



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-6-19-1  
September 4, 2019**

**Deer Valley Village Planning Committee Meeting Date:** September 19, 2019

**Planning Commission Hearing Date:** October 3, 2019

**Request From:** RE-35 (Single-Family Residence District) (57.67 acres) and RE-43 (Residential Estate) (2.83 acres), pending RE-35 (Single-Family Residence District) (60.50 acres)

**Request To:** RE-35 Hillside DNS/WVR (Single-Family Residence District, Hillside Density Waiver) (60.50 acres)

**Proposed Use:** Single-Family Residential

**Location:** Approximately 2,640 feet north of the northeast corner of 51st Avenue and Tonopah Drive ([map link](#))

**Owner:** Camis Inc.

**Applicant / Representative:** Rose Law Group

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

<b><u>General Plan Conformity</u></b>			
<b><u>General Plan Land Use Map Designation</u></b>		Parks/Open Space – Publicly Owned	
<b><u>Street Map Classification</u></b>	47th Avenue	Local	0-foot east and west half street
<p><b><i>BUILT THE SUSTAINABLE DESERT CITY; DESERT LANDSCAPE; DESIGN PRINCIPLE: Preserve the interface between private development and parks, preserves and natural areas.</i></b></p> <p>As stipulated, the development will provide an appropriate interface between the Adobe Dam Regional Park and the preserved areas of the Hedgepeth Hills. The stipulations and the provisions of the City’s hillside development ordinance regulates the maximum height of structures and preservation on the most severe slopes.</p>			

***BUILT THE SUSTAINABLE DESERT CITY; DESERT LANDSCAPE; LAND USE PRINCIPLE: Promote land uses that preserve Phoenix’s natural open spaces.***

The conceptual site plan preserves approximately 59 percent of the total gross site area with special attention to the most severe grades on the site. In addition to the area preserved through easement and land dedication, the development, as stipulated, will limit the total amount of disturbance area permitted and the maximum elevation where grading is permitted.

***CELEBRATE OUR DIVERSE COMMUNITY; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect the neighborhood’s views of open space, mountains, and man-made or natural landmarks.***

As stipulated, the proposed development will preserve a significant amount of desert hillside. In addition to the area preserved through the proposed development, the development will not be visible from the south which is in further conformity with the General Plan.

**Applicable Plans, Overlays, and Initiatives**

[Reimagine Phoenix Initiative](#) – See Background / Issues / Analysis No. 14

[Outer Loop Freeway Specific Plan](#) – See Background / Issues / Analysis No. 15

**Surrounding Land Uses/Zoning**

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Single Family Residence	RE-35, RE-43
<b>North</b>	Vacant Maricopa County Flood Control land and recreation area	RE-43 (Approved RE-43 SP)
<b>East</b>	Vacant Maricopa County Flood Control land and recreation area	RE-43 (Approved RE-43 SP)
<b>South</b>	Undeveloped / Residential Development Parcels, City Water Facility	RE-43 (Approved RE-43 SP) RE-43 (Approved R1-18 DNS WVR)
<b>West</b>	Single-Family Residential and undeveloped hillside in the City of Glendale.	City of Glendale R1-18

**RE-35 (Single Family Residence District),  
Planned Residential Development Option,  
Subject to Hillside Development Standards**

Pending Rezoning Case No. Z-5-19-1, the site will be governed by the RE-35 (Single-Family Residence District) and Section 710 (Hillside Development Standards). The below table includes both minimum requirements. The more restrictive standard shall apply. This is a request for a hillside density waiver to increase the number of units permitted from 21.52 to 32 dwelling units.

<b>Standards</b>	<b>RE-35 PRD Requirements</b>	<b>Hillside Requirements</b>	<b>Provision on the Proposed Site Plan</b>
Density	1.15 (1.32 with bonus) dwelling units per acre	21.51 units permitted <ul style="list-style-type: none"> <li>• 20.74 by slope analysis</li> <li>• 0.78 non-hillside unit</li> </ul>	32 proposed. (Not Met)  Refer to Hillside Density Waiver provisions in Background Item Nos. 2 and 3.
Building Setback	Front: 25 feet  Others: Perimeter Standards	Same as base district.  Side Yard. Same as base or 10 feet, whichever is greater.	Not Shown
Perimeter Standards	40 feet adjacent to a public street  20 feet adjacent to property line	N/A	No public street frontage provided. N/A  Perimeter standards of 20 feet. (Met)
Common Areas	Minimum 5% of gross	N/A	Site plan preserves 58.59 percent for natural desert open space. (Met)
Lot Coverage	Primary structure, 25% Total: 30%	Maximum of 25% of the hillside portion of the lot.	(Met)
Building Height	2 stories and 30 feet	2 stories, not to exceed 30 feet above the natural grade of the lot or parcel at any section through the structure.	Conceptual building elevations do not appear to comply with hillside height requirement. (Not Met)

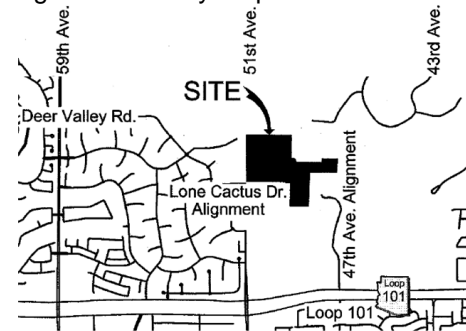
**Background / Issues / Analysis**

**SUBJECT SITE**

- The subject site is located approximately 2,640 feet north of the northeast corner of 51st Avenue and Tonopah Drive in the Hedgepeth Hills. The site is currently accessed by a service road to a City of Phoenix water tank.

This case is a request to increase the density permitted on the site pursuant to Section 710, Hillside Development. The companion Rezoning Case No. Z-5-19-1, is a request to consolidate the zoning from RE-35 (Single-Family Residence District) and RE-43 (Residential Estate) to RE-35 (Single-Family Residence District).

Figure A. Vicinity Map



Source: Atwell

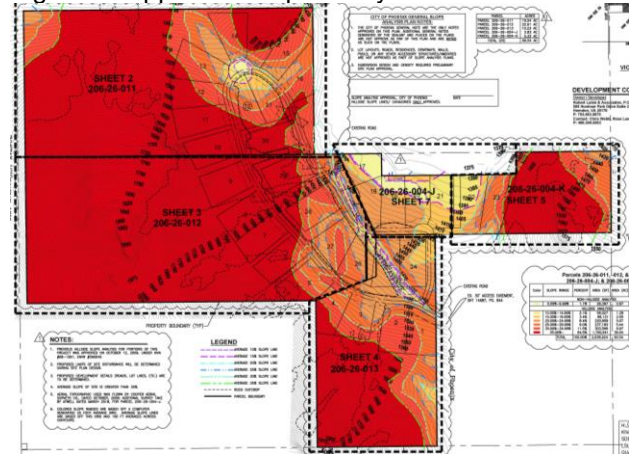
**HILLSIDE DEVELOPMENT STANDARDS**

- The slope threshold for property to be considered hillside is 10% or greater; 98.9% of the total site falls into this classification and is therefore regulated by Section 710 Hillside Development.

The slope analysis classifies the site into slope categories and applies a density multiplier to determine the number of units permitted in each category. The intent is to encourage greater density in the lower slope categories by applying a higher density multiplier; conversely, a lower multiplier applies to areas with more severe slopes to discourage development.

The approved slope analysis allows for 20.74 dwelling units on the hillside portion of the site. The remaining 1.1% not considered hillside is allowed 0.78 dwelling units.

Figure B. Approved Slope Analysis



Color	SLOPE RANGE	PERCENT	AREA (SF)	AREA (AC)	ALLOWABLE DENSITY DU/AC	PRODUCT OF DENSITY X ACREAGE
NON-HILLSIDE ANALYSIS						
	0.00%–9.99%	1.1%	29,397	0.67	1.15	0.78
HILLSIDE ANALYSIS						
	10.00%–14.99%	2.1%	56,027	1.29	1.80	2.32
	15.00%–19.99%	3.4%	89,121	2.05	1.10	2.25
	20.00%–24.99%	8.4%	220,959	5.07	0.70	3.55
	25.00%–29.99%	9.0%	237,183	5.44	0.50	2.72
	30.00%–34.99%	11.5%	303,596	6.97	0.30	2.09
	35.00%–	64.5%	1,700,641	39.04	0.20	7.81
	<b>TOTAL</b>	<b>100.00%</b>	<b>2,636,924</b>	<b>60.54</b>		

Source: Atwell

Of the hillside area, most of the site is classified into the two highest slope categories: 64.5% in the +35% slope category and another 11.5% in the 30 to 34.99% slope category.

