

# STAFF REPORT

## 1020 APACHE

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### PROJECT DATA:

Property Owner	Mark Kahan, Dudley Oaks, LLC
Applicant	Manjula Vaz, Gammage & Burnham, PLC
Zoning District current/proposed	CSS / MU-4 PAD and TOD Corridor Overlay
Gross / Net site area	1.36 / 1.35 acres (after dedication of ROW)
Density / Number of Units	213 du/ac / 289 units
Unit Types	36 studio 36 one-bedroom 47 two-bedroom 17 three-bedroom 153 four-bedroom
Total Bedrooms	826 bedrooms
Total Building Area	565,254 s.f.
Lot Coverage	78% 46,020 sf (75% max. allowed in CSS TODC)
Building Height	200' 15 stories (35' maximum allowed)
Building Setbacks	0-20' south front, 9' west side, 20' east side, 5'north rear (0-10' maximum, NS, NS, NS in CSS TODC)
Landscape area	22% at grade, 23% at level 5 and 6% at level 14 (25% minimum required in CSS TODC)
Vehicle Parking	371 spaces on site, 3 on-street, 5 compact (697 min. required)
Bicycle Parking	321 spaces (321 min. required)

### COMMENTS

This site is located between Rural and Terrace roads on the north side of Apache Boulevard, on an existing Super 8 motel. Uses surrounding the site include apartments to the north, mixed use student housing to the west and south west, a restaurant and hotel to the south, the hotel site is entitled to become The Marshall, a student housing development, there are apartments to the south east and a mixed-use development with workforce and market rate housing to the east of the site. The property is zoned CSS and has a combination of MU-4, CSS, R-3 and R-4 zoning surrounding the site. The property is located within the Transportation Overlay District Corridor and the Character Area 3 - Downtown Tempe/Rio Salado/ASU/NW Neighborhoods. The site has never been subdivided, a small portion of right of way will be required to be dedicated on the south west corner of the parcel.

This request includes the following:

ZON23001 1	Zoning Map Amendment from CSS, Commercial Shopping and Service to MU-4 Mixed-Use High Density in the TOD Transportation Overlay District Corridor.
PAD23002 1	Planned Area Development Overlay to establish development standards for density, building height, landscape area, building setbacks and parking ratios.
DPR23011 9	Development Plan Review including site plan, building elevations, and landscape plan for a 15 story 300 unit mixed use development on 1.35 acres.

The applicant is requesting the Development Review Commission provide recommendations to City Council for items listed above.

## **SITE PLAN REVIEW**

July 6, 2023 was the first preliminary site plan review for the project. The submittal included site plan, landscape plan and building elevations. With regard to requested development standards, the built density range in the area was 24 to 87 du/ac with one entitlement for 138 du/ac nearby; staff recommended providing density in character with the area. With regard to building height, staff recommended a lower building height to provide more variation along the street front. Staff recommended matching the CSS zoning standard of 15% ground level landscape area to increase open space and provide natural vegetation. Staff recommended a larger setback to accommodate required utilities and room for mature tree canopy along street frontage. Staff recommended a higher parking ratio than what was originally proposed and recommended reduction of the number of 4-bedroom units. Staff also requested a unit conversion plan in the event that student housing would be modified by market changes in the future. Staff requested a smaller lobby area and larger commercial ground floor area and patio for proposed restaurant space. Standard comments regarding code requirements, TOD required pedestrian amenity area, PAD document formatting and egress were made. Staff provided design recommendations on site plan, landscape plan and building elevations. Verification of utility locations on site and existing easements was requested. A landscape buffer to the west-facing residences on the development to the east was recommended. Staff requested street trees be planted in planter strips not in grates to increase growth area. The street tree recommendation list was provided to avoid canopy conflicts with traffic and transit. Solid Waste services requested a roll off compactor for trash collection. There were circulation concerns with the fire and solid waste service and path of travel through the site. There were street front visibility concerns with proximity of columns and building wall in relation to the sidewalk and views out from the garage to bikes and pedestrian movement across the drive. With regard to elevations, the east and north sides facing existing residential developments needed architectural enhancement with more variation in materials and colors and breakup of the massing. Staff requested balconies on units to help provide variation in the wall plane and create a more livable unit, to assure flexibility in product type for future market changes and an architecture that would allow private outdoor space. The area was identified as being archeologically sensitive with a need to special conditions and considerations during construction.

August 4, 2023 a meeting was held with the applicant and staff after comments had been provided from the review. It was agreed upon that the proposed density and building height would be supported, as long as roofline variation was provided along the street front and a conversion plan was provided for future market unit demand. Other design issues were discussed, fire agreed to the fire access and circulation plan, solid waste staff agreed to a solid waste plan and traffic engineering agreed to the driveway configuration all of these were subject to further details and dimensions being provided.

September 6, 2023 was the first formal site plan review for the project. A response letter was provided from the applicant addressing each comment from the preliminary review. Building safety requested an egress plan and verification of garage ventilation to assure building elevations would not be impacted by building code requirements. Comments regarding location of water utilities, ADA and right of way improvements were made by engineering. CPTED comments regarding security of the site were provided. Concerns were expressed by several work groups regarding columns and building wall location near the primary path of egress in and out of the garage on the west side. The sidewalk is heavily utilized by students on skateboards and scooters with traffic flow in both directions, exiting of the garage leaves limited room to stop before crossing the pedestrian zone. Staff recommended several design modifications to address these concerns. The applicant did not modify density or height or add balconies since this was a student housing development and they had been previously told Council would not support balconies. The elevations pushed the upper floors away from the street edge and provided a stepped design solution to break up the building form along Apache Boulevard.

