

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION November 3, 2022

ITEM NO: 14	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-58-22-8
Location:	Southeast corner of 44th Street and McKinley Street
From:	R-3 (Approved C-2 H-R), C-2 M-R, and P-2
To:	WU Code T5:6 GW
Acreage:	6.14
Proposal:	Multifamily residential
Applicant:	Investment Development Management
Owner:	LDAC Holdings, LLLP
Representative:	Jason Morris, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

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 Boyd made a MOTION to approve Z-58-22-8, per the Camelback East Village Planning Committee recommendation.

Maker: Commissioner Boyd
Second: Commissioner Gaynor
Vote: 8-1 (Busching)
Absent: 0
Opposition Present: Yes

Findings:

1. The proposal will redevelop a vacant property and provide a high-quality multifamily residential development which is consistent with the Gateway TOD Policy Plan goals.
2. The proposal provides a new housing option to contribute to the mix of housing types in the area and will help alleviate the housing shortage in Phoenix.
3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Gateway TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations:

1. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. One bicycle repair station shall be provided and maintained by the developer near the secure bicycle parking area.
2. The developer shall dedicate a minimum 6-foot-wide sidewalk easement for the east side of 44th Street along the subject site's frontage, as approved by the Planning and Development Department.
3. The developer shall construct a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the east side of 44th Street, as approved by the Planning and Development Department.
4. The developer shall dedicate a 10-foot sidewalk easement at the McKinley Street cul-de-sac to ensure that all public facilities are in public right of way or public easement, as approved by the Planning and Development Department.
5. The applicant shall submit a Traffic Impact Analysis to the City for this development. No preliminary approval of plans shall be granted until the analysis is reviewed and approved by the City.
6. 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.
7. 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.
8. 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.
9. 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.

10. 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.
11. 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 or TTY: Use 7-1-1.