

# ATTACHMENT B



## City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

### Staff Report Z-112-24-1 (Roers Companies Deer Valley Apartments PUD) February 7, 2025

Deer Valley [Village Planning Committee Meeting](#) Date:

February 18, 2025

[Planning Commission](#) Hearing Date:

March 6, 2025

**Request From:**

[R-4A](#) (Approved [CP/GCP](#)) (Multifamily Residence District, Approved Commerce Park District, General Commerce Park Option) (4.99 acres)

**Request To:**

[PUD](#) (Planned Unit Development) (4.99 acres)

**Proposed Use:**

Multifamily residential

**Location:**

Northwest corner of 30th Avenue and Deer Valley Drive

**Owner:**

Bryan Mar, Deer Valley Development, LLC

**Applicant:**

Michael Buschbacher, Early & Curley, P.C.

**Representative:**

Taylor Earl, Earl & Curley, P.C.

**Staff Recommendation:**

Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>	Current: Commerce / Business Park, Parks / Open Space-Public, and Residential 3.5 to 5 dwelling units per acre		
	Pending (GPA-DV-2-24-1): Residential 15+ dwelling units per acre		
<a href="#">Street Map Classification</a>	Deer Valley Drive	Arterial	55-feet north half street
	30th Avenue	Local	25-feet west half street

***CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; ENCOURAGE HOUSING OPTIONS; Provide more diverse and livable housing options for a range of income levels while reinforcing the unique character of the existing communities and neighborhoods. Use zoning ordinances, and other resources to provide incentives for higher density housing, affordable housing and missing middle housing.***

The PUD Narrative encourages affordable housing by incorporating an incentive for additional height into the project.

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

The PUD Narrative includes enhanced landscaping, setback along the north property line, and open space to mitigate potential impacts on surrounding single-family residential developments.

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

The proposal provides a reasonable level of intensity that is respectful to local conditions by proposing multifamily adjacent to an arterial street. The request will allow for increased intensity that is sensitive to the scale of the surrounding neighbors and provide affordable housing.

***BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

The PUD Narrative incorporates enhanced landscaping and shade standards throughout the site that will help to provide shade for pedestrians and mitigate the urban heat island effect by covering hard surfaces thus cooling the micro-climate around the vicinity.

#### **Applicable Plans, Overlays and Initiatives**

[Housing Plan Phoenix](#): Background Item No. 6.

[Complete Streets Guiding Principles](#): Background Item No. 7.

[Transportation Electrification Action Plan](#): Background Item No. 8.

[Comprehensive Bicycle Master Plan](#): Background 9.

[Tree and Shade Master Plan](#): Background Item No. 10.

[Conservation Measures for New Development](#): Background Item No. 11.

[Phoenix Climate Action Plan](#): Background Item No. 12.

[Zero Waste PHX](#): Background Item No. 13.

Surrounding Land Uses/Zoning		
	Land Use	Zoning
On Site	Office	R-4A (Approved CP/GCP)
North	Wash and single-family residential	R-2
East (Across 30th Avenue)	Commerce park development	CP/GCP
South (Across Deer Valley Drive)	Single-family residential	R-3
West	Offices, commercial uses	Ind. Pk.

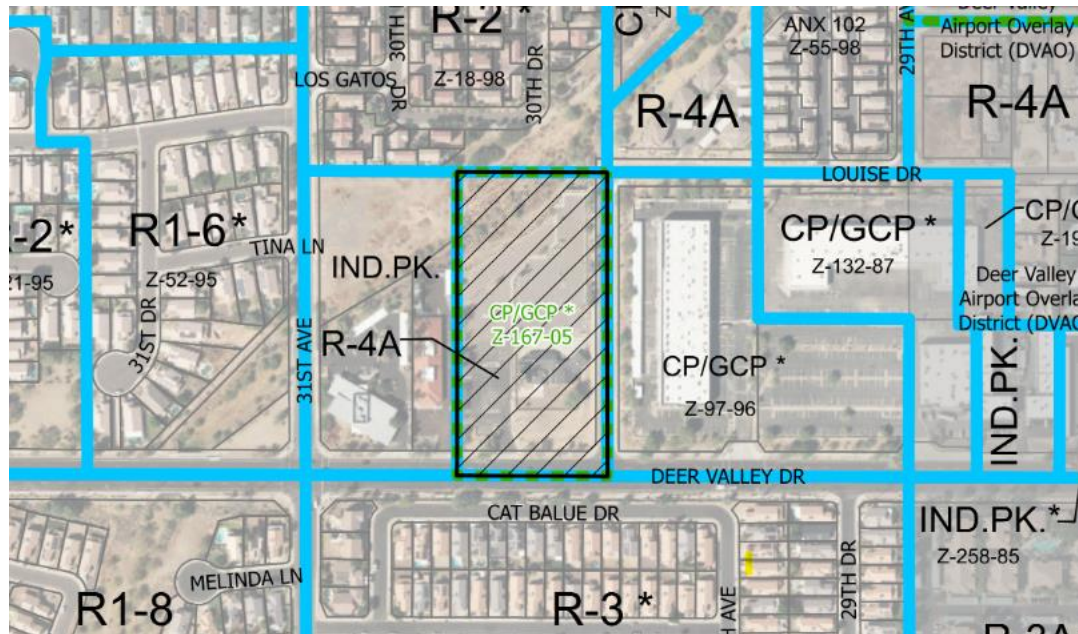
### **Background/Issues/Analysis**

#### **SUBJECT SITE**

1. This request is to rezone 4.99 acres located at the northwest corner of 30th Avenue and Deer Valley Drive from R-4A (Approved CP/GCP) (Multifamily Residence District, Approved Commerce Park District, General Commerce Park Option) to PUD (Planned Unit Development) to allow multifamily residential. The proposed PUD will redevelop an underutilized property and support new affordable residential housing adjacent to an arterial street.

