



Village Planning Committee Meeting Summary Z-25-26-2

Date of VPC Meeting	May 4, 2026 S-1
Request From	RE-43 County RU-43 (Pending S-1) Approved S-1
Request To	R1-6
Proposal	Single-family residential
Location	Approximately 430 feet south of the southeast corner of 19th Avenue and Jomax Road
VPC Recommendation	Approval, per the staff recommendation with modifications and additional stipulations
VPC Vote	9-4

VPC DISCUSSION:

*1 member of the public registered to speak in support of this item.
3 members of the public registered to speak in opposition to this item.*

STAFF PRESENTATION

Robert Kuhfuss, staff, stated that the property was the subject of a pending annexation request, reminding the committee that their evaluation would only involve the requested zone change. Mr. Kuhfuss presented an image depicting the various existing zoning districts and the proposed zoning district. Mr. Kuhfuss described the land use, zoning, and General Plan information on the site and surrounding area. Mr. Kuhfuss presented an image of the proposed site layout as depicted in the packet, noting there would be 80 lots and access from 19th Avenue on Briles Road. Mr. Kuhfuss highlighted the east and south perimeters of the site and stated that he would defer to the applicant regarding conversations that had occurred regarding the edge treatment along those common boundaries. Mr. Kuhfuss presented a revised site plan depicting a 30-foot landscape buffer along the eastern and southern edges of the site, noting that both buffers would wrap around the row of lots to avoid a dead-end condition. Mr. Kuhfuss further stated that the buffers would allow the capture of off-site flows. Mr. Kuhfuss stated that the rear lot lines of the lots that back onto the buffer would be equipped with view fencing to allow visibility into the buffer for safety reasons. Mr. Kuhfuss stated the applicant is proposing four different floor plans with four elevations each. Mr. Kuhfuss presented the development standards associated with the proposed zoning district stating that the proposal meets these standards. Mr. Kuhfuss stated there were a number of city plans, overlays, and initiatives that were

addressed in the recommended stipulations of approval and provided an overview of the recommended stipulations, noting certain changes that came about as a result of last-minute conversations between staff and the applicant. Mr. Kuhfuss stated that as a result, Stipulation No. 3 is revised to read, "A minimum 40-foot perimeter building setback 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." Mr. Kuhfuss stated that Stipulation No. 4 is revised to read, "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 dated stamped May 4, 2026, as approved by the Planning and Development Department." Mr. Kuhfuss stated that Stipulation No. 5 is revised to read, "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 dated stamped May 4, 2026, as approved by the Planning and Development Department." Mr. Kuhfuss stated that Stipulation No. 6 is revised to read, "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 dated stamped May 4, 2026, as approved by the Planning and Development Department." Mr. Kuhfuss summarized the remaining stipulations noting they are renumbered as a result of the aforementioned additional stipulations. Mr. Kuhfuss stated that one item of support from the Friends of Deer Valley had been received. Mr. Kuhfuss presented staff's findings and recommendation for approval per the revised stipulations as discussed in the presentation.

APPLICANT PRESENTATION

Taylor Earl, representing the applicant with Earl & Curley, P.C. thanked staff for their up-to-the-last-minute work as they try to address concerns expressed by some of the neighbors. Mr. Earl stated the proposal was for a home-ownership community and provided information regarding the county island, noting that the annexation hearing would be held the first week of June. Mr. Earl noted the proposed subdivision was consistent with the pattern of development occurring within the city in that area and consistent with the General Plan for the area, noting that the General Plan Land Use Map calls for decreased density further to the south. Mr. Earl discussed TSMC and related businesses, and their potential impact on housing in the area, reiterating the subject proposal would provide opportunities for homeownership. Mr. Earl displayed an image of the original site design and discussed some of the concerns expressed by the neighbors relating to the proposed development. Mr. Earl stated they held two neighborhood meetings with the first meeting being held prior to the filing of the zoning case. Mr. Earl stated that the neighboring church did not want to be included in the annexation, which led to a change in state statute regarding how annexations are handled. Mr. Earl displayed an image of the revised site design and outlined the changes that had been made including maximum lot count, maximum number of stories, tree-lined buffer along east and south, increased building setback along east and south, and accommodation of off-site flows. Mr. Earl read excerpts of a letter from a neighboring property owner expressing appreciation for the efforts made and resulting support for the project. Mr. Earl discussed the rural character of the area and

