



**City of Phoenix**  
 PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-78-18-2**  
**January 4, 2019**

**Deer Valley [Village Planning Committee](#) Meeting Date:** January 17, 2019

**[Planning Commission](#) Hearing Date:** February 7, 2019

**Request From:** [R1-8](#) (0.95 acres)

**Request To:** [R-2](#) (0.95 acres)

**Proposed Use:** Multifamily (townhomes)

**Location:** Approximately 100 feet north of the northwest corner of 7th Avenue and Anderson Drive

**Owner/Applicant:** MAI Developers, LLC

**Representative:** Kenyon Architectural Studio

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

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>		Commercial	
<a href="#">Street Map Classification</a>	7th Avenue	Arterial	55-foot west half
<p><b>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.</b></p> <p>The proposed development will provide additional housing options within the Deer Valley Village and in close proximity to several major bus routes along Bell Road.</p>			

**CONNECT PEOPLE AND PLACES CORE VALUE; CORE, CENTERS AND CORRIDORS; DESIGN PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.**

The subject site is currently vacant and undeveloped. It abuts a large wash to the north and west and abuts a single family subdivision to the south. The development will enhance the area and will be compatible with the existing single-family subdivision to the south.

**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 subject site is designated Commercial on the General Plan Land Use Map, however, it is zoned R1-8 (Single Family Residential District). It is reasonable to allow an increased level of intensity to allow for a low-density multifamily development consisting of nine units, with appropriate screening and landscaping along the streets and adjacent to the Cave Creek Wash.

**Applicable Plans, Overlays, and Initiatives**

[Tree and Shade Master Plan](#) – see analysis No. 7.

[Reimagine Phoenix Initiative](#) – see analysis No. 8.

**Surrounding Land Uses/Zoning**

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant	R1-8
<b>North (across Cave Creek wash)</b>	School and Single-Family residential	R1-8
<b>South</b>	Single-Family residential	R1-6
<b>East (across 7th Ave)</b>	Single-Family residential	R1-6
<b>West (across Cave Creek wash)</b>	Single-Family residential	R1-6

<b>R-2 (Multifamily Residential) Planned Residential Development Option</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions Proposed</u></b>
Gross Acreage	-	0.95 acres
Total Number of Units	10; 11 with bonus	9
Dwelling Unit density (units/gross acre), Maximum	10.50; 12.00 with bonus	9.47 (met)
Lot Coverage	45% maximum	38.5% (met)
Minimum lot width	None	Not provided
Building Height, Maximum	2 stories and 30 feet maximum for first 150 feet; 1 foot in 5 foot increase to 48 foot high and 4 stories	2 stories and 28 feet (met)
<b>Perimeter Building Setbacks</b>		
Street – 7th Avenue	20 feet minimum	10 feet (not met)*
Property Line (rear) – West	10 feet minimum	0 feet (not met)*
Property Line (side) – South	10 feet minimum	10 feet (met)
<b>Common Landscape Setbacks</b>		
Adjacent to Public Street	20 feet minimum	15 feet (not met)*
Adjacent to Property Line	5 feet minimum	30 feet (met)
Common Area	Minimum 5% of gross area	6.77% (met)
<b>Parking, Minimum</b>		
Total required parking	0.5 spaces per each 1 or 2-bedroom unit and 1.0 space per each 3 or more-bedroom unit. Unreserved parking shall be distributed throughout the site.	21 spaces provided (met)

\* Variance will be required for reduced setbacks.

## **Background/Issues/Analysis**

### **SUBJECT SITE**

1. This request is to rezone 0.95 acres located approximately 100 feet north of the northwest corner of 7th Avenue and Anderson Drive from R1-8 (Single-family Residence District) to R-2 (Multifamily Residence District) to allow multifamily residential.



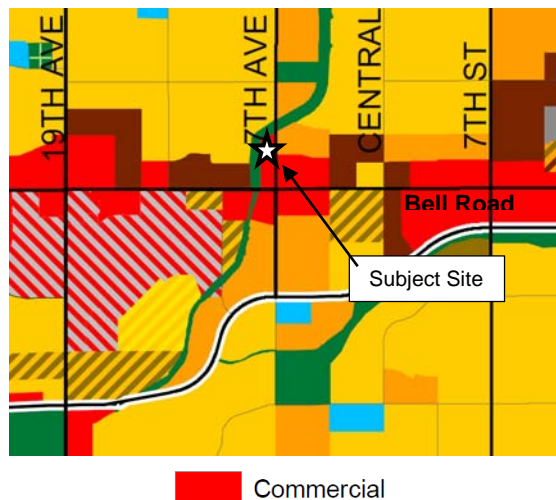
*Source: City of Phoenix Planning and Development Department*

### **SURROUNDING ZONING AND LAND USE**

2. The subject site is currently undeveloped. Single-family residences exist to the south, east, and west, across Cave Creek Wash. A school exists to the north, across Cave Creek Wash.

### **GENERAL PLAN**

3. The General Plan Land Use Map designation for the subject site is Commercial. The proposal is not consistent with the General Plan designation; however, an amendment is not required as the subject parcel is less than 10 acres.



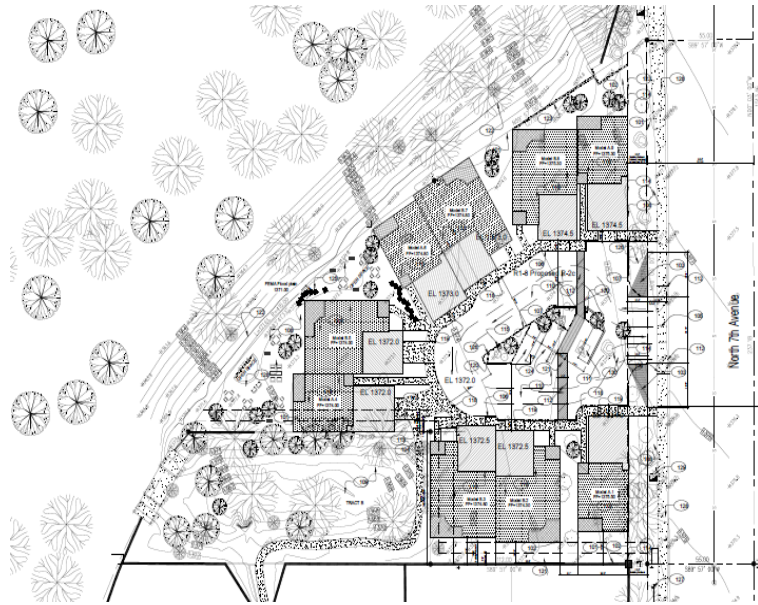
**Commercial**

*Source: City of Phoenix Planning and Development Department*

#### ANALYSIS OF PROPOSAL

4. The conceptual site plan depicts nine multifamily residential townhome units along a private access way with one-way access through the site from 7th Avenue.

