

CITY OF TEMPE DEVELOPMENT REVIEW COMMISSION

Meeting Date: 06/10/2014

Agenda Item: 5

ACTION: Request for an amendment to the conditions of approval for the Development Plan Review for CLARENDON TOWNHOMES, located at 425 West 6th Street. The applicant is Manjula Vaz, Gammage & Burnham PLC.

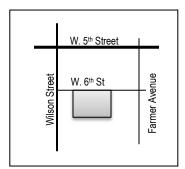
FISCAL IMPACT: The planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

RECOMMENDATION: Staff –Denial of removal of Condition #30

BACKGROUND INFORMATION: CLARENDON TOWNHOMES (PL130215) is located on the south side of 6th Street, west of Mill Avenue, east of Hardy Drive, north of University Drive and south of Rio Salado Parkway, in the Riverside Neighborhood. The site has single family residences to the north side of 6th Street, south of the alley adjacent to the site, and to both the east and west of the site, immediately adjacent. The .77 acre site includes four vacant lots that are zoned R-3 Multi-family. There are multi-family developments and Planned Area Developments further to the west of Wilson Street. On October 8, 2013, the Development Review Commission approved the requested Development Plan Review with thirty conditions, which were agreed upon with the applicant. Condition #14 was added due to unresolved balcony details along the south side to address refuse access along the alley and #30 was added to assure landscape material was provided on the south side of the property. The request included the following:

DPR13220 Development Plan Review including site plan, building elevations, and landscape plan

The applicant has resolved the balcony details and the refuse collection needs. The applicant is requesting removal of condition #30, the requirement for trees along the south side of the property.



Property Owner Irene Clary, Symi Development LLC
Applicant Manjula Vaz, Gammage & Burnham PLC

Current /ProposedZoning R-3 / R1-PAD Gross/Net site area .77 acres
Total Building area 56,803 s.f.
Lot Coverage 59.3%

Building Height 34' 3-story units, 48' 4-story units

Project Site Setbacks 0' front, north (6th St), 8' side, east & west, 8' rear, south

(allev)

Building Unit Setbacks 0' lot line for individual townhome units

Landscape area 25% of entire lot

Vehicle Parking 48 tandem in garage, 24 compact tandem in driveway

Bicycle Parking In garages

ATTACHMENTS: Development Project File

STAFF CONTACT: Diana Kaminski, Senior Planner (480) 858-2391

Department Director: Dave Nakagawara, Community Development Director

Legal review by: N/A

Prepared by: Diana Kaminski, Senior Planner

COMMENTS:

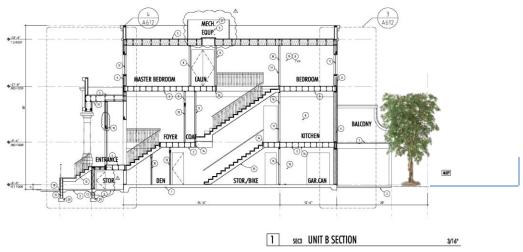
This site is located between 5th Street to the north, University Drive to the south, Farmer Avenue to the east and Hardy Drive to the west, within an existing multi-family zoned area predominantly comprised of 1940-60 era single family, duplex and four-plex apartments, larger newer 1970-90 era multi-family apartments and more recent Planned Area Developments. The site is one block away from the Transportation Overlay District, is walking distance to transit amenities and within view of the Centerpoint W6 development due east of the site. The Brownstones development is to the west of the site. The four lots proposed for redevelopment have been vacant since 1996, on a block with other properties that have been challenged with code violations and inactive real estate activity.

The Development Review Commission approved a Development Plan Review on October 8th, 2013, and the City Council heard and approved the General Plan Amendment, Zoning Map Amendment and Planned Area development for the project at the public hearings of October 24th and November 7th 2013. Staff approved modifications to the Planned Area Development for an increase in building height from 34 feet to 37 feet for the three-story units; the four-story units remained at the previously approved height of 48 feet. City Council is hearing the request for a Subdivision Plat on June 12th, 2014. The applicant is ready to submit plans for building permits, subject to this final entitlement request. This request includes a modification to the condition #30 Patio landscape trees shall be located at the end of the drive aisles, either in planters or tree grates, to provide shade to the south side of the development and provide a buffer to residents to the south of the alley.

As part of the original request for a Planned Area Development and Development Plan Review, increases in height and density were approved subject to the proposed plans. At the time of the hearing, the south side balcony design had not been resolved, due to building safety and fire issues. Without having a specific design for the balconies finalized, staff included Condition #30 to soften the building massing and provide a visual landscape buffer to the residences to the south, and to provide shade to the south side of the units. This minimal landscape requirement could be designed either with potted patio trees or in ground tree grates, to mitigate the heat impacts on the southern side of the site. Below are images of the intent of Condition #30:



South Bank - South Elevation Scale: 1/8"=1'-0"



These trees would not be in the alley, but set back on property, between driveways, in front of the balconies which partially overhang the tandem drives. The depth of the south driveways are 20' from face of garage to alley right of way, the balconies extend 12' from the face of the units, south over the driveways. The 8' depth of drive is an entirely paved surface, the entire length of the building, with no landscape. This is the area conditioned to have either tree grates or pots, to the south of the balconies, not shaded by the balcony. This condition was reviewed by Public Works refuse, water and engineering staff as well as Fire staff; it was determined to not be in conflict with access and maneuvering requirements for their services to the site. Through the original design request, the applicant reduced the standard backing distance from 23' to 22', (20' alley depth, 2' on site in the drive, 18' tandem parking space in the drive). The applicant demonstrated through drawings provided to staff that there would be sufficient maneuvering room for vehicles parked in the drives to exit the property in this urban configuration. There does not appear to be a conflict with the circulation for the units. Within a landscape strip approximately 6' wide by 8' long, with a tree grate or a raised planter, smaller patio trees could be sustained.

Had this site remained R-3 Multi-family, the 25% landscape area proposed would meet the minimum standards; the R1-PAD did not increase the landscape coverage of the site. It meets the minimum landscape standards with the majority of vegetation within the central courtyard area not visible or accessible to the public. Street trees along Wilson meet the code requirements, however the driveways comprise the majority of the front yard on the north side. The R1-PAD reduced the allowed setbacks on all four sides of the lot and increased the number of allowed units from 19 units to 24, the allowed height from 30' to 48', and the allowed lot coverage from 50% to 59%. With increasing public interest in mitigation of urban heat impacts, and the 180' long span of stucco building mass along the paved alley and drive of the same length, the conditional requirement for a minimal amount of vegetation to soften the building edge and shade the paving, was deemed appropriate to the intensification of this urban infill site.

PUBLIC INPUT

Neighborhood meeting was required for the original request, but not for this application.

