

# Staff Summary Report



Development Review Commission Date: 10/26/10

Agenda Item Number: \_\_\_

**SUBJECT:** Hold a public hearing for a Planned Area Development Overlay and Development Plan Review for NEWBERRY TERRACE, located at 1203 East Spence Avenue.

**DOCUMENT NAME:** DRcr\_NewberryTerrace\_102610 PLANNED DEVELOPMENT (0406)

**COMMENTS:** Request by **NEWBERRY TERRACE (PL100294)** (Pat Barker, Barton Homes, property owner/applicant) for the demolition of two (2) existing homes for six (6) new single-family units consisting of a two-story design within 1,719 sf. of building area per unit on a total of 0.45 acres, located at 1203 East Spence Avenue, in the R-4, Multi-Family Residential General District and Transportation Overlay District. The request includes the following:

**PAD10010 – (Ordinance No. 2010.42)** An Amended Planned Area Development Overlay for modification to development standards to reduce the front yard setbacks from 20'-0" to 10'-0"; reduce the side yard setbacks from 10'-0" to 5'-0"; increase the rear yard setbacks from 10'-0" to 14'-0"; and reduce the required parking setback from 20'-0" to 10'-0".

**DPR10169 –** Development Plan Review for site plan and building elevations for six (6) units, including modifications for on-street parking.

**PREPARED BY:** Ryan Levesque, Senior Planner (480-858-2393)

**REVIEWED BY:** Lisa Collins, Community Development Deputy Director (480-350-8989) 

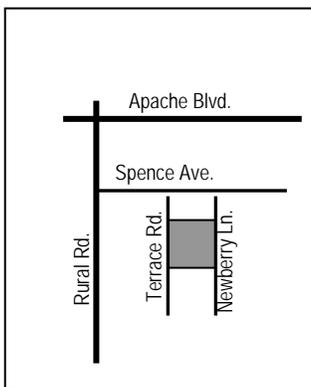
**LEGAL REVIEW BY:** N/A

**DEPARTMENT REVIEW BY:** N/A

**FISCAL NOTE:** There is no fiscal impact on City funds.

**RECOMMENDATION:** Staff – Approval, subject to conditions

**ADDITIONAL INFO:**



Gross/Net site area	0.4503 acres (3,152 sf. per lot)
Total Building area	10,314 s.f. (6 units, 1,376 per unit)
Residential Density	13.3 du/ac (maximum 25 du/ac)
Lot Coverage	40 % (60% maximum allowed)
Building Height	25 ft (40 ft maximum allowed)
Building Setbacks	10' front, 5' sides, 14' rear (20, 10, 10 min.)
Landscape area	58% (25% minimum required)
Vehicle Parking	2 spaces per unit (2 min. per unit)

A neighborhood meeting was held on September 16, 2010, for this application.

- PAGES:**
1. List of Attachments
  - 2-3. Comments Reason for Approval
  - 4-6. Conditions of Approval / Code Requirements
  6. History & Facts / Zoning & Development Code Reference

- ATTACHMENTS:**
- 1-2. Ordinance No. 2010.42
  - 3-4. Waiver of Rights and Remedies form
  5. Location Map(s)
  6. Aerial Photo(s)
  7. Letter of Explanation
  - 8-9. Neighborhood Meeting Summary & Public Input
  10. Planned Area Development Overlay
  - 11-12. Site plans
  - 13-14. Floor plans
  - 15-16. Building Elevations

## COMMENTS:

This is a housing redevelopment project located a few blocks east of Rural Road, between Spence Avenue to the north and the Southern Pacific Railroad to the south. The original project site for Newberry Terrace development includes 17 attached and 28 detached single-family residences. This request would add six (6) additional detached units to the community.

Newberry Lane and Terrace Road form the main streets and are connected at the south of this development by Cedar Street (private street) that parallels the railroad tracks. The existing/proposed line of loft townhomes will be located between Cedar and the railroad, interrupted with retention/green spaces at the southern ends of Newberry and Terrace. Public parallel parking is featured on the west of Newberry and the east of Terrace. The major retention/green space spans between Newberry and Terrace in the center of the development. Also embedded within the project is one (1) remaining original single family property, not a part of the association. This application would remove the two (2) other residential lots not originally part of this development.

The surrounding neighborhood comprises of a mixture of older stick built and masonry one and two story single family and multi family residences.

## PUBLIC INPUT

A neighborhood meeting is required for a request of an Amended Planned Area Development Overlay. A neighborhood meeting was held by the applicant on September 16, 2010, at 6 pm at the Apache Police Substation, 1855 East Apache Boulevard. There were no other attendants from the public present at the meeting other than City staff and the developer team. A letter was forwarded to staff, from the Hudson Manor Neighborhood Association, who was unable to attend the meeting. He wrote in support of this request (Attachment 9). At this time, staff has received no additional public input upon completion of this report.

## PROJECT ANALYSIS

The existing detached housing within Newberry Terrace are two story, gabled forms of curved tile roofs, of frame construction finished with exterior plaster, and with interesting door and double hung window treatments of various sizes. Each detached dwelling facing Minton, Newberry and Terrace has its own front porch. A single car garage and driveway with grass center strip is to the side of each home. The homes are designed with built up plaster cornices and a variety of gable attic vents. The exterior surface treatments are simple. The forms and placement of buildings within this neighborhood evoke traditional residential developments of pre World War II middle class housing. Each design features several options for additional living space.

The public area landscape features lawn in the three major retention basins with a variety tree palette.

The addition of the six (6) units to Newberry Terrace as proposed will complement the site that is well under construction. These unit additions were previously considered in the original design of the project site.

## PLANNED AREA DEVELOPMENT

This request includes an Amended Planned Area Development Overlay consistent with the standards provided for the original PAD at this location. The original PAD excluded the lots proposed in this request. The developer has now acquired the island lots within the project and is requesting modifications to the underlying zoning to complement the existing standards of the Newberry Terrace subdivision. Since the original project, which started back in 2004, the Zoning and Development Code has undertaken a major overhaul of regulations and process. The amendments requested in the underlying standards will match the existing standards provided for the other dwelling units of the subdivision. Therefore staff is recommending approval of the standards identified.

Section 6-305 D. Approval criteria for P.A.D.:

1. The development standards requested, as established as part of the PAD Overlay District, as well as the standards allowed by use permit in Part 4 will conform to the existing development standards of the original PAD.
2. The conditions of approval are reasonable to ensure conformance with the provisions of the Zoning and Development Code.

## DEVELOPMENT PLAN REVIEW

The building elevations are design with exterior plaster colors with typical two tones of tan/brown plus terra cotta concrete "S" roof tile. There are subtle options on the tan/brown theme for each residential building including a three tone option. The window frames in each case are dark brown. The exterior doors of each dwelling are one of a variety of bright color accents (red, yellow, orange, teal green or blue). Garage doors, yard gates and screen walls join the tan/brown theme of the building field colors.

