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CITY OF TEMPE DEVELOPMENT REVIEW COMMISSION

Meeting Date: 06/28/2016 Agenda Item: 3

<u>ACTION</u>: Request for a Development Plan Review for a new restaurant building for PANERA BREAD, located at 1707 W. Warner Road. The applicant is Olsson Associates.

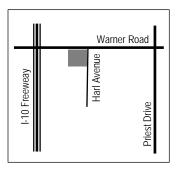
FISCAL IMPACT: There is no fiscal impact on City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: PANERA BREAD (PL160194) is proposed on Lot 2, a vacant parcel located within the Agave Center, in Planned Commercial Center - 1 (PCC-1) District within the Southwest Overlay District (SWOD). The request includes the following:

Justin Knepper, Panera Bread

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



Existing Property Owner Applicant Current Zoning District

Net site area Total Building area Lot Coverage Building Height

Building Setbacks

Landscape area Vehicle Parking Bicycle Parking Eric Williams, Olsson & Associates PCC-1, SWOD, Planned Commercial Center-1, Southwest Overlay District 47,248 s,f, (1.084 acres), Lot 2 4,133 s.f. 9.1% (50% maximum allowed) 19'4" – 22 ft (35 ft maximum allowed in PCC-1 plus 25' in SWOD) 80' north front, 67' west side, 87' east street side, 64' south rear (0' front, 30' side, 0' street side, 30' rear min. in PCC-1) 14,185 s.f. 30 % (15% minimum required) 56 spaces (56 min. required, 70 max allowed) 4 spaces

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 Reviewed by: Suparna Dasgupta, Principal Planner

COMMENTS:

Lot 2 is located on the south west corner of Warner Road and Harl Avenue, east of the I-10 Freeway, west of Priest Drive, within the Agave Center Development and Southwest Overlay District. Uses within the area include the future Tilted Kilt Restaurant and Office to be located to the east of Harl Avenue. Ikea and other commercial uses are located within Emerald Center Development to the north. There are industrial lots and uses to the south of the site and Multi-family and the new Rhythm single family residences are located to the south east of the site, east of the Highline Canal.

This request includes a Development Plan Review for a site plan, landscape plan, building elevations and materials for a single-story commercial building for a single-tenant 4,133 square foot restaurant with a drive-through and surface parking on 1.084 net acres. The applicant is requesting the Development Review Commission take action on this request.

PUBLIC INPUT

- A Neighborhood Meeting is not required for a Development Plan Review.
- At the completion of this report, there has been no public input regarding the proposed project.

PRELIMINARY SITE PLAN REVIEW

March 30, 2016: First Preliminary Site Plan Review – a site plan, landscape plan and elevations were provided for review. Standard technical comments regarding required landscape requirements, driveway dimensions, refuse enclosure access, sidewalk requirements and setback requirements were made. Staff recommended 50% mature vegetative ground coverage and an increase in plant diversity in the palette. Elevations were very basic and did not provide four-sided architecture; examples of other built Panera sites were provided to the applicant to demonstrate the expected level of quality of architecture.

May 4, 2016: Second Preliminary Site Plan Review – a more detailed site plan, landscape plan and elevations were provided for review. Comments regarding sidewalk dimensions, public access to site, decorative pavers within the drives, standard drive and refuse enclosure details were made. With regard to the site plan, staff requested that the building front be turned to face Warner Road, and that a patio be added to the north elevation (no patio was shown on the plans, although other locations have patios). Staff noted that shade trees were needed on the west and south sides of the drive-through lane. Elevations were modified however the building remained box-like without architectural detail on all four sides. Staff provided additional design comments, and included images of other Panera sites for reference to design expectations.

May 23, 2016: Formal Application is made – All prior comments from staff have been addressed. After discussions with staff about the building orientation, it was determined that rotation of the building would impact on-site circulation for the drive through and site egress. By reducing the stacking distance of the drive through lane a patio was added at the north east corner and windows were added to the north elevation to meet the intent a Warner street frontage, without rotating the building. Additional building height was added to vary the roofline, masonry was added to break up the Exterior Finish Insulation System (EFIS) façade, fabric canopies were added over windows on all sides of the building, trees were added to the west and south sides of the drive-through.

PROJECT ANALYSIS

DEVELOPMENT PLAN REVIEW

Site Plan

The site is oriented for public access from a single drive on Harl Avenue and a shared drive to the site to the west. The building is centered on the site with parking available on all sides of the site; pedestrian access from public transit on Warner is available from Harl Avenue directly to the front door. The north east corner of the building serves as the public entrance with a patio wrapping the corner and a landscape buffer between the patio and the drive-through. The drive through allows stacking for eight vehicles around the west and south side of the building to allow easy exiting from the drive on Harl Avenue.

Building Elevations

Each elevation is treated specific to the interior use and the exterior site condition. The north and east elevations have large windows in the customer portion of the restaurant, providing visual surveillance of the parking lot and Warner and Harl street fronts. The building is oriented for minimum solar exposure on the west and south elevations, with a shaded drive through window and clerestory windows for natural light into the building on the south side. There are no windows on the west side, but a canopy is provided over the door. Materials consist of an exterior insulated stucco system painted ivory and taupe, a brick veneer in a traditional brick red color, aluminum storefront in dark bronze and fabric awnings in a corporate gold/olive color.

Landscape Plan

The Warner Road Street trees are thornless hybrid Mesquite with hybrid Desert Museum Palo Verde for a secondary accent tree. The Harl Avenue street trees are Evergreen Elm between existing palm trees that are part of the Agave Center corporate palette. The landscape islands and drive through planting medians use a narrower Willow Acacia. The shrub palette consists of Fairy Duster, Cimarron Sage, Salvia, Cassia, Jojoba and Cape Honeysuckle. Accents include four varieties of Agave, Red Yucca and Purple Muhlenbergia. Ground covers include Dalea greggii, Eremophila, and two varieties of Lantana. The palette is a low-water use design with year round color and texture appropriate to the surrounding commercial area.

