**ACTION:** Request for a Development Plan Review consisting of a new retail store for **MATTRESS FIRM AT EMERALD CENTER**, located at 8502 South Emerald Drive. The applicant is Victor Kollasch, Blamer Architectural Group.

**FISCAL IMPACT:** There is no fiscal impact on City funds.

**RECOMMENDATION:** Staff – Approval, subject to conditions

**BACKGROUND INFORMATION:** **MATTRESS FIRM AT EMERALD CENTER (PL150266)** is located mid-block between Elliot and Warner roads, within the Emerald Center Business Park, south of Ikea and north of Dick’s Sporting Goods. The property is a part of the Planned Area Development of Emerald Center and is zoned RCC, Regional Commercial Center, within the Southwest Overlay District. The request is for the design of the proposed furniture retailer development and includes the following:

1. Development Plan Review including site plan, building elevations, and landscape plan

   ![Diagram of Emerald Center](image)

   - **Property Owner:** Tom Tait, Emerald I-10, LLC
   - **Applicant:** Victor Kollasch, Balmer Architects
   - **Current Zoning District:** Regional Commercial Center / Southwest Tempe Overlay District
   - **Gross/Net site area:** 1.3654 acres
   - **Total Building area:** 7,760 s.f.
   - **Lot Coverage:** 1.3% (27% all phases within Lot 1B PAD)
   - **Building Height:** 27 feet (160 feet allowed in PAD)
   - **Building Setbacks:** 30 feet, site is pad site within Lot 1B development (25’ setback within RCC)
   - **Landscape area:** 17.5% (10% minimum in PAD)
   - **Vehicle Parking:** 16 provided on site, the remainder are within the existing shared parking for the development (95 required)
   - **Bicycle Parking:** 2 required and provided

**ATTACHMENTS:** Development Project File

**STAFF CONTACT(S):** Diana Kaminski, Senior Planner (480) 858-2391

Department Director: Dave Nakagawara, Community Development Director
Legal review by: N/A
Prepared by: Diana Kaminski, Senior Planner
COMMENTS:
The site is located mid-block between Elliot and Warner roads, along Emerald Drive east of the I-10 Freeway and west of Priest Drive, within the Emerald Center Business Park. The pad lot is located within a field of parking south of the access road to Ikea, west of I-10. Ikea is located to the north, Dick's Sporting Goods and Total Wine and More to the south, Main Event and the future Ashley Furniture to the east across Emerald Way. Texas Roadhouse restaurant to the west shares the site, which is a vacant pad immediately adjacent to Emerald Way. There are approximately five Mattress Firm retailers in Tempe. The request is for the design of the proposed development and includes a Development Plan Review for a 7,760 s.f. retail building elevations, landscape design, and site plan on 1.365 net acres within a leased pad site. The applicant is requesting the Development Review Commission approve the requested Development Plan Review. The applicant will be required to amend the Planned Area Development for Emerald Center Lot 1B to add this site plan to the PAD site plan; no changes are being proposed to the development standards, this is an administrative process.

PUBLIC INPUT
- Neighborhood meeting was not required for this request
- Review of design by Emerald Center Architectural Review Committee was approved prior to submittal.

PRELIMINARY SITE PLAN REVIEW
Early discussions with the applicant included removal of a green painted stucco building accent above the windows, behind the red metal awnings and incorporation of a more neutral tone. The green trim is a color used on Dick's Sporting Goods to the south. A site visit with the architect resulted in agreement that there is no color conflict between the green on the proposed building and that of the adjacent Texas Road House. Staff suggested matching the masonry material from the Texas Road House, a taupe toned Canterra stone that would be more neutral and tie in contextually to the closest adjacent building of similar scale to this retail building. The applicant is proposing the use of red Belden Block brick veneer to tie in to the larger building to the south of the site. Staff recommended use of the cream colored masonry accent at the top of the red brick, to tie in the cream parapet accent and to relate to the detailing on the southern building. Staff recommended changing the red awnings to a green metal eyebrow canopy, to match the architecture of the larger building to the south, since there were no red awnings on this site. The tenant, Mattress Firm, has specified the red awnings as part of their corporate identity. The Emerald Center development has precedence with corporate identity in IKEA to the north and Texas Roadhouse to the west. The canopy form is consistent with the pitched metal roof of Texas Roadhouse and the canopy color is consistent with the brick color on the existing building to the south, providing contextual reference.

