

**CITY OF TEMPE  
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 01/27/2015  
Agenda Item: 2**

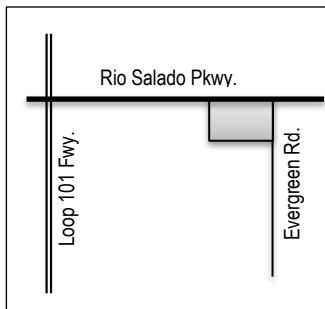
**ACTION:** Request for a Zoning Map Amendment from R1-6 (Single-Family Residential) to CSS (Commercial Shopping and Services) and a Use Permit for a temporary commercial parking facility for VLACHOS FAMILY ENTERPRISES, located at 2525 East Rio Salado Parkway. The applicant is Pew & Lake, PLC.

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

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

**BACKGROUND INFORMATION:** VLACHOS FAMILY ENTERPRISES (PL140393) is located on the south side of Rio Salado Parkway, directly south of the Chicago Cubs spring training facility. The proposed rezone would allow the eventual development of a commercial building. As an interim use, the applicant proposes a temporary surface parking lot to provide overflow parking for the training facility. The request includes the following:

- ZON14011 Zoning Map Amendment from R1-6 (Single Family Residential) to CSS (Commercial Shopping and Services)
- ZUP14167 Use Permit to allow a commercial parking facility



|                               |  |
|-------------------------------|--|
| Property Owner                | Vlachos Enterprises, LLC                         |
| Applicant                     | W. Ralph Pew, Pew & Lake, PLC                    |
| Current General Plan Land Use | Commercial                                       |
| Current Zoning District       | R1-6   |
| Proposed Zoning District      | CSS  |
| Gross/Net site area           | 1.3/1.03 acres                                   |
| Total Building area           | n/a  |
| Lot Coverage                  | n/a (50% maximum allowed)                        |
| Building Height               | n/a (35 ft. maximum allowed)                     |
| Building Setbacks             | n/a (0' north, 0' south, 0' east, 10' west min.) |
| Landscape area                | 17% (15% minimum required)                       |
| Vehicle Parking               | 106 spaces                                       |
| Bicycle Parking               | 0 spaces   |

**ATTACHMENTS:** Development Project File

**STAFF CONTACT(S):** Karen Stovall, Senior Planner (480) 350-8432

Department Director: Dave Nakagawara, Community Development Director  
 Legal review by: N/A  
 Prepared by: Karen Stovall, Senior Planner

**COMMENTS:**

This 1.6 acre site is located at the southwest corner of Evergreen Road and Rio Salado Parkway and is currently vacant. To the north, across Rio Salado, is the Chicago Cubs spring training facility within the City of Mesa. To the east, across Evergreen Road, is an apartment complex also within the City of Mesa. To the south and west is the Villagio at Tempe Condominium development, zoned R-4.

The applicant proposes to rezone the property to a commercial district for the future development of an office building. A conceptual site plan for a single-story office building has been provided. Prior to the development of any building, the owner must receive Development Plan Review approval for a site plan, building elevations, and landscape plan. The applicant is also requesting a Use Permit to develop a surface parking lot as an interim use during the marketing and development approval stages for the property.

This request includes the following:

1. Zoning Map Amendment from R1-6 (Single-Family Residential) to CSS (Commercial Shopping and Services)
2. Use Permit to allow a commercial parking facility

The applicant is requesting the Development Review Commission provide a recommendation to City Council for item one listed above and take action on item two.

**PUBLIC INPUT**

A neighborhood meeting was held on January 13, 2015. Other than the applicant, no one attended.

**PRELIMINARY SITE PLAN REVIEW**

- 11/5/2014: First Preliminary Site Plan review was completed. Plans identified the following: requested zoning of PCC-1; a 107 space parking lot; one driveway on Evergreen Road; one driveway on Rio Salado Parkway; rights-of-way dedication on both roads; perimeter, street frontage, and parking lot landscape areas; and dust-proofing with decomposed granite. Comments made by staff included the recommendation to request CSS zoning instead of PCC-1.
- 12/10/2014: Formal applications were submitted, and a second Site Plan Review was completed. Plans identified the following: requested zoning of CSS; driveways were identified; no parking spaces were identified; trees shown along the west and south property lines; retention basin in west portion of the property; and dust-proofing with decomposed granite. Comments made by staff included: 20' right-of-way dedication on Rio Salado; 40' right-of-way dedication on Evergreen; off-site improvements to occur with development of parking lot; requested identification of parking lot layout; concrete wheel stops to prevent vehicles from hitting/driving over landscaping; 20' landscape setback from both street frontages; parking lot screening with shrubs/ground cover plants; 3' wrought iron fencing at perimeter to control access; and submittal of separate landscape plan.

**PROJECT ANALYSIS****ZONING**

The existing zoning is R1-6, which allows single-family residential at a density of four dwelling units per acre. On this site, the existing zoning would permit up to five dwelling units. The applicant is requesting a Zoning Map Amendment from R1-6 to CSS. The General Plan 2040 Projected Land Use for this site is Commercial, and the proposed CSS zoning is one of the implementing zoning districts for the Commercial land use category. The CSS district is a low intensity commercial district that is intended to meet the daily shopping and service needs of the neighborhood. Considering the existing condominium and apartment developments to the south, east, and west of the site, the CSS district is appropriate.

Adjacent to this site, only 45' of the full 65' half-street right-of-way on the south side of Rio Salado is dedicated; however, paving, curb, gutter, and sidewalk improvements exist. No street lights exist. Right-of-way for the west side of Evergreen Road has not been dedicated, and no improvements exist. To the south of the site, Evergreen has a 40' half-street right-of-

way with paving, curb, gutter, sidewalk, and streetlights. The street narrows adjacent to this site as it approaches Rio Salado, with two through-lanes and improvements within the existing 40' half-street right-of-way on the east side of the street.

Public improvements typically required at the time of site development are outlined in Zoning and Development Code Chapter 3 – Public Infrastructure. The development of the site in the near future will be limited to the improvements completed concurrent with the proposed temporary parking lot. Conditions have been included to require the dedication of rights-of-way on Rio Salado Parkway and Evergreen Road and the completion of above-ground half-street improvements adjacent to the site within one year. While not intended for year-round use, the proposed parking lot will disturb a currently vacant property and generate a significant amount of traffic during game days. With a single driveway to the site on Evergreen Road, the street improvements will ensure that vehicular and pedestrian access and circulation will be accommodated without negatively impacting the neighborhood.

