

# ATTACHMENT E

## REPORT OF PLANNING COMMISSION ACTION September 5, 2024

ITEM NO: 7	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-23-24-8 (Phoenix Airpark Gateway PUD) (Companion Case GPA-CC-1-24-8)
Location:	Northwest corner of 24th Street and Portland Street
From:	WU Code T4:3 GW
To:	PUD
Acreage:	11.46
Proposal:	PUD (Planned Unit Development) to allow flex-industrial, employment center, and showroom/retail.
Applicant:	Wendy Riddell, Berry Riddell, LLC
Owner:	BDC Clifton 24th Street, LLC c/o Warren Baker
Representative:	Wendy Riddell, Berry Riddell, LLC

### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Central City** 5/13/2024 Information only.

**Central City** 8/12/2024 Approval, per the staff recommendation. Vote: 10-0.

Planning Commission Recommendation: Approval, per the staff memo dated September 5, 2024.

Motion Discussion: N/A

Motion details: Vice-Chairperson Busching made a MOTION to approve Z-23-24-8, per the staff memo dated September 5, 2024.

Maker: Vice-Chairperson Busching

Second: James

Vote: 8-0

Absent: Jaramillo

Opposition Present: No

### **Findings:**

1. The proposal is consistent with the proposed General Plan Land Use Map Designation and the Gateway TOD Policy Plan.
2. The proposal will facilitate new light industrial development, contributing to economic development in the Central City Village.
3. The proposed PUD sets forth design and development standards that will enhance connectivity in the immediate vicinity, including enhanced shade and detached sidewalks and standards to buffer the proposed uses from adjacent residences.

Stipulations:

1. An updated Development Narrative for the Phoenix Airpark Gateway 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 July 31, 2024, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information to add the following: City Council adopted: [Add adoption date] and to revise the hearing draft submittal date to July 31, 2024.
  - B. PAGE 7, C. LIST OF USES: ADD A NEW BULLET POINT AS FOLLOWS: "SINGLE-FAMILY RESIDENTIAL USE WEST OF THE 22ND STREET ALIGNMENT."
  - C. PAGE 8, D. DEVELOPMENT STANDARDS: ADD THE FOLLOWING STATEMENT AT THE END OF THE FIRST PARAGRAPH: "SINGLE-FAMILY RESIDENTIAL SHALL BE SUBJECT TO THE R1-6 ZONING DISTRICT STANDARDS AND SHALL NOT BE SUBJECT TO THE MODIFICATIONS CONTAINED IN THIS SECTION."
  - D. PAGE 14, E. DESIGN GUIDELINES: ADD THE FOLLOWING STATEMENT TO THE END OF THE SECOND PARAGRAPH: "SINGLE-FAMILY RESIDENTIAL SHALL BE SUBJECT TO THE DESIGN STANDARDS OF SECTION 507 TAB A OF THE ZONING ORDINANCE AND SHALL BE EXEMPT FROM ALL DESIGN STANDARDS CONTAINED IN THIS SECTION OF THE PUD."
2. A minimum 40-feet of right-of-way shall be dedicated for the west side of 24th Street, adjacent to City of Phoenix right-of-way.
3. Additional right of way dedications and improvements shall be constructed along the west side of 24th Street, as required by the approved Traffic Impact Analysis.
4. A minimum 10-foot sidewalk easement shall be dedicated for the west side of 24th Street, adjacent to the development for the full length of the street frontage. The required streetscape area shall be encompassed by sidewalk easement.
5. Vehicular access, including for emergency purposes, shall be prohibited onto Portland Street and 22nd Street from the subject site. Upon request for an emergency access point from the Fire Department, the applicant shall submit an updated Traffic Impact Analysis to be reviewed and approved by the Street Transportation Department.
6. A minimum 20-foot-wide right-of-way shall be dedicated, including alley triangle, for the extension of the existing alleyway per City of Phoenix standards. Alternatively, an application to consider the abandonment of the existing alley dedication may be submitted and subject to the outcome established in the public hearing process.
7. Right-of-way shall be dedicated for the extension or termination of 22nd Street and constructed to City of Phoenix standards. Alternatively, an application to consider the abandonment of the existing 22nd Street right-of-way may be submitted and subject to the outcome established in the public hearing process.

8. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development, or as otherwise approved by the Street Transportation Department. The developer shall coordinate with the affected utility companies for their review and permitting.
9. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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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