DEVELOPMENT PLAN REVIEW - Information provided from the October 8, 2013 Hearing for reference

Site Plan

The proposed project has two buildings. The first faces 6th Street, the second building faces a landscaped courtyard south of the first building. The buildings are approximately 71 feet deep along the east and west sides by 183 feet long facing north and south. There are six driveways along 6th street serving the 12 units, the driveways taper down at the sidewalk to allow greater landscape area at the street front. Driveways to all units have decorative pavers to create a patio-like appearance of the drives. The rear building accesses 12 garages from driveways off of the 20 foot alley. The standard backing distance for vehicles is 23 feet: this development has 20 feet within the alley, which also serves as the fire lane. Refuse cans cannot be located in the fire lane: staff is working with the applicant to resolve site constraints so that refuse access can function for adjacent properties. The applicant has provided parking within the tandem garage, and is not required to use the driveway as parking, the drives in the rear are 20 feet in depth, providing room for an 18 foot parking stall and an additional two feet, allowing a backing distance short of the standard drive of one foot. Although circulation is tight, the applicant remains confident that parking and circulation will not be an issue for the proposed configuration. The 169 foot depth of the lot makes development challenging as an infill site. In order to maximize landscape area and minimize paving, the central space between the two buildings is heavily landscaped to provide shade, privacy and a cooling effect to the community. The existing 6' high CMU wall to the west will remain, and a new 8' CMU wall will be built on the eastern side. Steel picket fencing and gates will be used to control access to the central court area and match the stair railings of the units in color and style.

Building Elevations

The elevations of the buildings are a reminiscent of Georgian Architecture in Bath and London England, Paris France, and Toronto Canada. The building base is grounded by a brick veneer wraps the north building, the south building does not have a brick veneer at the base. The front facades of both buildings face north, with shared stairways split between units leading to columned porticos at the entry and tall doors with transom light windows above. The garage doors are medium red brown, drawing the doors back further visually. The columns and corner details are architectural pop outs of a light beige color, contrasting with the medium gold tone of the remainder of the buildings. The roof is predominantly flat with a parapet wall, pitched elements are a contemporary material that looks like a slate tile roof shingle. Privacy screens between units are

proposed to be beige vinyl screen product with lathwork at the top; although the aesthetic look is acceptable for the design of the buildings, the product proposed does not meet design standards. A condition of approval has been added that the applicant work with staff to determine an appropriate, durable product for this application. Windows are multi-paned mullion-style with prominent frame detailing. Carriage lamps illuminate the balcony and patio doors. The building height staggers from 34 feet at the outer edges, to 48 feet at the tallest apex of the curved roof element. Railings are black metal with decorative work. The buildings are broken up into thirty foot sections; with 8 foot wide garage doors that combined give the appearance of a double garage from the street. The clean warm colors and variations in building depths will be enhanced with the changing direction of the sun, accenting the architectural detailing. The southern units have deep balconies overhanging the driveway below, creating carports for shade to vehicles along the south side.

Landscape Plan

The landscape is lushly planted to maximize shade and a green appearance. At the street front are Sissoo trees with Gold Lantana and Dwarf Myrtle, providing year round color and dense green at the street front, in between concrete pavers on the narrow drives. Along the east and west sides are Live Oak with a combination of Waxleaf Privet and Dwarf Pittosporum; plants not commonly used in newer developments. These more traditional landscape materials aesthetically tie to the traditional style of the architecture, creating an urban park-like setting. A larger variety of plants are found in the courtyard, along with turf areas and pavers for walkways and patios. The alley side does not have landscape, although this was suggested by staff, and may occur on the patios above the carports. There is room to accommodate trees in between units along the back; as the south elevation would have the greatest heat impact to the units and currently has no buffer to the residents to the south.

Section 6-306 D Approval criteria for Development Plan Review (*in italics*): **portions shown in bold would be potentially impacted by removal of condition #30.**

- 1. Placement, form, and articulation of buildings and structures provide variety in the streetscape; the buildings have balconies pushed out to the property line, with stairs leading back towards the main entrances and garages recessed under the balconies. The building provides a unique and varied façade with significant detailing and articulation.
- Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort; the entries are all north facing with windows providing natural light to the interiors, large balconies shade the garage doors and driveways, and heavily landscaped perimeters will provide shade to the building.
- 3. Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings; proposed materials are of a superior quality and level of detail to most of the developments within the area. The colors and materials are similar to other developments in the area, but the architectural style is completely unique.
- 4. Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings; the building massing conforms to the scale and context of the newer developments in the area, the landscape is a significant departure from current trends, however it ties in historically with more lush flood irrigated lots south of University.
- 5. Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, featuring an enhanced pedestrian experience at and near street level; the buildings are broken into smaller elements with corner detailing, columns, railings and windows, the building height and façade surface changes to undulate the sections of building with repetitive rhythm that moves the eye across the face of the structure; the north building has a well-defined base and top with darker brickwork grounding the lower floor. The introduction of balconies and open stairwells to the front door enhances the pedestrian experience.

- 6. Building facades provide architectural detail and interest overall with visibility at street level (in particular, special treatment of windows, entries and walkways with particular attention to proportionality, scale, materials, rhythm, etc.) while responding to varying climatic and contextual conditions; the Georgian Architecture lends itself to a level of detail and interest not found in many contemporary structures; it serves as a definitive classical style common in many established urban communities and lends itself well to the townhome product.
- 7. Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; the site is designed to encourage an urban living experience, where vehicles are secondary to the living experience. The sidewalk is being widened in anticipation of future sidewalk improvements on adjacent properties (incremental conformance to current standards).
- 8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; the site is increasing driveways along 6th street, but is reducing the width of each to minimize the pedestrian impact.
- 9. Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; the site secures the common landscape area for resident enjoyment, integrates appropriate lighting for safety, and maintains all the code standards for public landscape areas.
- 10. Landscape accents and provides delineation from parking, buildings, driveways and pathways; the building is accented by what will become large shade trees along the street front, smaller trees along the narrower sides, and lush understory plants that visually provide a dense floor of green without excessive turf.
- 11. Lighting is compatible with the proposed buildings and uses, and does not create negative effects; lighting is sensitive to the nature of the project as a single family development, but with consideration for safety in providing illumination levels consistent with multi-family developments in the area.

Conclusion

Based on the above analysis, staff recommends denial of the requested removal of condition #30 of the Development Plan Review.

REASONS FOR DENIAL:

The PAD overlay process was specifically created to allow for creative design solutions with greater flexibility. Entitlements were received based on the proposed plans as presented, without full resolution of the balcony details on the south side but with the agreement to the conditions of approval at the public hearing.

ZON13008 AND PAD13012 CONDITIONS OF APPROVAL:

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

General

- 1. A building permit application shall be made on or before November 7, 2015, or the zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process as a zoning map amendment.
- 2. The property owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waive(s) any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City's approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than December 9, 2013, or the *General Plan Density Map Amendment, Zoning Amendment and Planned Area Development* approval shall be null and void.

- 3. A permit must be obtained from the Engineering Department prior to submittal of construction documents for building permit.
- 4. The Planned Area Development for Clarendon Townhomes shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.
- 5. An amended Subdivision Plat is required for this development and shall be recorded prior to issuance of building permits.
- 6. Applicant is working with staff to notify all residents south of 6th Street, north of 7th Street, east of Wilson and west of Farmer, of proposed changes to refuse collection services, removing alley collection and initiating street front collection for recycling, refuse and bulk collections within this block prior to the final City Council Hearing. Coordinate with Public Works regarding requirements.

