



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-18-22-1**  
**May 31, 2022**

[Deer Valley Village Planning Committee](#) Meeting Date: June 9, 2022

[Planning Commission](#) Hearing Date: August 4, 2022

**Request From:** [S-1](#) (Ranch or Farm Residence District) (2.55 acres)

**Request To:** [R-2](#) (Multifamily Residence District) (2.55 acres)

**Proposed Use:** Single-family residential

**Location:** Northeast corner of 19th Avenue and Yearling Road

**Owner:** CMI Construction, LLC

**Applicant:** Red Hawk Development Corporation

**Representative:** Charles Eckert Jr.

**Staff Recommendation:** Approval, subject to stipulations

<u><a href="#">General Plan Conformity</a></u>			
<u><a href="#">General Plan Land Use Map Designation</a></u>		Residential 3.5 to 5 dwelling units per acre	
<u><a href="#">Street Map Classification</a></u>	19th Avenue	Major Arterial	70-foot east half street
	Yearling Road	Maricopa County Street	33-foot south half street (easement)

***CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.***

The requested R-2 zoning district will result in development that is sensitive to the scale and character of the surrounding area. This section of the 19th Avenue corridor contains approved multifamily and single-family development. As stipulated, the proposed development will incorporate enhanced landscaping and be limited in height and density,

### General Plan Conformity

which will prevent negative impacts on the surrounding properties.

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

The requested R-2 zoning district would allow development of a new residential community that is compatible with surrounding neighborhoods and respectful of local conditions. The proposed density and development pattern is similar to development in the surrounding area, and as stipulated, the proposal incorporates design features such as building height limitations and enhanced perimeter screening standards, that enhance compatibility.

***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 will be required to shade the sidewalk on 19th Avenue and provide enhanced landscaping standards within the development. 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**

**Tree and Shade Master 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**: See Background Item No. 9.

<b>Surrounding Land Uses and Zoning</b>		
	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>
<b>On Site</b>	Vacant	S-1
<b>North</b>	Single-family residential	Maricopa County (RU-43)
<b>South</b>	Vacant	Maricopa County (RU-43)
<b>East</b>	Single-family residential	Maricopa County (RU-43)
<b>West (across 19th Avenue)</b>	Single-family residential	PUD

<b>R-2 - Multifamily Residence District (Planned Residential Development Option)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions on the Proposed site Plan</u></b>
Gross Acreage	-	2.55 acres
Total Maximum Number of Units	27 units, up to 30 with bonus	20 units (Met)
Maximum Density	10.5 dwelling units per acre, up to 12 with bonus	7.84 dwelling units per acre (Met)
Maximum Lot Coverage	45 percent	22 percent (Met)
Maximum Building Height	2 stories and 30 feet for first 150 feet; 1 foot increase in height for 5 feet of additional building setback, up to 48 feet and 4 stories	2 stories and 30 feet (Met)
<i>Minimum Perimeter Setbacks</i>		
Adjacent to public street	20 feet	20 feet (Met)
Adjacent to property line	10 feet	East: 10 feet (Met) North: 20 feet (Met)
<i>Minimum Interior Building Setbacks</i>		
Front	10 feet	Not specified
<i>Minimum Perimeter Landscape Setbacks</i>		
Adjacent to public street	20 feet	Not specified
Adjacent to property line	5 feet	Not specified

<b>R-2 - Multifamily Residence District (Planned Residential Development Option)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions on the Proposed site Plan</u></b>
Minimum Open space	5 percent	5 percent (Met)
Minimum parking	1.3 spaces per efficiency unit; 1.5 spaces per 1 or 2 bedroom unit; 2 spaces per 3 or more bedroom unit; 1.0 spaces per unit of less than 600 square feet	Not specified

**Background/Issues/Analysis**

**SUBJECT SITE**

1. This request is to rezone 2.55 acres located at the northeast corner of 19th Avenue and Yearling Road from S-1 (Ranch or Farm Residence District) to R-2 (Multifamily Residence District) for a single-family residential development. The site is undeveloped vacant land, which was recently annexed to the City of Phoenix from unincorporated Maricopa County.

**GENERAL PLAN LAND USE MAP DESIGNATIONS**

2. The subject site is designated as Residential 3.5 to 5 dwelling units per acre on the General Plan Land Use Map. The proposal is consistent with the General Plan Land Use Map designation, as the proposed R-2 zoning district is considered a Traditional Lot land use category.

