

CITY OF TEMPE DEVELOPMENT REVIEW COMMISSION

Meeting Date: 4/24/2018

Agenda Item: 3

<u>ACTION</u>: Request a Use Permit Standard for a setback reduction and a Development Plan Review for a new 3,340 s.f. restaurant for PDQ Tempe, located at 1639 West Warner Road. The applicant is Kimley Horn and Associates.

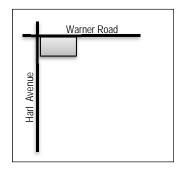
FISCAL IMPACT:

There is no fiscal impact on City funds.

RECOMMENDATION: Approve, subject to conditions

BACKGROUND INFORMATION: PDQ TEMPE (PL180084) is a proposed 3,340 s.f. restaurant with a drive through, located on the southeast corner of Warner Road and Harl Avenue, within the Agave Center Business Park. The site shares drives with the Tilted Kilt Restaurant to the east and the Tilted Kilt Corporate Office to the south. The request includes the following:

ZUP180034 Use Permit Standard to reduce the side setback from 30' to 27' in the PCC-1 Zoning District DPR180050 Development Plan Review including site plan, building elevations, and landscape plan



Existing Property Owner Applicant

Zoning District

Gross / Net site area Total Building Area Lot Coverage Building Height Building Setbacks

Landscape area Vehicle Parking Bicycle Parking Britt Sanchez, RPM Warner & Harl SEC, LLC Heather Roberts, Kimley Horn and Assoc., Inc. PCC-1, Planned Commercial Center One, SWOD

Southwest Overlay District

1.168 acres 3.340 s.f.

7% (50% maximum allowed) 24' (60' maximum allowed)

145' west street front (Harl Ave), 27' south side, 87' north street side (Warner Rd), 66' east rear (0' front, 30' side, 0' street side, 30' rear min.)

25% (15% minimum required)

52 spaces (46 min. required, 58 max allowed)

4 spaces (3 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 site is located on the southeast corner of Harl Avenue and Warner Road, in the Agave Business Center. The property is zoned Planned Commercial Center One and is within the Southwest Overlay District. The applicant is seeking relief on the south side yard setback from 30' to 27' with a Use Permit Standard to accommodate the building design and site configuration. The PCC-1 District allows for restaurants with drive through facilities, encouraging the design to minimize the conflicts with pedestrian paths from the public street and to reduce the visual impact of the drive through (Section 3-408 A-D). This request includes the following:

- 1. Use Permit Standard to reduce the south side setback from 30' to 27' in the PCC-1 Zoning District.
- 2. Development Plan Review which includes: a one-story single-tenant building for a 3,340 s.f. restaurant with a drive through on 1.17 acres.

The applicant is requesting the Development Review Commission act on the listed above. No further planning entitlement processing will be required after this hearing.

SITE PLAN REVIEW

On February 21, 2018, staff had the first preliminary site plan review for this request. The site was oriented with widest portion of the building facing Warner Road and the drive through facing both Warner Road and Harl Avenue, creating a building island surrounded by parking. The back of house was visible from the main drive on Warner, and the pedestrian access was to Harl Avenue. Staff recommended reorienting the building to provide a north/south building orientation for the narrow portion of the building, with the patio facing north rather than west, and a clear path of travel to the bus stop on Warner Road. Staff advised against plastic snow spikes on the metal roof; a design concept carried over from Midwest locations. Staff requested more variation in the building wall plane and modifications to the roofline to address an awkward transition between the pitched roof and parapet portion of the structure. Staff recommended a narrower drive through aisle to accommodate more room for a landscape strip and to reduce paving. Staff recommended relocation of bike parking to be closer to the entrance. Staff suggested an enhanced intersection corner entry design to be coordinated with the existing signage for Agave center.

March 19, 2018, the formal submittal was made, addressing the major points of the prior site plan review comments. Three additional recommendations were made from this submittal:

- provide two trees and taller shrubs be located along the east side of the drive to enhance the entry appearance of
 the site by screening vehicles in the drive through exit on the east side;
- relocate the refuse container to the east, so that it is not facing the office building to the south and potentially interfering with the south drive entrance and off-site parking to the south.
- reduce the amount of faux stone on the east elevation
- verify the proposed faux stone product from what is shown on the material board which appeared to be different than the specified product on the elevations.

PUBLIC INPUT

- A neighborhood meeting was not required for this request.
- At the completion of this report, staff has not received any public comments regarding the request.

PROJECT ANALYSIS

GENERAL PLAN

The proposed project is in conformance with the General Plan.

CHARACTER AREA PLAN

This site is not in a Character Area Plan

ZONING

The proposed project is in conformance with the Zoning and Development Code.

USE PERMIT STANDARD

The proposed use requires a use permit standard to reduce the south side yard setback from 30' to 27' in the PCC-1 Zoning District. The PCC-1 zoning has a 0' street front and street side yard setback, and a 30' rear and side yard setback, intended to push buildings closer to the street and provide more buffer to the back of the development. The rectangular lot is approximately 199' wide by 256' deep; the street front is along Harl Avenue, the rear is to the east, the side is to the south. There is an existing 30' easement along the north street side on Warner Road; no parking is allowed within this area, which increases the landscape area along the street side, but reduces the buildable area of the lot by 10'. On April 09, 2013, the Development Review Commission approved a request for a Use Permit Standard to allow a ten percent rear yard setback reduction on the east side of this lot for a three-tenant restaurant building with a drive-through. This development was not built and the entitlement expired. The proposed building is approximately 5,000 square feet smaller than the original building proposed, however the site design re-orients the building from the prior east/west configuration, which required the setback on the south side.