Six (6) additional on-street parking spaces are proposed along the western portion of Cedar Street, a private road with restricted on-street parking because of the narrow width of the street.

Section 6-306 D Approval criteria for Development Plan Review:

1. Placement, form, and articulation of buildings and structures provide variety in the streetscape;
2. Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort;
3. Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;
4. Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings;
5. Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, featuring an enhanced pedestrian experience at and near street level;
6. Building facades provide architectural detail and interest overall with visibility at street level (in particular, special treatment of windows, entries and walkways with particular attention to proportionality, scale, materials, rhythm, etc.) while responding to varying climatic and contextual conditions;
7. Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage;
8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses;
9. Plans appropriately integrate *Crime Prevention Through Environmental Design* principles such as territoriality, natural surveillance, access control, activity support, and *maintenance*;
10. *Landscape* accents and provides delineation from *parking*, *buildings*, *driveways* and *pathways*;
11. *Signs* have design, scale, proportion, location and color compatible with the design, colors, orientation and materials of the *building* or site on which they are located; and
12. Lighting is compatible with the proposed *building(s)* and adjoining *buildings* and uses, and does not create negative effects.

## Conclusion

Based on the information provided by the applicant, and the above noted information, staff recommends approval of the requested Planned Area Development and Development Plan Review. This request meets the required criteria and will conform to the conditions of approval requested.

## REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use and Projected Residential Density for this site.
2. The project will meet the standards provided by the original development of the project.
3. The PAD overlay process was specifically created to allow for greater flexibility. This project will compliment the existing PAD.
4. The proposed project meets the approval criteria for a Planned Area Development Overlay and Development Plan Review.

**PAD10010**

**CONDITIONS OF APPROVAL:**

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

**General**

1. A building permit shall be obtained on or before December 9, 2012 or the zoning of the property may revert to that in place at the time of application, subject to a public hearing.
2. The property owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waive(s) any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City's approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than January 7, 2011, with 30 days of the approval date, or the Amended Planned Area Development Overlay approval shall be null and void.
3. The Planned Area Development for NEWBERRY TERRACE shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.
4. An Amended Subdivision Plat is required for this development and shall be recorded prior to issuance of building permits.

**DPR10169**

**CONDITIONS OF APPROVAL:**

5. All prior conditions of approval for the original design project (DRB04083) shall be adhered to the six (6) additional units.

**Building Elevations**

6. The materials and colors are approved as presented, consistent from the original design. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process.
7. If additional lighting is required for new parallel parking spaces along north side of street, provide house side shields to block light spillover from resident to the north.

**Landscape**

8. Submit for Planning Plan Check review, a landscape plan, to be provided around the new parallel parking spaces on Cedar Street. Each end shall accommodate the minimum required landscape area (120 sf.) for an island end, including a tree and five (5) shrubs. Additionally, provide shrubs along the northern perimeter of the parking space consisting of a maximum 2'-0" plant height at mature growth. Any additions or modifications may be submitted for review during plan check process.
9. Include requirement to de-compact soil in planting areas on site and in public right of way and remove construction debris from planting areas prior to landscape installation.
10. Top dress planting areas with a rock or decomposed granite application. Provide rock or decomposed granite of 2" uniform thickness or less. Provide pre-emergence weed control application and do not underlay rock or decomposed granite application with plastic.

## CODE/ORDINANCE REQUIREMENTS:

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

- The owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be reviewed and placed in a form satisfactory to Community Development and City Attorney.
  - Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval, but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through [www.tempe.gov/zoning](http://www.tempe.gov/zoning) or purchase from Community Development.
  - STANDARD DETAILS:
    - Access standard engineering details at this link: [www.tempe.gov/engineering/standard\\_details.htm](http://www.tempe.gov/engineering/standard_details.htm) or purchase book from the Public Works Engineering Division.
    - Access standard refuse enclosures at this link: [www.tempe.gov/bsafety/Applications\\_Forms/applications\\_and\\_forms.htm](http://www.tempe.gov/bsafety/Applications_Forms/applications_and_forms.htm) . The enclosure details are under Civil Engineering & Right of Way.
  - FIRE:
    - Clearly define the fire lanes. Ensure that there is at least a 20'-0" horizontal width, and a 14'-0" vertical clearance from the fire lane surface to the underside of tree canopies or overhead structures. Layout and details of fire lanes are subject to Fire Department approval.
    - Provide a fire command room(s) on the ground floor of the building(s). Verify size and location with Fire Department.
  - ENGINEERING:
    - Underground all overhead utilities except high-voltage transmission line unless project inserts a structure under the transmission line.
    - Coordinate site layout with Utility provider(s) to provide adequate access easement(s).
    - Clearly indicate property lines, the dimensional relation of the buildings to the property lines and the separation of the buildings from each other.
    - Verify location of any easements, or property restrictions, to ensure no conflict exists with the site layout or foundation design.
    - 100 year onsite retention required for this property, coordinate design with requirements of the Engineering Department.
  - REFUSE:
    - Develop strategy for recycling collection and pick-up from site with Sanitation. Roll-outs may be allowed for recycled materials. Coordinate storage area for recycling containers with overall site and landscape layout.
  - DRIVEWAYS:
    - Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult "Corner Sight Distance" leaflet, available from Traffic Engineering if needed. Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.
  - PARKING SPACES:
    - Verify conformance of accessible vehicle parking to the Americans with Disabilities Act of 1990 (42 U.S.C.A. §12101 ET SEQ.) and the Code of Federal Regulations Implementing the Act (28 C.F.R., Part 36, Appendix A, Sections 4.1 and 4.6). Refer to Standard Detail T-360 for parking layout and accessible parking signs.
    - At parking areas, provide demarcated accessible aisle for disabled parking.
  - LIGHTING:
    - Design site security light in accordance with requirements of ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E (Photometric Plan).
-

- Indicate the location of all exterior light fixtures on the site, landscape and photometric plans. Avoid conflicts between lights and trees or other site features in order to maintain illumination levels for exterior lighting.

#### HISTORY & FACTS:

- March 15, 2000            City Council
- June 2, 2004            Design Review Board approved **NEWBERRY TERRACE** for building elevations, site plan and landscape plan, located at 1203 East Spence Avenue in the R-4, Multi-Family Residential General District
- June 3, 2004            City Council approved the request by **NEWBERRY TERRACE** (Barton Homes, LLC, Patrick Barker, property owner), located at 1203 East Spence Avenue, including the following:
- #**ZON-2004.03 Ordinance No. 808.2004.03** for a zoning change from R-4, Multi-Family Residential General to R1-PAD, One Family Residential on 6.3 gross acres.
- #**SPD -2004.14** for a Preliminary and Final Planned Area Development (PAD) consisting of 45 homes (attached and detached single family homes: Lofts, Unit B 1,341 s.f., Unit D 1,670 s.f., Loft Unit E, 1,299 s.f., and Loft Unit F 1,325 s.f.) on 5.29 net acres.
- #**SBD-2004.15** for a Final Subdivision Plat consisting of 45 lots and 7 tracts on 5.29 net acres.
- September 16, 2010    Neighborhood meeting was conducted by the applicant for this request, located the Apache Police Substation at 1855 East Apache Boulevard.

