

**CITY OF TEMPE  
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 11/12/2013  
Agenda Item: 4**

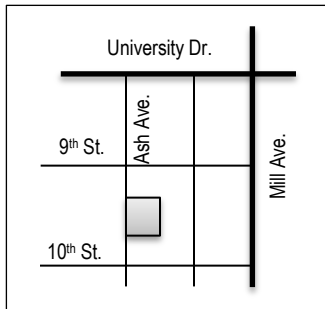
**ACTION:** Request for a Development Plan Review consisting of a building modification for ASH PROPERTY RESURRECTION, located at 959 South Ash Avenue. The applicant is James Hann Design.

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

**RECOMMENDATION:** Staff – Denial

**BACKGROUND INFORMATION:** ASH PROPERTY RESURRECTION (PL110362) consisting of a request for a building material modification from the previously approved design. The change includes a modification of the Hardie ‘vertical plank’ and ‘horizontal shiplap siding’ material to stucco, for a portion of Unit D and the east (alley) elevation for Units B, C, D, and E. The same colors would be applied to the material. The request includes the following:

DPR13271 Development Plan Review for building elevation modifications



Property Owner	Irene Menting, Ash Property Resurrection LLC
Applicant	James Hann, James Hann Design
Current Zoning District	R-3, Multi-Family Residential Limited District
Gross/Net site area	0.46 acres
Total Building area	15,336 sf.
Lot Coverage	49 % (50% maximum allowed)
Building Height	30 ft. (30 ft. maximum allowed)
Building Setbacks	20' front, 10' sides, 15' rear (20', 10', 15' min.)
Landscape area	29% (25% minimum required)
Vehicle Parking	20 spaces (18 minimum required)
Bicycle Parking	7 spaces (6 minimum required)

**ATTACHMENTS:** Development Project File

**STAFF CONTACT:** Ryan Levesque, Senior Planner (480) 858-2393

Department Director: Dave Nakagawara, Community Development Director  
 Legal review by: N/A  
 Prepared by: Ryan Levesque, Senior Planner

## **COMMENTS:**

This site is within the Maple-Ash Neighborhood and comprises of three contiguous mid-block parcels. The subject site is located on the east side of Ash Avenue between 9<sup>th</sup> and 10<sup>th</sup> Streets. The surrounding Maple-Ash neighborhood is defined in the General Plan Projected Density Map as a Cultural Resource Area (CRA). As previously approved by City Council, upholding the Development Review Commission's decision, on June 28, 2012, the applicant removed the third story, modified the form of the design and modified the site layout so there is reduced reliance on tandem parking. The applicant removed one unit from the concept (was eight, and now seven) so the project density is reduced, although the overall bedroom quantity (nineteen) is the same. The approval now consists of seven units in four buildings including an existing one-story freestanding unit (1,288 sf.), two new two-story freestanding units (1,346 sf. and 2,368 sf.) and a new two-story building with four units (10,334 sf.). Currently the project site is well under construction with the entire building framework up.

The applicant is requesting the Development Review Commission take action on a building material modification for a portion of Unit D along the front and the east alley elevation, which consists of units B, C, D, and E. The material change request consists of Hardie Board 'vertical plank' and 'horizontal shiplap siding' to stucco, intended to match the existing older unit in the front. This request is being brought back to the Commission because the stucco material did not exist on either of the new buildings provided in the original design approval. The existing 1929 home was not part of the development plan review approval.

## **PUBLIC INPUT**

A neighborhood meeting is not required for a Development Plan Review modification. A neighborhood meeting was provided for the processing of the original development in accordance with the Maple Ash Neighborhood checklist. The applicant had previously held two neighborhood meetings. A pre-submittal, unofficial neighborhood meeting was held at 1206 South Ash Avenue in December, 2011. An official neighborhood meeting was advertised in accordance with the Zoning and Development Code and was held on February 8, 2012, from 6:30 pm to 8:00 pm in the Tempe Woman's Club at 1290 South Mill Avenue. A copy of the previous report and the public comments is provided in the attachment for reference of the prior review and decision. Understanding the sensitivity of the prior process, staff initiated a public hearing notice for this request, providing notice at least 15 days in advance of the meeting, and posting the site for the request and meeting date. Additionally, postcards were sent to nearby property owners and an email communication was distributed to the Neighborhood Association and Affiliates in the area. At the time this report was completed staff has not received any additional public input on the matter.

## **DEVELOPMENT PLAN REVIEW**

### **Building Elevations**

The freestanding units and the four-unit building containing Units B, C, D, and E, are wood frame structures that distinguish interior and exterior space with individualized hip and gable roof forms and volume articulations in the exterior walls including porches and an upper level veranda. The building containing Units B-E in the rear, with form and color, provides individual character of residences lined in a row. The surfaces and colors of the buildings evoke the Arts and Crafts Movement of the early twentieth century. The use of cement-based cladding materials for horizontal lap siding, shingle accent siding, vertical siding and trim follows an effort to provide structures that will not readily deteriorate in this climate.

The applicant requests to modify the building materials used for a portion of the frontage along Unit D and the east elevation along the alley for Units D-E with a stucco material, using the same color palette. The existing preserved residence, constructed in 1929 of a one-story adobe Bungalow-style house at 959 S Ash, was previously renovated by the current property owner. That residence currently uses the same stucco material proposed in the elevation modification request. All the other new buildings and their elevations do not contain the stucco material contained within the preserved home.

Section 6-306 D Approval Criteria for Development Plan Review (in italics):

1. *Placement, form, and articulation of buildings and structures provide variety in the streetscape;* Criteria not applicable to this request.
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort;* The applicant has expressed that the stucco material on the east elevation would promote 'thermal efficiency' based on the R-value of the material. The project is intended to meet 'Emerald' standard per the NAHB (National Association of Home Builders). It's unclear whether the use of the other material will not meet this objective. Other approved elements of the project, such as, orientation of porches and upper second floor verandas, help mitigate afternoon solar exposure of the residences that face Ash Avenue. Maturity of the surrounding trees will additionally filter the rays of the sun throughout the site.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;* The approved building materials were selected that in shape and application can be used to replicate an architectural style of a century past but with an enhanced durability that allows ease of maintenance and replicate a craftsman-style architecture. The proposed material change to stucco is not introduced on any other portions of the new buildings, different than the original imagery concept. Four-sided architecture should be taken into account, as the alley elevation is as important as the front elevations.
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings;* Criteria not applicable to this request.
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;* Criteria not applicable to this request.
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;* Special treatment of windows, entries, porches and walkways is made with attention to the relation of buildings to the street. The alley is also another important entrance into the site, with primary garage access for the residents. The materials used in the front face of the structure should provide complementary material on the east alley elevation as well.
7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage;* Criteria not applicable to this request.
8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses;* Criteria not applicable to this request.
9. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance;* Criteria not applicable to this request.
10. *Landscape accents and provides delineation from parking, buildings, driveways and pathways;* Criteria not applicable to this request.
11. *Signs have design, scale, proportion, location and color compatible with the design, colors, orientation and materials of the building or site on which they are located;* Criteria not applicable to this request.
12. *Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects.* Criteria not applicable to this request.

## **Conclusion**

Based on the information provided and the above analysis, staff recommends maintaining the original approved material that exists throughout the other building elevations; provide a variation of both vertical and horizontal siding details.

**SHOULD AN AFFIRMATIVE ACTION BE TAKEN ON THIS REQUEST, THE FOLLOWING NUMBERED CONDITIONS OF APPROVAL SHALL APPLY, BUT MAY BE AMENDED BY THE DECISION-MAKING BODY.**

## **CONDITIONS OF APPROVAL:**

1. The materials and colors for Buildings containing Unit A, Unit F and Unit B-E are approved as presented:
  - Gable Ends - Sherwin Williams "Cobblestone" LRV 55
  - Unit A - Sherwin Williams "Timber Bark" LRV 17
  - Unit B - Sherwin Williams "Traditional Red" LRV 11
  - Unit C - Sherwin Williams "Heather Moss" LRV 35
  - Unit D - Sherwin Williams "Boothbay Blue" LRV 21
  - Unit E - Sherwin Williams "Harris Cream" LRV 55
  - Unit F (top) - Sherwin Williams "Khaki Brown" LRV 30
  - Unit F (bottom) - Sherwin Williams "Chestnut Brown" LRV 12
  - Trim - Sherwin Williams "Artic White"
  - Asphalt roof shingles "Autumn Blend"
  - Hardie Plank, lap siding
  - Hardie Panel, vertical siding
  - Hardie Trim, batten strips
  - Stucco – Unit D below the gables and Units B, C, D, and E east elevations

## **HISTORY & FACTS:**

- February 8, 2012: ASH PROPERTY RESURRECTION held a Neighborhood Meeting including a presentation of the project was conducted by the Development Team in fulfillment of the neighborhood meeting provision of the Maple-Ash Neighborhood Checklist.
- March 27, 2012: Development Review Commission, by vote of six to one (6-1), continued the requests for Ash Property Resurrection located at 959 South Ash Avenue in the R-3, Multi-Family Residential Limited District for a Use Permit to allow tandem parking, a Use Permit Standard to increase by ten (10) percent the maximum allowable building height from thirty (30) feet to thirty-three (33) feet, and a Development Plan Review for site plan, building elevations and landscape plan. The requests were continued until the April 24, 2012 Development Review Commission hearing.
- April 24, 2012: Development Review Commission without comment continued until May 22, 2012 the proposal for Ash Property Resurrection at the request of the applicant. Proposal and staff report were not present at this hearing.
- May 22, 2012: Development Review Commission, by vote of five to two (5-2), approved the requests for Ash Property Resurrection. The requests include a Use Permit to allow tandem parking and a Development Plan Review for site plan, building elevations and landscape plan. The Commission added condition of approval #42 to the conditions of approval presented at the hearing.

- June 28, 2012: City Council denied the request for appeal of the decision by the Development Review Commission for approval of Use Permit and Development Plan Review for Ash Property Resurrection. The request was modified now consisting of seven units in four buildings including an existing one-story freestanding unit (1,288 sf.), two proposed two-story freestanding units (1,346 sf. and 2,368 sf.) and a proposed two-story building with four units (10,334 sf.), all on +/- 0.46 net acres, located at 959 South Ash Avenue in the R-3, Multi-Family Residential Limited District.
- June 28, 2012 City Council approved a subdivision plat for ASH ESTATES, combining three lots into one, located at 959 South Ash Avenue in the R-3, Multi-Family Residential Limited District.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-306, Development Plan Review



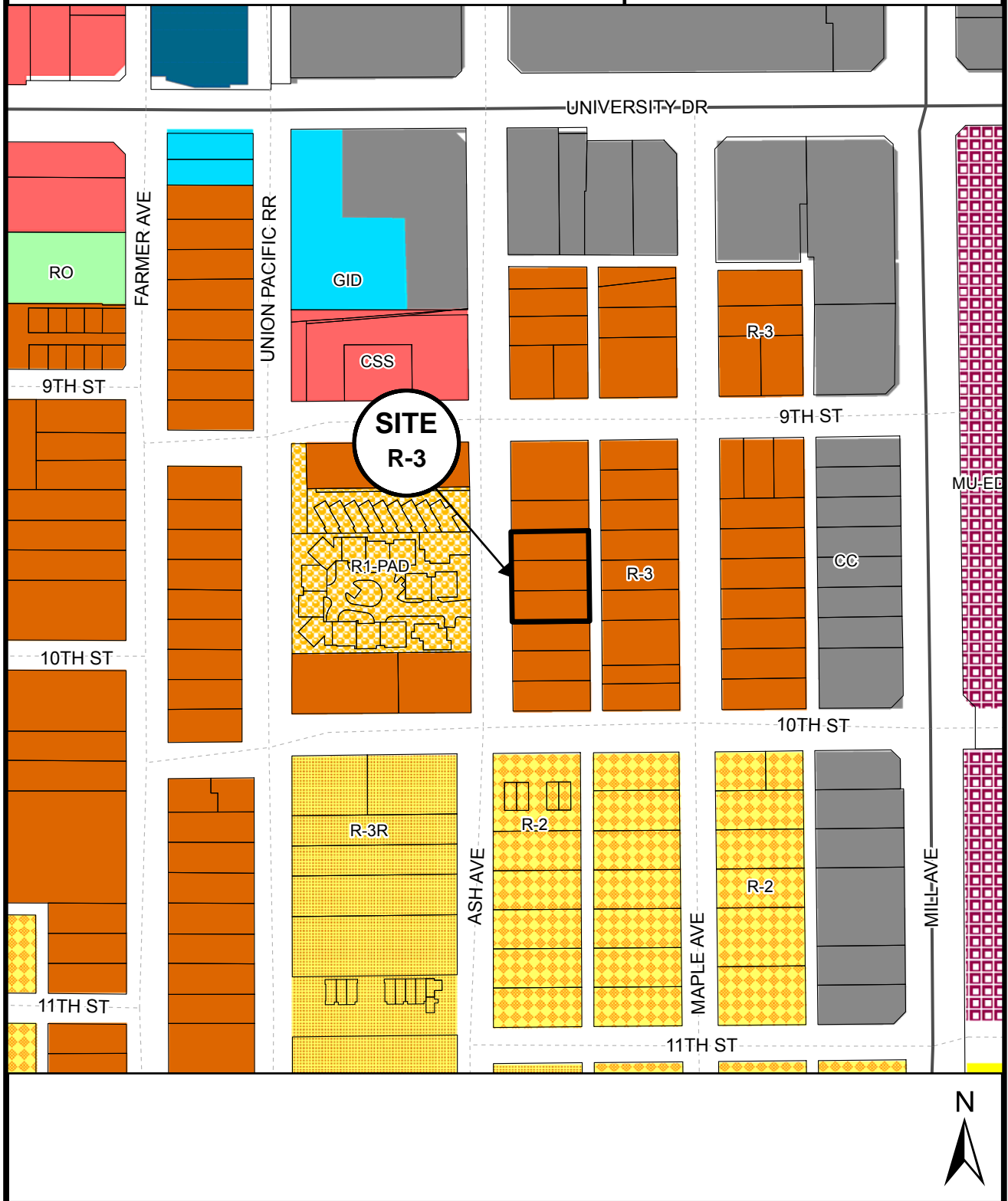
**DEVELOPMENT PROJECT FILE**  
for  
**ASH PROPERTY RESURRECTION**

**ATTACHMENTS:**

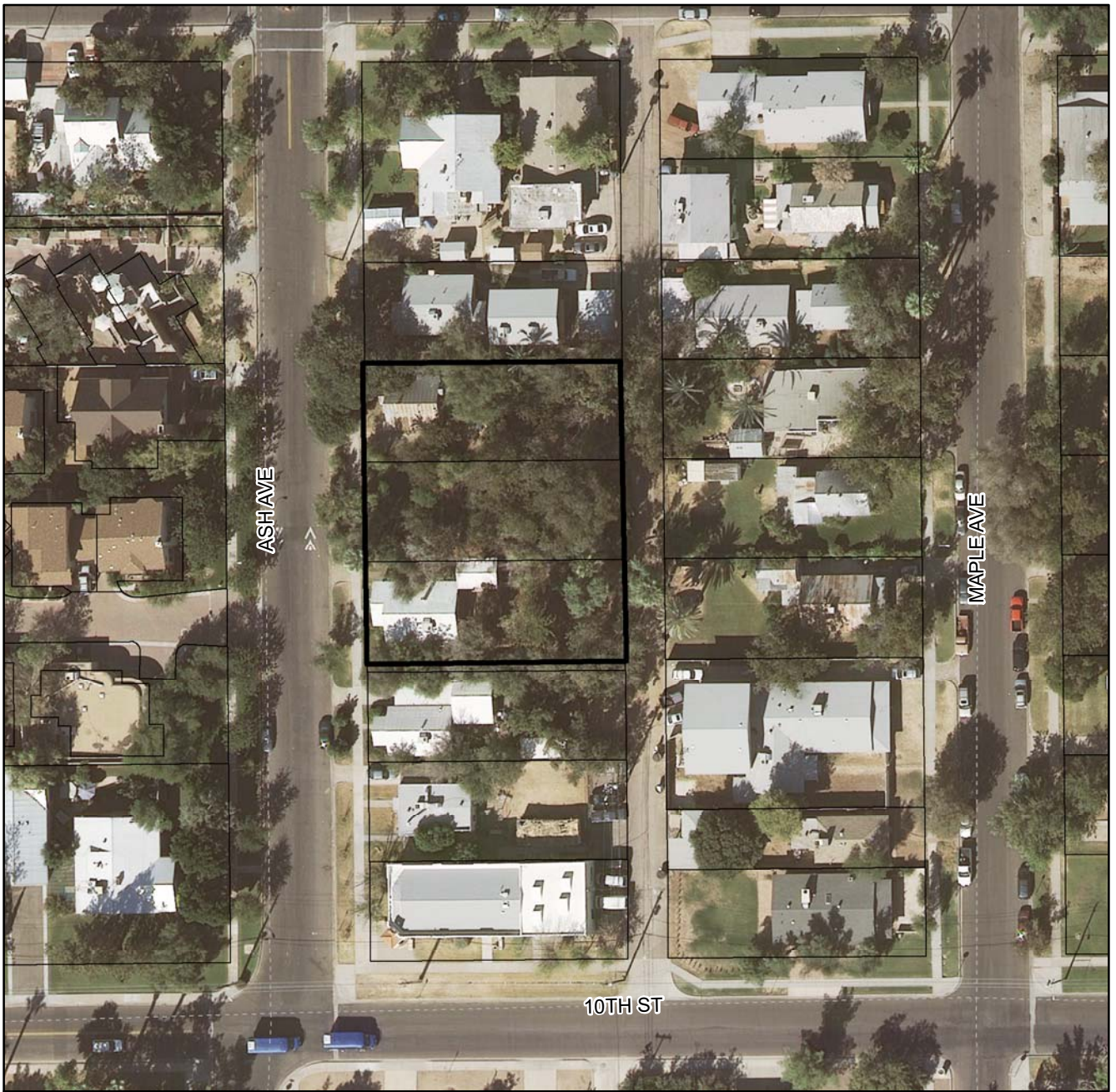
1. Location Map
2. Aerial Photo
3. Letter of Explanation
4. Proposed Building Elevation
5. Previous East Elevation
6. Color Elevation
7. Color Rendering of project frontage
8. Material Color Board
9. Site Plan
- 10+ Previous Council Report and Previous Public Comments (6/28/12)

# ASH PROPERTY RESURRECTION

PL110362



Location Map



**ASH PROPERTY RESURRECTION (PL110362)**



***Ash Property Resurrection  
959 South Ash Avenue  
Tempe project # SPR11070***

***Request for revision from Hardie Board ‘vertical plank’ sheathing to stucco for Unit D:***

*The original approval included ‘vertical plank’ sheathing from Hardie Board for Unit D. The photos of this product looked fairly good, but when examining an actual sample of this product, the appearance was rather ‘cheap’ looking when compared to the other siding products from Hardie Board. We request substituting stucco to match the existing residence located on the site. The texture would be the same as the existing residence and the color would match the Hardie Board color. Additionally, we would like to substitute stucco for the alley side (East side) of units B,C,D&E. The siding material on the North, East and South sides would remain unchanged. The colors for the alley side would match the colors originally approved for the East elevation. Other than the material revision, the appearance would be the same as originally approved. This elevation can only be seen from the alley and would not be visible from Ash Avenue or the neighbors to the North or the South. Our intent for this project is to make it a ‘green’ project meeting the ‘Emerald’ standard per the NAHB. The use of stucco in this location helps promote the ‘thermal efficiency’ as well as the ‘materials use efficiency’ promoted by NAHB. It also is a faster material to apply and would help reduce the construction time and disturbance to the neighborhood. The cost of this is only slightly less than the Hardie Board material originally approved. Please see the attached colored elevations. Thank you for your consideration.*

