

DRAFT Stipulations
Z-SP-2-19-7
September 25, 2020

Location: Southeast corner of 13th Avenue and Madison Street

Request: Modify the Special Permit area of the Human Services Campus to include Andre House and to allow for an increase in the maximum number of beds. The Special Permit is to allow homeless shelter, charitable dining hall and food service uses.

From: A-1 SP CMOD (12.55 acres), A-1 CMOD (1.25 acres), A-1 HP-L CMOD (0.55 acres), and C-3 HP-L CMOD (0.18 acres)

To: A-1 SP CMOD (14.53 acres)

Recommendation: _____

1. The development shall be in general conformance to the site plan date stamped November 4, 2019, as modified by the following stipulations and approved by the Planning and Development Department.
2. There shall be a maximum of 1,000 beds within the Special Permit area.
 - a. A minimum of 100 beds shall be provided in a low barrier shelter. The low barrier shelter shall provide shelter to individuals without imposition of identification, time limits, or other program requirements, such as abstention from alcohol or drugs, except within the facility; and shall adopt a policy to provide accommodations for pets and personal belongings.
 - b. The low barrier shelter described in 2.a, with a minimum of 100 beds, shall obtain a certificate of occupancy prior to the expansion of traditional shelter beds and within one year of City Council approval.
 - c. The shelter operator shall not enter into contract to sell or reserve bed space unless:
 - (1) The Planning and Development Department Director determines, in his or her sole discretion, that the agreement will significantly reduce the homeless population within a 10-mile radius of the site; or
 - (2) The Police Chief determines, in his or her sole discretion, that the agreement will not reduce the accessibility of homeless shelter space within the 10-mile radius of the site.
 - (3) This excludes a maximum of 14 beds utilized for hospital drop off from hospitals located within a 10-mile radius which are needed in situations where a former hospital patient is in

need of short-term bed rest and would otherwise be dropped off on the street without a place to stay.

3. An abandonment of public rights-of-way shall be pursued within the Special Permit area to develop a cohesive and secure campus. A fence/wall plan demonstrating a cohesive and secure campus shall be administratively approved by the Planning Hearing Officer, prior to preliminary site plan approval for any future construction. The fence plan shall specify locations of any proposed, pending or approved right-of-way abandonments.
4. Trash/recycling receptacles shall be provided within the property boundaries of the Special Permit area and accessible to the public 7:00 a.m. to 11:00 p.m. A waste receptacle plan demonstrating sufficient quantities and locations of receptacles located within Special Permit area shall be submitted to the Planning and Development Department within 90 days of City Council approval of the Special Permit and shall be administratively approved by the Planning Hearing Officer. The Planning Hearing Officer will work directly with the Public Works Department Director's Office to determine if the plans are sufficient.
5. A minimum of two permanently constructed toilet facilities connected to the city's water and sewer systems, accessible to the public from 7:00 a.m. to 11:00 p.m., shall be provided within the Special Permit Area. The toilet facilities shall be fully accessible (ADA compliant). Directional signs shall be provided to identify the location(s). The toilet facilities shall comply with the Phoenix Building Construction Code and shall be approved and permitted by the Planning and Development Department.
6. Property owners and operators within the Special Permit area shall maintain all public rights-of-way including sidewalks, alleys, easements and streets from any hazards or accumulation of garbage, debris, rubble, hazardous waste, litter, rubbish, refuse, waste material, or blight within the following boundaries around the Special Permit area: the Railroad tracks on the south, Jefferson Street on the north, 13th Avenue on the west, and 9th Avenue on the east. This area will be cleaned a minimum of once a day.
 - a. In addition, the Human Services Campus shall operate a Clean Zone program that shall clean a minimum of 2 days per week and will collaborate with the Neighborhood Services Department, Parks and Recreation Department and nearby neighborhood associations to identify particular locations needing cleaning.
7. At a minimum, all temporary shelter facilities with vacancies, shall be open and accepting temporary shelter clients until 11:00 p.m.
8. A minimum of 10 traditional shelter beds and 10 low barrier shelter beds

shall be reserved each day from 7:00 a.m. to 11:00 p.m. for the Phoenix Police Department to bring in someone they deem vulnerable and in need of shelter.