DPR13220 CONDITIONS OF APPROVAL

Site Plan

- 7. Provide 5'-6" wide public sidewalk along 6th Street as required by Traffic Engineering Design Criteria and Standard Details.
- 8. Area underneath stairwells to be secured, not open; gates or doors permitted for use of this area for utilities or storage.
- Verify height of mechanical equipment and mounting base to ensure that wall height on ground or on roof are adequate
 to fully screen the equipment. Locate electrical service entrance sections inside utility service room under stairways, out
 of view.
- 10. Provide gates of steel vertical picket, steel mesh, steel panel or similar construction. Review gate hardware with Building Safety and Fire staff and design gate to resolve lock and emergency ingress/egress features that may be required.
- 11. Upgraded paving at each driveway consisting of unit paving shall comply with Engineering Standard Details for portion of driveways located within the right of way.
- 12. 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.
- 13. 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.
- 14. Refuse collection for southern building must be resolved prior to submittal for building permits. Modifications to the balconies that may result from this resolution are approved with this request and do not require further development review.

Building Elevations

15. The materials and colors are approved as presented on the plans:

Roof – flat with parapet

Roof pitched accents – Mottled slate finish: product shall not be asphalt shingle, specific material to be approved by planning during plan check of building set.

Building Main - Smooth stucco finish with Sherwin Williams S122 Golden Needles, LRV 50

Building Accent - Columns, Architectural Details - Sherwin Williams Off Beige LRV 56

Building Base - Brick Veneer by Ironworks, General Shale mottled color

Privacy Panels – Beige color approved: material to be of commercial grade quality with specifications and testing standards applicable to use in this attached unit application (subject to Planning staff review).

Garage Door -One Clear Choice medium red brown wood door with mullioned windows at top

Fencing and Railing - Colletti Design metal railing painted black

Front Door – Black (facing 6th Street) Red (facing courtyard)

Driveways and interior patios and courtyard path - Holland Stone, Desert Blend

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. Additions or modifications may be submitted for review during building plan check process.

- 16. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
- 17. Conceal roof drainage system within the interior of the building.
- 18. 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.
- 19. Conform to the following for building address signs:
 - Provide street number only, not the street name
 - Compose of 8" high individual mount, metal characters.
 - Self-illuminated or dedicated light source.
 - Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
 - Do not affix number or letter to elevation that might be mistaken for the address.
 - Utility meters shall utilize a minimum 1" number height in accordance with the applicable electrical code and utility company standards.

Lighting

- 20. Provide photocell sensors for all entry doors (no timers or switches).
- 21. Provide 5 foot candles at all doors, gates and mailbox locations.
- 22. Provide 1 foot candle for the driveway and stairway.

Landscape

- 23. The plant palette is approved as proposed and specified on the landscape plan, unless otherwise conditioned. 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". 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. Provide pre-emergence weed control application and do not underlay rock or decomposed granite application with plastic.
- 27. Trees shall be planted a minimum of 12'-0" from any existing or proposed public water or sewer lines located on-site.

Trees near the main water or sewer lines located within the right of way shall be planted at least 20'-0" away. Final approval subject to determination by the Public Works, Water Utilities Division.

- 28. The tree planting separation requirements may be reduced from the waterline upon the installation of a linear root barrier, a minimum of 6'-0" parallel from the waterline, or around the tree. The root barrier shall be a continuous material, a minimum of 0.08" thick, installed 0'-2" above finish grade to a depth of 8'-0" below grade. Final approval subject to determination by the Public Works, Water Utilities Division.
- 29. In the event that the mature established tree on the south east corner of the site fails to survive construction, the tree shall be replaced with a 1 ½" caliper or larger Sissoo, to match the south west corner of the development.
- 30. Patio landscape trees shall be located at the end of the drive aisles, either in planters or tree grates, to provide shade to the south side of the development and provide a buffer to residents to the south of the alley.

CODE/ORDINANCE REQUIREMENTS:

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

- The owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be reviewed and placed in a form satisfactory to the Community Development Manager and City Attorney.
- Development plan approval shall be void if the development is not commenced or if an application for a building permit
 has not been submitted, whichever is applicable, within twelve (12) months after the approval is granted or within the
 time stipulated by the decision-making body. The period of approval is extended upon the time review limitations set
 forth for building permit applications, pursuant to Tempe Building Safety Administrative Code, Section 8-104.15. An
 expiration of the building permit application will result in expiration of the development plan.
- Specific requirements of the Zoning and Development Code (ZDC) are not listed as a condition of approval, but will
 apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals,
 become familiar with the ZDC. Access the ZDC through www.tempe.gov/zoning 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 Review. 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 Division will be reviewed by
 planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.

STANDARD DETAILS:

- Access to Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works
 Construction, at this link: www.tempe.gov/index.aspx?page=2147 or purchase book from the Public Works
 Engineering Division.
- Access to refuse enclosure details an all other Building Safety forms at this link: <u>www.tempe.gov/index.aspx?page=1033</u>. The enclosure details are under Civil Engineering & Right of Way.
- BASIS OF BUILDING HEIGHT: Measure height of buildings from top of curb at a point adjacent to the center of the front property line.
- 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). 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.

SECURITY REQUIREMENTS:

- Design building entrance(s) to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and design columns or corners to discourage to opportunity for ambush opportunity. Maintain distances of 20'-0" or greater between a pedestrian path of travel and any hidden area to allow for increased reaction time and safety.
- Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference
 the CPTED principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian
 environments and places of concealment.
- Provide method of override access for Police Department (punch pad or similar) to controlled access areas.

FIRE:

- Clearly define the fire lanes. Ensure that there is at least a 20'-0" horizontal width, and a 14'-0" vertical clearance from the fire lane surface to the underside of tree canopies or overhead structures. Layout and details of fire lanes are subject to Fire Department approval.
- Provide no parking or stopping signage along the fire lane.

ENGINEERING:

- Underground utilities except high-voltage transmission line unless project inserts a structure under the transmission line.
- Coordinate site layout with Utility provider(s) to provide adequate access easement(s).
- Clearly indicate property lines, the dimensional relation of the buildings to the property lines and the separation of the buildings from each other.
- Verify location of any easements, or property restrictions, to ensure no conflict exists with the site layout or foundation design.
- 100 year onsite retention required for this property, coordinate design with requirements of the Engineering Department.
- REFUSE: Contact Public Works Sanitation Division to verify that vehicle maneuvering and access to refuse is adequate.

DRIVEWAYS:

Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed www.tempe.gov/index.aspx?page=801. 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.

LIGHTING:

- Design site security light in accordance with requirements of ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E (Photometric Plan).
- Indicate the location of all exterior light fixtures on the site, landscape and photometric plans. Avoid conflicts between lights and trees or other site features in order to maintain illumination levels for exterior lighting.
- 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. 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.