*Respectfully submitted,*

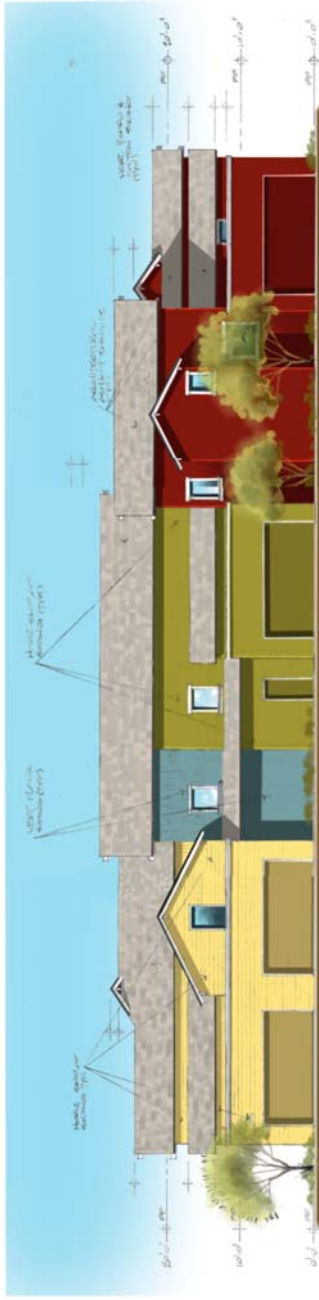
*James Hann, AIA*







West Elevation



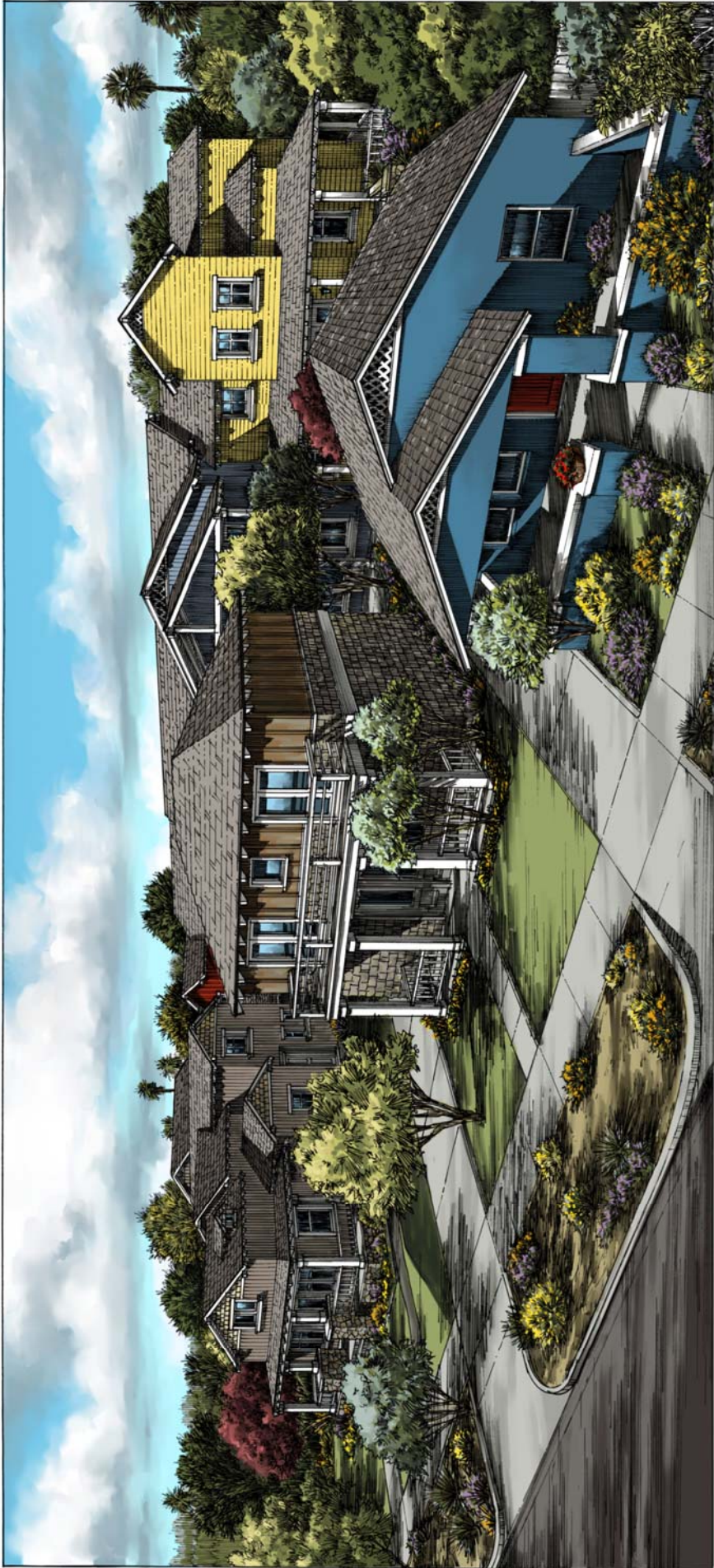
East Elevation



North Elevation



South Elevation



ATTACHMENT 7

**Tempe Project Number: SPR11070**  
**959 South Ash Avenue**  
**Tempe, AZ Section 22N, Zoning R-3**

**Autumn Blend**



Hardie Plank	Gable ends	"Cobble Stone" LRV 55
Hardie Plank	Unit 'A'	"Timber Bark" LRV 17
Hardie Plank	Unit 'B'	"Traditional Red" LRV 11
Hardie Plank	Unit 'C'	"Heathered Moss" LRV 35
Stucco	Unit 'D'	"Boothbay Blue" LRV 21
Hardie Plank	Unit 'E'	"Harris Cream" LRV 55
Hardie Plank	Unit 'F' (top)	"Khaki Brown" LRV 30
Hardie Plank	Unit 'F' (bottom)	"Chestnut Brown" LRV 12
Hardie Plank	Trim	"Arctic White"
Certaainteed	Asphalt roof shingles	"Autumn Blend"



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**Fiber Cement Shingled Siding**

HardieShingle siding has the same warm, authentic look as cedar siding shingles, yet it resists rotting, cracking, and splitting. It's beautiful as a primary siding or as a complement to other styles of James Hardie® siding, and HardieShingle is also **Engineered for Climate®** to better withstand a home's particular weather challenges. Our shingle siding panels come in a variety of decorative edges, and expedite installation when used in larger areas. HardieShingle individual siding shingles come in a selection of widths for an authentic handcrafted look and are also ideal for smaller coverage areas. James Hardie fiber cement shingle siding products are available with our strongest warranty ever. HardieShingle siding is protected by a 30-year nonprorated, transferable, limited warranty.



**HardiePlank® Lap Siding**  
 HardiePlank Lap Siding is the most popular brand of siding in America and can be found on over 5.5 million homes. With its strength, beauty and durability, HardiePlank siding enhances and protects homes in all kinds of climates.  
[more](#)



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 For applications that call for vertical siding, HardiePanel vertical siding is equal to our lap siding in value and long-lasting performance. Because of its structural strength, HardiePanel siding may be used as a shear panel. When combined with HardieTrim® boards, it can also help you achieve a board-and-batten look.  
[more](#)

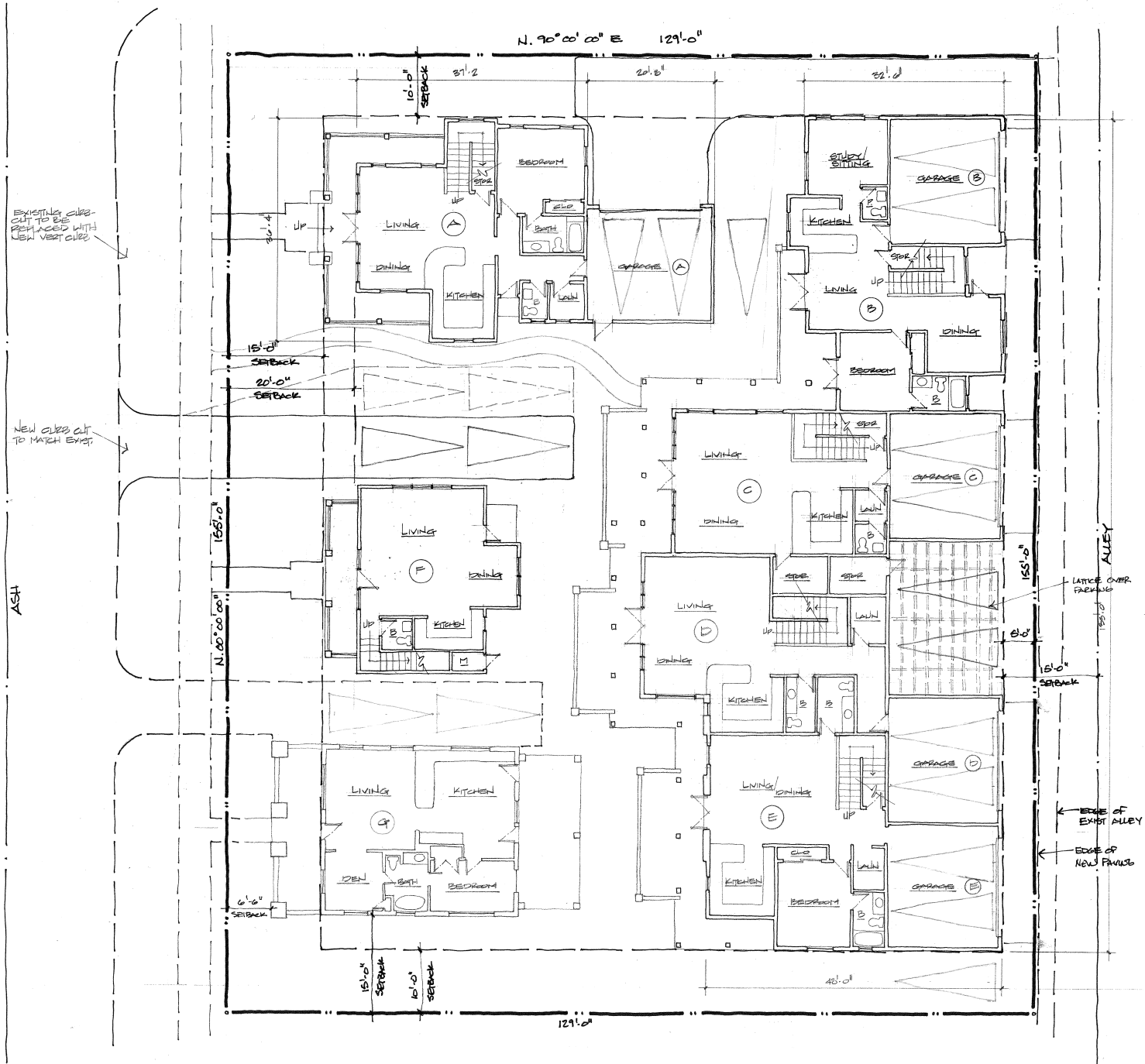
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**Fiber Cement Vertical Siding**

HardiePanel vertical siding provides value and long-lasting performance. As with all of our exterior products, HardiePanel is **Engineered for Climate®** and will stand up against your climate's harshest conditions. When combined with HardieTrim® boards, HardiePanel vertical siding gives you a traditional board-and-batten siding look. HardiePanel vertical siding comes with our strongest warranty ever. It is protected by a 30-year nonprorated, transferable, limited warranty.

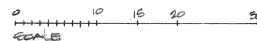


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HardiePlank lap siding is the most popular brand of siding in America and can be found on over 5.5 million homes. With its strength, beauty and durability, HardiePlank lap siding enhances and protects homes in all kinds of climates—and now, with the **HardieZone® System**, James Hardie provides fiber cement siding with specific performance attributes relative to the climate where the siding product is being used. James Hardie now gives you the optimum siding for your home and climate, regardless of location.



Site Plan



Copy of Ash Property Resurrection  
prior report and public comments for  
City Council (6/28/12)

(FOR REFERENCE ONLY, partial report)

(PUBLIC COMMENTS ARE PART OF PREVIOUS REVIEW)



# Staff Summary Report

Council Meeting Date: 06/28/2012

Agenda Item Number: \_\_

**SUBJECT:** Hold a public hearing for an appeal of a previously approved Use Permit and Development Plan Review for ASH PROPERTY RESURRECTION located at 959 South Ash Avenue.

INFORMATION ONLY

**DOCUMENT NAME:** 20120628cdkko01 PLANNED DEVELOPMENT

**COMMENTS:** Hold a public hearing for appeal of the May 22, 2012 Development Review Commission decision. The request seeks overturn of an approval of a Use Permit and Development Plan Review for ASH PROPERTY RESURRECTION (PL110362) (Irene Menting, Ash Property Resurrection LLC, property owner; James Hann, James Hann Design A.I.A., applicant). The subject under appeal is a residential community of seven units in four buildings including an existing one-story freestanding unit (1,288 sf.), two proposed two-story freestanding units (1,346 sf. and 2,368 sf.) and a proposed two-story building with four units (10,334 sf.), all on +/-0.46 net acres, located at 959 South Ash Avenue in the R-3, Multi-Family Residential Limited District. The request includes the following:  
 UPA12010 – appeal of a Use Permit to allow tandem parking.  
 DPA12005– appeal of a Development Plan Review including site plan, building elevations, and landscape plan.

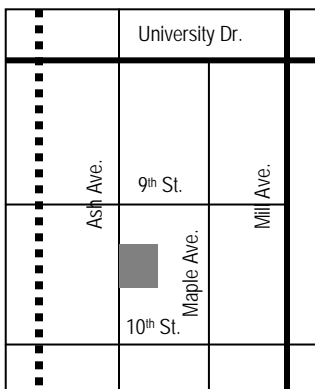
**PREPARED BY:** Kevin O'Melia, Senior Planner (480-350-8432)  
**DEPARTMENT REVIEW BY:** Lisa Collins, Interim Community Development Director (480-350-8989)  
**LEGAL REVIEW BY:** Teresa Voss, Assistant City Attorney (480-350-8814)

**FISCAL NOTE:** There is no fiscal impact on city funds.  
**RECOMMENDATION:** Staff has no recommendation.

**ADDITIONAL INFO:**

Gross/Net site area	+/-0.46 acres
Quantity of Dwellings	Seven (including one existing dwelling)
Density	15.3 du/ac (20.0 du/ac allowed)
Lot Area per Dwelling	2,856 sf. (2,180 sf. min. allowed)
Building Lot Coverage	48.92 % including porches (50.0 % max. allowed)
Total Building Area	15,336 sf. (including main & 2nd floors of the four buildings)
Building B-E Height	30.0 ft. (30.0 max. allowed as measured from t.o.c. on Ash)
Exist'g Bld'g Setbacks	15.0 ft. front-building G; 6.5 ft. front-porch G; 15.0 ft. side-building G (front yard setbacks for G are legal non-conforming)
Exist'g Park'g Setback	15.0 ft. (align with legal non-conform. front-building G setback)
New Building Setbacks	20.0 ft. front-buildings A & F (20.0 ft. min. allowed); 15.0 ft. front porches A & F (15.0 ft. min. allowed); 10.0 ft. side-buildings A & B-E, (10.0 ft. min. allowed) and 15.0 ft. rear-buildings B-E measured from center of alley (15.0 min. allowed)
New Park'g Setback	20.0 ft. front (20 ft. min. allowed)
Landscape Coverage	28.50 % (25.0 % min. allowed)
Vehicle Parking	20 spaces (18 min. required; tandem parking spaces are subject to Use Permit request).
Bicycle Parking	7 spaces (6 min. required)

See Summary on pages 3-4. The appellants request that the City Council overturn the approval of the following for Ash Property Resurrection: a Use Permit for tandem parking and a Development Plan Review for building, site and landscape design.



**SUMMARY:**

The appellants request the City Council remove the approval by the Development Review Commission of a Use Permit for tandem parking and a Development Plan Review for building, site and landscape design. The subject of the appeal is an in-fill development of seven residential units entitled Ash Property Resurrection. One of the units is an existing freestanding one story residence facing Ash Avenue (Unit G). This residence was constructed in 1929 and recently has been renovated. The appellants are not opposed to the existing renovated residence by itself but are opposed to the entire seven unit community including the addition of six units. The proposed six units include two freestanding two story proposed residences facing Ash, one of three bedrooms (Unit A) and one of two bedrooms (Unit F), and a single two story proposed building adjacent to the alley that contains four three bedroom units (Units B-E).

The applicant's process so far has included three Preliminary Site Plan Review sessions, one informal neighborhood meeting prior to project submittal, one required neighborhood meeting on 2/08/2012 after project submittal and one public hearing with discussion with the Development Review Commission on 3/27/2012. This public hearing resulted in the Commission's vote (6-1) of continuance for the project; the applicant was directed by the Commission to revise the design based on the discussion and come back with a new presentation.

The applicant asked for a continuance on 4/24/2012 without discussion and then returned to the Commission on 5/22/2012 with a revised design. Discussion of this design including additional citizen input was completed in a second public hearing on 5/22/2012. The public hearing on 5/22/2012 resulted in the Commission's vote (5-2) for approval of the Use Permit request for tandem parking and by the same vote for approval of the Development Plan Review for building, site and landscape design.

A subdivision plat for this site has been prepared as part of this development and is separately agenzized for review by City Council. On 6/21/2012 the applicant has scheduled an additional neighborhood meeting specifically for review of the subdivision plat.

The letter of appeal as well as written comments from interested citizens regarding the previous and revised project design concepts have been included in the attachments of this report. The design attachments from both the 3/27/2012 and 5/22/2012 presentations to the Commission have been included. The 3/27/2012 Commission hearing minutes and (draft) 5/22/2012 Commission hearing minutes have also been included.

A brief comparison of the project presented to the Commission on 3/27/2012, the project presented on 5/22/2012, and the development standards for the underlying zoning district is as follows:

Quantity of Dwellings	Density	Lot sf. / unit	Lot cover	Ldscp. cover	Ht. / # stories	Front setbck.	Side setbck.	Rear Setbck.	Vehicle park'g.
3/27/12--Eight units (five 3 bdrm., one-2 bdrm. & two-1 bdrm.) CONTINUED BY DRC	17.4 du/ac	2,499 sf	44.16 %	39.26 %	* 33.0 ft / 3 story	**** 21 ft B / 16 ft P	**** 10 ft B	** 20.5 ft B	19
5/22/12--Seven units (five 3 bdrm. & two 2-bdrm.) APPROVED BY DRC	15.3 du/ac	2,856 sf	48.92 %	28.50 %	30.0 ft / 2 story	**** 20 ft B./ 15 ft P	**** 10 ft B	** 15 ft B	20
Development Standard R-3 District	20.0 du/ac Max.	2,180 sf Min.	50.00 % Max.	25.00 % Min.	30.0 ft / no std. Max.	**** 20 ft B / 15 ft P Min.	**** 10 ft B / 5 ft P Min.	** 15 ft B Min.	***

\*Use Permit Standard request for 10 % maximum building height increase was withdrawn by the Applicant after the 3/27/12 hearing.

\*\*Rear yard setback is measured from centerline of public alley. Source ZDC Table 202(B).

\*\*\*On-site parking for multi-family residential development: 2.7 spaces per three bedroom unit, 2.2 spaces for two bedroom unit and 1.7 spaces per one bedroom unit (ratios include unit resident plus unit guest parking) Source: ZDC Table 4-603(E).