the proposed stipulation requiring notification to future homeowners of the characteristics associated with rural communities being recorded against the title of the property. Mr. Earl stated the housing sizes would range from 2,350 to 2,750 square feet. Mr. Earl stated that he could not disclose what the purchase price would be but stated that a similar product in Chandler was selling for approximately \$640,000. Mr. Earl stated there was a lot of variety in the elevations. Mr. Earl stated that he was in agreement with the proposed stipulations as revised and discussed by Mr. Kuhfuss previously, but had concerns with the language of Stipulation No. 10 (formerly Stipulation No. 7), asking that the stipulation not include reference to the sidewalk to the west of the church property. Mr. Earl stated that he had received confirmation from the Street Transportation Department indicating support for these changes. Mr. Earl expressed concern over the language of Stipulation No. 12 (formerly Stipulation No. 9) stating that due to an offset at the site's east end, the language of the stipulation created uncertainty in how Briles Road would be dedicated and asked the Village Planning Committee to revise the language to show 25 feet of half-width right-of-way to be dedicated along both the north half and south half of Briles Road. Mr. Earl summarized the balance of the stipulations, stating they were in agreement. Mr. Earl read excerpts of a letter of support from Friends of Deer Valley.

QUESTIONS FROM THE COMMITTEE

Committee Member Ricardo Romero asked about lot dimensions. **Mr. Earl** stated they would be 40-foot-wide and between 90 and 101 feet deep.

Committee Member Keith Gray asked how the notifications regarding the adjacent rural area would be carried out. **Mr. Earl** stated they would be recorded against the properties and in the title report. **Chair Braden Lopez-Biggs** asked for confirmation that the property would be covered by a Homeowners' Association. Mr. Earl confirmed that was the case. **Committee Member James Sutphen** asked if the applicant would be amenable to requiring the buyer to sign a document stating they had read and understand the disclosure. Chair Lopez-Biggs stated that it would be included as part of the closing documents and typically included in the CC&Rs. Mr. Earl stated the stipulation included a requirement that it be included in the CC&Rs.

Committee Member Paul Clark asked for confirmation that the homes were to be for sale rather than for rent. **Mr. Earl** stated that was the case.

Committee Member Ozzie Virgil asked how many people were notified of the proposed development. **Mr. Earl** stated that 209 people were notified.

Chair Lopez-Biggs asked if there were any concerns expressed with respect to weddings being held at the church and the potential for noise complaints. **Mr. Earl** stated they were aware of it but were not certain as to whether such uses are allowed per the current entitlement for the church.

Committee Member Fareed Bailey asked for a summary of how the law changed with respect to annexations. **Mr. Earl** stated the law prevented a municipality from creating a county island and that even though the City of Phoenix and other

municipalities have historically regarded situations similar to this as actually shrinking the size of a county island as opposed to creating a new one; however, in this case, the City of Phoenix had taken the position that it would be creating a new county island. Mr. Earl stated they had considered leaving a 10-foot-wide strip in the county thereby connecting the church property to the rest of the island but that would require an Inter-governmental Agreement. Mr. Earl stated they worked with the Homebuilders' Association to get the law changed to effectively allow the creation of a new county island if the county stated it would not affect their ability to provide services.

PUBLIC COMMENTS

Mark Abram stated that he is the Board President for Hope Church and Hope Barn & Gardens Event Center. Mr. Abram stated they hold proms and weddings and expressed concerns regarding the potential for complaints relating to the event center. Mr. Abram stated they cut the noise off at 10:00 p.m. and stated they had received complaints as early as 8:00 p.m. Mr. Abram stated he believes they are within their rights to hold parties and wants to be able to continue doing so. Mr. Abram also expressed concerns regarding the impact on the site's ingress and egress because of the loss of left-turn movements into and out of the site due to the median that is to be installed within 19th Avenue.

Kimmy Wampler stated she was in support of the development but has concerns regarding traffic. Ms. Wampler stated that it is currently difficult to make a left turn from their neighborhood onto 19th Avenue and that a traffic signal is needed somewhere along 19th Avenue or Happy Valley Road. Ms. Wampler stated that traffic congestion is getting worse as a result of all of the development that is occurring in the area and is concerned over cut-through traffic and the damage to the pavement that was funded by private property owners in the area. Ms. Wampler expressed concerns over the number of lots proposed with the development.

