

Staff Summary Report



Development Review Commission Date: 10/28/08

Agenda Item Number: ____

SUBJECT: Hold a public hearing for a General Plan Amendment, Zoning Map Amendment, and Development Plan Review for AED OFFICE BUILDING, located at 603 West Southern Avenue.

DOCUMENT NAME: DRCr_AEDofficeBldg_102808

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Request for **AED OFFICE BUILDING (PL080165)** (Chris Sosnowski, property owner and applicant) consisting of a new one story office building within approximately 2,900 square feet of building on 0.25 acres, located at 603 West Southern Avenue in the R1-6, Single-Family Residential District. The request includes the following:

GEP08005 – (Resolution No. 2008.93) General Plan Projected Land Use Amendment from “Residential” to “Commercial”.

ZON08009 – (Ordinance No. 2008.61) Zoning Map Amendment from (R1-6, Single-Family Residential District) to (CSS, Commercial Shopping and Services District).

DPR08202 – Development Plan Review including site plan, building elevations, and landscape plan.

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

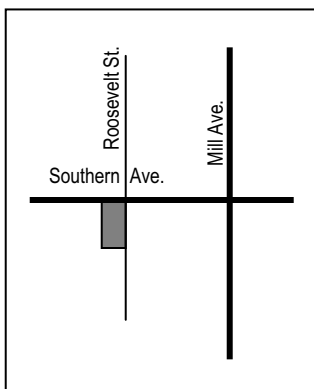
REVIEWED BY: Lisa Collins, Development Services Planning Director (480-350-8989)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



Gross / Net site area	0.28 / 0.25 acres
Total Building area	+/- 2,982 s.f.
Lot Coverage	28 % (50% maximum allowed)
Building Height	17 ft (35 ft maximum allowed)
Building setbacks	+2' front, +3' side, 12' street side, +65' rear (0, 0, 0, 10 min.)
Landscape area	34% (15% minimum required)
Vehicle Parking	11 spaces (10 min. required, 13 max. allowed)
Bicycle Parking	2 spaces (2 minimum required)

A neighborhood meeting was held on September 15 and October 6, 2008 for this application.

PAGES:

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

ATTACHMENTS:

1. Resolution No. 2008.93
2. Ordinance No. 2008.61
- 3-4. Waiver of Rights and Remedies form
- 5-7. Location Map(s)
- 8-10. Aerial / Photo(s)
- 11-13. Letter of Explanation
14. Neighborhood Meeting Summary
15. Site plan
16. Floor plans
17. Building Elevations
18. Building Sections
19. Landscape Plan
20. Preliminary Grading & Drainage Plan

COMMENTS:

This site is located at the southwest corner of Southern Avenue and Roosevelt Street. The site has been vacant for more than 10 years, with previous use as single-family residence. Bordering the property to the west and south is condominiums. To the east across Roosevelt Street are a mixture of apartments and townhomes. On the north side of Southern Avenue is a large industrial district consisting of office and warehouse buildings.

This request includes the following:

1. General Plan Amendment from "Residential" to "Commercial"
2. Zoning Map Amendment from R1-6, Single-Family Residential District to CSS, Commercial Shopping and Services District
3. Development Plan Review which includes: one story, approximately 2,900 square feet office building.

The project includes the development of a one story office building with surface parking on the South side of the property. The applicant is the intended business for the site, AED Structural, an engineer firm. The site will have access along Roosevelt Street. The parking lot is adjacent to an RV and boat storage yard for Mistwood Condominiums. The proposed building design is very contemporary, with an inverted roof pitch (butterfly design) and expressed metal structures. The design expression is meant to correlate with the structural engineer company occupying the building.

PUBLIC INPUT

On September 15, 2008 the applicant held a neighborhood meeting for the nearby residents of the site. The meeting was held at the Pyle Adult Recreation Center at 6 p.m. A mailed notification to the property owners was sent out for the meeting, but did not meet the technical requirements of a neighborhood meeting process for rezoning requests. In a response to two resident inquiries at the City, staff was able to provide guidance to the applicant on the correct procedures and post the meeting on the city website calendar. In addition to the applicant and staff at the meeting, attendance included a resident from Mistwood Condominiums and two students inquiring about the public process for the request. See attached meeting summary from the applicant. The resident at the meeting had questions about the maintenance of the site and what potential uses could occupy the building in the future. The applicant responded that the site would be used for the applicant's business as an office and was committed to keeping the site well maintained. Past issues were addressed as to the upkeep of the previous vacant home on the site. The resident appeared satisfied with the responses received by the applicant.

The applicant held another neighborhood meeting on October 6, 2008 in order to satisfy the requirements of a neighborhood meeting, which included homeowner association notification and posting of the site of the meeting dates and description of the request. See applicant summary. Staff did not attend this meeting.

PROJECT ANALYSIS

DEVELOPMENT PLAN REVIEW

Site Plan

The proposed building is placed at the northern portion of the site. Because of a significant amount of right-of-way required for dedication (15'-0") the building wall is a few feet from the new property line with the roof line encroaching outside of the property. In lieu of an alternate design the applicant is seeking an encroachment permit with Engineering, acceptable to staff. The parking for the site, accessed from Roosevelt Street, complies with the minimum required (10 spaces) providing 11 on site. The project is using an alternative parking and driveway surface, beyond the first 20'-0" decorative pavers, which is stabilized decomposed granite. This alternate material will aide in reducing impacts of solar heat gain found in most typical parking lots.

Building Elevations

The proposed building design is very contemporary, with an inverted roof pitch (butterfly design) and expressed metal structures with the integration of walnut panel and glazing with an aqua-blue appearance. The design expression is meant to correlate with the structural engineer company occupying the building.

Landscape Plan

The landscape plan ties into the building design, which captures the roof water run-off into a 2'-0" retaining area on the east side of the building. The landscape palette is consistent with low-water use plants with desert species.

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

1. The placement of building reinforces the street wall and maximizes natural surveillance and visibility of pedestrian areas (building entrances, pathways, parking areas, etc.), enhances the character of the surrounding area, facilitates pedestrian access and circulation and mitigates heat gain and retention.
2. Shade for energy conservation and comfort as an integral part of the design
3. Materials shall be of superior quality and compatible with the surroundings
4. Buildings and landscape elements have proper scale with the site and surroundings
5. Large building masses are divided into smaller components that create a human-scale as viewed from the sidewalk
6. The building has a distinct base and top, as identified by ground floor elements, roof forms, and detailing.
7. Building facades have architectural detail and contain windows at the ground level to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility
8. Special treatment of doors, windows, doorways and walkways (proportionality, scale, materials, rhythm, etc.) contributing to and attractive public space.
9. On-site utilities are placed underground. The applicant is electing to participate in a deferment program for its completion.
10. Clear and well lighted walkways connect building entrances to one another and to adjacent sidewalks.
11. Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects.
12. Accessibility is provided in conformance with the Americans with Disabilities Act (ADA).
13. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses. Traffic impacts are minimized in conformance with the city transportation policies, plans and design criteria.
14. Safe and orderly circulation separates pedestrian and bicycles from vehicular traffic.
15. Plans appropriately integrate crime prevention principles such as territoriality, natural surveillance, access control, activity support, and maintenance.
16. Landscape accents and separates parking, buildings, driveways and pedestrian walkways.

GENERAL PLAN

The applicant has provided a written justification for the proposed General Plan amendment (see attachment).