By code, units are permitted to “move-down” into a lower slope category but a density waiver is required for units to “move up” into a higher slope category. Using the table contained in Figure B for example, a total of 2.09 units are permitted in the 30 to 34.99% slope category; if the developer would prefer to ‘move down’ one of their units permitted in the +35% slope category to a lower category, that would be permitted.

### ZONING AND LAND USE

#### 3. Subject Site:

The subject site is currently undeveloped except for one single family home and accessory buildings. The subject site is zoned RE-35 (Single-Family Residence District) and RE-43 (Residential Estate).

#### West:

To the west in the City of Glendale is a single-family residential neighborhood zoned R1-18 (Urban Residential) and an undeveloped hillside.

#### North:

The properties to the north are owned by the Maricopa County Flood Control District. The site functions as Adobe Dam Regional Park and is open to the public with vehicle access from the north. The properties are zoned RE-43 (Residential Estate), with an approved special permit for a county park.

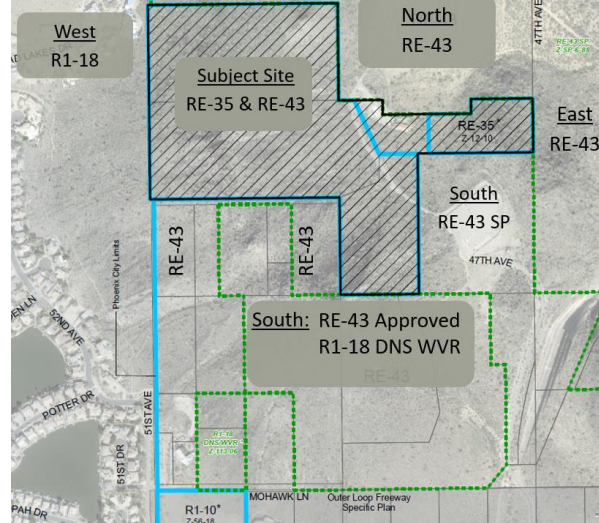
#### East

The property to the east is owned by the Maricopa County Flood Control District. The site it functions as Adobe Dam Regional Park and is open to the public with vehicle access from the north. The properties are zoned RE-43 (Residential Estate), with an approved special permit for a county park.

#### South:

There are multiple properties that abut the subject site to the south including a City of Phoenix Water facility zoned RE-43 (Residential Estate) and several undeveloped sites zoned RE-43 (Residential Estate) with approved

Figure C. Surrounding Zoning Entitlements.



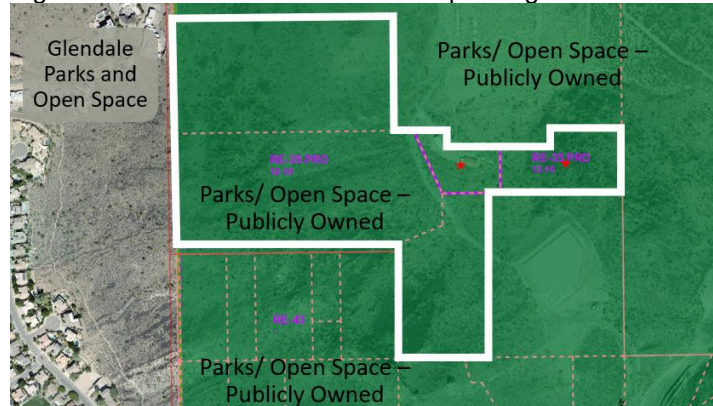
Source: Planning and Development Department

zoning of R1-18 DNS WVR (Single-Family Residence District, Hillside Density Waiver) from Rezoning Case No. Z-113-06-1. Additional information on Rezoning Case No. Z-113-06-1 can be found in Background Item No. 8

#### GENERAL PLAN LAND USE MAP DESIGNATIONS

4. Subject Site: Parks / Open Space – Publicly Owned
- North: Parks / Open Space – Publicly Owned
- East: Parks / Open Space – Publicly Owned
- South: Parks / Open Space – Publicly Owned
- West: City of Glendale; Parks and Open Space Designation; Low Density Residential 2.5 dwelling units per acre

Figure D. General Plan Land Use Map Designations



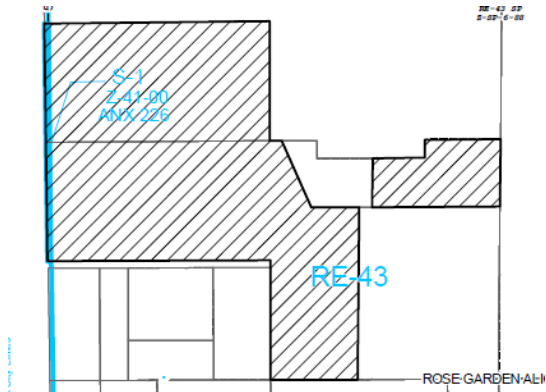
Source: Planning and Development Department

While the size of the site would typically require a General Plan Amendment, Arizona Revised Statute 9-461.06.N includes an exception which precludes the requirement. The statute permits a minimum density of one-dwelling unit per acre for privately-held land designated, without consent of the land owner, as “open space, recreation, conservation or agriculture” on the municipality’s general plan land use map. The proposed density of the site is 0.529 dwelling units per acre and therefore the site does not require a general plan amendment. However, the statute does not exempt the property from the requirements of Section 710 which governs hillside development standards and density.

#### ZONING HISTORY

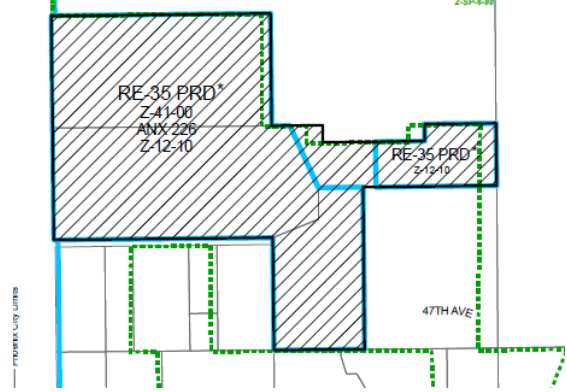
5. Rezoning Case No. Z-12-10-1 received approval subject to stipulations, to change the zoning on a portion of the site from RE-43 (Residential Estate) to RE-35 (Single-Family Residence District) to allow a maximum of 17 units on the site. At the time of the 2010 request, there was no neighborhood opposition due in part to the limited visibility of the site. Since the 2010 case, the subject site has increased in size from 55.22 acres to 60.50 acres and the request has increased from 17 to 32 units. The increase in size also increased the number of units permitted by their respective slope analyses from 17 to 20.

Figure E. Previous Rezoning Case (Z-12-10-1) from RE-43 to RE-35 (55.22 acres)



Source: Planning and Development Department

Figure F. Current Rezoning Case (Z-5-19-1) from RE-43 and RE-35 to RE-35 (60.50 acres)



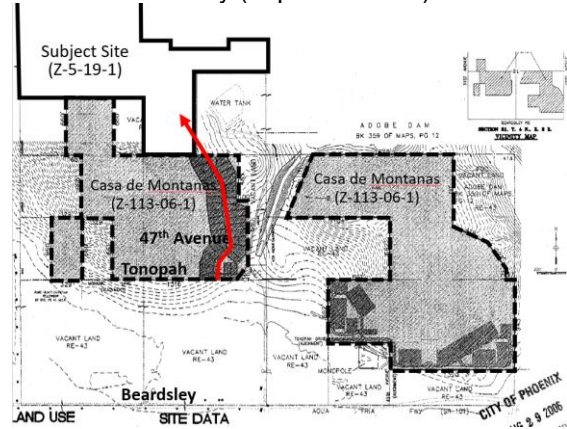
Source: Planning and Development Department

- The property to the south, commonly referred to as Casa de Montanas, received approved zoning through Rezoning Case No. Z-113-06-1 for R1-18 DNS/WVR (Single Family Residence District, Hillside Density Waiver). That developer is in a joint development agreement with the developer of the subject site to provide infrastructure and access to the site, including the extension of 47th Avenue depicted in red on Figure G.

