

ATTACHMENT B



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-4-25-1 May 12, 2025

Deer Valley Village Planning Committee May 20, 2025
Meeting Date:

Planning Commission Hearing Date: June 5, 2025
Request From: S-1 (Ranch or Farm Residence)
(10.07 acres)
Request To: R1-10 (Single-Family Residence District)
(10.07 acres)
Proposed Use: Single-family residential
Location: Approximately 330 feet south of the
southeast corner of 33rd Avenue and
Dynamite Boulevard
Owner: 2PHDS, LLC, c/o Andrei Polukhtin
Applicant/Representative: Brian Greathouse, Burch & Cracchiolo P.A.
Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>			Residential 2 to 5 dwelling units per acre
<u>Street Map Classification</u>	33rd Avenue	Local	30-foot east 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 General Plan Land Use Map designation of Residential 2 to 5 dwelling units per acre.			
<i>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</i>			

General Plan Conformity

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 area by providing density and height 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 be required to provide shade along the sidewalks within the community and along the adjacent public street. This will help to provide shade for pedestrians in and around the community and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the vicinity.

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	S-1
North	Single-family residential	S-1

South	Single-family residential	S-1
East	Single-family residential and vacant (proposed single-family residential)	S-1, R1-10
West	Single-family residential	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	-	10.07 acres
Maximum Number of Units	35; 45 with bonus	30 units (Met)
Maximum Density	3.5; 4.5 with bonus	2.98 dwelling units per acre (Met)
Minimum Lot Width	45 feet	66 to 80 feet (Met)
Minimum Lot Depth	None, except 110 feet adjacent to freeway or arterial	140 feet (Met)
Maximum Building Height	2 stories and 30 feet	1 story and 20 feet (Met)
Maximum Lot Coverage	50 percent, plus an additional 10 percent for ADU and/or attached shade structures	Not specified
Minimum Parking	2 spaces per dwelling unit 60 spaces required	Not specified
<u>MINIMUM BUILDING SETBACKS</u>		
Perimeter Streets (33rd Avenue)	15 feet (in addition to landscape setback)	15 feet (Met)
Perimeter Property Lines (Side and Rear)	<u>Rear</u> 1-story building: 15 feet 2-story building: 20 feet <u>Side</u> 1-story building: 10 feet 2-story building: 15 feet	<u>Rear</u> 1-story building: 15 feet (Met) <u>Side</u> 1-story building: 10 feet (Met)
<u>MINIMUM LANDSCAPE SETBACKS AND STANDARDS</u>		
Common landscaped setback adjacent to perimeter streets	15 feet average, 10 feet minimum	15 feet (Met)

R1-10 – Single-Family Residence District (Planned Residential Development Option)		
Standards	R1-10 Requirements	Provisions on the proposed site plan
Minimum Common Area	5 percent of gross site area	7.1 percent (Met)

