



# City of Phoenix

Planning Department

## Staff Report: Z-24-09-6 (Anterra PUD) May 26, 2009

**Camelback East Village Planning Committee Meeting Date** June 2, 2009

**Planning Commission Hearing Date** June 10, 2009

**Request From:** R1-10 (1.60 Acres)

**Request To:** PUD (1.60 Acres)

**Proposed Use** Multi-Family Residential

**Location** Approximately 170 feet south of Elm Street on the West side of 40th Street

**Owner** MSC Partners LLC c/o Michael Cabano

**Applicant/Representative** Ed Bull, Burch & Cracchiolo, P.A.

**Staff Recommendation** Approval, subject to stipulations

**KIVA #** 07-3204

General Plan Conformity		
<b>General Plan Land Use Designation</b>	Residential 3.5 – 5 du/acre	
<b>Street Map Classification</b>	40th Street - Collector	33 Feet – West Half Street R.O.W. 63 Feet – Total R.O.W.
<p><b>CONSERVATION, REHABILITATION AND REDEVELOPMENT, GOAL 5 – ELIMINATION OF DETERIORATION AND BLIGHT: PRESERVATION OR ELIMINATION OF DETERIORATION AND BLIGHT CONDITIONS SHOULD BE PROMOTED TO ENCOURAGE NEW DEVELOPMENTS AND REINVESTMENT.</b></p> <p>The Anterra PUD will eliminate two vacant houses and replace them with multi-family residences that utilize sustainable design elements.</p>		
<p><b>ENVIRONMENTAL PLANNING, GOAL 5 – ENERGY EFFICIENCY PLANNING AND DESIGN, POLICY 3 – PROMOTE DEVELOPMENTS THAT INCLUDE ENERGY EFFICIENT FEATURES AND TECHNOLOGIES (SHADE TREES, BUILDING ORIENTATION, LIGHT-COLORED ROOFS, ARCHITECTURAL SHADING, HIGH EFFICIENCY APPLIANCES, WINDOWS AND WINDOW TREATMENTS, ENERGY-EFFICIENT BUILDING TECHNIQUES)</b></p> <p>This development utilizes techniques to improve the energy efficiency of the building.</p>		

***WATER RESOURCES, GOAL 1E – WATER CONSERVATION, POLICY 7 – PURSUE CREATIVE, INNOVATIVE , AND ENVIRONMENTALLY SOUND METHODS TO CAPTURE AND USE STORM WATER, URBAN RUNOFF, AND WASTEWATER FOR BENEFICIAL PURPOSES.***

The project proposes sustainable water conservation practices such as impervious paving materials and the collection and harvesting of rain water.

**BACKGROUND**

1. This request is to rezone a 1.60 acre property from R1-10 Single Family Residential to PUD, Planned Unit Development (1.60 acres). Currently the site is occupied by two single-family homes with two accessory structures that are unoccupied. The proposed development standards and allowed residential uses will facilitate redevelopment of two lots into a small and environmentally sustainable multi family infill development.

**SUBJECT SITE**

2. The site is located approximately 170 feet south of Elm Street on the west side of 40th Street. Unlike the homes located north of the site, these two lots front on 40th Street. A multi-family development is located to the south and a single-family development to the east across 40th Street.



When this area was originally developed between 1950 and 1980,

the subject site and the surrounding properties were all constructed and platted individually. As a result, the site is not connected to the surrounding homes.

Eight (8) foot alleys on the north and west borders of the site separates the proposed development from the neighborhood. The applicant plans to dedicate an additional eight feet of property to create two fully dedicated sixteen foot alleyways to the north and west of the site. In addition, an abandonment of three feet along 40th Street was requested by the applicant and is currently being pursued through a public hearing process. If this abandonment is approved, the development would shift three feet to the east, increasing the distance of the development from the adjacent single family homes located west of the site.

When completed, the proposed buildings will be separated from the adjacent property lines on the north and west by 21 feet. This, in addition to the screening walls and landscaping, will provide an adequate buffer from the adjacent properties.

