



Village Planning Committee Meeting Summary

Z-68-19-1

Date of VPC Meeting	May 21, 2020
Request From	S-1 (10.04 acres)
Request To	RE-35 (10.04 acres)
Proposed Use	Single-family residential
Location	Northeast corner of 47th Avenue and Pinnacle Peak Road
VPC Recommendation	Approval
VPC Vote	12-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Mr. David Simmons, staff, went over the request with the committee and presented an overview of the proposed rezoning request. He shared with the committee that this request is consistent with the General Plan Land Use Map, is in character with the surrounding area and that the proposal is stipulated to eight lots as depicted on the subdivision plat. He also shared that the intent of the rezoning was to accommodate detached RV garages that would not be allowed under the current S-1 zoning designation due to setback constraints. He shared a list of stipulations for the case and a staff recommendation for approval subject to those stipulations.

Discussion:

Ms. Ann O'Brien asked staff why the need for the tree stipulation.

Mr. David Simmons (staff) shared that the intent of the tree stipulation is to ensure there is thermal comfort for pedestrians walking along the attached sidewalk along 47th Avenue.

Mr. Ricardo Romero asked staff if the density was going to be increased for the area as a result of this request.

Mr. Simmons shared that the proposal is stipulated to limit the number of lots to eight, which would not increase the density in the area as the subdivision was platted back in 1972 as an eight-lot subdivision.

Mr. Russell Osborn shared that houses are already under construction on two of the eight lots.

Applicants Presentation:

Ms. Amy Malloy, representing Justin Davis Law Firm, representing the applicant, went over the request and shared with the committee that the request was submitted mainly to reduce the side yard setbacks to accommodate RV garages that would not be allowed under the current S-1 designation. She went over the character of the surrounding area and emphasized that the lots directly to the west, across 47th Avenue, were similar in size and nature to what the applicant would like to build on the subject site. Ms. Malloy went over the public participation report and shared that there is no opposition to the request from the neighboring property owners.

MOTION: **Mr. Russell Osborn** motioned to recommend approval per staff's stipulations for Rezoning Case No. Z-68-19-1. Committee member **Ms. Ann O'Brien** seconded the motion.

VOTE: 12-0, motion to recommend approval passed, with Committee Members Grossman, DiLeo, Gardner, Greenberg, Kenney, Levy, Lewis, O'Brien, Osborne, Romero, Shipman and Virgil in favor.

Staff comments regarding VPC Recommendation & Stipulations:

None

Stipulations:

1. The development shall be subject to Single-Family Design Review for individual lots prior to the issuance of building permits for each lot, with the additional following requirements, as approved by the Planning and Development Department:
 - a) That building materials and colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment.
 - b) The area between the front building line and the front property line, excluding areas necessary for access, shall be landscaped with a minimum of three, two-inch caliper or greater, drought resistant accent trees; and a minimum of five, five-gallon or greater, drought resistant shrubs per tree. A minimum of two of the trees shall be planted in close proximity to the sidewalk to maximize shade for pedestrians.
2. The development shall not exceed 8 residential lots.
3. The perimeter wall adjacent to Pinnacle Peak Road and the detention basin to the east shall be painted prior to any single-family building permit issuance. Colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment, as approved by the Planning and Development

Department.

4. 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
5. 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.
6. Prior to permit issuance, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural and equestrian uses. The form and content of such documents shall be reviewed and approved by the City Attorney.
7. 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.