

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 8/13/2019
Agenda Item: 6**

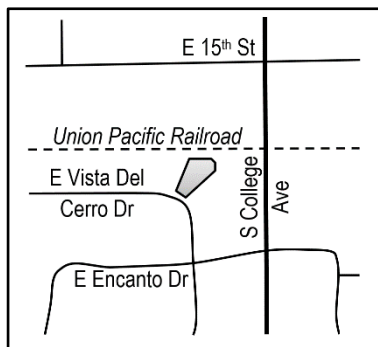
ACTION: Request a Use Permit to allow a second story and a Use Permit Standard to increase the maximum building height for a detached accessory building for the **MCCORMAC RESIDENCE**, located at 176 East Vista Del Cerro Drive. The applicant is Kaiserworks, LLC.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: The **MCCORMAC RESIDENCE (PL190078)** is located on Lot 11 of the University Estates subdivision in the R1-6, Single-Family Residential District. The applicant, Kaiserworks, LLC, is proposing a two-story 26 feet high detached three-car garage with guest quarters above. A Use Permit to allow a second story is required because the existing house is a single-level single-family residence, and a Use Permit Standard is required because the detached accessory building exceeds the maximum permitted building height (15 feet) for detached accessory buildings. An addition is also proposed for the main house but does not require any planning entitlements. The request includes the following:

- ZUP190055 Use Permit to allow a second story.
- ZUP190056 Use Permit Standard to increase the maximum building height for a detached accessory building.



Property Owner	Timothy McCormac
Applicant	Christoph Kaiser, Kaiserworks, LLC
Zoning District	R1-6
Site Area	18,574 s.f.
Building Area	7,118 s.f.
Lot Coverage	23.6% (45% max. required)
House Building Setbacks	24'-8" front, 5' side, and 73' rear (20', 5', and 15' min. required)
Accessory Building Setbacks	11'-2" side and 21'-8" rear (9' side and rear min. required)
House Building Height	18'-6" (30' max. required)
Accessory Building Height	26'-6" (30' max. required with Use Permit Standard)
Vehicle Parking	3 spaces (2 min. required)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Lee Jimenez, Senior Planner (480) 350-8486

Department Director: Chad Weaver, Community Development Director
Legal review by: N/A
Prepared by: Lee Jimenez, Senior Planner
Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The MCCORMAC RESIDENCE is surrounded by R1-6 zoning to the north, west, and south, and R-3 zoning to the east. The detached accessory building will provide a total of 1,922 square-feet of building area; 960 square-feet for guest quarters, 76 square-feet for a pool bathroom, and 886 square-feet for garage.

PUBLIC INPUT

As of the publishing date of this staff summary report, no public input has been received by staff.

USE PERMIT AND USE PERMIT STANDARD

The proposed use and design require a Use Permit to allow a two-story detached addition, and a Use Permit Standard to exceed the 15 feet maximum allowed building height for a detached accessory building within the R1-6, Single-Family Residential District.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed use and design of the detached accessory building is not expected to increase vehicular or pedestrian traffic at a significant level since its use is intended only for the single-family residence.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; aside from construction, the detached accessory building is intended for the single-family residence and is not expected to generate emissions that would otherwise cause a nuisance to the surrounding neighborhood.
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 proposed use and design of the detached accessory building is expected to increase the value of the property and benefit the surrounding neighborhood in general.
4. *Compatibility with existing surrounding structures and uses*; the proposed design is consistent with the farm-ranch style of the existing main house. Furthermore, a two-story single-family home exists approximately 192 feet from the MCCORMAC RESIDENCE, located on the northwest corner of East Encanto Drive and South College Avenue.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; the proposed garage and guest quarters are intended to solely be used by the primary residence and guests and is not expected to create disruptive behavior. Nevertheless, as required by the Zoning and Development Code, a Real Covenant Agreement shall be recorded with the land restricting the use of the Guest Quarters from being rented or leased independent from the main house. This agreement is binding to all subsequent owners.

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 and Use Permit Standard. The requests meet 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 and Use Permit Standard are 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 and Use Permit Standard are 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. There shall be no separate metering for utility services (unless authorized by the Building Official and the Zoning Administrator) and no separate mailing address.
4. Prior to issuance of a building permit, a real covenant shall be recorded with the land restricting the use of the guest quarters from being rented or leased independent from the main building. Such covenant shall be binding to all subsequent owners.
5. Any accessory building expansions shall require a new Use Permit and Use Permit Standard.