### **PROPOSED DEVELOPMENT**

3. This proposal was developed utilizing the PUD zoning category which allows an applicant to propose uses, development standards and design guidelines for the site. The PUD category allows an applicant to develop standards that respond to the surrounding environment better than conventional zoning districts allow. The end result is a parcel rezoned with standards specifically crafted and tailored for that site. The PUD zoning category specifically defines such things as height, uses, setbacks and boundaries. Any later deviation from the approved PUD standard is considered to be a major amendment and, as such, will follow the rezoning and public hearing approval process for a rezoning request.

This proposal is for a high quality infill project that focuses on sustainability through environmental design and effective use of resources. Due to the complications associated with infill development, the PUD is an appropriate zoning category for this project.

### **VISION**

4. The vision for the Anterra PUD is to create a unique multi-family environment based on principles of smart development. These principles include creating a sense of community and place, diversifying housing choices within a community, avoiding urban sprawl, and creating infill projects that are sensitive to the existing community. The proposed development standards and design guidelines support this vision as outlined in the Anterra PUD.

### **SITE PLAN**

5. The proposed development consists of 16 units to be constructed on a 1.60-acre property at a density of 10.25 dwelling units to the acre. Each unit is two stories in height with an attached two-car garage and a screened roof top patio. A total of 32 reserved parking spaces and 11 guest parking spaces are provided. The units form a "u" shape that surrounds a lush pool and patio open area which totals 10% of the entire development.

### **DEVELOPMENT STANDARDS & DESIGN GUIDELINES**

6. Below is a summary of the proposed standards for the subject site, as described in the PUD narrative dated stamped May 12, 2009.

**Land Use Standards** –The proposal is for one primary use, multi-family residential development. Proposed accessory uses include surface parking, residential garages and private swimming pools.

**Development Standards – The Anterra** development standards are consistent with the vision proposed for the development. Any future modifications that would increase the scale or intensity of the development would require a major amendment and subsequent public hearings through the full rezoning process. The table outlines the development standards for the Anterra PUD in comparison with the R-2 PRD zoning district. As shown in the table, standards for this project are similar in size and scale to the R-2 zoning district with minor exceptions and the addition of greater open space and numerous sustainability elements.

**R-2 PRD vs. PUD TABLE**

	R-2 PRD	Proposed PUD
<b>Minimum Lot Dimensions (width &amp; depth)</b>	None	None
<b>Dwelling Unit Density</b>	10.50; 12.00 with bonus	11.0 max, providing 10.25
<b>Perimeter Standards</b>	20' adjacent to public street; 10' adjacent to property line	20' adjacent to public street (this area to be in common ownership unless lots front on perimeter public street); 15' measured from center of fully dedicated alley
<b>Landscape Setbacks</b>	5' sides & rear; 20' front	20' front <sup>1</sup> ; 5' west and south <sup>2</sup> and 4' north side <sup>3</sup>
<b>Maximum Height</b>	2 stories & 30' for first 150'; 1' in 5' increase to 48' high & 4 stories	2 stories <sup>4</sup> 25' average roof deck height 26'-29' top of perimeter parapet walls 31' max top of roof deck patio screen walls <sup>5</sup> 35' top of roof deck shade structures
<b>Lot Coverage</b>	45%	45% max, providing 44%
<b>Common Areas</b>	Minimum 5% of gross area	5% min, providing 10%
<b>Street Standards</b>	Public street or private accessway	Private accessway
<b>Parking</b>	1.5 spaces per 1 or 2 bedroom unit; 2 spaces per 3 or more bedroom unit 0.5 guest spaces per unit (26 total space required per calculations)	2 spaces per unit = 32 spaces; 11 guest spaces, 1 of which is an accessible space (0.6875 guest spaces per unit) <sup>6</sup> 43 total spaces provided

<sup>1</sup> Permeable driveway surfaces are permitted not to exceed 10' of encroachment in front yard landscape setback. An art form fence varying in height not greater than 6' in the form of 2" square or round metal posts spaced 6" on center shall be permitted within front yard landscape setback.

