

## ATTACHMENT E

### REPORT OF PLANNING COMMISSION ACTION January 8, 2026

ITEM NO: 10	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-44-25-6 (2400 Biltmore Residential PUD) (Continued from December 4, 2025)
Location:	Northeast corner of 24th Street and Arizona Biltmore Circle
From:	C-2 PCD
To:	PUD
Acreage:	7.68
Proposal:	Planned Unit Development to allow mixed use multifamily residential, office and restaurant; and PCD (Planned Community District) removal
Applicant:	JDMD Biltmore, LLC
Owner:	JDMD Biltmore, LLC
Representative:	Nick Wood, Snell & Wilmer, LLP

#### ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Camelback East** 7/1/2025 Information only.

**Camelback East** 11/4/2025 Approval, per the staff recommendation, with additional stipulations. Vote: 13-5.

Planning Commission Recommendation: Approval, per the Staff Memo dated January 7, 2026, with additional stipulations, and with direction.

#### Motion Discussion:

Ms. Racelle Escolar reminded the Commission that the applicant requested additional stipulations. She explained that staff did not have any concerns with the added Stipulation Nos. 1.e through 1.g, however she would recommend revised language for Stipulation No. 1.e to state that, Page 12, D1: Development Standards, Row c. Building Setbacks: Delete all of the average setbacks and change the south setback to 25 feet.

Ms. Racelle Escolar explained that staff did not agree with the requested stipulation modification to replace the site plan date in Stipulation No. 2, since the revised site plan was just submitted that day and staff has not had a chance to evaluate it. Additionally, staff could not agree with the stipulation to require a driveway on 24th Street. The Street Transportation Department is evaluating this request. Ms. Escolar recommended that should they approve the request, they provide direction that the applicant work with staff to determine if Stipulation No. 2 can be revised to reflect the updated plans, and to consider a stipulation to require a driveway on 24th Street.

Commissioner Gorraiz made a MOTION to approve Z-44-25-6, per the Staff Memo dated January 7, 2026, with additional stipulations (1.e through 1.g) as recommended by staff, and with direction that the applicant work with staff to determine if Stipulation No. 2 can be revised to reflect the updated plans, and to consider a stipulation to require a driveway on 24th Street.

Commissioner James SECONDED that motion.

Commissioner Matthews made a SUBSTITUTE MOTION to continue Z-44-25-6, to the February 5, 2026 Planning Commission Hearing, without fee.

Commissioner Jaramillo SECONDED the motion.

The SUBSTITUTE MOTION failed by a vote of 4-4 (Boyd, Gorraiz, Hu, James).

The original motion was entertained and is detailed below.

Motion details: Commissioner Gorraiz made a MOTION to approve Z-44-25-6, per the Staff Memo dated January 7, 2026, with additional stipulations (1.e through 1.g) as recommended by staff, and with direction that the applicant work with staff to determine if Stipulation No. 2 can be revised to reflect the updated plans, and to consider a stipulation to require a driveway on 24th Street.

Maker: Gorraiz  
Second: James  
Vote: 5-3 (Busching, Jaramillo, Matthews)  
Absent: Soronson  
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation and the character of the surrounding area.
2. The proposal will facilitate new commercial and multifamily residential development at an appropriate location along a commercial corridor within a Major Employment Center, contributing to the land use mix in the area.
3. The proposed PUD sets forth design and development standards that will enhance connectivity in the immediate vicinity, including enhanced shade and detached sidewalks.

Stipulations:

1. An updated Development Narrative for the 2400 Biltmore Residential 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 October 10, 2025, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information to add the following: City Council adopted: [Add adoption date].
  - b. Page 12, D1: Development Standards, Row d: Add “, except as modified by the Building Height Step Plan shown in Exhibit 10.”
  - c. Page 12, D1: Development Standards: Add a row with “g. Minimum Unit Size” in the left column and “1,500 square feet” in the right column.
  - d. Add an Exhibit 10 with the Building Height Step Plan date stamped October 23, 2025 attached to the staff report.

- E. PAGE 12, D1: DEVELOPMENT STANDARDS, ROW C. BUILDING SETBACKS: DELETE ALL OF THE AVERAGE SETBACKS AND CHANGE THE SOUTH SETBACK TO 25 FEET.**
  - F. PAGE 14, D4: PARKING STANDARDS: REVISE ELECTRIC VEHICLE CHARGING TO STATE “A MINIMUM OF 10% OF THE REQUIRED PARKING SPACES SHALL BE AVAILABLE FOR ELECTRIC VEHICLE (EV) CHARGING. OF THOSE, 50% SHALL BE EV INSTALLED TYPE AND 50% SHALL BE EV READY TYPE.”**
  - G. PAGE 15, D4: PARKING STANDARDS, ROW D. TANDEM PARKING: DELETE TANDEM PARKING STANDARDS.**
- 2. THAT THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 10, 2025, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.**
- 3. THAT THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED APRIL 25, 2025, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.**
- 2. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 20, 2025 AND THE ELEVATIONS DATE STAMPED APRIL 25, 2025, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - 2. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated July 17, 2025.
  - 3.
  - 3. 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.
  - 4. 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.
  - 5. 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.
  - 6. 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.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, [saneeya.mir@phoenix.gov](mailto:saneeya.mir@phoenix.gov), TTY: Use 7-1-1.