

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

Meeting Date: 05/23/2017
Agenda Item: 4

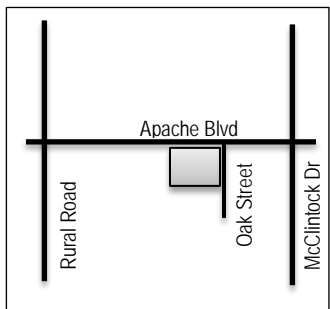
ACTION: Request for a General Plan Density Map Amendment, Zoning Map Amendment, Planned Area Development, Development Plan Review and Use Permit for Tandem Parking for a new mixed-use development in Transportation Overlay District (TOD), Station Area, for APACHE AND OAK, located at 1461 E Apache Boulevard. The applicant is arTHAUS Projects.

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: Approve, subject to conditions

BACKGROUND INFORMATION: APACHE AND OAK (PL160429) is proposed to redevelop two lots with a vacant hotel located on the southwest corner of Oak Street and Apache Boulevard. The project consists of approximately 4,000 s.f. of restaurant, 1,000 s.f. of retail, 54 condominiums. The request includes the following:

1. General Plan Density Map Amendment from Medium-High Density (up to 25 du/ac) to High Density (up to 65 du/ac)
2. Zoning Map Amendment from CSS, Commercial Shopping and Service to MU-4 Mixed-Use Four, in the TOD Station Area.
3. Planned Area Development Overlay for establishment of development standards (see chart below).
4. Use Permit to allow six pairs of 12 tandem parking spaces.
5. Development Plan Review including site plan, building elevations, and landscape plan



Existing & Future Property Owner	Arthur Misaki, M&L Arizona One
Applicant	Jason Boyer, arTHAUS Projects
Zoning District (current/proposed)	CSS, TOD (Station Area) / MU-4, TOD (Station Area)
Gross / Net site area	.89 gross / .81 net acres
Density / Number of Units	52 du/ac / 46 units
Unit Types / Number of Bedrooms	20 studio, 8 one-bdrm, 18 two-bdrm, 0 three-bdrm / 64 bedrooms
Total Building Area	96,920 s.f.
Lot Coverage	17% (75% maximum allowed in CSS)
Building Height	66' (45' maximum allowed in CSS)
Building Setbacks	5' front, 9' west side, 0' east side, 10' rear (0'-10' front, 0' side, 0'street side, 10' rear in CSS)
Landscape area	25% (on ground, 31% w/ 3 rd floor roof deck) (25% minimum required in CSS)
Vehicle Parking	103 spaces (6 tandem = 12 spaces, 47 surface/podium, 6 on-street, 50 underground (84 min. required, 121 surface max allowed)
Bicycle Parking	56 spaces (56 min. required)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Diana Kaminski, Senior Planner (480) 858-2391
 Department Director: Chad Weaver, Community Development Director
 Legal review by: N/A
 Prepared by: Diana Kaminski, Senior Planner
 Reviewed by: Suparna Dasgupta, Principal Planner

COMMENTS:

This .89 acre site is located on the south west corner of Oak Street and Apache Boulevard in the Transportation Overlay District, Station Area and Apache Boulevard Character Area. The existing two lots have a vacant motel in the CSS zoning. The motel was originally constructed in 1958 and was remodeled in 1987. The lot is significantly paved, with limited landscape area, the only amenity, a pool, was filled in several years ago. The site has been the subject of multiple code complaints and calls for service from police under prior ownership. The new owner originally pursued the idea of a revitalization of the building, but found the conditions did not meet standards for code or current market conditions. The city is requiring right of way, as part of the redevelopment, which reduces the buildable area to .81 net acres. There are R-4 multi-family apartments to the west, R1-6 single family houses in the Hudson Manor Subdivision. To the east of Oak Street and north side of Apache Boulevard are existing commercial uses in the CSS zoning. The proposed General Plan Land Use Designation is Mixed Use, with a Medium-High Density of up to 25 dwelling units per acre. The applicant is seeking to amend the density designation to allow up to 52 du/ac for 46 for-sale condominiums built above ground floor commercial uses, including restaurant, food retail and commercial office and retail. The parking is surface, podium and underground, with seven on-street spaces available on Oak Street. This request includes the following:

1. General Plan Density Map Amendment from Medium-High Density (up to 25 du/ac) to High Density (up to 65 du/ac)
2. Zoning Map Amendment from CSS, Commercial Shopping and Service to MU-4 Mixed-Use Four, in the TOD Station Area.
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5. Development Plan Review including site plan, building elevations, and landscape plan

The applicant is requesting the Development Review Commission take action on the item four listed above, and provide recommendations to City Council for items one through three and five listed above. For further processing, the applicant will need approval for a Subdivision Plat, to combine the individual lots into one and a Horizontal Regime Subdivision, to create individual for-sale condominium units.

PRELIMINARY SITE PLAN REVIEW

.November 30, 2016 First Preliminary Site Plan Review (PSPR) - Staff provided technical comments on formatting and process, requirements for neighborhood meeting for General Plan Amendment and Zoning request. Requirements for street trees and landscape buffer to south. Staff recommended more patio between and to the north of buildings to foster flexible tenant space for possible restaurant uses. Staff asked for site wall details. Reference was provided to the design criteria in the zoning code. Request for photometric data to demonstrate shielding from light glare to residents to the south. Reference to the Apache Character Area Plan for context considerations supportive of the long range vision of the surrounding community. Concern was expressed over a proposed valet service for refuse, which may result in trash bags left out waiting for valet collection, staff requested a solid waste plan demonstrating a backup plan if future management changed operations and eliminated valet service.

January 18, 2017 Second PSPR – Staff identified the site in the TOD Station area and provided parking ratios. Right of way is required to be dedicated with the project. Comments about dimensions and details shown on plans. Alley accessed refuse had been previously coordinated with solid waste services, but was required to be gated for security and a pedestrian gate for access from the site to the enclosure. Traffic engineering reviewed the on-street parking and sidewalk location requirements and engineering commented on retention requirements. Massing diagrams were provided, but no elevations. The landscape plan was very uniform, with Palo Verde used to line the entire perimeter of the site and lantana as the only ground cover. Landscape comments recommended more vegetative variety, with smaller trees in the planting strips along Oak and using a denser canopy tree along the street front for shade and a denser canopy tree along the south side landscape buffer. Staff requested that taller plants be located adjacent to the street to provide a pedestrian buffer from traffic, using a 3' plant along the street edge. The applicant wanted to keep lower plant heights to maximize visual connectivity to the patios and storefronts.

April 5, 2017 Formal Submittal SPR – Staff referred to the Apache Boulevard Character Area Plan with regard to plant materials, requesting more bio-diversity, color and texture along the street frontage, and not just lantana. The tree had changed to Mesquite around the entire perimeter. Public works has recommended against the use of Palo Verde and

Mesquite trees along right of way due to fast growth resulting in branch breakage and impacts from storm damage. Staff recommended a vertical single trunked specimen conducive to clear pedestrian travel and shade, and parking vehicles with door swings adjacent to trees. Staff recommended working with residents to the south on tree species preferred along the landscape buffer, preferably providing a non-deciduous species for year round screening. Staff requested taller plants along the roof deck amenity south side planter for privacy to the south. The floorplan configuration had units sharing a common alcove at the entry, staff questioned the interior configuration and recommended removal of the shared alcove, to increase the size of the studio units and provide direct hallway access to all units. First review of elevations requested a close up of the street level and a need for other materials than just storefront glazing along the pedestrian areas; use of masonry and other materials and textures were needed. A final elevation submittal included the use of spandrel glazing on a portion of the windows on the south elevation, to narrow the windows in the bedroom area. Staff recommended use of frosted glass rather than spandrel glass. The applicant prefers to use spandrel glass for this south elevation. The majority of comments provided by staff were addressed through subsequent revisions.

PUBLIC INPUT

- Neighborhood meeting required
- Neighborhood meeting held: April 18, 2017 from 6:00 p.m. to 8:00 p.m. at Escalante Community Center, 2150 E Orange St.
- See attached summary of meeting provided by the applicant.
- Community Development staff attended the meeting.
- Approximately 35 members of the public were in attendance, including two DRC Commissioners
- Public comments included:
 - The project does not comply with the General Plan; some residents said they would like the project if it met the General Plan.
 - Some liked the mixed use concept with restaurant uses, but would like to know what restaurants are proposed.
 - A couple of people were concerned about valet parking, even if it is free to restaurant users, overflow parking or those who don't want to use valet or tip would park in the neighborhood.
 - Many residents did not like the density of the project and felt it added too many units to the site. (the discussion did not address the number of studio and one bedroom units, or the potential for these units to be changed to two and three bedroom units, effectively lowering the density but not the bedroom count).
 - Many residents did not like the building height and felt the project was too tall and asked for the project to have only 3 stories at Apache and 2 stories at the south end.
 - Some residents expressed concern about traffic, and people cutting through the neighborhood due to the limited access on Apache (the site has lighted intersection access at Oak Street).
 - Residents closest to the project were very concerned about privacy, views into their yards and the views from their homes looking north. There was a request to remove windows or use glass block on the south elevation upper floors and to eliminate balconies potentially looking into their yards. Another suggestion was to reorient the building so that none of the units faced south.
 - Concern was expressed that the ground floor uses would remain empty as they have on other projects on Apache, why build something that hasn't worked on other sites.
 - One person said they supported the project and understood why the project needed the intensity proposed to support the commercial uses; a discussion about mixed use and market demand occurred.
 - Residents brought up Gracie's, The Motley, and other projects in the area and in Tempe that they felt did not go well with the process or the final product; they did not want to spend time going through a process with opposition if there was a way to work together before the hearings.
 - Several people asked if the developer would work with the residents on a separate meeting to work through the details and come up with something that they could support.
- Citizens for a Vibrant Apache Boulevard Corridor (CVAC) met to discuss the project on May 10th.
- At the completion of this report, staff had received four emails in opposition to the project, which are included in the attachments.

PROJECT ANALYSIS

GENERAL PLAN

The applicant has provided a written justification for the proposed General Plan amendment (see Attachments). The General Plan Projected Land Use is Mixed-Use and the Projected Density is Medium-High (up to 25 dwelling units per acre). This request would meet the projected land use, but would amend the density map to increase the density to up to 65 du/ac.

Land Use and Development Chapter:

Land Use Element – the proposed development would replace a vacant hotel with a new mixed use commercial and condominium project, meeting the objective of creating a higher density hub with integrated uses and links to nearby transit. The proposed project provides connectivity and access to food retail. The site provides a transition in height and intensity to the south, adjacent to the single family, picking up the roofline character of a pitched gable style on the back building. The project promotes compact efficient infill development and will provide new ground floor uses to the surrounding neighborhood.

Community design Element – the proposed building will create a recognizable place in the unique building design, providing an undulated façade with private balconies and rooftop amenities and landscape. The site encourages and enhances pedestrian movement in and around the site with a significantly shaded ground plane that responds to the climactic factors for human comfort with shaded walkways and shaded parking. A street front patio will provide opportunities for interaction with the public space. The design of the units provides flexibility to allow reconfiguration into different unit sizes in the future, and change of use to a boutique hotel or apartment community if the market did not support condominiums. The project proposes site sensitive lighting for safety and aesthetics, highlighting the public areas while maintaining an appropriate light level for residents in and around the site.

Historic Preservation Element – the site is within a culturally sensitive area, and adjacent to a Cultural Resource Area (the Hudson Manor Neighborhood to the south has many homes that individually would qualify for historic designation, but is not an historically designated neighborhood); the existing hotel is not of historic significance.

Neighborhood Preservation and Revitalization Element – the site will redevelop a property that has a history of code violations for blight and may stimulate revitalization of the surrounding area.

Redevelopment Element – the proposed project directly implements all of the objectives of this element by encouraging redevelopment, eliminating slum and blight, stimulating private investment, attracting new development that adds to urban livability and will ensure adequate infrastructure.

Housing Element – the proposed project has indicated it is a high end product, which implies above general market rate, not planned for affordable housing. Along the Apache Boulevard corridor there are currently several student housing and affordable housing developments; with the exception of single family houses, there is limited ownership opportunity; this product will diversify the housing stock in the area and provide accessible housing in an owner product.

Economic Development Chapter:

Economic Development Element – the project fosters private business investment with ground floor commercial uses; the existing commercial hotel was no longer market viable, although a new hotel would be allowed, the limited size of the lot would not serve most hotel models. The combination of proposed uses will be more commercially viable and supported by the residential component.

Growth Area Element – the site is located in the Rail Corridor growth area and meets the goal and objective of this area by developing a mixed-use product with emphasis on pedestrian and bicycle access, connectivity to transit, and fostering a sense of community within the development. The project revitalizes and underutilized area with opportunity for employment.

Cost of Development Element – The project will be required to upgrade water and sewer services to serve the site, there is sufficient fire, police and transit service capacity in this area, the area has existing parks and the project is providing an outdoor pool amenity area for residents. Storm drainage and parking requirements will be met. Impact fees will be assessed to this development.

Circulation Chapter:

Pedestrian and Bicycle Element – the project has a significantly shaded site with trees and structure, and provides a secure bike room for residents and many locations of guest, customer and employee bike parking visible from different vantage points of the property for increased security, a bike tire air station is also available, all amenities to promote bicycle use.

Transit Element – the site is designed to meet Transportation Overlay District design guidelines and encourage use of transit; the new food retail store will be an amenity for people commuting.

Travelways Element – there are no changes to the street infrastructure, however a few on-street parking spaces will be provided along Oak Street.

Parking and Access Management – the site has shaded surface parking, under-building podium parking with tandem managed for commercial uses, and underground parking with controlled access for residents; the project is meeting the code requirements for parking.

Aviation element – this element is not relevant to this site.

Conservation Chapter:

Conservation Element – the project is using energy conservation materials to comply with the building code and is enhanced by significant use of trees surrounding the site for shade.

Environmental Planning Element – the proposed plant palette is low-water use and native or hybrid plants sensitive to the desert climate. The use of trees will help the ambient temperature and air quality. The existing site is almost entirely paved, with an old pool filled in at the corner of the lot; the proposed plan provides 25% of landscape area, has a pool with trees shading the south rooftop deck and uses the podium building to shade the majority of paved surface to reduce the heat impact from the drive and parking areas.

Water Resources Element – the design of the site will minimize stormwater runoff, using swales for minor storm events; the pool will serve all the residents within the community, the plants are low-water use plants, and all fixtures will meet building code requirements for water conservation.

Open Space Recreation and Cultural Amenities Chapter:

Open Space Element – the site is less than 1 acre and relies on the majority of the site for parking, with the building elevated on podium, an amenity deck is located on the south east corner of the site to serve residents. Residential units have private outdoor balconies the southern units have private courtyards and the restaurant has a large patio wrapping the corner of the space. There is no area for pets to be walked on site, which may impact nearby open space areas with more residents with pets and no yards.

Recreation Element – there is a pool on site for residents.

Public art and Cultural Amenities Element – this element is not directly applicable, there are no requirements for Art in Private Development for mixed use developments.

Criteria for Considering A General Plan Amendment:

1. Written justification for the amendment should consider long-term and short-term public benefit and how the amendment, considering Land Use Principles, will help the city attain applicable objectives of the General Plan. The above analysis addresses the applicable objectives implemented by this requested amendment. The short term benefit is the redevelopment of a blighted property with a new use. The long term benefit is provision of an owner-occupied product on Apache Boulevard that provides a heavily shaded site and supports the uses that promote multi-modal transportation.
2. *If the proposed amendment is only to the General Plan's text, there should be objective discussion of the amendment's long-term and short-term public benefit and the larger issue of its impact on the city attaining applicable objectives of the General Plan.* Not Applicable. This is not a text amendment to the General Plan.

3. *If the proposed amendment impacts the General Plan's Projected Land Use Map only, there should be objective discussion of the amendment's impact on the projected land use within a minimum of a half-mile of the property. The project complies with the General Plan 2040 Projected Land Use Map of Mixed-Use. It modifies the General Plan 2040 Projected Density Map for a development that encourages the use of multi-modal transportation within the Transportation Overlay District.*
4. *With a proposed amendment to the General Plan Projected Land Use Map, the applicant/developer's written discussion on the proposed amendment should respond to the Land Use Principles in the Land Use Element of the General Plan. The principles are presented below, in a generalized request/response format:*
 - a. *Describe the public benefit of the proposed amendment in terms of increase/decrease in intensity and its impact on adjacent land uses versus the impact of the present land use designation.*
 - The proposed increase in density from 25 to up to 65 dwelling units per acre would be capped at 52 dwelling units per acre by the PAD. This increase from 22 units to 46 units containing 64 bedrooms would share parking with commercial uses on site.
 - Using the existing commercial zoning for a 2-story office use covering 75% of the lot, 135 parking spaces would be needed for general office with a TOD reduction or 353 spaces needed for call center or medical office uses which do not get parking reductions in the TOD. The proposed combination of uses requires 84 parking spaces and provides 103.
 - The traffic flow would be spread out throughout the day, rather than peak ingress and egress typical of office uses. A hotel use would not receive a parking reduction in the TOD, but would not have a residential density cap as a commercial use; a hotel could maximize the site with more bedrooms parked by "keys" rather than by dwelling units. A hotel using 75% of the site area could potentially fit 150 rooms, requiring a minimum of 150 parking spaces.
 - The public benefit includes the redevelopment of the site with an owner-occupied product supportive of ground floor uses and designed to meet the intent of TOD, Station Area.
 - b. *Describe the public benefit of the proposed amendment in terms of impact on the city's infrastructure (i.e. water, sewer, utilities, streets, in terms of anticipated traffic generation, projected carrying capacity, projected volume, availability of transit, need for additional access, or city services such as fire and police staffing and response times, etc.) versus the impact of the present land use designation.*
 - The site would be required to upgrade water and sewer to meet site demands from what the current infrastructure allows.
 - Traffic engineering did not indicate infrastructure concerns with the proposed density increase, and with improvements made to both Apache Boulevard and Oak Street were satisfied with the presented design. The Level 1 Traffic Impact Study indicated 25 ingress and 42 egress movements during peak morning traffic, and 40 ingress and 24 egress for a total of 64 trips generated during peak evening traffic. There were no identified changes to traffic signalization or access needed for the scale of the project.
 - The proposed density would not impact police and fire service response times or staffing in comparison to what the current land use and density would require.
 - c. *Describe the proposed development quality of life in terms of how its components reflect unique site design, building design, landscaping; integrate or provide access between varied uses; deal creatively with multi-modal transportation; and reduce/eliminate physical barriers, as well as provide residential, employment, shopping and local services opportunities.* The proposed development provides a very open site plan to encourage pedestrian and bicycle use in and around the site, separating these modes from the vehicular traffic and providing a heavily shaded site to minimize heat gain and provide pedestrian comfort; approximately 66% of the site is in shade. Outdoor patio

seating, an amenity area on the 2nd floor roof deck and private balconies turn the outdoor environment into an extended livable area.

- d. *Describe the use of open space, parks or green belts, and how the development separates, as well as links, residential and nonresidential components, if the proposed development incorporates a residential component. If applicable, describe how the proposed development impacts existing parks.* The site is less than an acre in size and provides 25% ground level landscape area and 6% more on the roof deck. There are no requirements for open space in the Zoning Code, however the podium building utilizes only 17% of the ground floor with building structure. Residents in the development have an outdoor recreation area with a pool amenity; however there is limited recreational open space for pets or kids living on site; the west and south perimeters are recessed landscape areas for retention. This may result in an increase in demand for park use at Hudson Park; commercial uses would be less likely to utilize the park unless employees took lunch breaks off site. However, new development fees will provide additional revenue to the parks and recreation department.
 - e. *Describe the proposed development in terms of supporting regional and local transit objectives for arterial streets; implementing the goals and objectives of the Tempe Transit Plan; describe the internal street system in terms of supporting the above goals and objectives and incorporating uniquely designed transit facilities along the arterial streets* The proposed development makes necessary improvements to both Apache Boulevard and Oak Street for vehicle access as well as safe, comfortable and accessible pedestrian access. The design incorporates many elements supportive of the Transportation Overlay District, including a bike friendly project with ample guest bike parking and a secure bike room for residents, and onsite air facilities for tires.
 - f. *Describe the proposed amendment in terms of effects on the school districts (enrollments and facilities).* Thew Elementary is the only public elementary school within the area and serves approximately 597 students. Census data from 2010-2015 indicates there has been a 20% increase in population of youth ages 6-18 years of age in the surrounding census data tracts. Although the site is proposing 46 new units, the majority of units are studio, one and two bedroom configurations which may not appeal to families. The school district was notified regarding this request, and to date, staff has not received feedback regarding potential impacts from this development.
 - g. *Identify additional quality of life components of the proposal in the criteria to justify a General Plan Amendment* The applicant has provided a letter of explanation and staff provided analysis in the above section which addresses this criteria.
5. *If there are concerns, consideration of the proposed amendment shall be granted only if potentially negative influences are mitigated and deemed acceptable by the City Council.* Concerns expressed during the neighborhood meeting have been outlined in the public input section of this report.

Section 6-303 D. Approval criteria for General Plan amendment (*in italics*):

1. *Appropriate short and long term public benefits*
2. *Mitigates impacts on land use, water infrastructure or transportation*
3. *Helps the city attain applicable objectives of the General Plan*
4. *Provides rights-of-way, transit facilities, open space, recreational amenities or public art*
5. *Potentially negative influences are mitigated and deemed acceptable by the City Council*
6. *Judgment of the appropriateness of the amendment with regard to market demands, and impacts on surrounding area, service, fiscal, traffic, historic properties, utilities and public facilities.*

CHARACTER AREA PLAN

The site is located in the Apache Boulevard Character Area. Although the landscape palette is sensitive to the Sonoran Desert palette, the plant palette provides single trunked shade trees along the street frontages with understory plants that add color and texture and provide biodiversity per the design guidelines. The site is very shaded and promotes a comfortable and safe walkable and bikeable experience. The site promotes interaction on the ground plane within the courtyard, patio and landscaped street frontage adjacent to commercial uses. The project transitions from a taller development at Apache Boulevard (66 feet) to a shorter height at the rear (40 feet to top of roof pitch) and scales down to less than 30 feet at the edge of building, set back 10 feet from the property line, and buffered by trees north of a 20-foot alley, providing a physical separation of thirty feet between the development and the rear property line of the single family residences. The project promotes a safe and convenient access to transit and encourages a live/work environment with residences above the businesses. The project has on-street parking, ground floor commercial uses, and patios and balconies to encourage interaction and enhance the pedestrian scale of the building form. The project has planting along the rooftop patio around the pool. The building is not a static box form, the walls undulate to create movement and variety when viewed from different angles, a combination of flat roof and standing metal seam pitched roof are used to transition between the commercial corridor on Apache and the residential character further south on Oak, providing architectural diversity in the building form.

ZONING

The existing zoning is CSS, Commercial Shopping and Service, which would allow a large number of uses including hotel, restaurant, bar, childcare, convention/meeting space, office, place of worship, and a variety of commercial service uses. The TOD prohibits automotive service uses. The area has a significant amount of ground floor commercial development that has not been successfully activated by other developments. The site was previously occupied by a fraternity attempting to utilize the existing motel building; however the amount of investment to bring the structure up to code makes it less marketable for reuse. Located within the Transportation Overlay District, Station Area, if the site were developed within the existing CSS standards, the height limit would be 35, however residential uses above commercial allows a 45-foot building height. The proposed zoning change would be from CSS to MU-4 with a Planned Area Development to establish the development standards. Density and building height increases are the two largest differences between the current and proposed zoning: the applicant is requesting a density of 52 du/ac and building height of 66 feet along Apache and 40 feet at the peak of the roof pitch to the south, stepping down to 30 feet at the ten foot setback from the property line.

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

1. *The proposed zoning amendment is in the public interest.* The project redevelops a site that has been underutilized and the subject of many code violations, eliminating a blighted vacant motel and replacing it with new code compliant energy and water efficient development that encourages a live/work community with multi-modal transportation options and contemporary architecture. The ground floor uses are intended to serve the surrounding community with restaurant and food retail options not currently available in the area. The enhanced activity will increase public safety in the area and provide more pedestrian shade along Oak and Apache.
2. *The proposed zoning amendment conforms with and facilitates implementation of the General Plan.* Rezoning to MU-2 mixed use would allow up to 25 dwelling units per acre, or 22 units on this .89 acre lot, in conformance with the General Plan. The proposed zoning amendment from CSS to MU-4 is in compliance with the General Plan Land Use, but not the projected density, as it would increase the density to 52 du/ac to allow 46 units with 64 bedrooms on the site. A hotel in the CSS district could be built with 64 rooms, similar in density but transient in population. The proposed mixed-use development with for-sale units promotes a more stable community of residents and supports the proposed commercial uses. Refer to the General Plan analysis for further review of the project implementation of the objectives of the General Plan.

PLANNED AREA DEVELOPMENT

APACHE AND OAK – PAD Overlay			
Standard	CSS TOD Station Area	PROPOSED MU-4 (PAD) TOD Station Area	Change
Residential Density (du/ac)	25	52	Increase
Number of Units / Number of Bedrooms	22 units	46 units / 64 bedrooms	Increase
Building Height Maximum (feet)	35 ft. w/o residential 45 ft. with commercial & residential	66 ft. north side 30 ft. south side	Increase
Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]	Yes	Yes	
Maximum Lot Coverage (% of net site area)	75%	17%	Decrease
Minimum Landscape Area (% of net site area)	25%	25% (on ground, 31% including roof deck)	Increase
Setbacks (feet)		Maximum required in TOD is 20 ft.	
Front (North)	0 ft. (Min.) 6 ft. (Max.)	5 ft.	Increase
Parking	20 ft.	20 ft.	-
Side (West)	0 ft.	9 ft.	Increase
Rear (South)	0 ft.	10 ft.	Increase
Street Side (East)	0 ft.	0 ft.	-
Parking	20 ft.	20 ft.	-

Parking is proposed to be managed with 50 gated spaces underground for the 46 residences, 10 guest spaces to be shared with the 37 restaurant and retail/office spaces on the ground floor, including 6 pairs of 12 tandem spaces, and an additional 6 spaces provided on Oak Street. The comparison between parking required and parking provided is shown in the table below:

Unit Type	Unit Quantity / SF	Ratio	Parking Required per ZDC TOD Station Area	Parking Provided per PAD
Studio	20	.75 space per unit	15	20
1 bedroom	8	.75 space per unit	6	8
2 bedroom	18	1.5 spaces per unit	27	22
Guest	46	.2	9.2	10
Restaurant	3,724 s.f. – 1,862.5 s.f. (50% TOD Station Area reduction) = 1,862 s.f.	1/75 s.f.	24.83	37 (24 standard + 12 tandem)
Patio	No parking in TOD	0	0	
Retail/Office	937-468.5 s.f. = 468.5 (50% TOD Station Area reduction) = 468.5 s.f.	1/300 s.f.	1.62	6
TOTAL			84	103

Section 6-305 D. Approval criteria for P.A.D. (*in italics*):

1. *The development fulfills certain goals and objectives in the General Plan and the principles and guidelines of other area policy plans. Performance considerations are established to fulfill those objectives. See the General Plan analysis in the prior section of this report for conformance to the General Plan.*
2. *Standards requested through the PAD Overlay district shall take into consideration the location and context for the site for which the project is proposed. The TOD Station Area allows CSS to have up to 45 feet in height for residences built above commercial uses; this request is for 20 feet above the allowed height. The R-4 apartment community adjacent to (west of) this site has the allowed building height of up to 60' in the TOD Station Area. The*

single-family zoning to the south allows buildings up to 30 feet tall with a five foot setback. The proposed main building is set back approximately 120 feet from the property line, the closest portion, which steps down to 30' in height, is setback 10 feet from the property line, and buffered by trees north of a 20-foot alley, providing a physical separation of thirty feet between the development and the rear property line of the single family residences. Based on aerial measurements, the new building would be approximately 77 feet from the closest structure south of the building. See the project description for the Apache Character Area analysis and the applicant's letter of explanation in the Attachments to this report.

3. *The development appropriately mitigates transitional impacts on the immediate surroundings.* The project transitions from a taller development at Apache Boulevard (66 feet) to a shorter height at the rear (40 feet to top of roof pitch) and scales down to less than 30 feet at the edge of building. The amenity area is screened by structure to maintain privacy to the residents to the south. The use of a gabled roofline along Oak provides a visual transition to existing architectural form in the residences to the south.

USE PERMIT

The proposed use requires a use permit, to allow tandem parking in the MU-4 zoning district. The proposed uses may not require the tandem parking, depending on the tenant mix; the applicant is meeting the TOD Station Area parking requirements. The request for tandem parking is to assure maximum flexibility in tenant mix, to assure future compliance with the parking needs, which provide gated underground parking for residents (50 spaces for 46 units) and valet parking for guest and customer parking on the surface lot. The applicant has provided a letter of explanation of the proposed use.

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

1. *Any significant increase in vehicular or pedestrian traffic.* The proposed 12 spaces (six pairs) of tandem parking is 11% of the required parking. The tandem spaces would be managed on site for the commercial customers and guests of the residents. Resident parking is below grade and gated. Circulation for the tandem spaces is on-site; therefore there is no increase to traffic created by the use of tandem on the property. There are seven on-street parking spaces along Oak Street; the remainder of the parking is on site. The design promotes pedestrian activity along the street front to minimize conflicts with vehicles in the parking area. Tandem parking spaces will not however increase the amount of pedestrian traffic, as the vehicles are parked closest to the commercial uses, reducing foot traffic in the remaining parking field.
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 tandem spaces are under the building in a podium configuration, and managed by the commercial services on site. Vehicles would be pulled out for customers but cannot be left idling in the drive aisle as this is the primary access and fire lane for the site. Whether these spaces are tandem or standard would not change the amount of odor, dust, gas, noise, vibration, etc. that the vehicles would generate beyond normal vehicle operation or exceed that of the surrounding 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 residential component is required 48 parking spaces plus 9 guest spaces, 50 spaces are in the lower gated garage level, and the guest spaces are surface parked with the required customer/employee parking for the commercial uses. The use of 12 tandem spaces will not impact the surrounding area. The applicant is not requesting a reduction in parking from the TOD required parking levels, which could result in off-site overflow parking; the tandem parking enables the site to be fully parked without overflow into the neighborhood.
4. *Compatibility with existing surrounding structures and uses.* Many of the single family homes have single drives with tandem parking conditions. Although tandem is not compatible for all uses, it functions in a shared and managed parking model. The use of tandem in the podium configuration is not visible from the street and is therefore compatible with existing surrounding developments.

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 proposed tandem spaces will be managed on site by valet service.

The manner of conduct and the building for the proposed tandem parking 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 that the use will be in full conformity to any conditions, requirement or standards prescribed therefore by this code.

DEVELOPMENT PLAN REVIEW

Site Plan

The building has an "L" shaped configuration oriented with the largest 192-foot length and tallest 66 foot height along the north property line facing Apache Boulevard. The building is 72 feet deep on a 190-foot deep lot, leaving almost a 120-foot separation to the south property line and alley. The shorter 100-foot leg of the building along the eastern side of the site faces Oak Street. This section steps down from 40 feet at the peak of the gabled roof to 30 feet at the building edge, and has a 10-foot rear setback to the south property line adjacent to a 20-foot alley between the single family lots to the south. The closest portion of the building to the single family property line is 30 feet, and matches the height allowed within the single family district, which would allow a 5 foot setback. The site has a porous first floor with three separate structures connected by overhead canopy, podium and walkway connecting them into one form above the ground level. The site can be accessed from right in and right out on Apache Boulevard, and in both directions by the lighted intersection at Oak Street. On-street parking is provided along Oak, which provides a transition to the slower traffic in the neighborhood with vehicle movements using these spaces. Surface parking is heavily landscaped to maximize shade; 66% of the ground surface is shaded by trees or building. Twelve tandem spaces (6 pairs) are located in the center of the surface lot, and proposed to be managed by valet parking. Bike racks are provided along both street frontages as well as internal to the site; a bike tire air pump station is provided for cyclists. A publicly accessible dog watering station is proposed in the shaded central courtyard between buildings. The site lighting will be lowered along the south side and is being conditioned to provide screening to prevent glare to the residences to the south.

