



**SECOND REVISED**

**CITY OF TEMPE  
REQUEST FOR COUNCIL ACTION**

**Council Meeting Date: 09/10/2015  
Agenda Item: 6C2**

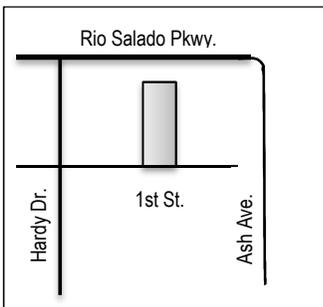
**ACTION:** Hold the second and final public hearing to adopt an ordinance for a Zoning Map Amendment from GID to MU-4 and a Planned Area Development Overlay, for BROADSTONE LAKESIDE, located at 500 West 1st Street, for a new four-story mixed-use development containing 168 units and co-work office space; hold a public hearing to adopt a resolution authorizing a General Plan Projected Density Map Amendment from Medium to High Density (up to 25 du/ac) to High Density-Urban Core (more than 65 du/ac) (*Note, the General Plan Amendment requires an affirmative vote of at least two-thirds (2/3) of the City Council; therefore a Council vote of 5 of 7 is required for approval*); and, approve a Development Plan Review. The applicant is Huellmantel & Affiliates. (Ordinance No. O2015.42; Resolution No. R2015.90)

**FISCAL IMPACT:** While these resolution and ordinance changes do not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

**RECOMMENDATION:** Adopt Resolution No. R2015.90 and Ordinance No. O2015.42  
Staff – denial of General Plan Amendment request (approval of lesser density); approval of Zoning Map Amendment, Planned Area Development Overlay, and Development Plan Review, subject to conditions  
Development Review Commission – **Approval (6-1 vote), subject to modified conditions**

**BACKGROUND INFORMATION:** BROADSTONE LAKESIDE (PL150188) is a proposed four-story, mixed use development containing 168 dwelling units and 2,053 square feet of co-work office space. **At the Development Review Commission hearing of August 25, 2015, the applicant provided revised building elevations and a rendering. These revised plans were recommended for approval by the commission and are included in the attachments.** THE GENERAL PLAN AMENDMENT REQUIRES AN AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS (2/3) OF THE CITY COUNCIL; THEREFORE, A COUNCIL VOTE (5 OF 7) IS REQUIRED FOR AN APPROVAL. The request includes the following:

1. General Plan Projected Density Map Amendment from Medium to High Density (up to 25 du/ac) to High Density-Urban Core (more than 65 du/ac). **(5 of 7 votes required)**
2. Zoning Map Amendment from GID RSOD (General Industrial District, Rio Salado Overlay District) to MU-4 (Mixed-Use, High Density) RSOD
3. Planned Area Development Overlay to establish development standards for a new mixed-use project with a density of 70 du/ac, a maximum 60' building height, 55% lot coverage, and 20% landscape area, with defined setbacks and parking ratios.



Existing Property Owner	Rio Salado Enterprises, LLC Town Lake Properties, LLC City of Tempe
Future Property Owner	Alliance Residential Co.
Applicant	Charles Huellmantel, Huellmantel & Affiliates
Zoning District (current/proposed)	GID RSOD/ MU-4 PAD RSOD
Gross/Net site area	2.40 acres
Proposed Density / Units	70 du/ac / 168 units (no standard) (GID, n/a)
Unit Types	32 Studio 63 one bedroom

	71 two bedroom 2 three bedroom
Total Building area	279,855 s.f.

Lot Coverage	55% (no standard) (GID, no standard)
Building Height	60' (no standard) (GID, 35')
Building Setbacks	11'-1" front (south), 6'-8" east side, 6'-10" west side, 11'-9" north (rear) (GID, 25' front, 0' sides, 0' rear)
Landscape area	20% (no standard) (GID, 10%)
Vehicle Parking	269 spaces ( min. required by code)
Bicycle Parking	148 spaces (160 min. required by code)

**ATTACHMENTS:** Resolution, Ordinance, and Development Project File

**STAFF CONTACT(S):** Ryan Levesque, Deputy Community Development Director, (480) 858-2693

Department Director: Dave Nakagawara, Community Development Director

Legal review by: Teresa Voss, Assistant City Attorney

Prepared by: Karen Stovall, Senior Planner

**COMMENTS**

This site is located on the north side of 1st Street and on the south of Lakeside Drive (south of Rio Salado Parkway). It is east of Hardy Drive and west of Farmer Avenue. The property is currently zoned GID and is within the Rio Salado Overlay district. It is located approximately 430 feet west of the Transportation Overlay District Corridor Area and approximately 1,500 feet from the nearest light rail station.

The site currently contains office, manufacturing, and industrial buildings. To the east are the Regatta Pointe condominiums, and to the west are the 525 Town Lake condominiums. The far north portion of the site, along Lakeshore Drive, is identified to be developed with a sidewalk and parking spaces. Though functioning as a street, Lakeside Drive is actually a city-owned parcel that runs along the south side of Rio Salado Parkway. The property containing approximately the north 15' of the development identified on the plan is owned by the City of Tempe; the city has authorized the applicant to obtain an easement for access and development of the parking spaces.