<sup>2</sup> Guest parking areas are permitted to encroach provided there is at least a 5' wall separating the parking from adjacent property.

<sup>3</sup> Landscape setback allowed to be reduced to 2'-6" where the pedestrian access path and vehicle maneuvering area at the north and west corner of property are located.

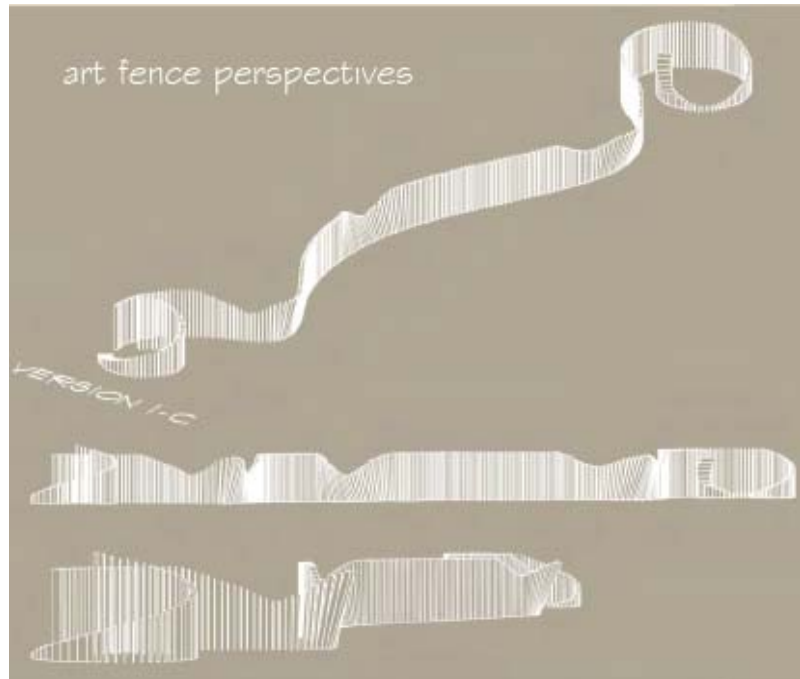
<sup>4</sup> Two fully enclosed stories plus roof deck patios and shade structures.

<sup>5</sup> Locations at 31' are discontinuous sections located along the north and north west property lines only and do not extend for a length greater than 40' (See exhibit D.13 Roof Deck Level for locations)

<sup>6</sup> 3 additional guest spaces are being provided above what is the City of Phoenix's policy to provide 0.5 spaces per unit, which would total 8 spaces, one of which is accessible.

### **Landscape Standards**

The standards proposed would provide a lush landscape setback along 40th Street with a six-foot tall metal art form view fence, as shown to the right. Five feet of landscaping is provided along the west and south property lines along with a perimeter wall to screen the property from the adjacent residences. Parking and the trash receptacle will also be located within the south perimeter as well as possible future carports.



The northern property line has a four foot landscape setback with a 10-foot decorative water wall and fountain feature to screen the pool area from adjacent residences.

**Sustainability Standards** – The standards outlined in the PUD narrative require that 75 percent of all sidewalks and private walkways be shaded by means of vegetation or shade structures as measured at 12 noon on the summer solstice. The standard is consistent with the requirements of the Transit Overlay District-1 to promote pedestrian comfort. Permeable pavement is also included within the interior portion of the site to promote natural drainage and reduce run off. Water harvested from rainfall would be stored on site and used to irrigate vegetation and reduce the overall water demand for the project. In addition, light covered low sloping roofs are used to reduce the “heat island” effect of the building on the surrounding properties.

In order to minimize the energy demands of the buildings, they will be oriented to maximize indirect light. The northern elevations have multiple windows that allow for daylight penetration while avoiding direct sunlight from the south. Solar tubes are also used throughout the buildings allowing daylight to penetrate the interior of the structure.