Building Elevations

The long elevation along Apache Boulevard has a very light appearance at the ground floor with storefront along the restaurant and retail suites, a pedestrian courtyard between patios at the street front and an opening leading under the building back to the parking area, screening parking from street view. The building massing has an articulated façade that undulates providing subtle angles to catch the light and provide privacy to the recessed balconies. The primary building material is an insulated stucco finish system, with a composite wood panel product in the recessed balcony areas and two colors of ground face masonry units on the columns and pedestrian level building areas. A standing seam metal panel is used on the third floor recessed balcony and the third floor of the units located on the south end of the site facing Oak Street. The Oak street side is activated with ground floor commercial, with two units above that have private rooftop patios and direct access to the amenity space and pool. The south side building width is 56' wide, the same approximate dimension of the width of the average homes to the south. The amenity deck is blocked from view by the stairwell and the private balcony has taller plantings for privacy between the balcony and the residence to the south. The applicant is proposing to use spandrel glazing in half of the bedroom window panes to create a slot window condition to address resident concerns about privacy. Note, this is proposed only for the bedroom windows and would not be used on the balcony sliding glass windows. Staff recommended frosted glazing to allow natural light into the units while providing privacy to both residents of the new development and residents to the south.

Landscape Plan

The proposed palette is low-water use with simple massing of plants. The Apache and Oak street fronts use single trunked Chinese Pistache, which produce a dense canopy of shade in the summer, fall color change, and dormant branches conducive to decorative lighting. The Apache front ground cover includes Purple Trailing Lantana and Yellow Dot low growing vegetation to maximize visibility to the site. Taller Ruellia are used in massing behind the Yellow Dot along the Oak street front. The Arizona Ash is used along the western side, providing summer shade and a brief dormant period for winter sun. The western side is a depressed retention area with vehicles overhanging the planting area filled with Tuscan Blue Rosemary, a taller growing variety (not prostrate) and Salvia greggii, a pink flowering herbaceous plant. The southern landscape buffer is proposed for one of three tree species, either Arizona Ash, Chinese Pistache or Evergreen Elm, the selection to be coordinated with the property owners to the south of the site who would face this landscape buffer.

Understory plants include Rosemary, Salvia and Muhlenbergia. The internal surface parking lot, patio planters and courtyard areas use the Aloe and Mexican Fence Post, sculptural succulents in massing and as foundation plantings. The patio planters are approximately 8' long by 1.5' wide by 2.5' tall surrounding the restaurant patio. The parking area has multi-trunked Sonoran Desert Museum Palo Verdes trees that will form a full canopy cover of sculptural green branches that with bright yellow flowers. The upper amenity deck is surrounded by Tuscan Blue Rosemary, which can grow up to 6' tall without hedging. A condition has been added for maintenance of the south side amenity plantings to be maintained to the maximum natural height to provide privacy to residents to the south of the site. The proposed design specifies a significant investment in mature trees, using 36" and 48" box trees for all specimens on site. The design intent is to quickly fill in the site with shade to help establish a comfortable experience and a strong sense of place. The project uses a variety of integral colored pavers and patterns, etched concrete and broom finished concrete to enhance the hardscape areas with color and texture. Pavers proposed for the parking areas are permeable and will be cooler than standard black asphalt; the parking area takes on the appearance of a courtyard with the use of these alternative materials.

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 building height and massing is located at the north end of the site, with a permeable ground floor comprised of three small building footprints surrounded by patios and landscaped courtyard space. The building walls are angled and the patios recessed, adding depth and shadow play from sunlight along the street front.
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort*; The form of the building above the ground floor creates shade for the patios and courtyard areas, the trees are spaced to create a full canopy for shade to the site and the building. 66% of the ground plane is in the shade. Use of recessed balconies provides shade to the units while allowing natural light, for energy conservation and human comfort.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings*; the proposed materials are a significant investment to the site with high grade materials such as glazing for the residences using 1" insulated glass with metal commercial grade frames, concrete is finished to a level of detail as an architectural finish, masonry units are integral colored ground faced product, a sand finish is proposed for the insulated stucco system, the metals are 18 gauge ribbed and perforated product, a custom balcony rail is used providing a different design detail on all three levels, and 6" wide composite wood paneling is used in the recessed balcony areas for a natural warm accent to the residential units.
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings*; the site would be allowed 75% lot coverage with a structure that is 45' tall; the proposed building is 66' tall at the north Apache side, with an additional 4' for a recessed mechanical screen for equipment. The building steps back along Oak Street to 40' at the peak of the pitched roof, and down to 27' at the south end of the building. Lots along Apache are typically taller, and properties to the south are allowed to build up to 30' in building height. The proposed structures surrounded by trees that are demonstrated to reach 25' in 10 years, and as tall as 40' at maturity will provide screening to the site and is in scale with surrounding development.
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 applicant has provided an architectural form that is light at the base and heavier at the top, with a variety of materials to accent building forms and create movement in the structure. The first floor is proposed to be largely storefront, staff has conditioned that more masonry be visible on the street frontage, with details to be determined prior to building permitting for specific tenants in the suites.

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 attention to detail in materials with 3 proposed concrete finishes, 2 proposed integral colored permeable pavers with accents, 2 masonry colors, 2 metal products and a wood product provide variation that is unified by color. The renderings demonstrate attention to proportion, scale and rhythm creating a product that will enhance the street front for rail users as well as motorists, bicyclists and pedestrians passing by.
7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage;* the site is located 400' from a light rail station, provides bike parking for guests, customers and residents, and encourages pedestrian activity in and around the site with increased sidewalk widths, decorative paving and large shade trees to provide a comfortable experience regardless of mode of transport.
8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses;* vehicle parking exceeds TOD requirements but is designed to minimize the emphasis of the cars; parking is underground and gated, as well as tucked in behind the building and between trees, on pavers. Pedestrians are given the priority with lit pathways crossing the site and between the buildings.
9. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance;* the site has been reviewed by the police department, the use of a permeable first floor activates the street front, parking areas and inner courtyards to maximize surveillance of the property. Access control for residents' parking is gated, as is the pool amenity deck. Use of low growing vegetation to increase site visibility and decrease hiding places was also considered in the design.
10. *Landscape accents and provides delineation from parking, buildings, driveways and pathways;* landscape is designed by function to serve each area intended. The upper amenity area includes low maintenance low water use vegetation that will provide shade to the patio as well as screen views to the south. A condition has been added to maintain the rosemary on the south side to its maximum mature height.
11. *Signs have design, scale, proportion, location and color compatible with the design, colors, orientation and materials of the building or site on which they are located;* signs are not a part of this request and will be handed separately.
12. *Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects.* Lighting is designed to create a safe ambient pedestrian experience without glare to residents on site or surrounding the property. As a mixed-use development, lighting standards may be defined by the project with different standards than the code; conditions have been added to assure the lighting meets minimum safety levels with maximum limits and screening requirements.

REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use and Projected Residential Density for this site.
2. The project will meet the development standards required under the Zoning and Development Code.
3. The PAD overlay process was specifically created to allow for greater flexibility, to allow for increased heights.
4. The proposed project meets the approval criteria for a General Plan Amendment, Zoning Amendment, Use Permit and Development Plan Review.

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

ZONING AMENDMENT AND PLANNED AREA DEVELOPMENT

CONDITIONS OF APPROVAL:

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

General

1. A building permit application shall be made within two years of the date of City Council approval or the zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process as a zoning map amendment.
2. The property owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waive(s) any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City's approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than 30 days from the date of City Council approval, or the General Plan Amendment, Zoning Map Amendment, and PAD approval shall be null and void.
3. The Planned Area Development Overlay for Apache and Oak shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department within sixty (60) days of the date of City Council approval and prior to issuance of building permits.
4. The developer must provide a final traffic impact study and receive approval of the final Traffic Impact Study from the Traffic Engineering prior to issuance of a building permit.

USE PERMIT CONDITIONS OF APPROVAL:

1. The Use Permit is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during building plan check process.
2. 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. Elimination of the tandem parking would result in a code deficiency in parking on site and would require an alternative parking solution to address the deficit.
3. Any intensification or expansion of use shall require a new Use Permit.

DEVELOPMENT PLAN REVIEW CONDITIONS OF APPROVAL:

General

1. Except as modified by conditions, development shall be in substantial conformance with the site plan and building elevations dated May 1, 2017 and landscape plan dated May 1, 2017. Minor modifications may be reviewed through the plan check process of construction documents; major modifications will require submittal of a Development Plan Review.
2. An amended subdivision plat is required for this development and shall be recorded prior to issuance of building permits.
3. A Condominium Plat (Horizontal Regime) is required for this development and shall be recorded prior to an occupancy permit.
4. The development shall prepare, at the time of initial building permits, gray shell commercial space for tenant leasing. The permit submittal shall include the following: adequate roof space, evidence of roof structural support, and internal set lines for future adequate commercial space air conditioning (HVAC); provide a shaft to ventilate to the roof for commercial cooking exhaust; and a designated location for potential grease trap interceptor if needed.

Site Plan

5. Service locations for both refuse and recycling collection are approved as shown on the site plan with gated alley access.
6. Provide service yard or mechanical screening that is at least 6" above the height of the equipment being enclosed. Verify height of equipment and mounting base to ensure that wall height is adequate to fully screen the equipment.
7. 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.
8. Provide upgraded paving at each driveway consisting of integral colored unit paving. Extend this paving in the driveway from the right-of-way line to 20'-0" on site and from curb to curb at the drive edges. From sidewalk to right-of-way line, extend concrete paving to match sidewalk.
9. 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.
10. 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

11. Provide visual surveillance by means of fire-rated glazing assemblies from stair towers into adjacent circulation spaces.
12. 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
13. Garage Security:
 - a. Minimize interior partitions or convert these to semi-opaque screens to inhibit hiding behind these features.
 - b. Provide exit stairs that are open to the exterior as indicated on the floor plan.
 - c. Paint interior wall and overhead surfaces of enclosed garage floor level with a highly reflective white color, minimum LRV of 75 percent.
 - d. Maximize openness at the elevator entrances and stair landings to facilitate visual surveillance from these pedestrian circulation areas to the adjacent parking level.
14. Parking Garage:
 - a. Minimum required parking dimensions shall be clear of any obstructions.
 - b. At the ends of dead-end drive aisles, provide a designated turn-around space, minimum 8'-6" clear in width (locate on left side if available), including 3'-0" vehicular maneuvering area for exiting. Turn-around area shall be clearly demarcated.
 - c. Provide a minimum 2'-0" of additional width for parking spaces when adjacent to a continuous wall.

Building Elevations

15. The materials and colors are approved as presented:
 - Roof – flat with parapet on north building
 - Roof – MT-1 - Morin Corp metal roof - 18 gauge 1 ½" x 12" ribbed standing metal seam pitched metal panel roof in weathered zinc SRI 33 for the south building.
 - Primary Building – Exterior Insulated Finish System Stucco smooth finish, White Linen 6050, LRV 73
 - Screen Wall – CMU-1 – Trendstone 8x16x4 ground face cmu, opal
 - Building Accent – CMU-2 – Trendstone 8 x 16 x 4 ground face cmu, pearl
 - Secondary Building – MT-1 Morin Corp metal panel system - 18 gauge 1 ½" x 12" ribbed standing metal seam, weathered zinc SRI 33.
 - Building Accent – WD-1 – Geolam 6" wide composite wood paneling, Rosewood, Vertigo (patio inserts)
 - Storefront – SF-1 – Arcadia Dark Bronze AB-7
 - Glazing – GL-1 - Viracon 1" insulated clear glazing
 - GL-2 - Viracon1" insulated spandrel glazing shall be replaced with frosted or translucent glazing for the full window located in each bedroom.

Provide primary building colors and materials with a light reflectance value of 75 percent or less. Additions or modifications may be submitted for review during building plan check process.
16. Provide more masonry visible on the street frontages; details shall be determined prior to building permitting for specific tenants in the suites.
17. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
18. Conceal roof drainage system within the interior of the building.
19. 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.
20. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
21. 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

22. This project shall follow requirements of ZDC Part 4, Chapter 8, Lighting, unless otherwise conditioned:
 - a) Gates at the refuse enclosure shall be illuminated by a site-wall mounted or shielded pole fixture and shall provide 3 foot candles at the gate (not 5 foot candles) to reduce light levels adjacent to residents to the south.
 - b) The south row of parking shall be illuminated to 1.5 foot candles using bollards, fully shielded pole or site-wall mounted fixtures to prevent glare to the residents to the south.
 - c) Tandem spaces and spaces under the building podium shall be illuminated to 2 foot candles and not to exceed an average of 5 foot candles.
 - d) The drive aisle shall be illuminated to 1 foot candle
 - e) Exit light required for the door on the south stairwell shall be building mounted below the height of the 8' screen wall to prevent fixture glare to residents south of the alley.
 - f) Amenity deck lighting shall have no greater than an average of 5 foot candles overall, no more than 3 foot candles at egress door on south side, and no greater than a half (.5) foot candles in the planter area on the south side. Remove the southernmost 'SK' fixture to prevent light trespass and glare from fixture view from the south.
 - g) South side perimeter trees and upper amenity deck trees shall not be illuminated with festoon or holiday lighting.

23. Illuminate building entrances from dusk to dawn with 3 foot candles to assist with visual surveillance at these locations.

Landscape

24. Arterial street trees shall be a minimum of 36" box specimens and a minimum of 1 ½" caliper trunk.
25. Planters along the south side of the upper level amenity deck are 30" tall and shall utilize plants with a mature minimum height of 4' and shall be maintained for a combined planting screen height of 6' for the protection of privacy of the residents to the south. CC&Rs shall include this in the maintenance portion of the recorded document.
26. Irrigation notes:
- 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.
 - Locate valve controller in a vandal resistant housing.
 - Hardwire power source to controller (a receptacle connection is not allowed).
 - Controller valve wire conduit may be exposed if the controller remains in the mechanical yard.
27. 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.
28. Top dress planting areas with a rock or decomposed granite application. Provide rock or decomposed granite of 2" uniform thickness. Provide pre-emergence weed control application and do not underlay rock or decomposed granite application with plastic.

Building Address Numerals

29. Provide address sign(s) on all building elevations facing the street to which the property is identified.
- Conform to the following for building address signs:
 - Provide street number only, not the street name
 - Compose of 10-12" high, individual mount, metal reverse pan channel characters.
 - Self-illuminated or dedicated light source.
 - On multi-story buildings, locate no higher than the second level.
 - Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
 - Do not affix numbers or letters to elevation that might be mistaken for the address.
 - 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.

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.

DEADLINE: Development plan approval shall be void if the development is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the approval is granted or within the time stipulated by the decision-making body. 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.

CC&R'S: The owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be reviewed and placed in a form satisfactory to the Community Development Manager and City Attorney.

STANDARD DETAILS:

- Access to Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works Construction, at this link: <http://www.tempe.gov/city-hall/public-works/engineering/standards-details> or purchase book from the Public Works Engineering Division.
- Access to refuse enclosure details DS116 and DS118 and all other Development Services forms at this link: <http://www.tempe.gov/city-hall/community-development/building-safety/applications-forms>. The enclosure details are under Civil Engineering & Right of Way.

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

COMMUNICATIONS:

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

WATER CONSERVATION: 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. Contact the 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.

POLICE DEPARTMENT SECURITY REQUIREMENTS:

- Refer to Tempe City Code Section 26-70 Security Plans.
- Design building entrance(s) to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and design columns or corners to discourage ambush.
- Maintain distances of 20'-0" or greater between a pedestrian path of travel and any hidden area to allow for increased reaction time and safety.
- Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference the CPTED principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian environments and places of concealment. Provide method of override access for Police Department (punch pad or similar) to controlled access areas including pool or other gated common areas.
- The Owner is required to contact the Police Department to determine the need for a security plan for the project. The architect should be involved to verify any modification that would require design revisions. To avoid revisions to permitted construction documents, initial meetings with the Police Department regarding the security plan are recommended before building permits are issued. At a minimum, the Owner shall contact the Police Department to begin security plan process approximately eight weeks prior to receipt of certificate of occupancy.
- Provide a security vision panel at service and exit doors (except to rarely accessed equipment rooms) with a 3" wide high strength plastic or laminated glass window, located between 43" and 66" from the bottom edge of the door.

TRAFFIC ENGINEERING:

- Provide 8'-0" wide public sidewalk along both streets as required by Traffic Engineering Design Criteria and Standard Details.
- Construct driveways in public right of way in conformance with Standard Detail T-320.
- 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.

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.

CIVIL ENGINEERING:

- An Encroachment Permit or License Agreement must be obtained from the City for any projections into the right of way or crossing of a public utility easement, prior to submittal of construction documents for building permit.
- Maintain a minimum clear distance of twenty-four (24) feet between the sidewalk level and any overhead structure.
- Underground utilities except high-voltage 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 conflicts with site layout or foundation design.
- 100 year onsite retention required for this property, coordinate design with Engineering requirements.

SOLID WASTE SERVICES:

- 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. Refuse staging, collection and circulation must be on site; no backing onto or off of streets, alleys or paths of circulation.
- Develop strategy for recycling collection and pick-up from site 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.

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.

ZONING AND DEVELOPMENT CODE:

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

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:

- Trees shall be planted a minimum of 16'-0" from any existing or proposed public utility lines. The tree planting separation requirements may be reduced to no less than 8'-0" from utility lines upon the installation of a linear root barrier. Per Detail T-460, the root barrier shall be a continuous material, a minimum of 0.08" thick, installed to a minimum depth of 4'-0" below grade. The root barrier shall extend 6'-0" on either side of the tree parallel to the utility line for a minimum length of 12'-0". Final approval is subject to determination by the Public Works, Water Utilities Division.
- Prepare an existing plant inventory for the site and adjacent street frontages. The inventory may be prepared by the Landscape Architect or a plant salvage specialist. Note original locations and species of native and "protected" trees and other plants on site. Move, preserve in place, or demolish native or "protected" trees and plants per State of Arizona Agricultural Department standards. File Notice of Intent to Clear Land with the Agricultural Department. Notice of Intent to Clear Land form is available at 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 plan review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Refer to www.tempe.gov/signs.

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

HISTORY & FACTS:

1930-1953	Historic aerials show this site as agricultural use.
December 18, 1948	Maricopa County approved a Subdivision Plat for Hudson Manor Unit 1, including lots 11 and 12 on the south west corner of Apache Trail and Oak Street. The property to the south of these lots was not platted at this time.
1951	The property was annexed into the City of Tempe and zoned Business B. The property to the south remained in the County jurisdiction and not zoned.
1959	Permits issued for Hide Away Lodge, a motel.
1969	Aerial photos had a gap in images until 1969, when a hotel building on this lot and houses on Hudson Drive are visible.
January 7, 1987	Design Review Board approved building elevations, site plan and landscape plan for an update to the 12-unit motel with 37 parking spaces and a swimming pool in the C-2 zoning district. Variances were granted for parking, on-site driveway length, landscape and vehicle maneuvering. The landscape on the south side was reduced from 6' to 3' adjacent to the existing single family houses.
March 9, 1990	A second floor residence was added to the motel.

2012-2015	Code complaints about the condition of the property (graffiti, garbage, weeds, maintenance) averaged 3-4 per year, increasing to 10 complaints in 2014 with complaints about noise and police calls for service incidents occurring on site from residents living in the motel units.
November 30, 2015	Current owner purchased the property at the end of the year.
2016	The owner met with staff several times to attempt to repurpose the building with an updated landscape design and building elevations for possible changes of use; this effort was complicated by the condition of the buildings for meeting code requirements for changes to use or upgrades. The existing building would not function for hotel use and requirements for parking, retention, accessibility, utilities, and building code would be challenging for revitalization of the site.
January 2017	The owner submitted for site plan review for redevelopment of the site with the proposed project and submitted formally in March for entitlement processing.
May 23, 2017	Development Review Commission is scheduled to hear a request for a General Plan Density Map Amendment, Zoning Map Amendment, Planned Area Development, Development Plan Review and Use Permit for Tandem Parking for a new mixed-use development for APACHE AND OAK, located at 1461 E Apache Boulevard.
June 8, 2017	City Council is scheduled for a first hearing for the General Plan Density Map Amendment, Zoning Map Amendment, Planned Area Development, Development Plan Review.
July 27, 2017	City Council is scheduled for a second hearing for the requested entitlements.

ZONING AND DEVELOPMENT CODE REFERENCE:

- Section 6-302, General Plan Amendment
- Section 6-304, Zoning Map Amendment
- Section 6-305, Planned Area Development (PAD) Overlay districts
- Section 6-306, Development Plan Review
- Section 6-308, Use Permit

DEVELOPMENT PROJECT FILE

for

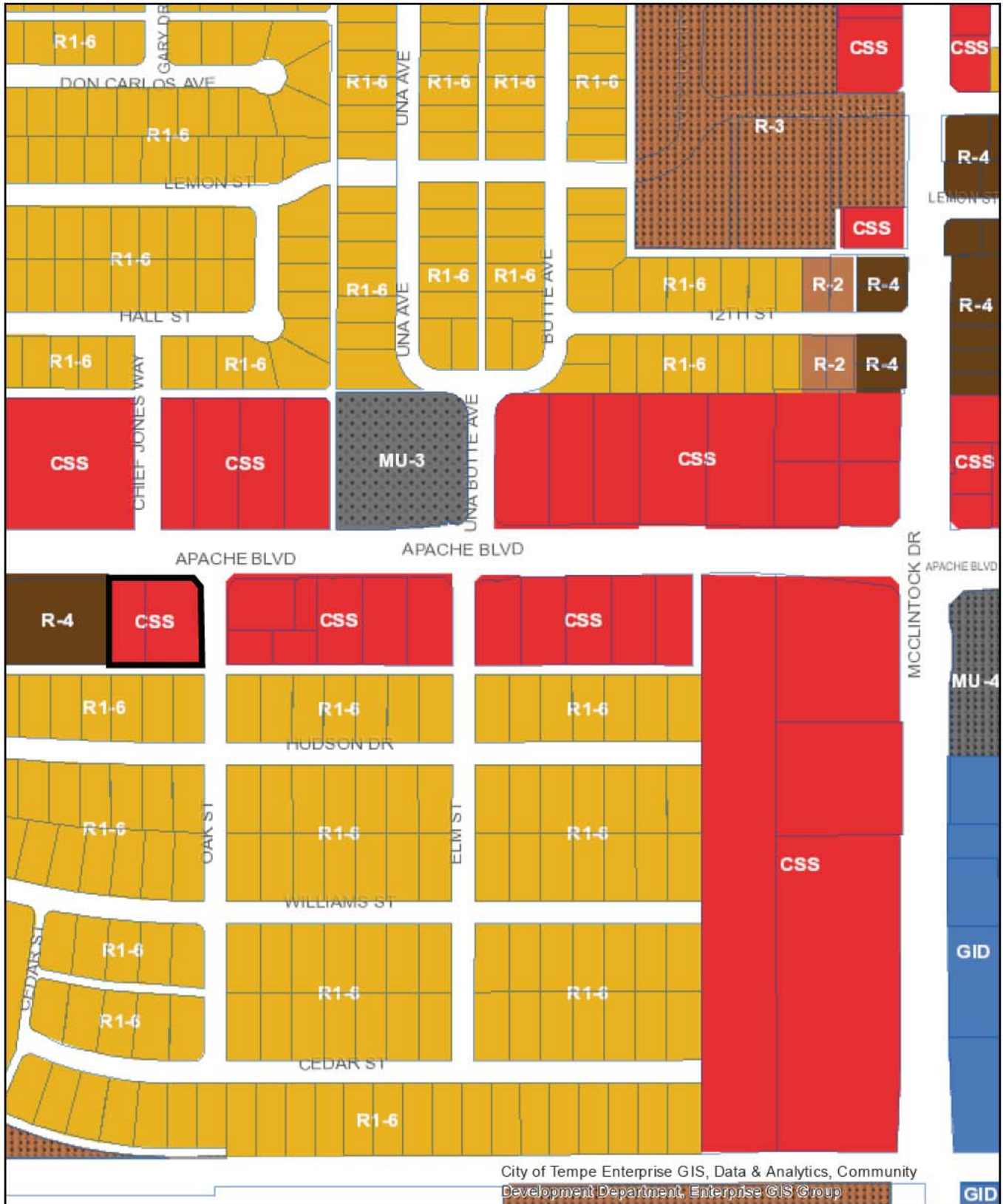
APACHE & OAK (PL160429)

ATTACHMENTS:

1. Zoning Location Map
2. Aerial
3. General Plan Land Use & Density Maps
- 4-19. Letter of Explanation
- 20-21. Planned Area Development Cover Sheet & Site Plan (PAD 1 & PAD 2)
22. Site Plan overlay on aerial (AS 101)
- 23-24. Site Context Photos (AS 102-103)
25. Site Shade Study (AS 104)
26. Lower Level Floor Plan (A100)
27. Ground Floor Level Floor Plan (A 101)
28. Second Level Floor Plan (A 102)
29. Third Level Floor Plan (A 103)
30. Fourth & Fifth Level Floor Plans (A 104)
- 31-32. North & East Building Elevations – blackline & color (A 300 & A 300 c)
33. North & East Color Street Elevations with Landscape (A 300 s)
- 34-35. South & West Building Elevations – blackline & color (A 301 & A 301 c)
36. Building Sections
- 37-39. Renderings (A 303-305)
40. Perspective views from south showing tree buffer growth at 3, 5, & 10 yr tree height)
- 41-46. Landscape Buffer Tree Selection Information with Sight Line Diagrams
- 47-48. Landscape Plans Ground Floor & Roof Deck (L101-102)
49. Hardscape Materials (L103)
50. Material Samples
- 51-57. Neighborhood Meeting Summary & Applicant Responses
- 58-80. Public Comments (provided either by applicant from neighborhood meeting or emailed to staff)
- 81-82. Waiver of Rights and Remedies

APACHE AND OAK

PL160429



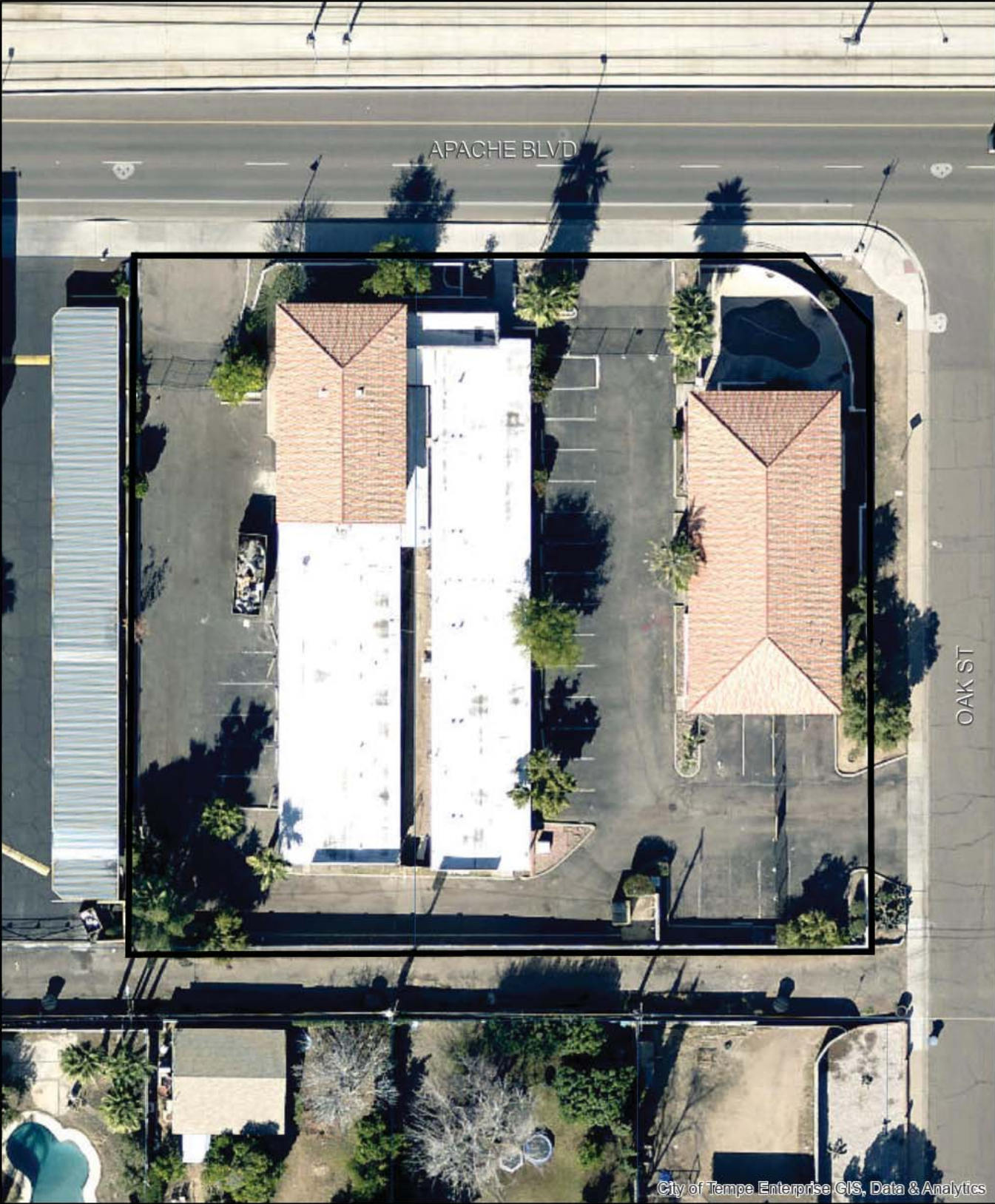
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| General Industrial District (GID) | Single-Family Residential (R1-6) |
| Mixed Use Med-High (MU-3) | Multi-Family Residential (R-2) |
| Mixed Use High (MU-4) | Multi-Family Residential Limited (R-3) |
| Commercial Shopping and Services (CSS) | Multi-Family Residential General (R-4) |

ATTACHMENT 1

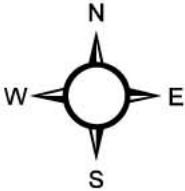


APACHE AND OAK

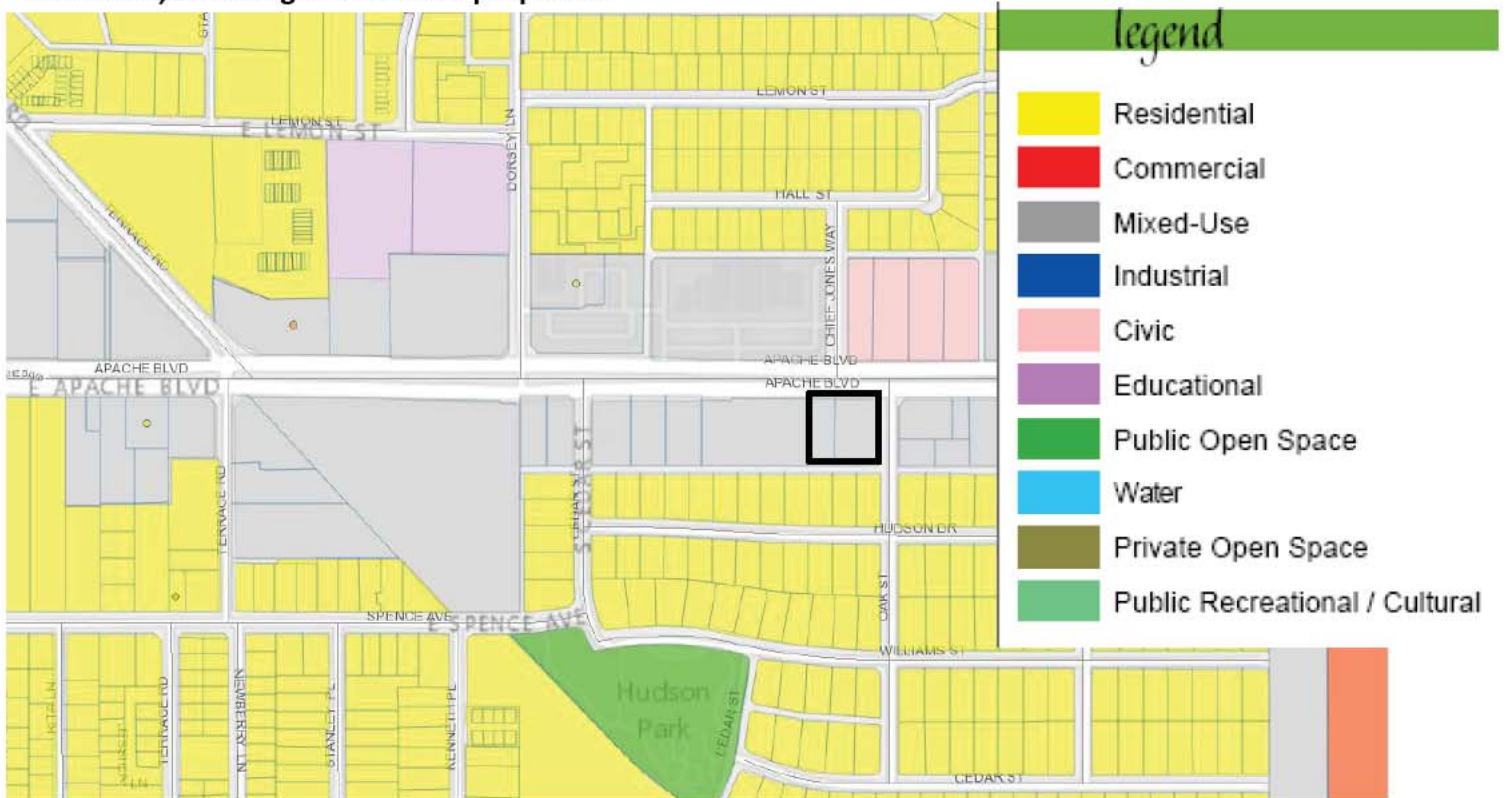
PL160429



Aerial Map



**1461 E Apache Boulevard General Plan Land Use Designation:
Mixed Use, no change to land use proposed.**



**1461 E Apache Boulevard General Plan Density Designation:
Medium High Density (up to 25 du/ac) Proposed Change from Medium High Density
To High Density (up to 65 du/ac)**



**LETTER OF EXPLANATION
FOR
GENERAL PLAN AMENDMENT, ZONING, PLANNED
AREA DEVELOPMENT OVERLAY, DEVELOPMENT
PLAN REVIEW, AND USE PERMIT REQUEST**

APACHE + OAK MIXED-USE DEVELOPMENT
City of Tempe Planning Case #PL160429

1461 E. Apache Blvd.
Tempe, AZ 85281

Cross Streets of Apache Blvd. and Oak St.

