

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 04/28/2020
Agenda Item: 2**

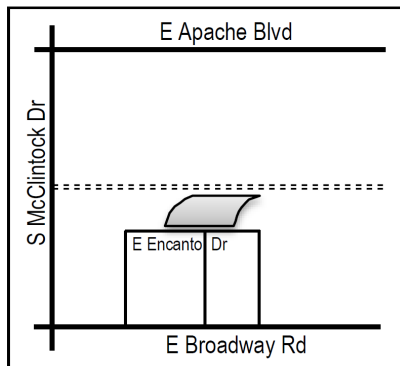
ACTION: Request a Use Permit to allow a 6-foot fence within the required front yard setback for **ENCANTO**, located at 1858 East Encanto Drive.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: ENCANTO (PL190306) is requesting two 6-foot sliding gates within the front yard setback within the GID, General Industrial District. The intent of the sliding gate is to secure the parking area on the southwest portion of the property. The request includes the following:

ZUP200006 Use Permit to allow a 6-foot wall within the front yard setback.



Property Owner
Applicant
Zoning District
Site Area
Building Area
Vehicle Parking

Liberty Property Trust
Stephen Wright, Evolution Design, Inc.
GID
4.67 acres
81,100 s.f.
143 spaces (85 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 requesting a 6-foot sliding gate within the front yard setback of the property. There are two sliding gates being proposed, which will match the height of the existing wall along the front of the property. Fire, Refuse, and Traffic did not express any concerns over the proposed design. The applicant states that the sliding gates will have a Knox Box per City of Tempe standards.

PUBLIC INPUT

To date, staff has not received any public input.

USE PERMIT

The proposed design requires a Use Permit to allow a 6-foot fence within the front yard building setback within the GID zoning district. Fences in the front yard building setback can exceed 4 feet in height up to 6 feet with an approved Use Permit.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed new fence is not expected to create an increase in vehicular or pedestrian traffic. The City of Tempe Traffic Division did not express any concerns over the new fence.
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 proposed design is not expected to create a nuisance at a level exceeding 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*; a 6-foot tall fence is allowed within the front yard building setback with an approved Use Permit. A Development Plan Review must also be approved by staff for the design of the fence.
4. *Compatibility with existing surrounding structures and uses*; there are several other properties within this industrial park that are utilizing a similar design to the one proposed for this site.
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 intent of this proposed design is to assist with security and potential disruptive behavior on the site.

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: (Non-standard conditions are identified in bold)

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

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. Replace all dead or missing trees along the street frontage landscape area and in the parking lot landscape islands; along with any other missing landscape material.

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.

USE PERMIT:

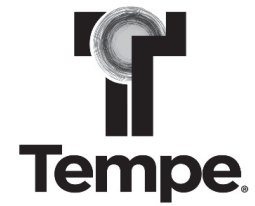
- The Use Permit is valid for [Business Name] and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.
- The decision-making body, upon finding that the applicant has not taken corrective actions to resolve issues related to the permit/approval and that a continuation of the permit/approval is not in the interest of the public health, safety and general welfare, can revoke the permit/approval after providing written notice of its intentions to the holder of the permit.
- 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.
- All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained, or the Use Permit is void.

HISTORY & FACTS:

August 3, 1989 Tempe Design Review Board approved (DRB89134) the building elevations, site and landscape plans for Lot 4 Normal Junctions, located at 1858 East Encanto Drive. (This approval included 6-foot screen walls along the street frontage.)

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 4-204 Development Standards for Office/Industrial Districts
Section 6-308 Use Permit