Tracy Johnson stated she owned one of the properties adjacent to the southern edge of the site. Ms. Johnson stated that the proposed development would "cause havoc" if they did not do things correctly. Ms. Johnson expressed concerns over drainage, stating that the flooding in the area is intense and that they had experienced problems with a wall that was constructed to the west of her property that did not allow for proper drainage. Ms. Johnson expressed concerns with the proximity of a relatively dense residential development adjacent to her property which is a working farm/ranch with horses, goats, pigs, chickens, and roosters. Ms. Johnson stated that while growth is inevitable, it should not encroach into rural, county areas. Ms. Johnson stated that she was part of the Village Planning Committee in the early 2000's and the area was not planned for residential development. Ms. Johnson expressed concerns over 80 dwelling units being built on 15 acres and the fact that she will have seven two-story homes looking into the north side of her property at a distance of only 40 feet. Ms. Johnson stated that the proposed development would decrease her property value. Ms. Johnson stated she did not recall receiving any notifications regarding the proposal in 2024. Ms. Johnson expressed concerns over

the displacement of wildlife including owls, hawks, javelina, coyotes, and a bobcat. Ms. Johnson stated she enjoyed hearing the noise coming from the church. Ms. Johnson expressed concerns over traffic and the difficulty in turning onto 19th Avenue with a horse trailer. Ms. Johnson expressed concern with cut-through traffic and people having to turn around on her property when they realize it is a dead-end, potentially causing harm to her animals. Ms. Johnson expressed concerns that the buffer trees could be poisonous to her animals and asked who was going to water and maintain them. Ms. Johnson expressed concerns over privacy and asked that the developer be required to construct a 10-foot wall along her property line. Ms. Johnson asked that the trees within the entire development not be poisonous. Ms. Johnson expressed concerns regarding the potential for complaints arising due to the rural nature of rural property including manure and flies and stated they were in compliance with the county's RU-43 regulations. Ms. Johnson asked how she was supposed to fight nuisance complaints registered with the city when she is in a county island and within her rights as a county property owner. Ms. Johnson stated that the City of Phoenix has an Attractive Nuisance law, which would potentially require that she confine her property so that her animals are not accessible to the public. Ms. Johnson stated that she is in complete opposition to the request. Ms. Johnson stated that the proposed density is not appropriate for the area, and that if the property does not get annexed, the county would not allow more than one dwelling unit per acre.

Marinah Farrell stated she was one of the properties located to the east of the site. Ms. Farrell expressed her appreciation for the remarks made by the previous speakers and stated that she loves the noise of the church. Ms. Farrell stated the density was too much and stated the trend towards placing as many homes as possible on an acre of land in the name of housing affordability is counter to a \$640,000 purchase price. Ms. Farrell questioned why there was a need for this development coming into the established rural neighborhood. Ms. Farrell echoed prior comments regarding the presence of farm animals and nature. Ms. Farrell stated that she had concerns with there being an HOA. Ms. Farrell expressed concerns with the potential loss of the lifestyle and culture associated with rural living in the county, and the potential conflict between the new residents and those who have lived there for a long time.

APPLICANT RESPONSE

Mr. Earl stated they were aware of events being held at the church and would be willing to work out notification language similar to the notification regarding rural uses on the neighboring properties prior to the Planning Commission meeting. Mr. Earl stated there was a recorded access easement located on the northwest corner of their site, and that they had proposed a double median break to allow left-turn movements at both Briles Road and the church entrance, but the city rejected that design due to the distance to the intersection at Jomax Road. Mr. Earl stated that pork chops can be used in private parking lots but are not permitted in public streets. Mr. Earl stated that the majority of the morning commuter traffic would be going north on 19th Avenue to access I-17 from Jomax Road as opposed to Happy Valley Road, which is a mile to the south. Mr. Earl corrected a previous statement regarding the

