



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-53-20-1
December 2, 2020

Deer Valley Village Planning Committee Hearing Date December 17, 2020
Planning Commission Hearing Date January 7, 2020
Request From: [S-1](#) (Farm or Ranch Residence) (15.52 acres)
Request To: [R1-8](#) (Single-family Residence) (15.52 acres)
Proposed Use Single-Family Residential
Location Northeast corner of 31st Avenue and Pinnacle Vista Drive
Applicant Chuck Chisholm-K. Hovnanian Homes
Representative Julie Vermillion-CVL Consultants
Owner Funk Family Enterprises, LLC
Staff Recommendation Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>	Residential 2 to 5 dwelling units per acre		
<u>Street Map Classification</u>	31st Avenue	Local	33-foot east half street
	Pinnacle Vista Drive	Minor Collector	33-foot north half street
	Black Canyon Highway Frontage Road	Existing Freeway	Approximately 380 feet, including frontage roads

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; LAND USE PRINCIPLE: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.

As stipulated, the proposed development will be compatible with the existing single-family residential uses surrounding the site. The General Plan Land Use Map

Designation for this area is 2 to 5 dwelling units per acre. The proposed density of 4.08 dwelling units per acre is consistent with the General Plan designation. As stipulated, the applicant has agreed to construct only single-story homes on the northern property boundary to encourage compatibility with the surrounding area.

BUILD THE SUSTAINABLE URBAN CITY; TREES AND SHADE; DESIGN: INTEGRATE TREES AND SHADE INTO THE DESIGN OF NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS THROUGHOUT PHOENIX.

The proposed development, as stipulated will provide detached sidewalks and trees to encourage walkability along 31st Avenue and Pinnacle Vista Drive.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposed development offers an opportunity to develop an undeveloped property at a scale that is compatible with the surrounding area. This is a unique area that was primarily developed in Maricopa County with larger single-family residential lots. The proposed development supports increased intensity in the area.

Area Plan / Policy / Principles

[Reimagine Phoenix Initiative](#) – See Background Item No. 6

[Tree and Shade Master Plan](#) – See Background Item No. 7

[Complete Streets Guiding Principles](#) – See Background Item No. 8

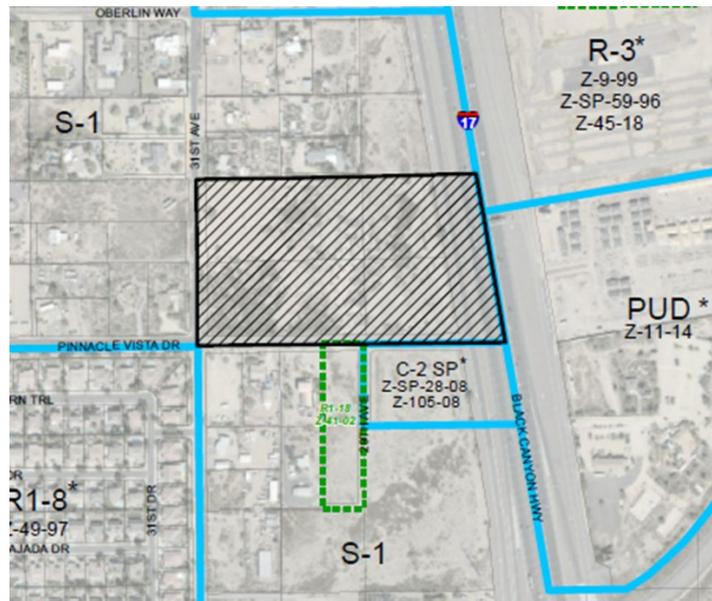
[Housing Phoenix Plan](#) – See background item No. 9

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant/ Undeveloped	S-1
North	Single-Family Residential/Vacant	S-1
South	Single-Family Residential/Vacant	S-1
East (across I-17 Highway)	Multifamily Residential/Vacant	PUD and R-3
West	Vacant/ Single-Family Residential	S-1, approved R1-18, C-2 SP

Background/Issues/Analysis

1. This is a request to rezone a 15.52-acre site located on the northeast corner of 31st Avenue and Pinnacle Vista Drive from S-1 (Ranch or Farm Residence) to R1-8 (Single-Family Residence District) to allow for single-family residential.



