ACTION: Request approval for a Use Permit to allow a community garden for ERHARDT PARK COMMUNITY GARDEN, located at 4003 South Evergreen Road. The applicant is Ryan Companies.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: ERHARDT PARK COMMUNITY GARDEN (PL190012) is located in on the southwest corner of the intersection of East Riviera Drive and South Evergreen Road adjacent to the Friendship Village Senior Living complex. The garden will be along the central northern border of the park running and occupy 35,262 square feet on the existing Erhardt Park. The request includes the following:

ZUP190006 Use Permit to allow a community garden.

Property Owner: City of Tempe
Applicant: Nicole Darling, Ryan Companies
Zoning District: R1-6
Site Area: 283,140 s.f.
Building Area: 35,262 s.f.
Structure Area: 1,228 s.f.
Lot Coverage: 3.5%
Hours of Operation: 6:00 a.m. to 10:00 p.m., Daily

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 proposed community garden has been designed to provide a number of amenities to the neighbors and residents of Friendship Village. The garden is proposing raised planter beds, at-grade planting beds, several shade structures, tool sheds, as well as composting and rain water harvesting areas.

On site there is a proposed restroom area utilizing a portable restroom facility. The Tempe Zoning and Development code does not require a restroom facility onsite and therefore if one is being proposed it needs to be a fixed facility with plumbing and a foundation per building code.

PUBLIC INPUT
To date, staff has received one phone call of inquiry.

USE PERMIT
The proposed use requires a Use Permit to allow a community garden within the R1-6 zoning district.

Section 6-308(E) Approval criteria for Use Permit (in italics) and Section 3-427(C) Approval Criteria for a Community Garden:

1. Any significant increase in vehicular or pedestrian traffic; The proposed use will be available to those who live in Friendship Village as well as the surrounding neighborhood. Traffic is expected to be normal or slightly above ambient conditions for those utilizing the garden. The majority of the garden users will be residents from the Friendship Village Community and from the immediate surrounding neighborhoods. Therefore, the main form of transportation to and from the garden is highly anticipated to be by foot.

2. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions; This proposed use is not expected to create a nuisance above ambient condition. The facility will be locked and monitored by on site staff from Friendship Village.

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 use is expected to increase the value and contribute to the neighborhood. This use is a part of the City of Tempe’s Park improvement and is in line with the City’s plan for the park and neighborhood.

4. Compatibility with existing surrounding structures and uses; The Community Garden will be located in an existing City of Tempe park and is compatible with its immediate surrounding areas.

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 garden will have onsite staff members provided by Friendship Village as well as provide a daily onsite manager for the operating hours of the park. With these provisions staff believes that the site will have adequate control over disruptive behavior on and outside the premises.

6. Compatibility with existing surroundings as it relates to the size of the community garden; The park is located on a 35,262 square foot portion of a 6.5-acre park. It is anticipated to be compatible with the existing park and is expected to bring value to the existing park.

7. Adequate accessibility to the site and for public parking within the vicinity, which does not create a nuisance to the surrounding area or general public; The park will be open to the surrounding neighbors and the residents of Friendship Village and therefore foot traffic is to be the most expected. Parking on street is available to those who want to access the park or the garden via a vehicle. The garden site will have ADA accessibility all throughout providing planters and access to all of the benefits of the garden.

8. Evaluation of acceptable hours/days of operation, including outdoor retailing of produce; The garden will be open to residents matching the hours of Erhardt Park – 6AM to 10:00PM.
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. Hours of operation to mirror Erhardt Park on a daily basis – 6:00 AM to 10:00 PM.

6. Any restroom facility to be constructed needs to be a permanent facility with plumbing and a foundation and completed with the first phase.

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 ERHARDT PARK COMMUNITY GARDEN and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.

- Any intensification or expansion of use shall require a new Use Permit.

BASIS OF BUILDING HEIGHT: Measure height of buildings from top of curb at a point adjacent to the center of the front property line.

CIVIL ENGINEERING:
- Coordinate site layout with Utility provider(s) to provide adequate access easement(s).
- Clearly indicate property lines, the dimensional relation of the buildings to the property lines and the separation of the buildings from each other.
- Verify location of any easements, or property restrictions, to ensure no conflict exists with the site layout or foundation design.
- 100-year onsite retention required for this property, coordinate design with requirements of the Engineering Department.

SOLID WASTE SERVICES:
• Contact Public Works Sanitation Division to verify that vehicle maneuvering and access to the enclosure is adequate. Refuse staging, collection and circulation must be on site; no backing onto or off of streets, alleys or paths of circulation.
• Develop strategy for recycling collection and pick-up from site with Sanitation. Roll-outs may be allowed for recycled materials. Coordinate storage area for recycling containers with overall site and landscape layout.

