

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 08/26/2019
Agenda Item: 07**

MODIFIED AUG. 23, 2019

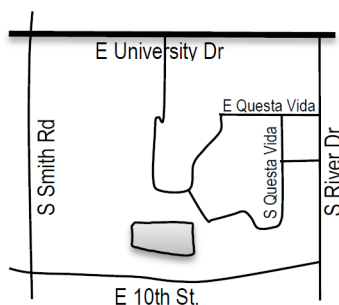
ACTION: Request approval for 2 (two) Use Permit Standards to reduce the required front yard setback from 40 feet to 32 feet and reduce the required rear yard setback from 35 feet to 28 feet for the **WIESE RESIDENCE**, located at 2049 East University Drive. The applicant is GSDesign Architecture.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: WIESE RESIDENCE (PL190184) is an existing single-family home located south of the Questa Vida condominium development along East University Drive between South Smith Road and South River Drive in the AG, Agricultural Single-Family Residential District. The project consists of an addition of a new three-car garage on the south side of the existing home, a new master suite on the north side of the main home, and a new garage with an attached guest quarters. The Use Permit standards are for the main home; the detached garage and guest quarters conform to the setback requirements for accessory buildings. The request includes the following:

- ZUP190057 Use Permit Standard to reduce the required front yard setback from 40'-0" to 32'-0".
- ZUP190058 Use Permit Standard to reduce the required rear yard setback from 35'-0" to 28'-0".



Property Owner	Tim and Melinda Wiese
Applicant	Gary Sumberg, GSDesign Architecture
Zoning District	AG
Site Area	43,557 s.f. (0.99 acres)
Building Area	2,795.5 s.f.
Lot Coverage	13% (25% max. required)
Building Height:	
Garage Addition	10'-10" (30'-0" maximum allowed)
Master Bedroom Addition	11'-6" (30'-0" maximum allowed)
New Garage/Casita	13'-9" (30'-0" maximum allowed)
Building Setbacks	32'-0" front (building), 20'-0" west side, 20'-0" east side, 28'-0" rear (40'-0", 20'-0", 20'-0", 35'-0" min. required)
Accessory Building Setbacks	91'-0" east side, 174'-0" west side, 51'-0" rear (40'-0", 20'-0", 20'-0", 35'-0" min. required)
Vehicle Parking	4 spaces (2 min. required)

ATTACHMENTS: **Development Project File**

STAFF CONTACT(S): Blake Schimke, Planning Technician (480) 350-8245

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Blake Schimke, Planning Technician

Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The property is landlocked on all sides and does not have any direct street frontage. The home is also oriented facing the east. Due to the orientation of the home, the development standards for the AG – Agricultural district, Use Permit Standards are required for both the required rear and front yard setbacks.

The new garage addition will add 907 s.f. of space to an already existing two car garage providing 3 new parking spaces and a new storage closet. The new 501 s.f. master suite will be located on the north side of the home providing a full bath and closet.

PUBLIC INPUT

To date, staff has received one inquiry on the proposed project, **the letter is attached.**

ZUP190057/190058

USE PERMIT STANDARD

The proposed design requires 2 (two) Use Permit Standards to reduce the required front yard and rear yard district setbacks within the AG, Agricultural zoning district.

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

1. *Any significant increase in vehicular or pedestrian traffic*; although the proposed design, additions, and accessory building increase the building area, the site provides double the amount of required off street parking. The single-family use is not expected to significantly increase vehicular or pedestrian traffic
1. *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 the property is single-family which is not expected to generate emissions exceeding ambient conditions that would otherwise cause a nuisance.
2. *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 setback reductions will provide additional living space and is expected to add value to not only the property itself but the surrounding neighborhood as well.
3. *Compatibility with existing surrounding structures and uses*; the surrounding properties consist of a condo community to the north, east, west and single family residential adjacent to the south. The setback reductions would not create a standard of setbacks less than that of the surrounding properties.
4. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; the additional living space provided as a result of the setback reduction will continue as a single-family use which is not expected to cause any disruptive behavior.

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 Standards. 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.

ZUP190057/190058

CONDITION(S) OF APPROVAL:

1. The Use Permit Standards 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 Standards 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. Any intensification or expansion of use shall require a new Use Permit.

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.

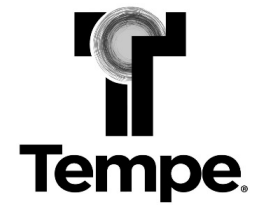
- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through <http://www.tempe.gov/zoning> or purchase from Development Services.

HISTORY & FACTS:

None pertinent to the subject requests.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-102 Permitted Uses in Residential Districts
Section 3-401 Accessory Buildings, Uses and Structures
Section 4-201A Use Permit Standard
Section 4-202 Development Standards for Residential Districts
Section 6-308 Use Permit



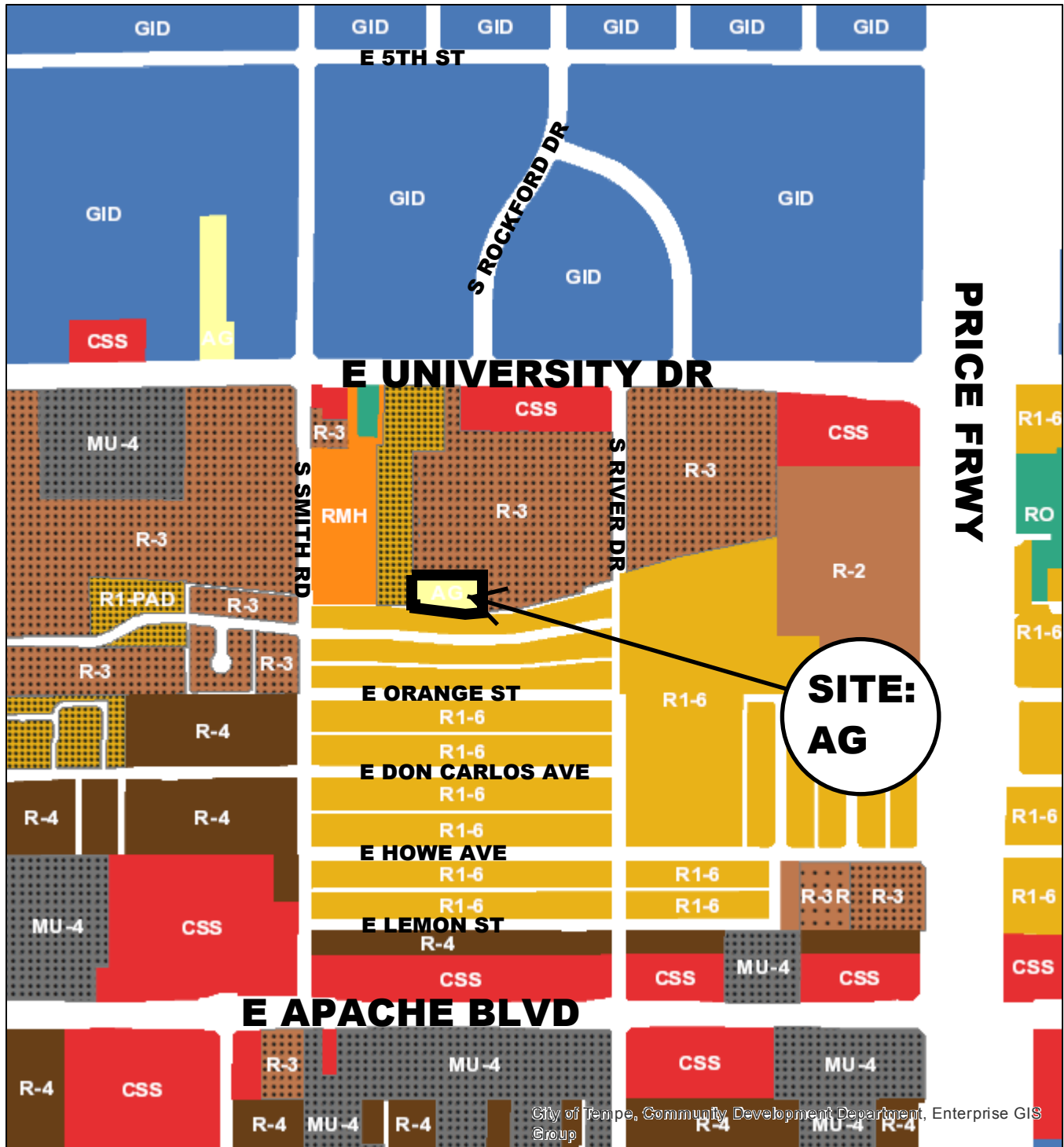
DEVELOPMENT PROJECT FILE
for
WIESE RESIDENCE
PL190184