Submitted by:
Jason Boyer, AIA, LEED AP
artHAUS Projects
1729 E. Osborn Rd.
Phoenix, AZ 85016

On behalf of M & L - ARIZONA#1

Submitted to:
The City of Tempe
Community Development Department and Planning Division
31 East Fifth Street
Tempe, AZ 85281

May 01, 2017



1729 E Osborn Road
2nd Floor
Phoenix, AZ 85016
602.689.0710

arthausphx.com

01 May 2017

CITY OF TEMPE

Community Development Department and Planning Division
31 East Fifth Street
Tempe, AZ 85281

RE: LETTER OF EXPLANATION for a new transit-oriented Mixed-Use development at the SW corner of Apache Blvd. and Oak St. (1461 E. Apache Blvd.)

arthHAUS Projects is pleased to submit this Letter of Explanation on behalf of M&L Arizona #1, AZLP (the “Owner”) to the City of Tempe. arthHAUS Projects is the Owner’s Representative / Development Manager. Studio Ma is the Architect of Record. Jason Boyer is the primary point of contact for both the Development Manager and Architect.

This Letter of Explanation addresses the following five (5) concurrent Applications in the following order:

- General Plan Amendment Application to allow an increase in residential use density from medium/high to high;**
- Zoning Application to allow a maximum height of sixty-six feet (66’);**
- Planned Area Development (PAD) Overlay Application;**
- Development Plan Review Application;**
- and a Use Permit Application for tandem parking**

Property Acquisition History

The property Owner, M & L Arizona #1, AZLP, purchased the subject property on 12/4/2015 with the intent to improve the existing building assets as an income producing multi-family property. Since that time, the Owner has re-evaluated their position and now intends to redevelop the parcel into an owner-occupied residentially anchored mixed-use development.

The proposed development consists of a five (5) story building with forty-six (46) dwelling units over ground floor commercial restaurant and food/retail space totaling approximately 96,920 gross square feet of buildings on a site consisting of Parcels 1 and 2 totaling 39,012 gross sf (0.8956ac) and currently zoned Commercial Shopping and Services (CSS) located within the City of Tempe Transit Overlay District (TOD) and more specifically located within the Dorsey “Station Area” of the Apache Blvd TOD corridor. The existing parcels will be combined into a single parcel. The transit-oriented development consists of four-stories of owner-occupied residential over ground floor commercial space (restaurant, food retail) along Apache Blvd and steps down to three-story massing with ground floor commercial space and resident bicycle storage room along Oak St. The third level of the building facing Oak St includes both private residential patio use and semi-private resident rooftop amenity open space with swimming pool.

GENERAL PLAN AMENDMENT

The Tempe 2040 General Plan indicates Mixed Use for the proposed Apache + Oak project site and the neighboring sites to the West and East with Civic and Mixed-Use to the North. The development proposal requests an increase in allowable residential use density from medium-high density (25 du/ac - 22 actual units) to a proposed higher density (52 du/ac - 46 actual units). The proposed combination of high density residential over street activating commercial restaurant, food retail, and office is in general conformance with the General Plan’s contemplated Mixed-Use designation and complimentary to the Apache Blvd. Redevelopment Area.

SURROUNDING LAND USES AND ZONING

The following table indicates the existing use, the projects General Plan land use and Zoning classification of the parcels surrounding the Project Site.

Location	Existing Use	General Plan Use	Zoning
North	Vacant Grocery	Mixed Use	CSS TOD
North	Fire Station	Civic	CSS TOD
South	SFR	SFR	R1-6
East	Commercial	Mixed Use	CSS TOD
West	Multi-family	Mixed Use	R-4
Project Site	Vacant Motel	Mixed Use	CSS TOD

GENERAL PLAN AMENDMENT CRITERIA

The following are the Land Use Principles in the Land Use Element of the General Plan (noted in italics followed by our response).

a. *Describe the public benefit of the proposed amendment in terms of increase/decrease in intensity and its impact on adjacent land uses versus the impact of the present land use designation.*

Without the proposed General Plan Amendment, the property will remain a blighted unoccupied motel and the property will be placed back on the market for-sale. The development proposal and accompanying General Plan amendment provides both direct and indirect public benefit. In the short term, there is direct public benefit in that the development is projected to be complete in late 2019 to early 2020 and will increase the tax base, introduce a distinctive mixed-use in-fill development to the Apache Blvd Redevelopment Area, and improve the neighborhood amenities by providing street activated restaurant and food/retail uses; part of a largely open ground plane with only 17% Building Lot Coverage and Right-of-Way improvements to Apache Boulevard and Oak Street.

Long term, the indirect public benefit is significant, providing much needed distinctive high density for-sale residential that supports sustainable economic growth and incentive to adjacent neighborhood property owners to invest in revitalization of their own properties. The development is walkable, bike-able, and within immediate light-rail proximity to employment, entertainment and pedestrian activity that encourages interaction and creates an urban environment that contributes to a hub as described within the 2040 General Plan. The requested amendment also reinforcing the importance of land use and transportation relationships. Long Term Land Use Principles implemented with the proposed amendment will support the City of Tempe attain the following objectives of the General Plan:

- Intensify higher density mixed-use redevelopment within hubs located along the TOD Growth Corridor and in this case specifically a higher density hub around Dorsey Station;
- Provides an emphasis on urban open space within the Dorsey Station hub with minimal Building Lot Coverage (17%) made up of street activated Mixed-Use including restaurant, food retail, and office space;
- Eliminates a vacant 2-story motel and in-fills the site with a distinctive mixed-use development within the Apache Blvd. Dorsey Station area;
- The Site is convenient to nearby neighborhood commercial spaces including the grocery across the street;
- Provides multi-family for-sale housing balance in a neighborhood populated by SFR owner-occupied and renter occupied and multi-family for rent developments;
- Provides efficient land-use locating density along Apache Blvd. that steps down along Oak Street transitioning to the SFR Hudson Manor neighborhood to the South.
- Provides compact in-fill development that supports healthy lifestyles and contributes to making Tempe a 20-minute city.

b. *Describe the public benefit of the proposed amendment in terms of impact on the city's infrastructure (i.e. water, sewer, utilities, streets, in terms of anticipated traffic generation, projected carrying capacity, projected volume, availability of transit, need for additional access, or city services such as fire and police staffing and response times, etc.) versus the impact of the present land use designation.*

The present land use includes two (2) unoccupied 2-story motel buildings that do not represent highest and best use for the property or neighborhood. Removal of the current unsafe buildings will alleviate crime and fire hazards in the immediate neighborhood and provide a high-quality

transit-oriented mixed-use development integrated into the Metro light-rail Station Area to the West of the property along Apache Blvd. Existing connections to city infrastructure will be improved and/or abandoned and replaced with a more energy efficient building that uses sustainable infrastructure and retains 100% of its on-site storm water.

c. Describe the proposed development quality of life in terms of how its components reflect unique site design, building design, landscaping and parking; integrate or provide access between varied uses; deal creatively with multi-modal transportation; and reduce/eliminate physical barriers, as well as provide residential, employment, shopping and local services.

The development proposal includes a diversity of residential unit sizes ranging from studios to two bedrooms with the ability to combine units to create three-bedroom homes reflecting the need for market flexibility and long-term desires of a complete and diverse live/work/play resident community. With the increased density and traffic congestion within the Downtown Tempe urban core, the Apache Character Area will become an increasingly important corridor for Tempe residents seeking to be Urban Core adjacent. The Apache + Oak development proposal delivers an architecturally distinctive streetscape activated mixed-use living community that compliments public transportation infrastructure investment and sensitively integrates into the immediate surroundings. Additional narrative providing details on site design, building design, parking, and integrated food retail and commercial amenities can be found in the earlier narrative.

d. Describe the use of open space, parks or green belts, and how the development separates, as well as links, residential and nonresidential components, if the proposed development incorporates a residential component. If applicable, describe how the proposed development impacts existing parks.

At the ground plane, the building massing is articulated with a strong pedestrian activated base incorporating internal site pedestrian connectivity both from Apache Blvd, which is located within 400' from the Dorsey Station Area and Oak St. Ground floor streetscape uses anticipate a future tenant occupied restaurant, a coffee shop, and a small commercial amenity space for office or retail. The streetscape along Apache Blvd. is further activated by the inclusion of a pocket park open to both Apache Blvd and Oak Street and includes a pet watering station, connection to the adjacent restaurant indoor and outdoor dining spaces, casual seating around the corner coffee shop, and bicycle parking. All ground floor spaces have their own identity and yet they are connected by the hardscape and landscape "muse" or open space network that pulls pedestrians, residents, and neighboring residents into and through the site.

The Apache + Oak site is within a 0.3 miles of Hudson Park located at 1430 S Cedar Street and within 0.5 miles from Creamery Park located at 1520 E 8th St. It is reasonable to believe that residents of 1461 Apache Blvd. will utilize City of Tempe's parks system just as their neighboring single family homeowners and home renters do today. The new residents will pay taxes that support the existence and maintenance of those park spaces.

e. Describe the proposed development in terms of supporting regional and local transit objectives for arterial streets; implementing the goals and objectives of the transit plan; describe the internal street system in terms of supporting the above goals and objectives and incorporating uniquely designed transit facilities along the arterial streets.

The development proposal is located with the Apache Blvd Redevelopment Area and within 400' of a Metro light-rail Station Area. The development proposal provides both attainable multi-family housing of diverse income ranges and much-needed food retail and commercial activated streetscape space along Apache Blvd.

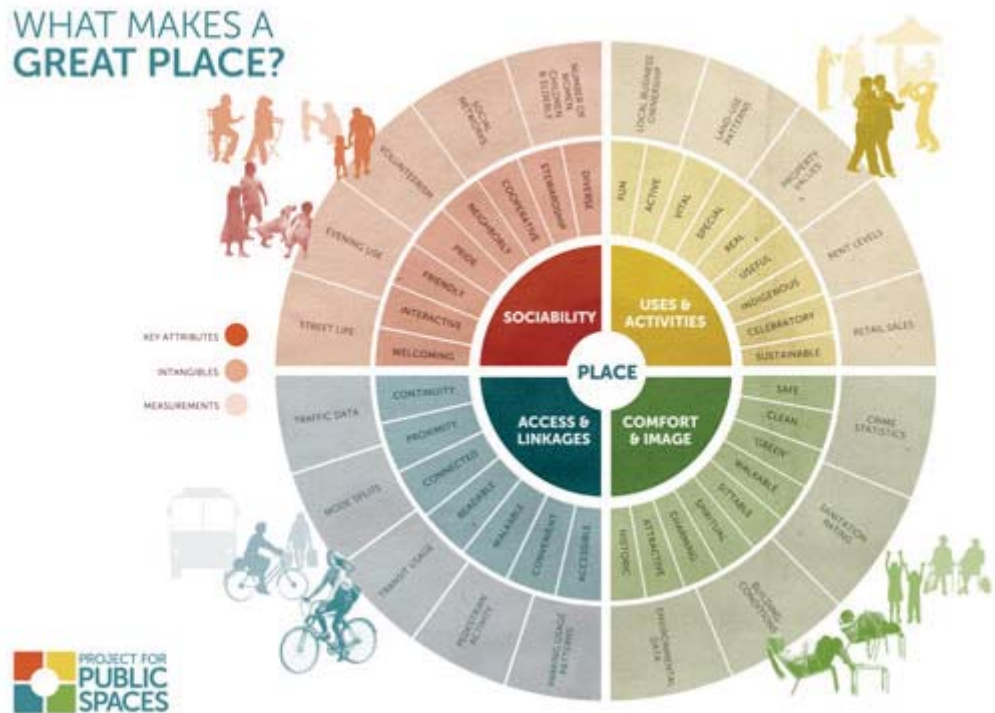
f. Describe the proposed amendment in terms of effects on the school districts (enrollments and facilities).

Single parents with children and families may consider the Apache + Oak development an attractive living option. The development proposal includes up to forty-six (46) dwelling owner-occupied residential units. Unit sizes vary from studios to two-bedrooms and can be combined (market

demand permitting) into three-bedroom homes. Minimal demand for public schools will be generated through the development.

g. Identify additional quality of life components of the proposal to justify an Amendment.

With the increased density and traffic congestion within the Downtown Tempe urban core, the Apache Character Area will become an increasingly important lifestyle hub for Tempe residents seeking to be urban core adjacent. The Apache + Oak development proposal delivers an architecturally distinctive mixed-use living community that compliments public transportation infrastructure investment and contributes to the Apache Corridor’s sense of place.



A myriad of quality of life components contribute to the creation of a memorable “Place”, among them the following summarize the lifestyle impact of the development proposal:

- The development proposal activates both Apache Boulevard and Oak Street by engaging the pedestrian experience to present a welcoming and safe environment.
- The development proposal leverages the power of what already exists - it promotes neighborhood connections, celebrates community, and offers a sustainable footprint that increases long-term property values and boosts adjacent redevelopment efforts.
- The development proposal is well designed - Elegantly positioned on its site, sensitive to its neighboring context and simply understood as an attractive component of the City of Tempe.
- The development proposal is connected to transit and elevates walkability over vehicular access.

ZONING MAP AMENDMENT

Current Zoning (CSS w/ TOD overlay) allows for multi-family residential of 25 dwelling units per acre with a use permit. We are requesting a rezoning of the property to MU-4 TOD and a General Plan Amendment to support Density of 52 du/ac.



Map of existing zoning related to subject property (1461 E. Apache Blvd.)

EXISTING

Zoning	Lot Coverage	DU/AC	Max. Height
CSS (TOD Station Area)	75% max	25	45' (54' w/ use permit)

APPLICATION REQUEST

Zoning	Lot Coverage	DU/AC	Max. Height
MU-4 (TOD Station Area)	17%	52	66'-0"

SURROUNDING LAND USES AND ZONING

The table below indicates the existing use, the projected 2040 General Plan land use and current zoning classification of the parcels surrounding the Project Site.

Location	Existing Use	Existing Zoning	General Plan
North	Vacant Grocery	CSS TOD	Mixed Use
North	Fire Station	CSS TOD	Civic and Mixed Use
South	Single Family Residential	R1-6	R1-6
East	Commercial	CSS TOD	Mixed Use
West	Multi-family	R-4	Mixed Use
Project Site	Vacant Motel	CSS TOD	Mixed Use

The following Tempe 2040 General Plan Goals and Objectives are demonstrated within the Apache + Oak development proposal. The narrative provided below highlights specific elements of our proposal that establish general consistency and conformance with the elements of the General Plan:

LAND USE ELEMENT

The Tempe 2040 General Plan indicates Mixed Use for the proposed Project site and the neighboring properties to the West and East. The development proposal requests a Zoning Map Amendment from the current zoning of CSS w/ TOD overlay to MU-4 TOD zoning which would support a Transit-Oriented Mixed-Use development consisting of forty-six (46) residential units located over much needed ground level activated Commercial spaces such as food retail w/ below-grade structured parking for residents and sensitively integrated on-site and on-street parking for commercial and residential guests.

The Tempe 2040 General Plan indicates a projected density on the Project site characterized as Medium to High Density (up to 25 du/ac). The development proposal requests a PAD to allow a density of 52 du/ac configured on a compact 39,012 net sf (.8956 acre) site with a five-story building mass along Apache Blvd that steps down to two-stories with a third-level loft and resident amenity roof deck along Oak St. The building massing is positioned so much of the building height and density (91% or 42 of the proposed 46 residential units) are located along Apache Blvd. and then step down toward the neighboring single family residential to the South for scale compatibility and efficient use of the compact land area.

COMMUNITY DESIGN ELEMENT

The Apache + Oak development proposal creates a recognizable place for neighbors and residents alike by integrating usable public spaces at the Apache streetscape and internal to the site through the incorporation of a pedestrian muse intended to be an inviting, comfortable shaded place.

The building design provides interest within the sculpted façade and is further animated by the expression of indoor/outdoor occupied spaces throughout the building elevations marked using carved forms and timeless material choices. The building massing is sensitive to the neighboring single family residential community to the south through the integrated massing step back and reduced building height along Oak Street.

The site plan integrates pedestrian friendly elements along Apache that benefit from the Metro light-rail Dorsey Station Area located within 400' to the West of the property along Apache Blvd.

The building orientation is predominately North/South facing responding directly to preferred SW climate orientation and locate much needed mixed-use food activated retail spaces along Apache Blvd marked by a generous sidewalk and shaded building arcade with defined outdoor patio space. This streetscape combined with the internal pedestrian muse that connects through the site provides numerous opportunities for pedestrian interaction and observation.

As noted prior, the development will meet sustainable guidelines including energy efficient criteria of Energy Star and LEED for Homes, promoting technology integration and a whole-building approach to resident environmental health: through sustainable site development, water savings, energy efficiency, quality material selections and indoor environmental quality.

HISTORIC PRESERVATION ELEMENT

The site for the proposed development will eliminate two (2) existing blighted and vacant motel buildings with no redeeming historic qualities or architectural value.

NEIGHBORHOOD REVITALIZATION AND REDEVELOPMENT ELEMENT

The development proposal is located within the Apache Blvd. Redevelopment Area. The property Owner, M & L Arizona #1, purchased the subject property on 12/4/15 with the intent to improve the existing building assets as an income producing multi-family property. Since that time, the Owner has re-evaluated their position and now intends to redevelop the parcel into a for-sale residentially anchored transit-oriented mixed-use development. This decision represents a significant investment in the City of Tempe which will ultimately serve to improve the quality of life, creating a ripple effect for quality development that delivers an architecturally unique building with much-needed amenity food anchored retail in immediate proximity to a Metro light-rail Station Area.

HOUSING ELEMENT

The project contemplates the development of forty-six (46) owner-occupied residential units over ground floor commercial space and underground parking totaling approximately 96,920 gross square feet. Unit sizes vary from small-scale studios to two-bedrooms capable of being combined (market conditions permitting) into three-bedroom homes. The range of unit sizes provides opportunities for an attainable and transit connected housing choice near the downtown core.

ECONOMIC DEVELOPMENT ELEMENT

The Apache + Oak development directly appeals to creative class workers. One of the keys to attracting businesses and employers that provide jobs paying at or above the regional average is a diverse and unique housing stock – Apache + Oak delivers that and more with an exceptional quality of life for those looking for attainable transit-connected housing near the Downtown Core.

GROWTH AREA ELEMENT

The Apache + Oak development proposal delivers architecturally significant mixed-use development along the Rail Corridor Growth Area that will help to maximize the public investment in the nearby (within 400') Station Area. This is important because the Project provides redevelopment housing opportunities for Tempe-based employment centers such as the 8,000 new

workers at the State Farm regional headquarters campus. In addition, the project will encourage additional reinvestment in the surrounding neighborhoods of the Apache Blvd Character Area.

COST OF DEVELOPMENT ELEMENT

The development proposal replaces a slum and blighted property with two (2) un-safe buildings on it today. The project is subject to City of Tempe General Government Development Fees in the range of \$50,000 - \$75,000.

PEDESTRIAN AND BICYCLE ELEMENT

At the ground plane, the streetscape along Apache Blvd. is activated by the inclusion of open space defined by outdoor dining areas and casual seating around the corner coffee shop location. All ground floor spaces have their own identify and yet they are connected by the hardscape and landscape "muse" that pulls pedestrians into and through the site. The resident entry is located internal to site along the north/south open space muse that connects the on-street parking through to the commercial space along Apache Blvd. Lighting is sensitively integrated into the building architecture and the landscape palette complements both the ground level commercial space while appropriately buffering the single family residential to the South of the property.

Bicycle parking is integrated along the Apache streetscape and building residents are encouraged to use the integrated resident bicycle storage area provided within the development.

TRANSIT and TRAVELWAYS ELEMENT

The development proposal is within 400' of the Dorsey Station Area and Apache Blvd TOD hub area. Without the prior public investment in the Station Area, this level of qualitative development would not be possible,

PARKING and ACCESS MANAGEMENT ELEMENT

Vehicular circulation is designed to separate resident underground parking from commercial and resident guest parking both on-site and on-street along Oak Street. The resident underground access is carefully tucked under the building with discrete yet controlled vehicle access that places a priority on through-site shaded pedestrian circulation first, and vehicle on-site parking storage second. The result is a pedestrian friendly experience that supports neighborhood and transit interconnectivity. The ground plane design incorporates site lighting, and landscape strategies that support CPTED principles.

AVIATION ELEMENT

Located along the Tempe transit corridor the development proposal provides much needed attainable housing connected to the Phoenix Sky Harbor Airport. We do not believe the development site to be within an airport sensitive noise zone and the site is not affected by the FAA restricted height cone.

CONSERVATION ELEMENT

As noted prior, the development will meet sustainable guidelines including energy efficient criteria of Energy Star and LEED for Homes, promoting technology integration and a whole-building approach to resident environmental health: through sustainable site development, water savings, energy efficiency, quality material selections and indoor environmental quality.

ENVIRONMENTAL PLANNING ELEMENT

Located within 400' from a Metro light-rail Station Area residents will benefit from lower vehicle Miles traveled (VMT) to where the work and play in the Downtown Core. Resident bicycles and EV-charging stations for resident and guest vehicles are all sensitively accommodated within the boundary of the surface parking lot and internal to the resident underground parking structure. Lastly with 66% of the site area shaded by building and landscape shade coverage the design solution will contributed to reduced heat island affect within the Apache Blvd Redevelopment Area.

WATER RESOURCES ELEMENT

The proposed building uses will incorporate low-water use fixtures consistent with current building codes adopted by the City of Tempe.

OPEN SPACE ELEMENT

In urban areas, providing and connecting to open space is important to the everyday quality of life. The streetscape along Apache Blvd. is activated by the inclusion of open space defined by outdoor dining areas and casual seating around the corner coffee shop location. All ground floor spaces have their own identify and are connected by a hardscape and landscape “muse” or open space network that pulls pedestrians, residents, and neighboring residents into and through the site. In addition, residents have access to a third-floor amenity roof deck that includes a swimming pool, fire pit, and outdoor BBQ with shaded community table.

RECREATION and CULTURAL ELEMENTS

The Apache + Oak development proposal does not include an on-site gym as we believe the City of Tempe provides some of the best parks and recreation opportunities in the Valley. Residents are encouraged to use the City parks and recreation system and engage with local service amenity business for yoga, spin, and exercise.

Similarly, the arts and cultural amenities of the City of Tempe are among the best in the Southwest and Mountain States Region of the United States. Our development and sales and marketing team will actively seek opportunities to connect with these organizations as we believe in the value of the Arts.

PUBLIC SAFETY ELEMENT

The ground plane design incorporates site lighting, and landscape strategies that support crime prevention through environmental design (CPTED) principles.

DEVELOPMENT PLAN REVIEW

The project proposes the development of a five (5) story building with up to forty-six (46) dwelling units over ground floor commercial space totaling approximately 96,920 gross square feet of buildings on a site consisting of Parcels 1 and 2 totaling 39,012 gross sf (0.8956ac) and currently zoned Commercial Shopping and Services (CSS) located within the City of Tempe Transit Overlay District (TOD). The site is located within the Dorsey “Station Area” of the Apache Blvd TOD corridor. The existing parcels will be combined into a single parcel. The transit-oriented development consists of four-stories of owner-occupied residential over ground floor commercial space (restaurant, food retail) along Apache Blvd and steps down to three-story massing with ground floor commercial space and resident bicycle storage room along Oak St. The third level of the building facing Oak St includes both private residential patio use and semi-private resident rooftop amenity open space with swimming pool.

The building massing is positioned so much of the building height and density locates along Apache Blvd. and then steps down toward the neighboring single family residential to the South. At the ground plane, the building massing is articulated with a strong pedestrian activated base incorporating internal site pedestrian connectivity both from Apache Blvd, which is located within 400’ from a Station Area and Oak St. Ground floor streetscape uses anticipate a future tenant occupied restaurant, a coffee shop, and a small commercial amenity space for office or retail. The streetscape along Apache Blvd. is further activated by the inclusion of defined outdoor dining areas and casual seating around the corner coffee shop location. All ground floor spaces have their own identify and yet they are connected by the hardscape and landscape “muse” that pulls pedestrians into and through the site. The resident entry is located internal to site along the north/south muse that connects the on-street parking through to the commercial space along Apache Blvd.



View of South Elevation with massing step down to neighborhood

The building elevations are articulated by a strong horizontal delineation of bottom, middle, top. Windows and resident balconies are then located within a three-dimensionally sculpted building mass that creates a sense of movement throughout the day, animated by light and shadow. Resident balconies are marked by tapered accent walls and ceilings that revealing outdoor space within the building elevations.



View looking Southwest toward the corner of Apache Blvd. + Oak St. w/ street activated restaurant and food retail

The building massing and inclusion of landscape throughout the on-site surface parking area combine to mitigate heat island affect and provide an overall increased level of comfort for pedestrians at the activated ground plane. Building materials include site anchored ground-faced concrete masonry units, high-performance glass, drainable exterior insulated synthetic finish system, metal panels, and engineered wood horizontal planks. The materials combine to create a comfortably modern timeless image for the building.



North building elevation w/ sculpted massing and indoor/outdoor spaces animate the facade

Vehicular circulation is designed to separate resident underground parking from commercial and resident guest parking both on-site and along the improved Oak Street West edge. Resident underground access is carefully tucked under the building with discrete yet controlled vehicle access that places a priority on through-site shaded pedestrian circulation first, and vehicle on-site parking storage second. The result is a pedestrian friendly experience that supports neighborhood and transit interconnectivity. The ground plane design incorporates site lighting, and landscape strategies that support CPTED principles. Lighting is sensitively integrated into the building architecture and the landscape palette complements both the ground level commercial space while appropriately buffering the single family residential to the South of the property.

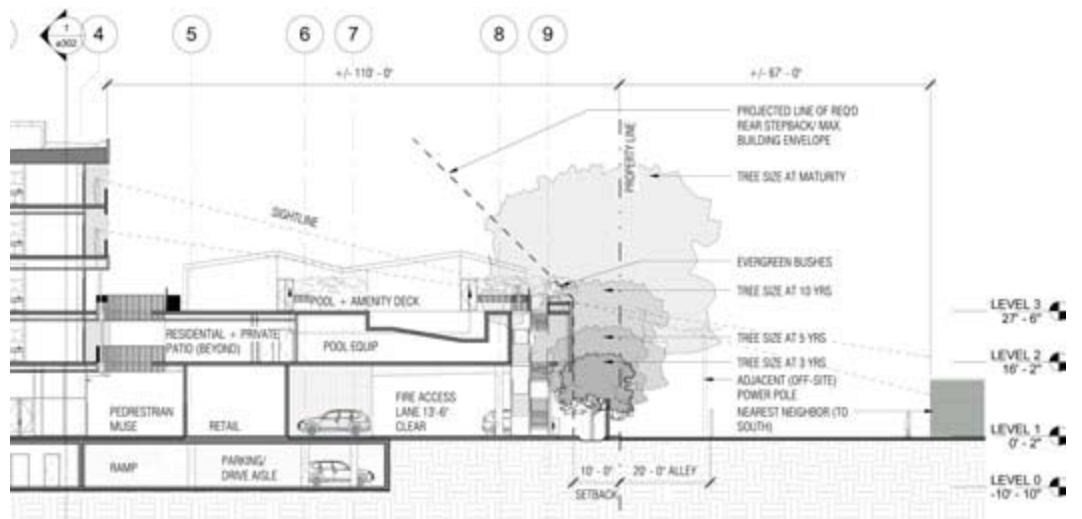
The development will meet the energy efficient criteria of Energy Star and LEED for Homes, promoting technology integration and a whole-building approach to resident environmental health: through sustainable site development, water savings, energy efficiency, quality material selections and indoor environmental quality. Resident bicycles and EV-charging stations for resident and commercial guest vehicles are all sensitively accommodated within the boundary of the surface parking lot and internal to the resident underground parking structure.

PLANNED AREA DEVELOPMENT OVERLAY

The Tempe 2040 General Plan indicates Mixed Use for the proposed Apache + Oak site and adjacent sites to the West (existing R-4) and East (existing Commercial Shopping). The development proposal requests a PAD to include a Transit-Oriented Mixed-Use development consisting of forty-six (46) residential units located over ground level street-activated restaurant and food retail spaces w/ below-grade structured parking for residents and sensitively integrated on-site and on-street parking for commercial and resident guests.

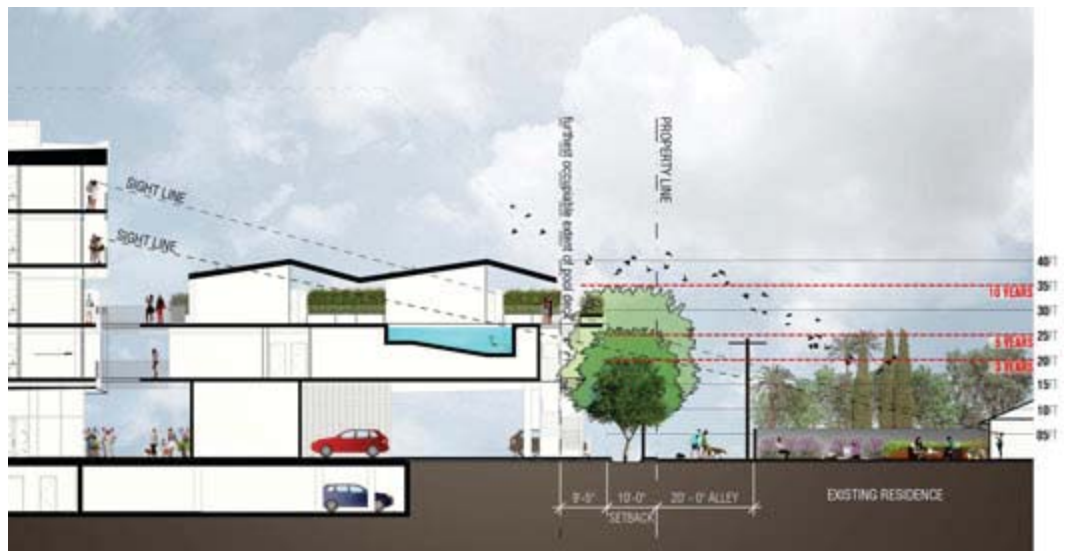
The Tempe 2040 General Plan indicates a projected density on the Apache + Oak site characterized as Medium to High Density (up to 25 du/ac). The development proposal requests a PAD to allow a density of 52 du/ac configured on a compact 39,012 net sf (.8956 acre) site with a five-story building mass along Apache Blvd that steps down to three-stories including a resident amenity roof deck along Oak St. The building massing is positioned so much of the building height and density (91% or 42 of the proposed 46 residential units) are located along Apache Blvd. and then step down, transitioning to the Hudson Manor neighborhood to the South.

