



**REVISED**

**CITY OF TEMPE  
REQUEST FOR COUNCIL ACTION**

**Council Meeting Date: 08/27/2015  
Agenda Item: 6B1**

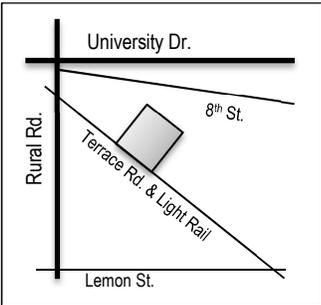
**ACTION:** Introduce and hold the first public hearing to adopt an ordinance for a Zoning Map Amendment and a Planned Area Development Overlay for UNIVERISTY VILLAGE 2.0, located at 920 South Terrace Road, for a new mixed-use development containing 260 units and commercial. The second and final public hearing will be September 10, 2015. A public hearing to adopt a resolution authorizing a General Plan Projected Land Use Map Amendment from Residential to Mixed-Use and a General Plan Projected Density Map Amendment from High Density-Urban Core (more than 65 du/ac) to High Density (up to 65 du/ac), and, to approve a Development Plan Review, is scheduled for September 10, 2015. The applicant is Gammage & Burnham P.L.C. (Ordinance No. O2015.41; Resolution No. R2015.88)

**FISCAL IMPACT:** While this ordinance change does 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. R2015.88 and Ordinance No. O2015.41  
Staff – Approval, subject to conditions  
Development Review Commission – approval (6-1 vote)

**BACKGROUND INFORMATION:** UNIVERSITY VILLAGE 2.0 (PL150026) is a proposed five-story, mixed-use development containing 260 dwelling units and 1,800 square feet of commercial space. The development is designed to serve the needs of university students. THE GENERAL PLAN AMENDMENTS REQUIRE 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 Land Use Map Amendment from Residential to Mixed-Use. **(5 of 7 votes required)**
2. General Plan Projected Density Map Amendment from High Density-Urban Core (more than 65 du/ac) to High Density (up to 65 du/ac). **(5 of 7 votes required)**
3. Zoning Map Amendment from R-4 TOD (Multi-Family Residential General, Transportation Overlay District - Corridor) to MU-4 (Mixed-Use, High Density) TOD.
4. Planned Area Development Overlay to establish the development standards for a new mixed-use project with a density of 57 du/ac, a maximum 75' building height, 57% lot coverage, and 33% landscape area, with defined setbacks and parking ratios.
5. Development Plan Review including site plan, building elevations, and landscape plan.



Property Owner	Park Central Properties
Applicant	Manjula Vaz, Gammage & Burnham, P.L.C.
Current Zoning District	R-4 TOD
Proposed Zoning District	MU-4 PAD TOD
Gross/Net site area	4.58 acres
Proposed Density/Units	57 du/ac / 260 units (no standard) (R-4, max 25 du/ac)
Unit Types	22 studio 29 one bedroom 56 two bedroom 153 four bedroom
Total Building area	559,700 s.f.
Lot Coverage	57 % (no standard) (R-4, max 60%)
Building Height	75 ft. (no standard) (R-4, max 40 ft.)
Building Setbacks	14'-0" (max 20') front, 37'-4" side, 20'-3" side, 35'-3" rear (20' maximum) (R-4, 20' front, 10' sides, 10' rear)
Landscape area	33% (no standard) (R-4, min 25%)

Vehicle Parking	470 spaces provided with requested parking reduction (639 min. required by code)
Bicycle Parking	290 spaces (290 min. required by code)

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

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

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 Terrace Road, approximately 500 feet east of Rural Road and the main Arizona State University campus. The property is within the TOD overlay, with the light rail line running along Terrace from just south of University Drive to Apache Boulevard. The site is surrounded on the southeast and southwest (across Terrace Road) by multi-family developments. To the north is a parking lot associated with a vacant commercial building. To the northwest is a child care center and parking lot owned by ASU. Across Terrace and to the south is a new mixed-use development named The Vertex (formerly 1010 Lemon) that was approved in 2013. It is currently under construction and will contain 200 dwelling units.

