

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 07/09/2019
Agenda Item: 10**

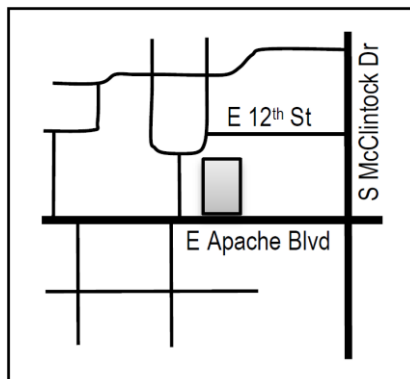
ACTION: Request a Use Permit to allow multi-family residential within the Commercial Shopping and Services (CSS) zoning district for **BAKER'S ACRE MOTEL**, located at 1620 East Apache Boulevard. The applicant is Phoenix Permit Service, LLC. (PL190046)

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: BAKER'S ACRE MOTEL (PL190046) is requesting a Use Permit to allow multi-family residential units within the CSS, Commercial Shopping and Services zoning district. The applicant's intent is to convert the existing hotel/motel use into long-term rental units. There are no building additions proposed, but there are plans for interior remodels for each unit. The request includes the following:

ZUP190017 Use Permit to allow a residential use within the CSS zone



Property Owner	Fairflock 8 th , LP
Applicant	Leodra Bowdell, Phoenix Permit Service, LLC.
Zoning & Overlay Districts	CSS, TOD
Site Area	70,000 s.f.
Density / Number of Units	19.88 du/ac / 32 Units
Unit Types	13 studio 19 one-bedroom
Total Bedrooms	32 bedrooms
Vehicle Parking	30 spaces (30 min. required)
Bicycle Parking	30 min. required

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Dalton Guerra, Planner I (480) 350-8652

Department Director: Chad Weaver, Community Development Director
 Legal review by: N/A
 Prepared by: Dalton Guerra, Planner I
 Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The applicant is converting an existing hotel/motel to a multi-family residential development. The applicant plans to renovate the interior of all units but there are no building additions proposed. The change of use from hotel/motel to multi-family residential changes the density requirement as well as the parking demand. The density allowed within the CSS zone and TOD (corridor) overlay district is 20 DU/Acre. Only thirty-two (32) units are permitted on the existing lot, and therefore two (2) of the existing units cannot be included in this request. Staff will condition that two specific units on the site plan will not be included in this request. Site modifications are required due to the change of use and will be conditioned by staff to come through the Development Plan Review process following approval of the Use Permit. The major modifications to the site include the emergency/fire/refuse access lane that runs east/west along the north side of the property and the closing of the south driveway to public access. In addition, more landscaping will be provided along the street frontage and throughout the site.

PUBLIC INPUT

To date, staff has received a number of phone calls and emails inquiring and supporting the request. A few members of the public were curious what the scope of work includes. Others were in support of the request because of the lack of affordable housing in the city, beautifying the area, and maintaining the historic feel of the site.

POLICE INPUT

Police provided comments to the applicant through the Site Plan Review process.

USE PERMIT

The proposed use requires a Use Permit to allow a residential use within the CSS zoning and TOD overlay districts.

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

1. *Any significant increase in vehicular or pedestrian traffic*; there will be no increase in vehicular traffic due to the change of use from hotel/motel to residential because these uses are similar in nature. The site is also located within the TOD overlay district.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; the residential use is not expected to create a nuisance exceeding that of the ambient conditions.
3. *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 redevelopment and renovation of the existing units will create a more aesthetically pleasing site. The goal of this project is to create a better environment within the site and the surrounding area while also preserving the historic nature of the existing buildings.
4. *Compatibility with existing surrounding structures and uses*; the site is located on an arterial street within the TOD overlay district and is surrounded by commercial and residential uses. Multi-family residential is permitted within the CSS zone subject to a Use Permit.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; a multi-family residential use is not expected to create disruptive behavior that will become a nuisance to the surrounding area.

REASONS FOR APPROVAL:

Based on the information provided by the applicant, the public input received, and the above analysis staff supports approval of the requested Use Permit. This request meets the required criteria and will conform to the conditions.

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.