ATTACHMENTS:













1. Location Map
2. Aerial Map
3. Letter of Explanation
4. Site Plan
5. Floor Plan
6. Building Elevations
7. Site Context Photos
8. **Public Input** **Added 8/23/2019**

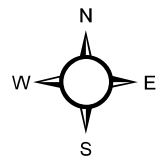
WIESE RESIDENCE

PL 190184



City of Tempe, Community Development Department, Enterprise GIS Group

- | | |
|--|---|
|  General Industrial District (GID) |  Single-Family Residential Planned Area Dev (R1-PAD) |
|  Mixed Use High (MU-4) |  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) |
|  Agricultural (AG) |  Multi-Family Residential General (R-4) |
|  Single-Family Residential (R1-6) |  Mobile Home Residence (RMH) |

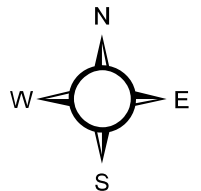


Wiese Residence

PL 190184



Aerial Map



7-15-19

USE PERMIT and USE PERMIT STANDARD APPLICATION

LETTER OF EXPLANATION:

RE: 2049 E. UNIVERSITY DR. TEMPE AZ. 85281

To whom it may Concern:

This property has been in the family since the 1940's. The present owners, Tim and Melinda Wiese took ownership in 2005 and would like to keep it in the family for years to come.

In order to make the existing house work for the family, they would like to add a Master Suite and a garage addition to the existing house. They also want to create a stand-alone 875sf In-Law Suite.

As the house stands, the proposed Master Suite and Garage additions are best located on the north and south ends of the existing house. The north and south sides of the house, due to the existing building orientation, fall within the front and rear yard setbacks. Unfortunately, the front and rear side of the house are facing east and west, these are the side yard setbacks.

If the setbacks reflected the actual orientation of the house, the north and south ends of the house would be considered the side yard and the east and west sides would be the front and rear yard setback.

Fortunately the City has the Use Permit application that will allow the design to work by requesting the 20% reduction of the front and rear yard setbacks.

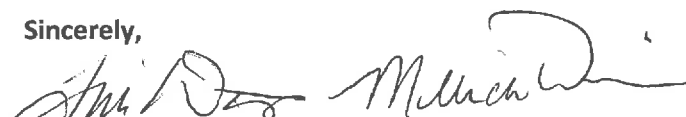
The property itself is quite unusual. It is a landlocked site that is surrounded by condominiums and apartments communities to the east, north and west. The entire property is enclosed by a 6 ft. high block wall fence (higher along the west property line). Access to the site is only accessible through the condominium community to the north. To the south we have an alley that provides additional privacy and separation from the neighbors (single family homes) to the south.

We believe that due to the size of lot, the fence, the orientation of the neighboring buildings, that the proposed additions will have no impact on the neighboring residents. To that point, the neighbors to the north provide a south facing wall which is solid and screened with lush landscaping. The alley to the south provides the additional relief for the proposed south end addition.

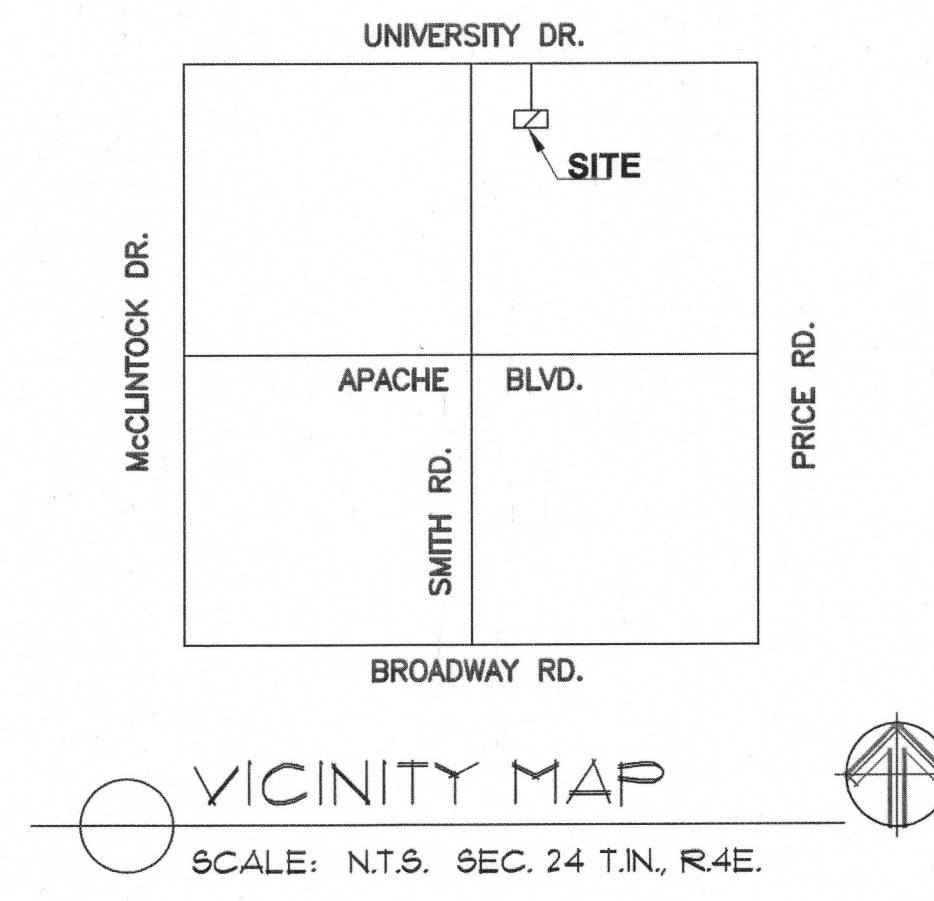
The In-Law Unit falls within the allowable setbacks and only creates a more aesthetically pleasing project as we are removing the existing steel garage to replace it with a "cottage" scaled structure.