The development proposal includes a diversity of residential unit sizes ranging from studios to two bedroom units with the ability to combine units to create three-bedroom homes reflecting the need for market flexibility and long-term desires of a complete and diverse live/work/play resident community. With the increased density and traffic congestion within the Downtown Tempe urban core, the Apache Character Area will become an increasingly important corridor for Tempe residents seeking to be Urban Core adjacent. The Apache + Oak development proposal delivers an architecturally unique street activated mixed-use community that compliments public transportation infrastructure investment and sensitively integrates into the immediate surroundings through the reduced use intensity and height that transitions to the South.



Most of the South property edge is open space with 42 of the proposed 46 units held approximately 110' away from our South property line. Including the adjacent alley and back yard setbacks of the Hudson Manor neighborhood, the proposed 5-story massing of the building is located more than 170 feet to the South.

Fast-growing dense shade trees are proposed to line the South Property edge to mitigate and within 5 years of completion eliminate any view shed from the 4th and 5th floor residential units to the backyards of our single-family neighbors. The semi-private pool amenity is completely screened from view to the neighbors due to additional setback, third-floor landscape perimeter screening and the dense shade tree buffer at the South property edge.



Section illustrating shade tree buffer at South property line

At the ground plane, the building massing is articulated with a strong pedestrian activated base incorporating internal site pedestrian connectivity from both Apache Blvd, located within 400' of the Dorsey Station Area, and Oak St. Ground floor streetscape uses anticipate a future tenant occupied restaurant, a coffee shop, and a small commercial amenity space for office or retail. The streetscape along Apache Blvd. is further activated by the inclusion of open space defined by outdoor dining areas and casual seating around the corner coffee shop location. All ground floor spaces have their own identify and are connected by the hardscape and landscape "muse" that pulls pedestrians into and through the site. The resident entry is located internal to site along the north/south muse that connects the on-street parking through to the restaurant and food retail space along Apache Blvd.

The Apache + Oak development proposal meets the Rail Corridor Growth Area objectives in the following ways.

- The proposal promotes livable and sustainable neighborhoods along the Apache Boulevard Redevelopment Area locating a diverse scale of much needed owner-occupied housing on what is today a blighted unoccupied property.
- The proposal, located within 400' of a Valley Metro light-rail Dorsey Station Area, promotes the use of alternative modes of transportation by activating the streetscape along Apache Blvd and Oak Street with commercial uses complimentary to the neighborhood such as walking, bicycling, and light rail; Resident bicycles and EV-charging stations for resident and commercial guest vehicles are sensitively accommodated within the boundary of the surface parking lot and internal to the resident underground parking structure.
- The proposal presents a high-quality urban design that attracts and encourages pedestrian activity on-site and connected through to the surrounding neighborhoods. The ground floor open space creates an opportunity for community to convene around the proposed tenant occupied restaurant, coffee-shop and commercial uses. Building massing locates density along Apache Blvd that steps down along Oak Street to be compatible with the single-family neighborhood scale to the South.
- The proposal achieves a compact and architecturally significant design solution conducive to walking, bicycling, and transit use. Vehicular circulation is designed to separate resident underground parking from commercial and resident guest parking both on-site and on-street along Oak Street. The resident underground access is carefully tucked under the building with discrete yet controlled vehicle access that places a priority on through-site shaded pedestrian circulation first, and vehicle on-site parking storage second. The result is a pedestrian friendly experience that supports neighborhood and transit interconnectivity. The ground plane design incorporates site lighting, and landscape strategies that support CPTED principles. Lighting is sensitively integrated into the building architecture and the landscape palette complements both the ground

level commercial space while appropriately buffering the single family residential to the South of the property.

Finally, the property is located within the Rail Corridor Growth Area designated by the General Plan, as noted below.



Rail Corridor Growth Area Map

USE PERMIT APPROVAL CRITERIA

The property developer, M & L - Arizona#1, is seeking a Use Permit to allow tandem parking for the commercial restaurant/retail uses. Specifically:

A Use Permit to allow Six (6) tandem parking spaces; the equivalent of Twelve (12) total spaces on-site to support the restaurant and food retail space, and

As established in Section 6-308 of the City of Tempe Zoning and Development Code, a use permit shall be granted only upon a finding by the decision-making body, that the use covered by the permit, the manner of its conduct, and any building which is involved, 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 that the use will be in full conformity to any conditions, requirements, or standards prescribed therefore by this Code.

The proposed tandem parking will not be detrimental to the public health, safety or welfare of the Community. It does not create a risk for hazard, nuisance or damage from explosion, fire, smoke, dust, contamination or vibration. The proposed use for this Property is intended for owner-occupied residential, ground floor restaurant and food retail businesses. The purpose of the tandem parking is to provide the most possible on-site parking for the proposed restaurant use which is over and above the minimum requirements of the TOD Overlay area. The tandem parking will be reserved for restaurant parking and managed by a valet during the daily peak occupancy hours (anticipated to be Tuesday thru Saturday 4-9pm). The use of a managed valet service is a best-practice solution for popular neighborhood restaurants located in established residential neighborhoods throughout the Phoenix Metropolitan area. The requested use will ease traffic flow and is intended to not be detrimental to the adjacent neighborhood and community.

PARKING ANALYSIS

Use	Required # Spaces	Provided # Spaces
RESTAURANT		
Restaurant	24.83	32 surface including 6 tandem, and 4 street
Outdoor Patio	0	incl.
COMERCIAL		
Office	1.62	2 street
RESIDENTIAL		
Guest	9.2	10 surface
Studio	15	6 gated underground/ 9 surface
1 Bedroom	8	8 gated underground
2 Bedroom	18	36 gated underground
3 Bedroom	0	0
TOTAL	84	103

Additionally, the following Use Permit criteria must be met:

1. *The proposed use will not cause a significant vehicular or pedestrian traffic in adjacent areas;*

The tandem parking request is limited to a select area of on-site surface parking (twelve total spaces) intended to be staffed by valet service during restaurant and food retail operating hours. Valet service has become a safe and effective common practice for restaurant locations throughout the Valley.

2. *The proposed use will not cause any nuisance (odor, dust, gas, noise, vibration, smoke, heat or glare, etc.) exceeding that of ambient conditions;*

By providing the most possible on-site parking, through the proposed tandem parking solution), we are proactively trying to limit the potential over-flow parking and traffic impact to the adjacent Hudson Manor neighborhood to the South. The site parking area is sufficiently buffered by an 8' tall wall to the neighboring single family homes and the site includes a landscape buffer to the to the South that will within 3-5 years of completion completely buffer the neighboring residents from resident guests and neighbors parking to use the ground activated uses provided within the development. Accordingly, there will be no emission of odor, dust, gas, noise, vibration, smoke, heat or glare from the proposed facility exceeding that of ambient conditions.

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

The proposed use will have a positive aesthetic impact on the immediate area and increase property values. Moreover, we fully expect our investment will spur other investment and development along Apache Blvd. Additionally, as discussed above, the Project is not a conflict with the goals, objectives and policies of the City of Tempe General Plan 2040.

4. *The proposes use will be compatible with the existing surrounding structures;*

The proposed development will replace a blighted motel property surrounded by other mixed use, residential, and commercially developed properties. The architecture and scale are consistent with the established vision of the 2040 General Plan and Apache Blvd. Character Area. Traffic to the site resulting from the development of the Project will be consistent with other potential mixed use and retail uses and, the building architecture is timeless and sets a new bar for progressive mixed use developments planned in the vicinity.

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

As previously mentioned, the tandem parking and bicycle parking locations are intended to manage pedestrian and vehicular storage on site without impact to the single family residential neighborhoods to the South. The tandem parking use will be managed by valet service during operating hours of the restaurant and food retail amenities located along the Apache Blvd. streetscape. Additionally, the Property will be monitored by security cameras 24-hours a day.

CONCLUSION

The proposed project embodies the principals of “placemaking” and transit oriented infill development captured within the 2040 General Plan. By redeveloping a vacant motel property with a new smart-modern owner occupied high-density residential anchored mixed-use development we are helping to conserve land by promoting compact development and environmental stewardship. The result will erase a blighted vacant property and deliver a new and diverse resident base that generates tax dollars contributing to the overall economic health and housing diversity of Tempe, Maricopa County and the State of Arizona.

The development team looks forward to working with the City of Tempe to make the vision for this Project a reality. We look forward to receiving input on our applications. If approved, these requests will bring much needed attainable housing diversity to the Apache Blvd. Redevelopment Area. We look forward to talking to you about this proposal in the near future.

PROJECT DEVELOPMENT TEAM

Applicant / Development Manager	artHAUS Projects Jason Boyer, AIA, LEED AP 1729 E Osborn Rd Phoenix, AZ 85016 602-689-0710
Owner	M&L Arizona #1, AZLP David Cameron and Arthur Misaki 31438 Castaic Road Castaic, CA 91384 619-840-5462 / 818-429-3200
Architect	Studio Ma Jason Boyer, AIA, LEED AP 130 N Central, Suite 300 Phoenix, AZ 85004 602-689-0710
Landscape Architect	Floor Associates Kris Floor, ASLA 1425 N 1 st St Phoenix, AZ 85004 602-462-1426
Civil Engineer	Dibble Engineering Shannon Canecchia, PE 7500 N Dreamy Draw Drive, Suite 200 Phoenix, AZ 85020 602-957-1155
Electrical Engineer	Woodward Engineering Doug Woodward, PE 203 S. Smith Road Tempe, AZ 85281 480-894-4057

PLANNED AREA DEVELOPMENT OVERLAY FOR APACHE AND OAK

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23, T1N, R4E, G&SRB&M,
MARICOPA COUNTY, ARIZONA

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 2017 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HERELUNTO SET MY HAND AND OFFICIAL SEAL

BY: _____
NOTARY PUBLIC MY COMMISSION EXPRESS

ARTHUR MISAKI for M & L - ARIZONA #1, AZLP

BY: _____
SIGNATURE DATE

ITS: MANAGER

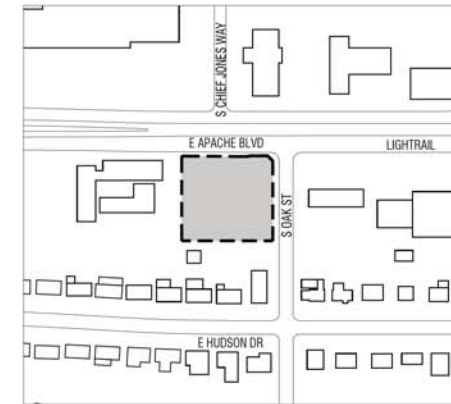
OWNER/DEVELOPER

M & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CA 91384
CONTACT:
ARTHUR MISAKI
818-429-4200

PROJECT DATA

ZONING DISTRICTS AND OVERLAYS TABLE 4-203B, 5-611B	PAD PROVIDED MU-4 (TOD STATION AREA)
GENERAL PLANNED LAND USE GENERAL PLAN DENSITY	MIXED USE HIGH DENSITY (up to 65 du/ac)
SITE AREA	GROSS 38,952 sf (0.89 ac) NET 35,072 sf (0.81 ac)* *ACCOUNTS FOR 3,880 sf SIDEWALK/ ROW EASEMENT
DWELLING QUANTITY	46 du
DENSITY	46 du/0.89 ac = 52 du/ac
BUILDING HEIGHT	66 ft
BUILDING STEPBACK	south portion of building steps back to max 41 ft at 35' from property line > 1:1 stepback requirement
BUILDING AREA	96,920 sf (gross)
BUILDING LOT COVERAGE	6,516 sf/ 38,952 sf = 17%
SITE LANDSCAPE COVERAGE	9,803 sf/ 38,952 sf = 25% 9,803 sf + 2,101 sf (3rd FLOOR PLAZA) = 11,904 sf/ 38,952 sf = 31%
BUILDING SETBACKS FRONT (NORTH) SIDE (WEST) STREET SIDE (EAST) REAR(SOUTH)	5 ft 9 ft 0 ft 10 ft
VEHICLE PARKING QUANTITY RESTAURANT INDOOR (SUITES 101-104)	3,724 sf - 1,862* = 1,862 sf 1 / 75 sf = 1,862 sf = 24.83 SPACES 0 SPACES REQUIRED IN TOD *PARKING WAIVED FOR 50 PERCENT OF FLOOR AREA NOT TO EXCEED 2,500 sf OF FLOOR AREA
OUTDOOR/ PATIO TOD REDUCTION	
COMMERCIAL INDOOR (SUITES 105-106)	937 sf - 468.5* = 468.5 sf 1 / 300 sf = 468.5 sf = 1.62 SPACES *PARKING WAIVED FOR 50 PERCENT OF FLOOR AREA NOT TO EXCEED 30,000 sf OF FLOOR AREA
TOD REDUCTION	
RESIDENTIAL GUEST STUDIO 1 BEDROOM 2 BEDROOM 3 BEDROOM	0.2 / UNIT - 46 UNITS = 9.2 SPACES 0.75 / UNIT - 20 UNITS = 15 SPACES 0.75 / UNIT - 8 UNITS = 6 SPACES 0.75 / BR - 36 BR (18 UNITS) = 27 SPACES 0.75 / BR - 0 BR (0 UNITS) = 0 SPACES
TOTAL REQUIRED / PROVIDED	84 SPACES REQUIRED / 103 PROVIDED 6 ON STREET SPACES 47 SURFACE TO BE SHARED RESTAURANT, COMMERCIAL + GUESTS OF RESIDENTS 50 GATED UNDERGROUND
BICYCLE PARKING QUANTITY RESTAURANT INDOOR (SUITES 101-104) OUTDOOR/ PATIO COMMERCIAL INDOOR (SUITES 105-106)	1 / 500 sf - 3,724 sf = 7.45 SPACES 0 SPACES REQUIRED IN TOD 1 / 7,500 sf (4 min) - 937 sf = 4 SPACES
RESIDENTIAL GUEST STUDIO 1 BEDROOM 2 BEDROOM 3 BEDROOM	0.2 / UNIT - 46 UNITS = 9.2 SPACES 0.75 / UNIT - 20 UNITS = 15 SPACES 0.75 / UNIT - 8 UNITS = 6 SPACES 0.75 / UNIT - 18 UNITS = 13.5 SPACES 1 / UNIT - 0 UNITS = 0 SPACES
TOTAL REQUIRED / PROVIDED	56 SPACES REQUIRED / 56 PROVIDED
USES RESTAURANT INDOOR OUTDOOR COMMERCIAL RESIDENTIAL PARKING TOTAL	3,724 sf (net leasable) 939 sf (net leasable) 937 sf (net leasable) 67,155 sf (gross) 24,748 sf (gross) 97,369 sf (combined)
ADDITIONAL USE PERMITS REQUESTED: 1. TANDEM PARKING (RESTAURANT)	6 SPACES (12 VEHICLES)

SITE VICINITY MAP



CONDITIONS OF APPROVAL: PL160429

GENERAL NOTES

LEGAL DESCRIPTION

PARCEL NO. 1: (133-08-058A)

LOT 11 AND THE EAST 20.00 FEET OF LOT 12, OF HUDSON MANOR UNIT 1, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 44 OF MAPS, PAGE 43;

EXCEPT THOSE PORTIONS CONVEYED TO THE CITY OF TEMPE, IN DEEDS RECORDED IN DOCUMENT NO. 85-0291032, IN DOCUMENT NO. 87-0464532 AND IN DOCUMENT NO. 05-1422090, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2: (133-08-059A)

LOT 12, OF HUDSON MANOR UNIT 1, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 44 OF MAPS, PAGE 43;

EXCEPT THE EAST 20.00 FEET THEREOF, AND EXCEPT THOSE PORTIONS CONVEYED TO THE CITY OF TEMPE, IN DEEDS RECORDED IN DOCUMENT NO. 85-0291032 AND IN DOCUMENT NO. 05-1422090, RECORDS OF MARICOPA COUNTY, ARIZONA.

APPROVAL

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE ON THIS _____ DAY OF _____, 2017.

LIST ANY MINOR MODIFICATION APPROVAL, WITH DATE, BELOW THE City Council approval date if a minor modification occurs. (ref. ZDC, Section 6-312)

DS160429

PL160429

REC17064



APACHE/OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ 85281

PROJECT

M & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-889-0700
CONTACT:
JASON BOYER
jboyer@arthausPAK.com

OWNER REPRESENTAT

STUDIO MA
130 N CENTRAL AVENUE, NO 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 131 ST
602-482-1425
CONTACT:
KRIS FLOOR
kris@floorassociates.com

LANDSCAPE ARCHITEC

DIBBLE ENGINEERING
7500 NORTH DREAMY DRIVE
SUITE 200
PHOENIX, ARIZONA 85000
602-957-1155
CONTACT:
SHANNON CANECCOCHA
shannon.caneccocha@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER

REC17064

PL160429

DS160429



pad1
project info

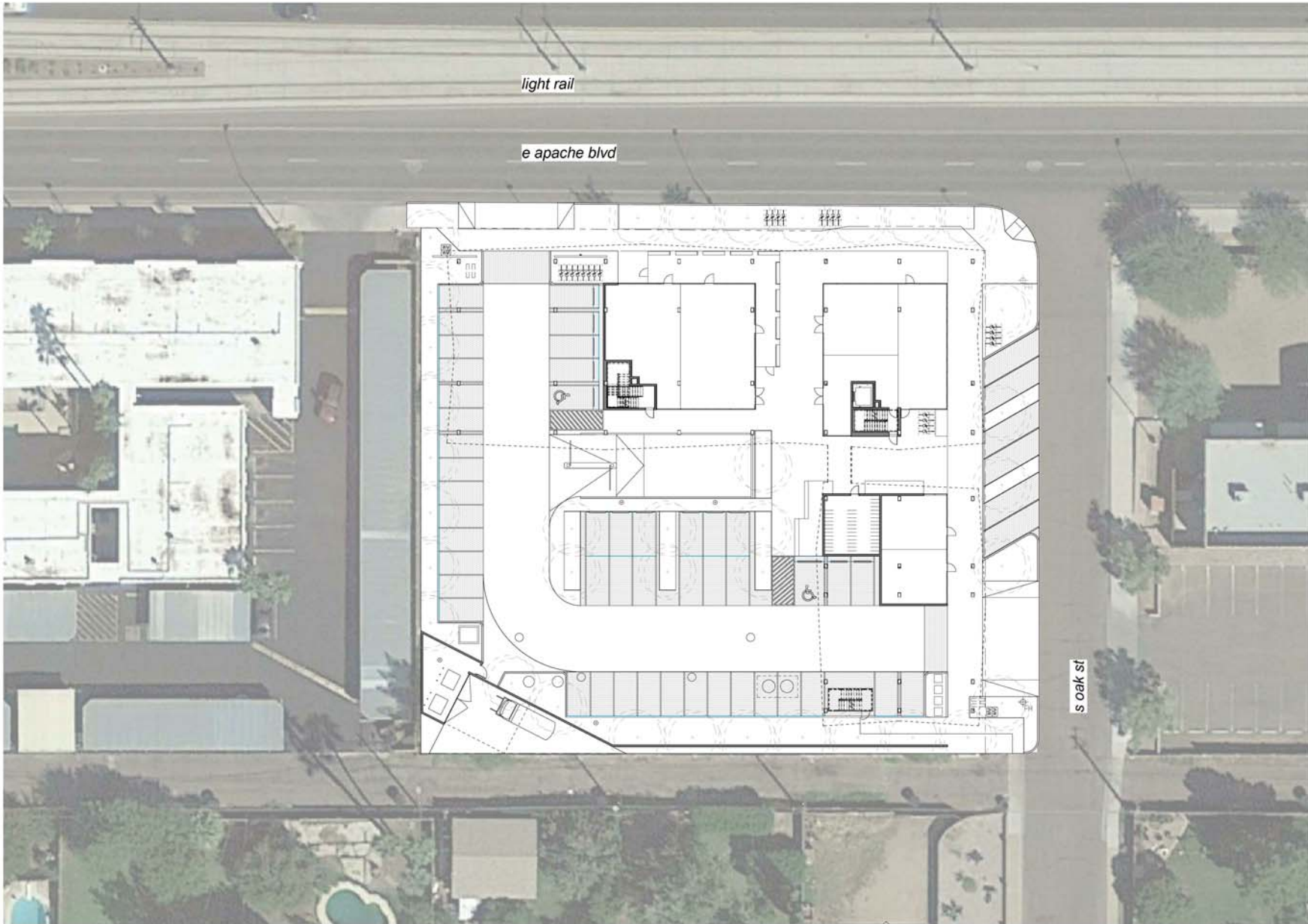
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SCALE

ISSUED FOR ENTITLEMENTS
2017.05.01

PHASE-REV

DATE



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-989-0710
CONTACT:
JASON BOYER
boyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, NO. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1428
CONTACT:
KRIS FLOOR
kfr@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECCHA
shannon.caneccha@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



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context overlay

SHEET



SCALE

1/16" = 1'-0"

ISSUED FOR ENTITLEMENTS

PHASE, REV

2017 05 01

DATE

KEY PLAN



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

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PHOENIX, ARIZONA 85016
602-989-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, RD 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1425
CONTACT:
KRIS FLOOR
kfrs@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECSHA
shannon.canechsa@diblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



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context photos
1/64" = 1'-0"

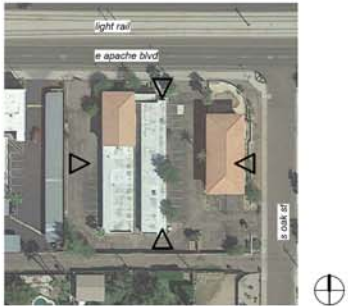
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ISSUED FOR ENTITLEMENTS
2017 05 01

PHASE/REV
DATE

KEY PLAN



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



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TEMPE, AZ, 85281

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602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1425
CONTACT:
KRIS FLOOR
kris@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH CREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECCHIA
shannon.canecchia@dbblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



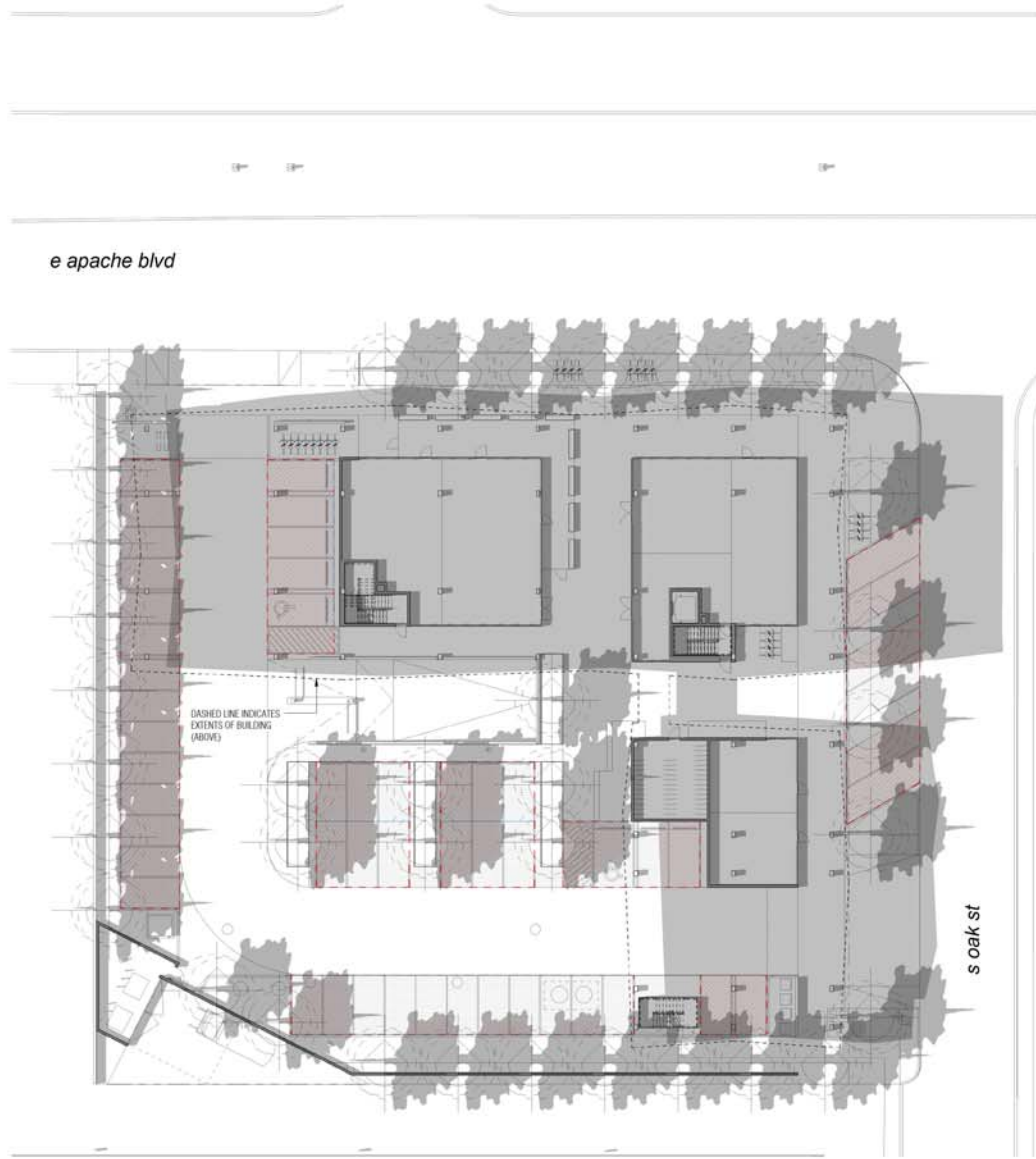
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1/64" = 1'-0"

SHEET

SCALE

ISSUED FOR ENTITLEMENTS
2017 05 01

PHASE, REV
DATE



SOLAR SHADE STUDY LEGEND

- TOTAL AREA OF SURFACE PARKING : 8,547 SF
- AREA OF SHADED PARKING : 5,843 SF
- AREAS OF PROJECTED SHADOW FROM TREES AND/OR BUILDINGS

5,843 / 8,547 = 68% > 22% PERFORMANCE STANDARD MINIMUM

NOTE: SHADE STUDY PROJECTS ANTICIPATED SHADING OF PARKING SPACES AS DETERMINED BY 5-YEAR ANTICIPATED SIZE OF SCHEDULED TREE SPECIES. THIS STUDY HAS BEEN EVALUATED FOR 3:00 PM ON 05.21.17



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

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ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-989-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

STUDIO MA
130 N CENTRAL AVENUE, RD 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1426
CONTACT:
KRIS FLOOR
kfrs@floorassociates.com

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECCHIA
shannon.canecchia@dbblecorp.com

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

PROJECT

OWNER

OWNER REPRESENTATIVE

ARCHITECT

LANDSCAPE ARCHITECT

CIVIL ENGINEER

ELECTRICAL ENGINEER



as104
solar shade study

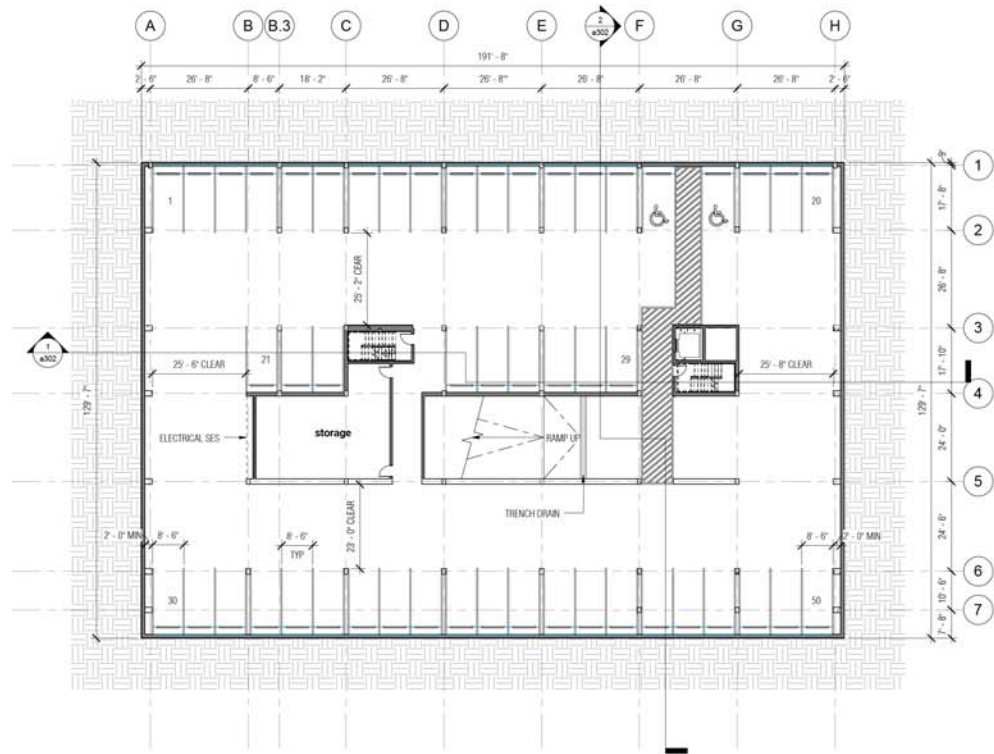


SHEET

SCALE

PHASE, REV

DATE



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-489-0710
CONTACT:
JASON BOYER
boyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, NO. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1426
CONTACT:
KRIS FLOOR
kris@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECCHA
shannon.canecca@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



a100
floor plan - lower level
1/16" = 1'-0"



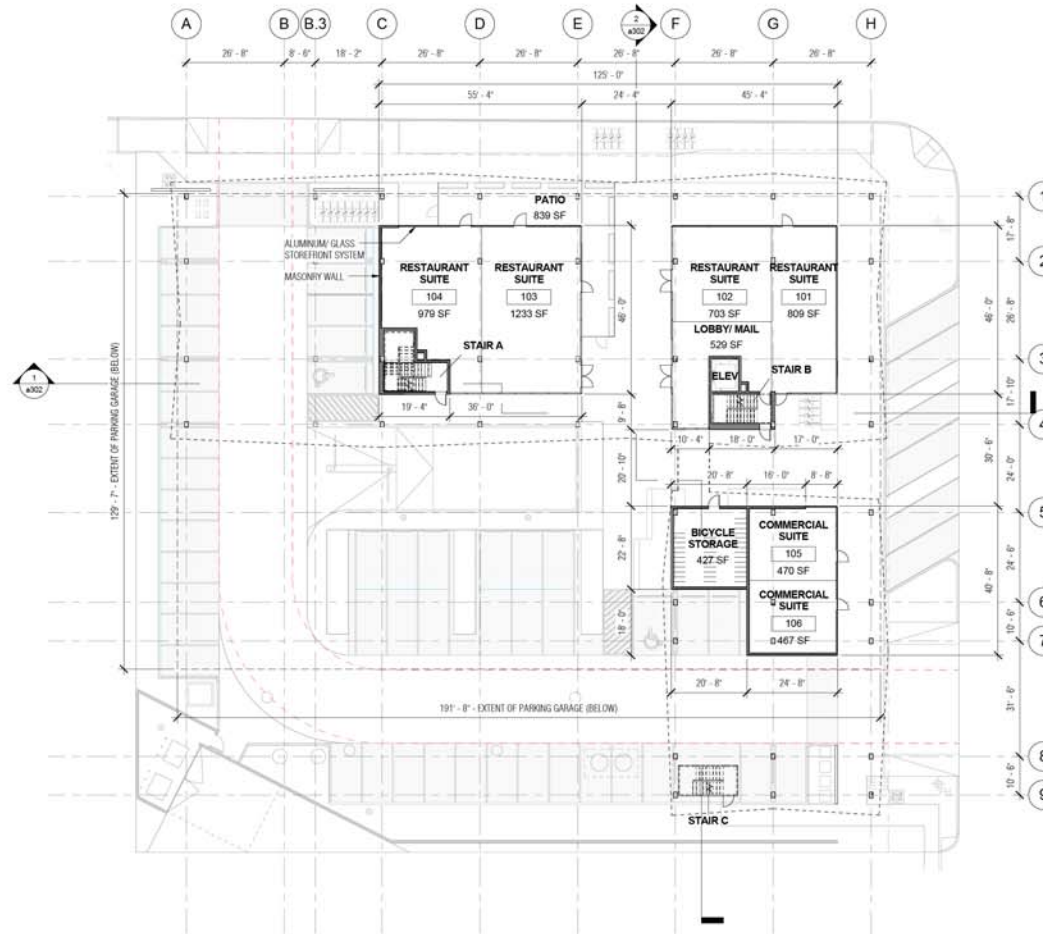
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2017 05 01

