



CITY COUNCIL AGENDA

CITY COUNCIL CHAMBERS . 11465 WEST CIVIC CENTER DRIVE . AVONDALE, AZ 85323

REGULAR MEETING
August 3, 2009
7:00 PM

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

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2 SCHEDULED PUBLIC APPEARANCES

a. Update on the Upcoming 2010 Census

3 UNSCHEDULED PUBLIC APPEARANCES

(Limit three minutes per person. Please state your name.)

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. APPROVAL OF MINUTES

1. Work Session of July 13, 2009
2. Work Session of July 20, 2009
3. Regular Meeting of July 20, 2009
4. Special Meeting of July 20, 2009

b. CONTRACT AMENDMENT- DARCOR & ASSOCIATES, INC.- NORTHSIDE BOOSTER PUMP STATION

City Council will consider a request to approve a contract amendment with DARcor & Associates, Inc. in the amount of \$17,350 for a revised contract total of \$55,350 for the purpose of updating the plans for the Northside Booster Pump Station, Pump Replacement, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. EXTENSION OF MASTER SITE PLAN APPROVAL FOR PARK 10 (DR-09-9)

City Council will consider a request from Ms. Su Moran on behalf of the property owner, GunBo, LLC for a one-year extension of the Park 10 Master Site Plan located at the southwest corner of McDowell Road and 103rd Avenue. The Council will take appropriate action.

d. RESOLUTION 2846-809 - AGREEMENT WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR VICTIMS OF CRIME ACT GRANT

City Council will consider a resolution to approve an agreement with the Arizona Department of Public Safety for the purpose of accepting grant funding through the Victims of Crime Act in the amount of \$44,399 with a non-federal match requirement of \$11,100 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will

take appropriate action.

5 PUBLIC HEARING AND ORDINANCE 1381-808 - CITY CENTER EAST REZONING (Z-09-5)

City Council will hold a public hearing and consider an ordinance rezoning 75.05 acres of land located at the northeast corner of Avondale Blvd. and Van Buren Street from Agricultural (AG) to City Center District (CCD). The Council will take appropriate action.

6 PUBLIC HEARING AND ORDINANCE 1382-809 - Z-09-6 CITY CENTER WEST REZONING

City Council will hold a public hearing and consider an ordinance rezoning approximately 138-08 acres of land located at the northwest corner of Avondale Boulevard and Van Buren Street from Agricultural (AG) to City Center District (CCD). The Council will take appropriate action.

7 MASTER SITE PLAN AND PHASE I FINAL SITE PLAN - THREE RIVERS COMMERCE CENTER - (DR-09-3)

City Council will consider a request from Mr. Adam Valente of Davis Experience on behalf of Michael Blenis of Arizona Land Company for a Master Site Plan approval and Phase I Final Site Plan approval for Three Rivers Commerce Center, a 34.96 acre parcel of land located at the southeast corner of Roosevelt Street and 105th Avenue. The Council will take appropriate action.

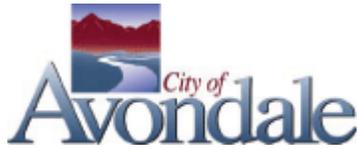
8 ADJOURNMENT

Respectfully submitted,



Carmen Martinez
City Clerk

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.



CITY COUNCIL REPORT

SUBJECT:
Update on the Upcoming 2010 Census

MEETING DATE:
August 3, 2009

TO: Mayor and Council
FROM: Pier Simeri, Community Relations Director (623)333-1611
THROUGH: Charlie McClendon, City Manager

PURPOSE:

Mr. Al Macias, Partnership Specialist with the US Census Bureau, will provide information to the Council regarding the 2010 Census.

BACKGROUND:

This coming year, 2010, marks a very important time - the decennial Census. This constitutionally required count of every person residing in the United States, Washington, DC, Puerto Rico, US Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa shapes the future of our community, state, and the nation.

The data collected from the Census is used to determine how more than \$300 billion in federal funding is allocated each year as well as how many seats Arizona has in the US House of Representatives. In addition, more than \$1 billion in state shared revenue is distributed each year to Arizona cities and towns based on Census population numbers.

Staff has begun strategizing Avondale's Census marketing plans to include unique efforts to reach all residents. The first Census-related event of the City is a faith-based leaders forum on Wednesday, August 5. The goal of this forum, led by the Mayor, is to inform faith leaders about the importance of the Census and to request their assistance in our outreach efforts.

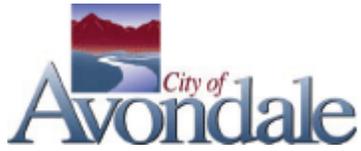
RECOMMENDATION:

This is for information only.

ATTACHMENTS:

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No Attachments Available



CITY COUNCIL REPORT

SUBJECT:
APPROVAL OF MINUTES

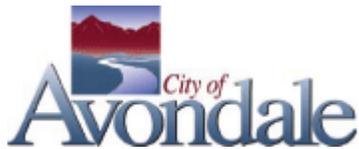
MEETING DATE:
August 3, 2009

TO: Mayor and Council
FROM: Carmen Martinez, City Clerk (623) 333-1214
THROUGH: Charlie McClendon, City Manager

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY COUNCIL REPORT

SUBJECT:

Contract Amendment- DARcor & Associates, Inc.-
Northside Booster Pump Station

MEETING DATE:

August 3, 2009

TO: Mayor and Council

FROM: Wayne Janis, Water Resources Director (623)333-4444

THROUGH: Charlie McClendon, City Manager

PURPOSE:

Staff is requesting that the City Council approve a contract amendment with DARcor & Associates, Inc. in the amount of \$17,350 for a revised contract total of \$55,350 for the purpose of updating the plans for the Northside Booster Pump Station, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

BACKGROUND:

The existing booster pumps at the Northside Booster Pump Station are failing and must be replaced. Staff evaluated possible options and determined that the system would be better served by upgrading the pumps to variable frequency drives. Repair and upgrades need to be completed by the beginning of May 2010. To accomplish this, staff selected DARcor & Associates, Inc. from the City's on-call consultant list and negotiated a scope and fee for the work. The City Manager approved a Professional Services Agreement with them on September 18, 2008.

The contract included design and construction management services in the amount of \$38,000 for the installation of new pumps, power supply, programming, controls and SCADA communication system upgrades. Staff determined that this project was suitable for Job Order Contracting (JOC) in order to expedite the work. The scope of work and fee assumed working closely with the JOC and that detailed project plans and specifications used for design-bid-build would not be necessary. However, when the contractor submitted a fee of \$370,000, staff re-evaluated the project delivery and decided that competitive bids were prudent due to the magnitude of the proposed fee. They also determined that the existing equipment would last long enough to complete this process.

DISCUSSION:

The decision to competitively bid the construction work required the preparation of bid documents including more detailed plans, specifications, special provisions and a bid item list. The original contract had been structured to work closely with the JOC contractor and did not require this level of detail. The plans also had to be expanded to include civil engineering plans for the removal of existing pump pads, electrical components and site preparation, also not included in the original plans. Since DARcor is an electrical consulting engineering company, Dibble and Associates was selected to prepare the civil engineering documents. The scope of work includes:

- Base mapping
- Site Plan/Demolition Plan sheets
- Mechanical piping/sections plan sheets
- Mechanical detail sheets

Dibble's fee for this work is \$14,500 plus DARcor's administrative fee of \$2,850 for a total

Amendment amount of \$17,350. The new contract total amount is \$55,350. The project will be completed by January 2010 with the approval of this amendment.

BUDGETARY IMPACT:

Funding is currently available in account 501-9122-00-6180.

RECOMMENDATION:

Staff recommends that the City Council approve a contract amendment with DARcor & Associates, Inc. for an amount of \$17,350 for a revised contract total of \$55,350 for the purpose of updating the plans for the Northside Booster Pump Station, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:

Click to download

 [PSA](#)

**FIRST AMENDMENT
TO
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
DARCOR & ASSOCIATES, INC.**

THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (this "First Amendment") is made as of July 20, 2009, between the City of Avondale, an Arizona municipal corporation (the "City") and DARCOR & Associates, Inc., an Arizona corporation (the "Consultant").

RECITALS

A. The City and the Consultant entered into a Professional Services Agreement dated September 28, 2008, for design and inspection services for replacement of existing pumps and variable frequency drives at the Northside Booster Station, Avondale, Arizona (the "Agreement").

B. The City has determined that it is necessary to extend the term of the Agreement, add additional services to the Scope of Work of the Agreement to prepare civil and mechanical plans and modify the plans and specifications (the "Additional Services"), increase the compensation of the Consultant for the Additional Services and add additional provisions to the Agreement.

C. The City and the Consultant desire to amend the Agreement extend the term of the Agreement, add the Additional Services, increase the compensation of the Consultant for the Additional Services and add additional provisions to the Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing 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 is hereby acknowledged, the City and the Consultant hereby agree to amend the Agreement as follows:

1. Term of the Agreement. The term of this Agreement is hereby extended from January 30, 2009, to April 30, 2010.

2. Scope of Work. The Consultant shall provide the Additional Services as set forth in the Scope of Work, attached hereto as Exhibit A and incorporated herein by reference.

3. Compensation. The Consultant's total compensation under the Agreement shall be increased by no more than \$17,350.00 from \$38,000.00 to \$55,350.00 as consideration for the Additional Services as more particularly set forth in Exhibit A.

4. Termination; Cancellation. The following provision is added to Section 13 of the Agreement as follows:

13.6 Agreement Subject to Appropriation. The provisions of this Agreement for payment of funds by the City shall be effective when funds are appropriated for purposes of this Agreement and are actually available for payment. The City shall be the sole judge and authority in determining the availability of funds under this Agreement and the City shall keep the Consultant fully informed as to the availability of funds for the Agreement. The obligation of the City to make any payment pursuant to this Agreement is a current expense of the City, payable exclusively from such annual appropriations, and is not a general obligation or indebtedness of the City. If the City Council fails to appropriate money sufficient to pay the amounts as set forth in this Agreement during any immediately succeeding fiscal year, this Agreement shall terminate at the end of then-current fiscal year and the City and the Consultant shall be relieved of any subsequent obligation under this Agreement.

5. Miscellaneous. The following provisions are added to Section 14 of the Agreement as follows:

14.18. Records and Audit Rights. Consultant's and its subcontractor's books, records, correspondence, accounting procedures and practices, and any other supporting evidence relating to this Agreement, including the papers of any Consultant and its subcontractors' employees who perform any work or Services pursuant to this Agreement to ensure that the Consultant and its subcontractors are complying with the warranty under subsection 14.19 below (all the foregoing hereinafter referred to as "Records"), shall be open to inspection and subject to audit and/or reproduction during normal working hours by the City, to the extent necessary to adequately permit (1) evaluation and verification of any invoices, payments or claims based on Consultant's and its subcontractors' actual costs (including direct and indirect costs and overhead allocations) incurred, or units expended directly in the performance of work under this Agreement and (2) evaluation of the Consultant's and its subcontractors' compliance with the Arizona employer sanctions laws referenced in subsection 14.19 below. To the extent necessary for the City to audit Records as set forth in this subsection, Consultant and its subcontractors hereby waive any rights to keep such Records confidential. For the purpose of evaluating or verifying such actual or claimed costs or units expended, the City shall have access to said Records, even if located at its subcontractors' facilities, from the effective date of this Agreement for the duration of the work and until three years after the date of final payment by the City to Consultant pursuant to this Agreement. Consultant and its subcontractors shall provide the City with adequate and appropriate workspace so that the City can conduct audits in compliance with the provisions of this subsection. The City shall give Consultant or its subcontractors reasonable advance notice of intended audits. Consultant shall require its subcontractors to comply with the provisions of this subsection by insertion of the requirements hereof in any subcontract pursuant to this Agreement.

14.19 E-verify Requirements. To the extent applicable under ARIZ. REV. STAT. § 41-4401, the Consultant and its subcontractors warrant compliance with all federal immigration laws and regulations that relate to their employees and compliance with the E-verify

requirements under ARIZ. REV. STAT. § 23-214(A). Consultant's or its subcontractor's failure to comply with such warranty shall be deemed a material breach of this Agreement and may result in the termination of this Agreement by the City.

14.20 Scrutinized Business Operations. Pursuant to ARIZ. REV. STAT. §§ 35-391.06 and 35-393.06, the Consultant certifies that it does not have scrutinized business operations in Sudan or Iran. For the purpose of this subsection the term "scrutinized business operations" shall have the meanings set forth in ARIZ. REV. STAT. § 35-391 or 35-393, as applicable. If the City determines that the Consultant submitted a false certification, the City may impose remedies as provided by law including terminating this Agreement pursuant to subsection 13.2 above.

6. Effect of Amendment. In all other respects, the Agreement is affirmed and ratified and, except as expressly modified herein, all terms and conditions of the Agreement shall remain in full force and effect.

7. Non-Default. By executing this First Amendment, the Consultant affirmatively asserts that the City is not currently in default, nor has been in default at any time prior to this First Amendment, under any of the terms or conditions of the Agreement.

8. Conflict of Interest. This First Amendment and the Agreement may be cancelled pursuant to ARIZ. REV. STAT. § 38-511.

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

"City"

"Consultant"

CITY OF AVONDALE, an Arizona
municipal corporation

DARCOR & ASSOCIATES, INC., an
Arizona corporation

Charles P. McClendon, City Manager

By: _____

ATTEST:

Name: _____

Carmen Martinez, City Clerk

Its: _____

(ACKNOWLEDGEMENTS)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

This instrument was acknowledged before me on _____, 2009,
by Charles P. McClendon, the City Manager of the CITY OF AVONDALE, an Arizona
municipal corporation, on behalf of the City of Avondale.

Notary Public in and for the State of Arizona

My Commission Expires:

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

This instrument was acknowledged before me on _____, 2009,
by _____ as _____ of DARCOR &
ASSOCIATES, INC., an Arizona corporation, on behalf of the corporation.

Notary Public in and for the State of Arizona

My Commission Expires:

EXHIBIT A
TO
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
DARCOR & ASSOCIATES, INC.

[Additional Services]

See following pages.

June 25, 2009



City of Avondale
Water Resources Department
399 E. Lower Buckeye
Avondale, AZ 85323

Attn: Mr. Michael Smith

RE: Northside Booster Pump Station
Amendment No.1 (Civil Design)

Dear Mike:

The original contract for the above referenced project was established based on using a job order contract. After the design effort got underway, it was decided to go with a design-bid-build process. Additional effort is required to provide civil and mechanical plans as well as modify the plans and specifications for this process.

Dibble Engineering was selected to prepare civil and mechanical plans for this project. Attached is a copy of Dibble’s proposal for \$14,500 with description of services they are proposing to provide.

Additionally, the following is a breakdown of manhours and associated fees required for us to modify the electrical plans and specifications so that they can be bid.

• Principal:	2 Hours @ \$175/hr	=	\$ 350.00
• Project Engineer:	6 Hours @ \$140/hr	=	840.00
• Senior Designer:	8 Hours @ \$100/hr	=	800.00
• Drafting:	12 Hours @ \$65/hr	=	780.00
• Admin/clerical:	1 Hour @ \$60/hr	=	60.00
	Expenses	=	<u>20.00</u>
	Subtotal	=	\$2,850.00

This amendment to our contract is necessary to cover the cost of Dibble’s services and our additional effort.

This amendment will be added to our original contract as Contract Amendment No.1. The revised contract would break down as follows:

➤ Original Fee for Design	= \$ 20,700.00
➤ Original Fee for Construction	= \$ 17,300.00
➤ Amendment No.1a (Civil Engineering Services by Dibble)	= \$ 14,500.00
➤ Amendment No.1b (Additional Services by DARcor)	= \$ <u>2,850.00</u>
Total Design Fee (Revised)	= \$ <u>55,350.00</u>

Notes:

1. Change order includes all coordination with you and other team members to gather the necessary information for us to revise our plans and specifications.
2. Change order does not include any meetings with you or the City. If any meetings are required, we will bill you on an hourly basis using the rates indicated above.
3. We will provide you with one set of reproducible vellums and specifications for the above design at 90 and 100% completion. Additional submittals or other reproducible media you may require will be billed to you at cost. All costs for reproduction or mylars will be invoiced over and above the contract amount as a reimbursable expense.
4. 90% design will take approximately 4-5 weeks to complete after we have received a notice to proceed. 100% design will be complete within 2-3 weeks after we have received the 90% review comments.
5. Monthly progress billings are due within 30 days.
6. Proposal is valid for 60 days.

Please do not hesitate to call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Darwin Reynolds". The signature is fluid and cursive, with a large initial "D" and "R".

Darwin Reynolds, P.E.
President

SCOPE OF WORK

DARcor & ASSOCIATES

CITY OF AVONDALE NORTHSIDE BOOSTER PUMP STATION IMPROVEMENTS

May 8, 2009

PROJECT DESCRIPTION AND BACKGROUND

The City of Avondale (City) will be constructing improvements to the existing Northside Booster Pump Station, located southwest of the intersection of El Mirage Road and Indian School Road. Dibble Engineering (Dibble) will provide civil engineering design services for the proposed improvements.

The following improvements to the booster station are proposed as part of this project:

- Remove five existing horizontal split case booster pumps and electric motor drivers
- Remove concrete pump support pads
- Remove existing pump piping between the suction and discharge header pipes
- Install three new Aurora horizontal split case booster pumps (125 Hp, 2,000 gpm) provided by the City
- Install new concrete support pads for the pumps
- Install new piping associated with each pipe, including isolation valves, check valve, flexible couplings, flange coupling adapters and pipe spool pieces
- Replace the existing solenoid valve with a new surge anticipator valve
- Replace the hydropneumatic tank level probe bottle with a standard 6-inch bottle

Dibble will provide civil engineering services for the design of the above noted improvements, including preparation of construction plans and specifications. The construction documents will be prepared to be suitable for competitive bidding, it is understood that the project may be constructed under either a competitive bid or an alternative delivery (either Job Order Contract or Construction Manager at Risk) method.

Dibble will complete the proposed work based on the following Scope of Work tasks:

SCOPE OF WORK

Task 1: Data Collection

Dibble will research and collect readily available record information pertinent to the design of the proposed improvements. This will include, but may not be limited to the following: as-built drawings of existing facilities, performance data for existing and proposed systems, existing and proposed pump curves, master plan data and utility planning data that may be provided by the City. A site visit will be performed by Dibble's Project Manager and appropriate design staff, accompanied by DARcor and City staff if desired to confirm existing conditions prior to the start of design.

Task 2: Base Mapping

Dibble will utilize base maps provided by DARcor for design of the project improvements. Field measurements will be taken to identify and confirm above grade pipeline location, dimension and configuration. The existing base map will be updated to incorporate the field measurements.

Horizontal and vertical survey control data has not been prepared for this project. No field verification of horizontal or vertical control is included in this project, no elevations will be provided on the construction plans and a benchmark will not be listed.

Task 3: Construction Document Preparation

Dibble will prepare construction plans and technical specifications for the work described in this Scope of Work. DARcor or the City will be responsible for preparing and assembling general conditions and any other "front end" documents required for bidding or contracting. The following plan sheets are anticipated to be prepared:

Sheet Number	Sheet Title	Number of Sheets
X	Cover Sheet	1
G100	Index, Notes and Legend	1
C100	Site Plan / Demolition Plan	1
M100	Mechanical Piping Plan and Sections	1
M900	Mechanical Details (piping appurtenances, special construction items, etc.)	2
Total Plan Sheets		6

The following progress submittals will be made:

Task 3.1: Pre-Final Design (90%): Pre-final construction documents will be prepared showing all anticipated modifications to the pump station, technical specifications and Engineer's Opinion of Probable Construction Cost will be submitted with this progress submittal. A review meeting will be held to discuss any City comments to the Pre-Final Design submittal.

Task 3.2: Construction Documents (100%): Construction documents will be prepared that incorporate any revisions resulting from reviews with the City.

DELIVERABLES

At each progress submittal, Dibble will provide electronic (Adobe PDF) files of the plans and specifications.

SCHEDULE

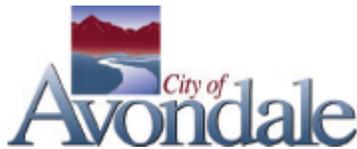
Dibble will complete the above noted scope of work in accordance with the following preliminary schedule. The final schedule deliverable dates will be confirmed with the Town upon receipt of Notice to Proceed:

Project Kickoff	Notice to Proceed (NTP)
Pre-Final (90%) Submittal	NTP + 4 weeks
Construction Document (100%) Submittal	3 weeks following receipt of comments

ASSUMPTIONS AND EXCLUSIONS

The following assumptions and/or exclusions apply to this Scope of Work:

- DARcor will provide base mapping in AutoCAD format.
- No field survey, including topographic survey, horizontal or vertical control survey data will be collected or provided with this project.
- The City will provide pump curve data, catalog cut sheets and other information regarding the new pumps.
- Coordination with utility companies to obtain mapping or "no conflict" review is not included in this scope of work.
- Geotechnical investigations is excluded.
- Structural design of shade structures is excluded.
- Permit submittals and/or coordination are excluded from this scope of work. DARcor will be responsible for City of Avondale Building Department coordination. Any Building Department comments shall be provided in conjunction with 90% review comments for inclusion in the construction documents.
- Dibble will not submit plans, applications, calculations or reports to Maricopa County Environmental Services Department.
- Answering questions during bidding and/or bid addenda are excluded from this scope of work. Pre-construction input from the contractor shall be provided as part of the 90% review.
- No progress submittals or deliverables beyond those listed in this Scope of Work will be made.



DEVELOPMENT SERVICES

SUBJECT:

Extension of Master Site Plan Approval for Park 10
(DR-09-9)

MEETING DATE:

August 3, 2009

TO: Mayor and Council

FROM: Brian Berndt, Development Services Director (623) 333-4011

THROUGH: Charlie McClendon, City Manager (623) 333-1015

REQUEST: Extend the Park 10 Master Site Plan request for one year, until August 4, 2010.

PARCEL SIZE: 16.5 Net Acres

LOCATION: Southwest corner of McDowell Road and 103rd Avenue (Exhibits A and B)

APPLICANT: Ms. Su Moran, GunBo LLC (503) 639-0108

OWNER: GunBo, LLC (503) 639-0108

BACKGROUND:

On August 4, 2008, the City Council approved a site plan for Park 10, application DR-07-37, located at the southwest corner of McDowell Road and 103rd Avenue. The approved site plan includes two hotels, four sit-down restaurants, and four retail buildings with a total gross floor area of over 225,000 square feet.

The approval was subject to 23 stipulations, including a standard stipulation (Stipulation #2) which specified an expiration date for the site plan approval, as outlined in Section 106.C.4 of the Zoning Ordinance. The stipulation reads, "The plan approval expires in one year from the date of approval unless a building permit has been issued." Final civil plans for the site and final construction documents for the Hyatt Summerfield Suites were submitted to the City for review shortly after approval of the site plan; the plans were not re-submitted for a second review and permits were not issued.

The applicant cites a lack of available financing sources as the primary cause of the project's delay. According to the applicant, at this time financing is very limited for upscale hospitality, retail, restaurant, and office developments.

SUMMARY OF REQUEST:

The applicant is requesting that the City Council grant a one-year extension for the Park 10 Master Site Plan approval to allow additional time to locate financing for the project. The applicant has communicated to staff that future one-year extensions may be needed if financing is unable to be obtained within the next year. Future extensions will be evaluated in the same manner as this request.

ANALYSIS:

Following the City Council's approval of the site plan on August 4, 2008, the applicant submitted final construction documents, final civil engineering plans, and final landscape plans on August 5, 2009. Staff conducted a first review of the final plans and sent comments back to the applicant on

September 3, 2009.

The review of construction documents for this project coincided with the most severe stages of the global financial crisis, which occurred in September 2008. As a direct result of the volatility in financial sectors and the well publicized impacts on lending, the applicant has been unable to obtain the financing for the project; financing which, according to the applicant, had been secured before the financial crisis came to a head.

It is unknown when economic recovery will occur and financing for development projects of this type will become available. Due to the continued uncertainty, it is possible that additional one-year extensions may be necessary before the required funding can be secured. In that instance, with each extension request, staff will re-evaluate the project to determine conformance with applicable plans and overall City objectives for design and development. At this time, the Park 10 project remains an important piece in the development of Avondale, particularly within the City's Freeway Corridor. The approved site plan remains in conformance with the requirements set forth in the West 10 PAD, Freeway Corridor Specific Plan, and Design Manual for Commercial, Industrial, and Multi-Family Residential Development.

RECOMMENDATION:

Staff recommends that the City Council approve the time extension request for the Park 10 Master Site Plan for one year, setting August 4, 2010 as the new expiration date.

ATTACHMENTS:

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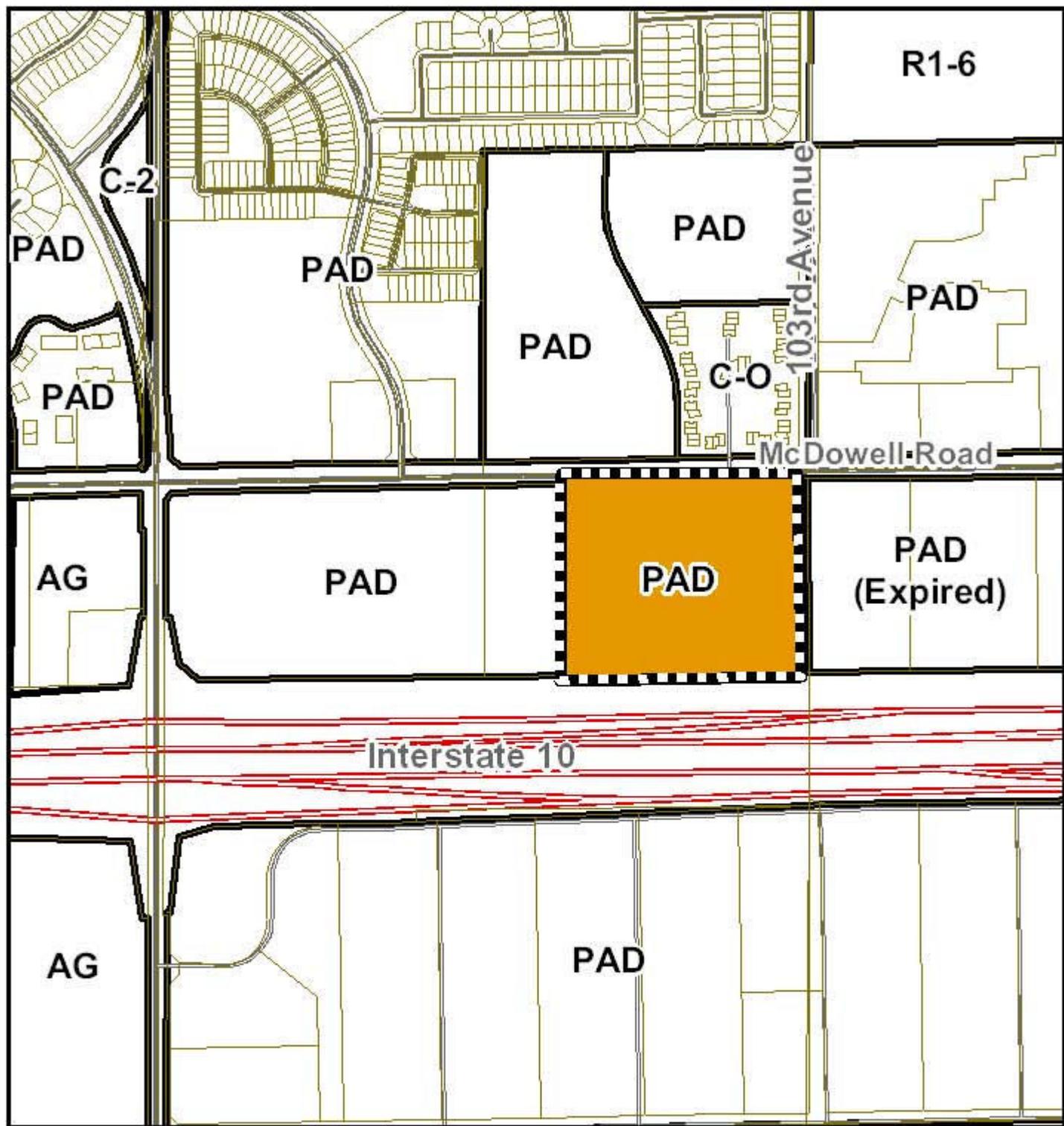
- 📄 [Exhibit A - Zoning Vicinity Map](#)
- 📄 [Exhibit B - Aerial Photograph](#)
- 📄 [Exhibit C - Applicant's Request for Site Plan Extension, dated June 9, 2009](#)
- 📄 [Exhibit D - Approved Park 10 Master Site Plan, date stamped June 24, 2008](#)
- 📄 [Exhibit E - Approved Park 10 Landscape Plan, date stamped June 24, 2008](#)
- 📄 [Exhibit F - Approved Park 10 Building Elevations, date stamped June 24, 2008](#)
- 📄 [Exhibit G - Park 10 Master Site Plan Approval Letter, dated September 10, 2008](#)

FULL SIZE COPIES (Council Only):

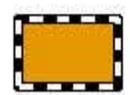
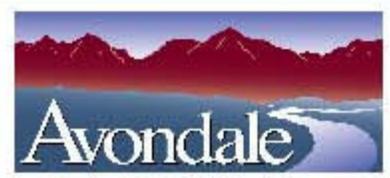
NONE

PROJECT MANAGER:

Ken Galica, Planner II (623) 333-4019



Zoning Vicinity Map

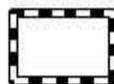


Subject Property





Aerial Photograph 2008



Subject Property



GUN BO, LLC

16850 SW Upper Boones Ferry Road, Suite A, Portland, Oregon 97224
Phone: 503-639-0108, Fax: 503-639-0709

June 9, 2009

Mr. Ken Galica
Planner II
City of Avondale
Development Services Department
11465 W. Civic Center Drive
Avondale, AZ 85323

RE: Park 10 Master Site Plan Extension Application

Dear Mr. Galica:

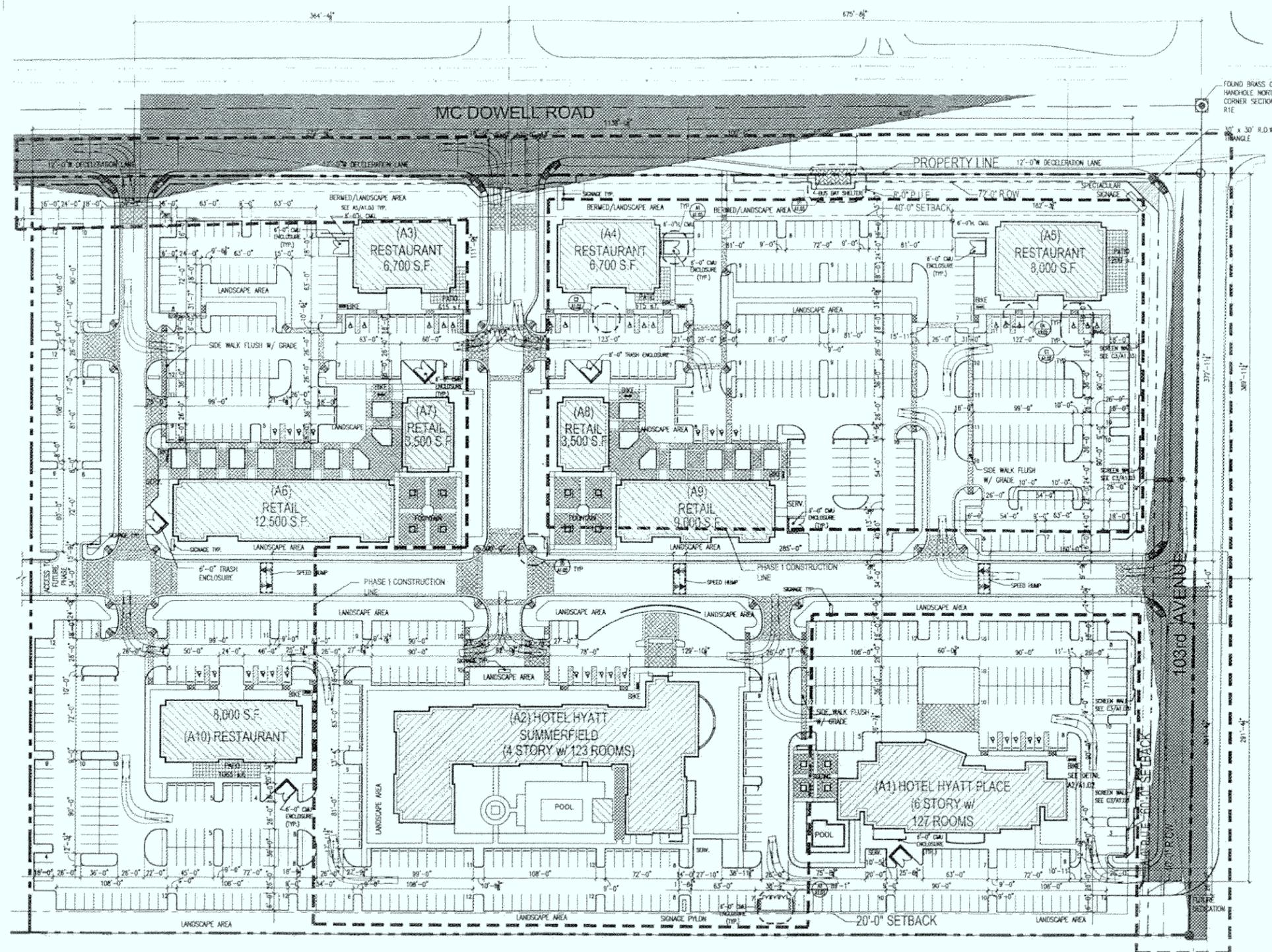
Pursuant to the attached Park 10 Master Site Plan Extension Application, this letter is in support of Park 10's/Gun Bo LLC's request for extension approval by the City of Avondale for one year from the date of original approval, until August 4, 2010.

This extension request is based on the current economic environment and the lack of available financing in building class "A" hospitality, retail, restaurant and office developments.

Thank you for the help you have given us in the past and thank you in advance for your consideration of our Extension Request.

Very Truly Yours,


Su Moran
Gun Bo LLC



CONCEPTUAL MASTER PLAN Scale 1"=50'



MATERIALS LEGEND

- SCURED COLORED CONCRETE (COHILL 2 #30)
- EXPOSED AGGREGATE
- CONCRETE SIDEWALK

TOTAL OPEN SPACE (INCL. ROADS, SIDEWALKS): 623,193 S.F.

TOTAL USABLE OPEN SPACE: 39,856 S.F.

OPEN SPACE CALCULATIONS:

Category	Item	Req'd	Prov'd
HOTEL	(A1) Place (76,508 s.f.)	550 S.F.	2185.00 S.F.
	(A2) Summerfield (90,939 s.f.)	550 S.F.	4225.00 S.F.
	RESTAURANT		
RESTAURANT	(A3) Restaurant 1 (6,700 S.F.)	550 S.F.	1350.00 S.F.
	(A4) Restaurant 2 (6,700 S.F.)	550 S.F.	1350.00 S.F.
	(A5) Restaurant 3 (8,000 S.F.)	550 S.F.	1200.00 S.F.
	(A10) Restaurant 4 (8,000 S.F.)	550 S.F.	1065.00 S.F.
RETAIL	(A6) Retail 1 (12,500 S.F.)	550 S.F.	10412.00 S.F.
	(A7) Retail 2 (3,500 S.F.)	550 S.F.	4900.00 S.F.
	(A8) Retail 3 (3,500 S.F.)	550 S.F.	4878.00 S.F.
	(A9) Retail 4 (9,000 S.F.)	550 S.F.	8285.00 S.F.

PROJECT DATA:

PARCEL NUMBER: 102-54-003 A1 102-54-004A

ZONING: FAD

ZONING ADJACENT PROPERTIES:

- NORTHERN PROPERTIES: MULTI-FAMILY / COMMERCIAL
- EASTERN AND WESTERN PROPERTIES: FREEWAY COMMERCIAL
- SOUTHERN PROPERTIES: NONE EXIST DUE TO I-10 FREEWAY

LEGAL DESCRIPTIONS:

LOTS 3 AND 4, SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THAT PORTION WHICH LIES WESTERLY AND SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 5:

THENCE SOUTH 00 DEGREES 15 MINUTES 35 SECONDS EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 536.91 FEET TO THE POINT OF BEGINNING.

THENCE NORTH 88 DEGREES 44 MINUTES 25 SECONDS EAST 55.00 FEET;

THENCE SOUTH 10 DEGREES 31 MINUTES 07 SECONDS EAST 187.87 FEET;

THENCE SOUTH 50 DEGREES 48 MINUTES 18 SECONDS EAST 99.22 FEET;

THENCE NORTH 88 DEGREES 58 MINUTES 33 SECONDS EAST 2473.28 FEET, MORE OR LESS TO A POINT ON THE EAST LINE OF SAID LOT 3, THE POINT OF BEGINNING, AWARDED TO THE STATE OF ARIZONA BY FINAL ORDER OF CONCERNATION, RECORDED JULY 7, 1982 IN DOCKET 18103, PAGE 186. RECORDS OF MARICOPA COUNTY, ARIZONA.

LOTS 3 AND 4, SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

GROSS SITE AREA: 19.6 AC (828,454 S.F.)

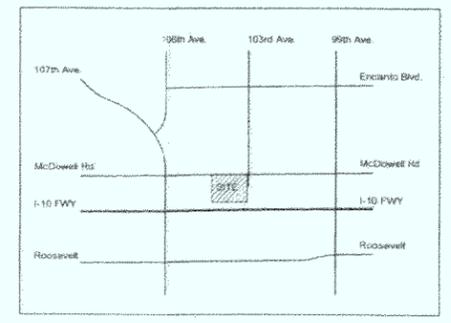
NET SITE AREA: 18.5 AC (719,945 S.F.)

TOTAL BUILDING AREA: 225,347 G.S.F.

GROUND FLOOR AREA: 96,752 G.S.F.

PARKING CALCULATIONS:

Category	Item	Ratio	Req'd	Prov'd
HOTEL	(A1) Place (76,508 s.f.)	127 Rooms / 1500 SF	132	154
	(A2) Summerfield (90,939 s.f.)	123 Rooms / 1500 SF	128	141
RESTAURANT	(A3) Restaurant 1 (6,700 S.F.)	150 SF / 1200 SF	101	110
	(A4) Restaurant 2 (6,700 S.F.)	150 SF / 1200 SF	101	103
	(A5) Restaurant 3 (8,000 S.F.)	150 SF / 1200 SF	3	3
	(A10) Restaurant 4 (8,000 S.F.)	150 SF / 1200 SF	120	127
	(A9) Restaurant 4 (9,000 S.F.)	150 SF / 1200 SF	8	6
RETAIL	(A6) Retail 1 (12,500 S.F.)	130 SF / 1300 SF	42	41
	(A7) Retail 2 (3,500 S.F.)	130 SF / 1300 SF	12	13
	(A8) Retail 3 (3,500 S.F.)	130 SF / 1300 SF	12	13
	(A9) Retail 4 (9,000 S.F.)	130 SF / 1300 SF	30	35
TOTAL SPACES			Req'd 615	Prov'd 874



PARK 10

SW Corner of 103rd Ave. & McDowell Rd
Avondale, AZ

Parkland Development
10320 W. McDowell Rd., Suite B2008
Avondale, AZ 85392

LEO A DALY

1344 E. Camelback Rd. Suite 200
Phoenix, AZ 85016 USA
Tel: 402-954-0818 Fax: 402-381-1456

EDGE Construction Group Inc
15230 N. 75th Street, Suite 1031
Scottsdale, AZ 85250 USA

Kland Huval Engineering
6045 S. Scottsdale Rd., Suite 108
Scottsdale, AZ 85250 USA

Pinnacle Design, Inc
1048 N. 44th St., Suite 200
Phoenix AZ 85008 USA

TMAD Taylor & Gaines
1550 E. Missouri Ave., Suite 100
Phoenix AZ 85014 USA

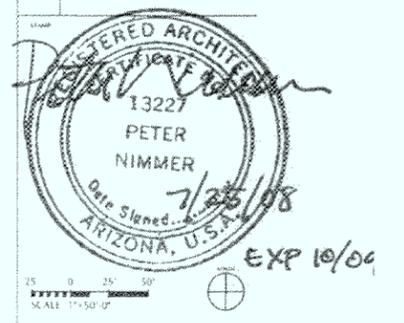
KEY PLAN

REVISIONS

NO.	DESCRIPTION	DATE
1	2nd SUBMISSION TO CITY	06/24/08

FILE LOG

ACIVITY	BY
Manager	ME
Owner	10/20/07
Draw	VTD
Check	ME/ME



Project No. 075-10101-000
05/19/08

CONCEPTUAL MASTER PLAN-
GROUND LEVEL

A1.01

PRELIMINARY - NOT FOR CONSTRUCTION

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
TREES				
	ACACIA SALICINA	WILLOW ACACIA	1.5" CAL	112
	CAESALPINA CASALACO 'SMOOTH'	THORNLESS CASAHUATE	1.5" CAL	122
	DALBERGIA SISSOO	SISSOO TREE	72" BDX 2" CAL	4 23
	PARKINSONIA X DESERT MUSEUM	DESERT MUSEUM	2.50" CAL 2" CAL 1.5" CAL	33 120 55
	PIRHECELLOBIUM FLEXICALE	TEXAS EBONY	1.5" CAL	8
	QUERCUS VIRGINIANA	HERITAGE OAK	2.50" CAL 1.5" CAL	20 21
PALMS				
	PHOENIX DACTYLIFERA	DATE PALM	20" TALL	15
SHRUBS				
	CORDIA PARVIFOLIA	LITTLELEAF CORDIA	5 GAL	112
	JUSTITIA CALIFORNICA	CHUPAROSA	5 GAL	655
	RUPELLIA PENINSULARIS	BAJA RUELLIA	5 GAL	411
	RUSSELLIA EQUISSETIFORMIS	CORAL FOUNTAIN	5 GAL	13
	SENNA ARTEMISIOIDES PETIOLARIS	SILVER CASSIA	5 GAL	355
	TECOMA ALATA	ORANGE JUBILEE	5 GAL	5
	TECOMA STANS	YELLOW BELLS	5 GAL	245
ACCENTS				
	AGAVE WEBERI	WEBER'S AGAVE	5 GAL	168
	AGAVE DESMETTIANA VARIEGATA	VARIEGATED AGAVE DESMETTIANA	5 GAL	519
	ASCLEPIAS SUSULATA	DESERT MILKWEED	5 GAL	115
	ECHINOCACTUS GRUSONII	GOLDEN BARREL	5 GAL	119
	EUPHORBIA ANTISYPHILITICA	CANDELLILLA	5 GAL	111
	FOUQUIERIA SPLENDENS	COCOTILLO	5 GAL	2
	HESPERALOE FURIFERA	GIANT HESPERALOE	5 GAL	132
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL	12
	PEDILANTHUS MACROCARPUS	SUPPER PLANT	5 GAL	18
	PORTULACARIA AFRA	ELEPHANT'S FOOD	5 GAL	15
	LOPHOCEREUS SCHOTTII	SANTA	3 ARMS	10
	MUHLENBERGIA CAPILLARIS	REGAL MIST	5 GAL	2678
	YUCCA CARINEROSANA	SPANISH DAGGER	15 GAL	5
GROUNDCOVER				
	LANTANA MONTEVIDEENSIS	PURPLE LANTANA	1 GAL	162
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA	1 GAL	542
	SETCREASEA PALLIDA	PURPLE HEART PLANT	1 GAL	718
	SPHAGNETICOLA TRILOBATA	YELLOW DOT	1 GAL	267
	TUFT	SOD		22,713 SF
INERT GROUNDCOVER				
	DECOMPOSED GRANITE	APACHE BROWN	1/2" SCREENED	45,578 SF (180 TONS)

NOTES:

- CONTRACTOR TO VERIFY ALL QUANTITIES.
- CONTRACTOR TO PROVIDE DECOMPOSED GRANITE SAMPLES TO LANDSCAPE ARCHITECT FOR APPROVAL.
- MAINTAIN 1' TO 5' TREE AND SHRUB CLEARANCE FROM WALLS.
- MAINTAIN 1' TO 2' TREE AND SHRUB CLEARANCE FROM SIDEWALKS.
- ALL TREES LOCATED IN TURF AREAS SHALL HAVE A TREE GUARD.
- TREES ADJACENT TO PEDESTRIAN WALKWAYS SHOULD HAVE A MINIMUM CANOPY CLEARANCE OF 8'-0".
- ALL MATURE TREES AND PALM CANOPIES MUST BE A MINIMUM OF 5' FROM ANY BUILDING WALLS OR BUILDING WINDOWS.