The site currently contains the University Village Apartments, a one- and two-story, 101 unit apartment complex constructed around 1962. Noted Phoenix architect Al Beadle designed the circa 1962 buildings currently on the project site. As Beadle was active from the early 1950s through the late 1990s, his full body of work has only recently gained the attention of architectural historians and other scholars. Accordingly, his work has yet to be chronicled in a National Register Multiple Property Documentation Form or other official survey and inventory document. Nonetheless, scholarly recognition of Beadle’s body of work is widespread. Because no comprehensive survey of post-1960 Tempe properties yet exists, the University Village property is not currently listed in the Tempe Historic Property Register or classified as Historic Eligible due to a lack of information with which the Tempe Historic Preservation Commission could judge its local significance relative to other properties of its period. While not formally designated or classified, the Tempe Historic Preservation Office does consider all Beadle-designed buildings in the city to be potentially eligible for historic designation.

The project site sits within the boundaries of a prehistoric archaeological site known as La Plaza Tempe. La Plaza is the largest and most significant prehistoric resource known to exist in the city, with many human remains and other objects of cultural significance having been located throughout the expansive site. Accordingly, per the process specified in § 14A-4(k) of the Tempe Historic Preservation Ordinance, the Tempe Historic Preservation Commission has classified all parcels within the known boundaries of La Plaza Tempe as Archaeologically Sensitive. While this classification does not trigger any City-mandated archaeological monitoring requirements, it does serve as notice of the project site’s archaeological potential and the need to comply with all applicable state and federal cultural resource laws. The Salt River Pima-Maricopa Indian Community (“SRP-MIC”) Cultural Resources Department requests that the project development team ensure archaeological monitoring during any on-site ground disturbing activities and enroll all who will be involved in on-site ground disturbing activity in SRP-MIC’s cultural sensitivity training course.

This request includes the following:

1. General Plan Projected Land Use Map Amendment from Residential to Mixed-Use.
2. General Plan Projected Density Map Amendment from High Density-Urban Core (more than 65 du/ac) to High Density (up to 65 du/ac).
3. Zoning Map Amendment from R-4 TOD (Multi-Family Residential General, Transportation Overlay District) to MU-4 (Mixed-Use, High Density) TOD.
4. Planned Area Development Overlay to establish the development standards for a new mixed-use project with a density of 57 du/ac, a maximum 75’ building height, 57% lot coverage, and 33% landscape area, with defined setbacks and parking ratios.
5. Development Plan Review which includes a site plan, building elevations, and landscape plan for a five-story residential (6.5-story parking garage), 75’ high building containing 260 dwelling units and 1,800 square feet of commercial space within a 559,700 square-foot building.