Zoning Aerial Map, Source: City of Phoenix Planning & Development Department

2. The subject site has properties on three sides that are largely undeveloped and zoned S-1. There are existing single-family homes to the north, west, and south on large lots. The subject site is located to the west of the Interstate 17 (I-17) Black Canyon Freeway. The R1-8 property to the southwest was rezoned in 1997 through Rezoning Case No. Z-49-97, which allowed increased density in the area.
3. The General Plan Land Use map designation for the subject site is Residential 2 to 5 dwelling units per acre. The proposed rezoning is consistent with the General Plan Land Use Map designation.

The following General Plan Land Use Map designations surrounding the site are:



North: Residential 2 to 5 dwelling units per acre

Source: City of Phoenix Planning & Development Department

South: Residential 2 to 5 dwelling units per acre

East: (Across the N Black Canyon Freeway) Residential 5 to 15 dwelling units per acre and Mixed Use (Residential 15 plus dwelling units per acre/Commerce/Business Park).

West: Residential 2 to 5 dwelling units per acre.

The proposed site plan depicts a 61 lot subdivision. Lots are buffered from existing single-family residential properties by Pinnacle Vista Drive on the south, 31st Avenue to the west and a 33-foot open space buffer on the north. An APS easement buffers the subject site from Interstate 17 (I-17). To provide compatibility with the existing large-lot residential to the north of the site, staff is recommending a stipulation limiting the height of homes located along the northern boundary to one-story and 24 feet in height. This is addressed in Stipulation No. 1.

4. The developer has provided front-facing elevation types that illustrate variations in roofline, window shapes and sizes, architectural embellishments and textural changes. To ensure high quality design on all four-sides of the homes, staff is recommending Stipulation No. 2 that requires PHO review to ensure specific features be implemented.
5. The proposal includes a 61-lot subdivision with vehicular access to Pinnacle Vista Drive and 31st Avenue. In order to provide compatibility with the scale of the surrounding development the conceptual site plan includes several open space areas. To ensure the site develops as presented, staff is recommending 20 percent of the gross project area be retained as open space. This is addressed in Stipulation No. 5. The developer shall provide a 114 foot setback along the eastern property line due to an APS utility easement in the area. This is addressed in Stipulation No. 7. All interior walls shall blend with the desert environment and exterior walls shall contain stone veneer, stonework or other alternative design features to ensure a high-quality aesthetic in the area. These are addressed in Stipulation Nos. 7 and 8. The site plan will be required to meet the standards of the Zoning and Subdivision Ordinance.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

6. **Reimagine Phoenix Initiative**

As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. The City of Phoenix offers recycling collection for all single-family residences. The provision of recycling containers was not addressed in the applicant's submittals; however, per City Code, the City provides recycling containers and services to all single-family residences.

7. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and

development process. A vision in the master plan is to raise awareness by leading by example. To accomplish the vision and goal of the policy document, Stipulation No. 3 requires that the developer provide detached sidewalks adjacent to rights-of-way and plant shade trees 20 feet on center or in equivalent groupings along all street frontages. Planting trees adjacent to sidewalks provides for the thermal comfort of pedestrians. All landscape plant material shall comply with Appendix A in the North Black Canyon Overlay District. This is addressed in Stipulation No. 4.

8. **Complete Streets Guiding Principles**

The Guiding Principles for Complete Streets encourage a more walkable environment. It is recommended that sidewalks adjacent to rights-of way be detached from the curb and a landscape strip planted between the curb and the sidewalk. Trees planted on the west side of the sidewalk will provide shade from the western sun. The combined landscaping with trees, detached sidewalk and landscape strip, are consistent with a complete streets' environment. These provisions are addressed in Stipulation No. 3.