number of notices that went out in 2024, stating that they had actually sent 206 notices as opposed to 209, and that they used the same notification boundary with subsequent notices. Mr. Earl noted that they were not required to hold the initial meeting in 2024 but did so voluntarily. Mr. Earl stated they were amenable to adding a stipulation regarding the prohibition of poisonous plant species. Mr. Earl stated that the landscape tract would be professionally maintained by the HOA. Mr. Earl clarified there would be fencing at the rear of the lots abutting the open space tract and there would be a solid masonry wall at the perimeter of the subdivision. Mr. Earl stated that the city's code would allow for a maximum 6-foot-high wall as opposed to 10 feet as previously suggested. Mr. Earl stated that any nuisance complaints involving the neighboring county properties would be handled by the county, and that the stipulations of approval include a notice requirement. Mr. Earl stated that as long as the neighboring property was being used in a manner that is consistent with county regulation there would be no grounds for enforcement. **Chair Lopez-Biggs** stated that if a resident in the proposed subdivision were to file a complaint with the City of Phoenix, they would be told that it was not within the city's jurisdiction and to contact the county. Mr. Earl reiterated that county laws would apply within the neighboring county properties and that he was not aware of any cross-jurisdictional laws that would apply. Mr. Earl stated that any city, including the City of Phoenix, has a planning area that extends beyond the annexed area and that the subject site is within the City of Phoenix's planning area. Mr. Earl stated that the proposed density is consistent with the General Plan for that area. Mr. Earl stated they are seeking R1-6 zoning as opposed to something denser, and that he could not speak to what the General Plan showed for the area decades ago. Mr. Earl stated that the city is currently focused on providing housing. Mr. Earl stated they had done everything they can to address concerns expressed by the neighbors.

QUESTIONS FROM THE COMMITTEE

Committee Member Virgil asked if they had considered having larger lots along the perimeter and limiting the height of the buildings to 1-story along the perimeter and stated that they would be able to address the neighbor's concerns and still make money. **Mr. Earl** stated that the cost to develop includes construction, labor, and land. Mr. Earl stated this was a 2-story home product, which is why they proposed the alternate solution of providing a buffer.

COMMITTEE DISCUSSION

Committee Member Bailey stated that adding a stipulation regarding the protection of wildlife habitat was reasonable.

Chair Lopez-Biggs stated that he would like to see a stipulation added regarding the noise created by the church.

Committee Member Gray stated that he would like to see a stipulation regarding the prohibition of poisonous tree and plant species used within the open space.

Committee Member Leon Thomas stated that part of the charm of the Phoenix area is the blend of different lifestyles and expressed concerns over the city annexing that area to allow higher density development to encroach into an area of lower density in the name of affordable housing. Committee Member Thomas stated that it did not appear to be affordable housing and was not supportive of the request. **Chair Lopez-Biggs** stated that the committee could not look at the annexation and could only look at the rezoning case that is before the committee.

Committee Member Sandra Hoffman stated there were currently 28 stipulations associated with this request and asked how staff wanted to proceed with respect to the proposed changes as articulated during the staff presentation. **Mr. Kuhfuss** stated the intent was for the committee to motion for approval subject to the stipulations as outlined during the staff presentation as opposed to those outlined in the staff report, noting that the additional stipulations cause the subsequent stipulations to be renumbered. Mr. Kuhfuss stated that if the committee wanted to include additional stipulations, that could be addressed as well.

Committee Member Paul Clark stated that he was in agreement with adding a new stipulation regarding the prohibition of poisonous plants, noting that most open space areas are planted with Palo Verde and Mesquite. Committee Member Clark stated that a stipulation regarding the redistribution of wildlife made no sense in that he sees coyotes and bobcat in his neighborhood all the time.

Chair Lopez-Biggs asked about the median along 19th Avenue stating that it would be difficult for southbound vehicles to access the church, and that the resulting U-turns would be dangerous, noting that it is not equitable for the church. Chair Lopez-Biggs asked what the committee could do to mitigate that condition. **Mr. Kuhfuss** stated that he is not a traffic engineer but stated that the configuration would leave the church with access onto 19th Avenue via the existing easement, clarifying that the median would prevent left-in and left-out turning movements to and from the church. Mr. Kuhfuss stated that anyone wanting to make a south-bound left into the site would have to continue south and anyone wanting to make a south-bound out would need to turn right instead. **Chair Lopez-Biggs** asked if there was any discussion about adding a traffic signal at Briles Road. **Mr. Earl** stated that a signal at that location did not trigger the traffic warrants needed and that it was too close to the intersection with Jomax Road for a signal. Mr. Earl stated that they were willing to go back to the city to discuss an alternative solution, adding that they had already advocated for an alternative solution that was rejected by the city even though the Traffic Impact Analysis showed that it could be done safely.