PRELIMINARY LANDSCAPE NOTES

PLANTING

THE SITE WILL BE LANDSCAPED IN ACCORDANCE WITH THE CITY OF AVONDALE STANDARDS. ALL TREES AND SHRUBS ARE TO BE STAKED AND PLANTED IN ACCORDANCE WITH THE ARIZONA NURSERY ASSOCIATION PUBLISHED STANDARDS.

SIZES OF TREES AND SHRUBS WILL CORRESPOND WITH REQUIREMENTS SET BY THE CITY OF AVONDALE. ALL PLANTING AREAS WILL RECEIVE A 2" DEPTH OF 3/4" DECOMPOSED GRANITE AND SHALL BE TREATED WITH PRE-EMERGENT HERBICIDE.

IRRIGATION

THE IRRIGATION SYSTEM WILL CONSIST OF BIRD EMITTERS AND PRESSURE REGULATORS CONNECTED TO AUTOMATIC VALVES AND WILL BE TIED INTO AUTOMATIC CONTROLLERS AS REQUIRED. THE IRRIGATION SYSTEM SHALL PROVIDE 100% COVERAGE.

GRADING

ALL EARTHWORK WILL BE DONE SO THAT ALL MOISTURE DRAINS OFF AND AWAY FROM SIDEWALKS AND STRUCTURES. THE MAJORITY OF ON-SITE DRAINAGE WILL DRAIN INTO THE RETENTION BASINS LOCATED ON-SITE.

SITE AMENITY LEGEND

SYMBOL	DESCRIPTION	QTY
	DERO ROLLING BIKE RACK, 24"X36" SEE SHEET L-3	10
	KORNGAY, DUNE TRASH RECEPTACLE, 05-TR SEE SHEET L-4	23
	URBAN ELEMENTS, ESCOFET, BS 1 SEE SHEET L-5	11

SITE PLAN PLANTING DATA

LANDSCAPE AREAS	REQUIRED	PROVIDED
A ON-SITE LANDSCAPE AREAS (COMMERCIAL) 10% OF NET SITE AREA	71,904 SF	224,900 SF
B RESIDENTIAL BUFFER LANDSCAPE AREA 10 FT. MINIMUM RESIDENTIAL BOUNDARIES	NA	NA
C PARKING LANDSCAPE AREA 10% MINIMUM	15%	15%
D PARKING ISLANDS 1 PER 10 CONSECUTIVE PARKING SPACES (MINIMUM 5 FT. WIDE) (MINIMUM 50 SF)	42,620 SF	108,450 SF
E FOUNDATION PLANTING 3% OF BUILDING FRONTAGE FOR BUILDINGS FRONTING ON PUBLIC STREETS	7,914 SF	11,417 SF
LANDSCAPE PLANTINGS		
RIGHT OF WAY LANDSCAPE PLANTINGS		
F TREES: 1 PER 20 FT. OF STREET FRONTAGE (1.0 SF/1.0 F)	81 TREES	181 TREES
G SHRUBS: 2 PER 20 FT. OF STREET FRONTAGE	162 SHRUBS	1,851 SHRUBS
H SHRUB AND GROUND COVER AREA: 20%	14,524 SF	22,217 SF
PARKING SPACE PLANTINGS		
I TREES: 1 PER 4 PARKING SPACES	101 TREES	222 TREES
RESIDENTIAL BUFFER PLANTINGS		
J TREES: 1 PER 20 FT. OF RESIDENTIAL BOUNDARIES	NA	NA
SPECIAL PLANTING REQUIREMENTS (FAD, JOING, ETC.)		
NA	NA	NA
TOTALS		
TOTAL LANDSCAPE AREAS (A-H)	71,904 SF	227,114 SF
TOTAL USABLE OPEN SPACE PERCENT (PARK ONLY)	NA	NA
TOTAL TREES (E-I+J)	181 TREES	363 TREES
TOTAL 2" BBOX TREES (20% OF TOTAL TREES)	100 TREES	120 TREES
TOTAL SHRUBS (G)	162 SHRUBS	1,851 SHRUBS
TOTAL GROUND COVER AREA (H)	14,524 SF	22,217 SF

GENERAL NOTES

- TWENTY FOUR INCH BOX TREES SHALL HAVE A MAXIMUM TRUNK HEIGHT OF EIGHT FEET WITH A MINIMUM 2 INCH CALIPER MEASURED 4 FEET ABOVE GROUND. FIFTEEN INCH BOX TREES SHALL HAVE A MINIMUM TRUNK HEIGHT OF 6 FEET WITH A MINIMUM 1.5" CALIPER MEASURED 4 FEET ABOVE THE GROUND. THE PROPERTY OWNER AND/OR LESSEE SHALL BE RESPONSIBLE TO INSTALL AND MAINTAIN ALL LANDSCAPING WITHIN THE RIGHT OF WAY.
- A 3 FOOT CLEAR SPACE IS REQUIRED AROUND ALL FIRE SUPPRESSION EQUIPMENT. NO PLANTS SHALL BE INSTALLED THAT WILL ENCROACH WHEN MATURE.
- THE CITY APPROVES THESE PLANS FOR CONCEPT ONLY AND ACCEPTS NO LIABILITY FOR ERRORS OR OMISSIONS.
- WILLOW ROAD STREETSCAPE SHALL HAVE A MINIMUM OF 1 TREE PER 20 FEET WITH A MAXIMUM OF ONE OF THE TREES TO HAVE 2' CALIPER. THIS REQUIRED MAY BE BY CALIPER.
- ALL LANDSCAPING MATERIAL INSTALLED AT THIS LOCATION SHALL BE NEW.
- ALL PLANTINGS WITHIN THE RIGHT OF WAY SHALL HAVE CANOPIES NOT GREATER THAN SEVEN (7) FEET AND NO SHRUBS TALLER THAN TWO (2) FEET.

NOTE: ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF AVONDALE CONSTRUCTION SPECIFICATIONS (SECTION 07010) OF THE CITY OF AVONDALE DEPARTMENT.

Pinnacle Design, Inc

1048 N. 44th Street
Suite 200 Phoenix, AZ 85008
Off: (602)952-0585 Fax: 602-866-0606
Job # 08030

PARK 10

SW Corner of 103rd Ave. & McDowell Rd., Avondale, AZ

Parkland Development

10320 W. McDowell Rd., Suite B2000 Avondale, AZ 85392

LEO A DALY

PLANNING AND ARCHITECTURE
3344 E Camelback Rd., Suite 200 Phoenix, AZ 85018 USA
Tel: 602-954-0818 Fax: 602-381-1456

Kland Huval Engineering

6045 N. Scottsdale Rd., Suite 108 Scottsdale, AZ 85250 USA

Pinnacle Design, inc

1048 N. 44th St., Suite 200 Phoenix AZ 85008 USA

TMAD Taylor & Gaines

1550 E. Missouri Ave., Suite 100 Phoenix AZ 85014 USA

KEY PLAN

REVISIONS

NO.	DESCRIPTION	DATE

FILE LOG

ACTIVITY	BY

DATE:

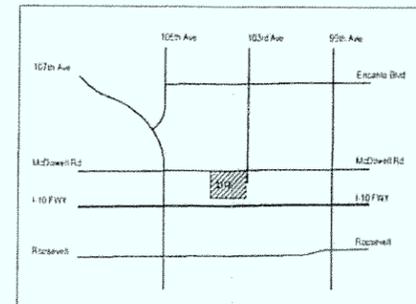


30' 0' 30' 60'
SCALE: 1" = 30'-0"

Project No. 075-10101-000
7.28.08

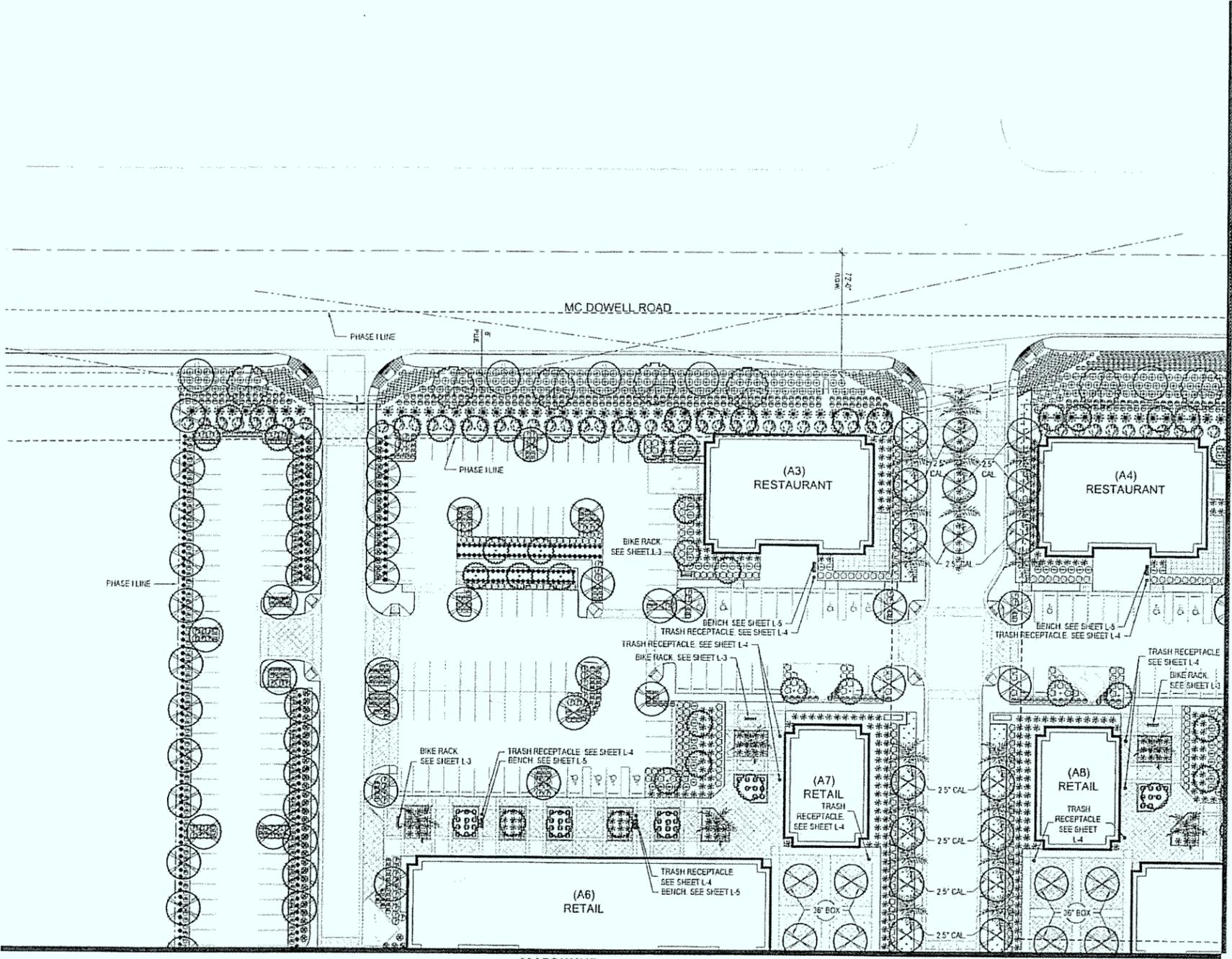
CONCEPTUAL LANDSCAPE MASTER PLAN

L-1



VICINITY MAP n.t.s.





MATCHLINE -
SEE SHEET L-3, A-A

MATCHLINE -
SEE SHEET L-4, B-B

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME
--------	----------------	-------------

TREES

	ACACIA SALICINA	WILLOW ACACIA
	CAESALPINIA CACALACO 'SMOOTH'	THORNLESS CASCALOTE
	DALBERGIA SISSOO	SISSOO TREE
	PARKINSONIA X. 'DESERT MUSEUM'	DESERT MUSEUM
	PITHECELLOBIUM FLEXICAULE	TEXAS EBONY
	QUERCUS VIRGINIANA	HERITAGE OAK

PALMS

	PHOENIX DACTYLIFERA	DATE PALM
--	---------------------	-----------

SHRUBS

	CORDIA PARVIFOLIA	LITTLELEAF CORDIA
	JUSTICIA CALIFORNICA	CHUPAROSA
	RUELLIA PENINSULARIS	BAJA RUELLIA
	RUSSELLIA EQUISETIFORMIS	CORAL FOUNTAIN
	SENNA ARTEMISIOIDES PETIOLARIS	SILVER CASSIA
	TECOMA ALATA	ORANGE JUBILEE
	TECOMA STANS	YELLOW BELLS

ACCENTS

	AGAVE WEBERII	WEBER'S AGAVE
	AGAVE DESMETTIANA VARIEGATA	VARIEGATED AGAVE DESMETTIANA
	ASCLEPIAS SUBULATA	DESERT MILKWEED
	ECHINOCACTUS GRUSONII	GOLDEN BARREL
	EUPHORBIA ANTISYPHILITICA	CANDELLULA
	FOUQUIERIA SPLENDENS	OCOTILLO
	HESPERALOE FUNIFERA	GIANT HESPERALOE
	HESPERALOE PARVIFLORA	RED YUCCA
	FEDILANTHUS MACROCARPUS	SLIPPER PLANT
	PORTULACARIA AFRA	ELEPHANT'S FOOD
	LOPHOCEREUS SCHOTTII	SENTA
	MUHLENBERGIA CAPILLARIS	REGAL MIST
	YUCCA CARNEROSANA	SPANISH DAGGER

GROUND COVER

	LAETANA MONTEVIDENSIS	PURPLE LANTANA
	LAETANA 'NEW GOLD'	NEW GOLD LANTANA
	SETCREASEA PALLIDA	PURPLE HEART PLANT
	SPHAGNETICOLA TRILOBATA	YELLOW DOT

TURF

	TURF	SOD
--	------	-----

INERT GROUND COVER

	DECOMPOSED GRANITE	APACHE BROWN
--	--------------------	--------------

NOTES:

- CONTRACTOR TO VERIFY ALL QUANTITIES.
- CONTRACTOR TO PROVIDE DECOMPOSED GRANITE SAMPLES TO LANDSCAPE ARCHITECT FOR APPROVAL.
- MAINTAIN 3' TO 5' TREE AND SHRUB CLEARANCE FROM WALLS.
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PARK 10
SW Corner of 103rd Ave. & McDowell Rd.
Avondale, AZ

Parkland Development
10320 W. McDowell Rd., Suite B2008
Avondale, AZ 85392

LEO A DAILY
PLANNING, ARCHITECTURE, ENGINEERING, INTERIORS
3344 E Camelback Rd. Suite 200
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Tel 602-954-0818 Fax 602-381-1456

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Scottsdale, AZ 85250 USA

Pinnacle Design, inc
1048 N. 44th St., Suite 200
Phoenix AZ 85008 USA

TMAD Taylor & Gaines
1550 E. Missouri Ave., Suite 100
Phoenix AZ 85014 USA

KEY PLAN



REVISIONS

NO.	DESCRIPTION	DATE

FILE LOG

ACTIVITY	BY
Manager	
Design	
Draw	
Check	
Issue	



Umu...

Project No. 075-10101-000
7.28.08

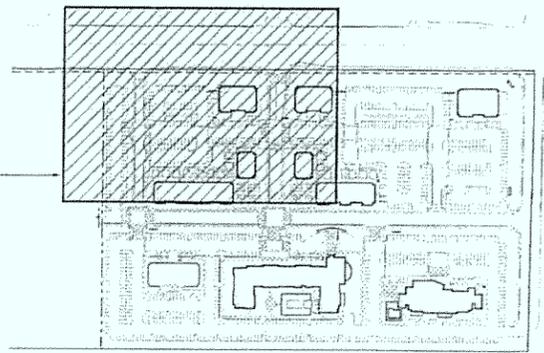
CONCEPTUAL LANDSCAPE MASTER PLAN

L-2

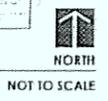


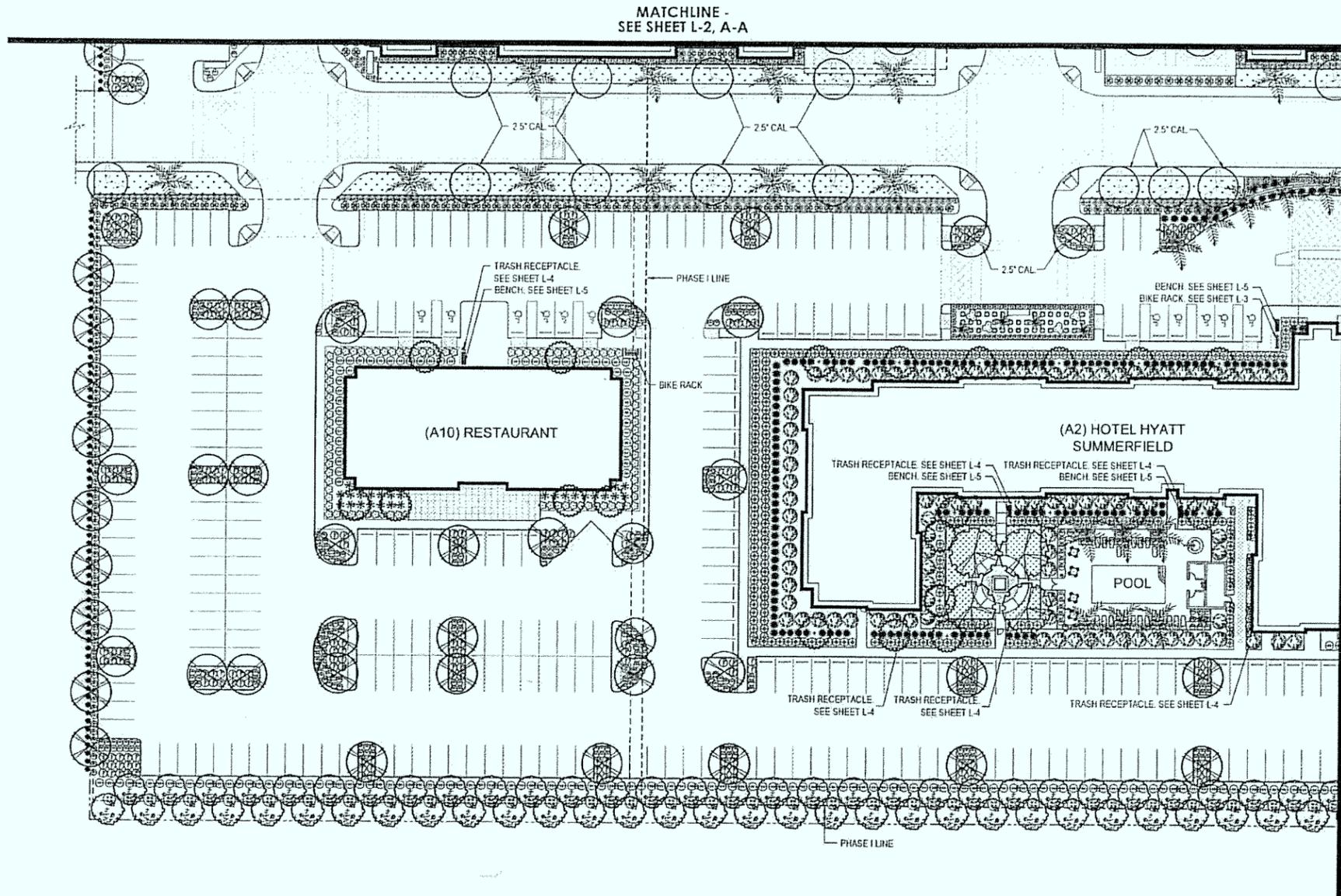
PINNACLE DESIGN, INC

1048 N. 44th Street
Suite 200 Phoenix, AZ 85008
010-602-9552-8585 Fax: 602-955-8880
Job # 08039



KEY MAP





PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME
--------	----------------	-------------

TREES		
	ACACIA SALICINA	WILLOW ACACIA
	CAESALPINIA CACALACO 'SMOOTHIE'	THORNLESS CASCALOTE
	DALBERGIA SISSOO	SISSOO TREE
	PARKINSONIA X 'DESERT MUSEUM'	DESERT MUSEUM
	PITHECELLOBIUM FLEXICALE	TEXAS EBONY
	QUERCUS VIRGINIANA	HERITAGE OAK
PALMS		
	PHOENIX DACTYLIFERA	DATE PALM
SHRUBS		
	CORDIA PARVIFOLIA	LITTLELEAF CORDIA
	JUSTICIA CALIFORNICA	CHUPAROSA
	RUPELLIA PENINSULARIS	BAJA RUELLIA
	RUSSELLIA EQUISETIFORMIS	CORAL FOUNTAIN
	SENNA ARTEMISIOIDES PETIOLARIS	SILVER CASSIA
	TECOMA ALATA	ORANGE JUBILEE
	TECOMA STANS	YELLOW BELLS
ACCENTS		
	AGAVE WEBERII	WEBER'S AGAVE
	AGAVE DESMETTIANA VARIEGATA	VARIEGATED AGAVE DESMETTIANA
	ASCLEPIAS SUBULATA	DESERT MILKWEED
	ECHINOCACTUS GRUSONII	GOLDEN BARREL
	EUPHORBIA ANTISYPHILITICA	CANDEULLA
	FOUQUIERIA SPLENDENS	OCOTILLO
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	PORTULACARIA AFRA	ELEPHANT'S FOOD
	LOPHOCEREUS SCHOTTII	SANTA
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	YUCCA CARNIEROSANA	SPANISH DAGGER
GROUND COVER		
	LANTANA MONTEVIDENSIS	PURPLE LANTANA
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA
	SETCREASEA PALLIDA	PURPLE HEART PLANT
	SFHAGNETICOLA TRILOBATA	YELLOW DOT
	TURF	SOD
	DECOMPOSED GRANITE	APACHE BROWN

- NOTES:**
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Parkland Development
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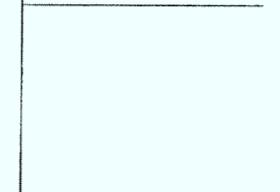
LEO A DALY
PLANNING ARCHITECTURE INTERIORS
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KEY PLAN



REVISIONS

NO.	DESCRIPTION	DATE

FILE LOG

ACTIVITY	BY

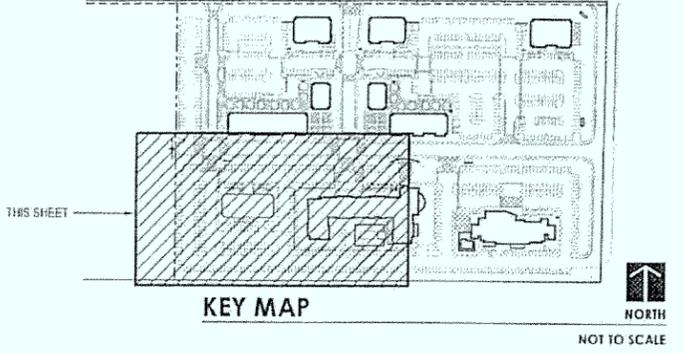
1048 N. 44th Street
Suite 200 Phoenix, AZ 85008
Office: (602) 952-8505 Fax: (602) 952-8588
Job # 08030

Project No. 075-10101-000
7.28.08

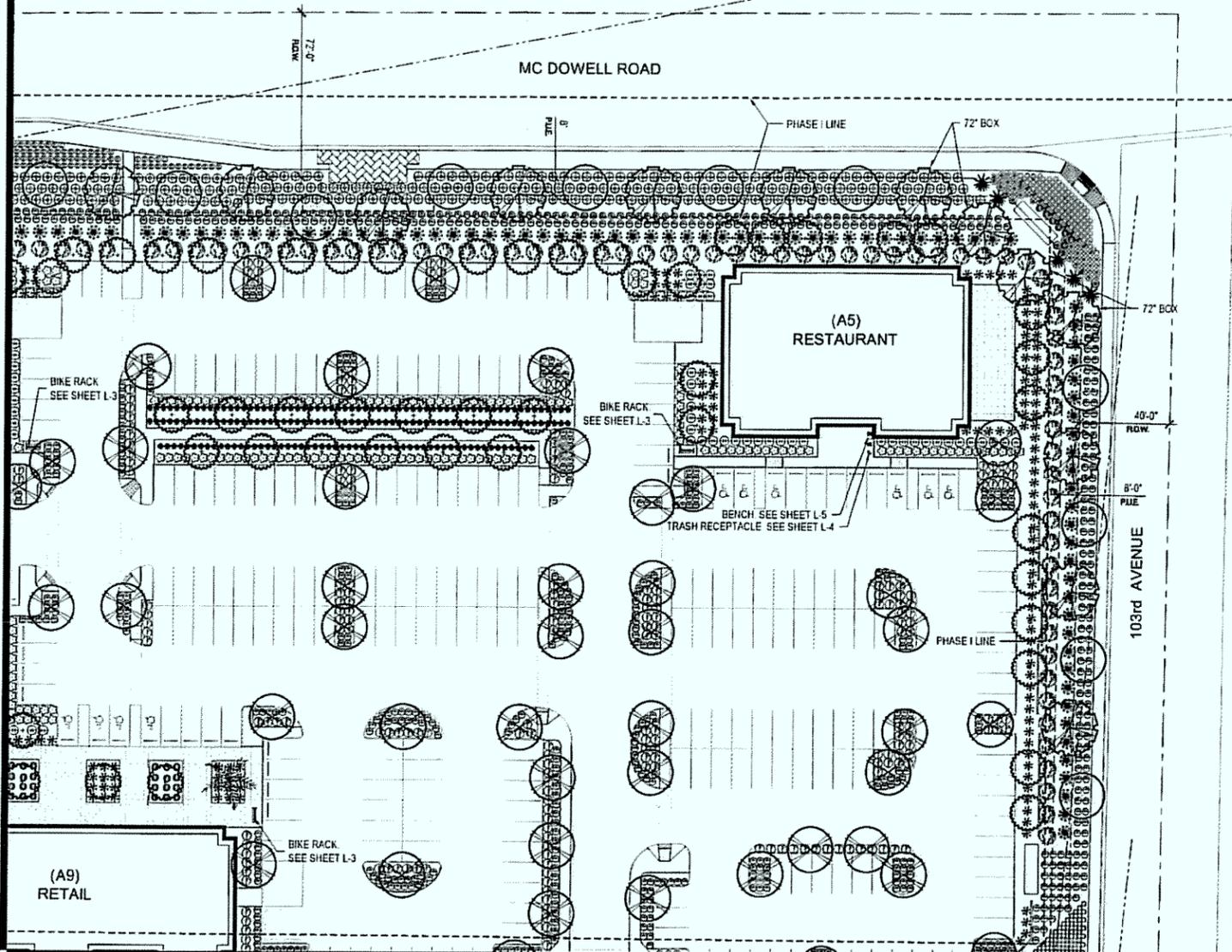
CONCEPTUAL LANDSCAPE MASTER PLAN

CITY OF AVONDALE
JULY 2 & 2008
RECREATION SERVICES

PINNACLE DESIGN, INC
1048 N. 44th Street
Suite 200 Phoenix, AZ 85008
Office: (602) 952-8505 Fax: (602) 952-8588
Job # 08030



MATCHLINE -
SEE SHEET L-2, B-B



MATCHLINE -
SEE SHEET L-5, D-D

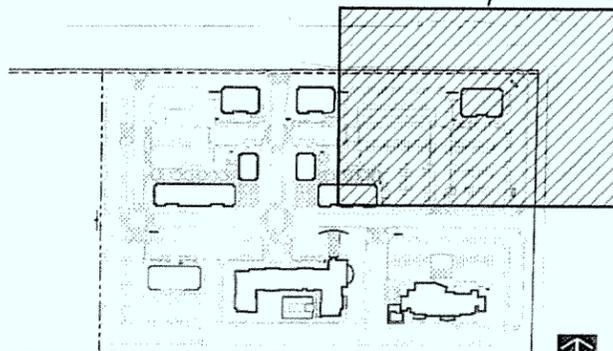


TRASH RECEPTACLE
KORNEGAY - DUNE - DS-TR

CITY OF AVONDALE
JUN 24 2008
LANDSCAPE SERVICES

**PINNACLE
DESIGN, INC**

1048 N. 44th Street
Suite 200 Phoenix, AZ 85008
Off: (602) 952-8585 Fax: (602) 952-8888
Job # 08039



KEY MAP



NORTH
NOT TO SCALE

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME
TREES		
	ACACIA SALICINA	WILLOW ACACIA
	CAESALPINIA CACALACO 'SMOOTHE'	THORNLESS CASCALOTE
	DALBERGIA SISSOO	SISSOO TREE
	PARKINSONIA X. 'DESERT MUSEUM'	DESERT MUSEUM
	PITHECELLOBIUM FLEXICAULE	TEXAS EBONY
	QUERCUS VIRGINIANA	HERITAGE OAK
PALMS		
	PHOENIX DACTYLIFERA	DATE PALM
SHRUBS		
	CORDIA PARVIFOLIA	LITTLELEAF CORDIA
	JUSTICIA CALIFORNICA	CHUPAROSA
	RUELLIA PENINSULARIS	BAJA RUELLIA
	RUSSELLIA EQUISETIFORMIS	CORAL FOUNTAIN
	SENNA ARTEMISICOIDES PETIOLARIS	SILVER CASSIA
	TECOMA ALATA	ORANGE JUBILEE
	TECOMA STANS	YELLOW BELLS
ACCENTS		
	AGAVE WEBERII	WEBER'S AGAVE
	AGAVE DESMETTIANA VARIEGATA	VARIEGATED AGAVE DESMETTIANA
	ASCLEPIAS SUBULATA	DESERT MILKWEED
	ECHINOCACTUS GRUSONII	GOLDEN BARREL
	EUPHORBIA ANTISYPHILITICA	CANDELLILLA
	FOUQUIERIA SPLENDENS	OCOTILLO
	HESPERALOE FUNIFERA	GIANT HESPERALOE
	HESPERALOE PARVIFLORA	RED YUCCA
	PEDILANTHUS MACROCARPUS	SUPPER PLANT
	PORTULCARIA AFRA	ELEPHANTS FOOD
	LOPHOCEREUS SCHOTTII	SENTA
	MUHLENBERGIA CAPILLARIS	REGAL MIST
	YUCCA CARHROSANA	SPANISH DAGGER
GROUND COVER		
	LANTANA MONTEVIDENSIS	PURPLE LANTANA
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA
	SETCREASEA PALLIDA	PURPLE HEART PLANT
	SPHAGNETICOLA TRILOBATA	YELLOW DOT
	TURF	SOD
INERT GROUND COVER		
	DECOMPOSED GRANITE	APACHE BROWN

NOTES:

- CONTRACTOR TO VERIFY ALL QUANTITIES.
- CONTRACTOR TO PROVIDE DECOMPOSED GRANITE SAMPLES TO LANDSCAPE ARCHITECT FOR APPROVAL.
- MAINTAIN 3' TO 5' TREE AND SHRUB CLEARANCE FROM WALLS.
- MAINTAIN 1' TO 2' TREE AND SHRUB CLEARANCE FROM SIDEWALKS.
- ALL TREES LOCATED IN TURF AREAS SHALL HAVE A TREE GUARD.
- TREES ADJACENT TO PEDESTRIAN WALKWAYS SHOULD HAVE A MINIMUM CANOPY CLEARANCE OF 6'-8".
- ALL MATURE TREES AND PALM CANOPIES MUST BE A MINIMUM OF 5' FROM ANY BUILDING WALLS OR BUILDING WINDOWS.

PARK 10

SW Corner of 103rd Ave. & McDowell Rd.
Avondale, AZ

Parkland Development
10320 W. McDowell Rd., Suite B200B
Avondale, AZ 85392

LEO A DALY
PLANNING, ARCHITECTURE, ENGINEERING, INTERIORS
3344 E Camelback Rd. Suite 200
Phoenix, AZ 85018 USA
Tel 602-954-0818 Fax 602-381-1456

Kland Huval Engineering
6045 N. Scottsdale Rd., Suite 108
Scottsdale, AZ 85250 USA

Pinnacle Design, INC
1048 N. 44th St., Suite 200
Phoenix AZ 85008 USA

TMAD Taylor & Gaines
1550 E. Missouri Ave., Suite 100
Phoenix AZ 85014 USA

KEY PLAN

REVISIONS

NO.	DESCRIPTION	DATE

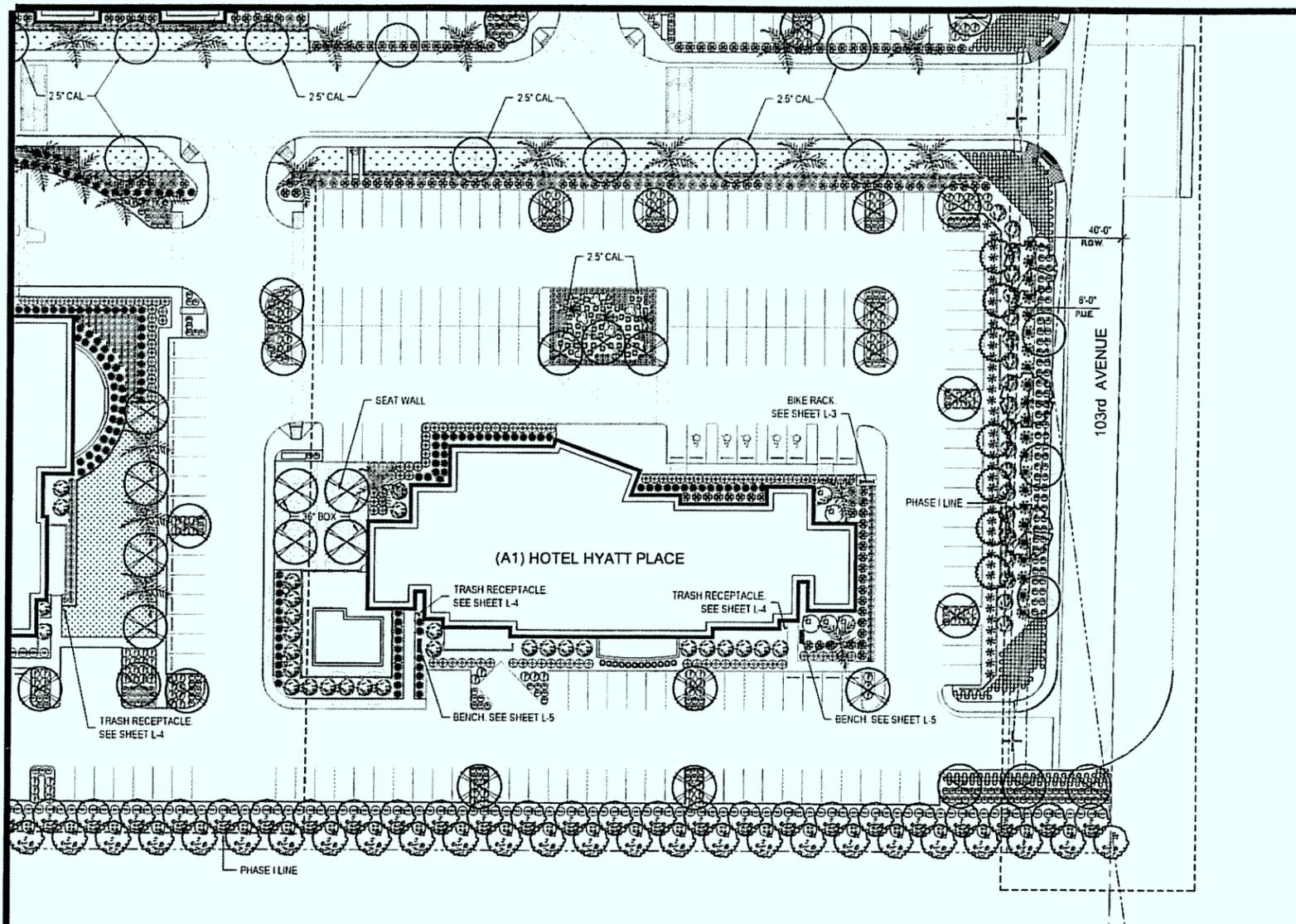
FILE LOG

ACTIVITY	BY

Project No. 075-10101-000
7.28.08

CONCEPTUAL LANDSCAPE MASTER PLAN

MATCHLINE -
SEE SHEET L-4, D-D



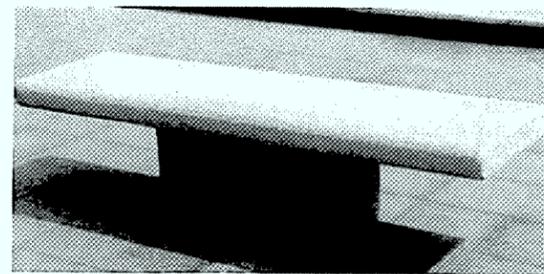
MATCHLINE -
SEE SHEET L-3, C-C

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME
TREES		
	ACACIA SALICINA	WILLOW ACACIA
	CAESALPINIA CACALACO 'SMOOTHIE'	THORNLESS CASCALOTE
	DALBERGIA SISSOO	SISSOO TREE
	PARKINSONIA X. 'DESERT MUSEUM'	DESERT MUSEUM
	PITHECELLOBIUM FLEXICAULE	TEXAS EBONY
	QUERCUS VIRGINIANA	HERITAGE OAK
PALMS		
	PHOENIX DACTYLIFERA	DATE PALM
SHRUBS		
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	RUSSELLIA EQUISETIFORMIS	CORAL FOUNTAIN
	SENNA ARTEMISIOIDES PETIOLARIS	SILVER CASSIA
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	AGAVE DESMETTIANA VARIEGATA	VARIEGATED AGAVE DESMETTIANA
	ASCLEPIAS SUBULATA	DESERT MILKWEED
	ECHINOCACTUS GRUSONII	GOLDEN BARREL
	EUPHORBIA ANTISYPHILITICA	CANDELLILA
	FOUQUIERIA SPLENDENS	OCOTILLO
	HESPERALOE FUNIFERA	GIANT HESPERALOE
	HESPERALOE PARVIFLORA	RED YUCCA
	PEDILANTHUS MACROCARPUS	SUPPER PLANT
	PORTULACARIA AFRA	ELEPHANTS FOOD
	LOPHOCEREUS SCHOTTII	SENITA
	MUHLENBERGIA CAPILLARIS	REGAL MIST
	YUCCA CARNEROSANA	SPANISH DAGGER
GROUNDCOVER		
	LANTANA MONTEVIDENSIS	PURPLE LANTANA
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA
	SETCREASEA PALLIDA	PURPLE HEART PLANT
	SPHAGNETICOLA TRILOBATA	YELLOW DOT
	TURF	SOD
INERT GROUNDCOVER		
	DECOMPOSED GRANITE	APACHE BROWN

NOTES:

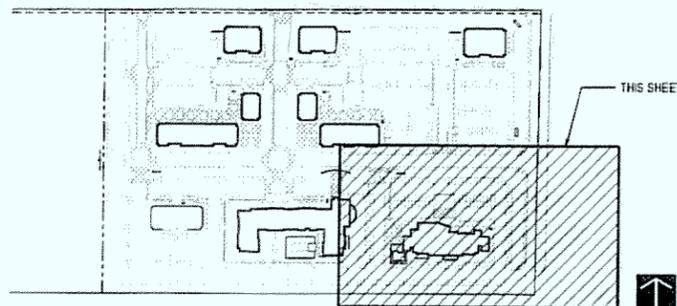
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BENCH
URBAN ELEMENTS - ESCOFET - BS.1

**PINNACLE
DESIGN, INC**

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Suite 200 • Phoenix, AZ 85008
Ofc: (602)952-8585 • Fax: 602-852-8586
Job # 08030



NORTH
NOT TO SCALE

PARK 10

SW Corner of 103rd Ave. &
McDowell Rd.
Avondale, AZ

Parkland Development
10320 W. McDowell Rd., Suite B2008
Avondale, AZ 85392

LEO A DALY
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Pinnacle Design, INC
1048 N. 44th St., Suite 200
Phoenix AZ 85008 USA

TMAD Taylor & Gaines
1550 E. Missouri Ave., Suite 100
Phoenix AZ 85014 USA

KEY PLAN

REVISIONS

NO.	DESCRIPTION	DATE

FILE LOG

ACTIVITY	BY



[Signature]
30' 0" 15' 0" 0' 0" 15' 0" 30' 0"
SCALE: 1" = 30' 0"

Project No. 075-10101-000
7.28.08

CONCEPTUAL LANDSCAPE
MASTER PLAN

L-5



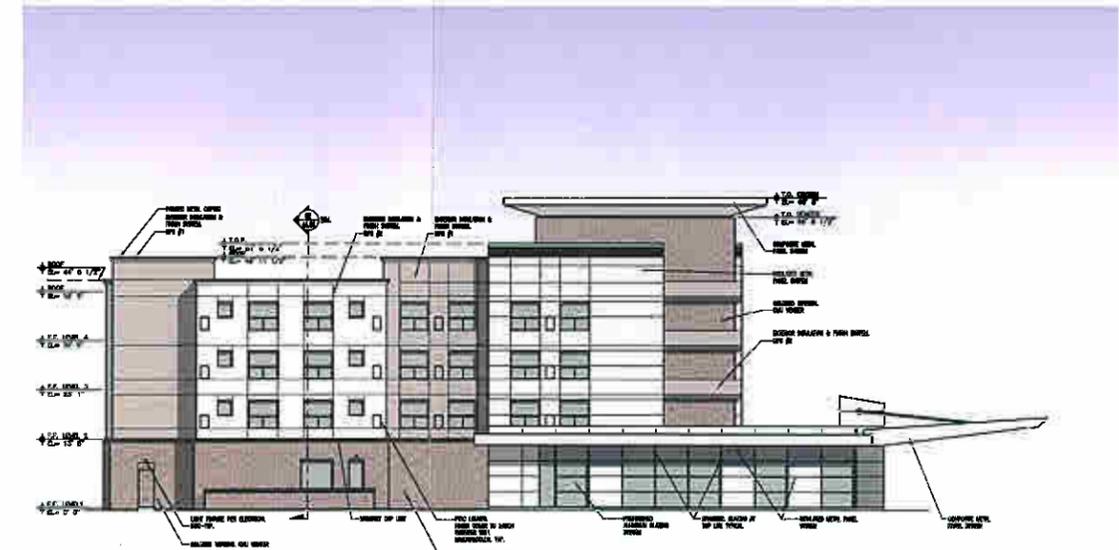
North Elevation



West Elevation



South Elevation



East Elevation

Hyatt Summerfield Suites

PARK 10
Avondale, Arizona



Parkland Development
10320 W. McDowell Rd., Suite B2008
Avondale, Arizona 85392

June 26, 2008
JOB NO. 075-10101-000

Trammell Crow Company
2850 E. Camelback Rd., Suite 201
Phoenix, Arizona 85016

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SUITE 200, 3344 E CAMELBACK RD
PHOENIX, ARIZONA 85018
602.954.0818



West Elevation



North Elevation



East Elevation



South Elevation

Hyatt Place

PARK 10
Avondale, Arizona



Parkland Development
10320 W. McDowell Rd., Suite B2008
Avondale, Arizona 85392

July 21, 2008
JOB NO. 075-10101-002

Trammell Crow Company
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Phoenix, Arizona 85016

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602.954.0818



Hyatt Summerfield Suites

PARK 10
Avondale, Arizona



Parkland Development
10529 W McDowell Rd., Suite B200B
Avondale, Arizona 85392

December 21, 2007

Trammell Crow Company
2850 E Camelback Rd., Suite 201
Phoenix, Arizona 85016

LEO A DALY

ARCHITECTURE PLANNING ENGINEERING INTERIORS
SUITE 200, 3341 E CAMELBACK RD
PHOENIX, ARIZONA 85018
602 954 0818



CITY OF AVONDALE
 JUN 24 2008
 10:11 AM

July 15, 2008
 JOB NO. 075-10101-000

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P A R K 1 0
 Avondale, Arizona

HYATT PLACE

Parkland Development
 10320 W. McDowell Rd., Suite B2008
 Avondale, Arizona 85392

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 ARCHITECTURE | PLANNING | ENGINEERING | INTERIORS
 SUITE 200, 3344 E CAMELBACK RD
 PHOENIX, ARIZONA 85018
 602.954.0818



P A R K 1 0
Avondale, Arizona

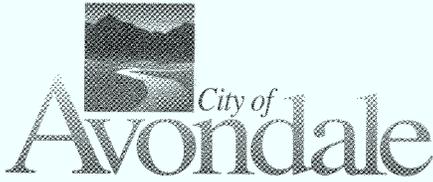
May 16, 2008
JOB NO. 075-10101-000

Parkland Development
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Avondale, Arizona 85392

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PHOENIX, ARIZONA 85018
602.954.0818





September 10, 2008

Mr. Scott J. Daniel
Leo A Daly, Architects
3344 E. Camelback Road, Suite 200
Phoenix, AZ 85018

RE: Park 10 Master Site Plan and Final Site Plan for Hyatt Summerfield and Hyatt Place Hotels (DR-07-37)
NOTICE OF CITY COUNCIL APPROVAL

Dear Mr. Daniel:

I am pleased to inform you that on August 4, 2008, the City Council approved the master site plan for the Park 10 development, located at the southwest corner of McDowell Road and 103rd Avenue. Final site plans for the Hyatt Summerfield Suites and Hyatt Place hotels are also approved. The approvals are subject to the following stipulations:

1. Development shall be in general conformance with the Project Narrative and Photometric Plan date stamped May 23, 2008, and Site Plan, Landscape Plan, Elevations, Materials Boards, and Comprehensive Sign Plan date stamped June 24, 2008, except as modified by these stipulations.
2. The plan approval expires in one year from date of approval unless a building permit has been issued.
3. Prior to issuance of the first civil permit, the developer shall provide a contribution for traffic medians in McDowell Road. The amount of the contribution shall be based upon the developer's estimate and confirmed by the City Engineer.
4. A final plat for Park 10 must be approved by City Council and recorded prior to issuance of a certificate of completion or certificate of occupancy for any building on site. The plat will create the subject parcel and dedicate all required right-of-way.
5. To the extent allowed by law, all Type 1 and Irrigation Grandfathered Groundwater Rights appurtenant to the property 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 final plat.

