

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION June 4, 2026

ITEM NO: 4	
	DISTRICT NO.: 1 and 2
SUBJECT:	
Application #:	Z-25-26-1-2
Location:	Approximately 430 feet south of the southeast corner of 19th Avenue and Jomax Road
From:	S-1, Approved S-1, RE-43, and County RU-43 (Pending S-1)
To:	R1-6
Acreage:	15.98
Proposal:	Single-family residential
Applicant:	Ric Toris, Earl & Curley, P.C.
Owner:	Clay Edwin Fong Family Trust; Kwong Wing Pong/Judy Trust; Logan Elizabeth Valenzuela; North Phoenix Growers, LLC; and Ramirez Hector/Sarah V.
Representative:	Taylor Earl, Earl & Curley, P.C.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Deer Valley 5/4/2026 Approval, per the staff recommendation, with modifications and additional stipulations. Vote: 9-4.

Planning Commission Recommendation: Approval, per the Staff Memo dated June 2, 2026, with a deleted stipulation.

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to approve Z-25-26-1-2, per the Staff Memo dated June 2, 2026, with the deletion of Stipulation No. 31.

Maker: Gorraiz
Second: Jaramillo
Vote: 7-0
Absent: Matthews, Soronson
Opposition Present: No

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation and with 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 consistent with the Housing Phoenix Plan and the Phoenix General Plan.

Stipulations:

1. The development shall be limited to 80 lots.
2. Buildings within the development shall not exceed two-stories in height.
3. A minimum 40-foot perimeter building setback (~~required rear yards~~) shall be provided along the eastern perimeter of the site, north of Briles Road, AND THE SOUTHERN PERIMETER, as approved by the Planning and Development Department.
4. A MINIMUM 30-FOOT-WIDE TRACT SHALL BE PROVIDED ALONG THE EASTERN PERIMETER OF THE SITE, NORTH OF BRILES ROAD, AND ALONG THE NORTH PERIMETER ADJACENT TO LOT NO. 27, AS DEPICTED ON THE CONCEPTUAL LOTTING DESIGN DATE STAMPED MAY 4, 2026, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
5. A MINIMUM 30-FOOT-WIDE TRACT SHALL BE PROVIDED ALONG THE SOUTHERN PERIMETER OF THE SITE, AND ALONG THE EAST PERIMETER ADJACENT TO LOT NO. 62, AS DEPICTED ON THE CONCEPTUAL LOTTING DESIGN DATE STAMPED MAY 4, 2026, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
6. PARTIAL VIEW FENCING SHALL BE PROVIDED ADJACENT TO TRACTS ALONG LOT NOS. 27 THROUGH 39 AND LOT NOS. 62 THROUGH 76, AS DEPICTED ON THE CONCEPTUAL LOTTING DESIGN DATE STAMPED MAY 4, 2026, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- 4
7. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape area located between the back of curb and sidewalk shall be constructed on both sides of Briles Road, 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, maintained to a maximum height of 3 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.

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8. All landscape setbacks adjacent to public streets, open space areas, and retention areas shall be planted to the following standards, as approved by the Planning and Development Department.
 - a. Landscape Setbacks: Minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings.

- b. Open Space/Retention Areas: Minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, around the perimeter of the open space/retention area.

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

- 6
9. A minimum 6-foot-wide detached sidewalk, separated by a minimum 10-foot-wide landscape area located between the back of curb and sidewalk, shall be constructed on the east side of 19th Avenue, adjacent to the development, and shall comply with the following standards, as approved by the Planning and Development Department.

- a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, planted on both sides of the sidewalk to achieve a minimum of 75% shade.
- b. A mixture of shrubs, accents, and vegetative groundcovers, maintained to a maximum height of 3 feet (excluding accents), evenly distributed throughout the landscape areas to achieve a minimum of 75% live coverage.

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

- 7
10. A total of 70 feet of right-of-way shall be dedicated for the east half of 19th Avenue. Roadway construction improvements shall be adjacent to the subject site and extend north of the subject site adjacent to APN Nos. 210-11-025W and 210-11-025X modifying the existing curb line and include detached sidewalks at the ultimate location and tapering to the existing intersection of 19th Avenue and Jomax Road, per design plans reviewed and approved by the Street Transportation Department.

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11. Construction of 19th Avenue shall include a 24-foot-wide median island.

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12. A minimum ~~50-25~~ feet of right-of-way shall be dedicated for the full length NORTH HALF of Briles Road adjacent to the site- AND A MINIMUM 25 FEET OF RIGHT-OF-WAY SHALL BE DEDICATED FOR THE SOUTH HALF OF BRILES ROAD ADJACENT TO THE SITE.

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13. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated December 19, 2025.

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14. 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.

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15. 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.

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16. The developer shall construct a bus stop pad on 19th Avenue, north of Briles Road according to City of Phoenix Standard Detail P1258. The bus stop pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet and shall be located within the public right-of-way or within a transit easement that the developer dedicates.
- ~~14~~
17. 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.
- ~~15~~
18. 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.
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19. 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.
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20. Natural turf shall be prohibited within the front yards of individual single-family lots. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
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21. Natural turf in common areas shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas, as approved by the Planning and Development Department.
- ~~19~~
22. 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.
- ~~20~~
23. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
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24. A leak detection device shall be installed for the irrigation system of landscape areas larger than 10,000 square feet.
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25. Prior to final site plan approval, the developer shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of nearby existing rural/horse properties in the area that may cause adverse noise, odors, dust, and other externalities. 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. The disclosures shall be noted in the CC&Rs in a section titled "nuisances".
- ~~23~~
26. 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.

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27. 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.
- ~~25~~
28. 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.
29. POISONOUS PLANT SPECIES SHALL BE PROHIBITED WITHIN THE COMMON OPEN SPACE THROUGHOUT THE DEVELOPMENT.
30. PRIOR TO FINAL SITE PLAN APPROVAL, THE DEVELOPER SHALL RECORD DOCUMENTS THAT DISCLOSE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF THE ADJACENT CHURCH AND RELATED EVENTS THAT MAY CAUSE ADVERSE NOISE, ODORS, DUST, AND OTHER EXTERNALITIES. 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. THE DISCLOSURES SHALL BE NOTED IN THE CC&RS IN A SECTION TITLED "NUISANCES".
31. ~~THE DEVELOPER SHALL PURSUE A VARIANCE TO ALLOW AN 8-FOOT-HIGH SOLID MASONRY WALL SHALL TO BE CONSTRUCTED ALONG THE SOUTH PERIMETER OF THE SITE, OPPOSITE LOTS NO. 62 THROUGH 76, AS DEPICTED IN THE CONCEPTUAL SITE PLAN DATED STAMPED MAY 4, 2026, AS ALLOWED BY THE PHOENIX ZONING ORDINANCE AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, saneeya.mir@phoenix.gov, TTY: Use 7-1-1.