

# ATTACHMENT C

## REPORT OF PLANNING COMMISSION ACTION November 6, 2025

ITEM NO: 13	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	<b>PHO-1-25—Z-20-17-2</b>
Existing Zoning:	C-2 M-R NBCOD
Acreage:	0.04
Location:	Approximately 1,420 feet west of the northwest corner of North Valley Parkway and Bronco Butte Trail
Request:	<ol style="list-style-type: none"> <li>1) Request to delete Stipulation 1 regarding detached sidewalks.</li> <li>2) Request to delete Stipulation 2 regarding street improvements.</li> <li>3) Request to delete Stipulation 4 regarding east and west pedestrian connections along Paseo del Prado.</li> <li>4) Request to delete Stipulation 5 regarding pedestrian pathways.</li> <li>5) Request to delete Stipulation 6 regarding the use of artificial turf.</li> <li>6) Request to delete Stipulation 7 regarding turf being used in active retention basins.</li> <li>7) Request to delete Stipulation 9 regarding the hotel development.</li> <li>8) Request to delete Stipulation 10 regarding color and material palette for the buildings.</li> <li>9) Request to delete Stipulation 11 regarding the glazing on all building windows.</li> <li>10) Request to delete Stipulation 12 regarding screening of service areas.</li> <li>11) Request to delete Stipulation 13 regarding a minimum landscape setback along property lines adjacent to public right-of-way.</li> <li>12) Request to delete Stipulation 14 regarding the Bronco Butte Water Tank preservation.</li> <li>13) Request to delete Stipulation 15 regarding view corridors of Bronco Butte, Pyramid Peak, Union Hills, and No Name Mountain.</li> <li>14) Request to delete Stipulation 16 regarding maximum building height.</li> <li>15) Request to delete Stipulation 17 regarding sufficient right-of-way for a collector street.</li> <li>16) Request to delete Stipulation 18 regarding sewer force main construction.</li> <li>17) Request to delete Stipulation 19 regarding approval of offsite paving plans.</li> <li>18) Request to delete Stipulation 20 regarding updating the Sonoran Foothills PCD Street Master Plan.</li> </ol>
Applicant:	Declan Murphy on behalf of TWC
Owner:	Robert Jr. and Sabrina Eaton
Representative:	Declan Murphy on behalf of TWC
Appellant:	Declan Murphy

## **ACTIONS:**

### Village Planning Committee (VPC) Recommendation:

**North Gateway** 8/14/2025 Approval, with a modification. Vote: 8-0.

Planning Hearing Officer Recommendation (PHO): On August 20, 2025, the Planning Hearing Officer took the case under advisement. On September 16, 2025, the Planning Hearing Officer took the case out from under advisement and recommended denial as filed, approval with modifications.

Staff Recommendation: Denial as filed, approval with modifications, per the PHO recommendation.

Planning Commission Recommendation: Denial as filed, approval per the PHO recommendation, with modifications.

### Motion Discussion:

Vice-Chair Boyd made a MOTION to approve PHO-1-25—Z-20-17-2, per the North Gateway Village Planning Committee recommendation. Commissioner Soronson SECONDED the motion.

There was discussion about potential amendments (retaining specific stipulations and delaying some of the stipulations) however, Vice-Chair Boyd decided on retaining Stipulation No. 17 as an AMENDMENT TO THE MOTION. Commissioner Soronson agreed.

Commissioner Matthews made a SUBSTITUTE MOTION to deny PHO-1-25—Z-20-17-2 as filed and approve, per the PHO recommendation, and modify each stipulation that the PHO retained to include that the stipulation shall only apply at the full build out of the site and not for the construction of the wireless communications facility on the northeast corner of the site. Commissioner Hu SECONDED the motion.

There was further discussion about the motion, however no amendments were made. The Chair asked for a vote. The substitute motion passed with a 6-2 vote.

Motion details: Commissioner Matthews made a SUBSTITUTE MOTION to deny PHO-1-25—Z-20-17-2 as filed and approve, per the PHO recommendation, and modify each stipulation that the PHO retained to include that the stipulation shall only apply at the full build out of the site and not for the construction of the wireless communications facility on the northeast corner of the site.

The SUBSTITUE MOTION passed by a vote of 6-2 (Busching, James).

Maker: Matthews  
Second: Hu  
Vote: 6-2 (Busching, James)  
Absent: Gorraiz  
Opposition Present: No

### Findings:

1. The request to delete Stipulation 1 regarding detached sidewalks is recommended to be denied as filed with a modification to add language to specify the area of the

required off-site improvements. Language was added to require that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.