#### ZONING AND DEVELOPMENT CODE REFERENCE:

- Section 6-305, Planned Area Development (PAD) Overlay districts  
Section 6-306, Development Plan Review

ORDINANCE NO. 2010.42

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE CITY OF TEMPE ZONING MAP, PURSUANT TO THE PROVISIONS OF ZONING AND DEVELOPMENT CODE PART 2, CHAPTER 1, SECTION 2-106 AND 2-107, RELATING TO THE LOCATION AND BOUNDARIES OF DISTRICTS.

\*\*\*\*\*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

**Section 1.** That the City of Tempe Zoning Map is hereby amended, pursuant to the provisions of Zoning and Development Code, Part 2, Chapter 1, Section 2-106 and 2-107, by adding a Planned Area Development Overlay to the existing R-4, Multi-Family Residential General District and designating it as R-4 (PAD), Multi-Family Residential General District with a Planned Area Development Overlay on 0.611 acres.

LEGAL DESCRIPTION

That part of the Southwest quarter of Section 23, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, City of Tempe, Maricopa County, Arizona described as follows:

Commencing at the West quarter corner of said Section 23;

Thence South 00 degrees 04 minutes 37 seconds East along the West line of said Section 23 a distance of 690.20 feet to the centerline of Spence Avenue;

Thence South 89 degrees 58 minutes 12 seconds East along said centerline a distance of 1626.06 feet to a point on the centerline of Terrace Road;

Thence along said centerline South 00 degrees 17 minutes 19 seconds East a distance of 180.00 feet to the Point of Beginning;

Thence South 89 degrees 58 minutes 12 seconds East, a distance of 190.12 feet;

Thence South 00 degrees 17 minutes 19 seconds East a distance 140.00 feet;

Thence North 89 degrees 58 minutes 12 seconds West a distance of 190.12 feet to a point on said centerline of Terrace Road;

Thence North 00 degrees 17 minutes 19 seconds West a distance of 140.00 feet to the Point of Beginning.

TOTAL AREA CONTAINS 26,617 SQUARE FEET OR 0.6110 ACRES MORE OR LESS.

**Section 2.** Further, those conditions of approval imposed by the City Council as part of **Case # PAD10010** are hereby expressly incorporated into and adopted as part of this ordinance by this reference.

**Section 3.** Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**WHEN RECORDED RETURN TO:**  
City of Tempe  
Community Development Department  
31 E. 5<sup>th</sup> Street  
Tempe, AZ. 85281

**WAIVER OF RIGHTS AND REMEDIES  
UNDER A.R.S. §12-1134**

This Waiver of Rights and Remedies under A.R.S. § 12-1134 (Waiver) is made in favor of the City of Tempe (City) by Barton Homes, Inc. (Owner/s).

Owner acknowledges that A.R.S. § 12-1134 provides that in some cases a city must pay just compensation to a land owner if the city approves a land use law that reduces the fair market value of the owner's property (Private Property Rights Protection Act).

Owner further acknowledges that the Private Property Rights Protection Act authorizes a private property owner to enter an agreement waiving any claim for diminution in value of the property in connection with any action requested by the property owner.

Owner has submitted Application No. **PL100294** to the City requesting that the City approve the following:

- GENERAL PLAN AMENDMENT
- ZONING MAP AMENDMENT
- PAD OVERLAY
- HISTORIC PRESERVATION DESIGNATION/OVERLAY
- USE PERMIT
- VARIANCE
- DEVELOPMENT PLAN REVIEW
- SUBDIVISION PLAT/CONDOMINIUM PLAT
- OTHER \_\_\_\_\_

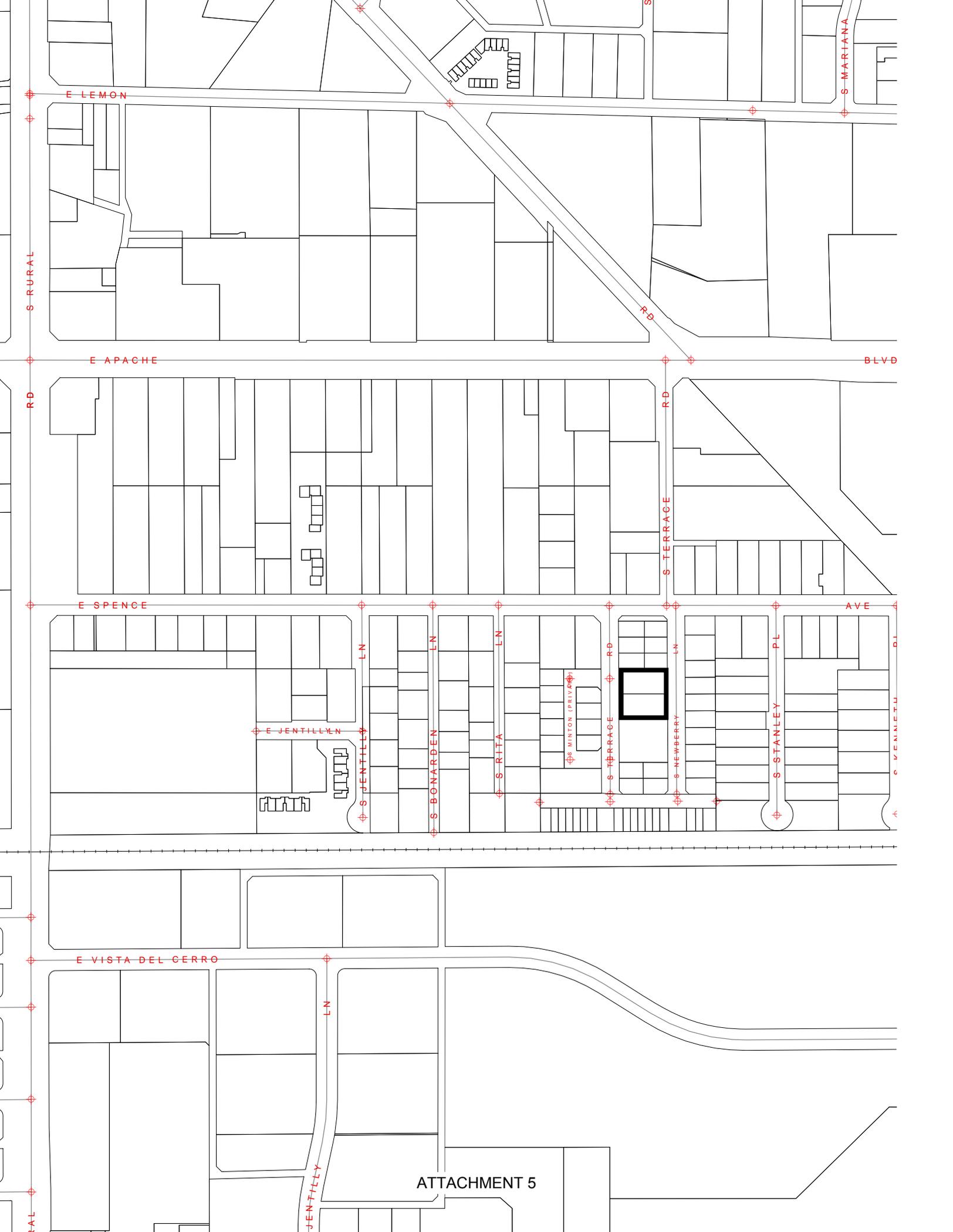
*(Identify Action Requested))*

for development of the following real property (Property):