## **PRELIMINARY SITE PLAN REVIEW**

- January 28, 2015: First Preliminary Site Plan Review was completed for this proposal. Plan identified 259 units and a leasing/amenity/retail area with unidentified sq. ft. Comments made by staff included the request for a fully dimensioned site plan, clarification of a plan for solid waste removal, and the recommendation for a second SPR submittal.
- March 18, 2015: Second Preliminary Site Plan Review was completed. Plans identified 260 units and 2,000 sq. ft. of retail. Comments made by staff included the recommendation of a patio for the commercial space along Terrace Road, use of a detached sidewalk along Terrace, grasscrete or pavers in place of asphalt along the fire lane, provision of a pedestrian connection from the project to the path adjacent to northwest property line, and clarification of a plan for solid waste removal.
- May 13, 2015: Formal application was submitted, and a third Site Plan Review was completed. Plans identified 260 units and 2,000 sq. ft. of flex retail/office. This was the first submittal that included building elevations. Comments made by staff included: show location of bike racks adjacent to retail, increase the sq. ft. of commercial space, setback the building in front of the commercial space to allow room between building and sidewalk for commercial patio, provide variation in building façade with varied wall planes, vary the number of stories to break up building mass and relieve monotony, provide a masonry/stone material along first floor of building (not all stucco), provide shade elements on majority of windows (not just front elevation), provide more detail of metal shading devices, use a darker base color (not white as proposed), and to contact Solid Waste with a plan for refuse removal.
- May 28, 2015: Applicant sent a revised front building elevation to staff that included red brick and stone veneers along the first floor of the building, red brick veneer running up the entire walls of end building sections. Comments made by staff included: use a blonde or beige brick veneer instead of red to better fit into context of site, replace stone with brick, add a metal trellis/canopy on the top floor at the corners of the building, recommend using a color other than off-white, and to add different breaks in the building wall to create a better pattern across the elevation.
- July 1, 2015: Fourth Site Plan Review was completed. Plans identified 260 units and 1,800 sq. ft. of flex retail/office. Comments made by staff included: provide bicycle racks near the commercial space, address required separation of building/trees/other on-site objects from 12' waterline easement, replace tree type along northwest property line to provide better shade, eliminate use of wood laminate and replace with brick cladding, carry brick veneer to top of walls at commercial corner, and contact Solid Waste with a plan for refuse removal.

## **PUBLIC INPUT**

A neighborhood meeting was held on June 8, 2015. In addition to the applicant's team members, approximately 10 individuals were in attendance. Attendees expressed concerns related to the following: quality of building architecture and materials, lack of meaningful public space along Terrace Road, non-active street frontage, and a lack of diverse housing product. The applicant's meeting summary is attached.

## **PROJECT ANALYSIS**

### **GENERAL PLAN**

The General Plan 2040 projects this property as "Residential, High Density-Urban Core" (more than 65 du/ac). The applicant proposes a density of 57 du/ac, which cannot be achieved with any of the existing residential zoning districts; therefore, the applicant requests to modify the land use from Residential to Mixed-Use, which would allow the proposed MU-4 zoning district.

The applicant also proposes to modify the density from High Density-Urban Core (more than 65 du/ac) to High Density (up to 65 du/ac) to align with the proposed density of the project. Development per the current projected density would result in approximately 38 more units. Doing so would result in the reduction of ground-level landscape area and reduced building setbacks and/or an increase in building height. The applicant wishes to provide on-site landscaping to meet the needs of perspective residents and has designed the interior and exterior open space to meet those needs. Alternatively, increasing the number of stories from five (six and one-half for the interior garage) to account for additional units and parking could make the project less compatible with the adjacent one-story and three-story buildings to the north and south of the site.

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

The applicant has provided a written justification for the proposed General Plan amendment, which is provided as an attachment.

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

1. *Appropriate short and long term public benefits.* The proposal will replace an outdated apartment complex with a newer, more contemporary development. The project provides a higher-density development within the light rail corridor, as envisioned by the General Plan 2040.
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.* This development will help attain several objectives of the General Plan, including: establishing development of multiple hubs with higher density cores; 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 but does address its proximity to the existing light rail corridor by widening the public sidewalk on Terrace Road and providing shading, lighting, and seating to support pedestrian circulation. The plan has more than adequate open space and recreational amenities spread throughout the site.
5. *Potentially negative influences are mitigated and deemed acceptable by the City Council.* Although the proposed building height could have an impact on adjacent properties, adequate setbacks are provided to mitigate the height differences. The existing site has generous building setbacks and landscaping along Terrace Road, and the proposed development will reduce the area between the sidewalk and building wall. The applicant acknowledges that this will change the appearance of the street frontage but has incorporated varied setbacks and breaks in the building wall to enhance the pedestrian experience.
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 student housing in an area close to the main ASU campus. Although it is possible that the existing buildings could comply with historic designation status, they are not formally designated or classified. The applicant has been made aware of the possible need to increase infrastructure capacity adjacent to the site, and all costs related to such increases will be paid for by the developer.