9. An “authority to arrest” agreement shall be completed and maintained for all property owners and organizations operating within the Special Permit area. The agreements shall be signed and delivered to the Phoenix Police Department.
10. Security, certified by the Department of Public Safety, shall be on the site daily to ensure the security of the site, and coordinate with the Phoenix Police Department for criminal activity or crime related issues.
11. Security cameras (or other monitoring devices, as approved by the Police Department) shall be provided, in perpetuity, to continually capture images of activities along the street frontages. Videos/Images shall be preserved for a minimum of 90 days. Property owners within the Special Permit area shall enroll in the City’s Virtual Block Watch Program.
12. A Security Master Plan shall be submitted to the Phoenix Police Department on an annual basis for review and recommendations, to ensure a safe environment and coordination with the Police Department. The plan shall include, at minimum, the following elements:
 - a. A central point of contact for security matters.
 - b. Coordination of security personnel with the Police Department.
 - c. Required number of security personnel.
 - d. Provisions for security cameras and lighting.
 - e. Procedures for storing and handling the disposal of controlled substances and weapons.
 - f. Procedures for screening and monitoring of clients.
13. The Human Service Campus will make a concerted effort to identify, pursue and implement strategies to address homelessness at a regional level that will reduce service demands on providers and facilities within and near the Special Permit boundaries. The Human Services Campus will include a summary of their efforts in an annual report to the Human Services Department and the Planning and Development Department.
14. The Human Services Campus and other shelter providers within the Special Permit area shall work collaboratively with the City of Phoenix as well as

adjacent property owners and associations on reducing any negative impacts or concerns stemming from those experiencing homelessness in the area surrounding the Human Services Campus and Special Permit area.

- a. The City of Phoenix and all neighborhood associations listed with the Neighborhood Services Department within one mile of the site shall be provided with a designated contact person for the Special Permit area to communicate any issues/concerns.
- b. With the help of Council Districts 7 and 8, the Mayor, and city staff, the Human Services Campus and other shelter providers within the Special Permit area shall facilitate community outreach meetings to discuss compliance with the zoning stipulations, future development of the campus, any issues/concerns from the community, and how those concerns could be addressed by the shelter providers or the City if possible.
- c. The community outreach meetings shall be held quarterly for the first three years following approval and then semiannually thereafter, unless the Planning and Development Department Director requests that additional meetings are necessary during any particular calendar year.
- d. The notification for the community meeting shall be sent to all property owners within a half mile; all neighborhood associations listed with the Neighborhood Services Department within one mile; any individuals or organizations who attended previous meetings; and staff designated by each respective department director from the Human Services Department, Neighborhood Services Department, Planning and Development Department, Street Transportation Department, Public Works Department and Police Department.
- e. Topics of discussion shall include, but not be limited to how the shelter providers and the surrounding community can:
 - 1) Encourage street maintenance;
 - 2) Organize rubbish clean-ups;
 - 3) Discourage street feeding, or donations of other items, in the area surrounding the Special Permit area;
 - 4) Coordination of holiday events to be consolidated in appropriate locations; and

- 5) Prevention of crime.
- f. A summary of the community meetings and any notes from the public shall be submitted to the Planning and Development Department. The community meeting summaries shall include the following meeting details:
 - 1) Date, time, and location;
 - 2) Number of participants;
 - 3) Questions or concerns that arose; and
 - 4) How the questions or concerns were addressed.
15. An annual report shall be provided to the Planning and Development Department, to include the following items:
 - a. Number of people served by each organization.
 - b. Number of positive exits for each organization.
 - c. Number of beds allocated to traditional and low barrier shelters.
 - d. If permitted, number of beds contracted to entities other than the City of Phoenix.
 - e. Meeting summaries as detailed above.
 - f. Summary of efforts to identify, pursue and implement regional solutions to homelessness that will reduce the service demand on providers and facilities within and near the Special Permit boundaries.
16. The Special Permit shall be reviewed one year after issuance of the Certificate of Occupancy for the low barrier shelter. The review shall be through the Planning Hearing Officer public hearing process where additional stipulations may be imposed. This is a legislative review. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department. As part of the one year review, additional reviews may be added by the Planning Hearing Officer or City Council.
17. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights,

median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

18. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor Airport (PHX) to future owners or tenants of the property.
19. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
20. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
21. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
22. Prior to any future permit issuance, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.