



Village Planning Committee Meeting Summary

Z-27-24-2

Date of VPC Meeting	October 10, 2024
Request From	PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) and FH PCD NBCOD
Request To Proposal	C-2 HGT/WVR DNS/WVR NBCOD and FH NBCOD Multifamily residential
Location	Approximately 1,000 feet south of the southwest corner of the 29th Avenue alignment and Dove Valley Road
VPC Recommendation	Approval, per staff recommendation
VPC Vote	8-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of rezoning case Z-27-24-2, including the location of the request, surrounding zoning and land uses, and the General Plan Land Use Map designation. Mr. Zambrano shared background information on the site regarding the North Black Canyon employment center, the North Gateway Village Core Plan Conceptual Land Use Map designations, and the Infrastructure Limit Line. Mr. Zambrano displayed the site plan, elevations, and rendering for the proposed project and stated that as noted in the staff report, the proposal supports the goals, policies, and recommendations of several adopted plans, policies, and initiatives. Mr. Zambrano stated that the proposal has not received any letters of support or opposition. Mr. Zambrano shared the staff findings and stated that staff recommends approval subject to stipulations. Mr. Zambrano shared the recommended stipulations and next steps for public hearings.

Applicant Presentation:

Shane Essert, representative with Trumont Group, introduced himself and provided an overview of the project. Mr. Essert displayed and discussed the proposed site plan and elevations. Mr. Essert discussed different versions and evolution of the site plan and building height. Mr. Essert compared the existing zoning permitted density, lot coverage, and building height to the requested zoning and proposed site plan. Mr.

Essert then discussed compatibility with approved projects in the surrounding area. Mr. Essert stated that the project has support from various stakeholders, including the Deer Valley Unified School District, which has a signed per unit payment agreement.

Questions from the Committee:

Jeff Johnson asked for clarification what the request for the west parcel was for. **Mr. Zambrano** responded that the request was for C-2 HGT/WVR DNS/WVR NBCOD zoning. **Mr. Johnson** asked for clarification that the west parcel is located within the FH-zoned area currently. **Mr. Zambrano** responded affirmatively, noting that the request is to rezone a portion of the west parcel from FH zoning to C-2 HGT/WVR DNS/WVR NBCOD zoning. **Mr. Johnson** asked what land uses would be allowed. **Mr. Zambrano** responded that it could be a commercial use or multifamily residential use. **Mr. Johnson** asked if the west parcel is located within the floodway zone. **Mr. Zambrano** responded that it is currently located within the FH-zoned area, which was established to be setback further than the boundary of the floodway zone.

Vice Chair Michelle Ricart stated that there are concerns with flooding with recent hurricanes in Florida and noted that there was a massive flood in the area about eight years ago, which flooded the entire subject property as well as the freeway. Vice Chair Ricart asked if there has been anything done to protect the area from flooding. **Mr. Zambrano** responded that the Floodplain Management section has reviewed the proposal's preliminary CLOMR engineering documents and adjustments were made to the proposed FH zoning boundary per the clearance granted by the Floodplain Management section. **Vice Chair Ricart** asked what the large vacant property to the east of the subject site is. **Mr. Zambrano** responded that it is the WL Gore property, which has not submitted any plans for development yet.

Scott McGill thanked Mr. Essert for reaching out to Committee members and addressing their concerns. Mr. McGill stated that FEMA would need to approve the project since it is in the 100-year floodplain. Mr. McGill stated that he has worked on projects adjacent to the subject site which did not modify the FH zoning on their properties because it was too far into the wash. Mr. McGill added that most structures cannot be built within the FH zoning district, and any kind of development is very limited.

Mr. Essert stated that the request is to rezone the west parcel out of the FH zoning boundary in order to be zoned for the same use as the east parcel. Mr. Essert stated that there currently is no access to the west parcel, and nothing will be built there until the Arizona State Land parcel to the west is auctioned. Mr. Essert clarified that the west parcel is usable acreage on the property that they are obtaining zoning entitlements for in order to develop it many years from now. Mr. Essert added that the FH zoning boundary has nothing to do with the FEMA floodplain or floodway zone and it is not governed by FEMA. Mr. Essert displayed a clearance letter from the City of Phoenix Floodplain Management section regarding the proposal.

Mr. Johnson asked for clarification that the letter stated that FEMA approval is required prior to grading of the land.

Chandra McCarty responded affirmatively and clarified the FEMA CLOMR and LOMR process.

Mr. McGill asked for clarification that FEMA could approve the CLOMR for the west parcel at the very end after the other properties around it have developed. **Ms. McCarty** responded affirmatively.

Vice Chair Ricart reiterated concerns with flooding given the major flood that occurred about eight years ago. **Mr. Essert** assured that their civil engineer's calculations are correct, and that the City has cleared them to move forward.