**Parking Standards** – Adequate parking has been provided for this site. There are two attached garage spaces per unit and eleven guest parking spaces, for a combined total of 43 parking spaces.

**Design Guidelines** – The design guidelines direct development according to the vision of the Anterra PUD – to create a unique multi-family environment based on the principles of smart development. They include details for landscaping, streetscape, parking/ circulation, open space, building orientation, massing requirements, scale, building architecture and color.

Each guideline has implementation standards and is categorized as a Requirement, (R) or Presumption, (P). A requirement must be included in the project as written, whereas a presumption can be achieved with a comparable standard or element. If the applicant chooses to deviate from the proposed standards, they will be required to appeal these changes to the Design Review Appeals Board.

### **GENERAL COMMENTS**

7. The Planned Unit Development zoning district allows applicants to create development standards but cannot alter city processes or modify regulations governed by the zoning ordinance. The Anterra PUD submittal follows City of Phoenix processes.

The standards for signs and lighting will comply with the City of Phoenix standards as outlined in the zoning ordinance. No deviation from the ordinance will occur in these two areas.

Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

### **Findings**

1. The request is not consistent with the General Plan land use designation of Residential 3.5 – 5 dwelling units per acre. However, a General Plan amendment is not required because the site is less than 10 acres.
2. This development will create a high quality infill project and increase housing opportunities in the area.
3. This project will utilize smart development techniques to improve the efficiency of the building, promote reduced water consumption and provide day lighting throughout the building.

## **Stipulations**

1. That an updated Development Narrative for the Anterra 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 May 12, 2009, as modified by the following stipulations.
  2. That the Anterra PUD narrative shall be modified as follows:
    - a. Page 6, Delete List of Uses: “\*Detached accessory structures may be constructed on the property line or within a side or rear yard where lot line is adjacent to a fully dedicated alley. Structures shall not exceed a height of one-story or fifteen (15) feet except as approved by a use permit in accordance with the City of Phoenix Zoning Ordinance”.

Page 6, Add to the Accessory Use List: “Detached Accessory Structures”.
  - b. Page 6, Modify List of Uses as follows: “Detached accessory structures for open parking carports shall be setback five (5) feet and be limited to a maximum height of ten (10) feet, as approved by the Development Services Department.
  - c. Page 7, Perimeter Standards: “Twenty (20) feet adjacent to a public street; this area is to be in common ownership; Fifteen (15) feet measured from the center line of a fully dedicated alley. If a fully dedicated alley does not exist, the setback shall be measured from the property line.
  - d. Page 7, Add to Development Standards: “Projections: An open projection may project to the property line on the northern side of the property for a maximum length of forty (40) feet and a maximum height of fifteen (15) feet.”
  - e. Page 7, Add to Development Standards: “Walls: A water wall shall be permitted on the northern lot line for a maximum length of forty (40) feet and a maximum height of ten (10) feet.”
3. That the developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessibility standards.
4. That the below language shall be added as a preamble statement on a blank page prior to the Table of Contents within the Development Narrative. This additional language and any modifications to the narrative made through the public hearing process shall be completed and a final written PUD Development Narrative and electronic PUD Development Narrative shall be submitted within 30 days of final City Council approval.

- a. 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 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 zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as but not limited to right-of-way abandonments.