DEVELOPMENT PROJECT FILE

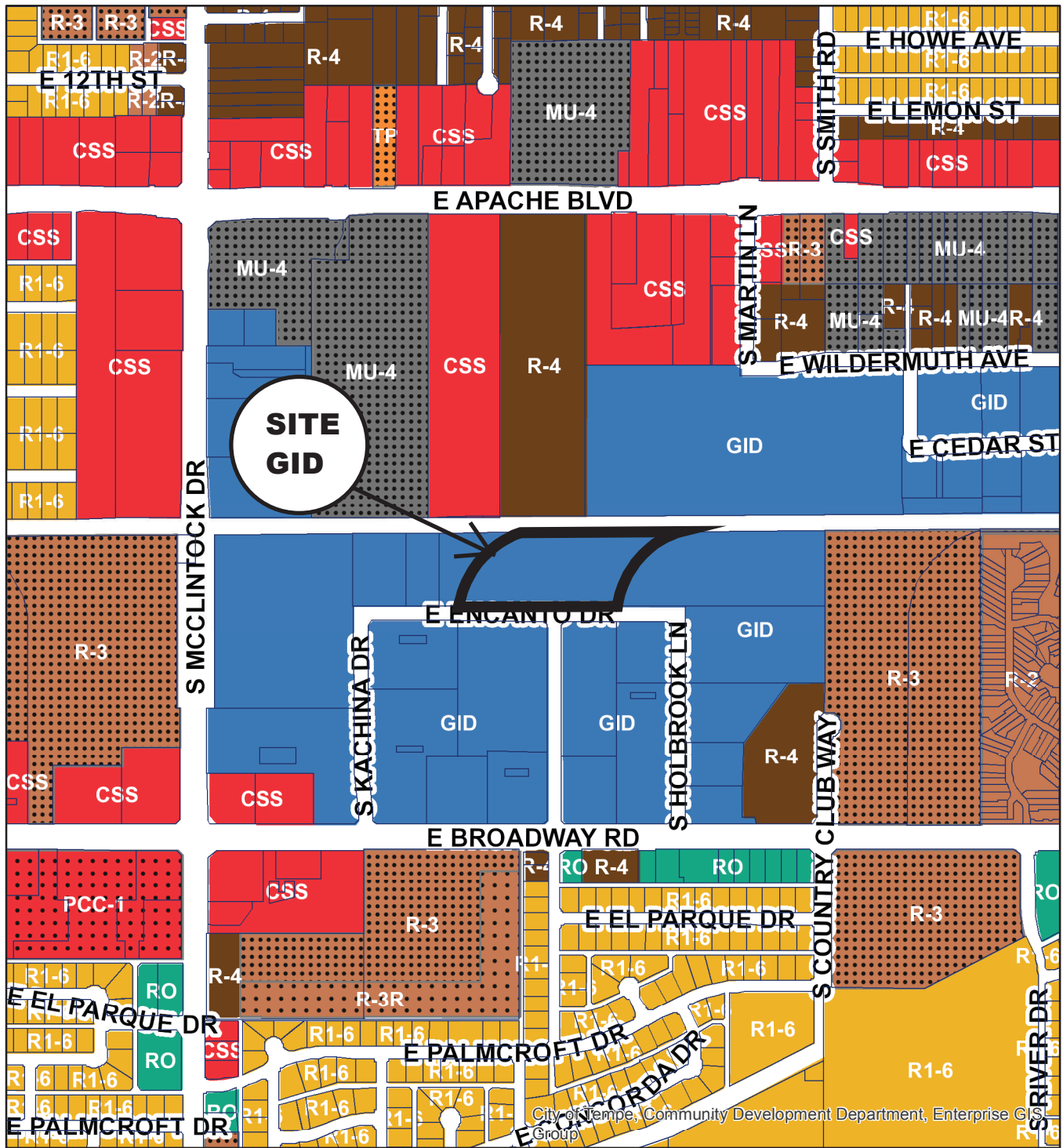
for
ENCANTO
(PL190306)

ATTACHMENTS:

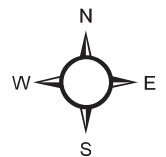
1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Elevations
- 6-13. Site Context Photos