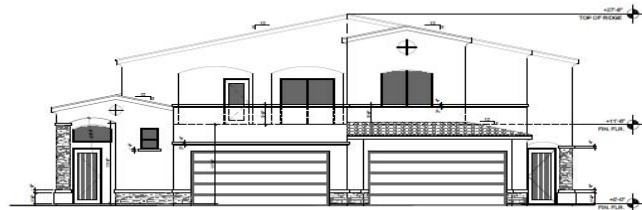
The Cave Creek Wash runs to the north and west of this irregular shaped triangular lot.



Source: Kenyon Architectural Studio

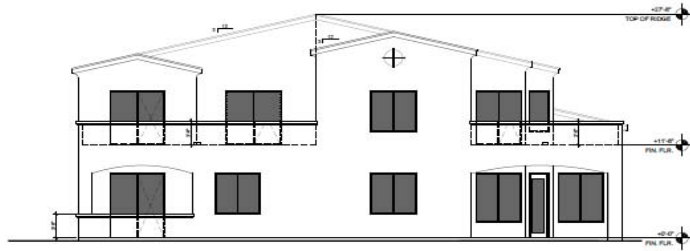
The site plan shows approximately 6.77% common area open space, including open space areas adjacent to the Cave Creek Wash. The developer is not providing a connection to the wash due to the steep slope. To ensure that the development does not exceed nine units, staff is recommending Stipulation No. 1 to limit the number of units. The same developer owns the single-family development directly to the south. The sites will share a drainage retention area. The multifamily proposal and single-family site to the south will also share the same homeowner's association. The two sites will function as one community.

5. The elevations depict two-story multifamily residential units with enclosed entryways and garages along their front elevations. Staff is recommending a stipulation that all units shall have covered porches, which face the front, and are a minimum of 60 square feet in area with a depth of at least six feet. This is addressed in Stipulation No. 4. Front porches help to encourage activity in the



Source: Kenyon Architectural Studio

front of the homes, provide variation in building elevations, and subsequently make the streets more inviting and safer places to walk. Further, in order to provide privacy to the single-family residence to the south, staff is recommending a stipulation restricting balconies along the southern property line. This is addressed in Stipulation No. 5.



Source: Kenyon Architectural Studio

6. Since the site is adjacent to Cave Creek Wash, along the northern and western boundaries, staff is also recommending that the walls or fencing adjacent to the wash be view fencing. Any solid portion of the wall shall not exceed 4-feet in height. This is addressed in Stipulation No. 2.
7. The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. Toward that end, future improvements of this site will contribute to the urban forest infrastructure through the provisions of trees along the right-of-way. To encourage shade and reduce the urban heat island effect, staff is recommending a stipulation that the development shall plant drought tolerant, 3-inch caliper trees 20 feet on center or in equivalent groupings in the landscape setback along 7th Avenue. This is addressed in Stipulation No. 3.
8. 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.

#### COMMUNITY INPUT SUMMARY

9. From the time the case was filed to the time the staff report was written, no correspondence by the public was received by staff.

#### INTERDEPARTMENTAL COMMENTS

10. The Public Transit Department has requested that a bus stop pad be built along southbound 7th Avenue south of the project driveway and the dedication of required right-of-way to accommodate the bus stop pad. As part of the T2050

Plan, a new bus service will be provided on 7th Avenue from Greenway Parkway to Deer Valley Road. These provisions are addressed in Stipulation No. 6.

11. The Street Transportation Department has indicated that 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. This is addressed in Stipulation No. 7.
12. The City of Phoenix Aviation Department has noted that the property is in the Public Airport Disclosure area for the Deer Valley Airport. This area may be subject to overflights of aircraft operating at the Airport. People are often irritated by repeated overflights regardless of the actual sound level at the overflight site. Therefore, a Notice to Prospective Purchasers, which follows policy regarding properties in the City of Phoenix underlying the flight patterns of Phoenix Sky Harbor International Airport, is required. This is addressed in Stipulation No. 8.
13. The City of Phoenix Floodplain Management division of the Street Transportation Department has determined that this parcel is in a Special Flood Hazard Area (SFHA) and is located in a Shaded Zone AE, on the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The applicant, or its successor, shall prepare the appropriate FEMA documentation necessary to obtain a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) as approved by the Planning and Development Department. This is addressed in Stipulation No. 9.

#### OTHER

14. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet 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. 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 proposal as stipulated is compatible with surrounding uses.
2. The proposal will provide additional housing options within the Deer Valley Village.

### **Stipulations**

1. The development shall not exceed 9 units.
2. Perimeter fences or walls adjacent to the wash shall be view fencing. Any solid portion of the wall shall not exceed 4-feet in height, as approved by the Planning and Development Department.
3. Drought tolerant, 3-inch caliper trees 20 feet on center or in equivalent groupings shall be provided in the required landscape setback along 7th Avenue, as approved by the Planning and Development Department.
4. All dwelling units shall have covered porches, which face the front, and are a minimum of 60 square feet in area with a depth of at least 6 feet, as approved by the Planning and Development Department.
5. There shall be no second floor balconies adjacent to the southern property boundary, as approved by the Planning and Development Department.
6. The right-of-way shall be dedicated and a bus bay (per City of Phoenix Standard Detail #P1260) constructed at the intersection of 7th Avenue and project driveway (per City of Phoenix Standard Detail P1258), as approved by the Planning and Development Department.
7. 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.
8. 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.
9. The applicant, or its successor, shall prepare the appropriate FEMA documentation necessary to obtain a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) at time of plan submittal as approved by the Planning and Development Department.
10. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-



Staff Report: Z-78-18-2

December 18, 2018

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foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

