

**Staff Report: Z-54-15-1**March 9, 2016

**Deer Valley Village Planning Committee** 

**Meeting Date:** 

March 17, 2016

Planning Commission Hearing Date: April 7, 2016

Request From: S-1 DVAO (17.39 acres)
Request To: R-2 DVAO (17.39 acres)
Proposed Use: Multifamily Residential

**Location:** Northwest corner of 23rd Avenue and

Pinnacle Peak Road

Owner: Anwalt, LLC and PGR Investments

**Applicant/Representative:** Brennan Ray, Burch & Cracchiolo, P.A.

**Staff Recommendation:** Denial. In the event of an approval action,

mitigating stipulations are recommended.

General Plan Conformity					
General Plan Land Use Designation		Current: Industrial Proposed (GPA-DV-3-15-1): Residential 5-10 dwelling units per acre			
Street Map Classification	23rd Avenue	Collector	Varies, 40 to 80-foot west half street		
	Pinnacle Peak Road	Arterial	Varies, 55 to 100-foot north half street		

CONNECT PEOPLE AND PLACES CORE VALUE; CORE, CENTERS AND CORRIDORS; LAND USE PRINCIPLE: Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Encourage development of the taller and larger buildings in Areas of Change away from single-family and low-rise, multifamily housing.

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; EMPLOYERS (JOB CREATION); LAND USE PRINCIPLE: Support General Plan Land Use Map and zoning changes that will facilitate the location of employment generating uses in each of the designated employment centers.

March 9, 2016 Page 2 of 8

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; ENTREPRENEURS AND EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; AIRPORTS; LAND USE PRINCIPLE: Encourage the development of city-owned and non-city-owned parcels near the airport to airport-compatible land uses surrounding the city's airports.

The subject site is located at a highly visible, prominent location within close proximity to a major intersection, the Interstate-17 freeway and Pinnacle Peak Road, an arterial street. The site is also located within the Deer Valley Major Employment Center, and within close proximity to the Deer Valley Airport. The proposed rezoning does not meet any of the General Plan land use principles listed above. A single-story residential use is not compatible at this major intersection. The proposal is a missed opportunity for more intense development or an employment generating use that is encouraged at locations that are not in close proximity to single-family and low-rise, multifamily housing.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

The proposed rezoning does allow for a housing type that is not typical in the area which may allow the opportunity for workforce or corporate housing for employers in the area.

Surrounding Land Uses/Zoning				
	Land Use	Zoning		
On Site	Vacant	S-1 DVAO		
North	Vacant	C-1 SP DVAO (Approved CP/GCP DVAO)		
South	Office and hotel	A-1 M-R DVAO		
East	Office	A-1 DVAO		
West	Interstate-17 and drainage area	C-1 SP DVAO (Approved CP/GCP DVAO)		

March 9, 2016 Page 3 of 8

R-2 – Multifamily Residence District (Subdivision Development Option)				
<u>Standards</u>	Requirements	Proposed		
Gross Acreage		17.39 acres		
Total Number of Units	N/A	125		
Density (dwelling units/acre)	Maximum 10	7.19		
Typical Lot Size	Minimum 60' wide, 94' depth	Approximately 430' x 1,283'		
Building Setbacks				
Perimeter	None	N/A		
Front	25'	Minimum 33'		
Rear	25'	Minimum 315'		
Side	Street side: 10' Interior: 3'	Street side: Minimum 12' Interior: Minimum 10'		
Landscape Setbacks				
Perimeter	None	N/A		
Front	25'	Minimum 25'		
Rear	5'	Minimum 280'		
Side	Street side: 10' Interior: 5'	* Street side: Varies 0-17' * Interior: 0'		
Building Height	2 stories and 30'	1 story and 25'		
Lot Coverage	Maximum 40%	23%		
Common Area	Minimum 5% of gross area	Approximately 20%		

<sup>\*</sup> Variance approval is required in order to vary from the minimum requirements.