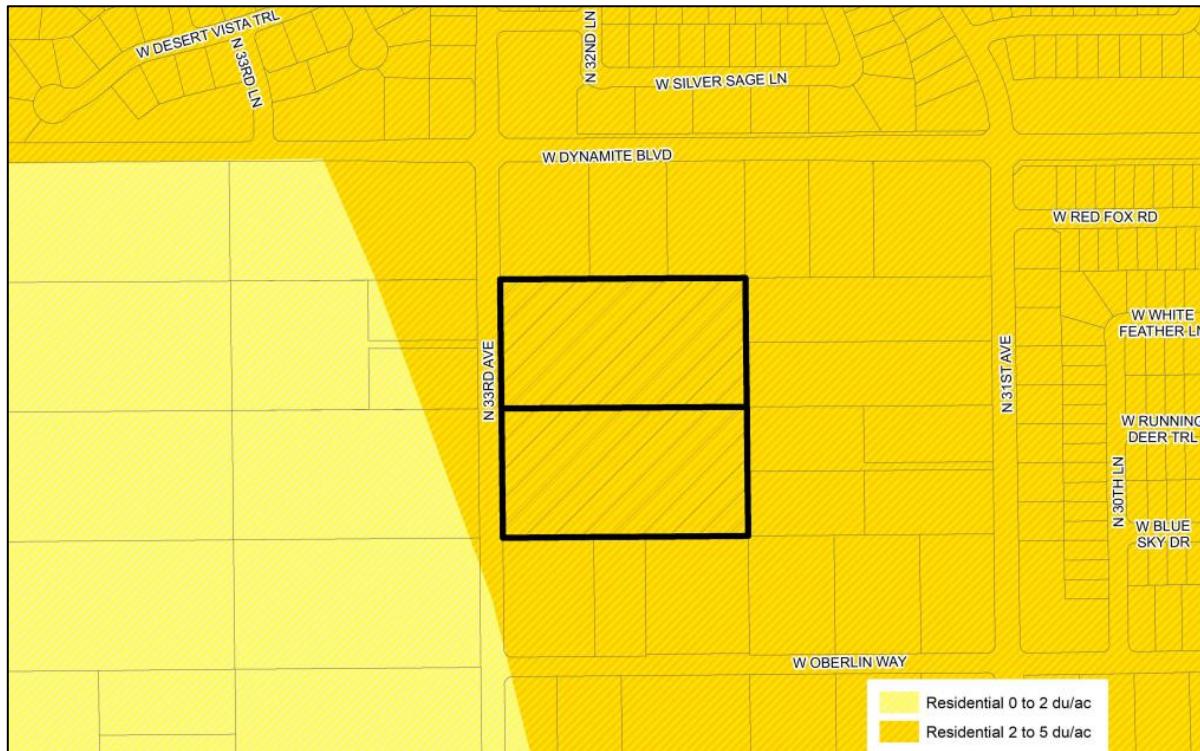
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 10.07 acres located approximately 330 feet south of the southwest corner of 33rd Avenue and Dynamite Boulevard from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) for single-family residential.