HISTORY & FACTS:

1930	Lot was agricultural land, unsubdivided
1937	Development began on Roosevelt to the west
March 14 [,] 1946	Orth Subdivision was approved by the City Council, consisting of 16 lots between 5^{th} and 7^{th} streets and between Wilson Street and Farmers Avenue. Lots 4, 5, 6 & 7 would become the site of the currently proposed development.
1949	A house was constructed on Lot 6, the 3 rd lot east of Wilson
1959	Houses built on Lots 5, 7 & 8 on Wilson, Lot 4 remained vacant
1969	Apartment and residences on the north side of 6th street were developed
1979	Land to the west side of Wilson remained vacant, with the exception of an apartment community at 7^{th} and Wilson streets.

1993	Area was largely built out, with the exception of a few remaining vacant parcels, including the lot due north of the proposed development, and the easternmost lot of the proposed development.
March 18, 1996	The three residences on the parcels proposed for redevelopment were demolished, leaving the one house on the south east corner of 6 th and Wilson streets.
2001	A large portion of existing development on 6th Street west of Wilson Street was demolished.
2005-06	Brownstone development was initiated west of Wilson and would take 4-5 years to complete.
2005-2012	Property at 231 W 6 th Street, on the south east corner of Wilson and 6 th streets begins long history of code enforcement violations after death in the family. Ownership is divided among multiple parties, making sale of property difficult. The house has remained vacant for almost a decade.
September 5, 2013	Neighborhood Meeting was held at the Westside Multi-Generational Center at 715 W 5th Street.
October 8, 2013	Development Review Commission hearing recommended approval of the General Plan Density Map Amendment, Zoning Map Amendment, Planned Area Development and approved the Development Plan Review.
October 24, 2013	City Council held the first public hearing for this request.
November 7, 2013	City Council held the second public hearing for this request and approved the General Plan Density Map Amendment, Zoning Map Amendment, and Planned Area Development.
December 17, 2013	Community Development Department Planning Division staff approved a requested minor amendment to the Planned Area Development for additional height.
	The applicant is in process to resolve condition #9, with an alternative design solution to the required HVAC screening. This design modification would be handled administratively, depending on the solution being proposed.
June 12, 2014	City Council scheduled hearing for Subdivision Plat for the existing 4 lots to be subdivided into 24 lots with common landscape.

ZONING AND DEVELOPMENT CODE REFERENCE:

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

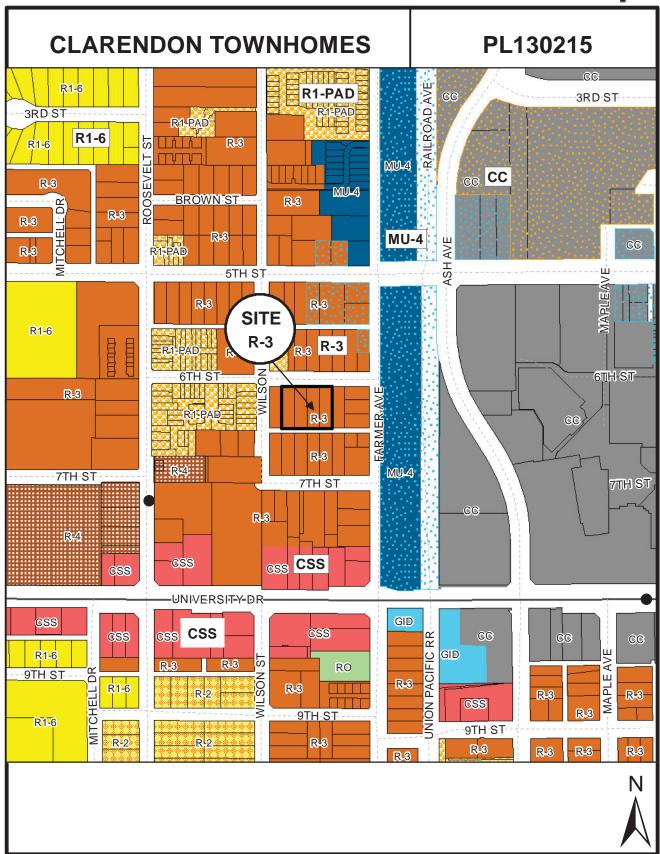


DEVELOPMENT PROJECT FILE

for CLARENDON TOWNHOMES

- 1. Location Map
- 2. Aerial Photo
- 3-4. Letter of Explanation
- 5. Site Plan
- 6. Landscape Plan
- 7. A-202 South Elevation black and white
- 8. A-202 South Elevation color
- 9. Elevation with Balcony Side Elevation
- 10. Balcony Section

1 Tempe





CLARENDON TOWNHOMES (PL130215)

GAMMAGE & BURNHAM

A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW
TWO NORTH CENTRAL AVENUE
15TH FLOOR
PHOENIX, ARIZONA 85004
May 27, 2014

TELEPHONE (602) 256-0566 FACSIMILE (602) 256-4475

WRITER'S DIRECT LINE (602) 256-4461 mvaz@gblaw.com

VIA HAND-DELIVERY

David Nakagawara, Community Development Director c/o Diana Kaminski, Senior Planner Tempe City Hall Municipal Complex Lower Level, East Side 31 East Fifth Street Tempe, AZ 85281

RE:

Clarendon Townhomes (PL130215)

DPR13220 - Landscape Modification - Approval Condition Removal Request

Dear David:

As you are aware, this firm represents Symi Developments, LLC ("Symi") and Catclar Investments, LLC ("Catclar"), the respective owner and developer of the approximate 0.77 acre Clarendon Townhomes project site located at 425 West 6th Street (the "Site") in Tempe. Clarendon Townhomes consists of 24 single-family attached townhomes ranging from three (3) to four (4) stories in height, interior courtyards, patios, lush landscaping, 60 vehicular parking spaces and 24 bike spaces (the "Project").

On October 8, 2013, the Development Review Commission (the "DRC") approved, subject to conditions, a development plan review application to allow the development of the Project (the "DPR Approval"). The purpose of this correspondence is to request that condition number 30 of the DPR Approval for the Project be removed. The requested modification is necessary to allow Catclar to develop the Project in a manner that is consistent with the vision presented to the community and the DRC.

Pursuant to condition number 30, the DPR Approval requires the provision of patio landscape trees within planters or tree grates at the end of the Project's drive aisles adjoining the alley to the south of the Site for the purposes of providing shade and providing a buffer for the properties located south of the alley.

As reflected by the enclosed landscape plan approved by the DRC, approximately 25 percent of the Site will be landscaped area, a significant and generous amount for any development within an urban setting. As noted in the staff report for the referenced DPR application, the Project's landscape is lushly planted to maximize shade and to provide a green appearance. The Project will provide resort like landscaping for the purposes of 1) providing shade and a pedestrian friendly environment along the streetscape, 2) providing a comfortable and inviting outdoor experience for residents and guests within the Project's interior courtyards, and 3) enhancing the quality of the Project's outdoor experience between the building and Sixth Street.

In contrast to the Project's landscape plan, the provision of trees along an alley within an urban setting is atypical, impractical and problematic. For an urban development like the Project where vehicular access occurs from a public alley, the provision of trees, including trees provided within grates or planters, will create unnecessary vehicular maneuvering conflicts for both residents and the City's Public Works staff. As a result, reoccurring damage to trees, planters and/or vehicles is likely. In addition, any trees provided along the alley will be shaded by the Project's patios located on the second level. As a result, these trees are likely to become unhealthy, unattractive and require continuous and burdensome replacing by future residents.

