

**Minutes**  
**DEVELOPMENT REVIEW COMMISSION**  
**MAY 22, 2007**

The Development Review Commission Study Session was held on May 22, 2007, at Council Chambers, Garden Level, 31 East Fifth Street.

**Present:**

Charles Huellmantel, Chair  
Vanessa MacDonald, Vice Chair  
Tom Oteri  
Peggy Tinsley  
Stanley Nicpon  
Heather Carnahan  
Dennis Webb  
Mario Torregrossa

**Absent:**

Monica Attridge  
Mike DiDomenico

**City Staff Present:**

Chris Anaradian, Development Services Manager  
Lisa Collins, Deputy Development Services Manager  
Kevin O'Melia, Senior Planner  
Ryan Levesque, Senior Planner  
Diana Kaminski, Senior Planner  
Sherri Lesser, Senior Planner  
Mary Wade, City Attorney's Office  
Jyme Sue McClaren, Deputy Public Works Director/Transportation

**Study Session convened at 6:32 p.m.**

Items discussed:

Item Nos. 2, 3, 5, 7, 8 will be placed on the Consent Agenda and Item Nos. 4, 6, 9, 10, and 11 will be heard.

Study Session adjourned at 6:45 p.m.

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**The Development Review Commission Public Hearing was held on May 22, 2007, at Council Chambers, Garden Level, 31 East Fifth Street.**

**Present:**

Charles Huellmantel, Chair  
Vanessa MacDonald, Vice Chair  
Tom Oteri  
Peggy Tinsley  
Stanley Nicpon  
Heather Carnahan  
Mario Torregrossa  
Dennis Webb, Alternate

**Absent:**

Monica Attridge  
Mike DiDomenico

**City Staff Present:**

Chris Anaradian, Development Services Manager  
Lisa Collins, Deputy Development Services Manager  
Kevin O'Melia, Senior Planner  
Ryan Levesque, Senior Planner  
Diana Kaminski, Senior Planner  
Sherri Lesser, Senior Planner  
Mary Wade, City Attorney's Office  
Jyme Sue McClaren, Deputy Public Works Director/Transportation

**Meeting convened at 7:00 p.m.**

**Item #1 – MINUTES**

**On a motion by Commissioner Nicpon and seconded by Commissioner Oteri, the Commission with a vote of 7-0 approved the minutes of the May 8, 2007 hearing.**

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**Consent Items**

**Charles Huellmantel, Chair stated that certain items could be handled in the consent fashion if they were properly represented and if there were no objections.**

**On a motion by Vice Chair MacDonald seconded by Commissioner Tinsley, the Commission with a vote of 7-0 approved the Consent Agenda, as follows:**

**Item #2            PL070198        CODE TEXT AMENDMENTS  
                      ZOA07001        (Ordinance No. 2007.36)**

**ZOA07001-(Ordinance No. 2007.36) Code Text Amendments pertaining to Section 3-202, 3-401, 3-423 and 7-109 of the Zoning and Development Code.**

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**Item #3**            **PL070081**            **MICRO-TRONICS LOT 55**  
                         **DPR07078**            Development Plan Review  
                                    2922 South 52<sup>nd</sup> Street  
                                    GID, General Industrial District

**DPR07078** – Development Plan Review including site plan, building elevations and landscape plan.

The approval is subject to the following conditions:

**GENERAL**

1. Your drawings must be submitted to the Development Services Building Safety Division for building permit by **May 22, 2008** or Development Plan approval will expire.

**SITE PLAN**

2. Remove one parking space and expand adjacent landscape island near northwest building corner to keep required tree canopies out of way of fire lane. Refer to illustration on the Site Plan Review dated 5/9/07.
3. Near the northeast building corner, shift bike parking west out of the 20'-0" wide parking setback.
4. Maximize surface retention system prior to utilizing sub-surface retention structures. Consider use of surface retention on paving as an alternative to the retention concept indicated. Contact Engineering (steve horstman@tempe.gov) to discuss retention concept.
5. Provide screen walls of fluted CMU facing street with 4" nominal solid caps.
6. Correctly indicate T-320 driveways with level disabled pedestrian sidewalk bypass on the site plan. Provide upgraded paving at each driveway apron consisting of unit paving. Extend unit paving in the driveway from the back of the level accessible public sidewalk bypass to minimum 20'-0" on site and from curb to curb at the drive edges. If the back of the accessible sidewalk bypass is on the property, upgraded paving consisting of scored concrete as indicated is acceptable.
7. Place exterior, freestanding reduced pressure and double check backflow assemblies for domestic and irrigation use 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 screen wall following the requirements of Standard Detail T-214.
8. Finish utility equipment boxes in a neutral color (subject to utility provider approval) that compliments the coloring of the building. Do not paint over instructional or warning decals on the equipment boxes.
9. Shade canopies for parking areas:
  - a. Pull canopy one space away from adjacent landscape island where island is the minimum width, so the tree canopy has room to expand. Refer to illustration on the Site Plan Review mark-up dated 5/9/07.
  - b. Provide fascia that is at least as deep as the canopy structure.
  - c. Provide canopy clearance to allow disabled van parking on demand.
  - d. Design to be attractive when viewed from above. 75% light reflectance value shall also apply to the top of the canopy.
  - e. Relate canopy in color to the building.
  - f. Detail canopy lighting as an integral part of the canopy.
  - g. Conceal lighting conduit to greatest extent possible in the folds of the canopy structure and finish conduit to match surroundings.

**FLOOR PLANS:**

10. Public Restroom Security:
  - a. Lights in restrooms:
    - 1) Provide 50% night lights
    - 2) Activate by key or remote control mechanism

- b. Single user restroom door hardware:
  - 1) Provide a key bypass on the exterior side
- 11. Exit Security: at each hollow metal exit door on the north and west elevations, facing the parking area, provide a six inch square vision panel. Provide panel of laminated glass or high strength plastic. Center panel in door at 63" above finish floor.

**BUILDING ELEVATIONS:**

- 12. Recessed S.E.S. in north elevation is acceptable. Design S.E.S. cabinet and opening so there is no space above or to the sides of the cabinet at the head or jambs of the opening.
- 13. Provide minimum 8" square portals at each leg of the two "L" shape columns. Stack the portals three high in each column leg (six per column) to inhibit use of columns as hiding places adjacent to the building entrances. Refer to mark-up in the 5/9/07 Site Plan Review for an illustration of the portals.
- 14. Recess glazing frames in masonry so interior surface of the frame is flush with the interior wall surface. Detail masonry sills so they are watertight.
- 15. Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process. During construction, planning inspection staff will field verify colors and materials.
- 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. Minimize visible, external features, such as overflows, and where needed position and design these to enhance the architecture of the building.
- 18. Incorporate lighting, address signs, incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the building elevations so that the architecture is enhanced by these elements.
- 19. Surface mount conduit, piping, etc. is not allowed unless a creative conduit surface design that compliments the architecture is reviewed and approved by the Development Review Commission.

