing parental knowledge and competencies. Workshops may be offered as a single session or as a series of sessions that are connected. Workshops must be at least one hour in length and have no more than 20 participants.
 - b. **Adult/Child Interactions** are opportunities for parents, caregivers and children to engage together in developmentally appropriate play and interactions that are designed to support parents and caregivers in learning about their child's age and stage of development. Adult/child interactions promote children's healthy social and emotional development and allow families at the same life stage to interact, socialize, and share experiences with each other. The interactions are facilitated by staff who guide and model positive techniques for parents/caregivers to practice with their children.
 - c. **Community Support Groups** are time-limited, topical groups (purpose-oriented groups with an end date) or ongoing, regular groups (standing meetings, for example every Tuesday from 10-11am). Groups are facilitated by staff for families for the purpose of building a network of community supports and increasing social connections. Families and staff come together to share information, advice, problem-solving strategies relating to parenting, and to encourage families to be advocates for their children. In order to facilitate positive discussion and connections between participants, there must be no more than 12 adults per group.
 - d. **Parenting Events** are site-based or site-hosted informational, resource-sharing, recreational and/or social events designed to raise families' awareness about a parenting topic or community resource (e.g. general information fair, open house or site tour, water safety event, oral health event, etc.). Events also may provide opportunities for family members to spend time together during holidays, cultural celebrations, etc. to build community connections and support systems.
 - e. At each Parenting Activity, new families fill out an intake form to collect demographic information (at minimum their name, address and/or zip code, and the number and ages of children).
 - f. Utilize a sign in sheet to capture all families in attendance.
 - g. Activities must have at least three (3) participants.

¹Types, topics and number of Parenting Activities offered are included and established in the First Things First contract. The number of Parenting Activities offered is a Target Service Unit for the Family Resource Centers Strategy.

- h. Staff encourage participants to share information and resources and interact with each other to build positive relationships and community support systems.
 - i. Families are provided with guidance on how the information can be used at home which includes activities and their purpose. Returning families are asked to reflect on their experiences.
 - j. Community resources are shared with families at each Parenting Activity offered.
8. **Coordination and Collaboration:** Grant partners are to effectively interface, at minimum, with the following entities and/or systems to support coordination and collaboration and reduce duplication of services:
- a. Cooperation with community service providers: Family Resource Centers coordinate with other organizations supporting families in the community for families to easily access services based on their needs. Staff communicate at least quarterly with partners to build and maintain relationships, exchange information, and discuss referral processes.
 - b. Coordination with the Arizona Early Intervention Program (AzEIP): Part C of the Individuals with Disabilities Education Act (IDEA) provides eligible children and their families' access to services to enhance the capacity of families and caregivers to support their child's development. In Arizona, AzEIP is the statewide system of services and supports for families of infants and toddlers, birth to three years of age, with disabilities or delays. The purpose of early intervention is to help families help their children develop to their full potential. Grant partners must coordinate with AzEIP by using AzEIP's referral processes and forms when there is an identified need for a referral. When a referral is necessary, and with families' permission, grant partners communicate with AzEIP providers on behalf of families and coordinate AzEIP services as appropriate. Communicate with AzEIP supervisory staff at least quarterly to exchange information and discuss referrals, roles and resources.
 - c. Coordination with child welfare: The child welfare system is a group of services designed to promote the well-being of children by ensuring safety, achieving permanency and stability, and strengthening families to care for their children. An effective relationship with the child welfare entity is important to avoid the duplication of services while ensuring families' needs are met. Grant partners must communicate with child welfare case managers and supervisors at least quarterly to build and maintain relationships, exchange information, and discuss referrals, roles and resources. Communication can include a training, email or phone contact. More details can be found in the Child Welfare Policy located in the [References and Resources](#) section.
 - d. Coordination with Regional Child Abuse Prevention (CAP) Councils: The purpose of the CAP Council is to increase public awareness, educate communities and provide information about the prevention of child abuse and neglect through educational campaigns and events. Grant partners must coordinate with the Regional CAP Council when present in the region. Grant partners must support local educational campaigns and events which includes the sharing and dispersing of messaging, information, and materials created by the CAP Council; participating in CAP events; and may include

becoming a member of the CAP Council. This includes participating in CAP events, and may include becoming a member of the CAP Council. More information can be found in the [References and Resources](#) section of this document.

- e. Coordination with tribal authority and/or tribal programs: A tribal authority may include a court, council, police department, and or child welfare/social service. Grant partners providing services on tribal lands must coordinate with a local tribal authority and/or program to build and strengthen relationships with the community and to increase knowledge and awareness of services provided to families. Grant partners must communicate regularly to engage with local tribal authorities and/or programs to discuss the work being done with families served on tribal lands as appropriate and with support from the FTF Regional Director.
 - f. Coordination with Parenting Education (PE)/Home Visitation (HV)/Family Support Children with Special Needs(FSCSN)/Parenting Outreach and Awareness (POA), Oral Health (OH), Developmental and Sensory Screening (DSS), Quality First (QF) providers (FTF and non-FTF funded): If there are other services offered in the region and available to families, create a plan and processes for how programs will work together to ensure there is communication and knowledge of services offered throughout the region. Develop and maintain a shared contact list of programs and referral contacts. Convene, at minimum, on a quarterly basis to share program information, referral processes, barriers to accessing services, and other resources and community events.
9. **Child Welfare Policy:** Grant partners implementing the Family Resource Centers strategy must adhere to the FTF Child Welfare Policy. A link to the policy can be found in the [References and Resources](#) section.

10. Family Resource Center Staff Standards

- a. Staff reflect the cultural and ethnic experiences and languages of the targeted population with whom they work with and integrate their expertise into the entire program.
- b. Efforts are made to hire staff from the community and staff have extensive knowledge of community resources.
- c. Staff receive initial orientation and training prior to serving families. At minimum, orientation must include introduction to the:
 - Program policies and procedures; and
 - FTF Family Resource Centers Standards of Practice.
- d. Staff receives at least twelve hours annually of professional development relevant to the strategy implementation. Training may be provided through formal training or informally within the organization.
 - i. Within six months of hire, staff receive professional development on the Principles of Family Support, the Protective Factors Framework, and the Two-Generational Approach.
 - ii. Within six months of hire and every two years thereafter, staff receive training on mandated reporting.

- iii. Two of the twelve hours must cover culturally responsive service delivery (i.e. race, ethnicity, class, gender, local community, religion, and family structures, as well as support to understand and reflect on staff's own culture and potential bias).
- e. Staff receive professional development on how to implement literacy-related program activities and how they can promote early literacy in their role with families.
 - i. Staff view the Read On Arizona "How to use the Continuum" webinar. Track and document completion for all staff. The webinar is located here: <http://readonarizona.org/resources/continuum/>
- f. Staff are provided annual professional development on the FTF Family Resource Centers Standards of Practice and other applicable Standards of Practice as appropriate.
- g. Staff are knowledgeable about other FTF-supported programs in the region(s) such as Home Visitation, Parenting Education and Quality First.
- h. Staff and supervisors (including direct service staff, volunteers and sub-Grant Partner or partner personnel implementing the strategy) must receive one-time professional development through the [Arizona Department of Education](#) on the:
 - i. Introduction to the Arizona Infant and Toddler Developmental Guidelines; and
 - ii. Introduction to the Arizona Early Learning Standards
- i. The Arizona Early Childhood Workforce Registry (Registry): The Registry is a component of the newly developed Arizona Early Childhood Career and Professional Network. The Network is a comprehensive system designed to meet the professional development needs of Arizona's early childhood professionals working with or on behalf of children birth-8 years of age. A link to the Registry can be found in [References and Resources](#).
 - i. Staff employed at the grant partner/administrative home and any sub-Grant Partner who are working directly with or on behalf of young children as a part of the implementation of this strategy must create an account in the Registry and submit transcripts, complete the employment history, and have a complete personal profile. As new employees are hired, lead grant partners must verify completed profiles with 6 months of hire date.
- j. To assist in the protection of the target population being served, the grant partner must ensure that employees, contractors and volunteers have a valid fingerprint clearance card, if required by law, issued pursuant to A.R.S. Title 41, Chapter 12, Article 3.1. Grant partners working on tribal lands must also obtain additional clearance if required by tribal law. If not required to have a fingerprint clearance card, the grant partner must ensure staff and supervisors (including direct service staff, volunteers and sub-grantee or partner personnel implementing the strategy) pass a Federal (FBI) Criminal History Background Check that includes fingerprinting.
- k. All staff must meet the qualifications for their position. For staff hired after July 1, 2018, a hiring exemption must be submitted to First Things First if programs are unable to hire staff that meet the qualifications. Staff implementing the strategy who have been hired prior to July 1 2018 do not need to submit hiring exemptions to FTF.

11. Information, Resource and Referral Staff Standards

- a. Staff must meet standards 10a-10k.
- b. Staff are required to have a minimum of a high school diploma (associates degree preferred) **and** at least two (2) years' experience in related work with families.
- c. Staff must have knowledge of the surrounding community and the available resources families need to support children's health and development (all domains of child development; health services; food/clothing or supplies; developmental screening and referrals; early literacy; early intervention; quality child care; respite and crisis care; transportation; housing; child protection; and adult education).

12. Standards for Staff Delivering Workshops (does not include staff facilitating adult/child interactions, community support groups, or parenting events).

- a. Staff must meet standards 10a-10k.
- b. At least one staff facilitating a workshop has a minimum of a bachelor's degree in social work, child development, family studies, or a related field **and** at least two years' experience working with children and families

OR

Must be trained on the workshop topic **and** has at least one year of experience delivering information on the topic to the target audience. External partners delivering workshops are not required to adhere to standards 10a-10h.

- c. At least one Family Resource Center staff must be on-site during all activities offered at the Family Resource Center to assist and support the facilitation of the activity and build relationships and rapport with families in attendance.

13. Supervisory Staff Standards

- a. Supervisory staff must meet standards 10a-10k.
- b. Supervisory staff have a minimum of a bachelor's degree in early childhood development, education, family studies, social work, nursing or a closely related field **and** have at least two years of program management experience overseeing programs serving families with young children.
- c. Assess and document Family Resource Center staff's skills, knowledge, and abilities prior to independent work with families.
- d. Supervisory staff must observe staff delivering services at least annually to help identify coaching and mentoring opportunities.
- e. **Reflective supervision** is "the process of examining, with someone else, the thoughts, feelings, actions, and reactions evoked in the course of working closely with young children and their families." Eggbeer, L. et al (2008). Although formal training is not required, First Things First grant partners shall implement [the principles of reflective supervision](#) including:
 - i. Regularly scheduled, consistent meeting time in a confidential location free of interruptions.
 - Information, Resource and Referral Staff: At minimum, a monthly meeting.
 - Parenting Activities Staff: At minimum, an every-other-week meeting.

- Supervisory Staff: At minimum, an every-other-week meeting.
- ii. Supervisors work with staff to prepare and implement written individual professional development plans. They are a critical component of reflective supervision that includes identified areas for growth and opportunities for professional development. Plans are updated at least annually.

III. OPERATIONAL STANDARDS

1. Mandated Reporting

- a. Arizona law (ARS §13-3620.A) requires early childhood program staff who suspect that a child has received non-accidental injury or has been neglected, to report their concerns to the Arizona Department of Child Safety or local law enforcement. All staff, grant partners, consultants and participants of this strategy must receive training and adhere to these requirements. The FTF Suspected Child Maltreatment Mandated Reporting Policy can be found in the list of [References and Resources](#).

- 2. **Policy and Procedure Manual:** The process of developing written guidelines is the strategic link between the FTF Standards of Practice and day-to-day operations of the program. A well developed and highly utilized set of policies and procedures builds infrastructure and capacity and supports continuous quality improvements of programs and services for children and families. FTF requires Grant Partners to have a written document that is accessible to all employees and contract staff members that provides staff with direction, consistency and set expectations for service delivery (e.g., Standard Operating Procedures, Implementation Guide, Policies and Procedures Manual) including the following:

- a. The written document must be updated annually and be read and reviewed by all employees and contract staff members.
- b. The document must contain policies that align with the FTF Standards of Practice and provide a framework for overall program implementation.
- c. The policies must have procedures that describe how program implementation aligns to the Standards of Practice, including staff specific roles, responsibilities and timelines.

- 3. **Cultural Responsiveness:** First Things First embraces cultural responsiveness as an intentional life long journey that holistically explores, honors, and values the diversity of the human experience. Grant partners implementing this strategy are required to have a written policy and procedures for the organization and/or program that describes how culturally responsive practices are infused into service delivery. The written policy must describe how:

- a. Programs and services are congruent with the needs of diverse children and families.
- b. Programs and services are responsive to the impact of regional and cultural factors such as histories, traditions, values, family systems and structures, social class, and religious and spiritual beliefs.
- c. The environment is conducive to and inclusive of all children and families and respects families' composition, gender, racial, ethnic, cultural, and linguistic backgrounds.

- d. Cultural knowledge and prior experiences are used to ensure services are responsive and adaptive.
- 4. **Inclusive Services:** First Things First fosters the vision that children and adults of all abilities have access to all programs and services. Inclusion in early childhood programs can lead to a lifetime of inclusion for a child. Grant partners implementing this strategy must have a written policy and procedures for the organization and/or program that addresses the following:
 - a. Programs must create an environment conducive to and inclusive of the unique needs of all children and adults.
 - b. Programs must adjust their services to support meeting the needs of children and adults with all degrees of ability.
 - c. Adherence to the federal [Americans with Disabilities Act](#).
- 5. **Continuous Quality Improvement:**
 - a. Adopt a process of continuous self-monitoring, reflection, and quality assurance to improve program practices that are articulated in a written policy that is reviewed and updated regularly. In the written policy, the following should be addressed:
 - i. How data is used to assess the progress and outcomes of program implementation; and
 - ii. How data collection is used to improve staff performance.
 - b. Develop evaluative and monitoring processes that are collaborative, ongoing and that include input from providers, program administrators and staff, families, and community members.
- 6. **Food Service:** If providing food to program participants, grant partners must adhere to the FTF Food Service Policy. A link to the policy can be found in References and Resources.

IV. REFERENCES AND RESOURCES

- 1. Americans with Disabilities Act: <https://www.ada.gov/>
- 2. Book Resources:
 - Infants and toddlers: <http://families.naeyc.org/learning-and-development/reading-writing/great-books-read-infants-and-toddlers>
 - Young readers: <http://www.ala.org/alsc/awardsgrants/notalists/ncb>
 - Social-emotional topics: <http://csefel.vanderbilt.edu/documents/booklist.pdf>
- 3. Arizona Early Childhood Career and Professional Development Network Website: <http://azearlychildhood.org>
- 4. Arizona Department of Education Trainings: <https://ems.azed.gov/Home/Calendar>
- 5. AZ Find: <http://www.azed.gov/special-education/az-find/>
- 6. Benedetti, G. (2012). *Innovations in the Field of Child Abuse and Neglect Prevention: A Review of the Literature*. Chicago, IL: Chapin Hall at the University of Chicago

7. Building Bright Futures. 2013. FTF Statewide Needs and Assets Report. Retrieved from: <http://www.azftf.gov/publications/Documents/Building%20Bright%20Futures%20-%20Statewide%20Needs%20and%20Assets%20Report%202013.pdf>
8. Building Bright Futures. 2015. FTF Statewide Needs and Assets Report. Retrieved from: http://www.firstthingsfirst.org/Publications/FTF_Building_Bright_Futures_2015.pdf
9. The California Family Resource Center Learning Circle (2000). Family Resource Centers: Vehicles for Change. Retrieved from: <http://shcowell.org/wp-content/uploads/2015/12/Vehicles-for-Change.pdf>
10. Center for the Study of Social Policy. (2013). Strengthening Families: A Protective Factors Framework. http://www.cssp.org/reform/strengthening-families/2013/SF_All-5-Protective-Factors.pdf.
11. Community Alliance for Culturally and Linguistically Appropriate Services Webinars: <http://allianceforclas.org/tools-and-resources/webinars/>
12. Eggbeer, L., Mann, T., and Seibel, N. (2008). Reflective supervision: Past, present, and future. *Zero to Three* 28: 5–9.
13. Family Resource Coalition. (1996). *Guidelines for Family Support Practice*. (Chicago, IL).
14. First Things First Food Service Policy: <http://www.firstthingsfirst.org/grants/strategy-toolkit>
15. First Things First Child Welfare Policy: <http://www.firstthingsfirst.org/grants/strategy-toolkit>
16. First Things First Mandated Reporting Policy: <http://www.firstthingsfirst.org/grants/strategy-toolkit>
17. First Things First Requirements for On-Site Child Care: <http://www.firstthingsfirst.org/grants/strategy-toolkit>
18. Linda Ballasy, Mark Fulop, and Michael Garringer. (2007). Generic Mentoring Program Policy and Procedure Manual CUSTOMIZABLE TEMPLATE VERSION. Retrieved from: <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CB4QFjAA&url=http%3A%2F%2Feducationnorthwest.org%2Fsites%2Fdefault%2Ffiles%2Fpolicy-template.doc&ei=X6FwVf68FJLkoASytoPADw&usg=AFQjCNEU9H9CjdFp0GSIvvpW6nSQQVcJGw>
19. Lonigan, C.J., Schatschneider, C., Westberg, L., with the National Early Literacy Panel (2008). Identification of children’s skills and abilities linked to later outcomes in reading, writing, and spelling. In *Developing Early Literacy: Report of the National Early Literacy Panel* (pp. 55-106). Retrieved from <https://lincs.ed.gov/publications/pdf/NELPReport09.pdf>
20. Pampel, F., Beach-Quick, K., Howey, V., McChesney, B. *Key Components of Family Resource Centers: A Review of the Literature*. Submitted to the Colorado Family Resource Center Association (2013).
21. Professor Michael Griffin. How to Write a Policy Manual. Retrieved from: <http://www.templatezone.com/download-free-ebook/office-policy-manual-reference-guide.pdf>
22. Read On Arizona. (2014). Building Blocks to Becoming a Reader. <http://readonarizona.org/wp-content/themes/read-on/PDF/continuum-bb-chart.pdf>

23. Read On Arizona. (2014). Developing a Thriving Reader from the Early Years: A Continuum of Effective Literacy Practices. <http://readonarizona.org/wp-content/themes/read-on/PDF/continuum-project-web.pdf>
24. Read On Arizona (2014). Early Literacy Guide for Families. <http://www.readonarizona.org/wp-content/uploads/2016/06/Read-On-Arizona-Early-Literacy-Guide-06-2016f.pdf>
25. Regional Child Abuse Prevention Councils: CAP Councils: <https://dcs.az.gov/services/prevention-and-family-support/regional-child-abuse-prevention-councils>
26. The Two-Generational Approach: <http://ascend.aspeninstitute.org/pages/the-two-generation-approach>
27. Warren-Adamson, C. (2006). Research review: Family centres: A review of the literature. *Child and Family Social Work*, 11, 171-182.

EXHIBIT D
TO
REVOCABLE LICENSE AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
ADELANTE HEALTHCARE, INC.

[Room Use Policy and Procedures]

See following page.

Room Use Policy and Procedures

The following policies and procedures shall be followed when using any of the meeting rooms at the Arizona Complete Health Resource Center.

1. Reach out to the RC Coordinator via email at ResourceCenter@AvondaleAZ.gov to request the use of one of the meeting rooms at least two weeks in advance. Requests should be made as early as possible to ensure availability.
2. Priority will be given to City of Avondale, current partner organizations and organizations serving the needs of the Southwest Valley community.
3. An organization representative must remain in the room with the organization participants at all times.
4. All trash must be disposed of and all furniture and surfaces must be sanitized and wiped down.
5. Prior approval by the Resource Center Coordinator or specialist is required before placing posters, banners or decorations in the room.
6. Upon conclusion of the class, workshop or event, please contact the Resource Center Coordinator.
7. Upon conclusion of the use of the room, agencies must provide usage reports to Resource Center Coordinator to include the following:
 - A. Number of adults attended
 - B. Number of children ages 0-5 attended
 - C. Copies of evaluations (ex. pre/post-test, surveys)
8. Please inform Resource Center Coordinator or specialist as soon as possible if the reserved room is no longer needed.
9. Cooking and food preparation is not allowed in the room. Outside prepared food may be brought into the room for classes, workshops or events.

EXHIBIT E
TO
REVOCABLE LICENSE AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
ADELANTE HEALTHCARE, INC.

[Cost Breakdown]

See following page.

Essential Amenities Expenses			
Budget Line Item	Entailed Services	Annual Costs	Monthly Costs
	Janitorial Supplies	\$ 600.00	\$ 50.00
	Contract Maint. (Bldg/Ground)	\$ 500.00	\$ 41.67
	Security	\$ 45,000.00	\$ 3,750.00
	Coffee	\$ 1,200.00	\$ 100.00
Telecommunications	Wi-fi	\$ 2,400.00	\$ 200.00
	Phone service	\$ 3,000.00	\$ 250.00
IT & Shared Equipment	Printing	\$ 2,800.00	\$ 233.33
	Copying	\$ 2,800.00	\$ 233.33
Front Desk	Reception Services	\$ 56,651.00	\$ 4,720.92
Total		\$ 102,751.00	\$ 8,562.58
Operating Expenses			
Budget Line Item	Entailed Services	Annual Costs	Monthly Costs
	Gas for Building	\$ 400.00	\$ 33.33
	Electricity for Building	\$ 38,000.00	\$ 3,166.67
	Water for Building	\$ 9,737.00	\$ 811.42
Total		\$ 48,137.00	\$ 4,011.42
Total		\$ 150,388.00	\$ 12,574.00

Dedicated Space Fee = 8 cubicles

Adelante Sf Costs	Dedicated Sf Space	Annual	Monthly
\$6/sf		530	3180 265

Daily Essential Amenities Costs (for 8 cubicles)	\$ 15.52
Monthly Essential Amenities Costs (for 8 cubicles)	\$ 2,607.36
Monthly Service Costs (Including dedicated space fee)	\$ 2,872.36
Annual Costs (Including services and space)	\$ 34,468.32
Program Partner Discount 50%	\$ 17,234.16
Total Annual Cost After Discount	\$ 17,234.16

Dedicated Space:	
(1) Baby Weights & Measures (with storage space)	= 146 sf
(6) Furnished 6'x8" cubicles	= 288 sf
(2) Un-furnished 6'x8' Cubicles (storage space)	= 96 sf
Total	= 530 sf

CITY COUNCIL REPORT

SUBJECT: Fourth Amendment to the Employment Agreement with Charles A. Montoya

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk, (623) 333-1214

THROUGH: Tracy Stevens, Deputy City Manager, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government.

This agenda item supports the strategy to attract, retain, and develop a diverse and competitive workforce to meet the needs of the residents and business community.

PURPOSE:

City Council will consider a request to approve the 4th amendment to the Employment Agreement with Charles A. Montoya and authorize the Mayor and Council to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

On May 21, 2018, City Council approved the initial Employment Agreement with Charles A. Montoya and appointed Mr. Montoya as City Manager.

On June 18, 2018, City Council approved an amendment to the Employment Agreement modifying Mr. Montoya's initial start date. Mr. Montoya started with the City of Avondale as City Manager on July 16, 2018.

On November 12, 2019, City Council met in Executive Session pursuant to Arizona Revised Statutes 38-431.03 to discuss the annual evaluation of Mr. Montoya. As a result of the discussion held within Executive Session, City Council approved an amendment to Mr. Montoya's Employment Agreement on November 18, 2019.

On August 24, 2020, City Council approved the second amendment to the Employment Agreement with Mr. Montoya effective July 1, 2020.

On May 3, 2021, City Council approved the third amendment to the Employment Agreement with Mr. Montoya effective July 1, 2021.

DISCUSSION:

On August 23, 2021, City Council met in Executive Session pursuant to Arizona Revised Statutes 38-431.03(A) (1) to discuss or consider the employment evaluation of the City Manager.

Certain events have arisen that have posed threats to the personal safety of Montoya and his family, which necessitate that Montoya relocate his current residence to another location within the corporate boundaries of the City. Mr. Montoya will receive a temporary housing allowance for a new residence; and continue his employment and role as City Manager. The payment of a temporary housing allowance will commence November 1, 2021 and shall be effective for a maximum of 12 months. The terms and conditions of this Fourth Amendment will be effective as of October 1, 2021.

BUDGET IMPACT:

Funding for this agreement is in the City Administrative Office Budget in Fund 101-5100-00-5000 Personnel Services.

RECOMMENDATION:

Staff recommends approval of the amended Employment Agreement with Charles A. Montoya and authorized the Mayor and City Clerk to execute the necessary documents.

**FOURTH AMENDMENT TO THE TERMS AND CONDITIONS OF THE
AMENDED AND RESTATED EMPLOYMENT AGREEMENT DATED JULY 18, 2018**

THIS FOURTH AMENDMENT TO THE AMENDED AND RESTATED EMPLOYMENT AGREEMENT (this "Amendment") is made and entered into on September 20, 2021, by and between the City of Avondale, an Arizona municipal corporation (the "City") and Charles A. Montoya ("Montoya") and all terms and conditions set forth herein shall be effective as of October 1, 2021 (the "Effective Date").

RECITALS

- A. The Mayor and Council of the City of Avondale ("City Council") have entered into an Amended and Restated Employment Agreement with Montoya dated June 18, 2018 (the "Agreement") for the provision of the duties and functions of the City Manager, pursuant to the Avondale City Charter and Code and in accordance with Arizona Revised Statutes, Section 9-271; and
- B. The Mayor and the City Council entered into an Amendment to the Agreement, effective July 16, 2019 (the "First Amendment"); and
- C. The Mayor and City Council entered into an Amendment to the Agreement, effective July 1, 2020 (the "Second Amendment");
- D. The Mayor and City Council entered into an Amendment to the Agreement, effective July 1, 2021 (the "Third Amendment"); and
- E. Pursuant to the City Charter, Montoya and his family reside within the corporate boundaries of the City; and
- F. Certain events have arisen that have posed threats to the personal safety of Montoya and his family, which necessitate that Montoya relocate his current residence to another location within the corporate boundaries of the City; and
- G. Montoya desires to continue his employment and role as City Manager of the City; and
- H. It is the City Council's desire that Montoya receive a temporary housing allowance for a new residence; and continue his employment and role as City Manager; and
- I. The City Council and Montoya desire to amend the Agreement (the "Fourth Amendment") to provide for payment of a temporary housing allowance, commencing November 1, 2021; and
- J. The City Council and Montoya desire that the terms and conditions of this Fourth Amendment be effective as of October 1, 2021.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing introduction and recitals, which are hereby incorporated into and are deemed an integral part of this Amendment, the Amended and Restated Employment Agreement dated July 18, 2018, the First Amendment, the Second Amendment, and the Third Amendment the City, acting through the City Council, and Montoya hereby agree to amend the Agreement as follows:

1. This Fourth Amendment shall be effective October 1, 2021.
2. Section 6.8 shall be added to the Agreement and shall state the following:

Temporary Housing Allowance. Commencing November 1, 2021 and continuing for a period not to exceed twelve (12) months, the City shall pay Montoya \$1800 per month, payable in bi-weekly installments, for temporary housing within the corporate boundaries of the City. The Temporary Housing Allowance shall not affect calculation of Montoya's base salary or other benefits. Montoya understands that the proceeds of this Temporary Housing Allowance shall be taxable to him personally as income and that the City shall withhold from the bi-weekly installments all appropriate payroll taxes and deductions.

3. Except as amended hereby, all of the terms and conditions of the Amended and Restated Employment Agreement dated June 18, 2018, as amended by the First Amendment, the Second Amendment, and the Third Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment on the day and year first set forth above.

CITY OF AVONDALE, an Arizona
municipal corporation

Charles A. Montoya, City Manager

Kenneth N. Weise, Mayor

APPROVED AS TO FORM:

Susan Segal, Outside Counsel for the City

CITY COUNCIL REPORT

SUBJECT: Resolution 1072-0921 - Alternative Expenditure Limitation - Permanent Base Adjustment

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Keith Fallstrom, Interim Finance & Budget Director, (623) 333-2016

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government. This agenda item is an innovation initiative to allow the city to propose a new Expenditure Limitation to the voters.

PURPOSE:

City Council will consider a request to adopt Resolution 1072-0921, proposing to submit to the qualified electors at the August 2, 2022 election a question to provide for a \$10,408,000 permanent adjustment to the base expenditure limitation, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

BACKGROUND:

Title 42 of the Arizona Revised Statutes requires the adoption of a balanced budget where estimated revenues and resources are greater than or equal to the appropriated expenditures. In addition to the requirement of an adopted budget, the State Constitution imposes an expenditure limitation on every city and town in the State. The State-imposed limitation uses expenditures of local revenues from Fiscal Year (FY) 1980 as a baseline. Each year, the Economic Estimates Commission (EEC) adjusts baseline expenditure limitation based on inflation and the population growth in the community to establish a new expenditure limitation. Avondale's State-imposed expenditure limitation for FY2022 is \$59.7 million.

The State Constitution provides three options for cities and towns to exceed or modify the state imposed expenditure limitation: home rule, permanent base adjustment, and one-time override. All of which require voter approval. The city's current home rule authorization expires after FY2025. Staff presented on the permanent base adjustment on July 5, 2021 and was given direction by Council to move forward with that option.

DISCUSSION:

Since 1981, Avondale voters have adopted an alternate expenditure limitation – Home Rule option, with 88% of voters voting yes at the 2020 Election. The Home Rule option expires at the end of FY2025. Since voters have approved the expenditure limitation for the past 40 years, staff recommends referring a new alternate expenditure limitation – the Permanent Base Adjustment, to the voters on August 2, 2022.

If voters approve a new alternate expenditure limitation, the City will likely no longer present the Home Rule option to voters every four years. However, the City would not be prohibited from using the Home Rule option, if necessary. If voters do not approve a new alternate expenditure limitation in 2022, the City will be still be protected under the Home Rule option through FY2025.

The Permanent Base Adjustment increases the state-imposed limit in perpetuity. The dollar amount proposed to the voters is stated in FY1980 dollars. The impact of the amount approved by voters is adjusted for population growth and inflation. Staff recommends adjusting the base by \$10,408,000 to provide sufficient capacity within the expenditure limit as the city grows and available resources increase. The city will still need to adopt a balanced budget annually, with expenditures equal to or less than available resources.

BUDGET IMPACT:

If passed, the expenditure authority limit will increase, allowing Council to set the annual balanced budget.

RECOMMENDATION:

Staff recommends City Council adopt Resolution, proposing to submit to the qualified electors at the August 2, 2022 election a question to provide for a \$10,408,000 permanent adjustment to the base expenditure limitation of the City of Avondale.

RESOLUTION NO. 1072-0921

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, PURSUANT TO ARTICLE 9, SECTION 20 OF THE ARIZONA CONSTITUTION PROPOSING A PERMANENT ADJUSTMENT TO THE 1979-80 BASE EXPENDITURE LIMITATION OF THE CITY OF AVONDALE.

WHEREAS, the Arizona State Constitution establishes for each city or town an annual expenditure limitation based on their revenues in 1979-1980 fiscal year; and

WHEREAS, the Arizona State Constitution permits the submission of a question for their approval to the qualified electors of a city or town providing for a permanent adjustment to the base expenditure limitation; and

WHEREAS, the Mayor and Council of the City of Avondale (“City Council”) have determined due to extensive growth of the community that a permanent base adjustment is necessary for the City of Avondale.

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

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The City Council, having 2/3 of the members of the council voting in favor and in accordance with Article 9, Section 20 of the Arizona State Constitution, determined the following question seeking approval for a permanent base adjustment be submitted to the qualified electors of the City of Avondale:

SHALL THE EXPENDITURE BASE OF THE CITY OF AVONDALE BE PERMANENTLY ADJUSTED BY \$10,408,000?

SECTION 3. This question shall be submitted to the qualified electors of the City of Avondale at the city general election to be held on August 2, 2022.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

CITY COUNCIL REPORT

SUBJECT: Resolution 1073-0921 - Intergovernmental Agreement with City of Phoenix for Training Services

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Dale Nannenga, Chief of Police, (623) 333-7207

THROUGH: Cherlene Penilla, Assistant City Manager, (623) 333-1015

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Public Health and Safety - Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources.

This Intergovernmental Agreement demonstrates the continued regional collaboration to provide fire and emergency response for Avondale residents.

PURPOSE:

City Council will consider a request to adopt Resolution 1073-0921 authorizing an Intergovernmental Agreement (IGA) with the City of Phoenix to provide fire and medical service training and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The City of Avondale has a growing Fire and Medical Department with ongoing training and continuous education needs. The City of Phoenix is agreeing to offer fire, emergency medical and related service training and continuous education opportunities to the Avondale Fire and Medical Department through an IGA.

DISCUSSION:

The proposed IGA with the City of Phoenix describes the training options offered including the per student pricing. Training options include technical rescue, emergency medical services, paramedicine, and new fire recruit academy. By entering into the IGA, there is no requirement to use the City of Phoenix for training, rather it provides additional fire and medical training and continuous education options for the City of Avondale. The term of the IGA is five (5) years.

BUDGET IMPACT:

The costs of training through the IGA would be paid from the department's training budget. No new funding is required to enter into this IGA.

RECOMMENDATION:

Staff is requesting that the City Council approve a resolution authorizing an Intergovernmental Agreement between the City of Phoenix and City of Avondale allowing the Fire and Medical Department to use City of Phoenix's fire and emergency medical service training.

RESOLUTION NO. 1073-0921

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX RELATING TO THE PROVISION OF FIRE SERVICE TRAINING.

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

SECTION 1. The Intergovernmental Agreement with the City of Phoenix for Avondale Fire and Medical to participate in the Phoenix Fire Department Fire Service Training (the “Agreement”) is hereby approved in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1073-0921

[Agreement]

See following pages.

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF PHOENIX
AND
THE CITY OF AVONDALE
FOR FIRE SERVICE TRAINING**

Phoenix Contract No. _____
Avondale Contract No. _____

This Intergovernmental Agreement ("Agreement") is entered into this ____ day of _____, 202_, by and between the City of Phoenix, for and on behalf of the Phoenix Fire Department ("the City"), and the City of Avondale, for and on behalf of Avondale Fire and Medical ("the Agency"). Throughout this Agreement, the City and the Agency individually may be referred to as "Party" and may be referred to collectively as "Parties" to this Agreement.

RECITALS

WHEREAS, the City Manager of Phoenix, is authorized and empowered by provisions of the City Charter to execute contracts; and,

WHEREAS, the City and the Agency are authorized and empowered to enter into intergovernmental agreements for the provision of services or for joint or cooperative action pursuant to Arizona Revised Statutes (A.R.S.) §11-952. The City is also authorized and empowered pursuant to Chapter 2, Section 2 (i), of the Charter of the City of Phoenix; and,

WHEREAS, agreements for fire service training and intergovernmental cooperation in public safety areas, including operations and management of fire and police, or the public safety related agencies have existed between municipalities and governmental jurisdictions; and,

WHEREAS, it is the desire of the municipalities, governmental jurisdictions, agencies, and fire districts participating in this Agreement, to work together for mutual benefit of the public, Agency's community and all of the Agency's personnel; and,

WHEREAS, the Agency desires to participate in Phoenix Fire Department Fire Service Training in order to more effectively provide emergency fire, medical and other services; and,

WHEREAS, the City desires the participation of the Agency to more effectively provide emergency fire, medical and other services; and,

WHEREAS, Ordinance No. _____ dated _____ authorized the City to enter into an agreement with the City of Avondale for participation in the Phoenix Fire Department Fire Service Training.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises, inducements, covenants, agreements, conditions and other good and valuable consideration, the receipt and sufficiency which is acknowledged, the Parties agree as follows:

ARTICLE I. PURPOSE

The Parties desire to enter into this Agreement for the purpose of enabling them to conduct and participate in fire service training hosted by the City. Fire service training includes, but is not limited to: Aircraft Rescue Firefighter (ARFF) Certification Training, Firefighter Recruit Training, Fire Inspector Training, Hazardous Material Technical (HMT) Certification Training, EMT/Paramedic Recertification Training (CORE), and Technical Rescue Technician (TRT) Certification Training, and follow-on required continuing education.

ARTICLE II. STATEMENT OF SERVICES

1. Fire Service Training:

The City will provide fire service training and follow-on continuing education as outlined in Exhibit A, Fire Service Training Menu.

2. Availability of Training:

Nothing in this Agreement creates an obligation or otherwise requires the City to host training, or to provide an opportunity in any particular training class to the Agency.

3. Training Records:

The City will provide original training records for the Agency's personnel upon the completion of any training being provided, or upon termination of the Agency personnel's attendance in the training program. The City will maintain records of lesson plans, class rosters, and other documentation common to the class as a whole when the law, fire service standards, or best practices require or make reasonable and prudent the preservation of such information.

4. Equipment and Assistance with Training:

4.1 The City shall specify the equipment and materials ("Required Equipment") that the Agency must provide to its employees, or that the Agency employees must have in order to participate in any particular training program. The Agency's employees must have the required equipment as a condition of participation in the training program.

- 4.2 Upon reasonable request, the Agency will provide the City with instructors for assistance. When the Agency has facilities or equipment (e.g., a burn building, training props, apparatus, etc.) that can facilitate a specific training being conducted by the City, the Agency will allow the City to use such facilities, subject to their availability, when it is determined by both Parties to be in their mutual best interest. Any such contributions by the Agency, to the extent applicable, will be considered in determining the Training Fees.

5. Discipline. Academic Requirements and Skill Performance Standards:

- 5.1 The City reserves the right, in its sole discretion, to determine whether the Agency employees are maintaining the minimum requirements necessary to continue in the training. In the event a student is removed for failure to abide by training or affiliated training location or vendor academic, ethical, or disciplinary standards applicable to all fire service training students, the employing party will remain responsible for full payment of contractual training fees. Removal from training is apart and independent from whether the impacted employee is disciplined or terminated by the employing Agency.
- 5.2 Employees of both Parties shall be subject to the same standards for purposes of training and academics. In the event that an Agency employee is suspected of having engaged in misconduct while in training being conducted by the City, the City shall report the suspected misconduct to the Agency as soon as practicable. The employing Agency will be responsible for conducting any appropriate investigation and taking corrective action or discipline.
- 5.3 The City has the sole responsibility and authority to determine issues relating to: (1) the curriculum and content of instruction for training; (2) the training schedule and hours; (3) decisions about whether the Agency's employees should remain in the training; (4) the implementation and execution of policies and procedures applicable to City controlled training and City owned training locations , (5) the facility and location of site specific training, (6) the assignment and use of any Agency provided instructors, staff, or equipment.
- 5.4 The Parties understand and agree that the City will determine the curriculum for training programs to meet, in part, to satisfy the City standards, which may include the skill performance standards within the Phoenix Fire Department's Training Standards. The Agency may request cross-training on the City materials, the presentation of which shall be provided by the Agency's personnel. The Parties further understand and agree that the City will determine the appropriate location necessary to support training programs which, in part, satisfy the City standards. Additional training needs beyond the City standards, which may require additional time and resources, by way of separate agreements will be the sole responsibility of the requesting Agency.
- 5.5 The City will regularly communicate with the Agency on issues that may affect the ability of an Agency's employee to successfully complete the training program, including, but not limited to academics, physical fitness, discipline,

requirements of the Arizona State Fire Marshal and Arizona Department of Health Services. The City will advise the Agency, as soon as possible, when it appears that an Agency employee may be subject to being removed from a City training program.

6. AGENCY RESPONSIBILITIES:

Agency agrees to be responsible for ensuring that their employees sent to the City premises or training location pursuant to this Agreement meet the following minimum requirements to receive the training:

- 6.1** Agency warrants that all Agency employees participating in training are thoroughly familiar with the type of exercise and physical ability necessary to participate and represents that, to the best of its knowledge, the health and physical condition of all Agency employees participating is excellent and that they are capable of undertaking this training.
- 6.2** Agency warrants that all Agency employees participating in training are thoroughly familiar with the type of training being conducted and that their training and experience is sufficient to undertake this training.
- 6.3** Agency agrees that prior to receiving City fire training services training or utilizing a City facility for training, Agency employees must sign and submit an Assumption of Risk and Release Agreement City of Phoenix Fire Service Training Form, Exhibit B.
- 6.4** While on City premises and at any other time or place during which Training Services or other activity pursuant to this Agreement is being conducted Agency warrants that employees shall comply with all applicable United States Federal, State of Arizona, and Local laws, statutes and ordinances, and with all legal and applicable regulations or orders of any governmental department, board, bureau, or agency, including the City.
- 6.5** Agency will ensure that Agency employees have required protective gear, uniforms, or other required equipment for the Training Services.
- 6.6** Necessary third party agreements: Due to the variety of insurance, indemnification, background check requirements etc., where training requires a separate Agreement in order to provide clinical rotations, such as in Paramedic Training, the Agency will be solely responsible for making sure their employees are covered under an agreement with the non-City owned training site location and the Agency.

For Paramedic Training clinical rotations, the City will provide the necessary academic instruction. Additionally, the City will assist and track students with the required record keeping which is reviewed weekly to include patient assessment areas, skills completed, hours worked, student and preceptor evaluations and documentation of all patient contacts. City staff available to the

students throughout the clinical training includes the Program Director, Clinical Coordinator, Program Coordinator and any additional EMS staff assigned to the paramedic class. Student identification badges, access to electronic record keeping or paper records for the students to track all of the required hours, skills and assessments to meet CAAHEP, CoAEMSP and AZDHS requirements will be provided by the City.

However, the insurance, indemnification, and decisions about agreeing to site specific background checks and policies will be the responsibility of the Agency, as evidenced through separate agreements.

ARTICLE III. TERM OF THE AGREEMENT

1. Term:

This Agreement shall commence on the Effective Date referenced above, and shall continue in force for five-years or until terminated by formal act of the Parties.

2. Termination and Cancellation:

Either Party at their convenience, by written notice, may terminate this Agreement in whole or in part by providing thirty days (30) written notice to the other Party. If this Agreement is terminated, the Agency, will be liable under the provisions of this contract for services and material rendered and accepted. In addition, the Parties acknowledge that this Agreement is subject to the cancellation by either party pursuant to the provisions of A.R.S. § 38-511. Upon cancellation or termination of this Agreement, each party will retain ownership of their solely provided property for the purposes of disposing of property on termination.

ARTICLE IV. GENERAL TERMS AND CONDITIONS

1. Governing Law; Forum; Venue:

This Agreement is executed and delivered in the State of Arizona, and the substantive laws of the State of Arizona (without reference to choice of law principles) will govern its interpretation and enforcement. Any action brought to interpret or enforce any provision of this Agreement that cannot be administratively resolved, or otherwise related to or arising from this Agreement, will be commenced and maintained in the state or federal courts in the State of Arizona, Maricopa County, and each of the Parties, to the extent permitted by law, consents to jurisdiction and venue in such courts for such purposes.

2. Implied Terms:

Each and every provision of law and any clause required by law to be in this Agreement shall be read and enforced as though it were included herein, and, if through mistake or otherwise, any such provision is not inserted, or is not correctly inserted, then upon the application of either Party, the Agreement shall be amended to make such insertion or correction.

3. Entire Agreement; No Waiver; Amendment:

This Agreement is intended by the undersigned Parties as the final expression of their agreement and is intended to be the complete and exclusive statement of the terms of the agreement between the Parties. No course of prior dealings between the Parties and no usage in the trade shall be relevant to supplement or explain any term used in this Agreement. Acceptance or acquiescence in a course of performance rendered under this Agreement shall not be relevant to determine the meaning of this Agreement even though the accepting or acquiescing Party has knowledge of the nature of the performance and the opportunity to object. Any delay or failure to exercise or enforce any right, power, privilege, or remedy under this Agreement by a Party may not be deemed a waiver, release, or modification of the requirements of this Agreement or any of its terms or provisions by that Party. This Agreement may not be modified or amended except in a writing signed by both Parties.

4. Health Insurance Portability and Accountability Act (HIPAA) of 1996:

The Parties certify that each is familiar with the requirements of HIPAA, as amended by the Health Information Technology for Economic and Clinical Health Act (HITECH Act) of 2009, and accompanying regulations and will comply with all applicable HIPAA requirements in the course of this Agreement. The Parties warrant that each will cooperate in the course of performance of the Agreement so that the Parties will be in compliance with HIPAA.

5. Third-Party Beneficiary Clause:

The Parties expressly agree that this Agreement is neither intended by any of its provisions to create any third Party beneficiary, nor to authorize anyone not a Party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

6. Fund Appropriation Contingency:

The Parties understand that the continuation of this Agreement is subject to the budget of the Parties providing for the associated expenditures. The Parties cannot assure that the funding for this Agreement will be approved in the future. In such event, either Party may terminate this Agreement.

7. No Joint Venture:

No term or provision in this Agreement is intended to create a partnership, joint venture or agency arrangement between any of the Parties.

8. Assignment and Delegation:

Neither this Agreement, nor any of its rights or obligations, may be transferred or assigned by either Party without the prior written consent of both Parties. Any attempt to assign this Agreement without prior written consent will be void and may result in penalties up to and including termination of the Agreement.

9. Independent Contractor Status:

To the extent required by law, the Parties agree that neither Party shall be deemed to be an employee or agent of the other Party to this Agreement and that the

relationship created by this Agreement is that of independent contractors. To the extent applicable by law, neither Agency nor any of Agency's agents, employees or helpers will be deemed to be the employee, agent, or servant of the City.

10. Workers' Compensation:

To the extent required by law, and pursuant to A.R.S. §23-1022(D), for the purposes of workers' compensation coverage, all employees of each Party covered by this Agreement shall be deemed to be an employee of all Parties. The agency which regularly employs an employee entitled to workers' compensation arising out of work associated with this Agreement shall be the agency solely liable for payment of all workers' compensation and related benefits.

11. Severability:

The provisions of this Contract are severable to the extent that any provision or application held to be invalid shall not affect any other provision or application of the Contract which shall remain in effect without the invalid provision or application.

12. Compliance with Laws:

The Parties will comply with all existing and subsequently enacted federal, state and local laws, ordinances, codes, and regulations that are, or become applicable to this Agreement. If a subsequently enacted law imposes substantial additional costs, a request for an amendment may be submitted pursuant to this Agreement.

13. Drug Free Workplace:

The Parties will comply with the Drug Free Workplace Act of 1988 and will permit inspection of its personnel records to verify such compliance. A Party's breach of the above-mentioned warranty shall be deemed a material breach of the Agreement and may result in the termination of the Agreement.

14. Immigration Requirements:

To the extent applicable by law, the Parties will comply with the Immigration Reform and Control Act of 1986 ("IRCA") and will permit inspection of its personnel records to verify such compliance. To the extent applicable under A.R.S. § 41-4401, each Party warrants compliance with all federal immigration laws and regulations that relate to its employees and compliance with the E-verify requirements under A.R.S. § 23-214(A). Each Party has the right to inspect the papers of the other Parties participating in this Agreement to ensure compliance with this paragraph. A Party's breach of the above-mentioned warranty shall be deemed a material breach of the Agreement and may result in the termination of the Agreement.

15. Legal Worker Requirements:

To the extent applicable by law, the Agency is prohibited by Arizona Revised Statutes § 41-4401 from awarding an agreement to any organization who fails, or whose subcontractors fail, to comply with Arizona Revised Statutes § 23-214(A). Therefore, the City shall ensure that:

15.1 To the extent applicable by law, each subcontractor the City uses warrants their compliance with all federal immigration laws and regulations that relate to their employees and their compliance with Arizona Revised Statutes § 23-214,

15.2 To the extent applicable by law, a breach of warranty will be deemed a material breach of the Agreement and is subject to termination of the Agreement by the Agency.

15.3 To the extent applicable by law, the Agency will have the legal right to inspect the papers of the City and any contractor or subcontractor who work(s) on this Agreement to ensure that the contractor or subcontractor is complying with this Section.

16. Confidentiality and Data Security:

16.1 All data, regardless of form, including originals, images and reproductions, prepared by, obtained by, or transmitted to the Agency from the City in connection with this Agreement is confidential, proprietary information owned by the City. Except as specifically provided in this Agreement, the Agency will not disclose data generated in the performance of the Services to any third person without the prior written consent of the City Manager, or his/her designee.

16.2 Personal identifying information, financial account information, or restricted City information, whether electronic format or hard copy, must be secured and protected at all times to avoid unauthorized access. At a minimum, Agency must encrypt and/or password protect electronic files. This includes data saved to laptop computers, computerized devices or removable storage devices. When personal identifying information, financial account information, or restricted City information, regardless of its format, is no longer necessary, the information must be redacted or destroyed through appropriate and secure methods that ensure the information cannot be viewed, accessed, or reconstructed.

16.3 In the event that data collected or obtained by the Agency in connection with this Agreement is believed to have been compromised, Agency will notify the City Privacy Officer immediately. Agency agrees to reimburse the City for any costs incurred by the City to investigate potential breaches of this data and, where applicable, the cost of notifying individuals who may be impacted by the breach.

16.4 Agency agrees that the requirements of this Section will be incorporated into all subcontractor/sub consultant agreements entered into by the Agency. It is further agreed that a violation of this Section will be deemed to cause irreparable harm that justifies injunctive relief in court. A violation of this Section may result in immediate termination of this Agreement without notice.

16.5 The obligations of Agency under this Section will survive the termination of this Agreement.

ARTICLE V. PAYMENTS

1. Payment and Fees:

Agency will pay the amount identified in the Fire Service Training Menu, Exhibit A, for each Agency employee that attends training. This amount may be adjusted at the discretion of the Phoenix Fire Chief based on Agency's contribution to the training through the provision of non-monetary resources such as facilities and personnel, recruit training officers, and other factors listed for non-monetary resources.

2. Invoicing:

Phoenix Fire Department will invoice Agency, per training class under this Agreement. Agency shall remit all payments to the City of Phoenix Fire Department within thirty (30) calendar days of the invoice date (the "Due Date"). If Agency's payment is not received with five (5) days after the Due Date, Phoenix may exercise its right to terminate this Agreement.

3. Fees for Non-Monetary Resources:

3.1 In establishing the Training Fee, the Parties may consider the nature and duration of the training; additional expenses associated with Agency's participation in the training; non-monetary contributions by the Agency in facilities, personnel, or equipment; and the experience, value, and goodwill inherent in the Parties training together. The City's Fire Chief has the discretion to waive fees, in whole or part, for the Agency when it is in the best interest of the City.

ARTICLE VI. INDEMNIFICATION

1. Indemnification and Claims Release:

1.1 The Agency acknowledges that participating in the Training Services is dangerous and includes the inherent and hazardous risks, including, but not limited to, the risk of serious injury, illness, death, burns, dismemberment, or permanent disability to Agency or Agency's employees.

1.2 Indemnification:

Each party (as "Indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) ("Claims"), but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers.

Each party must use its best efforts to cause all contractors (each an “Additional Indemnitor”) to indemnify, defend, save and hold harmless the other party from and against any and all Claims caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the Additional Indemnitor [and persons for whom they are vicariously liable].

Indemnifications Survive. The provisions of this Agreement wherein a Party has explicitly indemnified the other Party shall survive the expiration or earlier termination of this Agreement.

ARTICLE VII. NOTICES

1. Any notice, consent, or other communication (“notice”) required or permitted under this Agreement must be in writing and either delivered in person, sent by facsimile transmission, deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, or deposited with any commercial air courier or express service addressed as follows:

If to City:

Phoenix Fire Department
150 S. 12th Street
Phoenix, AZ 85034

Attn: Kara Kalkbrenner
Phoenix Fire Chief
Telephone: (602) 256-3189
Fax: (602) 262-4429

If to Contractor:

Avondale Fire and Medical Department
1825 N. 107th Avenue
Avondale, AZ 85392

Attn: Larry Rooney
Avondale Assistant Fire Chief
Telephone: (623) 333-6000
Fax: (623) 333-0600

Notice will be deemed received at the time it is personally served or, on the day it is sent by facsimile transmission or, upon deposit with any commercial air courier or express service or, if mailed, ten (10) days after the notice is deposited in the United States mail as provided above. Either Party may change its mailing address, fax number, or the contact information for the person to receive notice by notifying the other Party as provided herein. Notice sent by facsimile transmission must also be sent by regular mail to the recipient at the above address. This requirement for duplicate notice is not intended to change the effective date of the notice sent by facsimile transmission.

IN WITNESS WHEREOF, this Agreement is executed as provided below. Further, in signing this Agreement, the signatories below affirm and attest that they are authorized to execute this Agreement on behalf of their respective Party.

CITY OF PHOENIX, a municipal corporation

ED ZUERCHER, City Manager

By: _____

Kara Kalkbrenner

Fire Chief

ATTEST:

City Clerk

APPROVED AS TO FORM:

Acting City Attorney

CITY OF AVONDALE, a municipal corporation

By: _____

Charles A. Montoya

City Manager

ATTEST:

City Clerk, Avondale

APPROVED AS TO FORM:

City Attorney, Avondale

In accordance with A.R.S. §11-952 (D), this Agreement has been reviewed by the undersigned who determined that it is in appropriate form and is within the powers and authority of the respective parties.

CITY OF PHOENIX

By: _____
Sandra Hunter
Assistant Chief Counsel

Date: _____

CITY OF AVONDALE

By: _____
Nicholle Harris
City Attorney

Date: _____

EXHIBIT A - FIRE SERVICE TRAINING MENU

Students who have taken the initial training class from the Phoenix Fire Department will receive the corresponding continuing education classes, for that course, at no additional charge.

Aircraft Rescue Firefighter (ARFF) Certification Training	
Course Overview	Description
Scope	Students will study a curriculum required pursuant to the Federal Aviation Administration (FAA) 139.319. Students will learn skills needed to safely perform at Sky Harbor International Airport to include but not limited to: Airport Familiarization, Aircraft Familiarization, Aircraft Rescue Fire Fighter (ARFF) Safety, Emergency Communications, Apparatus, Agents, Aircraft Evacuation, Tactics and Strategy, Adaptive Structure, Cargo – Hazards, Emergency Plan, Airport Movement Area, Drivers Training, Annual Live Burn, Annual Escort Badging. This training will utilize the Incident Management/Unified Command structure and provide structure for working with our Aviation Partners.
Course Length	2 Classroom Weeks, 80 Hours – M – F 0800 – 1700 2 additional driver training days – 0800 – 1700 Optional Live Burn Day (1 day per student) – 0800-1700
Testing/Certification	Students will be evaluated and tested on their knowledge, skills and abilities throughout the course. Skill and performance evaluations are completed during the Live Burn Exercise and Drivers Training portion of the class. Students must complete a written examination at the end of the 80-hour course with a passing score of 75%. Engineers will be required to complete additional Drivers Training with the Drivers Training Captain at the end of the 80-hour course. Students will be required to complete a Live Burn Exercise at the end of the 80-hour course to become ARFF Certified. Students must attend 100% of the class, Live Burn and Drivers Training to be certified.

Cost	Base cost - \$1,340.00 Base cost with optional live burn - \$1,840.00
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EMT/Paramedic Recertification Training (CORE)	
Course Overview	Description
Overview	This is a recertification course designed to meet State requirements for recertification of EMT's and Paramedic's. The EMCT is an individual who has been certified in Arizona as an Emergency Medical Technician and/or a Paramedic. The EMCT is an allied health professional whose primary focus is to provide basic and advanced emergency medical care for critical and emergent patients who access the emergency medical system. These individuals possess the complex knowledge and skills necessary to provide patient care and transportation. The Core program meets and exceeds the requirements set forth for recertification by national, state, local organizations for these individuals to provide the highest level of care to our community. The Core recertification program recertifies individuals through the American Heart Association, in Basic Life Support, Advanced Life Support and Pediatric Life Support. The Core recertification process provides individuals with the latest updates and resources from PFD Emergency Medical Services: Recertifying members in service delivery with a specialized educational approach geared towards meeting the needs of the communities we serve: Assists us with fielding questions, changes and issues from the field in a timelier manner; Aids with dealing any discrepancies or immediate needs/issues that must be addressed as soon as possible; Identify and respond to community needs that demand high level training and customer service. CORE is purposely scheduled to assist members with remaining certified while creating minimal impact on deployment and staffing.

Linked Target Capabilities	▪ EMS System- Applies fundamental knowledge of the EMS system, safety/well-being of the EMCT, and medical/legal and ethical issues to the provision of emergency care ▪ Research- Applies fundamental knowledge of the EMS system, safety/well-being of the EMCT, and medical/legal and ethical issues to the provision of emergency care. ▪ Workforce Safety and Wellness- Applies fundamental knowledge of the EMS system, safety/well-being of the EMCT, and medical/legal and ethical issues to the provision of emergency care. ▪ Documentation- Applies fundamental knowledge of the EMS system, safety/well-being of the EMT/Paramedic, and medical/legal and ethical issues to the provision of emergency care. Review of the Documentation Tool Guide, PFD Volume 12, and PFD Treatment Guidelines. ▪ EMS System Communication- Applies fundamental knowledge of the EMS system, safety/well-being of the EMCT, medical/legal and ethical issues to the provision of emergency care. ▪ Medical/Legal and Ethics- Applies fundamental knowledge of the EMS system, safety/well-being of the EMCT, medical/legal and ethical issues to the provision of emergency care. ▪ Anatomy and Physiology- Applies fundamental knowledge of the anatomy and function of all human systems to the practice of EMS. ▪ Medical Terminology- Uses foundational anatomical and medical terms and abbreviations in written and oral communication with colleagues and other health care professionals. ▪ Disease profiles and Pathophysiology- Applies fundamental knowledge of the pathophysiology of respiration and perfusion to patient assessment and management. ▪ Pharmacology- Applies fundamental knowledge of the medications that the EMCT may assist/administer to a patient during a medical emergency.
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	▪ Airway Management/Respiration- Applies knowledge (fundamental depth, foundational breadth) of anatomy and physiology to patient assessment and management in order to ensure a patent airway, adequate mechanical ventilation, and respiration for patients of all ages. ▪ Patient Assessment- Applies scene information and patient assessment findings (scene size-up, primary and secondary assessment, patient history, reassessment) to guide emergency medical management. ▪ Medical Emergencies- Applies fundamental knowledge to provide basic and advanced emergency care and transportation based on assessment findings for an acutely ill patient with medical emergencies. ▪ Trauma/Shock- Applies fundamental knowledge to provide basic and advanced emergency care and transportation based on assessment findings for an acutely injured patient with traumatic emergencies. ▪ OB/GYN- Applies a fundamental knowledge of growth, development, aging and assessment findings to provide basic and advanced emergency care and transportation for a patient with special needs in obstetrics and individuals with pregnancies. ▪ Pediatric and Neonatal emergencies- Applies a fundamental knowledge of growth, development, aging and assessment findings to provide basic and advanced emergency care and transportation for a pediatric patient, and patients with special needs. ▪ Geriatrics- Applies a fundamental knowledge of growth, development, aging and assessment findings to provide basic and advanced emergency care and transportation for the elderly/geriatric patient, and elderly patients with special needs.
Scope	The EMCT is an allied health professional whose primary focus is to provide basic and advanced emergency medical care for critical and emergent patients who access the emergency medical system. This individual possesses the complex knowledge and skills necessary to provide patient care and transportation. EMCT function as part of a comprehensive EMS response, under medical oversight. EMCT can perform interventions with

	the basic and advanced equipment with in their system. The EMCT is a link from the scene into the health care system.
Course Length	1 day, 8hrs. Held on Monday's and Friday's 0800-1700. Prerequisites must be completed prior to attending class.
Delivery Options	▪ Complete: In a Classroom setting utilizing Video content, PowerPoint presentation and multiple skills application. ▪ Partial: Utilizing all AHA and CORE video content. Once completed, members will be tested on individual skills at battalion office in a small group setting. ▪ Train-the-Trainer: Required Prior: previous teaching experience, Instructor certifications and in good standing with in Phoenix Fire Department. ▪ Skills Instructor: Follow another instructor for each skill and demonstrate a "Teach Back" at mastery level prior to becoming a skills instructor. ▪ Lead Instructor: Follow a lead instructor with classroom instruction and management. Upon following a lead instructor, the member will Lead the Core classroom with another lead, assisting the trainee to mastery.
Target Audience	Fire Service, Hazardous Materials, Law Enforcement, Emergency Medical Services, Public Works
Prerequisites	▪ Current AZ DHS EMT certification ▪ Current AZ DHS Paramedic certification ▪ RN, PA and/or MD/DO ▪ Current: • American Heart Association (AHA) — BLS Health Care Provider certification AND (For Paramedic, RN, PA, MD and DO) • American Heart Association (AHA) — Advanced Life Support provider certification • American Heart Association (AHA) — Pediatric Life Support provider certification ▪ All AHA video modules completed with certificates. ▪ All state required CE's completed for EMT's and Paramedic's ▪ EMT- 24 CE hrs. ▪ Paramedic — 48 CE hrs. ▪ Must be in Uniform!
Testing/Certification	EMCT members, during the testing process, will demonstrate competence in a wide range of emergency care skills.

	Members will show competence in the following skills during testing: patient assessment/management of a trauma patient, patient assessment/management of a medical patient, assessment/management of cardiac arrhythmias, cardiac arrest management/AED utilization, basic and advance airway/ventilation management of an apneic patient, long bone fracture immobilization, joint dislocation immobilization, traction splinting, bleeding control/shock management, upper airway adjuncts and suction, bag-valve-mask ventilation with supplemental oxygen, and supplemental oxygen administration to a breathing patient. Members will show competency in Pediatric, Adult and Geriatric patient management. The course will be geared towards a team based setting with advance and basic level practitioners. Members will take written exams covering all course objectives. Exams will be American Heart Association BLS, ACLS and PALS. A passing score of 80% must be obtained. Upon completion of Psychomotor skills and written testing, members must demonstrate that they have completed the required number of CE hours, a OHS application, class and AHA rosters, and AHA evaluation prior to recertification.
Evaluation Strategy	Practical Skills will be assessed through various skills worksheets for each medical scenario from American Heart Association.
Instructor Certification and Qualification	▪ 2 years as a EMT or Paramedic ▪ Good standing with in EMS, Phoenix Fire Department and ▪ AZ OHS ▪ Understanding and knowledge of all Standing Guidelines, SOP's and Volume 12 ▪ NREMT Skills Examiner instructor ▪ EDU 250 (from the College) ▪ Current: ▪ BLS instructor card ▪ ACLS instructor card ▪ PALS instructor card
Cost	\$200 per student

Firefighter Recruit Training (14 Week Recruit Training Academy)	
Course Overview	Description
Overview	The Phoenix Fire Department Recruit Training Academy is conducted over a minimum of 14 weeks with 550 hours of

	training and meets the requirements of the Regional Automatic Aid IGA.
Scope	Over the course of the firefighter recruit academy the following skills will be covered: ▪ Physical Fitness ▪ Peer Support ▪ EMS Training ▪ Haz Mat / Special Ops ▪ Vehicle Safety ▪ Fireground Skills ○ SCBA ○ Hose Lays ○ Search & Rescue ○ Ventilation ○ Forcible Entry ○ Hose Management ○ Ground Ladders ▪ Live Fire Training ○ Intro to Heat ○ Flashover ○ Functional Burns ○ Car Fires ▪ Ladder Functions ○ Extrication ○ Salvage & Overhaul ○ Commercial Ventilation ▪ Building Construction ▪ High Rise ▪ Fireground Survival ▪ Power & Hand Tools ▪ Communications ▪ Tactics ▪ Utilities ▪ Violent Incident Training ▪ Extinguishers ▪ Cancer Awareness & prevention ▪ Safety ▪ Professional Standards ▪ Firefighter Survival ▪ Urban Interface ▪ Mental Health / Peer Support
Course Length	14-16 weeks (dependent on City Holidays) 550 Hours - M-F 0700-1600
Prerequisites	Arizona State EMT IAFF Certified CPAT CPR Certification:

	- American Heart Association (AHA) - Health Care Provider - American Red Cross (ARC) - CPR for the Professional Rescuer - National Safety Council (NSC) – Equivalent Qualification
Testing/Certification	Students will be evaluated and tested on their knowledge, skills and abilities throughout the academy. At the end of the recruit training academy recruits that have not previously obtained Arizona State Firefighter 1 & 2 certification will be required to complete that testing process. The Arizona Center for Fire Service excellence administers the test including practical skills evaluations and a written exam. Upon completion of that exam, recruits will be Firefighter 1 & 2 certified. Upon completion of the recruit academy recruits become Probationary Firefighters and work under the supervision of a Field Training Officer for up to 9 months.
Evaluation Strategy	Practical Skills will be assessed through skills evaluations via iPad and a training database. Results are shared with recruits.
Instructor Certification	The Phoenix Fire Recruit Training Academy is taught by Regional Fire Captains and subject matter experts in not more than a 4 to 1 student/instructor ratio. It is recommended for instructors to obtain EDU250 from the MCCC and Fire Instructor 1 certification.
Cost	\$4,500 per recruit If a participating regional City sends a Recruit Training Officer for the length of the academy the price for up to 2 recruits will be waived.

Fire Inspector Training	
Course Overview	Description
Scope	Over the course of the training program, candidates will learn the skills needed to perform a complete, holistic inspection from start to finish. They will also learn records and code research, how to create comprehensive inspection notices, conducting technical plan review, customer service delivery skills, creating and maintaining inspection data reports and the citation process.
Course Length	16 weeks, 640 Hours - M-F 0730-1600
Testing	Upon the completion of each chapter, a quiz will be administered. There will also be a mid-term exam and final exam during the didactic portion of the program. Minimum passing score for all quizzes and tests will be 80%.

	The filed internship will be comprised of Pass/Fail practical skills stations.
Cost	\$1500 per candidate

Hazardous Material Technical (HZM) Certification Training	
Course Overview	Description
Scope	Over the course of the program, students will learn the skills needed to safely perform Hazardous Material Technician level response in accordance with OSHA CFR29 1910.120 and NFPA 472 & 1072. The objectives of the course are to teach participants: ▪ to classify, identify, and verify known and unknown material by using field survey instruments and equipment; ▪ to select and use the proper chemical protective clothing provided to the hazardous materials Technician; ▪ to understand hazard and risk assessment techniques for Hazmat and CBRNE environments; ▪ to be able to perform advanced control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available; ▪ to develop incident action plans within the parameters of the incident command system.
Course Length	5 Weeks, 200 Hours - M-F 0800-1700
Prerequisite	Hazardous Materials First Responder Operations
Testing/Certification	Students will be evaluated and tested on their knowledge, skills and abilities throughout the course. Skill and performance evaluations are included in the daily breakdown within the course pertaining to the skills being learned. Students must complete a written examination at the conclusion of the following module with a passing score of 75%: ▪ Chemistry At the conclusion of the entire Hazardous Materials Technician program, students must complete a written examination covering all course objectives in accordance with IFSAC accreditation standards. A passing grade of 75%, as well as successful completion of all skill check-offs is required by each student in order to complete the course.
Cost	\$4500 per student

Initial Paramedic Training	
Course Overview	Description
Scope	Throughout the course of the Paramedic training program, the student will learn the knowledge and skills needed to safely and proficiently provide basic and advanced emergency medical care and transportation for critical and emergent patients who access the emergency medical system. Paramedics function as part of a comprehensive EMS response, under medical oversight. Paramedics can perform interventions with the basic and advanced equipment with in their system. The paramedic is a link from the scene into the health care system.
Course Length	10 Months, 1282 hours. Class meets Tuesday, Wednesday & Thursday 0900-1800
Testing/Certification	Students will demonstrate competence in the following skills during testing: patient assessment/management of a trauma patient, patient assessment/management of a medical patient, assessment/management of cardiac arrhythmias, cardiac arrest management/AED utilization, basic and advance airway/ventilation management of an apneic patient, long bone fracture immobilization, joint dislocation immobilization, traction splinting, bleeding control/shock management, upper airway adjuncts and suction, bag-valve-mask ventilation with supplemental oxygen, and supplemental oxygen administration to a breathing patient. Students will show competency in Pediatric, Adult and Geriatric patient management. Students will take written, computer generated and skills examinations covering all course objectives. A passing score of 80% must be obtained. Upon successful completion of the PFD Paramedic Training Program, students are eligible to take the NREMT Psychomotor test and the NREMT CAT test. Upon successful completion of NREMT examinations, students receive their Arizona and National Paramedic certifications Additional Certifications awarded during paramedic training ▪ Certificate of Completion from Phoenix College ▪ ACLS certification ▪ PALS certification ▪ TECC Certification
Cost	\$5,000 Per Student

Technical Rescue Technician (TRT) Certification Training

Course Overview	Description
Scope	Over the course of the program, students will learn the skills needed to safely perform rescue operations in the following areas of expertise: ▪ Rope Rescue ▪ Confined Space Search and Rescue ▪ Trench and Excavation Search and Rescue ▪ Structural Collapse ▪ Swiftwater Rescue ▪ Vehicle and Machinery Rescue ▪ Helicopter Rescue Operations This training will utilize the Incident Management/Unified Command structure to assess a technical rescue hazard within the response area, identify the level of operational capability, and establish operational criteria.
Course Length	5 Weeks, 200 Hours - M-F 0800-1700
Testing/Certification	Students will be evaluated and tested on their knowledge, skills and abilities throughout the course. Skill and performance evaluations are included in the daily breakdown within the course pertaining to the skills being learned. Students must complete also a written examination at the conclusion of the following modules with a passing score of 80%: ▪ Confined Space Rescue ▪ Trench Rescue ▪ Structural Collapse In addition, at the conclusion of the entire Technical Rescue Technician program, students must complete a written examination covering all course objectives. A passing grade of 80%, as well as successful completion of all skill check-offs is required by each student in order to complete the course.
Cost	\$4500 per student

EXHIBIT B - ASSUMPTION OF RISK AND RELEASE AGREEMENT

ASSUMPTION OF RISK AND RELEASE AGREEMENT CITY OF PHOENIX FIRE SERVICE TRAINING

THIS IS A RELEASE OF LEGAL RIGHTS – READ AND UNDERSTAND BEFORE SIGNING

I, _____ hereby agree as follows:

1. Risk of Activity. I understand that participation in training exercises (“Activities”) with the City of Phoenix and its affiliated training vendors (“City”), at the City and or affiliated vendor locations (“Site(s)”) involves inherent risk of physical injury and illness associated with and arising out of my presence at the Site and participation in the Activities. I have made my own investigation of these risks and fully accept these risks. I am thoroughly familiar with the type of exercise and physical ability necessary to attempt the Training. I represent that to the best of my knowledge my health and physical condition are excellent and that I am physically capable of participating in Training. I understand that the Training is dangerous and includes the risk of serious injury, burns, illness, death, or permanent disability. I acknowledge that any injuries that I sustain may be compounded by negligent emergency response or rescue operations of the City. I am knowingly and voluntarily participating in the Training with an understanding of the risks involved and hereby agree to accept and assume any and all risks of injury, illness, death, or permanent disability I incur, whether caused by the City or otherwise.
2. Waiver of Liability. I understand the City is not responsible for any injury or loss I may suffer while participating in Activities at the Site. I hereby completely and unconditionally release and forever discharge City, its officials, officers, employees, agents, and all other participants, from all injury, loss, damage, accident, delay, or expense, arising out of any Activities at the Site.
3. Health and Safety.
 - a. I have consulted with a medical doctor with regard to my personal medical needs. There are no health-related reasons or conditions precluding or restricting my participation in Activities at the Site.
 - b. I have arranged, through insurance, or otherwise, to meet any and all needs for payment of medical costs while I participate in Activities at the Site. I acknowledge and understand City is not obligated to attend to any of my medical or medication needs, and I assume all risk and responsibility therefrom. If I require medical treatment or hospital care during the Activities, City is not responsible for the cost or quality of such treatment or care.
 - c. Subject to medical decision-making capacity, I acknowledge and understand City may, but is not obligated to, take any action it considers warranted under

the circumstances regarding my health and safety. I agree to pay all expenses related thereto and release City from any liability for any actions taken.

4. Standard of Conduct. I agree to comply with all City's rules, standards, and instructions while a participant in Activities at the Site, including but not limited to, the City of Phoenix Fire Department Rules and Regulations, as amended. I waive and release all claims against City for my failure to remain under the supervision of City personnel or to comply with such rules, standards, and instructions.
5. Assumption of Risk and Release of Claims. Knowing the risks described above, and in consideration of being permitted to participate in Activities at the Site, I agree, on behalf of myself, family, heirs, and personal representative(s), to assume all risks and responsibilities surrounding my participation in Activities at the Site. To the maximum extent permitted by law, I release and indemnify City, its officials, officers, employees, and agents, from and against any present or future claim, loss, or liability for injury to person or property which I may suffer, or for which I may be liable to any other person, during my participation in Activities at the Site, including periods in transit to or from the Site.
6. INDEMNITY: I SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS RELEASEES AGAINST ANY AND ALL LOSSES, DAMAGES, LIABILITIES, DEFICIENCIES, CLAIMS, ACTIONS, JUDGMENTS, SETTLEMENTS, INTEREST, AWARDS, PENALTIES, FINES, COSTS, OR EXPENSES OF WHATEVER KIND, INCLUDING REASONABLE ATTORNEY FEES, FEES AND THE COSTS OF ENFORCING ANY RIGHT TO INDEMNIFICATION UNDER THIS AGREEMENT, AND THE COST OF PURSUING ANY INSURANCE PROVIDERS, INCURRED BY THE INDEMNIFIED PARTY ARISING OUT OF OR RESULTING FROM ANY CLAIM OF A THIRD- PARTY RELATED TO MY PARTICIPATION IN THE TRAINING. THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE REALEASEES, IN INSTANCES WHERE SUCH GROSS NEGLIGENCE OR WILLFUL MISCONDUCT CAUSES PERSONAL OR BODILY INJURY, DEATH, OR PROPERTY DAMAGE. IN THE EVENT I AND THE RELEASEES ARE FOUND JOINTLY LIABLE BY A COURT OF COMPETENT JURISDICTION, LIABILITY SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS OF THE STATE OF ARIZONA.
7. No Joint Venture: I understand that no term or provision in this Agreement is intended to create a partnership, joint venture or agency arrangement between any of the Parties. I further understand that neither Party shall be deemed to be an employee or agent of the other Party to this Agreement. To the extent applicable by law, I will not be deemed to be the employee, agent, or servant of the City. I understand that where I am included as a "student" that does not deem me to be an employee or agent of the City.
8. Workers Compensation: For the purposes of workers' compensation coverage, the agency which regularly employs an employee entitled to workers' compensation arising out of work associated with this Waiver shall be the agency solely liable for

payment of all approved workers' compensation and related benefits.

9. If any one or more of the provisions in this waiver are determined to be invalid, illegal, or unenforceable, it shall not affect any other provision of this waiver, and this waiver shall be construed as if such invalid provision had never been contained in this waiver. In any legal action in connection with this waiver, the exclusive venue shall be in the courts of Maricopa County, Arizona and this waiver shall be construed in accordance with the laws of the State of Arizona.

I have carefully read this Release Form and sign it voluntarily. No representations, statements, inducements, oral or written, apart from the foregoing written statement, have been made. This agreement shall become effective only upon receipt by City and shall be governed by and construed in accordance with the laws of the State of Arizona including City's Charter and Municipal Ordinances. Venue for any action relating to or arising out of this agreement shall be in the Court for the City and County of Maricopa.

Executed on this date _____

By _____
Printed Name as Individual

Signature

Witness Printed Name Witness

Signature

Name of Department or Agency

CITY COUNCIL REPORT

SUBJECT: Ordinance 2045-0921 - Dedication of a Perpetual Easement to the United States of America - On Thomas Road, west of 99th Avenue

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Creative and Sustainable Community Development - Avondale is committed to creating a sense of place, a community of residents and local businesses unified by pride and common values.

This action will maintain and expand quality infrastructure and improve connectivity to City amenities.

PURPOSE:

City Council will consider a request to adopt Ordinance 2045-0921 dedicating a Perpetual Easement to the United States of America (USA) on Thomas Road west of 99th Avenue and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

BACKGROUND:

On October 19, 2020, City Council adopted Ordinance No. 2033-1020 approving a Planned Area Development (PAD) for Fulton Homes Acclaim located at the northwest corner of Thomas Road and 99th Avenue. One of the rezoning stipulations required the developer to tile the existing Salt River Project (SRP) open channel along 99th Avenue.

DISCUSSION:

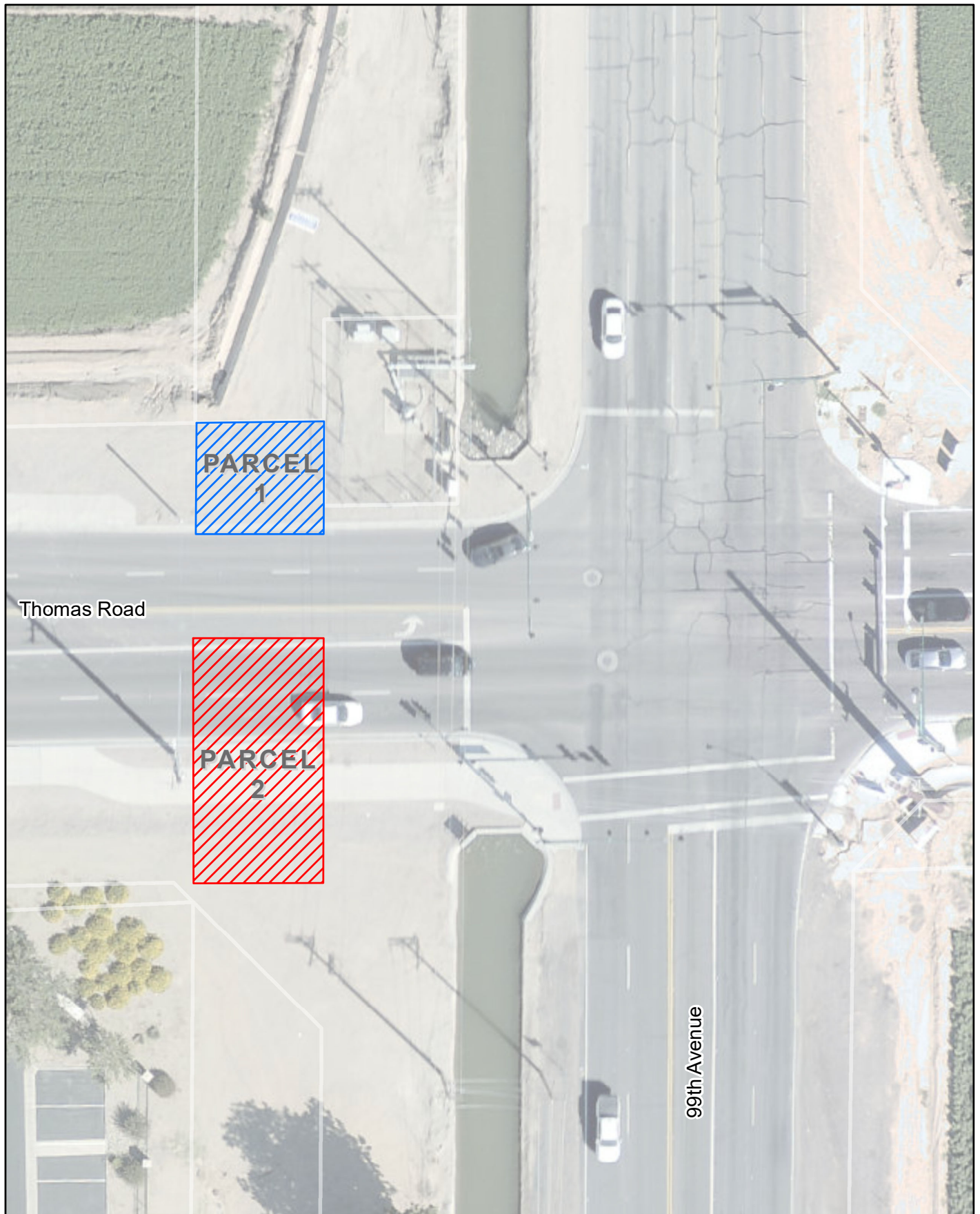
The new pipe alignment is approximately 35 feet west of the existing open channel. This will require the City to dedicate a perpetual easement in Thomas Road right-of-way for the new pipe. After the easement is dedicated and the new pipe is installed under Thomas Road, SRP will backfill the open channel and Fulton Homes can then begin construction of the required street improvements to 99th Avenue along their frontage.

BUDGET IMPACT:

There is no impact to the budget for this action

RECOMMENDATION:

Staff recommends that the City Council adopt Ordinance dedicating a Perpetual Easement to the United States of America in Thomas Road west of 99th Avenue and authorize the Mayor or City Attorney, and City Clerk to execute the necessary documents.



NOT TO SCALE

IRRIGATION EASEMENT TO BE DEDICATED
TO THE UNITED STATES OF AMERICA

ORDINANCE NO. 2045-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, GRANTING AN EASEMENT TO THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION FOR CONSTRUCTION, RECONSTRUCTION, OPERATION AND MAINTENANCE OF WATER DISTRIBUTION SYSTEM PIPELINES ON PROPERTY GENERALLY LOCATED ALONG THOMAS ROAD WEST OF 99TH AVENUE.

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

SECTION 1. An easement is hereby granted to the United States Department of the Interior Bureau of Reclamation for construction, reconstruction, operation and maintenance of water distribution system pipelines, as part of the Salt River Project water distribution system, for the improvements to Thomas Road in the form attached hereto as Exhibit 1 and incorporated herein by this reference, through, over, under and across certain real property generally located on Thomas Road west of 99th Avenue, and described in Exhibit A to the easement form attached hereto as Exhibit 1.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT 1
TO
ORDINANCE NO. 2045-0921

[Contract and Grant of Easement]

See following pages.

ORIGINAL

**Contract No. Case
No. 20-021**

Exempt per A.R.S. § 11-1134 A.3.

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

SALT RIVER PROJECT

CONTRACT AND GRANT OF EASEMENT

THIS CONTRACT AND GRANT OF EASEMENT, made this _____ day of _____, _____, pursuant to the Reclamation Act of June 17, 1902 (32 Stat. 388), the Reclamation Project Act of 1939 (53 Stat. 1187), and all acts amendatory thereof or supplementary thereto, between the **UNITED STATES OF AMERICA**, hereinafter referred to as "United States," and **City of Avondale, an Arizona municipal corporation**, hereinafter referred to as "Grantor."

WITNESSETH:

That the Salt River Project Agricultural Improvement and Power District (SRP), an agricultural improvement district organized and existing under the laws of the State of Arizona, intends to

relocate a portion of a federal irrigation facility acquired for a project purpose to a piped irrigation facility at a new location; and,

WHEREAS, the United States owns a real property interest along the existing irrigation facility, and Grantor owns the fee title to the real property onto which the irrigation facility will be relocated; and,

WHEREAS, Grantor intends to grant to the United States and its assigns that certain real property interest needed for the relocated facility in exchange for the real property interest no longer needed for project purposes and for the purpose of benefitting its future development of real property; and,

WHEREAS, the United States will release its interest, if any, in and to the real property interest no longer needed by Contract No. _____ to **City of Avondale, an Arizona municipal corporation**, and any and all other owners of record of the underlying fee title.

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the parties agree to the following grant and mutual covenants:

1. Grantor does hereby grant, with general warranty of title, unto the United States of America and its assigns a perpetual easement to construct, reconstruct, operate and maintain certain water distribution system pipelines, as part of the SRP water distribution system, and such structures, installations and facilities used in the construction, reconstruction, operation and maintenance of

said water distribution system, across certain land situated in the County of Maricopa, State of Arizona, and more fully described in Exhibit "A" attached hereto and by this reference made part hereof.

2. The grant of easement herein contained shall include the perpetual right of ingress and egress over said premises to construct, reconstruct, operate, maintain, enlarge, improve, relocate, remove, repair and renew said water distribution system, together with the present and future right to clear said right-of-way to the extent deemed necessary by the United States to protect the rights and privileges herein granted.

3. The United States, its successors and assigns, may hold such easement forever for all purposes consistent with the water distribution feature of SRP, or any changes, or additions or modifications that may hereafter be made therein, and the United States, its successors and assigns, will have the perpetual right to take and use materials, as well as all of the rights incident to such water distribution feature, or any changes, additions, or modifications thereof over, upon or across said right-of-way described in Exhibit "A".

4. The Grantor hereby ratifies and affirms the right of the United States, its permittees, successors or assigns, to construct, reconstruct, operate, maintain, enlarge, improve, relocate, remove, repair and renew, together with the right of access thereto for such purposes, at any time and from time to time, a water conduit and related facilities, consisting of one or more canals, pipelines, laterals, markers, air valves, manholes, valves, meters, surge control devices, buried communication conduits, and all other fixtures, devices and appurtenances related thereto, and to

conduct all related activities in, on, under, and across the land described in Exhibit "A" under the following conditions:

(a) The United States shall have the right to use the subject land for ingress and egress at any time without prior notice, together with the right to use existing or future roadways, lanes and rights-of-way on Grantor's property adjacent thereto, as may be convenient and necessary for the purposes of exercising the rights herein granted. The United States may, at any time, install and/or use gates in any fences which are now or may hereafter be constructed and to trim, cut and clear away trees or brush whenever, in its judgment, the same shall be necessary for the convenient and safe exercise of the rights hereby granted, on said lands described in Exhibit "A", or on such adjoining lands for the purpose of exercising the rights herein granted.

(b) The rights granted to, and exercised by, the United States shall be subject to all existing structures, fencing, canals, ditches, pipelines, roadways, and rights-of-way, and all future uses thereof, including but not limited to the right of the Grantor to use the lands within said parcel for agricultural and other purposes that do not directly or indirectly interfere with or endanger the exercise of the rights of the United States; PROVIDED, HOWEVER, that the Grantor shall clear and keep clear the lands described in Exhibit "A", from explosives, buildings and structures of all kinds or facilities of a permanent nature which directly or indirectly interfere or could interfere with the rights of the United States, and shall not drill any well, install swimming pools, or alter ground level by cut or fill, within the limits of said rights-of-way and the United States shall have the permanent right of exclusive use and possession within the easement.

5. The grant of easement herein contained is subject to easements and rights-of-way existing or of record in favor of the public or third parties, and subject to any outstanding interest in any and all organic or inorganic substances in or under said land.

6. Grantor warrants that no person or agency has been employed or retained to solicit or secure this grant upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial agencies maintained by the Grantor for the purpose of securing business.

7. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this grant or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this grant if made with a corporation or company for its general benefit.

8. The provisions of this grant shall obligate and inure to the benefit of the respective heirs, executors, administrators, successors, and assigns of the parties to this grant.

IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

to **City of Avondale, an Arizona municipal corporation**

By: _____
Kenneth N. Weise
Mayor of Avondale

UNITED STATES OF AMERICA

Leslie A. Meyers
Area Manager
Phoenix Area Office
Bureau of Reclamation

Contract No.
Case No. 20-021

ACKNOWLEDGMENT

State of Arizona)
) ss.
County of Maricopa)

On this ____ day of _____, _____, before me,
_____, a Notary Public in and for said County and State,
personally appeared _____, _____, on behalf of
to **City of Avondale, an Arizona municipal corporation**, known to me to be the person
described in the foregoing instrument, and acknowledged to me that he/she executed the same in
the capacity therein stated and for the purpose therein contained.

Notary Public in and for
said County and State



Exhibit "A"

Description of Real Estate In Maricopa County, State of Arizona

Job No. 20-0146

April 30, 2021

PARCEL 1

A Parcel of land in the Southeast Quarter (SE ¼) of Section Twenty-nine (29), Township Two (2) North, Range One (1) East of the Gila and Salt River Meridian, Maricopa County, Arizona, and being more particularly described as follows:

COMMENCING at a MAG nail in pavement at the Southeast corner of said Section 29 from which a 3" Maricopa County Highway Department brass cap in hand hole at the East quarter corner of said Section 29 bears North 00 degrees 18 minutes 10 seconds East, 2638.01 feet;

thence North 00 degrees 18 minutes 10 seconds East, 53.26 feet;

thence North 89 degrees 41 minutes 50 seconds West, 70.00 feet to the POINT OF BEGINNING;

thence South 00 degrees 18 minutes 10 seconds West, 22.01 feet;

thence South 88 degrees 51 minutes 38 seconds West, 35.01 feet;

thence North 00 degrees 18 minutes 10 seconds East, 22.01 feet;

thence North 88 degrees 51 minutes 38 seconds East, 35.01 feet to the POINT OF BEGINNING.

Containing 0.02 acre(s), more or less

PARCEL 2

A Parcel of land in the Northeast Quarter (NE ¼) of Section Thirty-two (32), Township Two (2) North, Range One (1) East of the Gila and Salt River Meridian, Maricopa County, Arizona, and being more particularly described as follows:

COMMENCING at a MAG nail in pavement at the Southeast corner of said Section 29 from which a 3" Maricopa County Highway Department brass cap in hand hole at the East quarter corner of said Section 29 bears North 00 degrees 18 minutes 10 seconds East, 2638.01 feet;

thence South 88 degrees 51 minutes 38 seconds West, 70.03 feet to the POINT OF BEGINNING;

thence South 00 degrees 23 minutes 26 seconds West, 55.02 feet;

thence South 88 degrees 51 minutes 38 seconds West, 35.01 feet;

thence North 00 degrees 23 minutes 26 seconds East, 55.02 feet;

thence North 88 degrees 51 minutes 38 seconds East, 35.01 feet to the POINT OF BEGINNING.

Containing 0.04 acre(s), more or less

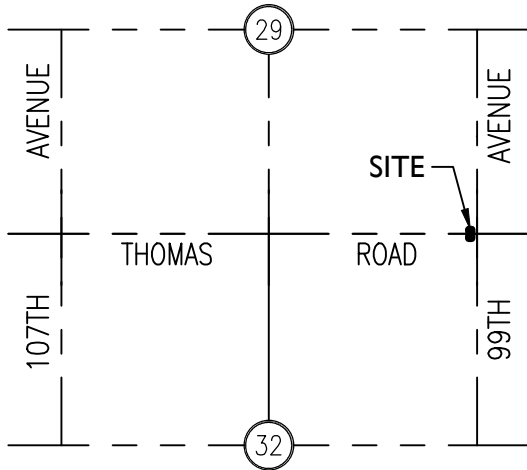


EXHIBIT



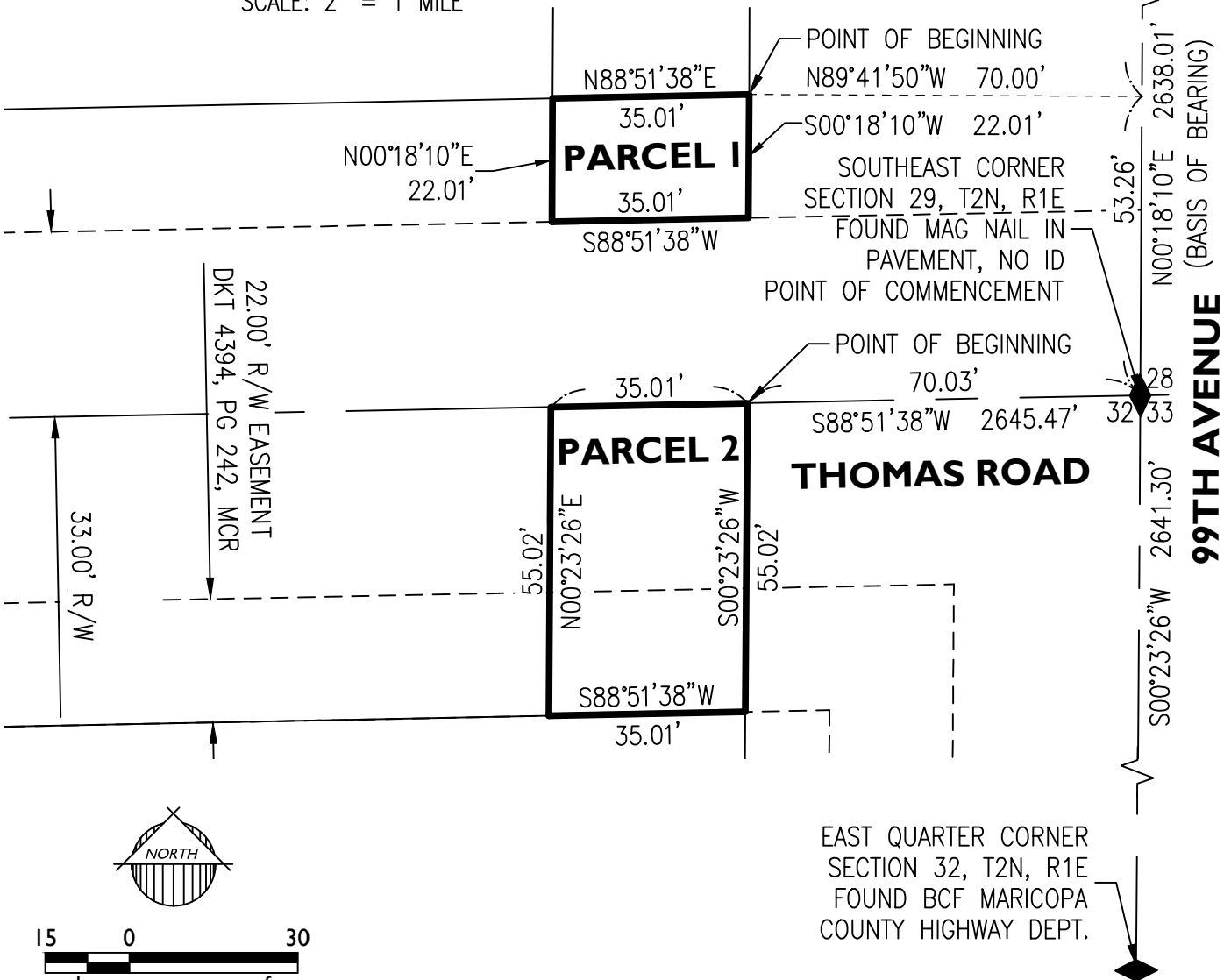
Michael D. Pollock

EAST QUARTER CORNER
SECTION 29, T2N, R1E
FOUND 3" BCHH MARICOPA
COUNTY HIGHWAY DEPT.



LOCATION MAP

T2N, R1E G&RSM
SCALE: 2" = 1 MILE



21-0146

CITY OF AVONDALE
Commitment No. A-113685-8
PROPOSED USA EASEMENT



1130 N. Alma School Rd.
Ste. 120 Mesa, AZ 85201
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com

CITY COUNCIL REPORT

SUBJECT: Ordinance 2046-0921 - Dedication of a Perpetual Easement to the United States of America - Along the west side of 99th Avenue and South of Thomas Road

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Creative and Sustainable Community Development - Avondale is committed to creating a sense of place, a community of residents and local businesses unified by pride and common values. This action will maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will consider a request to adopt Ordinance 2046-0921 dedicating a Perpetual Easement to the United States of America (USA) along the west side of 99th Avenue and South of Thomas Road (also known as Holy Cross) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

BACKGROUND:

The open irrigation ditch that is located along the west side of 99th Avenue and south of Thomas Road needs to be placed in a pipe for future expansion of 99th Avenue. Salt River Project (SRP) will design and construct the improvements using aesthetic funds.

DISCUSSION:

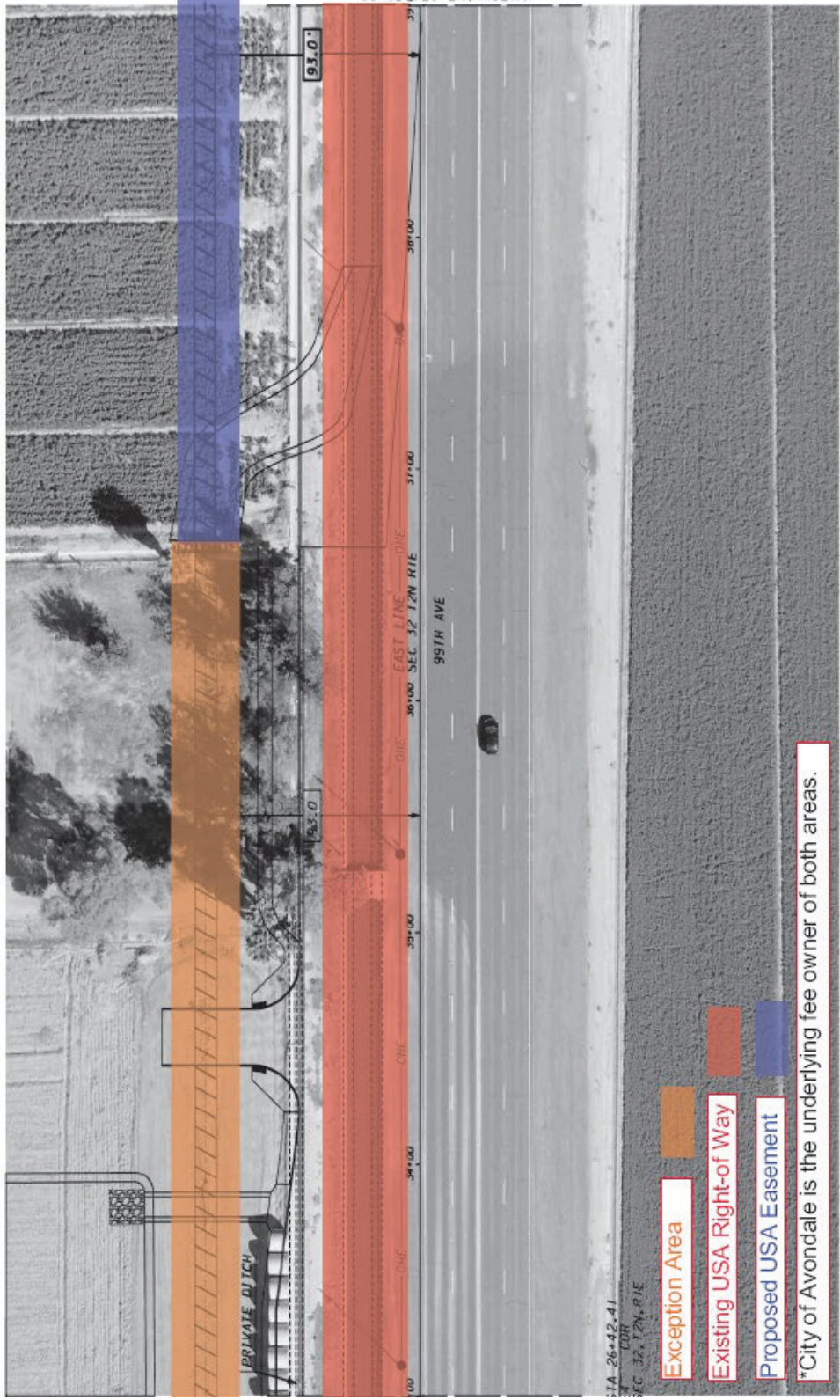
The new pipe alignment is approximately 35 feet west of the existing open channel. This will require the City to dedicate a new pipeline easement in 99th Avenue right-of-way for the new pipe. After the easement is dedicated and the new pipe is installed under 99th Avenue, SRP will backfill the open channel so the required future street improvements along 99th Avenue can be completed.

BUDGET IMPACT:

This is at no cost to the City. The construction will be funded by Salt River Project (SRP) aesthetic funds allocated to the City of Avondale.

RECOMMENDATION:

Staff recommends that the City Council adopt an Ordinance dedicating a Perpetual Easement to the United States of America along the west side of 99th Avenue and South of Thomas Road and authorize the Mayor or City Attorney, and City Clerk to execute the necessary documents.