SHEET

SCALE

PHASE, REV

DATE



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

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1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-689-0710
CONTACT:
JASON BOYER
boyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, NO. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3150
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1428
CONTACT:
KRIS FLOOR
krf@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH CREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECCHIA
shannon.canecchia@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



a101
floor plan - level 1
1/16" = 1'-0"

SHEET

SCALE



ISSUED FOR ENTITLEMENTS
2017 05 01

PHASE, REV

DATE



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-989-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, NO. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1426
CONTACT:
KRIS FLOOR
krf@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH CREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECCHIA
shannon.canecchia@dblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



a102
floor plan - level 2

SHEET



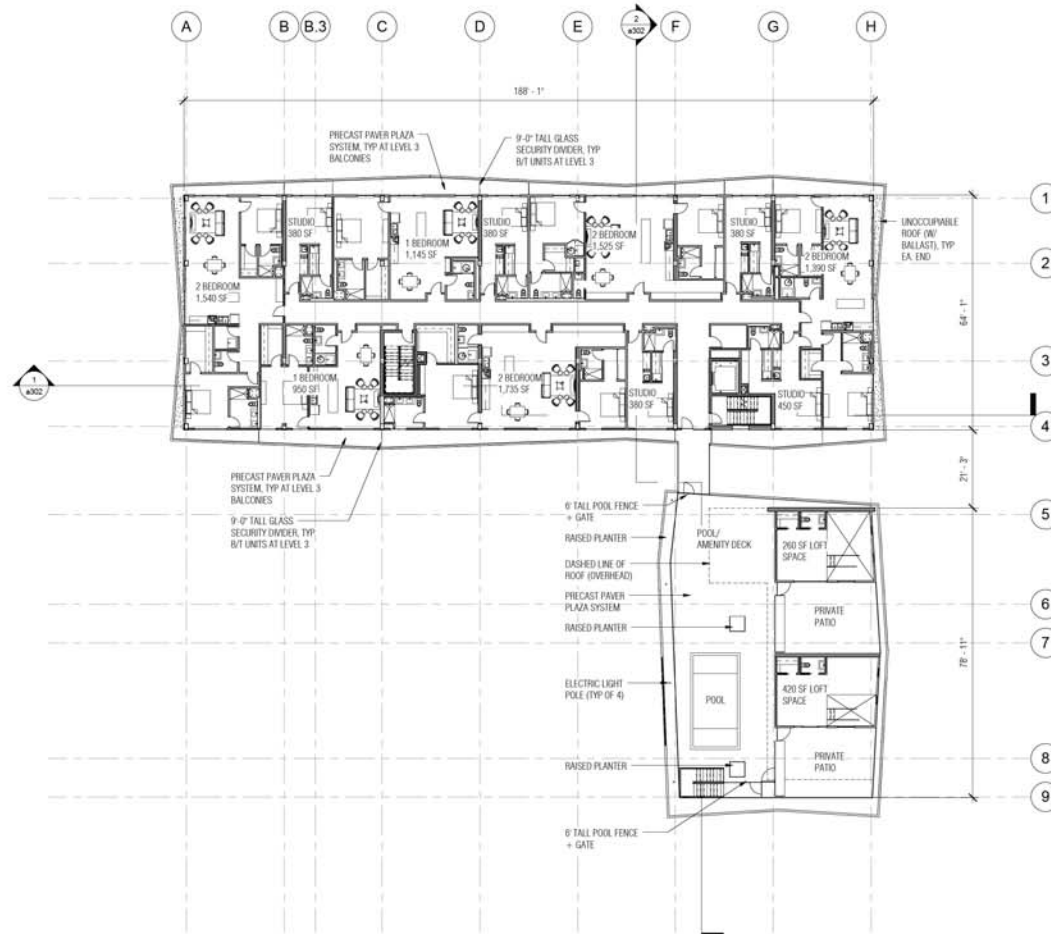
SCALE

ISSUED FOR ENTITLEMENTS

PHASE, REV

2017 05 01

DATE



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-989-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, NO. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1428
CONTACT:
KRIS FLOOR
kfrs@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECCHA
shannon.caneccha@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



a103
floor plan - level 3



SHEET

SCALE

PHASE/REV

DATE



LEVEL 4
1/16" = 1'-0"



LEVEL 5
1/16" = 1'-0"



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-489-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, NO. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1425
CONTACT:
KRIS FLOOR
krf@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW GROVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECCHIA
shannon.canecchia@dblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



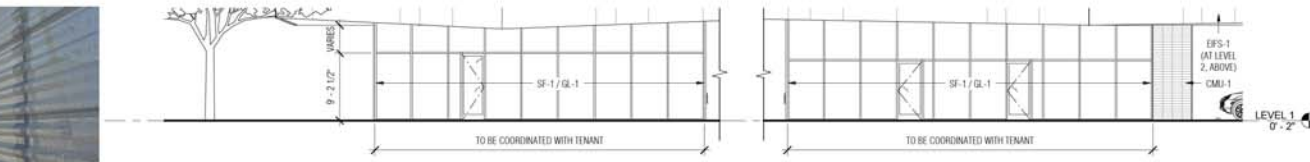
a104
floor plan - levels 4 + 5
1/16" = 1'-0"

ISSUED FOR ENTITLEMENTS
2017 05 01

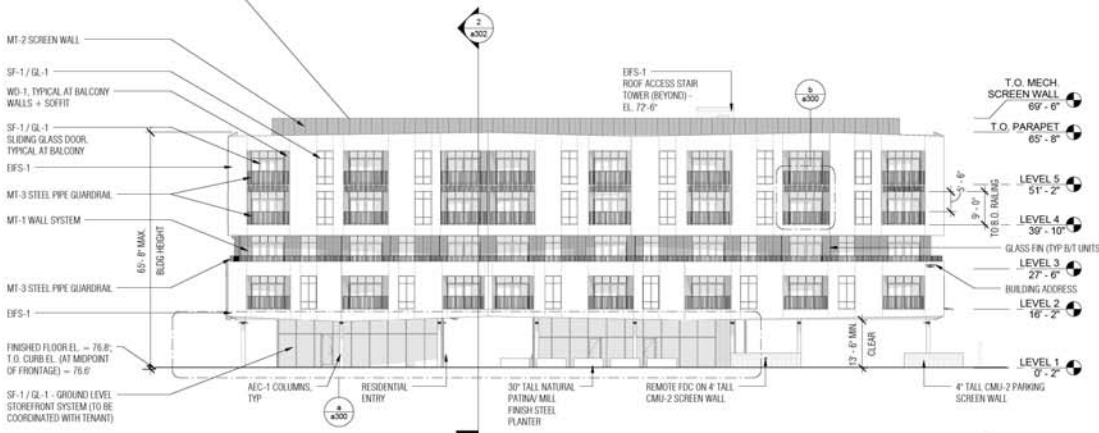
SHEET
SCALE
PHASE, REV
DATE



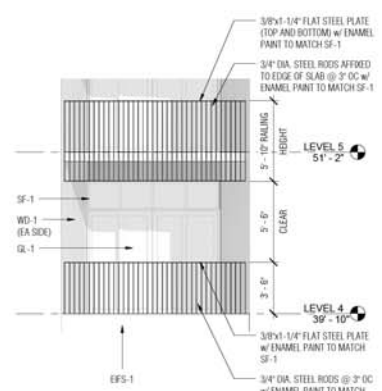
PERFORATED SCREEN WALL (EXAMPLE)



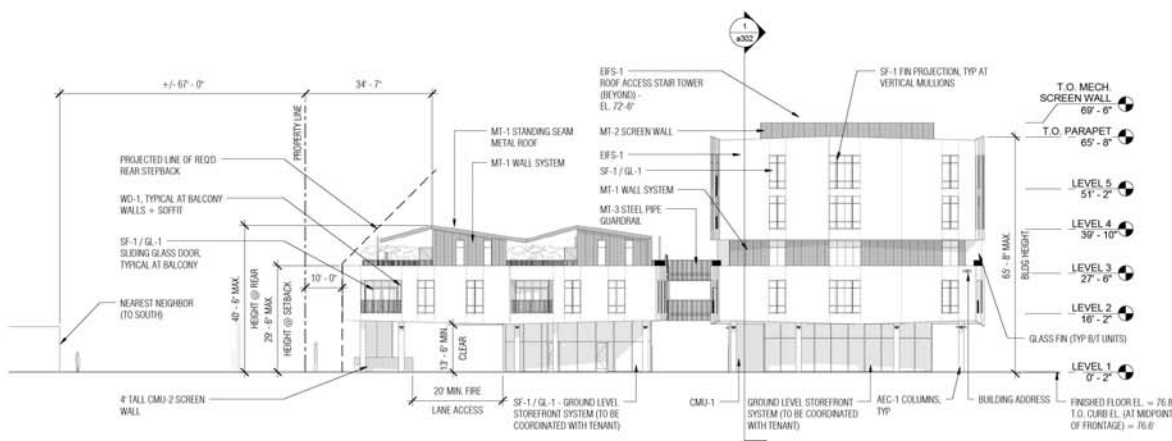
a ENLARGED STREET FRONTAGE ELEVATION
1/8" = 1'-0"



1 NORTH ELEVATION
1/8" = 1'-0"



b ENLARGED GUARDRAIL ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"

EXTERIOR FINISH SCHEDULE

TAG	DESCRIPTION
AEC-1	ARCHITECTURALLY EXPOSED CONCRETE Natural (Grey)
CMU-1	8x16x4 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Opal
CMU-2	8x16x4 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Pearl
EPS-1	EXTERIOR INSULATED FINISH SYSTEM - SAND FINISH Sho Corp, White Linen 6050 - LIN 73
GL-1	1" INSULATED GLAZING Vitrocon, Clear
GL-2	1" INSULATED SPANDREL GLAZING Vitrocon, White
ML-1	4" MECHANICAL LOUVER (FACTORY FINISHED TO MATCH EPS-1) Construction Specialties, #A4097
MT-1	18ga. 1-1/2"x12" RIBBED/STANDING SEAM METAL PANEL Morrin Corp, Weathered Zinc - SR9 33
MT-2	PERFORATED 18ga. 1-1/2"x12" RIBBED/STANDING SEAM METAL PANEL Morrin Corp, Weathered Zinc - SR9 33
MT-3	STEEL ROOF GUARDRAIL 3/4" DIA. STEEL RODS AT 3" OC w/ 1-1/4"x3/8" FLAT PLATE TOP BAR AT 42" AFF, PAINTED TO MATCH SF-1
SF-1	STOREFRONT WINDOW AND DOOR FRAMES Arcadia, Dark Bronze AH-7
WD-1	6" WIDE COMPOSITE WOOD PANELING Geolam, Rosewood - Vertigo



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-689-0710
CONTACT:
JASON BOYER
boyer@arthausPHX.com

STUDIO MA
130 N CENTRAL AVENUE, RD 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studiomax.com

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1425
CONTACT:
KRIS FLOOR
kris@floorassociates.com

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECHA
shannon.canecha@dibblecorp.com

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

PROJECT

OWNER

OWNER REPRESENTATIVE

ARCHITECT

LANDSCAPE ARCHITECT

CIVIL ENGINEER

ELECTRICAL ENGINEER



a300
exterior elevations



ISSUED FOR ENTITLEMENTS

2017 05 01



APACHE OAK MIXED USE
1481 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-689-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, RD. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1425
CONTACT:
KRIS FLOOR
kris@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH CREAMY DRAW DRIVE
SUITE 100
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECHA
shannon.canecha@dibblecorp.com

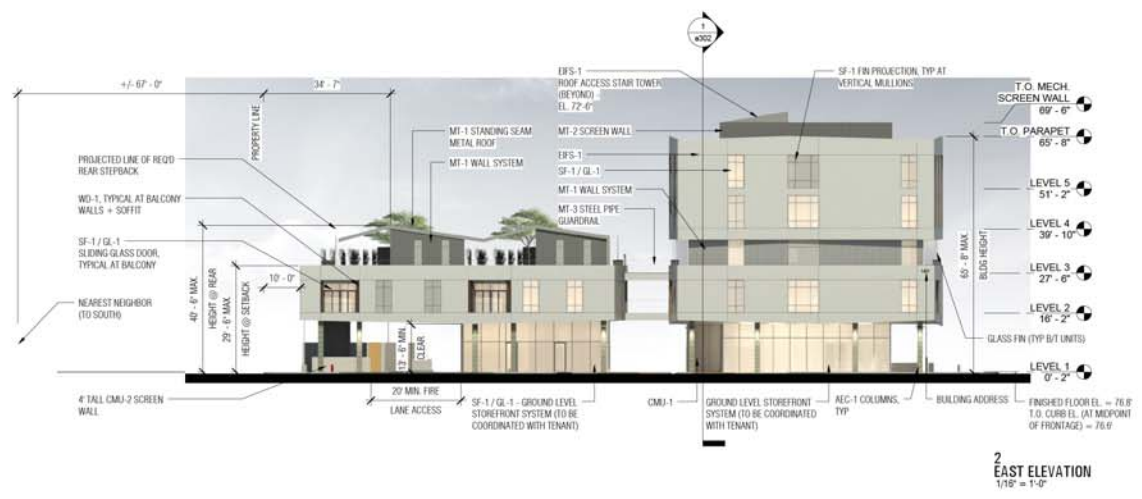
CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



1 NORTH ELEVATION
1/16" = 1'-0"



2 EAST ELEVATION
1/16" = 1'-0"

EXTERIOR FINISH SCHEDULE

TAG	DESCRIPTION
AEC-1	ARCHITECTURALLY EXPOSED CONCRETE Natural (Grey)
CMU-1	8x16x4 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Opal
CMU-2	8x16x4 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Pearl
EFS-1	EXTERIOR INSULATED FINISH SYSTEM - SAND FINISH Sho Corp. White Lines 0250 - LRV 73
GL-1	1" INSULATED GLAZING Viscon, Clear
GL-2	1" INSULATED SPANDREL GLAZING Viscon, White
ME-1	4" MECHANICAL LOUVER (FACTORY FINISHED TO MATCH EFS-1) Construction Specialties, #AA097
MT-1	18ga. 1-1/2"x12" RIBBED STANDING SEAM METAL PANEL Merrin Corp. Weathered Zinc - SPR 33
MT-2	PERFORATED 18ga. 1-1/2"x12" RIBBED STANDING SEAM METAL PANEL Merrin Corp. Weathered Zinc - SPR 33
MT-3	STEEL ROD GUARDRAIL 3/4" DIA. STEEL RODS AT 3" OC w/ 1-1/4"x1/4" FLAT PLATE TOP BAR AT 42" AP, PAINTED TO MATCH SF-1
SF-1	STOREFRONT WINDOW AND DOOR FRAMES Arcadia, Dark Bronze AB-7
WD-1	6" WICK COMPOSITE WOOD PANELING Geolan, Rosewood - Vertigo

a300c
exterior color elevations



SHEET
SCALE
PHASE/REV
DATE



APACHE OAK MIXED USE
1481 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-689-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, RD. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1425
CONTACT:
KRIS FLOOR
kris@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH CREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECHA
shannon.canecha@dibblecorp.com

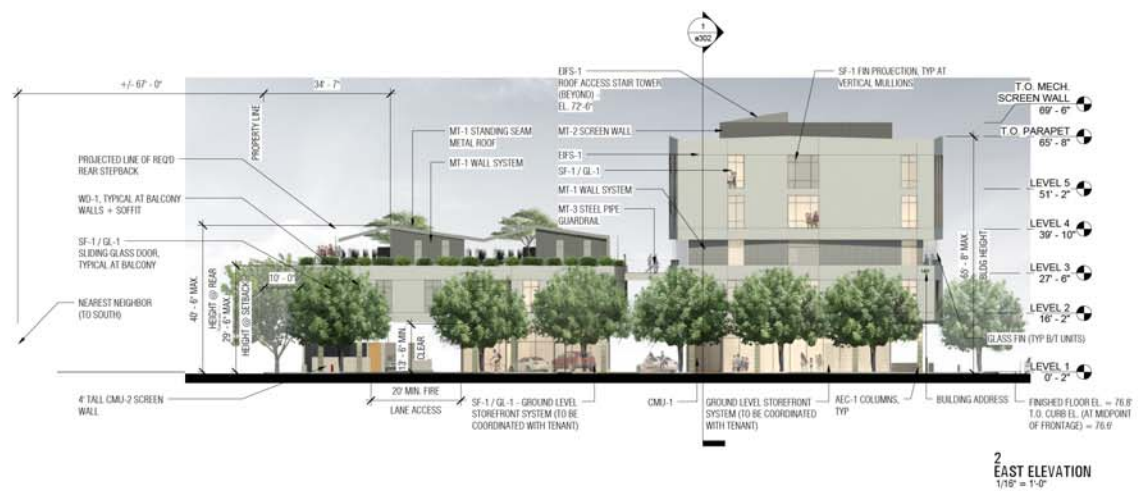
CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



1 NORTH ELEVATION
1/16" = 1'-0"



2 EAST ELEVATION
1/16" = 1'-0"

EXTERIOR FINISH SCHEDULE

TAG	DESCRIPTION
AEC-1	ARCHITECTURALLY EXPOSED CONCRETE Natural (Grey)
CMU-1	8x16x4 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Opal
CMU-2	8x16x4 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Pearl
ERS-1	EXTERIOR INSULATED FINISH SYSTEM - SAND FINISH Sho Corp, White Lines 0250 - LRV 73
GL-1	1" INSULATED GLAZING Viscon, Clear
GL-2	1" INSULATED SPANDREL GLAZING Viscon, White
ME-1	4" MECHANICAL LOUVER (FACTORY FINISHED TO MATCH EFS-1) Construction Specialties, #AA097
MT-1	18ga. 1-1/2"x12" RIBBED STANDING SEAM METAL PANEL Morm Corp, Weathered Zinc - SPR 33
MT-2	PERFORATED 18ga. 1-1/2"x12" RIBBED STANDING SEAM METAL PANEL Morm Corp, Weathered Zinc - SPR 33
MT-3	STEEL ROD GUARDRAIL 3/4" DIA. STEEL RODS AT 3" OC w/ 1-1/4"x1/4" FLAT PLATE TOP BAR AT 42" AFF, PAINTED TO MATCH SF-1
SF-1	STOREFRONT WINDOW AND DOOR FRAMES Arcadia, Dark Bronze AB-7
WD-1	6" WICK COMPOSITE WOOD PANELING Geolan, Rosewood - Vertigo

a300s
street elevations



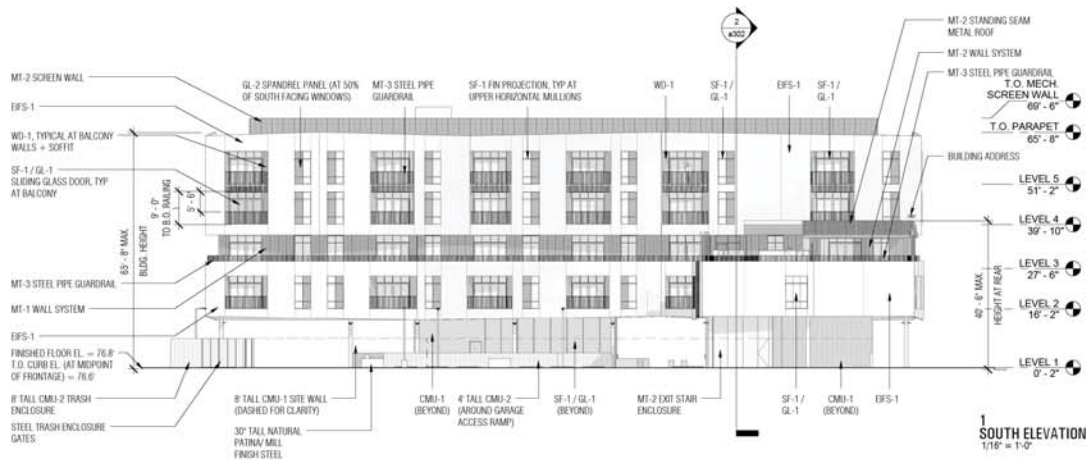
SHEET

SCALE

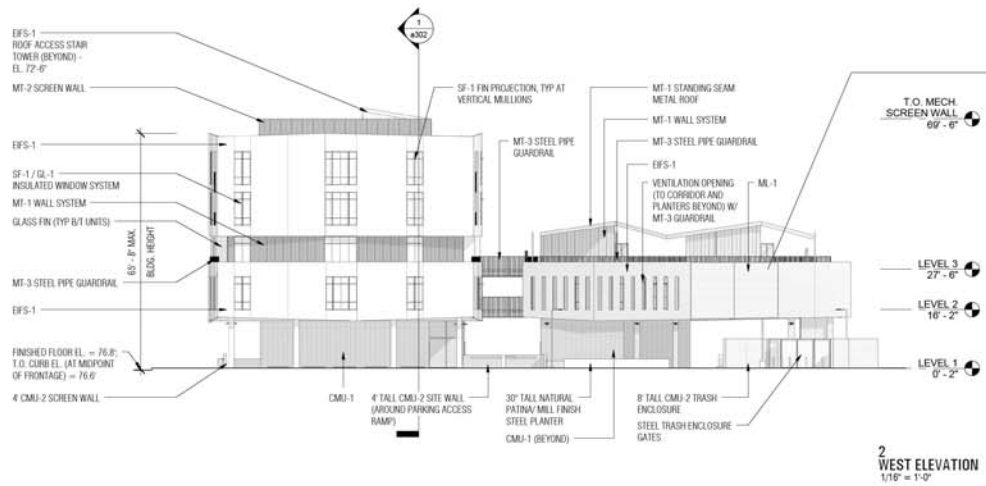
PHASE/REV

DATE





1 SOUTH ELEVATION
1/16" = 1'-0"



2 WEST ELEVATION
1/16" = 1'-0"



METAL LOUVER (EXAMPLE)

EXTERIOR FINISH SCHEDULE

TAG	DESCRIPTION
ALC-1	ARCHITECTURALLY EXPOSED CONCRETE Natural (Grey)
CMU-1	8x16x4 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Opal
CMU-2	8x16x4 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Pearl
EFS-1	EXTERIOR INSULATED FINISH SYSTEM - SAND FINISH 3co Corp, White Lines 8059 - LRV 73
GL-1	1" INSULATED GLAZING Viscon, Clear
GL-2	1" INSULATED SPANDREL GLAZING Viscon, White
ML-1	4" MECHANICAL LOUVER (FACTORY FINISHED TO MATCH EFS-1) Construction Specialties, #A4097
MT-1	18ga. 1-1/2"x12" RIBBED STANDING SEAM METAL PANEL Morm Corp, Weathered Zinc - SPR 33
MT-2	PERFORATED 18ga. 1-1/2"x12" RIBBED STANDING SEAM METAL PANEL Morm Corp, Weathered Zinc - SPR 33
MT-3	STEEL ROD GUARDRAIL 3/4" DIA. STEEL RODS AT 3" OC w/ 1-1/4"x1/4" FLAT PLATE TOP BAR AT 42" AP, PAINTED TO MATCH SF-1
SF-1	STOREFRONT WINDOW AND DOOR FRAMES Arcadia, Dark Bronze AB-7
WD-1	6" WICK COMPOSITE WOOD PANELING Gootan, Rosewood - Vertigo



a301
exterior elevations
1/16" = 1'-0"

SHEET
SCALE

PHASE/REV
DATE



APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-989-0710
CONTACT:
JASON BOYER
boyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, RD 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
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JASON BOYER
boyer@studiomax.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1425
CONTACT:
KRIS FLOOR
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LANDSCAPE ARCHITECT

DBIBLE ENGINEERING
7500 NORTH CREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECHA
shannon.canecha@dbiblecorp.com

CIVIL ENGINEER

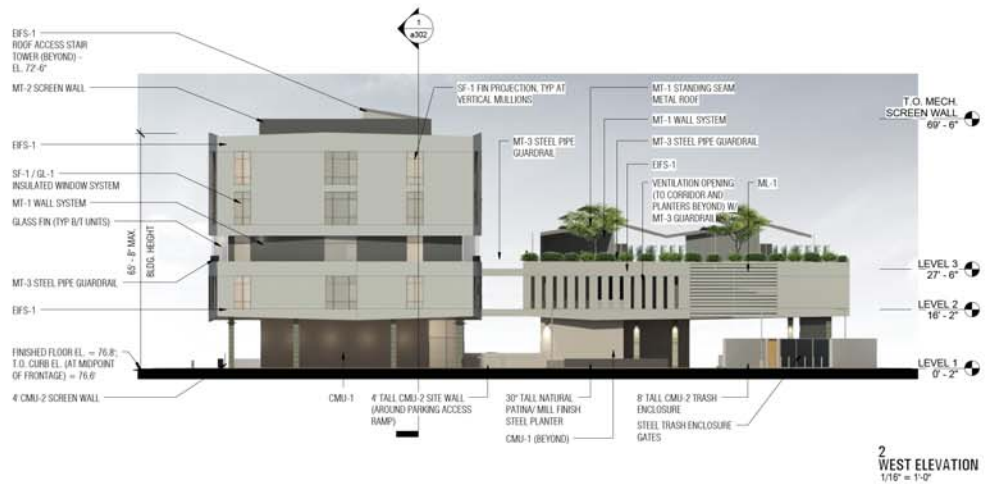
WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
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doug@woodward-engineering.com

ELECTRICAL ENGINEER





1 SOUTH ELEVATION
1/16" = 1'-0"



2 WEST ELEVATION
1/16" = 1'-0"

EXTERIOR FINISH SCHEDULE

TAG	DESCRIPTION
AEC-1	ARCHITECTURALLY EXPOSED CONCRETE Natural (Grey)
CMU-1	8x16x8 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Opal
CMU-2	8x16x8 GROUND FACE CONCRETE MASONRY UNITS Trendstone, Pearl
EFS-1	EXTERIOR INSULATED FINISH SYSTEM - SAND FINISH Sho Corp, White Lines 0250 - LRV 73
GL-1	1" INSULATED GLAZING Viscon, Clear
GL-2	1" INSULATED SPANDREL GLAZING Viscon, White
ML-1	4" MECHANICAL LOUVER (FACTORY FINISHED TO MATCH EFS-1) Construction Specialties, #AA097
MT-1	18ga. 1-1/2"x12" RIBBED STANDING SEAM METAL PANEL Morrin Corp, Weathered Zinc - SPR 33
MT-2	PERFORATED 18ga. 1-1/2"x12" RIBBED STANDING SEAM METAL PANEL Morrin Corp, Weathered Zinc - SPR 33
MT-3	STEEL ROD GUARDRAIL 3/4" DIA. STEEL RODS AT 3" OC w/ 1-1/4"x1/4" FLAT PLATE TOP BAR AT 42" AP, PAINTED TO MATCH SF-1
SF-1	STOREFRONT WINDOW AND DOOR FRAMES Arcadia, Dark Bronze AB-7
WD-1	6" WICK COMPOSITE WOOD PANELING Geotam, Rosewood - Vertigo

a301c
exterior color elevations



1/16" = 1'-0"

SHEET
SCALE
PHASE/REV
DATE



APACHE OAK MIXED USE
1481 E APACHE BLVD
TEMPE, AZ, 85281

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

PROJECT

OWNER

OWNER REPRESENTATIVE

ARCHITECT

LANDSCAPE ARCHITECT

CIVIL ENGINEER

ELECTRICAL ENGINEER

ARTHUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-989-0710
CONTACT:
JASON BOYER
boyer@arthusPHX.com

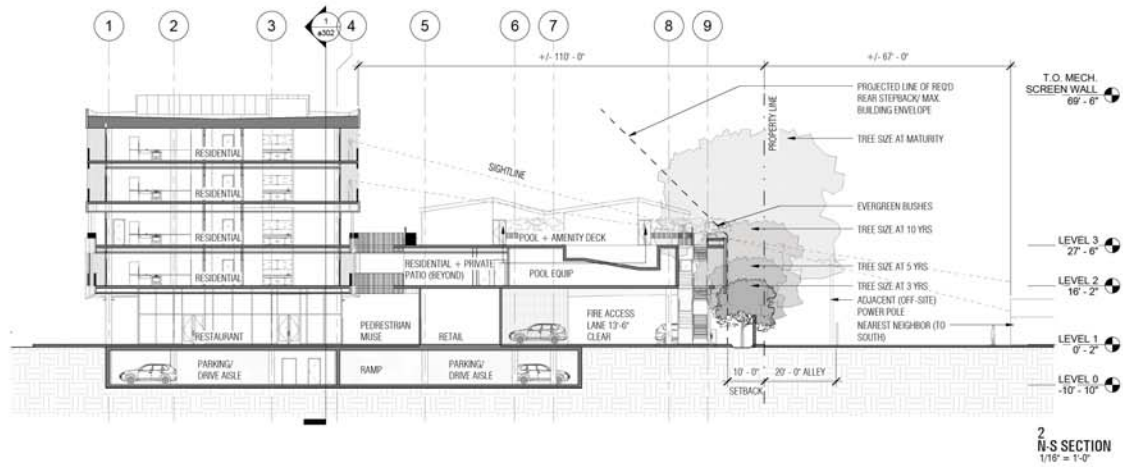
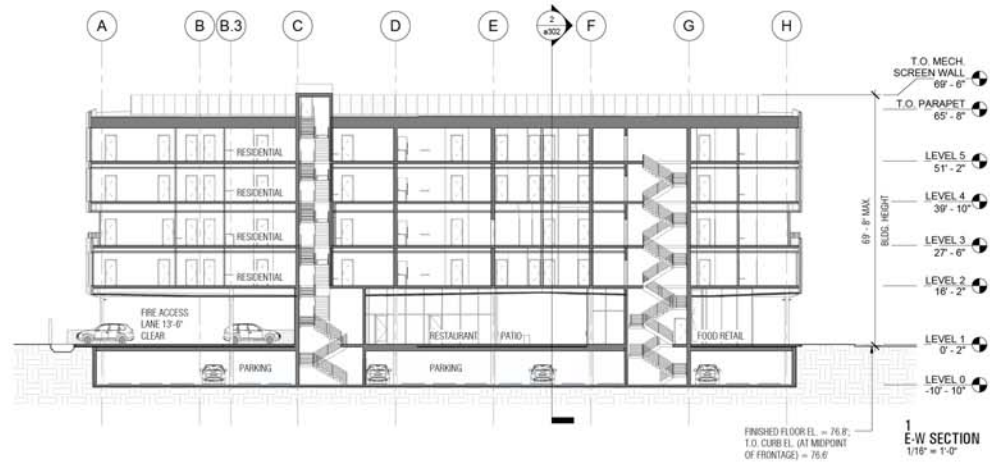
STUDIO MA
130 N CENTRAL AVENUE, RD. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1425
CONTACT:
KRIS FLOOR
kris@floorassociates.com

DIBBLE ENGINEERING
7500 NORTH CREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECHA
shannon.canecha@dibblecorp.com

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com





APACHE OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

N & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-689-0710
CONTACT:
JASON BOYER
boyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, NO. 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1425
CONTACT:
KRIS FLOOR
kfr@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-957-1155
CONTACT:
SHANNON CANECCHIA
shannon.canecchia@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



a302
building sections



ISSUED FOR ENTITLEMENTS

2017 05 01

SHEET

SCALE

PHASE, REV

DATE



LOOKING SOUTHEAST



APACHE/OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

M & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-688-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, 100, 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1426
CONTACT:
KRIS FLOOR
kris@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-657-1155
CONTACT:
SHANNON CANECCCHIA
shannon.caneccchia@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4627
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



a303
perspective views

SHEET

SCALE

ISSUED FOR ENTITLEMENTS
2017 05 01

PHASE, REV
DATE



LOOKING SOUTHWEST



APACHE/OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

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31438 CASTAIC ROAD
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ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-688-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, 100, 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1426
CONTACT:
KRIS FLOOR
kris@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-657-1155
CONTACT:
SHANNON CANECCHIA
shannon.canecchia@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4657
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



a304
perspective views

SHEET

SCALE

ISSUED FOR ENTITLEMENTS
2017 05 01

PHASE, REV
DATE



LOOKING EAST



APACHE/OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

M & L - ARIZONA #1, AZLP
31438 CASTAIC ROAD
CASTAIC, CALIFORNIA 91384

OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-488-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, 100, 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1426
CONTACT:
KRIS FLOOR
kris@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-657-1155
CONTACT:
SHANNON CANECCIA
shannon.caneccia@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
602-894-4657
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



a305
perspective views

SHEET

SCALE

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2017 05 01

PHASE/REV
DATE



LOOKING NORTHWEST - 3 YEARS



LOOKING NORTHWEST - 5 YEARS



LOOKING NORTHWEST - 10 YEARS



LOOKING NORTHWEST - MATURE



APACHE/OAK MIXED USE
1461 E APACHE BLVD
TEMPE, AZ, 85281

PROJECT

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OWNER

ARTHAUS PROJECTS
1729 E OSBORN RD
PHOENIX, ARIZONA 85016
602-688-0710
CONTACT:
JASON BOYER
jboyer@arthausPHX.com

OWNER REPRESENTATIVE

STUDIO MA
130 N CENTRAL AVENUE, 100, 300
PHOENIX, ARIZONA 85004
602-251-3800
fax (602) 251-3100
CONTACT:
JASON BOYER
boyer@studioma.com

ARCHITECT

FLOOR ASSOCIATES
1425 NORTH 1ST ST.
602-462-1426
CONTACT:
KRIS FLOOR
kris@floorassociates.com

LANDSCAPE ARCHITECT

DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
602-657-1155
CONTACT:
SHANNON CANECCHIA
shannon.canecchia@dibblecorp.com

CIVIL ENGINEER

WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4657
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

ELECTRICAL ENGINEER



a306
perspective views

SHEET

SCALE

ISSUED FOR ENTITLEMENTS
2017 05 01

PHASE/REV
DATE



EVERGREEN ELM | *ULMUS PARVIFOLIA*

FORM & CHARACTER: Upright, vertical tree.