Parcel Nos. : 133-09-077C and 133-09-078A

1417 South Terrace Road and  
1423 South Terrace Road, Tempe, AZ 85281





ATTACHMENT 5



ATTACHMENT 6

The City of Tempe in acquiring land for an RFP was unable to outright purchase or acquire thru condemnation the properties at 1417 & 1423 South Terrace Road. Barton Homes elected to continue with the development of the land that the City was able to acquire and Barton has been building on the site ever since.

Barton Homes acquired the above properties at foreclosure sales and now Barton is requesting an Amended Planned Area Development Overlay to add the six lots to Newberry-Terrace. Obviously once the overly is approved Barton will demo the two dwellings and make the necessary improvements to accommodate the new six single family lots. We have also requested that a few additional parking spaces be added along Cedar Street.

In the economic times we are experiencing in the home building industry this is a huge commitment on Barton Homes part to try and complete what the City of Tempe had envisioned years ago for this area of the community.

Ryan, if you need any other information or have any other questions please let me know.

**Patrick A Barker**  
**15615 North 71st Street, #208**  
**Scottsdale, Arizona 85254**  
**480-948-1983 Fax: 480-483-0813**  
**[pab@bartoncommunities.com](mailto:pab@bartoncommunities.com)**

**BH** **Newberry Terrace**

**-Barton Homes, L.L.C.**

Friday, September 17, 2010

Regarding: Newberry Terrace Neighborhood Meeting

To Whom It May Concern:

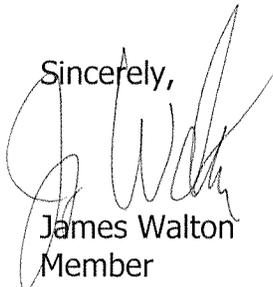
The neighborhood notification meeting for the amended Plat Case #100280 for Newberry Terrace was held at 6:00 pm, September 16, 2010 at 1855 East Apache Blvd, Tempe, Az.

Barton Homes V.P., James Walton was in attendance, along with Sanna Littell of Barton Homes. Ms. Sherri Lesser of the City of Tempe Planning Department also attended.

No neighbors or other interested parties attended. The meeting was adjourned at 6:30 pm.

Enclosed is a letter of support from the Hudson Manor Neighborhood Assn.

Sincerely,



James Walton  
Member  
Barton Homes–Newberry Terrace L.L.C.

CC: Construction File

15615 North 71st Street, Suite 208, Scottsdale, Arizona 85254 (480) 948-1983 Fax: (480) 483-0813

W:\32 Newberry Terrace\Misc\Newberry Letter Neighbor Meeting Summary 09-16-2010.docx

## Jim Walton

---

**From:** Philip Amorosi [philamo@cox.net]  
**Sent:** Saturday, September 04, 2010 4:25 PM  
**To:** James Walton  
**Subject:** Terrace PAD

Hi Mr. Walton,

I received your letter from Barton Homes. I was out of town. I cannot make your meeting on Thursday, Sept. 16 but wanted to send this email to show support from the Hudson Manor Neighborhood Association for creating more homes on the recently acquired sites to help complete the Newberry Terrace subdivision. Thank you for your continuing development of this area. The existing homes are beautiful and a welcome sight in that Jen Tilly neighborhood.

sincerely,

Phil Amorosi

Chair, Hudson Manor NA

1432 E. Cedar St.

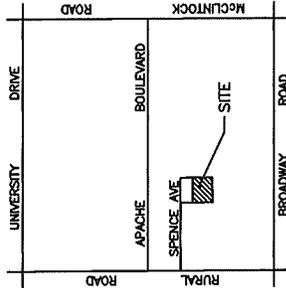
Tempe, AZ 85281

H: 480-968-5530

AMENDED PLANNED AREA DEVELOPMENT OVERLAY  
FOR

”NEWBERRY TERRACE TWO”

A PORTION OF THE SOUTHWEST QUARTER, SECTION 23, TOWNSHIP 1 NORTH,  
RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,  
MARICOPA COUNTY, ARIZONA.



VICINITY MAP  
SW 1/4 SECTION 23, T.1N., R.4E.  
N.T.S.

**LEGAL DESCRIPTION**

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

FROM THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00 DEGREES 04 MINUTES 37 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION 23, A DISTANCE OF 342.00 FEET TO THE CENTERLINE OF SPENCE AVENUE; THENCE SOUTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG SAID CENTERLINE OF SPENCE AVENUE, A DISTANCE OF 162.00 FEET TO A POINT ON THE CENTERLINE OF TERRACE ROAD; THENCE ALONG SAID CENTERLINE SOUTH 00 DEGREES 19 SECONDS EAST A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 55 MINUTES 12 SECONDS EAST, A DISTANCE OF 194.12 FEET; THENCE SOUTH 00 DEGREES 17 MINUTES 12 SECONDS WEST, A DISTANCE OF 180.12 FEET TO A POINT ON SAID CENTERLINE OF TERRACE ROAD; THENCE NORTH 00 DEGREES 17 MINUTES 12 SECONDS WEST, A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING.