Ultimately we believe this project will have no impact on the existing neighbors and will greatly improve the existing overall design of the property.

Sincerely,



Tim & Melinda Wiese



LEGAL DESCRIPTION

PARCEL NO. 1:
 A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 24;
 THENCE SOUTH 89 DEGREES 47 MINUTES 00 SECONDS EAST, A DISTANCE OF 585.30 FEET ALONG THE NORTH LINE OF SAID SECTION 24, ALSO BEING THE CENTERLINE OF UNIVERSITY DRIVE;
 THENCE SOUTH, A DISTANCE OF 325.00 FEET;
 THENCE NORTH 89 DEGREES 47 MINUTES 00 SECONDS WEST, A DISTANCE OF 134.05 FEET;
 THENCE SOUTH, A DISTANCE OF 515.15 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
 THENCE SOUTH 89 DEGREES 47 MINUTES 00 SECONDS EAST, A DISTANCE OF 290.00 FEET;
 THENCE SOUTH, A DISTANCE OF 156.09 FEET TO A POINT ON THE NORTH LINE OF "TRANSMISSION TERRACE", AS RECORDED IN BOOK 72 OF MAPS, PAGE 32, RECORDS OF MARICOPA COUNTY, ARIZONA;
 THENCE THE FOLLOWING TWO COURSES BEING ALONG SAID NORTH SUBDIVISION LINE:
 SOUTH 86 DEGREES 40 MINUTES 58 SECONDS WEST, A DISTANCE OF 72.96 FEET;
 THENCE NORTH 83 DEGREES 27 MINUTES 24 SECONDS WEST, A DISTANCE OF 218.59 FEET;
 THENCE THE NORTH, A DISTANCE OF 136.50 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 2:
 A 25.00 FOOT WIDE PERMANENT INGRESS-EGRESS EASEMENT THROUGH "QUESTA VIDA CONDOMINIUMS", AS RECORDED IN BOOK 256 OF MAPS, PAGE 3, RECORDS OF MARICOPA COUNTY, ARIZONA.

PROJECT INFORMATION:

OWNER: TIM & MELINDA WIESE

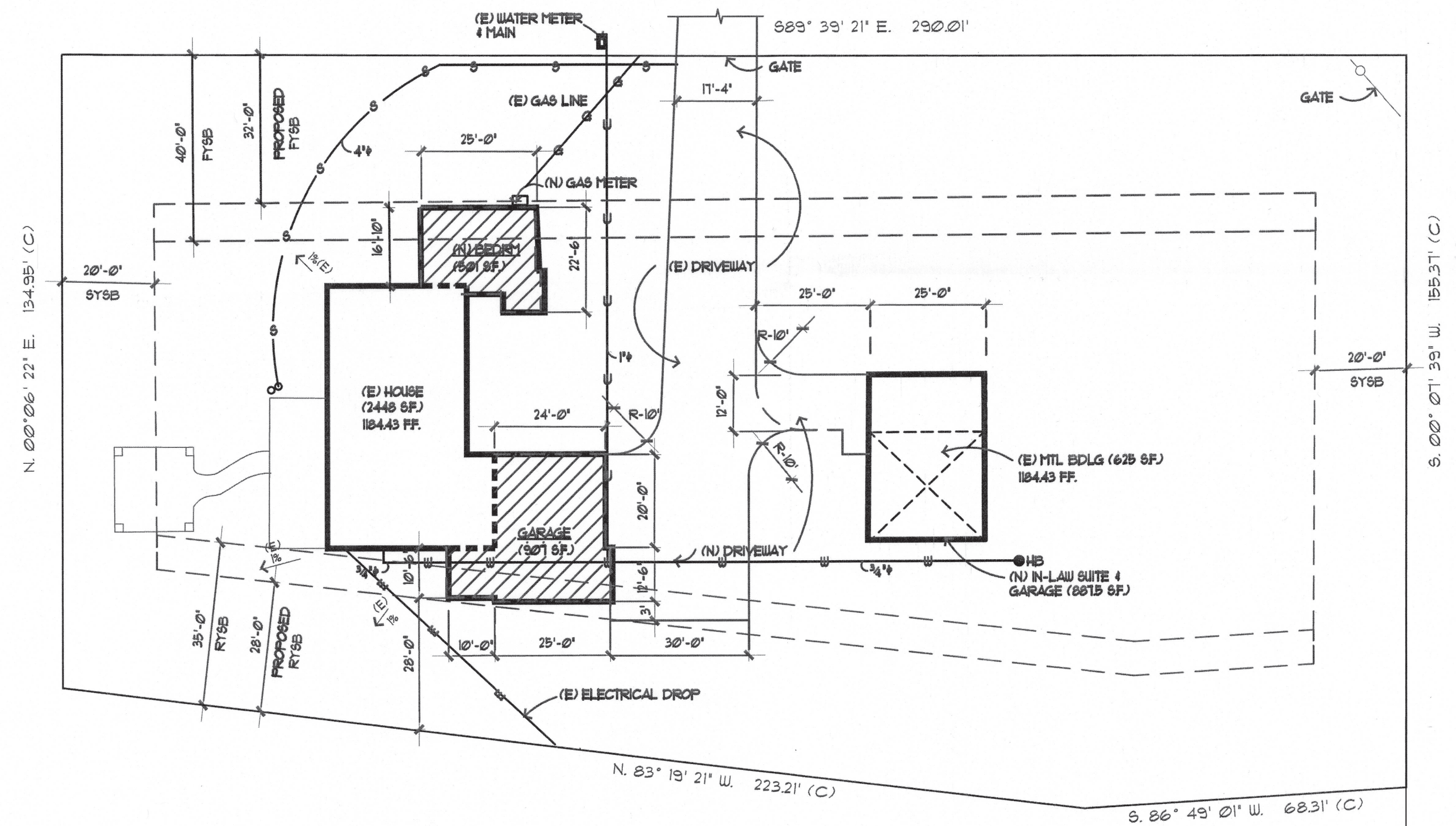
PROJECT DESCRIPTION:
 1. New 501 SF. Master Suite Addition to Include (N) Master Bedroom & W.C.
 2. New 907 SF. 3-Car Garage Addition To Increase the Existing 2-Car Garage
 3. New 875 SF. In-Law Unit Located in same location as existing (to be removed) Steel Garage Structure
 4. New Code Compliant window wells (2) to create "legal" bedrooms at Existing Basement.

