

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION November 2, 2023

ITEM NO: 16	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-18-23-8 (34th + Thomas PUD) (Continued from October 5, 2023)
Location:	Southeast corner of 34th Street and Thomas Road
From:	C-2, R1-6, and P-1
To:	PUD
Acreage:	6.90
Proposal:	PUD (Planned Unit Development) to allow multifamily residential with ground-floor commercial
Applicant:	Geoff Jacobs, Aspirant Development
Owner:	Pruitt's Resale, LLC and Sensing Holdings
Representative:	Nicolas Wood, Snell & Wilmer, LLP

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Camelback East** 7/11/2023 Information only.

**Camelback East** 9/5/2023 Approval, per the staff recommendation, with a deletion and modifications. Vote: 13-0.

Planning Commission Recommendation: Approval, per the Camelback East Village Planning Committee recommendation with a deleted stipulation.

Motion Discussion: N/A

Motion details: Vice-Chairman Gaynor made a MOTION to approve Z-18-23-8, per the Camelback East Village Planning Committee recommendation with the deletion of Stipulation 1.d, as noted by staff.

Maker: Vice-Chairman Gaynor

Second: Mangum

Vote: 9-0

Absent: None

Opposition Present: Yes

#### **Findings:**

1. The site is appropriately located along an arterial street.
2. The proposal will develop an underutilized site and provide additional housing options within the Camelback East Village.
3. The proposed PUD sets forth design and development standards that will facilitate pedestrian-oriented design with the improvement and utilization of transit access on Thomas Road and promote a safer walking and bicycling environment.

Stipulations:

1. An updated Development Narrative for the Thomas + 34th 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 August 25, 2023, 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, Development Standards, d. Building Height: Add a provision to limit the building height to 35 feet within 52 feet of the southernmost property line in Section "A".~~
  - c. Page 12, and all related exhibits, Development Standards, Minimum Landscape Standards, c. Landscape Zone 3 (South): Update to include a minimum 5-foot-wide landscape setback immediately adjacent to the property line WITH ALLOWANCES TO PERMIT FIRE LANE TURNING RADII TO ENCROACH WITHIN THE SETBACK AREA AT CORNERS WHERE APPLICABLE.
  - d. **Update the exhibits and other sections to accommodate and reflect the maximum height provided in Stipulation 1.b above.**
2. A minimum 10 feet of right-of-way AND/OR SIDEWALK EASEMENT shall be dedicated, totaling 50 feet for the southern half street of Thomas Road, adjacent to the development, AS APPROVED BY THE STREETS TRANSPORTATION DEPARTMENT.
3. A traffic signal shall be installed at Thomas Road and 34th Place. The developer shall fund 100 percent of the cost and install the traffic signal at the intersection as a four-legged intersection with the development's driveway. Signalized driveway access on Thomas Road shall be designed to a typical public street intersection for roadway design and ADA compliance, as approved by the Street Transportation Department.
4. SUBJECT TO SRP APPROVAL, existing irrigation facilities along Thomas Road are to be relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
5. 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.
6. 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.
7. 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.

8. 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.
9. 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.
10. 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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