**Writer**

C. White

5/21/09

JB

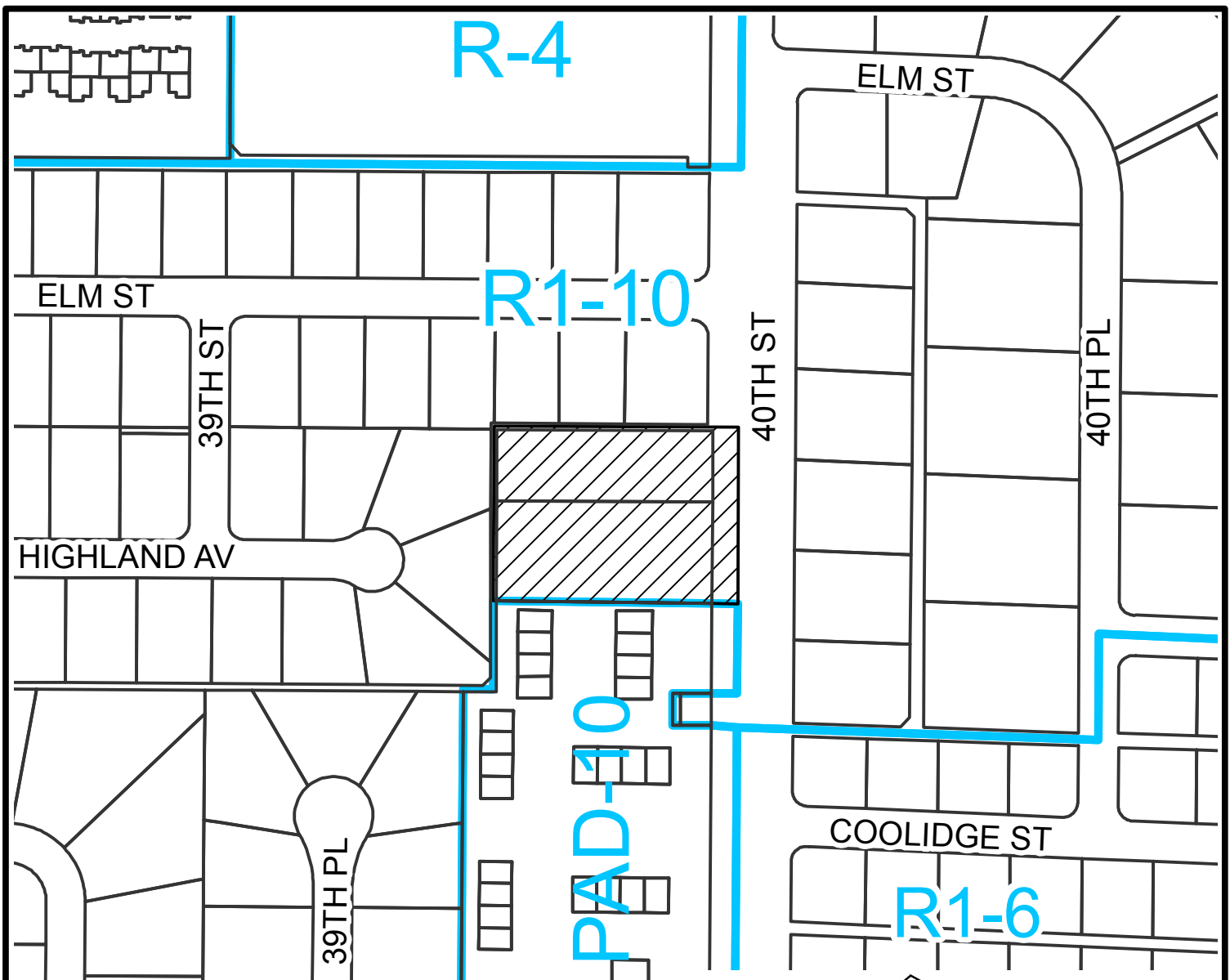
**Attachments**

Attachment A: Sketch Map

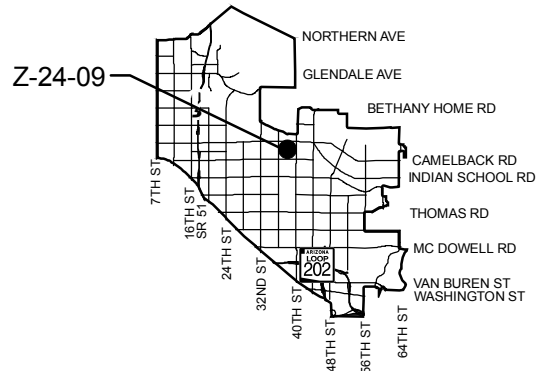
