



**CITY OF TEMPE  
REQUEST FOR COUNCIL ACTION**

**Council Meeting Date: 09/08/2016  
Agenda Item: 6B4**

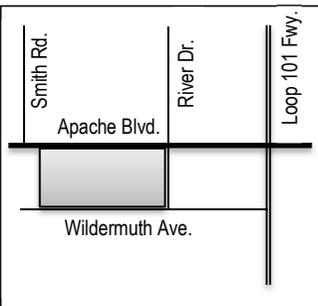
**ACTION:** Introduce and hold the first public hearing for a Zoning Map Amendment from CSS TOD, R-4, and R-4 TOD to MU-4 TOD, a Planned Area Development Overlay, and a Development Plan Review for Phase I of a new seven-story, mixed-use development for EASTLINE VILLAGE, located at 2025 East Apache Boulevard. The applicant is Gammage & Burnham, P.L.C. The second and final public hearing is scheduled for September 22, 2016. (Ordinance No. O2016.50)

**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 Ordinance No. O2016.50  
Approve Development Plan Review, subject to conditions  
Development Review Commission – Approve (7-0 vote), subject to a modified condition

**BACKGROUND INFORMATION:** EASTLINE VILLAGE (PL160097) is a proposed seven-story, mixed-use development containing 698 dwelling units and 59,466 square feet of commercial space to be developed in two phases. The applicant held a neighborhood meeting on April 19, 2016. The Development Review Commission recommended approval of this request on August 23, 2016. The request includes the following:

1. Zoning Map Amendment from CSS TOD (Commercial Shopping and Services, Transportation Overlay District), R-4 (Multi-Family Residential General), and R-4 TOD to MU-4 (Mixed-Use, High Density) TOD.
2. Planned Area Development Overlay to establish development standards for density, building height, lot coverage, landscape area, and building setbacks for a 13.56 acre development to include 698 dwelling units and 59,466 square feet of commercial space.
3. Development Plan Review for Phase I, including site plan, building elevations, and landscape plan for 9.43 acres with 450 units and 35,709 square feet of commercial space.



(see case maps for exact boundaries)

Existing Property Owners	Eastline Land Ventures, LLC Apache Partners 4, LLC Trust No. 95000148 City of Tempe
Applicant	Manjula Vaz, Gammage & Burnham PLC
Zoning District (current/proposed)	CSS TOD, R-4, & R-4 TOD / MU-4 TOD PAD
Gross / Net site area	13.56 acres / 13.47 acres
Density / Number of Units	51 du/ac / 698 units (no standard)
Unit Types	444 one bedroom 184 two bedroom 60 three bedroom 10 one bedroom live-work
Total Building Area	1,333,878 s.f. (incl. 289,655 s.f. parking garages)
Lot Coverage	75% (no standard)
Building Height	90' (no standard)
Building Setbacks	0' front (Apache), 10' west property line, 0' east side (River), 0' rear (Wildermuth) (no standard)
Parking Setback	20' min. (20' min. required)
Landscape area	19.6% at grade, 5.6% at deck (no standard)
Vehicle Parking	1,385 spaces (1,207 min. required)
Bicycle Parking	736 spaces (717 min. required)

**ATTACHMENTS:** Ordinance, Development Project File

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

Department Director: Jeff Tamulevich, Interim Community Development Director

Legal review by: Teresa Voss, Assistant City Attorney

Prepared by: Karen Stovall, Senior Planner

**COMMENTS**

This 13.56 acre site is located on the south side of Apache Boulevard and extends south to Wildermuth Avenue and west to River Drive. The property is zoned CSS TOD and R-4 TOD and is directly adjacent to the light rail line running along Apache. The Smith-Martin/Apache light rail stop is at the west end of the site. The project area is surrounded on the north (across Apache Boulevard) by commercial, multi-family, and vacant land; to the south (across Wildermuth Avenue) by industrial uses; to the west by an apartment complex; and to the east (across River Drive) by a hotel and mobile home park. The project boundaries also surround several single- and multi-family uses on the north side of Wildermuth Avenue and an auto repair shop on the south side of Apache that are not part of this request.

