

# ATTACHMENT D

## REPORT OF PLANNING COMMISSION ACTION November 7, 2024

ITEM NO: 10	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-27-24-2
Location:	Approximately 1,000 feet south of the southwest corner of the 29th Avenue alignment and Dove Valley Road
From:	PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) and FH PCD NBCOD
To:	C-2 HGT/WVR DNS/WVR NBCOD and FH NBCOD
Acreage:	20.05
Proposal:	Multifamily residential
Applicant:	Trumont Group
Owner:	North Gateway Core Acreage Investors, LLC
Representative:	Alan Beaudoin, Norris Design

### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

North Gateway 10/10/2024 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-27-24-2, per the North Gateway Village Planning Committee recommendation.

Maker: Gorraiz  
Second: Read  
Vote: 9-0  
Absent: None  
Opposition Present: No

### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map designations of Mixed-Use (Commercial / Commerce Park) and Preserves / Floodplain.
2. The proposal is compatible with adjacent land uses and zoning and is appropriately located in a high-intensity core area.
3. As stipulated, the proposal supports efforts from various plans, overlays, and initiatives, including the North Gateway Village Core Plan, the North Black Canyon Corridor Plan, the North Black Canyon Overlay District, the Monarch Butterfly Pledge initiative, the Housing Phoenix Plan, the Tree and Shade Master Plan, the Complete Streets Guiding Principles policy, the Comprehensive Bicycle Master Plan, the Transportation

Electrification Action Plan, the Phoenix Climate Action Plan, and the Conservation Measures for New Development policy.

Stipulations:

1. The development for the east parcel (adjacent to 29th Avenue), as depicted on the site plan date stamped September 24, 2024, shall be in general conformance with the site plan date stamped September 24, 2024, as modified by the following stipulations and as approved by the Planning and Development Department.
2. The development for the east parcel (adjacent to 29th Avenue) as depicted on the site plan date stamped September 24, 2024, shall be in general conformance with the elevations date stamped April 10, 2024, with specific regard to the colors and materials being muted and blending, rather than contrasting strongly, with the surrounding desert environment, as approved by the Planning and Development Department.
3. The conceptual site plan and elevations for the 3.18-acre west parcel (west of Skunk Creek Wash), as depicted on the site plan date stamped September 24, 2024, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval, with specific regard to the inclusion of the items below. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
  - a. Buildings fronting Skunk Creek Wash, with a minimum building frontage of 50% and a maximum building setback of 30 feet, measured from the east side of the multi-use trail easement.
  - b. Buildings fronting any adjacent street, with a minimum building frontage of 60% and a maximum building setback of 30 feet.
  - c. A minimum of two east-west, minimum 5-foot-wide, pedestrian walkways connecting the multi-use trail along Skunk Creek Wash to the west portion of the site, to eventually connect to the 32nd Avenue alignment.
  - d. Colors being muted and blending, rather than contrasting strongly, with the surrounding desert environment.
4. Multifamily residential development shall utilize the R-5 Planned Residential Development option.
5. A minimum of 10% of the gross site area of each parcel (east and west of Skunk Creek Wash) separately shall be retained as common area, as approved by the Planning and Development Department.
6. Surface parking for the east parcel (adjacent to 29th Avenue), as depicted on the site plan date stamped September 24, 2024, shall be setback 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. Surface parking for the west parcel (west of Skunk Creek Wash), as depicted on the site plan date stamped September 24, 2024, shall be setback a minimum of 50 feet

from the eastern limits of the development along Skunk Creek Wash, as approved by the Planning and Development Department.

8. A 25-foot-wide shared-use path easement (SUPE) shall be dedicated along the east bank of Skunk Creek Wash aligned with the limits of development, east of the Floodway Zone AE boundary, and a minimum 10-foot-wide shared-use path (SUP) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
9. A 25-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west bank of Skunk Creek Wash aligned with the limits of development, west of the Floodway Zone AE boundary, 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.
10. A minimum landscape setback of 10 feet shall be provided between both the shared-use path (SUP) and multi-use-trail (MUT) along Skunk Creek Wash and any adjacent fencing or buildings, planted with minimum 2-inch caliper, single-trunk, large canopy, shade trees, planted 20 feet on center or in equivalent groupings, and shrubs, accents, and vegetative groundcovers to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
11. The landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center or in equivalent groupings, and shrubs, accents, and vegetative groundcovers to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
12. A minimum of 25% of the surface parking areas for each parcel separately (east and west of Skunk Creek Wash) shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, single-trunk, large canopy, shade trees, or a combination thereof.
13. A minimum of 10% of the required shrubs for each parcel separately (east and west of Skunk Creek Wash), 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.
14. 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.
15. The development for the east parcel (adjacent to 29th Avenue), as depicted on the site plan date stamped September 24, 2024, shall provide a minimum of two east-west, minimum 5-foot-wide, pedestrian walkways connecting 29th Avenue to the shared-use path along Skunk Creek Wash, as approved by the Planning and Development Department.
16. The development for the east parcel (adjacent to 29th Avenue), as depicted on the site plan date stamped September 24, 2024, shall include building frontage as described below, in order to promote a walkable pedestrian realm per the North Gateway Village Core Plan, as approved by the Planning and Development Department.

