



**CITY OF TEMPE
REQUEST FOR COUNCIL ACTION**

**Meeting Date: 09/22/2016
Agenda Item: 6B4**

ACTION: Introduce and hold the first public hearing to adopt an Amended Planned Area Development Overlay and Development Plan Review for two new 24-story buildings consisting of a mixed-use 586-unit multi-family with retail and restaurant uses for THE PIER, located at 1190 East Vista Del Lago Drive. The applicant is Sender Associates Chtd. The second and final public hearing is scheduled for October 27, 2016. (Ordinance No. O2016.55)

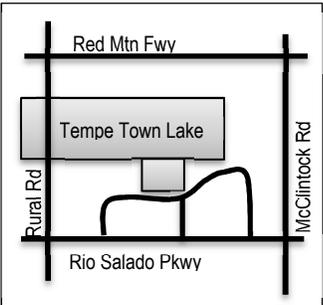
FISCAL IMPACT: While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

RECOMMENDATION: Adopt Ordinance No. O2016.55
Approve Development Plan Review, subject to conditions
Development Review Commission – Approve (6-1 vote, Commissioner Langston dissenting), subject to modified conditions

BACKGROUND INFORMATION: THE PIER (PL160248) is located on the south side of Tempe Town Lake, west of Tempe Marketplace, east of Arizona State University within an original Planned Area Development approved in 2007 and an amended PAD approved in January 2016. The development was subdivided and street improvements installed; the lots have remained undeveloped. Lot 5 of the development was originally proposed for a hotel use, the most recent approval was to allow 551 units within a new mixed-use development of residential, retail and restaurant uses along the lakefront. A pedestrian tract to the east would be developed by the owner of the lot to the east, and the shared access drive on the west adjoins with a lot owned by the City of Tempe. The proposed building would contain four levels of underground structured parking under the footprint of the site with market rate apartments over first floor retail and restaurant use. While drafting the construction documents, the structural system of the building changed, resulting in a re-evaluation of the plan. The floorplate for parking changed with the structural modifications, which, in combination with proposed changes to increase the unit and bedroom count, impacted the required and provided parking. The applicant is seeking to add an additional floor and 35 units, reduce parking and increase in tandem parking. The Development Review Commission heard and recommended approval of the Planned Area Development and Development Plan Review with a six to one vote, and approved a Use Permit for 216 tandem parking spaces with a four to three vote.

The applicant is seeking to add 35 units, reduce parking and increase in tandem parking. The request includes the following:

1. Planned Area Development Overlay Amendment from 551 to 586 units, with 18,511 s.f. of retail, 8,094 s.f. of restaurant and 3,995 s.f. of outdoor dining, 1,061 parking spaces (including tandem), and development standards for 293 foot maximum building height, 221 dwelling units per acre density, 31' front setback, 14' side setback and 17' rear setback on 2.6 acres.
2. Development Plan Review including site plan, building elevations, and landscape plan



Property Owner	Rob Fransway, Springbrook Development
Applicant	Darin Sender, Sender Associates, Chtd.
Zoning District	MU-4, Rio Salado Overlay District, Pier PAD
Gross/Net site area	2.624 acres (115,395)
Density / # of Units	221 du/ac / 586
Number of Bedrooms	800 bedrooms (103 studio, 273 1-bedroom, 206 2-bedroom, 4 3-bedroom)
Total Building Area	1,345,926 s.f.
Lot Coverage	61.48% (70,947 s.f.) (61.15% maximum allowed existing PAD)
Building Height	283 ft (292'6" maximum allowed existing PAD)
Building Setbacks	31' front, 27' west side, 14' east side, 17' rear (31.5' front, 28.75' west, 15.29' east, 18.42' rear existing PAD)

Landscape area	12.26% (14,156 s.f.) (11%, 12,643 s.f. existing PAD)
Vehicle Parking	1061 spaces, including 216 tandem (1246 code required, existing PAD allowed 1,106 with 90 tandem allowed by use permit and 26 compact)
Bicycle Parking	626 spaces (580 code 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: Diana Kaminski, Senior Planner

COMMENTS:

Lot 5 is bordered by Tempe Town Lake on the north side, Vista Del Lago Drive on the south side, a City owned parcel to the west and a privately owned tract dedicated for a pedestrian plaza on the east. The property is within the existing Pier 202 Subdivision east of Rural Road, west of McClintock Drive, and north of Rio Salado Parkway. Nearby uses include Tempe Marketplace to the east, Karsten Golf Course to the south, ASU to the south east and State Farm offices to the west. The area is located within an existing 2007 Planned Area Development of nine lots ranging in height from 187 to 310 feet within the Rio Salado Overlay District. The proposed building consists of two 24 story towers, each approximately 283 feet in height to the top of the mechanical equipment screening, connected at levels 3 through 6 by a bridge of units and an amenity deck. The building is oriented with the towers on the east and west sides of the lot, with the center of the structure shaded by the towers and allowing views through to the Town Lake. The first floor includes entrance to the garage centered on the lot, restaurant and retail uses wrapping the interior first floor court yard amenity area that is publicly accessible between the street and Town Lake. The project is proposed to be phased, with the first phase being the 4 levels of underground parking, the podium level and the eastern tower. Phase two would be the second tower.

This request includes the following:

1. Amended Planned Area Development to modify the standards for density from 208 du/ac to 221 du/ac, number of units from 551 to 586, with a maximum of 800 bedrooms, modify setbacks to reduce the west and east side yard setbacks by one foot on each side, and the north rear setback by one foot and to reduce vehicle parking from 1,246 required to 1,061 including 216 tandem spaces (16 compact spaces not included in parking calculation).
2. Development Plan Review which includes: a 24 story building with proposed uses that include residential apartments, restaurant and retail with below grade parking, within 1,345,926 s.f. of building area on 2.6 net acres.

The applicant is requesting Council approval of the items listed above. By separate request, the applicant will be required to purchase property that is currently within the City right of way along Vista Del Lago. The applicant wishes to incorporate street parking on site, and obtain full use of the land underground for parking structure. Conditions of approval have been included to address this request.

PRELIMINARY SITE PLAN REVIEW

Below are the comments from the original site plan review process that are applicable to the new request, prior comments that were resolved in process have been removed:

8/5/2015 first review comments:

- Reminder about Federal Aviation Administration Review, Flood Control District Review, Encroachment Permit and Public Utility Easement requirements and other technical details.

9/16/2015 second review comments:

- Public Utility Easement on south side of lot needs to be maintained.
- Provide shade trees along south and west side of site, and where possible along the north side (subsequent review of the proposed design determined that trees are not possible on the north side).
- Referred to the existing landscape masterplan for plants along lakefront, pedestrian corridors and street front.

10/28/15 third review comments:

- Technical details of the public utility easement on south side.
- All trees had been removed from the landscape plan on the south side, new comment to add street trees and landscape islands at ends of 2 parking rows along street front. 14 trees originally proposed/approved in Pier 202.
- Required street trees or landscape island trees could not be palm trees.
- Recommendation to remove south row of tandem spaces on first subterranean level of garage, to accommodate required public utility easement, private utilities and street trees.

11/9/15 revised submittal response to Site Plan Review Comments

- Comments related to water/sewer/stormwater and utilities had not yet been addressed.
- Landscape trees were directed to be put in soil, not in pots, and to be Ash Trees to match the existing PAD masterplan for the overall development. The Ash tree was a condition of approval on the adjacent site.
- Staff provided the design guidelines for the Pier 202 masterplan as well as the Rio Salado landscape masterplan, and requested a landscape design inclusive of the levee portion in front of this project.

11/18/15 revised submittal

- Public Utility Easement was proposed to be located inside the garage for dry utilities. This solution was reviewed by Development Services staff and determined potentially feasible although less than ideal. This concept will require review and written approval by all public dry utility providers. Staff has provided analysis of the project in terms of impacts if permission is not granted and the PUE must be maintained in soil, outside of the parking garage.
- The landscape plan included 2 forms of fountain grass and turf along the levee, but no additional vegetation. Although the levee is restricted in allowed plant material by the U.S. Army Corps of Engineers and Flood Control District of Maricopa County, staff will be conditioning that further plant material be incorporated into the public park area. Staff forwarded the landscape plans to Flood Control District of Maricopa County for review of the proposed levee improvements and has not yet received comments on the proposed design.
- Street trees and landscape island trees are provided in planters that are 2' above grade and 2' below grade, providing a 4' soil depth to meet street tree requirements (staff included a condition for the prior entitlement that trees be planted in ground, not in boxes).
- A solid waste solution was proposed that Solid Waste Services agreed to but did not consider an ideal solution. The applicant does not wish to use compactors, a standard mechanism for refuse collection in larger scale buildings. All refuse collection for tower 1 (east side) will be delivered by chute to the basement (parking level) to a 3 yard recycle bin and a 3 yard refuse bin. Refuse bins from Tower 1 will be hand pushed to the service elevator in tower 2, and be taken up to the ground floor storage room for solid waste service collection from the drive on west side. Restaurant food service delivery will use same west drive entrance and same service elevator down to the parking garage and back up into Tower 1 to access east side. All residents will move in and out using the west side drive and service elevator in each tower.
- Sanitation services has accepted the proposed plan, with the modification to sheet RP-02: refuse is not to be wheeled up the center drive aisle to the first floor, it is all to follow the shortest, safest path of travel within the garage to the elevator per earlier conversations. Due to the proposed refuse solution, a condition has been added that requires the service elevator and refuse storage room portion of phase two tower to be constructed as part of phase one. The refuse transport and storage solution cannot be left unresolved until a future phase of development. If phase two does not occur, then the service core will need to be designed aesthetically and functionally without the second tower.