1858 EAST ENCANTO DRIVE

PL190306

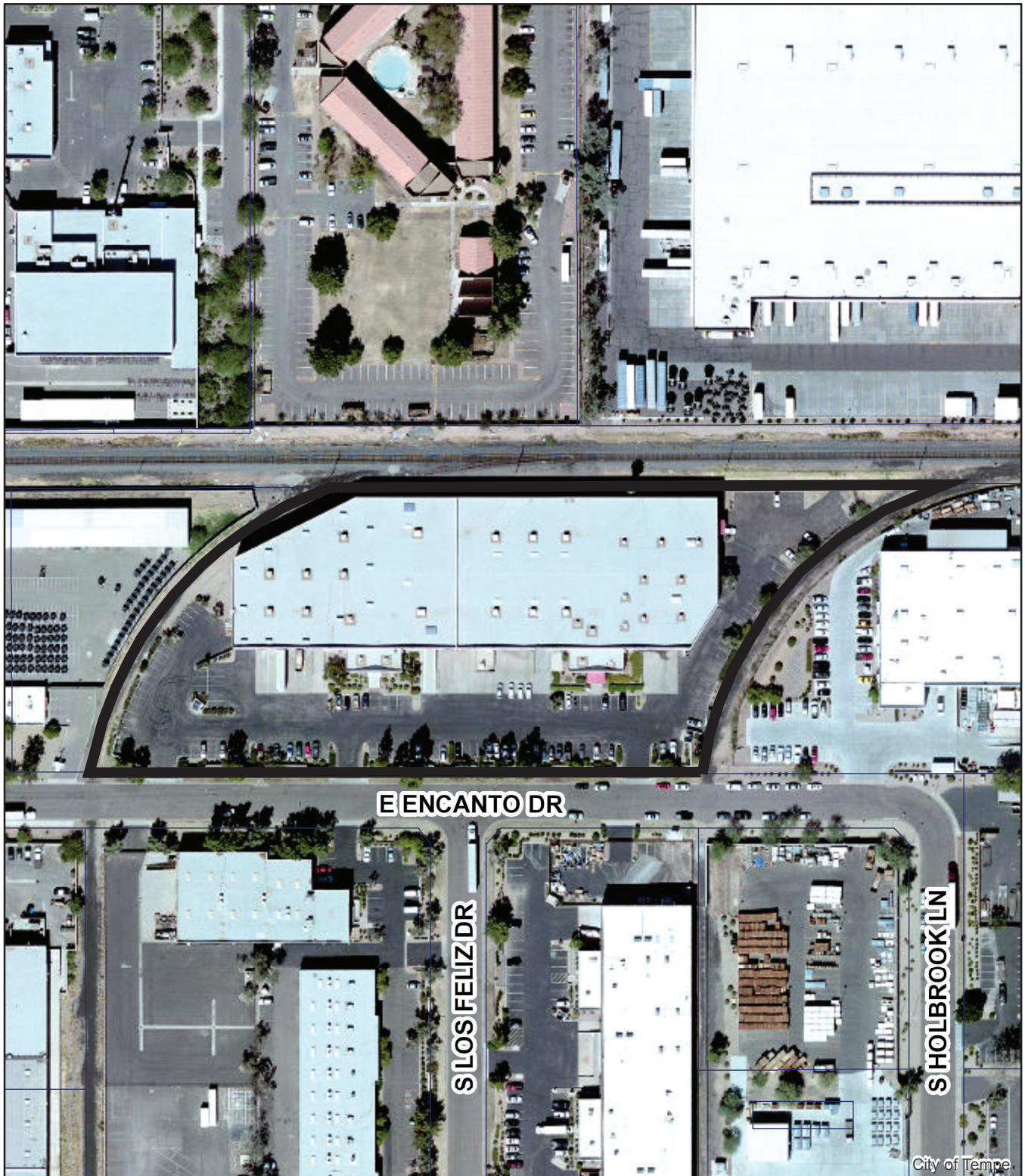


- | | |
|--|--|
|  General Industrial District (GID) |  Multi-Family Residential (R-2) |
|  Mixed Use High (MU-4) |  Multi-Family Residential Restricted (R-3R) |
|  Commercial Shopping and Services (CSS) |  Multi-Family Residential Limited (R-3) |
|  Planned Commercial Center Neighborhood (PCC-1) |  Multi-Family Residential General (R-4) |
|  Residential/Office (RO) |  Trailer Park (TP) |
|  Single-Family Residential (R1-6) | |

