

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION September 1, 2022

ITEM NO: 16	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-26-22-4
Location:	Approximately 430 feet east of the northeast corner of Central Avenue and Osborn Road
From:	C-2 H-R TOD-1, and P-2 H-R TOD-1
To:	WU Code T5:6 MT
Acreage:	4.10
Proposal:	Multifamily Residential
Applicant:	Mill Creek Residential
Owner:	3443 North Central, LLC
Representative:	Nick Wood, Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Encanto 8/1/2022 Approval, per the staff recommendation. Vote: 7-3.

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

Motion Discussion: N/A

Motion details: Vice Chair Mangum made a MOTION to approve Z-26-22-4, per the Encanto Village Planning Committee recommendation.

Maker: Vice Chair Mangum
Second: McCabe
Vote: 7-0
Absent: Busching and Simon
Opposition Present: No

Findings:

1. The development is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal, as stipulated, will create a strong pedestrian environment along both Osborn Road and Mitchell Drive with shaded and detached sidewalks to convey residents safely and comfortably within the Encanto Primary Core and to the Osborn Road Light Rail Station.

3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. The developer shall construct a minimum 5-foot-wide detached sidewalk and minimum 10-foot-wide landscape area located between the back of curb and sidewalk along the north side of Osborn Road planted to the following standards. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. All trees shall be of a large canopy, shade, and single-trunk variety with a minimum 3-inch caliper.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
2. The developer 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 required 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 and maintained by the developer near secure bicycle parking area.
3. The developer shall dedicate a sidewalk easement for any streetscape area that falls outside of dedicated right-of-way, as approved by the Planning and Development Department.
4. 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.
5. Developer to record a Notice to Prospective Purchasers of Proximity to Airport, as required by the State, prior to final site plan approval.
6. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used

during construction exceeds the height of the FAA and a “NO Hazard Determination” obtained prior to the construction start date.

7. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
8. 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.
9. 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.

This publication can be made available in alternate format upon request. Please contact Les Scott at 602-261-8980, leslie.scott@phoenix.gov or TTY: Use 7-1-1.