Land Use Element:

The project complies with the land use goals and element objectives for General Plan 2030. The land use projected for this site is "Residential". The applicant is proposing a change to "Commercial" to allow the development of approx. 3,000 square foot office building on one lot. The commercial category includes many types of buildings, including offices, restaurants, retail, and private schools. Based on the size of this development with limited amount of parking, the site would only allow opportunities for either office or limited retail use. Although the uses South of Southern Avenue at this location are all residential use, the proposed change will provide an added improvement to the location. With a small buildable envelope and adherence with the development standards, the proposed development will be compatible with the surrounding uses, while accommodating a non-intensive commercial use.

Accessibility Element:

The site will provide an accessible development by means of improved public sidewalks and a connection to the building entrance. The project will meet the ADA guidelines including on accessible parking space.

Community Design Element:

The project will contribute to the enhancement of the community's quality of life through future opportunities of adaptive reuse, promoting sustainable concepts, and introduce a distinct architectural character.

Historic Preservation Element:

Not applicable

Housing Element:

Although this land use change from "Residential" to "Commercial" will reduce future opportunity for additional diverse housing types, the site is limited in its potential use. Based on the existing zoning, only a single home could be constructed on the site. At the location along a major arterial and lighted collector street intersection, the location is less desirable for this particular housing type.

Staff supports a use that provides a transition into the existing neighborhood as a buffer development to the greater community.

Neighborhoods Element:

The applicant for this project has involved the neighborhood through a public meeting process to garner early on input and dialogue on the project. This has resulted communication with some of the residents who have expressed an interest in the project. Refer to the applicants neighborhood meeting summary located in the attachments.

Redevelopment Element:

This site is not within a redevelopment area.

Economic Development Element:

The development of this site will afford a local homeowner to relocate their business at a new facility in Tempe. This fosters investment in our local businesses, sustainable commute to and from the place of work, and promotes business retention.

Cost of Development Element:

This project will assist in furthering our City's objectives with undergrounding existing overhead infrastructure located on this site.

Environment (Air, Noise, Ambient Temperature, Energy) Element:

This project will not create a significant to our air, noise and ambient temperatures. The project is including an alternative surface for the parking lot with stabilized decomposed granite or an acceptable material approved by Engineering. This material will aide in reducing the impact of heat gain occurring in typical parking lots.

Land (Remediation, Habitat, Solid Waste) Element:

This project will participate in solid waste collections by means of a curbside pick up. Opportunity is available for the business to participate in a recycling program.

Water (Water, Wastewater, Stormwater) Element:

In addition to allowing percolation through the alternate parking surface, the buildings butterfly roof design will provide a collective water run-off at the retention basin. All wet infrastructure will be accommodated through existing lines by means of new tap-ins.

Transportation (Pedestrian Network, Bikeways, Transit, Travel-ways) Elements:

The development will be dedicating 15'-0" of existing property along Southern Avenue, providing consistent right-of-way half street of 55'-0". This area will allow the City to provide on-going improvements in our travel-ways which include public sidewalks and landscape area.

Aviation Element:

Not applicable.

Open Space Element:

Not a significant sized development to be considered for open space needs.

Recreational Amenities Element:

Not applicable.

Public Art & Cultural Amenities Element:

Public art is not required for this development.

Public Buildings and Services Elements:

Not applicable.

Public Safety Element:

The project will satisfy objectives identified in Crime Prevention Through Environmental Design and the adopted regulations derived from this safety program. The project has reduced interior alcoves and secured service side yards to deter unwanted activities on the

site.

Section 6-303 D. Approval criteria for General Plan amendment:

1. Appropriate short and long term public benefits;
2. mitigates impacts on land use, water infrastructure or transportation;
3. Helps the city attain applicable objectives of the General Plan;
4. Provides rights-of-way, transit facilities, open space, recreational amenities or public art;
5. Potentially negative influences are mitigated and deemed acceptable by the City Council; and
6. Judgment of the appropriateness of the amendment with regard to market demands, and impacts on surrounding area, service, fiscal, traffic, historic properties, utilities and public facilities.

ZONING

The project is requesting a zoning map amendment from R1-6, Single-Family Residential District to CSS, Commercial Shopping and Service District. Although the proposed use is not consistent with the surrounding uses located south of Southern Avenue, the proposed development offers a transitional development entering the neighborhood. The existing zoning allows only a single residential use. The site is located at a major arterial to collector street intersection with a traffic light. The current allowable use (single family residence) would not be compatible with the surrounding infrastructure that exists. Therefore, staff supports the zoning map amendment.

Section 6-304 C.2. Approval criteria for Zoning amendment:

1. The proposed zoning amendment is in the public interest. The development will improve a dilapidated corner, with need for improved infrastructure that is currently exposed to the street. Several complaint notices have issued on this site pertaining to the lack of maintenance of the past several years. A new facility will ensure on-going upkeep and improved value of the property.
2. The proposed zoning amendment conforms with and facilitates implementation of the General Plan. As identified in the General Plan elements analysis, this request supports and implements goals and objectives of the City's long range plan.

REASONS FOR APPROVAL:

Based on the information provided by the applicant, the public input received, and the above analysis, staff recommends approval of the requested General Plan Amendment / Zoning Amendment / Development Plan Review. This request meets the required criteria and will conform to the conditions noted below.

GEP08005 ZON08009

CONDITIONS OF APPROVAL:

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

1. A building permit shall be obtained on or before December 11, 2010 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 pursuant to A.R.S. §12-1134 that may now or in the future exist, releasing the City from any potential claims under Arizona's Private Property Rights Protection Act, which shall be submitted to the Development Services Department no later than January 12, 2009 or the General Plan Amendment and Zoning Map Amendment approval shall be null and void.

DPR08202

CONDITIONS OF APPROVAL:

3. Your drawings must be submitted to the Development Services Building Safety Division for building permit by October 28, 2009 and upon completion of permits, or Development Plan approval will expire.

Site Plan

4. In lieu of a Subdivision Plat, a dedication of right-of-way is required along Southern Avenue extending to a fifty-five (55') foot half street, with a fifteen by fifteen (15' x 15') foot corner cut off. Contact Land Services for processing completion prior to issuance of building permits.
5. If roof overhangs in dedicated right of way, an Encroachment Permit must be obtained from the Engineering Department. The limitations of this encroachment subject to review.
6. Provide 8'-0" wide public sidewalk along arterial and 6'-0" wide sidewalk along Roosevelt Street, or as required by Traffic Engineering Design Criteria and Standard Details. Remove all existing curb cuts with new vertical curbs if not in use.
7. If provided, design gates of steel vertical picket, steel mesh, steel panel or similar construction. Where a gate has a screen function and is completely opaque, provide vision portals for visual surveillance. Provide gates of height that match that of the adjacent enclosure walls. Review gate hardware with Building Safety and Fire staff and design gate to resolve lock and emergency ingress/egress features that may be required.
8. Provide upgraded paving at each driveway apron consisting of unit paving. Extend unit paving in the driveway from the back of the accessible public sidewalk bypass to 20'-0" on site and from curb to curb at the drive edges.
9. If stabilized decomposed granite is used for parking surface, provide an acceptable tire cleaning strip at the driveway entrance, to avoid spillover into the streets.
10. Utility equipment boxes for this development shall be finished in a neutral color (subject to utility provider approval) that compliments the coloring of the buildings. Work with staff to provide alternate locations for the utilities that would minimize the impact of the buildings architecture.
11. Place exterior, freestanding reduced pressure and double check backflow assemblies in pre-manufactured, pre-finished, lockable cages (one assembly per cage). If backflow prevention or similar device is for a 3" or greater water line, delete cage and provide a masonry or concrete screen wall following the requirements of Standard Detail T-214.