**LIGHTING:**

- 20. Illuminate roll-up and pedestrian entrances continuously from dusk to dawn.
- 21. The paved surface for 20'-0" in front of the roll-up door is a loading area; illuminate to minimum 4.0 foot-candles.

**LANDSCAPE:**

- 22. The City does not have a standard planting detail. Provide one standard planting detail for trees and a separate detail for shrubs and groundcovers. Stipulate timed release fertilization for planting either in the details or in the specifications.
- 23. Remove project data other than landscape areas from landscape plan.
- 24. Irrigation notes:
  - a. A separate dedicated landscape water meter is recommended (not required) to separately measure landscape water and avoid a sewer charge on water used for landscape.
  - b. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Use of schedule 40 PVC mainline and class 315 PVC 1/2" feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than 1/2" (if any). Provide details of water distribution system.
  - c. Locate valve controller inside the building. Otherwise, if in a freestanding location or on the exterior of the building, place the controller inside a lockable, vandal resistant housing.
  - d. Hardwire power source to controller (a receptacle connection is not allowed).
  - e. Controller valve wire conduit may be exposed unless the controller is in an exterior location. In this case conceal the conduit inside the controller pedestal (if freestanding) or inside the wall (if controller is wall mounted).
  - f. Repair existing irrigation systems on properties to north and west of this site where these systems are disturbed by this construction.

25. Protect and do not disturb existing plant material, particularly trees, which are adjacent to this site. Locate existing trees which are adjacent to the west and north edges of the site, indicate the extent of their canopy and identify by species on the landscape plan. Replace damaged plant material with agreement of adjacent property owner as part of this work.
26. Provide a tree at the required landscape island in the northeast site corner.
27. Provide at least one tree in the wide landscape island that contains the transformer where the tree is in line with the parking row, not behind the island as indicated. Adjust the location of the transformer in the island accordingly. Coordinate tree placement with transformer location adjustment so the transformer is uniformly indicated on the landscape, irrigation, architectural, utility and electrical site plans.
28. At the east double length landscape island near the roll-up door, provide two trees rather than one.
29. At the west double length landscape island near the roll-up door, position the trees so the canopies, as they mature, do not intrude into the 20' wide, 14' high fire lane.
30. Include requirement in site landscape work to de-compact soil in planting areas on site and in public right of way and remove construction debris and excess rock from planting areas prior to landscape installation.

**SIGNAGE:**

31. Provide 0'-6" high vinyl die cut address number on glazed transom above main entrance.
32. Provide one 0'-12" high address sign on each side of the masonry base of the monument sign (if any). Provide six 0'-12" high address signs, including two each on the east, north and west elevations. Locate signs just below the parapet at uniform height on building. Refer to the Site Plan Review mark-up, dated 05-09-07, for an illustration of the address sign positions on the elevations. Do not address the south elevation since the site is not addressed on Fairmont Drive. Conform to the following for address signs described in this condition:
  - a. Direct illuminate the address signs.
  - b. Provide street number only, not the street name.
  - c. Compose of individual mount, metal reverse pan channel characters.
  - d. Adjust locations so sign is unobstructed by trees, vines, etc.
  - e. Do not affix another number or a letter that might be mistaken for the address number.

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<b>Item #5</b>	<b>PL070127</b> <b>DPR07070</b>	<b>UNIVERSITY CENTER III</b> Development Plan Review 1240 East University Drive GID, General Industrial District within the Rio Salado and Transportation Overlay Districts.
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**DPR07070** – Development Plan Review including site plan, building elevations and landscape plan.

The approval is subject to the following conditions:

1. Your drawings must be submitted to the Development Services Building Safety Division for building permit by May 22, 2008 or Development Plan approval will expire.

**SITE PLAN:**

2. Provide 8'-0" wide public sidewalk along arterial roadways, or as required by Traffic Engineering Design Criteria and Standard Details.

3. Provide service yard and mechanical yard walls that are at least 8'-0" tall as measured from adjacent grade and are at least the height of the equipment being enclosed, whichever is greater. Verify height of equipment and mounting base to ensure that wall height is adequate to fully screen the equipment. Locate electrical service entrance sections inside the service yard, as indicated.
4. Refuse:
  - a. Double container enclosure indicated on site plan is exclusively for refuse. Construct walls, pad and bollards in conformance with Standard Detail DS-116.
  - b. Location of double container enclosure in west vehicle court has changed since the March 24, 2006 Site Plan Review. Contact Sanitation staff (Ron Lopinski 480-350-8132) to verify that vehicle maneuvering and access to the enclosure is still adequate.
5. Provide upgraded paving at each driveway apron consisting of unit paving. Extend unit paving in the driveway from the back of the accessible public sidewalk bypass to 20'-0" on site and from curb to curb at the drive edges.
6. 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.
7. 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.
8. Provide a shaded outdoor employee break area near the building.
9. Provide a landscaped buffer, including a berm along University in conjunction with the parking screen wall.
10. At parking areas, provide demarcated accessible aisle for disabled parking
11. Shade canopies for parking areas:
  - a. Provide separation between shade canopies to accommodate landscape island and tree growth
  - b. Provide fascia that is at least as deep as the canopy structure.
  - c. Provide canopy clearance to allow disabled van parking on demand.
  - d. Design to be attractive when viewed from above. 75% light reflectance value shall also apply to the top of the canopy.
  - e. Relate canopy in color and architectural detailing to the buildings.
  - f. Detail canopy lighting as an integral part of the canopy.
  - g. Conceal lighting conduit to greatest extent possible in the folds of the canopy structure and finish conduit to match surroundings.

**FLOOR PLANS:**

12. Exit Security:
  - a. Provide visual surveillance by means of fire-rated glazing assemblies from office stair towers into adjacent circulation spaces.
  - b. In instances where an elevator or stair exit in the office or garage is within 21'-0" of an alcove, corner or other potential hiding place, position a refracting mirror to allow someone in the exit doorway to observe in the mirror the area around the corner or within the alcove that is adjacent to the doorway.
13. Public Restroom Security:
  - a. Lights in restrooms:
    - 1) Provide 50% night lights
    - 2) Activate by key or remote control mechanism
  - b. Single user restroom door hardware:
    - 1) Provide a key bypass on the exterior side

**BUILDING ELEVATIONS:**

14. Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process. Planning inspection staff will field verify colors and materials during the construction phase.
15. Provide secure roof access from the interior of the office building. Do not expose roof access to public view.
16. Conceal roof drainage system within the interior of the building. Minimize visible, external features, such as overflows, and where needed design these to enhance the architecture of the building.
17. Incorporate lighting, address signs, incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the building elevations so that the architecture is enhanced by these elements.
18. Locate the electrical service entrance section (S.E.S.) inside the building.
19. Exposed conduit, piping, etc. is not allowed unless a creative conduit surface design that compliments the architecture is reviewed and approved by planning staff.