CODE/ORDINANCE REQUIREMENTS:

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

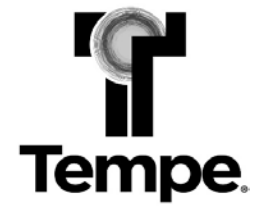
- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval, but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through <http://www.tempe.gov/zoning> or purchase from Development Services.
- Pursuant to ZDC Section 3-411, Guest Quarters, guest quarters are permitted in single-family residential districts when a property contains a minimum net site area of eight thousand (8,000) square feet, subject to the following standards:
 - Only one (1) guest quarters is permitted on a single lot;
 - The gross floor area shall be no greater than fifty (50) percent of the main building's gross floor area at or above grade;
 - When attached to the main building, guest quarters shall conform with the development standards set forth in Table 4-202A;
 - When detached from the main building, guest quarters shall conform with the standards set forth in Section 3-401;
 - There shall be no separate metering for utility services (unless authorized by the Building Official and the Zoning Administrator) and no separate mailing address; and
 - Prior to issuance of a building permit, a real covenant shall be recorded with the land restricting the use of the guest quarters from being rented or leased independent from the main building. Such covenant shall be binding to all subsequent owners.

HISTORY & FACTS:

1953 Construction of the single-family residence, located at 176 East Vista Del Cerro Drive in the R-1, One Family Residence District.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-102, Permitted Uses in Residential Districts
 Section 3-401, Accessory Buildings, Uses and Structures
 Section 3-420, Single-Family Residential Second Story Addition or Rebuild
 Section 4-201(A), Use Permit Standard
 Section 4-202, Development Standards for Residential Districts
 Section 6-308, Use Permit



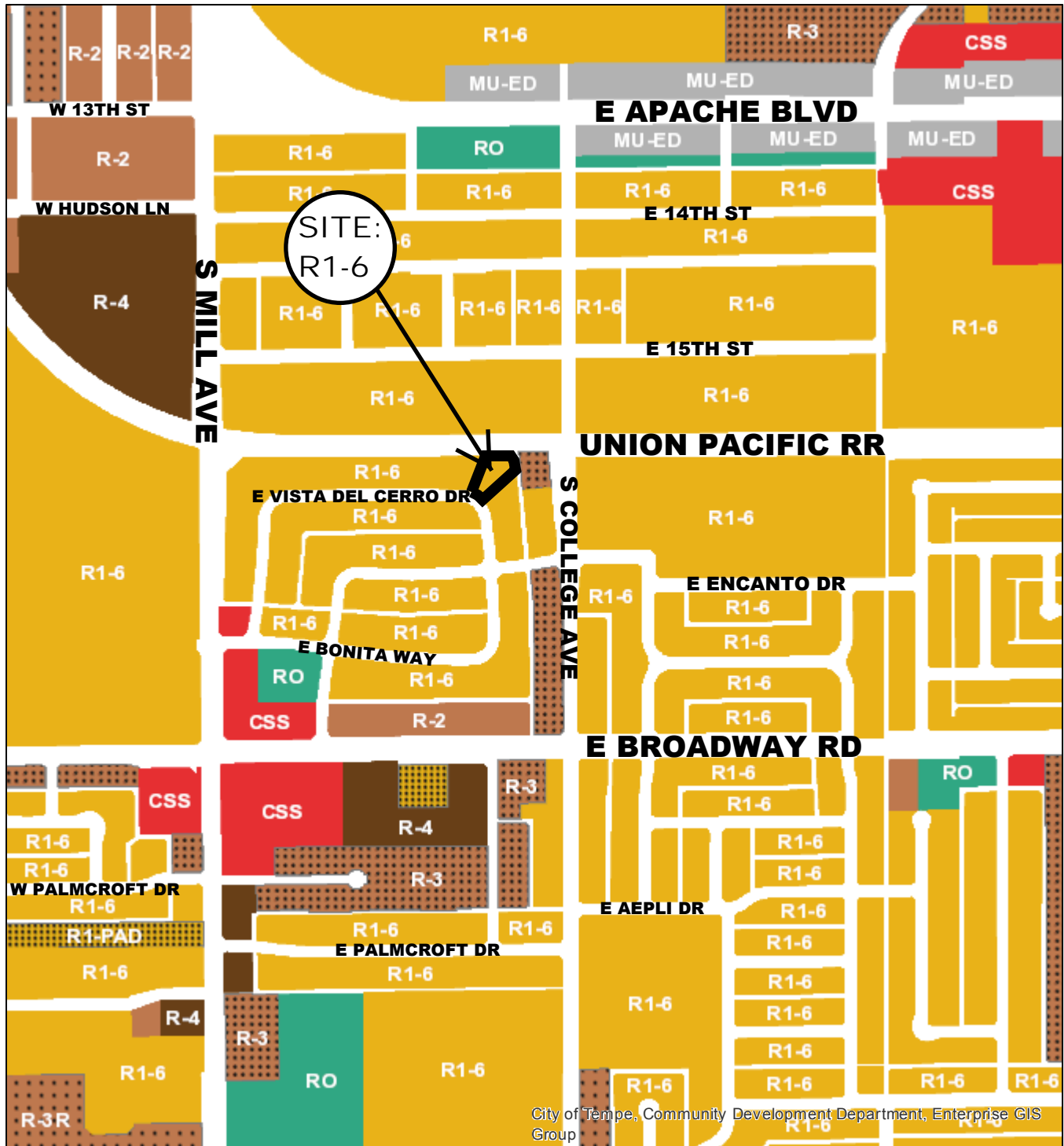
DEVELOPMENT PROJECT FILE
for
MCCORMAC RESIDENCE
(PL190178)