December 20, 2023 was the final formal site plan review for the project. Most major issued have been addressed, however the following items were either not addressed, or modified from prior reviews,

resulting in special conditions of approval to address comments. At the north end of the site, a secondary bike access was added, removing landscape and creating an alleyway for bicyclists, this was not supported by planning or police staff and a condition has been added to remove the door and 5' sidewalk and install trees to address screening of the north side of the building. At the east side of the site, a keynote conflict between site plan and landscape needs to be updated to meet crime prevention requirements for an 8' cmu wall at the east side of the site, with coordination of the adjacent lot to the east. At the street front south side, the 55' ROW dedication was not called out. The parking configuration was modified to remove 1 public street parking space and add a second loading area, this is not supported by staff and a condition has been added to keep 3 parking spaces and 1 loading space, with clarification that this is a passenger loading area (for ride share use) and not to be used for deliveries. All deliveries are to be made on private property and not in the right of way. A clarification of the canopy notes on the site plan were requested and has been conditioned to assure no encroachment in right of way with overhead canopies. With regard to the building design, staff continued to express concerns regarding the lack of shade on the west elevation and the relative flat elevations on the north, east and west, with only 6" variation in building wall plan change. Staff expressed concern about the north elevation as viewed from the north, with limited color or material on the upper floors. Conditions of approval have been added to address the design issues.

## **PUBLIC INPUT**

- Neighborhood meeting was required
- Neighborhood meeting held November 13, 2023 at 6pm at the Moxy Tempe Hotel.
- Community Development staff attended the meeting.
- Three members of the public were in attendance and provided input on the architectural design, parking, building materials and concern about provision of four-sided architecture with the amount of stucco shown, questions about tree species for provision of shade, questions about sustainability elements and concerns about convertibility of units if market changes from student housing. The overall reaction was positive to the proposed project.
- The applicant had separate meetings with ASU Housing staff and CVAC (Citizens for a Vibrant Apache Corridor), planning staff was not a part of these meetings.
- The applicant has provided a summary report of the public involvement for this project to date.

## **DEVELOPMENT REVIEW COMMISSION**

The Development Review Commission heard the request and discussed the special conditions of approval outlined in the report. There was general agreement that the east, west and north elevations on upper floors would benefit from architectural detailing and material and color enhancement as recommended by staff. A question was raised as a student housing development if they needed as much parking as is requested. The parking is being reduced, however residents in the area expressed concern about long term marketability of the project if it converted to market rate housing. Based on the parking analysis provided by the applicant and staff's review of the conversion plan, the proposed reduction in parking seemed appropriate to meet the current use, while allowing long term flexibility in conversions of product type. A commissioner had concerns about the process for meeting conditions related to archeologically sensitive sites, and revisions were made to clarify the expected intent. The applicant is in agreement with the conditions and suggested modifications.

## **PROJECT ANALYSIS**

### **GENERAL PLAN**

The General Plan 2040 Land Use and Density map designation is Mixed-Use High Density Urban Core, greater than 65 dwelling units per acre (du). The General Plan 2050 designation remains the same for this site. The proposed redevelopment of an outdated hotel to provide more housing helps implement goals and objectives of the Land Use and Development Chapter including provision of housing and commercial uses at greater density supportive of transit and the 20-minute city. Balancing compatibility with new land use and established residential neighborhoods, the project is in character with the massing

and heights of buildings along Apache Boulevard and enhances the street front pedestrian and bicyclist experience. The proposed development will revitalize the area.

**CHARACTER AREA PLAN**

The site is located in Character Area Four Apache and implements design principles for landscape treatments using plants that are part of the historic plant palette as well as newer species consistent with other plants in the area, providing biodiversity and low water sustainability. Shade is provided by structures and trees. The project supports the vision of a 20-minute city. The building massing provides transitions and scales down to the pedestrian level. On-street parking is provided and enhancements to the bicycle lane and public sidewalk will provide a safe comfortable environment for all modes of transportation and mobility.

**ZONING**

The property is currently zoned CSS Commercial Shopping and Service and is located in the Transportation Overlay District Corridor. The proposed development requires the site to be rezoned to MU-4. All MU zone districts require the integration of commercial and residential uses to support pedestrian circulation and transit as alternates to driving, and to provide employment and housing options. All mixed-use districts require a PAD Overlay for processing. The development standards are determined by the PAD specific to the design proposed for this site. The proposed development meets or exceeds the setback requirements of the existing district and comes close to meeting the standards of building coverage and landscape area, seeking a small deviation from current standards. The building height and density are the two largest changes from current standards. The MU-4 district allows unlimited housing density in a mixed-use setting with commercial, office, and public uses. Development intensity in the MU-4 district is established through the PAD Overlay process and must be consistent with the General Plan and the city's ability to provide public facilities. The current CSS zoning and development standards would not support the proposed redevelopment of the site, the zoning amendment is necessary for implementation of the General Plan and Transportation Overlay District at this location.

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

1. *The proposed zoning amendment is in the public interest.*
2. *The proposed zoning amendment conforms with and facilitates implementation of the General Plan.*

**PLANNED AREA DEVELOPMENT**

The requested development standards are site specific to the project design. The lot is approximately 200 feet wide by 295 feet deep. A fire lane and secondary entrance (no exit) for deliveries and guests is provided on the east side, with a 20' setback on the upper floors and approximately 28 feet of setback at the ground level with a sidewalk and landscape strip on either side of the drive lane. The primary entrance and exit is on the west side of the lot, with a 10' building setback and an additional 28' open at the ground level to accommodate vehicle, bike and pedestrian egress to the street front. The front setback varies from 0 feet at the upper floors, and up to five feet at the ground level to provide landscape and site visibility at the pedestrian level. The rear setback is five feet at the ground level and has a 6" deviation in surface plane on upper floor levels. Below is a table of the existing CSS development standards and the proposed new MU-4 PAD standards:

<b>1020 APACHE – PAD Overlay</b>			
<b>Standard</b>	<b>CSS</b>	<b>PROPOSED MU-4 (PAD)</b>	<b>Change</b>
Residential Density (du/ac)	25	213	Increase
Building Height (feet) [Exceptions, see Section 4-205(A)] Building Height Maximum	35 ft	200 ft	Increase

Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]	Yes	NA	
Maximum Lot Coverage (% of net site area)	75%	78%	Increase
Minimum Landscape Area (% of net site area)	25%	22%	Decrease
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]			
South Front (on Apache)	0 ft	0-20 ft	---
Parking	20 ft	20 ft	---
East Side	0 ft	20 ft	---
West Side	0 ft	9 ft	---
North Rear	0 ft	5 ft	---
Vehicle Parking	697	374 (including 3 on-street)	Decrease
Bicycle Parking	321	321	No Change

The table below summarizes the required and proposed vehicle parking for the project.

Unit Type	Unit Quantity / SF	Ratio	Parking Required per ZDC	Proposed Parking per PAD (ratio)
Studio	36	.75/bedroom	57.8	14.40 spaces (.40/bedroom)
1 bedroom	36	.75/bedroom	27	14.40 (.40/bedroom)
2 bedroom	47	.75/bedroom	27	37.60 (.40/bedroom)
3 bedroom	17	.75/bedroom	70.5	20.40 (.40/bedroom)
4 bedroom	153	.75/bedroom	38.25	244.80 (.40/bedroom)
Guest	289	.2	459	24.57 spaces (.085 per unit)
Restaurant	1609	-25% of s.f. 1/75 sf.	16.09	16.09 spaces (per TOD)
Patio	292	0	0	0
<b>TOTAL</b>			<b>696</b>	<b>371 on site and 3 on street</b>

Below is a comparison of developments within the area, which have a range of densities from 24 to 138 with an average of 59 du/ac; the proposed project has a density of 213 du/ac due to the relatively small lot size available. Building heights range from 34 to 165 feet, with an average of 84 feet. The proposed building is 196' to the top of the mechanical, 185' to top of parapet and 176' to top of roof. The street front varies from 5 stories to 14 stories transitioning from the adjacent buildings to the east and west of the site and is proposed at 15 stories along the rear of the building. The proposed PAD would have the highest density and building height along Apache Boulevard. The parking ratios vary from site to site, between code required, TOD allowed, or ratio reductions for a mix of uses and Planned Area Developments with parking studies. With regard to parking, Eastline Village had a Development Agreement that included parking standards and is not comparable to PAD standards. Most sites on Apache provide a minimum of 1 parking space per residential unit, plus guest and customer parking, The Marshall was entitled to a ratio of .31 space per bedroom, the lowest ratio yet approved along the Apache Boulevard Transportation District Overlay.

Project	Location	Entitlement Year	Density (du/ac)	Building Height (ft)	Total unit #	Parking Provided
The Marshall	1057 E Apache Blvd	2023	138	92	189	168 Provided 316 Bike
Residences on Main (Mill Haus @ Apache and River)	2125 E Apache Blvd	2021	49	58	219	276 Provided 212 Bike

Haven @ Apache	1916 E Apache Blvd	2023	64	75	182	235 Provided 174 Bike
Blue @ Eastline Village	2058 E Apache Blvd	2021	46	60	187	218 Provided 184 Bike
Aura Apache	1820 E Apache Blvd	2021	60	68	295	362 Provided 287 Bike
Apache Rock Apartments	1935 E Apache Blvd	2021	33	47	75	110 Provided 76 Bike
Park Place	1317 S Terrace Rd	2018	62	East (67') West (63')	285	499 Provided 661 Bike
NINE20 (Lemon Mixed Use Development)	919 E Lemon St	2009	78	165	479	1098 Provided 502 Bike
922 Place (Campus Edge)	922 E Apache Blvd	2008	87	119	132	369 Required 248 Provided
Apache Apartments	1111 E Apache Blvd	2019	24	34	111	244 (111 covered)
Metro 101 Phase 1	2177 E Apache Blvd	2017	47	67	202	274 Provided 196 Bike
SKYE at McClintock Station (Fore McClintock Station)	1831 E Apache Blvd	2015	32	60	423	631 Provided 418 Bike
BLVD 1900 (Campus Suites on the Rail/The Domain)	1900 E Apache Blvd	2012	41	70	299	1033 Provided 351 Bike
Eastline Village	2032 E Wildermuth Ave	2016	51	90	698	152 Provided 627 Bike
Gracie's Village	1520 E Apache Blvd	2012	25	54	50	131 Provided 70 Bike
Grigio Metro	1811 E Apache Blvd	2010	37	70	408	944 Provided 98 Bike
The District on Apache	977 E Apache Blvd	2013	50	90	279	894 Provided 326 Bike
The Rise (The Retreat/The Grove)	1000 E Apache Blvd	2013	70	67	124	281 Provided 138 Bike
Array on Apache (Mixed Use Development at Apache & Terrace)	1100 E Apache Boulevard	2018	71	94	391	657 Provided 430 Bike
The Nexa (The Hayden at Dorsey Station/The Motley)	1221 E Apache Blvd	2016	60	65	399	607 Provided 250 Bike

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. See applicant's letter of explanation and above analysis.*
2. *Standards requested through the PAD Overlay district shall take into consideration the location and context for the site for which the project is proposed. The size of the lot makes the density of the site the highest proposed long the boulevard.*
3. *The development appropriately mitigates transitional impacts on the immediate surroundings. The proposed standards are in character with the developments closest to the site.*