**LIGHTING:**

20. Illuminate building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance at these locations.

**LANDSCAPE:**

21. Irrigation notes:
  - a. Provide dedicated landscape water meter.
  - b. Enclose backflow prevention device in a lockable, pre-manufactured cage.
  - c. 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" (if any). Provide details of water distribution system.
  - d. Locate valve controller in a vandal resistant housing.
  - e. Hardwire power source to controller (no receptacle).
  - f. Controller valve wire conduit may be exposed if the controller remains in the mechanical yard.
  - g. Provide temporary irrigation for the native hydro-seed area. Dismantle this irrigation system when germination of hydro-seed is seen.
  - h. Repair existing irrigation system in the adjacent public right of ways where damaged by work of this project. Provide temporary irrigation to existing landscape in these frontages for period of time that irrigation system is out of repair. Design irrigation so this frontage is irrigated as part of the office system at the conclusion of this construction.
22. Include requirement in site landscape work 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.
23. Top dress planting areas with a rock or decomposed granite application. Provide rock or decomposed granite of 2" uniform thickness or less. Provide pre-emergence weed control application and do not underlay rock or decomposed granite application with plastic.

**SIGNAGE:**

24. Provide one address sign on each building elevation, horizontally near either end of the elevation and vertically between the second floor level windows and the top of the building. Additionally place one address sign centered on the south elevation, over the main entrance. Match the height of all address signs.
  - a. Conform to the following guidelines for building address signs:
    - 1) Compose address signs of 12" high, individual mount, metal reverse pan channel characters.
    - 2) Halo-illuminate each address from dusk to dawn.
    - 3) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
    - 4) Do not affix a number or letter to the building that might be mistaken for the address assigned to the building.
    - 5) Provide minimum 50 percent contrast between address and the background to which it is attached.

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

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<b>Item #7</b>	<b>PL060450</b> <b>PAD07009</b> <b>DPR07056</b>	<b>AM/PM ARCO</b> Planned Area Development Development Plan Review 3233 South McClintock Drive PCC-1, Planned Commercial Center District
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**PAD07009 – (Ordinance No. 2007.24)** Planned Area Development Overlay to modify development standards for a +/- 3956 s.f. of building area on +/- 0.91 acres.

**DPR07056** – Development Plan Review including site plan, building elevations and landscape plan.

The recommended approval is subject to the following conditions:

**GENERAL:**

1. Obtain the building permit and commence construction on or before **two years from City Council approval** of the Planned Area Development Overlay or the Planned Area Development Overlay for this lot will expire.
2. Your drawings must be submitted to the Development Services Building Safety Division for building permit by **May 22, 2008** or Development Plan approval will expire.

**SITE PLAN:**

3. Verify location of refuse enclosure (modified after 04/11/2007 SPR) is acceptable to the Field Services Department prior to submittal for plan check. Contact Ron Lopinski.
4. Match the color and texture for refuse enclosure, parking screen wall and monument sign base with that proposed for the convenience store.
5. Show the location for air and water dispenser and public telephones for planning plan check review.
6. 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.
7. Finish utility equipment boxes on site in a neutral color (subject to utility provider approval) that compliments the coloring of the building. Do not paint over instructional or warning decals on the equipment boxes.

**FLOOR PLANS AND SECTIONS:**

8. Restroom Security:
  - a. Lights in public restrooms:
    - 1) Provide 50% night lights
    - 2) Activate by key or remote control mechanism

**BUILDING ELEVATIONS:**

9. Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the paint color sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process. During completion of the development, planning inspection staff will field verify colors and materials.

10. Remove the marquee changeable poster boxes from elevation.
11. Two signs are allowed on the fuel canopy fascia. Each sign may not exceed 6 s.f. and height of sign may not exceed 80 percent of the height of the canopy fascia and may not extend beyond top or bottom of canopy.
12. The color banding on the fuel canopy fascia and on the north elevation of the store is considered a building accent element and not part of the sign area. Do not internally or externally illuminate the color banding on the entry, carwash building or fuel canopy.
13. Conceal roof drainage system within the interior of the store. Minimize visible, external features, such as overflows, and where needed design these to enhance the architecture of the store.
14. Incorporate lighting, address signs, incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the store and fuel canopy so that the architecture is enhanced by these elements.
15. Details of meter panels, natural gas equipment and electrical equipment installation and location shall not detract from the architecture of the building; design an enclosure to conceal equipment or relocated to interior. Details shall be approved by staff prior to issuance of building permits.
16. Exposed conduit, piping, etc. is not allowed unless a creative conduit surface design that compliments the architecture is reviewed and approved by the Development Review Commission.

**LIGHTING:**

17. Fixtures for canopy lighting to be recessed.
18. Provide the following continuous illumination levels from dusk to dawn (this clarifies illumination levels for areas not specifically described in ZDC Part 4 Chapter 8):
  - a. limit light on paving surface under canopy to maximum 40.0 foot-candles.
  - b. illuminate building entrance and exit side doors with minimum 5.0 foot-candles.
  - c. illuminate the electrical service entrance section room door pair with minimum 2.0 foot-candles.
  - d. illuminate the vendor parking with minimum 4.0 foot-candles, similar to a loading zone.
  - e. illuminate the public pay phone area with minimum 5.0 foot-candles.

**LANDSCAPE:**

19. The existing trees on site may be destroyed to make way for the site re-development. Completely remove these plants and any stumps on site or in frontage. Do not disturb existing off site plant material to the east of this re-development or elsewhere.
20. Irrigation notes:
  - a. A dedicated landscape water meter is recommended (not required). Consider re-use of existing water meter with irrigation dedication if another domestic water meter is installed with this site re-development.
  - 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" (if any). 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 Service Entrance Section room, as indicated. Conceal the conduit if the controller is mounted outside.
21. Include requirement in site landscape work 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.
22. Top dress planting areas with a 2" thick uniform application of decomposed granite, as indicated. Provide pre-emergence weed control application, as indicated, and do not underlay rock or decomposed granite application with plastic.

**SIGNAGE:**

23. For this facility, provide one address sign on each side of the masonry base of the monument sign and four address signs on the store. Conform to the following guidelines for address signs on the store and the base of the monument sign:
- Halo illuminate the address signs.
  - Provide street number only, not the street name.
  - Compose of 12" high, individual mount, metal reverse pan channel characters.
  - Adjust locations so sign is unobstructed by trees, vines, etc.
  - Do not affix another number or a letter that might be mistaken for the address number.

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<b>Item #8</b>	<b>PL060538</b> <b>PAD07010</b> <b>DPR07057</b>	<b>AM/PM ARCO</b> Planned Area Development Development Plan Review 908 East Broadway Road CSS, Commercial Shopping & Services District
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**PAD07010 – (Ordinance No. 2007.25)** Planned Area Development Overlay to modify development standards for a +/- 2400 s.f. of building area on +/- 0.45 acres.

