

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION August 4, 2022

ITEM NO: 21	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-19-21-8
Location:	Southwest corner of 24th Street and the Loop 202 Freeway
From:	C-2, C-2 (Approved C-2 SP), C-2 SP, R1-6, and R1-6 (Approved PAD-13)
To:	WU Code T4:3 GW
Acreage:	11.46
Proposal:	Multifamily residential
Applicant:	LL Central PHX, LLC
Owner:	Waheguru Properties, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Central City 7/11/2022 Approval, per the staff recommendation. Vote: 9-6.

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

Motion Discussion: Commissioner Busching verified with the applicant if she was amenable to adding a stipulation to limit the average annual interior noise level to not exceed 45 decibels.

The applicant's representative agreed.

Motion details: Commissioner Busching made a MOTION to approve Z-19-21-8, per the Central City Village Planning Committee recommendation with an additional stipulation as read into record.

Maker: Busching
Second: Johnson
Vote: 9-0
Absent: None
Opposition Present: Yes

Findings:

1. The proposal will redevelop a vacant property and provide multifamily residential development that is consistent with the Gateway TOD Policy Plan vision for the site.
2. The proposal provides a new multifamily 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, bicycle, and shade 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. In addition to the bicycle parking requirements per Section 1307.H.6 of the Phoenix Zoning Ordinance, the developer shall provide and maintain the following bicycle infrastructure, as described below and as approved by the Planning and Development Department.
 - a. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
 - b. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
2. The developer shall dedicate a minimum 10-foot-wide sidewalk easement along the west side of 24th Street, as approved by the Planning and Development Department. The required streetscape area shall be encompassed by the sidewalk easement.
3. The developer shall dedicate fee title right-of-way along the west side of 24th Street to accommodate the required right-turn deceleration lane, as approved by the Planning and Development Department.
4. The developer shall construct improvements per the approved Traffic Impact Analysis.
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 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.
7. 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.
8. 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.

9. 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.
10. 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.
11. 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.
12. 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.
13. **PRIOR TO OCCUPANCY, THE DEVELOPER MUST PROVIDE A QUALIFIED ENGINEER'S REPORT CERTIFYING THE AVERAGE ANNUAL INTERIOR NOISE EXPOSURE FOR ANY RESIDENTIAL UNIT OR ENCLOSED PUBLIC ASSEMBLY AREA WILL NOT EXCEED 45 DECIBELS.**

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