## DEVELOPMENT PLAN REVIEW

### Site Plan

The site is located on the north side of Apache Boulevard and is 200' wide by 300' deep. The primary

entrance to the site is at the west end, with both ingress and egress from the main drive accessing guest and customer parking in front of the gated entry to the resident garage. A secondary fire lane, serving for solid waste circulation and entry only is located at the east end of the site, separating traffic to reduce conflicts with pedestrians and bicyclists accessing the site from the lobby and large secured ground level bike storage room. The perimeter of the site will have an 8' CMU wall with gates for maintenance access on the west and east sides to control access to the rear and side yards. Ground floor uses include a restaurant and patio on the east side and a resident lobby with dining overflow into a large common area with commercial street frontage. Three on-street parking spaces will be provided on the street front, and one passenger loading space adjacent to the restaurant is provided at the east end of the street frontage. All deliveries and non-passenger loading is to be conducted on site. The site provides a 6' landscape strip adjacent to the curb and a separated 8' sidewalk connecting to the lobby entrance and restaurant patio with a change of hardscape material to delineate the public and private realm of the street frontage.

### **Building Elevations**

The building height varies from five stories to 15 stories providing variation in building roofline and façade dimensions along the south elevation. The east, west and north elevations are relatively flat with a 6" change in surface plane and no balconies around the perimeter of the site but are provided on the fifth level internal to the courtyard for some of the units overlooking the amenity area. In the floorplan conversion plan of the project, balconies have been incorporated into the exterior building walls using the existing building structure, in the event that market changes lead to a change of product type inclusive of market rate apartments or condominiums with desired private outdoor spaces added to the proposed building design. Materials in the elevations include ground floor terracotta brick and light brown CMU, upper floors on the west and south elevation include an iron-colored brick and a breeze block pattern that serves as shade over windows as well as screening in the garage area, providing a unique textural pattern with light and shadow as the sun moves across the building walls. The windows are framed with black metal matching the black ribbed metal panel and wire mesh panel building accents. Prefabricated insulated stucco finished panels in cool light and medium gray, warm medium and dark gray comprise the majority of the elevations on floors two through 15. Conditions of approval to incorporate more color and material on the upper floors as visible from off-site have been added. The interior courtyard is shades of grey stucco panels. The street front elevation is rich in color and texture and variation in building depth, with brick columns extending from ground floor through the fifth floor level adjacent to the street front amenity deck. The glazing is shaded by canopies and a masonry pattern using alternating block and void grouting resembling breeze-block but using smaller masonry bricks. Attention to detail with use of shade, window patterns and varied materials provide a dynamic pedestrian experience along the street front.

### **Landscape Plan**

The proposed plant palette includes Bismark Palms as accents, Willow Acacia, Chaste Tree and Southern Live Oak along the western side of the site, Hopseed and Tecoma Orange Jubilee tall growing shrubs along the east side of the site. Shade tolerant Cast Iron and Asparagus Fern plants are proposed within the garage at the pedestrian entry to the lobby and restaurant. The street front has Evergreen Elm along the south side of the sidewalk for shade, and Texas Mountain Laurel and Chaste Tree along the building edge for color and variation. The landscape strip along Apache includes Brakelights Red Yucca and Eremophila Minew Gold ground cover in the theme of ASU colors. The building wall is softened by textures and colors from Aloe, Germander, Elephant Food and Santa Rita Prickly Pear for a low water use palette. The north rear yard was previously proposed to have large shrubs, and then revised to include a sidewalk. After consultation with the police staff reviewing the plans, it was determined that neither tall shrubs or pedestrian access would be appropriate in this area. Emergency staff require both visual and physical access to this area, and planning staff sought taller plants that would provide a buffer on the north side of the site. A condition of approval has been added to require a tall narrow tree species planted along the north side of the site, providing access for fire, police and maintenance staff through secured gates, and providing screening above the 8' CMU wall along the

north perimeter of the property.

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;* based on the presented elevations, submitted letter of explanation and above analysis, the building meets this criterion.
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort;* As described in the letter of explanation and the above analysis, the site provides air circulation and shade and will conform to building code energy standards to minimize heat gain and mitigate heat retention on site.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;* the proposed materials are in character with the newer developments along Apache Boulevard, and provide enhanced detailing and material color and variety.
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings;* The building is set back at the ground level and varies in height along the street front, while using taller growing trees appropriate to the height of the building. The building height steps down in relation to the buildings adjacent to the property for contextual scale and massing.
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 design presents a ground level that is different from the upper floors. The upper floors are broken up vertically and horizontally by material and color changes on the south and west elevations. The use of windows and patterning of the efis panel reveals create a rhythm in the upper floor levels. The use of woven wire mesh and masonry block provide breaks in the massing and added texture to the building surface on levels three through five where the garage is located.
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 presents strong architectural detail and variation at the street level and addresses the criterion as outlined in the letter of explanation and the above analysis.
7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage;* the project is walking distance to bus, street car and light rail services and is supportive of pedestrian, bicycle and transit ridership, providing an enhanced environment supportive of alternative modes of transportation.
8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses;* the primary vehicle entrance is set back to allow more visibility of the sidewalk and street front, with ingress and egress encouraged at the western side, and pedestrian sidewalks separated from the drive on both sides of the building. A raised pedestrian table is provided in the garage for safe access for bicyclists from the bike garage in the back. Enhanced pedestrian warning devices will be provided at the street front. The eastern drive is for entry only and helps with site circulation for emergency and solid waste services.



9. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance;* the police department reviewed the project for CPTED conformance and added conditions related to the site and landscape plans along the north rear yard.
10. *Landscape accents and provides delineation from parking, buildings, driveways and pathways;* As presented and described by the applicant submittal and above analysis, the project meets this criterion.
11. *Signs have design, scale, proportion, location and color compatible with the design, colors, orientation and materials of the building or site on which they are located;* signs have been considered within the architectural design and will be addressed by separate permit *and*
12. *Lighting is compatible with the proposed building(s) and adjoining buildings and uses and does not create negative effects.* Lighting will conform to the requirements of the code and will not create nuisance glare to the surrounding properties.