**CONDITIONS OF APPROVAL: SBD-0000.00**

1. A. THE PUBLIC WORKS DEPARTMENT SHALL APPROVE ALL ROWWAYS, ALLEY, AND UTILITY EASEMENT DEDICATIONS, DRIVEWAYS, STORM WATER RETENTION, AND STREET DRAINAGE IMPROVEMENTS.
- B. OFF-SITE IMPROVEMENTS TO BEING BOUNDARIES TO CURRENT STANDARDS INCLUDE:
  - (1) WATER LINES, AND FIRE HYDRANTS.
  - (2) SEWER LINES.
  - (3) STORM DRAINS.
  - (4) ROWWAY IMPROVEMENTS INCLUDING STREETSIGNS, CURB, GUTTER, BIKEPATH, SIDEWALK, BUS SHELTER, AND RELATED AMENITIES.
- C. FEES TO BE PAID WITH THE DEVELOPMENT OF THIS PROJECT INCLUDE:
  - (1) WATER AND SEWER DEVELOPMENT FEES.
  - (2) WATER AND/OR SEWER PARTICIPATION CHARGES.
  - (3) INSPECTION AND TESTING FEES.
- D. ALL APPLICABLE OFF-SITE PLANS SHALL BE APPROVED PRIOR TO RECORDEMENT OF FINAL SUBDIVISION PLAT.
2. A. ALL STREET DEDICATIONS SHALL BE MADE WITHIN SIX (6) MONTHS OF COUNCIL APPROVAL.
- B. PUBLIC IMPROVEMENTS MUST BE INSTALLED PRIOR TO THE EXPIRANCE OF ANY OCCUPANCY PERMITS. ANY PHASING SHALL BE APPROVED BY THE PUBLIC WORKS DEPARTMENT.
- C. ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN UNDERGROUND) PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THIS DEVELOPMENT IN ACCORDANCE WITH THE CODE OF THE CITY OF TEMPE - SECTION 23.120.
3. THE OWNER(S) SHALL PROVIDE A CONTINUING CARE CONDITION, COVENANT, AND RESTRICTION (THE "CCRS") TO BE FILED WITH THE COUNTY CLERK'S OFFICE AND RECORDED TO THE COMMON AREA. THE CCRS SHALL INCLUDE A FORM SUBMITTANT TO THE DEVELOPMENT SERVICES MANAGER AND CITY ATTORNEY.
4. NO WARRANTIES MAY BE CREATED BY FUTURE PROPERTY LINES WITHOUT THE PRIOR APPROVAL OF THE CITY OF TEMPE.
5. A BUILDING PERMIT SHALL BE OBTAINED AND SUBSTANTIAL CONSTRUCTION COMMENCED ON OR BEFORE \_\_\_\_\_ 2010 OR THE ZONING SHALL REVERT TO THAT IN PLACE AT THE TIME OF APPLICATION, SUBJECT TO A PUBLIC HEARING.
6. THE FINAL SUBDIVISION PLAT AND P.L.D. FOR NEWBERRY TERRACE TWO SHALL BE FILED INTO PROPER ENGINEERED FORMAT WITH APPROPRIATE SIGNATURE BLOCKS AND RECORDED WITH THE MARICOPA COUNTY RECORDERS'S OFFICE THROUGH THE CITY OF TEMPE'S DEVELOPMENT SERVICES DEPARTMENT ON OR BEFORE \_\_\_\_\_ 2010.
7. THE FINAL SUBDIVISION PLAT AND P.L.D. FOR NEWBERRY TERRACE TWO SHALL BE RECORDED WITH THE MARICOPA RECORDERS'S OFFICE PRIOR TO ISSUANCE OF PERMITS.
8. RECYCLING FACILITIES SHALL BE PROVIDED WITH DETAILS TO BE APPROVED BY THE PUBLIC WORKS DEPARTMENT PRIOR TO THE ISSUANCE OF BUILDING PERMITS.

**STATEMENT OF OWNERS**

BARTON HOMES, INC., AN ARIZONA CORPORATION, AS OWNER, HAS HEREBY CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF PATRICK BARKER, ITS PRESIDENT

BY: BARTON HOMES, INC., AN ARIZONA CORPORATION,  
AS OWNER.

PATRICK BARKER, ITS PRESIDENT \_\_\_\_\_ DATE \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF ARIZONA } S.S.  
COUNTY OF MARICOPA }

ON THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED PATRICK BARKER, WHO ACKNOWLEDGED THAT HE AS PRESIDENT OF BARTON HOMES, INC., AN ARIZONA CORPORATION, BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

**APPROVALS**

APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THIS CITY OF TEMPE, ARIZONA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

BY: \_\_\_\_\_ MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

ATTEST: \_\_\_\_\_ CITY CLERK \_\_\_\_\_ DATE \_\_\_\_\_

BY: \_\_\_\_\_ CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

BY: \_\_\_\_\_ DEVELOPMENT SERVICES \_\_\_\_\_ DATE \_\_\_\_\_

**PROJECT DATA**

PROPOSED USE: SINGLE FAMILY HOMES  
PROJECT ADDRESS: 1203 EAST SPENCE AVENUE  
TEMPE, ARIZONA 85281  
GROSS ACRES: 0.6110 AC. 26,616.00 S.F.  
NET ACRES: 0.5830 AC. 25,316.00 S.F.  
EXISTING ZONING: R-1 PUD  
PROPOSED ZONING: R-1 PUD  
TOTAL LOTS: 6  
AVERAGE LOT SIZE: 3,182 S.F.  
TOTAL LOTS: 6  
NET DENSITY: 13.32 UNITS PER ACRE  
PARKING REQUIRED: 12  
PARKING PROVIDED: 18

**UTILITY NOTE**

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES HAS BEEN OBTAINED FROM EXISTING RECORDS, HOWEVER, THEY MAY NOT NECESSARILY REFLECT THE EXACT LOCATION OF SUCH UTILITIES. THE PROPERTY SHOULD BE DOLE FULLY EXAMINED WITHIN BLUE STAKE FOR EXACT LOCATION OF FACILITIES ON THIS SITE. PHONE 245-1100

**UTILITIES**

WATER SERVICE \_\_\_\_\_ CITY OF TEMPE  
SEWER SERVICE \_\_\_\_\_ CITY OF TEMPE  
ELECTRIC SERVICE \_\_\_\_\_ ARIZONA PUBLIC SERVICE  
TELEPHONE SERVICE \_\_\_\_\_ ARIZONA PUBLIC SERVICE  
FIRE PROTECTION \_\_\_\_\_ CITY OF TEMPE  
POLICE \_\_\_\_\_ CITY OF TEMPE  
CABLE \_\_\_\_\_ COX CABLE

**FLOOD ZONE**

ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 44010201010000000000, 2005, THE SUBJECT PROPERTY IS LOCATED IN ZONE "X".

**BENCHMARK: (CITY OF TEMPE DATUM)**  
FOUND BRASS CAP IN HANDBOLE AT THE INTERSECTION OF APACHE BLVD. AND RURAL ROAD, ELEVATION 1171.85

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS IS THE MONUMENT LINE OF RURAL ROAD, BEARING NORTH 00 DEGREES 04 MINUTES 37 SECONDS WEST.