GROWTH HABIT: Semi-evergreen perennial tree, moderate to fast to 40 to 60 feet with equal spread.

FLOWERS & FRUITS: Flowers greenish yellow in late summer of year followed by single-winged samara that are greenish pink in late fall to winter.

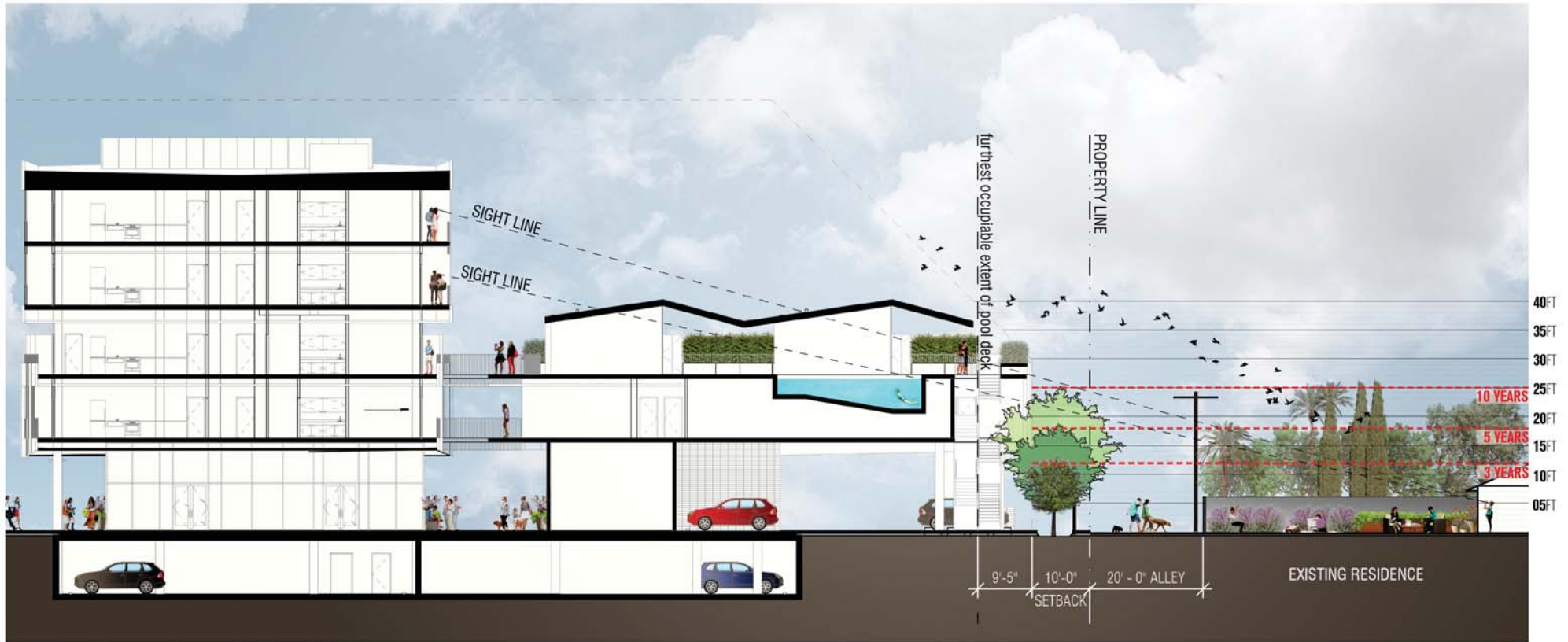
SEASONAL COLOR: Brilliant, light green foliage in spring, sometimes yellowish-red fall to winter color from foliage during cooler falls and early cold winters.

reference: www.public.asu.edu

EVERGREEN ELM SIZE

	HEIGHT
3 YEARS	12'
5 YEARS	18'
10 YEARS	25'
MATURE SIZE	40' - 60'

reference: arizona wholesale growers | v&p nurseries



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EVERGREEN ELM | *ULMUS PARVIFOLIA*

FORM & CHARACTER: Upright, vertical tree.

GROWTH HABIT: Semi-evergreen perennial tree, moderate to fast to 40 to 60 feet with equal spread.

FLOWERS & FRUITS: Flowers greenish yellow in late summer of year followed by single-winged samara that are greenish pink in late fall to winter.

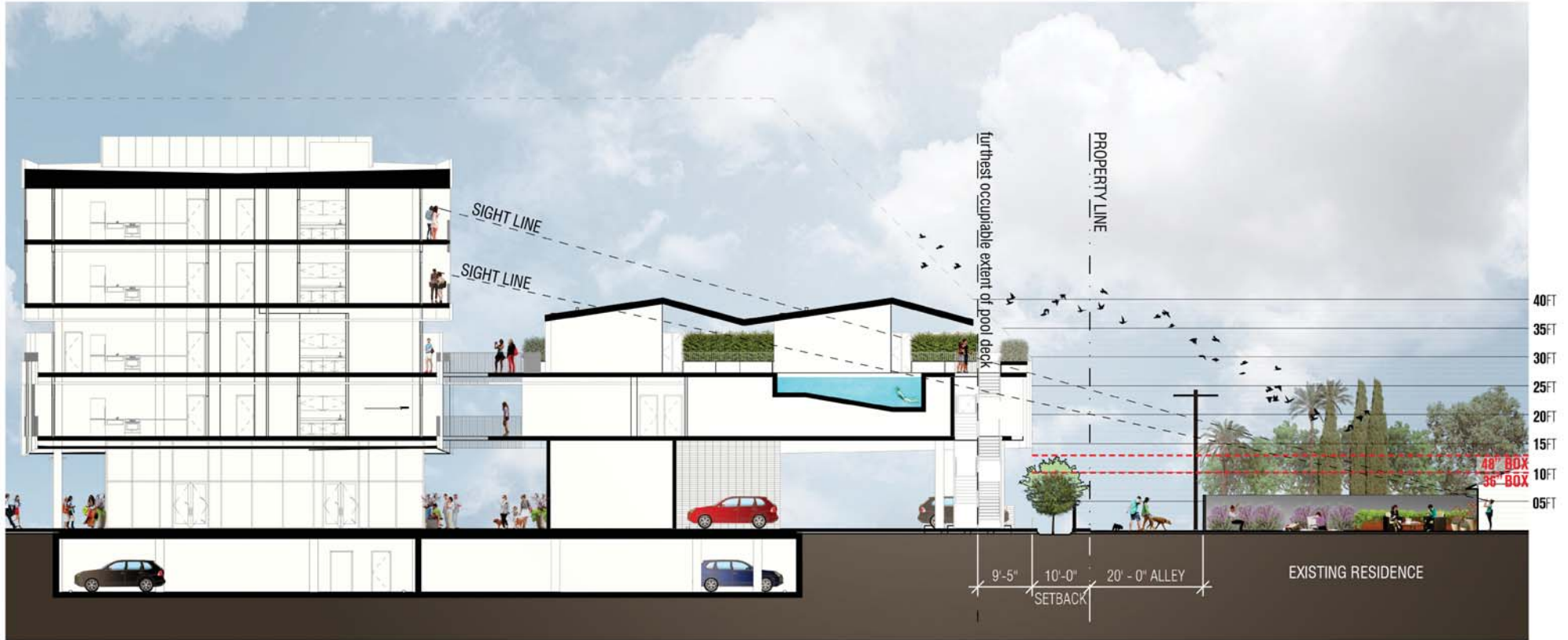
SEASONAL COLOR: Brilliant, light green foliage in spring, sometimes yellowish-red fall to winter color from foliage during cooler falls and early cold winters.

reference: www.public.asu.edu

EVERGREEN ELM SIZE

	HEIGHT	WIDTH
36" BOX	10'-12'	x 6'-8'
48" BOX	12'-14'	x 7'-9'
MATURE SIZE	40'-60'	

reference: ANA arizona nursery association



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SISSOO | *DALBERGIA SISSOO*

FORM & CHARACTER: Upright and spreading with age. A tree that brings the feel of green into an otherwise dry landscape setting.

GROWTH HABIT: Evergreen to semi-evergreen perennial tree, upright, vigorous tree, 60 feet with equal spread.

FLOWERS & FRUITS: Inconspicuous greenish yellow flower in small axillary clusters in the spring followed by persistent single achene fruit clusters in summer and fall

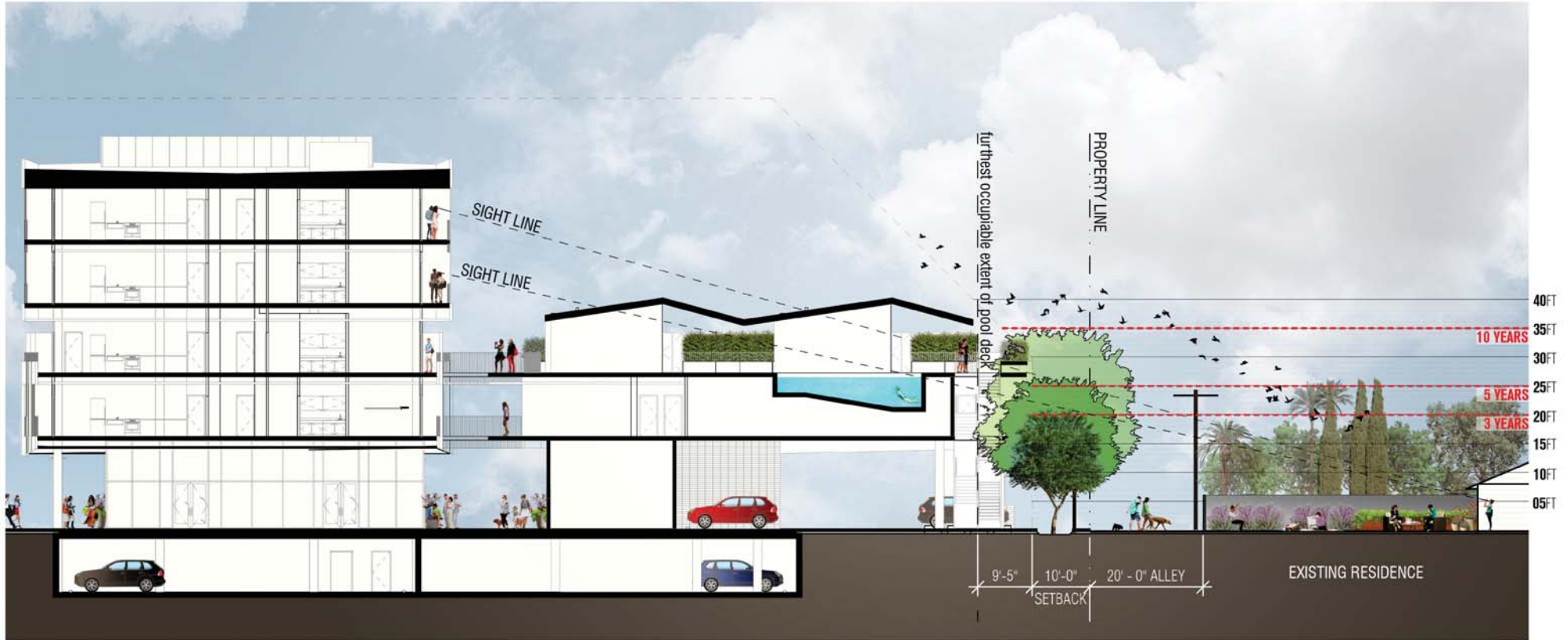
SEASONAL COLOR: None.

reference: www.public.asu.edu

SISSOO SIZE

	HEIGHT
3 YEARS	18' - 20'
5 YEARS	25' - 26'
10 YEARS	35'
MATURE SIZE	60'

reference: arizona wholesale growers | v&p nurseries



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SISSOO | DALBERGIA SISSOO

FORM & CHARACTER: Upright and spreading with age. A tree that brings the feel of green into an otherwise dry landscape setting.

GROWTH HABIT: Evergreen to semi-evergreen perennial tree, upright, vigorous tree, 60 feet with equal spread.

FLOWERS & FRUITS: Inconspicuous greenish yellow flower in small axillary clusters in the spring followed by persistent single achene fruit clusters in summer and fall

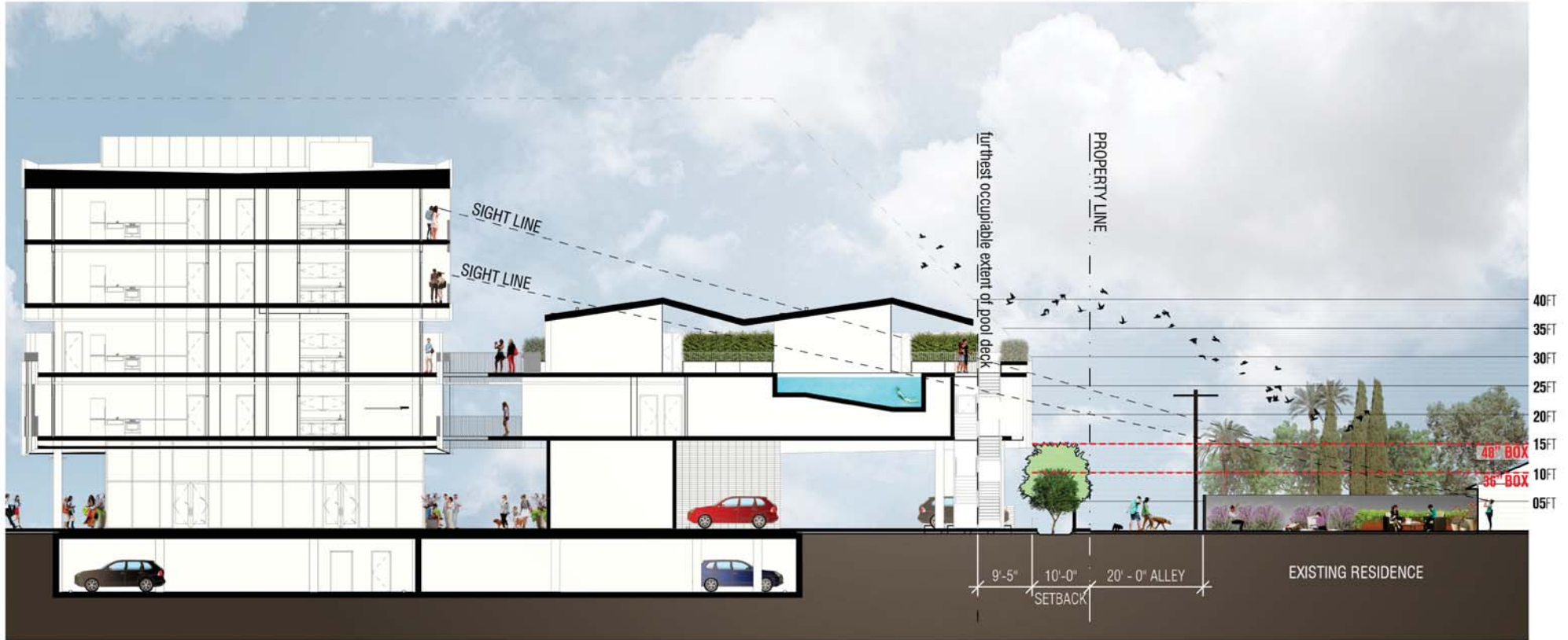
SEASONAL COLOR: None.

reference: www.public.asu.edu

SISSOO SIZE

	HEIGHT	WIDTH
36" BOX	10'-12'	5'-7'
48" BOX	13'-15'	7'-8'
MATURE SIZE	60'	

reference: ANA arizona nursery association



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FANTEX ASH | *FRAXINUS V. FANTEX*

FORM & CHARACTER: Upright, rounded and open, clean looking, stately and seasonally changing.

GROWTH HABIT: Deciduous shade tree, moderate growth rate to 40 feet with less than or equal spread depending on cultivar.

FLOWERS & FRUITS: Non flowering.

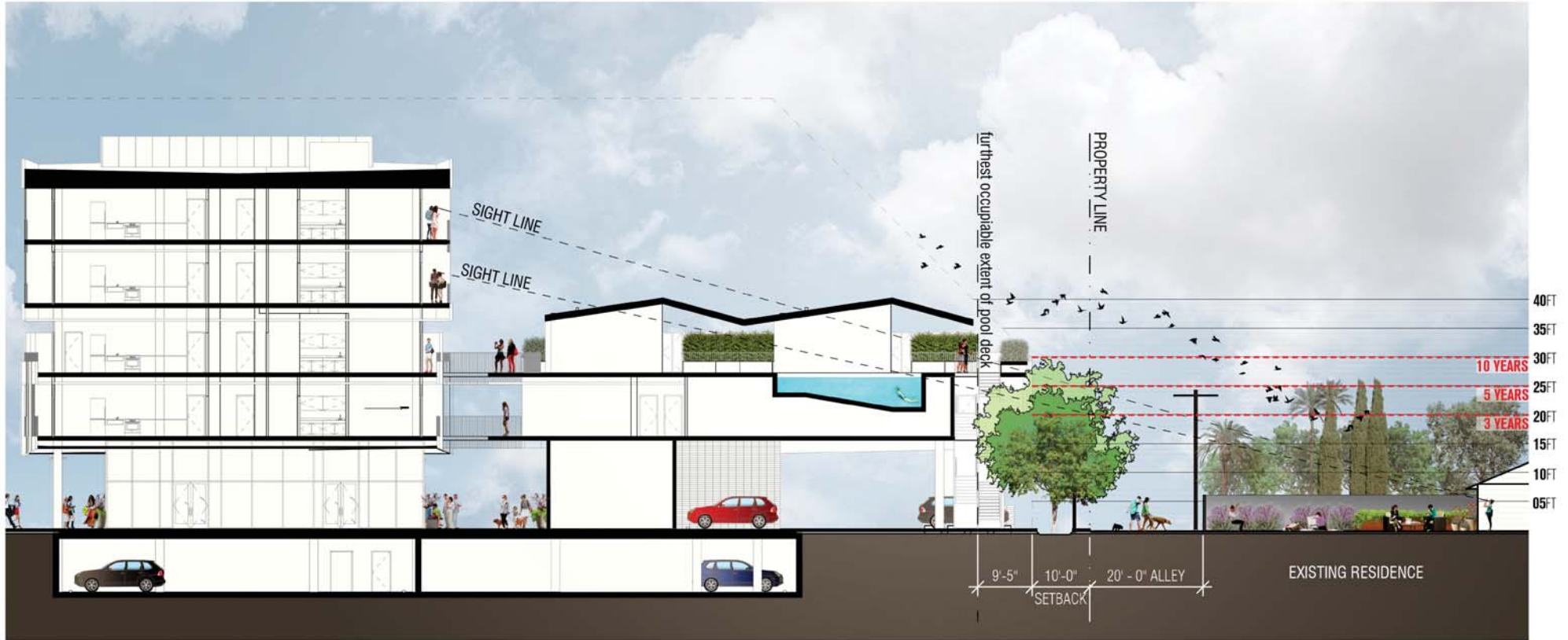
SEASONAL COLOR: Flaming golden yellow fall color during October to January depending on site location and elevation; mostly December in Phoenix.

reference: www.public.asu.edu

FANTEX SIZE

	HEIGHT
3 YEARS	20' - 22'
5 YEARS	25' - 26'
10 YEARS	30'
MATURE SIZE	40'

reference: arizona wholesale growers | v&p nurseries



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FANTEX ASH | *FRAXINUS V. FANTEX*

FORM & CHARACTER: Upright, rounded and open, clean looking, stately and seasonally changing.

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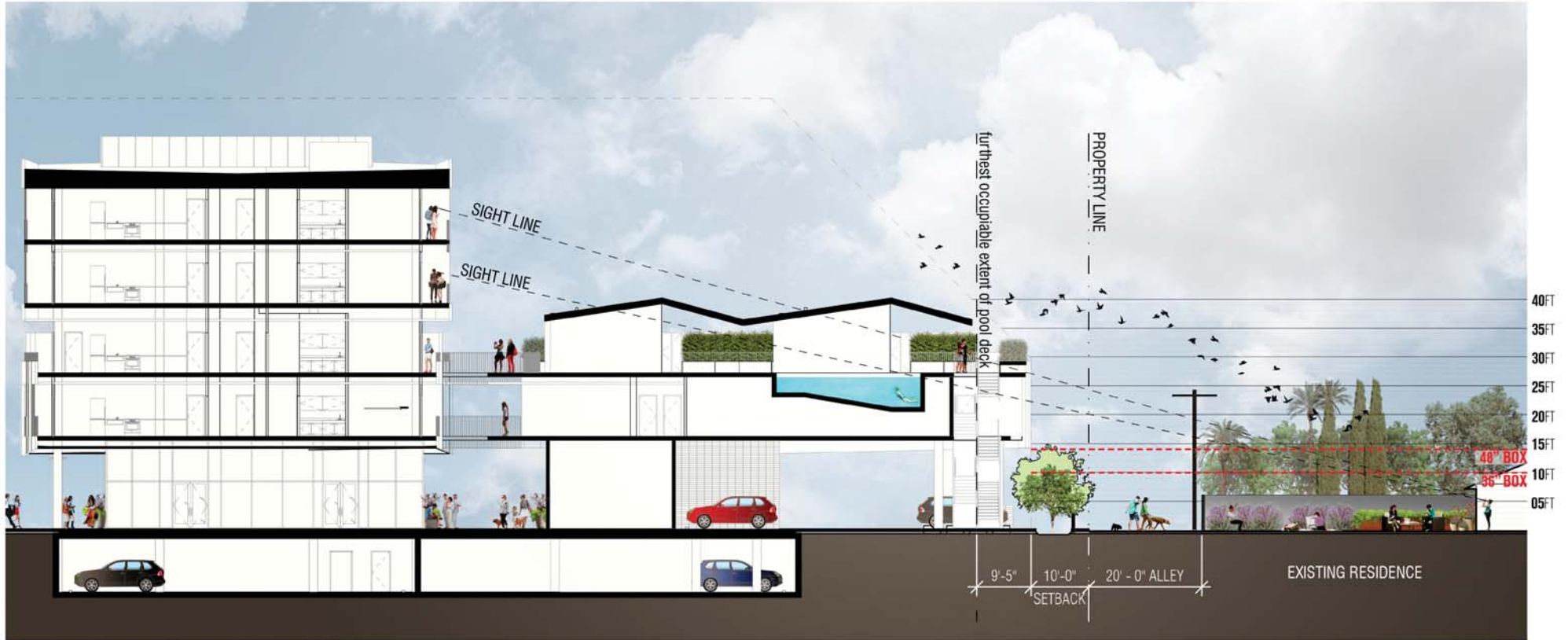
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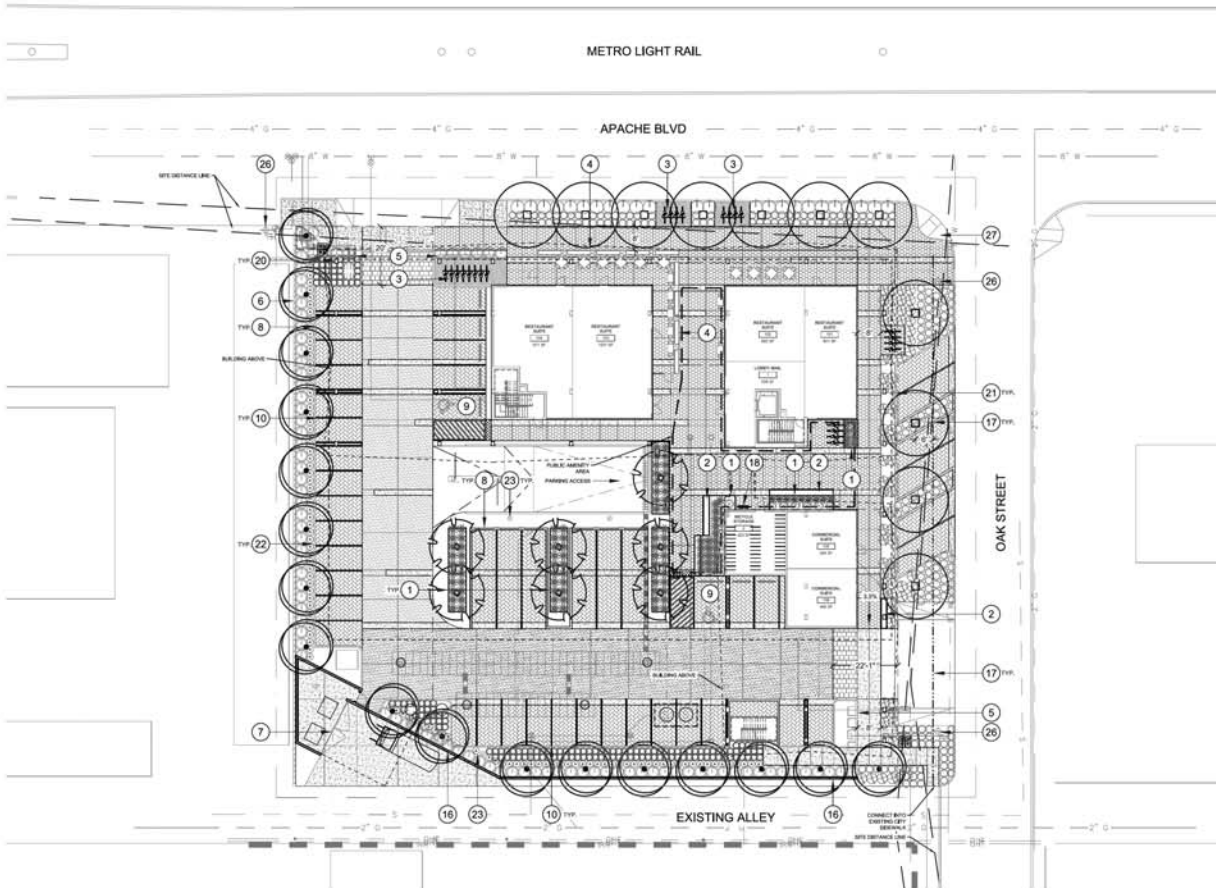
FANTEX SIZE

	HEIGHT	WIDTH
36" BOX	9'-11"	5'-7"
48" BOX	12'-14"	7'-9"
MATURE SIZE	40'	

reference: ANA arizona nursery association



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PLANT LEGEND

BOTANICAL NAME SYM. COMMON NAME	SIZE	MIN. CAL HT X W	QTY
TREES			
FRAXINUS VELLUTINA ARIZONA ASH	48" BOX	3' CAL 13H X 8W	17
PARKINSONIA X DESERT MUSEUM	48" BOX MULTI	3.5' CAL 12H X 9W	9
PISTACIA X 'RED PUSH' RED PUSH PISTACHE	48" BOX	3.5' CAL 13H X 7W	11
ACCENTS			
ALOE BARBADENSIS MEDICINAL ALOE	5 GAL		136
PACHYCREPUS MARGINATUS MEXICAN FENCE POST	5 GAL		13
SHRUBS			
MULLENBERGIA RIGENS DEER GRASS	5 GAL		156
ROSMARINUS OFFICINALIS TUSCAN BLUE	5 GAL		145
RUPELLIA PENINSULARIS DESERT RUPELLIA	5 GAL		71
SALVIA GREGGII SAGE	5 GAL		104
GROUNDCOVERS			
LANTANA MEXICANENSIS PURPLE TRAILING LANTANA	5 GAL		24
WEDELIA TRILOBATA YELLOW DOT	5 GAL		216
VINES			
PARTHENOCISSUS X 'HACIENDA CREEPER'	5 GAL		19
TOPDRESS / DUST CONTROL			
INSIDE PROPERTY LINE			
EXPRESS GROWN 4"Ø RIP-ROAP			5,987 S.F.
OUTSIDE PROPERTY LINE			
MADISON GOLD 3/4" MINUS			1,885 S.F.

NOTE:
FINAL SOUTHERN PROPERTY SCREEN TREE DETERMINATION WILL BE
GENERATED BY COMMUNITY INPUT BASED UPON THE FOLLOWING OPTIONS:
FRAXINUS VELLUTINA (PREFERRED)
DALBERGIA SISSOO
ULMUS PARVIFOLIA

HARDSCAPE LEGEND

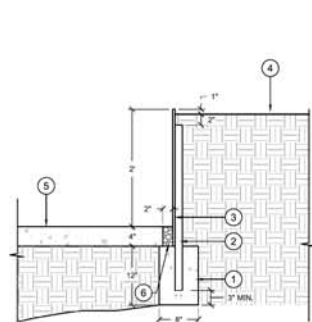
- PAVING**
- CONCRETE PAVING, TYPE 1
 - CONCRETE PAVING, TYPE 2
 - CONCRETE PAVING, TYPE 3
 - PRECAST PAVER, TYPE 1
 - PRECAST PAVER, TYPE 2
 - TRUNCATED DOME PAVERS
 - STABILIZED DECOMPOSED GRANITE
 - EXPANSION JOINT
 - SAW CUT CONTROL JOINT

HARDSCAPE ELEMENTS

- 1 RAISED STEEL PLANTER
- 2 SEATWALL
- 3 BIKE RACKS
- 4 PATIO FENCE / PLANTER
- 5 VEHICULAR CMU SCREEN WALL
- 6 EXISTING SITE WALL
- 7 TRASH ENCLOSURE WIGATE
- 8 STEEL PARKING BUMPER
- 9 ADA VAN PARKING STALL
- 10 PAVER PARKING STRIPE
- 11 POOL
- 12 PRECAST CONCRETE POT
- 13 BBQ COUNTER
- 14 FIREPLACE
- 15 SITE FURNISHING
- 16 8' HT. SCREEN WALL
- 17 ROOT BARRIER
- 18 PUBLIC BICYCLE PUMP STATION

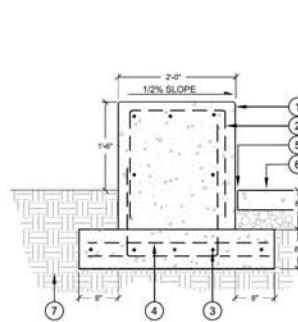
OTHER

- 20 ARCHITECTURAL POST
- 21 VERTICAL CURB
- 22 FLUSH CURB
- 23 LIGHT POST
- 24 CIVIL UTILITIES
- 25 EXISTING POWER POLE
- 26 FIRE HYDRANT
- 27 ADA RAMP
- LIMIT OF WORK
- RIGHT-OF-WAY



- 1 12" X 8" X 8" CONCRETE FOOTING AT CORNERS
- 2 1-1/2" X 1-1/2" X 1/4" STEEL ANGLE IRON.
- 3 1/2" STEEL PLATE - NATURAL FINISH.
- 4 FINISHED GRADE
- 5 ADJACENT PAVING.
- 6 FILL GAP WITH 3/4" SCREENED D.G. TOPDRESS.