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

1. *The proposed zoning amendment is in the public interest.* Conditions of approval to dedicate rights-of-way and complete the half-street improvements for Rio Salado Parkway and Evergreen Road will benefit the public.
2. *The proposed zoning amendment conforms with and facilitates implementation of the General Plan.* The proposed CSS zoning district will implement the Commercial land use designation identified in the 2040 General Plan.

## **USE PERMIT**

The proposed use requires a use permit to allow a commercial parking facility in the CSS zoning district. The applicant proposes to operate a 106 space commercial parking lot during the spring training season. Use of the lot would be limited to 15 games per year, during the months of March and April, for a period of five years. An employee will be present on game days to direct traffic, collect parking fees, and monitor the site. Dust control would be accomplished with decomposed granite or another type of dust control measure. The applicant proposes trees spaced 30 feet on-center along the west and south property lines and proposes to control access to the property with an existing chain link fence. Most games occur during the daytime; however, temporary lights would be provided for games that occur in the evening or last until after dark.

The recommendation for approval includes several conditions to address the design of the site, including: limiting vehicular access to the site to one entrance on Evergreen Road; the provision of Americans with Disability Act (ADA) compliant parking spaces and route to the public way; specified types permitted for perimeter fencing; and specified tree spacing, size, and location.

Section 6-308 E Approval criteria for Use Permit (*in italics*):

1. *Any significant increase in vehicular or pedestrian traffic.* The property is currently vacant. The proposed 106 space parking lot will create an increase in vehicular and pedestrian traffic; however, the property is adjacent to an arterial street that can accommodate the increase. The right-of-way improvements conditioned with the companion Zoning Map Amendment, along with the recommended Use Permit conditions of approval will mitigate the impact to the surrounding neighborhood.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions.* The proposal includes a dustproofing method and buffer trees to prevent dust and visually separate the parking lot from the adjacent residential uses. The design of the site should not create a nuisance from odor, dust, gas, noise vibration, smoke, heat or glare at a level exceeding that of ambient conditions.
3. *Contribution to the deterioration of the neighborhood or to the downgrading of property values, the proposed use is not in conflict with the goals objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan.* The use should not contribute to the deterioration of the neighborhood or to the downgrading of property values. The General Plan identifies this site with a Commercial land use designation, and the proposed commercial parking facility is permitted in the requested zoning district, subject to Use Permit approval.

4. *Compatibility with existing surrounding structures and uses.* The proposed site design and buffers should create compatibility between the temporary parking lot and adjacent residential uses.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.* The temporary parking lot is not expected to have issues related to disruptive behavior; however, an employee will be available while the parking lot is open to address any issues.

The manner of conduct for the proposed use will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and the use will be in full conformity to any conditions, requirement or standards prescribed therefore by this code.

### **Conclusion**

Based on the information provided and the above analysis, staff recommends approval of the requested Zoning Map Amendment and Use Permit. 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.
3. The proposed project meets the approval criteria for a Zoning Amendment and Use Permit.

### **ZON14011**

#### **CONDITIONS OF APPROVAL:**

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

1. A Building or Engineering Permit application shall be made on or before two years from the date of City Council approval or the zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process as a zoning map amendment.
2. The property owner shall sign a waiver of rights and remedies form. By signing the form, the Owner voluntarily waives any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City's approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than 30 days after City Council approval, or the Zoning Map Amendment approval shall be null and void.
3. Dedication of additional right-of-way on Rio Salado Parkway to provide for a total half-street width of 65 feet shall be made before permits are issued for any development within the adjacent right-of-way or on the property.
4. Dedication of right-of-way on Evergreen Road to provide for a total half-street width of 40 feet shall be made before permits are issued for any development within the adjacent right-of-way or on the property.
5. Half-street improvements to include pavement, curb, gutter, and sidewalk on Evergreen Road adjacent to the site shall be completed within one year of City Council approval.
6. Streetlights and underground utilities on Rio Salado and Evergreen Road adjacent to the site shall be completed with future development of the property.

## ZUP14167

### CONDITIONS OF APPROVAL

#### General

7. Approval of this Use Permit for a commercial parking facility shall be subject to the City Council approval of companion application Zoning Map Amendment ZON14011.
8. Except as modified by conditions, development shall be in substantial conformance to the Use Permit Exhibit dated December 2014. Minor modifications may be reviewed through the plan check process of construction documents.
9. This Use Permit is valid for a period of five (5) years from the date of approval or January 27, 2019. Additional time may be granted by the decision-making body.
10. This Use Permit is valid during the months of March and April only to serve the overflow parking for Chicago Cubs spring training games. Parking on the property for other uses or events is prohibited. The site shall be posted with No Parking signs at all other times.
11. Parking lot operation shall correspond with spring training games. Parking may be available for up to three hours prior to and one hour following game endings. An employee shall remain on the property while parking is accessible.
12. Refuse shall be collected and removed from the site at the close of business each day. Alternatively, if refuse will remain on the property overnight, the property owner shall contact the Public Works Sanitation Division to develop a strategy for container location and collection.
13. If there are any complaints arising from the Use Permit that are verified by a consensus of the complaining party and the City Attorney's office, the Use Permit will be reviewed by City staff to determine the need for a public hearing to re-evaluate the appropriateness of the Use Permit, which may result in termination of the Use Permit.

#### Site Plan

14. A maximum of one entrance may be provided on Evergreen Road. This entrance shall be a minimum of 100 feet south of the Rio Salado Parkway right-of-way line, unless otherwise authorized by the Public Works, Transportation Division Deputy Director.
15. The parking lot shall be dustproofed with stabilized decomposed granite a minimum four (4) inches in depth or asphalt millings. Provide a pre-emergence weed control application. Final dust control measure(s) shall comply with requirements for permit issuance by the Maricopa County Air Quality Department.
16. Perimeter fencing a minimum three feet in height shall be provided along Evergreen Road and Rio Salado Parkway. Fence delineated area using: bollards and chains, wrought iron or tubular steel, or another material as approved by the Planning Division. Chain link fencing is prohibited.
17. If provided, utility equipment boxes for this development shall be finished in a neutral color (subject to utility provider approval) that compliments the coloring of the perimeter walls.
18. If provided, exterior, freestanding reduced pressure and double check backflow assemblies shall be placed 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.

#### Engineering

19. An Improvement Plan is required for any paving/concrete work in the right-of-way.

## **Lighting**

20. Temporary parking approved through this Use Permit will not require conformance with lighting levels as outlined in Zoning and Development Code Chapter 8 – Lighting.
21. Any use of temporary lighting (lights and generators on wheels) shall comply with Zoning and Development Code. Permanent lighting shall require an electrical permit through the Development Services Division.