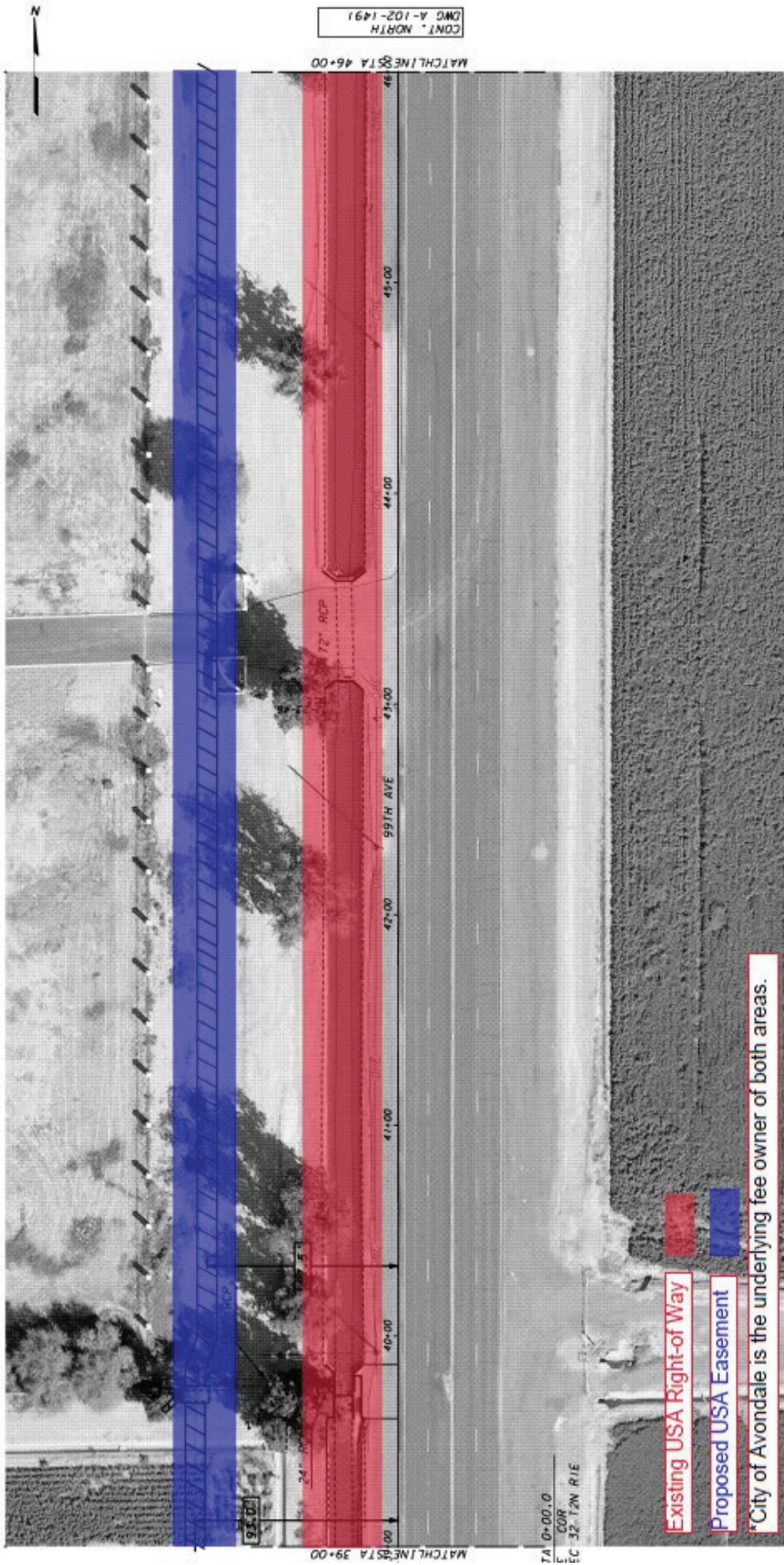


Exception Area

Existing USA Right-of-Way

Proposed USA Easement

*City of Avondale is the underlying fee owner of both areas.



MATCHLINE STA 39+00

TA 0+00.0
 EC 32.72N R/E

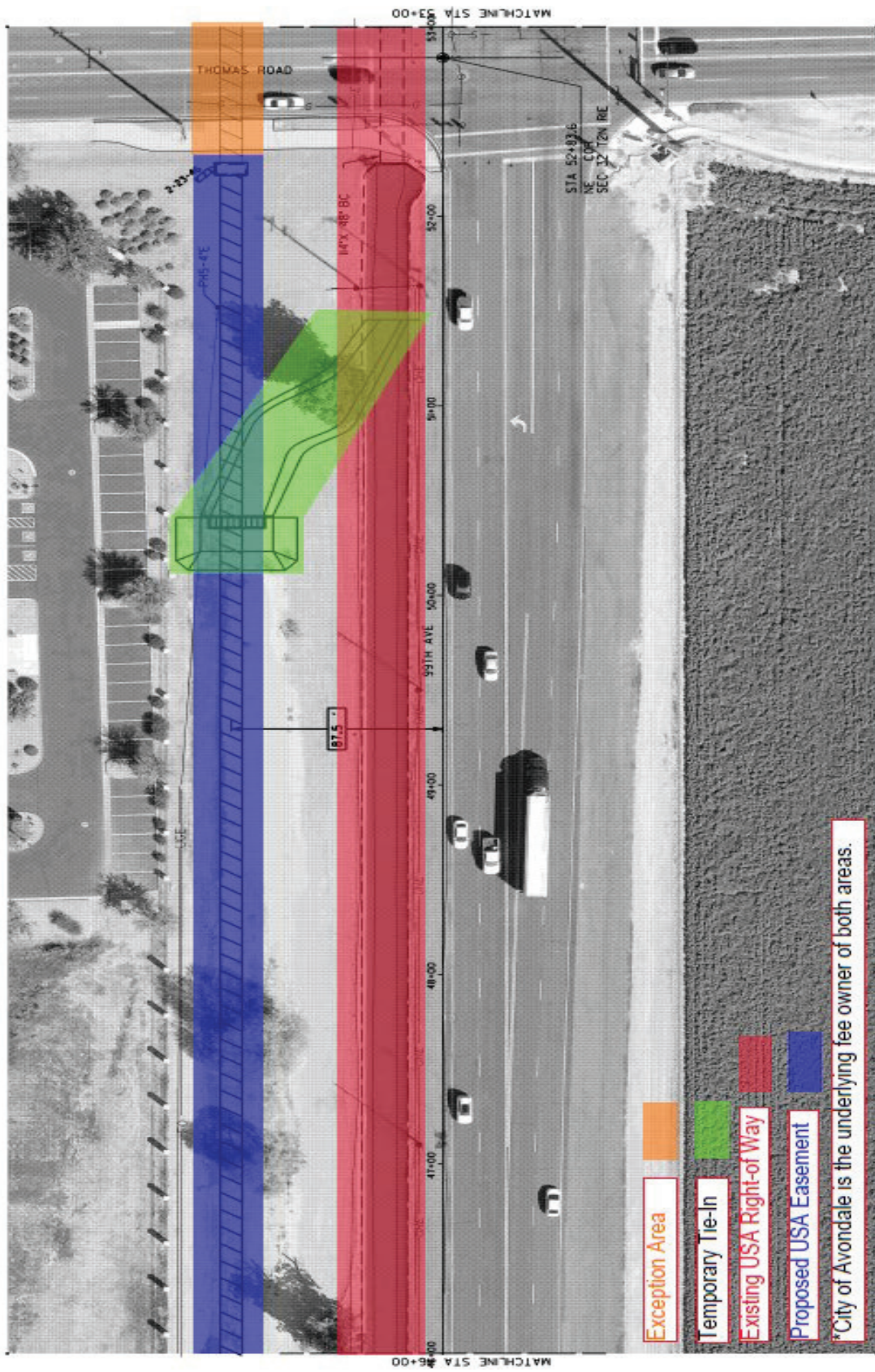
Existing USA Right-of-Way

Proposed USA Easement

*City of Avondale is the underlying fee owner of both areas.

MATCHLINE STA 46+00

CONT. NORTH
 DWG. A-102-1491



*City of Avondale is the underlying fee owner of both areas.



ORDINANCE NO. 2046-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, GRANTING EASEMENTS TO THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION FOR CONSTRUCTION, RECONSTRUCTION, OPERATION AND MAINTENANCE OF WATER DISTRIBUTION SYSTEM PIPELINES ON PROPERTY GENERALLY LOCATED ALONG THE WEST SIDE OF 99TH AVENUE, SOUTH OF THOMAS ROAD.

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

SECTION 1. An easement is hereby granted to the United States Department of the Interior Bureau of Reclamation for construction, reconstruction, operation and maintenance of water distribution system pipelines, as part of the Salt River Project water distribution system, for the improvements along 99th Avenue in the form attached hereto as Exhibit 1 and incorporated herein by this reference, through, over, under and across $\pm$ 1.25 acres of real property generally located along the west side of 99th Avenue, south of Thomas Road, as more particularly described and depicted as part of Exhibit A to the easement form attached hereto as Exhibit 1.

SECTION 2. An easement is hereby granted to the United States Department of the Interior Bureau of Reclamation for construction, reconstruction, operation and maintenance of water distribution system pipelines, as part of the Salt River Project water distribution system, for the improvements along 99th Avenue in the form attached hereto as Exhibit 1 and incorporated herein by this reference, through, over, under and across $\pm$ 0.22 acres of real property generally located along the west side of 99th Avenue, south of Thomas Road, as more particularly described and depicted as part of Exhibit A to the easement form attached hereto as Exhibit 1.

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT 1
TO
ORDINANCE NO. 2046-0921

[Contract and Grant of Easement]

See following pages.

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ORIGINAL

**Contract No. Case
No. 17-027**

Exempt per A.R.S. § 11-1134 A.3.

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

SALT RIVER PROJECT

CONTRACT AND GRANT OF EASEMENT

THIS CONTRACT AND GRANT OF EASEMENT, made this _____ day of _____, _____, pursuant to the Reclamation Act of June 17, 1902 (32 Stat. 388), the Reclamation Project Act of 1939 (53 Stat. 1187), and all acts amendatory thereof or supplementary thereto, between the **UNITED STATES OF AMERICA**, hereinafter referred to as "United States," and **City of Avondale, an Arizona municipal corporation**, hereinafter referred to as "Grantor."

WITNESSETH:

That the Salt River Project Agricultural Improvement and Power District (SRP), an agricultural improvement district organized and existing under the laws of the State of Arizona, intends to

relocate a portion of a federal irrigation facility acquired for a project purpose to a piped irrigation facility at a new location; and,

WHEREAS, the United States owns a real property interest along the existing irrigation facility, and Grantor owns the fee title to the real property onto which the irrigation facility will be relocated; and,

WHEREAS, Grantor intends to grant to the United States and its assigns that certain real property interest needed for the relocated facility in exchange for the real property interest no longer needed for project purposes and for the purpose of benefitting its future development of real property; and,

WHEREAS, the United States will release its interest, if any, in and to the real property interest no longer needed by Contract No. _____ to **City of Avondale, an Arizona municipal corporation**, and any and all other owners of record of the underlying fee title.

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the parties agree to the following grant and mutual covenants:

1. Grantor does hereby grant, with general warranty of title, unto the United States of America and its assigns a perpetual easement to construct, reconstruct, operate and maintain certain water distribution system pipelines, as part of the SRP water distribution system, and such structures, installations and facilities used in the construction, reconstruction, operation and maintenance of

said water distribution system, across certain land situated in the County of Maricopa, State of Arizona, and more fully described in Exhibit "A" attached hereto and by this reference made part hereof.

2. The grant of easement herein contained shall include the perpetual right of ingress and egress over said premises to construct, reconstruct, operate, maintain, enlarge, improve, relocate, remove, repair and renew said water distribution system, together with the present and future right to clear said right-of-way to the extent deemed necessary by the United States to protect the rights and privileges herein granted.

3. The United States, its successors and assigns, may hold such easement forever for all purposes consistent with the water distribution feature of SRP, or any changes, or additions or modifications that may hereafter be made therein, and the United States, its successors and assigns, will have the perpetual right to take and use materials, as well as all of the rights incident to such water distribution feature, or any changes, additions, or modifications thereof over, upon or across said right-of-way described in Exhibit "A".

4. The Grantor hereby ratifies and affirms the right of the United States, its permittees, successors or assigns, to construct, reconstruct, operate, maintain, enlarge, improve, relocate, remove, repair and renew, together with the right of access thereto for such purposes, at any time and from time to time, a water conduit and related facilities, consisting of one or more canals, pipelines, laterals, markers, air valves, manholes, valves, meters, surge control devices, buried communication conduits, and all other fixtures, devices and appurtenances related thereto, and to

conduct all related activities in, on, under, and across the land described in Exhibit "A" under the following conditions:

(a) The United States shall have the right to use the subject land for ingress and egress at any time without prior notice, together with the right to use existing or future roadways, lanes and rights-of-way on Grantor's property adjacent thereto, as may be convenient and necessary for the purposes of exercising the rights herein granted. The United States may, at any time, install and/or use gates in any fences which are now or may hereafter be constructed and to trim, cut and clear away trees or brush whenever, in its judgment, the same shall be necessary for the convenient and safe exercise of the rights hereby granted, on said lands described in Exhibit "A", or on such adjoining lands for the purpose of exercising the rights herein granted.

(b) The rights granted to, and exercised by, the United States shall be subject to all existing structures, fencing, canals, ditches, pipelines, roadways, and rights-of-way, and all future uses thereof, including but not limited to the right of the Grantor to use the lands within said parcel for agricultural and other purposes that do not directly or indirectly interfere with or endanger the exercise of the rights of the United States; PROVIDED, HOWEVER, that the Grantor shall clear and keep clear the lands described in Exhibit "A", from explosives, buildings and structures of all kinds or facilities of a permanent nature which directly or indirectly interfere or could interfere with the rights of the United States, and shall not drill any well, install swimming pools, or alter ground level by cut or fill, within the limits of said rights-of-way and the United States shall have the permanent right of exclusive use and possession within the easement.

5. The grant of easement herein contained is subject to easements and rights-of-way existing or of record in favor of the public or third parties, and subject to any outstanding interest in any and all organic or inorganic substances in or under said land.

6. Grantor warrants that no person or agency has been employed or retained to solicit or secure this grant upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial agencies maintained by the Grantor for the purpose of securing business.

7. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this grant or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this grant if made with a corporation or company for its general benefit.

8. The provisions of this grant shall obligate and inure to the benefit of the respective heirs, executors, administrators, successors, and assigns of the parties to this grant.

IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

to **City of Avondale, an Arizona municipal corporation**

By: _____
Kenneth N. Weise
Mayor of Avondale

UNITED STATES OF AMERICA

Leslie A. Meyers
Area Manager
Phoenix Area Office
Bureau of Reclamation

Contract No.
Case No. 17-027

ACKNOWLEDGMENT

State of Arizona)
) ss.
County of Maricopa)

On this ____ day of _____, _____, before me,
_____, a Notary Public in and for said County and State,
personally appeared _____, _____, on behalf of
to **City of Avondale, an Arizona municipal corporation**, known to me to be the person
described in the foregoing instrument, and acknowledged to me that he/she executed the same in
the capacity therein stated and for the purpose therein contained.

Notary Public in and for
said County and State

EXHIBIT "A"
DESCRIPTION OF REAL ESTATE
IN MARICOPA COUNTY, STATE OF ARIZONA

A PARCEL OF LAND LOCATED OF THE EAST HALF (E 1/2) OF SECTION THIRTY-TWO (32), TOWNSHIP TWO (2) NORTH, RANGE ONE (1) EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF TRACT "B", DEPICTED ON THE MAP OF DEDICATION "HOLY CROSS CEMETERY" AS RECORDED IN THE 2012 MARICOPA COUNTY RECORDER'S OFFICE BOOK 1119 OF MAPS, PAGE 49, BEING A PORTION OF THE WEST 35.00 FEET OF THE EAST 105.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SECTION THIRTY-TWO (32), TOWNSHIP TWO (2) NORTH, RANGE ONE (1) EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

AND

THAT PORTION OF THE WEST 35 FEET OF THE EAST 105 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SECTION THIRTY-TWO (32), TOWNSHIP TWO (2) NORTH, RANGE ONE (1) EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING NORTH OF TRACT "B", DEPICTED ON THE MAP OF DEDICATION "HOLY CROSS CEMETERY" AS RECORDED IN THE 2012 MARICOPA COUNTY RECORDER'S OFFICE BOOK 1119 OF MAPS, PAGE 49.

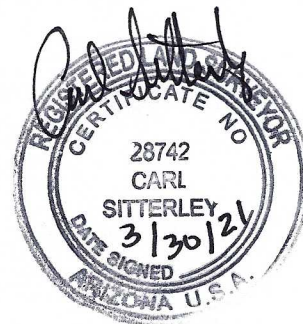
EXCEPT THEREFROM, THE NORTH 55 FEET OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SECTION THIRTY-TWO (32)

AND;

THE WEST 35 FEET OF THE EAST 105 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SAID SECTION THIRTY-TWO (32), TOWNSHIP TWO (2) NORTH, RANGE ONE (1) EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM, THE SOUTH 1025.22 FEET OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION THIRTY-TWO (32).

SAID PARCELS OF LAND CONTAIN A COMBINED AREA OF 1.25 ACRE(S), MORE OR LESS, AFTER SAID EXCEPTION IS MADE.

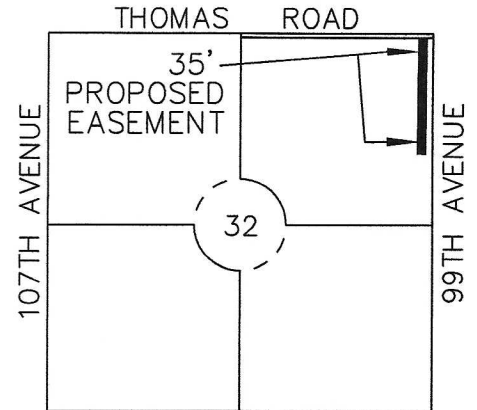


CONSULTANT REGISTERED SURVEYING, INC.

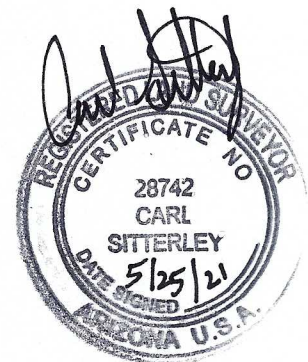
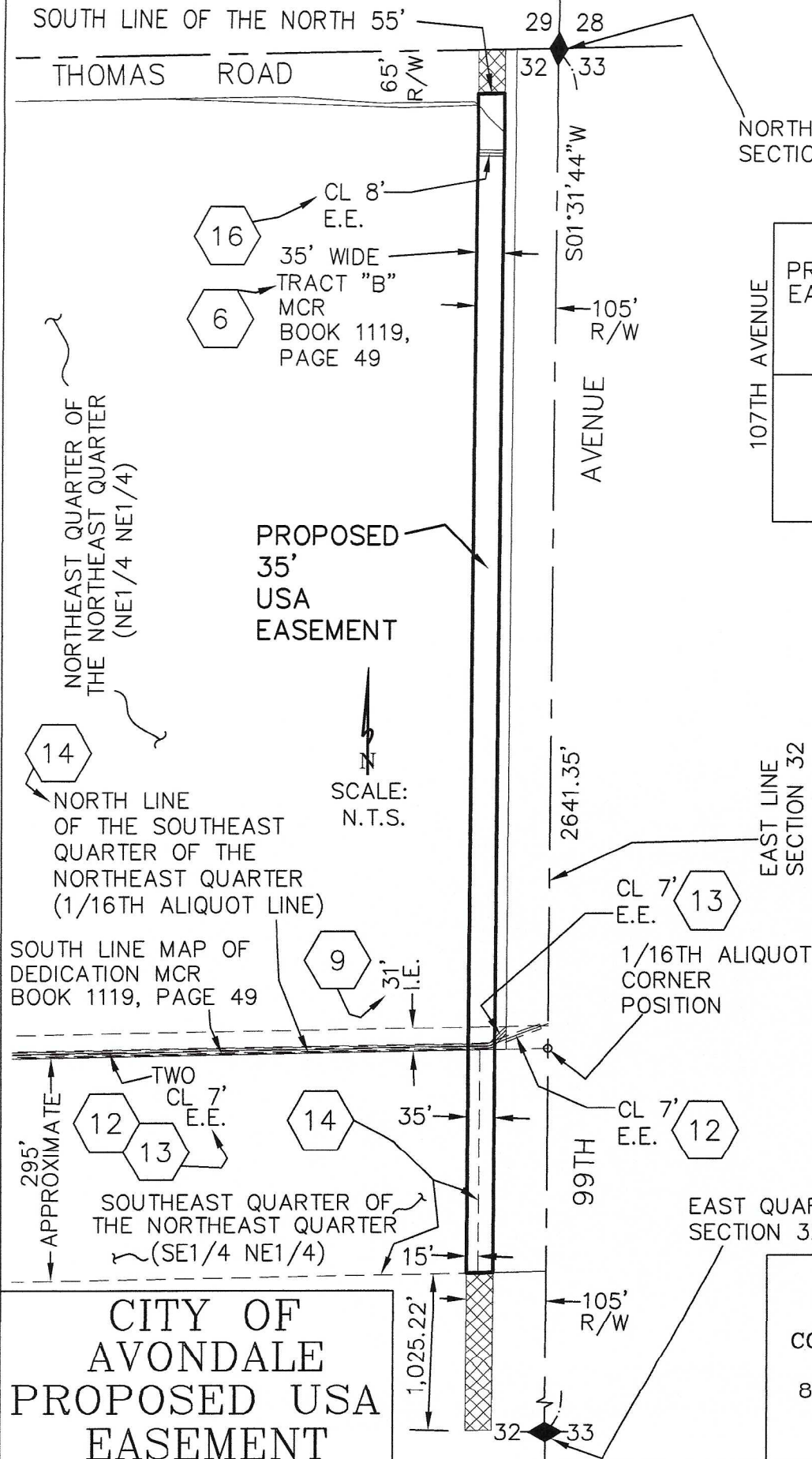
TRACT MAP EXHIBIT

PAGE 1 OF 2

NORTHEAST CORNER
SECTION 32, T.2N.,R.1E., G&SRM



MCDOWELL ROAD
VICINITY MAP
2"=1 MILE
SECTION 32, T2N, R1E
G&SRM



**CITY OF
AVONDALE
PROPOSED USA
EASEMENT**

CRS
CONSULTANT REGISTERED
SURVEYING
8732 E. PICCADILLY ROAD
SCOTTSDALE, ARIZONA
480-620-1382

TRACT MAP EXHIBIT

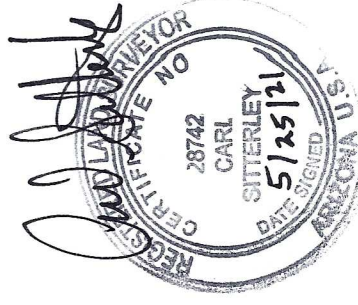
PAGE 2 OF 2

LINE TYPE LEGEND

	= PROPOSED PARCEL EASEMENT
	= EXISTING SECTION LINE
	= EXISTING EASEMENT/INCUMBRANCE LIMIT
	= HISTORICAL RIGHT OF WAY LINES
	= EXCEPTIONS

SCHEDULE B ITEMS SHOWN PER PREMIER TITLE AGENCY COMMITMENT ISSUE ORDER NO. A-109069

6. Map of Dedication recorded in Book 1119 of Maps, Page 49
9. I.E. recorded in Docket 6127, Page 430
12. E.E. recorded in Docket 15717, Page 709
13. E.E. recorded in Document No. 94-0082820
14. Pesticide Restrictive Covenant recorded in Document No. 2001-0235589
16. E.E. recorded in Document No. 2013-062481 and Document No. 2013-082545



CRS

CONSULTANT REGISTERED
SURVEYING
8732 E. PICCADILLY ROAD
SCOTTSDALE, ARIZONA
480-620-1382

CITY OF
AVONDALE
PROPOSED USA
EASEMENT

EXHIBIT "A"
Description of Real Estate
IN MARICOPA COUNTY, STATE OF ARIZONA

A Parcel of Land in the Northeast Quarter (NE 1/4) of Section Thirty - Two (32), Township Two (2) North, Range One (1) East, of the Gila & Salt River Meridian, Maricopa County, Arizona and being more particularly described as follows:

Commencing at a found Mag Nail in the Pavement being the Northeast Corner (NE) of Section 32 from which a found 3" Maricopa County Highway Department brass cap in a hand hole at the East quarter corner of said Section 32, bears South 01°31'44" West, a distance of 2,641.25 feet;

THENCE South 01 degrees 31 minutes 44 seconds West, a distance of 116.0 feet to the **Point of Beginning**;

THENCE South 20 degrees 09 minutes 44 seconds West, a distance of 219.08 feet;

THENCE South 01 degrees 31 minutes 44 seconds West, a distance of 60.00 feet;

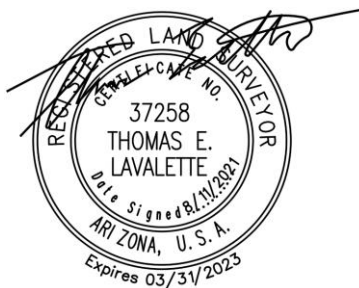
THENCE North 88 degrees 28 minutes 16 seconds West, a distance of 35.00 feet;

THENCE North 01 degrees 31 minutes 44 seconds East, a distance of 60.00 feet;

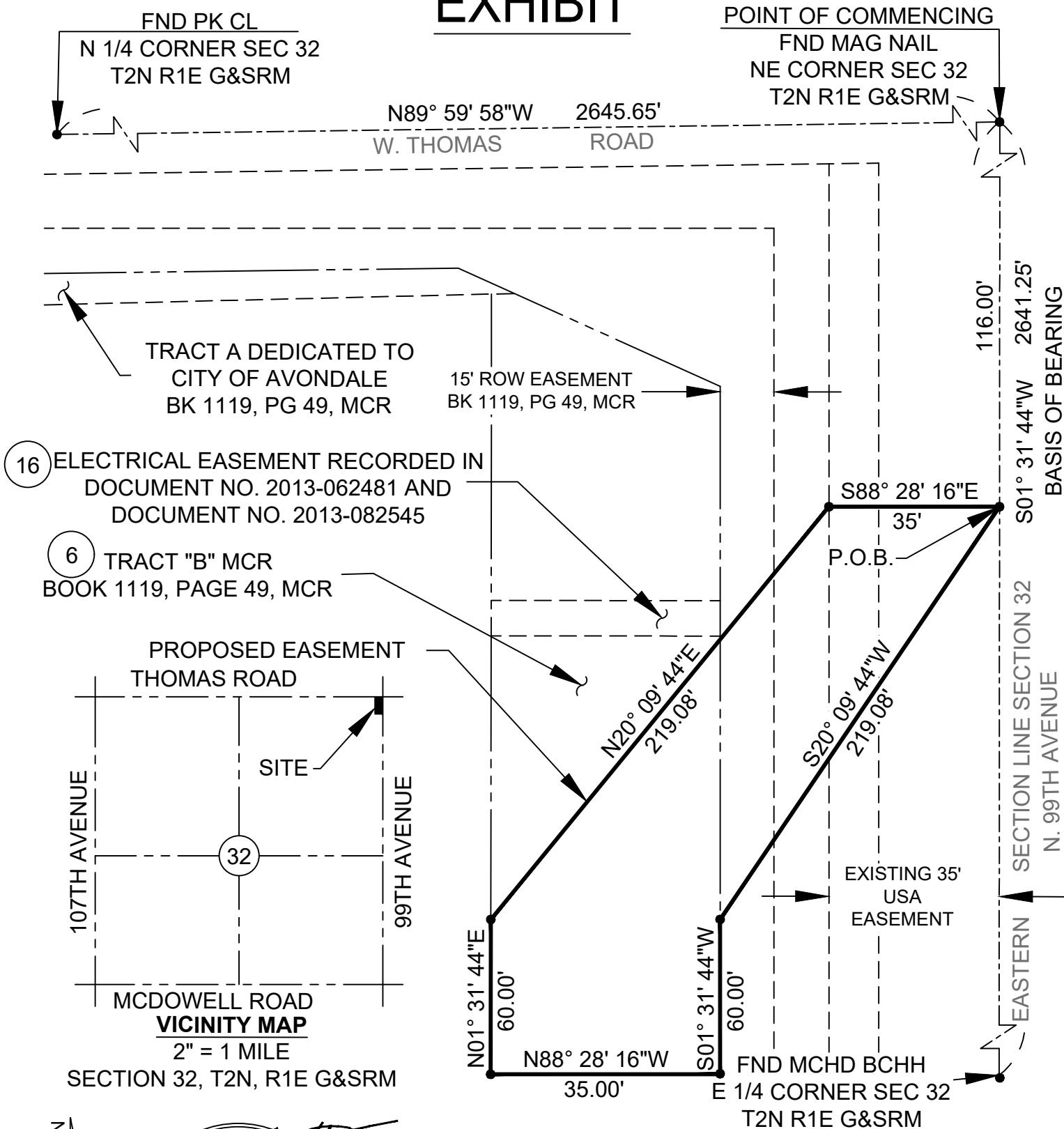
THENCE North 20 degrees 09 minutes 44 seconds East, a distance of 219.08 feet;

THENCE South 88 degrees 28 minutes 16 seconds East, a distance of 35.00 feet to the **Point of Beginning**;

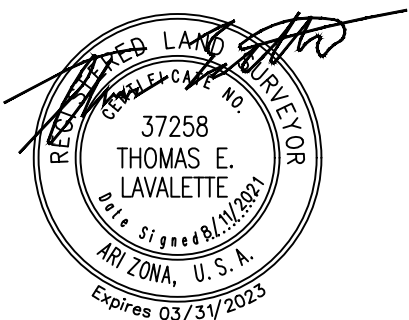
Containing 0.22 acres more or less



EXHIBIT



SCALE:
NTS



PROJECT: 2021-M-060	
DATE: 08-11-2021	CHKD BY: TL
DRN BY: BL	SCALE: N.T.S.
TITLE:	
PROPOSED USA EASEMENT CITY OF AVONDALE	
SHEET NO: 1 OF 1	

CITY COUNCIL REPORT

SUBJECT: Ordinance 2047-0921 - First Amendment to Lease Agreement - Arizona Institute LLC dba Aveda Institute Avondale

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kenneth Chapa, Economic Development & Tourism Director, (623) 333-1411

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Diverse Recreation and Entertainment Opportunities - Avondale provides residents with the ability to connect with amenities, businesses, and their community, enhancing the opportunity to live, work, and enjoy a healthy, active, and affordable lifestyle.
-

PURPOSE:

City Council will consider a request to adopt Ordinance 2047-0921, approving the First Amendment to Lease Agreement with Arizona Institute LLC dba Aveda Institute Avondale for the properties located at 775 North 114th Avenue and 745 North 114th Avenue, Suite 102, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

On August 23, 2021, the City Council approved a lease for spaces at The BLVD for West Valley Institute LLC dba Aveda Institute of Avondale. This amendment to the Lease approved by City Council on August 23, 2021, is to correct the legal and trade name of the business, and change the commencement date.

Aveda Institute Avondale will provide cosmetology, esthiology and massage training using age-old Ayurvedic knowledge with modern science, resulting in a truly holistic mind-body approach to skin care. The estimated enrollment in the first year is 200 students, providing over 25,000 beauty services.

DISCUSSION:

On August 23, 2021, the City Council approved a lease for spaces at The BLVD for West Valley Institute LLC dba Aveda Institute of Avondale ("Tenant"). Following that approval, Tenant contacted staff to request two corrections:

1. Name correction: Arizona Institute LLC dba Aveda Institute Avondale. Tenant was made aware of the correct legal and trade name following the August 23, 2021 council meeting and informed staff immediately.

2. Commencement date change: The current lease provides the Tenant's obligation to pay rent shall commence on the date that is the later of the following: (i) the date Tenant receives a certificate of occupancy from the City of Avondale, or (ii) the Tenant's opening of business. Further, the Lease provides that the parties agree that the Commencement Date shall not be later than January 1, 2022, unless agreed to by both parties in writing. As Tenant consulted with contractors for the tenant improvements on a former restaurant space and a gray shell space, Tenant learned the January 1, 2022 date is ambitious, and it is unlikely the improvements to the spaces would be completed on such a schedule, thereby preventing the Tenant from receiving a Certificate of Occupancy or opening of the business by the January 1, 2022 date, as required by the Lease. The former restaurant space improvements will require significant build out to function as not only classrooms, which may include the addition of a mezzanine level, but also studio and salon spaces. The gray shell space is completely unfinished, meaning it is without floors, walls, ductwork, electrical and plumbing. As a result of the significant build outs required for the spaces and Tenant's desire to perform according to the Lease, the Tenant is requesting the commencement date be changed from January 1, 2022 to April 1, 2022.

BUDGET IMPACT:

This item proposes no budget impact.

RECOMMENDATION:

Staff recommends adoption of an Ordinance, approving the First Amendment to the Lease Agreement between the City of Avondale and Arizona Institute LLC dba Aveda Institute Avondale.

ORDINANCE NO. 2047-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING A FIRST AMENDMENT TO A LEASE AGREEMENT AND PURCHASE OPTION BETWEEN THE CITY OF AVONDALE AND WEST VALLEY INSTITUTE, LLC; CHANGING THE TENANT TO ARIZONA INSTITUTE, LLC AND CHANGING THE COMMENCEMENT DATE.

WHEREAS, on August 23, 2020, the City Council of the City of Avondale (the “City Council”) approved a lease agreement by Ordinance No. 2034-0821 (the “Lease Agreement”) to rent two suites in the buildings on the Property to West Valley Institute, LLC (the “Tenant”) for retail and other uses; and

WHEREAS, the Tenant has requested to change its name under the Lease Agreement from West Valley Institute, LLC, d/b/a Aveda Institute of Avondale to Arizona Institute, LLC, d/b/a Aveda Institute Avondale; and

WHEREAS, the Tenant has requested to change the Commencement Date, as detailed in the Lease Agreement, to April 1, 2022; and

WHEREAS, the City Council desires to amend the Lease Agreement to allow the name change and new Commencement Date.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The First Amendment to the Lease Agreement between the City of Avondale and West Valley Institute, LLC, is hereby approved in the form attached hereto as Exhibit A.

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2047-0921

[First Amendment]

See following pages.

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (this "Amendment") is made and entered into as of _____, 2021 by and between **CITY OF AVONDALE**, an Arizona municipal corporation ("Landlord") and **WEST VALLEY INSTITUTE, LLC**, an Arizona limited liability company, **d/b/a AVEDA INSTITUTE OF AVONDALE** and **ARIZONA INSTITUTE, LLC**, an Arizona limited liability company, **d/b/a AVEDA INSTITUTE AVONDALE**. The Landlord, West Valley Institute, LLC and Arizona Institute, LLC are referred to collectively as the "Parties."

RECITALS

A. The City of Avondale entered into a lease agreement with West Valley Institute, LLC, dated August 23, 2021 (the "Agreement"), regarding that certain real property located in Avondale, Arizona, as more particularly described therein. Unless otherwise defined, all capitalized terms shall have the meaning set forth in the Agreement.

B. The Parties wish to amend the Agreement as set forth in this Amendment.

AGREEMENTS

NOW THEREFORE, in consideration of the mutual covenants set forth herein and the faith full performance thereof, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties hereto agree as follows:

1. Accuracy of Recitals. The Parties hereby acknowledge the accuracy of the Recitals which are incorporated herein by this reference.

2. Amendment to Agreement. The Agreement is hereby amended as follows:

(a) The Cover Sheet of the Agreement shall be amended as follows:

LANDLORD NAME: THE CITY OF AVONDALE

an Arizona municipal corporation

TENANT NAME: ~~WEST VALLEY INSTITUTE, LLC~~ ARIZONA INSTITUTE, LLC

an Arizona limited liability company

TENANT ADDRESSES: 745 N. 114th Avenue, Suite 102

Avondale, Arizona 85323

775 N. 114th Avenue

Avondale, Arizona 85323

TRADE NAME: AVEDA INSTITUTE ~~OF~~ AVONDALE

(b) Item 6 of the Agreement is hereby deleted in its entirety and replaced with the following:

“COMMENCEMENT DATE: Subject to the provisions of this Lease, the Initial Term of this Lease and Tenant's obligation to pay “Rent” (as defined in Article 3) shall commence on April 1, 2022 (the “Commencement Date”). Within thirty (30) days after the Commencement Date, Landlord and Tenant shall execute and deliver to each other a commencement date memorandum in the form attached hereto as Exhibit D and incorporated herein by this reference (“Form of Commencement Date Memorandum”).

(c) Item 12 of the Agreement is hereby amended as follows:

Name: ~~West Valley Institute~~ Arizona Institute, LLC
Address: c/o Dale LeMonds
801 Kalamath Street
Denver, CO 80204
Telephone: (303) 995-5958
Email: dlemonds@avedadenver.com

(d) The Introduction to the Agreement is hereby amended as follows:

“This Lease Agreement (the “Lease”) is made and entered into as of AUGUST 26, 2021, (the “Effective Date”), by and between the City of Avondale, an Arizona municipal corporation (the “Landlord”) and ~~West Valley Institute~~ ARIZONA INSTITUTE, LLC, an Arizona limited liability company (the “Tenant”).”

3. Effect of Amendment. Except as specifically modified by this Amendment, the Agreement remains in full force and effect and is in all events ratified, confirmed and approved.

4. Counterparts. This Amendment may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which, together, shall constitute one and the same instrument.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first set forth above.

“Landlord”

CITY OF AVONDALE,
an Arizona municipal corporation

Charles Montoya, City Manager

ATTEST:

Marcella Carrillo, City Clerk

ACKNOWLEDGMENT

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared Charles Montoya, the City Manager of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

Notary Public in and for the State of Arizona

(Affix Notary Seal Here)

[SIGNATURES CONTINUE ON FOLLOWING PAGES]

WEST VALLEY INSTITUTE, LLC, an Arizona
limited liability company

By: _____

Name: _____

Title: _____

Date: _____

ACKNOWLEDGMENT

STATE OF _____)
) ss.
COUNTY OF _____)

On _____, 2021, before me personally appeared _____
_____, the _____ of WEST VALLEY INSTITUTE,
LLC, an Arizona limited liability company, whose identity was proven to me on the basis of
satisfactory evidence to be the person who he/she claims to be, and acknowledged that he/she
signed the above document on behalf of the company.

Notary Public in and for the State of _____

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ARIZONA INSTITUTE, LLC, an Arizona
limited liability company

By: _____

Name: _____

Title: _____

Date: _____

ACKNOWLEDGMENT

STATE OF _____)
) ss.
COUNTY OF _____)

On _____, 2021, before me personally appeared _____
_____, the _____ of ARIZONA INSTITUTE, LLC,
an Arizona limited liability company, whose identity was proven to me on the basis of satisfactory
evidence to be the person who he/she claims to be, and acknowledged that he/she signed the above
document on behalf of the company.

Notary Public in and for the State of _____

(Affix notary seal here)

CITY COUNCIL REPORT

SUBJECT: Ordinance 2048-0921 - Avari Apartments Limited and Temporary Fire Access Easement Agreement

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Tracy Stevens, Deputy City Manager, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

Creative and Sustainable Community Development - Avondale is committed to creating a sense of place, a community of residents and local businesses unified by pride and common values. This action will maintain and expand quality infrastructure and improve connectivity to City amenities.

PURPOSE:

City Council will consider a request to adopt Ordinance 2048-0921 accepting a Limited and Temporary Fire Access Easement Agreement through PCCP CS Empire Avondale LLC's parcels to the Avari Apartments parcel under construction along the west side of Avondale Boulevard and north of Van Buren Street and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

BACKGROUND:

The Avari Apartments development requires emergency access as part of the project's construction phasing. The Limited and Temporary Fire Access Easement Agreement (Agreement) provides ingress and egress by police, fire, and similar emergency personnel and their vehicles to the Avari Apartments (Grantee) project located on Assessor Parcel Number 500-01-602 via access through parcels owned by PCCP CS Empire Avondale LLC (Grantor) south of the apartment development. The Grantor has agreed to grant to the Grantee a non-exclusive temporary fire access easement upon, over, across, in, through, and under certain portions of the Grantor's property (Exhibit A in the attached Agreement). The easement shall be used solely for ingress and egress by lawful governmental or private emergency services providing fire and police protection, and ambulances and rescue services to the Avari Apartments project. The easement shall in no way be construed as a dedication of any roadways to the public.

DISCUSSION:

The Limited and Temporary Fire Access Easement Agreement shall remain in full effect until the sooner of the Grantor's property which creates access from the Grantor's property to either Corporate Drive, 117th Avenue, or Avondale Boulevard, or the construction of an alternate road that provides alternate or replacement access

providing emergency service to the Avari Apartments project that has been accepted by the Grantee. At such time as a terminating event occurs, this Agreement, and the easement created, shall automatically terminate without further action of either the Grantor or Grantee; provided, however, either part shall be permitted (but not required) to record a formal termination of this Agreement at such time.

BUDGET IMPACT:

This is at no cost to the City.

RECOMMENDATION:

Staff recommends City Council adopt an Ordinance accepting a Limited and Temporary Fire Access Easement Agreement through PCCP CS Empire Avondale LLC's parcels to the Avari Apartments parcel under construction along the west side of Avondale Boulevard and north of Van Buren Street and authorize the Mayor or City Attorney, and City Clerk to execute the necessary documents.

ORDINANCE NO. 2048-0920

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, ACCEPTING THE GRANT OF AN EASEMENT FROM GS 10, LLC FOR FIRE ACCESS.

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

SECTION 1. A limited and temporary fire access easement over, across and under $\pm$ 0.26 acres of real property generally located west of Avondale Boulevard and north of Van Buren Street in Avondale, Arizona, as more particularly depicted and described in Exhibit A, attached hereto and incorporated herein by reference, is hereby accepted in substantially the form and substance set forth in Exhibit A, by the City of Avondale from GS 10, LLC.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2048-0921

[Limited and Temporary Fire Access Easement]

See following pages.

When recorded return to:
City Clerk
City of Avondale
11465 West Civic Center Drive, Suite 200
Avondale, Arizona 85323

This Easement is exempt from recording fee
and Affidavit of Property Value pursuant to
Ariz. Rev. Stat. § 11-1134(A)(2)

LIMITED AND TEMPORARY FIRE ACCESS EASEMENT AGREEMENT

THIS LIMITED AND TEMPORARY FIRE ACCESS EASEMENT AGREEMENT (this "Agreement") is entered into on this 19 day of August, 2021, by and between GS 10, LLC, an Arizona limited liability company ("Grantor"), and the City of Avondale, an Arizona municipal corporation ("Grantee").

RECITALS

A. Grantor is the record owner of certain real property legally described in Exhibit B, attached hereto and incorporated herein by reference (the "Grantor Property").

B. Grantee has requested, and Grantor has agreed to grant to the Grantee, a non-exclusive temporary fire access easement upon, over, across, in, through and under certain portions of Grantor's Property for the purpose of providing ingress and egress by police, fire and similar emergency personnel and their vehicles to the Avari Apartments project, located on APN 500-01-602, located north of Grantor's property (the "Project").

AGREEMENT

NOW, THEREFORE, in consideration of the recitals set forth above, which are incorporated herein by reference, the mutual covenants set forth herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and the Grantee agree as follows:

1. Grant of Temporary Fire Access Easement. Grantor hereby grants and conveys to Grantee a temporary fire access easement (the "Easement") upon, over, across, in, through the Grantor Property, at the location depicted and legally described in Exhibit A, attached hereto and incorporated herein by reference (the "Easement Area"). The Easement shall be used solely for ingress and egress by lawful governmental or private emergency services providing (i) fire and police protection, and (ii) ambulances and rescue services (collectively, "Emergency Services"), to the Project. The Easement shall in no way be construed as a dedication of any roadways to the public. No easement, except that expressly set forth in this Agreement, shall be implied by this Agreement.

2. Term. This Agreement and the rights, privileges and duties contained herein shall remain in full effect until the sooner of (i) the development of the Grantor's property which creates access from Grantor's Property to either Corporate Drive, 117th Avenue, or Avondale Boulevard or (ii) the construction of an alternate road that provides alternate or replacement access providing for Emergency Service to the Project that has been accepted by Grantee (each, a "Terminating Event"). At such time as a Terminating Event occurs, this Agreement, and the Easement created herein, shall automatically terminate without further action of the either Grantor or Grantee; provided, however, either party shall be permitted (but not required) to record a formal termination of this Agreement at such time.

3. No Improvements. Nothing in this Agreement shall be construed as an obligation of Grantor to construct any improvements on or to the Grantor Property or the Easement Area. In addition, nothing in this Agreement shall be construed as Grantor's consent for Grantee to construct any improvements on or to the Easement Area. In the event Grantee wishes to construct improvements on or to the Easement Area, Grantee shall first obtain the prior written consent of Grantor.

4. Amendment. Grantor and Grantee anticipate the possibility that the Easement Area may need to be relocated to a different area to facilitate construction on the Grantor Property pursuant to an approved Development Plan or equivalent approval by the City of Avondale. Subject to the approval of the City Fire Marshall as to an alternate location for the Easement Area (which approval shall not be unreasonably withheld, conditioned or delayed), Grantee agrees to amend this Agreement upon the request of Grantor to relocate the Easement Area within the Property unless this Agreement has sooner terminated pursuant to Section 2.

5. Indemnification. To the fullest extent permitted by law, Grantee shall indemnify, defend and hold harmless Grantor, its successors and assigns, for, from and against any and all losses, liabilities and expenses which may be claimed or asserted against Grantor, its successors or assigns, or the Grantor Property, arising from the Grantee's use of the Easement.

6. Mortgagee Protection. This Agreement shall be superior and senior to any lien of any mortgage or deed of trust. Notwithstanding the foregoing, nothing herein shall defeat, render invalid, diminish or impair the lien of any mortgage or deed of trust made in good faith and for value subsequent to the date of this Agreement.

7. Reservation of Rights. The use and enjoyment of the Easement by Grantee is nonexclusive, such that Grantor and its authorized agents and grantees shall have the right to use the Easement Area for the same purpose or any other purpose which does not interfere with Grantee's permitted use of the Easement Area. Grantor hereby reserves all such rights and privileges in the Grantor Property as may be used and enjoyed by Grantor without interfering with or abridging the rights conveyed to Grantee in this Agreement.

8. Running of Benefits and Burdens. This Agreement shall be appurtenant to and run with the land. This Agreement shall be binding upon Grantor and its successors and assigns, and the Grantor Property.

9. Counterparts. This Agreement may be executed in counterparts, all of which are identical, each of which shall be deemed an original, and all of which counterparts, when executed, taken together shall constitute one and the same instrument.

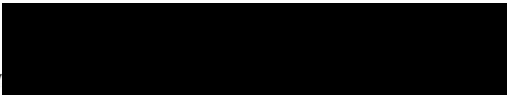
10. Cancellation by Grantee. Except as to Grantee's indemnification obligations, this Agreement may be cancelled by Grantee pursuant to ARIZ. REV. STAT. § 38-511.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, Grantor and Grantee have executed this Agreement on the date first set forth above.

"Grantor"

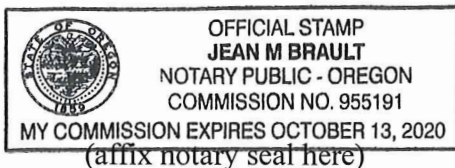
GS 10, LLC,
an Arizona limited liability company

By 
Sejin Kim, Manager

(ACKNOWLEDGMENT)

STATE OF Oregon)
COUNTY OF Washington)ss.

On Aug 19th, 2021, before me personally appeared Sejin Kim, Manager of GS 10, LLC, an Arizona limited liability company, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document.




Notary Public

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

“Grantee”

CITY OF AVONDALE,
an Arizona municipal corporation

By: _____
Charles A. Montoya, City Manager

ATTEST:

Marcella Carrillo, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared Charles A. Montoya, the City Manager of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

Notary Public

(affix notary seal here)

EXHIBIT A
TO
TEMPORARY FIRE ACCESS EASEMENT
BETWEEN
THE CITY OF AVONDALE
AND
GS 10, LLC

Easement Location and Legal Description

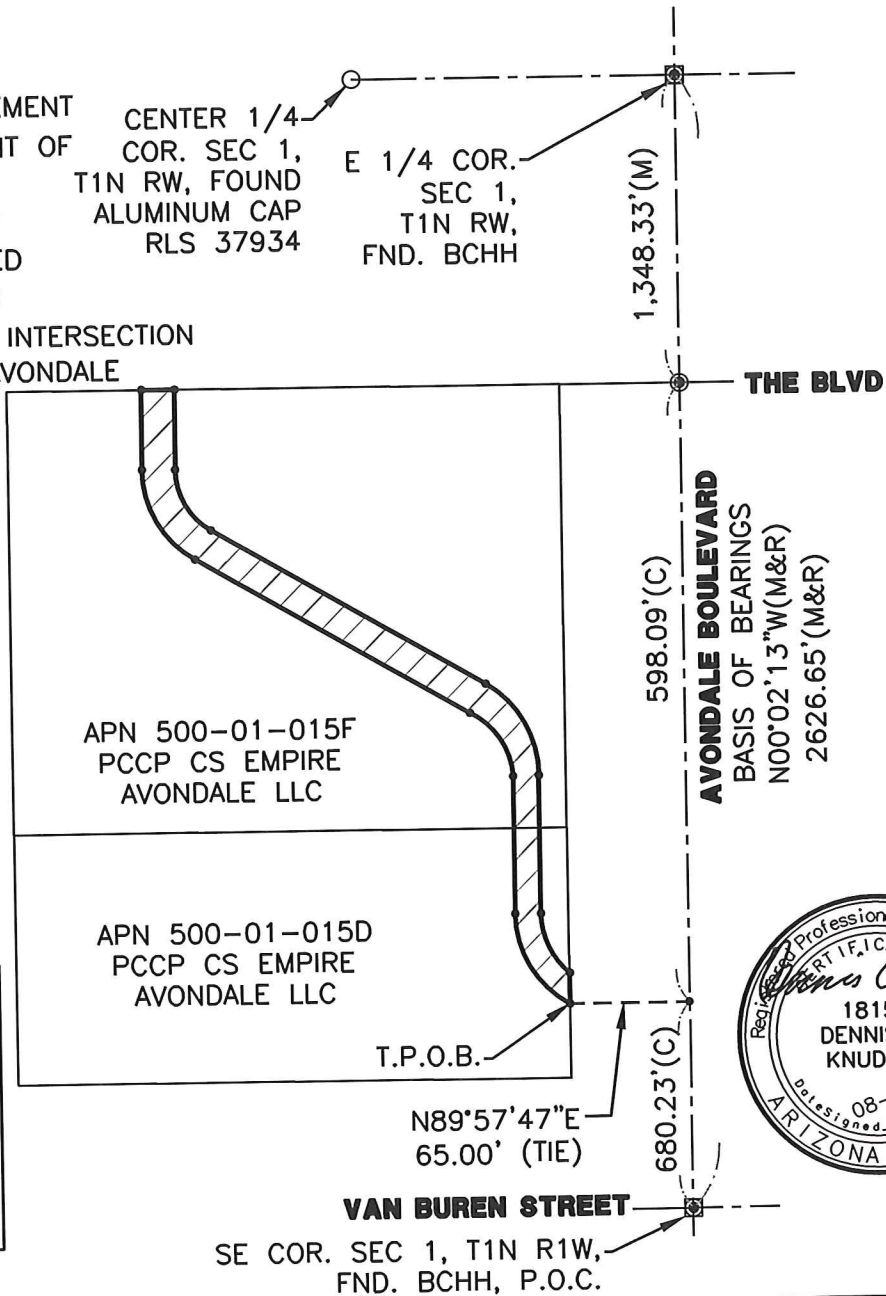
LEGEND



- P.O.C. - POINT OF COMMENCEMENT
T.P.O.B. - TRUE POINT OF BEGINNING
(M) - MEASURED
(C) - CALCULATED
(R) - RECORDED
● - POINT OF INTERSECTION
C.O.A. - CITY OF AVONDALE



SEE SHEET 2 OF 6 FOR ENLARGED DETAIL. SEE SHEET 3 OF 6 FOR LINE TABLE AND CLOSURE. SEE SHEETS 4, 5 AND 6 OF 6 FOR LEGAL DESCRIPTION.



TEMPORARY ACCESS EASEMENT

AVARI APARTMENTS
11580 WEST CORPORATE DRIVE
AVONDALE, ARIZONA 85392

KSE DESIGN GROUP, PLC

2525 West Greenway Road, Suite 306
Phoenix, Arizona 85023
PH (602) 347-7007 FAX (602) 249-1310

JOB NO.
19-010-080

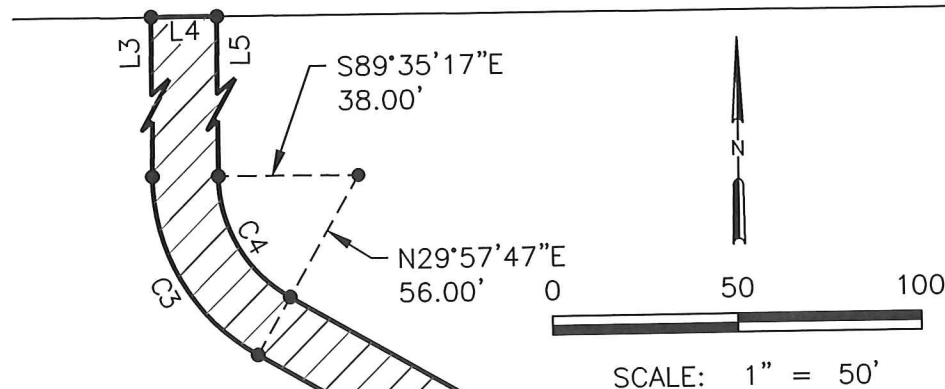
DESIGNED
CLS

DRAWN
LAS

CHECKED
DCK

DATE
08-02-2021

1 OF **6** SHEETS



LEGEND



P.O.C. - POINT OF COMMENCEMENT

T.P.O.B. - TRUE POINT OF BEGINNING

(M) - MEASURED

(C) - CALCULATED

(R) - RECORDED

● - POINT OF INTERSECTION

C.O.A. - CITY OF AVONDALE



S30°17'11"W
56.97'

S86°25'09"W
41.00'

N28°42'17"E
56.00'

S89°57'47"E
42.00'

S89°57'47"W
65.00' (TIE)

T.P.O.B.

AVONDALE BOULEVARD
BASIS OF BEARINGS
N00°02'13"W(M&R)

TEMPORARY ACCESS EASEMENT

AVARI APARTMENTS
11580 WEST CORPORATE DRIVE
AVONDALE, ARIZONA 85392

KSE DESIGN GROUP, PLC

2525 West Greenway Road, Suite 306
Phoenix, Arizona 85023
PH (602) 347-7007 FAX (602) 249-1310

JOB NO.
19-010-080

DESIGNED
CLS

DRAWN
LAS

CHECKED
DCK

DATE
08-02-2021

2 OF **6** SHEETS

LINE TABLE		
LINE	LENGTH	BEARING
L1	305.32'	N00°02'13"E
L2	171.03'	N60°02'13"W
L3	75.34'	N00°24'43"E
L4	18.00'	S89°52'19"E
L5	75.43'	S00°24'43"W
L6	171.03'	S60°02'13"E
L7	305.44'	S00°02'13"W
L8	16.80'	S00°02'13"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	60.20'	56.00'	61°35'50"
C2	43.40'	41.03'	60°35'50"
C3	59.08'	56.00'	60°26'56"
C4	40.09'	38.00'	60°26'56"
C5	59.95'	56.99'	60°16'41"
C6	37.09'	42.00'	50°35'59"

ACCESS EASEMENT DEDICATION CLOSURE

ARC LENGTH: 60.20
COURSE: N 00-02-13 E
ARC LENGTH: 43.40
COURSE: N 60-02-13 W
ARC LENGTH: 59.08
COURSE: N 00-24-43 E
COURSE: S 89-52-19 E
COURSE: S 00-24-43 W
ARC LENGTH: 40.09
COURSE: S 60-02-13 E
ARC LENGTH: 59.95
COURSE: S 00-02-13 W
ARC LENGTH: 37.09
COURSE: S 00-02-13 E

RADIUS: 56.00
DISTANCE: 305.32
RADIUS: 41.03
DISTANCE: 171.03
RADIUS: 56.00
DISTANCE: 75.34
DISTANCE: 18.00
DISTANCE: 75.43
RADIUS: 38.00
DISTANCE: 171.03
RADIUS: 56.99
DISTANCE: 305.44
RADIUS: 42.00
DISTANCE: 16.80

DELTA: 61-35-50

DELTA: -60-35-50

DELTA: 60-26-56

DELTA: -60-26-56

DELTA: 60-16-41

DELTA: -50-35-59

PERIMETER: 1438.20

AREA: 11111.95
ERROR OF CLOSURE: 0.004
PRECISION 1: 395177.38

0.26 ACRES
COURSE: S 73-34-11 W



LOT TABLE AND CLOSURE

AVARI APARTMENTS
11580 WEST CORPORATE DRIVE
AVONDALE, ARIZONA 85392

KSE DESIGN GROUP, PLC

2525 West Greenway Road, Suite 308
Phoenix, Arizona 85023
PH (602) 347-7007 FAX (602) 249-1310

JOB NO. 19-010-080	DESIGNED CLS	DRAWN LAS	CHECKED DCK	DATE 08-02-2021	3 OF 6 SHEETS
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ACCESS EASEMENT DEDICATION

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST;

THENCE NORTH 00°02'13" WEST (M,R) ALONG THE MONUMENT LINE OF AVONDALE BOULEVARD, SAID MONUMENT LINE BEING THE EAST LINE OF SAID SOUTHEAST CORNER OF SECTION 1, A DISTANCE OF 680.23 FEET(C);

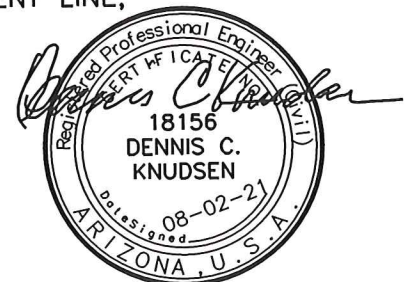
THENCE DEPARTING SAID MONUMENT LINE, S89°57'47"W, A DISTANCE OF 65.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID AVONDALE BOULEVARD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING AND THE POINT OF BEGINNING OF A NON-TANGENT, NON-RADIAL CURVE TO THE RIGHT WHOSE CENTER POINT BEARS N28°42'17"E, A DISTANCE OF 56.00 FEET;

THENCE TROUGH A CENTRAL ANGLE OF 61°35'50" ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 60.20 FEET TO A POINT ON A TANGENT LINE;

THENCE ALONG SAID TANGENT LINE NORTH 00°02'13" EAST, A DISTANCE OF 305.32 FEET TO A POINT ON A TANGENT CURVE TO THE LEFT WHOSE CENTER POINT BEARS SOUTH 86°25'09" WEST, A DISTANCE OF 41.00 FEET;

THENCE TROUGH A CENTRAL ANGLE OF 60°35'50" ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 43.40 FEET TO A POINT ON A TANGENT LINE;

THENCE ALONG SAID TANGENT LINE, NORTH 60°02'13" WEST, A DISTANCE OF 171.03 FEET TO A POINT ON A TANGENT CURVE TO THE RIGHT WHOSE CENTER POINT BEARS NORTH 29°57'47" EAST, A DISTANCE OF 56.00 FEET;



...SEE SHEET 5 FOR CONTINUATION...

LEGAL DESCRIPTION				KSE DESIGN GROUP, PLC	
AVARI APARTMENTS 11580 WEST CORPORATE DRIVE AVONDALE, ARIZONA 85392				2525 West Greenway Road, Suite 306 Phoenix, Arizona 85023 PH (602) 347-7007 FAX (602) 249-1310	
JOB NO. 19-010-080	DESIGNED CLS	DRAWN LAS	CHECKED DCK	DATE 08-02-2021	4 OF 6 SHEETS

ACCESS EASEMENT DEDICATION

LEGAL DESCRIPTION

...SEE SHEET 4 FOR CONTINUATION...

THENCE TROUGH A CENTRAL ANGLE OF 60°26'56" ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 59.08 FEET TO A POINT ON A TANGENT LINE;

THENCE ALONG SAID TANGENT LINE, NORTH 00°24'43" EAST, A DISTANCE OF 75.34 FEET TO A POINT ON THE NORTH PROPERTY LINE OF APN 500-01-015F;

THENCE ALONG SAID PROPERTY LINE S89°52'19"E, A DISTANCE OF 18.00 FEET;

THENCE DEPARTING SAID PROPERTY LINE S00°24'43"E, A DISTANCE OF 75.43 FEET TO A POINT ON A TANGENT CURVE TO THE LEFT WHOSE CENTER POINT BEARS SOUTH 89°35'17" WEST, A DISTANCE OF 38.00 FEET;

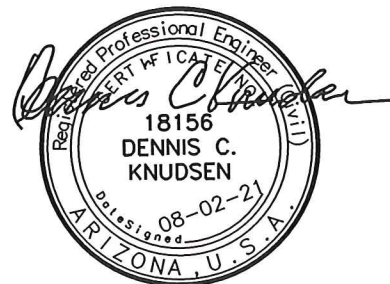
THENCE TROUGH A CENTRAL ANGLE OF 60°26'56" ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 40.09 FEET TO A POINT ON A TANGENT LINE;

THENCE ALONG SAID TANGENT LINE, SOUTH 60°02'13" EAST, A DISTANCE OF 171.03 FEET TO A POINT ON A TANGENT CURVE TO THE RIGHT WHOSE CENTER POINT BEARS SOUTH 30°17'11" WEST, A DISTANCE OF 56.97 FEET;

THENCE TROUGH A CENTRAL ANGLE OF 60°16'41" ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 59.95 FEET TO A POINT ON A TANGENT LINE;

THENCE ALONG SAID TANGENT LINE, SOUTH 00°02'13" WEST, A DISTANCE OF 305.44 FEET TO A POINT ON A TANGENT CURVE TO THE LEFT WHOSE CENTER POINT BEARS SOUTH 89°57'47" EAST, A DISTANCE OF 42.00 FEET;

...SEE SHEET 6 FOR CONTINUATION...



LEGAL DESCRIPTION				KSE DESIGN GROUP, PLC	
AVARI APARTMENTS 11580 WEST CORPORATE DRIVE AVONDALE, ARIZONA 85392				2525 West Greenway Road, Suite 308 Phoenix, Arizona 85023 PH (602) 347-7007 FAX (602) 249-1310	
JOB NO. 19-010-080	DESIGNED CLS	DRAWN LAS	CHECKED DCK	DATE 08-02-2021	5 OF 6 SHEETS

ACCESS EASEMENT DEDICATION

LEGAL DESCRIPTION

...SEE SHEET 5 FOR CONTINUATION...

THENCE TROUGH A CENTRAL ANGLE OF 50°35'59" ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 37.09 FEET TO A POINT ON A NON-TANGENT LINE, SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SAID AVONDALE BOULEVARD;

THENCE ALONG SAID TANGENT LINE, SOUTH 00°02'13" EAST, A DISTANCE OF 16.80 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 11,111.95 SQUARE FEET OR 0.26 ACRES, MORE OR LESS.



LEGAL DESCRIPTION

**AVARI APARTMENTS
11580 WEST CORPORATE DRIVE
AVONDALE, ARIZONA 85392**

KSE DESIGN GROUP, PLC

2525 West Greenway Road, Suite 308
Phoenix, Arizona 85023
PH (602) 347-7007 FAX (602) 249-1310

JOB NO. 19-010-080	DESIGNED CLS	DRAWN LAS	CHECKED DCK	DATE 08-02-2021	6 OF 6 SHEETS
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EXHIBIT B
TO
TEMPORARY FIRE ACCESS EASEMENT
BETWEEN
THE CITY OF AVONDALE
AND
GS 10, LLC

Legal Description of Parcels Owned by GS 10

APN 500-01-015F

THAT PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE WEST OF THE GILA AND SALT RIVER BASE AND MERIDAN, MARICOPA COUNTY, ARIZONA, BOUNDED ON THE EAST SIDE BY THE WEST RIGHT-OF-WAY LINE FOR 115TH AVENUE ACCORDING TO DOCUMENT NO. 2002-1304452, AND ON THE NORTH SIDE BY THE SOUTH LINE OF THE NORTH 1348.34 FEET OF SAID EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 1, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 1;

THENCE NORTH ALONG THE EAST LINE OF SAID OF SOUTHEAST QUARTER, A DISTANCE OF 65.00 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 89 DEGREES 42 MINUTES 27 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 65.00 FEET TO A POINT ON THE WEST LINE OF THE EAST 65.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE NORTH ALONG SAID WEST LINE AND THE WEST RIGHT-OF-WAY LINE OF 115TH AVENUE, ACCORDING TO SAID DOCUMENT NO. 2002-1304452, A DISTANCE OF 890.01 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 42 MINUTES 27 SECONDS WEST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 698.64 FEET;

THENCE NORTH 328.99 FEET TO A POINT ON SAID SOUTH LINE OF THE NORTH 1348.34 FEET OF SAID EAST HALF OF THE SOUTHEAST QUARTER SECTION 1;

THENCE SOUTH 89 DEGREES 51 MINUTES 25 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 698.63 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE;

THENCE SOUTH ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 323.68 FEET TO THE POINT OF BEGINNING.

APN 500-01-015D

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST OF GILA AND SALT RIVER BAE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BOUNDED ON THE EAST, SOUTHEAST AND SOUTH SIDES BY THE RIGHT-OF-WAY LINES FOR 115TH AVENUE AND VAN BUREN STREET ACCORDING TO DOCUMENT NO.2002-1304452, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 1;

THENCE NORTH ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 65.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 89 DEGRESS 42 MINUTES 27 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 65.00 FEET TO A POINT ON THE WEST LINE OF THE EAST 65.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE CONTINUING SOUTH 89 DEGREES 42 MINUTES 27 SECONDS WEST ALONG SAID NORTH LINE, A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHT-OF WAY LINE OF VAN BUREN STREET ACCORDING TO SAID DOCUMENT NO. 200-1304452, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGRESS 42 MINUTES 27 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 658.64 FEET;

THENCE NORTH LEAVING SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 890.01 FEET;

THENCE NORTH 89 DEGRESS 42 MINUTES 27 SECONDS EAST, 698.64 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 115TH AVENUE ACCORDING TO SAID DOCUMENT NO. 2002-1304452;

THENCE SOUTH ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 850.01 FEET;

THENCE SOUTH 44 DEGREES 51 MINUTES 13 SECONDS WEST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 56.71 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYEED TO THE CITY OF AVONDALE IN SPECIAL WARRANTY DEED RECORDED MAY 15, 20019 IN DOCUMENT NO. 20190356733

CITY COUNCIL REPORT

SUBJECT: Ordinance 2049-0921 - Amending the Avondale City Code, Chapter 10, Fire Prevention and Protection

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk, (623) 333-1214

THROUGH: Cherlene Penilla, Assistant City Manager, (623) 333-1015

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Public Health and Safety - Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources.

PURPOSE:

City Council will consider a request to adopt Ordinance 2049-0921, amending the City of Avondale Code, Chapter 10-2, appointment of Fire Chief and Firefighters, and Chapter 20, Police Department, Article I, in general, Section 20-2; appointment of officers, relating to the administration of The Fire Department and Police Department and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The City of Avondale is experiencing tremendous growth, and this growth is expected to continue over the next several years. The Avondale City Council has called out Public Health and Safety as one of its key strategic outcome areas in the 2021 Avondale Strategic Plan, stating that "Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources."

Over the past several years, the City has committed approximately \$3 million to create a multi-functional state-of-the-art emergency operations center. The City currently has the capability to run a real-time police crime center. It can be fully operational with staffing. Given the City's rate of growth, including the addition of several large events such as concerts, the relocation of the Off-Road Expo from Westworld (in Scottsdale), added exhibitions, the NASCAR Championship Weekend and sports gambling at Phoenix Raceway, along with the construction of additional schools and religious centers, the need to coordinate police, fire, and emergency activities is critical.

The Police Department has added the following services and functions:

- extended police services to the City of Litchfield

- added additional Park Rangers for coverage of Avondale's expanding parks and recreation activities
- added Municipal Security Officers to the Civic Center Campus
- added School Resource Officers to the growing number of schools
- added Community Services Officers to relieve Police Officers of non-criminal related issues

The Fire Department has added the following services and functions:

- added a Low Acuity Unit to reduce the workload of the regular fire units (this is going to be potentially reestablished)
- added Fire Station 175 – 14 new positions (3 Captains, 3 Engineers, 6 Firefighters, 2 Rovers)
- added a Community Outreach Coordinator (part of this position's duties will coordinate the career outreach to students at elementary and high schools in Avondale)
- planning for the relocation and new build of Fire Station 171
- planning for the addition of Fire Station 176 in the next two to three years

The City is adding or expanding services in the following areas:

- Trails System
- adding Avondale Tourism and Visitor's Center
- expansion and upgrade of Friendship Park
- expansion of Festival Fields
- adding Alamar Park, a 45-acre multiuse recreation amenity
- adding City Hall Campus Park
- adding the Lakes at the BLVD
- adding the Aquatic Center
- expanding programs at the American Sports Center (tournaments booked every weekend through December 2021)
- adding Bridge Housing units

DISCUSSION:

In December of 2020 the Police Chief was assigned the duty of assisting with and overseeing the operations of the Fire Department and the implementation of a leadership program entitled Opportunity to Excel. The City also contracted with Tony Corsi, a Public Safety leadership expert, to lead the Fire Department and assist with leadership training and the implementation of the Opportunity to Excel program. Mr. Corsi is an expert in Public Safety leadership, has taught numerous leadership programs and teaches courses at Penn State University.

During the last several months, City Management has realized that it is critical to have a coordinated and cooperative effort from both Police and Fire to serve the needs of our growing City. A more strategic and focused Public Safety effort is critical due to the increasing number of diverse events and the requirement for comprehensive security and emergency responses. Additionally, both the Police and Fire-Medical departments have seen significant growth in personnel over the past few years. For these reasons, it is necessary to enhance the City's Public Safety oversight through the creation of a Public Safety Chief and an Emergency Management Chief.

The Public Safety Chief will oversee the Police Department and Fire Department and supervise the new position of Emergency Management Chief. The Emergency Management Chief will report directly to the Public Safety Chief and will be responsible for all City emergency management operations.

BUDGET IMPACT:

Funding for this position is included in the mid-year budget adjustments for FY2022. This ordinance has no additional budgetary impact.

RECOMMENDATION:

Approve the amendment to the City of Avondale Code, Chapter 10-2, appointment of Fire Chief and

Firefighters, and Chapter 20, Police Department, Article I, in general, Section 20-2; appointment of officers, relating to the administration of The Fire Department and Police Department.

ORDINANCE NO. 2049-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE AVONDALE CITY CODE, CHAPTER 10, FIRE PREVENTION AND PROTECTION, ARTICLE 1, IN GENERAL, SECTION 10-2, APPOINTMENT OF FIRE CHIEF AND FIREFIGHTERS, AND CHAPTER 20, POLICE DEPARTMENT, ARTICLE I, IN GENERAL, SECTION 20-2; APPOINTMENT OF OFFICERS, RELATING TO THE ADMINISTRATION OF THE FIRE DEPARTMENT AND THE POLICE DEPARTMENT.

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

SECTION 1. The Avondale City Code, Chapter 10 (Fire Prevention and Protection), Article I (In General), Section 10-2 (Appointment of fire chief and firefighters) is hereby amended to read as follows:

10-2 - Appointment of fire chief and firefighters.

The fire chief shall be appointed by the city manager AND SHALL REPORT TO THE PUBLIC SAFETY CHIEF. The fire chief shall appoint as many firefighters or other personnel to fill such positions as may from time to time be authorized by the council. The appointment of all personnel shall be subject to the approval of the city manager.

SECTION 2. The Avondale City Code, Chapter 20 (Police Department), Article I (In General), Section 20-2 (Appointment of officers) is hereby amended to read as follows:

20-2 - Appointment of officers.

The chief of police shall be appointed by the city manager AND SHALL REPORT TO THE PUBLIC SAFETY CHIEF. The chief OF POLICE shall appoint as many policemen as may from time to time be authorized by the city manager.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 4. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

CITY COUNCIL REPORT

SUBJECT: Public Hearing and Resolution 1074-0921- Norton Circle - Minor General Plan Land Use Map Amendment – Application PL-19-0182

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Invest in the revitalization of Historic Avondale.
-

PURPOSE:

City Council will hold a public hearing and consider a City-initiated request to adopt Resolution 1074-0921, approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for 5.70 acres of property located at the southwest corner of 4th Avenue and Norton Street (a private street). The subject property is developed with Norton Circle, a 46-unit multi-family residential community owned and operated by the Housing Authority of Maricopa County (HAMC). Approval of the proposed Minor General Plan Amendment will amend the land use designation of the property from Medium High Density Residential (MHDR) to High Density Residential (HDR); the HDR land use designation allows for development of patio homes, apartments, condominiums, or townhomes with a density ranging between 12 and 30 dwelling units per acre. Approval of the Minor General Plan Amendment will facilitate redevelopment of the site with a new 100-unit multi-family apartment complex that will continue to be owned and operated by HAMC. An application rezoning the property to R-4 (Multi-Family Residential) will be considered separately. The Council will take appropriate action.

BACKGROUND:

The 5.70-acre subject property (Exhibits A and B) is located at the southwest corner of 4th Avenue and Norton Street (a private street).

The property was included in Avondale's original incorporation boundary approved on December 16, 1946 and

was subsequently zoned R-5 (Multi-Family Residence/General). Under the R-5 zoning, the site was developed in 1976 with Norton Circle, a complex consisting of 25 single-story buildings containing 46 apartments and a community activity room, owned and operated by the Housing Authority of Maricopa County (HAMC).

The R-5 District was amended from Multi-Family Residence/General to Mobile Home Park in 1990. With that amendment, multi-family residential uses were no longer allowed in the R-5 district and the multi-family residential use of the Norton Circle property became legal non-conforming. In March 2009, the R-5 District was renamed MH (Manufactured Home Park) to better reflect the uses permitted within it. Today, the property remains zoned MH and the existing 46-unit multi-family apartment development is legal non-conforming.

The property is designated by the General Plan 2030 Land Use Map as Medium High Density Residential (MHDR). The MHDR land use designation allows for single-family detached, single-family attached, and multi-family residential uses with a density range of four (4) to twelve (12) dwelling units per acre. Approval of the applicant's request for a Minor General Plan Amendment will change the land use designation of the property to High Density Residential (HDR). The HDR designation allows for development of patio homes, apartments, condominiums, or townhomes with a density ranging between 12 and 30 dwelling units per acre. A map showing both the existing and proposed General Plan Land Use designations on the property is included as Exhibit C.

An application to rezone the property to R-4 (Multi-Family Residential) will be considered separately. Together with this General Plan Amendment, the purpose of both requests is to accommodate redevelopment of the site with a new 100-unit multi-family residential apartment complex that will continue to be owned and operated by the HAMC. Residency within the community will be restricted to individuals and families whose incomes fall below County-wide averages.

The existing uses and zoning of surrounding properties include:

NORTH OF NORTON STREET: Edgewater Apartments, a 2-story, 196-unit multi-family residential community developed in the mid-1980's. The 10.37-acre Edgewater Apartments site is zoned R-4 (Multi-Family Residential).

EAST: Hillcrest Villas, a 3-story, 84-unit multi-family residential community currently under construction. The 5.31-acre site, being developed with the assistance of Low-Income Housing Tax Credits (LIHTC), is zoned R-4 (Multi-Family Residential).

SOUTH: An undeveloped 18.20-acre parcel located within the jurisdiction of the City of Goodyear, zoned I-2 (General Industrial Park).

WEST: An 11.88-acre parcel developed with a surface parking lot for the Phoenix Goodyear Airport. The property is located within the jurisdiction of the City of Goodyear and is zoned I-2 (General Industrial Park).

SUMMARY OF REQUEST:

In an effort to increase the number of affordable housing units provided in the region, upgrade services, and provide a greater range of modern amenities to residents, the HAMC is seeking to demolish the existing 46-unit Norton Circle multi-family residential development and redevelop the 5.70-acre site with a three-story, 100-unit apartment complex with a density of 17.54 dwelling units per acre (Exhibit F). As previously noted, the property currently features a General Plan 2030 Land Use designation of Medium/High Density Residential (MHDR), a category which allows for development of detached single-family, attached single-family, and multi-family residences with a density of between four (4) and twelve (12) dwelling units per acre. To accommodate the proposed multi-family redevelopment at a density of 17.54 units per acre, a Minor General Plan Amendment changing the land use designation of the subject property to High Density Residential (HDR) is requested. The proposed HDR designation allows for development of patio homes, apartments, condominiums, or townhomes with a density ranging between 12 and 30 dwelling units per acre.

It should be noted that Maricopa County and its agencies are statutorily exempt from City zoning regulations. As such, the proposed redevelopment could occur with no City planning and/or zoning approvals needed.

However, in the spirit of cooperation, both entities are working together to process the proposed General Plan Amendment and concurrent rezoning to ensure the proposed redevelopment project will further the goals and objectives of both the City of Avondale and Maricopa County.

CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:

The property is located in the service areas of the Avondale Elementary School District (AESD) and the Agua Fria Union High School District (AFUHSD).

Elementary aged students living in Norton Circle will attend Michael Anderson School located at the southwest corner of Western Avenue and Central Avenue. High school aged students will attend Desert Edge High School located west of the northwest corner of Estrella Parkway and Yuma Road in the City of Goodyear.

As the General Plan Amendment and rezoning applications are both City-initiated and relate to a County-funded development proposal, Certificates of Adequate School Facilities have not been provided.

PUBLIC PARTICIPATION:

A Neighborhood Meeting to discuss the proposal with neighboring property owners and other interested parties was held at 6:00 P.M. on Wednesday, June 23, 2021. Due to the ongoing Covid-19 pandemic, the meeting was held virtually via Zoom. All notices of the meeting, including mailings to owners within 1,000 feet of the site, a public hearing notice sign on the property, and display ads in the Arizona Republic were completed in at least fifteen days prior to the meeting as required. In addition to City Staff, two Councilmembers, and a representative of the HAMC attended the virtual meeting (Exhibit E). Discussion and questions included:

- **Would existing residents of Norton Circle be relocated to a nearby location during redevelopment of the site?** Ms. Chanchal Singh of HAMC indicated that HAMC would work with the existing residents to find a suitable residence/location while the project is under construction.
- **Would local employees be used for construction jobs?** Ms. Singh stated that due to the large size of the project, subcontractors would be utilized, each of which would be responsible for hiring their own crews.
- **Would existing residents be given the opportunity to move into the redeveloped Norton Circle when complete?** Ms. Singh said that yes, existing residents will be given the opportunity to move back so long as they need a 1-bedroom, 2-bedroom, or 3-bedroom unit and fall under the maximum median income.
- **What is the occupancy of the existing 46 units?** Ms. Singh indicated that she did not have exact figures in front of her but believed it to be around 90 percent.
- **Could a splash pad be included?** Ms. Singh mentioned that HAMC and project designers are looking into that possibility.
- **Will this redevelopment project be similar to the Madison Heights redevelopment on Dysart Road?** Ms. Singh indicated that both projects will feature a similar level of quality, though specific building designs and layouts will be different.
- **What is the timing for construction of the project?** Ms. Singh noted that HAMC was waiting to hear from the State of Arizona on the status of the tax credit application and expected to find out if this project was awarded in the next two (2) weeks. Note: Following the Neighborhood Meeting, it was confirmed that the project's tax credit application was approved and the project would move forward to construction in 2022.

In response to the question, "Do you have any comments on a proposed Minor General Plan Amendment and Rezoning to facilitate redevelopment of the Housing Authority of Maricopa County's (HAMC) existing

affordable 46-unit Norton Circle apartment complex located at the southwest corner of 4th Street and Norton Street with a new 100-unit affordable apartment complex?”, three (3) comments were posted on the City’s aVOICE/Polco digital forum, as follows:

- “Build it.”
- “Who pays for all the extra children in our school system all these extra units will require?”
- One (1) anonymous person responded “NO”. It is unclear if the respondents were indicating that they did not have comments in direct response to the posed question, or if they were opposed to the General Plan Amendment and/or rezoning requests.

All required notifications for the Planning Commission and City Council public hearings were completed. All property owners within 1,000 feet of the subject site were notified of the time, date, and location of the Planning Commission and City Council meetings via postcards, meetings were advertised in the Arizona Republic, and a public hearing notice sign identifying meeting dates, times, and locations was installed on the property. No additional public comments have been received to date.

PLANNING COMMISSION ACTION:

On August 18, 2021, Planning Commission conducted a public hearing and voted 4-1 to recommend approval of the proposed Minor General Plan Amendment. Commission had the following questions or comments:

- **Vice Chair Thompson asked how far along the Housing Authority of Maricopa County (HAMC) was in the process of relocating residents of Norton Circle during construction, how long would those residents be displaced, and have the existing residents been provided anything in writing that says they will receive first right of refusal to move back to Norton Circle upon completion of the redevelopment project?** Ms. Chanchal Singh, HAMC, noted that the redeveloped Norton Circle will be affordable housing for residents making less than 60 percent of the median countywide income; all of the existing residents will qualify. Ms. Singh stated that HAMC is currently working on a relocation plan which will be submitted to the Arizona Department of Housing. Construction is expected to take approximately 16 to 18 months and residents will be temporarily relocated during that time. Moving expenses will be covered for the residents.
- **Commissioner Warren asked where the residents would be relocated to while the project is under construction?** Ms. Singh indicated that HAMC would find comparable accommodation for each household, for example, in existing communities such as Madison Heights in Avondale and other HAMC-owned assets in the west valley. Commissioner Warren followed up her original question by asking if there was room in those existing communities to accommodate the displaced residents; Ms. Singh noted that HAMC will make room for the residents by holding units as leases expire and are not renewed.
- **Commissioner Stanfield asked if any units are reserved specifically for disabled or senior persons and stated that a friend was told that Madison Heights was not taking new resident applications or even placing residents on a wait list. Was the reason no new applications were being taken at Madison Heights related to the Norton Circle relocation?** Ms. Singh stated that HAMC owns and manages approximately 11,000 units in Maricopa County with most of them located in the west valley. Ms. Singh noted that the relocation process for Norton Circle hadn’t started yet. Ms. Gloria Munoz, HAMC, indicated that Madison Heights has been experiencing very good occupancy and wait lists are closed when those lists get too long; HAMC will monitor Madison Heights when the relocation process for Norton Circle begins to meet the preferences of the displaced residents.
- **Commissioner Warren asked what would happen to the residents living in the trailer park?** Staff clarified that there was no trailer park on the property, noting that the property was zoned Manufactured Home Park but was developed entirely with apartment buildings.

- **Chair Iwanski asked whether any airport noise issues were to be anticipated by future residents?** Staff responded that Phoenix Goodyear Airport is not a general use airport and experiences very specialized, limited incoming and outbound flights. The Norton Circle site is located amongst other existing and planned residential sites, none of which have registered any complaints about noise that City Staff were aware of.

ANALYSIS:

City Council must determine that the proposed amendment meets four findings prior to approving the proposed General Plan Amendment. Staff's analysis of each of the required findings is presented below.

1. The development pattern contained on the Land Use Plan inadequately provides the appropriate optional sites for the use or change proposed in the amendment.

- The Housing Authority of Maricopa County (HAMC) already owns and operates a subsidized housing development on the subject property. Acquisition and development of a different site by HAMC is not practical when redevelopment of the subject property can accomplish the goals of the County.
- The proposal to amend the land use designation of the property to High Density Residential (HDR) represents a one-step increase in density from the property's current Medium High Density Residential (MHDR) designation. Multi-family residential land use is supported by both the current and proposed designations.
- Property directly east of the subject site already features a HDR land use designation. Approval of the proposed General Plan Amendment will simply expand the boundary to the west to incorporate the subject property.
- The proposed amendment will not significantly alter the balance of land uses or the overall mix of housing in the City.

2. The amendment constitutes an overall improvement in the 2030 Plan and is not solely for the good or benefit of a particular landowner or owners.

- The proposed amendment will facilitate development of modern and attractive affordable housing, helping to meet a significant local and regional need for people and families earning less than the median income in Maricopa County.
- The existing Norton Circle community, constructed in 1976, is antiquated, visually unattractive, and not built in conformance with current building codes and life safety standards. The requested HDR designation will accommodate redevelopment of the site with a contemporary multi-family residential apartment community that will meet all safety and efficiency standards required for new development, benefitting the Old Town area and the City at large.
- The requested HDR designation and subsequent redevelopment of the property with a 100-unit apartment complex will be in character with the existing apartment development north of the property (Edgewater Apartments) and the planned apartment development (Hillcrest Villas) under construction east of the site.

3. The amendment will not adversely impact the community as a whole and/or a portion of the community by: (1) significantly altering acceptable land use patterns; (2) requiring large and more expensive public infrastructure improvements including, but not limited to roads, water, wastewater, and public safety facilities than would otherwise be needed without the proposed change, or (3) adversely impacting the existing land use.

- The property's current Medium High Density Residential (MHDR) designation would allow for

development of the property with up to twelve (12) dwelling units per acre. The proposed General Plan Amendment and concurrent rezoning will accommodate redevelopment of the site with approximately 17.54 dwelling units per acre, a relatively modest increase from current allowances.

- The proposed increase in density is not expected to have any significant impact on local traffic. Residents of subsidized housing communities typically have lower rates of vehicle ownership compared to market rate developments, relying more upon walking and public transit for their transportation needs.
- The Engineering Division has reviewed the requested changes to the Land Use Map. Redevelopment of the property will not require any larger or more expensive public infrastructure improvements over what would be needed to serve the current 46-unit Norton Circle development.
- Existing land uses in the vicinity of the project should benefit from the proposed change. Redevelopment of a substandard site with a project that is built to current standards will improve the aesthetics of the area and potentially have a positive impact on surrounding property values. Additionally, the proposed increase in density will likely benefit Old Town businesses by bringing additional customers to the area.

4. The amendment is consistent with the overall intent of the General Plan 2030 and other adopted plans, codes, and ordinances.

The proposed amendment furthers several goals of the General Plan 2030, including, but not limited to:

- **General Plan Land Use Element Goal #2/Policy C:** *“Preserve and enhance the vitality of existing neighborhoods in and around the Historic Avondale area by continuing to promote the rehabilitation of mature housing and development of infill lots.”* The proposed redevelopment will enhance the vitality of the neighborhood, replacing blighted development with a new development and improving the image and appearance of the Old Town area.
- **General Plan Housing Element Goal #3:** *“Maximize the efficiency and effectiveness of affordable housing and neighborhood stabilization programs.”* Approval of this General Plan Amendment and concurrent rezoning will accommodate redevelopment of the Norton Circle site with 100 units, 54 more units than provided for in the current development, allowing the Housing Authority of Maricopa County to serve additional residents more efficiently.
- **General Plan Redevelopment Element Goal #3:** *“Encourage safe and well-maintained housing, neighborhoods, and buildings that are free from blight.”* Redevelopment of the existing sub-standard site with a new project that reflects the character of Old Town while accommodating the latest in safety and design directly responds to this goal.

DISCUSSION:

Please note, Maricopa County and its agencies are statutorily exempt from City zoning regulations but are proceeding with the proposed applications in cooperation with the City of Avondale.

Staff finds this request meets the four (4) required findings and recommends approval of the proposed Minor General Plan Amendment.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

City Council will conduct a public hearing and **ADOPT** the Resolution approving Application PL-19-0182

Norton Circle, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the Land Use designation of 5.70 acres from Medium High Density Residential (MHDR) to High Density Residential (HDR).

PROPOSED MOTION:

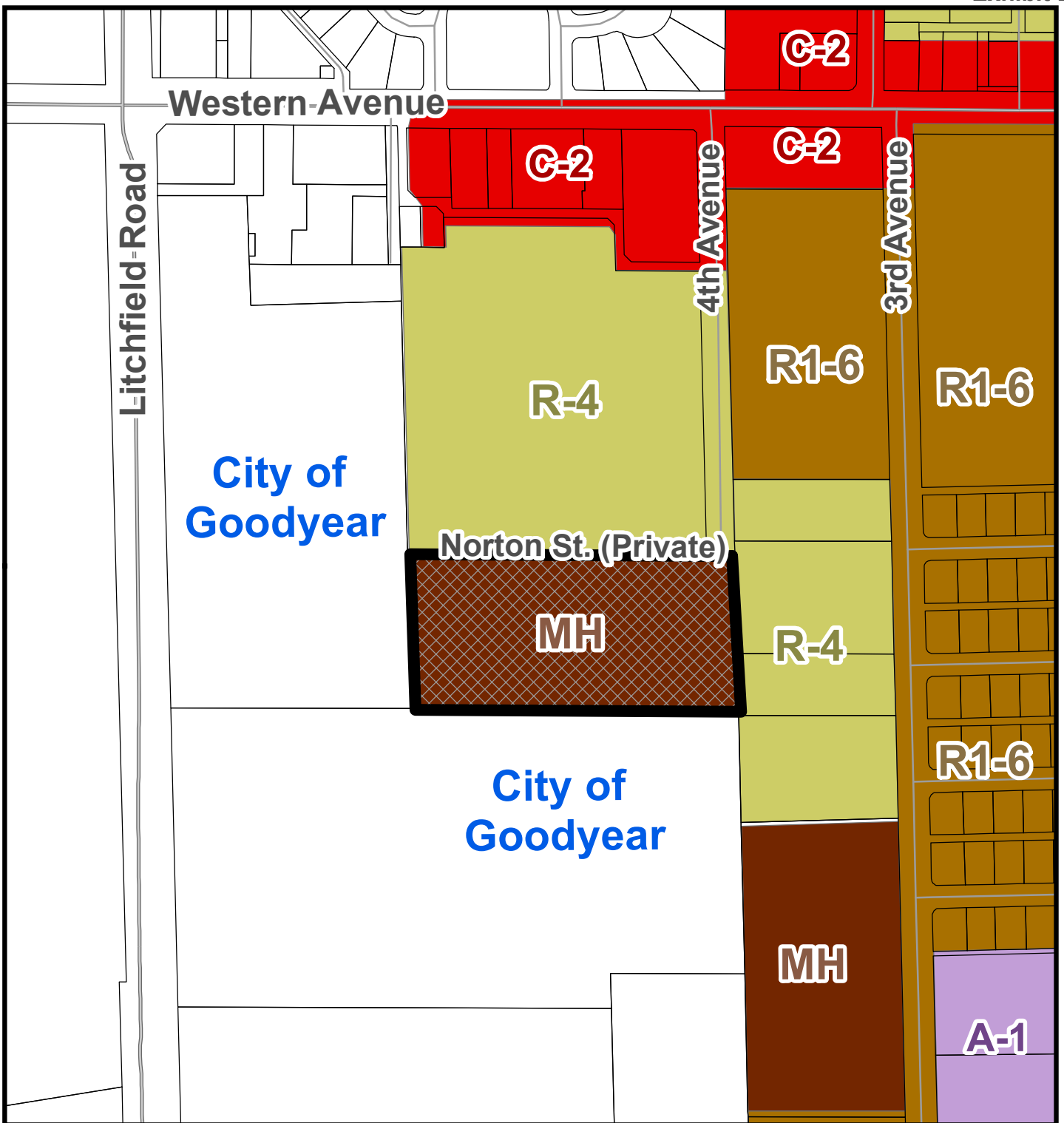
I move that City Council **ADOPT** the Resolution approving Application PL-19-0182 Norton Circle, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the Land Use designation of 5.70 acres from Medium High Density Residential (MHDR) to High Density Residential (HDR).



Aerial Photograph



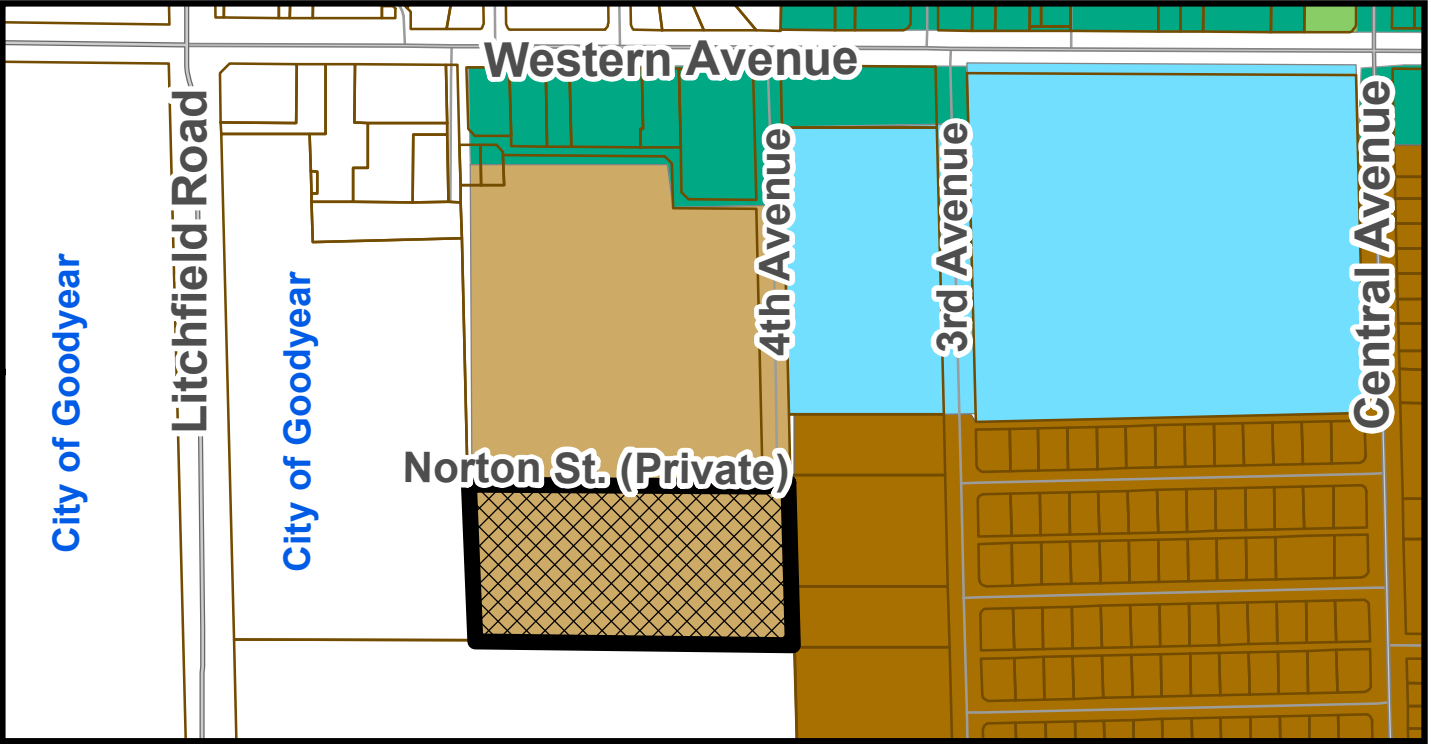
Subject Property



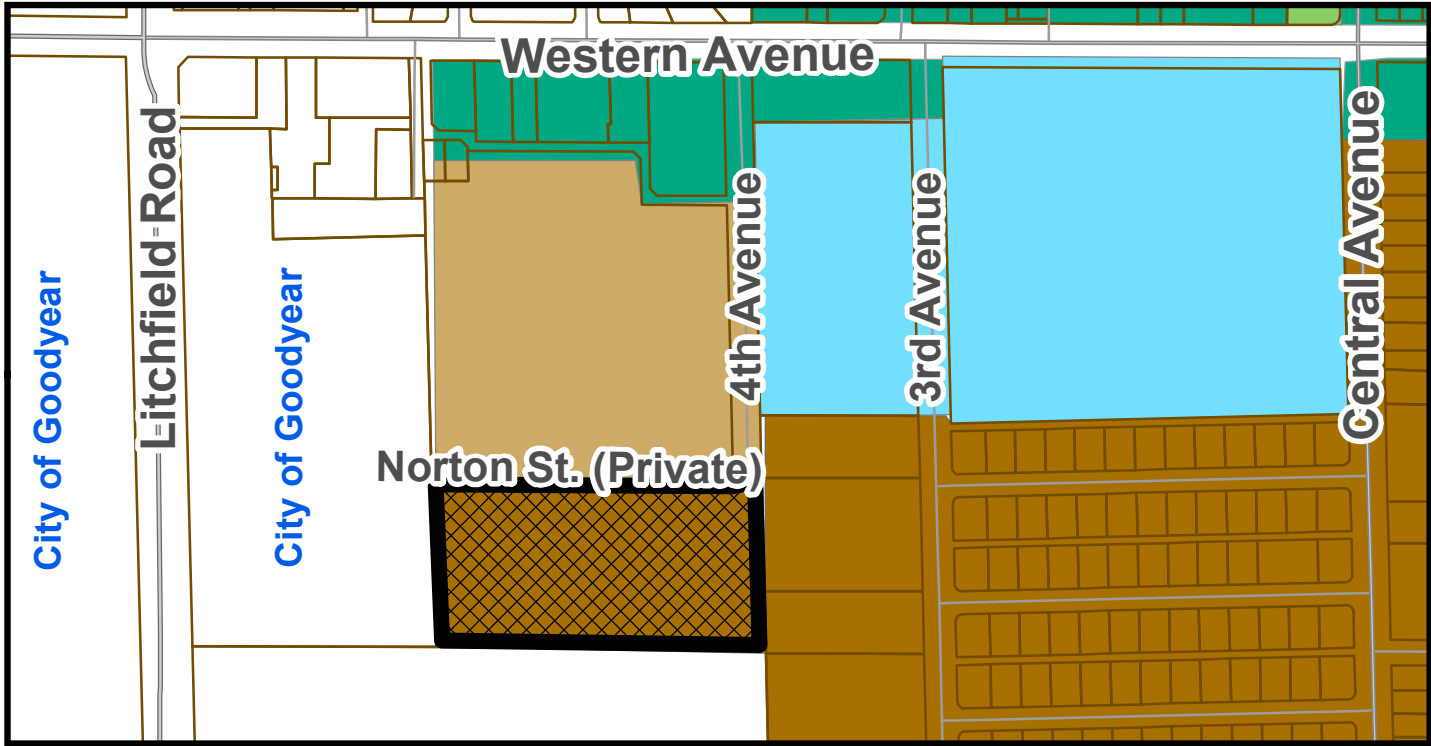
Zoning Vicinity Map



Subject Property



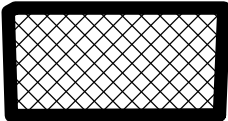
CURRENT LAND USE MAP



PROPOSED LAND USE MAP

General Plan Land Use Map

- Medium/High Density Residential
- High Density Residential
- Open Space and Parks
- Historic Avondale District
- Education



Subject Property

SUMMARY OF RELATED FACTS

APPLICATIONS PL-19-0182 AND PL-19-0183

THE PROPERTY	
SIZE	Approximately 5.70 acres
LOCATION	Southwest corner of 4 th Avenue and Norton Street (a private street)
PHYSICAL CHARACTERISTICS	Relatively flat site developed prior to 1976 with 25 buildings containing 46 multi-family residential units.
EXISTING LAND USE	Multi-family residential. The project is owned and operated by the Housing Authority of Maricopa County to provide housing opportunities for residents making less than 60 percent of the county's median income.
EXISTING ZONING	MH (Manufactured Home Park)
ZONING HISTORY	The subject property was included in Avondale's original incorporation boundary approved on December 16, 1946 and was subsequently zoned R-5 (Multi-Family Residence/General). The name and purpose of the R-5 District was changed from Multi-Family Residence/General to Mobile Home Park in 1990; at that time, the use of the property for multi-family residential became non-conforming. In March 2009, the R-5 District was renamed MH (Manufactured Home Park) to better reflect the uses permitted within it. An application to rezone the property to R-4 (Multi-Family Residential) is in process to support redevelopment of the site with a 100-unit apartment complex.

SURROUNDING ZONING AND LAND USE	
NORTH	Edgewater Apartments, a 2-story, 196-unit multi-family residential community developed in mid-1980's. The 10.37-acre site is zoned R-4 (Multi-Family Residential).
EAST	Hillcrest Villas, a 3-story, 84-unit multi-family residential community currently under construction. The 5.31-acre site, being developed with the assistance of Low-Income Housing Tax Credits (LIHTC), is zoned R-4 (Multi-Family Residential).
SOUTH	An undeveloped 18.20-acre parcel located within the jurisdiction of the City of Goodyear, zoned I-2 (General Industrial Park).
WEST	An 11.88-acre parcel developed with a surface parking lot for the Phoenix Goodyear Airport. The property is located within the jurisdiction of the City of Goodyear and is zoned I-2 (General Industrial Park).

GENERAL PLAN	
The property is presently designated by the General Plan 2030 Land Use Map as Medium/High Density Residential (MHDR), a designation that allows for single-family detached, single-family attached, and multi-family residential uses with a density range of four (4) to twelve (12) dwelling units per acre. An amendment to the General Plan Land Use Map to change the land use designation of the property to High Density Residential (HDR) is proposed. The HDR designation allows for development of multi-family residential including patio homes,	

apartments, condominiums, and townhomes with a density of twelve (12) to thirty (30) dwelling units per acre (Target Density = 12).

PUBLIC SCHOOLS

SCHOOL DISTRICT(S)	Avondale Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Michael Anderson School located at the southwest corner of Western Avenue and Central Avenue
HIGH SCHOOL	Desert Edge High School located west of the northwest corner of Estrella Parkway and Yuma Road in the City of Goodyear

ADJACENT STREETS

4th Avenue

Classification	Local Street
Existing half-street right-of-way	30 feet
Standard half-street right-of-way	25 feet
Existing half-street improvements	One (1) through lane, curb, gutter, attached sidewalk, landscaping, and streetlights.
Standard half-street improvements	One (1) through lane, curb, gutter, attached sidewalk, landscaping, and streetlights.

Norton Street

Classification	Private Street
Existing full-street right-of-way	Not applicable to private streets
Standard full-street right-of-way	Not applicable to private streets
Existing full-street improvements	One (1) through lane in each direction, curb, and gutter.
Standard full-street improvements	Not applicable to private streets

UTILITIES

Redevelopment on the site will have access to an existing 6-inch water lines in 4th Avenue and Norton Street. Sewer service to the site will be accommodated by an existing 12-inch sewer line that runs parallel to the property's eastern boundary.

Arizona Public Service (APS) provides electrical service in this portion of the City.

