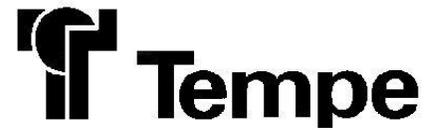


Staff Summary Report



Development Review Commission Date: **03/27/2012**

Agenda Item Number: **4**

SUBJECT: Hold a public hearing for two (2) Use Permits and Development Plan Review for ASH PROPERTY RESURRECTION located at 959 South Ash Avenue.

DOCUMENT NAME: DRCr_AshPropertyResurrection_032712 PLANNED DEVELOPMENT (0406)

COMMENTS: Request for ASH PROPERTY RESURRECTION (PL110362) (Irene Menting, Ash Property Resurrection LLC, property owner; James Hann, James Hann Design A.I.A., applicant) consisting of a courtyard residential community of eight units contained in three buildings including an existing one-story freestanding unit (1,288 sf.), a proposed two-story freestanding unit (2,368 sf.) and a three-story building including six units (10,886 sf.), all on +/-0.46 net acres, located at 959 South Ash Avenue in the R-3, Multi-Family Residential Limited District. The request includes the following:
 ZUP12004 – Use Permit Standard to increase by ten (10) percent the maximum allowable building height from thirty (30) feet to thirty-three (33) feet.
 ZUP12005 – Use Permit to allow tandem parking.
 DPR12002– Development Plan Review including site plan, building elevations, and landscape plan.

PREPARED BY: Kevin O’Melia, Senior Planner (480-350-8432)

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

LEGAL REVIEW BY: N/A

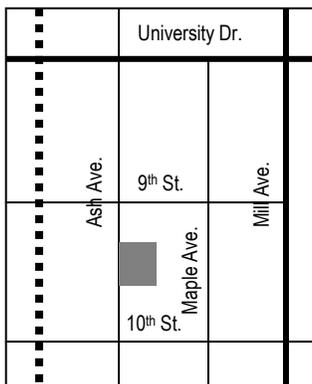
DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: There is no fiscal impact on city funds.

RECOMMENDATION: Staff – Approval, subject to conditions.

ADDITIONAL INFO:

Gross/Net site area	+/-0.46 acres
Quantity of Dwellings	8
Density	17.4 du/ac (20.0 du/ac allowed)
Lot Area per Dwelling	2,499 sf. (2,180 sf. min. allowed)
Building Lot Coverage	44.16 % including porches (50.0 % max. allowed)
Total Building Area	14,542 sf.
Building B-G Height	33.0 ft. (subject to Use Permit Standard request)
Exist’g Bld’g Setbacks	15.0 ft. front-building H; 6.5 ft. front-porch H; 15.0 ft. side-building H (front yard setbacks for H are legal non-conforming)
Exist’g Park’g Setback	15.0 ft. (align with legal non-conform. front-building H setback)
New Building Setbacks	21.0 ft. front-building A (20.0 ft. min. allowed); 16.0 ft. front porch A (15.0 ft. min. allowed); 10.0 ft. side-buildings A & B-F, (10.0 ft. min. allowed) and 20.5 ft. rear-building B-F measured from center of alley (20.5 ft. min. allowed-condition of approval)
Landscape Coverage	39.26 % (25.0 % min. allowed)
Vehicle Parking	19 spaces (19 min. required, includes tandem parking spaces subject to Use Permit request).
Bicycle Parking	10 spaces (7 min. required)



See Summary on page 2. A neighborhood meeting has been undertaken and public input has been received concerning this project. A subdivision plat has been submitted and is being prepared for separate examination by City Council.

PAGES:

1. List of Attachments
- 2-6. Summary / Comments / Public Input / Project Analysis / Conclusion
7. Reasons for Approval
- 8-11. Conditions of Approval
- 12-14. Code-Ordinance Requirements
- 15-16. History & Facts / Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map
2. Aerial Photo
3. Bird's Eye perspective (frontage and courtyard trees removed for clarity)
- 4-7. Letter of Explanation
8. Site Plan
9. Project Data
- 10-12. 1st, 2nd & 3rd Floor Plans
13. Roof Plan
- 14-15. Color Building Elevations
- 16-19. Building Elevations, Unit A
- 20-23. Building Elevations, Units B-G including revised west elevation
24. Building – Site Sections
25. Landscape Plan
26. Landscape Materials Palette
- 27-30. Site Photographs
31. Neighborhood Meeting Summary
32. Comment: Opposition Letter, March 01, 2012
33. One Lot Subdivision – Letter of Explanation (for reference only)
- 34-35. One Lot Subdivision Title Sheet and Plat Plan (for reference only)
36. Comment: Support Letter, March 15, 2012
37. Comment: Opposition Letter, March 15, 2012

SUMMARY:

The applicant seeks the approval of an in-fill development of eight residential units entitled Ash Property Resurrection (the project). One of the eight units is a freestanding one story, existing residence that was constructed in 1929 and recently has been renovated. The other seven units include a freestanding two story proposed residence of three bedrooms facing Ash and a three story proposed building of six units (four units of three bedrooms each and two units of one bedroom each) that is set back deep into the eastern portion of the property, near the alley. The process so far has included three Preliminary Site Plan Review sessions, one informal neighborhood meeting prior to submittal and one required neighborhood meeting after submittal.

Staff has separately met with two interested members of the neighborhood who have reviewed and have conveyed opposition to the project. Staff subsequently met and reviewed the points of opposition with the development team with the objective of incorporating at least some of the points into a refined design. The design refinement is indicated in the revised West Elevation of Building B-G (attachment 20), is being further prepared by the architect as of the completion of this staff report and will be presented to the Commission at the public hearing. Staff has also received one additional communication of opposition. This communication is included in the attachments to the report.

The subject site is within the Maple-Ash neighborhood and comprises three contiguous mid-block parcels plus one 5'-0" wide strip of land that is tied to the southern parcel. The subject site is located on the east of Ash Avenue between 9th and 10th Streets. The surrounding Maple-Ash neighborhood is defined in the General Plan Projected Density Map as a Cultural Resource Area (CRA). The underlying site zoning is within the R-3, Multi-Family Residential Limited District. This zoning district extends to the surrounding properties bounded by Ash Avenue on the west, the mid-block 8th-9th alley to the north, the mid-block Maple-Mill alley to the east and 10th street to the south. The CRA designation preserves the maximum density allowed by the underlying zoning district at the time of enactment of the CRA, which in this case is up to 20 residential units per acre.

COMMENTS:

The project began as a single-family residential renovation of the adobe masonry structure at 959 South Ash (Unit H) and expanded to include a distressed two-lot residential property immediately north of the 959 property. The Owner and General Contractor have indicated that preliminary investigation of the existing structures on the two-lot property revealed these to not be salvageable. The existing mature landscape of the two lot property had been allowed by the previous owner to decline to a point where it also was not salvageable. Accordingly, the building and landscape improvements of the two-lot property have been removed. Currently, the two-lot property is cleared to bare dirt. A small portable storage unit is placed near the center of the property. Some landscape remains at the edges, including the frontage between the public sidewalk and curb. The renovated house at 959 South Ash (Unit H) remains. The site at 959 includes new landscape, a wooden fence around a portion of the Unit H rear yard and a single wide driveway on the north of the residence.

The renovated residence (Unit H) at 959 South Ash will be incorporated into the development. Existing legal non-conforming aspects for this residence that will remain in effect include the front yard setback of Unit H and its parking and are as follows: Front Yard Building Setback = 15'-0", Front Yard Parking Setback = 15'-0" and Front Yard porch (column) setback = 6'-6".

On behalf of the development including seven proposed residential units in addition to Unit H, the applicant requests the Development Review Commission take action on each of the following components of the project request:

1. Use Permit Standard to increase by ten (10) percent the maximum allowable building height from thirty (30) feet to thirty-three (33) feet.
2. Use Permit to allow tandem parking.
3. Development Plan Review for a courtyard residential community of eight units contained in three buildings including an existing one-story freestanding unit H (1,288 sf.), a proposed two-story freestanding unit A (2,368 sf.) and a three-story building including six units B-G (10,886 sf.). This is a total floor area of 14,542 sf. of building, or a total 158,046 cf. of building volume, on +/-0.46 net acres.

Prior to issuance of a building permit, a one lot subdivision plat comprising a combination of three 50'-0" wide parcels plus a fourth 5'-0" wide strip of land will be processed and will be reviewed by City Council in a public meeting. The subdivision plat has been submitted. Draft documents for this one lot subdivision plat are included for reference only (attachments 33-35).

PUBLIC INPUT

Neighborhood Meeting

- A neighborhood meeting was required for the processing of these requests in accordance with the Maple Ash Neighborhood checklist. A pre-submittal, unofficial neighborhood meeting was held at 1206 South Ash Avenue in December, 2011. An official neighborhood meeting was advertised in accordance with the Zoning and Development Code and was held on February 8, 2012 from 6:30 pm to 8:00 pm in the Tempe Woman's Club at 1290 South Mill Avenue. This neighborhood meeting attracted eight interested persons as well as two members of Community Development Planning staff. See attached summary of meeting provided by the applicant (Attachment 31). The meeting included the following:
 - An introductory presentation by the Owner, including an account of project expansion from a single residence renovation at 959 South Ash to a multi-family project after the Osborn family sold 907 South Ash including the lot between 907 and 959 South Ash to the owner.
 - A design presentation by the Architect. The project building elevation and site design evokes a cluster of distinct, individual units.
 - During the Question and Answer session a description of materials and construction was made by the General Contractor, including an account of the renovation of the house at 959 South Ash and an account of the poor condition of the 907 South Ash buildings and landscape which resulted in removal of these buildings and landscape.
 - An informal Question and Answer session was conducted with the audience. Information from this session includes the following: Dwellings will be rentals except Unit A may be owner occupied. Guest parking is designated and decentralized on site per unit. On-street parking may be requested but parking required by the Zoning and Development Code will be located on-site. The alley will be paved from northeast site corner to 10th street. Storm water retention will be located on-site, principally in the central courtyard. Landscape design will consider Ash trees in list of plants, at request of audience. Landscape will utilize flood irrigation to facilitate tree growth. Tentative construction schedule is thirteen months. Refuse pickup is in alley. Tandem parking configuration is designed to minimize vehicular pavement. Gable roof line proposed between 30'-0" and 33'-0" height is a small portion of overall building. Concern voiced about a large project of three stories. Building colors are selected from the American Arts and Crafts Movement, a Post-Victorian architectural style that this development emulates. Project will include north and south wood fence of maximum 6'-0" height. Project will limit intensity of security lighting. Creation of a Security Plan with the Police Department will focus on Crime Free Multi Housing Program.

