

# **BURCH & CRACCHIOLO, P.A.**

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To: Debra Stark, Planning Director; Michelle Dodds, Principal Planner; and Jacob Zonn, Village Planner  
From: Ed Bull  
Date: May 12, 2009  
RE: **Major Specific Plan Amendment to the Desert Ridge Specific Plan Development Parcel 2.H and Superblock 2**  
**34.75± acres at the northeast corner of the Loop 101 and 56<sup>th</sup> Street (the “Site”).**

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East of Epicenter, LLC/Gray Development Group (“GDG”) is developing 34.75± acres known as Development Parcel 2.H in Superblock 2, located at the northeast corner of the Loop 101 Freeway and 56<sup>th</sup> Street within the City of Phoenix (the “City”). GDG is seeking a Major Specific Plan Amendment (“SPA”) to the text of the Desert Ridge Specific Plan (the “Specific Plan”). Specifically, GDG requests the language contained in § 6.C.5.2.H be amended to increase the maximum number of dwelling units in Development Parcel 2.H from 820 to 1066, to be developed on the entirety of Development Parcel 2.H. Correspondingly, GDG requests the Superblock 2 density cap in § 6.C.5.Superblock 2 be increased by 12.24%, to a total of 2,255 units. The proposed text amendment is attached as Exhibit 1.

GDG believes the proposed SPA makes sense on this location given its close proximity to the Loop 101 Freeway, Superblock 5-the Desert Ridge Village Center, and Superblock 6-an area designated for commerce park-related jobs and economic development. The slight increase in the number of dwelling units does not affect the Site’s compatibility with the surrounding uses. The Site continues to provide a natural transition from the more intense commercial and office uses (to the south and west) to the less-intense single-family residences (to the north and east).

GDG’s responses to the SPA questions are as follows:

**1. Does the proposed amendment encourage concentration of development intensity in cores?**

The Site is not located in a core, but is near Superblock 5. Superblock 5 is designated as the Desert Ridge Village Center and serves as the entire planned community’s primary commercial and employment center. The minimal increase in the number of Superblock 2 dwelling units will provide people working in the area with more housing choices closer to their work. This proposed development will help provide the “living” element of the “live, work, and shop” opportunities that are desired in and near cores.

There is no proposed change to the overall density cap of 21,268 non-core dwelling units in the Desert Ridge Specific Plan. Per discussions with Staff and the ASLD, the additional 246 dwelling units are being reallocated from developed areas of the Specific Plan area. In these developed areas, the developments did not build the permitted maximum number of dwelling units that were planned within the Specific Plan, allowing the “excess” dwelling units to be reallocated to Development Parcel 2.H and Superblock 2. This use of planned but previously unused density does not change the Desert Ridge Specific Plan’s overall density cap.

**2. How many potential jobs would be created or lost by approving and implementing the proposed amendment?**

No potential jobs will be lost. Uses permitted on Development Parcel 2.H under the Specific Plan include residential, nursing homes, group care homes, specialized treatment facilities, congregate living facilities, and churches. The Site was zoned R-4 on October 4, 2006. Development of Development Parcel 2.H will create construction-related jobs on a temporary basis and longer-term management and maintenance jobs.

**3. How many potential housing units would be lost by approving and implementing the proposed amendment?**

None. GDG is developing the Site with 1066 multi-family units, at a density of 30.68 dwelling units per acre, averaged over the approximately 34.75 gross acres. The proposed text amendment is to increase the maximum number of dwelling units in Development Parcel 2.H to 1066 and Superblock 2 to 2,255. As discussed in Answer No. 1, "excess" dwelling units in developed parcels will be reallocated to Development Parcel 2.H.