Mr. Zambrano displayed the site plan depicting the floodplain, floodway zone, and FH zoning boundaries.

Kylie Kennelly asked what a trail easement is. **Mr. Zambrano** responded that the General Plan designated a multi-use trail along the west side of the wash and a shared-use path along the east side of the wash, so developers must dedicate a 25-foot-wide easement along the wash and construct a 10-foot-wide multi-use trail or shared-use path within the easement.

Mr. Essert displayed the location of the shared-use path on the site plan and stated that they would be stipulated to construct it, meaning that they are obligated to construct it.

Ms. Kennelly asked if the west parcel would also be required to construct a trail. **Mr. Zambrano** responded affirmatively, noting that the west side is a multi-use trail, and the east side is a shared-use path. **Mr. Zambrano** clarified that a multi-use trail has a decomposed granite surface, and a shared-use path has a concrete surface.

Vice Chair Ricart asked if a school bus would be able to have the turn radius to maneuver within the development, noting that their area has many families that live in apartments. **Mr. Essert** responded that he is not sure if it was designed specifically for a school bus but noted that it will comply with City of Phoenix standards and requirements, including fire truck turn radius. **Vice Chair Ricart** stated that another community in the area has the ability for a fire truck to turn into it but not a school bus, so children have to walk a further distance, and noted to keep that in mind. **Vice Chair Ricart** asked about the windows at the top of the building that appear to go beyond the 48 feet in height. **Mr. Essert** responded that it is within the 48-foot height and is not another story. **Mr. Essert** clarified that it would be a loft unit with higher ceilings. **Vice Chair Ricart** stated that their community is fighting for pickleball courts and appreciated that proposed amenity. **Vice Chair Ricart** asked if they agree to all of the stipulations. **Mr. Essert** responded affirmatively.

Public Comments:

None.

Applicant Response:

None.

Discussion:

Paul Carver asked if Vice Chair Ricart was referring to a pull out for school buses similar to a public bus pull out. **Vice Chair Ricart** clarified that she was referring to a sufficient turn radius at the driveway entrance since the community would be gated. **Mr. Carver** asked if school buses would be allowed inside the community or if children would have to walk outside of the community to be picked up on the street.

Mr. Essert responded that it would be ideal for them to be picked up within the community. Mr. Essert asked if there is a bus stop nearby. **Vice Chair Ricart** responded that they do not know yet since nothing has been built yet. Vice Chair Ricart clarified that they wanted to make sure a school bus would have sufficient turnaround radius at the driveway entrance. Vice Chair Ricart asked for clarification that construction likely would not begin until 2026. **Mr. Essert** responded affirmatively.

Mr. Carver stated that a pull out may need to be considered for school buses if there is no pull out for public buses nearby and they are unsure if a school bus would have sufficient turnaround radius within the community.

Mr. Johnson stated that it looks like a school bus would be able to maneuver through the community if the gates were open at the entryway.

Mr. Carver stated that from a school board perspective with 344 units there would likely be around 500 children in the community that would need access to a safe school bus pickup area. **Mr. Essert** responded that the development would still need to comply with City of Phoenix codes and regulations. **Mr. Carver** asked if this development would be the first one to be built in the area.

Vice Chair Ricart responded that it would likely be the last development to be built in the area. Vice Chair Ricart stated that there will be many children since there are also multifamily residential developments that will be constructed to the north and south of the subject site.

Mr. Essert stated that there would likely be a designated bus stop since there are multiple multifamily residential developments in the area and school buses would not go into each community individually.

Vice Chair Ricart agreed, noting that the designated school bus stop would likely be somewhere along the street.

Mr. Carver stated that school bus stops and turnaround radius should be considered when designing these developments, noting that there should be a way to assure this to the Committee.

Vice Chair Ricart asked Mr. Zambrano if a school bus stop would normally be located on the street for a project like this. **Mr. Zambrano** responded that 29th Avenue is a collector street, so traffic volume would be lower, and the school bus would likely stop on the side of the road to pick up children.

Mr. McGill stated that a school bus driver would likely not want to drive into each community separately since it would waste time and add more time to the school bus pickup schedule.

Vice Chair Ricart concurred.

Ms. Kennelly asked for clarification where the garage parking spaces are. **Mr. Essert** displayed the locations of the garages, noting that they would be on the first floor below the units above them.

MOTION – Z-27-24-2:

Mr. Carver motioned to recommend approval of Z-27-24-2, per the staff recommendation. **Mr. Johnson** seconded the motion.

VOTE – Z-27-24-2:

8-0; the motion to recommend approval of Z-27-24-2 per the staff recommendation passes with Committee members Carver, Crouch, Johnson, Kennelly, McCarty, McGill, Stein, and Ricart in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.