#### Background/Issues/Analysis

 This is a request to rezone a 17.39-acre site located at the northwest corner of 23rd Avenue and Pinnacle Peak Road. The request is to rezone from S-1 DVAO (Ranch or Farm Residence, Deer Valley Airport Overlay) to R-2 (Multifamily Residence Districts) DVAO to allow a multifamily residential development.



March 9, 2016 Page 4 of 8

2. The General Plan Land Use Map designation for the subject site is Industrial. The proposal does not conform to the current Land Use Map designation. A General Plan Amendment (GPA-DV-3-15-1) is being requested concurrently with this rezoning and must be acted on prior to taking action on this rezoning case.



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

North: Mixed Use (Commercial / Commerce Park)

East: Industrial South: Industrial

West: Mixed Use (Commercial / Commerce Park) and Transportation

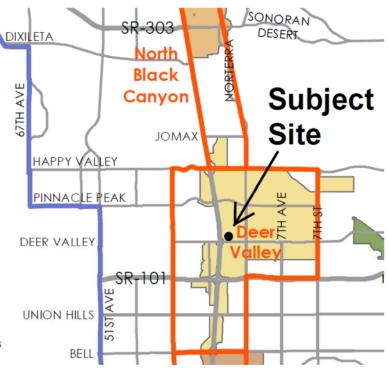
Most of the area designated as industrial, east and south of the subject site has not developed as industrial. The area has developed with mostly commerce park, warehouse or office type uses. Considering the area is located along the I-17 freeway, within the Deer Valley Major Employment Center, and within close proximity to the Deer Valley Airport, staff may need to further evaluate this industrial designated area to determine if it is still an appropriate land use map designation for the area.

 The Community and Economic Development Department has provided the following comments:

This property is located right along the I-17 and is surrounded by commercial office and business park properties. It is a highly visible property and is part of a limited amount of property remaining in that area, under private ownership that has employment zoning.

#### MAJOR EMPLOYMENT CENTERS

Phoenix Designated Employment Centers



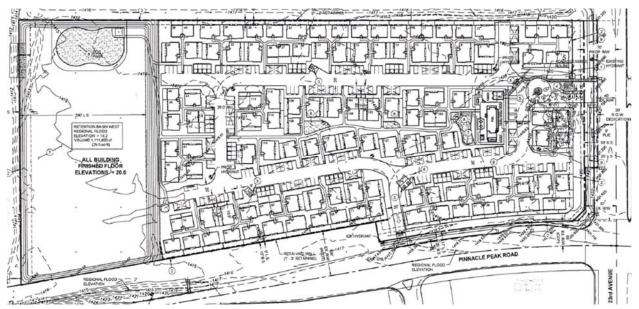
March 9, 2016 Page 5 of 8

With our commitment to quality jobs in each of our employment corridors, Community and Economic Development sees this as a viable property for future employment development. Our preference would be to keep it as it exists in the General Plan, which allows for development of employment and job generating uses.

4. The subject site is currently vacant. The north side of the site is also vacant and may potentially be developed for office/warehouse use in the future. There are multi-story office buildings to the east and south, as well as a 7-story hotel building to the south. There is a significant drainage feature that separates the subject site from the freeway to the west.



5. The proposed site plan shows a multifamily, gated development consisting of single story buildings. There are a total of 125 units proposed with 15 one bedroom duplex buildings (30 units), 57 two-bedroom detached buildings, and 38 three-bedroom detached buildings. Each unit will have its own private yard area.



The proposed development includes a large retention area on the west portion of the site and an enclosed dog park on the northwest portion of the site. There are insufficient landscape setbacks proposed along both the north and south sides of the property. Although, staff is recommending a denial of both the rezoning request and associated

March 9, 2016 Page 6 of 8

general plan amendment request, if the cases are approved, it would be beneficial if sufficient buffering were provided from Pinnacle Peak Road and the future office/warehouse development to the north.