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

- 1. Any significant increase in vehicular or pedestrian traffic. The proposed side setback reduction allows the building to be configured to avoid conflicts with pedestrians and vehicles, providing a more direct path of travel from the bus stop on Warner to the front door of the building. The 3' deviation will not increase vehicle or pedestrian traffic, but will more efficiently utilize the property to provide safe circulation.
- 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 reduction in the setback does not create ambient conditions described by this criterion.
- 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 proposed 3' south side setback reduction facilitates the development of the property and providing more activity support to the area, meeting goals and objectives of the General Plan Land Use and Economic Development chapters.
- 4. Compatibility with existing surrounding structures and uses. The proposed reduction in setback off-sets an increased setback along Warner that is imposed by easement within the Agave Business Center. The design of the building provides the greatest view corridor to the office to the south and the restaurants to the east and west. Without the setback, a different building orientation would potentially block visibility from these other adjacent uses. The site plan and building design, as proposed, is in character with the surrounding area.
- 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 property shares common driveways with the restaurant to the east and office to the south. All parking for the project is on site, and windows and the patio provide surveillance of the site and street front.

DEVELOPMENT PLAN REVIEW

The first location of PDQ is located on Cactus Road near Paradise Valley Mall, this will be the second location of this restaurant in the valley. The applicant has provided a letter of explanation regarding the business and design intent.

Site Plan

The building is oriented with the narrow end of the building, with the patio and building front facing Warner Road. The drive-through wraps around the west, south and east sides of the building. Parking is provided on the west, north and east sides of the building and is separated by landscape from the drive-through. The orientation of the building provides visibility to the office to the south and restaurants to either side of this site. A pedestrian connection is provided to the transit stop on Warner Road and bike paths are provided near the front patio to encourage alternate modes of transportation for customers and employees. The site is described in detail with regard to the dimensions and setbacks in the Use Permit Standard analysis above.

Building Elevations

The building uses a combination of faux stone veneer and painted stucco, with a standing seam metal roof and metal fascia and anodized aluminum storefront. The building has a hip roof over the main dining area and a flat roof with parapet over the back of house area. The dining area overlooks the patio to the north and both east and west sides of the lot with large windows; smaller windows are used in the back of house and drive through area. Colors include cardinal red for the roof, military blue for the fascia and flashing, and honey, gold and medium lime green for the stucco colors. The faux stone provides a strong focal point on the building, used on all sides to break up the massing with a neutral color. Similar colors and materials are used on Panera Bread, Carl's Junior's and Tilted Kilt, providing a continuity in design while allowing diversity in building form and massing.

Landscape Plan

The proposed palette is heavily planted, adding to the existing street front landscape of palms, Palo Verde, Mesquite and Texas Ebony, the site has Elm trees along Harl Avenue and Sissoo trees in the landscape islands to maximize shade within the parking lot. Yellow Bird of Paradise tree is used as an accent for color along the drive through median. The street intersection entrance provides four species of agave where the existing Agave Center business sign is located. On site, the ground cover is densely planted with flowering plants such as Fairy Duster, turpentine Bush, Sage, Rosemary, Yellow Bells, Angelita Daisy and three varieties of Lantana. Golden Barrel, Mexican Fence Post Cactus, and Purple Muhlenbergia provide a color and texture contrast and accent to the palette. The landscape around the edge of the building softens the structure and provides a buffer from the parking and drive through areas.

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;* per the applicant's letter of explanation and the above analysis, the proposed design meets this criterion.
- 2. Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort; the site is heavily landscaped with trees and ground cover, paving has been reduced to increase landscape area and reduce blacktop. The building has shade canopies and is oriented to provide comfortable access to the building.
- 3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;* per the submitted material sample and the existing surrounding development, the proposed design is equal to the surrounding quality and appropriate for the location, complementing existing buildings within the area.
- 4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings;* the building is single story but with a taller roofline similar to other buildings in the area and appropriate to the size of the lot.
- 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; per the above analysis and the elevations as presented, the design meets this criterion.
- 6. Building facades provide architectural detail and interest overall with visibility at street level (in particular, special treatment of windows, entries and walkways with particular attention to proportionality, scale, materials, rhythm, etc.) while responding to varying climatic and contextual conditions; the building provides four-sided architecture, uses color and materials to provide detail and interest and is pushed toward the street front for visibility and accessibility. The windows and stone veneer provide a rhythm similar to the office building to the south of the site and is proportionate to the property size.
- 7. Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; the plan provides direct access to the transit stop, has bike racks near the entrance and provides shade trees around the perimeter of the site adjacent to the public sidewalks.

- 8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses;* per the analysis above and site plan presented, the design meets this criterion.
- 9. Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; the project was reviewed by police staff and meets the requirements.
- 10. Landscape accents and provides delineation from parking, buildings, driveways and pathways; per the submitted plan and above analysis, the project meets this criterion.
- 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 have been considered in the architectural design and will be addressed as a separate submittal.
- 12. Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects. Photometrics had lighting fixtures have been reviewed for conformance to the code and design standards and meet this criterion.

REASONS FOR APPROVAL:

- 1. The project meets the General Plan Projected Land Use for this site.
- 2. The project will meet the development standards required under the Zoning and Development Code.
- 3. The proposed project meets the approval criteria for a Use Permit Standard and Development Plan Review.

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

USE PERMIT STANDARD CONDITIONS OF APPROVAL:

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

1. The Use Permit Standard is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during building plan check process.

DEVELOPMENT PLAN REVIEW CONDITIONS OF APPROVAL: (Non-standard conditions are identified in bold) EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

General

- 1. Except as modified by conditions, development shall be in substantial conformance with the site plan and building elevations dated and landscape plans dated April 2018 and submitted April 11, 2018. Minor modifications may be reviewed through the plan check process of construction documents; major modifications will require submittal of a Development Plan Review.
- 2. If the existing Agave Property Center Declaration of Restrictions, Easements and Covenants does not provide cross access, egress and utility easements between lots 1, 2 and 3 of the Subdivision Plat on record, easements between the shared drives to the east and south of the subject site shall be recorded prior to issuance of building permits.

Site Plan

3. Provide service yard and mechanical (cooling tower/generator) yard walls that are at least 8'-0" tall as measured from adjacent grade and are at least the height of the equipment being enclosed, whichever is greater. Verify height of equipment and mounting base to ensure that wall height is adequate to fully screen the equipment.