Section 6-306 D Approval criteria for Development Plan Review (in italic)

- 1. *Placement, form, and articulation of buildings and structures provide variety in the streetscape;* the placement of the building provides visibility to both street fronts and the building height provides emphasis at the pedestrian entrance to the building and steps down in height to provide variation and articulation of form.
- 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 design and orientation provides natural light into the building while shading windows with awnings and trees to reduce heat gain on the building.
- 3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings*; materials are similar to other existing and recently approved buildings within the Agave Center commercial development.
- 4. Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings; buildings within Agave Center range in size based on use and lot size, including larger office and warehouse uses and a hotel. The smaller pad sites are scaled for single or multi-tenant buildings with smaller form. The proposed building is 26 feet to the top of parapet, which is within the allowed height of the zoning district and appropriate in scale to the surrounding area.
- 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 relatively small size of the building does not have large building masses, however the building is broken up by the use of two colors of stucco, the brick veneer and the use of windows and canopies. The brick detailing includes a wainscot and top of window change in brick detailing, as well as a columnar fin of masonry that breaks through the building façade and roofline to separate sections of the building elements. There is a clear base and top to the structure, with the canopies creating a patterned rhythm on the east and north elevations.
- 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; as indicated in the description above, the building provides architectural details and street front visibility.

- 7. Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; the site provides a shaded sidewalk along both street frontages and a connection through the site to the front door for those using transit from Warner Road.
- 8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; parking is provided on all sides, with limited available at the storefront, and cross walks provided from the east and south side parking areas. Landscape is used to separate vehicle circulation paths and control the flow of on-site traffic to minimize conflicts.
- 9. Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; the use of windows on three elevations provide surveillance of the parking area and street frontages, landscape materials and lighting is designed to enhance this surveillance and the patio at the building corner provides outdoor activity support.
- 10. Landscape accents and provides delineation from parking, buildings, driveways and pathways; the landscape delineates parking and drive aisles and accents the overall function of the site.
- 11. Signs have design, scale, proportion, location and color compatible with the design, colors, orientation and materials of the building or site on which they are located; have been considered by the applicant and will be submitted under separate review (not a part of this request), and
- 12. Lighting is compatible with the proposed building and adjoining buildings and uses, and does not create negative effects; lighting will be reviewed in planning plan check for the project for compliance with the code.

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 Development Plan Review.

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.

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 site plan is approved as submitted (May 24, 2016), minor modifications may be reviewed through the plan check process of construction documents; major modifications will require submittal of a Development Plan Review.
- 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 (cooling tower/generator) 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.
- 4. Provide gates of steel vertical picket, steel mesh, steel panel or similar construction. Where a gate has a screen function and is completely opaque, provide vision portals for visual surveillance. Provide gates of height that match that of the adjacent enclosure walls. Review gate hardware with Building Safety and Fire staff and design gate to resolve lock and emergency ingress/egress features that may be required.
- 5. Provide upgraded integral colored unit paving at each driveway. Extend this paving in the driveway from the right-of-way line to 20'-0" on site and from curb to curb at the drive edges. From sidewalk to right-of-way line, extend concrete paving to match sidewalk.

- 6. 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.
- 7. Place exterior, freestanding reduced pressure and double check backflow assemblies in pre-manufactured, pre-finished, lockable cages (one assembly per cage). If backflow prevention or similar device is for a 3" or greater water line, delete cage and provide a masonry or concrete screen wall following the requirements of Standard Detail T-214.

Floor Plans

- 8. 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.

9. Public Restroom Security:

- a. Lights in restrooms:
 - 1) Provide 50% night lights
 - 2) Activate by automatic sensors, key or remote control mechanism
- b. Single user restroom door hardware:
 - 3) Provide a key bypass on the exterior side

Building Elevations

- 10. The materials and colors are approved as presented (May 23, 2016):
 - Roof flat with parapet

PX1 - Primary Building – EFIS Benjamin Moore HC39 Putnam Ivory (beige)

PX-2 - Secondary Building – EFIS Benjamin Moore 2111-40 Tauos Taupe (taupe)

B1 – Wainscot and column fins - Endicott brick or local – Medium Ironspot #77, thin brick; modular with smooth texture and running bond pattern. Split-faced CMU – Superlite – Apricot #259

G1 – Storefront - Aluminum storefront Kawneer or equal; dark bronze aluminum w/ 1" insulated clear glazing

G2- Spandrel panels at wainscot - Aluminum storefront Kawneer or equal; dark bronze aluminum w/ 1" insulated spandrel

A1 – Awning – MainStreet+ (or equivalent) fabric awnings Acrylic coated Polyester, flame resistant, 10.2 oz per sq. yd in custom color - Panera, olive. If umbrellas are used on the patio, umbrellas are to match awning fabric color. There shall be no logos or text on awnings or umbrellas.

C1 – 2" Durolast 2-piece metal coping to match storefront

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.

- 11. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
- 12. Conceal roof drainage system within the interior of the building.
- 13. 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.
- 14. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
- 15. Upper/lower divided glazing panels in exterior windows at grade level, where lower glass panes are part of a divided pane glass curtain-wall system, shall be permitted only if laminated glazing at these locations is provided.

Lighting

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

Landscape

- 17. The plant palette is approved as proposed and specified on the May 23, 2016 landscape plan. Any additions or modifications may be submitted for review during building plan check process.
- 18. Irrigation notes:
 - a. Provide dedicated landscape water meter.
 - 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 to existing landscape on site or in street frontages for period of time that irrigation system is out of repair. Repair existing irrigation system on site or in the adjacent public right-of-ways where damaged by work of this project. Design irrigation so existing plants on site or in frontages are irrigated as part of the reconfigured system at the conclusion of this construction.
- 19. 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.
- 20. 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.
- 21. 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.