## **Landscape**

22. Trees shall be provided with spacing 30' on-center along the west and south property lines. Recommended tree types include: Indian Rosewood (Sissoo), Palo Verde, Chinese Elm, and Arizona Ash. Tree type shall be approved by the Community Development Department.
23. Trees shall be planted with minimum spacing of 30' on-center along Rio Salado Parkway. Tree size shall be minimum 1.5" caliper and minimum 36" box size. Tree type shall be approved by the Community Development Department and consistent with other street frontage trees along Rio Salado.
24. A revised landscape plan that complies with the conditions of approval shall be submitted to the Community Development Department.
25. If providing irrigation:
  - 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 1/2" feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than 1/2". 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 not be exposed.
26. 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.
27. 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.
28. Trees shall be planted a minimum of 20'-0" from any existing or proposed public water or sewer lines. The tree planting separation requirements may be reduced from the waterline upon the installation of a linear root barrier, a minimum of 6'-0" parallel from the waterline, or around the tree. The root barrier shall be a continuous material, a minimum of 0.08" thick, installed 0'-2" above finish grade to a depth of 8'-0" below grade. Final approval subject to determination by the Public Works, Water Utilities Division.

## **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.

- This Use Permit for a commercial parking facility is valid for Vlachos Family Enterprises and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- Any intensification or expansion of use shall require a new Use Permit.

- All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the Use Permit becoming effective.
- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval, but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through [www.tempe.gov/zoning](http://www.tempe.gov/zoning) or purchase from Community Development.
- **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Community Development Department, and Fire Department given on the Preliminary Site Plan Review. If questions arise related to specific comments, they should be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the Building Safety Division will be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.
- **STANDARD DETAILS:**
  - Access to Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works Construction, at this link: [www.tempe.gov/index.aspx?page=2147](http://www.tempe.gov/index.aspx?page=2147) or purchase book from the Public Works Engineering Division.
  - Access to refuse enclosure details and all other Building Safety forms at this link: [www.tempe.gov/index.aspx?page=1033](http://www.tempe.gov/index.aspx?page=1033). The enclosure details are under Civil Engineering & Right of Way.
- **WATER CONSERVATION:** Under an agreement between the City of Tempe and the State of Arizona, Water Conservation Reports are required for landscape and domestic water use for the non-residential components of this project. Have the landscape architect and mechanical engineer prepare reports and submit them with the construction drawings during the building plan check process. Report example is contained in Office Procedure Directive # 59. Refer to this link: [www.tempe.gov/modules/showdocument.aspx?documentid=5327](http://www.tempe.gov/modules/showdocument.aspx?documentid=5327). Contact Public Works Department, Water Conservation Division with questions regarding the purpose or content of the water conservation reports.
- **HISTORIC PRESERVATION:** State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Contact the Historic Preservation Officer with general questions. Where a discovery is made, contact the Arizona State Historical Museum for removal and repatriation of the items.
- **ENGINEERING:**
  - 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. The amount of retention required is based on the material used for the parking area.
- **DRIVEWAYS:**
  - Per ZDC Sec. 4-502.L.1, where decomposed granite or similar porous pavement is used, it shall conform with the Americans with Disabilities Act Design Guidelines and provide a twenty (20) foot on-site driveway entrance consisting of unit pavers or another hard surface.
  - Construct driveways in public right of way in conformance with Standard Detail T-320. Alternatively, the installation of driveways with return type curbs as indicated, similar to Standard Detail T-319, requires permission of Public Works, Traffic Engineering.
  - Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed [www.tempe.gov/index.aspx?page=801](http://www.tempe.gov/index.aspx?page=801). Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.

- **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.
  
- **LANDSCAPE:**
  - Prepare an existing plant inventory for the site and adjacent street frontages. The inventory may be prepared by the Landscape Architect or a plant salvage specialist. Note original locations and species of native and “protected” trees and other plants on site. Move, preserve in place, or demolish native or “protected” trees and plants per State of Arizona Agricultural Department standards. File Notice of Intent to Clear Land with the Agricultural Department. Notice of Intent to Clear Land form is available at [www.azda.gov/ESD/nativeplants.htm](http://www.azda.gov/ESD/nativeplants.htm) . Follow the link to “applications to move a native plant” to “notice of intent to clear land”.
  
- **SIGNS:** Separate 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:**

- |                   |  |
|-------------------|--|
| January 13, 2015  | A neighborhood meeting was held at 6:00 p.m. at the Escalante Community Center, 2150 E. Orange Street. |
| February 12, 2015 | This Zoning Map Amendment request is scheduled for the first City Council public hearing.              |
| February 26, 2015 | This Zoning Map Amendment request is scheduled for the second City Council public hearing.             |

