

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION February 3, 2022

ITEM NO: 12	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-74-21-2
Location:	Northwest corner of the 29th Avenue and Bronco Butte Trail alignments
From:	C-2 M-R NBCOD
To:	C-2 HGT/WVR DNS/WVR NBCOD
Acreage:	18.81
Proposal:	Multifamily residential
Applicant:	Bond Companies
Owner:	Plas North Valley Land, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**North Gateway** 1/13/2022 Approval, per the staff recommendation. Vote: 3-0.

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

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve Z-74-21-2, per the North Gateway Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Johnson  
Second: McCabe  
Vote: 8-0  
Absent: None  
Opposition Present: No

#### **Findings:**

1. The development is consistent with the General Plan Land Use Map designation of Mixed Use (Commercial/Commerce/Business Park).
2. The C-2 HGT/WVR DNS/WVR NBCOD zoning district will allow development that is consistent in character with the vision of the North Gateway Village Core Plan and the North Black Canyon Corridor Plan and Overlay District.

3. The proposed development furthers the goals of the Housing Phoenix Plan by increasing housing options for residents within close proximity to employment opportunities.

Stipulations:

1. The development shall utilize the R-5 Planned Residential Development option.
2. The development shall be limited to a maximum of 560 dwelling units.
3. A minimum of 10 percent of the gross site area shall be retained as open space.
4. A development shall provide a minimum landscape setback of 10 feet between the shared use path (SUP) along Skunk Creek Wash and any fencing or buildings on the west side of the site, as approved by the Planning and Development Department.
5. A minimum of eight amenities shall be provided and dispersed throughout the development, as approved by the Planning and Development Department.
6. Surface parking shall be located a minimum of 50 feet from the western limits of the development along Skunk Creek Wash, as approved by the Planning and Development Department.
7. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and/or overhang canopies, as approved by the Planning and Development Department.
8. 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.
9. A minimum 10-foot-wide shared use path (SUP) shall be constructed within a 25-foot-wide public trail easement (PTE) along the east side of Skunk Creek Wash on this site or the adjacent FH property per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
10. Pedestrian pathways, including public sidewalks and excluding the shared use path along Skunk Creek Wash, shall be shaded a minimum of 75 percent by a structure and/or trees at maturity, as approved by the Planning and Development Department.
11. Where pedestrian pathways cross drive aisles, the pathways 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.
12. Pedestrian pathways shall be provided to connect building entrances, public sidewalks, and amenity areas, using the most direct route for pedestrians, as approved by the Planning and Development Department.

13. The developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 10-foot-wide landscape area between the back of curb and sidewalk along 29th Avenue and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper shade trees planted 20 feet on center or in equivalent groupings.
  - b. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
14. The developer shall provide secured bicycle parking per Section 1307 of the City of Phoenix Zoning Ordinance. In addition, a minimum of 28 inverted U-bicycle racks shall be provided for guests located near the clubhouse 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.
15. 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.
16. The developer shall dedicate and construct right-of-way to connect to two separate existing public streets, as approved by the Street Transportation Department.
17. The developer shall dedicate and construct the west half of 29th Avenue, as required by the approved Traffic Impact Study and as approved by the Street Transportation Department.
18. The developer shall provide traffic signal conduit and junction boxes at the northwest corner of 29th Avenue and Bronco Butte Trail and deposit a 25% escrow contribution for the future traffic signal prior to final site plan approval, as approved by the Street Transportation Department.
19. The developer shall provide site access to the future identified signalized intersection of 29th Avenue and Bronco Butte Trail. A cross access easement shall be provided to APN 204-11-002M for joint use of the signalized intersection. Connection shall be reviewed and approved by the Street Transportation Department prior to preliminary site plan approval.
20. All access control placement and spacing shall be in compliance with the Street Planning and Design Guidelines and shall coordinate to align with accesses on the east side of 29th Avenue, as approved by the Street Transportation Department.
21. The developer shall provide a minimum of three shaded pedestrian connections from the development to the shared-use path along the east side of Skunk Creek Wash, as approved by the Planning and Development Department.
22. 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.

23. 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.
24. **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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