This request includes the following:

1. General Plan Projected Density Map Amendment from Medium to High Density (up to 25 du/ac) to High Density-Urban Core (more than 65 du/ac).
2. Zoning Map Amendment from GID RSOD (General Industrial District, Rio Salado Overlay District) to MU-4 (Mixed-Use, High Density) RSOD
3. Planned Area Development Overlay to establish development standards for a new mixed-use project with a density of 70 du/ac, a maximum 60' building height, 55% lot coverage, and 20% landscape area, with defined setbacks and parking ratios.
4. Development Plan Review including site plan, building elevations, and landscape plan for a four-story, mixed use development containing 168 dwelling units and 2,053 square feet of co-work office space

The applicant is requesting that the City Council approve the four items listed above. For further processing, the applicant will need approval for Preliminary and Final Subdivision Plats to combine the four existing lots into one and easements on City of Tempe owned property for access, sidewalks, parking, and landscaping.

**PRELIMINARY SITE PLAN REVIEW**

- May 13, 2015: Preliminary Site Plan Review (site plan only) was completed. Project data was not provided. Site plan identified a parking garage and four-story residential. Primary comment made by staff was to provide live-work units along 1st Street, similar to what occurs to west and east. Staff stated that a second Preliminary Site Plan Review was required.
- June 17, 2015: Formal application was submitted. Plans identified 168 units, an unidentified area of "co-working" along 1st Street, and 275 parking spaces. Comments made by staff included: reduce number of dwelling units to result in a density more consistent with the General Plan and other properties in the immediate area; explain the "co-working" area;

increase the office (co-work) component of the project; provide a parking analysis to justify reduction in parking; provide parking for the commercial component; provide a traffic impact study; submit a Use Permit application and justification for tandem parking spaces within the garage; continue use of limestone on all elevations, not just street frontages; incorporate shade devices for windows; use wider canopy shade trees along the west side of the parking lot; consider increasing side building setbacks or providing breaks in the building to allow a wider landscape buffer and growth area for trees between building and property line.

- July 16, 2015: Third Site Plan Review was completed. Comments made by staff included: reduce density to no greater than 65 du/ac; concern with viability of co-working area if renters do not choose to use office space; provide a parking analysis to justify reduction in parking; provide parking for the commercial component of the mixed-use project; provide a traffic impact study; submit a Use Permit application and justification for tandem parking spaces within the garage; provide details of canopies over windows; identify score lines or reveals on elevations; provide designated turn-around spaces at end of dead-end drive aisles in garage; and to measure the building height from grade.
- July 31, 2015: Applicant provided a parking analysis and traffic impact statement. Staff comments were provided to the applicant, and those pertaining to the parking analysis have been addressed in this report.
- August 6, 2015: Applicant provided 1) a revised site plan with a reduced north building setback and increased south building setback and 2) revised building elevations with modified stucco colors, introduction of wood panels, and glass panels on north and south balconies. Staff has not had adequate time to complete full review these revised plans or confirm that the data on all plans are consistent and correct.
- August 10, 2015: Applicant provided revised elevations to reflect the building height measured from grade.

#### **PUBLIC INPUT**

A neighborhood meeting was held on June 24, 2015. In addition to the applicant's team members, approximately four individuals were in attendance. An attendee expressed concerns regarding the proposed building height and setback along 1st Street. The applicant's meeting summary is attached.

Staff received one phone call and follow-up e-mail from a resident of the Regatta Pointe condominiums to the east of the project. She expressed concerns with the narrow building setbacks adjacent to the east property line and the setback between the parking spaces along Lakeside Drive and the units. The e-mail is attached.

#### **DEVELOPMENT REVIEW COMMISSION**

This request was heard at the August 25, 2015 Development Review Commission hearing. A summary of that hearing will be provided for the second City Council hearing on September 10, 2015.

#### **PROJECT ANALYSIS**

##### **GENERAL PLAN**

The General Plan 2040 projects this property as "Mixed-Use, Medium to High Density" (up to 25 du/ac). The applicant proposes to modify the Projected Density map from "Medium to High Density" (up to 25 du/ac) to "High Density-Urban Core" (more than 65 du/ac).

Surrounding governmental agencies and utilities have been notified by the City of Tempe of this proposed General Plan Amendment. As of the completion of this report, there have been no responses.

The project complies with the existing Mixed-Use projected land use of the General Plan 2040. This category encourages creatively designed developments which create a living environment, reflective of a village concept, in which there is the opportunity to live, work and recreate in the same development or within the area. The MU-4 zoning district allows the mix of uses being proposed. This request complies with the projected land use with the integration of a small co-work office space.

The existing General Plan projected residential density for this site is Medium to High Density (up to 25 du/ac). See the existing General Plan 2040 Projected Density Map of the area below.

### Existing General Plan 2040 Project Density Map:



The requested density of 70 du/ac would require an amendment to the High Density-Urban Core category (greater than 65 du/ac). The Projected Density map identifies areas intended for High Density-Urban Core development as generally south of the Loop 202, north of Apache Boulevard, east of the railroad tracks, and west of Dorsey Lane. These areas are along the Light Rail Transit corridor and within a Land Use Hub that includes the Town Lake District, Downtown/Mill Avenue District, and ASU/Stadium District. See Attachment 3 for General Plan 2040 Figure 3 Land Use Hubs.

The proposed density is not aligned with the General Plan objectives. Land Use Goal Objective LU1 is to “Establish development of multiple hubs with higher density cores serving the surrounding neighborhoods as its mixed-use urban activity center.” The first strategy of this objective is to “Intensify higher density mixed-use redevelopment within hubs.” The request ignores the intent of the land use hubs to encourage that the highest density developments be concentrated in the downtown. Objective LU3 is “seek balance and compatibility of new land use development with established residential neighborhoods.” No properties along 1st Street and west of Ash Avenue are designated as greater than 65 du/ac. The majority of properties on the north and south sides of 1st Street are designated as up to either 15 du/ac or 25 du/ac. Developments directly adjacent to this site are the 525 Town Lake Condominiums to the west and Regatta Pointe Condominiums to the east, both with a density category of up to 25 du/ac. The only exception along 1st Street is Skywater at Town Lake (formerly Argo at Town Lake), located two lots to the west, which has a density of 63 du/ac and is designated as High Density (up to 65 du/ac). Though all sites are reviewed on a case-by-case basis, approval of a development on 1st Street with a density greater than 65 du/ac could encourage higher density developments in the future and lose track of the intended mid-range residential density planned for this neighborhood.