**ZONING AND DEVELOPMENT CODE REFERENCE:**

- Section 6-304, Zoning Map Amendment
- Section 6-308, Use Permit

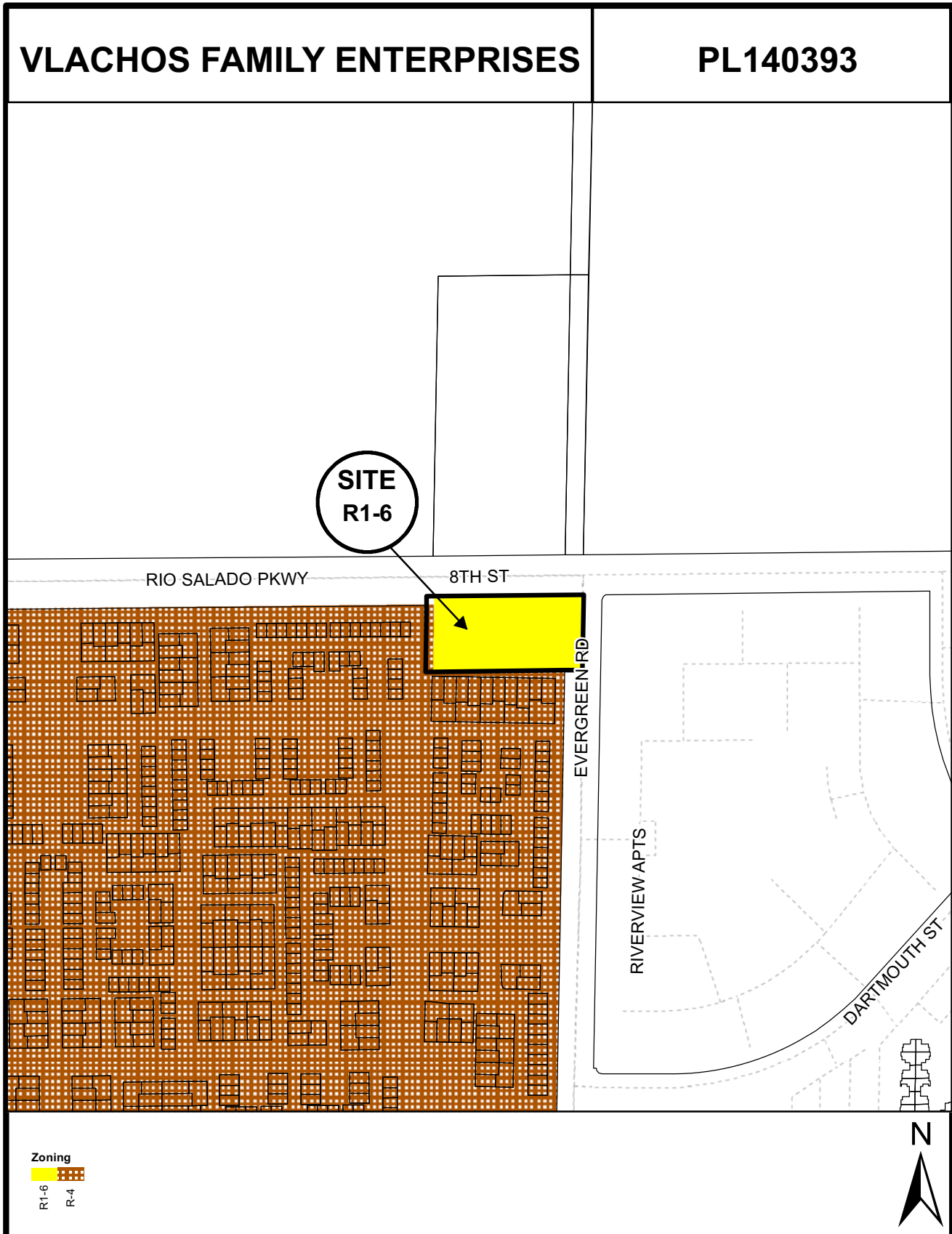




**DEVELOPMENT PROJECT FILE**  
for  
**VLACHOS FAMILY ENTERPRISES**  
**(PL140393)**

**ATTACHMENTS:**

1. Location Map
2. Aerial
- 3-5. Rezoning Project Narrative
- 6-11. Use Permit Project Narrative
12. Preliminary Site Plan
13. Use Permit Exhibit



**Location Map**

**VLACHOS FAMILY ENTERPRISES**

**PL140393**



**Aerial Map**

**Vlachos Family Enterprises  
2525 East Rio Salado Parkway  
Rezoning Project Narrative- REVISED  
December 22, 2014**

**Project Summary and Request**

Pew & Lake, PLC, on behalf of Vlachos Family Enterprises, LLC, hereby submits this project narrative and supporting documents in support of a request to the City of Tempe to rezone the approximate 1.6 acre parcel located at the southwest corner of Rio Salado Parkway and Evergreen Road. We are requesting a rezone from R1-6 to Commercial Shopping and Services (CSS) to allow for the development of a single-story office building.

**Site Description**

As previously noted, the site is located at the southwest corner of Rio Salado Parkway and Evergreen Road. It is shown in red in the graphic below and is known as Maricopa County Assessor Parcel Number 135-39-010U.



Also as shown in the graphic, the site is located directly south of the Chicago Cubs Spring Training Facility.

This site provides convenient access to Sky Harbor Airport, Arizona State University, Sun Devil Stadium, Tempe Town Lake and a number of other Downtown Tempe destinations. Additionally, the new Tempe Streetcar project is slated to proceed east from Mill Avenue down Rio Salado Parkway to Packard Drive, with potential for future extensions eastward. This exciting combination of nearby sports facilities and future transportation options creates an ideal opportunity for a small business to locate in Tempe.

While the site is presently vacant, during the marketing and development phase of the proposed single-story office building, the owner wishes to use the site as a surface parking lot for the Chicago Cubs Spring Training Season which takes place at the facility during the month of March each year. The property owners is in the process of applying to the City of Tempe for a use permit to allow the surface parking as an interim use.

**Proposed Circulation, Parking and Open Space**

As shown on the attached preliminary site plan, traffic will circulate on the rectangular lot through the means of an L-shaped drive aisle, with access to the property from both Rio Salado Parkway and Evergreen Road. Thirty-foot wide driveway aprons will be paved, and the drive-aisle will be 23 feet wide to allow access for emergency vehicles, per the City of Tempe development standards. While the ZDC requires a minimum of 33 parking spaces, the proposed development provides 41 spaces (124%). The site will consist of 36.89% of open space which is provided in the form of landscape buffers provided on all four sides of the site. The proposed development either meets or exceeds all of the development standards outlined in the code for the CSS zoning district.

**Adjacent Zoning Districts and Existing Uses**

The site is zoned R1-6 and is designated in the General Plan 2040 as a Commercial land use. The surrounding uses and designations are shown below.

| <b>Direction</b>    | <b>Current Zoning</b> | <b>General Plan 2040 Designation</b> | <b>Current Use</b>              |
|---------------------|-----------------------|--------------------------------------|---------------------------------|
| North               | City of Mesa GC       | n/a                                  | Hotel, Spring Training Facility |
| South               | City of Tempe R-4     | Residential                          | Condominium                     |
| East                | City of Mesa RM-4     | n/a                                  | Multifamily Residential         |
| West                | City of Tempe R-4     | Residential                          | Condominium                     |
| <b>Project Site</b> | <b>R1-6</b>           | <b>Commercial</b>                    | <b>Vacant</b>                   |

This request is consistent with the Commercial General Plan designation on this property.

## **Conclusion**

The inherently passive nature of a single-story office building will provide a smooth transition from the intense recreational use to the north of this property, to the residential neighborhood to the south. During the marketing and development of this property, the property owner may, with the granting of a use permit, be allowed to organize and control the parking on this property as outlined in the accompanying use permit application. This will provide order to pedestrian and vehicular traffic during the brief Spring Training season, while complying with the City of Tempe use and development standards. The applicant believes that this request, if approved, will establish a use that will provide a significant investment in the neighborhood and complete the development in this part of Tempe. The applicant, on behalf of the owner, respectfully requests approval of this rezoning request.