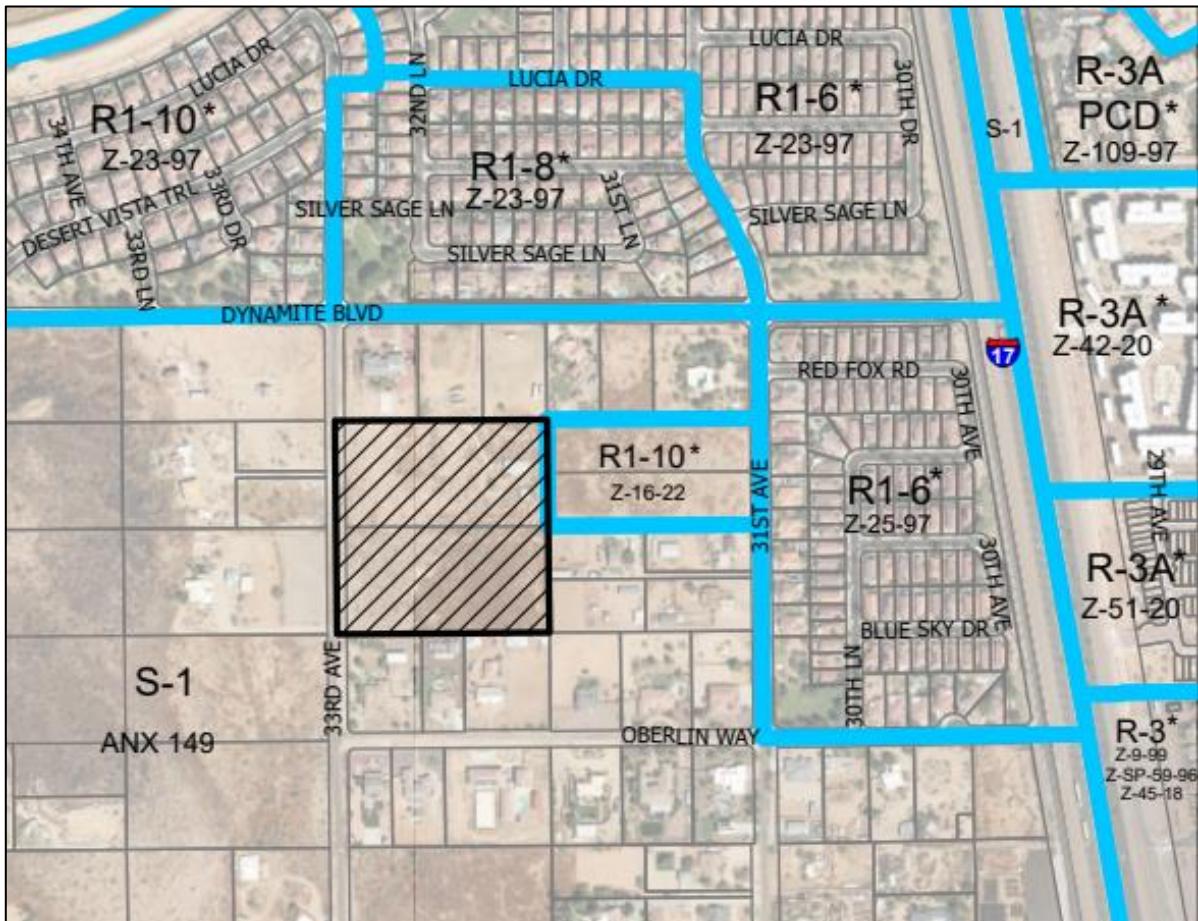
GENERAL PLAN LAND USE MAP DESIGNATIONS

2. The subject site and the surrounding properties to the north, south, east and west are designated as Residential 2 to 5 dwelling units per acre on the General Plan Land Use Map. The proposed R1-10 zoning district is consistent with the General Plan Land Use Map designation of Residential 2 to 5 dwelling units per acre.



SURROUNDING LAND USES AND ZONING

3. To the north, south, west and east are single-family residences zoned S-1. To the east is a vacant lot proposed for single-family residential zoned R1-10.



