



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-119-26-1
October 5, 2026

Deer Valley Village Planning Committee Meeting Date: October 5, 2026

Planning Commission Hearing Date: November 5, 2026

Request From: S-1 (Ranch or Farm Residence)
(10.11 acres)

Request To: R1-10 (Single-Family Residence District)
(10.11 acres)

Proposed Use: Single-family residential

Location: Northwest and southwest corners of 33rd Avenue and Oberlin Way

Owners: Daniel E Lewis, Daniel E Lewis Living Trust and Thomas and Virginia Reitmeyer

Applicant: Tom Auther, JACOR Partners

Representative: Shelby Duplessis, Diversified Future

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		<u>Current:</u> Residential 0 to 2 dwelling units per area (10.01 acres) and Residential 2 to 5 dwelling units per acre (1.10 acres)	
		<u>Pending:</u> Residential 2 to 3.5 dwelling units per acre (GPA-DV-1-26-1)	
<u>Street Map Classification</u>	33rd Avenue	Local	30-foot west half street
<i>CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & 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.</i> The requested R1-10 zoning district is compatible with existing residential developments and zoning districts in the area and is consistent with the proposed General Plan Land Use Map designation of Residential 2 to 3.5 dwelling units per acre proposed under companion case GPA-DV-1-26-1.			

General Plan Conformity

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

The proposal, as stipulated, is sensitive to the scale and character of the surrounding residential uses by providing appropriate density limitations.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, will require shade along the sidewalks within the community and along the adjacent public street. The stipulated shade requirements will mitigate the urban heat island effect by covering hard surfaces, thereby cooling the surrounding micro-climate.

Applicable Plans, Overlays, and Initiatives

[Shade Phoenix Plan](#): See Background Item No. 6.

[Complete Streets Guiding Principles](#): See Background Item No. 7.

[Zero Waste PHX](#): See Background Item No. 8.

[Housing Phoenix Plan](#): See Background Item No. 9.

[Monarch Butterfly Pledge](#): Background Item No. 10.

[Conservation Measures for New Development](#): Background Item No. 11.

[Phoenix Climate Action Plan](#): Background Item No. 12.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant land	S-1
North	Single-family residential	S-1
South	Single-family residential and vacant land	S-1
East (across 33rd Avenue)	Single-family residential	S-1
West	Single-family residential and vacant land	S-1

R1-10 – Single-Family Residence District (Planned Residential Development Option)		
<u>Standards</u>	<u>R1-10 Requirements</u>	<u>Provisions on the proposed site plan</u>
Gross Acreage	-	10.11 acres
Maximum Number of Units	35; 45 with bonus	27 units (Met)
Maximum Density	3.5; 4.5 with bonus	2.67 dwelling units per acre (Met)
Minimum Lot Width	None	65 feet (Met)
Minimum Lot Depth	None	Minimum 140 feet (Met)
Maximum Building Height	3 stories and 30 feet	2 stories and 30 feet (Met)
Maximum Lot Coverage	60 percent for total development	Not specified
Minimum Parking	2 spaces per dwelling unit 54 spaces required	Not specified
MINIMUM BUILDING SETBACKS		
Perimeter Streets (33rd Avenue)	20 feet (in addition to landscape setback)	Not specified
Perimeter Property Lines	15 feet	Not specified
MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Common landscaped setback adjacent to perimeter streets	15 feet	Not specified
Minimum Common Open Space	5 percent of gross site area	22.99 percent (2.32 acres) (Met*)
* While 22.99 percent open space exceeds the minimum 5 percent requirement, it is unclear if the configuration of the common open space meets the requirements of the Phoenix Zoning Ordinance.		

Background/Issues/Analysis

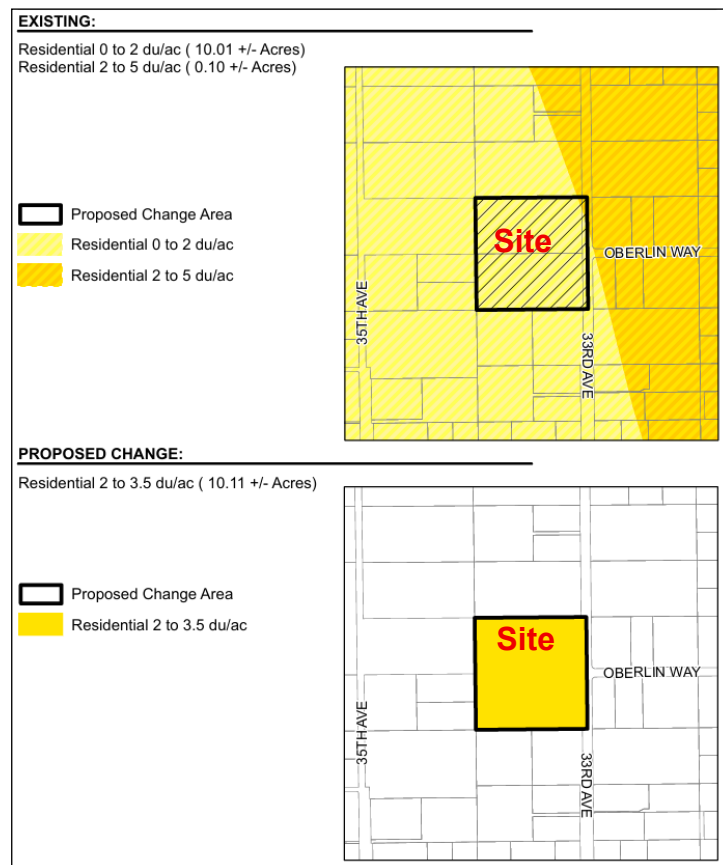
SUBJECT SITE

1. This request is to rezone 10.11 acres located at the northwest and southwest corner of 33rd Avenue and Oberlin Way from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) to allow single-family residential development. The site is currently vacant land.

GENERAL PLAN LAND USE MAP DESIGNATIONS

2. Although a small portion of the subject site is designated as 2 to 5 dwelling units per acre, the majority of the site is designated Residential 0 to 2 dwelling units per acre and is the subject of the pending Minor General Plan Amendment under GPA-DV-1-26-1. Should the proposed Minor General Plan Amendment be approved, the proposed R1-10 zoning district would be consistent with the Residential 2 to 3.5 dwelling unit per acre designation proposed under GPA-DV-1-26-1.