**Writer**

David Simmons

January 4, 2019

**Team Leader**

Samantha Keating

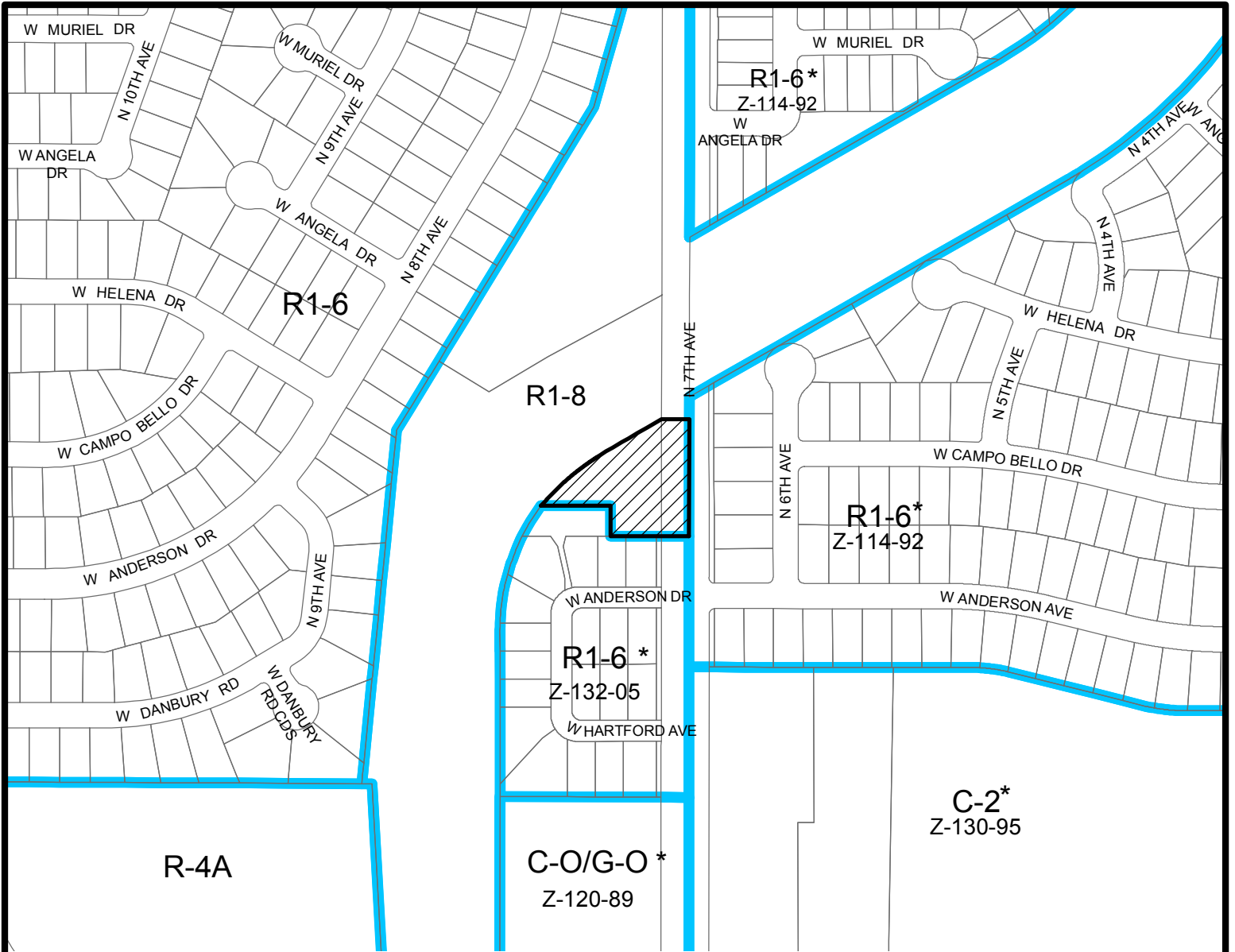
**Exhibits**

Zoning sketch

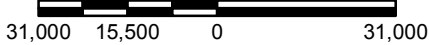
Aerial

Conceptual Site plan date stamped October 29, 2018

Conceptual Elevations date stamped October 29, 2018



Feet

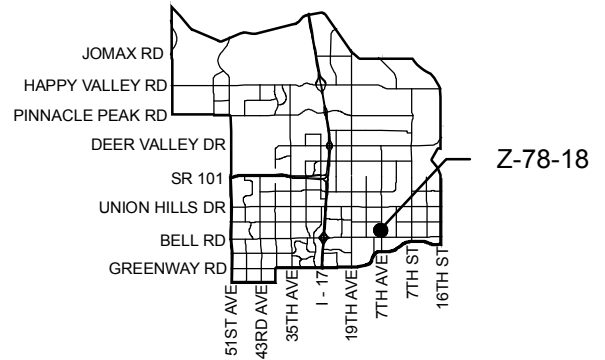


**DEER VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 2

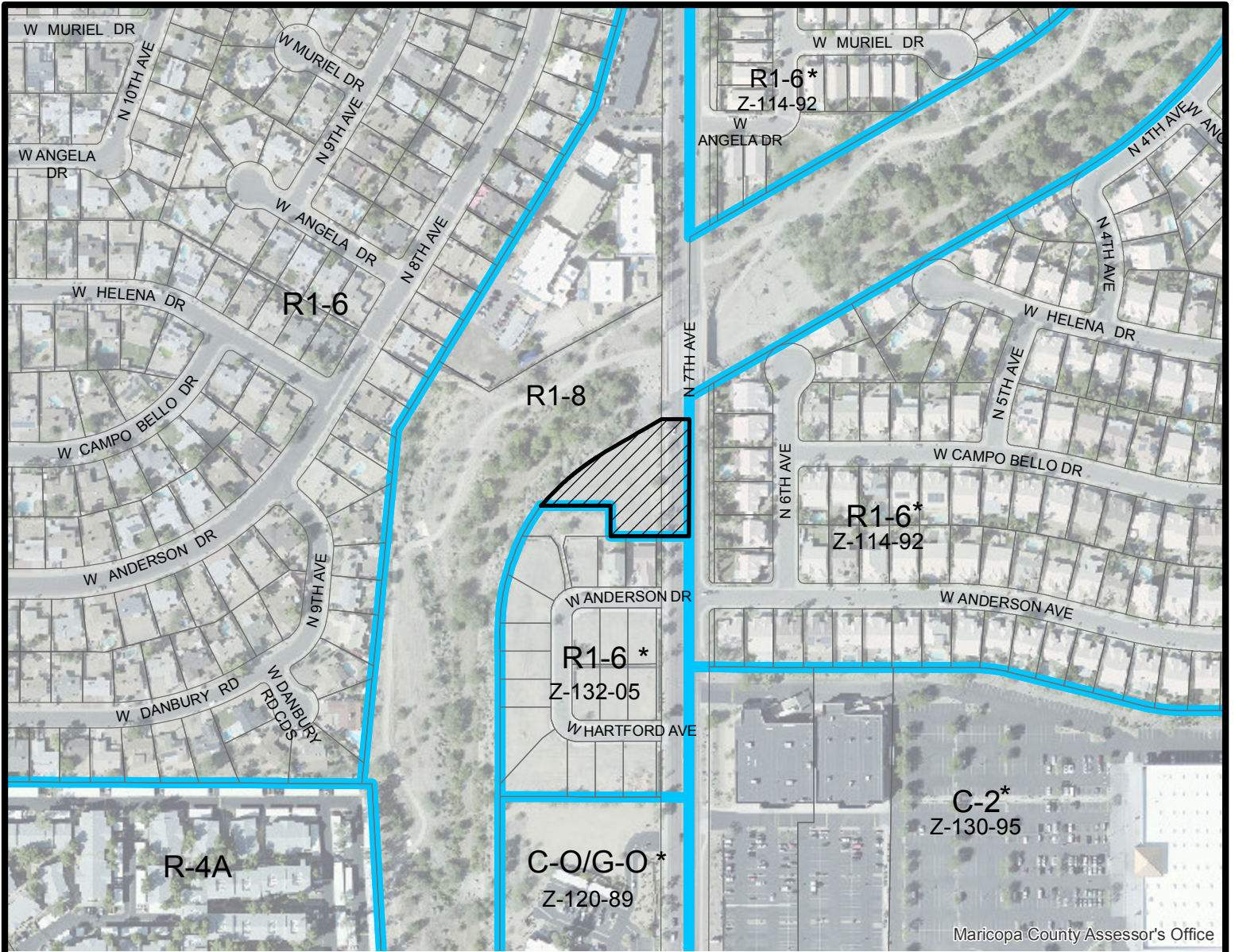


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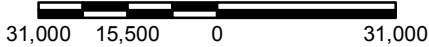


<b>APPLICANT'S NAME:</b> Mai Developers, LLC		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-78-18		<b>FROM:</b> R-1-8 (0.95 a.c.)	
<b>DATE:</b> 11/20/2018 <small>REVISION DATES:</small>		<b>TO:</b> R-2 (0.95 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>0.95 Acres</b>		<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 37-26</b>	<small>ZONING MAP</small> <b>M-8</b>
<b>MULTIPLES PERMITTED</b>		<b>* UNITS P.R.D. OPTION</b>	
R1-8		5	
R-2		11	
<b>CONVENTIONAL OPTION</b>			
4			
9			

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



Feet

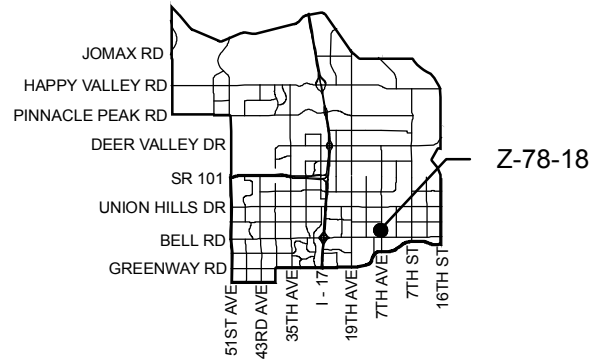


**DEER VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 2



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Mai Developers, LLC**

APPLICATION NO. **Z-78-18**

DATE: **11/20/2018**  
REVISION DATES:

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

**0.95 Acres**

AERIAL PHOTO & QUARTER SEC. NO.  
**QS 37-26**

ZONING MAP  