- 4. Provide gates of steel vertical picket, steel mesh, steel panel or similar construction. Where a gate has a screen function and is completely opaque, provide vision portals for visual surveillance. Provide gates of height that match that of the adjacent enclosure walls. Review gate hardware with Building Safety and Fire staff and design gate to resolve lock and emergency ingress/egress features that may be required.
- 5. Existing driveways are to remain, repair and replace any damage from construction with Agave Center driveway entrance detail with upgraded paving driveway consisting of integral colored concrete with agave logo; extend this paving in the driveway from the right-of-way line to 20'-0" on site and from curb to curb at the drive edges. From sidewalk to right-of-way line, extend concrete paving to match sidewalk.
- 6. New sidewalks to match existing Agave Center alignment along Harl Avenue and concrete detail with aggregate banding to match adjacent developments.
- Utility equipment boxes for this development shall be finished in a neutral color (subject to utility provider approval) that compliments the coloring of the buildings.
- 8. 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

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

Building Elevations

10. The materials and colors are approved as presented:

FR-1 Roof – Standing Seam Metal PAC-CLAD, Snap Clad, 18" wide, Cardinal Red

STV-1 Stone Veneer, Canyon Stone, Satna Fe TLSFF

PR-1 Patio Railing square tubing painted Pantone PDQ Green (#16-0439)

P-4 Primary Building – Stucco, painted Benjamin Moore PDQ Honey

P-7 Secondary Building – Stucco, painted Benjamin Moore PDQ Gold (#16-1144)

P-6 Building Accent – Stucco, painted Pantone PDQ Green (#16-0439)

Windows - Anodized aluminum frame

Glazing - clear low-e

FR-3 Fascia, parapet coping – painted metal Military Blue

FR-4 Canopy Flashing – metal painted Sierra tan

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.

- 11. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
- 12. Conceal roof drainage system within the interior of the building.
- 13. Insect air curtain to be internally mounted at drive through windows.
- 14. 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.

- 15. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
- 16. 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

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

Landscape

- 18. Arterial street trees shall be a minimum of 36" box specimens and a minimum of 1 ½" caliper trunk.
- 19. A landscape island is required north of the refuse enclosure, remove 1 parking space to accommodate required landscape adjacent to the parking row. This would reduce the total parking from 52 to 51 spaces (46 spaces required).
- 20. Irrigation notes:
 - a. Provide dedicated landscape water meter.
 - b. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Use of schedule 40 PVC mainline and class 315 PVC ½" feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than ½". Provide details of water distribution system.
 - c. Locate valve controller in a vandal resistant housing.
 - d. Hardwire power source to controller (a receptacle connection is not allowed).
 - e. Controller valve wire conduit may be exposed if the controller remains in the mechanical yard.
 - f. Design irrigation so that existing plants on site or on street frontages are irrigated as part of the reconfigured system at the conclusion of this construction. Provide temporary irrigation to existing landscape for period of time that irrigation system is out of repair. Repair existing irrigation system (on site or in the adjacent public right of ways) where damaged by work of this project.
- 21. 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.
- 22. 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

- 23. Provide address numbers on the building elevation facing the street to which the property is identified (Warner Road) and on the east and south elevations.
 - a. Conform to the following for building address signs:
 - 1) Provide street number only, not the street name
 - 2) Compose of 10-12" high, individual mount, metal reverse pan channel characters.
 - 3) Self-illuminated or dedicated light source.
 - 4) On multi-story buildings, locate no higher than the second level.
 - 5) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
 - 6) Do not affix numbers or letters to elevation that might be mistaken for the address.
 - b. Utility meters shall utilize a minimum 1" number height in accordance with the applicable electrical code and utility company standards.

CODE/ORDINANCE REQUIREMENTS:

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE.

THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

SITE PLAN REVIEW: Verify all comments by all departments on each 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.

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.

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: http://www.tempe.gov/home/showdocument?id=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:

- 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 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 6'-0" wide detached public sidewalk along Harl Avenue as required by Traffic Engineering Design Criteria and Standard Details.

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.
- Underground utilities except high-voltage transmission line unless project inserts a structure under the transmission line.
- Coordinate site layout with Utility provider(s) to provide adequate access easement(s).
- Clearly indicate property lines, the dimensional relation of the buildings to the property lines and the separation of the buildings from each other.
- Verify location of any easements, or property restrictions, to ensure no conflict exists with the site layout or foundation design.
- 100-year onsite retention required for this property, coordinate design with requirements of the Engineering Department.

SOLID WASTE SERVICES:

- Enclosure indicated on site plan is exclusively for refuse. Construct walls, pad and bollards in conformance with standard detail DS-116 for a double enclosure.
- 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/aq/.

HISTORY & FACTS:

moroni armoro.	
1949	According to Flood Control District of Maricopa County historic aerial files, this area was raw desert, with agricultural uses to the east of the Highline Canal, and no changes for the next 50 years.
1975	The property was annexed from Maricopa County as AG-Agricultural District.
November 12, 1981	Council approved a request by Professional Aviation, Inc. for a zone change from AG-Agricultural to I-1, Light Industrial (1.8 net acres) and I-2 General Industrial (.3 net acres) for a total of 2.1 acres, at the SWC of Warner Road and the Highline Canal.
October 4, 1982	Council approved a request for a zone change from AG-Agricultural to I-1, Light Industrial and I-2, General Industrial for 9.41 acres at the SWC of Warner Road and the Highline Canal.
January 24, 1995	Planning Commission denied a request for a General Plan 2000 Amendment from Growth Node to Residential (16-20 d.u./acre) and a zone change from I-1 and I-2 to R-3, Multi-Family Residential for 11.2 net acres at the SWC of Warner Road and the Highline Canal.
February 26, 1998	City Council approved a request by Warner 10 Commerce Center for General Plan 2020 Amendment from Commercial to Industrial; Zoning change from AG to I-1 for 42.6 acres, I-1/I-2 to PCC-1 for 13.1 acres for a total of 53.7 net acres.
January 14, 1999	City Council approved the Final Subdivision Plat of Agave Center, a thirteen-lot subdivision with public right of way for a loop road in the center of the subdivision including South Harl Avenue (which connects to Warner Road), West Ranch Road, West Greentree Drive and South 52nd

Street.