PARKING SPACES:
• Verify conformance of accessible vehicle parking to the Americans with Disabilities Act and the Code of Federal Regulations Implementing the Act. Refer to Building Safety ADA Accessible Parking Spaces Marking/Signage on Private Development details.
• At parking areas, provide demarcated accessible aisle for disabled parking.
• Distribute bike parking areas nearest to main entrance(s). Provide parking loop/rack per standard detail T-578. Provide 2'-0" by 6'-0" individual bicycle parking spaces. One loop may be used to separate two bike parking spaces. Provide clearance between bike spaces and adjacent walkway to allow bike maneuvering in and out of space without interfering with pedestrians, landscape materials or vehicles nearby.

ZONING AND DEVELOPMENT CODE:
• 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.

LIGHTING:
• Design site security light in accordance with requirements of ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E (Photometric Plan).
• Indicate the location of all exterior light fixtures on the site, landscape and photometric plans. Avoid conflicts between lights and trees or other site features in order to maintain illumination levels for exterior lighting.

LANDSCAPE:
• Trees shall be planted a minimum of 16'-0" from any existing or proposed public utility lines. The tree planting separation requirements may be reduced to no less than 8'-0" from utility lines upon the installation of a linear root barrier. Per Detail T-460, the root barrier shall be a continuous material, a minimum of 0.08" thick, installed to a minimum depth of 4'-0" below grade. The root barrier shall extend 6'-0" on either side of the tree parallel to the utility line for a minimum length of 12'-0". Final approval is subject to determination by the Public Works, Water Utilities Division.
• Prepare an existing plant inventory for the site and adjacent street frontages. The inventory may be prepared by the Landscape Architect or a plant salvage specialist. Note original locations and species of native and “protected” trees and other plants on site. Move, preserve in place, or demolish native or “protected” trees and plants per State of Arizona Agricultural Department standards. File Notice of Intent to Clear Land with the Agricultural Department. Notice of Intent to Clear Land form is available at https://agriculture.az.gov/plantsproduce/native-plants. Follow the link to “applications to move a native plant” to “notice of intent to clear land”.

SIGNS: Separate plan review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Refer to www.tempe.gov/signs.

DUST CONTROL: Any operation capable of generating dust, include, but not limited to, land clearing, earth moving, excavating, construction, demolition and other similar operations, that disturbs 0.10 acres (4,356 square feet) or more shall require a dust control permit from the Maricopa County Air Quality Department (MCAQD). Contact MCAQD at http://www.maricopa.gov/aq/.

ZONING AND DEVELOPMENT CODE REFERENCE:
Section 3-102 Permitted Uses in Residential Districts
Section 3-427 Community Gardens
DEVELOPMENT PROJECT FILE

for

ERHARDT PARK COMMUNITY GARDEN

PL190012

ATTACHMENTS:

1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Landscape Plan
6. Hardscape Plan
7. Ramada Elevations & Details
LETTER OF EXPLANATION
PROJECT: ERHARDT PARK COMMUNITY GARDEN
SUBMITTAL: USE PERMIT
SCOPE: COMMUNITY GARDEN
DATE: 01-28-2019

CITY OF TEMPE PLANNING DEPARTMENT,

It is no surprise that the number of community gardens have significantly increased across the U.S. considering the large amount of studies showing how frequent gardening has improved overall mental and physical health. The community garden at Friendship Village in Tempe will be no exception. By providing a platform where people can come together and learn about sustainable and organic gardening, we believe our goal to create a stronger community will be reachable.

The majority of the site will consist of planting beds (raised and at grade level), but in order to host a variety of other participants and activities, our site will also provide a garden for children, a reading garden, and shaded event space. A well-organized garden is essential for the safety of its users, hence a few small tool storage sheds will be provided throughout the garden. All of the waste produced by the garden will be maintained through a natural composting system consisting of leaves, shredded twigs, and plants which will be used as garden soil for new planting beds. To further provide a safe environment, drinking fountains will be provided along with shaded work areas with a sink, low counters, and lighting.

Due to the anticipation that the majority of the garden users will be residents from the Friendship Village Community and from the immediate surrounding neighborhoods, the main form of transportation to the garden is highly anticipated to be by foot. Hence, no significant vehicular traffic in the adjacent areas are expected to increase.

Because of the garden’s natural building materials, no nuisances from odor, dust, gas, noise, vibration, smoke, heat or glare are anticipated. In fact, the surrounding environment is very likely to experience a cooling effect due to its large amount of greenery, which would be appreciated during the hot summers.

According to Living Building Challenge, a project should strive to encourage users to interact or be close to nature, which is intended to improve well-being. For this reason, an increase in property value because of this community’s amenity is highly plausible, as opposed to a deterioration of the neighborhood or to the downgrading of property values.

Being considerate of the existing surrounding structures, including the City of Tempe’s Park Improvement project at Ehrhardt Park, which is currently in progress, our shade canopies will be similar in style to be consistent and compliment the overall aesthetics of the park.

In terms of adequate control of any disruptive behavior, Friendship Village will provide staff members to work different shifts throughout the week and a daily on-site manager. The garden will be open to the public during on-site manager hours. After hours, only gardeners with reserved garden plots will be able to enter the site with an access code.

