

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION September 1, 2022

ITEM NO: 15	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-24-22-8
Location:	Approximately 370 feet west of the southwest corner of 48th Street and McDowell Road
From:	C-2 and R-5
To:	R-5
Acreage:	8.12
Proposal:	Multifamily residential
Applicant:	Kairos Investments Management Company
Owner:	MV McDowell Partners, LLC
Representative:	Benjamin Graff, Quarles & Brady, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Camelback East 8/2/2022 Approval, per the staff recommendation. Vote: 15-0.

Planning Commission Recommendation: Approval, per the Camelback Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Vice Chair Mangum made a MOTION to approve Z-24-22-8, per the Camelback East Village Planning Committee recommendation.

Maker: Vice Chair Mangum
Second: Gaynor
Vote: 7-0
Absent: Busching and Simon
Opposition Present: No

Findings:

1. The proposed development is consistent with the General Plan Land Use Map designation of Residential 15+ dwelling units per acre.
2. The proposal will allow the continued operation of an existing multifamily development that provides affordable housing in the Camelback East Village.
3. As stipulated, the proposal will provide increase shade along perimeter streets and help reduce the urban heat island effect.

Stipulations:

1. The landscape setbacks along 48th Street and McDowell Road shall be landscaped with minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. When possible, the developer shall use existing trees and landscaping to meet the landscaping requirements.
2. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped March 29, 2022, a minimum of 10% open space shall be provided, as approved by the Planning and Development Department.
3. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped March 29, 2022, bicycle parking spaces shall be provided per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
4. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped March 29, 2022, a minimum 5-foot wide sidewalk shall be provided along McDowell Road and be detached with a minimum 13-foot wide landscaped strip located between the sidewalk and back of curb, per Cross Section A, as identified on the Street Classification Map, as approved by the Planning and Development Department. Minimum 2-inch caliper trees shall be planted 20 feet on center or in equivalent groupings with five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
5. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped March 29, 2022, the sidewalk along 48th Street shall be detached with a minimum 5-foot wide landscaped strip located between the sidewalk and back of curb, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
6. 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.
7. 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.

8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.