Zoning Aerial Map, Source: Planning and Development Department

PROPOSAL

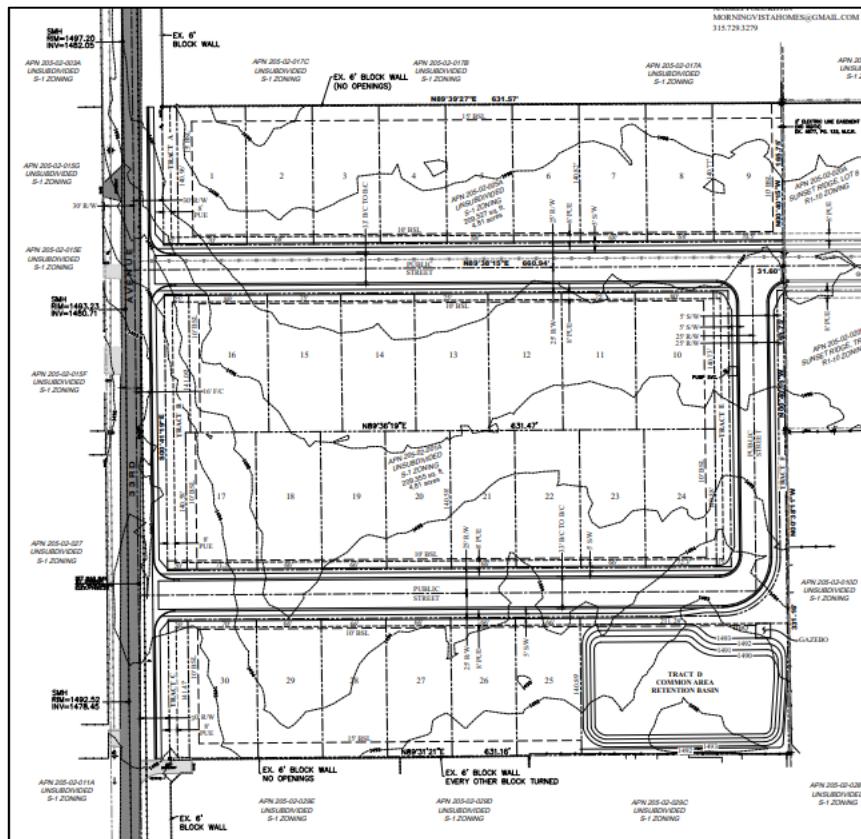
4. Site Plan

The proposal is for a 30-lot single-family residential community. The conceptual site plan, attached as an exhibit, depicts two east/west streets and one north/south street. The northernmost east/west street will extend through the adjacent property to the east, which will be developed at the same time as the subject site. Lots within the subject site will range from 66 to 88 feet in width. The site will also be buffered along the 33rd Avenue frontage and the eastern edge of the site by landscaping of not less than 15 feet in width. An open space area will be located in the southeast corner of the property, also serving as a drainage basin. Staff recommends

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Stipulation No. 1, to limit the site to a maximum of 30 lots, to ensure the site develops as proposed and to remain compatible with the surrounding area.



Conceptual Site Plan, Source: Grading & Drainage Engineers, Inc.

5. Elevations

The applicant initially provided a set of elevation drawings that were generally typical of single-family detached development in the area. The applicant has since chosen to work within a more contemporary elevation palette and has not developed a set of elevations for inclusion with this report. Staff recommends Stipulation Nos. 2 and 3 to ensure that the elevations contain enhanced design features, and that the maximum height of the buildings be no more than one story, 20 feet, to be compatible with the surrounding area.

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. 4, which requires 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 would enhance the streetscape for pedestrians by providing detached sidewalks along 33rd Avenue and within the development. 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. 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. 7 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. 8 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. 12 require at least two green stormwater infrastructure elements.

COMMUNITY INPUT SUMMARY

13. As of the writing of this report, staff received four letters in opposition to this request. The letters cited issues with the proposed density, traffic, and impacts to property values in the area.

INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department requires the developer to provide detached sidewalks along 33rd Avenue and construct streets within and adjacent to the development, including compliance with ADA accessibility standards. These comments are addressed in Stipulation Nos. 4 through 6.

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 preliminary 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 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 30 lots.
2. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
3. All buildings within the development shall be limited to 1-story not to exceed 20 feet in height.
4. Minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips located between the back of curb and sidewalk shall be constructed on both sides of all streets within the subdivision, including the east 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.

5. Dedicate and construct a minimum 30 feet of right-of-way for the east side of 33rd Avenue.
6. 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.

7. 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.
8. 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.
9. 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.
10. 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, side, and rear yards of individual residential lots. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
11. Natural turf shall not be utilized on individual single-family lots (including the side and rear yards). This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
12. 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.
13. 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.
14. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
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 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.