Another condition was included in the prior entitlement that phase one be designed with infrastructure and space to accommodate a compactor, in the event that after operations commence refuse collection warrants a different solution. Staff consulted with Maricopa County Health Department Environmental Services Division regarding the proposed refuse transport, storage and removal solution with the use of one service elevator for all solid waste on site and the deliveries of restaurant food. The County staff strongly advised that "the owner/developer of the premises/project provide a separate/alternative service entrance/ means for the proposed restaurant in order to accommodate all operational food and beverage deliveries, proper refuse removal, and thereby minimizing potential health concerns and the creation of hazards and nuisances." Based on this advice a condition was added to design the building to accommodate separate food delivery for the restaurant.

At all of these reviews, issues were raised that were technical details, provided in advance for the benefit of the development team to address early in the construction document phase to avoid potential unforeseen costs and delays. These issues were not required to be addressed through the prior Planning entitlement process because they were largely underground infrastructure needs that aren't handled at a conceptual design stage. However, the expectation in the planning entitlement process is that all issues would be addressed prior to construction documents being submitted for review and building permits issued. These issues included the location of all utilities on site, the existing easements on site, coordination with other property owners and jurisdictions for permissions to construct as proposed, and engineering standard requirements for retention, utilities, etc. There were many meetings to discuss engineering issues, and compromises were made to facilitate a proposed development that maximized the use of the site by pushing the underground garage to the property boundaries.

An assumption was made by the development team that the easements could be moved off site. Staff agreed to reduce the 12' public utility corridor to 5' to be held for all future public utilities, with the understanding that all private utilities and landscape material would be outside of this 5' easement. In July 2016, six months after approval of the project, a new application was made for minor modifications to the project, including an increase in the number of units from 551 to 586.

Below is a summary of the preliminary site plan review comments for the new submittal:

July 13, 2016:

- Requested update to refuse plan, parking study and traffic impact study.
- Required removal of an alternate plan shown on the Tract to the east, which did not have owner authorization to process an entitlement, even as an optional design solution.
- Fountain/water feature on north side encroached in existing water utility easement and was required to be removed.
- Grading and Drainage modifications needed.
- Plans were oriented in a different direction than the earlier entitlement, staff requested reorientation of images for consistency in presentation and to facilitate comparative review of the plans for all changes.

August 10, 2016:

- North side: The reflecting pool and potted trees were shown on the original presented plans and remained over the existing water line, within an existing easement. Concerns about emergency access to the waterline require protection of the waterline and the easement for public health, safety and welfare. The easement and waterline may be moved, if there is sufficient room to install the site drainage pipe outside the easement, and not impact other existing utilities and access requirements for this north side. The simplest solution is removal of the reflecting pool and potted trees from the easement; which would affect the northern elevation of the project from what has been presented. If the intention is to provide the water feature and potted trees, then the engineering issues need to be resolved prior to the entitlement process, to assure that an agreed upon solution has been made and that the drawings as submitted to Council, represent the design of the project expected to be built.
- South side: The public utility easement has been reduced to the absolute minimum allowed, 5' located within the parking spaces on the south side of the lot. Per prior communications, the water meter vaults, 2' storm drain catch basins and sewer manhole covers for this project may not be located within this easement. These private development infrastructure requirements must be outside the public utility easement and not interfere with the required street trees on this frontage. This may require modification to the garage (per prior discussions) to set back the first floor of the structure to allow this equipment room on the site. This may impact the parking calculations and must be addressed prior to entitlements of the revised plans. Due to the requested increase in units and decrease in parking, these infrastructure needs now impact the planning entitlements and must be addressed.
- Parking Study, revisions are necessary, coordinate all floors of parking garage for accurate parking counts and revise plan as needed so that all numbers match; this is critical due to the reduction requested in parking and the increase in units and tandem parking that must be justified by this analysis.
- Changes to rooftop mechanical equipment was not discussed with staff and does not comply with original entitlement conditions, revise drawings to represent what was presented or revise all color renderings to match the new design, and provide letter of explanation why this change is being requested as part of the DPR.
- A new waterfront feature was added that had not been previously submitted, a floating dock concept in the lake. Staff directed the applicant to remove this item, as it was too late in the process to provide sufficient review and clearances to modifications off-site and in the lake. The plans should reflect the entitlement request on property only, as other clearances would be needed by Flood Control District of Maricopa County and other staff involved in lake operations.
- Staff requested that no further changes be made that hadn't been part of the original submittal or discussion, due to the complexity of the project and the timing of the entitlement process.

Response from the applicant on issues still in discussion, with staff response in *italics*:

- The meter vaults are now 2" meter boxes which are allowed in the PUE. *Staff will accept encroachment of the private water utility meter vaults as proposed within the PUE.*
- The sewer manholes and 2' drainage catch basins are being moved out of the PUE and inside the garage, utilizing the private utility area you referenced below, but without moving the walls. *Engineering will review this with the construction document submittal to verify feasibility of design.*
- Details of proposed 'movable' planters on the north side were provided. *Potted Trees shown as removable by forklift within the dedicated easement. Staff does not use and maintain forklifts as part of utility field operations; the proposed solution does not meet emergency response requirements. Because we need to access our infrastructure at a moment's notice (24-7) we cannot plan on renting a forklift or crane as part of our normal operations. The potted trees will hinder the ability to maintain our infrastructure utilizing standard equipment and methods, as well as, impair our ability to restore water as quickly as possible to customers and to provide full available fire protection in the timeliest means possible. Because of these issues and additional risk to public health and safety remove potted trees from the north elevation. In-ground non-invasive ground cover, vines and shrubs would be allowed, oleander will not be allowed.*
- Details of the reflecting pool on the north side were provided. *Staff cannot accept structures within a dedicated*

waterline easement that will hinder our ability to operate and maintain an existing waterline. Any structure that will affect infrastructure utilizing standard equipment and methods, impairs the ability to quickly restore water to customers or impacts fire response times or fire protection cannot be allowed. Because of these issues and additional risk to public health and safety this solution does not meet requirements; remove structures from waterline easement or relocate the water line and easement with resolution to other utility and infrastructure requirements.

- Storm water runoff coming from the public parking spaces and surrounding sidewalk and hardscape areas along Vista Del Lago is proposed to drain to the street instead of being collected onsite and then piped to the very same storm drain system. *Engineering is reviewing the calculations to determine what may be allowed, since the parking spaces are being conveyed from right of way to private property, however all on-site storm water is required to be collected on site.*
- The storm drain on the north side of the property was moved out of the Water easement.
- A new sidewalk easement has been added along the north side of vista del lago.
- Design team determined that 4 ft of a custom soil type and tree bracing was adequate for the street trees on the south side.
- The architect added parking numbers to all of the parking spaces.
- The lakeside floating dock was removed.

August 31, 2016 Review:

- Parking report was updated, architectural plan numbers did not correspond with parking study, staff asked for plans to match data in report.
- New trellises with curtains were added to the rooftop amenity decks, which had not been previously identified on plans; due to the timing of this review and the report completion, staff requested that all new items, previously not on the initial submittal, be removed due to the lack of time allowed for full review. Additional information would be required to fully review these additions. The applicant left the trellises on the plan, and staff has conditioned that these be reviewed during construction document development.
- Staff asked for further landscape details on the boxed street tree solution, a detail was provided.
- Plans were not rotated with north to the top of the page, some sheets were and others were not, staff requested that all submitted pages match the original orientation for comparison between existing entitlement and requested changes.

PUBLIC INPUT

- Neighborhood meeting was required
- The original PAD neighborhood meeting was held: November 4, 2015 from 6:00 p.m. to 7:00 p.m. at 464 S Farmer Ave #101, Tempe.
- A second neighborhood meeting, for this new request, was held: July 21, 2016 from 6:00 p.m. to 7:00 p.m. at 464 S Farmer Ave #101, Tempe.
- At both of the neighborhood meetings, no members of the public attended.
- The applicant development team attended.
- Community Development staff attended both meetings.

At the completion of this report, there was one inquiry from the adjacent property owner who did not receive notification for the request. Staff verified that the County Assessor's site did not correctly list the owner address. The applicant was notified and communications were held between the applicant and the adjacent property owner.