## **ZONING**

The property is currently zoned R-4 TOD (Corridor), which permits a maximum density of 25 du/ac, or approximately 14 more units than currently exist. The proposed zoning district, MU-4 TOD, has no maximum density; the density is set by the associated PAD, which will allow up to 57 du/ac.

The current General Plan land use and density categories of Residential with greater than 65 du/ac indicate that this area of the city is expected to intensify to permit increased residential density along a public transit corridor. Neither the existing zoning district of R-4 nor any other multi-family residential district would permit a density that complies with the current General Plan density category. A Zoning amendment to MU-4 is required to exceed a density of 30 du/ac, which is the maximum permitted by the R-5 district.

The proposal will conform to the requested General Plan land use and density map amendments. The proposal is appropriate to the surrounding sites in that the commercial component, which is required by the Mixed-Use designation, is within the western portion of the building, adjacent to another non-residential land use (child care center) and along Terrace Road.

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 permit an increase in residential density along a public transit corridor.*
2. *The proposed zoning amendment conforms with and facilitates implementation of the General Plan, as it is necessary to implement an increased residential density as indicated in the plan.*

**PLANNED AREA DEVELOPMENT**

The applicant requests a Planned Area Development (PAD) consisting of 260 apartment units and 1,800 square feet of flex office/retail space within a 75-foot high building. All but the front building setback are increased beyond what the existing zoning district would permit. The parking garage is wrapped by the residential and commercial components of the building, eliminating the view of parking from the street. The table below shows a comparison of the existing R-4 TOD and proposed MU-4 PAD TOD development standards.

<b>UNIVERSITY VILLAGE 2.0 – PAD Overlay</b>			
<b>Standard</b>	<b>R-4 TOD</b>	<b>PROPOSED MU-4 PAD TOD</b>	
Residential Density (du/ac)	25	57	Increase
Building Height (feet) [Exceptions, see Section 4-205(A)]			
Building Height Maximum	40 ft.	75 ft.	Increase
Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]	n/a	n/a	
Maximum Lot Coverage (% of net site area)	60%	57%	Decrease
Minimum Landscape Area (% of net site area)	25%	33%	Increase
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]			
Front (south Terrace Rd.)	20'	14' (20' max)	Decrease
West Side	10'	37'-4" west	Increase
East Side	10'	20'-3"	Increase
Rear	10'	35'-3"	Increase
Bicycle Parking	.75/unit (studio, 1, & 2 bedrooms) 1/unit (4 bedroom) +.2/unit for guests 1/7,500 SF, 4 min.	.75/unit (studio, 1, & 2 bedrooms) 1/unit (4 bedroom) +.2/unit for guests 1/7,500 SF, 4 min.	n/a
Vehicle Parking	.75/bedroom +.2/unit for guests 1/300 retail SF (25% of SF waived)	.53/bedroom +.2/unit for guests 1/300 retail SF (25% of SF waived)	Decrease

The building height, lot coverage, landscape area, and setbacks are appropriate for the site. The TOD overlay requires that buildings be located close to a public street to encourage pedestrian oriented design. The 14'-16' front setback proposed for this project accounts for a 6' wide landscape buffer adjacent to Terrace and an 8' wide detached sidewalk, which will provide shade over the sidewalk, better separate transit, vehicular, and pedestrian traffic, and make the pedestrian experience more enjoyable. The proposed 75' high building with five residential levels will exceed the heights of buildings on adjacent properties, but large setbacks are provided along the sides and rear of the property to account for fire access and incorporate usable open spaces for residents.

