



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-33-19-1**  
August 8, 2019

**Deer Valley Village Planning Committee Hearing Date** August 15, 2019  
**Planning Commission Hearing Date** September 5, 2019  
**Request From:** [S-1](#) (18.41 acres)  
**Request To:** [R1-18](#) (18.41 acres)  
**Proposed Use** Single-Family Residential  
**Location** Northwest corner of 33rd Avenue and the Jomax Road alignment  
**Applicant** Norris Design c/o Ron Harris  
**Representative** Mike Musulin  
**Owner** EB Rezzonico Properties, LLLP/Et Al  
**Staff Recommendation** Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>		Residential 0 to 2 dwelling units per acre and Parks / Open Space-Public	
<a href="#">Street Map Classification</a>	33rd Avenue	Minor Collector	40-foot west half street
	35th Avenue	Local	50-foot east half street
<p><b><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND 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></b></p> <p>The proposed development will be compatible with the existing single-family residential uses surrounding the site. The General Plan Land Use Map designation for this area is Residential 0 to 2 dwelling units per acre and Parks / Open Space - Public. The proposed density of 2 dwelling units per acre is consistent with a portion of the General Plan Land Use Map designation.</p>			
<p><b><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLES: ESTABLISH DESIGN STANDARDS</i></b></p>			

**AND GUIDELINES FOR PARKING LOTS AND STRUCTURES, SETBACKS, AND BUILD-TO-LINES, BLANK WALL SPACE, AND OTHER ELEMENTS AFFECTING PEDESTRIANS, TO ENCOURAGE PEDESTRIAN ACTIVITY AND IDENTIFY OPTIONS FOR PROVIDING PEDESTRIAN-ORIENTED DESIGN IN DIFFERENT TYPES OF DEVELOPMENT.**

The proposed development, as stipulated, will provide sidewalks and trees to encourage walkability within the subdivision and provide connectivity to the Riordan Ranch trail which connects to the Deem Hills Recreation Area to the west.

**CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: PROVIDE MULTI-USE TRAIL CONNECTIONS WHERE APPROPRIATE.**

The proposed development offers an opportunity to develop an undeveloped property at a scale that is compatible with the surrounding area. This is a unique area that is close to Deem Hills Recreation Area to the west. The proposed development, as stipulated, will provide connectivity to the Deem Hills Recreation Area trail systems.

**Applicable Plans, Overlays, and Initiatives**

[Reimagine Phoenix](#) – see Item No. 9 below.

[Tree and Shade Master Plan](#) – see Item No. 10 below.

[Guiding Principles for Complete Streets](#) – see Item No. 6 below.

**Surrounding Land Uses/Zoning**

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant/Undeveloped	S-1
<b>North</b>	Vacant/Single-Family Residential	S-1, approved S-1 SP
<b>South</b>	Vacant/Undeveloped	S-1
<b>East</b>	Vacant/ Single-Family Residential	S-1, approved S-1 SP
<b>West</b>	Vacant/Single-Family Residential	R1-18

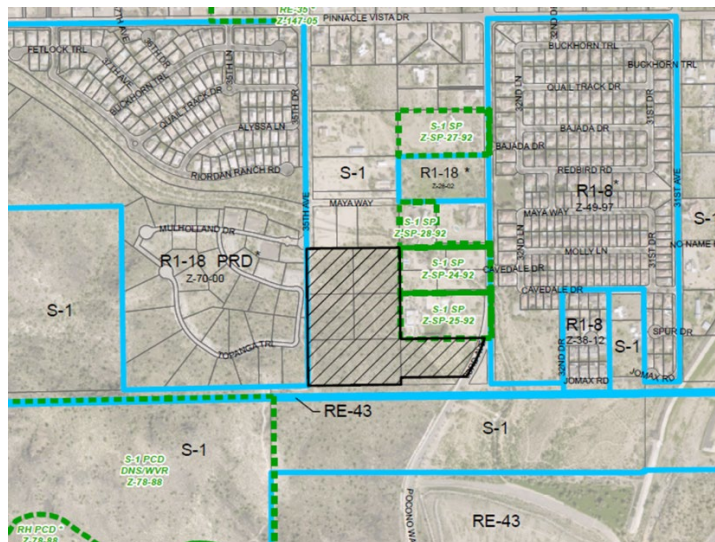
<b>R1-18 (Single-Family Residential District), Planned Residential Development Option (PRD)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions on the Proposed Site Plan</u></b>
<b>Minimum lot dimensions (width and depth)</b>	None	+/-65 feet wide by +/-125 feet deep (Met)
<b>Maximum Dwelling unit density (units/gross acre)</b>	2.05; 2.34 with bonus	2.01 (Met)
<b>Total Number of Lots</b>	37; 43 with bonus	37 (Met)
<b>Minimum Perimeter standards</b>	20 feet adjacent to a public street (this area is to be in common ownership unless lots front on the perimeter public street); 15 feet adjacent to property line.	20 feet minimum adjacent to a public street; 15 feet minimum adjacent to property line. (Met)
<b>Minimum Building setbacks</b>	25 feet front	25 feet (Met)
<b>Maximum height</b>	2 stories and 30 feet	2-stories or 30 feet (Met)
<b>Maximum Lot coverage</b>	Primary structure, not including attached shade structures: 25% Total: 30%	Primary structure, not including attached shade structures: 25% Total: 30% (Met)
<b>Minimum Common areas</b>	5% of gross area	15% of gross area (Met)
<b>Allowed uses</b>	Single-family attached and single-family detached	Single-family detached (Met)
<b>Street standards</b>	Public street or private accessway	Private accessway (Met)