**DEVELOPER**

BARTON HOMES, L.L.C.  
SUITE 1757 STREET  
SCOTTSDALE, ARIZONA 85244  
PAT BARKER  
PHONE: (480) 948-1943  
FAX: (480) 463-0615

RECO4049

SPD-000.00

DS030798

Job No. 030401  
SH. 1  
OF 2



RECO4049

SPD-000.00

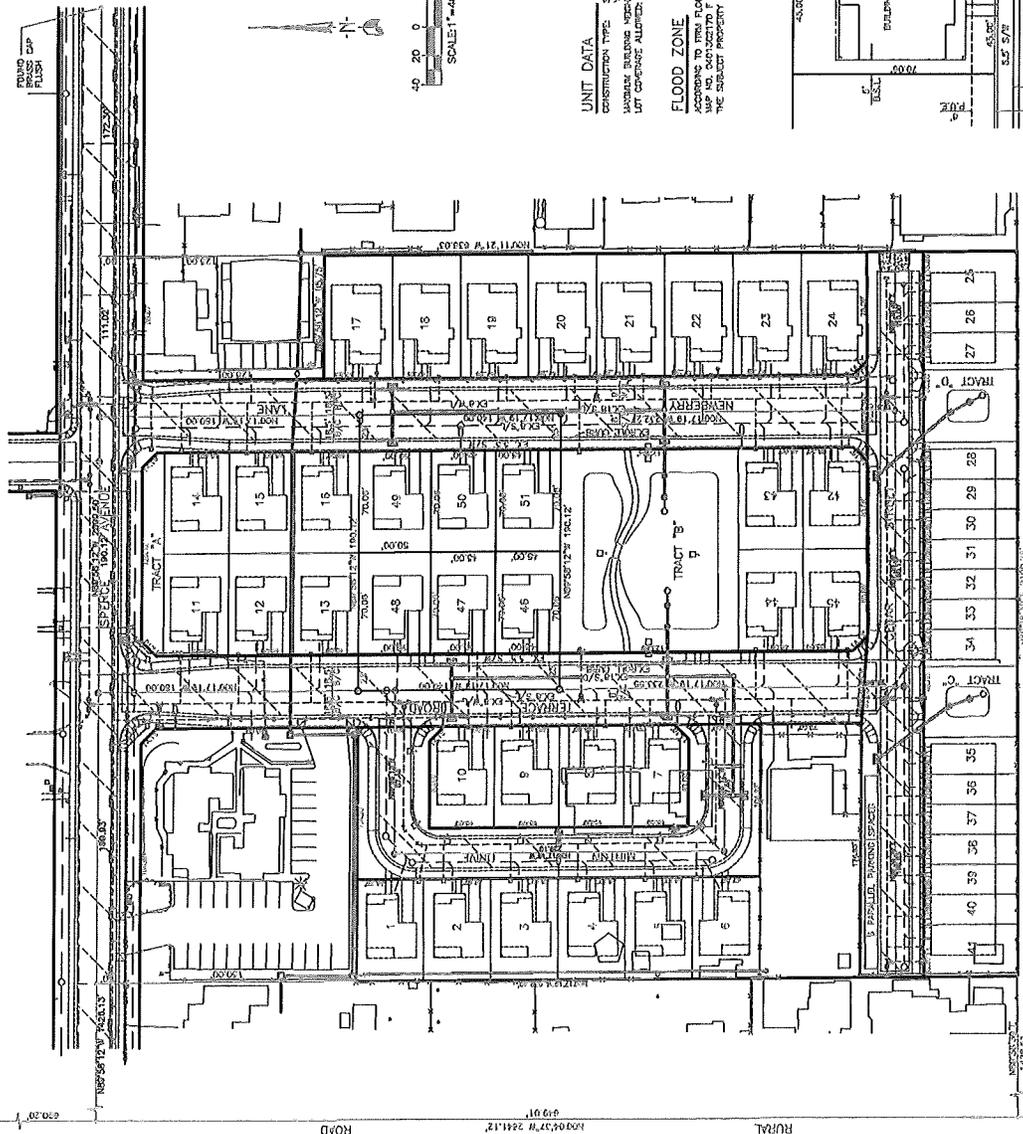
DS030798



PRELIMINARY SITE PLAN  
FOR

NEWBERRY TERRACE TWO

A PORTION OF THE SOUTHWEST QUARTER, SECTION 23,  
TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND  
SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.




**Clause Engineering, Inc.**  
 1012 E. Campbell Ave., Phoenix, Arizona 85026  
 (602) 252-2500 Fax: (602) 252-8410

PRELIMINARY SITE PLAN  
NEWBERRY TERRACE TWO  
1203 EAST SPENCE AVENUE

SHEET NO. 1  
 OF 1  
 DATE 8-31-10  
 AS-BUILT  
 JOB NO. 030401

**DEVELOPER**  
 NEWBERRY HOMES, LLC  
 1203 EAST SPENCE AVENUE  
 SUITE 1000  
 PHOENIX, ARIZONA 85026  
 PHONE: (480) 948-1182  
 FAX: (480) 438-0812

**ENGINEER**  
 CLAUSE ENGINEERING, INC.  
 1012 E. CAMPBELL AVENUE  
 PHOENIX, ARIZONA 85026  
 PHONE: (602) 252-2500  
 FAX: (602) 252-8410

**VICINITY MAP**  
 SEE 1/4 SECTION 23, T.1N.R.4E.

**PROJECT DATA**  
 PROPOSED USE: SINGLE FAMILY HOMES  
 PROJECT ADDRESS: 1203 EAST SPENCE AVENUE  
 LOT AREA: 26,616.00 S.F.  
 GROSS ACRES: 0.6110 AC. 26,616.00 S.F.  
 NET ACRES: 0.6003 AC. 26,218.00 S.F.  
 PROPOSED ZONING: R-1 PUD  
 TOTAL LOTS: 40  
 GROSS FLOOR AREA: 13,320 S.F.  
 GROSS FLOOR AREA PER ACRE: 2,180 S.F. PER ACRE  
 NET FLOOR AREA: 12,320 S.F.  
 NET FLOOR AREA PER ACRE: 2,036 S.F. PER ACRE  
 PARKING PROVIDED: 18

**UNIT DATA**  
 CONSTRUCTION TYPE: SINGLE FAMILY DETACHED  
 MAXIMUM BUILDING HEIGHT: 2 STORIES / 33 FEET  
 LOT COVERAGE ALLOWED: NO LIMITS

**FLOOD ZONE**  
 FLOOD HAZARD ZONE 2 (X2)  
 THE SUBJECT PROPERTY IS LOCATED IN ZONE 2.

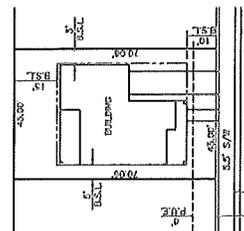
**PROJECT DESCRIPTION:**  
 THIS PROJECT CONSISTS OF 40 SINGLE-FAMILY DETACHED HOMES WITH ONE-CAR GARAGES ATTACHED UNITS WITH ONE-CAR GARAGES.

**BASIS OF BEARINGS**  
 THE BASIS OF BEARINGS IS THE MOUNTAIN VIEW OF RURAL ROAD USING A BEARING OF NORTH 60 DEGREES 00 MINUTES 00 SECONDS.