The Transportation Overlay District requires residential vehicle parking at a ratio of .75 per bedroom. The proposed PAD uses a ratio of .53 per bedroom. This results in a vehicle parking reduction for the residential use from 639 spaces to 470 spaces. The applicant has provided a Parking Study for justification of this reduction, which is included in the attachments. The parking quantity is significantly less than required by the TOD overlay but reflects the centralized location of the development, presence of the light rail, and type of residents (student) expected to occupy the units. Retail and guest parking ratios comply with the TOD requirements.

A traffic impact study (TIS) was provided by the applicant and approved by the Public Works Department. The executive summary is included as an attachment.

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.* The development fulfills the goals of the General Plan by increasing the residential density through the development standards in order to more closely match the projected residential density.
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. Sufficient setbacks are provided along interior property lines, which respect adjacent developments and encourage a more pedestrian-friendly atmosphere along the street frontage.
3. *The development appropriately mitigates transitional impacts on the immediate surroundings.* Sufficient setbacks and landscaping will allow this development to transition to lower density and building heights on adjacent properties.

## **DEVELOPMENT PLAN REVIEW**

### **Site Plan**

The property is 4.58 acres and is an irregularly shaped lot. Vehicular access is via a single right-in and right-out only driveway on Terrace Road that leads to a six and one-half level, above grade parking garage that is completely surrounded by the building. The garage contains all resident, guest, and retail parking spaces for the development; surface parking is not provided. A 20' fire lane surrounds the majority of the building, providing emergency access to all areas of the site. To avoid excessive impervious pavement, the majority of the fire lane surface is stabilized decomposed granite. A small portion near the northeast corner is grasscrete to create an additional resident courtyard.

The main building entrance to the leasing office and amenity area is along Terrace. The flex retail/office is also along Terrace, at the west end of the building. Pedestrian access to the building occurs at multiple points along all elevations and lead to interior corridors, elevators, and stairwells to access all building levels.

### **Building Elevations**

The commercial (with residential above) and residential portions of the building are five-stories while the garage that is interior to the residential is six and one-half stories. Maximum building height visible from the street is 70' with an interior garage height of 75'. The design is contemporary in character with flat roofs and parapets to screen rooftop mechanical equipment. The building is finished with split face block and stacked cream-colored brick veneer at the base and stucco on the upper floors. The stacked brick is used from floor to roof at the west end of the building, emphasizing the commercial component. The sand-finished stucco colors are varying shades of gray with orange as an accent. Metal "L" shaped and louvers and awnings shade the leasing and commercial storefront windows as well as the residential windows.

### **Landscape Plan**

On-site landscaping totals 33 percent, and all landscape areas are ground-level; there are no roof-top amenities. The design incorporates a comfortable pedestrian environment along Terrace, as required by the Transportation Overlay District. This includes a landscape buffer with shade trees and detached sidewalk, a landscape strip between the sidewalk and building wall with low-growing ground cover plants, and benches near the leasing/amenity and commercial areas. Proposed plan types are appropriate for the desert and will blend with surrounding developments.

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 along Terrace Road. 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 awnings, louvers, and wall recesses will provide shade for all windows. Shade trees planted along Terrace and interior property lines will mitigate heat gain. The use of alternative surfaces for the fire lane will also reduce heat gain/retention.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings*; materials are of high quality and compatible with adjacent developments. The applicant has modified the design to incorporate lighter colored veneer to compliment other multi-family housing developments along Terrace Road.
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings*; although higher than other buildings directly adjacent to the site, new developments in this area of the light rail corridor are encouraged to incorporate increased building heights to accomplish increased residential density. Sufficient setbacks are provided that respect adjacent developments. The street frontage and landscape elements are designed appropriately relative to the currently transit use and expected pedestrian use of Terrace.
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 heights to relieve monotony. Use of materials varies from block and brick veneer at the base to stucco in the middle and metal accents on the top to create well-defined sections.
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 include metal awnings and louvers, variation in wall plane, and alternating stucco surrounds to create a rhythm along building elevations.
7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage*; the project conforms to the pedestrian oriented design standards of the Transportation Overlay District, including maximum/minimum building setbacks, location of building entrances, ground floor windows, street-facing façades, pedestrian amenities, and sidewalk, landscape, open space, and shade standards. This design will support transit patronage.
8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses*; vehicular access is provided by a single driveway on Terrace Road, where cars are directed into the parking garage. This driveway crosses the sidewalk on Terrace, but all other pedestrian routes are separate from vehicular circulation. Within the garage, stairs and elevators are provided for pedestrian use once drivers exit their vehicles.
9. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance*; the site plan has been reviewed by the Police Department and complies with required safety design requirements. Gates within the parking garage will be used to restrict access to resident-only parking spaces. Building access will be restricted by key. 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 be used to delineate useable pedestrian areas and paths.