\*\*\*\*Setback abbreviation: B = building setback and P = porch/open structure setback

The subject site is within the Maple-Ash neighborhood and comprises three contiguous mid-block parcels plus one 5'-0" wide strip of

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

## PUBLIC INPUT

### Neighborhood Meeting

- A neighborhood meeting was required for the processing of these requests in accordance with the Maple Ash Neighborhood checklist. A pre-submittal, unofficial neighborhood meeting was held at 1206 South Ash Avenue in December, 2011. An official neighborhood meeting was advertised in accordance with the Zoning and Development Code and was held on 2/08/2012 from 6:30 pm to 8:00 pm in the Tempe Woman's Club at 1290 South Mill Avenue. This neighborhood meeting attracted eight interested persons as well as two members of Community Development Planning staff. See attached summary of meeting provided by the applicant. The meeting included the following:
  - An introductory presentation by the Owner, including an account of project expansion from a single residence renovation at 959 South Ash to a multi-family project after the Osborn family sold 907 South Ash including the lot between 907 and 959 South Ash to the owner.
  - A design presentation of the eight unit courtyard residential concept by the Architect. The project presented included two freestanding units facing Ash and six units in a long building in the rear of the site. Units are clustered around a courtyard.
  - During the Question and Answer session a description of materials and construction was made by the General Contractor, including an account of the renovation of the house at 959 South Ash and an account of the poor condition of the 907 South Ash buildings and landscape which resulted in removal of these buildings and landscape.
  - An informal Question and Answer session regarding the eight unit courtyard concept was conducted with the audience. Information from this session includes the following: The eight dwellings will be rentals except Unit A may be owner occupied. Guest parking is designated and decentralized on site per unit. On-street parking may be requested but parking required by the Zoning and Development Code will be located on-site. The alley will be paved from northeast site corner to 10<sup>th</sup> street. Storm water retention will be located on-site, principally in the central courtyard. Landscape design will consider Ash trees in list of plants, at request of audience. Landscape will utilize flood irrigation to facilitate tree growth. Tentative construction schedule is thirteen months. Refuse pickup is in alley. Tandem parking configuration is designed to minimize vehicular pavement. Gable roof line proposed between 30'-0" and 33'-0" height is a small portion of overall building. Concern voiced about a large project of three stories. Building colors are selected from the American Arts and Crafts Movement, a Post-Victorian architectural style that this development emulates. Project will include north and south wood fence of maximum 6'-0" height. Project will limit intensity of security lighting. Creation of a Security Plan with the Police Department will focus on Crime Free Multi Housing Program.

### Citizen Inputs up to and including the 3/27/2012 D.R.C. hearing

Staff received numerous communications regarding the project between the 2/08/2012 neighborhood meeting and the Development Review Commission Hearing on 3/27/2012. Concerns related to building form and parking, as summarized below, were adopted by Commissioners at the 3/27/2012 hearing. These concerns led to the vote (6-1) to continue the project and request a revised design.

#### A) Building Form

- 1) Proposed maximum height increase of the rear building (from 30'-0" to 33'-0") is inappropriate.
- 2) The rear building is too large as well as too tall.
- 3) A building of three residential levels in a neighborhood of one and two level buildings is inappropriate.

#### B) Parking

- 1) There is too much reliance on tandem parking.
- 2) T-bone tandem parking where one space blocks two others is unworkable and unacceptable.
- 3) Parking as configured will result in excessive reliance on off-site parking.

These points do not cover the complete array of comments that have been made in favor of and against the project. Written comments including those received before, during and after the 3/27/2012 Development Review Commission hearing are included as attachments to this report.

After the 3/27/2012 hearing the applicant revised the design to address these concerns. As part of this revision, the applicant withdrew the Use Permit Standard request for a ten percent (10%) maximum height increase from 30'-0" to 33'-0". The applicant removed the third story, modified the form of the design and modified the site layout so there is reduced reliance on tandem parking. With the addition of another building on site the building lot coverage percentage was increased and the landscape lot coverage was decreased. The applicant removed one unit from the concept (was eight, is now seven) so project density is reduced, although the overall bedroom quantity (nineteen) is the same. The project as approved by the Development Review Commission on 5/22/2012 is a community of seven residences, including a line of three residences facing Ash Avenue that evokes the three Gage Addition Subdivision lots that make up the site.

Staff received additional written communications regarding the project between the 3/27/2012 and 5/22/2012 hearings. These communications were included as attachments to the 5/22/2012 staff report and are re-presented in the attachments to this report. A summary of citizen comments made at the 5/22/2012 hearing are included in the written communications and additionally, comments in opposition to the design concept have been summarized in the appellant's letter.

Citizen Inputs: 5/22/2012 D.R.C. hearing.

- Owner's representative submitted petition of support with 23 signatures. 15 form letters of support were also submitted.
- Citizen letter of support from neighboring property owner to north submitted to the Commissioners and read into the record.
- Citizen speaker representing United Methodist Church supports: Letter submitted.
- Citizen speaker supports: previously had issues with project but these issues are now resolved.
- Citizen speaker supports: addition of luxury apartments upgrades the whole neighborhood.
- Citizen speaker opposed: Tandem parking configuration is better than previously presented. Addition of house in front and subtraction of two apartments in rear is good. However, the massiveness of the building in rear is bad.
- Citizen speaker opposed: Neighborhood is suffering from higher residential density. In particular, parking is already a major problem in area. Proposed project will increase density and traffic in neighborhood. A safety hazard is created.
- Citizen speaker representing M.A.N.A. opposed: Project is better than that previously presented but is not suitable for neighborhood. Consider the following: Break up rear building and provide front to rear view corridors through site along the length of adjoining lot lines. Maintain the three lots of the development—do not combine into one lot. Make center front building on Ash shorter—decrease height from 26 ft. to 16 ft. Do not exceed 40 percent lot coverage. Citizen was questioned by Commission and indicated a six unit project that is lower in front (facing Ash) and higher in back with supporting parking could be made suitable for the neighborhood. Letter submitted.
- Citizen speaker opposed: This is a "McFrat" house. Renters are not good neighbors. Project is too massive. Project doesn't fit into old historic neighborhood. Project will devalue neighboring properties.
- Citizen speaker opposed: make sure project is a legal fit to the zoning ordinance but is also a reasonable fit. There are too many bedrooms in the project. Renters do require a greater parking quantity than owners. Where are the storage units? Will garages become storage areas instead of parking spaces? Consider house in front and house in back on each of the three adjacent lots of the project.
- Citizen speaker supports: Ash Court (across street from project) is an example of successful infill. 1120 South Ash by contrast is a badly designed development. The subject project fits the R-3 zoning district. This is also a good looking project. Lot combination is not an issue to be handled by the Commission.
- Citizen speaker representing Sienna Court Lofts H.O.A. opposed: Note lack of total quality and lack of design coordination between preliminary grading-drainage plan and site plan, where parking spaces in retention basins will be flooded during storms. Synthesize retention and site layout and submit revised design prior to vote by Commission. Letter submitted.
- After discussion of the project, the Commission by a single vote of five in favor and two opposed approved the Use Permit for tandem parking and the development plan review for building, site and landscape design. The Commission included one additional condition of approval. Condition 42—The rule of maximum three persons per dwelling unit not related to third degree of consanguinity, as defined in the ZDC Section 7-107(1), shall also apply to the dwelling units of this project. This rule applies to single family residential in accordance with the Zoning and Development Code and is extended by condition of approval to the dwellings of this multi-family development.

PROJECT ANALYSIS

USE PERMIT

The project site design requires a Use Permit to allow tandem parking. Following the Zoning and Development Code 6-308(E), the Use Permit was granted by the Development Review Commission upon finding that the request is not detrimental to persons residing in the vicinity, to adjacent properties, to the neighborhood or to the public welfare in general. The Use Permit must conform to the requirements of the Zoning and Development Code and any conditions established with the granting of this request.

The tandem parking request acknowledges that three of the twenty parking spaces provided must exit the site through another parking space. This is a significant reduction in scope when compared to the site plan presented at the 3/27/2012 Development Review Commission hearing, where the request included eleven tandem of a total of nineteen parking spaces. In the current proposal, two additional parking spaces are proposed above the minimum required. Additionally, the site is configured so parking from one unit does not interfere with parking from another, as illustrated in the table below.

Reference: ZDC Tab 4-603(E)	Total	A 3 bdrm	B 3 bdrm	C 3 bdrm	D 3 bdrm	E 3bdrm	F 2 bdrm	G 1 bdrm & den	spare
Required parking: resident + guest	17.9 spaces	2.7	2.7	2.7	2.7	2.7	2.2	2.2	
Parking configuration by Unit Resident + guest	20.0 spaces	3.0	3.0	3.0	3.0	3.0	2.0	2.0	1.0

On-street parking in the Maple-Ash neighborhood (24 hour/day, seven day/week) is allowed by permit only. Parking permits are issued through the residential parking program. The program is administered by Transportation Division of Public Works. Each household within the residential permit parking area is entitled to one free permit for their vehicle per year. Additional permits are available for a fee. City of Tempe website address for residential parking permits is <http://www.tempe.gov/index.aspx?page+455>.

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

- a. *Any significant increase in vehicular or pedestrian traffic.* Tandem parking does potentially increase amount of traffic around site where vehicles in outer parking spaces move to allow access to inner parking spaces. In the case of this project, tandem parking is accomplished by occupants of a single residence. Vehicles from one residence do not impact vehicles from another. In each tandem parking configuration on site the inner parking space requires movement of only one outer parking space.
- b. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions.* The use of tandem parking increases the amount of vehicle movement on and around the site but decreases the amount of security light and heat retention due to the reduction of pavement for on-site drive aisles.
- c. *Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans or General Plan.* The use permit request for tandem parking reduces vehicular pavement on site on favor of landscape.
- d. *Compatibility with existing surrounding structures and uses.* The Use Permit request fits the normative parking pattern found on other sites in the Maple-Ash neighborhood.
- e. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.* The Use Permit request for tandem parking does pertain to behavior. This is a residential development which will be governed by a code of tenant behavior and supported by a Police Security Plan. The code of tenant behavior will include rules for parking that preclude use of any part of the alley or landscape areas as parking spaces

## DEVELOPMENT PLAN REVIEW

### Site Plan

The site as presented at the 3/27/2012 Development Review Commission hearing was configured to allow a cluster of three buildings in a horseshoe configuration around a central courtyard that opened toward Ash Avenue. The site as presented at the 5/22/2012 Development Review Commission hearing—resulting in approval of Use Permit and Development Plan Review--was configured to include three freestanding residences in line along Ash Avenue with appropriate spacing as suggested by the Subdivision Plat of the Gage Addition. The 1929 detached abode masonry building is the southernmost of the three residences. Each of these units presents a front porch to Ash Avenue. The four-unit building of two stories is to the rear of the three freestanding residences and provides a dual orientation toward Ash and the alley. As with the front units, the large building volume in the rear is formed into smaller, distinct elements to mitigate the overall building presence on site.

### Building Elevations

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

### Landscape Plan

Flood irrigation and lawn is re-established in the Ash front yards and on the north and south perimeters to support growth of large trees. Trees are massed to the west of the Ash Avenue sidewalk to provide summer afternoon shade on the public walk and on the residential front porches beyond. Trees are massed on the south of the property in deference to the less intense R-2 zoning district in the portion of the Maple Ash neighborhood south of 10<sup>th</sup> Street, half a block away. Trees are also positioned throughout the site between the buildings. Trees are not located in quantity between the building and alley due to the presence of the buried flood irrigation main and proposed buried electric, phone and cable lines. Landscape will be supplemented over each double garage door and at each exterior parking space that accesses the alley with a vine trellis that will be used to conceal security lights.

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

1. *Placement, form and articulation of buildings provide variety in the streetscape;* residential units with front entrance porches and verandas on Ash Avenue provide connectivity to the street.
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort;* Orientation of porches and upper second floor verandas to the west mitigate afternoon solar exposure of the residences that face Ash Avenue. Maturity of trees in time will additionally filter the rays of the afternoon sun throughout the site.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;* Building materials are selected that in shape and application can be used to replicate an architectural style of a century past but with an enhanced durability that allows ease of maintenance.
4. *Building and landscape elements are appropriately scaled relative to the site and surroundings;* The elements are scaled to break down the large volume of the Building B-E into smaller pieces that relate to the existing Unit G on site as well as the smaller neighborhood residential structures east, north and south of the site. At the same time, Building B-E relates in volume to the adjacent two-story apartment buildings immediately to north and south of the rear of the site. Landscape including canopy trees supported by flood irrigation on the western, southern and northern site edges provides the general unifying element in the Maple-Ash neighborhood.
5. *Large building volumes are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, and featuring an enhanced pedestrian experience at and near street level;* Building A, Building F and Building B-E are highly articulated congregations of volumetric spaces and feature open porches and verandas that will affect the quality of sunlight on the buildings during the change of hours of the day and seasons of the year.

6. *Building facades provide architectural detail and interest overall with visibility at street level*; Special treatment of windows, entries, porches and walkways is made with attention to the relation of buildings to the street. The entrance porches and upper level verandas will interact with the street during daylight hours and when illuminated, at night as well.
7. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation on-site and with surrounding residential uses*; Parking is consigned to the portion of the site adjacent to the alley, the northern edge of the site at Unit A, between Unit A and Unit F, and in the historic driveway alignment on the north of Unit G. The use of tandem parking where one parking space is through one other parking space is confined to parking areas that access Ash Avenue. Tandem parking is not provided off the alley. Tandem parking reduces the amount of drive aisle required through the site. The building entrances via the Ash Avenue sidewalk are not impeded by vehicular circulation.
8. The project appropriately integrates *Crime Prevention through Environmental Design* principles such as territoriality, natural surveillance, access control, activity support, and *maintenance*.
9. *Landscape* accents and provides delineation from *parking, buildings, driveway and pathways*.
10. *Lighting*, by the conditions of this report, will not create negative effects such as glare or excessive, industrial-colored illumination, and will be made compatible with the existing and proposed *buildings on site and adjoining buildings and uses*.

## CONCLUSION

Staff makes no recommendation to City Council regarding the appeal. Following are reasons for approval of the project that previously were presented to the Development Review Commission on 5/22/2012. The reasons include those based on the General Guidelines of the Maple-Ash Neighborhood Checklist.

1. The project complies with the allowed land uses of the Zoning and Development Code Part 3 and with the allowed development standards (including those subject to Use Permit) of the Zoning and Development Code Part 4 for an R-3, Multi-Family Residential Limited District.
2. The Arts and Crafts Movement architecture of the development and the distinct expression of each dwelling unit in the development will augment the eclectic architectural character of the Maple-Ash neighborhood.
3. Building placement on site emulates the surrounding streetscape. Placement and articulated form of Unit A, Unit F and the existing Unit G emulates the character and rhythm of existing residences along Ash Avenue. The placement of Unit A allows room for the existing off-site mature oak adjacent to the northwest corner of the property. The lateral length and form of Building B-E is offset by the numerous articulations and color variations of this form.
4. The development encourages visual and spatial interaction with pedestrian traffic on Ash Avenue. The open front porches of Unit A, Unit F and Unit G engage Ash Avenue. The Ash sidewalk width is preserved and the pre-World War II concrete curb cut and apron for the Unit G driveway is retained. The landscaped median between the sidewalk and curb will be replanted.
5. Pedestrian linkages between Unit A, Unit F, Unit G and each of the Units of Building B-E are established between the building entrances and Ash Avenue.
6. Pedestrian walkways from Ash Avenue onto the site enhance the neighborhood context. There currently is no garden wall proposed that sequesters the project from Ash Avenue.
7. The development utilizes the alley for the majority of its vehicular traffic. The use of tandem parking on Ash Avenue coupled with alley access keeps the amount of vehicular access paving on site to a minimum. The alley between the northeast site corner and 10<sup>th</sup> Street will be repaved.

8. The development utilizes a palette of plant materials found elsewhere in the neighborhood. The return of flood irrigation to the site will strengthen the stock of proposed trees and lawn and re-connect the site with the neighborhood via landscape. A continuous perimeter tree screen is established on the south of the property. A secondary palette of low-water using plant material is proposed but this is subordinate in scale to the main palette of trees and lawn found throughout the Maple-Ash neighborhood.
9. The project will meet the development standards required under the Zoning and Development Code, including that for minimum level of security illumination. Maximum illumination levels are established by conditions of approval to avoid over-illumination of site including retention, parking and driveway areas that require dusk to dawn illumination. The extent of site driveway area and illumination is reduced by use of tandem parking and alley access. Parking illumination and garage door entrances adjacent to alley will be shielded and localized by a vine trellis over each garage entrance. Perimeter tree screens are established along the south (side) and west (front) yards. Light fixtures will require use of house-side shields to avoid light spill onto adjacent properties.
10. The proposed project meets the approval criteria outlined by the Zoning and Development Code for Use Permit and Development Plan Review.



ZUP12005 & DPR12002 CONDITIONS OF APPROVAL

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

ZUP12005 & DPR12002

JOINT CONDITION OF APPROVAL

1. Length of approval:
  - a. The Use Permit and Development Plan Review approval are valid until May 22, 2013, which is one year from date of approval. If documents are not submitted for Building Safety Division plan check review by May 22, 2013 the Use Permit and Development Plan Review approval will expire.
  - b. If documents are submitted to the Building Safety Division for plan review prior to or on May 22, 2013, the Use Permit and Development Plan Review approval will continue to be valid during the building plan review period (period includes time extension, if required). If the plan review period is allowed to expire without issuance of a building permit, the Use Permit and Development Plan Review approval will expire.
  - c. After the issuance of a building permit, the Use Permit and Development Plan Review will remain in effect as long as the building permit itself is valid. If the building permit is allowed to expire, the Use Permit and Development Plan Review approval will expire.

ZUP12005

CONDITIONS OF APPROVAL

2. The Use Permit for tandem parking is specific to the proposed site plan and is designed to hold vehicular site access paving to a minimum. The Use Permit provides for tandem parking with direct exit to Ash Avenue as follows: two pairs of spaces between Unit A and Unit F and one pair of spaces between Unit F and Unit G.
3. The legal non-conforming status for 15'-0" front building setback for existing Unit G applies also to the parking setback for this unit. Do not allow tandem parking for Unit G to encroach into the 15'-0" front yard parking setback.

DPR12002

CONDITIONS OF APPROVAL

General:

4. Provide a temporary perimeter fence around the construction on this site.
5. If the project does not go forward within the specified time frame, remove the storage container from the vacant portion of site, re-grade the site and top-dress with decomposed granite.
6. Undertake a Security Plan with the Police Department for the seven residences of this development. Follow guidelines indicated in the POLICE/SECURITY Section of Code-Ordinance requirements below. Additionally, the following apply:
  - a. 2<sup>nd</sup> floor mechanical space and adjacent garage roofs for Units B, C, D and E behind parapet may be accessible to service personnel via exterior portable ladder but not from the interior of the building.
  - b. Unit roofs may be accessible to service personnel via exterior portable ladder but not from the building interior.
  - c. Include parking regulation for all unit occupants that does not allow a parked vehicle to block any part of alley or park in an on-site or adjacent frontage landscape area.
7. Complete process for a one-lot subdivision plat including Engineering Division and Planning Division reviews and one City Council meeting. Establishment of public utility easements for the lot may be done on this plat or by separate recorded instrument. Obtain City Council approval for submitted one-lot subdivision plat and provide final format and recordation of the subdivision plat prior to issuance of building permits.

Site Plan

8. Re-pave the entire 20'-0" alley width from the northeast corner of site to 10<sup>th</sup> street. Follow guidelines indicated in the ENGINEERING Section of Code-Ordinance requirements below.