Floor Plans

12. Reduce alcove located east of the building entrance to a maximum depth of no more than 1'-0" from the western most portion of the southern wall.

Building Elevations

13. The materials and colors are approved as presented:
Glazing – Vistacool Azuria – PPG Ideascapes
North, south and west elevations – 'Italian Walnut' wall panel
West elevation – 8"x8"x16" CMU
Steel elements – 'Silver Mist' – Precision Coatings Inc.
Underside of roof – Glue laminated beam
Provide main colors and materials with a light reflectance value of 75 percent or less. 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.
14. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
15. Minimize visible, external features, such as overflows, and where needed design these to enhance the architecture of the building.
16. Incorporate lighting, address signs, and incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the building elevations. Exposed conduit, piping, or related materials is not permitted.

17. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
18. Avoid upper/lower divided glazing panels in exterior windows at grade level, particularly where lower (reachable) glass panes of a divided pane glass curtain-wall system can be reached and broken for unauthorized entry. Do not propose landscape or screen walls that conceal area around lower windows. If this mullion pattern is desired for aesthetic concerns, laminated glazing may be considered at these locations.

Lighting

19. Illuminate building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance at these locations.
20. Provide an additional street light along Roosevelt Street near southeast corner of property using Tempe standard detail T-651, unless otherwise approved by the Public Works Manager or designee.

Landscape

21. Retention wall located near the eastern building elevation shall not exceed a depth requiring additional barriers and/or railings above a ground level height of 1'-0". If necessary per Building Code, an alternate retention solution shall be submitted.
22. Revise landscape plan to add shrubs along Southern Avenue within the landscape buffer between the street curb and sidewalk, providing continuity with the existing landscape to the west of the site. The plans shall provide evidence that irrigation is provided and is the responsibility of the adjacent property owner.
23. The plant palate is approved as proposed and specified on the landscape plan. Any additions or modifications may be submitted for review during building plan check process.
24. Irrigation notes:
 - a. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Use of schedule 40 PVC mainline and class 315 PVC ½" feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than ½" (if any). Provide details of water distribution system.
 - b. Locate valve controller in a vandal resistant housing.
 - c. Hardwire power source to controller (a receptacle connection is not allowed).
 - d. Controller valve wire conduit may be exposed if the controller remains in the mechanical yard.
25. 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.
26. 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.

Signage

27. Provide address sign(s) on the north building elevation facing the street to which the property is identified and on the south building elevation, entrance side.
 - a. Conform to the following for building address signs:
 - 1) Provide street number only, not the street name
 - 2) Compose of 12" high individual mount, metal reverse pan channel characters.
 - 3) Self-illuminated or dedicated light source.
 - 4) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
 - 5) Do not affix number or letter to elevation that might be mistaken for the address.
 - b. Utility meters shall utilize a minimum 1" number height in accordance with the applicable electrical code and utility company standards.

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.

- Specific requirements of the Zoning and Development Code 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, it is necessary that the applicant be familiar with the Zoning and Development Code (ZDC), which can be accessed through www.tempe.gov/zoning, or purchased at Development Services.
- **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Development Services Department, and Fire Department given on the Preliminary Site Plan Reviews. 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 be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.
- **STANDARD DETAILS:**
 - Tempe Standard "T" details may be accessed through www.tempe.gov/engineering or purchased from the Engineering Division, Public Works Department.
 - Tempe Standard "DS" details for refuse enclosures may be accessed through www.tempe.gov or may be obtained at Development Services.
- **WATER CONSERVATION:** Under an agreement between the City of Tempe and the State of Arizona, Water Conservation Reports are required for landscape and domestic water use for this project. Have the landscape architect and the mechanical engineer prepare reports and submit them with the construction drawings during the building plan check process. Report example is contained in Office Procedure Directive # 59, available from Building Safety (480-350-8341). Contact Water Conservation Division (480-350-2668) if there are any questions regarding the purpose or content of the water conservation reports.
- **HISTORIC PRESERVATION:** State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Where such a discovery is made, contact the Arizona State Historical Museum (520-621-6302) for removal and repatriation of the items. Contact the Tempe Historic Preservation Officer (Joe Nucci 480-350-8870) if questions regarding the process described in this condition.
- **ENGINEERING AND LAND SERVICES:**
 - Underground utilities requirement excludes 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:**
 - Roll out containers for street curb pick up are acceptable, per previous comments.
 - 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:**
 - Construct driveways in public right of way in conformance with Standard Detail T-320. Alternatively, the installation of driveways with return type curbs as indicated, similar to Standard Detail T-319, requires permission of Public Works, Traffic Engineering (480-350-2775)
 - 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 Development Services or from Traffic Engineering (480-350-2775) 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.
- Distribute bike parking areas nearest to main entrance(s). 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 adjacent walkway to allow bike maneuvering in and out of space without interfering with pedestrians, landscape materials or vehicles nearby.

- **LIGHTING:**

- Follow the guidelines listed under appendix E "Photometric Plan" of the Zoning and Development Code.
- Indicate the location of all exterior light fixtures on the site, landscape (and photometric) plans. Avoid conflicts with lights in order to maintain illumination levels for exterior lighting.

- **SIGNS:**

- Obtain sign permit for any identification signs as well as for internally (halo) illuminated address signs. Directional signs (if proposed) may not require a sign permit, depending on size. Directional signs are subject to review by planning staff during plan check process. Separate Development Plan Review process is required for signs ZDC Part 4 Chapter 9 (Signs).

HISTORY & FACTS:

No previous records on file of single-family home construction.

May 13, 1998	Existing Single Family home demolished.
September 15, 2008	Neighborhood meeting held by the applicant (Did not meet the Zoning and Development Code requirements for notification).
October 6, 2008	2 nd Neighborhood meeting held by the applicant, consistent with the requirements of the Code.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-302, General Plan Amendment
Section 6-304, Zoning Map Amendment
Section 6-306, Development Plan Review

RESOLUTION NO. 2008.93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE GENERAL PLAN 2030 PROJECTED LAND USE MAP FROM RESIDENTIAL TO COMMERCIAL FOR APPROXIMATELY 0.28 ACRES LOCATED AT 603 WEST SOUTHERN AVENUE AND OWNED BY CHRIS SOSNOWSKI.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, that the General Plan 2030 Projected Land Use Map is hereby amended for approximately 0.28 acres from Residential to Commercial, located at 603 West Southern Avenue.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of _____ 2008.

Mayor

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

ORDINANCE NO. 2008.61

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 removing the below described property from the R1-6, Single-Family Residential District and designating it as CSS, Commercial Shopping and Service District on 0.28 acres.

LEGAL DESCRIPTION

The North 180 feet of the East half of the East half of the East half of the North half of Lot 3, HERMOSA TRACT, according to the plat of record in the office of the Maricopa County Recorder, in Book 1 of Maps, page 66.

EXCEPT that part of Lot 3, HERMOSA TRACT, a subdivision according to Book 1 of Maps, page 66 records of Maricopa County, Arizona described as beginning at a point on the East line of said Lot 3, a distance of 40.00 feet South of the Northeast corner of said Lot 3, thence West parallel to the North line of said Lot 3, a distance of 15.00 feet, then Southeasterly to an intersection with the East line of said Lot 3, said intersection being 15.00 feet South of the point of beginning, thence North along the East line of said Lot 3, a distance of 15.00 feet to THE POINT OF BEGINNING.

