

ATTACHMENT F

REPORT OF PLANNING COMMISSION ACTION August 4, 2022

ITEM NO: 6	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-64-21-8 (Banyan Residential 48th & Washington PUD) (Companion Case GPA-CE-2-21-8)
Location:	Southwest corner of 48th Street and Washington Street
From:	A-2
To:	PUD
Acreage:	17.82
Proposal:	A Planned Unit Development to allow multifamily residential.
Applicant:	Odyssey Group Holdings, LLC
Owner:	Lincoln National Life Insurance Company
Representative:	Nick Wood Esq., Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Camelback East 12/7/2021 Information only.

Camelback East 6/7/2022 Approval, per the staff recommendation. Vote: 16-0.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report.

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-64-21-8, per the Addendum A Staff Report.

Maker: Mangum
Second: Johnson
Vote: 9-0
Absent: None
Opposition Present: No

Findings:

1. The proposal will develop a vacant site and provide additional housing options within proximity to a light rail station and employment uses. The proposed development is also compatible in intensity, scale, and character with the surrounding area.
2. The project site is appropriately located along an arterial street and within a quarter mile of a light rail station.
3. The proposed PUD sets forth design and development standards that will facilitate pedestrian-oriented design and promote a safer walking environment.

Stipulations:

1. An updated Development Narrative for the Banyan Residential 48th Street & Washington 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 23, 2022, 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, TABLE D, DEVELOPMENT STANDARDS TABLE: DELETE "D. CHARACTER AREAS, TRANSIT GATEWAY CHARACTER AREA (SECTION 1312 (A)))"
2. 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.
3. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 2230 M of the Flood Insurance Rate Maps (FIRM) dated September 18, 2020. 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 shall 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.
4. 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.
5. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

6. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
7. 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.
8. 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.