August 24, 2004.	The Planning and Zoning Commission approved a request for AGAVE CENTER for a General Plan of Development for Lots 5, 6 & 7 and Final Plan of Development for Lot 7.
September 9, 2004.	City Council introduced and held the first public hearing for AGAVE CENTER for a General Plan of Development for Lots 5, 6 & 7 and Final Plan of Development for Lot 7.
September 16, 2004	City Council approved the General Plan of Development for Agave Center and Final Plan of Development for Lot 7. This conceptual site layout did not proceed.
September 27, 2010	City Council approved the Final Subdivision Plat of Agave Center Lots 7 and 8, a two-lot subdivision that is immediately south of Lot 5 of Agave Center. Lot 5 of Agave Center forms a portion of the northern border of this subdivision.
April 09, 2013	The Development Review Commission approved a request for WARNER AND HARL RESTAURANT COMPLEX for a Use Permit Standard to allow a ten percent rear yard setback reduction on the east side of this lot and a Development Plan Review for a site and landscape plan and elevations for a one-story, +/-8,400 sf. building with three tenants, one with a drive through. This development was not built and the entitlement expired.
December 10, 2013	Development Review Commission approved a request for a Development Plan Review for TILTED KILT HEADQUARTERS (PL130234) for a new restaurant building and future office headquarters. The vacant site has shared access with an adjoining vacant lot. The request included a Use Permit to exceed the maximum parking spaces (125%) from 214 to 254 spaces, a Use Permit to allow live entertainment, to the east of this subject property and sharing a drive.
April 12, 2016	Development Review Commission approved a request for a Development Plan Review for TILTED KILT CORPORATE OFFICE (PL160047) for a new corporate office building on .86 acres in the PCC-1 Commercial District to the south of this subject property and sharing a drive.
April 24, 2018	Development Review Commission is scheduled to hear a request for a Use Permit Standard for a setback reduction and a Development Plan Review for a new 3,340 s.f. commercial development for PDQ Tempe, located at 1639 West Warner Road.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-306, Development Plan Review Section 6-308, Use Permit



DEVELOPMENT PROJECT FILE

for **PDQ**

(PL180084)

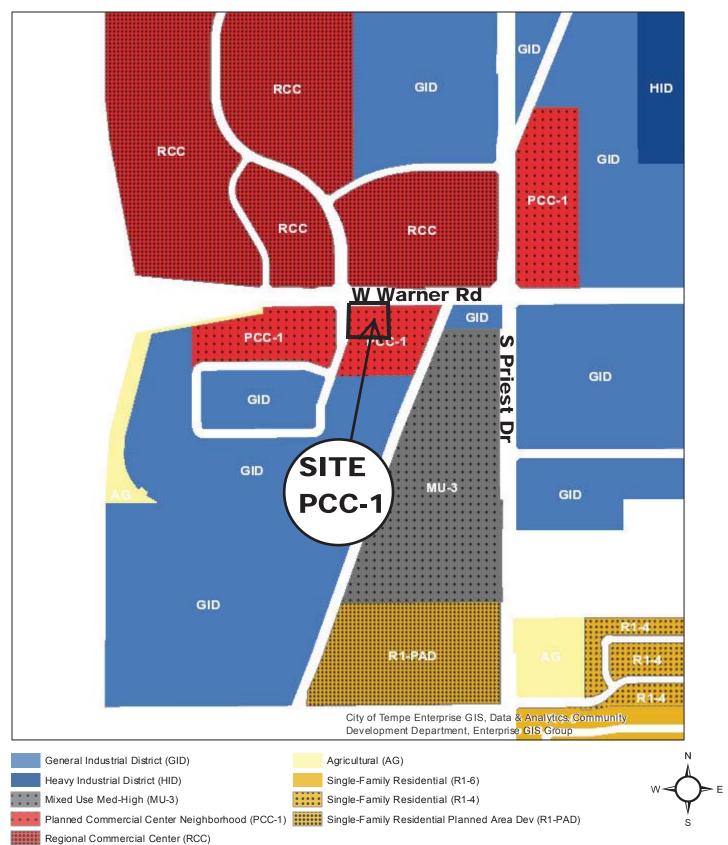
ATTACHMENTS:

1.	Location	Мар
----	----------	-----

- 2. Aerial
- 3-6. Letter of Explanation
- 7. Aerial Site Context Plan
- 8. Site Plan
- 9. Landscape
- 10. Floor Plan
- 11. Building Sections
- 12-13. Building Elevations Blackline
- 14-15. Building Elevations Color
- 16. Building Street Elevations with Landscape
- 17-18 Rendered Perspectives
- 19-30. Site Context Photos

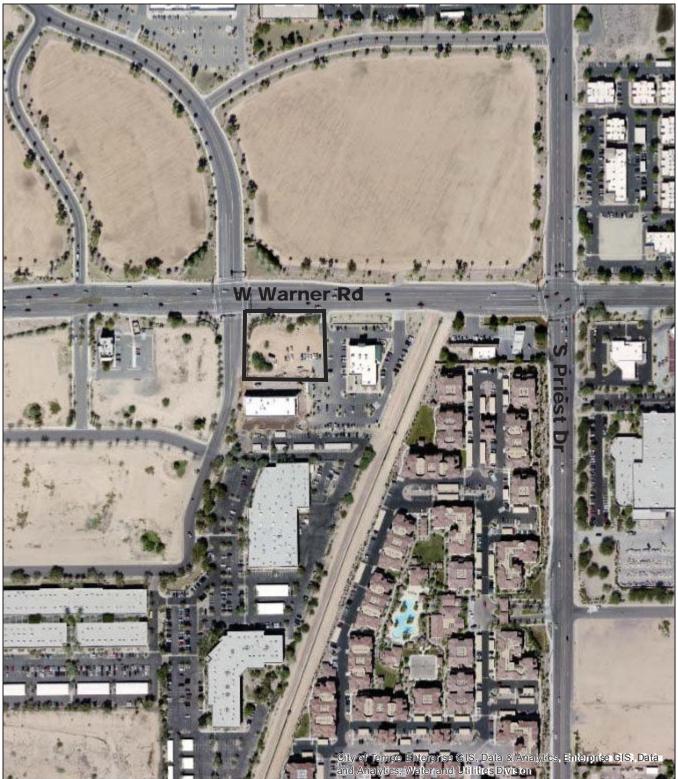


PDQ TEMPE PL 180084





PDQ TEMPE PL 180084



Aerial Map





1639 W Warner Road, Tempe AZ

COT Project # DS180141

Development Plan Review – Letter of Explanation

PDQ History (Excerpts from QSR Magazine article written by Danny Klein)