As mentioned above, the stated purpose of condition number 30 is to provide shade and to provide a buffer from properties located south of the alley adjoining the Site. As discussed above, the end of the drive aisles where the trees in question are to be provided will be shaded by the Project's patios located on the second level. Therefore, providing trees at the end of the drive aisles along the alley will not result in the provision of any additional shade of significance. In regard to providing a buffer from the properties located across the alley to the south, the Project's residences, with the exception of the covered carports on the first level and the patios on the second level, will be setback 20 feet from the Site's south property line. When combined with the adjoining alley to the south, the Project's enclosed living spaces and patios will respectively be setback 40 and 28 feet from the adjoining properties across the alley. The noted setbacks will ensure that an appropriate buffer is provided, especially for a single-family attached residential development within an urban setting like downtown Tempe.

As you are aware, Section 6-312(C)(4) of the Zoning and Development Code (the "ZDC") allows for the removal of an approval condition by the original decision making body. As discussed above, approval condition number 30 requires the atypical provision of trees along a public alley that are:

- 1) problematic for maneuvering vehicles within the adjoining alley providing access to the Site:
- 2) likely to be damaged or become unhealthy;
- 3) not necessary for the condition's stated purposes of providing shade and providing a buffer from the properties located across the adjoining alley to the south; and,
- 4) unfairly burdensome to both Catclar and the Project's future residents

Therefore, pursuant to Section 6-312(C)(4) of the ZDC, we respectfully request that the DRC remove approval condition number 30 from the DPR approval.

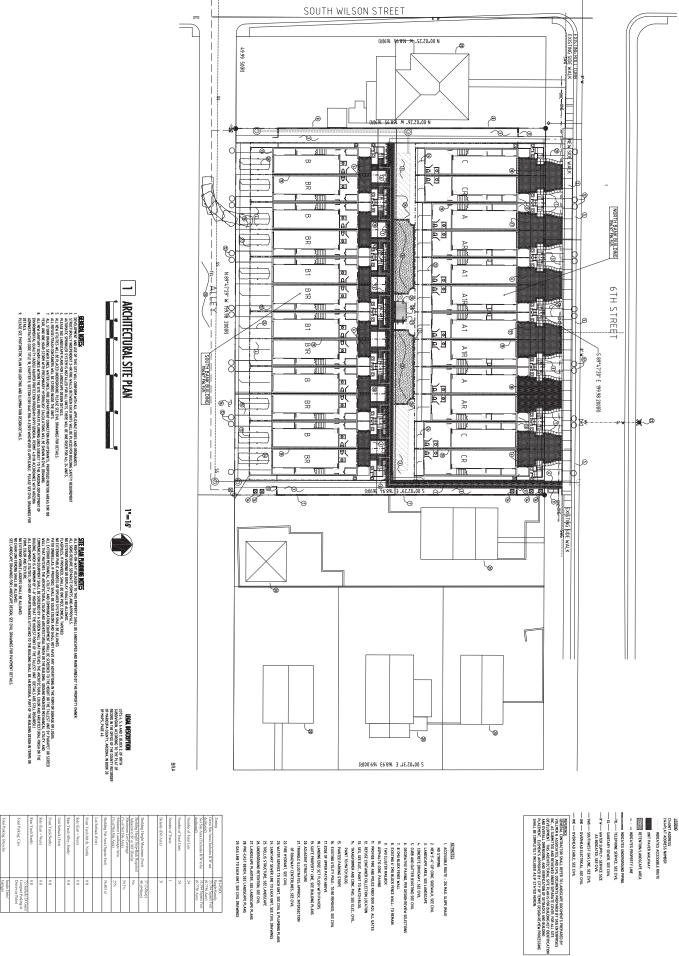
Please let us know if you require additional information or documents to address this request. Otherwise, we look forward to addressing this request during the forthcoming DRC meeting.

Sincerely, GAMMAGE & BURNHAM

By

Manjula M. Vaz

Enclosures MMV/rl



Total Parking: Bicycles	Total Parking: Cars	Rear Yard (South)	Side (East + West)	Front Yard (North)	Unit Setback (Feet)	Rear Yard (Alley, South)	Side (East + West)	Front Yard (6th St, North)	Lot Setback (Feet)	Building Net Area (Square Feet)	Minimum Landscape Area (% of Net Site Area)	Maximum Lot Coverage (% of Net Site Area)	Building Height Step Back Required Adjacent to SF or MF District	Building Height Maximum (Feet)	Density (DU/Acre)	Number of Traces	Number of Total Units	Number of Total Lots	dedicated)	Gross Site Area (Includes R/W not dedicated)	Zoning
Inside Units' Garages	72 (Include 24 Guest Compact Parking at Driveway Pario)	9.0	08	9.0		9.0	8 ft	9.0		56,803 sf	25%	59.3%	No	37 (3 Story) 48 (4 Story)	31	-	24	24	(0.7756 Acre)	(0.7756 Acre)	KI PAD, Single Family

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Building Height Maximum (Feet) 4:	Density (DU/Acre) 31	Number of Tracts	Number of Total Units 24	Number of Total Loss 24	rea (Excludes R/W to be	Gross Site Area (Includes R/W not 3: dedicated) ((Zening R Si	
37 (3-Story) 48 (4-Story)	H		×	2	33,784 Square Feet (0.7756 Acre)	33,784 Square Feet (0.7756 Acre)	RI-PAD, Single Family	

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Front Yard (6th St, North)	Lot Setback (Feet)	Building Net Area (Square Feet)	Minimum Landscape Area (% of Net Site Area)	Maximum Lot Coverage (% of Net Site Area)	Building Height Step-Back Required Adjacent to SF or MF District	Building Height Maximum (Feet)	Density (DU/Acre)	Number of Tracts	Number of Total Units	Number of Total Lots	Net Site Area (Excludes R/W to be dedicated)	Gross Site Area (Includes R/W not dedicated)	Zoning
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Zoning	RI PAD, Single Family
Gross Site Area (Includes R/W not	33,784 Square Feet (0.7756 Acres)
Net Site Area (Excludes R/W to be	33,784 Square Fort
Number of Total Loss	24
Number of Total Units	24
Number of Tracts	1
Density (DU/Acre)	31
	37 (3-Story)

	RI-PAD,
Zoning	Single-Family
Gross Site Area (Includes R/W not	35,784 Square Feet
dedicated)	(0.7756 Acre)
Net Site Area (Excludes R/W to be	33,784 Square Feet
dedicated)	(0.7756 Acre)
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Number of Total Units	24
Number of Tracts	1
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SZSBZ PENG JANG JANG LANG LANG PENGES 09/30/201 **CLARENDONCITOWNHOMES** 413, 417, 421, 425 W 6th Street