CONDITION(S) OF APPROVAL:

1. The Use Permit is valid only after a Building Permit has been obtained, the required inspections have been completed and a Final Inspection has been passed. As part of the Building Permit process, on-site storm water retention may be required to be verified or accomplished on this Site.
2. The Use Permit is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during the building plan check process.
3. All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained or the Use Permit is void.
4. If there are any complaints arising from the Use Permit that are verified by a consensus of the complaining party and the City Attorney's office, the Use Permit will be reviewed by City staff to determine the need for a public hearing to re-evaluate the appropriateness of the Use Permit, which may result in termination of the Use Permit.
5. Any intensification or expansion of use shall require a new Use Permit.
6. **Units #102 and #103 in Building 1E shall not be included in this request to use as residential units.**
7. **A Minor Development Plan Review is required for the proposed site and landscape modifications prior to issuance of building permits.**

CODE/ORDINANCE REQUIREMENTS:

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

- The Use Permit is valid for Baker's Acre Motel and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval, but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through <http://www.tempe.gov/zoning> or purchase from Development Services.
- All business signs shall receive a Sign Permit. Contact sign staff at 480-350-8435.
- Any intensification or expansion of use shall require a new Use Permit.
- All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the Use Permit becoming effective.

HISTORY & FACTS:

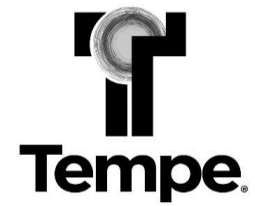
None pertinent to this case.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-202 Permitted Uses in Commercial and Mixed-Use Districts

Section 4-203 Development Standards for Commercial and Mixed-Use Districts

Section 6-308 Use Permit



DEVELOPMENT PROJECT FILE

for

BAKER'S ACRE MOTEL

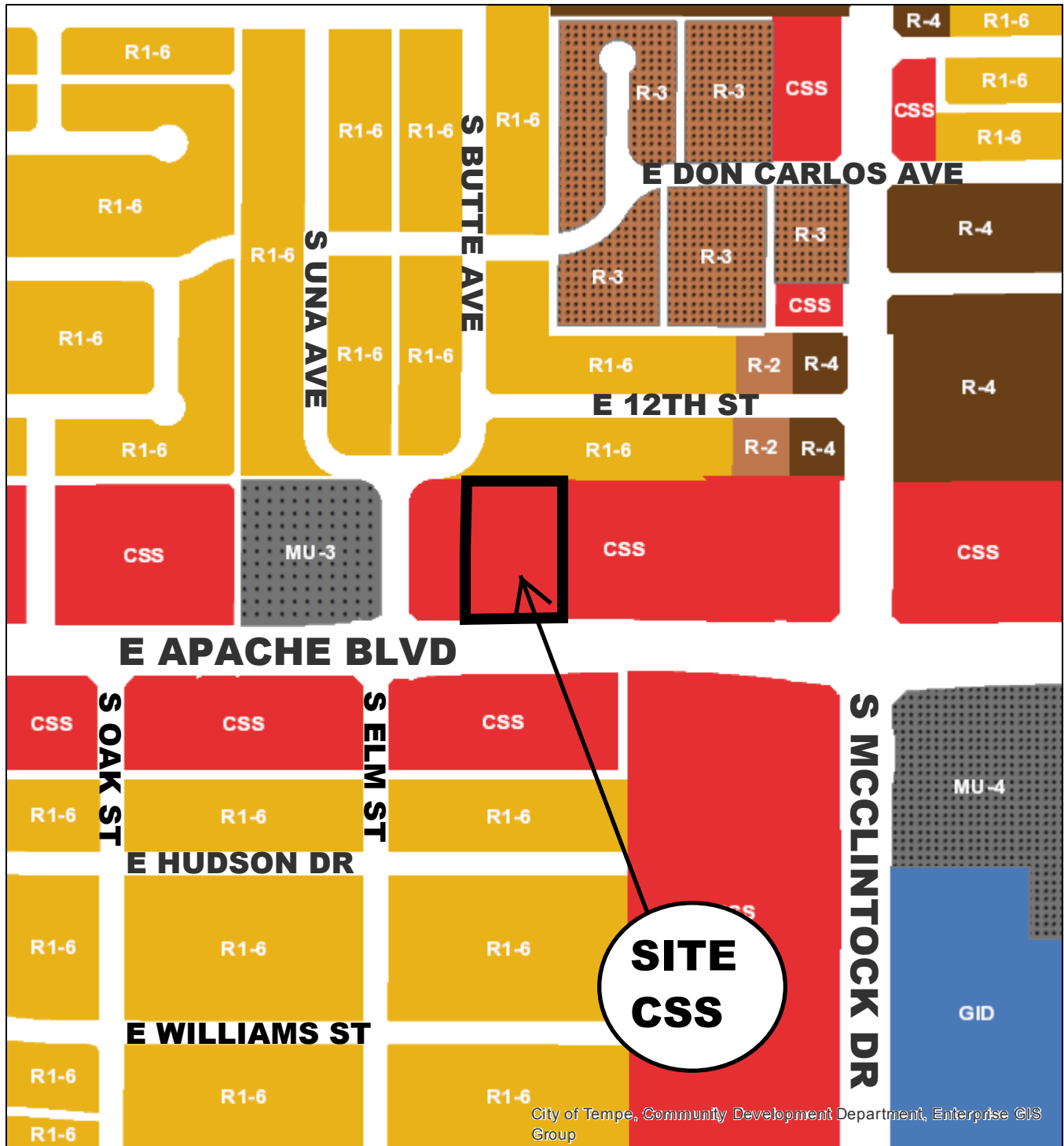
(PL190046)