Addressing

- 22. Provide address numerals on the building elevation facing the street to which the property is identified.
 - a. Conform to the following for building address signs:
 - 1) Provide street number only, not the street name
 - 2) Compose of 10-12" 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 <u>www.tempe.gov/zoning</u> 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: <u>www.tempe.gov/index.aspx?page=2147</u> or purchase book from the Public Works Engineering Division.
 - Access to refuse enclosure details an all other Building Safety forms at this link: www.tempe.gov/index.aspx?page=1033. The enclosure details are under Civil Engineering & Right-of-way.
- BASIS OF BUILDING HEIGHT: Measure height of buildings from top of curb at a point adjacent to the center of the front property line.
- 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: <u>www.tempe.gov/modules/showdocument.aspx?documentid=5327</u>. Contact Public Works Department, Water Conservation Division with questions regarding the purpose or content of the water conservation reports.
- HISTORIC PRESERVATION: State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Contact the Historic Preservation Officer with general questions. Where a discovery is made, contact the Arizona State Historical Museum for removal and repatriation of the items.
- SECURITY REQUIREMENTS):
 - Design building entrance(s) to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and design columns or corners to discourage to opportunity for ambush opportunity. Maintain distances of 20'-0" or greater between a pedestrian path of travel and any hidden area to allow for increased reaction time and safety.
 - Follow the design guidelines listed under appendix A of the Zoning and Development Code.
 - 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:
 - Underground utilities except high-voltage transmission line unless project inserts a structure under the transmission line.
 - Coordinate site layout with Utility provider(s) to provide adequate access easement(s).
 - Clearly indicate property lines, the dimensional relation of the buildings to the property lines and the separation of the buildings from each other.
 - Verify location of any easements, or property restrictions, to ensure no conflict exists with the site layout or foundation design.
 - 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.
 - Develop strategy for recycling collection and pick-up from site with Sanitation. Roll-outs may be allowed for recycled materials. Coordinate storage area for recycling containers with overall site and landscape layout.
 - Gates for refuse enclosure(s) are not required, unless visible from the street. If gates are provided, the property manager must arrange for gates to be open from 6:00am to 4:30pm on collection days.
- DRIVEWAYS:
 - 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
 Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.
- PARKING SPACES:
 - Verify conformance of accessible vehicle parking to the Americans with Disabilities Act and the Code of Federal Regulations Implementing the Act. Refer to Building Safety ADA Accessible Parking Spaces Marking/Signage on Private Development details.
 - At parking areas, provide demarcated accessible aisle for disabled parking.
 - Distribute bike parking areas nearest to main entrance(s). Provide parking loop/rack per standard detail T-578. Provide 2'-0" by 6'-0" individual bicycle parking spaces. One loop may be used to separate two bike parking spaces. Provide clearance between bike spaces and adjacent walkway to allow bike maneuvering in and out of space without interfering with pedestrians, landscape materials or vehicles nearby.
- LIGHTING:
 - Design site security light in accordance with requirements of ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E (Photometric Plan).
 - Indicate the location of all exterior light fixtures on the site, landscape and photometric plans. Avoid conflicts between lights and trees or other site features in order to maintain illumination levels for exterior lighting.

- LANDSCAPE:
 - Prepare an existing plant inventory for the site and adjacent street frontages. The inventory may be prepared by the
 Landscape Architect or a plant salvage specialist. Note original locations and species of native and "protected"
 trees and other plants on site. Move, preserve in place, or demolish native or "protected" trees and plants per State
 of Arizona Agricultural Department standards. File Notice of Intent to Clear Land with the Agricultural Department.
 Notice of Intent to Clear Land form is available at www.azda.gov/ESD/nativeplants.htm. Follow the link to
 "applications to move a native plant" to "notice of intent to clear land".
- SIGNS: Separate Development Plan Review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Obtain sign permit for identification signs. Directional signs (if proposed) may not require a sign permit. Directional signs are subject to review by planning staff during plan check process.

HISTORY & FACTS: 1949	According to Flood Control District of Maricopa County historic aerial files, this area was raw desert, with agricultural uses to the east of the Highline Canal. No aerial data is available for the next 30 years.
1975	Property annexed from Maricopa County as AG-Agricultural District.
December 1979	The site has indications of construction and development.
November 12, 1981	Council approved a request by Professional Aviation, Inc. for a zone change from AG-Agricultural to I-1, Light Industrial (1.8 net acres) and I-2 General Industrial (.3 net acres) for a total of 2.1 acres, at the SWC of Warner Road and the Highline Canal.
October 4, 1982	Council approved a request for a zone change from AG-Agricultural to I-1, Light Industrial and I-2, General Industrial for 9.41 acres at the SWC of Warner Road and the Highline Canal.
January 24, 1995	Planning Commission denied a request for a General Plan 2000 Amendment from Growth Node to Residential (16-20 d.u./acre) and a zone change from I-1 and I-2 to R-3, Multi-Family Residential for 11.2 net acres at the SWC of Warner Road and the Highline Canal.
February 26, 1998	City Council approved a request by Warner 10 Commerce Center for General Plan 2020 Amendment from Commercial to Industrial ; Zoning change from AG to I-1 for 42.6 acres, I-1/I-2 to PCC-1 for 13.1 acres for a total of 53.7 net acres.
January 14, 1999	City Council approved the Final Subdivision Plat of Agave Center, a thirteen lot subdivision with public right-of-way for a loop road in the center of the subdivision including South Harl Avenue (which connects to Warner Road), West Ranch Road, West Greentree Drive and South 52nd Street.
August 24, 2004.	The Planning and Zoning Commission approved a request for AGAVE CENTER for a General Plan of Development for Lots 5, 6 & 7 and Final Plan of Development for Lot 7.
September 9, 2004.	City Council introduced and held the first public hearing for AGAVE CENTER for a General Plan of Development for Lots 5, 6 & 7 and Final Plan of Development for Lot 7.
September 16, 2004	City Council approved the General Plan of Development for Agave Center and Final Plan of Development for Lot 7. This conceptual site layout did not proceed.
September 27, 2010	City Council approved the Final Subdivision Plat of Agave Center Lots 7 and 8, a two lot subdivision that is immediately south of Lot 5 of Agave Center. Lot 5 of Agave Center forms a portion of the northern border of this subdivision.

