

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION December 7, 2023

ITEM NO: 8	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-50-23-4
Location:	Northeast corner of 3rd Street and Cheery Lynn Road
From:	R-5 and R1-6
To:	WU Code T4:3 MT
Acreage:	1.35
Proposal:	Townhomes
Applicant:	Kristjan Sigurdsson
Owner:	Kris Rigsby, Rigsby, LLC
Representative:	Kristjan Sigurdsson

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:  
**Encanto** 11/6/2023 Denial. Vote: 7-4.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve Z-50-23-4, per the staff recommendation.

Maker: Boyd  
Second: Acting Vice-Chairperson Mangum  
Vote: 4-1 (Perez)  
Absent: Gaynor and Gorraiz  
Opposition Present: No

#### **Findings:**

1. This proposal is consistent with the General Plan Land Use Map designation and several land use and design principles.
2. The proposal will redevelop an underutilized property and provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix and is consistent with the Midtown TOD Policy Plan designation as a site suitable for redevelopment.
3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Midtown TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations:

1. Landscape areas within retention areas shall be planted with shrubs, accents, and vegetative groundcovers to provide a minimum of 75% live coverage at maturity, as approved by the Planning and Development Department.
2. Bicycle infrastructure shall be provided as described below, as approved by the Planning and Development Department.
  - a. A publicly accessible bicycle repair station ("fix it station") shall be provided and maintained adjacent to 3rd Street. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to, standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
  - b. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
3. A minimum of 10% of the required parking spaces shall include Electric Vehicle (EV) ready infrastructure, as approved by the Planning and Development Department.
4. The full 20-foot width of the adjacent alley shall be paved from 3rd Street to 5th Street.
5. A minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the west side of 3rd Street, adjacent to the development, 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 the creation of a comfortable pedestrian environment.

6. 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.
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. 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.

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