Citizen Input to Staff & Developer Response to Citizen Input

- The following contacts have been made to Community Development Planning Staff with regard to the project.
 - Planning Staff received a call of opposition on 2/15/12 from a Maple-Ash property owner/resident. The concerns stated included the residential density of the project, the height including the request for a Use Permit standard to increase the maximum height to 33'-0", the lot coverage, the necessity of a subdivision plat to combine the existing lots into one lot, and the potential of an excessive amount of security lighting for a multi-family residential project. This owner/resident indicated general opposition to the project. Staff including the City Architect and Planning Manager met with this owner/resident on 2/21/12 and in an afternoon reviewed the concerns in detail.
 - Planning Staff met on 2/16/12 with a second Maple-Ash owner/resident. The concerns stated at this meeting were as follows: 1) tandem parking where one space blocks two others will lead to alternate parking arrangements that will be detrimental to the neighborhood and 2) the quality of materials indicated in the elevations may be downgraded during the construction document review and permit process. Regarding item 2), a condition has been inserted requiring any material modifications to be brought back to the Development Review Commission for approval. Regarding item 1), this Maple-Ash owner/resident indicated opposition to the Use Permit request for tandem parking based on the site plan as presented. The objection, as clarified with this owner/resident in a follow-up phone call on 3/06/12, includes the use of the alley for vehicular site access without applying the same site restrictions for alley access as for public street access.
 - Planning Staff met with the Ash Property Resurrection development team including the property owner and architect on 2/26/12. The points of neighbor opposition received by this date were reviewed at this meeting. In response, the development team has prepared architectural modifications to the elevations including particularly the revision of the west elevation of Building B-G (refer to attachments 3, 14 & 20) and has submitted the subdivision plat for review. A draft of the plat is included for reference in this presentation (refer to attachments 33, 34 & 35). The subdivision plat will be separately reviewed and a decision rendered by City Council.

- Staff received a call followed by an e-mail communication on 3/01/12 from a third Maple-Ash owner/resident. This individual is opposed to the project. The e-mail communication from this individual is Attachment 32 to the staff report.
- Planning Staff received a phone communication of opposition on 3/15/12 from a fourth Maple-Ash owner/resident. This owner/resident attended the neighborhood meeting and saw the presentation. This owner/resident expressed opposition to the following aspects of the project: the ten percent height increase request from 30'-0" to 33'-0", an apartment building of three stories, an increase in traffic in the alley and on public streets, and potential use of project exclusively for student housing. This owner/resident considered the project overall to be too large, too tall and out of character with the neighborhood. On 3/16/12 this owner/resident delivered a letter of opposition which is Attachment 37 to the staff report.
- Planning Staff received a phone communication of opposition from a fifth Maple-Ash owner/resident on 3/15/12. This individual expressed overall opposition to the size of the project and is opposed to the Use Permit and Use Permit Standard requests. With regard to the Use Permit to allow tandem parking, the neighborhood already has difficulty with parking. The allowance of tandem parking on site as well as parallel parking adjacent to the alley will worsen the overall parking difficulty in the neighborhood. With regard to the Use Permit Standard to allow a ten percent height increase to 33'-0", the proposed building is too tall and will not fit in with the neighborhood character. Preservation of the Maple Ash neighborhood in its present form is vital to the surrounding community in Tempe.
- Planning Staff met on 3/15/12 with a Maple-Ash owner of several properties. The e-mail communication of this individual with an expression of support is Attachment 36 to the staff report.
- Planning Staff and the City Architect met with three neighborhood owner/representatives on 3/20/12. A summary of their opposition to the project and a suggestion is as follows: the three-story mid-section of Building B-G is too large. The suggestion by this group is to remove the B-G mid-section which contains four units and replace with a separate two story building in the middle that contains two units. The single Building B-G in rear of property would become three buildings. Division of building B-G into three would retain appearance of three individual lots in the development and may remove requirement for a one lot subdivision. Reconfigure parking to reduce or preferably remove reliance on tandem spaces.

PROJECT ANALYSIS

USE PERMIT AND USE PERMIT STANDARD

The project as proposed requests a Use Permit to allow tandem parking and a Use Permit Standard to allow a ten (10) percent increase in the maximum roof height from 30'-0" to 33'-0". Following the Zoning and Development Code 6-308(E), the Use Permit and Use Permit standard are to be granted upon a finding that the requests are not detrimental to persons residing in the vicinity, to adjacent properties, to the neighborhood or to the public welfare in general. The Use Permit and Use Permit Standard must conform to the requirements of the Zoning and Development Code and any conditions established with the granting of these requests.

The ten percent height increase from 30'-0" to 33'0" is for 1.13 percent of the entire volume of the three buildings.

The tandem parking request acknowledges that eleven of the required nineteen parking spaces must exit the site through another parking space. Each of the eight units has one parking space that directly exits the site without encumbering another space. Each tandem parking situation involves the vehicles of an individual unit. Parking for one unit does not interfere with parking for another, as illustrated by the site plan and the "parking configuration by unit" allocation in the Table below. Additional (non-required) parking on street in this portion of the Maple-Ash neighborhood (24 hour/day, seven day/week) is allowed by permit only. On-street parking permits are issued through the residential permit parking program. This program is administered by the Transportation Studies and Design Division of Public Works.

Reference: ZDC Tab 4-603(E)	Total	A 3 bdrm	B 3 bdrm	C 3 bdrm	D 3 bdrm	E 3bdrm	F 1bdrm	G 1 bdrm	H 1 bdrm & den
Required parking: resident + guest	19.1 spaces	2.7	2.7	2.7	2.7	2.7	1.7	1.7	2.2
Parking configuration by Unit Resident + guest	19.0 spaces	3.0	3.0	3.0	3.0	3.0	1.0	1.0	2.0

Section 6-308(E) Approval criteria for Use Permit:

- a. *Any significant increase in vehicular or pedestrian traffic.* The height increase does not pertain to traffic. The use of tandem parking does potentially increase the amount of vehicle movement around site where vehicles in outer parking spaces move to allow access to inner parking spaces. In each case, this is accomplished by the occupants of a single residence. Vehicles from one residence on site do not impact vehicles from another. In each tandem parking configuration on site the inner parking space requires movement of only one outer parking space.
- b. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions.* The Use Permit Standard for a ten percent height increase slightly reduces the amount of skyline but represents only a 1,796 cf. volume out of an entire volume of three buildings of 158,046 cf. The request represents 1.13 percent of the entire building volume. The use of tandem parking increases the amount of vehicle movement on and around the site but decreases the amount of security light and heat retention due to the reduction of pavement for on-site drive aisles.
- c. *Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans or General Plan.* The Use Permit Standard for a ten percent height increase is mitigated by the use of graduated massing to limit intrusion on neighboring properties or the surrounding neighborhood. The use permit request for tandem parking minimizes vehicular pavement on site on favor of landscape.
- d. *Compatibility with existing surrounding structures and uses.* The residential development seeks to blend architecturally with the surroundings. North and south ends of the building containing units B-G is approximately the same height as the neighboring apartment buildings on adjacent properties. Building B-G arises above this height in a relatively small central area of its volume.
- e. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.* The Use Permit request for tandem parking does pertain to behavior. This is a residential development which will be governed by a code of tenant behavior and supported by a Police Security Plan. The code of tenant behavior will include rules for parking that preclude use of any part of the alley or landscape areas as parking spaces

DEVELOPMENT PLAN REVIEW**Site Plan**

The site is configured to allow a cluster of three buildings in a horseshoe configuration around a central courtyard that opens toward Ash Avenue. The 1929 detached abode masonry building of one story at the southwest of the site is at the lower end of the horseshoe. The upper end is a detached two story residence, the proposed Unit A. This unit also orients west toward Ash Avenue with a one story porch that wraps around to north and south. The six-unit building of three stories encloses the courtyard from the east. Two and three story building volumes are carved into smaller divisions to mitigate the overall building presence on site.

Building Elevations

The freestanding Unit A and the six-unit building containing Units B-G as presented are wood frame structures that distinguish interior and exterior space with individualized hip and gable roof forms and volume articulations in the exterior walls including porches and upper level verandas. Unit A with Unit H and the courtyard in between together in the front seek to replicate the alignment of buildings on this site since 1929. The building containing Units B-G in the rear, with form and color, seeks to provide the individual character of residences lined in a row. The surfaces and colors of the buildings seek to evoke the Arts and Crafts Movement of the early twentieth century. The use of cement-based cladding materials for horizontal lap siding, shingle accent siding, vertical siding and trim follows an effort to provide structures that will not readily deteriorate in this climate.

Landscape Plan

Flood irrigation and lawn is re-established to support growth of large trees. Trees are massed to the west of the Ash Avenue sidewalk to provide summer afternoon shade on the public walk and on the courtyard beyond. Trees are massed on the south of the property in deference to the less intense R-2 zoning district in the core of the Maple Ash neighborhood south of 10th Street, half a block away. Trees are spotted also throughout the site between the buildings. Trees are not located in quantity between the building and the alley due to the presence of the buried flood irrigation main and proposed buried electric, phone and cable lines. Landscape

will be supplemented over each double garage door with a vine trellis that will be used to conceal parking security lights.

