

# Staff Summary Report



Development Review Commission Date: 05/22/2012

Agenda Item Number: 4

**SUBJECT:** Hold a public meeting for a Development Plan Review for CVS PHARMACY # 9205 located at 802 South Mill Avenue.

**DOCUMENT NAME:** DRCr\_Mill\_Univ\_alley\_052212 PLANNED DEVELOPMENT (0406)

**COMMENTS:** Request for CVS PHARMACY # 9205 (PL100186) (Michael D. De Nitto, CVS/Realty Company, property owner; Christopher Czyz, Armstrong Development Properties, applicant) consisting of a request to remove two (2) conditions of approval of a previous application (DPR07072 # 5 and # 7) and allow vehicular access between the CVS parking lot and the adjacent public alley. CVS # 9205 is located on +/-0.94 acres at 802 South Mill Avenue in the CC, City Center District. The request includes the following:

DPR12046 – Development Plan Review for a site and landscape plan modification including removal of condition # 5 and condition # 7 of DPR07072.

**PREPARED BY:** Kevin O’Melia, Senior Planner (480-350-8432)

**REVIEWED BY:** Lisa Collins, Interim Community Development Director (480-350-8989) *LC*

**LEGAL REVIEW BY:** N/A

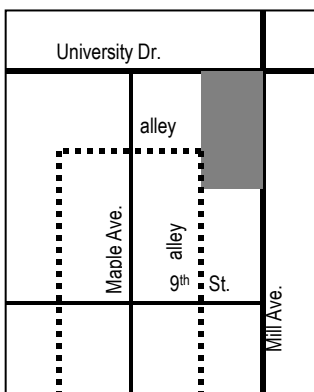
**DEPARTMENT REVIEW BY:** N/A

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

**RECOMMENDATION:** Staff – Approval, Subject to Conditions

**ADDITIONAL INFO:**

Gross/Net site area	+/-0.94 acres
Total Building area	+/-15,623 sf. (no change)
Building Lot Cover	32.0%(no change, 100% maximum lot cover allowed)
Building Height	31.50 ft. (no change, 50.0 ft. maximum height allowed)
Building Setbacks	10.0 ft. front (University), 15.0 ft. street-side (Mill), 37.0 ft. west side, 131 ft. rear (no change, 0.0 ft. minimum setback allowed all sides)
Landscape Lot Cover	7.0% (no change, minimum 0.0% cover allowed)
Vehicle Parking	36 spaces (quantity reduction allowed per D.D.A. C07-101)
Bicycle Parking	4 spaces on site and 2 at bus stop (no change, 4 min. req’d.)



CVS #9205 requests a site and landscape modification to allow vehicular access from the CVS parking area to the adjacent alley to the west. The request entails the removal of condition 5 and condition 7 from the previous approval of the building, site and landscape design (DPR07072) for CVS. Conditions 5 and 7—which require a fence and curb between the CVS site and the alley to preclude vehicular access--were enacted as part of the approval for the construction of CVS and the accompanying site and landscape improvements. The applicant argues that circumstances have changed to the extent that the vehicle access control prescribed by the conditions is no longer needed or warranted. A neighborhood meeting was held on April 12, 2012 to present this request to the public.

**PAGES:**

1. List of Attachments
- 2-6. Comments / Reasons for Approval
7. Conditions of Approval
8. Code-Ordinance Requirements
- 9-10. History & Facts / Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map
2. Aerial Photo
- 3-4. Letter of Explanation
- 5-6. Neighborhood Meeting Summary
- 7-9. Site Plan, Plan Enlargement, Narrative and Plan Construction Keynotes
- 10-12. Landscape Plan, Plan Enlargement and Plant Material Legend
- 13-15. Grading and Drainage Plan, Plan Enlargement and Plan Construction Keynotes
- 16-20. Engineer's Photos of CVS and Alley
- 21-25. Staff's Photos of Alley
- 26-29. DPR07072 Conditions of Approval (as amended by DPR120046)

**COMMENTS:**

CVS #9205, a 24 hour pharmacy, would like to remove a portion of their view fence on the west property line adjacent to a public alley and open their site to vehicle access through that alley. The request entails the removal of condition 5 and condition 7 of the Development Plan (DPR07072) approved in 2007 in advance of the construction of CVS #9205. The request also entails modifications to site layout and improvements to the alley.