**DPR07057** – Development Plan Review including site plan, building elevations and landscape plan.

This recommended approval is subject to the following conditions:

**GENERAL:**

- Obtain the building permit and commence construction on or before **two years from City Council approval** of the Planned Area Development Overlay or the Planned Area Development Overlay for this lot will expire.
- Obtain approval of a new subdivision plat to combine the two existing lots; process through City Council prior to issuance of building permit.
- For contiguous parcel to the north (Safeway Shopping Center), obtain a cross access easement. Complete this process through the Engineering Division of the Public Works Department prior to issuance of a building permit. Contact Engineering Division (Carol Martsch 480-350-8200) if questions.
- A separate development plan approval will be required for the improvements to the Safeway site and all improvements on Safeway property to be completed prior to issuance of Certificate of Occupancy for Arco AM/PM Broadway and Rural.
- The Planned Area Development Overlay for Arco AM/PM Broadway and Rural shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Development Services Department. Complete this process prior to issuance of building permits.
- Your drawings must be submitted to the Development Services Building Safety Division for building permit by **May 22, 2008** or Development Plan approval will expire.

**SITE PLAN:**

- Provide a minimum of four (4) bicycle parking spaces.
- Parking screen walls to located on property line on street frontages. Match the building color and texture for refuse enclosure, parking screen wall and monument sign base.
- Show the location for air and water dispenser and public telephones for planning plan check review.
- 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.

11. Finish utility equipment boxes on site in a neutral color (subject to utility provider approval) that compliments the coloring of the building. Do not paint over instructional or warning decals on the equipment boxes.

**FLOOR PLANS AND SECTIONS**

12. Restroom Security:
  - a. Lights in public restrooms:
    - 1) Provide 50% night lights
    - 2) Activate by key or remote control mechanism

**BUILDING ELEVATIONS:**

13. Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the paint color sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process. During completion of the development, planning inspection staff will field verify colors and materials.
14. Remove the marquee changeable poster boxes from elevation.
15. Two signs are allowed on the fuel canopy fascia. Each sign may not exceed 6 s.f. and height of sign may not exceed 80 percent of the height of the canopy fascia and may not extend beyond top or bottom of canopy.
16. The color banding on the fuel canopy fascia and on the north elevation of the store is considered a building accent element and not part of the sign area. Do not internally or externally illuminate the color banding on the entry or fuel canopy.
17. Conceal roof drainage system within the interior of the store. Minimize visible, external features, such as overflows, and where needed design these to enhance the architecture of the store.
18. Incorporate lighting, address signs, incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the store and fuel canopy so that the architecture is enhanced by these elements.
19. Details of meter panels, natural gas equipment and electrical equipment installation and location shall not detract from the architecture of the building; design an enclosure to conceal equipment or relocated to interior. Details shall be approved by staff prior to issuance of building permits.
20. Exposed conduit, piping, etc. is not allowed unless a creative conduit surface design that compliments the architecture is reviewed and approved by the Development Review Commission.

**LIGHTING:**

21. Fixtures for canopy lighting to be recessed.
22. Provide the following continuous illumination levels from dusk to dawn (this clarifies illumination levels for areas not specifically described in ZDC Part 4 Chapter 8):
  - a. limit light on paving surface under canopy to maximum 40.0 foot-candles.
  - b. illuminate building entrance and exit side doors with minimum 5.0 foot-candles.
  - c. illuminate the electrical service entrance section room door pair with minimum 2.0 foot-candles.
  - d. illuminate the vendor parking with minimum 4.0 foot-candles, similar to a loading zone.
  - e. illuminate the public pay phone area with minimum 5.0 foot-candles.

**LANDSCAPE:**

23. The existing trees on site may be destroyed to make way for the site re-development. Completely remove these plants and any stumps on site or in frontage. Do not disturb existing off site plant material to the east of this re-development or elsewhere.
24. Irrigation notes:
  - a. A dedicated landscape water meter is recommended (not required). Consider re-use of existing water meter with irrigation dedication if another domestic water meter is installed with this site re-development.

- 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" (if any). 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 Service Entrance Section room, as indicated. Conceal the conduit if the controller is mounted outside.
25. Include requirement in site landscape work 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.
26. Top dress planting areas with a 2" thick uniform application of decomposed granite, as indicated. Provide pre-emergence weed control application, as indicated, and do not underlay rock or decomposed granite application with plastic.

**SIGNAGE:**

27. For this facility, provide one address sign on each side of the masonry base of the monument sign and four address signs on the store. Conform to the following guidelines for address signs on the store and the base of the monument sign:
- a. Halo illuminate the address signs.
  - b. Provide street number only, not the street name.
  - c. Compose of 12" high, individual mount, metal reverse pan channel characters.
  - d. Adjust locations so sign is unobstructed by trees, vines, etc.
  - e. Do not affix another number or a letter that might be mistaken for the address number.

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The Commission went on to the discussion agenda:

<b>Item #4</b>	<b>PL070085</b> <b>DPR07036</b>	<b>SOUTHWEST INSTITUTE OF NATURAL AESTHETICS</b> (Development Plan Review) 1112 East Apache Boulevard CSS, Commercial Shopping and Services District
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This project was presented by Kevin O'Melia and represented by KC Miller.

Ms. Miller addresses the Commission regarding the past presentations and feels that SWINGA has not done a good job in presenting this case to the Commission. Ms. Miller indicates with photos the location of the building in relationship to the street and discusses the steps they have taken to ensure that their design is accepted by other businesses and residents of Tempe. Miller questions the Commission since her design does not "offend" her neighbors in the area, is that a reason for her design to be denied?

Oteri: We represent the citizens of Tempe and we evaluate designs, etc. based on what we think our peer group would respond to.

Miller: That is why I went to the Apache Blvd Project Area Committee, so that I could get a reading to see if I was making an outrageous request. I don't believe I am making an outrageous request.

Tinsley: Would the signs being indicated in the presentation qualify for a sign permit?

O'Melia: Yes, the area and features of the signs in the presentation have been reviewed with sign staff and me. The signs will be separately submitted for approval.

Chair Huellmantel to staff: What would be appropriate for us to consider or not to consider?

O'Melia: The items to review are the design and the Conditions of Approval.

Chair Huellmantel: What is the standard that we should be approving?

Collins: Just to clarify, the Ordinance does state that you should consider the surrounding areas, landscaping, materials to be used, and that buildings and landscape elements have proper scale with the site and surroundings.

Nicpon: I have spoken with Phil Amerosi (APAC) and have received his input from the APAC meeting and I have been inside the building and it is immaculate inside. I prefer the first design but if you like this design better, then I have no problem with that one either. I feel the design will enhance the area.

Tinsley: I like the last design and I like this one. The new photographs you brought today were very helpful because it indicates the distance of the building from the street.