Committee Member Sutphen asked for verification that the proposed neighborhood only had one way in and one way out. **Mr. Earl** stated that Briles Road extended to 17th Avenue, noting that some of the neighbors stated that some of the residents might use 17th Avenue. Committee Member Sutphen asked if the area would be paved. Mr. Earl stated that area was in the county and often within a Patent Easement and that the developer was required to make improvements within the project and along 19th Avenue but was not required to pave the streets located within

the county. Mr. Earl stated that Patent Easements are located on private property and that he has spoken with the Maricopa County Department of Transportation, who indicated they would affirmatively be paving some of the county streets in that area. Committee Member Sutphen asked if the area within the county was on well and septic. Mr. Earl stated that would be typical. Committee Member Sutphen asked how the proposed development would affect their water. Mr. Earl stated they would be bringing in city water and sewer to the subdivision and that they are not proposing any new wells in the area. Mr. Earl stated that the county residents would not be required to connect to city water or sewer.

MOTION:

Committee Member Sandra Hoffman motioned to recommend approval of Z-25-26-2 per the revised stipulations as presented by staff with modifications to Stipulation No. 10 to remove reference to the sidewalk and Stipulation No. 12 to reference 25-foot north-half and south-half right-of-way dedications for Briles Road, and providing direction for staff to include a new Stipulation No. 29 regarding the prohibition of poisonous plants within the open space, a new Stipulation No. 30 regarding notification of proximity to the church and the potential for associated event-related noise, and a new Stipulation No. 31 requiring a solid 8-foot-high masonry wall along the south perimeter opposite Lots No. 62 through 76 as depicted on the conceptual site plan dated May 5, 2026. **Committee Member Ricardo Romero** seconded the motion.

VOTE:

9-4, motion to recommend approval of Z-25-26-2 per the revised stipulations as presented by staff with modifications to Stipulation No. 10 to remove reference to the sidewalk and Stipulation No. 12 to reference 25-foot north-half and south-half right-of-way dedications for Briles Road, and providing direction for staff to include a new Stipulation No. 29 regarding the prohibition of poisonous plants within the open space, a new Stipulation No. 30 regarding notification of proximity to the church and the potential for associated event-related noise, and a new Stipulation No. 31 requiring a solid 8-foot-high masonry wall along the south perimeter opposite Lots No. 62 through 76 as depicted on the conceptual site plan dated May 5, 2026 passed with committee members Clark, Davenport, Freeman, Gray, Hoffman, Romero, Virgil, Herber, and Lopez-Biggs in favor and Adams, Bailey, Sutphen, and Thomas opposed.

VPC RECOMMENDED 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.**
47. 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.

58. 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.

- ~~69.~~ 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.

- ~~710.~~ 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.
- ~~811.~~ Construction of 19th Avenue shall include a 24-foot-wide median island.
- ~~912.~~ 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.**
- ~~4013.~~ All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated December 19, 2025.
- ~~414.~~ 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.

- ~~42~~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.
- ~~43~~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.
- ~~44~~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.
- ~~45~~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.
- ~~46~~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.
- ~~47~~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.
- ~~48~~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.
- ~~49~~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.

- ~~24~~24. A leak detection device shall be installed for the irrigation system of landscape areas larger than 10,000 square feet.
- ~~22~~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.
- ~~24~~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. AN 8-FOOT-HIGH SOLID MASONRY WALL SHALL BE CONSTRUCTED ALONG THE SOUTH PERIMETER OF THE SITE OPPOSITE LOTS NO. 62 THROUGH 76 AS DEPICTED IN THE CONCEPTUAL SITE PLAN DATED MAY 4, 2026, AS ALLOWED BY THE PHOENIX ZONING ORDINANCE.**

STAFF COMMENTS REGARDING VPC RECOMMENDATION

Stipulation No. 31 will need to be modified to reflect the need for a variance since an 8-foot-high wall would only be allowed upon the granting of a variance.

The conceptual site plan dated May 4, 2026 is included below for reference.