NO STRENGE

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5. LOBB AND OFFITE RESIDENT SEE COMES REVEW SELECTIONS

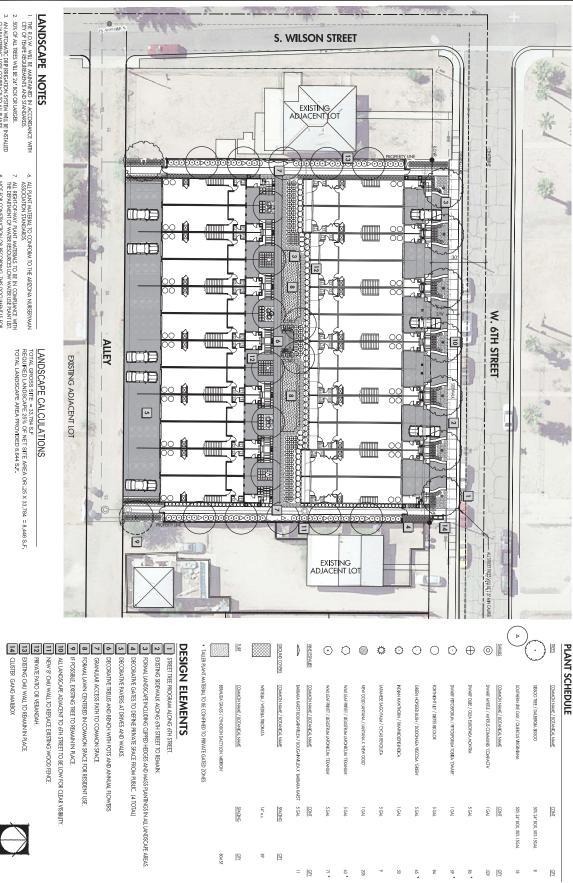
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ACCESSIBLE ROUTE - 2% MAX. SLOPE (MAX)



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H&S International LLC

VARF CLUE / OLEA EUROPAEA MONTRA PITTOSPORUM / PITTOSPORUM TOBR.

ESE SAGO PALM / CYCAS REVOLUTA

MON NAME / BOTANICAL NAME

19

TALLER PLANT MATERIAL TO BE CONFINED TO PRIVATE GATED ZONES

LANDSCAPE NOTES

ALL EARTHWORK WILL BE DONE SUCH THAT ALL WATER DRAINS AWAY FROM SIDEWALKS AND STRUCTURES AND WILL NOT IMPEDE NATURAL DRAINAGE. AN AUTOMATIC DRIP IRRIGATION SYSTEM WILL BE INSTALLED GUARANTEEING 100% COVERAGE TO ALL PLANTS. 50% OF ALL TREES WILL BE 24" BOX OR LARGER. THE R.O.W. WILL BE MAINTAINED IN ACCORDANCE WITH CITY OF TEMPE REQUIREMENTS AND STANDARDS.

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>
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>
> ALL RIGHTO-PLANY PLANT MATERIALS TO BE IN COMPUNICE WITH THE DEPARTMENT OF WATER RESOURCES FOW WATER USE PLANT LIST.

> > TOTAL GROSS SITE = 33,784 S.F.
> > REQUIRED LANDSCAPE 28%, OF NET SITE AREA OR .25 X 33,784 = 8,446 S.F.
> > TOTAL LANDSCAPE AREA PROVIDED 8,644 S.F.

LANDSCAPE CALCULATIONS

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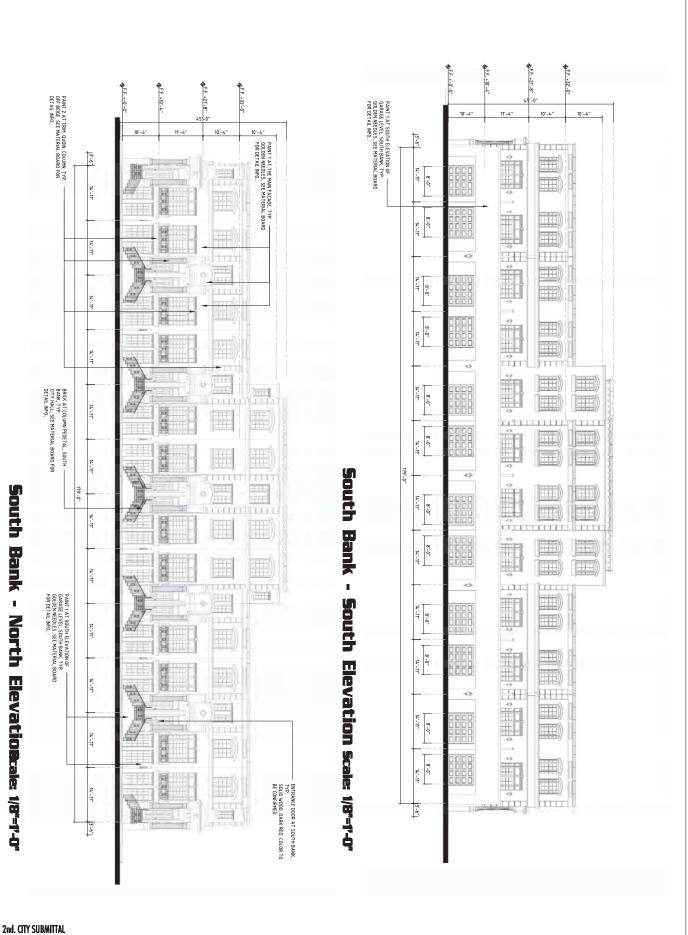


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Clarendon Townhomes

413, 417, 421, 425 W 6TH ST, TEMPE, AZ

Conceptual Lands Enpe Plan



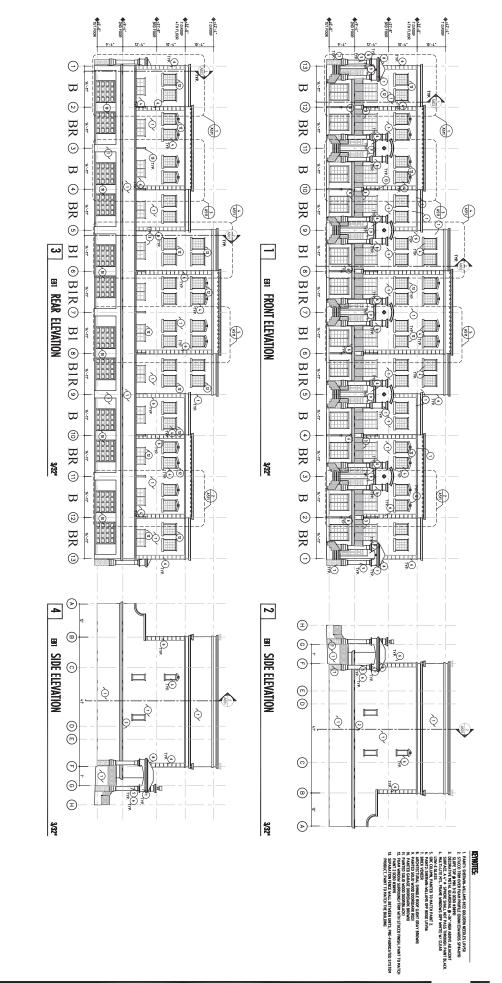
A-202

EXPIRES 19/30/2014



Claredon Townhomes

H&S International ILC 6220 N. 19TH. WAY 90 SCOTTSOALE HANGAR ONE SCOTTSOALE, ARZONA 85269 (480) 585-4290 (FAX)