Development Services

11465 W. Civic Center Drive, #110 • Avondale, AZ 85323
Phone: (623) 333-4000 • Fax: (623) 333-0400 • TDD: (623) 333-0010
www.avondale.org

6. All off-site improvements including landscaping within the right-of-way shall occur as part of the first phase.
7. Development shall be in conformance with the phasing plan date stamped July 24, 2008.
8. All development shall be completed in accordance with the City of Avondale General Engineering Requirements Manual.
9. Signing & Striping Plans will be required to be submitted with Civil Improvement plans. Plantings shall be coordinated with the signing and striping plans so as not to block visibility of traffic control devices.
10. 103rd Avenue south of the primary entrance shall be barricaded until the Hyatt Place is completed or the project to the west develops, whichever occurs first. The method of barricading shall be approved by the City Engineer.
11. The east/west spine road shall be barricaded immediately west of the primary entrance to the Hyatt Summerfield until the remaining portions of the spine road is complete. The method of barricading shall be approved by the City Engineer.
12. The landscape median at the primary McDowell Road entrance shall be widened to a minimum of ten feet. Trees shall be planted within the median to match the plantings on the east and west sides of that drive-aisle.
13. Final landscape documents reviewed with construction plans must indicate the location of berms along McDowell Road.
14. Hydro-seeding of turfed areas shall be prohibited.
15. The decorative paving pattern used throughout the site shall be approved administratively at the time of construction plan approval.
16. Canopies with a minimum projection of 4 feet shall be provided over all public exterior doorways in the Hyatt Summerfield and Hyatt Place buildings. The basis for the design of said canopies shall be the porte-cochere feature for each particular hotel. These canopies shall be shown on the final construction documents.
17. Final site plans for retail and restaurant buildings shall determine the final design of the publicly accessible pedestrian plazas. At a minimum, the plazas must contain the following items: pedestrian seating, trash receptacles, pedestrian lighting, and canopied trees.
18. Two water features will be required in the pedestrian plaza area adjacent to the retail buildings. The final design of these features shall be approved with final site plans for the retail portions of the site.

Development Services

19. Accessible pedestrian connections from the transit stop into the site shall be provided on the final plans.
20. Right-in/right-out driveways shall be required to have temporary pork-chop islands.
21. Traffic signal at the driveway that aligns with the Aventura Apts. connection to McDowell Road is required to be constructed prior to the issuance of any certificate of occupancy.
22. Modifications to the northbound approach to the existing traffic signal at 103rd Avenue and McDowell Road will be required prior to the issuance of any certificate of occupancy.
23. A new traffic study will be required with the master site plan for remaining portions of the West 10 PAD. Additional improvements which may impact the subject property may be required per the results of the traffic study, including but not limited to transit pull-out bays & bus stops, extending the length of driveways and deceleration lanes, location of access and the spine road connection to 107th Avenue, and contribution toward the traffic signal at Harbor Shores Drive & McDowell Road.

The next step is to submit construction documents to the Development Services Center. DSC is a one-stop shop and is responsible for construction plan routing. The Development Services Center can be reached at (623) 333-4004 should you have any questions about the plan submittal requirements. Upon submittal of your construction documents please provide the Development Services Center with a copy of this approval letter.

The Building Services Division is currently working under the following codes: 2006 IBC, IRC, IPC, IFGC, IMC, IECC, 2005 NEC, 2003 ICC/ANSI, and the 1998 ADA Accessibility Guidelines with City of Avondale Amendments. Fire Operations is currently working under 2003 IFC

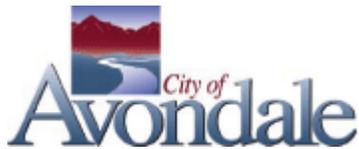
It has been a sincere pleasure working with you on this project. If you should have any questions or comments, please call me at (623) 333-4019.

Regards,



Ken Galica
Planner II

Enclosures: Approved Site Plan, Landscape Plan, Building Elevations, Phasing Plan, and Comprehensive Sign Plan



CITY COUNCIL REPORT

SUBJECT:

Resolution 2846-809 - Agreement with Arizona
Department of Public Safety for Victims of Crime
Act Grant

MEETING DATE:

August 3, 2009

TO: Mayor and Council

FROM: Janeen Gaskins, Grants Administrator (623)333-1025

THROUGH: Charlie McClendon, City Manager

PURPOSE:

Staff is requesting that the City Council adopt a resolution authorizing an agreement with the Arizona Department of Public Safety for the purpose of accepting grant funding through the Victims of Crime Act in the amount of \$44,399 with a non-federal match requirement of \$11,100 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

BACKGROUND:

The City of Avondale has been a recipient of Victims of Crime Act funding for eight years. Funding for all of these grants has been used to support salaries, wages and fringe benefits for a Crime Victim Advocacy position in the Police Department. The City of Avondale has complied with all state and federal regulations associated with this grant funding.

DISCUSSION:

The City Avondale has been awarded \$44,399 from the Arizona Department of Public Safety. The City will provide the required match funding in the amount of \$11,100. Funding from this grant will be used to provide support services to victims of crimes related to domestic violence, child abuse, aggravated assault, sexual assault, sexual misconduct, and to families of homicide victims.

BUDGETARY IMPACT:

Appropriations for this program have been included in the Fiscal Year 2009-2010 budget in Fund 225. Grant funding for this project is \$44,399 with a non-federal match requirement of \$11,100 that is available in the Police Department's Budget line item 235-6122-00-5010.

RECOMMENDATION:

Staff recommends that the City Council adopt a resolution authorizing an agreement with the Arizona Department of Public Safety for the purpose of accepting grant funding through the Victims of Crime Act in the amount of \$44,399 with a non-federal match requirement of \$11,100 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:

Click to download

[Resolution 2846-809](#)

RESOLUTION NO. 2846-809

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING THE ACCEPTANCE OF A VICTIM ASSISTANCE GRANT AWARD FROM THE STATE OF ARIZONA DEPARTMENT OF PUBLIC SAFETY.

WHEREAS, the State of Arizona Department of Public Safety (“DPS”) has awarded the City of Avondale (the “City”) a Victim Assistance Grant Award (the “Grant”) in the amount of \$44,399; and

WHEREAS, the Grant award requires a local match by the City of \$11,100; and

WHEREAS, the Council of the City of Avondale desires to accept the Grant funds and authorize the expenditure of the local matching funds.

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

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

SECTION 2. That the Subgrant Award Agreement (the “Agreement”) between the City and DPS is hereby approved substantially in the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 3. That expenditure of the local cash match in the amount of \$11,100, as required by the Agreement, is hereby approved.

SECTION 4. That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and 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, August 3, 2009.

Marie Lopez Rogers, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 2846-809

[Subgrant Award Agreement]

See following pages.

ARIZONA DEPARTMENT OF PUBLIC SAFETY

VICTIMS OF CRIME ACT (VOCA)

VICTIM ASSISTANCE GRANT PROGRAM

FEDERAL GRANT #2008-VA-GX-0014

CFDA #16-575

SUBGRANT AWARD AGREEMENT

SUBGRANTEE

AGENCY: Avondale Police Department

ADDRESS: 11485 W. Civic Center Drive

CITY: Avondale STATE: AZ ZIP: 85323-6800

2009/2010 AWARD AMOUNT: \$44,399

2009/2010 REQUIRED MATCH (NON-FEDERAL SOURCE): \$11,100

PROJECT PERIOD: 07/01/2009 to 06/30/2010

PROJECT PURPOSE: To provide assistance to victims of crime.

This agreement is made under the authority of the Victims of Crime Act of 1984, Public Law 98-473, Title II, Chapter XIV, 42 U.S.C. 10601, et seq as amended.

The purpose of this agreement shall be to award Victims of Crime Act (VOCA) Assistance funds to the subgrantee to provide services to victims of crime as authorized by the Victims of Crime Act. Awards may be supplemented by other federal, state, local, and private funds. Subgrantee's agreement or amended agreement(s) are incorporated by reference into this Sub-Grant Award Agreement.

This award is subject to agreement by the subgrantee, including any DPS VOCA-funded positions and their immediate supervisors, to conform to the provisions of the Victims of Crime Act of 1984, the victim assistance grant program guidelines, Office of Victims of Crime (OVC), the subgrantee's application, the attached general conditions and applicable special conditions, the Office of Justice Programs (OJP) manual 7100.1c, "Financial Guide (most recent version)", and OMB circulars A-87, A-102, A-110, A-122, A-133, and the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments as codified by the Department of Justice, all of which are incorporated by reference as if fully stated herein.

Subgrantees, and all its contractors, will comply with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subpart I and Department of Justice regulations on disability discrimination, Part 35.

The Arizona Department of Public Safety agrees to pay subgrantee the above shown AWARD AMOUNT subject to the conditions provided herein:

General Conditions

- 1.0 Definition of Terms.** As used in this sub-grant award agreement, the terms listed below are defined as follows:
- 1.1 “Agreement” means a written online Request for Grant Application (RFGA) approved by the Arizona Department of Public Safety.
 - 1.2 “Agreement Amendment” means a written online document approved by the Arizona Department of Public Safety that is requested by the Sub-recipient agency for the purpose of making changes in the agreement.
 - 1.3 “Application” means a written online Request for Grant Application (RFGA).
 - 1.4 “Days” means calendar days unless otherwise specified.
 - 1.5 “Direct Service” means supportive services provided through direct contact with a victim in-person, by phone or hotline, or by email.
 - 1.6 “Director” means the head of the Arizona Department of Public Safety, or his/her designee, who is duly authorized by the State to enter into grant agreements and make written determinations with respect to those agreements.
 - 1.7 “DPS” means the Arizona Department of Public Safety.
 - 1.8 “Grant” means the furnishing of financial or other assistance, including state or federal grant funds, by the Department of Public Safety to any person for the purpose of supporting or stimulating educational, cultural, social or economic quality of life.
 - 1.9 “Gratuity” means a payment, loan, subscription, advance, deposit of money, services, or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value is received.
 - 1.10 “Match” means additional resources (cash or in-kind) provided by the Sub-recipient to support the DPS VOCA funded project. Cash match must be from a non-Federal source.
 - 1.11 “Project” means activities and services supported by Victims of Crime Act (VOCA) funds plus required match, relating to this sub-grant award agreement only.
 - 1.12 “Services” means the furnishing of labor, time or effort by a Sub-recipient which does not involve the delivery of a specific end product other than required reports and performance. Allowable services include those efforts that (1) respond to the emotional and physical needs [healing] of crime victims; (2) assist primary and secondary victims of crime to stabilize [restitution/economic restabilization] their lives after a victimization; (3) assist victims to understand and participate in the criminal [justice] system; and (4) provide victims of crime with a measure of [safety] and security.
 - 1.13 “State” means the State of Arizona and Department or Agency of the State that executes the sub-grant award agreement.
 - 1.14 “Sub-grant award agreement” means a written signed agreement between the Arizona Department of Public Safety and the grant recipient for the award of DPS VOCA funds.
 - 1.15 “Sub-recipient” means the legal entity to which a subaward is made and which is accountable to DPS for the use of the funds provided.
 - 1.16 “VOCA” means Victims of Crime Act of 1984, as amended, 42 U.S.C. 10601, et seq.

2.0 Sub-grant award agreement interpretation.

- 2.1 Arizona Law. The Arizona law applies to this grant award agreement, including the Solicitation and Award of Grants, Arizona Revised Statutes (A.R.S.) Title 41, Chapter 24, and its implementing rules.
- 2.2 Sub-grant Award Agreement Order of Precedence. In the event of a conflict in the provisions of the sub-grant award agreement, as accepted by the State and as they may be amended, the following shall prevail in the order set forth below:
- 2.116.1 Special Conditions;
 - 2.116.2 General Conditions;
 - 2.116.3 DPS / VOCA Guidelines;
 - 2.116.4 Federal VOCA Guidelines; OJP Financial Guide; and applicable OMB circulars
- 2.117 Relationship of parties. The Sub-recipient under this sub-grant award agreement is an independent Sub-recipient. Neither party to this sub-grant award agreement shall be deemed to be the employee or agent of the other party to the sub-grant award agreement.
- 2.118 Severability. The provisions of this sub-grant award agreement are severable. Any condition deemed illegal or invalid shall not affect any other condition of the sub-grant award agreement.
- 2.119 No parol evidence. This sub-grant award agreement is intended by the parties as a final and complete expression of their agreement. No prior dealings between the parties shall supplement or explain any terms used in this document and no other understanding either oral or in writing shall be binding.
- 2.6 No waiver. Either party's failure to insist on strict performance of any condition of the sub-grant award agreement shall not be deemed a waiver of that condition even if the party accepting or acquiescing in the nonconforming performance knows of the nature of the performance and fails to object to it.

3.0 Sub-grant award agreement administration and operation.

- 3.1 Non-Discrimination. The Sub-recipient shall comply with State Executive Order No. 99-4 and all other applicable Federal and State laws, rules and regulations, including the Americans with Disabilities Act.

In the event a federal or state court or administrative agency makes a finding of discrimination on the grounds of race, color, religion, national origin, sex, age or handicap against the agency, the Sub-recipient shall forward a copy of the finding to the Office of Justice Programs, Office of Civil Rights and DPS.

- 3.2 Certification Regarding Lobbying. Sub-recipient agencies entering into a VOCA grant or cooperative agreement over \$100,000 must certify that no Federal funds have been paid or will be paid, by or on behalf of the Sub-recipient, to any persons for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement. Federal funds include but are not limited to such grants as Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), Family Violence Prevention and Services Act (Rural Safe Home Network Program), and the Children's Justice Act, which may be administered through a State or other local governmental agency. Additionally, Sub-recipient agencies must disclose to DPS any lobbying activities that have been paid or will be paid with any funds other than Federal funds.
- 3.3 Required reports. The Sub-recipient will submit reports on such data in such form and at such times as required by DPS, to include:
- 3.3.1 Monthly financial report due the 15th of each month;
 - 3.3.2 Quarterly statistical and programmatic report due 30 days following the close of each quarter;
 - 3.3.3 Annual narrative report due 30 days following the close of the grant period;
 - 3.3.4 DPS Crime Victim Services survey due annually upon request; and

- 3.3.5 Year-end Amendment Agreement, if applicable, due 30 days following the close of the grant period.

Failure to submit complete, accurate and timely reports may result in a reduction of the current award. Any three combined occurrences of monthly or quarterly reports submitted over 15 days late and/or three combined occurrences relating to the submission of incomplete or inaccurate monthly or quarterly reports may result in up to a 10% award reduction as determined by DPS.

- 3.4 Records. The Sub-recipient shall retain all financial records, supporting documentation, statistical records and all other records pertinent to this award for a period of at least five years following the closure of the most recent audit report and, with a 24-hour notice, will allow DPS to review all of the Sub-recipient's records concerning this grant project.

- 3.5 Capital equipment. The Sub-recipient shall retain all capital equipment and furniture (costs in excess of \$5,000 per unit) purchased through this sub-grant award agreement for a period of no less than five years from the date of purchase. The Sub-recipient shall submit a copy of the invoice, which includes the serial number of the item to DPS within thirty days of purchase. All capital equipment and furniture must be used for victim services as identified in the Sub-recipient's application and this sub-grant award agreement. Any deviation from this provision must be approved in writing by DPS. If a violation exists within the five-year period, DPS may gain possession of any capital equipment or furniture listed in this sub-grant award agreement, and may redistribute those item(s) to another Sub-recipient for victim services use.

- 3.6 Authorization of use. DPS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and authorize others to use for government purposes, the copyright of any work developed under this award and any rights of copyright to which a Sub-recipient purchases ownership with support through this sub-grant award agreement.

- 3.7 Research or statistical information. The Sub-recipient shall not use or reveal any research or statistical information under this project that is identifiable to any specific person except for the purpose for which the information was obtained, in accordance with VOCA.

- 3.8 Site inspections. The continuance of the Sub-recipient's sub-grant award agreement is contingent upon successful completion of random or for-cause inspections.

- 3.9 Audit requirements. The Sub-recipient shall comply with the audit requirements of Office of Management and Budget (OMB) Circular A-133 and the DPS VOCA guidelines.

- 3.10 Sub-grant award agreement renewal. DPS has the option to renew this project for a specified additional time period. The renewal of this project is contingent upon satisfactory performance, availability of funds, and demonstrated need.

4.0 Cost and Payments.

- 4.1 Available funds. Any award is dependent upon receipt of the VOCA Assistance funds from the U.S. Department of Justice, and there is no obligation on the part of DPS to award funds other than the federal VOCA.

- 4.2 Compliance. Failure of the Sub-recipient to utilize DPS VOCA funds for direct services to crime victims or for training purposes as stated in the approved budget will be subject to immediate cancellation. The Sub-recipient will not utilize VOCA funds for projects which serve perpetrators of crime or crime prevention, and/or for any other non-allowable cost or activity in accordance with DPS / VOCA guidelines. The Sub-recipient agrees to reimburse DPS for any VOCA funds the Sub-recipient expends that are not in full compliance with this sub-grant award agreement.

- 4.3 No charge to victims. Sub-recipients must provide services to crime victims, at no charge, through the VOCA-funded project. The purpose of the VOCA victim assistance grant program is to provide services to all crime victims regardless of their ability to pay for services rendered or availability of insurance or other third-party payment resources.

- 4.4 On-call time. The Sub-recipient will not utilize VOCA funds to support on-call time for staff. DPS may approve the use of on-call time as program match.
- 4.5 Non-supplantation. VOCA crime victim assistance funds will be used to enhance or expand services and will not be used to supplant state and local funds that would otherwise be available for crime victim services. See Section 1404(a)(2)(c), codified at 42 U.S.C. 10603(a)(2)(C). This supplantation clause applies to state and local public agencies only.
- 4.6 Mandated services. The Sub-recipient will not utilize VOCA funds to support legally mandated services.
- 4.7 Funds management. The Sub-recipient will provide appropriate accounting and monitoring procedures to ensure fiscal control and efficient management of funds, in accordance with the U.S. Department of Justice, Office of Justice Programs, Financial Guide, effective edition.
- 4.8 Unexpended funds. The Sub-recipient will immediately contact DPS to make arrangements to amend their budget to expend remaining funds or to reduce the contracted amount when it becomes apparent that not all VOCA grant funds will be expended by the end of the grant period. Any VOCA funds not expended or encumbered prior to the end of the award period shall be reverted to DPS within 30 days of the close of the grant period. Any funds not matched as required shall be reverted to DPS within 30 days of receipt of written notification from DPS.
- 4.9 Matching funds. The Sub-recipient will commit, track and report matching funds at approximately the same percentage rate as expenditures. The Sub-recipient may commit, track and report match funds at a higher percentage rate each month, not to exceed the total required match amount. The sub-grant award agreement is subject to cancellation if the required match funding committed, tracked, and reported each month is more than 10% less than the rate of expenditures.
- 5.0 Sub-grant Award Agreement Changes.**
- 5.1 Agreement Amendment. This sub-grant award agreement is issued under the authority of the Director of the Arizona DPS and may be modified only through an Agreement Amendment, approved by DPS.
- 5.2 Assignment of duties. The Sub-recipient shall not assign or transfer any of its duties under this agreement without express written permission of DPS.
- 5.3 Scope of work. Awards are based on information presented in the Sub-recipient's on-line application. Any deviation from the scope of the project as stated in the Narrative and Budget sections of the Sub-recipient's application must be approved in writing by DPS prior to the use of such funds.
- 5.4 Subcontracts. The Sub-recipient shall not enter into any subcontract under this sub-grant award agreement without the advance written approval of DPS. The Sub-recipient shall clearly list any proposed subcontractors and the subcontractor's proposed responsibilities in the application for funding or agreement amendment. The subcontract shall incorporate by reference the terms and conditions of this sub-grant award agreement.
- 6.0 Indemnification.**
- Sub-recipient Indemnification. The parties to this sub-grant award agreement agree that the State of Arizona, its' departments, agencies, boards and commissions shall be indemnified and held harmless by the Sub-recipient for vicarious liability of the State as a result of entering into this agreement. However, the parties further agree that the State of Arizona, its' department, agencies, boards and commissions shall be responsible for its' own negligence. Each party to this contract is responsible for its' own negligence.

7.0 Grant Remedies.

- 7.1 Right to Assurance. If DPS in good faith has reason to believe that the Sub-recipient does not intend to, or is unable to perform or continue performing under this sub-grant award agreement, DPS may demand in writing that the Sub-recipient give a written assurance of intent to perform. Failure by the Sub-recipient to provide written assurance within the number of days specified in the demand may, at DPS's option, be the basis for terminating the sub-grant award agreement under the General Conditions or other rights and remedies available by law or provided by the sub-grant award agreement.
- 7.2 Project implementation. If a project is not operational within 60 days of the original start date of the project period, the Sub-recipient must submit written documentation to DPS explaining steps taken to initiate the project, the reasons for the delay, and the expected start date. If a project is not operational within 90 days of the original start date of the project period, the Sub-recipient must submit a second written statement explaining the implementation delay. DPS reserves the right to cancel the agreement if the proposed project is not operational within 90 days of the original start date.

8.0 Grant Termination.

- 8.1 Cancellation for conflict of interest. Pursuant to A.R.S. 38-511, the State may cancel this agreement without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting or creating the agreement on behalf of the State is or becomes at any time while the agreement or an extension of the agreement is in effect an employee of or a consultant to any other party to this agreement with respect to the subject matter of the agreement. The cancellation shall be effective when the Sub-recipient receives written notice of the cancellation unless the notice specifies a later time. If the Sub-recipient is a political subdivision of the State, it may also cancel this agreement as provided in A.R.S. 38-511. In the event of cancellation under this paragraph, any unexpended funds received by the Sub-recipient must be reverted within 30 days of the cancellation notification.
- 8.2 Gratuities. DPS may, by written notice, terminate this sub-grant award agreement, in whole or in part, if DPS determines that employment or a gratuity was offered or made by the Sub-recipient or a representative of the Sub-recipient to any officer or employee of the state for the purpose of influencing the outcome of the grant award or in securing the sub-grant award agreement, an amendment to the sub-grant award agreement, or favorable treatment concerning the sub-grant award agreement performance. DPS, in addition to any other rights or remedies, shall be entitled to recover exemplary damages in the amount of three times the value of the gratuity offered by the Sub-recipient.
- 8.3 Suspension or Debarment. DPS may, by written notice to the Sub-recipient, immediately terminate this sub-grant award agreement if DPS determines that the Sub-recipient has been debarred, suspended or otherwise lawfully prohibited from or ineligible for participation in federal assistance programs or activities, including but not limited to, being disapproved as a subcontractor of any public procurement unit or other governmental body. Submittal of an application for funding or execution of a sub-grant award agreement shall attest that the Sub-recipient is not currently suspended or debarred. If the Sub-recipient becomes suspended or debarred, the Sub-recipient shall immediately notify DPS.
- 8.4 Termination for convenience. DPS reserves the right to terminate the sub-grant award agreement, in whole or in part any time, when in the best interest of DPS without penalty or recourse. Upon receipt of the written notice, the Sub-recipient shall stop all work as directed in the notice and minimize all further costs to DPS. In the event of termination under this paragraph, any unexpended funds received by the Sub-recipient must be reverted within 30 days of the termination notification.
- 8.5 Termination for default. In addition to the rights reserved in the contract, DPS may terminate the sub-grant award agreement in whole or in part due to the failure of the Sub-recipient to comply with any term or condition of the sub-grant award agreement or to make satisfactory progress in performing the sub-grant award agreement. An award is subject to cancellation if less than 20% of the awarded funds are expended or encumbered within 4 months of the contract start date, 40% within 7 months, and 70% within 10 months. DPS shall provide written notice of the termination and the reasons for termination to the Sub-recipient. In

the event of termination under this paragraph, any unexpended funds received by the Sub-recipient must be reverted within 30 days of the termination notification. The Sub-recipient has the option to appeal within 20 calendar days of the date of the written notice of termination. The final decision will be at the discretion of the DPS Director or his designee.

8.6 Continuation of performance through termination. The Sub-recipient shall continue to perform, in accordance with the requirements of the sub-grant award agreement, up to the date of termination, as directed in the termination notice.

8.7 Termination by Sub-recipient. Upon written notice to DPS, the Sub-recipient may cancel this sub-grant award agreement. Any unexpended funds shall immediately be reverted to DPS.

9.0 **Arbitration.**

The parties to this sub-grant award agreement agree to resolve all disputes arising out of or relating to this sub-grant award agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. 12-1518 except as may be required by other applicable statutes (Title 41).

10.0 **Other Service Requirements.**

10.1 Collaboration. The Sub-recipient agrees to continually and proactively participate in developing partner relationships among other service providers in the effort to aid crime victims within the community served.

10.2 Demographics. The Sub-recipient agrees to maintain information on victim services provided through this project by race, national origin, sex, age and disability.

10.3 Key staff changes. The Sub-recipient agrees to promptly notify DPS of changes in key staff members identified in the grant application, to include Project Contact, Civil Rights Contact, Crime Victim Compensation Coordinator, Project Director, Financial Contact, Authorizing Official, and VOCA funded staff and/or staff used as match.

10.4 Vacancies. The Sub-recipient agrees to promptly notify DPS in writing when any VOCA funded employee position is vacated, and when any VOCA funded employee position is filled.

10.5 Surveys. The Sub-recipient agrees to utilize customer feedback surveys to assist the agency with contracted project outcome and quality measures. Feedback and satisfaction surveys will utilize the Lykert Scale of Measurement (Strongly Agree, Agree, Neither Agree or Disagree, Disagree, Strongly Disagree).

10.6 Victim Compensation. The Sub-recipient agrees to assist eligible victims in seeking available crime victim compensation benefits provided by the state victim compensation program. The Sub-recipient agrees to designate a victim compensation coordinator within its agency. The Victim compensation coordinator must have received victim compensation training through the county attorney's office. If training has not been received, the Sub-recipient agrees to arrange for and attend training within 90 days from the first day of this sub-grant award agreement or 90 days after reassignment of new staff in this role.

10.7 Victims' Rights. The Sub-recipient agrees to notify victims of Victims' Rights (A.R.S. 13-4401, et seq.) and to offer to connect the victim with a representative from the prosecutor's or county attorney's office if the victim so chooses. Non-criminal justice agencies will track their success ratio introducing victims to the criminal justice system in a verifiable manner. Non-criminal justice agencies will ensure that all DPS-VOCA funded staff and their first line supervisor have received victims' rights training from a criminal justice agency.

10.8 Volunteers. The Sub-recipient agrees to incorporate the use of volunteers to assist in carrying out the agency's mission. Volunteer use is a current and ongoing requirement for all projects.

**2009 - 2010
APPROVED BUDGET**

Budget line items:	Federal	Match	Total
Salaries and Wages	\$31,997	\$ 7,999	\$39,996
Fringe Benefits	\$12,402	\$ 3,101	\$15,503
Travel	\$ 0	\$ 0	\$ 0
Professional/Outside Services	\$ 0	\$ 0	\$ 0
Equipment	\$ 0	\$ 0	\$ 0
Other Operating	\$ 0	\$ 0	\$ 0
Total	\$44,399	\$11,100	\$55,499

For the Arizona Department of Public Safety:

Roger Vanderpool, Director
Arizona Department of Public Safety

Date

Legal Section
Approved as to Form

For the Subgrantee:

Project Director:

Signature: _____
Kevin Kotsur, Chief of Police

Date: _____

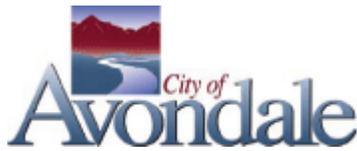
Authorizing Official:

Signature: _____
Charlie McClendon, City Manager

Date: _____

Approved as to form:

Attorney for Subgrantee (optional)



DEVELOPMENT SERVICES

SUBJECT:

Public Hearing and Ordinance 1381-808 - City Center East Rezoning (Z-09-5)

MEETING DATE:

August 3, 2009

TO: Mayor and Council

FROM: Brian Berndt, Development Services Director (623) 333-4011

THROUGH: Charlie McClendon, City Manager

REQUEST: Hold a public hearing for Application Z-09-5, a request to rezone approximately 75.05 acres from Agricultural (AG) to City Center District (CCD)

PARCEL SIZE: Approximately 75.05 acres

LOCATION: NEC Avondale Blvd.& Van Buren St.

APPLICANT: Avondale City Council and staff

OWNER: Various (see Exhibit E)

BACKGROUND:

On August 11, 2008, the Avondale City Council adopted the Avondale City Center Specific Plan (CCSP). The CCSP is a policy document that establishes a framework for building form, streets, recreation, and land uses for the City Center area along Avondale Blvd just south of Interstate 10 and bounded by 113th Ave. to 119th Ave (north of Van Buren St.). The primary goal of the CCSP is to ensure the overall desired character and intensity of development is achieved and it establishes the City Center area as a first-class destination for hotels, restaurants, shopping, and high-quality housing that produces a pedestrian atmosphere of continuous activity.

In order to achieve the CCSP's vision, the plan includes guidelines for architecture, urban design and development, and land use that help make these policies a reality and complement this unique opportunity for the City. The CCSP includes an Implementation Chapter (6) that provides information and suggestions that direct Staff to create a new zoning district for the City Center and to "work to streamline the development review process" (Exhibit F).

On May 4, 2009, the City Council approved application TA-08-15, a Text Amendment to Section 5 of the Zoning Ordinance creating the City Center Zoning District (CCD). At that hearing, City Council directed staff to proceed with rezoning these properties within the City Center area.

All parcels encompassed by this request are currently zoned Agricultural (AG). Please see Exhibit E for annexation history.

SUMMARY OF REQUEST:

The entitlement process for the City Center area is a three-step process. The first step was the creation and adoption of the CCSP. The second step was the creation and adoption of the CCD. This proposal is the third step in the process, which is to rezone these properties within the City Center area to CCD. Once the properties are zoned CCD, property owners will be able to submit applications for Development Plan approval on their properties.

PARTICIPATION:

Property owners and other interested parties were invited to a neighborhood meeting held on June 3, 2009 to discuss the proposal. One property owner attended the meeting. Items discussed included: upcoming development plans for the City Center East; property annexation process; rationale for choosing which City Center properties would be rezoned through the present actions. See Exhibit H for staff's summary of the neighborhood meeting.

A notice of the Planning Commission meeting was published in the West Valley View on June 30, 2009. The property was posted on June 30, 2009. Letters were sent to 98 property owners on June 30, 2009.

A notice of the City Council meeting was published in the West Valley View on July 14, 2009. The property was posted on June 30, 2009. Letters were sent to 98 property owners on July 14, 2009.

PLANNING COMMISSION ACTION:

At the July 16, 2009, Planning Commission meeting, the Planning Commission voted 6-0 to forward a recommendation of approval for application Z-09-5.

ANALYSIS:

Section 109.A of the Zoning Ordinance discusses procedures for amending the regulations and boundaries of zoning districts, stating, "Requests for such amendments shall be taken to the Planning Commission by the owner or owners of real property situated in the city, by any officer, department, board, or commission of the city, or by the City Council, under its own motion." At their May 4, 2009 hearing, City Council directed staff to proceed with rezoning properties within the City Center area. See Exhibit F for parcel boundaries of properties included in this request.

The City Center area encompasses approximately 402 acres. Within this area, most of the properties are currently undeveloped. Some properties are developed or partially developed, some have existing entitlements, and some are currently unincorporated. With this application, staff is bringing forward these requests to rezone all properties shown on Exhibit F.

For those properties not rezoned, the CCD allows property owners to apply for rezoning to the CCD prior to or concurrently with an application for Development Plan approval. In order to streamline the development review process, City Council has directed staff to process a rezoning application on the majority of the properties in the City Center. Once these properties are rezoned to CCD, property owners will only need to apply for Development Plan approval at the time of development, without needing to go through the rezoning process, thus streamlining the process.

Development Plans approved under the CCD development standards will be in conformance with the CCSP and will need to achieve the building form and site design envisioned through the CCSP public review process. No other standard zoning district contains development standards that will ensure that the vision of the CCSP will be achieved.

One of the primary advantages to rezoning City Center area properties to CCD, rather than individual PADs, is to provide a pre-determined set of development standards to help guarantee that the type of development will be appropriate for the City Center area. Generally, PADs take many different forms, and development standards vary depending on the type of development proposed. Additionally, rezoning to CCD eliminates a longer process for developers and staff that is typical of mixed-use PADs. Often this requires more than a year of discussion and negotiation between staff and a developer to finalize an acceptable PAD.

The properties are shown as Freeway Commercial in the General Plan, and the area is designated as a major employment and commercial center for the City. The area has been planned for the

highest intensity of development due to its location along Interstate 10 and Avondale Boulevard. Rezoning to CCD will allow the intensity of development envisioned by the General Plan.

Conclusion:

Based on the above analysis and the public input received staff recommends approval of the rezoning.

FINDINGS:

1. The proposed rezoning meets the intent of the General Plan.
2. The proposed rezoning meets the framework of the City Center Specific Plan.

RECOMMENDATION:

The City Council should hold a public hearing and **ADOPT** the ordinance approving application Z-09-5.

PROPOSED MOTION:

I move that the City Council accept the findings and **APPROVE** application Z-09-5, a request to rezone approximately 75.05 acres from AG (Agricultural) to CCD (City Center District).

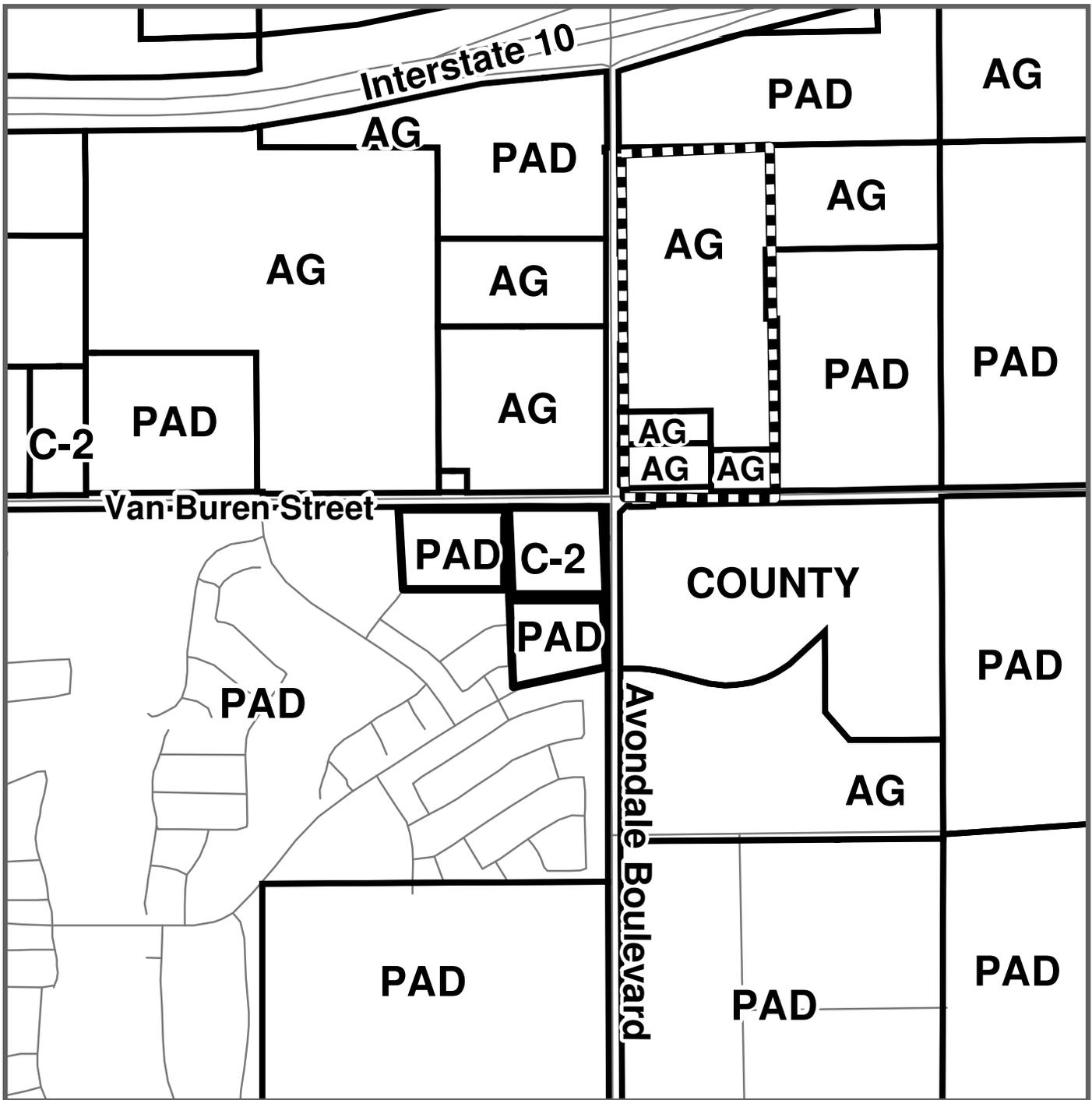
ATTACHMENTS:

Click to download

- [Exhibit A - Zoning Map](#)
- [Exhibit B - Aerial Photo](#)
- [Exhibit C - General Plan Land Use Map](#)
- [Exhibit D - City Center Specific Plan Framework map](#)
- [Exhibit E - Parcel and Owner Information](#)
- [Exhibit F - Parcel Map](#)
- [Exhibit G - City Center Staff Work Plan](#)
- [Exhibit H - Neighborhood Meeting summary](#)
- [Exhibit I - PC Minutes](#)
- [Ordinance 1381-809](#)

PROJECT MANAGER:

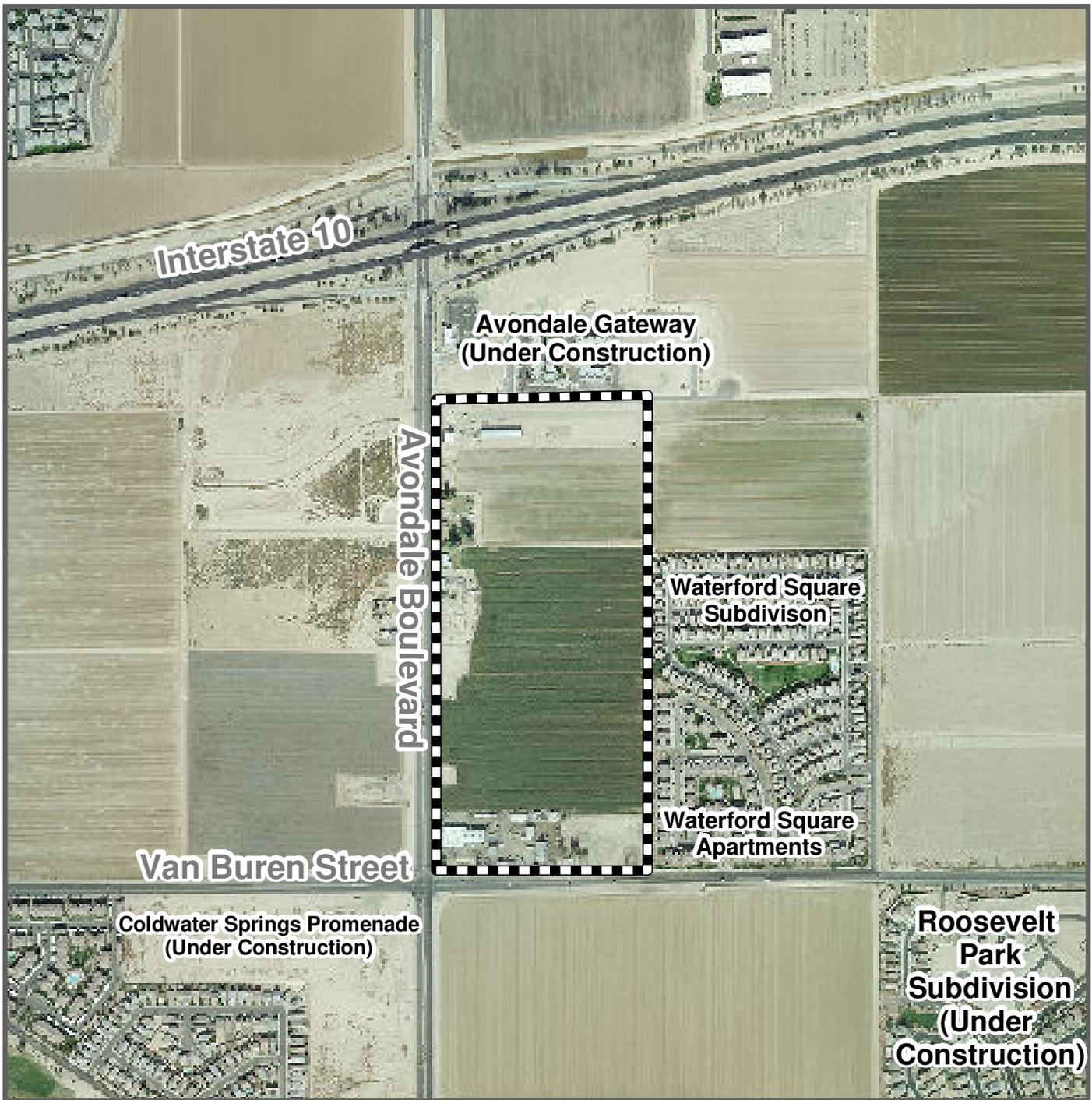
Scott Wilken, Senior Planner 623-333-4016