In conclusion, we believe the community garden will help its users become healthier both, mentally and physically. We believe the garden will also inspire Friendship Village residents and local neighbors to come together, learn about sustainable, organic food production and become a more united community.

Please feel free to contact me with any further questions.

Thank you.

Nicole Darling
nicole.darling@ryancompanies.com
602.322.6100
ORLANDO MODEL
16' X 16'

SPECIFICATIONS

Dimensions:

Roof Dimensions: 16'-0" x 16'-0"
Column Dimensions (center to center): 13'-0" x 13'-0"
Eave Height: 8'-0"
Roof Height @ Ridge: ± 11'-4 1/2"
Gable Roof: 4:12 pitch
Square Feet Under Roof: 256

Columns shall be 6"x 6" steel tube, minimum .120" wall thickness.
All beams shall be structural steel tube sized according to engineering.
All bolts shall be A-325 or A-307 and hidden at all connections.
Roofing shall be 24 gauge 12" Standing Seam steel pre-cut and pre-finished with ribs running with the slope of the roof.
Fascia shall be tube steel.
Sub-roof shall be select grade SPF 2"x 6" Tongue & Groove, rough one side.
Trim shall be 24 gauge pre-finished to match roofing.
Open or welded “C” channel, “I” beams, “S” or “Z” purlins or angle iron shall not be allowed.
ELEVATION 16'X16' ORLANDO MODEL

24 GA. 12" STANDING SEAM STEEL ROOF OVER 2"X6" T&G SUB-ROOF

FASCIA BEAM

6"X6" COLUMN
END ELEVATION 16'X16' ORLANDO MODEL

NOT FOR CONSTRUCTION

24 GA. 12" STANDING SEAM STEEL ROOF OVER 2"X6" T&G SUB-ROOF

COMPRESSION RING

RAFTER BEAM

BARGE BEAM

6"X6" COLUMN
ORLANDO MODEL

20’ X 30’

SPECIFICATIONS

Dimensions:

Roof Dimensions 20’-0”x 30’-0”
Column Dimensions 16’-0”x 26’-0”
Eave Height 7’-6”
Roof Height @ Peak ±10’-11 ½”
Gable Roof 4:12 pitch
Square Feet Under Roof ±600
Date of drawing March 8, 2018

Columns shall be 7”x7” steel tube, .188” minimum wall thickness.
All beams shall be structural steel tube sized according to engineering.
All bolts shall be A-307 or A-325 and hidden at all connections.
Roofing shall be 24 gauge HR-36 steel pre-cut and pre-finished with ribs running with
the slope of the roof.
All trim shall be 24 gauge pre-finished to match roofing.
Fascia trim shall be 24 gauge, 1½” “J” channel.
Open or welded “C” channel, “S” or “Z” purlins or angle iron shall not be allowed.
There shall be provisions for (1) lights and (1) outlets.
Looking for convenient storage close to your garden or deck?

The Grand Garden Chalet Kit Includes:
- Functional Double Doors
- Western Red Cedar Construction
- Panelized Cedar Sided Walls
- 2 Adjustable Shelves
- Cedar Shingle Roof
- Panelized For Quick Assembly
- Hardware Included (screws and nails).

Specifications:

A: Floor Footprint = 74 1/4” wide x 35 3/4” deep
B: Overall Width Incl. Roof Overhang = 78”
C: Overall Depth Incl. Roof Overhang = 38 1/2”
D: Overall Height Incl. Floor & Roof - Rear = 74”
E: Overall Height Incl. Floor & Roof - Front = 69”
F: Interior Width frame to frame = 70”
G: Interior Depth frame to frame = 31 3/4”
H: Interior Height from floor - Rear = 69”
I: Interior Height from floor - Front = 65 1/2”
J: Door Dimensions = 40” wide x 62 1/2” high

Shipping Pkg. Size: 78”w x 41”d x 20”h
Shipping Weight: = 335 lbs
9’x6’ Cabana Garden Shed
Item#CB96Bev

The Cabana is an excellent multipurpose garden shed. Ideal as a playhouse, poolside retreat, workshop or storage building for garden or pool equipment.

The Cabana Kit Includes:
- 2 Functional Windows with Screens
- 31” Wide Functional Dutch Door
- Western Red Cedar Construction
- 2 Flower Boxes
- Panelized Cedar Bevel Sided Walls
- 2x3 Frame Construction
- Cedar Roof with Shingles Already Attached
- Panelized For Quick Assembly
- Hardware Included (screws and nails).

Specifications:

A: Floor Footprint = 105” wide x 75” deep
B: Overall Width Incl. Roof Overhang = 117”
C: Overall Depth Incl. Roof Overhang = 89”
D: Overall Height Incl. Floor & Roof = 101”
E: Interior Width frame to frame = 100”
F: Interior Depth frame to frame = 70”
G: Interior Height from floor = 90”
H: Window Size = 18 1/4” wide x 22 1/2” high
I: Door Dimensions = 31 1/2” wide x 72” high

Shipping Pkg. Size: 88”w x 48”d x 42”h
Shipping Weight: = 1050 lbs