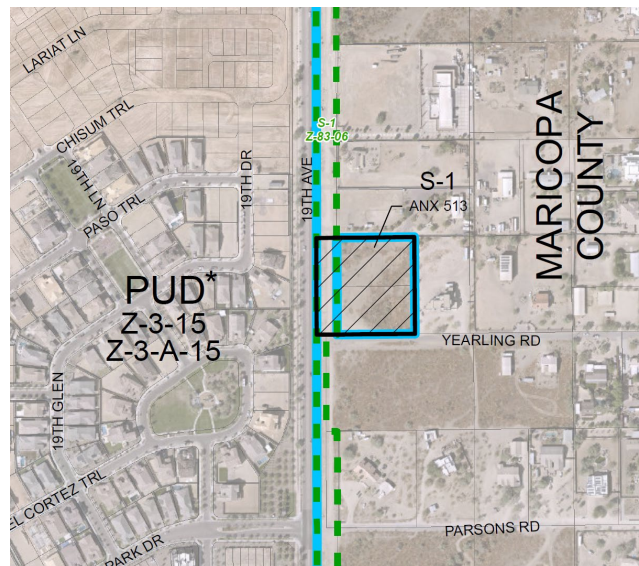
The adjacent properties to the north, south, and east are also designated as Residential 3.5 to 5 dwelling units per acre. To the west of the subject site, across 19th Avenue, the General Plan Land Use Map designates the Norterra community as Mixed Use (Commercial, Commerce/Business Park, Residential 5 to 10 dwelling units per acre, Residential 10 to 15 dwelling units per acre, and Residential 15+ dwelling units per acre). Further south of the subject site, there is an area along the east side of 19th Avenue, north of Happy Valley Road designated as Mixed Use (Commercial / Residential 15+ dwelling units per acre) and an area at the corner of 19th Avenue and Happy Valley Road designated as Mixed Use (Commercial and Commerce/Business Park).



General Plan Land Use Map, Source: Planning and Development Department

### SURROUNDING LAND USES AND ZONING

- The subject site is located on the east side of 19th Avenue, surrounded to the north, east, and south by unincorporated Maricopa County which contains vacant lots and large-lot residential uses with houses on lots larger than one acre. West of 19th Avenue is the Norterra community, which was approved with a PUD zoning in 2015 for a mix of uses.