9. Connect tandem parking between Unit A and F to Ash Avenue as follows. Construct a 10'-0" wide concrete driveway on Ash Avenue with quarter round curb returns per Standard Detail T-319. Center driveway on the 17'-0" wide tandem parking pavement. Connect the 10'-0" wide concrete driveway to the 17'-0" wide parking pavement with drive aisle that gradually widens across the width of the 20'-0" parking setback. Provide porous pavement in drive and parking. Do not extend porous pavement into Ash Avenue public right of way.
10. Provide porous pavement for drive aisle from alley to Unit A garage and for drive aisle and exterior parking space between Unit A and Unit B.
11. Provide porous pavement for two space parking and entrance apron between Unit C and D garages. Provide planting areas to north and south of parking and plant vines for overhead trellis.
12. Provide porous pavement for one space parking and drive aisle south of Unit E garage.
13. Provide porous pavement for entrance aprons from public alley to the four Unit B-E garages.
14. Provide raised curbs to define paving and landscape edges and preclude parking in landscape areas.
15. Do not place exterior parking spaces as proposed in retention basins.
16. Do not modify natural grade as proposed under canopy of existing mature oak tree near northwest property corner.
17. Position required bicycle parking as indicated on landscape plan.
18. Finish utility equipment boxes in a neutral color, subject to utility provider approval. Do not paint over warning or identifying decals. Place exterior reduced pressure backflow assemblies in pre-manufactured, pre-finished, lockable cages, one assembly per cage. If backflow prevention device is for a 3" or greater water line, delete cage and provide a masonry screen wall.

#### Building Elevations

19. No part of Building B-E may extend above 30'-0". The increased height exceptions allowed in ZDC Section 4-205(A) including for stair penthouses may not be applied to Building B-E.
20. The materials and colors for Buildings containing Unit A, Unit F and Unit B-E are approved as presented:
  - a. Wall Surface Fiber Cement Sheathing Materials
    - Hardie Plank Lap Siding
    - Hardie Shingle Siding
    - Hardie Panel Board and Batten Vertical Siding
    - Hardie Plank Trim
  - b. Asphalt Roof Shingles
    - Certainteed Autumn Blend
  - c. Paint:
    - Sherwin Williams Chelsea Gray LRV 41
    - Sherwin Williams Copper Red LRV 9
    - Sherwin Williams Roycroft Suede LRV 31
    - Sherwin Williams Powder Blue LRV 33
    - Sherwin Williams Birdseye Maple LRV 43
  - d. Additions or modifications may be submitted for review during building plan check process. Significant alterations to colors or materials, as determined by Planning Division, will require separate Development Review Commission approval.
21. Weather-proof exposed tops of roof rafter tails, top of parapet and top of fence with metal flashing caps. Treat corners of walls clad with fiber cement siding with metal flashing cover or provide fiber cement trim.

22. Replicate dimension of rafter tails, columns and similar members to that found in existing residential building inventory in the Maple-Ash neighborhood.
23. Locate electrical service entrance sections so surface of section cabinet is flush with the exterior of the building wall.
24. Provide a minimum 2'-0" wide cantilevered or bracket supported trellis "eyebrow" at the head of the Unit A, B, C, D and E double garage doors. Provide a minimum 2'-0" wide cantilevered or bracket supported trellis on the side of exterior parking west of Unit B and south of Garage E. Provide a full coverage trellis as indicated above exterior parking located between Garage C and Garage D. Design each trellis to support vines. Utilize trellis and vines in parking shade study required by ZDC Section 4-704(A)(2) where trees cannot be planted at ends of parking. Conceal required security task lighting for exterior parking spaces and garage doors within each trellis structure.
25. Provide internal roof drains for parapet roofs above alley garages. Minimize visible, external features such as overflows, and where provided, design these to enhance the architecture of the building.
26. Incorporate lighting, address signs, and incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the exterior design and indicate these on the building elevations submitted for building plan check review. Exposed conduit, piping, or related materials on the exterior of the building is not permitted.

#### Lighting

27. Provide the following maximum dusk to dawn light level standards. At residential exterior surface vehicular parking: 2.5 foot-candles. At exterior bicycle parking: 2.0 foot-candles, at drive aisle to Unit A: 2.0 foot-candles, at Unit F and G on-site driveways: 2.0 foot-candles. At surface retention areas: 1.0 foot-candles.
28. Limit security light to high pressure sodium or similar residential grade fixtures that cast a warm white-yellow light. Do not use metal halide or other blue-white light fixtures.
29. Limit freestanding and building mount security light height to 10'-0" above adjacent finish grade. Address sign illumination and upper level veranda lights are an exception from this requirement. Use trellis above double garage doors and exterior parking to shield parking space lights.
30. Switch control all residential entrances including on verandas where these are not required to be illuminated from dusk to dawn.

#### Landscape

31. Have a registered landscape architect prepare and seal the landscape and irrigation construction documents.
32. A perimeter fence is not required. Fence if proposed at the Unit B dining alley yard and along north and south property lines may be a maximum of 6'-0" height except within the Ash Avenue 20'-0" front-yard setback may only be a maximum of 4'-0" height. Install an opaque fence of painted or pre-finished 8" nominal concrete unit masonry, painted wood frame fence similar to what currently exists for Unit G or provide an open, steel vertical picket fence. If a perimeter fence is placed on the south property line, also extend the fence from the southeast site corner to the southeast corner of Building B-E to limit unauthorized pedestrian walkway between alley and Ash Avenue along the south of the site.
33. Survey existing trees and palms on site and in the Ash Avenue frontage, including particularly the trees along the Ash curb and south of Unit G. Identify by species on the landscape plan. Preserve existing trees in place where possible and incorporate existing trees into the proposed landscape plan. Where preservation of a tree or palm is not possible, indicate reason why demolition is warranted in each case.
34. Incorporate a hybrid *Cynodon dactylon* (Bermuda) lawn in landscape materials palette. Include a temporary spray irrigation system to establish lawn at portions of turf that will be flood irrigated at project conclusion.

35. Provide grassy basins and trees supported by flood irrigation in the landscaped front yards facing Ash Avenue and in the landscaped north and south side yards. Provide landscape in interior of site supported by flood irrigation or optionally supported by an automatic irrigation system. Confine major retention storage capacity to the interior of the site. Incorporate maintenance access to storage structure in overall site design. Flood irrigated basins may provide some retention capacity, but not at the expense of compromising the purpose of flood irrigation to support deep rooted, large trees.
36. Provide planting areas beside each garage entrance apron and drive aisle at the alley to the east of Building B-E. Develop the landscape plan to include plantings on either side of drive entrances adjacent to alley.
37. Locate a Texas Mountain Laurel in a planting island east of the Unit A garage driveway. Provide an 8'-0" long planting island that extends north from the Unit A garage to divide the Unit A parking courtyard from the exterior parking space west of Unit B.
38. Utilize existing flood irrigation basin in right of way frontage between sidewalk and curb from north of Unit G driveway to northwest property corner and re-establish lawn in this part of frontage, subject to Arizona Department of Water Resources low-water use waiver in public right of way of historic neighborhood. Present waiver with construction drawings. Existing low water use landscape in front of Unit G may remain.
39. Automatic irrigation notes (for portions of site that are not flood irrigated):
  - a. If an existing water meter is reused and dedicated for landscape irrigation, notify Water Utilities Division of the dedication.
  - b. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Provide schedule 40 PVC mainline. Provide minimum class 200 PVC feeder line except provide minimum class 315 feeder for ½" diameter size. Provide details of water distribution system.
  - c. Locate automatic valve controller in vandal resistant housing or inside a building. Hardwire power source to controller—a receptacle connection is not allowed. Detail controller installation so power and valve wire conduits are concealed in an exterior wall.
  - d. Provide temporary irrigation to existing site and frontage landscape as required prior to conclusion of construction.
40. Remove soil compaction in planting areas on site and public right of way and remove construction debris from planting areas prior to landscape installation.

#### Signage

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

#### Condition Added by Commission at 5/22/2012 D.R.C. hearing

42. The rule of maximum three persons per dwelling unit not related to third degree of consanguinity, as defined in the ZDC Section 7-107(1), shall also apply to the dwelling units of this project.

## HISTORY & FACTS:

### Gage Addition

March 30, 1909: The Tempe Land and Improvement Company recorded the Subdivision Plat of the Gage Addition along Maple, Ash, Mill, Myrtle, Forest and Willow (now College) Avenues between Eighth (now University) and Tenth Streets. The Subdivision is recorded in Book 3 of Maps, Page 58 of Maricopa County Records.

April 24, 1919: Amended Plat Map of the Gage Addition recorded in Book 8 of Maps, Page 41 of Maricopa County Records. The street configuration evokes the present day streets and malls of Arizona State University.

### 907 South Ash Avenue

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

### 959 South Ash Avenue

July 1929: Construction of a one-story adobe Bungalow-style house at 959 S Ash for Benjamin and Rebecca Scudder. The house at 959 South Ash is in Block 29, Lot 6 of the Gage Addition. The house was used through most of the twentieth century and at present as a rental. The house was recently renovated under the direction of the present property owner.

1938: Concrete sidewalks and curb cuts for driveways were installed in the Gage Addition as part of the Works Progress Administration (WPA) of the Federal Government. The 4'-0" wide sidewalk in front of the subject site does not date from this period but the curb cuts and driveway aprons for the 907 and 959 South Ash properties do. The 907 apron is decomposing and will be removed as part of the proposed development. The 959 apron is in fairly good condition and will be retained for Unit G.

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

April 14, 1938: Adoption of Ordinance No. 177 which included the creation of four zoning categories including Residence and Apartment House Districts. Property within the Maple-Ash neighborhood including 907 and 959 South Ash was classified as Residence District. The Residence District had a single family nature but allowed properties therein to have a second dwelling unit as an ancillary use to the main residence.

August 12, 1948: Adoption of Ordinance No. 193 introduced Multi-Family zoning on the northern edge of the Maple-Ash neighborhood along 8<sup>th</sup> Street (University Dr.) to 9<sup>th</sup> Street and introduced a Business (commercial) District on the eastern edge of the neighborhood along Mill Avenue between 8<sup>th</sup> and 10<sup>th</sup> Streets. 907 and 959 South Ash remained in the Residence District as before.

October 03, 1951: Adoption of Ordinance 209 maintained the commercial eastern zoning classification and slightly expanded the multi-family northern zoning classification at the edges of the neighborhood. 907 and 959 South Ash remained in the Residence District as before.

February 6, 1957: Adoption of Ordinance 268 included the rezoning of the entire Maple-Ash residential area to Multi-Family designation, including the 907 and 959 South Ash properties. The impetus for this reclassification was to increase market-value in the neighborhood and forestall land acquisition west of Mill Avenue by the Teacher's College / Arizona State University. The subsequent 1960 Durham master-plan for the University signaled no acquisition west of Mill Avenue.

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

#### Ash Property Resurrection

- February 8, 2012: Neighborhood Meeting including a presentation of the project was conducted by the Development Team in fulfillment of the neighborhood meeting provision of the Maple-Ash Neighborhood Checklist.
- March 27, 2012: Development Review Commission, by vote of six to one (6-1), continued the requests for Ash Property Resurrection located at 959 South Ash Avenue in the R-3, Multi-Family Residential Limited District for a Use Permit to allow tandem parking, a Use Permit Standard to increase by ten (10) percent the maximum allowable building height from thirty (30) feet to thirty-three (33) feet, and a Development Plan Review for site plan, building elevations and landscape plan. The requests were continued until the April 24, 2012 Development Review Commission hearing.
- April 24, 2012: Development Review Commission without comment continued until May 22, 2012 the proposal for Ash Property Resurrection at the request of the applicant. Proposal and staff report were not present at this hearing.
- May 22, 2012: Development Review Commission, by vote of five to two (5-2), approved the requests for Ash Property Resurrection. The requests include a Use Permit to allow tandem parking and a Development Plan Review for site plan, building elevations and landscape plan. The Commission added condition of approval #42 to the conditions of approval presented at the hearing.
- June 28, 2012: Scheduled City Council hearing for an appeal of the approvals of Use Permit and Development Plan Review for Ash Property Resurrection located at 959 South Ash Avenue in the R-3, Multi-Family Residential Limited District. The Ash Estates subdivision plat is a separately agenized item for review on the same evening.

Date: June 1, 2012

2012 JUN -4 PM 4:45

Application for appeal of case #PL110362 to the Tempe City Council

CITY OF TEMPE  
CITY CLERK'S OFFICE

The DRC held a second hearing on this case on May 22, 2012. The project was approved 5 in favor, 2 against. The vote that will allow the Ash Property Resurrection project to proceed pending the approval of a plat amendment to adjoin 3 lots that will be heard by the Tempe City Council.

Petitioners:

Karyn Gitlis *Karyn Gitlis*  
Phil Douglass  
1206 S. Ash Ave.  
Tempe, AZ 85281  
480.967.5226  
[kgitlis@interwrx.com](mailto:kgitlis@interwrx.com)

Dennis Pasaribu  
1319 S. Ash Ave.  
Tempe, AZ 85281

Andrew Weed  
1111 S. Ash Ave.  
Tempe, AZ 85281

Our objections to this project, as raised to the Development Review Commissioners, cover the Development Plan Review for building, site and landscape design elements including and not limited to:

1. The height of the large back structure at close to 30 feet in height.
2. The height of a new building in the previously open drainage area will be 26.5 feet. This is too high and not typical of the neighborhood "front houses." Maple Ash has been fortunate to maintain the elemental design tenet to step back height in order to diminish the perception of it.
3. The lot coverage is maxed out at close to 50% and should be considered at previous (within the past decade) zoning regulation maximum allowable lot coverage for R3 residential of 40%. This zoning standard changed without neighborhood notification or input.
4. The intent of the language in General Plan 2030, p. 67 to protect designated Cultural Resource Areas so as to maintain the character of these neighborhoods needs to be considered. Although this paragraph speaks to density, allowable densities are not necessarily attainable depending on site characteristics.
5. Failure to adequately address site design and building design issues.
6. Questions as to the overall scope of the Design Review commissioners' credentials to undertake the task of design analysis.
7. Scale is out of proportion with surrounding build out. This will be emphasized by the rear building's proximity to the sidewalk (less than 50 feet). The structure is pushed this close, sited on an already shallow lot, by the row of garages on the alley.
8. Massing and height without relief across 130 or more feet of three lots facing Ash Avenue is not found elsewhere in the neighborhood.
9. The 3 large multi-family developments built after 1986 all exist on the west side of Ash Avenue. They are built on lots close to 300 feet deep. These deep lots accommodate higher intensity of development more gracefully than do the 129 foot deep properties at 959 S. Ash. In addition, each one of the existing projects has building separation as seen from the street reflecting the original neighborhood plattings. In two of the existing multiplexes the large massing extends back to the west from street view, thus minimizing the massing. In the third project (Ash Court)

massing is mitigated by lower height and excellent site design. The proposed project will have 130 feet of massed structure relatively close to the sidewalk (as described above).

10. This site design will set an unwelcome precedent in the neighborhood (as described above).
11. The heavily massed building does not provide view corridors as are typical through the neighborhood. This is likely the single most important aspect of neighborhood preservation/conservation next to the listing of individual historic properties on the Tempe Historic Property Register. (With the Wexler House scheduled for listing by Council last night, we have 16 houses on the Tempe Register and 2 additional on the Federal Register.) The characteristic view corridors are typically filled with trees that contribute to the neighborhoods status as a beloved green space and walkable neighborhood.
12. Parking, traffic, water and sewer conditions are challenges for the Maple Ash Neighborhood. Regarding parking at that end of Ash, there are two existing multi-family projects directly across the street from the proposed project. One of them is 70% or 80% empty; residential parking is a challenge here with only 1 of 3 projects at 100% capacity. If built, this project will tax neighborhood infrastructure.
13. We are opposed to tandem parking variances. This method of parking is second rate, and many of us needing to use it due to our being exceptions to updated code, rely on street parking as easier. So will tenants at 959 Ash. We object to the developers use of the argument that "everyone else does it" as disingenuous. This use should not be allowed in new multi-family residential, which needs to subscribe to best practices for parking.
14. Although the revised plan goes from 8 to 7 units, the number of bedrooms (18) does not change. We believe that this number of bedrooms will add to parking problems in the area.
15. There are concerns of negative impact from required lighting for multi-family residential. The neighborhood is experiencing this problem in its most recent multiplex, Ash Avenue Condominiums at 1120 S. Ash. City inspectors have investigated and will not or cannot intervene. At least 2 households are experiencing light trespass that interferes with their sleep.
16. Elimination of the open area / water retention basin at front center of the project in the revised plan begs the question of what the developers are going to do about drainage. This was not addressed by the DRC when the developers' presented their plan revision on 5-22-12.
17. The recycle plan (storing dumpsters and moving them to the street) is not desirable. Some tenants will need to walk their containers 300 feet to the street on pick up day.
18. It is the developers' responsibility to make the necessary elements fit the site. These elements do not. The regulatory language should not apply if any area (parking, drainage, recycle storage and removal, access to units, design, massing, etc.) does not meet best practice development. If a developer can't fit 7 units and meet best practice design, then the developer is overbuilding.
19. The developers have applied to combine 3 lots to achieve this level of density. This is a separate decision from the DRC approval and needs to be considered by the Tempe City Council in the context of regulatory changes that have been imposed on the Maple Ash Neighborhood by the City of Tempe without neighborhood notification or input.

This situation exists although many neighbors have been working very hard for the past 26 years to achieve some of the protections that other neighborhoods accomplish through adoption of design guidelines or zoning overlays into the General Plan. Maple Ash has been through many of these processes without attaining design guidelines.



***Summary of Neighborhood meeting  
February 8, 2012***

***959 S. Ash, Tempe  
Tempe Project Number: SPR11070***

*The meeting came to order at 6:45*

*There were approximately 8 neighbors in attendance*

*Scott and Irene McMurray introduced themselves as the owners and gave a brief history of their ownership of the project, the renovation of the existing home on the property, their vision of the balance of the project, and introduced the other team members; James Hann, Architect and RD Hendrickson, builder.*

*James Hann gave a brief Architectural description of the project. The character is to be of the 'Craftsman Style'. There are 7 new units to go along with the existing one for a total of 8 units. Most are 2 story units with 2 efficiency units on top of the 2 center units. These units surround a landscape 'park-like' central courtyard. The colors come from a 'period correct' palette from Sherwin-Williams. The design emphasizes covered porches and patios featuring white railings, posts and window and door trim. Each unit has it's own garage space for parking and the mechanical units are located above the garages and inside an enclosed space to look like the rest of the composition and to control sound.*

*RD Hendrickson described the energy efficient construction methods for the project including re-usable and re-cycled materials, high efficiency mechanical units featuring air scrubbers, high efficiency foam insulation throughout. The slab will be of post-tension construction because of the high clay content in the soil.*

*Several questions were asked after the presentation including the height, the parking,( both the tandem an off-site parking on the street), the lighting concept and the retention concept. Kevin O'melia, from the City of Tempe, explained the ordinance regarding the height and the concept of tandem parking. Originally, R-3 zoning allowed for a height of 35 feet. This was revised to 30 feet with the opportunity of adding 10%, or 3 addition feet with a Use Permit Standard. Weather a project is of 2 story or 3 story composition doesn't matter as long as it doesn't exceed the height restriction. Tandem parking is additional parking behind another vehicle. The ordinance doesn't specify if this parking needs to be parallel or perpendicular to the other vehicles. Any off-site parking on the street is controlled by a separate City permit. The lighting concept will follow the minimum requirements of the City of Tempe for safety. The lighting will not exceed these minimums. The retention basin will occur in the central landscape courtyard. The intent is to make it shallow but over a large area so as to make it less apparent. Questions were asked regarding rental/homeowners and noise. This was addressed by, Scott and Irene. They mentioned they were indeed rentals but high-end rentals and hopefully this will eliminate a "party" type atmosphere. They also mentioned that they would work with the City of Tempe Police Dept regarding the noise ordinance, security plan for Ash Property and Crime free police policy and institute this into their leasing plan. Their plan is to move into the front house within 3 years when their kids have graduated from college.*

*The meeting adjourned at 8:00 PM.*

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**From:** Red Sam <redsaminvest@hotmail.com>  
**Sent:** Thursday, March 01, 2012 1:00 PM  
**To:** O'Melia, Kevin  
**Subject:** Against Tempe Project SPR11070 and PR110362

Dear Mr. O'Melia,

As a property owner in the Maple Ash area, I vigorously oppose the Multi-Unit project and moreso the 2 stoy and 3 story buildings. The area as a certain charm, and consist largely of single family homes, that are lived in by professionals who enjoy to round about in the road, the art work, and longstanding feel and historical nature now present. The loss in charm, property values, and increase in parking problems, crime, trash, accidents, et al, are all too much.