April 09, 2013	The Development Review Commission approved a request for a Use Permit Standard to allow a ten percent rear yard setback reduction and a Development Plan Review consisting of a one-story, +/-8,400 sf. building with associated site and landscape improvements.
December 10, 2013	Development Review Commission approved a request for TILTED KILT HEADQUARTERS (PL130234) for a new restaurant building and future office headquarters. The vacant site has shared access with an adjoining vacant lot. The request included the following:
	ZUP13150 Use Permit to exceed the maximum parking spaces (125%) from 214 to 254 spaces.ZUP13151 Use Permit to allow live entertainment.DPR13197 Development Plan Review including site plan, building elevations, and landscape plan for the restaurant.
January 13, 2015	Development Review Commission approved a request for TILTED KILT RESTAURANT (PL140358) for a new restaurant building on the east side of Harl Avenue.
April 12, 2016	Development Review Commission approved a request for TILTED KILT CORPORATE OFFICE (PL160047) for a new office building on the east side of Harl Avenue.

There have been no prior planning Development Plan Review entitlements for Lot 2, the subject of this request.

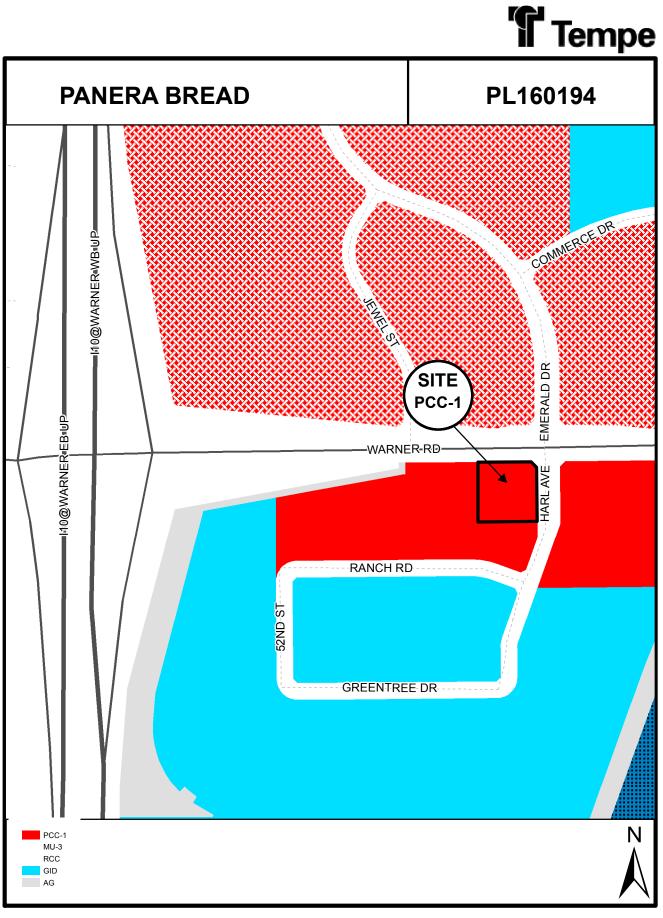
ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-306, Development Plan Review

Tempe

DEVELOPMENT PROJECT FILE for PANERA BREAD

- 1. Location Map
- 2. Aerial
- 3-4. Letter of Explanation
- 5. Site Plan Sheet C1
- 6. Landscape Plan Sheet L1
- 7. Floor Plan
- 8. Building Sections
- 9. Blackline Building Elevations East and North
- 10. Blackline Building Elevations West and South
- 11. Color Elevations East and North
- 12. Color Elevations West and South
- 13. Renderings
- 14-18. Site photo context diagram and site photos
- 19. Material Sample Board (actual board to be available at meeting)

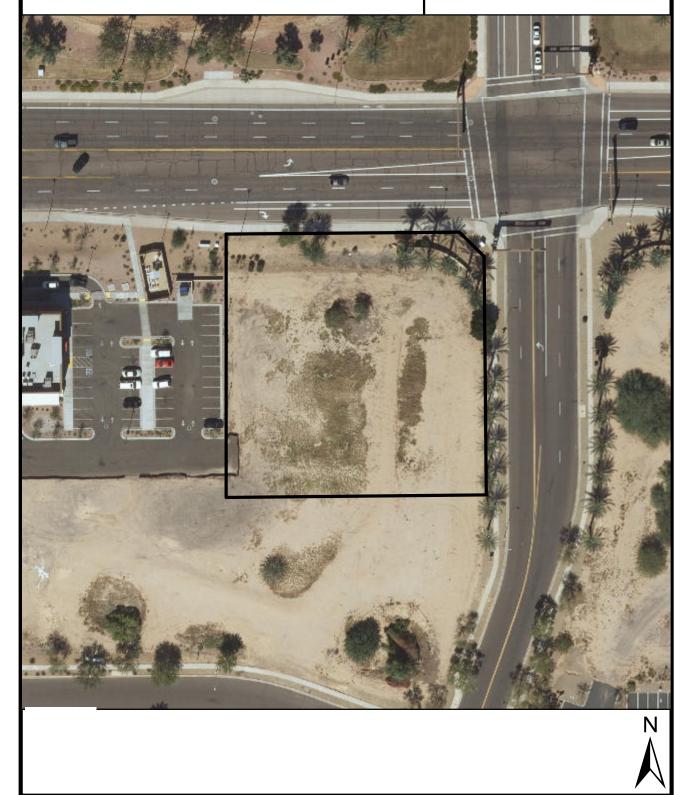


Location Map



PANERA BREAD

PL160194



Aerial Map



May 23, 2016

City of Tempe – Planning Division PO Box 5002 Tempe, AZ 85280

RE: Panera Bread – 1707 W. Warner Rd. - Tempe, AZ (Case # SPR16042) Letter of Explanation – Development Plan Review.

