

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION September 1, 2022

ITEM NO: 19	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-33-22-2
Location:	Southeast corner of North Valley Parkway and Sonoran Desert Drive
From:	C-2 HGT/WVR NBCOD
To:	C-2 HGT/WVR DNS/WVR NBCOD
Acreage:	15.86
Proposal:	Multifamily Residential
Applicant:	LGC
Owner:	Hedgerow Land Holdings, LLC
Representative:	Jason Morris, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**North Gateway** 8/11/2022. Approval, per the staff recommendation. Vote: 6-0.

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

Motion Discussion: N/A

Motion details: Vice Chair Mangum made a MOTION to approve Z-33-22-2, per the North Gateway Village Planning Committee recommendation.

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

#### **Findings:**

1. The development is consistent with the General Plan Land Use Map designation of Commercial.
2. The C-2 HGT/WVR DNS/WVR NBCOD zoning district will allow development that is consistent in character with the North Black Canyon Corridor Plan and Overlay District.
3. The proposal will provide high quality multifamily residential development which will help alleviate the housing shortage in Phoenix and provide residents with an alternative housing option.

Stipulations:

1. The development shall be in general conformance with the site plan and elevations date stamped July 12, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall utilize the R-5 Planned Residential Development option.
3. The maximum density for the project shall not exceed 22 dwelling units per acre.
4. A minimum of four amenities shall be provided, such as a pool, ramadas, a bicycle repair station, clubhouse, or similar element, as approved by the Planning and Development Department.
5. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
6. The developer shall construct a minimum 5-foot-wide shared use path (SUP) within a sidewalk easement along the east side of North Valley Parkway, as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
7. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the south side of Sonoran Desert Drive and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
8. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution.
9. The developer shall construct a minimum 5-foot-wide detached sidewalk along the east side of North Valley Parkway with a minimum 11-foot-wide landscaped strip located between the sidewalk and back of curb, planted to the following standards, as approved by the Planning and Development Department:
  - a. Minimum 2-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 50% live coverage at maturity.

- c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
- 10. The developer shall construct a minimum 5-foot-wide detached sidewalk along the south side of Sonoran Desert Drive with a minimum 11-foot-wide landscaped strip located between the sidewalk and back of curb, planted to the following standards, as approved by the Planning and Development Department:
  - a. Minimum 2-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 50% live coverage at maturity.
  - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
- 11. Pedestrian pathways shall be provided to connect building entrances, public sidewalks, bus stops, and community amenities, using the most direct route for pedestrians, as approved by the Planning and Development Department.
- 12. The developer shall provide direct pedestrian access (path and gate) from the northwest corner of the site to the signalized intersection at Sonoran Desert Drive and North Valley Parkway, as approved by the Planning and Development Department.
- 13. Sidewalk and pedestrian path crossings, constructed of decorative pavers, stamped, or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles, shall be provided across drive aisles, as approved by the Planning and Development Department.
- 14. The developer shall dedicate a minimum of 70-feet of right-of-way and construct the south side of Sonoran Desert Drive, as approved by the Planning and Development Department.
- 15. The developer shall dedicate a minimum of 70-feet of right-of-way and construct the east side of North Valley Parkway, as approved by the Planning and Development Department.
- 16. The developer shall construct a minimum 24-foot-wide landscaped median along Sonoran Desert Drive, as approved by the Street Transportation Department.
- 17. 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.
- 18. The developer shall provide secured bicycle parking per Section 1307 of the City

of Phoenix Zoning Ordinance. Additionally, a minimum of 17 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed 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.

19. The right-of-way shall be dedicated, and a bus stop pad constructed along the deceleration lane east of North Valley Parkway, as approved by the Planning and Development Department.
20. 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.
21. 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.
22. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property the existence and operational characteristics of active mining operations and the North Gateway Solid Waste and Recycling Transfer Facility. 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.
23. Prior to occupancy, signage must be provided within the development's sales/leasing office (or equivalent signage) that is visible to prospective renters or purchasers which discloses the existence and operational characteristics of active mining operations and the North Gateway Solid Waste and Recycling Transfer Facility, as approved by the Planning and Development Department.

This publication can be made available in alternate format upon request. Please contact Les Scott at 602-261-8980, [leslie.scott@phoenix.gov](mailto:leslie.scott@phoenix.gov) or TTY: Use 7-1-1.