**BENCHMARK:** (CITY OF TEMPE DATA)  
 FOUND BRASS CAP IN NEARBY AT THE INTERSECTION OF RURAL ROAD AND SPENCE AVENUE.  
 RURAL ROAD, SEANTON 174165

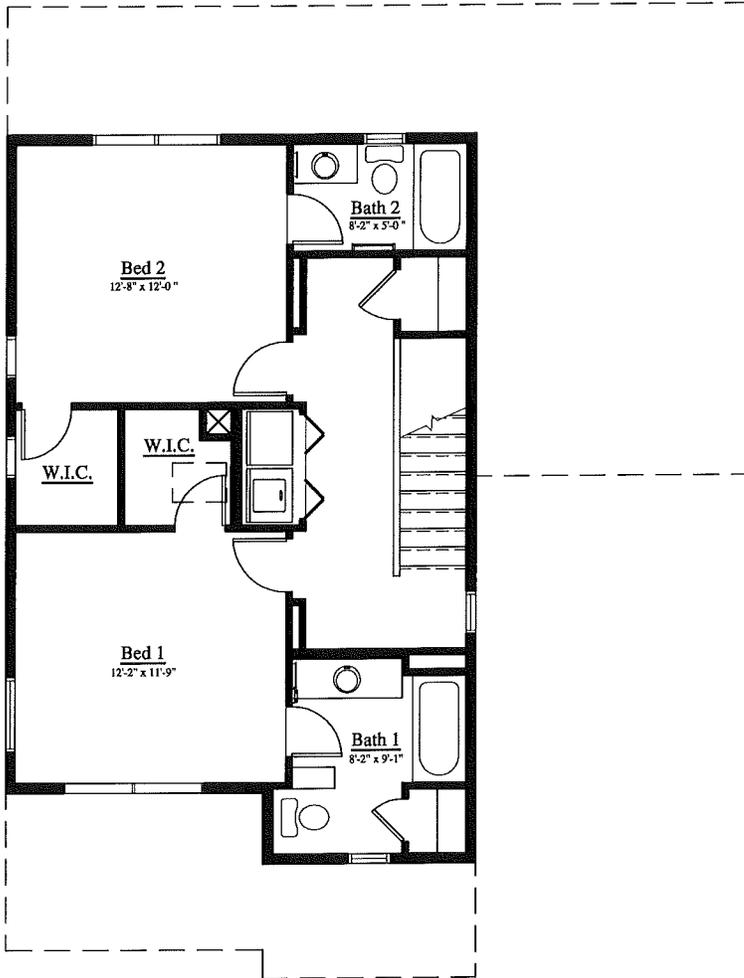
**UTILITIES**  
 WATER SERVICE: CITY OF TEMPE  
 SEWER SERVICE: CITY OF TEMPE  
 GAS SERVICE: ARIZONA PUBLIC SERVICE  
 ELECTRIC SERVICE: ARIZONA PUBLIC SERVICE  
 TELEPHONE SERVICE: CITY OF TEMPE  
 CABLE: CITY OF TEMPE