- 6. Stipulations have been recommended to ensure compatibility between the proposed development and surrounding uses. A stipulation has been recommended to ensure that there will be a minimum of 5 feet of landscaping along the north property line per the Zoning Ordinance standards, to be maintained by the property owner or management group. Although the south landscape setback is not sufficient as measured from the property line, there is a significant Arizona Department of Transportation (ADOT) right-of-way area adjacent to the site that may be landscaped per ADOT approval. The proposed dog park is a beneficial amenity and has also been proposed as a stipulation.
- 7. The Street Transportation Department has stated that all existing off-site improvements (sidewalks, curb ramps and driveways) shall be updated to current ADA standards, a right-of-way dedication totaling 70 feet shall be provided for 23rd Avenue, the developer shall coordinate all Pinnacle Peak Road improvements with ADOT, and that the driveway on Pinnacle Peak Road shall be restricted to right-in and right-out only. Left turns may be allowed if approved by ADOT.
- 8. The Water Services Department has noted existing water and sewer lines that may be tied into.
- 9. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in Shaded Zone X, on panel 1280 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
- 10. The subject parcel is located in proximity to the Deer Valley Airport. As such, the Aviation Department has proposed a stipulation requiring property owners to disclose the existence and operational characteristics of the Deer Valley Airport to future owners or tenants of the property. The requested Notice to Prospective Purchasers follows policy set regarding the properties in the City of Phoenix underlying the flight patterns of the Phoenix Deer Valley Airport.
- 11. 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 does not conform to the current General Plan Land Use Map designations. A General Plan Amendment (GPA-DV-3-15-1) is being requested concurrently with this rezoning and must be acted on prior to taking action on this rezoning case.

March 9, 2016 Page 7 of 8

- 2. The proposed rezoning is not in conformance with several General Plan goals and policies.
- 3. The proposal is a missed opportunity for more intense development or an employment generating use within a major transportation corridor, the Deer Valley Canyon Major Employment Center, and within close proximity to the Deer Valley Airport; and not within close proximity to single-family and low-rise, multifamily housing.

# <u>Staff recommends denial. In the event of an approval action, mitigating stipulations are recommended:</u>

- 1. A minimum 5-foot landscape setback shall be required along the north property line per the Zoning Ordinance standards for multifamily development, to be maintained by the property owner or management group, as approved by the Planning and Development Department.
- 2. An enclosed dog park shall be provided in general conformance to the conceptual site plan date stamped February 19, 2016, as approved by the Planning and Development Department.
- 3. The developer shall update all existing off-site street improvements (Sidewalks, curb ramps and driveways) to current ADA guidelines, as approved by the Planning and Development Department.
- 4. The developer shall dedicate right-of-way totaling 70 feet for 23rd Avenue (cross section "CM" offset 15 feet to the west), as approved by the Planning and Development Department.
- 5. The developer shall coordinate all improvements on Pinnacle Peak Road west of the existing improvements with the Arizona Department of Transportation.
- 6. The driveway on Pinnacle Peak Road shall be restricted to right-in right-out only, left in may be allowed if approved by the Arizona Department of Transportation.
- 7. The property owner 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 to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney