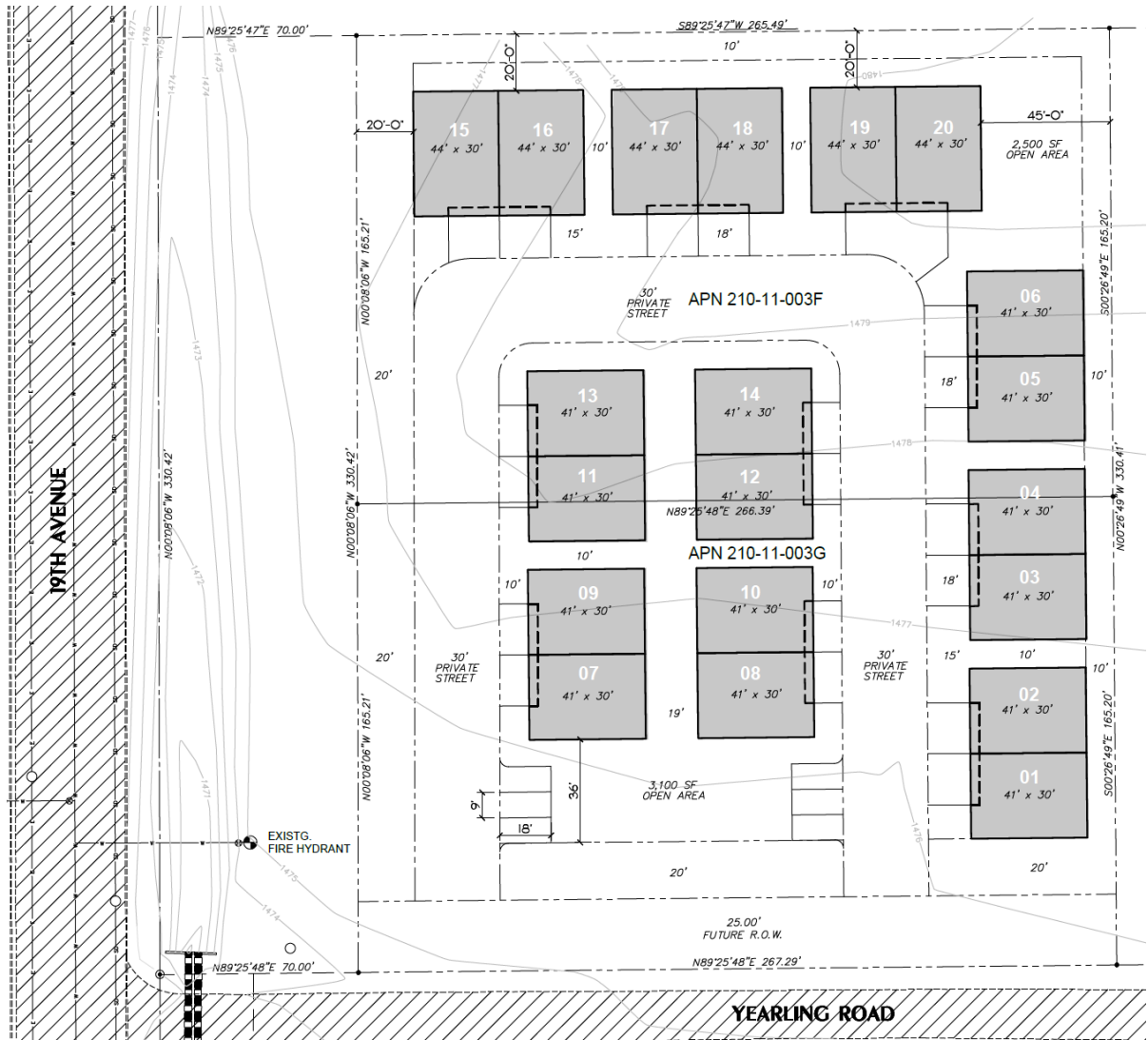


Zoning Aerial Map, Source: Planning and Development Department

### PROPOSAL

#### 4. Site Plan

The applicant proposes to develop a new single-family residential community, containing 20 dwelling units. The conceptual site plan depicts a townhouse development pattern, with homes detached on one side and attached on the other. A proposed private drive would serve the community with access to Yearling Road, which is controlled by Maricopa County, and open spaces would be located in two separate locations. One open space area will be located near the central part of the community and the other in the northeast corner.



Conceptual Site Plan, Source: Red Hawk Development Corp.

Staff does not recommend general conformance to this site plan, as the proposed access to Yearling Road cannot be guaranteed by the City of Phoenix because it is a County-controlled street. Staff is recommending several stipulations related to the site plan in order to prevent the development from negatively impacting the surrounding area, as follows:

- The development shall not exceed 20 units (Stipulation No. 1).
- The development shall be limited to 30 feet in height (Stipulation No. 2).
- The common open space area shall provide a minimum of three amenities (Stipulation No. 3).



5. **Elevations**

The conceptual building elevations depict two-story, semi-detached single-family units with private garages. Staff does not recommend general conformance to the elevations, as these will be reviewed per the requirements of Section 507.Tab A.II during the development review process. However, staff recommends that the garage doors shall have decorative embellishments (Stipulation No. 4).

Preliminary/Conceptual Elevations  
NEC 19th Avenue & Yearling Road



Front Elevation



Side Elevation



Side Elevation



Rear Elevation

*Conceptual Building Elevations, Source: Red Hawk Development Corp.*

STUDIES AND POLICIES

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. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending the following stipulations designed to provide enhanced shade and to buffer the site from adjacent uses.

- Fifty percent two-inch caliper and 50 percent three-inch caliper trees within the required landscape setbacks (Stipulation No. 5);
- The sidewalks along 19th Avenue shall be detached with landscaped areas

between the sidewalk and the back of the curb, providing a minimum of 75 percent shade (Stipulation No. 6).

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 shaded detached sidewalks along 19th Avenue. This is addressed in Stipulation No. 6.

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**

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.

**COMMUNITY INPUT SUMMARY**

10. As of the writing of this report, staff has not received any letters from the public regarding this case.

**INTERDEPARTMENTAL COMMENTS**

11. The Street Transportation Department commented that the developer shall provide a detached sidewalk along 19th Avenue, apply for a de-annexation of the southern 25 feet of the property, and construct the adjacent streets, including meeting ADA accessibility standards. These comments are addressed in Stipulation Nos. 6 through 8.
12. The Water Services Department commented that the property has existing water



and sewer mains that can potentially serve the development. In addition, the Water Services Department commented that capacity is a dynamic condition that can change over time due to a variety of factors.

