



City of Phoenix

Planning Department

Staff Report Z-138-06-1-2-3

Paradise Valley Village Planning Committee Meeting Date	November 06, 2006
Desert View Village Planning Committee Meeting Date	November 07, 2006
Deer Valley Village Planning Committee Meeting Date	November 16, 2006
Planning Commission Hearing Date	November 22, 2006
Request From	A-1 (2680.82 Acres), C-1 (163.54 Acres), C-2 (259.71 Acres), C-3 (130.91 Acres), CP/BP (167.69 Acres), CP/GCP (82.65 Acres), IP (903.23 Acres), R-2 (.41 Acres), R-3A (9.88 Acres), R-4A (113.04 Acres), R-5 (44.54 Acres), R1-18 (38.68 Acres), R1-6 (116.81 Acres), R1-8 (59.23 Acres), RE-43 (821.23 Acres), S-1 (1589.17 Acres)
Request To	A-1 DVAO (2680.82 Acres), C-1 DVAO (163.54 Acres), C-2 DVAO (259.71 Acres), C-3 DVAO (130.91 Acres), CP/BP DVAO (167.69 Acres), CP/GCP DVAO (82.65 Acres), IP DVAO (903.23 Acres), R-2 DVAO (.41 Acres), R-3A DVAO (9.88 Acres), R-4A DVAO (113.04 Acres), R-5 DVAO (44.54 Acres), R1-18 DVAO (38.68 Acres), R1-6 DVAO (116.81 Acres), R1-8 DVAO (59.23 Acres), RE-43 DVAO (821.23 Acres), S-1 DVAO (1589.17 Acres) Total Acres: 7,198.92
Proposed Use	To Map the Deer Valley Airport Overlay Zoning District TA-23-05
Location	Southern Boundary = Rose Garden Lane, Northern Boundary = Happy Valley Road, Eastern Boundary = Generally the Cave Creek Rd, CAP Canal, or 16th St Alignments, Western Boundary = Generally the 29th Ave or 31st Ave Alignments.
Owner	Various, See Attached
Applicant/Representative	City of Phoenix Planning Commission City of Phoenix Planning Department
Staff Recommendation	Approval

General Plan Conformity			
General Plan Land Use Designation		Various	
Street Map Classification	N/A	N/A	N/A
<p>LAND USE ELEMENT, GOAL 8: INCOMPATIBLE LAND USES: HOUSING ADJACENT OR WITHIN THE VICINITY OF INCOMPATIBLE LAND USES SHOULD BE PROTECTED FROM THE IMPACTS OF THOSE LAND USES, TO THE GREATEST EXTENT FEASIBLE.</p> <p>This zoning request will add the newly created Deer Valley Airport Overlay (DVAO) district to the city of Phoenix Zoning Map, which will provide land use compatibility that supports this goal.</p>			

Area Plan
N/A

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Various	Various
North	Various	Various
South	Various	Various
East	Various	Various
West	Various	Various

Background/Issues/Analysis

1. This case maps the Deer Valley Airport Overlay (DVAO) District, which will apply this newly created overlay district to the properties in the overlay area.
2. The Deer Valley Airport Overlay requires an amendment to Chapter 6 and Chapter 7, Section 701 of the Zoning Ordinance to create an airport overlay district for Deer Valley Airport that ensures compatible land uses, protects navigable airspace and requires permanent notice of flight operations. See case TA-23-05 for details regarding the overlay district and its particular regulatory language, as well as additional background materials.
3. Delineation of the overlay boundaries, and its subareas, was done by a study group with input from Planning Department and Aviation Department staff (see attached Deer Valley Airport Overlay Map). This study group consisted of property owners, aviation enthusiasts, an aviation advisory board member, two village planning committee members and aviation staff. This effort was done as part of a series of other recommendations related to the airport. The boundaries were established utilizing one or more of the following criteria:

- a. vacant or reasonably redevelopable lands; and,
- b. areas with A-1 zoning classifications; and,
- c. areas around the 65 db or higher noise contours; and,
- d. lands that were within departure zones for the runways; and,
- e. areas where overflight-type air traffic patterns occur.

The southern boundary, Rose Garden Lane, was selected because it contained the larger number of vacant parcels as well as areas with A-1 zoning entitlements. Most development south of this alignment is established residential, and is promoted by the General Plan for residential land uses. The northern boundary is defined by Happy Valley Road because south of this roadway is identified for employment type land uses by the General Plan and is also subject to more extensive amounts of aircraft overflights, making inclusion into the overlay appropriate.