CVS #9205 is located at the southwest corner of Mill Avenue and University Drive. CVS is the northeast corner of a block bounded by University on the north, Mill Avenue on the east, Ninth Street on the south and Maple Avenue on the west. The block is divided with an "L" shape public alley that separates residential and commercial uses. The alley extends north from Ninth Street to the center of block where it brushes the CVS site and then turns west to Maple Avenue (the N-S and E-W alley, respectfully). The block has existed with streets and alley in this general physical configuration since the Gage Addition Subdivision of 1909.

The site is located in the CC, City Center District. The properties to the south and west—Chase Bank and Burger King, respectfully—are also in the City Center District. CVS (802 South Mill--constructed in 2008), Burger King (25 West University--constructed in 1990) and Chase Bank (830 South Mill--constructed in 2010) together form the northeastern corner of the Maple-Ash neighborhood. Immediately to the south and west of these properties are public alleys that separate the three commercial sites from residences. The residences adjacent to the three properties are zoned multi-family and typically are two single story residences per property. Two of these properties have historic registration: 1114 S Maple and 24 West 9<sup>th</sup> Street. The properties adjacent to the nN-S alley to the west of Chase Bank are separated from the alley with a freestanding, 6'-0" high masonry wall. The residential property adjacent to the bend in the alley opposite CVS and Burger King has an open yard to the E-W alley and an open yard and parking area off the alley opposite CVS.

Historically, the commercial sites that have bounded the alley on this block have had open access to the alley. The commercial uses that previously occupied the southern part of the CVS site including the Sahara Restaurant at the turn of this century and the Continental Trailways bus depot in the 1970's had full cross access to the alley. However, the previous businesses on the northern part of the CVS site did not have alley access, including the Mobile Self Service Station and its successors. At the northwest corner of Ninth and Mill, the previous businesses of Payless Shoes and Supercuts had alley pickup of refuse and pedestrian access. Chase Bank at this site was redeveloped with full alley access. Burger King at the southeast corner of University Drive and Maple Avenue has a driveway for alley access for refuse collection, commercial traffic and pedestrian access.

Existing entitlements for this property that will remain in effect are a Development Plan for building site and landscape improvements for the CVS #9205 Pharmacy and a Development and Disposition Agreement between CVS and the City of Tempe which allows a parking quantity reduction to thirty-six (36) spaces and allows the view fence that separates the business from the alley and residences to be 6'-0" tall.

The applicant requests the Development Review Commission remove conditions 5 and 7 from the previous development plan (DPR07072) and approve the current development plan with the modification to the CVS site to allow vehicular alley access.

**PUBLIC INPUT****Pre-submittal Meeting**

- In 2011 the applicant conducted an informal meeting in the alley with interested members of the neighborhood and including City of Tempe Neighborhood Services and Public Works Solid Waste staff to discuss the possibility of providing a vehicle opening from CVS into the alley. At this meeting the possibility of converting the residences on the block to curb side refuse pick up was discussed.

**Neighborhood Meeting**

- Regarding removal of fence, modifying the curb and opening the public alley west of CVS to vehicle traffic from the CVS site, a neighborhood meeting was required based on the guidelines of the 2009 Maple Ash Neighborhood Checklist. After notification and advertisement, the meeting was conducted on 4/12/2012 at the 1<sup>st</sup> Southern Baptist Church at 1300 S Mill Avenue by Withey Morris PLLC (the applicant) on behalf of CVS.
- The applicant's proposal as presented removes existing development plan conditions of approval which preclude alley vehicle access to the CVS site.