PROJECT ANALYSIS

DEVELOPMENT PLAN REVIEW

The site is part of the Emerald Center Business Park Planned Area Development. As part of the analysis of the design for the proposed development, images of the existing surrounding buildings are provided within the attachments for contextual reference. The color scheme and materials are designed to meet the Emerald Center corporate design of the retail buildings to the south of this new building.

Site Plan
The net area of the site is 59,477 s.f. with a proposed 7,760 s.f. building. The infrastructure within Lot 1B for the site has already been established. A pedestrian path along Ikea Way leads to the building, and out to Emerald Way. Existing street and drive entrances are built, existing water and electrical easements determined the footprint of the building. The entrance is located on the west side, facing the restaurant across the existing parking lot. The customer parking is located to the south and west of the new building and shares parking with the other uses.

Building Elevations
The maximum building is height allowed within the RCC district is 75 feet with an additional 25 feet in the Southwest Tempe Overlay District. The PAD for Emerald Center allows up to 160 feet in height. The proposed building is one story with the tallest parapet less than 30 feet in height. The building wainscot is red masonry Belden Brick veneer. The material provides a strong grounding to the base of the building, which uses a light brown stucco EFIS product for the primary building material.
and cream accent, the same painted stucco colors used on Dick's Sporting Goods and Total Wine and More. The windows of the building appear recessed, by the addition of an architectural surround around the windows. The metal shade awnings are over a painted stucco surface, not glass, and they project out at a shallow angle from the building wall, in front of the surrounding wall. The metal canopies are painted a similar brick red color as the wainscot. A band of cream colored masonry tops the red brick, tying in to the masonry detailing on the larger building to the south, and integrating the parapet band color into the pedestrian level detailing of the elevations.

**Landscape**

The site design incorporates required Emerald Center landscape features at the street front including turf, olive and gum trees. The remainder of the site provides required trees in landscape islands and accent vegetation at the base of the building perimeter. The combination of trees, shrubs and ground cover are limited in variety due to the relatively small on site landscape area.

Section 6-306 D Approval criteria for Development Plan Review *(in italics)*:

1. *Placement, form, and articulation of buildings and structures provide variety in the streetscape;* the retail building is a freestanding building located on its own pad site surrounded by parking, a drive and a street. The building elevations have variation in massing. The architecture is similar to the multi-tenant and large box uses.

2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort;* the building is relatively small and has landscape proposed on all four sides to provide shade to the building and walkways. Parking is available close to the building, and in small groupings with shade at either end of the aisles.

3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;* materials and colors and material for this project were chosen to tie in to the buildings to the south. The red brick base is similar in quality and color to the masonry used on the building to the south.

4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings;* the building is 27 feet high at the tallest point. The building is smaller in scale relative to the surrounding Emerald Center structures. The landscape conforms to the requirements of the Emerald Center street front palette, and integrates other plants found in surrounding landscape context.

5. *Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, featuring an enhanced pedestrian experience at and near street level;* the building uses light and dark colors to break up the massing of the building, the brick base provides texture at the pedestrian level, windows with architectural surrounds break up the façade.

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 provides limited architectural detail due to the scale of the building and effort to match the larger building to the south. The treatment of the windows and location of materials are proportionately used to create rhythm within the elevations.

7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage;* the sidewalks provide access from the parking areas and connect to the sidewalk that leads to Emerald Drive where transit (bus) is available. The site plan is more pedestrian friendly with proximity to parking and availability of shade, compared to other developments in the area, which require long distances to walk from unshaded parking or walkways to the businesses.
8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; the site uses existing driveways and is designed to minimize vehicle/pedestrian conflicts. Fire and refuse have reviewed the plans to assure access for services. Sidewalks connect to existing parking areas and other sidewalks.

9. Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; the plans parking and circulation on two sides. The elevations have windows facing the entry on the west and east elevations and limited windows on the north and south. However, this type of retail use may not utilize these windows for natural surveillance; there may be window displays within these areas.

10. Landscape accents and provides delineation from parking, buildings, driveways and pathways; the landscape ties in street front requirements with surrounding vegetation, plants along the base to soften the building edge. Plants proposed are appropriate and will enhance the area.

11. Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects. Elevations show wall mounted wall packs without lighting details.

