

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION April 3, 2025

ITEM NO: 5	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-162-24-8
Location:	Approximately 230 feet east of the southeast corner of 7th Street and Elwood Street
From:	R-4 RSIO and C-3 RSIO
To:	C-3 RSIO
Acreage:	3.38
Proposal:	Fabrication, office and warehouse
Applicant:	Mario Mangiamele
Owner:	749E, LLC and MKRK, LLC c/o Mike Kern
Representative:	Mario Mangiamele

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
South Mountain 3/11/2025 Denial. Vote: 15-0.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Matthews made a MOTION to approve Z-162-24-8, per the staff recommendation.

Maker: Matthews
Second: Hu
Vote: 6-1-1 (Boyd opposed, Busching abstained)
Absent: Read
Opposition Present: No

Findings:

1. The proposal is consistent with the Commercial General Plan Land Use Map designation.
2. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Rio Phx Initiative, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan, and the Complete Streets Guiding Principles.
3. The proposal is compatible with the adjacent commercial and industrial zoning districts.

Stipulations:

1. The development shall be in general conformance with the site plan and elevations date stamped February 14, 2025, as approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. Four bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
4. Bicycle parking spaces and pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
5. A minimum 6-foot landscape setback shall be provided along the west perimeter of the site, as approved by the Planning and Development Department.
6. A minimum 10-foot landscape setback shall be provided along the south perimeter of the site, as approved by the Planning and Development Department.
7. The landscape setbacks along the east, south, and west portions of the site shall be planted with minimum 2-inch caliper trees, planted 20 feet on center, or in equivalent groupings, with five 5-gallon shrubs per tree, 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 for installing the required plants.
8. A minimum of 2% of the required vehicle parking spaces shall include EV Capable infrastructure.
9. The landscape setback along Elwood Street shall be planted to include native cacti or similar spiny desert accent plants, as approved by the Planning and Development Department.
10. Site lighting shall be provided at building entrances/exits and in public assembly and parking areas, as approved by the Planning and Development Department.
11. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, shade trees, or a combination thereof.
12. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas, as approved by the Planning and Development Department.
13. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited

to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

14. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 10 years, or as approved by the Planning and Development Department.
15. The sidewalk along Elwood Street shall be a minimum of 6 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings.
 - b. Shrubs, accents and vegetative groundcovers with a maximum mature height of two feet evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

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

16. A minimum 40 feet of right-of-way shall be dedicated and constructed for the south side of Elwood Street.
17. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated January 15, 2025, including the proportional contribution of \$80,000 to the Street Transportation Department prior to Final Site Plan approval for the future signalized intersection at 7th Street and Elwood Street.
18. 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.
19. 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.
20. 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.
21. 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.

22. 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, TTY: Use 7-1-1.