Exhibit E

Norton Circle Neighborhood Meeting Summary

June 23, 2021

Norton Circle – Proposed Minor General Plan Amendment and Rezoning

Summary of June 23, 2021 Neighborhood Meeting

The meeting was held via Zoom, starting at 6:00 P.M. In addition to Staff from both the City of Avondale and Housing Authority of Maricopa County (HAMC), the meeting was attended by Vice Mayor Veronica Malone and City Councilmember Tina Conde. Following a presentation from Chanchal Singh, Housing Authority of Maricopa County, attendees had the following questions and/or comments:

- ***Would existing residents of Norton Circle be relocated to a nearby location during redevelopment of the site?*** Ms. Singh indicated that HAMC would work with the existing residents to find a suitable residence/location while the project is under construction.
- ***Would local employees be used for construction jobs?*** Ms. Singh stated that due to the large size of the project, subcontractors would be utilized, each of which would be responsible for hiring their own crews.
- ***Would existing residents be given the opportunity to move into the redeveloped Norton Circle when complete?*** Ms. Singh said that yes, existing residents will be given the opportunity to move back so long as they need a 1-bedroom, 2-bedroom, or 3-bedroom unit and qualify by being under the maximum median income.
- ***What is the occupancy of the existing 46 units?*** Ms. Singh indicated that she did not have exact figures in front of her but believed it to be around 90 percent.
- ***Could a splash pad be included?*** Ms. Singh mentioned that HAMC and project designers are looking into that possibility.
- ***Will this redevelopment project be similar to the Madison Heights redevelopment on Dysart Road?*** Ms. Singh indicated that both projects will feature a similar level of quality, though specific building designs and layouts will be different.
- ***What is the timing for the project?*** Ms. Singh noted that HAMC was waiting to hear from the State of Arizona on the status of the tax credit application and expected to find out if this project was awarded in the next two (2) weeks. Note: Following the Neighborhood Meeting, it was confirmed that the project's tax credit application was approved and the project would move forward to construction in 2022.

Exhibit F

Conceptual Site Plan and Rendering

Norton Circle

NORTON CIRCLE
SITE PLAN



BUILDING AREAS:

One Bedroom: 31,025 SF
Two Bedroom: 37,770 SF
Three Bedroom: 24,840 SF
TOTAL RESIDENTIAL FLOOR AREA: 93,635 SF

TOTAL GROSS AREA FOR 6 RESIDENTIAL BUILDINGS: 111,035 SF
COVERED PARKING: 2860 SF
COMMUNITY BUILDING AREA: 115,895 SF
TOTAL PROJECT SQUARE FOOTAGE: 80,79%

BUILDING EFFICIENCY:
(residential floor area to total project square footage)

TOTAL PARKING SPACES: 124

UNIT	TYPE	TOTAL NUMBER OF UNITS BY TYPE	FLOOR OF BUILDING	SF RFA (INTERIOR)	BALCONY/ PATIO INCLUDED YES/NO	SF RFA BALCONY	TOTAL RFA
A1	1 BED TYPE A	9	1 st	730	NO	0	730
A1	1 BED TYPE B	20	2 nd & 3 rd	730	YES	72	802
A1 ADA	1 BED TYPE A	1	1 st	730	NO	0	730
A2	1 BED TYPE C	4	1 st	732	NO	0	732
A2	1 BED TYPE D	5	2 nd & 3 rd	732	YES	73	805
A2 ADA	1 BED TYPE C	1	1 st	732	NO	0	732
B1	2 BED TYPE A	9	1 st	891	NO	0	891
B1	2 BED TYPE B	20	2 nd & 3 rd	891	YES	72	963
B1 ADA	2 BED TYPE A	1	1 st	891	NO	0	891
B2	2 BED TYPE C	4	1 st	924	NO	0	924
B2	2 BED TYPE D	5	1 st	924	YES	72	996
B2 ADA	2 BED TYPE C	1	1 st	924	NO	0	924
C1	3 BED TYPE A	9	1 st	1193	NO	0	1193
C1	3 BED TYPE B	10	2 nd & 3 rd	1193	YES	98	1291
C1 ADA	3 BED TYPE A	1	1 st	1193	NO	0	1193

SCALE: 1" = 60' -0"





NORTON CIRCLE
PROJECT OVERVIEW

GORMAN
ARCHITECTURAL



NORTON CIRCLE

MARCH 30, 2021

RESOLUTION NO. 1074-0921

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE CITY OF AVONDALE GENERAL PLAN REGARDING THE LAND-USE DESIGNATION OF APPROXIMATELY 5.70 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 4TH AVENUE AND NORTON STREET, AS SHOWN IN APPLICATION PL-19-0182 FROM MEDIUM HIGH DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL.

WHEREAS, the City of Avondale General Plan (the “General Plan”) was adopted by the Mayor and Council of the City of Avondale (the “City Council”) on April 2, 2012, and ratified by the qualified electors of the City of Avondale on August 28, 2012; and

WHEREAS, the City Council desires to amend the General Plan to change the land-use designation for approximately 5.70 acres generally at the southwest corner of 4th Avenue and Norton Street, from Medium High Density Residential to High Density Residential, as shown in Application PL-19-0182 (the “General Plan Amendment”); and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the City of Avondale (the “City”) has consulted with, advised and provided the opportunity for public comment on the General Plan Amendment; and

WHEREAS, all due and proper notices of the public hearings on the General Plan Amendment held before the City of Avondale Planning Commission (the “Commission”) and the City Council was given in the time, form and substance provided by ARIZ. REV. STAT. § 9-461.06; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the Commission held a public hearing on the proposed General Plan Amendment on August 18 2021, after which the Commission recommended approval; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the City Council held a public hearing on the proposed General Plan Amendment on September 20, 2021.

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

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The General Plan is hereby amended to change the land-use designation for approximately 5.70 acres generally located at the southwest corner of 4th Avenue and Norton

Street, as shown in Application PL-19-0182, as depicted on Exhibit A, attached hereto and incorporated herein by reference, from Medium High Density Residential to High Density Residential.

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

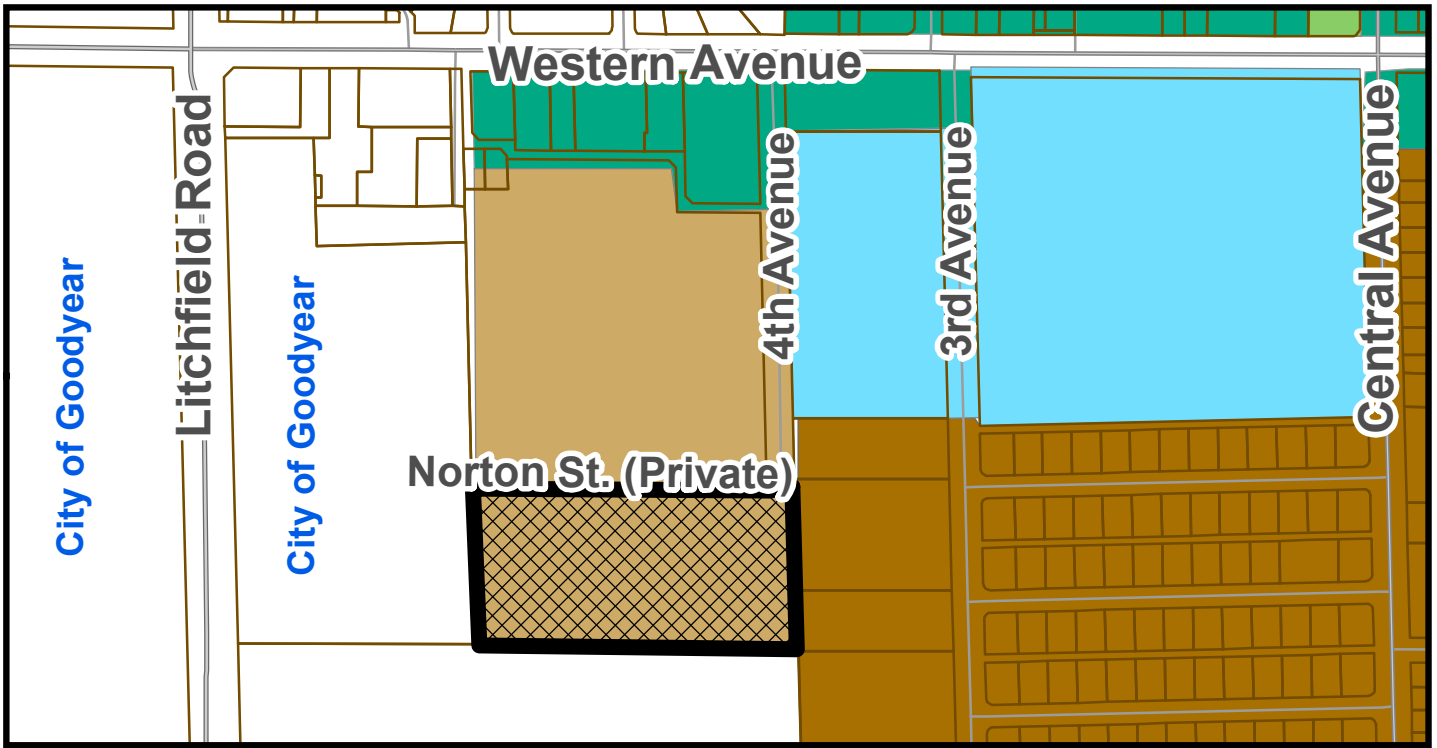
APPROVED AS TO FORM:

Nicholle Harris, City Attorney

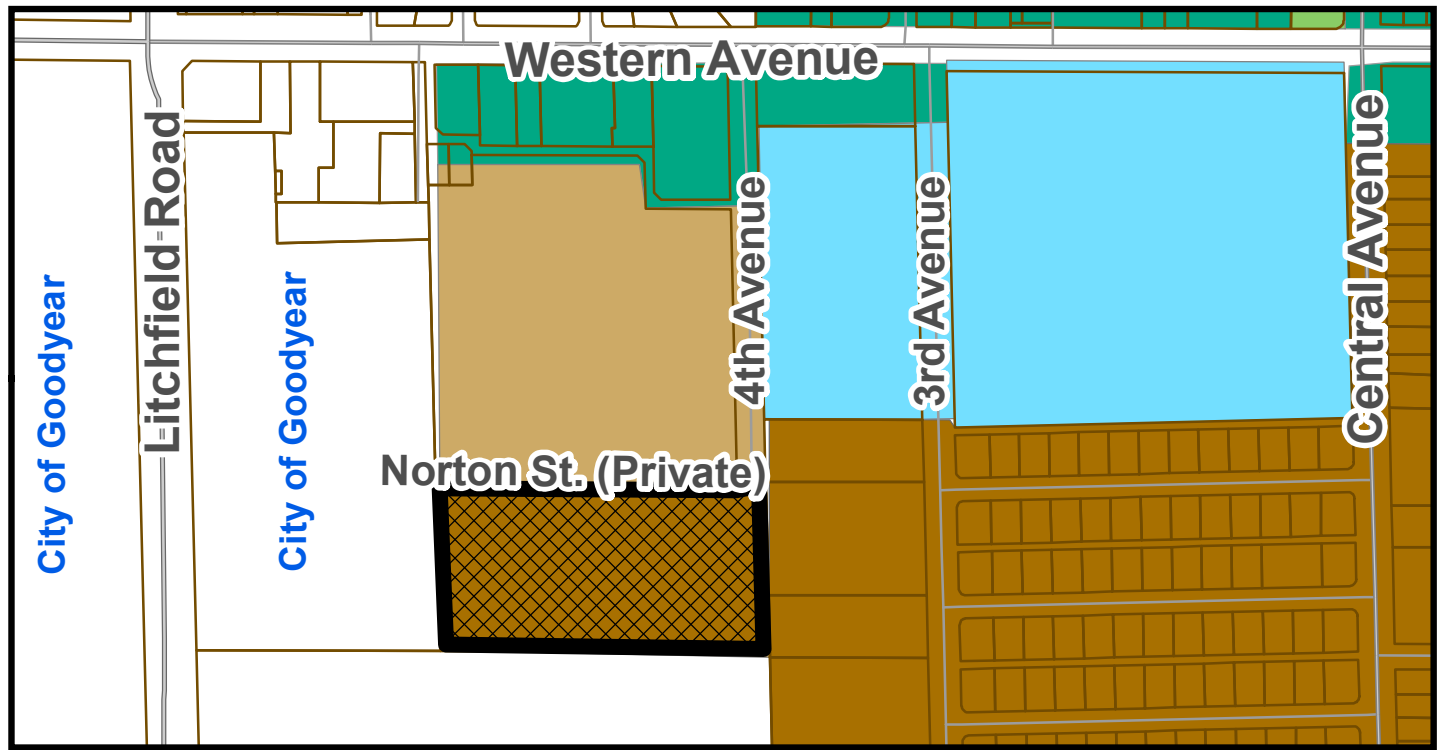
EXHIBIT A
TO
RESOLUTION NO. 1074-0921

[General Plan Amendment Map]

See following pages.



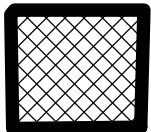
CURRENT LAND USE MAP



PROPOSED LAND USE MAP

General Plan Land Use Map

-  Medium/High Density Residential
-  High Density Residential
-  Open Space and Parks
-  Historic Avondale District
-  Education



Subject Property

CITY COUNCIL REPORT

SUBJECT: Public Hearing and Ordinance 2050-0921 - Norton Circle - Rezoning from Manufactured Home Park (MH) to Multi-Family Residential (R-4) - Application PL-19-0183

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Invest in the revitalization of Historic Avondale.
-

PURPOSE:

City Council will hold a public hearing and consider a City-initiated request to adopt Ordinance 2050-0921 to rezone approximately 5.70 gross acres of land located at the southwest corner of 4th Avenue and Norton Street (a private street) from Manufactured Home Park (MH) to Multi-Family Residential (R-4). The subject property is developed with Norton Circle, a 46-unit multi-family residential community owned and operated by the Housing Authority of Maricopa County (HAMC). Approval of the proposed rezoning will facilitate redevelopment of the site with a new 100-unit multi-family apartment complex that will continue to be owned and operated by HAMC. A separate application for a Minor General Plan Amendment, changing the land use designation of the property from Medium High Density Residential to High Density Residential, will be considered separately. Maricopa County and its agencies are statutorily exempt from City zoning regulations but are proceeding with the proposed applications in cooperation with the City of Avondale. The Council will take appropriate action.

BACKGROUND:

The 5.70-acre subject property (Exhibits A and B) is located at the southwest corner of 4th Avenue and Norton Street (a private street).

The property was included in Avondale's original incorporation boundary approved on December 16, 1946 and

was subsequently zoned R-5 (Multi-Family Residence/General). Under the R-5 zoning, the site was developed in 1976 with Norton Circle, a complex consisting of 25 single-story buildings containing 46 apartments and a community activity room, owned and operated by the Housing Authority of Maricopa County (HAMC).

The R-5 District was amended from Multi-Family Residence/General to Mobile Home Park in 1990. With that amendment, multi-family residential uses were no longer allowed in the R-5 district and the multi-family residential use of the Norton Circle property became legal non-conforming. In March 2009, the R-5 District was renamed MH (Manufactured Home Park) to better reflect the uses permitted within it. Today, the property remains zoned MH and the existing 46-unit multi-family apartment development is legal non-conforming.

The property is designated by the General Plan 2030 Land Use Map as Medium High Density Residential (MHDR). The MHDR land use designation allows for single-family detached, single-family attached, and multi-family residential uses with a density range of four (4) to twelve (12) dwelling units per acre. Approval of concurrent request for a Minor General Plan Amendment will change the land use designation of the property to High Density Residential (HDR). The HDR designation allows for development of patio homes, apartments, condominiums, or townhomes with a density ranging between twelve (12) and 30 dwelling units per acre. A map showing both the existing and proposed General Plan Land Use designations on the property is included as exhibit C.

Together with the concurrent Minor General Plan Amendment, the purpose of the both applications is to accommodate redevelopment of the site with a new 100-unit multi-family apartment complex that will continue to be owned and operated by the Housing Authority of Maricopa County (HAMC). Residency within the community will be restricted to individuals and families whose incomes fall below County-wide averages.

The existing uses and zoning of surrounding properties include:

NORTH OF NORTON STREET: Edgewater Apartments, a 2-story, 196-unit multi-family residential community developed in the mid-1980's. The 10.37-acre Edgewater Apartments site is zoned R-4 (Multi-Family Residential).

EAST: Hillcrest Villas, a 3-story, 84-unit multi-family residential community currently under construction. The 5.31-acre site, being developed with the assistance of Low-Income Housing Tax Credits (LIHTC), is zoned R-4 (Multi-Family Residential).

SOUTH: An undeveloped 18.20-acre parcel located within the jurisdiction of the City of Goodyear, zoned I-2 (General Industrial Park).

WEST: An 11.88-acre parcel developed with a surface parking lot for the Phoenix Goodyear Airport. The property is located within the jurisdiction of the City of Goodyear and is zoned I-2 (General Industrial Park).

SUMMARY OF REQUEST:

In an effort to increase the number of affordable housing units provided in the region, upgrade services, and provide a greater range of modern amenities to residents, the HAMC is seeking to demolish the existing 46-unit Norton Circle multi-family residential development and redevelop the 5.70-acre site with a three-story, 100-unit apartment complex with a density of 17.54 dwelling units per acre (Exhibit F).

To accommodate the proposed multi-family redevelopment at a density of 17.54 units per acre, a rezoning of the property from Manufactured Home Park (MH) to Multi-Family Residential (R-4) is requested. The proposed R-4 zoning allows for multi-family uses, such as apartments, with a maximum density of 30 dwelling units per acre and a maximum building height of 45 feet (three stories).

It should be noted that Maricopa County and its agencies are statutorily exempt from City zoning regulations. As such, the proposed redevelopment could occur with no City planning and/or zoning approvals needed. However, in the spirit of cooperation, both entities are working together to process the proposed General Plan Amendment and rezoning to ensure that the proposed redevelopment project will further the goals and objectives of both the City of Avondale and Maricopa County.

CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:

The property is located in the service areas of the Avondale Elementary School District (AESD) and the Agua Fria Union High School District (AFUHSD).

Elementary aged students living in Norton Circle will attend Michael Anderson School located at the southwest corner of Western Avenue and Central Avenue. High school aged students will attend Desert Edge High School located west of the northwest corner of Estrella Parkway and Yuma Road in the City of Goodyear.

As the General Plan Amendment and rezoning applications are both City-initiated and relate to a County-funded development proposal, Certificates of Adequate School Facilities have not been provided.

PUBLIC PARTICIPATION:

A Neighborhood Meeting to discuss the proposal with neighboring property owners and other interested parties was held at 6:00 P.M. on Wednesday, June 23, 2021. Due to the ongoing Covid-19 pandemic, the meeting was held virtually via Zoom. All notices of the meeting, including mailings to owners within 1,000 feet of the site, a public hearing notice sign on the property, and display ads in the Arizona Republic were completed in at least fifteen days prior to the meeting as required. In addition to City Staff, two Councilmembers, and a representative of the HAMC attended the virtual meeting (Exhibit E). Discussion and questions included:

- **Would existing residents of Norton Circle be relocated to a nearby location during redevelopment of the site?** Ms. Chanchal Singh of HAMC indicated that HAMC would work with the existing residents to find a suitable residence/location while the project is under construction.
- **Would local employees be used for construction jobs?** Ms. Singh stated that due to the large size of the project, subcontractors would be utilized, each of which would be responsible for hiring their own crews.
- **Would existing residents be given the opportunity to move into the redeveloped Norton Circle when complete?** Ms. Singh said that yes, existing residents will be given the opportunity to move back so long as they need a 1-bedroom, 2-bedroom, or 3-bedroom unit and fall under the maximum median income.
- **What is the occupancy of the existing 46 units?** Ms. Singh indicated that she did not have exact figures in front of her but believed it to be around 90 percent.
- **Could a splash pad be included?** Ms. Singh mentioned that HAMC and project designers are looking into that possibility.
- **Will this redevelopment project be similar to the Madison Heights redevelopment on Dysart Road?** Ms. Singh indicated that both projects will feature a similar level of quality, though specific building designs and layouts will be different.
- **What is the timing for construction of the project?** Ms. Singh noted that HAMC was waiting to hear from the State of Arizona on the status of the tax credit application and expected to find out if this project was awarded in the next two (2) weeks. Note: Following the Neighborhood Meeting, it was confirmed that the project's tax credit application was approved and the project would move forward to construction in 2022.

In response to the question, "Do you have any comments on a proposed Minor General Plan Amendment and Rezoning to facilitate redevelopment of the Housing Authority of Maricopa County's (HAMC) existing affordable 46-unit Norton Circle apartment complex located at the southwest corner of 4th Street and Norton Street with a new 100-unit affordable apartment complex?", three (3) comments were posted on the City's aVOICE/Polco digital forum, as follows:

- “Build it.”
- “Who pays for all the extra children in our school system all these extra units will require?”
- One (1) anonymous person responded “NO”. It is unclear if the respondents were indicating that they did not have comments in direct response to the posed question, or if they were opposed to the General Plan Amendment and/or rezoning requests.

All required notifications for the Planning Commission and City Council public hearings were completed. All property owners within 1,000 feet of the subject site were notified of the time, date, and location of the Planning Commission and City Council meetings via postcards, meetings were advertised in the Arizona Republic, and a public hearing notice sign identifying meeting dates, times, and locations was installed on the property. No additional public comments have been received to date.

PLANNING COMMISSION ACTION:

On August 18, 2021, Planning Commission conducted a public hearing and voted 5-0 to recommend approval of the proposed rezoning subject to one (1) Staff-recommended condition of approval. Commission had the following questions or comments:

- **Vice Chair Thompson asked how far along the Housing Authority of Maricopa County (HAMC) was in the process of relocating residents of Norton Circle during construction, how long would those residents be displaced, and have the existing residents been provided anything in writing that says they will receive first right of refusal to move back to Norton Circle upon completion of the redevelopment project?** Ms. Chanchal Singh, HAMC, noted that the redeveloped Norton Circle will be affordable housing for residents making less than 60 percent of the median countywide income; all of the existing residents will qualify. Ms. Singh stated that HAMC is currently working on a relocation plan which will be submitted to the Arizona Department of Housing. Construction is expected to take approximately 16 to 18 months and residents will be temporarily relocated during that time. Moving expenses will be covered for the residents.
- **Commissioner Warren asked where the residents would be relocated to while the project is under construction?** Ms. Singh indicated that HAMC would find comparable accommodation for each household, for example at existing communities such as Madison Heights in Avondale and other HAMC-owned assets in the west valley. Commissioner Warren followed up her original question by asking if there was room at those existing communities to accommodate the displaced residents; Ms. Singh noted that HAMC will make room for the residents by holding units as leases expire and are not renewed.
- **Commissioner Stanfield asked if any units are reserved specifically for disabled or senior persons and stated that a friend was told that Madison Heights was not taking new resident applications or even placing residents on a wait list. Was the reason no new applications were being taken at Madison Heights related to the Norton Circle relocation?** Ms. Singh stated that HAMC owns and manages approximately 11,000 units in Maricopa County with most of them located in the west valley. Ms. Singh noted that the relocation process for Norton Circle hadn’t started yet. Ms. Gloria Munoz, HAMC, indicated that Madison Heights has been experiencing very good occupancy and wait lists are closed when those lists get too long; HAMC will monitor Madison Heights when the relocation process for Norton Circle begins to meet the preferences of the displaced residents.
- **Commissioner Warren asked what would happen to the residents living in the trailer park?** Staff clarified that there was no trailer park on the property, noting that the property was zoned Manufactured Home Park but was developed entirely with apartment buildings.
- **Chair Iwanski asked whether any airport noise issues were to be anticipated by future residents?** Staff responded that Phoenix Goodyear Airport is not a general use airport and

experiences very specialized, limited incoming and outbound flights. The Norton Circle site is located amongst other existing and planned residential sites, none of which have registered any complaints about noise that Staff was aware of.

ANALYSIS:

The proposed rezoning will facilitate redevelopment of the Norton Circle site by the Housing Authority of Maricopa County (HAMC). The project will involve demolition of 46 existing apartments constructed in 1976 and construction of a new 100-unit income-restricted apartment community on the property.

The existing Norton Circle community is antiquated, visually unattractive, and not built in conformance with current building codes and life safety standards. As illustrated in the conceptual site plan and renderings attached to this report (Exhibit F), the quality of the new Norton Circle will represent a significant upgrade over the existing complex and will serve to enhance the overall Old Town neighborhood in which the subject property is located. The proposed redevelopment will improve residents' quality of life, meet all modern safety and efficiency standards, and generally improve living conditions by providing modern amenities. Furthermore, the increased density of the proposed complex will allow HAMC to meet the affordable housing needs of 56 additional households, helping to meet an increasing need both locally and regionally.

A General Plan Amendment request to change the land use designation of the site to High Density Residential (HDR) is being considered concurrently with this rezoning request. The proposed rezoning to R-4, which allows multi-family residential uses with a density of between twelve (12) and 30 units per acre and building heights of up to 45 feet (three (3) stories), aligns with the requested HDR land use designation. The requested R-4 zoning is compatible with and complementary to adjacent properties to the north and east; both abutting properties are zoned R-4 and are developed or are in the process of developing with multi-family residential apartments.

The proposed redevelopment furthers several goals of the General Plan, most notably:

- **General Plan Land Use Element Goal #2/Policy C:** *"Preserve and enhance the vitality of existing neighborhoods in and around the Historic Avondale area by continuing to promote the rehabilitation of mature housing and development of infill lots."* The proposed redevelopment will enhance the vitality of the neighborhood, replacing blighted development with a new development and improving the image and appearance of the Old Town area.
- **General Plan Housing Element Goal #3:** *"Maximize the efficiency and effectiveness of affordable housing and neighborhood stabilization programs."* Approval of this General Plan Amendment and concurrent rezoning will accommodate redevelopment of the Norton Circle site with 100 units, 54 more units than provided for in the current development, allowing the Housing Authority of Maricopa County to serve additional residents more efficiently.
- **General Plan Redevelopment Element Goal #3:** *"Encourage safe and well-maintained housing, neighborhoods, and buildings that are free from blight."* Redevelopment of the existing sub-standard site with a new project that reflects the character of Old Town while accommodating the latest in safety and design directly responds to this goal.

The City will not incur any cost associated with this redevelopment project. Any infrastructure upgrades, if needed to serve the project, will be completed by the developer at the developer's cost. Furthermore, the proposed increase in density is not expected to have a significant impact on local traffic. As borne out in other HAMC communities, residents of income-restricted housing typically have lower rates of vehicle ownership compared to market rate developments, instead more strongly relying upon walking and public transit for their transportation needs.

DISCUSSION:

The proposed rezoning meets the following findings:

1. The proposed rezoning to Multi-Family Residential (R-4) is in direct conformance with the proposed General Plan Land Use Map designation of High Density Residential.
2. Redevelopment of the site in accordance with the standards of the R-4 district will result in development of the site that is compatible with surrounding development.
3. Redevelopment of the site will represent a significant aesthetic and functional upgrade over the existing Norton Circle community, furthering goals of revitalizing Old Town Avondale.
4. The recommended conditions of approval are reasonable to ensure conformance with the provisions of the Zoning Ordinance and all other applicable City codes, ordinances, and policies.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

City Council will conduct a public hearing and **ADOPT** the Ordinance approving Application PL-19-0183 Norton Circle, a request to rezone approximately 5.70 acres from Manufactured Home Park (MH) to Multi-Family Residential (R-4), subject to the following one (1) condition of approval:

1. Development shall conform to the Multi-Family Residential (R-4) district standards.

PROPOSED MOTION:

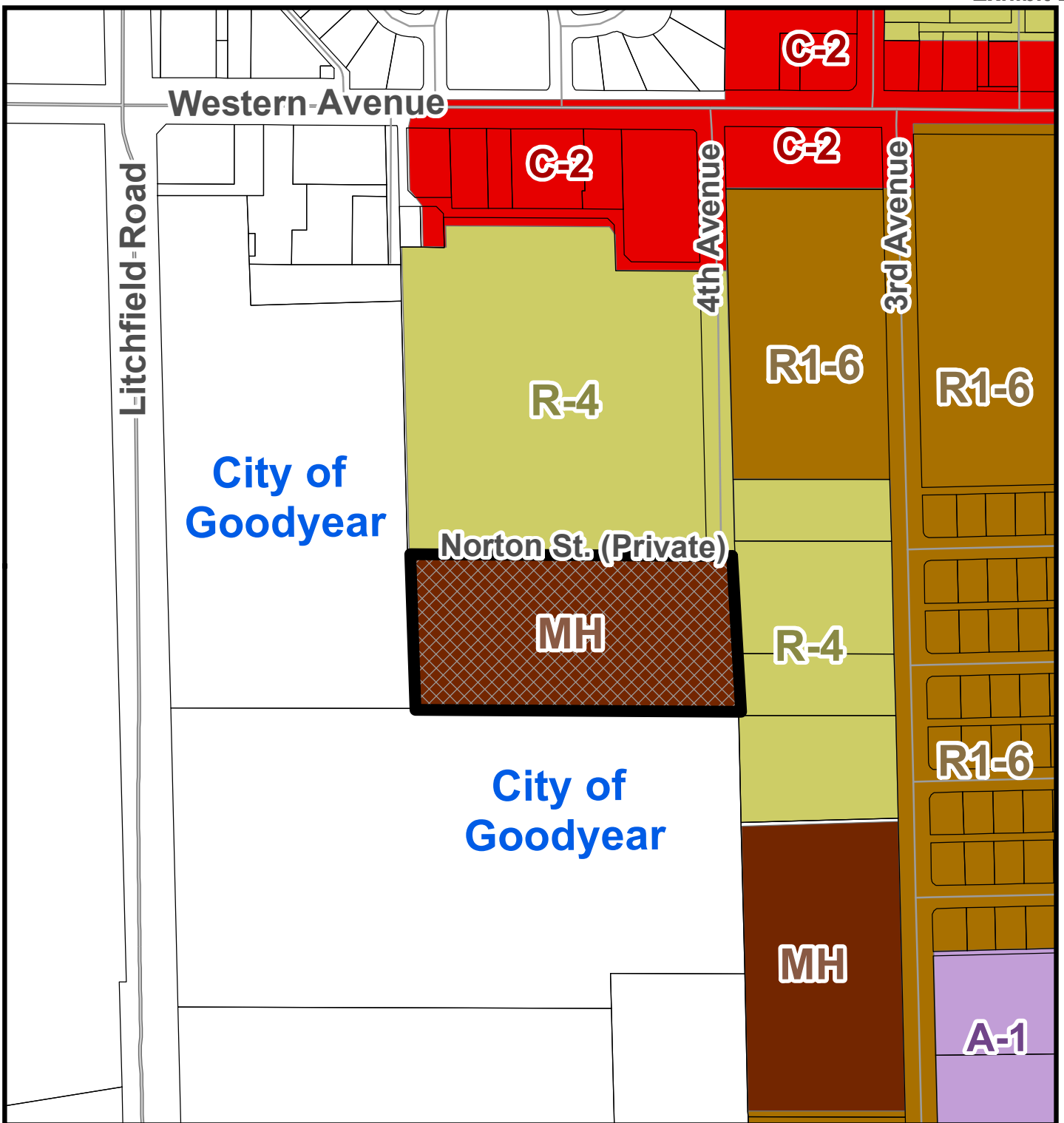
I move that City Council accept the findings and **ADOPT** the Ordinance approving Application PL-19-0183 Norton Circle, a request to rezone approximately 5.70 acres from Manufactured Home Park (MH) to Multi-Family Residential (R-4), subject to one (1) condition listed in the staff report.



Aerial Photograph



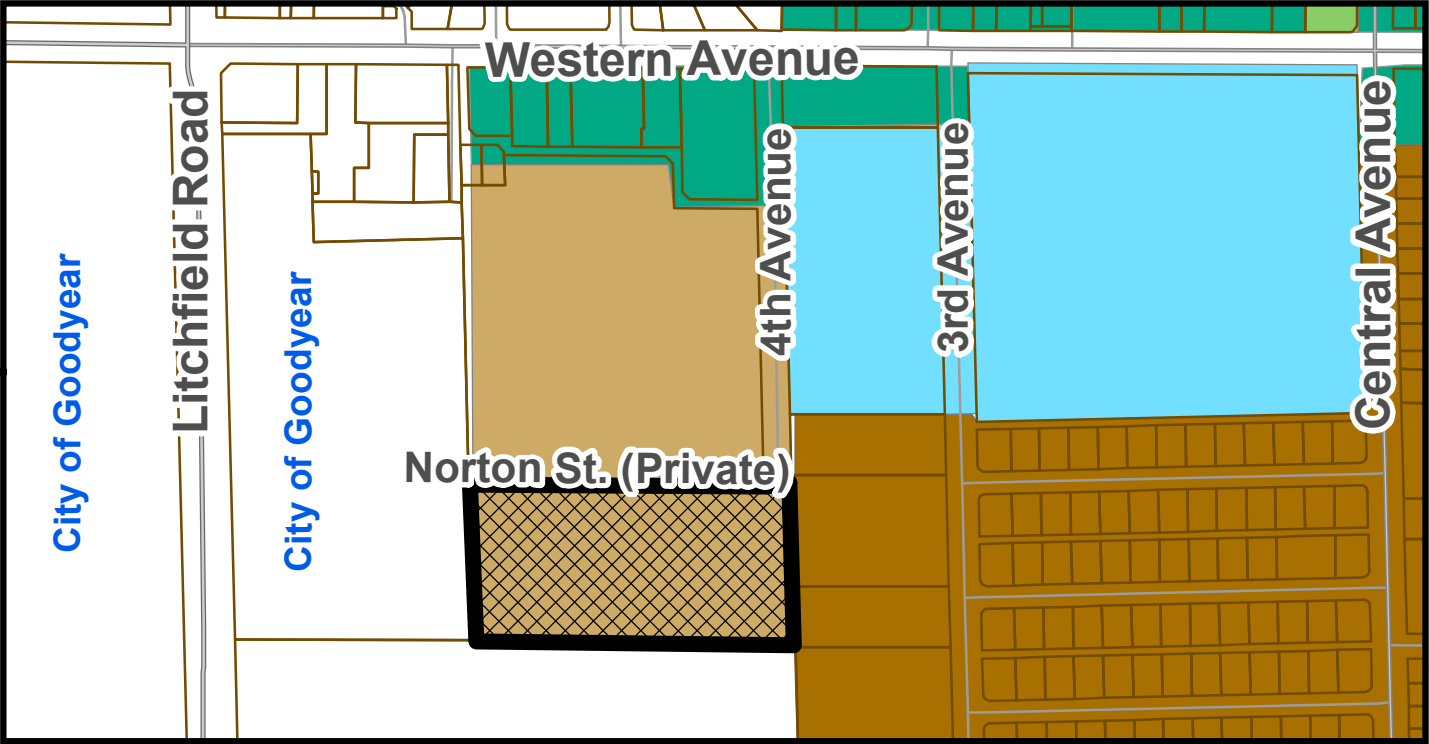
Subject Property



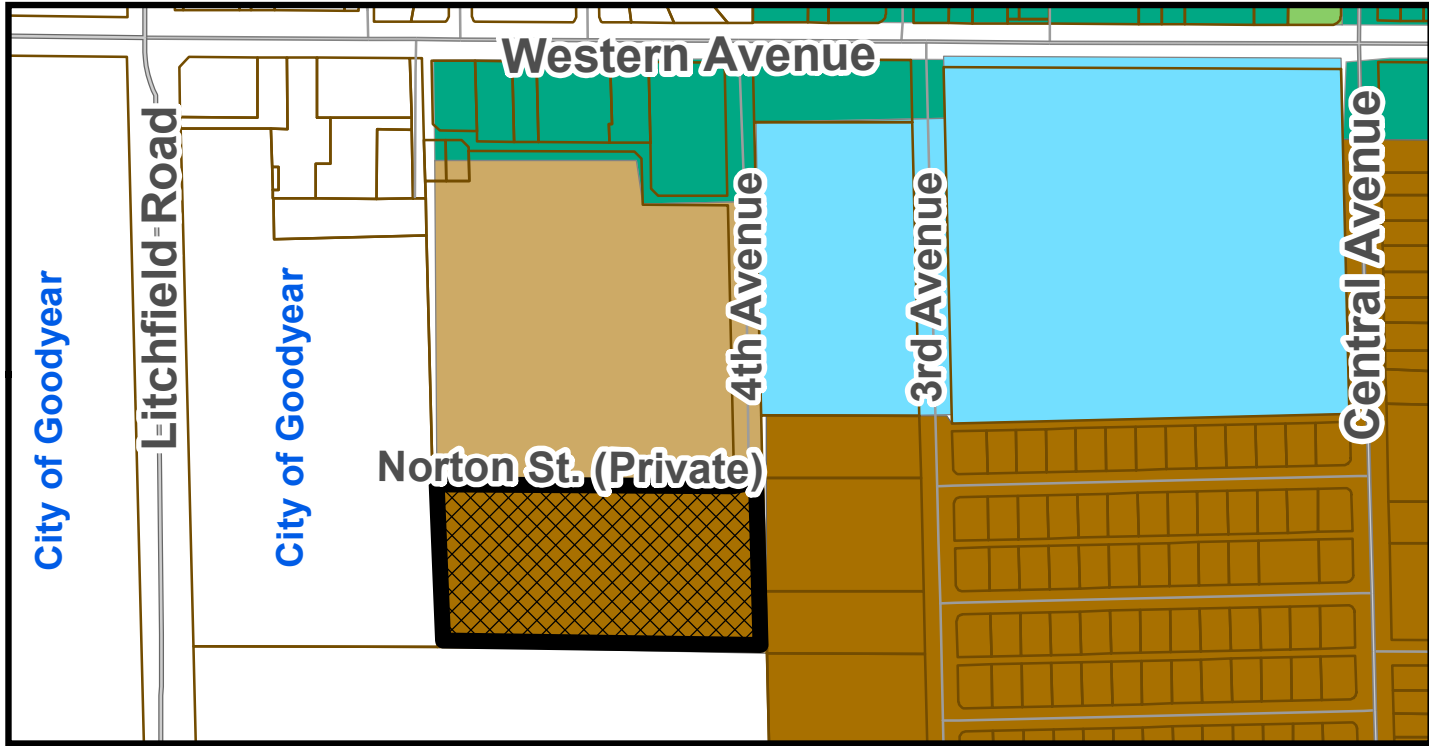
Zoning Vicinity Map



Subject Property



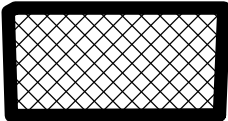
CURRENT LAND USE MAP



PROPOSED LAND USE MAP

General Plan Land Use Map

-  Medium/High Density Residential
-  High Density Residential
-  Open Space and Parks
-  Historic Avondale District
-  Education



Subject Property

SUMMARY OF RELATED FACTS

APPLICATIONS PL-19-0182 AND PL-19-0183

THE PROPERTY	
SIZE	Approximately 5.70 acres
LOCATION	Southwest corner of 4 th Avenue and Norton Street (a private street)
PHYSICAL CHARACTERISTICS	Relatively flat site developed prior to 1976 with 25 buildings containing 46 multi-family residential units.
EXISTING LAND USE	Multi-family residential. The project is owned and operated by the Housing Authority of Maricopa County to provide housing opportunities for residents making less than 60 percent of the county's median income.
EXISTING ZONING	MH (Manufactured Home Park)
ZONING HISTORY	The subject property was included in Avondale's original incorporation boundary approved on December 16, 1946 and was subsequently zoned R-5 (Multi-Family Residence/General). The name and purpose of the R-5 District was changed from Multi-Family Residence/General to Mobile Home Park in 1990; at that time, the use of the property for multi-family residential became non-conforming. In March 2009, the R-5 District was renamed MH (Manufactured Home Park) to better reflect the uses permitted within it. An application to rezone the property to R-4 (Multi-Family Residential) is in process to support redevelopment of the site with a 100-unit apartment complex.

SURROUNDING ZONING AND LAND USE	
NORTH	Edgewater Apartments, a 2-story, 196-unit multi-family residential community developed in mid-1980's. The 10.37-acre site is zoned R-4 (Multi-Family Residential).
EAST	Hillcrest Villas, a 3-story, 84-unit multi-family residential community currently under construction. The 5.31-acre site, being developed with the assistance of Low-Income Housing Tax Credits (LIHTC), is zoned R-4 (Multi-Family Residential).
SOUTH	An undeveloped 18.20-acre parcel located within the jurisdiction of the City of Goodyear, zoned I-2 (General Industrial Park).
WEST	An 11.88-acre parcel developed with a surface parking lot for the Phoenix Goodyear Airport. The property is located within the jurisdiction of the City of Goodyear and is zoned I-2 (General Industrial Park).

GENERAL PLAN	
The property is presently designated by the General Plan 2030 Land Use Map as Medium/High Density Residential (MHDR), a designation that allows for single-family detached, single-family attached, and multi-family residential uses with a density range of four (4) to twelve (12) dwelling units per acre. An amendment to the General Plan Land Use Map to change the land use designation of the property to High Density Residential (HDR) is proposed. The HDR designation allows for development of multi-family residential including patio homes,	

apartments, condominiums, and townhomes with a density of twelve (12) to thirty (30) dwelling units per acre (Target Density = 12).

PUBLIC SCHOOLS

SCHOOL DISTRICT(S)	Avondale Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Michael Anderson School located at the southwest corner of Western Avenue and Central Avenue
HIGH SCHOOL	Desert Edge High School located west of the northwest corner of Estrella Parkway and Yuma Road in the City of Goodyear

ADJACENT STREETS

4th Avenue

Classification	Local Street
Existing half-street right-of-way	30 feet
Standard half-street right-of-way	25 feet
Existing half-street improvements	One (1) through lane, curb, gutter, attached sidewalk, landscaping, and streetlights.
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Norton Street

Classification	Private Street
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Standard full-street improvements	Not applicable to private streets

UTILITIES

Redevelopment on the site will have access to an existing 6-inch water lines in 4th Avenue and Norton Street. Sewer service to the site will be accommodated by an existing 12-inch sewer line that runs parallel to the property's eastern boundary.

Arizona Public Service (APS) provides electrical service in this portion of the City.

Exhibit E

Norton Circle Neighborhood Meeting Summary

June 23, 2021

Norton Circle – Proposed Minor General Plan Amendment and Rezoning

Summary of June 23, 2021 Neighborhood Meeting

The meeting was held via Zoom, starting at 6:00 P.M. In addition to Staff from both the City of Avondale and Housing Authority of Maricopa County (HAMC), the meeting was attended by Vice Mayor Veronica Malone and City Councilmember Tina Conde. Following a presentation from Chanchal Singh, Housing Authority of Maricopa County, attendees had the following questions and/or comments:

- ***Would existing residents of Norton Circle be relocated to a nearby location during redevelopment of the site?*** Ms. Singh indicated that HAMC would work with the existing residents to find a suitable residence/location while the project is under construction.
- ***Would local employees be used for construction jobs?*** Ms. Singh stated that due to the large size of the project, subcontractors would be utilized, each of which would be responsible for hiring their own crews.
- ***Would existing residents be given the opportunity to move into the redeveloped Norton Circle when complete?*** Ms. Singh said that yes, existing residents will be given the opportunity to move back so long as they need a 1-bedroom, 2-bedroom, or 3-bedroom unit and qualify by being under the maximum median income.
- ***What is the occupancy of the existing 46 units?*** Ms. Singh indicated that she did not have exact figures in front of her but believed it to be around 90 percent.
- ***Could a splash pad be included?*** Ms. Singh mentioned that HAMC and project designers are looking into that possibility.
- ***Will this redevelopment project be similar to the Madison Heights redevelopment on Dysart Road?*** Ms. Singh indicated that both projects will feature a similar level of quality, though specific building designs and layouts will be different.
- ***What is the timing for the project?*** Ms. Singh noted that HAMC was waiting to hear from the State of Arizona on the status of the tax credit application and expected to find out if this project was awarded in the next two (2) weeks. Note: Following the Neighborhood Meeting, it was confirmed that the project's tax credit application was approved and the project would move forward to construction in 2022.

Exhibit F

Conceptual Site Plan and Rendering

Norton Circle

NORTON CIRCLE
SITE PLAN



BUILDING AREAS:

One Bedroom: 31,025 SF
Two Bedroom: 37,770 SF
Three Bedroom: 24,840 SF
TOTAL RESIDENTIAL FLOOR AREA: 93,635 SF

TOTAL GROSS AREA FOR 6 RESIDENTIAL BUILDINGS: 111,035 SF

COVERED PARKING: 2860 SF

COMMUNITY BUILDING AREA: 115,895 SF

TOTAL PROJECT SQUARE FOOTAGE: 80,79%

BUILDING EFFICIENCY: (residential floor area to total project square footage)

TOTAL PARKING SPACES: 124

UNIT	TYPE	TOTAL NUMBER OF UNITS	FLOOR OF BUILDING	SF RFA (INTERIOR)	BALCONY/ PATIO INCLUDED YES/NO	SF RFA BALCONY	TOTAL RFA
A1	1 BED TYPE A	9	1 st	730	NO	0	730
A1	1 BED TYPE B	20	2 nd & 3 rd	730	YES	72	802
A1 ADA	1 BED TYPE A	1	1 st	730	NO	0	730
A2	1 BED TYPE C	4	1 st	732	NO	0	732
A2	1 BED TYPE D	5	2 nd & 3 rd	732	YES	73	805
A2 ADA	1 BED TYPE C	1	1 st	732	NO	0	732
B1	2 BED TYPE A	9	1 st	891	NO	0	891
B1	2 BED TYPE B	20	2 nd & 3 rd	891	YES	72	963
B1 ADA	2 BED TYPE A	1	1 st	891	NO	0	891
B2	2 BED TYPE C	4	1 st	924	NO	0	924
B2	2 BED TYPE C	5	1 st	924	YES	72	996
B2 ADA	2 BED TYPE C	1	1 st	924	NO	0	924
C1	3 BED TYPE A	9	1 st	1193	NO	0	1193
C1	3 BED TYPE B	10	2 nd & 3 rd	1193	YES	98	1291
C1 ADA	3 BED TYPE A	1	1 st	1193	NO	0	1193

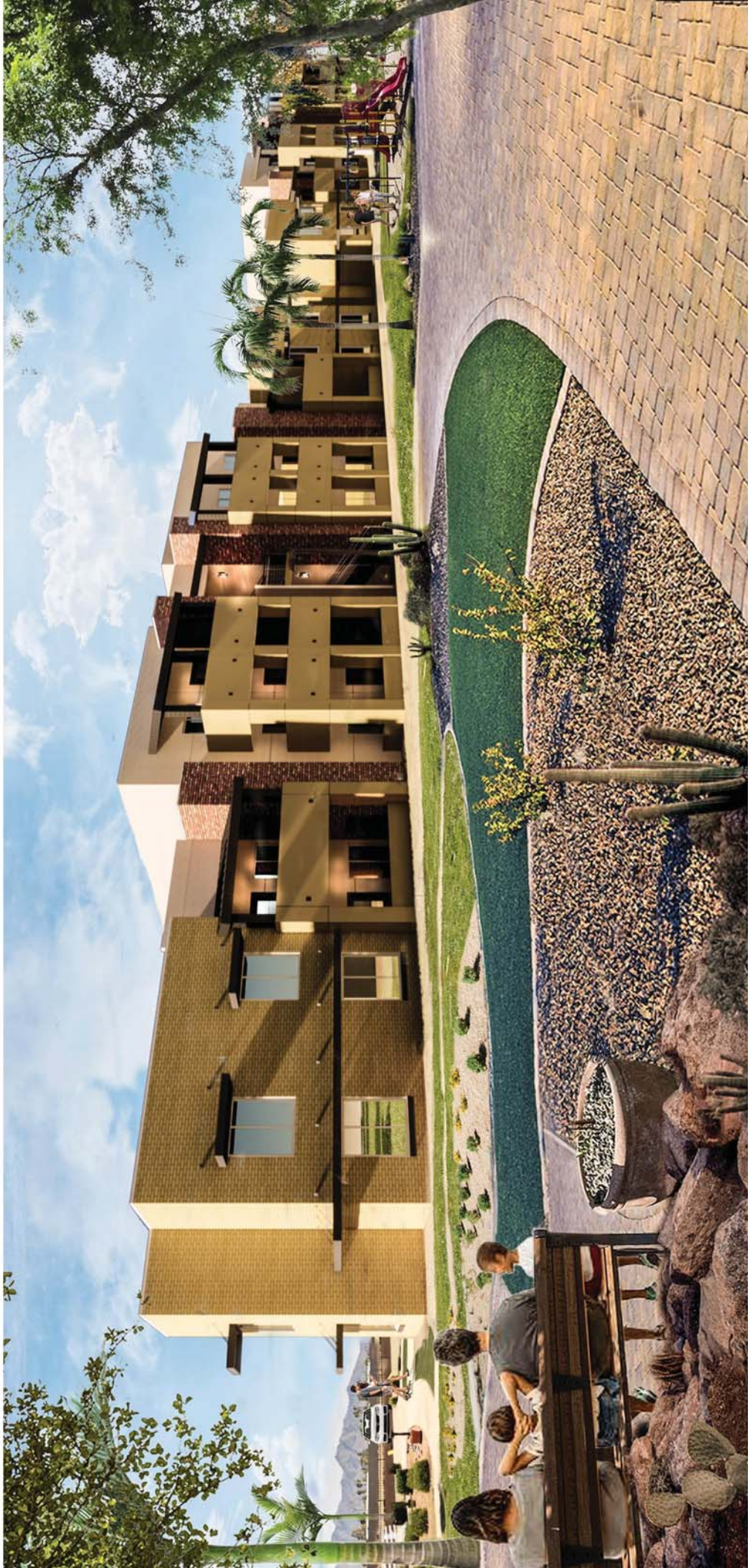
SCALE: 1" = 60' -0"





NORTON CIRCLE
PROJECT OVERVIEW

GORMAN
ARCHITECTURAL



NORTON CIRCLE

MARCH 30, 2021

ORDINANCE NO. 2050-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF AVONDALE FOR APPROXIMATELY 5.70 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 4TH AVENUE AND NORTON STREET, AS SHOWN IN APPLICATION PL-19-0183, FROM MANUFACTURED HOME PARK (MH) TO MULTI-FAMILY RESIDENTIAL (R-4).

WHEREAS, the Council of the City of Avondale (the “City Council”) desires to amend the City of Avondale Zoning Atlas (the “Zoning Atlas”), pursuant to ARIZ. REV. STAT. § 9-462.04, to change the zoning description for $\pm$ 5.70 acres generally located at the southwest corner of 4th Avenue and Norton Street, as shown in application PL-19-0183, from Manufactured Home Park (MH) to Multi-Family Residential (R-4) (the “Zoning Atlas Amendment”); and

WHEREAS, all due and proper notices of the public hearings on the Zoning Atlas Amendment held by the City of Avondale Planning Commission (the “Commission”) and by the City Council were given in the time, form and substance provided by ARIZ. REV. STAT. § 9-462.04; and

WHEREAS, on August 18, 2021, the Commission held a public hearing on the Zoning Atlas Amendment, after which hearing the Commission recommended approval; and

WHEREAS, the City Council held an additional public hearing regarding the Zoning Atlas Amendment on September 20, 2021; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, the City Council has considered the individual property rights and personal liberties of the residents of the City before adopting this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The Zoning Atlas Amendment for $\pm$ 5.70 acres generally located at the southwest corner of 4th Avenue and Norton Street, as more particularly described and depicted on Exhibit A attached hereto and incorporated herein by reference, is hereby approved, rezoning

such property from Manufactured Home Park (MH) to Multi-Family Residential (R-4), subject to the City of Avondale adopted codes, requirements, standards and regulations, and the following stipulations:

1. Development on the site shall conform to the Multi-Family Residential (R-4) district standards.
2. All development shall be completed in accordance with the City of Avondale General Engineering Requirements Manual and the City of Avondale Supplement to MAG Uniform Specifications and Details unless a standards deviation has been approved.

SECTION 3. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2050-0921

[Legal Description and Map]

See following pages.

LEGAL DESCRIPTION FOR ZONING PURPOSES

A portion of the Northwest quarter of Section 15, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a nail marking the Northwest corner of said Section 15, from which a 3-inch Maricopa County brass cap in handhole marking the North quarter corner of said Section 15 bears North 89 degrees 50 minutes 30 seconds East 2,635.10 feet;

THENCE North 89 degrees 50 minutes 30 seconds East 1,317.55 feet along the North line of said Northwest quarter to the East line of the Northwest quarter of the Northwest quarter of said Section 15;

THENCE South 01 degree 51 minutes 18 seconds East 973.05 feet along said East line to the POINT OF BEGINNING;

THENCE continuing South 01 degree 51 minutes 18 seconds East 347.35 feet along said East line to the South line of the Northwest quarter of the Northwest quarter of said Section 15;

THENCE South 89 degrees 50 minutes 33 seconds West 715.22 feet along said South line;

THENCE North 01 degree 51 minutes 46 seconds West 347.31 feet;

THENCE North 89 degrees 50 minutes 20 seconds East 715.26 feet to the POINT OF BEGINNING.

COMPRISING 5.700 acres or 248,313 square feet more or less, subject to all easements of record.

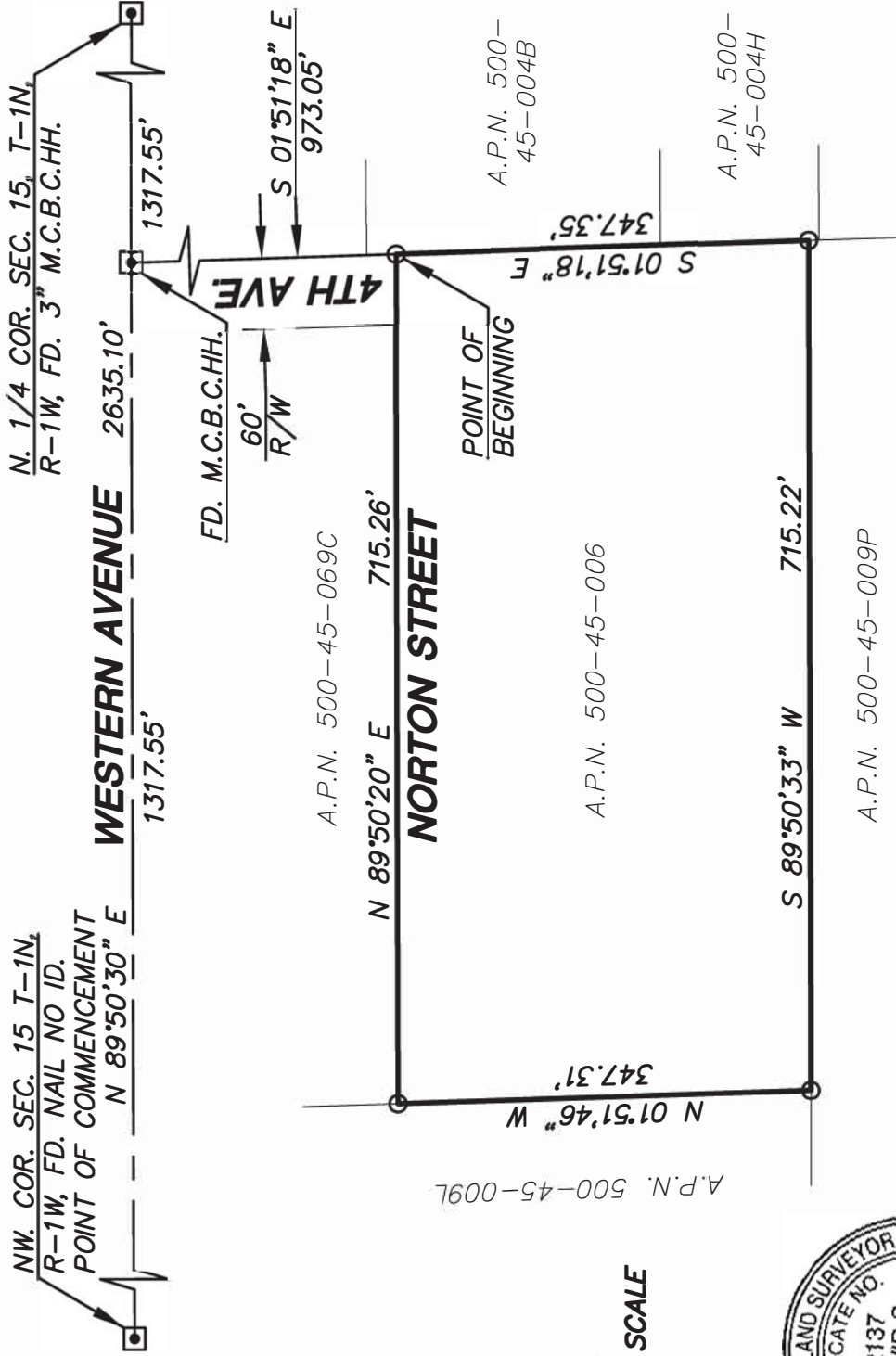


2122 W. Lone Cactus Dr.
Ste. 11, Phoenix, AZ 85027
623-869-0223 (office)
623-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com

DATE: 9/26/19

JOB NO.: 190813

EXHIBIT OF LEGAL DESCRIPTION FOR ZONING PURPOSES



NOT TO SCALE



David S. Klein



SUPERIOR
SURVEYING SERVICES, INC.

2122 W. Lone Cactus Dr., Ste. 11
Phoenix, AZ 85027
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623-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com

DATE: 9/26/19

JOB NO.: 190813

CITY COUNCIL REPORT

SUBJECT: Public Hearing and Resolution 1075-0921 - Parkside - Minor General Plan Land Use Map Amendment – Application PL-20-0308

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will hold a public hearing and consider a request to adopt Resolution 1075-0921, approving a request by Mr. Johnathan Bastianelli, William Lyon Homes, Inc., for a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Parkside, a proposed 137.27 net acre master planned community located approximately 600 feet south of the southwest corner of 99th Avenue and Indian School Road. The proposed Minor General Plan Amendment, if approved, will amend the land use designation of approximately 10 acres at the southeast corner of the subject property from Office/Professional to Medium High Density Residential (MHDR), a category that allows for single-family detached, single-family attached, townhomes, condominiums, patio homes, and the like with density ranging between 4.0 and 12.0 dwelling units per acre. Approval of the request will facilitate replacement of a previously planned office development with 54 additional detached single-family residential lots, increasing the total number of single-family residential lots in Parkside from 662 to 716. Related requests for a Major Amendment to the Parkside Planned Area Development (PAD) and Preliminary Plat Amendment will be considered separately. The Council will take appropriate action.

BACKGROUND:

The 137.27 net acre subject property (Exhibits A and B) is located approximately 600 feet south of the southwest corner of Indian School Road and 99th Avenue. The site, which is undeveloped and is no longer in agricultural use, was annexed in two segments, on May 26, 1981 and October 21, 1989.

The property was rezoned from Agricultural (AG) to Entorno Planned Area Development (PAD) in October 2007. When the Entorno project did not develop, the property was rezoned from Entorno PAD to Parkside Village PAD in June 2014. Most recently, a Major Amendment to the Parkside Village PAD was approved by City Council in August 2019. The approved Parkside Village PAD, as amended, allows for development of a master planned community consisting of 662 single-family residences including 415 traditional single-family lots with areas ranging from 4,500 square feet (45'x100') to 6,600 square feet (55'x120') and 247 rear-loaded "villas", a compact single-family detached home where garages will be accessed from common driveways and fronts of homes will face onto common open space corridors. In addition, the approved PAD designates a 21.3-acre commercial mixed-use parcel at the southwest corner of Indian School Road and 99th Avenue in the property's northeast corner and a 9.9-acre office parcel at southeast corner of the property adjacent to 99th Avenue.

Following the 2019 PAD Amendment approval, the name of the future community was modified by the developer to eliminate "Village" from the name; moving forward, the development will simply be called Parkside.

A Development Agreement between the City and property owner was approved by City Council in June 2014 and amended in August 2019. The Agreement establishes phasing for development of Parkside, allowing for limited permitting and Certificate of Occupancy issuance before 99th Avenue or Indian School Road off-site improvements are completed.

A Preliminary Plat for Parkside, consistent with the amended PAD, was approved by City Council on December 9, 2019. The approved Preliminary Plat divides the property into 662 single-family residential lots, a 9.9-acre parcel for future office development at the southeast corner of the property, and a 21.3-acre parcel for future commercial mixed use development at the northeast corner of the property. A Final Plat for Phase 1 is in review; lots within Phase 1 are not impacted by the proposed General Plan Amendment, Major PAD Amendment, or Preliminary Plat Amendment.

The developer has begun off-site infrastructure work related to the site. Undergrounding of the large Salt River Project (SRP) irrigation canal that had run along the property's eastern boundary was completed in early 2021. Undergrounding of the canal adjacent to Indian School Road along the property's northern boundary is scheduled to occur in early 2022. When undergrounding of both canals is complete, construction of the adjacent roadway improvements will be able to commence.

The property features three General Plan 2030 land use designations, as follows (Exhibit C):

- The Medium/High Density Residential (MHDR) designation is applied to the majority of the western half of the site, extending further eastward near the southeast corner of the property. The MHDR designation allows for development of single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density).
- The Mixed Use designation is applied to the majority of the eastern half of the site, extending further westward immediately adjacent to Indian School Road. The Mixed Use category allows for a mixture of residential and commercial uses reflective of a village concept where residents can live, work, and recreate within the same development or nearby.
- The southeastern corner of the site, approximately 9.9 acres of land, is designated Office/Professional, a land use category that allows for professional and medical offices and service type uses. Approval of the applicant's request for a Minor General Plan Amendment will eliminate the Office/Professional land use designation on the property, extending the MHDR designation to cover the southeast corner of the site. A map showing both the existing and proposed General Plan Land Use designations on the property is included as Exhibit C.

Related applications for a Major Planned Area Development (PAD) Amendment and Preliminary Plat Amendment will be considered by Council separately on the same agenda. The purpose of each application is to replace the previously planned office development at the southeast corner of the site with 54 additional detached single-family residential lots. Procedurally, approval of the Minor General Plan Amendment is required before the Major PAD Amendment can be considered. Similarly, approval of the Major PAD Amendment is required before the Preliminary Plat Amendment may be approved.

The existing uses and zoning of surrounding properties include:

NORTH OF INDIAN SCHOOL ROAD: Multiple parcels located in City of Phoenix's jurisdiction that have developed with a mix of uses including a gas station with convenience store, a drive-through restaurant, medical offices, a single-family detached residential neighborhood, and a single-family attached condominium complex. In addition to the developed parcels, there is an 11.1-acre undeveloped parcel in the City of Phoenix zoned C-2 (Intermediate Commercial).

EAST OF 99th AVENUE: An undeveloped 133.8-acre property located in City of Phoenix's jurisdiction. The property is currently being farmed and a time frame for development is unknown.

SOUTH: A 148.5-acre undeveloped property located in the City of Avondale, zoned Fulton Homes Acclaim Planned Area Development (PAD). The Fulton Homes Acclaim PAD allows for development of the site with a 581-lot single-family residential subdivision. The developer is processing final approvals with construction of the community expected to start within the next year.

WEST: Westwind, a 132-acre single-family residential community located within the City of Avondale, zoned Planned Area Development (PAD). The community is fully developed with 534 detached single-family residences built between 1997 and 2000.

SOUTHWEST: Glenarm Farms, a 150-acre large lot single-family residential subdivision located in the City of Avondale and zoned RR-18 (Rural Residential, Minimum 18,000 S.F. lot area). The community is fully developed with 150 detached single-family residences, some featuring accessory structures for the keeping of horses and livestock.

SUMMARY OF REQUEST:

The applicant is seeking to develop 54 additional detached single-family residential lots on the southeasternmost 9.9-acre portion of Parkside previously reserved for office development. As previously noted, this portion of the property currently features a General Plan 2030 Land Use designation of Office/Professional, a category which allows for medical and professional offices and service type uses. To accommodate additional residential lots at the southeast corner of the site, the applicant is requesting approval of a Minor General Plan Amendment (GPA) to change the General Plan 2030 Land Use designation of the southeastern 9.9 acres to Medium High Density Residential (Exhibit E). The requested Medium High Density Residential (MHDR) designation allows for development of single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density). The requested MHDR designation is consistent with the existing General Plan designation applied to the majority of Parkside.

As indicated in the preceding section, related applications for a Major PAD Amendment and Preliminary Plat Amendment have been filed and will be considered on the same Planning Commission and City Council meeting schedule as this proposed General Plan Amendment. The purpose of each application is to replace the previously planned office development at the southeast corner of the site with 54 additional detached single-family residential lots; additional details on the proposal, including lot layout and open space/landscaping in the impacted portion of Parkside, can be found within the staff reports for these companion items.

CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:

The property is located in the service areas of the Pendergast Elementary School District (PESD) and the Tolleson Union High School District (TUHSD). The nearest elementary school to the property is Garden

Lakes Elementary, located at the southwest corner of 107th Avenue and Garden Lakes Parkway. High school aged students will attend Westview High School located at the northwest corner of 107th Avenue and Garden Lakes Parkway.

Both PESD and TUHSD have provided the City with Certificates of Adequate School Facilities (Exhibit F) stating that each district has adequate capacity to accommodate the anticipated enrollment from the proposed Parkside development.

PUBLIC PARTICIPATION:

A Neighborhood Meeting to discuss the proposed Minor General Plan Amendment and Major Planned Area Development Amendment (PAD) with neighboring property owners and other interested parties was held at 6:00 P.M. on Tuesday, July 27, 2021. Due to the ongoing Covid-19 pandemic, the meeting was held virtually via Zoom. All notices of the meeting, including mailings to owners within 1,000 feet of the site, posting of a public hearing notice sign on the property, and display ads in the Arizona Republic, were completed in at least fifteen days prior to the meeting as required. In addition to City Staff and the applicant, two (2) Councilmembers and two (2) Planning Commissioners attended the virtual meeting (Exhibit G). Discussion and questions included:

- **Was Osborn Road originally intended to connect west to Westwind or Glenarm Farms?** No, Osborn Road was previously shown as terminating approximately one-quarter mile to the west. Neither Westwind nor Glenarm Farms were designed for that street to enter into those communities.
- **Does Clarendon Avenue connect to the property to the west?** Yes, Clarendon Avenue will connect into Westwind.
- **What elementary school will students in Parkside attend and what kind of connectivity would be provided?** The closest Pendergast District school is Garden Lakes Elementary, approximately one (1) mile west on 107th Avenue. Because of the considerable distance, it is expected that most students from Parkside would utilize bus service or be dropped by private vehicles rather than walk to school.
- **What is the nature of the open space added with the proposed new lots?** The additional open space consists of a landscaped setback along 99th Avenue, an east/west trail corridor along the southern edge of Parkside, and a north/south trail connection internal to Parkside to allow residents to more easily access the community's central park which will feature a pool, splash pad, and other amenities.
- **Will deceleration lanes be provided at the main entrances into Parkside?** Deceleration lanes will be provided at the main entrance from Indian School Road (at Parkside Boulevard) and from 99th Avenue (at Clarendon Avenue).
- **Will the 99th Avenue and Clarendon Avenue intersection be a "T" intersection?** It is anticipated that the intersection will eventually be a four-way intersection when the property east of 99th Avenue, in the City of Phoenix, develops. The intersection will be signalized and will be warranted/constructed in Phase 2 of Parkside.
- **What is the status of the development in Phoenix east of 99th Avenue?** Homebuilder Lennar was working on that site and it is estimated that it would be at least one to two years before that project is under construction.
- **When is Phase 2 of Parkside expected to begin construction, triggering the need for the signal at 99th Avenue and Clarendon Avenue?** It is estimated that Phase 2 may be under construction around the beginning of 2026.
- **If development in Phoenix produced traffic that warranted the signal sooner, would that signal be installed earlier?** Yes, in that event, Avondale would work with the City of Phoenix to ensure the signal was installed when it was warranted. The developer of Parkside will also work with Lennar to

coordinate the full signal installation rather than installing different corners at different times.

Two (2) comments pertaining to the proposal were posted on the City's aVOICE/Polco digital forum, as follows:

- "I sure hope Avondale is getting enough money in fees from the developer and the property taxes to pay for all the new teachers and schools that this density of housing will require. Where are we getting all the water to support this many new housing units and families with children? The traffic on 99th is already bad and now you are putting 716 more homes to add that problem? Are you going to make it a 6-lane highway with a turn lane? You know that 99th and Thomas will soon be developed and will add even more traffic and homes. Make sure you add the extra traffic lanes while the builder is paying for it! The same goes for Indian School Rd. It needs to be expanded also from 99th to 107th and the Fry's shopping center."
- "Get building the houses already. Tired of looking at the dirt and farm fields."

All required notifications for the Planning Commission and City Council public hearings have been completed. All property owners within 1,000 feet of the subject site were notified of the time, date, and location of the Planning Commission and City Council meetings via postcards, the meetings were advertised in the Arizona Republic, and a public hearing notice sign identifying meeting dates, times, and locations was installed on the property. All notifications included Zoom meeting information and links.

PLANNING COMMISSION ACTION:

On August 18, 2021, Planning Commission conducted a public hearing and voted 5-0 to recommend approval of the proposed Minor General Plan Amendment. Commission had no comments or questions on the proposal.

ANALYSIS:

City Council must determine that the proposed amendment meets four findings prior to approving the proposed General Plan Amendment. Staff's analysis of each of the required findings is presented below.

1. The development pattern contained on the Land Use Plan inadequately provides the appropriate optional sites for the use or change proposed in the amendment.

- The City's efforts to attract office development are primarily focused on the McDowell Road "Health Tech" corridor. Maintaining the requirement for the subject property to develop with offices could be harmful to the development of the McDowell Road corridor as desired.
- The request to change the land use designation to Medium High Density Residential (MHDR) will seamlessly blend into Parkside development which already features a significant amount of land with the MHDR designation.

2. The amendment constitutes an overall improvement in the 2030 Plan and is not solely for the good or benefit of a particular landowner or owners.

- The proposed MHDR designation more strongly complements existing and planned single-family residential communities in the area including Fulton Homes Acclaim to the south, Westwind to the west, and Glenarm Farms to the southwest.
- The existing General Plan land use pattern provides an abrupt transition from single-family detached residences in Parkside to the planned office site. The proposed amendment will eliminate a potentially awkward transition between uses.
- Though the long-term effects of the Covid-19 pandemic on workplaces such as offices are not yet

known in their entirety, with more employers discovering that remote working arrangements can reduce cost without impacting productivity, the demand for office development will very likely be reduced.

3. The amendment will not adversely impact the community as a whole and/or a portion of the community by: (1) significantly altering acceptable land use patterns; (2) requiring large and more expensive public infrastructure improvements including, but not limited to roads, water, wastewater, and public safety facilities than would otherwise be needed without the proposed change, or (3) adversely impacting the existing land use.

- The proposed GPA has no impact on acceptable land use patterns. Approval of the proposal will simply extend the MHDR designation that is already applied to much of Parkside to the southeasternmost ten (10) acres of the property, eliminating the need for any transition or buffering between dissimilar land uses.
- The Engineering Division has reviewed the requested changes to the Land Use Map. Development of the property with 54 additional single-family homes will not require any larger or more expensive public infrastructure improvements over what would be needed if the property were to develop as an office complex.
- Peak hour traffic from the project is expected to be lower in volume and more evenly distributed, with shallower peaks, compared to the property being developed with office uses under the site's current General Plan designation and zoning. The planned improvements to 99th Avenue and Indian School Road, to be completed by the developer, will sufficiently accommodate traffic from the additional 54 homes.

4. The amendment is consistent with the overall intent of the General Plan 2030 and other adopted plans, codes, and ordinances.

The proposed amendment furthers several goals of the General Plan 2030, including, but not limited to:

- **General Plan Land Use Goal #3, Policy A:** *“Develop the I-10 corridor into the City’s premier business and employment area by encouraging uses that provide a high ratio of well-paying jobs to square footage.”* By removing the Office/Professional land use designation from the subject site, any proposals for development of those types of uses can be funneled to the I-10 corridor as prioritized.
- **General Plan Land Use Goal #3, Policy D:** *“Ensure adequate transitions and/or buffers are provided when adjacent land uses vary in character and intensity.”* Replacing the Office/Professional land use designation with Medium High Density Residential will eliminate abutting dissimilar uses and ensure that the property develops in a compatible fashion.
- **General Plan Housing Element Goal #4:** *“Require excellence and innovation in residential design and construction.”* The proposed Parkside master-planned development incorporates high quality design, open space, and amenities in furtherance of City design goals.
- **General Plan Circulation Theme Goal #3:** *“Provide a transportation system that serves the public in a safe, efficient, and cost-effective manner.”* The developer of Parkside will improve adjacent streets, including construction of half-street improvements to 99th Avenue and Indian School Road adjacent to the property. Completion of the off-site improvements will enhance both the safety and efficiency of traffic in the vicinity of the site and expand the capacity of the City’s transportation network.

DISCUSSION:

Staff finds this request meets the four (4) required findings and recommends approval of the proposed Minor General Plan Amendment.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

City Council will conduct a public hearing and **ADOPT** the Resolution approving Application PL-20-0308 Parkside, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the land use designation of approximately 9.99 acres from Office/Professional to Medium High Density Residential (MHDR).

PROPOSED MOTION:

I move that City Council **ADOPT** the Resolution approving Application PL-20-0308 Parkside, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the land use designation of approximately 9.99 acres from Office/Professional to Medium High Density Residential (MHDR).

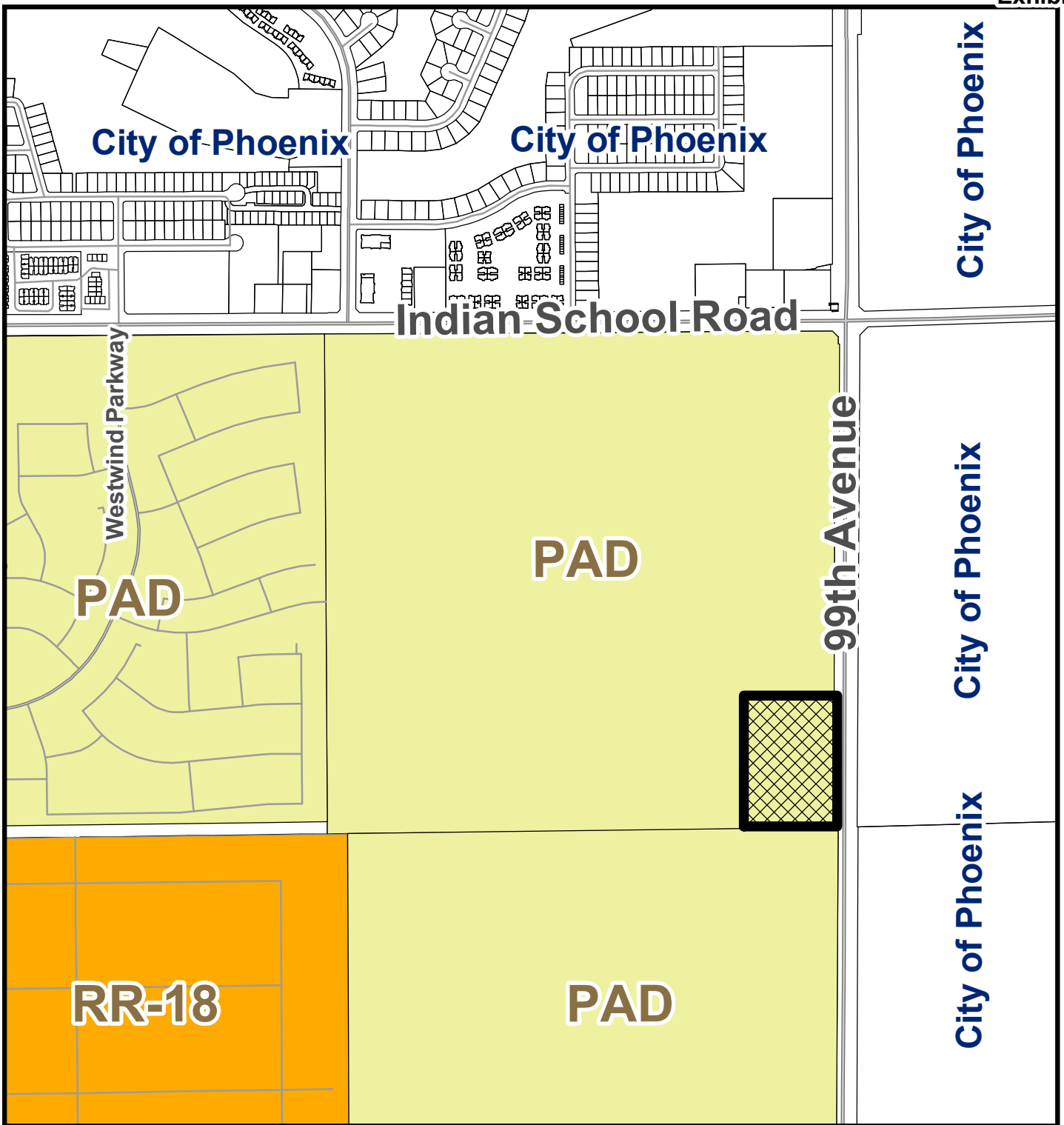


Aerial Photograph

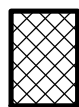


Subject Property



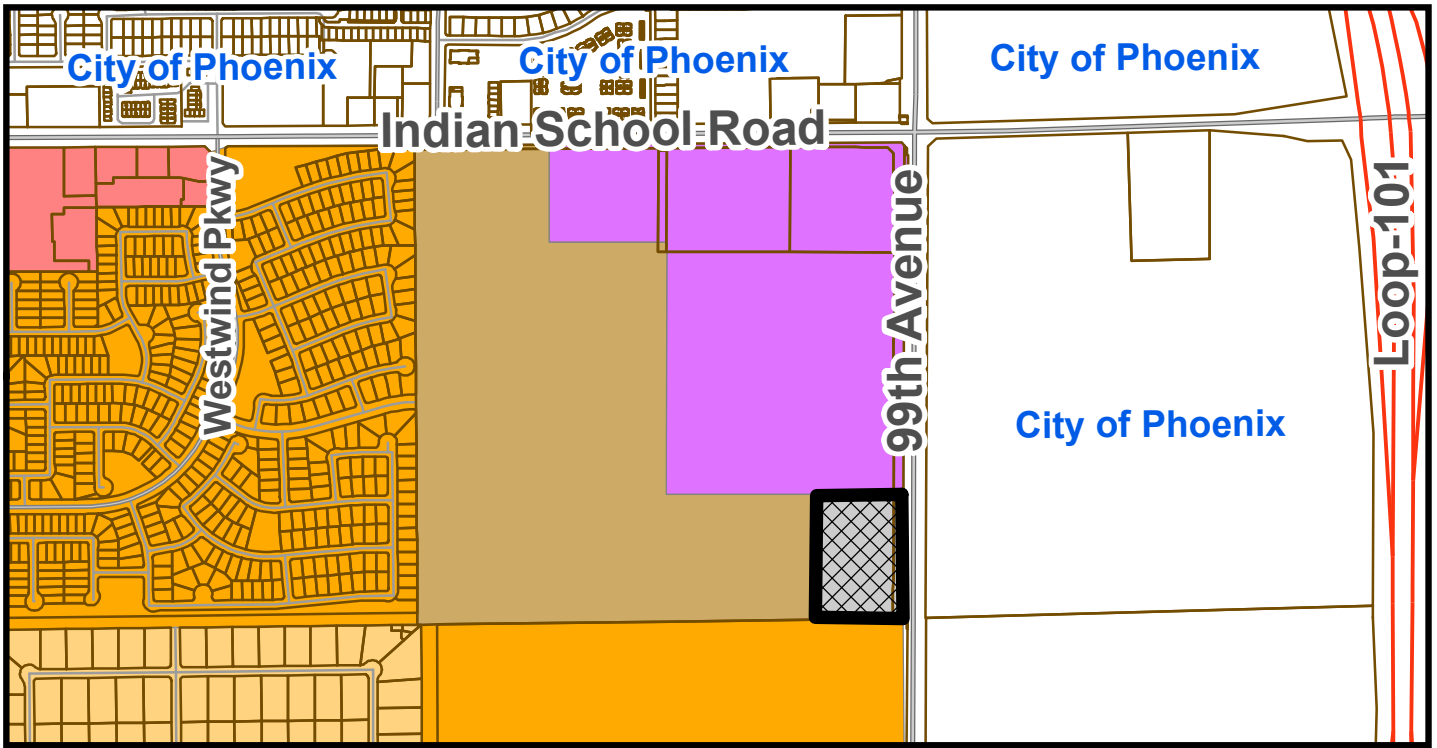


Zoning Vicinity Map

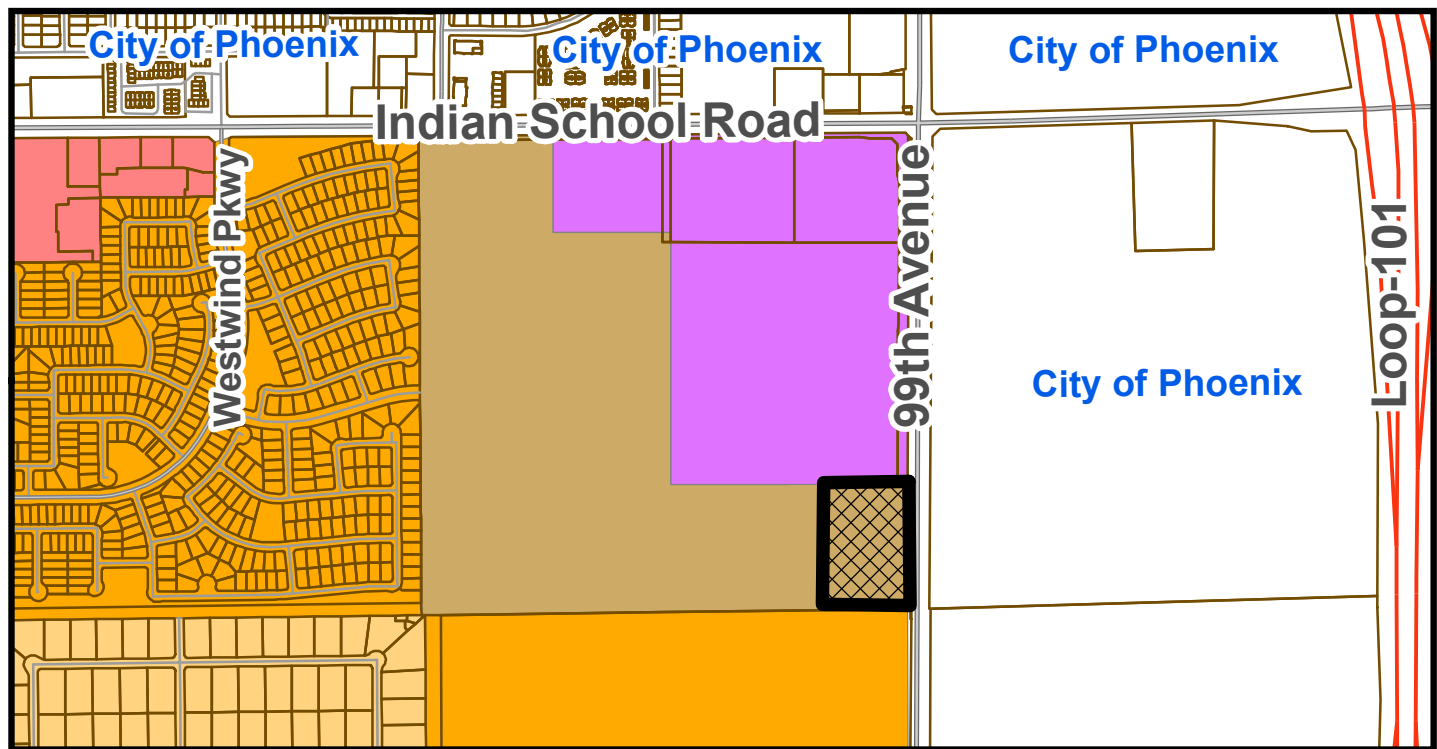


Subject Property





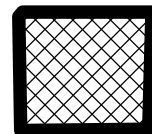
CURRENT LAND USE MAP



PROPOSED LAND USE MAP

General Plan Land Use Map

-  Local Commercial
-  Estate/Low Density Residential
-  Medium Density Residential
-  Medium/High Density Residential
-  Office/Professional
-  Mixed Use



Subject Property

*SUMMARY OF RELATED FACTS
APPLICATIONS PL-20-0307, PL-20-0308, AND PL-20-0309*

<i>THE PROPERTY</i>	
PARCEL SIZE	140.64 gross acres; 137.27 net acres
LOCATION	Approximately 600 feet south of the southwest corner of 99 th Avenue and Indian School Road
PHYSICAL CHARACTERISTICS	Flat rectangular property with irrigation canals running adjacent to Indian School Road and the western property line; undergrounding of the large SRP irrigation canal parallel to 99 th Avenue was completed in early 2021.
EXISTING LAND USE	Vacant and no longer in agricultural/farming production
EXISTING ZONING	Parkside Village Planned Area Development (PAD). The approved Parkside Village PAD, as amended, allows for development of the site with 662 single-family residential lots consisting of four different lot sizes, a 9.99-acre parcel to accommodate future office development at the southeast corner of the property, and a 21.33-acre parcel to accommodate commercial or vertical mixed-use development at the northeast corner of the property.
ZONING HISTORY	The property was annexed in two segments on May 26, 1981 and October 21, 1989 and rezoned from Agricultural (AG) to Planned Area Development (PAD) for “Entorno” on October 1, 2007. The property was rezoned from Entorno PAD to Parkside Village PAD by action of City Council on June 16, 2014. A Major Amendment to the Parkside Village PAD was approved by City Council on August 26, 2019. The project has since been renamed “Parkside”, eliminating “Village” from the name of the development.
DEVELOPMENT AGREEMENT	A Development Agreement (“the Agreement”) between the City and property owner AG/RW – Entorno, LLC was approved by City Council on June 16, 2014 and amended on August 26, 2019. The Agreement establishes phasing for development of Parkside Village, allowing for limited permitting and Certificate of Occupancy issuance before 99 th Avenue or Indian School Road off-site improvements are completed.

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH OF INDIAN SCHOOL ROAD	Multiple parcels located in City of Phoenix’s jurisdiction that have developed with a mix of uses including a gas station with convenience store, a drive-through restaurant, medical offices, a single-family detached residential neighborhood, and a single-family attached condominium complex. In addition to the developed parcels, there is an 11.1-acre undeveloped parcel in the City of Phoenix zoned C-2 (Intermediate Commercial).
EAST OF 99 TH AVENUE	An undeveloped 133.8-acre property located in City of Phoenix’s jurisdiction. The property is currently being farmed and a time frame for development is unknown.
SOUTH	A 148.5-acre undeveloped property located in the City of Avondale, zoned Fulton Homes Acclaim Planned Area Development (PAD). The Fulton Homes

	Acclaim PAD allows for development of the site with a 581-lot single-family residential subdivision. The developer is processing final approvals with construction of the community expected to start within the next year.
WEST	Westwind, a 132-acre single-family residential community located within the City of Avondale, zoned Planned Area Development (PAD). The community is fully developed with 534 detached single-family residences built between 1997 and 2000.
SOUTHWEST	Glenarm Farms, a 150-acre large lot single-family residential subdivision located in the City of Avondale and zoned RR-18 (Rural Residential, Minimum 18,000 S.F. lot area). The community is fully developed with 150 detached single-family residences, some featuring accessory structures for the keeping of horses and livestock.

GENERAL PLAN

The subject property features three General Plan 2030 land use designations. The Medium/High Density Residential (MHDR) designation is applied to the majority of the western half of the site, extending further eastward near the southeast corner of the property. The MHDR designation allows for development of single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density). The Mixed Use designation is applied to the majority of the eastern half of the site, extending further westward immediately adjacent to Indian School Road. The Mixed Use category allows for a mixture of residential and commercial uses reflective of a village concept where residents can live, work, and recreate within the same development or nearby. The southeastern corner of the site, approximately 9.9 acres of land, is designated Office/Professional, a land use category that allows for professional and medical offices and service type uses. A Minor General Plan Amendment, replacing the Office/Professional land use designation with the MHDR designation, is proposed.

PUBLIC SCHOOLS

SCHOOL DISTRICT(S)	Pendergast Elementary School District and Tolleson Union High School District
ELEMENTARY SCHOOLS	Garden Lakes Elementary School located at the southwest corner of 107 th Avenue and Garden Lakes Parkway
HIGH SCHOOL	Westview High School located at the northwest corner of 107 th Avenue and Garden Lakes Parkway

99th Avenue

Classification	Arterial
Existing half-street right-of-way	55 feet
Standard half-street right-of-way	70 feet (City of Phoenix standard)
Existing half-street improvements	Two (2) travel lanes and half center turn lane
Standard half-street improvements	Three (3) travel lanes, deceleration lane (when warranted), half landscaped median, bike lane, sidewalk, curb, gutter, streetlights, landscaping, and undergrounding of above-ground utilities and irrigation channels.

Indian School Road

Classification	Urban Collector (Maricopa County section)
----------------	---

Existing half-street right-of-way	55 feet
Standard half-street right-of-way	55 feet
Existing half-street improvements	Two (2) travel lanes and half center turn lane
Standard half-street improvements	Two (2) travel lanes, deceleration lane (when warranted), half center turn lane, bike lane, sidewalk, curb-and-gutter, streetlights, landscaping, and undergrounding of above-ground utilities and irrigation channels.

Clarendon Avenue

Classification	Minor Collector (modified)
Existing full-street right-of-way	None
Standard full-street right-of-way	80 to 95 feet (varies by location)
Existing full-street improvements	None
Standard full-street improvements	One (1) travel lane in each direction, parallel parking (one side only), landscaped median (striped median immediately adjacent to Westwind), bike lanes, sidewalk, curb, gutter, streetlights, and landscaping.

Parkside Boulevard

Classification	Minor Collector (modified)
Existing full-street right-of-way	None
Standard full-street right-of-way	80 feet
Existing full-street improvements	None
Standard full-street improvements	One (1) travel lane in each direction, landscaped median, bike lanes, sidewalk, curb, gutter, streetlights, and landscaping.

UTILITIES

There is an existing 12" water line in Clarendon Avenue (Westwind) that will be extended east into the development. Additional water will be provided by extending the existing 16" water line in Indian School Road west from 107th Avenue to 99th Avenue. Furthermore, the developer will construct a new 16" water line in 99th Avenue from Indian School Road to the project's southern boundary.

There is an existing 10" sewer line in Clarendon Avenue that will be extended east into the development. A public sewer lift station will be built to serve the entirety of Parkside's residential and mixed use areas; the lift station will discharge into the existing 10-inch sewer line in Clarendon Avenue.

Salt River Project (SRP) provides electrical service in this portion of Avondale.

Exhibit E

Minor General Plan Amendment Narrative

Parkside



MINOR GENERAL PLAN AMENDMENT NARRATIVE

PARKSIDE AVONDALE, ARIZONA

Prepared for

Taylor Morrison

4900 North Scottsdale Road, Suite 2200
Scottsdale, Arizona 85251

Atwell Project No. 18000694

Submitted by Atwell, LLC

4700 E Southern Avenue
Mesa, Arizona 85206

April 15, 2021

Received
electronically June
24, 2021

SUMMARY OF REQUEST

The following narrative is prepared in conjunction with the Minor General Plan Amendment (GPA) application for the project known as Parkside. The Parkside property is approximately 163.015 gross acres located at the SWC of Indian School Road and 99th Avenue and east of the existing residential community known as Westwind within the jurisdictional boundary of the City of Avondale. The Parkside property has historically been, and currently is, used for agricultural purposes. The property is currently zoned PAD having residential, mixed use and office uses, matching the current General Plan. The Office parcel is located in the south east corner of the PAD, at 99th Avenue and Osborn Road. The Office parcel encompasses 10 Acres. The PAD is concurrently being amended to remove the office zoning.

This Minor GPA is requesting the removal of the Office zoning to provide a more viable use. The property adjacent to the office zoning is solely residential and it is not located in a convenient location for access and traffic control. The Office zoning will be replaced with Medium/High Density Residential zoning consistent with the Parkside PAD. Based on the size of the Office parcel, it will not provide a positive impact for office use in the area, nor provide a neighborhood use to the majority residential area, unlike the Mixed Use parcel, which provide a complimentary use.

MINOR GENERAL PLAN AMENDMENT REVIEW & ANALYSIS

1. Availability of current and future water supplies.

The City of Avondale will be the water service provider for the Site. As part of the development of the overall Parkside project, 16" water mains will be installed in Indian School Road and 99th Avenue, and 12" water mains on Clarendon Avenue and Parkside Boulevard. These water mains, along with the internal 8" water mains, will provide water service to the site. The modification of land use designation from Office to Residential will provide a minor increase in water demand, however, the proposed system is size adequately. A Master Water Report, submitted with the PAD Amendment, provides additional water demand/supply information that demonstrates the proposed water infrastructure is able to meet the water demands and supports this Minor GPA request, and the Parkside project as a whole.

2. Impact on, and potential support of, the City's transportation system.

The Site is bound by 99th Avenue to the east, which is designated a major arterial. Along with the use change, the Osborn Road access to 99th Avenue will be eliminated. The overall traffic volumes will have no significant change, but due to the elimination of an access point, traffic flow on 99th Avenue will be positively impacted. The traffic volume at the Clarendon Avenue access point will

be increased, but well within capacity. The roadways and intersections will be, overall, positively impacted by the proposed minor modification in land use and will support this future use.

Due to size, the removal of the Office use will have no significant impact to the local public transportation system. The change to residential use will increase pedestrian traffic to the Mixed Use retail at the north east corner of the PAD. The increased potential customers will have a positive impact on the viability of the Mixed Use retail.

3. Impact on the natural environment, including, but not limited to, hillsides, riparian areas, and floodways.

The modification of the zoning from Office use to Residential use will have no impact the natural environment.

4. Extent to which the proposal contributes to achieving the (i) job to population ratio, (ii) square foot per capita ratio, and (iii) multi-family housing ratio identified within this General Plan 2030.

Due to the size of the Office use area (10 acres), the modification of zoning to residential will have a minor impact to the job to population ratio, though it will be a negative. Because of the size and isolated location, market condition indicate that development of the site as office is unlikely in the near future. The use modification will have no impact to the multi-family housing ratio.

5. Impact on City services and facilities including, but not limited to, police, fire, water, and wastewater.

The Site lies within the City of Avondale's jurisdiction for police, fire, water and wastewater, and the proposed use change is not anticipated to place additional burden on the public infrastructure. This proposed Minor GPA will not have a negative impact on existing City services and facilities. The water and sewer system to be developed with the Parkside development has sufficient capacity to accommodate site.

6. Extent to which the goals of this General Plan 2030 are accomplished.

Due to the size of the Office use area (10 acres), the modification of zoning to residential will have an insignificant impact to the goals of the General Plan 2030. This proposed Minor GPA meets several of the City's goals and policies set forth in the Avondale General Plan 2030. The following summary highlights a General Plan goal which this Minor GPA supports:

Land Use Element

Goal 8: Support mixed-use land use patterns that increase transit and pedestrian oriented development within specific and appropriate areas of the City.

Policy C: Take alternative methods of transportation, including transit, bus, and walking into account when considering all proposals for development.

This Minor GPA request to modify the land use designation from Office to Residential assists in promoting additional pedestrian traffic to the Mixed Use portion of the PAD. The Office use will not provide pedestrian interaction with the current residential areas of the PAD. This is due to the fact that is unlikely that employees/user of the office area would live in the residential area. In addition, this change will allow for completion of pedestrian network of paths and trails, connecting residents to internal amenities, and external loop, and adjacent neighborhoods. Pedestrian connectivity will be provided between the Site and the Mixed Use area.

FINDINGS

- 1. The development pattern contained on the Land Use Plan inadequately provides the appropriate optional sites for the use and/or change the proposed in the amendment.**

The use change to Residential, as proposed, will seamlessly blend into the overall development pattern of the Parkside development and adjacent developments, complementing the surrounding single family residential communities.

- 2. The amendment constitutes an overall improvement to the General Plan 2030 and is not solely for the good or benefit of a particular landowner or owners.**

The current General Plan Land Use Map shows the Office use parcel to be isolated and surrounded mostly by residential. Due to the size of the Office parcel, the change to residential will better fit into the development of the area and provide the residents with a more conducive and viable neighborhood to meet long term stability goals.

- 3. The amendment will not adversely impact the community as a whole and/or a portion of the community by: (1) Significantly altering the acceptable land use patterns; (2) Requiring larger and more expensive public infrastructure improvements including, but not limited to, roads, water, wastewater, and public safety facilities than would otherwise be needed without the proposed change; or (3) Adversely impacting the existing land uses.**

The amendment will not adversely impact the community, but rather provide for a land use that is more conducive and integrated into the immediate area. Since the Office use is a small isolated outlier for the area, and a majority of surrounding use is residential and retail, the change from

Office to Residential will not alter the land use patterns, or adversely impact existing land uses. In addition, the change will not negatively impact public infrastructure in the area.

4. The amendment is consistent with the overall intent of the General Plan 2030 and other adopted plans, codes and ordinances.

Since the Office use is a small isolated outlier for the area, the change to Residential use will comply with the overall intent of the General Plan 2030. The use change will allow for a harmonious blend of mixed use and residential use within a more connected and walkable environment. The proposed land use is compatible with adjacent existing land uses and is consistent with the General Plan 2030.

FIVE YEAR STRATEGIC PLAN

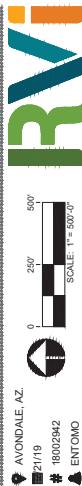
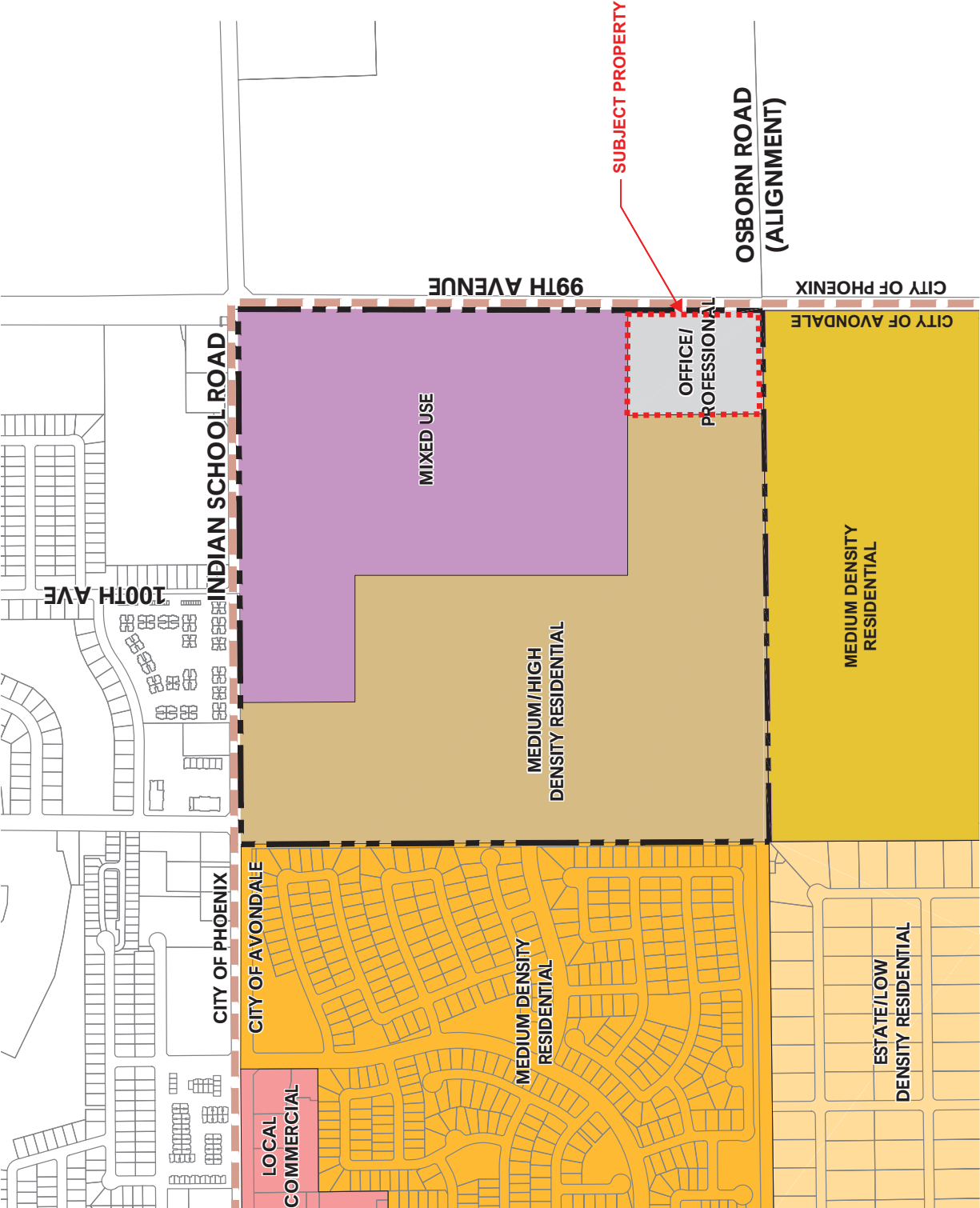
The Avondale Strategic Five Year Plan outlines initiatives and goals to assist in continuing on the path for building a family friendly and economically robust community vision for the City of Avondale. The Strategic Plan focuses on the continued development of diverse offerings in residential development, sustainability, diverse recreation and connectivity to foster a high degree of neighborhood livability. The use change will continue to promote a strong sense of community, integrating the extensive open space of the Parkside project, residential uses and the mixed use area. The change will help this integration by increasing the pedestrian connectivity and removing the Office use that was more of an outlier in the area and would most likely have little connectivity with the remainder of the Parkside project.