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

REASONS FOR APPROVAL:
1. The project meets the General Plan Projected Land Use for this site.
2. The project will meet the development standards required under the Zoning and Development Code and Southwest Overlay District.
3. The proposed project meets the approval criteria for a Development Plan Review.

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

Site Plan
1. The Planned Area Development Overlay for Emerald Center Lot 1B shall be updated and 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.

2. 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.

3. 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.

4. 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.

5. 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.

Building Elevations
6. The materials and colors are approved as presented:
   Roof flat with parapet
   Main Building C4 – Dryvit #381 Monestery Brown (light brown) - Sand finished stucco
   Building Accent C3 Dryvit #449 Buckskin (cream) – Sand finished stucco trim
   Wainscot B1 – Belden Brick 503-505 Standard brick size veneer (brick red)
   Wainscot Accent – Belden Brick C1088 Sea Grey Smooth with matching mortar color (cream)
   Metal Canopies C1 – Frazee 1278N (brick red)
   Storefront systems, aluminum with clear glazing
   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. Additions or modifications may be submitted for review during building plan check process.

7. Provide secure roof access from the interior of the building. Do not expose roof access to public view.

8. Conceal roof drainage system within the interior of the building.

9. 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.

Lighting
10. This project shall follow requirements of ZDC Part 4, Chapter 8, Lighting, unless otherwise conditioned.

11. Illuminate building entrances from dusk to dawn to assist with visual surveillance at these locations.

Landscape
12. The plant palette is approved as proposed and specified on the landscape plan. Any additions or modifications may be submitted for review during building plan check process.

13. Irrigation notes:
   a. Provide dedicated landscape water meter.
   b. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Use of schedule 40 PVC mainline and class 315 PVC ½” feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than ½”. Provide details of water distribution system.
   c. Locate valve controller in a vandal resistant housing.
   d. Hardwire power source to controller (a receptacle connection is not allowed).
   e. Controller valve wire conduit may be exposed if the controller remains in the mechanical yard.
   f. Provide temporary irrigation for the turf area. Dismantle this irrigation system when germination of hydro-seed is seen.
   g. Repair existing irrigation system on site or on the adjacent street frontage 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 is irrigated as part of the reconfigured system at the conclusion of this construction.

14. 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.

15. 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.
16. Trees shall be planted a minimum of 12'-0" from any existing or proposed public water or sewer lines located on-site. Trees near the main water or sewer lines located within the right of way shall be planted at least 20'-0" away. Final approval subject to determination by the Public Works, Water Utilities Division.

17. The tree planting separation requirements may be reduced from the waterline upon the installation of a linear root barrier, a minimum of 6'-0" parallel from the waterline, or around the tree. The root barrier shall be a continuous material, a minimum of 0.08" thick, installed 0'-2" above finish grade to a depth of 8'-0" below grade. Final approval subject to determination by the Public Works, Water Utilities Division.

**Signage**

18. Provide address sign(s) on the building elevation facing the street to which the property is identified.
   a. Conform to the following for building address signs:
      1) Provide street number only, not the street name
      2) Compose of 12" high individual mount, metal reverse pan channel characters.
      3) Self-illuminated or dedicated light source.
      4) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
      5) Do not affix number or letter to elevation that might be mistaken for the address.
   b. Utility meters shall utilize a minimum 1" number height in accordance with the applicable electrical code and utility company standards.

**CODE/ORDINANCE REQUIREMENTS:**

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

- Development plan approval shall be void if the development is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the approval is granted or within the time stipulated by the decision-making body. The period of approval is extended upon the time review limitations set forth for building permit applications, pursuant to Tempe Building Safety Administrative Code, Section 8-104.15. An expiration of the building permit application will result in expiration of the development plan.

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

- **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Community Development Department, and Fire Department given on the Preliminary Site Plan Review. If questions arise related to specific comments, they should be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the Building Safety Division will be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.

- **STANDARD DETAILS:**

- **BASIS OF BUILDING HEIGHT:** Measure height of buildings from top of curb at a point adjacent to the center of the front
property line.

- **WATER CONSERVATION:** Under an agreement between the City of Tempe and the State of Arizona, Water Conservation Reports are required for landscape and domestic water use non-residential projects. Have the landscape architect and mechanical engineer prepare reports and submit them with the construction drawings during the building plan check process. Report example is contained in Office Procedure Directive # 59. Refer to this link: [www.tempe.gov/modules/showdocument.aspx?documentid=5327](http://www.tempe.gov/modules/showdocument.aspx?documentid=5327). Contact Public Works Department, Water Conservation Division with questions regarding the purpose or content of the water conservation reports.