DEVELOPMENT REVIEW COMMISSION

At the September 13, 2016 Commission hearing the commission members discussed the proposed project changes, issues identified during discussion included:

- Street Front Parking - The applicant asked to reserve three parking spaces of the public parking spaces along the street front. The commission asked about the status of the parking along the Vista Del Lago Street frontage. Staff explained that the existing seven spaces are in the current right of way; the applicant is requesting to purchase the

property from the city, in order to build the parking garage further south. The PAD is contingent upon Council approval of the disposition of the land where the current parallel spaces are located. The proposed site plan would replace the seven parallel spaces with 17 new angled parking spaces, which would be available to the public. The parking study includes these 17 spaces as part of the property's total parking provision, however, they may not be restricted for private use only. Any changes to the use of those spaces would need to be determined by the development and disposition agreement, which is not a part of the entitlement request. The PAD and DPR would approve the site plan configuration for the parking as shown, and the allowance of these spaces to be counted within the total provided parking on site. There is no change to the street front from the prior approval.

- Increase in Units - A Commissioner noted that although 11 of the new units requested are on a redesigned sixth floor level, the additional 24 units on a new floor level does not appear to be needed to maintain the architectural form of the building. At 293 feet tall, removal of one floor (as opposed to adding a floor as requested) would not impact the building design at that scale; however it might help alleviate the need for more tandem parking spaces.
- PAD Standards - The request for changed setbacks and building height and density was not an issue, however, the increase in units with the reduction in parking and increase in tandem parking was a concern.
- Design – Project is substantially the same as previous approved project; changes to the site plan, landscape plan and elevations are acceptable. Addition of another story does not impact design.
- Tandem Parking - Operational function of the tandem spaces was questioned. Discussion about the conditions of approval of the Use Permit and the specificity of the conditions. Staff conditioned the maximum number of tandem per floor because the increase in residential units also increased the required guest spaces, which are shared with the commercial uses. Commercial parking was originally proposed for all of B1, but tandem spaces were added and the required commercial/guest parking can't be met on B1 alone. Tandem spaces would not work for commercial uses without valet service. The conditions were specific to assure commercially viable parking and were based on the applicant submitted floorplans and parking study. The floorplates are determined by column locations, and the plans are no longer conceptual; the applicant indicated they intend to submit for building permits soon, so the location of the parking spaces is fairly fixed. Staff was not concerned with the reduction in residential parking spaces based on the parking study, each of the studios and one bedrooms could meet code required parking, and the two bedroom could all have tandem assigned spaces. Staff wanted to assure sufficient parking for shared commercial and guest spaces. Several commissioners were comfortable with the tandem solution proposed and a few commissioners remained concerned about the Use Permit for increased tandem parking. A modification was made to a Use Permit condition regarding the valet parking on B1 level.
- Required Street Trees - The applicant requested modification of condition #25 regarding the street trees and wishes to interpret "in ground" as allowing two feet of soil in a contained concrete structure below the soil surface, and provide two additional feet above surface. Commissioners asked about the tree species and whether an Ash or Pistache tree would be able to live in the proposed four feet of soil depth. The street tree planting detail was part of the prior entitlement and remains a point of concern to assure that the 6 street trees along Vista Del Lago are provided sufficient growth to sustain maturity. Condition #25, would allow a reduction of 10 parking spaces to accommodate planters to extend the full depth of the first floor of the garage. The applicant would like to plant these required street trees in approximately 4 feet of soil, in areas approximately 150 square feet in surface area. Staff is not in support of the design solution proposed, and wants to maintain the condition as written. As the first development within the South Bank masterplan, the precedence of street trees installed in substandard growing conditions will not maintain a sustainable mature street canopy along Vista Del Lago. Staff is willing to consider other technical solutions to meet the intent of healthy street tree maturity, with planting details to be addressed with staff during construction document phase. The Commission modified the condition to match what was originally entitled with the PAD in January, since there was no change to the proposed landscape along the street front.
- Action Taken: Due to the concerns about parking, the Planned Area Development and Development Plan Review motion to approve was separated from the Use Permit action. The PAD and DPR was approved six to one, with Commissioner Langston in dissent. The Use Permit was approved four to three, with Commissioners Langston, Sumners and Amarosi in dissent.

PROJECT ANALYSIS

RIO SALADO MASTERPLAN

The land surrounding the Town Lake is part of the Rio Salado Overlay District and part of a multi-decade master plan for improvements to the area. The goals of the master plan are to:

- provide flood control
- encourage development
- promote recreation
- utilize sensitive environmental planning
- improve regional quality of life
- provide educational opportunities
- maintain regional and historical context
- attain the best economic and social benefits for citizens.

These goals drive all projects within the area. Flood Control District of Maricopa County, and the U.S. Army Corps of Engineers have final approval of any landscape within the flood channel on the banks of the Town Lake. This impacts the potential for shade and use of vegetation. This site was originally planned for a Peabody Hotel and mixed uses surrounding the project in 1998. Subsequent economic events resulted in multiple entitlements without development being realized. As a long range project covering some of the last vacant property in Tempe, the development that occurs is intended to be long-standing rather than short-lived in nature. The use of appropriate landscape material, including non-invasive plants, native species, and vegetation that provides habitat value is encouraged. Shade, public access, open space, and opportunities for different forms of recreation, entertainment, amenities and education are encouraged. The proposed project helps energize the east end of the lake, respective of flood control requirements, appropriate development in terms of scale and intensity for the location, uniquely landscaped, with a sustainable operation plan that provides opportunities to educate residents and guests about environmentally sensitive lifestyles. The proposed project substantially meets the goals of the Rio Salado Masterplan, and would set the design standard within the Pier development.

PLANNED AREA DEVELOPMENT

The existing Planned Area Development consists of 9 individually platted lots around existing public street infrastructure, existing light fixtures, hydrants and street tree designations. The site was originally identified as Lot 4A in Pier 202, a 285 room hotel lot. The property is now identified as Lot 5, entitled for 551 apartments. The applicant is proposing to modify the standards to increase the number of units and make minor development standard changes. The result of these changes would be a phased 586-unit apartment community within two 24-story towers wrapped on the lower level by a large restaurant tenant and retail/commercial uses surrounding the ground floor. The applicant has provided a letter of intent explaining the need for the modifications to the existing development standards. The traffic impact statement has been updated and reviewed and accepted by traffic engineering staff. A summary of the July 25, 2016 Traffic Impact Study traffic generation is provided below:

Table 1: Trip Generation for The Pier Development

Land Use	ITE LUC	Size		Weekday Generated Trips						
				Daily	AM Peak Hour		PM Peak Hour			
		Quantity	Units	Total	Enter	Exit	Total	Enter	Exit	Total
High Rise Residential Condominium/ Townhouse	232	586	DU	2,450	38	162	200	138	85	223
Specialty Retail Center	826	15,511	SF	702				19	24	43
Quality Restaurant	931	12,089	SF	1,088	8	2	10	61	30	91
TOTAL				4,240	46	164	210	218	139	357

The purpose of the Planned Area Development is to facilitate development of a project and design that could not be built with the existing development standards, either the standards within the Zoning and Development Code, or within the PAD. Lot 5 is a relatively square property, with a public plaza planned to the east. The original site was designed with standards to accommodate a 251 foot tall 285 room hotel with a 15, 000 s.f. spa, 19,000 s.f. of restaurant space, 7,000 s.f. of retail space and a 20,000 s.f. conference center. This site had a significant parking reduction that appeared to rely on the overall parking scheme of the Pier 202 masterplan to meet parking demand. Although building mass and form and some of the on-site amenities may be similar, the parking demands and site functions vary with the change of use from hotel to residential. The proposed plan also takes into account that there is no guaranteed reliance on adjacent sites for parking provision or customer cross-over, since there are no existing developments within Pier 202. Although other projects have been entitled,

like the Peabody Hotel (a 1,000 room 315 foot tall building with 2,269 parking spaces) proposed in 1998, none of these have been built. The proposed development assumes a long-term investment that anticipates development without assuming a timeframe for built capacity. It is designed to be self-reliant but fit within the larger programmed vision of Pier 202.

A summary of existing and proposed development standards is provided below:

THE PIER – PAD Overlay			
Standard	EXISTING 1/2016 ENTITLED PAD	PROPOSED 9/2016 PAD	Change Compared to Lot 5
Residential Density (du/ac)	210	221	Increase
Residential Units / Hotel Rooms	551	586	Increase
Building Height Maximum	293	293	No Change
Maximum Lot Coverage (% of net site area)	60%	61.48%	Increase
Minimum Landscape Area (% of net site area)	11%	12.26%	Increase
Setbacks (feet)			
Front (south)	31'6"	31' 6"	No Change
Side (west side)	28'9"	27' 7.5"	Decrease
Side (east side)	15'3"	14' 5.5"	Decrease
Rear (north, lakefront)	18'5"	17' 9"	Decrease
Vehicle Parking Required/Provided Tandem Parking	1,197 spaces required/ 1,106 spaces provided	1,246 spaces required / 1,061 provided	Decrease in provided parking
Compact Spaces	90 Tandem 26 Compact	216 Tandem 16 Compact	Increase in Tandem
Motorcycle/Scooter Parking Bicycle Parking Required/Provided	33 spaces 548 required / 626 provided	33 spaces 580 required / 456 provided	Decrease
Breakout of Uses:	17,309 s.f. 8,245 s.f. 3,959 s.f. 88 studio 247 1-bdrm 208 2-bdrm 8 3-bdrm	18,511 s.f. 8,094 s.f. 3,959 s.f. 103 studio 273 1-bdrm 206 2-bdrm 4 3-bdrm	Total Building Area for Retail, Restaurant, Residential: 1,345,926 s.f.