RAISED STEEL PLANTER
SCALE: 1"=1'-0"
HD-STL PLANTER



- 1 CAST-IN-PLACE NATURAL GRAY CONCRETE SEATWALL. SMOOTH FINISH ON HORIZONTAL SURFACES AND MEDIUM SANDBLAST ON VERTICAL SURFACES. 1/2" CHAMFER ON EDGES.
- 2 #4 U BAR @ 12" O.C., LAP & TIE ENDS
- 3 #4 CONT. @ 12" O.C. (TYP.)
- 4 #4 HORIZ. @ 12" O.C.
- 5 1/2" FIBER EXP. JNT. W/ TRAFFIC SEALANT WHERE HARDSCAPE OCCURS
- 6 FINISHED GRADE
- 7 COMPACTED SUBGRADE

CIP SEATWALL
SCALE: 1"=1'-0"
HD-SEATW.

L101
GROUND LEVEL PLAN

NOTE: FURNITURE LAYOUT SHOWN FOR REFERENCE ONLY.



ENTITLEMENTS
2017.05.01
DATE

PROJECT
APACHE/OK MIXED-USE
1481 E APACHE BLVD
TEMPE, AZ 85281

CLIENT
M & L FINANCIAL PROPERTIES, INC.
31438 CASCADIA ROAD
COSTA MESA, CA 92626

ARCHITECT
STUDIO M.A.
130 N CENTRAL AVENUE, NO.300
PHOENIX, ARIZONA 85004
802-251-3800
CONTACT:
JASON BOYER
boyer@studiom.com

CIVIL ENGINEER
DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
802-957-1155
CONTACT:
SHANNON CANECCHIA
shannon.canecchia@dibblecorp.com

ELECTRICAL ENGINEER
WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT
DOUG WOODWARD
doug@woodward-engineering.com

LANDSCAPE ARCHITECT
FLOOR ASSOCIATES
1425 NORTH 1ST ST.
PHOENIX, ARIZONA 8004
802-462-1425
CONTACT:
KRIS FLOOR
kris@floorassociates.com





PLANT LEGEND

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WEDELIA TRILOBATA YELLOW DOT	5 GAL		216
VINES			
PARTHENOCISSUS X 'HACIENDA CREEPER'	5 GAL		19
TOPDRESS / DUST CONTROL			
INSIDE PROPERTY LINE			
EXPRESS GROWN 4"-8" RIP-RAP			5,967 S.F.
OUTSIDE PROPERTY LINE			
MADISON GOLD 3/4" MINUS			1,885 S.F.

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DALBERGIA SISSOO
ULMUS PARVIFOLIA

HARDSCAPE LEGEND

PAVING

- CONCRETE PAVING, TYPE 1
- CONCRETE PAVING, TYPE 2
- CONCRETE PAVING, TYPE 3
- PRECAST PAVER, TYPE 1
- PRECAST PAVER, TYPE 2
- TRUNCATED DOME PAVERS
- STABILIZED DECOMPOSED GRANITE
- EXPANSION JOINT
- SAW CUT CONTROL JOINT

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TEMPE, AZ, 85281

CLIENT
M & L FINANCIAL PROPERTIES, INC.
3143B CASCADIA ROAD
CASCADIA, CA 91384

ARCHITECT
JTS+DVS, S.A.
130 N CENTRAL AVENUE, RD. 300
PHOENIX, ARIZONA 85004
802-251-3800
CONTACT:
JASON BOYER
boyer@studiosa.com

CIVIL ENGINEER
DIBBLE ENGINEERING
7500 NORTH DREAMY DRAW DRIVE
SUITE 200
PHOENIX, ARIZONA 85020
802-957-1155
CONTACT:
SHANNON CANECCIA
shannon.caneccia@dibblecorp.com

ELECTRICAL ENGINEER
WOODWARD ENGINEERING
203 S. SMITH ROAD
TEMPE, ARIZONA 85281
480-894-4057
CONTACT:
DOUG WOODWARD
doug@woodward-engineering.com

LANDSCAPE ARCHITECT
FLOOR ASSOCIATES
1425 NORTH 1ST ST.
PHOENIX, ARIZONA 8004
802-462-1425
CONTACT:
KRIS FLOOR
kris@floorassociates.com

2812
ARIZONA
1917
OPRES. 12/31/17

NOTE: FURNITURE LAYOUT SHOWN
FOR REFERENCE ONLY.

L102
AMMENITY LEVEL PLAN

SCALE: 1" = 10'

PHASE DESIGN DATE
2017.05.01



ACID ETCH CONCRETE
PLAIN GREY
 CONCRETE PAVING, TYPE 1



BROOM FINISH CONCRETE
PLAIN GREY
 CONCRETE PAVING, TYPE 2



ACID ETCH CONCRETE
DAVIS COLOR: DARK GREY
 CONCRETE PAVING, TYPE 3



ACKERSTONE- AQUA VIA
DAVIS COLOR: SIERRA
 PRECAST PERVIUS PAVER, TYPE 1



ACKERSTONE-HOLLAND STONE
DAVIS COLOR: DARK GREY
 PRECAST PAVER, TYPE 2



ACKERSTONE- HOLLAND STONE
DAVIS COLOR: DARK GREY
[PARKING STRIP]
 PRECAST PAVER, TYPE 2



RUSTED METAL TRUNCATED DOME
NATURAL STEEL
 TRUNCATED DOME PAVERS

PROJECT
 APACHE/OAK MIXED-USE
 1461 E APACHE BLVD
 TEMPE, AZ 85281

CLIENT
 M & L FINANCIAL PROPERTIES, INC.
 31438 CASTAIC ROAD
 CASTAIC, CA 91384

ARCHITECT
 STUDIO MA
 130 N CENTRAL AVENUE, NO.300
 PHOENIX, ARIZONA 85004
 602-251-3800
 CONTACT:
 JASON BOYER
 boyer@studioma.com

CIVIL ENGINEER
 DIBBLE ENGINEERING
 7500 NORTH DREAMY DRAW DRIVE
 SUITE 200
 PHOENIX, ARIZONA 85020
 602-957-1155
 CONTACT:
 SHANNON CANECCHIA
 shannon.canecchia@dibblecorp.com

ELECTRICAL ENGINEER
 WOODWARD ENGINEERING
 203 S. SMITH ROAD
 TEMPE, ARIZONA 85281
 480-894-4057
 CONTACT
 DOUG WOODWARD
 doug@woodward-engineering.com

LANDSCAPE ARCHITECT
 FLOOR ASSOCIATES
 1425 NORTH 1ST ST.
 PHOENIX, ARIZONA 8004
 602-462-1425
 CONTACT:
 KRIS FLOOR
 kris@floorassociates.com
 DPW/EL: 12/31/17



L103
 SHEET
HARDSCAPE MATERIALS
 SCALE

ENTITLEMENTS PHASE/REV
 2017.05.01 DATE



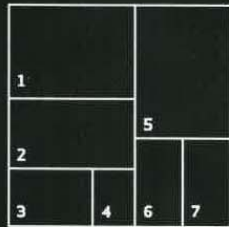
STUDIO MA

project

Apache/Oak Mixed Use

project information

1461 E Apache Blvd
Tempe, AZ 85251



- 1. EIFS-1 eifs**
Sto Corp, White Linen 6050 - LRV 73
- 2. GL-1 glazing**
Viracon, Clear
- 3. MT-1 metal paneling**
Morin, Weathered Zinc
- 4. SF-1 storefront windows and door frames**
Arcadia, Dark Bronze AB-7
- 5. WD-1 composite wood paneling**
Geolam, Rosewood - Vertigo
- 6. CMU-1 concrete masonry units**
Trendstone, Opal - Ground Face
- 7. CMU-2 site walls**
Trendstone, Pearl - Ground Face



08 May 2017

CITY OF TEMPE

Community Development Department and Planning Division
31 East Fifth Street
Tempe, AZ 85281

RE: PUBLIC INVOLVMENT FINAL REPORT for a new transit-oriented mixed-use development at the SW corner of Apache Blvd. and Oak St. (1461 E. Apache Blvd.)

arHAUS Projects is pleased to submit this Public Involvement Final Report on behalf of M&L - Arizona #1 (the "Owner") to the City of Tempe. arHAUS Projects is the Owner's Representative / Development Manager. Studio Ma is the Architect of Record. Jason Boyer is the primary point of contact for both the Development Manager and Architect.

NOTIFICATION LETTER AND MEETING NOTICE MAILED

3/28/17

DEVELOPMENT PROPOSAL SUBMITTED TO THE CITY OF TEMPE

3/28/17

NEIGHBORHOOD NOTIFICATION SIGN POSTED

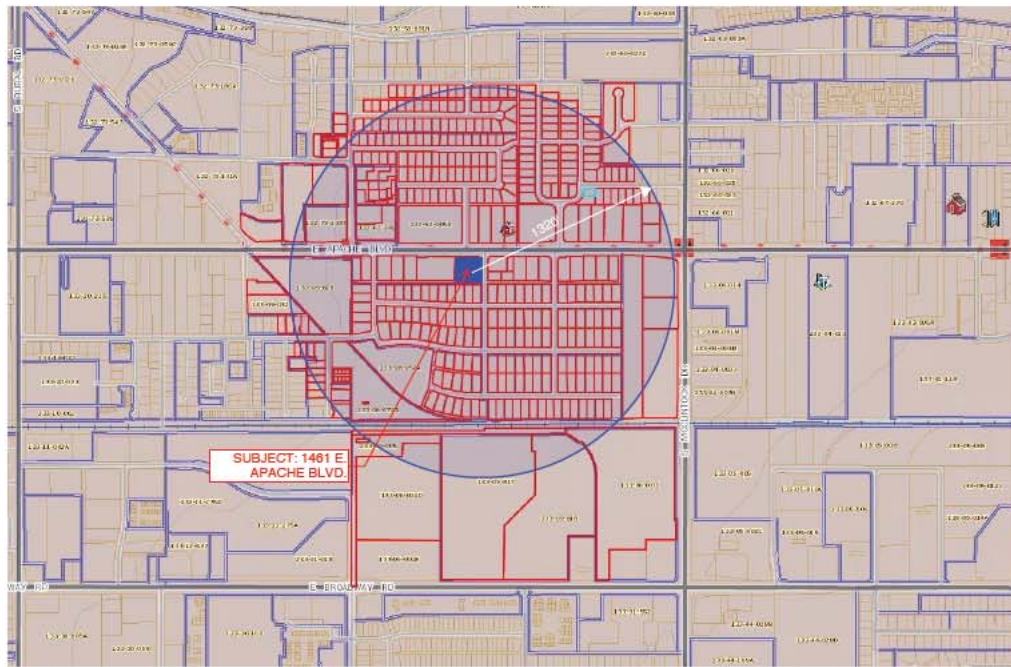
4/2/17

NEIGHBORHOOD NOTIFICATION AREA

The notification area includes all property owners located within 600 feet and the chairperson of registered neighborhood associations and home owner associations within 1320 feet of the subject Property located at 1461 E. Apache Blvd. In Tempe, Arizona.



Property Owner's located within 600' of the Project site



Registered neighborhood associations and home owner associations within 1320' of the Project site

NAMES OF REGISTERED NEIGHBORHOOD AND HOMEOWNER'S ASSOCIATIONS NOTIFIED

Tempe Hall Assn Inc	1606 E. Apache Blvd. Tempe, AZ 85281
Hudson Manor NA	1432 E Cedar St. Tempe, AZ 85281
University Heights NA	1364 E Lemon St. Tempe, AZ 85281
Jentilly Terrace NA	1426 S Rita Lane Tempe, AZ 85281

NEIGHBORHOOD MEETING DATE, TIME AND LOCATION

April 18th, 2017
 6:00 - 7:20pm
 Escalante Multi-Generational Center
 Room - Senior Center
 2150 E. Orange St.
 Tempe, AZ 85281

NEIGHBORHOOD MEETING FORMAT

The neighborhood meeting was conducted by the Owner's development representative and attended by the Owner, Architect and City of Tempe Sr. Planner. The format included an informal graphic presentation using a projector and screen to present the development proposal. Questions and answers were taken throughout the presentation. The presentation last approximately 1 hour and 20 minutes.

Members form the public in attendance will be asked to sign in and complete an information sheet after the presentation to share their documented opinion of the proposed development, what they like about it, don't like about it, or are indifferent. A sample of the neighborhood meeting form is included as an attachment to this document.

INVITED AND ACTUAL MEETING ATTENDANCE*

A total of sixty-seven (67) property owners were invited to attend through a mailed invitation

A total of twenty-five (25) property owners and twenty-six (26) total neighbors, mostly those within the notification area, attended the meeting.

A total of four (4) property owners emailed comments. Those are attached including responses if given at the time of this report.

No phone calls were taken on the subject development proposal.

*Attendance numbers do not include the Developer, Architect(s), Sr Planner, and DRC member Tom Brown. Mr. Brown attended but did not sign in.

CONCERNS AND ISSUES RAISED AT THE MEETING INCLUDE:

1. Neighborhood perception that the development proposal provided inadequate parking for residents and restaurant spaces.
2. Concern about valet managed parking for the restaurant.
3. Concern about upper floors of the proposed building's south façade being able to see into neighboring property backyards to the South.
4. Concern about noise and views from the proposed 3rd floor resident pool area adjacent to the resident properties to the South.
5. Concern about tree species (Heritage Oak) proposed to screen the property to the South. Neighbors would like a tree that is faster growing.
6. Concern noted about TOD parking reduction model. Has it been tested.
7. How are we preventing homeless?
8. Concern about height (70') and density proposed (61/du/ac).
9. A general concern was noted that retail space along Apache has not been successful. Residents wanted some form of proof or guarantee that the developer will be able to successfully fill the ground floor restaurant/food retail and office space.
10. It was challenged whether the property was within the Station Area as the developer represented.

Our responses to the above items are noted below in order of a formalized letter we received from the Hudson Manor NA noting their concerns in a coordinated letter. The letter is attached for reference and the responses below reflect the neighborhood concerns and what modifications the developer has made to the development proposal in response to those formalized concerns.

FOLLOW-UP NEIGHBORHOOD MEETING DATE, TIME AND LOCATION

Following the meeting on 4/18/17, the developer and architect had a follow-up meeting with the Chair and Co-Chairs of the Hudson Manor NA to discuss a Draft letter circulated to the Developer on 5/2/17.
May 5th, 2017
3:30 - 5:10pm
The Home of Matthew and Maria Salenger
1614 E. Cedar St
Tempe, AZ 85281

NEIGHBORHOOD MEETING FORMAT

The meeting was held at the home of Matthew and Maria Salenger. The meeting included discussion of the draft letter sent to the developer on 5/2/17 via email. The format was around the kitchen table. The developer and architect used a model and 11x17 formatted drawings and renderings to support the discussion.

MEETING ATTENDANCE

Representing the Hudson Manor neighborhood:
Chair - Phil Amorosi
Vice Chairs - Frank Farina, Daniel Mayer, Marilyn Murphey
Host and neighbor- Matthew Salenger

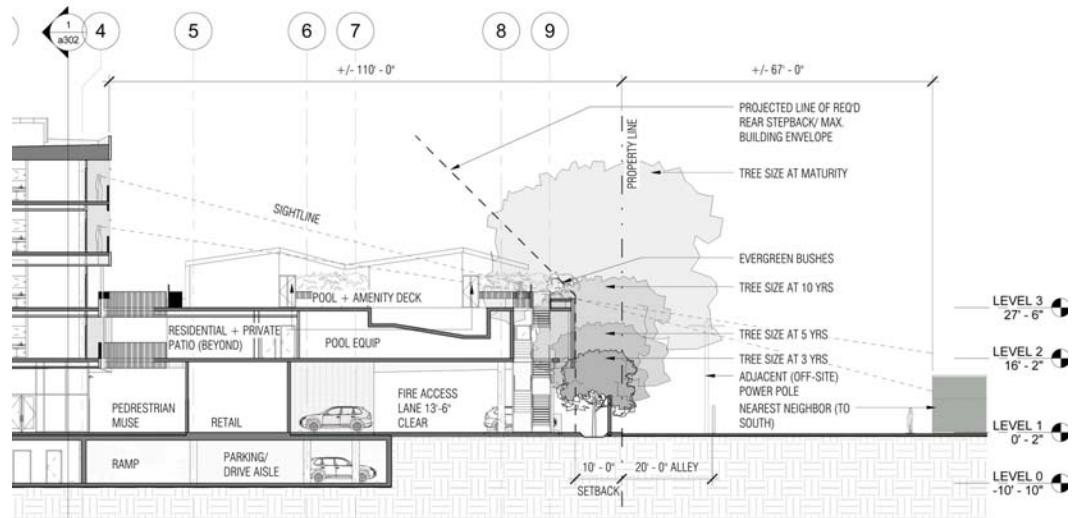
Representing the Development Team:
David Cameron
Jason Boyer

CONCERNS AND ISSUES RAISED AT THE MEETING INCLUDE**

**Text taken directly from Hudson Manor NAU draft letter

1. Currently the land is zoned Commercial Shopping Service (CSS). Because we are in the Transit Overlay District (TOD) all properties need to be rezoned as mixed use (MU) the current CSS zoning would roughly translate into MU-2 zoning (25 units/acre) but he wants to convert to unlimited density MU-4 zoning to build 54 units/acre, over twice as much. Gracie's is zoned MU-3 which allows 35 units/acre but sticks to 25 units/acre. Since 1461 is less than an acre he would have to build less than 25 units/acre.

DEVELOPER RESPONSE: Our original request was for a General Plan Amendment to allow MU-4 TOD zoning designation and residential density of 61du/ac and 54 units and 70' max height. Our revised request is for MU-4 TOD zoning designation and residential density of 54du/ac and 46 units and 66' max height set back approximately 110' from the South property line and massing along Oak Street that is no higher than 30' (28' actual) setback 10' from the South property line and steps to a maximum third floor height of 41'. The building massing is positioned so much of the building height and density (91% or 42 of the proposed 46 residential units) are located along Apache Blvd. and then step down toward the neighboring single family residential to the South for scale compatibility and efficient use of the compact land area.



Building Section through property and showing South Property line

Our lot coverage is exceptionally open with only 17% lot coverage, far less than the allowable 75% or up to 83% with a use permit. Landscape coverage meets the 25% requirements and exceeds the requirement at 33% when considering the third level resident open space amenity deck.

2. He wants on-street parking to help boost his parking count. Problem is it faces our neighborhood so when those people want to leave they will head our way. More work needs to be done by both the developer and the city to discourage that traffic from heading into our neighborhood, but it doesn't guarantee they won't.

DEVELOPER RESPONSE: As required by the City of Tempe development proposal submittal requirements, a traffic report has been commissioned which indicates no traffic coming through the neighborhood. The City of Tempe streets and transportation staff has reviewed and concurs with these findings. The developer acknowledges that it is possible that cars, bicycles, and pedestrians will enter the Hudson Manor neighborhood to the south and is willing to work with the neighborhood and City of Tempe streets and transportation department to provide signage or other mutually agreed traffic limiting measures to ease neighborhood concerns.

- Traffic flow doesn't work. Because of light rail you can only head east off the property. That means anyone that wants to go to Rural will cut through our neighborhood. This problem will go down with lower density but will be an issue with any development at this site.

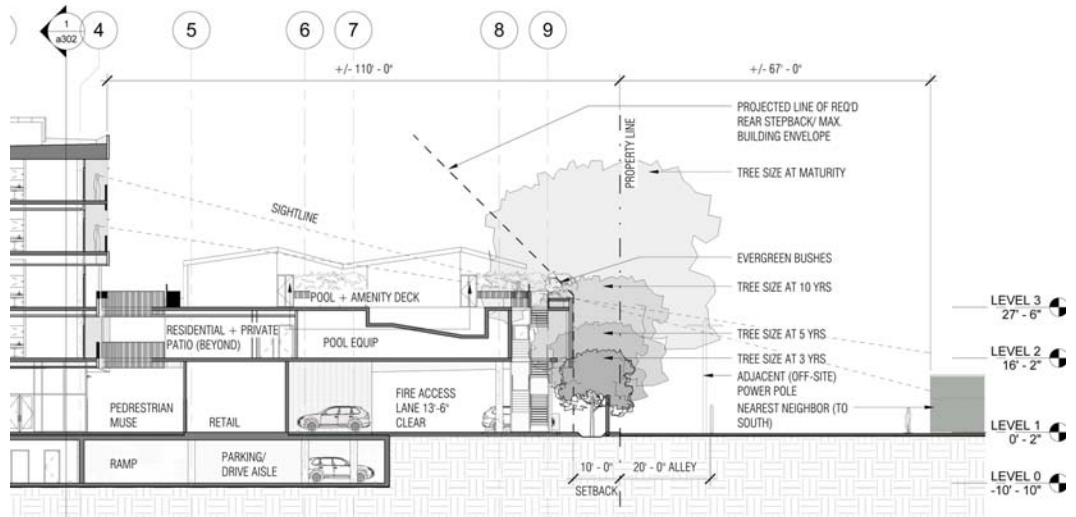
DEVELOPER RESPONSE: Reference response to item #2 above. Further we believe a for-sale residential development will create less traffic than a for-rent development. It's also possible that lower density could include the same number of bedrooms, and lend itself to a heavier resident population with more vehicles.

- He also wants tandem parking to fit in all the spaces. This is where you have two cars parked behind each other in one space. Valets are usually employed to maneuver the cars in this sort of parking plan, which the developer proposes, but there is no guarantee that will actually happen.

DEVELOPER RESPONSE: The purpose of the tandem parking is to provide the most possible on-site parking for the proposed restaurant use which is over and above the minimum requirements of the TOD Overlay area. The tandem parking will be reserved for restaurant parking and managed by a valet during the daily peak occupancy hours (anticipated to be Tuesday thru Saturday 4-9pm). The use of a managed valet service is a best-practice solution for popular neighborhood restaurants located in established residential neighborhoods throughout the Phoenix Metropolitan area. The requested use will ease traffic flow and is intended to not be detrimental to the adjacent neighborhood and community.

- Too much height. Gracie's is 50 ft. Lennar's NEXA is 65 ft. The current proposal at 1461 would be 70 ft. He is legally allowed to build as high as Gracie's since he is close to a light rail station. He should not ask for more than that.

DEVELOPER RESPONSE: As noted in our response to item 1, our proposed building height has been revised from 70' down to a maximum height of 66' set back approximately 110' from the South property line and massing along Oak Street that is no higher than 30' (28' actual) setback 10' from the South property line and steps to a maximum third floor height of 41'. The building massing is positioned so much of the building height and density (91% or 42 of the proposed 46 residential units) are located along Apache Blvd. and then step down toward the neighboring single family residential to the South for scale compatibility and efficient use of the compact land area.

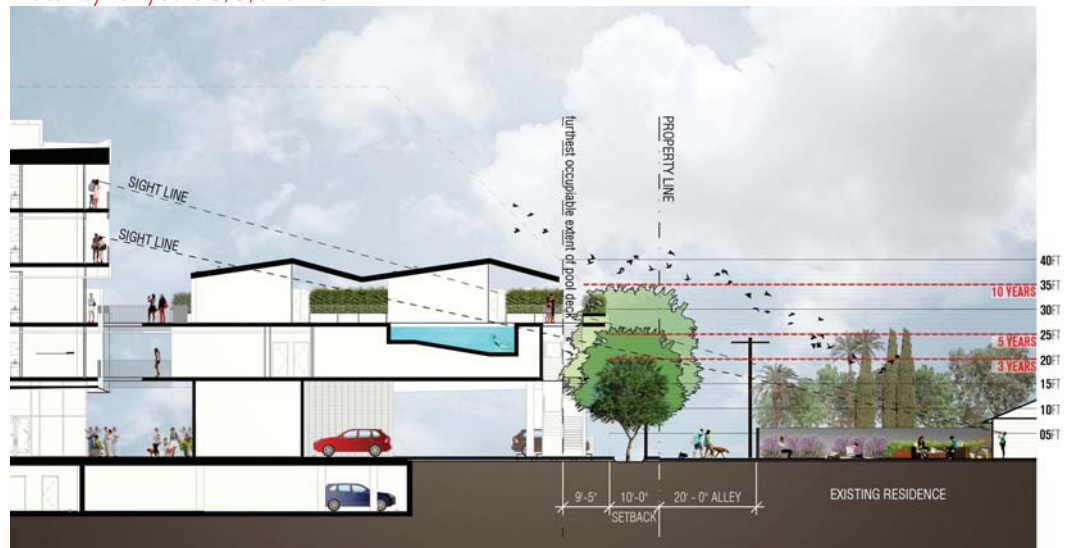


Building Section through property and showing South Property line

Our lot coverage is exceptionally open and purposely as open as possible to the neighborhood, with only 17% lot coverage, far less than the allowable 75% or up to 83% with a use permit. Landscape coverage meets the 25% requirements and exceeds the requirement at 33% when considering the third level resident open space amenity deck.

5. Too intrusive. There is only 30 ft. of space between our back-yard fences and the start of his 30 ft high back of his building. Then on top of that he wants to add a pool/amenity area with 2 rooms that would actually be 41 ft high. Anyone up there could easily see into the back yards of the neighborhood. Trees will not grow that high that fast. The design fits the city's limits by slanting the top roof and pulling it back 10 ft. In comparison, both Gracie's and NEXA buildings are 80 ft away from back yard fences. Site lines on both those properties are blocked.

DEVELOPER RESPONSE: As noted in our response to items 1 and 4 above, the proposed development is 110' away from the South property line, considering the alley width and backyard setbacks of the neighboring properties the distance is increased to approximately 170'. We have agreed to modify the proposed tree species (Heritage Oak) and propose to plant one of three faster growing varieties (Chinese Elm, Sissoo, or Arizona Ash) and would allow the neighbors to the South to determine which of those three (3) City of Tempe approved options is most desirable. Reference the below section illustrating the tree buffer at height maturity for years 3, 5, and 10.



Sissoo Tree height at years 3, 5, and 10

In addition, we have modified our south elevation to limit the amount of glazing at bedrooms by 50%, effectively reducing bedroom window area looking South



6. No guaranteed tenant for the retail space on the first floor.

DEVELOPER RESPONSE: We plan to seek a local restaurateur to operate the ground level restaurant and coffee shop. We have met with commercial real estate brokers and they

believe the demand for the type of space we are proposing is high. Commitments from restaurateur's is not realistic until the development is approved and we can show groups proof of concept. It is our goal to create a highly successful food amenity destination within the Apache corridor for the neighborhood.

7. Parking lot lights need to be shielded from bleeding into the neighborhood.
DEVELOPER RESPONSE: We agree and we have been working with Diana Kaminski and CPTED to reduce the amount of light levels required for the MU development. Our request, pending City approval is to reduce the parking lot light levels from 2FC to 1FC and to reduce the light levels at gates and doors from 5FC to 3FC. This will make a significant difference.
8. No sustainability features.
DEVELOPER RESPONSE: Not true, we were not able to get into this level of detail about the building design at the neighborhood meeting on 4/18/17. We have integrated sustainable thinking and elements into our development proposal from initial concept. The proposed project is inherently sustainable in its density using 4x less resources than the equivalent 46 single family homes. Planned sustainable features include on site EV charging stations, power infrastructure for resident EV charging stations below grade, and the installation of infrastructure to allow for solar PV panels to be installed on the roof that would offset the common power requirements of the building, effectively delivering a net zero building to the managing HOA entity.
9. No public art component.
DEVELOPER RESPONSE: Not considered. We do however believe there exist opportunities to integrate art into the pocket park areas off Oak Street through sculpture of street art murals.
10. CCR's need to restrict pool hours and amplified music on the roof.
DEVELOPER RESPONSE: A property manager will be hired by the HOA to manage the building and enforce the CCR's as created by the developer. The CCR's will be part of the Condominium Declaration required to be submitted to the Arizona Department of Real Estate before home sales can be formally taken. This is a public document. We expect the CCR's to include limiting provisions for amenity space use and amplified noise and are willing to include the Hudson Manor NA in the review of draft provisions that address the above concerns regarding pool hours and amplified noise on the third-floor amenity area.

END

Enc: neighborhood meeting sign in sheet;
neighborhood meeting comments sheets;
copies of resident emails;
copy of draft letter from Hudson Manor NA shared with developer;
photos of neighborhood notification sign on site;
copy of meeting invitation;

NEIGHBORHOOD MEETING

APACHE + OAK MIXED-USE DEVELOPMENT
City of Tempe Planning Case #PL160429

Escalante Multi-Generational Center
Room - Senior Center
2150 E. Orange St.
Tempe, AZ 85281

On Tuesday April 18, 2017 at 6:00pm

I SUPPORT

I DO NOT SUPPORT

I AM NEUTRAL

I HAVE NOT DECIDED

COMMENTS:

GREAT USE OF LOT COVERAGE. WHILE TAKING INTO ACCOUNT MOVEMENT

ON THE STREET LEVEL. WOULD BE GREAT TO HAVE MORE WALK-FRIENDLY

DESTINATIONS IN THE NEIGHBORHOOD.

Name: MICHAEL BLONNER

Address: [REDACTED]

City: TEMPE

Phone: [REDACTED]

Email: [REDACTED]

May we contact you in the future? (circle one)

Y

N

NEIGHBORHOOD MEETING

APACHE + OAK MIXED-USE DEVELOPMENT
City of Tempe Planning Case #PL160429

Escalante Multi-Generational Center
Room - Senior Center
2150 E. Orange St.
Tempe, AZ 85281

On Tuesday April 18, 2017 at 6:00pm

I SUPPORT

I DO NOT SUPPORT

I AM NEUTRAL

I HAVE NOT DECIDED

COMMENTS:

Concerned about the # of people/units (54) on such a small space. Also I would like to see what guarantees you can offer on the project being high end with an HOA that requires occupied units and other enticements to prevent college dormitories becoming of the project. Also how can address my neighbors concerns with regard to their privacy. Can you put trees or barriers high enough to shield them?

Name:

Address:

City:

Phone:

Email:

May we contact you in the future: (circle one)

Y

N

NEIGHBORHOOD MEETING

APACHE + OAK MIXED-USE DEVELOPMENT
City of Tempe Planning Case #PL160429

Escalante Multi-Generational Center
Room - Senior Center
2150 E. Orange St.
Tempe, AZ 85281

On Tuesday April 18, 2017 at 6:00pm

I SUPPORT

I DO NOT SUPPORT

I AM NEUTRAL

I HAVE NOT DECIDED

COMMENTS:

Name: DAVID RITZ

Address: [REDACTED]
City: [REDACTED]
Phone: [REDACTED]
Email: [REDACTED]

May we contact you in the future? (circle one) Y N

NEIGHBORHOOD MEETING

APACHE + OAK MIXED-USE DEVELOPMENT
City of Tempe Planning Case #PL160429

Escalante Multi-Generational Center
Room - Senior Center
2150 E. Orange St.
Tempe, AZ 85281

On Tuesday April 18, 2017 at 6:00pm

I SUPPORT

I DO NOT SUPPORT

I AM NEUTRAL

I HAVE NOT DECIDED

COMMENTS:

The parking seems a bit short for retail & housing proposed.