**4. Is there a need for the proposed use(s) or density(ies) in the requested location? Explain**

Yes, for example:

- A. Goal 1 of the Specific Plan emphasizes the Urban Village pattern be continued. Under Goal 1, "Land uses are the most intense in and around the Village Center in Desert Ridge, logically reducing in density with increasing distance from the commercial/employment center and continuing beyond the project boundaries." Goal 1, Neighborhood Policy 3 of the General Plan Land Use Element encourages locating "higher density housing in or near the core, and medium density housing near employment, shopping, and transportation facilities, to support and encourage pedestrian, bicycle, and transit trips." The Site's close proximity to the Desert Ridge Village Center and the Loop 101 make it appropriate to locate additional housing units.
- B. Goal 5 of the Specific Plan is to, "Achieve a balance of residential and employment opportunities." Locating residential and employment opportunities near each other "allows individuals to live and work close by, resulting in public and private benefits or reduced commuting distance." The minimal housing unit increase will provide more housing opportunities for people to live near their work and shopping opportunities, helping to reduce the number of trips and trip lengths.
- C. Goal 4 of the Specific Plan is to assure a fiscally sound land use mix, "A mix of land uses, supported by market demand, that will achieve a positive fiscal situation for the City in the long term is encouraged." The proposed development will provide a positive fiscal situation through generating revenue for the City, such as, impact fees, plan review fees, building permit fees, additional residents/shoppers to generate sales tax revenues, etc. Completing the purchase of the Site will generate revenue for the Arizona State Land Department (which in turn generates revenue for Arizona education). The development will also generate additional fees for the Desert Ridge HOA. Were the Site not to develop as GDG proposes, control of the Site would likely revert back to the Arizona State Land Department. As a result, the above-described revenues/fees would not be realized for many years into the future and, even then, may

be in a lesser amount than will be generated if Parcel 2.H is developed in accordance with this Specific Plan Amendment application.

- D. Goal 3 of the Specific Plan is to provide supporting infrastructure in an orderly manner. With 21,268 non-core dwelling units proposed in the Desert Ridge Specific Plan, an appropriate amount of infrastructure was planned and impact fees were structured in anticipation of the anticipated number of dwelling units being constructed. When a parcel is underdeveloped (i.e., not developed to its full number of planned dwelling units) there is a shortage of dwelling units to provide the necessary impact fee support. Reallocating the unused density to other portions of Desert Ridge, and specifically to Development Parcel 2.H, will help ensure there are an enough dwelling units to support the impact fees needed for the infrastructure. The density reallocation will allow the infrastructure to develop in an orderly manner, sufficient to meet Development Parcel 2.H's needs.
- E. Goal 9 of the General Plan Land Use Element encourages a range of housing choices, densities, and prices in each village. Goal 2 of the General Plan Housing Element also encourages a diverse choice of housing choices in all villages of the city to meet the needs of all households. The additional housing units will contribute to a diverse mix of housing choices in the area. Superblock 2 contains medium-density residential and low-density residential housing opportunities on the east and southeast. Taken together, the mix of housing densities will meet the needs of all households.
- F. Goal 9, Policy 1 of the General Plan Land Use Element seeks to provide residents an opportunity to live and work in the village of their choice by offering a variety of housing to respond to changing family size, health, or income. Goal 2, Policy 1 of the General Plan Housing Element also provides that a range of housing types should be developed in each urban village.
- G. Goal 2 of the Specific Plan encourages the preservation of environmental amenities. The Site has a natural wash running through it. This wash will be preserved and enhanced, giving future residents an attractive community to live in.

**5. What impact would the proposed amendment have on adjacent or nearby land?**

As previously discussed, the Site is designated high-density residential on the Specific Plan, zoned R-4, and currently permits a maximum of 820 dwelling units. An additional 246 units, on a freeway-frontage site where higher density is already provided for, will have minimal impact on adjacent or nearby land. The proposed development will provide more housing choices in close proximity to employment and commercial centers, reducing the number of trips and trip lengths.

The addition of new housing proximate to the established retail centers such as CityNorth and the Desert Ridge Marketplace will have positive impacts to these properties. At build-out, the three phases proposed for Parcel 2.H will be home to approximately 1,500 to 2,000 residents who will undoubtedly support these area retail centers, in turn, generating sales taxes to the City of Phoenix and State of Arizona.