- The meeting attracted three interested persons representing residential interests, three members of the ownership team of the 25 West University (Burger King) site and one member of Community Development Planning staff.
- There was no formal presentation but instead there was a collection of conversations around the display of drawing exhibits. The applicant's summary of the neighborhood meeting is included in the attachments to this report. Following are planning staff's neighborhood meeting notes.
  - Three neighbors including the Owners of 821 South Maple and the Chair of the Maple Ash Neighborhood Association attended the neighborhood meeting. The neighbors were divided on issues including particularly the possible modification of the E-W alley south of Burger King (north of 821 South Maple). The neighbors agreed that vehicle traffic from the commercial properties into the neighborhood is a problem. The 821 South Maple Owners did not agree that the proposed site plan modification for CVS is a good way to resolve the commercial traffic problem because it appears to come at the expense of adjacent residential properties. The M.A.N.A. Chair did not appear receptive to any part of expansion of commercial traffic in the alley. The M.A.N.A. Chair preferred the CVS fence remain without change. The 821 South Maple Owners indicated that extension of vehicle traffic from commercial uses into the alley must be accompanied by a more comprehensive design solution involving the commercial properties and the alley itself. One 821 South Maple Owner cited the Burger King south wall at the alley and that he would like to maintain and not weaken the division between commercial and residential uses.
  - The applicant noted the frequency of illegal north-bound maneuvering by vehicles exiting the Chase and entering the CVS driveway via the south-bound Mill Avenue traffic lanes as one of the issues behind the proposed site plan modification. The three neighbors agreed this is a major problem but do not want to resolve this problem by increasing traffic into the neighborhood. As an alternate solution to this problem, planning staff and applicant discussed a previously-floated staff concept plan where Chase and CVS share access and share parking. CVS would then have access to Chase's opening to the alley. Chase would lose parking spaces and CVS would gain parking spaces—the combined parking quantity for the two sites would be the same as currently exists. The applicant reiterated that Chase was not receptive to this concept due to loss of parking on their site.
  - Each of the three neighbors criticized the previously allowed expansion of the alley adjacent to Chase as an access point for Chase. One 821 South Maple Owner said that vehicle traffic around her property has increased significantly since Chase was constructed—to the detriment of her property.
  - Regarding other existing alley traffic, the Burger King has vehicle access to the alley through the southeast corner of their property. Front load refuse trucks circuit in the N-S portion of the alley for Chase and then travel north to Burger King. This circuit will continue as long as Burger King continues to have their alley access. The east end of 821 South Maple has residential parking access from the alley. The regular circuit of side-load C.O.T. refuse trucks for residential pick up between Ninth Street and Maple Avenue through the N-S and E-W alleys was also discussed— One 821 South Maple Owner reminded the attendees of a previously presented concept—of street pick-up of refuse and recycling in place of alley pick-up so City of Tempe side-load refuse trucks can be removed from the alley.
  - The 821 South Maple Owners appeared receptive to a solution that included CVS vehicle access to alley if it is strongly controlled and directed to Ninth Street. A design solution with that control was not included in the exhibits at this meeting.
  - Three representatives of the 25 West University Property Owner attended the neighborhood meeting to observe the proceedings. Staff and applicant discussed the possibility of cross access between CVS and the Burger-King property. The CVS applicant indicated to staff that ownership of 25 W University was not receptive to this concept at this time but that the 25 West University Owner does want to retain existing vehicle access to site from the alley.
  - Vagrancy including public urination and litter in the alley was a major discussion topic. The neighbors were divided on whether an abandonment of the E-W alley south of Burger King (north of 821 South Maple) and replacement with private property and a public utility easement is a good idea. The 821 South Maple owners prefer an E-W alley abandonment so this area becomes private property and off-limits to vagrants. The M.A.N.A. Chair prefers conversion of the E-W alley to pedestrian access only but wants to maintain the existing public right of way as well as the position of the adjacent existing private property lines. The M.A.N.A. Chair is opposed to modification of the existing subdivision plat.