- **HISTORIC PRESERVATION:** State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Contact the Historic Preservation Officer with general questions. Where a discovery is made, contact the Arizona State Historical Museum for removal and repatriation of the items.

- **SECURITY REQUIREMENTS:**
  - Design building entrances to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and design columns or corners to discourage to opportunity for ambush opportunity. Maintain distances of 20'-0" or greater between a pedestrian path of travel and any hidden area to allow for increased reaction time and safety.
  - Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference the CPTED principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian environments and places of concealment.
  - Provide a security vision panel at service and exit doors (except to rarely accessed equipment rooms) with a 3" wide high strength plastic or laminated glass window, located between 43” and 66” from the bottom edge of the door.

- **FIRE:** Clearly define the fire lanes. Ensure that there is at least a 20'-0" horizontal width, and a 14'-0" vertical clearance from the fire lane surface to the underside of tree canopies or overhead structures. Layout and details of fire lanes are subject to Fire Department approval.

- **ENGINEERING:**
  - 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.

- **REFUSE:**
  - Enclosure indicated on site plan is exclusively for refuse. Construct walls, pad and bollards in conformance with standard detail DS-116.
  - Contact Public Works Sanitation Division to verify that vehicle maneuvering and access to the enclosure is adequate.
  - Gates for refuse enclosure(s) are not required, unless visible from the street. If gates are provided, the property manager must arrange for gates to be open from 6:00am to 4:30pm on collection days.

- **DRIVEWAYS:** Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed [www.tempe.gov/index.aspx?page=801](http://www.tempe.gov/index.aspx?page=801). Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.

- **PARKING SPACES:**
• Verify conformance of accessible vehicle parking to the Americans with Disabilities Act and the Code of Federal Regulations Implementing the Act. Refer to Building Safety ADA Accessible Parking Spaces Marking/Signage on Private Development details.
• At parking areas, provide demarcated accessible aisle for disabled parking.
• Distribute bike parking areas nearest to main entrance(s). Provide parking loop/rack per standard detail T-578. Provide 2'-0" by 6'-0" individual bicycle parking spaces. One loop may be used to separate two bike parking spaces. Provide clearance between bike spaces and adjacent walkway to allow bike maneuvering in and out of space without interfering with pedestrians, landscape materials or vehicles nearby.

• LANDSCAPING: Refer to Zoning and Development Code Section 4-702G Landscape Clear Vision Requirements and Appendices B and C for plant heights in proximity to pedestrian areas.

• LIGHTING:
  • Design site security light in accordance with requirements of ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E (Photometric Plan).
  • Indicate the location of all exterior light fixtures on the site, landscape and photometric plans. Avoid conflicts between lights and trees or other site features in order to maintain illumination levels for exterior lighting.

• SIGNS: Separate Development Plan Review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Obtain sign permit for identification signs. Directional signs (if proposed) may not require a sign permit. Directional signs are subject to review by planning staff during plan check process.

HISTORY & FACTS:

November 30, 1978 City Council approved the rezoning from AG, Agricultural Zoning District to the I-1 Light Industrial and I-2 General Industrial Zoning Districts on 154.3 acres.

July 17, 2003 City Council approved a Development Agreement with Tait Development Inc. for Emerald Center.

September 11, 2003 City Council approved a General Plan Land Use Map Amendment and Zoning Map Amendment, a Preliminary Planned area Development and three variances for Lots 1, 4 and 5. Lot 2 was excluded from this PAD. Council approved the request by IKEA Home Furnishings for a Final PAD for IKEA consisting of 342,105 s.f. building for retail space and 7,235 s.f. for a restaurant on 23.41 net acres located at 8425 S Emerald Drive.

November 28, 2006 Development Review Commission approved a request for DICK’S SPORTING GOODS for a 70,000 s.f. building on 14.322 acres.

September 30, 2011 Staff approved a Development Plan Review for a temporary use of this site for Lennar Homes Model of a new multi-generational product.

October 14, 2014 Development Review Commission approved a request for TEXAS ROADHOUSE RESTAURANT for a 7,240 s.f. building.