The Casa de Montanas site plan is divided into two pieces: east of the Adobe Dam which is proposed as an attached product; and west of the Adobe Dam which is proposed as a similar to that proposed on the subject site.

The Casa de Montanas received a density waiver for 75 dwelling units, 17 percent more than permitted by the slope analysis.

Figure G. Illustration of the Casa de Montanas rezone (Z-113-06-1) and the subject site (Z-5-19-1) including the use of 47th Avenue as a shared accessway (depicted in red).



Source: Planning and Development

## PROPOSAL

### 7. **Site Plan**

The conceptual site plan proposes 32 dwelling units on 60.50 acres. Pending approval of Rezoning Case No. Z-5-19-1, the density is restricted to 21.52 dwelling units (20.74 dwellings on the hillside portion of the lot) by the slope analysis due to the severity of the topography. If the proposed density waiver is approved, staff

recommends a maximum of 32 units be permitted on the site. This is addressed in Stipulation No. 1

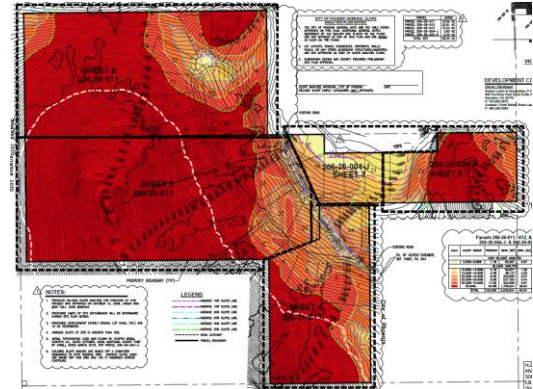
8. The conceptual site plan proposes graded building envelopes rather than fully graded lots to increase hillside preservation. The conceptual site plan also situates hillside development lots below the ridgeline. Staff recommends two stipulations to minimize the amount and visibility of disturbance.

- A maximum building envelope disturbance area of 400,000 square feet. Stipulation No. 2.
  - Section 710 would restrict grading to a maximum of 35% of the total site area or 20,000 square feet per unit; the disturbance maximum proposed is based on the allowed per unit disturbance of 20 units, rather than the 32 requested.
- A maximum elevation for grading disturbance of 1,610 feet above mean sea level. Stipulation No. 4.

9. The request proposes both an increase in dwelling units per acre and an increase in the number of dwelling units permitted in each slope category. Figure I compares the proposed density waiver to the density permitted by the slope analysis. The additional 12 units impact the unit counts in each slope category, but the following impacts are most notable:

- Fewer units proposed than permitted in slope categories less than 20%: A decrease of 4.35 units from the slope analysis due to much of the lower slope area being used for internal street circulation.
- More units proposed than permitted in slope categories greater than 19.9%: An increase of 14.83 units from the slope analysis.
- Most significant increase in the number of dwelling units is in the 30 to 34.9% slope category: An increase of 6.91 units from the slope analysis.

Figure H. Maximum Gradable Elevation, 1610' Above Mean Sea Level



Source: Atwell; Mean Sea Level Annotations by the Planning and Development Department



Figure I. Table of Slope Analysis Compared to Request

<b>Slope Category</b>	<b>Dwellings Permitted by Slope Analysis</b>	<b>Dwellings Requested</b>	<b>+/-</b>
Less than 10%	0.78	0 lots	-0.78
10% to 14.9%	2.32	0 lots	-2.32
15% to 19.9%	2.25	1 lot	-1.25
20% to 24.9%	3.55	6	+2.45
25% to 29.9%	2.72	7	+4.28
30% to 34.9%	2.09	9	+6.91
35% and over	7.81	9	+1.19
Total	21.51	32	+10.48

Source: Planning and Development

Staff is recommending a stipulation that would limit the maximum number of units permitted in each slope category with the exception that units be allowed to “move-down” in slope category but not “up.” The below table would govern the density on the site and in each category as described above and subject to a limitation on the total amount of grading permitted (Stipulation No. 2) and the elevation beyond which grading is not permitted (Stipulation No. 4). This is addressed in Stipulation No. 3.

Figure J. Stipulation 3 Table

<b>Slope Category</b>	<b>Maximum Units Permitted Per Slope Category</b>
Less than 10%	1 lot
10% to 14.9%	2 lots
15% to 19.9%	3 lots
20% to 24.9%	7 lots
25% to 29.9%	7 lots
30% to 34.9%	9 lots
35% and over	9 lots

Source: Planning and Development Department

10. **Site context and legal access requirements**

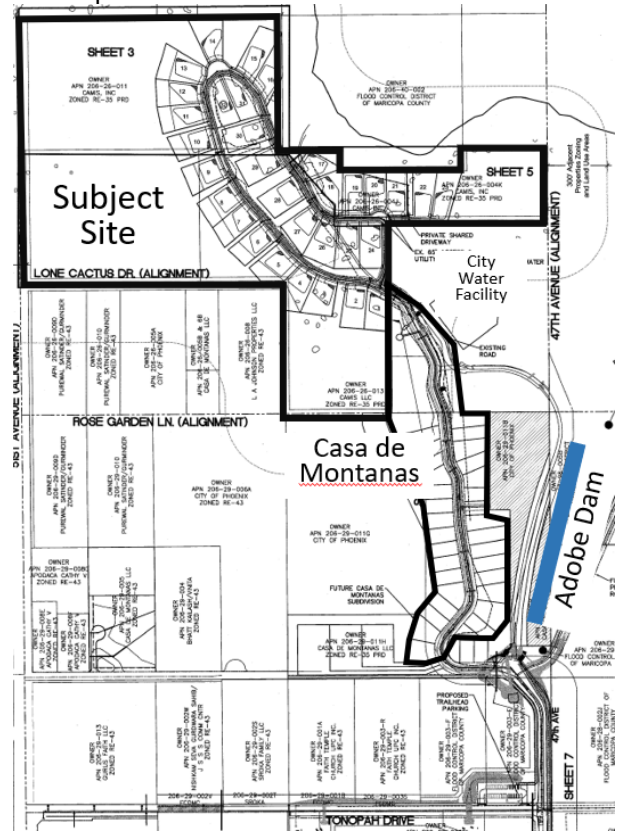
The site is situated approximately 2,640 feet north of the northeast corner of 51st Avenue and Tonopah Drive. Presently, the site is only accessible by way of a service road used to access the City of Phoenix water tank. The conceptual site plan depicts a new alignment of 47th Avenue from Tonopah Drive on the south, through the proposed Casa de Montanas, and terminating in the subject site.

Staff is recommending two stipulations to ensure the development has appropriate access to the site.

- A requirement that the applicant provide proof of legal access to the site. Stipulation No. 6.
- A requirement that roadway and drainage improvements pertaining to 47th Avenue be in general conformance with the plans presented to the Army Corps of Engineers. The Army Corps of Engineers have been involved in the project due to the proximity to the Adobe Dam Flood Control Facility. Stipulation No. 7.

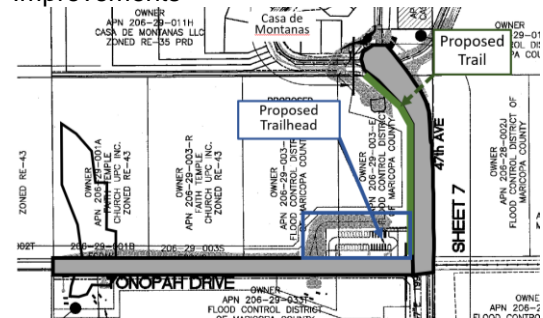
The conceptual site plans also propose: the completion of Tonopah Drive from its current terminus to 47th Avenue to provide another access; the construction of a bicycle and pedestrian trailhead at the northwest corner of 47th Avenue and Tonopah Drive; and the construction of a 10-foot “detached trail” to where the service road deviates toward the Adobe Dam. These off-site improvements are depicted in Figure L.