In order to redevelop the site with a density that is compatible with the established residential neighborhood, staff recommends denial of the requested High Density-Urban Core (more than 65 du/ac) and approval of High Density (up to 65 du/ac). This would require a decrease of the proposed density from 70 du/ac to a maximum of 65 du/ac for a total of 12 fewer units (168 down to 156).

#### Section 6-303 D. Approval criteria for General Plan amendment (*in italics*):

1. *Appropriate short and long term public benefits.* While the General Plan 2040 encourages redevelopment of this site as mixed-use that includes a residential component, the proposed density is out of character with the expected density of the neighborhood. Approval of a lower density will allow redevelopment of the site while maintaining the desired character.
2. *Mitigates impacts on land use, water infrastructure or transportation.* The development will intensify the use of water infrastructure and transportation, but this is expected in this corridor and the intensification is within design limits.

3. *Helps the city attain applicable objectives of the General Plan.* Development of the site at the recommended density (up to 65 du/ac) will help attain several objectives of the General Plan, including: seeking balance and compatibility of new land use development within established neighborhoods and promoting compact, efficient infill development.
4. *Provides rights-of-way, transit facilities, open space, recreational amenities or public art.* The proposed project does not require additional rights-of-way or transit facilities. Improvements adjacent to 1st Street include voluntary public art in the form of artistic bicycle racks near the co-work area.
5. *Potentially negative influences are mitigated and deemed acceptable by the City Council.* While the recommended density category is higher than both of the categories on either side of the site, the density will result in a development that is not significantly different in character than the adjacent properties. The requested height of 60' will result in a four-story development. Developments on either side range from three-stories to the west and two- to four-stories on the east.
6. *Judgment of the appropriateness of the amendment with regard to market demands, and impacts on surrounding area, service, fiscal, traffic, historic properties, utilities and public facilities.* The request meets the demand for increased multi-family housing in an area close to the downtown. The applicant will bear all costs related to a need for increased infrastructure capacity adjacent to the site.

## ZONING

The proposed Zoning Map Amendment from GID to a mixed use district conforms to the existing General Plan Projected Land Use category of Mixed-Use. The zoning is appropriate to the surrounding sites, which are zoned mixed-use to the east and west along the north side of 1st Street. While the applicant could request the MU-3 district, which permits a density up to 25 du/ac, a density of 63 du/ac was most recently approved for the Skywater development to the west. This neighborhood is adjacent to the downtown and within reasonable proximity to a light rail corridor, where an increased number of residents would have access to employment, services, and transit.

Section 6-304 C.2. Approval criteria for Zoning amendment (*in italics*):

1. *The proposed zoning amendment is in the public interest*, because it will eliminate the existing industrial uses in an area intended for mixed-use development and enhance the street frontage along 1st Street.
2. *The proposed zoning amendment conforms with and facilitates implementation of the General Plan*, as it is necessary to implement the existing Land Use category.

## PLANNED AREA DEVELOPMENT

The applicant requests a Planned Area Development (PAD) Overlay consisting of 168 dwelling units and 2,053 square feet of co-work office space within a 60-foot high building. The table below shows a comparison of the development standards for the GID zoning district and the proposed MU-4 zoning with PAD Overlay.

<b>BROADSTONE LAKESIDE – PAD Overlay</b>			
<b>Standard</b>	<b>GID</b>	<b>PROPOSED MU-4 PAD</b>	<b>Change</b>
Residential Density (du/ac)	n/a	70	Increase

Building Height (feet) [Exceptions, see Section 4-205(A)]			
Building Height Maximum	35'	60'	Increase
Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]	Yes	Yes	n/a
Maximum Lot Coverage (% of net site area)	40%	55%	Increase
Minimum Landscape Area (% of net site area)	10%	28%	Increase
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]			
Front (south, 1st St.)	25'	20'-5"	Decrease
West Side	0'	6'-10"	Increase
East Side	0'	6'-8"	Increase
Rear (north)	0'	11'-9"	Increase

The table below is a comparison of other PADs approved along 1st Street:

<b>PAD Overlay Comparison</b>			
<b>Standard</b>	<b>Regatta Pointe Condominiums (2001)</b>	<b>Residences at Town Lake Condominiums (2005)</b>	<b>Skywater (Argo) Apartments (2012)</b>
Zoning	MG (prior to MU)	MU-2	MU-4
Acres	5.49 acres	3.3 acres	5.72 acres
Number of Units	136	67	328
Residential Density	25 du/ac	20 du/ac	63 du/ac
Building Height (feet)			
Building Height Maximum	64'(3-4 stories over garages)	35' (3 stories)	90' (units over podium parking structure)
Maximum Lot Coverage (% of net site area)	20%	26%	75%
Minimum Landscape Area (% of net site area)	25%	49%	43% (including podium amenity deck)
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]			
South (1st Street)	10'	20'	0'
Side (east side)	Approx. 12' (not specified in PAD)	12'	34'
Side (west side)	Approx. 8' garage, 40' units (not specified in PAD)	19'	34'
Rear (north)	Approx. 27' (not specified in PAD)	25'	0'
Studio	0	0	32
1 Bedroom	22	0	135
2 Bedroom	106	60	136
3 Bedroom	0	0	16
Live Work	8	7	9
Commercial space	0	0	2,647 s.f.
Vehicle Parking Required	307	148	664
Vehicle Parking Provided	277	148	559
Bicycle Parking Required	162	34	250
Bicycle Parking Provided	148	79 (1 per garage + 12 in racks)	250

The recommendation to approve a General Plan Projected Density Map Amendment to a lower residential density category leads to a recommendation to reduce the proposed PAD density from 70 du/ac to no greater than 65 du/ac.

