

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION March 2, 2023

ITEM NO: 14	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-61-22-7
Location:	Southeast corner of 9th Avenue and Fillmore Street
From:	C-3 CMOD, P-1, and R-5 RI
To:	WU Code T5:5 CMOD and WU Code T5:5
Acreage:	3.24
Proposal:	Multifamily residential
Applicant:	Trumont Group Arizona, LLC
Owner:	Mercy Hill Development, LLC
Representative:	Alan Beaudoin, Norris Design

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Central City 1/9/2023 Continued to February 13, 2023. Vote: 12-3-1.

Central City 2/13/2023 Approval, per the staff recommendation. Vote: 8-6.

Planning Commission Recommendation: Approval, per the Central City Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-61-22-7, per the Central City Village Planning Committee recommendation.

Maker: Mangum
Second: Gorraiz
Vote: 6-1-1 (Perez) (Howard conflict)
Absent: Simon
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation and with the Transit Oriented Development Strategic Policy Framework vision for this area.
2. The proposal provides a new multifamily housing option to contribute to the mix of housing types in the area and will help alleviate the housing shortage in Phoenix.
3. As stipulated, the proposal will enhance connectivity in the immediate vicinity by providing pedestrian, bicycle, and shade amenities consistent with the TOD Strategic Policy Framework and other policy plans.

Stipulations:

1. A ground floor brick arcade with arches along Fillmore Street and tower features along Fillmore and Taylor streets shall be provided, as depicted on the building elevations date stamped December 15, 2022, and as approved by the Planning and Development Department.
2. A minimum of one common entry shall be provided for each street frontage, except for buildings where every unit has private entry directly to the street, as approved by the Planning and Development Department.
3. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
 - c. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
4. The developer shall maintain the existing width of the historic landscape area within the right-of-way along 9th Avenue and Taylor Street and replenish the landscaping per the landscape standards of Section 1309 of the Zoning Ordinance, as approved by the Planning and Development Department.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

5. The developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 8-foot-wide landscape area between the back of curb and sidewalk along Fillmore Street with landscaping consistent with the landscape standards of Section 1309 of the Zoning Ordinance, as approved by the Planning and Development Department.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

6. The developer shall submit a Traffic Impact Analysis for this development. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the city.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalks, 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.

8. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
9. 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.
10. Prior to preliminary site plan approval, 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.

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