



Village Planning Committee Meeting Summary

Z-53-20-1

Date of VPC Meeting	December 17, 2020
Request From	S-1 (15.52 acres)
Request To	R1-8 (15.52 acres)
Proposed Use	Single-family Residential
Location	Northeast corner of 31st Avenue and Pinnacle Vista Drive
VPC Recommendation	Continuance
VPC Vote	5-3

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Mr. David Simmons, staff, went over the request with the committee. He covered the existing General Plan Land Use designation on the site and surrounding area, the uses in the surrounding area, the height limitations stipulated as well as enhanced buffers abutting existing large lot residential uses. He also went over stipulation rationale with the committee.

Mr. Tom Galvin, Rose Law Group, explained that the intent of the request. He went over concessions made from the time of the initial neighborhood meeting, which includes the following:

- Decreased total # of lots from 61 to 57
- Decreased overall density from 4.08 to 3.8 du/ac (GP allows 2-5 du/ac)
- Increased lot sizes from 45' wide to 50' wide
- Increased open space to 30%
- Removed access on 31st Avenue
- Relocated Pinnacle Vista access closer to Frontage Rd / away from neighbors.
- All lots along 31st Avenue will be restricted to single story.
- Detached sidewalk AND 10' equestrian trail provided along 31st Avenue.
- Constructing new 6' block wall to buffer adjacent property owners to the north (Enna and Doles)

He went over the site challenges as well as the General Plan Land Use Map conformity. He continues to request the committee consider recommending the deletion of Stipulation No. 9.

Mr. Keith Greenberg shared that the HOA can enact CC&R's that can restrict weekend rentals. He asked if this was planned for this community.

Mr. Galvin shared that this provision will be included in the CC&R's.

Mr. Ricardo Romero shared that traffic may be of concern here due to access to the area being limited. He asked the applicant how they addressed these challenges.

Mr. Chris Williams, Traffic engineer with Y2k Engineering, shared that the traffic study revealed that this is the lowest possible traffic generator on the scale. He shared that he and the development team worked with ADOT to gain access to the I-17 frontage road to help alleviate traffic on the main ingress/egress point into the area. ADOT allowed two points of ingress/egress out of the subdivision onto the frontage road. This helped to reduce trips in the study on 31st Avenue.

Vice Chair Trilese DiLeo asked if there were two access points approved onto the frontage road.

Mr. Williams reiterated that there are two access points proposed onto the frontage road.

Public Comment:

Mr. Roy Weinberg, residing at 3132 W. Buckhorn Trail, shared that he is opposed to the project due to increased density, character of the area changing, and increased traffic volumes. He shared that the proposed horse trail is like throwing a biscuit to a dog. It doesn't achieve anything for the area as existing equestrian residents ride their horses on the streets.

Ms. Cheryl Colin shared that she thinks the technology is too challenging for public hearings. She also shared concerns with the character of the area changing and traffic increase concerns.

Mr. Dan Vanna, residing at 27605 N. 31st Avenue, has infrastructure concerns, traffic volume concerns, and emergency service access concerns due to an increase in density.

Mr. Rodney Muehlfeld, residing at 3205 W. Wapahalla Dr, shared concerns about traffic increases, density proposed is too high, the equestrian lane is ridiculous and shared that this perceived amenity provides no bonus points.

Applicants Response:

Mr. Tom Galvin explained that the S-1 zoning designation really does not make sense at this location. There is an R1-6 subdivision to the north and an R1-8 subdivision to the southwest of the site. He explained that this proposal would be a great transition area between the I-17 and the more rural residential lots further to the west.

Mr. Chris Williams, traffic engineer, shared that a 58 lot single-family subdivision is not going to create traffic issues as this is a low volume traffic generator, comparatively. He explained that gaining access by looping around

the I-17 frontage road takes the same amount of time as someone traveling up 31st Avenue.

VPC Discussion:

Mr. Russell Osborne shared that he is opposed to the project and believes this area should remain S-1.

MOTION: **Mr. Russell Osborne** motioned to recommend denial for Rezoning Case No. Z-53-20-1. Committee member **Mr. Ozzie Virgil** seconded the motion.

VOTE: 3-4, motion to recommend denial failed, with Committee Members Greenberg, Levy and Osborn in favor. Committee members Gardner Kenney, Romero, and Vice Chair DiLeo not in favor.

Mr. Ozzie Virgil made himself known as a call-in member at 7:30, bringing quorum to 8.

Mr. Russell Osborne stated that this committee was created to be a safeguard for residences. We can't ignore that. This is an existing rural community and the people living there bought in this way.

MOTION: **Mr. Matthew Kenney** motioned to recommend approval with the deletion of Stipulation No. 9 for Rezoning Case No. Z-53-20-1. Committee member **Ms. Michelle Gardner** seconded the motion.

VOTE: 4-4, motion to recommend approval with the deletion of Stipulation No. 9 failed, with Committee Members Gardner, Kenney, Romero and DiLeo in favor. Committee members Greenberg, Levy, Osborne, and Virgil not in favor.

Vice Chair Trilese DiLeo went over land rights and the need for additional housing in the current market. She stated that the committee must look at all angles prior to making a decision on cases heard before the committee.

Ms. Michelle Gardner expressed her support for the proposal stating that the developer worked with the neighbors over an extensive amount of time and offered many substantial concessions to ensure concerns were addressed. She applauded the applicant for their community outreach work and explained that growth in this area is inevitable. Something will be developed here. She went on to say that the traffic study was done by a reputable traffic engineering firm and the results are clear. An increase in traffic is a non-issue, especially considering the ADOT access agreements onto the frontage road. She reiterated her support for the project.

Mr. Russell Osborn stated that the State Land department is selling land. There is plenty of land available elsewhere where housing can be built. The existing residence should be able to keep their rural lifestyle in this area and we should listen to their concerns.

Mr. Ricardo Romero stated that home prices are currently out of control. We need more inventory to drive these inflated prices down. People are being priced out of the market. The lack of inventory is causing issues for prospective home buyers.

Vice Cahir DiLeo asked the committee what they would like to see developed on this site.

Mr. Russell Osborne said that this question is out of line and outside of the committee's purview. He went on to state that the committee should not be making determinations on what should be located on private land.

Mr. David Simmons, staff, shared that Vice Chair DiLeo's inquiry was perfectly acceptable.

Ms. Michelle Gardner also stated that Vice Chair DiLeo's questions were perfectly valid for this committee and asked what the committee would like to see developed here. She asked if the committee thinks it should remain vacant land, farm or ranch residential or a subdivision like the one presented to the committee tonight.

Mr. Simmons shared that the applicant is requesting a continuance to the January 14, 2021 Deer Valley Village Planning Committee meeting to allow the development team time to work further with the neighbors.

MOTION: **Mr. Keith Greenberg** made a motion to continue Rezoning Case No. Z-53-20-1 to the January 14, 2021 Deer Valley Village Planning Committee meeting agenda. Committee member **Mr. Matthew Kenney** seconded the motion.

VOTE: 5-3, motion to continue passed, with Committee Members Gardner, Greenberg, Kenney, Levy and DiLeo in favor. Committee members Osborne, Romero and Virgil not in favor.

Staff comments regarding VPC Recommendation & Stipulations:

None.