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; however, the building design has taken future sign locations into consideration.*
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 minimum illumination levels and be non-intrusive to adjacent properties.

### **Conclusion**

Based on the information provided and the above analysis, staff recommends approval of the requested General Plan Amendments, Zoning Map Amendment, Planned Area Development Overlay, and Development Plan Review. These requests meet the required criteria and will conform to the conditions.

### **REASONS FOR APPROVAL:**

1. If the General Plan Projected Land Use and Projected Residential Density map amendments are approved, the project will comply with those requests and meet the desired Residential Density for this site.
2. The project will meet the development standards required under the Zoning and Development Code.
3. The PAD overlay process was specifically created to allow for greater flexibility, to allow for alternate setbacks, building heights, and landscape design.
4. The proposed project meets the approval criteria for a General Plan Amendment, Zoning Map Amendment, and Development Plan Review.

### **ZONING MAP 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.

#### **General**

1. Except as modified by conditions, development shall be in substantial conformance with the University Village 2.0 Planned Area Development Overlay cover sheet and site plan dated July 10, 2015.
2. 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.
3. 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 10, 2015, or the General Plan Amendment, Zone Map Amendment, and PAD approvals shall be null and void.
4. The Public Works Department shall review and approve a public access and utility easement along Terrace Road prior to submittal of construction documents for building permit. Final easement width is subject to approval of the Public Works Director.
5. The Planned Area Development Overlay for University Village 2.0 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.
6. The five vehicle parking spaces for retail users shall be signed for exclusive commercial guest use during business hours and may be used by residents only after the last business on-site has closed.

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

### **General**

1. Except as modified by conditions, development shall be in substantial conformance with the site plan and floor plans dated July 10, 2015, building elevations dated July 16, 2015, and the landscape plans dated April 21, 2015. Minor modifications may be reviewed through the plan check process of construction documents; major modifications will require submittal of a Development Plan Review.
2. The development shall prepare, at the time of initial building permits, ready-to-use commercial space for tenant leasing. The permit submittal shall include the following: adequate roof space, evidence of roof structural support, and internal set lines for future adequate commercial space air conditioning (HVAC); provide a shaft to ventilate to the roof for commercial cooking exhaust; and a designated location for potential grease trap interceptor if needed.
3. New construction shall be sound mitigated resulting with indoor noise levels not to exceed a day night-level (DNL) of 45 decibels.
4. At the completion of development, the developer shall make any necessary street repair and pavement improvements within 300 feet of the site resulting from damage from construction activity.

### **Site Plan**

5. Revise the site plan to show required public access and utility easement along Terrace Road.
6. Replace the Omega Architectural Fence System (8' high perimeter view fence) with 8' high, black, tubular steel picket fence.
7. Provide a refuse and recycling enclosure at the exterior of the building in at least one of two locations: in the northern-most portion of the property, northwest of Courtyard C; or in the north-eastern portion of the property, north of Courtyard D. Final location and design is subject to approval by the Public Works Department, Solid Waste Division.
8. 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.
9. 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.
10. Extend upgraded paving in the driveway for a distance of 20'-0" from the back of sidewalk and from curb to curb at the drive edges.
11. 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.
12. 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**

13. 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.