PROJECT ADDRESS: 2049 East University Drive Tempe, Arizona 85281
 APN # 132-68-003D
 LEGAL ADDRESS: SEE ADJACENT NOTE

ZONING: AG

BUILDING AREA:
 EXISTING:
 (E) LIVABLE 2448 SF.
 (E) GARAGE 1115 SF.
 (E) COVD PATIO 492 SF.
 PROPOSED:
 (N) LIVABLE 1126 SF.
 (N) GARAGE 1,169.5 SF.
 (N) COVD PATIO 500 SF.
 TOTAL AREA:
 (N) LIVABLE 3574 SF.
 (N) GARAGE 1699.5 SF.
 (N) COVD PATIO 500 SF.
 TOTAL 5,733.5 SF.

LOT AREA: 43,551 Sq. Ft.
 LOT COVERAGE: 13.2%
 STORIES: ONE
 DESIGN CODES:
 2018 IRC
 2018 IMC
 2018 IFC
 2018 NEC



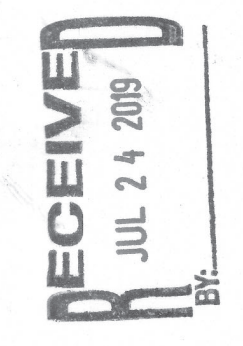
SITE PLAN
 SCALE: 1"=20'-0"

PRELIMINARY NOT FOR CONSTRUCTION

TABLE R301.2(1) AMENDED

CLIMATE AND GEOGRAPHIC DESIGN CRITERIA

ROOF SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ^{1a)}	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ¹⁾	FLOOD HAZARD ²⁾
	Speed ^{1d)} (mph)	Topographic effects ^{1c)}	Speed Wind region ^{1b)}	Windborne debris zone ^{1e)}		Weathering ³⁾	Frostline depth ⁴⁾	Terminite ⁵⁾		
0	115 Exposure C	NO	NO	NO	C	Negligible	12 Inches	Moderate to heavy	34 degrees	NO



REVISIONS BY

PLANNING SUBMITL 1/19/19

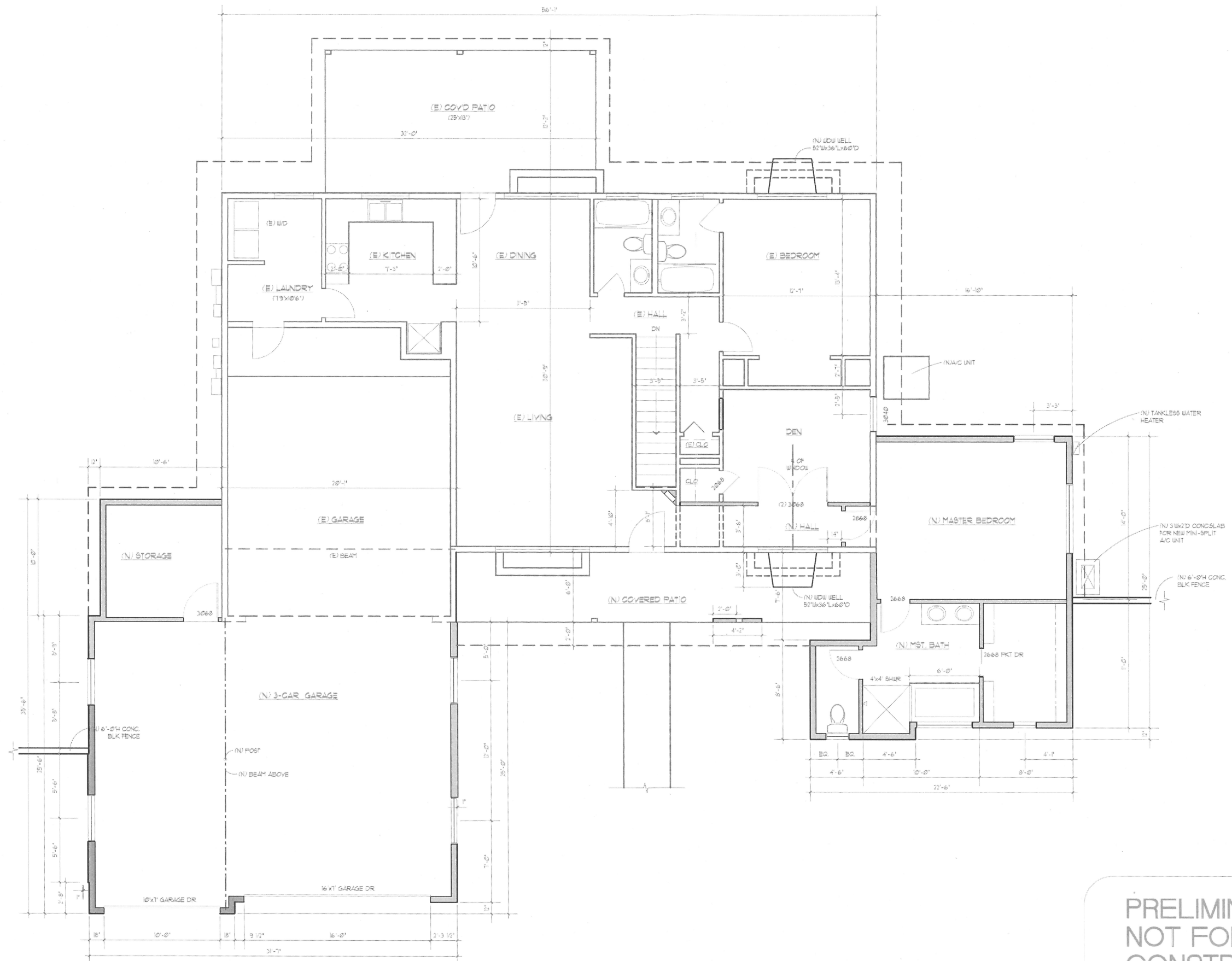
GSDesign architecture

REGISTERED ARCHITECT
 STATE OF ARIZONA
 60065
 HARRY SUNBERG
 7/24/19

EXPRES 6-31-2021

TIM & MELINDA WIESE REMDDEL & ADDITION
 2049 EAST UNIVERSITY DRIVE
 TEMPE, ARIZONA 85281

DATE: 7.19.19
 SCALE: AS NOTED
 DRAWN: KT
 JOB: WIESE



FLOOR PLAN

SCALE: 1/4" = 1'-0"



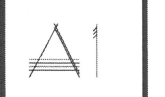
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CONSTRUCTION