ATTACHMENTS:









1. Location Map
2. Aerial
- 3-4. Letter of Explanation
- 5-6. Site Plan
7. Landscape Plan

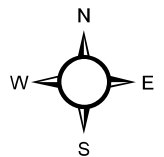
BAKERS ACRE MOTEL

PL 190046



City of Tempe, Community Development Department, Enterprise GIS Group

- | | |
|--|--|
|  General Industrial District (GID) |  Single-Family Residential (R1-6) |
|  Mixed Use Med-High (MU-3) |  Multi-Family Residential (R-2) |
|  Mixed Use High (MU-4) |  Multi-Family Residential Limited (R-3) |
|  Commercial Shopping and Services (CSS) |  Multi-Family Residential General (R-4) |

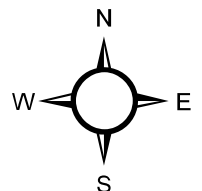


BAKERS ACRE MOTEL

PL 190046



Aerial Map



**1600-1620 E Apache Blvd
Use Permit Narrative**

Owner: Fairflock 8th, LP
One East Washington St
Phoenix, AZ 85004
604-374-3789

Applicant: Phoenix Permit Service LLC
1301 E. Washington St Ste 104
Phoenix, AZ 85034
480-205-4828
leodra@phoenixpermitservices.com

Request:

The new owners desire to take the existing motel and provide long term lease rentals with an improved community to support this transition. Currently there are 34 units on these two properties and one office. The request is to allow for multi-family use in the CSS existing zoning with a TOD overlay that allows for the number of units to remain.

Background:

The current owners took possession in February 2019. The motel has been used for long term rental for years (according to tenants). We seek to remodel the units not only updating the finishes and paint but to address some of the existing issues with electric and plumbing.

There is a mixture of floor plans and buildings. The community is two separate lots currently and would be combined through a lot combination process. There is a building to the northwest corner that is a 2-story 8-plex (only two story); and multiple single level buildings existing, there is a building to the southwest corner that is a 4-plex, with 16 – one story bungalow style units, and one building with the office and two units located at the northeast corner.

There is no proposed changes to the units for any additional square footages, only improvements to the existing units. The owners would like to remodel the units with new bathrooms, kitchens, and interior finishes. The site may require extensive electrical improvements, which is still being determined. There is plenty of open space and maneuverability within the existing properties.

Justification:

This request to allow the multi family use is consistent with the existing surroundings to include nearby multifamily uses in the planning and development stages. Granting the multi-family use at this location will allow the owners to improve the units and the site, which has been seen many years of distress. The Use Permit approval will not change the existing vehicular or pedestrian traffic, nor will it increase or cause any nuisance that would exceed that of ambient conditions, this use permit will enhance this property and improve existing conditions with site and building improvements (much needed); it is compatible with the surroundings and would blend well with the neighborhood; and finally this use will help with any current issues with disruptive behavior in that long term leasing will require a level of background and qualifications to lease a unit and have long term residents rather than daily/weekly visitors. This new use will help reduce the criteria items listed for the use permit granted and we see no negative impact on any of those items.

We believe this conversion from motel use to multi-family will be a positive step in improving this site and its surroundings. Granting this use will allow the new property owners to improve the site and provide the community an integrated alternative rental housing option for the area supporting residents with affordable rentals adjacent to the light rail system. We expect some planning and building safety requirements for this transition as we move through the permitting process and will address those issues as they arise.

Please consider approval of this request. Should there be any additional information needed or any questions, please contact Leodra Bowdell at leodra@phoenixpermitservices.com or at 480-205-4828.

AREA=70,000 SQUARE FEET, OR 1.60697 ACRES, MORE OR LESS.

BENCHMARK

BRASS CAP IN HANDHOLE AT THE NORTHEAST CORNER OF SECTION 23, LOCATED AT THE INTERSECTION OF McCLINTOCK & UNIVERSITY. ELEVATION=1174.41 PER CITY OF TEMPE CONTROL MAP.

BASIS OF BEARING

BASIS OF BEARING IS NORTH 89°59'58" WEST (ASSUMED) ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST, GILA AND SALT RIVER MERIDIAN.

LEGEND

Table with 3 columns: SUBJECT, PARCEL, SECTION LINE. Lists various symbols for easement, fence, overhead line, etc.

SITE PLAN FOR BAKERS ACRE 1620 E. APACHE BLVD TEMPE, AZ.