Attachment B: Aerial

Attachment C: Site Plan





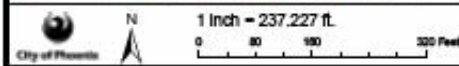
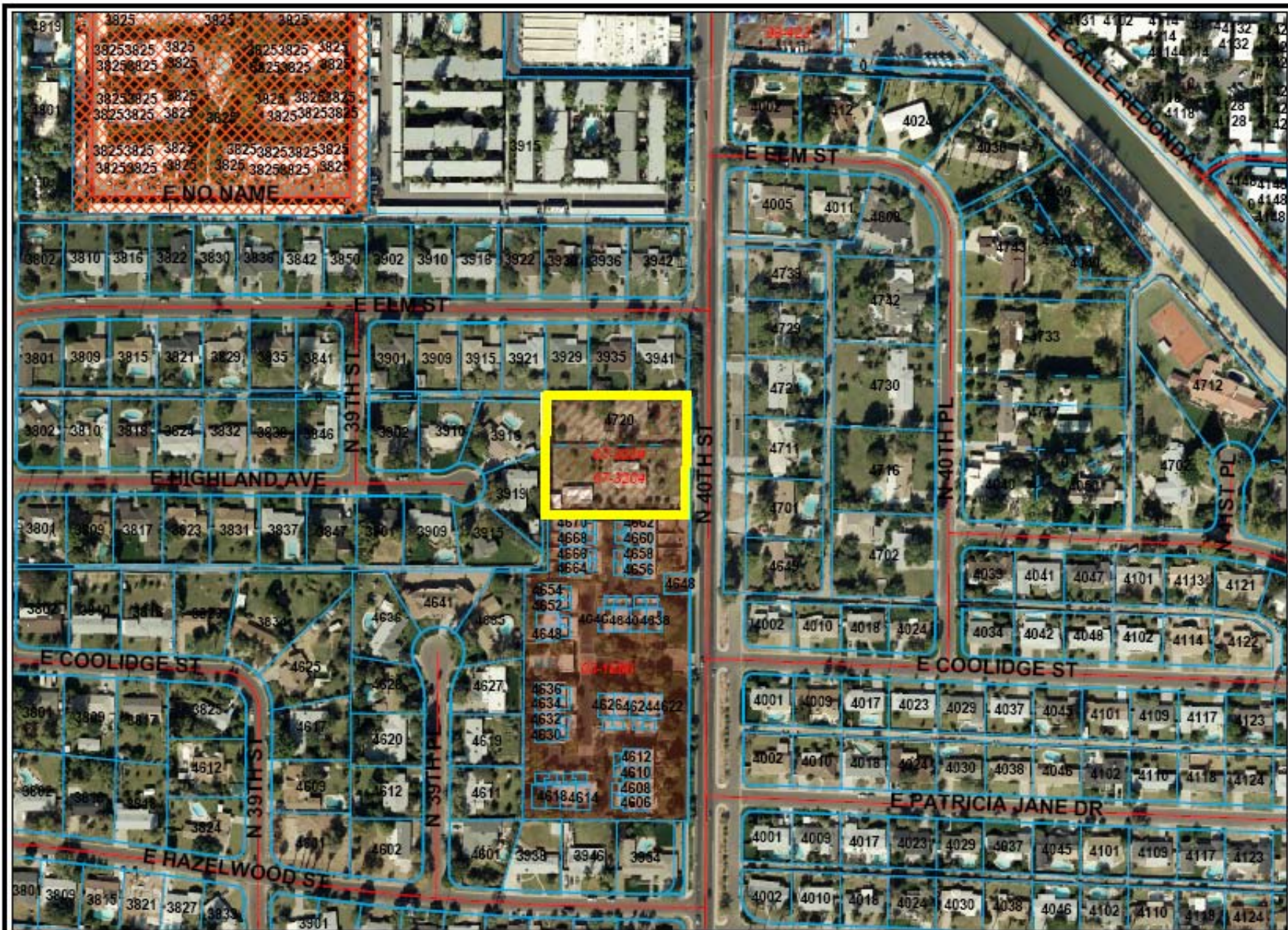
200 100 0 200 Feet