**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, to allow for increased heights.
4. The proposed project meets the approval criteria for a Zoning Amendment, Planned Area Development Overlay and Development Plan Review.

Based on the information provided and the above analysis, staff recommends approval of the requested Zoning Amendment, Planned Area Development and Development Plan Review. This request meets the required criteria and will conform to the conditions.

**ZONING AMENDMENT AND PLANNED AREA DEVELOPMENT**

**CONDITIONS OF APPROVAL:**

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

1. A building permit application shall be made 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.
2. The property owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waive(s) any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City's approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than 30 days from the date of City Council approval, or the *Zoning Map Amendment and PAD* approval shall be null and void.
3. The Planned Area Development Overlay for 1020 APACHE 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 and prior to issuance of building permits.

4. **The Planned Area Development shall provide a 55 foot right of way along Apache Boulevard.**
5. **The Planned Area Development shall provide three on-street parking spaces and only one passenger loading space at the east end.**

**DEVELOPMENT PLAN REVIEW CONDITIONS OF APPROVAL: (Non-standard conditions are identified in bold)**

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

**General**

1. Except as modified by conditions, development shall be in substantial conformance with the site plan and building elevations dated December 7, 2023 and landscape plan dated December 7, 2023. Minor modifications may be reviewed through the plan check process of construction documents; major modifications will require submittal of a Development Plan Review.
2. An application for an Amended Planned Area Development Overlay for **1020 APACHE** is required and shall be submitted within sixty (60) days of Development Plan Review approval. The amendment shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.
3. The developer must submit a final Traffic Impact Study prior to any submittal for a building permit.
4. The developer must receive approval of the final Traffic Impact Study from the Transportation Division prior to issuance of a building permit or as otherwise determined by the Engineering and Transportation Department, Transportation Division.
5. The development shall prepare, at the time of initial building permits, gray shell commercial space for tenant leasing. The permit submittal shall include the following: adequate roof space, evidence of roof structural support, and internal set lines for future adequate commercial space air conditioning (HVAC); provide a shaft to ventilate to the roof for commercial cooking exhaust; and a designated location for potential grease trap interceptor if needed.
6. **This site is located within a known archeologically sensitive area with the likelihood of encountering cultural resources, human (Ancestral) remains, or funerary objects. Prior to issuance of any permits that would result in ground disturbance, the Developer shall hire a qualified archaeological firm to complete a monitoring and discovery plan (MDP) as well as archaeological testing prior to construction and/or monitoring of ground-disturbing activity during construction. This condition applies to projects on both previously disturbed and previously undisturbed ground. The process requires consultation and sign off of the Historic Preservation Officer. (Added by the Development Review Commission)**
7. **Prior to commencement of construction, contractors and subcontractors on the project performing ground-disturbing activities will provide evidence (an unexpired decal) of successful completion of the Salt River Pima-Maricopa Indian Community (SRPMIC) online cultural sensitivity training and test. Evidence shall be provided to the Community Development Department, Historic Preservation Officer. Obligation of this condition shall be noted on the permitted set of plans. (Modified by the Development Review Commission)**

8. At the time a temporary construction fence is added to the site, a future development sign banner shall be attached to the fence and provide information for the new development, in conformance with the Zoning and Development Code, Section 4-903, Sign Type J. The sign banner shall include: project name/information and future tenant (if known). Images of the project may be included on the banner. A sign permit is required. The building permit plans shall include a note on the plans to provide this future development sign banner on site as long as the construction fencing remains.

### **Site Plan**

9. **The passenger loading space shall be signed for no deliveries; all deliveries for the development shall be serviced onsite and not within the right of way.**
10. **The five foot north rear setback shall be secured for maintenance and emergency access only.**
11. **The east side transformer service yard gates shall be designed to mitigate conflicts with pedestrian gate access and landscape.**
12. **Coordinate bicycle lane striping and image symbols with Traffic Engineering for enhanced bicyclist safety.**
13. **Tactile domes shall be used on paving surfaces where the driveway and sidewalk intersect.**
14. Provide service locations for both trash and recycling collection and pick-up on the property. Coordinate the storage areas for refuse and recycling containers with the overall site and landscape layout.
15. Provide service yard and mechanical (cooling tower/generator) yard walls that are at least 8'-0" tall as measured from adjacent grade or 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.
16. 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.
17. 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.
18. Utility equipment boxes for this development shall be finished in a neutral color (subject to utility provider approval) that compliments the coloring of the buildings.
19. 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.
20. The above grade amenity deck adjacent to Apache Boulevard shall be designed with a minimum 6'-0" high wall, measured from floor grade, with the top 2'-0" designed with glazing. Landscape planters shall be located on either the exterior or interior of the wall to act as a buffer from the building edge.

## **Floor Plans**

21. Provide visual surveillance by means of fire-rated glazing assemblies from stair towers into adjacent circulation spaces.
22. Public Restroom Security: provide single user restroom door hardware with a key bypass on the exterior side
23. Garage Security:
  - a. Minimize interior partitions or convert these to semi-opaque screens to inhibit hiding behind these features.
  - b. Provide stair exits that are open to the exterior.
  - c. Paint interior wall and overhead surfaces 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.
24. Parking Garage:
  - a. Minimum required parking dimensions shall be clear of any obstructions.
  - b. At the ends of dead-end drive aisles, provide a designated turn-around space, minimum 8'-6" clear in width (locate on left side if available), including 3'-0" vehicular maneuvering area for exiting. Turn-around area shall be clearly demarcated.
  - c. Provide a minimum 2'-0" of additional width for parking spaces when adjacent to a continuous wall.

