

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION April 4, 2024

ITEM NO: 4	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-54-23-6 (Companion Case GPA-CE-2-23-6) (52nd Street & McDowell PUD)
Location:	Southwest corner of 52nd Street and McDowell Road
From:	R-3A, IND PK, P-1, and C-2
To:	PUD
Acreage:	66.38
Proposal:	PUD (Planned Unit Development) to allow general commercial, commerce park, and industrial
Applicant:	Baker Development, BDC 44, LLC
Owner:	BDC Park 52, LLC and Melrose Park WHB, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Camelback East** 1/9/2024 Information only.

**Camelback East** 3/5/2024 Approval, per the staff recommendation. Vote: 15-0.

Planning Commission Recommendation: Approval, per the Camelback East Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Matthews made a MOTION to approve Z-54-23-6, per the Camelback East Village Planning Committee recommendation.

Maker: Matthews  
Second: Jaramillo  
Vote: 8-0  
Absent: Mangum  
Opposition Present: No

#### **Findings:**

1. The proposal is consistent with the proposed General Plan Land Use Map Designation.
2. The proposal will facilitate new industrial development, contributing to economic development in the Camelback East Village.
3. The proposed PUD sets forth design and development standards that will enhance connectivity in the immediate vicinity, including enhanced shade and detached sidewalks and standards to buffer the proposed uses from adjacent residences.

Stipulations:

1. An updated Development Narrative for the 52nd Street & McDowell 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 February 16, 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 date to February 16, 2024.
  - b. Page 9, Shade Standards Table, first row: delete the following text: (52nd Street and McDowell Road frontages).
  - c. Page 11, Landscape Standards Table: add footnote to 50th Street (north of commercial alley) and 50th Street (between commercial alley and Brill St) rows as follows: If any portion of 50th Street, north of Brill Street, is abandoned, the landscape setback may start at a line 34 feet east of the 50th Street monument line (the eastern edge of the right-of-way existing at the time of approval of this PUD). If access is maintained on the previously dedicated 50th Street, the condition shall reflect the condition shown on Sections A and B.
  - d. Page 22, Design Standards, Shade, first item, second sentence: delete "fronting 52nd Street and McDowell Road" and revise "10% of parking lot areas" to "25% of parking lot areas."
2. The developer shall dedicate right-of-way and construct a bus stop pad on southbound 52nd Street. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from McDowell Road according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to the bus stop pad at full maturity.
3. The developer shall dedicate right-of-way and construct a bus stop pad on eastbound McDowell Road. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from 50th Street according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to the bus stop pad at full maturity.
4. Right-of-way along the south side of McDowell Road shall be dedicated to construct a flared intersection to accommodate a right-hand turn pocket at 52nd Street, including intersection upgrades and other incidentals, as required by the Street Transportation Department.
5. The existing streetscapes beginning at back of curb, including median islands, shall be replenished with the approved landscaping and trees along McDowell Road and 52nd Street, as approved by the Planning and Development Department.

6. The 50th Street right-of-way, adjacent to the site, shall be constructed to comply with City of Phoenix right-of-way improvement and termination standards. Improvements shall include paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, other incidentals, as per plans approved by the Planning and Development Department. Termination of the 50th Street right-of-way shall be constructed per the City of Phoenix termination standards and may require additional dedications, as required by the Street Transportation Department.
7. 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.
8. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
9. Natural turf shall only be utilized for required retention areas (bottom of basin) and/or functional turf located in employee recreation areas, as approved by the Planning and Development Department.
10. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
11. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Businesses Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
13. 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.
14. 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.
15. 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.
16. 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.

17. 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.

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