CITY OF PHOENIX PLANNING DEPARTMENT  
**CAMELBACK EAST VILLAGE**  
 CITY COUNCIL DISTRICT: 6

<b>APPLICANT'S NAME:</b> Ed Bull, Burch & Cracchiolo, P.A.		<b>REQUESTED CHANGE:</b> FROM: R1-10, (1.60 a. c.) TO: PUD, (1.60 a. c.)	
<b>APPLICATION NO.</b> Z-24-09	<b>DATE:</b> 03/17/09	<b>REVISION DATES:</b>	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 1.60 Acres	<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> Q18-36	<small>ZONING MAP</small> H-10	
<b>MULTIPLES PERMITTED</b> R1-10 PUD	<b>CONVENTIONAL OPTION</b> 4 OUTLINED ON PAGE 1 OF NARRATIVE		<b>* UNITS P.R.D. OPTION</b> 6

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



# Development Services

The information provided on this map is based on record drawings submitted by others. Users of this information are cautioned that independent verification of actual conditions may be necessary.

**OWNER**

MBC PARTNERS, LLC  
 CHARLES SWABACK PARTNER  
 MICHAEL E. CHANDR  
 610 SCOTTSDALE ARIZONA CUSTOM  
 HOME BUILDERS, LLC  
 4800 E PINNACLE PEAK SUITE 221  
 SCOTTSDALE AZ 85266  
 TEL 480.486.3443  
 FAX 480.486.4075