Started on October 30, 2011, in Tampa, Florida, PDQ (People Dedicated to Quality) has grown to 55 units in eight states (Alabama, North Carolina, Florida, Georgia, New Jersey, Nevada, South Carolina, and Texas). Nick Reader, CEO and cofounder, says 2017 will see PDQ enter four new states- Illinois, Oklahoma, Utah, and Arizona-for certain. A fifth market, in Long Island and, New York, could also happen, but isn't finalized. By the end of the following year, PDQ projects will be 100 total locations throughout the U.S.

PDQ is not a complicated concept, and it doesn't' t try to be, which is something people have responded to. The restaurant has a check average around \$7, tries to serve food in two minutes or less, and keeps the menu simple, with the staple being chicken tenders. It also serves sandwiches, salads, and hand- spun shakes, as well as a variety of sides, including zucchini fries and blueberry coleslaw. Everything is prepared in an open kitchen with guests looking on. There are no preservatives or chemicals, and the chicken is never frozen and is free of added steroids or hormones.

Reader says PDQ's strategic approach to the future remains flexible. Around a quarter of the units are owned in partnership with other parties. They're technically franchised units, but Reader doesn't refer to them that way because it's not something the company outwardly courts. The company doesn't sell franchises or promote the business model online. But it will work with other groups on opening new stores if it makes sense. PDQ has around 3,800 employees, and Reader says it always aims to promote within whenever possible, especially when it comes to penetrating new markets. He says it can sometimes take two years to open a new store. Regardless of the process, though, Reader doesn't' t see any roadblocks ahead. He believes PDQ can work in any city, in any state, and that it all comes back to something he believes will carry past time zones and demographics.

Site Description

PDQ is looking to develop their 3,340 SF restaurant with drive-thru and outdoor patio in Tempe, Arizona. The site address is 1639 W Warner Road and the site is currently a vacant undeveloped commercial lot. The parcel is located on the hard corner of Warner Road and Harl Avenue and is legally defined as Lot 1 of the Agave Complex per Book 1250 Page 19 or Maricopa County Records. The current zoning is PCC-1 (Planned Commercial Center), within the Southwest Tempe Overlay District.

The proposed development is compatible with the surrounding developments. A Tilted Kilt restaurant and bar exists to the east of the site within the overall development along with their corporate offices to the south of the site. A Panera Bread restaurant with drive-thru exists to the west of the site, across Harl Avenue. Typical PDQ restaurant hours of operation are 10:30 AM to 10:00 PM, seven days a week, which is consistent with the adjacent and similar land uses and not detrimental to surrounding properties.

Warner Road and Harl Avenue are fully developed with curb, gutter, and sidewalks. Driveways for the overall development exist and no new driveways are proposed. This project will utilize an existing sewer lateral tap off Warner Road and will propose new connections internal to the overall site for domestic water, fire line, and irrigation. The site is designed to retain the 100-year, 1-hour storm event in underground retention tanks. Site landscaping is proposed to integrate with the existing streetscapes and the existing developments within Agave Complex.

Project Overview and Development Plan Review Criteria

As a result of the Preliminary Site Review comments, the proposed building with drive-thru has been rotated 90-degrees to allow the patio to face Warner Road. The drive-thru and patio are considered as approved uses within the PCC-1 zone according to the Tempe Zoning Code. The rotation of the building allows for the drive-thru to be located internally rather than fronting Warner Road, supporting Development Code Criteria Section **6-306D.1** - Placement, form, and articulation of buildings and structures provide variety in the streetscape.

In an effort to follow the City's request to rotate the building, this project is applying for a Use Permit to reduce the rear building setback by 10%, from 30-feet to 27-feet. We feel the overall site plan adequately supports the proposed layout with the reduced rear building setback. This layout also provides direct access to an existing bus stop via a proposed sidewalk connection and break in screen wall from the front entry of the restaurant, supporting Development Code Criteria Section 6-306D.7 - Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage.

The trash enclosure has been designed per City of Tempe DS-116 and is screened from the public view by the building and a City-required screen wall. Its location along the overall site's main access drive, away from customer parking, supports Development Code Criteria Section **6-306D.8** - *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation.* In addition, a 4-foot sidewalk separate from the drive aisle has been provided along the patio which allows safe pedestrian travel from the main parking field to the front entry.

In support of Development Code Criteria Section **6-306D.10** - Landscape accents and provides delineation from parking, buildings, driveways and pathways, trees, shrubs, and accent plantings have been provided within parking islands and adjacent to the building and pathways to buffer and delineate different uses, to create visual interest, and to soften the hard edges, materials of pavements, and structure.

Additionally, trees and supplemental plantings placed within the landscape islands of the parking field will contribute to the lowering of surface and air temperatures by providing shade and cooling through evapotranspiration. Trees, shrubs, and accent plantings located adjacent to pedestrian walkways and building entrances create a more comfortable, shaded walking environment, particularly with the trees places along the west side of the building at the main entry. These concepts support Development Code Criteria Section 6-306D.2 - Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort.

The proposed building has various exterior materials that tie seamlessly into the context of the surrounding structures. The materials allow PDQ to showcase their brand while being mindful of the Agave Center Design Guidelines, supporting Development Code Criteria Section 6-306D.3 - Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings.