ATTACHMENTS:










1. Location Map
2. Aerial
- 3-4. Letter of Explanation
5. Site Plan
6. Floor Plan
7. Building Elevations
- 8-14. Site Context Photos

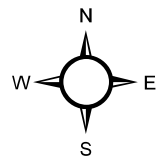
MCCORMAC RESIDENCE

PL 190178



City of Tempe, Community Development Department, Enterprise GIS Group

- | | |
|---|--|
|  Mixed Use Educational (MU-ED) |  Multi-Family Residential (R-2) |
|  Commercial Shopping and Services (CSS) |  Multi-Family Residential Restricted (R-3R) |
|  Residential/Office (RO) |  Multi-Family Residential Limited (R-3) |
|  Single-Family Residential (R1-6) |  Multi-Family Residential General (R-4) |
|  Single-Family Residential Planned Area Dev (R1-PAD) | |

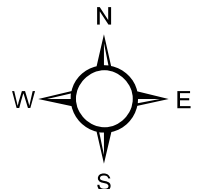


MCCORMAC RESIDENCE

PL 190178



Aerial Map



McCormac House - Letter of Explanation

The proposed McCormac House is a residential project encompassing two parts: 1) a remodel and addition to the existing home at 176 E Vista Del Cerro in the University Estates Neighborhood and 2) a proposed Detached Garage with second floor Guest Quarters. We would like to request two Use Permits to allow for the aforementioned Guest Quarters. The first Use Permit is to allow a second story for a detached structure, the second is to allow the detached structure to exceed 15'-0" height.

The original ranch style architecture of the main house is an aesthetic that is maintained in the design of the proposed addition and detached garage/guest quarters. The horizontal lines of the roof profile is punctuated with dormers and moments where gable ends intersect the roof form. The resulting architecture is a classic farm-ranch home with modern window and door detailing. It is important to note that the proposed detached garage and guest quarters are fully within the bounds and height limits of the allowable footprint for the main house without the need for use permit approval, however because the two structures are separated for reasons of privacy, they fall under different classifications. The habitable second floor of the garage/guest house represents a common use for this area, with several second story single family homes or guest houses within 1000'-0" of the project and the greater University Estates Neighborhood. Several of these neighboring projects are listed below:

Neighboring Similar Heights + Uses

- 39 E 15th St Tempe, AZ 85281
- 135 E Bonita Way Tempe, AZ 85281
- 1645 S College Ave Tempe, AZ 85281
- 49 E 15th St Tempe, AZ 85281
- 23 E 15th St Tempe, AZ 85281
- 16 E 15th St Tempe, AZ 85281

The owner is not seeking to maximize the height for what this Use Permit could allow (up to 30'-0" high), but simply attain the height needed to allow comfortable second story usage above their proposed garage. To achieve this, the eave of the proposed second story roof begins at only 6'-0" above the second floor in an effort to reduce the overall stature of the building as much as possible without making the floor uninhabitable. The proposed Guest Quarters will provide nearly no visible presence for any neighboring lot due its favorable placement on a corner site wedged between two alleys and an adjacent train tracks. The building is also shrouded by multiple existing large mature Pistachio Trees. Additional redundant screening-trees are also present at the perimeter of the site on both this lot and the neighboring lots.

We have addressed the following standards requested by the City in depth below demonstrating the project's impact on the neighborhood and public welfare in general:

A. Any significant vehicular or pedestrian traffic in adjacent areas

In this project, demolishing the existing storage shed adjacent to the Main House and carport allows for a driveway through to the backyard and the proposed garage that would help conceal existing vehicles and remove cars from the street. Currently the owners must park visibly in the driveway and guests during entertaining are required to park on the street.

- B. Nuisance arising from emissions of odor, dust, gas, noise, vibration, smoke, heat or flare at a level exceeding that of ambient conditions

This project forms a unique scenario where the lead contractor and the owner are the same person. The client has a vested interest in maintaining the tranquility of the neighborhood and their relationships with their neighbors both of a final product and during construction. Their positioning in the neighborhood as owner and contractor insures that sensitivity towards the neighborhood will be extended at all stages of the project.

- C. Contribution to the deterioration of the neighborhood or the downgrading of property values, which is conflict with the goals, objectives, or policies of the city's adopted plans for General Plan

As a homeowner, business owner and investor in both the neighborhood and the City of Tempe, the owner recognizes the value of the property and the investment they are bringing to the neighborhood. By raising the real estate bar in this neighborhood with improvements to this property's architecture and landscape, the project will serve to directly counteract deterioration of the neighborhood and/or downgrading property values.

- D. Compatibility with existing surrounding structures and uses

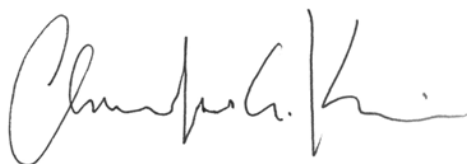
The proposed design is consistent in use and image with the surrounding character of the neighborhood. Multiple neighbors within 500'-0" have pursued similar second story guest quarters and the design and materiality is consistent with the existing farm-ranch style of the existing main house.