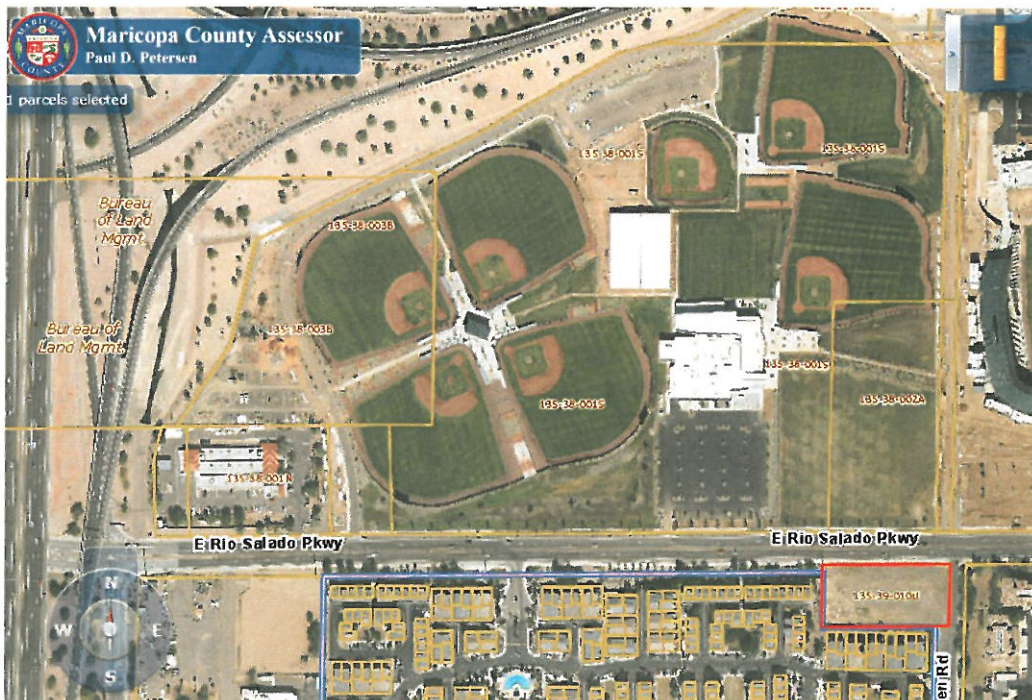
**Vlachos Family Enterprises  
2525 East Rio Salado Parkway  
Use Permit Project Narrative- REVISED  
December 22, 2014**

**Project Summary and Request**

Pew & Lake, PLC, on behalf of Vlachos Enterprises, LLC, hereby submits this revised project narrative and supporting documents in support of a request to the City of Tempe for the 1.6 acre parcel located at the southwest corner of Rio Salado Parkway and Evergreen Road. We are requesting a five (5) year use permit to allow for the temporary use of surface parking.

**Site Description**

The site is located at the southwest corner of Rio Salado Parkway and Evergreen Road. It is shown in red in the graphic below and is known as Maricopa County Assessor Parcel Number 135-39-010U.



Also shown in the graphic, the site is located directly south of the Chicago Cubs Spring Training Facility. The property owner is currently requesting a rezoning of this property from R1-6 to CSS, for the eventual development of a single-story office building. While

the property is vacant, the owner wishes to use the site for an interim use as a temporary parking lot during the Chicago Cubs Spring Training Season which takes place at the facility during the month of March each year.

### **Background**

The Vlachos family has owned this property for nearly 30 years. When the Chicago Cubs Spring Training Facility opened in early in 2014, this previously unremarkable, remnant parcel quickly became a place in which fans who were attending the games wanted to park. The site provided for quicker and more convenient access than the crowded parking lot across the street at the Cubs facility. The owner attempted to manage the parking taking place on his lot, but was informed by City officials that parking on the lot was not allowed since it is in a residentially zoned district. The owner discontinued offering parking on site, and erected a fence on the premises. Still, parking ended up taking place outside the fence within the public right of way. In an effort to gain control of the activities taking place on his property, the owner is seeking a use permit to allow parking on the site only during the Spring Training season.

### **Proposed Circulation and Parking**

To provide for the temporary parking use, the surface will be stabilized using decomposed granite or other ADEQ-approved dust control measure. There will be trees placed on the western and southern edges of the parcel to buffer the project from the adjacent residential community. Cars will enter and exit the temporary parking lot on Evergreen Road.

### **Proposed Site Improvements**

The property owner is proposing only minimal site improvements. In order to not disturb the existing drainage and percolation on the site, there will be no grading of the premises or changing the elevation of the site. As previously noted, dust control measures will be implemented for the duration of the parking “season”. The 106 individual spaces will be chalk striped and refreshed as needed. As shown on the attached site plan, 23’ drive aisles will be maintained, and the single point of entry will be on Evergreen Road. At the end of each game day, the site employee will pick up any and all refuse on the premises. If there is an evening game, lighting will be provided by generator-powered light towers.

### **Proposed Days and Hours of Operation**

As previously noted, the property owner will use this property for parking during the Chicago Cubs Spring Training Games in the months of March and April. There are a total of 15 home games each season. The schedule for the Spring Training games is attached as **Exhibit A**, though as of the time of this submittal the actual games times have not been established. The property owner is proposing to provide parking for three hours before a game, and for one hour afterward. There will be an employee on site during this entire time period. Other than during the spring training games, parking will not be allowed on the site. “No Parking” signs will be provided to that effect.



**Adjacent Zoning Districts and Existing Uses**

The site is currently zoned R1-6 and is designated in the General Plan 2040 as a Commercial land use. The surrounding uses and designations are shown below.

| <b>Direction</b>    | <b>Current Zoning</b> | <b>General Plan 2040 Designation</b> | <b>Current Use</b>              |
|---------------------|-----------------------|--------------------------------------|---------------------------------|
| North               | City of Mesa GC       | n/a                                  | Hotel, Spring Training Facility |
| South               | City of Tempe R-4     | Residential                          | Condominium                     |
| East                | City of Mesa RM-4     | n/a                                  | Multifamily Residential         |
| West                | City of Tempe R-4     | Residential                          | Condominium                     |
| <b>Project Site</b> | <b>R1-6</b>           | <b>Commercial</b>                    | <b>Vacant</b>                   |

The applicant is in the process of applying to rezone the site to CSS, a zoning district in which a surface parking lot is allowed with the granting of a use permit.

**Neighborhood Participation**

The property owner held a neighborhood meeting at 6 p.m. on December 18, 2014 at the Escalante Community Center. Notification letters were sent to property owners within 300' of the project site. A total of 118 notification letters were sent. No member of the public showed up to the meeting. Only the applicant and a representative from the City of Tempe Community Development Department were in attendance.

**Use Permit Criteria**

- 1. The use will not create a significant increase in vehicular or pedestrian traffic in adjacent areas.**

The proposed use will not create a significant increase in vehicular or pedestrian traffic. The traffic in this area, both vehicular and pedestrian, is largely created by the Spring Training facility. This small parking lot will not create additional traffic, but instead will provide an opportunity for orderly and supervised parking on the site. It will mitigate illegal fan parking in nearby neighborhoods and collector streets.