At this time, there are a total of three properties that are occupied by tenants: one within Phase I, a residential use adjacent to Wildermuth Avenue; and two within Phase II, a commercial building adjacent to Apache Boulevard and one parcel west of River Drive. All previously existing mobile home parks have closed and the properties have been cleared. All other portions of the project site are vacant.

DMB Associates responded to a request for qualifications (RFQ) for the disposition and development of the city-owned land within a portion of this project.

This request includes the following:

1. Zoning Map Amendment from CSS TOD (Commercial Shopping and Services, Transportation Overlay District), R-4 (Multi-Family Residential General), and R-4 TOD to MU-4 (Mixed-Use, High Density) TOD.
2. Planned Area Development Overlay to establish development standards for density, building height, lot coverage, landscape area, and building setbacks.
3. Development Plan Review for Phase I, including site plan, building elevations, and landscape plan

For further processing, the applicant will need approval of an Amended Subdivision Plat to combine the individual lots into one and a Condominium Plat for the live-work units.

**PRELIMINARY SITE PLAN REVIEW**

Three Preliminary Site Plan Reviews were completed for this project before formal applications were filed. These reviews occurred on June 25, 2014, August 13, 2014, and December 16, 2015. Initial plans identified an approximate 17 acre site with six mixed-use buildings, one commercial building, and a parking structure. The site area was eventually reduced to 13.5 acres with three mixed-use buildings, one commercial building, and three surface parking lots with no vehicular access onto Wildermuth.

March 30, 2016: Formal applications were submitted, and a fourth Site Plan Review was completed. Plans identified 688 dwelling units and 60,000 square feet of commercial space. Comments made by staff included: concern with the amount of usable open space; incorporate public art; use grass instead of artificial turf in the large open space areas; use more plant species identified in the Apache Character Area Plan; incorporate window shade into building design (recesses or devices); identify vehicular gate locations within garages; provide units with three bedrooms; and provide samples of all proposed materials.

May 11, 2016: A fifth Site Plan Review was completed. Comments were made to provide the required number of trees within street frontages and clarify building materials.

July 6, 2016: A sixth Site Plan Review was completed. The plans were modified to add a total of 10 live-work units in

Buildings I and II, as part of Phase I.

## **PUBLIC INPUT**

On March 16, 2016, the applicant voluntarily met with Citizens for a Vibrant Apache Corridor (CVAC) to discuss the project. The applicant reports that the CVAC members were generally supportive of the proposal.

A neighborhood meeting was held on April 19, 2016. In addition to the applicant's team members, approximately 18 individuals were in attendance. Attendees asked questions regarding: project phasing; target demographic for residential units; if the project would include for-sale units; the intended design and use of the plaza; and proposed construction type and building materials. Concerns were expressed regarding: desire for home-ownership opportunities; desire for a housing type other than apartments and condominiums in order to encourage families with children to live in the area; the affordability of the restaurants and food trucks. The applicant also received three phone calls with general inquiries, one e-mail in opposition to the project, and two letters in support. The applicant's public involvement report is attached.

In coordination with multi-family developments proposed around the Arizona State University Campus, Angela Creedon, Associate Vice President of Community & Municipal Relations, was provided notification of the project through the applicant's public notification process. Staff has received a written statement from ASU that it has determined there will be no negative impact to the university and it supports the project.

## **DEVELOPMENT REVIEW COMMISSION**

This request was heard at the August 23, 2016 Development Review Commission hearing. There was no public comment. The Commission voted to approve the project (7-0 vote) with the modification of one condition, as requested by the applicant. Commissioners stated that they were pleased with the building design and exterior building materials, and looked forward to new development on the east end of Apache. They expressed the desire that future buildings should not mimic the exact design of the two buildings proposed in Phase I and that the applicant should consider a more environmentally responsible method of heating/cooling for so many dwelling units.