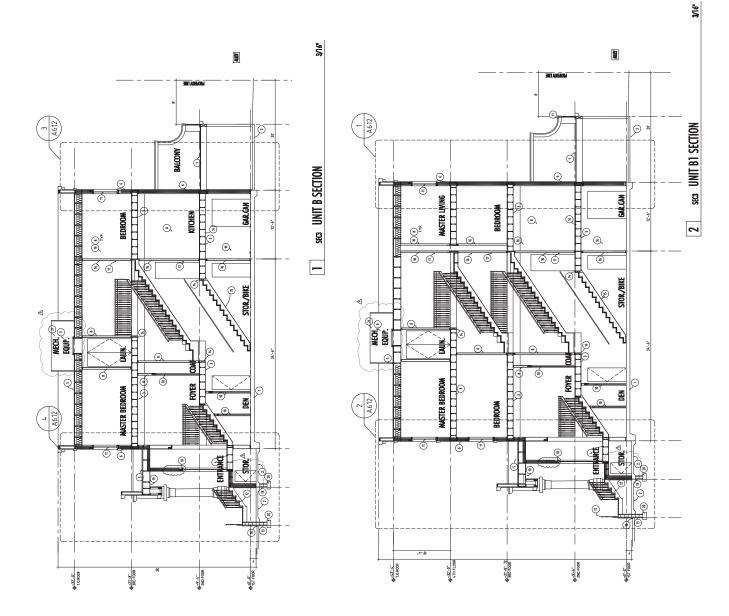






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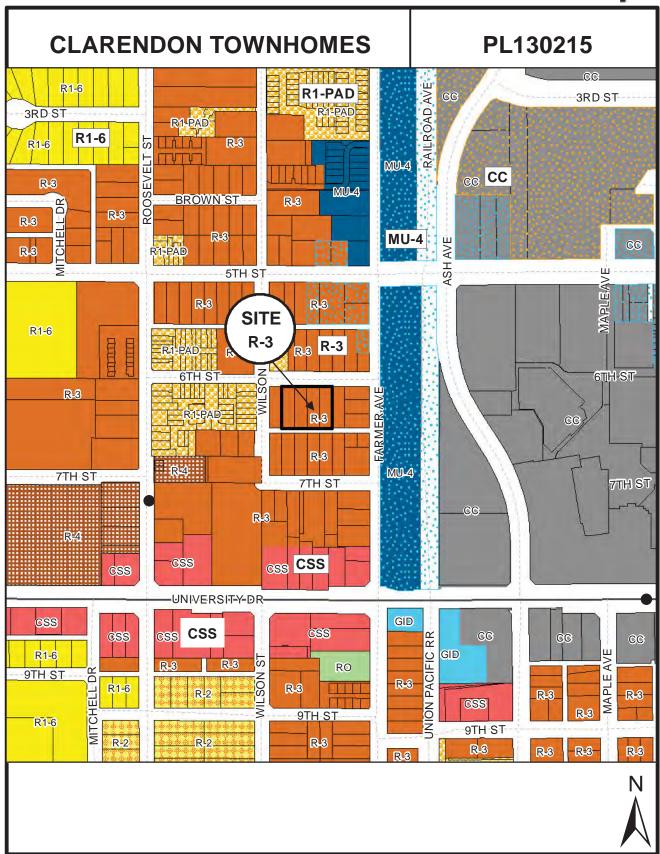


DEVELOPMENT PROJECT FILE

for CLARENDON TOWNHOMES

- 1. Location Map
- 2. Aerial Photo
- 3-4. Letter of Explanation
- 5. Site Plan
- 6. Landscape Plan
- 7. A-202 South Elevation black and white
- 8. A-202 South Elevation color
- 9. Elevation with Balcony Side Elevation
- 10. Balcony Section







CLARENDON TOWNHOMES (PL130215)

GAMMAGE & BURNHAM

A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW
TWO NORTH CENTRAL AVENUE
15TH FLOOR
PHOENIX, ARIZONA 85004
May 27, 2014

TELEPHONE (602) 256-0566 FACSIMILE (602) 256-4475

WRITER'S DIRECT LINE (602) 256-4461 mvaz@gblaw.com

VIA HAND-DELIVERY

David Nakagawara, Community Development Director c/o Diana Kaminski, Senior Planner Tempe City Hall Municipal Complex Lower Level, East Side 31 East Fifth Street Tempe, AZ 85281

RE:

Clarendon Townhomes (PL130215)

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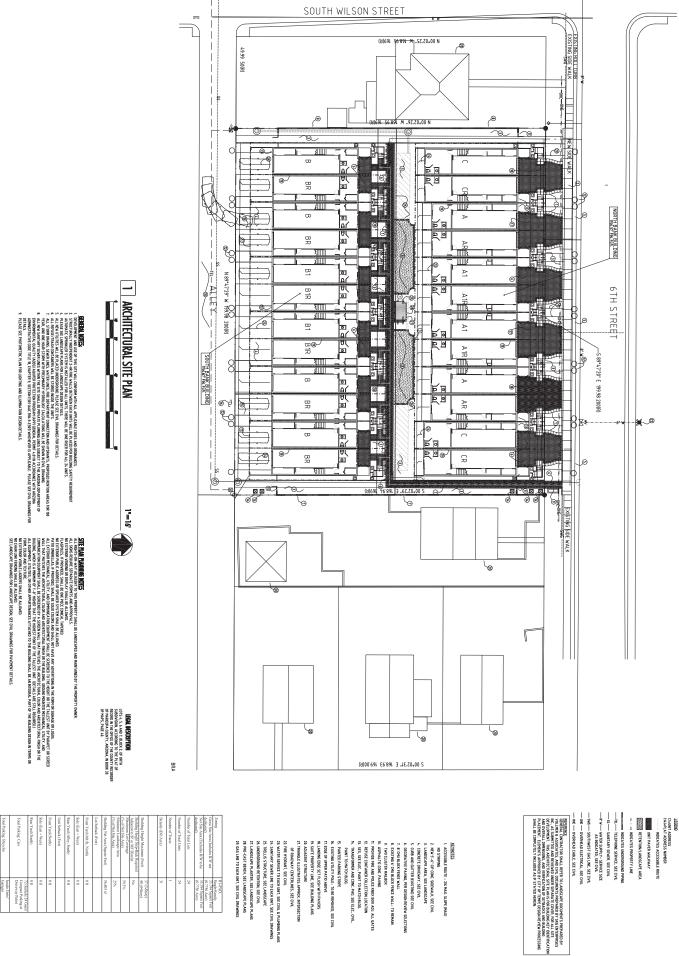
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By

