



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report: Z-45-18-2
September 11, 2018

Deer Valley [Village Planning Committee Meeting Date](#) September 20, 2018

[Planning Commission Hearing Date](#) October 4, 2018

Request From: [CP/GCP](#) (Commerce Park/ General Commerce Park District) (16.61 acres)

[CP/GCP SP](#) (Commerce Park/ General Commerce Park District, Special Permit) (0.68 acres)

[S-1](#) (Approved [CP/GCP](#)) (Ranch or Farm Residence District, Approved Commerce Park/ General Commerce Park District) (2.45 acres)

Request To: [R-3](#) (Multifamily Residence District) (19.74 acres)

Proposed Use Multifamily residential

Location Approximately 3,300 feet north of the northeast corner of Black Canyon Highway and Jomax Road

Owner BADO Park, LLC and Clay Investments, LLC

Applicant/Representative Brennan Ray, Burch & Cracchiolo, PA

Staff Recommendation Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation	Current	Mixed Use (Residential 15+ / Commerce/Business Park)	
	Proposed (GPA-DV-1-18-2)	Residential 5 to 15 dwelling units/acre Commerce/ Business Park	
Street Map Classification	Black Canyon Highway Frontage Road	Existing Freeway	Approximately 380 feet, including frontage roads

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.

The proposal promotes the expansion of multifamily residential land uses in the area. As stipulated, the proposed development is consistent with the scale, design, and zoning which has been approved in the surrounding area.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; 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.

As stipulated, the proposed project will have increased landscape setbacks and noise mitigation walls adjacent to the Black Canyon Highway in order to protect and mitigate negative impacts on the new residential development. Additionally, the proposal for multifamily provides residential opportunities and diverse housing choices in close proximity to the Black Canyon Highway.

CONNECT PEOPLE & PLACES; CORES, INFILL; LAND USE PRINCIPLE; Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit and transportation alternatives exist.

Higher density residential uses are appropriate at this location. The subject site is located within the boundaries of the Phoenix Designated Employment Center of North Black Canyon and located in close proximity to the Black Canyon Highway where higher density and intensity uses are encouraged.

Applicable Plans, Overlays, and Initiatives

[Tree and Shade Master Plan](#)

See background Item No. 7.

[Reimagine Phoenix](#)

See background Item No. 8.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Temporary uses	CP/GCP, CP/GCP SP, S-1 (Approved CP/GCP)
North	Large lot single-family residences	S-1
South	Church facility	PUD
East	Floodplain	S-1
West (across Black Canyon Highway)	Single-family residential	S-1, R1-6

R-3 Multifamily Residence District (Planned Residential Development Option)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage		19.74 acres
Total Numbers of Units		211 units
Dwelling Unit Density (units/gross acre)	15.23; 17.40 with bonus	Met – approximately 11.30
Lot Coverage	45%	26%
Maximum Building Height	2 stories or 30' for first 150'; 1' in 5' increase to 48' high, 4-story maximum* *There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.	Met - 2 stories and 30 feet
Common Areas	Minimum 5% of gross area	Met – approximately 10.8%

Minimum Perimeter Building Setbacks	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line.	Met – Street: 70 feet (See Stipulation No.1) Rear: 15 feet Sides: 15 feet
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Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 19.74-acre site, located at approximately 3,300 feet north of the northeast corner of Black Canyon Highway and Jomax Road from CP/GCP, CP/GCP SP, and S-1 (Approved CP/GCP) to R-3 (Multifamily Residence District) allow multifamily residential development.

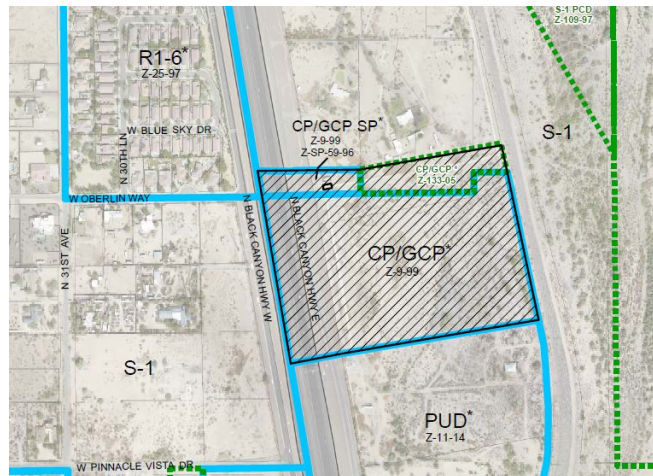
The subject site was annexed into the City of Phoenix from Maricopa County in 2004. The site has remained vacant and most recently has functioned as a temporary seasonal light show.

Access to the site is limited, as the only access is from the Black Canyon Highway frontage road. The frontage road is located west of the site and is north-bound only. Residents must exit from Black Canyon Highway at Jomax Road and travel north along the frontage road to access the site. Additionally, vehicles must travel approximately 1.25 miles north of the site to a turn-around which allows traffic to head southbound on Black Canyon Highway.

SURROUNDING USES AND ZONING

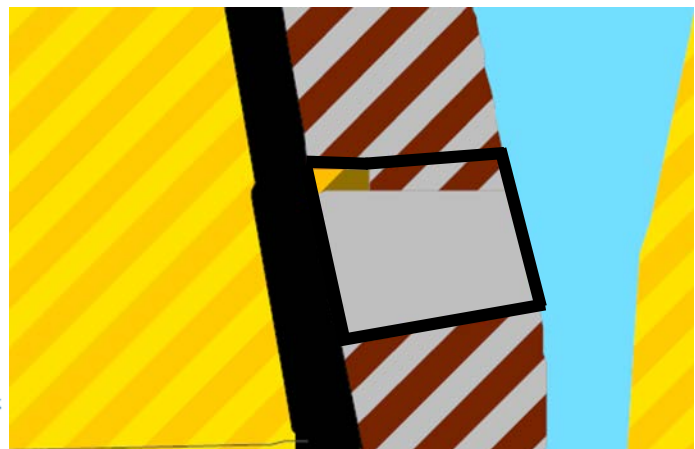
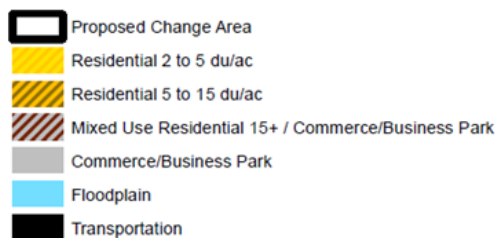
2. North of the subject site is a single-family residence that is zoned to S-1 (Ranch or Farm Residence District). South of the subject site, is a church zoned PUD (Planned Unit Development). The PUD was approved to allow a mix of uses such as commerce park, commercial, and multifamily development.