**On a motion by Commissioner Tinsley and seconded by Commissioner Nicpon, the Commission with a vote of 4-3 (Chairman Huellmantel, Vice Chair MacDonald, and Commissioner Oteri opposed) approved this Development Plan Review with the following conditions:**

1. Complete the color modification by **May 22, 2008** or Development Plan Review approval will expire.
2. Specific requirements of the **Zoning and Development Code** 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, it is necessary that the owner be familiar with the Zoning and Development Code (ZDC), which can be accessed through [www.tempe.gov/zoning](http://www.tempe.gov/zoning), or purchased at Development Services.

**SITE PLAN:**

3. Access control across the driveway that connects this site to the Convenience Store to the north is not necessary. If it is proposed, do the following: Add a manual access control gate as a separate planning entitlement process. This gate may be normally locked but must be open on refuse collection days. Provide a Knox padlock on the gate that allows the gate to be opened by the Fire Department in an emergency. Plan and detail of the gate and emergency ingress requirement are subject to approval, respectively by Planning Division and Fire Department staff.
4. Provide four bike parking spaces for the institute on the concrete pad immediately south of the landscape island near the southeast corner of the building. Each bike parking space is 2 ft. by 6 ft. Install bike hitching posts in conformance with standard detail T-578 (this detail may be accessed through [www.tempe.gov/engineering](http://www.tempe.gov/engineering)). One hitching post may suffice for two bikes if the post is centered between two spaces.
5. Place the existing backflow prevention equipment assemblies at the southwest site corner in pre-manufactured, pre-finished, lockable cages (one assembly per cage).
6. Paint existing site utility equipment boxes including transformer at northwest corner of building Behr 200F-6 Sequoia Grove. Verify color has approval of utility provider prior to paint. Do not paint over instructional or warning decals on the equipment boxes.

**BUILDING ELEVATIONS:**

7. Obtain a building permit for the hollow plaster spheres prior to mounting these objects on the building.
8. Paint the plaster corner at the northeast building corner Behr 260F-5 Applesauce Cake on both north and east surfaces; do not change paint color at the corner as indicated.
9. Paint the existing, exposed fire riser at the west elevation near the southwest corner of the building Behr 200F-6 Sequoia Grove.
10. Paint backsides of roof parapets, including those that are exposed as well as those that are completely concealed, Behr 260F-6 Applesauce Cake, matching the color proposed for the site walls.
11. At existing steel fence, treat for rust where occurs and repaint all surfaces white, matching the existing fence color.
12. Typically paint both sides and top of site screen walls and monument sign base with cap and field color as indicated, including the sides facing west to the Southwest Institute and south to Apache Boulevard except as follows:
  - a) East of the site, paint the side of the screen wall facing east into the adjacent property a flat white.

- b) At the existing refuse enclosure, paint the three wall surfaces of the interior of the enclosure a flat white that will help silhouette intruders.
  - c) Do not paint any off-site walls.
13. Conceal exposed electrical conduit that has recently been applied on the brick and plaster surfaces on the west side of the building. Obtain an electrical permit for the conduit change prior to executing any electrical work and repair plaster and brick surfaces as part of this operation.
  14. Provide colors with a light reflectance value of 75 percent or less. Colors exhibited on the sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process. During the repaint, planning inspection staff will verify colors on site.
  15. Where modifications to security lighting or address signs are proposed, submit for building plan check and planning plan check for permit prior to commencing this work.

**LANDSCAPE:**

16. Correct the violation to condition 4 of the Use Permit for Southwest Institute of Healing Arts (BA050135) as follows. Replace missing trees on site and in frontage with specimens that are minimum 24" box at installation, at a minimum including street trees on Apache Boulevard and in parking lot landscape islands. One tree is required per car length of island. One tree is required per thirty running ft. of street frontage (these may be clustered and are not required to be 30 ft. on center). On Apache Boulevard and in the landscape islands, provide thornless 'Desert Museum' Palo Verde in keeping with Apache street tree policy and the existing Palo Brea on site. Additionally, provide a minimum five plant groundcovers in each parking lot landscape island. Select plant groundcovers from "2 ft. Plant List" in conformance with ZDC Appendix "B". The list is also available at the Development Services Department counter. Repair and extend existing irrigation system as required so all existing landscape on site and in frontage is served.
17. Separately process a Development Plan for a site landscape design, including potted annual flowers around the building, similar to as proposed by the applicant. Optionally, include the driveway gate in the site landscape design, as described in condition 3. Incorporate the trees of condition 16 and generally preserve the existing, surviving landscape to the greatest extent possible. Have a registered landscape architect or an individual with a horticultural specialty prepare the submittal drawings.

**SIGNAGE:**

18. Separately process a sign permit to apply the stylized letters "SWINA" and the stylized "I" that appears twice (mirror image) on the south elevation. Conform sign illumination (if any) and the sign itself to ZDC Part 4 chapters 8 (Lighting) and 9 (Signs).

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<b>Item #6</b>	<b>PL070084</b>	<b>MESSER RESIDENCE</b>
	<b>UPA07002</b>	Use Permit
		1929 East Meadow Drive
		R1-6, Single Family Residential District

This case is presented by Sherri Lesser and represented by Barbara Messer.

Lesser gives a presentation describing the criteria for a Use Permit and describes the condition of the applicant's residence and boat that is in question. Lesser also explains Condition 1, which indicates this Use Permit is valid for this boat only, and under these conditions and conditions of approval.

Messer addresses the Commission and explains her reasons for requesting the Use Permit.

Oteri: Due to the layout of your yard, is it impossible to put a double gate in and park the boat behind the gate?

Messer: I have large, mature citrus trees starting at that front fence all around the back to the other side.

Tinsley: How long is the boat?

Messer: 20'.

Torregrossa: If Mrs. Messer purchases another boat does that void this Use Permit?

Lesser: Yes. She would be required to come in and reapply for another Use Permit. This permit is for this boat and fact situation only.

Oteri: Question for staff: If someone in another neighborhood that does not have an association wants to park their same sized boat in their driveway, do they have to start over or can they cite this as precedent.

Collins: Because it's not a variance, but a Use Permit, yes it could be cited as precedent.

Chair Huellmantel to Messer: How many boats could you have on one street before you think it would be a problem?

Messer: I can't answer that.

Chair Huellmantel asks for public comment:

Rick Black: Owns property approximately one block away and is opposed to the request.

Don Till: Is a neighbor and supports the request for the Use Permit.

Ann Till: Also supports the Use Permit.

Chair Huellmantel closes public input.

Vice Chair MacDonald: Why do we have back to back requests that are very similar but have two different recommendations from staff?

Lesser: Recommendations are made on a case-by-case basis. These two cases and situations are very different.

Oteri: If we had another citizen place a request for a Use Permit for a boat would they not have leverage using this case as precedent?

Collins: As we go through Use Permits there are findings that are required with each case and if another case had similar findings we would bound to accept those same findings. Although the word precedent might be being used differently, but when I said this case could set precedent, I was correct in stating that. Our recommendations are clearly going towards neighborhood character and those are the types of recommendations you will be seeing.