- Staff briefly discussed with the applicant the proposed circuit of a trolley in Mill Avenue and University Drive opposite the frontages of CVS, Chase and Burger King. The proposal is a fixed-rail, non-dedicated system within the vehicle traffic lanes which will potentially complicate vehicle traffic on these frontages.

### Citizen Input

- As of publication of this report there have been two contacts to staff regarding the proposal.
  - An Owner of residential property in the northern part of the Maple-Ash neighborhood, in phone conversation on 5/7/2012, indicated opposition to removing a portion of the CVS fence on the alley and allowing vehicles directly into the alley from CVS. The caller indicated this does not help the neighborhood in any way.
  - One of the Owners of 821 South Maple contacted staff on 5/16/2012. As he indicated at the neighborhood meeting, this Owner prefers abandonment of the E-W alley to the north of his property but appeared receptive to the closing this alley to vehicle access (except emergency and utility maintenance vehicles) with flexible bollards.
- The applicant is actively soliciting comments from adjacent property owners regarding residential curbside refuse pickup on the block and access control in the E-W alley and will present these findings at the 5/22/2012 hearing.

### PROJECT ANALYSIS

During the Preliminary Site Plan Review and Development Plan process in 2007 which resulted in the construction of CVS #9205, staff cited obstacles to proposed vehicle alley access from the CVS site due to the following observations.

- 1) PRECIDENT / VEHICLE ACCESS: previous commercial developments directly on the southwest corner of Mill and University such as the Mobile Self Service station did not have alley access. Previous commercial developments on what is now the southern portion of CVS such as the Sahara Restaurant and Continental Trailways did have vehicular alley access but the developments containing these businesses did not have access to University Drive.
- 2) RESIDENTIAL CHARACTER: the residential site OF 821 South Maple immediately opposite CVS on the alley has an open yard to the alley and contains vehicle parking directly across from the CVS property line. The residential sites south of 821 South Maple and adjacent to Chase Bank include a 6'-0" high masonry perimeter wall which preceded the Chase Bank development.
- 3) ALLEY FEATURES: the N-S section of public alley is 20'-0" wide and the E-W section of public alley is 15'-0" wide. The E-W section and the bend between the E-W and N-S alleys are constricted with raised concrete flood irrigation structures. The E-W alley is approximately 9'-0" wide at its narrowest point.

During the Preliminary Site Plan Review and Development Plan process in 2008 which resulted in construction of Chase Bank, staff recommended that proposed vehicle alley access from the proposed Chase site was appropriate due to the following observations.

- 1) PROPOSED SITE LAYOUT the Chase proposal includes the supplement of 20'-0" public alley width with an additional 4'-0" of adjacent pavement, creating a driveway of 24'-0" width to Ninth Street which would be used for refuse collection and customer traffic. Previous commercial development on this site at the northwest corner of Mill Avenue and Ninth Street, including Payless Shoes and Supercuts, also had direct refuse collection from the alley. The residences immediately west of this site were already buffered with a 6'-0" high masonry perimeter wall and mature landscape.
- 2) LOCATION the adjacency of this site to Ninth Street suggests use of a broad alley to Ninth rather than the circuitous use of narrow alley to Maple.

Variations of the CVS proposal to open their fence and create a driveway to the alley have been through Community Development Preliminary Site Plan Review on five occasions between 6/10/2010 and 5/09/2012. Objections to the concept in the site plan review comments include the potential for traffic accidents in the alley due to the narrow nature of the alley near CVS, the complication of site security and policing if a vehicle back way exists from the CVS site into the neighborhood, and the erosion of the neighborhood due to an increase in commercial alley traffic—felt especially by residents of 821 South Maple. The open yards of 821 South Maple is an example of Crime Prevention through Environmental Design activity support and should not be discouraged.