East of the subject site is the Maricopa County floodplain. West of the subject site, across Black Canyon Highway are single-family residences zoned S-1 and R1-6 (Ranch or Farm Residence District and Single-family Residence District).



Source: City of Phoenix Planning and Development Department

- The General Plan Land Use Map designation for the subject site is Mixed Use (Residential 15+ / Commerce/Business Park), Residential 5 to 15 dwelling units per acre, and Commerce/Business Park. A portion of the site is consistent with the request to rezone to R-3. The remainder of the site is not consistent with the request, and therefore, requires a General Plan Amendment. GPA-DV-1-18-2 is being processed concurrently. GPA-DV-1-18-2 is a request to amend the General Plan Land Use Map from Mixed Use (Residential 15+ / Commerce/Business Park), Residential 5 to 15 dwelling units per acre, and Commerce/Business Park to Residential 5-15 dwelling units per acre.



Source: City of Phoenix Planning and Development Department

PROPOSAL

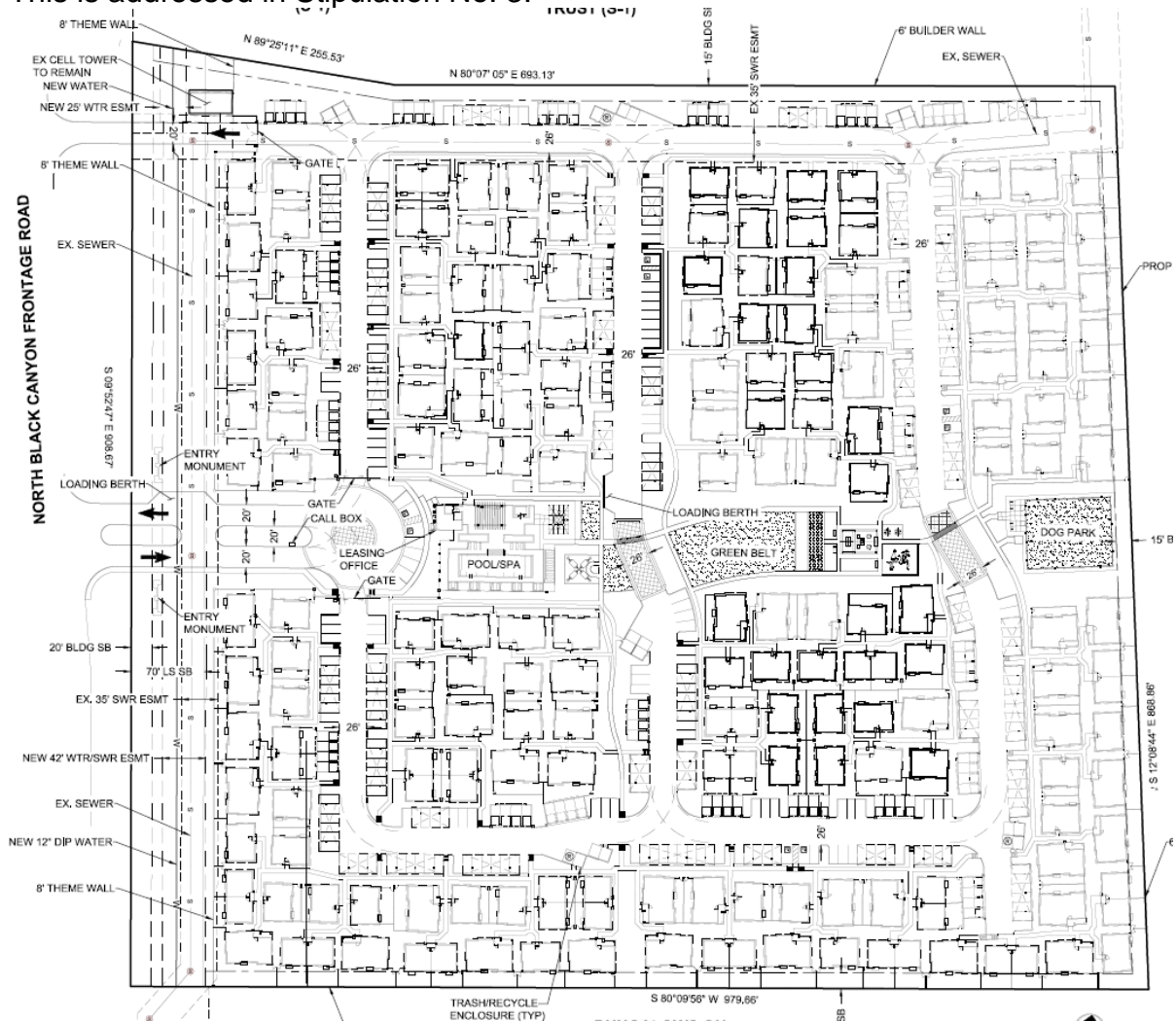
4. Site Plan

The applicant is proposing a gated multifamily development. The conceptual site plan depicts 211 units within several single-story buildings with a combination of one, two, and three bedroom units, at a density of 11.30 dwelling units per gross

acre. There are 22 private garages proposed to be located throughout the development. Additionally, a leasing office, pool/spa area, open space area, and dog park are proposed.

The site plan depicts a 70-foot landscape setback along the Black Canyon Highway frontage road. In order to ensure the setback is provided as a buffer to the freeway, staff is recommending that the applicant provide a minimum 70-foot building and landscape setback along the western property line. The landscape setback will include minimum 2 and 3-inch caliper trees. This is addressed in Stipulation No. 1.