Section 6-306(D) Approval criteria for Development Plan Review

1. *Placement, form and articulation of buildings provide variety in the streetscape*; the buildings together with the courtyard are an inviting presence on Ash Avenue.
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort*; Orientation of porches and upper second and third floor verandas to the west limit the direct afternoon solar exposure of the eight residences that face Ash Avenue. Maturity of courtyard trees in time will additionally filter the rays of the sun in the courtyard and throughout the site.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings*; Building materials are selected that in shape and application can be used to replicate an architectural style of a century past but with an enhanced durability that allows ease of maintenance.
4. *Building and landscape elements are appropriately scaled relative to the site and surroundings*; The elements are scaled to break down the large volume of the Building B-G into smaller pieces that relate to the existing Unit H on site as well as the smaller neighborhood residential structures east, north and south of the site. At the same time, Building B-G relates in scale to the adjacent two-story apartment buildings immediately to north and south of the rear of the site. Landscape including large canopy trees supported by flood irrigation provides the general unifying element in the Maple-Ash neighborhood.
5. *Large building volumes are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, and featuring an enhanced pedestrian experience at and near street level*; Building A and Building B-G are highly articulated congregations of volumetric spaces and feature open porches and verandas that will affect the quality of sunlight on the buildings during the change of hours of the day and seasons of the year. The buildings and courtyard are open to Ash Avenue without a fence or gate enclosure.
6. *Building facades provide architectural detail and interest overall with visibility at street level*; Special treatment of windows, entries and walkways is made with attention to the relation of buildings to the street. The open space of the courtyard along with the concave west-facing openings in the three buildings offered by porches and upper level verandas will interact with the street during daylight hours and when illuminated, at night as well.
7. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation on-site and with surrounding residential uses*; Parking is consigned to the portion of the site adjacent to the alley, the northern edge of the site at Unit A and in the historic driveway alignment on the north of Unit H. The use of tandem parking where one parking space is through one other parking space limits the amount of drive aisle required through the site. The building entrances via the Ash Avenue sidewalk are not impeded by vehicular circulation.
8. The project appropriately integrates *Crime Prevention through Environmental Design* principles such as territoriality, natural surveillance, access control, activity support, and *maintenance*.
9. *Landscape accents and provides delineation from parking, buildings, driveway and pathways*.
10. *Lighting*, by the conditions of this report, will not create negative effects such as glare or excessive, industrial-colored illumination, and will be made compatible with the existing and proposed *buildings on site and adjoining buildings and uses*.

CONCLUSION

Community Development Planning Staff recommends approval of this case including the design refinements made in response to some neighbor points of opposition. Following are reasons for approval including those based on the General Guidelines of the Maple-Ash Neighborhood Checklist.

REASONS FOR APPROVAL:

1. The project complies with the allowed and uses of Part 3 and with the allowed development standards (including those subject to use permit) of Part 4 of the Zoning and Development Code for an R-3, Multi-Family Residential Limited District.
2. The Arts and Crafts Movement architecture of the development and the distinct expression of each dwelling unit in the development will augment the eclectic architectural character of the Maple-Ash Neighborhood.
3. Building placement on site emulates the surrounding streetscape. Placement and articulated form of Unit A emulates the character of existing residences along Ash Avenue, including the existing Unit H on this site as well as street-facing residences on adjacent sites. At the same time Unit A allows room for the existing mature oak off-site but adjacent to the northwest corner of the property. The courtyard between Unit A and Unit H emulates the occasional wide setbacks found at several nearby locations on Ash Avenue and evokes the wide south side yard of the (now demolished) 907 South Ash house. The central form of Building B-G is relatively small and is surrounded by shorter attachments that soften the central form. The portion of Building B-G that extends to 33'-0" high (Use Permit Standard) is confined to two short gable roof ridge lines.
4. The development encourages visual and spatial interaction with pedestrian traffic on Ash Avenue. The open front porches of Unit A and Unit H and the courtyard between these units engage Ash Avenue. The Ash sidewalk width is preserved and the pre-World War II concrete curb cut and apron for the Unit H driveway is retained. The landscaped median between the sidewalk and curb will be replanted.
5. Pedestrian linkages between Unit H, Unit A and each of the Units of Building B-G are established between the building entrances and Ash Avenue.
6. Pedestrian walkways from Ash Avenue onto the site enhance the neighborhood context. There is no garden wall that sequesters the project courtyard from Ash Avenue.
7. The development utilizes the alley for the majority of its vehicular traffic. The use of tandem parking coupled with alley access keeps the amount of vehicular access paving on site to a minimum. The alley between the northeast site corner and 10th Street will be repaved.
8. The development utilizes a palette of plant materials found elsewhere in the neighborhood. The return of flood irrigation to the site will strengthen the stock of proposed trees and lawn and re-connect the site with the neighborhood via landscape. A continuous perimeter tree screen is established on the south of the property. A secondary palette of low-water using plant material is proposed but this is subordinate in scale to the main palette of trees and lawn found throughout the Maple-Ash neighborhood.
9. The project will meet the development standards required under the Zoning and Development Code, including that for minimum level of security illumination. Maximum illumination levels are established by conditions of approval to avoid over-illumination of site including retention, parking and driveway areas that require dusk to dawn illumination. The extent of site driveway area and illumination is greatly reduced by use of tandem parking and alley access. Parking illumination adjacent to alley will be shielded and localized by several plant trellises over the parking spaces. Perimeter tree screens are established along the south (side) and west (front) yards. Light fixtures will require use of house-side shields to avoid light spill onto adjacent properties.
10. The proposed project meets the approval criteria for Use Permit and Development Plan Review.

ZUP12004, ZUP12005 & DPR12002 CONDITIONS OF APPROVAL

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

ZUP12004, ZUP12005 & DPR12002 JOINT CONDITION OF APPROVAL

1. Length of approval:
 - a. The Use Permit, Use Permit Standard and Development Plan Review approval are valid until February 28, 2013, which is one year from date of approval. If documents are not submitted for building safety plan check review by February 28, 2013 the Use Permit, Use Permit Standard and Development Plan Review approval will expire.
 - b. If documents are submitted to the Community Development Building Safety Division for plan review prior to or on February 28, 2013, the Use Permit, Use Permit Standard and Development Plan Review approval will continue to be valid during the building plan review period (period includes time extension, if required). If the plan review period is allowed to expire without issuance of a building permit, the Use Permit, Use Permit Standard and Development Plan Review approval will expire.
 - c. After the issuance of a building permit, the Use Permit, Use Permit Standard and Development Plan Review will remain in effect as long as the building permit itself is valid. If the building permit is allowed to expire, the Use Permit, Use Permit Standard and Development Plan Review approval will expire.

ZUP12004 CONDITIONS OF APPROVAL

2. The Use Permit Standard for a ten (10) percent maximum allowable height increase from thirty (30) ft. to thirty-three (33) ft. is specific to the proposed site plan, building elevation and roof plan layout. The height increase is allowed for Building B-G only. If Building B-G or any other part of the site plan, building elevation or roof plan layout that pertains to Building B-G intensifies in form or extent beyond that presented for approval, the Use Permit Standard is null and void.
3. No part of Building B-G may extend above thirty-three (33) ft. The increased height exceptions allowed in ZDC Sec. 4-205(A) including for elevator and stair penthouses may not be applied to Building B-G.

ZUP12005 CONDITIONS OF APPROVAL

4. The Use Permit for tandem parking is specific to the proposed site plan and is designed to hold vehicular site access paving to a minimum. The Use Permit provides for tandem parking as follows: directly east of the Units B, C, D and E garage doors, north of the Unit A garage door, and in the narrow driveway north of Unit H.
5. The legal non-conforming status for 15'-0" front building setback for existing Unit H applies also to the parking setback for this unit. Do not allow tandem parking for Unit H to encroach into the 15'-0" front yard parking setback. Modify Unit D west entrance patio fence if needed to provide two 18'-0" long parking spaces in tandem in the Unit H driveway that are not within the front yard parking setback.
6. Locate parallel 22'-0" long by 8'-6" wide tandem parking spaces adjacent to the Units B, C, D and E garage doors so they do not encroach into the alley. Maintain minimum 2'-0" side clearance beyond parking space to garage door. Provide a distinguishing pavement treatment for parking spaces so users may clearly understand where a vehicle may be positioned in these spaces.
7. To maintain the tandem parking space width and side clearance of the previous condition, the rear setback of Building B-G may not be less than 20'-6" as measured from the center of the alley.

DPR12002
CONDITIONS OF APPROVAL

General

8. Provide a temporary perimeter construction fence around the site except around existing Unit H.
9. If the project does not go forward within the specified time frame, remove the storage container from the vacant portion of site, re-grade the site and top-dress with decomposed granite.
10. Undertake a security plan with the Police Department for the eight residences of this development. Follow guidelines indicated in the POLICE/SECURITY Section of Code-Ordinance requirements below. Additionally, the following apply:
 - a. Configure stair and elevator access to Unit F, Unit G and common veranda on third floor so these spaces are accessible only to tenants of these units and (with permission) their guests.
 - b. 2nd floor mechanical space and adjacent garage roofs for Units B, C, D and E behind parapet may be accessible to service personnel via exterior portable ladder but not from the interior of the building.
 - c. Unit F and G roofs may be accessible to service personnel via exterior portable ladder but not from the building interior.
 - d. Include parking regulation for all unit occupants that does not allow a parked vehicle to block any part of alley.
11. Complete process for a one-lot subdivision plat including Public Works Engineering Division and Community Development Planning Division reviews and one City Council meeting. Establishment of public utility easements for the lot may be done on this plat or by separate recorded instrument. Obtain City Council approval for submitted one-lot subdivision plat and provide final format and recordation of the subdivision plat prior to issuance of building permits.

Site Plan

12. Re-pave the alley from northeast corner of site to 10th street. Follow guidelines indicated in the ENGINEERING Section of Code-Ordinance requirements below.
13. Provide distinctive pavement such as unit pavers that defines each parallel parking space adjacent to the alley. This pavement separates alley and driveway pavements from each parallel parking space. Detail a curb that separates the parallel parking spaces from the Unit F and Unit G garage driveways.
14. Provide Unit H parking configuration so parking spaces in tandem meet the 15'-0" legal non-conforming parking setback. This setback matches the legal non-conforming setback for west front of the Unit H building wall (not west front of the Unit H porch).
15. Do not revise natural grade under canopy of existing mature oak tree near northwest property corner.
16. Position a bicycle parking space hoop for two exterior bicycle parking spaces in the courtyard. Locate hoop and pavement for two 2'-0" by 6'-0" bicycle parking spaces so they are out of the way of adjacent pedestrian pathways.
17. Provide fence gates of steel vertical picket or similar construction. Where a gate has a screen function and is completely opaque, provide a vision portal for visual surveillance.
18. Finish utility equipment boxes in a neutral color, subject to utility provider approval. Do not paint over warning or identifying decals. Place exterior reduced pressure backflow assemblies in pre-manufactured, pre-finished, lockable cages, one assembly per cage. If backflow prevention device is for a 3" or greater water line, delete cage and provide a masonry screen wall.