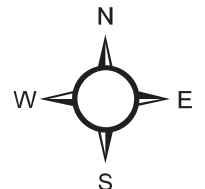


1858 EAST ENCANTO DRIVE

PL190306



Aerial Map





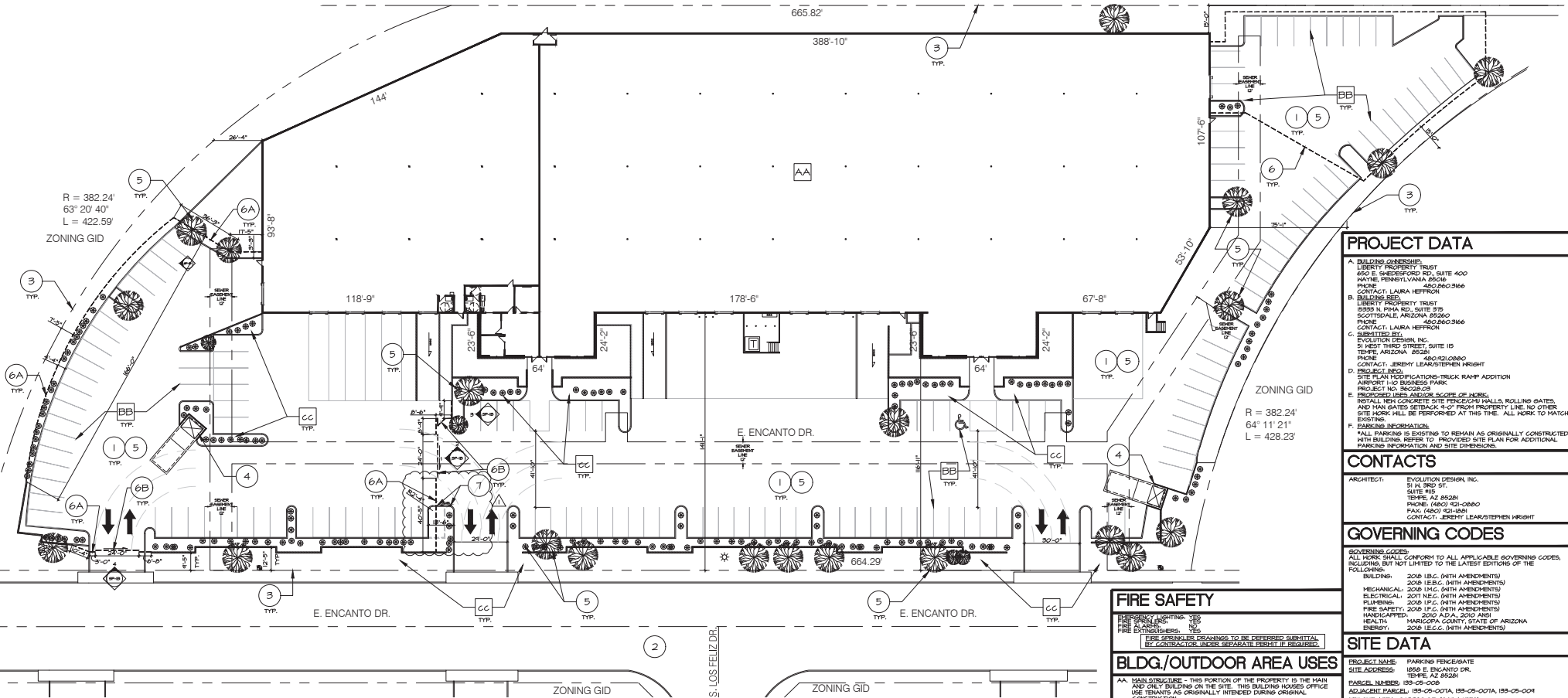
January 23, 2020
Parking Fence/Gate
1858 E. Encanto Dr.
Tempe, AZ

Attn: Dalton Guerra

Use Permit Narrative:

- Provide new 6'-0" H. fence with rolling gate, man gate, and Knox Box per city of Tempe standards to enclose existing parking area and tie into existing cmu site walls.
 - Use permit request: build new fence at 9'-0" minimum from property line.
- Existing CMU walls on site are currently at 6'-0" A.F.F. and new fence wall to match.

Thank you,
Jeremy Lear/Stephen Wright
Evolution Design, Inc.
PHN 480.921.0880
FAX 480.921.1881