9. **Housing Phoenix Plan**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

COMMUNITY INPUT SUMMARY

10. At the time the staff report was written one letter of opposition from surrounding residents have been received by staff. Concerns include increased density, character of area changing, traffic impacts and height.
11. The applicant has held several neighborhood meetings with adjacent residents. As part of the citizen outreach, the applicant has agreed to limit homes to single-story, with a maximum of 24-feet in height along the northern perimeter of the development. This is addressed in Stipulation No. 1.

INTERDEPARTMENTAL COMMENTS

12. The Street Transportation Department has indicated that the developer shall dedicate the existing 33-foot Federal Patent Easement in the north side of the development to ensure the abutting single-family property maintains legal access. Furthermore, the Streets Transportation Department is requiring the developer to coordinate with ADOT and provide connections and dedicate rights-of-way at the intersection of Pinnacle Vista Drive and the I-17 frontage road. Additionally, all streets within and adjacent to the development, shall be constructed with all mandatory elements. All improvements shall meet ADA requirements. These are addressed in Stipulation Nos. 9, 10 and 11.
13. The City of Phoenix Floodplain Management division of the Street Transportation Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1260 L and 1280 L of the Flood Insurance Rate Maps (FIRM) dated July 20, 2018 and January 29, 2015, also protected by a levy.
14. The City of Phoenix Water Services Department has noted the site has existing water and sewer mains that can potentially serve the proposed development, however there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.
15. The Fire Department commented that no fire code issues are anticipated with this case and the site and/or buildings shall comply with the Phoenix Fire Code.
16. The City of Phoenix Aviation Department has noted that the site is within the Phoenix Deer Valley Airport (DVT) traffic pattern airspace, which requires an airport disclosure, aviation easement dedication and a no hazard determination be filed. These are addressed in Stipulation Nos. 15, 16 and 17.

OTHER

17. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 12, 13 and 14.
18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements.

Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 2 to 5 dwelling units per acre.
2. As stipulated, the proposed development is compatible with the existing land use pattern in the area and is designed to enhance a walkable environment along Pinnacle Vista Drive and 31st Avenue where there are other single-family developments nearby.
3. As stipulated, the proposal is compatible with the surrounding land uses because of the limited density, limited height, and increased buffers.

Stipulations

1. Buildings within 33 feet of the north property line of the development shall be limited to one story and 24 feet in height, as approved by the Planning and Development Department.
2. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to single-family design review approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. Building materials and colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment.
 - b. All elevations of the building shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.
 - c. Covered porches a minimum of 60 square feet in area at a depth of at least six feet, courtyard areas with low surrounding walls a minimum of 60 square feet in area or homes with livable space a minimum of 3-feet in front of the front line of the garage, shall be provided in the front façades of a minimum of 50 percent of the elevations offered within the subdivision.
 - d. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and/or single garage doors.

3. All sidewalks adjacent to rights-of-way shall be detached with a minimum five-foot-wide landscaped area located between the sidewalk and back of curb and shall include minimum 2-inch caliper large canopy shade trees planted a minimum of 20 feet on center or equivalent groupings, except where utility and engineering constraints exist, and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department.
4. All landscape plant material shall comply with the approved plant species list in Appendix A in the North Black Canyon Overlay District, as approved by the Planning and Development Department.
5. A minimum of 20 percent of the gross project area shall be retained as open space with a minimum of 5 percent improved as active/useable open space, exclusive of landscape setbacks, washes and hillside preserve area, as approved by the Planning and Development Department.
6. A minimum building setback of 114 feet for residential structures shall be required along the eastern property line, as approved by the Planning and Development Department.
7. Interior walls and privacy fencing, excluding walls located between lots, shall be integral in color or painted to blend with the natural desert environment, as approved by the Planning and Development Department.
8. Perimeter walls shall incorporate stone veneer, stonework, varying types of CMU block, split face or faux stone, as approved by the Planning and Development Department.
9. The developer shall dedicate the existing 33-foot Federal Patent Easement on the north side of the development and construct the south half of the McArthur Road alignment per the local street standard with a minimum of 20 feet of asphalt paving, as approved by the Planning and Development Department.
10. The developer shall coordinate with ADOT and provide a perpendicular connection and associated right-of-way dedications at the intersection of Pinnacle Vista Drive and the Interstate 17 frontage road, as approved by the Planning and Development Department.
11. 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.

12. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
13. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
14. 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.
15. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property as approved by the Aviation Department.
16. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.
17. The developer shall grant and record an aviation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

Writer

David Simmons

December 2, 2020

Team Leader

Samantha Keating

Exhibits

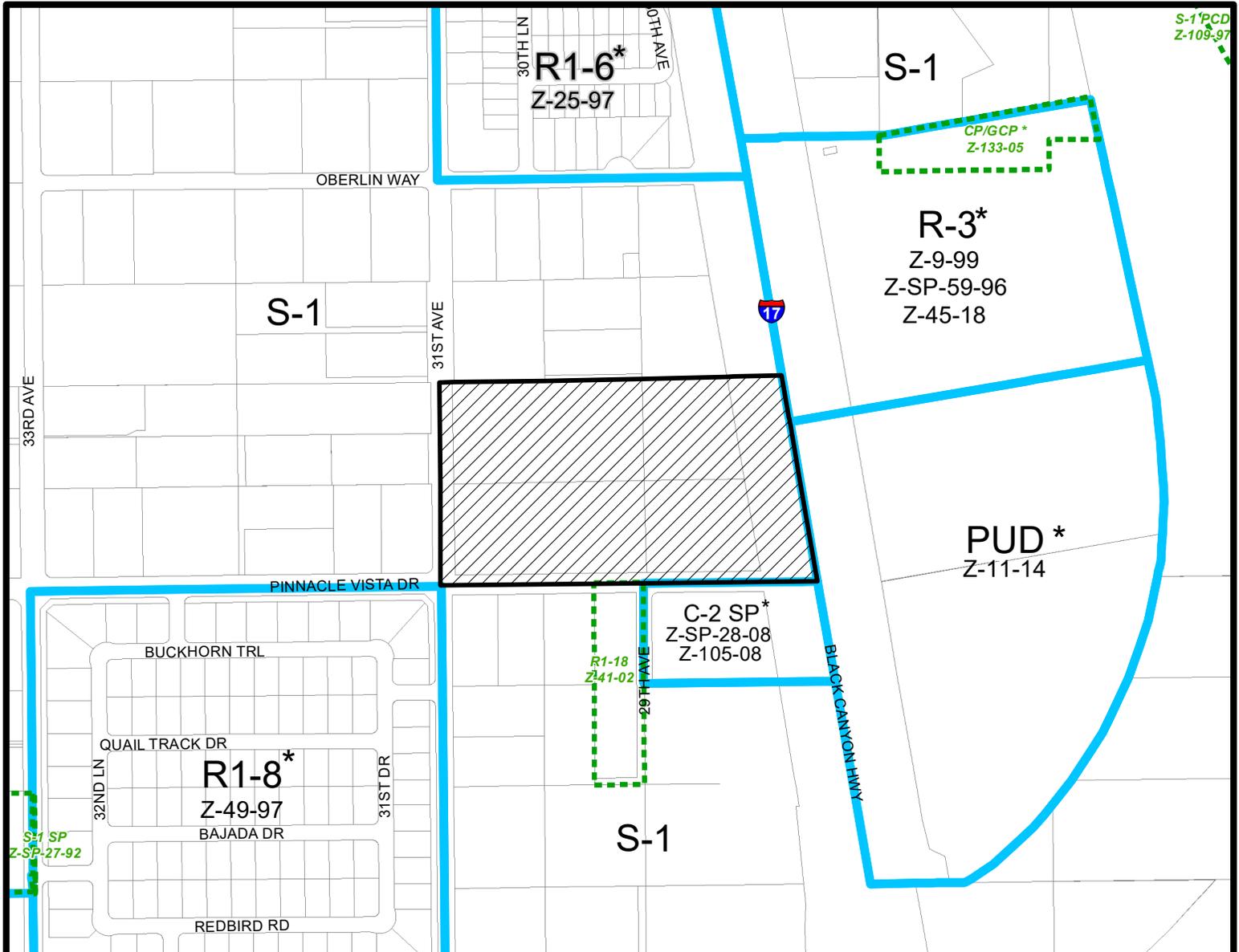
Sketch Map

Aerial

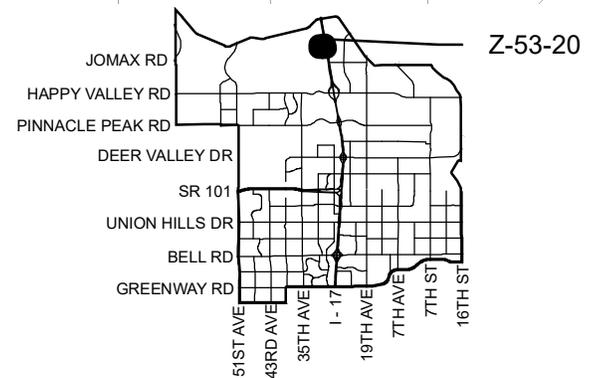
Site Plan date stamped October 2, 2020 (1 page)

Elevations date stamped October 2, 2020 (2 pages)

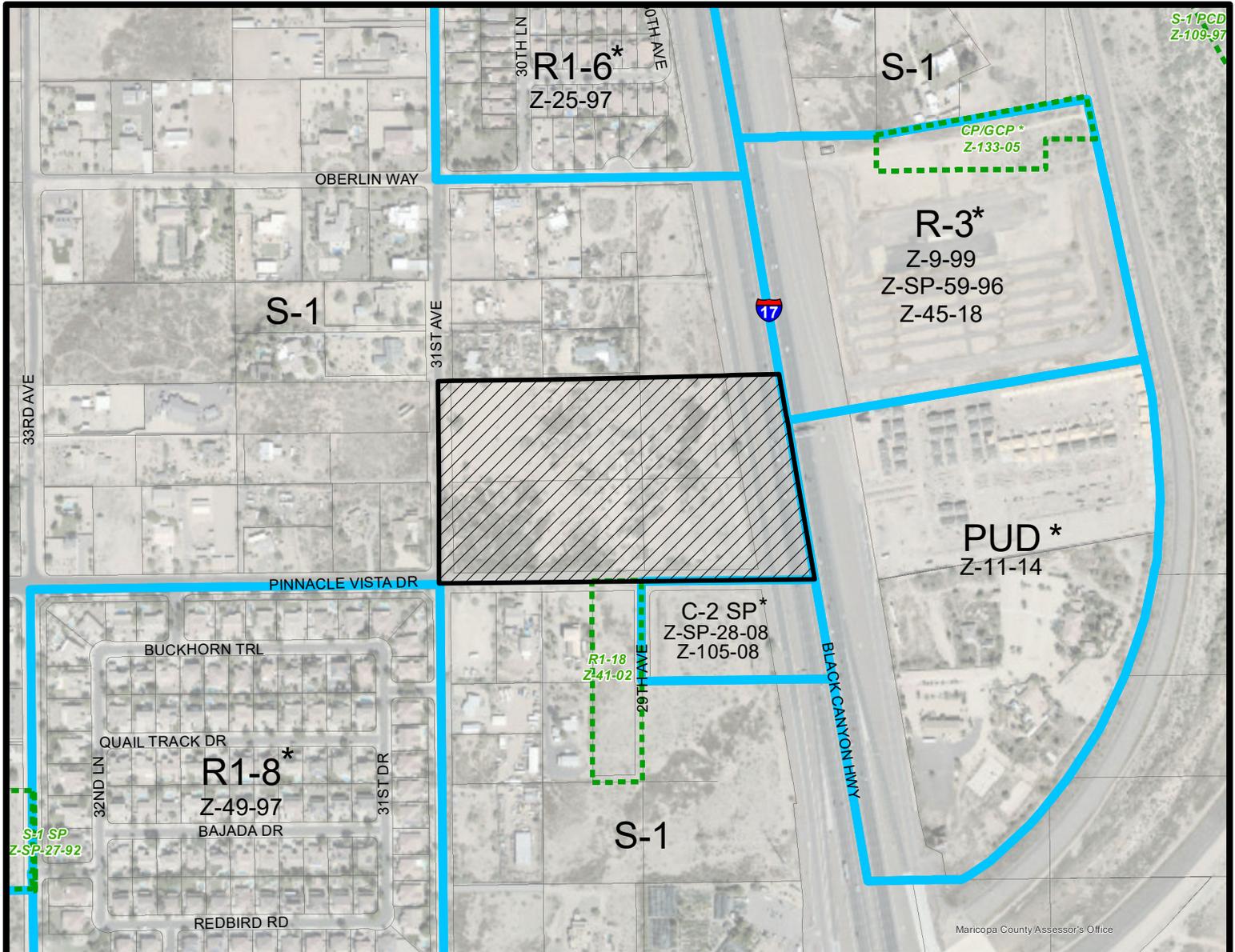
Community Correspondence (2 pages)