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PLANNING SUBMITTAL	1/15/13

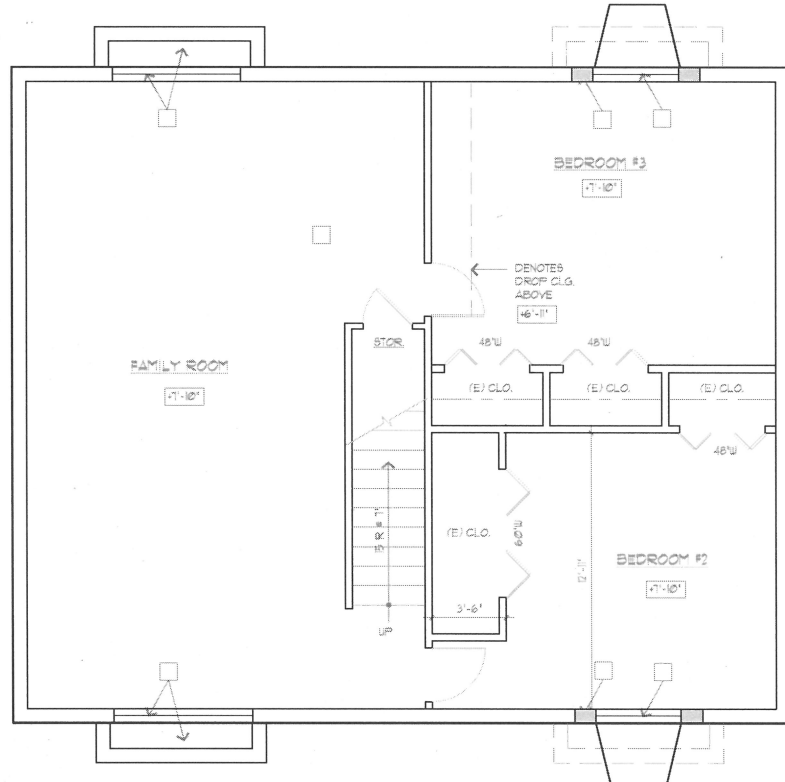


TIM & MELINDA WEISE ADDITION AND REMODEL
2049 EAST UNIVERSITY DR
TEMPE, ARIZONA 85281

DATE: 1/13/13
SCALE: AS NOTED
DRAWN: KT
JOB: WEISE



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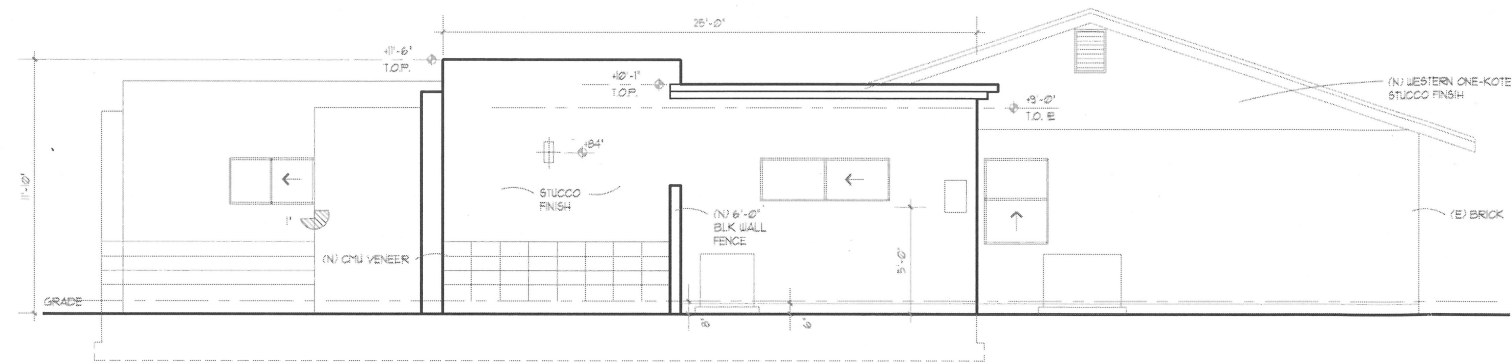


(E) BASEMENT PLAN (1114 S.F.)
 SCALE: 1/4"=1'-0"

TIM & MELINDA WEISE ADDITION AND REMODEL
 2045 EAST UNIVERSITY DR
 TEMPE, ARIZONA 85281

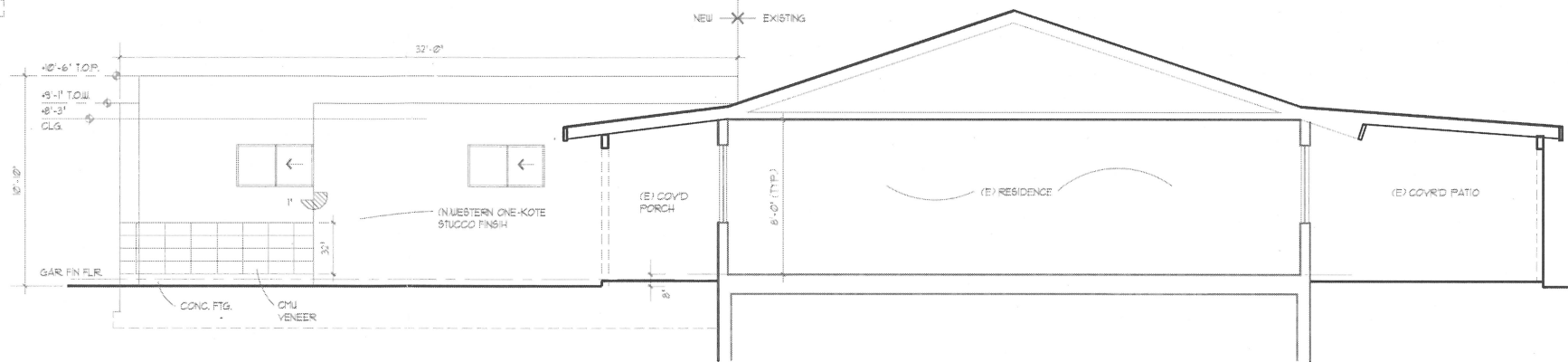
DATE: 1.19.19
 SCALE: AS NOTED
 DRAWN: KT
 JOB: WEISE





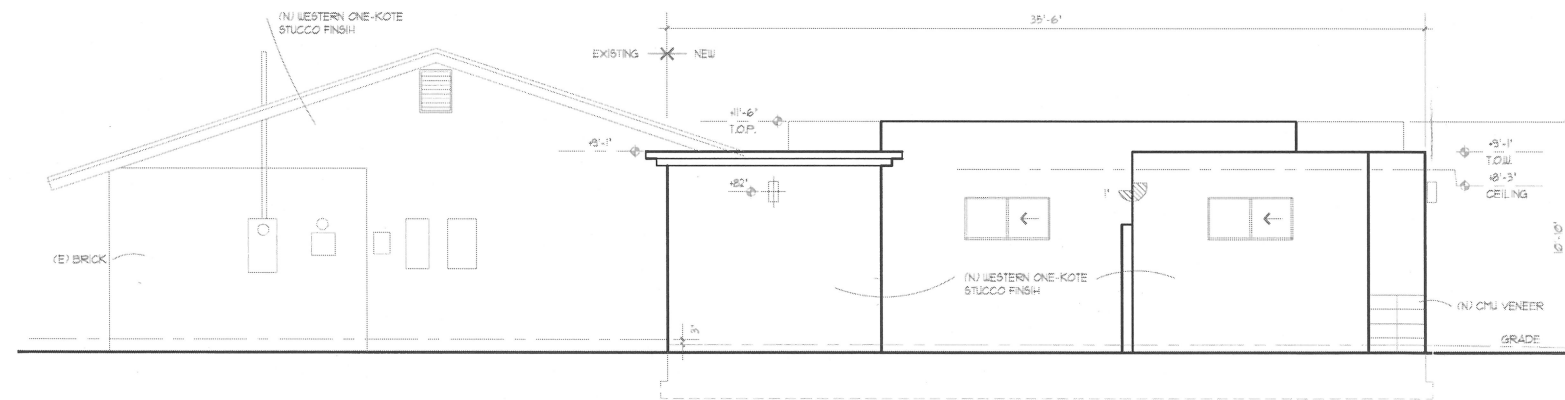
NORTH ELEVATION - M. BEDROOM ADDITION

SCALE: 1/4"=1'-0"