The proposed site plan depicts pedestrian pathways and sidewalks that connect the individual units to each other, as well as to the open space areas and community amenities. Staff is recommending this be stipulated in order to ensure multiple pathways are provided and that there is connectivity throughout the development. This is addressed in Stipulation No. 3.



Source: Terrascope

5. **Building Elevations**

No elevations were submitted as part of this rezoning request. To ensure a distinct sense of character, staff has stipulated that elevations include a minimum of three (3) colors, a minimum of three (3) building materials, and a minimum of three (3) roof materials. Additionally, elevations shall include architectural embellishments and detailing such as textural changes, offsets, recessed entries or covered porches, and variations in the roof line. This is addressed in Stipulation No. 2.

6. **Walls**

Due to close proximity to the freeway, staff has stipulated that a noise mitigation wall be built on the west side of the development adjacent to the most western units. This wall will wrap the corners on the north and south property lines for a minimum of 120 feet. This wall, in combination with the landscaping provided in the western landscape setback, will aide in noise mitigation. To achieve the staff recommended 8-foot height in Stipulation No. 4, the developer will need to provide a noise analysis prepared by a registered professional engineer that demonstrates the height is required to reduce the noise level. Additionally, provisions have been recommended to ensure the wall is also aesthetically pleasing. Staff has stipulated all perimeter walls, including noise mitigation walls, shall incorporate stone veneer, stonework, integral color CMU block or faux stone.

A 6-foot wall is proposed around the north, south, and east property lines. Interior walls and privacy fences were also stipulated to be integral in color or painted to blend with the natural desert environment. This is addressed in Stipulation No. 6.

STUDIES AND POLICIES

7. **Tree and Shade Master Plan**

Per the Tree and Shade Master Plan and Complete Streets Guidelines, staff has stipulated that and increased landscape setback and increased planting standards be provided along the western property line, adjacent to the Black Canyon Highway Frontage Road. An increased landscape setback with larger shade trees will help to be visually appealing and aide in noise mitigation. This is addressed in Stipulation No. 1.

8. **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. Section 716 of the Phoenix Zoning Ordinances establishes standards to encourage the provision of recycling containers for multifamily,

commercial and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.

COMMUNITY INPUT SUMMARY

9. From the time the case was filed to the time the staff report was written, one letter of opposition was received by staff. The letter of opposition is attached as an exhibit to this report.

DEPARTMENT COMMENTS

10. The Water Services Departments commented that there is not a water main bordering the project site (water main to the south and across the freeway); however, there is a sewer main on site. These mains can potentially serve the development.
11. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 0445 M of the Flood Insurance Rate Map (FIRM) dated November 04, 2015.
12. The Street Transportation Department commented that all streets must be constructed adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by ADOT. All improvements shall comply with all ADA accessibility standards.
13. The Fire Department does not anticipate any problems with this case. They noted that the site and/or buildings shall comply with the Phoenix Fire Code.
14. 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. 8, 9, and 10.

15. The Aviation Department commented that the property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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. This is addressed in Stipulation No. 7.

OTHER

16. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The request is not consistent with the General Plan Land Use Map designation of Mixed Use (Residential 15+ / Commerce/Business Park), Residential 5 to 15 du/ac, Commerce/ Business Park. A General Plan Amendment (GPA-DV-1-18-2) is being processed concurrently.
2. As stipulated, the proposed multifamily development is compatible with the existing zoning in the surrounding area.

Stipulations

1. The developer shall provide a minimum 70-foot building setback and landscape setback along the west property line, adjacent to the I-17 Freeway. The landscape setback shall include minimum 2-inch and 3-inch caliper trees 20 feet on center, or equivalent groupings, as approved by the Planning and Development Department.
2. Elevation plans shall include a minimum of three (3) colors, a minimum of three (3) building materials, and a minimum of three (3) roof materials. Additionally, elevations shall include architectural embellishments and detailing such as textural changes, offsets, recessed entries or covered porches, and variations in the roof line, as approved by the Planning and Development Department.
3. The developer shall provide a pedestrian circulation plan to be approved administratively by Planning Hearing Officer with specific regard to connections between the units and to community/ open space amenities.

The developer shall provide a minimum of two pedestrian access points that connect the units to the community amenities, as approved by the Planning and Development Department.

4. Noise mitigation walls shall be provided along the western boundary of the development. The wall height shall be determined through a noise analysis prepared by a registered professional engineer, with the minimum height of the wall being 8 feet. The walls shall be constructed of 8-inch minimum thick concrete masonry units (CMU), or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. The walls shall wrap around to the north and south property lines and shall continue for at least 120 feet, as approved by the Planning and Development Department.
5. Perimeter walls, including the noise wall, shall incorporate stone veneer, stonework, integral color CMU block or faux stone, as approved by the Planning and Development Department.
6. Interior walls and privacy fencing shall be integral in color or painted to blend with the natural desert environment, as approved by the Planning and Development Department.
7. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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.
8. 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.
9. 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.
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.

