

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION November 2, 2023

ITEM NO: 12	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-47-23-2
Location:	Approximately 670 feet south and 1,270 feet east of the southeast corner of North Valley Parkway and Sonoran Desert Drive
From:	FH NBCOD and R1-8 NBCOD
To:	R-3 NBCOD
Acreage:	9.78
Proposal:	Multifamily residential townhomes
Applicant:	Kurt Waldier, Beus Gilbert McGroder, PLLC
Owner:	Sonoran Reems Holding, LLC
Representative:	Paul Gilbert, Beus Gilbert McGroder, PLLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

North Gateway 10/12/2023 Approval, per the staff recommendation. Vote: 8-0.

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

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to approve Z-47-23-2, per the North Gateway Village Planning Committee recommendation.

Maker: Gorraiz
Second: Vice-Chairman Gaynor
Vote: 8-1 (Simon)
Absent: None
Opposition Present: No

Findings:

1. The proposal provides a transition from lower density R-2 zoning to the east to higher-density zoning to the west, and in close proximity to the North Gateway Village Core, across North Valley Parkway.
2. As stipulated, the proposal will preserve the wash along the west side of the site and provide a publicly accessible trail to connect to the trail system.
3. As stipulated, the proposal supports efforts from various plans and initiatives, such as the North Black Canyon Overlay District, the Monarch Butterfly Pledge, the Tree and Shade Master Plan, the Complete Streets Guiding Principles, the Comprehensive Bicycle Master Plan, the Transportation Electrification Action Plan, and the Phoenix Climate Action Plan.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped September 19, 2023, as modified by the following stipulations and as approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped July 26, 2023, as modified by the following stipulations and as approved by the Planning and Development Department.
3. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the east side of the wash along the west side of the property, and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
4. All perimeter fences adjacent to the wash along the west side of the property shall contain view fencing atop a maximum 2-foot block wall base, as approved by the Planning and Development Department.
5. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
6. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces, located within an amenity area or near a primary site entrance, and installed through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
7. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
8. All bicycle parking spaces shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, calculated at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.
9. A minimum of 10% of surface parking lot areas shall be landscaped. The surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought-tolerant shade trees, as approved by the Planning and Development Department.
10. Landscape areas and retention areas shall be planted with minimum 2-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
11. 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.

12. A minimum of 10% of the required parking spaces shall include Electric Vehicle (EV) Capable Infrastructure, as approved by the Planning and Development Department.
13. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
14. Improvements to Sonoran Desert Drive shall be constructed per the Sonoran Foothills Master Street Plan, as approved by the Street Transportation Department.
15. Clearly defined accessible pedestrian pathway(s) shall be provided connecting the residences throughout the site to Sonoran Desert Drive and the adjacent wash/trail system. Where adjacent to the wash, a trail shall be provided and designed to allow for its continuation onto the adjacent properties, as approved by the Planning and Development Department.
16. An enhanced pedestrian connection shall be provided on the western site boundary, adjacent to the wash, to allow for direct pedestrian access to the adjacent wash and trail system.
17. A Traffic Impact Analysis (TIA) shall be submitted to the City for this development. The Traffic Impact Analysis (TIA) shall be expanded to address the proposed developments impact and funding responsibility on the Sonoran Desert Drive Corridor. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
18. All streets within and adjacent to the development shall be constructed 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.
19. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 0865 L of the Flood Insurance Rate Maps (FIRM) dated October 16, ~~2023~~ 2013. The following requirements shall apply, as approved by the Planning and Development Department:
 - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Office of the City Engineer for review and approval of Floodplain requirements.
 - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
 - d. A Letter of Map Revision based on Fill (LOMR-F) or Letter of Map Revision (LOMR) shall be submitted to Floodplain Management for review and to ensure

the submittal is complete for FEMA review prior to issuance of building permits for vertical construction.

20. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers or tenants of the property within the development the existence and operational characteristics of the mining operation south of the development, that it is an active mine, has the potential to be active seven days a week, 24 hours a day, and is anticipated to continue until the rock resources are exhausted, which could be for 20 or more years. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers or tenants of the property the existence and operational characteristics of the North Gateway Solid Waste and Recycling Transfer Facility. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
22. 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.
23. 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 Teleia Galaviz 602-602-291-2559, TTY use 7-1-1