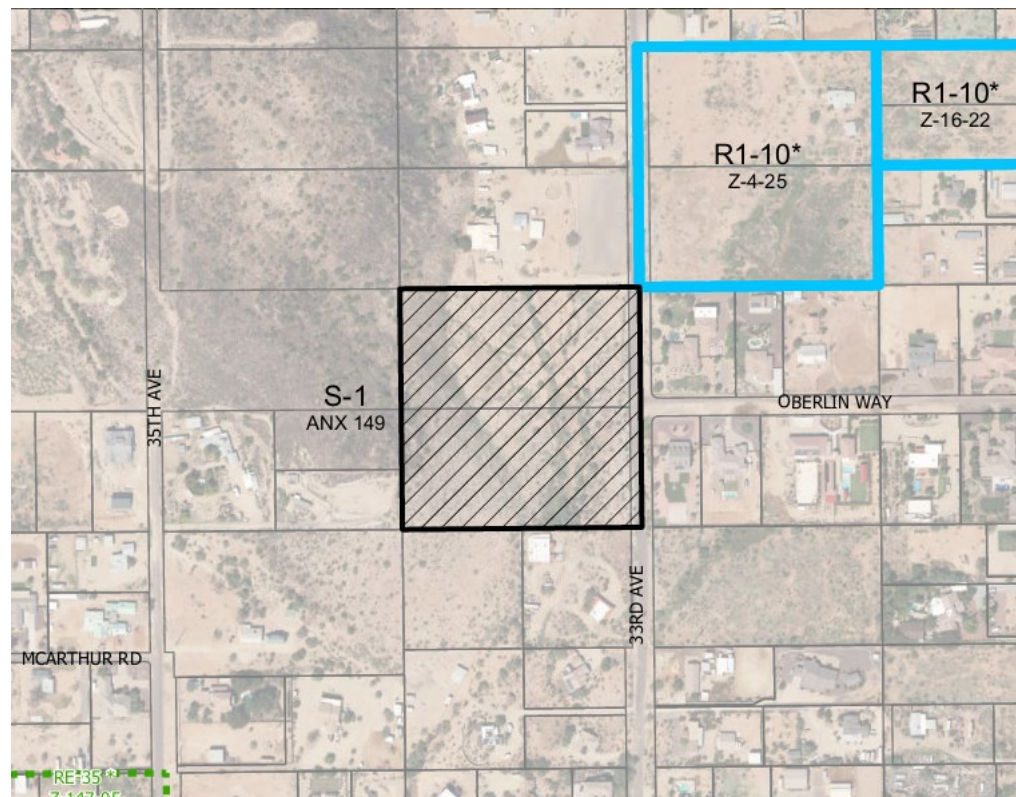
The surrounding properties to the west and south, as well as a portion of the area to the north, are designated Residential 0 to 2 dwelling units per acre on the General Plan Land Use Map. Furthermore, the area to the east of the subject site, along with a small area to the north, is designated Residential 2 to 5 dwelling units per acre.



General Plan Land Use Map for GPA-DV-1-26-1, Source: Planning and Development Department

SURROUNDING LAND USES AND ZONING

3. The area to the north of the subject site is developed with a single-family residence and is zoned S-1 (Ranch or Farm Residence). To the south of the subject site are two parcels. One parcel is developed with a single-family residence and the other is vacant land. Both parcels are also zoned S-1 (Ranch or Farm Residence). To the east of the subject site, across 33rd Avenue, are two parcels, both developed with a single-family residence and zoned S-1. West of the subject site are three parcels: one parcel is vacant hillside land owned by the State Land Department, one parcel is vacant hillside land and privately owned, and one parcel is developed with a single-family residence. All three are zoned S-1 (Ranch or Farm Residence).



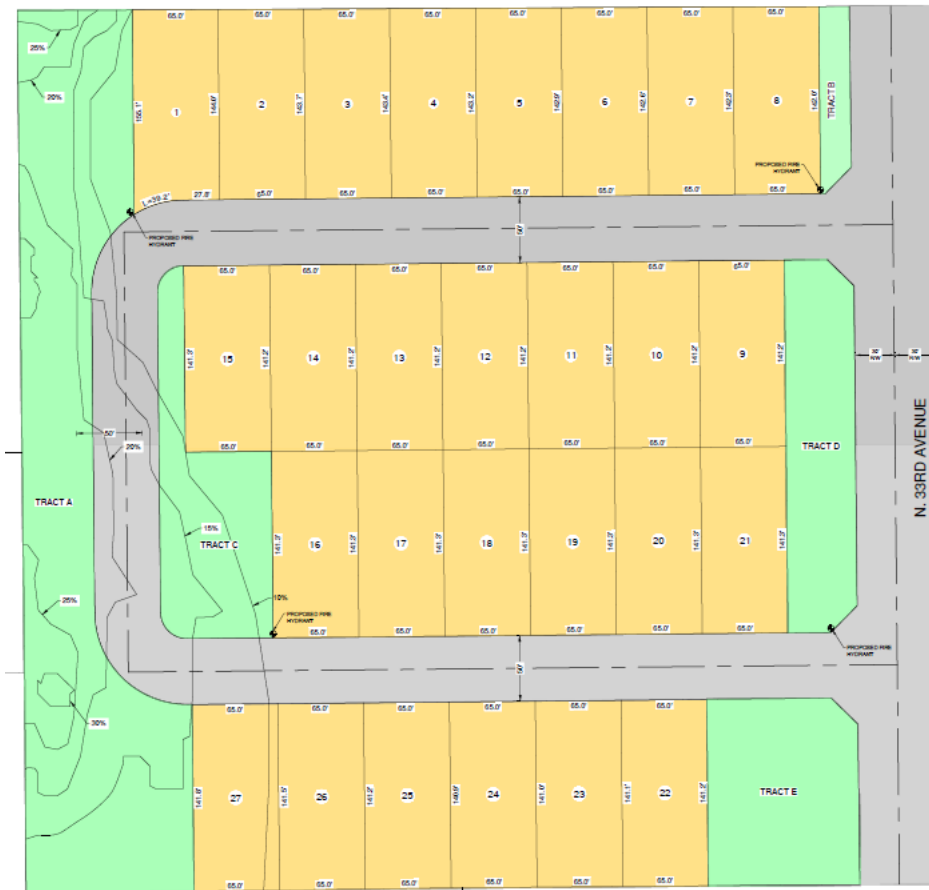
Zoning Aerial Map, Source: Planning and Development Department

PROPOSAL

4. **Site Plan**

The proposal is for a 27-lot single-family residential community. The conceptual site plan, attached as an exhibit, depicts two east-west streets and one north-south street. Lots within the subject site will be not less than 65 feet in width. The site will also be buffered along the 33rd Avenue frontage with a 15-foot landscape setback. The site contains hillside slopes along its western side, and slopes of 15 percent or more will be preserved. An open space area will be located on the southeast corner of the property and will also function as a retention basin.