During Site Plan Review process staff suggested an alternative site layout that includes a driveway between the southwest corner of CVS and the northwest corner of Chase. The modification would entail removal of parking spaces from Chase and addition of parking spaces to CVS. A shared parking covenant and agreement would be required to maintain adequate parking quantity for both sites. The shared driveway would allow CVS vehicles to exit on Ninth Street via the alley. The western portion of the CVS view fence would be undisturbed. The applicant indicates this concept has been presented to Chase Bank and has been rejected.

## MODIFY APPROVED DEVELOPMENT PLAN CONDITIONS OF APPROVAL

The conditions of the DPR07072 approval which the applicant seeks to remove are as follows:

5. Install a minimum 6'-0" high steel vertical picket fence along the west property line adjacent to the alley. Extend this barrier from the southwest property corner north along the east side of the alley to the C.V.S. refuse enclosure, and extend east from the southwest property corner along the south property line to the point nearest the northern tip of the Supercuts refuse enclosure. Provide a 3'-0" minimum to 4'-0" maximum wide pedestrian opening in the fence on the south side of the refuse enclosure. Flank this opening with masonry pilasters. Provide a masonry pilaster at the south end of the fence at the southwest site corner and at the east end of the fence adjacent to Supercuts refuse enclosure.
7. Install the fence on a continuous, minimum 8" wide concrete curb that is flush with the top of adjacent landscape island curbs and interrupts asphaltic concrete paving between the alley and the site. Extend an 8" wide concrete curb along the full length of the southern border of the site to contain the existing Supercuts lawn.

### Section 6-312 (D)(3) Approval Criteria for Elimination of Conditions of Approval

A request to remove conditions of approval shall only be granted if the decision-making body determines that at least one of the following criteria have been met:

- *The applicant or owner has demonstrated that a mistake of law or fact occurred, and that the mistake was substantial enough to warrant modification or removal of conditions; or This criterion is not applicable.*
- *The condition could not be implemented because it is beyond the reasonable control of the applicant and the modification will not require a significant modification to the original decision; or The conditions of approval of DPR07072 have been implemented, including condition 5 and 7 which are now requested to be removed. See attachment 26-29 for a complete list of these conditions.*
- *The circumstances have changed to the extent that the conditions are no longer needed or warranted; or The main change to the site environs since the completion of CVS has been the redevelopment of the Supercuts site into the Chase Bank. Prior to the construction of Chase, the N-S alley to Ninth Street was 20'-0" wide. Upon the completion of Chase, the 20'-0" wide alley has been supplemented with a 4'-0" wide paved strip on the Chase site to accommodate traffic.*
- *A different condition would better accomplish the purpose of the original conditions. Staff has recommended a site modification to allow a driveway between the CVS and Chase site and an accompanying covenant and agreement for shared parking and cross access. Staff understands that both affected property owners must agree to this concept prior to its implementation. In the absence of this agreement, staff recommends nine (9) conditions that would allow vehicle access from CVS directly into the alley in place of the two (2) conditions that precluded CVS vehicle access to the alley. These conditions are designed to shepherd CVS (and Chase) vehicle traffic through the alley to Ninth Street rather than to Maple Avenue, remove residential refuse pickup from the alley, repair the alley pavement, maintain alley illumination near the southwest corner of CVS, and provide security surveillance of the alley from CVS.*

## DEVELOPMENT PLAN REVIEW

### Site Plan

The site modification seeks to open a driveway to the alley at the southwest site corner and remove that part of the view fence and raised curb that is in the way of this proposed driveway. Modifications to the alley itself would include pavement repair, area light relocation and, subject to the agreement of neighboring property owners on the block, 1) curbside residential refuse pick-up to remove refuse containers and ease potential traffic congestion in alley and 2) installation of traffic control markers in the E-W alley to restrict vehicle traffic in this alley section to emergency and utility maintenance vehicles.