PROJECT DATA	
A. BUILDING OWNERSHIP:	LIBERTY PROPERTY TRUST 400 E. SNEEDSFORD RD., SUITE 400 MAYHEW, PENNSYLVANIA 15066 CONTACT: LAURA HERPSON PHONE: 480.260.3166
B. BUILDING USE:	LIBERTY PROPERTY TRUST 1858 N. PIMA RD., SUITE 375 SCOTTSDALE, ARIZONA 85260 PHONE: 480.260.3166
C. SUBMITTED BY:	EVOLUTION DESIGN, INC. 51 WEST THIRD STREET, SUITE 105 TEMPE, ARIZONA 85281 CONTACT: JEREMY LEAR/STEPHEN WRIGHT PHONE: 480.921.0880
D. PROJECT INFO:	PROJECT: 140 BUSINESS PARK AIRPORT H/O BUSINESS PARK PROJECT NO. 340222.01
E. PROPOSED LEGS AND/OR SCOPE OF WORK:	NEW WALL, METAL FENCE, ROLLING GATES, AND MAIN GATES SETBACK 4'-0" FROM PROPERTY LINE. NO OTHER SITE WORK WILL BE PERFORMED AT THIS TIME. ALL WORK TO MATCH EXISTING.
F. PARKING INFORMATION:	*ALL PARKING IS EXISTING TO REMAIN AS ORIGINALLY CONSTRUCTED WITH BUILDING. REFER TO LATEST SITE PLAN FOR ADDITIONAL PARKING INFORMATION AND SITE DIMENSIONS.

CONTACTS	
ARCHITECT:	EVOLUTION DESIGN, INC. 51 W. 3RD ST. SUITE 105 TEMPE, AZ 85281 PHONE: (480) 921-0880 FAX: (480) 421-1488 CONTACT: JEREMY LEAR/STEPHEN WRIGHT

GOVERNING CODES	
GOVERNING CODES:	ALL WORK SHALL CONFORM TO ALL APPLICABLE GOVERNING CODES, INCLUDING, BUT NOT LIMITED TO THE LATEST EDITIONS OF THE FOLLOWING:
BUILDING:	2018 I.B.C. (WITH AMENDMENTS)
MECANICAL:	2018 I.E.G. (WITH AMENDMENTS)
ELECTRICAL:	2017 N.E.C. (WITH AMENDMENTS)
PLUMBING:	2018 I.P.C. (WITH AMENDMENTS)
FIRE SAFETY:	2018 I.F.G. (WITH AMENDMENTS)
HANDICAPPED:	2008 ADA, 2010 ANSI
HEALTH:	HARRICOPA COUNTY, STATE OF ARIZONA
ENERGY:	2008 I.E.G.C. (WITH AMENDMENTS)

SITE DATA	
PROJECT NAME:	PARKING FENCE/GATE
SITE ADDRESS:	1858 E. ENCANTO DR.
PARCEL NUMBER:	185-05-008
ADJACENT PARCELS:	185-05-007A, 185-05-007A, 185-05-007B NET SITE AREA: 20,896 SQ. FT. (474 ACRES)
GEOS. BUILDING AREA:	8,000 S.F.
RAVINE/B LOT COVERAGE:	40% - EXISTING LOT COVERAGE: 34.88%
LANDSCAPE (NEE OF LOT/LOT COVERAGE):	EXISTING TO REMAIN UNCHANGED
ZONING:	610
CONSTRUCTION TYPE:	III-B
OCCUPANCY CONTROL:	OFFICE (B), BARRICADE (S-U) (EXISTING TO REMAIN UNCHANGED)
NUMBER OF STORIES:	1
MINIMUM YARD SET BACK:	BUILDING FRONT: 25'-0" REQUIRED 0" Δ 25'-0" REQUIRED

FIRE SAFETY	
EXISTING LIGHTING:	YES
EXISTING FIRE EXTINGUISHERS:	YES
FIRE SPRINKLER DRAWINGS TO BE DEFERRED SUBMITTAL BY CONTRACTOR UNDER SEPARATE PERMIT IF REQUIRED.	

BLDG./OUTDOOR AREA USES	
AA. MAIN STRUCTURE:	THIS PORTION OF THE PROPERTY IS THE MAIN AND ONLY BUILDING ON THE SITE. THIS BUILDING HOUSES OFFICE USE TENANTS AS ORIGINALLY INTENDED DURING ORIGINAL CONSTRUCTION.
BB. PARKING AREAS:	THIS PORTION OF THE SITE IS DEDICATED TO PARKING THE EXISTING FACILITY AS ORIGINALLY CONSTRUCTED.
CC. LANDSCAPING AREAS:	THIS PORTION OF THE SITE HAS BEEN PROVIDED AS AN AESTHETIC BUFFER BETWEEN THE PARKING AREA AND THE BUILDING, AS WELL AS PROVIDED WALKWAYS TO THE PARKING AREA FROM THE BUILDING.