PARKING REDUCTION

The parking demand, both required and provided, are almost one third of the entire Pier 202 parking provisions for all nine lots. The applicant has provided a parking study to justify a 185 space reduction from 1,246 spaces to 1,061 spaces inclusive of 216 tandem, and an additional 16 compact spaces (not counted in the parking total).

Parking by use	Zoning Code Required	TOD Allowed (if this area were added to the TOD for future street car)	Proposed PAD Parking Provided
Multi-family residential	934.5 spaces	600 spaces	803 spaces (including 178 tandem)
Guest	117.20 spaces	117.2 spaces	95
Restaurant	107.92 spaces	91.25 spaces	38 valet , 21 on-street (public spaces) + shared w/ retail
Restaurant Patio	24.63 spaces	24.63 spaces	Not separated out
Retail	61.70 spaces	46.28 spaces	104 shared with restaurant
TOTAL REQUIRED	1,246 spaces	880 spaces	1,061 + 16 compact

Staff has reviewed the submitted parking study and provided analysis of existing entitlements around the Tempe Town Lake

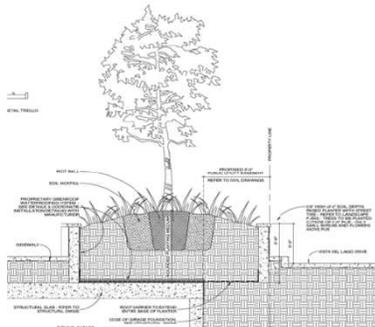
for comparison. The proposed 185 space reduction is appropriate to the surrounding area and existing parking standards.

COMPARISON OF UNIT MIX, PARKING RATIOS AND COMMERCIAL COMPONENTS OF ENTITLED DEVELOPMENTS WITHIN THE RIO SALADO OVERLAY AREA.

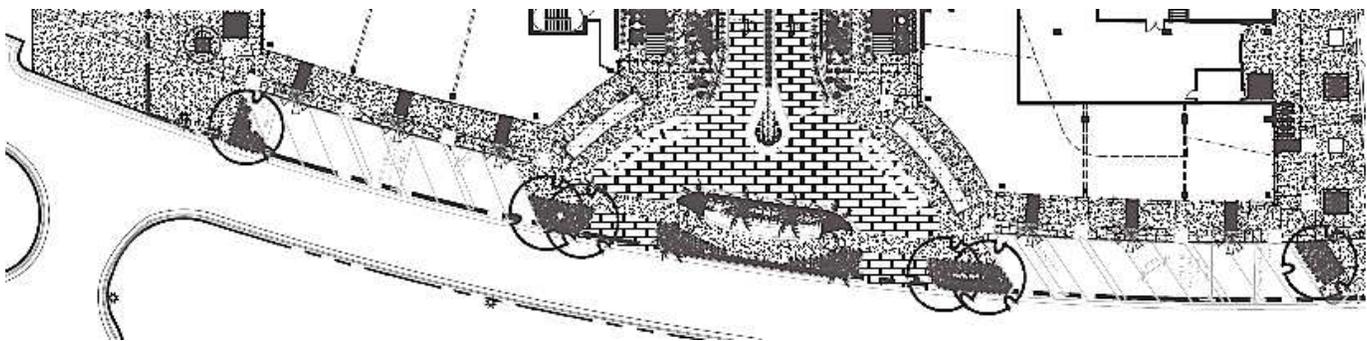
Project	# of Live/Work	# of Studio	# of 1 bedroom	# of 2 bedroom	# of 3 bedroom	Total unit #	Parking Required by Code	Parking Provided by Entitlement	Parking Ratio/Unit	Square Footage of Commercial	Parking Required by Code for Commercial Uses	Parking Allowed IF Site were in TOD	TOTAL PARKING REQUIRED ON SITE	TOTAL PARKING PROVIDED ON SITE
Regatta Point	10	11	73	68	0	162	307	275	.85 per bedroom	5828 s.f. (commercial portion only of the live work units)	included as guest parking	212	288	275
Riverwalk (Trillium)	0	86	152	164	64	466	895	892 (+ 23 RV)	1.91	NOT MIXED USE	N/A	662	882	903
Sotello Lofts	0		36	98	36	170	357	365	.93 per bedroom	NOT MIXED USE	N/A	289		
Archstone	0		97	116	21	234	477	432	.9 per bedroom	NOT MIXED USE	N/A	341	479	432
Argo	9	32	135	136	16	328	631	564 (guest parked at .2 per unit)	1.16 per bedroom	7,172 sf retail/restaurant/office + 6,068 s.f. live work = 13,240 s.f.	456 (7,172 sq ft counted as retail)	631	564	
Tempe Townlake Residential	3	40	171	76	0	290	534	420 (guest parked at .1 per bedroom)	1.1 per bedroom	4,490 s.f.		358	549	410
The Pier Lot 1		Information not itemized in PAD					105	184	194	1.85	17,000 s.f. Retail and 7,000 s.f. Restaurant and 230,000 Office	879 + residential	1,100	1,124 garage 54 tandem
The Pier Lot 9		Information not itemized in PAD					384	672	710	1.85	13,000 s.f. Retail and 15,000 s.f. Restaurant and	183 + residential	915	1,077 garage 42 tandem 72 compact
The Pier Lot 6		Information not itemized in PAD					302	529	559	1.85	15,000 s.f. Retail and 5,000 s.f. Restaurant and	87.5 + residential	647	680 Garage 50 tandem
The Pier Lot 4		Information not itemized in PAD					79	138	146	1.85	NOT MIXED USE	N/A	138	146 garage 10 tandem
The Pier Lot 5	0	103	273	206	4	586	1,052	803	1.00 per bedroom	18,511 s.f. Retail and 8,095 s.f. Restaurant and 3,995 Outdoor Dining	194 spaces	1,246	1,077 spaces.	

The proposed 1,061 parking spaces may require further reduction due to landscape requirements on the street front. There is a requirement for street trees outside of the Public Utility Easement (PUE) and 20' from water utilities and hydrants. The proposed underground garage leaves limited surface soil on site for trees. The original Planned Area Development had 39% landscape area and 14 Velvet Ash street trees lining the north side of Vista Del Lago Drive. With the current layout, the 11% landscape area has all trees on site in containers, limiting their size, structural stability and longevity. Staff previously identified 8 tree locations as a compromise to the approved 14, although the plans only showed 6 street trees (four of these clustered in shared containers), the remainder were palms in the January entitlement.

The proposed design solution (Attachment 44) is shown below. The tree planters are adjacent to the public utility easement and provide approximately 4.5' of soil depth (2 feet below grade) in planters approximately 9 feet wide by 9 feet long (5 feet of the planter box is over the public utility easement, requiring a root barrier). This solution would provide limited soil for a tree to grow. Until the understory plants mature, the mounded soil would potentially wash out during heavy rains. The trees would be limited in root area and require replanting prior to maturity, always appearing as a newly planted tree.

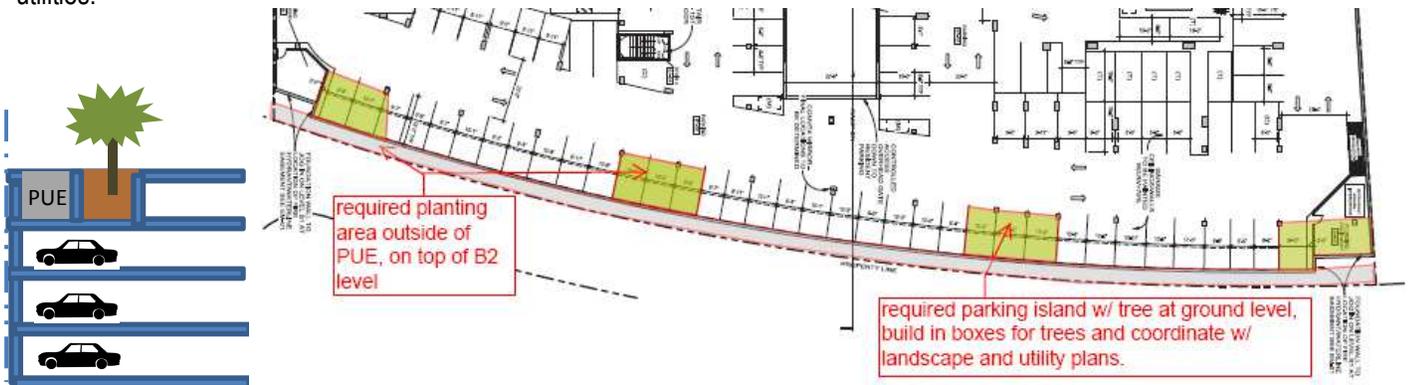


There is a condition of approval which would potentially impact 10 parking spaces located on the south side of Level B-1 in the garage, reducing the parking to 1,051 spaces. This reduction would allow street trees to be planted in a larger soil base, with approximately 18'x17' of



surface area and 9' of soil depth, creating built in planters the full depth of the first floor of the garage, rather than the 4 foot root zone proposed in the landscape plan. This solution would require removal of parking spaces on Level B1 of the garage, for recessed (in ground) planters large enough to meet the minimum square footage area to sustain required trees to a mature size.