Staff Report: Z-45-18-2
September 11, 2018
Page 11 of 11

Writer

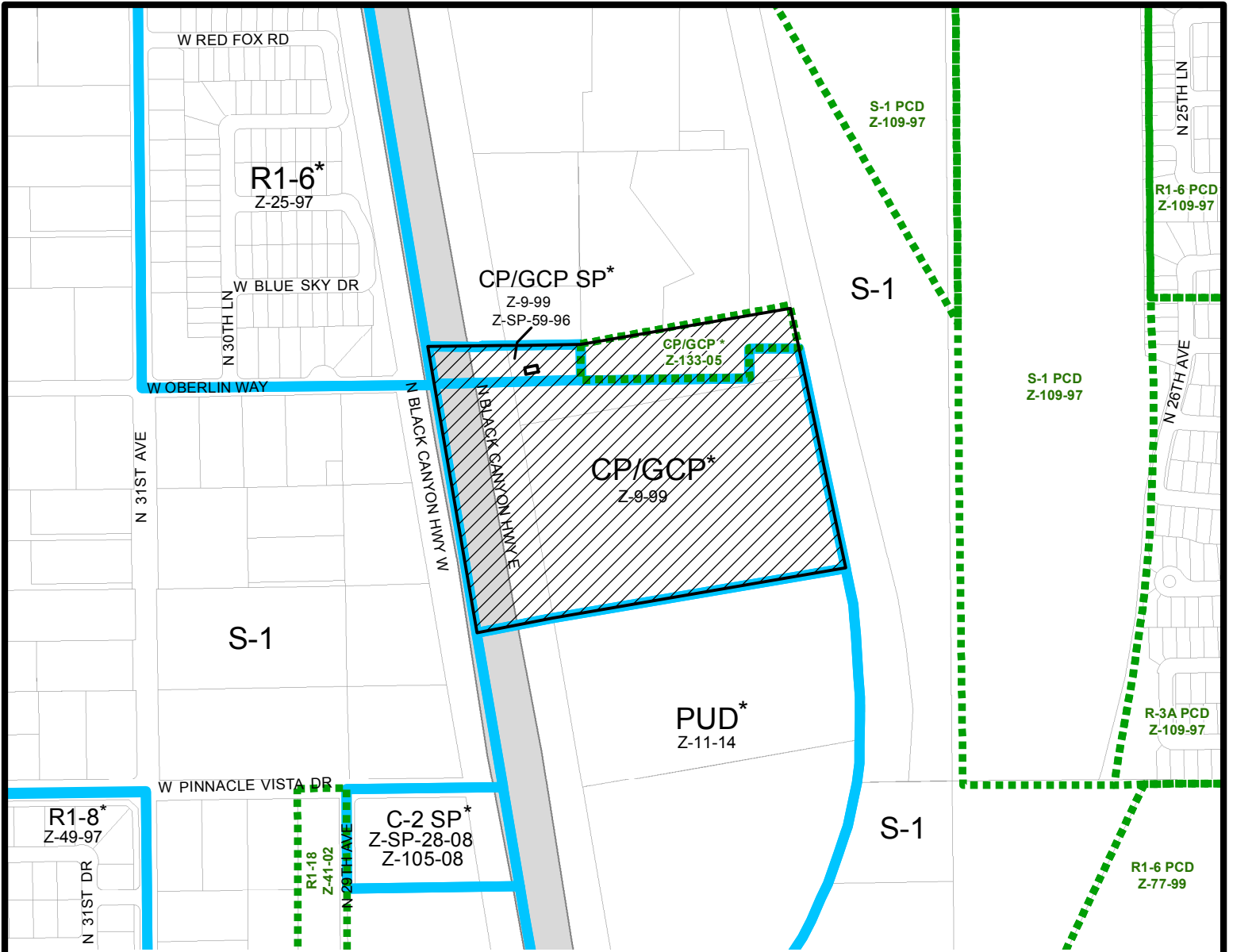
Elyse DiMartino
September 11, 2018

Team Leader

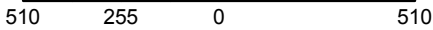
Samantha Keating

Exhibits

Sketch Map
Aerial Map
Site Plan Date Stamped September 6, 2018
Community Correspondence (1 Page)



Feet

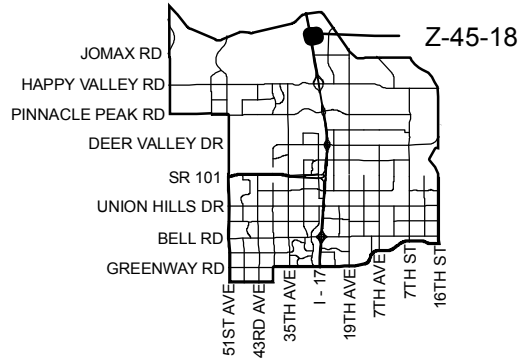


DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Brennan Ray, Burch & Cracchiolo, PA**

APPLICATION NO. **Z-45-18**

DATE: **7/6/2018**
REVISION DATES:

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

19.74 Acres

AERIAL PHOTO &
QUARTER SEC. NO.
QS 50-22

ZONING MAP
P-7

REQUESTED CHANGE:

FROM: **CP/GCP (16.61 a.c.)
CP/GCP SP (0.68 a.c.)
S-1 (Approved CP/GCP) (2.45 a.c.)**