#### **SURROUNDING LAND USES AND ZONING**

2. The Scatter Wash and a single-family residential development is located to the north of the subject site and is zoned R-2 (Multifamily Residence District). To the east, across 30th Avenue, is a commerce park development zoned CP/GCP (Commerce Park District, General Commerce Park Option). A single-family subdivision is located south of the property, across Deer Valley Drive, and zoned R-3 (Multifamily Residence District). To the west of the subject site are commercial and office uses zoned Ind. Pk. (Industrial Park).



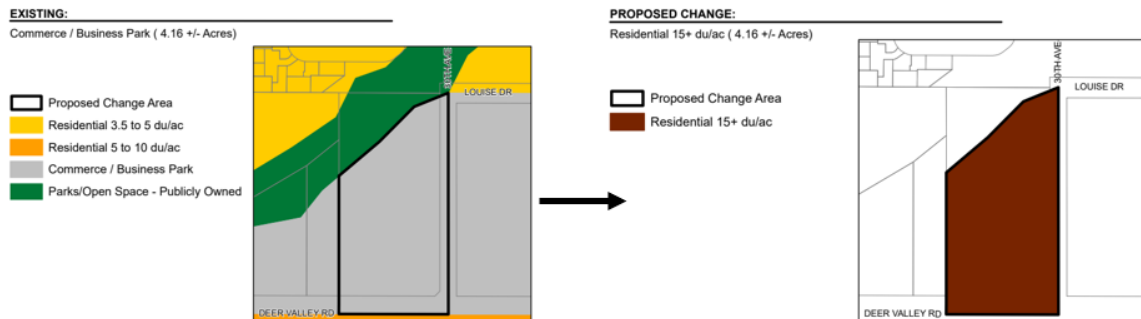
*Existing Zoning Aerial Map*

*Source: Planning and Development Department*

### GENERAL PLAN LAND USE MAP DESIGNATION

3. The subject site and the surrounding area to the east, across 30th Avenue, and west are designated Commerce / Business Park. The Scatter Wash, that runs along the northwest portion of the subject site is designated Parks/Open Space – Publicly Owned. North of subject site is designated as Residential 3.5 to 5 dwelling units per acre. South of the subject site, across Deer Valley Drive is designated as Residential 5 to 10 dwelling units per acre.

The proposed multifamily residential development is not consistent with the Commerce / Business Park land use map designation. Furthermore, even though the subject site is less than 10 gross acres, the proposal falls under the exception to the 10 gross acre rule that states that a minor General Plan Amendment is required for any residential request in a designated Industrial or Commerce Park area. As a result, a concurrent minor General Plan Land Use Map amendment case, GPA-DV-2-24-1, is proposed to change the land use map designation to Residential 15+ dwelling units per acre.



*General Plan Land Use Map*

*Source: City of Phoenix Planning and Development Department*

## PROPOSAL

4. The proposal was developed utilizing the PUD zoning district. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case-by-case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.
5. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped January 16, 2025. The proposed standards were designed to provide affordable multifamily residential housing within the Deer Valley Village.

### **Proposal**

The proposal is to allow a five-story multifamily building with approximately 147 units. The intent of the project is to provide a low-income housing tax credit incentive (LIHTC) project. The buildings are proposed to be closer to the street frontages to activate the street and create a more inviting pedestrian environment. The parking lot is internalized and screened by the building, making the building and landscaping the predominate design features.



Source: Roers Companies Deer Valley Apartments PUD Narrative

**List of Uses**

The Development Narrative lists multiple family dwelling units as the only permitted use, in addition to accessory and temporary uses, per the Zoning Ordinance standards.

**Development Standards**

Below is a summary of key development standards set forth in the Development Narrative.

<b>Development Standards</b>	
Maximum Density	29.46 dwelling units per gross acre (147 units)
Minimum Building Setbacks	Deer Valley Drive: 20 feet 30th Avenue: 20 feet West: 5 feet North: 140 feet (per Stipulation No. 1.f)  Note: Carports, parking stalls, pedestrian plaza and associated amenities (structures) are allowed within the building setbacks along the north and east (30th Avenue) property lines.
Maximum Building Height	48 feet; however, 60 feet if 100 percent of the housing units are provided as affordable housing, as documented by compliance with conditions as identified in the Housing Department Section of the Interdepartmental Comments below.
Maximum Lot Coverage	50%

The PUD narrative proposes an enhanced building setback along the north property line and increased height when affordable housing units are provided. Most of Stipulation No. 1 requires various changes to the PUD narrative to clarify language and are not substantive changes. Stipulation No. 1.f requires that the north building setback be updated for 140 feet, which captures what is already shown on the site plan.



**Landscape Standards**

Landscape Standards	
Minimum Building Setbacks	<p>Deer Valley Drive: 20 feet  30th Avenue: 20 feet<sup>1</sup>  West: 5 feet  North: 0 feet<sup>2</sup></p> <ol style="list-style-type: none"> <li>1. Up to three parking spaces (or portion(s) thereof) and a pedestrian plaza (or portion thereof) may be located in the northernmost 99 feet of the landscape setback adjacent to 30th Avenue.</li> <li>2. Landscaping in the wash area may be preserved in its natural vegetative condition.</li> </ol>
Landscape Adjacent to Right-of-Way	Minimum 2-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree.
Landscape Adjacent to Interior Lot Lines	As per Section 703.B.3.b
Total Open Space	49,771 square feet (22.9%)
Bicycle Parking Spaces	Shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum 75% shade.
Site Shading	<p>All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping, or a combination of the two; to provide a minimum of 75% shade.</p> <p>Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.</p>
Green Stormwater Infrastructure	A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented.