Manjula M. Vaz

Enclosures MMV/rl



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	RI-PAD.
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Number of Lotal Lots	14
	2
Number of Local Utility	24
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Density (DU/Acre)	31
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Building Height Maximum (Foet)	48 (4-Story)
Building Height Step Back Required	
Adjacent to SF or MF District	No
Maximum Lot Coverage	
(% of Net Site Area)	39.3%
Minimum Landscape Area	
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SZSBZ PENG JANG JANG LANG LANG EXPIRES 09/30/201 **CLARENDONCITOWNHOMES** 413, 417, 421, 425 W 6th Street

NO STRENGE

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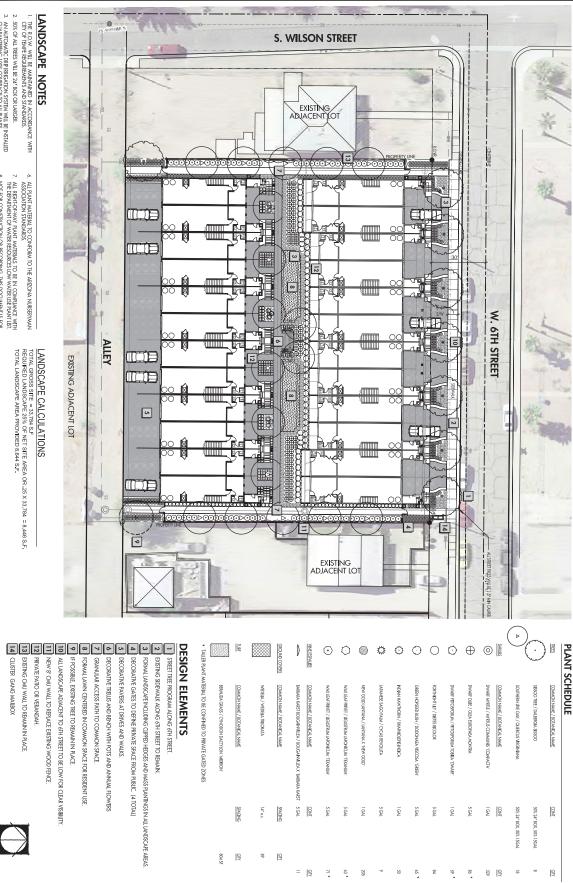
7. FOR DELOCK TREY CALL

6. DOCUMENT CA

ACCESSIBLE ROUTE - 2% MAX. SLOPE (MAX)



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H&S International LLC

VARF CLUE / OLEA EUROPAEA MONTRA

PITTOSPORUM / PITTOSPORUM TOBR.

ESE SAGO PALM / CYCAS REVOLUTA

MON NAME / BOTANICAL NAME

BERWIJDA GRASS / CYNODON DACTYLON

DESIGN ELEMENTS

LANDSCAPE NOTES

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LANDSCAPE CALCULATIONS



Clarendon Townhomes

19

413, 417, 421, 425 W 6TH ST, TEMPE, AZ

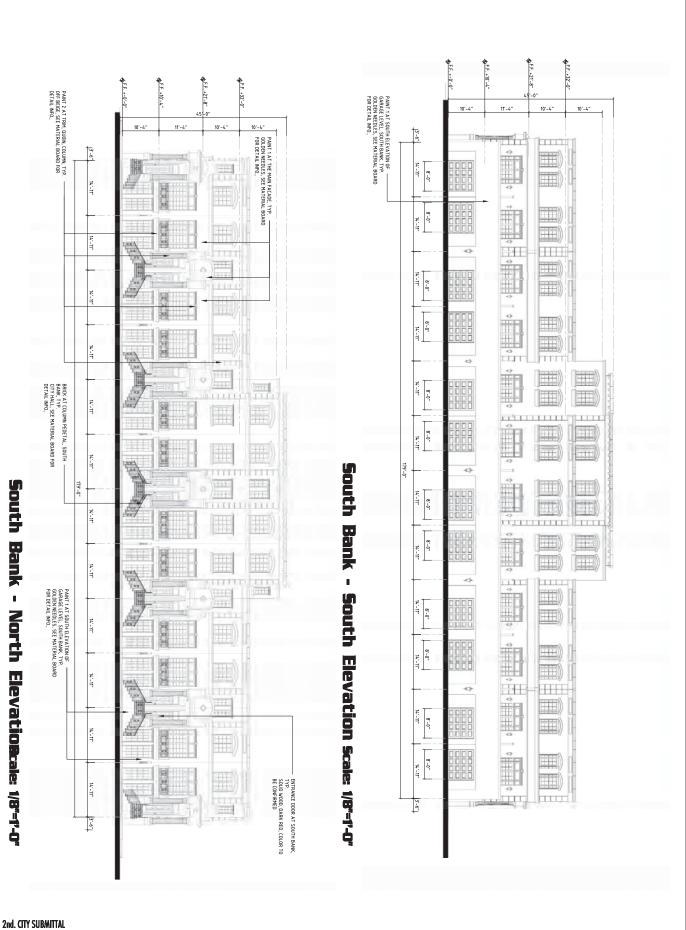




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A-202

EXPIRES 19/30/2014

H&S International LLC
15220 N. 19TH, WAY
200 SCOTTSOALE HAVEAR ONE
SCOTTSOALE ARIZONA 85269
(401) 595-4696
(401) 595-2290 (FAX)

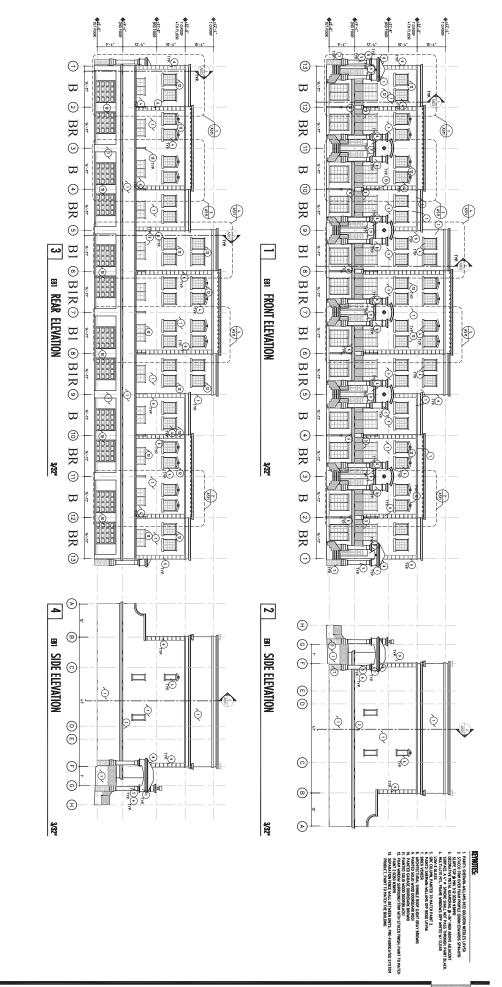


2nd. CITY SUBMITTAL

EXPIRES 97-30/2014

Claredon Townhomes

H&S International ILC 6220 N. 19TH. WAY 90 SCOTTSOALE HANGAR ONE SCOTTSOALE, ARZONA 85269 (140) 595-4299 (FAX)











LOMUHOWES RENDON