STAMP OF APPROVAL

GENERAL NOTES	
A.	DEVELOPMENT AND USE OF THIS SITE SHALL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES PER CITY OF TEMPE.
B.	ALL SITE LIGHTING IS TO REMAIN.
C.	OWNERS OF THE PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY SHALL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.
D.	EXISTING STRUCTURES MUST COMPLY WITH THE CHANGE OF OCCUPANCY PROVISIONS IN THE TEMPE CONSTRUCTION CODE PRIOR TO USE, IF APPLICABLE.
E.	AFTER FINAL APPROVAL, THE PROJECT SHALL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION.
F.	THIS PROJECT IS FOR SITE PLAN APPROVAL ONLY. SEPARATE PLANS TO BE SUBMITTED FOR CONSTRUCTION OF CH WALL/METAL FENCE WITH METAL MAIN GATE AND ROLL GATE.
G.	NO NEW PLANT MATERIAL TO BE USED ON SITE. EXISTING IS TO REMAIN UNDISTURBED.

LEGAL DESCRIPTION

LOT 4 OF NORMAL JUNCTION INDUSTRIAL DISTRICT NO. 1, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF HARRICOPA COUNTY, ARIZONA, RECORDED IN BOOK 107 OF MAPS, PAGE 20.

LEGEND

--- PROPOSED FENCE, ROLLING GATE, MAIN GATE.
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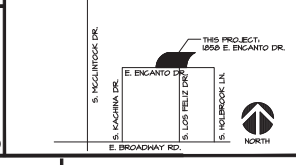
KEY NOTES

- EXISTING CURBING, TENANT ENTRIES, SIDEWALKS, AND DRIVEWAYS TO REMAIN AS SHOWN.
- EXISTING COMMERCIAL ROADWAY AS EXISTS FROM CITY OF TEMPE.
- EXISTING PROPERTY LINES PER ORIGINAL SHED CONSTRUCTION.
- EXISTING PERMITS REQUIRED FOR MAINTENANCE.
- EXISTING VEGETATION TO REMAIN THROUGHOUT SCOPE OF WORK. PROTECT FROM DAMAGE DURING CONSTRUCTION. REMOVE ANY DEAD/DYING VEGETATION WITH NEW AS NECESSARY.
- EXISTING FENCE TO REMAIN AT THIS LOCATION. (BA) PROVIDE NEW 6'-0" METAL FENCE AND ROLL GATE PAINTED BLACK AT THIS LOCATION. REFER TO ELEVATION FOR REFERENCE. (BB) PROVIDE NEW 6'-0" METAL MAIN GATE AND ROLL GATE PAINTED BLACK TO MATCH EXISTING AT THESE LOCATIONS. PROVIDE NEW FIRE RATED DOOR FOR CITY OF TEMPE STANDARDS AT THESE LOCATIONS. ALL LANDSCAPING TO REMAIN UNCHANGED AND TO BE MAINTAINED BY OWNER. PROVIDE NEW CURBING AT THIS LOCATION TO EXTEND THE FULL WIDTH OF EXISTING PARKING STALL AS SHOWN.

PARKING

EXISTING PARKING TO REMAIN UNCHANGED	
EXISTING PARKING:	141 PROVIDED
DECK PARKING:	1 PROVIDED
NEW PARKING:	140 REQUIRED
ACCESSIBLE PARKING:	3 PROVIDED
TRUCK PARKING:	17 PROVIDED

VICINITY PLAN



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



KEY PLAN
SCALE: N.T.S.

evolution design
interior architecture
87 W. 3rd Street
Suite 105
Tempe, AZ 85281
Telephone: 480-921-0880
Facsimile: 480-921-1981

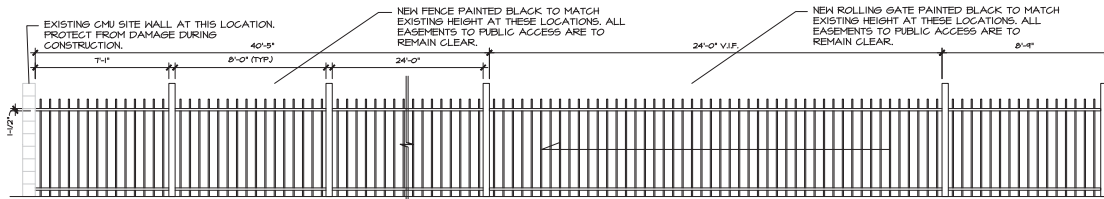
**SPACE PLAN
NOT FOR
CONSTRUCTION**

PARKING FENCE / GATE 1858 E. ENCANTO DR. TEMPE, ARIZONA

DESIGNED BY:	SM	DATE:	08/24/2022
DRAWN BY:	JKL	CHECKED BY:	JKL
DATE:	01/23/20	SCALE:	3/32" = 1'-0"