The PUD narrative proposes numerous landscaping enhancements that include shading along the walkways including public sidewalks, bicycle infrastructure, and enhanced planting standards that exceed the Zoning Ordinance standards. The narrative also proposes a natural open space area along the wash, adjacent to the multi-use trail.

### **Parking Standards**

The PUD proposes a minimum of 202 parking spaces, a 19-space reduction from what would be required under conventional zoning (221 spaces), 101 of those spaces will be unreserved.

The PUD Narrative also notes 5 percent of the required parking spaces will include Electric Vehicle Installed Infrastructure.

A total of 37 bike parking stalls will be provided through a combination of secured indoor bike parking and outdoor inverted U bike racks. Included as part of the bicycle infrastructure is a bicycle repair station and electric bike charging capabilities.

### **Trail and Multi-Use Trail Easement Standards**

A 30-foot-wide multi-use trail easement (MUTE) is required to be dedicated along the Scatter Wash to the north. As well, a 10-foot-wide trail shall be constructed within the easement. The wash serves as a regional multi-modal amenity and will serve as a recreational amenity to the nearby residents. An enhanced pedestrian connection will be provided along the northeast side of the parking lot at the pedestrian plaza/trail access point.

### **Streetscape Standards**

A 5-foot-wide detached sidewalk with a 7.5-foot landscape strip between the back of the curb and sidewalk is required along Deer Valley Drive and a 5-foot-wide detached sidewalk with a 4-foot wide landscape strip between the back of the curb and the sidewalk is required along 30th Avenue.

These landscape strips shall provide enhanced planting standards for larger trees and more vegetative ground cover. The PUD narrative also requires the sidewalks to be shaded for 75 percent coverage.

### **Fences/Walls**

The proposed fences and walls shall comply with Section 703 of the City of Phoenix Zoning Ordinance.

### **Design Guidelines**

The PUD Narrative proposes numerous materials to be used on the building elevations including glazing, brick accent material and metal awnings and balconies.



This section also addresses Complete Streets principles, connections points of amenities, and location of open space areas.

### **Signage**

This section of the PUD Narrative states the signage requirements will be per Section 705 of the City of Phoenix Zoning Ordinance.

### **Sustainability**

The Development Narrative proposes several options to incorporate sustainability principals. Below is a highlight of some of the options:

- Only landscape materials to be utilized are those in the Low-Water-Use/Drought Tolerant Plant List.
- Limitations on natural turf.
- Smart irrigation controllers shall be utilized.
- Pressure regulating sprinkler heads and drip lines shall be used to reduce water waste.
- A leak detection device for larger open space areas.
- A minimum of 25 percent of surface parking lot areas shall be shaded.
- Incorporate solar panels for a minimum of 84 parking spaces.

### **Infrastructure**

Green Stormwater Infrastructure (GSI) elements shall be implemented in the project.

## AREA PLANS, OVERLAY DISTRICT, AND INITIATIVES

### 6. **Housing Phoenix Plan**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using underutilized land in a more sustainable fashion.

### 7. **Complete Streets Guiding Principles**

In 2014, the Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, and connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The PUD proposed several provisions that are consistent with Complete Streets Guiding Principles including a detached sidewalk along street Deer Valley Drive to promote a safe pedestrian

atmosphere. Additionally, a Complete Streets section is included in the narrative which includes methods to improve the pedestrian environment such as added shading, a pedestrian plaza, seating area and improvement to the trail along the Scatter Wash.

8. **Transportation Electrification Action Plan**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. The Development Narrative contains requirements for electrical vehicle parking and electrical charging receptacles for electric bikes.

9. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of Destinations. The Development Narrative includes bicycle parking, a bicycle repair station and electric bicycle charging capabilities provisions in the development.

10. **Tree and Shade Master Plan**

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. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. The PUD includes enhanced shading and landscaping standards to reduce the urban heat island effect.

11. **Conservation Measures for New Development**

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - *Build the*

*Sustainable Desert City*. The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. The PUD Narrative has numerous conservation measures for the proposed multifamily residential development. The PUD proposes utilizing the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List for vegetation, smart irrigation controllers, and pressure regulating sprinkler heads to reduce water waste.

12. **Phoenix Climate Action Plan**

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the [Greater Phoenix Green Infrastructure \(GI\) and Low Impact Development Details for Alternative Stormwater Management](#) to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in the Landscape Standards portion of the PUD Narrative. A minimum of two green infrastructure techniques for stormwater management shall be implemented.

13. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the City's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The project information form states the project will use on-site recycling bins for residents.

COMMUNITY INPUT SUMMARY

14. As of the writing of this report, staff has received four letters of opposition to this rezoning application. The stated concerns include: a lack of parking; an out of place and obtrusive 5-story building; concerns the building will interfere with air traffic; the potential impacts of low income/workforce housing on the surrounding area; increased crime; decreased property values; overcrowding; lack of services provided in the area; privacy and safety; encouraging the city to wait for a project which does not require entitlement changes.

INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department has requested stipulations for the following:

- Dedication of a Multi-Use Trail Easement (MUTE) adjacent to the Scatter Wash (Stipulation No. 2).
  - A minimum of one enhanced pedestrian connection to the Scatter Wash trail (Stipulation No. 3).
  - All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis (Stipulation No. 4).
  - All streets and driveways shall be constructed with all required elements and in compliance with all ADA accessibility standards (Stipulation Nos. 5 and 6).
16. In coordination with the Housing Department, the following conditions are to allow an incentive height of 60 feet to ensure affordable housing is provided on site. These conditions are:
- The applicant shall submit a copy of the draft Declaration of Affirmative Land Use and Restrictive Covenants agreement (LURA), for review and verification by the Phoenix Housing Department, prior to or in conjunction with Preliminary Site Plan Approval.
  - The applicant shall submit a copy of the Determination of Qualification of Tax Credits issued by the Arizona Department of Housing, or other documentation of low-income housing tax credit allocation, prior to or in conjunction with Final Site Plan Approval.
  - The applicant shall submit a copy of the recorded Declaration of Affirmative Land Use and Restrictive Covenants agreement (LURA), as approved by the Arizona Department of Housing, to the Planning and Development Department.
17. The City of Phoenix Aviation Department has reviewed the proposal and indicated that a portion of the site is within the airport disclosure area. The Aviation Department requests that the property owner record documents that disclose the existence and operations of the Deer Valley Airport to any future owners or tenants. This is addressed Stipulation No. 7.
18. The City of Phoenix Floodplain Management Division has determined that the site is located within a Special Flood Hazard Areas called a Zone AE and Zone AE floodway on panel 1290M of the Flood Insurance Rate Maps (FIRM) revised 09/18/2020. This is addressed by Stipulation No. 8.
19. The site has not been identified as being archeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 9.
20. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to

require the form b completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 10.

21. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

### **Findings**

1. The proposal is compatible with the existing land use pattern and is consistent with the proposed General Plan Land Use Map designation.
2. The proposal contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The proposal will provide increased shade which will help to reduce the urban heat island effect.
3. The proposal will diversify the land use mix and provide the opportunity for affordable housing in the area.

### **Stipulations**

1. An updated Development Narrative for the Roers Companies Deer Valley Apartments PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped January 16, 2025, as modified by the following stipulations:
  - a. Front Cover, add "City Council adopted: [Insert Adoption date]"
  - b. Insert a new page after the cover page and add the following text: A Planned Unit Development ("PUD") is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the Phoenix Zoning Ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies Phoenix Zoning Ordinance regulations and does not modify other City Codes or requirements.
  - c. Throughout the entire document and exhibits, update any instances of "Deer Valley Road" to "Deer Valley Drive".
  - d. Page 13, C. List of Uses: delete "The proposed PUD does not seek to increase the list of uses allowed within the zoning district." and replace with "The Zoning Administrator may issue interpretations for land uses

that are analogous to those listed in C. List of Uses as authorized by Phoenix Zoning Ordinance Section 307.A.3.”

- e. Page 13, D. Development Standards, Table 3 – Development Standards, Row 2, Column 1: Add the word “Minimum” in front of Building Setbacks.
- f. Page 13, D. Development Standards, Table 3 – Development Standards, Row 2, Column 2: Rewrite as follows:

Deer Valley Drive: 20 feet  
30th Avenue: 20 feet  
West: 5 feet  
North: 140 feet

Note: Carports, parking stalls, pedestrian plaza and associated amenities (structures) are allowed within the building setbacks along the north and east (30th Avenue) property lines.

- g. Page 15, D. Development Standards, Table 4 – Landscape Standards, Row 1, Column 1: Delete Deer Valley Drive, 30th Avenue, Interior West Lot Line, Interior North Lot Line.
- h. Page 15, D. Development Standards, Table 4 – Landscape Standards, Row 1, Column 2: Rewrite as follows:

Deer Valley Drive: 20 feet  
30th Avenue: 20 feet<sup>1</sup>  
West: 5 feet  
North: 0 feet<sup>2</sup>

- 1. Up to three parking spaces (or portion(s) thereof) and a pedestrian plaza (or portion thereof) may be located in the northernmost 99 feet of the landscape setback adjacent to 30th Avenue.
  - 2. Landscaping in the wash area may be preserved in its natural vegetative condition.
- i. Page 17, D. Development Standards, Table 5 – Parking Standards, Row 2, Column 2: Remove the word “provided”.
- j. Page 25, E. Design Standards and Guidelines, G. Sustainability, Water Consumption Section: Remove “A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.” and place the language under the “Site Shading” row, second

column, on page 15, Table 4, D. Development Standards, Table 4 – Landscape Standards.

- k. Page 27, I. Comparative Zoning Standards, Row 3, Column 3: Revise maximum density to 29.46 du/ac.
  - l. Page 29, I. Comparative Zoning Standards, Row 2, Columns 1: Update text to “Minimum Landscape Setbacks”.
2. A minimum 30-foot wide Multi-Use Trail Easement (MUTE) shall be dedicated adjacent to the Scatter Wash.
  3. A minimum of one enhanced pedestrian connection shall be provided to allow for direct pedestrian access to the Scatter Wash Trail. An 8-foot-wide shaded pedestrian pathway shall be constructed with decorative material such as brick, pavers or an alternative material, as approved by the Planning and Development Department.
  4. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated August 6, 2024.
  5. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
  6. All streets within and adjacent to the development shall be constructed 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.
  7. 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.
  8. This parcel is in Special Flood Hazard Areas (SFHA) called Zone AE and Zone AE floodway, on panel 1290M of the Flood Insurance Rate Maps (FIRM) revised September 18, 2020. The following requirements shall apply, as approved by the Planning and Development Department:
    - a. The Architect and Engineer is required to show the floodplain boundary limits on the Site Plan and Grading and Drainage Plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR



Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

- b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Office of the City Engineer for review and approval of Floodplain requirements.
  - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
9. 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.
10. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