ZONING AND DEVELOPMENT CODE REFERENCE:
Section 6-306, Development Plan Review
DEVELOPMENT PROJECT FILE
for
MATTRESS FIRM

ATTACHMENTS:
1. Location Map
2. Aerial
3. Letter of Explanation
4-5. Planned Area Development (for reference, administrative amendment)
6. Site Plan
7. Building Elevations
8. Color Elevations
9. Perspective Rendering
10. Building Sections
11. Floor Plan
12-14. Photos
Mattress Firm @ Emerald Center
Letter of Explanation

1. Placement, form, and articulation of buildings and structures provide variety in the streetscape; This is a small building that has significant articulation and adds to the massing articulation of the existing center.

2. Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort; The building windows are recessed and have fixed awnings to aid in shading the glass.

3. Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings; The main materials chosen for this project are much the same as those utilized on the existing Total Wine and Dick's Sporting Goods buildings. Synthetic EIFS system with brick building base, dark green accents, along with Metal awnings that are a signature building accent for Mattress Firm's corporate identity. The metal awnings will have a finish to match the brick color.

4. Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings; Being closer to the street, this small building will appear significant relative to the larger buildings in the background.

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 breaks up the massing with a brick base, recessed window modules and articulated parapet walls.

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; Ties into the main center with Total Wine and Dick's with proportions to match the smaller building scale.

7. Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; The project is located on a corner pad with accessible walks that connect directly to Ikea Way on the north and to Emerald Drive via Ikea Way. Internally the walk connects to the existing on-site pedestrian walkways which connect all the existing projects together. Bicycle racks are provided.

8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; This site is zoned RCC – PAD and the site parking is existing and shared by the current and future users. Vehicle circulation is existing as this project is located on a corner pad. We are making a couple minor modifications in order to accommodate new SRP utility cabinets, however these do not affect the existing overall circulation or parking.

9. Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; Building articulation has been kept to a maximum of 2'-0" in depth and when located along pedestrian routes, vision glass is provided in the building elevation for safety. Decorative external security lighting is provided on all four sides of the structure.

10. Landscape accents and provides delineation from parking, buildings, driveways and pathways; Due to the nature of the small size of the pad and that most of the circulation and street landscape is existing, our contribution is merely to enhance the existing character of the landscape and fill-in a small amount immediately adjacent to the new building. These will incorporate the existing materials and design.

We look forward to completing a successful project for our client and the city of Tempe.

Sincerely,

Wesley R. Balmer
President

ATTACHMENT 3
FOURTH AMENDED P.A.D.
FOR "EMERALD LOT 1B"

LOT 1B, A PORTION OF LOT 1, "THE EMERALD" LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 1 SOUTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF TEMPE, MARICOPA COUNTY, ARIZONA.

ACKNOWLEDGMENT:
ON THIS 17TH DAY OF NOVEMBER, 2014 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED WILLIAM E. TAYLOR, AS MANAGER OF EMERALD II LLC, AN ARIZONA LIMITED LIABILITY COMPANY, OWNER, WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREIGN INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

[Signature]
NOTARY PUBLIC
MY COMMISSION EXPIRES

EMERALD II LLC, an Arizona Limited Liability company, Owner.

OWNER:
EMERALD II LLC
3313 E. CAMEO, BACK 103
SUITE 310
3051 1ST AVENUE
PHOENIX, AZ 85016
PH: (602) 275-4660
FAX: (602) 295-2840

PROJECT DATA:
2003 GENERAL PLAN: WORK/COMMERCIAL & WORK/INDUSTRIAL
ZONING: RCD, PAD
OCUPANCY: B, M, S1-A, (ACCESSORY)
CONSTRUCTION TYPE: V.B.A.F.E.S.
STORIES: 2
TOTAL GROSS AREA: 625,003 S.F., (14,322 AC)
NET SITE AREA: 585,613 S.F., (13,678 AC)
BLOC AREA: 68,592 S.F.
TOTAL WINE: 23,694 S.F.
TEXAS ROAD HOUSE: 8,311 S.F.
MATTRESS FINISH: 1,780 S.F.
FUTURE DEVELOPMENT: 50,765 S.F.
TOTAL: 190,000 S.F.
LOT COVERAGE:
DICKS: 62 S.F.
TOTAL WINE: 112 S.F.
TEXAS ROAD HOUSE: 42 S.F.
MATTRESS FINISH: 7 S.F.
CURRENT TOTAL: 122,490 S.F.
TOTAL ALL PHASES: 598,608 S.F.
LANDSCAPING REQUIRED: 50,981 S.F.
LANDSCAPING PROMISED: 50,981 S.F.
LANDSCAPING COVERED: 17 S.F.
DISPOSAL IN PUBLIC: 10 S.F.
HIGHT: MAX ALLOWED 100" (RCD, PAD)
PAINTING REQUIREMENTS