**M-8**

**REQUESTED CHANGE:**

FROM: **R1-8 (0.95 a.c.)**

TO: **R-2 (0.95 a.c.)**

**MULTIPLES PERMITTED**

R1-8  
R-2

**CONVENTIONAL OPTION**

4  
9.5

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

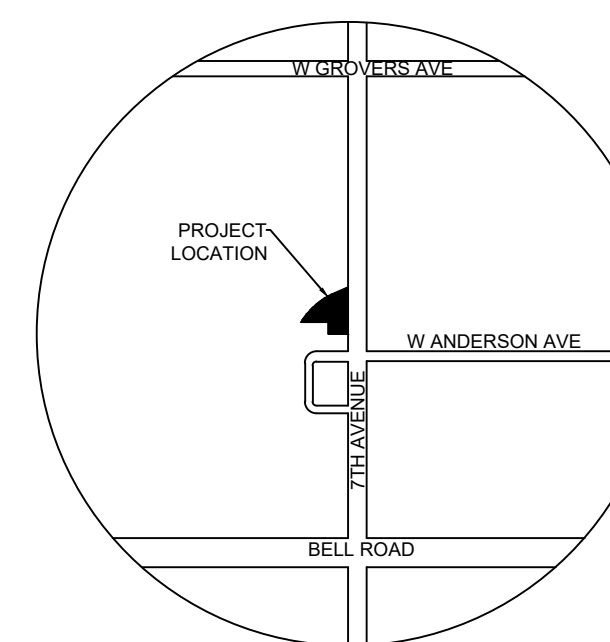
5  
11

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



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Vicinity Map



Project Data

PARCEL NUMBER(S):  
208-09-004W

LEGAL DESCRIPTION

PT SE4 SEC 31 DAF COM SE COR SD SEC 31 TH W 372.50F TH N 75F TO PT ON NLY R/W BELL RD & TPOB TH CONT N 851.05F TO PT CIR CUR FR WH RAD PT BRS E 415F TH ALG ARC SD CUR 434.59F TO PT TAN TH N 59D 57M E 127.01F TO PT ON WLY R/W 7TH AVE TH S ALG SD R/W 1272.29F TO PT ON NLY R/W BELL RD TH W 317.50F TO POB EX ANY PT CONV P/F 94-0344280 & EX TH PT LY W-IN ALCOVE ON 7TH AVENUE MCR 896-16

PROJECT ADDRESS

17400 North 7th Avenue, Phoenix Units 1-9

ZONING:

Existing R1-8 / Proposed PRD-2c

SITE AREA:

Gross: 30,935 sq. ft. or 0.71 acres

Net: 44,002.9 sq. ft. or 1.1 acres

DWELLING UNIT DENSITY

Allowable - 10.5 per acre Proposed - 9.0 per acre

OCCUPANCY TYPE: R-3

CONSTRUCTION TYPE: V-B, non-sprinklered

BUILDING HEIGHT

Allowable - 30'-0" (2 stories first 150') Proposed - 27'-8" (2 story)

BUILDING SETBACKS

	Required	Provided
Street:	20 feet	10 feet*
Side Yard:	10 feet	10 feet Min.**

\* Requesting a variance to match existing 8' block wall on existing other properties on 7th Avenue  
\*\* Along Residential property. Reduced setback along permanent Wash set-backs used 1'-0" min.