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

PROJECT DESCRIPTION

PROJECT ADDRESS: 1620 E. APACHE BLVD, TEMPE, AZ.

Table with 3 columns: EXISTING, UNITS, TOTAL. Lists 19-1 BDRM (19 units), 15-STUDIOS (15 units), and a total of 34 units.

Table with 3 columns: TOTAL LIVING SPACE, TOTAL LOT COVERAGE PERCENTAGE, TOTAL LANDSCAPE AREA. Shows 12,162 SQ. FT. living space, 21.68% lot coverage, and 14,705 SQ. FT. landscape area.

LOT DATA: ADDRESS: 1620 E. APACHE BLVD. SUBDIVISION: PARCEL NUMBER: 132-61-087A & 132-61-080A LOT NUMBER: # 70,000 MCR #: ZONING: TOD

CODES USED FOR DESIGN: 2018 IRC, 2015 IPC, 2015 IMC 2015 IFC, 2015 IEC, 2015 NEC

FIRE SPRINKLERS: "NO"

PARKING REQUIREMENTS: CURRENT 32 UNITS X .75 = 24 PARKING SPACES 32 UNITS X .2 = 6 GUEST PARKING SPACES TOTAL = 30 PARKING SPACES (THIS USE PERMIT)

PARKING REQUIREMENTS: POTENTIAL 34 UNITS X .75 = 26 PARKING SPACES 34 UNITS X .2 = 7 GUEST PARKING SPACES TOTAL = 33 PARKING SPACES (POTENTIAL USE PERMIT)

OPEN SCAPE TOTAL: REQUIRED = 17,500 SQ. FT. (@ 25%) (COMBINED) PROVIDED = 17,733 SQ. FT. = 25.33%

OWNER:

FAIRLOCK 8TH LP ONE E. WASHINGTON STREET PHOENIX, AZ 85004-2554 CONTACT: AMOS ANG amos@fairlockpartners.com (602)703-2893 (US) (604)618-6188 (Canada)

INDEX OF DRAWINGS

- A1 PROPOSED SITE PLAN
- A2 PROPOSED SITE PLAN

LEGAL DESCRIPTION

PARCEL NO. 1: (132-61-087A)

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

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER WHICH RUNS WEST 733.00 FEET FROM THE SOUTHEAST CORNER THEREOF: THENCE WEST 100 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 15 MINUTES EAST 350 FEET PARALLEL WITH THE EAST LINE; THENCE EAST 100 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES WEST 350 FEET PARALLEL WITH THE EAST LINE OF THE POINT OF BEGINNING; EXCEPT THE SOUTH 50 FEET THEREOF; AND EXCEPT THAT PORTION AS CONVEYED TO THE CITY OF TEMPE IN DEED RECORDED SEPTEMBER 16, 2005 IN DOCUMENT NO. 2005- 1362810.

PARCEL NO. 2: (132-61-080A)