In support of Development Code Criteria Section **6-306D.5** - Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, featuring an enhanced pedestrian experience at and near street level, the building's proposed articulations eliminate the monotony of flat continuous walls.

Lastly, the restaurant's layout in conjunction with the site's landscape design help provide a safe, fast, casual dining experience, supporting Development Code Criteria Section 6-306D.4 - Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings and 6-306D.9 - Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance.



RCC ZONE

W WARNER RD

WARNER ROAD

W WARNER RD





W WAR



Kimley » Horn



PRELIMINARY SITE PLAN - CONTEXT AERIAL PLAN 8905 SOUTH HARL AVENUE TEMPE, ARIZONA

PROJECT No. 191912002 SCALE (H): 1"=30' SCALE (V): NONE DRAWN BY: DSH DESIGN BY: DSH







WARNER ROAD

VICINITY MAP

CITY OF TEMPE N.T.S.

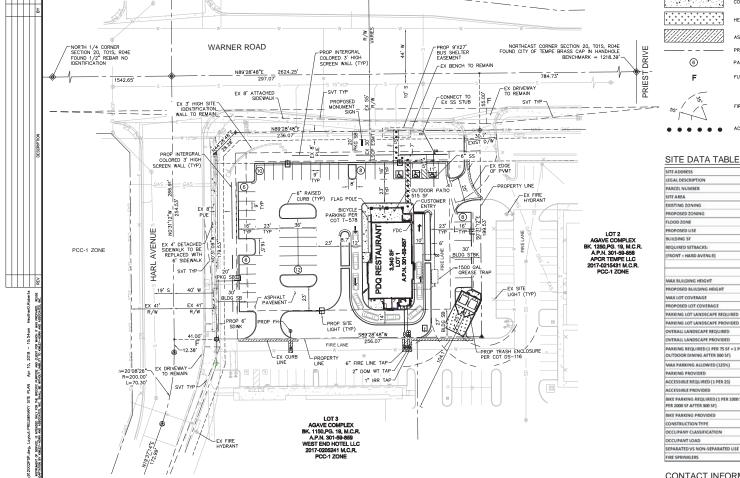




PROJECT No. 191912002 SCALE (H): 1"=30 SCALE (V): NONE DRAWN BY: DSH DESIGN BY: DSH CHECK BY: HDR

ATE: APRIL 201





DS180141

RCC ZONE

LEGEND CONCRETE HARDSCAPE/SIDEWALK HEAVY DUTY CONCRETE ASPHALT SAWCUT AND REPLACE 6 PARKING SPACE COUNT

FULL ACCESS DRIVEWAY

FIRE TURNING RADIUS

ACCESSIBLE ROUTE

SITE DATA TABLE

SITE ADDRESS	8905 SOUTH HARL AVENUE, TEMPE AZ 85284
LEGAL DESCRIPTION	LOT 1 OF AGAVE COMPLEX, BOOK 1250 PAGE 19 MCR
PARCEL NUMBER	301-59-857
SITE AREA	1.168 ACRES, 50,878 SF
EXISTING ZONING	PCC-1, SOUTHWEST TEMPE OVERLAY
PROPOSED ZONING	PCC-1, SOUTHWEST TEMPE OVERLAY
FLOOD ZONE	X PER 04013C2705L
PROPOSED USE	RESTAURANT WITH DRIVE-THRU AND OUTDOOR SEATING
BUILDING SF	3,340 SF
REQUIRED SETBACKS:	BUILDING FRONT / SIDE STREET - REQ = 0', (PROV = 145' HARL, 87' WARNER)
(FRONT = HARD AVENUE)	PARKING FRONT / SIDE STREET - REQ = 20', (PROV = 20' HARL, 30' WARNER)
	BUILDING SIDE - REQ = 30', PROV = 27' (USE PERMIT REQUESTED)
	BUILDING REAR - REQ = 30°, PROV = 66°
MAX BUILDING HEIGHT	60 FEET
PROPOSED BUILDING HEIGHT	23'-8' (1 STORY), 23'-11' MEASURED FROM ADIACENT FRONT CENTER TOP OF CURB (HARL AVENUE
MAX LOT COVERAGE	50%
PROPOSED LOT COVERAGE	7%
PARKING LOT LANDSCAPE REQUIRED	10% MIN
PARKING LOT LANDSCAPE PROVIDED	25%
OVERALL LANDSCAPE REQUIRED	15% MIN
OVERALL LANDSCAPE PROVIDED	25%
PARKING REQUIRED (1 PER 75 SF + 1 PER 150 SF OUTDOOR DINING AFTER 300 SF)	46
MAX PARKING ALLOWED (125%)	58
PARKING PROVIDED	52
ACCESSIBLE REQUIRED (1 PER 25)	3
ACCESSIBLE PROVIDED	3
BIKE PARKING REQUIRED (1 PER 1000 SF + 1 PER 2000 SF AFTER 300 SF)	3
BIKE PARKING PROVIDED	4
CONSTRUCTION TYPE	TYPE VB
OCCUPANY CLASSIFICATION	ASSEMBLYA-2
OCCUPANT LOAD	112

