

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION February 1, 2024

ITEM NO: 3	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-25-23-8 (Endres Bellevue PUD) (Companion Case GPA-CE-1-23-8)
Location:	Northwest corner of 46th Street and Bellevue Street
From:	R-3 and R-5
To:	PUD
Acreage:	6.70
Proposal:	PUD (Planned Unit Development) to allow multifamily and retail
Applicant:	Endres Bellevue, LLC
Owner:	Endres Bellevue, LLC
Representative:	Michael Maerowitz, Esq., Snell & Wilmer, LLP

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Camelback East** 10/3/2023 Information only.

**Camelback East** 1/9/2024 Approval, per the staff recommendation. Vote: 15-1.

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

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-25-23-8, per the Camelback East Village Planning Committee recommendation.

Maker: Mangum  
Second: Jaramillo  
Vote: 8-0  
Absent: None  
Opposition Present: No

#### **Findings:**

1. The site is appropriately located along local streets within close proximity to 44th Street an arterial street, State Route 143, and the Loop 202.
2. The proposal will develop an underutilized site and provide additional housing options consistent with the 44th Street Corridor Specific Plan.
3. The proposed PUD sets forth design and development standards that will facilitate pedestrian-oriented design and promote a safer walking and bicycling environment.

Stipulations:

1. An updated Development Narrative for the Endres Bellevue 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 December 20, 2023, as modified by the following stipulations:
  - a. Front cover: Revise the date information on the cover page to the following: City Council Adopted: [Add Adoption Date]
  - b. Page 9, C. List of Uses, C1: Permitted Uses, Live Work Units, First Sub-Bullet Point: Update "Retail" to "Retail, as permitted in the C-2 District".
  - c. Page 9, C. List of Uses, C1: Permitted Uses, Live Work Units, Second Sub-Bullet Point: Update "Professional Office" to "Office for Professional Uses" and add another bullet point for "Office for Administrative, Clerical, or Sales Services".
  - d. Page 9, C. List of Uses, C1: Permitted Uses, Live Work Units, Third Sub-Bullet Point: Delete "Other uses of similar scope and intensity as approved by the Zoning Administrator".
  - e. Page 9, C. List of Uses, C1: Permitted Uses, Commercial C-2 Uses Bullet Point: Update "C-2 Uses subject to Performance Standards of Section 623, as listed below".
  - f. Page 9, C. List of Uses, C1: Permitted Uses, Commercial C-2 Uses, First Sub-Bullet Point: Delete Coffee Shop.
  - g. Page 9, C. List of Uses, C1: Permitted Uses, Commercial (C-2) Uses, Fifth Sub-Bullet Point: Update "Retail" to "Retail, as permitted in the C-2 District".
  - h. Page 9, C. List of Uses, C1: Permitted Uses, Commercial (C-2) Uses, Sixth Sub-Bullet Point: Delete "Other uses of similar scope and intensity as approved by the Zoning Administrator".
  - i. Page 10, D. Development Standards, D.1 Density Maximum: Update Dwelling Units per Gross Acre to 90.2.
  - j. Page 10, D. Development Standards, D.2: Landscape Standards Table, b. Landscape Requirements Adjacent to Willetta Street (North Property Line): Delete the following:

In the event angled or parallel on street parking is provided (as approved by the City of Phoenix Transportation Department), minimum 5' wide attached sidewalk shall be provided adjacent to parking stalls. Adjacent to Willetta Street, there shall be no planting requirements for any landscape strips located between back of curb and sidewalk.

- k. Page 10, D. Development Standards, D.2:Landscape Standards Table, b. Landscape Requirements Adjacent to Willetta Street (North Property Line): Update Landscape as follows:

Landscape Strip: A minimum of (75%) 3-inch and (25%) 2-inch caliper trees as needed to achieve shading as standard set forth in Section D5. Minimum of five (5) 5-gallon drought-resistant shrubs per tree to be planted at grade. Minimum 50% living groundcover coverage.

- l. Page 10, D. Development Standards, D.2:Landscape Standards Table, b. Landscape Requirements Adjacent to Willetta Street (North Property Line): Add a section for landscape setbacks as follows:

Landscape Setback: A minimum of (75%) 3-inch and (25%) 2-inch caliper trees to be planted 20 feet on center or in equivalent groupings within the minimum landscape setback. Minimum of five (5) 5-gallon drought-resistant shrubs per tree to be planted at grade. Minimum 50% living groundcover coverage.

In areas where 20 feet on center cannot be met, trees shall be planted to achieve shading standard set forth in Section D5. Minimum of five (5) 5-gallon drought-resistant shrubs per tree to be planted at grade. Minimum 75% living groundcover coverage.

- m. Page 11, D. Development Standards, D.2:Landscape Standards Table, c. Landscape Requirements Adjacent to 46th Street (East Property Line): Delete the following:

In the event angled or parallel on street parking is provided (as approved by the City of Phoenix Transportation Department), minimum 5' wide attached sidewalk shall be provided adjacent to parking stalls and the 5' wide landscape strip is not required.

- n. Page 11, D. Development Standards, D.2:Landscape Standards Table, c. Landscape Requirements Adjacent to 46th Street (East Property Line), Landscape: Update the heading to "Landscape Setback".

- o. Page 11, D. Development Standards, D.2:Landscape Standards Table, d. Landscape Requirements Adjacent to Belleview Street (South Property Line): Delete the following:

In the event angled or parallel on street parking is provided (as approved by the City of Phoenix Transportation Department), minimum 5' wide attached sidewalk shall be provided adjacent to parking stalls and the 5' wide landscape strip is not required.

- p. Page 11, D. Development Standards, D.2:Landscape Standards Table, d. Landscape Requirements Adjacent to Belleview Street (South Property Line), Landscape: Update the heading to "Landscape Setback".

- q. Page 12, D. Development Standards, D.2:Landscape Standards Table, e. Landscape Requirements Adjacent to Interior Property Line (West Property Line), Landscape: Replace "Landscape: 100%" with "Landscape Setback: Minimum"
  - r. Page 12, D. Development Standards, D.2:Landscape Standards Table, e. Landscape Requirements Adjacent to Interior Property Line (West Property Line), Landscape, second paragraph: Replace reference to 20 feet on center to 25 feet on center.
  - s. Page 12, D. Development Standards, D.3:Parking, Bicycle Parking: Replace standards as follows:
    - Secured bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces.
    - Guest bicycle parking shall be provided at a minimum of 0.05 spaces per dwelling unit. Bicycle parking spaces shall be provided through inverted U and/or artistic racks. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department.
2. A minimum 25 feet of right-of-way shall be dedicated for the south half of Willetta Street, adjacent to the development.
  3. A minimum 25 feet of right-of-way shall be dedicated for the north half of Bellevue Street, adjacent to the development.
  4. No parking spaces shall be located within the sight visibility triangles.
  5. 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.
  6. 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.
  7. 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.
  8. 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.

9. 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.
10. 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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