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

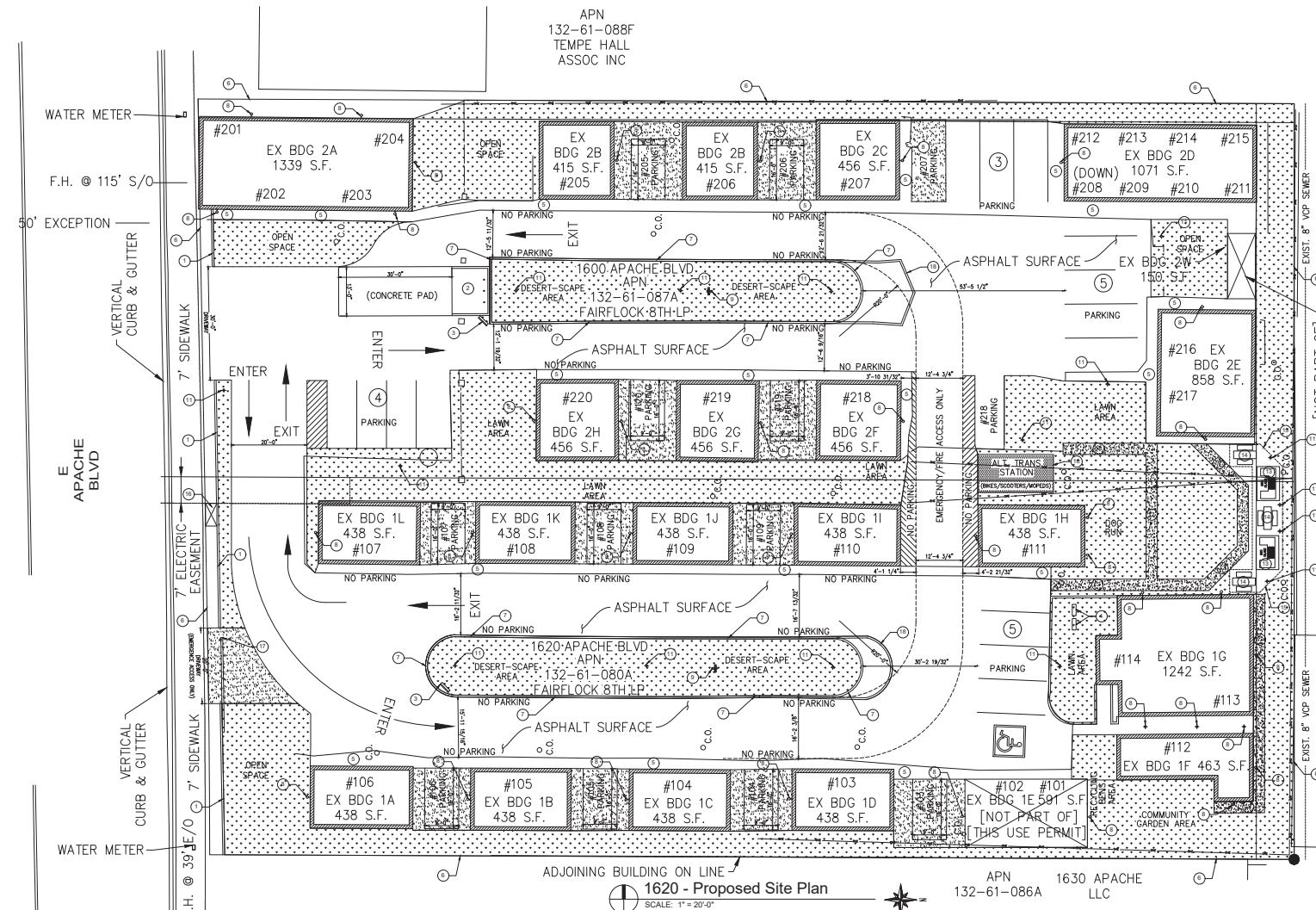
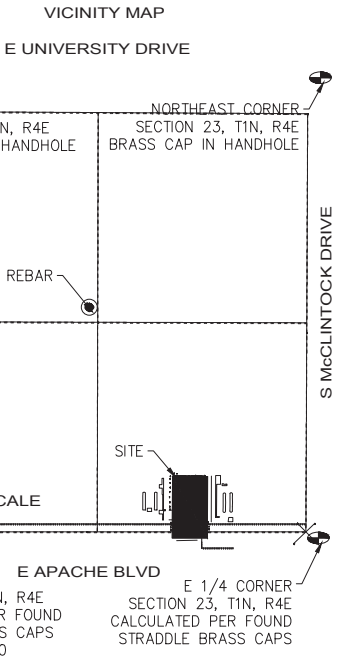
BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS: THENCE WEST 100 FEET; THENCE NORTH 350 FEET PARALLEL TO THE EAST LINE OF SAID SECTION 23; THENCE EAST 100 FEET PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 350 FEET TO THE POINT OF BEGINNING; EXCEPT THE SOUTH 50 FEET THEREOF; AND EXCEPT THAT PORTION AS CONVEYED TO THE CITY OF TEMPE IN DEED RECORDED SEPTEMBER 16, 2005 IN DOCUMENT NO. 2005-1362810.

SCHEDULE B EXCEPTIONS

4. THE LIABILITIES AND OBLIGATIONS IMPOSED UPON SAID LAND BY REASON OF: (A) ITS INCLUSION THEREOF WITHIN BOUNDARIES OF THE SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT; (B) MEMBERSHIP OF THE OWNER IN THE SALT RIVER VALLEY WATER USER'S ASSOCIATION, AN ARIZONA CORPORATION; AND (C) THE TERMS OF ANY WATER RIGHT APPLICATION MADE UNDER THE RECLAMATION LAWS OF THE UNITED STATES FOR THE PURPOSE OF OBTAINING WATER RIGHTS FOR SAID LAND. (THE ITEM IS BLANKET OVER THE SUBJECT PROPERTY--NOT PLOTTED)

5. AN EASEMENT FOR UNDERGROUND POWER AND RIGHTS INCIDENTAL THERETO, RECORDED IN DOCUMENT NO. 1990-0494468 AND RE-RECORDED IN DOCUMENT NO. 1991-0186316. (THE ITEM IS PLOTTED& SHOWN)

6. ALL MATTERS AS SET FORTH IN AND A RESULT OF "RESOLUTION NO. 97.75, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, RELATING TO REDEVELOPMENT OF THE APACHE BOULEVARD AREA, A COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM" RECORDED IN DOCUMENT NO. 1998-0311463 (THE ITEM IS BLANKET OVER THE SUBJECT PROPERTY--NOT PLOTTED)



Key notes and Legend. Key notes list various construction and utility specifications. Legend defines symbols for affixed complex key map cabinet, affixed mailbox station, brick BBQ island, etc.