**Writer**

Matteo Moric

February 7, 2025

**Team Leader**

Racelle Escolar

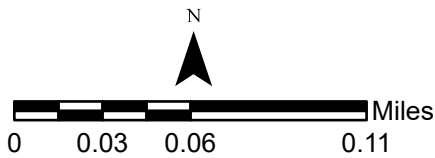
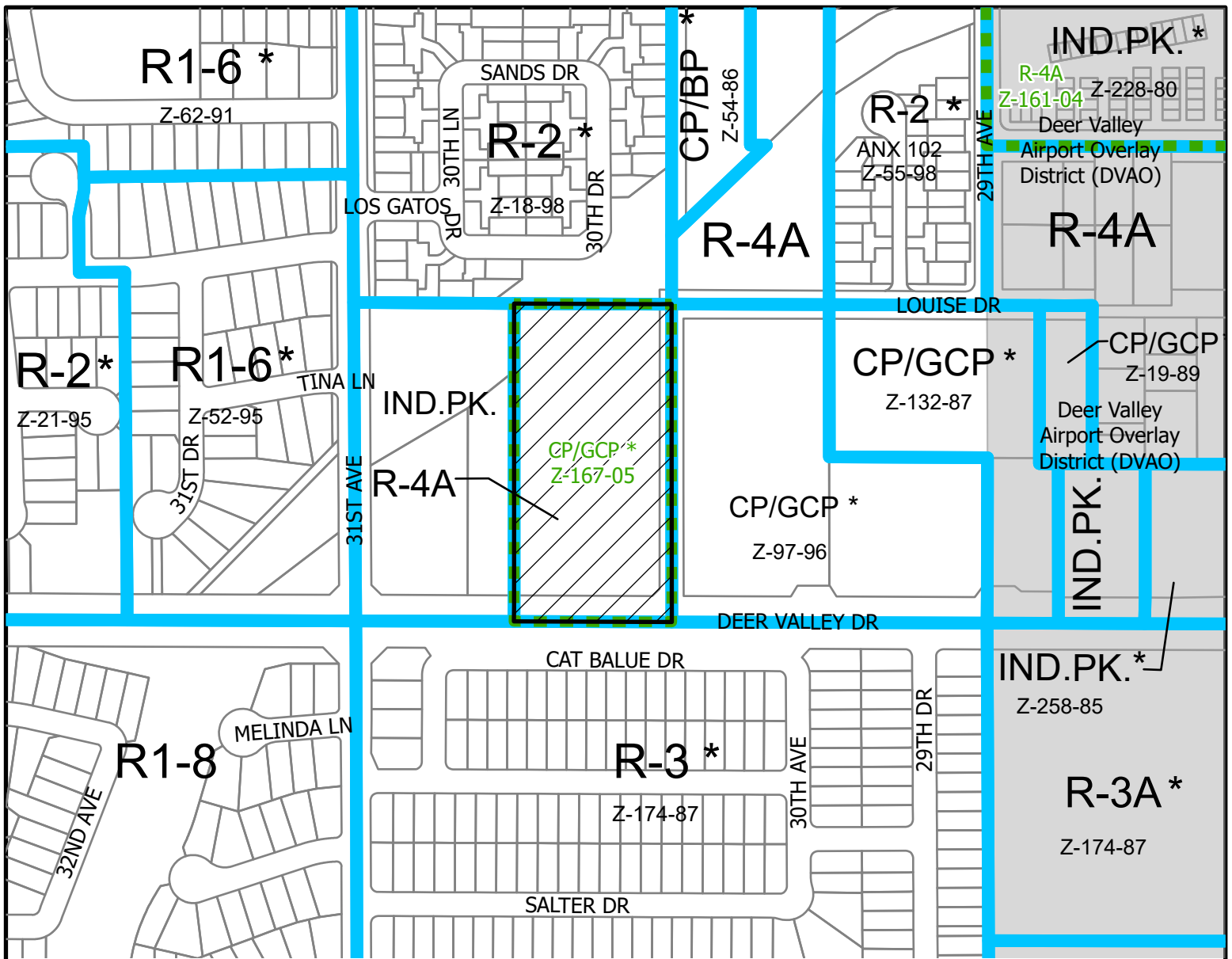
**Exhibits**

Sketch Map

Aerial Map

[Roers Companies Deer Valley Apartments PUD](#) date stamped January 16, 2025

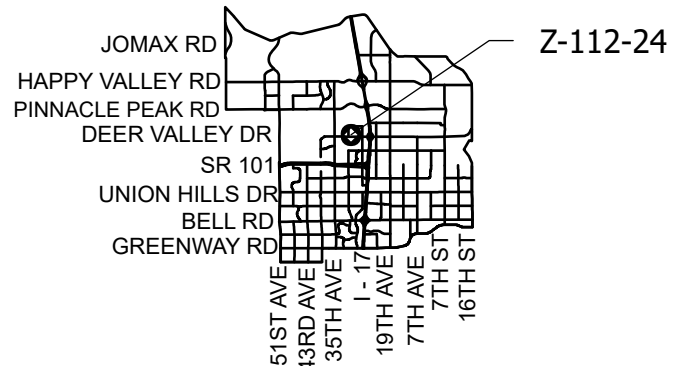
Correspondence (7 pages)