BUILDING SIZE: Single Family Residence:

PLAN "A"	PLAN "B"
First Floor	First Floor
Liveable: 360 SF	Liveable: 996 SF
Garage: 360 SF	Garage: 340 SF
Covered Patios: 912 SF	Covered Patios: 151 SF
Second Floor	Second Floor
Liveable: 800 SF	Liveable: 790 SF
Plan A Footprint: 1,121 SF	Plan B Footprint: 1,487 SF
Plan A Livable Area: 1,470 SF	Plan B Livable Area: 1,786 SF

Total Foot Print = A(4) 1,212 + B(5) 1,487 = 11,919 SF

LOT COVERAGE

Allowable - 45% Proposed - 11,919 SF / 30,935 = 38.5%

COMMON AREA

Required: 44,002.9 sf x 5% = 2,202 sf

Provided: 2,796 sf

PARKING: (single-family attached per section 702.c)

Required: three bedroom 2x9 = 18 spaces

required unrestricted parking 25 x 9 = 2.25 = 3 spaces

Provided: 18 + 2 stalls + 1 accessible = 21 spaces

(9' x 2=18) Garage Spaces; 2 Parking Stalls (1 Accessible)

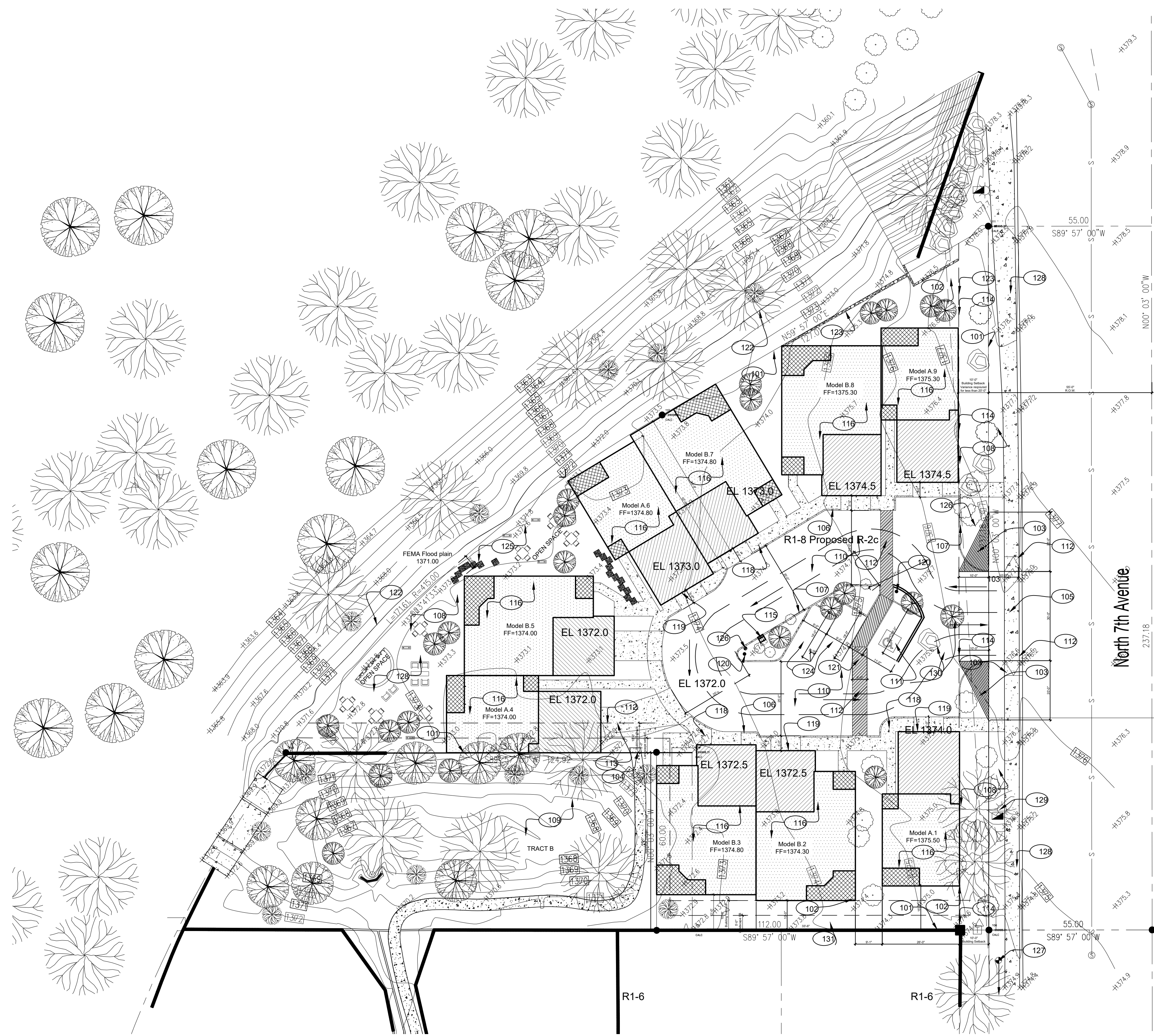
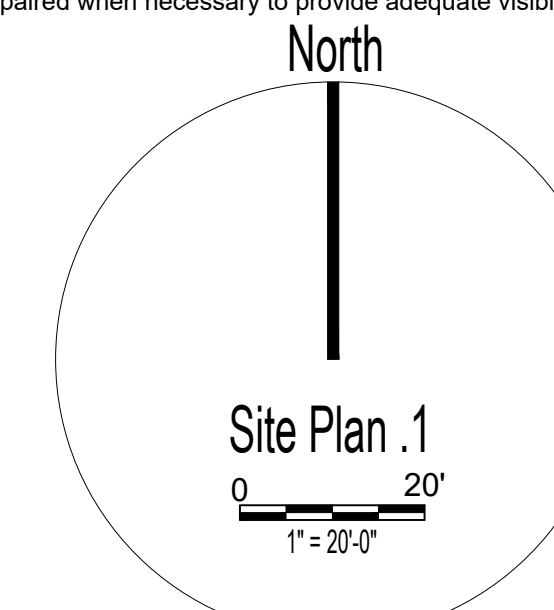
HOA: to be provided with rules to be followed