Condominiums to the west are 35' high (three stories), and the Regatta Pointe Condominiums to the east are 64' high (two to four stories). Skywater at Town Lake, two lots to the west, is 90' high (six stories).

The lot coverage of 55% is consistent with typical multi-family coverage maximums and with other developments in the area. On-site landscape area is 28%, which is average for a mid-range multi-family project (typically minimum of 25%).

The Zoning and Development Code (ZDC) requires a building height step-back when adjacent to a single-family or multi-family zoning district. This would require an additional one-foot building setback for each one-foot of building height over 30'. The developments to the west and east are zoned mixed-use, so no step-back is required. This project takes advantage of the existing side building setbacks provided on the developments to the west and east, proposing narrow setbacks of just less than seven feet on both sides of the site. While increased setbacks or additional breaks in the building would be preferred, parking spaces and drive aisles exist to the west and east, allowing adequate air space between units on adjacent parcels.

The ZDC requires resident and guest parking spaces based on the number of units and bedrooms within a project. This project does not use the ZDC ratios to determine vehicle parking and instead uses a flat 1.11 parking space per bedroom ratio, without separate consideration for guest or office parking. The applicant has provided a parking study for justification of this reduction, which is included in the attachments. A discrepancy exists in the study, which identifies a 1.11 spaces per bedroom ratio but states that the result is 269 spaces; at 1.11 spaces per bedroom, 270 spaces would be required. A condition is included to require the minimum 270 spaces, per the study. The table below summarizes the required and proposed *vehicle* parking for the project.

Unit Type	Unit Quantity / SF	Ratio	Parking Required per ZDC	Proposed Parking per PAD (1.11/bedroom ratio)
Studio	32	1 space per unit	32	35.5
1 bedroom	63	1.5 space per unit	94.5	69.9
2 bedroom	71	2 spaces per unit	142	157.6
3 bedroom	2	2.5 spaces per unit	5	6.7
Guest		.2	33.6	0 (none proposed)
Co-Work	2,053 s.f.	1/300 s.f.	7	0 (none proposed)
<b>TOTAL</b>	<b>168</b>		<b>314</b>	<b>270</b>

The parking analysis does not account for the co-work (office) component of the project, and none is identified on the site plan. The applicant intends that the co-working area be used by residents of the community; however, provisions should be made to provide parking for customers of the office during normal business hours. Additionally, if the co-working component is converted to a typical office use in the future, adequate parking should be provided. A condition is included to require a minimum of 7 vehicle parking spaces for the office use.

No justification for a reduction in the required number of bicycle parking spaces has been provided. In fact, the parking analysis states that the site's "proximity to Arizona State University, the new State Farm Complex, and other offices within Marina heights" will create a higher percentage of walking and bicycle trips than anticipated..." by the code. With the intent of this project to encourage a community that is less reliant on vehicle transport, the development should provide the minimum number of bike spaces required by code. The plan does not indicate the number of bike spaces exterior to the building or interior to the garage. A condition is included to require that adequate bicycle parking is provided either exterior to the building, interior to the building in a common room, or interior to the units.

A draft traffic impact statement was provided by the applicant (see attached), and the Public Works Department has provided comments regarding this draft. Public Works has stated that the transportation infrastructure can support the proposed increase of residential units and can, therefore, support the request. A condition is included that the traffic statement is revised to address staff's comments and a final statement is submitted and approved prior to issuance of the first building permit.

Section 6-305 D. Approval criteria for P.A.D. (*in italics*):

1. *The development fulfills certain goals and objectives in the General Plan and the principles and guidelines of other area policy plans. Performance considerations are established to fulfill those objectives. With the reduced density recommended by staff, the development will fulfill the goals of the General Plan by creating a mixed-use project on a parcel identified as mixed-use on the Projected Land Use Map. The recommended density will be more consistent with other projects in the area and will encourage higher density developments to occur where identified as preferred locations in the General Plan.*
2. *Standards requested through the PAD Overlay district shall take into consideration the location and context for the site for which the project is proposed. The requested development standards take the site context into consideration. The setback along the south property line aligns with the building to the west and provides an opportunity for a patio adjacent to 1st Street. A parking reduction is requested, accounting for the site's location near the downtown and a public transit corridor.*
3. *The development appropriately mitigates transitional impacts on the immediate surroundings. The setback and patio along 1st Street will allow a more pleasant pedestrian experience.*

## DEVELOPMENT PLAN REVIEW

### Site Plan

The property is 2.4 acres and is rectangular in shape. The project is designed as two L-shaped buildings that are joined together by a central open corridor and outdoor amenity area. A new sidewalk is proposed along Lakeshore Drive, which will connect existing sidewalks on the north end of 525 Town Lake Condominiums to the west and Regatta Pointe Condominiums to the east. Vehicular access is provided by a driveway on 1st Street and another one on Lakeshore Drive. The driveway on 1st Street leads to a porte-cochere and a small (nine space) parking lot. The driveway on Lakeshore leads to another porte-cochere, a surface parking lot, and a below-grade parking garage. Access to the garage is only provided via Lakeshore Drive.