- E. Adequate Control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public

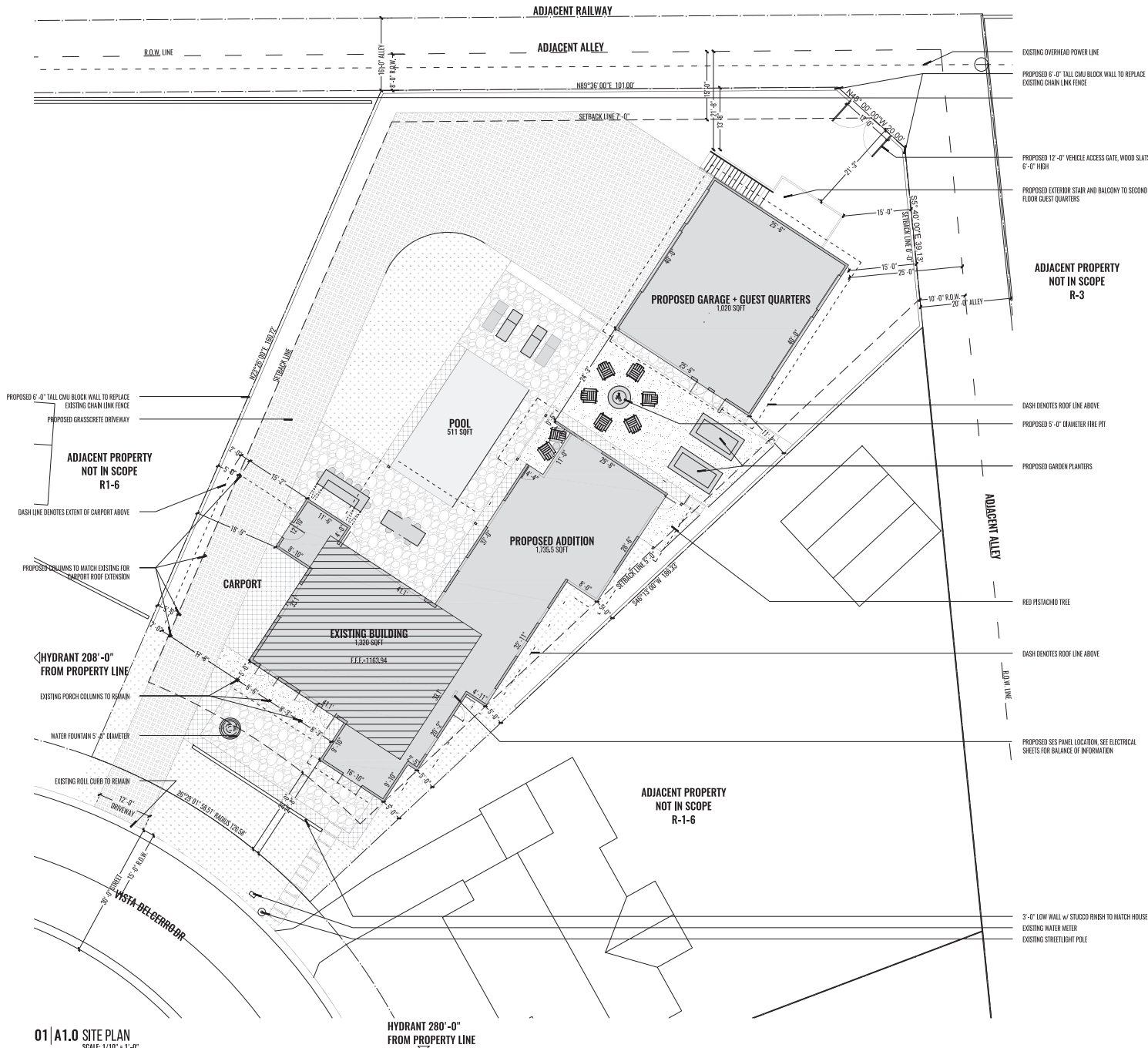
The proposed Garage and Guest Quarters will not create a disruption as they are to be used solely by and for the primary residence owners and their family/guests. Prior to obtaining a building permit a Real Covenant Agreement shall be recorded with the land restricting the use of the Guest Quarters from being rented or leased independent from the main house. Such covenant shall be binding to all subsequent owners.

We strongly feel the proposed changes to this property will stand out as a template for the future beautification of the delicate context of this neighborhood.

Sincerely,



Christoph Kaiser, Principal



PROJECT INFO

PROJECT DESCRIPTION:
 THE PROPOSED MCCORMAC HOUSE IS A RESIDENTIAL PROJECT ENCOMPASSING TWO PARTS: A REMODEL AND ADDITION TO THE EXISTING HOME AT 176 E VISTA DEL CERRO IN THE UNIVERSITY ESTATES NEIGHBORHOOD AND A PROPOSED DETACHED GARAGE WITH SECOND FLOOR GUEST QUARTERS LOCATED IN THE REAR OF THE PROPERTY. THERE ARE THREE (3) BEDROOMS FOR THE EXISTING REMODELED HOME, AN ADDITIONAL TWO (2) FOR THE GUEST QUARTERS.