14. Public Restroom Security for retail:

- a. Lights in restrooms:
  - 1) Provide 50% night lights
  - 2) Activate by automatic sensors, key or remote control mechanism
- b. Single user restroom door hardware:
  - 3) Provide a key bypass on the exterior side

15. 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.

16. 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.

**Building Elevations**

17. The materials and colors are approved as presented:

- Primary stucco building colors – Sherwin Williams –
  - Repose Gray SW 7015
  - Dorian Gray SW 7017
  - Iron Ore SW 7069
- Secondary stucco building color – Sherwin Williams – Forceful Orange SW 6894
- Building veneers – Belden Brick – Matt Cream Brick 481-843
  - Orco Block – Spot Face Gray Bullnose
- Parking structure – concrete masonry units
- Metal Awning in front of retail/office – Tiger Drylac RAL 7034
- Metal Awning in front of lease and amenity office – Tiger Drylac RAL 1037
- Suspended metal louvers – Tiger Drylac RAL 7034
- Perforated metal guardrail – Tiger Drylac – RAL 6034
- Windows – anodized white vinyl
- Glazing – Clear/Dual Pane/Low-E

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.

- 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. Subject to obtaining an agreement with Salt River Project (SRP), the landscape plan shall be modified to incorporate the SRP irrigation property directly north of the site. Modifications shall include:
  - a. Eliminate the proposed 8' high perimeter view fence along the site's north property line. The developer shall either:
    - 1) apply a stucco finish and paint the interior of the existing wall north of the SRP irrigation property to match a primary building color of the proposed project or 2) replace the existing wall north of the SRP irrigation property with a new block wall (minimum 6' high) with stucco finish and paint to match.
  - b. Extend the landscape improvements over the SRP property to include decomposed granite and shrubs/ground cover. Plant types shall include those listed in the proposed plant list.

Final design is subject to City, property owner, and SRP approval. If an agreement is not obtained, development shall be per the landscape plan dated April 21, 2015.

26. Chinese Evergreen Elm trees shall have a minimum size of 1.5" caliper.
27. A clear 8' wide path shall be maintained beyond the 6' wide landscape buffer adjacent to Terrace Road.
28. 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 1/2" feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than 1/2". 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.
29. 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.
30. Top dress planting areas with a rock or decomposed granite application. Provide rock or decomposed granite of 2" uniform thickness. Provide pre-emergence weed control application and do not underlay rock or decomposed granite application with plastic.
31. 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**

32. Provide address sign(s) 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.
- b. Utility meters shall utilize a minimum 1" number height in accordance with the applicable electrical code and utility company standards.
  - c. Provide one address sign on the roof of the office building. Orient sign to be read from the south.
    - 1) Include street address number in 6'-0" high characters on one line and street name in 3'-0" high characters on a second line immediately below the first.
    - 2) Provide high contrast sign, either black characters on a light surface or white characters on a black field that is painted on a horizontal plane on the roof. Coordinate roof sign with roof membrane so membrane is not compromised.
    - 3) Do not illuminate roof address.

### 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 reports dated January 28, 2015, March 18, 2015, and May 13, 2015. 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:
  - Required enclosures are 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:**

August 20, 1962	Board of Adjustment approved a variance to allow a swimming pool outside the rear yard for the property located at 920-944 South Terrace Road.
April 1, 1963	Final Inspection completed for 101 apartment units at 920-944 South Terrace Road.
June 8, 2015	The applicant conducted a neighborhood meeting for this request at the Four Points Sheraton Tempe hotel at 6:00 p.m.

- July 28, 2015            The Development Review Commission recommended approval of General Plan Projected Land Use and Density Map Amendments, Zoning Map Amendment, Planned Area Development Overlay, and a Development Plan Review for a new mixed-use development containing 260 dwelling units and commercial space for UNIVERSITY VILLAGE 2.0 (PL150026), located at 920 South Terrace Road.
- 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