**DEER VALLEY VILLAGE**  
COUNCIL DISTRICT: 1

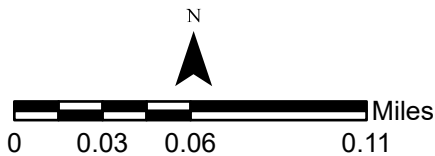
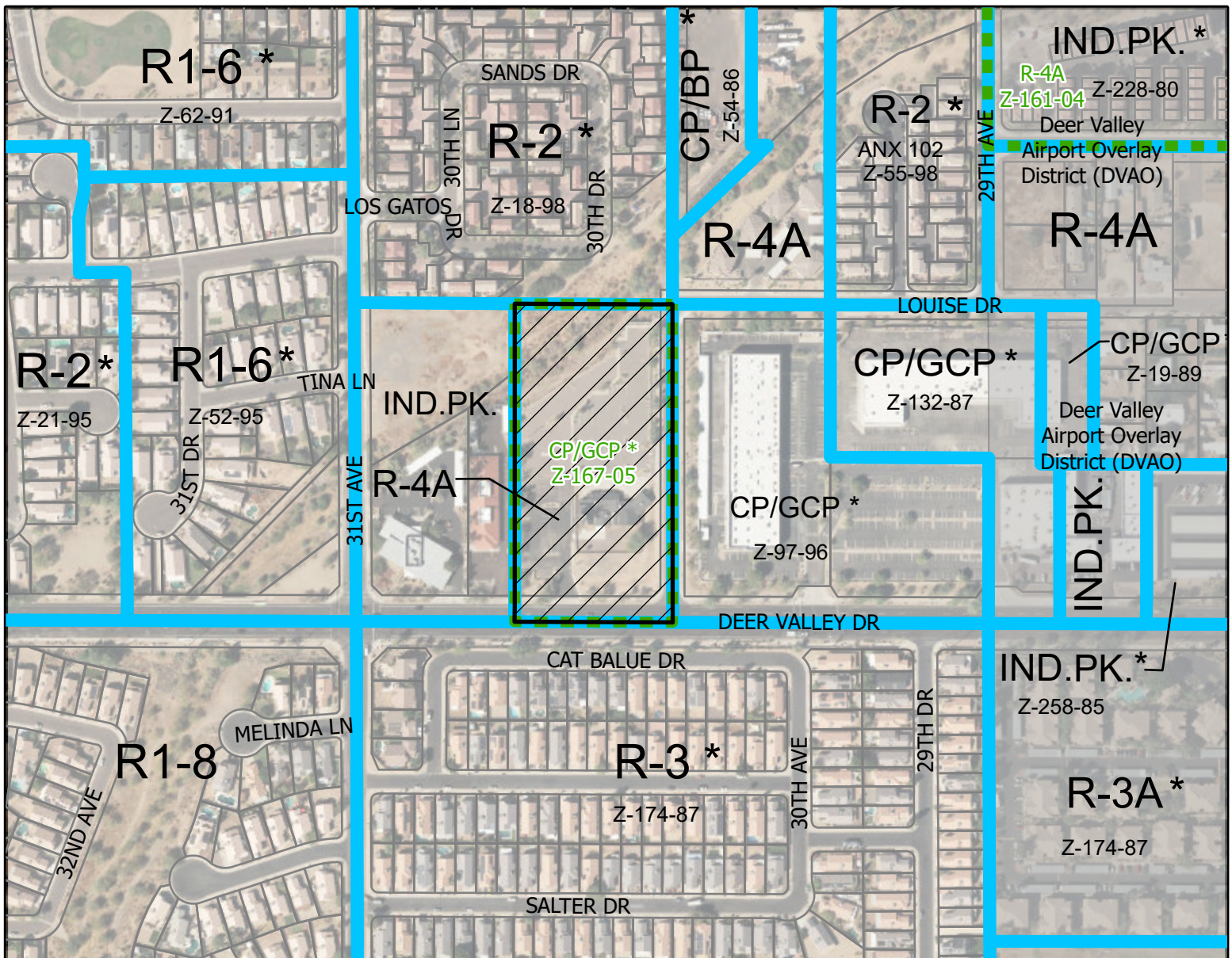


**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

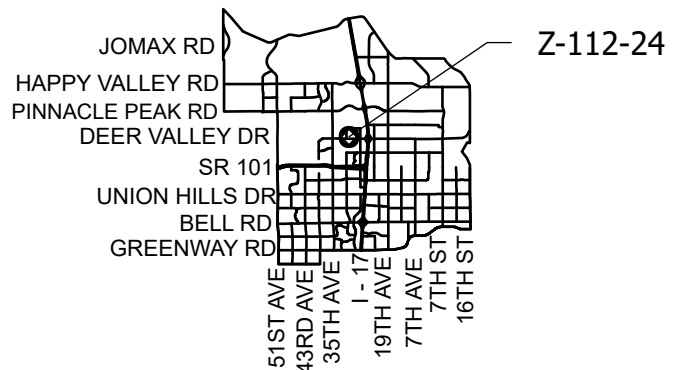


APPLICANT'S NAME: <b>Earl &amp; Curley, PC</b>		REQUESTED CHANGE:	
APPLICATION NO: <b>Z-112-24</b>		FROM: <b>R-4A (Approved CP/GCP) ( 4.99ac.)</b>	
DATE: <b>8/20/2024</b>		TO: <b>PUD ( 4.99 ac.)</b>	
REVISION DATES:			
AERIAL PHOTO & QUARTER SEC. NO. <b>QS 43-22</b>			
ZONING MAP <b>N-7</b>			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. <b>4.99 Acres</b>			
MULTIPLES PERMITTED <b>R-4A (Approved CP/GCP)</b> <b>PUD</b>		CONVENTIONAL OPTION <b>434 (N/A)</b> <b>147</b>	
		* UNITS P.R.D OPTION <b>N/A (N/A)</b> <b>N/A</b>	

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



**DEER VALLEY VILLAGE**  
COUNCIL DISTRICT: 1



APPLICANT'S NAME: <b>Earl &amp; Curley, PC</b>		REQUESTED CHANGE:	
APPLICATION NO: <b>Z-112-24</b>		FROM: <b>R-4A (Approved CP/GCP) ( 4.99ac.)</b>	
DATE: <b>8/20/2024</b>		TO: <b>PUD ( 4.99 ac.)</b>	
REVISION DATES:			
AERIAL PHOTO & QUARTER SEC. NO. <b>QS 43-22</b>			
ZONING MAP <b>N-7</b>			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. <b>4.99 Acres</b>			
MULTIPLES PERMITTED <b>R-4A (Approved CP/GCP)</b> <b>PUD</b>		CONVENTIONAL OPTION <b>434 (N/A)</b> <b>147</b>	
		* UNITS P.R.D OPTION <b>N/A (N/A)</b> <b>N/A</b>	

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

**From:** [Jesmina F](#)  
**To:** [Matteo Moric](#)  
**Subject:** Apartment building proposal on Deer Valley and 31st ave  
**Date:** Monday, January 6, 2025 7:00:16 PM

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Hello,

my name is Jesmina and I am a resident on Cat Balue street.