LEGAL DESCRIPTION:
 LOT ELEVEN (11) IN BLOCK ONE (1) UNIVERSITY ESTATES, IN THE CITY OF TEMPE, ACCORDING TO THE PLAT OR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY ARIZONA, IN BOOK 46 OF MAPS, PAGE 5 THEREOF.

SITE AREA:
 GROSS SITE AREA: 18,514 SF
 NET SITE AREA: 18,514 SF

PROTECTED USE: RESIDENTIAL

LIABLE AREA:

EXISTING HOME	1,220 SQFT
PROPOSED ADDITION	1,785.5 SQFT
TOTAL	3,005.5 SQFT

PROPOSED POOL BATH:

PROPOSED GUEST QUARTERS SECOND FLOOR	76 SQFT
PROPOSED GUEST QUARTERS	800 SQFT
TOTAL	1,056 SQFT

TOTAL LIABLE AREA: 4,064.3 SQFT

GROSS BUILDING AREA:

EXISTING HOME + PROPOSED ADDITION	5,196 SQFT
PROPOSED GARAGE + GUEST QUARTERS	1,922 SQFT
TOTAL	7,118 SQFT

LOT COVERAGE:

MAXIMUM ALLOWABLE LOT COVERAGE	45%
PROPOSED LOT COVERAGE (3,005.5 + 1,220) / 18,514 SQFT	-25.6%

ZONING:

EXISTING	R1-6
PROPOSED	R1-6

CONSTRUCTION TYPE: VB

BUILDING HEIGHT (FROM GRADE):

MAXIMUM ALLOWABLE HEIGHT	30'-0"
EXISTING BUILDING - PROPOSED ADDITION	18'-0" 1 STORY
PROPOSED GARAGE + GUEST QUARTERS	25'-0" 2 STORY

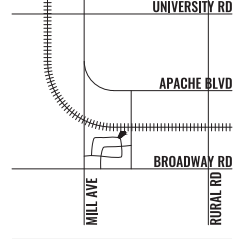
REQUIRED SETBACKS:

NORTH SETBACK (REAR)	7'-0"
SOUTH SETBACK (FRONT)	20'-0"
NORTHEAST SETBACK (SIDE)	5'-0"
EAST SETBACK (SIDE)	5'-0"
WEST SETBACK (SIDE)	5'-0"

PROVIDED SETBACKS:

NORTH SETBACK (REAR)	13'-8"
SOUTH SETBACK (FRONT)	24'-8"
NORTHEAST SETBACK (SIDE)	10'-0"
EAST SETBACK (SIDE)	5'-0"
WEST SETBACK (SIDE)	5'-0"

GENERAL NOTES

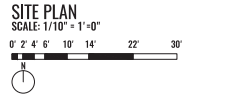


VICINITY MAP

MCCORMAC HOUSE
 176 E VISTA DEL CERRO DR
 TEMPE, AZ 85281
 APN 133-16-011

© 07/11/2019

A1.0



kaiserworks
 915 East Pierce Street
 Phoenix, Arizona 85006
 (602) 697-1205
 kaiserworks.com

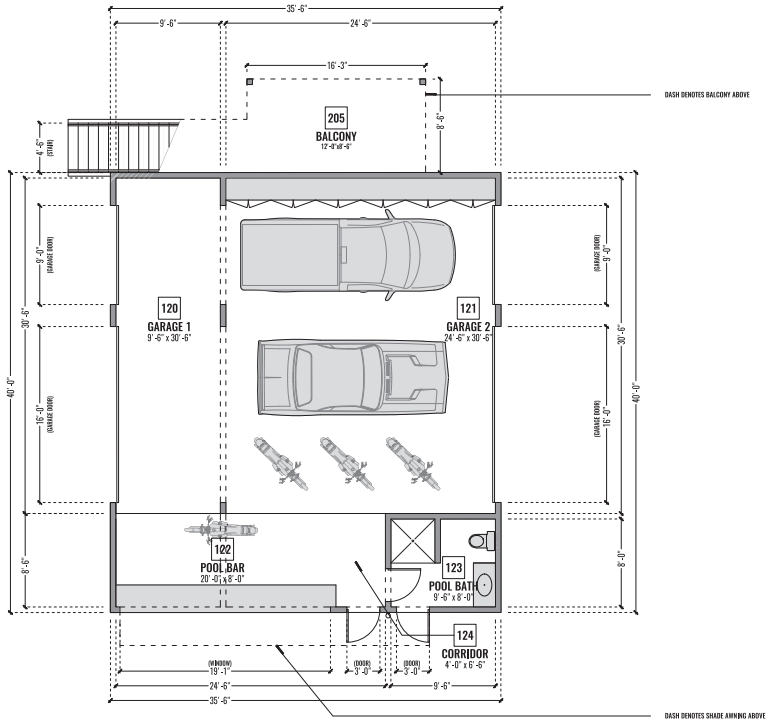
PRELIMINARY,
 PENDING
 CITY REVIEW

01 | A1.0 SITE PLAN
 SCALE: 1/10" = 1'-0"

