

Attachment D

REPORT OF PLANNING COMMISSION ACTION December 2, 2021

ITEM NO: 13	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-62-21-8
Location:	Southeast and southwest corners of 25th Street and Van Buren Street
From:	R-4 TOD-2, C-3 TOD-2, and C-3
To:	WU Code T5:3 GW
Acreage:	2.08
Proposal:	Multifamily Residential
Applicant:	MO25, LLC
Owner:	MO25, LLC
Representative:	Nick Wood, Esq. Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Central City 11/8/2021 Approval, per the staff recommendation. Vote: 13-0.

Planning Commission Recommendation: Approval, per the Central City Village Planning Committee recommendation, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-62-21-8, per the Central City Village Planning Committee recommendation, with the additional stipulation as read into the record.

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

Findings:

1. The proposal will redevelop a vacant motel and provide a high quality residential development which is consistent with the Gateway TOD Policy Plan designation for the site.
2. The proposal provides a new housing option to contribute to the mix of housing types in the area and will help alleviate the housing shortage in Phoenix.
3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Gateway TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations:

1. Upon site plan approval and permit issuance for any new building(s) or structure(s) on the site, the new building or structure and adjacent landscaping shall be developed in compliance with the Walkable Urban Code (Chapter 13 of the Phoenix Zoning Ordinance), as approved by the Planning and Development Department.
2. Upon any subsequent phase or phases of development that increase the cumulative floor area by more than 15 percent from that depicted on the site plan date stamped September 7, 2021, a publicly-accessible, pedestrian pathway with a minimum width of 10 feet shall connect the sidewalk along Van Buren Street to Monroe Street. The pedestrian access shall be constructed per the requirements of Section 1304.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
3. All elevations of the building(s) shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department. Ground floor blank walls visible from the public sidewalk along the north and south elevations shall not exceed 20 linear feet without being interrupted by a window, or variation in building treatment or design, as approved by the Planning and Development Department.
4. The main project entry drive along Van Buren Street from the entry apron to the entry gate shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
5. Traffic calming devices shall be installed along the driveways so that vehicles exercise caution prior to crossing the public sidewalk and when entering and exiting the site, as approved by the Planning and Development Department.
6. The existing streetscape landscape area between the curb and sidewalk along Van Buren Street shall be replenished with vegetation, as required by Section 1309.B of the Phoenix Zoning Ordinance and as approved by the Planning and Development Department.
7. In addition to the required bicycle parking per Section 1307.H.6 of the Phoenix Zoning Ordinance, the developer shall install a minimum of three inverted-U bicycle racks (six spaces) for guests, placed near entrances to the building and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
8. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
9. 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.

10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. **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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