The site design does not include a driveway through the site, from 1st Street to Lakeshore Drive. The Fire Department has expressed concern with the availability of ladder truck access interior to the site. To allow adequate room for a ladder truck to park and service the site, Fire has stated that the landscape island in the center of the north parking lot be eliminated. A condition is included to require the elimination. Fire has also requested the addition of a fire hydrant internal to the site, and a condition addresses this. To increase the amount of landscaping within the parking lot and comply with the code requirement of one planter per 10 parking spaces, a condition is also included to add a landscape island near the center of the row of 11 parking spaces in the north surface parking lot.

Discrepancies exist with the building setbacks noted within letter of explanation, the project data tables, and the revised site plan (received August 6, 2015). The letter of explanation and data tables note the south setback as 11'-1" and the north setback as 16'-11". The site plan identifies a south setback of 20'-5" and a north setback of 11'-9". Staff supports a 20'-5" south setback; however, the revised north setback places the dwelling units closer to the proposed sidewalk and vehicle parking spaces, resulting in a minimum separation between sleeping area and sidewalk of approximately 4' and between sleeping area and parking spaces of approximately 10'. ZDC Section 4-503.E, Design and Construction Standards for Pathways and Access Ways, requires that pathways be separated a minimum of 10' from sleeping areas on the ground floor to provide privacy. Staff recommends a condition to require a minimum 10' separation between the sidewalk and sleeping area of the units and a minimum 14' separation between parking spaces and sleeping area. This could be addressed by either modifying the floor plan/unit plan to locate non-livable areas along the north end of the building or shifting/eliminating the units closest to the sidewalk and parking.

### Building Elevations

The building design is contemporary with flat roofs, and parapets to screen rooftop mechanical equipment. Metal roofs and stone trim finish off the top. The majority of the building is finished with stucco. Stone veneer is on the north and south elevations and wraps around the corners. Wood panels are proposed on the north and south elevations. There is concern with the longevity of the wood panels. Staff research has identified an approximate ten year lifespan for the Trespa Meteon panels. A condition is included to require the replacement of the panels if significant weathering occurs. The south and north

balconies are enclosed with glass panels within metal railing. No details of the glass have been provided, but a condition is included to require that the glass be laminated for safety and security. The elevations identify three stucco colors on the east and west elevations, which are shades of gray, but only two colors are identified in the material/color key notes. The elevations should be revised to identify the third color.

Discrepancies exist with the maximum proposed building height identified in the project data tables, the height identified on the most recent elevations (received August 10, 2015), and the building sections. These show 60', 57'-4", and 60', respectively. The applicant should revise the elevations and sections to match.

### **Landscape Plan**

On-site landscaping totals 20%. The design incorporates a comfortable pedestrian environment along 1st Street. This includes a landscape buffer with shade trees and landscaping and patio space between the sidewalk and building. Landscaping along both side property lines is significant with Willow Acacia adjacent to building walls and Desert Museum Palo Verde in the parking lot. Ash trees provide shade along 1st Street while Date Palms will create a sense of arrival.

Section 6-306 D Approval criteria for Development Plan Review (*in italics*):

1. *Placement, form, and articulation of buildings and structures provide variety in the streetscape; the building is designed with variation in materials, colors, fenestration, and wall planes. The design provides variety in the streetscape.*
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort; metal shades are provided above west-facing windows, and balconies are recessed to provide shade for residents. Shade trees planted along all building sides will mitigate heat retention.*
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings; materials provide detail appropriate with their location and function. A condition will be included to address the longevity of the proposed wood panels.*
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings; the proposed building height is no higher than other structures in the immediate area. The street frontage and landscape elements are designed appropriately to encourage a better pedestrian environment along 1st Street.*
5. *Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, featuring an enhanced pedestrian experience at and near street level; variation is provided in wall planes, materials, and building height to relieve monotony. Use of materials along the street frontages varies from stone veneer and wood panels at the base to stucco at the top.*
6. *Building facades provide architectural detail and interest overall with visibility at street level (in particular, special treatment of windows, entries and walkways with particular attention to proportionality, scale, materials, rhythm, etc.) while responding to varying climatic and contextual conditions; design elements at the street level include stone veneer-clad columns, wood panels, and a significant amount of glazing to create interest. Architectural details also shade windows and entrances.*
7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; the project provides clear pedestrian access from the site to sidewalks on the north and south sides of the project.*
8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; vehicular circulation is clearly delineated and separated from pedestrian pathways.*

9. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; the majority of parking spaces will be behind a primary gated entrance off of Lakeshore Drive. The parking garage will also be gated, restricting access to resident-only parking spaces. Building access will be restricted by key, and mailboxes will be provided interior to the building. The height of proposed landscaping adjacent to pedestrian paths and lighting requirements both outside and within the parking garage will comply with CPTED principles.*
10. *Landscape accents and provides delineation from parking, buildings, driveways and pathways; landscaping along the building perimeter will accent the development and is used to delineate pedestrian areas and pathways.*
11. *Signs have design, scale, proportion, location and color compatible with the design, colors, orientation and materials of the building or site on which they are located; signs are subject to separate development plan review.*
12. *Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects. Lighting will comply with current code requirements to meet the minimum illumination levels and be non-intrusive to adjacent properties.*

**Conclusion**

Staff recommends denial of the requested General Plan Projected Density Map Amendment and approval of an amendment to High Density (up to 65 cu/ac). Staff recommends approval of the requested Zoning Map Amendment, Planned Area Development Overlay, and Development Plan Review.