My husband and I have been at the meeting in regards to the apartment building proposal and have a few concerns that this small and tight community of housing can bring to the area.

First and foremost, our house being right across the street with direct view in front of our house from the 3rd floor and up, it is concerning for privacy reasons. In addition, the lack of extra parking in the new building, brings concern about unwanted parking and cars in our area. The lack of gated community is also a safety concern for the area. I have seen a couple apartment complexes become unsafe once the gate was removed often allowing homeless and drugs to move into the area, and I would not like this in a community so close to my house.

Overall the value of the house may be expected to go down with above mentioned concerns.

I would like to know what the status is for the building/construction for this.

Best regards,

Jesmina Faja



Sarah Stockham

To: Matteo Moric  
Subject: RE: Matt DiSabatino's email - Roers Companies Deer Valley Apartments PUD

From: Matt DiSabatino <[mattdisabatino@hotmail.com](mailto:mattdisabatino@hotmail.com)>  
Sent: Monday, December 2, 2024 4:20 AM  
To: Matteo Moric <[matteo.moric@phoenix.gov](mailto:matteo.moric@phoenix.gov)>  
Subject: Deer Valley Village Planning Committee

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Hi Matteo,

Roers' proposed development (attached) is low income housing:

[https://www.huduser.gov/portal/datasets/il/il2024/2024summary.odn?STATES=4.0&INPUTNAME=METRO38060M38060\\*0401399999%2BMaricopa+County&statelist=&stname=Arizona&wherefrom=&statefp=04&year=2024&ne\\_flag=&selection\\_type=county&incpath=&data=2024&SubmitButton=View+County+Calculations](https://www.huduser.gov/portal/datasets/il/il2024/2024summary.odn?STATES=4.0&INPUTNAME=METRO38060M38060*0401399999%2BMaricopa+County&statelist=&stname=Arizona&wherefrom=&statefp=04&year=2024&ne_flag=&selection_type=county&incpath=&data=2024&SubmitButton=View+County+Calculations)  
[huduser.gov]

<https://www.snapscreener.com/guides/arizona> [snapscreener.com]



Arizona  
**SNAP Benefits**  
Could you get help with your food budget?

Household Size	Income Limit Per Month	Maximum Benefit Per Month
1	\$2,321	\$292
2	\$3,152	\$536
3	\$3,981	\$768
4	\$4,810	\$975
5	\$5,640	\$1,158
6	\$6,469	\$1,390
7	\$7,298	\$1,536

Higher income limits are available for households with a member who is over 60 years old or has a disability.

Benefit amounts depend on income, expenses, and household size. Additional eligibility criteria may also apply.

APPLY or GET A BENEFIT ESTIMATE



## Arizona SNAP Eligibility Information [snapscreener.com]

Gross Income, Net Income, and Asset Limits for SNAP (Food Stamps) in Arizona for Oct. 1, 2024 through Sept. 30, 2025.

[www.snapscreener.com](https://www.snapscreener.com) [snapscreener.com]

[snapscreener.com]

I'm opposed. The City of Phoenix should hold out for better, allow **conforming** construction for an improved demographic. TSMC manufacturing jobs, service sector jobs, money, demographics, prospects are coming. The local prospects will only get better in the meantime. Let's not undermine that:

1. Roers' is an unprecedented non-conforming proposal: Deer Valley is middle income 1-2 story class B Single Family Residential. Roers' proposal is **low income Four Story Multi-Family Residential towering over the adjacent properties for miles in every direction.**
2. Adding low income tenants will compromise an already bordering local demographic:
3. Homeless sleeping in the wash
4. prostitution at the Circle K (by one account)
5. Barry Goldwater High in the 46 percentile on Great Schools:  
[https://www.greatschools.org/arizona/phoenix/441-Barry-Goldwater-High-School/#:~:text=Barry%20Goldwater%20High%20School%2C%20a%20public%20school%20located,based%20on%20a%20variety%20of%20school%20quality%20measures.\[greatschools.org\]](https://www.greatschools.org/arizona/phoenix/441-Barry-Goldwater-High-School/#:~:text=Barry%20Goldwater%20High%20School%2C%20a%20public%20school%20located,based%20on%20a%20variety%20of%20school%20quality%20measures.[greatschools.org])
6. Class B Deer Valley is NOT like class A south Chandler (Intel). Roers' low rent proposal will make Deer Valley LESS like south Chandler (Intel).
7. TSMC Chandler Mall type shopping in Deer Valley is a specious Roers' argument. TSMC influenced shopping will arrive regardless. If anything, Roers' low rent proposal will discourage improved nearby shopping.

Douglas M. DiSabatino  
Owner, Casa Del Rockridge

Bcc: Cesar/Josh



[\[avast.com\]](https://www.avast.com)

3042 W. Country Club Terrace  
Phoenix, AZ 85027-1606

October 21<sup>st</sup>, 2024

Matteo Moric  
Planner II - Village Planner  
City Of Phoenix  
200 W. Washington Street  
3<sup>rd</sup> Floor  
Phoenix, Arizona 85003-1611

**RE: Case Number Z-112-24 / Application No: Z-112-24-1 / APN 206-04-015A**

Dear Mr. Moric,

It was a pleasure meeting you at the Informational Meeting on October 15th at the Goelet A. Beuf Community Center in regard to the proposed Multifamily Residential project located at APN 206-04-015A. I am a tax paying property owner and resident of Deer Valley.