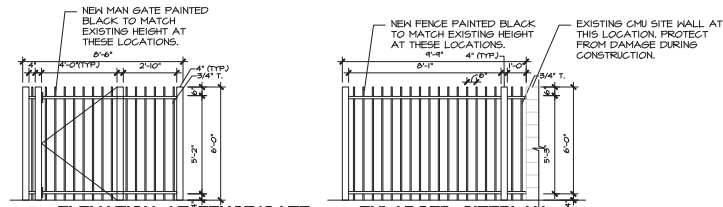
PROJECT NUMBER:	340222.01
SHEET NUMBER:	1
TITLE:	SITE PLAN

SP-1A



1 ELEVATION AT FENCE/ROLLING GATE

SCALE: 3/8"=1'-0"

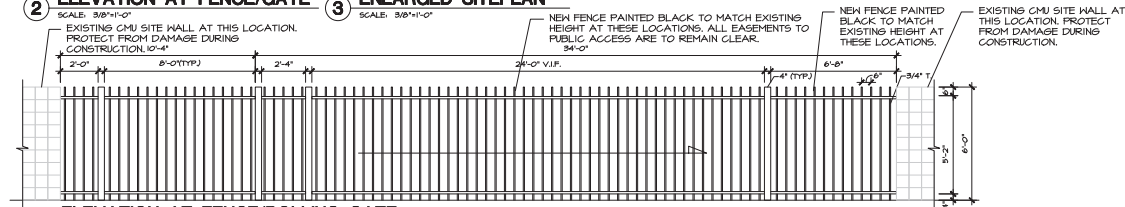


2 ELEVATION AT FENCE/GATE

SCALE: 3/8"=1'-0"

3 ENLARGED SITEPLAN

SCALE: 3/8"=1'-0"



4 ELEVATION AT FENCE/ROLLING GATE

SCALE: 3/8"=1'-0"



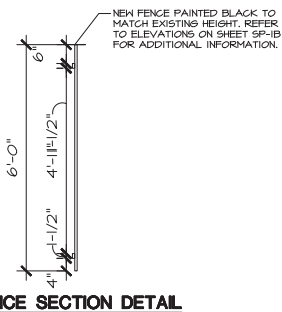
5 FENCE REF. IMAGE

SCALE: N.T.S.



6 FENCE REF. IMAGE

SCALE: N.T.S.



7 FENCE SECTION DETAIL

SCALE: 3/4"=1'-0"

PARKING FENCE/GATE

1858 E. ENCANTO DR.
COVER SHEET



PARKING FENCE/GATE

1858 E. ENCANTO DR.
WEST SIDE



A. FACING EAST



B. FACING NORTH



C. FACING SOUTH

PARKING FENCE/GATE

1858 E. ENCANTO DR.
NORTH SIDE



A. FACING SOUTH



B. FACING EAST



C. FACING NORTH



D. FACING EAST

PARKING FENCE/GATE

1858 E. ENCANTO DR.
EAST SIDE



A. FACING SOUTH



B. FACING EAST



C. FACING NORTH



D. FACING WEST

PARKING FENCE/GATE

1858 E. ENCANTO DR.
SOUTH EAST CORNER



A. FACING SOUTH



B. FACING EAST



C. FACING NORTH



D. FACING WEST

PARKING FENCE/GATE

1858 E. ENCANTO DR.
SOUTH SIDE (1)



A. FACING SOUTH



B. FACING EAST



C. FACING NORTH



D. FACING WEST

PARKING FENCE/GATE

1858 E. ENCANTO DR.
SOUTH SIDE (2)



A. FACING SOUTH



B. FACING EAST



C. FACING NORTH



D. FACING WEST

PARKING FENCE/GATE

1858 E. ENCANTO DR.
SOUTH WEST CORNER



A. FACING SOUTH



B. FACING EAST



C. FACING NORTH



D. FACING EAST