13. 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. 9.
14. 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. 10.
15. The Public Transit Department did not have any comments on this case.
16. The Floodplain Management division of the Public Works Department did not have any comments on this case.
17. The Fire Department commented that there were no anticipated problems with the referenced case and that the fire code will require water supply to meet fire flow standards and marking the fire apparatus access road.

#### OTHER

18. 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. 11.
19. 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.
20. 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 requested R-2 zoning district is consistent with the Traditional Lot Category of the General Plan Land Use Map designation.
2. As stipulated, the proposed development would include density and height limits, as well as design elements, such as enhanced landscaping and detached sidewalks, that mitigate impacts to surrounding properties.
3. As stipulated, the proposed development enhances connectivity in the immediate vicinity by improving adjacent roadways and providing shaded detached sidewalks.

## **Stipulations**

1. The development shall not exceed 20 dwelling units
2. The development shall not exceed a maximum building height of 30 feet.
3. The common open space area shall provide a minimum of 3 active recreational elements, such as, but not limited to playground sets, ramadas, barbeque area, as approved by the Planning and Development Department.
4. The garage doors shall have a variety of decorative embellishments such as window panels, color and added materials for the pillars surrounding the door, as approved by the Planning and Development Department.
5. The required perimeter setbacks on all sides of the property shall be landscaped and include minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
6. The developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 11-foot-wide landscape area between the back of curb and sidewalk along 19th Avenue, planted to the following standards and as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper drought-tolerant shade trees that provide shade to a minimum 75 percent at maturity.
  - b. Drought-tolerant vegetation to achieve 75 percent live coverage at maturity.

Where utility conflicts arise, the developer shall work with the Planning and

Development Department on an alternative design solution consistent with a pedestrian environment.

7. The Developer shall work with Maricopa County to de-annex the 25-foot federal patent easement area of the southern property line adjacent to Yearling Road. If the 25-foot federal patent easement area is not de-annexed within 6 months after the approval date of this rezoning, the applicant shall construct improvements over the federal patent easement area, as modified and approved by the Street Transportation Department and 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 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.
10. 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.
11. 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**

Anthony Grande

May 31, 2022

**Team Leader**

Racelle Escolar

**Exhibits**

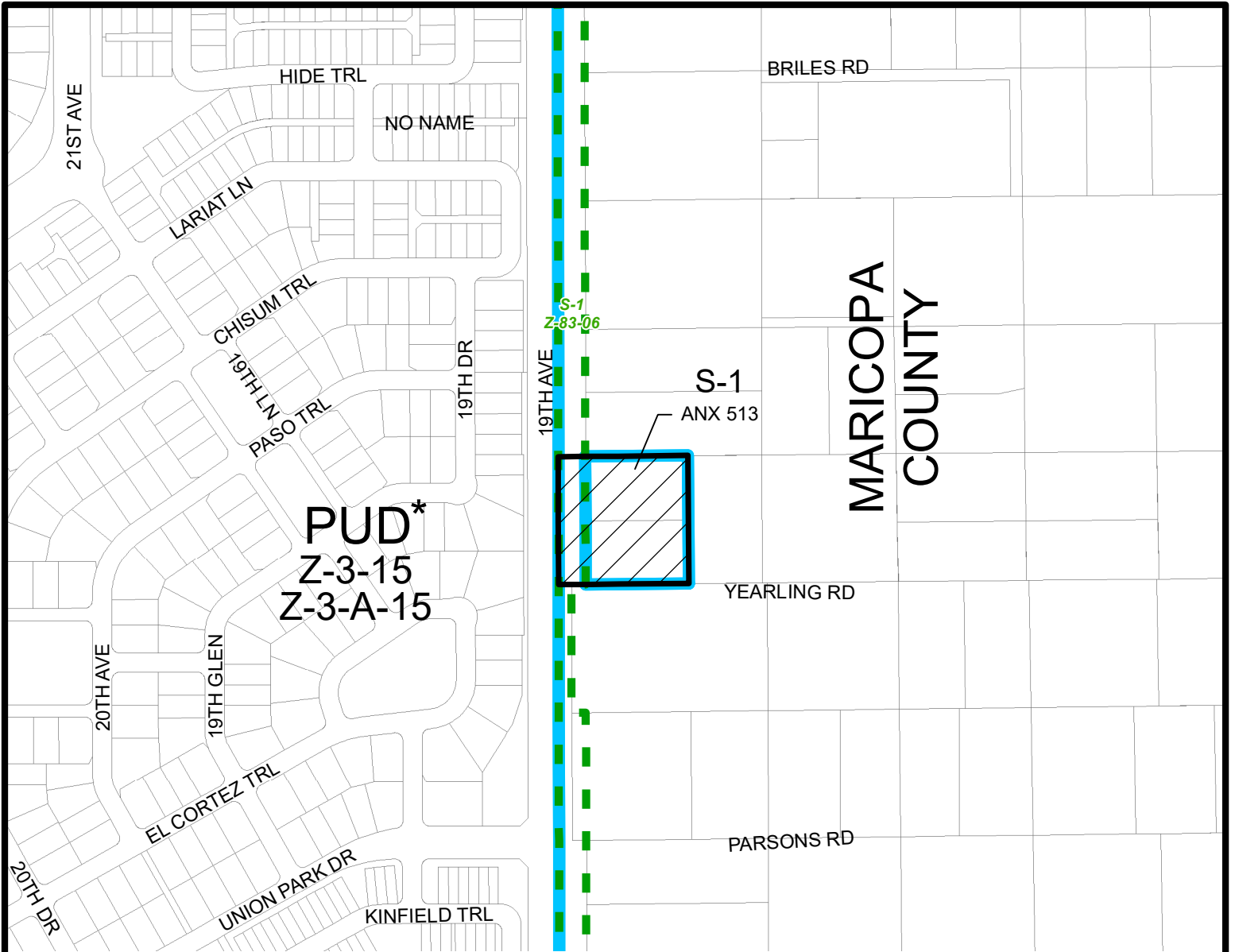
Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped March 17, 2022