I want to begin by thanking you and the Deer Valley Village Planning Committee for your efforts in improving Deer Valley Village and the City of Phoenix as a whole, and bringing this project to the attention of property owners in the neighborhood.

In my opinion, Deer Valley has a lot of potential, but appears to be neglected compared to other parts of Phoenix. There is a major lack of grocery stores, retail stores, shopping malls, and entertainment centers. Moreover, dilapidated trailer parks, decrepit properties, and empty lots that appear abandoned are allowed to flourish. Unfortunately, roaming drug addicts, drunkards, hobos, and other derelicts add to the social decadence by populating these distressed properties.

I welcome the development that has occurred recently in Deer Valley and I was looking forward to learning more about the proposed Multifamily Residential project located at APN 206-04-015A; however, some of the discussions at the meeting have raised some concerns:

- Project height (48FT to 60FT) and location of multistory building. There is a lot of air traffic in the area due to Deer Valley Airport. Airplane accidents have occurred in the past. A plane crashed on Deer Valley Drive (between 35<sup>th</sup> Ave and 31<sup>st</sup> Ave) in 2019 near the proposed site.
- Has the impact of a low income housing / "workforce housing" building (urban) on a middle class suburb been analyzed?
- Has the impact of crime from a low income housing / "workforce housing" building on our neighborhood been analyzed? Has the Phoenix Police Department been consulted?
- Has the impact of this low income housing / "workforce housing" building on surrounding property values been considered and analyzed (positive, neutral, or negative)? If negative, will the City of Phoenix and/or developer financially compensate affected property owners?
- During the Informational Meeting, one of the Village Planners requested the developer to allocate apartment units for the homeless. How will the homeless afford to live in housing



that is being presented as “workforce”? Moreover, the homeless population will have a significant negative impact on property values and safety.

- Cramming many people in a small area (apartments) is a concern. If we just use an average of 4 adults per unit at 147 units, that is 588 additional residents that will require services. Has this been considered?
- Increased population and traffic. Lack of stores, groceries. How does the city plan to manage these challenges? Has this been addressed?
- How will residents of the new complex be acquired? Walk-in applications, or by way of a Federal or State program? Section 8 program? If Section 8 is allowed, what is the percentage or amount of apartments to be rented out to Section 8?
- How is the owner accountable to the other surrounding property owners if he is located in Alberta, Canada?
- Is the developer receiving federal funding or state grants to build this type of “workforce housing”?
- What will be the transportation needs of the renters? Transportation is a challenge for most low-income families.

Sincerely,

Christian Saavedra  
Director - Adobe Mountain Estates HOA  
M: 786-417-7562  
Email: christian767@rocketmail.com

**From:** [Matthew Chavez](#)  
**To:** [Matteo Moric](#)  
**Cc:** [Frank Calvin \(frankcalvin29@gmail.com\)](mailto:frankcalvin29@gmail.com)  
**Subject:** Re: Z-112-24 New Proposed Apartment Complex  
**Date:** Monday, September 30, 2024 12:02:22 PM

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Just a few things that are of concern as per Meeting on September 23rd, 2024, at 2820 W Rose Garden Lane. Phoenix, AZ 85027:

1.

It seems that there is not enough Parking Accommodations for 147 Units of 2, 3, 4 bedroom units. As it stands, there is a 1.39 parking ratio per unit (147 units divided by 205 spaces). Meaning that each unit realistically gets 1 parking space. This is a proposal that provides a parking problem for the outlying Residences of the area. Where do these additional cars park? At the meeting there was not a proposal of Double Decker Concrete parking or Underground Parking. The Moderator of the Meeting said this was due to the Cost. Why are the People of this Community having to deal with a Major potential problem?

2.

Another concern is one of Aesthetics and Reality:

As per some of the Residences, the only logical solution would be that of 2-story buildings. The 5-story buildings that are proposed would look out of place and obtrusive. Plus the no parking accommodations. It seems your only solution is to build for parking to contain your own proposal. Or Build 2-story apartments.

Thank you,

Matthew L. Chavez  
Representative of Frank Calvin  
2950 W Louise Dr UNIT 107  
Phoenix, AZ 85027  
951-310-2611

Outlook for PC

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**From:** Matteo Moric <matteo.moric@phoenix.gov>  
**Sent:** Friday, September 27, 2024 11:02  
**To:** Matthew Chavez <mattzagolfer@hotmail.com>  
**Subject:** RE: Z-112-24 New Proposed Apartment Complex

Hello Mr. Chavez,

If you send me an email correspondence related to your comments on a particular case they do go into the case file. If we were to have a conversation over the phone there is no record that goes into the case file.

Thank you,

***Matteo Moric, AICP***

**Planner II\* Village**

City of Phoenix

Planning and Development Department

Long Range Planning Division

200 West Washington Street

Phoenix, Arizona 85003

[matteo.moric@phoenix.gov](mailto:matteo.moric@phoenix.gov)

(602) 261-8235



**Mission:** Planning, Development and Preservation for a Better Phoenix

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**From:** Matthew Chavez <mattzagolfer@hotmail.com>  
**Sent:** Friday, September 27, 2024 8:12 AM  
**To:** Matteo Moric <matteo.moric@phoenix.gov>  
**Subject:** Z-112-24 New Proposed Apartment Complex

Will the conversation I have with you go into the case file?

Matthew Chavez

Outlook for PC