



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Mario Paniagua  
Deputy City Manager

**Date:** June 3, 2019

**From:** Alan Stephenson *AS*  
Planning and Development Director

**Subject:** ITEM 178 ON THE JUNE 5 FORMAL AGENDA – REQUEST TO MODIFY STIPULATIONS FOR Z-79-18-7 (G-6583)

Item 178, Rezoning Application Z-79-18-7, is a request to rezone 11.20 acres located at the northeast corner of 39th Avenue and Vineyard Road from S-1 (Ranch or Farm Residence District) to R1-6 (Single-Family Residence District) to allow a single-family residential subdivision.

On March 18, 2019, the Laveen Village Planning Committee (LVPC) recommended approval per staff recommendation with modified and additional stipulations by a vote of 10-1.

On April 4, the Planning Commission (PC) recommended denial as filed and approval of R1-8 zoning with the Laveen Village Planning Committee recommended stipulations; a modified and deleted stipulation; and additional stipulations by a vote of 8-1.

The Planning Commission recommendation was appealed on April 8, 2019. The applicant has been working with residents in the Laveen Village to potentially modify some of the recommended stipulations.

On May 23, 2019, staff, along with the applicant, and representatives of the Laveen Village Planning Committee and Laveen Village met to discuss concerns and potential solutions.

The following modifications were made to the stipulations to address agreements that were made between staff, the applicant, and the representatives of the Laveen Village Planning Committee and Laveen Village:

- Requiring general conformance to revised building elevations;
- Modifying the required roof overhang from 18 inches to 12 inches;
- Requiring that the one story homes on the perimeter of the subdivision also be limited to 20 feet in height; and
- The Planning Hearing Officer process review shall be required to review an open space exhibit, ensure that the elevations submitted show all four sides of the homes, require that the plans show a centralized entrance off Vineyard Road, and ensure that two-story homes are not adjacent to each other or on the perimeter of the subdivision.

These modifications are reflected in Stipulation Nos. 1, 1.b, 1.c, 3, 4, 13, 14, and 15, in bold font below. Staff recommends approval of Z-79-18-7 per the revised stipulations below and adoption of the related Ordinance G-6583.

**Recommended Stipulations:**

1. Building elevations shall **BE IN GENERAL CONFORMANCE TO THE ELEVATIONS DATE STAMPED MAY 23, 2019** ~~meet the following design criteria~~, as approved by the Planning and Development Department **AND AS MODIFIED BELOW:**
  - a. All roof materials shall be flat clay or concrete tile or other similar materials. No asphalt shingles, shakes or metal shingles are allowed.
  - b. All exterior walls of the dwelling units shall utilize stucco, stone and/or masonry. No wood or aluminum sidings are allowed. At least ~~40%~~ **20%** ~~10%~~ of the total surface area of the street elevation shall consist of stone veneer. Stone shall be natural and the color must mimic a natural desert motif. Synthetic stone can be used as long as the color and textures reflect organic material.
  - C. THE DEVELOPER SHALL PROVIDE ~~48~~ **12**-INCH ROOF OVERHANGS FOR EACH HOME WITHIN THE DEVELOPMENT.
  - D. THE STREET FACING SIDES OF THE TWO-STORY HOMES SHALL HAVE ENHANCED ARCHITECTURE
2. Trees along the perimeter of the subdivision shall be consistent with existing trees adjacent to subdivisions at the southeast and southwest corners of 39th Avenue and Vineyard Road.
3. All sidewalks shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper 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.
4. The developer shall provide a minimum of ~~40%~~ ~~45%~~ **10%** open space, as approved by the Planning and Development Department.
5. Right-of-way totaling 30-feet shall be dedicated for the north half of Vineyard Road for the entire length of the property, as approved by the Planning and Development Department.

6. Right-of-way totaling 40-feet shall be dedicated for the east half of 39th Avenue for the entire length of the property, as approved by the Planning and Development Department.
7. A 15-foot by 15-foot right-of-way triangle shall be dedicated at the northeast corner of 39th Avenue and Vineyard Road, as approved by the Planning and Development Department.
8. 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.
9. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) 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.
10. 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.
11. 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.
12. 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.
13. ~~THE DEVELOPMENT SHALL BE LIMITED TO 4.5 DWELLING UNITS PER ACRE.~~
14. THE DEVELOPER SHALL PROVIDE A MINIMUM 22-FOOT DRIVEWAY FOR EACH HOME WITHIN THE DEVELOPMENT.
15. LOTS ON THE PERIMETER OF THE SUBDIVISION SHALL BE LIMITED TO ONE STORY **AND 20 FEET** IN HEIGHT.
14. ONE STORY **AND 20 FEET** IN HEIGHT.
16. THE CONCEPTUAL SITE PLAN, LANDSCAPE PLAN, **OPEN SPACE**

15. **EXHIBIT, LIGHTING PLAN, AND BUILDING ELEVATIONS SHOWING ALL FOUR SIDES SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THE SITE PLAN SHALL SHOW THE FOLLOWING DETAILS:**
  - A. **THERE SHALL BE A CENTRALIZED ENTRANCE OFF VINEYARD ROAD.**
  - B. **NO TWO-STORY HOMES SHALL BE ADJACENT TO EACH OTHER OR ON THE PERIMETER OF THE SUBDIVISION. ONE STORY HOMES SHALL BE LIMITED TO 20 FEET IN HEIGHT.**
16. **MINIMUM LOT WIDTHS SHALL BE 45 FEET.**
17. **THE TREES ALONG 39TH AVENUE SHALL BE A MIX OF A 50% MINIMUM 2-INCH CALIPER AND 50% MINIMUM 3-INCH CALIPER SHADE TREES, PLANTED A MINIMUM OF 20 FEET ON CENTER OR EQUIVALENT GROUPINGS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
18. **PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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.**

Attachment: Elevations date stamped May 23, 2019

Approved: Mario Paniagua 6/3/19  
Mario Paniagua, Deputy City Manager Date





## ASPEN | PLAN 1053

Stories: 1 • Square Footage: 1053 sq ft  
Bedrooms: 3 • Baths: 2 • Garage: 2 car



## COLORADO | PLAN 1100

Stories: 1 • Square Footage: 1100 sq ft  
Bedrooms: 3 • Baths: 2 • Garage: 2 car



## LIBERTY | PLAN 1125

Stories: 1 • Square Footage: 1125 sq ft  
Bedrooms: 3 • Baths: 2 • Garage: 2 car



## SIERRA | PLAN 1390

Stories: 1 • Square Footage: 1390 sq ft  
Bedrooms: 4 • Baths: 2 • Garage: 2 car



## WOODLAND | PLAN 1470

Stories: 1 • Square Footage: 1470 sq ft  
Bedrooms: 4 • Baths: 2 • Garage: 2 car



## SUMMIT | PLAN 2075

Stories: 2 • Square Footage: 2075 sq ft  
Bedrooms: 4 to 5 • Baths: 3 • Garage: 2 car

**CITY OF PHOENIX**

MAY 23 2019

Planning & Development  
Department

**W RANCH**

**39<sup>TH</sup> AVE AND VINEYARD**