Below is an illustration of the approximate underground basement level impacts to parking, with the PUE shown in the first 5' as grey. This PUE was reduced from 9' to 5' with engineering approval that no private utilities or trees be located within this area. The green areas are proposed to address requisite street tree planting areas as described below the image. This solution would allow parking spaces between 'planter' walls; subsequent lower floors would retain full use of the area for parking as proposed. Other design solutions may be feasible; therefore the condition supports other solutions that may not have been considered, as long as the public utility easement is maintained in a manner that functions for requisite public utilities.



Since this project has reduced the number of street trees from 14 to 6 (by prior entitlement), staff has kept prior condition #23: Street trees shall be located in ground on the south side of the development along Vista del Lago Drive. These street trees shall be a minimum of 36" box specimens and a minimum of 1 ½" caliper trunk. However, to assure that the design solution meets the intent for sustainable mature shade trees, further specificity is provided to the condition, which is now #26 of this report: Street trees shall be located in ground on the south side of the development along Vista del Lago Drive. These street trees shall be a minimum of 36" box specimens and a minimum of 1 ½" caliper trunk. This requirement would allow the reduction of 10 spaces located on the south side of Level B-1 in the garage, reducing the parking to 1,051 spaces. This reduction would allow street trees to be planted in a larger soil base, creating built in planters the full depth of the first floor of the garage, rather than the 4 foot root zone proposed in the landscape plan. This condition may be modified if an alternative solution is presented to staff that sufficiently meets the intent to sustain mature street trees. .

The landscape plan has six Chinese Pistache and four Palm Trees. The street tree within Pier 202 is Velvet Ash, which was an approved tree within the Rio Salado Landscape Masterplan. A condition from the prior entitlement remains, to conform to the Pier 202 street tree palette unless the entire plant landscape plan is reviewed and revised as part of a comprehensive masterplan.

Regarding the utilities for the site, the details of on site private and public utilities will be reviewed by Engineering during construction documentation. The applicant must obtain separate approval from each utility and also meet any building code requirements prior to submittal of construction documents for permit review. Per the prior entitlement, there is a condition of approval requiring that if the public utilities do not provide written approval of the proposed design solution prior to submittal of construction documents, the parking spaces shall be removed from the PUE and provided in soil. Accommodations made for the purpose of the utility provision to this site may impact the total parking for the property. By comparison to other projects around the lake, the parking ratio for resident parking is appropriate, and a reduction by shared parking for the guest and commercial uses is appropriate. However, the proposed parking of 1,061 is below the 85th percentile standards of the Institute for Traffic Engineers, and loss of all of the south row of parking on the B1 level (36 total spaces) would affect the commercial and guest parking and reduce the provided parking to 1,025 spaces. A condition has been added that if the utilities cannot be accommodated as proposed by this design, parking must either comply with the PAD standards proposed, or a reduction in units and bedrooms will be necessary to reduce parking requirements and allow more parking for the commercial uses.

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.*
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.*
3. *The development appropriately mitigates transitional impacts on the immediate surroundings.*

DEVELOPMENT PLAN REVIEW

Site Plan

Lot Five is located in the middle of the existing street infrastructure of Pier 202. The site layout is oriented to maximize views of the lake both to residents on site and to adjacent properties. The footprint is a podium structure over four subterranean floors of parking. The east and west sides of the site vary from 322' to 257' deep, the north side is 308' wide along the lake front, and the south side street front is approximately 402' in a slight curve along Vista Del Lago Drive. The applicant would like the opportunity to work with the adjacent property owner to the east to design and develop the pedestrian plaza area facing the eastern side of the proposed building, which is lined with retail shops and a large restaurant space at the north east corner. At this time there is an existing conceptual design for this area, but no changes are proposed with this request. A separate Development Plan Review would be necessary with the adjacent property owner to modify the eastern tract. The north side has outdoor dining, a zero edge swimming pool. One challenge with this site is that due to the underground parking structure proposed at the property lines, and the existing utility restrictions and the levee location, there is no room on site for in-ground trees. All trees on the west, east and south side are contained within planter boxes either above ground or partially recessed; there is no room for trees on the north side. There is a bank of large transformers in an existing utility easement at the north east corner of the site. The applicant is proposing to reduce the size of the easement, and utilize the area to landscape and screen the existing transformers in place if they cannot be relocated within the parking structure (discussions regarding the existing utility infrastructure relocation are ongoing). The existing levee serves as a part of a required fire access lane around the development and lake. The west side is adjacent to a property owned by the City of Tempe, planned for future development. The applicant is proposing a shared access drive to allow refuse and delivery access to the site as well as fire access. This drive would be developed as part of phase one of the project, and would terminate approximately half way up the west side of the sites. The remainder of the west side would be pedestrian plaza space. The existing parallel parking spaces on the street front are being proposed to be redesigned as angled parking to accommodate more on-street public parking. These spaces are currently within the right of way. The applicant is proposing to purchase the land for incorporation into Lot Five, through an amended Subdivision Plat. This agreement would require that the parking be built and maintained by the property owner but accessible to the public and managed by the City of Tempe, not included in the parking calculation for this site. The circulation to the site is from one public entry between the two towers, overlooking a pedestrian courtyard and leading to a glass enclosed amenity space below on the first floor parking level. The towers are off-set to maximize views, and provide sunlight between the towers. The first floor of the parking garage has a landscaped courtyard that serves as a light well to the garage, the courtyard has a reflecting pool, outdoor lounge and seating area with fire pit and a fountain surrounded by curtain walls of glazing looking into the fitness center, club room, lounge and leasing office. Behind this amenity area is a bicycle storage and repair room. This activation of the first floor parking area is a unique design feature that increases security with staff, guests and residents having surveillance of the garage. From the street front, the public can walk along the east and west sides where retail lines the first floor under a shaded awning. The south side street front has retail flanking the main drive entry, and is set back with a trellised canopy shading a 12 foot sidewalk along the south side. Entering the site between the towers leads to a raised podium level that passes under an upper level bridge between the towers. The bridge is lined with plants and creates a pedestrian scale between the towers before opening up to the vista of the lake, and looking down into the courtyard below on the parking level. This courtyard includes a swimming pool and hot tub secured for residents, large outdoor lounge areas with seating, grills and fire pits, reflecting pools and fountains. It does not appear that accommodations were provided for residents to store boats or have access to boats on site. Bike parking now provided in a lockable room inside the garage; providing secured bike storage encourages bicycle use. Pedestrians can access the restaurant or pass through to the Town Lake path system. The restaurant includes a large outdoor seating area overlooking the lake. At the third floor level, the bridge connection adds residences between the towers for the next three floors. The retail space along the street front has high ceiling storefront in a single story, with rooftop gardens above. Plants can be viewed from the street front, from the public

plaza level, and from the residences above. Additional rooftop gardens with amenities are located on the fifth floor on the north side. The site has unique building form and a complex three dimensionality, crossing layers between floors, both above and below ground. The site is designed to maximize sustainability, with unique features such as proposed rooftop solar panels, edible landscape on terraced rooftop gardens, and balcony-level integrated hanging gardens internally irrigated through a proposed greywater system that would recycle water from the towers. A proposed on-site recycling program is proposed to collect items to be recycled or donated to reduce landfill material. The lease agreement includes resident education for sustainable living. The operational functions of the proposed development are a unique element that impacts every part of the site and building design.