The eastern and western boundaries are a bit irregular. This irregularity is due to the matching of the overlay area to the established land uses. On the eastern side, the overlay boundary stops at the existing neighborhoods, which are unlikely to redevelop on any large scale, as the sites are already parceled out into newer master planned subdivisions. A similar situation exists on the western side, with the exception of some larger lots that could be redevelopment candidates in the future. Exclusion of the established smaller-lot neighborhoods was deemed appropriate as transition to higher density residential uses is extremely unlikely.

An approximation of the 65 db contour was utilized to create the delineation between Area 1 and Area 2, as the noise and aircraft impact concerns increase in this high-traffic area. To simplify administration of the ordinance, the 65 db contour line was "pulled out" as needed to match up with existing parcel lines and/or street alignments. As with the overall boundaries, existing areas with unlikely redevelopment potential were excluded (Exhibit 1).

Area 3 boundaries are derived from the Federal Aviation Administration (FAA) airport approach requirements, and placed height limitations at the end of the runways. Due to the existing terrain, the eastern side is slightly larger than on the western side. Exhibit 2 illustrates the Area 3 height limitations in section.

4. The application of the DVAO will not change the underlying zoning; however parcels will be subject to specific standards of the overlay where there is a more specific requirement or limitation provided.

Findings

1. That this request will map the Deer Valley Airport Overlay (DVAO) District, which will provide for compatible land use around the airport and prevent the establishment of an "airport hazard" as defined in A.R.S. § 28-8461.
2. That this request, along with the related text amendment (TA-23-05), is consistent with and conforms to the General Plan, particularly by ensuring that specific land use areas, as identified on the Land Use Map, are utilized for the categories of land uses identified and by promoting compatible land uses around the airport.

3. That this rezoning request and its related text amendment are compliant with the requirements of A.R.S. § 28-8468, and are reasonable to accomplish its stated purpose, and the four criteria of subsection B were considered in preparing the overlay, particularly in the establishment of Area 3.
4. That this rezoning request is necessary to preserve the public health, safety and general welfare by preventing the establishment of residential land uses where noise impact would be unhealthy and where the types of uses that agglomerate larger numbers of people would expose greater numbers of people to the risk of an aircraft accident, particularly during take off or landing operations.
5. That this request implements one of the components of a comprehensive set of recommendations developed by a study group for the Deer Valley Airport Area. These include building code revisions, enhanced notification procedures, policy statements governing future land uses as well as creation of this overlay.