### Building Elevations

There are no changes to the building elevations. The changes to the view fence are limited to the removal of one pilaster and two

fence sections to the south of the public utility easement gate.

### **Landscape Plan**

There is one tree in the south-rear of the site that is on the approved landscape plan of 2007 that is now gone. This tree is to be replaced.

### **Section 6-306 D Approval criteria for Development Plan Review**

1. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses*; The purpose of the view fence with a pedestrian access opening but without an opening for vehicles is to preserve the alley's residential character immediately opposite CVS--particularly the sections of alley adjacent to the open residential yard of 821 South Maple--for pedestrian and minor vehicle traffic use. Opening this section of alley to vehicles from CVS--notwithstanding the intent to direct such traffic to Ninth Street--may create significant traffic cut through to the northwest through the narrow alley to Maple Avenue. The conditions of approval--including the utilization of directional signage and placement of bollards in the E-W alley--are designed to mitigate this outcome.
2. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance*; The site as currently configured allows activity support through the view fence between CVS and the alley in that what happens on one side may be observed on the other through the pickets, but provides vehicle access control to limit the intrusion of commercial traffic--and the potential for increased traffic accidents--in the public alley of the adjacent neighborhood. Under the proposed site configuration the driveway opening from CVS to the alley is mitigated by the closure of the E-W alley to private vehicle traffic and the addition of security surveillance of the alley by CVS.

### **Conclusion**

Based on the information provided and the above analysis, staff recommends approval of the requested Development Plan Review including the removal of two existing conditions of approval for the construction of CVS # 9205. This request meets the required criteria of approval and will conform to the conditions of approval.

### **REASONS FOR APPROVAL:**

1. The proposed opening of this section of alley to commercial traffic conforms to the goals for rehabilitation, redevelopment or conservation as set forth in General Plan 2030. The proposal will improve vehicle access to CVS and improve security surveillance of the alley, which is of benefit to the entire neighborhood.
2. The proposed project meets the two applicable approval criteria of Development Plan Review. Staff recognizes the potential difficulty of commercial traffic at the CVS frontages on Mill Avenue and University Drive. Staff continues to recommend cross access and/or shared parking with one or both of its commercial neighbors. In the absence of these agreements, staff recommends approval of use of the alley by CVS to connect to Ninth Street.

**DPR12046**  
**CONDITIONS OF APPROVAL**

**General**

1. Conditions 1 through 32 of DPR07072 shall continue to apply to CVS except for condition 5 and condition 7. Refer to attachments 26 through 29 of this report for the list of DPR07072 conditions of approval as amended by this approval.

**Site Plan**

2. Subject to approval of property owners of residences on this block, for section of public alley that extends south to Ninth Street and west to Maple Avenue, do the following. Coordinate with Solid Waste Division for curb side refuse pickup for the residences of this block. Remove 300 gallon refuse containers from north-south section of public alley extending from CVS to Ninth Street.
3. Modify view fence on west property line of CVS as follows. Indicate locations of existing fence pilasters. South of the public utility service gate and gate pilaster, remove the following items and create an opening approximately 26'-0" wide. 1) Remove the short fence section. 2) Remove the fence section south of this section that aligns with the CVS south drive aisle. 3) Remove the pilaster in between these two fence sections. 4) Remove the curb at the two removed fence sections. Do not modify any other part of the existing view fence to the north or south of this opening. Retain view fence at the southwest corner of the site and the section that separates the CVS and Chase Bank sites. Retain the utility service gate and the fence sections north of the proposed driveway opening. Refinish existing pilasters at edges of driveway so fastener holes are satisfactorily patched after fence sections are removed. Coordinate curb removal at approximate 26'-0" wide driveway with Engineering Division requirements. Modify grading and drainage so site does not outflow into alley and alley outfall requirements are satisfied.
4. Repave 20'-0" wide public alley from the southwest corner of the CVS site to Burger King. Repave the 15'-0" wide east-west alley between the CVS site and Maple Avenue. Provide asphaltic concrete paving subject to Engineering Division design standard except provide minimum 8" wide flush concrete curb at each line of flexible tubular markers. Design flush curbs so they may receive the fasteners of the markers. See the following condition for flexible tubular markers.
5. Install 3'-0" high, tee profile, flexible tubular markers at either end of the 15'-0" wide east-west alley. Place the west row of four markers in the alley in line with the Maple Avenue screen wall of Burger King. Place the east row of four markers immediately east of the eastern wall of the rectangular irrigation structure in the alley. Position markers at 4'-0" on center across width of alley. Center the line of markers in the width of the public right of way. Provide white markers with red reflective tape. Review existing installations of flexible tubular markers at the Sixth Street turnaround south of City Hall and at the northeast corner of University Drive and Lindon Lane.
6. Extend the alley curb at the northwest corner of the Chase Bank site onto the CVS site and return the curb at the south pilaster of the proposed vehicle entrance. Locate the alley light pole between this curb and the CVS fence. See the following condition for the alley light relocation. Repave the alley section at the removed light pole.