Zoning Vicinity Map Z-09-5



Subject Site

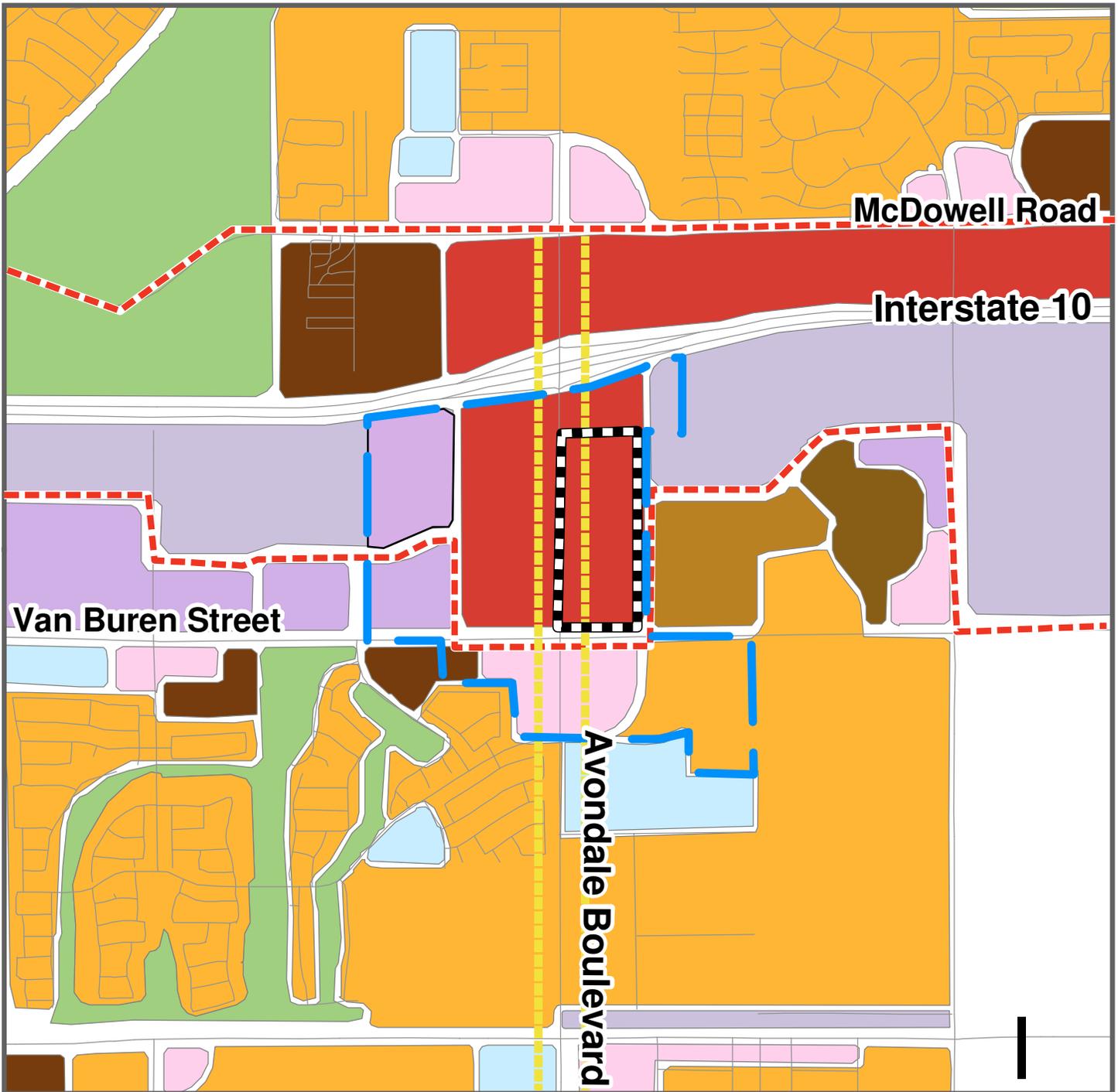


**Aerial Photo 2008
Z-09-5**



Subject Site



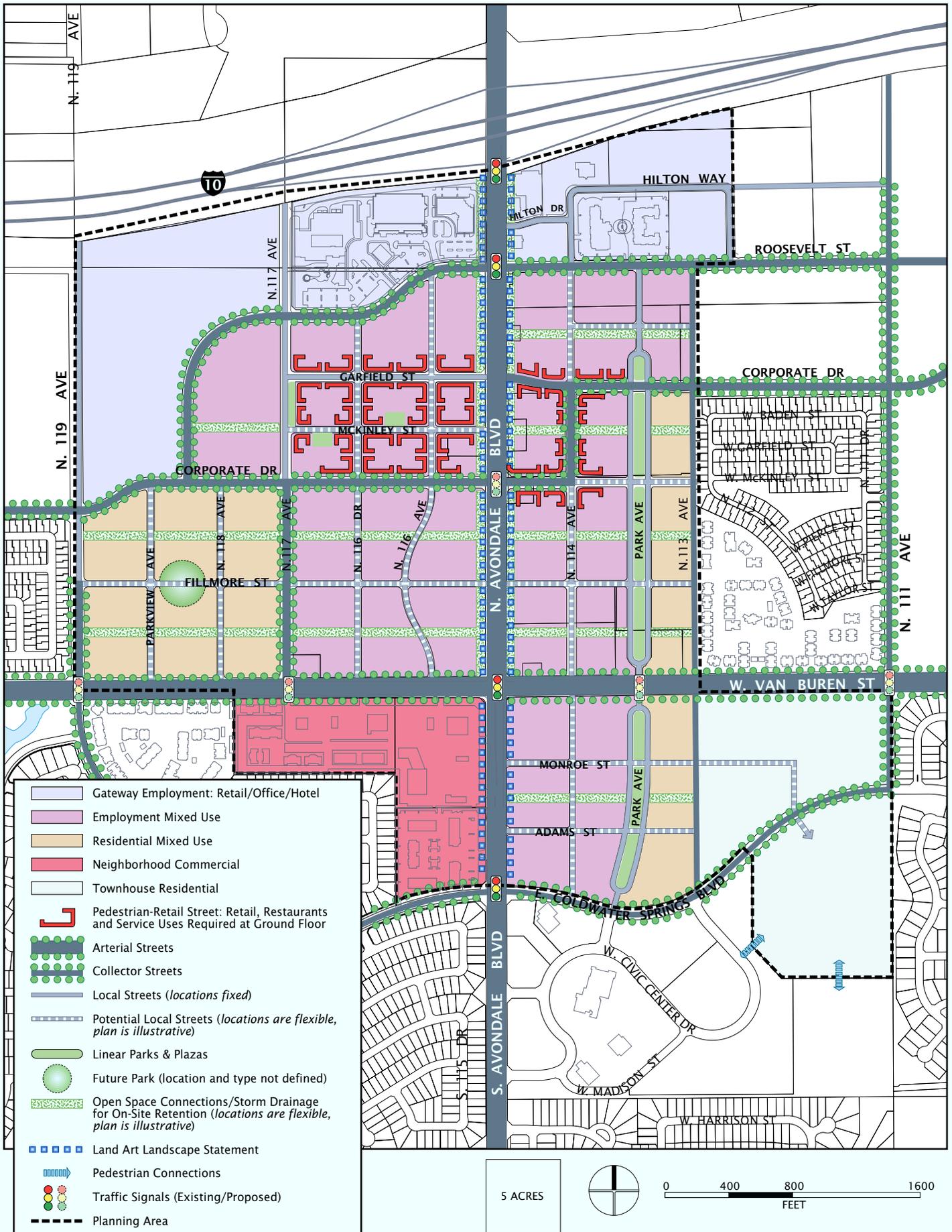


General Plan Land Use Map - Z-09-5

- | | |
|---|---|
|  Commercial |  Multi Family Residential |
|  Employment |  Open Space |
|  Freeway Commercial |  Public Facilities |
|  Medium Density Residential |  Subject Property |
|  Medium High Density Residential |  Growth Area |
|  Mixed Use |  Commercial Corridor |
| |  City Center Specific Plan area |

Figure 3-1

City Center Plan Framework



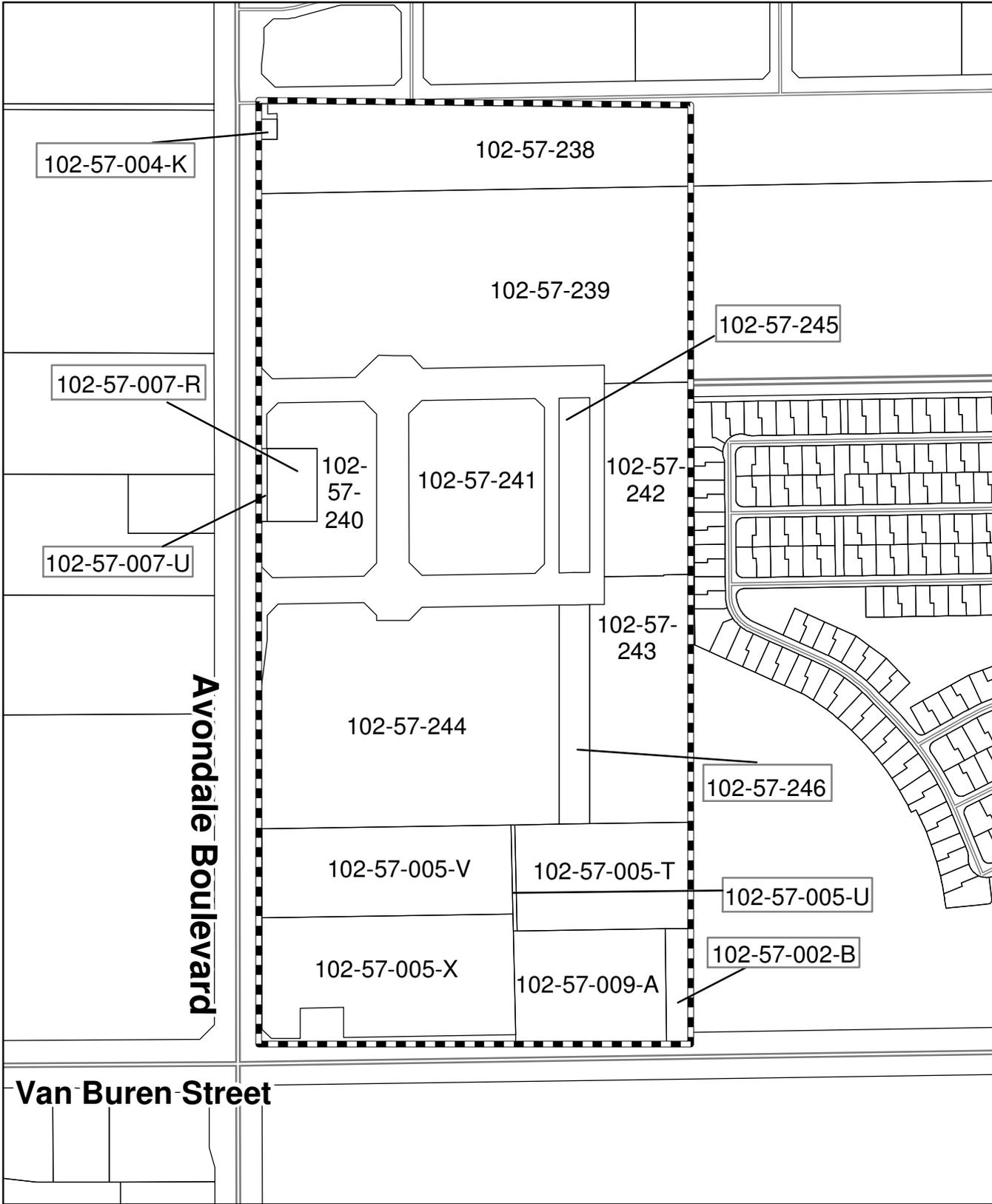
Parcel Number	Owner Name	Owner Address	City, State, Zip, Country	Sq Ft	Acres	Zoning	Annexation
Parcel: 102-57-005-V	ALLISON FORREST & GLORIA	2512 N 27TH AVE	PHOENIX, AZ 850090000 USA	166,312	3.82	AG	3/9/2009
Parcel: 102-57-005-U	ALLISON FORREST B & GLORIA A	2512 N 27TH AVE	PHOENIX, AZ 850090000 USA	2,614	0.06	AG	3/9/2009
Parcel: 102-57-005-T	ALLISON FORREST B & GLORIA A	2512 N 27TH AVE	PHOENIX, AZ 850090000 USA	142,441	3.27	AG	3/9/2009
Parcel: 102-57-005-X	AVONDALE CITY OF	11465 W CIVIC CENTER DR STE 200	AVONDALE, AZ 85323 USA	217,160	4.99	AG	11/7/1977
Parcel: 102-57-246	AVONDALE CITY OF	525 N CENTRAL AVE	AVONDALE, AZ 853231908 USA	50,352	1.16	AG	3/9/2009
Parcel: 102-57-245	AVONDALE CITY OF	525 N CENTRAL AVE	AVONDALE, AZ 853231908 USA	40,095	0.92	AG	3/9/2009
Parcel: 102-57-243	CARLOS OBRIENS SCOTTSDALE LLC	7111 E BELL RD	SCOTTSDALE, AZ 85254 USA	184,513	4.24	AG	3/9/2009
Parcel: 102-57-244	CARLOS OBRIENS SCOTTSDALE LLC	7111 E BELL RD	SCOTTSDALE, AZ 85254 USA	484,719	11.13	AG	3/9/2009
Parcel: 102-57-007-U	CONAWAY JAMES RICHARD/ELSIE MARLENE TR	7445 E EAGLE CREST DR NO 1108	MESA, AZ 85207 USA	4,600	0.11	AG	3/9/2009
Parcel: 102-57-007-R	CONAWAY JAMES RICHARD/ELSIE MARLENE TR	7445 E EAGLE CREST DR NO 1108	MESA, AZ 85207 USA	27,966	0.64	AG	3/9/2009
Parcel: 102-57-004-K	LEVERTON PROPERTIES L L C	113 STABLE RD	MILFORD, NH 030553539 USA	2,500	0.06	AG	3/9/2009
Parcel: 102-57-238	LEVERTON PROPERTIES LLC/LEVERTON INVESTS LP	113 STABLE RD	MILFORD, NH 03055 USA	298,847	6.86	AG	3/9/2009
Parcel: 102-57-239	LEVERTON PROPERTIES LLC/LEVERTON INVESTS LP	113 STABLE RD	MILFORD, NH 03055 USA	622,531	14.29	AG	3/9/2009
Parcel: 102-57-241	MORTENSEN A J/VIRGINIA TR/C T/SYLVA TR	10326 W THOMAS RD	AVONDALE, AZ 853924607 USA	174,760	4.01	AG	3/9/2009
Parcel: 102-57-240	MORTENSEN A J/VIRGINIA TR/C T/SYLVA TR	10326 W THOMAS RD	AVONDALE, AZ 853924607 USA	115,809	2.66	AG	3/9/2009
Parcel: 102-57-242	MORTENSEN A J/VIRGINIA TR/C T/SYLVA TR	10326 W THOMAS RD	AVONDALE, AZ 853924607 USA	131,034	3.01	AG	3/9/2009
Parcel: 102-57-009-A	TOLES M JEREMY/MAUREEN	2241 E BASELINE RD	PHOENIX, AZ 85042 USA	131,532	3.02	AG	10/17/1988
Parcel: 102-57-002-B	TOLES M JEREMY/MAUREEN	2241 E BASELINE RD	PHOENIX, AZ 85040 USA	23,087	0.53	AG	10/17/1988

2,820,872 64.76

Note: the western half of parcels 102-57-238 and 102-57-239 are included in the City Center East rezoning; the eastern half of those parcels are outside of the City Center boundary

Parcel: 102-57-238 Full acreage: 13.72

Parcel: 102-57-239 Full acreage: 28.58



**Parcel Map
Z-09-5**



Subject Site



Table 6-3: Staff Work Program - Suggested Work Plan										
SUGGESTED WORK PLAN	CITY CLERK	CITY MNGR'S OFFICE	COMMUNITY RELATIONS	DEVELOPMENT SERVICES	ECONOMIC DEVELOPMENT	ENGINEERING	FINANCE	LONG RANGE PLANNING	INFORMATION TECHNOLOGY	PARKS & RECREATION
1. Publish and distribute the City Center Specific Plan.								●		
2. Amend the General Plan and General Plan Land Use Map to reflect the provisions of the City Center Specific Plan.								●		
3. Prepare new zoning for the City Center area, consistent with the provisions of the Specific Plan. Include provisions for each of the land use classifications described in the plan as well as the development standards. Address detailed issues such as: the project review process for different types of projects; development standards calculations (e.g. how to measure the ratio of employment square footage and residential square footage in the employment mixed use area); and regulations for events and temporary uses.				●						
4. Encourage property owners that are not currently within the City boundaries to annex to the City and rezone their properties consistent with the Specific Plan. Assist property owners with their applications.	●				●					
5. Establish official plan lines for the collector streets and public parks.						●				
6. Study the formation of a public parking district for the City Center area, and various financing mechanisms such as in-lieu fees and/or improvement districts.		●					●			
7. Select a unique set of pedestrian street furnishings for the City Center area, including a pedestrian-scale light fixture, bench, and trash receptacle. Work closely with transportation, engineering, and maintenance staff in other departments.		●								●
8. Review development projects as they are submitted for consistency with the City Center Specific Plan.				●						
9. Work to streamline the development review process for projects in the City Center area. Establish a team of City Center experts that includes planning, engineering, economic development, parks and recreation, and other departments as needed.				●						
10. Work to streamline the project review process. Figure out how projects can use the traffic analysis already completed for the City Center Specific Plan. Decide on a project by project basis whether any additional traffic analysis is needed. Establish more precisely the items that need to be studied in the traffic analysis for a development project.				●						

Table 6-3: Staff Work Program - Suggested Work Plan

SUGGESTED WORK PLAN	CITY CLERK	CITY MNGR'S OFFICE	COMMUNITY RELATIONS	DEVELOPMENT SERVICES	ECONOMIC DEVELOPMENT	ENGINEERING	FINANCE	LONG RANGE PLANNING	INFORMATION TECHNOLOGY	PARKS & RECREATION
11. Work with businesses, City staff, civic organizations, schools, and other organizations to develop a regular schedule of public events.			●		●					●
12. Host two to four public events a year in the City Center area. Work with businesses and obtain sponsorships. Work with PIR, local restaurants and food sales businesses to offer sales and marketing opportunities.			●		●					●
13. Prepare a package of marketing materials for the City Center area.					●					
14. Host developer/broker briefings and tours.					●					
15. Market the City Center area to brokers and developers at local, state, and national conferences,					●					
16. Solicit a master developer.		●			●					
17. Focus on attracting major office and mixed-use developers with proven track records.					●					
18. Meet with City and regional organizations, schools, community groups, and businesses to promote events and development opportunities in the City Center area.		●	●		●					
19. Form and host a City Center Working Group of property owners, brokers, and community leaders to assist with marketing the area for the City. Enlist them as "Avondale Ambassadors."					●					
20. Amend the Engineering Design Standards to reflect the provisions of the City Center Specific Plan.						●				
– Acknowledge the special provisions in the City Center area as required in the Specific Plan for right of way design, linear park, utilities locations, street trees, etc.						●				
– Develop provisions for the underground storm water storage within the public right of way, if it is feasible.						●				
– Prepare standards for utility line locations and street lights within the City Center area to accommodate street trees.						●				
– Review alternative specifications for permeable paving, and work on a demonstration project in the City of Avondale that uses permeable paving.						●				

Table 6-3: Staff Work Program - Suggested Work Plan										
SUGGESTED WORK PLAN	CITY CLERK	CITY MNGR'S OFFICE	COMMUNITY RELATIONS	DEVELOPMENT SERVICES	ECONOMIC DEVELOPMENT	ENGINEERING	FINANCE	LONG RANGE PLANNING	INFORMATION TECHNOLOGY	PARKS & RECREATION
– Amend the location of public utility easement on Avondale Boulevard, and allow flexibility in the location of retaining walls within the public utility easement, to accommodate the landscape design requirements of the “land art” scheme.						●				
– Establish design standards for pedestrian-scale street lights, to address issues such as: whether they are on a separate circuit; hours of operation; materials; protections against vandalism, etc.						●				
21. Update the sewer system model to reflect future development in the City Center area.						●				
22. Prepare a conceptual design of key infrastructure components, such as Corporate Drive.						●				
23. Prepare preliminary cost estimates for infrastructure that would be part of catalyst projects, such as:						●				
– Corporate Drive/Avondale Boulevard Traffic Signal						●				
– Land Art on Corporate Drive						●				
– Corporate Drive Construction						●				
24. Assist with the preparation of a storm drainage plan for a catalyst project.						●				
25. Establish more detailed design standards for certain streets in the City Center area.						●				
– Establish the right of way width and design requirements for the transition areas on Roosevelt, Corporate, 117th, 119th, Van Buren, where the number of lanes changes and where turn lanes need to be incorporated. This includes the areas where Corporate Drive transitions to a different street design outside the study area.						●				
– Roosevelt Street and 119th Street – Establish the required right of way width and design requirements for segments where projects have already been approved and portions of the street have been built. Clarify that the new design standards only apply to new construction; not to projects already built, or where building permits have been approved.						●				

Table 6-3: Staff Work Program - Suggested Work Plan

SUGGESTED WORK PLAN	CITY CLERK	CITY MNGR'S OFFICE	COMMUNITY RELATIONS	DEVELOPMENT SERVICES	ECONOMIC DEVELOPMENT	ENGINEERING	FINANCE	LONG RANGE PLANNING	INFORMATION TECHNOLOGY	PARKS & RECREATION
26. Amend the City of Avondale Transportation Plan to state that the City Center Specific Plan establishes the street design standards for the Specific Plan area. State explicitly that it includes some departures from City standards.						●				
27. Identify a potential site for a community center within the City Center area.		●			●					●
28. Prepare conceptual plans for the park site next to the Civic Center site. Consider whether all of the land is needed at this location.										●
29. Prepare a conceptual plan for the linear park on the east side of Avondale Boulevard.						●				●
30. Explore the potential for wireless communication in public plazas and parks in the City Center area.								●		●
31. Update impact fees for development in the City Center area.							●			
32. Study and select specific financing mechanisms to be used for general infrastructure and other area-wide improvements in the City Center area, and identify funding sources for catalyst projects.		●				●	●			
33. Form an interdepartmental team to develop and refine catalyst projects in the City Center area.		●			●					
34. Consider public/private partnership opportunity sites. Negotiate with property owners to begin to develop the catalyst projects.		●			●					
35. Undertake construction projects for the “short-term wins”, such as the Avondale Boulevard “Land Art” and Avondale Boulevard signs.		●				●				
36. Identify a potential site for public events, and negotiate with land owners for use, leasing, and/or acquisition of the land.		●			●					●
37. Oversee the planning and marketing efforts for the City Center area.		●			●					
38. Allocate staff resources for the implementation of the City Center Specific Plan.		●								
39. Research grant opportunities for infrastructure components of the City Center Specific Plan, and submit grant applications as appropriate.		●					●			
40. Establish work priorities and funding priorities for the City Center area.		●								
41. Work with the City Council on amendments to the public art ordinance and funding, and establish a plan for public art funding in the City Center area.		●								

City of Avondale Neighborhood Meeting Summary
Z-09-5 City Center East rezoning and Z-09-6 City Center West rezoning
June 3, 2009
Mojave Room, Avondale Civic Center

On June 3, 2009, City of Avondale Planning Division staff held a neighborhood meeting regarding the proposed City Center East rezoning (application Z-09-5) and City Center West rezoning (application Z-09-6). Brian Berndt, Development Services Director and Scott Wilken, Senior Planner, were present at the meeting representing the City.

One member of the public attended the meeting, Mr. Jeff Schwartz, representing The Empire Group, which owns property within the area proposed to be rezoned.

The meeting was set up as an informal question and answer session. The meeting was scheduled to start at 6pm. Mr. Schwarz arrived at 6:00pm and left at approximately 6:30pm. Staff closed the meeting at 6:45pm.

The following are questions or statements and answers (as appropriate) discussed at the meeting, in no particular order:

1. Q: What's going on with the Mortensen property on the east side of Avondale Blvd?
A: Staff worked with the representatives of the Mortensen property to come to a sales agreement.
2. Q: What did the City pay for the land that the American Sports Center will be built on?
A: Staff can provide a copy of the purchase agreement for Mr. Schwartz.
3. Q: Can I see the plans for the ASC?
A: The plans for the ASC are currently being designed, but will be publicly available prior to Council approval.
4. Q: How much will the ASC project cost?
A: Staff can provide a copy of the project budget to Mr. Schwartz.
5. Q: When the properties on the east side of Avondale Blvd. were annexed earlier this year, why wasn't Empire notified of the pending annexation?
A: The annexations were properly noticed, but mailings are not a required notification method.
6. Q: Why wasn't the Hurley property south of Avondale Blvd. included in the proposed rezoning?
A: The Hurley property was not annexed into the City with the properties to the north because the representatives of the Hurley family were not interested in annexation at the time and the City was not interested in an adverse condemnation annexation. Only properties within the corporate limits of the City of Avondale can be rezoned.
7. Empire is opposed to the proposed rezoning of the City Center properties.

Excerpt of the Draft Minutes of the regular Planning Commission meeting held July 16, 2009 at 6:30 p.m. in the Council Chambers.

COMMISSIONERS PRESENT

David Iwanski, Chairman
Michael Demlong, Vice Chair
Al Lageschulte, Commissioner
David Scanlon, Commissioner
Angela Cotera, Commissioner
Lisa Amos, Commissioner

COMMISSIONER ABSENT

Linda Webster, Commissioner

CITY STAFF PRESENT

Tracy Stevens, Planning Manager, Development Services Department
Ken Galica, Planner II, Development Services Department
Scott Wilken, Senior Planner, Development Services Department
Stacey Bridge-Denzak, Planner I, Development Services Department
Chris Schmaltz, Attorney

APPLICATION NO. Z-09-5

APPLICANT: Avondale City Council
11465 W. Civic Center Drive
Avondale, AZ 85323

PROPERTY OWNER: Various

REQUEST: A request to rezone approximately 64.76 acres from AG (Agricultural) to CCD (City Center District), located at the northeast corner of Avondale Blvd. and Van Buren Street.

Scott Wilken, Senior Planner, Development Services Department, stated item Z-09-5 is a zoning request initiated by City Council and Staff for the properties on the east side of the City Center area. The City Center Specific Plan (CCSP) was adopted on August 2008. The City annexed properties within the City Center area in March 2009. In May 2009, the City Council adopted the City Center Zoning District (CCD) to help implement the City Center Plan. On May 4, 2009, Council requested that Staff proceed with rezoning properties within the City Center area.

Mr. Wilken stated that the entitlement process for the City Center area is a three-step process. The first step was the creation and adoption of the CCSP. The second step was the creation and adoption of the City Center District. This proposal is the third step, which is to rezone these properties. Tonight's request is to rezone approximately 64.76 acres from Agricultural (AG) to City Center District (CCD).

Staff finds that the requested rezoning meets the intent of the General Plan and the framework of the City Center Specific Plan. If this request is approved tonight, the next step will be a City Council hearing on the rezoning on August 3, 2009. If the properties

are rezoned, developers can then come in with development plans that are consistent with the City Center District and the City Center Specific Plan. Staff recommends approval of this request.

Chairperson Iwanski invited questions.

Vice Chair Demlong stated this will greatly streamline the process and save the developer money and time, as the zoning will be established. Mr. Wilken confirmed this statement.

Chairperson Iwanski invited further questions. There were none.

Chairperson Iwanski opened the public hearing on item Z-09-5. There were no requests to speak. Chairperson Iwanski invited further questions.

Commissioner Amos stated that some of the 402 acres that make up the City Center area have existing entitlements and some are currently unincorporated. She asked if the 64.76 acres requested to be rezoned tonight include unincorporated areas. Mr. Wilken explained that City Councils cannot rezone properties that are unincorporated. He pointed out on a map the properties in the City Center area that are still unincorporated, stating that the remaining properties that were unincorporated have already been annexed.

Chairperson Iwanski invited further questions and comments, and hearing none, closed the public hearing.

Chairperson Iwanski called for a motion and a second.

Commissioner Cotera moved that the Planning Commission accept the findings and recommend approval of application Z-09-5, a request to rezone approximately 64.76 acres from AG to CCD. Commissioner Demlong seconded the motion.

Chairperson Iwanski invited further discussion. There was none.

Chairperson Iwanski called for a vote.

ROLL CALL VOTE

Chairperson Iwanski	Aye
Vice Chair Demlong	Aye
Commissioner Lageschulte	Aye
Commissioner Scanlon	Aye
Commissioner Cotera	Aye
Commissioner Webster	Absent
Commissioner Amos	Aye

The motion passed unanimously.

ORDINANCE NO. 1381-809

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF AVONDALE FOR APPROXIMATELY 75.05 ACRES LOCATED AT THE NORTHEAST CORNER OF AVONDALE BOULEVARD AND VAN BUREN STREET, AS SHOWN IN FILENAME Z-09-5, REZONING SUCH PROPERTY FROM AGRICULTURAL (AG) TO CITY CENTER (CCD).

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, as amended; and

WHEREAS, all due and proper notices of public hearings on the intended amendment held before the City of Avondale Planning and Zoning Commission (the “Commission”) and the City Council were given in the time, form, substance and manner provided by ARIZ. REV. STAT. § 9-462.04, as amended; and

WHEREAS, the Commission held a public hearing on Thursday, July 16, 2009, on the amendment to the Zoning Atlas after which the Commission recommended approval; and

WHEREAS, the City Council held a public hearing regarding the amendment to the Zoning Atlas on August 3, 2009.

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

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

SECTION 2. That ± 75.05 acres of real property generally located at northeast corner of Avondale Boulevard and Van Buren Street, as shown in filename Z-09-5 (the “Property”), as more particularly described and depicted in Exhibit A, attached hereto and incorporated herein by reference, are hereby rezoned from Agricultural (AG) to City Center (CCD).

SECTION 3. That 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. That 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.

PASSED AND ADOPTED by the Council of the City of Avondale, August 3, 2009.

Marie Lopez Rogers, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 1381-809

[Legal Description and Map]

See following pages.

Z-09-05
East City Center
Legal Description
For Zoning Purposes

That part of the Southwest Quarter of Section 6, Township 1 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

Beginning at the Southwest Corner of said Section 6, Township 1 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona;

Thence North 0 degrees 2 minutes 19 seconds West along the West line of the Southwest quarter of said Section 6, as the basis of bearing, for a distance of 2626.69 feet to the West Quarter corner of said Section 6;

Thence North 88 degrees 59 minutes 16 seconds East along the North line of the Southwest Quarter of said Section 6 a distance of 1242.67 feet;

Thence South 0 degrees 16 minutes 39 seconds East a distance of 786.41 feet to the Northwest corner of "Waterford Square" a subdivision recorded in Book 683 page 27, official Records of Maricopa County, Arizona;

Thence continuing South 0 degrees 16 minutes 39 seconds East along the West boundary of said Waterford Square subdivision a distance of 528.30 feet

Thence South 0 degrees 19 minutes 22 seconds East a distance of 190.58 feet to the Western most Southwest corner of said Waterford Square subdivision;

Thence North 65 degrees 37 minutes 37 seconds West a distance of 11.01 feet to a point on the westerly line of that certain parcel recorded in Docket 83-0326942, Official records of Maricopa County, Arizona:

Thence South 0 degrees 19 minutes 22 seconds East along said westerly parcel line a distance of 1128.82, to the South line of the Southwest Quarter of said Section 6;

Thence South 89 degrees 7 minutes 13 seconds West, 1244.63 feet to the Point of Beginning.

Said parcel contains 75.05 acres gross, more or less



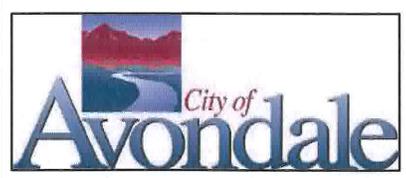
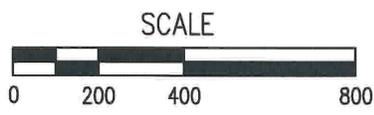
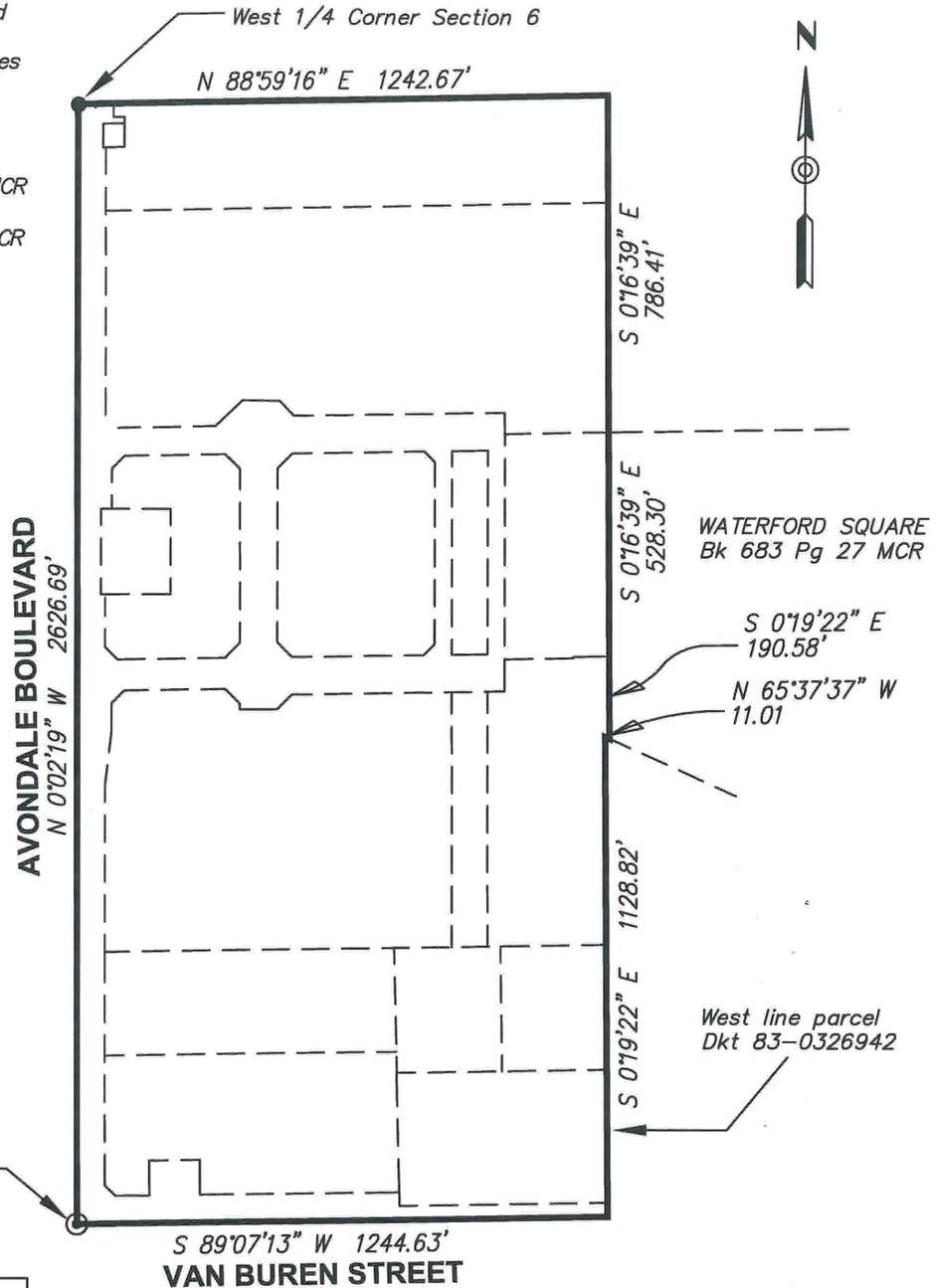
EXPIRES 6-30-2010

NOTES:

This drawing is based upon record information only as an exhibit to the description for Zoning Purposes

REFERENCE DOCUMENTS:

- 1) Record of Survey Prepared by Coe and Van Loo Consultants Book 1023 of Maps Page 35 MCR
- 2) Avondale City Center Phase 1 Book 1027 of Maps Page 31 MCR



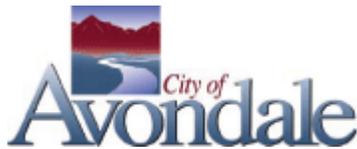
GIS-LAND SERVICES
Division of
WATER RESOURCES
DEPARTMENT



EAST CITY CENTER
ZONING APPLICATION Z-09-05
CONSOLIDATED PARCELS
75.05 ACRES AREA

DATE: 6-4-2009
DSN: _____
DRN: LS
CHK: _____

PROJECT NAME
Z-09-05
PAGE
2 OF 2



DEVELOPMENT SERVICES

SUBJECT:

Public Hearing and Ordinance 1382-809 - Z-09-6
City Center West Rezoning

MEETING DATE:

August 3, 2009

TO: Mayor and Council

FROM: Brian Berndt, Development Services Director (623) 333-4011

THROUGH: Charlie McClendon, City Manager

REQUEST: Hold a public hearing for Application Z-09-6, a request to rezone approximately 138.08 acres from Agricultural (AG) to City Center District (CCD)

PARCEL SIZE: Approximately 138.08 acres

LOCATION: NWC Avondale Blvd. and Van Buren St.

APPLICANT: Avondale City Council and staff

OWNER: Various (see Exhibit E)

BACKGROUND:

On August 11, 2008, the Avondale City Council adopted the Avondale City Center Specific Plan (CCSP). The CCSP is a policy document that establishes a framework for building form, streets, recreation, and land uses for the City Center area along Avondale Blvd just south of Interstate 10 and bounded by 113th Ave. to 119th Ave (north of Van Buren St.). The primary goal of the CCSP is to ensure the overall desired character and intensity of development is achieved and it establishes the City Center area as a first-class destination for hotels, restaurants, shopping, and high-quality housing that produces a pedestrian atmosphere of continuous activity.

In order to achieve the CCSP's vision, the plan includes guidelines for architecture, urban design and development, and land use that help make these policies a reality and complement this unique opportunity for the City. The CCSP includes an Implementation Chapter (6) that provides information and suggestions that direct staff to create a new zoning district for the City Center and to "work to streamline the development review process" (Exhibit F).

On May 4, 2009, the City Council approved application TA-08-15, a Text Amendment to Section 5 of the Zoning Ordinance creating the City Center Zoning District (CCD). At that hearing, City Council directed staff to proceed with rezoning these properties within the City Center area.

All parcels encompassed by this request are currently zoned Agricultural (AG). Please see Exhibit E for annexation history.

SUMMARY OF REQUEST:

The entitlement process for the City Center area is a three-step process. The first step was the creation and adoption of the CCSP. The second step was the creation and adoption of the CCD. This proposal is the third step in the process, which is to rezone these properties within the City Center area to CCD. Once the properties are zoned CCD, property owners will be able to submit applications for Development Plan approval on their properties.

PARTICIPATION:

Property owners and other interested parties were invited to a neighborhood meeting held on June 3, 2009 to discuss the proposal. One property owner attended the meeting. Items discussed included: upcoming development plans for the City Center East; property annexation process; rationale for choosing which City Center properties would be rezoned through the present actions. See Exhibit H for staff's summary of the neighborhood meeting.

A notice of the Planning Commission meeting was published in the West Valley View on June 30, 2009. The property was posted on June 30, 2009. Letters were sent to 54 property owners on June 30, 2009.

A notice of the City Council meeting was published in the West Valley View on July 14, 2009. The property was posted on June 30, 2009. Letters were sent to 54 property owners on July 14, 2009.

PLANNING COMMISSION ACTION:

At the July 16, 2009, Planning Commission meeting, the Planning Commission voted 6-0 to forward a recommendation of approval for application Z-09-6.

ANALYSIS:

Section 109.A of the Zoning Ordinance discusses procedures for amending the regulations and boundaries of zoning districts, stating, "Requests for such amendments shall be taken to the Planning Commission by the owner or owners of real property situated in the city, by any officer, department, board, or commission of the city, or by the City Council, under its own motion." At their May 4, 2009 hearing, City Council directed staff to proceed with rezoning properties within the City Center area. See Exhibit F for parcel boundaries of properties included in this request.

The City Center area encompasses approximately 402 acres. Within this area, most of the properties are currently undeveloped. Some properties are developed or partially developed, some have existing entitlements, and some are currently unincorporated. With this applications, staff is bringing forward these requests to rezone all properties shown on Exhibit F.

For those properties not rezoned, the CCD allows property owners to apply for rezoning to the CCD prior to or concurrently with an application for Development Plan approval. In order to streamline the development review process, City Council has directed staff to process a rezoning application on the majority of the properties in the City Center. Once these properties are rezoned to CCD, property owners will only need to apply for Development Plan approval at the time of development, without needing to go through the rezoning process, thus streamlining the process.

Development Plans approved under the CCD development standards will be in conformance with the CCSP and will need to achieve the building form and site design envisioned through the CCSP public review process. No other standard zoning district contains development standards that will ensure that the vision of the CCSP will be achieved.

One of the primary advantages to rezoning City Center area properties to CCD, rather than individual PADs, is to provide a pre-determined set of development standards to help guarantee that the type of development will be appropriate for the City Center area. Generally, PADs take many different forms, and development standards vary depending on the type of development proposed. Additionally, rezoning to CCD eliminates a longer process for developers that is typical of mixed-use PADs. Often this requires more than a year of discussion and negotiation between staff and a developer to finalize an acceptable PAD.

The properties are shown as Freeway Commercial in the General Plan, and the area is designated as a major employment and commercial center for the City. The area has been planned for the

highest intensity of development due to its location along Interstate 10 and Avondale Boulevard. Rezoning to CCD will allow the intensity of development envisioned by the General Plan.

Conclusion:

Based on the information provided by the applicant, the public input received and the analysis by staff, staff recommends approval of the rezoning.

FINDINGS:

1. The proposed rezoning meets the intent of the General Plan.
2. The proposed rezoning meets the framework of the City Center Specific Plan.

RECOMMENDATION:

The City Council should hold a public hearing and **ADOPT** the ordinance approving application Z-09-6.

PROPOSED MOTION:

I move that the City Council accept the findings and **APPROVE** application Z-09-6, a request to rezone approximately 138.08 acres from AG (Agricultural) to CCD (City Center District).