I do like the idea of high density housing but
am concerned about the impact to the neighborhood.

Access to Apache is ~~only~~^{only} to the East, could cause
problems for people leaving through the neighborhood.

Name: Steve Klug

Address:

City:

Phone:

Email:

May we contact you in the future? (circle one) (Y) N

NEIGHBORHOOD MEETING

APACHE + OAK MIXED-USE DEVELOPMENT
City of Tempe Planning Case #PL160429

Escalante Multi-Generational Center
Room - Senior Center
2150 E. Orange St.
Tempe, AZ 85281

On Tuesday April 18, 2017 at 6:00pm

I SUPPORT

DO NOT SUPPORT

I AM NEUTRAL

I HAVE NOT DECIDED

COMMENTS:

The high density
Concerned about the high density on a small lot & the view into the neighborhood.
Also concerned about traffic flow - flow on Hudson Dr. & cut through. would like to see what rendering for 25 units would look - not 50+
If a restaurant can't be secured - don't want it to just be the gymnasium.

Name: Marilyn Murphy

Address: [REDACTED]

City: [REDACTED]

Phone: [REDACTED]

Email:

May we contact you in the future? (circle one) Y N

NEIGHBORHOOD MEETING

APACHE + OAK MIXED-USE DEVELOPMENT
City of Tempe Planning Case #PL160429

Escalante Multi-Generational Center
Room - Senior Center
2150 E. Orange St.
Tempe, AZ 85281

On Tuesday April 18, 2017 at 6:00pm

I SUPPORT

I DO NOT SUPPORT

I AM NEUTRAL

I HAVE NOT DECIDED

COMMENTS:

PROJECT IS TOO TALL TO BE UP AGAINST THE BACKYARDS OF SINGLE FAMILY HOMES. THIS IS THE SAME PROBLEM AS THE GRACIES PROJECT BUT WORSE AS IT BACKS TO SEVERAL HOMES INSTEAD OF JUST ONE. AND I BELIEVE THE SITE IS NOT IN THE STATION AREA WHICH WOULD NOT MAKE IT ELIGIBLE FOR HIGH DENSITY ZONING. THREE STORIES (JUST LIKE GRACIES) WOULD BE A FINE COMPROMISE THAT I BELIEVE MOST NEIGHBORS WOULD FINE ACCEPTABLE.

Name: CHARLES BUSS

Address:

City:

Phone:

Email:

May we contact you in the future? (circle one)

Y

N

NEIGHBORHOOD MEETING

APACHE + OAK MIXED-USE DEVELOPMENT
City of Tempe Planning Case #PL160429

Escalante Multi-Generational Center
Room - Senior Center
2150 E. Orange St.
Tempe, AZ 85281

On Tuesday April 18, 2017 at 6:00pm

I SUPPORT

u I DO NOT SUPPORT

I AM NEUTRAL

I HAVE NOT DECIDED

COMMENTS:

Name: Nancy GOSOWSKI
Address: [REDACTED]
City: [REDACTED]
Phone: [REDACTED]
Email: [REDACTED]

May we contact you in the future? (circle one) Y N

From: Chris Hartman [REDACTED]
Subject: Apache + Oak Development Proposa
Date: Apr 14, 2017 at 7:31 AM
To: jboyer@arthausphx.com
Cc: councilor@tempe.gov



Dear Mr. Boyer (cc Tempe City Council),

I live at 1405 E Hall St and received the NEIGHBORHOOD NOTIFICATION LETTER dated 03 April 2017. I am strongly against a 5 story structure bordering my property. My backyard is private. If a 5 story structure is built I will have an audience and the essence of my property will be ruined. I am unable to attend the 1 hour event on 18 April so I wanted to voice my protest directly to you and TCC.

The Apache Corridor between Dorsey and McClintock is designated as a 'Cultural Resource Area' and is not enhanced by large scale, high profile and high density structures. I've included a snippet from the [Density Map from the 2040 Tempe General Plan](#). 54 DU/AC is too high!



I suggest you review the history of Gracie's Village at NEC of Apache and Elm, rezoned MU-3. That project was originally requested for MU-4, 6 stories but after exhausting protest by the surrounding neighborhoods the project was approved for MU-3 with level 1 commercial, level 2 & 3 residential, partial level 4 community room. Your Apache + Oak project should not be allowed to exceed those constraints we fought so hard to set forth. Please do not put us through that again.

Do not underestimate the energy and volume of the residents of Hudson, Tomlinson and Borden. We are strong, we are united and we are unintimidated by developers!!

Respectfully,
Christine Hartman



From: Daniel Childers [REDACTED]
Subject: RE: Studio Ma / artHAUS Apache and Oak Street Project Inquiry
Date: Apr 13, 2017 at 9:20 AM
To: Jason Boyer jboyer@arthausphx.com



Thanks Jason,

Greatly appreciate the reply and thorough response. Glad to hear you'll be meeting with Matt, let me reach out to him to see if he wouldn't mind me tagging along (I live a few houses down). I'll be out of the office tomorrow, or I would certainly take you up on your offer to review the proposal at Architekton.

I'm relieved to hear of the general layout and design, and while I'll be interested to see how the height along Apache feels, it certainly seems to respond to our neighborhood scale. I think a concern we still might have is how this might make it easier for future developments, without the same design sensitivity, to also increase their density and height.

Matt and I are certainly proponents of urban infill, when it is done right. Unfortunately, and justifiably so, the Lennar development has given our neighborhood a reason to resist similar kinds of projects. However if you're able to convey the sensitivity to scale, the services that would benefit the neighborhood, and the clientele that the project is designed for (thinking young professionals and not college kids), it would go a long way in convincing the hood.

Again thanks for your time and response, and I look forward to meeting with you soon.

Dan

From: Jason Boyer [mailto:jboyer@arthausphx.com]
Sent: Thursday, April 13, 2017 7:11 AM
To: Daniel Childers [REDACTED]
Subject: Re: Studio Ma / artHAUS Apache and Oak Street Project Inquiry

Hi Dan.

Thanks for your note. I'm in the middle of assembling the presentation for the neighborhood meeting next week Tuesday. I have a meeting with Matt Salenger tomorrow morning (Friday) to review the proposal and could do the same with you right after, say 1030 at your office if you're available.

To be clear we are not proposing a donut of maxed out allowable density. I'm hopeful you'll find the proposal is sensitive within the constraints of the site and meets the requirements of the 2040 Tempe General Plan. The proposal includes a request for 5 stories along Apache that steps down to a 2 story bar along Oak w/ two lofts that pop-up at the third level roof deck. Specifically the Southern edge has only a small portion of the building abutting the setback, with the majority of the south edge being open space. Much of the ground plane is open with the intent that the proposed street activating food retail spaces serve the neighborhood. These spaces are located on Apache and allow for pedestrian circulation on all four sides. Resident parking is below grade with on site parking for retail

circulation on all four sides. Resident parking is below grade with on site parking for retail and guest. The total open space on site is nearly 50%.

I understand your concerns about the Lennar development to the West. Lennar built a similar collection of buildings immediately to the South of artHAUS in midtown Phoenix.

It leaves much to be desired from both a planning and architectural standpoint (or lack thereof). We are not proposing anything like this, nor would I be involved in a project that did. I look forward to sharing the proposal with you and getting your feedback.

Best...

Jason Boyer, AIA

artHAUS

602.689.0710

www.arthausphx.com

On Apr 12, 2017, at 11:43 AM, Daniel Childers

[REDACTED] wrote:

Jason,

I wanted to reach out to you in regards to Studio Ma and artHAUS's proposed project on the SW corner of Apache Blvd. and Oak St. Would you be able to send me plans and renderings of the project you're planning to present to my neighborhood next week? Specifically, I'm looking how you are dealing with the southern edge of the property that butts up against our historic single family residences. In your notification letter you speak of stepping down to three stories along Oak street, so my assumption is you're doing this as well along the southern edge?

As I'm sure you're aware, increasing the density and height limits does not help 'sensitively integrate' this project into the immediate surroundings. That's nice jargon but in reality your project would be quite the opposite, as it would be completely out of scale. You'll be well aware of our concerns at next week's meeting, but our main issue is the request for increased density and height. I understand you're desire for increasing profit margins, but if you've been to our neighborhood you're surely aware that a 70' building would not integrate well (just look at the architectural blight that is The Motley, they also assured us that a 70' height and increased density would integrate nicely).

Is there a reason that you're not using a similar density and height as the first

artHAUS project? That project fits so nicely into the neighborhood, It seems that scale would work far better for this site!

Thanks and here's to hoping you're an architect of the people and not of the developer!

Daniel Childers

Architect, AIA

[REDACTED]

[REDACTED]

[REDACTED]

From: Jason Boyer jboyer@artHAUSphx.com
Subject: Re: Neighborhood notice
Date: Apr 13, 2017 at 8:52 AM
To: Marie Wouters [REDACTED]
Bcc: David Cameron cashflowsand ego@gmail.com



Hi Mary. Thanks for your inquiry. We anticipate a street-level restaurant and small cafe along Apache Blvd.

Let me know if you have any additional questions.

Jason Boyer, AIA
artHAUS
602.689.0710

www.arthausphx.com

On Apr 13, 2017, at 8:45 AM, Marie Wouters [REDACTED] wrote:

Jason,

I got the notice for the Southwest corner of Apache and Oak in Tempe and it says you are building where the motel is. It says food retail, does that mean you are building a grocery store?

Thanks,
Marie Wouters

From: Jason Boyer jboyer@artHAUSphx.com
Subject: Re: Resident response on proposed development on Apache Blvd. & Oak St. (PL160429)
Date: Apr 27, 2017 at 8:50 AM
To: Kyle Woodson [REDACTED]
Cc: Ph Amoros [REDACTED] Stephan Woodson [REDACTED]
Bcc: David Cameron cashflowsandego@gmail.com



H Kyle

Thank you for your feedback. I am in Orlando this week at the AIA National Convention and will respond to your detailed email no later than early next week.

Jason Boyer
602.689.0710

On Apr 27, 2017, at 11:18 AM, Kyle Woodson [REDACTED] wrote:

Dear Mr. Boyer:

I am writing to provide my feedback regarding the proposed development at 1461 E Apache Blvd, on the SW corner of Apache Blvd. & Oak St. (case number PL160429). I live at 1502 E. Hudson Drive, on the NE corner of Hudson Drive and Oak Street, which is caddy-corner to the SE corner of the parcel proposed for development. I attended the informational meeting on April 18 at Escalante Center.

First, I thank you for providing the informational meeting. It was good to hear the proposal directly from the developer and owner. I am sure it is not easy to do those kinds of presentations to an audience that is largely unreceptive to the proposed development.

Second, I would be in favor of some type of redevelopment on this parcel. I have lived in Hudson Manor neighborhood for 22 years so I have seen the degradation of the property at 1461 E Apache Blvd. The property has greatly deteriorated over the years and it is now an eye sore that needs to be addressed.

However, I respectfully do not support the proposed development plan for the property. I do not believe the proposed plan is appropriate for that location; I do not think the proposed rezoning is needed; and I do not think the development will benefit the Hudson Manor neighborhood as much as you suggest.

First, I am disappointed that the owner is saying that he was defrauded by the seller and using that as an excuse to propose a massive redevelopment of the property. I am sorry, but "caveat emptor" applies to everyone, and if the owner failed to sufficiently investigate the property before he purchased it then he will just have to accept that failure and move on. He certainly cannot expect us to buy that argument as a guiding reason for a massive redevelopment. I don't have a problem with redevelopment, but please be more reasonable than the current proposal.

Second, I do not think this proposal is appropriate for this location. Why does Tempe need another high density residential development on Apache? There are many others already on Apache, and the Nexa is about to open with 400 units! I seriously doubt that all those units are occupied at this time. I just don't see the need for another high density, contemporary residential complex on Apache. I especially don't see the need for such a development directly adjacent to a historic neighborhood of single-family residences.

Third, I reject the idea that this property needs to be rezoned to more than double the density (to 61 du/ac) and raise the allowable height to 5 stories (70 feet). This property is only 0.9 acres and it is directly adjacent to a historic neighborhood of single-family residences. So, in my opinion, this parcel is too small and too close to our neighborhood to justify such an increase in density and height. We do not want a giant apartment complex crammed into this space, overlooking a wide swath of our neighborhood (including my backyard). Why can't you stay with the existing zoning with a height of 45 feet (which I would guess is 3 stories) and a density of 25 du/ac? That is what the master plan called for, so just stay with it.

Fourth, your proposed parking plan is completely inadequate. You stated there would be ~52 residential units in the complex including 1 and 2 bedrooms. So, you're probably going to have 80 or 90 residents. But there are only ~50 dedicated underground parking spaces. There is no way this will meet the needs of the residents, so where can they park? You stated there will be ~50 ground floor parking spaces but those are to be used for the commercial and restaurant workers and visitors. So, there is no where for residents to park except on the surface streets. Also, where will visitors to the residents park? As far I can tell, that will be on the surface streets. Basically, we are looking at about 30 vehicles a day that won't have anywhere to park except in the neighborhood. This is totally unacceptable.

Fifth, I doubt the commercial and restaurant plans for the 1st floor will be successful. I do understand that the City requires the 1st floor of these types of developments on Apache Blvd to be devoted to commercial and restaurant purposes. However, if you look up and down Apache at the other residential developments that have 1st floor commercial space, they are almost all vacant and have been for years. In addition, there is plenty of other commercial space and storefronts that are vacant or have held only short-term lessees. I don't know why they are failing, and it is too bad because Tempe wants these areas to succeed, but the fact is that they are not working.

Sixth, I doubt that the units would remain owner-occupied, rather than become rentals, as the owner claims. How would that be accomplished? Will there be a rule that prevents the owners from leasing the units? My guess is no, which will not prevent the

accomplished. Will there be a rule that prevents the owners from leasing the units? My guess is no, which will not prevent the complex from becoming mostly rentals as are most of the residential developments in the area. That includes Hudson Manor, which unfortunately has a very high ratio of rental units. Overall, I think studies and anecdotal evidence show that owner-occupied houses and apartments are better maintained and cared for and it results in a better neighborhood.

Lastly, I do not see that this proposed development will benefit the Hudson Manor neighborhood as much as you suggest. We are looking at a major increase in traffic and noise, a lot of additional cars that will be parking in the neighborhood, most likely an increase in nuisance from too many residents on such a small parcel. Also, we will have a bunch of people who are able to peer into our homes and backyards at all times. How is that a benefit? About the only benefit I would see is at least having a better looking building, and if a decent restaurant takes up residence in the 1st floor.

Again, I appreciate your time to present the information to the public. I hope you take my comments into consideration. If you have any questions for me, please contact me.

Sincerely,
M. Kyle Woodson

A black rectangular redaction box covering the signature area.

Re: 1461 E Apache Blvd.

First I want to thank the 30-plus neighbors that took the time to go to the Escalante Center for the neighborhood meeting on the 1461 E Apache Blvd. As is typical with developers, they want to maximize their profits. That is not wrong or bad, that is the American way and he is free to try to make as much money as possible to satisfy his investors. The city did not ask him to do this; this is his idea. We also have a say in this process since it is our neighborhood and we have to live with it.

The most legitimate fact we have is that the 2040 General Plan that was voted on by the citizens clearly shows that our neighborhood is a cultural resource area (as are the other neighborhoods that fall within the Transit Overlay District (TOD)) and this site is clearly marked for medium density MU-2 (25 units/acre). This developer wants to obtain a high density zoning change to MU-4 (65 units/acre).

Another valid reason for stopping the MU-4 zoning change is that some developers will try to make the minimum cosmetic changes while trying to secure the coveted MU-4 zoning change since that will increase the value of the property when he sells, whether he develops it or not. The new owner could then legally bring in a far worse development to the site in the future.

Many of you brought up valid points on what is negative about the proposal such as increased neighborhood traffic, loss of privacy, and the high density. And we will, of course, work to keep this development from occurring as proposed.

However, we all also know many of the lots along Apache adjacent to our cultural resource neighborhoods are going to get developed. It is only a matter of time. Change is difficult but growth is happening along the light rail throughout the city. And with Tempe being land-locked, our area has been designated an area for growth and re-investment in the 2040 Plan with mixed use. So it isn't appropriate to just say no to everything. We need to come up with our own list of what would be acceptable and the reasons why. We need to work together to get what we want out of the developments to improve our area and minimize damaging what we love about our neighborhoods. We will need to mobilize like we did with Gracie's Village. The more voices the better. It won't be easy but these things never are.

Let's start with the positive.

1. He wants to build for-sale units not an apartment complex. These residents will have a more vested interest in the area. We also need more home ownership to attract more amenities to our area.
2. This development will, overall, increase our property values over time, as the sale prices for their condos will be high.

3. Lots of trees to go with our flood irrigated neighborhood. Slight problem is they picked a slow growing Oak tree. They need to pick something that grows faster.
4. Underground parking for residents.
5. Parking at grade for guests of residents and for planned retail, keeping those cars from parking within our neighborhood. According to city guidelines he is meeting their parking ratio but the devil is in the details. It is still being analyzed.
5. A nice modern design that is different from all the others that have been going up recently.
6. More potential amenities adjacent to our neighborhood such as dining, shopping, and/or professional services. Even if not all the space they provide gets filled now, as the area changes these spaces will likely eventually be filled.
7. The three story building along the southeast edge of their property is only about 50 feet wide rather than building three stories all the way across the back. They kept the main mass against Apache, which is good- however it is just too tall.

These are the negative issues with their proposal:

1. Currently the land is zoned Commercial Shopping Service (CSS). Because we are in the Transit Overlay District (TOD) all properties need to be rezoned as mixed use (MU) the current CSS zoning would roughly translate into MU-2 zoning (25 units/acre) but he wants to convert to unlimited density MU-4 zoning to build 54 units/acre, over twice as much. Gracie's is zoned MU-3 which allows 35 units/acre but sticks to 25 units/acre. Since 1461 is less than an acre he would have to build less than 25 units/acre.
2. He wants on-street parking to help boost his parking count. Problem is it faces our neighborhood so when those people want to leave they will head our way. More work needs to be done by both the developer and the city to discourage that traffic from heading into our neighborhood, but it doesn't guarantee they won't.
3. Traffic flow doesn't work. Because of light rail you can only head east off the property. That means anyone that wants to go to Rural will cut through our neighborhood. This problem will go down with lower density but will be an issue with any development at this site.
4. He also wants tandem parking to fit in all the spaces. This is where you have two cars parked behind each other in one space. Valets are usually employed to maneuver the cars in this sort of parking plan, which the developer proposes, but there is no guarantee that will actually happen.
5. Too much height. Gracie's is 50 ft. Lennar's NEXA is 65 ft. The current proposal at 1461 would be 70 ft. He is legally allowed to build as high as Gracie's since he is close to a light rail station. He should not ask for more than that.
6. Too intrusive. There is only 30 ft. of space between our back yard fences and the start of his 30 ft high back of his building. Then on top of that he wants to add a pool/amenity area with 2 rooms that would actually be 41 ft high. Anyone up there could easily see into the back yards of the neighborhood. Trees will not grow that high that fast. The design fits the city's limits by slanting the top roof and pulling it back 10 ft. In

comparison, both Gracie's and NEXA buildings are 80 ft away from back yard fences. Site lines on both those properties are blocked.

7. No guaranteed tenant for the retail space on the first floor.
8. Parking lot lights need to be shielded from bleeding into the neighborhood.
9. No sustainability features.
10. No public art component.
11. CCR's need to restrict pool hours and amplified music on the roof.

Action Items:

1. You must email or write a letter so it gets put in the file that goes to the DRC and City Council. Phone calls do not count.

City Planner for 1461 project is:
Diana Kaminski
Email: Diana_Kaminski@tempe.gov
480-858-2391

2. Show up to the Development Review Commission (DRC) meeting tentatively scheduled for May 23rd at 6 pm to vocalize concerns and ask for revisions.
3. If the proposal passes through the DRC, you can vocalize your concerns directly to the city council. It is tentatively scheduled to be heard at the council meeting on June 22. We will give you updates when it gets closer if this is the actual date. The Council will have 2 meetings before they make a decision.
4. If the developers want to change their proposal and have another neighborhood meeting please show up.

Phil Amorosi
Chair
Frank Farina, Dan Mayer, Marilyn Murphy
Vice Chairs

Kaminski, Diana

From: Kyle Woodson [REDACTED]
Sent: Saturday, April 29, 2017 6:55 AM
To: Kaminski, Diana
Subject: Fwd: Resident response on proposed development on Apache Blvd. & Oak St. (PL160429)

Hello,

Will you please add my message below to the file for this zoning case.

Thank you,
Kyle Woodson

----- Forwarded message -----

From: Philip Amorosi <philamo@cox.net>
Date: Thu, Apr 27, 2017 at 15:27
Subject: Re: Resident response on proposed development on Apache Blvd. & Oak St. (PL160429)
To: Kyle & Stephani Woodson <kwoodsonaz@gmail.com>

Hi Kyle,

Great letter. I am putting together an action plan for the neighborhood. It is in the editing stages right now with the vice chairs. I am bringing up the same points you mention so we are on the same page. I can address why the other retail spaces are empty on the boulevard but that would be a phone conversation. Too much for an email. The main thing I think you need to do is send this to Diana Kaminski, the city planner, so it gets put in the official record. The members of the DRC and the city council will see it then, if it gets that far. So please send this to her and tell her you want it in the file.

Her contact info is: Diana_Kaminski@tempe.gov

Thanks for getting involved. We need more like you to succeed.
Phil

On Apr 27, 2017, at 8:18 AM, Kyle Woodson [REDACTED] wrote:

Dear Mr. Boyer:

I am writing to provide my feedback regarding the proposed development at 1461 E Apache Blvd, on the SW corner of Apache Blvd. & Oak St. (case number PL160429). I live at [REDACTED] E. Hudson Drive, on the NE corner of Hudson Drive and Oak Street, which is caddy-corner to the SE corner of the parcel proposed for development. I attended the informational meeting on April 18 at Escalante Center.

First, I thank you for providing the informational meeting. It was good to hear the proposal directly from the developer and owner. I am sure it is not easy to do those kinds of presentations to an audience that is largely unreceptive to the proposed development.

Second, I would be in favor of some type of redevelopment on this parcel. I have lived in Hudson Manor neighborhood for 22 years so I have seen the degradation of the property at 1461 E Apache Blvd. The property has greatly deteriorated over the years and it is now an eye sore that needs to be addressed.

However, I respectfully do not support the proposed development plan for the property. I do not believe the proposed plan is appropriate for that location; I do not think the proposed rezoning is needed; and I do not think the development will benefit the Hudson Manor neighborhood as much as you suggest.

First, I am disappointed that the owner is saying that he was defrauded by the seller and using that as an excuse to propose a massive redevelopment of the property. I am sorry, but "caveat emptor" applies to everyone, and if the owner failed to sufficiently investigate the property before he purchased it then he will just have to accept that failure and move on. He certainly cannot expect us to buy that argument as a guiding reason for a massive redevelopment. I don't have a problem with redevelopment, but please be more reasonable than the current proposal.

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Third, I reject the idea that this property needs to be rezoned to more than double the density (to 61 du/ac) and raise the allowable height to 5 stories (70 feet). This property is only 0.9 acres and it is directly adjacent to a historic neighborhood of single-family residences. So, in my opinion, this parcel is too small and too close to our neighborhood to justify such an increase in density and height. We do not want a giant apartment complex crammed into this space, overlooking a wide swath of our neighborhood (including my backyard). Why can't you stay with the existing zoning with a height of 45 feet (which I would guess is 3 stories) and a density of 25 du/ac? That is what the master plan called for, so just stay with it.

Fourth, your proposed parking plan is completely inadequate. You stated there would be ~52 residential units in the complex including 1 and 2 bedrooms. So, you're probably going to have 80 or 90 residents. But there are only ~50 dedicated underground parking spaces. There is no way this will meet the needs of the residents, so where can they park? You stated there will be ~50 ground floor parking spaces but those are to be used for the commercial and restaurant workers and visitors. So, there is no where for residents to park except on the surface streets. Also, where will visitors to the residents park? As far I can tell, that will be on the surface streets. Basically, we are looking at about 30 vehicles a day that won't have anywhere to park except in the neighborhood. This is totally unacceptable.

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have been for years. In addition, there is plenty of other commercial space and storefronts that are vacant or have held only short-term lessees. I don't know why they are failing, and it is too bad because Tempe wants these areas to succeed, but the fact is that they are not working.

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Lastly, I do not see that this proposed development will benefit the Hudson Manor neighborhood as much as you suggest. We are looking at a major increase in traffic and noise, a lot of additional cars that will be parking in the neighborhood, most likely an increase in nuisance from too many residents on such a small parcel. Also, we will have a bunch of people who are able to peer into our homes and backyards at all times. How is that a benefit? About the only benefit I would see is at least having a better looking building, and if a decent restaurant takes up residence in the 1st floor.

Again, I appreciate your time to present the information to the public. I hope you take my comments into consideration. If you have any questions for me, please contact me.

Sincerely,
M. Kyle Woodson
[REDACTED] E. Hudson Drive
Tempe, AZ 85281

From: [Jim](#)
To: [Kaminski, Diana](#)
Subject: Hudson Manor
Date: Saturday, May 13, 2017 4:10:13 PM

My name is Jim Felkey (AKA:-N7BBS) owner/occupier of [REDACTED] East Hudson Drive , Tempe , AZ 85281 . I am approximately 250 feet North West of the proposed development on the South West corner of Oak and Apache Blvd.(SE of my home). I have lived in Tempe since 1977 when I attended school at ASU. Eventually I became a teacher in Phoenix less then 10 miles from my current location. In 1992 I decided to purchase a home in Tempe . When I went looking, I had certain requirements. Some of the main ones were that it was not in an HOA (do not care for 'cookie cutter' housing), an older neighborhood that had similar floor plans as my parents' home (they might be living with me as they age), a quiet single family neighbor hood, and close to ASU (to further my education). Since I have lived at my current location the City of Tempe has permitted 'sky scraper' development in Tempe and light rail. I was extremely upset with the 5 story development that went in about 300 feet directly West of me. This will have a negative affect on my sense of quiet single family neighborhood when the 399 units start filling up. The developments around me have already had an impact on traffic (4 ways limited in and out) in my neighbor hood. (It is a direct corridor without traffic lights from McClintock to Rural Road). Thank goodness I am retired and do not have to fight the commuting times, like others residents surrounding me. I have seen crime rise in my neighbor hood in the past 8 years. Christmas Day Eve two years ago I witnessed a high speed police chase past my house. Houses on both sides of me have been broken into and I have personally assisted Tempe Police in catching 3 burglars in the last 8 years. Burglaries were almost unheard of when I chose the neighbor hood. Now I am faced with someone that wants to put 49+ plus apartments/multi use, 5 stories (70 feet high) in the same space equal to three of my properties, directly in the long path propagation for my amateur radio contacts with Europe and abroad (most coveted long path for an amateur radio operator). The City of Tempe Zoning rules allow me to put an antenna up 35 feet with out permit and 75 feet with a variance. My antennas are currently at 30 feet elevation. The new proposed structure will have a direct affect on my radio propagation. I am opposed to the increased traffic, crime, crowding, adverse affect on my amateur radio hobby, and other untold negative affects to my neighborhood. I would be in favor of the developer remodeling the current hotel and keep it at the same height as it is now. It served well as an income property for the former hotel owner for 20 plus years. As a motel it is most likely not always filled to capacity nor are visitors at the motel unlikely to travel through our neighbor hood at all hours. I would hope that the city would take into account my concerns of the proposed development from a 40 year resident, taxpayer, and (most important) registered voter of Tempe. I might add, I am the only FCC licensed person capable of outside communication for the neighbor hood if an emergency disaster occurred shutting down the power grid.

Sincerely,
Jim Felkey

[REDACTED] East Hudson Drive , Tempe , AZ 85281

Retired Teacher
N7BBS licensed Amateur General
ARRL Member
ARA Member
Vic-President of the Board of C.A.R.L. at Arizona Science Center

From: [Gasowski](#)
To: [Kaminski, Diana](#)
Cc: [Philip Amorosi](#)
Subject: (Case #PL60429)
Date: Tuesday, May 16, 2017 1:03:58 PM

Diana, I would like this letter to be put in the file for the DRC and City council

To: Development Review Committee and City Council members

RE: Proposed Condo/Restaurant development 1461 Apache Blvd. and Oak St.
(artHAUS Architects)

FROM: Ron Gasowski, co-owner of [REDACTED] E. Hudson Dr. And [REDACTED] E. Hudson Dr.

My family and I have lived in Tempe since 1971 and in Hudson Manor since 1972. We built our custom home @ [REDACTED] E. Hudson Dr. In 1974-75, Moved in date May 1, 1975.

We are slowly being strangled by HIGH DENSITY Apartment Housing. We lost our view of the Superstition Mountains with the "Metro" Complex (Apache and McClintock). The NEXA Mega development looms over us to the West, with bright lights illuminating the yards of homes on South Cedar St. all night long. The home owners are not happy about NEXA. Now the Apache and Oak St. proposal threatens the integrity and value of 1435, 1440, and 1502 E. Hudson and 1320 S. Oak (new homeowner) and Hudson Manor as a whole, from the North.

The height proposal is ridiculously too high and the set back is only 30 feet compared to Gracie's Village and NEXA at 80 ft. The proposal is way too big for 0.9 acres. The developer is trying to squeeze every inch out of the property so he can maximize his profit (Greed!) at the expense of us. He claims: we should be thankful for such "a nice project".

His request for tandem parking and off street parking to serve his development and proposed restaurant would be highly intrusive to Hudson Manor and the surrounding residences.

He claims his dwelling will not be rentals but for sale condos. What will happen if he can't sell them as was the case at University and Dorsey S.W. corner. They became and will become rentals.

There is no guarantee that the restaurant will ever become a reality, just as most of the street level retail space up and down Apache, remain empty. This is not Brooklyn, N.Y. It is an empty concept, well intentioned but a failure none-the-less.

Our infrastructure can not handle any more stress. Hudson Manor's water mains break and flood the neighborhood on a regular basis.

Spence Ave. was ruined by both NEXA and the apartment complex to the east of The MOXY Hotel during construction. The City of Tempe should have insisted the developers completely repave Spence. Now we suffer the pot holed street and exceedingly multiplied traffic through Hudson Manor and Spence Ave.

It is time for the stewards of our City start to think about the revenue driven developments and how they impact we citizens who have chosen to live in Tempe. Many of us are senior citizens (thank God) for the young people who are newcomers to Hudson Manor. We are all paying a steep Loyalty tax! This is a slap in the face of its long time citizens for the greed of heartless Californian developers who are the intruders.

It doesn't take a great deal of imagination to think that the City and or ASU , has their eye on Hudson Manor as one giant high rise apartment/condo complex.

Sadly yours, Ron Gasowski

WHEN RECORDED RETURN TO:
City of Tempe
Community Development Department
31 E. 5th Street
Tempe, AZ. 85281

**WAIVER OF RIGHTS AND REMEDIES
UNDER A.R.S. §12-1134**

This Waiver of Rights and Remedies under A.R.S. § 12-1134 (Waiver) is made in favor of the City of Tempe (City) by Arthur Misaki, M&L Arizona One (Owner).

Owner acknowledges that A.R.S. § 12-1134 provides that in some cases a city must pay just compensation to a land owner if the city approves a land use law that reduces the fair market value of the owner's property (Private Property Rights Protection Act).

Owner further acknowledges that the Private Property Rights Protection Act authorizes a private property owner to enter an agreement waiving any claim for diminution in value of the property in connection with any action requested by the property owner.

Owner has submitted Application No. PL160429 – **APACHE + OAK**, to the City requesting that the City approve the following:

- GENERAL PLAN AMENDMENT
- ZONING MAP AMENDMENT
- PAD OVERLAY
- HISTORIC PRESERVATION DESIGNATION/OVERLAY
- USE PERMIT
- VARIANCE
- DEVELOPMENT PLAN REVIEW
- SUBDIVISION PLAT/CONDOMINIUM PLAT
- OTHER _____

(Identify Action Requested))

for development of the following real property (Property):

1461 E Apache Boulevard, Tempe AZ 85251
133-08-058A and 133-08-059A