DEER VALLEY VILLAGE
CITY COUNCIL DISTRICT: 1



APPLICANT'S NAME: Chuck Chisholm - K. Hovnanian Homes		REQUESTED CHANGE:	
APPLICATION NO. Z-53-20		FROM: S-1 (15.52 a.c.)	
DATE: 10/08/2020 <small>REVISION DATES:</small>		TO: R1-8 (15.52 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 15.52 Acres		<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 50-22	<small>ZONING MAP</small> P-7
MULTIPLES PERMITTED		* UNITS P.R.D. OPTION	
S-1		N/A	
R1-8		85	
* Maximum Units Allowed with P.R.D. Bonus			



Miles

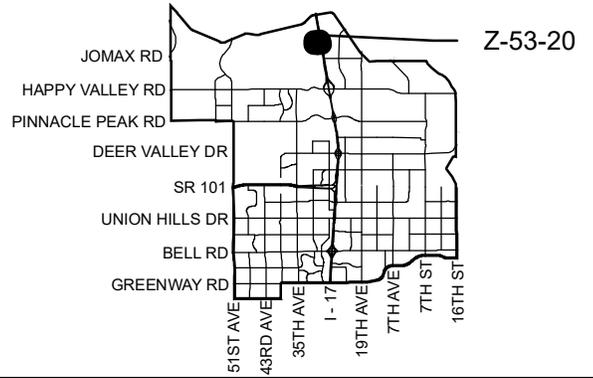
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DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Chuck Chisholm - K. Hovnanian Homes**

APPLICATION NO. **Z-53-20**

DATE: **10/08/2020**
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

15.52 Acres

AERIAL PHOTO & QUARTER SEC. NO.
QS 50-22

ZONING MAP
P-7

REQUESTED CHANGE:

FROM: **S-1 (15.52 a.c.)**

TO: **R1-8 (15.52 a.c.)**

MULTIPLES PERMITTED

S-1

R1-8

CONVENTIONAL OPTION

15

66

*** UNITS P.R.D. OPTION**

N/A

85

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

Sterling Vista

Site Plan



STERLING VISTA	
Existing Zoning	S-1
Proposed Zoning	R1-8 PRD
APN #s	205-01-006A, 205-01-002A, 205-01-008, 205-01-004A
Gross Area	14.95 ac
Lot Size	45' X 108'
Yield	61
Density	4.08 du/ac
Landscape Tract	2.56 ac 17%
Electrial Easement	1.79 ac 12%
Total Tract Area	4.35 ac 29%
Total Centerline Length	3663.5 lf

CITY OF PHOENIX

OCT 02 2020

Planning & Development Department





PLAN 3570
CRAFTSMAN
(1,351 SF)
1-STORY

PLAN 3575
SPANISH
(1,565 SF)
1-STORY

PLAN 3581
ITALIANATE
(1,808 SF)
1-STORY

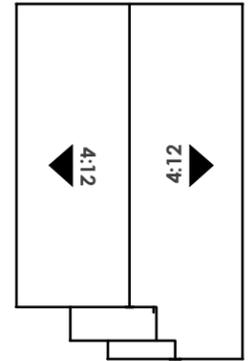
PLAN 3525
CRAFTSMAN
(2,033 SF)
1-STORY



'SPANISH'
FRONT VIEW: N.T.S.

