

## ATTCHMENT D

### REPORT OF PLANNING COMMISSION ACTION November 6, 2025

ITEM NO: 9	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	<b>Z-96-25-4</b>
Location:	Northwest corner of 3rd Street and Lexington Avenue
From:	C-2 TOD-1 and R-5 TOD-1
To:	WU Code T5:5 MT
Acreage:	1.65
Proposal:	Commercial uses with on-site parking
Applicant:	George Pasquel III, Withey Morris Baugh, PLC
Owner:	Moosedreams Management, LLC, TGRL 3316, and JTR 3316
Representative:	George Pasquel III, Withey Morris Baugh, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:  
**Encanto** 10/6/2025 No quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Vice-Chairman Boyd made a MOTION to approve Z-96-25-4, per the staff recommendation.

Maker: Boyd  
Second: Hu  
Vote: 8-0  
Absent: Gorraiz  
Opposition Present: No

#### **Findings:**

1. This proposal is consistent with the General Plan Land Use Map designation.
2. The proposal will maintain and improve an underutilized property, reuse an existing structure, and provide quality commercial redevelopment in close proximity to a light rail station.
3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Midtown TOD Policy Plan, Comprehensive Bicycle Master Plan, Shade Phoenix Plan, and the Complete Streets Guiding Principles.

Stipulations:

1. All uncovered surface parking lot areas shall be shaded to achieve a minimum 25% shade with either landscaping, structural shade, or a combination of the two, as approved by the Planning and Development Department.
2. Where pedestrian pathways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.
  - a. Bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
  - b. A minimum of 10% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
  - c. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade.
  - d. A minimum of one bicycle repair stations ("fix it stations") shall be provided and maintained along public pedestrian accessway or 3rd Street.
    - i. Standard repair tools affixed to the station;
    - ii. A tire gauge and pump affixed to the base of the station or the ground;
    - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
4. A minimum of two parking spaces shall include Electric Vehicle (EV) Installed infrastructure, as approved by the Planning and Development Department.
5. The angled parking spaces within the 3rd Street right-of-way, adjacent to the subject site, shall be removed.
6. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape area shall be constructed on the north side of Lexington Avenue, and planted as follows, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper, single-trunk shade trees planted 20 feet on center, or in equivalent groupings.
  - b. Shrubs, accents and vegetative groundcovers maintained to a maximum height of two feet, evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and

Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

7. A minimum 6-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape area shall be constructed on the west side of 3rd Street, and planted as follows, as approved by the Street Transportation Department and the Office of the City Engineer.
  - a. Minimum 2-inch caliper, single-trunk shade trees planted 20 feet on center, or in equivalent groupings.
  - b. Shrubs, accents and vegetative groundcovers maintained to a maximum height of two feet, evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage.
8. 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.
9. 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.
10. Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development Department.
11. A minimum of one green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
13. 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.
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. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, [saneeya.mir@phoenix.gov](mailto:saneeya.mir@phoenix.gov), TTY: Use 7-1-1.