

Attachment E

REPORT OF PLANNING COMMISSION ACTION February 4, 2021

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| ITEM NO: 15 | |
| | DISTRICT NO.: 1 |
| SUBJECT: | |
| | |
| Application #: | Z-53-20-1 |
| Location: | Northeast corner of 31st Avenue and Pinnacle Vista Drive |
| From: | S-1 |
| To: | R1-8 |
| Acreage: | 15.52 |
| Proposal: | Single-family residential |
| Applicant: | Chuck Chisholm, K. Hovnanian Homes |
| Owner: | Funk Family Enterprises, LLC |
| Representative: | Julie Vermillion, CVL Consultants, Inc |

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Deer Valley 12/17/2020 Continued. Vote: 5-3.

Deer Valley 1/14/2021 Approval, per the staff recommendation with a deleted stipulation. Vote: 11-2.

Planning Commission Recommendation: Approval, per the Deer Valley Village Planning Committee recommendation, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-53-20-1, per the Deer Valley Village Planning Committee recommendation, with an additional stipulation as read into the record.

Maker: Mangum

Second: McCabe

Vote: 7-0-1

Absent: Johnson (Conflict: Shank)

Opposition Present: Yes

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. Lots 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.
18. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD

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