Staff notes that the Phoenix Zoning Ordinance requires a minimum of five percent common open space, and the definition of “Common Open Space” requires that it be centrally located within the development, while meeting certain maximum slope requirements. Since the open space is primarily located towards the west end of the site, this requirement may not have been met with the current site plan. Further, the Phoenix Zoning Ordinance limits the amount of hillside disturbance that may occur and it is not clear from the information presented on the site plan whether the amount of disturbance associated with the roadway, Tract C, and Lot 27 exceeds the maximum amount of disturbance allowed. For these reasons staff recommends Stipulation No. 1, limiting the site to 27 lots in total. This will allow the details of the site design to be worked out through the site planning process, while limiting the density of the site to that currently proposed.



Conceptual Site Plan, Source: Diversified Future

5. Elevations

The applicant has not developed a set of elevations for inclusion with this report.

STUDIES AND POLICIES

6. [Shade Phoenix Plan](#)

In November 2024, the Phoenix City Council adopted the Shade Phoenix Plan. The Shade Phoenix Plan prioritizes increasing shade coverage throughout the City to improve health and quality of life. Investing in shade can address the urban heat island effect, clean the air, preserve Sonoran vegetation, and prevent health complications related to prolonged exposure to heat. The Shade Phoenix Plan provides numerous strategies to increase shade including expanding and maintaining existing shade, strengthening tree code enforcement, and developing shade stipulations in rezoning cases. This is addressed in Stipulation No. 2, which will require shaded detached sidewalks within the development and along 33rd Avenue.

7. [Complete Streets Guiding Principles](#)

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. As stipulated, the proposed development will enhance the streetscape for pedestrians by providing detached sidewalks along 33rd Avenue and within the development. This is addressed in Stipulation No. 2.

8. [Zero Waste PHX](#)

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. The City of Phoenix offers recycling services for single-family residential properties.

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 a 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, according to the Housing Phoenix Plan. 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 of housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

10. [Monarch Butterfly Pledge](#)

In April 2021, Mayor Kate Gallego signed the National Wildlife Federation's Mayor's Monarch Pledge. This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 6 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

11. [Conservation Measures for New Development](#)

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to "Build the Sustainable Desert City". The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 7 through 14.

12. [Phoenix Climate Action Plan](#)

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the [Greater Phoenix Metro Green Infrastructure \(GI\)](#) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. Recommended Stipulation No. 11 requires at least two green stormwater infrastructure elements within the proposed development.

COMMUNITY INPUT SUMMARY

13. As of the writing of this report four letters of opposition have been received. Concerns raised were regarding traffic impacts, lack of housing demand urgency, lack of water, decrease in property values, street flooding, loss of views, dark sky, neighborhood compatibility, and privacy.

INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department has requested the following:

- Forty-foot paving, face-of-curb to face-of-curb for the width of 33rd Avenue (Stipulation No. 3);
- A 5-foot detached sidewalk with a minimum 5-foot-wide planting area on both sides of the street including the west side of 33rd Avenue. (Stipulation No. 1).
- All streets to be reconstructed/constructed to meet City and ADA standards (Stipulation Nos. 4 and 5)

15. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Deer Valley Airport to future owners or tenants of the property. This is addressed in Stipulation No. 15.

OTHER

16. The site has not been identified as being archeologically sensitive. However, 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 No. 16.
17. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 17.
18. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of required infrastructure in regard to lot space and density.
19. 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 proposed General Plan Land Use Map designation proposed under companion case GPA-DV-1-26-1, and with the surrounding zoning districts.
2. The proposal, as stipulated, is appropriate at this location and is consistent with the scale and character of the surrounding area.
3. The proposal will increase the housing supply and the diversity of housing types available in the area in a manner consistent with the policy initiatives of the Housing Phoenix Plan and the Phoenix General Plan.

Stipulations

1. The development shall be limited to 27 lots.
2. A minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape area located between the back of curb and sidewalk shall be constructed on both sides of all streets within the subdivision, including the west side of 33rd Avenue, planted to the following standards, and as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings to provide a minimum of 75% shade.
 - b. A mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, with a maximum mature height of two feet, evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage.

Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

3. A minimum of 40-feet of paving shall be constructed, face-of-curb to face-of-curb for the full width of 33rd Avenue adjacent to the development. Adequate transitions and full-depth tapers connecting to the existing pavement shall be provided, as approved by the Street Transportation Department.
4. Replace unused driveways with sidewalk, curb and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.

5. All streets within and adjacent to the development shall be constructed 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.
6. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
7. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.
8. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.
9. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized throughout the subdivision including the front yards of individual residential lots. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
10. Natural turf shall not be utilized within the front yards on individual single-family lots. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
11. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
12. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into the Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.
13. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

14. Tract A, as depicted on the site plan date stamped July 24, 2026, shall be preserved and dedicated as permanent undisturbed open space, as approved by the Planning and Development Department.
15. The property owner shall record documents that disclose the existence, and operational characteristics of 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.
16. 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.
17. Prior to final 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.