Oteri: How did the application for a Use Permit come about?

Collins: Mrs. Messer was cited by our Neighborhood Enhancement Division.

Chair Huellmantel: Is that done proactively or is it complaint driven?

Collins: Both, but I am unsure if Mrs. Messer's case was complaint driven.

Lesser: Could not find a complaint on file, I conclude it was proactive.

Tinsley: I believe we can do these by a case-by-case basis. We looked at the one previously and did not believe it met the criteria. If we were to approve this one, we would then have two precedents to look at, one where the Commission said yes and one where we had to say no.

Vice Chair MacDonald: Could we do something in a Code Text Amendment that would give some latitude to the Hearing Officer or this Board?

Collins: The reason behind the Use Permit is there may be situations where the request makes sense. We should probably get away from whether or not they set precedent and look at them on a case-by-case basis. I can appreciate your suggestion about the Code Text Amendment but I feel the process we have now of looking at each case on it's own merits works well.

**Commissioner Tinsley makes a motion, seconded by Commissioner Nicpon, to approve the appeal and the Use Permit (this motion fails).**

Chair Huellmantel calls for discussion, and states he is unable to agree with that motion.

Tinsley: I disagree, I believe the facts in this case make this supportable.

Oteri: Although I would like to be able to support this for Mrs. Messer, I cannot and I agree with Chair Huellmantel.

Nicpon: I came to this hearing adamantly opposed to any boat, rv, etc. in the front yard setback but there are three conditions here: the outpouring of support, the landscaping, etc., and I don't feel this is a precedent setting case.

Chair Huellmantel calls for another motion.

**On a motion by Commissioner Oteri, seconded by Commissioner Torregrossa, the Commission with a vote of 4-3 (Commissioners Carnahan, Nicpon and Tinsley opposed) denied the appeal and the Use Permit request.**

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<b>Item #9</b>	<b>PL070155 ZON07003 PAD07014</b>	<b>MARINA HEIGHTS AT TEMPE TOWNLAKE-WEST</b> Zoning Map Amendment Planned Area Development Overlay 300 East Rio Salado Parkway MU-Ed District, Mixed Use Educational
<b>Item #10</b>	<b>PL070156 PAD07015 ZUP07049</b>	<b>MARINA HEIGHTS AT TEMPE TOWNLAKE-EAST</b> (Ordinance No. 2007.38) Use Permit 600 East Rio Salado Parkway MU-Ed District, Mixed Use Educational

Vice Chair MacDonald recuses herself and Commissioner Webb steps in.

This case was presented by Ryan Levesque and represented by Randy Levin, SunCor.

Steve Neilsen addresses the Commission to give brief overview of what has transpired with this project. Property is owned by Arizona State University. This project has been in the works for approximately seven years.

Brent Kendall, Architect, addresses the Commission and gives design overview of projects.

Oteri: What about wind impact on the lake?

Anaradian: Wind tends to move west in morning and east in afternoon, there is a wind indicator out there but this is not a study that we required from them.

Oteri: The reason I bring this up is that I have previously lived in The Lakes Subdivision and when apartment complexes went up on Baseline, it changed the wind dynamic at the lake area. Was curious if anyone had considered when impact these sized buildings will have on the lake and the wind direction?

Carnahan: Can you go building by building and give us an idea of construction phasing and when we might see these come back to us?

Levin: Starting at the most easterly building, starting approximately 2009, then moving westerly. Construction depends on the timing of the hotel. Build time to leasing takes about 3-4 years.

Oteri: Where are you with FAA approval?

Gary Cheek: We have submitted information to our FAA consultant asking them to give us what would be the maximum allowable height. That height came back to be 1550' which at the time was the height of the structures on the butte. We do not currently have FAA approval, but we have submitted for it.

Oteri: Any consideration to the rooftops that are lower than the taller buildings?

Levin: Buildings will be green.

Oteri: Currently, how many student parking spaces are being displaced? I would like to know how the impact of the traffic flow is going to become as relevant as to what's happening now as those lots are full.

Kathryn Heffernen addresses the Commission: ASU will be replacing some but not all of the spaces. In doing the traffic analysis, we assumed worse case scenario. We assumed that the traffic generated from those parking spaces would still be there but relocated to the south side of Rio Salado Parkway to the new parking structure.

Nicpon: Have you had any discussions with Transit regarding any plans that may be forthcoming along Rio Salado that could impede car traffic but encourage public transportation?

Levin: Briefly. It is my understanding that we are going to work with the City to provide that transit easement along Rio Salado Parkway.

Chair Huellmantel: What other pedestrian concepts are you planning?

Jyme Sue McLaren: We have attempted to preserve a 28' right of way along Rio Salado Parkway, 14' on each side. This would allow for single track in either direction. We're attempting to preserve that from Mill Avenue to McClintock Drive. This would allow us to do some alternate mode, yet to be decided. We could put in two directions of a street car, light rail extension, bus only dedicated lane, extra wide sidewalks or bikelanes.

Chair Huellmantel opens the hearing to public input:

John MacDonald: I am here regarding building height and the proximity to flight path, etc. We would like continuing discussion between the City, developer, ASU and US Airways. Concerned with restrictions that could be placed on airlines flying in proximity to proposed buildings.

Warren Egmund: Concerned that height of the buildings will over shadow the butte.

Public input portion of the hearing closed.

Anaradian: The applicant has met our expectations in terms of staying within the Council directed guidelines and the guidelines recommended to us by our consultants to avoid a determination of hazard, but the jury is still out because the FAA has the experts that look at the math and the geometry, approach patterns, take-offs, etc.

Randy Levin introduces Grady Gammage Jr.

Gammage: The dilemma for us is that the deal with the University has been so complex and has taken so long that as that deal has proceeded, we realized that we had to reach some benchmarks in this approval process to make that deal come together in the time frame the University wants. As a result of that, you are seeing SunCor in a context of having done less homework than they typically do. We would not building anything that the FAA determined to be a hazard. If the Commission would like to add a stipulation that if a building envelope is conceptually approved, should the FAA determine that the building envelope creates a hazard, we will not build above whatever height they determine as a hazard. To the extent that US Airways has a separate and independent concern about their procedures and that creating a different height limit, we could agree to a stipulation for that as well. That is to say that if US Airways subsequently determines that there is an operational problem with the envelope being approved, we would work it out with US Airways or come back to the Commission.

Gammage: We could agree to bring the height of those buildings down by a height equivalent to the towers that are coming off the butte, which I understand are approximately 55' tall.

Chair Huellmantel: Would lowering the buildings to just below the butte lessen but not remove US Airway's concerns?

Mr. MacDonald: I am cautious to answer because I am not a flight engineer, but it does make some sense that in lowering the building height the degree of concern from the airline and the FAA would also be lowered.

Chair Huellmantel closes public input including applicant information.

Torregrossa: How long is the FAA approval process?

Anaradian: It varies with each project.