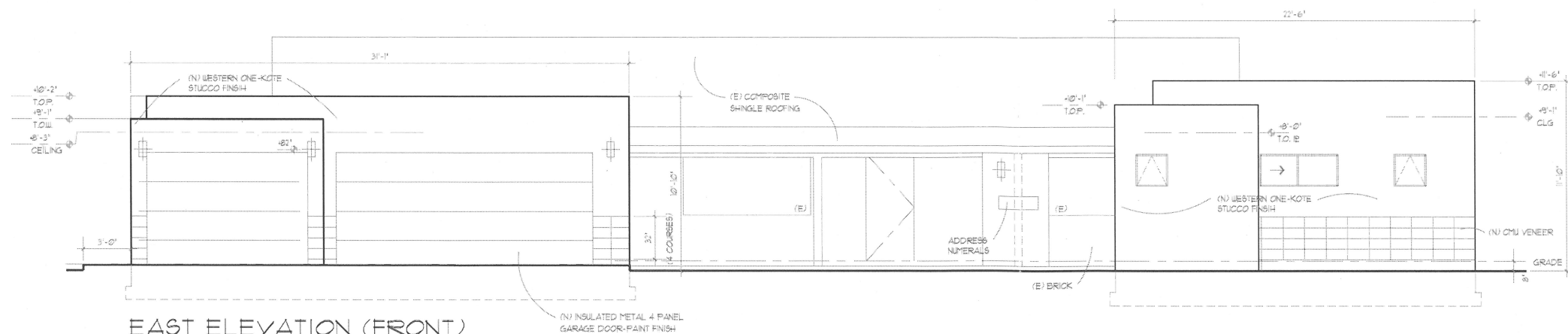
NORTH ELEVATION - GARAGE ADDITION

SCALE: 1/4"=1'-0"



SOUTH ELEVATION - GARAGE ADDITION

SCALE: 1/4"=1'-0"



EAST ELEVATION (FRONT)

SCALE: 1/4"=1'-0"