## **PROJECT ANALYSIS**

### **CHARACTER AREA PLAN**

This project site is located within the Apache Character Area Plan. The plan encourages projects that recognize the diversity of the community, are unique, incorporate public art, provide appropriate transitions between existing neighborhoods and new developments, engage pedestrians, and create destinations through mixed-use design and public amenities. The proposed development will comply with many of these Character Area principles through the following design elements:

- *Landscape Treatments:* plans incorporate plants listed in the Historic Plant Palette, including Chinese Evergreen Elm, Arizona Ash, Oleander, Bougainvillea, Texas Sage, and Yucca.
- *Shade:* buildings incorporate steel canopies at entrances and recessed patio balconies; public sidewalks shaded by trees, canopy projections, and adjacency to buildings; and plaza with significant shade trees.
- *Streetscapes:* Apache right-of-way permits pedestrian, bicyclist, transit and motorist use; commercial plaza between Buildings I and II creates open space and provides outdoor seating that may wrap around building corners adjacent to Apache; detached sidewalk zone along Apache separates vehicle/pedestrian traffic, complies with minimum 8-foot clear path requirement, and includes raised landscape planters to soften building edges; and turf areas within plaza and adjacent to Building I allow for outdoor activity.
- *Live / Work / Innovative:* mixed-use buildings provide five live-work units each with commercial area on first floors to encourage small businesses.
- *Pedestrian Scale:* building perimeters are designed to human-scale; project supports single-block street pattern to avoid "superblocks"; on-street parking is provided adjacent to private drives to support ground-floor commercial; ground floor commercial opportunities promote street activity; live-work units provide walk-up residential units; and continuous shade provided along street frontages.

- *Walkable Commercial*: development includes quality open space amenities and corridors are walkable to increase ease of pedestrian access.
- *Pocket Parks + Parklets*: plan dedicates public spaces for people, and plaza enhances outdoor business options and encourages public/private spaces between buildings.
- *Public / Private Art*: the project will incorporate public art to be reviewed through the Arts Commission. It is expected that the artwork will be located within the plaza.

## **ZONING**

The site is currently zoned CSS TOD (Station & Corridor Area) and R-4 TOD (Station & Corridor Area). The CSS zoning district permits a residential density up to 20 dwelling units per acre (du/ac), subject to Use Permit approval. Properties with CSS zoning and within the TOD may have a density up to 25 du/ac, also subject to Use Permit approval. The R-4 zoning district permits a density up to 25 du/ac. Properties with R-4 zoning and within a TOD Station Area may have a density up to 40 du/ac. The proposed zoning district, MU-4 TOD, has no maximum density; the density is set by the associated PAD, which would allow up to 51 du/ac.

The current General Plan land use and density categories of Mixed-Use, High Density (up to 65 du/ac) indicate that this area of the city is expected to intensify to allow increased residential density along a public transit corridor. The existing zoning districts do not permit a mix of land uses or densities that comply with the current General Plan density category. A Zoning Map Amendment to MU-4 is required to comply.

The proposal will conform to the existing General Plan land use and density map designations. The project design is appropriate to the surrounding sites in that the commercial components are located adjacent to Apache and an internal plaza instead of on the south side of the project, adjacent to industrial land uses.

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 the 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 and mixed land uses as indicated in the plan.

## **PLANNED AREA DEVELOPMENT**

The applicant requests a Planned Area Development (PAD) Overlay consisting of 688 apartment units, 10 live-work units, and 59,466 square feet of commercial area with a maximum building height of 90 feet. The combined building area for Phases I and II is 1,333,878 square feet. See the attachments for the applicant's phasing plan. The table below shows a comparison of the development standards for the R-4 TOD, CSS TOD, and the proposed MU-4 TOD PAD development standards. For simplicity, although portions of the project area are within the R-4 district and TOD Corridor Area (versus Station Area), the R-4 and TOD Corridor Area standards are excluded from the table.