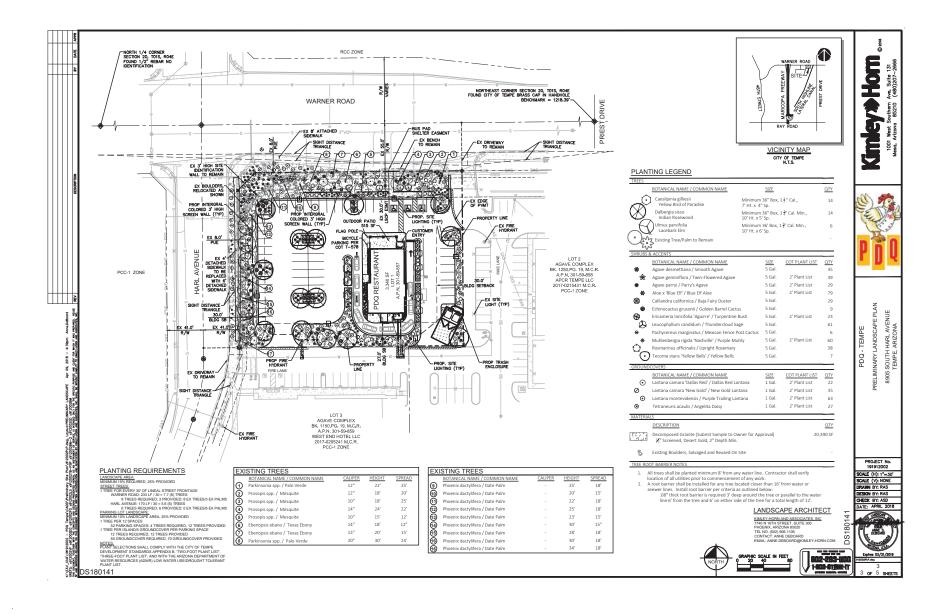
CONTACT INFORMATION

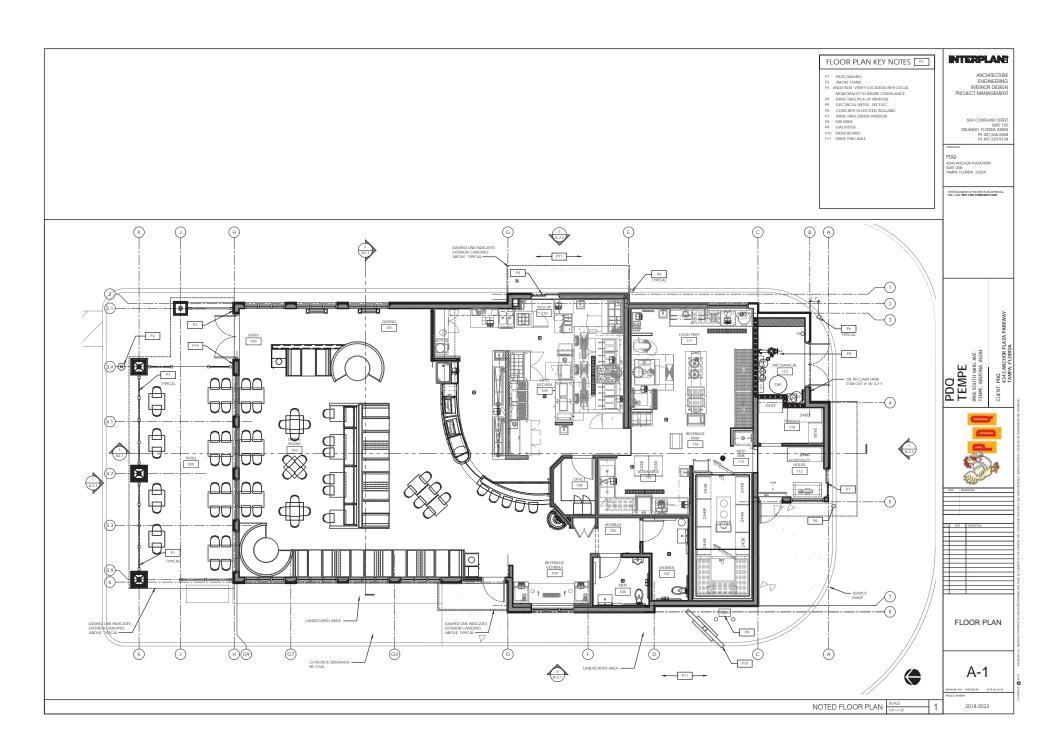
NON-SEPARATED

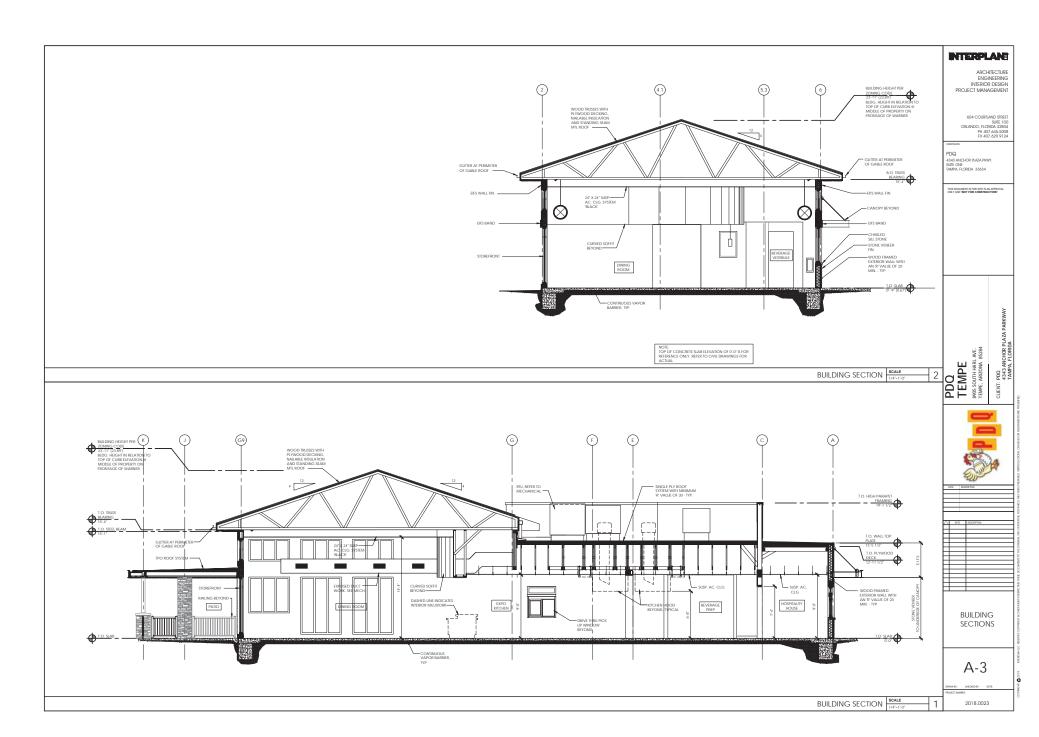
KIMLEY-HORN AND ASSOCIATES, INC. HEATHER ROBERTS, PE 1001 WEST SOUTHERN AVE, STE 131 MESA ARIZONA 85210