Writer

Robert Kuhfuss

October 5, 2026

Team Leader

Racelle Escolar

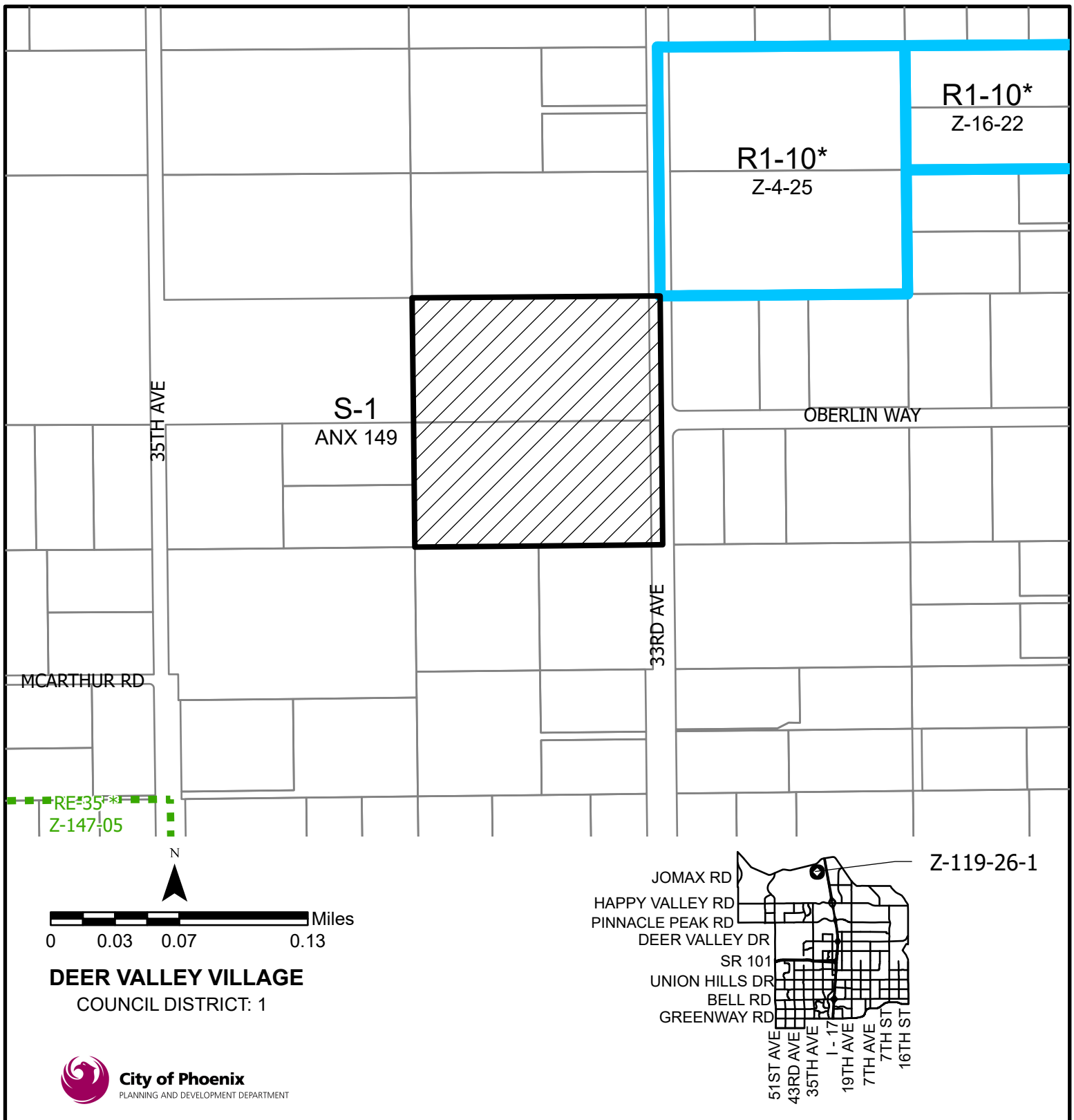
Exhibits

Zoning Sketch Map

Aerial Sketch Map

Conceptual Site Plan date stamped July 24, 2026

Community Correspondence (14 pages)

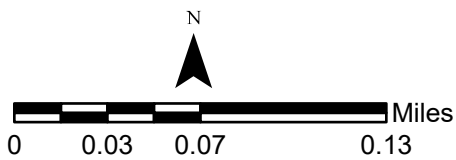
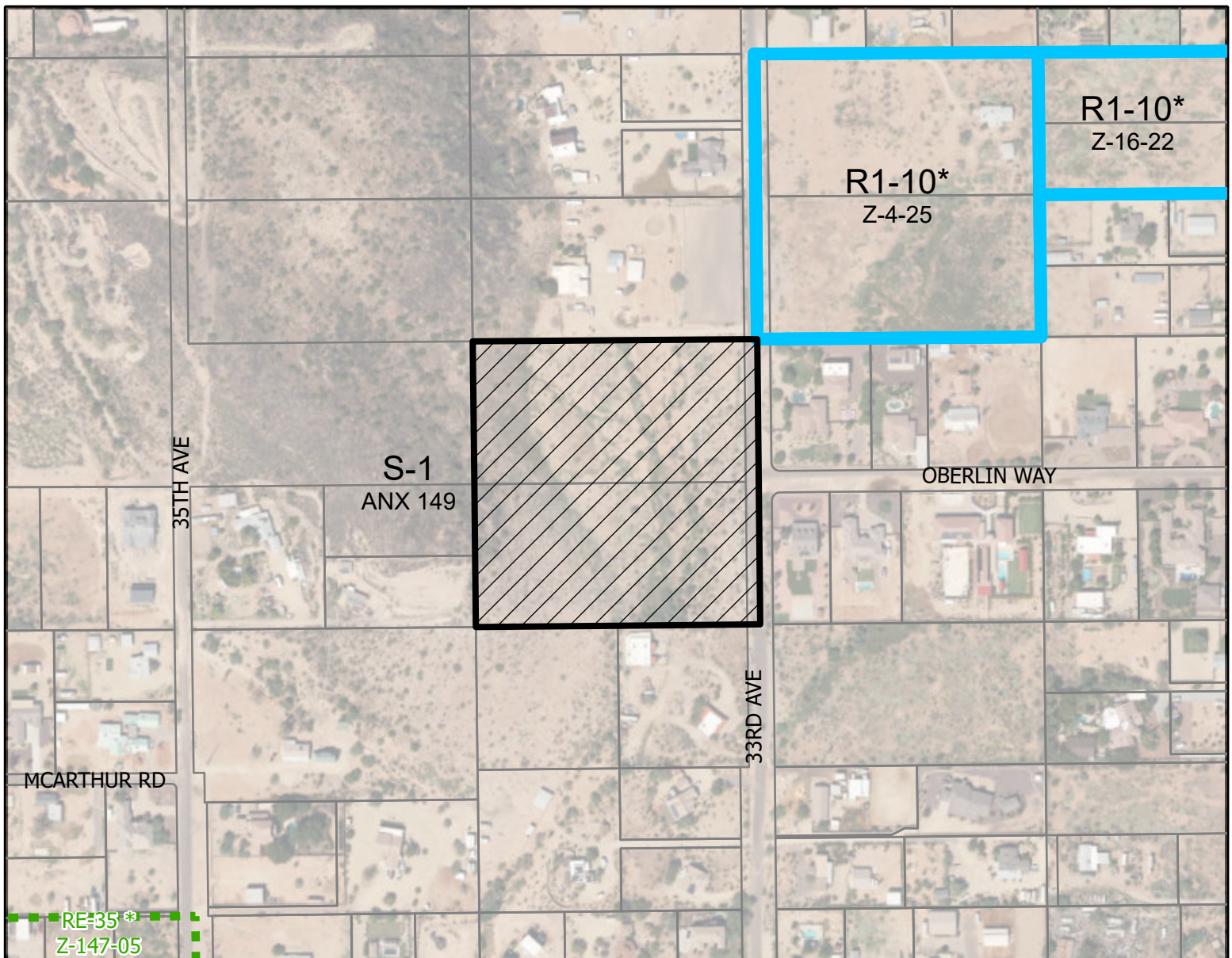