## EASTLINE VILLAGE – PAD Overlay

Standard	R-4 TOD (Station Area)	CSS TOD (Station Area)	PROPOSED MU-4 TOD PAD (Station Area)	Change
Residential Density (du/ac)	40	25	51	Increase
Building Height (feet) [Exceptions, see Section 4-205(A)]				
Building Height Maximum	60'	45'	90'	Increase
Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]	Yes	Yes	Yes	
Maximum Lot Coverage (% of net site area)	75%	75%	75%	--
Minimum Landscape Area (% of net site area)	25%	25%	19.6% (ground level) 5.6% (on decks)	Decrease
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]				
Front (Apache Blvd.)	10' min/20' max	0' min/6' max	0' min/20' max	--
Side (interior)	5'	0'	0'	--
Side (west property line)	5'	0'	10'	Increase
Street Side (River Dr.)	10'	0'	0' min/20' max	--
Rear (Wildermuth Ave.)	10'	0'	0' min/20' max	--
Parking & Maneuvering	20'	20'	20'	--

The proposed density, 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 front setback accounts for a six-foot wide landscape and amenity area adjacent to Apache and an eight-foot wide detached sidewalk, which pushes pedestrians closer to the buildings, creates shade from the north and south sides of the sidewalk, and makes the pedestrian experience more enjoyable. The proposed 90-foot building height will exceed the heights of existing buildings on adjacent properties but should be expected for higher density developments along the light rail corridor. Adequate ground-level and deck-level open spaces for Phases I and II are designed into the project.

### Parking

The proposed PAD meets the vehicle and bicycle parking requirements of the Zoning and Development Code. All parking spaces for the residential uses will be contained within the parking garages of each mixed-use building. Required parking for the commercial uses will be provided within surface parking lots adjacent to Wildermuth Ave. and on-street parking along the internal private streets and River Drive. The project provides 1,385 vehicle parking spaces where only 1,207 are required. The project provides 736 bicycle parking spaces where only 717 are required.

### Traffic

A traffic impact study (TIS) was provided by the applicant and approved by the Public Works Department subject to a condition that the developer must reanalyze the need for left-turn storage lanes after the completion of Phase I and again at build-out. 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. The project incorporates commercial components to satisfy the mixed-use land use designation. Many of the Apache Character Area design principles have been addressed.*
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 perimeter property lines, which respect adjacent developments but also encourage a more pedestrian-friendly atmosphere along the Apache street frontage.*
3. *The development appropriately mitigates transitional impacts on the immediate surroundings. There are several*

pockets of residential properties on the north side of Wildermuth Avenue that are not included in this request. The PAD identifies surface parking lots with adequate landscape buffers adjacent to these properties. To the north of these properties, the plan proposes 24-foot wide private drive between the north property lines and sidewalk, creating a setback of more than 45 feet. The PAD provides a 10-foot building setback from the commercial parcel adjacent to Apache that is excluded from this request. While the maximum building height of 90 feet far exceeds the height of the existing single-story building on that commercial site, it is expected that the property

## **DEVELOPMENT PLAN REVIEW**

### **Site Plan**

The Development Plan Review application is for Phase I of the 13.56 acre PAD. The project area is 9.43 net acres that will consist of two mixed-use buildings, a commercial plaza between the two buildings, and surface parking lots. Vehicular access is provided by three points: a driveway at the west end of the project off of Apache, a driveway near the center of the project off of Apache, and a driveway off of River. No driveways are proposed off of Wildermuth, and right-of-way improvements along Wildermuth will not be completed until driveways are provided with possible future phases.