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Conceptual Building Elevations date stamped March 17, 2022



Miles

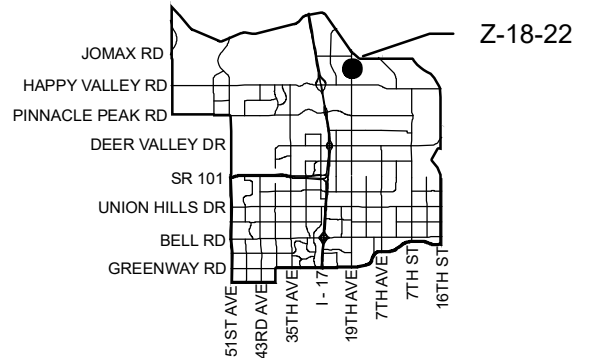
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**DEER VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 1

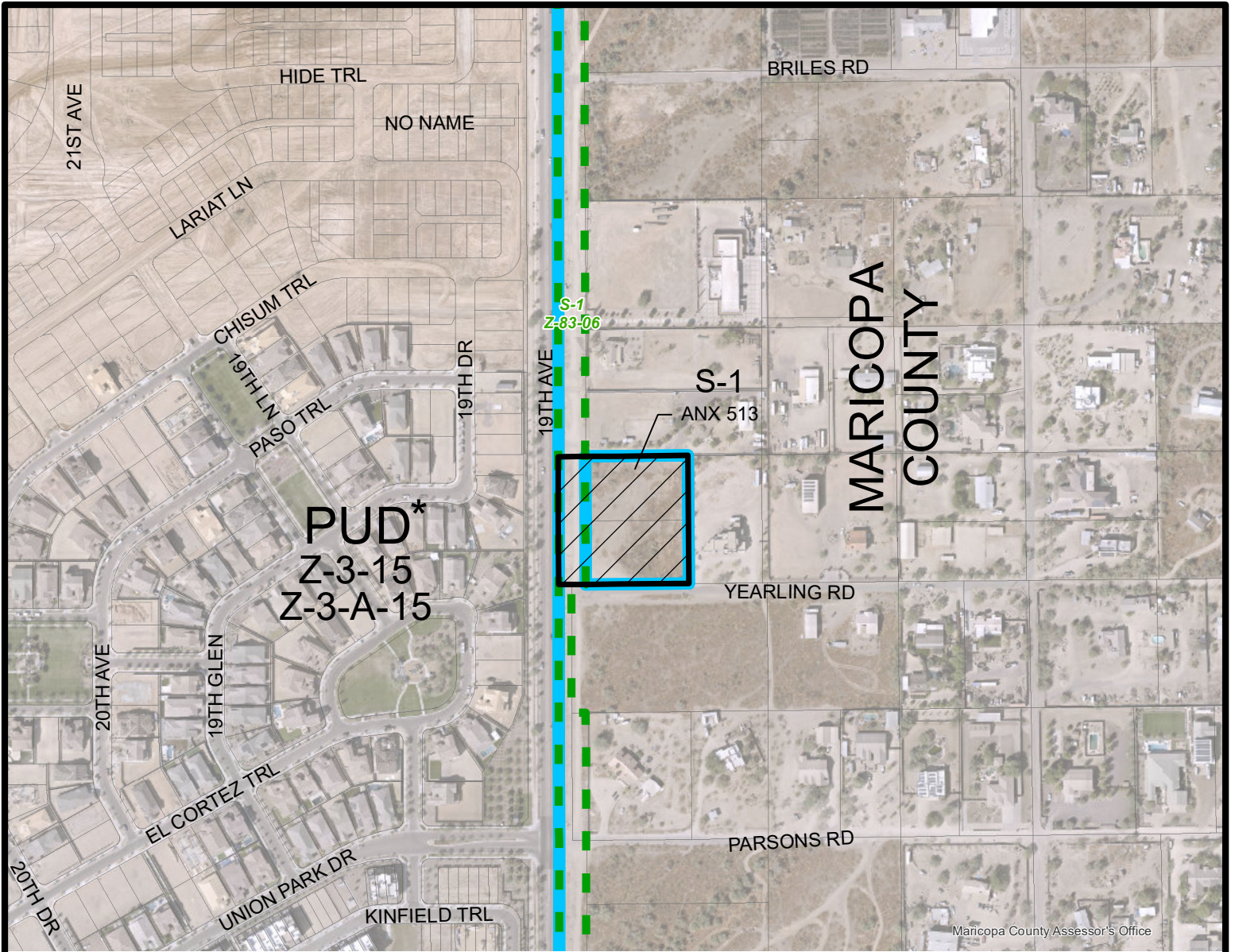


**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



<b>APPLICANT'S NAME:</b> Red Hawk Development Corporation		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-18-22		<b>FROM:</b> S-1 ( 2.55 a.c.)	
<b>DATE:</b> 4/18/2022 <small>REVISION DATES:</small>		<b>TO:</b> R-2 ( 2.55 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>2.55 Acres</b>		<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 48-25</b>	<small>ZONING MAP</small> <b>P-7</b>
<b>MULTIPLES PERMITTED</b>		<b>CONVENTIONAL OPTION</b>	
S-1		2	
R-2		25	
		<b>* UNITS P.R.D. OPTION</b>	
		N/A	
		30	