DEER VALLEY VILLAGE
COUNCIL DISTRICT: 1

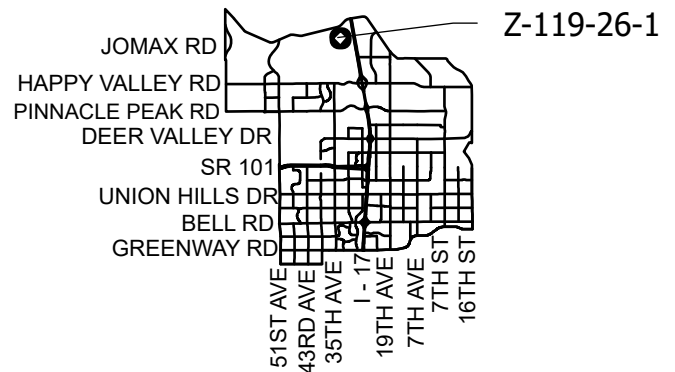


APPLICANT'S NAME: Diversified Future		REQUESTED CHANGE:	
APPLICATION NO: Z-119-26-1		FROM: S-1 (10.11 ac.)	
DATE: 4/9/2025		TO: R1-10 (10.11 ac.)	
REVISION DATES:			
AERIAL PHOTO & QUARTER SEC. NO. QS 50-21			
ZONING MAP P-6		* UNITS P.R.D OPTION	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 10.11 Acres		STANDARD OPTION	
MULTIPLES PERMITTED S-1 R1-10		10	
		35	
		N/A	
		45	

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



DEER VALLEY VILLAGE
COUNCIL DISTRICT: 1



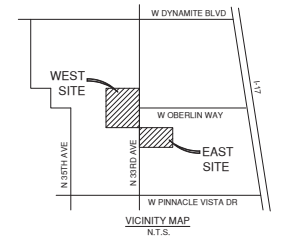
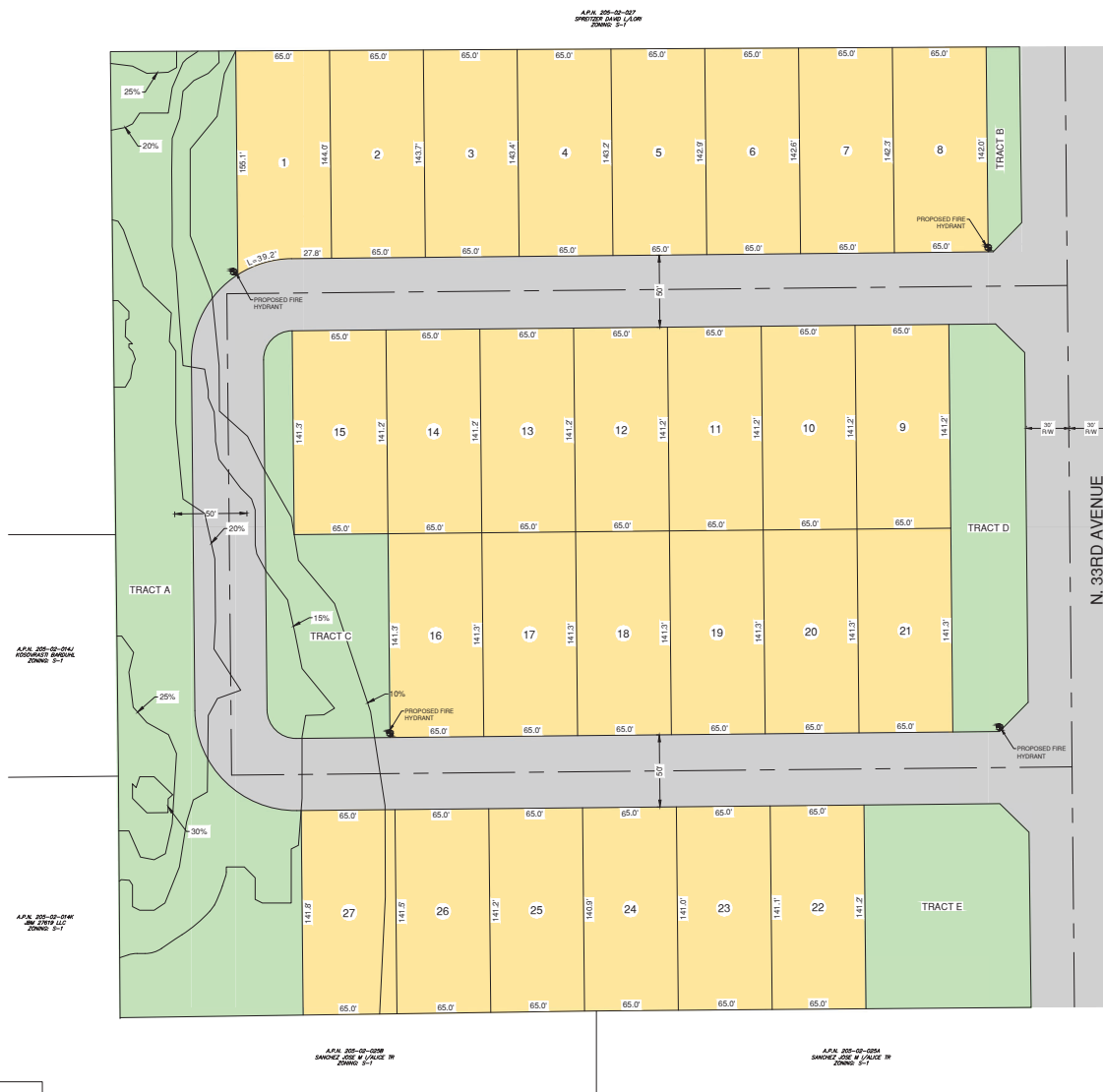
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APPLICATION NO: Z-119-26-1		FROM: S-1 (10.11 ac.)	
DATE: 4/9/2025		TO: R1-10 (10.11 ac.)	
REVISION DATES:			
AERIAL PHOTO & QUARTER SEC. NO. QS 50-21			
ZONING MAP P-6			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 10.11 Acres			
MULTIPLES PERMITTED S-1 R1-10		STANDARD OPTION 10 35	
		* UNITS P.R.D OPTION N/A 45	

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

LOT #	AREA
1	9501.10 SF
2	9353.21 SF
3	9333.88 SF
4	9314.54 SF
5	9295.21 SF
6	9275.87 SF
7	9256.54 SF
8	9237.20 SF
9	9181.25 SF
10	9181.25 SF
11	9181.25 SF
12	9181.25 SF
13	9181.25 SF
14	9181.25 SF

LOT #	AREA
15	9181.22 SF
16	9181.25 SF
17	9181.25 SF
18	9181.25 SF
19	9181.25 SF
20	9181.25 SF
21	9181.25 SF
22	9175.59 SF
23	9167.93 SF
24	9160.49 SF
25	9169.04 SF
26	9187.59 SF
27	9206.13 SF

TRACT AREA		
TRACT ID	TRACT USE	AREA
A	OPEN SPACE AND PUE	93010.73 SF
B	OPEN SPACE, PUE AND RETENTION	3100.40 SF
C	OPEN SPACE, PUE AND RETENTION	14659.53 SF
D	OPEN SPACE, PUE AND RETENTION	14399.36 SF
E	OPEN SPACE, PUE AND RETENTION	15950.71 SF