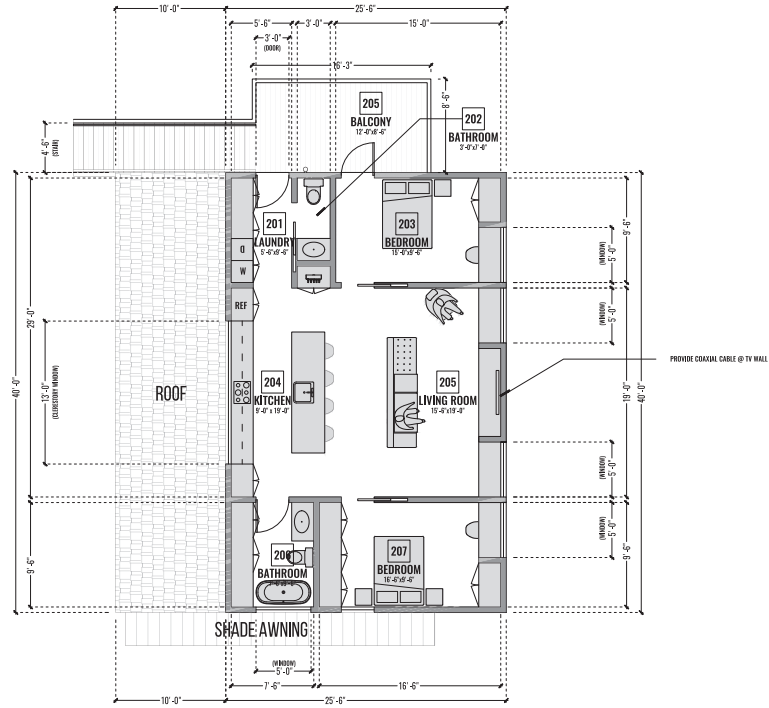
HYDRANT 280'-0"
 FROM PROPERTY LINE

GENERAL NOTES

SEE L.L.O. FOR LANDSCAPE PLAN AND PLANTING INFORMATION



01 | A2.1 GUEST QUARTERS FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



02 | A2.1 GUEST QUARTERS SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

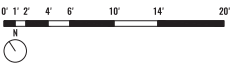
MCCORMAC HOUSE

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A2.1

GUEST QUARTERS FLOOR PLANS
SCALE: 3/16" = 1'-0"



kaiserworks









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PRELIMINARY,
PENDING
CITY REVIEW

GENERAL NOTES

BUILDING HEIGHT IS MEASURED FROM GRADE. GRADE IS MEASURED FROM TOP OF CURB AT THE MID-POINT OF THE FRONT LOT 116338

NO PATIO HEATERS, MISTERS, SPEAKERS, FANS, TELEVISIONS PROPOSED

-  ASPHALT SHINGLES
-  FISH SCALE PATTERN GRAPHITE GRAY
-  PROPOSED STANDING SEAM ROOFING, FACTORY PAINT TO MATCH BRONZE ANODIZED WINDOW FRAMES
-  PROPOSED STEEL CLADDING w/ WAX FINISH
-  PROPOSED STUCCO SMOOTH FINISH PAINT DEW 382 FADED GRAY
-  CONCRETE FOUNDATION, MATCH EXISTING
-  DUAL PANE INSULATED GLASS
-  EXTERIOR WALL MOUNTED SCONCE LIGHT

MCCORMAC HOUSE

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A4.2

GUEST HOUSE ELEVATIONS

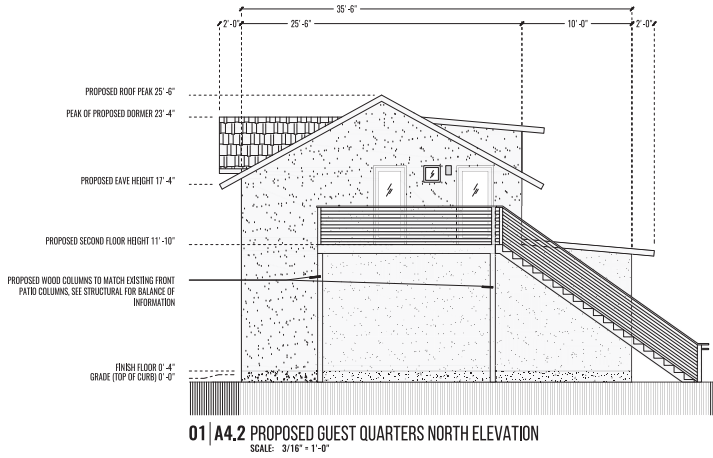
SCALE: 3/16" = 1'-0"