- a. Buildings fronting onto 29th Avenue, with a minimum building frontage of 60%, and a maximum building setback of 30 feet.
  - b. Buildings fronting onto Skunk Creek Wash, with a minimum building frontage of 50%, and a maximum building setback of 30 feet (measured from the west side of the shared-use path easement).
17. All buildings along the Skunk Creek Wash frontage, 29th Avenue frontage, and any adjacent street frontage shall comply with one frontage type for each frontage, per Table 1305.1 of the Phoenix Zoning Ordinance, and shall comply with Section 1305.C.2 for purposes of the frontage types, in order to promote the goals, policies and recommendations of the North Gateway Village Core Plan, as approved by the Planning and Development Department.
18. All bicycle infrastructure, pedestrian pathways (including sidewalks) and trails shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
19. Secured bicycle parking shall be provided for each parcel separately (east and west of Skunk Creek Wash) at a minimum rate of 0.25 spaces per unit. Guest bicycle parking shall be provided for each parcel separately (east and west of Skunk Creek Wash) at a minimum rate of 0.05 spaces per unit. Guest bicycle parking shall be provided through Inverted U and/or artistic racks located in open space and amenity 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.
20. A bicycle repair station ("fix it station") shall be provided and maintained on site for each parcel separately (east and west of Skunk Creek Wash). The bicycle repair stations ("fix it stations") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to, standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
21. A minimum of 10% of the required bicycle parking spaces for each parcel separately (east and west of Skunk Creek Wash) shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
22. A minimum of 2% of the required parking spaces for each parcel separately (east and west of Skunk Creek Wash) shall include Electric Vehicle (EV) Installed Infrastructure and a minimum of 8% of the required parking spaces for each parcel separately (east and west of Skunk Creek Wash) shall include EV Capable spaces, as approved by the Planning and Development Department.
23. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented for each parcel separately (east and west of Skunk Creek Wash), as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

24. Only landscape materials listed in Appendix A of the North Black Canyon Overlay District (Section 654 of the Phoenix Zoning Ordinance) shall be utilized, as approved or modified by the Planning and Development Department.
25. Natural turf shall only be utilized in required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas in common areas, as approved by the Planning and Development Department.
26. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
27. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
28. A leak detection device shall be installed for the irrigation system of landscape areas larger than 10,000 square feet.
29. The FH-zoned portion of the site shall be preserved as permanent undisturbed open space and shall be dedicated to the City as Sonoran Preserve, as approved by the Planning and Development Department and the Parks and Recreation Department.
30. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE & AE (Floodway), on panel 0845 L of the Flood Insurance Rate Maps (FIRM) revised October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:
  - a. The Architect and Engineer are required to show the floodplain boundary limits on the Site Plan and 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 the 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 LOMR application shall be submitted to the Floodplain Management section of the Office of the City Engineer for review and approval prior to issuance of vertical construction permits.
31. A minimum 5-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the west side of 29th Avenue, adjacent to the development, planted to the following standards and maintained with a watering system, as approved by the Planning and Development Department.

- a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings.
- b. Shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

32. Right-of-way shall be dedicated and constructed to connect to two existing public streets, specifically to Dove Valley Road, Sonoran Desert Drive, and/or North Valley Parkway, as required by the North Gateway Core Master Street Plan and as approved by the Street Transportation Department.
33. Twenty-ninth Avenue shall be dedicated and constructed to the special CM cross section, as required by the North Gateway Core Master Street Plan.
34. A minimum of three enhanced pedestrian connections shall be provided on the western site boundary of the eastern parcel, as depicted on the site plan date stamped September 24, 2024, to allow for direct pedestrian access to the adjacent Skunk Creek Wash shared-use path. The developer shall construct an 8-foot-wide shaded pedestrian pathway consisting of decorative material such as brick, pavers, or an alternative material, as approved by the Planning and Development Department.
35. 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.
36. 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.
37. Prior to final 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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