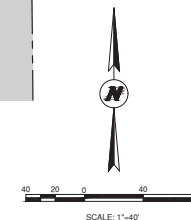


ENGINEER
 DIVERSIFIED FUTURE
 5361 WEST CASHMAN DRIVE
 PEORIA, ARIZONA 85383
 CONTACT: SHELBY DUPLESSIS
 PHONE: 602.679.4438
 EMAIL: SHELBY@DIVERSIFIEDFUTURE.COM

OWNER/DEVELOPER
 JACOR PARTNERS
 6295 NORTH 7TH STREET, SUITE 200
 PHOENIX, ARIZONA 85014
 CONTACT: TOM AULTHER
 PHONE: 602.549.6020
 EMAIL: TOMAULTHER@JACORAZ.COM

SITE DATA
 A.P.N.: 205-02-01A, 205-02-02A
 NET AREA: 9.62 AC (419,275 SF)
 GROSS AREA: 10.08 AC (439,544 SF)
 NUMBER OF LOTS: 27
 EXISTING ZONING: S-1
 PROPOSED ZONING: R1-10 PRD
 EXISTING GENERAL PLAN DESIGNATION: 0 TO 2 DU/AC
 PROPOSED GENERAL PLAN DESIGNATION: 2 TO 5 DU/AC
 PROPOSED DENSITY: 2.67 DU/AC
 MAX BUILDING HEIGHT: 30' (2-STORY)
 OPEN SPACE: 0.50 AC (21,977 SF)
 OPEN SPACE REQUIRED (5% OF GROSS AREA): 0.50 AC (21,977 SF)
 OPEN SPACE PROVIDED: 2.32 AC (101,120 SF) 22.99%

CITY OF PHOENIX
 JUL 24 2026
 Planning & Development
 Department



DATE	DESCRIPTION
6/14/2026	

33RD AVE & OBERLIN WAY-WEST
 CONCEPTUAL SITE PLAN
 A.P.N. 205-02-01A, 205-02-02A
 PHOENIX, ARIZONA



CD: CRS
PM: SJD
PROJECT NO. 25-005
SHEET 1 of 1

From: lb271514@icloud.com
To: [Robert H Kuhfuss](#)
Subject: GPA-DV-1-26-1, Z-119-26-1
Date: Tuesday, August 18, 2026 8:53:19 AM

CAUTION: This email originated outside of the City of Phoenix.

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[Report Suspicious](#)

I am utterly opposed to the rezoning at 33rd ave and Oberlin way. I live at 27514 N 33rd Ave, and can tell you that the traffic in the morning and evening is terrible. The lousy speed bumps are nothing but a suggestion to the pick-up trucks that come flying down our to narrow sidewalk-less street already.

Lawrence Berger

From: [Robert H Kuhfuss](#)
To: ["Sean Ceschia"](#)
Subject: RE: Flood and Drainage problems
Date: Thursday, September 17, 2026 9:54:00 AM
Attachments: [image002.png](#)
[image003.png](#)

Mr. Ceschia,

Thank you for your email. I have forwarded your email and photos to the appropriate people here in the city. They will get back with you directly.

Robert H. Kuhfuss, AICP, MPA

Village Planner

Deer Valley Village and North Mountain Village

City of Phoenix

Planning and Development Department

Long Range Planning Division

200 West Washington Street, 3rd Floor

Phoenix, Arizona 85003

robert.kuhfuss@phoenix.gov

(602) 534-1608



PLANNING & DEVELOPMENT
**PRESERVE
SHAPE
BUILD**



From: Sean Ceschia <ceschia@outlook.com>
Sent: Wednesday, September 16, 2026 5:30 PM
To: PDD Deer Valley VPC <deervalleyvpc@phoenix.gov>; Robert H Kuhfuss <Robert.Kuhfuss@phoenix.gov>
Subject: Re: Flood and Drainage problems

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[Report Suspicious](#)



We need you to find a solution to this, We have repeatedly requested you to do something to fix the drainage in the street. We are fed up! if one of us dies from West Nile

disease, I will held you All responsible for it!

3100-3300 W Oberlin Way
Phoenix AZ 85083

From: Sean Ceschia

Sent: Sunday, September 6, 2026 6:52 PM

To: DeerValleyVPC@phoenix.gov <DeerValleyVPC@phoenix.gov>; robert.kuhfuss@phoenix.gov <robert.kuhfuss@phoenix.gov>

Subject: Re: GPA-DV-1-26-1 / Z-119-26-1 and Z-120-26-1

Dear Robert and the planning committee,

This email is regarding the rezoning of two parcels on 33rd Avenue and Oberlin Way and another one on 33rd Avenue and north of Oberlin Way.

I'm a resident on 3225 West Oberlin Way. I oppose the rezoning of these two parcels. As a professional real estate broker, if you are approving this project due to a shortage of housing, that is not correct. We have a massive number of properties available for sale on the market! For the last year, on average, every property has lost over \$100,000 due to low demand on housing. The second issue we have is that the state of Arizona is running out of water and the federal government is cutting our share of water and approving more housing. It's not serving anyone here. Approving way smaller homes next to what is originally S-1/R-43 Zoning will devalue our properties and make them less attractive. We will lose our views and the natural state of this area. Our roads are not built to handle high traffic. Our street can only handle one car! You are not even improving our streets. Every time it rains we have a massive flood on our streets. Most properties here are horse properties and that's why we are here. We are also a dark sky area in which we don't want any dense lighting around us. Let alone, the current proposal is for two-story homes! This rezoning request is totally incompatible with our area. We would like to preserve the nature and vegetation of the area rather than destroy the area with mass buildout. Our streets do not have any storm drainage systems to drain out the rainwater. Everything stays on the street, and that project will add strain and cause more damage to the area. This development is an intrusion on our privacy.

I'm not against the development of our city, but for the reasons above, I am respectfully asking you to not approve this rezoning.

Thank you

Sean Crachia

From: [dustin h](#)
To: [Robert H Kuhfuss](#)
Subject: Rezoning case Z-119-26-1
Date: Monday, September 28, 2026 6:25:14 PM

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City of Phoenix Planning and Development Department

Long Range Planning Section
200 W. Washington Street, 3rd Floor
Phoenix, AZ 85003

RE: GPA-DV-1-26-1, Z-119-26-1 and Z-120-26-1

Dear Members of the Deer Valley Village Planning Committee and Phoenix Planning Commission:

I am writing as a nearby property owner to express my concerns regarding the proposed General Plan Amendment and rezoning associated with the above-referenced cases.

The surrounding neighborhood is characterized largely by homes on approximately one-acre lots. Many of us purchased property and built homes here specifically because of the low-density character of the area.