(Break)

Levesque reads proposed additional conditions. Mr. Gammage, Mr. MacDonald, and Mr. Nielsen have no objections to conditions.

Webb: Concerned about voting on something that we are unsure of height and what it will look like.

Collins: This project will be back through Development Plan Review process as buildings are being submitted for review.

**On a motion by Commissioner Tinsley and seconded by Commissioner Nicpon, the Commission with a vote of 7-0, recommend approval of the Planned Area Development Overlays and Zoning Map Amendment for Item Nos. 9 and 10 and approved the Use Permit with the following conditions:**

1. The Planned Area Development Overlay for MARINA HEIGHTS – EAST shall be put into proper engineered format with appropriate signatures and kept on file with the City of Tempe's Development Services Department prior to issuance of building permits.
2. A fourteen (14) foot transit easement shall be indicated on the south property line for future use, subject to review by the Public Works, Light Rail Transit Division.
3. Updates shall be provided to the traffic impact study as submittals are made and development plans are refined.
4. The driveways as discussed in the traffic study shall be reduced from the 11 proposed to 8, including the following modifications, subject to review by the Public Works, Traffic Engineer:
  - a) Relocate Driveway D2 at least 150 feet to the east;
  - b) Consolidate Driveways D4 and D5;
  - c) Eliminate Driveway D8; and
  - d) Eliminate Driveway D10.
5. The developer shall be responsible for design and construction of a southbound right-turn lane at the Rio Salado Parkway and Rural Road intersection as recommended in the traffic impact study during the first phase of construction, subject to review by the Public Works, Traffic.
6. The developer shall be responsible for the costs associated with design and construction of the future traffic signal located at Driveway D7 (Lakeshore Drive), subject to review by the Public Works, Traffic Engineer.
1. The Planned Area Development Overlay for MARINA HEIGHTS – WEST shall be put into proper engineered format with appropriate signatures and kept on file with the City of Tempe's Development Services Department prior to issuance of building permits.
2. A fourteen (14) foot transit easement shall be indicated on the south property line for future use, subject to review by the Public Works, Light Rail Transit Division.

3. Updates shall be provided to the traffic impact study as submittals are made and development plans are refined.
4. The driveways as discussed in the traffic study shall be reduced from the 11 proposed to 8, including the following modifications, subject to review by the Public Works, Traffic Engineer:
  - a) Relocate Driveway D2 at least 150 feet to the east;
  - b) Consolidate Driveways D4 and D5;
  - c) Eliminate Driveway D8; and
  - d) Eliminate Driveway D10.
5. The developer shall be responsible for design and construction of a southbound right-turn lane at the Rio Salado Parkway and Rural Road intersection as recommended in the traffic impact study during the first phase of construction, subject to review by the Public Works, Traffic.
6. The developer shall be responsible for the costs associated with design and construction of the future traffic signal located at Driveway D7 (Lakeshore Drive), subject to review by the Public Works, Traffic Engineer.
7. MARINA HEIGHTS – WEST shall provide a maximum building height of two hundred ninety-nine feet (299') for buildings A and B. **(ADDED BY DEVELOPMENT REVIEW COMMISSION)**
8. If the F.A.A. determines the building height as a potential hazard or if U.S. Airways determines the height creates significant operational constraints, the PAD request shall be brought back through the public hearing process, as it relates to height. **(ADDED BY DEVELOPMENT REVIEW COMMISSION)**

Vice Chair MacDonald returns to the dais.

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<b>Item#11</b>	<b>PL070099</b>	<b>TEMPE TRANSIT</b>
	<b>ZUP07030</b>	Use Permit- (withdrawn)
	<b>DPR07040</b>	Development Plan Review
		1811 East Apache Boulevard
		GID, General Industrial District

This case is presented by Ryan Levesque and represented by Manjula Vaz of Gammage and Burnham and Derek Hayton of Gray Development. Ms. Vaz agrees to proceed with the hearing although the Commission is short one commissioner (Oteri).

Hayton presents project including sidewalk context images of Kierland Commons (masonry, steel canopies, glass storefronts).

Chair Huellmantel has concern about type of landscape and shade strategies on west elevation. Also concerned only half of building elevation on west appears to be pedestrian oriented.

Levesque: The applicant has worked closely with staff to work on a solution for the landscape treatment along Apache Boulevard and McClintock Drive. This project will be required to meeting the TOD standard requirements with 33% shading in the public sidewalk area as well as a specific required amount of street trees for the street frontage. The applicant is also responsible to maintain an 8' x 24' clear zone area at the bus drop-off.

Chair Huellmantel: Do we know how deep the shade structures are?

Jyme Sue McLaren: We will strive to have shade canopies cover the 8' wide clear path of ravel. There are requirements and design criteria regulated by the Engineering Division for encroachment into the right of way.

Collins: There could be a stipulation that the applicant is directed to work with staff to develop an appropriate height and depth for the awnings.

Chair Huellmantel: I would like us to iron-out some of these issues before we relinquish this to staff.

Collins: We will try to determine a minimum width and height but ultimately whatever we condition will be based on Engineering approval.

Chair Huellmantel calls for public input:

Warren Edmund: Feels canopies won't provide shade, would like to see more trees near curb in front of canopies.

Nicpon: Agrees with Chair Huellmantel regarding the landscape plan.

Oteri: I also agree.

O'Melia: State law prohibits certain plants and grass within the right of way.

Public hearing portion closed.

**On a motion by Commissioner Tinsley and seconded by Vice Chair MacDonald, the Commission with a vote of 7-0, approved this Development Plan Review with the following conditions:**

1. Your drawings must be submitted to the Development Services Building Safety Division for the exterior structure building permit by **May 31, 2008** or Development Plan approval will expire.
2. An Encroachment Permit must be obtained from the Engineering Department for any structures that overhang into the right of way. The limitations of this encroachment include:
  - a. a minimum clear height distance of fourteen (14) feet for any upper level balconies, permanent structures or decorative architectural features of the building;
  - b. a minimum clear height distance of nine feet (9) feet between the sidewalk level and any overhead removable structure; and
  - c. any other requirements described by the encroachment permit or the building code.
3. A perpetual easement shall be dedicated for public use of the Park & Ride Facility, including all parking spaces designated for Light Rail use and associated bicycle racks.
4. Cross access easements shall be dedicated on the subdivision plat to allow use of the Park & Ride facilities and other adjacent sites. Dedicate a public ingress/egress easement to allow access from Apache Blvd. and McClintock Street to the Park & Ride structure and Kiss & Ride spaces, including access to the TPSS site on Lot 2 and the trailer park property to the southeast. Dedicate a pedestrian easement to allow public access through the northwest corner of the building and through the western lobby entrance located between the retail space and dwelling units.
5. A landscape and maintenance agreement shall be established for Lot 2 of the subdivision plat. Lot 1 shall be responsible for maintenance of such landscape.
6. A transit shelter easement shall be dedicated on the plat. Easement shall provide the minimum width requirements for a bus waiting area, for the purpose of public use, with final details to be resolved with the Public Works, Transit Division.
7. Off site modifications to the existing site for Jiffy Lube shall require separate processing for approval at a staff review, subject to property owner's authorization. Complete this request prior to submittal of building permits for exterior portions of the building.
8. A modified cross access easement shall be provided with adjacent lots along McClintock Drive for existing businesses Jiffy Lube and Ken's Auto, subject to property owner's authorization. If the existing cross access easement is maintained, a modified development plan shall be provided to accommodate this design change, subject to staff review. Modification shall be submitted to Development Services by May 24, 2007.