**Lighting / Security**

7. Remove existing wood pole and alley light located near CVS southwest site corner. Provide replacement on southwest corner of CVS site. Coordinate location, type, height, power burial and easement for light pole replacement with Public Works Engineering Division.
8. Erect a closed circuit television camera mast on CVS site in the existing raised curb landscape "finger" or in a separate, raised curb area to the southwest of the refuse enclosure. Repair curb of existing landscape finger and extend curb around base of mast. Mount cameras on mast to monitor the CVS vehicle entrance to the 20'-0" wide public alley to the south of the mast and to survey the east-west public alley that extends west of the mast to Maple Avenue. Top-dress disturbed areas with matching decomposed granite. Conceal power and communication conduits within the mast. Bury conduit extensions to CVS building.

**Signage**

9. Provide maximum 18" wide by 24" high directional sign on north pilaster of proposed driveway. Face directional sign east into CVS site. Indicate vehicle traffic exit south to 9<sup>th</sup> Street.



## CODE-ORDINANCE REQUIREMENTS:

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

- ZONING AND DEVELOPMENT CODE: Applicable requirements of the ZDC apply to this application. Access the ZDC through [www.tempe.gov/zoning](http://www.tempe.gov/zoning).
- DEVELOPMENT PLAN:
  - CVS Development Plan approval is terminated if an application for building / engineering permit is not submitted by twelve (12) months after the approval is granted per ZDC Section 6-306(E).
  - Modifications to adjacent private property other than CVS require separate Development Plan Review process and include Owner authorization(s). Minor modifications shall be an administrative process per ZDC Section 6-306(C).
- SITE PLAN REVIEW: Verify all comments by the Public Works, Community Development and Fire Departments given on the Preliminary Site Plan Reviews dated June 30, 2010, April 06, 2011, September 21, 2011, April 04, 2012 and May 09, 2012. Direct questions related to specific comments to the appropriate department. Coordinate any necessary modifications with all concerned parties prior to application for building / engineering permit. During plan check, planning staff will review construction documents submitted to Building Safety Division to ensure consistency with this Development Plan Review.
- CODE COMPLIANCE: Remove graffiti from refuse enclosure and where occurs on site.
- FIRE: Do not disturb existing fire lane around south and west of building on CVS site. Do not at any point reduce the width of the public alley between 9<sup>th</sup> Street and the Burger King site.
- WATER UTILITIES: On plans, accurately indicate locations of public and private buried utilities in scope of work area.
- EXISTING RESIDENT PARKING MANEUVERING AT ALLEY: Ensure that a minimum 23'-0" wide backup exists across the alley between the rear of the resident parking and the CVS curb per ZDC Table 4-606(A).
- ENGINEERING:
  - Underground overhead power across alley to relocated alley area light per Engineering design criteria. Provide easement for light pole on CVS property subject to requirement of Public Works Engineering Division.
  - Indicate public utility easements on site and in alley within scope of work area.
  - Clearly indicate property lines and the dimensional relation to the view fence and other physical site features that remain to the property lines.
  - Verify location of any easements, or property restrictions, to ensure no conflict exists with site layout or foundation design.
  - Match alley pavement grade to that of adjacent residential parking or modify resident parking area in coordination with alley pavement.
  - Modify grading and drainage plan following the modifications at the CVS view fence and alley pavement. Divert storm water runoff from one-half width of alley adjacent to CVS to the CVS site.
- LIGHTING:
  - Alley security light in accordance with requirements of ZDC Section 4-801 through 4-805 (Lighting).
  - Indicate the location of exterior light fixtures on landscape plan. Avoid conflicts between lights and trees or other site features in order to maintain illumination levels for exterior lighting.
- LANDSCAPE: Extend automatic irrigation system to Parkinsonia 'Desert Museum' replacement installation proposed on south of site. Repair existing irrigation system (on site or in the adjacent public right of ways) that has been damaged.
- DIRECTIONAL SIGN: Directional sign does not require a sign permit but is subject to restrictions of ZDC Section 4-903(F). Advertising copy is not allowed on a directional sign.