Stipulations

None

Writer

Noel J. Griemsmann, AICP

11/1/2006

AS

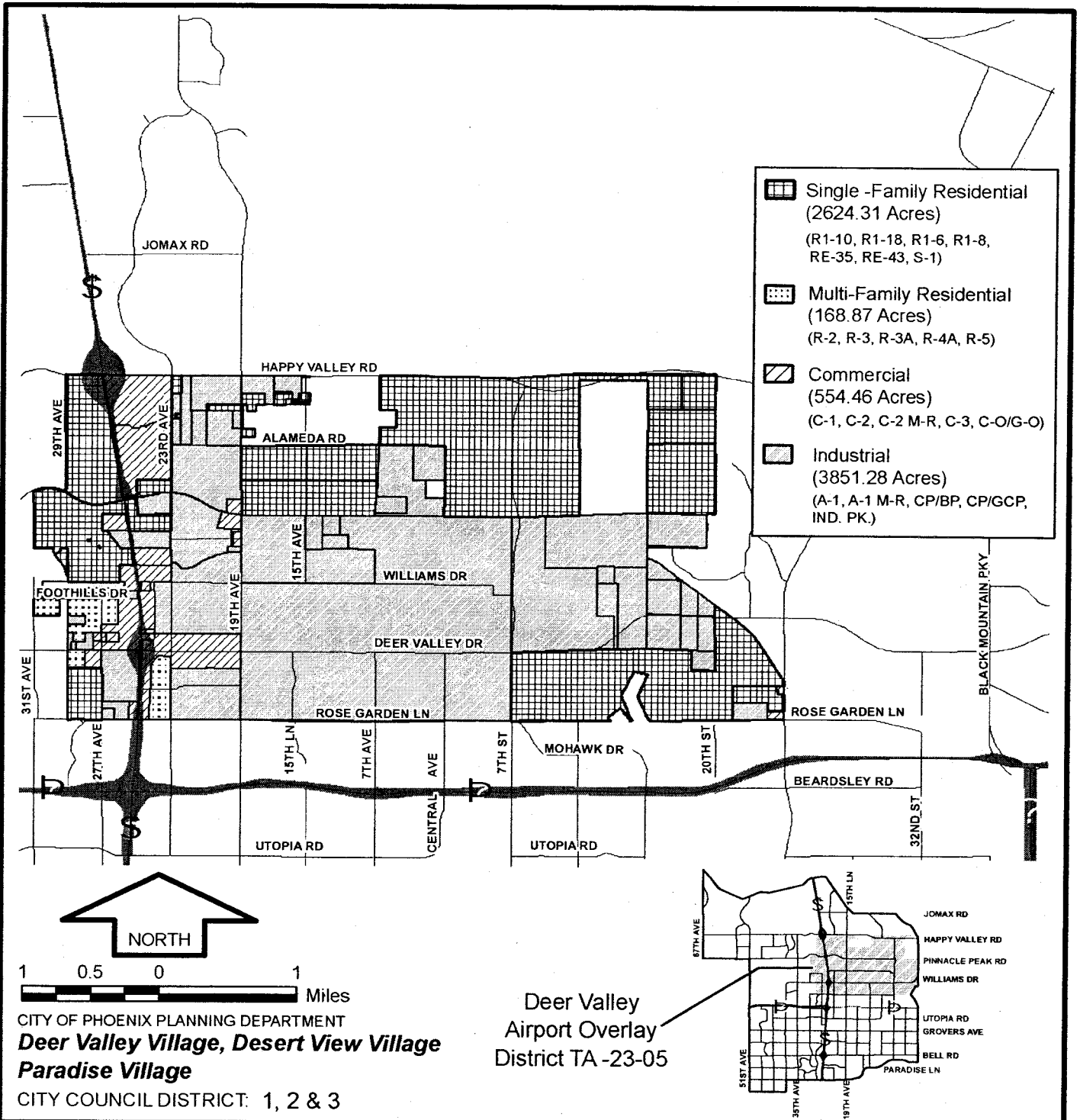
Attachments





Zoning Sketch Dated 10/27/06

Map of Areas 1, 2 & 3

65 db Noise Contour Map

Area 3 Height Limits Section Illustration



-  Single-Family Residential
(2624.31 Acres)
(R1-10, R1-18, R1-6, R1-8, RE-35, RE-43, S-1)
-  Multi-Family Residential
(168.87 Acres)
(R-2, R-3, R-3A, R-4A, R-5)
-  Commercial
(554.46 Acres)
(C-1, C-2, C-2 M-R, C-3, C-O/G-O)
-  Industrial
(3851.28 Acres)
(A-1, A-1 M-R, CP/BP, CP/GCP, IND. PK.)

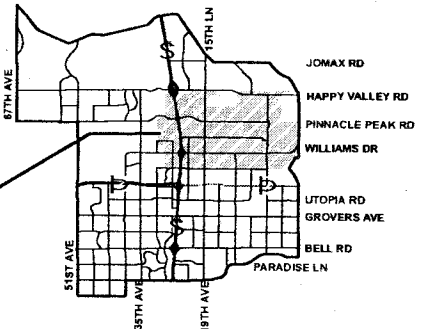


1 0.5 0 1 Miles

CITY OF PHOENIX PLANNING DEPARTMENT
**Deer Valley Village, Desert View Village
 Paradise Village**

CITY COUNCIL DISTRICT: 1, 2 & 3

Deer Valley
 Airport Overlay
 District TA -23-05



APPLICANT'S NAME <p style="text-align: center; font-weight: bold;">City of Phoenix Planning Commission</p>		REQUESTED CHANGE:	
APPLICATION NO. <p style="text-align: center; font-weight: bold;">Z-138-06 (Z-TA-23-05)</p>	DATE <p style="text-align: center;">10-27-2006</p>	FROM: See legend above	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. <p style="text-align: center; font-size: 1.2em;">7198.92 Acres</p>	AERIAL PHOTO & QUARTER SEC. NO. Q45-23 - 32, Q46-22 - 32	ZONING MAP 07, 08, 09, N7, N8, N9	TO: Deer Valley Airport Overlay District TA-23-05
MULTIPLES PERMITTED <p style="text-align: center;">N/A</p> <p style="text-align: center;">N/A</p>	CONVENTIONAL OPTION <p style="text-align: center;">N/A</p> <p style="text-align: center;">N/A</p>		* UNITS P.R.D. OPTION <p style="text-align: center;">N/A</p> <p style="text-align: center;">N/A</p>

* Maximum Units Allowed with P.R.D. Bonus