- 2. The use will not create a nuisance due to odor, dust, gas, noise, vibration, smoke, heat or glare exceeding that of ambient conditions.**

The temporary parking use on this property will not create a nuisance due to any of the above elements. On the contrary, by granting this use permit, the City will allow the property owner to organize and control the illegal or “wildcat” parking activity which already takes place on the property.

**3. The use will not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City of Tempe.**

The use of this small property as a temporary parking lot will not contribute to the deterioration of the neighborhood. In fact, during high intensity uses at the Cubs facility this small temporary parking lot will improve the somewhat chaotic parking that already occurs there. The proposed use is also consistent with the Commercial General Plan designation on this property.

**4. The use will be compatible with existing surrounding structures and uses.**

The proposed use will complement the activity which takes at the Cubs Spring Training facility. When that facility hosts the Chicago Cubs for home games, the use of this property as a temporary parking lot will allow for the orderly entrance to and exit from this site. For the balance of the year, the minimal improvements to the site will not be discernible nor will they create an attractive nuisance to the community. The site will also provide relief for illegal parking in the multifamily projects to the south and east.

**5. The use will not result in any disruptive behavior which may create a nuisance to the surrounding area or general public.**

By allowing this use, the owner will be able to closely supervise the behavior of those individuals who choose to park in this location. There will be no nuisance to the public created from this use.


**Summary**

This request, if approved, will provide an organized use of the vacant parcel while ultimate development of the property is evolving. It will allow the property owner to supervise and manage the parking which already takes place on this site during Spring Training season, while complying with the City of Tempe use and development standards. It will also provide for a use which is consistent with the Commercial General Plan designation on this property. The applicant, on behalf of the owner, respectfully requests approval of this use permit.

# CALENDAR

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March 2015



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| SUNDAY   | MONDAY   | TUESDAY   | WEDNESDAY   | THURSDAY   | FRIDAY   | SATURDAY   |
|--|--|---|---|--|--|--|
| 1  | 2  | 3   | 4   | 5<br>SS vs Athletics<br>TBD  | 6<br>vs Reds<br>TBD                            | 7<br>@ Rockies<br>2:10 pm CST   1:10 pm MST                                  |
|  |  |   |   | SS @ Giants<br>2:05 pm CST   1:05 pm MST                                   |  |  |
| 8<br>vs Rangers<br>TBD   | 9<br>vs Padres<br>TBD  | 10<br>@ Indians<br>3:05 pm CDT   1:05 pm MST<br><a href="#">T</a> Tickets | 11<br>vs Dodgers<br>TBD   | 12<br>@ Angels<br>3:10 pm CDT   1:10 pm MST<br><a href="#">T</a> Tickets   | 13<br>SS vs Indians<br>TBD                     | 14<br>SS @ Brewers<br>3:05 pm CDT   1:05 pm MST<br><a href="#">T</a> Tickets |
|  |  |   |   |  | SS vs Athletics<br>TBD in Las Vegas, NV        | SS vs Athletics<br>TBD in Las Vegas, NV                                      |
| 15<br>vs Reds<br>TBD   | 16<br>@ Padres<br>3:05 pm CDT   1:05 pm MST<br><a href="#">T</a> Tickets | 17<br>vs Royals<br>TBD  | 18<br>@ Dodgers<br>3:05 pm CDT   1:05 pm MST                                | 19<br>@ D-backs<br>8:40 pm CDT   6:40 pm MST                               | 20<br>@ White Sox<br>3:05 pm CDT   1:05 pm MST | 21<br>vs Mariners<br>TBD   |
| 22<br>vs Padres<br>TBD   |  | 23  | 24<br>@ Athletics<br>3:05 pm CDT   1:05 pm MST<br><a href="#">T</a> Tickets | 25<br>@ Mariners<br>9:05 pm CDT   7:05 pm MST<br><a href="#">T</a> Tickets | 26<br>vs Angels<br>TBD                         | 27<br>vs White Sox<br>TBD  |
|  |  |   |   |  |  | 28<br>SS vs Rockies<br>TBD   |
| 29<br>@ Royals<br>3:05 pm CDT   1:05 pm MST<br><a href="#">T</a> Tickets | 30<br>vs Giants<br>TBD   | 31<br>@ Rangers<br>3:05 pm CDT   1:05 pm MST<br><a href="#">T</a> Tickets |   |  |  | SS @ Reds<br>3:05 pm CDT   1:05 pm MST<br><a href="#">T</a> Tickets          |

All times CT. Subject to change. S.T. Home S.T. Away Away SS Split Squad [T](#) Buy Tickets

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- [2015 Sortable Schedule](#)
- [Broadcast Information](#)
- [2014 Regular Season Schedule](#)
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# CALENDAR

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| SUNDAY   | MONDAY                                | TUESDAY                               | WEDNESDAY  | THURSDAY                               | FRIDAY   | SATURDAY   |
|--|---------------------------------------|---------------------------------------|--|--|--|--|
|  |                                       |                                       | 1<br>vs Brewers<br>TBD                             | 2                                      | 3<br>@ D-backs<br>8:40 pm CDT  <br>6:40 pm MST<br>at Chase Field | 4<br>@ D-backs<br>3:10 pm CDT  <br>1:10 pm MST<br>at Chase Field |
| 5<br>vs Cardinals<br>7:05 pm<br>Cubs home opener | 6                                     | 7<br>vs Cardinals<br>7:05 pm          | 8<br>vs Cardinals<br>1:20 pm                       | 9                                      | 10<br>@ Rockies<br>3:10 pm<br>Rockies home<br>opener             | 11<br>@ Rockies<br>7:10 pm                                       |
| 12<br>@ Rockies<br>3:10 pm                       | 13<br>vs Reds<br>7:05 pm              | 14<br>vs Reds<br>7:05 pm              | 15<br>vs Reds<br>7:05 pm<br>Jackie Robinson<br>Day | 16                                     | 17<br>vs Padres<br>1:20 pm                                       | 18<br>vs Padres<br>TBD   |
| 19<br>vs Padres<br>TBD                           | 20<br>@ Pirates<br>6:05 pm<br>Tickets | 21<br>@ Pirates<br>6:05 pm<br>Tickets | 22<br>@ Pirates<br>6:05 pm<br>Tickets              | 23<br>@ Pirates<br>11:35 am<br>Tickets | 24<br>@ Reds<br>6:10 pm  | 25<br>@ Reds<br>TBD  |
| 26<br>@ Reds<br>12:10 pm                         | 27<br>vs Pirates<br>7:05 pm           | 28<br>vs Pirates<br>7:05 pm           | 29<br>vs Pirates<br>7:05 pm                        | 30                                     |  |  |