The mixed-use buildings contain all the required vehicle and bicycle parking for the residential units and have gated vehicle access on the south side of the buildings. Each building contains five live-work units that front Apache with the commercial space on the first floor and associated living area on the second floor. Commercial tenant space is also provided on the first floor on one side of each building, fronting the plaza. The required vehicle parking for the commercial uses is located within the surface parking lots and on-street parking along the private interior streets.

The plaza located between Buildings I and II is expected to contain two single-story buildings, one a restaurant and one a bar. The plans also show four “food container” businesses. A separate Development Plan Review application is required for the buildings and food containers within the plaza. See the attachments for plaza details and concept images of the street food containers.

Ground-level, usable open space for the development is located within the plaza and at a small turf area near the southwest corner of Building I. The mixed-use buildings also contain second floor decks available only to the residents that include pools, seating, and landscaping.

### **Building Elevations**

Building architecture is contemporary in design with flat roofs and parapets to screen rooftop mechanical equipment. The first and second floor walls, where the live-work units, commercial tenant spaces, and parking garages are located, are finished with a mixture of exposed masonry, fiber cement panels, horizontal metal panels, and wood siding. Second floor balconies for the live-work units are screened with laminated glass panels. The parking garages and upper floor balconies are screened with square wire mesh. Walls above the second level are finished with integral colored Exterior Insulated Finishing System (EIFS). Upper floor walls are accented with wood grain metal siding and horizontal metal panels. The north and south elevations of both buildings are broken up by a vertical element of standing seam metal that extends the entire height of the buildings. Exterior walkways adjacent to the building are shaded by shade canopies or concrete decks on upper floors. Each unit has a recessed balcony.

### **Landscape Plan**

Ground-level landscaping totals 19.6 percent. Second floor decks that are interior to the buildings are 11,100 square feet each and provide a landscape area of 5.4 percent of the site area. The design incorporates a comfortable pedestrian environment at the perimeter of the buildings, as required by the Transportation Overlay District. This includes a landscape buffer with shade trees and detached sidewalk along Apache. Benches and bike racks are also included along Apache, near the commercial areas. Proposed plant types are appropriate for the desert and include many of the plants from the Historical Plant Palette in the Apache Character Area Plan.

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 buildings are designed with variation in materials, colors, fenestration, and wall planes on all elevations. The design provides variety in the streetscapes.*
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort; canopies, balcony overhangs, and recessed balcony design provide shade for windows, patios, and walkways adjacent to the building. Landscaping adjacent to sidewalks, landscaping within the plaza, and the location of patios and the plaza will provide shade for human comfort.*
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings; materials are of high quality, compatible with adjacent developments, and meet the expectations of the Apache Character Area Plan.*
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 current transit use and expected pedestrian use of Apache.*
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 exposed masonry, cement panels, metal panels, and wood siding at the bases to EIFS, wood grain siding, and horizontal panels above to create well-defined sections. The two mixed-use buildings have different but complimentary materials and colors to provide distinction between the two.*
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 shade canopies, variation in wall plane, a variety of building materials, and EIFS surround elements 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 three entrances, where cars are directed into parking garages, on-street parking, or surface parking lots. 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. Access to the residential portions of the building will be restricted by key. The height of proposed landscaping adjacent to pedestrian paths and lighting requirements will comply with CPTED principles.*
10. *Landscape accents and provides delineation from parking, buildings, driveways and pathways; landscaping along the building perimeters will delineate useable pedestrian areas, paths, and the plaza.*

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 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 Zoning Map Amendment, Planned Area Development, and Development Plan Review. This request meets the required criteria and will conform to the conditions.

### **REASONS FOR APPROVAL:**

1. The project meets the General Plan Projected Land Use and Projected 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, including flexible building heights, setbacks, and landscape areas.
4. The proposed project meets the approval criteria for a Zoning Map Amendment, Planned Area Development, and Development Plan Review.

