



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-7-22-3
April 28, 2022

Paradise Valley [Village Planning Committee](#) Meeting Date: May 2, 2021

[Planning Commission](#) Hearing Date: June 2, 2021

Request From: [S-1](#) (Ranch or Farm Residence)
(1.10 acres)

Request To: [R1-8](#) (Single-Family Residence District)
(1.10 acres)

Proposed Use: Single-family residential

Location: Approximately 190 feet west of the northwest corner of 22nd Street and Paradise Lane

Owner: Novica and Ilinka Bosnjak

Applicant: Dejan Bosnjak

Representative: Edmir Dzudza

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 5 to 15 dwelling units per acre	
Street Map Classification	Paradise Lane	Minor Collector	30-foot north half street
<p><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.</i></p> <p>The proposed development would add single-family residential homes on a vacant, underutilized site at a scale that is compatible with the surrounding land uses.</p>			

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; LAND USE PRINCIPLE: Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.

The proposal, a two-lot single-family residential subdivision, is compatible with surrounding residential subdivisions and will maintain the character of the area.

CONNECT PEOPLE AND PLACES CORE VALUES; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The development provides a reasonable level of intensity that is respectful of local conditions and surrounding neighborhoods, which are predominantly built out and zoned for single-family residential uses. The proposal will allow for access along a street that presently serves other residential uses.

Applicable Plans, Overlays, and Initiatives

[Housing Phoenix Plan](#): See Background Item No. 5.

[Tree and Shade Master Plan](#): Background Item No. 6.

[Complete Streets Guidelines](#): Background Item No. 7.

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

Surrounding Land Uses and Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant / Undeveloped	S-1
North	Single-Family Residential	R1-18
South (across Paradise Lane)	Single-Family Residential	R1-6
East	Ranch or Farm Residence	S-1
West	Single-Family Residential	R1-8

R1-8 – Single-Family Residential (Conventional Development Option)		
<u>Standards</u>	<u>R1-8 Requirements</u>	<u>Proposed</u>
Gross Acreage	-	1.10 acres
Maximum Number of Units	4 units	2 units (Met)
Maximum Density	4.0 dwelling units per acre	1.82 dwelling units per acre (Met)
Minimum Lot Width	65 feet	71.29 feet (Met)
Minimum Lot Depth	None, except 110 feet when adjacent to a freeway or arterial street	295.5 feet (Met)
Maximum Building Height	2 stories or 30 feet	Less than 24 feet (Met)
Maximum Lot Coverage	Primary structure, not including attached shade structures: 40%, Total: 50%	Not specified
<i>MINIMUM BUILDING SETBACKS</i>		
Perimeter Street:	Street: 15 feet Garage setback: 18 feet from back of sidewalk for front-loaded garages, 10 feet for side loaded garages	40 feet (street) (Met)
Perimeter Sides East and West):	10 feet (1 story); 15 feet (2 stories)	15 feet (Met)
Perimeter Rear (North):	15 feet (1 story); 20 feet (2 stories)	More than 20 feet (Met)
Interior Property Lines	Combined front and rear: 35 feet Sides: 13 feet total (3 feet minimum, unless 0 feet)	Combined front and rear: More than 35 feet (Met) Interior Sides: 10 feet
<i>MINIMUM LANDSCAPE SETBACKS AND COMMON AREA STANDARDS</i>		
Adjacent to Street	None	None (Met)
Common Area	None	None (Met)

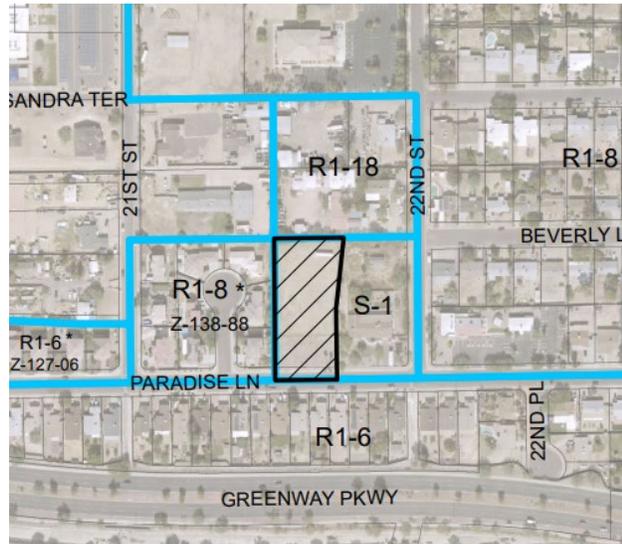
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 1.10 acres located approximately 190 feet west of the northwest corner of 22nd Street and Paradise Lane from S-1 (Ranch or Farm Residence) to R1-8 (Single-Family Residence District) for a single-family residential subdivision. The site is presently undeveloped and is adjacent to existing residential subdivisions immediately to the west and south.

SURROUNDING LAND USES AND ZONING

2. The request for R1-8 (Single-Family Residence District) is consistent and compatible with the surrounding zoning and land uses which are primarily residential. The surrounding area contains a variety of zoning districts including R1-18 (Single-Family Residence District), R1-8 (Single-Family Residence District), R1-6 (Single-Family Residence District) and S-1 (Ranch or Farm Residence). Most of the properties in the area have been developed with single-family homes. There is also an elementary school near-by (to the northwest), as well as a small church (to the north), and a plant nursery (to the west).



Existing Zoning Aerial Map

Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATION

3. The General Plan Land Use Map designation for the subject site is Residential 5 to 15 dwelling units per acre. The General Plan Land Use Map designation surrounding the site is also Residential 5 to 15 dwelling units per acre. The proposal is consistent with the existing General Plan Land Use map designation, since designation includes densities intended for traditional single-family lots.