Further, I see many home owners moving in the direction of revitalizing the area. All in keeping with the style and architecture set forth over 50 years of history as can be seen in driving in to the community. With being so close to ASU, it reminds me of areas in Palo Alto, CA that was at a crossroads and have had projects such as this one proposed. The city and neighborhood keep the historic feel and the area thrives now, and is a showcase for other communities around Universities. I would hope that over the course of the next 20 years the board will find joy in the decision of keeping the area as such a showcase, with its roundabouts, and neighborhood art, and charm.

Sincerely,

Randy Dukes

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**From:** stevetseffos <stevetseffos@gmail.com>  
**Sent:** Thursday, March 15, 2012 3:50 PM  
**To:** O'Melia, Kevin  
**Subject:** ash project from steve tseffos

kevin

I am writing in support of the project planned for the 900 block of Ash Avenue. As you know, I lived in the maple-ash neighborhood for more than 20 years starting in 1986. To date I am the largest landowner in the neighborhood and have been involved in more historic rehabilitation in the neighborhood than anyone. At the same time I have been and will continue to be supportive of new projects that fit into the neighborhood and can add to our community. I met with Scott, Irene and their architect James Hamm to discuss the project and made suggestions on how it could be improved.

After watching and participating in development in the neighborhood for the past 20 years, it is easy to support a project that is going to be owner occupied, has relatively low density, and is a quality project. I would not have supported a project like this if it did not have garages, which this does.

Infill projects can be difficult and we have seen the ones that have no imagination and should not have been approved. By way of example, the houses built next to the Pyle house could be in any Valley subdivision and do not look like they belong in Maple Ash.

Irene and Scott have already shown sensitivity to the neighborhood by restoring at great cost the home to the south of their project. I told them that they should try and stay within the height limits of 30 feet if possible and they explored this idea. However they felt the design suffered at that height and so I will support the added height if it gives them better design.

In short, those who blend historic preservation with development should be applauded and be allowed to develop. This neighborhood is fortunate to have a couple who want to both live in the neighborhood and manage their properties from inside the development. They have my support.

sincerely  
steven tseffos

Thanks,  
Steve  
602-692-3900 phone  
602-749-6464 FAX

March 15, 2012  
831 S. Ash Avenue  
Tempe, AZ 85281

Kevin O'Melia,

I am writing you a letter to oppose case number PL110362. I live just two lots away from this proposed development at 831 S. Ash Avenue and will have to put up with this monstrosity for the rest of my life. There are many reasons why I and my neighbors are against this project.

(1) The whole project is out of scale with the surrounding homes. This is an older historic neighborhood with single story homes and many large trees. This project would take away the character of the neighborhood. Three stories is too high.

(2) The project is nothing more than a SUPERSIZE apartment complex, which means more college students, loud music, more noise, more parties, more parking problems, more boom boxes, more dogs using my yard for a bathroom, more noise, more crime, more underage drinking, more noise. These are not the type of neighbors I want.

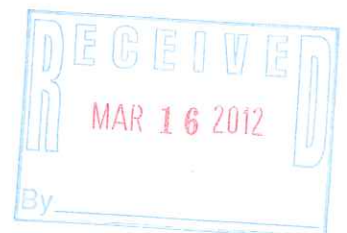
(3) This SUPERSIZE apartment project will devalue my property and the whole neighborhood. How would you like living next door to this McMansion?

In summary, this whole project needs to be scaled down to conform to the neighborhood with single story structures.

Thank you,



Vic Mathis



Development Review Commission  
C/o Kevin O'Melia, Senior Planner  
Development Services  
City of Tempe  
31 East 5th Street  
Tempe, AZ 85281

March 23, 2012

RE: PL110362 959 South Ash Avenue



Commissioners:

Quite frankly, we believe the project planned for 959 S. Ash Ave. would benefit from some judicious paring down as well as design tweaks. We do not support either the request for use permits or the design of this project as presented. Our arguments are enumerated below.

1. Use Permit for Tandem Parking

A necessary condition to construct this project is off-street parking for 19 vehicles. This is based on the number of bedrooms the project will contain, and the only way to fulfill the condition will be to add six tandem parking spots.

We know from experience that professors and families purchase only a small percentage of these types of aggregated units and most do want to buy – not rent. Most of these units will be occupied by students. This is the case for all four of the multiplexes in the neighborhood. Students can afford the high rents these units will command by splitting the costs. We know this by looking at the speed which with the three-bedroom units rented at West 6<sup>th</sup> when they went on the market – it was fast. And the majority of units were rented by or for students. Students are part of life for one who lives next door to ASU; in addition, students, as a general rule, each bring their own car and possibly a boyfriend or girlfriend who also has a car. Another basic fact of life is that tandem parking is inconvenient; we know this because many of us need to do it. Street parking will follow the requirement to tandem park cars for a unit. We know where the high bedroom counts are in the neighborhood by the excess cars crammed on the street. Two such spots are between 12<sup>th</sup> and 13<sup>th</sup> on Maple and on Ash. Ash between 9<sup>th</sup> and 10<sup>th</sup> also realizes excess parking given the multiplex already existing across the street from the proposed project. Nineteen bedrooms on three small lots are too many bedrooms to accommodate the student street parking that will be needed without creating negative impacts on the neighborhood. The use permit for tandem parking will

result in an increase in parking in the neighborhood, which will be a detrimental consequence of its approval (*COT Zoning and Development Code*, Section 6-308-E, January 5,, 2006).

## 2. Use Permit Standard for Height Allowance

"The use permits are not entitlements, but planning processes." Planning process really should take into account what can comfortably be accommodated to the specific site specifications.

The R3 zoning category allows 30 feet height. There are no official neighborhood guidelines for development although guidelines tailored to the neighborhood do exist for neighborhoods in which high intensity/density development is not controversial. Creation of such standards have been vetoed by development interests in a number of iterations including creation of a Maple Ash historic district overlay, adoption of the *Northwest Tempe Neighborhoods Strategic Plan*, and creation and implementation of Form Based Code for the Maple Ash Neighborhood. These attempts to preserve the existing historic character of the Maple Ash have not been acceptable to people who own property in the neighborhood and also have development aspirations. In fact, the vociferous disapproval of the *Northwest Tempe Neighborhoods Strategic Plan* unfairly prevented plan implementation of the plan in Northwest Tempe neighborhoods that had no opposition.

However, Maple Ash is identified as a Cultural Resource Area in General Plan 2030. This category applies to Tempe's oldest remaining neighborhoods identified in the *2001 Post World War II Subdivision Study* by Scott Solliday – clusters of single family residential use predominantly north of Broadway Road. "It is desirable to maintain the character of these areas" (p. 67). The *Northwest Tempe Neighborhoods Strategic Plan* identified much of the same area as Heritage Character Overlay Study Area. In this plan, the east and north residential perimeters of Gage Addition in Maple Ash were identified as "Combination Redevelopment and Heritage Character Study Area." The Maple Ash Neighborhood's close proximity to the heart of downtown Tempe and ASU have increased the pressure for higher impact zoning and higher density and intensity development.

Thirty feet is higher than the prevailing height of buildings in the neighborhood. This height is out of character with the surroundings. Commissioners may feel it a duty to honor underlying zoning criteria despite neighborhood sentiment and built environment context; however it is within your purview to honor the wishes of those who do not want the zoning criteria exceeded. Increasing the standard of development for height in Section 4-202-B by ten percent must not be considered an 'entitlement'. This is another green light for developers added to the code on August 18, 2005 (Section 4-208-A) after the adoption of the code in January 2005 and without neighborhood input. This is a stripping of neighborhood zoning protections and expectations under previous zoning code.

## 3. Lot Coverage

Residential development standards in Tempe's *Zoning and Development Code* (2005) include specification for the percentage of maximum lot coverage. The current allowable lot coverage is 50% of

the net site area. This is based on total footprint in square feet of structure including house, porch, projecting balcony, garage, etc. This figure represents an increase in zoning entitlements from the 1996 Zoning and Development Code that cited maximum lot coverage for the R3 zoning category at 40%. The project at 959 South Ash currently is gauged to cover just over 44% of the net site area. Under the previous zoning code this degree of lot coverage would not be allowed without a variance to the code.

However, *General Plan 2030* adopted December 4, 2003 designates almost all the neighborhood including the subject property, as Cultural Resource Area on the Projected Residential Density map. "These areas are considered culturally significant to the character of Tempe...It is desirable to maintain the character of these areas...with a projected density to match the zoning at the time this plan is adopted" (p. 67). This tenet is not followed in regard to lot coverage for this case.

This and other changes to the zoning ordinance from the 1970s to the 2005 version (and later tweaks) have created a burden for residents who bought residential property and were not consulted on increases in zoning entitlements that are now producing deleterious impacts on the quality of life in Maple Ash. We don't believe this to be intentional or malicious. It is more likely the result of catering to the development community without thinking through the impacts on a neighborhood that was originally platted as single family and continues to be single family in use. However, single family and multi-family housing are not congenial companions as residents of Maple Ash are beginning to realize. The increases in required lighting in multi-family developments, for example, are having unforeseen "light trespass" effects on neighbors.

We believe that the current multifamily zoning standard is not applicable to this project, and that a lower maximum lot coverage should be the basis for consideration based on *General Plan 2030*.

#### 4. Design Review Process

Design review is currently the responsibility of the Development Review Commission. This function was previously the complex single mission of the now eliminated Design Review Board. We hope you look critically at this design using the criteria listed below.

*COT Zoning and Development Code*, Section 6-306, October 22, 2009 states that plan approval shall be based on 12 enumerated criteria.

Criteria 4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and the surroundings.*

Criteria 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.*

Criteria 8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses.*

The project raises issues of scale to the overall site as well as to the surrounding structures in the neighborhood. On-site scale issues include the relation of the central back unit to the two front houses as well as to the elevations to the north and south in the apartment block itself.

Proportionality and architectural design elements in the large central massing of the 6-unit building (which includes four of the six units) are out of sync with the bungalow-elements to the north and south as well as with the two free-standing houses. The perimeter design elements are pleasing and harmonious with surrounding buildings; the central four units of the apartment block, also the tallest part of the building, and the part of the building projecting farthest toward the front property line, is not pleasing and harmonious in appearance, in our opinion. It is busier than the surrounding bungalow design and not compatible with it. This elevation is characterized by two strong horizontal elements that are expressed by the balcony balustrades and by the dominant shed roofs that do not relate well to the gabled roof elements in the units to the north and south and at the front of the project.

Garages on the alley create an unpleasant massing of non-inhabitable structure without breaks. Tenants will use street rather than a tandem parking process for their convenience. Three-bedroom rentals become student housing in this neighborhood with an accompanying armada of vehicles that cause traffic congestion and inconvenience to neighbors.

## 5. Design

### Desirable project aspects:

- Building height steps back from the street.
- Setback of the two front houses is consistent with neighborhood standards.
- Scale of two front houses is consistent with prevalent neighborhood house scale.
- Architectural style of two front houses is consistent with frequently seen bungalow style in the neighborhood.
- Water retention /drainage area provides green open space between the two front houses creating a functional front yard.
- Pedestrian view of cars is minimal at front of property.
- The north and south units at the back of the development include varied elevations and maintain the bungalow architectural style.

### Room for improvement:

- The center units at the back of the project are architecturally inconsistent with the rest of the project, and with surrounding structures. Repetitive horizontal lines remove the



suggestion of bungalow style. Adding in small pitched roof details, especially where not functional, produce an uncomfortable feeling of fussy, overwrought and lacking in dignity.

- The back units create a massing and scale inconsistent with anything in the neighborhood that addresses the street. Other multifamily projects in the neighborhood have a narrow aspect of the building addressing the street. The four existing on Ash Avenue are on deep properties that allow this orientation and diminish the impact of massing on the neighborhood. Height truly is stepped back because there is property depth to allow that. The height and siting of this building (54 feet, 10 inches from property line to porch) set a negative precedent for the neighborhood. This will place the back building relatively close to the street and visually exaggerate its mass and scale in an unpleasant way to people walking or driving past it through the neighborhood.
- The massing of the back units across the property as a single building eliminates the rhythm of small house – green space – small house – green space that defines the prevalent and historic character of the neighborhood.
- Complexity of design and floor plans creates awkward and tight spaces. This also contributes to unnecessarily poor sight-lines from some doors and windows.
- Inconvenient tandem parking will effectively lead to more street parking, congestion on the street, and inconvenience for neighbors.
- Garages on the alley eliminate street approach by occupants thereby eliminating interaction with neighbors.
- Rental units with three bedrooms will be filled with students, as happens in all the other multifamily projects in the neighborhood. This also occurs in some single-family residences. A five-bedroom rental house may have that many cars parked in front. Student occupants expand to fill (and overflow) the available bedrooms.

## 6. Lighting

The lighting requirements for multifamily housing are more intense than for single family as per relatively recent code updates. Specific areas in multifamily projects must be lighted, and specific minimum foot candles are required. Light trespass from the newest multi-family development has become a problem for neighbors to the east (including one family on the next block).

The garages will have lights in bracketed trellises at the top of the wall – 3 or four for the area. This will mitigate light by keeping the fixtures lower. The developers promise to work with residents to minimize the impact of lighting from the multifamily project to the surrounding single family uses. The question is the extent to which they will need to comply to multi-family development lighting requirements.

## 7. Lot Line Adjustments

Lot ties and lot combinations are routinely granted. This allows developers to assemble larger tracts of land on which to build their oversize projects. This is without exception done for profit. When neighbors complain about the impact of a large project, the developer's lament is that the project needs to "pencil out." This means that the project elements must be repeated multiple times to allow an economy of scale that it will lead to a profit. Evidently this does not happen with a single unit on a single lot, the mathematics a typical homeowner is familiar with. We have yet to meet a new homeowner who has made their purchase "pencil out."

Lot ties have happened in the past without neighborhood notification. Developers go through expensive, time-consuming and elaborate planning processes to get approvals that will only be valid if they are granted the lot line adjustments. The granting of the request to combine lots or to tie them seems to be a given – an application of the rubber stamp, once the engineers have been consulted. Under state law this can actually happen by filing a claim with the county recorder if the local jurisdiction does not claim administration authority here.

By combining lots, however, the underlying plat is reconfigured, possibly without public process. Our zoning codes are based on citizen desire to have some reasonable expectation as to what others can build near property they invest in. This is just as much a property right as the right to maximize zoning entitlements.

When asked, we have been told that lot line adjustment always follows Development Plan Review – it is just done in that order. The important thing is to arrive at a project that will work.

In April 2010 Development Services previewed two process changes for development in the Maple Ash neighborhood. "A Development Checklist highlighting priority areas commonly identified as important to neighborhood character will be applied to all projects in the neighborhood. Additionally, development projects will have enhanced neighborhood meeting requirements; generally, all Maple Ash projects requiring a public meeting or hearing (i.e. Development Review Commission, Hearing Officer, City Council) will also require a neighborhood meeting conducted by the applicant. Together, these changes will provide for additional stakeholder input on future development in the neighborhood" (*Maple Ash Neighborhood Checklist* April 9, 2010).

The neighborhood has yet to be notified of the need for a projected lot combination or tie. This was never part of the discussion at the neighborhood meetings held in December and in February. Contrary to Mr. O'Melia's assertion in his staff report on this case, neither the intent nor the provisions of the Maple-Ash Neighborhood Checklist have been fulfilled.

Lot ties are the biggest threat to the preservation of what is left of this neighborhood. We would like to be apprised, as we thought was the requirement, of a developer's intent to assemble properties at the beginning of a project. This did not happen in this case. It would also be useful to look at this process in regard to what the Maple Ash neighborhood has lost in zoning rights, and to determine a way to actually incorporate this step into the development process in a meaningful way.

We understand that this point is hardly the domain of the DRC, but it may be germane in the event of an appeal.

Thank you for your consideration of these points. We wish to achieve a project that is more compatible with what currently exists in the neighborhood.

Sincerely,

Karyn Gitlis

Phil Douglass

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**From:** Carson or Toni <carsonandtoni@msn.com>  
**Sent:** Sunday, March 25, 2012 2:38 PM  
**To:** O'Melia, Kevin  
**Subject:** Scott & Irene McMurray's ~ Ash Project

Re: Scott & Irene McMurray's ~ Ash Project

Attention: Kevin O'Melia, Senior Planner, City of Tempe

We are the owner's of a home @ 55 W. Hudson Lane, in the College View subdivision. Our family has owned this property since 1958, therefore, we have lived through many changes in our neighborhood, as well as the Maple-Ash neighborhood.

We have also attended many City of Tempe meetings in the past, supporting and not supporting proposed issues. Thus, we are very familiar with many of the residents in these areas.

**WE ARE IN SUPPORT** of the proposed project by Scott & Irene McMurray, to build a high quality, neighborhood enhancing, boutique multi-family project, following a similar layout as Ash Court which is directly across the street from their property. Not only are they attempting to enhance their property, but to enhance the neighborhood with this project. It seems fitting to the area, therefore, **we support them in this venture.**

Sincerely,

**Carson & Toni Janes**  
55 W. Hudson Lane, Tempe

[carsonandtoni@msn.com](mailto:carsonandtoni@msn.com)  
480-747-1079 /cell-Carson  
480-747-1068 /cell-Toni

P.S. We are scheduled out of town on 3/27, however, if we return early enough, we will try to attend the meeting for this project.

RECEIVED  
MAR 26 2012  
COT PLANNING



Maple  
Ash  
Neighborhood  
Association

**Karyn Gitlis**  
**1206 South Ash Avenue**  
**Tempe, AZ 85281**  
**(480) 967-5226**  
**kgitlis@interwrx.com**

Development Review Commission  
C/o Kevin O'Melia, Senior Planner  
Development Services  
City of Tempe  
31 East 5th Street  
Tempe, AZ 85281

**RE: PL110362 959 South Ash Avenue**

Commissioners:

The Maple Ash Neighborhood Association opposes the approval of use permits for the project proposed for 907 – 959 South Ash Avenue. MANA formed as a neighborhood association 26 years ago to preserve the historic characteristic of the neighborhood. We welcome development that anchors and enhances existing housing stock. The development at 942 South Ash, Ash Court Condominiums, did just that. This project is cramming too much onto the relatively small site.

We like the design of the two front houses, especially the south bungalow which was beautifully restored by the developers. We believe that the building toward the back of the property is too intense and too high to fit in with its surroundings. If the developers must build a single structure, we request that they do so within the limits allowed by the zoning code and General Plan 2030. This project is located in a Cultural Resource Area as designated and defined in the General Plan. The Cultural Resource Area text states the designation notes "projected density to match the zoning at the time this plan is adopted."

Zoning entitlements have increased over time, despite the neighborhood association's efforts to hold the line and safeguard the zoning under which we bought our homes. We believe that the 50% maximum lot coverage for construction in the R3 zoning category needs to be rolled back to the existing allowable lot coverage in place when the General Plan was adopted, December 4, 2003. The zoning requirements in May 1996 comprehensive Zoning Requirements sheet lists all multi-family categories, R2, R3, R3R and R4) at 40% maximum lot coverage.