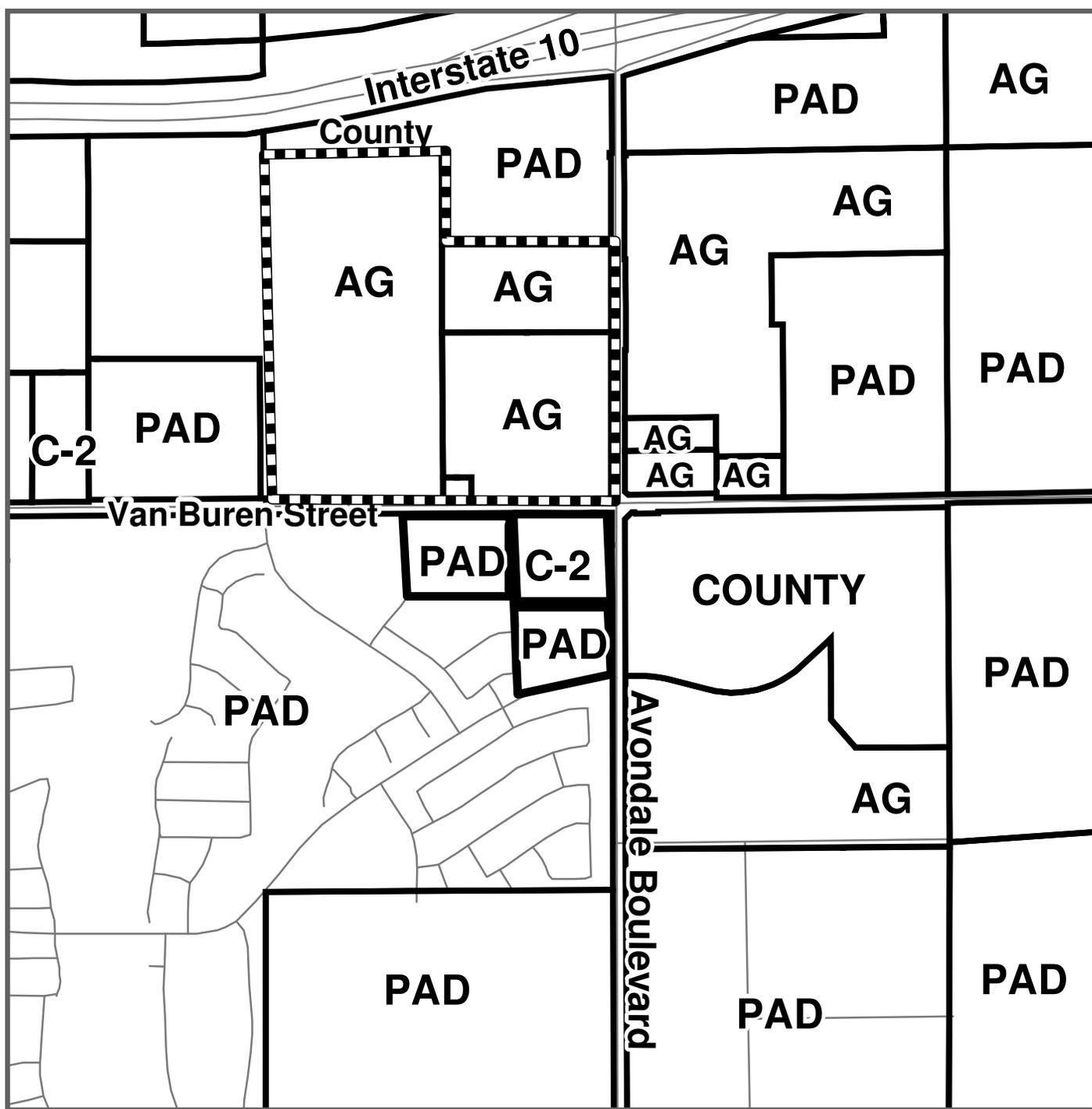
ATTACHMENTS:

Click to download

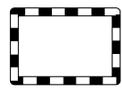
- 📄 [Exhibit A - Zoning Map](#)
- 📄 [Exhibit B - Aerial Photo](#)
- 📄 [Exhibit C - General Plan Land Use Map](#)
- 📄 [Exhibit D - City Center Specific Plan Framework Map](#)
- 📄 [Exhibit E - Parcel and Owner information](#)
- 📄 [Exhibit F - Parcel Map](#)
- 📄 [Exhibit G - City Center Staff Work Plan](#)
- 📄 [Exhibit H - Neighborhood Meeting Summary](#)
- 📄 [Exhibit I - PC Minutes](#)
- 📄 [Ordinance 1382-809](#)

PROJECT MANAGER:

Scott Wilken, Senior Planner 623-333-4016



Zoning Vicinity Map Z-09-6



Subject Site

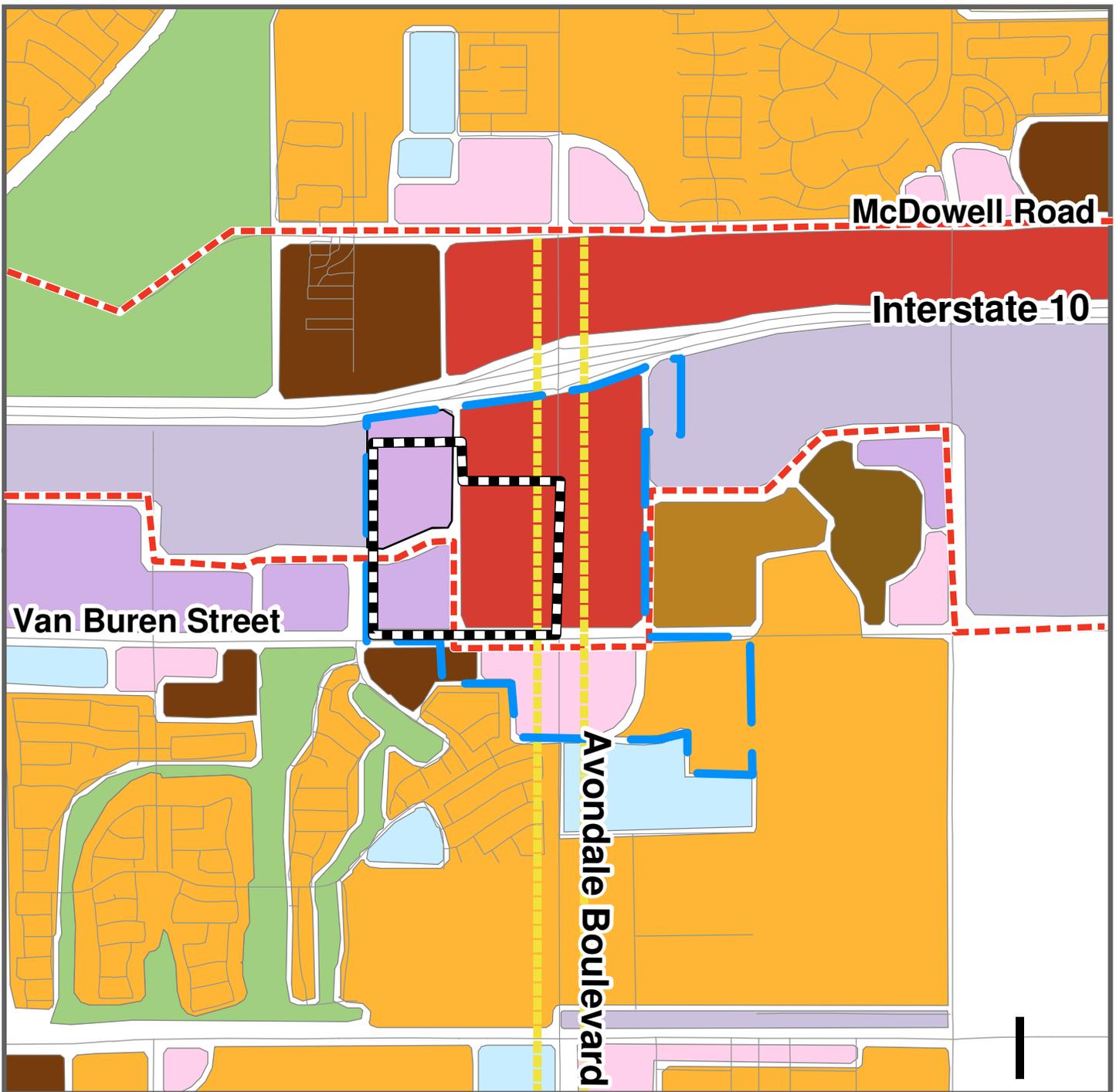


**Aerial Photo 2008
Z-09-6**



Subject Site



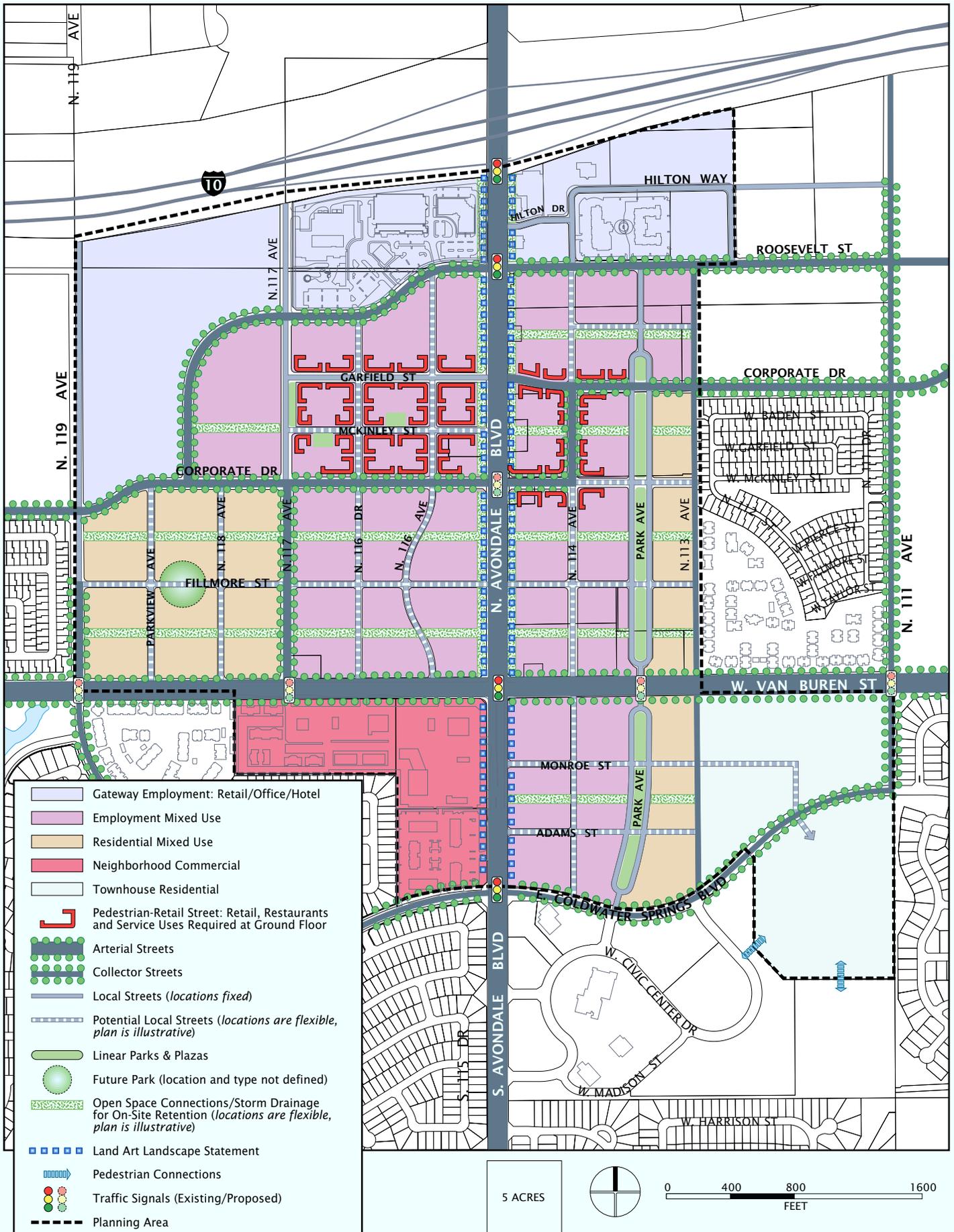


General Plan Land Use Map - Z-09-6

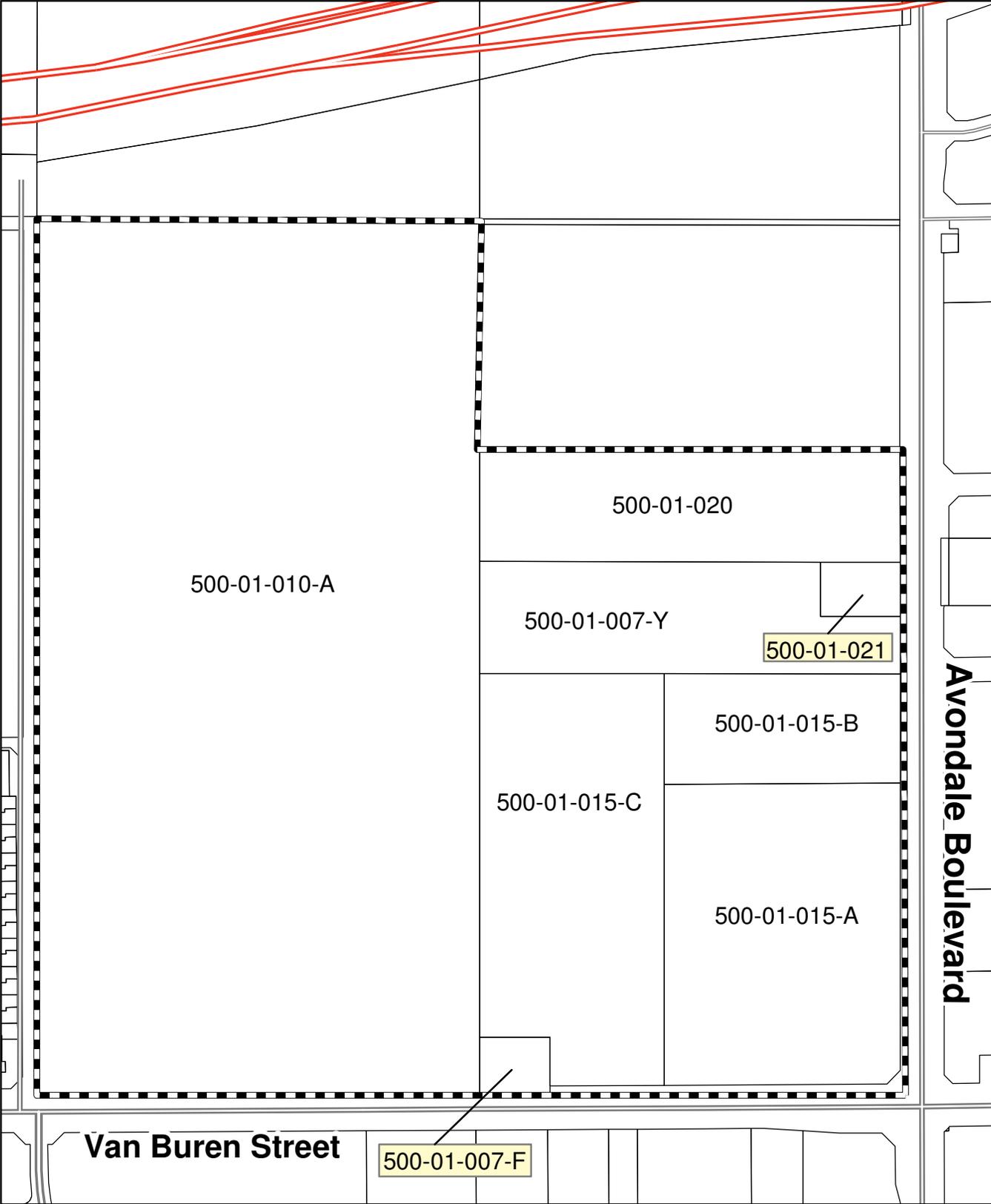
- | | |
|---|---|
|  Commercial |  Multi Family Residential |
|  Employment |  Open Space |
|  Freeway Commercial |  Public Facilities |
|  Medium Density Residential |  Subject Property |
|  Medium High Density Residential |  Growth Area |
|  Mixed Use |  Commercial Corridor |
| |  City Center Specific Plan area |

Figure 3-1

City Center Plan Framework



Parcel	Owner Name	Owner Address	City, State, Zip, Country	Sq Ft	Acres	Zoning	Annexation
Parcel: 500-01-010-A	AVONNAM LLC SEVEN INVESTMENT HOLDINGS LLC	1333 S BEVERLY GLEN BLVD STE 706	LOS ANGELES, CA 90024 USA	3,432,092	78.79	AG	6/28/1978
Parcel: 500-01-007-Y	BYRD ENTERPRISES OF ARIZONA INC	2000 N LITCHFIELD RD	GOODYEAR, AZ 85338 USA	375,923	8.63	AG	6/28/1978
Parcel: 500-01-020	BYRD ENTERPRISES OF ARIZONA INC	2000 N LITCHFIELD RD	GOODYEAR, AZ 85338 USA	414,212	9.51	AG	6/28/1978
Parcel: 500-01-021	DEVERA PETER J/REMEDIOS S	618 N AVONDALE BLVD	AVONDALE, AZ 85323 USA	38,365	0.88	AG	6/28/1978
Parcel: 500-01-015-C	PCCP CS EMPIRE AVONDALE LLC	6617 N SCOTTSDALE RD STE 101	SCOTTSDALE, AZ 85250 USA	636,662	14.62	AG	6/28/1978
Parcel: 500-01-015-B	PCCP CS EMPIRE AVONDALE LLC	6617 N SCOTTSDALE RD STE 101	SCOTTSDALE, AZ 85250 USA	227,988	5.23	AG	6/28/1978
Parcel: 500-01-015-A	PCCP CS EMPIRE AVONDALE LLC	6617 N SCOTTSDALE RD STE 101	SCOTTSDALE, AZ 85250 USA	620,991	14.26	AG	6/28/1978
Parcel: 500-01-007-F	SWANSON LEONARD A	5747 W MISSOURI AVE 72	GLENDALE, AZ 853016737 USA	35,719	0.82	AG	4/6/1978
				5,781,952	132.74		



**Parcel Map
Z-09-6**



Subject Site



Table 6-3: Staff Work Program - Suggested Work Plan											
SUGGESTED WORK PLAN											
	CITY CLERK	CITY MNGRS	OFFICE	COMMUNITY RELATIONS	DEVELOPMENT SERVICES	ECONOMIC DEVELOPMENT	ENGINEERING	FINANCE	LONG RANGE PLANNING	INFORMATION TECHNOLOGY	PARKS & RECREATION
1. Publish and distribute the City Center Specific Plan.									●		
2. Amend the General Plan and General Plan Land Use Map to reflect the provisions of the City Center Specific Plan.									●		
3. Prepare new zoning for the City Center area, consistent with the provisions of the Specific Plan. Include provisions for each of the land use classifications described in the plan as well as the development standards. Address detailed issues such as: the project review process for different types of projects; development standards calculations (e.g. how to measure the ratio of employment square footage and residential square footage in the employment mixed use area); and regulations for events and temporary uses.				●							
4. Encourage property owners that are not currently within the City boundaries to annex to the City and rezone their properties consistent with the Specific Plan. Assist property owners with their applications.	●					●					
5. Establish official plan lines for the collector streets and public parks.							●				
6. Study the formation of a public parking district for the City Center area, and various financing mechanisms such as in-lieu fees and/or improvement districts.		●						●			
7. Select a unique set of pedestrian street furnishings for the City Center area, including a pedestrian-scale light fixture, bench, and trash receptacle. Work closely with transportation, engineering, and maintenance staff in other departments.		●									●
8. Review development projects as they are submitted for consistency with the City Center Specific Plan.					●						
9. Work to streamline the development review process for projects in the City Center area. Establish a team of City Center experts that includes planning, engineering, economic development, parks and recreation, and other departments as needed.					●						
10. Work to streamline the project review process. Figure out how projects can use the traffic analysis already completed for the City Center Specific Plan. Decide on a project by project basis whether any additional traffic analysis is needed. Establish more precisely the items that need to be studied in the traffic analysis for a development project.					●						

Table 6-3: Staff Work Program - Suggested Work Plan

SUGGESTED WORK PLAN	CITY CLERK	CITY MNGRS	OFFICE	COMMUNITY	RELATIONS	DEVELOPMENT	SERVICES	ECONOMIC	DEVELOPMENT	ENGINEERING	FINANCE	LONG RANGE	PLANNING	INFORMATION	TECHNOLOGY	PARKS & RECREATION	
<ul style="list-style-type: none"> - Amend the location of public utility easement on Avondale Boulevard, and allow flexibility in the location of retaining walls within the public utility easement, to accommodate the landscape design requirements of the "land art" scheme. - Establish design standards for pedestrian-scale street lights, to address issues such as: whether they are on a separate circuit; hours of operation; materials; protections against vandalism, etc. <p>21. Update the sewer system model to reflect future development in the City Center area.</p> <p>22. Prepare a conceptual design of key infrastructure components, such as Corporate Drive.</p> <p>23. Prepare preliminary cost estimates for infrastructure that would be part of catalyst projects, such as:</p> <ul style="list-style-type: none"> - Corporate Drive/Avondale Boulevard Traffic Signal - Land Art on Corporate Drive - Corporate Drive Construction <p>24. Assist with the preparation of a storm drainage plan for a catalyst project.</p> <p>25. Establish more detailed design standards for certain streets in the City Center area.</p> <ul style="list-style-type: none"> - Establish the right of way width and design requirements for the transition areas on Roosevelt, Corporate, 117th, 119th, Van Buren, where the number of lanes changes and where turn lanes need to be incorporated. This includes the areas where Corporate Drive transitions to a different street design outside the study area. - Roosevelt Street and 119th Street – Establish the required right of way width and design requirements for segments where projects have already been approved and portions of the street have been built. Clarify that the new design standards only apply to new construction; not to projects already built, or where building permits have been approved. 										●							
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Table 6-3: Staff Work Program - Suggested Work Plan

SUGGESTED WORK PLAN	CITY CLERK	CITY MNGRS	COMMUNITY RELATIONS	DEVELOPMENT SERVICES	ECONOMIC DEVELOPMENT	ENGINEERING	FINANCE	LONG RANGE PLANNING	INFORMATION TECHNOLOGY	PARKS & RECREATION
	26. Amend the City of Avondale Transportation Plan to state that the City Center Specific Plan establishes the street design standards for the Specific Plan area. State explicitly that it includes some departures from City standards.						●			
27. Identify a potential site for a community center within the City Center area.	●				●					●
28. Prepare conceptual plans for the park site next to the Civic Center site. Consider whether all of the land is needed at this location.										●
29. Prepare a conceptual plan for the linear park on the east side of Avondale Boulevard.						●				●
30. Explore the potential for wireless communication in public plazas and parks in the City Center area.									●	●
31. Update impact fees for development in the City Center area.							●			
32. Study and select specific financing mechanisms to be used for general infrastructure and other area-wide improvements in the City Center area, and identify funding sources for catalyst projects.		●				●	●			
33. Form an interdepartmental team to develop and refine catalyst projects in the City Center area.		●								
34. Consider public/private partnership opportunity sites. Negotiate with property owners to begin to develop the catalyst projects.		●								
35. Undertake construction projects for the “short-term wins”, such as the Avondale Boulevard “Land Art” and Avondale Boulevard signs.		●				●				
36. Identify a potential site for public events, and negotiate with land owners for use, leasing, and/or acquisition of the land.		●								●
37. Oversee the planning and marketing efforts for the City Center area.		●								
38. Allocate staff resources for the implementation of the City Center Specific Plan.		●								
39. Research grant opportunities for infrastructure components of the City Center Specific Plan, and submit grant applications as appropriate.		●					●			
40. Establish work priorities and funding priorities for the City Center area.		●								
41. Work with the City Council on amendments to the public art ordinance and funding, and establish a plan for public art funding in the City Center area.		●								

City of Avondale Neighborhood Meeting Summary
Z-09-5 City Center East rezoning and Z-09-6 City Center West rezoning
June 3, 2009
Mojave Room, Avondale Civic Center

On June 3, 2009, City of Avondale Planning Division staff held a neighborhood meeting regarding the proposed City Center East rezoning (application Z-09-5) and City Center West rezoning (application Z-09-6). Brian Berndt, Development Services Director and Scott Wilken, Senior Planner, were present at the meeting representing the City.

One member of the public attended the meeting, Mr. Jeff Schwartz, representing The Empire Group, which owns property within the area proposed to be rezoned.

The meeting was set up as an informal question and answer session. The meeting was scheduled to start at 6pm. Mr. Schwarz arrived at 6:00pm and left at approximately 6:30pm. Staff closed the meeting at 6:45pm.

The following are questions or statements and answers (as appropriate) discussed at the meeting, in no particular order:

1. Q: What's going on with the Mortensen property on the east side of Avondale Blvd?
A: Staff worked with the representatives of the Mortensen property to come to a sales agreement.
2. Q: What did the City pay for the land that the American Sports Center will be built on?
A: Staff can provide a copy of the purchase agreement for Mr. Schwartz.
3. Q: Can I see the plans for the ASC?
A: The plans for the ASC are currently being designed, but will be publicly available prior to Council approval.
4. Q: How much will the ASC project cost?
A: Staff can provide a copy of the project budget to Mr. Schwartz.
5. Q: When the properties on the east side of Avondale Blvd. were annexed earlier this year, why wasn't Empire notified of the pending annexation?
A: The annexations were properly noticed, but mailings are not a required notification method.
6. Q: Why wasn't the Hurley property south of Avondale Blvd. included in the proposed rezoning?
A: The Hurley property was not annexed into the City with the properties to the north because the representatives of the Hurley family were not interested in annexation at the time and the City was not interested in an adverse condemnation annexation. Only properties within the corporate limits of the City of Avondale can be rezoned.
7. Empire is opposed to the proposed rezoning of the City Center properties.

Excerpt of the Draft Minutes of the regular Planning Commission meeting held July 16, 2009 at 6:30 p.m. in the Council Chambers.

COMMISSIONERS PRESENT

David Iwanski, Chairman
Michael Demlong, Vice Chair
Al Lageschulte, Commissioner
David Scanlon, Commissioner
Angela Cotera, Commissioner
Lisa Amos, Commissioner

COMMISSIONER ABSENT

Linda Webster, Commissioner

CITY STAFF PRESENT

Tracy Stevens, Planning Manager, Development Services Department
Ken Galica, Planner II, Development Services Department
Scott Wilken, Senior Planner, Development Services Department
Stacey Bridge-Denzak, Planner I, Development Services Department
Chris Schmaltz, Attorney

APPLICATION NO. Z-09-6

APPLICANT: Avondale City Council
11465 W. Civic Center Drive
Avondale, AZ 85323

PROPERTY OWNER: Various

REQUEST: A request to rezone approximately 132.74 acres from AG (Agricultural) to CCD (City Center District), located at the northwest corner of Avondale Blvd. and Van Buren Street.

Scott Wilken, Senior Planner, Development Services Department, stated that application Z-09-6 is a Council and Staff-initiated request to rezone the City Center West properties. Mr. Wilken reiterated that the entitlement process for the City Center area is a three-step process, and the third step is to rezone these properties within the City Center area to CCD. This will put the zoning in place, which will save time and money for developers. The City Center West properties are currently zoned AG. A property just to the north is still in the County. When the City initiated annexation procedures, this property owner was not interested in annexation.

Staff proposes to rezone approximately 132.74 acres on the west side of Avondale Blvd. and Van Buren Street. This rezoning request meets the intent of the General Plan and the framework of the City Center Specific Plan. If the request is approved, the item will go before the City Council on August 3, 2009 for rezoning. Subsequently, developers can submit development plans that are consistent with the City Center District.

Staff recommends approval of this request.

Chairperson Iwanski invited questions.

Commissioner Cotera asked about the PAD to the north. Mr. Wilken replied that the PAD on the west side of the City Center area has passed its initial two year expiration date without commencement of development of the first unit. Staff is currently in discussions with the property owner and attorneys to reach a solution for the property. Staff wishes to move forward with the rezoning without inclusion of the property to the north.

Vice Chair Demlong asked for confirmation that 165 property owners received letters and not one comment was received from property owners. Mr. Wilken replied that he had received a phone call from a resident of Waterford Square. He described the plans for the City Center and that resident seemed satisfied. The only concern she expressed was over the possibility of three-story condos or townhouses near the residential area. As far as the rezoning, she had no issue.

Vice Chair Demlong noted that only a member of the Empire Group had attended the neighborhood meeting. Mr. Wilken stated there was a small turnout for the neighborhood meeting and a special meeting was held for the folks from Empire Group, which was regarding the text amendment. No nearby residents attended the neighborhood meeting.

Vice Chair Demlong asked if the notices were received by anyone that participated in the multiple public meetings on the City Center Specific Plan, or did the notices only go to property owners. Mr. Wilken replied that the notices were sent to property owners, which may have included parties who participated in the public meetings. Vice Chair Demlong stated he does not know if this means the property owners are supportive of the City Center Specific Plan or have given up.

Chairperson Iwanski noted that the Development Services Staff Report states this application is a request to rezone approximately 132.74 acres. On the agenda for tonight's meeting, it states this application is a request to rezone 166.5 acres. Mr. Wilken explained that at one point, Staff had considered including the property to the north, but decided not to. The rezoning of 166.5 acres as stated on the agenda should read 132.74 as in the Staff Report.

Chris Schmaltz, City Attorney, asked if one specific property represents the difference between 166.5 acres and 132.74 acres. Mr. Wilken replied that three properties were excluded from this rezoning request. Attorney Schmaltz inquired if the notices sent to property owners had stated that 166.5 acres were to be rezoned, including those three properties. Mr. Wilken replied that the notice for the neighborhood meeting stated 166.5 acres were to be rezoned. The number of areas to be rezoned was reduced after that to 132.74. Attorney Schmaltz stated his concern was only if the notices were under-inclusive of land as opposed to over-inclusive. Mr. Wilken added the same mailing lists were used for notice of the neighborhood meeting as for the subsequent notices. Attorney Schmaltz noted for the record that all properties recommended for rezoning were provided notice as required under the statute and the ordinance, which Mr. Wilken confirmed.

Chairperson Iwanski opened the public hearing.

Jeff Blyley, Empire Group, 4800 N. Scottsdale Rd., Scottsdale, AZ, stated the Empire Group opposes this rezoning. They own the property in the northwest corner of Avondale Blvd. and Van Buren. They feel that the rezoning to City Center District negatively impacts the ability for them to develop their property, it diminishes the value of their property, and this contradicts the concept of flexibility that they feel was advocated and approved during the adoption of the City Center Plan.

Chairperson Iwanski invited questions for Mr. Blyley. There were none. Chairperson Iwanski invited members of the audience to address the Commission. There were no requests to speak.

Chairperson Iwanski closed the public hearing and entertained a motion and a second.

Vice Chair Demlong moved that the Planning Commission accept the findings and recommend approval of application Z-09-6, a request to rezone approximately 132.74 acres from AG to CCD. Commissioner Scanlon seconded the motion.

Chairperson Iwanski invited further discussion. There was none.

Chairperson Iwanski called for a vote.

ROLL CALL VOTE

Chairperson Iwanski	Aye
Vice Chair Demlong	Aye
Commissioner Lageschulte	Aye
Commissioner Scanlon	Aye
Commissioner Cotera	Aye
Commissioner Webster	Absent
Commissioner Amos	Aye

The motion passed unanimously.

ORDINANCE NO. 1382-809

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF AVONDALE FOR APPROXIMATELY 138.08 ACRES LOCATED AT THE NORTHWEST CORNER OF AVONDALE BOULEVARD AND VAN BUREN STREET, AS SHOWN IN FILENAME Z-09-6, REZONING SUCH PROPERTY FROM AGRICULTURAL (AG) TO CITY CENTER (CCD).

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, as amended; and

WHEREAS, all due and proper notices of public hearings on the intended amendment held before the City of Avondale Planning and Zoning Commission (the “Commission”) and the City Council were given in the time, form, substance and manner provided by ARIZ. REV. STAT. § 9-462.04, as amended; and

WHEREAS, the Commission held a public hearing on Thursday, July 16, 2009, on the amendment to the Zoning Atlas after which the Commission recommended approval; and

WHEREAS, the City Council held a public hearing regarding the amendment to the Zoning Atlas on August 3, 2009.

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

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

SECTION 2. That ± 138.08 acres of real property generally located at northwest corner of Avondale Boulevard and Van Buren Street, as shown in filename Z-09-6 (the “Property”), as more particularly described and depicted in Exhibit A, attached hereto and incorporated herein by reference, are hereby rezoned from Agricultural (AG) to City Center (CCD).

SECTION 3. That 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. That 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.

PASSED AND ADOPTED by the Council of the City of Avondale, August 3, 2009.

Marie Lopez Rogers, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 1382-809

[Legal Description and Map]

See following pages.

Z-09-06 rev2
City Center West
Legal Description
For Zoning Purposes

That Part of the Southeast Quarter of Section 1, Township 1 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County Arizona, described as follows:

Commencing at the East Quarter Corner of said Section 1, Township 1 North, Range 1 West of the Gila and Salt River Meridian, from which the Southeast corner thereof bears South 0 degrees 2 minutes 17 seconds East distance of 2626.80, as the basis of bearing;

Thence South 0 degrees 2 minutes 17 seconds East along the East line of the Southeast quarter of said Section 1 a distance of 682.43 feet to the True Point of Beginning;

Thence continuing South 0 degrees 2 minutes 17 seconds East along said East line of the Southeast quarter of Section 1 a distance of 1944.37 feet to the Southeast Corner thereof;

Thence South 89 degrees 40 minutes 30 seconds West along the South line of the Southeast quarter of said Section 1 a distance of 2620.78 feet to the South Quarter Corner of said Section 1;

Thence North 0 degrees 2 minutes 24 seconds East along the West line of the Southeast quarter of said Section 1 a distance of 2646.78 feet to the center of said Section 1;

Thence South 89 degrees 53 minutes 17 seconds East, along the North line of the Southeast quarter of Said Section 1 distance of 1308.57 feet to the Northeast corner of the West half of the Southeast Quarter of said Section 1;

Thence South 0 degrees 00 minutes 04 seconds West, along the East line of the West half of the Southeast Quarter of said Section 1 a distance of 682.43 feet to a point on a South line of the North 682.42 feet of the East half of the Southeast Quarter of said Section 1;

Thence South 89 degrees 53 minutes 17 seconds East, along said South line a distance of 1309.04 feet to the True Point of Beginning;

Said parcel contains 138.03 acres gross, more or less



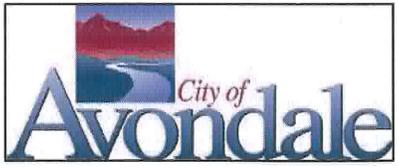
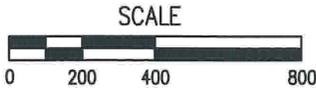
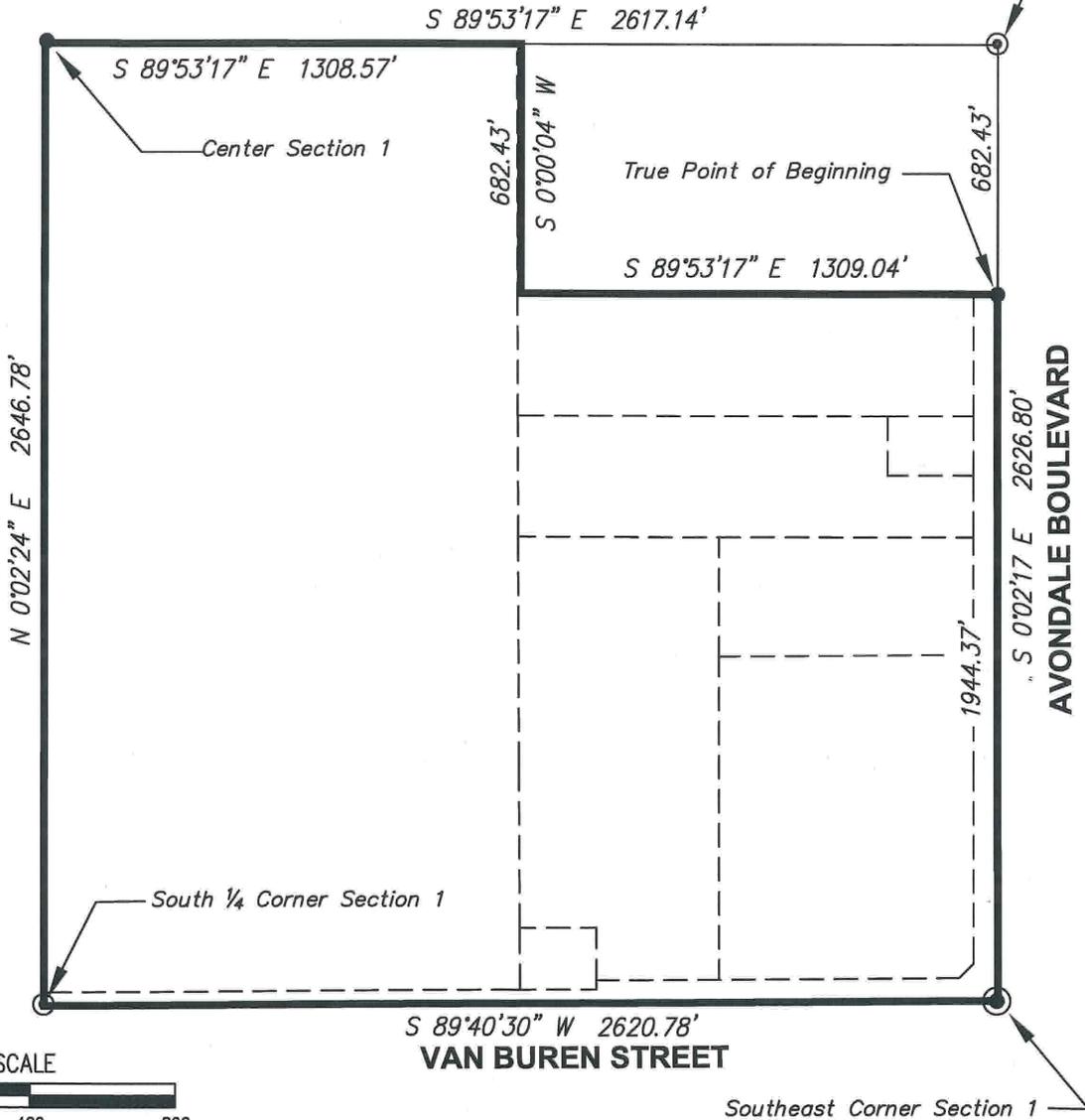
NOTES:

This drawing is based upon record information as an exhibit to the description for Zoning Purposes Only

REFERENCE DOCUMENTS:

- 1) Book 694 of Maps Page 38, GDACS
- 2) Deed MCR Docket 20041128224
- 3) Deed MCR Docket 20060373996

East Quarter Corner
Section 1, T1N, R1W, G&SRM
Maricopa County Arizona



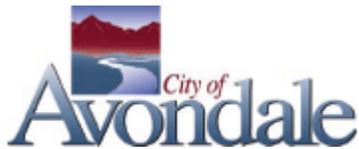
GIS-LAND SERVICES
Division of
WATER RESOURCES
DEPARTMENT



WEST CITY CENTER
ZONING APPLICATION Z-09-06
CONSOLIDATED PARCELS
138.03 ACRES AREA

DATE: 6-4-2009
 DSN: _____
 DRN: LS
 CHK: _____

PROJECT NAME
Z-09-06
 PAGE
2 OF 2



DEVELOPMENT SERVICES

SUBJECT:

Master Site Plan and Phase I Final Site Plan -
Three Rivers Commerce Center - (DR-09-3)

MEETING DATE:

August 3, 2009

TO: Mayor and Council

FROM: Brian Berndt, Development Services Director (623) 333-4017

THROUGH: Charlie McClendon, City Manager (623) 333-1015

REQUEST: Master Site Plan approval and Phase I Final Site Plan approval for Three Rivers Commerce Center

PARCEL SIZE: 34.96 acres

LOCATION: Southeast corner of Roosevelt Street and 105th Avenue (Exhibits A and B)

APPLICANT: Mr. Adam Valente, Davis Experience (480) 638-1100

OWNER: Mr. Michael Blenis, Arizona Land Company (480) 488-0350

BACKGROUND:

The property was annexed on March 17, 1986 and rezoned from AG (Agricultural) to PAD (Planned Area Development) on January 17, 2006, part of the 80 gross acre Three Rivers Commerce Park PAD. The Three Rivers PAD allows for commerce park type uses with additional allowances for automobile related uses along the Roosevelt Street frontage, directly adjacent to the Automall.

A final plat which divided the original property into two 35 acre parcels and dedicated public street right-of-way was approved by the City Council on January 16, 2007. These two halves are presently under separate ownership. The southern 35 acres adjacent to Van Buren Street is owned by Maricopa County. In preliminary discussions with the City, the County has indicated a desire to use this property for their West Court Complex. The County has not submitted any official plans to the City for review. The northern 35 acres adjacent to Roosevelt Street is owned by Arizona Land Company, LLC.

An amendment to the northern half of the Three Rivers PAD was approved by the City Council on December 8, 2008. The amendment increased the maximum allowable building height to six stories (if certain conditions can be met), allowed restricted outdoor storage subject to several conditions, increased the minimum amount of landscaping and open space required on the site, required conformance with the Design Manual, and allowed for limited phasing of off-site infrastructure subject to approval by the City Engineer.

The General Plan land use designation for this property is Employment. The PAD remains consistent with this General Plan Designation.

The subject property is bordered to the north by Roosevelt Street, to the south by Pierce Street, to the east by 103rd Avenue, and to the west by 105th Avenue. The uses of the surrounding properties are as follows:

NORTH: Avondale Automall PAD, a series of automobile dealerships with two vacant lots remaining for future development.

SOUTH: Three Rivers PAD. The Maricopa County-owned property remains vacant and no development plans have been submitted to the City.

EAST: Avondale Commerce Park PAD, an employment centered PAD approved by the City Council in March 2008. The property remains vacant and no development plans have been submitted to the City

WEST: Griffith Commerce Park PAD, an employment PAD also provides for C-2 (Community Commercial) type uses along Roosevelt Street and along Van Buren Street. Existing development within this PAD includes Universal Technical Institute (UTI), a training academy for skilled auto mechanics, and Coyote Honda, a motorcycle dealership. The remainder of the land within the Griffith PAD remains vacant, however a 25 acre portion is under the ownership of Arizona Land Company and a site plan application is expected to be filed.

SUMMARY OF REQUEST:

1. The applicant is requesting approval of a master site plan (Exhibit D) for an 820,000 square foot office, industrial, and hotel development on a 34.96 acre parcel located at the southeast corner of Roosevelt Street and 105th Avenue. The property is located within the Three Rivers Commerce Park Planned Area Development (PAD). Master Site plan approval is requested to establish the circulation, access, parking, building placement and landscape concept for the entire parcel. This application is subject to the applicable requirements contained within the following documents: Three Rivers Commerce Park PAD (amended 12/2008), Avondale Zoning Ordinance, Freeway Corridor Specific Plan, and Design Manual for Commercial, Industrial, and Multi-Family Residential Development.

2. The master site plan proposes developing the site in four phases, as follows:

- **Phase I** is located at the intersection of Roosevelt Street and 103rd Avenue at the northeast corner of the site. This first phase includes five single-story (30' to top of parapet) multi-tenant flex industrial/office buildings ranging in size between 24,000 and 33,000 square feet of interior space; the total square footage of Phase I is 132,000 square feet. The buildings are oriented such that the service areas face a common courtyard, lessening the visual impact of the industrial nature of the facility from surrounding streets and properties. Uses allowed by the PAD for these buildings include a range of employment generating light industrial, office, and commerce park type uses; specific users for these buildings have not been determined. All tenant spaces will feature private outdoor storage areas integrated into the rear of each suite. Restricted outdoor storage is allowed at this location subject to seven conditions prescribed in the Three Rivers PAD intended to ensure that the storage areas will not detract from the aesthetics of the site. A list of all seven required conditions and further discussion regarding how the outdoor storage component meets all such requirements can be found in the analysis section of this report. The applicant is concurrently seeking final site plan approval for Phase I (Exhibit E).
- **Phase II** is located adjacent to 105th Avenue, approximately 260 feet south of Roosevelt Street. This phase will include four single-story 10,000 square foot fully enclosed industrial office buildings intended for single tenant use. Uses allowed by the PAD for these buildings include a range of employment generating light industrial, office, and commerce park type uses; specific users for these buildings have not been determined. Phase II does not include an outdoor storage component. The applicant is not seeking final site plan approval of Phase II at this time. As such, the designs for the Phase II industrial office buildings have not been submitted for review and will instead be administratively approved with the final site plan for

Phase II at a later date to ensure conformance with the approved master site plan.

- **Phase III** is located at the intersection of Roosevelt Street and 105th Avenue at the northwest corner of the site. Phase III will include a 6-story, 165 room hotel; Business-class and extended stay hotels are a permitted use in the approved PAD. A hotel chain has not been identified and the applicant has acknowledged that the building footprint, number of rooms, and height may change when a specific user for that portion of the site is identified. The ultimate design and building elevations of the hotel site will be administratively approved along with the final site plan for Phase III at a later date to ensure conformance with the approved master site plan.
- **Phase IV** occupies the entire south half of the site adjacent to Pierce Street. The applicant plans to develop this phase with four 4-story office buildings, each 144,000 square feet in area, for a total phase area of 576,000 square feet. The buildings planned for Phase IV are intended to house professional (non-medical) offices to provide support the Maricopa County court complex which has been discussed for the 35 acre parcel directly south. The applicant is not seeking final site plan approval of Phase IV at this time. As such, the designs for the Phase IV office buildings have not been submitted for review and will instead be administratively approved with the final site plan for Phase II at a later date to ensure conformance with the approved master site plan.