## **Building Elevations**














25. The materials and colors are approved as presented:

**EXTERIOR ELEVATION NOTES**

1. GRADE IS 1173.86', BASED ON MAXIMUM TOP OF CURB AT FRONT OF LOT ON APACHE BLVD.

KEYNOTE LEGEND	
Key Value	Keynote Text
1	PRE ENGINEERED TEMPERED GLASS GUARDRAIL, 6'H
2	EXTERIOR LARGE FORMAT VIDEO DISPLAY "JUNIBOTRON". STRUCTURE CLAD IN RED MASONRY OR METAL PANEL. PENDING CONSULTANT COORDINATION
3	MECHANICAL LOUVERS FOR EXHAUST/INTAKE. 40SF LOUVER MIN, 20SF OPEN AREA MIN
4	BUILDING ADDRESS NUMERALS, 12" HALO-ILLUMINATED PER C.O.T. STDS
5	METAL PANEL CLAD HORIZONTAL SHADE SCREEN
6	EXPOSED GREASE EXHAUST VENT SHAFT. WRAP WITH BLACK METAL PANEL. EXTEND 10'-0" ABOVE DECK. ALL MECHANICAL INTAKE AREAS TO BE 10'-0" MIN FROM EXHAUST
7	HORIZONTAL REVEAL, TYP
8	VERTICAL REVEAL, TYP

**EXTERIOR FINISH LEGEND**

	<b>BRK-1</b> MODULAR BRICK, RUNNING BOND PATTERN. MANUFACTURER: PACIFIC CLAY. FINISH: VELOUR. COLOR: DARK IRONSPOT.
	<b>BRK-2</b> MODULAR BRICK, HIT & MISS SCREEN PATTERN. MANUFACTURER: PACIFIC CLAY. FINISH: VELOUR. COLOR: DARK IRONSPOT.
	<b>BRK-3</b> MODULAR BRICK TERRACOTTA, STACK PATTERN. MANUFACTURER: PACIFIC CLAY. FINISH: VELOUR. COLOR: ROYAL SALTILLO.
	<b>CMU-1</b> 8X8X16 INTEGRATED COLORED CONCRETE MASONRY UNIT, STACK BOND. MANUFACTURER: OLDCASTLE. FINISH: STD SMOOTH. COLOR: TIERRA BROWN.
	<b>CONC-1</b> CAST IN PLACE CONCRETE. SMOOTH FINISH. GRAY COLOR.
	<b>EIFS-1</b> PREFABRICATED PANELS, EXTERIOR INSULATION FINISHING SYSTEM. INTEGRAL COLOR. MANUFACTURER: DRYVIT. FINISH: SANDPEBBLE FINE. COLOR: NATURAL WHITE.
	<b>EIFS-2</b> PREFABRICATED PANELS, EXTERIOR INSULATION FINISHING SYSTEM. INTEGRAL COLOR. MANUFACTURER: DRYVIT. FINISH: SANDPEBBLE FINE. COLOR: DOVER SKY.
	<b>EIFS-3</b> PREFABRICATED PANELS, EXTERIOR INSULATION FINISHING SYSTEM. INTEGRAL COLOR. MANUFACTURER: DRYVIT. FINISH: SANDPEBBLE FINE. COLOR: KINGS GRAY.
	<b>GL-1</b> ICU GLAZING/WINDOW. MANUFACTURER: IAP/PPG. FINISH: CLEAR. COLOR: BLACK FRAME.
	<b>GL-2</b> ICU GLAZING/WINDOW. MANUFACTURER: IAP/PPG. FINISH: SPANDREL. COLOR: BLACK FRAME.
	<b>MTL-1</b> FLUSH METAL PANEL, 22 GA. SOLID. MANUFACTURER: PAC CLAD. FINISH: TRINAR. COLOR: BLACK.
	<b>MTL-2</b> BOX RIB METAL PANEL, 22 GA. SOLID. MANUFACTURER: PAC CLAD. FINISH: TRINAR. COLOR: BLACK.
	<b>MTL-3</b> 2X2 ARCHITECTURAL WIRE MESH. MANUFACTURER: AMETCO. FINISH: POWDER COAT. COLOR: BLACK.

Provide primary building colors and materials with a light reflectance value of 75 percent or less.

26. A minimum of the first three (3) feet of each parking structure level (ground floor and above grade) must be screened with a 100% opaque material, which shall be finished to complement the building design.
27. If provided, roof access shall be from the interior of the building. Do not expose roof access to public view.
28. Conceal roof drainage system within the interior of the building.
29. Exterior vents shall be architecturally integrated with the adjacent materials and matching colors specified on each elevation.
30. 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.

31. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
32. **On the exterior side of the garage exit provide audial and visual warning device to alert pedestrians of oncoming vehicle traffic exiting the garage. On the interior side of the garage exit provide MUTCD R1-9a overhead sign with “State Law” removed, instructing drivers exiting to stop for pedestrians; sign shall be mounted at garage clearance height. A 12” white stop bar shall be placed at garage exit at least 4’ from sidewalk with “STOP” marking per Maricopa County Department of Transportation Pavement Marking Manual prior to the stop bar.**
33. **The ground floor north building elevation shall utilize MT-1 metal mesh in the bicycle and vehicle parking areas to increase surveillance of the north yard, subject to the maximum allowed percentage by building code for building opening separation requirements.**
34. **On the north elevation floors 5 through 14 on the west end specified as EFIS-3 shall be replaced with CMU-1 or BRK-3 to extend masonry material visible to the upper floors.**
35. **On the east, west and north elevations, windows shall be recessed 50% of the depth of the building wall for added wall plane variation.**
36. **On the west elevation, larger windows at the floors 10 through 15 which are not shaded by the adjacent building, provide shade canopies in character with the building architecture to shade windows from direct sunlight.**
37. **On the east elevation at the south end specified as EIFS-3, replace material with BRK-1 to provide more material variation on upper floors.**
38. **On the east elevation floors 6 through 15, provide more variation in window or wall surface by color or architectural details.**

### **Lighting**

39. This project shall follow requirements of ZDC Part 4, Chapter 8, Lighting, unless otherwise conditioned.
40. Illuminate building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance at these locations.