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



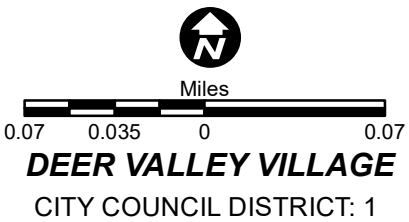
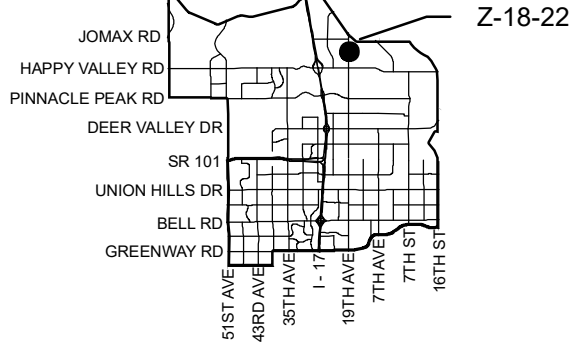
Maricopa County Assessor's Office

MARICOPA COUNTY

PUD\*  
Z-3-15  
Z-3-A-15

S-1  
ANX 513

S-1  
Z-83-06



<b>APPLICANT'S NAME:</b> Red Hawk Development Corporation		<b>REQUESTED CHANGE:</b> FROM: S-1 ( 2.55 a.c.)  TO: R-2 ( 2.55 a.c.)	
<b>APPLICATION NO.</b> Z-18-22	<b>DATE:</b> 4/18/2022 <b>REVISION DATES:</b>		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.  <b>2.55 Acres</b>	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 48-25	<b>ZONING MAP</b> P-7	
<b>MULTIPLES PERMITTED</b> S-1 R-2	<b>CONVENTIONAL OPTION</b> 2 25	<b>* UNITS P.R.D. OPTION</b> N/A 30	

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





Preliminary/Conceptual Elevations  
 NEC 19th Avenue & Yearling Road



Front Elevation



Side Elevation



Side Elevation



Rear Elevation