Parkside Village

Planned Area Development

EXHIBIT A

EXISTING GENERAL PLAN
LAND USE MAP



AVONDALE, AZ
2/21/19
18002942
ENTOMO

William Lyon Homes
Experience the pride.

Parkside Village
Planned Area Development

EXHIBIT B

PROPOSED GENERAL PLAN
LAND USE MAP

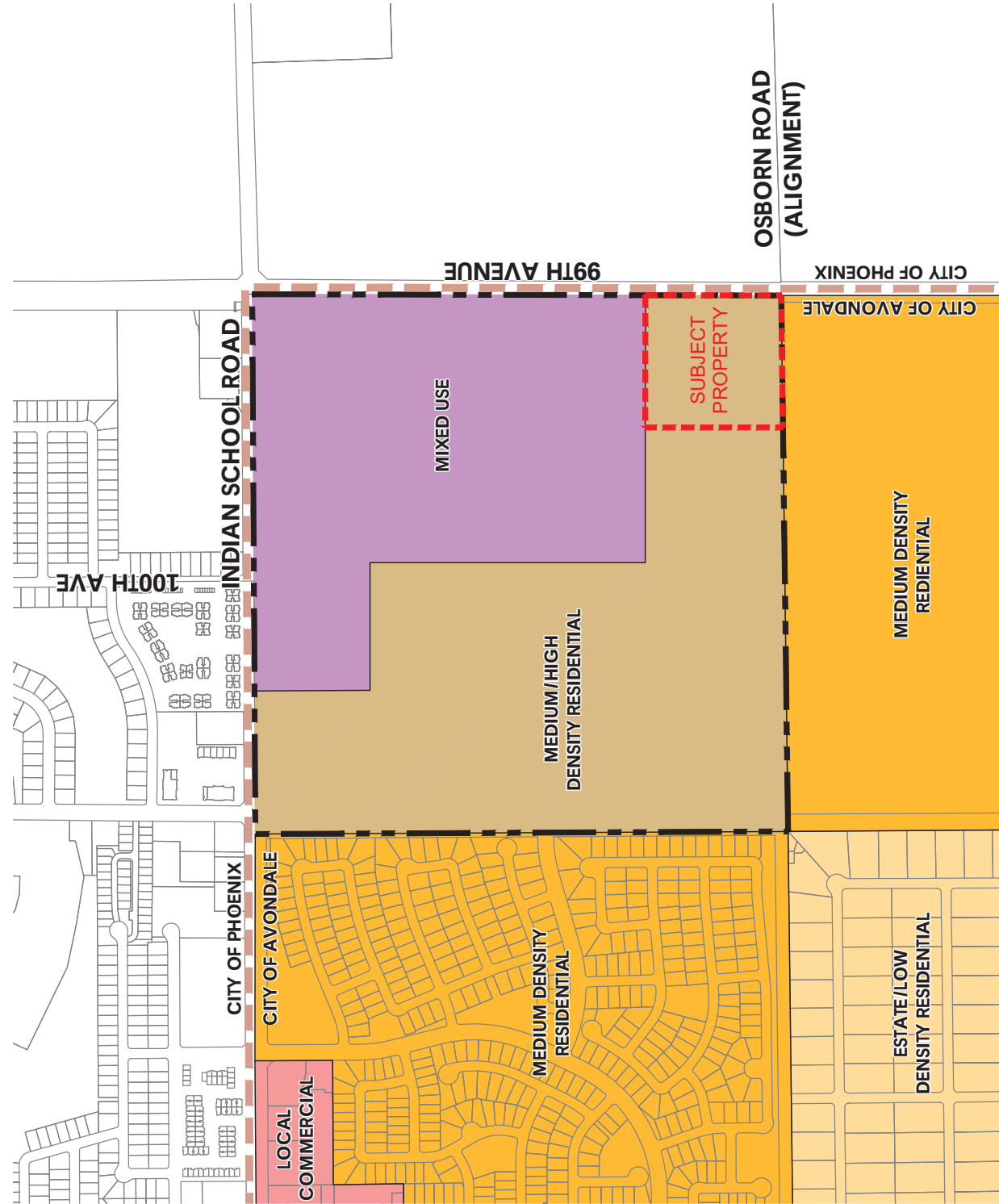


Exhibit F

Certificates of Adequate School Facilities

Pendergast Elementary School District

Tolleson Union High School District



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

An application for Major PAD Amendment & Phase 2 Pre-Plat Amendment has been submitted to the City of Avondale, Development & Engineering Services Department, for review.

Project: Parkside Project Manager: Jonathan Bastianelli
Request: Remove commercial & add lots Acreage/Parcel Size: 141.69 gross/136.72 net
Current Density Allowed: 4.84 du/ac Density Proposed: 5.23 du/ac
Total number of residential units proposed: 715

As an authorized representative of the District, please complete the questionnaire below.

Does the District have adequate capacity to accommodate the estimated enrollment from the proposed development?

Yes



No



If answered no, please summarize the needs of the district as they relate to serving the students generated by the proposed development.

Is a school site within the proposed development needed?

Yes



No



If answered yes, how many acres is needed for the school site?

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes ☐ No ☒

If answered yes, please explain below:

****If additional writing space is needed, please attach pages to this form****

Date Reviewed: 3/23/21

School District: Pendleburg Elem School District

District Superintendent: Dr. Jennifer Cruz

Phone #: 623-772-2000

E-mail: jfimbres@psd92.org

Signature: 

It is the developer's responsibility to ensure that this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

11465 W. Civic Center Drive, #110, Avondale, AZ 85323 • Phone (623) 333-4000 • Fax (623) 333-0400 • TDD (623) 333-0010
www.avondaleaz.gov/developmentservices



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Yes ☒ No ☐

If answered no, please summarize the needs of the district as they relate to serving the students generated by the proposed development.

Is a school site within the proposed development needed?

Yes ☐ No ☒

If answered yes, how many acres is needed for the school site?

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes ☐ No ☒

If answered yes, please explain below:

If additional writing space is needed, please attach pages to this form

Date Reviewed: April 16, 2021

School District: Tolleson Union High School District #214

District Superintendent: Nora Gutierrez

Phone #: 623-478-4001

E-mail: nora.gutierrez@tuhsd.org

Signature

It is the developer's responsibility to ensure that this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

11465 W. Civic Center Drive, #110, Avondale, AZ 85323 • Phone (623) 333-4000 • Fax (623) 333-0400 • TDD (623) 333-0010
www.avondaleaz.gov/development/services

Exhibit G

Neighborhood Meeting Summary

Parkside – July 27, 2021

Parkside Neighborhood Meeting Notes

Meeting Date: July 27, 2021

Meeting Time: 6:00 pm – 7:00 pm

Location: Zoom Meeting <https://avondaleaz.zoom.us/j/95616613052>

Meeting ID: 956 1661 3052

One tap mobile – +13462487799,,95616613052# US (Houston)

+16699009128,,95616613052# US (San Jose)

Attendees

- City Of Avondale Division Lead Planner Ken Galica
- Vice Mayor Veronica Malone
- Council Member Patricia Dennis
- Planning Commissioner Larry White
- Planning Commissioner Chris Thompson

Questions

Question by Council Member Patricia Dennis – Did Osborn Road connect to the properties/subdivisions to the west?

- Answer by Jonathan Bastianelli – No it did not.
- Answer by Ken Galica – No it only went about ¼ mile west.

Question by Council Member Patricia Dennis – Does Clarendon Ave connect to the property to the west?

- Answer by Jonathan Bastianelli – Yes it does, Jonathan used the mouse to show the connection path on the site plan.

Question by Council Member Patricia Dennis – What elementary school will the children attend?

- Answer by Ken Galica – Good question the school district is Pendergast, Ken was not sure which school, but his guess would be Garden Lakes Elementary.
- After the meeting Jonathan Bastianelli went to the Pendergast School District web site and it appears that Garden Lakes Elementary is the closest school.
- Council Member Patricia Denis wanted to know because of connectivity for children who would walk to school. She didn't believe it would be Garden Lakes because it is so far away however, she didn't know and would like to know what the safe route would be.
- Answer by Ken Galica – We will have that information when we go to Planning Commission and City Council however, there are no close elementary schools so Ken does not believe there will be children walking to elementary school.

Question by Council Member Patricia Dennis – We had indicated we added .19 acres of open space, is that retention basins or added to parks designated in this project?

- Answer by Jonathan Bastianelli – The added area consists of some additional area along 99th Ave and a north/south open space just west of 99th Ave which is proposed to have a walking path that will connect with multiple walking paths that connect to the main park that has a pool, splash Pad, Pickle Ball, Basketball and several other activities and several smaller parks with workout stations and tot-lots. Jonathan described Parkside contribution of regional path connections by providing a path along the west and south sides of Parkside; these walking paths could connect to the Fulton property south of Parkside and provide a connection to Thomas Road and could connect a west walking path to 107th Ave via the existing path along the south side of the Westwind subdivision west of Parkside.

Question by Council Member Patricia Dennis – Is the Mixed-Use property part of the William Lyon Homes Parkside development.

- Answer by Jonathan Bastianelli – The property was retained by the seller AG/RW Entorno, LLC, it has subsequently been sold ACKA #3 Ltd an investor group out of New York. Liv Communities currently has it under contract and is looking at a gated apartment complex on the western portion of the site and commercial use on the eastern portion of the site. William Lyon Homes has spoken with Liv Communities, we are sharing information, we have not seen a site plan however as soon as one is made available, we will share it with the City.
- Answer by Ken Galica – Confirmed that the site will be developed separately however, the improvements along 99th Ave and Indian School Rd adjacent to both developments will be completed as part of the Parkside project.
- Answer by Jonathan Bastianelli – Confirmed that the improvements along 99th Ave and Indian School Rd adjacent to both developments will be completed as part of the Parkside project and that there is an agreement between the landowners for the construction of improvements.

Question by Council Member Patricia Dennis – Is our main entrance going to be off I’m assuming 99th Ave?

- Answer by Jonathan Bastianelli – Yes, we will have a connection on Indian School Rd which will have a traffic signal. The signal will be owned and operated by MCDOT. The signal design has been submitted to MCDOT and is in the final stages of approval. There is a second main entrance on 99th Ave, the intersection will be signalized however, it is not warranted until Parkside Phase 2. Lennar has the land across the street under contract, we have been talking to them about shared infrastructure and this traffic signal is part of those talks.

Question by Council Member Patricia Dennis – Will there be any deceleration lanes at the two entrances on Indian School Rd and 99th Ave?

- Answer by Jonathan Bastianelli – Yes there will be one at Indian School Rd and was unsure if there was one at 99th Ave.
- Answer by Ken Galica – Confirmed that there is a deceleration lane at the 99th Ave entrance.

Question Vice Mayor Veronica Malone – Will we need to have a “T” type signal design at the entrance off of 99th Ave, will we need traffic counts, or is a portion of it Phoenix jurisdiction and would Avondale need to work with Phoenix?

- Answer by Ken Galica – The land west of 99th Ave is in the City of Phoenix. The signal will not be warranted until Parkside Phase 2. Avondale anticipates that the development in phoenix will also have an intersection at the same location and a 4-way traffic signal is anticipated. The warrants of the signal need are included in the Parkside traffic impact analysis. Avondale anticipates when the Phoenix property develops the signal will be warranted.

Question Vice Mayor Veronica Malone – Do we know the status of the development in Phoenix?

- Answer by Jonathan Bastianelli – Noted that he had attended an informational presentation two weeks ago and that he believed that a formal presentation would be made in about a month. Jonathan will reach out to Lennar to get a schedule. Jonathan noted that he thought they were a 1-year to 1.5-years out from turning dirt.

Question Vice Mayor Veronica Malone – When would we be fully developed on this property where we would have an amount of traffic that would require the signal?

- Answer by Jonathan Bastianelli – Sometime around the beginning of 2026 Phase 2 should be coming online at which point the traffic signal would be warranted. In addition, we have been speaking with Lennar to about this traffic signal to see if we can build it together to save time, impact to the community and save money.

Question Planning Commissioner Larry White – If the development in phoenix had a traffic demand that warranted the traffic signal before Parkside Phase 2 the signal would be installed earlier, correct?

- Answer by Ken Galica – Correct, if the signal is warranted Avondale will work with Phoenix to get the entire signal installed.
- Answer by Jonathan Bastianelli – Correct, we will also continue to work with Lennar and the Cities to install the entire signal at once, It doesn't make sense to have Lennar install ½ a signal then we come in and install the other half. We will also be installing conduits under our improvements along 99th Ave for the future signal.

RESOLUTION NO. 1075-0921

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE CITY OF AVONDALE GENERAL PLAN REGARDING THE LAND-USE DESIGNATION OF APPROXIMATELY $\pm$ 10 ACRES LOCATED AT THE SOUTHWEST CORNER OF 99TH AVENUE AND OSBORN ROAD, AS SHOWN IN APPLICATION PL-20-0308.

WHEREAS, the City of Avondale General Plan (the “General Plan”) was adopted by the Mayor and Council of the City of Avondale (the “City Council”) on April 2, 2012, and ratified by the qualified electors of the City of Avondale on August 28, 2012; and

WHEREAS, the City Council desires to amend the General Plan to change the land-use designation for approximately $\pm$ 10 acres located at the southwest corner of 99th Avenue and Osborn Road, from Office/Professional to Medium High Density Residential, as shown in Application PL-20-0308 (the “General Plan Amendment”); and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the City of Avondale (the “City”) has consulted with, advised and provided the opportunity for public comment on the General Plan Amendment; and

WHEREAS, all due and proper notices of the public hearings on the General Plan Amendment held before the City of Avondale Planning Commission (the “Commission”) and the City Council were given in the time, form and substance required by ARIZ. REV. STAT. § 9-461.06; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the Commission held a public hearing on the proposed General Plan Amendment on August 18, 2021, after which the Commission recommended approval; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the City Council held a public hearing on the proposed General Plan Amendment on September 20, 2021.

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

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The General Plan is hereby amended to change the land-use designation for approximately $\pm$ 10 acres at the southwest corner of 99th Avenue and Osborn Road, as shown in Application PL-20-0308, as depicted on Exhibit A, attached hereto and incorporated herein by reference, from Office/Professional to Medium High Density Residential.

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

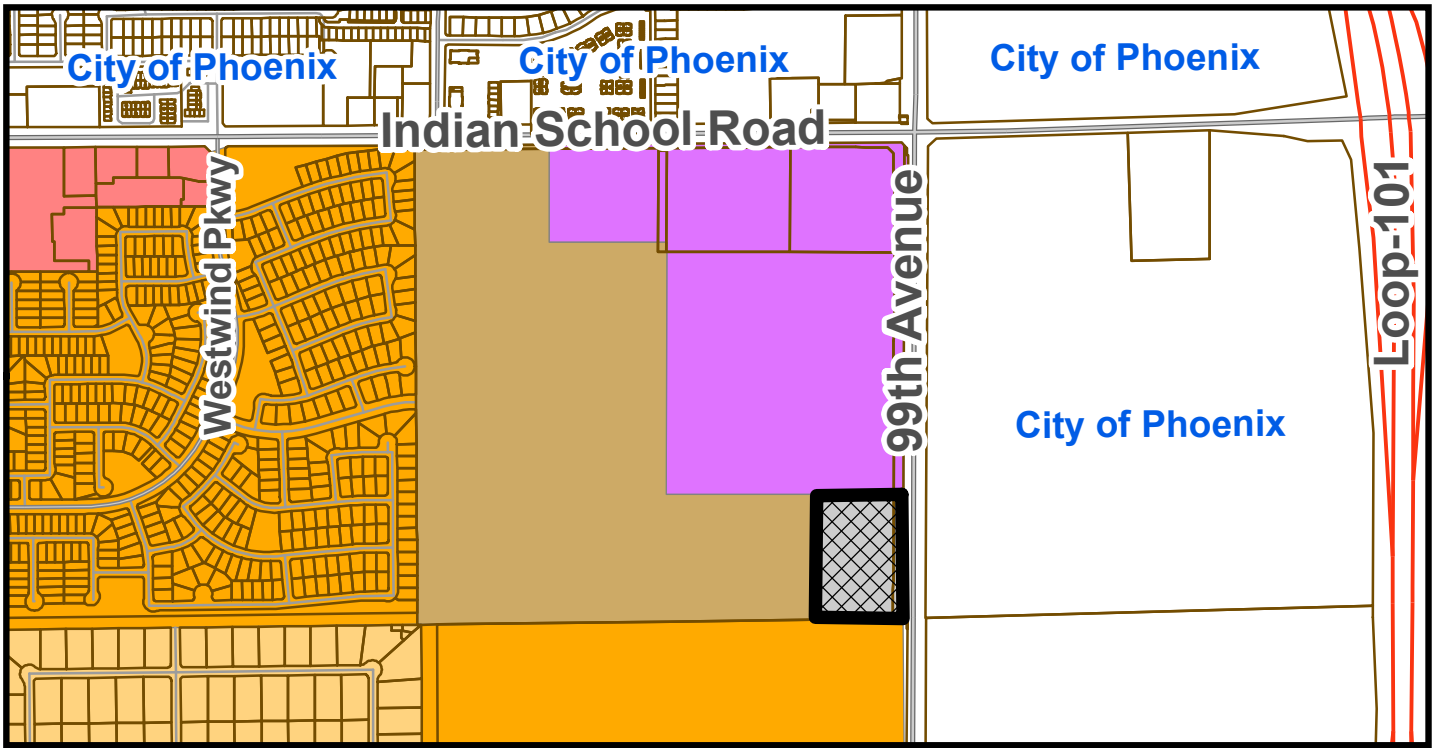
APPROVED AS TO FORM:

Nicholle Harris, City Attorney

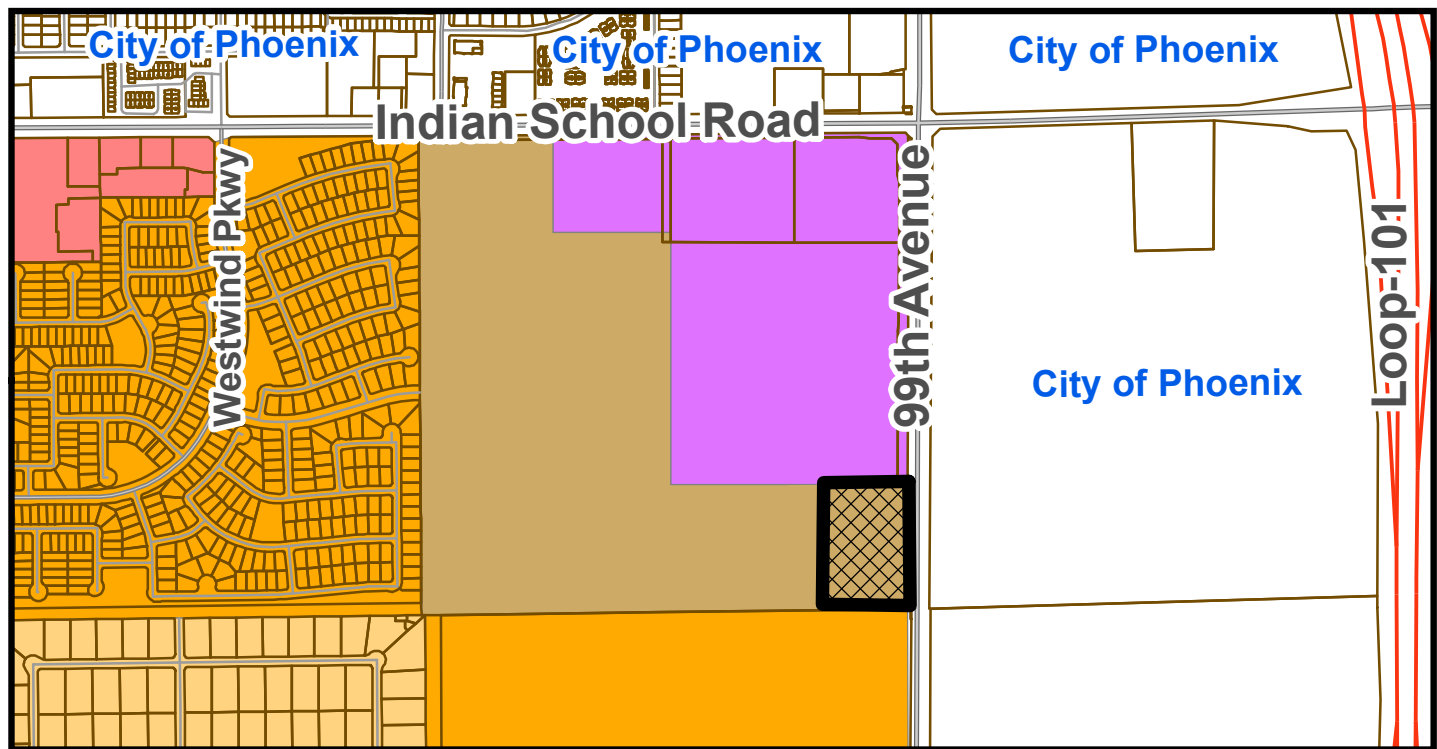
EXHIBIT A
TO
RESOLUTION NO. 1075-0921

[General Plan Amendment Map]

See following page.



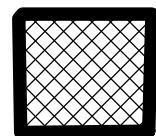
CURRENT LAND USE MAP



PROPOSED LAND USE MAP

General Plan Land Use Map

-  Local Commercial
-  Estate/Low Density Residential
-  Medium Density Residential
-  Medium/High Density Residential
-  Office/Professional
-  Mixed Use



Subject Property

CITY COUNCIL REPORT

SUBJECT: Public Hearing and Ordinance 2051-0921 - Parkside - Major Planned Area Development (PAD) Amendment - Application PL-20-0309

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will hold a public hearing and consider a request to adopt Ordinance 2051-0921, approving a request by Mr. Jonathan Bastianelli, William Lyon Homes, Inc., for a Major Amendment to the Parkside Planned Area Development (PAD), a proposed 137.27 net acre master planned community located approximately 600 feet south of the southwest corner of 99th Avenue and Indian School Road. The approved Parkside PAD provides for a 9.99-acre office development at the southeast corner of the site; the proposed Major PAD Amendment eliminates the planned office component, replacing that use with 54 additional detached single-family residential lots. The proposed Major Amendment also revises vehicular circulation in the southeast corner of the property, eliminating a previously planned Osborn Road alignment that will no longer be necessary given the elimination of office component. With approval of the PAD Amendment, the total number of planned single-family residential lots in Parkside will increase from 662 to 716. Related requests for a Minor General Plan Amendment and Preliminary Plat Amendment will be considered separately. The Council will take appropriate action.

BACKGROUND:

The 137.27 net acre subject property (Exhibits A and B) is located approximately 600 feet south of the southwest corner of Indian School Road and 99th Avenue. The site, which is undeveloped and is no longer in agricultural use, was annexed in two segments, on May 26, 1981 and October 21, 1989.

The property was rezoned from Agricultural (AG) to Entorno Planned Area Development (PAD) in October 2007. When the Entorno project did not develop, the property was rezoned from Entorno PAD to Parkside Village PAD in June 2014. Most recently, a Major Amendment to the Parkside Village PAD was approved by City Council in August 2019. The approved Parkside Village PAD, as amended, allows for development of a master planned community consisting of 662 single-family residences including 415 traditional single-family lots with areas ranging from 4,500 square feet (45'x100') to 6,600 square feet (55'x120') and 247 rear-loaded "villas", a compact single-family detached home where garages will be accessed from common driveways and fronts of homes will face onto common open space corridors. In addition, the approved PAD designates a 21.3-acre commercial mixed-use parcel at the southwest corner of Indian School Road and 99th Avenue in the property's northeast corner and a 9.9-acre office parcel at southeast corner of the property adjacent to 99th Avenue.

Following the 2019 PAD Amendment approval, the name of the future community was modified by the developer to eliminate "Village" from the name; moving forward, the development will simply be called Parkside.

A Development Agreement between the City and property owner was approved by City Council in June 2014 and amended in August 2019. The Agreement establishes phasing for development of Parkside, allowing for limited permitting and Certificate of Occupancy issuance before 99th Avenue or Indian School Road off-site improvements are completed.

A Preliminary Plat for Parkside, consistent with the amended PAD, was approved by City Council on December 9, 2019. The approved Preliminary Plat divides the property into 662 single-family residential lots, a 9.9-acre parcel for future office development at the southeast corner of the property, and a 21.3-acre parcel for future commercial mixed use development at the northeast corner of the property. A Final Plat for Phase 1 is in review; lots within Phase 1 are not impacted by the proposed General Plan Amendment, Major PAD Amendment, or Preliminary Plat Amendment.

The developer has begun off-site infrastructure work related to the site. Undergrounding of the large Salt River Project (SRP) irrigation canal that had run along the property's eastern boundary was completed in early 2021. Undergrounding of the canal adjacent to Indian School Road along the property's northern boundary is scheduled to occur in early 2022. When undergrounding of both canals is complete, construction of the adjacent roadway improvements will be able to commence.

The property features three General Plan 2030 land use designations, as follows (Exhibit C):

- The Medium/High Density Residential (MHDR) designation is applied to the majority of the western half of the site, extending further eastward near the southeast corner of the property. The MHDR designation allows for development of single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density).
- The Mixed Use designation is applied to the majority of the eastern half of the site, extending further westward immediately adjacent to Indian School Road. The Mixed Use category allows for a mixture of residential and commercial uses reflective of a village concept where residents can live, work, and recreate within the same development or nearby.
- The southeastern corner of the site, approximately 9.9 acres of land, is designated Office/Professional, a land use category that allows for professional and medical offices and service type uses. A related application for a Minor General Plan Amendment will be considered by Council separately on the same agenda. Approval of the applicant's request for a Minor General Plan Amendment will eliminate the Office/Professional land use designation on the property, extending the MHDR designation to cover the southeast corner of the site.

Related applications for a Minor General Plan Amendment (GPA) and Preliminary Plat Amendment will be

considered by Council separately on the same agenda. The purpose of each application is to replace the previously planned office development at the southeast corner of the site with 54 additional detached single-family residential lots. Procedurally, approval of the Minor General Plan Amendment is required before the Major PAD Amendment can be considered. Similarly, approval of the Major PAD Amendment is required before the Preliminary Plat Amendment may be approved.

The existing uses and zoning of surrounding properties include:

NORTH OF INDIAN SCHOOL ROAD: Multiple parcels located in City of Phoenix's jurisdiction that have developed with a mix of uses including a gas station with convenience store, a drive-through restaurant, medical offices, a single-family detached residential neighborhood, and a single-family attached condominium complex. In addition to the developed parcels, there is an 11.1-acre undeveloped parcel in the City of Phoenix zoned C-2 (Intermediate Commercial).

EAST OF 99th AVENUE: An undeveloped 133.8-acre property located in City of Phoenix's jurisdiction. The property is currently being farmed and a time frame for development is unknown.

SOUTH: A 148.5-acre undeveloped property located in the City of Avondale, zoned Fulton Homes Acclaim Planned Area Development (PAD). The Fulton Homes Acclaim PAD allows for development of the site with a 581-lot single-family residential subdivision. The developer is processing final approvals with construction of the community expected to start within the next year.

WEST: Westwind, a 132-acre single-family residential community located within the City of Avondale, zoned Planned Area Development (PAD). The community is fully developed with 534 detached single-family residences built between 1997 and 2000.

SOUTHWEST: Glenarm Farms, a 150-acre large lot single-family residential subdivision located in the City of Avondale and zoned RR-18 (Rural Residential, Minimum 18,000 S.F. lot area). The community is fully developed with 150 detached single-family residences, some featuring accessory structures for the keeping of horses and livestock.

SUMMARY OF REQUEST:

The applicant is requesting approval of a Major Amendment (Exhibit E) to the Parkside Planned Area Development (PAD). The proposed Amendment has two (2) primary components, as follows:

- A 9.9-acre parcel at the southeast corner of the Parkside site is reserved by the approved PAD's Master Development Plan (Exhibit H) for future development of medical and/or professional offices. The proposed Amendment will eliminate the 9.9-acre office component, instead allowing for development of 54 additional 4,500 square foot single-family detached residential lots at the project's southeast corner (Exhibit I); the proposed 4,500 square foot lots are consistent with the approved lots located immediately west of the area subject to the amendment. Additional open space will be provided with the new lots, including a landscaped setback along 99th Avenue, an east/west trail corridor along the southern edge of Parkside, and a north/south trail connection that will more easily allow residents to access the community's central park.
- The proposed Amendment revises Parkside's vehicular access and circulation plan, eliminating a quarter-mile segment of Osborn Road previously planned at the southeast corner of the site. The proposed street segment had been planned to provide access to the planned office parcel before terminating at the office parcel's western boundary. Furthermore, when the Osborn Road segment was initially planned, it was thought that the street may be utilized by future development of the property to the south, the Fulton Homes Acclaim site. With the elimination of the office parcel and Fulton Homes Acclaim not providing an access at Osborn Road, the street no longer serves a need.

Beyond the modifications summarized above, no additional revisions to the approved Parkside PAD are proposed. Lotting, open space, circulation, and access for the community outside of the 9.9-acres at the

southeast corner of the project are not affected. Additionally, all recommended stipulations of approval are essentially unchanged.

CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:

The property is located in the service areas of the Pendergast Elementary School District (PESD) and the Tolleson Union High School District (TUHSD). The nearest elementary school to the property is Garden Lakes Elementary, located at the southwest corner of 107th Avenue and Garden Lakes Parkway. High school aged students will attend Westview High School located at the northwest corner of 107th Avenue and Garden Lakes Parkway.

Both PESD and TUHSD have provided the City with Certificates of Adequate School Facilities (Exhibit F) stating that each district has adequate capacity to accommodate the anticipated enrollment from the proposed Parkside development.

PUBLIC PARTICIPATION:

A Neighborhood Meeting to discuss the proposed Minor General Plan Amendment and Major Planned Area Development Amendment (PAD) with neighboring property owners and other interested parties was held at 6:00 P.M. on Tuesday, July 27, 2021. Due to the ongoing Covid-19 pandemic, the meeting was held virtually via Zoom. All notices of the meeting, including mailings to owners within 1,000 feet of the site, posting of a public hearing notice sign on the property, and display ads in the Arizona Republic, were completed in at least fifteen days prior to the meeting as required. In addition to City Staff and the applicant, two (2) Councilmembers and two (2) Planning Commissioners attended the virtual meeting (Exhibit G). Discussion and questions included:

- **Was Osborn Road originally intended to connect west to Westwind or Glenarm Farms?** No, Osborn Road was previously shown as terminating approximately one-quarter mile to the west. Neither Westwind nor Glenarm Farms were designed for that street to enter into those communities.
- **Does Clarendon Avenue connect to the property to the west?** Yes, Clarendon Avenue will connect into Westwind.
- **What elementary school will students in Parkside attend and what kind of connectivity would be provided?** The closest Pendergast District school is Garden Lakes Elementary, approximately one (1) mile west on 107th Avenue. Because of the considerable distance, it is expected that most students from Parkside would utilize bus service or be dropped by private vehicles rather than walk to school.
- **What is the nature of the open space added with the proposed new lots?** The additional open space consists of a landscaped setback along 99th Avenue, an east/west trail corridor along the southern edge of Parkside, and a north/south trail connection internal to Parkside to allow residents to more easily access the community's central park which will feature a pool, splash pad, and other amenities.
- **Will deceleration lanes be provided at the main entrances into Parkside?** Deceleration lanes will be provided at the main entrance from Indian School Road (at Parkside Boulevard) and from 99th Avenue (at Clarendon Avenue).
- **Will the 99th Avenue and Clarendon Avenue intersection be a "T" intersection?** It is anticipated that the intersection will eventually be a four-way intersection when the property east of 99th Avenue, in the City of Phoenix, develops. The intersection will be signalized and will be warranted/constructed in Phase 2 of Parkside.
- **What is the status of the development in Phoenix east of 99th Avenue?** Homebuilder Lennar was working on that site and it is estimated that it would be at least one to two years before that project is under construction.
- **When is Phase 2 of Parkside expected to begin construction, triggering the need for the signal**

at 99th Avenue and Clarendon Avenue? It is estimated that Phase 2 may be under construction around the beginning of 2026.

- **If development in Phoenix produced traffic that warranted the signal sooner, would that signal be installed earlier?** Yes, in that event, Avondale would work with the City of Phoenix to ensure the signal was installed when it was warranted. The developer of Parkside will also work with Lennar to coordinate the full signal installation rather than installing different corners at different times.

Two (2) comments pertaining to the proposal were posted on the City's aVOICE/Polco digital forum, as follows:

- "I sure hope Avondale is getting enough money in fees from the developer and the property taxes to pay for all the new teachers and schools that this density of housing will require. Where are we getting all the water to support this many new housing units and families with children? The traffic on 99th is already bad and now you are putting 716 more homes to add that problem? Are you going to make it a 6-lane highway with a turn lane? You know that 99th and Thomas will soon be developed and will add even more traffic and homes. Make sure you add the extra traffic lanes while the builder is paying for it! The same goes for Indian School Rd. It needs to be expanded also from 99th to 107th and the Fry's shopping center."
- "Get building the houses already. Tired of looking at the dirt and farm fields."

All required notifications for the Planning Commission and City Council public hearings have been completed. All property owners within 1,000 feet of the subject site were notified of the time, date, and location of the Planning Commission and City Council meetings via postcards, the meetings were advertised in the Arizona Republic, and a public hearing notice sign identifying meeting dates, times, and locations was installed on the property. All notifications included Zoom meeting information and links.

PLANNING COMMISSION ACTION:

On August 18, 2021, Planning Commission conducted a public hearing and voted 5-0 to recommend approval of the proposed Major PAD Amendment subject to six (6) Staff-recommended conditions of approval. Commission had no comments or questions on the proposal.

ANALYSIS:

The scope of the applicant's Major PAD Amendment request is limited to modifications to approximately 9.99 acres at the southeast corner of the project. Within this impacted portion of Parkside ("the Amendment Area"), 54 new detached single-family residential lots are proposed in an area of the site previously reserved for development of medical and/or professional offices. Proposed lot sizes and lot configurations within the Amendment Area are consistent with the remainder of the previously approved Parkside PAD and are consistent with the proposed General Plan land use designation of Medium High Density Residential.

Due to the elimination of the planned office component, a previously planned Osborn Road access to the site is no longer needed and access to the new lots will be from the project's primary entrances at Clarendon Avenue (from 99th Avenue) and Parkside Boulevard (from Indian School Road). The elimination of the Osborn Road connection to 99th Avenue has no impact on the planned Fulton Homes Acclaim development south of Parkside which had not planned for a street in that location.

With the exception of the modifications to the southeasternmost 9.9 acres discussed above, no modifications to the previously approved development plan for Parkside are proposed. All lots, streets, and open spaces located outside of the Amendment area are unaffected. Furthermore, all development and design standards within the PAD are maintained unchanged and all applicable stipulations of the prior zoning approval are carried through to the proposed Amendment.

Staff believes that the proposed amendment represents an improvement to the Parkside PAD. The proposed

residential use of the southeastern 9.9 acres more strongly complements existing and planned single-family residential communities in the area, including Fulton Homes Acclaim to the south, Westwind to the west, and Glenarm Farms to the southwest. Replacement of the proposed office component with additional single-family residences will eliminate a potentially awkward transition between uses and ensure that uninterrupted single-family residential development will occur adjacent to 99th Avenue from Thomas Road to nearly Indian School Road.

Furthermore, the City's efforts to attract office development are primarily focused on the McDowell Road "Health Tech" corridor approximately 2.5 miles south of the site. With more employers discovering that remote working arrangements can reduce cost without impacting productivity, the demand for office space may be reduced in the long-term. Given the possibility of that decreasing demand, competition between the subject property and the McDowell Road corridor for office uses could be harmful to both locations.

Regarding infrastructure, the developer of Parkside will be required to complete half-street improvements to both 99th Avenue and Indian School Road along the project's frontage. Improvements will include an additional travel lane on 99th Avenue and deceleration lanes at project entrances, curb, gutter, sidewalk, streetlights and landscaping along both 99th Avenue and Indian School Road. Development of the property with 54 additional single-family homes will not require any larger or more expensive improvements compared to what would be needed if the property were to develop as an office complex under the current PAD zoning and peak hour traffic from the project is expected to be lower in volume and more evenly distributed, with shallower peaks, that if the property was developed with office uses.

DISCUSSION:

The proposed PAD Amendment meets the following findings:

1. The proposed PAD Amendment is in conformance with the General Plan Land Use Map designations occurring and proposed on the property.
2. The proposed PAD Amendment is in conformance with the Single-Family Residential Design Manual.
3. The proposed PAD Amendment will result in compatible land use relationships.
4. Adequate public infrastructure to support the proposed development either presently exists or will be constructed by the developer.
5. The recommended conditions of approval are reasonable to ensure conformance with the provisions of the Zoning Ordinance and all other applicable City codes, ordinances, and policies.

BUDGET IMPACT:

The city will collect contributions for any traffic signals identified in the Traffic Impact Analysis will be tracked and the required traffic signals will be included in the city's capital improvement plan.

RECOMMENDATION:

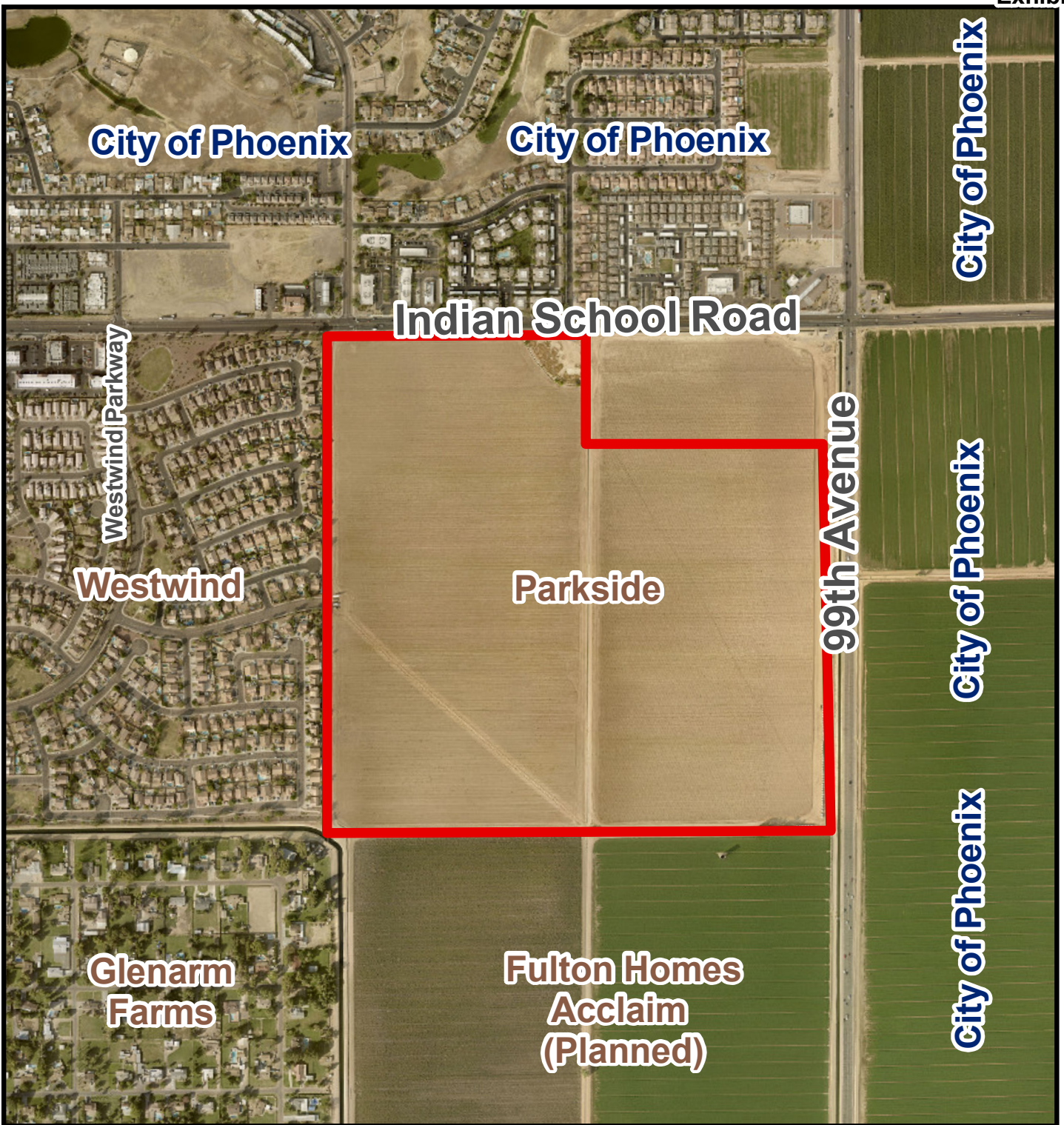
City Council will conduct a public hearing and **ADOPT** the Ordinance approving Application PL-20-0309 Parkside, a request for a Major Amendment to the Parkside Planned Area Development (PAD), subject to the following six (6) conditions of approval:

1. Except as modified by these conditions of approval, development of the property shall conform to the Parkside Planned Area Development Amendment Narrative electronically date stamped August 4, 2021.
2. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.

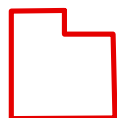
3. Indian School Road shall be built to Maricopa County standard, except that the developer shall install streetlights to City of Avondale standard along the south side of Indian School Road from 99th Avenue to the project's western boundary.
4. The developer shall be responsible for a portion of the cost of traffic signals as identified in the project's Traffic Impact Analysis. The developer's proportionate share of the cost shall be based upon the total number of corners of the adjacent signalized intersections that are located within the Parkside development. For example, at the corner of 99th Avenue and Clarendon Avenue, the developer's proportionate share of the cost would be fifty percent (50%). For signals on Indian School Road, all signal contributions will be made to Maricopa County.
5. The developer shall be responsible for fiber conduit installation within the City's public right-of-way in accordance with City policy.
6. The developer shall install a City of Avondale Wayfinding Sign, design and location in accordance with the City's Wayfinding Master Plan, near the intersection of 99th Avenue and Indian School Road during the first phase of development.

PROPOSED MOTION:

I move that City Council accept the findings and **ADOPT** the Ordinance approving Application PL-20-0309 Parkside, a request for a Major Amendment to the Parkside Planned Area Development (PAD), subject to six (6) recommended conditions of approval as listed in the Staff Report.

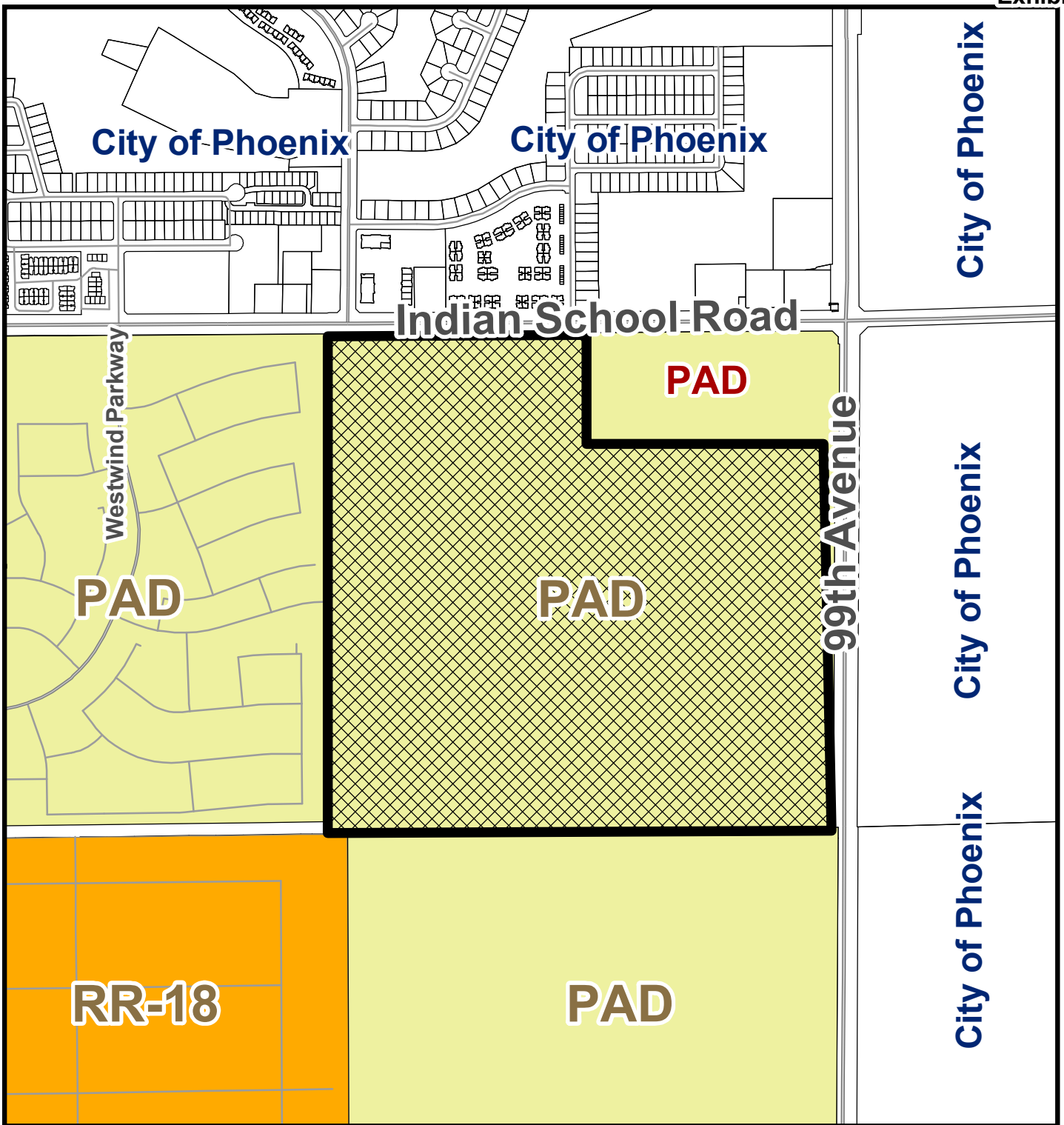


Aerial Photograph

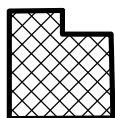


Subject Property



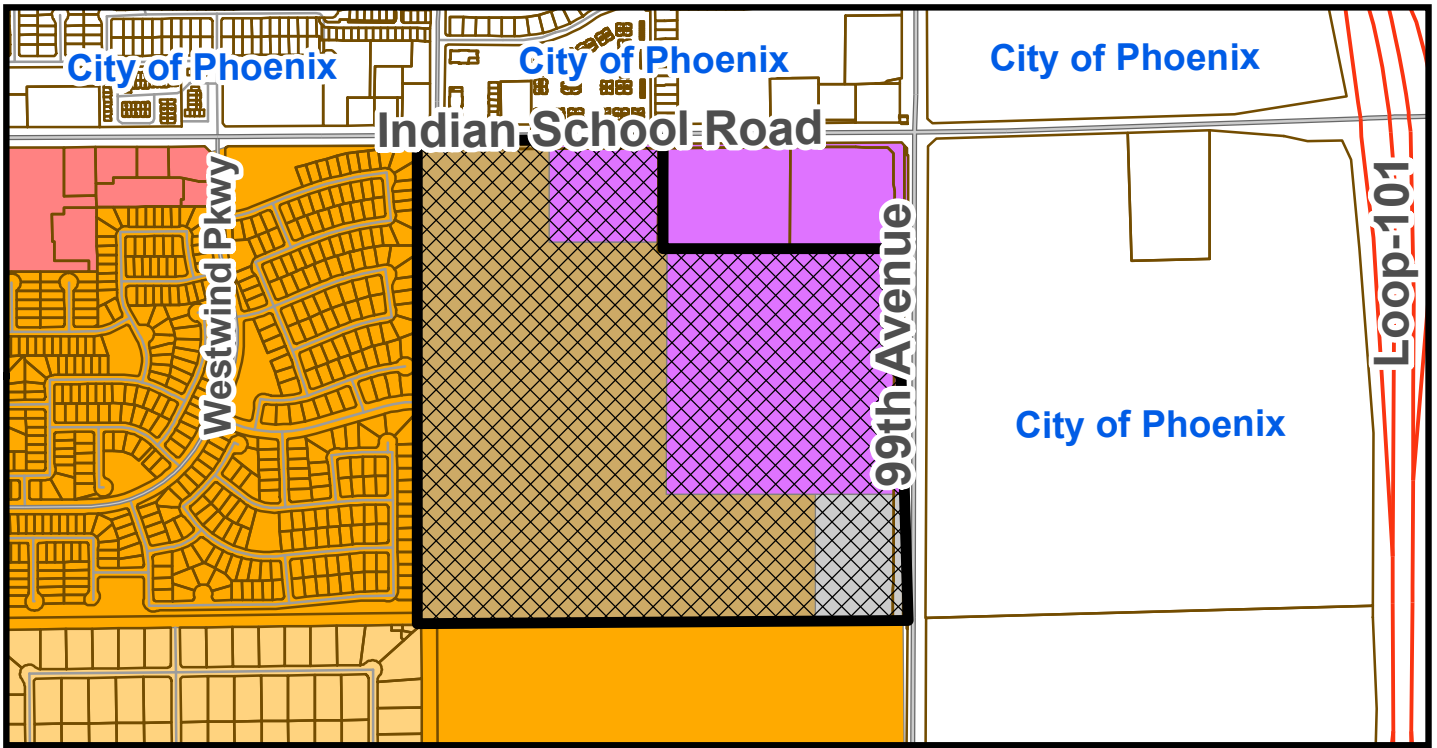


Zoning Vicinity Map

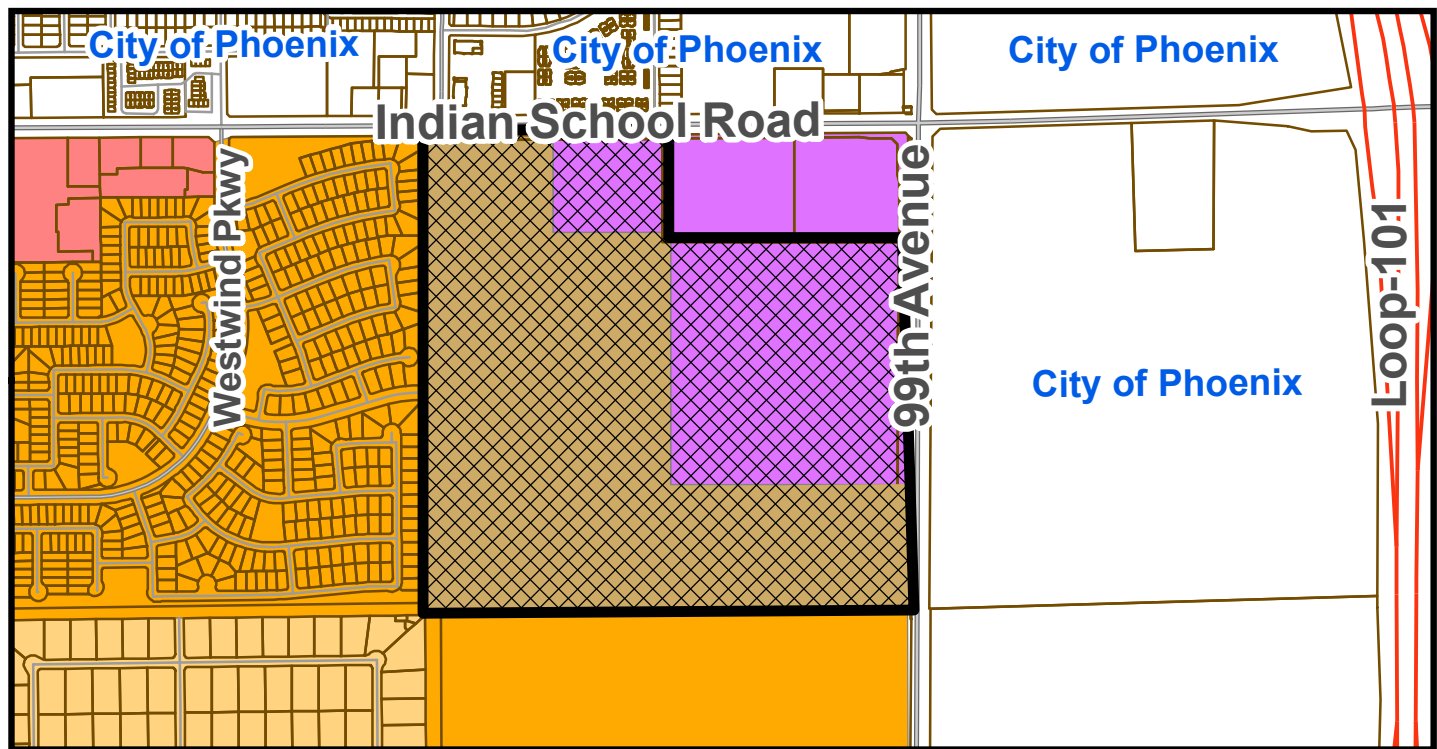


Subject Property





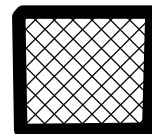
CURRENT LAND USE MAP



PROPOSED LAND USE MAP

General Plan Land Use Map

-  Local Commercial
-  Estate/Low Density Residential
-  Medium Density Residential
-  Medium/High Density Residential
-  Office/Professional
-  Mixed Use



Subject Property

*SUMMARY OF RELATED FACTS
APPLICATIONS PL-20-0307, PL-20-0308, AND PL-20-0309*

<i>THE PROPERTY</i>	
PARCEL SIZE	140.64 gross acres; 137.27 net acres
LOCATION	Approximately 600 feet south of the southwest corner of 99 th Avenue and Indian School Road
PHYSICAL CHARACTERISTICS	Flat rectangular property with irrigation canals running adjacent to Indian School Road and the western property line; undergrounding of the large SRP irrigation canal parallel to 99 th Avenue was completed in early 2021.
EXISTING LAND USE	Vacant and no longer in agricultural/farming production
EXISTING ZONING	Parkside Village Planned Area Development (PAD). The approved Parkside Village PAD, as amended, allows for development of the site with 662 single-family residential lots consisting of four different lot sizes, a 9.99-acre parcel to accommodate future office development at the southeast corner of the property, and a 21.33-acre parcel to accommodate commercial or vertical mixed-use development at the northeast corner of the property.
ZONING HISTORY	The property was annexed in two segments on May 26, 1981 and October 21, 1989 and rezoned from Agricultural (AG) to Planned Area Development (PAD) for “Entorno” on October 1, 2007. The property was rezoned from Entorno PAD to Parkside Village PAD by action of City Council on June 16, 2014. A Major Amendment to the Parkside Village PAD was approved by City Council on August 26, 2019. The project has since been renamed “Parkside”, eliminating “Village” from the name of the development.
DEVELOPMENT AGREEMENT	A Development Agreement (“the Agreement”) between the City and property owner AG/RW – Entorno, LLC was approved by City Council on June 16, 2014 and amended on August 26, 2019. The Agreement establishes phasing for development of Parkside Village, allowing for limited permitting and Certificate of Occupancy issuance before 99 th Avenue or Indian School Road off-site improvements are completed.

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH OF INDIAN SCHOOL ROAD	Multiple parcels located in City of Phoenix’s jurisdiction that have developed with a mix of uses including a gas station with convenience store, a drive-through restaurant, medical offices, a single-family detached residential neighborhood, and a single-family attached condominium complex. In addition to the developed parcels, there is an 11.1-acre undeveloped parcel in the City of Phoenix zoned C-2 (Intermediate Commercial).
EAST OF 99 TH AVENUE	An undeveloped 133.8-acre property located in City of Phoenix’s jurisdiction. The property is currently being farmed and a time frame for development is unknown.
SOUTH	A 148.5-acre undeveloped property located in the City of Avondale, zoned Fulton Homes Acclaim Planned Area Development (PAD). The Fulton Homes

	Acclaim PAD allows for development of the site with a 581-lot single-family residential subdivision. The developer is processing final approvals with construction of the community expected to start within the next year.
WEST	Westwind, a 132-acre single-family residential community located within the City of Avondale, zoned Planned Area Development (PAD). The community is fully developed with 534 detached single-family residences built between 1997 and 2000.
SOUTHWEST	Glenarm Farms, a 150-acre large lot single-family residential subdivision located in the City of Avondale and zoned RR-18 (Rural Residential, Minimum 18,000 S.F. lot area). The community is fully developed with 150 detached single-family residences, some featuring accessory structures for the keeping of horses and livestock.

GENERAL PLAN

The subject property features three General Plan 2030 land use designations. The Medium/High Density Residential (MHDR) designation is applied to the majority of the western half of the site, extending further eastward near the southeast corner of the property. The MHDR designation allows for development of single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density). The Mixed Use designation is applied to the majority of the eastern half of the site, extending further westward immediately adjacent to Indian School Road. The Mixed Use category allows for a mixture of residential and commercial uses reflective of a village concept where residents can live, work, and recreate within the same development or nearby. The southeastern corner of the site, approximately 9.9 acres of land, is designated Office/Professional, a land use category that allows for professional and medical offices and service type uses. A Minor General Plan Amendment, replacing the Office/Professional land use designation with the MHDR designation, is proposed.

PUBLIC SCHOOLS

SCHOOL DISTRICT(S)	Pendergast Elementary School District and Tolleson Union High School District
ELEMENTARY SCHOOLS	Garden Lakes Elementary School located at the southwest corner of 107 th Avenue and Garden Lakes Parkway
HIGH SCHOOL	Westview High School located at the northwest corner of 107 th Avenue and Garden Lakes Parkway

99th Avenue

Classification	Arterial
Existing half-street right-of-way	55 feet
Standard half-street right-of-way	70 feet (City of Phoenix standard)
Existing half-street improvements	Two (2) travel lanes and half center turn lane
Standard half-street improvements	Three (3) travel lanes, deceleration lane (when warranted), half landscaped median, bike lane, sidewalk, curb, gutter, streetlights, landscaping, and undergrounding of above-ground utilities and irrigation channels.

Indian School Road

Classification	Urban Collector (Maricopa County section)
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Existing half-street right-of-way	55 feet
Standard half-street right-of-way	55 feet
Existing half-street improvements	Two (2) travel lanes and half center turn lane
Standard half-street improvements	Two (2) travel lanes, deceleration lane (when warranted), half center turn lane, bike lane, sidewalk, curb-and-gutter, streetlights, landscaping, and undergrounding of above-ground utilities and irrigation channels.

Clarendon Avenue

Classification	Minor Collector (modified)
Existing full-street right-of-way	None
Standard full-street right-of-way	80 to 95 feet (varies by location)
Existing full-street improvements	None
Standard full-street improvements	One (1) travel lane in each direction, parallel parking (one side only), landscaped median (striped median immediately adjacent to Westwind), bike lanes, sidewalk, curb, gutter, streetlights, and landscaping.

Parkside Boulevard

Classification	Minor Collector (modified)
Existing full-street right-of-way	None
Standard full-street right-of-way	80 feet
Existing full-street improvements	None
Standard full-street improvements	One (1) travel lane in each direction, landscaped median, bike lanes, sidewalk, curb, gutter, streetlights, and landscaping.

UTILITIES

There is an existing 12" water line in Clarendon Avenue (Westwind) that will be extended east into the development. Additional water will be provided by extending the existing 16" water line in Indian School Road west from 107th Avenue to 99th Avenue. Furthermore, the developer will construct a new 16" water line in 99th Avenue from Indian School Road to the project's southern boundary.

There is an existing 10" sewer line in Clarendon Avenue that will be extended east into the development. A public sewer lift station will be built to serve the entirety of Parkside's residential and mixed use areas; the lift station will discharge into the existing 10-inch sewer line in Clarendon Avenue.

Salt River Project (SRP) provides electrical service in this portion of Avondale.

Exhibit E

Proposed Planned Area Development Amendment Narrative

Parkside



**MAJOR PAD AMENDMENT APPLICATION
PL-20-0309**

**PARKSIDE VILLAGE
AVONDALE, ARIZONA**

Prepared for

Taylor Morrison

4900 North Scottsdale Road, Suite 2200
Scottsdale, Arizona 85251

Atwell Project No. 18000694

Submitted by Atwell, LLC

and

RVi

120 South Ash Avenue, Suite 201
Tempe, Arizona 88281

April 15, 2021

EXECUTIVE SUMMARY

Southwest Corner of 99th Avenue and Indian School Road
Avondale, Arizona

Originally Submitted November, 2013

Revised March 2019 and reapproved April 2019

This submittal is an amendment to the reapproved PAD. The necessity for the PAD Amendment is to remove the Office zoning to more closely configure to the character and the use of the proposed surrounding development. Based on the size of the Office parcel, it will not provide a positive impact for office use in the area, nor provide a neighborhood use to a majority of the residential users, unlike the Mixed Use parcel, which provide a complimentary use. The proposed amendment will rezone the 9.99 Acres of office zoning to allow for an increase of 54 single family residential units (for a total of 716 units) and 21.33 Acres of Mixed Use zoning. Within the residential zoning there will be total of 29.29 Acres of open space (21.3%), far exceeding the minimum of 15%.

The Osborn Road, access road to 99th Avenue, will be eliminated with this change. The residential development to the south is not utilizing Osborn Road for access, the only use is for access to Parkside. This will require all access to be directed to Claredon Avenue. A new traffic study was completed, and the change does not change the level of use of the Claredon Avenue and 99th Avenue, which will be signalized. The elimination of Osborn Road will reduce the potential of cut-through traffic and commercial traffic in the southeast portion of Parkside, and the local road layout will be better configured in conjunction with local roads in the area.

In addition to the zoning change, a lift station has been added to the site, per City of Avondale request, and is included in the updated Master Sewer Plans.

No additional modifications beyond those summarized in this section are proposed as part of this application.

PROJECT DATA

Project Location:	SWC 99th Avenue and Indian School Road
Request:	Amendment to 2014 Parkside Village PAD
Existing General Plan Land Use:	Mixed Use, Office, Medium/High Density Residential
Proposed General Plan Land Use:	Mixed Use, Medium/High Density Residential
Existing Zoning:	Planned Area Development
Proposed Zoning:	Planned Area Development
Existing Use:	PAD
Total Gross Area:	163.02 acres
Total Residential Area:	141.68 acres
Total Mixed-Use Area:	21.33 acres
Maximum SFR Density:	12 DU/AC
Minimum SFR Density:	4 DU/AC
Proposed SFR Density:	5.24 DU/AC
SFR Open Space:	21.3%
Park Acreage:	14.17 acres
SFR Dwelling Units:	716 units
Urban Loft Units:	Maximum 300 units allowed, optional
Roadway Improvements:	Indian School Road Clarendon Road 99th Avenue
Water / Wastewater Provider:	City of Avondale

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1 PROPERTY DESCRIPTION

1.1 Location of the Property

Parkside Village is located at the southwest corner of 99th Avenue and Indian School Road (the “Property” or “Parkside”) as shown on **Exhibit A, Vicinity Map**.

Parkside is planned for a mix of residential and mixed use/commercial uses that will benefit the City of Avondale by providing homes, retail, and employment at the far northeast boundary of Avondale City limits. Parkside is designed to accommodate residents with a walkable neighborhood offering access to Mixed Use and an interior park system not found elsewhere in Avondale. Parkside residents are able to live, shop and enjoy outdoor recreation. There are two primary



and one secondary access points in and out of Parkside. The primary access points are designed along 99th Avenue and Indian School Road. The secondary access point is located along Clarendon, connecting from the Westwind community to the west. The proposed mix of uses, as a part of Parkside, provides for employment, retail, and homes in close proximity to major freeways (101 Agua Fria Freeway and Interstate 10) as well as, the Glendale Sports and Entertainment District, and Downtown Avondale. Parkside will also include a new bus stop at the intersection of 99th Avenue and Indian School Road, which combined with the community design, will encourage multi-modal connectivity to the rest of Avondale and the Phoenix Metro Area.

1.2 Boundary and Size of Property

The property consists of approximately 163 gross acres and borders 99th Avenue to the east, Indian School Road to the north, Osborn Road alignment to the south, and the 103rd Avenue alignment to the west. (**Exhibit B, Aerial Map**).

1.3 Existing and Proposed Zoning

The current General Plan for this site has three components: Medium/High Density Residential, Mixed Use, and Office/Professional (**Exhibit C, General Plan Map**). The current zoning is Planned Area Development “PAD”, and the proposed zoning will remain PAD (**Exhibit D, Existing Zoning Map**). A concurrent Minor General Plan Amendment request to eliminate the

Office/Professional land use designation at the southeast of the site and replace it with the Medium/high Density Residential land use designation has been submitted. Approval of the minor General Plan Amendment is required in order to allow consideration of this PAD Amendment.

1.4 Land Use and Zoning on Adjacent and Nearby Properties

A mix of agricultural, residential and commercial properties surround Parkside. With close proximity to the Loop 101 Agua Fria Freeway, Parkside will provide residents and users of the office and mixed use facilities access to a major traffic corridor. This location, with its proximity to freeway access, will attract residents who commute to area employment, retail, and other destinations. The current adjacent property uses will not be adversely impacted by the development of Parkside, but rather enjoy the benefits of extended utilities, improved roadways, and have access to new retail and employment opportunities from future office and mixed use planned areas.

The property located to the west is an existing single-family residential development within the City of Avondale. To the north is a mix of uses within the City of Phoenix that include a medical plaza, commercial uses (both existing and proposed), residential condominiums, and the entrance to a single-family residential development known as “The Vineyards”. To the east (City of Phoenix) is the future site of the approximate 1,000-acre Master Planned Business and Commerce Park known as the Algodon Center. In 2020 City of Avondale recently approved a Minor General Plan Amendment, changing the land use designation to Medium Density Residential, and a rezoning to Planned Area Development (PAD) for the property to the south.

NORTH (PHOENIX)	
Current Use	Retail, Agriculture, Multi-family, Office
Land Use Designation	Commercial, High-Density Residential (15+ DU/AC), Medium Density Residential (2 to 3.5 DU/AC).
Current Zoning	C-1, C-2, C-3, R-2, R-4A

EAST (PHOENIX)	
Current Use	Agriculture
Land Use Designation	Commercial, Commerce/Business Park
Current Zoning	C-2 PCD, GCP PCD,

SOUTH	
Current Use	Agriculture
Land Use Designation	Medium Density Residential
Current Zoning	PAD

WEST	
Current Use	Residential
Land Use Designation	Medium Density Residential
Current Zoning	Planned Area Development

1.5 Topography

The Property is relatively flat and is currently, and has been historically, used for agricultural purposes. The Property is surrounded on two sides by SRP Irrigation facilities that require underground relocation in order to develop the property (Indian School Road, 99th Avenue). The SRP irrigation canal along the western border will remain intact, with the exception that a crossing of Clarendon Road will occur creating the western connection into the Westwind community. There are no natural water courses that traverse the site. The site has been designed to accommodate gravity wastewater flows into City of Avondale infrastructure.

2 PROJECT DESCRIPTION

2.1 Description of Project, Theme, and Character

This request is for a PAD amendment to the Parkside Village PAD last approved April, 2014, and last amended in August 2019. The necessity for the PAD Amendment is to remove the Office zoning to more closely configure to the character and the use of the proposed surrounding development. Based on the size of the Office parcel, it will not provide a positive impact for office use in the area, nor provide a neighborhood use to the majority use residential area, unlike the Mixed Use parcel, which provide a complimentary use.

The currently approved PAD offers lot sizes which provide Avondale residents the opportunity to live in lifestyle-designed floorplans with modern housing attributes. From higher density detached homes designed in a villa courtyard setting, to traditional single-family detached lots with front and back yards allowing for outdoor use and enjoyment. The Parkside community is planned for a mix of Single-Family Residential and Mixed-Use uses (**Exhibit G, Land Use Plan**). The Single-Family Residential component consists of 141.68 acres of the entire property and Mixed-Use consists of 21.33 acres (**Exhibit E, Master Development Plan**).

The Parkside community design provides for a diverse open space and park system (**Exhibit H.1 Conceptual Open Space Plan**). The main park includes a community centralized amenity center referred to as Central Park (**Exhibit H.2 Central Park**). Central Park is a major component of the Parkside identity. The design for this park allows for a large community pool, restrooms, basketball and volleyball courts, large playground, outdoor movie theater, ramadas and shade structures. Four additional parks within the community provide residents with a theme of outdoor activities designed to promote outdoor living and recreation. (**Exhibit H.3, H.4, H.5, H.6, Park A through D**). Some of the amenities within these parks will include, outdoor playgrounds with exploratory features, an outdoor exercise circuit, community gathering locations, dog training, intercommunity trail system, and vast open space to enjoy various outdoor activities. The community parks are connected by open space corridors and the intercommunity trail system that include, lighting, seating, exercise and landscaping features.

2.2 Justification for Density or Land Use Change

The residential density within Parkside Village is currently estimated at 5.19 DU/AC and is well below the maximum 12 DU/AC allowed by the General Plan designation of Medium/High Density Residential and density contemplated in the Mixed-Use designation. The current approved Parkside Village PAD has a 5.19 DU/AC design, where now the current request slightly increases the single-family residential density to 5.24 DU/AC.

2.3 Total Number of Dwelling Units and Density

The total number of proposed dwelling units within the residential portion of Parkside Village is planned for 716 units with dwelling unit per acre density calculated at 5.24 DU/AC.

2.4 Environmental Impacts

The proposed PAD amendment will remain primarily a residential community and will not generate excess air pollution, noise, or other impacts greater than the current approved PAD uses. The general public and the City of Avondale will benefit from the development of Parkside through improved regional infrastructure including roadways, significant SRP underground irrigation relocation, as well as extending the city water system from 107th Ave along Indian School Road to 99th Ave, then south along 99th Ave to the Osborn Road alignment. The extension of the water system improves the regional system pressure, allows connectivity with the City of Phoenix and opens the 99th Ave corridor to future development to benefit the City of Avondale.

2.5 Data Tables

Listed below are several data tables that display the details of the site plan design. Parkside allows for a diverse mix of uses while attaining a highly desired residential destination within Avondale. The design utilizes the General Plan designations and provides area residents, office, retail, commercial and residential opportunities within appropriate concentrations.

Parkside (Community Distribution)

USE	GROSS AREA (AC)	NET AREA (AC)	% GROSS ACREAGE	DENSITY (NET AC.)	DENSITY UNITS
Mixed Use	21.33	18.43	13.1%	-	-
SFD Residential	141.68	136.74	86.9%	5.24 DU/AC	716 DU
TOTAL	163.02	155.13	100.0%	5.23 DU/AC	716 DU

Parkside (Residential Distribution)

PRODUCT	UNITS	% OF TOTAL
Villa's	247	34.5%
45'x100'	199	27.8%
50'x110'	148	20.7%
55'x120'	122	17.0%
TOTAL	716	100.0%

Parkside (Residential Open Space Distribution)

OPEN SPACE	AREA (AC)	% OPEN SPACE	% NET AREA
Parks	14.17	48.4%	10.4%
Active Open Space	13.51	46.1%	9.9%
Additional Landscape Area	1.61	5.5%	1.1%
TOTAL	29.29	100.0%	21.4%

3 PROPOSED LAND USE DEVELOPMENT MAP

3.1 Proposed Land Use Map

The existing City of Avondale approved land uses will continue with this PAD Amendment and remain a combination of Medium/High Density Residential and Mixed-Use (see **Exhibit C, General Plan Map**).

3.2 Traffic Analysis Supporting Access Points and Circulation Patterns

The access points and internal circulation patterns were established with the approval of the Parkside Village PAD in 2014. At that time, a traffic study was provided to justify the proposed layout. With the approved PAD Amendment, the access points remained constant, however, a new traffic study was warranted due to a significant reduction in residential density and a different internal street circulation, thus reducing area and community traffic counts. A new traffic study was completed and submitted to the city with other masterplan drainage, wastewater, and water reports at time of the preliminary plat approval. With the current PAD Amendment, a new traffic study is warranted due to the removal of the Office zoning designation and the subsequent removal of Osborn Road access point. The new Traffic Study will be submitted with the Preliminary Plat Amendment.

3.3 Phasing Plan

Parkside will require extensive and sequential regional infrastructure development that requires the coordination of multiple governmental agencies and semi-governmental agencies. The City of Avondale and the Owner/Developer will need to work together to accommodate the development of this site; otherwise, without phasing the development of certain offsite regional improvements, the development of this site is economically prohibitive. One of the main development challenges is the relocation of the SRP irrigation facilities along Indian School Road and 99th Avenue. The relocation and undergrounding of the canal on 99th Avenue has been substantially completed as of April, 2021. The relocation and undergrounding of the Indian School irrigation ditch is in the design phase with construction anticipated to begin in winter of 2021/2022, at the earliest. This challenge while sequential, is also extremely time sensitive having long process times for easement acceptance and extremely short annual windows for dry-up periods required when diverting irrigation water flows into new pipelines built in conjunction with the community. After the relocation of the SRP irrigation facility along 99th Avenue is completed, the SRP 12kV power conversion will commence. Typically, the 12kV conversion would be one of the first development activities to take place, as well as completing the 16" city water line loop along the boundary of the property. Due to the sequential development that must occur at this property, it creates the absolute need to phase the development at Parkside. The phasing plan allows Parkside to be developed efficiently and in the most expedited manner (**Exhibit F, Phasing Plan**).

A process and schedule for the phasing of off-site improvements adjacent to Parkside is established in the project's approved Development Agreement, as amended

3.4 Circulation System

The revised circulation system for Parkside Village is designed with pedestrian and vehicular perspectives in mind. The pedestrian circulation is designed to have a linear connectivity internal to Parkside as well as direct access to the mixed-use amenities, office location and public transportation at the intersection of 99th Avenue and Indian School Road. The trail system will facilitate pedestrian traffic to the various parks, retail, employment and public transportation without the need for vehicular transportation. (**Exhibit I, Conceptual Pedestrian Circulation Plan**).

The vehicular circulation is improved over the previous PAD approval in that the circulation is more efficient (**Exhibit J, Conceptual Street Circulation Plan**). Connections to Clarendon East, Clarendon West and 100th Avenue are designed to help Avondale meet its General Plan Circulation Element Goal of providing a “transportation system that is complimentary to the existing and planned uses” by adding a balanced mix of uses with appropriate connections to adjacent streets and a transit stop to enhance the City’s transit network. It also helps the City achieve its goal by providing “a transportation system that serves the public in a safe, efficient, and cost-effective manner.”

4 LAND USES

4.1 Permitted, Conditional, Accessory, and Prohibited Uses

The residential component of Parkside is approximately 141.68 gross acres and offers four distinct lot configurations. The traditional single-family lots are designed as 45’x100’, 50’x110’ and 55’x120’, while the Villas, single-family detached lots, offer an HOA dedicated shared driveway allowing first and second home buyers a smaller, limited maintenance lifestyle (**Exhibit E, Master Development Plan**).

The uses allowed within the single-family portions of Parkside Village shall be those allowed within the City of Avondale Zoning Ordinance zoning district for each of the proposed product types as shown below.

- Uses allowed for the 50’ and 55’ wide lots shall be those allowed in the R1-6 district.
- Uses allowed for the 45’ wide lots and Villas shall be those allowed in the R1-5 district.

Those uses allowed within the City’s Community Commercial (C-2) district shall be allowed within the Mixed-Use portion of Parkside Village. Upper floor residential (Urban Lofts) shall be limited to 300 units maximum.

4.2 Lot Mix Table

PRODUCT	WIDTH	DEPTH	LOT AREA	LOTS	TOTAL %
Villa's	47'	53'	2,279 Avg	247	34.5
SFD 45	45'	100'	4,500	199	27.8
SFD 50	50'	110'	5,500	148	20.7
SFD 55	55'	120'	6,600	122	17.0
TOTAL	-	-	-	716	100.0

4.3 Purpose, Improvement, Ownership, and Maintenance of Common Areas and Facilities

The purpose of the common areas and facilities are to provide amenities, open space, and landscaping that serves the interest of the residents and visitors to Parkside. Common areas will be designed, constructed and dedicated to the Homeowners' Association ("HOA"). Once dedicated to the HOA, the maintenance cost will be allocated to property owners. The street areas (Right-of-Way "ROW") will be dedicated to the City of Avondale in accordance with City standards. Public Utility Easements will be dedicated to the public as a method for obtaining utility connectivity throughout Parkside.

5 DEVELOPMENT STANDARDS

5.1 Proposed Development Standards

Parkside utilizes development standards unique to each product type. The regulations and provisions for land uses along with the development standards including density, intensity, and types of uses are contained within this document and will take precedence over regulatory standards for land use and development within the Avondale Zoning Ordinance. Administrative procedures and development standards contained in the Ordinance, not covered by the PAD shall remain applicable to development within the PAD. In the event of a conflict between the provisions of the PAD and its development standards and the aforementioned Ordinance, the PAD shall govern. The development of Parkside will substantially comply with the Master Development Plan, and amendment of the Plan shall conform to the Minor and Major PAD Amendment requirements of the Zoning Ordinance. Based on final engineering requirements, deviations from the approved lots, tracts, or open space may be necessary and shall be considered in conformance with this plan and shall not require an amendment to this PAD.

5.2 Residential Development Standards

The following tables list the residential development standards in detail.

Single Family Residential - 45'	Parkside Village Development Standards
STANDARDS	USE TYPE
<i>(Setbacks shown are minimum requirements)(1)</i>	SINGLE FAMILY DETACHED
Lot Area, Minimum (Sq. Ft.)	4,500 Sq. Ft. per lot
Lot Width, Minimum (Ft.)	45'
Lot Depth, Minimum (Ft.)(3)	100'
Lot Coverage, Maximum (%)	60%
Front Setback, Minimum (Ft.)(2) <i>(Measured from property line or back of sidewalk when the property line/ROW is between the sidewalk and Road)</i>	10' to Living 20' to Garage
Corner Side Setback, Minimum (Ft.)(2) <i>(Measured from property line or back of sidewalk when the property line/ROW is between the sidewalk and Road)</i>	10' to Living (or 5' when adjacent to minimum 8' wide common element)
Interior Side Setback, Minimum (Ft.) <i>(Measured from property line)</i>	5'
Rear Setback, Minimum (Ft.) <i>(Measured from property line)</i>	15' To living
BUILDING STANDARDS	
Building Height, Maximum (Ft.)	30'
Building Separation, Minimum (Ft.)	10'
Notes:	(1)Final building footprints and layout will vary. (2)All permanent structures are to remain outside of Public Utility Easements (PUE). (3)Lot Depths may be reduced by up to 10' at cul-de-sacs, knuckles, and other locations where necessary due to street geometry as long as minimum lot area is met.

Single Family Residential - 50'	Parkside Village Development Standards
STANDARDS	USE TYPE
<i>(Setbacks shown are minimum requirements)(1)</i>	SINGLE FAMILY DETACHED
Lot Area, Minimum (Sq. Ft.)	5,500 Sq. Ft. per lot
Lot Width, Minimum (Ft.)	50'
Lot Depth, Minimum (Ft.)(3)	110'
Lot Coverage, Maximum (%)	60%
Front Setback, Minimum (Ft.)(2) <i>(Measured from property line or back of sidewalk when the property line/ROW is between the sidewalk and Road)</i>	10' to Living 20' to Garage
Corner Side Setback, Minimum (Ft.)(2) <i>(Measured from property line or back of sidewalk when the property line/ROW is between the sidewalk and Road)</i>	10' to Living (or 5' when adjacent to minimum 8' wide common element)
Interior Side Setback, Minimum (Ft.) <i>(Measured from property line)</i>	5' 24' Face of Side Loaded Garage to lot line
Rear Setback, Minimum (Ft.) <i>(Measured from property line)</i>	15' To Living
BUILDING STANDARDS	
Building Height, Maximum (Ft.)	30'
Building Separation, Minimum (Ft.)	10'
Notes:	(1) Final building footprints and layout will vary. (2) All permanent structures are to remain outside of Public Utility Easements (PUE). (3) Lot Depths may be reduced by up to 10' at cul-de-sacs, knuckles, and other locations where necessary due to street geometry as long as minimum lot area is met.

Single Family Residential - 55'	Parkside Village Development Standards
STANDARDS	USE TYPE
<i>(Setbacks shown are minimum requirements)(1)</i>	SINGLE FAMILY DETACHED
Lot Area, Minimum (Sq. Ft.)	6,600 Sq. Ft. per lot
Lot Width, Minimum (Ft.)	55'
Lot Depth, Minimum (Ft.)(3)	120'
Lot Coverage, Maximum (%)	60%
Front Setback, Minimum (Ft.)(2) <i>(Measured from property line or back of sidewalk when the property line/ROW is between the sidewalk and Road)</i>	10' to Living 20' to Garage
Corner Side Setback, Minimum (Ft.)(2) <i>(Measured from property line or back of sidewalk when the property line/ROW is between the sidewalk and Road)</i>	10' to Living (or 5' when adjacent to minimum 8' wide common element)
Interior Side Setback, Minimum (Ft.) <i>(Measured from property line)</i>	5' 24' Face of Side Loaded Garage to lot line
Rear Setback, Minimum (Ft.) <i>(Measured from property line)</i>	15' To Living
BUILDING STANDARDS	
Building Height, Maximum (Ft.)	30'
Building Separation, Minimum (Ft.)	10'
Notes:	(1)Final building footprints and layout will vary. (2)All permanent structures are to remain outside of Public Utility Easements (PUE). (3)Lot Depths may be reduced by up to 10' at cul-de-sacs, knuckles, and other locations where necessary due to street geometry as long as minimum lot area is met.

Single Family Villa's Parkside Village Development Standards	
STANDARDS	USE TYPE
(Setbacks shown are minimum requirements)(1)	SINGLE FAMILY DETACHED
Lot Area, Minimum (Sq.Ft.)	2,279 Sq.Ft. per lot
Lot Width, Minimum (Ft.) (3)	49' (47')
Lot Depth, Minimum (Ft.)	53'
Lot Coverage, Maximum (%)	75%
Front Setback, Minimum (Ft.)(2) <i>(Measured from property line or back of sidewalk when the property line/ROW is between the sidewalk and Road)</i>	8' to living
Corner Side Setback, Minimum (Ft.)(2) <i>(Measured from property line or back of sidewalk when the property line/ROW is between the sidewalk and Road)</i>	8' to living
Interior Side Setback, Minimum (Ft.) <i>(Measured from property line)</i>	5'
Rear Setback, Minimum (Ft.) <i>(Measured from property line)</i>	2' to living
BUILDING STANDARDS	
Building Height, Maximum (Ft.)	30'
Building Separation, Minimum (Ft.)	10'
Notes :	(1) Final building footprints and layout will vary. (2) All permanent structures are to remain outside of Public Utility Easements (PUE). (3) 47' Minimum lot width applies only to interior (e.g. middle) villa lots. All other villa lots shall have a minimum width of 49'.

5.3 Additional Residential Development Standards

Standard	Parkside PAD
Walls and Fences	Complies with City of Avondale Zoning Ordinance
Lighting	Parkside will design and comply with current City of Avondale specifications for street lights as well as trail lighting. The design shall be similar to other area communities.
Screening	Complies with City of Avondale Zoning Ordinance
Parking Standards	Exceeds City of Avondale Zoning Ordinance (Villas). Villas will provide two garage spaces with accommodation for more than 270 additional on-street spaces (see Exhibit K.4 Villa Parking).
Proposed screening, buffers and transitions to uses on adjacent property and overall compatibility with existing and future land uses in the area	Complies with City of Avondale Zoning Ordinance

6 ARCHITECTURAL DESIGN CRITERIA

6.1 Architectural Character

Parkside will represent a wide variety of architectural styles and character. The use of color in conjunction with architectural design elements provide a visual experience and identity. A few of the design elements are as follows: Interior courtyards, entry towers, mixed gable and hip roof lines, arched windows and doors, rafter tails, wrought iron details, masonry accents, wide trim, large windows, horizontal banding, and multiple exterior finishes all using high quality building materials. Architectural themes at Parkside will offer residents diverse and distinct design opportunities. This PAD amendment presents the following residential themes: Modern Mediterranean, Craftsman, Contemporary, Prairie, Ranch/Farmhouse, and Spanish Mission. All these themes offer four sided architectural elements, varied roof designs, masonry accents, window diversification, style enhancements, and many color options. Representations of these proposed architectural elements are displayed in **Exhibit M.1 through M.8** for all uses within Parkside.

6.2 Style

Residential architectural style elements are generally represented in **Exhibit M.1 through M.6** and display features associated with Modern Mediterranean, Craftsman, Contemporary, Prairie, Ranch/Farmhouse, and Spanish Mission.

6.3 Required features and common design elements

This PAD amendment will abide by new design standards contained in the Single Family Residential Design Manual approved July 2018 with the exception of the items discussed in Section 6.7 of this PAD amendment.

6.4 Building Mass

For the non-residential parcels, building massing should be mitigated by varying the planes of the exterior walls in depth and direction. Roof forms and roof lines should be broken into a series of smaller building components. Buildings should step down in height to pedestrian plazas and open spaces responding to human scale. Rooflines should include regular, or frequent, offsetting and jogging of the roof plan and/or parapet height. Roofline enhancements shall wrap around the entire building perimeter.

6.5 Building Materials

Building materials will consist of high-quality energy efficient elements incorporated into modern designs. The City of Avondale requires compliance with the 2018 International Building Code, therefore building materials will meet or exceed this requirement.

6.6 Color Palette

At the time of specific design review, a color palette will be submitted for review and subsequent approval.

6.7 Discussion of How Design Guidelines Exceed City Standards

While the Parkside PAD was approved April 2014, it is agreed Parkside will now be subject to the *Single Family Residential Design Manual*, approved July 16th 2018 with the following exceptions that either exceed the design criteria or better represent the architectural themes and styles of the community. After several meetings with Avondale Staff, the following deviations were supported.

1.1(E) "Group wider side yard together on some adjoining lots to provide a separation of 20 feet or more between houses.

Wider separation will be incorporated into parcel design where possible. It may not necessarily reach 20 feet but will achieve the goal of varying the separation between homes and providing open spaces between homes.

1.1(G) "Stagger front setbacks throughout a neighborhood to avoid a monotonous streetscape and, incorporate courtyards, porches and other design features."

The goal of varying the streetscape and creating multiple planes within the front yards will be achieved through alternate means such as porches, architecture variety, landscaping, and trees.

1.1(H) "Avoid the placement of lots centered on "T" intersections and avoid driveways opposite a "T" intersection to limit headlight intrusion."

It is impossible to place open space or landscaped tracts at all "T" intersections; however, the goal will be met by doing so wherever possible and, where not possible, placing the home on the lot such that the home is positioned away from potential light intrusion.

1.1(L) "Provide direct vehicular, bicycle, and pedestrian connections to adjacent residential and non-residential areas through trail development and buffered bike lanes."

Pedestrian connections will be provided to allow residents connectivity to all parks, mixed use and office locations. The Parkside design has exceeded this requirement.

1.1(S) "Incorporate accent paving material into each alley/auto court."

Accent paving will be provided, but newer technology may be implemented to give the look and feel of a different material. This may include stamped asphalt and/or dyed concrete.

1.3(N) "Provide a minimum 12' wide landscape tract (inclusive of PUE) on the side of the lot adjacent to the street."

A 10' wide landscape tract is proposed in this situation for Parkside. Overall by allowing less landscape tract in the community, trail corridors are increased with the additional footage. The street design and landscaping will still achieve the same goal of creating open landscaped areas at the end of blocks.

1.4(E) "Contour sides and bottoms of the basins to create a natural looking appearance. Use varied slopes and curvilinear edges to create a more natural looking facility instead of a rectangular forms and long stretches.

As a method to expedite drainage recovery, turf will be used in larger basins where appropriate. Smaller basins may use a turf-less treatment where erosion concerns are minimal. Parkside is based on a rectilinear design and will design basin shapes to be complimentary to that overall design theme of the community.

1.4(H) "Maximize water permeability by reducing paved areas (hardscape), using permeable paving materials, and preserving open space drainage ways when feasible."

Pavers in ROW require a non-permeable base, therefore stamped asphalt will be used in lieu of pavers to create the same appearance but have much higher durability and lower installation and maintenance costs.

1.5(G) "Parking is required for parks over 4 acres."

Parking will be provided for Central Park and will be counted in the open space area calculation.

2.1(D) "Incorporate pavers or other similar treatments to driveways."

As discussed with Staff, this can add significant maintenance costs to homeowners, but decorative enhancement shall be included by default on at least one elevation in the form of colors, finishes, textures, exposed aggregate or other decorative enhancement for the driveway.

2.2(A) "Developers should provide a purchase option for homes that can be built with a section reserved for the future installation of a solar photovoltaic or solar thermal system. [Per IECC 2018]'

As discussed with Staff, all homeowners will have the right and are encouraged to install solar energy systems; however, the location, solution, and technology should not be limited by this PAD amendment, or the builder. Instead, the appropriate location and type of solar installation shall be determined by the homeowner.

2.3(A) "Each home should use a variety of the following elements to enhance the home's character: recessed or projecting balconies, driveway pavers, trellises, awnings, porches, columns, decorative doors and windows, exterior moldings, roof overhangs, stucco, masonry, wood or metal accents, decorative lighting, ledges, arched windows, and shutters.

The residential architectural themes presented in Exhibit M.1 through M.6 represent the required variety. As discussed with Staff, with the exception of the Villa's, one elevation per lot product (45', 50', 55') shall provide for a paver application.

2.5 Table 1.1 “Single-Family subdivisions shall include a diversity of architectural types as set forth in Table 1-1...”

Instead of four elevations per plan, three elevations per plan shall be provided. Three, not four, roof styles shall be provided with additional variation added on those three styles in other ways such as trim, colors, materials, etc. 12 color schemes shall be available for the project and available to all plans.

6.8 Sample of Conceptual Elevations

Please see **Exhibit M.1 through M.6** for residential themes and design elements. Please see **Exhibit M.7, M.8** for mixed use and office concepts.

7 SITE DESIGN CRITERIA

Regarding non-residential design, the following table describes the applicable response.

Standard	Parkside PAD
Walls and Fences	Complies with City of Avondale Zoning Ordinance
Lighting	Complies with City of Avondale Zoning Ordinance
Screening	Complies with City of Avondale Zoning Ordinance
Parking Standards	Complies with City of Avondale Zoning Ordinance
Proposed screening, buffers and transitions to uses on adjacent property and overall compatibility with existing and future land uses in the area	Complies with City of Avondale Zoning Ordinance

8 Landscaping, Pedestrian Open Space and Amenities

8.1 Landscape Theme and Details

Parkside will be designed with a drought tolerant plant palette (see **Exhibit L.5 Plant List**) replacing any previous approved plant palette. During the preliminary plat approval process, an acceptable plant palette that the City will endorse will be presented for approval at that time. The current vision is to incorporate shade and appropriate landscaping features to beautify the community and create a sense of balance with nature so that outdoor activity is encouraged.

8.2 Open Space

The current open space for the residential portion of the property is approximately twenty percent (20%). The Mixed-Use and Office areas will need to conform to the City of Avondale open space requirements for those areas when designed.

8.3 Design Concept for entry features

The Parkside monuments will be set apart from other communities in Avondale in that the entry monuments for the community are more vertical than horizontal. Due to the 70' half-street ROW, then 35' SRP easement, then 8' PUE along 99th Avenue, it makes sense to create a vertical monument to identify the community entrance (Exhibit L.3, Site Amenities – Monument Signage). The lettering is cutout from a steel box with an acrylic LED backlit panel, illuminating the sign at night. In addition, tiered planters soften the monument providing elevated planting which provides interest. Consistent with the general theme in Parkside of brick masonry, brick will break up both vertical and horizontal lines by use of pilaster and cap methods providing an artistic flair.

8.4 Design Concept for Perimeter Walls

Parkside will have masonry walls with brick or brick veneer pilasters with a brick cap. The brick will provide horizontal and vertical relief to the wall. View and Pool walls will have a wrought iron aspect that enhances the classic look of iron and brick. Caps will be brick or acceptable masonry.

8.5 Landscape Tract Table

USE	GROSS AREA	% GROSS AREA
PARKS	14.17 AC	10.0%
ACTIVE OPEN SPACE	13.51 AC	9.5%
TOTAL ACTIVE OPEN SPACE	26.57 AC	18.8%
ADDITIONAL LANDSCAPE/OPEN SPACE	1.61 AC	1.1%
TOTAL LANDSCAPE/OPEN SPACE	29.29 AC	20.7%
ON-LOT OPEN SPACE (VILLA's)	1.87 AC	-
* EXHIBIT H.1, Conceptual Open Space Plan		

9 INFRASTRUCTURE

9.1 Road Improvements, Rights-of-way, Easements

Significant offsite regional road improvements are required for Parkside. These improvements are sequential and require specific governmental approvals that are time sensitive and time consuming. As a result of the SRP challenges associated with this property, flexibility in the phase completion of offsite roadways is requested. While these improvements will be bonded for, assuring the financial ability for completion, the timing of these improvements are dependent on quasi-governmental processes and approvals outside of the control of the property owner and the City of Avondale. Rights of way will be granted and designed according to jurisdictional requirements. Parkside has potentially three jurisdictional roadway approval authorities (MCDOT, City of Phoenix, City of Avondale) adding to the complexity of this project. The largest unknown timing factor is the SRP-Bureau of Reclamation, which could take between 12-14 months to process the easement relocation. During this time period no disturbance, no plat processing, no changes in title, and limited crossings can occur making this issue the top priority and the top challenge to develop the interior of Parkside while waiting for this process to complete. Because of the sequential nature of the SRP approvals and subsequent relocation of the irrigation facility, the SRP 12kV conversion then must take place, then the power poles and the concrete canal can be removed, which allows the 16' water line to be installed in the former canal alignment, and then the road paving can occur.

9.2 Utilities

Utilities for Parkside are as follows:

PROVIDER	CATEGORY
CITY OF AVONDALE	WATER
CITY OF AVONDALE	WASTEWATER
CITY OF AVONDALE	TRASH SERVICE
CITY OF AVONDALE	PUBLIC STREET MAINTENANCE
SRP	POWER
SOUTHWEST GAS	NATURAL GAS
COX	COMMUNICATION
CENTURY LINK	COMMUNICATION

9.3 Grading and Drainage

The grading plan for Parkside is to be mass graded, with the exception of SRP easement areas until the easement relocation process is complete. The site will drain in accordance with City of

Avondale specifications for onsite and offsite drainage. With the approval of this amendment to the Parkside Village PAD, the previous approved preliminary water, sewer, and drainage reports shall be nullified and eliminated from the PAD. New preliminary water, sewer, and drainage reports shall be submitted as a part of the pre-plat process.

9.4 Required off-site improvements and Phasing.

As stated in Section 9.1, the largest and most complex challenge to develop Parkside will be the SRP improvements. The entire project is dependent on the timing of these approvals and improvements. In addition to the canal relocation along Indian School Road and 99th Avenue, Clarendon will require a siphon crossing into the Westwind community. Sewer connectivity is also a challenge. The Phase 2 sewer connection is underneath the SRP canal to the west and through an HOA area in the Westwind community, which then connects into the Westwind community sewer system. Phase 1 of Parkside is segmented based on the sewer allowance via the Clarendon Road collection. With the exception of the Model Phase, all of Parkside is dependent on the SRP 12kV conversion, which can't occur until after the relocation of the 99th Avenue SRP canal is installed. Indian School Road cannot be completed until the SRP canal is relocated along its southern border as well.

10 OWNERSHIP AND MAINTENANCE

10.1 Purpose, Improvement, Ownership and Maintenance of Common Areas & Facilities

A homeowners' association ("HOA") is planned for the residential components of Parkside. All community open space, amenities, landscape tracts and private drives within the residential components will be owned and maintained by the HOA. Open Space areas shall be identified and reserved as tracts or parcels on a plat, or as easements when no plat is necessary. Private drives shall be identified as tracts on a plat or as private access easement on site plans. All private drives and private access easements will also be subject to public utility easements (PUE) for water, sewer and all other forms of public utilities. Maintenance of these areas shall be provided for by the HOA. A statement shall also be placed on the approved site plan or plat, as appropriate, stating that landscaping in adjacent rights-of-way areas shall be maintained by the Owners' Association. The master HOA or a separate HOA shall maintain certain portions of the front and side yards of the Villas product.

10.2 General descriptions of CCR's

One or more declarations of Covenants, Conditions, and Restrictions ("CC&R") shall be created to include all property within Parkside and recorded with the Maricopa County Recorder. These CC&Rs shall be designed to protect, preserve, and enhance the community.

10.3 Discussion of plans for ownership.

It is the intent for all of the residential portion of Parkside Village to be constructed by a single homebuilder; however, certain parcels may be sold to additional builders. All development shall follow approved or amended phasing regardless of ownership. All builders will abide by the City of Avondale Single Family Design Manual subject to the limits provided within this PAD amendment.

11 CONFORMANCE WITH PLANS

11.1 Conformance with General Plan Land Use Designations

The existing land use designation for Parkside is a combination of Mixed-Use, Medium/High Density Residential (M/HDR), and Office as shown on Exhibit C, General Plan Map. The proposed uses in Parkside comply with each of the requirements of these land uses.

- 11.1.1** "M/HDR is land that will contain densities that will range from 4 to 12 dwelling units per acre and should include a combination of single-family attached, detached, and townhomes, or condominiums, patio homes, casita housing choices. The variety of housing choices a specific development should be in a planned and clustered setting unique to Avondale with substantial open space for recreational amenities to service the residents and encourage resident interaction and outdoor activities. This level of intensity should promote a village environment with easy access to services and recreation. Churches, parks, and open spaces, and public facilities are permitted in this land use category."

Parkside provides four different residential housing options (including upper floor residential in the Mixed-Use area and the option for upper floor residential within the Office Component) designed around a Central Park with direct access well within a quarter mile walking distance, generally accepted as the ideal distance to promote a walkable community, to a variety of commercial and office uses. Additionally, Parkside will be integrated into the local and regional transit network along 99th Avenue providing easy access to services and entertainment in other parts of Avondale and the Phoenix Metro Area. The residential density as shown on

the Master Development Plan is 4.16 DU/AC for that portion that is within the M/HDR land use area.

- 11.1.2** “Mixed Use is a land-use for a mixture of residential and commercial. This category encourages innovatively designed developments, which create a core living environment reflective of a village concept where residents can live, work, and recreate within the same development or close by. Basic criteria for development include reasonable scale to the surrounding neighborhoods, proportionate ratios for each use, and encouragement of alternative modes of transportation (such as bicycling or walking) and a well-conceived plan with access to and integration of transit facilities.”

The Mixed-Use area of Parkside is in line with the General Plan’s definition of the use category in every way. The design guidelines outlined for this land use in Parkside ensures that the building massing, scaling, and allowed uses will be balanced within itself as well as with the surrounding neighborhoods. Residents in Parkside as well as those in existing and future nearby residential developments will be able to walk or ride bikes to and within the Mixed-Use areas of Parkside thereby truly encouraging multi-modal transportation.

11.1.3 Conformance with General Plan Vision and Goals

The proposed Parkside PAD is supported by numerous provisions of the 2030 General Plan. Below are some of the Goals and Policies supporting the development of Parkside.

Vision Statement: “Avondale is committed to promoting the health and well-being of all its residents and plans to be an active, inclusive, and responsive place, where healthy habits are encouraged rather than discouraged by environments we build.”

Parkside provides an environment that fosters a healthy and active community. The Park programming and trail system promote active outdoor activity. The Central Park allows for community gathering opportunity of greater scale than the other four planned parks.

Guiding Principles - Community Mobility: “We emphasize development of a balanced, integrated, multi-modal circulation system (streets, trails, sidewalks, bikeways, transit, light rail, and river corridors) that is efficient and safe, and which connects neighborhoods to jobs, schools, services, local attractions, and open space.”

The Master Development Plan integrates a Central Park, pedestrian paseos, a transit facility along 99th Avenue, active open spaces, and neighborhood parks, creating a healthy lifestyle and neighborhoods that are connected to their surroundings.

Land Use Goal 1: “Establish an Avondale identity based on a healthy lifestyle that promotes land uses which foster an economically sustainable and socially dynamic community.”

Parkside residents will be able to live, work, shop and play within a healthy and livable community with appropriate connectivity to neighboring properties.

Land Use Goal 1 Policy C: “Diversify Avondale’s housing stock by providing for varied residential types...”

Parkside provides a minimum of five different residential uses of varying densities providing diversity to Avondale’s housing stock (including upper floor residential in the Mixed-Use Area).