The following items address how Panera will conform with the Zoning and Development Code Criteria.

- The building has been placed to provide for the safety of pedestrians through the use of medians, ease of accessibility for vehicular access, and oriented to disguise the drive-through paraphernalia from Warner Road views. A variety of plants provide visual interest along Warner Road. The design of the building is ordinated so the front or main elevations face both Warner Road and Harl Avenue.
- 2. The building orientated so the storefront faces north and east. Trees are used within the site t to provide maximum shade. The use of landscape medians has allowed the introduction of trees to the center of the site providing comfortable shade for pedestrians as well as mitigate the effects of heat island.
- 3. The brick and stucco finish are appropriate the Tempe climate. The brick on the lower half of the building will function as a durable material. The colors of both the brick and stucco compliment the surroundings of the area.
- 4. The 26 foot tall brick wing wall elements relate to the framing of the 24' corner tower elements at the entry. This brings attention to the main signage of the building. The selection of plant material coordinates with the existing Carl's Jr. to the west of the site. 25' evergreen trees surround the edges of the site while smaller scale 20' Willow Acacia provide shade to the site interior. Shrubs/accents/ground cover conform to the City of Tempe PEDSAFE requirements.
- 5. The building has a well-defined base and top through the use of the new materials. The building has a sense of movement with the use of the change in brick height.
- 6. The building façade provides a clean, crisp, modern interest at street level with its use of 10' storefront and fabric graphic awnings. The proportions and scales of the materials acknowledge the building's overall size.
- 7. A crosswalk and sidewalk connection has been provided from the main entry of the building to Harl Avenue. The sidewalk along Harl Avenue has been widened from four feet to six feet for the entire site frontage up to the existing sidewalk on Warner Road. There is a bus bay directly north of the project site along Warner Road which provides direct connectivity to the site.

Panera, LLC 3630 S. Geyer Rd. St. Louis, MO 63127 314.984.1000 ATTACHMENT 3

- 8. The site circulation has been designed to minimize impacts to the patrons of the Panera Café. Crosswalks and sidewalks have been provided to reduce the interaction with vehicle traffic. Cross access has been provided with the existing restaurant directly west of the project site.
- 9. The building incorporates CPTED principles of design such as natural surveillance with the storefront overlooking sidewalks and parking lots, transparent vestibule at entrance, and site lighting design that avoids poorly light areas or blind-spots. The natural access of control is in the clearly identifiable point of entry. Natural territorial reinforcement can be clearly understood in Panera's vested interested in their properties. Panera property with be regularly maintained to express ownership of their site. There is lighting at all entries to the building and there are security camera's at the drive thru.
- 10. Trees provide shade to pedestrian pathways while shrubs visually guide both pedestrians and vehicles to the appropriate route.

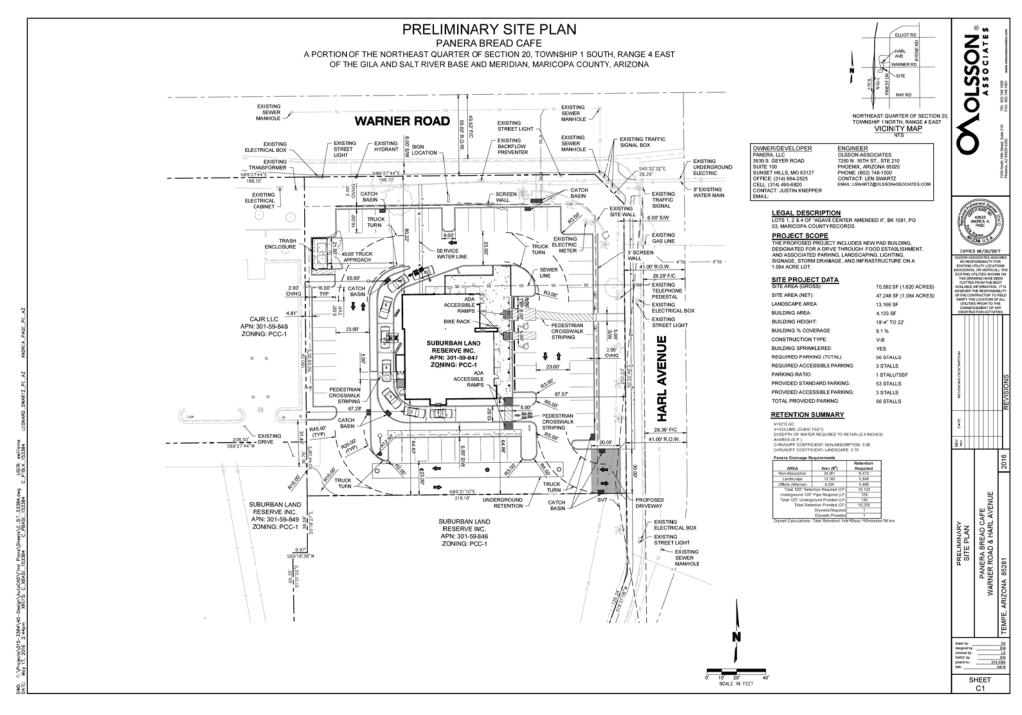
Please do not hesitate to call if you have questions regarding this letter or need additional information.