PRELIMINARY
NOT FOR
CONSTRUCTION

REVISIONS	BY
PLANNING SUBMITL 1/9/19	

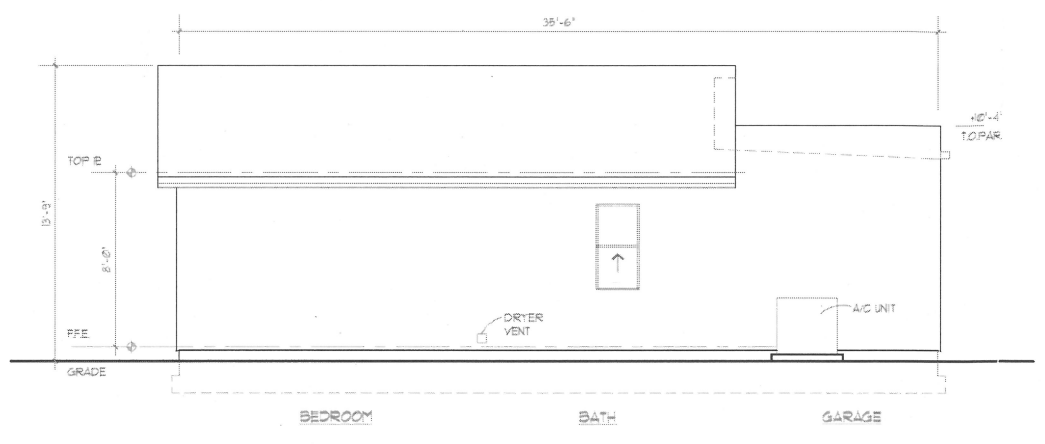


TIM & MELINDA WEISE ADDITION AND REMODEL
2049 EAST UNIVERSITY DR
TEMPE, ARIZONA 85281

DATE: 1.9.19
SCALE: AS NOTED
DRAWN: KT
JOB: WEISE

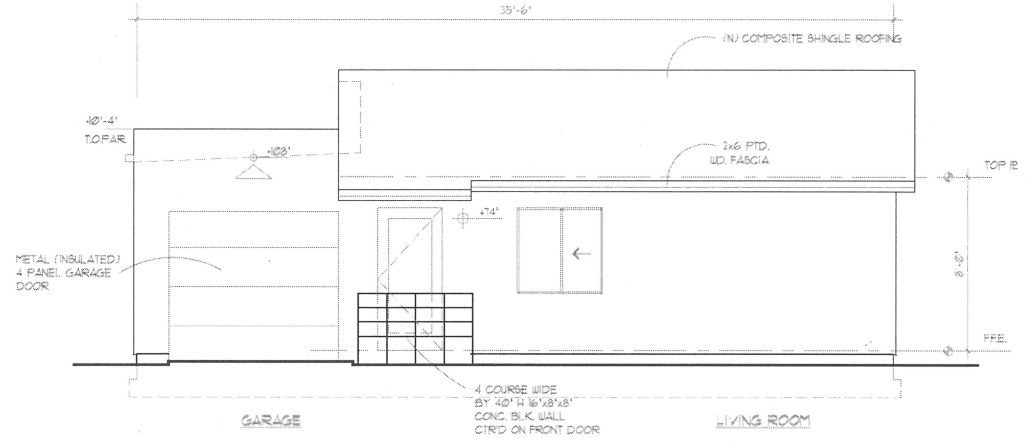


REVISIONS	BY
PLANNING SUBMITL 7/19/19	



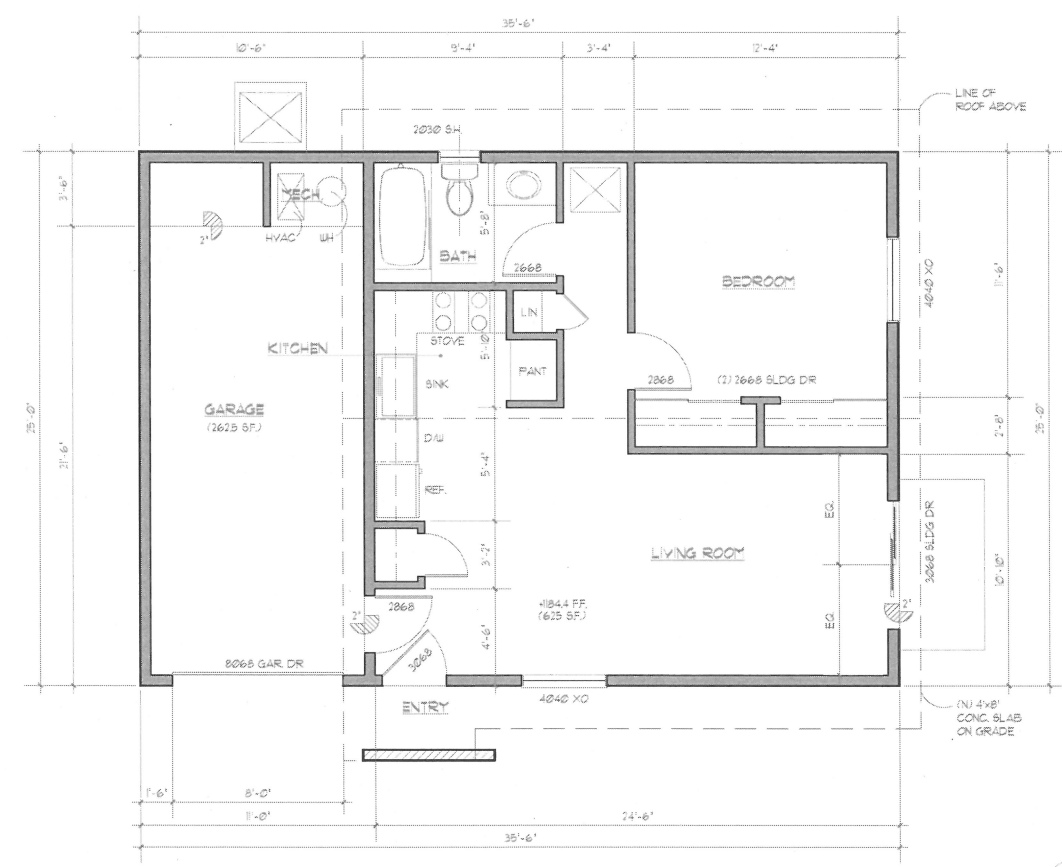
WEST ELEVATION

SCALE: 1/4"=1'-0"



EAST ELEVATION

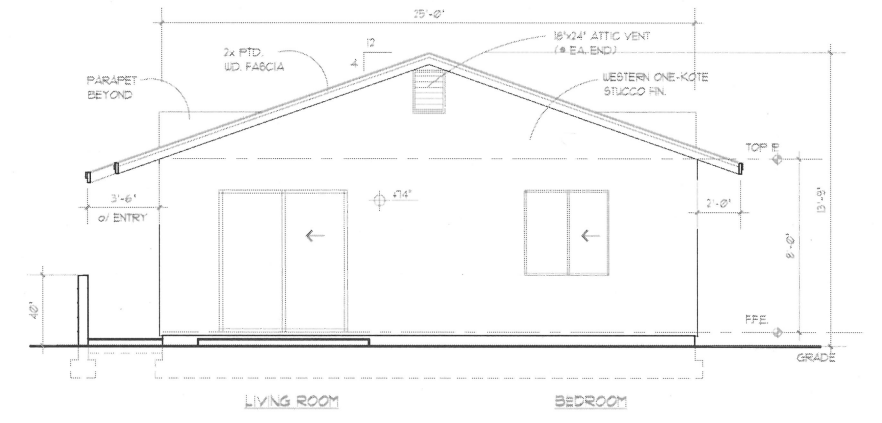
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FLOOR PLAN

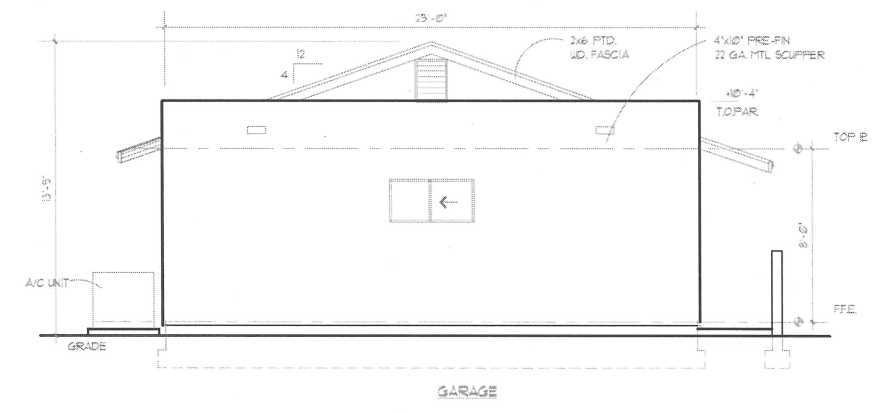
SCALE: 1/4"=1'-0"

**PRELIMINARY
NOT FOR
CONSTRUCTION**



SOUTH ELEVATION

SCALE: 1/4"=1'-0"

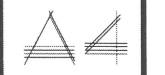


NORTH ELEVATION

SCALE: 1/4"=1'-0"