2. The request to delete Stipulation 2 regarding street improvements is recommended to be denied as filed with a modification to add language to specify the area of the required off-site improvements. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
3. The request to delete Stipulation 4 regarding east and west pedestrian connections along Paseo del Pardo is recommended to be denied. The Paseo is not planned to be constructed on this portion of the original rezoning case boundary and will therefore not affect this proposal. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
4. The request to delete Stipulation 5 regarding pedestrian pathways is recommended to be denied. There will not be pedestrian pathways on this parcel so this stipulation will not affect this proposal. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
5. The request to delete Stipulation 6 regarding the use of artificial turf is recommended to be denied. There is no need to delete the stipulation especially if the applicant does not intend to install artificial turf. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
6. The request to delete Stipulation 7 regarding turf being used in active retention basins is recommended to be denied. There is no need to delete the stipulation especially if the applicant does not intend to install artificial turf. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
7. The request to delete Stipulation 9 regarding the hotel development is not applicable to this corner of the original rezoning boundary and is not recommended to be deleted. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
8. The request to delete Stipulation 10 regarding color and material palette for the buildings is recommended to be denied. Any building that is planned to support the WCF shall meet this stipulation. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
9. The request to delete Stipulation 11 regarding the glazing on all building windows shall also remain. There is no reason to delete this requirement for window glazing. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
10. The request to delete Stipulation 12 regarding screening of service areas is recommended to be denied. If any service areas are planned for the WCF and associated support building, the requirement for screening shall

remain. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.

11. The request to delete Stipulation 13 regarding a minimum landscape setback along property lines adjacent to public right-of-way is recommended to be denied. This stipulation is standard for all developments in the C-2 zoning district. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
12. The request to delete Stipulation 14 regarding the Bronco Butte Water Tank preservation is recommended to be denied. The Bronco Butte Water Tank is not on this site, and this proposal is not affected by the stipulation. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
13. The request to delete Stipulation 15 regarding view corridors of Bronco Butte, Pyramid Peak, Union Hills, and No Name Mountain is recommended to be denied. The WCF and support building shall not block these view corridors as stipulated. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
14. The request to delete Stipulation 16 regarding maximum building height is recommended to be denied. The proposal is not asking for additional building height so there the deletion of this stipulation is not required. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
15. The request to delete Stipulation 17 regarding sufficient right-of-way for a collector street is recommended to be denied and modified, adding language to require that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
16. The request to delete Stipulation 18 regarding sewer force main construction is recommended to be denied. This stipulation does not seem applicable to this development and there is no reason to delete it. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
17. The request to delete Stipulation 19 regarding approval of offsite paving plans is recommended to be denied. Language was added to clarify that the stipulation would apply to the full build out of the site and not apply to the construction of the wireless communications facility.
18. The request to delete Stipulation 20 regarding updating the Sonoran Foothills PCD Street Master Plan is recommended to be approved. The obligation outlined in Stipulation 20 is required of the larger developer of the rezoned site, south of Bronco Butte.

Stipulations:

1. All sidewalks shall be detached with a minimum five-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 equivalent groupings along both sides of the sidewalk, **ADJACENT**

~~TO APN 204-12-980~~, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by property owner. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**

2. The developer shall construct all streets within and adjacent to ~~APN 204-12-980 the development~~ **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. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
3. 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.
4. The east and west pedestrian connection (Paseo del Prado) shall be provided in accordance with the North Gateway Core Plan, as modified by the following stipulations and approved by the Planning and Development Department (**THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE**):
  - a. The Paseo del Prado shall align with the Bronco Butte Tank and continue through the site to the west.
  - b. A pedestrian access easement of 20 feet shall be dedicated for the pedestrian connection (Paseo del Prado). of the 20 feet, 12 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 8 feet may be used for pedestrian friendly uses such as restaurant seating, vendor stalls, artist displays, etc.
  - c. A minimum of 50% of the 20-foot pedestrian access easement for the Paseo del Prado shall be shaded by a structure, landscaping or a combination of the two.
  - d. The site shall be designed in such a manner that the building placement creates an alignment and synergy for the Paseo del Prado. This can be achieved by placing active uses such as outdoor seating, restaurants and retail along the pedestrian path.
5. All pedestrian pathways, including those that intersect vehicular traffic lanes, shall be constructed with decorative pavers, stamped or colored concrete, or another material other than those used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**