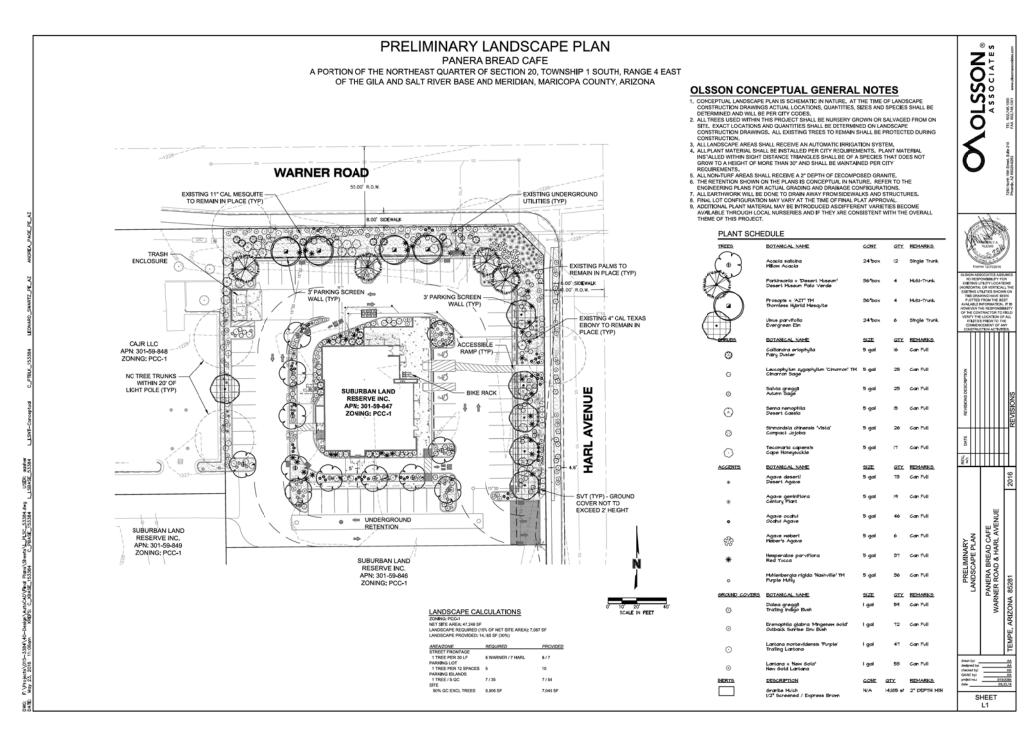
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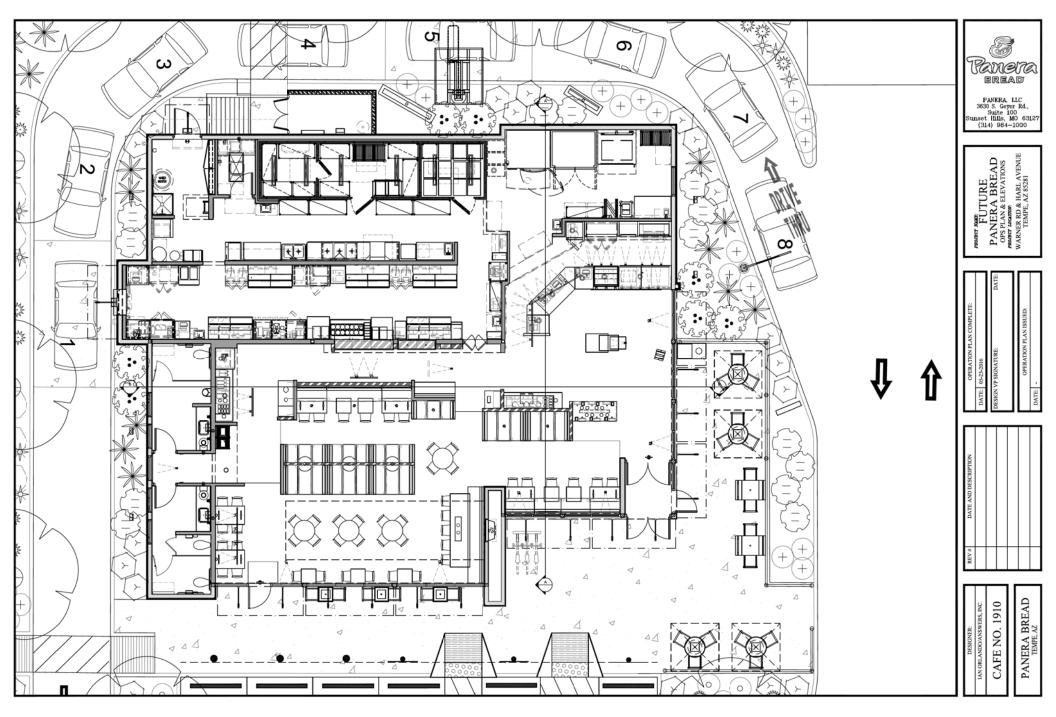
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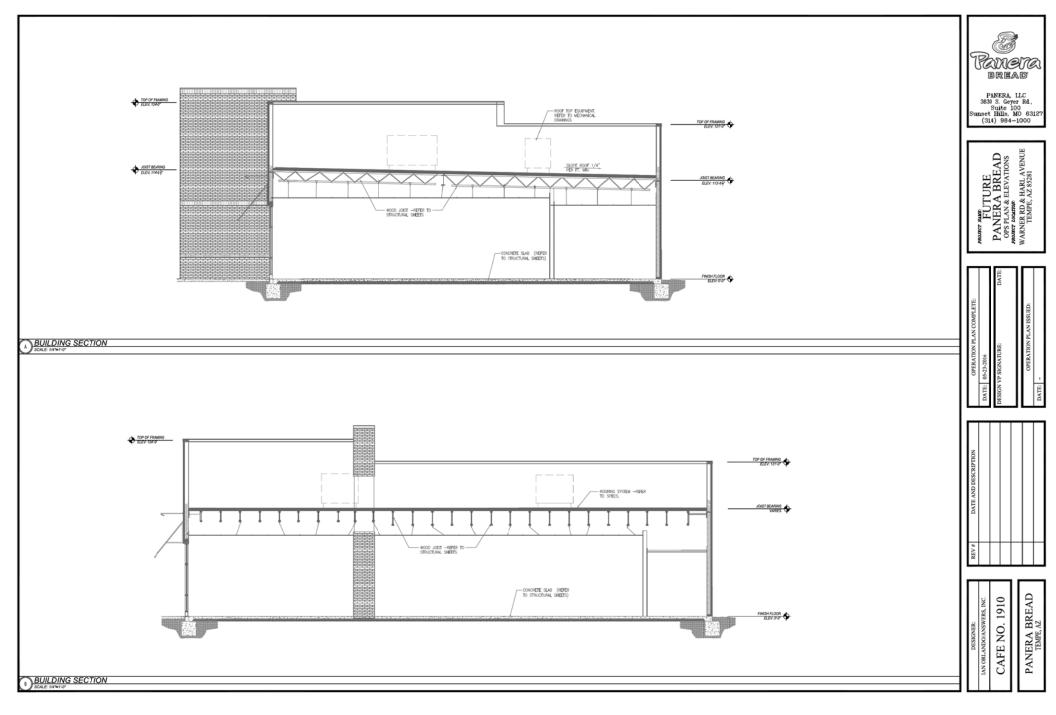
Justin Knepper Panera Bread Sr. Development Project Manager Ph: 314.984.2525 Justin.knepper@panerabread.com