We recognize that development will occur as vacant land is developed. In fact, another development one street South from us is already under construction. That development consists of approximately one-third-acre lots and, importantly, is limited to single-story homes. While that development represents an increase in density from the existing one-acre properties, it provides considerably more of a transition between the established neighborhood and higher-density residential development.

The current proposal raises greater concerns. According to the notice provided to neighboring property owners, the applicant is requesting approval for a total of 44 single-family homes on approximately 15 acres. This represents a significant change in density compared with the existing residential character of our immediate area.

Our concerns, however, extend beyond lot size and neighborhood character.

The proposed access to this development appears to connect at or near the end of our existing street, Oberlin Way, between 31st and 33rd Avenue. Our street is extremely narrow and functions in many areas essentially as a one-lane roadway. Adding the traffic generated by dozens of additional homes to this street raises

serious questions regarding traffic capacity, safety, emergency vehicle access, and the impact on the residents who already use this road every day.

I have not seen information indicating that our existing street will be widened or otherwise improved to accommodate this additional traffic. I also have not seen a traffic study demonstrating that the existing roadway can safely accommodate the proposed development.

We have similar concerns regarding **water and sewer infrastructure**. The infrastructure serving this area was established for a much lower-density neighborhood. Another residential development is already being constructed nearby, adding additional homes and demand to the same general area, yet we have seen no corresponding significant improvements to the existing infrastructure. The existing infrastructure is old and needs to be updated.

For that reason, I believe these applications should be considered in terms of their **cumulative impact**, rather than viewing this proposed development in isolation. The relevant question is not simply whether the infrastructure can accommodate these 44 homes. It is whether the existing roads, water system, sewer system and other public services can accommodate the combined impact of the development already underway and the additional density being requested in these cases.

Before these zoning changes are approved, I respectfully request that the City of Phoenix and applicant provide clear answers to the following:

1. Has a traffic impact study been completed that accounts for both this proposed development and other residential development currently underway nearby?
2. What improvements, if any, are proposed for the existing street, Oberlin Way, that will provide access to this development?
3. Has the existing roadway been evaluated for increased traffic and emergency vehicle access?
4. Have the existing water and sewer systems been evaluated to determine whether they have sufficient capacity for the cumulative residential development occurring in this area?
5. If improvements to roads, water or sewer infrastructure are necessary, who will be responsible for constructing and funding those improvements?
6. What measures are proposed to provide an appropriate transition between the existing approximately one-acre residential properties and the substantially smaller lots proposed by this development?
7. Will the proposed homes be restricted to single-story construction, particularly where the development borders or faces existing large-lot residences?

I am not opposed to reasonable development of these properties. My concern is with **the amount of density being requested and whether the surrounding infrastructure and existing neighborhood can reasonably accommodate it.**

A zoning change of this nature is permanent. Once the existing low-density zoning is changed and the property is developed, the impacts cannot easily be reversed. I therefore respectfully ask that the Planning Committee, Planning Commission, and

ultimately the City Council carefully evaluate the traffic, infrastructure, density, and compatibility issues described above before making a decision on these applications.

At a minimum, I believe these questions should be fully answered and the appropriate traffic and infrastructure studies made available for public review before these cases move forward.

Thank you for considering the concerns of the existing residents and property owners who will be directly affected by this development.

Sincerely,

Dustin Hamilton
3115 W Oberlin Way
Phoenix, Arizona
phxd31@yahoo.com
6029730999

From: [RICK JONES](#)
To: [Robert H Kuhfuss](#); [Council District 1 PCC](#)
Subject: Fw: GPA-DV-1-26-1 / Z-119-26-1 and Z-120-26-1 – 33rd Avenue and Oberlin Way
Date: Sunday, September 6, 2026 10:50:14 AM
Attachments: [zoning letter.docx](#)

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Dear Ms O'Brien and Mr. Kuhfuss:

I live in the 33rd Avenue and Oberlin Way area and am writing to oppose the proposed General Plan amendment and rezonings referenced above.

I want to start by saying that I am not against development, and I understand that Phoenix needs housing. North Phoenix is changing quickly, especially with TSMC and the other development coming to this part of the Valley. I understand why the city is planning for that growth.

My request is straightforward: before approving a change from Residential Estate to a higher-density designation, the City should explain what planning conditions have changed, why the existing General Plan designation is no longer appropriate, and how the surrounding large-lot neighborhood will be protected if greater density is approved.

My concern is more specific: I do not understand why the City should change the General Plan for this particular property from Residential Estate, 0–1 home per acre, to 2–3.5 homes per acre unless there is a clear planning reason beyond the developer's preference for a denser project.

The property is already planned for residential use. This is not a choice between housing and no housing. It is a choice between the type of residential development Phoenix has already planned for this property and a substantially denser development.

That distinction matters to me.

Phoenix says that “zoning regulations are intended to protect existing land uses and assure that uses are compatible with each other and with available public facilities and services.” The city also describes zoning as the principal tool for implementing the General Plan.

That makes sense to me. That is what I thought zoning and a General Plan were supposed to do: provide some predictability about how different areas of the city will develop while balancing growth with existing neighborhoods.

I understand that General Plans can change. They should be able to change when circumstances justify it. But I think there should be a good planning reason for making that change.

I also understand that Arizona law requires zoning and rezoning to be consistent with the City's adopted General Plan. Because the applicant is asking to amend the General Plan at the same time as the rezoning, the reason for changing the Plan itself deserves careful scrutiny.

I have not yet seen what has changed about this property or this neighborhood that makes the City's existing 0–1 home-per-acre designation no longer appropriate.

There is another reason this is difficult for me to understand.

Last year our neighborhood opposed the R1-10 development immediately north of us in case Z-4-25-1. City staff supported that rezoning in part because the General Plan already designated that property for Residential 2–5 homes per acre. We

may not have agreed with the outcome, but I understood the City's reasoning: the proposed zoning was consistent with the General Plan.

This time the situation seems almost exactly opposite.

The General Plan says Residential Estate, 0–1 home per acre. The developer wants to build 27 homes on approximately 10 acres, or 2.67 homes per acre, so the request includes changing the General Plan to make the proposed development fit.

That leaves me with a simple question:

If the General Plan was important when it supported the previous R1-10 rezoning, why isn't it equally important when it supports keeping this property at a lower density?

I also hope the city looks at everything happening around this neighborhood together rather than considering each project in isolation.

Diversified Future is proposing 27 homes on the approximately 10-acre property west of 33rd Avenue and another 17 homes on approximately 5 acres east of 33rd Avenue just south of Oberlin. That is 44 homes on roughly 15 acres from the same applicant, at the same time. We also have the recently approved R1-10 development immediately north of our neighborhood.