3. When complete, the development site will be accessible from four public streets: Roosevelt Street, Pierce Street, 105th Avenue, and 103rd Avenue. The master site plan also includes a private spine road which divides the northern and southern halves of the property and allows for internal access between the various development phases. There are nine total entrances to the site from the aforementioned public streets. Phase I is served by a driveway entrance on Roosevelt Street as well as the shared spine road entrance from 103rd Avenue. Phase II is served by a driveway entrance from 105th Avenue as well as the shared spine road entrance with from 105th Avenue. Phase III is accessed by two entrances, one from Roosevelt Street and the second from 105th Avenue. Finally, Phase IV will be accessible from entrances off of Pierce Street, 103rd Avenue, and 105th Avenue, in addition to being accessible from the spine road. Construction of perimeter streets in multiple phases is no longer permitted in Avondale. However, because the Three Rivers PAD was approved prior to the new PAD Ordinance and specifically allows for infrastructure phasing, the streets surrounding this project will be phased, as follows:

- 1st Phase - Full ½ street improvements to Roosevelt Street from 103rd Avenue to 105th Avenue; full half street improvements to 103rd Avenue from Roosevelt to the private spine road.
- 2nd Phase - Full ½ street improvements to 105th Avenue from Roosevelt Street to the private spine road.
- 3rd Phase - No improvements with 3rd Phase
- 4th Phase - Full ½ street improvements to 105th Avenue from Pierce Street to private spine road, Full ½ street improvements to 103rd Avenue from Pierce Street to private spine road, Full ½ street improvements to Pierce Street from 103rd Avenue to 105th Avenue.

The master site plan provides vehicular cross access between phases with one exception: No cross access is provided between Phase III (Hotel) and either of the adjacent phases. Staff has recommended a stipulation requiring at least one point of vehicular cross access be provided between Phase III and an adjacent phase. The specific location of this internal connection will be reviewed with the final site plan for Phase II or Phase III.

4. The proposed master site plan provides a total of 3,200 parking spaces which are dispersed

throughout the four phases. All parking is provided in surface lots with the exception of two 5 level, 1,000 space parking decks proposed with Phase IV. The proposal exceeds minimum Zoning Ordinance parking requirements by nearly 300 spaces and meets all applicable ADA requirements. The parking areas will be primarily screened by 3' decorative screen walls; 3' earthen berms are used in lieu of screen walls in several prominent locations in an effort to create a more varied streetscape. The design of the parking garage will be reviewed administratively with the final site plan for Phase IV. The applicant will be required to adhere to the principles contained within the Design Manual, which will ensure the parking garage will be architecturally treated and complementary to the architecture of the primary buildings on the site.

5. A landscape plan (Exhibit F) has been provided for Phase I. The plan features a mix of tree types, including Yellow Oleanders, Chinese Evergreen Elms, Heritage Live Oaks, Sissos, Palo Verdes, and Date Palms. Additionally, twelve varieties of shrubs and five types of organic accents/groundcover are provided. The plan features very dense shrub massings organized in a rectilinear manner, contributing to what will be a lush streetscape unique from any development currently built in Avondale. Overall, roughly 11 percent (or 58,276 SF) of the net site area is landscaped. A total of 169 trees (117 with 2 inch calipers) and 715 shrubs are proposed in Phase I. The project meets or exceeds all landscaping requirements for plant quantity, landscape area, and plant size contained within the Three Rivers PAD. For the sake of continuity throughout the master planned development, the landscape plan which has been submitted for Phase I will serve as a template for the remaining phases of the project. Landscape plans for each future phase will be reviewed with the final site plans for those subsequent phases.

6. The applicant has submitted site details plans (Exhibit G) for Phase I of the development. Pedestrian areas will be required to be provided with all phases of the development in accordance with the language contained in the Design Manual and will be reviewed with the final site plans for those subsequent phases. Several pedestrian amenities and hardscape features are included in the Phase I proposal, as follows:

- Concrete pavers are utilized at each driveway entrance and at internal pedestrian crossings for create awareness for drivers that pedestrians may be present, and also for an added aesthetic benefit. The same materials and patterns will be required to be used throughout the future project phases as well.
- Benches are provided throughout the site under shade canopies for use by pedestrians and visitors to the site. The presence of these pedestrian refuge areas will be emphasized through the use of exposed aggregate concrete paving accents. Additionally, these areas are all located in close proximity to landscaped areas containing trees which will provide further shade for the users. Similar areas will be required in Phase II of the project. Phases III and IV will require pedestrian areas substantially larger than those proposed for Phase I because the nature and size of the hotel and office uses will generate more pedestrian traffic than the two industrial phases.

7. The applicant has provided building elevations (Exhibit H) for Phase I only. The proposed architecture is contemporary and uses frequent changes in wall planes to create shadowing and add horizontal interest to the facades. The color scheme chosen by the architect (Exhibit I) includes green, beige, and red-brown earth tones to give the buildings a sophisticated appearance.

8. A lighting plan (Exhibit J) and luminaire schedule has been provided for Phase I. Within this phase, parking lot lighting is provided via 25 foot tall pole mounted fixtures which are fully shielded and the photometric plan complies with all City Dark Sky provisions. Because a master photometric plan was not submitted, the applicant will be expected to provide individual photometric plans for review with the final site plan applications for all future phases. For the sake of continuity throughout the master planned development, the intensity, lighting types, and fixture styles used in Phase I will also be required to be similar in Phases II, III, and IV.

9. The applicant has requested additional time to prepare a Comprehensive Sign Program (CSP) for the master development. The applicant has stated that the PAD (as amended in December 2008) is overly restrictive in regards to signage and that additional time is needed to explore available options for increasing the sign allowances on the property. An additional PAD amendment will be required to change the current restrictions; any request which proposes sign standards in excess of Sign Ordinance limits will be considered a major amendment and will be subject to Planning Commission review and City Council approval. A request which proposes standards in line with those contained in the Sign Ordinance will be a minor amendment and reviewed at the administrative level.

10. In accordance with the Public Art Ordinance requirements for a project of this size, the applicant will contribute \$150,000 to the City's Public Art Fund in lieu of providing public art on the site. The payment will be required prior to issuance of a Certificate of Occupancy/Completion for the first completed building on site.

11. Storm water retention required for this site is accommodated by a combination of landscaped surface basins and underground pipe. Surface basins have a shallow, contoured design to add to the appearance of the site perimeter.

12. Any significant changes to the master site plan, including but not limited to changes in building footprints, locations, square footages, heights, and architecture will be considered a major site plan amendment and require City Council approval. Minor changes which do not alter the character of the development from what is being presented may be approved administratively.

13. The Traffic Study submitted by the applicant still contains omissions and cannot be approved by the City Engineer at this time. However, it is not anticipated that the required modifications to the traffic study will substantially impact the design of the site. Staff recommends a stipulation that the traffic study (and any resultant minor revisions to affected plans) shall be revised and submitted for approval prior to submitting Construction Documents (CDs) for the first phase of the project. Staff will not review CDs until the traffic study and all affected plans meet staff approval.

14. A re-plat of Three Rivers Commerce Park will be required to dedicate any additional required right-of-way which has not already been dedicated. The final plat must be approved by the City Council before issuance of a building permit.

PARTICIPATION:

A letter of notification and a copy of the site plan were mailed on March 9, 2009 to property owners within 500 feet of the property. No comments have been received to date.

PLANNING COMMISSION ACTION:

The Planning Commission heard this request on July 16, 2009, and voted 6-0 to recommend **APPROVAL** subject to the following stipulations (Exhibit L):

1. Development shall be in conformance with the Master Site Plan, Phase I Final Site Plan, Landscape Plan, Grading and Drainage Plan, Utility Plan, Photometric Plan (Sheet ES1.0), and Site Details Plan (Sheet 2.0) date stamped June 15, 2009, Project Description, Site Details Plan (Sheet 1.0), Photometric Plan (Sheet ES2.0) and Building Elevations date stamped May 13, 2009, and Color/Material Board date stamped March 3, 2009, except as modified by these stipulations.

2. A revised Traffic Impact Analysis which addresses the remaining concerns from the City's 2nd Review Comment Letter (dated June 1, 2009) shall be submitted and approved by Staff prior to submittal of Construction Documents for Phase I. Additionally, any plans and/or reports which are forced to change as a result of the revised Traffic Impact Analysis shall also be submitted and approved by Staff prior to submittal of Construction Documents for Phase I.

3. The plan approval will expire in one year from date of City Council approval unless a building permit has been issued.
4. All development shall be completed in accordance with the City of Avondale General Engineering Requirements Manual (GERs) and the City of Avondale Supplement to the MAG Uniform Specifications and Details.
5. All future phases shall follow the approved Phase I Landscape, Photometric, and Site Details plans.
6. A comprehensive sign program which conforms to all requirements of the Three Rivers PAD shall be submitted and approved administratively prior to approval of construction documents for Phase I.
7. At least one point of vehicular cross access between Phase III and Phase I and/or Phase II shall be provided prior to approval of a final site plan for Phase III. The location shall be depicted on the final site plan submitted for Phase II or Phase III.
8. The developer shall meet all applicable requirements of the Public Art Ordinance (Zoning Ordinance Section 11) prior to issuance of a Certificate of Occupancy and/or Certificate of Completion for any building on the site.
9. A re-plat of Three Rivers Commerce Park which dedicates any additional required right-of-way not currently in place shall be approved by the City Council prior to issuance of a building permit.
10. Off-site improvements shall be completed in no more than three phases as depicted on the Master Site Plan.
11. All common landscape areas shall be maintained by the property owner or a property owner's association in accordance with approved landscape plans.
12. No exterior equipment, including but not limited to mechanical equipment and roof ladders, shall be allowed where visible to the public or from an off-site location.
13. Phase IV Office development shall meet standards for "Class A" office construction as commonly understood in the Phoenix Metropolitan Region. All Phase IV buildings shall, at a minimum, include:
 - 1) Interior tenant circulation/corridors to access tenant office spaces;
 - 2) Common tenant/visitor restrooms within the building public space;
 - 3) Large public lobbies and entry areas, featuring upgraded interior finishes and design, used by building tenants and visitors;
 - 4) Internal vertical circulation (elevators and stairs) located in a common public core area; and
 - 5) Exterior site amenities, such as entrance plazas and common green spaces.

ANALYSIS:

General Plan and Freeway Corridor Specific Plan

·The General Plan Land Use Map designates this property as Employment. Both the Three Rivers Commerce Park PAD and the proposed development are consistent with this General Plan designation. The mix of industrial and office uses proposed will generate significant employment opportunities when the site is fully built.

·The subject property lies within the boundaries of the Freeway Corridor Specific Plan (FCSP), however it does not fall within any of the three FCSP sub-areas for which there are specialized design standards. Even though it is technically not required for this property, the proposed master site plan is consistent with the standards contained within the Specific Plan.

·The Freeway Corridor Specific Plan identifies a maximum height of six stories for development on

this property. All proposed buildings on the site conform to the height limitations imposed by the FCSP.

Access, Circulation, and Parking

- The 35 acre master site is accessible from nine entrances from the four adjacent public streets. The phasing of the street improvements to Pierce Street, 103rd Avenue, and 105th Avenue, while not preferred, will have little impact on the City's transportation system due to the isolated location of the project. Any deterioration of partially constructed infrastructure will be required to be repaired by the developer when a connection is made by a subsequent phase of off-site improvements.
- The proposed configuration of the site allows for sufficient on-site vehicle circulation within the proposed development, with one exception. A vehicular cross access point is required between the hotel phase (Phase III) and either Phase I or Phase II to allow ease of access within the site and to prevent motorists from having to exit the site and re-enter a different portion within a short distance. Approval of staff's recommended stipulations will ensure this potential problem is addressed.
- Ample turning radius is provided on the site for delivery trucks, garbage trucks, and fire vehicles.
- To increase pedestrian safety, all instances where sidewalks cross vehicular driveways or aisles have been clearly defined by the use of pavers.
- Parking in excess of the minimum Zoning Ordinance requirements use is provided to serve the site.
- All parking areas are screened from view from all streets by a combination of 3' screen wall and 3' earthen berms in conformance with PAD and Zoning Ordinance requirements. Parking decks to be built as part of Phase IV will be architecturally treated to complement the surrounding buildings.
- Parking lot lighting meets all Zoning Ordinance requirements and complies with Dark Sky provisions.

Landscaping and Retention

- The applicant has provided a landscape plan for Phase I only. The Phase I landscape plan will act as a model and set the plant palette, streetscape treatment, and overall landscape design theme for the remainder of the master site plan area as stipulated. Landscape plans for each future phase will be reviewed with the final site plans for those subsequent phases.
- The applicant is proposing landscaping throughout Phase I of the site in excess of minimum requirements. A total of 169 trees are provided on the site, 117 of which will have 2-inch calipers or larger. In addition, 715 shrubs and 1,675 accent plants will be used on the site. The proposed landscape plan exceeds the Three Rivers PAD minimum landscaping requirements by 4 trees and 497 shrubs.
- The plan features plants which require low water usage, including Yellow Oleanders, Chinese Evergreen Elms, Heritage Live Oaks, Sissos, Palo Verdes, and Date Palms, twelve varieties of shrubs, and five types of organic accents/groundcover. Densely planted clusters of several types of Agaves are used, in addition to trees, to highlight entry points and corners as well as to accentuate the landscape islands throughout the parking lot.
- Internal to the site, a combination of Sisso and Palo Verde trees are used in landscape islands to provide vehicular shading.
- The Zoning Ordinance requires 33 percent of all visible building frontages to be landscaped. This requirement has been exceeded in Phase I of this project; Yellow Oleanders and Agaves are

proposed in landscape beds located in close proximity to building frontages to provide additional color to the elevations.

·Surface storm water retention is accommodated in shallow, contoured basins on the perimeter of the site designed to have a natural appearance. All surface retention is fully landscaped. Additional retention is provided underground.

Elevations

·The proposed building elevations for Phase I are consistent with the intent of the Design Manual for Commercial, Industrial, and Multi-Family Residential Development.

·Vertical articulation is provided by applying subtle color changes to Exterior Insulation Finishing System (EIFS) pop outs to give the illusion of shadowing, as well as by using textured masonry block with vertical striations to create the appearance of increased height.

·The elevations reflect attention to detail through the use of bronze colored metalwork for canopies over building entrances as well as for decorative caps on the ends and middle of each building.

·Outdoor storage areas will not be visible from outside of the service courtyard. The outdoor storage areas are screened by a ten foot masonry wall which steps up to sixteen feet in height where the wall becomes visible from public areas.

·A color and materials palette was submitted in conjunction with the site plan. The elevations propose a mix of rich earth tones designed to create interest while sustaining an understated feel. Additional color is provided by the extensive foundation landscaping.

·The buildings feature significant amounts of masonry products, including a split face Mesa stone which displays rich red, orange, black, and crystalline aggregate. This product is used to create a horizontal band around portions of the building base, a cap on portions of the parapet, and also to accentuate floor to ceiling windows in several spots. Additionally, a taupe colored striated block is used above pedestrian level to emphasize the verticality of the buildings and to provide additional texture and subtle shadowing.

·All sides of the buildings, including the rear elevations, have been architecturally treated with a range of materials and feature variation in the heights of the parapets to break up the roof form.

·Future phases will be required to utilize colors and materials from the material palette submitted and approved as part of this application. It will be important that the future phases share a common theme with the Phase I buildings, however the applicant will be encouraged to provide variation within that theme in order to create an interesting master development.

Signage

·For reasons previously outlined in this report, the applicant has not submitted a Comprehensive Sign Program (CSP) for this project. Staff and the applicant have agreed to a stipulation which will require administrative approval of a CSP before the City will approve Construction Drawings. Staff will approve a CSP only if it is in complete conformance with the approved or amended PAD.

FINDINGS:

- 1.The project meets the General Plan land use designation of Employment for this site.
- 2.The proposed development conforms to the amended Three Rivers PAD and the Avondale Zoning Ordinance.

3. With staff recommended stipulations, the proposed development conforms to the intent of the Avondale Design Manual for Commercial, Industrial, and Multi-Family Residential Development.

4. The conditions of approval are reasonable to ensure conformance with all applicable City documents, including the City Code, Zoning Ordinance, and General Engineering Requirements.

RECOMMENDATION:

The Planning Commission recommends that the City Council **APPROVE** application DR-09-3, a request for Master Site Plan approval and Phase I Final Site Plan Approval for Three Rivers Commerce Park, subject to 13 stipulations.

PROPOSED MOTION:

I move that the City Council accept the findings and **APPROVE** application DR-09-3, a request for Master Site Plan approval and Phase I Final Site Plan approval for the Three Rivers Commerce Park development, subject to the 13 recommended stipulations.

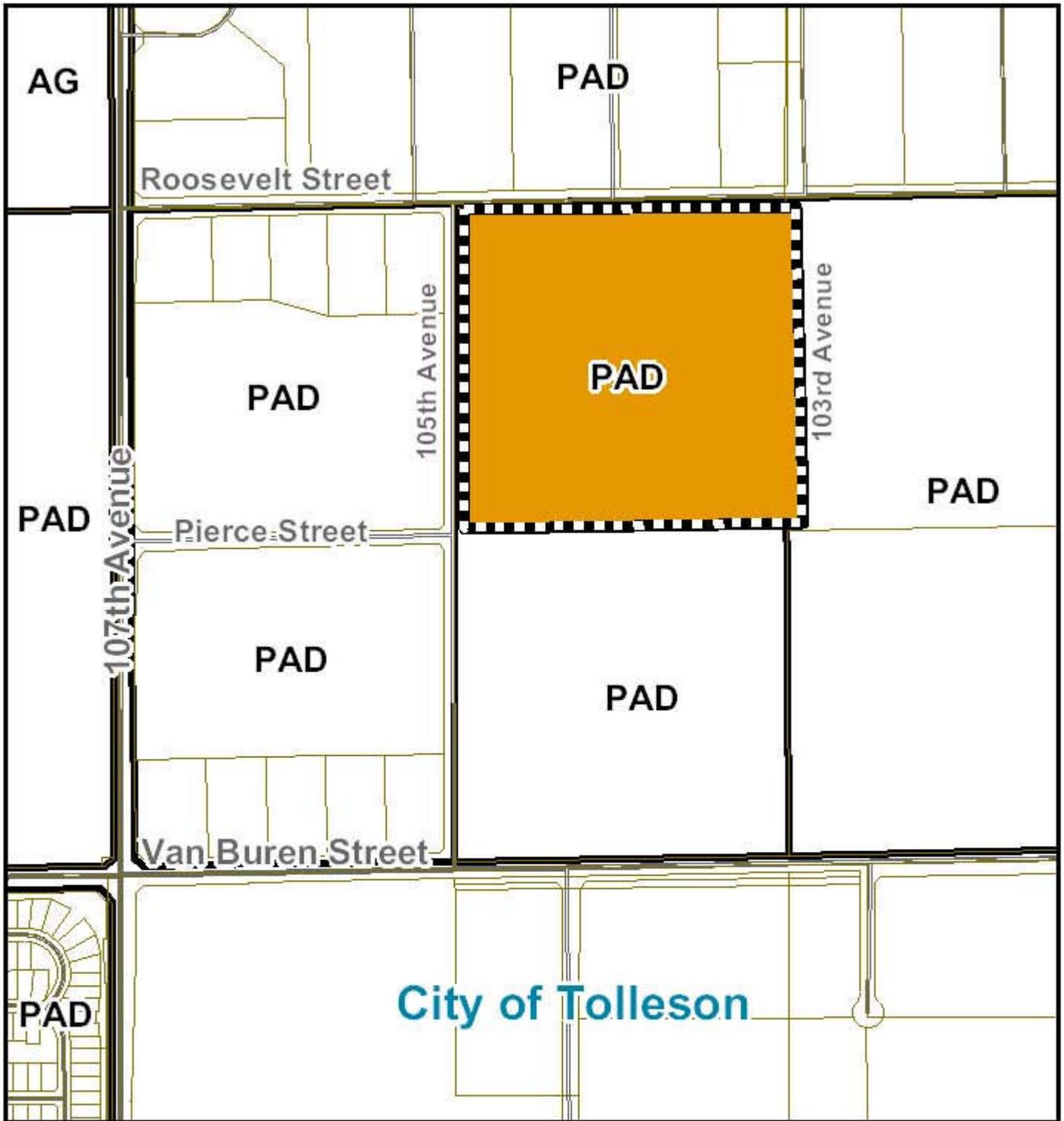
ATTACHMENTS:

Click to download

- [📄 Exhibit A - Zoning Vicinity Map](#)
- [📄 Exhibit B - Aerial Photograph](#)
- [📄 Exhibit C - Summary of Related Facts](#)
- [📄 Exhibit D - Proposed Master Site Plan, date stamped June 15, 2009](#)
- [📄 Exhibit E - Proposed Phase I Final Site Plan, date stamped June 15, 2009](#)
- [📄 Exhibit F - Proposed Phase I Landscape Plan, date stamped June 15, 2009](#)
- [📄 Exhibit G - Proposed Site Details Plans, Sheet 1.0 date stamped May 13, 2009, and Sheet 2.0 date stamped June 15, 2009](#)
- [📄 Exhibit H - Proposed Phase I Building Elevations, date stamped May 13, 2009](#)
- [📄 Exhibit I - Photograph of proposed Colors/Materials Board, date stamped March 3, 2009](#)
- [📄 Exhibit J - Proposed Phase I Photometric Plan, Sheet 1.0 date stamped June 15, 2009, and Sheet 2.0 date stamped May 13, 2009](#)
- [📄 Exhibit K - Applicant Project Description, date stamped May 13, 2009](#)
- [📄 Planning Commission Minutes - July 16, 2009](#)

PROJECT MANAGER:

Ken Galica, Planner II (623) 333-4019



City of Tolleson

Zoning Vicinity Map



Subject Property





2008 Aerial Photo



Subject Property



*SUMMARY OF RELATED FACTS
APPLICATION DR-09-3*

<i>THE PROPERTY</i>	
PARCEL SIZE	34.96 acres
LOCATION	Southeast corner of Roosevelt Street and 105 th Avenue
PHYSICAL CHARACTERISTICS	None
EXISTING LAND USE	Agricultural
EXISTING ZONING	PAD (Planned Area Development)
ZONING HISTORY	The site was zoned AG upon annexation and rezoned, along with the 40 acres to the south, to PAD, in January 2006. A PAD amendment for this parcel was approved by the City Council in December 2008.
DEVELOPMENT AGREEMENT	None

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH	PAD (Planned Area Development) – Auto Sales (Avondale Auto Mall)
EAST	PAD (Planned Area Development) - Undeveloped
SOUTH	City of Tolleson I-1 (Industrial) – Warehousing and Distribution
WEST	PAD (Planned Area Development) – Vocational School (UTI), Motorcycle Dealership (Coyote Honda)

<i>GENERAL PLAN</i>	
The property is designated for Employment.	

<i>STREETS</i>	
Roosevelt Drive	
Classification	Minor Collector
Existing half street ROW	50 feet
Standard half street ROW	40 feet
Existing half street improvements	None
Standard half street improvements	1.5 traffic lanes, bike lane, curb, gutter, detached sidewalk, landscaping and streetlights.
Pierce Street	
Classification	Minor Collector
Existing half street ROW	40 feet
Standard full street ROW	40 feet
Existing half street improvements	None
Standard half street improvements	1 traffic lane, bike lane, ½ median, curb,

	gutter, detached sidewalk, landscaping and streetlights.
--	--

103rd Avenue

Classification	Minor Collector
Existing half street ROW	40 feet
Standard half street ROW	40 feet
Existing half street improvements	None
Standard half street improvements	1.5 traffic lanes, bike lane, curb, gutter, detached sidewalk, landscaping and streetlights.

105th Avenue

Classification	Minor Collector
Existing half street ROW	40 feet
Standard half street ROW	40 feet
Existing half street improvements	None
Standard half street improvements	1.5 traffic lanes, curb, gutter, detached sidewalk, landscaping and streetlights.

Utilities

The project will have access to an existing 12” water line in the north half of Roosevelt Street and an existing 8” water line in the west half of 105th Avenue.

The project will have access to an existing 12” sewer line in the north half of Roosevelt Street.

MASTER SITE PLAN

PROJECT DATA

ZONING:

MUNICIPALITY: AVONDALE, ARIZONA
 LOCATION: SEC ROOSEVELT & 105TH AVE.
 APN: 102-55-016
 ZONING: (PAD)

LANDSCAPE BUFFERS:	REQUIRED	PROVIDED
N: (ROOSEVELT)	25'	25'
S: (PIERCE)	15'	15'
E: (103 RD AVE):	15'	15'
W: (105TH AVE):	15'	15'

SITE AREA

PHASE I:	14.5 Acres Gross / 12.4 Acres Net
PHASE II:	4.0 Acres Gross / 3.4 Acres Net
PHASE III:	2.2 Acres Gross / 2.2 Acres Net
PHASE IV:	19.3 Acres Gross / 17.0 Acres Net
TOTAL SITE AREA:	40.0 Acres Gross / 35.0 Acres Net

BUILDING AREAS

PHASE I		
FLEX INDUSTRIAL/OFFICE 01:	25,500 SF	
FLEX INDUSTRIAL/OFFICE 02:	24,000 SF	
FLEX INDUSTRIAL/OFFICE 03:	33,000 SF	
FLEX INDUSTRIAL/OFFICE 04:	25,500 SF	
FLEX INDUSTRIAL/OFFICE 05:	24,000 SF	
TOTAL SF:	132,000 SF	

PHASE II		
FLEX INDUSTRIAL/OFFICE 06:	10,000 SF	
FLEX INDUSTRIAL/OFFICE 07:	10,000 SF	
FLEX INDUSTRIAL/OFFICE 08:	10,000 SF	
FLEX INDUSTRIAL/OFFICE 09:	10,000 SF	
TOTAL SF:	40,000 SF	

PHASE III		
HOTEL:	72,000 SF	
TOTAL SF:	72,000 SF	

PHASE IV		
OFFICE 01:	144,000 SF	
OFFICE 02:	144,000 SF	
OFFICE 03:	144,000 SF	
OFFICE 04:	144,000 SF	
TOTAL SF:	576,000 SF	

BUILDING AREA PHASE I, II & IV 820,000 SF
COVERAGE 30% (455,000 sf)

PARKING DATA - CITY OF AVONDALE

PARKING REQUIRED		
PHASE I - FLEX OFFICE	132,000 SF (1/500 SF)	264 SPACES
PHASE II - FLEX OFFICE	40,000 SF (1/500 SF)	80 SPACES
PHASE III - HOTEL	165 ROOMS (1 1/3 per sleeping room)	220 SPACES
PHASE IV - OFFICE	576,000 SF (1/250 SF)	2,304 SPACES
PARKING REQUIRED:		2,868 SPACES

PARKING PROVIDED		
PHASE I PROVIDED	330 SPACES	
PHASE II PROVIDED	90 SPACES	
PHASE III PROVIDED	220 SPACES	
PHASE IV PROVIDED	2,560 SPACES	
PARKING PROVIDED TOTAL:	3,200 SPACES	

KEY NOTES:

- USEABLE OPEN SPACE, 500SF MINIMUM WITH PEDESTRIAN AMENITIES PER DESIGN MANUAL
- PROPERTY LINE
- EASEMENT
- SETBACK

PROJECT DIRECTORY

OWNER

AZ. LAND COMPANY
 P.O. BOX 5061
 CAREFREE AZ 85577
 CONTACT: MICHAEL BLENIS
 P-(480) 488-0350 EXT. 302
 F-(480) 488-4780
 E-MAIL: MICHAEL@PARAGONAZ.COM

DEVELOPER

PARAGON
 CONTACT: MICHAEL BLENIS
 P-(480) 488-0350 EXT. 302
 F-(480) 488-4780
 E-MAIL: MICHAEL@PARAGONAZ.COM

ATTORNEY

EARL, CURLY & LAGARDE
 3101 N. CENTRAL AVENUE
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 PHOENIX, AZ 85012
 CONTACT: LYNNE LAGARDE
 P-(602) 265-0094

ARCHITECT

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 TEMPE, AZ 85281
 ATTN: MIKE EDWARDS / ADAM VALENTE
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 E: AVALENTE@THEDAVISEXPERIENCE.COM

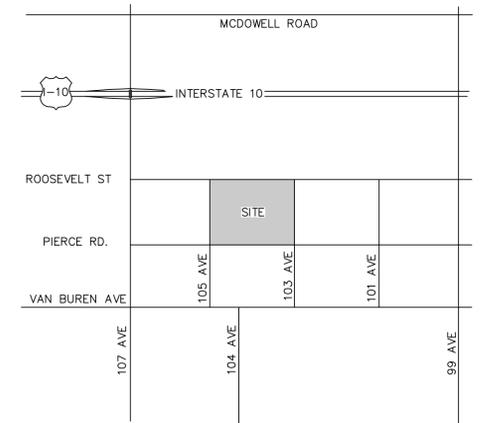
LEGAL DESCRIPTION

LOT 1 OF THREE RIVERS COMMERCE PARK
 ACCORDING TO THE PLAT OF RECORD IN THE
 OFFICE OF THE COUNTY RECORDER OF MARICOPA
 COUNTY, ARIZONA; RECORDED IN BOOK 899 OF
 MAPS, PAGE 13 AND AMENDMENT RECORDED AS
 2008-0117784 OF OFFICIAL RECORDS.

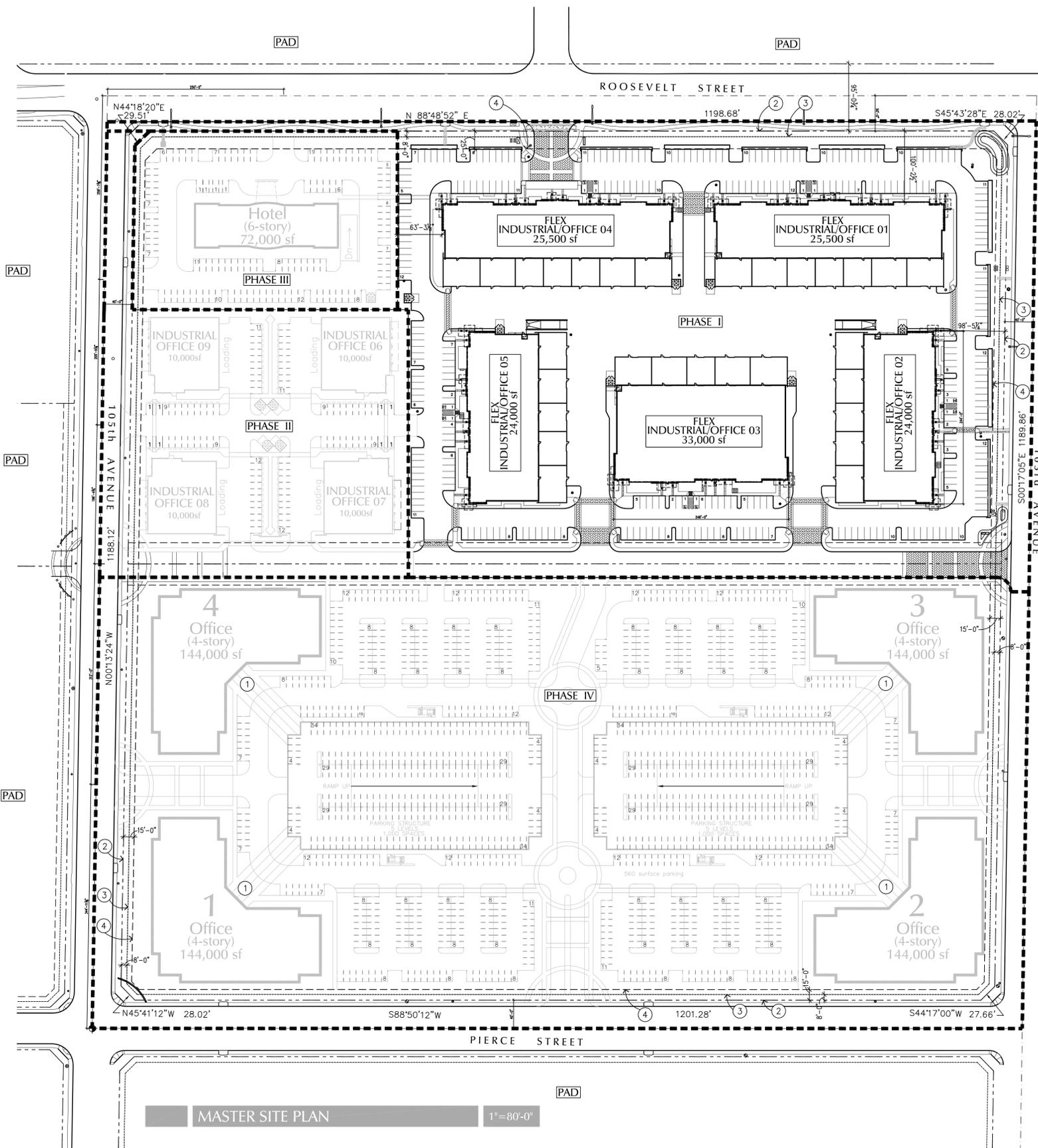
GENERAL NOTES:

- ELECTRICAL AND MECHANICAL WILL BE SCREENED BY WALLS OR ENCLOSED WITHIN THE BUILDING.

VICINITY MAP



2/26/09 - FIRST SUBMITTAL
 5/5/09 - SECOND SUBMITTAL



MASTER SITE PLAN

1"=80'-0"



architecture
 interior architecture
 space planning
 facilities management
 land planning
 landscape architecture
 graphic design

Three Rivers Commerce Park Campus
 Avondale, Arizona

MSP 1.0

REVISED: 15. JUN. 09

06480
 5.MAY.09

All calculations are approximate and subject to change.

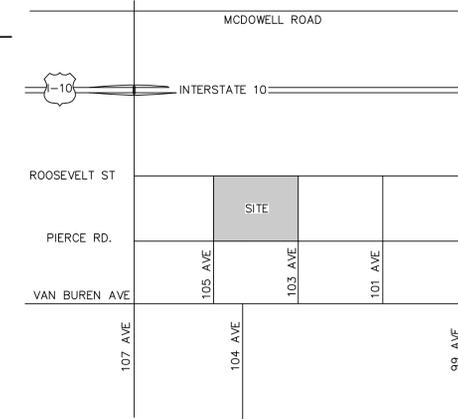
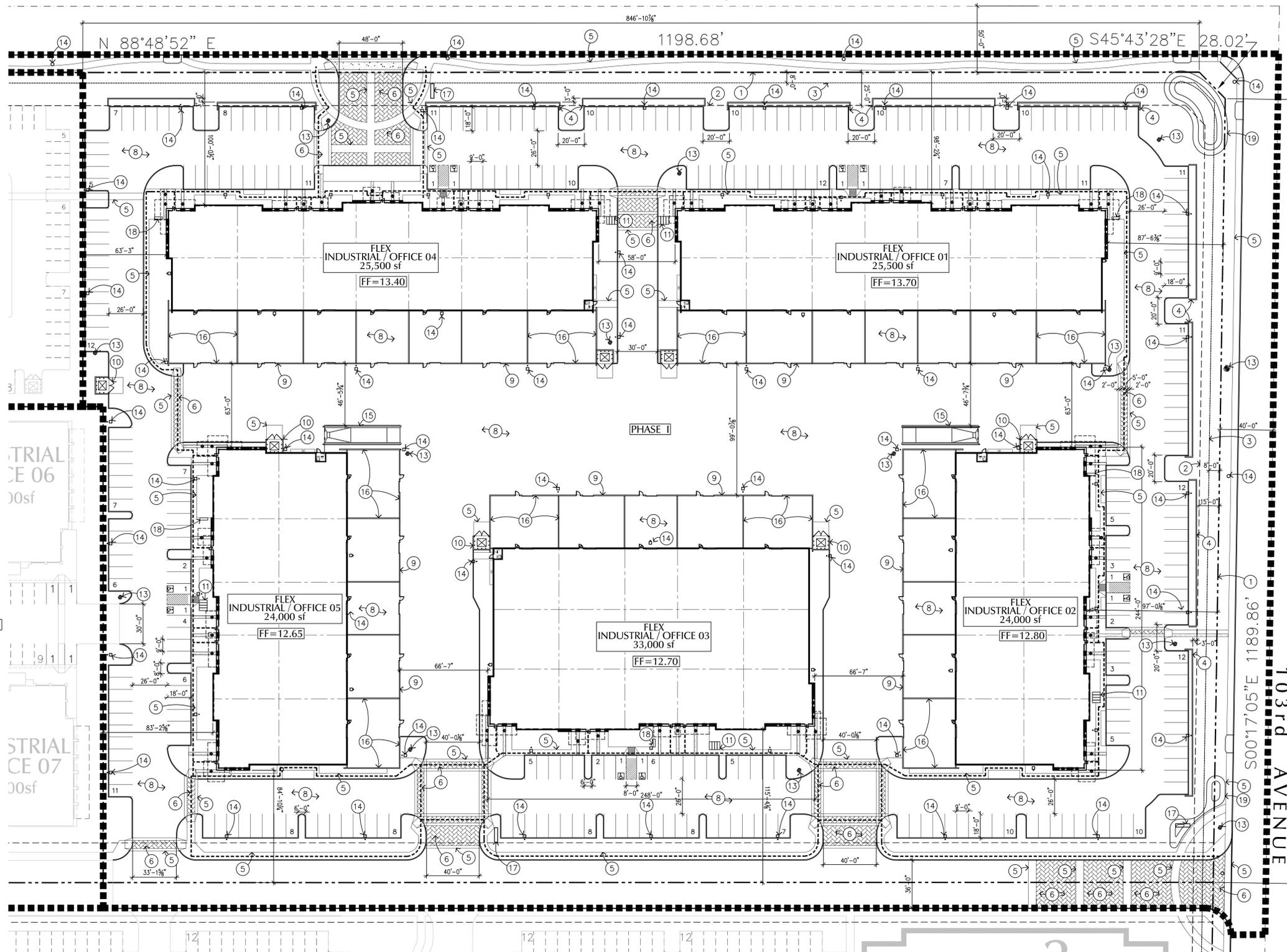


PAD

PAD

VICINITY MAP

ROOSEVELT STREET



PROJECT DATA

ZONING:

MUNICIPALITY: AVONDALE, ARIZONA
 LOCATION: SEC ROOSEVELT & 105TH AVE.
 APN: 102-55-016
 ZONING: (PAD)

PROJECT DIRECTORY

OWNER
 AZ LAND COMPANY
 P.O. BOX 5061
 CAREFREE AZ 85577
 CONTACT: MICHAEL BLENIS
 P-(480) 488-0350 EXT. 302
 F-(480) 488-4780
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 3101 N. CENTRAL AVENUE
 SUITE 1000
 PHOENIX, AZ 85012
 CONTACT: LYNNE LAGARDE
 P-(602) 265-0094

LANDSCAPE BUFFERS:	REQUIRED	PROVIDED
N: (ROOSEVELT)	25'	25'
S: (PIERCE)	15'	15'
E: (103 RD AVE)	15'	15'
W: (105TH AVE)	15'	15'

SITE AREA

PHASE I: 14.5 Acres Gross / 12.4 Acres Net

BUILDING AREAS

PHASE I	AREA	FF
FLEX IND./OFFICE 01:	25,500 SF	13.40
FLEX IND./OFFICE 02:	24,000 SF	12.80
FLEX IND./OFFICE 03:	33,000 SF	12.70
FLEX IND./OFFICE 04:	25,500 SF	13.70
FLEX IND./OFFICE 05:	24,000 SF	12.65
TOTAL SF:	132,000 SF	

COVERAGE 25% (132,000 sf)

PARKING DATA - CITY OF AVONDALE

PARKING REQUIRED	SPACES
PHASE I - FLEX IND./OFFICE 132,000 SF (1/500 SF)	264 SPACES
PARKING PROVIDED	330 SPACES

- KEYNOTES**
- PROPERTY LINE
 - SETBACK
 - EASEMENT
 - 36" MASONRY SCREEN WALL
 - CONCRETE
 - DECORATIVE PAVERS
 - EXPOSED AGGREGATE CONCRETE
 - ASPHALT
 - 10'-0" OUTDOOR STORAGE YARD SCREEN WALL
 - REFUSE WITH 6" MASONRY SCREEN WALL
 - BIKE RACK, 4-2'x6' SPACES (20 TOTAL)
 - ACCESSIBLE ROUTE
 - FIRE HYDRANT
 - LIGHTING
 - TRUCK WELL WITH SCREEN WALL
 - 16'-0" OUTDOOR STORAGE YARD SCREEN WALL
 - SIGN, PLEASE SEE COMPREHENSIVE SIGN PACKAGE FOR DETAILS
 - PEDESTRIAN BENCHES
 - BERMING

LEGAL DESCRIPTION

LOT 1 OF THREE RIVERS COMMERCE PARK ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 899 OF MAPS, PAGE 13 AND AMENDMENT RECORDED AS 2008-0117784 OF OFFICIAL RECORDS.

GENERAL NOTES:

1. ELECTRICAL AND MECHANICAL WILL BE SCREENED BY WALLS OR ENCLOSED WITHIN THE BUILDING.

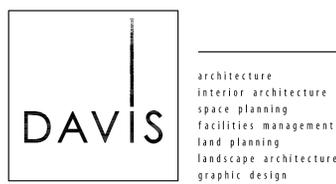
PHASE LINE

2/26/09 - FIRST SUBMITTAL
 5/5/09 - SECOND SUBMITTAL

PHASE I SITE PLAN

1"=40'-0"

PHASE IV



Three Rivers Commerce Park Campus

Avondale, Arizona

REVISED: 15 . JUN . 09
 06480
 5.MAY.09

FSP 1.0

(INDIVIDUAL SITE PLAN PER PAD)

0' 40' 80' 120' 160'

All calculations are approximate and subject to change.



PLANTING DATA TABLE: (PHASE 1)

LANDSCAPE AREAS:	REQUIRED	PROVIDED
A. On-Site Landscape Area: Commercial = 10% of Net Site Area Industrial = 5% of Net Site Area	26,093 Sq.Ft. (5% of 521,867 Sq.Ft.)	58,276 Sq.Ft. (11.2%)
B. Residential buffer landscape area 10Ft. from all residential boundaries:	N/A	N/A
C. Parking Lot Landscape Area (Minimum 5% of parking lot area:	6,402 Sq.Ft. (5%)	13,531 Sq.Ft. (10.6%)
D. Parking islands 1 per 12 consecutive parking spaces minimum 5 Ft. wide, minimum 50 Sq.Ft.	1,400 Sq.Ft.	9,968 Sq.Ft.
E. Foundation planting 33% of building frontage for any elevation adjacent to a public street or drive aisle	711 Lin.Ft. (33% of 2,156 Lin.Ft.)	1,351 Lin.Ft. (62.7%)
LANDSCAPE PLANTINGS:	REQUIRED	PROVIDED
Right of way landscape plantings		
F. Trees: 1 per 20 Lin.Ft. of street frontage	109 Trees	109 Trees
G. Shrubs: 2 per 20 Lin.Ft. of street frontage	218 Shrubs	715 Shrubs
H. Shrub & Ground cover Area: 25%	12,425 Sq.Ft. (25% of 49,700 Sq.Ft.)	14,351 Sq.Ft. (28.8%)
Parking Space Plantings:		
I. Trees: 1 per 8 Spaces	42 Trees	60 Trees
Residential Buffer Plantings:		
J. Trees: 1 per 20 feet of residential boundaries:	N/A	N/A
Special Planting Requirements (PAD, Zoning, Etc.):	N/A	N/A
TOTALS:	REQUIRED	PROVIDED
Total On-Site Landscape Area:	26,093 Sq.Ft.	71,807 Sq.Ft.
Total Right-of-Way landscape Area:	N/A	N/A
Total Usable Open Space Percent (PAD Only):	N/A	N/A
Total Trees:	165 trees	169 trees
Total 24" Box Trees (25% of Total Trees)	42 trees	117 trees
Total Shrubs:	218	715
Total Ground cover (3/4" select decomposed granite):	12,425 Sq.Ft.	14,351 Sq.Ft.