Building Elevations

19. Develop the central portion of the west elevation of Building B-G as indicated by the revised west elevation, Attachment 20.
20. The materials and colors for Building A and Building B-G are approved as presented:
 - a. Wall Surface Fiber Cement Sheathing Materials
 - Hardie Plank Lap Siding
 - Hardie Shingle Siding
 - Hardie Panel Board and Batten Vertical Siding
 - Hardie Plank Trim
 - b. Asphalt Roof Shingles
 - Certainteed Autumn Blend
 - c. Paint:
 - Sherwin Williams Chelsea Gray LRV 41
 - Sherwin Williams Copper Red LRV 9
 - Sherwin Williams Roycroft Suede LRV 31
 - Sherwin Williams Powder Blue LRV 33
 - Sherwin Williams Birdseye Maple LRV 43
 - d. Additions or modifications may be submitted for review during building plan check process. Significant alterations to colors or materials, as determined by Planning staff, will require separate Development Review Commission approval.
21. Weather-proof exposed tops of roof rafter tails, top of parapet and top of fence with metal flashing caps. Treat corners of walls clad with fiber cement siding with metal flashing cover or provide fiber cement trim.
22. Replicate dimension of rafter tails, columns and similar members to that found in existing residential building inventory in the Maple-Ash neighborhood.
23. Locate electrical service entrance sections so surface of section cabinet is flush with the exterior of the building wall.
24. Provide a minimum 3'-0" wide cantilevered or bracket supported trellis "eyebrow" at the head of the Unit B, C, D and E double garage doors. Design trellis to support vines. Utilize trellis and vines in parking shade study required by ZDC Section 4-704(A)(2) where trees cannot be planted at ends of parallel parking row due to presence of underground utilities. Conceal required security task lighting for exterior parking spaces within the structure of each trellis.
25. Provide internal roof drains for parapet roofs. Minimize visible, external features such as overflows, and where provided, design these to enhance the architecture of the building.
26. Provide glazed doors at east and west entrances to elevator lobby to assist with natural visual surveillance.
27. Incorporate lighting, address signs, and incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the exterior design and indicate these on the building elevations submitted for building plan check review. Exposed conduit, piping, or related materials is not permitted.

Lighting

28. Provide the following maximum dusk to dawn light level standards. At residential exterior surface vehicular parking: 2.5 foot-candles. At exterior bicycle parking: 2.0 foot-candles, at drive aisle to Unit A: 2.0 foot-candles, at Unit F and G driveways: 2.0 foot-candles. At retention area: 1.0 foot-candles.
29. Limit security light to high pressure sodium or similar residential grade fixtures that cast a warm white-yellow light. Do not use metal halide or other blue-white light fixtures.

30. Limit freestanding and building mount security light height to 10'-0" above adjacent finish grade. Address sign illumination is an exception from this requirement. Use trellis above double garage doors to shield parking space lights.
31. Switch control all residential entrances where these are not required to be illuminated from dusk to dawn.

Landscape

32. A permanent perimeter fence is not required. Do not locate a fence between the courtyard and the Ash public sidewalk. 6'-0" high perimeter fence is allowed along north and south property lines. Fence may be a maximum of 6'-0" height except within the 20'-0" front-yard setback may only be a maximum of 4'-0" height. Install an opaque fence of painted wood frame construction similar to what currently exists for Unit H or optionally provide an open, steel vertical picket construction. If a perimeter fence is placed on the south property line, also extend the fence from the southeast site corner to the southeast corner of Building B-G to limit unauthorized pedestrian walkway between alley and Ash Avenue along the south of the site.
33. Provide an access control fence around the Unit B private east bedroom courtyard adjacent to the alley.
34. Survey the existing trees on site and in the Ash Avenue frontage, including particularly the trees along the Ash curb and south of Unit H. Identify by species on the landscape plan. Preserve existing trees in place where possible and incorporate existing trees into the proposed landscape plan. Where preservation of a tree or palm is not possible, indicate reason why demolition is warranted in each case.
35. Incorporate a hybrid *Cynodon dactylon* (Bermuda) lawn in landscape materials palette. Include a temporary spray irrigation system to establish lawn at portions of turf that will be flood irrigated at project conclusion.
36. Utilize existing flood irrigation basin in right of way frontage between sidewalk and curb from north of Unit H driveway to northwest property corner and re-establish lawn in this part of frontage, subject to Arizona Department of Water Resources low-water use waiver in public right of way of historic neighborhood. Present waiver with construction drawings. Existing low water use landscape in front of Unit H may remain.
37. Automatic irrigation notes (for portions of site that are not flood irrigated):
 - a. If an existing water meter is reused and dedicated for landscape irrigation, notify Water Utilities Division of the dedication.
 - b. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Provide schedule 40 PVC mainline. Provide minimum class 200 PVC feeder line except provide minimum class 315 feeder for 1/2" diameter size. Provide details of water distribution system.
 - c. Locate valve controller in vandal resistant housing or inside a building. Hardwire power source to controller. A receptacle connection is not allowed. Detail controller installation so power and valve wire conduits are concealed in an exterior wall.
 - d. Provide temporary irrigation to existing site and frontage landscape as required prior to conclusion of construction.
38. Remove soil compaction in planting areas on site and public right of way and remove construction debris from planting areas prior to landscape installation.

Signage

39. Provide address signs for buildings based on quantity and locations indicated on the elevations of the Preliminary Site Plan Review mark-up, dated January 18, 2012, and as follows.
 - a. Provide street number only, not the street name.
 - b. Compose of 6" high, individual mount, metal reverse pan channel characters.
 - c. Provide self-illuminated (halo-illumination type) sign.
 - d. Coordinate location address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
 - e. Do not affix number or letter to elevation that might be mistaken for the address.

CODE - ORDINANCE REQUIREMENTS:

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

- Specific requirements of the Zoning and Development Code (ZDC) are not exhaustively listed but apply to this 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/planning/documents.htm or purchase from Community Development.
 - **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Community Development Department, and Fire Department given on the Preliminary Site Plan Reviews dated October 19, 2011, November 16, 2011 and January 18, 2012. If questions arise related to specific comments, they should be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the Building Safety Department will also be reviewed by planning staff to ensure compliance to this Use Permit, Use Permit Standard and Development Plan Review.
 - **HISTORIC PRESERVATION:**
 - The following process may optionally be undertaken: Tempe Historic Designation for the existing one-story Unit H house that was constructed in 1929.
 - State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Contact the Historic Preservation Officer with general questions. Where a discovery is made, contact the Arizona State Historical Museum for removal and repatriation of the items.
 - **STANDARD DETAILS:**
 - Access standard engineering details at this link: 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 . The enclosure details are under Civil Engineering & Right of Way.
 - **PLANNING:**
 - Measure maximum height of buildings from top of curb on Ash Avenue at a point adjacent to the center of the front property line per ZDC Figure 7-103(B).
 - Maintain minimum 10'-0" separation between first floor sleeping area and pedestrian pathway per ZDC Section 4-503(E)(2).
 - Fully conceal roof mount mechanical equipment on four sides with parapets or other building forms per ZDC Section 4-405.
 - If a separate neighborhood meeting is undertaken for the subdivision plat (see condition # 11), fulfill the notification, advertisement and scheduling guidelines as indicated in ZDC Section 6-402.
 - **BUILDING:**
 - Indicate property lines, the dimensional relation of the buildings to the property lines and the separation of the buildings from each other.
 - 13R fire sprinkler system is required per Tempe Amendments Sec. 903.2.1. Fire sprinklers may not be required for existing Unit H.
 - Exiting for Unit F, Unit G and common veranda on third floor is required per IRC 1022 and 1023 to provide one hour exit enclosure and one hour exit passageway terminating at the exit discharge. Alternatively, provide an additional exterior stair complying with IRC Sec 1026.
 - **ENGINEERING:**
 - Place utilities underground adjacent to this site including existing overhead utility lines on the west of the alley as well as existing alley crossings that are affected by this work. Coordinate this work with existing buried utilities in the area, including the existing flood irrigation main. Protect and maintain the existing flood irrigation main.
 - Coordinate site layout with utility providers to provide adequate access easements. Verify location of easements to ensure no conflict exists between utilities and foundation design.
 - Indicate fire sprinkler connections.
 - Indicate existing and proposed water and sewer utilities.
-

- Record with Maricopa County any easements or agreements granted to the City of Tempe prior to issuance of permits.
- 100 year onsite retention required for this site including one-half width of alley adjacent to the site. A retention basin greater than 12" in depth requires a dual chamber drywell. Coordinate design with requirements of the Engineering Division.
- Remove and replace existing north driveway as well as deteriorated curb and pedestrian pavement where occurs in Ash public right of Way, subject to requirement of Engineering Division inspection as construction progresses.
- Pave alley from an east-west alignment beginning at the northeast corner of the property south to 10th Street in accordance with Public Works Transportation Division requirement. Pave full 20'-0" width of public right of way. Provide detail of pavement as part of Engineering plan check submittal. Approval of pavement design subject to compliance with Public Works Engineering Division Design Criteria.
- 959 South Ash Avenue is a processing address and will continue to be used for Unit H. Building A and Building B-G addresses are per Engineering Division criteria. Unit designation within Building B-G is per Building Safety Division criteria.

- WATER:
 - Verify location and maintain in place the existing flood irrigation line on the eastern edge of the site. Indicate line on site, landscape and engineering plans.
 - Cap and remove existing services that are not reused.
 - Locate water meters and fire hydrants in recorded, exclusive waterline easements contiguous with the water main system.
 - Install trees a minimum of 12'-0" from public water or sewer line located on-site. Install trees a minimum of 20'-0" from public water or sewer line within the right of way. Use of root barrier or similar means to reduce separation is subject to review and determination by the Water Utilities Division. Where used, provide root barriers with the following minimum characteristics: minimum 6'-0" parallel from the line, or minimum 6'-0" diameter around the tree, of a continuous material, a minimum of 0.08" thick, and installed 0'-2" above finish grade to a depth of 8'-0" below grade.
 - Consider re-use of an existing water meter as a dedicated landscape water meter for non-flood irrigated portions of site.