Each individual project may look relatively small on a map. Together they represent a significant change to the development pattern around 33rd Avenue and Oberlin.

I think traffic should be considered in that same context. I am not suggesting that the answer is simply to widen Oberlin or 33rd Avenue to make more density work. To me, that gets the question backwards.

The question should be whether the proposed density is

appropriate for the existing neighborhood and local street system, not how much the existing neighborhood and streets need to be changed to accommodate the proposed density.

Oberlin is already used as a shortcut, and 33rd Avenue serves the existing large-lot properties as well as the new development coming into the area. I would like the city to look at the cumulative traffic from the recently approved development and these two new proposals, including where project and construction traffic will enter and exit.

I also understand the argument that Phoenix needs more housing. I agree.

But again, this property is already planned for housing. The disagreement is about what type of housing belongs here.

Phoenix is planning extraordinary amounts of new housing in North Phoenix. NorthPark alone, north of the CAP canal near TSMC, is planned for as many as 15,150 homes.

I support creating housing for the people and families who will work at TSMC and the other businesses coming to North Phoenix. But not everyone moving here wants the same lifestyle. Some people want apartments, townhomes, or conventional subdivisions. Others move to North Phoenix because they want an acre, horses, an RV, a workshop, a detached garage, more privacy, or simply more open space around their home.

Those are all legitimate housing choices.

Phoenix's General Plan recognizes different housing products for a reason. The existing 0–1 designation is part of its Large Lot housing category. The requested 2–3.5 designation moves the property into a Traditional Lot housing category.

Once large-lot areas are converted into conventional

subdivisions, they are extremely difficult to recreate.

So, I don't see preserving some of these areas as being against housing. I see it as preserving a type of housing and lifestyle that is becoming increasingly difficult to find in Phoenix.

There is one other part of the request that I think deserves more attention. The applicant is not simply asking for R1-10 zoning; it is asking for R1-10 PRD. My understanding is that conventional R1-10 has established lot dimensions and setbacks, while the PRD option provides substantially more flexibility in how the lots and homes are laid out. I understand that flexibility can sometimes be useful to create common open space or work around natural features. But it can also result in a development that looks and feels quite different from what a resident might assume when hearing the term R1-10.

This is especially important to me because we did not focus enough on the PRD distinction when the R1-10 development immediately north of our neighborhood was considered. I do not want to make that mistake again. My biggest concern with the PRD flexibility is not how the developer arranges homes within the development. It is what happens along the property lines shared with the existing large-lot homes. If the City approves greater density and PRD flexibility, I believe the transition and buffering should occur on the property being rezoned, rather than pushing the effects of reduced lot dimensions or setbacks against the existing neighborhood. Smaller lots and reduced internal setbacks, if proposed, should be concentrated toward the interior of the project, with meaningful perimeter setbacks, landscaping and other buffering next to existing homes. I would like staff to clearly compare the proposed PRD with conventional R1-10, including lot size and dimensions, front, rear and side setbacks, perimeter setbacks, building height and lot coverage, and explain exactly what standards would apply along the shared property lines. If the applicant is receiving additional

flexibility through the PRD, I also think it is fair to ask what meaningful protection or benefit the surrounding neighborhood receives in return.

I would also ask the Committee not to measure neighborhood concern simply by the raw number of opposition letters it receives. This is a low-density area by design, so there are relatively few existing homeowners immediately surrounding these properties. A low number of affected properties will naturally produce fewer letters than a densely populated neighborhood. I believe the Committee should consider the level of concern among the residents who are actually affected, rather than the number of comments alone.

I also recognize that the developer has reasonable arguments on its side. These are vacant properties, and the proposed homes are single-family residences rather than apartments or commercial development. The west project also proposes landscaped open space and preservation of hillside areas. The developer has every right to ask the City for a change, but that does not mean the City should approve the change unless the planning justification is strong enough.

I simply don't believe the fact that a different development can be built if the rules are changed is, by itself, a good reason to change the rules.

If conditions have changed and there is a larger public planning benefit from changing this area from Large Lot to Traditional Lot development, I would like to understand what that benefit is.

And I think there is a larger question the city should consider.

If this Residential Estate property no longer needs to remain 0–1 home per acre, what makes the next Residential Estate property different? At what point does changing the General Plan one parcel at a time effectively eliminate the low-density area the

General Plan was supposed to provide?

I am not asking Phoenix to stop growing. I am asking the city to make that growth deliberate.

For these reasons, I respectfully ask the Deer Valley Village Planning Committee to recommend denial of GPA-DV-1-26-1 and Z-119-26-1 and retain the existing Residential Estate designation. I also ask the Committee to recommend denial of Z-120-26-1 as currently proposed.

If the Committee is not prepared to recommend denial, I ask that these cases be continued until the City has fully considered the combined impact of the developments, including access and traffic, drainage and infrastructure, perimeter buffering, PRD standards, and the planning basis for changing the existing General Plan designation.

Thank you for taking the time to consider my concerns and for including this letter in the public record.

Respectfully,

Rick and Andrea Jones

[\[mimecast.com\]](https://mimecast.com)

From: [Kerry Mawk](#)
To: [Robert H Kuhfuss](#)
Cc: [PDD Deer Valley VPC](#)
Subject: GPA-DV-1-26-1/Z-119-26-1 and Z-120-26-1 Oberlin Way and 33rd Ave
Date: Sunday, September 6, 2026 7:00:50 PM
Attachments: [zoning letter.docx](#)

Dear Mr. Kuhfuss,

One of my neighbors recently sent you the attached letter. His letter is in reference to the proposed zoning changes on the above referenced sites.

His letter is very well thought out and clearly explains all of the concerns of our unique community. I hope you have had a chance to review it and see the excellent points he has made. This neighborhood is not against growth but would like to keep the existing structure types and integrity of these types of acreage properties intact. Many of our neighbor's have horses, chickens, goats and these types of properties are quickly disappearing. These larger properties are quite attractive to many homeowners who strive to live on acreage someday day and still be in Phoenix.

I can't add much more than Rick and Andrea Jones have spelled out in their letter. I would appreciate your serious consideration.

Again, we are not asking Phoenix to stop growing. We are asking the city to make that growth deliberate.

For these reasons, we respectfully ask the Deer Valley Village Planning Committee to recommend denial of GPA-DV-1-26-1 and Z-119-26-1 and retain the existing Residential Estate designation. I also ask the Committee to recommend denial of Z-120-26-1 as currently proposed.

If the Committee is not prepared to recommend denial,

We ask that these cases be continued until the City has fully considered the combined impact of the developments, including access and traffic, drainage and infrastructure, perimeter buffering, PRD standards, and the planning basis for changing the existing General Plan designation.

Thank you!

Respectfully,

Kerry & Ed Mawk
3135 W Oberlin Way
Phoenix 85083