Figure K. Nearby Features and Planned Developments



Source: Atwell

Figure L. Proposed Off-Site Improvements



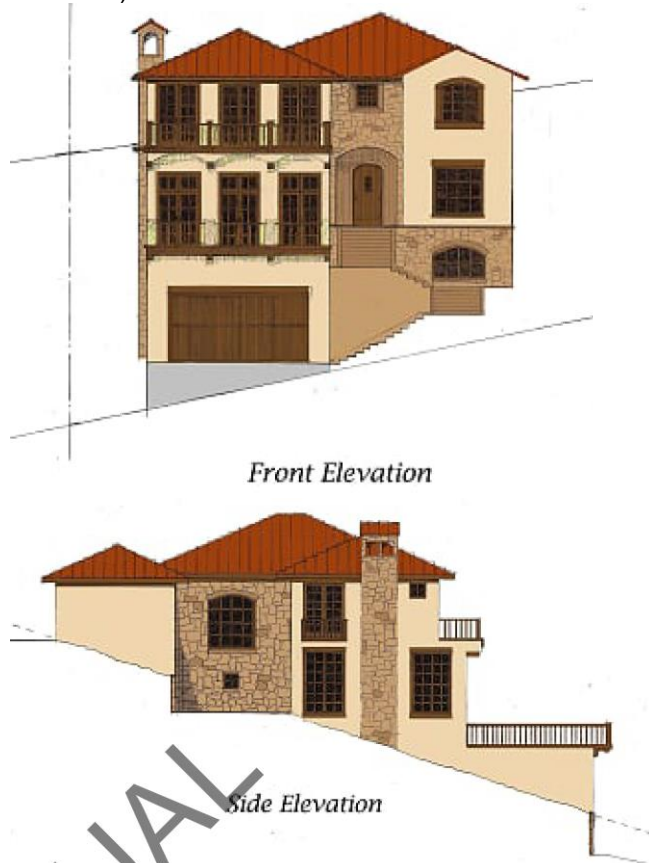
Source: Atwell

## 11. Conceptual Building Elevations

To promote aesthetic compatibility with the natural environment, staff is recommending that the color and material palette for buildings be muted and blend with the natural environment rather than contrast. This is addressed in Stipulation No. 5.

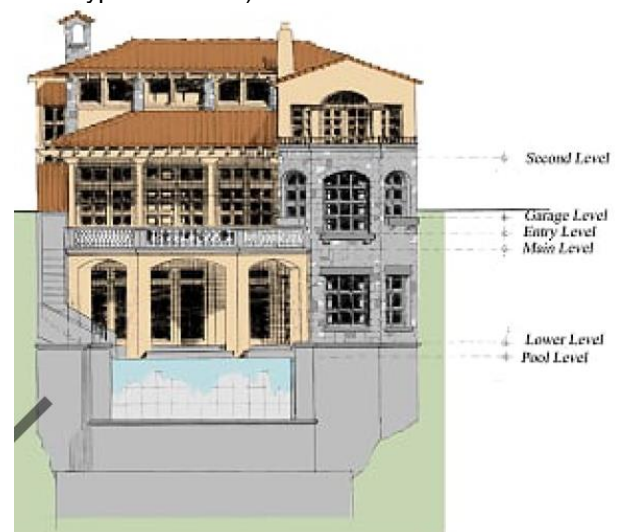
The height requirement of Section 710 is a maximum of two-stories, not to exceed 30-feet above natural grade. It appears several of the conceptual elevations may not comply with this requirement.

Figure M. Typical Elevation (Uphill Prototype Elevation)



Source: CCBG Architects

Figure N. Typical Elevation (Downhill Prototype Elevation)



Elevation  
(from downhill)



Source: CCBG Architects

12. Due to the proximity to the Adobe Dam Flood Control Facility and the City of Phoenix Water Facility which is designed as a flood control structure, staff is recommending that all requests for blasting be completed in accordance with the City of Phoenix Implosion / Demolition Policy and Checklist and be explicitly

reviewed by the City of Phoenix Water Services Department. These are addressed in Stipulation Nos. 8 and 9.

#### HILLSIDE DENSITY WAIVER BACKGROUND AND ANALYSIS

13. As described previously, areas within the City of Phoenix with slopes greater than 10% are regulated by Section 710, Hillside Development. The code section requires a slope analysis govern both the overall site density and slope categories into which lots/dwelling units can be placed. Several subsections of Section 710 provide guidance for requested density waivers:

Purpose (Section 710.A. Hillside Development):

*It is the purpose of this Section to establish regulations which recognize that development of land in hilly or mountainous areas involves special considerations and unique situations which result from the slope of the land. These special considerations and unique situations include but are not limited to increased hazards to development from rock falls, storm water runoff, geologic hazards, increased limitations on vehicular travel, and increased difficulties in providing public services. In addition, steeply sloped lands introduce design limitations to roadways, cuts and fills, and building sites. In general, the more steeply the land slopes, the greater potential hazard and development limitation.*

*Additionally, since hilly or mountainous areas within the city offer a desirable setting, visible to the entire city, they are a unique natural asset. It is intended through these regulations to preserve the visual integrity and character of hillside areas, while allowing reasonable development which is both safe and functional.*

Density Waiver (Section 710.D. Hillside Development):

*Neither the Zoning Administrator nor the Board of Adjustment shall have jurisdiction over the density requirements of this section.*

*The Zoning Hearing Officer and Planning Commission may recommend and City Council may grant in accordance with Section 506.B.4. a., b. and c., waivers to the density provisions where such waivers would be in furtherance of the purposes of this section and where there exist unusual conditions relating to the property such as drainage or flood hazards, peculiarity of the size or shape of the site, or geology, and where approval of the waivers would promote the general welfare of the neighborhood.*

To paraphrase the above, a Hillside Density Waiver is appropriate when it: 1) advances the purpose of this section; 2) is in response to unusual conditions of the site; and 3) when the approval would promote the general welfare of the neighborhood.

Section 710 highlights the importance of achieving a balance in managing hillsides; one that allows moderate development as a means of preserving hillsides for public enjoyment both through public access and public view. The proposed development is situated on the northeast side of the Hedgepeth Hills and adjacent to the Adobe Dam Regional Park; as such, the development would only be visible from the Adobe Dam Regional Park and have no visual exposure from the Loop 101 Freeway, across the freeway, or from Glendale. As stipulated, much of the undisturbed area would be permanently preserved through a preservation easement or a potential a land dedication.

Section 710 provides examples of unusual site conditions including “drainage or flood hazards, peculiarity of the size or shape of the site, or geology.” The proposed development is located on a severe hillside with the majority of the property (64.5%) classified into the highest slope category. The severity of the hillside produces several of the conditions referenced.

#### STUDIES AND POLICIES

14. [Reimagine Phoenix](#)

As part of the Reimagine Phoenix Initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. The provision of recycling containers was not addressed in the applicant’s submittals; however, per City Code, the City provides recycling containers and services to all single-family residences.

15. [Outer Loop Freeway Specific Plan](#)

The development is situated immediately north of the areas identified in the Outer Loop Freeway Specific Plan. A major principle of the plan is to avoid the visual disturbance of the Hedgepeth Hills through land development; the development, as stipulated, will not be visible from the Loop 101 Freeway.

#### COMMUNITY INPUT SUMMARY

16. As of the writing of this staff report, no correspondence from the public has been received in support or opposition of the request.

#### **Interdepartmental Comments:**

17. The Parks and Recreation Department requested the developer dedicate a 30-foot multi-use trail easement along the west side of 47th Avenue from Beardsley Road to the Adobe Dam and construct a ten-foot multi-use trail for the full length of the easement.

The proposed improvements depict a “10-foot detached sidewalk” at the above location; however, staff recommends the pedestrian route comply with the specifications of a multi-use trail easement and trail.

18. The Water Services Department commented that the City of Phoenix Water Reservoir is designed as a flood control structure. As such, the department requires review and approval authority for any blasting proposed on the site for either grading or construction. This is addressed in Stipulation No. 9.

The Water Services Department further commented that the site currently has no water or sewer mains to serve the development and therefore a water and sewer main extension would be required per City Code Chapter 37-33 which states “All public streets bounding (along property frontage) and within a proposed development must have public water mains within them, if none exist, developer must install.”