SERIES WIDTH
35'

LIV. SF: 1,351
PLAN WIDTH: 35'
PLAN #: 3570
SPANISH



ROOF PLAN
SCALE: N.T.S.

STYLE LEGEND:

- 1 PROMINENT GABLES
- 2 CONCRETE 'S' TILES
- 3 12" RAKES AND 12" EAVES
- 4 DECORATIVE GABLE DETAILS
- 5 DECORATIVE SHUTTERS
- 6 4:12 ROOF PITCH

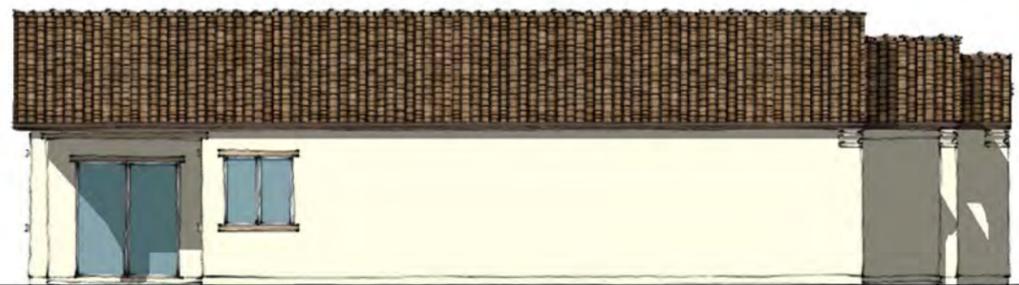
COLOR SCHEME # 1022 B



RIGHT ELEVATION
SCALE: 3/32" = 1'-0"



REAR ELEVATION
SCALE: 3/32" = 1'-0"



LEFT ELEVATION
SCALE: 3/32" = 1'-0"



FRONT ELEVATION
SCALE: 3/32" = 1'-0"

12/1/2020

Mr. Simmons,

I am writing this to voice my opposition to the proposed zoning change, Case # Z-53-20-1. The proposed development of 61 homes will have a significant impact on traffic in the area and is not compatible with the surrounding area.

The traffic study presented by the developer is faulty and has no basis for the assumptions made. The study fails to address the already re-zoned properties that are/will be developed and will increase traffic load on the limited egress routes into/out of the area. More importantly, the assumption that only 10-percent of the trips made from and 30-percent of the trip to the proposed development will use 33rd Avenue is completely baseless. Consider the following:

- Shopping, including grocery/convenience/Starbucks/etc., are on Happy Valley Road and will be accessed via 33rd Ave
- Local Schools are most easily accessed via 33rd ave to Happy Valley
- Local gas stations are on Happy Valley Road and will be accessed via 33rd Ave
- The shortest driving route to the development from northbound I-17 will be via Happy Valley. Mapping apps on cell phones/computers are going to direct drivers to use this route.

Anyone with an understanding of how people go about their daily activities should understand that the 33rd Avenue route will be used significantly more than what is assumed. An “engineered”, and I use that term loosely, document should not take place over a common sense understanding of the situation.

The house density is excessive considering the rural character of the area. Yes, there are some portions of developments in the general area that have similar density, but they are not in the immediate area of the proposed development. These, higher density developments already do not fit into the rural character of the area. There are a sufficient number of these to provide adequate diversity in the neighborhood. We don't need another one and the additional traffic/people/crime potential that comes with it.

The developer has stated that the houses on the northern part of the project would be restricted to single story, indicating that there are plans for two story units elsewhere. With four-plus houses per acre and two-story units, this development would give a “being in a canyon feeling” when traveling down streets. This would not be compatible with the surrounding properties or the rural nature of the area.

If rezoning is to occur, a maximum density of 3.0 houses/acre should be stipulated. That would ensure the development was compatible with the area and would reduce the negative effect of traffic on the established residents. Please see Figure 1 (next page) for visual representation of egress route limitations and rezoned properties that will increase traffic load in area.