Land Use Goal 3 Policy D: “Ensure adequate transitions and/or buffers are provided when adjacent land uses vary in character and intensity.”

Land uses, landscape buffers, trail corridors, building setbacks, and screen walls are some of the features used to ensure an adequate transition and buffer between Parkside and the neighboring properties as well as between uses within Parkside.

Land Use Goal 8: “Support mixed-use land use patterns that increase transit and pedestrian oriented development within specific and appropriate areas of the City.”

Parkside has a diverse mix of non-residential uses and intensities and of residential types and densities. Parkside’s Development Master Plan provides pedestrian and bicycle connectivity to transit options along 99th Avenue. The amenitized boulevards create an active street scene in this pedestrian oriented development.

Housing Element Goal 2: “Champion the development of housing types not currently available in the City to allow for a variety of socio-economic levels.”

Parkside is a development unlike any other in Avondale, particularly for a project of this size. The diverse housing types, transitioning densities and land uses create an integrated village that will allow for a variety of socio-economic levels. Higher Density housing located in the Villa’s area will accommodate a different homeowner lifestyle than those living in traditional single-family homes, allowing

for a diverse community. Urban Lofts within the Mixed Use area are another element allowing for additional diversity.

Housing Element Goal 2 Policy B: “Encourage the development of condominiums and townhomes which appeal to people seeking to own their residence, but who may not want maintenance responsibilities.”

Parkside incorporates Villas and multifamily options (upper floor residential in Mixed-Use areas). These housing types account for half of the product types in Parkside and provide ample opportunity for people looking to purchase a home without the traditional single-family home configurations and lifestyles.

Housing Element Goal 4 Policy B: “Support creatively designed subdivision layouts, particularly layouts in which open space and recreation areas containing amenities are thoughtfully integrated throughout.”

Parkside is an innovatively designed community that incorporates an integrated village concept where residents can live, work, shop and play within the same development and all within an eighth of a mile of the Central Park. No point within Parkside is more than an eighth of a mile or three-minute walk from a park. This is a truly unique design that provides active open space to every resident and visitor within Parkside. A clever designed trail system promotes park usage and outdoor activities.

Housing Element Goal 4 Policy D: “Encourage subdivision design that promotes non-vehicular access to trails and transit routes/centers as a component of a healthy lifestyle.”

Parkside’s Central Park (Exhibit H.1, Conceptual Open Space Plan) is connected to other neighborhood parks through a series of landscaped, safe and inviting pedestrian paseos and active open spaces that are spread throughout the Site. Each of the four residential product types is designed to be within an easy walk of the Central Park and other neighborhood parks.

Open Space Element Goal 2 Policy C: “Link community parks to open spaces, other community facilities, and each other as a means to providing further physical activity for one’s well-being.”

Parkside’s neighborhood parks and Central Park connect to open space paseos, trails, and active open spaces that lead to other parks within the development (Exhibit H.1 through H.6, Conceptual Open Space Plan and associated Parks). The Park programming allows for a diverse outdoor experience with some overlap and

other elements unique to the specific location. Parkside is designed to provide outdoor workout stations, dog training, community outdoor movie and pool facility, organized sport facilities, traditional shaded playgrounds, and other outdoor amenities.

Transit Oriented Development Goal 2 Policy D: “Consider a range of housing types that will encourage a mix of residents, such as families, singles, and seniors, and allow for a mix of income levels.”

Parkside’s residential uses include a diverse mix of traditional Single-Family Detached alternatives: Villas, upper floor residential in the Mixed-Use location (convenient commercial access), and traditional single-family housing (backyards and proximity to parks). This diverse range of product types in a development of this size will create housing opportunities for a wide range home buyers and renters. The thoughtful layout of Parkside allows this mix of product types to coexist naturally and facilitate a thriving mixed income neighborhood with a single identity.

Transit Oriented Development Goal 3: “Promote and support the incorporation of commercial uses as a component of transit-oriented development.”

The Mixed Use and Office is designed to be equally accessible from the adjacent arterial streets as the adjacent neighborhoods with a transit stop along 99th Avenue that fully supports and promotes the goals of transit-oriented development. Within these Non-Residential uses there are a number of retail and office business opportunities.

11.2 Density and Open Space Balance

The Ordinance contemplates a balance between a residential density within a PAD and the amount of Open Space provided in that PAD, such that as the residential density of the PAD increases so too should the Open Space.

The residential density proposed for Parkside exceeds the required density as specified in the Ordinance and General Plan. The amount of Open Space exceeds the 15% that is required. Within the single-family residential areas of Parkside, 29.26 acres (20.6%) of open space are provided (**Exhibit H.1, Conceptual Open Space Plan**). This amount of open space is being provided via parks, paseos, and landscaped areas to achieve the level of walkability, interconnectedness, and outdoor engagement desired by the developers of this project.

11.3 Conformance with the Freeway Corridor Specific Plan

The Freeway Corridor Specific Plan ("FCSP") was amended on September 16, 2013 to revise language and to expand the boundaries to include areas along the Loop 101 Agua Fria Freeway. With this amendment, Parkside is now within the FCSP. Parkside is governed by the FCSP and therefore all of the applicable design guidelines and regulations therein shall be considered a part of this PAD.

The FCSP specifically identifies the intersection of 99th Ave and Indian School Road as a priority for development, infrastructure improvement, and increased aesthetics as this location announces entry into Avondale. Parkside will help achieve all of these priorities for at least the southwest corner of the intersection.

Parkside supports all of the goals of the FCSP. Each of these goals is listed below with a description of how the development of Parkside will help Avondale reach these goals.

11.3.1 Goal #1: "Prioritize the City's appearance from the I-10 and the Loop 101 freeways, limiting heavy industrial uses and establishing strict design requirements where necessary."

While not directly adjacent to the Loop 101 Agua Fria Freeway, Parkside is still a freeway corridor project that represents the City to travelers along the freeway and announces entry into the City. As such, Parkside shall conform to all of the design guidelines within the FCSP and includes additional measures to ensure it will be an aesthetically pleasing. The Mixed Use and Office uses in Parkside are located on the eastern edge of the project to maintain the sophisticated corporate/business appearance outlined by the FCSP. As an entrance point to the City of Avondale, an entry monument will be constructed at the corner of Indian School Road and 99th Avenue to announce entry into the City to visitors travelling on these roads. Because this monument will encroach into the Mixed Use property, the design and scope of the entry monument shall be provided at the same time a site plan is presented for the Mixed Use property that will coordinate with the Mixed Use design and layout.

11.3.2 Goal #2: "Establish design requirements based on and specific to the General Plan designation of a developable property to ensure Freeway Corridor subareas achieve their intended purposes."

The design requirements for Parkside include all of the applicable requirements found in the Ordinance, FCSP, and General Plan. These are incorporated in a way so as to provide a balance of flexibility and regulation that will place the proper amount of emphasis on key criteria specific to the land use. For example, per the FCSP, the Mixed-Use land use area

has an emphasis on connectivity to transit and residential uses while the residential land use area has an emphasis on the amenity and landscaping guidelines.

- 11.3.3 Goal #3:** “Institute minimum site utilization thresholds for properties adjacent to the City’s recommended HCT alignment and provide generous maximum building heights throughout to ensure the area develops at the intensity level and form that is needed to accomplish the City’s goals, most notably attracting high capacity transit.”

The FCSP designates this area as having maximum building heights of two and eight stories on the west and east halves of the property respectively. Parkside is in conformance with this regulation, which encourages the construction of commercial buildings that stand out and compete with other Phoenix properties located at the corner of 99th Avenue and Indian School Road.

- 11.3.4 Goal #4:** “The Freeway Corridor will be the southwest valley’s premier job center.”

The Office and Mixed-Use land uses included in Parkside will offer a variety of employment opportunities and help to fill in undeveloped land along the Freeway Corridor which are not storage or distribution uses and do not do as much to increase employment within the City. The variety of uses in Parkside will assist in the diversification of the employment opportunities in the area by providing spaces including large corporate office, medical office, professional services and retail.

- 11.3.5 Goal #5:** “Ensure new development in the Plan area is pedestrian/bicyclist friendly and contributes to a walkable community.”

Like the City, Parkside encourages active lifestyles for its residents by providing ample opportunity to take advantage of multi-modal transportation and recreational opportunities. By providing an extensive non-vehicular circulation system (**Exhibit I, Conceptual Pedestrian Circulation Plan**), Parkside has provided a comprehensive system of trails, sidewalks, paths, paseos, and parks that connect to every component of the community. Within a short walk or ride (less than one quarter of a mile), residents can visit friends, get exercise, enjoy programmed multi-generational activities, shop, work, or reach transit facilities that will connect them with the rest of Avondale or the City of Phoenix Metro Area, all without having to use a vehicle.

- 11.3.6 Goal #6:** “Further develop the Freeway Corridor’s sense of place through street treatments, entry gateways, and other aesthetic treatments within the public realm.”

Great care has been taken to design a streetscape and public spaces that are inviting and pedestrian friendly. Additionally, the points of entry to Parkside and perimeter walls are

designed to instantly let residents and visitors know that they are entering a premier development that is a point of pride for the City of Avondale (**Exhibit L.2, Site Amenities – Community Walls, L.3 Site Amenities – Monument Signage**).

12 ADMINISTRATION

12.1 Amendments

Amendments shall be processed in accordance with Section 603(E) of the Ordinance and determination between minor and major amendments made by the Zoning Administrator except as provided herein. The Zoning Administrator or authorized designee may authorize relief of up to ten (10) percent of the setback requirements.

12.2 Applicability

The requirements of the Ordinance, as amended, Avondale Subdivision Regulations, as amended, *Single-Family Residential Design Manual, as amended, and Commercial/Industrial/Multi-Family Design Manual, as amended*, shall apply except where explicitly stated otherwise by this PAD.

13 PAD APPROVAL

13.1

“The proposed PAD is in conformance with the General Plan and applicable specific plan(s).”

As described in Sections 1(D) and 1(E) of this PAD narrative, the Parkside PAD conforms with the goals and policies of the City of Avondale’s General Plan and the Freeway Corridor Specific Plan.

13.2

“The proposed PAD meets the PAD requirements of the Zoning Ordinance, Subdivision Regulations, Design Manuals and other applicable regulations and requirements, unless otherwise modified by the PAD Narrative.”

The Parkside PAD meets or exceeds the PAD requirements of Section 6 of the City of Avondale’s Zoning Ordinance and Subdivision Regulations, except as modified by this PAD narrative. The Parkside PAD also meets the intent of the *Single-Family Residential Design Manual and the Commercial/Industrial/Multi-Family Design Manual*.

13.3

“That either there exists adequate public infrastructure and services to serve the proposed development or all necessary public infrastructure and services to serve the proposed development will be completed in connection with the development within the PAD.”

All necessary public infrastructure and services to serve the proposed development will be completed in connection with the phased development within the PAD. Although phased regional improvements are absolutely required to develop Parkside, the City of Avondale will have financial assurances in the form of performance bonds to ensure completion.

13.4

“The proposed PAD will result in compatible land use relationships within the proposed development with adjacent properties.”

This Parkside PAD includes an appropriate transition of more intense non-residential uses along the eastern portion of the community to less intense residential uses along the western border.

13.5

“The development standards of the proposed PAD are consistent with or exceed the desired character of development for the area.”

As presented in the Residential and Non-Residential Development Standards sections above, Parkside’s proposed development standards are compliant with the standards and reflect the desired new urban character that meet the needs of a live, work, shop and play environment.

14 CONCLUSION

This Parkside PAD amendment is in conformance with the City’s General Plan, provides an improved variety of diverse, high-quality residential options, and continues to provide for mixed-use and office uses to serve Parkside and the surrounding area. The new design for Parkside will provide residents with an enhanced live, work and play environment at an important gateway location within the City of Avondale. Approval is requested.

LIST OF EXHIBITS

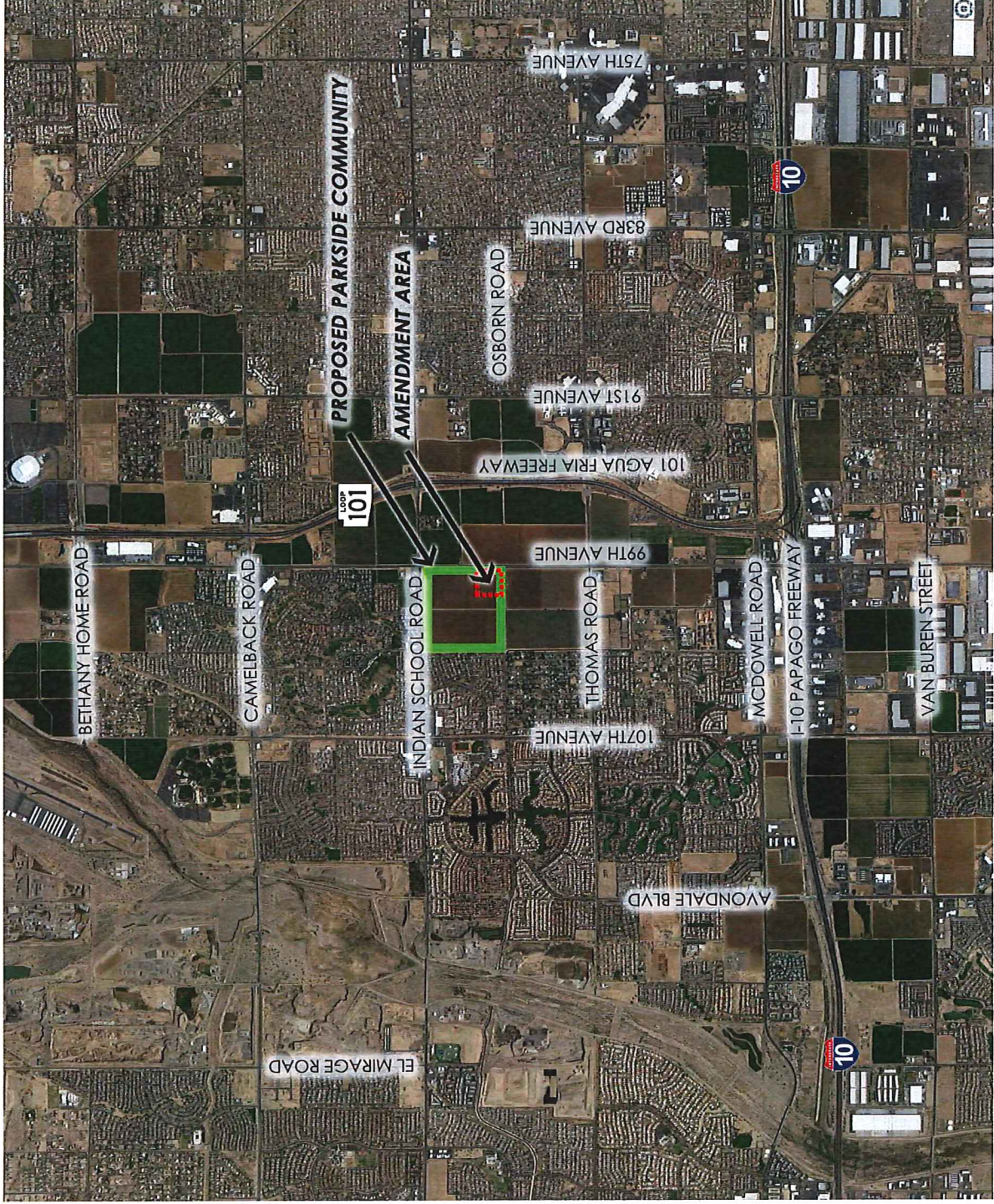
- A. Vicinity Map
- B. Aerial Map
- C. General Plan Map
- D. Existing Zoning Map
- E. Master Development Plan
- F. Phasing Plan
- G. Land Use Plan
- H.1 Conceptual Open Space Plan
- H.2 Central Park
- H.3 Park A
- H.4 Park B
- H.5 Park C
- H.6 Park D
- I. Conceptual Pedestrian Circulation Plan
- J. Conceptual Street Circulation Plan
- K.1 Street Sections
- K.2 Street Sections
- K.3 Street Sections
- K.4 Villa Parking
- L.1 Conceptual Landscape Plan
- L.2 Site Amenities – Community Walls
- L.3 Site Amenities – Monument Signage
- L.4 Site Amenities – Bus Shelter & Cluster Mailbox
- L.5 Plant List
- M.1 – M.8 Architectural Theming

Parkside Village

Planned Area Development

EXHIBIT A

VICINITY MAP



Parkside Village

Planned Area Development

EXHIBIT B

AERIAL MAP

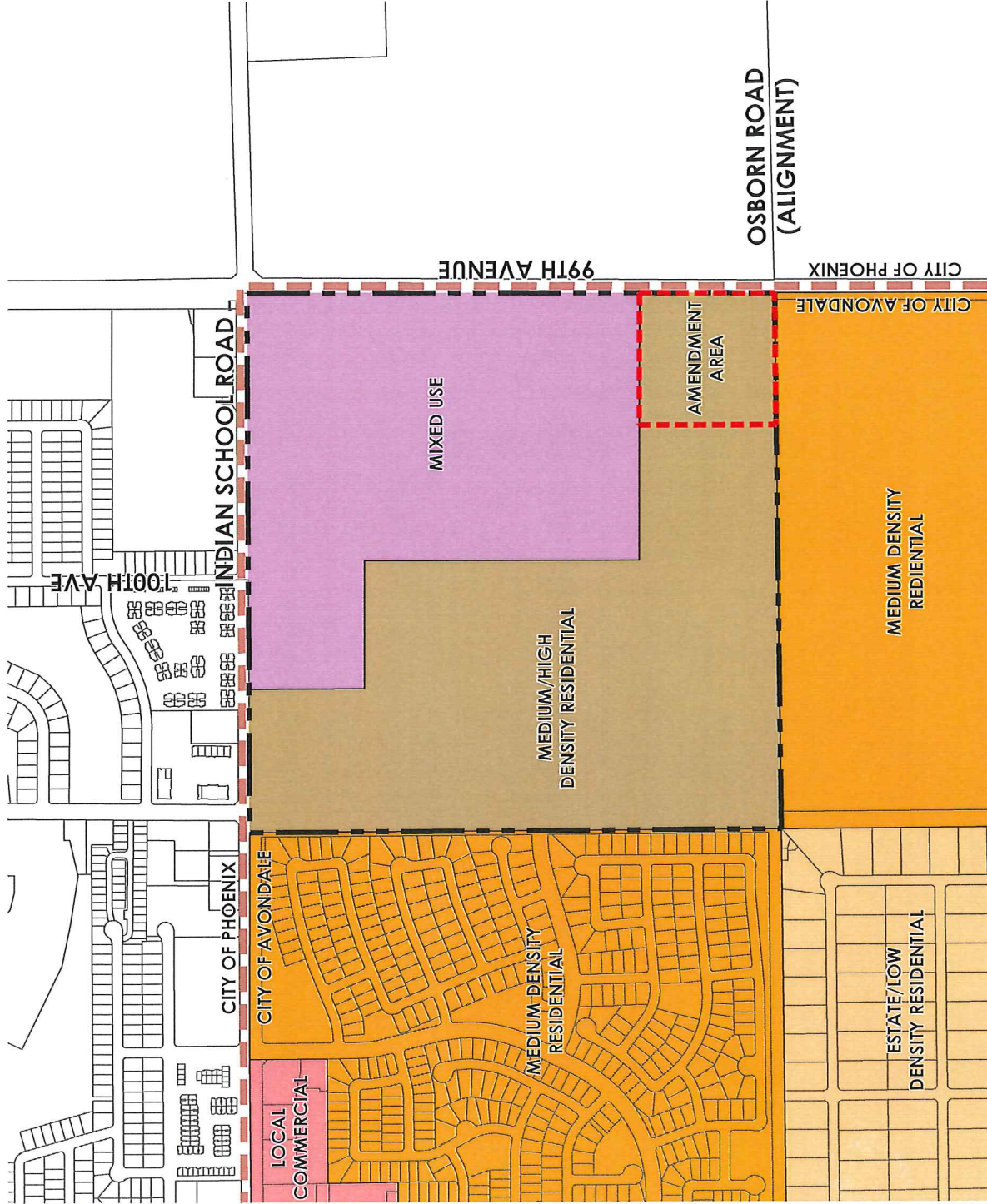


Parkside Village

Planned Area Development

EXHIBIT C

GENERAL PLAN MAP

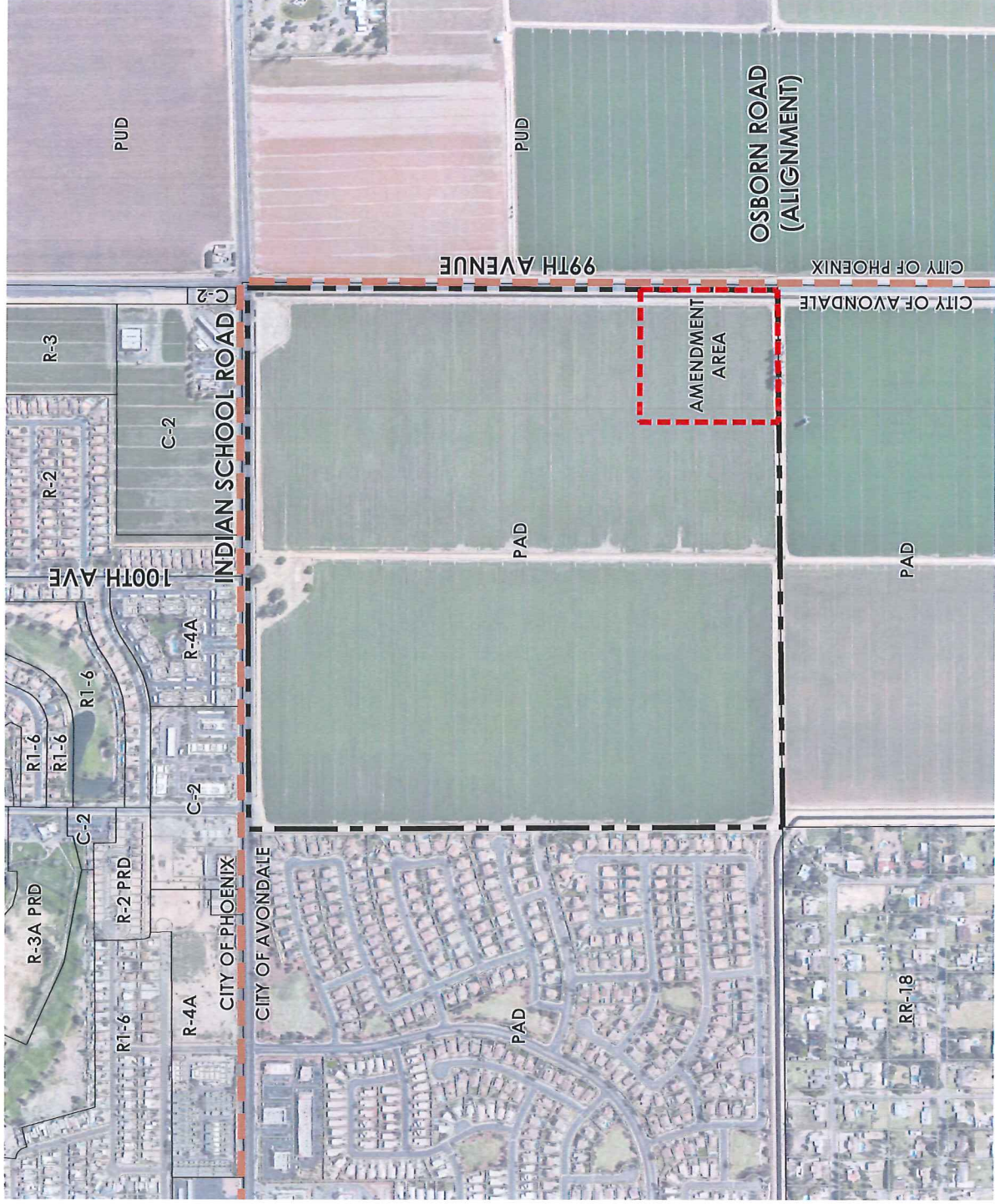


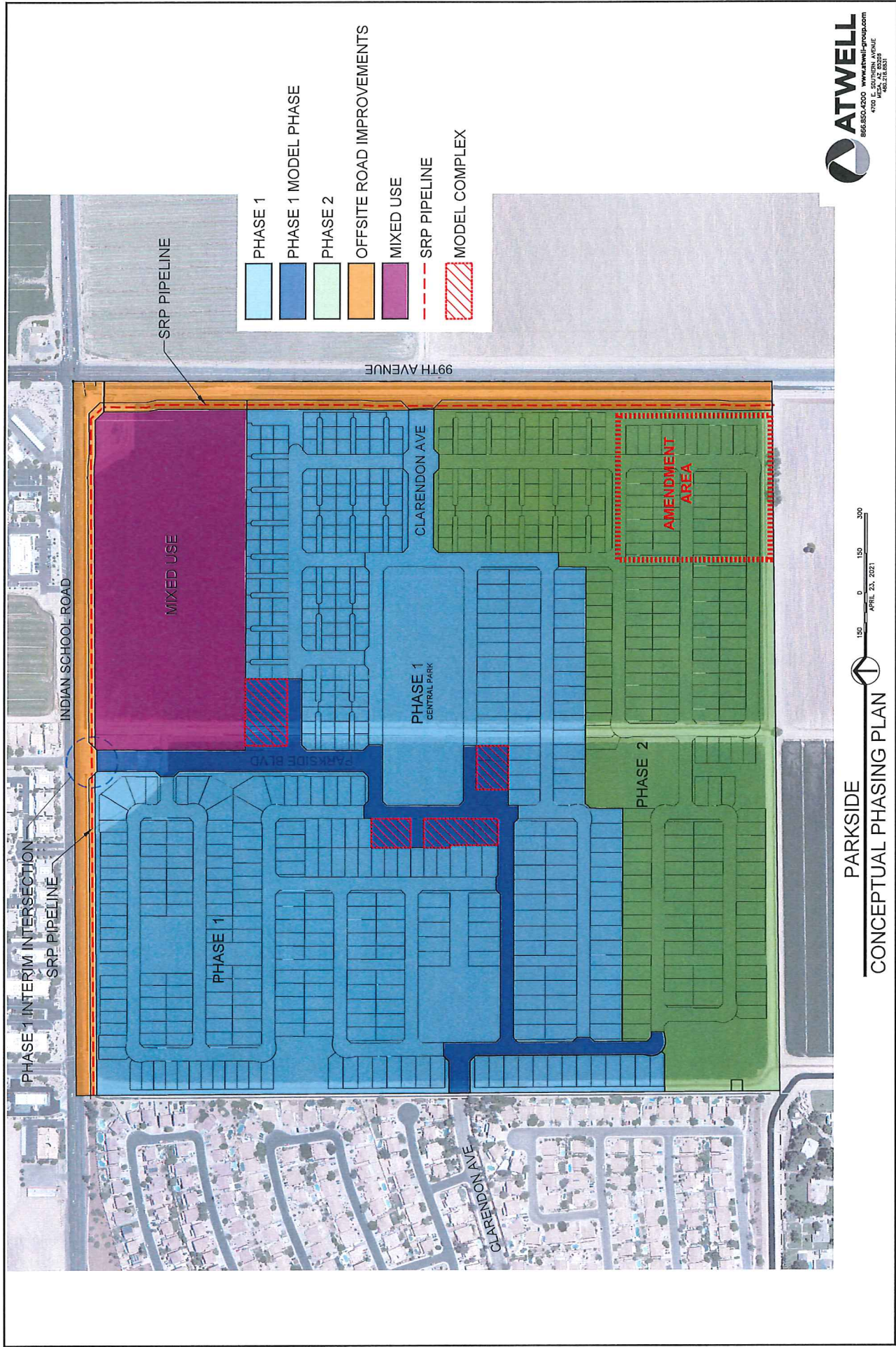
Parkside Village

Planned Area Development

EXHIBIT D

EXISTING ZONING MAP





PARKSIDE Planned Area Development EXHIBIT E

MASTER DEVELOPMENT PLAN



USE	GROSS AREA	NET AREA	PERCENTAGE (GROSS AC)	DENSITY (NET AC)	UNITS
MIXED USE (MU)	21.33 AC	18.43 AC	13.1%		
SINGLE FAMILY					716
RESIDENTIAL (SFR)	141.68 AC	136.74 AC	86.9%	5.24 DU/AC	716
TOTAL	163.02 AC	155.17 AC	100.0%		
OPEN SPACE/LANDSCAPING	27.88 AC		20.2%		
PARKS					
ACTIVE OPEN SPACE	14.17 AC				
ADDITIONAL LANDSCAPE AREA	13.51 AC	1.61 AC	1.2%		
TOTAL	29.29 AC		21.4%		

RESIDENTIAL	UNITS	PERCENTAGE
VILLAS	247 D.U.	34.5%
	189 D.U.	27.8%
	148 D.U.	20.7%
	597 D.U.	17.0%
TOTAL	716 D.U.	100.00%

SEWER LIFT STATION LOCATION

MODEL COMPLEX

AMENDMENT
AREA



Parkside Village

Planned Area Development

EXHIBIT G

LAND USE MAP



USE	GROSS AREA (AC)	NET AREA (AC)	% GROSS (AC) NET (AC)	DENSITY UNITS
MIXED USE (MU)	21.33	18.41	13.1%	
SINGLE FAMILY RESIDENTIAL (SFR)	141.68	136.74	86.9%	5.34 DU/AC 716
TOTAL	163.02	155.17	100%	

Parkside Village

Planned Area Development

EXHIBIT H.1

CONCEPTUAL
OPEN SPACE PLAN



USE	GROSS AREA	% GROSS ACRES
PARKS	14.17 AC	
ACTIVE OPEN SPACE	13.51 AC	
TOTAL ACTIVE OPEN SPACE	27.68 AC	19.5%
ADDITIONAL LS/OS	1.61 AC	1.2%
TOTAL LANDSCAPE / OS	29.29 AC	21.4%
ON-LOT OPEN SPACE	1.87 AC	

Parkside Village

Planned Area Development

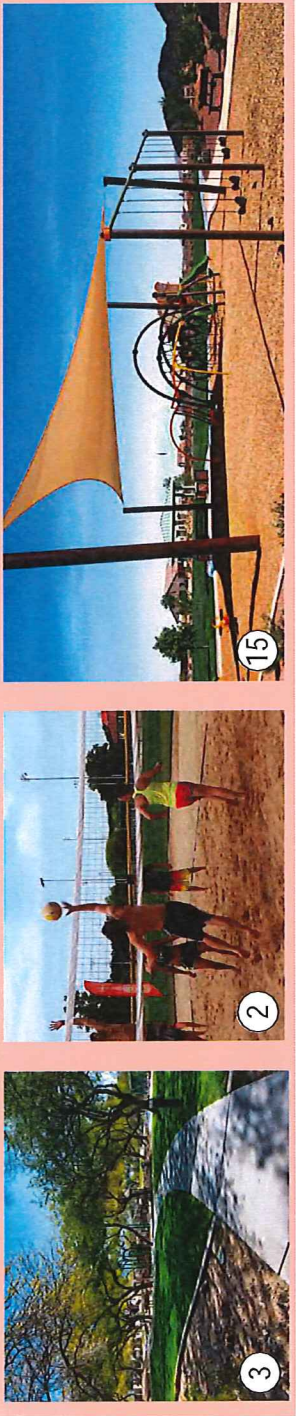
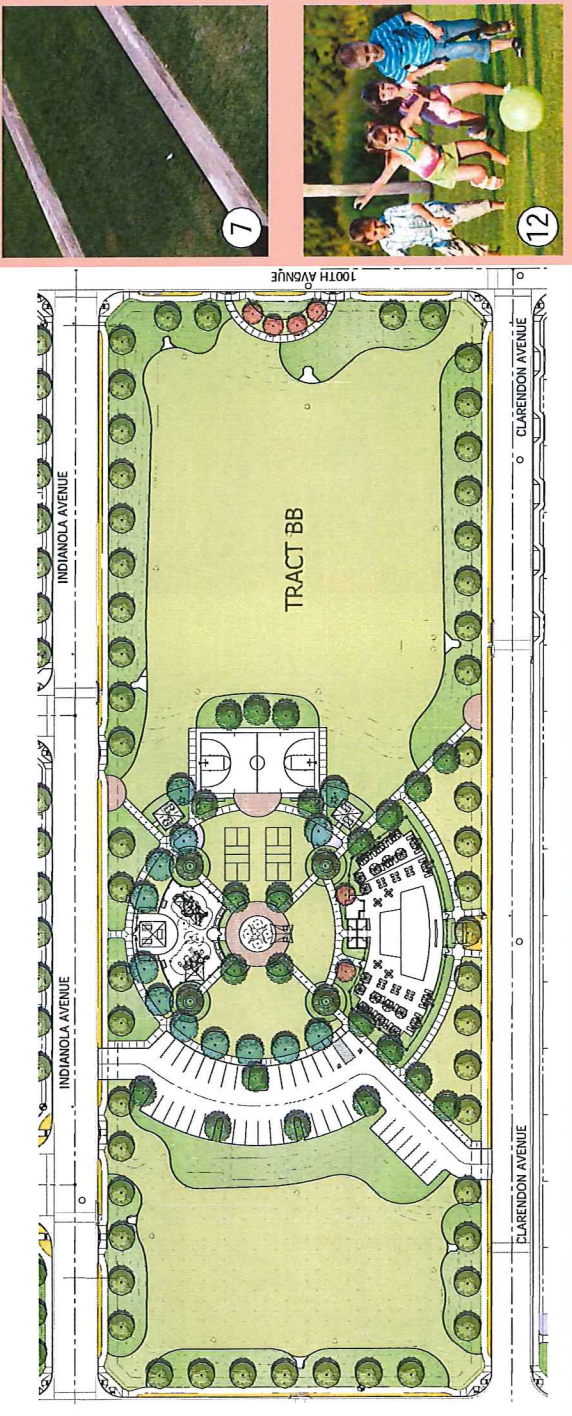
EXHIBIT H.2

"CENTRAL PARK"

CORE AMENITY

PROGRAM ELEMENTS:

- BASKETBALL COURT
- SAND VOLLEYBALL
- SIDEWALK
- CONCRETE HEADER
- POOL FENCE
- POOL GATE
- SEATWALL
- POOL
- POOL DECK
- ARBOR
- SYNTHETIC TURF
- TURF
- SHADE CANOPY
- RESTROOM FACILITY w/ BUTTERFLYROOF / OVERHANG
- PLAY AREA
- RAMADA
- PARKING
- POOL EQUIPMENT ENCLOSURE
- MOVIE LOCATION



* IMAGES ARE CONCEPTUAL IN NATURE AND ARE INTENDED TO CONVEY THE TYPES OF AMENITIES AND NOT SPECIFIC PRODUCTS OR DESIGN.

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ATWELL

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Planned Area Development

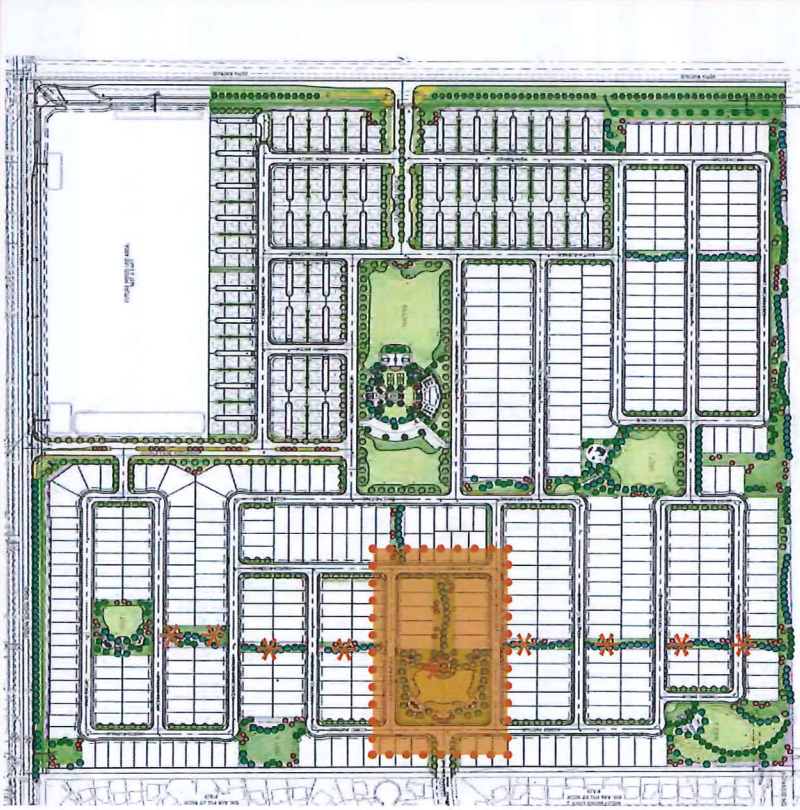
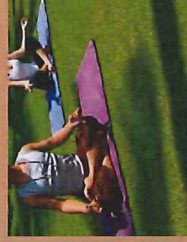
EXHIBIT H.3

PARK A

PROGRAM ELEMENTS:

- RAMADA
- FITNESS CIRCUIT TRAINING
- ACTIVE PLAY STRUCTURES
- GROUP FITNESS OPPORTUNITIES
- OPEN TURF AREAS

* FITNESS EQUIPMENT STATION



* IMAGES ARE CONCEPTUAL IN NATURE AND ARE INTENDED TO CONVEY THE TYPES OF AMENITIES AND NOT SPECIFIC PRODUCTS OR DESIGN.

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ATWELL
Homes Inspired by You

Parkside Village

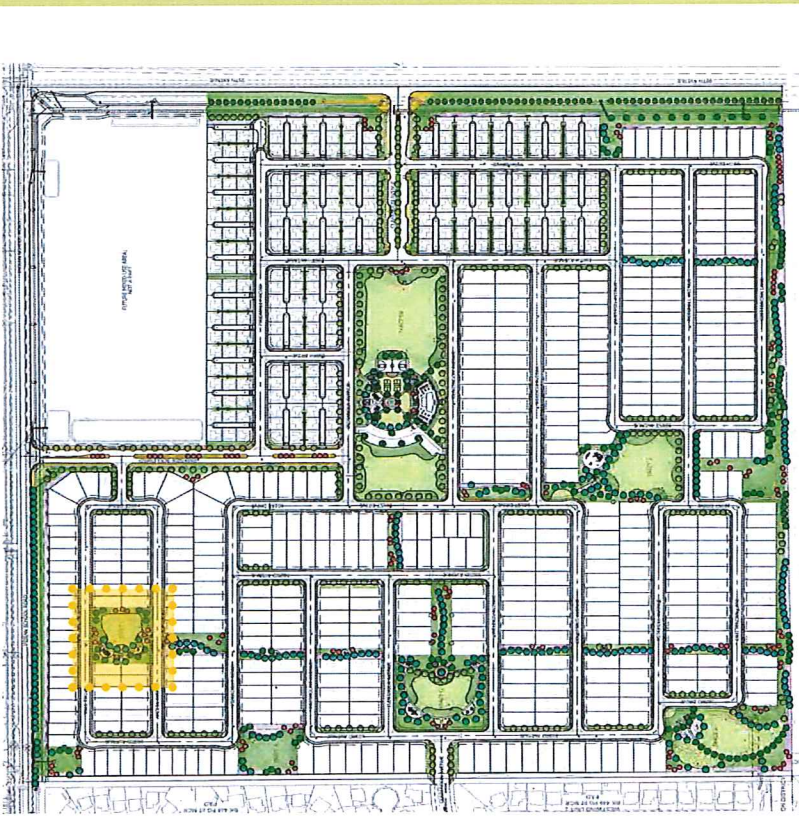
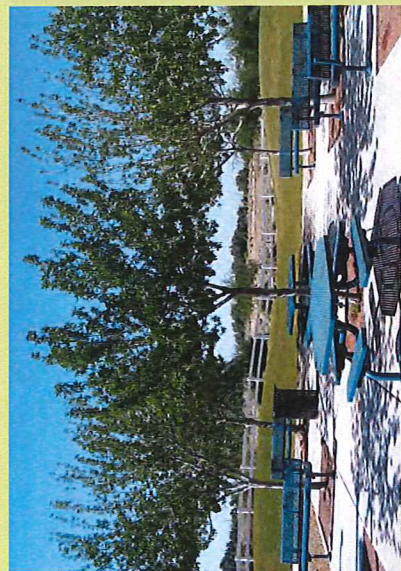
Planned Area Development

EXHIBIT H.4

PARK B

PROGRAM ELEMENTS:

- RAMADA
- PLAZA
- RAISED PLANTERS
- SWINGS
- YOGA LAWN
- ACTIVE PLAY STRUCTURES
- OPEN TURF AREAS



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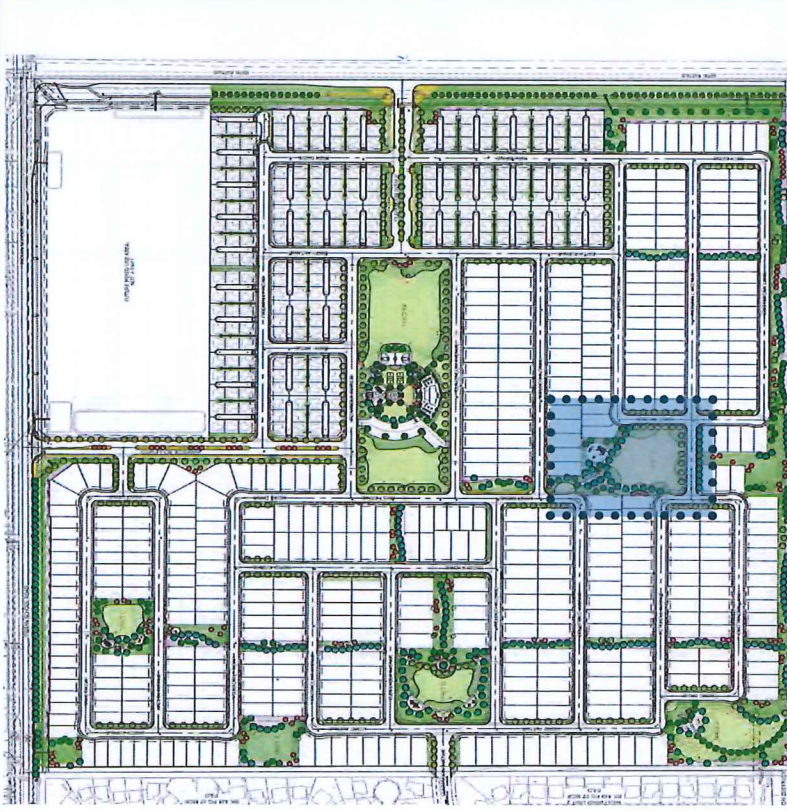
Planned Area Development

EXHIBIT H.5

PARK C

PROGRAM ELEMENTS:

- RAMADA
- ACTIVE PLAY STRUCTURE
- FREE-PLAY EXPLORATORY STRUCTURES
- TUNNELS
- TURF MOUND AND SLIDE
- LAWN GAME AREAS
- OPEN TURF AREAS



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10002042
TAYLOR MORRISON

CVL RVI
COE & VAN LOO
Landscape Architecture

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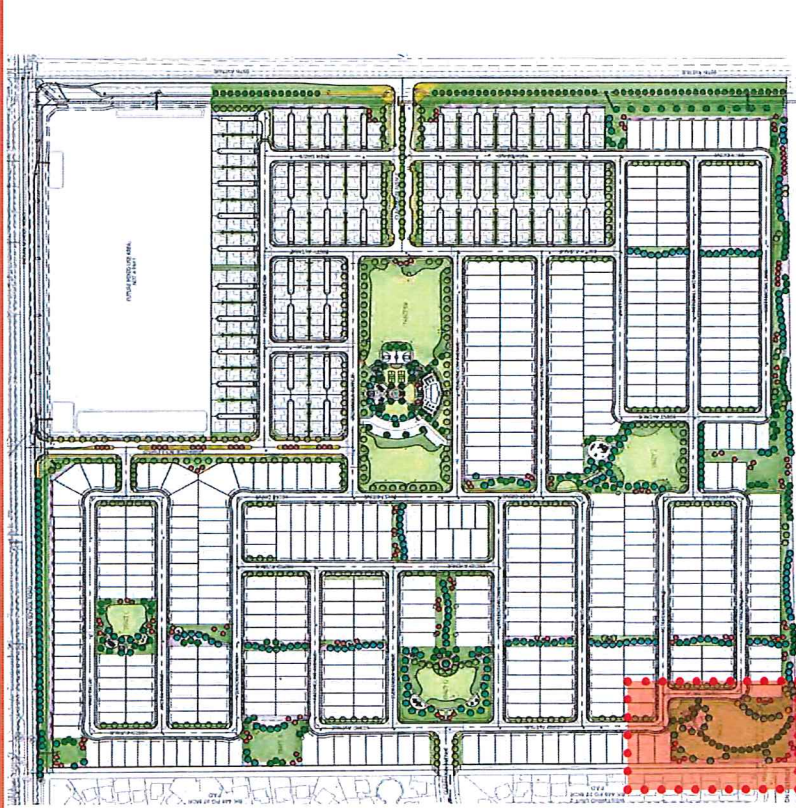
Planned Area Development

EXHIBIT H.6

PARK D

PROGRAM ELEMENTS:

- RAMADA
- BASKETBALL COURT
- SAND VOLLEYBALL
- OPEN TURF AREAS



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OTHER MARKETINGS

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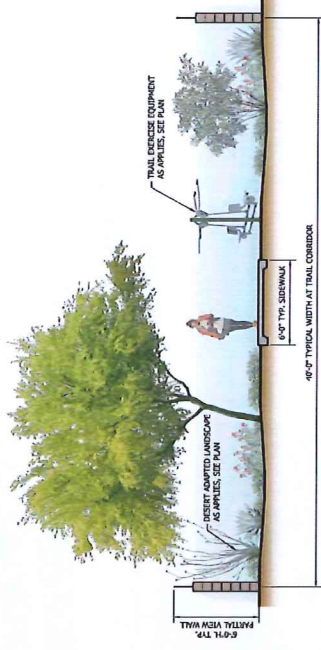
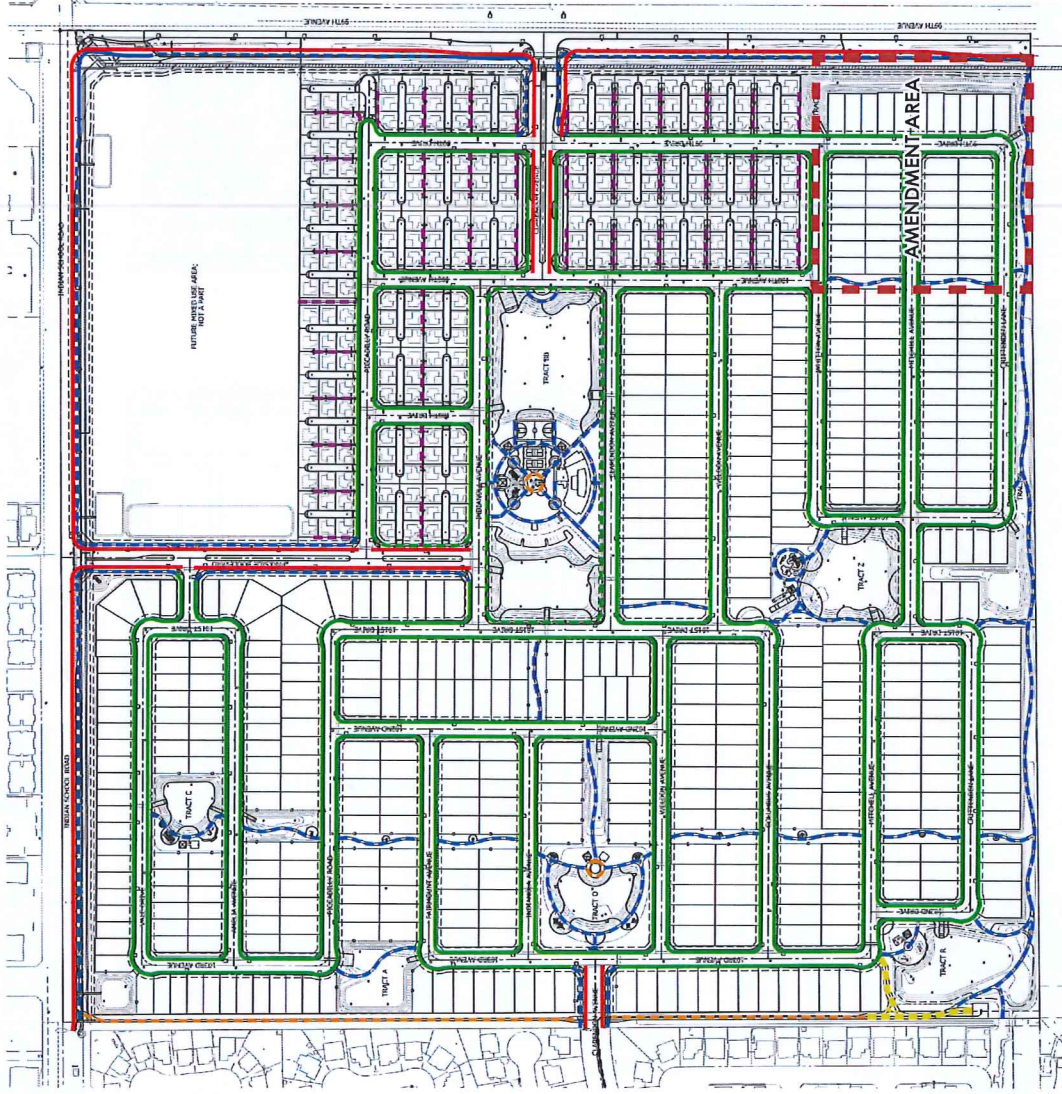
Planned Area Development

EXHIBIT I

CONCEPTUAL PEDESTRIAN CIRCULATION PLAN

Pedestrian Circulation Plan Legend

- 5'W. Sidewalk
- 6'W. Sidewalk
- 4'W. Sidewalk - Detached
- 5'W. Sidewalk - Detached
- 6'W. Sidewalk - Detached
- 10'W. Sidewalk - Detached
- Bike Lane



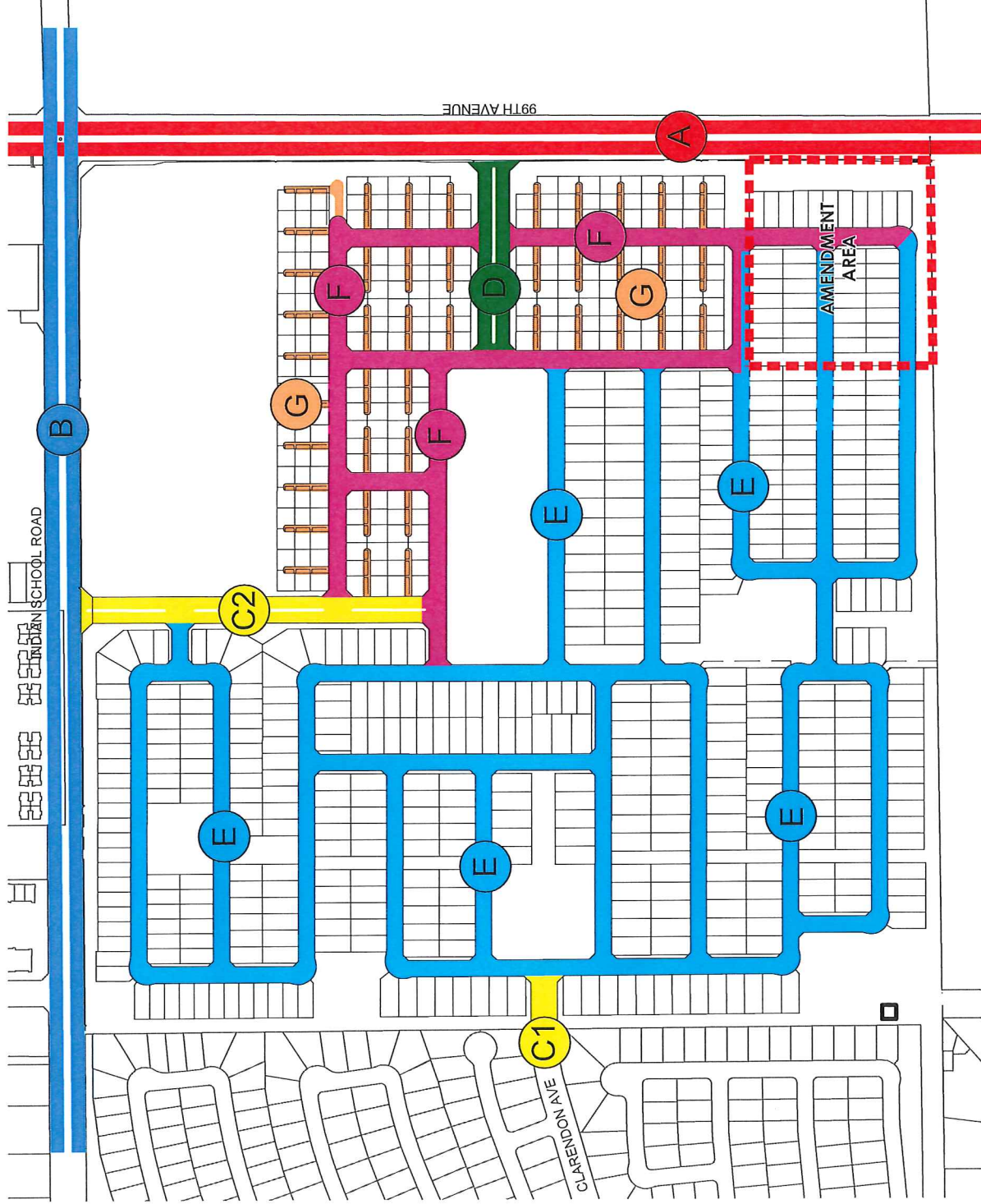
TRAIL SECTION (TYP.)

Parkside Village

Planned Area Development

EXHIBIT J

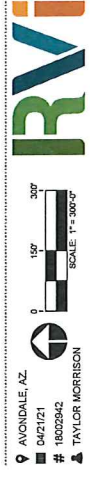
CONCEPTUAL STREET CIRCULATION PLAN



LEGEND

- (A) 6 LANE ARTERIAL
- (B) *5 LANE MAJOR COLLECTOR
- (C) MODIFIED MINOR COLLECTOR
- (D) MODIFIED MINOR COLLECTOR
- (E) LOCAL RESIDENTIAL
- (F) MODIFIED LOCAL RESIDENTIAL
- (G) PRIVATE DRIVE

*DEVELOPER TO CONSTRUCT SOUTHERN HALF TO STANDARD MAJOR COLLECTOR STREET CROSS SECTION, PER SECTION B. R/W WIDTH TO BE 55' FOR HALF STREET.



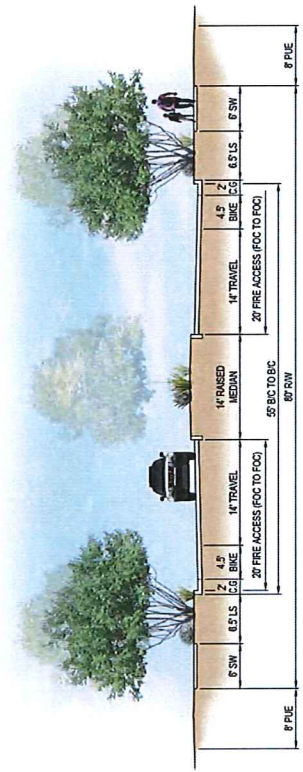
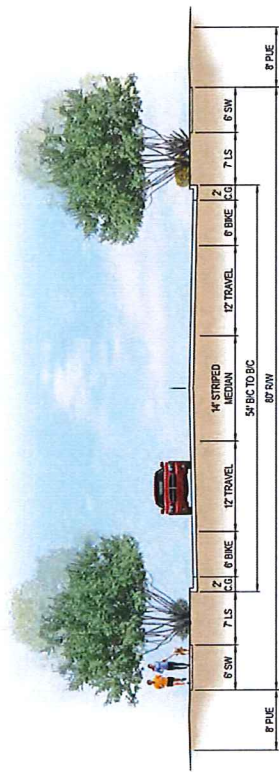
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EXHIBIT K.1
STREET SECTIONS



Parkside Village
Planned Area Development

EXHIBIT K.2
STREET SECTIONS

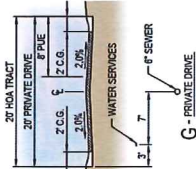
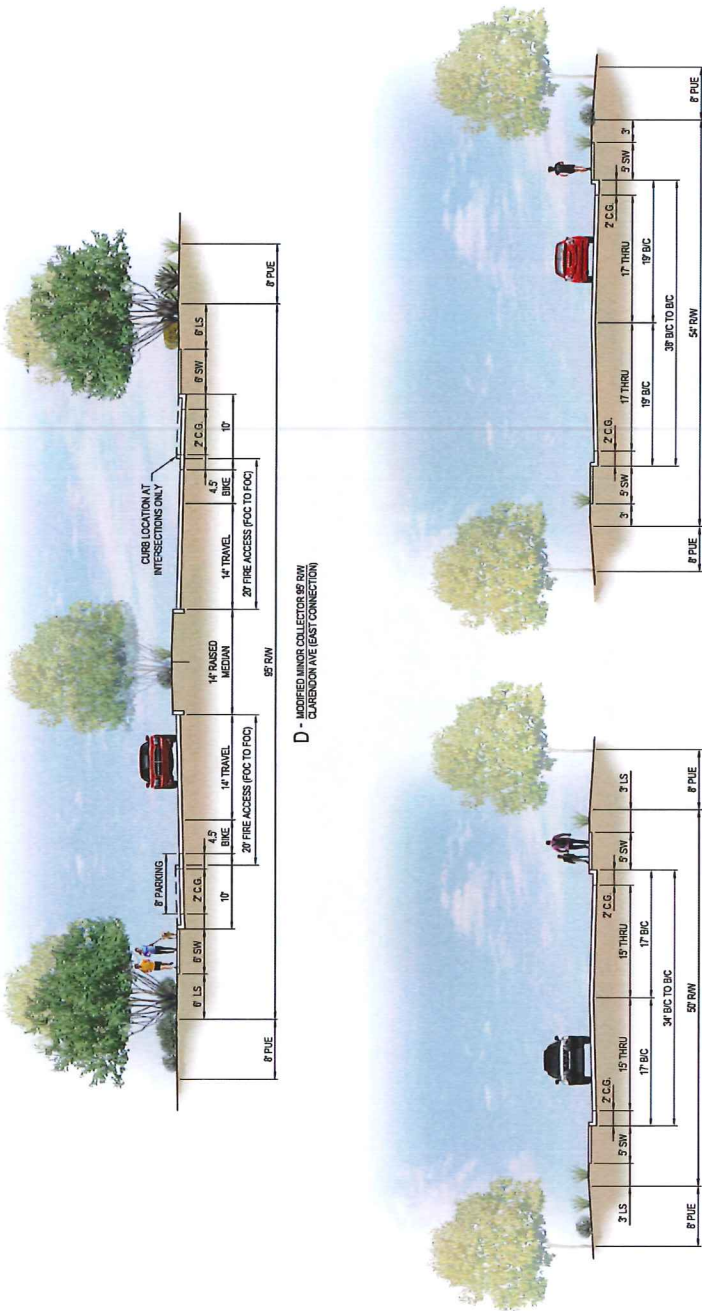


Parkside Village

Planned Area Development

EXHIBIT K.3

STREET SECTIONS



MIXED USE



Parkside Village

Planned Area Development

EXHIBIT K.4

VILLA PARKING

LEGEND

- 1 PARKING SPOT (253 S.I. OWN)
- 1 TRASH LOCATION (247 S.I. OWN)
- FIRE / YORANT LOCATION
- 54' RIG T OF WAY STREET SECTION

VILLAS PARKING CALCULATIONS
PROVIDED RESIDENT PARKING: 247 UNITS x 2 SPACES
= 494 PARKING SPACES
REI FIRED GUEST PARKING: 247 UNITS x 1 SPACE
= 247 PARKING SPACES
PROVIDED GUEST PARKING: 253 PARKING SPACES

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0 75 150
SCALE: 1" = 150'-0"

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Parkside Village

Planned Area Development

EXHIBIT L.1

CONCEPTUAL
LANDSCAPE PLAN



LEGEND

- PERIMETER PARKWAY
- PERIMETER / OPEN SPACE LANDSCAPE
- PARKS

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0 100' 300'
SCALE: 1" = 300'-0"

RVI
For Residential Projects with
Integrated RVI

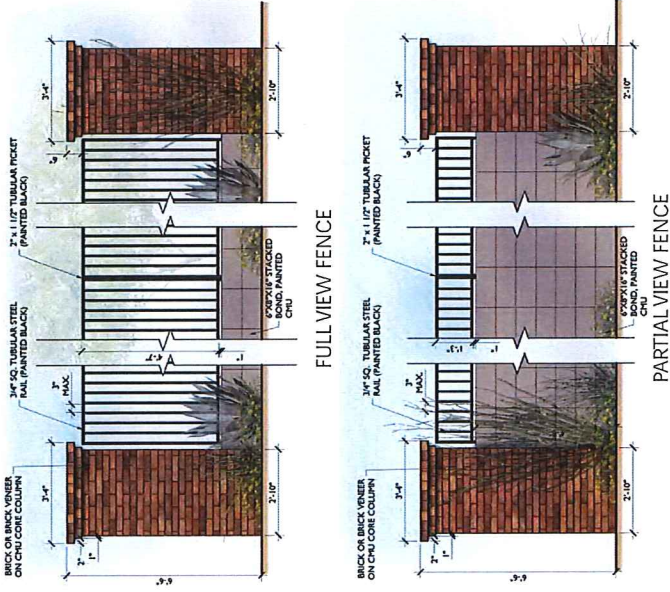
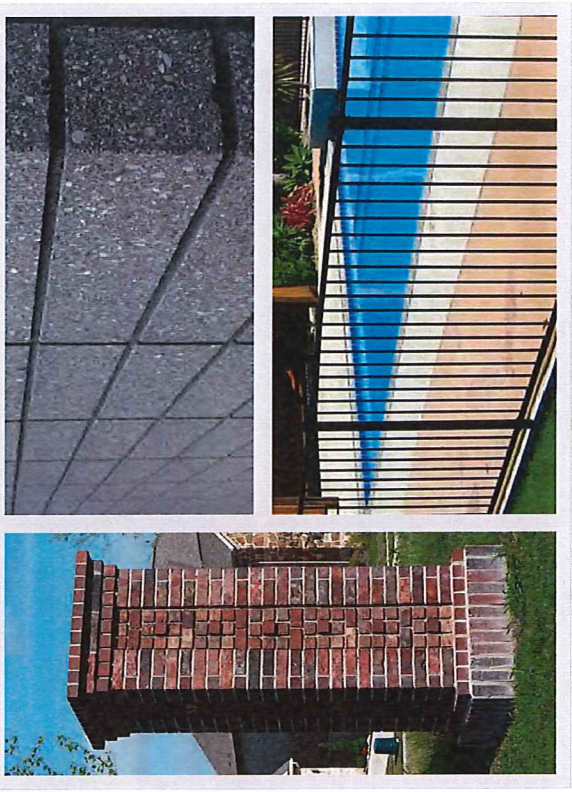
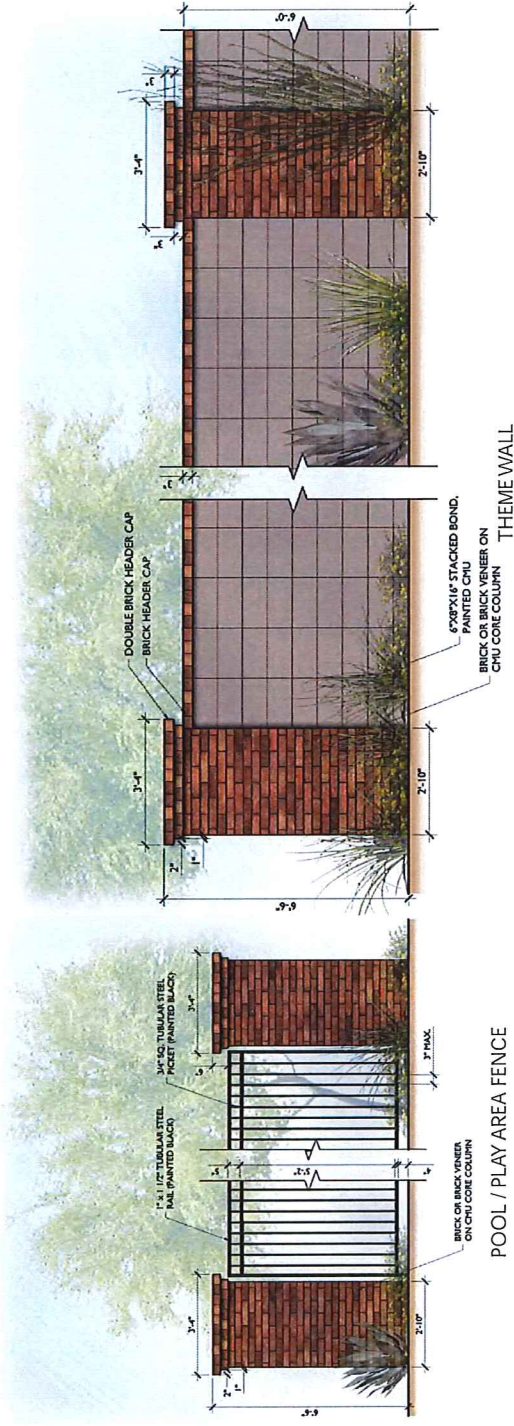
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Planned Area Development

EXHIBIT L.2
SITE AMENITIES -
COMMUNITY WALLS

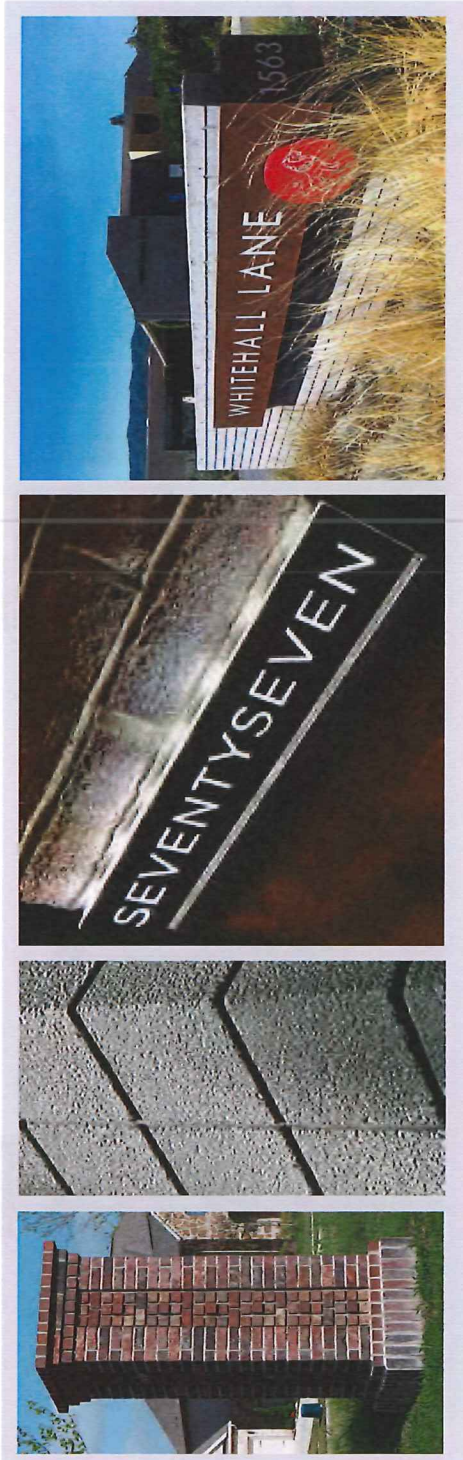
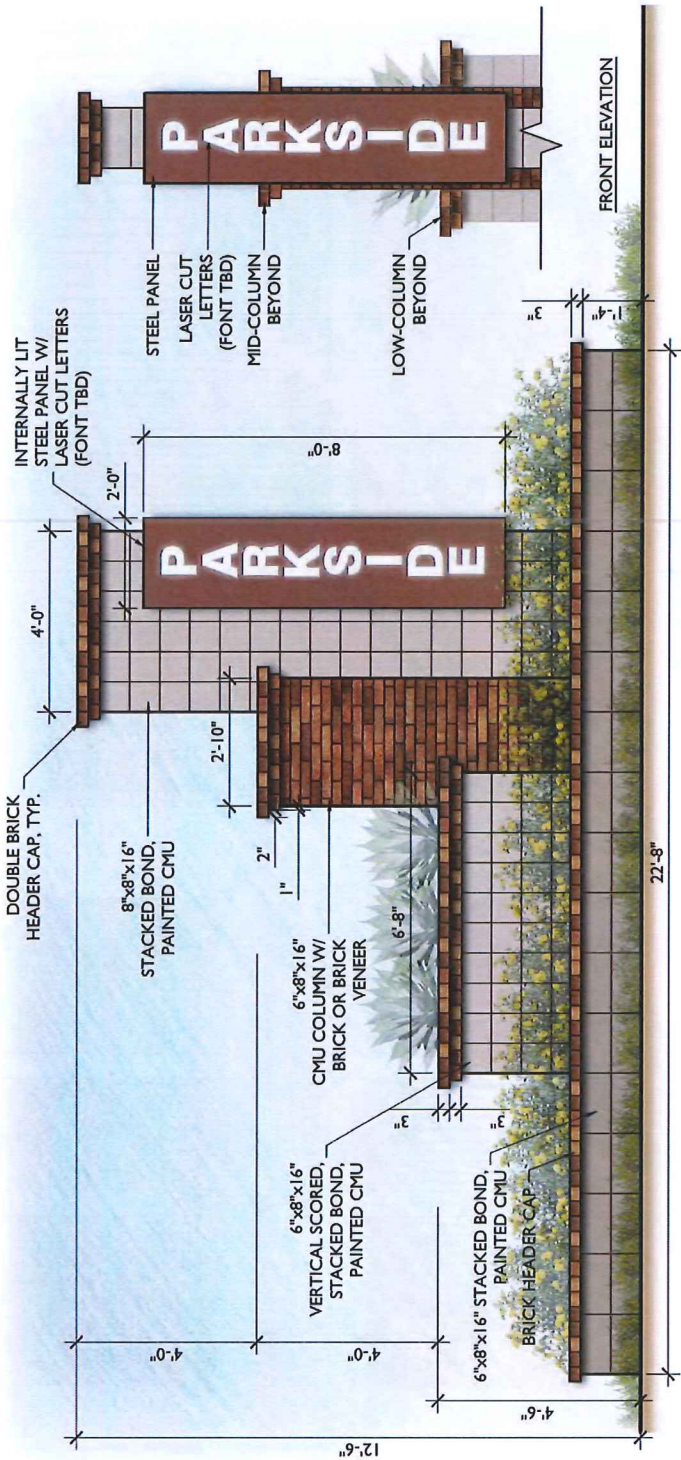


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EXHIBIT L.3

SITE AMENITIES -
MONUMENT SIGNAGE



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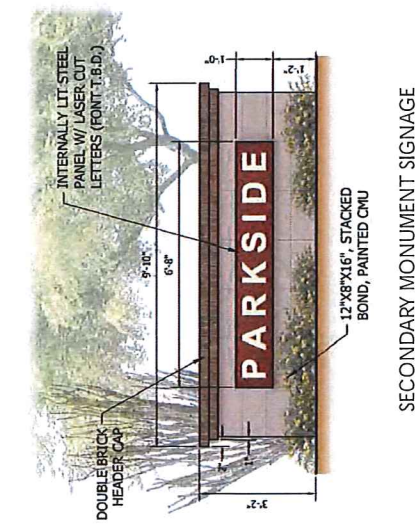
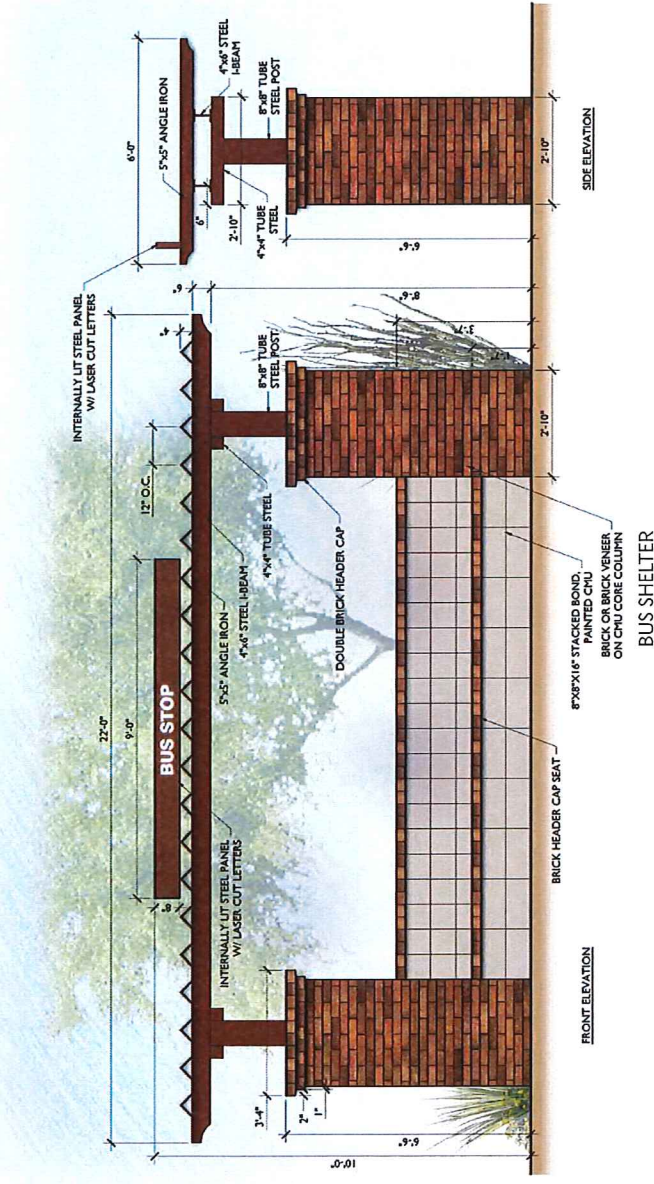
RVI
RESIDENTIAL VILLAGE
IMPROVEMENTS

© 2018 RVI

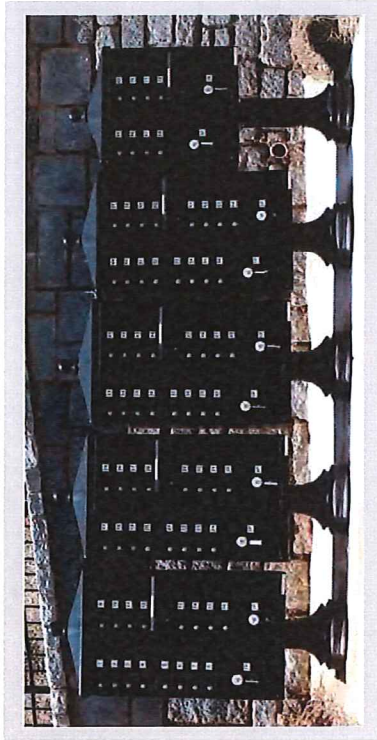
Parkside Village
Planned Area Development

EXHIBIT L.4

SITE AMENITIES -
BUS SHELTER, SECONDARY
MONUMENT SIGNAGE &
CLUSTER MAILBOX



SECONDARY MONUMENT SIGNAGE



CLUSTER MAILBOX

Parkside Village

Planned Area Development

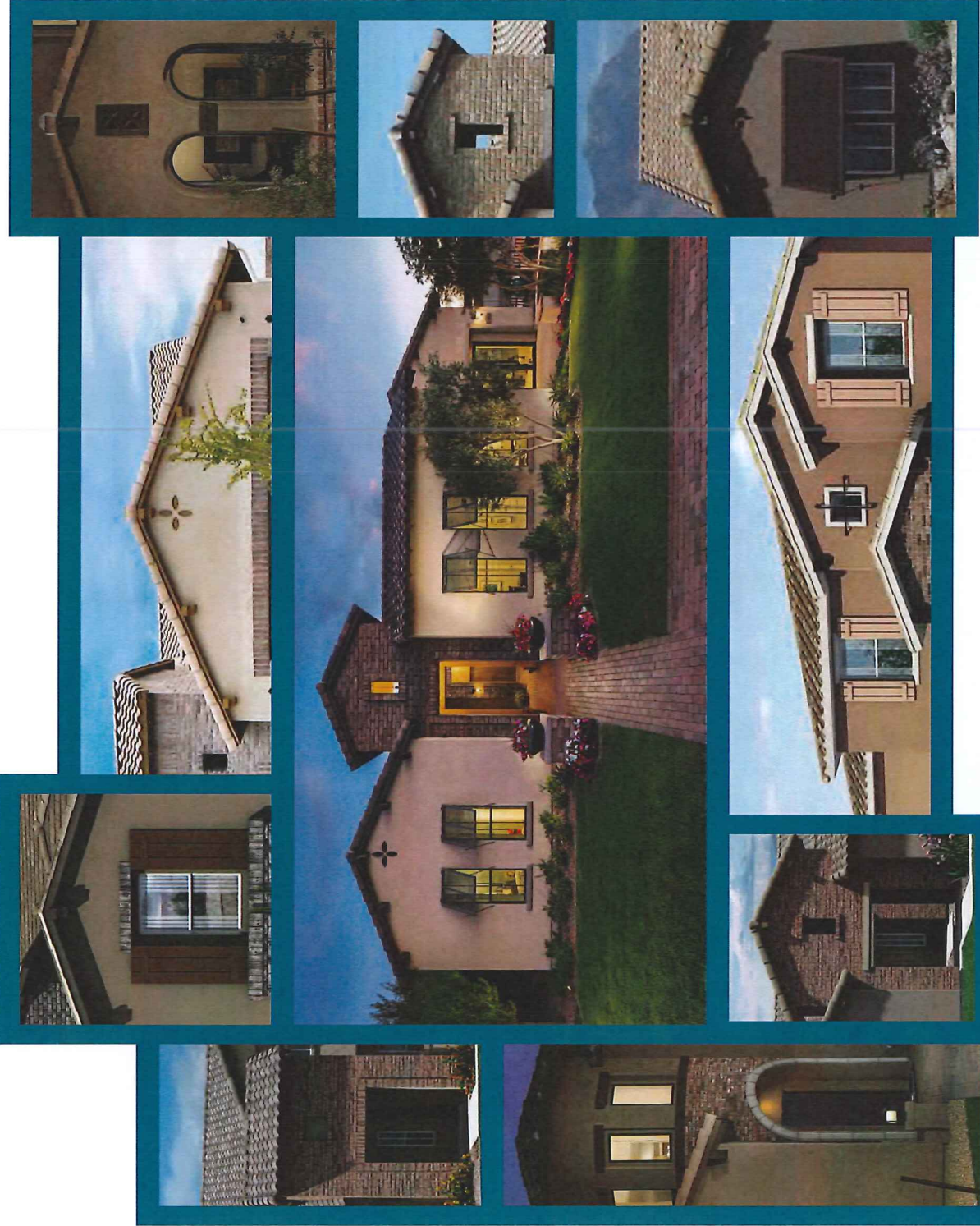
EXHIBIT M.1

RESIDENTIAL ARCHITECTURAL
THEMING

MODERN MEDITERRANEAN

STYLE ELEMENTS:

- INTERIOR COURTYARDS
- ENTRY TOWERS
- MIXED GABLE & HIP ROOFS
- ARCHED DOORS & WINDOWS
- STUCCO BODY
- RAFTER TAILS
- CLAY ROOFVENT PIPES
- WROUGHT IRON DETAILS
- SHUTTER



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RVi

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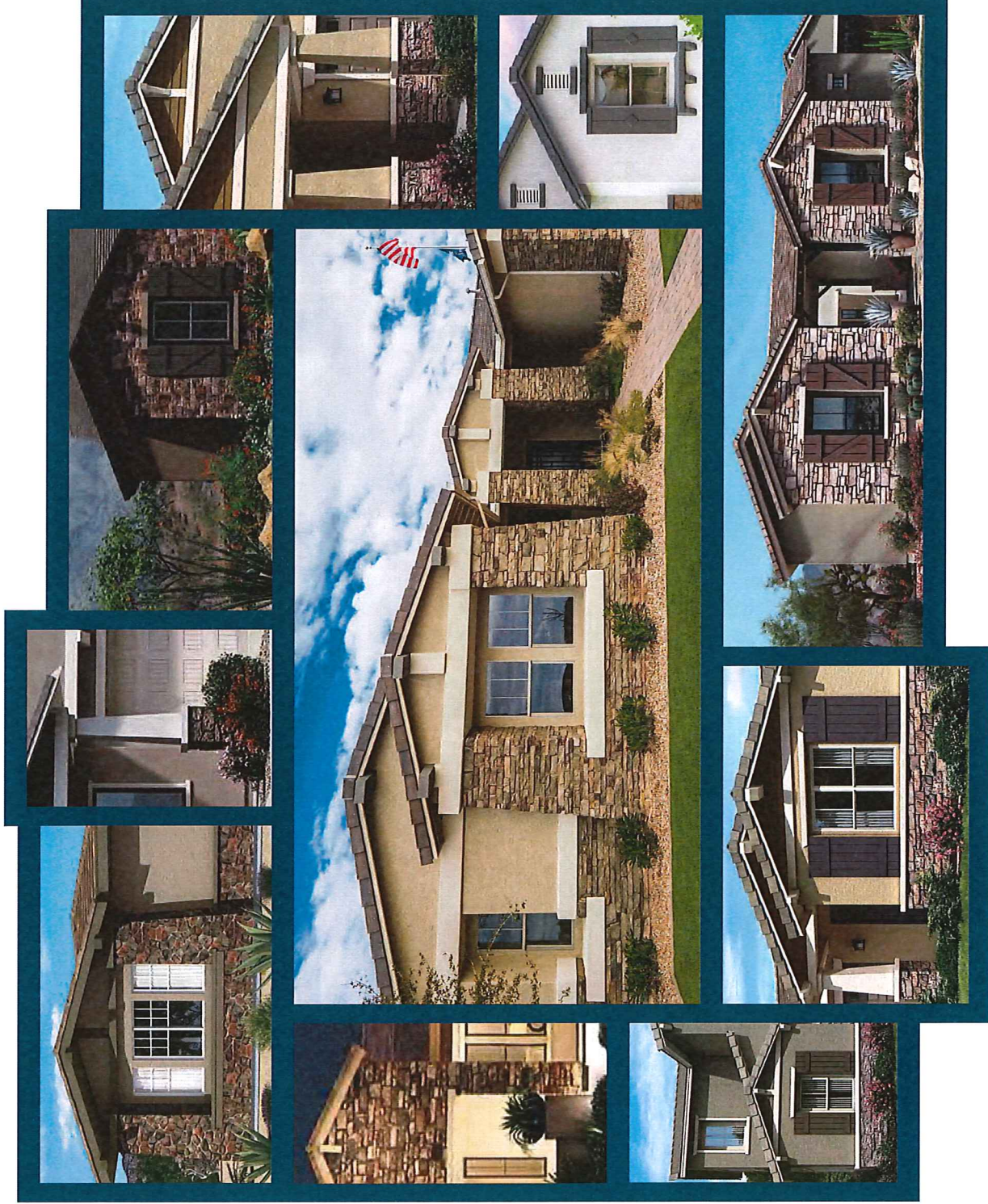
Planned Area Development

RESIDENTIAL ARCHITECTURAL THEMING

STYLE ELEMENTS:

- RAISED FRONT PORCHES
- GABLE W/ ROOF DETAILING
- HORIZONTAL LINES
- BATTERED COLUMNS
- RAFTER TAILS
- STONE VENEER
- WIDE TRIM

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EXHIBIT M.3

RESIDENTIAL ARCHITECTURAL
THEMING

CONTEMPORARY

STYLE ELEMENTS:

- SIMPLE BUILDING MASSES
- FLAT/PARAPET OR SINGLE ROOFS
- RIGHT ANGLES
- LARGE WINDOWS
- NATURAL ACCENT MATERIALS (STONE, METAL, WOOD)
- MUTED COLORS WITH BOLD ACCENTS
- ASYMMETRY



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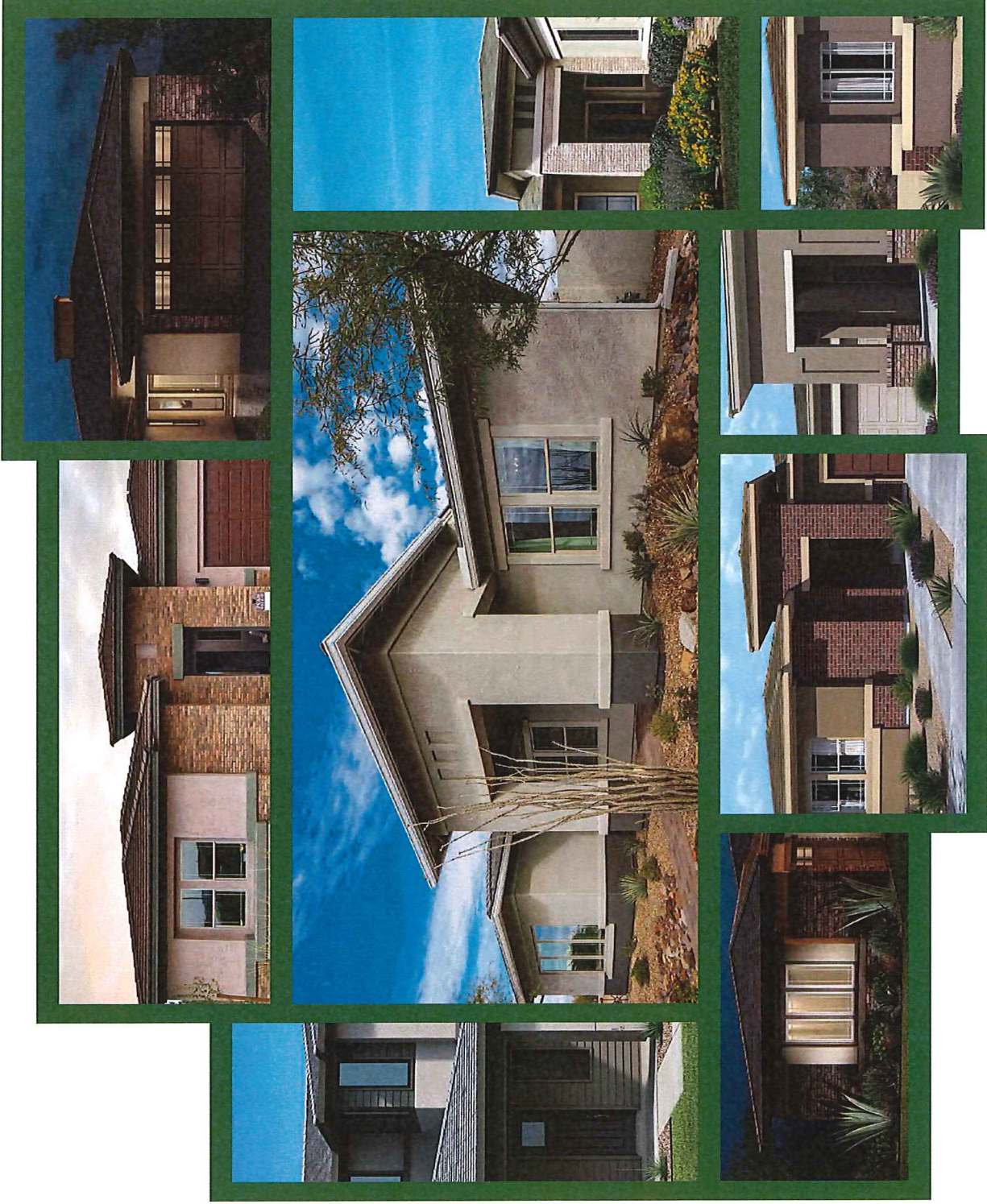
EXHIBIT M.4

RESIDENTIAL ARCHITECTURAL
THEMING

PRAIRIE

STYLE ELEMENTS:

- HORIZONTAL LINES & MASSING
- LOW HIPPED ROOFS
- ROWS OF WINDOWS
- DIVIDED WINDOW PANES
- UNIQUE WINDOW DETAILS
- WIDE EAVES & DEEP OVERHANGS
- HORIZONTAL BANDING
- STONE VENEER



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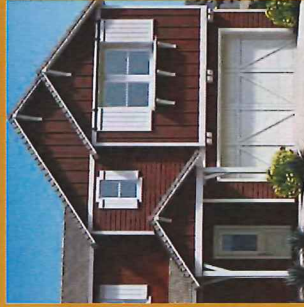
EXHIBIT M.5

RESIDENTIAL ARCHITECTURAL
THEMING

RANCH/FARMHOUSE

STYLE ELEMENTS:

- FRONT PORCH
- LOW-PITCHED HIPPED ROOF
- WIDE EAVES & OVERHANGS
- SHUTTERS
- LAP OR BOARD & BATTEN SIDING
- 2 OVER 2 WINDOWS
- MASONRY ACCENTS



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EXHIBIT M.6

RESIDENTIAL ARCHITECTURAL
THEMING

SPANISH MISSION

STYLE ELEMENTS:

- HEAVY TIMBER DETAILS
- GABLE W/ ROOF DETAILING
- ARCHED ENTRIES
- STUCCO
- RAFTER TAILS
- CLAY ROOF VENT PIPES
- WROUGHT IRON DETAILS
- TALAVERA TILES

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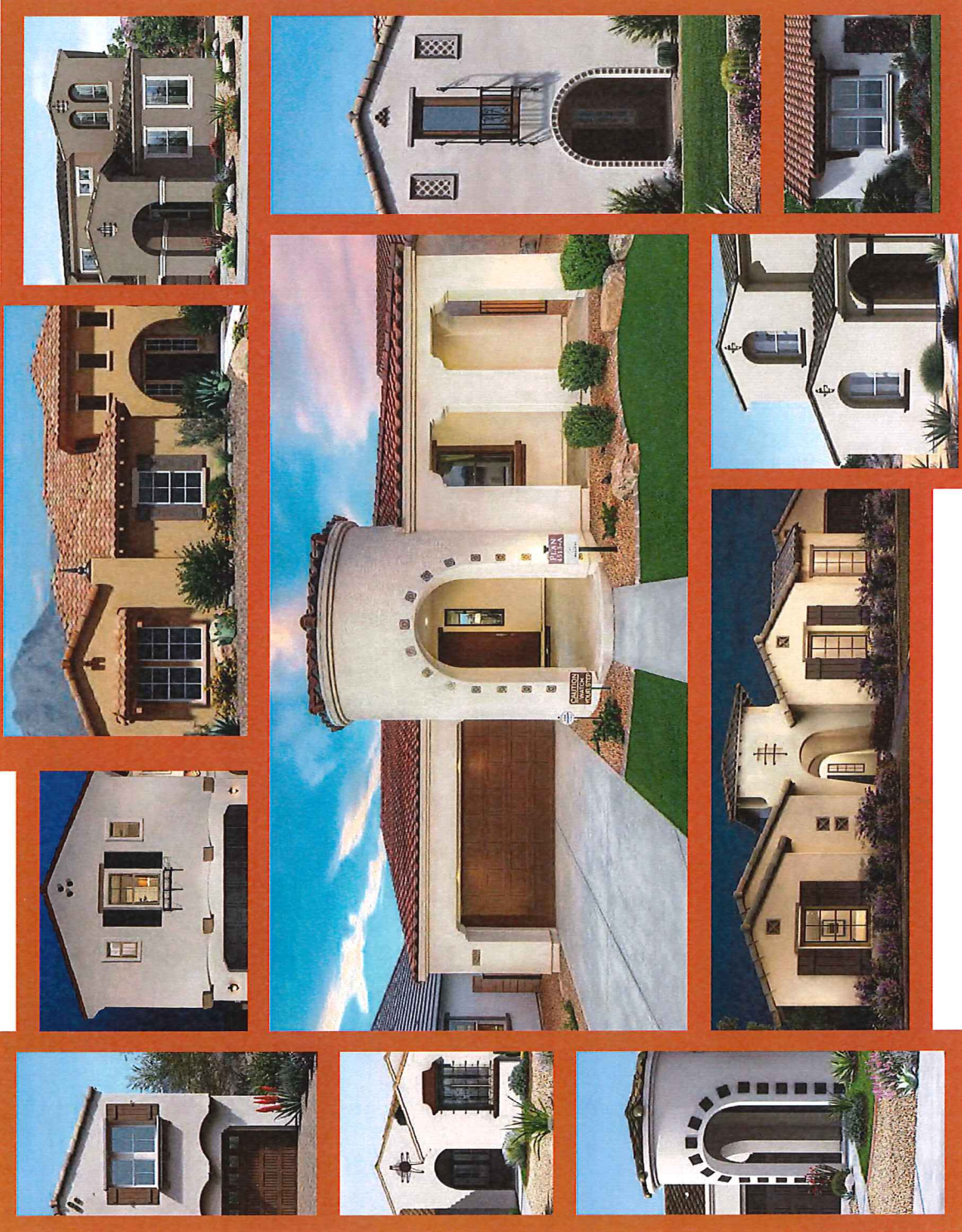
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EXHIBIT M.7

COMMERCIAL / MIXED USE
ARCHITECTURAL THEMING



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Exhibit F

Certificates of Adequate School Facilities

Pendergast Elementary School District

Tolleson Union High School District



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

An application for Major PAD Amendment & Phase 2 Pre-Plat Amendment has been submitted to the City of Avondale, Development & Engineering Services Department, for review.

Project: Parkside Project Manager: Jonathan Bastianelli
Request: Remove commercial & add lots Acreage/Parcel Size: 141.69 gross/136.72 net
Current Density Allowed: 4.84 du/ac Density Proposed: 5.23 du/ac
Total number of residential units proposed: 715

As an authorized representative of the District, please complete the questionnaire below.

Does the District have adequate capacity to accommodate the estimated enrollment from the proposed development?

Yes



No



If answered no, please summarize the needs of the district as they relate to serving the students generated by the proposed development.

Is a school site within the proposed development needed?

Yes



No



If answered yes, how many acres is needed for the school site?

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes ☐ No ☒

If answered yes, please explain below:

****If additional writing space is needed, please attach pages to this form****

Date Reviewed: 3/23/21

School District: Pendleburg Elem School District

District Superintendent: Dr. Jennifer Cruz

Phone #: 623-772-2800

E-mail: jfimbres@psd92.org

Signature: _____

It is the developer's responsibility to ensure this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

11465 W. Civic Center Drive, #110, Avondale, AZ 85323 • Phone (623) 333-4000 • Fax (623) 333-0400 • TDD (623) 333-0010
www.avondaleaz.gov/development-services



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

An application for Major PAD Amendment & Phase 2 Pre-Plat Amendment has been submitted to the City of Avondale, Development & Engineering Services Department, for review.

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As an authorized representative of the District, please complete the questionnaire below.

Does the District have adequate capacity to accommodate the estimated enrollment from the proposed development?

Yes ☒ No ☐

If answered no, please summarize the needs of the district as they relate to serving the students generated by the proposed development.

Is a school site within the proposed development needed?

Yes ☐ No ☒

If answered yes, how many acres is needed for the school site?

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes ☐ No ☒

If answered yes, please explain below:

If additional writing space is needed, please attach pages to this form

Date Reviewed: April 16, 2021

School District: Tolleson Union High School District #214

District Superintendent: Nora Gutierrez

Phone #: 623-478-4001

E-mail: nora.gutierrez@tuhsd.org

Signature

It is the developer's responsibility to ensure that this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

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Exhibit G

Neighborhood Meeting Summary

Parkside – July 27, 2021

Parkside Neighborhood Meeting Notes

Meeting Date: July 27, 2021

Meeting Time: 6:00 pm – 7:00 pm

Location: Zoom Meeting <https://avondaleaz.zoom.us/j/95616613052>

Meeting ID: 956 1661 3052

One tap mobile – +13462487799,,95616613052# US (Houston)

+16699009128,,95616613052# US (San Jose)

Attendees

- City Of Avondale Division Lead Planner Ken Galica
- Vice Mayor Veronica Malone
- Council Member Patricia Dennis
- Planning Commissioner Larry White
- Planning Commissioner Chris Thompson

Questions

Question by Council Member Patricia Dennis – Did Osborn Road connect to the properties/subdivisions to the west?

- Answer by Jonathan Bastianelli – No it did not.
- Answer by Ken Galica – No it only went about ¼ mile west.

Question by Council Member Patricia Dennis – Does Clarendon Ave connect to the property to the west?

- Answer by Jonathan Bastianelli – Yes it does, Jonathan used the mouse to show the connection path on the site plan.

Question by Council Member Patricia Dennis – What elementary school will the children attend?

- Answer by Ken Galica – Good question the school district is Pendergast, Ken was not sure which school, but his guess would be Garden Lakes Elementary.
- After the meeting Jonathan Bastianelli went to the Pendergast School District web site and it appears that Garden Lakes Elementary is the closest school.
- Council Member Patricia Denis wanted to know because of connectivity for children who would walk to school. She didn't believe it would be Garden Lakes because it is so far away however, she didn't know and would like to know what the safe route would be.
- Answer by Ken Galica – We will have that information when we go to Planning Commission and City Council however, there are no close elementary schools so Ken does not believe there will be children walking to elementary school.

Question by Council Member Patricia Dennis – We had indicated we added .19 acres of open space, is that retention basins or added to parks designated in this project?

- Answer by Jonathan Bastianelli – The added area consists of some additional area along 99th Ave and a north/south open space just west of 99th Ave which is proposed to have a walking path that will connect with multiple walking paths that connect to the main park that has a pool, splash Pad, Pickle Ball, Basketball and several other activities and several smaller parks with workout stations and tot-lots. Jonathan described Parkside contribution of regional path connections by providing a path along the west and south sides of Parkside; these walking paths could connect to the Fulton property south of Parkside and provide a connection to Thomas Road and could connect a west walking path to 107th Ave via the existing path along the south side of the Westwind subdivision west of Parkside.

Question by Council Member Patricia Dennis – Is the Mixed-Use property part of the William Lyon Homes Parkside development.

- Answer by Jonathan Bastianelli – The property was retained by the seller AG/RW Entorno, LLC, it has subsequently been sold ACKA #3 Ltd an investor group out of New York. Liv Communities currently has it under contract and is looking at a gated apartment complex on the western portion of the site and commercial use on the eastern portion of the site. William Lyon Homes has spoken with Liv Communities, we are sharing information, we have not seen a site plan however as soon as one is made available, we will share it with the City.
- Answer by Ken Galica – Confirmed that the site will be developed separately however, the improvements along 99th Ave and Indian School Rd adjacent to both developments will be completed as part of the Parkside project.
- Answer by Jonathan Bastianelli – Confirmed that the improvements along 99th Ave and Indian School Rd adjacent to both developments will be completed as part of the Parkside project and that there is an agreement between the landowners for the construction of improvements.

Question by Council Member Patricia Dennis – Is our main entrance going to be off I’m assuming 99th Ave?

- Answer by Jonathan Bastianelli – Yes, we will have a connection on Indian School Rd which will have a traffic signal. The signal will be owned and operated by MCDOT. The signal design has been submitted to MCDOT and is in the final stages of approval. There is a second main entrance on 99th Ave, the intersection will be signalized however, it is not warranted until Parkside Phase 2. Lennar has the land across the street under contract, we have been talking to them about shared infrastructure and this traffic signal is part of those talks.

Question by Council Member Patricia Dennis – Will there be any deceleration lanes at the two entrances on Indian School Rd and 99th Ave?

- Answer by Jonathan Bastianelli – Yes there will be one at Indian School Rd and was unsure if there was one at 99th Ave.
- Answer by Ken Galica – Confirmed that there is a deceleration lane at the 99th Ave entrance.

Question Vice Mayor Veronica Malone – Will we need to have a “T” type signal design at the entrance off of 99th Ave, will we need traffic counts, or is a portion of it Phoenix jurisdiction and would Avondale need to work with Phoenix?

- Answer by Ken Galica – The land west of 99th Ave is in the City of Phoenix. The signal will not be warranted until Parkside Phase 2. Avondale anticipates that the development in phoenix will also have an intersection at the same location and a 4-way traffic signal is anticipated. The warrants of the signal need are included in the Parkside traffic impact analysis. Avondale anticipates when the Phoenix property develops the signal will be warranted.

Question Vice Mayor Veronica Malone – Do we know the status of the development in Phoenix?

- Answer by Jonathan Bastianelli – Noted that he had attended an informational presentation two weeks ago and that he believed that a formal presentation would be made in about a month. Jonathan will reach out to Lennar to get a schedule. Jonathan noted that he thought they were a 1-year to 1.5-years out from turning dirt.

Question Vice Mayor Veronica Malone – When would we be fully developed on this property where we would have an amount of traffic that would require the signal?