Building Elevations

The building form and construction type define the architectural skin of the structure. Designed as a 24-story podium building split into two juxtaposed towers and connected by a bridge of residences between the third through fifth floors on the south end, the building uses solar controlled low-e glazing in a light green as the primary building material, floating between structural floors that surface as an exterior stucco system painted white. The angles of the building will reflect the sunlight and sky colors differently off of the panes of glass, changing throughout the day. The balconies wrap all four sides of the building, shading the glass while allowing panoramic views in all directions. Each unit has an outdoor balcony, separated from adjacent apartments by a translucent wall of glass to provide privacy while letting light transmit through the space within the 8' deep recesses of the patios. The elevations use a combination of green low-e glazing, fritted glass and translucent glass. The soft curved lines of the building respect the Rio Salado Masterplan design intent for curvilinear forms reflective of wind and water patterns along the lake and nautical references with rounded forms. The Pier embraces the unique locality to project as an iconic image visible from the sky, the freeway, the streets and the lakefront which creates a sense of place. Staff had recommended providing more architectural interest with base building materials at the pedestrian level, which is largely storefront glazing. The use of fritted glass (reference key note E-5 on architectural elevations) is used at the top of the retail storefronts and could be used at the wainscot level of the restaurant seating area for privacy under table tops rather than floor to ceiling glazing. The applicant is proposing two balcony design options on sheet A4—03. Staff prefers alternate 2, which provides a unique curvilinear form to the balcony, reinforcing the fluid movement of the structure in a unique design solution. The specified key note E-7 in the conditions remains open to either proposed design solution. The simplicity of the building materials forms the backdrop for the landscape on site.

The Rio Salado color scheme, as built in Hayden Ferry Lakeside, includes greys, blues, greens, cool tones in character with a waterfront image. The proposed building is off-white, a neutral tone toward the warm spectrum, similar to limestone. The proposed building materials would have a light reflectivity is 77%, which is greater than the standard 75% light reflectance value allowed. However, the addition of plants lining the balconies and hanging from the floor level will shade the bands of white between floors and add color and texture to the clean simple lines of the structure. The material was not specified for the plant facing panels, only that the color would be white. Staff has conditioned that this white be no greater than the 77% shown on the materials board.

The original Pier 202 proposed a warm color palette of copper and earth tones, which did not necessarily reflect the original color scheme within Rio Salado but was more in character with the Papago Park area, which was intended for warm earth tones reflective of the buttes and natural desert. The first floor of The Pier uses a honed sandstone block in a copper tone that ties into the Pier 202 color palette. The stone is used as a monumental base to the building, and breaks into smaller bands floated in front of glass to allow light to penetrate the masonry units. The material adds a warmth, texture and interest to the reflective glass and stark white of the structure above, grounding the building in a tone similar to Papago Park.

In the prior design, staff requested that the mechanical screening at the rooftop not be painted in the high reflective white, which will not be screened with plants, and will stand out in the sunlight, drawing attention to the structure visible from the freeway, the butte, the golf course and offices to the west. The north and south views are narrow portions of the mechanical screen and are fritted glass, architecturally integrating the screen into the building elements.

The original condition that the mechanical screening element be natural aluminum (silver) finish has not been changed with this request. The natural metal finish will blend more with the colors in the sky, drawing less attention to the building roof equipment room, which is not an architectural feature but a functional necessity.

The trellis structures added on the south elevation storefront are proposed to be painted white. Staff is conditioning that the trellis either be painted to match the color of the stone panel system, or patina rust finished and clear sealed for a more natural material finish. The white painted metal will detract from the warm tones of the ground level stone.

Additional white trellises with curtains were added to upper amenity decks were added without sufficient detail to provide review. A condition has been added that these items are not approved through this request and must be reviewed with the submittal of construction documents for review by planning, fire and development services staff.

Landscape Plan

The landscape palette for The Pier is a unique combination of plants used to address eco-system conditions within the site. The applicant is proposing Chinese Pistache as the street tree for Vista Del Lago, however the existing plant masterplan specifies Arizona Ash, in deference to the Rio Salado Masterplan and an attempt to restore native plants along the lakefront as a transitional riparian zone. If the Pier 202 masterplan is changed to supplant the current street tree species, the Chinese Pistache is an ideal tree for shade, fall color, and winter sun, allowing bare branches to be lighted for the holiday season. The Ash tree has similar properties and a slightly different form, but may not aesthetically endure over time, when they may look rangy. Ficus Nitida is proposed for the eastern edge of the site, typically used as a houseplant, this variety requires a sheltered environment with afternoon shade. The applicant is proposing Cordia boissieri on the north and west sides as small patio trees. A variety of palm trees are used in the interior courtyard, and the upper levels of roof gardens add edible plants such as Clementine orange, Medjool date palm, Natal plum, Chives, Tarragon, Rosemary, Lemongrass, Malabar spinach, Barbados cherry, Prickly Pear cactus, Sweet potato, Kale, Pansy flower, Passion vine, Marjoram, Nasturtium and Strawberry Guava. Loofa vine is also proposed. The Jabuticaba tree is related to the myrtle plant, and comes from Brazil. It is a slow-growing small evergreen tree with simple leaves similar to a Ficus. The flowers bloom from the trunk, where large black thick-skinned berries resembling grapes or olives grow from the trunk. The fruit is eaten from the tree or used to make jelly. Malunggay a fast-growing, drought-resistant tree, native to the southern foothills of the Himalayas in northwestern India. The bi-pinnate leaf structure and thin trunk give it a delicate airy look. It is cultivated in tropical and subtropical areas where its young seed pods and leaves are used as vegetables. Due to the exotic origin and fast growth pattern of this plant, a condition has been added to maintain the tree to prevent the spread of seed within the Town Lake, to protect the waterway from potentially invasive species. Ground covers, shrubs and vines are used extensively around the terraced gardens, courtyards and within the balcony planter boxes. The balconies have a combination of vertical growing and draping plants that cascade below to the next level. The planter boxes are also designed with plants that thrive in the sun located on the south and west exposures, and shade tolerant plants within the courtyard and north and east elevations. Each area was considered for the specific site condition to assure a healthy landscape design with color, texture and movement to accent the building form as it curves around corners. The variety of plants may also provide needed habitat value for butterflies, bees, and birds in an area that is currently devoid of flowering plants or vegetation other than turf at the lakefront. The combination of native and exotic plants is a unique palette.

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 set back 31 feet from the street front, with a 12 foot landscaped trellis in front, and steps back after the first level to reduce the visual impact of the tower at the street level. The building is placed to maximize use of the site, maintain views to the lake and to provide pedestrian movement in and around the site. The changes of elevation plane, turns at the corners the bridged residences on three floors and projected balconies provide variety.
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort*; the area has a natural westward wind in the morning and eastward wind at night along the lakefront, the building towers are staggered on the upper floors to capture air currents as they circulate around the building and balconies and through the courtyard and rooftop gardens. The combined building height an orientation, use of light colors, heavy shade overhangs, shade trellises and extensive landscape material, will mitigate heat gain on site and provide ample pedestrian shade and energy conservation to residents within the apartments. Extensive design detail was given to addressing the environmental conditions of the site and the building design.

3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings; the proposed material palette is simple yet meets the design threshold of development around the Town Lake. Stucco is minimized and the structural members are clad in planter boxes that are integrally irrigated from the floor structure of the building. Different forms of glazing are used for privacy, transparency, screening and visual variation. The metaquartzite stone is superior to other quartz based Sandstones for the purposes of exterior façade systems due to the durability of the product. The dense honed surface of silica-bonded quartz holds up to extreme temperatures without the erosion of conventional sandstone.*
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings; the building uses setbacks, overhangs, and a bridge element to de-emphasize the height of the building at the pedestrian level, landscape is appropriately scaled and utilized on every floor level.*
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; the building is broken up by planting containers, balconies, stairs and ramps, changes in materials from solid stone to suspended stone panels over glass, the use of light and shadow, the use of different forms of glass, the curved corners of the structure and the repetitive patterning of the balconies and planters create a strong base and creates a sense of movement and procession through and around the site.*
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; the building facades at the street level are primarily storefront window systems, but fritted glass and introductions of sandstone provide a change in material.*
7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; the site is limited on access to alternative modes of transportation due to location and lack of surrounding development. The site is designed to provide ideal pedestrian connectivity from the lake to Rio Salado Parkway, where bus and eventual street car service will be available. The on-site experience is designed for pedestrian use, however bicycle facilities are not secured rooms but open racks and no boat storage accommodations have been made for residents.*
8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; the site is designed to deemphasize vehicle use by restricting it to a small ramp into the lower garage where drop off occurs out of site adjacent to a lightwell courtyard. All service vehicles enter from the west side of the site, into a small entry in the building, reducing conflicts with pedestrians during busy move-in periods, food and commercial delivery times, and refuse collection.*
9. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; the site provides visibility in a well-lit, highly activated site plan, including the first level of the parking garage into the primary design experience with enhanced surveillance provided by the uses on this lower level.*
10. *Landscape accents and provides delineation from parking, buildings, driveways and pathways; the landscape provides shade to pedestrians, creates small micro-climates within different nodes of the building and promotes an interactive landscape experience with edible and sensorial plants to enhance the environment.*
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; Not applicable to this request, signage to be handled by separate process.*
12. *Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects. The site design will meet code requirements for safety while providing a light level appropriate to the surrounding area while utilizing technology to provide creative architectural enhancements to the site.*

Conclusion

Based on the information provided and the above analysis, staff recommends approval of the Planned Area Development, Use Permit 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 resulting in a unique project that would otherwise not be feasible with conventional zoning codes.
4. The proposed project meets the approval criteria for a Use Permit and for a 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.