TOTAL AREA IS 0.28GROSS ACRES.

Section 2. Further, those conditions of approval imposed by the City Council as part of Case # ZON08009 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 _____, 2008.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

WHEN RECORDED RETURN TO:

City of Tempe
Development Services Department
31 E. 5th 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 Chris Sosnowski, Property (Owner).

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. **PL080165** 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 No. 123-44-005G (603 West Southern Avenue)

By signing below, Owner voluntarily waives any right to claim compensation for diminution in Property value under A.R.S. §12-1134 that may now or in the future exist if the City approves the above-referenced Application, including any conditions, stipulations and/or modifications imposed as a condition of approval.

This Waiver shall run with the land and shall be binding upon all present and future owners having any interest in the Property.

This Waiver shall be recorded with the Maricopa County Recorder's Office.

Owner warrants and represents that Owner is the fee title owner of the Property, and that no other person has an ownership interest in the Property.

Dated this _____ day of _____, 2008.

(Signature of Owner)

(Printed Name)

(Signature of Owner)

(Printed Name)

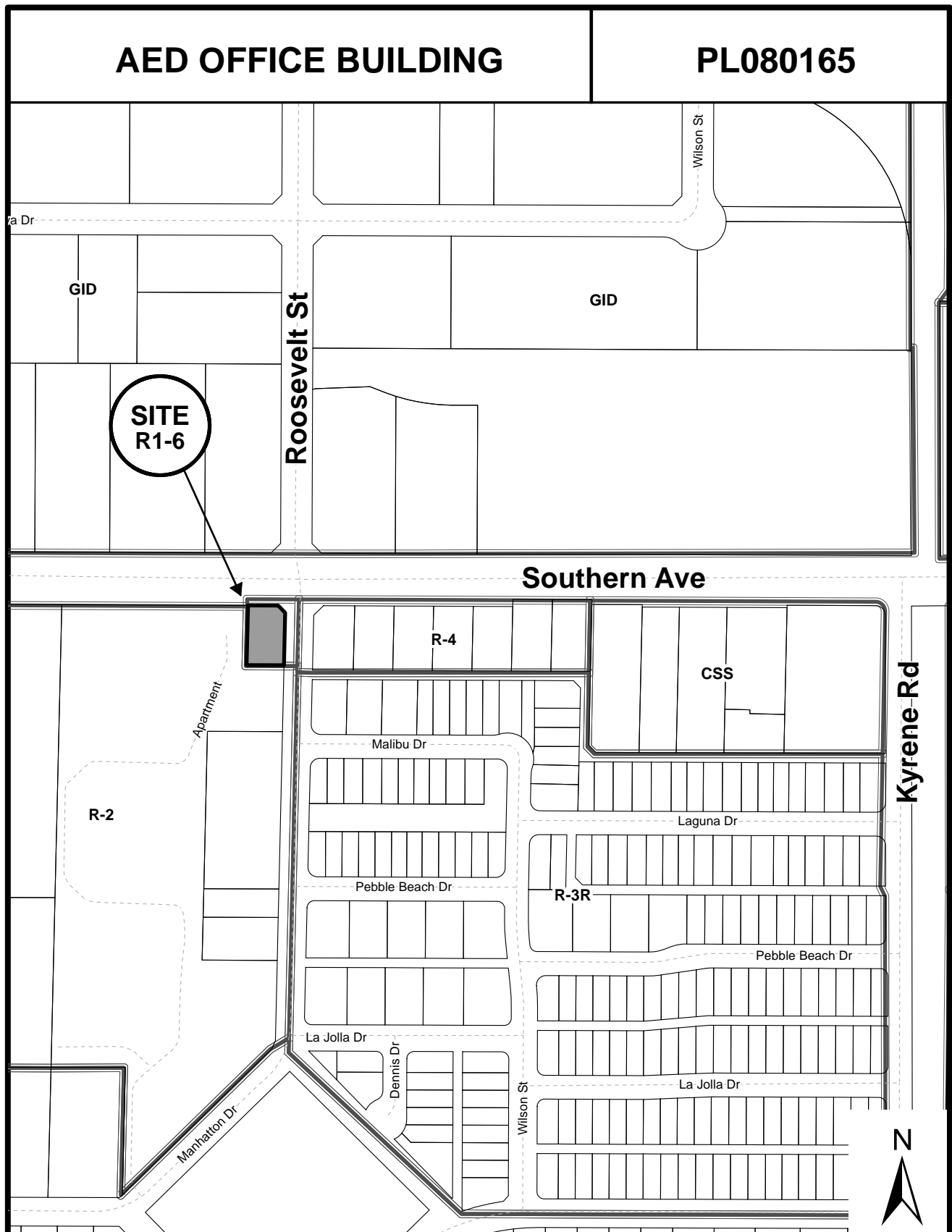
State of Arizona)
) ss
County of _____)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2008, by

_____.

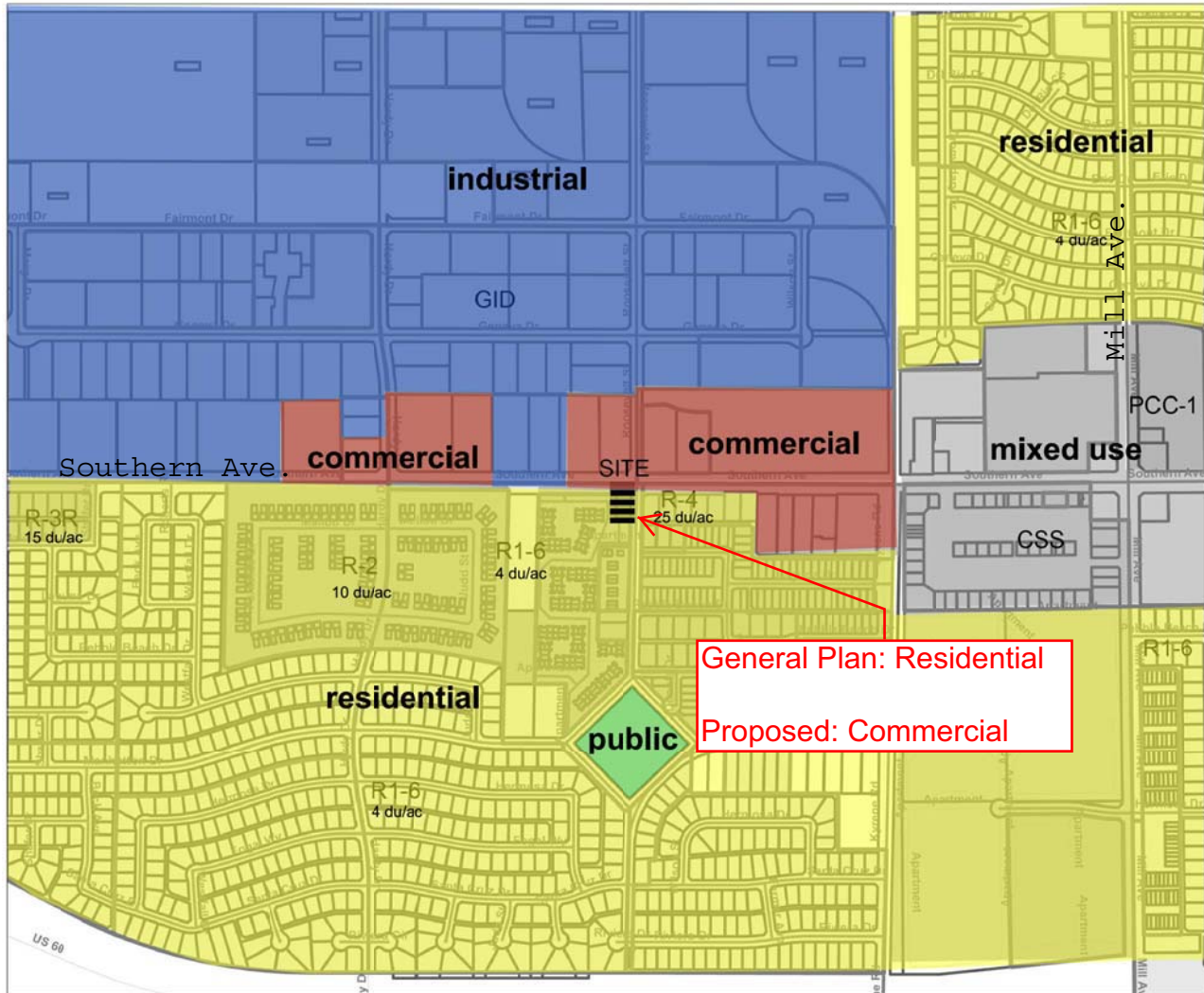
(Signature of Notary)