- FIRE:
 - Locate Fire Department Connection on main response side of building and within 150'-0" of a fire hydrant.
 - Locate fire hydrants per IFC 2006 Section 508.
 - Maintain Fire Department vehicle access to within 150'-0" of any portion of the first floor of the development.
 - Before combustible materials are delivered, satisfy Fire Department that activated hydrants cover all parts of site.

- REFUSE:
 - Contact Sanitation Division to ensure sufficient quantity of 300 gallon refuse containers in alley opposite site.
 - Develop strategy for recycling collection and pick-up from site with Sanitation Division.

- POLICE/SECURITY:
 - Design building entrances to maximize visual surveillance of vicinity. Limit height of walls or landscape materials near entrances. Design exterior columns and corners to limit opportunity for ambush. Maintain minimum distance of 20'-0" between pedestrian path of travel and any hidden area to allow increased reaction time and safety.
 - Follow design guidelines listed under ZDC Appendix A. In particular, reference the Crime Prevention through Environmental Design principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian environments and places of concealment.
 - Owner shall meet with Police Department and prepare a security plan for the project. Include the Architect in preliminary discussion with the Police Department so the Architect may verify any modification that would require building, site or landscape design revisions. To avoid revisions to permitted construction documents, initial meetings with the Police Department regarding the security plan are recommended before building permits are issued. At a minimum, the Owner shall contact the Police Department to begin security plan process eight weeks prior to Certificate of Occupancy.
 - In conjunction with the Security Plan, Crime Free Multi-Housing Program for this property is required. Contact Officer Andrew Rodriguez, Tempe Police Crime Prevention Unit.

- PARKING SPACES:
 - Verify applicability of development to requirement for accessible vehicle parking in compliance with the Americans with Disabilities Act of 1990 and the Code of Federal Regulations Implementing the Act. Refer to Standard Detail T-360 for parking layout and accessible parking signs where accessible parking is required.

- Indicate bike parking space locations including hang up locations in garages of Units A through G as well as on-site locations. Distribute bike parking areas in courtyard. Provide parking loop/rack per standard detail T-578. Provide 2'-0" by 6'-0" individual bicycle parking spaces. One loop may be used to separate two bike parking spaces. Provide clearance between bike spaces and walkway to allow bike maneuvering in and out of space without interfering with pedestrians, landscape or vehicles nearby.
- Provide minimum 23'-0" backup from Unit 'A' garage door to north edge of driveway to allow maneuvering out of garage per ZDC Table 4-606(A).
- Provide minimum 18'-0" clear depth in unit garages for parking spaces and provide minimum 22'-0" long parallel parking spaces per ZDC Section 4-606.
- LIGHTING:
 - Design site security light in accordance with requirements of ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E.
 - 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.
- LANDSCAPE:
 - Coordinate fence foundation and plant installation with location of underground utilities. Identify buried utilities including existing flood irrigation main, sanitary sewer, domestic water, electric, telephone, and cable lines on landscape plan.
 - Indicate sight vision triangles at driveway on landscape plan. Speed limit for Ash Avenue is 25 MPH. Layout sight vision triangles following the "Corner Sight Distance" Transportation Division leaflet using the speed criteria. Begin sight triangle in driveway at point 10'-0" in back of face of curb for existing driveway. Do not locate visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.
 - Provide street trees at rate of maximum of one per 30'-0" lineal feet of site frontage on Ash per ZDC Sec. 4-703(A). Retain existing trees and include in count.
 - For lawn re-establishment in public right of way, obtain written waiver from State of Arizona Department of Water Resources. If waiver is not granted, provide plants in public right of way in conformance with Arizona Department of Water Resources Low Water Use Plant List for the Phoenix Active Management Area.
- SIGNS: Separate Development Plan Review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Obtain sign permit for identification signs. Address signs do not require a sign permit.

HISTORY & FACTS:

Gage Addition

- March 30, 1909: The Tempe Land and Improvement Company recorded the Subdivision Plat of the Gage Addition along Maple, Ash, Mill, Myrtle Forest and Willow (now College) Avenues between Eighth (now University) and Tenth Streets. The Subdivision is recorded in Book 3 of Maps, Page 58 of Maricopa County Records.
- April 24, 1919: Amended Plat Map of the Gage Addition recorded in Book 8 of Maps, Page 41 of Maricopa County Records. The street configuration evokes the present day streets and malls of Arizona State University.

907 South Ash Avenue

- April 1929: Construction of one-story National Folk-style house at 907 South Ash for Archie Osburn. The Osborn property included Lot 4 and Lot 5 of Block 29 of the Gage Addition. Lot 5 was not developed. The house at 907 South Ash and outbuildings near the alley to the east of the house (including separate living quarters) were recently demolished under the direction of the present property owner.

959 South Ash Avenue

- July 1929: Construction of a one-story adobe Bungalow-style house at 959 S Ash for Benjamin and Rebecca Scudder. The house at 959 South Ash is in Block 29, Lot 6 of the Gage Addition. The house was used through most of the twentieth century and at present as a rental. The house was recently renovated under the direction of the present property owner.
- 1938: Concrete sidewalks and curb cuts for driveways were installed in the Gage Addition as part of the Works Progress Administration (WPA) of the Federal Government. The 4'-0" wide sidewalk in front of the subject site does not date from this period but the curb cuts and driveway aprons for the 907 and 959 South Ash properties do. The 907 apron is decomposing and will be removed as part of the proposed development. The 959 apron is in fairly good condition and will be retained for Unit H.

Outline of Zoning Ordinance History with Reference to the Maple-Ash Neighborhood

- April 14, 1938: Adoption of Ordinance No. 177 which included the creation of four zoning categories including Residence and Apartment House Districts. Property within the Maple-Ash neighborhood including 907 and 959 South Ash was classified as Residence District. The Residence District had a single family nature but allowed properties therein to have a second dwelling unit as an ancillary use to the main residence.
- September 16, 1948: Adoption of Ordinance No. 193 introduced Multi-Family zoning on the northern edge of the Maple-Ash neighborhood along 8th Street (University Dr.) to 9th Street and introduced a Business (commercial) District on the eastern edge of the neighborhood along Mill Avenue between 8th and 10th Streets. 907 and 959 South Ash remained in the residence district as before.
- October 11, 1951: Adoption of Ordinance 209 maintained the commercial eastern zoning classification and slightly expanded the multi-family northern zoning classification at the edges of the neighborhood. 907 and 959 South Ash remained in the Residence District as before.
- February 6, 1957: Adoption of Ordinance 268 included the rezoning of the entire Maple-Ash residential area to Multi-Family designation, including the 907 and 959 South Ash properties. The impetus for this reclassification was to increase market-value in the neighborhood and forestall land acquisition west of Mill Avenue by the Teacher's College / Arizona State University. The subsequent 1960 Durham master-plan for the University signaled no acquisition west of Mill Avenue.

- January 24, 1964: Adoption of Ordinance 405 included the down-zone of multi-family classification from R-3 to R-3-A for properties at the western edge of the neighborhood between Ash and the railroad (including across the street from the subject property). 907 and 959 South Ash remained in the multi-family district (R-3) as before
- October 4, 1974: Adoption of Ordinance 808. At the subject property the zoning classification of R-3 remained unchanged. The allowable maximum density for R-3 is 20 dwelling units per acre under Ordinance 808. The maximum building lot coverage for R-3 is 40 percent per site under Ordinance 808.
- December 18, 1997: Adoption of General Plan 2020. In the land use element of this plan, the projected residential density for the Maple-Ash neighborhood, excluding the mixed-use portion facing Mill Avenue north of 10th Street and along University Drive, was assigned a projected residential density of 11–15 dwelling units per acre. This projected residential density is lower than the allowed maximum densities of the R-3R and R-3 portions of the neighborhood, including the subject site in the R-3 District with an allowable maximum density of 20 dwelling units per acre.
- December 4, 2003: Adoption of General Plan 2030. In the land use element of this plan, a Cultural Resource Area was established over the residential portions of the Maple Ash neighborhood. The Cultural Resource Area fixed the residential density of the underlying zoning district at the rate in place at the time of enactment of this General Plan. For the subject site, the residential density is fixed at 20 dwelling units per acre.
- January 20, 2005: Adoption of the Zoning and Development Code. At the subject property the zoning classification of R-3 remained unchanged. The allowable maximum density for R-3 is 20 dwelling units per acre under the Zoning and Development Code. The maximum building lot coverage for R-3 is increased to 50 percent per site under the Zoning and Development Code.

Ash Property Resurrection

- February 8, 2012: Neighborhood Meeting including a presentation of the project was conducted by the Development Team in fulfillment of the neighborhood meeting provision of the Maple-Ash Neighborhood Checklist.

ZONING AND DEVELOPMENT CODE REFERENCE:

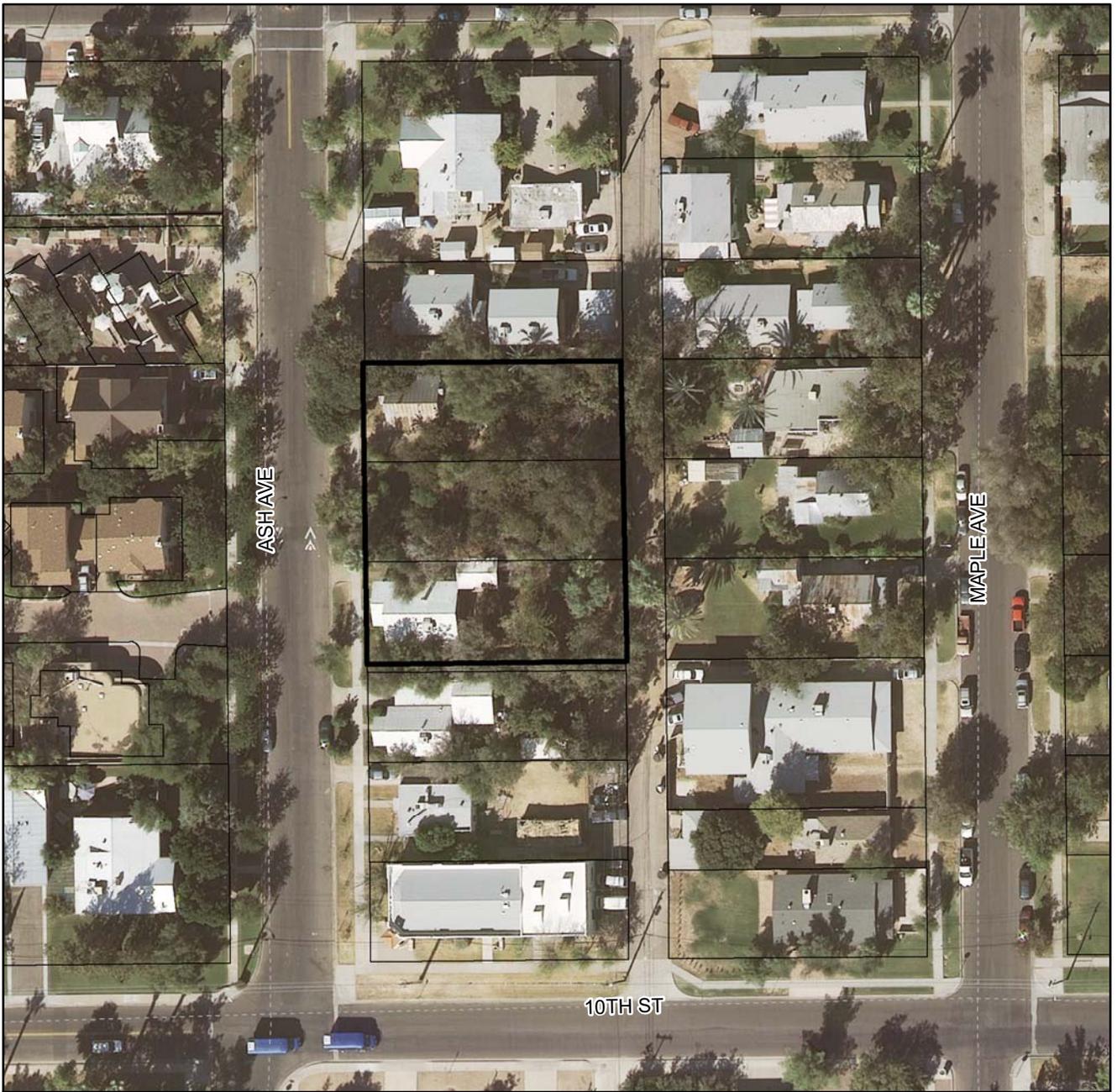
Section 6-306, Development Plan Review
Section 6-308, Use Permit

ASH PROPERTY RESURRECTION

PL110362



Location Map



ASH PROPERTY RESURRECTION (PL110362)



ATTACHMENT 3

Ash Property Resurrection

Letter of Explanation – Development Plan Review

The intended use for this property is for residential units. This area is comprised mostly of older buildings and the existing buildings on this site were in a state of disrepair or abandoned. We propose to resurrect this property by creating an 'infill' project composed of residential units surrounding a central, landscaped courtyard. The character the owner would like to promote would be of the 'Craftsman' or 'Bungalow' style. This style was popular from about the turn of the century until World War II and is exhibited in many of the surrounding buildings.

The current zoning of the property is R-3. This zoning allows for the construction of 9 residential units on this property. The owner has already renovated one home on the property (in this style) and proposes to add 7 more. To try to maintain a similar character and be respectful of the existing neighborhood, the owner proposes to locate the majority of the project well to the rear of the property with the highest portions centrally located and also well to the rear. The units would be joined together, Brownstone style, but each will maintain it's own individual character and color to differentiate it from its neighbors. Additionally, to help reduce the scale and make them more pedestrian friendly, the units move in and out to create Architectural interest and diversity and each are composed of different materials that harmonize with one-another but also distinguish one from another. Each is an individual unit with no two being alike. A free-standing residential building is located on the Northwest portion of the site to balance the existing free-standing home on the Southwest portion and to help create a central, landscaped courtyard in the center. This courtyard is intended to enhance and promote the pedestrian aspect of the concept, provide a 'park like' atmosphere for the residences and also help with energy conservation by providing shade for both the buildings and pedestrians, and a landscape buffer for the dissipation of heat during the summer months. It would also be utilized for water retention. By providing pleasant access to Ash Street, and due to it's central location, this encourages the use of pedestrian, bicycle or other mass transit opportunities to the individuals' workplace.

The vehicular access to all of the new units is from the rear alleyway. By utilizing this concept, the pedestrian and vehicular circulation is well separated to minimize conflicts, and provides an enclosed garage giving security and a shaded place to park for each of the units. An additional parallel parking space is located outside the garage. It is shaded by the adjacent building and separated from pedestrian circulation by its' location. The area above the enclosed garages is to be utilized for the mechanical systems. Not only is this an energy efficient location, but also provides for an enclosure that harmonizes with the rest of the Architecture and keeps the units out of any visual corridors. In effect, they become invisible. The Architectural character features patios, and porches, for pedestrian access, many doors and windows for visual access, and a variety of materials and colors for visual interest. Each unit has a patio or porch that looks out on the central, landscaped courtyard.

***Ash Property Resurrection
Letter of Explanation
Page 2***

The construction materials and methods will feature high quality, re-cycled, re-usable, low maintenance materials, with energy efficient mechanical units and construction methods. The building 'envelope' will be comprised of thermally efficient windows, doors, walls and roofs featuring energy efficient foam insulation. Most of the windows and doors are covered by patio or porch roofs and will receive minimal direct heat gain. In short, the overall composition will be of a 'traditional' character but done with modern materials and methods promoting an energy efficient, 'green' theme. The majority of the project would be of two-story construction with two, small 'studio' units centrally located, creating a third floor. Locating them here will only add 3 feet to the height of the structure at about the center of the site. This provides for a more energy efficient location, by utilizing common walls and materials, and creates a more pleasing proportion (top) to the overall composition. In addition, this location helps to open up the central landscape courtyard for pedestrian use and outdoor recreation. On-site utilities will be located underground and 'period correct' lighting fixtures are intended to be utilized on the buildings and in the courtyard to provide well lit walkways and a 'park like' atmosphere.

***Letter of Explanation
Use Permit Standard - Building Height Increase***

The intended use for this project is for residential units. The current zoning allows for a height of 30 feet. Our request is to increase the height for a small portion of our project to 33 feet. The portion of our project where this height increase would occur is centrally located with regards to both the structure and the lot and is split between two separate masses. The amount of area where this increase would occur is approximately 834 SF – a little over 9% of the current building footprint. The shape of the structures that rise above the 30 foot height allowance is a pitched, gable roof. It is not a 'blocky' element, but a roof that slopes up to a peak creating an aesthetically pleasing 'top' to the structure.

The current zoning allows us to locate 9 residential units on this site. We propose to have only 8 units that surround a central, landscaped courtyard creating a pedestrian-friendly open space. The way we propose to provide this open space is to locate two, small (approximately 460 SF each) 'efficiency' units on the top floor. The alternative would be to create another structure, but it would have to be located in the open space dedicated to landscape and would probably have to have an associated vehicular access

Ash Property Resurrection
Letter of Explanation
Page 3

such as a driveway. We feel that this is a much better solution and several of the neighbors have voiced their support for this idea. In addition to allowing for a more meaningful open space, this is a much more energy efficient way to build. By locating the units together, they all benefit by the use of common walls and floors and the efficiency associated with this, both in materials and energy use.

By granting this use permit, we would not cause any significant vehicular traffic in adjacent areas; indeed, we would help the vehicular traffic by locating all of it to the rear. It would not cause any nuisance nor contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City, nor would it result in any disruptive behavior. The whole idea and intent of this project is to be compatible with the existing structures in the neighborhood and to fit in with, and be a good neighbor to them.

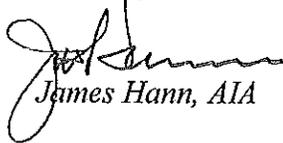
Letter of Explanation
Use Permit - Tandem Parking

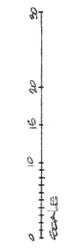
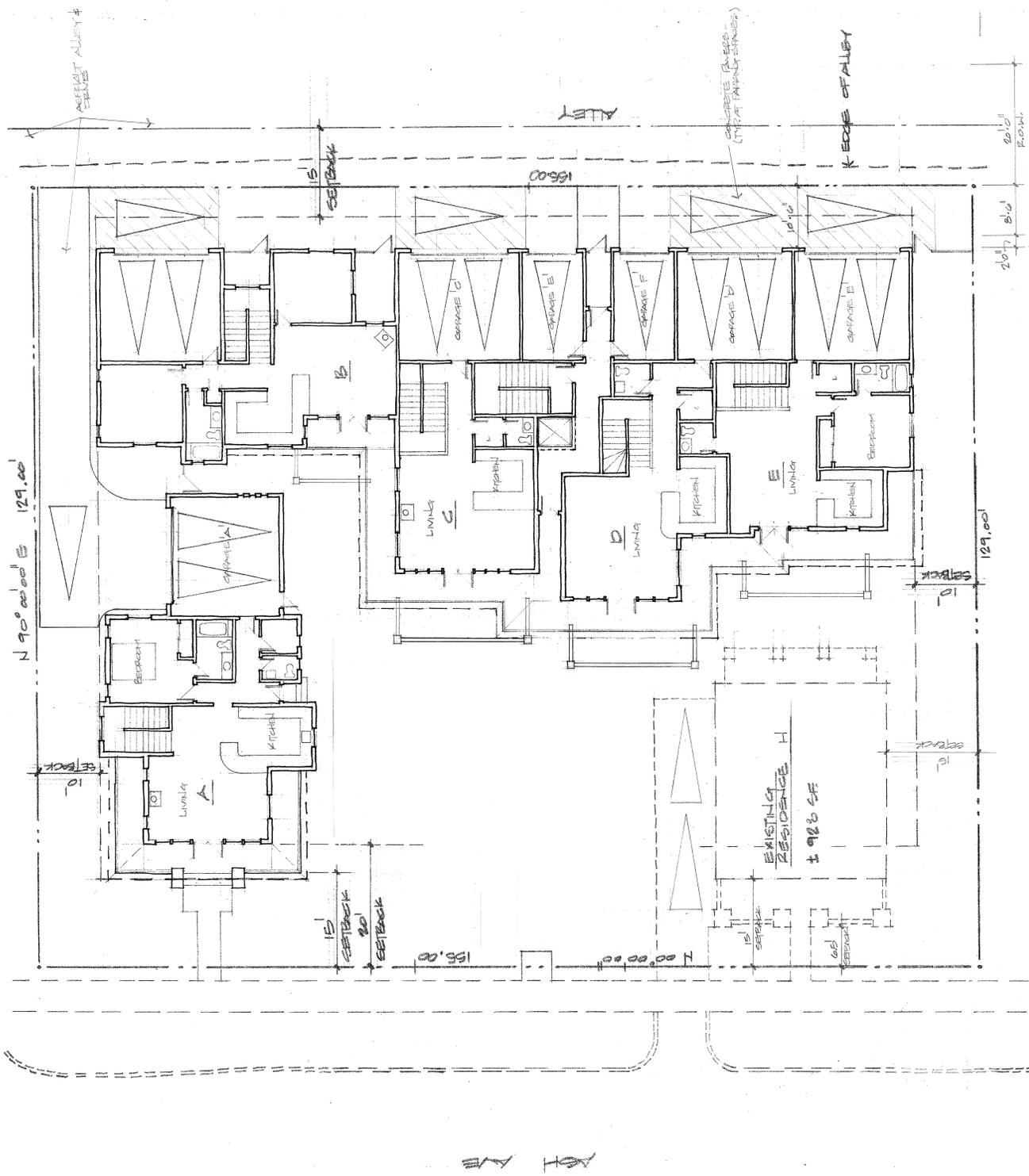
The intended use for this project is for residential units. The current Zoning regulations require providing parking spaces for 2.7 vehicles for each 3 bedroom unit and 1.7 vehicles for each 1 bedroom unit resulting in 19 total parking spaces. Two of the buildings can accommodate 'straight in' parking but this leaves us four short of the required number of spaces. Locating parallel parking spaces behind the garage of each unit creates a 'stand alone' parking condition for each unit and they would not have to 'borrow' parking space from another location on the site. Utilizing this configuration minimizes the paving area required for parking and allows for more landscape area in the courtyard. It also allows us to locate the building towards the rear of the site and further away from the street. Shading for these spaces would be provided by locating canopy trees at the end of each parking row and by the height of the adjacent building. This site is fairly small. The distance required for 'straight in' parking is too great and would push the buildings into the courtyard space and into the existing structures. These spaces would be clearly delineated with a distinctive paving material such as a colored paver. The standard parking width would be increased by 2 feet and parking regulations would be established in the lease agreement to prevent any vehicle from blocking any portion of the alley. Finally, parking space is at a premium in this neighborhood. Many residents have to park their cars in the street. By configuring our parking in this manner, we wouldn't contribute to any additional street parking.