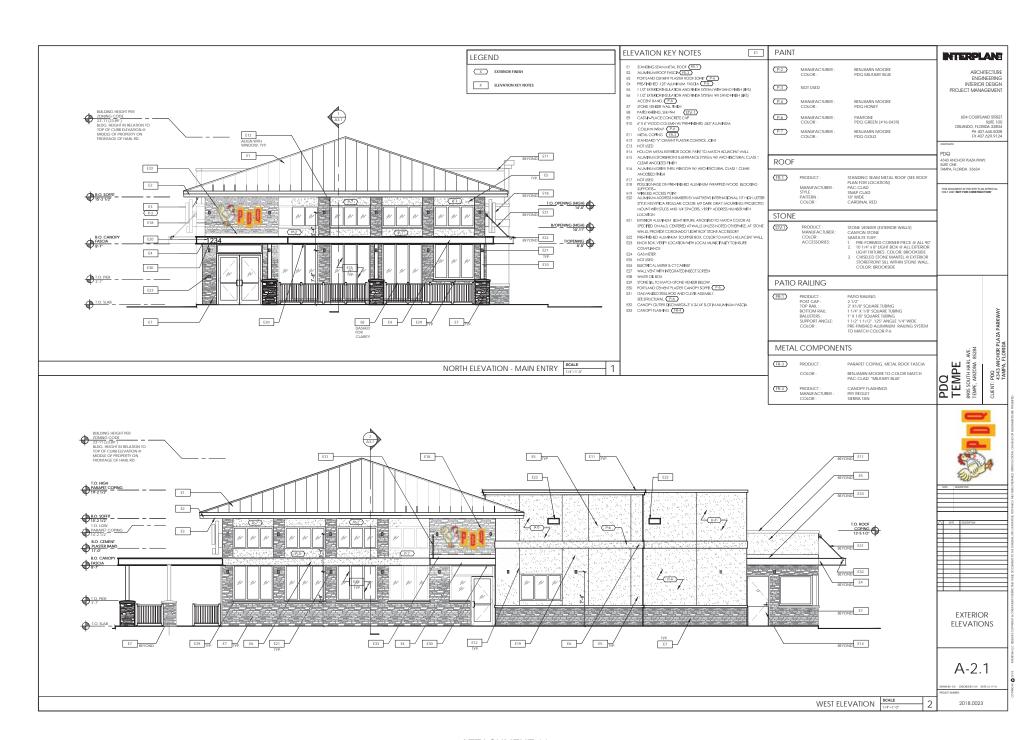


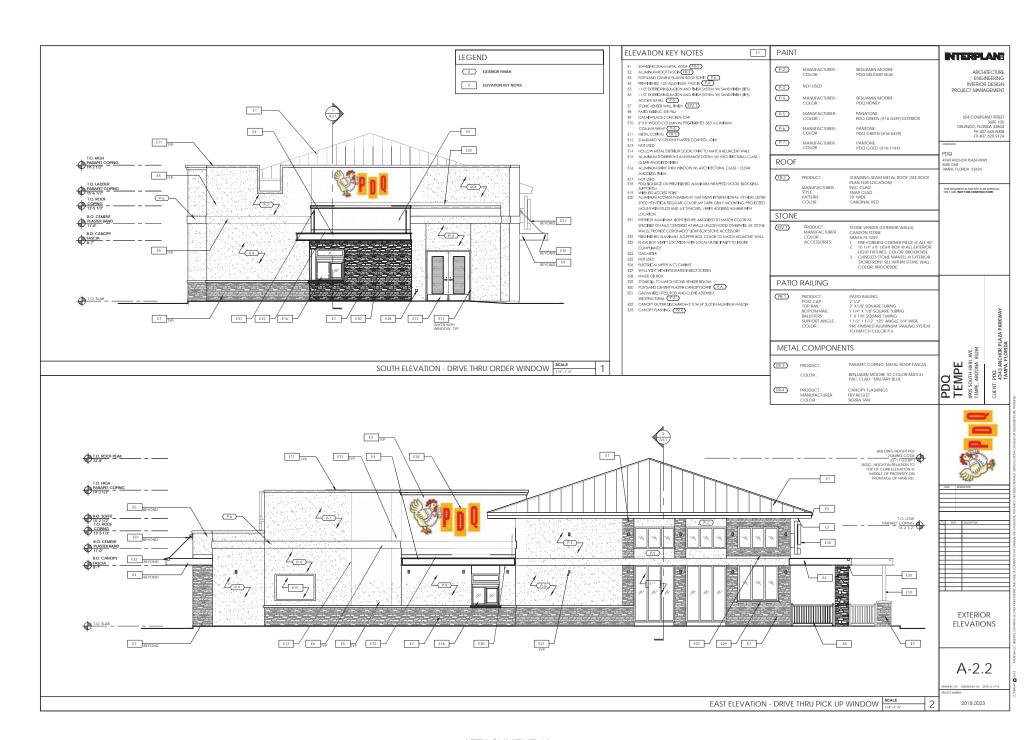






























PROPOSED EXTERIOR ELEVATIONS

PDQ 8905 S. HARL AVE TEMPE, AZ 85284





















Benjamin Moore "PDQ Gren"

Pac-clad 'Military Blue"

PROPOSED EXTERIOR ELEVATIONS PDQ 8905 S. HARL AVE TEMPE, AZ 85284









PDQ 8905 S. HARL AVE. TEMPE, AZ. 85284







PDQ 8905 S. HARL AVE. TEMPE, AZ. 85284





WEST WARNER ROAD STREETSCAPE





PDQ 8905 S. HARL AVE. TEMPE, AZ. 85284



