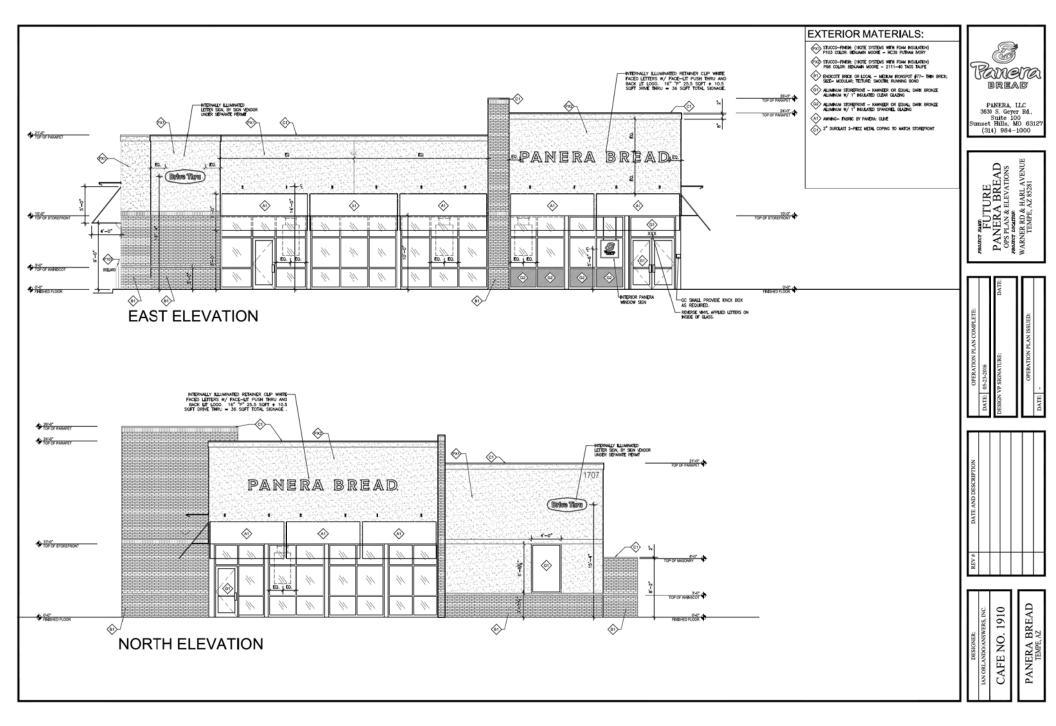
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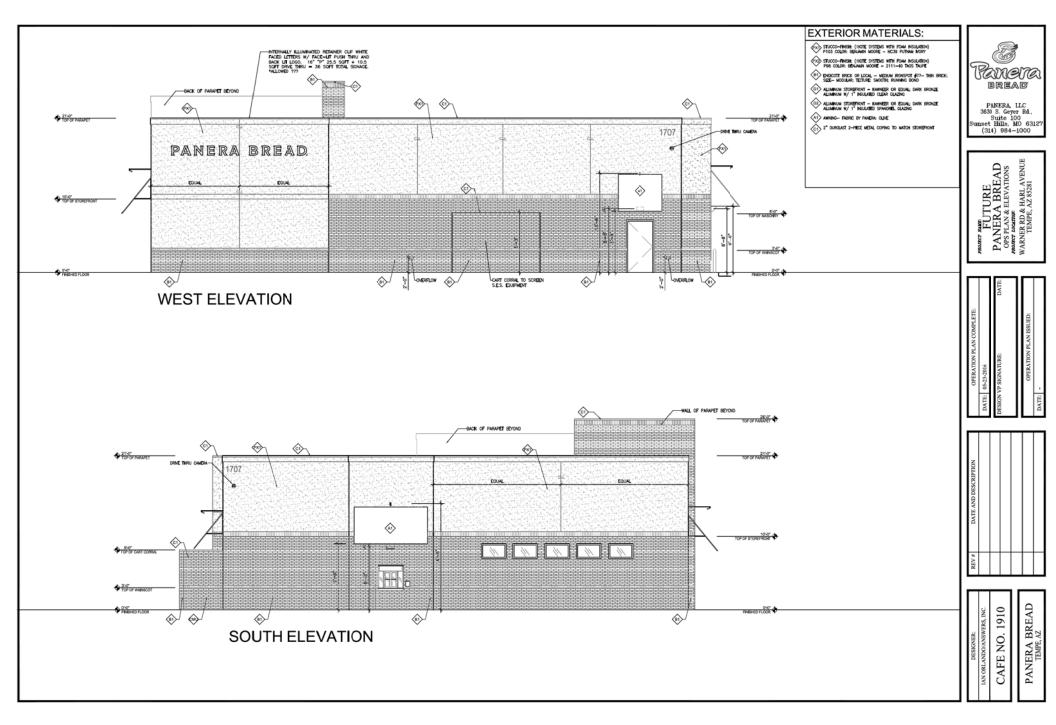