Writer

Robert Kuhfuss

May 12, 2025

Team Leader

Racelle Escolar

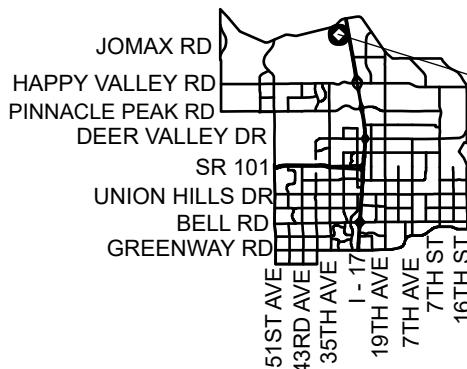
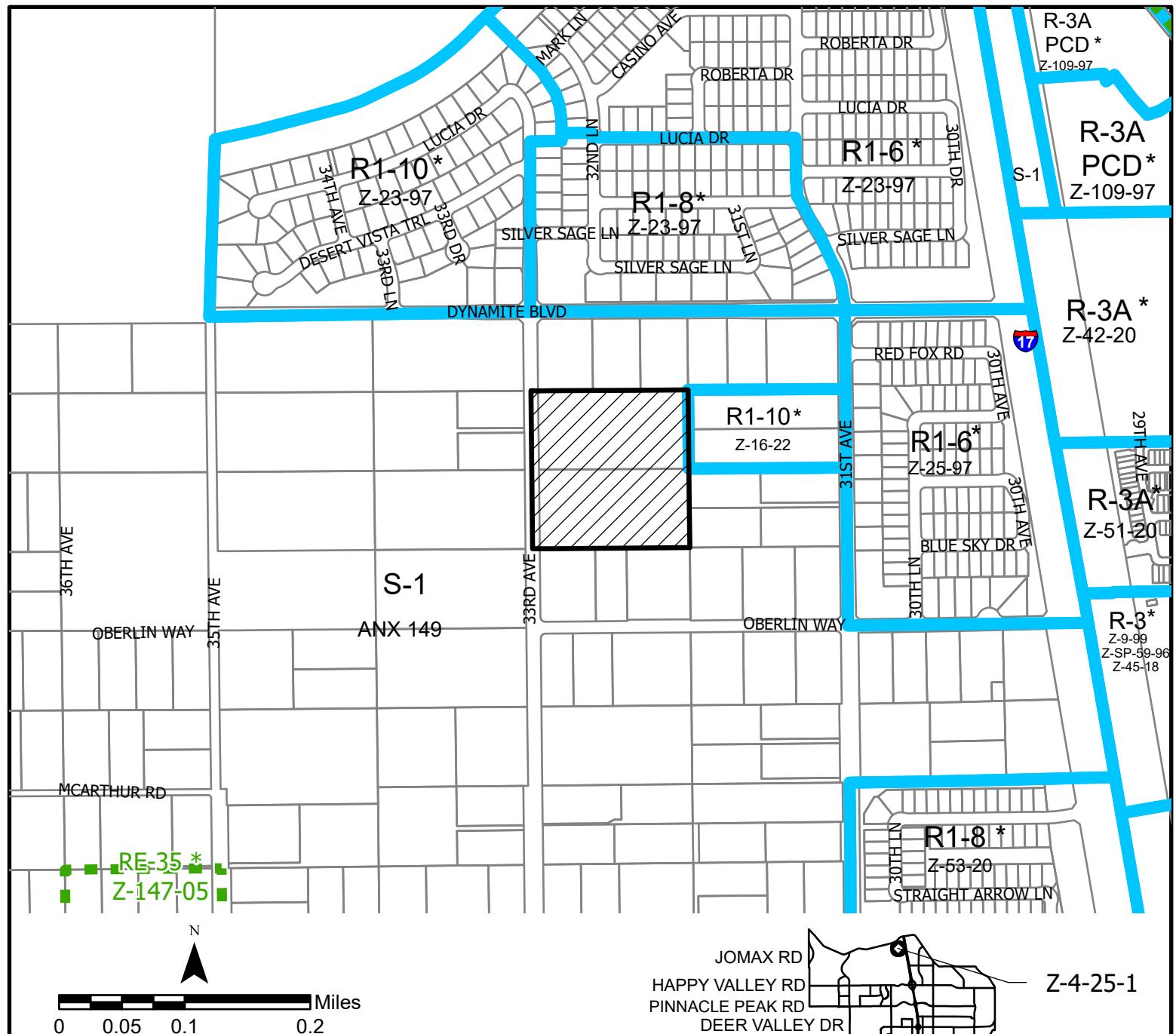
Exhibits