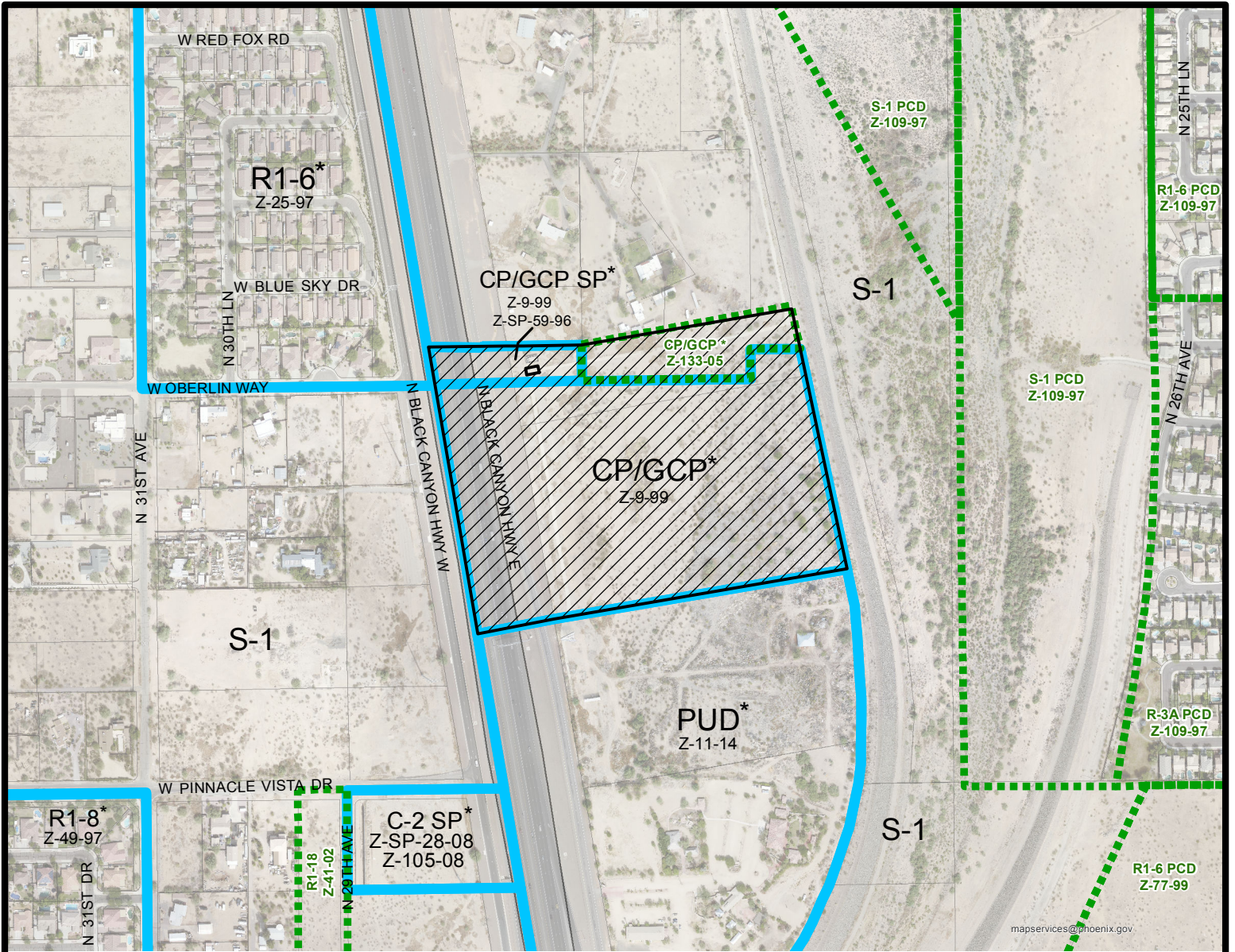
TO: **R-3 (19.74 a.c.)**

MULTIPLES PERMITTED
CP/GCP, CP/GCP SP, S-1 (Approved CP/GCP)
R-3

CONVENTIONAL OPTION
N/A, N/A, 2 (N/A)
286

*** UNITS P.R.D. OPTION**
N/A, N/A, N/A (N/A)
343

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



Feet

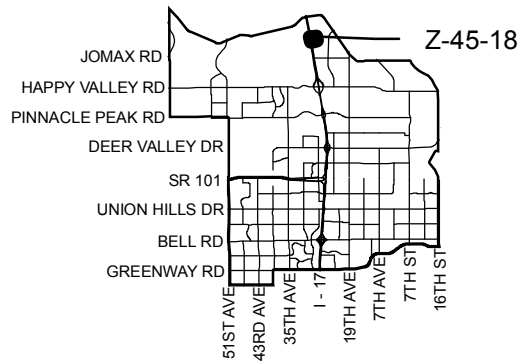
510 255 0 510

DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Brennan Ray, Burch & Cracchiolo, PA**

APPLICATION NO. **Z-45-18**

DATE: **7/6/2018**
REVISION DATES:

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

19.74 Acres

AERIAL PHOTO &
QUARTER SEC. NO.

QS 50-22

ZONING MAP

P-7

REQUESTED CHANGE:

FROM: **CP/GCP (16.61 a.c.)
CP/GCP SP (0.68 a.c.)
S-1 (Approved CP/GCP) (2.45 a.c.)**

TO: **R-3 (19.74 a.c.)**

MULTIPLES PERMITTED

CP/GCP, CP/GCP SP, S-1 (Approved CP/GCP)

R-3

CONVENTIONAL OPTION

N/A, N/A, 2 (N/A)

286

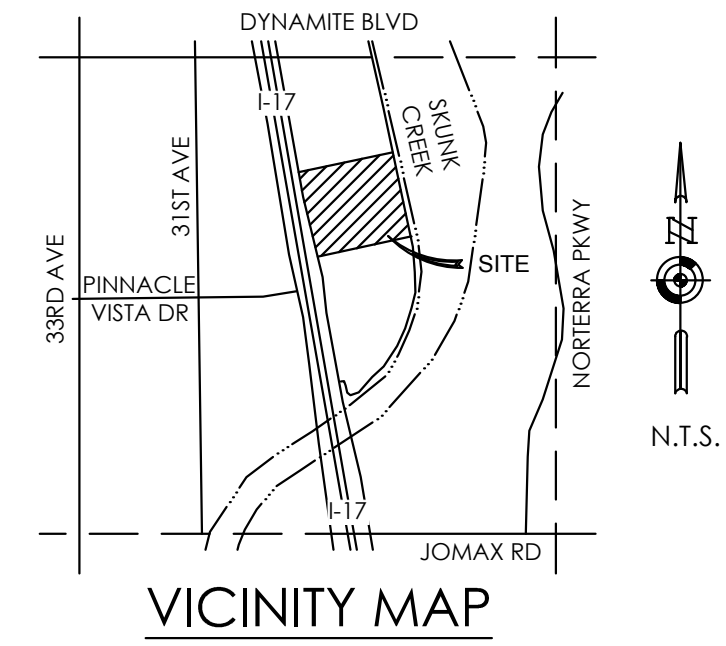
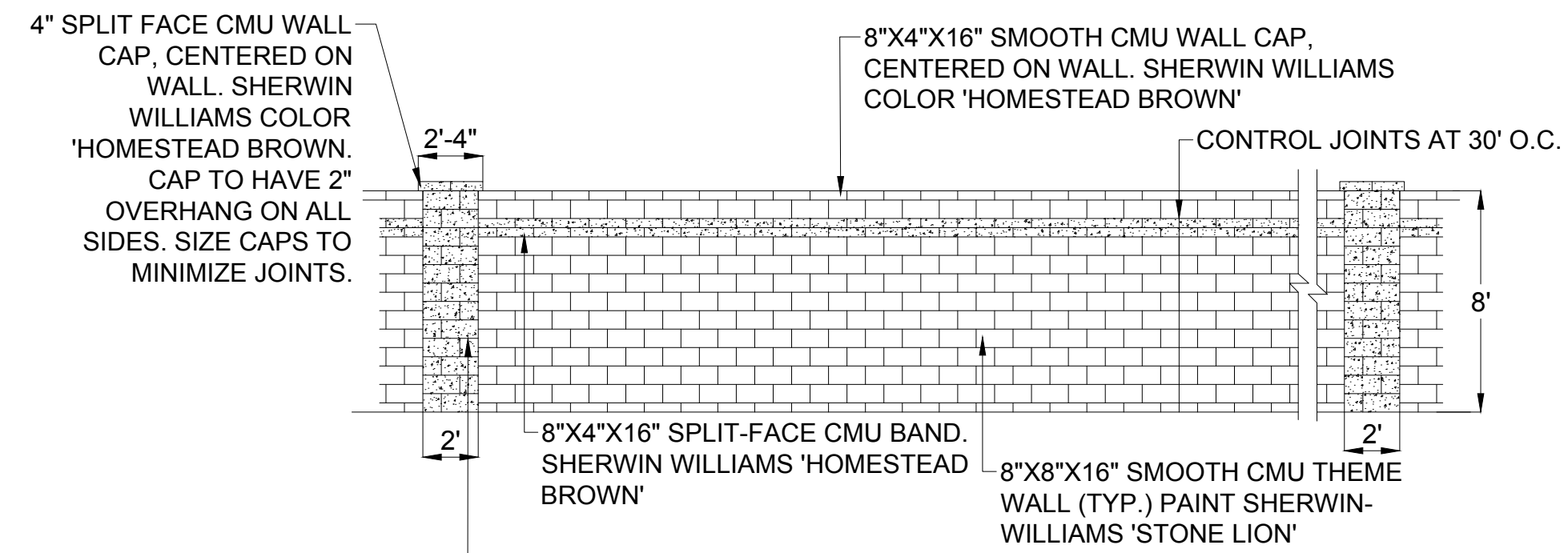
*** UNITS P.R.D. OPTION**