#### Writer

Racelle Escolar March 4, 2016

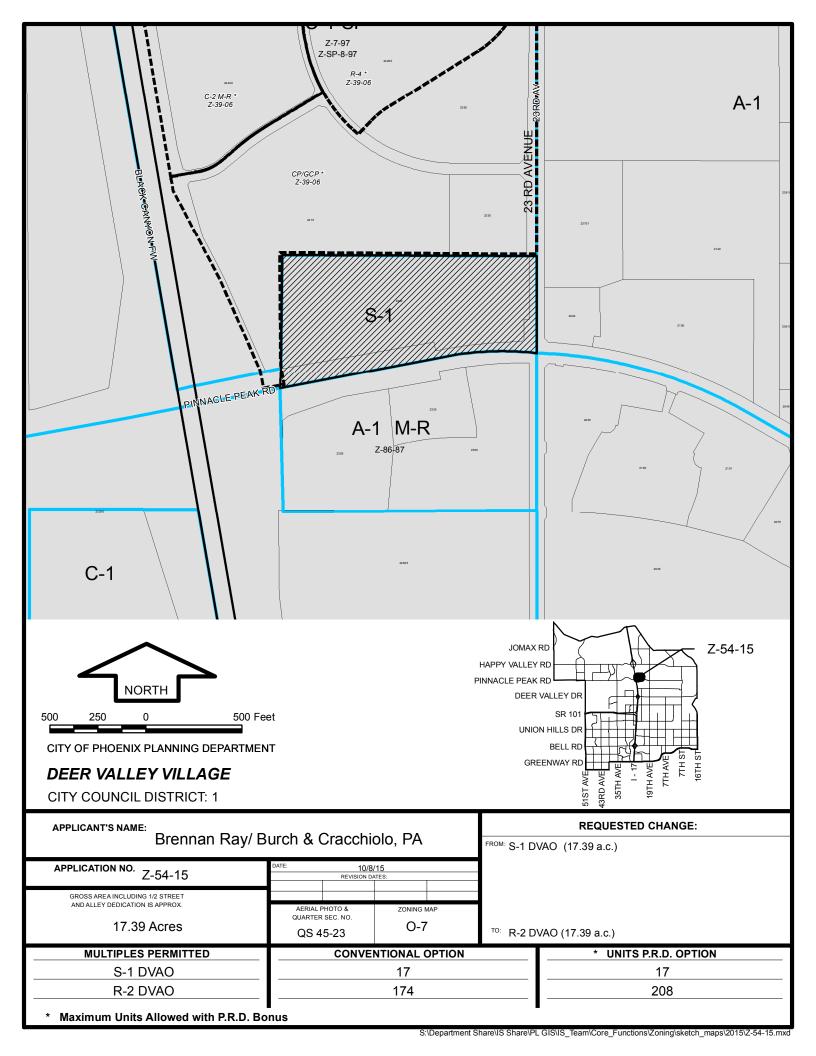
March 9, 2016 Page 8 of 8

#### **Team Leader**

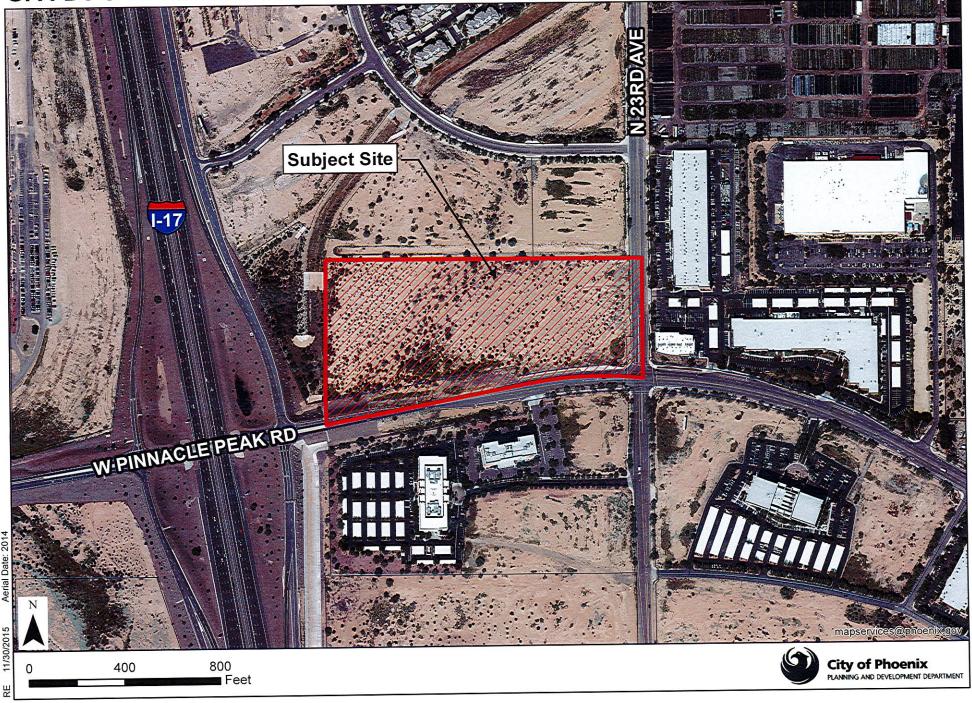
Joshua Bednarek

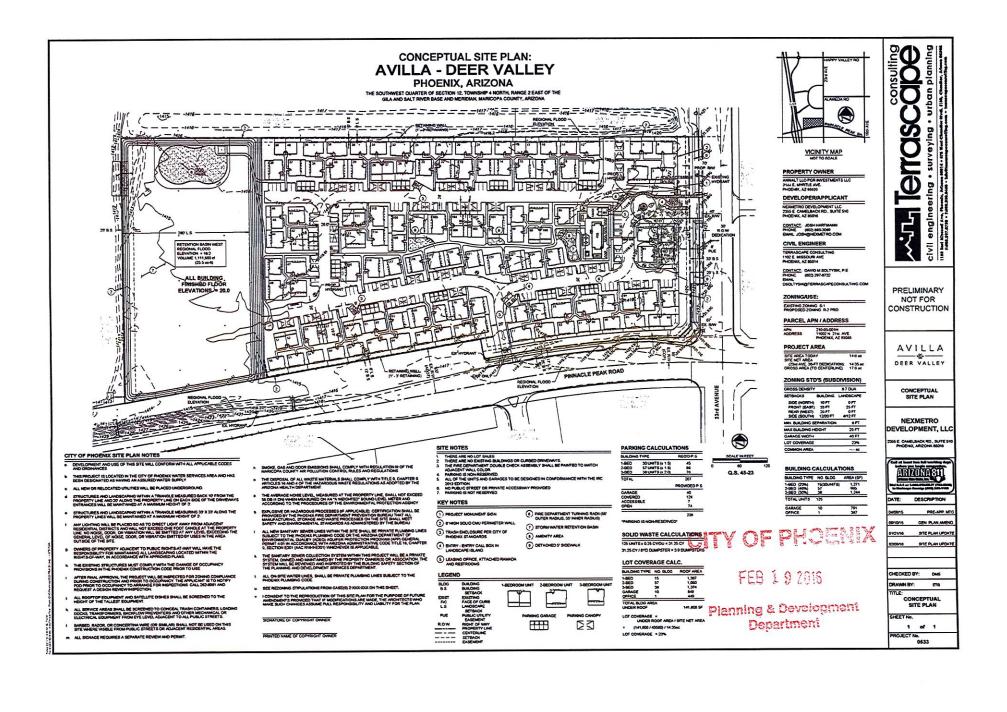
#### **Attachments**

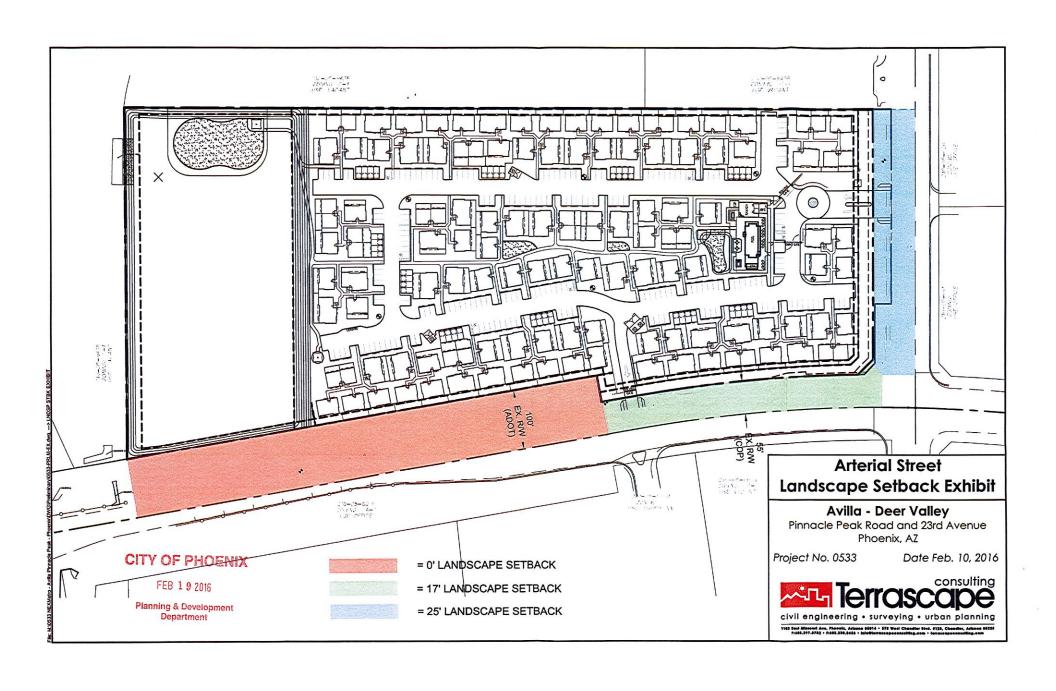
- Zoning sketch
- Aerial Map
- Conceptual Site Plan date stamped February 19, 2016
- Landscape Setback Exhibit date stamped February 19, 2016
- Conceptual Elevations date stamped September 14, 2015 (9 pages)



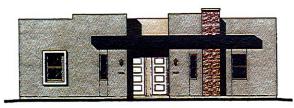
GPA-DV-3-15-1 & Z-54-15-1

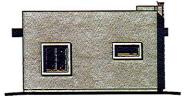
















Front Elevation

Left Elevation

Rear Elevation

Right Elevation

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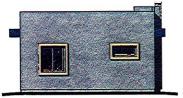
