

## ATTACHMENT E

### REPORT OF PLANNING COMMISSION ACTION November 3, 2022

ITEM NO: 10	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-41-22-8 (2333 Thomas PUD)
Location:	Approximately 270 feet west of the southwest corner of 24th Street and Thomas Road
From:	C-2
To:	PUD
Acreage:	3.79
Proposal:	Planned Unit Development to allow multifamily and commercial uses.
Applicant:	Jason Morris, Withey Morris, PLC
Owner:	Thomas 24 JL, LLC
Representative:	Jason Morris, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Camelback East** 8/2/2022 Information only.

**Camelback East** 10/11/2022 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 Gorraiz made a MOTION to approve Z-41-22-8, per the Camelback East Village Planning Committee recommendation.

Maker: Commissioner Gorraiz  
Second: Vice-Chairwoman Mangum  
Vote: 9-0  
Absent: 0  
Opposition Present: No

#### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map designation and compatible with the character of the surrounding area.
2. The proposal will convert an outdated hotel into residential units and add to the existing mix of housing options in the area at an appropriate location with access to an arterial street, transportation options, and the Grand Canal.
3. The proposed PUD sets forth design and development standards that will enhance connectivity in the immediate vicinity by providing shaded detached sidewalks and a pedestrian connection to the Grand Canal.

Stipulations:

1. An updated Development Narrative for the 2333 Thomas 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 September 23, 2022, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: September 23, 2022; City Council adopted: [Add adoption date].
  - b. Page 9, Development Standards Table, Maximum Density: update to "200 units."
  - c. Page 10, Landscape Standards Table, Parking Lot Area Landscape standards: revise to "Minimum 14 percent shade coverage at maturity. Planting standards per C-2 standards (Section 623)."
  - d. Page 12, Design Guidelines, Site Layout: Add an item number 5 stating "A minimum 36-inch-high perimeter wall shall be provided along the northern edge of the property, adjacent to the back of the Thomas Road sidewalk easement, except where vehicular entry/exit or pedestrian walkways are proposed. The perimeter wall and the building shall exhibit a cohesive architectural theme and style with regard to color, texture, and materials."
2. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
3. 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.
4. 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.
5. 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 permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
6. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 2210L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

- a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
  - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
  - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
7. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
8. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
9. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
10. 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](mailto:leslie.scott@phoenix.gov) or TTY: Use 7-1-1.