N/A, N/A, N/A (N/A)

343

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

**PRELIMINARY SITE PLAN
AVILLA
AT
I-17 & JOMAX
CITY OF PHOENIX, ARIZONA**



OWNER / DEVELOPER
NEXMETRO DEVELOPMENT LLC
2355 E. CAMELBACK RD., SUITE 805
PHOENIX, AZ 85016

CIVIL ENGINEER
TERRASCOPE CONSULTING
1102 E. MISSOURI AVE.
PHOENIX, AZ 85014

CONTACT: JARED GEISLER
PHONE: (602) 559-9388
EMAIL: JARED@NEXMETRO.COM

CONTACT: DAVID SOLTYSIK, P.E.
PHONE: (480) 454-8010
EMAIL: DSOLTYSIK@TERRASCOPE.US

PROJECT DATA

SITE AREA (GROSS TO 25' I-17): ± 19.64 AC (855,616 SF)
SITE AREA (NET): ± 19.27 AC (839,518 SF)

DENSITY (GROSS): 11.30 DU/AC
DENSITY (NET): 11.52 DU/AC

NO. OF UNITS: NON RATED - RESIDENTIAL
CONSTRUCTION TYPE (DWELLING): NON RATED TYPE V-B
CONSTRUCTION TYPE (OFFICE):

LOT SALES PROPOSED: Y X N

APN: 205-01-010J, 205-01-010H
EXISTING ZONING: CP/CGP
PROPOSED ZONING: R3 (PRD OPTION)
ZONING CASE #:

ADDRESS: 27777 N BLACK CANYON HWY
PHOENIX, AZ 85085

ZONING STANDARDS R3 (PRD OPTION)

DENSITY (DU/ACRE)	MAX.	NET	GROSS
	15.23	11.52	11.30

MIN BLDG SETBACKS	REQ'D	PROV.
FRONT (WEST)	20'	20'
SIDE (NORTH)	15'	15'
REAR (EAST)	15'	15'
SIDE (NORTH)	15'	15'
N,S,E LANDSCAPE SETBACKS (FT)	5'	5'
W LANDSCAPE SETBACKS (FT)	5'	70'
LOT COVERAGE	45%	26%

BUILDING CALCULATIONS
MAX BLDG HEIGHT 25' - 1 STORY

BUILDING TYPE	NO. BLDG.	HEIGHT (FT.)*	AREA (SF)
1-BED (30%)	32 (64 UNITS)	17	1,271
2-BED (40%)	85	17	965
3-BED (30%)	62	17	1,244
TOTAL	211 UNITS		199,825 SF