GENERAL NOTES:

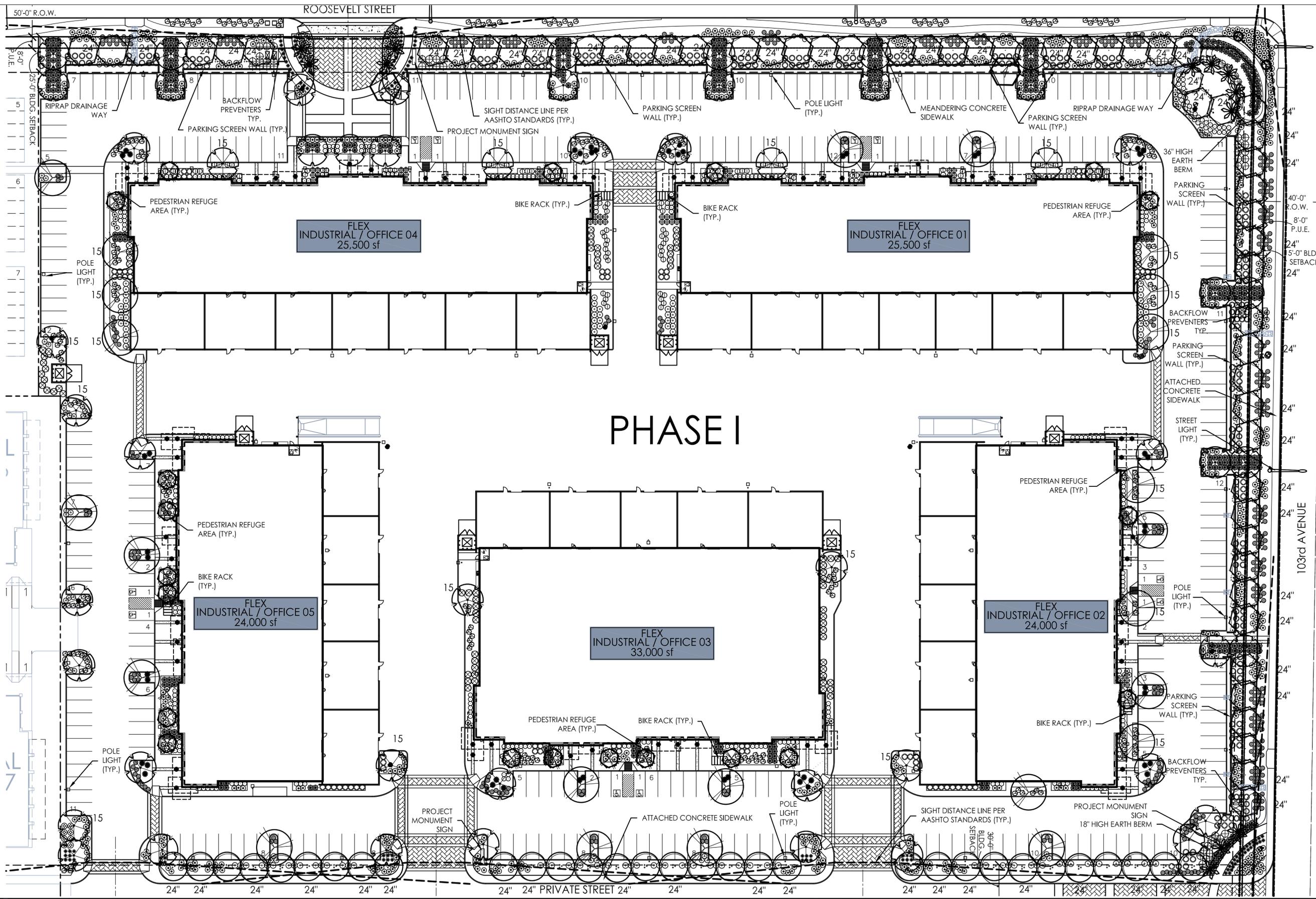
- Twenty-four inch box trees shall have a minimum trunk height of eight feet with a minimum 2-inch caliper measured 4-feet above the ground. Fifteen gallon trees shall have a minimum trunk height of 6 feet with a minimum 1 1/2" caliper measured 4 feet above the ground.
- The property owner and/or lessee shall be responsible to install/maintain all landscaping within the right-of-way.
- A 3-foot clear space is required around all fire suppression equipment. No plants may be installed that will encroach when mature.
- Plantings within the Sight Visibility Triangle Line shall be maintained to that no limbs hang lower than seven (7) feet and shrubs or other plants planted within the Sight Visibility Triangle Line shall be no taller than two (2) feet at full growth.

NOTE: All construction shall be in accordance with the City of Avondale Supplement to MAG Specifications & Standard Details currently on file and available at the City of Avondale Engineering Department.

PRELIMINARY PLANT LEGEND (PHASE I)

SYMBOL	COMMON NAME BOTANICAL NAME	SIZE	QTY	REMARKS
TREES				
	Yellow Oleander Tree Thevetia peruviana	15 Gal.	21	
	Chinese Evergreen Elm Ulmus parvifolia	15 Gal. 24" Bos	11 20	
	Heritage Live Oak Quercus virginiana 'Heritage'	15 Gal. 24" Box	14 45	
	Sisso Tree Dalbergia sisso	15 Gal. 24" Box	10 44	
	Desert Museum Palo Verde Parkinsonia x. 'Desert Museum'	15 Gal. 24" Box	8 17	
	Date Palm Phoenix dactylifera	15' Tall	12	Matching Specimen w/Diamond Cuts
SHRUBS / ACCENTS				
	Variegated Agave Agave angustifolia var. marginata	5 Gal.	385	
	Pink Muhley Muhlenbergia capilaris 'Regal Mist'	5 Gal.	44	
	Twin Flowered Agave Agave geminiflora	5 Gal.	46	
	Agave Ocahui Agave ocahui	5 Gal.	110	
	Rio Bravo Sage Leucophyllum langmaniae	5 Gal.	8	
	Valentine Emu Bush Eremophila maculata 'Valentine'	5 Gal.	317	
	Baja Fairy Duster Calliandra californica	5 Gal.	71	
	Feathery Cassia Cassia artemisioides	5 Gal.	117	
	Blue Ranger Leucophyllum zygophyllum 'Cimmaron'	5 Gal.	226	
	Bougainvillea 'Barbara Karst' Bougainvillea sp. 'Barbara Karst'	5 Gal.	57	
	Bat Faced Cuphea Cuphea llavea	5 Gal.	99	
	Tropical Agave Agave desmetiana	5 Gal.	62	
GROUND COVER				
	Sandpaper Verbena Verbena rigida	1 Gal.	272	
	'New Gold' Lantana Lantana camara 'New Gold'	1 Gal.	830	
	Bush Morning Glory Convolvulus cneorum	1 Gal.	442	
	Dwarf Coyote Bush Baccharis x. 'Starn'	1 Gal.	34	
	Yellow Dot Sphagnelicola trilobata	1 Gal.	97	
INERT GROUND COVER				
	3/4" Sized 'Palomino Gold' From a Single Source	Sq.Ft.	84,999	

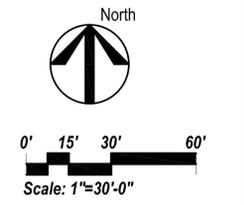
Note: The Preliminary Landscape Plan that has been submitted for the Phase 1 parcel of the Three Rivers Commerce Park Campus will act as a template for the remaining phases of the project. The plant palette, street trees, Date Palm groupings at key entry points, and rhythmic rectilinear plant massings will be incorporated into the street frontage plantings. This palette and patterning will be utilized along the entire roadway frontages for Roosevelt Street, 103rd Avenue, and Pierce Street. The shrub palette, Date Palm groupings, and plant massings will be continued along the 105th Avenue street frontage with the introduction of a hybrid Mesquite tree as the primary street tree for this roadway. Due to the varying building types and land uses as shown on the Master Site Plan the planting designs for the interior portions of each property will utilize a similar plant palette, but each design will be custom fit for the type of project. The plant massings, tree types, and shrub types will vary slightly based upon the type of project.



PHASE I

Notes:

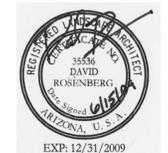
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- Exact locations and elevations of the berming will be established on the construction drawings.



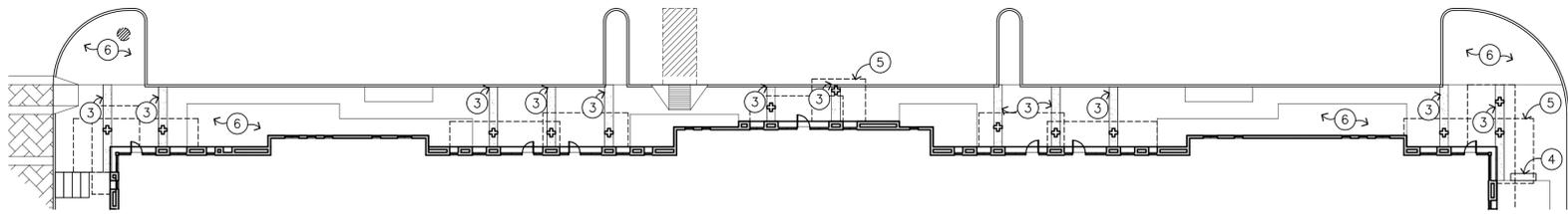
desert
adaptive
LANDSCAPE ARCHITECTURE
ARCHITECTURE L.L.C.
1900 W. Chandler Blvd., #15-362
Chandler AZ, 85224
Phone: (602) 369-1597
Fax: (480) 272-6436

Three Rivers Commerce Park Phase I Avondale, Arizona

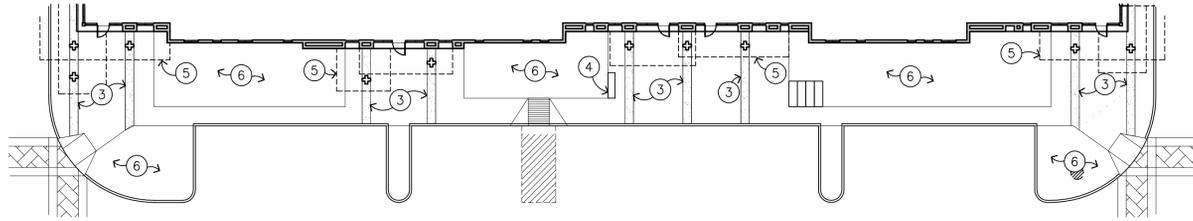
All information contained in this drawing is Preliminary, and Not for Construction



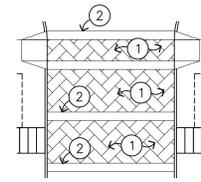
Preliminary
Landscape Plan
Date: February 23, 2009
Revised: May 8, 2009 June 15, 2009



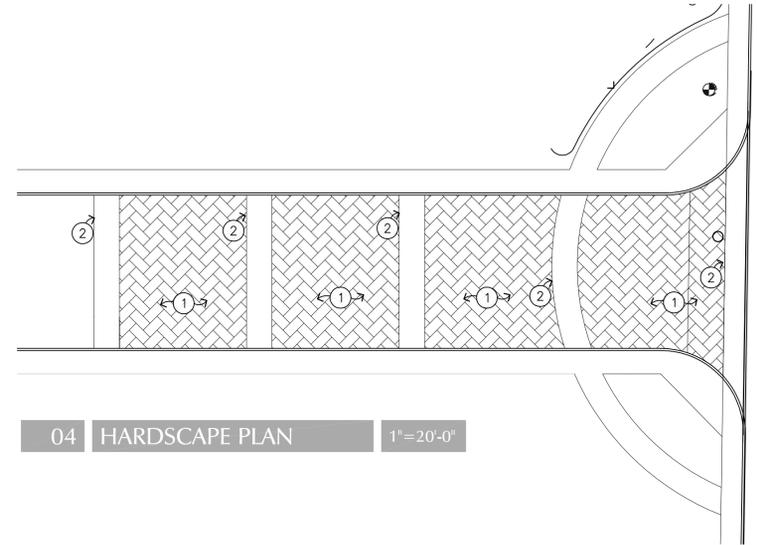
01 HARDSCAPE PLAN 1"=20'-0"



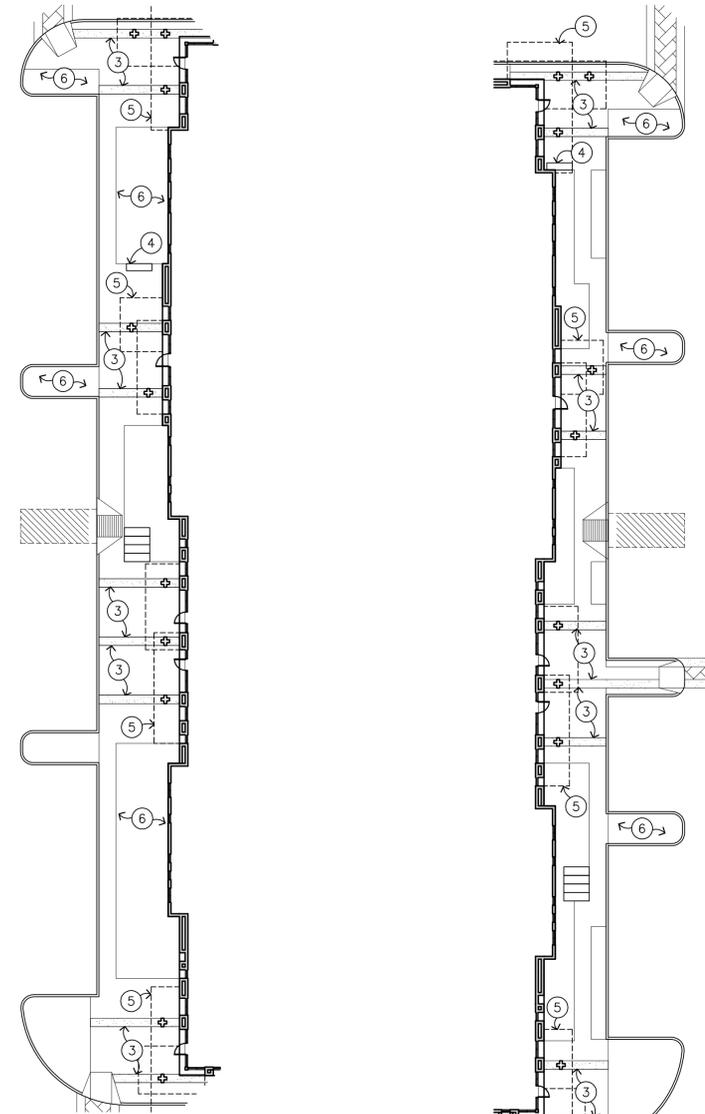
02 HARDSCAPE PLAN 1"=20'-0"



03 HARDSCAPE PLAN 1"=20'-0"

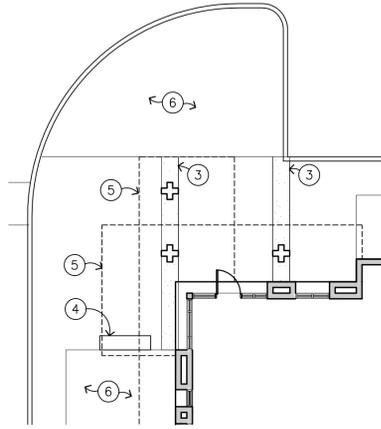


04 HARDSCAPE PLAN 1"=20'-0"

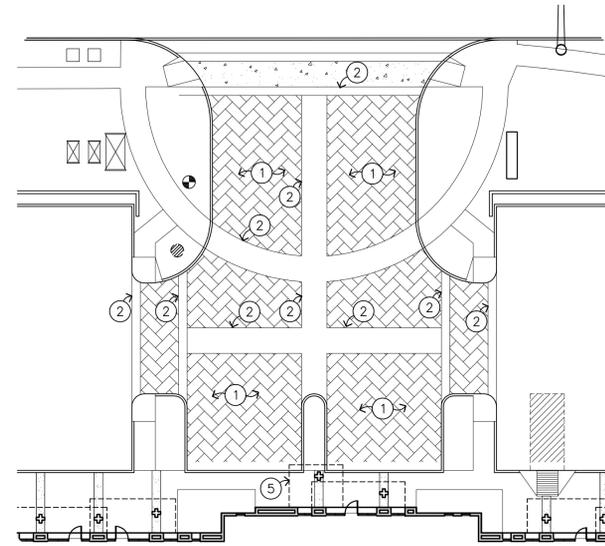


06 HARDSCAPE PLAN 1"=20'-0"

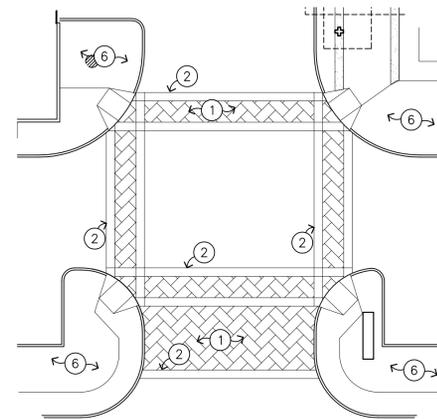
07 HARDSCAPE PLAN 1"=20'-0"



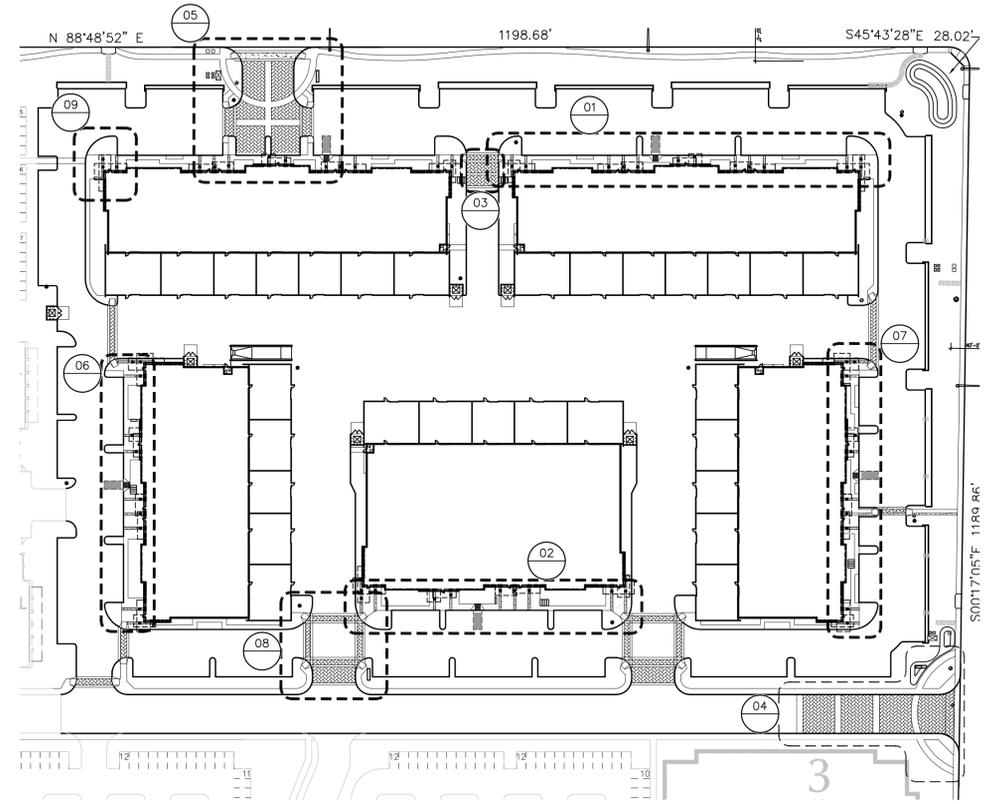
09 PEDESTRIAN SEATING AREA PLAN TYP. 1"=10'-0"



05 HARDSCAPE PLAN 1"=20'-0"



08 HARDSCAPE PLAN 1"=20'-0"



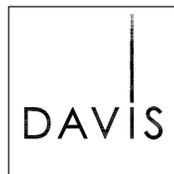
09 KEY PLAN N.T.S.

KEYNOTES

- 1 CONCRETE PAVERS TO MATCH M1
- 2 SMOOTH CONCRETE ACCENT
- 3 EXPOSED AGGREGATE CONCRETE ACCENT
- 4 CONCRETE BENCH TO MATCH M1, SEE DTL2.0 FOR CUT SHEET
- 5 LINE OF SHADE CANOPY ABOVE
- 6 LANDSCAPE AREA

0' 20' 40' 60' 80'

All calculations are approximate and subject to change.



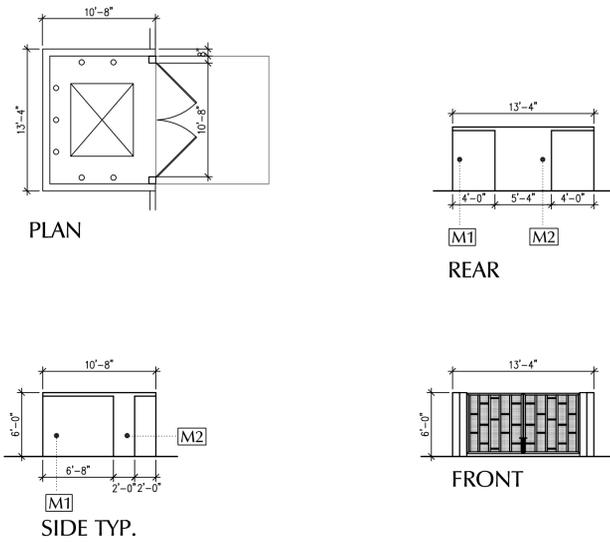
architecture
interior architecture
space planning
facilities management
land planning
landscape architecture
graphic design

Three Rivers Commerce Park Campus
Avondale, Arizona

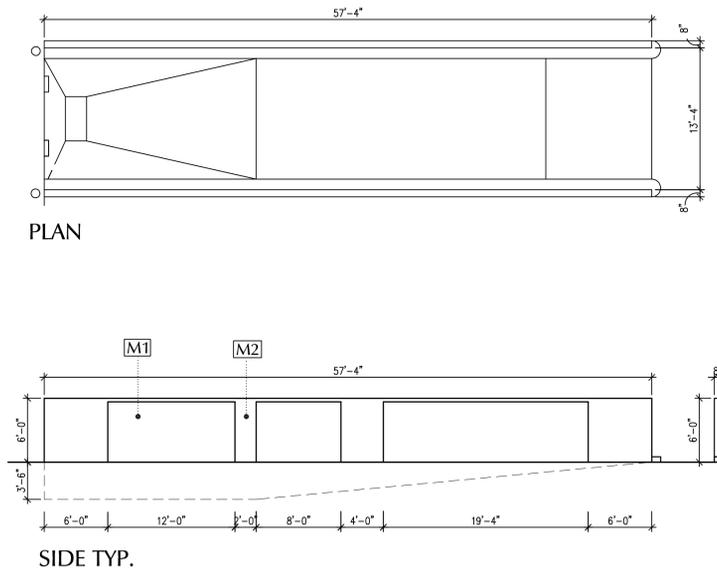
DTL 1.0

06480
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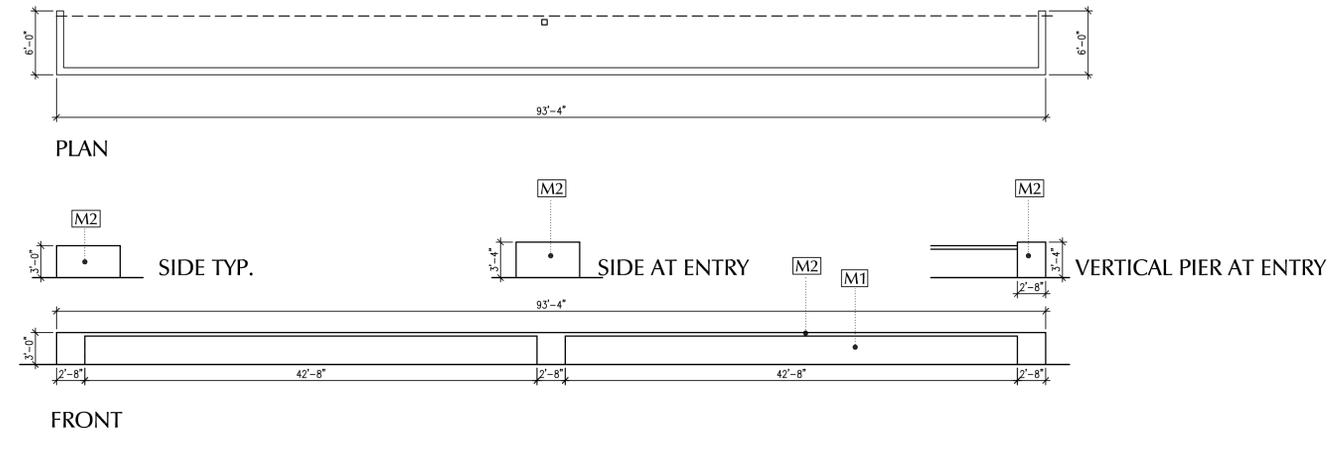


04 TRASH ENCLOSURE 1/8"=1'-0"



05 ENLARGED PLAN - LOADING DOCK 1/8"=1'-0"

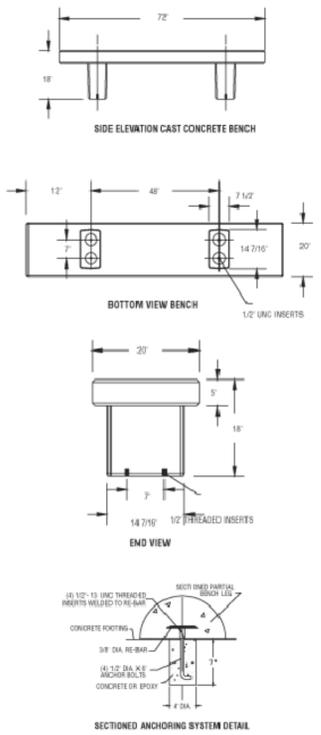
M1 - CMU to match Superlite, Founders Finish, "Maricopa Blend"
 M2 - CMU to match Superlite, Mesastone, Buff



06 ENLARGED PLAN - SITE WALL 1/8"=1'-0"

SPECIFICATIONS

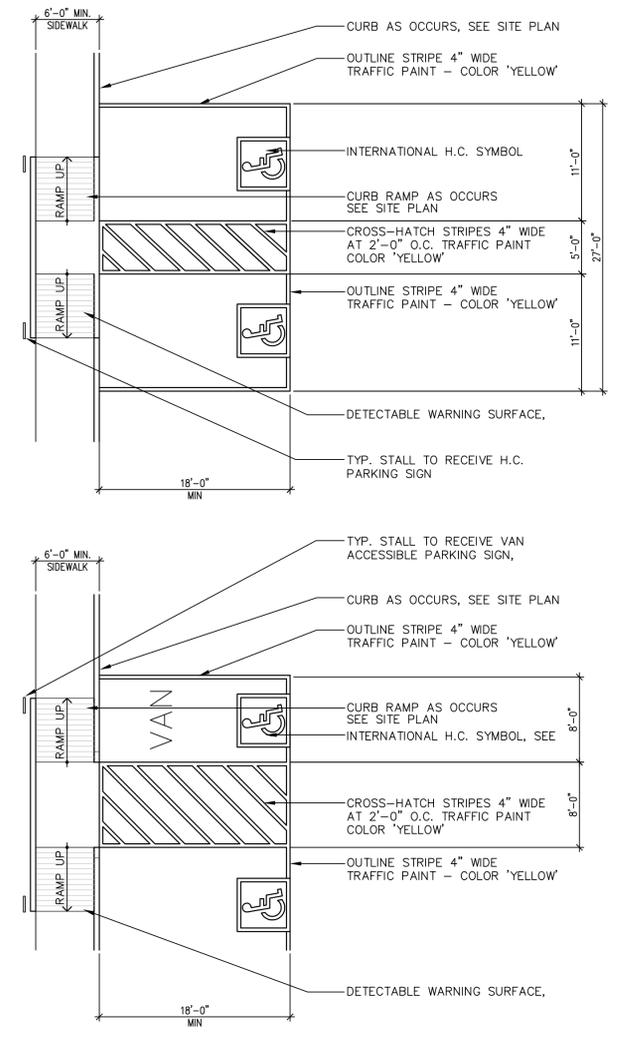
TF 5029 University Bench 72



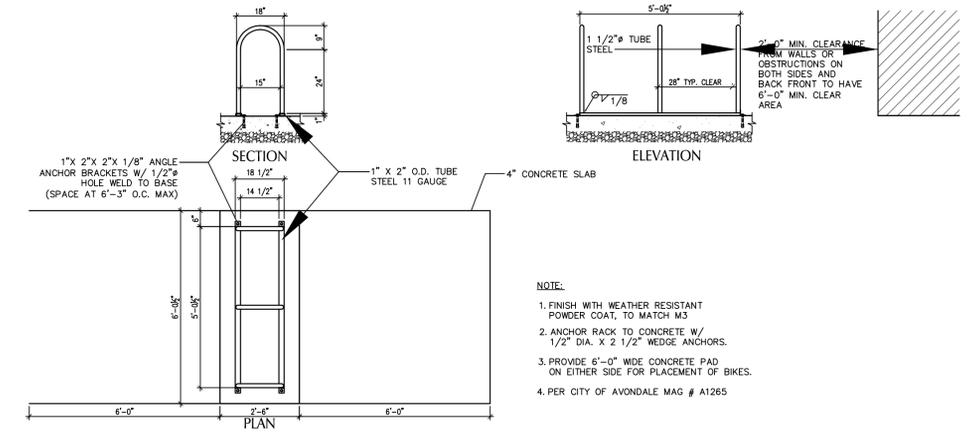
- 1.1 SUMMARY
 A. Section includes: Furnish Precast Concrete Bench indicated on drawings or specified herein.
- 1.2 REFERENCES
 A. American Society for Testing & Material
 1. ASTM C33 2. ASTM C150 3. ASTM C31
- 1.5 SUBMITTALS
 A. Submit product data, shop drawings and samples.
 1. Product Data: Manufacturer's specifications and technical data edited specifically for proposed system, including the following specific information:
 a. Detailed specification of construction fabrication.
 b. Manufacturer's installation instructions
 c. Maintenance literature
 d. Product warranty
 2. Shop Drawings: Indicate pertinent dimensions, general construction, component connections, anchoring methods, hardware and installation procedures.
 3. Samples as requested by Architect.
- 1.6 QUALITY ASSURANCE
 A. Qualifications of Manufacturer: Manufacturer to be prequalified by specifier prior to bidding. Failure to comply will result in disqualification of bid. Manufacturer to have at least five years of experience in the manufacturer of precast concrete benches field proven for at least five years.
- 1.10 WARRANTY
 Manufacturer shall submit a written warranty for precast products for the period of two years upon acceptance of products.
- 2.1 MANUFACTURERS
 A. Acceptable manufacturer for Precast Concrete Benches to be known as Wausau Tile, Inc. Terra-Form Division. P.O. Box 1520 Wausau, WI 54402-1520. (800) 388-8728 (715) 359-3121 FAX (715) 355-4627
 B. Clarification Note: Drawings and installation specification are based on manufacturers proprietary literature from Wausau Tile, Inc. Other manufacturers shall comply with minimum levels of material and detailing indicated on drawings or specified herein.
 C. All Precast products for this project shall be of one manufacturer.
- 2.2 MATERIALS
 A. Portland Cement: ASTM C150 specifications for Portland Cement.
 B. Aggregates: All aggregates to meet ASTM C33 specifications, to be cleaned of foreign matter and properly graded to size.
 C. Coloring Pigments used shall be inorganic, resistant to alkalinity and used as per manufacturers recommendations.

TERRA-FORM DIVISION PO Box 1520 WAUSAU, WI 54402-1520 (800) 388-8728

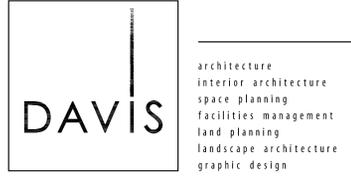
03 CONCRETE BENCH N.T.S.



01 ACCESSIBLE PARKING SPACES 1/8"=1'-0"



02 BICYCLE PARKING DETAIL 1/2"=1'-0"

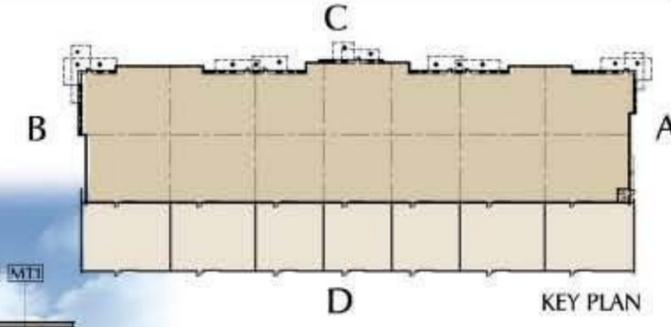




A FRONT ELEVATION 1"=10'-0"



B REAR ELEVATION 1"=10'-0"



C SIDE ELEVATION 1"=10'-0"



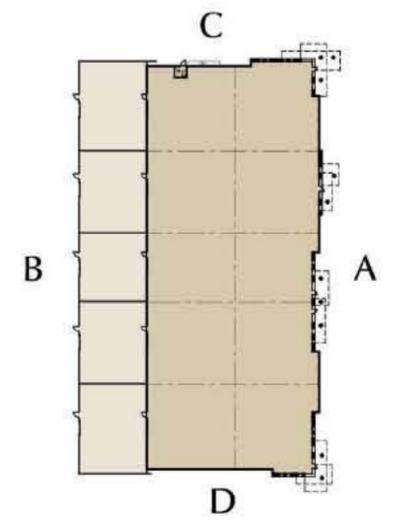
D SIDE ELEVATION 1"=10'-0"

EXTERIOR FINISH LEGEND

P1	EFIS painted to match Dunn Edwards DE6236 "Wilderness"
P2	EFIS painted to match Dunn Edwards DE6237 "Denali Green"
P3	EFIS painted to match Dunn Edwards DE6104 "Chic Brick"
P4	EFIS painted to match Dunn Edwards DE6105 "Weathered Leather"
P5	EFIS painted to match Dunn Edwards DE6137 "Tan Plan"
P6	EFIS painted to match Dunn Edwards DE6138 "Dark Sepia"
M1	CMU to match Superlite, Founders Finish, "Maricopa Blend"
M2	CMU to match Superlite, Mesastone, "Buff"
M3	CMU painted to match Dunn Edwards DE6124 "Whole Wheat"
MT1	Metal Panel and Steel Trellis painted to match Duranar UC45082 "Sage Brown"
MT2	Aluminum Window Frame to match Arcadia AB-5 "Standard Medium Bronze"
GL1	1" Insulated Glazing to match Visteon "Grey"



A FRONT ELEVATION 1"=10'-0"



KEY PLAN



B REAR ELEVATION 1"=10'-0"

- EXTERIOR FINISH LEGEND**
- P1 EFIS painted to match Dunn Edwards DE6236 "Wilderness"
 - P2 EFIS painted to match Dunn Edwards DE6237 "Denali Green"
 - P3 EFIS painted to match Dunn Edwards DE6104 "Chic Brick"
 - P4 EFIS painted to match Dunn Edwards DE6105 "Weathered Leather"
 - P5 EFIS painted to match Dunn Edwards DE6137 "Tan Plan"
 - P6 EFIS painted to match Dunn Edwards DE6138 "Dark Sepia"

 - M1 CMU to match Superlite, Founders Finish, "Maricopa Blend"
 - M2 CMU to match Superlite, Mesastone, "Buff"
 - M3 CMU painted to match Dunn Edwards DE6124 "Whole Wheat"

 - MT1 Metal Panel and Steel Trellis painted to match Duranar UC45082 "Sage Brown"
 - MT2 Aluminum Window Frame to match Arcadia AB-5 "Standard Medium Bronze"

 - GL1 1" Insulated Glazing to match Visteon "Grey"



C SIDE ELEVATION 1"=10'-0"



D SIDE ELEVATION 1"=10'-0"



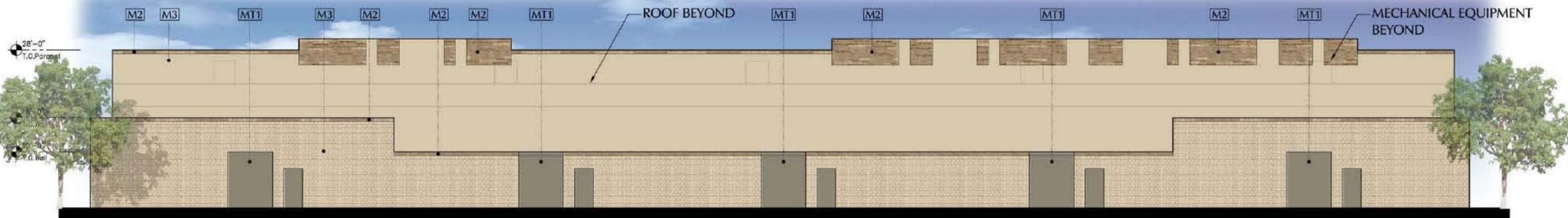
0' | 10' | 20' | 30' | 40' All calculations are approximate and subject to change. NORTH

Three Rivers Commerce Park Campus
 Avondale, Arizona
 06480
 4.MAY.09

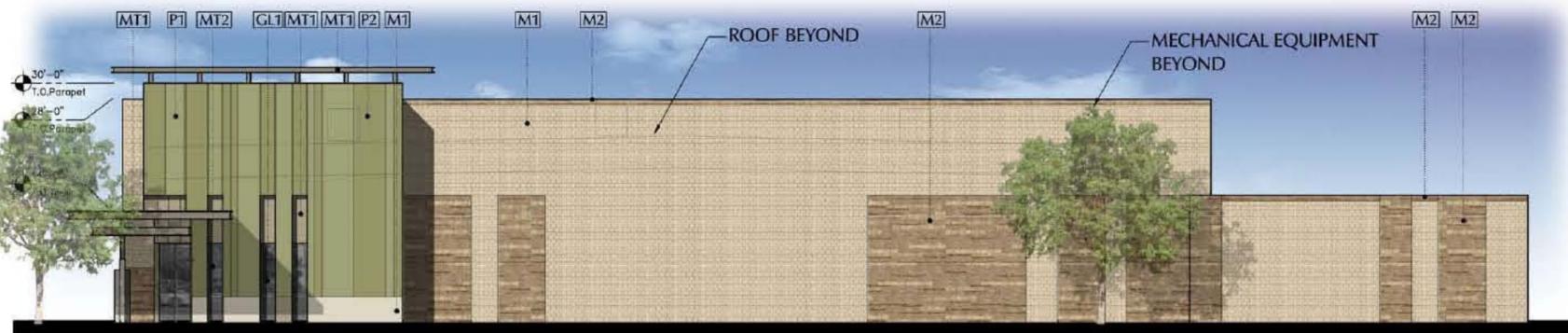
E 2.0



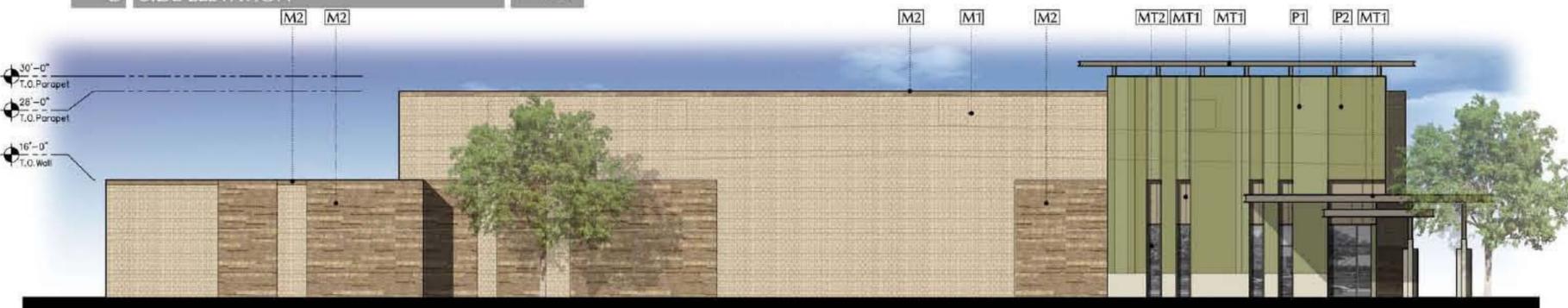
A FRONT ELEVATION 1"=10'-0"



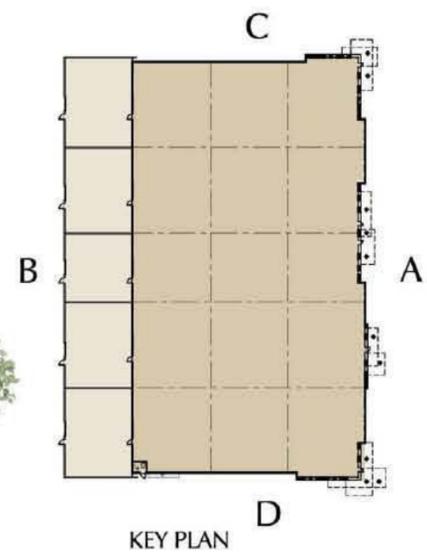
B REAR ELEVATION 1"=10'-0"



C SIDE ELEVATION 1"=10'-0"



D SIDE ELEVATION 1"=10'-0"



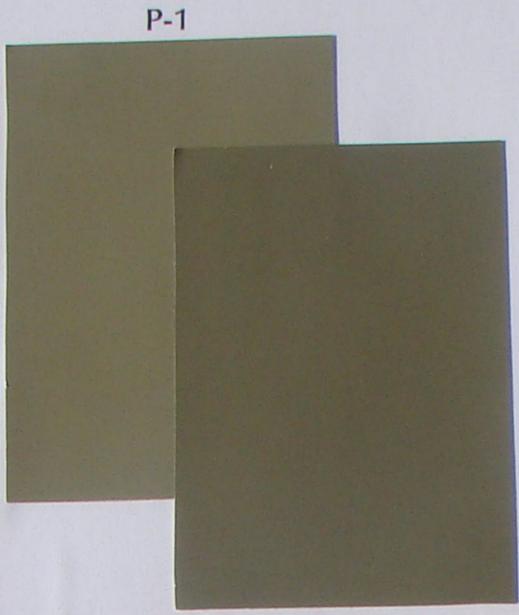
- EXTERIOR FINISH LEGEND**
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GL-1

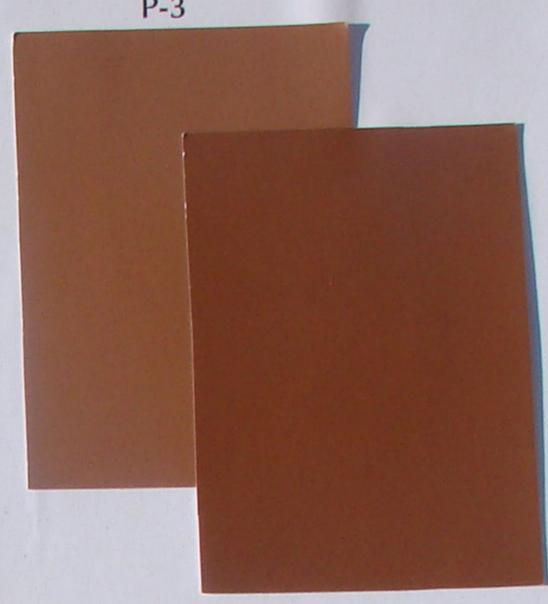
UNCOATED 1/4" (6mm) Visteon Versalux Grey	1" Insulated Unit With Clear Monolithic	0.55	41	0.85	0.50	0.47
	1/4" Monolithic	0.70	46	0.77	0.93	1.03
	Shading Coefficient				Winter U-Values	Summer U-Values
	% Visible Light Transmittance					
	LSC Ratio					

More information available at
www.visteon.com/finishes or
 1-800-331-2607
 Data Generated by LBNL
 Window 5.2 v3.2.17 Analysis



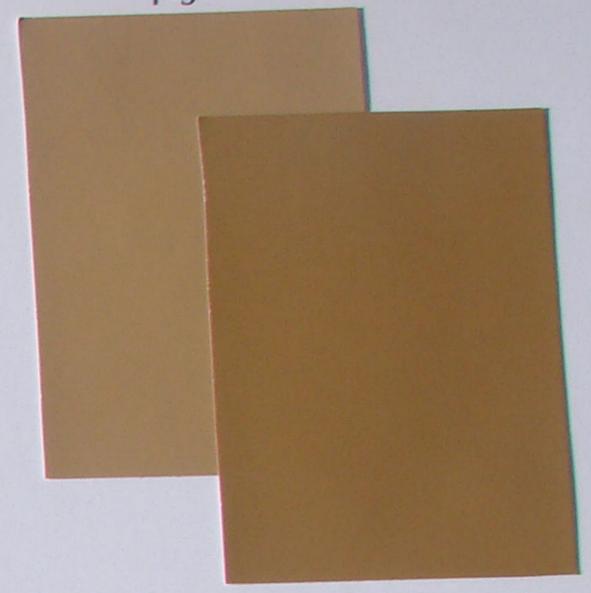
P-1

P-2



P-3

P-4



P-5

P-6



M-2

M-1

M-3



MT-2

MT-1

- EXTERIOR FINISH LEGEND**
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CITY OF AVONDALE
 MR - 3 - 2009
 DEVELOPMENT SERVICES
 DE09-3
 1st



architecture
 interior architecture
 space planning
 facilities management
 land planning
 landscape architecture
 graphic design

0' | 0' | 0' | 0' | 0'

Three Rivers Commerce Park Campus
Avondale, Arizona

06480
 25.FEB.09

MATERIAL BOARD

All calculations are approximate and subject to change.