*Ash property Resurrection
Letter of Explanation
Page 4*

By granting this use permit, we would not cause any significant vehicular traffic in adjacent areas and it would allow us to locate the additional parking in the rear, away from the adjacent streets. This would not cause a nuisance nor contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City, nor would it result in any disruptive behavior. We would be compatible with the existing surroundings and minimize the amount of street parking in this neighborhood.

Sincerely,


James Hann, AIA



Site Plan

Project Data:

Total lot area:	19,995 SF
Minimum lot area / unit:	2,180 SF min allowed = 9.17 units
Density:	20 DU / AC allowed x .452 AC = 9.04 units
Height:	30.0 Ft max, 33.0 Ft allowed with use permit
Step back:	Yes – Applies to bldg above 30.0 Ft
Lot Coverage:	8,831 SF (9,997.5 SF Max Allowed)
Landscape Coverage:	7,851 SF (4,998.75 SF Min Required)

Building Setbacks:

Front Building:	20 Ft	21 Ft Actual
Front Porch:	15 Ft	16 Ft Actual
Side Building:	10 Ft	10 Ft Actual
Side Porch:	5 Ft	13 Ft Actual
Rear Building:	15 Ft	20 Ft Actual
Front Parking Setback:	20 Ft	
Vehicle Parking:	19 Required	19 Provided
Bicycle Parking:	7 Required	10 Provided

Building Areas:

Building A:	1,702 SF	Livable
Building B:	1,478 SF	Livable
Building C:	1,576 SF	Livable
Building D:	1,695 SF	Livable
Building E:	1,660 SF	Livable
Building F:	465 SF	Livable
Building G:	430 SF	Livable
Building H: (Existing)	928 SF	Livable

Front yard building and porch setbacks for the existing house (H):

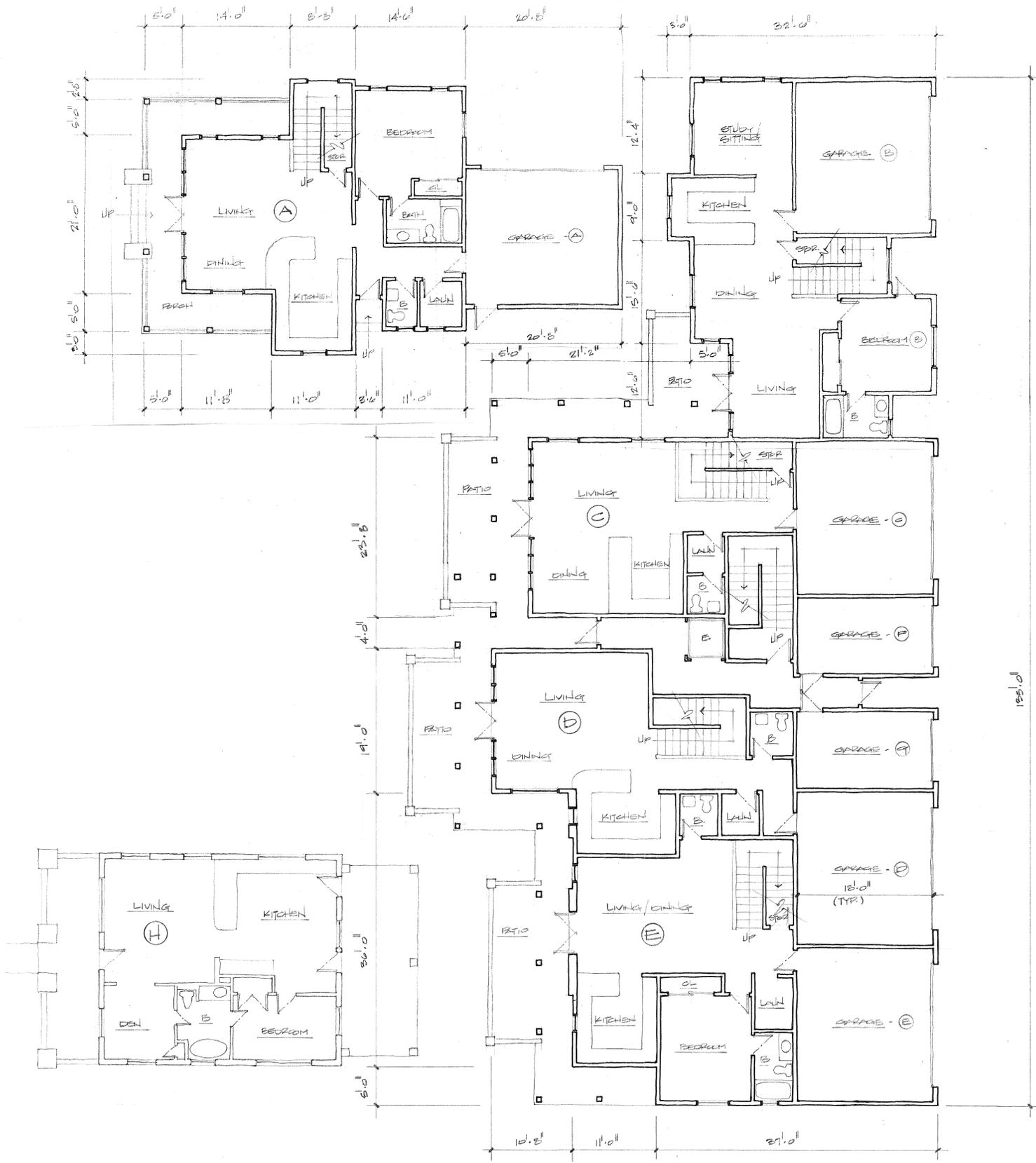
Building:	15.0 Ft
Porch:	6.5 Ft
South Side:	15.0 Ft

First Floor Building Footprint Areas:

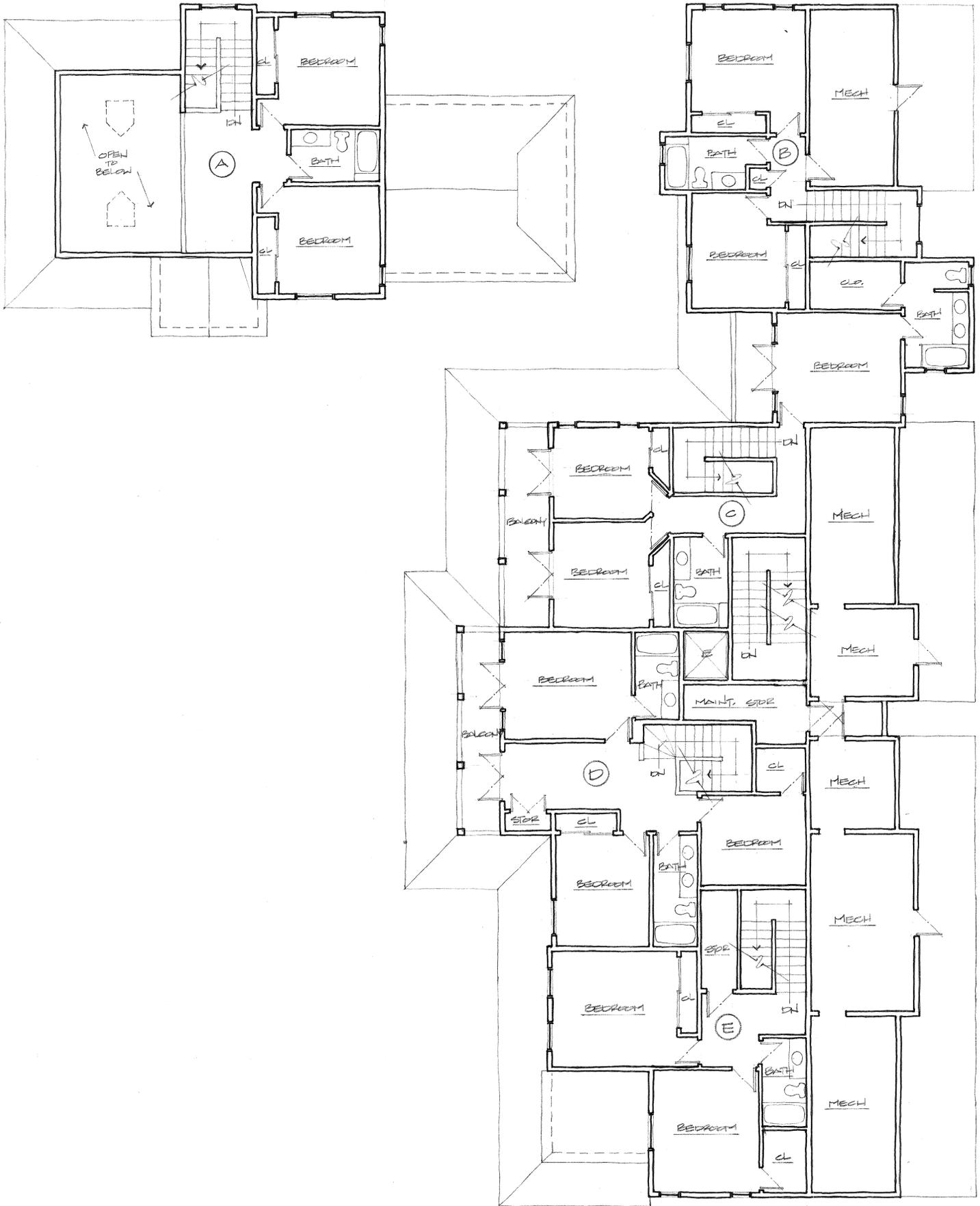
Building H: (Existing)	1,288 SF
Building A:	1,760 SF
Buildings B – F:	6,421 SF