**REASONS FOR DENIAL OF GENERAL PLAN PROJECTED DENSITY MAP AMENDMENT:**

1. The project does not fulfill the goals and objectives of the General Plan.
2. Approval of a lower density will allow redevelopment of the site while maintaining the desired character of this area of the city.

**REASONS FOR APPROVAL OF ZONING MAP AMENDMENT, PLANNED AREA DEVELOPMENT OVERLAY, AND DEVELOPMENT PLAN REVIEW:**

3. With recommended conditions, the project will meet the development standards required under the Zoning and Development Code.
4. The PAD overlay process was specifically created to allow for greater flexibility, alternate setbacks, building heights, and landscape design.
5. With recommended conditions, the proposed project meets the approval criteria for a Planned Area Development Overlay and Development Plan Review.

**GENERAL PLAN AMENDMENT  
CONDITION OF APPROVAL:**

- ~~1. The General Plan Projected Density Map Amendment from Medium to High Density (up to 25 du/ac) to High Density-Urban Core (more than 65 du/ac) is denied; instead an amendment to High Density (up to 65 du/ac) is approved.  
(DELETED BY COMMISSION)~~

**ZONING AMENDMENT AND PLANNED AREA DEVELOPMENT  
CONDITIONS OF APPROVAL:**

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

1. A building permit application shall be made on or before two years from the date of City Council approval, or the zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process as a zoning map amendment.
2. The property owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily

waive(s) any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City's approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than October 12, 2015, or the General Plan Map Amendment, Zoning Map Amendment, and PAD approval shall be null and void.

3. An easement on the parcel owned by the City of Tempe must be obtained from the Public Works Department prior to submittal of construction documents for a building permit. The easement shall include a driveway to provide ingress and egress, parking, sidewalks, landscaping, and irrigation.
4. The Planned Area Development Overlay for Broadstone Lakeside shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.
5. The maximum density shall be no greater than 65 **70** du/ac. (MODIFIED BY COMMISSION)
6. The developer must receive approval of the revised parking analysis prior to submittal for a building permit.
7. The developer must receive approval of the final Traffic Impact Study from the Traffic Engineering prior to issuance of a building permit.
8. Use of the co-work office area is limited to non-residential activities; the co-work space may not be occupied for residential use, **including dwellings, clubhouse, study, gym, lobby, or leasing areas.** (MODIFIED BY COMMISSION)

#### **DEVELOPMENT PLAN REVIEW CONDITIONS OF APPROVAL:**

##### **General**

1. Except as modified by conditions, development shall be in substantial conformance with the site plan, ~~building elevations dated August 3, 2015,~~ **building elevations dated August 13, 2015,** and landscape plan dated July 22, 2015. Minor modifications may be review through the plan check process of construction documents; major modifications will require submittal of a Development Plan Review. (MODIFIED BY COMMISSION)

##### **Site Plan**

2. Provide a minimum 10' separation between the sidewalk and sleeping area of the units and a minimum 14' separation between parking spaces and sleeping area **along the ground floor of the north building face. In areas where this is not feasible, the applicant is required to provide sound mitigation measures on north-facing ground floor sleeping areas. This includes two sheets of interior drywall in the north-facing ground floor sleeping areas and a noise-reducing treatment applied to sleeping area windows at the ground floor.** (MODIFIED BY COMMISSION)
- ~~3. Add a landscape island near the center of the row of 11 parking spaces in the north surface parking lot. The island shall comply with ZDC Section 4-704.C. (DELETED BY COMMISSION)~~
4. Remove the landscape island in the center of the north parking lot to allow clear fire access. Alternatives may be approved by the Fire Department.
5. Provide a fire hydrant in the vicinity of the refuse enclosure. If a hydrant is provided in the landscape island south of the enclosure, the island must be modified to permit room for a hydrant and required landscaping. Final hydrant location shall be approved by the Fire Department.
6. Indicate on the site plan and garage floor plan the number of bicycle parking spaces provided in each area where bicycle racks are identified on the plans. Additional bicycle parking shall be provided interior to the building, either in a common bike parking area(s) or within individual units in order to comply with the required number of spaces.

7. Provide service yard and mechanical (cooling tower/generator) yard walls that are at least 8'-0" tall as measured from adjacent grade and are at least the height of the equipment being enclosed, whichever is greater. Verify height of equipment and mounting base to ensure that wall height is adequate to fully screen the equipment. Locate electrical service entrance sections inside the service yard, as indicated.
8. Provide gates of steel vertical picket, steel mesh, steel panel or similar construction. Where a gate has a screen function and is completely opaque, provide vision portals for visual surveillance. Provide gates of height that match that of the adjacent enclosure walls. Review gate hardware with Building Safety and Fire staff and design gate to resolve lock and emergency ingress/egress features that may be required.
9. Utility equipment boxes for this development shall be finished in a neutral color (subject to utility provider approval) that compliments the coloring of the buildings.
10. Place exterior, freestanding reduced pressure and double check backflow assemblies in pre-manufactured, pre-finished, lockable cages (one assembly per cage). If backflow prevention or similar device is for a 3" or greater water line, delete cage and provide a masonry or concrete screen wall following the requirements of Standard Detail T-214.