All times CT. Subject to change. S.T. Home Home S.T. Away Away T Buy Tickets

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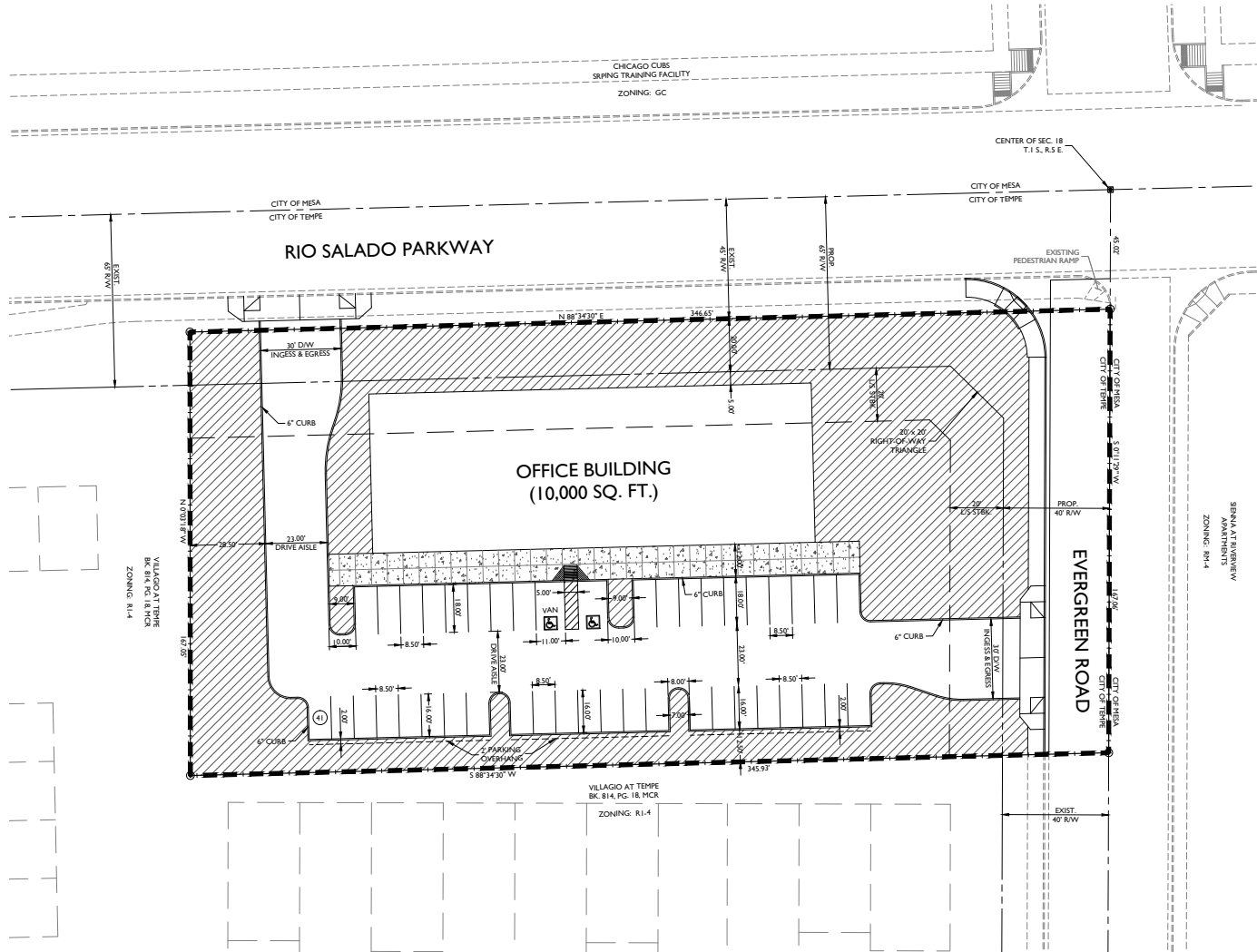
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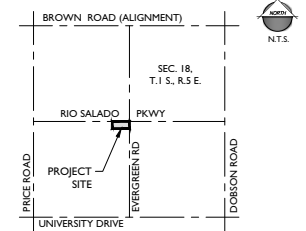
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# PRELIMINARY SITE PLAN FOR RIO SALADO & EVERGREEN OFFICE BUILDING

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 18,  
T.1 S., R.5 E., GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



### VICINITY MAP



### PROJECT TEAM

**PROPERTY OWNER:**  
VLACHOS FAMILY ENTERPRISES  
140 N. CENTER STREET  
MESA, AZ 85201

**CONSULTANT:**  
FEW & LAKE, P.L.C.  
1744 S. VAL VISTA DRIVE, SUITE 217  
MESA, AZ 85204  
TEL: (480)-461-4670  
FAX: (480)-461-4676  
CONTACT: W. RALPH FEW

**CONSULTANT:**  
EPS GROUP, INC.  
2045 S. VINEYARD, SUITE 101  
MESA, AZ 85210  
TEL: (480)-503-2250  
FAX: (480)-503-2258  
CONTACT: JOSH HANNON /  
BRYAN KITCHEN, P.E.

### PROJECT DATA

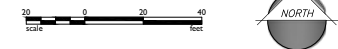
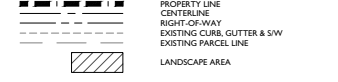
**ASSESSOR PARCEL NO.:** 135-39-010U  
**CURRENT LAND USE:** VACANT / UNDEVELOPED  
**EXISTING GENERAL PLAN:** COMMERCIAL  
**EXISTING ZONING:** R1-4 (SINGLE-FAMILY RESIDENTIAL)  
**PROPOSED ZONING:** CSS (COMMERCIAL SHOPPING AND SERVICES)

**GROSS AREA:** +/- 1.33 ACRES  
**NET AREA:** +/- 1.03 ACRES (EXCLUDING RIO SALADO PKWY & EVERGREEN ROAD R/W)

**PARKING REQUIRED:** 33 SPACES (1 PER 300 SQ. FT. OF OFFICE)  
**PROVIDED:** 41 SPACES

**OPEN SPACE:** 0.38 AC.  
**OPEN SPACE (GROSS):** +/- 28.57%  
**OPEN SPACE (NET):** +/- 36.89%

### LEGEND



2045 S. Vineyard Ave., Suite 101  
Mesa, AZ 85210  
T:480.503.2250 | F:480.503.2258  
www.epsgroupinc.com

**EPS GROUP**

Project: **Rio Salado & Evergreen Office Building**  
Preliminary Site Plan

Revisions:

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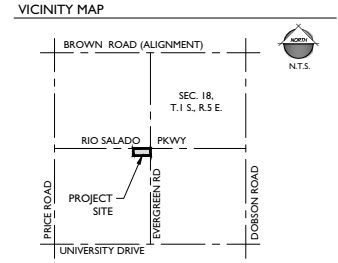
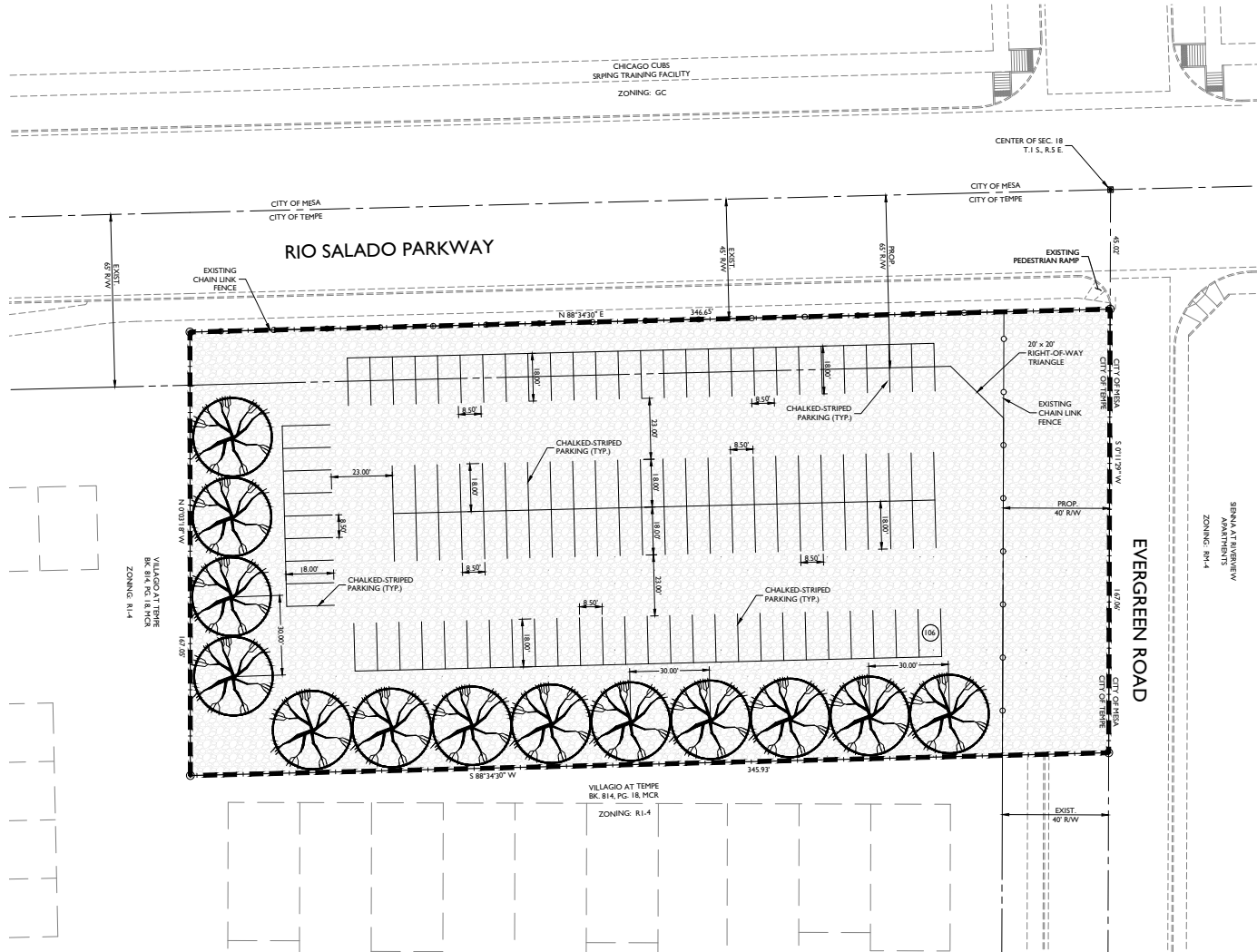
Designer: DCH  
Drawn by: DCH

Preliminary  
Not For  
Construction  
Or  
Recording

Job No. -  
SP01  
Sheet No. 1 of 1

# USE PERMIT EXHIBIT FOR RIO SALADO & EVERGREEN PARKING LOT

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 18,  
T.1 S., R.5 E., GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



**PROJECT TEAM**

**PROPERTY OWNER:**  
VLACHOS FAMILY ENTERPRISES  
140 N. CENTER STREET  
MESA, AZ 85201

**CONSULTANT:**  
FEW & LAKE, P.L.C.  
1744 S. VAL VISTA DRIVE, SUITE 217  
MESA, AZ 85204  
TEL: (480)-461-4670  
FAX: (480)-461-4676  
CONTACT: W. RALPH FEW

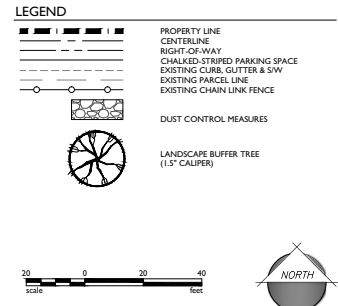
**CONSULTANT:**  
EPS GROUP, INC.  
3045 S. VINEYARD, SUITE 101  
MESA, AZ 85210  
TEL: (480)-503-2250  
FAX: (480)-503-2258  
CONTACT: JOSH HANNON /  
BRYAN KITCHEN, P.E.

**PROJECT DATA**

**ASSESSOR PARCEL NO.:** 135-39-018U  
**CURRENT LAND USE:** VACANT / UNDEVELOPED  
**PROPOSED LAND USE:** VACANT / TEMPORARY PARKING  
**EXISTING GENERAL PLAN:** COMMERCIAL  
**EXISTING ZONING:** R1-4 (SINGLE-FAMILY RESIDENTIAL)  
**PROPOSED ZONING:** CS3 (COMMERCIAL SHOPPING AND SERVICES)

**GROSS AREA:** +/- 1.33 ACRES  
**NET AREA:** +/- 1.03 ACRES  
(EXCLUDING RIO SALADO PKWY & EVERGREEN ROAD R/W)

**PARKING SPACE DIMENSIONS:** 8.5' X 18'  
**NO. OF SPACES:** 106 SPACES



3045 S. Vineyard Ave., Suite 101  
Mesa, AZ 85210  
T:480.503.2250 | F:480.503.2258  
www.epsgroupinc.com

Rio Salado & Evergreen Parking Lot

Use Permit Exhibit

Project: Revisions:

|  |  |
|--|--|
|  |  |
|  |  |

EST. PREPARED BY: EPS GROUP, INC. 2014

Designer: DCH

Drawn By: DCH

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Construction  
Or  
Recording

Job No.  
-

SP01

Sheet No.  
1  
of 1