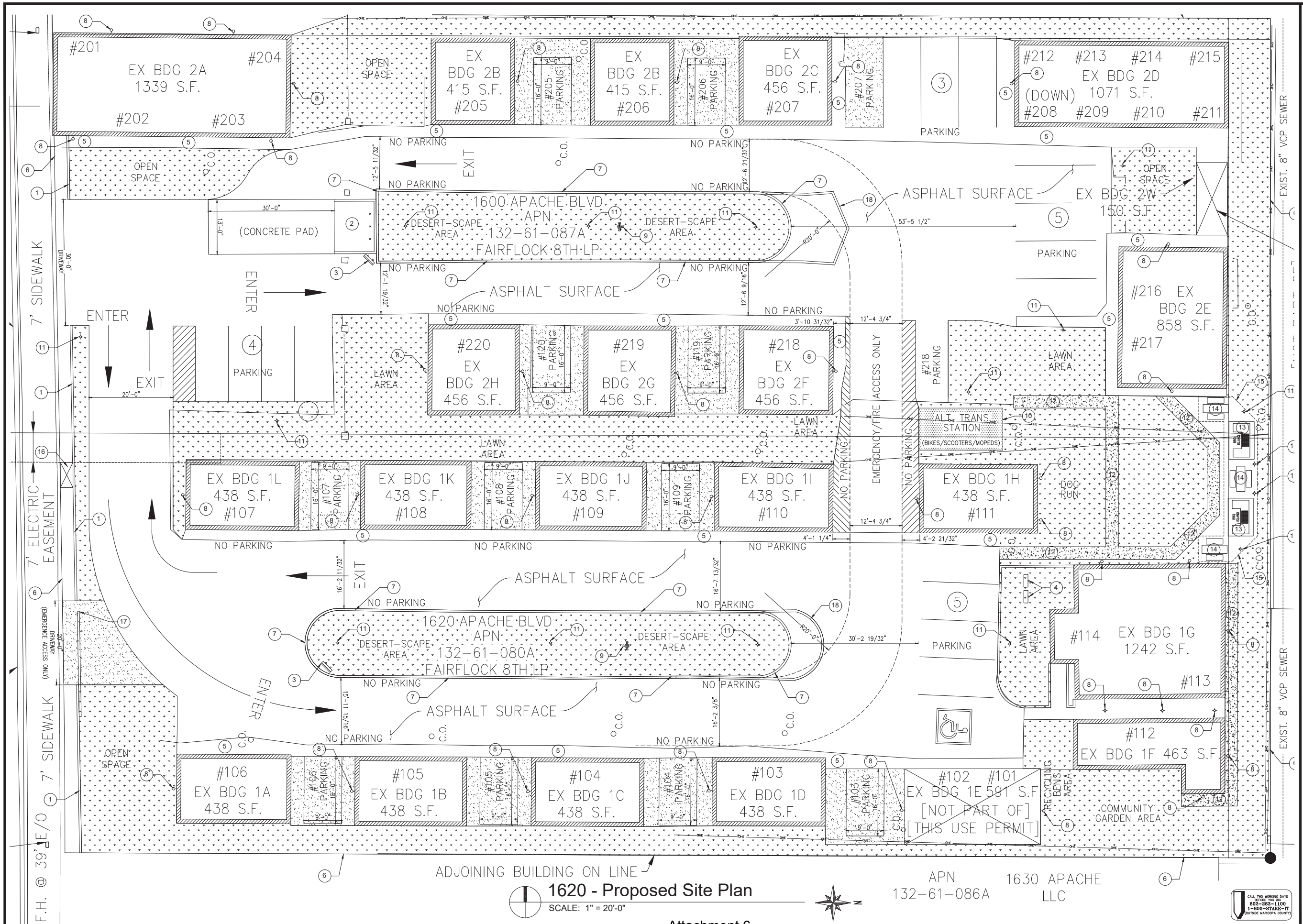
- SITE PLAN NOTES**
- This set of plans has been reviewed for compliance with City requirements prior to issuance of construction permits. However, such review shall not prevent the City from requiring correction of errors in plans found to be in violation of any law or ordinance.
 - The City does not warrant any quantities shown on these plans.
 - The City approval is for on-site grading, drainage. Plan check is valid for one year following the initial application date. Construction permits must be obtained prior to plan check expiration date. Permits expire one year from issue date but may be extended upon request and the payment of appropriate fees for subsequent periods of six months each.
 - An approved set of plans shall be available on the job site at all times.
 - Call the engineering inspection request line at (480) 350-8072 at least one business day before construction to request inspection of grading and drainage. Construction work concealed without inspection by the City shall be subject to exposure at the contractor's expense.
 - The homeowners shall contact BLUE STAKE (811) 48 hours prior to construction.
 - All broken or displaced existing concrete curb, gutter, or sidewalk shall be removed and replaced as directed by the City of Tempe Engineering Division inspector

Table with columns: No., REVISION, BY, DATE, APPR.