### **Landscape**

41. **The landscape on the north rear yard shall have no pedestrian access and be planted with a tall (greater than 15’ in height) narrow canopy shade tolerant tree with 7’ vertical clearance for surveillance behind the building (no understory plants).**
42. 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.

- 43. 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.
- 44. 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.

### **Building Address**

- 45. Verify property address and submit a PDF copy of the site plan with unit floor plans for permanent addressing to [permitcenter@tempe.gov](mailto:permitcenter@tempe.gov) prior to submittal of construction documents.
- 46. Provide address numerals 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) On multi-story buildings, locate no higher than the second level.
    - 5) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
    - 6) Do not affix numbers or letters 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.

### **CODE/ORDINANCE REQUIREMENTS:**

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THESE ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

**SITE PLAN REVIEW:** Verify all comments by all departments on each 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.

**DEADLINE:** 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. A complete building permit application shall be made on or before two (2) years from the date of city council approval or within a time stipulated as a condition of approval, when development plan review application is processed concurrently with a PAD Overlay District. 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.

### **STANDARD DETAILS:**

- Access to Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works Construction, at this link: <https://www.tempe.gov/government/engineering-and->

[transportation/engineering/standards-details](#) or purchase book from the Public Works Engineering Division.

- Access to refuse enclosure details DS116 and DS118 and all other Development Services forms at this link: <https://www.tempe.gov/government/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.

**MECHANICAL SCREENING:** All roof mounted mechanical equipment shall be concealed on all sides by elements that are an integral part of the building design and are equal to or greater in height than the mechanical equipment. Ground-mounted equipment may be screened using a masonry wall or other durable material as approved through development plan review.

**COMMUNICATIONS:**

- Provide emergency radio amplification for the combined building and garage area in excess of 50,000 sf. Amplification will allow Police and Fire personnel to communicate in the buildings during a catastrophe. Refer to this link: <http://www.tempe.gov/home/showdocument?id=30871>. Contact the Information Technology Division to discuss size and materials of the buildings and to verify radio amplification requirements.
- For building height in excess of 50'-0", design top of building and parapet to allow cellular communications providers to incorporate antenna within the building architecture so future installations may be concealed with little or no building elevation modification.

**WATER CONSERVATION AND EFFICIENCY:** (Residential and parks are exempt, commercial and mixed use are not exempt). As required in [Tempe City Code 33-140 - 142](#), all new non-residential development projects are required to submit a Water Conservation Report that details potential water use, for review and approval by the Municipal Utilities Department, prior to building permit issuance. For a report template and more information, visit the [commercial water conservation webpage](#).

**HISTORIC PRESERVATION:** State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of ancestral (human) remains or associated funerary objects). Arizona Revised Statutes [§ 41-865](#) stipulates that "any landowner with intention to disturb human remains or having unintentionally disturbed human remains shall immediately cease any activity in the vicinity of the remains and shall notify the Arizona State Museum Repatriation Office of the encounter. Any human remains and funerary objects shall not be further disturbed without obtaining written permission from the Repatriation Office." Additional information about requirements related to encountering and disturbing ancestral (human) remains and funerary objects on private land can be found on the Arizona State Museum [website](#). While not required, applicants are encouraged to enlist the services of a qualified archaeological firm to conduct monitoring during ground-disturbing activity on private property that is Archaeologically Sensitive (AS). Contact the Historic Preservation Officer with general questions.

**POLICE DEPARTMENT 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 ambush.
- Maintain distances of 20'-0" or greater between a pedestrian path of travel and any hidden area to allow for increased reaction time and safety.
- Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference the CPTED principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian environments and places of concealment.
- Provide method of override access for Police Department (punch pad or similar) to controlled



access areas including pool, clubhouse or other gated common areas.

- Refer to Tempe City Code Section 26-70 Security Plans.
- The Owner is required to prepare a security plan for the residences, live/work and commercial components of 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.
- Provide a security vision panel at service and exit doors (except to rarely accessed equipment rooms) with a 3" wide, high strength plastic or laminated glass window, located between 43" and 66" from the bottom edge of the door.

#### TRAFFIC ENGINEERING:

- Provide 8'-0" wide public sidewalk along arterial roadways, or as required by Traffic Engineering Design Criteria and Standard Details.
- Construct driveways in public right of way in conformance with Standard Detail T-320. Alternatively, the installation of driveways with return type curbs as indicated, similar to Standard Detail T-319, requires permission of Public Works, Traffic Engineering.
- Correctly indicate clear vision triangles at 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" from face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed <https://www.tempe.gov/home/showpublisheddocument/6815/635323967996830000>. Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.

#### FIRE:

- Clearly define the fire lanes. Ensure that there is at least a 20'-0" horizontal width, and a 14'-0" vertical clearance from the fire lane surface to the underside of tree canopies or overhead structures. Layout and details of fire lanes are subject to Fire Department approval.
- Provide a fire command room(s) on the ground floor of the building(s). Verify size and location with Fire Department.