Whatever the decision on lot coverage, we ask that you not allow this project to strain neighborhood resources by increasing the amount of allowable parking on site with tandem parking, or increasing the building height by three feet. Look at the overall project and make a decision that allows a project that doesn't have the effect of being shoe horned onto the property. Help us attain a graceful and structurally pleasing addition to the neighborhood.

Sincerely,

Karyn Gitlis, Chair  
Maple Ash Neighborhood Association



27 March 2012  
City of Tempe (CoT) Development Review Board (Board)  
31 East 5<sup>th</sup> ST Tempe, AZ, 85281

RE: ASH PROPERTY RESURRECTION 959 S. Ash Ave. Case No. PL110362

Members of the Board;

This letter is in opposition to the exterior elevations and site plan, for the above project as they were presented by Kevin O'Melia, Sr. Planner for CoT on Thursday, 16 February 2012.

As of Friday, 23 March 2012, Mr. O'Melia, stated that the site plan, still presented the "tandem parking", as presented in February, (where in five (5) locations, one (1) vehicle was shown to be parked behind two (2) other vehicles, blocking the exit of both vehicles).

Exterior Elevations:

Submitted are four (4) pages of photos of examples of "character" of the "Arts and Crafts" or "Bungalow style", pulled from different US locations.

Please note that when compared to the presented elevations for the above project, the dominant "theme" of the examples is "Horizontal" and break up of tall, vertical expanses with, horizontal, board "banding" and uses of multiple materials and patterns of materials.

Typically, the exterior corners of buildings are where the vertical board "banding", occurs, (a feature absent in the presented project).

Also, please note that a "masonry base", usually provides a "building anchor", that gives the exterior design, strength of purpose, (a key "Bungalow style" element), again, missing in this project.

Lastly, "Crafts" is half of the "style", which comes from Craftsmanship of both design and workmanship, again, the project puts forth a less than half-hearted attempt to show the true "character", in that overall, the exterior design lacks the number of simple details and articulation of materials present in a true "Arts & Crafts"- "Bungalow" style residential building.



## SITE PLAN & TANDEM PARKING:

The history of "tandem parking" comes from feasibility of within one household, being able to manage and control vehicle usage, wherein, either occupant could use the "behind" vehicle, based on managed schedules of TWO (2) occupants comings and goings by vehicles, TWO (2) VEHICLES! Congested urban areas, where space for vehicle parking is beyond limited in availability, is where necessity "invented" this type of parking scheme.

The introduction of THREE (3) into the above formula has disaster written all over it, as in THREE (3) occupants and THREE (3) vehicles.

The expression goes: "two is company...three is a crowd." The above project, with the Site Plan showing tandem parking of the "behind" vehicle, blocking the exit of not one (1), but two (2) vehicles, creates conflict even on paper. In functional terms, especially in multiple household - rental situations, (as presented), the three (3) design is DISFUNCTIONAL.

This plan, presents a 'developers approach' that contains little regard for the end users and the surrounding neighbor impact. The resultant will most likely be forced street parking, for which a multi-family project is not supposed to be allowed to impose on its neighboring property owners.

The most "misguided aspect" to the presented plan, was that it was concocted with the complicity of CoT P&Z Staff, who obviously support their own agenda. Besides, "it's not in their backyard" because P&Z Staff has no "ownership interest" in any CoT infill project, they just want to promote "development" for money, (fees and tax base).

Attached, please find a marked-up (blue), copy of the Site Plan presented in February. You will see that with very minor adjustments, "true" tandem parking can be used on this site, effectively.

Additionally: Just where is the trash and recycling designed to be located? What types of containers and where will they be stored when not out for pick up? Where will they be for pick up?



And, How is the quantity of all the 100 year storm water retention being managed, such that the paved surfaces are filtered from vehicle contaminants, before running back into the ground and the requirement of "on site retention" accomplished?

Sienna Court Lofts HOA, Inc. and Rhombus LLC, together, have stated to both the project architect and the CoT Staff, that "we" have concerns about the QUALITY of any project proposed within the vicinity of our properties. At this point, our concerns are that in design, presentation and function of this project, as presented, our "reasonable expectations" have not been met.

We ask that the issues addressed herein be fully examined and the current proposal be improved accordingly, PRIOR to any vote by the Board. If that takes another continuance or rescheduling please recommend such.

Thank you

Sienna Court Lofts HOA, Inc. 920 - 936 South Ash Ave. Tempe, AZ 85281  
Rhombus LLC 275 West 9<sup>th</sup> ST Tempe, AZ 85281 (representing 920-932 South Ash properties)  
5 attachment pages







DAN ZACHMAN

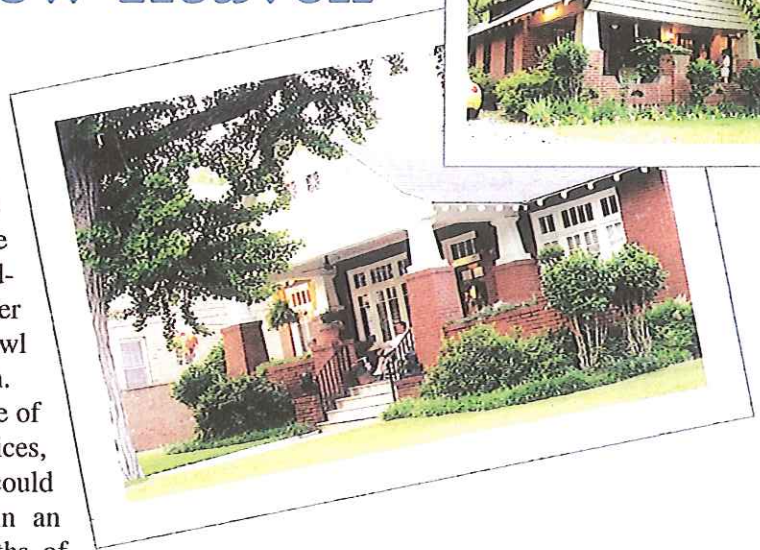
## Southern Belles: Macon's Bungalow Heaven

BY KIM ZACHMAN

**F**OR YEARS, MY HUSBAND AND I lusted after the grand old neighborhoods near downtown Atlanta, but were dismayed at the high cost of a three bedroom, one-bath bungalow. When a job transfer came five years ago, we left the suburban sprawl of Atlanta for Macon, Ga., only 90 miles south.

Besides the immense difference in the pace of life, we were also stunned by the housing prices, and excited to discover that in Macon we could afford to live in a historic neighborhood in an authentic 1920s bungalow. After a few months of searching, we found our neoclassical bungalow completely renovated and ready for us to move in. We signed on the dotted line and haven't looked back.

PHOTOS BY COWAN PHOTOGRAPHY, EXCEPT WHERE NOTED.



### Southern Heritage

Macon is proud of its history and historical architecture, and works hard to preserve its many gems. Thanks to the very diligent Macon Heritage Foundation, the town has 10 districts listed on the National

regulation, if any part of the house, such as our planned patio, would extend over the slope then the whole structure would have to be moved back 40 feet. (One wonders why someone would build overlooking a river without being able to see it?) The front wraparound patio and screened porch were instead redesigned as a deck cantilevered over the small rise and the plan was reluctantly approved. We selected Mostad Construction, one of Missoula's premiere builders, and Gene Mostad and his crew did a fine job of turning our visions and Don's design into reality.

### Outside View

The entry wraps around the large rock formation and the office steps around the solitary pine tree. The large boulder was really just the tip of the iceberg and presented an unanticipated challenge: everywhere we dug—building the

driveway, digging footings—we would encounter this rock, and we'd have to work around it.

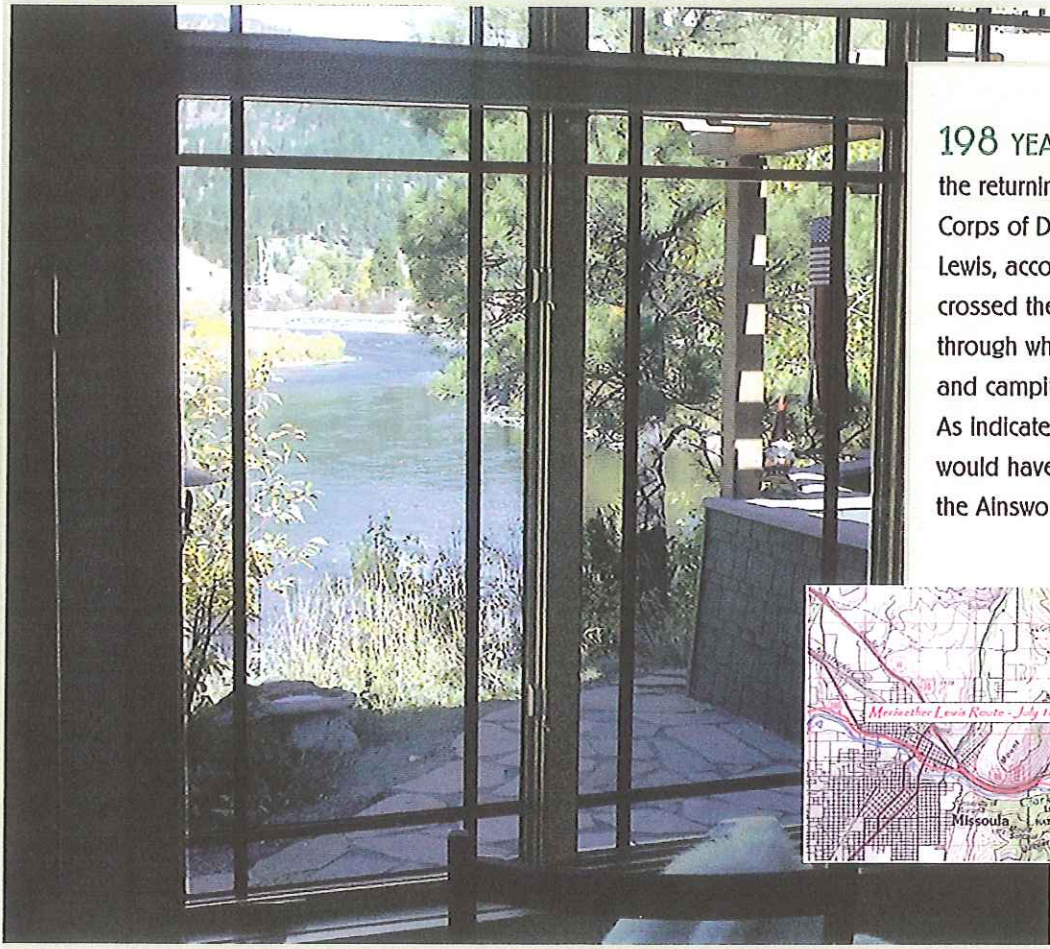
The home's exterior is finished with low maintenance fiber-cement lap siding, and the gables have shingles in an alternating narrow/wide pattern. Exposed rafter tails and naturally finished 4" x 4" select fir knee braces provide accents. The red aluminum-clad windows, with Prairie-style grille work, were made locally.

A screened porch with river view opens from the living room, and an adjacent wrap-around redwood deck is accessed from the master suite. The deck has a naturally finished fir arbor with cloud-lift detailing. In all but the most severe weather, we're out on the porch and deck.

Although we hired a professional landscaper to do the initial work, Linda has spent untold hours adding plantings to make the yard an integral part of the wonderful living environment.



A PERSISTENT AND OMNIPRESENT BOULDER —“THE TIP OF THE ICEBERG”— IS THE STRIKING FOCAL POINT AROUND WHICH THE HOUSE WAS BUILT.  
ATTACHMENT 76



198 YEARS AGO ON JULY 4<sup>TH</sup> the returning team of Lewis and Clark Corps of Discovery split. Meriwether Lewis, accompanied by nine men, then crossed the Clark Fork River, riding east through what would become Missoula and camping eight miles farther north. As indicated on the map, this path would have taken them past the site of the Ainsworth home.



DICK AINSWORTH

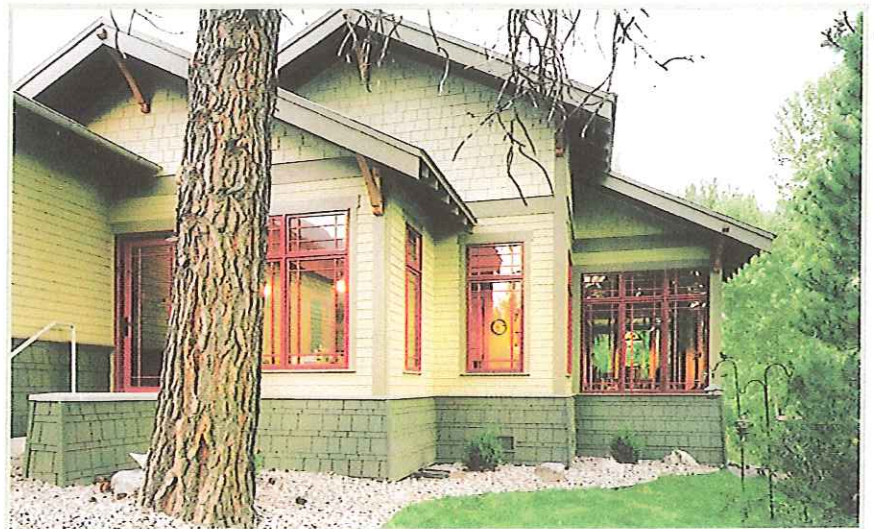
Wright's early works and Gustav Stickley, our new home's style most definitely had to be a bungalow or Craftsman dwelling.

In keeping with the Arts and Crafts philosophy, we desired a modest size, yet quality crafted home. Being "empty nesters" we wanted a single-level house. We interviewed six architects and selected Don MacArthur because of his past experience with Craftsman-style homes in the area. With much input from us, Don developed a wonderful plan with slightly under 2,200 square feet of floor space.

### Building Our Dream

Our site was a grassy, generally level bench overlooking the river with a rather abrupt bank dropping off to the water some 20 feet below. The bank was dotted with pines and cottonwood trees, and the site had several small outcroppings of bedrock. Numerous large boulders were scattered along the riverbank.

Every time we visited we were drawn to a particularly imposing rock formation and a large pine tree near the



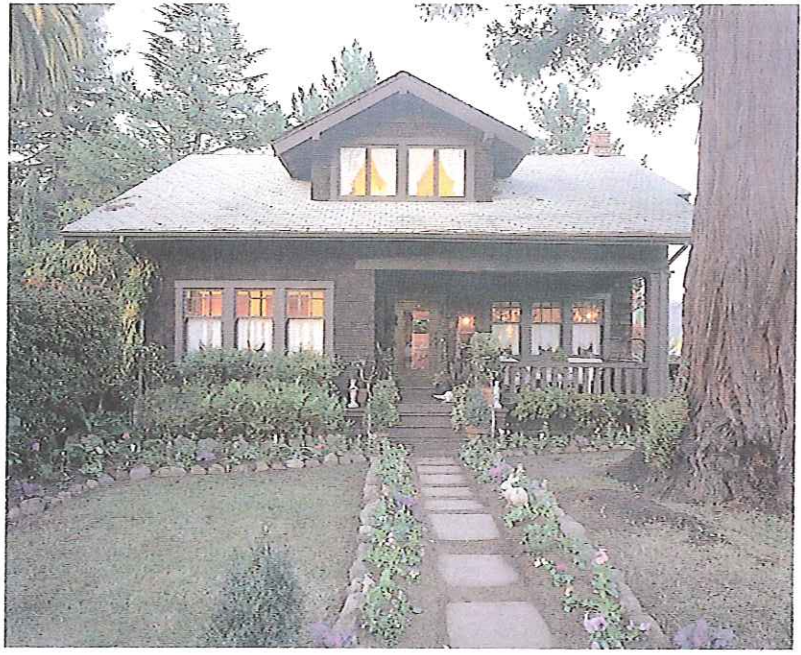
bank. After several site visits with our architect, it was decided to place the home as close as possible to the bank without disturbing the slope, and to incorporate the large rock outcrop and pine tree into the design.

A hitch in the plans came through a recent county hillside regulation not permitting homes to be constructed on slopes in excess of 25 percent. According to the

suspended on separate chains (figs. 39, 40, 49, 51, 55, 159, 176). Such fixtures could also be mounted as sconces (figs. 66, 91, 133, 151, 169, 182) or arranged in groupings as needed (figs. 67, 89, 187, 192). Fixtures with similar small shades were manufactured with large plates flush-mounted against the ceiling, which reduced the hanging chains (fig. 38). Hand-wrought metal finishes, usually in brass or copper that was patinated or oxidized, were the most desirable and characteristic metal

finishes (figs. 72, 73, 74, 142, 170). Outdoor lights were usually variations on the hanging or wall-mounted lantern style, often with a squarish or trapezoidal shade, perhaps with decorative cutouts in the metal framework, or fitted with colored glass (figs. 43, 56, 59, 68, 132, 147, 178, 183, 191). With small overhanging "roof" forms, evoking miniature houses, some of the outdoor lanterns look strongly influenced by Japanese design, a harmonious complement to the Craftsman style (figs. 45, 124).

Bungalow in St. Helena, California. Dwarfed by a monumental redwood tree, the house extends a path of bordered stepping stones in welcome. In the deepening twilight, the windows of the house glow like a lantern for the passerby. The turn-of-the-century design of this bungalow has been attributed to Bernard Maybeck (1862–1957). The garden was created by house resident and local landscape architect John Abbott, who created the edgings of river rock and the planting beds.



Bungalow in Sacramento, California. With a fringe of rafter tails overhanging its porch and dormer, this house looks as if it had stepped out of the pages of a how-to-plan book. Creating a variety of textures, both brick and buff-colored siding complement the shingled and wood siding. An English carpenter named Jennings created the house and left behind a detailed journal of building expense as a documentary record for the first owners. A large oak tree has grown from the spot that Mr. Jennings and his English bride planted the year their son was born. The son still lives up the street, and has provided the current owners with much house and family lore.