FAIRLOCK 8TH LP EXISTING UNITS REHAB PROJECT @ 1620 E. APACHE BLVD. TEMPE, ARIZONA

SELIMAJ, LLC CONSULTING CIVIL ENGINEERING/24 HRS CAD SERVICES 411 W. Barrow Dr. CHANDLER, ARIZONA 85225 P. 480-454-7034

Table with columns: JOB NO, DRAWN, CHECKED, DATE. Entry: 18-0043 SJAM J.A.M. 06-27-19. Includes 'PROPOSED SITE PLAN A1' label.



No.	REVISION	BY	DATE	APPR.

**FAIRFLOCK 8TH LP
EXISTING UNITS REHAB PROJECT**

@
**1620 E. APACHE BLVD.
TEMPE, ARIZONA**

SELIMAJ, LLC
CONSULTING
CIVIL ENGINEERING // 24 HRS
ENGINEERING // CAD SERVICES
411 W. Barrow Dr.
CHANDLER, ARIZONA 85225
P. 480-454-7034

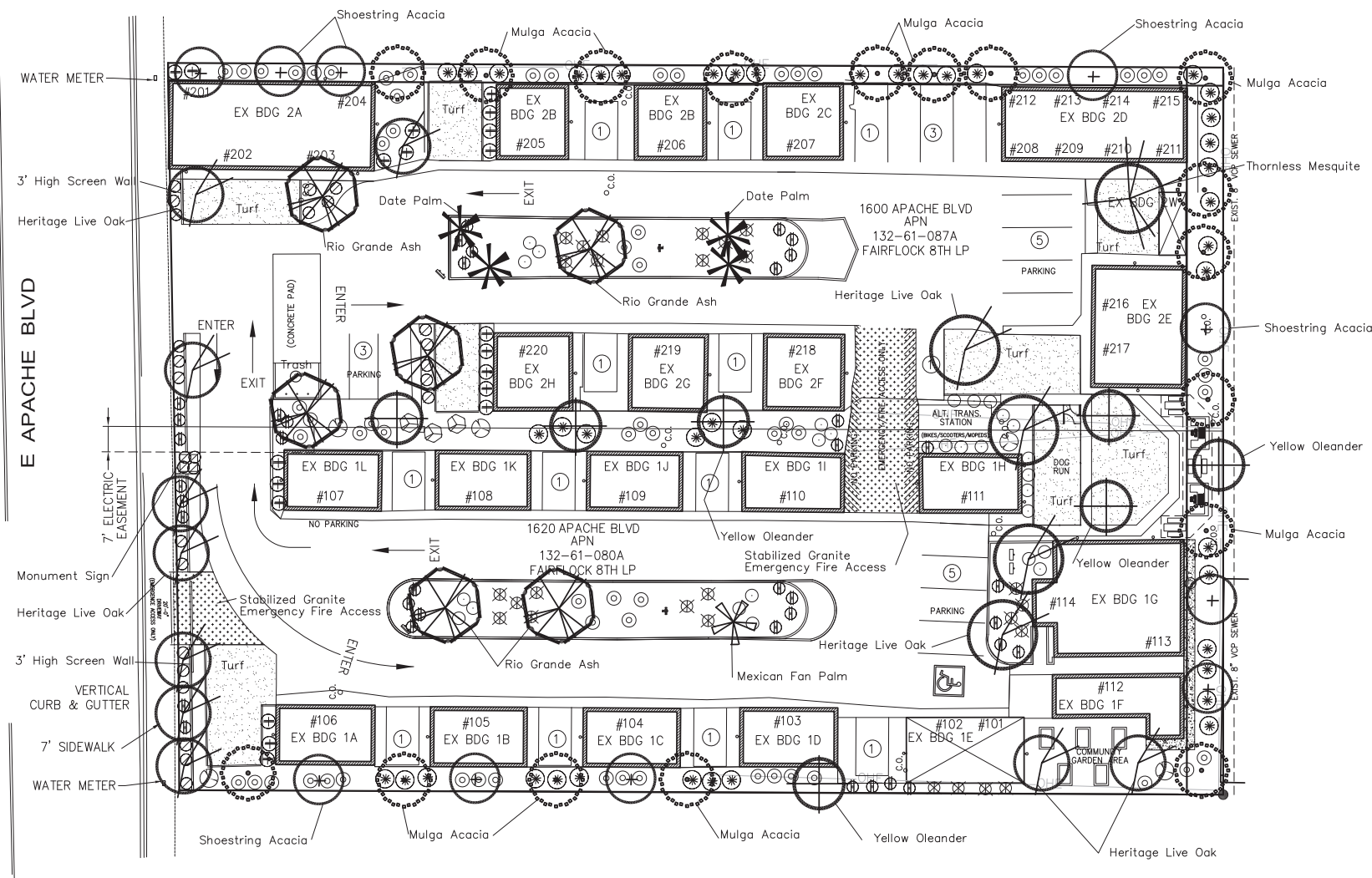
FAIRFLOCK 8TH LP
EXISTING UNITS REHAB PROJECT
1620 E. APACHE BLVD.
TEMPE, ARIZONA