**LEGEND**  
 INDICATES A CORNER OF THIS DEVELOPMENT

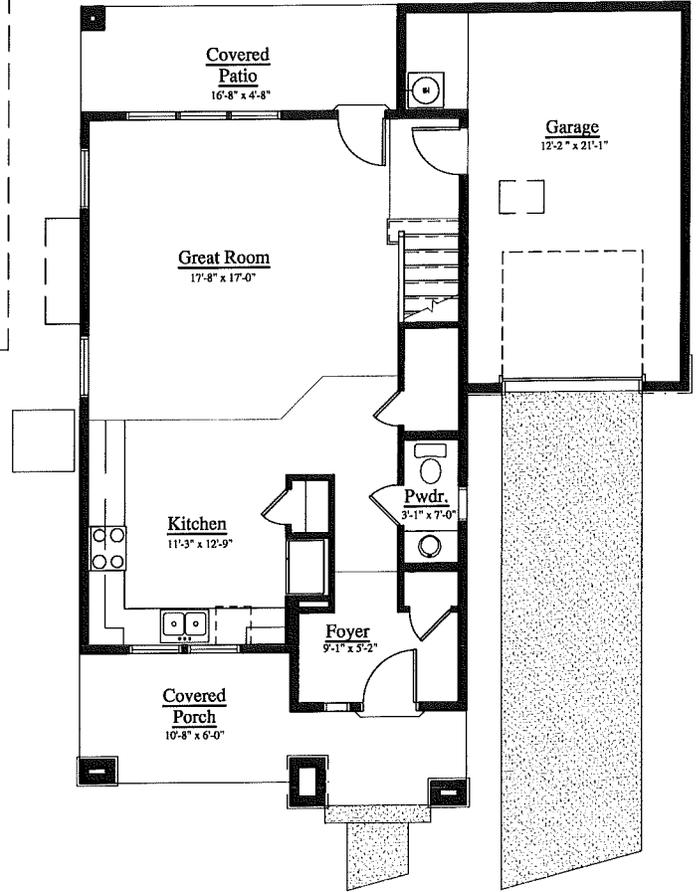


**TYPICAL LOT SETBACKS**

# Newberry Terrace



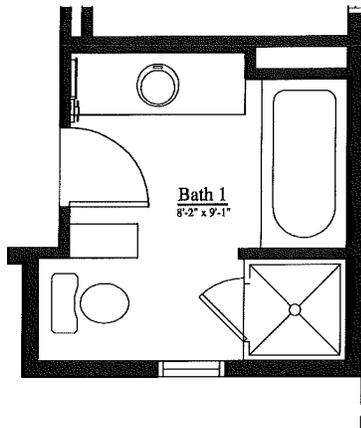
2nd Floor



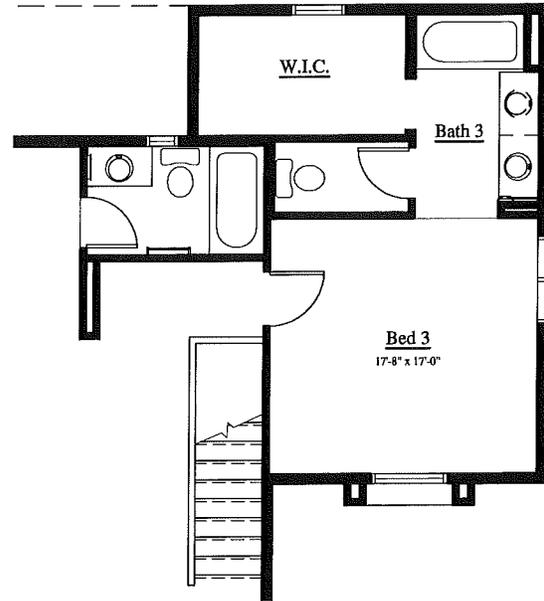
1st Floor

Unit B- Approximately 1,376 S.F. Livable

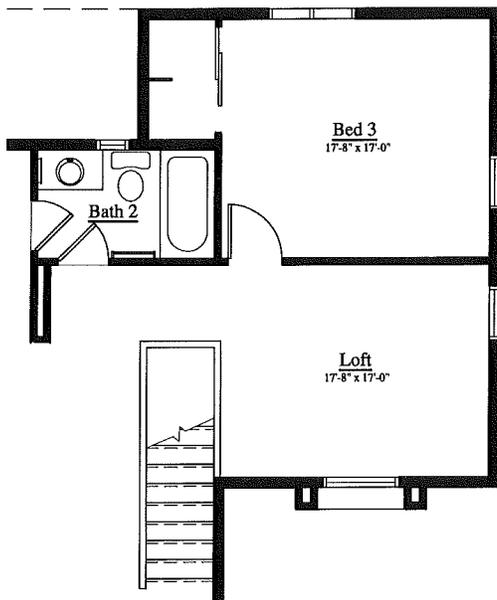
# Newberry Terrace



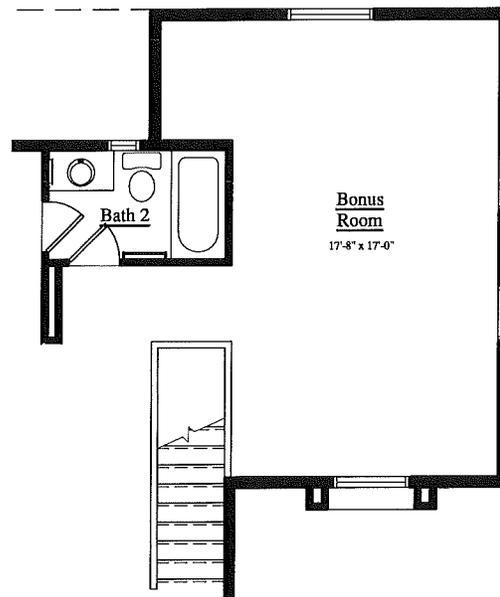
**Opt. Shower**  
(approx. s.f. 1,376)



**Opt. Bedroom 3/ Bath 3**  
(approx. s.f. 1,685)



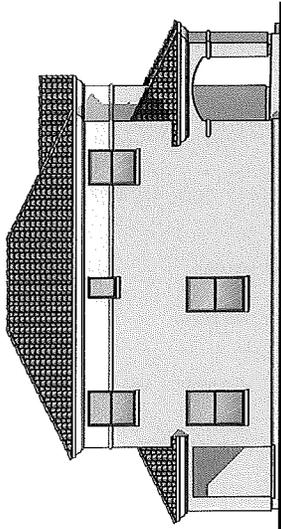
**Opt. Bedroom 3/ Loft**  
(approx. s.f. 1,685)



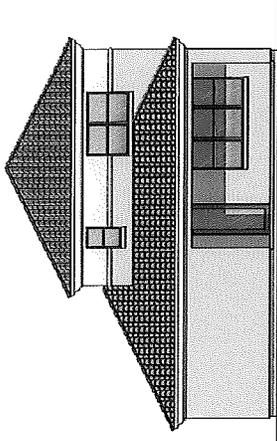
**Opt. Bonus Room**  
(approx. s.f. 1,685)

## Unit B- Options

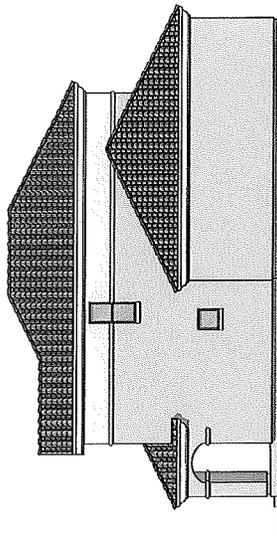




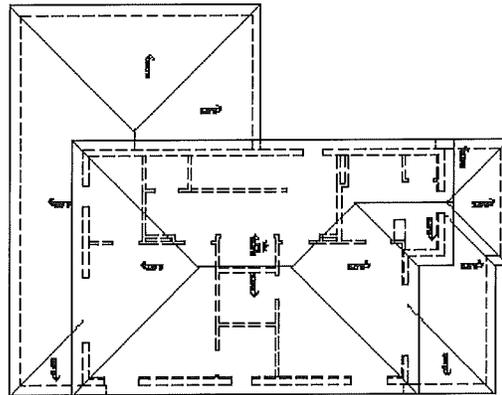
**Left Elevation**  
Scale: 3/16" = 1'-0"



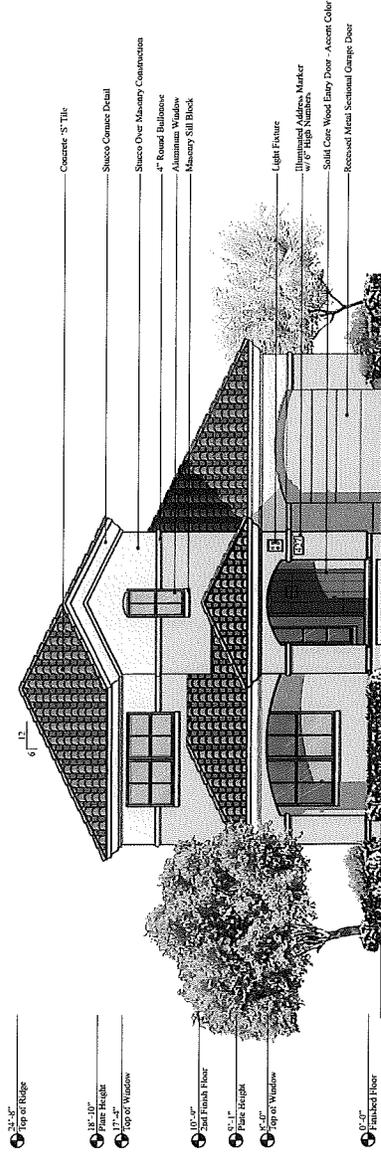
**Rear Elevation**  
Scale: 3/16" = 1'-0"



**Right Elevation**  
Scale: 3/16" = 1'-0"



**Roof Plan**  
Scale: 3/16" = 1'-0"



**Front Elevation**  
Scale: 1/4" = 1'-0"

- 6'-0" Top of Ridge
- 18'-10" First Floor Height
- 10'-0" Top of Window
- 10'-0" Top of Finish Floor
- 8'-1" First Floor Height
- 8'-0" Top of Window
- 6'-0" Finished Floor
- Concrete 3" Tile
- Stucco Concrete Detail
- Stucco Over Masonry Construction
- 4" Faced Balustrade
- Aluminum Windows
- Masonry Sill Block
- Light Fixture
- Illustrated Address Marker w/ P High Numbers
- Split Core Wood Entry Door - Accent Color
- Recessed Metal Sectional Garage Door

# Newberry Terrace by Barton Homes L.L.C.

Tempe, Arizona

Plan B - Elevation 1