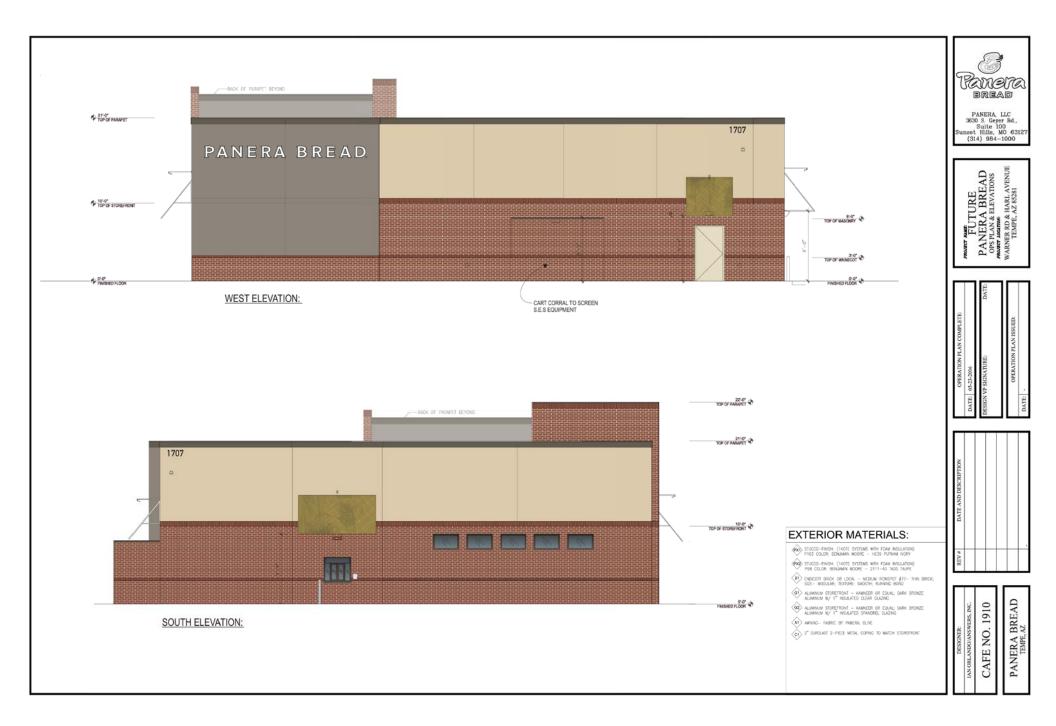














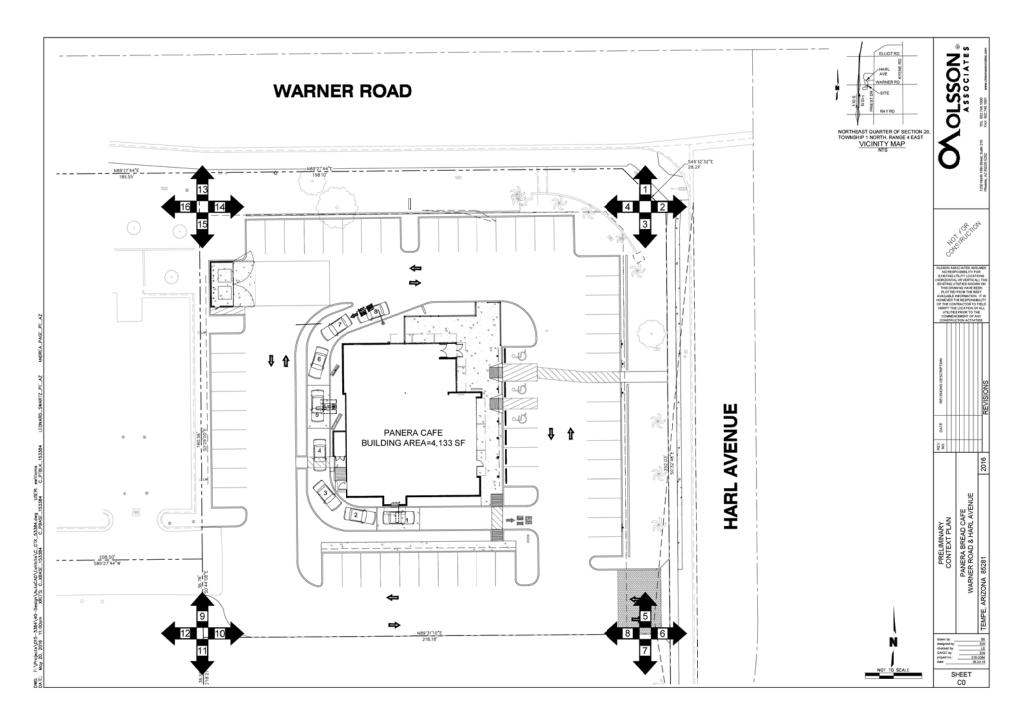








PHOTO #8