- Answer by Jonathan Bastianelli – Sometime around the beginning of 2026 Phase 2 should be coming online at which point the traffic signal would be warranted. In addition, we have been speaking with Lennar to about this traffic signal to see if we can build it together to save time, impact to the community and save money.

Question Planning Commissioner Larry White – If the development in phoenix had a traffic demand that warranted the traffic signal before Parkside Phase 2 the signal would be installed earlier, correct?

- Answer by Ken Galica – Correct, if the signal is warranted Avondale will work with Phoenix to get the entire signal installed.
- Answer by Jonathan Bastianelli – Correct, we will also continue to work with Lennar and the Cities to install the entire signal at once, It doesn't make sense to have Lennar install ½ a signal then we come in and install the other half. We will also be installing conduits under our improvements along 99th Ave for the future signal.

Exhibit H

Approved (2019) Development Plan

Parkside

EXISTING

Parkside Village
Planned Area Development

EXHIBIT E

MASTER DEVELOPMENT PLAN



USE	GROSS AREA	NET AREA	PERCENTAGE (GROSS AC)	DENSITY (NET AC)	UNITS
MIXED USE (MU)	21.33 AC	18.41 AC	13.1%		
OFFICE (O)	9.99 AC	9.08 AC	6.1%		
SINGLE FAMILY RESIDENTIAL (SFR)	131.70 AC	127.64 AC	80.8%	5.19 DU/AC	662
TOTAL	163.02 AC	155.13 AC	100.0%		
OPEN SPACELANDSCAPING	26.55 AC				
PARKS	13.98 AC				
ADDITIONAL LANDSCAPE AREA	2.13 AC				
TOTAL	28.55 AC				
OPEN SPACELANDSCAPING					
RESIDENTIAL					
VILLAS	247 D.U.		37.3%		
45'X100'	148 D.U.		22.4%		
50'X110'	145 D.U.		21.9%		
55'X120'	122 D.U.		18.4%		
TOTAL	662 D.U.		100.00%		

POSSIBLE SEWER LIFT STATION LOCATION IF NEEDED

MODEL COMPLEX

AVONDALE, AZ
02/21/19
18020942
ENTOMO

SCALE: 1" = 300'-0"

For illustrative purposes only. Subject to change without notice.

Exhibit I

Proposed (2021) Development Plan

Parkside

PROPOSED

PARKSIDE
Planned Area Development
EXHIBIT E

MASTER DEVELOPMENT PLAN



USE	GROSS AREA	NET AREA	PERCENTAGE (GROSS AC)	DENSITY (NET AC)	UNITS
MIXED USE (MU)	21.33 AC	18.43 AC	13.1%		
SINGLE FAMILY					
RESIDENTIAL (SFR)	141.68 AC	136.74 AC	86.9%	5.24 DU/AC	716
TOTAL	163.02 AC	155.17 AC	100.0%		
OPEN SPACELANDSCAPING	27.68 AC		20.2%		716
PARKS	14.17 AC				
ACTIVE OPEN SPACE	13.51 AC				
ADDITIONAL LANDSCAPE AREA	1.61 AC		1.2%		
TOTAL	29.29 AC		21.4%		
OPEN SPACELANDSCAPING					

RESIDENTIAL	UNITS	PERCENTAGE
VILLAS	247 D.U.	34.5%
45'X100'	199 D.U.	27.8%
50'X110'	148 D.U.	20.7%
55'X120'	122 D.U.	17.0%
TOTAL	716 D.U.	100.00%

SEWER LIFT STATION LOCATION

MODEL COMPLEX



ORDINANCE NO. 2051-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, MODIFYING THE PLANNED AREA DEVELOPMENT ZONING FOR REAL PROPERTY GENERALLY LOCATED 600 FEET SOUTH OF THE SOUTHWEST CORNER OF INDIAN SCHOOL ROAD AND 99TH AVENUE, AS SHOWN IN APPLICATION PL-20-0309, BY AMENDING THE DEVELOPMENT PLAN.

WHEREAS, on June 16, 2014, the Council of the City of Avondale (the “City Council”) amended the City of Avondale Zoning Atlas (the “Zoning Atlas”) by rezoning approximately $\pm$ 163 acres of land located 600 feet south of the southwest corner of Indian School Road and 99th Avenue to Planned Area Development known as Parkside Village (“Parkside Village PAD”); and

WHEREAS, on August 26, 2019, the City Council amended the Parkside Village PAD by adopting Ordinance 1699-819 (i) reconfiguring open space within the development, (ii) modifying use boundaries, (iii) revising single-family residential lot sizes and product types, (iv) modify development and design standards (v) and revising project phasing; and

WHEREAS, the Property Developer has requested a modification to the development plan for approximately $\pm$ 140.64 acres of the Parkside Village PAD as more particularly described and depicted on Exhibit A attached hereto and incorporated herein by reference (the “Property”) to (i) remove the Office/Professional zoning requirement for approximately $\pm$ 9.9 acres within the development, (ii) modifying the circulation plan by eliminating the Osborn Road access to 99th Avenue, (iii) revise single-family residential lot sizes and product types, (iv) modify development and design standards and (v) revise project phasing (the “Modifications”); and

WHEREAS, the City Council now desires to approve the Modifications to the Parkside Village PAD by adopting the amendment as shown in Application PL-20-0309 (the “2021 Amendment”); and

WHEREAS, all due and proper notice of the public hearing on the 2021 Amendment held before the City of Avondale Planning Commission (the “Commission”) and the City Council were given in the time, form and substance provided by ARIZ. REV. STAT. § 9-462.04; and

WHEREAS, on August 18, 2021, the Commission held a public hearing on the 2021 Amendment, after which the Commission recommended approval; and

WHEREAS, the City Council held an additional public hearing regarding the 2021 Amendment on September 20, 2021; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, the City Council has considered the individual property rights and personal liberties of the residents of the City before adopting this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The 2021 Amendment for the Parkside Village PAD, as shown in Application PL-20-0309, is hereby approved subject to the City of Avondale adopted codes, requirements, standards and regulations and the following stipulations:

1. Except as modified by these conditions of approval, development of the property shall conform to the Parkside Planned Area Development Amendment Narrative date stamped June 24, 2021.
2. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.
3. Indian School Road shall be built to Maricopa County standard, except that the developer shall install streetlights to City of Avondale standard along the south side of Indian School Road from 99th Avenue to the project's western boundary.
4. The developer shall be responsible for a portion of the cost of traffic signals as identified in the project's Traffic Impact Analysis. The developer's proportionate share of the cost shall be based upon the total number of corners of the adjacent signalized intersections that are located within the Parkside development. For example, at the corner of 99th Avenue and Clarendon Avenue, the developer's proportionate share of the cost would be fifty percent (50%). For signals on Indian School Road, all signal contributions will be made to Maricopa County.
5. The developer shall be responsible for fiber conduit installation within the City's public right-of-way in accordance with City policy.
6. The developer shall install a City of Avondale Wayfinding Sign, design and location in accordance with the City's Wayfinding Master Plan, near the intersection of 99th Avenue and Indian School Road during the first phase of development.

SECTION 3. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2051-0921

[Legal Description and Map]

See following pages.



ONE COMPANY.
INFINITE SOLUTIONS.

"EXHIBIT A"
LEGAL DESCRIPTION OF PARKSIDE PAD AMENDMENT
CITY OF AVONDALE, MARICOPA COUNTY, ARIZONA

A PORTION OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF AVONDALE, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH, ACCEPTED AS THE NORTH QUARTER CORNER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 EAST FROM WHICH A FOUND BRASS CAP FLUSH, ACCEPTED AS THE NORTHEAST CORNER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 EAST, THEREOF BEARS N89°40'49"E A DISTANCE OF 2691.83 FEET;

THENCE, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, S00°16'52"E, A DISTANCE OF 55.00 FEET TO THE **POINT OF BEGINNING**;

THENCE, N89°40'49"E A DISTANCE OF 1331.43 FEET;

THENCE, S44°54'29"W A DISTANCE OF 42.59 FEET;

THENCE, S00°08'08"W A DISTANCE OF 559.52 FEET;

THENCE, S89°51'52"E A DISTANCE OF 1389.95 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER;

THENCE, ALONG SAID EAST LINE, S00°08'08"W A DISTANCE OF 1982.72 FEET TO A BRASS CAP IN HANDHOLE ACCEPTED AS THE EAST QUARTER CORNER OF SAID SECTION 29;

THENCE, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, S89°17'05"W A DISTANCE OF 2672.71 FEET TO THE CALCULATED CENTER QUARTER CORNER OF SAID SECTION 29;

THENCE, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, N00°16'52"W A DISTANCE OF 2601.65 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 6,126,261 SQUARE FEET OR 140.640 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR 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 OTHER LAND DIVISION RESTRICTIONS.

PREPARED BY:
ATWELL, LLC
4700 E. SOUTHERN AVENUE
MESA, ARIZONA 85206
PROJECT NO. 18000694
JUNE 23, 2021

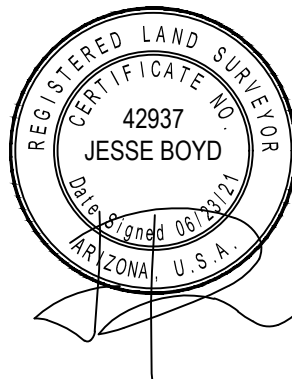
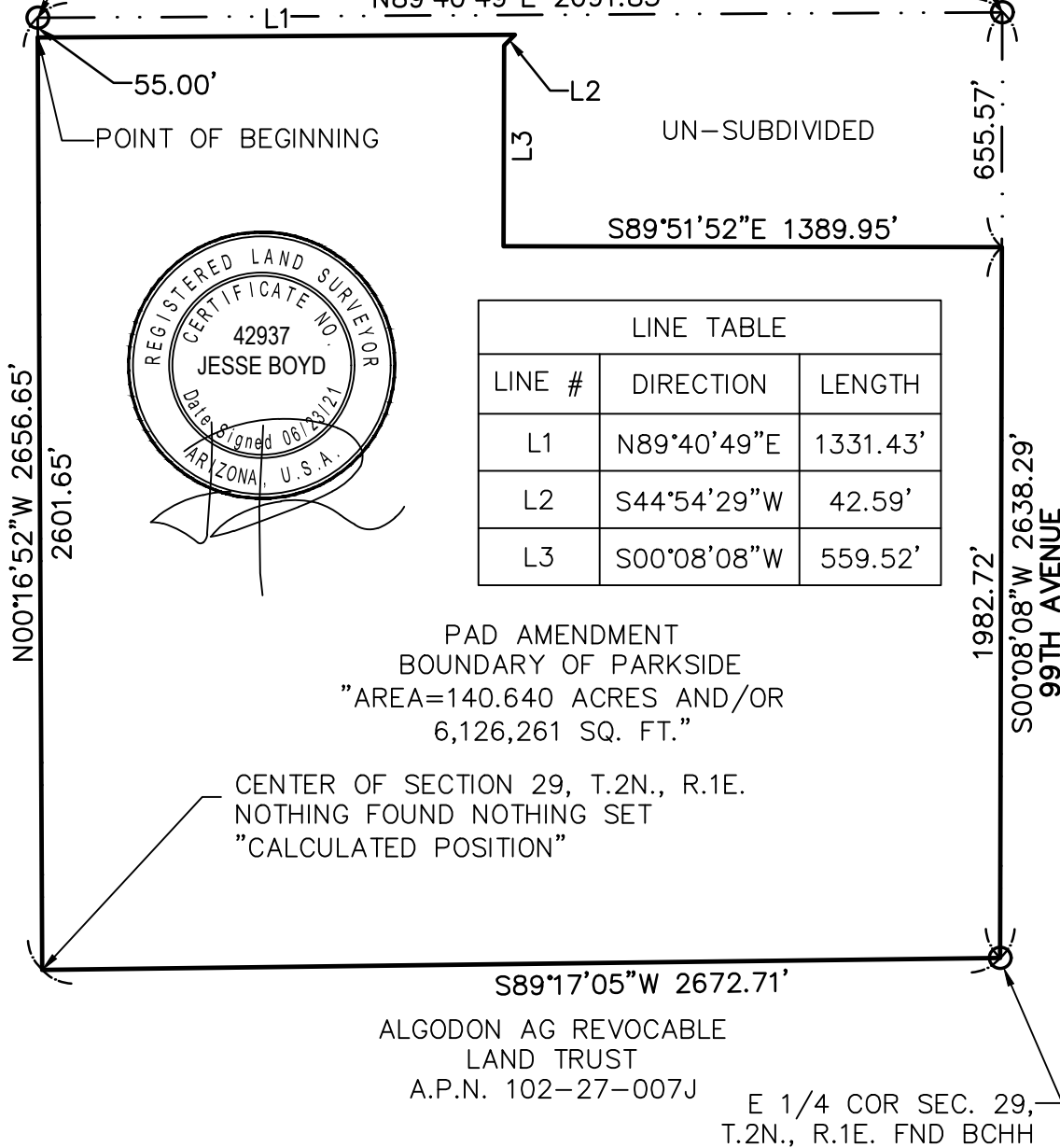


EXHIBIT "A"
LEGAL DESCRIPTION OF PARKSIDE PAD AMENDMENT
CITY OF AVONDALE, MARICOPA COUNTY, ARIZONA

N 1/4 COR SEC. 29,
T.2N., R.1E. FND BCF
POINT OF COMMENCEMENT

NE COR SEC. 29,
T.2N., R.1E. FND BCF

INDIAN SCHOOL ROAD
N89°40'49"E 2691.83'



Scale: 1"=500'



JOB #18000694-SHEET 2 OF 2 06-23-2021
EXHIBIT "A"
PAD AMENDMENT BOUNDARY
OF PARKSIDE
CITY OF AVONDALE, MARICOPA COUNTY, ARIZONA

North: 907299.9906' East: 588816.4399'

Segment #1 : Line

Course: N89°40'49.000"E Length: 1331.4318'
North: 907307.4203' East: 590147.8510'

Segment #2 : Line

Course: S44°54'28.742"W Length: 42.5947'
North: 907277.2529' East: 590117.7804'

Segment #3 : Line

Course: S0°08'08.484"W Length: 559.5231'
North: 906717.7314' East: 590116.4553'

Segment #4 : Line

Course: S89°51'51.516"E Length: 1389.9542'
North: 906714.4397' East: 591506.4056'

Segment #5 : Line

Course: S0°08'08.484"W Length: 1982.7192'
North: 904731.7260' East: 591501.7100'

Segment #6 : Line

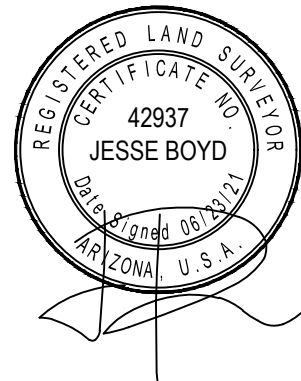
Course: S89°17'05.494"W Length: 2672.7117'
North: 904698.3673' East: 588829.2065'

Segment #7 : Line

Course: N0°16'52.168"W Length: 2601.6547'
North: 907299.9907' East: 588816.4399'

Perimeter: 10580.5894' Area: 6126261.19 Sq. Ft.
Error Closure: 0.0000 Course: N60°59'43.603"E
Error North: 0.00002 East: 0.00004

Precision 1: 10580589400.0000



CITY COUNCIL REPORT

SUBJECT: Preliminary Plat Amendment – Parkside - Application PL-20-0307

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will consider a request by Mr. Jonathan Bastianelli, William Lyon Homes, Inc., for approval of an amended Preliminary Plat for Parkside, a proposed 716-lot single-family residential subdivision located on 137.27 net acres approximately 600 feet south of the southwest corner of 99th Avenue and Indian School Road. Related requests for a Minor General Plan Amendment and Major Planned Area Development (PAD) Amendment will be considered separately. Council will take appropriate action.

BACKGROUND:

The 137.27 net acre subject property (Exhibits A and B) is located approximately 600 feet south of the southwest corner of Indian School Road and 99th Avenue. The site, which is undeveloped and is no longer in agricultural use, was annexed in two segments, on May 26, 1981 and October 21, 1989.

The property was rezoned from Agricultural (AG) to Entorno Planned Area Development (PAD) in October 2007. When the Entorno project did not develop, the property was rezoned from Entorno PAD to Parkside Village PAD in June 2014. Most recently, a Major Amendment to the Parkside Village PAD was approved by City Council in August 2019. The approved Parkside Village PAD, as amended, allows for development of a master planned community consisting of 662 single-family residences including 415 traditional single-family lots with areas ranging from 4,500 square feet (45'x100') to 6,600 square feet (55'x120') and 247 rear-loaded "villas", a compact single-family detached home where garages will be accessed from common driveways and fronts of homes will face onto common open space corridors. In addition, the approved PAD designates a

21.3-acre commercial mixed-use parcel at the southwest corner of Indian School Road and 99th Avenue in the property's northeast corner and a 9.9-acre office parcel at southeast corner of the property adjacent to 99th Avenue.

Following the 2019 PAD Amendment approval, the name of the future community was modified by the developer to eliminate "Village" from the name; moving forward, the development will simply be called Parkside.

A Development Agreement between the City and property owner was approved by City Council in June 2014 and amended in August 2019. The Agreement establishes phasing for development of Parkside, allowing for limited permitting and Certificate of Occupancy issuance before 99th Avenue or Indian School Road off-site improvements are completed.

A Preliminary Plat for Parkside, consistent with the amended PAD, was approved by City Council on December 9, 2019. The approved Preliminary Plat divides the property into 662 single-family residential lots, a 9.9-acre parcel for future office development at the southeast corner of the property, and a 21.3-acre parcel for future commercial mixed use development at the northeast corner of the property. A Final Plat for Phase 1 is in review; lots within Phase 1 are not impacted by the proposed General Plan Amendment, Major PAD Amendment, or Preliminary Plat Amendment.

The developer has begun off-site infrastructure work related to the site. Undergrounding of the large Salt River Project (SRP) irrigation canal that had run along the property's eastern boundary was completed in early 2021. Undergrounding of the canal adjacent to Indian School Road along the property's northern boundary is scheduled to occur in early 2022. When undergrounding of both canals is complete, construction of the adjacent roadway improvements will be able to commence.

The property features three General Plan 2030 land use designations, as follows (Exhibit C):

- The Medium/High Density Residential (MHDR) designation is applied to the majority of the western half of the site, extending further eastward near the southeast corner of the property. The MHDR designation allows for development of single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density).
- The Mixed Use designation is applied to the majority of the eastern half of the site, extending further westward immediately adjacent to Indian School Road. The Mixed Use category allows for a mixture of residential and commercial uses reflective of a village concept where residents can live, work, and recreate within the same development or nearby.
- The southeastern corner of the site, approximately 9.9 acres of land, is designated Office/Professional, a land use category that allows for professional and medical offices and service type uses. A related application for a Minor General Plan Amendment will be considered by Council separately on the same agenda. Approval of the applicant's request for a Minor General Plan Amendment will eliminate the Office/Professional land use designation on the property, extending the MHDR designation to cover the southeast corner of the site.

Related applications for a Minor General Plan Amendment (GPA) and a Major Planned Area Development (PAD) Amendment will be considered by Council separately on this same agenda. The purpose of each application is to replace the previously planned office development at the southeast corner of the site with 54 additional detached single-family residential lots. Procedurally, approval of the Minor General Plan Amendment is required before the Major PAD Amendment can be considered. Similarly, approval of the Major PAD Amendment is required before the Preliminary Plat Amendment may be approved.

The existing uses and zoning of surrounding properties include:

NORTH OF INDIAN SCHOOL ROAD: Multiple parcels located in City of Phoenix's jurisdiction that have developed with a mix of uses including a gas station with convenience store, a drive-through restaurant, medical offices, a single-family detached residential neighborhood, and a single-family attached condominium complex. In addition to the developed parcels, there is an 11.1-acre undeveloped parcel in the City of Phoenix zoned C-2 (Intermediate Commercial).

EAST OF 99th AVENUE: An undeveloped 133.8-acre property located in City of Phoenix's jurisdiction. The property is currently being farmed and a time frame for development is unknown.

SOUTH: A 148.5-acre undeveloped property located in the City of Avondale, zoned Fulton Homes Acclaim Planned Area Development (PAD). The Fulton Homes Acclaim PAD allows for development of the site with a 581-lot single-family residential subdivision. The developer is processing final approvals with construction of the community expected to start within the next year.

WEST: Westwind, a 132-acre single-family residential community located within the City of Avondale, zoned Planned Area Development (PAD). The community is fully developed with 534 detached single-family residences built between 1997 and 2000.

SOUTHWEST: Glenarm Farms, a 150-acre large lot single-family residential subdivision located in the City of Avondale and zoned RR-18 (Rural Residential, Minimum 18,000 S.F. lot area). The community is fully developed with 150 detached single-family residences, some featuring accessory structures for the keeping of horses and livestock.

SUMMARY OF REQUEST:

The applicant is requesting approval of an amended Preliminary Plat for Parkside (Exhibits E and F). The amended Plat will replace the prior Parkside Preliminary Plat approved in December 2019, creating 54 new minimum 4,500 square foot (45 feet by 100 feet) single-family residential lots at the project's southeastern corner on a 9.9-acre parcel previously reserved for future office development. Additional open space will be provided with the new lots, including a landscaped setback along 99th Avenue, an east/west trail corridor along the southern edge of Parkside, and a north/south trail connection that will more easily allow residents to access the community's central park.

Additionally, the amended Preliminary Plat eliminates a quarter-mile long segment of Osborn Road that was previously planned at the southeast corner of the site. The proposed street segment had been planned to provide access to the planned office parcel before terminating at the office parcel's western boundary. Furthermore, when the Osborn Road segment was initially planned, it was thought that the street may be utilized by future development of the property to the south, the Fulton Homes Acclaim site. With the elimination of the office parcel and Fulton Homes Acclaim not providing an access at Osborn Road, the street no longer serves a need.

In total, including the portions of Parkside that are not affected by the proposed amendment, the community will be comprised of 716 single-family residential lots (5.24 dwelling units per acre) consisting of four distinct lot types, as follows:

- 199 traditional single-family lots with a minimum area of 4,500 square feet, featuring minimum widths of 45 feet and minimum depths of 100 feet.
- 148 traditional single-family lots with a minimum area of 5,500 square feet, featuring minimum widths of 50 feet and minimum depths of 110 feet.
- 122 traditional single-family lots with a minimum area of 6,600 square feet, featuring minimum widths of 55 feet and minimum depths of 120 feet.
- 247 rear-loaded single-family "villa" lots with a minimum area of 3,087 square feet, featuring minimum widths of 47 feet and minimum depths of 53 feet.

Access to Parkside will be provided in three (3) locations, as follows:

- Access from Indian School Road will be provided from a new street, Parkside Boulevard, located approximately one-quarter mile west of the 99th Avenue intersection. A traffic signal is warranted at this future intersection.
- Access from 99th Avenue will be provided at Clarendon Avenue, approximately one-quarter mile south of Indian School Road. A traffic signal at this location is not immediately needed but will be warranted with the second phase of Parkside and/or when property east of 99th Avenue, in the jurisdiction of the City of Phoenix, develops.
- Access from the Westwind community, west of Parkside, will be provided by extending Clarendon Avenue westward from its current terminus to the west.

he developer will be responsible for the construction of all water, sewer, and street infrastructure needed to serve the planned development. Phasing of these improvements is governed by the project's Development Agreement, as amended.

Landscape, Amenity, Wall, and Photometric Plans are provided as part of the application (Exhibit G). The Parkside community will feature a total of 29.29 acres of open space, approximately 21 percent of the net site area, within 44 HOA owned and maintained common area tracts. The more significant park amenity areas include:

- Tract BB: A 6.3-acre tract to be developed as Parkside's "Central Park". This area will feature a large community pool with restroom and changing room facilities, an outdoor movie theater/amphitheater, basketball court, sand volleyball court, covered children's playground equipment, a large turf area for open play, and multiple ramadas for community use. On-site parking is also provided for this major amenity area.
- Tract C: A 1.0-acre park located in the northwest quadrant of the community that will feature shaded children's playground and free play equipment, turf area for open play, ramada with picnic tables, benches, raised planters, and seating.
- Tract O: A 2.6-acre park located along the western edge of the community that will feature a ramada with picnic tables, shaded children's playground equipment, benches, trail fitness equipment, and a turf area for open play.
- Tract Z: A 2.2-acre park located in the southern half of the community that will feature a turf area for open play, shaded children's playground equipment, cornhole court, seating, shade ramada with picnic tables, benches, and a bocce ball court.
- Tract R: An 8.7-acre park and linear trail corridor located on the southern edge of the Parkside site that will feature a turf area for open play, children's playground, a ramada with picnic tables, and a multi-use trail running east/west the full width of the Parkside site.
- Additionally, smaller tracts containing lighted trails connecting residents to the larger open spaces are provided throughout Parkside.
- In addition to open space tracts, the Preliminary Plat establishes 42 tracts totaling 2.6 acres for shared private driveways within the Villas portion of the development and one (1) tract to accommodate development of a public sewer lift station to accommodate the community's sewer needs.

The community's walls, monuments, and bus shelter share a common material palette featuring brick veneer,

weathered steel accents, and two varieties of scored smooth face block. Decorative theme walls with repeating brick columns will be provided along all streets and in all locations where walls are visible from publicly accessible areas. A combination of partial view walls and full view walls, where upper courses of block are replaced with wrought iron to allow for greater openness and visibility, are provided where walls abut open spaces within the community.

PUBLIC PARTICIPATION:

Preliminary Plats are not public hearing items; thus, no public notifications are required. However, as is the City's policy, all property owners within 1,000 feet of the project boundaries were notified that the proposed development was in for City review. No residents have contacted Staff regarding the proposed Preliminary Plat.

CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:

The property is located in the service areas of the Pendergast Elementary School District (PESD) and the Tolleson Union High School District (TUHSD). The nearest elementary school to the property is Garden Lakes Elementary, located at the southwest corner of 107th Avenue and Garden Lakes Parkway. High school aged students will attend Westview High School located at the northwest corner of 107th Avenue and Garden Lakes Parkway.

Both PESD and TUHSD have provided the City with Certificates of Adequate School Facilities (Exhibit F) stating that each district has adequate capacity to accommodate the anticipated enrollment from the proposed Parkside development.

PLANNING COMMISSION ACTION:

Planning Commission reviewed the proposed Preliminary Plat on August 18, 2021 and voted 5-0 to recommend approval of the request subject to four (4) Staff recommended conditions. The Commission had no comments or questions on the proposal.

ANALYSIS:

The proposed Parkside Preliminary Plat and Landscape, Amenity, Wall and Photometric Plans are in conformance with the proposed amended Parkside PAD as well as the City's Subdivision Ordinance, Zoning Ordinance, and Single-Family Residential Design Manual. The proposed 716-lot single family residential subdivision consisting of four lot types adheres to the requirements of the PAD and will result in development of a community consistent with the desired character for development in the General Plan's Medium/High Density land use category. Open space and amenities within the community exceed requirements and will offer future residents of all ages a wide range of recreational options within their own neighborhood. Monuments and walls display a modern character on a classic design palette that will help allow the Parkside community to establish a unique sense of place at a prominent gateway into the City.

Regarding infrastructure, the developer of Parkside will be required to complete half-street improvements to both 99th Avenue and Indian School Road along the project's frontage. Improvements will include an additional travel lane on 99th Avenue and deceleration lanes at project entrances, curb, gutter, sidewalk, streetlights and landscaping along both 99th Avenue and Indian School Road. Sufficient access to the community is provided via future signalized intersections at 99th Avenue and Clarendon Avenue and at Indian School Road and Parkside Boulevard. A third point of access, directly from the existing Westwind community west of Parkside, is also provided.

Floor plans and elevations for single-family house products in the development will require City administrative approval. As with all new residential development, the City will expect any proposed housing product to meet all requirements of the City's Design Manual to reduce garage dominance and create visually interesting streetscapes.

DISCUSSION:

Staff recommends approval of this application for the following reasons:

- The proposed Parkside Preliminary Plat, including the Landscape, Amenity, Wall, and Photometric

Plans, are in conformance with the proposed amended Parkside PAD.

- The proposed Parkside Preliminary Plat, including the Landscape, Amenity, Wall, and Photometric Plans, meet or exceed requirements within the City of Avondale Zoning Ordinance, Subdivision Regulations, and Single-Family Residential Design Manual.
- The proposal achieves City objectives related to provision of varied lot types that can accommodate new and unique housing products.
- Through provision of a community pool and a wide range of other amenities, the proposal achieves City objectives related to provision of open space, trails, and parks.

BUDGET IMPACT:

No budget impacts.

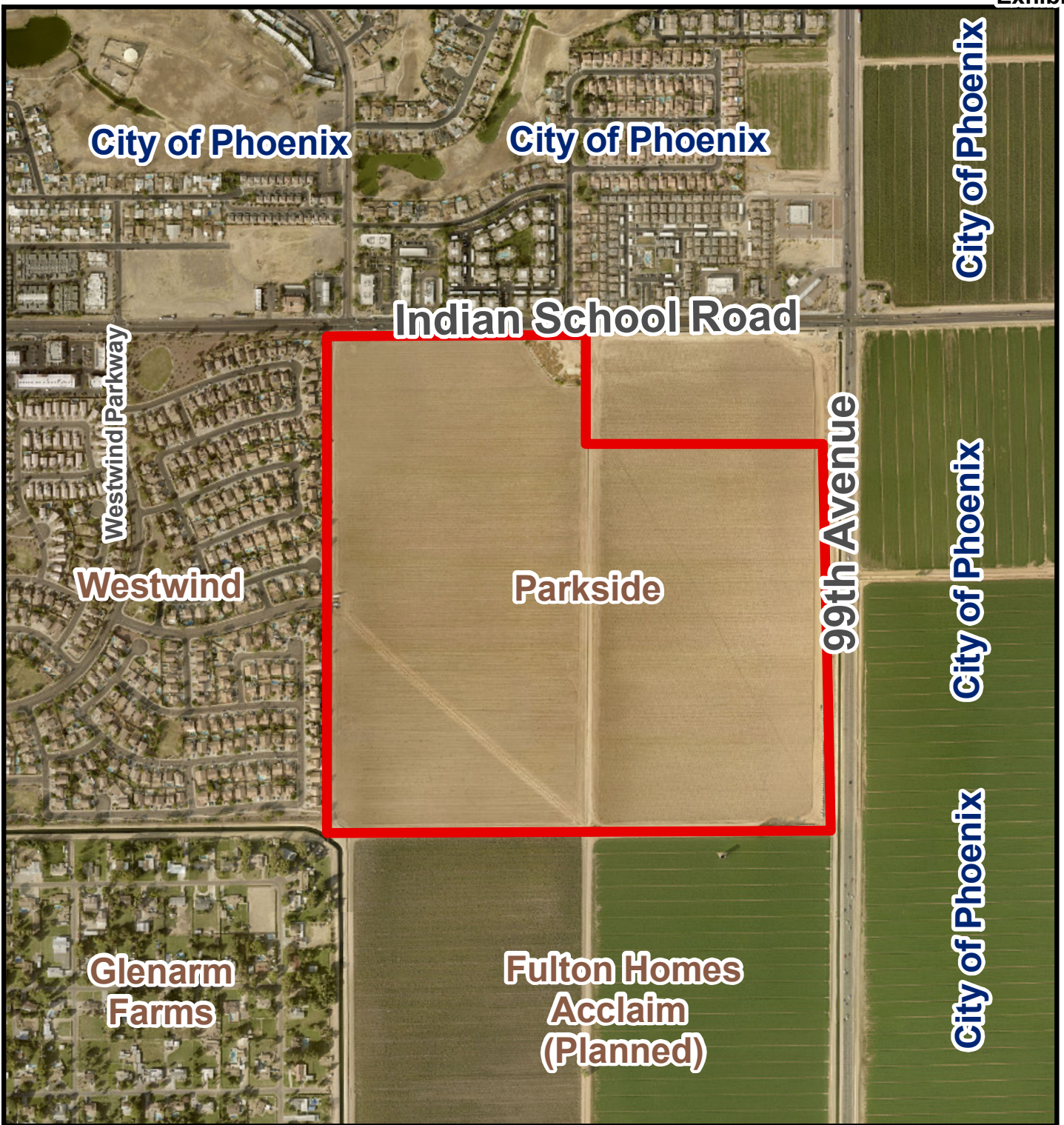
RECOMMENDATION:

No public hearing is required. City Council will **APPROVE** Application PL-20-0307 Parkside, a request for Preliminary Plat approval for the proposed 716-lot Parkside subdivision, subject to the following four (4) conditions of approval:

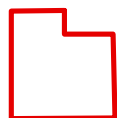
1. Development of Parkside shall conform to the following documents, except as modified by these conditions of approval:
 - a. Parkside Preliminary Plat Narrative, electronically date stamped June 29, 2021
 - b. Parkside Preliminary Plat, electronically date stamped June 29, 2021
 - c. Parkside Landscape, Amenity, Wall and Photometric Plans, electronically date stamped June 29, 2021
2. In accordance with the City of Avondale Subdivision Regulations, approval of the Preliminary Plat shall expire in two (2) years from the date of approval unless a Final Plat has been approved and recorded.
3. Development shall be completed in accordance with the City of Avondale General Engineering Requirements (GER) Manual and the City of Avondale Supplement to the MAG Uniform Standard Specifications and Details.
4. To the extent allowed by law, all Type 1 and Irrigation Grandfathered Groundwater Rights shall be properly extinguished, and the resulting Assured Water Supply credits pledged to the City of Avondale's account at the Arizona Department of Water Resources prior to recordation of the first Final Plat.

PROPOSED MOTION:

I move that City Council accept the findings and **APPROVE** Application PL-20-0307 Parkside, a request for Preliminary Plat approval for the proposed 716-lot Parkside subdivision, subject to four (4) recommended conditions of approval as listed in the staff report.

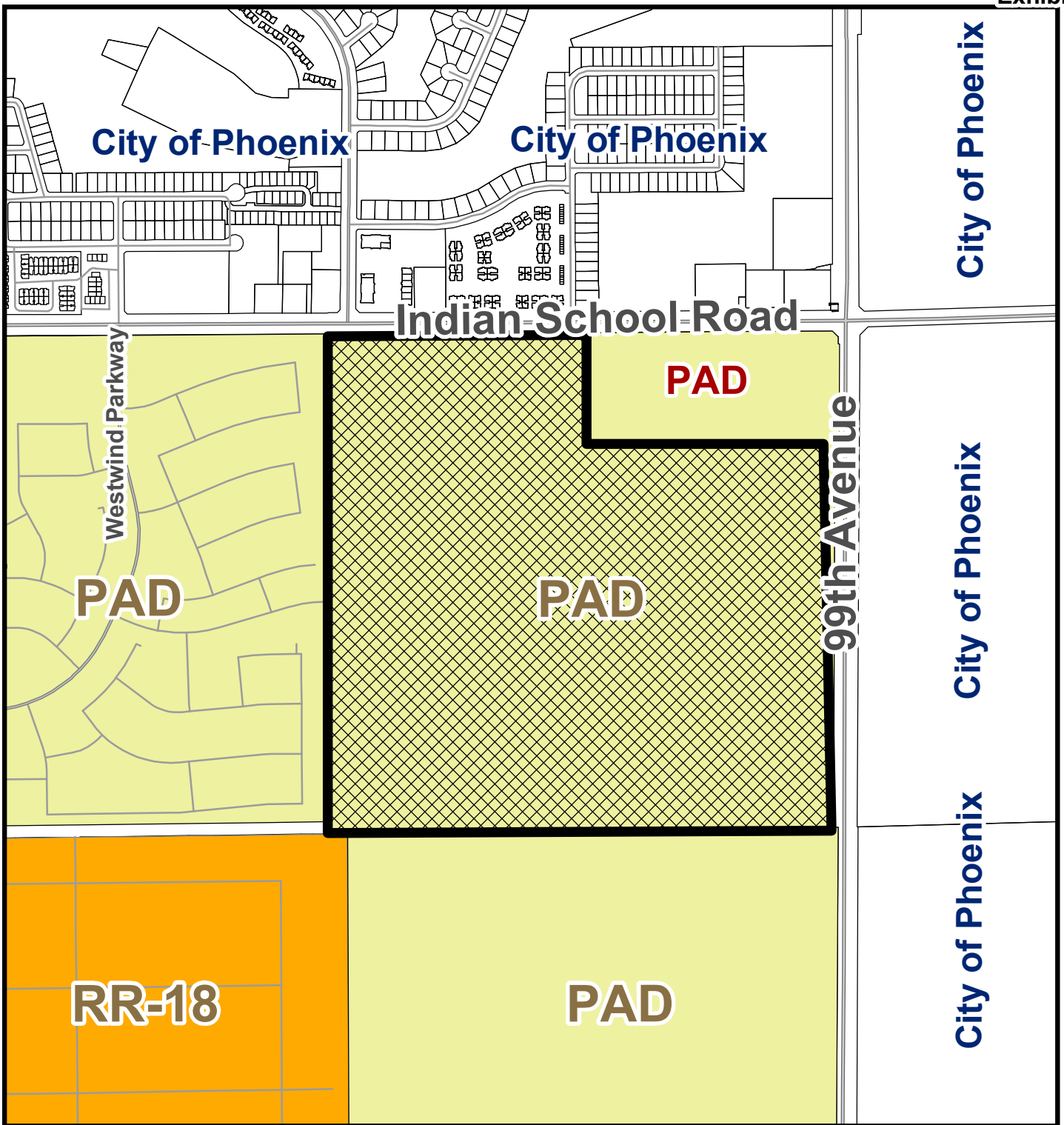


Aerial Photograph

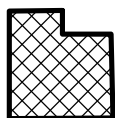


Subject Property



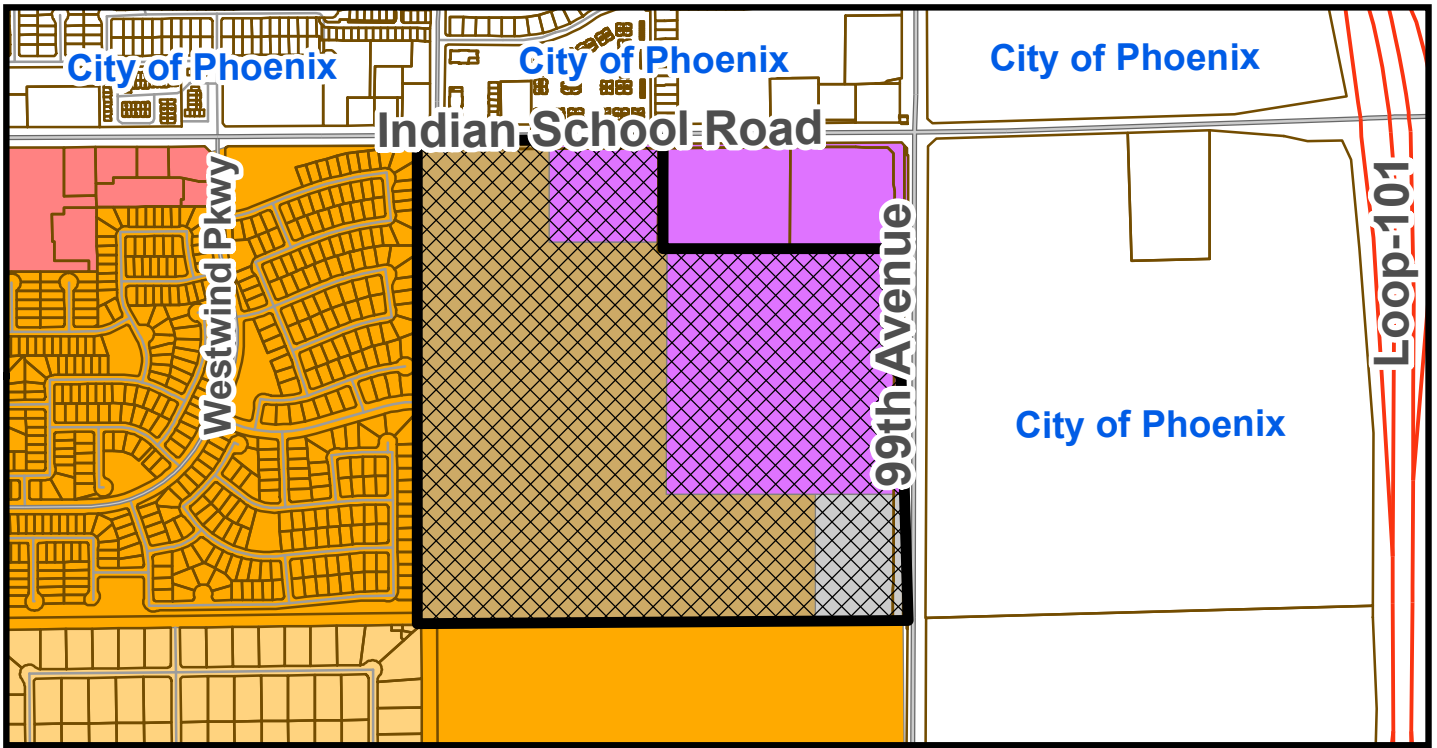


Zoning Vicinity Map

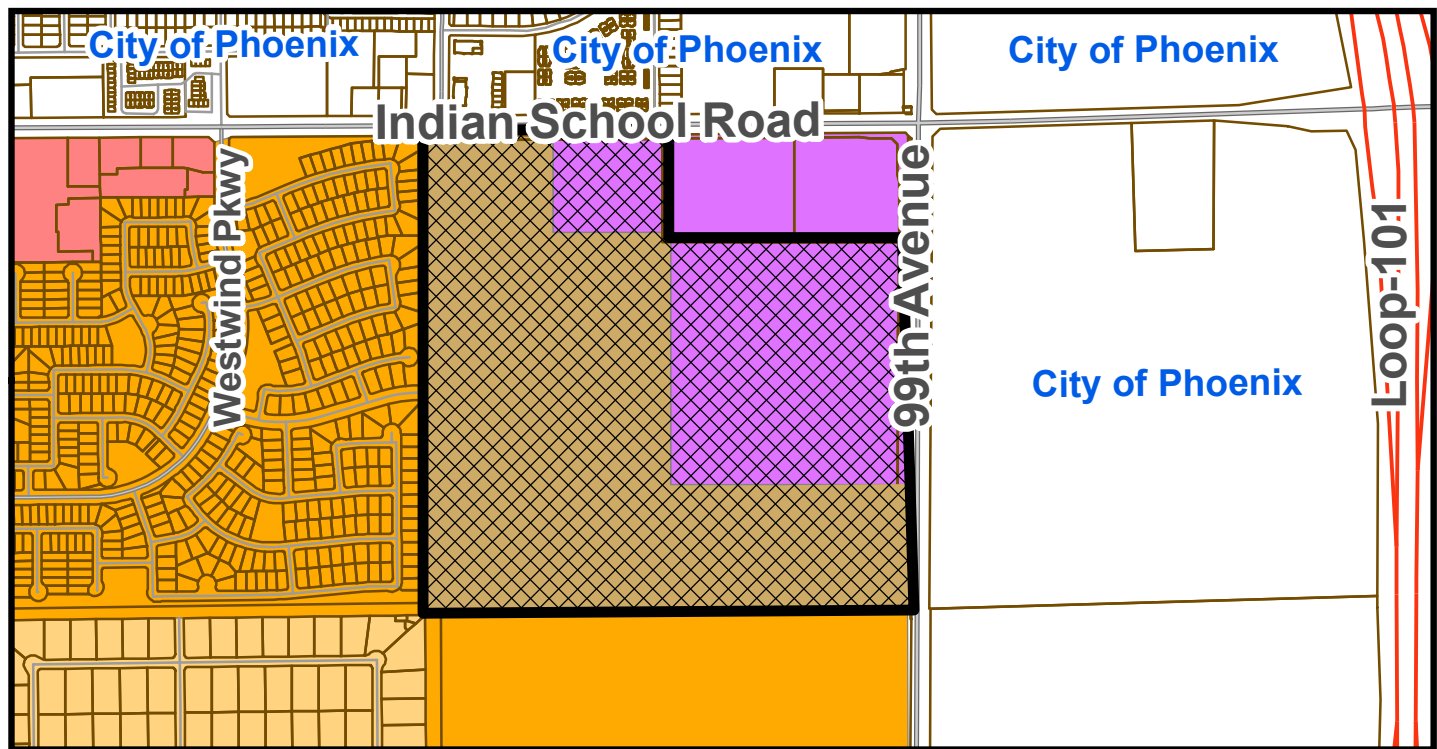


Subject Property





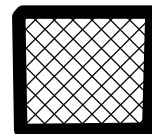
CURRENT LAND USE MAP



PROPOSED LAND USE MAP

General Plan Land Use Map

-  Local Commercial
-  Estate/Low Density Residential
-  Medium Density Residential
-  Medium/High Density Residential
-  Office/Professional
-  Mixed Use



Subject Property

*SUMMARY OF RELATED FACTS
APPLICATIONS PL-20-0307, PL-20-0308, AND PL-20-0309*

<i>THE PROPERTY</i>	
PARCEL SIZE	140.64 gross acres; 137.27 net acres
LOCATION	Approximately 600 feet south of the southwest corner of 99 th Avenue and Indian School Road
PHYSICAL CHARACTERISTICS	Flat rectangular property with irrigation canals running adjacent to Indian School Road and the western property line; undergrounding of the large SRP irrigation canal parallel to 99 th Avenue was completed in early 2021.
EXISTING LAND USE	Vacant and no longer in agricultural/farming production
EXISTING ZONING	Parkside Village Planned Area Development (PAD). The approved Parkside Village PAD, as amended, allows for development of the site with 662 single-family residential lots consisting of four different lot sizes, a 9.99-acre parcel to accommodate future office development at the southeast corner of the property, and a 21.33-acre parcel to accommodate commercial or vertical mixed-use development at the northeast corner of the property.
ZONING HISTORY	The property was annexed in two segments on May 26, 1981 and October 21, 1989 and rezoned from Agricultural (AG) to Planned Area Development (PAD) for “Entorno” on October 1, 2007. The property was rezoned from Entorno PAD to Parkside Village PAD by action of City Council on June 16, 2014. A Major Amendment to the Parkside Village PAD was approved by City Council on August 26, 2019. The project has since been renamed “Parkside”, eliminating “Village” from the name of the development.
DEVELOPMENT AGREEMENT	A Development Agreement (“the Agreement”) between the City and property owner AG/RW – Entorno, LLC was approved by City Council on June 16, 2014 and amended on August 26, 2019. The Agreement establishes phasing for development of Parkside Village, allowing for limited permitting and Certificate of Occupancy issuance before 99 th Avenue or Indian School Road off-site improvements are completed.

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH OF INDIAN SCHOOL ROAD	Multiple parcels located in City of Phoenix’s jurisdiction that have developed with a mix of uses including a gas station with convenience store, a drive-through restaurant, medical offices, a single-family detached residential neighborhood, and a single-family attached condominium complex. In addition to the developed parcels, there is an 11.1-acre undeveloped parcel in the City of Phoenix zoned C-2 (Intermediate Commercial).
EAST OF 99 TH AVENUE	An undeveloped 133.8-acre property located in City of Phoenix’s jurisdiction. The property is currently being farmed and a time frame for development is unknown.
SOUTH	A 148.5-acre undeveloped property located in the City of Avondale, zoned Fulton Homes Acclaim Planned Area Development (PAD). The Fulton Homes

	Acclaim PAD allows for development of the site with a 581-lot single-family residential subdivision. The developer is processing final approvals with construction of the community expected to start within the next year.
WEST	Westwind, a 132-acre single-family residential community located within the City of Avondale, zoned Planned Area Development (PAD). The community is fully developed with 534 detached single-family residences built between 1997 and 2000.
SOUTHWEST	Glenarm Farms, a 150-acre large lot single-family residential subdivision located in the City of Avondale and zoned RR-18 (Rural Residential, Minimum 18,000 S.F. lot area). The community is fully developed with 150 detached single-family residences, some featuring accessory structures for the keeping of horses and livestock.

GENERAL PLAN

The subject property features three General Plan 2030 land use designations. The Medium/High Density Residential (MHDR) designation is applied to the majority of the western half of the site, extending further eastward near the southeast corner of the property. The MHDR designation allows for development of single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density). The Mixed Use designation is applied to the majority of the eastern half of the site, extending further westward immediately adjacent to Indian School Road. The Mixed Use category allows for a mixture of residential and commercial uses reflective of a village concept where residents can live, work, and recreate within the same development or nearby. The southeastern corner of the site, approximately 9.9 acres of land, is designated Office/Professional, a land use category that allows for professional and medical offices and service type uses. A Minor General Plan Amendment, replacing the Office/Professional land use designation with the MHDR designation, is proposed.

PUBLIC SCHOOLS

SCHOOL DISTRICT(S)	Pendergast Elementary School District and Tolleson Union High School District
ELEMENTARY SCHOOLS	Garden Lakes Elementary School located at the southwest corner of 107 th Avenue and Garden Lakes Parkway
HIGH SCHOOL	Westview High School located at the northwest corner of 107 th Avenue and Garden Lakes Parkway

99th Avenue

Classification	Arterial
Existing half-street right-of-way	55 feet
Standard half-street right-of-way	70 feet (City of Phoenix standard)
Existing half-street improvements	Two (2) travel lanes and half center turn lane
Standard half-street improvements	Three (3) travel lanes, deceleration lane (when warranted), half landscaped median, bike lane, sidewalk, curb, gutter, streetlights, landscaping, and undergrounding of above-ground utilities and irrigation channels.

Indian School Road

Classification	Urban Collector (Maricopa County section)
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Existing half-street right-of-way	55 feet
Standard half-street right-of-way	55 feet
Existing half-street improvements	Two (2) travel lanes and half center turn lane
Standard half-street improvements	Two (2) travel lanes, deceleration lane (when warranted), half center turn lane, bike lane, sidewalk, curb-and-gutter, streetlights, landscaping, and undergrounding of above-ground utilities and irrigation channels.

Clarendon Avenue

Classification	Minor Collector (modified)
Existing full-street right-of-way	None
Standard full-street right-of-way	80 to 95 feet (varies by location)
Existing full-street improvements	None
Standard full-street improvements	One (1) travel lane in each direction, parallel parking (one side only), landscaped median (striped median immediately adjacent to Westwind), bike lanes, sidewalk, curb, gutter, streetlights, and landscaping.

Parkside Boulevard

Classification	Minor Collector (modified)
Existing full-street right-of-way	None
Standard full-street right-of-way	80 feet
Existing full-street improvements	None
Standard full-street improvements	One (1) travel lane in each direction, landscaped median, bike lanes, sidewalk, curb, gutter, streetlights, and landscaping.

UTILITIES

There is an existing 12" water line in Clarendon Avenue (Westwind) that will be extended east into the development. Additional water will be provided by extending the existing 16" water line in Indian School Road west from 107th Avenue to 99th Avenue. Furthermore, the developer will construct a new 16" water line in 99th Avenue from Indian School Road to the project's southern boundary.

There is an existing 10" sewer line in Clarendon Avenue that will be extended east into the development. A public sewer lift station will be built to serve the entirety of Parkside's residential and mixed use areas; the lift station will discharge into the existing 10-inch sewer line in Clarendon Avenue.

Salt River Project (SRP) provides electrical service in this portion of Avondale.

Exhibit E

Preliminary Plat Narrative

Parkside



PRELIMINARY PLAT NARRATIVE
PRELIMINARY PLAT APPLICATION PL-20-0307

PARKSIDE
AVONDALE, ARIZONA

Prepared for

Taylor Morrison

4900 North Scottsdale Road, Suite 2200
Scottsdale, Arizona 85251

Submitted by Atwell, LLC

Atwell Project No. 18000694

4700 E Southern Avenue
Mesa, Arizona 85206

April 30, 2021

The following narrative is prepared in conjunction with the Preliminary Plat amendment application for the property known as Parkside. The Parkside property is approximately 163.015 gross acres located at the SWC of Indian School Road and 99th Avenue and east of the existing residential community known as Westwind within the jurisdictional boundary of the City of Avondale. The Parkside property has historically been, and currently is, used for agricultural purposes. The property is currently zoned PAD having residential, mixed use and office uses. The PAD is concurrently being amended to remove the office zoning.

The proposed single family residential portion of the development, which is included in the amended Preliminary Plat, includes 716 single-family residential lots to be built on 142 acres, having a maximum gross residential density of 5.24 dwelling units per acre in conformance with the City of Avondale General Plan. The currently approved Preliminary Plat includes 662 single family units on 142 acres, with a density of 5.19. The Preliminary Plat is being amended to remove the Office zoning of the PAD and expand the single family residential into the Office parcel. The proposed plan provides for four residential product types on the following typical lot sizes: 45'x100', 50'x110, 55'x120', and Villa's (six pack medium-high density detached). The total open space is approximately 29.29 acres of the property designed into an active accommodating configuration, having a percentage over twenty percent (20%) in relation to the total acreage. The Parkside design offers residents a neighborhood park theme at several convenient locations. There are five (5) neighborhood parks planned within the Parkside community.

The park amenities are diverse and each park is designed with an unique identity perspective. Access to walking trails, bike paths, future retail and employment are part of the comprehensive design at Parkside. The interconnecting trail system will connect various park amenities, which include:

- Community pool (with restroom facilities)
- Playgrounds (with shade; Central Park, Park B and Park C)
- Exercise stations (along the north/south main trail and Park A)
- Basketball (Central Park and Park D)
- Volleyball (Central Park and Park D)
- Trail system with outdoor lighting
- Outdoor Games (Park C)
- Outdoor Active Play (Park C)
- Ramada's and shaded seating for gatherings (all Parks)

The residential lot design shall maintain interior side yard setbacks of 5'/5' for all residential products. Rear setbacks shall be 15' to living space for the 45', 50' and 55' wide lots. The Villa's shall have a rear yard setback of 2' to living space. Side-Loaded Garage setbacks shall be 24' from lot line and a 20' minimum front-loaded garage setback shall apply to the 45', 50' and 55' wide lots. Front setback limit shall be set at 8' for the Villa product and 10' for the other residential lots. The landscape plan for Parkside includes a contemporary brick wall theme in conjunction with a water tolerant planting design. Nature and water efficiency are programmed into the Parkside development. Plants are selected based on drought tolerance, low maintenance, and unique aspects associated with challenging land constraints such as the SRP easement areas. Where constraints are present, unique landscape options will be designed to alleviate wall fatigue without the use of trees within the SRP easement areas. Entry monuments are designed to quickly identify the property through the use of vertical masonry techniques as well as contrasting materials and colors. These monuments incorporate nature and allow for easy identification of the community at the following three locations:

- 99th Ave / Clarendon (direct lighting)
- Parkside Blvd (100th Ave Alignment) / Indian School (direct lighting)
- Clarendon at Westwind (indirect lighting)

The planning stages for Parkside are designed around the constraints involving the SRP canal relocation that borders the entire property along Indian School Road and 99th Avenue. These challenges are solvable, but require more time than a traditional development would typically need. As a result, Parkside final plats/MOD's are contemplated with the following scope:

- Phase 1 – Two Final Plats (Model Phase and Phase 1)
- Phase 2 – One Final Plat
- Indian School Road SRP area – One tract plat
- 99th Ave – One MOD
- 99th Ave SRP area – One tract plat

The other approved land use for Parkside (mixed-use) will have separate land plans that will be submitted to the City at the time the proposed design is complete. The residential design portion is complete as depicted in this preliminary plat submittal for City of Avondale approval. Parkside is planning for the following services:

Service	Provider
Fire	Avondale
Police	Avondale
Water	Avondale
Wastewater	Avondale
Streets	Avondale
Trash/Recycle	Avondale
Electricity	SRP
N-Gas	Southwest Gas
Telecommunication	Cox
Common Areas	Parkside HOA

Pedestrian circulation is designed to allow for the active engagement of open space amenities and access to public transportation, as well as access to other Parkside Mixed Use parcel. The interior trail system is integrated with exercise stations from Park B to Park D and will be lit at night for safety and beautification. The street section also allow for bike lanes from the interior of the property to arterial streets. Access to public transportation by pedestrians is through trail, sidewalk, or bike lane combinations found throughout the Parkside design.

The proposed street circulation provides for an effective vehicular navigation of the entire development. The future 99th Avenue street section is planned for a 70' R/W to be dedicated to the City of Avondale as an arterial road. Indian School Road is planned for a 55' R/W dedicated to Maricopa County as a major collector. Clarendon Road and Parkside Blvd are classified as Modified Minor Collectors. The street section adjacent to the Villa's is designed with a 54' R/W to allow for greater access for public safety. The street circulation easily provides residents with quick access to neighborhood parks, future retail and employment (mixed-use, office), as well as quick access to major transportation corridors (Loop 101).

Parkside includes three (3) entry nodes. Primary access is located at the following intersections:

<i>Location</i>	<i>Street 1</i>	<i>Street 2</i>
A	99 th Avenue	Clarendon
B	Indian School Road	Parkside Blvd
C	Clarendon - Parkside	Clarendon - Westwind

The following site plan shows the proposed entry nodes for the Parkside property:

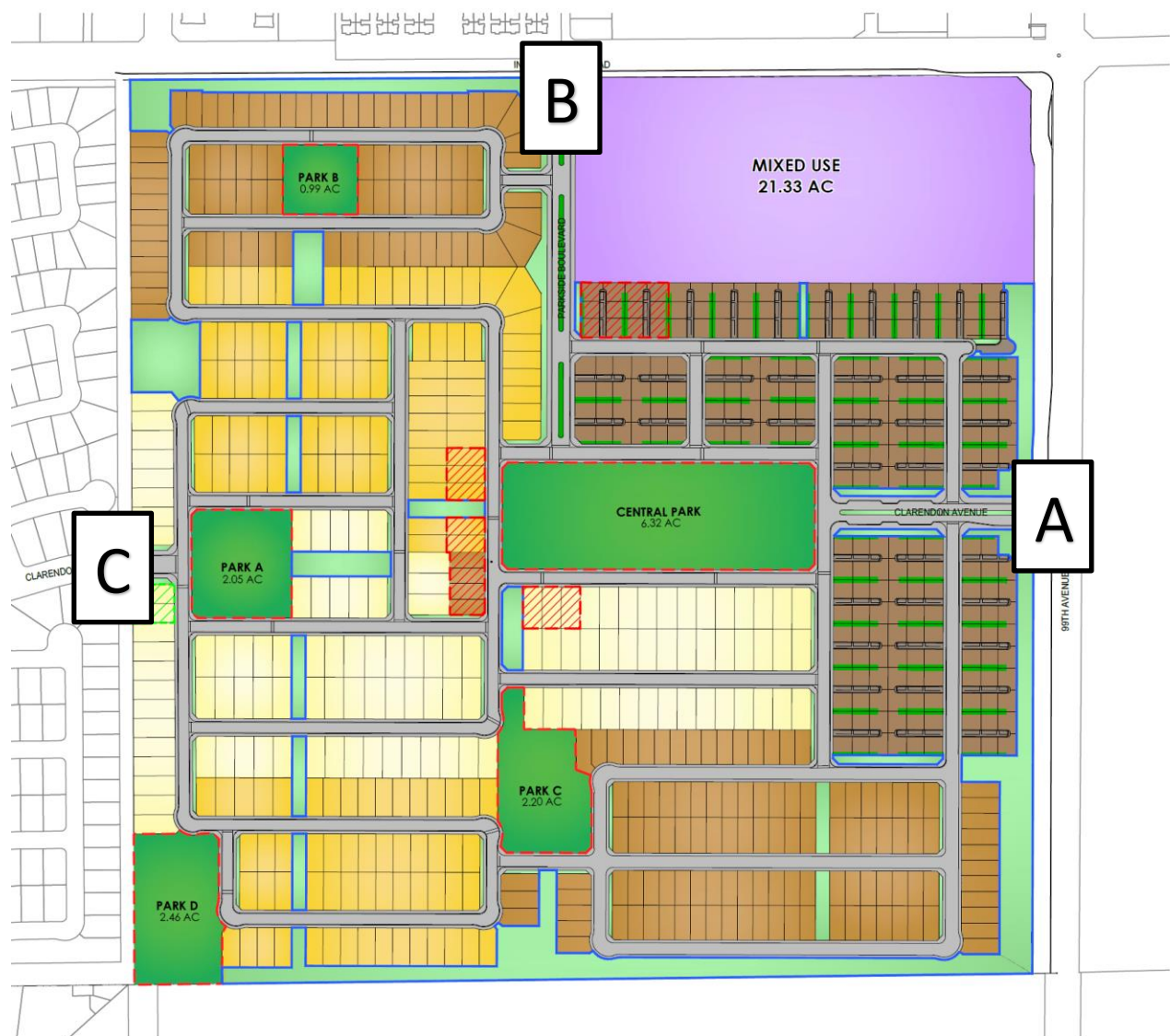


Exhibit F

Proposed Preliminary Plat Parkside

				LOT AREA TABLE								LOT AREA TABLE								LOT AREA TABLE									
LOT NUMBER	SQUARE FEET	SQUARE FEET	SQUARE FEET	SQUARE FEET	LOT NUMBER	SQUARE FEET	SQUARE FEET	SQUARE FEET	SQUARE FEET	LOT NUMBER	SQUARE FEET	SQUARE FEET	SQUARE FEET	SQUARE FEET	LOT NUMBER	SQUARE FEET	SQUARE FEET	SQUARE FEET	SQUARE FEET	LOT NUMBER	SQUARE FEET	SQUARE FEET	SQUARE FEET	SQUARE FEET	LOT NUMBER	SQUARE FEET	SQUARE FEET	SQUARE FEET	SQUARE FEET
LOT #1	4659.87	LOT #81	6732.33	LOT #161	6600.20	LOT #241	6600.00	LOT #321	3021.00	LOT #401	3064.50	LOT #481	3021.00	LOT #561	5584.65	LOT #641	4500.00	LOT #721	4500.00	LOT #801	4500.00	LOT #881	4500.00	LOT #961	4500.00	LOT #1041	4500.00	LOT #1121	4500.00
LOT #2	6089.26	LOT #82	9185.62	LOT #162	6600.00	LOT #242	6600.00	LOT #322	2491.00	LOT #402	3064.50	LOT #482	3064.50	LOT #562	5614.00	LOT #642	4500.00	LOT #722	4500.00	LOT #802	4500.00	LOT #882	4500.00	LOT #962	4500.00	LOT #1042	4500.00	LOT #1122	4500.00
LOT #3	8391.96	LOT #83	6256.51	LOT #163	6600.00	LOT #243	6600.00	LOT #323	3064.50	LOT #403	2491.00	LOT #483	2491.00	LOT #563	5500.00	LOT #643	4500.00	LOT #723	4500.00	LOT #803	4500.00	LOT #883	4500.00	LOT #963	4500.00	LOT #1043	4500.00	LOT #1123	4500.00
LOT #4	7211.93	LOT #84	4789.40	LOT #164	6600.00	LOT #244	6600.00	LOT #324	3064.50	LOT #404	3021.00	LOT #484	3021.00	LOT #564	5500.00	LOT #644	4500.00	LOT #724	4500.00	LOT #804	4500.00	LOT #884	4500.00	LOT #964	4500.00	LOT #1044	4500.00	LOT #1124	4500.00
LOT #5	4685.73	LOT #85	6013.00	LOT #165	6600.00	LOT #245	6600.00	LOT #325	2491.00	LOT #405	3021.00	LOT #485	2491.00	LOT #565	5500.00	LOT #645	4500.00	LOT #725	4500.00	LOT #805	4500.00	LOT #885	4500.00	LOT #965	4500.00	LOT #1045	4500.00	LOT #1125	4500.00
LOT #6	4500.00	LOT #86	5500.00	LOT #166	6600.00	LOT #246	6600.00	LOT #326	3021.00	LOT #406	3064.50	LOT #486	3064.50	LOT #566	5500.00	LOT #646	4500.00	LOT #726	4500.00	LOT #806	4500.00	LOT #886	4500.00	LOT #966	4500.00	LOT #1046	4500.00	LOT #1126	4500.00
LOT #7	4500.00	LOT #87	5500.00	LOT #167	6600.00	LOT #247	6600.00	LOT #327	3021.00	LOT #407	3064.50	LOT #487	3064.50	LOT #567	5500.00	LOT #647	4500.00	LOT #727	4500.00	LOT #807	4500.00	LOT #887	4500.00	LOT #967	4500.00	LOT #1047	4500.00	LOT #1127	4500.00
LOT #8	4500.00	LOT #88	5500.00	LOT #168	6600.00	LOT #248	6600.00	LOT #328	3064.50	LOT #408	3064.50	LOT #488	3064.50	LOT #568	5500.00	LOT #648	4500.00	LOT #728	4500.00	LOT #808	4500.00	LOT #888	4500.00	LOT #968	4500.00	LOT #1048	4500.00	LOT #1128	4500.00
LOT #9	4500.00	LOT #89	5500.00	LOT #169	5500.00	LOT #249	6600.00	LOT #329	3064.50	LOT #409	2491.00	LOT #489	2491.00	LOT #569	5500.00	LOT #649	4500.00	LOT #729	4500.00	LOT #809	4500.00	LOT #889	4500.00	LOT #969	4500.00	LOT #1049	4500.00	LOT #1129	4500.00
LOT #10	4500.00	LOT #90	5500.00	LOT #170	5500.00	LOT #250	6600.00	LOT #330	3064.50	LOT #410	2491.00	LOT #490	2491.00	LOT #570	5500.00	LOT #650	4500.00	LOT #730	4500.00	LOT #810	4500.00	LOT #890	4500.00	LOT #970	4500.00	LOT #1050	4500.00	LOT #1130	4500.00
LOT #11	4500.00	LOT #91	6680.42	LOT #171	6600.00	LOT #251	6600.00	LOT #331	2491.00	LOT #411	3021.00	LOT #491	3021.00	LOT #571	5500.00	LOT #651	4500.00	LOT #731	4500.00	LOT #811	4500.00	LOT #891	4500.00	LOT #971	4500.00	LOT #1051	4500.00	LOT #1131	4500.00
LOT #12	4500.00	LOT #92	11645.43	LOT #172	6050.00	LOT #252	6600.00	LOT #332	3021.00	LOT #412	2491.00	LOT #492	2491.00	LOT #572	5500.00	LOT #652	4500.00	LOT #732	4500.00	LOT #812	4500.00	LOT #892	4500.00	LOT #972	4500.00	LOT #1052	4500.00	LOT #1132	4500.00
LOT #13	4500.00	LOT #93	8252.46	LOT #173	5500.00	LOT #253	6600.00	LOT #333	3021.00	LOT #413	3064.50	LOT #493	3064.50	LOT #573	5500.00	LOT #653	4500.00	LOT #733	4500.00	LOT #813	4500.00	LOT #893	4500.00	LOT #973	4500.00	LOT #1053	4500.00	LOT #1133	4500.00
LOT #14	4500.00	LOT #94	5595.42	LOT #174	5500.00	LOT #254	6600.00	LOT #334	3021.00	LOT #414	3064.50	LOT #494	3064.50	LOT #574	5500.00	LOT #654	4500.00	LOT #734	4500.00	LOT #814	4500.00	LOT #894	4500.00	LOT #974	4500.00	LOT #1054	4500.00	LOT #1134	4500.00
LOT #15	4500.00	LOT #95	5500.00	LOT #175	5500.00	LOT #255	6600.00	LOT #335	3064.50	LOT #415	2491.00	LOT #495	2491.00	LOT #575	5614.00	LOT #655	4500.00	LOT #735	4500.00	LOT #815	4500.00	LOT #895	4500.00	LOT #975	4500.00	LOT #1055	4500.00	LOT #1135	4500.00
LOT #16	4500.00	LOT #96	5500.00	LOT #176	5500.00	LOT #256	7089.86	LOT #336	3064.50	LOT #416	3021.00	LOT #496	3021.00	LOT #576	5614.00	LOT #656	4500.00	LOT #736	4500.00	LOT #816	4500.00	LOT #896	4500.00	LOT #976	4500.00	LOT #1056	4500.00	LOT #1136	4500.00
LOT #17	4500.00	LOT #97	5500.00	LOT #177	5504.00	LOT #257	6600.00	LOT #337	2491.00	LOT #417	3064.50	LOT #497	3064.50	LOT #577	5500.00	LOT #657	4500.00	LOT #737	4500.00	LOT #817	4500.00	LOT #897	4500.00	LOT #977	4500.00	LOT #1057	4500.00	LOT #1137	4500.00
LOT #18	4500.00	LOT #98	5500.00	LOT #178	5500.00	LOT #258	6600.00	LOT #338	3021.00	LOT #418	3064.50	LOT #498	3064.50	LOT #578	5500.00	LOT #658	4500.00	LOT #738	4500.00	LOT #818	4500.00	LOT #898	4500.00	LOT #978	4500.00	LOT #1058	4500.00	LOT #1138	4500.00
LOT #19	4500.00	LOT #99	5500.00	LOT #179	5500.00	LOT #259	6600.00	LOT #339	3021.00	LOT #419	3064.50	LOT #499	3064.50	LOT #579	5500.00	LOT #659	4500.00	LOT #739	4500.00	LOT #819	4500.00	LOT #899	4500.00	LOT #979	4500.00	LOT #1059	4500.00	LOT #1139	4500.00
LOT #20	4500.00	LOT #100	5500.00	LOT #180	5500.00	LOT #260	6600.00	LOT #340	3021.00	LOT #420	2491.00	LOT #500	2491.00	LOT #580	5500.00	LOT #660	4500.00	LOT #740	4500.00	LOT #820	4500.00	LOT #900	4500.00	LOT #980	4500.00	LOT #1060	4500.00	LOT #1140	4500.00
LOT #21	4500.00	LOT #101	5500.00	LOT #181	5500.00	LOT #261	6600.00	LOT #341	3064.50	LOT #421	2491.00	LOT #501	2491.00	LOT #581	5500.00	LOT #661	4500.00	LOT #741	4500.00	LOT #821	4500.00	LOT #901	4500.00	LOT #981	4500.00	LOT #1061	4500.00	LOT #1141	4500.00
LOT #22	4500.00	LOT #102	5500.00	LOT #182	5500.00	LOT #262	6600.00	LOT #342	3064.50	LOT #422	3064.50	LOT #502	3021.00	LOT #582	5500.00	LOT #662	4500.00	LOT #742	4500.00	LOT #822	4500.00	LOT #902	4500.00	LOT #982	4500.00	LOT #1062	4500.00	LOT #1142	4500.00
LOT #23	4624.29	LOT #103	5500.00	LOT #183	6500.00	LOT #263	6600.00	LOT #343	2491.00	LOT #423	3064.50	LOT #503	3021.00	LOT #583	5500.00	LOT #663	4500.00	LOT #743	4500.00	LOT #823	4500.00	LOT #903	4500.00	LOT #983	4500.00	LOT #1063	4500.00	LOT #1143	4500.00
LOT #24	4791.55	LOT #104	5500.00	LOT #184	6600.00	LOT #264	6600.00	LOT #344	2491.00	LOT #424	2491.00	LOT #504	2491.00	LOT #584	5500.00	LOT #664	4500.00	LOT #744	4500.00	LOT #824	4500.00	LOT #904	4500.00	LOT #984	4500.00	LOT #1064	4500.00	LOT #1144	4500.00
LOT #25	4930.55	LOT #105	5500.00	LOT #185	5500.00	LOT #265	6600.00	LOT #345	3021.00	LOT #425	3021.00	LOT #505	3064.50	LOT #585	5500.00	LOT #665	4500.00	LOT #745	4500.00	LOT #825	4500.00	LOT #905	4500.00	LOT #985	4500.00	LOT #1065	4500.00	LOT #1145	4500.00
LOT #26	4837.17	LOT #106	5500.00	LOT #186	5500.00	LOT #266	6600.00	LOT #346	2491.00	LOT #426	3021.00	LOT #506	3064.50	LOT #586	5500.00	LOT #666	4500.00	LOT #746	4500.00	LOT #826	4500.00	LOT #906	4500.00	LOT #986	4500.00	LOT #1066	4500.00	LOT #1146	4500.00
LOT #27	4837.17	LOT #107	5500.00	LOT #187	5526.16	LOT #267	6600.00	LOT #347	3064.50	LOT #427	2491.00	LOT #507	2491.00	LOT #587	5500.00	LOT #667	4500.00	LOT #747	4500.00	LOT #827	4500.00	LOT #907	4500.00	LOT #987	4500.00	LOT #1067	4500.00	LOT #1147	4500.00
LOT #28	4832.62	LOT #108	5504.00	LOT #188	6600.00	LOT #268	6600.00	LOT #348	3064.50	LOT #428	3064.50	LOT #508	3064.50	LOT #588	5500.00	LOT #668	4500.00	LOT #748	4500.00	LOT #828	4500.00	LOT #908	4500.00	LOT #988	4500.00	LOT #1068	4500.00	LOT #1148	4500.00
LOT #29	4837.89	LOT #109	5522.00	LOT #189	6600.00	LOT #269	6600.00	LOT #349	2491.00	LOT #429	3064.50	LOT #509	3021.00	LOT #589	5500.00	LOT #669	4500.00	LOT #749	4500.00	LOT #829	4500.00	LOT #909	4500.00	LOT #989	4500.00	LOT #1069	4500.00	LOT #1149	4500.00
LOT #30	4837.89	LOT #110	5522.00	LOT #190	6600.00	LOT #270	6600.00	LOT #350	3064.50	LOT #430	3064.50	LOT #510	3064.50	LOT #590	5500.00	LOT #670	4500.00	LOT #750	4500.00	LOT #830	4500.00	LOT #910	4500.00	LOT #990	4500.00	LOT #1070	4500.00	LOT #1150	4500.00
LOT #31	4837.89	LOT #111	5500.00	LOT #191	6600.00	LOT #271	7089.86	LOT #351	3110.00	LOT #431	3064.50	LOT #511	3064.50	LOT #591	5500.00	LOT #671	4500.00	LOT #751	4500.00	LOT #831	4500.00	LOT #911	4500.00	LOT #991	4500.00	LOT #1071	4500.00	LOT #1151	4500.00
LOT #32	4976.40	LOT #112	5500.00	LOT #192	6600.00	LOT #272	7089.86	LOT #352	3110.00	LOT #432	3021.00	LOT #512	3021.00	LOT #592	5500.00	LOT #672	4500.00	LOT #752	4500.00	LOT #832	4500.00	LOT #912	4500.00	LOT #992	4500.00	LOT #1072	4500.00	LOT #1152	4500.00
LOT #33	4779.46	LOT #113	5500.00	LOT #193	6600.00	LOT #273	6600.00	LOT #353	3064.50	LOT #433	2491.00	LOT #513	2491.00	LOT #593	5500.00	LOT #673	4500.00	LOT #753	4500.00	LOT #833	4500.00	LOT #913	4500.00	LOT #993	4500.00	LOT #1073	4500.00	LOT #1153	4500.00
LOT #34	4794.23	LOT #114	5500.00	LOT #194	6600.00	LOT #274	6600.00	LOT #354	3064.50	LOT #434	3064.50	LOT #514	3064.50	LOT #594	5500.00	LOT #674	4500.00	LOT #754	4500.00	LOT #834	4500.00	LOT #914	4500.00	LOT #994	4500.00	LOT #1074	4500.00	LOT #1154	4500.00
LOT #35	4779.47	LOT #115	5500.00	LOT #195	6600.00	LOT #275	6600.00	LOT #355	2491.00	LOT #435	2491.00	LOT #515	2491.00	LOT #595	5500.00	LOT #675	4500.00	LOT #755	4500.00	LOT #835	4500.00	LOT #915	4500.00	LOT #995	4500.00	LOT #1075	4500.00	LOT #1155	4500.00
LOT #36	4846.30	LOT #116	5500.00	LOT #196	6600.00	LOT #276	6600.00	LOT #356	3310.00	LOT #436	2491.00	LOT #516	3021.00	LOT #596	5500.00	LOT #676	4500.00	LOT #756	4500.00	LOT #836	4500.00	LOT #916	4500.00	LOT #996	4500.00	LOT #1076	4500.00	LOT #1156	4500.00
LOT #37	4500.00	LOT #117	5500.00	LOT #197	6600.00																								

TRACT TABLE			VILLA'S PRIVATE DRIVE TRACT TABLE		
TRACT	ACRES	USE	TRACT	ACRES	USE
TRACT A	3.15	COMMON AREA, DRAINAGE, AND SEWER	TRACT DW1	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT B	0.04	COMMON AREA	TRACT DW2	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT C	0.99	COMMON AREA AND DRAINAGE	TRACT DW3	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT D	0.04	COMMON AREA	TRACT DW4	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT E	0.04	COMMON AREA	TRACT DW5	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT F	0.42	COMMON AREA AND DRAINAGE	TRACT DW6	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT G	0.43	COMMON AREA	TRACT DW7	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT H	0.20	COMMON AREA	TRACT DW8	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT I	0.05	COMMON AREA	TRACT DW9	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT J	0.02	COMMON AREA	TRACT DW10	0.15	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT K	0.02	COMMON AREA	TRACT DW11	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT L	0.02	COMMON AREA	TRACT DW12	0.07	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT M	0.20	COMMON AREA	TRACT DW13	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT N	0.05	COMMON AREA	TRACT DW14	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT O	2.57	COMMON AREA AND DRAINAGE	TRACT DW15	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT P	0.25	COMMON AREA	TRACT DW16	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT Q	0.05	COMMON AREA	TRACT DW17	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT R	8.74	COMMON AREA, DRAINAGE, AND SEWER	TRACT DW18	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT S	0.05	COMMON AREA AND DRAINAGE	TRACT DW19	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT T	0.05	COMMON AREA	TRACT DW20	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT U	0.22	COMMON AREA	TRACT DW21	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT V	0.05	COMMON AREA	TRACT DW22	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT W	0.21	COMMON AREA	TRACT DW23	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT X	0.33	COMMON AREA	TRACT DW24	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT Y	0.05	COMMON AREA	TRACT DW25	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT Z	0.05	COMMON AREA	TRACT DW26	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT AA	0.05	COMMON AREA	TRACT DW27	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT AB	0.05	COMMON AREA	TRACT DW28	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT AC	6.32	COMMON AREA AND DRAINAGE	TRACT DW29	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT CC	0.06	COMMON AREA	TRACT DW30	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT CD	0.07	COMMON AREA	TRACT DW31	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT EE	0.03	COMMON AREA	TRACT DW32	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT FF	0.15	COMMON AREA	TRACT DW33	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT GG	0.15	COMMON AREA	TRACT DW34	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT HH	0.15	COMMON AREA AND DRAINAGE	TRACT DW35	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT II	0.18	COMMON AREA AND DRAINAGE	TRACT DW36	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT JC	0.05	COMMON AREA	TRACT DW37	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT LL	0.20	COMMON AREA	TRACT DW38	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT MM	0.05	COMMON AREA	TRACT DW39	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT NN	0.04	COMMON AREA	TRACT DW40	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT OO	0.19	COMMON AREA	TRACT DW41	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT PP	0.05	COMMON AREA	TRACT DW42	0.06	COMMON AREA, PUE, LOT ACCESS, AND SEWER
TRACT QO	0.03	COMMON AREA	TOTAL	2.63	

LOT AREA TABLE, TRACT TABLE AND PRIVATE DRIVE TRACTS ARE APPROXIMATE AND MAY VARY ON FINAL PLAT.

NOTICE:

THE SOLE RESPONSIBILITY OF THE
CONTRACTOR, WHETHER THE OWNER
NOT THE ENGINEER SHALL BE
EXPECTED TO ASSUME ANY
RESPONSIBILITY FOR SAFETY OF THE
WORK OF PERSONS ENGAGED IN THE
WORK OF ANY AND ALL STRUCTURES
OR OF ANY OTHER PERSONS.

ATWELL
4700 E. SOUTHERN AVENUE
MESA, AZ 85206
480.218.8831

LOT AND TRACT AREA TABLES

REVISIONS:



DR.	S. STAMAN
JOB NO.	18000694
FILE NO.	09002605DT01

DT01

SHEET NO.
2 OF 5

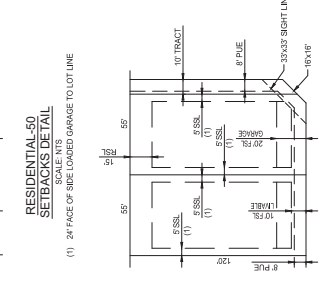


Exhibit G

Proposed Landscape, Amenity, Wall and Photometric Plans

Parkside

Parkside
Preliminary Subdivision Plat
W Indian School Road & N 99th Avenue

REFERENCE NOTES SCHEDULE

PAVING	SIDEWALK - 4'-6" W
SIDEWALK - 6'-6" W	
PAVING - 6'-6" W	
PROSTRIATION ACCENT PAVING	
CONCRETE HEADER	
ARTIFICIAL TURF	
ARTIFICIAL TURF	
ARTIFICIAL TURF	
ARTIFICIAL TURF	
PLAYGROUND SPRACING	
VEHICULAR ACCENT PAVING	
<u>SITE IMPROVEMENTS</u>	
COMMUNITY POOL	
RESTROOM BUILDING	
RESTROOM BUILDING	
HALF-SIZE BASKETBALL COURT	
TURF PICKLE BALL COURT	
PLAYGROUND STRUCTURE	
PLAYGROUND SAVING	
SOLAR PLANT SAVING	
PLAYGROUND SAVING	
PARK GAME ELEMENT	
RAISED PLANTER	
<u>SITE DEVELOPMENT</u>	
LOT / PROPERTY LINE (PER CIVIL)	
ROAD RIGHT-OF-WAY (PER CIVIL)	
CURB RAMP (PER CIVIL)	
RETENTION BASIN (PER CIVIL)	
5'-6" ATTACHED SIDEWALK (PER CIVIL)	
5'-6" ATTACHED SIDEWALK (PER CIVIL)	
5'-6" DETACHED SIDEWALK (PER CIVIL)	
PARKING STALL (PER CIVIL)	
LOT STATION (PER CIVIL)	
<u>SITE FURNISHINGS</u>	
PAVING	
PAVING	
SHADE RAMADA	
PAVING	
POOL FURNISHINGS	
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<u>WALL</u>	
PRIMARY MONUMENT SIGNAGE	
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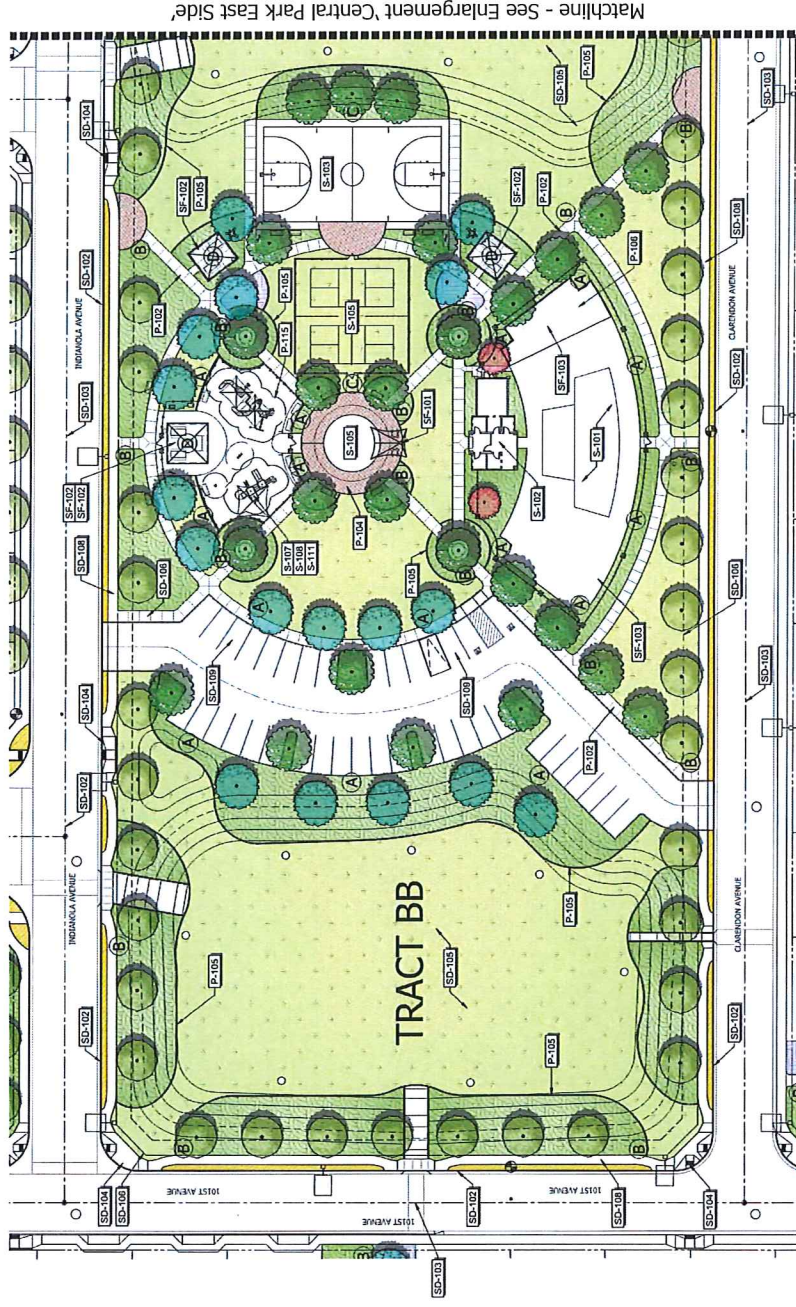


Note: Final plant locations and quantities will be determined during Final Landscape Plan submittal in accordance with City requirements (ZO section 12)



Landscape Plan Enlargement
Central Park (West End)

Note: Park layouts are conceptual and intended for illustration purposes only. Final layout and equipment installed may vary. All amenity imagery is conceptual and shown to convey the general aesthetic and types of equipment proposed and is not intended to be a final depiction. Exact locations of proposed equipment shown are conceptual and not final.



SITE LIGHTING LEGEND
NOTE: REFER TO LIGHTING PLANS BY GTR FOR
ADDITIONAL INFORMATION ON FIXTURES.

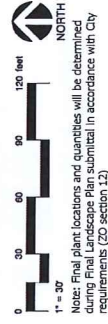
- E** ELEC. SERVICE AT MONUMENT SIGN
A 10' AREA LIGHT POLE
B 3.5' BOLLARD PATH LIGHT
C 20' SPORTS COURT LIGHT
D RAMADA LIGHT

Central Park Enlargement - West Side

Parkside
Preliminary Subdivision Plat
W Indian School Road & N 59th Avenue

REFERENCE NOTES SCHEDULE

	PAVING	SIDEWALK - 4'-9"W
P-101		SIDEWALK - 6'-0"W
P-102		CURB RAMP (PER CIVIL)
P-103		PROTESTANT ACENT PAVING
P-104		CONCRETE LEADER
P-105		SYNTHETIC TURF
P-106		PLAYGROUND SURFACING
P-107		VEHICULAR ACCENT PAVING
P-116		
	SITE IMPROVEMENTS	
S-101		COMMUNITY POOL
S-102		FULL-SIZE BASKETBALL COURT
S-103		HALF-SIZE BASKETBALL COURT
S-104		TURF PICKLE BALL COURT
S-105		PLAYGROUND STRUCTURE
S-107		PLAYGROUND SWING
S-108		FRISBEY / ROCK CLIMBER
S-110		PARK GAME ELEMENT
S-112		RAISED PLANTER
	SITE DEVELOPMENT	
SD-101		LOT / PROPERTY LINE (PER CIVIL)
SD-102		ROAD CENTERLINE (PER CIVIL)
SD-103		CURB RAMP (PER CIVIL)
SD-104		RETENTION BASIN (PER CIVIL)
SD-105		5'-0" ATTACHED SIDEWALK (PER CIVIL)
SD-107		5'-0" ATTACHED SIDEWALK (PER CIVIL)
SD-108		5'-0" ATTACHED SIDEWALK (PER CIVIL)
SD-109		LIFT STATION (PER CIVIL)
SD-110		
	SITE FURNISHINGS	
SF-101		SHADE RAMADA
SF-102		POOL FURNISHINGS
SF-103		PAINTED SIGNAGE
SF-104		PAINTED SIGNAGE
SF-105		PAINTED SIGNAGE
SF-106		PARK TRELLIS AT 99TH AVENUE
	WALL	
W-101		PRIMARY MONUMENT SIGNAGE
W-102		SECONDARY MONUMENT SIGNAGE
W-103		MONUMENT SIGNAGE
W-120		CITY OF WINDVALE WATERFINDING SIGN



CVL
CONSULTANTS

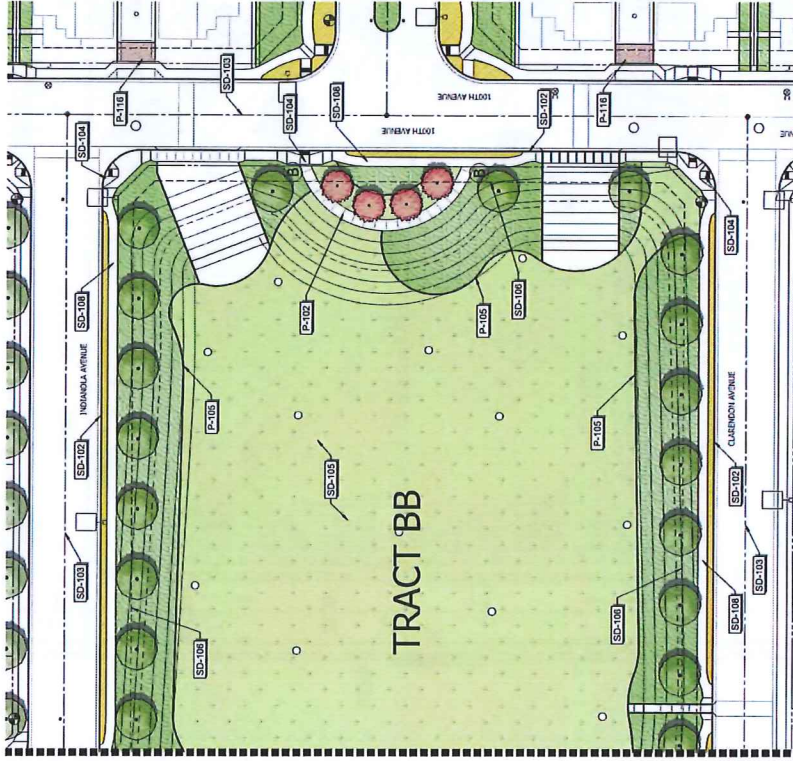
CELEBRATING 60 YEARS
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Civil Engineering, Water Systems, Wetlands, Industrial, Landmarks, Construction, Air Quality, Compliance Management

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Landscape Plan Enlargement
Central Park (East End) & Villas Layout

Note: Park layouts are conceptual and intended for illustration purposes only. Final layout and equipment installed may vary. All amenity imagery is conceptual and shown to convey the general aesthetic and types of equipment proposed and is not intended to be a final depiction. Exact locations of proposed equipment shown are conceptual and not final.



Matchline - See Enlargement 'Central Park West Side'

Typical Villas Lot Layout Enlargement

Central Park Enlargement - East Side

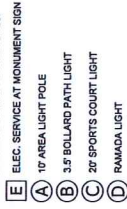
SITE LIGHTING LEGEND
NOTE: REFER TO LIGHTING PLANS BY GTR FOR
ADDITIONAL INFORMATION ON FIXTURES.

- E** ELEC. SERVICE AT MONUMENT SIGN
A 10' AREA LIGHT POLE
B 3.5' BOLLARD PATH LIGHT
C 20' SPORTS COURT LIGHT
D RAMADA LIGHT

W Indian School Road & N 99th Avenue

[illegible]

Note: Park layouts are conceptual and intended for illustration purposes only. Final layout and equipment installed may vary. All amenity imagery is conceptual and shown to convey the general aesthetic and types of equipment proposed and is not intended to be a final depiction. Exact locations of proposed equipment shown are conceptual and not final.



Park D Enlargement

[illegible]

January	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM.
February	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - PRUNE ALL GRASSES BACK TO ENCOURAGE SPRING GROWTH. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.
March	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.
April	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.
May	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - PRUNE ALL PLANTS WITH FLOWER STALKS TO REMOVE ALL DEAD STALKS AND SEEDS AFTER THE BLOOMING PERIOD HAS ENDED.
June	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.
July	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.
August	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.
September	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.
October	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.
November	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.
December	- LAWN MAINTENANCE: PERENNIAL RYE GRASS (IF TURF WAS OVER-SEED). - FERTILIZE AT A 3-1-2 RATIO WITH NITROGEN, PHOSPHORUS, POTASSIUM. - ADD WEED CONTROL. APPLICATION AS NEEDED TO CONTROL SPRING WEEDS. - HAND-PRUNE OLDER SHRUBS AS NEEDED TO ENCOURAGE NEW GROWTH.

- TREES MUST BE PLANTED AT LEAST ONCE IN THE SPRING, SOPE AND FALL MONTHS. TREES PLANTED IN THE SPRING SHOULD BE PLANTED DURING THE FALL MONTHS. ALL NEW PLANTED TREES SHALL BE STAKED AND ALL TREES SHALL BE THINNED PRIOR TO MONSOON SEASON. SET MONTHLY MAINTENANCE SCHEDULE FOR MORE INFORMATION.
- TREES SHOULD BE PLANTED IN AREAS, DESERT SPOONS, CACTUS, AND OTHER ACIDIC SPECIES WILL NEED TO BE MAINTAINED ON AN INDIVIDUAL BASIS AS NEEDED.
- DECOMPOSED GRANITE PLANTING AREAS SHALL BE RAKED TWICE A MONTH MINIMUM.

Proper Natural Selective Pruning

Note: Final plant locations and quantities will be determined during Final Landscape Plan submittal in accordance with City requirements (ZO section 12)

CVL
CONSULTANTS

60 YEARS
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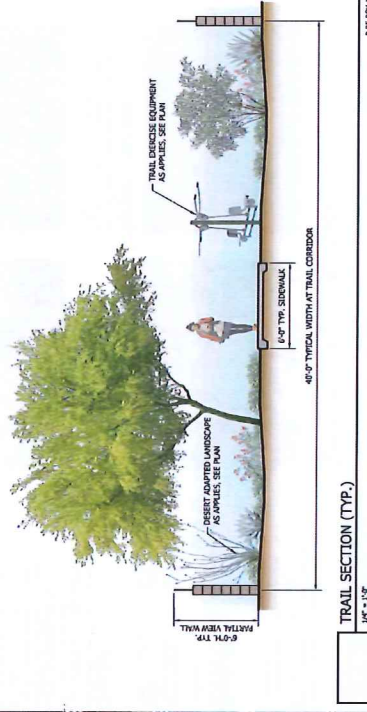
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MONTHLY IRRIGATION	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL ANNUAL
HIGH TURF QUALITY	1.7*	2.4*	4.0*	5.9*	7.3*	7.4*	7.3*	7.3*	6.6*	4.2*	2.5*	1.6*	57.5*
ACCEPTABLE TURF QUALITY	1.5*	2.0*	3.6*	5.3*	6.5*	7.0*	6.4*	6.4*	5.0*	3.0*	2.1*	1.1*	50.0*

NOTE: TURF GRASS CONSUMPTIVE USE VALUES FOR THE PHOENIX AREA WERE DEVELOPED BY THE UNIVERSITY OF ARIZONA COOPERATIVE EXTENSION SERVICE.

Parkside Preliminary Subdivision Plat W Indian School Road & N 98th Avenue

- Pedestrian Circulation Plan Legend**
- 5'W Sidewalk
 - 6'W Sidewalk
 - 4'W Sidewalk - Detached
 - 5'W Sidewalk - Detached
 - 6'W Sidewalk - Detached
 - 10'W Sidewalk - Detached
 - 15'W Sidewalk - Detached
 - Bike Lane



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4550 N. 123rd Street, Phoenix, AZ 85018
www.icvl.com

Schematic Pedestrian Circulation Plan

THEME COLUMN
VC30B
VC32B
CITY OF AVONDALE WAYFINDING SIGN

Parkside

Preliminary Subdivision Plat
W Indian School Road & N 98th Avenue

*Note: Products and images shown are precedent and conceptual only to explain the general character of amenities. Actual products chosen and installed may vary from those shown.



Half-Court Basketball



Pool



Full-Court Basketball



Outdoor Movie Screen at Pool



DG Trails



Sand Volleyball



Active Lawn



Park Games



Shaded Seating Areas



8-10 Person Static



2-Level Horizontal Bars



Back & Arms Combo



ADA Hand Cycle



2-Person Dips Station



Full Bar Exercise



2-Person Lat Pull



2-Person Sit-Up Bench



Parallel Bars



3-Person Static Combo



4-Person Combo Bars



Adjustable Butterfly



Back Extension



Balancing Plate



ADA Vertical Press



Horizontal Ladder



Leg Extension



Multi-Level Bars



Plyometric Steps



Rowing Machine



Concept Amenity Imagery

Note: Park layouts are conceptual and intended for illustration purposes only. The actual layout of the park and the placement of amenities is conceptual and shown to convey the general aesthetic and types of equipment proposed and is not intended to be a final depiction. Exact locations of proposed equipment shown are conceptual and not final.

Parkside

Preliminary Subdivision Plat

W Indian School Road & N 99th Avenue

*Note: Products and images shown are precedent and conceptual only to explain the general character of amenities. Actual products chosen and installed may vary from those shown.



S-107 - Playground Structure



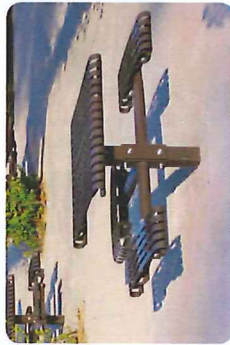
S-110 - Free-Play / Rock Climber



SF-101 - Shade Structure



SF-105 - Park Furnishing



SF-105 - Park Furnishing



S-107 - Playground Structure



S-110 - Free-Play / Rock Climber



SF-102 - Shade Ramada



S-109 - Sculptural Seating



SF-105 - Park Furnishing



S-107 - Playground Structure



S-108 - Playground Swing



SF-102 - Shade Ramada



S-111 - Park Game Element



SF-105 - Park Furnishing



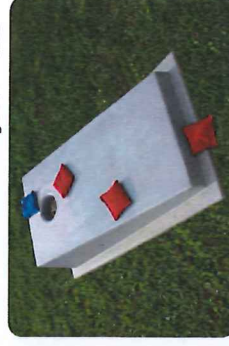
S-107 - Playground Structure



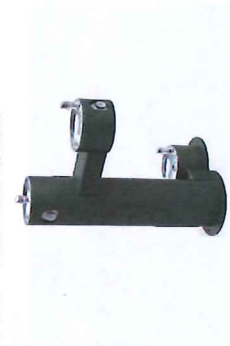
S-108 - Playground Swing



SF-106 - Vine Trellis Along 99th Avenue



S-111 - Park Game Element



SF-105 - Park Furnishing

CVL
CONCEPTUAL VISUALIZATION
4550 N. 12th Street, Phoenix, AZ 85018 • Phone: 602-264-6831 • Fax: 602-264-6828 • www.cvl.com
10145 E. McDowell, Suite 100, Scottsdale, AZ 85257 • Phone: 480-344-1111 • Fax: 480-344-1112 • www.cvl.com

Concept Amenity Imagery

Note: Park layouts are conceptual and intended for illustration purposes only. Final park layout and equipment locations are conceptual and shown to convey the general aesthetic and types of equipment proposed and is not intended to be a final depiction. Exact locations of proposed equipment shown are conceptual and not final.