### Floor Plans

11. Exit Security:
  - a. Provide visual surveillance by means of fire-rated glazing assemblies from office stair towers into adjacent circulation spaces.
  - ~~b. In instances where an elevator or stair exit in the office or garage is within 21'-0" of an alcove, corner or other potential hiding place, position a refracting mirror to allow someone in the exit doorway to observe in the mirror the area around the corner or within the alcove that is adjacent to the doorway. (DELETED BY COMMISSION)~~
12. Garage Security:
  - a. Minimize interior partitions or convert these to semi-opaque screens to inhibit hiding behind these features.
  - b. Provide exit stairs that are open to the exterior as indicated.
  - c. Paint interior wall and overhead surfaces in garage floor levels with a highly reflective white color, minimum LRV of 75 percent.
  - d. Maximize openness at the elevator entrances and stair landings to facilitate visual surveillance from these pedestrian circulation areas to the adjacent parking level.
13. Parking Garage:
  - a. Minimum required parking dimensions shall be clear of any obstructions.
  - b. At the ends of dead-end drive aisles, provide a designated turn-around space, minimum 8'-6" clear in width (locate on left side if available), including 3'-0" vehicular maneuvering area for exiting. Turn-around area shall be clearly demarcated.
  - c. Provide a minimum 2'-0" of additional width for parking spaces when adjacent to a continuous wall.
  - d. Dead-end drive aisles are permitted in areas reserved exclusively for resident parking so long as the applicant provides signage at the entrance to reserved areas indicating "Resident Parking Only." (ADDED BY COMMISSION)**

### Building Elevations

14. The materials and colors are approved as presented:
  - Stucco building colors – Dunn Edwards – Cold Morning DE6365  
Jet DE6378
  - Stone veneer – Coronado French Limestone – French White
  - Wood panels – Trespa Meteon – ~~Milano Terra~~ **Loft Brown**
  - Stone roof cap – Dunn Edwards – Covered in Platinum DE6367
  - Metal roof – Dunn Edwards – Wharf View DEC799
  - Metal balcony railing – Dunn Edwards – Wharf View DEC799
  - Window, door frames, and storefront system – Anodized aluminum – dark bronze
  - Metal window shade – Dunn Edwards – Wharf View DEC799

Provide primary building colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Additions or modifications may be submitted for review during building plan check process. (MODIFIED BY COMMISSION)

15. ~~Identify the third, medium gray, stucco color shown on the east and west elevations.~~ (DELETED BY COMMISSION)
16. Glass panels at balconies shall be laminated **or the builder shall provide a product with equivalent safety measures to be approved by staff during the building plan review process.** (MODIFIED BY COMMISSION)
17. The property owner shall replace the wood panels on the north and south elevations when weathering occurs. Replacement shall be like-for-like or, with approval of a Development Plan Review, another approved material.
18. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
19. Conceal roof drainage system within the interior of the building.
20. Incorporate lighting, address signs, and incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the building elevations. Exposed conduit, piping, or related materials is not permitted.
21. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
22. Upper/lower divided glazing panels in exterior windows at grade level, where lower glass panes are part of a divided pane glass curtain-wall system, shall be permitted only if laminated glazing at these locations is provided.

### Lighting

23. This project shall follow requirements of ZDC Part 4, Chapter 8, Lighting.
24. Illuminate building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance.

### Landscape

25. The plant palette is generally approved as proposed and specified on the landscape plan. Any additions or modifications may be submitted for review during building plan check process.
26. Irrigation notes:
  - a. Provide dedicated landscape water meter.
  - b. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Use of schedule 40 PVC mainline and class 315 PVC ½" feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than ½". Provide details of water distribution system.
  - c. Locate valve controller in a vandal resistant housing.
  - d. Hardwire power source to controller (a receptacle connection is not allowed).
  - e. Controller valve wire conduit may be exposed if the controller remains in the mechanical yard.
27. Include requirement to de-compact soil in planting areas on site and in public right of way and remove construction debris from planting areas prior to landscape installation.
28. Top dress planting areas with a rock or decomposed granite **or mulch** application. Provide rock or decomposed granite **or mulch** of 2" uniform thickness. Provide pre-emergence weed control application and do not underlay rock or decomposed granite **or mulch** application with plastic. (MODIFIED BY COMMISSION)
29. Trees shall be planted a minimum of 20'-0" from any existing or proposed public water or sewer lines. The tree planting separation requirements may be reduced from the waterline upon the installation of a linear root barrier, a minimum of 6'-0" parallel from the waterline, or around the tree. The root barrier shall be a continuous material, a minimum of 0.08"

thick, installed 0'-2" above finish grade to a depth of 8'-0" below grade. Final approval subject to determination by the Public Works, Water Utilities Division.

### Signage

30. Provide an address sign on the building elevation facing the street to which the property is identified.

- a. Conform to the following for building address signs:
  - 1) Provide street number only, not the street name
  - 2) Compose of 12" high, individual mount, metal reverse pan channel characters.
  - 3) Self-illuminated or dedicated light source.
  - 4) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
  - 5) Do not affix number or letter to elevation that might be mistaken for the address.

Utility meters shall utilize a minimum 1" number height in accordance with the applicable electrical code and utility company standards.