All conditions below were part of the prior January 2016 entitlement approval, unless otherwise noted by "NEW" or "MODIFIED" as part of this request. Date and number specific conditions have been updated with new dates and numbers underlined but are not noted as modified, as the content of the condition has not changed.

General

1. Except as modified by conditions, The Pier development shall be in substantial conformance with the site plan and building elevations and landscape plans dated August 30, 2016. Minor modifications may be reviewed through the plan check process of construction documents; major modifications will require submittal of an amended Planned Area Development.
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 owner shall sign a waiver of rights and remedies form. By signing the form, the Owner voluntarily waives 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 PAD approval shall be null and void.
4. The Planned Area Development Overlay for The Pier 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. New construction shall be sound mitigated resulting with indoor noise levels not to exceed a day night-level (DNL) of 45 decibels.
6. The applicant shall apply for the abandonment of the existing Vista Del Lago right-of-way currently used for public parking. City will complete the abandonment in accordance with its usual procedures, and thereafter will sell the abandoned ROW to developer to be incorporated into Lot 5 via an amendment to the existing plat, concurrent with the issuance of building permits.
7. Parking spaces on the south side street-front are to be maintained as public parking spaces, not restricted. A permanent recorded public access easement and maintenance agreement for these parking spaces shall be recorded concurrently with the deed conveying title to the right of way.
8. The developer shall provide the City with a performance bond guaranteeing the completion of the parking spaces referenced in condition #7 concurrently with recording of the deed to the ROW.
9. Should the applicant be unable to secure written approval from all utility providers for the proposed Public Utility Easement to be located within the airspace of the garage, or reach an alternative solution acceptable to Engineering Staff, prior to submittal of plans for construction document review, the existing Public Utility Easement will be separated physically from the garage within soil within the first 9' from the property line north with a soil depth to be determined by Engineering staff but no greater than the depth of one basement parking floor level. This solution, or any other design solution approved by Engineering Staff, may remove up to 40 parking spaces on the south side of Level B1 as needed to meet the PUE requirements, thereby reducing the overall required parking from 1,061 to 1,021. Further changes beyond this reduction parking must either comply with the PAD standards proposed, receive approval of an amended parking study, or a reduction in the units and bedrooms will be necessary to reduce meet parking requirements and allow more parking for the commercial uses. (Modified by Development Review Commission)
10. The proposed service elevator and a below grade refuse area storage room portion of in the phase two tower parking garage shall be constructed as part of phase one. If phase two does not occur, the service core will need to be designed aesthetically and functionally without the second tower. **(Modified by Development Review Commission)**
11. Phase one structure shall be designed with infrastructure and space to accommodate a solid waste compactor, in the event that after operations commence waste collection warrants a different solution.
12. An amended Subdivision Plat is required for this development and shall be recorded prior to issuance of building permits.
13. The Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Community Development Department no later than one year from the date of City Council approval. Failure to record the plat within one year of City Council approval shall make the plat null and void.
14. All property corners shall be set and verified with staff upon final recordation of the subdivision plat, no later than three (3) months from the date of County recordation or as determined by staff.
15. A parking affidavit shall be filed with the Community Development Department for the use of shared parking supported by the parking analysis. If any proposed change or intensification of uses requires additional parking greater than proposed, a revised parking model shall be submitted.
16. The property owner, at the completion of the development construction, shall bear the cost of any necessary street pavement improvements resulting from construction traffic in the area.

DEVELOPMENT PLAN REVIEW CONDITIONS OF APPROVAL:

General

1. Any modifications to the conceptual plans submitted on August 30, 2016 for this entitlement, which were not explicitly identified in the letter of intent or by written communication with staff, are not approved with this request and will require further development plan review approval. (New condition by staff)
2. Development Plan Review Approval of the conceptual plans for this project do not supercede engineering or other department or code requirements necessary for construction document approval for building permits. Except as modified by conditions and code requirements, the development shall be in substantial conformance with the conceptual site plan and building elevations and landscape plans. Minor modifications may be review through the plan check process of construction documents; major modifications will require submittal of a Development Plan Review. (New condition by staff)

Site Plan

3. Provide service yard and mechanical yard walls that 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.
4. 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.
5. 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.
6. Provide public sidewalks along roadways consistent with the improvement district plans for the Pier, and as required by Traffic Engineering Design Criteria and Standard Details. Standard concrete detail shall be maintained through the sidewalk easement areas.
7. Utility equipment boxes for this development shall be finished in a neutral color or in a decorative design that compliments the coloring of the buildings, subject to utility provider and Community Development Department approval.
8. 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

9. Provide a separate/alternative service entrance for the proposed restaurant in order to accommodate all operational food and beverage deliveries separate from proper refuse removal to minimize potential health hazards and nuisances.
10. 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.
11. Public Restroom Security:
 - 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

12. Garage Security:

- a. Minimize interior partitions or convert these to semi-opaque screens to inhibit hiding behind these features.
- b. Provide exit stairs that are open to the exterior as indicated.
- c. Paint interior wall and overhead surfaces in garage floor levels with a highly reflective white color, minimum LRV of 75 percent.
- d. Maximize openness at the elevator entrances and stair landings to facilitate visual surveillance from these pedestrian circulation areas to the adjacent parking level.

13. Parking Garage:

- a. Minimum required parking dimensions shall be clear of any obstructions.
- b. At the ends of dead-end drive aisles, provide a designated turn-around space, minimum 8'-6" clear in width (locate on left side if available), including 3'-0" vehicular maneuvering area for exiting. Turn-around area shall be clearly demarcated.
- c. Provide a minimum 2'-0" of additional width for parking spaces when adjacent to a continuous wall.
- d. Provide a striped pedestrian walkway between the service elevators of the towers on the second (B2) subterranean level of parking to increase pedestrian visibility when transporting refuse, restaurant deliveries and unit furnishings through the parking circulation area.

Building Elevations

14. The materials and colors are approved as presented and annotated on the plans dated November 16, 2015:

- E-1 Primary Building Material – Low-E glazed window system with butt-glazed joints, light blue color
- E-2 Planter Box Facing Panels – material not specified, white color to match material E26, synthetic stucco system.
- E-3 Swimming Pool waterfall edge with integrated decorative illumination approved with this request. Any lettering or signage shall be submitted separately for sign review and approval
- E-4 Mechanical screening – metal grating on steel frame finished in a natural metal (aluminum/silver), not white
- E-5 Screened building sections, upper portion of retail windows and mechanical screening – fritted glass window system with butt-glazed joints
- E-6 Full-lite aluminum swinging terrace door with clear anodized aluminum frame and fixed transom window
- E-7 Horizontal guard rail system on balconies – either option in a natural metal finish
- E-8 Translucent glass balcony divider with lockable operable portion for balcony planter box maintenance.
- E-9 Green roof called out on elevations, planting details in landscape plans
- E-10 Optional rooftop pool terrace over bridge portion of structure - if the pool is omitted from the plan, submit revised landscape and roof plan to staff for a rooftop garden. Vegetation may be xeric material, but shall include plants visible from the street front either in vertical or hanging form.
- E-11 Slab edge facing to match balcony planter box facing material.
- E-12 Colored cast in place concrete, color to match material E-13 (copper sandstone)
- E-13 Wall panels joining to align with window system mullions - Meta-Quartzite Stone – desert blend honed finish, copper/brick color
- E-14 Aluminum frame attachment system over obscure glazing - Meta-Quartzite Stone – desert blend honed finish, copper/brick color (keynote reference to Sheet A4-3 detail should be Sheet A402 detail 2 storefront section)
- E-15 Steel framed canopy system trellis either be painted to match the color of the stone panel system, or patina rust finished and clear sealed for a more natural material finish.
- E-16 2" high stone cap with drip edge – no material specification provided – product shall match color of adjacent material
- E-17 Anodized aluminum frame and polycarbonate overhead garage door system with semi-transparent white panels
- E-18 Cast in place concrete column – specified to be painted – shall not be painted, retain natural concrete color, or stain or sand blast finish
- E-19 Sandstone clad planter box with stone cap to match
- E-20 Tempered glass fence with aluminum framed access gates (finish per plan)

- E-21 Cast in place colored concrete steps and ramp, broom finished, color to resemble E-13, desert blend (copper/brick)
- E-22 Signs are not approved with this request, submit separate sign package for sign approval
- E-23 Signs are not approved with this request, submit separate sign package for sign approval
- E-24 Steel header painted white
- E-25 10' high side folding glass partitions clear anodized aluminum frame
- E-26 Synthetic finish stucco system – painted Dunn Edwards Frostbite DE6274 (off-white) No greater than 77% LRV – finish either Limestone texture (smooth) or Sand texture per material board (not specified in key note)
- E-27 Mechanical cooling towers identified on elevations to be fully screened, or partially screened if cooling tower is finished in a compatible exterior material. **(Modified by Development Review Commission)**
- E-28 Full-lite clear glass swinging storefront door in clear anodized aluminum window system.
- E-29 Exterior horizontal louver system finished anodized aluminum
- E-30 Roof parapet to conceal photovoltaic panels to match planter boxes E-2 material and color
- E-31 Signs are not approved with this request, submit separate sign package for sign approval
- E-32 FDC equipment note not a part, to be approved by fire department in construction document review
- E-33 Siamese fire stand pipe note not a part, to be approved by fire department in construction document review
- E-34 Cabana typical – no details or specifications provided – all building code and fire code standards apply, fabric to be linen color unless otherwise reviewed by planning staff during construction document review.
- E-35 Fritted tempered glass fence with aluminum framed access gates
- E-36 Anodized aluminum finish generator exhaust louvre

Provide primary building colors and materials with a light reflectance value of 77 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.