The Water Services Department also noted that capacity is a dynamic condition that can change over time due to a variety of factors. It is the City's intent to provide water and sewer service. However, the requirements and assurances for water and sewer service are determined during the site plan application review. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.

19. A portion of the site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. 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 Nos. 11 through 13.
20. The Aviation Department commented the site is located within the Phoenix Deer Valley Airport (DVT) traffic pattern airspace. The Aviation Department is requesting a Notice to Prospective Purchasers of Proximity to disclose the existence and operational characteristics of the Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property. This is addressed in Stipulation No. 9.

### **Findings**

1. As stipulated, the proposed development is compatible with the character of existing development in the surrounding area.
2. The development will follow Section 710, Hillside Development, and is generally compatible with the intent of the section.
3. As stipulated, the proposed development will permanently preserve approximately 59 percent of the total site area including a significant amount of hillside and natural desert.

### **Stipulations**

1. There shall be a maximum of 32 dwelling units.
2. There shall be a maximum overall building envelope disturbance area of 400,000 square feet, as approved by the Planning and Development Department.
3. There shall be no more lots, dwelling units, or building envelopes created than permitted by the slope categories provided below, except that lots or dwelling units not placed in a slope category may be placed in a lower slope category so long as the total number of lots or dwelling units in the hillside development area does not exceed 32 units, as approved by the Planning and Development Department.

<b>Slope Category</b>	<b>Units Permitted Per Slope Category</b>
Less than 10%	1 lots
10% to 14.9%	2 lots
15% to 19.9%	3 lot
20% to 24.9%	7 lots
25% to 29.9%	7 lots
30% to 34.9%	9 lots
35% and over	9 lots

4. There shall be no grading permitted at an elevation of 1,610 feet above mean sea level or above. The remainder of land shall remain undisturbed and be preserved as natural desert open space, as approved by the Planning and Development Department.
5. The color and material palette for the buildings shall be determined at site plan

review with specific regard to colors being muted and blending with, rather than contrasting strongly, with the surrounding desert environment, as approved by the Planning and Development Department.

6. The applicant shall provide the Planning and Development Department with proof of legal access between the development and a public right-of-way prior to final plat approval. This access shall be sufficient to service a subdivision in accordance to the Subdivision Code in Chapter 32 of the City Code, as approved by the Planning and Development Department.
7. Roadway and drainage improvements pertaining to 47th Avenue shall conform to the design presented to the Army Corps of Engineers for application of the Section 408 permit, as approved by the Planning and Development Department.
8. The use of blasting, both on-site and off-site, for grading and construction shall be subject to the City of Phoenix Implosion/Demolition Policy (TRT 00590) and the Implosion/Demolition Checklist (TRT 00591) with specific regard to those sections related to blasting, as approved by the Planning and Development Department.
9. The use of blasting during on-site or off-site construction shall be subject to the review and approval by the City of Phoenix Water Services Department, and their regulatory agency Arizona Department of Water Resource. The developer shall provide evidence of this review and approval to the Planning and Development Department prior to the issuance of any blasting approvals on the site.
10. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property, as approved by the Aviation Department.
11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
13. 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.



**Writer**

Nick Klimek  
September 4, 2019

**Team Leader**

Samantha Keating

**Exhibits**

Zoning sketch map

Aerial sketch map

Conceptual site plan date stamped January 22, 2019

Conceptual elevations and floor plans date stamped January 22, 2019 (2 pages)

Approved slope analysis, date stamped January 22, 2019

CITY OF  
GLENDALE

ARROWHEAD LAKES DR

ROSE GARDEN LN  
52ND AVE

POTTER DR

TONOPAH DR

Phoenix City Limits

51ST DR

51ST AVE

MOHAWK LN

Outer Loop Freeway  
Specific Plan

ULTRA LITE LN

47TH AVE ALIGNMENT

RE-43 SP  
Z-SP-6-88

RE-43

RE-35\*  
Z-41-00  
ANX 226  
Z-12-10

RE-35\*  
Z-12-10

47TH AVE

RE-43

R1-18  
DNS/WVR\*  
Z-113-06

R1-18  
DNS/WVR\*  
Z-113-06

R1-10\*  
Z-56-18



Miles

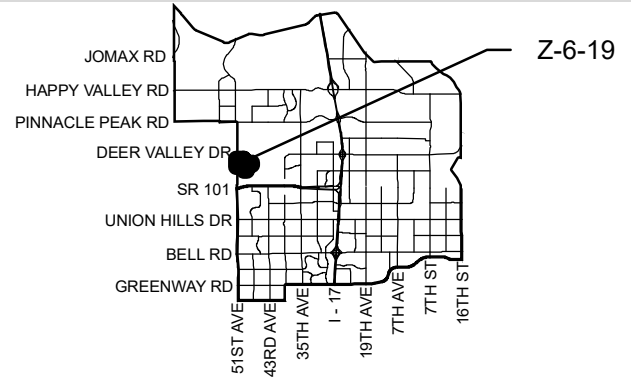
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**DEER VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 1



City of Phoenix  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Rose LawGroup**

APPLICATION NO. **Z-6-19**

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

**60.50 Acres**

DATE: **2/19/2019**  
REVISION DATES:

8/15/2019

AERIAL PHOTO &  
QUARTER SEC. NO.

**QS 42-17**

ZONING MAP

**N-5**

REQUESTED CHANGE:  
FROM: **RE-35 (Pending RE-35) ( 57.67 a.c.)**  
**RE-43 (Pending RE-35) ( 2.83 a.c.)**

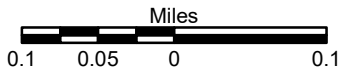
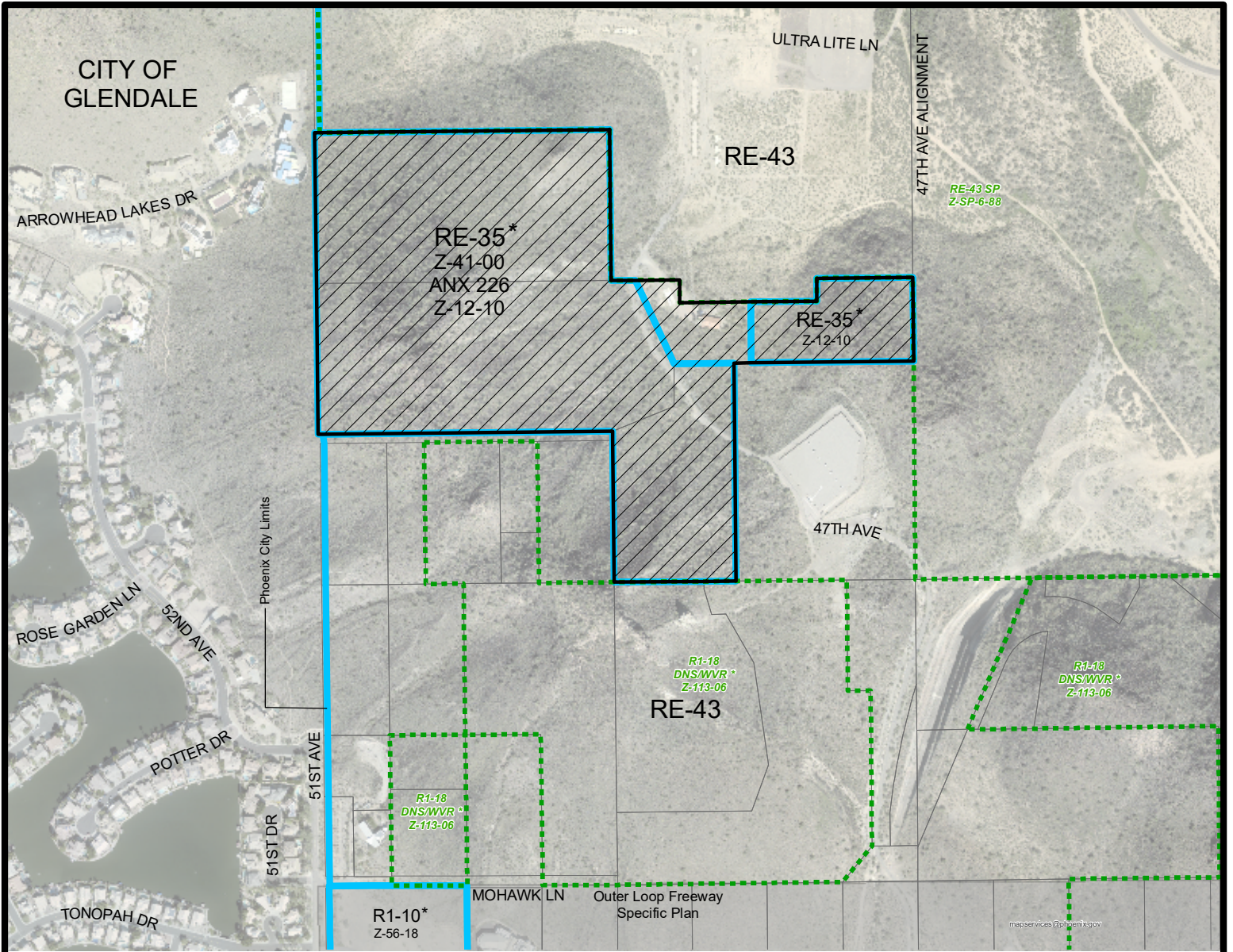
TO: **RE-35 Hillside DNS/WVR ( 60.50 a.c.)**