Zoning sketch map

Aerial sketch map

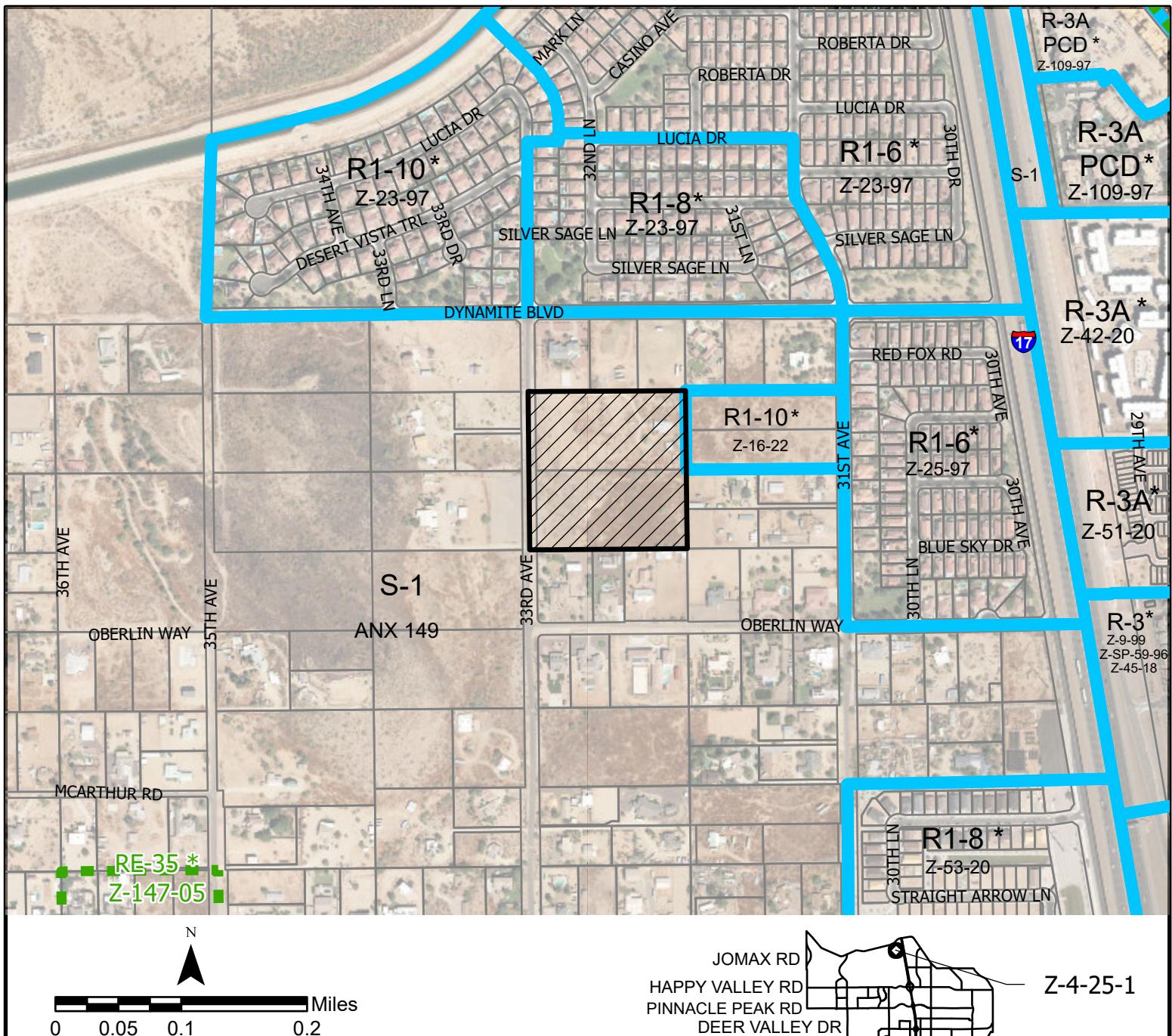
Conceptual Site Plan date stamped January 9, 2025