- 15. Cabanas and trellises added to the plans are not approved through this request and require review with details and materials during the submittal of construction documents, for review by planning, fire and development services staff. (New condition by staff)
- 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. This project shall follow requirements of ZDC Part 4, Chapter 8, Lighting, unless otherwise conditioned.
- 22. Illuminate building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance at these locations.

Landscape

- 23. The plant palette is approved as proposed and specified on the landscape plan. Any additions or modifications may be submitted for review during building plan check process.
- 24. Exotic species within the plant palette shall be maintained to prevent the spread of seeds transferring to the Town Lake

(either by wind or bird) by removal of seeds before maturation. This condition is for the protection of the surrounding park and downstream habitat from potentially invasive non-native species.

25. Street trees shall be located in ground on the south side of the development along Vista del Lago Drive. These street trees shall be a minimum of 36" box specimens and a minimum of 1 ½" caliper trunk. ~~This requirement would allow the reduction of 10 spaces located on the south side of Level B-1 in the garage, reducing the parking to 1,051 spaces. This reduction would allow street trees to be planted in a larger soil base, creating built-in planters the full depth of the first floor of the garage, rather than the 4-foot root zone proposed in the landscape plan.~~ **(Modified by Development Review Commission)**
26. Street trees shall be Fraxinus velutina, Arizona Ash, unless the comprehensive Pier 202 landscape masterplan is approved with a revised plant palette incorporating the proposed Chinese Pistache.
27. 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.
 - f. Repair existing irrigation system (on site or in the adjacent public right of ways) where damaged by work of this project. Provide temporary irrigation to existing landscape (on site or in these frontages) for period of time that irrigation system is out of repair. Design irrigation so (existing plants on site or in frontages) is irrigated as part of the reconfigured system at the conclusion of this construction.
28. 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.
29. 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.
30. 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

31. 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 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 or purchase from Community Development.
- **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Community Development Department, and Fire Department given on the Preliminary Site Plan Review. If questions arise related to specific comments, they should be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the Building Safety Division will be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.
- **STANDARD DETAILS:**
 - Access to Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works Construction, at this link: <http://www.tempe.gov/city-hall/public-works/engineering/standards-details> or purchase book from the Public Works Engineering Division.
 - Access to refuse enclosure details and all other Development Services forms at this link: <http://www.tempe.gov/city-hall/community-development/building-safety/applications-forms>. The enclosure details are under Civil Engineering & Right of Way.
- **BASIS OF BUILDING HEIGHT:** Measure height of buildings from top of curb at a point adjacent to the center of the front property line.
- **COMMUNICATIONS:**
 - Provide emergency radio amplification for the combined building and garage area in excess of 50,000 sf. Amplification will allow Police and Fire personnel to communicate in the buildings during a catastrophe. Refer to this link: www.tempe.gov/index.aspx?page=949. 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. 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.
 - The Owner is required to prepare a security plan for the project with the Police Department. The architect should be involved to verify any modification that would require design revisions. To avoid revisions to permitted construction documents, initial meetings with the Police Department regarding the security plan are recommended before building permits are issued. At a minimum, the Owner shall contact the Police Department to begin security plan process approximately eight weeks prior to receipt of certificate of occupancy.
 - In conjunction with the security plan, Crime Free Multi-Housing status for this property may be required.
 - 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 on the ground floor of the phase one tower, facing the front (Vista Del Lago). Verify size and location with Fire Department.

- ENGINEERING:
 - The water meters along the north side of the project are required to be installed along the site frontage of Vista del Lago Drive; they will need to be in an exclusive water line easement.
 - Runoff generated onsite along the frontage of the site must be retained or collected on site and not drained to the city right of way
 - The two existing storm drain laterals to the site not being used and 3 new manholes and laterals being installed. If this is being requested the entire Vista del Lago street pavement along the site frontage will be required to be removed and replaced.
 - New 10" sewer taps to main will require a 5' diameter manhole at the right of way line on property for each connection.
 - 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.
 - The site is within an Alternative Retention Criteria Area. Verify specific design considerations with the Engineering Department.

- REFUSE:
 - Refuse enclosures and circulation to be fully contained within the building.
 - Sheet RP-02 Refuse Diagram plan shows a refuse path up the center ramp for pick up on first floor, this is not an approved refuse collection solution. All refuse shall be collected in bins and transported to the service elevator in tower 2 for collection at the service entrance to the building.
 - 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.
 - Bay doors for the refuse staging area are required; the property manager must arrange for doors 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.
 - 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 . 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 . 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:

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. The

project included Phase 1 on 20.83 acres, 315' building height, 1,000 room hotel, 120,000 sf. conference center, 9,300 s.f. restaurants, 1,600 s.f. bar, outdoor dining for 80 seats, 9,200 hotel office, 6,000 hotel retail, 9,000 hotel spa, within 285,000 s.f. within 32.3% lot coverage, and providing 2,269 parking spaces. Phase 2 was 4.88 acres, 50' building height, with 85,000 s.f. of retail, 10,000 sf. of restaurant, 5,000 s.f. bar, outdoor dining for 80 seats and providing 581 parking spaces.

- 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.
- May 8, 2012 Development Review Commission approved the request for VILLAS AT SOUTH BANK (PL120046) (City of Tempe, property owner; MDT Development Partners LLC, applicant) consisting of 262 units within a 17-story senior living facility (including assisted living and memory care components) and a 2-story commercial building, totaling 367,896 sf. in building area on 2.23 net acres, located at 1122 East Vista del Lago Drive in the MU-4 (PAD), Mixed-Use High Density District with a Planned Area Development Overlay and the Rio Salado Overlay District. The request includes the following:
ZUP12025 – Use Permit to allow tandem parking.
DPR12032 – Development Plan Review including site plan, building elevations and landscape plan.
- June 14, 2012 City Council approved the request for VILLAS AT SOUTH BANK (PL120046) (City of Tempe, property owner; MDT Development Partners LLC, applicant) consisting of 262 units within a 17-story senior living facility (including assisted living and memory care components) and a 2-story commercial building, totaling 367,896 sf. in building area on 2.23 net acres, located at 1122 East Vista del Lago Drive. The request includes the following:
PAD12002 (Ordinance No. 2012.23) – An Amended Planned Area Development Overlay to establish development standards of 118 dwelling units per acre; a maximum building height of 211'-0"; reduce the required vehicle parking from 458 to 187 spaces, and reduce the required bicycle parking from 182 to 53 spaces.
- January 12, 2016 A request to amend the Planned Area Development for Lot 5 and establish development standards for 551 apartments, 17,309 s.f. of retail, 8,245 s.f. of restaurant and 3,959 s.f. of outdoor dining, 1,106 parking spaces, development standards for 293 foot maximum building height, 210 dwelling units per acre density, 31' front setback, 15' side setback and 18' rear setback on 2.6 acres. The request also includes Use Permit to allow tandem parking spaces within a parking structure and a Development Plan Review including site plan, building elevations, and landscape plan, and a Subdivision Plat to relocate the south property line to include public on street parking on site.
- January 14, 2016 City Council introduced and held a first public hearing for the above request.
- January 28, 2016 City Council held a second and final public hearing for the above request.
- September 13, 2016 The Development Review Commission heard and recommended approval (6 to 1 vote) for the Amended Planned Area Development Overlay to modify the development standards, a Development Plan Review for modified site plan, landscape plan and elevations for two new 24-

story buildings consisting of a mixed-use 586-unit multi-family with retail and restaurant uses. The Commission approved (4 to 3 vote) a Use Permit to allow 216 tandem parking spaces for **THE PIER (PL160248)**, located at 1190 East Vista Del Lago Drive.

September 22, 2016 City Council is scheduled for an introduction and first public hearing for the Amended Planned Area Development and Development Plan Review, subject to the Development Review Commission recommendation.

October 27, 2016 City Council is scheduled for a second public hearing for this request.

ZONING AND DEVELOPMENT CODE REFERENCE:

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

Section 6-306, Development Plan Review

Section 6-308 Use Permit