**MULTIPLES PERMITTED**  
RE-35 (Pending RE-35), RE-43 (Pending RE-35)  
RE-35 Hillside DNS/WVR

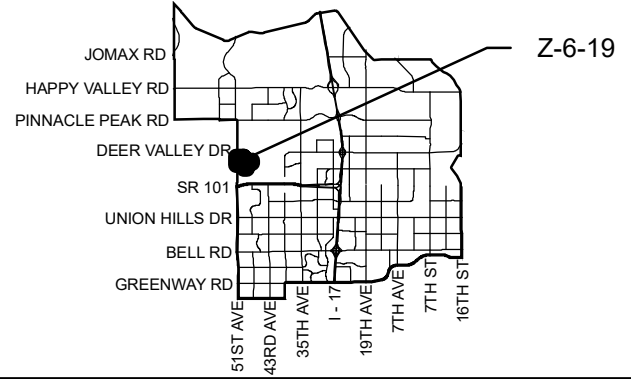
**CONVENTIONAL OPTION**  
63 (63), 2 (3)  
66

**\* UNITS P.R.D. OPTION**  
76 (76), N/A (3)  
80

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



**DEER VALLEY VILLAGE**  
CITY COUNCIL DISTRICT: 1



<b>APPLICANT'S NAME:</b> Rose LawGroup		<b>REQUESTED CHANGE:</b> FROM: RE-35 (Pending RE-35) ( 57.67 a.c.) RE-43 (Pending RE-35) ( 2.83 a.c.)	
<b>APPLICATION NO.</b> Z-6-19	<b>DATE:</b> 2/19/2019 <b>REVISION DATES:</b>	<b>TO:</b> RE-35 Hillside DNS/WVR ( 60.50 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>60.50 Acres</b>	8/15/2019		
	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 42-17	<b>ZONING MAP</b> N-5	
<b>MULTIPLES PERMITTED</b> RE-35 (Pending RE-35), RE-43 (Pending RE-35) RE-35 Hillside DNS/WVR	<b>CONVENTIONAL OPTION</b> 63 (63), 2 (3) 66	<b>* UNITS P.R.D. OPTION</b> 76 (76), N/A (3) 80	
<b>* Maximum Units Allowed with P.R.D. Bonus</b>			

JAN 2 2019

**Planning & Development  
Department**

**CONCEPTUAL SITE PLAN**

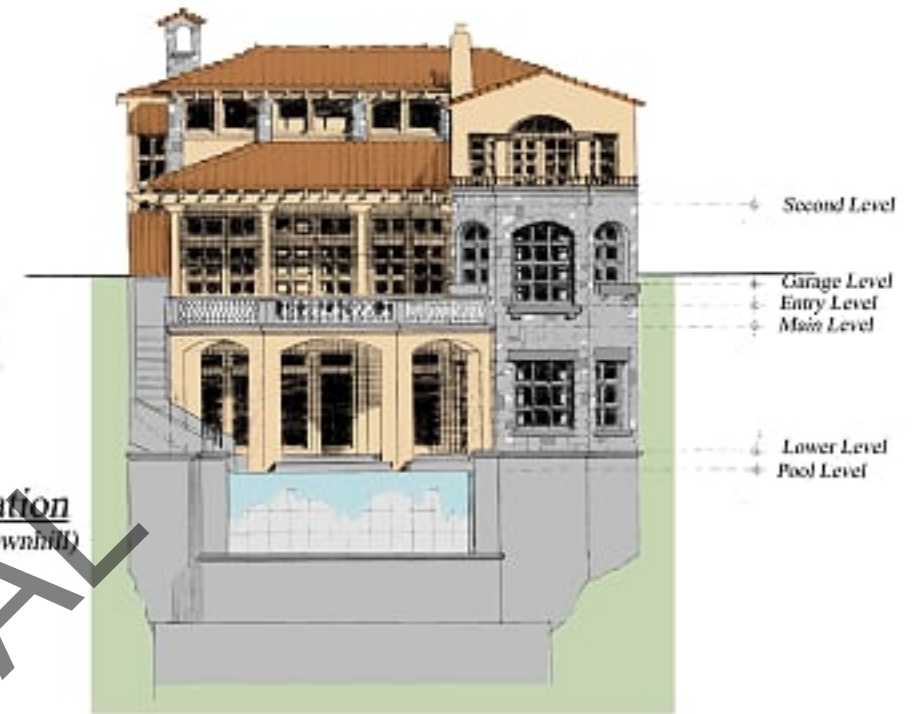
SITE DATA	
GROSS ACRES	60.54AC
NET ACRES	60.54AC
EXISTING ZONING	RE-43 & RE-35 PRD
PROPOSED ZONING	RE-35 PRD
TOTAL LOTS	32
DENSITY	0.52 DU/AC
OPEN SPACE	38.72 AC (64%)