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**SITE PLAN:**

9. Provide a minimum of fourteen (14) feet of public sidewalk with six (6) foot zone located along the curb edge for trees, benches and other pedestrian-related amenities. The remaining eight (8) feet shall be clear of any obstructions for pedestrian travel.

10. Provide at least two (2) benches along Apache Boulevard for public use. Locate within the first six (6) feet of the street curb.
11. Provide upgraded paving at each driveway apron consisting of unit paving. Extend unit paving in the driveway from the back of the accessible public sidewalk bypass to twenty (20) feet on site and from curb to curb at the drive edges.
12. Minimum four (4) foot clear sidewalks shall be provided for interior pathways. Sidewalks adjacent to Kiss & Ride parking aisle shall provide a minimum five (5) foot clear pathway. The clear pathway excludes any vehicle parking overhang (2 feet).
13. Provide an alternative paving material (such as unit pavers) for pedestrian access to all carriage unit entries. Minimum four (4) foot pathways shall connect from entries to the sidewalk to the west of the drive aisle, functioning as traffic calming devices near carriage units to avoid conflicts with pedestrians and vehicle traffic, subject to planning staff review. Parking spaces shall be revised to accommodate these pathways.
14. 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.
15. If shade canopies are provided for parking areas:
  - a. Provide fascia that is at least as deep as the canopy structure.
  - b. Design to be attractive when viewed from above. 75% light reflectance value shall also apply to the top of the canopy.
  - c. Relate canopy in color and architectural detailing to the buildings.
  - d. Detail canopy lighting as an integral part of the canopy.
  - e. Conceal lighting conduit to greatest extent possible in the folds of the canopy structure and finish conduit to match surroundings.
  - f. Canopies located on the top parking level shall be fully shielded from view from a horizontal plane.

**FLOOR PLANS:**

16. Exit Security:
  - a. Provide visual surveillance by means of fire-rated glazing assemblies from stair towers into adjacent circulation spaces, including garages.
  - b. In instances where an elevator or stair exit in the office or garage is within 21'-0" of an alcove, corner or other potential hiding place, position a refracting mirror to allow someone in the exit doorway to observe in the mirror the area around the corner or within the alcove that is adjacent to the doorway.
17. All garage parking spaces shall provide a minimum two (2) foot separation from any continuous structure located adjacent to a designated parking space, allowing for vehicle accessibility.
18. Garage Security:
  - a. Minimize interior partitions or convert these to semi-opaque screens to inhibit hiding behind these features.
  - b. Paint interior wall and overhead surfaces in enclosed garage floor levels with a highly reflective white color, minimum LRV of 75 percent.

**BUILDING ELEVATIONS:**

19. The buildings façade shall provide a continuous ground face masonry unit material throughout the street façade elevations, not to exceed the second floor. Masonry pilaster elements shall maintain a minimum height at the third floor as shown on elevations. Pilasters shall be located in a consistent pattern as it relates to the pop-out elements above.
20. Applicant shall continue to work with staff regarding glass and masonry configuration located at northwest corner of the building.
21. Modify carriage unit elevations to include consistent materials found in main building's façade. Provide a matching masonry base along project interior walls of carriage units and canopies at third floor.

22. Provide an eight (8) foot high masonry perimeter wall, matching material pattern consistent with building façade. At the south property line, adjacent to Jiffy Lube site, provide a four (4) foot masonry wall with an additional two (2) feet of steel vertical pickets (6 feet total), secured from street access.
23. Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process. Planning inspection staff will field verify colors and materials during the construction phase.
24. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
25. Conceal roof drainage system within the interior of the building. Minimize visible, external features, such as overflows, and where needed design these to enhance the architecture of the building.
26. Incorporate lighting, address signs, incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the building elevations so that the architecture is enhanced by these elements.
27. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
28. Exposed conduit, piping, etc. is not allowed unless a creative conduit surface design that compliments the architecture is reviewed and approved by the Development Review Commission.

**LIGHTING:**

29. Follow requirements of the Zoning and Development Code Part 4, Chapter 8, Lighting.
30. Illuminate building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance at these locations.

**LANDSCAPE:**

31. The developer shall relocate existing trees grates and locate within the first six (6) feet from the curb.
32. Irrigation:
  - a. Provide dedicated landscape water meter.
  - b. Enclose backflow prevention device in a lockable, pre-manufactured cage.
  - c. 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" (if any). Provide details of water distribution system.
  - d. Locate valve controller in a vandal resistant housing.
  - e. Hardwire power source to controller (a receptacle connection is not allowed).
  - f. Controller valve wire conduit may be exposed if the controller remains in the mechanical yard.
  - g. 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 for period of time that irrigation system is out of repair. Design irrigation so in frontages is irrigated as part of the reconfigured system at the conclusion of this construction.
33. Include requirement in site landscape work 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.
34. Top dress planting areas with a rock or decomposed granite application. Provide rock or decomposed granite of 2" uniform thickness or less. Provide pre-emergence weed control application and do not underlay rock or decomposed granite application with plastic.

**SIGNAGE:**

35. 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 numbers only, not the street name.

- 2) Compose of 12" high, individual mount, metal reverse pan channel characters.
  - 3) Provide self-illuminated or dedicated light source.
  - 4) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
  - 5) Adjust locations on building so sign is unobstructed by trees, vines, etc.
  - 6) Do not affix numbers or letters to the 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.
36. **Additional metal canopies shall be provided along the west building elevation, not less than six (6) feet in depth, as indicated on signed elevation plan. (ADDED BY COMMISSION)**
37. **Additional trees, minimum 24" box Desert Museum Palo Brea as provided on Apache, shall be located on McClintock Drive with a spacing of approximately twenty (20) feet on center, as indicated on signed landscape plan. (ADDED BY COMMISSION)**

**Item No.12 ANNOUNCEMENTS**

None at this time

**Meeting adjourned at 11:40 p.m.**

The next public hearing of the Development Review Commission is scheduled for Tuesday, June 12, 2007, located at City Council Chambers, 31 East 5<sup>th</sup> Street.

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Prepared by: Lisa Lathrop, Administrative Assistant II  
Reviewed by: Lisa Collins, Deputy Development Services Manager



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Lisa Collins  
Deputy Development Services Manager

LC/II

07/31/2007 12:16 PM