REVIEW LOCATION OF STREET ALLEY & PARKING

SPACES (THU HOURS) 5 YEAR CAP

129.00' E 129.00' N 90° 00' 00"

EXISTING RESIDENCE ± 925 SQ FT

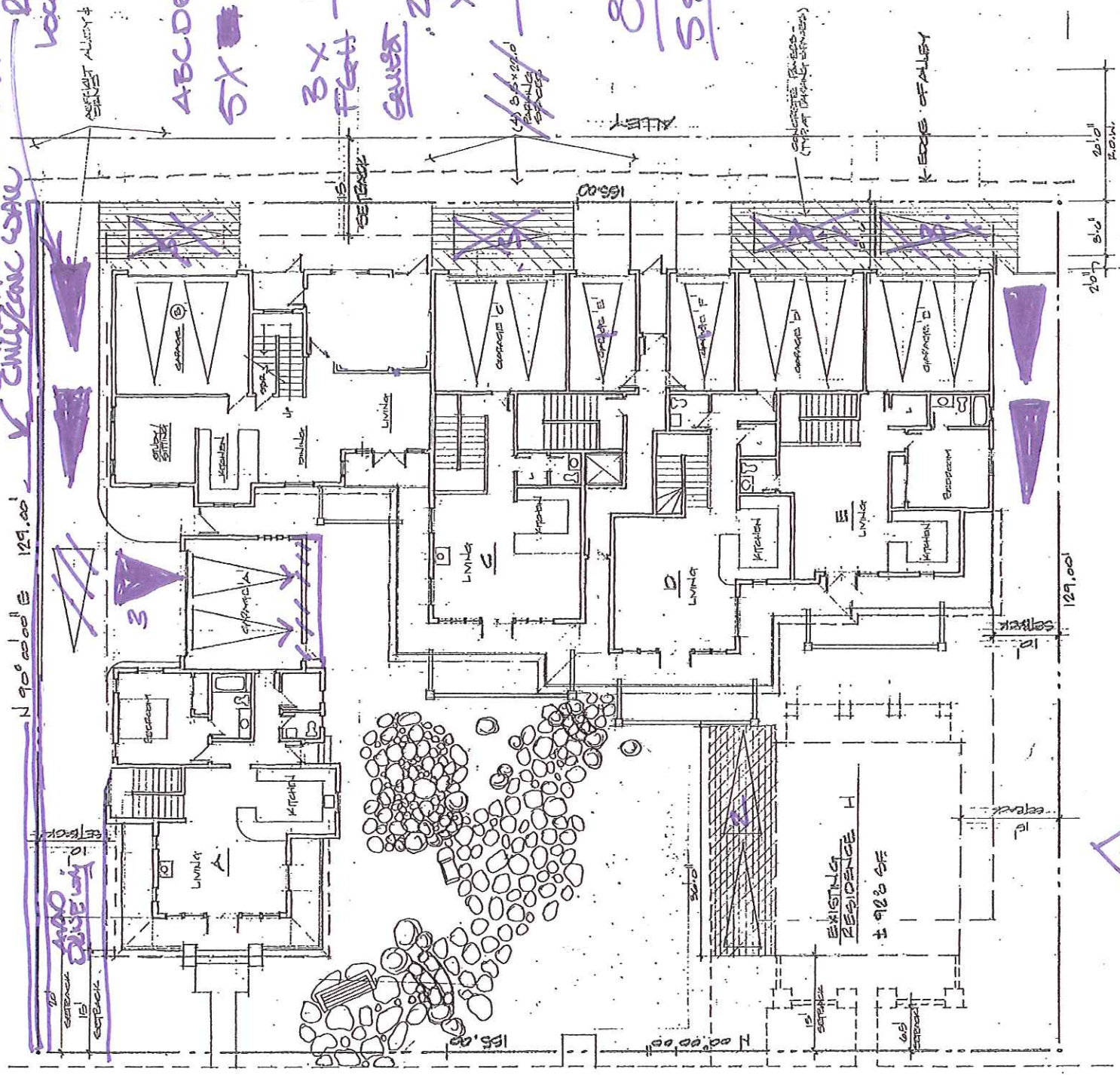
ON SITE 100% RETENTION. THEY RECYCLE CONTAINERS. P.U. LOCUS. NO STREET PARKING SPACES FOR 12-3.

ABCDE  
5X 2.5 = 12.5

3X 1.5 = 4.5  
FLAT

SEWER 2/UNITS.  
X 3 1.4

18.4  
8-19  
SPACES



RECEIVED  
MAR 27 2012  
BY COOT Planning

959. S. 45th - SITE PLAN. ↑ NORTH.



Development Review Commission  
c/o Kevin O'Melia, Senior Planner  
Development Services  
City of Tempe, AZ 85281

**Ref: PLI 110362 - 959 S.Ash Avenue, Tempe**

Commissioners:

I appreciate that the developers have gone to a lot of effort to inform the neighborhood and tried to design housing that should fit. I applaud them for their maintaining and improving one existing house, and proposing a new frontage house that is appropriate to the mixture of architectural styles in the neighborhood. However, like others in the neighborhood, my concern is with the larger block at the back of the site along the alley.

I have three issues, each of which have immense impact and create a precedent that could destroy the character of the Maple Ash Neighborhood (MANA):

1. The three storey block at the back of the site straddles three lots. Only one development that I can think of combines lots, and that is Ash Court but there it has single houses. This proposal at 959 South Ash sets a precedent by combining lots in the middle of Maple Ash. That occurs nowhere else and in my opinion should never be allowed.
2. Please look carefully at the plans for the back block. We are told that they are intended for families. I ask you to imagine them as homes for families. They do not work at all well. They consist of many cells, ideal for letting to single people who share facilities. Furthermore, the three storey block cannot be maintained as single homes like the rest of the neighborhood. It will require a management organization. I can think of nowhere else in the neighborhood that can only operate by being managed as whole. Although presented as a variety of different units, I am afraid that this large block will become a student 'frat house'. Maybe it would be better if planned for what it will be.
3. Although the architects have gone to great trouble to provide interesting architecture to reflect the diverse local character, to me it looks more like a large swiss chalet. In contrast, the local architectural character is created by many individual buildings, each of which is actually of simple straightforward design.

I will not add anything further to the criticisms about the parking provision. It is clear that the Commissioners are very unhappy with the numbers and the way they are arranged. Personally I dislike intensely the idea of a row of garages facing onto what is a very pleasant alley to walk..

I ask that the proposed development along the alley be rethought, ideally as three units that reflect the three lots.

Sincerely

*John Minett*

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**From:** Virginia Sandstedt <sandstedt1@earthlink.net>  
**Sent:** Friday, April 20, 2012 5:04 PM  
**To:** O'Melia, Kevin  
**Subject:** Ash Property Resurrection PL110362

Dear Commissioners:

These are some of my observations on this case:

- Rick Hondorp's suggestion for tandem parking is a good solution. While the original system may fulfill the letter of the law it will be unworkable in practice, causing an increased parking load on the surrounding streets.
- There was a question about the neighborhood parking permit system. Each household may have, at no charge, one bumper sticker permit and one guest placard to be placed on the guest car's dashboard. Additional bumper stickers may be obtained at \$5.00 each for other cars owned by household members. Thus a household of perhaps 4 persons can have 4 permits plus one placard for street parking.
- Since the 1970s, solar energy enthusiasts have understood that an east-west orientation for buildings has advantages for solar radiation management. The proposed buildings, particularly the large central one, have a north-south orientation.
- This neighborhood has certain characteristics which residents treasure. One of these is the rhythm of a house, then some green space, then another house on down the street. The large central building is in opposition to this characteristic. I suggest that it be replaced by either two craftsman style houses or a craftsman style duplex with green space on each side.
- To recover some of the density desired by the developers (not the neighborhood residents) a plan put forth by Patrick Hazelton some years ago is houses with a handicap-friendly apartment on the first floor with a "regular" apartment on the second floor for a helper for the handicapped person living downstairs. Our proximity to ASU with ice-free winters and level terrain make this neighborhood uniquely suitable for handicapped persons. Mr. Hazelton owns property on Maple Avenue which he has not yet developed.

Thank you for considering these points.

Respectfully

Virginia Sandstedt  
Robert Sandstedt  
1117 S Ash Avenue  
Tempe, Arizona

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**From:** Emily Talen <etalen@gmail.com>  
**Sent:** Monday, April 23, 2012 9:02 PM  
**To:** O'Melia, Kevin  
**Subject:** 959 Ash Ave

Kevin,

As a resident of the Maple-Ash neighborhood, and as a planning professor at ASU, I'm writing to let you know that I personally and professionally am NOT OPPOSED to additional development in this neighborhood, nor to the idea of 3 story developments. In my opinion, this neighborhood needs MORE, not less density.

I have not seen the design of this particular development, so I'm not sure about some of the concerns. But I just wanted to voice the opinion that the idea that this project should be opposed because of its 3 story massing doesn't seem right to me. This is not a neighborhood that needs to stay low-density single-family. It needs to accommodate additional growth that is compatible with single-family, which is entirely possible.

I sometimes feel that there is a vocal minority in this neighborhood that is trying to freeze this neighborhood in place.

Thanks,

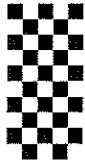
Emily Talen,  
111 W. 12th St.

Professor  
School of Geographical Sciences and Urban Planning  
School of Sustainability  
<http://geoplan.asu.edu/talen>

Director, Phoenix Urban Research Lab  
<http://design.asu.edu/purl/>  
Arizona State University

Co-Editor  
Journal of Urbanism  
<http://mc.manuscriptcentral.com:80/rjou>





1925 N. Wentworth Road  
Tucson, Arizona 85749  
May 8, 2012

Development Review Commission  
City of Tempe  
31 E. 5th Street  
Tempe, Arizona 85281

Dear Commission Members:

Having lived in Tempe for more than fifty years (thirty-five in Maple/Ash) I have the following comments about the Ash Property Resurrection project:

I support the revised project and think it should be approved. I have reviewed the plans and think it will be a major improvement to the area.

MANA will oppose anything that does not look like a single-family, single-story, owner-occupied house. The zoning, however, is not S1 but R3. What is allowed by zoning, even when opposed by MANA, should be approved as it was with Sienna Court and other projects. If not, the City and the DRC are complicit in the de facto down-zoning of Maple/Ash and the corresponding taking of property rights and the value associated with them. With the project now two units less than the nine allowed, I think there has already been a significant taking. But that is a matter to be decided upon by the applicant.

In talking with people around the neighborhood (after the April DRC meeting) about the proposed project, I have not talked with anyone who has a problem with it which is contrary to the comment made at the April DRC meeting by one of the DRC members to the effect that the neighborhood was against the proposed project. Those few persons who hijacked MANA many years ago and have used it for their own narrow and divisive purposes may be against it, but I don't think most people in the neighborhood are. I was also somewhat bothered by what appeared to be the overweight consideration given to MANA's opposition (It will decrease my property 's value) and other unsubstantiated claims (more college students, more boom boxes, more dogs using my yard for a bathroom, more crime, more underage drinking, more noise, etc.) as compared to the project itself--which I consider to a quality, first-rate project. It is my hope that the applicant will receive a fair and impartial hearing.

Sincerely,

Bret Batchelor  
Maple/Ash Property Owner



Maple  
Ash  
Neighborhood  
Association

**Karyn Gitlis**  
**1206 South Ash Avenue**  
**Tempe, AZ 85281**  
**(480) 967-5226**  
**kgitlis@interwrx.com**

Development Review Commissioners  
c/o Kevin O'Melia, Senior Planner  
Planning Department  
City of Tempe  
31 East Fifth Street  
Tempe, AZ 85281

May 21, 2012

**Re: Ash Property Resurrection # PL110362**

Dear Commissioners:

The Maple Ash Neighborhood Association Council is opposed to the approval of the use permit for tandem parking at this project. The developers have made progress on reconfiguration of the project, but we believe issues remain that need to be addressed in order for the completed project to be compatible with and have a positive impact on the neighborhood. We also believe these objectives are attainable in a 6-unit project built within reasonable parameters. Such a development would blend with the surrounding built environment. It would provide less tortured access and greater ease of use for residents. It would diminish excess parking inconvenience, light trespass annoyance, and tenant disturbance for neighbors.

While some problems have been mitigated, the mitigation doesn't go far enough, or a new problem has cropped up to take a previous problem's place. Issues include:

Parking: While two open visitor parking spaces and another driveway improve the parking on-site, there is still a parking shortage, or what will be a shortage in practice. This site plan revision has no decrease in number of bedrooms. As we have pointed out, rentals in the neighborhood are prized as student housing. The formula is one student per bedroom, and each has a car. Rental houses with four bedrooms are identifiable by the large number of vehicles in the driveway (if one exists) and on the street. On-site parking does not increase in this version of the project, depending on how you count illicit tandem spots, and available street parking will decrease by one driveway apron. Tenants will prefer to park on the street rather than use their tandem parking and jockey cars. Current neighbors and the Chabad religious center on the corner of 10<sup>th</sup> and Ash will be penalized by increased street parking from this overbuilt project.

MAY 22 2012

East building elevation: The design of this building appears to have improved and it is now within city height standards. The building remains imposingly high as seen from the sidewalk (approximately 50 feet away) and massive. This development will set a post-1980 or earlier precedent in the neighborhood for covering the width of three adjoined lots with unabated structure. Four multi-family developments have been built on the west side of Ash since 1986. Each is on a deep lot and only shows a single property width as viewed from the street. These developments do not cover multiple properties of street frontage. Sightlines, two separations, between the three sections of this building are the only solution to mitigate this effect and allow for characteristic greenery between buildings. This will also allow easier access to garages which will be necessary on recycle day. Building separations will create a visual impression of separate lots which is a critical element to maintain the characteristic of the neighborhood.

Addition of front middle house: This house has a footprint of 673 sf and a duplicate of that for its second story. The house is 26.5 feet high at the peak. It presents as out of proportion and boxy. The height will be jarring from the sidewalk. It is not a graceful element and there is nothing nearby that it fits with. It needs to be 16 feet high, more similar to the house to the south. The hip roof will look better on a shorter structure in this residential use.

Residential recycle program: Recycle will not present a problem to the residents in the three front houses which are close to the street. The back units will store the containers in the garage behind their unit. It is unclear what path these tenants will take to the street on recycle pickup day, but it will involve a trek down the alley to the south or north perimeter of the property from which a path to the street will need to be determined. It is not clear from the drawings or from discussion with the project representatives where this path will be; for some however, it will add up to a 300 foot stroll around the complex pushing a 90 gallon recycle container. Placement of a street side recycle container pad will also need to be added.

Strides have been made in the site plan, design and parking, but all three aspects can be improved. The developers are still trying to crowd too much onto this site. If this project fit the site, no tenant would need to walk 300 feet pushing a 90 gallon recycle bin to the street for Thursday pickup. Nor would the developers have need for a publicist and a zoning attorney to get this project approved.

We understand that developers want and expect to make their project "pencil out," whatever that means (pay for itself?), but they do not have the right to do that on the backs of their would-be neighbors. Many of us bought properties here because we loved the neighborhood and were willing to take on a mortgage. We had no option to pencil out. We feel that this project will diminish the value of our properties by overbuilding in an area that is becoming more crowded and difficult to navigate with each new development. The neighborhood cannot support this intensity of development much longer. This is becoming clear to us who work on preservation.

Please hold the developers to strict standards of site planning, design and livability on this project.

Karyn Gitlis, Chair  
Maple Ash Neighborhood Association

MAY 28 2012

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**From:** robtwerickson@cox.net  
**Sent:** Tuesday, May 22, 2012 10:46 AM  
**To:** O'Melia, Kevin  
**Subject:** RE: ASH PROPERTY RESURRECTION

Kevin,

I'm sorry for sending this e-mail at such a late date, but I will not be able to be at the meeting this evening. I own the two properties directly to the north of the Ash Property Resurrection site location, at 959 S. Ash Ave. I wish to submit a written statement that I DO SUPPORT the applicant's project. I understand that the applicant has "tweaked" the original site plan, and that they have put in a substantial amount of time and resources to bring this project to reality. Our family has owned property in this particular block for 50+ years, and it's time for quality projects such as this to proceed. The zoning is right, so I hope the MANA group does not sway the Board to think an apartment complex is inappropriate. Thank's for your time.

Sincerely,  
Robert Erickson  
2153 E. Lajolla  
Tempe

MAY 22 2012

22 May 2012  
City of Tempe (CoT) Development Review Commission  
31 East 5<sup>th</sup> ST Tempe, AZ, 85281

RE: ASH PROPERTY RESURRECTION 959 S. Ash Ave. Case No. PL110362

Members of the Commission;

Sienna Court Lofts HOA, Inc. and Rhombus LLC, together, have stated to the project architect, the CoT Staff and in the previous Public Hearing, that we have concerns about the TOTALQUALITY of any project proposed within the vicinity of our properties.  
Still, our concerns are the design, presentation and function of this project, even as modified and now as presented. Our "reasonable expectations" of functionality of the project, per CoT mandatory requirements and common sense, have still not been met.

#### Site Plan & Grading /Drainage Plan

In review of the current Site Plan and the "Civil Grading & Drainage Plan" 5-04-12 by Graham Engineering & Surveying Inc., for this project, there appear to be major conflicts in the presented land contours and the functionality of the parking spaces as shown to be provided.

This conflict exists for 6 (six) of the total of 20 (twenty) spaces shown as provided. The retention calculations provide for very little overage, such that it is difficult to understand how the presented Site Plan & G/D Plan can functionally work together, as required.

So, we ask, again;

How is the required quantity of all the 100 year storm water retention being managed in required compliance?

How are the paved surfaces filtering vehicle contaminants, when they are required by "condition of approval" to be "porous", before running back into the ground and the requirement of "on site retention" accomplished?

Then, how is all this accomplished AND the submitted parking plan implemented as shown?

MAY 22 2012

According to Staff, the Civil G&D Plan has been omitted from the Staff Summary Report, "to streamline the number of attachments".

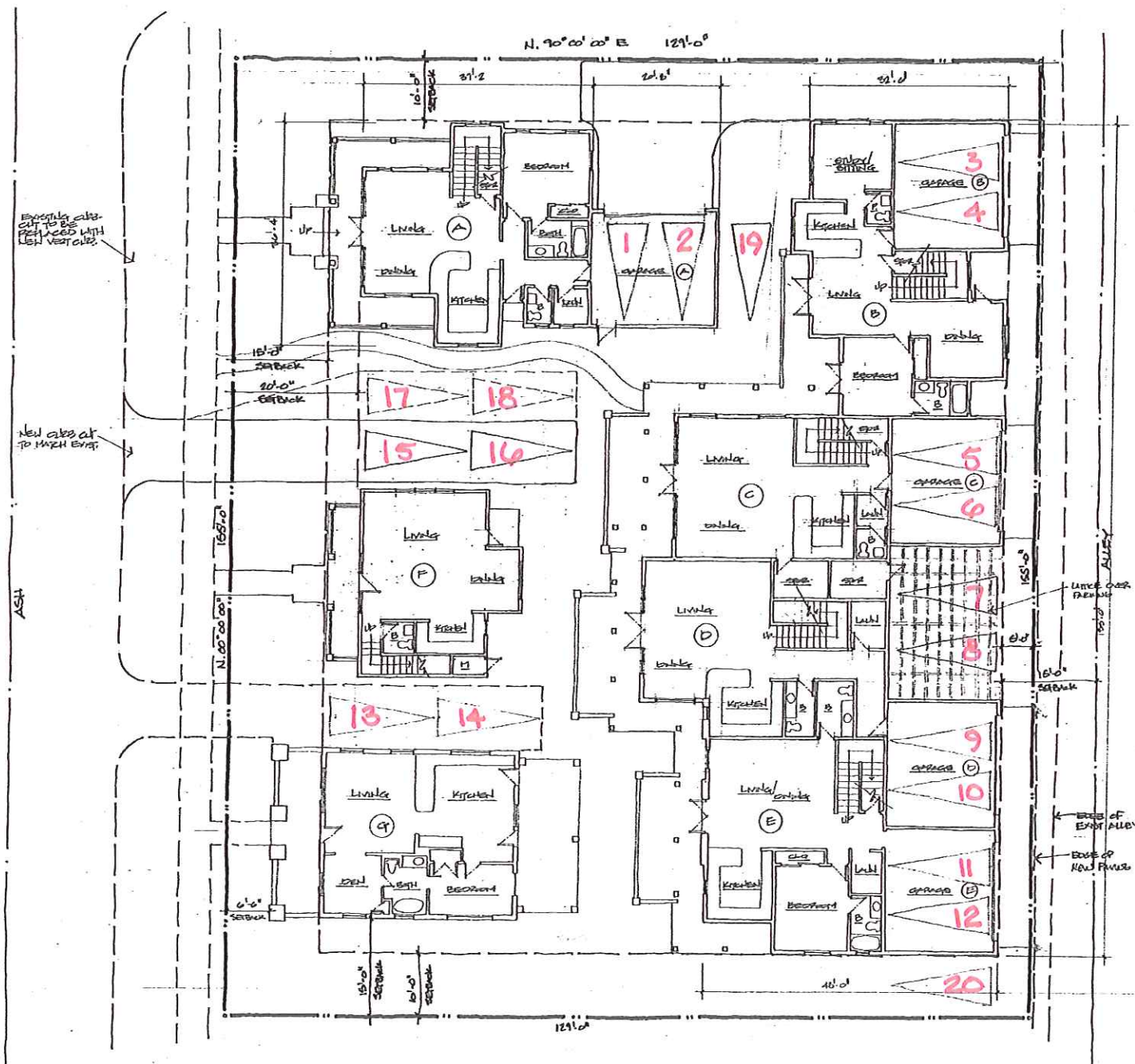
We submit that Staff has taken the "CYA" approach in taking this action, supplementing "interpretable" conditions of approval in their Report, rather than require applicant to document, up front, the project actually can fulfill compliance requirements.