<b>Hillside Development Area Standards</b>		
<b>Standards</b>	<b>Requirements</b>	<b>Provisions on the Proposed Site Plan</b>
<b>Maximum Density in 10% to 14.9% slope category</b>	1.80	Not provided
<b>MINIMUM LOT AREA</b>	As required by zoning district	18,000 square feet (Met)

Minimum Lot Dimensions	As required by zoning district	As required by zoning district (Met)
<b>REQUIRED SETBACKS</b>		
FRONT YARD	As required by zoning district	As required by zoning district (Met)
REAR YARD	As required by zoning district	As required by zoning district (Met)
SIDE YARDS	As required by zoning district or ten (10) feet, whichever is greater	Not provided.
MAXIMUM COVERAGE UNDER ROOF	The main building and all accessory buildings shall not occupy more than twenty-five percent (25%) of the hillside portion of the lot or parcel	Not provided.
MAXIMUM BUILDING HEIGHT	No building shall exceed a height of two (2) stories, not to exceed thirty (30) feet above the natural grade of the lot or parcel at any section through the structure	2-stories or 30 feet (Met)

**Background/Issues/Analysis**

1. This is a request to rezone an 18.41-acre site located on the northwest corner of 33rd Avenue and the Jomax Road alignment from S-1 (Ranch or Farm Residence District) to R1-18 (Single-Family Residence District) to allow for single-family residential.



Source: City of Phoenix Planning & Development Department

2. The subject site was annexed into the City of Phoenix in 1989 through Annexation No. 149. Maricopa County Historical Aerial photographs illustrate that

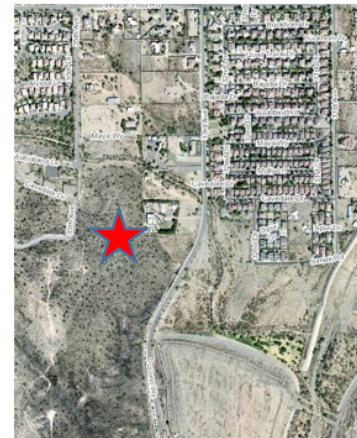
the area has developed with single-family residences over time. The subject site is surrounded by properties zoned S-1 and R1-18.



1976



1998



2017

Source: Maricopa County Historic Aerials

3. The General Plan Land Use Map designation for the subject parcel is Residential 0 to 2 dwelling units per acre on the north and east portions of the site shaded in yellow and Parks / Open Space – Public on the south and west portions of the site shaded in green on the General Plan Land Use Map. The proposed rezoning is consistent with the Residential 0 to 2 dwelling units per acre portion of the General Plan Land Use Map.

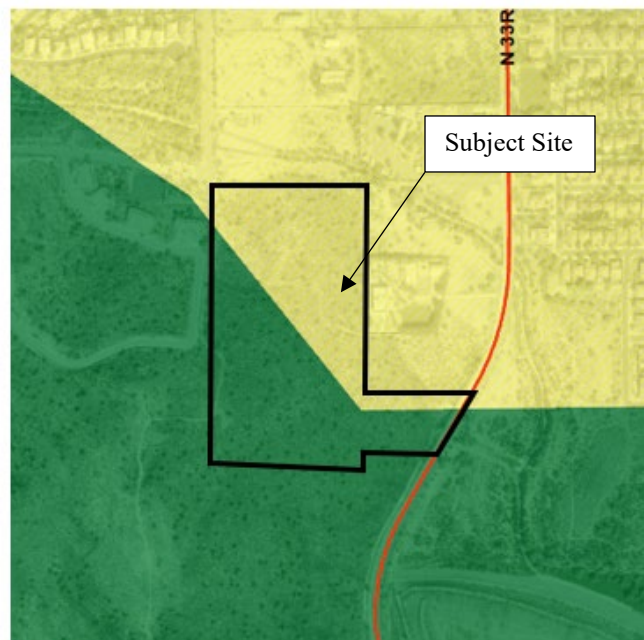
The following General Plan Land Use Map designations are surrounding the site:

**North:** Residential 0 to 2 dwelling units per acre

**South:** Parks / Open Space - Public

**East:** Residential 0 to 2 dwelling units per acre

**West:** Parks / Open Space - Public



■ Parks/Open Space - Publicly Owned  
■ Residential 0 to 2 du/ac

4. The proposal is for a 37-lot subdivision with vehicular access to 33rd Avenue. Of the 37 lots, 13 are considered hillside lots because the property has a slope of 10% or greater. The maximum number of lots that can be built in the designated hillside area will be determined during the site plan review process. In order to provide compatibility with the scale of the surrounding development the conceptual site plan includes several open space areas with a centralized amenity area. A preservation easement or tract shall be dedicated on areas above a 15% slope. Staff is recommending several stipulations to maximize the required open space area. Amenities in the open space area will help to preserve natural desert areas on the hillsides within the subdivision. Staff is recommending Stipulation Nos. 1, 2, 3 and 4 to ensure the site develops as proposed.
5. The proposal includes a pedestrian access point located at the northwest corner of the site. There is an existing trail located approximately 105 feet north of the northwest corner of the site on 35<sup>th</sup> Avenue that connects to the Deem Hills Recreation Area. This is addressed in Stipulation No. 6.
6. To preserve existing undisturbed desert, staff is recommending Stipulation No. 2 which requires that the development dedicate a preservation easement or open tract above the 15% slope line.
7. At the time the staff report was written, three letters of concern / opposition and a citizen petition containing 46 signatures from area residents have been received by staff. Their concerns are listed below:
  - Traffic
  - Infrastructure
  - Rainwater runoff
  - Crime
  - Lifestyle
  - Home Values
8. The Guiding Principles for Complete Streets encourages a more walkable environment. The combination of trees adjacent to sidewalks are consistent with a complete streets environment. These provisions are also addressed in Stipulation No. 5.
9. As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. The City of Phoenix offers recycling collection for all single-family residences. The provision of recycling containers was not addressed in the applicant's submittals; however, per City Code, the City provides recycling containers and services to all single-family residences.
10. The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. A vision in the master plan is to raise awareness by

leading by example. To accomplish the vision and goal of the policy document, Stipulation No. 5 requires that the developer provide detached sidewalks and plant shade trees 20 feet on center, along both sides of the sidewalks. Planting trees adjacent to sidewalks provides for the thermal comfort of pedestrians.

#### STREETS

11. The Street Transportation Department has indicated that 33rd Avenue is complete for western frontage requirements. Internal roads are proposed as private accessways. No stipulations are proposed by the Streets Transportation Department. The Street Transportation Department will continue to review through the site plan development process.

#### PARKS AND RECREATION

12. The Parks and Recreation Department has indicated that a multi-use trail and multi-use trail easement is required at the northwest corner of the site. This is addressed in Stipulation No. 6.

#### FLOODPLAIN

13. The City of Phoenix Floodplain Management division of the Public Works Department has determined that two parcels are in a Special Flood Hazard Area (SFHA), and is located in a Shaded Zone AE, on panel 1260 L of the Flood Insurance Rate Maps (FIRM) dated June 20, 2018. No encroachment is allowed in the floodway without hydrologic and hydraulic analysis showing no rise in water surface elevation and increase in the special flood hazard area boundaries.

#### WATER

14. The City of Phoenix Water Services Department has noted the site has existing water and sewer mains that can potentially serve the proposed development, however there is potential need to extend water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.

#### FIRE

14. The City of Phoenix Fire Department has commented that no fire code issues are anticipated with this case and the site and/or buildings shall comply with the Phoenix Fire Code.

#### AVIATION

16. The City of Phoenix Aviation Department has noted that the site is within the Phoenix Deer Valley Airport (DVT) traffic pattern airspace and has requested a disclosure statement be completed. This is addressed in Stipulation No. 8.

#### ARCHAEOLOGY

17. The site is not located in an archeological sensitive area. 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. 7.

#### OTHER

18. 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, technical appeals and abandonments, may be required.

#### **Findings**

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 0 to 2 dwelling units per acre that is on the majority of the site.
2. As stipulated, the proposal is compatible with the surrounding land uses because of the density and connectivity to existing trail systems in the area.
3. This proposal directly abuts the Riordan Ranch subdivision to the west, which is also zoned R1-18. The proposed project, as stipulated, is compatible with other single-family projects in the area.

#### **Stipulations**

1. The project shall not exceed 37 lots.
2. The developer shall dedicate a preservation easement or tract on areas above 15% slope, as approved by the Planning and Development Department.
3. A minimum of 15% of the gross project shall be retained as open space, including washes and hillside areas, not including required perimeter setbacks, as approved by the Planning and Development Department.
4. There shall be a minimum of one private open space amenity area. The area shall provide, at a minimum, one of the following active amenity elements or other similar elements, as approved by the Planning and Development Department:
  - a. Pavilion or Ramada
  - b. Barbecue and Picnic Area
  - c. Fire Pit
5. All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum 3-inch caliper drought tolerant shade trees planted a minimum of 20 feet on center or



equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.

6. The applicant shall provide a minimum of one access point to the regional trail system located at the northwest corner of the site as approved by the Planning and Development Department.
8. 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.
8. 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.

**Writer**

David Simmons

August 7, 2019

**Team Leader**

Samantha Keating

**Exhibits**

Sketch Map

Aerial

Site Plan date stamped July 25, 2019

Community Correspondence (16 pages)