(Notary Stamp)

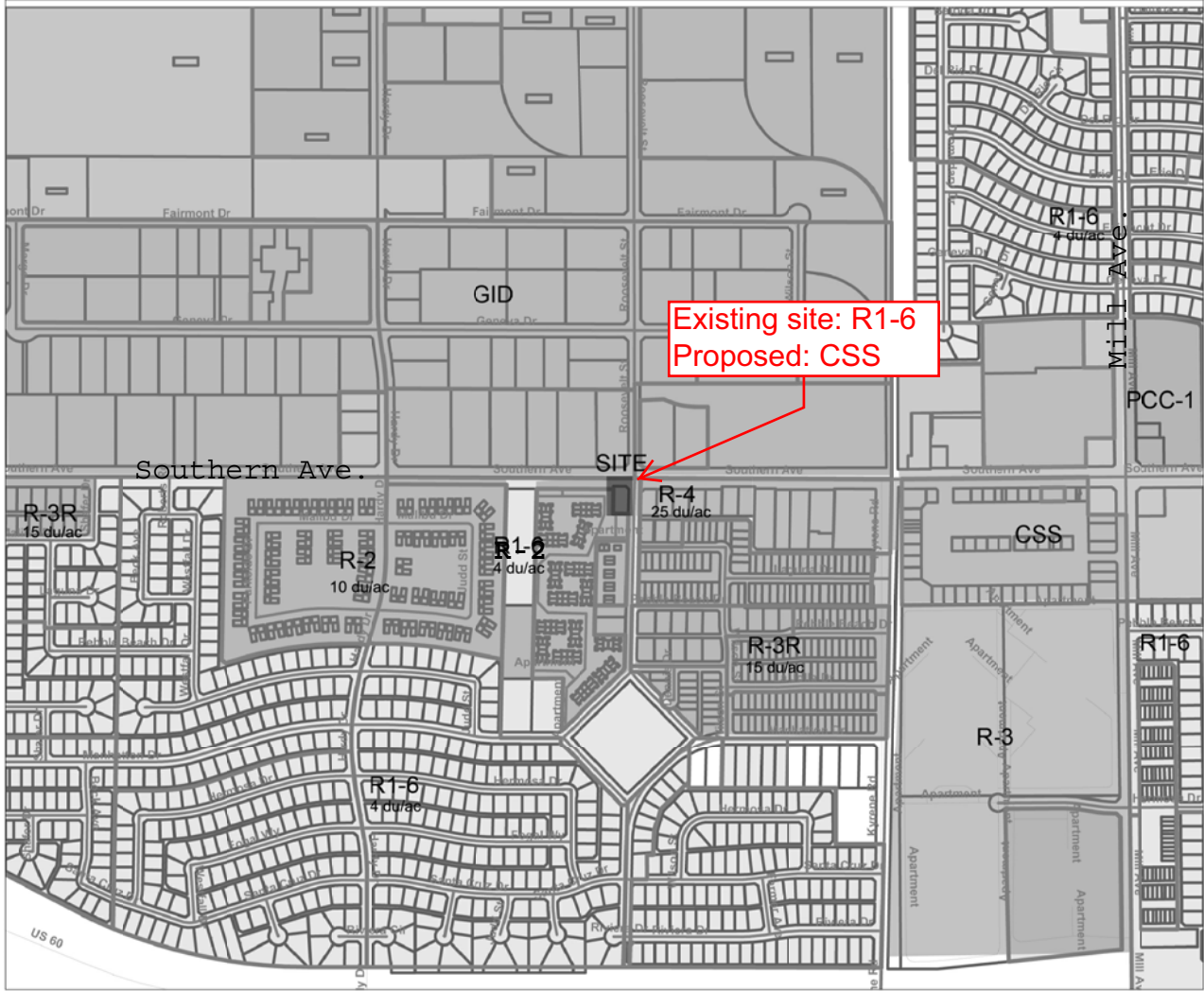


Location Map

GENERAL PLAN 2030, PROJECTED LAND USE

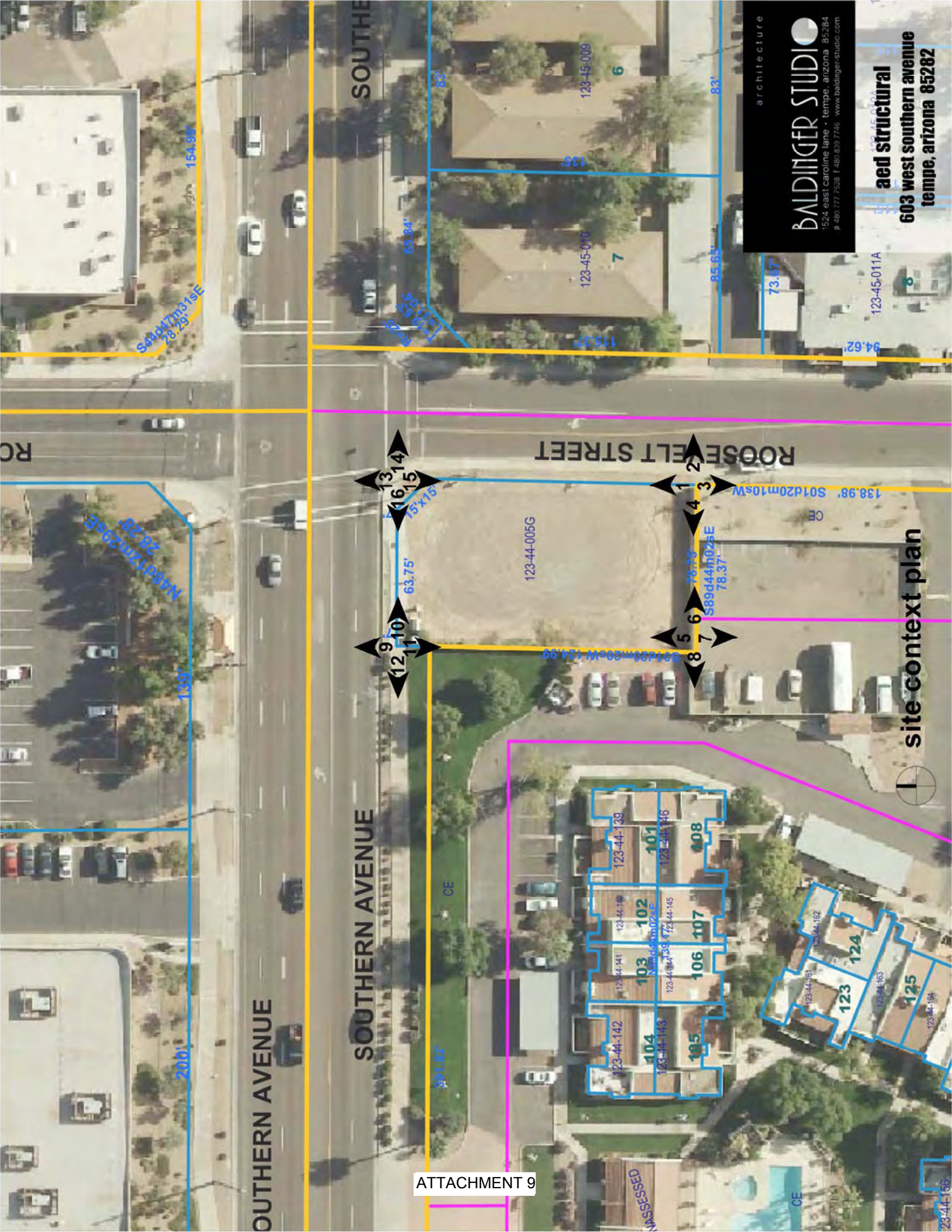


EXISTING ZONING MAP





AED OFFICE BUILDING (PL080165)



architecture
BALDINGER STUDIO
1524 east caroline lane • tempe, arizona 85284
p 480.777.7528 f 480.839.7746 www.baldinger-studio.com

aed structural
603 west southern avenue
tempe, arizona 85282

site context plan



1



2



3



4



5



6



7



8



9



10



11



12



13



14



15



16

ATTACHMENT 10

architecture
BALDINGER STUDIO
1524 east caroline lane - tempe, arizona 85284
p 480.777.7528 f 480.839.7746 www.baldingerstudio.com

aed structural
603 west southern avenue
tempe, arizona 85282

site context photos

Project Case # SPR08033
Project name: AED Office Building
Address: 603 W. Southern Ave.
Existing Zoning: R1-6
Proposed Zoning: CSS
Lot Area: 10860 S.F. net

AED a Structural Engineering firm wishes to construct its office building at the South West corner of Southern and Roosevelt St.

The property is currently vacant, it is zoned R1-6.
Adjacent properties at the North East and North West Corners of Southern and Roosevelt are zoned GID the South East corner is zoned R-4, the property immediately to the west is zoned R-2.

Given the size of the lot it's location along a major thoroughfare and the mix zoning in the immediate vicinity the proposed CSS zoning is consistent with development patterns along southern avenue. It will allow AED to construct a one story 3000 S.F. office with minimal impact on the surrounding properties.

The 8:00AM to 5:00PM hours of the business and the distant separation from the nearest residential and commercial neighbors will ensure that this project will not have an adverse effect on its immediate surroundings.

The project is intended to show case AED's progressive Engineering philosophy and its commitment to excellence in Architecture, Energy Efficiency and Green Building technology.

The 3000 S.F. office building is located on the northern half of the property. A parking area paved with stabilized D.G. that also contains a storm water retention system occupies the south side.

A gentle slope "butterfly roof" with exposed steel column system articulates the rectangular building. Building envelope is clad in state of the art rain-screen wood product system and high efficiency glass.

No variances are required.

General Plan Amendment Analysis

The proposed office building requires a General Plan Amendment, the current zoning of this parcel is R1-6 the requested zoning is CSS.

This 10800 S.F. parcel is located within a fully developed area with established zones of medium density residential (Live Area) on the south side of Southern Avenue and Light industrial – Commercial on the North side of Southern Avenue (Work Area).

- a. **Justification for the Amendment:** This is currently a vacant lot. It is too small to support a multi family residential development. The parcel location along a major arterial street precludes the viability of a single-family residence. Thus a small neighborhood office building is an ideal solution for an infill project.
- b. **The impact on applicable objective of the General plan** is minimal due to the size, scope and location of the project. It will not alter the established development patterns observed in the immediate vicinity.
- c. Potentially negative influences such as increased traffic on noise are mitigated by the type and size of the project and the nine to five operating hours. A small engineering firm with six to seven employees does not generate significant traffic. All cars will be parked on site and the patterns of traffic will be east west along Southern avenue.