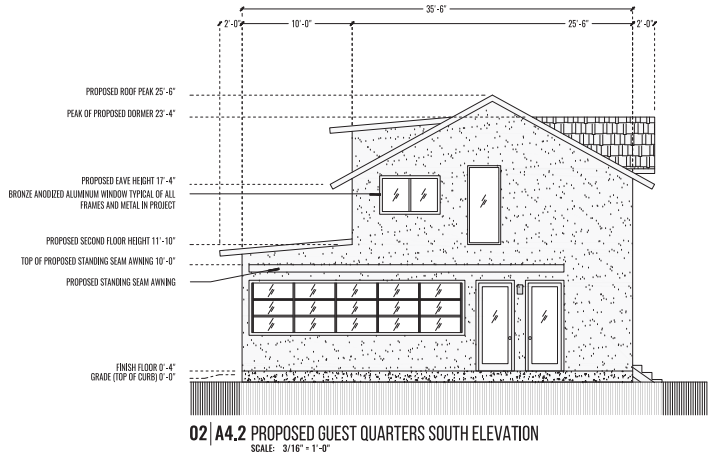
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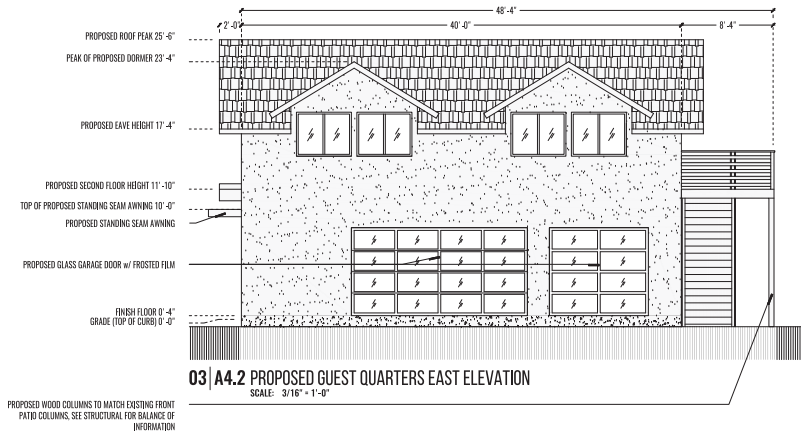
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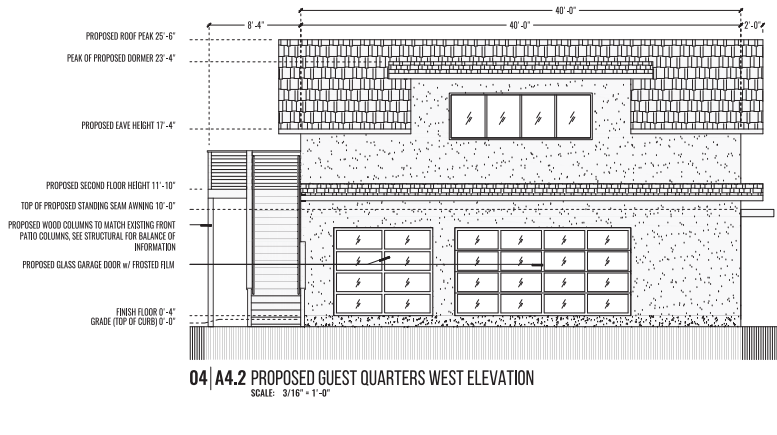
01 | A4.2 PROPOSED GUEST QUARTERS NORTH ELEVATION
SCALE: 3/16" = 1'-0"



02 | A4.2 PROPOSED GUEST QUARTERS SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



03 | A4.2 PROPOSED GUEST QUARTERS EAST ELEVATION
SCALE: 3/16" = 1'-0"



04 | A4.2 PROPOSED GUEST QUARTERS WEST ELEVATION
SCALE: 3/16" = 1'-0"