### **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.

#### **General**

1. Except as modified by conditions, development shall be in substantial conformance with the Eastline Village Planned Area Development Overlay cover sheets and site plan dated July 13, 2016.
2. A building permit application shall be made within two years of 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 owners shall sign a waiver of rights and remedies form. By signing the form, the Owners voluntarily waive 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 30 days from the date of City Council approval, or the Planned Area Development, Zoning Map Amendment approvals shall be null and void.
4. The Planned Area Development Overlay for Eastline Village shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department within sixty (60) days of the date of City Council approval.
5. An amended Subdivision Plat is required for this development and shall be recorded prior to issuance of the first building permit.
6. A Condominium Plat (Horizontal Regime) is required for the ten (10) live-work units and shall be recorded prior to an occupancy permit.

7. The need for left-turn storage lanes, as identified in the Traffic Impact Study, shall be analyzed six months after completion of Phase I and again prior to Development Plan Review approval of Phase II. If review determines that storage lanes are necessary, the developer shall construct the necessary improvements to mitigate delays and increase traffic safety. If the need for left-turn storage lanes is determined following the completion of Phase I, these improvements shall be completed within six months of the determination.

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

### **General**

1. Except as modified by conditions, development shall be in substantial conformance with the site plan dated July 13, 2016 and building elevations and landscape plan dated June 22, 2016. 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~~ gray shell 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. (MODIFIED BY COMMISSION)
3. Art in Private Development is required. The developer may elect to install on-site artwork or provide an Arts Fund contribution. If the property owner elects to install on-site artwork, the Preliminary Art Project Plan is required before a building permit is issued.
4. Development Plan Review application(s) shall be submitted for the Plaza A and B buildings and all "food container" buildings within the plaza between Buildings I and II.

### **Site Plan**

5. Provide service locations for both refuse and recycling collection and pick-up on the property, as identified on the plans.
6. 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.
7. 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.
8. Provide upgraded paving at each driveway consisting of integral colored unit paving. Extend this paving in the driveway from the right-of-way line to 20'-0" on site and from curb to curb at the drive edges. From sidewalk to right-of-way line, extend concrete paving to match sidewalk.
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 stair towers into adjacent circulation

spaces.

- b. In instances where an elevator or stair exit 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.

12. Public Restroom Security in bars and restaurants:

- 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

13. 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 in the floor plan.
- c. Paint interior wall and overhead surfaces in below-grade 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.

14. 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**

15. The materials and colors are approved as presented:

Building I

Main EIFS – Pittsburgh Paints – White Chip PPG 15-06  
Accent EIFS – Dunn Edwards – Iron Fixture DE6384  
Accent EIFS – Pittsburgh Paints – Brass Mesh PPG 1209-6  
Aluminum windows – Milgard – clear anodized  
Aluminum windows – Arcadia – Dark Bronze anodized AB-6  
Masonry – Trendstone – Pearl, groundface, 8x8x16  
Masonry – Mesastone – Black Mountain, textured, 8x8x16  
Wood siding – reSawn Timber Co. – Charred Collection, Cypress-Kujaku, 1x6 with random lengths from 8'-20'

Building II

Main EIFS – Benjamin Moore – Natural Cream BM OC-14  
Accent EIFS – Dunn Edwards – Iron Fixture DE6384  
Accent EIFS – Dunn Edwards – Mysterious Blue DE5768  
Aluminum windows – Milgard – clear anodized  
Aluminum windows – Arcadia – Dark Bronze anodized AB-6  
Masonry – Trendstone – Rutherford, groundface, 8x8x16  
Masonry – Mesastone – Black Mountain, textured, 8x8x16  
Wood siding – reSawn Timber Co. – Charred Collection, Cypress-Howaito, 1x6 with random lengths from 8'-20'

Buildings I & II

Wood grain metal panel siding – Longboard – Light National Walnut 1806/02-716  
Flat/standing seam metal panel siding – Steelscape – Vintage  
Horizontal metal panel siding – Englert – Preweathered Galvalume

Standing seam metal siding – Englert – Dark Bronze  
Fiber Cement Panel – Cembrit – Cembonit, Graphite 922  
Wood siding – Novawood – Iroko/Clear 1x6 with random lengths 8'-20'

Provide primary building colors and materials with a light reflectance value of 75 percent or less. Additions or modifications may be submitted for review during building plan check process.

16. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
17. Conceal roof drainage system within the interior of the building.
18. 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.
19. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
20. 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**

21. Illuminate building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance.

### **Landscape**

22. Arterial street trees shall be a minimum of 36" box specimens and a minimum of 1 ½" caliper trunk.
23. 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.
24. 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.
25. 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.
26. 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.

### **Addressing**

27. Provide address signs on the building elevations 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 Buildings I and II. Orient signs 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.

- The owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be reviewed and placed in a form satisfactory to the Community Development Manager and City Attorney.
- 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 DS116 and DS118 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: <http://www.tempe.gov/home/showdocument?id=30871>. 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.
- PUBLIC ART: Provide public art for this development in conformance with the Art in Private Development Ordinance and ZDC Sec. 4-407 and ZDC Appendix D. Contact the Community Services Cultural Services Division regarding implementation of this requirement prior to receiving building permits.
- 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.
- POLICE DEPARTMENT SECURITY REQUIREMENTS:
  - Refer to Tempe City Code Section 26-70 Security Plans.
  - Design building entrances to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and design columns or corners to discourage ambush.
  - 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.
- TRAFFIC ENGINEERING:
  - Provide 8'-0" wide public sidewalk along arterial roadways, or as required by Traffic Engineering Design Criteria and Standard Details.
  - 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.
- 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.

- CIVIL ENGINEERING:

- An Encroachment Permit or License Agreement must be obtained from the City for any projections into the right of way or crossing of a public utility easement, prior to submittal of construction documents for building permit.
- Maintain a minimum clear distance of twenty-four (24) feet between the sidewalk level and any overhead structure.
- 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.

- SOLID WASTE SERVICES:

- 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. Refuse staging, collection and circulation must be on site; no backing onto or off of streets, alleys or paths of circulation.
- Develop strategy for recycling collection and pick-up from site with Sanitation. Roll-outs may be allowed for recycled materials. Coordinate storage area for recycling containers with overall site and landscape layout.
- 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.

- 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 entrances. 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 plan review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Refer to [www.tempe.gov/signs](http://www.tempe.gov/signs).
- DUST CONTROL: Any operation capable of generating dust, include, but not limited to, land clearing, earth moving, excavating, construction, demolition and other similar operations, that disturbs 0.10 acres (4,356 square feet) or more shall require a dust control permit from the Maricopa County Air Quality Department (MCAQD). Contact MCAQD at <http://www.maricopa.gov/aq/>.

## HISTORY & FACTS:

### 2001 E. Apache Boulevard

1976-1990 Property record cards show various inspections and permits for Horseshoe Trailer Court.

### 2011 E. Apache Boulevard

1961-1985 Property record cards show various inspections and permits for Jensen Patio Brick, Corp.

### 2019 E. Apache Boulevard

1959-1969 Property record cards show various and permits for Hi-Way Motel and Hi-Way Grocery.

February 7, 1980 Design Review Board approved the building modification for HI-WAY MOTEL (DR-80.17), located at 2019 E. Apache Blvd.

### 2021-2025 E. Apache Boulevard

December 21, 1987 Board of Adjustment approved a request by UNITED RECOVERY SERVICE (A-87-12.22) for two use permits to 1) allow the sale of second hand merchandise and 2) to allow the sale of used (repossessed) vehicles, located at 2021 E. Apache Blvd.

January 20, 1988 The Design Review Board approved a request for building elevations, site and landscape plan for UNITED RECOVERY SERVICE (DR-88.17), located at 2021 E. Apache Blvd.

### 2029 E. Apache Boulevard

1960-1967 Property record cards show various and permits for Sands Tavern.