CALL TWO WORKING DAYS BEFORE THE JOB.
802-263-1100
1-800-STAKES-IT
(OUTSIDE MARICOPA COUNTY)

JOB NO. DRAWN CHECKED DATE
18-0043 SJAM J.A.M. 06-27-19

PROPOSED SITE PLAN **A2**

1620 - Proposed Site Plan
SCALE: 1" = 20'-0"

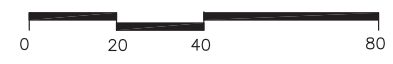


PLANT MATERIAL LEGEND

KEY	SYMBOL	BOTANICAL/COMMON NAME	SIZE (Height, Canopy, & Caliber)
TREES			
(A)		Phoenix dactylifera Date Palm	Existing to remain in place
(B)		Washingtonia robusta Mexican Fan Palm	Existing to remain in place
(C)		Prosopis hybrid 'Thornless' Thornless Hybrid Mesquite	Existing to remain in place
TREES			
(1)		Acacia aneura Mulga	24" Box 7' 4" 1.5" Double-Staked Typ.
(2)		Acacia stenophylla Shoestring Acacia	15 Gal 7' 2.5" .75" 24" Box 9' 4" 1.5" Double-Staked Typ.
(3)		Fraxinus v. 'Rio Grande' Rio Grande Ash	15 Gal 8' 2" 1" 24" Box 10' 4" 1.5" Double-Staked Typ.
(4)		Thevetia peruviana Yellow Oleander	24" Box 9' 4" 1.25" Double-Staked Typ.
(5)		Quercus virginiana Heritage Live Oak	24" Box 9' 4" 1.25" Double-Staked Typ.
LARGE SHRUBS			
(6)		Eremophila 'Valentine' Valentine Bush	5 Gallon
(7)		Leucophyllum langmaniae Rio Bravo Texas Ranger	5 Gallon
MEDIUM AND SMALL SHRUBS			
(8)		Carissa grandiflora 'Green Carpet' Green Carpet Natal Plum	5 Gallon
(9)		Callistemon c. 'Little John' Little John Bottle Brush	5 Gallon
(10)		Muhlenbergia capillaris 'Regal Mist' Regal Mist Deer Grass	5 Gallon
(11)		Ruellia peninsularis Baja Ruellia	5 Gallon
(12)		Rosmarinus officinalis 'Prostratus' Dwarf Rosemary	5 Gallon
GROUNDCOVERS			
(13)		Lantana m. 'New Gold' New Gold Lantana	1 Gallon
(14)		Eremophila glabra 'Mingenew Gold' Mingenew Gold	1 Gallon
ACCENTS			
(15)		Bougainvillea 'Torch Glow' Torch Glow Bougainvillea	5 Gallon
LANDSCAPE MATERIALS			
(16)		Decomposed Granite Pioneer Gold	1/2" size screened 2" Deep
(17)		Concrete Header	4" x 6", Curbsyle 2" Deep
(18)		Midiron Bermuda	Sod
(19)		Stabilized Granite Emergency Fire Access Decomposed Granite Pioneer Gold	1/4" Minus 2" Deep

PRELIMINARY LANDSCAPE PLAN

SCALE 1"=20'-0"



The markings above indicate the location of the blue stakes.
 (602) 263-1100
 See Site Center
 1-BD-STAKE-IT

19024
Campbell Collaborative
 111 E. Dunlap Ave., Suite 1-275
 Phoenix, Arizona 85020
 Donald Campbell P.E.
 doncampbellcollaborative.com
 T: (602) 266-1644 F: (602) 266-1607

Baker Acre Motel
 1600 E. Apache Blvd.
 Tempe, Arizona

Preliminary
 Landscape Plan

Job No.: 19024
 File: 19024xp
 Drawn: DRC
 Checked: DRC
 Scale: PER PLAN
 Date: 06.14.19

Revisions:
 Sheet Number
 L1.0