APPROVALS
APPROVED BY THE ZONING ADMINISTRATOR OF THE CITY OF TEMPE ON THIS 10TH DAY OF DECEMBER, 2014.

CONDITIONS OF APPROVAL:
1. THE PUBLIC WORKS DEPARTMENT SHALL APPROVE ALL ROADWAY, ALLEY, AND UTILITY EASEMENT DEDICATIONS, DRIVEWAYS, STORM WATER RETENTION, AND STREET DRAINAGE PLANS, WATER AND SEWER CONSTRUCTION DRAWINGS, REFUSE PICKUP, AND OFF-SITE IMPROVEMENTS, INCLUDING:
   a. OFF-SITE IMPROVEMENTS TO BRING ROADWAYS TO CURRENT STANDARDS INCLUDE:
      1. WATER LINES AND FIRE HYDRANTS
      2. SEWER LINES
      3. SEWER DRAINAGE
      4. ROADWAY IMPROVEMENTS INCLUDING STREET LIGHTS, CURB, GUTTER, BIKE PATH, MINI-WALK, BUS SHIELD, AND RELATED AMENITIES.
   b. FEES TO BE PAID WITH THE DEVELOPMENT OF THIS PROJECT INCLUDE:
      1. WATER AND SEWER DEVELOPMENT FEES
      2. WATER AND SEWER PARTICIPATION CHARGES
      3. INSPECTION AND TESTING FEES.
   c. ALL APPROPRIATE OFFSITE PLANS SHALL BE APPROVED PRIOR TO RECORDATION.
   d. PUBLIC IMPROVEMENTS MUST BE INSTALLED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMITS. ANY PHASING SHALL BE APPROVED BY THE PUBLIC WORKS DEPARTMENT.
   e. ALL NEW AND EXISTING AS WELL AS ON SITE AND OFF SITE, UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THIS (RE)DEVELOPMENT IN ACCORDANCE WITH THE CODE OF THE CITY OF TEMPE, SECTION 25, 10.0.
   f. THE PLANNED AREA DEVELOPMENT SHALL INCLUDE ALL CHANGES TO THE SITE PLAN THAT MAY BE CONDITIONED THROUGH THE DEVELOPMENT PLAN REVIEW.
   g. THE PLANNED AREA DEVELOPMENT SHALL BE PUT INTO PROPER ENGINEERED FORMAT WITH APPROPRIATE SIGNATURE BLANKS AND KEPT ON FILE WITH THE CITY OF TEMPE DEVELOPMENT SERVICES DEPARTMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
   h. THE OWNER(S) SHALL PROVIDE A CONTINUING CARE CONDITION, COVENANT AND RESTRICTION FOR THE ENTIRE PROJECT'S LANDSCAPING, REQUIRED BY ORDINANCE OR LOCATED IN ANY COMMON AREA ON SITE, THE CC&R'S SHALL BE REVIELED AND IN A FORM SATISFACTORY TO THE DEVELOPMENT SERVICES MANAGER AND CITY ATTORNEY.
   i. ALL EXISTING EASEMENTS SHALL BE ABANDONED AND/OR RELOCATED, AS DEEMED NECESSARY.

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ATTACHMENT 4
View looking north from new parking lot at east edge of Texas Roadhouse, and western front edge of Mattress Firm.

View looking north from eastern edge of Mattress Firm property adjacent to Emerald Drive.
View looking west at the new Texas Road House. Photo taken from sidewalk north of the Mattress Firm site.

View looking east at the development east of Emerald Drive. Photo taken from sidewalk north of the Mattress Firm site.
Aveda Institute view looking east (building east of Emerald Drive, north of future Ashley Furniture)

Ikea building north of the site on Emerald Drive

Main Event south west elevation looking north

Total Wine, C2 Tactical and Dick’s Sporting Goods, south of site