### 2035 E. Apache Boulevard

September 15, 1958 A building permit was issued for White Spot Cafe.

May 15, 2001 Hearing Officer approved a request by ROOF CARE CENTER, INC. (BA010061) for a Use Permit to allow a roof maintenance business and a Variance to allow existing conditions to remain and waive all Ordinance 808 Part 3 & 4 requirements, located at 2035 E. Apache Blvd.

### 2041 E. Apache Boulevard

1959-1961 Property record cards show various and permits for Jolinda Motel.

February 16, 1961 The Zoning Board approved a Use Permit for one trailer for family use.

February 15, 1962 The Use Permit for one trailer for family use was extended for a period of one year.

### 2051 E. Apache Boulevard

1959-1966 Property record cards show various and permits for Tip Top Motel & Breakfast Shop.

April 28, 1966 A building permit was issued to construct a trailer court for three trailers.

- February 25, 1998 Board of Adjustment approved a Use Permit for a ministry for STREEST OF JOY (BA980003), located at 2051 E. Apache Blvd.
- June 24, 1998 Board of Adjustment reviewed the Use Permit for a ministry for STREEST OF JOY (BA980003), located at 2051 E. Apache Blvd., to verify compliance with conditions of approval.
- October 28, 1998 Board of Adjustment reviewed the Use Permit for a ministry for STREEST OF JOY (BA980003), located at 2051 E. Apache Blvd., to verify compliance with conditions of approval.
- April 28, 1999 Board of Adjustment reviewed the Use Permit for a ministry to verify compliance with conditions of approval and approved multiple Variances for site clean-up for STREEST OF JOY (BA980003), located at 2051 E. Apache Blvd.

**2059 E. Apache Boulevard**

1961-1975 Property record cards show various and permits for Midway Trailer Park.

**2067 E. Apache Boulevard**

1958-1986 Property record cards show various and permits for Dearborn Motel and Dearborn Trailer Court.

**2075 E. Apache Boulevard**

1959-1985 Property record cards show various and permits for Polar Bear Motel.

**2083-2085 E. Apache Boulevard**

December 15, 1958 Permits issued to construct a 6-plex for North Star Lodge.

January 4, 1962 Zoning Board granted a variance to building a commercial building facing Apache, in front of apartments.

**2091 E. Apache Boulevard**

January 21, 1976 Design Review Board approved a building addition to an existing motel complex (DR-76.3), located at 2091 E. Apache Blvd.

**1326-1340 S. River Drive**

1960-1967 Property record cards show various permits for a motel.

**2066-2074 E. Wildermuth Avenue**

July 15, 1963 Board of Adjustment approved a Use Permit for development of a trailer park (A-63-7.6) for a period of five years in the R-4 zoning district, located at 2066-2074 E. Wildermuth Ave.

July 15, 1968 Board of Adjustment approved a Use Permit to continue operation of a trailer court for Earl Swisher (A-68-7.3), located at 2074 E. Wildermuth Ave.

**Current Project**

April 19, 2016 Applicant held a neighborhood meeting at the Tempe Apache Police Substation.

August 23, 2016 Development Review Commission recommended approval of a Zoning Map Amendment from CSS TOD and R-4 TOD to MU-4 TOD and a Planned Area Development Overlay for a new 13.56 acre, seven-story mixed-use development to include 698 units and 59,466 square feet of commercial space. Commission also recommended approval of a Development Plan Review for Phase 1 of the development to include 450 dwelling units and 35,709 square feet of commercial space for EASTLINE VILLAGE (PL160097), located at 2025 East Apache Boulevard.

September 8, 2016 This request is scheduled for the introduction and first City Council public hearing.

September 22, 2016 This request is scheduled for the second City Council public hearing.  
PL160097 – EASTLINE VILLAGE

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-304, Zoning Map Amendment

Section 6-305, Planned Area Development (PAD) Overlay districts

Section 6-306, Development Plan Review