6. The use of artificial turf is prohibited in areas visible from public right-of-way or parking lots, as approved by the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
7. Turf shall only be used in active retention basins, as approved by the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
8. All retention areas shall be natural and organic in shape, as approved by the Planning and Development Department.
9. The hotel development shall be in general conformance with the elevations date stamped April 18, 2018, with specific regard to the massing, articulation, window placement and building entry, as approved by the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
10. The color and material palette for the buildings shall be determined at site plan review and shall comply with the North Black Canyon Overlay District, with specific regard to colors being muted and blend with, rather than contrast strongly, with the surrounding desert environment, as approved by the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
11. The glazing on all building windows shall have a maximum reflectivity of 20%, as approved by the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
12. All service areas must 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 all public streets and private drives, as approved by the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
13. A minimum landscape setback of 10 feet shall be required along property lines that are not adjacent to public right-of-way and planted in accordance with C-2 planting size and spacing standards, as approved by the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**

14. The Bronco Butte Water Tank shall be fully preserved, in place, as it naturally occurs and shall be identified on all site plan documents through permitting to ensure preservation. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
15. View corridors of Bronco Butte, Pyramid Peak, Union Hills and No Name Mountain, as shown on Exhibit B in the North Gateway Core Plan, shall be retained through building placement and step backs, as approved by the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
16. Maximum building height shall be limited to 60 feet. The maximum square footage of the sports arena shall be 180,000 square feet and the maximum square footage of the hotel shall be 60,000 square feet. Any request to increase building height or building square footage beyond the stipulated height and square footages shall not be approved unless all of the following occur **(THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE):**
  - a. A water report is submitted to and approved by the Water Services Department which demonstrates that sufficient water capacity exists or is being provided by the developer of this parcel;
  - b. A wastewater report is submitted to and approved by the Water Services Department which demonstrates that sufficient wastewater capacity exists or is being provided by the developer of this parcel; and
  - c. A traffic study is submitted to and approved by the Street Transportation Department which demonstrates that street improvements (existing and/or proposed) are sufficient to serve the site.
17. Sufficient right-of-way for a collector shall be dedicated ~~ADJACENT TO APN 204-12-980~~ for the extension of Bronco Butte Trail as necessary to establish an alignment to tie into the current terminus at the Bronco Tank and transition to a half-street where the alignment is able to assume an alignment at the north property line for the extension of Bronco Butte Trail west to the 29th Avenue alignment, unless an alternative route is approved or modified by the Street Transportation Department and the Planning and Development Department. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
18. Any construction of a sewer force main, intended as a temporary sewer solution for the subject property, must be designed and constructed in a manner that minimizes the impacts to truck circulation (as necessary to maintain traffic flow to and from the W.L. Gore campus at the Bronco Butte driveway for a WB-67 vehicle). **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE**

**WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**

19. Prior to the approval of the offsite paving plans for the project, the developer shall update the restriping plan for the intersection of North Valley Parkway and Bronco Butte Trail. The restriping plan shall be in general conformance to the restriping plan date stamped June 28, 2018, as approved by the Street Transportation Department and the Planning and Development Department. The developer shall be responsible for all improvements. The developer shall provide documentation that the restriping plan was submitted to W.L. Gore prior to submittal of off-site paving plan. **THIS STIPULATION SHALL ONLY APPLY TO THE FULL BUILD OUT OF THE SITE AND NOT FOR THE CONSTRUCTION OF THE WIRELESS COMMUNICATIONS FACILITY ON THE NORTHEAST CORNER OF THE SITE.**
20. ~~Prior to final site plan approval, the developer shall work with the adjacent property owners to update the Sonoran Foothills PCD Street Master Plan to address the following for the intersection of North Valley Parkway and Bronco Butte Trail, as approved or modified by the Street Transportation Director and the Planning and Development Director as outlined in a forthcoming letter addressing the following:~~
  - ~~a. Planned roadway and striping improvements~~
  - ~~b. Identify existing contributions to the traffic signal infrastructure~~
  - ~~c. Clarify responsibilities for future traffic infrastructure~~
- ~~21.~~ 20. The developer shall notify the following individuals by mail 15 days prior to any preapplication or preliminary site plan review meetings with the Planning and Development Department. The notice shall include the date, time and location of the meeting.
  - a. Brent Roberts  
W.L. Gore  
32470 N. North Valley Parkway  
Phoenix, AZ 85085
  - b. Heidi Kimball  
Sunbelt Holdings  
6720 N. Scottsdale Road, Suite 250  
Scottsdale, AZ. 85253
- ~~22.~~ 21. The developer shall notify the following individuals by mail 10 days prior to the submittal of the final site plan for approval by the Planning and Development Department.
  - a. Brent Roberts  
W.L. Gore  
32470 N. North Valley Parkway  
Phoenix, AZ 85085
  - b. Heidi Kimball  
Sunbelt Holdings



6720 N. Scottsdale Road, Suite 250  
Scottsdale, AZ 85253

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, [saneeya.mir@phoenix.gov](mailto:saneeya.mir@phoenix.gov), TTY: Use 7-1-1.