

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 9	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-9-22-4 (Forty600 PUD)
Location:	Southwest corner of Central Avenue and Coolidge Street
From:	C-2 TOD-1
To:	PUD
Acreage:	1.71
Proposal:	Planned Unit Development to allow mixed use multifamily.
Applicant:	RAS Developments, Inc.
Owner:	Forty600, LP
Representative:	Benjamin Tate, Withey Morris Baugh, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Alhambra 8/23/2022 Information only.

Alhambra 6/27/2023 Approval, per staff recommendation. Vote: 8-5.

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

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve Z-9-22-4, per the Alhambra Village Planning Committee recommendation.

Maker: Boyd
Second: Simon
Vote: 8-0
Absent: Mangum
Opposition Present: Yes

Findings:

1. The development is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal advances the vision and recommendations contained in the Uptown Transit Oriented Development Policy Plan and will create strong pedestrian environments along Central Avenue, Coolidge Street, and the Grand Canal with the provision of commercial space, shaded and detached sidewalks along Central Avenue and Coolidge Street, and ground floor residential oriented towards the Grand Canal.
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. An updated Development Narrative for the Forty600 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 May 25, 2023, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: May 25, 2023; City Council adopted: [Add adoption date].
 - b. Page 11, Development Standards, Parking: Add the following language to this section: A minimum of 9 parking spaces shall include EV Installed infrastructure.
 - c. Page 13, Design Guidelines, B. Landscape: Add the following language to this section: A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

2. The developer and the City must agree to enter into an agreement wherein the developer will make a single \$250,000 donation to the City of Phoenix Developer Deposit Account prior to final site plan approval to construct improvements along the Grand Canal between Central Avenue and 3rd Avenue, as approved by the Planning and Development Department.

If it is not possible for the City to reach an agreement with the necessary jurisdictional partners such as the Salt River Project after 5 years from the date of deposit, the funds shall be transferred to the Housing Department to fund the development of affordable housing in the District 4 City Council District.

3. 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.
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. A minimum of 25 feet of right-of-way shall be dedicated along the south half of Coolidge Street, as approved by the Planning and Development Department.
6. Detached sidewalk streetscapes must be located within right-of-way or an appropriate sidewalk easement, as approved by the Street Transportation Department.
7. The developer shall underground existing electrical utilities within the public right-of-way that are impacted or, to be relocated as part of this project. Coordinate with the affected utilities company for their review and permitting.

8. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740L 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.

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