Community Correspondence (5 pages)



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

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

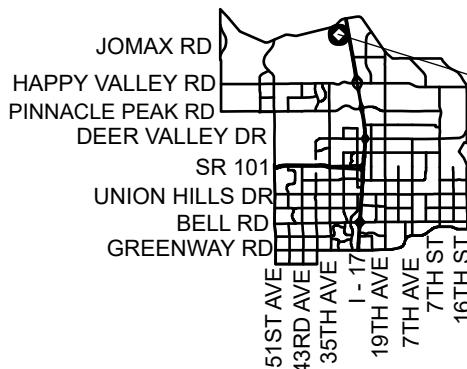


DEER VALLEY VILLAGE

COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



Z-4-25-1

APPLICANT'S NAME:	Burch & Cracchiolo, P.A.		REQUESTED CHANGE:
APPLICATION NO:	Z-4-25-1	DATE: 3/26/2025	FROM: S-1 (10.07 ac.)
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.		REVISION DATES:	TO: R1-10 (10.07 ac.)
10.07 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 50-21	ZONING MAP P-6
MULTIPLES PERMITTED	CONVENTIONAL OPTION		* UNITS P.R.D OPTION
S-1	10		N/A
R1-10	35		45

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

From: [Sean Ceschia](#)
To: [Robert H Kuhfuss](#)
Subject: Case # Z-4-25 - Rezoning on 33rd Ave to R1-10
Date: Monday, April 7, 2025 11:55:15 AM

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We Strongly oppose to rezoning these lots, it will increase traffic in our area which streets are barley allow to one car through. It will create more noise, pollution and more important it will lower our property values dramatically. We like to keep the are S1\R43.

Other general issue, we are experiencing water shortage and droughts and building more homes does not help us! Are we all soon going to drink our piss!

Sean Ceschia

From: [Curt Arthur](#)
To: [Robert H Kuhfuss](#)
Subject: Rezoning case # Z-4-25
Date: Friday, April 11, 2025 7:57:52 AM

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I believe that this property is a five acre parcel. Current zoning allows only four single family homes to be built on such property. We are not opposed to progress if in accordance with in place zoning, but to allow multiple smaller lots is totally unacceptable. Our area was rather unique when most of us built here and we expect it to remain as such, not a mixture of acre + and tight residential properties. Please come out and see for yourself what we have, and don't allow a hungry developer to ruin our final dreams. Thank you for your consideration. Curtis Arthur. 27526 n. 33rd. Ave. 623-703-9742.

From: [dustin h](#)
To: [Robert H Kuhfuss](#)
Subject: Case number Z-4_25
Date: Sunday, April 13, 2025 5:54:25 PM

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Hello Robert

My name is Dustin Hamilton, my address is 3115 W Oberlin Way. I live pretty close to the area that is in question for rezoning.

I am opposed to rezoning this area.

We have recently lost a rezoning to a developer in the area of 31st Avenue and Pinnacle Vista. The city granted rezoning to 53 small homes in that corner lot. Now we have another developer trying to cram more houses into our area. This has caused a significant increase to the amount of traffic in our general area and another 30 homes will just add to what was once a quiet area.

Oberlin Way between 31st Ave and 33rd Ave is pretty much a one lane road. the high school students and drop off parents have found a way to circumvent the traffic jam at the Sandra Day Oconner by coming down the frontage road, and going through our neighborhood to get to 33rd Ave. This then takes them the back way to the high school, and they don't have to wait in the long morning lines. I can tell you that many people do not stop at the stop sign on Oberlin Way and 31st Ave and will travel 50 - 60 miles an hour down Oberlin to 33rd, turn right and head to high school. It can be dangerous on Oberlin in the morning.