We ask that the issues addressed herein be fully re-examined and the current proposal be CORRECTED accordingly, PRIOR to any vote by the Commission. If that takes another continuance or rescheduling please recommend such, or reject Staff's recommendation and DENY this application.

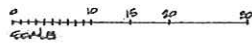
Thank you

Sienna Court Lofts HOA, Inc. 920 -A South Ash Ave. Tempe, AZ 85281  
(representing 920 - 936 South Ash properties)  
Rhombus LLC 275 West 9<sup>th</sup> ST Tempe, AZ 85281  
(representing 920-932 South Ash properties)

Attachments: Site Plan, G/D Plan & Landscape Plan



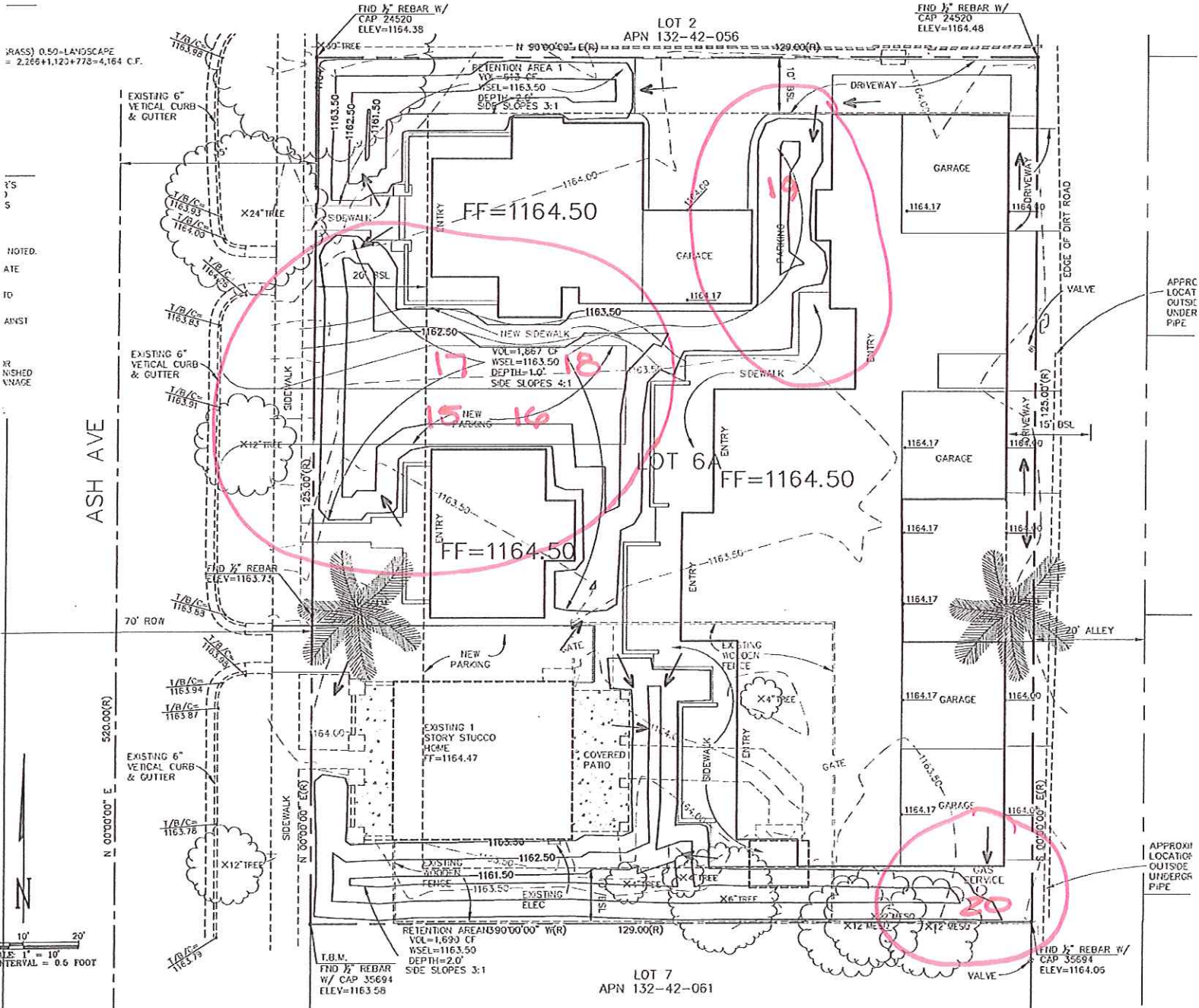
Site Plan



# CIVIL GRADING & DRAINAGE PLAN

## LOT 6A "ASH ESTATES"

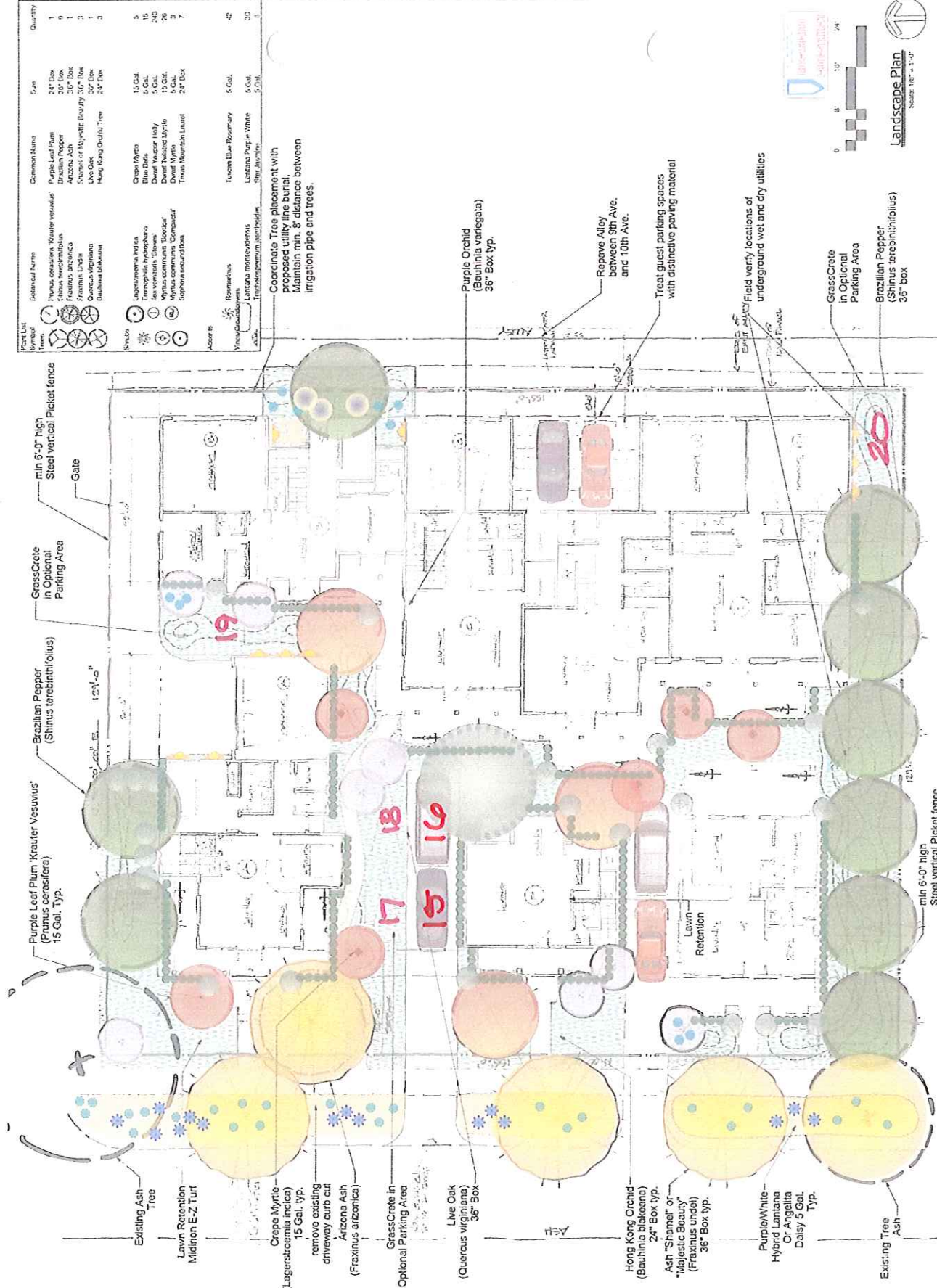
IN BOOK OF MAPS PAGE M.C.R. LOCATED IN THE NW 1/4 SECTION 22, TOWNSHIP 1 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



THESE ARE PRELIMINARY PLANS ONLY AND NOT MEANT FOR CONSTRUCTION

CALL THE WORLD'S LEADING EXPERTS  
**602-233-1100**  
 OR  
**1-800-574-1177**





ATTACHMENT 28



**Tempe First United Methodist Church**

Dave Summers, Ph.D. - Senior Pastor  
Sarai Case - Associate Pastor  
Rob Rynders - Wesley Foundation Director  
Diana Spratt - Director of Christian Nurture

May 22, 2012

Planning Department  
City of tempe  
31 E. Fifth St.  
Tempe, AZ

Dear Planning Department:

I am writing to offer our support on behalf of First United Methodist Church for the Ash Property Resurrection project (on Ash Avenue, south of 9<sup>th</sup> street). We view a housing project of this nature to be beneficial for our downtown neighborhood and the faith community that serves in this area of Tempe. We would encourage your support and approval of this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Summers".

Dave Summers, PhD  
Senior Pastor

MAY 22 2012

Share your Joys and Share your Journey with  
Tempe First United Methodist Church · 215 E University Drive · Tempe, AZ 85281  
p.480-967-3376 · f.480-967-8647 · TempeFirstUMC.org

ATTACHMENT 92



PETITION IN SUPPORT OF ASH PROPERTY RESURRECTION

To the Mayor, City Council and City Clerk:  
 We, the undersigned, support the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street. Ash Property Resurrection will provide the community with 7 beautifully designed luxury apartment units on .46 acres and will be a benefit to the City of Tempe and the surrounding community. This quality-focused project, with significant green landscaping elements, will keep the character, themes, and historic look of the surrounding area.

signature	printed name	address	date of signing
	Charles Hoodland	942 South Ash Ave. #103	5/21/12
	Corey Frank	942 S. Ash Ave #103	5/21/12
	Dorena Lucembell	942 S. Ash Ave. #108	5/21/12
	James Purney	821 S Maple Ave	5/21/12
	Nathan Richard	832 S. Maple Ave	5/21/12
	Joseph Nunes	905 S Ash Ave #1	5/21/12
	Chris Mercano	171 1/2 W. 9 <sup>th</sup> St.	5/21/12
	Spencer Grefek	141 W. 9 <sup>th</sup> St.	5/21/12
	Scott Kelly	141 W 9 <sup>th</sup> St	5/21/12
	LAURENCE GANEZ	908 S. MAPLE AVE	5.21.12
	SARA DAWIS	922 S Maple	5.21.12
	SHEA NORMILE	922 S Maple	5-21-12
	Chris Roberts	906 S Maple	5-21-12
	Jessica Riggins	905 S Ash Ave	S-21-12
	Jim Grid	905 S. Ash Ave	S-21-12

PETITION IN SUPPORT OF ASH PROPERTY RESURRECTION

To the Mayor, City Council and City Clerk:  
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signature	printed name	address	date of signing
	Chris Rowley	948 S Ash	5-12-12
	HEIDI MILLER	942 S ASH 106	5-12-12
	Sean Hanson	942 S Ash 109	5-12-12
<del></del>	<del>PATRICIA SILVERMAN</del>	<del>902 S ASH</del>	<del>5-12-12</del>
	CASEY BANK	1216 S. Maple Ave Tempe Az	5-12-12
	Adam S Dumper	420 W. 5th Street Tempe MARKS @ 8005. WESTPHAL ASH AVE	05-12-12
	David Roberts	902 5th Ave Tempe	05-12-12
	Elmer Stry	943 S. Ash	5-12-12
	Nikki Wozniak	908 S Maple	5-12-12

Charles Hoogland

942 S. Ash #103

Tempe, AZ 85281

---

May 21, 2012

Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

I hope that you support the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street just as much as I do. This area could really use a facelift, and these historically themed, luxury apartments are just the thing. The look of the buildings and the wonderful trees and landscaping are beautiful.

Please support and approve this project.

Respectfully,

A large, stylized handwritten signature in black ink, appearing to read 'C. Hoogland'.

D.R.C.  
MAY 22 2012

MAY 22 2012

Nikki Wozhiak

---

908 S. Maple • Tempe, AZ 85281

May 16, 2012

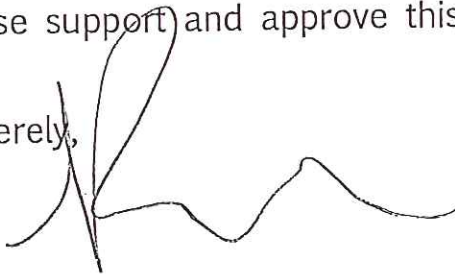
Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

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Please support and approve this project.

Sincerely,

A handwritten signature in black ink, appearing to be 'Nikki Wozhiak', written over the word 'Sincerely,'.

D.R.C.  
MAY 22 2012

Ethan Singa

943 S. Ash • Tempe, AZ 85281

May 15, 2012

Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

I am writing today in support of the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street. Currently this site is an empty lot and an eyesore to the community. Adding a few luxury apartment units will certainly be an improvement. The buildings will also keep the surrounding historic look and feel intact.

Please support this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ethan Singa', with a stylized flourish at the end.

D.R.C.  
MAY 22 2012

# Donald Roberts

902 S. Maple • Tempe, AZ 85281

May 16, 2012

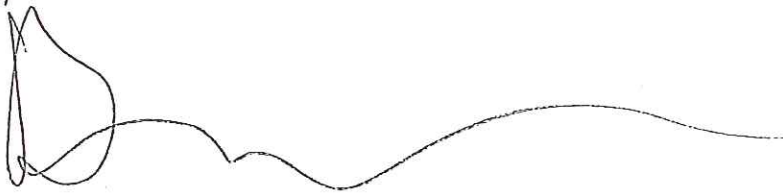
Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

I hope that you support the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street just as much as I do. This area could really use a facelift, and these historically themed, luxury apartments are just the thing. The look of the buildings and the wonderful trees and landscaping are beautiful.

Please support and approve this project.

Sincerely,

A handwritten signature in black ink, consisting of a stylized initial 'D' followed by a long, wavy horizontal line.

D.R.C.  
MAY 22 2012



# Casey Baak

May 9, 2012


Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

I am writing today in support of the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street. Currently this site is an empty lot and an eyesore to the community. Adding a few luxury apartment units will certainly be an improvement. The buildings will also keep the surrounding historic look and feel intact.

Please support this proposed project.

Sincerely,

  
5-12-12

**Sean Abramson**

**942 S. Ash #109**

**Tempe, AZ 85281**

---

May 15, 2012

Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

I am writing today in support of the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street. Currently this site is an empty lot and an eyesore to the community. Adding a few luxury apartment units will certainly be an improvement. The buildings will also keep the surrounding historic look and feel intact.

Please support this proposed project.

Sincerely,



Heidi Miller

942 S. Ash #106

Tempe, AZ 85281

---

May 10, 2012

Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

I hope that you support the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street just as much as I do. This area could really use a facelift, and these historically themed, luxury apartments are just the thing. The look of the buildings and the wonderful trees and landscaping are beautiful.

Please support and approve this project.

Sincerely,

A handwritten signature in black ink that reads "Heidi Miller". The signature is written in a cursive style with a long, sweeping tail on the final letter.

D.R.C.  
MAY 22 2012

CHAS ROBERTS

902 S. MAPLE  
TEMPE, AZ 85281

May 16, 2012

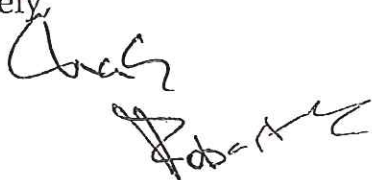
Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

As a neighboring property owner, I support the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street. I think that filling this empty lot with luxury apartments would greatly benefit the area. Certainly a project of this caliber and consideration to the surrounding architecture and character will be the face-lift that this property needs.

I urge you to approve this wonderful project.

Sincerely,

Handwritten signature of Chas Roberts in black ink.

D.R.C.  
MAY 22 2012

# Spencer Gefroh

May 16, 2012

Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

I hope that you support the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street just as much as I do. This area could really use a facelift, and these historically themed, luxury apartments are just the thing. The look of the buildings and the wonderful trees and landscaping are beautiful.

Please support and approve this project.

Sincerely,

  
Spencer Gefroh

Scott Kelly

141 W. 9th Street • Tempe, AZ 85281

May 15, 2012

Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

I am writing today in support of the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street. Currently this site is an empty lot and an eyesore to the community. Adding a few luxury apartment units will certainly be an improvement. The buildings will also keep the surrounding historic look and feel intact.

Please support this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kelly". The signature is fluid and cursive, with a long, sweeping underline.

D.R.C.  
MAY 22 2012

*Chris Morano*

141 ½ W. 9th St.

Tempe, AZ 85281

---

May 16, 2012

Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

To Whom It May Concern:

I hope that you support the proposed Ash Property Resurrection project on Ash Ave. just south of 9<sup>th</sup> Street just as much as I do. This area could really use a facelift, and these historically themed, luxury apartments are just the thing. The look of the buildings and the wonderful trees and landscaping are beautiful.

Please support and approve this project.

Sincerely,

A handwritten signature in black ink, appearing to be 'Chris Morano', with a large, stylized flourish extending to the right.

D.R.C.  
MAY 22 2012

Joseph Nunes

905 ½ #1 S. Ash • Tempe, AZ 85281

May 15, 2012


Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

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Please support this proposed project.

Sincerely,



D.R.C.  
MAY 22 2012



Nathan Richard

832 S. Maple  
Tempe, AZ 85281

May 21, 2012

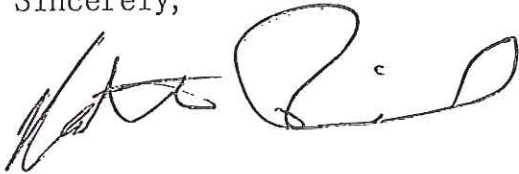
Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

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Please support this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathan Richard', with a large, stylized flourish at the end.

D.R.C.  
MAY 22 2012

May 21, 2012

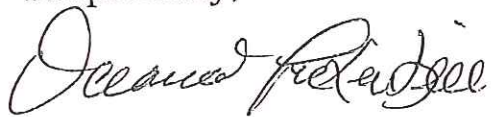
Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

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Please support and approve this project.

Respectfully,



P.R.C.  
MAY 22 2012

Corey Frank

942 S. Ash #103

Tempe, AZ 85281

May 20, 2012

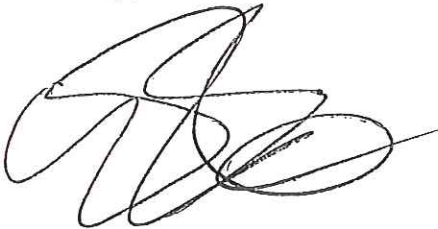
Planning Department  
Tempe City Hall  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

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Please support this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to be 'Corey Frank', written in a cursive style.

D.R.C.  
MAY 22 2012