GARAGE	NO.	AREA (SF)
22	16	800
1 LEASING OFFICE	25	675
TOTAL		17,475 SF

PARKING CALCULATIONS

BUILDING TYPE	REQ'D SPACES
1-BED 64 UNITS (x 1.5)	96
2-BED 85 UNITS (x 1.5)	128
3-BED 62 UNITS (x 2.0)	124
TOTAL	348

UNRESERVED PARKING

1-BED 64 UNITS (x 0.5)	32
2-BED 85 UNITS (x 0.5)	43
3-BED 62 UNITS (x 1.0)	62
TOTAL	137

PARKING PROVIDED

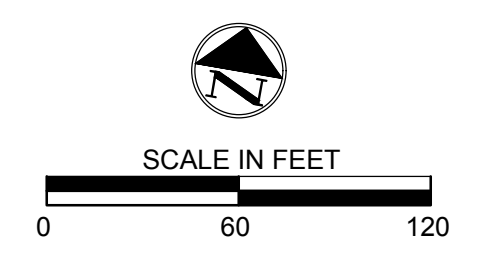
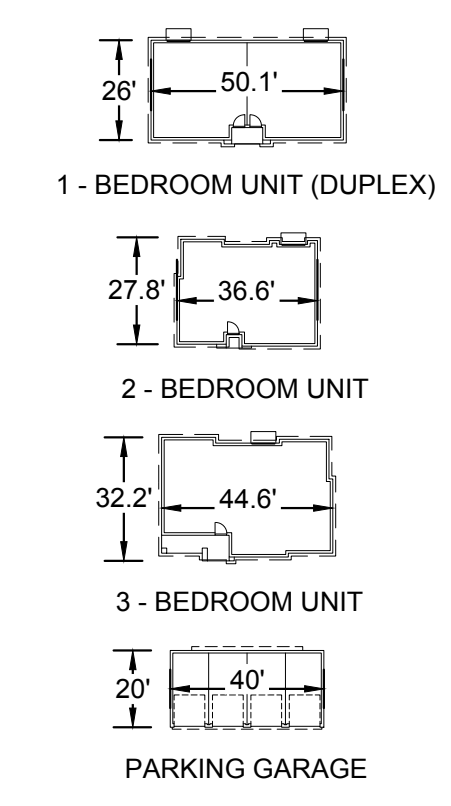
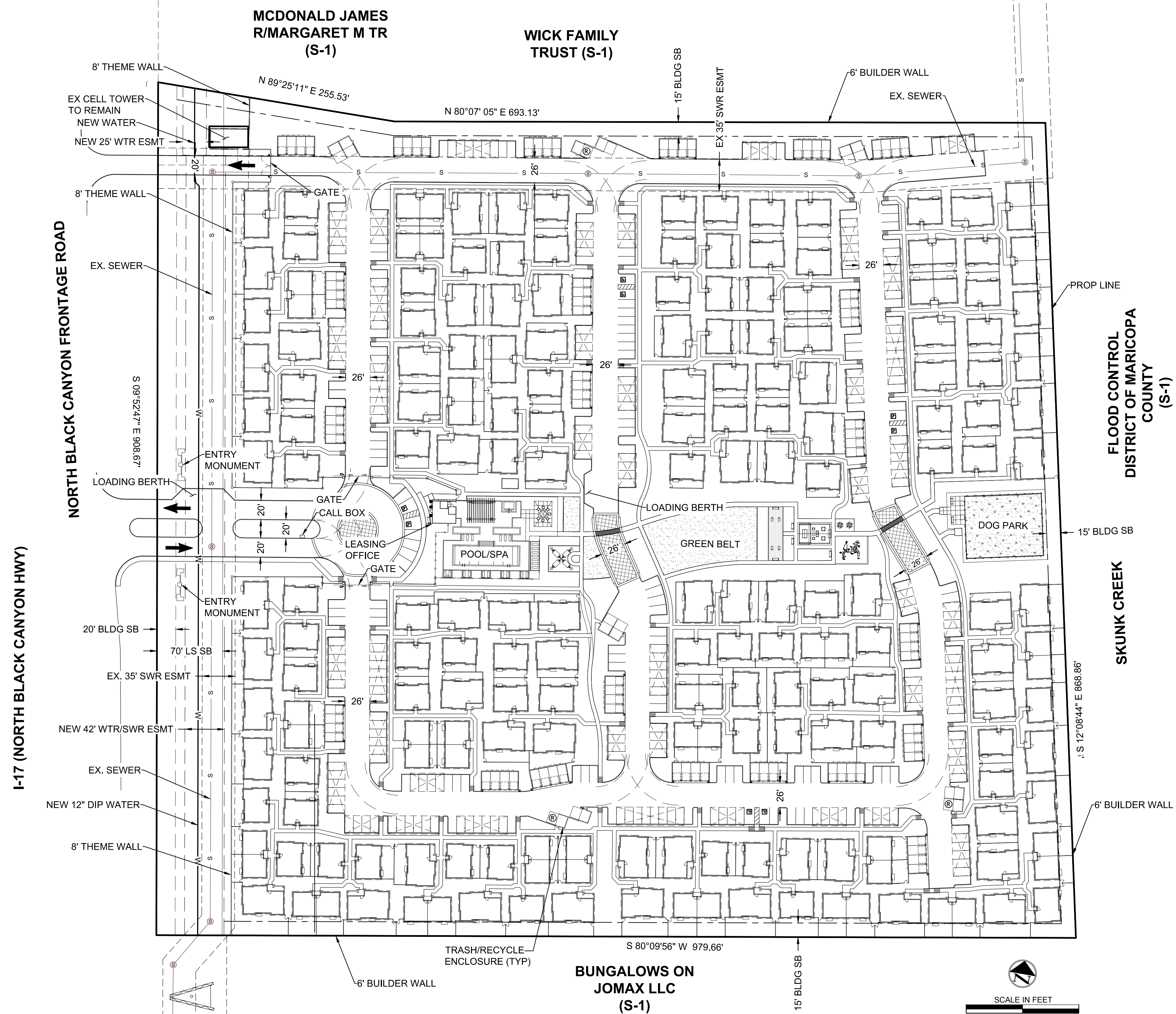
GARAGE	88
OPEN PARKING	102
COVERED PARKING	214
OPEN ACCESSIBLE	8
COVERED ACCESSIBLE	0
TOTAL	412
RESERVED	214
UNRESERVED	198

LOADING REQUIREMENTS
PER EACH 150 DWELLING UNITS: 1 SPACE REQ'D
TOTAL: 2

*PER CITY OF PHOENIX ZONING ORDINANCE SECTION 702

LEGEND & ABBREVIATIONS

PROPERTY LINE	---	BLDG	▭	BUILDING	▭
CENTERLINE	---	ESMT	⊕	EASEMENT	---
SETBACK	---	EX	---	EXISTING	---
EASEMENT	---	F/C	---	FACE OF CURB	---
FENCE	---	LS	---	LANDSCAPE	---
ACCESSIBLE ROUTE	---	PUSE	---	SETBACK	---
STREET LIGHT	⊙	PROP	---	PUBLIC UTILITY	---
LIGHT POLE (15 FT)	⊙	ROW	---	FACILITY ESMT	---
PROPOSED FIRE HYDRANT	⊕	B/C	---	PROPOSED	---
SIDEWALK RAMP	⊕	OS	---	RIGHT-OF-WAY	---
RECYCLE ENCLOSURE	⊕	TYP	---	BACK OF CURB	---
CANOPY	⊕		---	OPEN SPACE	---
				TYPICAL	---



consulting
Terrascope
civil engineering • surveying • urban planning

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P: 402.237.8732 • F: 402.230.8458 • info@terrascopeconsulting.com • terrascopeconsulting.com