Mixed in with speeding and reckless driving is pedestrian traffic and sometimes equestrian riders. All of this happens every morning because of the school traffic. Now, this builder is proposing to build 30 more homes. This will result in about 60-75 more vehicles driving in this area. This will further increase the hazardous conditions that take place on Oberlin Way. People trying to haul ass to school, people walking their dogs on the street, horseback riders, and now a bunch more people trying to get out to the frontage road and get to work. All taking place on a one lane street.

If the city insists allowing this builder to flood our area with this much more traffic, Oberlin Way will have to be addressed. Not only Oberlin Way, but 33rd Ave also. It is the same conditions on 33rd Ave between Dynamite Rd and Pinnacle Vista. Small tight road with high-speed traffic, 33rd Ave gets speeding traffic all day long from the resident who live North of Dynamite.

In my opinion, the only way to add this many more cars and congestion is to widen Oberlin Way between 31st and 33rd Ave, also widen 33rd Ave between Dynamite and Pinnacle Vista. The builder at the corner of Pinnacle Vista and 31st Ave widened the road, installed sidewalks and upgraded the infrastructure under the street. This did help with the congestion and made it safer.

The infrastructure under these roads has got to be 50-60 years old and in need of upgrading. It doesn't make sense to pave over all the old infrastructure. I know for sure the sewer is out of date, and I would have questions about it handling that much more waste from 30 more homes. The builder would have to bring these 2 streets and all the infrastructure under the streets up to usable conditions.

Also, I would question the water volume capacity to provide acceptable water usage to 30 more homes.

These are real issues that affect all of us that have been living in this area for a long time. Larger homes are usually built on these S1 zoning sites, and we pay a premium in property taxes for the luxury of a large lot. These builders always want to build a bunch of smaller homes in an area that is clearly defined by larger lots. As a resident, who has fought many of these, I believe that the existing residents are left to just deal with effects of something like taking over our area. The builder suffers no consequences and walks away with a bag full of money. I also feel like the cities position is like, great more tax revenue. When in reality almost the same revenues can be achieved by building larger homes on larger lots. I would be more agreeable if the builder were to reduce the amount of house they are proposing to build

The builder also starts out by introducing themselves through their attorney. I feel like this is an intimidation tactic done by the builder to persuade us existing residents not to stand up to them. I have shared my views in this matter with my attorney, and we are prepared to file suit against this builder for creating hazardous conditions, if this is approved, without addressing the road issues.

I will be attending the meeting and look forward to hearing what other residents have to say

Thanks

Dustin Hamilton 602 973 0999 phxd31@yahoo.com

From: [Diane Rohrer](#)
To: [Robert H Kuhfuss](#)
Subject: Rezoning case: Z-4-25
Date: Thursday, April 17, 2025 9:58:38 AM

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Good morning Mr. Kuhfuss.

I would like to provide my thoughts and input on the rezoning case listed above.

I am writing to express my opposition to the proposed subdivision of land in our community, which would allow for the development of smaller lots and an increase in housing density.

While I understand the need for thoughtful growth and housing availability, I have serious concerns about the potential impacts of this particular development. Subdividing lots to allow for more housing may strain existing infrastructure, increase traffic congestion, and change the character of our neighborhood, which many of us value for its open space, quiet, and natural environment. This neighborhood has already had a huge influx of new homes added and it has not fared well. The traffic has increased exponentially already; people speed through the streets with little thought to the children that live around here and ride their bikes through the neighborhoods. The additional traffic trying to get kids to school (both the K-8 and the high school) has been terrible and oftentimes results in accidents. (You can probably even check that statement. There are accidents down by the high school or by 35th Ave and Happy Valley all the time. There was an accident just today on Pocono Way on the way to the high school.

Additionally, increasing housing density without comprehensive planning can place added pressure on public services like schools, emergency services, and utilities. I believe growth should be managed in a way that *preserves the quality of life for current residents* while still accommodating future needs.

I urge you to consider the long-term consequences of this subdivision and to support a more balanced approach that respects the integrity of our existing community.

Thank you for your time and consideration.

Diane Rohrer