



**CITY OF TEMPE
REQUEST FOR COUNCIL ACTION**

**Council Meeting Date: 10/27/2016
Agenda Item: 5A5**

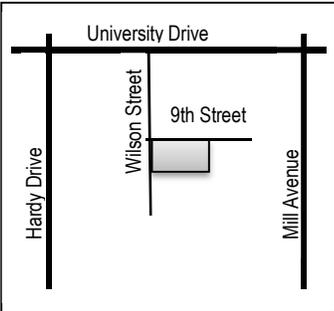
ACTION: Approve an Amended Subdivision Plat for 9TH AND WILSON, located at 431 East 9th Street. The applicant is Keogh Engineering, Inc.

FISCAL IMPACT: There is no fiscal impact on City Funds.

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: 9th AND WILSON (PL150336) new single-family residential development consisting of two buildings each comprised of three attached homes on individual lots. On May 26, 2016, City Council approved the Planned Area Development and Development Plan Review for 6 new single-family residential projects. The amended subdivision plat will satisfy the required conditions of approval to place each unit on its own lot. This request includes the following:

- 1. Amended Subdivision Plat to subdivide two (2) lots into six (6) lots.



Existing Property Owner	Joe Risi, Risi Development Corp.
Applicant	Paul Zeising, Keogh Engineering, Inc.
Zoning District	R-3 Multi-Family District
Gross / Net site area	.34 acres
Density / Number of Units	17.6 du/ac / 6 units (maximum 20 du/ac / 7 units)
Unit Types	3-Bedroom Attached Single-Family Residences
Total Building Area	6,750 s.f.
Lot Coverage	45 % (50% maximum allowed)
Lot 1	2,874.75 s.f. or .0660 acres
Lot 2	2,124.75 s.f. or .0488 acres
Lot 3	2,500.50 s.f. or .0574 acres
Lot 4	2,500.50 s.f. or .0574 acres
Lot 5	2,124.75 s.f. or .0488 acres
Lot 6	2,874.75 s.f. or .0660 acres
Building Height	27 ft (30 ft maximum allowed)
Building Setbacks	13' west front yard, 5' south side yard, 15' east rear yard, 10' north street side (20' front, 10' side, 10' 15' rear, 10' street side yard minimum in R-3)
Parking Setback	3' street side yard parking setback (on 9th Street) (20' minimum)
Landscape area	27% (25% minimum required)
Vehicle Parking	16 spaces (12 garage, 4 guest on site) (12 min. required for single family)
Bicycle Parking	8 guest spaces (none required for single family, garage storage available)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Ryan Levesque, Deputy Community Development Director, (480) 858-2393

Department Director: Jeff Tamulevich, Interim Community Development Director
Legal review by: Teresa Voss, Assistant City Attorney
Prepared by: Diana Kaminski, Senior Planner

COMMENTS:

This site is located south of University Drive, north of Broadway Road, east of Priest Drive and west of Mill Avenue and is located within the Wilson Art and Garden Neighborhood Association (formerly named Mitchell Park East Neighborhood). Nearby uses include commercial uses along University Drive, multi-family apartments to the north of the site, single-family residences on multi-family R-2 zoned lots to the west of the site, and a combination of single-family and multi-family residences on multi-family R-3 zoned lots to the east and south of the site. The Farmer Goodwin house is approximately 500 feet to the east, and Mitchell Park and Childs play Campus is approximately 700 feet to the west. The site currently consists of one single family residence with a guest house. The proposed project would replace the existing house with six single-family attached homes within two buildings consisting of three residences each. As a condition of the entitlement approval for the Planned Area Development and Development Plan Review, the applicant is requesting approval of an Amended Subdivision Plat to take the existing two lots and subdivide into six lots, with any common area tracts to be maintained by CC&Rs created as part of the HOA.

PUBLIC INPUT

- Neighborhood meeting was not required for the plat request

Conclusion

1. Based on the information provided and the above analysis, staff recommends approval of the requested Subdivision Plat. This request meets the required criteria and will conform to the conditions. The lots have access to a public street and meet the technical standard of the Tempe City Code, Chapter 30, Subdivisions.

SUBDIVISION PLAT CONDITIONS OF APPROVAL:

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

General

1. An amended Subdivision Plat is required for this development and shall be recorded prior to issuance of building permits.
2. The Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Community Development Department no later than one year from the date of City Council approval. Failure to record the plat within one year of City Council approval shall make the plat null and void.
3. All property corners shall be set and verified with staff upon final recordation of the subdivision plat, no later than three (3) months from the date of County recordation or as determined by staff.
4. Dedicate a cross access agreement between the lots for the shared driveway.
5. Approval of utility easements location and description, subject to final review by Community Development Engineering before recording.

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 owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping and parking required by Ordinance or located in any common area on site. Garages shall be maintained as the parking spaces for each unit and may not be used for storage or living space that prevents parking vehicles in garages. The CC&R's shall be reviewed and placed in a form satisfactory to the Community Development Manager and City Attorney.

- 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 www.tempe.gov/zoning or purchase from Community Development.

HISTORY & FACTS:

January 1930	According to aerial photography from Flood Control District of Maricopa County, a residential structure was on site at this time.
December 1937	Aerial photography indicated property changes to the building configuration. 1938 Residential District was 30' (all residential was in one category)
1948	Zoning Ordinance 193 created two residential districts; Residential A & B had 30' and 40' respectively. This site was zoned Residential A.
1957	Zoning Ordinance 268 Map shows property and surrounding lots as R-2. The ordinance had five residential districts: Residential Districts 1, 2, 3, 3A and 4 were created with 30' for 1, 2 & 3, "3 stories" for R-3A, and 48' for R-4.
February 22, 1960	Property record card information indicates a request was made to change the zoning from R-1 to R-3 on all lots between 9th & 10th Streets, on the east side of Wilson Street.
May 19, 1960	Property record card information indicates a change of zoning from R-1 to R-2, but no information regarding an ordinance for this change was located.
January 24, 1964	City Council adopted Zoning Ordinance 405, which changed the zoning map to R-3 for the east side of Wilson in the block between 9th and 10th Streets.
July 31, 1967	A building application received for permission to construct a one story building to be used as apartment and garage/carport. The structure appeared completed in aerial photos from 1969.
May 22, 2002	Board of Adjustment approved Variance requests for the Richards Residence. These variances were time sensitive, conditioned specific to the approved site plan as submitted and for three units only.
April 12, 2016	Development Review Commission held a public hearing and recommended approval of the requested Planned Area Development and Development Plan Review.
May 12, 2016	City Council held the first public hearing for the Planned Area Development Overlay and Development Plan Review for 9th AND WILSON (PL150336), located at 431 West 9th Street.
May 26, 2016	City Council approved the Planned Area Development Overlay and Development Plan Review for a new single-family residential development consisting of two buildings with a total of six homes, titled 9th AND WILSON (PL150336), located at 431 West 9th Street.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-307, Subdivisions, Lot Splits and Adjustments