Overall Floor Areas:

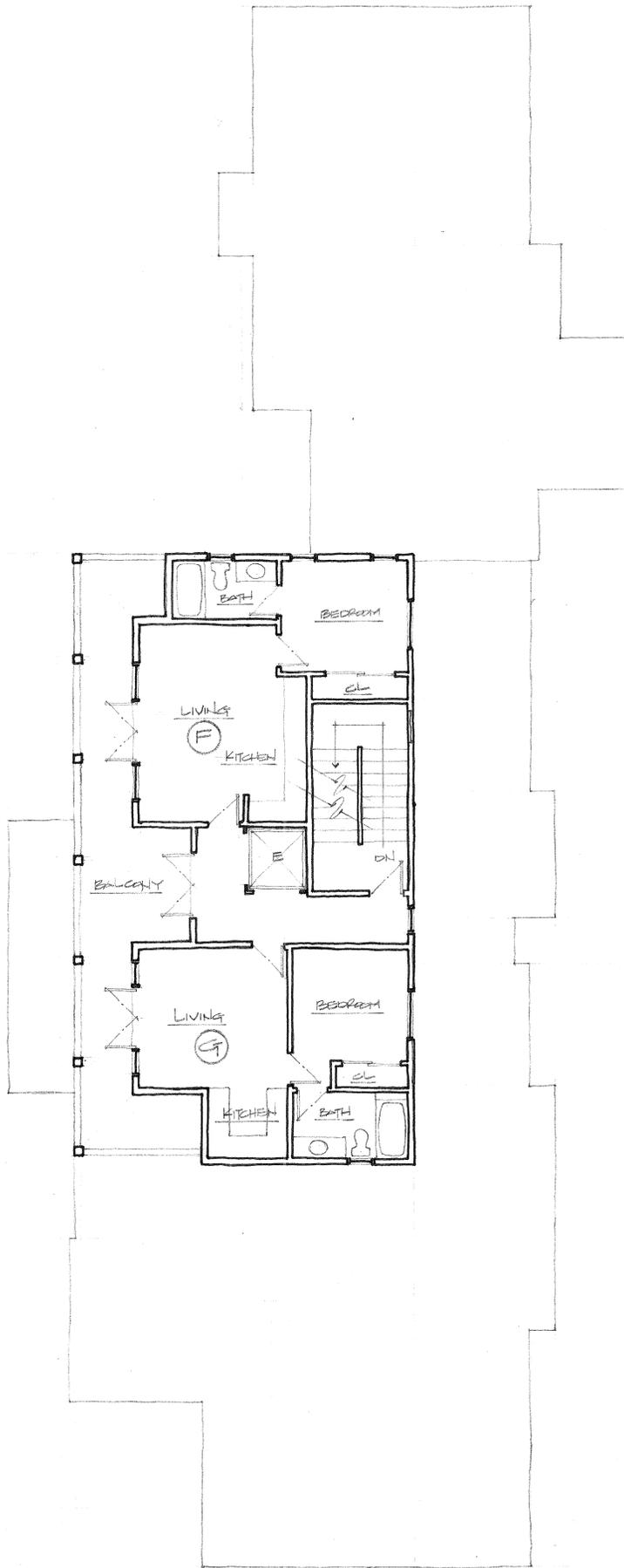
Building H: (Existing)	1,288 SF
Building A:	2,368 SF
Buildings B – F:	10,886 SF



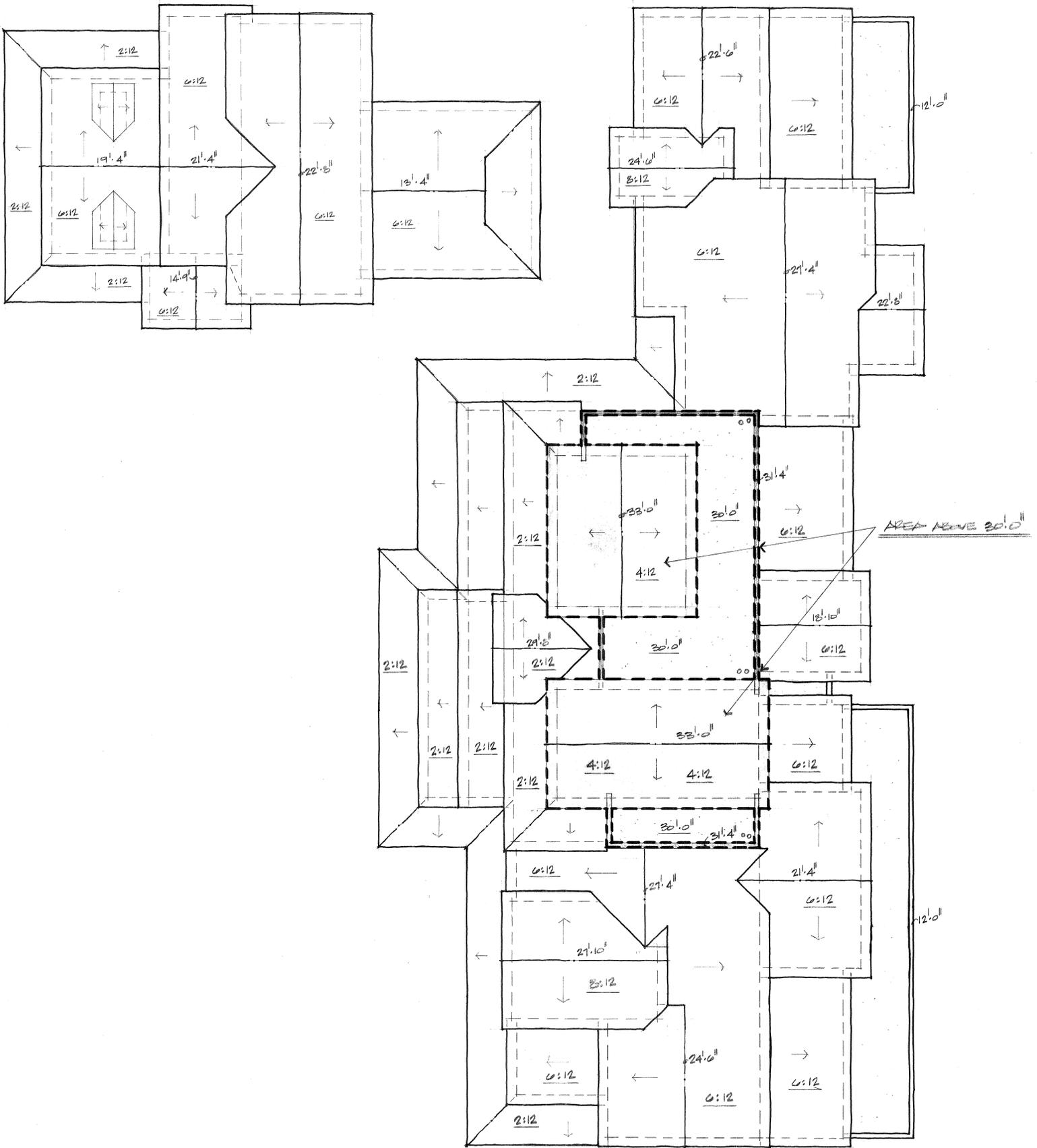
Main Floor Plan



Second Floor Plan
ATTACHMENT 11



Third Floor Plan
ATTACHMENT 12



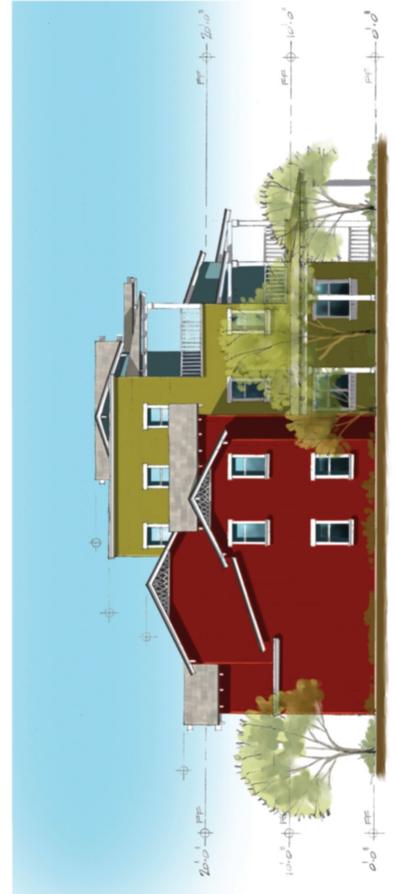
Roof Plan



West Elevation



East Elevation



North Elevation



South Elevation

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