Parkside
Preliminary Subdivision Plat
W Indian School Road & N 95th Avenue



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THEME COLUMN
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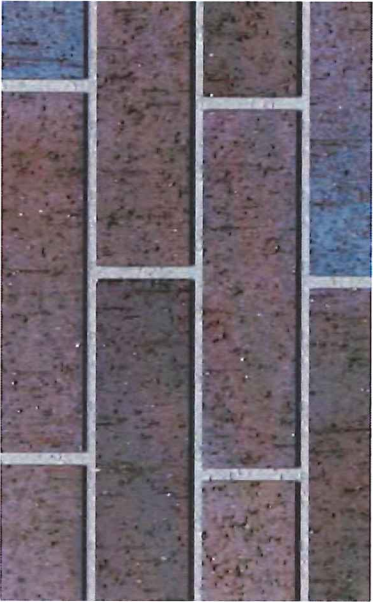
Parkside
Preliminary Subdivision Plat
W Indian School Road & N Fifth Avenue



W Indian School Road & N 99th Avenue



Entry Monument Sign and Site Amenity Elevations

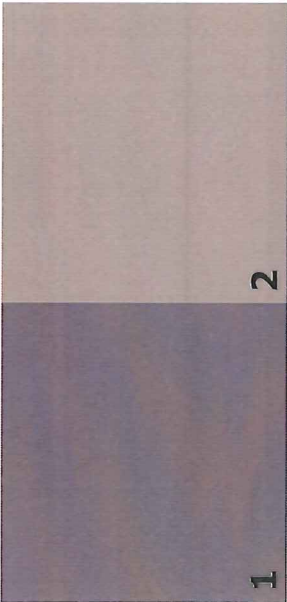


Brick Finish

- Primary Theme Column Veneer
- Single & Double Wall & Column Header
- Monument Sign Accent Finish

Modular Face Brick - Brown Flashed

By: Pacific Clay (Or Approved Equal)
Light Grey Mortar



Masonry Paint Finish Options

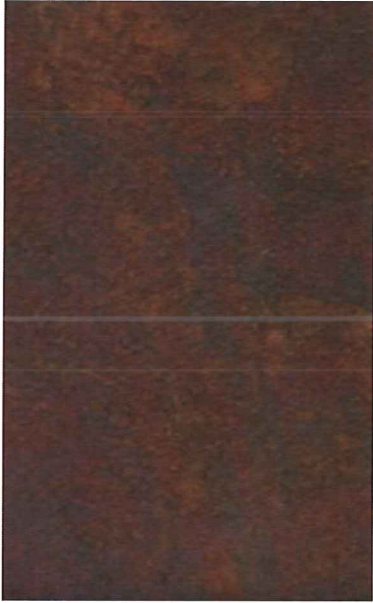
- 1) Finish for all site wall and monument sign base
- 2) Finish for all secondary columns and monument sign vertical elements

Acri-Hues Exterior Paint (Flat)

1 - 'Fallen Rock' DE6389 Color

2 - 'Crushed Stone' DE6067 Color

By: Dunn-Edwards (Or Approved Equal)



Weathered Steel Accent

- Monument Sign Accent
- Bus Shelter Accent

By: Contractor (Color Will Naturally Vary)

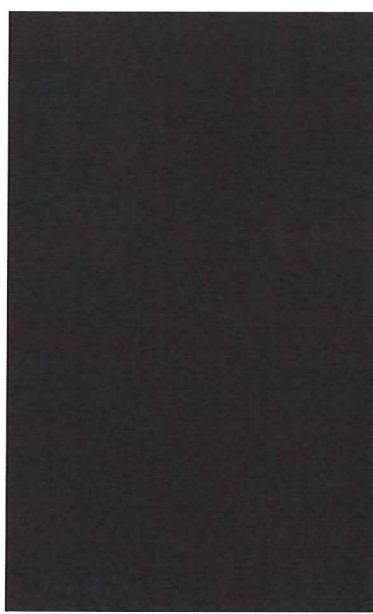


Accent Vehicular Paving at Villas

- Accent paving band at auto-court entrances at villas

Stamped asphalt

Final color T.B.D. (Brown Tones)



Fence Rail Paint Finish

- Finish for all site fence segments

Acri-Hues Exterior Paint (Semi-Gloss)

'Black' DEA187 Color

By: Dunn-Edwards (Or Approved Equal)



6x8x16 Standard
CMU Block
Smooth Face



6x8x16 Vertical
Score CMU Block
Smooth Face

Exhibit H

Certificates of Adequate School Facilities

Pendergast Elementary School District

Tolleson Union High School District



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

An application for Major PAD Amendment & Phase 2 Pre-Plat Amendment has been submitted to the City of Avondale, Development & Engineering Services Department, for review.

Project: Parkside Project Manager: Jonathan Bastianelli
Request: Remove commercial & add lots Acreage/Parcel Size: 141.69 gross/136.72 net
Current Density Allowed: 4.84 du/ac Density Proposed: 5.23 du/ac
Total number of residential units proposed: 715

As an authorized representative of the District, please complete the questionnaire below.

Does the District have adequate capacity to accommodate the estimated enrollment from the proposed development?

Yes



No



If answered no, please summarize the needs of the district as they relate to serving the students generated by the proposed development.

Is a school site within the proposed development needed?

Yes



No



If answered yes, how many acres is needed for the school site?

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes ☐ No ☒

If answered yes, please explain below:

****If additional writing space is needed, please attach pages to this form****

Date Reviewed: 3/23/21

School District: Pease Elementary School District

District Superintendent: Dr. Jennifer Cruz

Phone #: 623 772-2000

E-mail: jfimbres@psd92.org

Signature: 

It is the developer's responsibility to ensure this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

11465 W. Civic Center Drive, #110, Avondale, AZ 85323 • Phone (623) 333-4000 • Fax (623) 333-0400 • TDD (623) 333-0010
www.avondaleaz.gov/developmentservices



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

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Is a school site within the proposed development needed?

Yes ☐ No ☒

If answered yes, how many acres is needed for the school site?

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes ☐ No ☒

If answered yes, please explain below:

If additional writing space is needed, please attach pages to this form

Date Reviewed: April 16, 2021

School District: Tolleson Union High School District #214

District Superintendent: Nora Gutierrez

Phone #: 623-478-4001

E-mail: nora.gutierrez@tuhsd.org

Signature

It is the developer's responsibility to ensure that this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

11465 W. Civic Center Drive, #110, Avondale, AZ 85323 • Phone (623) 333-4000 • Fax (623) 333-0400 • TDD (623) 333-0010
www.avondaleaz.gov/development/services

CITY COUNCIL REPORT

SUBJECT: Public Hearing and Resolution 1076-0921 – Avondale Commons - Freeway Corridor Specific Plan Amendment – Application PL-21-0204

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will hold a public hearing and consider a City-initiated request to adopt Resolution 1076-0921, approving a Freeway Corridor Specific Plan (FCSP) Amendment to increase the maximum allowed building height on approximately 25.23 acres located at the northwest corner of Avondale Boulevard and McDowell Road. Approval of the request will increase the maximum height allowed on the subject property by one (1) story, allowing for buildings with a maximum of four (4) stories to be developed on the site. A request to rezone the property to Avondale Commons Planned Area Development (PAD) will be considered separately; the proposed Avondale Commons PAD will facilitate development of the property in accordance with a mixed-use plan consisting of a 4-story, 324-unit multi-family residential complex and supportive commercial, retail, hospitality, and office uses. The Council will take appropriate action.

BACKGROUND:

The 25.23 gross acre (22.60 net acre) subject property (Exhibits A and B) is located at the northwest corner of Avondale Boulevard and McDowell Road.

The property was annexed into the City in February 2006 and rezoned from Agricultural (AG) to Avondale Marketplace Planned Area Development (PAD) in March 2006. The Avondale Marketplace PAD allowed for a horizontally integrated mixed-use development including retail, office, mini-storage, and high-density residential uses. Development of Avondale Marketplace did not occur and following expiration of the Avondale

Marketplace PAD, the property's zoning was reverted to Agricultural in June 2011. The property, which is undeveloped, remains zoned AG and is used for agricultural/farming purposes.

The property is designated by the General Plan 2030 Land Use Map as Mixed Use. The Mixed Use designation encourages innovatively designed developments reflective of a village concept, where residents can live, work, and recreate within the same development or close by. Development in this category requires proportionate ratios of residential and non-residential uses.

The subject property is also located within the boundaries of the Freeway Corridor Specific Plan (FCSP). The FCSP guides the physical form for development of properties within the freeway corridor, including the establishment of maximum building heights. The FCSP presently limits building height on the site to a maximum of three (3) stories; approval of the proposed FCSP Amendment will increase the maximum building height by one (1) additional story, allowing for four (4) story buildings on the subject property.

An application to rezone the property to Avondale Commons Planned Area Development (PAD) will be considered separately on this same agenda. The proposed Avondale Commons PAD will facilitate development of the subject property with a horizontally integrated mixed-use development consisting of a 4-story, 324-unit multi-family residential complex on 12.5 net acres and supportive commercial, retail, hospitality, and office uses on 10.1 net acres. Approval of the proposed Freeway Corridor Specific Plan Amendment, allowing for four (4) story buildings on the subject property, is required before the rezoning request can be approved.

The existing uses and zoning of surrounding properties include:

NORTH: The majority of property north of the subject site is undeveloped, zoned Agricultural (AG), and currently in agricultural farming use. A single-family residence located in Maricopa County, zoned Rural-43, is located north of the property's northeast corner.

EAST OF AVONDALE BOULEVARD: The Southwest Valley Specialty Care Center for Phoenix Children's Hospital, zoned Phoenix Children's Hospital Planned Area Development (PAD). The initial phase of the planned development, an urgent care clinic, is operating on the site. Future planned phases include an emergency care facility, medical offices, and a 48-bed inpatient pediatric hospital.

SOUTH OF MCDOWELL ROAD: Undeveloped property currently in agricultural farming use, zoned Crystal Springs Planned Area Development (PAD). The approved Crystal Springs PAD allows for development of the site in accordance with the City's Community Commercial (C-2) district standards and uses.

WEST: Undeveloped property zoned Agricultural (AG), currently in agricultural farming use. A large Salt River Project (SRP) electrical substation is located to the northwest of the property.

SUMMARY OF REQUEST:

Overland Development is seeking to develop the 25.23 gross acre (22.60 net acre) subject property with a horizontally integrated mixed-use project consisting of a 4-story, 324-unit multi-family residential complex on 12.5 net acres and supportive commercial, retail, hospitality, and office uses on 10.1 net acres. As previously noted, the FCSP currently limits heights on the subject site to a maximum of three (3) stories. To accommodate the proposed mixed use development featuring buildings up to four (4) stories in height, an FCSP Amendment is required. The proposed Amendment, which applies only to the subject site, will revise the FCSP's Maximum Height Map (Exhibit E) to allow for four (4) story buildings on the property; undeveloped properties to the north and east will remain limited to a maximum of three (3) stories in height due to their proximity to existing single-family residential uses north of Palm Lane and west of 119th Avenue.

This proposed FCSP Amendment is the first step towards development of the property. As indicated in the preceding section, a separate application to rezone the property to Planned Area Development (PAD) will be considered separately. Additional details on the proposed Avondale Commons development, including a proposed site layout and building elevations, can be found within the staff report for the companion rezoning request.

CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:

The property is located in the service areas of the Pendergast Elementary School District (PESD) and the Tolleson Union High School District (TUHSD).

Elementary aged students living in Avondale Commons will attend Canyon Breeze Elementary School located west of the southwest corner of Avondale Boulevard and Encanto Boulevard. High school aged students will attend West Point High School, located at the northwest corner of Avondale Boulevard and Encanto Boulevard.

Both PESD and TUHSD have provided the City with Certificates of Adequate School Facilities (Exhibit G) stating that each district has adequate capacity to accommodate the anticipated enrollment from the proposed Avondale Commons development.

PUBLIC PARTICIPATION:

Two (2) Neighborhood Meetings, the first on Thursday, July 15th at 6:00 P.M. and the second on Monday, July 26th at 6:00 P.M. were held to discuss the proposals with neighboring property owners and other interested parties. Due to the ongoing Covid-19 pandemic, both meetings were held virtually via Zoom. All notices of the meetings, including mailings to owners within 1,000 feet of the site, public hearing notice signs on the property, and display ads in the Arizona Republic, were completed in at least fifteen days prior to the meetings as required. In addition to City Staff and the applicant's team, two (2) Councilmembers, one (1) Planning Commissioner, and four (4) residents attended the virtual meetings. Discussion and questions included:

- **Is a driveway entrance proposed at the northeast corner of the site?** The applicant confirmed that an entrance was proposed at that location, designed to align with the existing driveway entrance to Phoenix Children's Hospital east of Avondale Boulevard.
- **Will traffic signals be provided at entrances into the development?** The applicant noted and Staff confirmed that a signal was planned at the project's primary entrance from McDowell Road; neither entrance to the site from Avondale Boulevard would be signalized.
- **How many entrances to the site from McDowell Road were proposed?** The Applicant responded that there were three (3) entrances proposed and denoted those locations on a slide of the project site plan.
- **Would a pedestrian crossing across Avondale Boulevard to Phoenix Children's Hospital be provided (other than at the intersection)?** Staff noted that a signalized pedestrian crosswalk will be provided at the intersection of McDowell Road and Avondale Boulevard which is only about 350 feet from the property's north/south midpoint. Staff indicated that the City could look into an additional pedestrian crosswalk to the north of the intersection, but mid-block crossings close to signal locations are typically not recommended for reasons related to pedestrian safety.
- **Would deceleration lanes be provided at project entrances?** The applicant and Staff confirmed that deceleration lanes would be provided at the primary project entrances.
- **How many stories would the proposed development have?** Staff indicated that the proposed PAD allows for a maximum of four (4) stories. The conceptual site plan shows four (4) story residential buildings on the western half of the site and a potential four (4) story hotel on the eastern half. The applicant noted that a buffer is provided to ensure that the potential hotel will be setback from the adjacent residential property by a greater distance than required by standard commercial zoning.
- **If a hospital is developed in the commercial area (as noted as a possibility by the applicant), how tall would the hospital be?** The applicant responded that the hospital user that the developer was in contact with would need a building no taller than two (2) stories, but more than likely, it would be a single-story facility.

- **Has the lease with the farmer who has been farming the site been terminated?** The developer indicated they are working with the farmer on terminating the lease.
- **Is the City doing anything to mitigate potential effects of pollution and heat island effect from new development?** Staff responded that the City is combatting pollution and heat island effect through a variety of aspects of site design, including through provision of open space and shade trees, encouragement of soft surfaces and permeable pavement, and other low impact development engineering and building principles. Staff also noted that the City has a staff member that is dedicated to sustainability initiatives.
- **What was the City Planning for the rest of the McDowell Road corridor?** Staff noted that specific uses and development type vary depending on location, but in the corridor as a whole, medical (office/hospital), corporate office, retail/restaurant/hospitality, and residential (single-family and multi-family) uses are expected.
- **What type of development is expected on the vacant land north and west of the subject property?** Staff noted that at this point, with no proposals submitted to the City, it could still be a number of things. The use that would seem to make the most sense would be residential, stepping down in density from the proposed multi-family to the existing single-family.
- **How is retention accommodated on the site?** The applicant noted that stormwater retention will be accommodated in both landscaped basins and underground storage tanks.
- **What is the time frame for development of adjacent properties to the north and west of this site?** Staff and the applicant both indicated that no time frame for development of those sites was known. Both adjacent properties are zoned Agricultural (AG) and would require rezoning prior to development.
- **What will be constructed along the property's northern boundary?** The applicant stated that a decorative perimeter wall and landscaped area would be provided. Staff noted that the City's four-sided architectural requirements will ensure that the back of any building facing north will be attractive.
- **How will the City ensure that both commercial and residential uses are constructed and not just one component or the other?** Staff indicated that a stipulation would be provided requiring the developer to construct a portion of the commercial area before the residential area could be fully built out.
- **Would the apartment complex have a clubhouse?** The applicant stated that it would have a clubhouse and multiple other amenities, indicating the locations of each on a site plan.

Three (3) comments pertaining to the proposal were posted on the City's aVOICE/Polco digital forum, as follows:

- "Build it, and build it soon. The market has never been better for such type of developments, and I am awful tired of the farmland that never sells for one reason or another."
- "Where are you getting all the water to support this many multi-family units? Also where are you getting the money for all these new students to pay for more schools and teachers? Why are we destroying all the farmland that was one of the reasons many of us moved to Avondale and how does this help are (sic) town's carbon footprint when we take CO2 removing crops and replace them with CO2 generating people and cars? STOP THE UNCONTROLLED DEVELOPMENT NOW!!!!."
- "Please make sure healthy food options are installed as well. The area doesn't need anymore (sic) coffee shops, fast food or storage facilities. Thank you so much."

In addition, Staff received an email (Exhibit H) from a resident who initially voiced concerns with the proposed development. Upon receiving Staff's response, the resident indicated he no longer had concerns with the proposal. No additional public comments have been received to date.

All required public hearing notifications have been completed. All property owners within 1,000 feet of the subject site were notified of the time, date, and location of the Planning Commission and City Council meetings via postcards, the meetings were advertised in the Arizona Republic, and a public hearing notice sign identifying meeting dates, times, and locations was installed on the property.

PLANNING COMMISSION ACTION:

On August 18, 2021, Planning Commission conducted a public hearing and voted 5-0 to recommend approval of the proposed Freeway Corridor Specific Plan Amendment. Commission had the following questions and comments on the proposal:

- **Chair Iwanski asked Staff to discuss the revisions to the recommended conditions of approval.** Staff indicated that minor rewording was recommended to two (2) of the proposed stipulations to better clarify the intent, one pertaining to requirements for off-site improvement construction and the other pertaining to requirements to complete both residential and commercial development on the site. Representatives of the City Attorney's Office confirmed that the modified conditions were appropriately processed.
- **Vice Chair Thompson asked for a summary of the three comments posted on aVOICE.** Staff read the comments (as listed in the public participation section of this report) into the record.
- **Commissioner Osborne inquired as to whether the City had plans to incorporate county islands such as the one to northeast of the project site?** Staff responded that the City doesn't typically initiate annexations of county islands unless the residents request it; in many cases, residents wish to remain in the County because their property taxes will be lower. The City is generally amenable to annexing islands in situations where residents request it.
- **Chair Iwanski asked if Phoenix Children's Hospital (PCH) provided any comment?** Staff noted that they had not commented on the Avondale Commons project though the City has been working with PCH on the next phases of development on their own site.
- **Chair Iwanski asked whether the developer was amenable to providing a bus pull-out on McDowell Road to allow traffic to continue to flow when the bus was stopped?** Staff confirmed that a separated bus pull-out would be provided on McDowell Road near the southeast corner of the site.

ANALYSIS:

The requested FCSP Amendment, increasing the maximum building height on the subject property by one additional story (to allow heights of up to four (4) stories), will facilitate development of the site with the horizontally integrated Avondale Commons mixed use development. The proposed development furthers several City goals and objectives, most notably:

- **General Plan Housing Element Goal #2:** *"Champion the development of housing types not currently available in the City to allow for a variety of socio-economic levels."* The proposed project would be the first multi-family residential development in Avondale to offer four-story, elevator served buildings with unit access provided from interior hallways accessed from common lobbies.
- **General Plan Land Use Element Goal #3:** *"Provide a strong balance of high quality residential, employment, recreation, and educational land."* The proposed amendment will facilitate development of a horizontally integrated mixed use development that will feature residential, office, and retail components.

Staff believes that the additional height will not adversely impact adjacent properties. The subject site is surrounded by undeveloped land on the north and west, with the exception of one (1) existing single-family

residence located north of the site's northeast corner. Per the conceptual site plan contained within the accompanying Avondale Commons PAD, all four-story residential buildings are located on the western half of the site, minimizing the impact of those buildings on the existing residential property. In regard to the commercial portions of the site, building height is expected to be limited to two (2) stories with the exception of a potential hotel adjacent to Avondale Boulevard which may be up to four (4) stories. To mitigate the impacts of the potential hotel on the existing residence, the PAD incorporates additional measures including provision of a landscape buffer along the property's northern edge and incorporation of a substantial building setback adjacent to the residence's south property line. By design, the request does not extend to adjacent undeveloped land to the north and west which are more proximate to developed single-family residential properties.

DISCUSSION:

Staff recommends approval of the proposed Freeway Corridor Specific Plan Amendment for the reasons noted above.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

City Council will conduct a public hearing and **ADOPT** the Resolution approving Application PL-21-0204 Avondale Commons, a request for a Freeway Corridor Specific Plan Amendment increasing the maximum allowable height on 25.23 gross acres at the northwest corner of Avondale Boulevard and McDowell Road to four (4) stories.

PROPOSED MOTION:

I move that City Council **ADOPT** the Resolution approving Application PL-21-0204 Avondale Commons, a request for a Freeway Corridor Specific Plan Amendment increasing the maximum allowable height on 25.23 gross acres at the northwest corner of Avondale Boulevard and McDowell Road to four (4) stories.

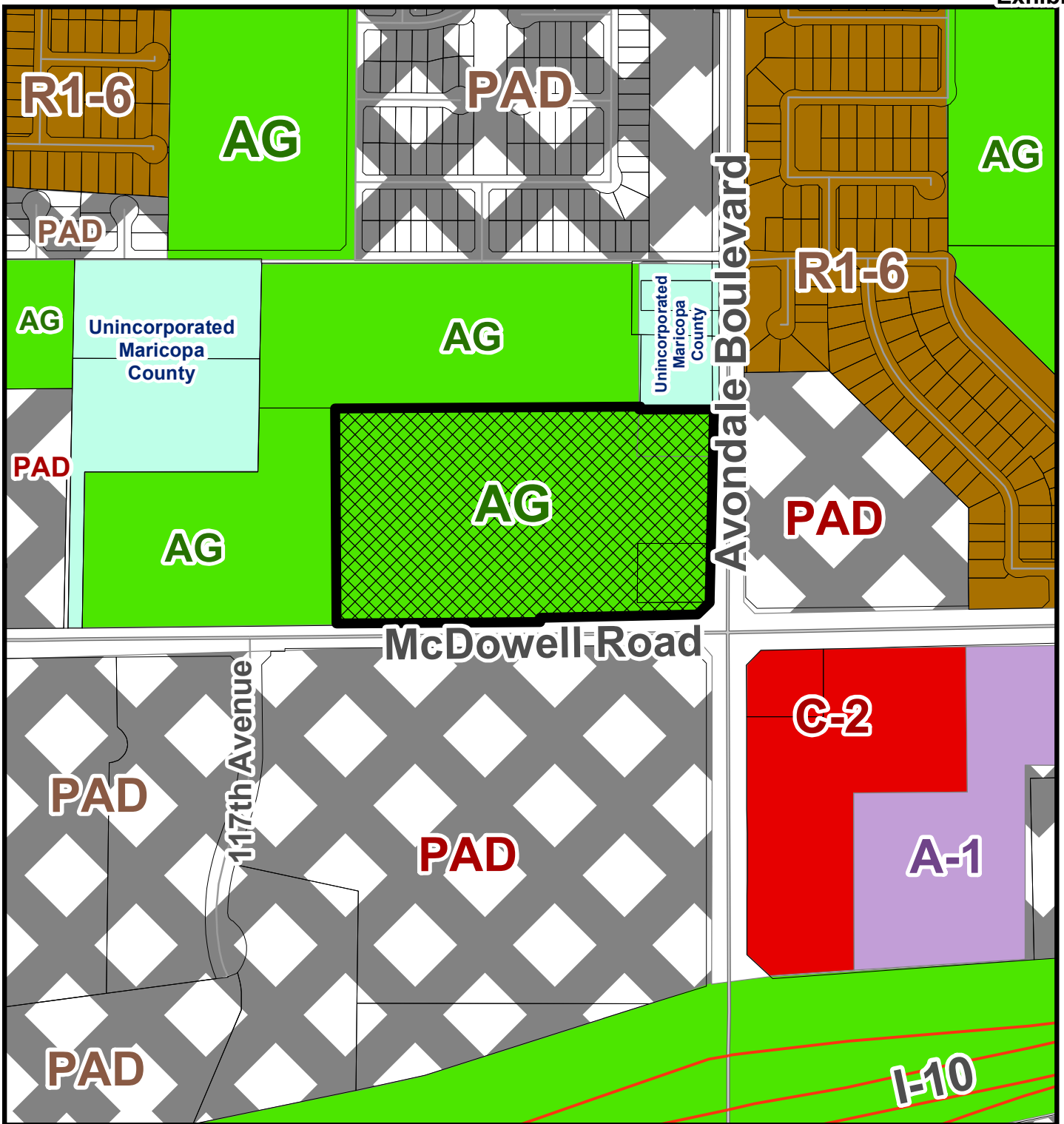


Aerial Photograph



Subject Property



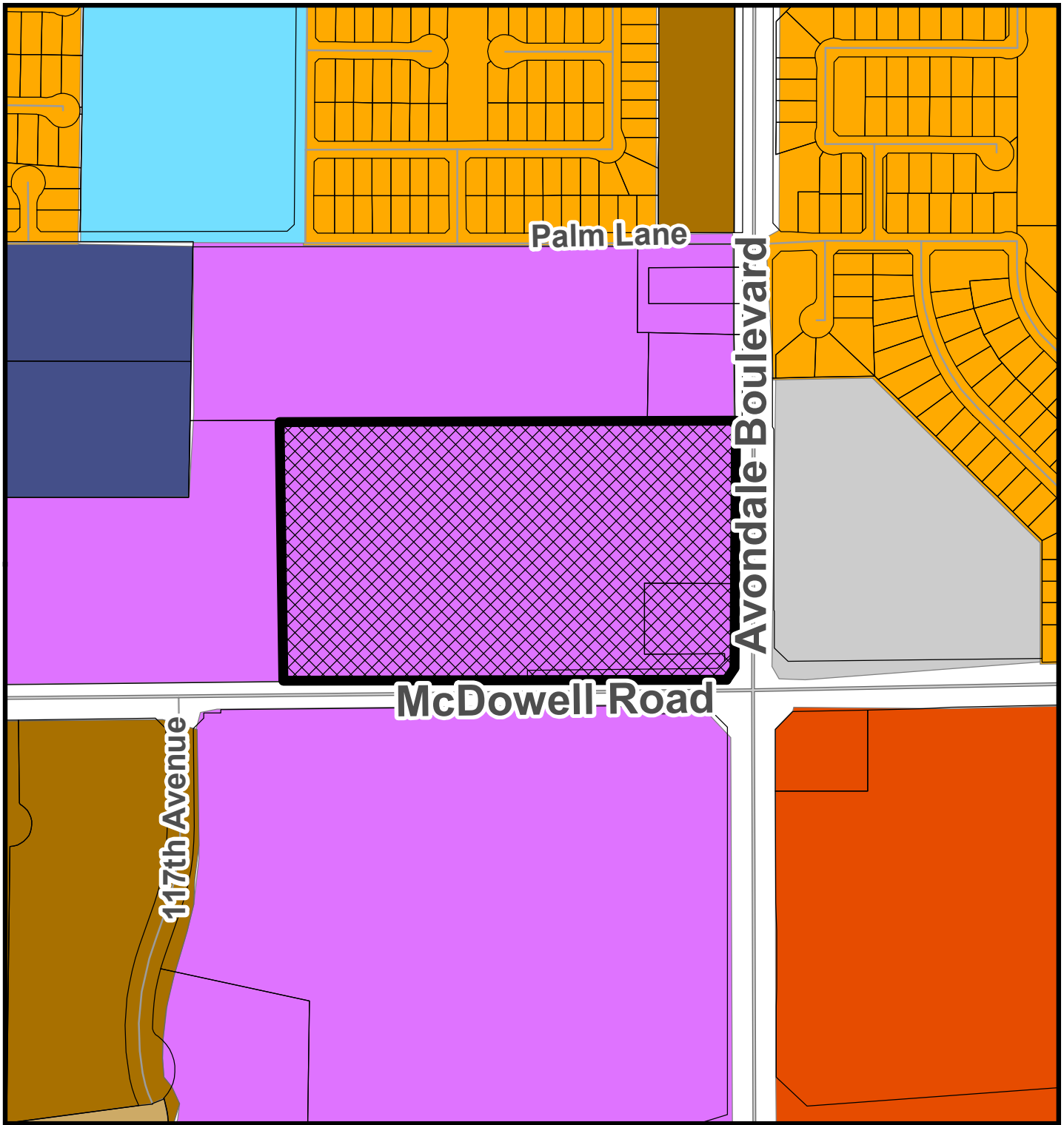


Zoning Vicinity Map



Subject Property



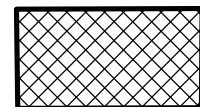


General Plan Land Use

 Mixed Use	 Medium Density Residential
 Freeway Commercial	 Medium/High Density Residential
 Office/Professional	 High Density Residential
 Public/Civic	 Education



Subject Property



SUMMARY OF RELATED FACTS

APPLICATIONS PL-21-0072 AND PL-21-0204

THE PROPERTY	
PROPERTY SIZE	Approximately 25.23 gross acres
LOCATION	Northwest corner of Avondale Boulevard and McDowell Road
EXISTING LAND USE	The subject property is undeveloped and is in agricultural/farming use.
EXISTING ZONING	Agricultural (AG)
ZONING HISTORY	The subject property was annexed in February 2006 and rezoned from Agricultural (AG) to Avondale Marketplace Planned Area Development (PAD) in March 2006. The Avondale Marketplace PAD allowed for a horizontally integrated mixed-use development including retail, office, mini-storage, and high-density residential uses. Due to lack of development, the PAD expired and the property's zoning was reverted to AG in June 2011.

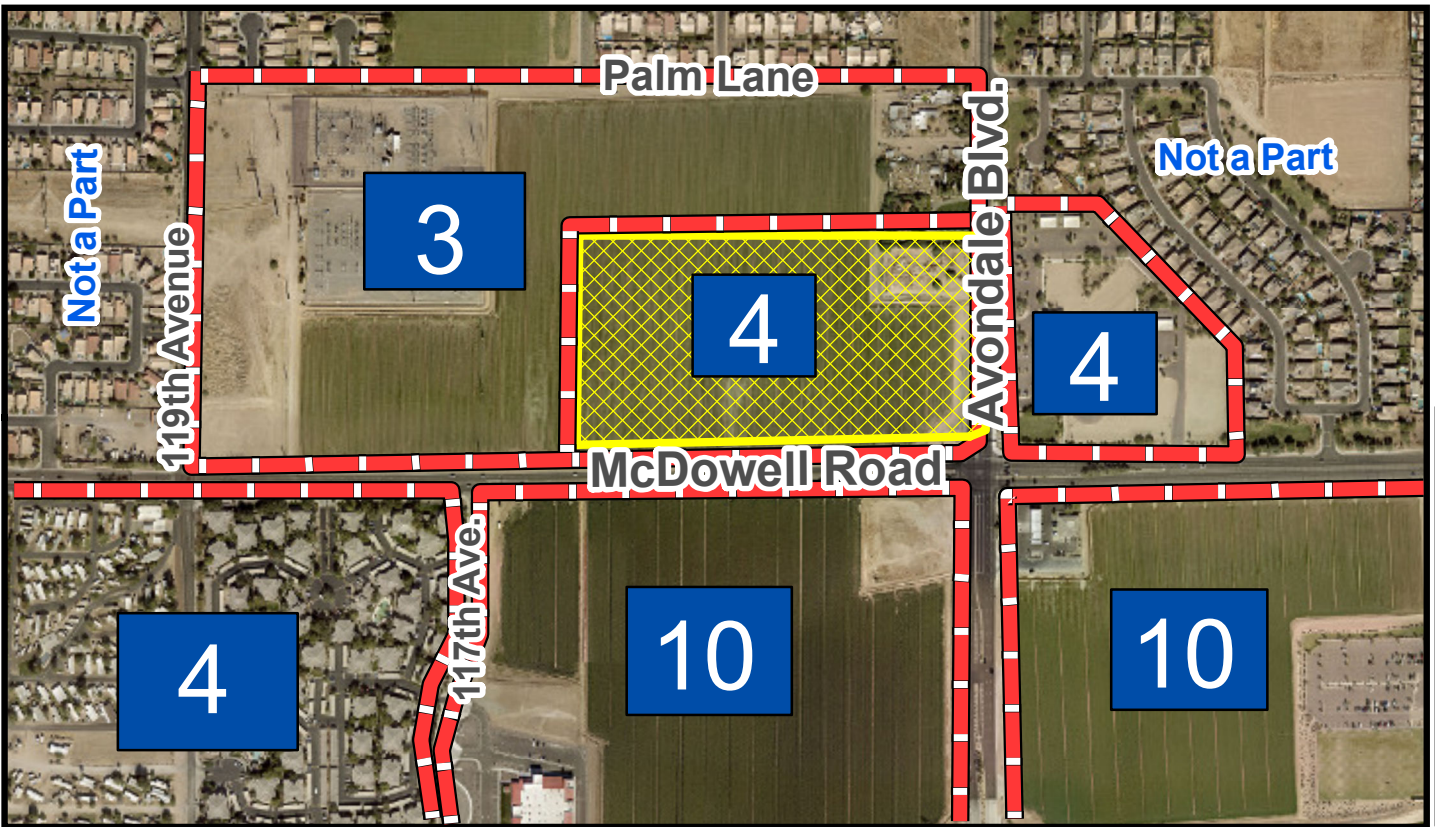
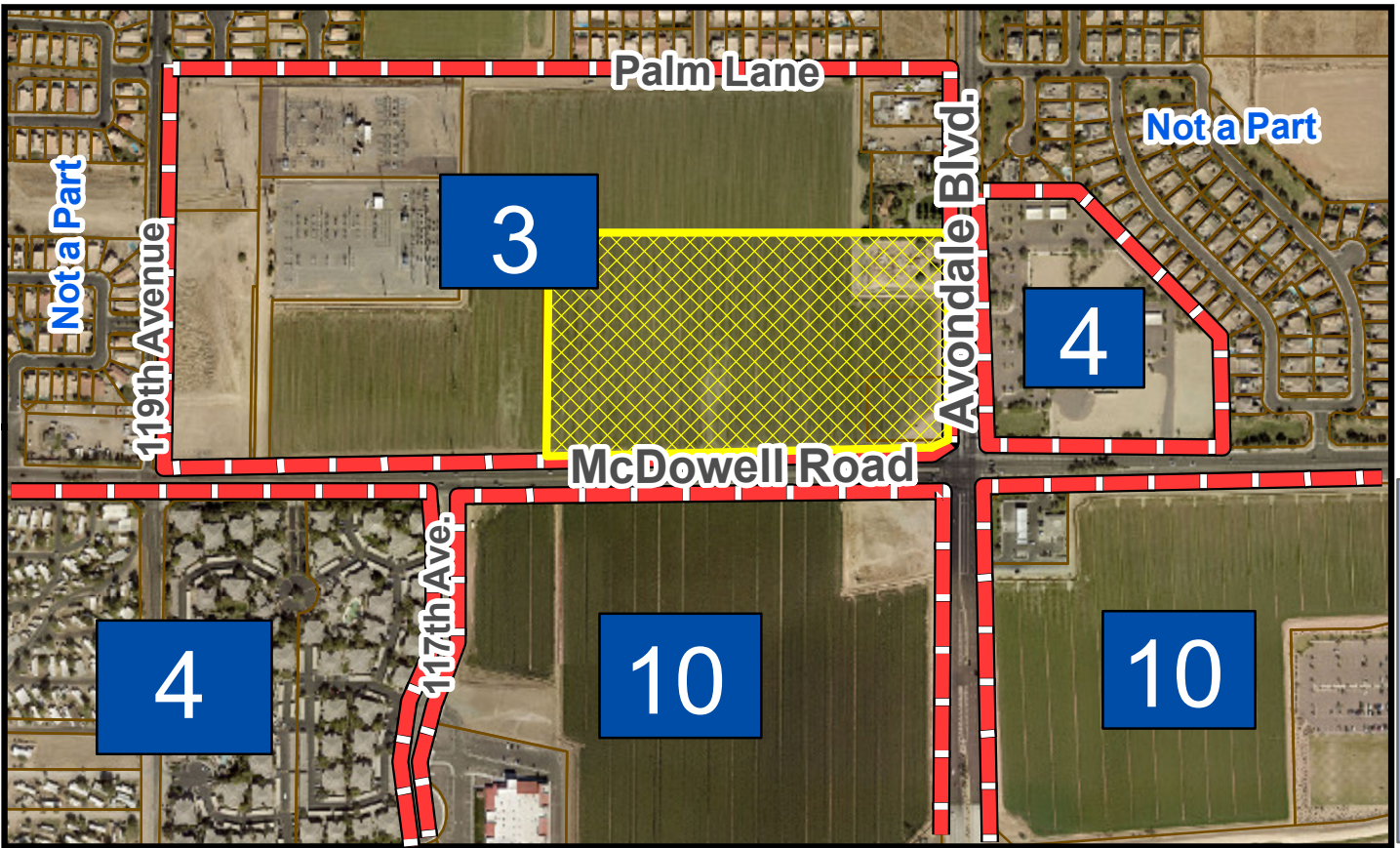
SURROUNDING ZONING AND LAND USE	
NORTH	The majority of property north of the subject site is undeveloped, zoned Agricultural (AG), and currently in agricultural farming use. A single-family residence located in Maricopa County, zoned Rural-43, is located north of the property's northeast corner.
EAST OF AVONDALE BOULEVARD	The Southwest Valley Specialty Care Center for Phoenix Children's Hospital, zoned Phoenix Children's Hospital Planned Area Development (PAD). The initial phase of the planned development, an urgent care clinic, is operating on the site. Future planned phases include an emergency care facility, medical offices, and a 48-bed inpatient pediatric hospital.
SOUTH OF MCDOWELL ROAD	Undeveloped property currently in agricultural farming use, zoned Crystal Springs Planned Area Development (PAD). The approved Crystal Springs PAD allows for development of the site in accordance with the City's Community Commercial (C-2) district standards and uses.
WEST	Undeveloped property zoned Agricultural (AG), currently in agricultural farming use. A large Salt River Project (SRP) electrical substation is located to the northwest of the property.

GENERAL PLAN	
The property is presently designated by the General Plan 2030 Land Use Map as Mixed Use. The Mixed Use designation encourages innovatively designed developments reflective of a village concept, where residents can live, work, and recreate within the same development or close by. Development in this category requires proportionate ratios of residential and non-residential uses. The property is also within the boundaries of the Freeway Corridor Specific Plan (FCSP) which provides additional guidance on the physical form for development of the property. The FCSP presently limits building height on the site to maximum of three (3) stories; approval of the proposed FCSP Amendment will increase the maximum building height by one (1) additional story, allowing for four (4) story buildings on the subject property.	

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Pendergast Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Canyon Breeze Elementary School, located on Encanto Boulevard west of Avondale Boulevard
HIGH SCHOOL	West Point High School, located at the northwest corner of Avondale Boulevard and Encanto Boulevard

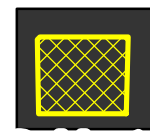
<i>ADJACENT STREETS</i>	
Avondale Boulevard	
Classification	Minor Arterial
Existing half street right-of-way	58 to 62 feet (varies by location)
Standard half street right-of-way	50 feet with additional right-of-way at locations of turn/deceleration lanes and bus bays.
Existing half street improvements	One (1) travel lane widening to two (2) lanes approaching McDowell Boulevard
Standard half street improvements	Two (2) travel lanes, deceleration or right turn lanes as needed, half center turn lane, curb, gutter, detached sidewalk, streetlights, and landscaping.
McDowell Road	
Classification	Minor Arterial
Existing half street right-of-way	40 to 65 feet (varies by location)
Standard half street right-of-way	50 feet with additional right-of-way at locations of turn/deceleration lanes and bus bays.
Existing half street improvements	Two (2) travel lanes
Standard half street improvements	Two (2) travel lanes, deceleration or right turn lanes as needed, half center turn lane, bike lane, curb, gutter, detached sidewalk, streetlights, and median.

<i>UTILITIES</i>
Water service will be provided via a new 16-inch line to be installed by the developer, replacing an existing 12-inch line in McDowell Road. Sewer service will be provided to the property via a new line to be installed by the developer in McDowell Road, tying into an existing discharge line.
SRP provides electrical service in this portion of Avondale.



Freeway Corridor Specific Plan

Maximum Building Heights (in Stories)



Subject
Property



Exhibit F

Neighborhood Meeting Summaries

Avondale Commons Rezoning – July 15, 2021

FCSP Height Amendment – July 26, 2021



July 20, 2021

Ken Galica, Division Lead Planner
City of Avondale
Development and Engineering Services
11465 W Civic Center Drive
Avondale, AZ 85323

**RE: PL-21-0072 Avondale Commons PAD Rezoning Application- July 15th, 2021
Neighborhood Meeting Summary**

Dear Mr. Galica:

The purpose of this letter is to inform you that our firm held a neighborhood meeting for the Avondale Commons Rezoning application (*Case number: PL-21-0072*) for the approximately 22.6 acre site located on the northwest corner of Avondale Boulevard and McDowell Road (the "Property"). The meeting was held on Thursday, July 15th, 2021 from 6:00pm–7:00pm via Zoom Teleconference (as scheduled by the City of Avondale).

The neighborhood meeting was hosted by Shaine T. Alleman of Tiffany & Bosco, Michael Holman of Overland Development, and Jackson Ferguson of FFKR to review the proposed applications and answer questions regarding the project.

The following individuals attended from the public:

- Vice Mayor Veronica Malone, City of Avondale
- Ken Galica, City of Avondale, Division Lead Planner
- Brian Craig, City of Avondale, Planning Manager
- Commissioner Larry White, City of Avondale
- Jo Ann Martinez, Avondale Resident
- Sally Hineman, Avondale Resident

Mr. Alleman began the neighborhood meeting by presenting an overview of the project including reviewing the development process and timing, the conceptual site plan, and conceptual elevations and renderings. The remainder of the meeting was open for discussions and questions from the public. The following is summary of that discussion.

Driveway Locations and Related Signal Lights:

- Commissioner Larry White raised a question about whether there was a driveway entrance at the northeast corner of the Property. Mr. Alleman confirmed that there is an entrance at the northeast corner of the development



and explained that this entrance is aligned with the Phoenix Children's Hospital to the east of the Property.

- Sally Hineman asked for clarification on whether or not there would be signal lights on either the south McDowell portion or the Avondale Boulevard portion? Mr. Alleman explained that there is a median on Avondale Boulevard so there will be no opportunity for signal light on this right-of-way. He explained that there is a proposed signal light on most east driveway on McDowell Road, but that the other two driveways to the West will not include signal lights. Mr. Galica further confirmed this information.
- Commissioner Larry White requested clarification on the number and locations of the entrances on McDowell Road. Mr. Alleman confirmed that there were three entrances on McDowell Road and confirmed their locations.
- Vice Mayor Veronica Malone asked if where the hospital is, will there be a entry in the north area? Mr. Alleman confirmed that there would be a driveway at the northeast corner of the Property.

Other General Questions:

- Resident Sally Hineman asked about the rendering on the first slide of the presentation. If a photographer were to have taken this photo, where would that photographer be standing? Mr. Alleman: The photographer would be standing on McDowell Road. Shaine then references the Site Plan and displays the Site Plan with a direct reference to the question.
- Vice Mayor Malone asked if there are plans to have a landing pad for those who are wanting to cross on Avondale Boulevard if they are not wanting to walk down to McDowell Road to use the crossing lanes to cross over to the Children's Hospital or any other business on the other side of Avondale Boulevard? Mr. Galica: The City can look into this, however, the City doesn't typically support mid-block pedestrian crossings as they are often unsafe to the pedestrian unless a signal is provided. Mr. Galica confirmed that the east/west crosswalk at the Avondale Blvd. and McDowell Road intersection had sufficient access and the distance was not too great for pedestrians to access.
- Resident Sally Hineman asked if the hospital was only going to be one or two stories. Mr. Alleman: If the potential hospital user ended up developing at this location, it is likely it will be one story, but would be a maximum of two stories.
- Resident Sally Hineman asked if the properties residential units would be for rent or to own. Mr. Alleman: The units will be rentals.
- Resident Jo Ann Martinez was curious about the shading on the Property and whether there would be enough of it so that the area can be walkable by

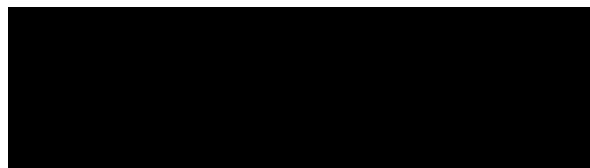


residents of the Property. Shading on the Property will follow the City standards, as required. Mr. Galica clarified that locations and details will be required as part of the Site Plan phase.

- Resident Sally Hineman asked if MK Farms' lease has been terminated or not. Mr. Holman explained that they have officially assumed the lease and are working with them to end it.
- Resident Sally Hineman also asked if the City is doing anything to mitigate the potential effects of pollution and such that has happened to downtown Phoenix with the heat island effect. Mr. Galica clarified that they are combating that with many different aspects of site design including through provision of open space and shade trees to reduce temperatures on the site. Mr. Brian Craig explained that there is City staff dedicated to addressing this.
- Resident Jo Ann Martinez asked about what uses the City is planning for this area and if there will be more medical or residential. Mr. Galica clarified this question by saying that the McDowell Road corridor will accommodate a variety of residential, retail and medical business's as allowed by the Avondale General Plan.
- Commissioner Larry White asked about water retention with it being monsoon season. Mr. Alleman explained that the water would be retained on the site by underground retention.

If there are any further questions regarding the neighborhood meeting, you may reach me at 602-452-2712 or sta@tblaw.com.

Sincerely,



Shaine T. Alleman



July 29, 2021

Ken Galica, Division Lead Planner
City of Avondale
Development and Engineering Services
11465 W Civic Center Drive
Avondale, AZ 85323

**RE: PL-21-0204 Freeway Corridor Specific Plan Amendment
July 26th, 2021 Neighborhood Meeting Summary**

Dear Mr. Galica:

The purpose of this letter is to summarize, at your request, a neighborhood meeting held by the City of Avondale for purposes of meeting with the public to review and discuss the City-initiated Freeway Corridor Specific Plan (FCSP) Amendment (*Case number: PL-21-0204*). Since Overland Development's Avondale Commons PAD application (*Case number: PL-21-0072*) is at the center of the FCSP Amendment, Overland participated in the neighborhood meeting and presented its proposed plans for development.

The meeting was held on Monday, July 26, 2021 from 6:00pm–7:15pm via Zoom Teleconference (as scheduled by the City of Avondale).

The neighborhood meeting was hosted by Ken Galica, City of Avondale Division Lead Planner, Shaine T. Alleman of Tiffany & Bosco, and Michael Holman of Overland Development to review the proposed FCSP Amendment and the Avondale Commons PAD, and answer questions from the public.

The following individuals attended from the public:

- Patricia Dennis, City of Avondale Councilmember
- Brian Craig, City of Avondale, Planning Manager
- Janet Michaelson, Avondale Resident
- Sally Hineman, Avondale Resident
- Anna (no last name), Avondale Resident

Mr. Galica began the neighborhood meeting by presenting an overview of the project including reviewing the development process and timing, the conceptual site plan, and conceptual elevations and renderings. Mr. Alleman then shared a presentation that had been also shown at the previous Neighborhood Meeting on July 15, 2021 and then Mr. Alleman left the remainder of the meeting open for discussions and questions from the public. The following is summary of that discussion.



Other General Questions:

- Resident Sally Hineman asked about the number of stories that the proposed development will have. Mr. Galica stated that the City is working closely with Overland Development on the Avondale Commons PAD and that the Residential District is planned for four stories. Mr. Alleman added that the setbacks on the Property for the property south of Ms. Hineman provides a buffer and any potential building in the Commercial District will be set back more than what is required for Commercial zoning in Avondale.
- Resident Sally Hineman requested clarity that the residential aspect of the proposed development is the one that would be four stories if Overland Development and the City of Avondale proceed with the request for four stories. Mr. Alleman confirmed that the residential aspect of the proposed development is currently planned with four stories.
- Resident Sally Hineman asked when the adjacent development is going to proceed on a certain timeline and what that was. Both Mr. Alleman and Mr. Galica responded to this question that they are unaware of development timelines for adjacent properties.
- Resident Janet Michaelson asked a series of questions regarding what will be placed on the north side of the Property for the proposed developments. Mr. Alleman explained that there will be a screen wall and vegetation, as required, along the north property boundary. However, Ray Road, LLC currently owns the property between the Avondale Commons site and Palm Lane and does not know what will be eventually developed there. Mr. Galica explained that the City has four-sided architectural requirements that ensure the property will look nice.
- Resident Janet Michaelson asked what could develop on the Ray Road LLC property. Mr. Galica expressed that it could be a lot of things, but most likely a low-density residential use but that it is hard to say at this point without a development proposal. Mr. Alleman added that the property is currently designated as mixed use in the General Plan.
- Councilmember Patricia Dennis asked if there is a percentage that the City of Avondale will require for uses so that it is actually a “mixed use”. Mr. Galica said that there is not a percentage but that they are working with the developer on a stipulation regarding the residential and commercial development aspects.
- Councilmember Patricia Dennis asked if there was a clubhouse. Mr. Alleman pulled up the Residential District Plan slide and explained the clubhouse area, amenities, and other usable open space areas of the development.
- Councilmember Patricia Dennis asked if they were going to ensure deceleration lanes. Mr. Alleman confirmed that deceleration lanes have been proposed as

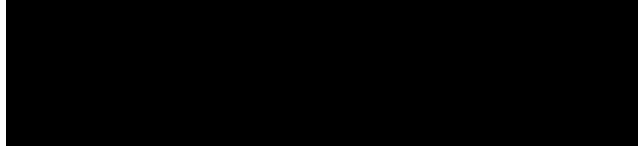


**TIFFANY
& BOSCO**
P.A.

required and further explained other traffic considerations.

If there are any further questions regarding the neighborhood meeting, you may reach me at 602-452-2712 or sta@tblaw.com.

Sincerely,



Shaine T. Alleman

Exhibit G

Certificates of Adequate School Facilities

Pendergast Elementary School District

Tolleson Union High School District



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

An application for Avondale Commons has been submitted to the City of Avondale, Development & Engineering Services Department, for review.

Project: NWC of Avondale Blvd. & McDowell Rd. Project Manager: Rick Casswell
Request: Rezoning from AG to PAD Acreage/Parcel Size: 22.6 gross acres
Current Density Allowed: _____ Density Proposed: 25.6 du/ac
Total number of residential units proposed: 320

As an authorized representative of the District, please complete the questionnaire below.

Does the District have adequate capacity to accommodate the estimated enrollment from the proposed development?

Yes X No _____

If answered no, please summarize the needs of the district as they relate to serving the students generated by the proposed development.

Is a school site within the proposed development needed?

Yes _____ No X

If answered yes, how many acres is needed for the school site?

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes _____ No X

If answered yes, please explain below:

****If additional writing space is needed, please attach pages to this form****

Date Reviewed: March 29, 2021

School District: Pendergast Elementary School District

District Chief Financial Officer: Joanne Fimbres

Phone #: 623-772-2220

E-mail: jfimbres@pesd92.org

Signature: _____

It is the developer's responsibility to ensure this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

11465 W. Civic Center Drive, #110, Avondale, AZ 85323 • Phone (623) 333-4000 • Fax (623) 333-0400 • TDD (623) 333-0010
www.avondale.org/developmentservices



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

An application for Avondale Commons has been submitted to the City of Avondale, Development & Engineering Services Department, for review.

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Total number of residential units proposed: 320

As an authorized representative of the District, please complete the questionnaire below.

Does the District have adequate capacity to accommodate the estimated enrollment from the proposed development?

Yes ☒ No ☐

If answered no, please summarize the needs of the district as they relate to serving the students generated by the proposed development.

Is a school site within the proposed development needed?
If answered yes, how many acres is needed for the school site?

Yes ☐ No ☒

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes ☐ No ☒

If answered yes, please explain below:

*****If additional writing space is needed, please attach pages to this form*****

Date Reviewed: _____

School District: Tolleson Union High School District

District Superintendent: Nora Gutierrez

Phone #: 1.623.478.4001

E-mail: Nora.Gutierrez@tuhsd.org

Signature: _____

It is the developer's responsibility to ensure that this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

11465 W. Civic Center Drive, #110, Avondale, AZ 85323 • Phone (623) 333-4000 • Fax (623) 333-0400 • TDD (623) 333-0010
www.avondale.org/developmentservices

Exhibit H

Email Correspondence

Avondale Commons

From: paul lemmon [REDACTED]
Sent: Thursday, July 15, 2021 12:50 PM
To: Ken Galica <kgalica@avondaleaz.gov>
Subject: Re: Avondale Commons

Thank you very much for the timely and informative report. I am working with Suneel on another project so will converse with him on this.
My concerns have been addressed.

On Thu, Jul 15, 2021 at 12:46 PM Ken Galica <kgalica@avondaleaz.gov> wrote:

Good afternoon, Mr. Lemmon:

We have received your email and will make it part of the project's record, including it as an attachment to staff reports as the requests move forward to Planning Commission and City Council. I believe I may be able to address some of the concerns you raised below.

If approved, the developer of the project will be responsible for improving both adjacent streets (McDowell Road and Avondale Boulevard) adjacent to the property. The bus stop that you mentioned – which is currently just a pole sign on the dirt shoulder – will be relocated onto the property and a new bus pullout lane and shelter will be provided. This will allow the bus to pull out of traffic and allowing anyone behind the bus to continue traveling westbound. The proposed primary entrances to the development from Avondale Boulevard and McDowell Road will both feature deceleration/right-turn lanes intended to allow those entering the site to safely reduce speed as they approach the entrances. As for left turns out of the project onto McDowell Road, a traffic signal is planned at the project's primary McDowell Road entrance which will serve not only this development but also development of the large, undeveloped property on the south side of McDowell; the signal will allow for signalized left turns onto eastbound McDowell Road from the project.

As for the City's planned street improvement projects that you mentioned below, those are both City projects that are not associated with a particular, adjacent private development (unlike this project). I am aware that there have been some delays in those projects for reasons outside of the City's control (e.g. delays in receiving required federal approvals); however, both of those projects are still planned and will be completed as quickly as circumstances allow. I encourage you to contact Suneel Garg, the City's Capital Improvement Program Manager, should you have any additional questions on those projects. He can be reached at (623) 333-4218 or sgarg@avondaleaz.gov.

Please let me know if you have any additional questions or comments. If you're able to join us for future meetings, we would certainly welcome you to do so.

Sincerely,

Ken Galica

Division Lead Planner
Development & Engineering Services Department
Planning Division

From: Paul Lemmon [REDACTED]
Sent: Thursday, July 15, 2021 7:39 AM
To: Email Planning <EmailPlanning@avondaleaz.gov>
Cc: Paul Lemmon [REDACTED] >
Subject: Avondale Commons

Please direct to Ken Galicia-

I have concerns for the Avondale Commons project. I have a conflicting conference call tonight and not able to attend. I have reviewed the layout of the proposed apartments. I am very concerned for traffic along Mc Dowell and don't believe the entrance or area around this proposed project has safety in mind. First, there is a bus stop located near Avondale/ McDowell. There is no set back area for this so traffic is backed up when bus stops and numerous accidents have occurred due to this. It should be corrected. The entrance planned for Avondale Commons is also a concern unless a deceleration lane is planned. The major issue will be the safety issue with vehicles trying to turn left(east) out of project. At times this will be near impossible . I have seen projections for this property and it's possible there will also be an office/ commercial components to this project.

There are major concerns that the City has with the volume of traffic on McDowell. This project will just add to this problem and the congestion around a major intersection. It's time that we PLAN what will be done ahead of time and complete. Too many times they build the project and then worry about traffic issues. Examples of this are the Avondale widening project south of Encanto and right next to project. Was suppose to be completed before High School opened. Still sits not completed. The same goes for 107th and McDowell.....3 years ago was to be done, now all the new businesses around this intersection have made it a nightmare.

If possible I will attend the next meeting or the council meeting to make my concerns heard.

Thank you

Paul Lemmon

Garden Lakes Resident and HOA Board member.

Paul Lemmon

--

Paul M. Lemmon

RESOLUTION NO. 1076-0921

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE CITY OF AVONDALE FREEWAY CORRIDOR SPECIFIC PLAN TO INCREASE THE ALLOWED BUILDING HEIGHT FOR APPROXIMATELY 25.23 ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF AVONDALE BOULEVARD AND MCDOWELL ROAD.

WHEREAS, on June 17, 1991 by Ordinance 514, the Council of the City of Avondale (the “City Council”) adopted the Freeway Corridor Specific Plan; and

WHEREAS, on June 17, 2002, by Resolution 2317-02, the City Council amended the Freeway Corridor Specific Plan to conform with the General Plan and providing for an effective date; and

WHEREAS, on December 7, 2007, by Resolution 2708, 1207, the City Council amended Section IV, Specific Plan Elements, and Section V, Implementation, of the Freeway Corridor Specific Plan to increase the allowed building height along portions of the Interstate 10 freeway; and

WHEREAS, on September 16, 2013, by Resolution 3137-913, the City Council adopted the Freeway Corridor Specific Plan, Amended and Restated September 16, 2013; and

WHEREAS, on September 14, 2015, by Resolution 3270-915, the City Council adopted the Freeway Corridor Specific Plan, Amended and Restated September 14, 2015; and

WHEREAS, the City Council desires to amend the Freeway Corridor Specific Plan, Amended and Restated September 14, 2015 (the “Plan”), by amending Section III of the Plan by deleting the map currently incorporated in Section III, depicted on Exhibit A, and enacting the proposed map to be incorporated in Section III of the Plan, attached hereto as Exhibit B, the effect is to increase the maximum allowable height of buildings for approximately 25.23 acres generally located at the northwest corner of Avondale Boulevard and McDowell Road, from three (3) stories to four (4) stories, as shown in Application PL-21-02404 (the “Freeway Corridor Specific Plan Amendment”); and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the City of Avondale (the “City”) has consulted with, advised and provided the opportunity for public comment on the Freeway Corridor Specific Plan Amendment; and

WHEREAS, all due and proper notices of the public hearings on the Freeway Corridor Specific Plan Amendment held before the City of Avondale Planning Commission (the “Commission”) and the City Council was given in the time, form and substance provided by ARIZ. REV. STAT. § 9-461.06; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 the Commission held a public hearing on the Freeway Corridor Specific Plan Amendment in the City Council Chambers on August 18, 2021, after which the Commission recommended approval; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 the City Council held a public hearing on the proposed Freeway Corridor Specific Plan Amendment in the City Council Chambers on September 20, 2021.

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

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The Freeway Corridor Specific Plan Amendment is consistent with and conforms to the General Plan of the City and is furthers the goals of the General Plan.

SECTION 3. Section III, of the Freeway Corridor Specific Plan, Amended and Restated September 14, 2015, is hereby amended to increase the maximum allowable height of buildings for approximately 25.23 acres generally located at the northwest corner of Avondale Boulevard and McDowell Road, as depicted on Exhibit B, attached hereto and incorporated herein by reference, from three (3) stories to four (4) stories, as shown in Application PL-21-02404.

SECTION 4. The Freeway Corridor Specific Plan, Amended and Restated as of September 15, 2015, with the Freeway Corridor Specific Plan Amendment remains in full force and effect.

SECTION 5. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1076-0921

[Section III Map Establishing Current Building Heights]

See following pages.

III. FREEWAY CORRIDOR DESIGN AND DEVELOPMENT REQUIREMENTS

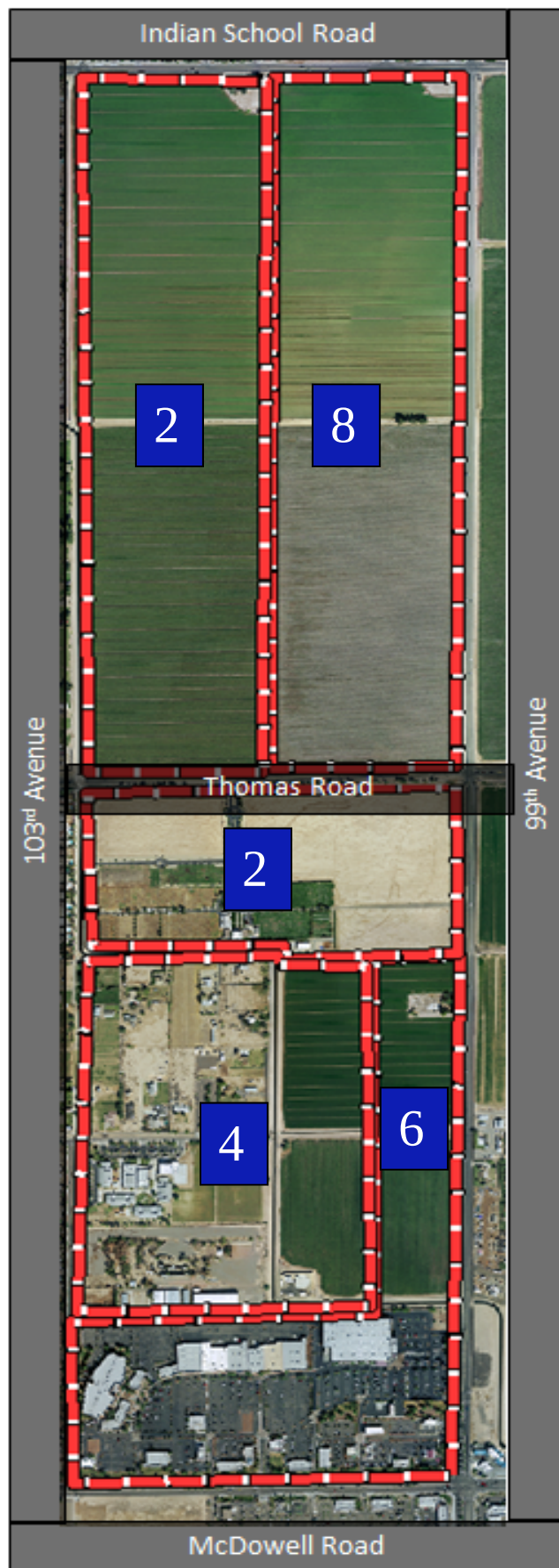
This section establishes design and development requirements intended to further the City's goals for the Freeway Corridor. Maximum building heights are listed, in stories, and are indicated on the maps in blue boxes.



I-10 Freeway Corridor: Dysart Road to Avondale Boulevard



I-10 Freeway Corridor: Avondale Boulevard to 99th Avenue

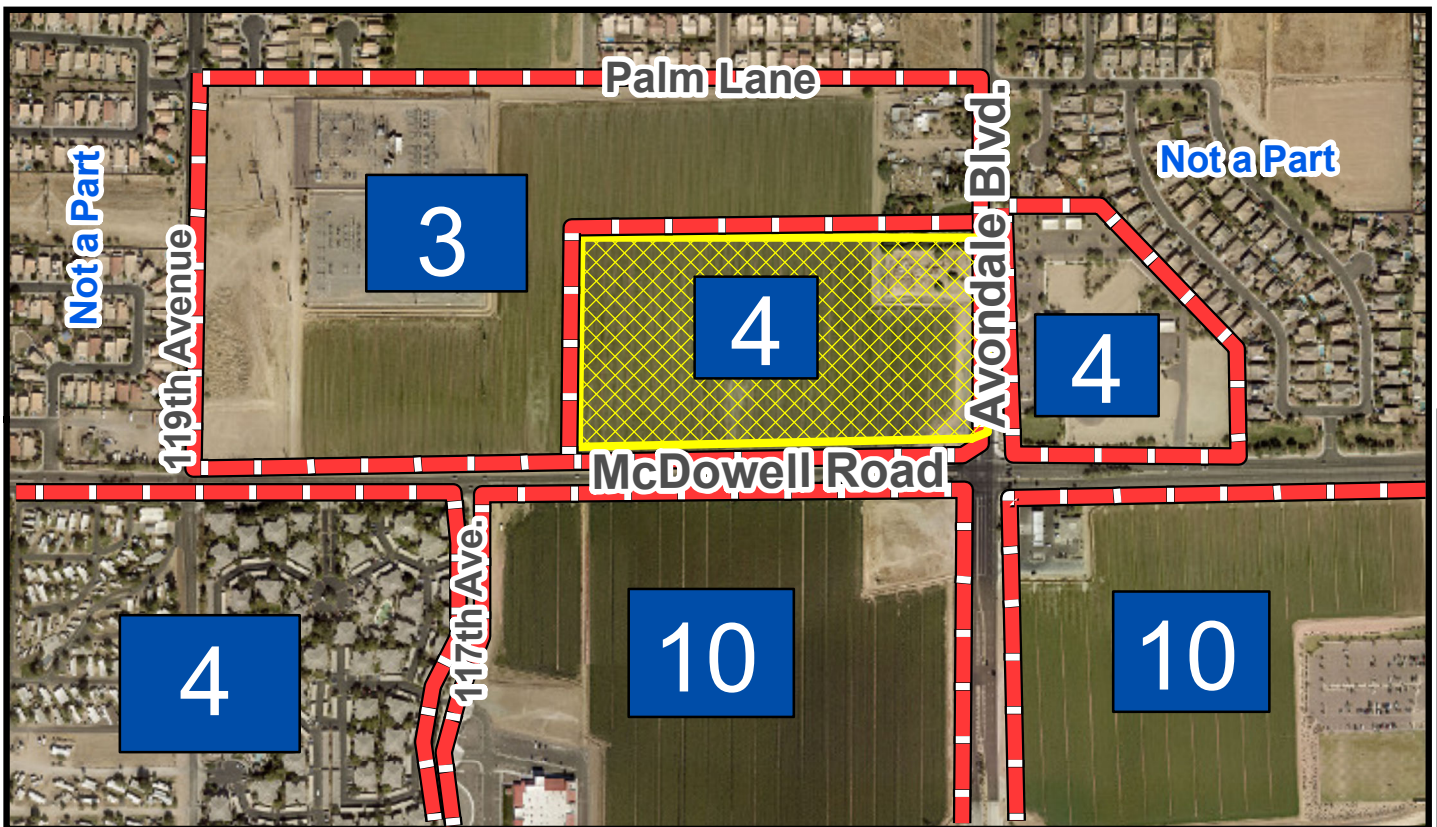
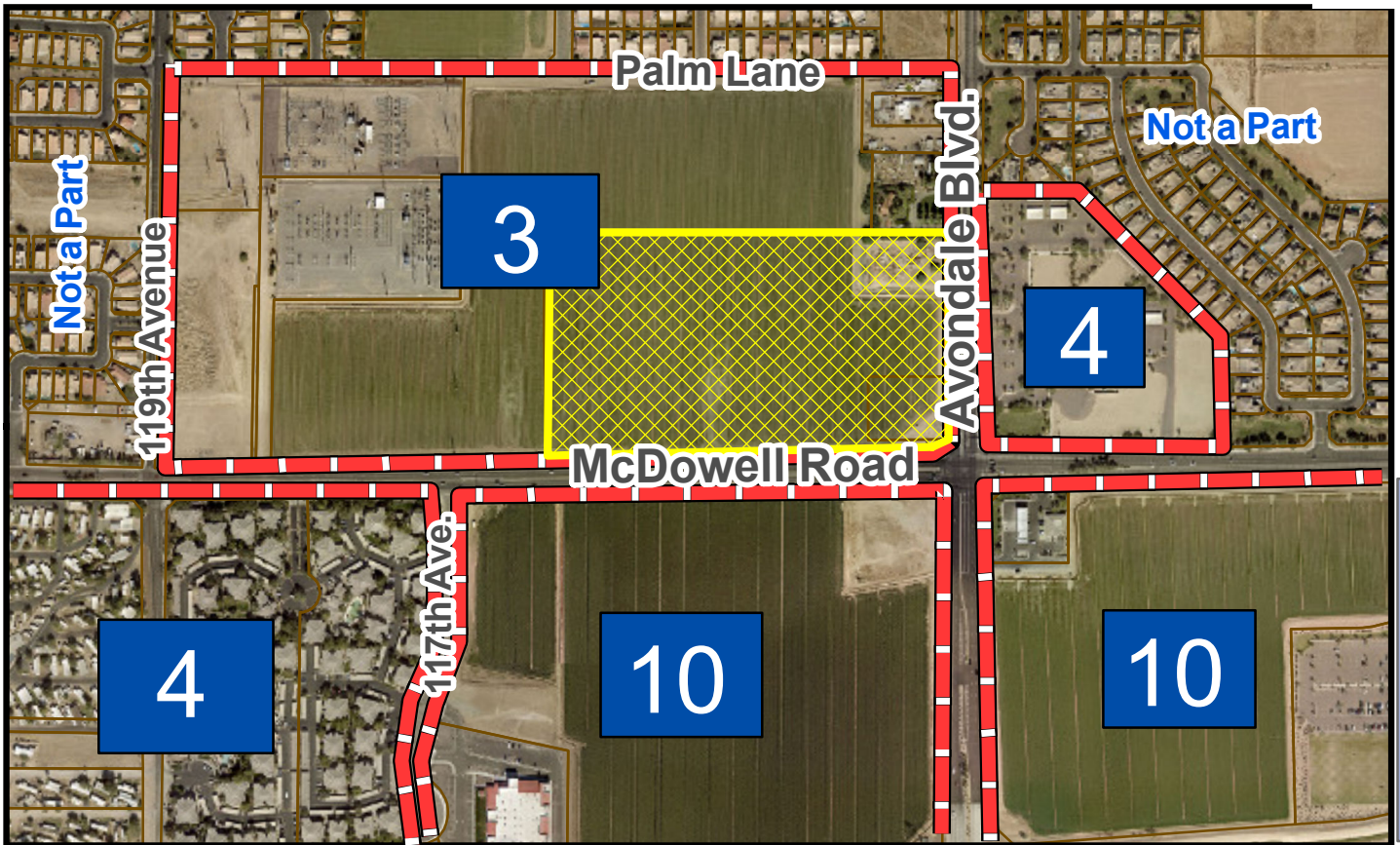


*Loop-101 Freeway Corridor:
McDowell Road to Indian School Road*

EXHIBIT B
TO
RESOLUTION NO. 1076-0921

[Proposed Map for Section III Establishing Maximum Building Heights]

See following page.



Freeway Corridor Specific Plan Maximum Building Heights (in Stories)



CITY COUNCIL REPORT

SUBJECT: Public Hearing and Ordinance 2052-0921 - Avondale Commons - Rezoning from Agricultural (AG) to Avondale Commons Planned Area Development (PAD) – Application PL-21-0072

MEETING DATE: 9/20/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will hold a public hearing and consider a request to adopt Ordinance 2052-0921, approving a request by Mr. Shaine T. Alleman, Tiffany & Bosco, P.A., to rezone approximately 25.23 gross acres (22.60 net acres) of land located at the northwest corner of Avondale Boulevard and McDowell Road from Agricultural to Avondale Commons Planned Area Development (PAD) to allow for a mixed use development of the site with a four-story, 324-unit multi-family residential complex on 12.5 net acres and supportive commercial, retail, hospitality, and office uses on 10.1 net acres. A request for an amendment to the Freeway Corridor Specific Plan to increase the maximum allowable building height (currently limited to three stories) to four stories will be considered separately. The Council will take appropriate action.

BACKGROUND:

The 25.23 gross acre (22.60 net acre) subject property (Exhibits A and B) is located at the northwest corner of Avondale Boulevard and McDowell Road.

The property was annexed into the City in February 2006 and rezoned from Agricultural (AG) to Avondale Marketplace Planned Area Development (PAD) in March 2006. The Avondale Marketplace PAD allowed for a horizontally integrated mixed-use development including retail, office, mini-storage, and high-density residential uses. Development of Avondale Marketplace did not occur and following expiration of the Avondale

Marketplace PAD, the property's zoning was reverted to Agricultural in June 2011. The property, which is undeveloped, remains zoned AG and is used for agricultural/farming purposes.

The property is designated by the General Plan 2030 Land Use Map as Mixed Use. The Mixed Use designation encourages innovatively designed developments reflective of a village concept, where residents can live, work, and recreate within the same development or close by. Development in this category requires proportionate ratios of residential and non-residential uses.

The subject property is also located within the boundaries of the Freeway Corridor Specific Plan (FCSP). The FCSP guides the physical form for development of properties within the freeway corridor, including the establishment of maximum building heights. The FCSP presently limits building height on the site to maximum of three (3) stories; approval of the proposed FCSP Amendment, considered separately, will increase the maximum building height by one (1) additional story, allowing for four (4) story buildings on the subject property. Approval of the proposed FCSP Amendment is required before the rezoning request can be approved.

The existing uses and zoning of surrounding properties include:

NORTH: The majority of property north of the subject site is undeveloped, zoned Agricultural (AG), and currently in agricultural farming use. A single-family residence located in Maricopa County, zoned Rural-43, is located north of the property's northeast corner.

EAST OF AVONDALE BOULEVARD: The Southwest Valley Specialty Care Center for Phoenix Children's Hospital, zoned Phoenix Children's Hospital Planned Area Development (PAD). The initial phase of the planned development, an urgent care clinic, is operating on the site. Future planned phases include an emergency care facility, medical offices, and a 48-bed inpatient pediatric hospital.

SOUTH OF MCDOWELL ROAD: Undeveloped property currently in agricultural farming use, zoned Crystal Springs Planned Area Development (PAD). The approved Crystal Springs PAD allows for development of the site in accordance with the City's Community Commercial (C-2) district standards and uses.

WEST: Undeveloped property zoned Agricultural (AG), currently in agricultural farming use. A large Salt River Project (SRP) electrical substation is located to the northwest of the property.

SUMMARY OF REQUEST:

The applicant is requesting to rezone the subject property from Agricultural (AG) to Planned Area Development (PAD). The proposed Avondale Commons PAD Narrative, included as Exhibit E, details permitted uses, development standards, landscaping and architectural design standards, and other requirements that will guide future development of the site with a mixed-use project consisting of a four-story, 324-unit multi-family residential complex on 12.5 net acres and supportive commercial, retail, hospitality, and office uses on 10.1 net acres. Within the narrative, exhibits are provided including a conceptual site plan (Exhibit I), building elevations and perspective renderings (Exhibit J), a conceptual landscape plan, and a pedestrian circulation plan. As noted previously, height of buildings on the property is currently limited to a maximum of three (3) stories. Approval of the companion FCSP Amendment, increasing the allowable height to four (4) stories, is required to consider approval of this rezoning request.

The Avondale Commons project is designed around a private spine road and roundabout that loops through the property, connecting the project's primary Avondale Boulevard access (right-in/right-out only) to the site's primary McDowell Road access (full four-way turning movements with a future traffic signal). The spine road serves as the delineator between the PAD's commercial district, located on the eastern half of the site, and the multi-family residential area on the western half. In addition to the spine road access points, one additional access to the site from Avondale Boulevard (a full access into the commercial area) and two additional accesses to the site from McDowell Road (right-in/right-out into the residential area) are provided. Pedestrian circulation internal and external to the Avondale Commons site is prioritized with the anticipation that residents choosing to walk to the adjacent businesses will be prevalent.

The project's residential district will consist of 324 apartments distributed between four (4) L-shaped four-story, elevator-served multi-family buildings and eight (8) three-story carriage buildings featuring two floors of living space above ground floor tuck-under garages. The unit mix includes 128 one-bedroom units, 164 two-bedroom units, and 32 three-bedroom units. The proposal provides for 27 percent usable open space exceeding the 20 percent minimum required. Both indoor and outdoor amenities are provided, including a one-story, centrally located clubhouse, a resort style pool with cabanas, playground areas, pickleball and bocce courts, grilling stations, and turf areas for free play. Resident parking is accommodated in the aforementioned tuck-under garages as well as within single-story garage buildings, canopy-covered spaces, and uncovered spaces.

The project's commercial district will develop with uses permitted in the City's Community Commercial (C-2) zoning district, including, but not limited to, retail, restaurant, medical and professional office, hospitality, and service uses. The PAD's conceptual site plan shows one potential configuration of buildings and uses for the commercial district, though exact sizes and configurations will not be determined until specific users are identified. Though the specific layout may change, key design considerations that will be carried through to any future site plan for the property include, but are not limited to, the siting of buildings along the site's McDowell Road frontage such that the buildings screen parking behind, siting of buildings on both sides of the central spine to create a walkable main street commercial area, clustering of commercial buildings to create courtyards or other meaningful open spaces between them, and provision of a plaza area to accommodate outdoor dining and create a focal point at the intersection of Avondale Boulevard and McDowell Road. The proposed PAD allows for reductions in commercial parking to be considered provided the expectation that nearby residents will walk to adjacent businesses, reducing vehicle demand. Because the site features a General Plan designation of Mixed Use, it is especially important that both the residential and commercial districts develop concurrently. To this goal, the applicant has agreed to a stipulation that will limit development of the multi-family district to fifty (50) percent of the approved units until construction commences on development in the commercial district.

The PAD establishes the expectations for architecture on the site. Though the concepts illustrated in the elevations and renderings will continue to be refined during the Site Plan and Design Review process, with specific colors and materials to be identified at that time, the images within the PAD establish the style and level of quality that will be expected. The proposed conceptual building architecture for both the commercial and residential districts provides for a contemporary aesthetic with clean lines, relaxed colors, and a variety of textures. Throughout the project, building massing is broken up through modulation of exterior walls as well as through incorporation of projecting elements such as roof overhangs, awnings, and balconies.

CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:

The property is located in the service areas of the Pendergast Elementary School District (PESD) and the Tolleson Union High School District (TUHSD).

Elementary aged students living in Avondale Commons will attend Canyon Breeze Elementary School located west of the southwest corner of Avondale Boulevard and Encanto Boulevard. High school aged students will attend West Point High School, located at the northwest corner of Avondale Boulevard and Encanto Boulevard.

Both PESD and TUHSD have provided the City with Certificates of Adequate School Facilities (Exhibit G) stating that each district has adequate capacity to accommodate the anticipated enrollment from the proposed Avondale Commons development.

PUBLIC PARTICIPATION:

Two (2) Neighborhood Meetings, the first on Thursday, July 15th at 6:00 P.M. and the second on Monday, July 26th at 6:00 P.M. were held to discuss the proposals with neighboring property owners and other interested parties. Due to the ongoing Covid-19 pandemic, both meetings were held virtually via Zoom. All notices of the meetings, including mailings to owners within 1,000 feet of the site, public hearing notice signs on the property, and display ads in the Arizona Republic, were completed in at least fifteen days prior to the meetings as required. In addition to City Staff and the applicant's team, two (2) Councilmembers, one (1) Planning Commissioner, and four (4) residents attended the virtual meetings. Discussion and questions

included:

- **Is a driveway entrance proposed at the northeast corner of the site?** The applicant confirmed that an entrance was proposed at that location, designed to align with the existing driveway entrance to Phoenix Children's Hospital east of Avondale Boulevard.
- **Will traffic signals be provided at entrances into the development?** The applicant noted and Staff confirmed that a signal was planned at the project's primary entrance from McDowell Road; neither entrance to the site from Avondale Boulevard would be signalized.
- **How many entrances to the site from McDowell Road were proposed?** The Applicant responded that there were three (3) entrances proposed and denoted those locations on a slide of the project site plan.
- **Would a pedestrian crossing across Avondale Boulevard to Phoenix Children's Hospital be provided (other than at the intersection)?** Staff noted that a signalized pedestrian crosswalk will be provided at the intersection of McDowell Road and Avondale Boulevard which is only about 350 feet from the property's north/south midpoint. Staff indicated that the City could look into an additional pedestrian crosswalk to the north of the intersection, but mid-block crossings close to signal locations are typically not recommended for reasons related to pedestrian safety.
- **Would deceleration lanes be provided at project entrances?** The applicant and Staff confirmed that deceleration lanes would be provided at the primary project entrances.
- **How many stories would the proposed development have?** Staff indicated that the proposed PAD allows for a maximum of four (4) stories. The conceptual site plan shows four (4) story residential buildings on the western half of the site and a potential four (4) story hotel on the eastern half. The applicant noted that a buffer is provided to ensure that the potential hotel will be setback from the adjacent residential property by a greater distance than required by standard commercial zoning.
- **If a hospital is developed in the commercial area (as noted as a possibility by the applicant), how tall would the hospital be?** The applicant responded that the hospital user that the developer was in contact with would need a building no taller than two (2) stories, but more than likely, it would be a single-story facility.
- **Has the lease with the farmer who has been farming the site been terminated?** The developer indicated they are working with the farmer on terminating the lease.
- **Is the City doing anything to mitigate potential effects of pollution and heat island effect from new development?** Staff responded that the City is combatting pollution and heat island effect through a variety of aspects of site design, including through provision of open space and shade trees, encouragement of soft surfaces and permeable pavement, and other low impact development engineering and building principles. Staff also noted that the City has a staff member that is dedicated to sustainability initiatives.
- **What was the City Planning for the rest of the McDowell Road corridor?** Staff noted that specific uses and development type vary depending on location, but in the corridor as a whole, medical (office/hospital), corporate office, retail/restaurant/hospitality, and residential (single-family and multi-family) uses are expected.
- **What type of development is expected on the vacant land north and west of the subject property?** Staff noted that at this point, with no proposals submitted to the City, it could still be a number of things. The use that would seem to make the most sense would be residential, stepping down in density from the proposed multi-family to the existing single-family.
- **How is retention accommodated on the site?** The applicant noted that stormwater retention will be

accommodated in both landscaped basins and underground storage tanks.

- **What is the time frame for development of adjacent properties to the north and west of this site?** Staff and the applicant both indicated that no time frame for development of those sites was known. Both adjacent properties are zoned Agricultural (AG) and would require rezoning prior to development.
- **What will be constructed along the property's northern boundary?** The applicant stated that a decorative perimeter wall and landscaped area would be provided. Staff noted that the City's four-sided architectural requirements will ensure that the back of any building facing north will be attractive.
- **How will the City ensure that both commercial and residential uses are constructed and not just one component or the other?** Staff indicated that a stipulation would be provided requiring the developer to construct a portion of the commercial area before the residential area could be fully built out.
- **Would the apartment complex have a clubhouse?** The applicant stated that it would have a clubhouse and multiple other amenities, indicating the locations of each on a site plan.

Three (3) comments pertaining to the proposal were posted on the City's aVOICE/Polco digital forum, as follows:

- "Build it, and build it soon. The market has never been better for such type of developments, and I am awful tired of the farmland that never sells for one reason or another."
- "Where are you getting all the water to support this many multi-family units? Also where are you getting the money for all these new students to pay for more schools and teachers? Why are we destroying all the farmland that was one of the reasons many of us moved to Avondale and how does this help are (sic) town's carbon footprint when we take CO2 removing crops and replace them with CO2 generating people and cars? STOP THE UNCONTROLLED DEVELOPMENT NOW!!!!."
- "Please make sure healthy food options are installed as well. The area doesn't need anymore (sic) coffee shops, fast food or storage facilities. Thank you so much."

In addition, Staff received an email (Exhibit H) from a resident who initially voiced concerns with the proposed development. Upon receiving Staff's response, the resident indicated he no longer had concerns with the proposal. No additional public comments have been received to date.

All required public hearing notifications have been completed. All property owners within 1,000 feet of the subject site were notified of the time, date, and location of the Planning Commission and City Council meetings via postcards, the meetings were advertised in the Arizona Republic, and a public hearing notice sign identifying meeting dates, times, and locations was installed on the property.

PLANNING COMMISSION ACTION:

On August 18, 2021, Planning Commission conducted a public hearing and voted 5-0 to recommend approval of the proposed rezoning. Commission had the following questions and comments on the proposal:

- **Chair Iwanski asked Staff to discuss the revisions to the recommended conditions of approval.** Staff indicated that minor rewording was recommended to two (2) of the proposed stipulations to better clarify the intent, one pertaining to requirements for off-site improvement construction and the other pertaining to requirements to complete both residential and commercial development on the site. Representatives of the City Attorney's Office confirmed that the modified conditions were appropriately processed.

- **Vice Chair Thompson asked for a summary of the three comments posted on aVOICE.** Staff read the comments (as listed in the public participation section of this report) into the record.
- **Commissioner Osborne inquired as to whether the City had plans to incorporate county islands such as the one to northeast of the project site?** Staff responded that the City doesn't typically initiate annexations of county islands unless the residents request it; in many cases, residents wish to remain in the County because their property taxes will be lower. The City is generally amenable to annexing islands in situations where residents request it.
- **Chair Iwanski asked if Phoenix Children's Hospital (PCH) provided any comment?** Staff noted that they had not commented on the Avondale Commons project though the City has been working with PCH on the next phases of development on their own site.
- **Chair Iwanski asked whether the developer was amenable to providing a bus pull-out on McDowell Road to allow traffic to continue to flow when the bus was stopped?** Staff confirmed that a separated bus pull-out would be provided on McDowell Road near the southeast corner of the site.

ANALYSIS:

General Plan

By providing a proportionate mix of commercial and residential uses designed with a pedestrian orientation, the proposed Avondale Commons PAD conforms to the property's Mixed Use General Plan land use designation.

Additionally, the proposed PAD furthers several goals of the General Plan, most notably:

- **General Plan Housing Element Goal #2:** *"Champion the development of housing types not currently available in the City to allow for a variety of socio-economic levels."* The proposed project would be the first multi-family residential development in Avondale to offer four-story, elevator served buildings with unit access provided from interior hallways accessed from common lobbies.
- **General Plan Land Use Element Goal #3:** *"Provide a strong balance of high quality residential, employment, recreation, and educational land."* The proposed amendment will facilitate development of a horizontally integrated mixed use development that will feature residential, office, and retail components.
- **General Plan Circulation Theme Goal #3:** *"Provide a transportation system that serves the public in a safe, efficient, and cost-effective manner."* The developer will complete improvements to McDowell Road and Avondale Boulevard adjacent to the property, improving the safety and capacity of the City's transportation system.

Streets and Infrastructure

Vehicular access to Avondale Commons will be provided at three locations along McDowell Road and two locations along Avondale Boulevard. Pedestrian access will be provided via an expansive network of on-site sidewalks that will connect to the public sidewalks adjacent to both Avondale Boulevard and McDowell Road. The developer will be responsible for improvements to both streets adjacent to the site, including the installation of an additional travel lane in Avondale Boulevard and curb, gutter, sidewalk, streetlights, and landscaping in both Avondale Boulevard and McDowell Road. The developer will also construct deceleration lanes at primary entrances to the site and contribute fifty (50) percent towards the construction of a future traffic signal at the project's primary entrance from McDowell Road.

Based upon a review of a Traffic Impact Analysis, the City has determined that the proposed access and circulation will provide adequate access to the site. While traffic to and from the site will increase with development of the property, with completion of McDowell Road and Avondale Boulevard improvements by

the developer, as noted in the preceding paragraph, it is anticipated that traffic conditions on both streets will improve relative to current conditions.

Permitted Uses

The uses proposed by the PAD are, by reference, the uses permitted in the City's Multi-Family Residential (R-4) and Community Commercial (C-2) zoning districts. The proposed uses are consistent with the property's Mixed Use General Plan designation and are appropriate for the intersection of two arterial streets.

Development and Design Standards

The proposed PAD utilizes the City's Multi-Family Residential (R-4) and Community Commercial (C-2) zoning districts as the basis for development standards within the community. The proposed PAD meets or exceeds all R-4 and/or C-2 requirements with the following exceptions:

- **Maximum Building Height:** The proposed PAD allows for buildings with a height of up to 55 feet in the residential district and 60 feet in the commercial district. The proposed height exceeds the maximum allowed in the R-4 district (45 feet) and C-2 district (30 feet). The additional height is appropriate for the property given that the site is located at the intersection of two arterial streets and only a small segment of the property's northern boundary abuts existing single-family residential development.
- **Side/Rear Setbacks (Residential District):** The proposed PAD requests a reduction in required setbacks from the site's north and west property lines to allow for single-story garage buildings to be built with no setback and three-story carriage buildings to be built with a minimum six-foot setback. As the properties to the north and west are not developed, Staff is supportive of these reductions. As those adjacent properties develop, care can be taken in the design of those projects to ensure that uses are properly separated.
- **Parking Setbacks (Commercial District):** In the C-2 district, a minimum parking setback (the distance from property line to a paved parking surface or drive aisle) of 30 feet adjacent to streets and 25 feet adjacent to residential property lines is required. The proposed PAD would allow for these standards to be reduced by nine (9) feet (to 21 feet) along Avondale Boulevard, by four (4) feet (to 26 feet) along McDowell Road, and by two (2) feet (to 23 feet) along the northern property line. Even though depth of landscape areas will be reduced, sufficient room for landscaping and parking lot screen walls will still be provided.

Conceptual site design, architecture, landscaping, and open space exhibits all meet or exceed expectations set forth within the Zoning Ordinance, Commercial and Industrial Design Manual, and Multi-Family Residential Design Manual.

DISCUSSION:

The proposed PAD meets the following findings:

- The proposed Avondale Commons PAD is in direct conformance with the General Plan Land Use Map designation of Mixed Use.
- The proposed Avondale Commons PAD is in conformance with the Multi-Family Residential Design Manual and Commercial and Industrial Design Manual.
- The proposed Avondale Commons PAD will result in compatible land use relationships.
- Adequate public infrastructure to support the proposed development either presently exists or will be constructed by the developer.
- The recommended conditions of approval are reasonable to ensure conformance with the provisions of

the Zoning Ordinance and all other applicable City codes, ordinances, and policies.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

City Council will conduct a public hearing and **ADOPT** the Ordinance approving Application PL-21-0072 Avondale Commons, a request to rezone approximately 25.23 acres from Agricultural (AG) to Avondale Commons Planned Area Development (PAD), subject to the following twelve (12) conditions of approval:

1. Development shall conform to the Avondale Commons PAD Narrative electronically date stamped, July 26, 2021 except as modified by these conditions.
2. Development of the residential district shall coincide with development of the commercial district such that no more than fifty (50) percent of the multi-family units (162 units) may receive a Certificate of Completion/Occupancy prior to the commencement of construction of a building in the commercial district (excluding the non-residential structures associated with the multi-family apartments).
3. The developer shall complete half-street improvements to McDowell Road to the City's Minor Arterial standard (Detail 1103) in the initial phase of development. Power poles adjacent to McDowell Road may require relocation, at the developer's expense, to accommodate the required street improvements. Dedication of additional right-of-way to accommodate the specified improvements shall be included in the project's Final Plat.
4. The developer shall construct a bus bay along McDowell Road per City of Avondale Detail A1252 in the initial phase of development.
5. The developer shall complete half-street improvements to Avondale Boulevard when adjacent development in the commercial district occurs, to include a southbound to westbound right turn lane, bike lane, sidewalk, curb, gutter, streetlights, sidewalk ramps, and relocating traffic signal poles. Additional right-of-way to accommodate Avondale Boulevard improvements, including deceleration/turn lanes into the project, shall be dedicated on the project's Final Plat.
6. The developer shall construct a new sewer line in McDowell Road in the initial phase of development; the grade of the new line must be sufficient to intercept an existing discharge line.
7. The developer shall install a 16-inch ductile iron pipe (DIP) water line in McDowell Road and tie into the existing 12-inch asbestos cement water line just outside the project limits in the initial phase of development. Following completion of the tie-in, the section of 12-inch line adjacent to the project will be abandoned in place.
8. Any private irrigation ditch that must remain operational must be piped outside future City right-of-way and public utility easements in the initial phase of development.
9. The developer shall be responsible for fiber conduit installation within the City's public right-of-way in accordance with the City's Transportation Plan and development codes.
10. All power lines less than 69kV must be relocated underground in the first phase of development.
11. Prior to issuance of any permits, the developer shall contribute fifty (50) percent of the design and construction cost of a future traffic signal on McDowell Road at the project's primary shared entrance between the residential and commercial areas.
12. A pedestrian gate shall be provided to allow future access to the site's commercial district from future

development occurring north of the site.

PROPOSED MOTION:

I move that City Council accept the findings and **ADOPT** the Ordinance approving Application PL-21-0072 Avondale Commons, a request to rezone approximately 25.23 acres from Agricultural (AG) to Avondale Commons Planned Area Development (PAD), subject to twelve (12) conditions listed in the staff report.

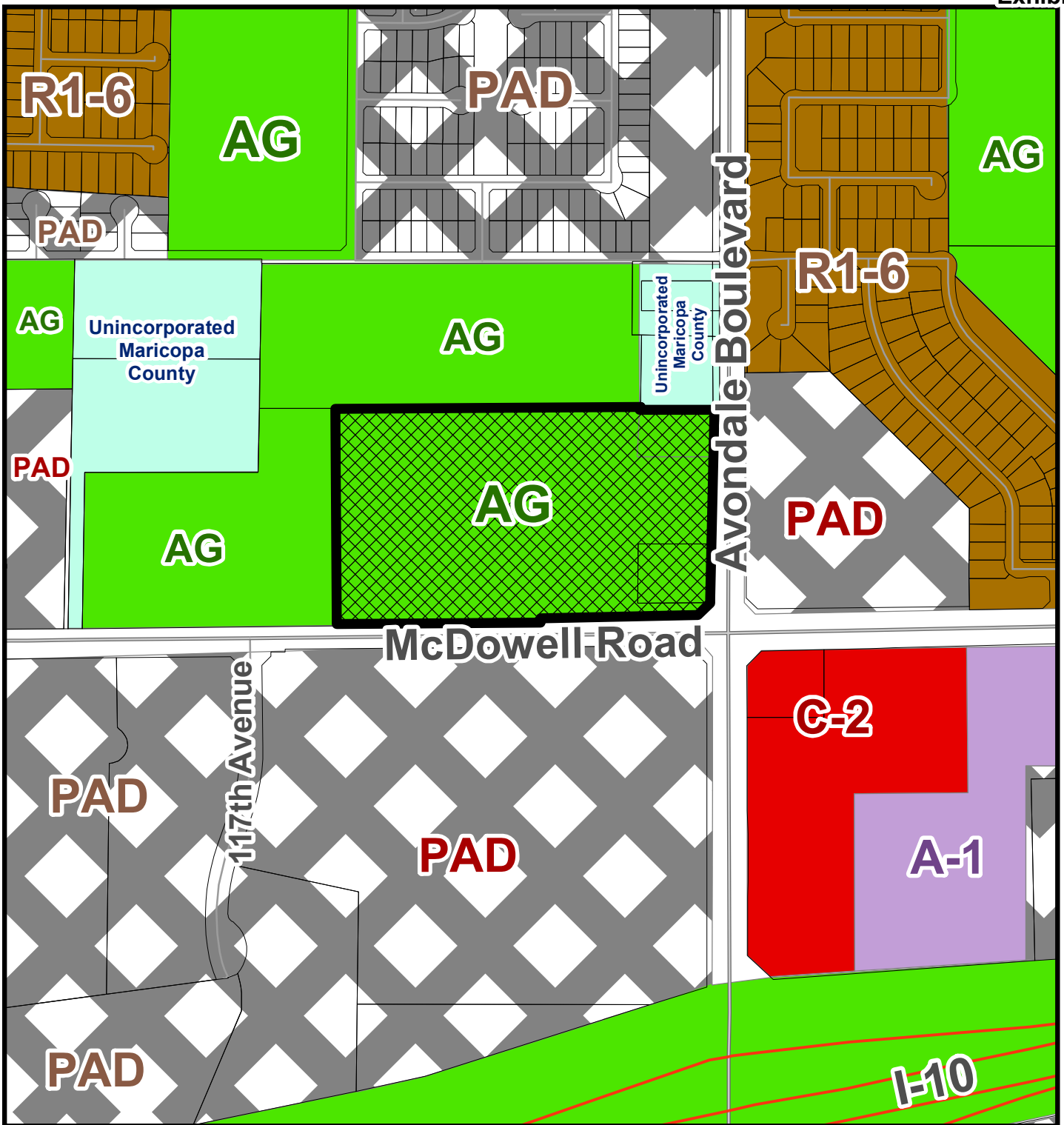


Aerial Photograph



Subject Property



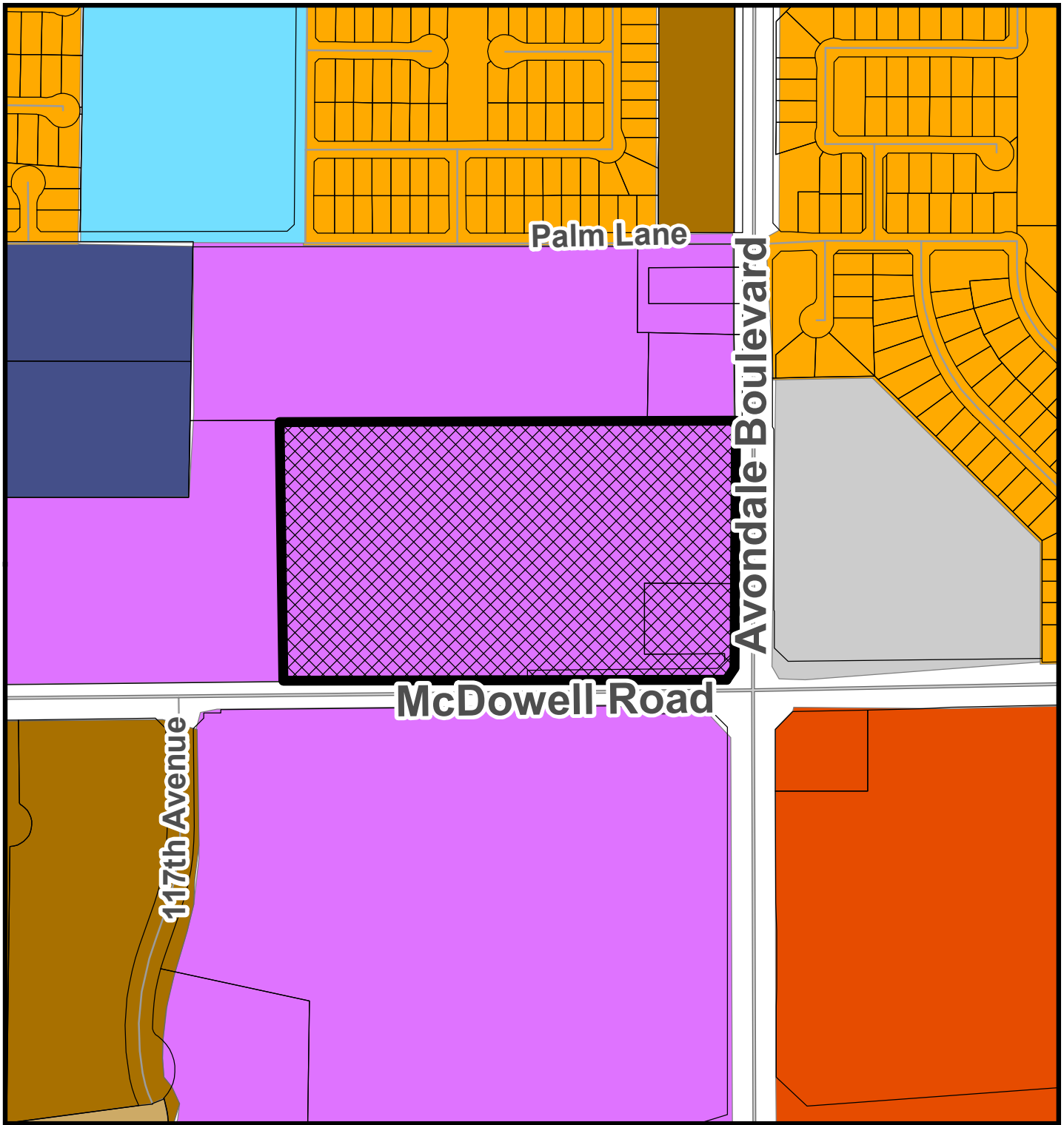


Zoning Vicinity Map



Subject Property



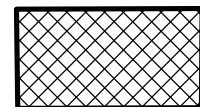


General Plan Land Use

 Mixed Use	 Medium Density Residential
 Freeway Commercial	 Medium/High Density Residential
 Office/Professional	 High Density Residential
 Public/Civic	 Education



Subject Property



SUMMARY OF RELATED FACTS

APPLICATIONS PL-21-0072 AND PL-21-0204

THE PROPERTY	
PROPERTY SIZE	Approximately 25.23 gross acres
LOCATION	Northwest corner of Avondale Boulevard and McDowell Road
EXISTING LAND USE	The subject property is undeveloped and is in agricultural/farming use.
EXISTING ZONING	Agricultural (AG)
ZONING HISTORY	The subject property was annexed in February 2006 and rezoned from Agricultural (AG) to Avondale Marketplace Planned Area Development (PAD) in March 2006. The Avondale Marketplace PAD allowed for a horizontally integrated mixed-use development including retail, office, mini-storage, and high-density residential uses. Due to lack of development, the PAD expired and the property's zoning was reverted to AG in June 2011.

SURROUNDING ZONING AND LAND USE	
NORTH	The majority of property north of the subject site is undeveloped, zoned Agricultural (AG), and currently in agricultural farming use. A single-family residence located in Maricopa County, zoned Rural-43, is located north of the property's northeast corner.
EAST OF AVONDALE BOULEVARD	The Southwest Valley Specialty Care Center for Phoenix Children's Hospital, zoned Phoenix Children's Hospital Planned Area Development (PAD). The initial phase of the planned development, an urgent care clinic, is operating on the site. Future planned phases include an emergency care facility, medical offices, and a 48-bed inpatient pediatric hospital.
SOUTH OF MCDOWELL ROAD	Undeveloped property currently in agricultural farming use, zoned Crystal Springs Planned Area Development (PAD). The approved Crystal Springs PAD allows for development of the site in accordance with the City's Community Commercial (C-2) district standards and uses.
WEST	Undeveloped property zoned Agricultural (AG), currently in agricultural farming use. A large Salt River Project (SRP) electrical substation is located to the northwest of the property.

GENERAL PLAN	
The property is presently designated by the General Plan 2030 Land Use Map as Mixed Use. The Mixed Use designation encourages innovatively designed developments reflective of a village concept, where residents can live, work, and recreate within the same development or close by. Development in this category requires proportionate ratios of residential and non-residential uses. The property is also within the boundaries of the Freeway Corridor Specific Plan (FCSP) which provides additional guidance on the physical form for development of the property. The FCSP presently limits building height on the site to maximum of three (3) stories; approval of the proposed FCSP Amendment will increase the maximum building height by one (1) additional story, allowing for four (4) story buildings on the subject property.	