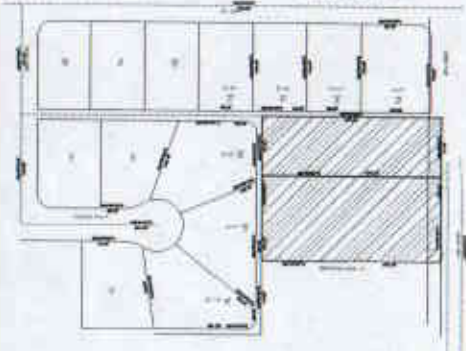
**VICINITY MAP**



**A-1 PROPOSED SITE PLAN**

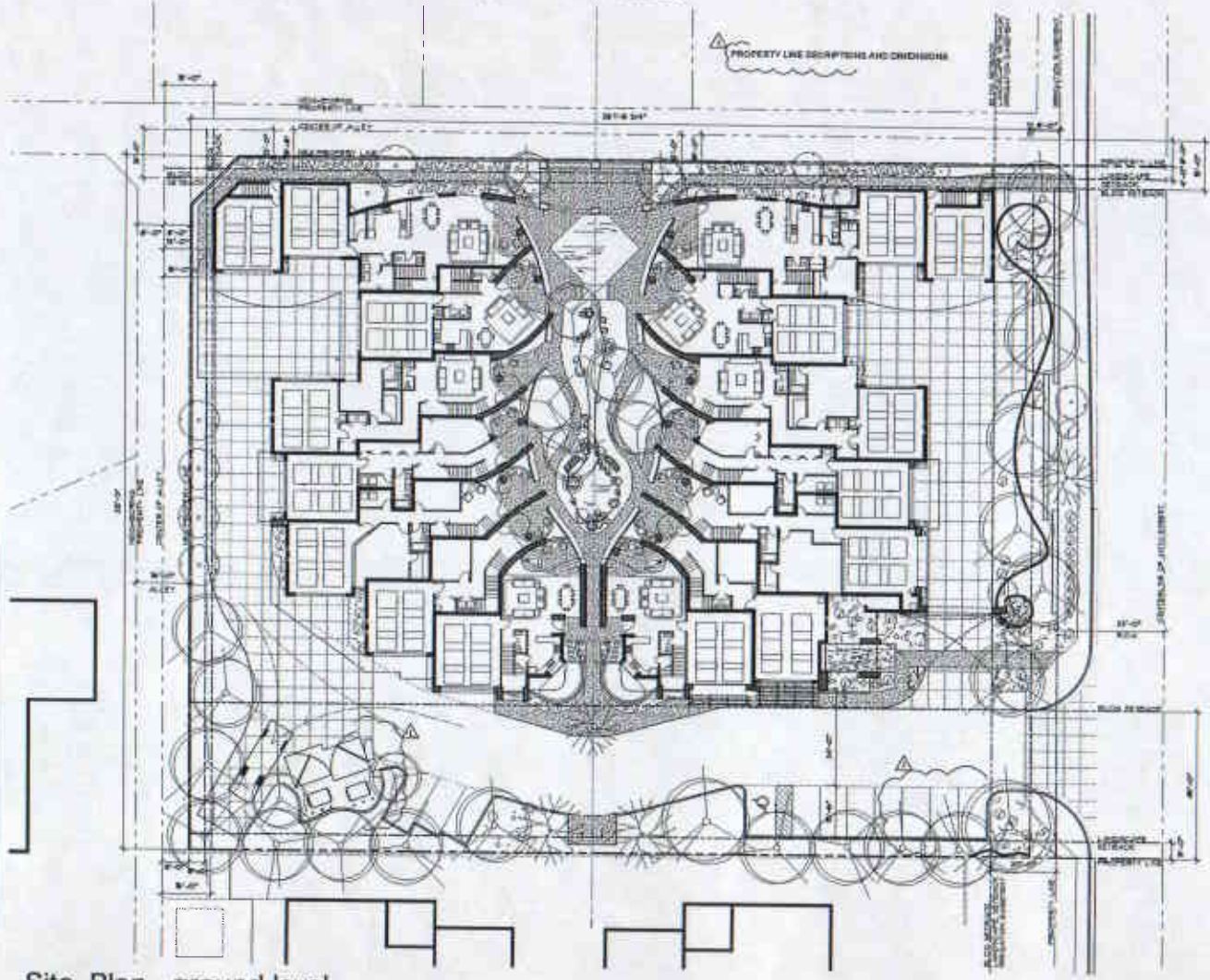
4714 & 4720 N. 40TH STREET, PHOENIX, ARIZONA

Revisions 05.2019



**SITE:**

EXISTING ZONING	R1-10
PROPOSED ZONING	PUD
GROSS LOT	87,906 ± 1.56
NET LOT	59,928 ± 1.30 ACRE
LOT COVERAGE	
MAXIMUM ALLOWED	45%
PROVIDED	44%
BUILDING COVERAGE (FOOTPRINT)	
MAXIMUM ALLOWED	30,579 SQ FT
PROVIDED	24,800 SQ FT
OPEN SPACE (COMMON AREA)	
REQUIRED (5%)	3,398 SQ FT
PROVIDED (16%)	5,740 SQ FT
BUILDING HEIGHT	
3 STORIES	
25 FT T.O. ROOF DECK	
31 FT MAX T.O. ROOF DECK PATIO SCREEN	
FWL	
UNIT PER ACRE	35 FT T.O. SHADE STRUCTURE
MAXIMUM ALLOWED	11.00 UNIT/ GROSS ACRE
PROVIDED	10.25 UNIT/ GROSS ACRE
UNITS PROVIDED	16
PARKING	
PROVIDED	
2-CAR GARAGES PER UNIT	32 SPACES
SUITE SPACES	10 + 1 ACCESSIBLE SPACE = 11 TOTAL
PERIMETER STANDARDS	
5 FT ADJACENT PUBLIC STREET	
15 FT ADJACENT PROPERTY LINES	
(Increased from center of abutted side)	
10 FT ADJACENT 80' IN PROPERTY LINE	
BUILDING SETBACK	10'
LANDSCAPE SETBACK	4 FT NORTH SIDE & 8 FT REAR SIDE; 25 FT FRONT & 5 FT SOUTH SIDE
*PERMEABLE SURFACE ENCROACHMENT:	



Site Plan - ground level