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Left Elevation

Rear Elevation

Right Elevation

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NEXMETO Communities

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Plan1 -Scheme 2 Avilla

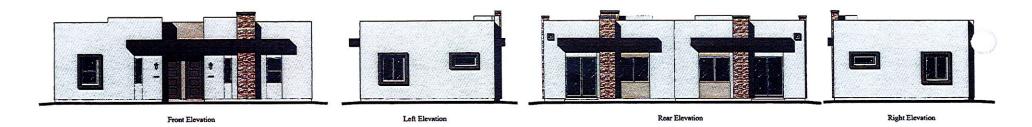
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SEP 1 4 2015

Plan1 -Scheme 3

Avilla

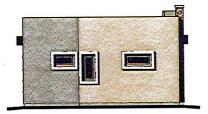
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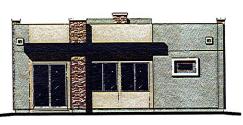
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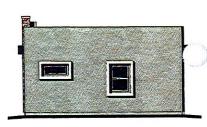
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Left Elevation

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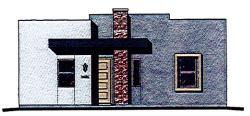
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Plan 2 -Scheme1 Avilla

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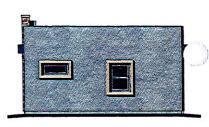
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Left Elevation

Rear Elevation

Right Elevation

**CITY OF PHOENIX** 

08/2015



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Plan 2 -Scheme 2

Avilla

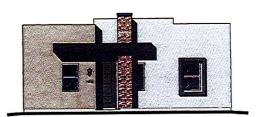
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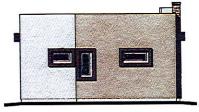
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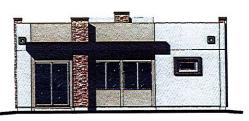
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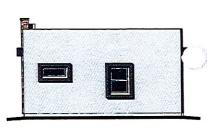
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Front Elevation