Phoenix Special Notes

- Development and use of this site will conform with all applicable codes and ordinances.
- This project is located in the City of Phoenix water service area and has been designated as having an assured water supply.
- All new or relocated utilities will be placed underground.
- All signage requires separate approvals and permits.
- Any lighting will be placed so as to direct light away from the adjacent residential districts and will not exceed one foot candle at the property line. No noise, odor, or vibration will be emitted so that it exceeds the general level of noise, odor, or vibration emitted by uses outside the site.
- Owners of property adjacent to public rights-of-way will have the responsibility for maintaining all landscaping within the rights-of-way in accordance with approved plans.
- 10'-0" x 20'-0" visibility triangle on each side of driveway entrance, nothing can be located in visibility triangles above 3'-0" high. (per section 31-13 and 705)
- All existing broken, or out of grade curb and sidewalks on the project site will be replaced, as well as any new curb or sidewalks damaged during construction

Phoenix Fire Department Special Notes

- Where required by the fire code official painted curbs and approved signs or other approved notices shall be provided and maintained for the fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The marking of fire lanes shall be in accordance with Section 503.3. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.



Keynotes

- |  |   |   |
|--|---|---|
| 101 Property line.   | 108 Landscaping per City of Phoenix requirements.   | 114 Street setback line, 20' required, 10' variance requested.                  |
| 102 Building setback line @ 10'-0".  | 109 Existing joint designed Retention Basin.  | 115 Joint mail boxes.   |
| 103 10' x 20' visibility triangle (see S.P.N. #7).   | 110 New private parking lot asphalt paved or concrete with 6" curbs as noted 107. (per section 702.B.4) | 116 New two story residence foot print.   |
| 104 Site drainage outlet to retention.   | 111 New 3'-0" CMU sign wall & parking screen wall.  | 118 Accessible path of travel to public walk flush to drive.                    |
| 105 City of Phoenix Type 1 driveway entrance, 30'-0" width per P1255-4 (less than 20 spaces) driveway built per standard detail P1255-1. | 112 ADA Parking access to publicway, any ramps to be built per ADA requirements.                        | 119 Building mounted exterior lighting meter by HOA typical.                    |
| 106 6" turn down sidewalk.   | 113 Building setback line 10'-0" required, 0'-0" variance requested.                                    | 120 Pole mounted exterior lighting - max. 15' high typical.                     |
| 107 Provide 6" curb around all parking, maneuvering, and aisles.   |   | 121 Accessible parking space 11'-0" with 5'-0" access aisle per city standards. |
|  |   | 122 Blank.  |
|  |   | 123 Privacy fence from wash entry, 2'-0 CMU with 4'-0" steel fence above.       |

- |   |
|---|
| 124 Guest parking 9'-0"x18'-0", per City standards.           |
| 125 HOA amenities space.                                      |
| 126 New fire hydrant.   |
| 127 Second fire hydrant 200 feet down street.                 |
| 128 Existing Sidewalk (repair as need per city requirements). |
| 129 Existing street light.                                    |
| 130 Remove existing planting.                                 |
| 131 10' landscape setback line.                               |

Sanctuary  
17400 N 7th Ave  
Phoenix, Arizona

Scale: 1" = 20'-0"

Date: 10.10.18

Drawn by: DLK

Checked by: DLK

Project Description

Rejuvenate empty lot in residential neighborhood for single- attached residences by making a Plan Residential Development: zoning change from R1-8 to R2c.

Project Directory

OWNER  
MAI Developers LLC  
6801 North 13th street Phoenix, Arizona 85014

ARCHITECT  
Kenyon Architectural Studio  
Contact: Dave Kenyon\*  
115 E. Campo Desierto Rd., Tempe, Arizona 85281  
480 695-8602 / dlkarchitect@gmail.com

SURVEYOR  
Extreme Land Surveying Inc.  
Contact: Mike F. Jennings  
8701 East Vista Bonita Suite 210, Scottsdale, Arizona 85255  
208 558 0143 / m3kjennings@gmail.com

CIVIL ENGINEER  
M & M Civil Engineering llc  
8584 West Hatcher Road, Peora, Arizona 85345  
Contact: \*Contact Architect for all questions

OWNER'S PROJECT MANAGER  
Richard Johns  
P.O. Box 5493, Carefree, Arizona 85377  
480 233-0775 / Arjay2@cox.net.

Building Codes

All construction shall comply with the following codes and all City of Phoenix Amendments:

- 2015 International Residential Code
- 2015 International Mechanical Code
- 2015 Uniform Plumbing Code
- 2014 National Electrical Code
- 2015 International Fire Code

Sheet Index

DR 1.1	Proposed Conceptual Site Plan and Data (Revised) ALTA / NSPS (Surveyor)
	FIRMETTE Flood Plan Line per FEMA (Surveyor)
PGD 1	Preim Grading and Drainage (Civil Engineer)

Z 1.1

Zoning Project Site Plan

5" x 5" AREA RESERVED FOR PLAN APPROVAL STAMPS

KIVA:	18-771
SDEV:	1800174
PAPP:	1801471
QS:	37-26



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**Sanctuary**  
17400 N 7th Ave  
Phoenix, Arizona

Scale: 1/16" = 1'-0"