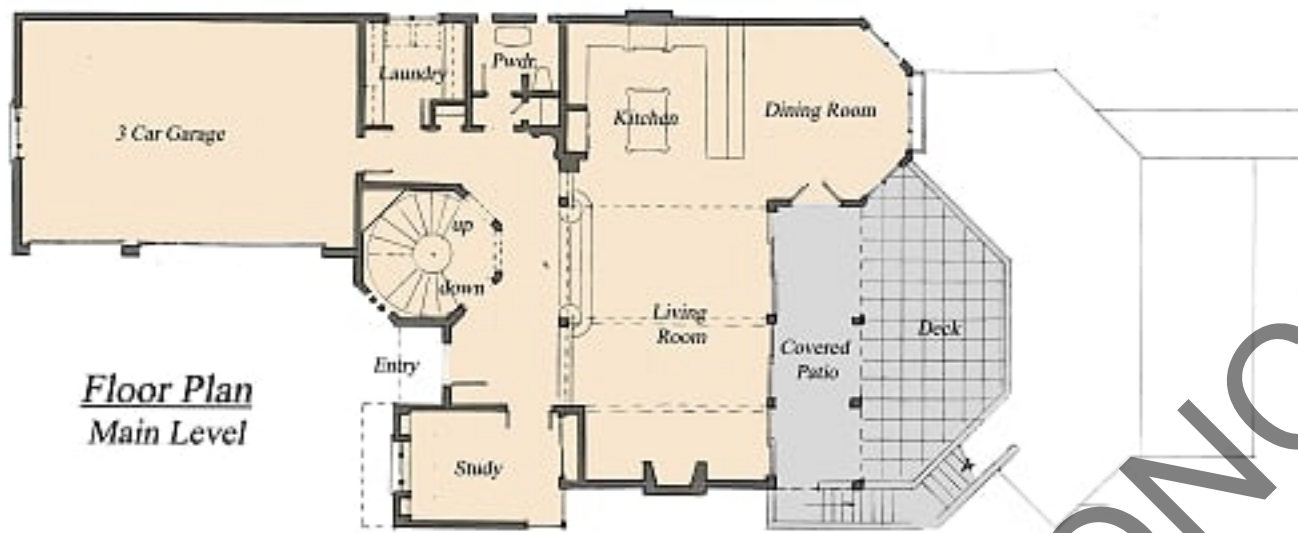


**Floor Plan**  
*Upper Level*

CITY OF PHOENIX  
JAN 22 2019  
Planning & Development  
Department



**Elevation**  
*(from downhill)*



**Floor Plan**  
*Main Level*



**Floor Plan**  
*Lower Level*



*Side Elevation*

CONCEPTUAL

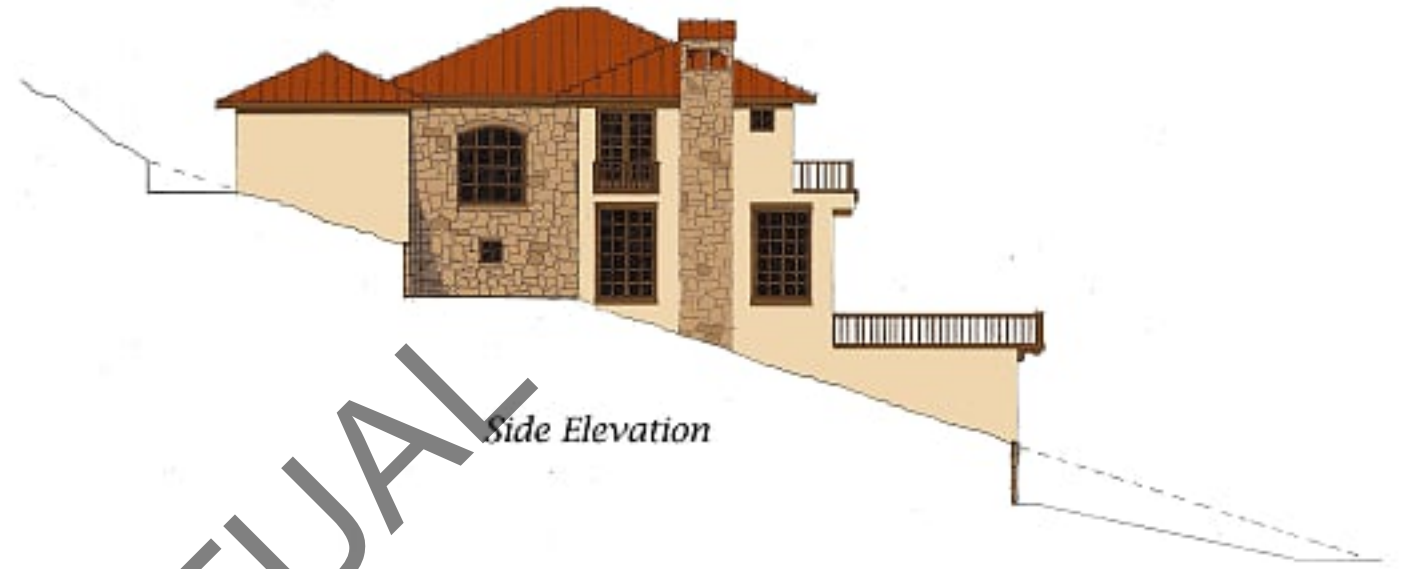
**DOWNHILL PROTOTYPE**

**CCBG**  
Architects, Inc.





*Floor Plan  
Upper Level*



*Side Elevation*



*Floor Plan  
Main Level*



*Front Elevation*



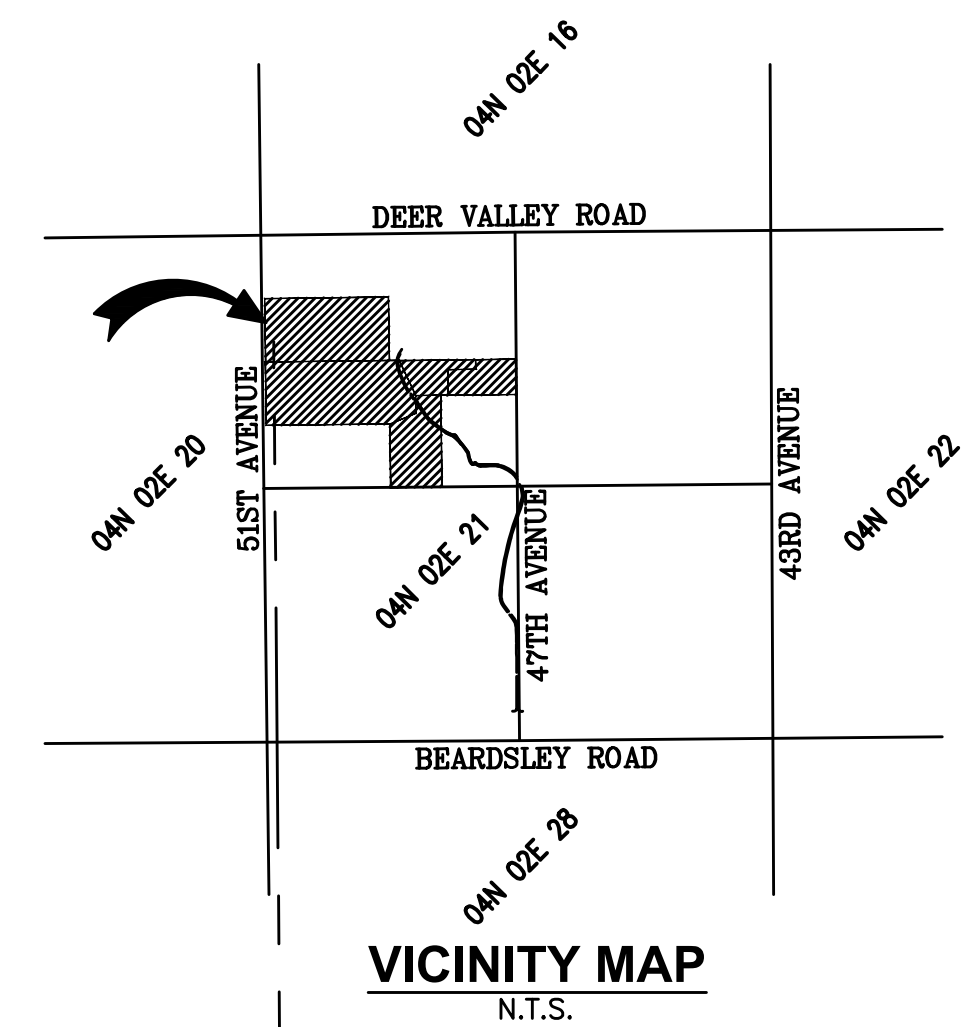
*Floor Plan  
Lower Level*

CONCEPTUAL

# HILLSIDE SLOPE ANALYSIS FOR DESERT MOUNTAIN ESTATES

Flood Control District of Maricopa County

THIS PROJECT



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE: CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK OF PERSONS ENGAGED IN THE WORK OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

PARCEL	ACRES
PARCEL 206-26-011	19.54 AC
PARCEL 206-26-012	22.61 AC
PARCEL 206-26-013	10.23 AC
PARCEL 206-26-004-J	2.83 AC
PARCEL 206-26-004-K	5.33 AC
<b>TOTAL SITE</b>	<b>60.54 AC</b>

- CITY OF PHOENIX GENERAL SLOPE ANALYSIS PLAN NOTES:**
1. THE CITY OF PHOENIX GENERAL NOTE ARE THE ONLY NOTES APPROVED ON THIS PLAN. ADDITIONAL GENERAL NOTES GENERATED BY THE SEALANT AND PLACED ON THE PLANS ARE NOT APPROVED AS PART OF THIS PLAN AND ARE NOTED AS SUCH ON THE PLANS.
  2. LOT LAYOUTS, ROADS, RESIDENCES, DRIVEWAYS, WALLS, POOLS, OR ANY OTHER ACCESSORY STRUCTURES/AMENITIES ARE NOT APPROVED AS PART OF SLOPE ANALYSIS PLANS.
  3. SUBDIVISION DESIGN AND DENSITY REQUIRES PRELIMINARY SITE PLAN APPROVAL.