General Plan Land Use Map

Source: Planning and Development Department

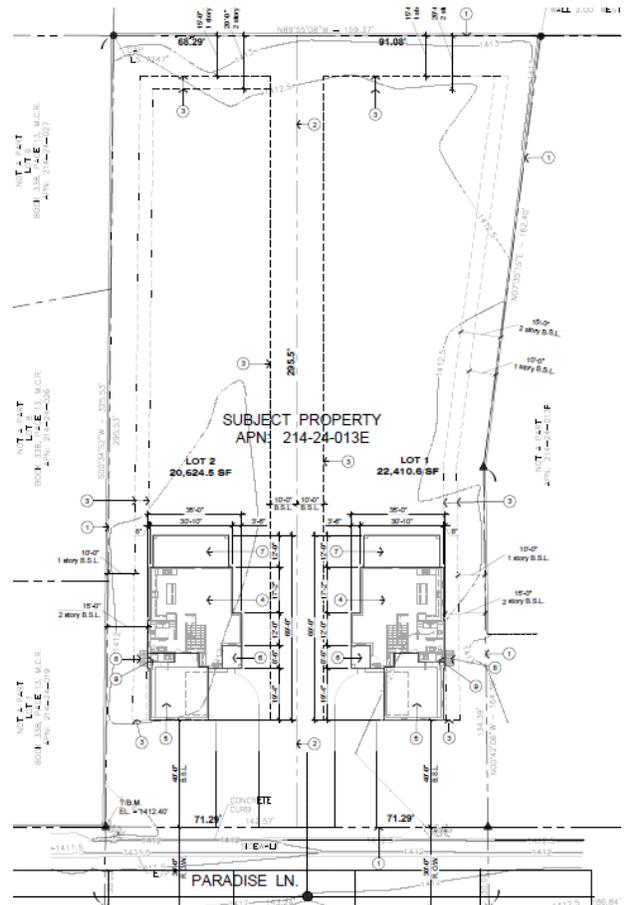
PROPOSAL

4. **Site Plan**

The site plan, attached as an exhibit, proposes a two-lot single-family residential subdivision, with lots fronting on Paradise Lane.

No open space areas are proposed with the current site plan, as the selected Conventional Development option does not require open space to be provided for subdivisions developed under those standards.

Direct access to the proposed subdivision will be from Paradise Lane, which connects to 22nd Street to the east and 21st Street to the west. Paradise Lane connects to Cave Creek Road further to the east and Greenway Parkway to the west of 20th Street.



Conceptual Site Plan

Source: e project

To avoid potential conflicts with the surrounding character and to ensure the site develops as proposed, staff recommends a stipulation to require a minimum 40-foot front yard setback (Stipulation No. 2). The proposed development includes a setback of 40 feet which would mitigate the concern of loss of open space and be more compatible with the larger lots in the area.

Elevations

The proposal includes conceptual elevations, attached as an exhibit, that illustrate variations in roofline, window shapes and sizes, architectural embellishments and textural changes. To ensure the elevations include architectural details and the proposed building height, staff is recommending Stipulation No. 1.

STUDIES AND POLICIES

5. **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. 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 housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

6. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Stipulations No. 3 requires enhanced planting standards to contribute to the urban forest and increase thermal comfort for pedestrians and residents on site.

7. **Complete Streets Guidelines**

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. This development will be required to improve the adjacent street, Paradise Lane, thus improving local conditions for pedestrians and vehicles. This is addressed in Stipulation No. 4.

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. This development will have available recycling services offered by the City of Phoenix, as it is a proposed single-family residential subdivision.

COMMUNITY INPUT SUMMARY

9. As of the writing of this report, staff has received one letter in opposition to this rezoning application. Concerns included a preference for the "Ranch or Farm Residence" district and change to the neighborhood character.

INTERDEPARTMENTAL COMMENTS

10. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the International Fire Code with Phoenix Amendments. Further, the Department commented that they do not know the water supply at this site and noted that fire flow requirements may present a challenge for this site.
11. The Floodplain Management division of the Public Works Department has

indicated that the parcel is not located in a Special Flood Hazard Area (SFHA), but located in a Shaded Zone X, on panel 1280 L of the Flood Insurance Rate Maps (FIRM) dated January 29, 2018.

12. The Water Services Department indicated that the site is surrounded with existing water and sewer mains that can potentially serve the development.
13. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport to disclose the existence, and operational characteristics of the Deer Valley Airport to future owners or tenants of the property. The Aviation Department also requires that the project receive a No Hazard Determination from the FAA and that the owner dedicate an aviation easement. These are addressed in Stipulation Nos. 5 through 7.
14. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet 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. 8.

OTHER

15. 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 preliminary site plan approval. This is addressed in Stipulation No. 9.
16. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal will develop a vacant property, and as stipulated, will be compatible with surrounding land uses.
2. As stipulated, the requested R1-8 zoning is consistent with surrounding land uses and will allow for an appropriate transition between ranch residential uses to the east and the single-family residential subdivisions to the west and south.
3. The proposal will allow for additional housing opportunities in the Village.

Stipulations

1. The development shall be in general conformance with the elevations date stamped March 1, 2022, as approved by the Planning and Development Department.
2. A minimum building setback of 40 feet shall be required adjacent to Paradise Lane, as approved by the Planning and Development Department.
3. A minimum of two, 2-inch caliper shade trees shall be planted on each lot in close proximity to the sidewalk to provide shade on the sidewalk, 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 grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
6. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
7. 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.
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.
9. 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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Writer

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April 28, 2022

Team Leader

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Exhibits

Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped April 13, 2022 (1 page)

Conceptual Elevations date stamped March 1, 2022 (2 pages)

Community Correspondence (1 page)