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Pendergast Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Canyon Breeze Elementary School, located on Encanto Boulevard west of Avondale Boulevard
HIGH SCHOOL	West Point High School, located at the northwest corner of Avondale Boulevard and Encanto Boulevard

<i>ADJACENT STREETS</i>	
Avondale Boulevard	
Classification	Minor Arterial
Existing half street right-of-way	58 to 62 feet (varies by location)
Standard half street right-of-way	50 feet with additional right-of-way at locations of turn/deceleration lanes and bus bays.
Existing half street improvements	One (1) travel lane widening to two (2) lanes approaching McDowell Boulevard
Standard half street improvements	Two (2) travel lanes, deceleration or right turn lanes as needed, half center turn lane, curb, gutter, detached sidewalk, streetlights, and landscaping.
McDowell Road	
Classification	Minor Arterial
Existing half street right-of-way	40 to 65 feet (varies by location)
Standard half street right-of-way	50 feet with additional right-of-way at locations of turn/deceleration lanes and bus bays.
Existing half street improvements	Two (2) travel lanes
Standard half street improvements	Two (2) travel lanes, deceleration or right turn lanes as needed, half center turn lane, bike lane, curb, gutter, detached sidewalk, streetlights, and median.

<i>UTILITIES</i>
Water service will be provided via a new 16-inch line to be installed by the developer, replacing an existing 12-inch line in McDowell Road. Sewer service will be provided to the property via a new line to be installed by the developer in McDowell Road, tying into an existing discharge line.
SRP provides electrical service in this portion of Avondale.

Exhibit E

Proposed PAD Narrative

Avondale Commons

Received
electronically on
July 26, 2021

AVONDALE COMMONS



Mixed Use Development
Planned Area Development Rezoning Application Narrative
Case # PL-21-0072

City of Avondale

1st Submittal: March 5, 2021

2nd Submittal: May 28, 2021

3rd Submittal: July 22, 2021

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I. PROJECT PROFILE

Project Name	Avondale Commons
Property Owner	Moreland Arizona Properties, LLC
Assessor Parcel Numbers	501-74-887 (21.39 Ac), 501-74-886 (1.22 Ac)
Project Location	Northwest corner of N. Avondale Boulevard and W. McDowell Road, Avondale, Arizona
Project Area	22.61 (gross)
Current Zoning	Agricultural (AG)
General Plan	Mixed Use
Development Team	<u>Developer</u> Overland Group, Inc. Michael Holman, Vice President 3200 Club House Drive, Suite 250 Lehi, Utah 84043 <u>Legal Counsel</u> Tiffany & Bosco, P.A. Shaine T. Alleman Seventh Floor, Camelback Esplanade II 2525 East Camelback Road Phoenix, Arizona 85016 <u>Architecture</u> FFKR Architects Jackson Ferguson 1355 N. Scottsdale Road, Suite 210 Scottsdale, Arizona 85257 <u>Engineering</u> Coe & Van Loo Consultants, Inc. Nicholas Maxwell 4550 N. 12 th Street Phoenix, Arizona 85014

II. EXECUTIVE SUMMARY

This proposed application request is to rezone approximately 22.61 acres (gross) generally located at the northwest corner of the intersection of N. Avondale Boulevard and W. McDowell Road (the "Property") from Agricultural (AG) to Planned Area Development (PAD) with a mixture of a variety of commercial and residential uses. The PAD will allow for the development of a master planned development consisting of 1) a high density residential development with a proposed density of 25.9 dwelling units per acre (324 units) that are provided in a four-story apartment buildings configurations and a 3-story carriage unit configurations and 2) supportive commercial, retail, and office uses. The proposed PAD will be in conformance with the current Avondale General Plan land use of Mixed Use on the Property as outlined herein.

For many years, the Property has sat vacant with varied interest from a variety of residential and commercial users. According to brokers who have worked in the area for many years, the Property has not been desired for a comprehensive development because of the various Property challenges including 1) the existence of a large USA Fee easement on the southern boundary of the Property, 2) large electrical power poles that dominate the south property line adjacent to McDowell Road, and 3) the adjacency of the SRP and APS substations providing aesthetic and perceptive health challenges. Additionally, certain market realities create some concerns regarding the economics of the Property what types of uses will be viable. Despite these challenges there is great opportunity for the Property with the right developer.

The developer for the project will be the Overland Development Corporation, which is part of Overland Group, Inc. Overland Group, Inc. ("Overland") is a vertically integrated real estate company which manages the development, construction, and management of various real estate asset types. Overland has a 40+ year history in real estate development, construction, and management. They have primarily done work in Utah, Arizona, and the Midwest and have always been very thoughtful about the proposed uses and designs of their projects. Overland is recognized for its high-quality developments, totaling more than \$400 million in real estate projects since Overland opened its doors. Overland also currently has \$35 million worth of assets under construction with another \$70 million expected to go under construction by the end of 2021. Overland has twice won the Outstanding Design and Development Award through Envision Utah, and honored by The Downtown Alliance of Salt Lake City with a Special Achievement Award for Outstanding Redevelopment of Salt Lake's 49 block in downtown Salt Lake. They have developed projects that have included Class A and Class B multi-family residential, hotel, commercial/retail, office, and storage. After undertaking market studies for the Property, Overland is excited about the opportunities to develop a mixed use project in Avondale. (See <https://overlandgroupinc.com/> for more information)

With its varied experience, Overland intends to create a horizontal mixed use development that provides a mixture of loft apartment housing along with various commercial uses that will create a unique urban experience meeting the service and employment needs of the Avondale Commons resident and the citizens at large.

The proposed conceptual site plan, elevations, and land use and development standards will create a framework for a quality development that is compatible with and supportive of surrounding properties, while providing a design that promotes a healthy and livable community through open space and connectivity. The prime location of the site provides the opportunity to bring a beautiful community along major roadways that the City of Avondale will be proud of.

III. PROPERTY DESCRIPTION

Site Description

The Avondale Commons property is approximately 22.61 acres (gross) and is located at the northwest corner of the intersection of N. Avondale Boulevard and W. McDowell Road and identified by the Maricopa County Assessor's Office with the parcel numbers listed in the "Property Profile" section above. (*Please see EXHIBIT A – Regional Aerial Context Map and EXHIBIT B – Aerial Context Map*). The Property is currently vacant and topography of the site is relatively flat.

The Property currently contains an Avondale General Plan land use designation of Mixed Use (*Please See EXHIBIT C – Existing Avondale General Plan Land Use*). Additional information of this land use designation and how this proposal conforms to the Avondale General Plan is found in *Section XIII. Conformance with Avondale Plans*.

The Property is currently zoned Agricultural (AG) and is with the jurisdiction of Avondale (*Please see EXHIBIT D – Existing Avondale Zoning Designation*). The lot has historically been used for agricultural purposes.

The Avondale Commons PAD proposes a master planned development that consists of a variety of commercial uses and residential uses that will complement one another. This is consistent with the Avondale General Plan proposed designation of Mixed Use and is needed to add additional development that will provide a continued economic catalyst in this area. The existing and proposed surrounding uses as well as the intersection of two major arterials provides the perfect location for this type of development.

Relationship to Surrounding Properties

The Property is surrounded by a mixture of vacant and developed properties, which are both commercial and residential in nature.

- North:
 - o Jurisdiction - City of Avondale and Maricopa County Islands
 - o North of the Property are a few Maricopa County properties with single family land uses. There is also large agricultural area owned by RayRoad, LLC.
 - o The RayRoad, LLC property is zoned as AG (Agricultural) and the County properties are zoned as R-43.
 - o The Avondale General Plan designates these properties as Mixed Use.
- East:
 - o Jurisdiction – City of Avondale
 - o The property to the east is being operated as a hospital use and is owned by the Phoenix Children's Hospital.

- o The property is zoned as PAD with a General Plan land use of Office/Professional.
- South:
 - o Jurisdiction – City of Avondale
 - o The property to the south is owned by Stotz Farms, Inc. and is currently vacant. There are future plans for commercial uses on this property.
 - o These properties are zoned as PAD with a General Plan land use of Mixed Use.
- West:
 - o Jurisdiction - City of Avondale
 - o The property directly to the west is currently owned by Pendleton Capital Partners and is vacant. There are SRP and APS electrical substations within approximately 275' of the Property.
 - o The Pendleton Capital Partners property is zoned as AG with a General Plan land use designation of Mixed Use. The SRP and APS properties are zoned as R-43 in the County with a General Plan land use of Public/Civic.

Additionally, the Interstate-10 Freeway intersection is located approximately 1/3 mile to the south and provides prime regional access to the Property. Adequate water and sewer facilities for the residential development currently exist in the surrounding roadways.

Existing Market Study Analysis & Property Challenges

Overland undertook a market analysis to review the opportunities, challenges, and needs for a variety of uses on the Property. Using these studies, Overland thoughtfully crafted Avondale Commons to bring the proper balance and mixture of commercial and residential uses that will provide a healthy and vibrant neighborhood for the area.

Along with the market challenges of the Property location, there are also several physical Property challenges that have to be considered when developing in this area. These include the following:

- The existence of a large USA Fee easement on the southern boundary of the Property present logistical issues in how the Property can be developed and used on south portion of the Property.
- Large electrical power poles dominate the south property line adjacent to McDowell Road, which provides aesthetic and development challenges in navigating around them.
- The adjacency of the SRP and APS substations provides challenges in being able to develop proper uses that are conducive to the area.
- Existing irrigation drainage ways exist on the Property and must be dealt with appropriately when developing the Property.

In reviewing the past and existing conditions on and around the Property, Overland found that the Property is ripe for providing a horizontal mixed use project with those uses that are appropriate with the existing conditions and challenges on and around the Property. After analyzing the market studies, it is evident that the right uses as part of a mixed use project could be sustained on the Property. Based on the information received from the market studies, Overland has proposed those uses within the Avondale Commons PAD that will bring the most economic viability.

IV. PROJECT DESCRIPTION

Avondale Commons is designed to be a master planned development that has a mixture of high-quality apartment housing and carriage unit housing with supportive retail and employment commercial uses. Together, these uses will provide a safe, active and comfortable environment for both visitors and residents alike. The residential portion of the Property will provide a variety of unique housing opportunities that will be marketed to professionals, empty nesters, and young families that desire a “lock and leave” lifestyle accompanied by high-quality amenities to serve their recreational needs. The community will provide ample open space and amenities that will be easily accessible to all residents. *(Please See EXHIBIT E – Conceptual Site Plan (Color) and EXHIBIT F – Conceptual Site Plan (Black and White))*

The overall physical design of the Avondale Commons development is intended to foster connections and relationships amongst the residents, while respecting privacy within their own homes. There is also a great sense of pedestrian community throughout the entire master planned development that encourages use of the sidewalks for connectivity between the various uses and also for recreation. All buildings within Avondale Commons are oriented in a pattern designed to focus eyes and views on communal areas and to open spaces and pedestrian areas to create a sense of place and security.

EXHIBIT G - Overall Site Pedestrian Circulation Plan demonstrates the interconnectivity of the sidewalks that will be located around the development perimeter and within the project itself. The internal sidewalks provide exceptional connectivity throughout the development and are marked by enhanced landscaping, a strong central hub, decorative paving, and prominent aesthetic signage in appropriate locations. The main entrances from Avondale Boulevard and McDowell Road provide a strong sense of arrival to the community and set the tone for the consistent theming and architecture throughout Avondale Commons.

Residential District

The Residential District is located on the west side of the Property and consists of approximately 12.5 acres. The PAD proposes 324 apartment units at a density of 25.9 dwelling units per acre within four (4) four-story residential buildings that will be a maximum of fifty-five (55) feet in height and also eight (8) sets of a four-plex of carriage units that will be 3-stories high with parking garages underneath. The Residential District has two (2) main drive entrances from the central hub on the east and the main entrance on the south from McDowell Road. There are also 3 other minor drive entrances that provide a multitude of ways to access the residential area. These are located on the east side and south side of the residential area.

All drive aisles will be appropriately landscaped. Additionally, the central hub area of the development will provide lush landscaping and have strong pedestrian connections that encourage residents to access the variety of commercial uses that are located within a short distance. The residential internal drive aisles will be private and will be a minimum of twenty-six (26) feet in width. The 4 main multifamily buildings will be surrounded by open space and sidewalks. Internal carriage units have also been arranged to front onto pedestrian spaces to create more walkability and connectivity to all areas of the development.

The Residential District will provide a minimum of 20% usable open space with high-quality amenities that focus on overall connectivity and accessibility. Development amenities will consist of a swimming pool, BBQ/cabana area, clubhouse, playground area, ramadas, and other active open space areas. The main pool and clubhouse area is conveniently centralized within the community and provides easy connectivity and accessibility for all residents. All of these open space areas will be well connected with internal sidewalks.

Commercial District

The Commercial District will consist of approximately 10.1 acres. After consulting with area brokers, considering the Property challenges, the location of access points, and dimensions of residential and open space areas, the configuration and location of the Commercial District is ideal for attracting commercial users from the residents on the Property while also being strategically located for commercial users coming from off the Property.

The Commercial District is designed with several conceptually located commercial pads that are well suited for medical and professional office uses, restaurants, retail shops, a hotel, and other related commercial uses. The office buildings have been configured and grouped together to the east of the central hub. This allows more shared common space/shaded courtyards and also provides a better street frontage and pedestrian connectivity on the east main drive aisle.

While the Conceptual Plan demonstrates the potential location for the commercial building, flexibility will be needed in the ultimate location and dimensions of the buildings to accommodate a variety of end users that are identified for the Commercial District.

There will be a total of three (3) main access points to the Commercial District, which will consist of two (2) driveways from Avondale Boulevard and one (1) major access point from McDowell Road to the Avondale Commons central hub. The Commercial District will also provide many pedestrian connections to facilitate walkability from the residents to the west and others visiting from offsite. Open space for the commercial area will be in compliance with City of Avondale standards.

V. RESIDENTIAL DISTRICT STANDARDS

The development standards for the Avondale Commons Residential District, as outlined in the table below, shall be those of the City's R-4 Zoning District with the following deviations noted in bold text. Additional development standards deviations are noted in this section for the Residential District. When standards are not provided within this Avondale Commons Residential District Standard, development shall comply with those standards in the R-4 Zoning District found in Section 205, "Multi-Family Districts" of the Avondale Zoning Ordinance.

Development Standards

PROPOSED AVONDALE COMMONS RESIDENTIAL DEVELOPMENT STANDARDS		
Development Standard	Avondale R-4 Zoning District	Avondale Commons Residential District Standard
Maximum units allowed	1 unit for every 1,452 sf net site area	324 units
Minimum Lot Width	50'	50'
Minimum Lot Depth	100'	100'
Maximum Height	45'	55' (four-stories)
Maximum Building Coverage	50%	50%
Minimum Front Yard Setback	25'	25'
Minimum Side Yard Setback		
East Side	15'	15'
West Side	15'	0 and 15'¹
Minimum Rear Setback	15'	0 and 6'²
Minimum Street Side Setback	25'	25'

¹ Multifamily Buildings shall be set back a minimum of 15'. However, parking structures approved as part of the Avondale Commons PAD shall have a zero (0) feet setback from the west Property lines as shown on the included Avondale Commons Conceptual Site Plan.

² Carriage Unit Buildings shall be set back a minimum of 6'. However, parking structures approved as part of the Avondale Commons PAD shall have a zero (0) feet setback from the north Property lines as shown on the included Avondale Commons Conceptual Site Plan.

Building Uses

1. Permitted Uses.

The following uses shall be permitted in this PAD.

- a. Multi-Family dwelling
- b. Accessory uses and buildings incidental to the principal use such as clubhouses, swimming pool, community building, on-site manager's office, and garages.
- c. Private and public parks and private or public recreation facilities.
- d. Community recreational facilities of a non-profit nature when associated with a residential project.
- e. A temporary construction office, shed and/or storage yard in conjunction with on-site construction subject to the Avondale Zoning Ordinance.
- f. Home occupations in accordance with the Avondale Zoning Ordinance.

Parking Standards

Due to the proposed mixed use nature of Avondale Commons, the overall parking standards have been revised to reflect the nature of residents that typically live in multifamily residential housing of mixed use developments, which includes the inclination for multifamily residents to have fewer and/or smaller vehicles.

The Applicant has provided a Shared Parking Study by CVL, dated April 20th with this PAD Application. The Parking Study contemplates the mixed use nature of the development and analyzed the potential uses on the Property. Per the Parking Study, the maximum shared parking demand for the Property is 896 parking spaces. As shown, on the Site Plan, a total of 1,016 parking spaces are provided, which is in excess of the share parking requirements.

Additionally, Standard Parking Spaces shall be dimensioned as 9' 6" x 20'. Due to the mixed use nature of this development, Avondale Commons shall be allowed a maximum of 25% of the total required parking spaces to be considered Compact Parking Spaces. However, Compact Parking Spaces shall be dimensioned as 9' x 18' (instead of the 8' X18' allowed by the Avondale Zoning Ordinance).

Additional Development Standards and Guidelines

The following standards for the Residential District are supplemental to the Avondale Zoning Ordinance and the design standards found in the City of Avondale's Multi-Family Residential Design Manual.

1. Landscape
 - a. The landscaping within the development shall meet or exceed Section 1204, "Landscape Design Standards" of the Avondale Zoning Ordinance.
 - b. The landscaping shall meet or exceed the guidelines for landscaping as set forth in the City of Avondale's Multi-Family Residential Design Manual.

- c. Retention shall be allowed to use underground retention systems as approved by the City's Engineering Department during the Site Plan and Design Review application.
- 2. Lighting
 - a. Minimization of light pollution for the protection of nighttime views is an important component of the design theme for the project, as well as for the adjacent neighboring properties. In response, all exterior lighting for common open space areas, development entries and adjacent to the internal streets will comply with Section 707, "Outdoor Lighting" of the Avondale Zoning Ordinance. A photometric plan will be provided during the Site Plan and Design Review application.
- 3. Walls and Fences
 - a. Where the approved Residential District garage buildings are located, a wall or fence shall not be required on the Property boundary as the garage building will serve as the wall. All other areas, including landscaped areas, adjacent to the Property boundaries shall require a wall.
 - b. All required walls and fences shall meet or exceed Section 1207, "Walls and Fences" of the Avondale Zoning Ordinance and shall meet or exceed the guidelines as set forth in the City of Avondale's Multi-Family Residential Design Manual.
- 4. Signage
 - a. Section 913.D.10.d shall be modified to allow Center Identification Wall Signs to one-hundred (100) square feet in area.
 - b. All other development signage shall meet Section 9 of the Avondale Zoning Ordinance and be designed as set forth in Avondale's Multi-Family Residential Design Manual.

VI. COMMERCIAL DISTRICT STANDARDS

When standards are not provided within Avondale Commons Commercial District Standards, development shall comply with those standards in the Community Commercial District (C-2) in Section 3, "Commercial Districts" of the Avondale Zoning Ordinance.

The development standards for the Avondale Commons Commercial, as outlined in the table below, shall be those of the City's Community Commercial District (C-2) with the following deviations noted in bold text. Additional development standards deviations are noted in this section for the Commercial District. When standards are not provided within this Avondale Commons Commercial District Standard, development shall comply with those standards in the C-2 Zoning District found in the Avondale Zoning Ordinance.

1. The proposed development standards are as follows:

PROPOSED AVONDALE COMMONS COMMERCIAL DEVELOPMENT STANDARDS		
Development Standard	Avondale C-2 Zoning District	Avondale Commons Commercial District Standard
Maximum Building Height	30'	60' (four-stories)
Street Side Building Setback (Avondale Boulevard & McDowell Road)	20'	20'
Rear Building Setback (North Boundary Line)	20'	20'
Side Building Setback (West Boundary Line)	15'	15'
Parking Setback		
North Side	30'	23'
East Side (Avondale Blvd)	30'	21'
West Side	30'	13'
South Side (McDowell Rd)	30'	26'

Building Uses

1. Permitted Uses

Administrative & Financial Uses

- Banks and financial institution with or without drive-through
- Professional offices

Automobile Related Uses

- Automobile rental facility with no on-site storage
- Gas service station with retail gas sales, convenience store and/or car wash.

Eating & Drinking Establishments

- Bar
- Brewery, ancillary to a bar or restaurant
- Mobile food vendor
- Outdoor dining
- Restaurant, with or without drive through
- Sidewalk café
- Wine bar

Education, Religious & Institutions

- Community garden, one acre or less
- Employment agencies- Excluding day labor
- Libraries
- Museums and cultural centers
- Places of worship
- Public Uses
- School businesses, technical or vocational

Entertainment and Recreation Uses

- Art gallery
- Bowling alley
- Health and exercise center
- Ice or roller skating rink, indoor
- Indoor commercial recreation/ entertainment uses not otherwise listed
- Movie theater, indoor
- Reception centers
- Shooting range
- Social/ private clubs
- Video arcade, game room

General & Intense Retail Uses

- Antique store
- Business support services – photocopy, office supply stores, and package delivery services
- Consignment shops
- Non-consignment secondhand retail store
- Retail sales of new merchandise within closed buildings
- Specialty retail, indoor

- Surplus store
- Thrift store

Lodging

- Hotel
- Resorts
- Caretaker quarters, including overnight security

Medical

- Emergency medical care facility
- Funeral home
- Hospitals
- Massage therapy (medical)
- Medical, dental or health offices, clinics and laboratories
- Rehabilitation facilities and hospitals, excluding facilities for substance abuse and detoxification
- Veterinary hospital, offices and clinics

Personal Services

- Appliance service and repair
- Art studio
- Barber shop/Beauty Salon
- Body piercing studio
- Clothing alteration, custom dressmaking or tailor shop
- Dance studio
- Dry cleaning and laundry establishment, pick-up and drop-off only
- Laundromat, self-service
- Massage or day spa
- Music studio
- Nail salon
- Pet boarding and daycare facility
- Real estate office
- Specialty services
- Tanning salon
- Tattoo parlor
- Ticket and travel agency

2. Conditional Uses

The following uses shall be permitted in the Commercial District through review and approval of a Conditional Use Permit. Conditional uses shall be processed and evaluated in accordance with Section 1, "Administration and Procedures" of the Avondale Zoning Ordinance.

- Day care center or pre-school center.
- Nightclubs (not including adult live entertainment as defined in the Avondale Zoning Ordinance)

3. Prohibited Uses

The following uses are prohibited.

- Any use not expressly permitted herein unless analogous to a permitted use as determined by the Zoning Administrator
- Check cashing, bondsman, pawn shops, plasma centers and thrift stores
- Day labor centers
- Sexually-oriented businesses
- Any use not expressly permitted herein
- RV and/or Mobile Home Park

Parking Standards

Due to the proposed mixed use nature of Avondale Commons, which includes the fact that many of the Avondale Commons residents will access the commercial uses by walking and that the proposed uses will have peak use times that are different than each other, the parking standards have been revised. For instance, medical and professional offices uses are busier during the day with end of business close times and restaurants and retail are busier in the evening and weekends when the professional office uses are closed. As such, the reduced parking standards reflect the mixed use nature of the development.

The Conceptual Site Plan currently reflects five (5) one-story commercial office buildings, two (2) restaurant pads, one (1) commercial retail building on the southeast hard corner, and one (1) four-story professional office or hotel building. While the Conceptual Plan demonstrates the potential location for the commercial building, flexibility will be needed in the ultimate location and dimensions of the buildings to accommodate a variety of end users that are identified for the Commercial District.

The Applicant has provided a Shared Parking Study by CVL, dated April 20th with this PAD Application. The Parking Study contemplates the mixed use nature of the development and analyzed the potential uses on the Property. Per the Parking Study, the maximum shared parking demand for the Property is 896 parking spaces. As shown, on the Site Plan, a total of 1,016 parking spaces are provided, which is in excess of the share parking requirements.

Additionally, Standard Parking Spaces shall be dimensioned as 9' 6" x 20'. Due to the mixed use nature of this development, Avondale Commons shall be allowed a maximum of 25% of the total required parking spaces to be considered Compact Parking Spaces.

However, Compact Parking Spaces shall be dimensioned as 9' x 18' (instead of the 8' X18' allowed by the Avondale Zoning Ordinance).

Additional Development Standards and Guidelines

The following standards for the Commercial District are supplemental to the Avondale Zoning Ordinance and the design standards found in the City of Avondale's Commercial and Industrial Design Manual.

5. Landscape

- a. The landscaping within the development shall meet or exceed Section 1204, "Landscape Design Standards" of the Avondale Zoning Ordinance.
- b. The landscaping shall meet or exceed the guidelines for landscaping as set forth in the City of Avondale's Commercial and Industrial Design Manual.
- c. Retention shall be allowed to use underground retention systems as approved by the City's Engineering Department during the Site Plan and Design Review application.

6. Lighting

- b. Minimization of light pollution for the protection of nighttime views is an important component of the design theme for the project, as well as for the adjacent neighboring properties. In response, all exterior lighting for common open space areas, development entries and adjacent to the internal streets will comply with Section 707, "Outdoor Lighting" of the Avondale Zoning Ordinance. A photometric plan will be provided during the Site Plan and Design Review application.

7. Walls and Fences

- c. All required walls and fences shall meet or exceed Section 1207, "Walls and Fences" of the Avondale Zoning Ordinance and shall meet or exceed the guidelines as set forth in the City of Avondale's Commercial and Industrial Design Manual.

8. Signage

- c. Section 913.D.10.d shall be modified to allow Center Identification Wall Signs to one-hundred (100) square feet in area.
- d. All other development signage shall meet Section 9 of the Avondale Zoning Ordinance and be designed as set forth in Avondale's Commercial and Industrial Design Manual.

Commercial District Amended Standards Justification

The above mentioned amended development standards for the parking setbacks consider the Property challenges that limit the amount of acreage available and allow for an

integrated commercial development with the surrounding development and adjacent residential development. Typically, commercial development standards are designed to provide buffers to surrounding residential development that the commercial use could encroach upon. However, that situation does not exist here with the Commercial district being adjacent to two (2) major thoroughfares to the east and south, the interconnected Avondale Commons residential district to the west, and the vacant agricultural property to the north that will likely have an intense, urban use that is compatible with the Mixed Use land use designation.

The proposed amended parking setback standards for the Avondale Commons PAD will allow for both residential and commercial uses to develop with greater vehicular and pedestrian connections. Appropriate screen walls and landscaping on perimeters of the Commercial District will ensure that any parking areas are appropriately screened.

The proposed parking setback on all sides will have no negative effects to the adjacent land uses and allows for potential flexibility for building placement as the site develops. Site layout was done in a way that ensure that connective sidewalks within the entire project are provided between the residential and commercial uses.

The remainder of the above amended development and design standards is to allow Avondale Commons to adapt to current and future development patterns. Therefore, the implementation of the future development will create a consistent development approach to the proposed residential and commercial land uses.

VII. LANDSCAPING, PEDESTRIAN OPEN SPACE AND AMENITIES

Pedestrian Focus

The Avondale Commons development will facilitate pedestrian circulation throughout the entire horizontally mixed use project. The layout of the various use areas and the proposed Development Standards and Design Guidelines, provides the necessary standards for integrated pedestrian pathways that encourage residents to walk to open space, on-site recreational amenities, and the adjacent commercial area with its variety of uses. The pedestrian paths will feature enhanced landscaping, differentiated paving and lighting to make these pedestrian areas pleasing and safe. The use of differentiated paving will also be to increase safety by showing where pedestrian paths cross vehicular circulation, especially for those linkages from the residential to the commercial area. The improvements to Avondale Boulevard and McDowell Road will allow safe pedestrian access to the development.

Landscaping and Open Space

EXHIBIT H – Overall Site Landscape Plan exhibits the landscaping and open space areas of the Avondale Commons development. The main entrances from Avondale Boulevard and McDowell Road will have lush landscaping and provide an enhanced sense of arrival. The main entrances in the middle of the development both lead to a central round about hub that further accentuate the sense of place and tying the theming of the entire development together. Pedestrians, bicyclists, and vehicles, entering into this hub will immediately see and feel the overall aesthetics and environment that will be Avondale Commons.

The Residential District open space areas will provide opportunities for a mixture of desert-themed landscaping, shade trees, grass turf areas for recreation and play, and playground features. Landscaping will also provide shade and comfort to pedestrians and users of the open space and amenity areas. The purpose of the landscaped and open space area will be to complement and enhance the pedestrian scale of the development. Pedestrian pathways will be focused on providing linkages throughout the site as well as providing a sense of place for the residents. The community center is located within the center of the Residential District to create a community gathering space. Families and individuals will be able to collectively use the high-quality amenities, including the swimming pool, BBQ/cabana areas, club house, the tot lot, and ramadas. All playground equipment within the development will be properly shaded.

The Commercial District will provide landscaping and open space that further accentuates the architecture theming of Avondale Commons. Landscaping and open space will also be used to reflect the pedestrian nature of the mixed use development. Pedestrians and

bicyclists coming to the Commercial District from the Residential District will feel a seamless transition of the aesthetics and environment that will cohesively exist throughout Avondale Commons. The Commercial District landscaping will be desert-themed to promote low watering and will also provide shade and comfort to pedestrians and users of the Commercial District.

VIII. ARCHITECTURAL DESIGN CRITERIA

The Avondale Commons PAD's design criteria offers a high-quality development consisting of a mixture of residential and commercial uses that will contribute to the surrounding neighborhood feel and character. Avondale Commons will be subject to the provisions found in the City of Avondale's Commercial and Industrial Design Manual and the Multi-Family Residential Design Manual.

While separate Districts are outlined below to reflect the applicable Avondale Design Review Manuals, architectural theming, material, colors, and aesthetics shall be cohesive between the Residential and Commercial Districts to reflect the overall master planned development environment of Avondale Commons.

Residential District

Additionally, the following guidelines are provided to give further guidance to the development of the Residential District to encourage a unique residential development that brings quality and distinctive character to the North Avondale area.

Color and Materials Palette

Each selection of material application should be style specific, carried throughout the detailing and construction of the housing unit.

These distinctive features shall include:

- a. Variety of selections of roof material and color, roof pitches and undulating roof lines.
- b. Sizing and color of materials (i.e. stone, brick, etc.) shall be considered and selected to match the scale and parameters of specific elevations and color schemes.
- c. Color schemes shall be developed to reflect the appropriate elevation style and create consistency through the use of a complementary color palette throughout the development.
- d. Varying frontage and door styles, inset window panels and mullions. That are colored per the elevation and scheme.
- e. Incorporate durable and quality exterior materials and finishes.

Four Sided Architecture

All buildings in the Residential District shall be designed with four-sided architecture that is attentive to the adjacent properties and from all internal and external roadways. This will allow for a visually appealing community, cohesiveness in design, and curb appeal from every direction.

Four-sided architecture shall include:

- Similar window sizes utilized across the buildings.

- Similar window treatments including stucco pop-outs, flush application...etc.
- Continued color application and logic behind color patterns.
- Breaks in roof planes and undulating pitches.
- Similar scale of materials, architectural elements, roofs, etc.
- Similar construction details.

Conceptual elevations have been provided with this application to showcase the colors, design, and character of the Residential District development (*Please See EXHIBIT I – Residential Buildings Elevations*). All residential units will be required to proceed through the City's Residential Design Review process.

Commercial District

The development of the Commercial District shall comply with those standards and guidelines found in the City of Avondale's Commercial and Industrial Design Manual and the Community Commercial District (C-2) in Section 3, "Commercial Districts" of the Avondale Zoning Ordinance, as amended. Additionally, any colors and materials used in the Commercial District will be consistent and cohesive with those architectural elements used in the Residential District to maintain common theming for the entire master planned project.

Conceptual elevations have been provided with this application to showcase the colors, design, and character of the Commercial District development (*Please See EXHIBIT J – Commercial Buildings Elevations*). All residential units will be required to proceed through the City's Residential Design Review process.

Several perspective images have been provided in *EXHIBIT K – Property Perspectives* to further demonstrate and showcase the quality of development provided by Avondale Commons.

IX. SIGNAGE STANDARDS

All Avondale Commons signage shall comply with the standards included in Avondale Zoning Ordinance Section 9, Signs. Signage development in the Commercial District shall adhere to standards for the C-2 district. Signage development in the Residential District shall adhere to standards for multi-family zoning districts. Signage in the Avondale Commons development shall be approved under separate permit.

X. PAD REVIEW AND ANALYSIS

As stated previously, the purpose of the PAD district for Avondale Commons is to provide a high-quality development that consists of a residential development providing a safe, active and comfortable environment that is adjacent to, and connected to, an active commercial development. The Avondale Commons residential area will be a high-quality, urban type of development that is unique to Avondale. The adjacent commercial area will consist of a variety of commercial uses that consist of restaurants, retail, and office use that will provide shopping and employment opportunities to the residents living within the development and throughout the great Avondale area.

The master planned development focuses on strategically placed buildings that are enhanced by the architecture and landscape aesthetics and promote strong connectivity throughout the development. The open spaces, recreation and refuge areas, and sidewalks are designed to provide greater community connectivity and interaction. The reduction in the proposed development standards is further justified with the following supreme enhancements of the Avondale Commons development:

- Providing high-quality usable open space interspersed throughout the development. With land being at a premium price for developers, providing enhanced amenities that are not typically provided or required, including a pool, tot lot, and ramadas is uncommon. However, the development is willing to provide it in Avondale Commons to provide a unique housing development.
- Focusing housing product on communal open spaces that are dedicated to providing an enhanced pedestrian and community experience.
- Enhanced vegetation at entries ways and strategically placed open space areas to provide a sense of arrival to the development.
- Heightened connectivity throughout the development to promote interactivity for the land uses.
- Intersection corner buildings have been enhanced with additional landscaping, hardscaping, and water feature that provides an iconic area that will be seen by pedestrians and vehicles coming to the development and passing by.

The Avondale Commons PAD meets all of the required findings of the Avondale Zoning Ordinance as follows:

1. *The proposed PAD is in conformance with the General Plan and applicable specific plan(s).*

As outlined in the “Conformance with Avondale Plans” Section of this narrative, the Avondale Commons PAD is in conformance with the intent of the General Plan and the Freeway Corridor Specific Plan.

2. *The proposed PAD meets the PAD requirements of the Zoning Ordinance, Subdivision Regulations, Design Manuals and other applicable regulations and requirements, unless otherwise modified by the PAD Narrative.*

As demonstrated within the Avondale Commons PAD, it meets all the requirements of the Avondale Zoning Ordinance for PAD rezoning applications by conforming to applicable the regulations and standards.

Additionally, the Avondale Commons development will exceed the applicable Design Manuals for the development, as the PAD provides design standards and regulations that are required by the development.

3. *That adequate public infrastructure and services exist to serve the proposed development or all necessary public infrastructure and services to serve the proposed development will be completed in connection with development within the PAD.*

As demonstrated in the Avondale Commons PAD and accompanying engineering plans and reports, the development has adequate public infrastructure and services to serve the proposed development. All future development will comply with all development and engineering standards and regulations as required.

4. *The proposed PAD will result in compatible land use relationships within the proposed development and with adjacent properties.*

The general surrounding developments consist of a mix of future and developed commercial uses, vacant properties, and established single family residential to the north with density ranges of 3.5 to 5.0 du/Ac. McDowell Road has quickly become a major corridor through Avondale that has attracted a variety of commercial and high density residential uses. While the Property has certain challenges, such as the USA fee easement and major power lines along McDowell Road, Overland is working closely with its consultants to provide a master planned horizontally mixed use development that anticipates these challenges and provides uses and design features that are compatible with the adjacent land uses.

The economic market studies completed for the Property were important to creating the appropriate acreages for the Residential and Commercial Districts. The proposed uses of the Commercial District are important to meet the economic realities for the Property. In recent discussions with the City, it was noted that the proposed expansion of the Phoenix Children's Hospital uses to the east and the proposed commercial areas to the south are appropriate and compatible with the proposed Avondale Commons development.

The Avondale Commons PAD provides the perfect opportunity for a mixed use development that brings a higher density residential development with complementary and connected commercial uses that will be designed in a way that is harmonious with the surrounding neighborhoods and is supported by current market conditions.

5. The development standards of the proposed PAD are consistent with or exceed the desired character of development for the area.

As stated in the Avondale Commons PAD, the development standards and regulations have been crafted to provide a unique mixed use development that is currently not found within Avondale. The increased active open space, amenities, connectivity, and a community center on community space more than justify any deviations from the traditional development standards. Specifically, there is no comparable development in surrounding Avondale area. The Avondale Commons development will bring a unique housing development, supported by commercial uses that will enhance the surrounding communities and break up the standard traditional suburban residential and commercial uses that are predominant in the area.

XI. INFRASTRUCTURE

Road improvements, Right-of-Ways, Easements

The Project will construct the adjacent full half-street improvements, as required, for Avondale Boulevard and McDowell Road. This will also include the construction of a bus stop on McDowell Road, as required.

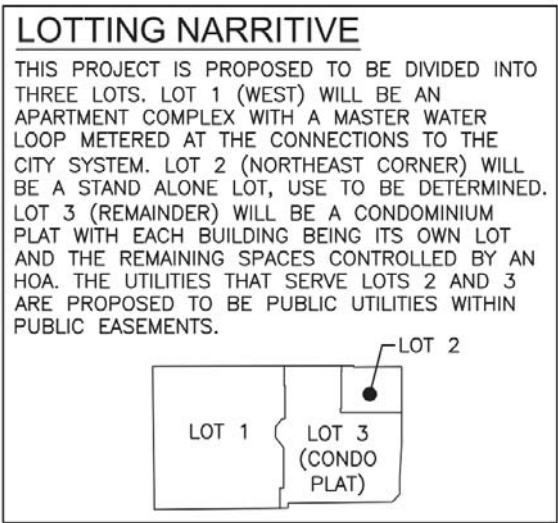
Utilities – Water & Wastewater

The City is the water service provider for the Property. Existing water system infrastructure relevant to the Project includes an existing 12-inch asbestos water main located within McDowell Road and a 16-inch water main in Avondale Boulevard. The Project will install a new 16-inch water main within McDowell Road to replace the existing 12-inch main. No existing water mains are present onsite.

The site will be divided into three (3) lots (see Lotting Narrative below). Lot 1 will be served by a private water and sewer system. The private water loop will be master-metered by two (2) meters located at the connection points on McDowell Road. Lots 2 and 3 will be served by a private water and sewer system, which will be located within public water and sewer easements. Connections to the public water system will be metered at the easement line.

Precise locations for connections and networks shall be determined at the required platting and/or site plan phase. All infrastructure related to water services will be completed as they relate to the specific phase that will be developed and will be explicitly determined during the Platting and/or Site Plan phase.

The proposed water and sewer design is more thoroughly outlined in the attached Preliminary Utility Plan, Preliminary Water Report, and Preliminary Wastewater Report by CVL Consultants, Inc.



Grading and Drainage

A full Grading and Drainage Plan is provided with this PAD submittal. The on-site retention requirements shall be per City of Avondale standards and will meet 100-year 2-hour storm event for both on-site and adjacent off-site flows, and dissipate the runoff through drywells. Historic flows may safely pass through or be routed around the site. This is more thoroughly outlined in the attached Preliminary Drainage Report by CVL Consultants, Inc.

Flood Zone Determination

The Property is classified as Zone X.

XII. OWNERSHIP AND MAINTENANCE

The future developer(s) will construct common areas and facilities, which will include circulation and access roadways, utilities for the purposes of transmission and distribution, signage, common area and perimeter landscaping.

The Residential District will be privately owned and managed/maintained through a property management company. Additional details will be provided during the Site Plan and Design Review Application.

The Commercial District will ultimately be operated, owned and maintained by an Association. The construction of facilities by the developer(s) and the ownership, operation, and maintenance of common areas by an Association will better ensure consistency and conformance with the intended character of the proposed development.

XIII. CONFORMANCE WITH AVONDALE PLANS

The Property is designated with a Mixed Use land use designation on the City's General Plan Map (See *EXHIBIT C – Existing Avondale General Plan Land Use*). The Property is also within the Avondale Freeway Corridor Specific Plan.

The Mixed Use land use category is defined as follows:

Land-use for a mixture of residential and commercial. This category encourages innovatively designed developments, which create a core living environment, reflective of a village concept where residents can live, work, and recreate within the same development or close by. Basic criteria for development includes: reasonable scale to the surrounding neighborhood, proportionate ratios for each use, and encouragement of alternative modes of transportation (such as bicycling or walking) and a well-conceived plan with access to and integration of transit facilities.

As provided within the Avondale Commons PAD and exhibited on the Conceptual Site Plan, the proposed development meets all of the criteria of the Mixed Use land use category definition by providing a master planned horizontal mixed use development that has a cohesive theming and environment. The proposed residential densities and commercial uses are seamlessly compatible and provide a perfect balance of uses across the development. The Avondale Commons PAD is also consistent with a number of elements within the City's General Plan 2030 as follows.

NEIGHBORHOOD THEME - HOUSING ELEMENT

GOAL 2: Champion the development of housing types not currently available in the City to allow for a variety of socio-economic levels.

The Avondale Commons provides an urban four-story multifamily residential use and a three-story carriage unit housing use that is not found elsewhere in the City of Avondale. The buildings are oriented to provide interactive with the open spaces and sidewalks to promote a pedestrian oriented environment that is connected to the adjacent commercial use. This creates more of a sense of place within the neighborhood and encourages more community interaction.

GOAL 4: Require excellence and innovation in residential design and construction.

Policies:

B. Support creatively designed subdivision layouts, particularly layouts in which open space and recreation areas containing amenities are thoughtfully integrated throughout.

C. Utilize the City's Design Manuals to promote quality development and attractive residential communities, updating these documents when necessary to reflect changing preferences and styles.

E. Endorse the use of Crime Prevention through Environmental design (CPTED) principles when designing residential communities.

The Avondale Commons PAD incorporates a number of the City's Design Manuals policies to ensure that all of those items listed in Goal 4 are met. The Avondale Commons will provide quality architectural and design aesthetics that promote an attractive and cohesive development. The residential layout provides ample open space, amenitized recreation areas and contains connective sidewalks throughout the project.

OPEN SPACE THEME - OPEN SPACE ELEMENT

GOAL 1: Identify, protect, and preserve the natural amenities and environmental attributes that are unique to Avondale and contribute to a healthy lifestyle.

The Avondale Commons PAD provides a minimum of 20% usable, active open space with high-quality amenities that focus on overall connectivity and accessibility for the Residential District with common areas that incorporate natural vegetation consistent with surrounding developments. The overall common open space areas and uses are linked with pedestrian connections and the adjacent commercial area to support a healthy lifestyle and promote connectivity.

OPEN SPACE THEME - RECREATIONAL AMENITIES ELEMENT

GOAL 1: Ensure every person has convenient access to safe public parks and affordable recreation opportunities.

Policies:

A. Continue to ensure that private development provides local, accessible neighborhood parks and tot lots under the management of a Home Owners Association.

The Avondale Commons PAD proposes a minimum of 20% usable, active open space for the Residential District with a centrally located clubhouse area that includes a swimming pool, recreation area, and gathering areas, which will be privately owned and managed through a property management company that will maintain the open spaces, amenities, and other areas of the Residential District, as required.

ECONOMIC ELEMENT

GOAL 2: Create employment centers to attract businesses that match the City's economic targets.

Policies:

A. Locate desired and targeted businesses in Avondale, specifically in Bio-Industry (along Van Buren Street), Medical Support Services (along McDowell Road), Advanced Financial/Business Services, Aerospace/Aviation, Motorsports/Automotive, Light Industrial/Manufacturing, Renewable Industries, and Recreational and Eco-Tourism (southern Avondale).

B. Recruit businesses that encourage pedestrian traffic into appropriate mixed use areas and transit riders.

Overland is currently in discussions with a variety of potential users for the Commercial District. This includes discussions with various professional and medical business that can operate their businesses on the proposed office buildings within the Commercial District. Overland is confident that the potential offices will create employment opportunities for Avondale Commons residents and other residents in the regional area. This will create vitality for the mixture of uses that will be part of Avondale Commons.

GROWTH AREA ELEMENT

GOAL 1: Create destination employment centers in targeted areas of the City that will help to improve the balance between jobs and population.

Policies:

A. Monitor the Freeway Corridor Specific Plan to protect existing and future business locations from residential encroachment.

B. Designate ideal locations for future transit stops and high intensity urban mixed use developments along the freeway corridor.

C. Discourage residential uses adjacent to I-10 unless they are part of a mixed-use development.

Avondale Commons provides a horizontal mixed use development that is sensitive and compatible with the established and future uses in the area. The development will also provide a high intensity project that is within 1/3 of a mile of the Interstate Freeway and will provide services and uses that can be easily access from regional residents.

URBAN DESIGN ELEMENT

GOAL 5: Maximize housing opportunities in locations within a half-mile of transit, with good access to employment areas, neighborhood services, and public facilities in order to promote a healthy community both sustainably and economically.

Policies:

A. Distribute higher residential densities throughout our City in identified urban growth areas and facilitate the development of residences in mixed-use development within these growth areas.

While Avondale Commons is not within "Growth Area" of the General Plan it is located adjacent to one to the south. As such, Avondale Commons has the opportunity to contribute to Avondale quality growth by provide a horizontally mixed use development

that will provide quality residential, employment opportunities, and neighborhood services. This will promote an area that will be sustainably and economically healthy and help be a catalyst for the proper development of other vacant properties in the area.

THE AVONDALE FREEWAY CORRIDOR SPECIFIC PLAN

The Avondale Freeway Corridor Specific Plan ("FCSP") covers the majority of land within a ½ mile each way of the Interstate 10 Freeway located within the Avondale city limits, including the Avondale Commons property. The major focus of the FCSP is visibility of the freeway with the City and steering uses that enhance that visibility and encouraging employment, commercial, and mixed uses.

The FCSP already designates the Property and uses to the south as Mixed Use and higher density residential land uses. The Avondale Commons PAD has been designed to be consistent with the FCSP land use goals for residential, commercial, and business-related development in this area.

Avondale Commons meets the objectives from the FCSP, as follows:

Objective #1: Prioritize the City's appearance from the I-10 and the Loop 101 freeways, limiting heavy industrial uses and establishing strict design requirements where necessary.

It is important for Overland to provide attractive building frontages and elevations on all sides of the Property, including those seen from the I-10 Freeway. The proposed development, with its accompanying architectural standards and detailed elevations, establishes the design character in the area for an architecturally sophisticated looking facility that creates an attractive appearance from the I-10 Freeway.

Objective #2: Establish design requirements based on and specific to General Plan designation of a developable property to ensure Freeway Corridor subareas achieve their intended purposes.

The Avondale Commons PAD incorporates a number of the City's Design Manuals policies to ensure that it provide a quality architectural and design aesthetics that promote an attractive and cohesive development. The residential layout provides ample open space, amenitized recreation areas and contains connective sidewalks throughout the project.

Objective #3: The Freeway Corridor will be the southwest valley's premier job center.

GP Growth Area Element, Goal #1: "Create destination employment centers in targeted areas of the City that will help to improve balance between jobs and population."

Avondale Commons will create employment opportunities for this area and even promote the opportunity for the onsite resident areas to have efficient access to this development for employment. Avondale Commons brings employment to nearby residents, which will be needed to meet the City's goals of providing work opportunities for its own citizens.

Objective #4: Ensure new development in the Plan area is pedestrian/bicyclist friendly and contributes to a walkable community.

The location of Avondale Commons creates a development that ensure residents have full access to opportunities to walk or bike to destinations for work, recreation, or access to services within the City. The sidewalks along McDowell Road provide opportunities for the Avondale Commons residents to have pedestrian and bicycle access to the nearby Friendship Park and the Agua Fria River with its regional recreation trail.

AVONDALE STRATEGIC FIVE-YEAR PLAN

The Avondale Strategic Five Year Plan was designed with the vision and guidance from the Avondale City Council, and crafted with input from engaged residents, local businesses and key personnel across the city's organization. The Plan represents a cohesive and intelligent approach to continuing on the path to Avondale's vision to create a community that is both family friendly and economically robust. A city that is Aspiring, Achieving and Accelerating.

The Avondale Commons PAD is in a unique location that provides the opportunity to develop a site located along the McDowell Road corridor and is compatible with existing development, supports housing opportunities for the nearby BLVD area, and synergizes with the adjacent commercial and employment areas. With the increase of employment opportunities that will come in the near future to the north the Property along Interstate-10, the location of this property will provide a prime location for creating employment opportunities for the Avondale Commons residents. This adjacency will be a positive addition to ensuring that economic opportunities provided by these employment areas will stay with Avondale's residents. This will complement and support the economic vision of the Strategic Five Year Plan.

Additionally, the following goals of the Strategic Five Year Plan will be met with the Avondale Commons PAD.

Initiative #1, Strategic Goal: Encourage build-out in residential housing opportunities that support diverse housing options.

Avondale Commons will provide loft apartment housing that creates a unique urban experience not currently available within the City of Avondale, but is demanded by both millennials, professionals, and empty nesters throughout the Valley. The current

development standards of the Avondale standards residential districts are designed for typical single-family residential that is ubiquitous to Avondale.

Avondale Commons is designed to provide on-site amenities and open space for both the modern professional and those interested in a “lock and leave” lifestyle. While adding to the existing housing in the area, Avondale Commons provides a unique housing development that caters to those looking for something different than the typical traditional housing offered in Avondale. The Avondale Commons development is unique to Avondale and contributes to the diversity of housing that the Strategic Five Year Plan envisions.

XIV. SCHOOLS

The Property is located within the Pendergast Elementary School District and the Tolleson Union High School District. The Applicant has reached out to both of these school districts and obtained the required executed Certificate of Adequate Schools Facilities. Both school districts indicated that they have adequate school capacity to accommodate the estimated enrollment from the Avondale Commons development.

XV. CONCLUSION

The Avondale Commons PAD is in a unique location adjacent to two major transportation corridors in Avondale. The Property provides the perfect site for a horizontal mixture of neighborhood commercial uses and a housing choice needed and demanded in the City. The PAD creates a development scenario to complement the surrounding commercial and residential uses and provides urban residential housing that is seamlessly connected to the adjacent commercial office, restaurant, and retail uses. The construction and improvement of the common and open space amenities is integrated effortlessly into the community and not only benefits the future residents of Avondale Commons, but also the residents at large.

The proposed PAD is consistent with many of the policies of the City of Avondale's General Plan 2030 and the Freeway Corridor Specific Plan. The General Plan encourages a mixture of land uses at this site that are uniquely configured and connected with open space for recreational amenities to service the residents and encourage resident interaction and outdoor activities. The Avondale Commons PAD provides the framework to do just that.

This unique development plan interconnects the residential and commercial areas with a central hub that accentuates the open space and strong connections that promote community interaction. The inclusion of a variety of commercial users also creates economic value that will provide sustainability to Avondale. This PAD ensures that development will follow Avondale Design Standards and Guidelines and continue the tradition of quality development in the City of Avondale.

Avondale Commons - NWC of Avondale Blvd & McDowell Rd



**TR West Limited
Property**





GENERAL PLAN

Legend

Planning Boundary
Growth Area

Land Use

Rural Low Density Residential
Estate/Low Density Residential
Medium Density Residential
Medium/High Density Residential
High Density Residential
Local Commercial
Freeway Commercial
Historic Avondale District
Sports and Entertainment
Office/Professional
Industrial
Business Park
Corporate Park
Gila River Scenic District
Open Space and Parks
Public/Civic
Education

Gateway Employment
Employment Mixed Use
Residential Mixed Use
Neighborhood Commercial
Townhouse Residential

City Center
Specific Plan
Area

TOD

Urban Residential
Urban Commercial
High Intensity Office
Mixed Use

Exhibit C – Existing Avondale General Plan Land Use
Avondale Commons - NWC of Avondale Blvd & McDowell Rd



**TIFFANY
& BOSCO**
P.A.

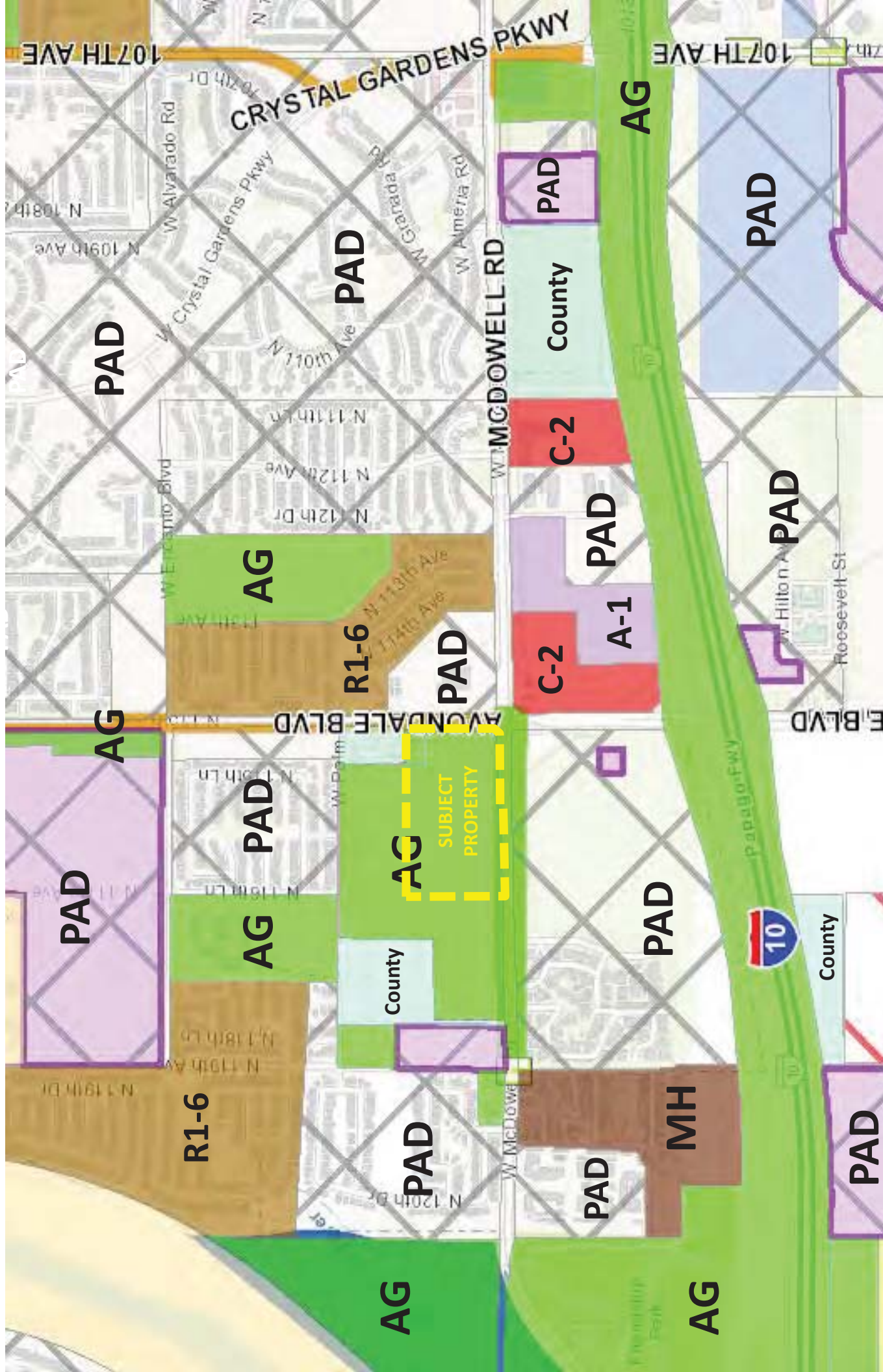


Exhibit D – Existing Avondale Zoning Designation

Avondale Commons - NWC of Avondale Blvd & McDowell Rd



TIFFANY
& BOSCO
P.A.

Exhibit E

Conceptual Site Plan (Color)

Exhibit F

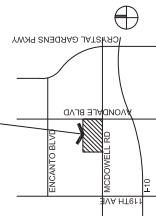
Conceptual Site Plan (Black and White)

CONCEPTUAL SITE PLAN

1" = 50'-0"

VICINITY MAP

Project Location

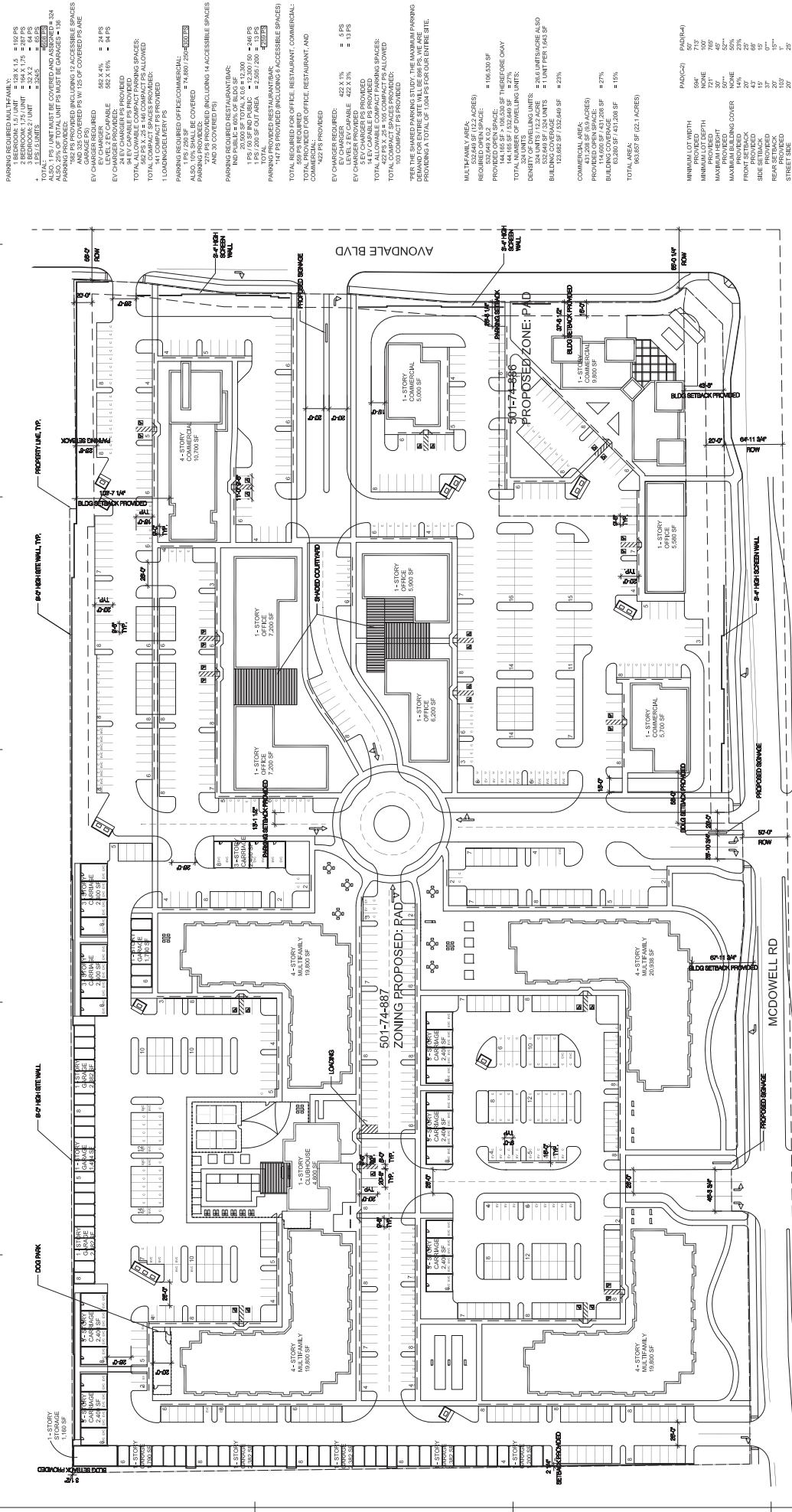


LEGEND

	CARPORT
	EXISTING PROPERTY LINE
	CARRIAGE/GARAGE
C	COMPACT PARKING STALL
EV	ELECTRIC VEHICLE CHARGING STALL
EV2	LEVEL 2 ELECTRIC VEHICLE CAPABLE

PL-21-007

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PROVIDED 26**
PARKING SETBACK FROM RES 25'
PROVIDED 13**

	PAID(C-2)	PAID(C-1)
MINIMUM LOT WIDTH	59'	50'
PROVIDED	713'	50'
MINIMUM LOT DEPTH	NONE	100'
PROVIDED	765'	100'
MAXIMUM HEIGHT	30'	45'
PROVIDED	50''	52''
MAXIMUM BUILDING COVER	NONE	50%
PROVIDED	10%	20%
FRONT SETBACK	20'	30'
PROVIDED	43'	60'
SIDE SETBACK	15'	15'
PROVIDED	37'	0''
REAR SETBACK	20'	15''
PROVIDED	103'	1'
STREET SIDE SETBACK	20'	20'
PROVIDED	45'	55'
PARKING STRIP WIDTH	30'	60'

MULTIFAMILY AREA: ACRES					
REQUIRED OPEN SPACE:					
PROJ. 532,649 S.F.	=	106,320 SF			
141,161 S.F. X 0.2	=	28,232 SF			
141,161 S.F. X 0.2	=	28,232 SF			
141,161 S.F. X 0.2	=	28,232 SF			
TOTAL 141,161 S.F.	=	84,696 SF			
TOTAL 324 UNITS					
DENSITY OF DWELLING UNITS:					
PROJ. 532,649 S.F.	=	26.6 UNITS/ACRE			
141,161 S.F. X 0.2	=	5.3 UNITS/ACRE			
141,161 S.F. X 0.2	=	5.3 UNITS/ACRE			
141,161 S.F. X 0.2	=	5.3 UNITS/ACRE			
TOTAL 141,161 S.F.	=	16.2 UNITS/ACRE			
BUILDING COVERAGE:					
PROJ. 532,649 S.F.	=	75.2448 %			
141,161 S.F. X 0.2	=	20.3136 %			
141,161 S.F. X 0.2	=	20.3136 %			
141,161 S.F. X 0.2	=	20.3136 %			
TOTAL 141,161 S.F.	=	60.9416 %			
COMMITMENT AREA:					
PROJ. 141,000 S.F. (6.0 ACRES)					
PROJ. 141,000 S.F. X 0.2	=	28,200 SF			
141,000 S.F. X 0.2	=	28,200 SF			
141,000 S.F. X 0.2	=	28,200 SF			
TOTAL 141,000 S.F.	=	84,600 SF			
TOTAL 324 UNITS					
DENSITY OF DWELLING UNITS:					
PROJ. 141,000 S.F.	=	26.6 UNITS/ACRE			
141,000 S.F. X 0.2	=	5.3 UNITS/ACRE			
141,000 S.F. X 0.2	=	5.3 UNITS/ACRE			
141,000 S.F. X 0.2	=	5.3 UNITS/ACRE			
TOTAL 141,000 S.F.	=	16.2 UNITS/ACRE			
BUILDING COVERAGE:					
PROJ. 141,000 S.F.	=	75.2448 %			
141,000 S.F. X 0.2	=	20.3136 %			
141,000 S.F. X 0.2	=	20.3136 %			
141,000 S.F. X 0.2	=	20.3136 %			
TOTAL 141,000 S.F.	=	60.9416 %			

EV CHARGER REQUIRED: 422 x 1% = 5 PPS
EV CHARGER LEVEL 2 EV CAPABLE 422 x 3% = 13 PPS
EV CHARGER PROVIDED
5 EV CHARGER PS PROVIDED
14 EV CHARGER PS PROVIDED
TOTAL ALLOWABLE COMPACT PARKING SPACES:
422 PS x .25 = 105 COMPACT PS ALLOWED
TOTAL COMPACT SPACES PROVIDED:
100 COMPACT PS PROVIDED

PARKING REQUIRED OFFICE/RESTAURANT, COMMUNITY CENTER	74,800 / 250 = 299
ALSO, 10% SHALL BE COVERED	
PARKING PROVIDED:	278 PS PROVIDED (INCLUDING 14 ACCESSIBLE AND 30 COVERED PS)
PARKING REQUIRED RESTAURANT/BAR:	
IND PUBLIC = 8% OF BLDG SF	20,500 SF X 0.08 = 1,640
1 PS / 50 SF OUT AREA = 12,300 / 50 = 246 PS	
1 PS / 200 SF IN AREA = 2,950 / 200 = 14 PS	
TOTAL	1,640 + 246 + 14 = 1,899
PARKING PROVIDED RESTAURANT/BAR:	147 PS PROVIDED (INCLUDING 6 ACCESSIBLE)
TOTAL REQUIRED FOR OFFICE, RESTAURANT, COMMUNITY CENTER	299 + 1,899 = 2,198
TOTAL PROVIDED FOR OFFICE, RESTAURANT, AND COMMUNITY CENTER	278 + 147 = 425

3 BEDROOMS / 2 UNIT ■ 64 sq ft ■ 68 PS
 TOTAL ■ 32 x 2 ■ 3245
 1 PS / 5 UNITS
 ALSO, 1 PS / UNIT MUST BE COVERED AND ASSIGNED
 ALSO, 25% OF TOTAL UNIT MUST BE GARAGES
 100% PS PROVIDED (INCLUDING 12 ACCESSIBLE)
 AND 326 COVERED PS W/ 125 OF COVERED PS
 PARKING PROVIDED:
 ■ 88 PS PROVIDED ■ 24 PS
 EV CHARGER REQUIRED 582 X 4% ■ 94 PS
 EV CHARGER PROVIDED:
 24 EV CHARGER PROVIDED
 TOTAL ALLOWABLE COMPACT PARKING SPACES:
 582 PS X .25 = 146 COMPACT PS ALLOWED
 TOTAL COMPACT SPACES PROVIDED:
 141 COMPACT PS PROVIDED

PARKING REQUIRED MULTIFAMILY:

Exhibit G

Overall Site Pedestrian Circulation Plan



1 OVERALL SITE PEDESTRIAN CIRCULATION PLAN
1" = 50'-0"



Exhibit H

Overall Site Landscape Plan

Exhibit I

Residential Buildings Elevations



NORTH ELEVATION
1/8" = 1'

49'-10"
TO PARAPET

44'-0"
TO PARAPET



SOUTH ELEVATION
1/8" = 1'

48'-10"
TO PARAPET

44'-0"
TO PARAPET

RESIDENTIAL
BUILDING
ELEVATIONS

DATE: 02/02/2020
PROJECT: 40000

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
1956 N SCOTTSDALE RD #210, SCOTTSDALE, AZ 85257
P: 480.282.1981 • FFKR.COM



48'-10"
TO PARAPET

44'-0"
TO PARAPET

WEST ELEVATION
1/8" = 1'

48'-10"
TO PARAPET

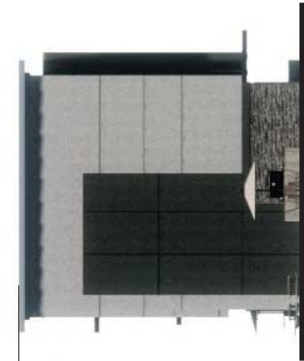
44'-0"
TO PARAPET



EAST ELEVATION
1/8" = 1'

Exhibit J

Commercial Buildings Elevations



EAST ELEVATION
1/8" = 1'



WEST ELEVATION
1/8" = 1'



SOUTH ELEVATION
1/8" = 1'



NORTH ELEVATION
1/8" = 1'

CLUBHOUSE
ELEVATIONS

DATE: 02/02/2020
PROJECT: 4-10000

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
1365 N SCOTTSDALE RD #210, Scottsdale, AZ 85257
O 480.382.1981 • FFKR.COM



SOUTH ELEVATION
1/8" = 1'



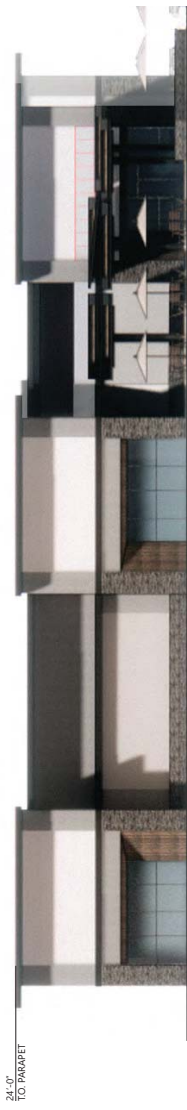
EAST ELEVATION
1/8" = 1'



NORTH ELEVATION
1/8" = 1'



WEST ELEVATION
1/8" = 1'



SOUTH ELEVATION
1/8" = 1'



EAST ELEVATION
1/8" = 1'



NORTH ELEVATION
1/8" = 1'



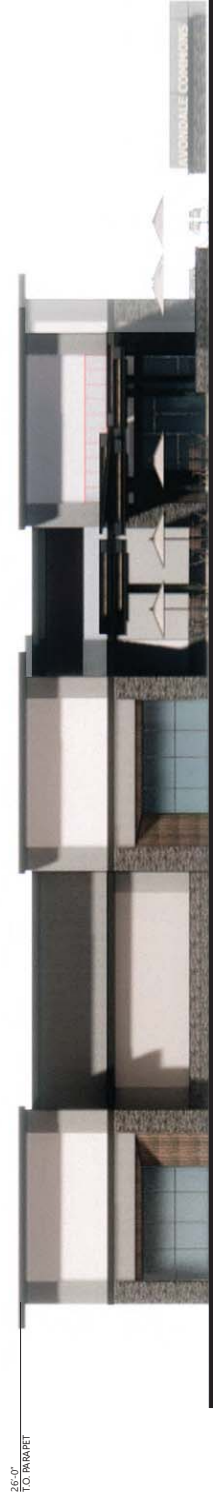
WEST ELEVATION
1/8" = 1'

CORNER
RETAIL
ELEVATIONS

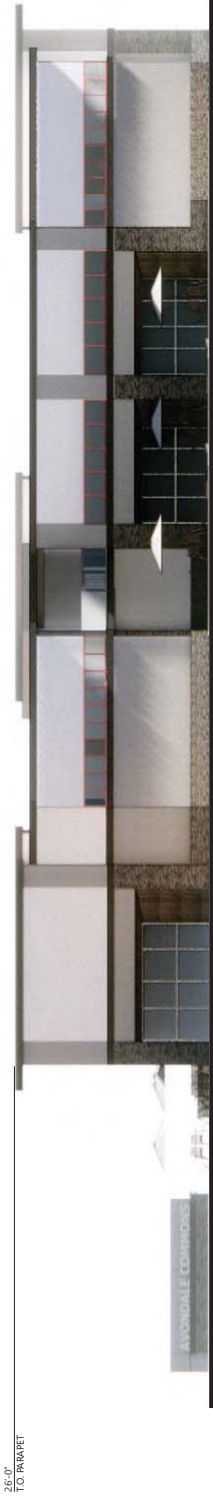
DATE	02/03
PROJECT	AVONDALE COMMONS

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
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SOUTH ELEVATION
1/8" = 1'



NORTH ELEVATION
1/8" = 1'

CORNER
RETAIL
ELEVATIONS

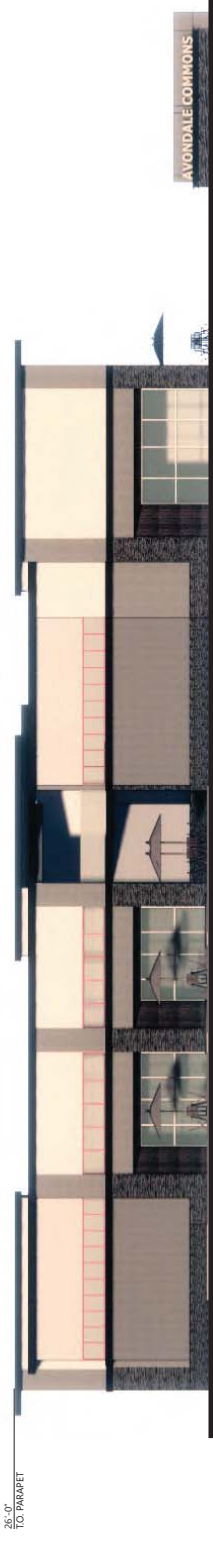
DATE	2023
PROJECT	AVONDALE COMMONS

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
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EAST ELEVATION
1/8" = 1'



WEST ELEVATION
1/8" = 1'

Exhibit K

Property Perspectives

VIEW FROM AVONDALE



PERSPECTIVE

DATE	REVISION
02/20/2020	1

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
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DATE	02/03/2020
PROJECT	AVONDALE COMMONS

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
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P 480.282.1361 • FFKR.COM



VIEW FROM COMMERCIAL TO RESIDENTIAL



CORNER COMMERCIAL



RESIDENTIAL AMENITIES - POOL



PERSPECTIVE

DATE	DESCRIPTION
2023	4.10.23

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
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PERSPECTIVE

DATE	REVISION
02/20/2020	1

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
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OFFICES LOOKING TOWARDS APARTMENTS

Exhibit F

Neighborhood Meeting Summaries

Avondale Commons Rezoning – July 15, 2021

FCSP Height Amendment – July 26, 2021



July 20, 2021

Ken Galica, Division Lead Planner
City of Avondale
Development and Engineering Services
11465 W Civic Center Drive
Avondale, AZ 85323

**RE: PL-21-0072 Avondale Commons PAD Rezoning Application- July 15th, 2021
Neighborhood Meeting Summary**

Dear Mr. Galica:

The purpose of this letter is to inform you that our firm held a neighborhood meeting for the Avondale Commons Rezoning application (*Case number: PL-21-0072*) for the approximately 22.6 acre site located on the northwest corner of Avondale Boulevard and McDowell Road (the "Property"). The meeting was held on Thursday, July 15th, 2021 from 6:00pm–7:00pm via Zoom Teleconference (as scheduled by the City of Avondale).

The neighborhood meeting was hosted by Shaine T. Alleman of Tiffany & Bosco, Michael Holman of Overland Development, and Jackson Ferguson of FFKR to review the proposed applications and answer questions regarding the project.

The following individuals attended from the public:

- Vice Mayor Veronica Malone, City of Avondale
- Ken Galica, City of Avondale, Division Lead Planner
- Brian Craig, City of Avondale, Planning Manager
- Commissioner Larry White, City of Avondale
- Jo Ann Martinez, Avondale Resident
- Sally Hineman, Avondale Resident

Mr. Alleman began the neighborhood meeting by presenting an overview of the project including reviewing the development process and timing, the conceptual site plan, and conceptual elevations and renderings. The remainder of the meeting was open for discussions and questions from the public. The following is summary of that discussion.

Driveway Locations and Related Signal Lights:

- Commissioner Larry White raised a question about whether there was a driveway entrance at the northeast corner of the Property. Mr. Alleman confirmed that there is an entrance at the northeast corner of the development



and explained that this entrance is aligned with the Phoenix Children's Hospital to the east of the Property.

- Sally Hineman asked for clarification on whether or not there would be signal lights on either the south McDowell portion or the Avondale Boulevard portion? Mr. Alleman explained that there is a median on Avondale Boulevard so there will be no opportunity for signal light on this right-of-way. He explained that there is a proposed signal light on most east driveway on McDowell Road, but that the other two driveways to the West will not include signal lights. Mr. Galica further confirmed this information.
- Commissioner Larry White requested clarification on the number and locations of the entrances on McDowell Road. Mr. Alleman confirmed that there were three entrances on McDowell Road and confirmed their locations.
- Vice Mayor Veronica Malone asked if where the hospital is, will there be a entry in the north area? Mr. Alleman confirmed that there would be a driveway at the northeast corner of the Property.

Other General Questions:

- Resident Sally Hineman asked about the rendering on the first slide of the presentation. If a photographer were to have taken this photo, where would that photographer be standing? Mr. Alleman: The photographer would be standing on McDowell Road. Shaine then references the Site Plan and displays the Site Plan with a direct reference to the question.
- Vice Mayor Malone asked if there are plans to have a landing pad for those who are wanting to cross on Avondale Boulevard if they are not wanting to walk down to McDowell Road to use the crossing lanes to cross over to the Children's Hospital or any other business on the other side of Avondale Boulevard? Mr. Galica: The City can look into this, however, the City doesn't typically support mid-block pedestrian crossings as they are often unsafe to the pedestrian unless a signal is provided. Mr. Galica confirmed that the east/west crosswalk at the Avondale Blvd. and McDowell Road intersection had sufficient access and the distance was not too great for pedestrians to access.
- Resident Sally Hineman asked if the hospital was only going to be one or two stories. Mr. Alleman: If the potential hospital user ended up developing at this location, it is likely it will be one story, but would be a maximum of two stories.
- Resident Sally Hineman asked if the properties residential units would be for rent or to own. Mr. Alleman: The units will be rentals.
- Resident Jo Ann Martinez was curious about the shading on the Property and whether there would be enough of it so that the area can be walkable by

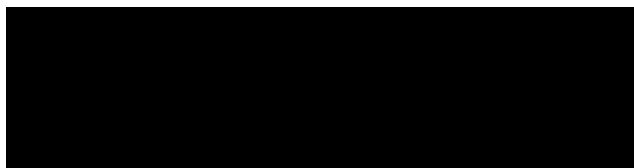


residents of the Property. Shading on the Property will follow the City standards, as required. Mr. Galica clarified that locations and details will be required as part of the Site Plan phase.

- Resident Sally Hineman asked if MK Farms' lease has been terminated or not. Mr. Holman explained that they have officially assumed the lease and are working with them to end it.
- Resident Sally Hineman also asked if the City is doing anything to mitigate the potential effects of pollution and such that has happened to downtown Phoenix with the heat island effect. Mr. Galica clarified that they are combating that with many different aspects of site design including through provision of open space and shade trees to reduce temperatures on the site. Mr. Brian Craig explained that there is City staff dedicated to addressing this.
- Resident Jo Ann Martinez asked about what uses the City is planning for this area and if there will be more medical or residential. Mr. Galica clarified this question by saying that the McDowell Road corridor will accommodate a variety of residential, retail and medical business's as allowed by the Avondale General Plan.
- Commissioner Larry White asked about water retention with it being monsoon season. Mr. Alleman explained that the water would be retained on the site by underground retention.

If there are any further questions regarding the neighborhood meeting, you may reach me at 602-452-2712 or sta@tblaw.com.

Sincerely,



Shaine T. Alleman



July 29, 2021

Ken Galica, Division Lead Planner
City of Avondale
Development and Engineering Services
11465 W Civic Center Drive
Avondale, AZ 85323

**RE: PL-21-0204 Freeway Corridor Specific Plan Amendment
July 26th, 2021 Neighborhood Meeting Summary**

Dear Mr. Galica:

The purpose of this letter is to summarize, at your request, a neighborhood meeting held by the City of Avondale for purposes of meeting with the public to review and discuss the City-initiated Freeway Corridor Specific Plan (FCSP) Amendment (*Case number: PL-21-0204*). Since Overland Development's Avondale Commons PAD application (*Case number: PL-21-0072*) is at the center of the FCSP Amendment, Overland participated in the neighborhood meeting and presented its proposed plans for development.

The meeting was held on Monday, July 26, 2021 from 6:00pm–7:15pm via Zoom Teleconference (as scheduled by the City of Avondale).

The neighborhood meeting was hosted by Ken Galica, City of Avondale Division Lead Planner, Shaine T. Alleman of Tiffany & Bosco, and Michael Holman of Overland Development to review the proposed FCSP Amendment and the Avondale Commons PAD, and answer questions from the public.

The following individuals attended from the public:

- Patricia Dennis, City of Avondale Councilmember
- Brian Craig, City of Avondale, Planning Manager
- Janet Michaelson, Avondale Resident
- Sally Hineman, Avondale Resident
- Anna (no last name), Avondale Resident

Mr. Galica began the neighborhood meeting by presenting an overview of the project including reviewing the development process and timing, the conceptual site plan, and conceptual elevations and renderings. Mr. Alleman then shared a presentation that had been also shown at the previous Neighborhood Meeting on July 15, 2021 and then Mr. Alleman left the remainder of the meeting open for discussions and questions from the public. The following is summary of that discussion.



Other General Questions:

- Resident Sally Hineman asked about the number of stories that the proposed development will have. Mr. Galica stated that the City is working closely with Overland Development on the Avondale Commons PAD and that the Residential District is planned for four stories. Mr. Alleman added that the setbacks on the Property for the property south of Ms. Hineman provides a buffer and any potential building in the Commercial District will be set back more than what is required for Commercial zoning in Avondale.
- Resident Sally Hineman requested clarity that the residential aspect of the proposed development is the one that would be four stories if Overland Development and the City of Avondale proceed with the request for four stories. Mr. Alleman confirmed that the residential aspect of the proposed development is currently planned with four stories.
- Resident Sally Hineman asked when the adjacent development is going to proceed on a certain timeline and what that was. Both Mr. Alleman and Mr. Galica responded to this question that they are unaware of development timelines for adjacent properties.
- Resident Janet Michaelson asked a series of questions regarding what will be placed on the north side of the Property for the proposed developments. Mr. Alleman explained that there will be a screen wall and vegetation, as required, along the north property boundary. However, Ray Road, LLC currently owns the property between the Avondale Commons site and Palm Lane and does not know what will be eventually developed there. Mr. Galica explained that the City has four-sided architectural requirements that ensure the property will look nice.
- Resident Janet Michaelson asked what could develop on the Ray Road LLC property. Mr. Galica expressed that it could be a lot of things, but most likely a low-density residential use but that it is hard to say at this point without a development proposal. Mr. Alleman added that the property is currently designated as mixed use in the General Plan.
- Councilmember Patricia Dennis asked if there is a percentage that the City of Avondale will require for uses so that it is actually a “mixed use”. Mr. Galica said that there is not a percentage but that they are working with the developer on a stipulation regarding the residential and commercial development aspects.
- Councilmember Patricia Dennis asked if there was a clubhouse. Mr. Alleman pulled up the Residential District Plan slide and explained the clubhouse area, amenities, and other usable open space areas of the development.
- Councilmember Patricia Dennis asked if they were going to ensure deceleration lanes. Mr. Alleman confirmed that deceleration lanes have been proposed as

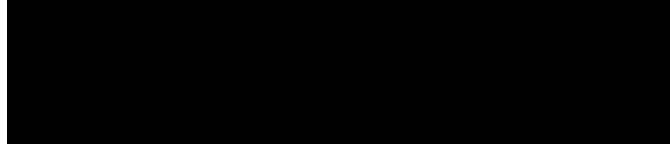


**TIFFANY
& BOSCO**
P.A.

required and further explained other traffic considerations.

If there are any further questions regarding the neighborhood meeting, you may reach me at 602-452-2712 or sta@tblaw.com.

Sincerely,



Shaine T. Alleman

Exhibit G

Certificates of Adequate School Facilities

Pendergast Elementary School District

Tolleson Union High School District



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

An application for Avondale Commons has been submitted to the City of Avondale, Development & Engineering Services Department, for review.

Project: NWC of Avondale Blvd. & McDowell Rd. Project Manager: Rick Casswell
Request: Rezoning from AG to PAD Acreage/Parcel Size: 22.6 gross acres
Current Density Allowed: _____ Density Proposed: 25.6 du/ac
Total number of residential units proposed: 320

As an authorized representative of the District, please complete the questionnaire below.

Does the District have adequate capacity to accommodate the estimated enrollment from the proposed development?

Yes X No _____

If answered no, please summarize the needs of the district as they relate to serving the students generated by the proposed development.

Is a school site within the proposed development needed?

Yes _____ No X

If answered yes, how many acres is needed for the school site?

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes _____ No X

If answered yes, please explain below:

*****If additional writing space is needed, please attach pages to this form*****

Date Reviewed: March 29, 2021

School District: Pendergast Elementary School District

District Chief Financial Officer: Joanne Fimbres

Phone #: 623-772-2220

E-mail: jfimbres@pesd92.org

Signature: _____

It is the developer's responsibility to ensure that this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

11465 W. Civic Center Drive, #110, Avondale, AZ 85323 • Phone (623) 333-4000 • Fax (623) 333-0400 • TDD (623) 333-0010
www.avondale.org/developmentservices



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

An application for Avondale Commons has been submitted to the City of Avondale, Development & Engineering Services Department, for review.

Project: NWC of Avondale Blvd. & McDowell Rd. Project Manager: Rick Casswell
Request: Rezoning from AG to PAD Acreage/Parcel Size: 22.6 gross acres
Current Density Allowed: _____ Density Proposed: 25.6 du/ac
Total number of residential units proposed: 320

As an authorized representative of the District, please complete the questionnaire below.

Does the District have adequate capacity to accommodate the estimated enrollment from the proposed development?

Yes ☒ No ☐

If answered no, please summarize the needs of the district as they relate to serving the students generated by the proposed development.

Is a school site within the proposed development needed?
If answered yes, how many acres is needed for the school site?

Yes ☐ No ☒

Is the district currently working with the developer to provide or help meet the needs identified above through a developer assistance or impact agreement? Yes ☐ No ☒

If answered yes, please explain below:

*****If additional writing space is needed, please attach pages to this form*****

Date Reviewed: _____

School District: Tolleson Union High School District

District Superintendent: Nora Gutierrez

Phone #: 1.623.478.4001

E-mail: Nora.Gutierrez@tuhssd.org

Signature: _____

It is the developer's responsibility to ensure that this form is completed by an authorized representative of the District noted above and returned to the Development & Engineering Services Department prior to the scheduling of any City Council meetings

Development & Engineering Services Department

11465 W. Civic Center Drive, #110, Avondale, AZ 85323 • Phone (623) 333-4000 • Fax (623) 333-0400 • TDD (623) 333-0010
www.avondale.org/developmentservices

Exhibit H

Email Correspondence

Avondale Commons

From: paul lemmon [REDACTED]
Sent: Thursday, July 15, 2021 12:50 PM
To: Ken Galica <kgalica@avondaleaz.gov>
Subject: Re: Avondale Commons

Thank you very much for the timely and informative report. I am working with Suneel on another project so will converse with him on this.
My concerns have been addressed.

On Thu, Jul 15, 2021 at 12:46 PM Ken Galica <kgalica@avondaleaz.gov> wrote:

Good afternoon, Mr. Lemmon:

We have received your email and will make it part of the project's record, including it as an attachment to staff reports as the requests move forward to Planning Commission and City Council. I believe I may be able to address some of the concerns you raised below.

If approved, the developer of the project will be responsible for improving both adjacent streets (McDowell Road and Avondale Boulevard) adjacent to the property. The bus stop that you mentioned – which is currently just a pole sign on the dirt shoulder – will be relocated onto the property and a new bus pullout lane and shelter will be provided. This will allow the bus to pull out of traffic and allowing anyone behind the bus to continue traveling westbound. The proposed primary entrances to the development from Avondale Boulevard and McDowell Road will both feature deceleration/right-turn lanes intended to allow those entering the site to safely reduce speed as they approach the entrances. As for left turns out of the project onto McDowell Road, a traffic signal is planned at the project's primary McDowell Road entrance which will serve not only this development but also development of the large, undeveloped property on the south side of McDowell; the signal will allow for signalized left turns onto eastbound McDowell Road from the project.

As for the City's planned street improvement projects that you mentioned below, those are both City projects that are not associated with a particular, adjacent private development (unlike this project). I am aware that there have been some delays in those projects for reasons outside of the City's control (e.g. delays in receiving required federal approvals); however, both of those projects are still planned and will be completed as quickly as circumstances allow. I encourage you to contact Suneel Garg, the City's Capital Improvement Program Manager, should you have any additional questions on those projects. He can be reached at (623) 333-4218 or sgarg@avondaleaz.gov.

Please let me know if you have any additional questions or comments. If you're able to join us for future meetings, we would certainly welcome you to do so.

Sincerely,

Ken Galica

Division Lead Planner
Development & Engineering Services Department
Planning Division

From: Paul Lemmon [REDACTED]
Sent: Thursday, July 15, 2021 7:39 AM
To: Email Planning <EmailPlanning@avondaleaz.gov>
Cc: Paul Lemmon [REDACTED]
Subject: Avondale Commons

Please direct to Ken Galicia-

I have concerns for the Avondale Commons project. I have a conflicting conference call tonight and not able to attend. I have reviewed the layout of the proposed apartments. I am very concerned for traffic along Mc Dowell and don't believe the entrance or area around this proposed project has safety in mind. First, there is a bus stop located near Avondale/ McDowell. There is no set back area for this so traffic is backed up when bus stops and numerous accidents have occurred due to this. It should be corrected. The entrance planned for Avondale Commons is also a concern unless a deceleration lane is planned. The major issue will be the safety issue with vehicles trying to turn left(east) out of project. At times this will be near impossible . I have seen projections for this property and it's possible there will also be an office/ commercial components to this project.

There are major concerns that the City has with the volume of traffic on McDowell. This project will just add to this problem and the congestion around a major intersection. It's time that we PLAN what will be done ahead of time and complete. Too many times they build the project and then worry about traffic issues. Examples of this are the Avondale widening project south of Encanto and right next to project. Was suppose to be completed before High School opened. Still sits not completed. The same goes for 107th and McDowell.....3 years ago was to be done, now all the new businesses around this intersection have made it a nightmare.

If possible I will attend the next meeting or the council meeting to make my concerns heard.

Thank you

Paul Lemmon

Garden Lakes Resident and HOA Board member.

Paul Lemmon

--

Paul M. Lemmon

Exhibit I

Proposed Conceptual Site Plan

Avondale Commons

Exhibit J

Proposed Conceptual Building Elevations and Perspective Renderings

Avondale Commons



NORTH ELEVATION
1/8" = 1'



SOUTH ELEVATION
1/8" = 1'

Received electronically July
26, 2021

RESIDENTIAL
BUILDING
ELEVATIONS

DATE: 4/20/20
PROJECT: 20000

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

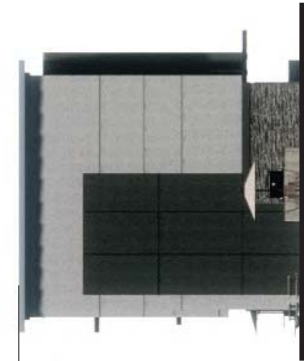
FFKR ARCHITECTS
1956 N SCOTTSDALE RD #210 • SCOTTSDALE, AZ 85257
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EAST ELEVATION
1/8" = 1'



WEST ELEVATION
1/8" = 1'



EAST ELEVATION
1/8" = 1'



WEST ELEVATION
1/8" = 1'



SOUTH ELEVATION
1/8" = 1'



NORTH ELEVATION
1/8" = 1'

CLUBHOUSE
ELEVATIONS

DATE: 02/02/2020
PROJECT: 4-18000

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

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SOUTH ELEVATION
1/8" = 1'



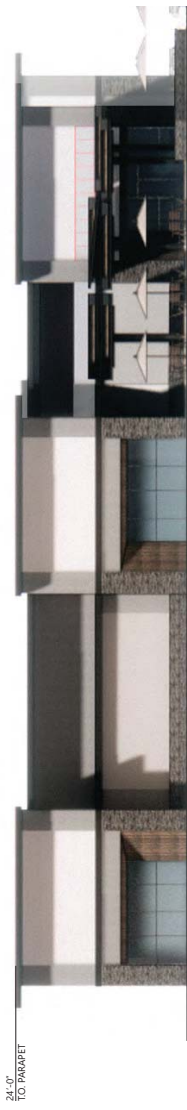
NORTH ELEVATION
1/8" = 1'



EAST ELEVATION
1/8" = 1'



WEST ELEVATION
1/8" = 1'



SOUTH ELEVATION
1/8" = 1'



EAST ELEVATION
1/8" = 1'



NORTH ELEVATION
1/8" = 1'



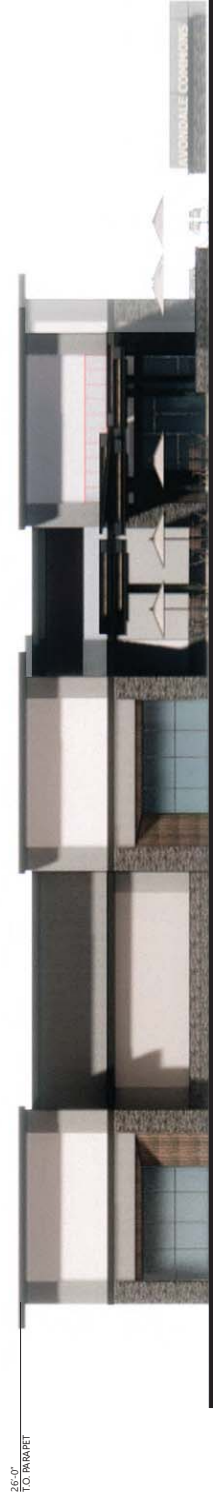
WEST ELEVATION
1/8" = 1'

CORNER
RETAIL
ELEVATIONS

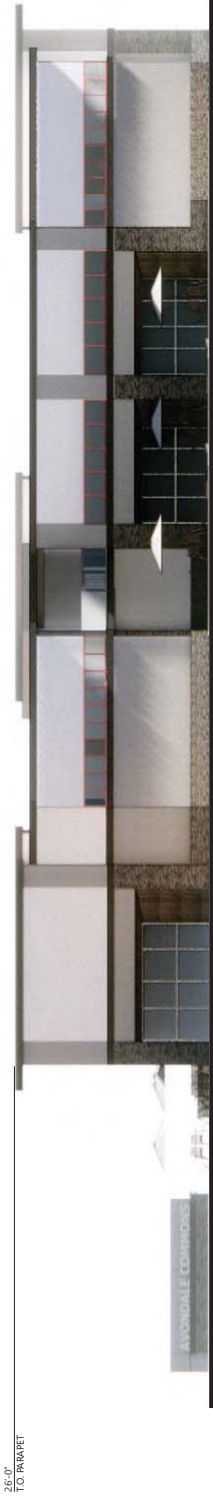
DATE	02/03
PROJECT	AVONDALE COMMONS

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

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SOUTH ELEVATION
1/8" = 1'



NORTH ELEVATION
1/8" = 1'

CORNER
RETAIL
ELEVATIONS

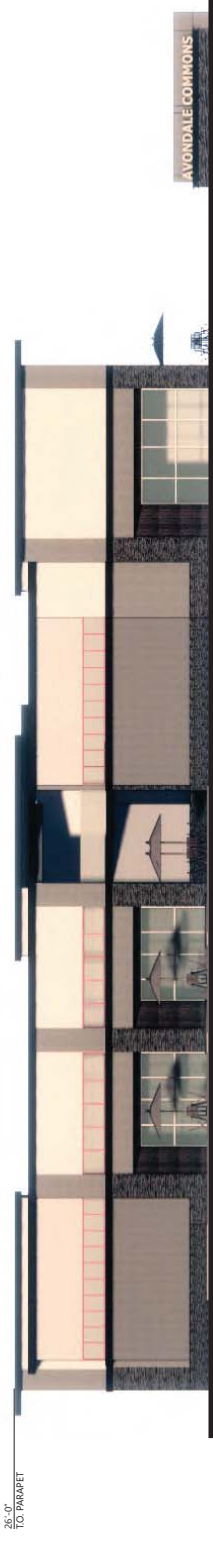
DATE	2023
PROJECT	AVONDALE COMMONS

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
1365 N SCOTTSDALE RD #210, Scottsdale, AZ 85257
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EAST ELEVATION
1/8" = 1'



WEST ELEVATION
1/8" = 1'

VIEW FROM AVONDALE



PERSPECTIVE

DATE	REVISION
02/20/2020	1

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
1356 N SCOTTSDALE RD #210, SCOTTSDALE, AZ 85257
O 480.282.1361 F FFKR.COM

DATE	02/03/2020
PROJECT	AVONDALE COMMONS

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
1366 N SCOTTSDALE RD #210, Scottsdale, AZ 85257
P 480.282.1361 • FFKR.COM



VIEW FROM COMMERCIAL TO RESIDENTIAL



CORNER COMMERCIAL

CORNER COMMERCIAL FROM STREET



PERSPECTIVE

DATE	10/20/2023
PROJECT	AVONDALE COMMONS

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
1366 N SCOTTSDALE RD #210, Scottsdale, AZ 85257
P 480.282.1981 • FFKR.COM

DATE	10/10/2020
TIME	4:00 PM

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
1366 N SCOTTSDALE RD #210, Scottsdale, AZ 85257
P 480.282.1361 F 480.282.1361 WWW.FFKR.COM



RESIDENTIAL AMENITIES - POOL

PERSPECTIVE

DATE	REVISION
02/20/2020	1

AVONDALE COMMONS
NWC AVONDALE BLVD & MCDOWELL RD
AVONDALE, AZ
REZONING SUBMITTAL

FFKR ARCHITECTS
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OFFICES LOOKING TOWARDS APARTMENTS

ORDINANCE NO. 2052-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF AVONDALE FOR APPROXIMATELY 25.23 ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF AVONDALE BOULEVARD AND MCDOWELL ROAD, AS SHOWN IN APPLICATION PL-21-0072, FROM AGRICULTURAL (AG) TO PLANNED AREA DEVELOPMENT (PAD).

WHEREAS, the Council of the City of Avondale (the “City Council”) desires to amend the City of Avondale Zoning Atlas (the “Zoning Atlas”), pursuant to ARIZ. REV. STAT. § 9-462.04, to change the zoning description for $\pm$ 25.23 gross acres generally located at the northwest corner of Avondale Boulevard and McDowell Road, as shown in application PL-21-0072, from Agricultural (AG) to Planned Area Development (PAD) (the “Zoning Atlas Amendment”); and

WHEREAS, all due and proper notices of the public hearings on the Zoning Atlas Amendment held by the City of Avondale Planning Commission (the “Commission”) and by the City Council were given in the time, form and substance provided by ARIZ. REV. STAT. § 9-462.04; and

WHEREAS, on August 18, 2021, the Commission held a public hearing on the Zoning Atlas Amendment, after which hearing the Commission recommended approval; and

WHEREAS, the City Council held an additional public hearing regarding the Zoning Atlas Amendment on September 20, 2021; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, the City Council has considered the individual property rights and personal liberties of the residents of the City before adopting this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The Zoning Atlas Amendment for $\pm$ 25.23 gross acres generally located at the northwest corner of Avondale Boulevard and McDowell Road, as more particularly described and depicted on Exhibit A attached hereto and incorporated herein by reference, is

hereby approved, rezoning such property from Agricultural (AG) to Planned Area Development (PAD), subject to the City of Avondale adopted codes, requirements, standards and regulations, and the following stipulations:

1. Development shall conform to the Avondale Commons PAD Narrative electronically date stamped, July 26, 2021 except as modified by these conditions.
2. Development of the residential district shall coincide with development of the commercial district such that no more than fifty (50) percent of the multi-family units (162 units) may receive a Certificate of Completion/Occupancy prior to the commencement of construction of a building in the commercial district (excluding the non-residential structures associated with the multi-family apartments).
3. The developer shall complete half-street improvements to McDowell Road to the City's Minor Arterial standard (Detail 1103) in the initial phase of development. Power poles adjacent to McDowell Road may require relocation, at the developer's expense, to accommodate the required street improvements. Dedication of additional right-of-way to accommodate the specified improvements shall be included in the project's Final Plat.
4. The developer shall construct a bus bay along McDowell Road per City of Avondale Detail A1252 in the initial phase of development.
5. The developer shall complete half-street improvements to Avondale Boulevard when adjacent development in the commercial district occurs, to include a southbound to westbound right turn lane, bike lane, sidewalk, curb, gutter, streetlights, sidewalk ramps, and relocating traffic signal poles. Additional right-of-way to accommodate Avondale Boulevard improvements, including deceleration/turn lanes into the project, shall be dedicated on the project's Final Plat.
6. The developer shall construct a new sewer line in McDowell Road in the initial phase of development; the grade of the new line must be sufficient to intercept an existing discharge line.
7. The developer shall install a 16-inch ductile iron pipe (DIP) water line in McDowell Road and tie into the existing 12-inch asbestos cement water line just outside the project limits in the initial phase of development. Following completion of the tie-in, the section of 12-inch line adjacent to the project will be abandoned in place.
8. Any private irrigation ditch that must remain operational must be piped outside future City right-of-way and public utility easements in the initial phase of development.
9. The developer shall be responsible for fiber conduit installation within the City's public right-of-way in accordance with the City's Transportation Plan and development codes.

10. All power lines less than 69kV must be relocated underground in the first phase of development.
11. Prior to issuance of any permits, the developer shall contribute fifty (50) percent of the design and construction cost of a future traffic signal on McDowell Road at the project's primary shared entrance between the residential and commercial areas.
12. A pedestrian gate shall be provided to allow future access to the site's commercial district from future development occurring north of the site.

SECTION 3. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 20, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2052-0921

[Legal Description and Map]

See following pages.

GROSS AREA EXHIBIT
FOR REZONING APPLICATION

4/5/21

COMMENCING AT THE POINT OF BEGINNING (P.O.B), AT A FOUND BRASS CAP IN A HAND HOLE AT THE SEC OF THE SE ¼ SECTION 36 T2N, R1W OF THE G&SRB&M MARICOPA COUNTY ARIZONA;

THENCE S 89° 15' 46" W, DISTANCE OF 1373.66 FT, ALONG THE SOUTH LINE OF THE SE ¼ OF SAID SECTION 36;

THENCE N 00° 44' 14" W, A DISTANCE OF 805.54 FT;

THENCE N 89° 50' 14" E, A DISTANCE OF 1073.27 FT;

THENCE S 00° 46' 00" W, A DISTANCE OF 7.28 FT;

THENCE N 89° 25' 00" E, A DISTANCE OF 310.76 FT, TO A POINT ON THE EAST LINE, OF THE SE ¼; OF SAID SECTION 36;

THENCE S 00° 00' 00" E, A DISTANCE OF 786.737 FT, ALONG THE SAID EAST LINE OF THE SE ¼, AND TO THE POINT OF BEGINNING.

CONTAINING 1,099,193 SQUARE FEET OR 25.234 ACRES MORE OR LESS



