

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION November 4, 2021

ITEM NO: 16	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-28-21-2
Location:	Northeast corner of the 29th Avenue alignment and Sonoran Desert Drive
From:	PCD NBCOD (Approved C-2 or C-P M-R PCD NBCOD)
To:	R-3 NBCOD, R-4 NBCOD, and C-2 NBCOD
Acreage:	40.04
Proposal:	Planned Community District removal, and multifamily residential and commercial uses.
Applicant:	Dan Duffus, Blueprint Capital
Owner:	Peter Burch, Britmet Ventures
Representative:	Alan Beaudoin, Norris Design

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**North Gateway** 10/14/2021 Approval, per the staff recommendation. Vote: 4-0.

Planning Commission Recommendation: Approval, per the North Gateway Village Planning Committee recommendation, with an additional stipulation

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-28-21-2, per the North Gateway Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Howard  
Second: Gaynor  
Vote: 7-0  
Absent: Gorraiz and McCabe  
Opposition Present: No

#### **Findings:**

1. The development is consistent with the Phoenix General Plan Land Use Map designation of Mixed Use (Commercial/Commerce – Business Park).
2. The R-3 NBCOD, R-4 NBCOD, and C-2 NBCOD zoning districts will allow development that is consistent in scale and character with the vision of the North Gateway Village Core Plan and the North Black Canyon Corridor Plan and Overlay District.
3. The proposal will allow for additional employment and housing opportunities in the North Gateway Village Core.

Stipulations:

1. A minimum of 7 percent of the gross site area of the R-3 NBCOD zoned portion shall be retained as open space, as approved by the Planning and Development Department.
2. A minimum of 20 percent of the gross site area of the R-4 NBCOD zoned portion shall be retained as open space, as approved by the Planning and Development Department.
3. The R-3 NBCOD zoned portion of the site shall be limited to a maximum height of three stories and 36 feet.
4. The R-4 NBCOD zoned portion of the site shall be limited to a maximum height of three stories and 40 feet.
5. The C-2 NBCOD zoned portion of the site shall be limited to a maximum height of one story and 25 feet.
6. All building façades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies, as approved by the Planning and Development Department.
7. All building and wall colors and materials shall be in compliance with the North Black Canyon Overlay District with specific regard to colors being muted and blending with, rather than contrasting strongly, with the surrounding desert environment, as approved by the Planning and Development Department.
8. Parking areas in the C-2 zoned portion of the site shall be at least 30 feet from property lines adjacent to Sonoran Desert Drive and 29th Avenue or behind a commercial building, as approved by the Planning and Development Department.
9. If drive-through restaurants are developed, pick-up windows shall be architecturally integrated in proportion, color, material, and texture to the building it serves by providing awnings or architecturally integrated structures for weather protection, as approved by the Planning and Development Department.
10. All service areas in the C-2 zoned portion shall be screened to conceal trash containers, recycling containers, loading docks, transformers, backflow preventers, and other mechanical and or electrical equipment from eye level adjacent to public streets and private drives, as approved by the Planning and Development Department.
11. Pedestrian connectivity shall be provided between multifamily and commercial developments, as approved by the Planning and Development Department.
12. Secured bicycle parking shall be provided for multifamily development per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of 18 bicycle parking spaces for the R-4 NBCOD zoned portion of the site and a minimum of 13 bicycle parking spaces for the R-3 NBCOD zoned portion of the site shall be provided for guests located near the offices or distributed throughout the site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

13. A minimum of six bicycle parking spaces for the C-2 NBCOD zoned portion of the site shall be provided near entrances of buildings or distributed throughout the site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
14. A minimum 10-foot-wide public multi-use trail (MUT) shall be constructed within the existing multi-use recreational trail easement (MURTE) along the north side of Sonoran Desert Drive in accordance with Section 429 of the City of Phoenix MAG Supplemental detail, as approved by the Planning and Development Department.
15. All sidewalks along public streets shall be detached with a minimum 10-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
16. A minimum of 75% of pedestrian pathways and sidewalks shall be shaded by a structure, landscaping, or a combination of the two, as approved by the Planning and Development Department.
17. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.
18. Pedestrian pathways shall be provided to connect building entrances, public sidewalks, and community amenities, using the most direct route for pedestrians, as approved by the Planning and Development Department.
19. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. The developer shall be responsible for traffic signal funding and/or escrow contribution as determined by the approved Traffic Impact Study.
20. The developer shall dedicate and construct the east half of 29th Avenue, as required by the Traffic Impact Study and as approved by the Street Transportation Department.
21. The developer shall dedicate a minimum 80 feet of right-of-way and construct a City classified "E" section roadway for North Foothills Drive connecting to 29th Avenue, or as otherwise determined through the approved Traffic Impact Study. If constructed, a Shared-Use Path shall be provided along North Foothills Drive in accordance with the City of Phoenix standard trail detail, as approved by the Planning and Development Department.
22. The developer shall provide a minimum of two shaded pedestrian connections from the development site to the wash and any designated trails, as approved by the Planning and Development Department.
23. 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.

24. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeology 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.
25. 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, determine such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
26. 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.
27. **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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