MCCORMAC HOUSE - SITE PHOTOS

176 E VISTA DEL CERRO DR
TEMPE, AZ 85281
APN 133-16-011

OWNER

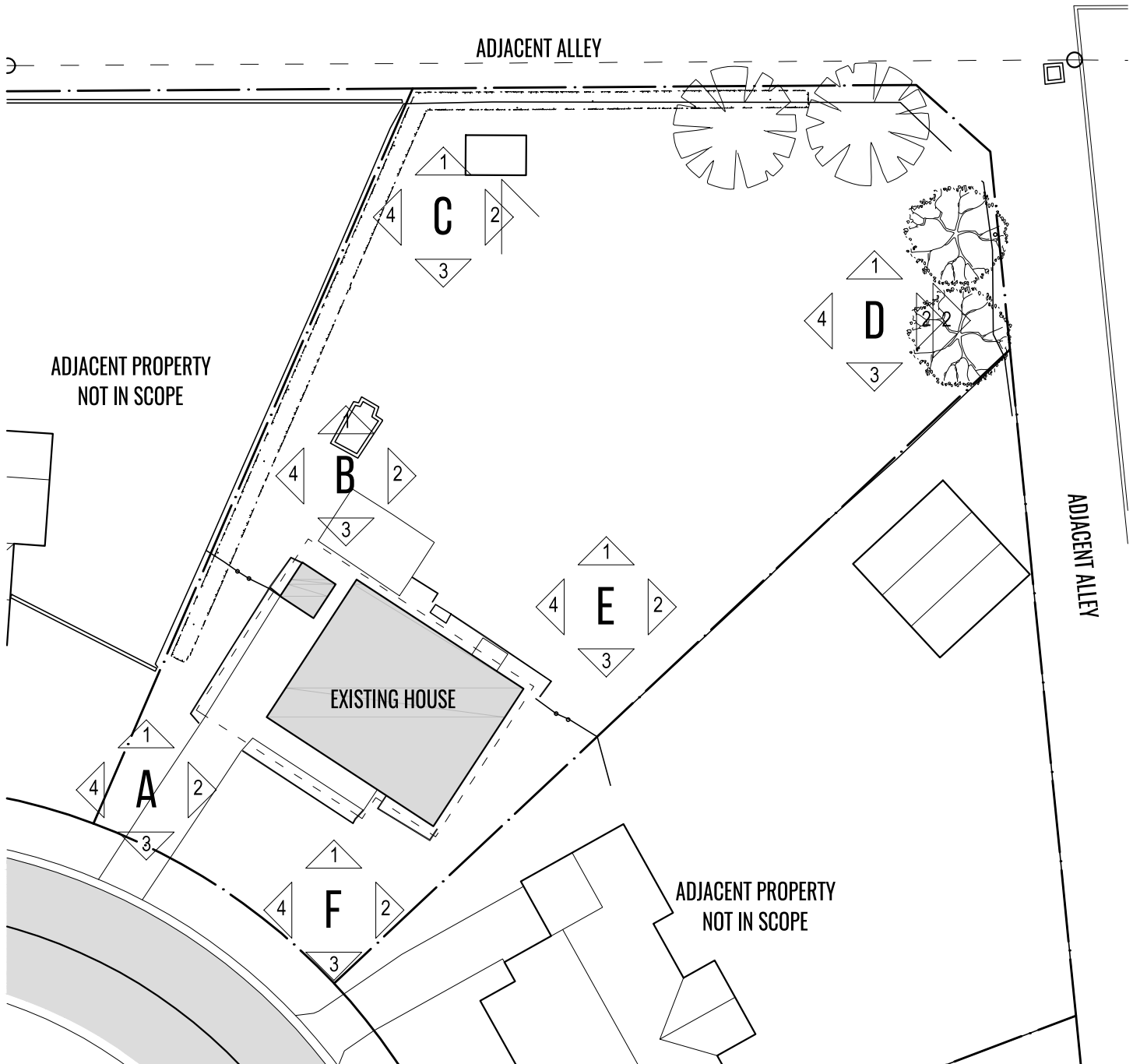
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A - 1 NORTH



A - 2 EAST



A - 3 SOUTH



A - 4 WEST

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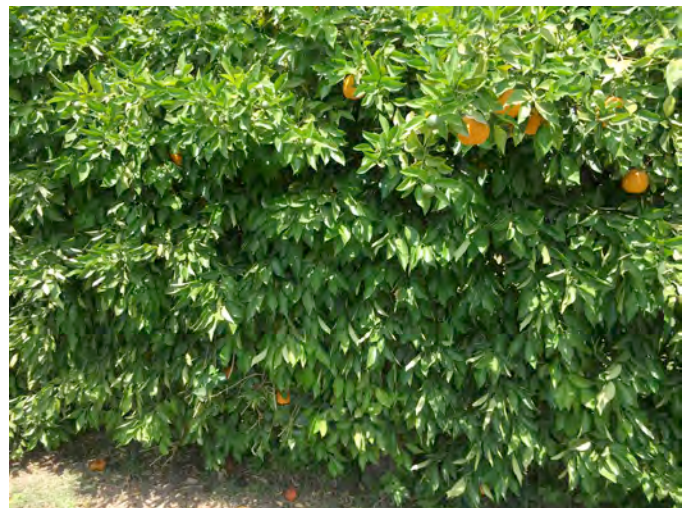
B - 1 NORTH



B - 2 EAST



B - 3 SOUTH



B - 4 WEST

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C - 1 NORTH



C - 2 EAST



C - 3 SOUTH



C - 4 WEST

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D - 1 NORTH



D - 2 EAST



D - 3 SOUTH



D - 4 WEST

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E - 1 NORTH



E - 2 EAST



E - 3 SOUTH



E - 4 WEST

MCCORMAC HOUSE - SITE PHOTOS

176 E VISTA DEL CERRO DR
TEMPE, AZ 85281
APN 133-16-011

OWNER

TIMOTHY JOHN MCCORMAC
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F - 1 NORTH



F - 2 EAST



F - 3 SOUTH



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