TIM & MELINDA WEISE ADDITION AND REMODEL
2049 EAST UNIVERSITY DR
TEMPE, ARIZONA 85281

DATE: 7/19/19
SCALE: AS NOTED
DRAWN: KT
JOB: WEISE



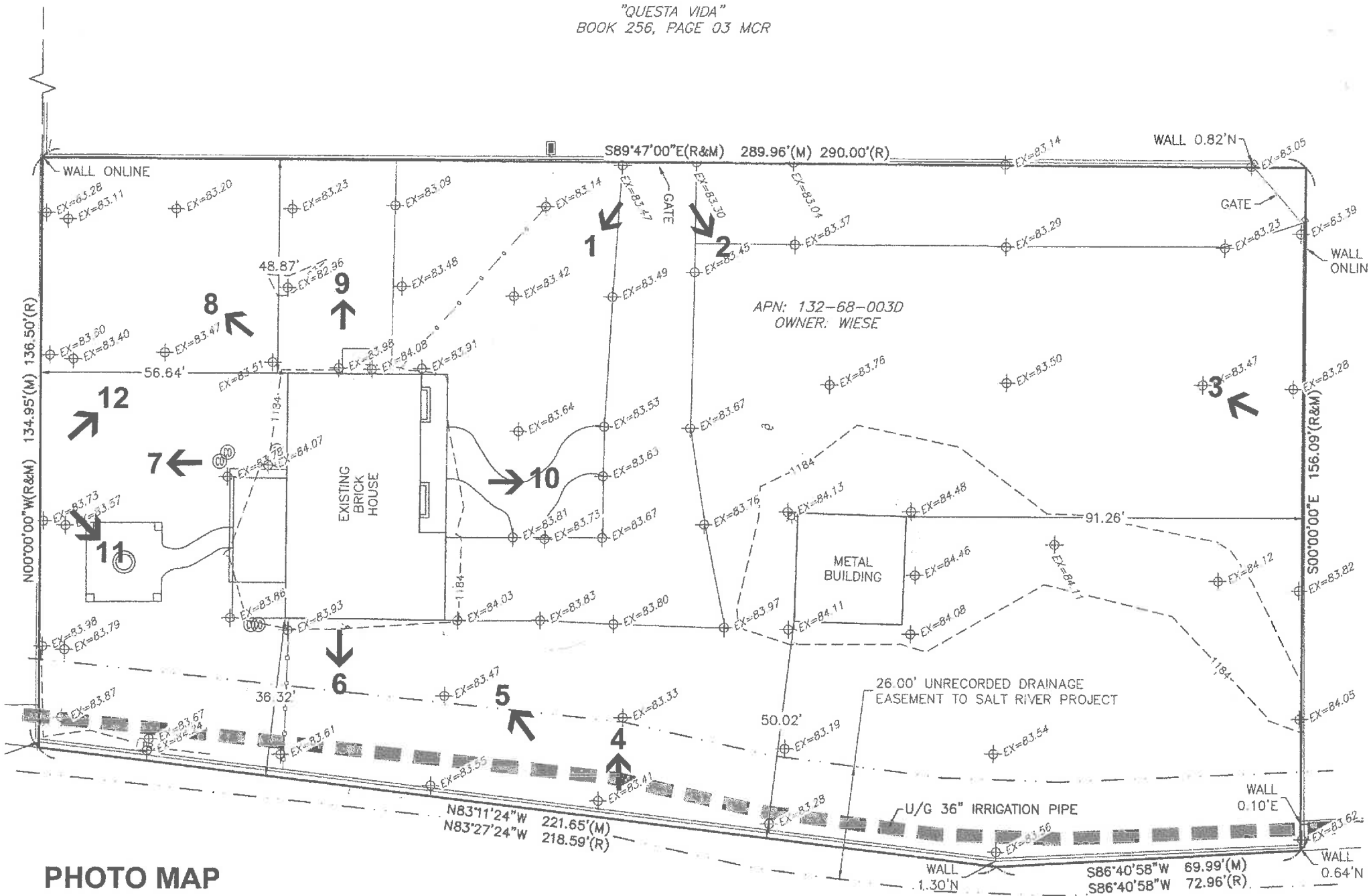


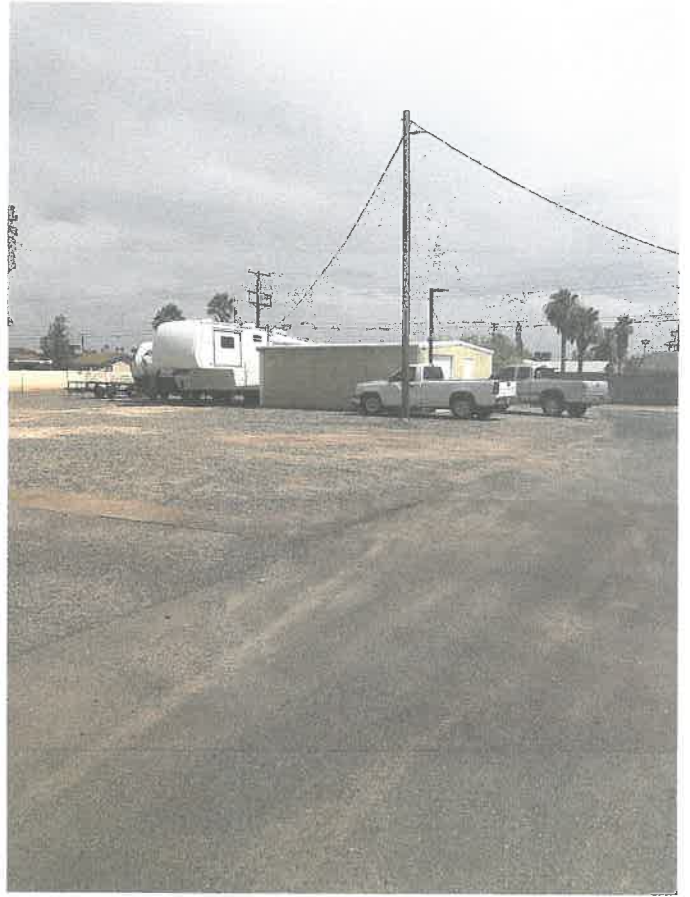
PHOTO MAP

WIESE RESIDENCE - 2049 E. UNIVERSITY DRIVE, TEMPE, AZ. 85281





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5



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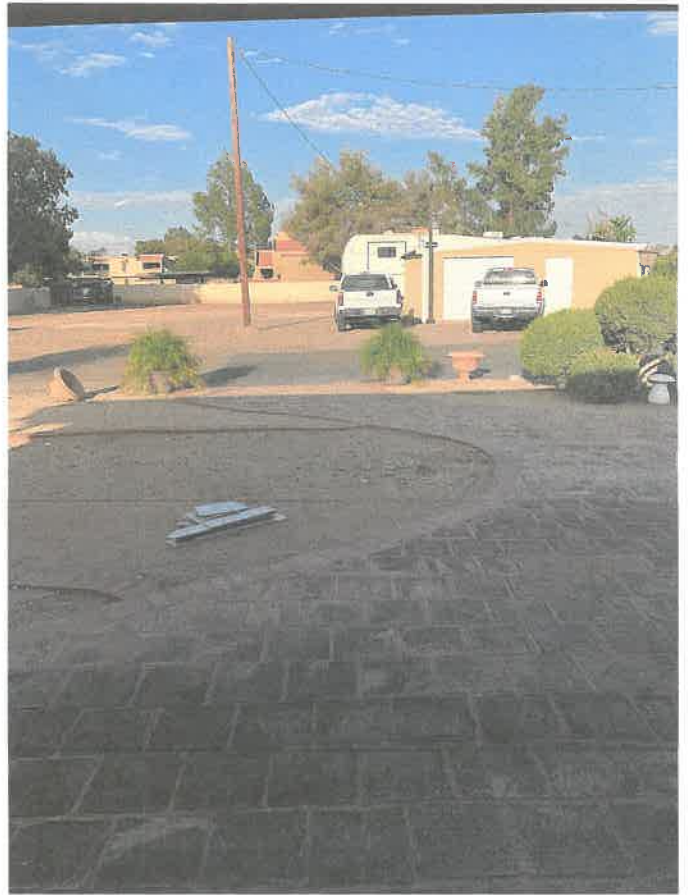
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10



11



12

Schimke, Blake

From: Alberto Olivas [REDACTED]
Sent: Sunday, August 11, 2019 11:01 AM
To: Schimke, Blake
Subject: Case# PL 190184

Hi Blake. We live on 10th St. very near the Wiese Residence requesting Use Permit Standards in Case # PL 190184.

What information is available about the manner of construction or remodeling that is intended for this site, which would require a reduction in the setbacks for the front yard and rear yard? Will this be an expansion of the existing structure, a replacement with a larger single family home, or will this become another high density multifamily construction?

We've had issues with the City of Tempe turning a blind eye to the Tesla facility's use of our neighborhood streets as their employee parking lots; and with their inflexibility toward residents regarding our own residential parking, so we're understandably concerned about the prospect of yet more traffic and cars parking in our neighborhood streets.

Thanks for any information you can provide.

-Alberto Olivas