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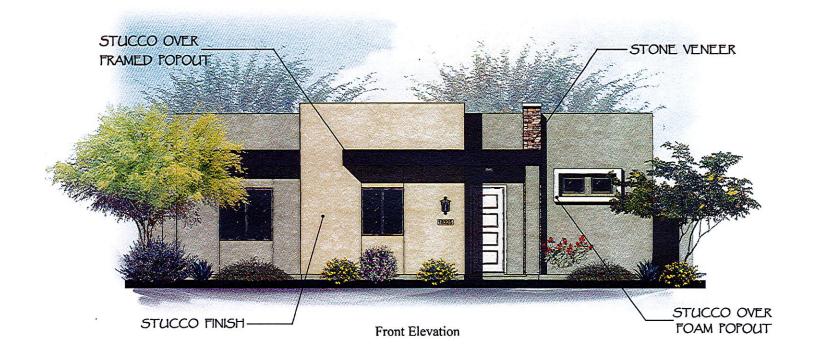
Plan 2 -Scheme 3 Avilla

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Left Elevation

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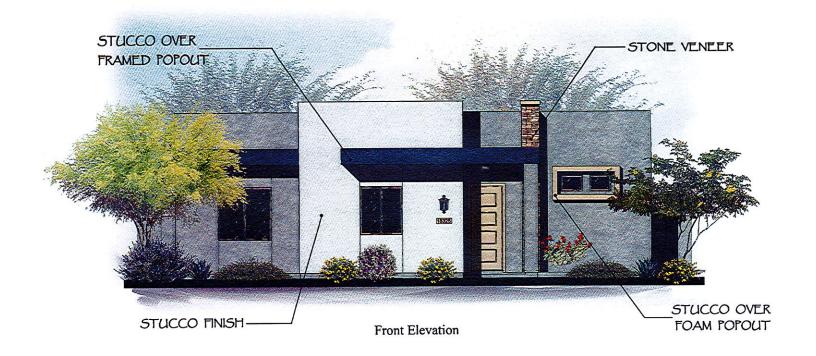
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Plan 3 -Scheme1 Avilla

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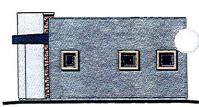
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Left Elevation

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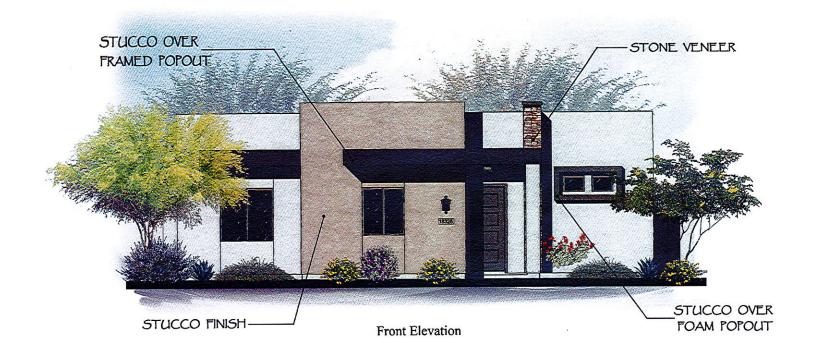
Plan 3 -Scheme 2

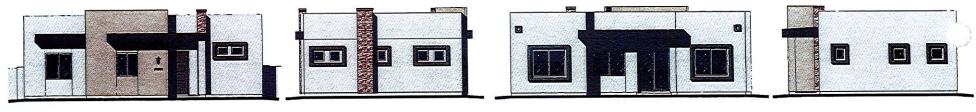
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Left Elevation

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