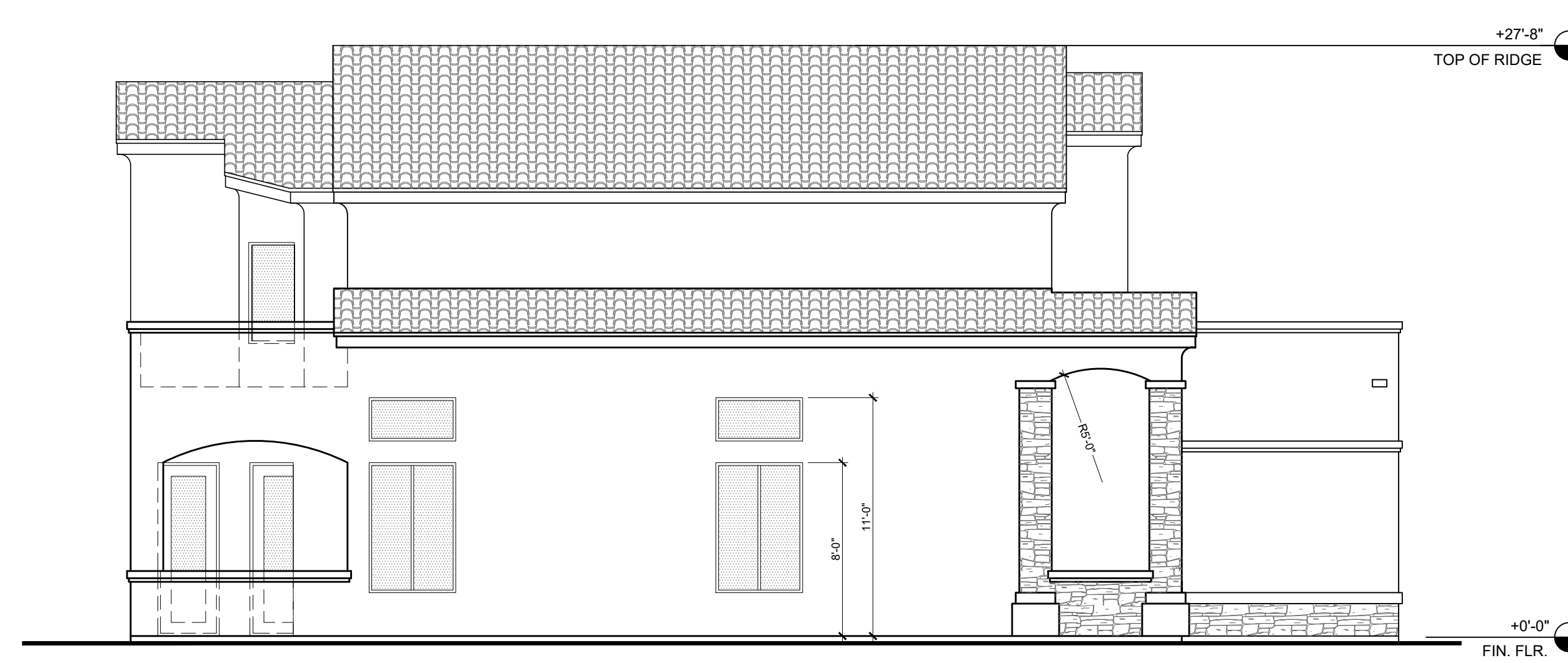
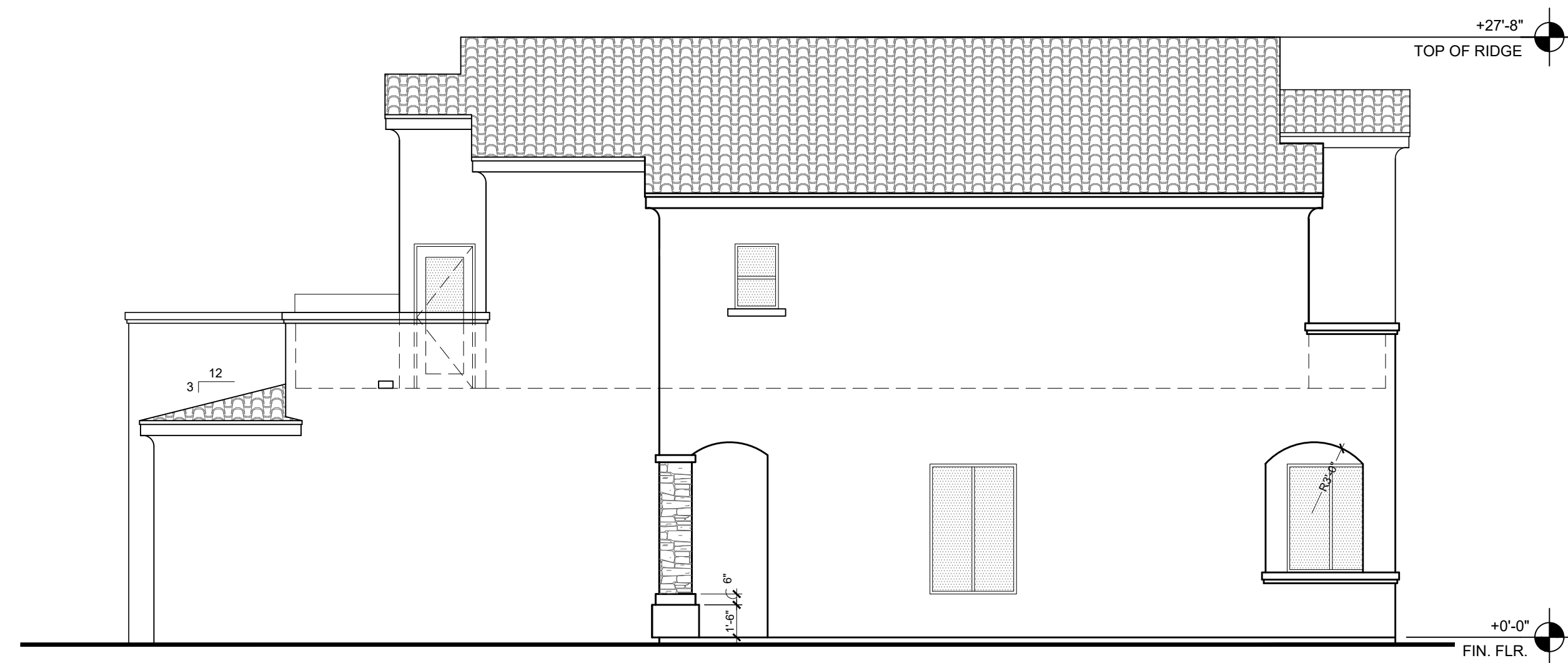
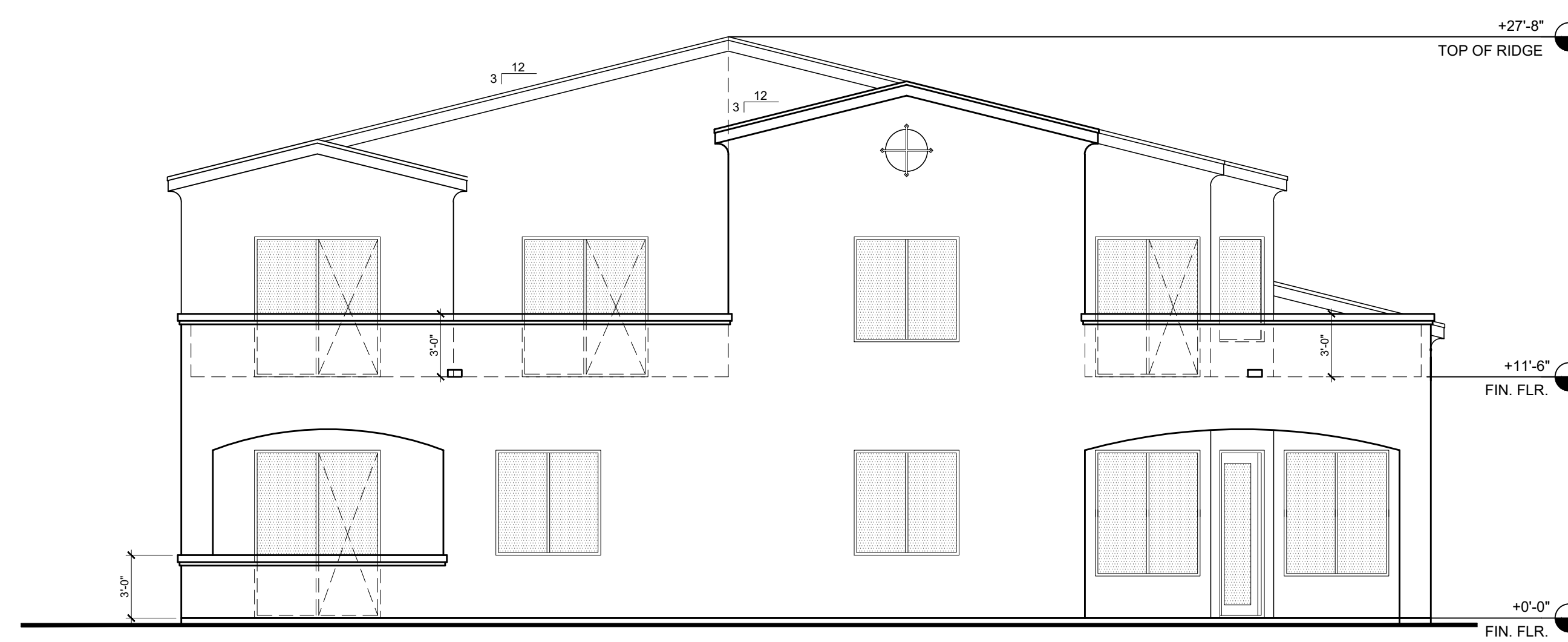
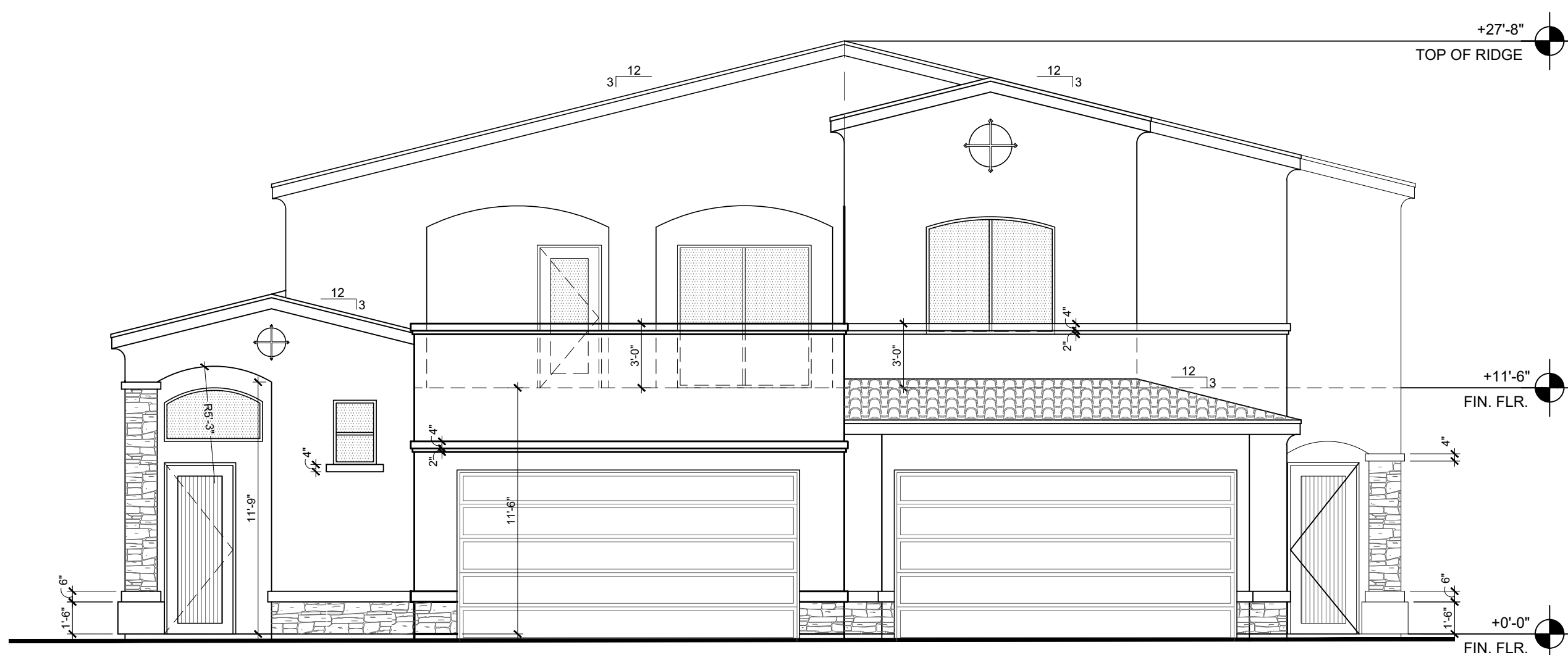
Date: 10.10.18

Drawn by: DLK

Checked by: DLK

**Z 1.2**

Zoning Project Elevations



5" x 5" AREA RESERVED FOR PLAN APPROVAL STAMPS

KIVA: 18-771  
SDEV: 1800174  
PAPP: 1801471  
QS: 37-26