

## ATTACHMENT D



### City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

**To:** City of Phoenix Planning Commission **Date:** September 5, 2024

**From:** Racelle Escolar, AICP  
Principal Planner

**Subject:** ITEM NO. 7 (Z-23-24-8) - NORTHWEST CORNER OF 24TH STREET  
AND PORTLAND STREET

The purpose of this memo is to recommend modified stipulations in response to the applicant's request to accommodate single-family residential use on a portion of the site.

Rezoning Case No. Z-23-24-8 is a request to rezone 11.46 acres located at the northwest corner of 24th Street and Portland Street from WU Code T4:3 GW (Walkable Urban Code, Transect 4:3 District, Transit Gateway Character Area) to PUD (Planned Unit Development) to allow flex-industrial, employment center, and showroom/retail uses.

On August 12, 2024, the Central City Village Planning Committee heard this request and recommended approval, per the staff recommendation, by a vote of 10-0.

On August 30, 2024, the applicant submitted a request for revised stipulations to allow single-family residential use on a portion of the site west of the 22nd Street alignment. As written, the hearing draft of the PUD narrative does not allow single-family residential use on the site. The applicant is working with neighbors on 22nd Street who are interested in purchasing a portion of the site to build a single-family residence. In order to accommodate the request, the applicant would like to ensure single-family uses are permitted within a limited area in the PUD.

Staff recommends revisions to the stipulations as follows.

- New **Stipulation No. 1.b** adding single-family residential as an allowed use west of the 22nd Street alignment.
- New **Stipulation No. 1.c** stating that single-family residential use is subject to the R1-6 zoning standards, which matches the zoning directly adjacent to the site.
- New **Stipulation No. 1.d** stating that the design guidelines in the PUD do not apply to single-family residential development, as these guidelines are written to apply to industrial and commercial development.

Staff recommends approval, per the modified stipulations in **bold** font below:

1. An updated Development Narrative for the Phoenix Airpark Gateway PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped July 31, 2024, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information to add the following: City Council adopted: [Add adoption date] and to revise the hearing draft submittal date to July 31, 2024.
  - B. PAGE 7, C. LIST OF USES: ADD A NEW BULLET POINT AS FOLLOWS: "SINGLE-FAMILY RESIDENTIAL USE WEST OF THE 22ND STREET ALIGNMENT."**
  - C. PAGE 8, D. DEVELOPMENT STANDARDS: ADD THE FOLLOWING STATEMENT AT THE END OF THE FIRST PARAGRAPH: "SINGLE-FAMILY RESIDENTIAL SHALL BE SUBJECT TO THE R1-6 ZONING DISTRICT STANDARDS AND SHALL NOT BE SUBJECT TO THE MODIFICATIONS CONTAINED IN THIS SECTION."**
  - D. PAGE 14, E. DESIGN GUIDELINES: ADD THE FOLLOWING STATEMENT TO THE END OF THE SECOND PARAGRAPH: "SINGLE-FAMILY RESIDENTIAL SHALL BE SUBJECT TO THE DESIGN STANDARDS OF SECTION 507 TAB A OF THE ZONING ORDINANCE AND SHALL BE EXEMPT FROM ALL DESIGN STANDARDS CONTAINED IN THIS SECTION OF THE PUD."**
2. A minimum 40-feet of right-of-way shall be dedicated for the west side of 24th Street, adjacent to City of Phoenix right-of-way.
3. Additional right of way dedications and improvements shall be constructed along the west side of 24th Street, as required by the approved Traffic Impact Analysis.
4. A minimum 10-foot sidewalk easement shall be dedicated for the west side of 24th Street, adjacent to the development for the full length of the street frontage. The required streetscape area shall be encompassed by sidewalk easement.
5. Vehicular access, including for emergency purposes, shall be prohibited onto Portland Street and 22nd Street from the subject site. Upon request for an emergency access point from the Fire Department, the applicant shall submit an updated Traffic Impact Analysis to be reviewed and approved by the Street Transportation Department.

6. A minimum 20-foot-wide right-of-way shall be dedicated, including alley triangle, for the extension of the existing alleyway per City of Phoenix standards. Alternatively, an application to consider the abandonment of the existing alley dedication may be submitted and subject to the outcome established in the public hearing process.
7. Right-of-way shall be dedicated for the extension or termination of 22nd Street and constructed to City of Phoenix standards. Alternatively, an application to consider the abandonment of the existing 22nd Street right-of-way may be submitted and subject to the outcome established in the public hearing process.
8. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development, or as otherwise approved by the Street Transportation Department. The developer shall coordinate with the affected utility companies for their review and permitting.
9. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
10. All streets within and adjacent to the development shall be constructed 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.
11. 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.
12. 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.
13. 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.
14. 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.

15. Prior to final 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.