#### CIVIL ENGINEERING:

- **Building canopies on plans do not show encroachment within the right of way.**
- An Encroachment Permit or License Agreement must be obtained from the City for any projections into the right of way or crossing of a public utility easement, prior to submittal of construction documents for building permit.
- Maintain a minimum clear distance of twenty-four (24) feet between the sidewalk level and any overhead structure.
- All existing overhead utilities on or adjacent to site must be placed underground, including street crossings, per City of Tempe Code, Section 25-120 thru 25-126 & Ord # 88.85 except for transmission lines (greater than 12.5 kv).
- Coordinate site layout with utility provider(s) to provide adequate access easement(s).
- Clearly indicate property lines, the dimensional relation of the buildings to the property lines and the separation of the buildings from each other.
- Verify location of any easements, or property restrictions, to ensure no conflict exists with the site layout or foundation design.
- 100-year onsite retention required for this property, coordinate design with requirements of the Engineering Department.

#### SOLID WASTE SERVICES:

- Enclosure indicated on site plan is exclusively for refuse.
- Contact the Solid Waste Division to verify that vehicle maneuvering and access to the enclosure is adequate. Refuse staging and collection must be on site; no backing onto or off of streets, alleys or paths of circulation.
- Develop strategy for recycling collection and pick-up from site.
- Coordinate storage area for recycling containers with overall site and landscape layout.
- Gates for refuse enclosure(s) are not required, unless visible from the street. If gates are provided, the property manager must arrange for gates to be open from 6:00 am to 4:30 pm on collection days.

#### PARKING SPACES:

- Verify conformance of accessible vehicle parking to the Americans with Disabilities Act and the Code of Federal Regulations Implementing the Act. Refer to Building Safety ADA Accessible Parking Spaces Marking/Signage on Private Development details.
- At parking areas, provide demarcated accessible aisle for disabled parking.
- Distribute bike parking areas nearest to main entrance(s). Provide parking loop/rack per standard detail T-578. Provide 15" 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.

#### ZONING AND DEVELOPMENT CODE:

- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through [www.tempe.gov/zoning](http://www.tempe.gov/zoning) or purchase from Community Development.

#### LIGHTING:

- Design site security lighting 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:

- Trees shall be planted a minimum of 16'-0" from any existing or proposed public utility lines. The tree planting separation requirements may be reduced to no less than 8'-0" from utility lines upon the installation of a linear root barrier. Per Detail T-460, the root barrier shall be a continuous material, a minimum of 0.08" thick, installed to a minimum depth of 4'-0" below grade. The root barrier shall extend 6'-0" on either side of the tree parallel to the utility line for a minimum length of 12'-0". Final approval is subject to determination by the Public Works, Water Utilities Division.
- 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 <https://agriculture.az.gov/plantsproduce/native-plants>. Follow the link to "applications to move a native plant" to "notice of intent to clear land".

SIGNS: Separate plan review process is required for signs in accordance with requirements of ZDC Part

4 Chapter 9 (Signs). Refer to [www.tempe.gov/signs](http://www.tempe.gov/signs).

DUST CONTROL: Any operation capable of generating dust, include, but not limited to, land clearing, earth moving, excavating, construction, demolition and other similar operations, that disturbs 0.10 acres (4,356 square feet) or more shall require a dust control permit from the Maricopa County Air Quality Department (MCAQD). Contact MCAQD at <http://www.maricopa.gov/aq/>.

#### **HISTORY & FACTS:**

1930	Historic Aerials indicate this site was used for agricultural purposes.
1949	Historic Aerials show the first development on and around this site.
December 31, 1949	Site was annexed into Tempe jurisdiction. The property has never been subdivided.
1967-1970	Building Permits were issued for a 35-room motel with a manager's apartment for Royal Inn Motel.
April 26, 1995	Board of Adjustment approved a request (BA950077) for the Super 8 Motel located at 1020 East Apache Boulevard to allow: <ul style="list-style-type: none"><li>• Use Permit to allow the existing motel to expand the number of rooms by demolition of the existing on-site restaurant;</li><li>• Variance to allow encroachment of two existing parking spaces adjacent to the Apache Boulevard entry into the required 15-foot on-site landscape strip adjacent to the street with the third existing space to be landscaped;</li><li>• Variance to waive the required parking landscape islands and plant material for existing parking areas;</li><li>• Variance to waive perimeter screening trees to avoid removal of existing parking spaces.</li></ul>
May 3, 1995	Design Review Board approved a request (DRB95064) for site plan, landscape plan and building elevations, for the Super 8 Motel.
January 5, 1996	Certificate of Occupancy was issued for a 16-room addition, adding 5,638 s.f. to the existing motel.
2005	The Zoning and Development Code changed the zoning of this property from C-2 to CSS Commercial Shopping and Service.
January 15, 2008	Community Development staff administratively approved a request (ZUP08004), for RMMV Hotel LLC for the transfer of an existing use permit to allow a fifty-five-room motel (known as Super 8 Motel) located at 1020 Est Apache Boulevard in the CSS, Commercial shopping and Services District.
June 3, 2008	Development Review Commission staff administratively approved an exterior modification request (PL080007 / DPR08107), subject to conditions, to consist of re-paint, door replacement, elevation modification, covered stairwells, and remodel of the porte cochere for the Super 8 Motel located at 1020 East Apache Boulevard in the CSS, Commercial Shopping and Services District.
January 9, 2024	Development Review Commission is scheduled to hear a request for a Zoning

Map Amendment from CSS to MU-4 in the TOD Corridor, a Planned Area Development Overlay to establish development standards and a Development Plan Review for a 15-story mixed use development consisting of 300 dwelling units and 3,063 square feet of commercial uses for 1020 APACHE, located at 1020 East Apache Boulevard.

February 1, 2024 City Council is scheduled to introduce and hold a first public hearing for the above referenced request.

February 15, 2024 City Council is scheduled to hold a second and final public hearing for the above referenced request.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-304, Zoning Map Amendment

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

Section 6-306, Development Plan Review