PRELIMINARY

AVILLA
I-17 & JOMAX
27777 N BLACK CANYON HWY
PHOENIX, AZ 85085

PRELIMINARY

NEXMETRO DEVELOPMENT, LLC
2355 E. CAMELBACK RD., SUITE 805
PHOENIX, ARIZONA 85016



DATE	DESCRIPTION
08/28/18	PRELIM-UPDATE

CHECKED BY: DMS
DRAWN BY: CMA
TITLE: **PRELIMINARY**
SHEET No. **1 of 1**
PROJECT No. **0850**

PHOENIX 08/28/18 4:56 PM BY: TSC/24
FILE: I:\0850\0850\0850_Prelim_Site_Plan.dwg
PLOT: I:\0850\0850\0850_Prelim_Site_Plan.dwg
PLOT: I:\0850\0850\0850_Prelim_Site_Plan.dwg

Sage Luxury Apartment Homes

Dynamite Apartments I LLC, 31731 Northwestern Highway, Ste 250W, Farmington Hills, MI 48334 (248) 855-5400

City of Phoenix Planning and Development Department
200 W. Washington Street, Second Floor
Phoenix, AZ 85003
Attn: Kaelee Wilson - Village Planner for Deer Valley

August 1, 2018

Re: the proposed General Plan Amendment and Rezoning for 27701 & 27777 N.Black Canyon Hwy.

Dear Ms. Wilson,

Please inform the Deer Valley Village Planners and City of Phoenix Planning Commissioners that, as a neighbor to the north, we strongly object to the proposed General Plan Amendment and Rezoning of this property for the following reasons:

This proposed Amendment and rezoning is not consistent with the General Plan.

The current General Plan is specific to this area for Commerce/Business Park and Commerce/Business Park with the potential for Higher Density Attached Townhouses, Condos or Apartments. This proposal for R-3 and High Density Multi Family Residential for single family and duplex homes, rental or not, is not Commerce/Business Park and not even the potential Townhouse/Apartment developments the General Plan envisions for the adjacent sites. This site, as proposed, will function more like a single family or duplex subdivision. Also, the 2015 General Plan left this parcels as Commerce/Business Park while designating the neighboring parcels as Commerce/Business Park with the potential for high density attached residential. The most recent 2015 General Plan did not change its designation of this parcel to include potential multi-family uses, even though a PUD was approved on the neighbor to the south in 2014, so leaving it as-is was more desirable to the City. The General Plan is a long-term guide, and this area of the I-17 corridor was intended to be for employment growth opportunities. If circumstances haven't changed significantly, then the General Plan should not be changed so shortly after it was updated and approved.

The relationship of the requested rezoning parcel to the surrounding properties is important.

The parcels to the north and south are Commerce/Business Park and Commerce/Business Park with the potential for Higher Density Attached Townhouses, Condos or Apartments. Farther north are residential and multi-family residential uses. If this rezoning request is approved, it is likely the neighboring parcels will be less desirable for Commerce/Business Park developments, eliminating more employment opportunities. In addition, Deer Valley's web page boasts of large employment centers and its attraction for business, and its wide variety of housing types. It specifically states Deer Valley is an active area in the City for the construction of single family homes. The houses proposed for this site do not represent a variety. These are essentially small detached and attached single family homes that will compete against single family home rentals and sales in the market area. A quick search on Zillow returned 110 rental listings for single family homes in Deer Valley on 7/23/18. Rent.com returned even more. While it is not likely all the listed homes are comparable, it does show that this proposed development would be entering a relatively competitive market. The Applicant must demonstrate there is a demand for single family and duplex rental homes in the area, and that the rental homes on this site and possibly on the neighboring sites too, will help maintain the balance between housing and employment.

This rezoning may upset the City's goal of a balance between housing and jobs.

Deer Valley's official brochure states that one of its principles is to balance housing and employment. Providing housing for population growth is all well and good, but if you do not provide local employment opportunities for those residents, then they have to drive elsewhere for work. The Applicant must prove that by rezoning this site to higher density residential and eliminating this employment center, and possibly impelling the neighboring parcels to do the same, will create a better balance between housing and employment.

This parcel is suitable for development under current Commercial/Office Park zoning.

The current Zoning and Master Plan indicate this site will be a Commercial Office development. We purchased property and developed in this area with the understanding that these properties would be commercial/office developments. We designed the sewer extension through this site based on previous commercial/office development plans for this site. A review of the area using CoStar real estate software indicated Deer Valley has a relatively strong Commercial/Office market, especially along I-17 and also near the airport. The Applicant is supposed to prove there is an overabundance of comparable commercial/office properties available in the Deer Valley area.

This proposed rezoning will have a larger-than-necessary impact on peak hour traffic.

Building more housing in this area would create even larger traffic issues because peak traffic time would be the same for all residential developments. If this site remained a commercial/office complex, its peak hours would be different than the residential areas, which would spread the traffic out throughout the day. This problem is exacerbated because there is no direct access to I-17 north or south without driving quite a ways to get to the on-ramps. From this site, a driver has to travel a total of 3.5 miles (north then south) on the service drive in order to get on I-17 south. It takes 3.7 miles (north then south then north again) on the service drive in order to get on I-17 north. Leaving the site as Commercial/Office Park spreads out the traffic, and this would be far better for all properties than concentrating the peak time traffic.

This proposed rezoning/development will create more peak demand of the water and sewer systems.

If this site remained a commercial/office complex, its peak hours of demand would be different than the residential areas, which would spread out the demand on each system. It would reduce the potential that demand would exceed capacity. If this parcel was developed as residential, its peak demand would align with the rest of the residential uses, using much more of the water and sewer systems' capacity during peak hours.

The (previous?) owner of this site has not fully paid for access to the sanitary sewer.

At the time the sanitary sewer was extended through this site, the owner of the parcel did not pay their entire portion of the costs according to an agreement. This parcel should not have access to connect to the sewer until the outstanding debt is paid in full.

We hope the City agrees that the proposed rezoning is not consistent with the General Plan and would be detrimental to neighboring properties, to area residents, area infrastructure and to the community as a whole. We respectfully request this Plan Amendment and Rezoning request be denied.

Sincerely,



Mark Sturing, agent for Dynamite Apartments 1 LLC
Owner of Sage Luxury Apartment Homes
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