The proposed development will also comply with Goal 6 of the Specific Plan relating to the conservation of water. Consistent with Goal 6, the development proposal will include a strategy for minimizing ground water use through conservation measures. Landscaping will be provided from ADWR's approved list of low-water consuming plants. The conservation of water will lessen the impact of adjacent or nearby land.

**6. How will the proposed amendment affect traffic generation and the transportation system?**

The addition of 246 units in the area that's adjacent to the Loop 101 Freeway, the Desert Ridge Village Center, an arterial street (56<sup>th</sup> Street), and medium-density residential will not be disruptive to either the quality of life for neighborhood residents or the traffic circulation for the mix of uses in the area. The proposed Specific Plan text amendment will not substantially affect traffic generation and transportation because such traffic is already contemplated in the area. Providing additional housing within close proximity of substantial employment and shopping opportunities will provide the opportunity to reduce trips and shorten trip lengths.

**7. Will the proposed amendment create additional need for recreation and open space facilities? If so, how will the additional need be met?**

No. Substantial recreation and open space amenities will be provided on site with each phase of the development for use by the residents of the proposed development. The natural wash running through the Site will be preserved and enhanced and each phase of the development will contain on-site fitness facilities.

**8. How will the proposed amendment affect the character and image of the adjacent area, neighborhood, and village?**

Providing additional housing units makes sense in this location given the mix of shopping and employment opportunities at Desert Ridge Village Center and the employment opportunities along the Loop 101. The character and image of the Village and surrounding area will not be affected because high-density residential is provided for in the Specific Plan and the Site's R-4 zoning. The proposed amendment will have a positive affect on the character and image of the adjacent area by facilitating development of the Site, giving people more opportunities to live and work near each other, reducing trip lengths, and supporting the goals of the Specific Plan and General Plan.

## Exhibit 1

### Application to Amend Desert Ridge Specific Plan re: Superblock 2 and Development Parcel 2.H

The following text is shown in normal type as it is currently adopted. New text is shown in CAPS and text to be removed is shown as being ~~struck through~~. New numbers, which cannot be shown in CAPS, are underlined.

#### SUPERBLOCK 2

Superblock 2 contains a variety of residential densities, as well as a high school, community park, and a municipal complex consisting of a water storage reservoir, park-and-ride lot and potentially, a library, community center, police and fire station. -9

Size: 383 acres \*2 \*9 \*10

Maximum Number of Dwelling Units: ~~2,009~~ 2,255 \*2

Overall Superblock Maximum Density: ~~5.25~~ 5.9 du/ac \*2 \*9 \*10

The size of each development parcel may vary by 30 percent (25 percent for R1-6 and more dense zoning categories without a minor plan amendment). Within Superblock 2, the more dense developments are located adjacent to 56<sup>th</sup> Street and contiguous to the high school and community park. \*2

#### **2.H – Development Parcel 2.H**

**Size:** 35 acres \*2 \*9 \*10

**Uses Permitted:**

- Residential
- Nursing homes, group care homes, specialized treatment facilities, congregate living facilities
- Churches +2

**Density Range:** ~~40-25~~ 10-31 du/ac for the entire parcel; ~~maximum density of 35 du/ac for individual developments~~; no maximum density is imposed for nursing homes or congregate care facilities. \*2

**Maximum Number of Units:** ~~820~~; 1,066 if acreage increases 30 percent \*2 \*10

**Minimum Number of Units:** 300; ~~210 if acreage decreases 30 percent~~ \*2

**Building Height Limit:** 4 stories or 48 feet

**Potential Zoning to be Applied:** R-2, R-3, R-3A, R-4 +2

**Minimum Lot Size:** Zoning controls

Special Requirements (Modifying City of Phoenix Regulations):

- A use permit shall be obtained for nursing homes, group care homes, specialized treatment facilities and congregate living facilities.
- Residential units may be single-family detached, single-family attached or multifamily. \*2
- Section C.4.B., Chapter 6 of Desert Ridge Specific Plan, applies.
- No more than 25 percent of the development parcel may be zoned R-2. +2

Recommendations:

- Appropriate buffering from the Pima Freeway shall be provided.