Three Rivers North Master Site Plan Project Description

Revised May 7, 2009

Introduction

The Three Rivers PAD site is being developed as a commerce park for employment uses with a campus feel that incorporates a common landscape, entry feature, and screen wall theme. The site is divided into two Parcels: the south half owned by Maricopa County and planned for the County's west courts facility and the north half remaining in private ownership and now being planned in conjunction with a 25-acre parcel to the west within the Griffith PAD for a broader mix of commerce park/employment uses. A PAD amendment on the 40 acre North Parcel was recently approved to expand the mix of uses allowed with additional employment-related and limited retail uses and to provide additional flexibility in development standards to maximize the project's potential for implementing community goals for appropriate development taking advantage of the Freeway Corridor location.

Master Site Plan (MSP) approval is now being requested for the 40 acre North Parcel along with Individual/Final Site Plan approval for Phase I, an approximately 12-acre parcel at the southwest corner of 103rd Avenue and Roosevelt. In accordance with the PAD, the MSP establishes architectural theming, locations of buildings, pedestrian spaces, parking, circulation, drainage, utilities and landscaping for the North Parcel. The MSP includes four distinct development units within an overall commerce park campus. Phase I includes a five-building complex of flex industrial/office facilities with limited outdoor storage. Phase II is a four building complex of flex-industrial/office facilities without outdoor storage. Phase III is a proposed six-story hotel on the southeast corner of 105th Avenue and Roosevelt. Phase IV is a major office complex of four four-story buildings with two parking garages. The more industrially-oriented uses in Phase I of the project are intended to provide a transitional land use buffer between the intensity of the auto dealerships to the north and the larger scale Class A office buildings in Phase IV.

Site Plan Design

Phase I includes flex industrial/office buildings with restricted outdoor storage that feature an upscale design that will reinforce the high-end image intended for commerce park development in this area. The outdoor storage areas are limited to 25% of the overall building area footprint and enclosed by masonry block walls with exterior finishes matching the primary building. The site plan orients the limited storage areas to the interior avoiding their visibility from perimeter streets. Vehicular and pedestrian traffic is located around the perimeter of the buildings separating it from the service and loading interior of the site per the Design Manual. The main entry from Roosevelt and the

driveway between Buildings 1 and 4 have been significantly enhanced to attract the eye as the “front door” of the complex. Access between Buildings 1 and 4 is narrow, screened by the enhanced perimeter landscaping along Roosevelt and lined with landscaping to block any views of the interior storage areas. These facilities will serve small businesses such as general contractors, home construction companies, kitchen and bath specialties, window coverings, plumbing suppliers, commercial and residential pool companies, stone and tile distributors. All of these small business/employment uses are necessary to serve community needs and are appropriate in a commerce park setting.

Two of the Phase II industrial office buildings are located on the perimeter of the site along 105th Avenue with most of the parking behind the buildings in the center of the site. The building siting also screens the rear loading areas from the adjacent streets. These buildings are designed as industrial buildings with rollup doors, loading bays and internal storage with only small front office areas and therefore the required parking has been calculated for manufacturing and industrial uses at 1 per 500 square feet. Shaded pedestrian areas with outdoor seating/tables will be added in the Phase II Individual/Final Site Plan submittal.

Phase III is shown as a conceptual prototypical hotel layout primarily to identify driveway locations on Roosevelt and 105th Avenue and demonstrate that required parking can be accommodated on site, with either surface parking or structural/underground depending upon the final room count. A detailed site layout with a parking analysis based upon the actual number of rooms will be submitted with the Individual/Final Site Plan for Phase III.

Phase IV is designed as a complex of major office buildings located on the perimeters of 105th Avenue, Pierce Street and 103rd Avenue. Each of the buildings will provide the Ordinance required usable open space including pedestrian amenities as in accordance with the Design Manual. Two parking structures at the center of the site will provide the required parking for the four-story buildings. Site details in compliance with Ordinance and Design Manual requirements will be provided with the Individual/Final Site Plan submittal for Phase IV.

An in-lieu fee will be paid to satisfy the project’s public art requirement.

Architecture

The architecture of Phase I is designed to minimize the overall scale of the buildings and create a streetscape of smaller buildings. This is achieved through varying parapet heights and changes in plane. An extensive color and material palette provide the tools to further articulate smaller massing and enrich tenant entries. Shade and shadow play a large role to create visual depth through the use of deep window recesses, parapet and entry canopies. All of these elements combine to provide a project that is rich in depth, shade, shadow, texture and color. Enhanced building materials at the base of the

buildings along with shade canopies, hardscape details, trees and additional landscape help the building relate to a human scale and promote a pedestrian friendly project. These design elements all reflect consistency with the principles of the City's Design Manual and PAD requirements.

The architectural design for Phases II, III and IV will be both compatible with the architecture of Phase I and likewise consistent with the Design Manual. Architecture for each subsequent phase will be detailed in each Individual/Final Site Plan submittal.

Building Height

In Phase IV a maximum building height of four stories at 56 feet is proposed for the four major office buildings. The entire MSP and Phase IV meet criteria necessary to support the proposed height for these office buildings as well as for the hotel in Phase III. One of the height criteria is met by the Three Rivers development's implementation of a boulevard streetscape concept that provides landscaping improvements exceeding the minimum requirements. All plant materials including trees, shrubs and ground cover are being provided in quantities two or three times the Ordinance requirement.

Another criteria is met by Three Rivers including a mix of land uses including a flex industrial/office buildings, a hotel and corporate office buildings which are intended to include allowed retail at the street level. Other height criteria being met by Three Rivers include buildings of extraordinary architectural design quality and in-lieu payment for public art. Three Rivers is designed to be "pedestrian friendly" with well-designated pedestrian circulation and well-dispersed pedestrian gathering places with shade, seating and other features, satisfying another of the height criteria. The impact of parking is mitigated by the generous landscaping of the project and the use of structured garages in Phase IV, satisfying an additional height criteria.

The proposed six-story, 70-foot hotel also meets Ordinance criteria for the additional height proposed. The hotel use furthers the City's strategic plan for economic development by providing a hotel in proximity to the Freeway that will increase tax revenues and provide lodging that supports the adjacent industrial and office uses. The hotel is a highly desirable use within the Freeway Corridor and its inclusion in Three Rivers helps promote community goals for the Corridor. The hotel is intended to incorporate a quality architectural design that will add to Freeway Corridor aesthetics. The height of the hotel is compatible with the surrounding retail, industrial and office uses, including automobile dealerships and the flex industrial/office uses. The hotel height is also complementary to the four-story office buildings in Phase IV. The hotel's height has no adverse effect on the future development of the City Center along Avondale Boulevard.

Circulation and Parking

The MSP implements the approved perimeter street system on a phased basis. Ultimately, with the completion of development on both the North and South Parcels, half-street improvements will be completed along Van Buren Street, Roosevelt Street, 103rd Avenue, 105th Avenue and full street improvements along Pierce Street. All perimeter right-of-way will be dedicated by a plat prior to the issuance of a building permit.

The south half of Roosevelt Street and the west half of 103rd Avenue between Roosevelt and the site driveway at the midpoint between Roosevelt and Peirce are proposed to be installed with Phase I. The 103rd Avenue improvements will extend 10-20 feet south of the midpoint driveway. The applicant does not agree with Staff that improvement of the entire length of 103rd Avenue to Pierce is in the best interests of either the applicant or the City and wants to present its position to the Planning Commission and City Council. The proposed street improvements of 103rd Avenue to the mid-point east-west driveway is a logical solution which avoids barricading, potentially unsafe use of the paving and extra maintenance for the City for a road that goes nowhere. A better solution for both public safety generally, and fire safety in particular, would be the partial improvement of this east-west central project driveway through to 105th (See attached exhibit), which would be far preferable to a dead-ended barricaded and unused road.

The east half of 105th Avenue to the midpoint between Roosevelt and Pierce will be improved with Phase II. The north half of Pierce Street and the remaining half-street portions of 103rd and 105th Avenues between Roosevelt and Pierce will be improved with Phase IV.

Both of the PAD Parcels have public street access on all sides which will provide sufficient opportunities to route traffic to and from the site. Entry drive locations and pedestrian connections are identified on the MSP and have been reviewed in the accompanying Traffic Impact Analysis (TIA). The driveways have been designed to meet Avondale spacing requirements and to align with driveways on adjacent properties. Right turn lanes are not required at the proposed site driveways and the necessary on-site queuing is accommodated.

The half-width perimeter streets and full-width Pierce Street improvements with all utilities will include: pavement, vertical curbs, gutters, detached sidewalks with 15 to 20-foot landscape tracts adjacent to the rights-of-way. Pierce Street will be a collector street that provides a 60-foot right-of-way with 44 feet of pavement back-of-curb to back-of-curb with attached sidewalk on each side. Perimeter streets and Pierce Street cross sections are being implemented as required in the original PAD. However, the streets are proposed to be phased in conjunction with adjacent development as described above.

The parking for the project has been designed to mitigate the visual impact of the parking fields on the environment through the use of appropriately located and well-designed screen walls in conjunction with enhanced landscaping and structured garages. Internal site circulation is also addressed in the TIA.

Landscape Plan

The proposed landscaping is intended to provide an enhanced aesthetic setting for the project and set a distinct, unified tone for the Three Rivers commerce park campus. The landscape plan includes a minimum 10 percent of the net site area as landscaping/open space, which includes setback areas and parking lot landscaping. The plan provides a 25-foot wide landscape area outside the right-of-way along the frontage of Roosevelt Street, and a 15-foot wide landscape area outside the right-of-way along the frontages of Pierce Street, 103rd Avenue, and 105th Avenue.

The landscape design theme is based on the use of linear massings of plant materials to create a strong rhythmic pattern along the primary street frontages of Roosevelt Street and 103rd Avenue. That same patterning of linear plant massings is then carried to the interior planting areas adjacent to the buildings, which creates a project that looks unified throughout. The primary planting feature, and the backbone of the streetscape, is created by the use of oversized parking lot islands along Roosevelt Street and 103rd Avenue. In these oversized islands a long linear massing of a sculptural Agave, which is four plants wide, starts near the parking lot and extends all the way out to sidewalk that runs along each of the primary street frontages. In between each of these Agave bands is a series of a flowering shrub and ground cover massings. These massings are grouped in front of the parking lot screen walls and serve to visually break up the walls. The massings of shrubs and ground covers add different variations to the street landscaping. By alternating massings of shrubs and groundcovers, the plantings create a rhythmic change vertically, as well as add visual interest with different leaf and flower colors. These plant massings together with the presence of the Agave bands creates a strong rhythm and feeling of movement as one is driving or walking along this development.

Along the street frontages a single row of Live Oak trees establishes a strong tree theme identity. This type of tree will be evergreen in nature, and typically has an open and rounded shape, and a deep green leaf. This single tree line of Oaks is punctuated at the Agave bands by changing the tree species to a Sissoo Tree. The Sissoo will have a similar shaped canopy, but the canopies are much denser and have a brighter green leaf color. The use of trees with somewhat simple forms creates a feeling of continuity along the streetscape from a distance, but does not distract from the rhythmic plantings at eye level when the landscape is viewed walking or driving by.

The landscaping at the main corners of the property, as well as the entries into the project, is given special attention to reinforce the distinct identity of the Three Rivers campus. The primary corner at Roosevelt Street and 103rd Avenue has an arc of Date

Palm trees as the focal element. The shrubs and plantings still maintain the linear massing concept, but the linear massings are arranged to create a layering affect. There is a progression that starts at the corner with a groundcover planting that transitions back to an ornamental grass. The ornamental grass then has a deep red flowering Bougainvillea massing as a backdrop. The use of an earth berm has been added to this planting area to emphasize the vertical change of the plantings, to create a topographic change and to vary the screening elements. It also provides an added level of emphasis to this corner. The entries into the project have smaller Date Palm groupings as a highlight and thematic connection to the primary corner. These entries are more pedestrian scale than the corner, but contain the same layering of plants. The entry plantings are at a smaller scale, but convey the same theme as the corner treatments.

This project's landscape design theme of linear plant massings is also carried out in the parking lot and adjacent to the buildings. The linear massings of flowering shrubs, Agaves, and groundcovers have a different feel than those along the street frontages. The plantings in these areas are designed for the pedestrian's experience. The massings are smaller in nature, and are designed to move in and out with the architecture of the buildings. The smaller groupings provide a nice sense of visual variety, and the way the plants move in and out with the buildings accentuates the architecture. The variation in the way the plant massings are used at the buildings gives the users a feeling of being in a more intimate space, and carries the concept developed along the streets into the project. This reinforces the unified landscape design theme throughout the entire development.

The project uses a lush, varied desert plant palette, which combines a mixture of flowering shrubs and groundcovers, and utilizes massings of succulents and Agaves at focal points. All the plants and trees can be found on the ADWR Low Water Use plant list for the Phoenix area. In order to create the strong landscape feel desired for this project, and a greater visual impact from the very beginning, the landscape when initially installed calls for a large number of 5 gallon plants to be installed and a greater number of 24" Box trees than is typically found on projects similar in type. As a whole the project incorporates slightly greater than three times (3x) the required number of 5 gallon plants, and has a 15% greater vegetative coverage than is required by the ordinance and PAD. With regards to trees, the plan calls for almost four times (4x) the number of 24" Box trees be planted than what is required by the ordinance and PAD.

PHASE I Landscape Quantity Comparison

Description	Zoning Ordinance Required Quantity	P.A.D. Required Quantity	Provided Quantities
Street Trees 20' On Center	109	109	109
15 Gallon Trees	81 - (75%)	54 - (50%)	28-(26%)
24" Box Trees	28 - (25%)	55 - (50%)	81 (74%)
Date Palm Trees (2 at Each entry off of Pierce, 103rd Ave. or 105 Ave. and at primary intersections)	0	8 - (36" Box)	12 - (15'-18')
Parking Lot Trees (1 per 6 spaces)	56	56	82
15 Gallon Trees	42 - (75%)	42 - (75%)	19-(23%)
24" Box Trees	14 - (25%)	14 - (25%)	63 (77%)
Shrubs Plantings (2 planted for each tree)	330	330	1,532
Live Ground Covering	25%	25%	37%

The Preliminary Landscape plan that has been submitted for Phase I will act as a template for the remaining phases of the Three Rivers Commerce Park Campus project. The plant palette, street trees, Date Palm groupings at key entry points, and rhythmic rectilinear plant massings will be incorporated into all street frontage plantings. This palette and patterning will be utilized along the entire roadway frontages for Roosevelt Street, 103rd Avenue, and Pierce Street. The shrub palette, Date Palm groupings, and plant massings will be continued along the 105th Avenue street frontage with the introduction of a hybrid Mesquite tree as the primary street tree for this roadway. Due to the varying building types and land uses as shown on the Master Site Plan the planting designs for the interior portions of each property will utilize a similar plant palette, but each design will be custom fit for the type of project. The plant massings, tree types, and shrub types will vary slightly based on the type of project.

The maintenance of the perimeter landscape areas will be the responsibility of the developer/owner unless the project is subdivided at which time Covenants, Conditions and Restrictions (CC&Rs) will be established that form a property owners' association that will be responsible for maintenance. CC&Rs will be provided at the time of final plat review.

The parking lot and screen walls for the project vary in length from 66 feet to 112 feet and undulate a minimum of three feet every other wall section with an average of 100' feet of wall length to create variety and depth along street frontages. Special enhanced corner and entry drive landscaping further vary the parking screen wall treatment. The design, materials and colors of the screen walls shall be common throughout the project.

Grading and Drainage

In its existing condition the site slopes from the northeast to the southwest at an approximate slope of 0.3%. Site grading will be designed to maintain existing flow patterns and outfall conditions. All site storm water runoff, both on-site and adjacent half-street, will be retained on-site by means of surface retention basins and/or underground storage facilities. Surface retention will be evaluated during final engineering and the 50% criteria will be used as the basis for the final design. Storm water runoff from adjacent half-street, if proposed to be retained in underground storage facilities, will be placed in a surface basin or ditch prior to its conveyance underground. It is proposed that site bleed off will be completed by use of drywells installed in or connected to the proposed surface retention basins or underground storage facilities, respectively. All building finish floor elevations will be designed to be above the 100-year water surface elevations associated to the site and will be based on adjacent half-street elevations, on-site grading elevations and the site’s ultimate outfall elevation. All grading will be completed to maintain historic drainage patterns and will not adversely affect properties downstream.

Public Utilities and Services

The following identifies the providers of utilities and public services:

- SewerCity of Avondale
- Water.....City of Avondale
- ElectricitySalt River Project (SRP)
- TelephoneQwest Communications
- Cable TVCox Communications
- Gas.....Southwest Gas Company
- RefuseCity of Avondale or Private
- Fire and EmergencyCity of Avondale
- PoliceCity of Avondale

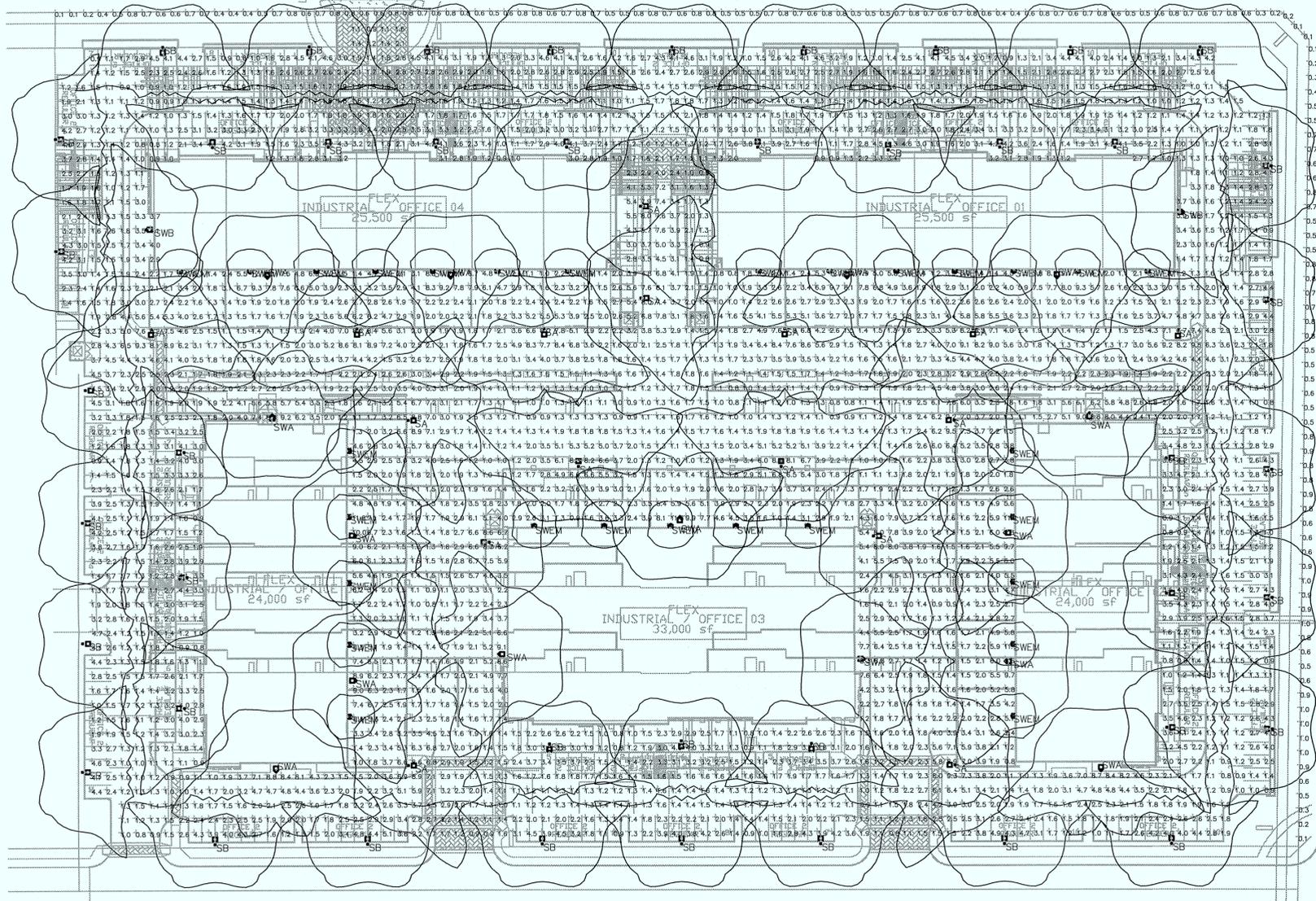
Water & Fire The overall site is served water with an existing 12-inch waterline in Roosevelt Street adjacent to the north of the site as well as an existing 8-inch waterline in 105th Avenue adjacent to the west of the site. For the Master Site Plan, additional water lines are proposed to be installed in 103rd Avenue and Pierce Street. In addition, water lines will be constructed internal to the site as required during final site plan design. The waterlines proposed in 103rd Avenue and Pierce Street are proposed to be

12-inch and 8-inch, respectively. Water lines in the interior to the site are proposed to be 8-inch. All waterline construction will be consistent with the project phasing and will be designed accordingly.

Fire hydrants will be installed at 300-foot intervals on the site's interior and at 1,000-foot intervals on adjacent public streets. Additional fire hydrants and fire lines will be constructed internally to the site as required during final site plan design. Domestic and fire flow demands will be determined with each phase of the site and will be based on the City of Avondale's General Engineering Requirements Manual. Based on previous coordination with the City of Avondale and the existing infrastructure available, it appears that the City's infrastructure can deliver the water required to adequately serve development on the site.

Sewer The site is served sewer by an existing 12-inch sewer in Roosevelt Street as well as an existing 8-inch sewer line in Pierce Street. Connections to the existing sewer lines will be made accordingly based on overall site design and building locations. If required, additional sewer may be constructed in 105th Avenue. Additional sewer lines and stubs will be constructed internally to the site to serve individual lots as determined in the Master Site Plan. Sewer manholes will be placed every 400-feet and an 8-inch stub will be extended to adjacent properties from the manholes. All sewer line construction will be consistent with the project phasing and will be designed accordingly

The average daily sewer flows can be estimated based on the City of Avondale's General Engineering Requirements Manual. Peak flows will also be based on City of Avondale's General Engineering Requirements Manual and will be determined according to upstream population. Typically in commercial and industrial uses the highest peaking factors are used as a conservative measure.




SITE PHOTOMETRIC PLAN
 SCALE: 1" = 50'

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
On Site	+	2.6 fc	12.1 fc	0.8 fc	15.1:1	3.3:1
Property Line	+	0.6 fc	1.0 fc	0.1 fc	10.0:1	6.0:1

LUMINAIRE SCHEDULE							
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens LLF Watts
□	SA	16	CR1-P40-H3	GMARRON RECTANGULAR AREA LIGHT TYPE III REFLECTOR CLEAR FLAT LENS	400W CLEAR ED-28 PULSE START METAL HALIDE, HORIZONTAL POSITION	L9661CR1.ies	40000 0.72 453
□	SB	44	CR1-P25-H3	GMARRON RECTANGULAR AREA LIGHT TYPE III REFLECTOR CLEAR FLAT LENS	250W CLEAR ED-28 PULSE START METAL HALIDE, HORIZONTAL POSITION	L9620CR1.ies	22500 0.72 288
⌢	SWA	15	CR1-P40-H3	GMARRON RECTANGULAR AREA LIGHT TYPE III REFLECTOR CLEAR FLAT LENS	400W CLEAR ED-28 PULSE START METAL HALIDE, HORIZONTAL POSITION	L9661CR1.ies	40000 0.72 453
⌢	SWB	2	CR1-P25-H3	GMARRON RECTANGULAR AREA LIGHT TYPE III REFLECTOR CLEAR FLAT LENS	250W CLEAR ED-28 PULSE START METAL HALIDE, HORIZONTAL POSITION	L9620CR1.ies	22500 0.72 288
⌢	SWM	29	WPC15	CAST ALUMINUM HOUSING, FORMED SEMI-SPECULAR ALUMINUM REFLECTOR, CLEAR GLASS ENCLOSURE.	(2) 42W TRT	E.L. 175M.ies	6400 0.72 84

Excerpt of the Draft Minutes of the regular Planning Commission meeting held July 16, 2009 at 6:30 p.m. in the Council Chambers.

COMMISSIONERS PRESENT

David Iwanski, Chairman
Michael Demlong, Vice Chair
Al Lageschulte, Commissioner
David Scanlon, Commissioner
Angela Cotera, Commissioner
Lisa Amos, Commissioner

COMMISSIONER ABSENT

Linda Webster, Commissioner

CITY STAFF PRESENT

Tracy Stevens, Planning Manager, Development Services Department
Ken Galica, Planner II, Development Services Department
Scott Wilken, Senior Planner, Development Services Department
Stacey Bridge-Denzak, Planner I, Development Services Department
Chris Schmaltz, Attorney

APPLICATION NO. DR-09-3

APPLICANT: Mr. Adam Valente
The Davis Experience
60 E. Rio Salado Parkway
Tempe, Arizona 85281

PROPERTY OWNER: Mr. Michael Blenis
Arizona Land Company
P.O. Box 5061
Carefree, AZ 85577

REQUEST: This is a request for master site plan and Phase I final site plan approval for Three Rivers Commerce Park, application DR-09-3, located at the southeast corner of Roosevelt Street and 105th Avenue. Staff Contact: Ken Galica

Ken Galica, Planner II, Development Services Department, stated that application DR-09-3 is a request for master site plan approval and Phase I final site plan approval for a 35 acre development called Three Rivers Commerce Park. The 35 acre subject property is a rectangular parcel located at the southeast corner Roosevelt Street and 105th Avenue. The property is bordered to the south by the Pierce Street alignment, and by the 103rd Ave. alignment to the east. The zoning is Planned Area Development; the Three Rivers PAD was originally approved in 2006 and amended in 2008. This PAD allows for light industrial uses, to include restricted outdoor storage, limited commercial uses such as business class hotels,

buildings up to six stories in height, and for limited phasing of off-site infrastructure. The subject property is located catty-corner from Universal Technical Institute (UTI) and is directly south of the Avondale Automall. The properties east, west and south of the subject property are vacant and undeveloped. All abutting properties are zoned PAD.

The proposed master site plan includes 820,000 square feet of office, industrial, and hotel development with the project divided into four phases. Phase I is located at the southwest corner of 103rd Ave. and Roosevelt St. This phase includes five single-story, multi-tenant flex industrial buildings totaling 132,000 square feet. The buildings range between 24,000 to 33,000 square feet per building. The buildings will house light industrial and commerce park type users. All tenant spaces will feature private outdoor storage areas enclosed by 10 to 16 foot masonry walls. The storage areas are internally oriented to form a common service courtyard. Views into the courtyard from adjacent streets or properties are limited. A list of seven required conditions regarding the storage areas include limiting the height of items stored in those areas to a height less than the walls. No work is allowed in the storage areas. The applicant is seeking final site plan approval for this phase tonight.

Phase II is located south of the southeast corner of Roosevelt St. and 105th Ave. and includes four 10,000 square foot single-story buildings. These buildings will house light industrial and commerce park type users. These buildings are designed for single tenant use and there is no outdoor storage component.

Phase III is located at the corner of Roosevelt St. and 105th Ave. It consists of a six-story, 165 room hotel. As a specific hotel chain has not been identified, the applicant has acknowledged that the building footprint, number of rooms, and height may change in the future. The applicant does intend to develop this phase as a hotel at some point. A master site plan amendment will be required in the event there is a change to the number of rooms, the height of the building, or to the footprint.

Phase IV occupies the south half of the site and is bordered by 103rd Ave., 105th Ave., and Pierce St. This phase includes four 4-story professional office buildings, each 144,000 square feet in area. The buildings will accommodate offices to support the planned Maricopa County Court complex on the 35 acre parcel directly south of Pierce St. The site will be served by two 5 level, 1,000 space parking decks and some surface parking.

Mr. Galica noted that the PAD Ordinance amendment which prohibits phasing of perimeter infrastructure improvements was approved prior to approval of the Three Rivers PAD amendment. As a result, the Three Rivers PAD includes an allowance for the phasing of off-site infrastructure improvements. While it is Staff's preference that off-site infrastructure not be phased, the isolated location of this site does lessen the negative impacts.

As Phase I is developed, the south half of Roosevelt Street from 103rd Ave. to 105th Ave. and the west half of 103rd Ave. from Roosevelt St. to the private spine

road will be constructed. As Phase II is developed, the eastern half of 105th Ave. from Roosevelt St. to the private spine road will be constructed. No off-site improvements will occur with Phase III. As Phase IV is developed, 103rd Ave., 105th Ave., and the north half of Pierce St. will be finished. On completion of the site, there will be a total of nine full access driveways. Phase I will have a driveway entrance on Roosevelt St. and a shared access from the spine road from 103rd Ave. Phase II will be served by a driveway entrance from 105th Ave. and a shared access from the spine road. Phase III is accessed by two entrances, one from Roosevelt St. and one from 105th Ave. Phase IV will be accessible from entrances from Pierce St., 103rd Ave., and 105th Ave., plus two shared accesses. Vehicular cross access between phases is shown on the master site plan except no cross access is provided between Phase III and either of the adjacent phases, Phase I or Phase II. Staff has recommended a stipulation that cross access be provided from the hotel phase (Phase III) to either Phase I or Phase II. The exact location will be determined when the final site plan for the hotel is submitted.

A landscape plan has been provided for Phase I, which will act as a template for the future phases of the project. The plan features 6 types of trees, 12 varieties of shrubs, and 5 types of organic groundcover. Date palms are used near site entries for emphasis and several types of Agave shrubs are planted in dense clusters to create a dramatic structured appearance along street frontages. The landscape plan meets or exceeds all landscaping requirements.

Hardscape features and pedestrian areas are included in the Phase I proposal. Concrete pavers are utilized at each driveway entrance and at internal pedestrian crossings, which will add to a sense of place on entering the site. Small pedestrian areas with bench seating are provided in the locations of building canopies. For an industrial project, these pedestrian considerations are more than adequate.

Building elevations have been provided for Phase I. The architecture is contemporary and features frequent plane changes and variations in the height of the roof line. The color scheme includes multiple shades of green, beige, and reddish-brown earth tones to lend a sophisticated appearance. Bronze colored metal accents are also used throughout. Outdoor storage areas are located where the side elevations drop down to 16 feet in height. The rear elevations continue the variation in height and materials. Taupe-colored, striated block will provide texture and shadowing to the buildings and is used above pedestrian level to emphasize the verticality of linear buildings. Split-faced block featuring red, orange, black, and crystalline aggregate is used in the horizontal banding around the base of the building and accents many floor to ceiling windows.

Staff finds that this project with the Staff-recommended stipulations meets all required findings for master site plan approval. Staff recommends approval subject to 13 conditions.

Chairperson Iwanski invited questions.

Commissioner Scanlon stated he noticed that Exhibit H has different letter designations on the key plan than the elevations shown tonight. Mr. Galica stated that the Exhibit H key plan was inaccurate.

Commissioner Cotera asked if Phases II, III, and IV will come before the Planning Commission again. Mr. Galica replied that the Planning Commission is approving the master site plan tonight which sets out the layout for the entire site, and the Commissioners are approving Phase I, to include the materials and color board which will be applied to the entire project, and the landscape plan which will be applied to the entire project. The final site plans for the future phases, assuming they are in line with the master site plan and utilize the materials reviewed before the Planning Commission tonight, will not come back to the Planning Commission, but will be administrative approvals to save the applicant time.

Commissioner Cotera asked if the Planning Commission would see Phase IV again. Mr. Galica replied that if Phase IV is built as shown, it will be approved administratively. If the applicant changes the size of the buildings or makes other types of changes, then Phase IV will come back to the Planning Commission for a master site plan amendment.

Commissioner Cotera asked if there would be parking garages in the center of the site. Mr. Galica pointed out the planned parking garages on the slides, stating each will have 1,000 parking spaces.

Commissioner Cotera asked how many offices would be located on the site. Mr. Galica stated almost 575,000 square feet of office is planned. One parking space is required for each 250 square feet of office.

Commissioner Cotera asked would there be movement between the buildings during the day by pedestrians. Mr. Galica stated that the final site plan for Phase IV will have more detail than is provided on this master site plan, which generally lays out circulation and location of buildings. On review of the final site plan, Staff will ensure that there is connectivity both from a pedestrian standpoint and a vehicular standpoint, and that the conflicts between cars and pedestrians are mitigated.

Commissioner Cotera asked if the appearance of the Maricopa County court complex was known. Mr. Galica stated that Staff has not seen any formal plans from the County for that project, which is in its planning stage. Due to the economy, he does not know when the court complex will be built. Commissioner Cotera stated her concern was that lawyers would be looking out over a parking lot.

Commissioner Scanlon stated the Northwest Court in Peoria and the Northeast Court on 40th St. off the 101 are both single story buildings and are built with inexpensive prefab. He does not know if the County will be consistent, but if so, they should not expect multi-story facilities.

Mr. Galica stated that facilities of other governmental entities and school districts do not have to adhere to Avondale zoning and design requirements. It is possible the County court complex will not be as nice as everyone would hope, although staff will work with the County to make sure the buildings come as close to meeting the requirements of Avondale as feasible.

Commissioner Scanlon asked if Phase III, the hotel, would be administratively approved. Mr. Galica stated it is likely that the Planning Commission will need to approve the hotel phase in the future because the footprint is likely to change from what is proposed tonight. The plan was very conceptually drawn, as the applicant does not have a hotel client lined up at this point. Each hotel chain has a model and is unlikely to adapt to fit this particular model. Mr. Galica noted that the materials used on all phases of this project, including the hotel, must conform to the material board presented tonight. Staff does encourage variation in how those materials and colors will be used to ensure the project does not become monotonous.

Vice Chair Demlong asked if the lighting from one phase can wash over other phases of the project. Mr. Galica replied that the light spillage concerns are regarding the exterior property lines of the site. Internal to the master planned site, there are no requirements to meet the one foot candle requirement.

Vice Chair Demlong remarked about the high quality of building elevations for an industrial development. Mr. Galica informed the Planning Commission that although staff would love to take credit, all but a few of the minor details were proposed by the applicant.

Vice Chair Demlong stated he likes the big buildings located on the corner because they will help hide the parking structures. He asked if the property owner will have to make any contribution to a potential traffic signal. Mr. Galica stated that it is likely with a future phase that a traffic signal will be warranted at Roosevelt St. and Van Buren. Vice Chair Demlong asked if the traffic study would be connected with Phase IV. Mr. Galica replied it is most likely a traffic study will occur with Phase IV. The traffic is studied with the final plans for each phase.

Vice Chair Demlong asked if this is the first project where Staff allowed the developer to not construct all the improvements with the first phase. Mr. Galica replied that phased improvements were common years ago, but that this is the first PAD site in some time which has allowed for the phasing.

Vice Chair Demlong asked why the Avondale Marketplace applicants have to construct all improvements with the first phase and what was different between the two requests. Mr. Galica explained the difference is in the timing of the PAD amendment request. The previous case heard tonight was brought forward after the Planning Commission and City Council adopted the new PAD ordinance, which states that all perimeter off-site improvements must be constructed in the first phase of the project. When the Three Rivers PAD was amended, however, there was no language in the PAD ordinance requiring construction of off-site

improvements in the first phase. Mr. Galica opined that while there is still some value to looking at all projects on a case by case basis, the new ordinance is much stronger, and in 99 percent of the cases, the City will benefit from getting all perimeter improvements in the first phase. This decreases costs to the City for maintenance of the streets and decreases the chance of traffic tie-ups. This project is a rare exception due to its isolated location.

Vice Chair Demlong noted this project is not on a major street and he thinks the right decision was made.

Commissioner Amos referenced the requirement for vehicular cross access between Phase III and an adjacent phase. Mr. Galica replied that Staff evaluated the cross access in the event Phase III will include a hotel. If the plan is amended for another use, Staff will reevaluate the requirements for cross access. He would argue that a hotel should have cross access to the adjacent phases, especially for a hotel not located on an arterial street. This hotel will not pick up users from the freeway or from driving by. He believes that with a hotel being located in the midst of a business park, a large portion of the users will be working in the immediate area.

Commissioner Amos asked if the rear elevations will face internal to the site. Mr. Galica replied that an overwhelming percentage of the rear elevations will not be visible from the street.

Commissioner Amos noted there seem to be some spots that could use larger trees on the building elevations. Mr. Galica stated the building elevations are not entirely illustrative of the landscaping that will be on the site, particularly the areas most visible from the public streets, which will receive heavy landscaping. The internal facing sides will have very limited landscaping. A better idea can be determined by looking at the landscape plan rather than the elevations.

Commissioner Amos referenced the preliminary landscape plan for Phase I. She noted there is inconsistency in the placement of project monuments and signage. Mr. Galica advised the Planning Commission to ignore the call-outs for the monument signs at this point in time as the applicant has not submitted a Comprehensive Sign Program. A sign package will be reviewed prior to issuance of a building permit. He would expect that by the end of that review, there will be nice entry monument signs at the most appropriate locations.

Chairperson Iwanski stated Lynn LaGarde is representing the applicant this evening.

Lynn LaGarde, 3101 N. Central Ave., Phoenix, AZ, stated the architect, Adam Valente, is also present tonight, as well as Michael Blenis, Arizona Land Company, who she is representing. She stated the presentation by Ken Galica was extremely thorough and she has nothing to add. Clearly they are in compliance with their approved PAD. She clarified that the Staff Report mentions the applicant is not including medical offices in their large office complex. Staff is concerned about parking, but there is nothing in the zoning

ordinance or PAD district that would prevent medical office. The City may want the applicant to have medical office if they can provide the parking. Ms. Lingard noted that they are complying with the public art ordinance and will be paying \$150,000 to the City's Public Art Fund in lieu of providing public art on the site. This \$150,000 is the cap for the whole development and the amount for each phase will be based on construction costs. The entire \$150,000 will not have to be paid at the first phase. They appreciate the support of the Planning Commission and the City Council on waiving the requirement to build all off-site infrastructure improvements with the first phase. She noted that it has cost her client hundreds of thousands of dollars to get to this point and having this flexibility is really important. She pointed out that they have three times the number of five gallon plants required, which will help with the view from the future County Court complex. They have four times the number of 24 inch box trees. This will be a very high quality project. They have disagreed on vehicular cross access from the hotel to adjacent phases. They would like the ability to re-look at that issue based on a traffic study at that time. They feel they offer great pedestrian connectivity to the hotel.

Commissioner Cotera inquired on the timing of the project.

Michael Blenis, Arizona Land Company, P.O. Box 5061, Carefree, AZ, stated they would like to move forward with the construction drawings and receive the permits. They are trying to move as fast as the economy and the lenders will allow. He noted that lenders like to have buildings going vertical much more than empty land.

Commissioner Cotera wished the applicant and owner the best of luck.

Vice Chair Demlong stated that the Planning Commission had gone out on a limb for this project and asked Mr. Blenis not to let the Commission down in regards to the infrastructure. He noted the landscape would probably not cover the multi-story parking because the species that have been chosen will not get that high. In regards to the requirements of cross access from the hotel to adjacent phases, he believes that people using the hotel may be visiting the four office buildings, and in the summer they may not want to walk from the hotel to one of the offices. He believes Staff has a good argument. Ms. LaGarde stated they would take a good look at the issue of cross access.

Chairperson Iwanski invited further questions or speakers.

Mr. Galica clarified that the PAD certainly allows for medical office. The issue is ensuring that there will be enough parking. The current site plan would not meet the requirements for medical office, but if they change the parking deck configuration to meet the minimum spaces required for medical office, Staff will not have a problem with medical office.

Chairperson Iwanski invited further questions, and hearing none, called for a motion and a second.

Commissioner Amos **MOVED** that the Planning Commission accept the findings and recommend approval of application DR-09-3, a request for master site plan approval and Phase I final site plan approval for the Three Rivers Commerce Park, subject to the stipulations recommended by Staff. Commissioner Cotera **SECONDED** the motion.

1. Development shall be in conformance with the Master Site Plan, Phase I Final Site Plan, Landscape Plan, Grading and Drainage Plan, Utility Plan, Photometric Plan (Sheet ES1.0), and Site Details Plan (Sheet 2.0) date stamped June 15, 2009, Project Description, Site Details Plan (Sheet 1.0), Photometric Plan (Sheet ES2.0) and Building Elevations date stamped May 13, 2009, and Color/Material Board date stamped March 3, 2009, except as modified by these stipulations.
2. A reviewed Traffic Impact Analysis which addresses the remaining concerns from the City's 2nd Review Comment Letter (dated June 1, 2009) shall be submitted and approved by Staff prior to submittal of Construction Documents for Phase I. Additionally, any plans and/or reports which are forced to change as a result of the reviewed Traffic Impact Analysis shall also be submitted and approved by Staff prior to submittal of Construction Documents for Phase I.
3. The plan approval will expire in one year from date of City Council approval unless a building permit has been issued.
4. All development shall be completed in accordance with the City of Avondale General Engineering Requirements Manual (GERs) and the City of Avondale Supplement to the MAG Uniform Specifications and Details.
5. All future phases shall follow the approved Phase I Landscape, Photometric, and Site Details plans.
6. A comprehensive sign program which conforms to all requirements of the Three Rivers PAD shall be submitted and approved administratively prior to approval of Construction Documents for Phase I.
7. At least one point of vehicular cross access between Phase III and Phase I and/or Phase II shall be provided prior to approval of a final site plan for Phase III. The location shall be depicted on the final site plan submitted for Phase II or Phase III.
8. The developer shall meet all applicable requirements of the Public Art Ordinance (Zoning Ordinance Section 11) prior to issuance of a Certificate of Occupancy and/or Certificate of Completion for any building on the site.
9. A re-plat of Three Rivers Commerce Park which dedicates any additional required right-of-way not currently in place shall be approved by the City Council prior to issuance of a building permit.
10. Off-site improvements shall be completed in no more than three phases as depicted on the master site plan.
11. All common landscape areas shall be maintained by the property owner or a property owner's association in accordance with approved landscape plans.
12. No exterior equipment, including but not limited to mechanical equipment and roof ladders, shall be allowed where visible to the public or from an off-site location.
13. Phase IV Office development shall meet standards for "Class A" office construction as commonly understood in the Phoenix Metropolitan Region.

All Phase IV buildings shall, at a minimum, include: 1) Interior tenant circulation/corridors to access tenant office spaces; 2) Common tenant/visitor restrooms within the building public space; 3) large public lobbies and entry areas, featuring upgraded interior finishes and design, used by building tenants and visitors; 4) Internal vertical circulation (elevators and stairs) located in a common public core area; and 5) Exterior site amenities, such as entrance plazas and common green spaces.

Chairperson Iwanski called for further discussion.

Commissioner Lageschulte thanked Staff for their work on this project, as this project will complement the area. The only thing he does not like about this project is that it is not on a major arterial street for everybody to see when they come to Avondale.

Commissioner Cotera thanked the project owner and applicant for bringing this quality project to Avondale and asked that they tell others the City of Avondale is not that hard to work with.

Chairperson Iwanski called for a vote.

ROLL CALL VOTE

Chairperson Iwanski	Aye
Vice Chair Demlong	Aye
Commissioner Lageschulte	Aye
Commissioner Scanlon	Aye
Commissioner Cotera	Aye
Commissioner Webster	Absent
Commissioner Amos	Aye

The motion passed unanimously.