SLOPE ANALYSIS APPROVAL, CITY OF PHOENIX  
HILLSIDE SLOPE LINES/ CATEGORIES ONLY APPROVED. DATE \_\_\_\_\_

**DEVELOPMENT CONTACTS**

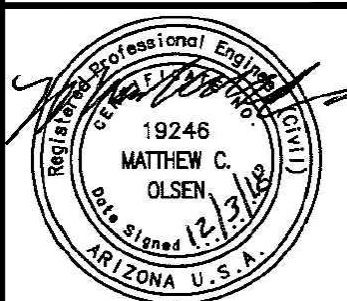
<b>Owner / Developer</b> Robert Lubin & Associates, P.C. 505 Huntmar Park Drive Suite 315 Herndon, VA 20170 P: 703.883.0870 Contact: Chris Webb, Rose Law Group P: 480.240.5583	<b>Engineer</b> Atwell 4700 East Southern Avenue Mesa, AZ 85206 P: 480.218.8831 F: 480.830.4888 Contact: Matthew Olsen
---	--

**ATWELL**  
866.850.4200 www.atwell-group.com  
4700 E. SOUTHERN AVENUE  
MESA, AZ 85206  
PHOENIX, ARIZONA

PROJECT: DESERT MOUNTAIN ESTATES  
PHOENIX, ARIZONA

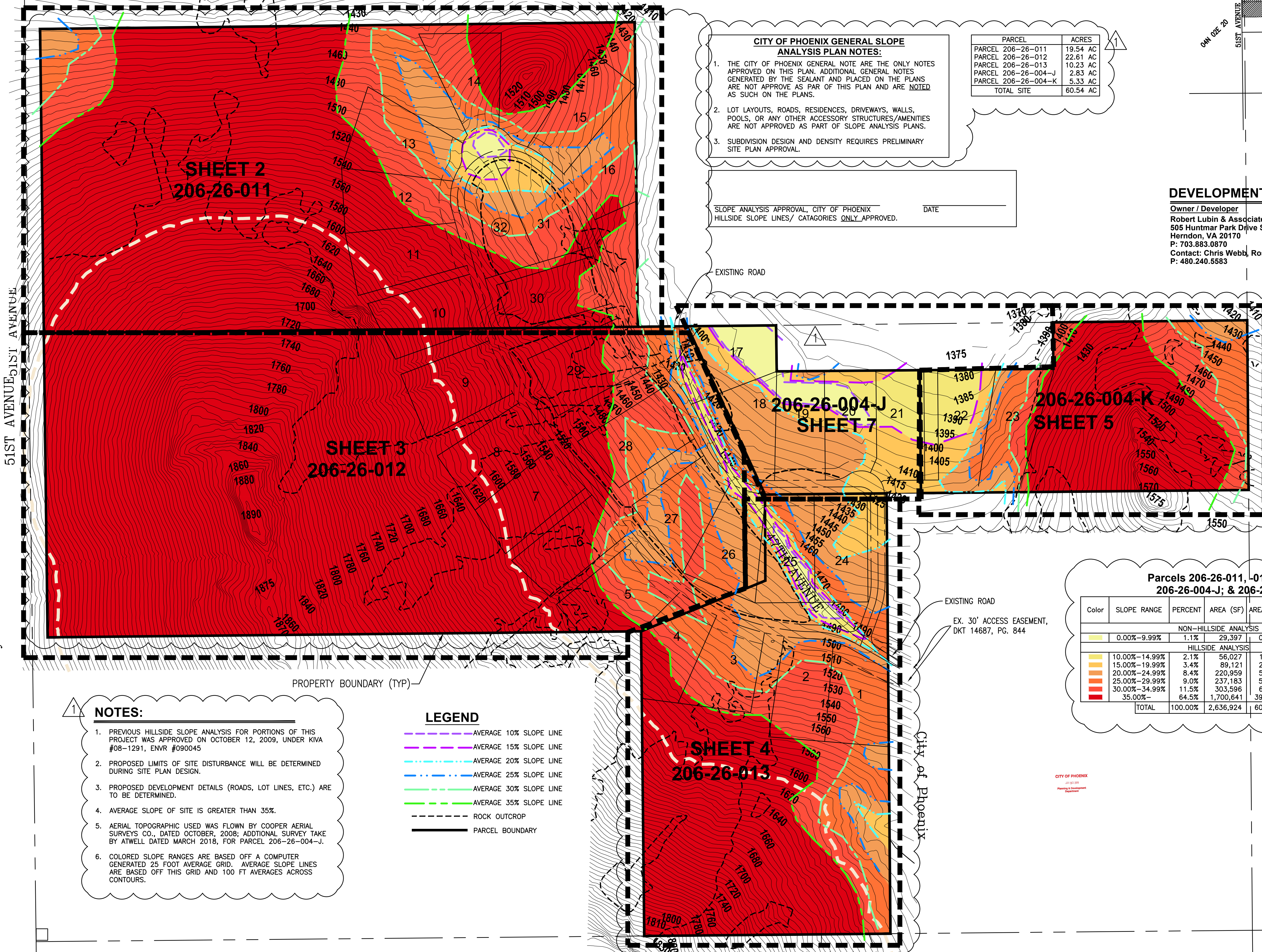


REVISIONS:  
ADD PARCEL 206-26-004-J TO SLOPE ANALYSIS AND CHART INFORMATION;  
CHANGE VISUAL REPRESENTATION OF SLOPE ANALYSIS FROM 50 FOOT SQUARES TO FILL BETWEEN SLOPE LINES



PM. M. OLSEN  
DR. Z. WATSON  
JOB NO. 08003827  
FILE NO. 08003827HS01

SHEET NO. 1 OF 7



- NOTES:**
1. PREVIOUS HILLSIDE SLOPE ANALYSIS FOR PORTIONS OF THIS PROJECT WAS APPROVED ON OCTOBER 12, 2009, UNDER KIVA #08-1291, ENVR #090045
  2. PROPOSED LIMITS OF SITE DISTURBANCE WILL BE DETERMINED DURING SITE PLAN DESIGN.
  3. PROPOSED DEVELOPMENT DETAILS (ROADS, LOT LINES, ETC.) ARE TO BE DETERMINED.
  4. AVERAGE SLOPE OF SITE IS GREATER THAN 35%.
  5. AERIAL TOPOGRAPHIC USED WAS FLOWN BY COOPER AERIAL SURVEYS CO., DATED OCTOBER, 2008; ADDITIONAL SURVEY TAKE BY ATWELL DATED MARCH 2018, FOR PARCEL 206-26-004-J.
  6. COLORED SLOPE RANGES ARE BASED OFF A COMPUTER GENERATED 25 FOOT AVERAGE GRID. AVERAGE SLOPE LINES ARE BASED OFF THIS GRID AND 100 FT AVERAGES ACROSS CONTOURS.

- LEGEND**
- - - - - AVERAGE 10% SLOPE LINE
  - - - - - AVERAGE 15% SLOPE LINE
  - - - - - AVERAGE 20% SLOPE LINE
  - - - - - AVERAGE 25% SLOPE LINE
  - - - - - AVERAGE 30% SLOPE LINE
  - - - - - AVERAGE 35% SLOPE LINE
  - - - - - ROCK OUTCROP
  - - - - - PARCEL BOUNDARY

**Parcels 206-26-011, -012, & -013; 206-26-004-J; & 206-26-004-K**

Color	SLOPE RANGE	PERCENT	AREA (SF)	AREA (AC)	ALLOWABLE DENSITY DU/AC	PRODUCT OF DENSITY X ACREAGE
NON-HILLSIDE ANALYSIS						
Yellow	0.00%-9.99%	1.1%	29,397	0.67	1.15	0.78
HILLSIDE ANALYSIS						
Light Yellow	10.00%-14.99%	2.1%	56,027	1.29	1.80	2.32
Yellow-Orange	15.00%-19.99%	3.4%	89,121	2.05	1.10	2.25
Orange	20.00%-24.99%	8.4%	220,959	5.07	0.70	3.55
Dark Orange	25.00%-29.99%	9.0%	237,183	5.44	0.50	2.72
Red-Orange	30.00%-34.99%	11.5%	303,596	6.97	0.30	2.09
Red	35.00%-	64.5%	1,700,641	39.04	0.20	7.81
<b>TOTAL</b>		<b>100.00%</b>	<b>2,636,924</b>	<b>60.54</b>		

H: 09055  
KIVA#: 08-1291  
SDEV#: 0800255  
LSLO#: 1803275  
QUARTER SECTION#: 42-17  
ZONING: RE-43 RE-35 (Z-12-10)

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