- d. **The proposed Amendment supports the Land Use Principals in the Land Use Element of the General Plan** by directly addressing number of Community Issues; Maintenance and Improvement of Neighborhoods, by constructing an owner-user, quality building. This will greatly improve the vacant lot appearance and will enhance the corner's visual appearance and property values. An important component of the Land Use and Redevelopment Elements that focus on the need for infill project are being directly addressed by this proposal.
- e. **The proposed amendment meets the goals and objectives of the following General Plan Elements** (only applicable elements are considered)

Land Use- By developing a sensible infill project that will not impact or alter the General Plan and land use patterns in the immediate vicinity

Accessibility- By providing pedestrian and vehicular safe circulation to and from the proposed project.

Redevelopment- By constructing quality infill project that will enhance the aesthetic quality of the immediate parcel, the gateway to the neighborhood and the intersection.

Economic Development- by creating a headquarters for an established engineering firm in Tempe, and a work place in proximity to Live areas.

Environment- By constructing an environmentally sound building with D&G paved parking lot and lush desert landscaping to mitigate the heat island effect.

By constructing a state of the art energy efficient building.

Storm-water management – By providing an underground storm water retention system



October 13, 2008

City of Tempe – Development Services Department
Attn: Mr. Ryan Levesque
31 E. 5th Street
Tempe, AZ 85281

Re: Summary of Neighborhood Meeting for 603 W. Southern Zoning Change Request

Dear Mr. Levesque:

We held two meetings, one on September 15th at 6:00 pm and one on October 6th at 6:00 pm, also. The following is a summary of both meetings.

September 15th:

Only one resident from the Mistwood Condominiums was in attendance. Her name was, Blue, and she was concerned about a few things such as, assurance that the property would not fall into disrepair and parking during construction. I explained to her that the amount of money we are investing in this project would be incentive enough not to have the building fall into disrepair. As far as parking during construction, I assured her that all of the workers will be required to park in public parking, that we would not tolerate any illegal parking on Mistwood property.

October 6th:

Three nearby residents attended. Three gentlemen named, Roger, Ed and Steve. Roger and Steve both lived in Mistwood and Ed lived along Roosevelt. Roger was concerned about the site wall that is on Mistwood property and is along our west and south property lines. His concern was that of upkeep and what we would do on our part, I explained to him that the wall is Mistwood's property so structural upkeep is theirs but we would maintain our side by painting the wall as needed. Ed was just curious about the design and wanted to stop by and see what it was like and had no issues with. Steve had similar concerns as Roger and was also curious about the design and was pleased with the building.

In summary, there were some concerns but I think we alleviated them and have no opposition in the neighborhood that I can see.

Thank you,

Chris Sosnowski, PE

A handwritten signature in black ink, appearing to be 'Chris Sosnowski'.