### 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.

- Development plan approval shall be void if the development is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the approval is granted or within the time stipulated by the decision-making body. The period of approval is extended upon the time review limitations set forth for building permit applications, pursuant to Tempe Building Safety Administrative Code, Section 8-104.15. An expiration of the building permit application will result in expiration of the development plan.
- 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](http://www.tempe.gov/zoning) or purchase from Community Development.
- **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Community Development Department, and Fire Department given on the Preliminary Site Plan Review. If questions arise related to specific comments, they should be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the Building Safety Division will be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.
- **STANDARD DETAILS:**
  - Access to Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works Construction, at this link: <http://www.tempe.gov/city-hall/public-works/engineering/standards-details> or purchase book from the Public Works Engineering Division.
  - Access to refuse enclosure details and all other Development Services forms at this link: <http://www.tempe.gov/city-hall/community-development/building-safety/applications-forms>. The enclosure details are under Civil Engineering & Right of Way.
- **BASIS OF BUILDING HEIGHT:** Measure height of buildings from top of curb at a point adjacent to the center of the front property line.
- **COMMUNICATIONS:**

- Provide emergency radio amplification for the combined building and garage area in excess of 50,000 sf. Amplification will allow Police and Fire personnel to communicate in the buildings during a catastrophe. Refer to this link: [www.tempe.gov/index.aspx?page=949](http://www.tempe.gov/index.aspx?page=949). Contact the Information Technology Division to discuss size and materials of the buildings and to verify radio amplification requirements.
- For building height in excess of 50'-0", design top of building and parapet to allow cellular communications providers to incorporate antenna within the building architecture so future installations may be concealed with little or no building elevation modification.
- WATER CONSERVATION: Under an agreement between the City of Tempe and the State of Arizona, Water Conservation Reports are required for landscape and domestic water use for the non-residential components of this project. Have the landscape architect and mechanical engineer prepare reports and submit them with the construction drawings during the building plan check process. Report example is contained in Office Procedure Directive # 59. Refer to this link: [www.tempe.gov/modules/showdocument.aspx?documentid=5327](http://www.tempe.gov/modules/showdocument.aspx?documentid=5327). Contact Public Works Department, Water Conservation Division with questions regarding the purpose or content of the water conservation reports.
- HISTORIC PRESERVATION: State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Contact the Historic Preservation Officer with general questions. Where a discovery is made, contact the Arizona State Historical Museum for removal and repatriation of the items.
- SECURITY REQUIREMENTS:
  - Design building entrance(s) to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and design columns or corners to discourage to opportunity for ambush opportunity. Maintain distances of 20'-0" or greater between a pedestrian path of travel and any hidden area to allow for increased reaction time and safety.
  - Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference the CPTED principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian environments and places of concealment.
  - Provide method of override access for Police Department (punch pad or similar) to controlled access areas including pool, clubhouse or other gated common areas.
  - Provide a security vision panel at service and exit doors (except to rarely accessed equipment rooms) with a 3" wide high strength plastic or laminated glass window, located between 43" and 66" from the bottom edge of the door.
- FIRE:
  - Clearly define the fire lanes. Ensure that there is at least a 20'-0" horizontal width, and a 14'-0" vertical clearance from the fire lane surface to the underside of tree canopies or overhead structures. Layout and details of fire lanes are subject to Fire Department approval.
  - Provide a fire command room(s) on the ground floor of the building(s). Verify size and location with Fire Department.
- ENGINEERING:
  - Underground utilities except high-voltage transmission line unless project inserts a structure under the transmission line.
  - 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.
- REFUSE:

- Enclosure indicated on site plan is exclusively for refuse. Construct walls, pad and bollards in conformance with standard detail DS-116.
  - Contact Public Works Sanitation Division to verify that vehicle maneuvering and access to the enclosure is adequate.
  - 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.
  - Gates for refuse enclosure(s) are not required, unless visible from the street. If gates are provided, the property manager must arrange for gates to be open from 6:00am to 4:30pm on collection days.
- **DRIVEWAYS:**
    - Construct driveways in public right of way in conformance with Standard Detail T-320. Alternatively, the installation of driveways with return type curbs as indicated, similar to Standard Detail T-319, requires permission of Public Works, Traffic Engineering.
    - Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed [www.tempe.gov/index.aspx?page=801](http://www.tempe.gov/index.aspx?page=801) . Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.
- **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.
- **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:**
    - 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 [www.azda.gov/ESD/nativeplants.htm](http://www.azda.gov/ESD/nativeplants.htm) . Follow the link to "applications to move a native plant" to "notice of intent to clear land".
- **SIGNS:** Separate Development Plan Review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Obtain sign permit for identification signs. Directional signs (if proposed) may not require a sign permit. Directional signs are subject to review by planning staff during plan check process.

## **HISTORY & FACTS:**

500 W. 1st Street

- May 19, 1983 Design Review Board approved site plan, building elevations, and landscape plan for McKinley Fence Company located at 500 W. 1st Street.
- September 28, 1983 Board of Adjustment approved a variance to reduce the required percentage of on-site landscaping from 10% to 5% for McKinley Fence Company located at 500 W. 1st Street.
- December 4, 1985 Design Review Board approved a building addition for Johnson Office, located at 500 W. 1st Street.
- January 27, 1987 Certificate of Occupancy granted for the warehouse building located at 500 W. 1st Street.

506-508 W. 1st Street

- September 26, 1978 Certificate of Occupancy granted for the warehouse building located at 506 W. 1st Street.
- August 19, 1998 Design Review Board approved site plan, elevations, and landscape plan for Northstar Pipeline located at 506 W. 1st Street.
- October 16, 2013 Certificate of Occupancy granted for the office building located at 508 W. 1st Street, Ste. 101.
- October 16, 2013 Certificate of Occupancy granted for a manufacturing (distillery) building located at 508 W. 1st St., Ste. 102.
- May 8, 2015 Certificate of Occupancy granted for an office, warehouse, and factory (distillery) located at 508 W. 1st Street, Ste. 102.
- August 25, 2015 This request was heard at the Development Review Commission public hearing.
- August 27, 2015 This request is scheduled for the first City Council public hearing.
- September 10, 2015 This request is scheduled for the second City Council public hearing.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

- Section 6-302, General Plan Amendment
- Section 6-304, Zoning Map Amendment
- Section 6-305, Planned Area Development (PAD) Overlay districts
- Section 6-306, Development Plan Review