



**CITY OF TEMPE  
REQUEST FOR COUNCIL ACTION**

**Council Meeting Date: 7/17/2014  
Agenda Item: 4**

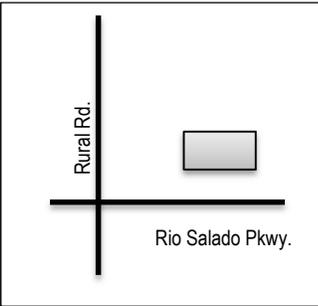
**ACTION:** Hold a public hearing for an appeal of the Development Review Commission’s decision of Denial for a Development Plan Review, consisting of two new 4-story multi-family buildings totaling 358 units for LPC SOUTHBANK (PL130265), located at 1190 East Vista Del Lago Drive. The appellant is Snell & Wilmer LLP. *(This item was continued from the June 26, 2014 Regular Council Meeting)*

**FISCAL IMPACT:** 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:** Staff - Denial  
Development Review Commission – Denied (6-1 vote) Commissioner Barger dissenting.

**BACKGROUND INFORMATION:** LPC SOUTHBANK (PL130265) consists of a new apartment complex at the Southbank development, formerly known as The Pier at Town Lake, on two existing lots and one tract dedicated for open space. On October 8, 2013, the Development Review Commission denied the request and recommended denial of the Amended PAD. The request was then appealed to City Council. With expected changes to the design of the project, on February 13, 2014, the City Council remanded the appeal of the Development Plan Review back to the Commission, based on the letter and information provided from the applicant regarding forthcoming changes to the design. On May 27, 2014, the Development Review Commission again denied the request based on the revised building elevations provided in this submittal. On June 26, 2014 Nick Wood, Snell & Wilmer LLP requested a continuance for this item to be heard at the City Council Special Meeting on July 17, 2014. The applicant at this time seeks the following:

DPA14003 Appeal of Development Plan Review (DPA13003) based on revised building elevations, as well as site plan and landscape plan



Property Owner	Pier at Town Lake LLC
Applicant	Nick Wood, Snell & Wilmer LLP
Current Zoning District	MU-4 (PAD), Rio Salado Overlay District
Gross/Net site area	3.58 acres
Total Units / Density	358 units / 58.5 du/ac
Total Building area	672,533 sf.
Lot Coverage	60%
Building Height	58 ft. (251'-8" / 291'-6" maximum allowed)
Building Setbacks	9' south, 15'/5' west, 5'/15' east, 15' north
Landscape area	35% / 29%
Vehicle Parking	639 spaces (668 min. spaces required)
Bicycle Parking	252 spaces (252 min. spaces required)

**ATTACHMENTS:** May 29, 2014 letter from Snell & Wilmer LLP regarding appeal; May 27, 2014 Development Review Commission Meeting Agenda Item 5; Development Project File

**STAFF CONTACT(S):** Ryan Levesque, Senior Planner, (480) 858-2393

Department Director: Dave Nakagawara, Community Development Director  
Legal review by: Teresa Voss, Assistant City Attorney  
Prepared by: Ryan Levesque, Senior Planner

## HISTORY & FACTS:

- September 10, 1998 City Council approved the request for CIUDAD DEL LAGO-RIO EAST for a Final Planned Area Development consisting of the Peabody Hotel, located at 1200 East Rio Salado Parkway.
- May 17, 2007 City Council approved the request of an Amended Planned Area Development Overlay for PIER 202 (PL060548) consisting of nine (9) new buildings up to 310 feet in height for commercial, 285 room hotel and 1,484 residential units on +/-27.4 acres, located at 1200 East Rio Salado Parkway, in the MU-4, Mixed-Use High Density District.
- August 14, 2007 Development Review Commission approved a Preliminary Subdivision Plat and a Development Plan Review consisting of a landscape plan for street frontage, requested by PIER 202 located at 1200 East Rio Salado Parkway.
- October 8, 2013 Development Review Commission denied the Development Plan Review and recommended denial of the Amended Planned Area Development Overlay for LPC SOUTHBANK (PL130265), located at 1190 East Vista Del Lago Drive. (6-1 vote) Commissioner Barger dissenting.
- October 24, 2013 City Council, at the request of the applicant, continued the introduction and first public hearing for the Amended PAD for LPC SOUTHBANK (PL130265).
- November 7, 2013 City Council, at the request of the applicant, continued the introduction and first public hearing for the Amended PAD for LPC SOUTHBANK (PL130265).
- November 21, 2013 City Council, at the request of the applicant, continued the introduction and first public hearing for the Amended PAD for LPC SOUTHBANK (PL130265).
- December 12, 2013 City Council, at the request of the applicant, continued the introduction and first public hearing for the Amended PAD for LPC SOUTHBANK (PL130265).
- January 9, 2014 City Council, at the introduction and first public hearing, tabled the request for an Amended Planned Area Development Overlay for LPC SOUTHBANK (PL130265).
- February 13, 2014 City Council remanded the appeal of the Development Plan Review back to the Development Review Commission, based on anticipated changes the developer will be providing in the near future.
- May 27, 2014 On remand, based on revised building elevations, the Development Review Commission denied the Development Plan Review for two new 4-story multi-family buildings totaling 358 units for LPC SOUTH BANK (PL130265), located at 1190 East Vista Del Lago Drive.
- June 26, 2014 City Council meeting for appeal of the Development Plan Review and the second and final public hearing for Amended Planned Area Development Overlay for LPC SOUTHBANK (PL130265).