Principal

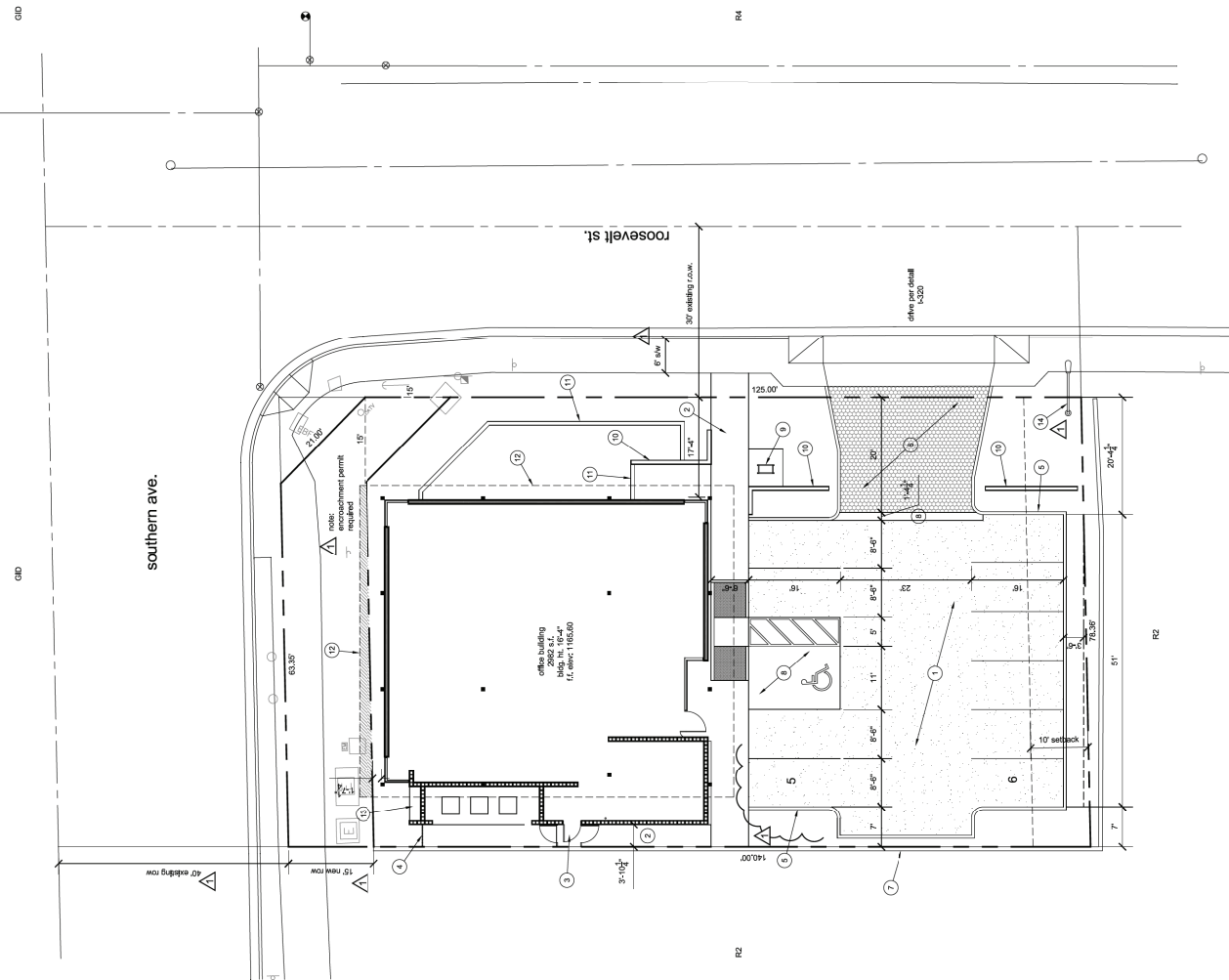
project data

owner: contact: chris sesnowski
(480) 854-0933
site address: 603 w. southern ave.
proposed use: office building
legal description:
assessor no. 123-44-00g
hermosa tract ncr 7165 pt lot 3 n 135' of e2 e2 n2 n2 n
of pnb in n s1/4 e1 n1/4 s1/4 e1 n1/4 s1/4 e1 n1/4 s1/4
th w 151' e1/4 to line sec 16 in lot 3 sd interest being 151' s
of pnb in n s1/4 e1 n1/4 s1/4 e1 n1/4 s1/4 e1 n1/4 s1/4

general den 2030
projected land use: residential
proposed use: office building
proposed residential density:
gross site area: 10,860 s.f.
net site area: 9,686 s.f.
zoning: R1-d proposed zoning: CSS
building area: 2,862 s.f.
occupant type: building b

construction type: v-b w/ automatic sprinkler system.
max building height: 35'-0"
proposed building height: 16'-4" (one story)
building lot coverage:
max: 50% actual: 31%
building setback:
front required: 0' provided: 1'-7 1/4"
side required: 0' provided: 3'-10 1/4"
rear required: 0' provided: 1'-7 1/4"
parking required: 10' provided: 65'-2"
street required: 20' provided: 20'
parking provided: 2882/200= 10
on site bicycle parking required: 15% provided: 34%
bicycle parking provided: 2 bikes

ATTACHMENT 15



key notes:

1. stabilized d.s.
2. exposed aggregate conc. sidewalk- see dvl
3. gabled refuse area
4. site fence
5. exposed aggregate conc. curb- see dvl
6. conc. parking on grade- see dvl
7. existing site wall
8. conc. paving on grade- see dvl
9. bike rack
10. 3' high cmu screen wall
11. retention wall- see dvl
12. note: see detail 1-451
13. see detail
14. pole light per detail 1-451



VICINITY MAP:

BALDINGER STUDIO
ARCHITECTS
1000 N. CENTRAL AVENUE, SUITE 100
TAMPE, ARIZONA 85282

aed structural
603 west southern avenue
tempe, arizona 85282



PROJECT NUMBER: 08-012
DATE: 08.13.2008

city comments 10.07.2008

siteplan

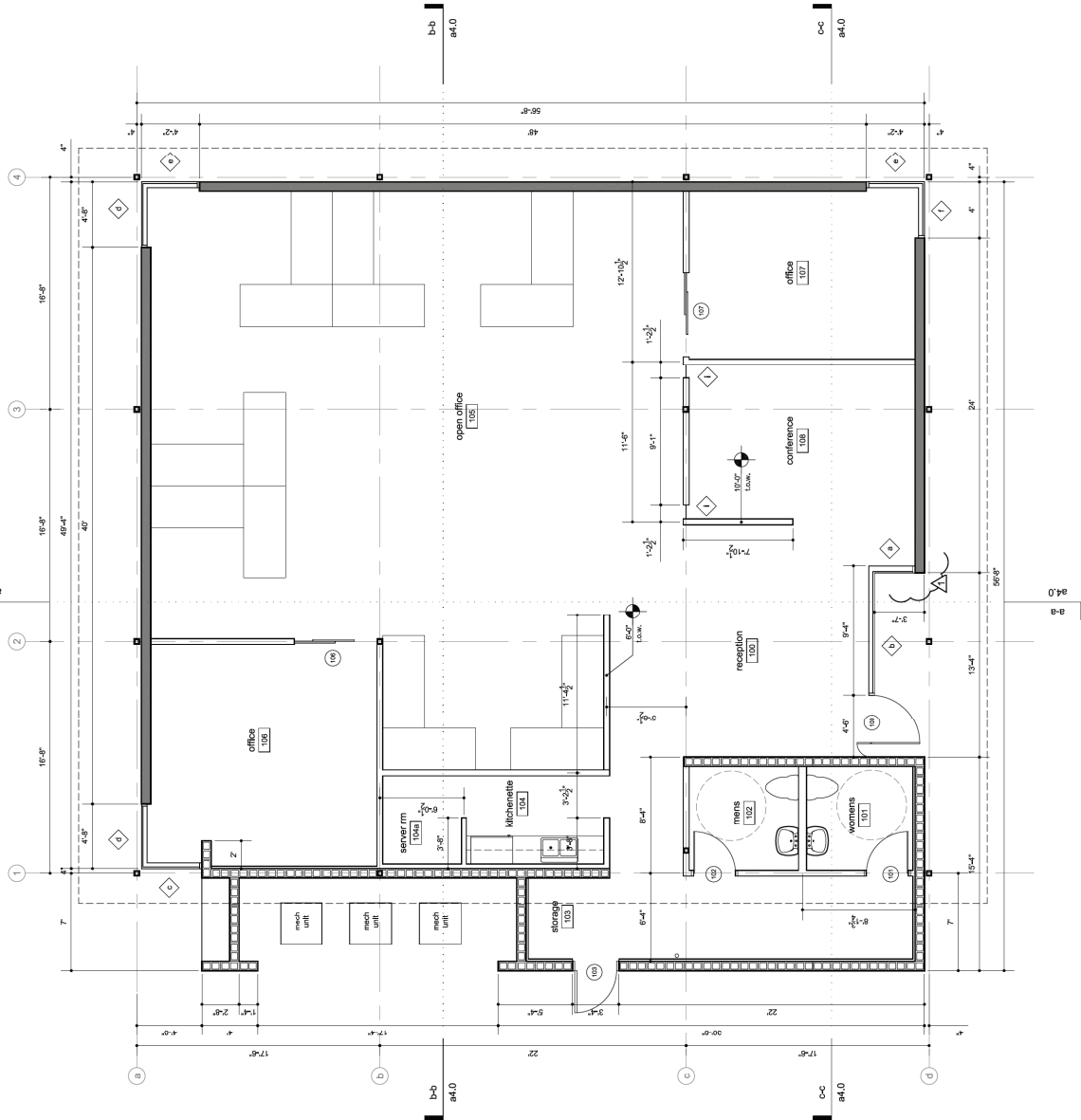
a1.0

siteplan



wall types

- 8-6-16 cmu
- 8-6-16 cmu w/ 2x framing w/ rigid insulation
- steel studs 360 s102-43 @ 16" o.c. w/ 7/8" gyp. bd. r-13 batt insulation @ exterior wall
- steel studs 609 s102-43 @ 16" o.c. w/ r-19 batt insulation w/ 5" plywood sheathing w/ tyvek membrane w/ 2x framing w/ rigid insulation @ exterior wall
- steel studs w/ exposed fasteners on 1/2" hat channel



BALDINGER STUDIO

add structural
603 west southern avenue
tempe, arizona 85282



PROJECT NUMBER: 08-012
DATE: 08.13.2008

city comments 10.07.2008

floorplan

a2.0



floorplan

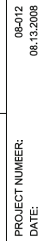
keynotes:

1. ppg vistaacool azuria low-e insul. glass
2. trespa 'italian walnut' wall cladding
3. glue laminated beam
4. 8x8x16 trenwith trend stone cmu
5. painted steel 'silver mist' flat 2650 by precision coating inc.



1/4" = 1'-0"

aed structural
603 west southern avenue
tempe, arizona 85282



elevations

a3.0

1. conc. roofing
2. conc. slab on grade
3. conc. wall
4. painted steel column
5. glue laminated beam
6. π
7. plywood sheels
8. trspsa wall panels on plywood sheets on steel studs w/ r-19 batt insulation
9. r-38 batt insulation
10. pent, hardwood
11. root membrane
12. trspsa wall panels on steel studs
13. suspended ceiling
14. hvac unit
15. gyp bc
16. decorative wood screen



GRADING & DRAINAGE PLAN
LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 1 NORTH, RANGE 4 EAST,
OF THE G. & S. R. B. & M. MARICOPA COUNTY, ARIZONA

station dr.



VICINITY MAP:

project data

owner:

contact: chris sasnowski
(480) 884-0933
609 w. southern ave.
office building

legal description:

assessor no. 123-44-0059
hermosa tract nwr 166 pl lot 3 n 1807 of e2 e2 n2
ex n 40ft & also ex beg at pt one in ad lot a dis of 40ft a
of the cor th w r only to later lots w r 166 n 33d
intersect along 151 ft of plat n 187 ft n 151 ft 151 ft 151 ft

EQUATION

$VOL = C \times D/12 \times A$

NOTE:
RAINFALL DEPTH 2.4"
FOR 100-YEAR, 1-HR
DESIGN CRITERION
MANUAL.

RAINFALL TABLE 1	0.95	2.4	9.600
RAINFALL DEPTH (D) IN INCHES			
DRAINAGE AREA IN SQUARE FEET			
RETENTION REQUIRED (CUBIC FEET)		1,613	
RETENTION PROVIDED (CUBIC FEET)			1,626

GRADING & DRAINAGE
CONSTRUCTION NOTES

- D.G. PARKING LOT PER DTL D2 SHEET G02
- CONSTRUCT SIDEWALK PER DTL D2 SHEET G02
- CONSTRUCT EXSTREDED CURB PER DTL D1 SHEET G02
- INSTALL 12" HOPE STORM DRAIN PIPE FLOW LINE AND SLOPE PER PLAN
- INSTALL SC-740 STORMTECH CHAMBERS PER DETAIL 1 SHEET G03 INSTALL STORM WATER TREATMENT PER ISOLATOR DETAIL 4 SHEET G03
- DRAIN BLOCKS
- INSTALL TYPE G INLET PER MAG STD DTL NO. 537 GRATE AND FLOW LINE ELEVATIONS PER PLAN.
- CONSTRUCT CURB OPENING PER DETAIL D3 SHEET G02
- BASIN CUL RETAINING WALL 1.0M AT 1163.5
- DRAIN PIPE AT BASIN SEE DTL D4 SH1 G02
- CONCRETE AT GRADE
- PAVERS
- SAW CUT AND REMOVE EXISTING SIDEWALK AND APRON. EXISTING CURB TO REMAIN EXCEPT AT NEW ENTRANCE. INSTALL NEW SIDEWALK AND APRON AS SHOWN

DRAINAGE CALCULATIONS

NATIONAL METHOD PER MCD: HYDROLOGY DESIGN MANUAL
RETENTION CALCULATIONS PER MARICOPA COUNTY HYDROLOGY MANUAL, NATIONAL METHOD
OVERALL SITE AREA = 9,600 SF
IMPERVIOUS C VALUE = 0.95
IMPERVIOUS C VALUE = 0.95
SITE WALKS = 36.45 SF
SITE WALKS = 36.45 SF
CONCRETE = 956.97
PAVER APRON = 437 SF
PAVER APRON = 437 SF
PAVER APRON = 437 SF
LANDSCAPE C VALUE = 0.70
AREA = 8174
CA=(0.70)(8174) = 1,322 S.F.
D.G. PARKING LOT C VALUE = 0.70
AREA = 956.97 SF
CA=(0.70)(956.97) = 2,056 S.F.
COMPOSITE C VALUE
 $C=(4.483+1.522)(2.056/9.600) = 0.84$

RETENTION PROVIDED
BASIN 'A' 1,626 S.F.
APRON AT 1162.5 = 463 SF
TOTAL BASIN 'A' = 463 CF
UNDER GROUND STORAGE
TANK = 1150 CF
TOTAL RETENTION PROVIDED 1613 CF