## HISTORY & FACTS:

### Gage Addition

- March 30, 1909: The Tempe Land and Improvement Company recorded the Subdivision Plat of the Gage Addition along Maple, Ash, Mill, Myrtle, Forest and Willow (now College) Avenues between Eighth (now University) and Tenth Streets. The Subdivision is recorded in Book 3 of Maps, Page 58 of Maricopa County Records.
- April 24, 1919: Amended Plat Map of the Gage Addition recorded in Book 8 of Maps, Page 41 of Maricopa County Records. The street configuration evokes the present day streets and malls of Arizona State University.

### 820, 822 & 824 South Mill

- January 5, 1958 Building Permit issued for south and north building at 820, 822 and 824 South Mill Avenue (Gage Addition, Lot 7 and 8, Block 21) in the C-2, General Commercial District.
- September 15, 1969 Board of Adjustment approved a Use Permit for Gino's Pizza to operate a bakery at 822 South Mill Avenue in the C-3, Central Commercial District. At this time the building housed Pete's Fish & Chips, Gino's and C.D. Hill's office.
- October 25, 1979 Board of Adjustment approved the Use Permit for Trailways Inc. to operate a bus depot at 822 South Mill Avenue in the CCD, Central Commercial District. This was the first of several Use Permits of one year time duration that was granted.
- February 20, 1980 Design Review Board approved the building elevations, site plan and landscape plan for Mill Plaza (a refurbishment) in the CCD, Central Commercial District.
- October 25, 1989 Board of Adjustment approved a Use Permit for Pirate's Fish and Chips at 820 South Mill Avenue in the CCD, Central Commercial District.
- July 29, 1992 Design Review Board staff approved a paint color modification and Mill entrance awning addition for Saigon Healthy Deli at 820 South Mill Avenue

### 808 South Mill Avenue

- July 14, 1975 Board of Adjustment approved the Use Permit for the Office Building at 808 South Mill Avenue.
- August 20, 1975 Design Review Board approved building landscaping and signs for the Office Building located at 808 South Mill Avenue in the C-3, Central Commercial District.
- February 21, 1992 Hearing Officer approved the following by 808 South Mill Café', located at 808 South Mill Avenue in the CCD, Central Commercial District:
- Use Permit: allow a 1,146 sf. restaurant in the CCD District (no live entertainment)
  - Variance: reduce required off-street parking from 40 to 29 spaces to allow a restaurant use.
  - Variance to waive the required parking lot landscaped end stall islands.
- February 7, 1995 Hearing Officer approved a Use Permit request by Sahara Middle Eastern Restaurant to allow a 100 sf. storage room addition located at 808 South Mill Avenue in the CD, Central Commercial District.

### 802 S Mill Avenue

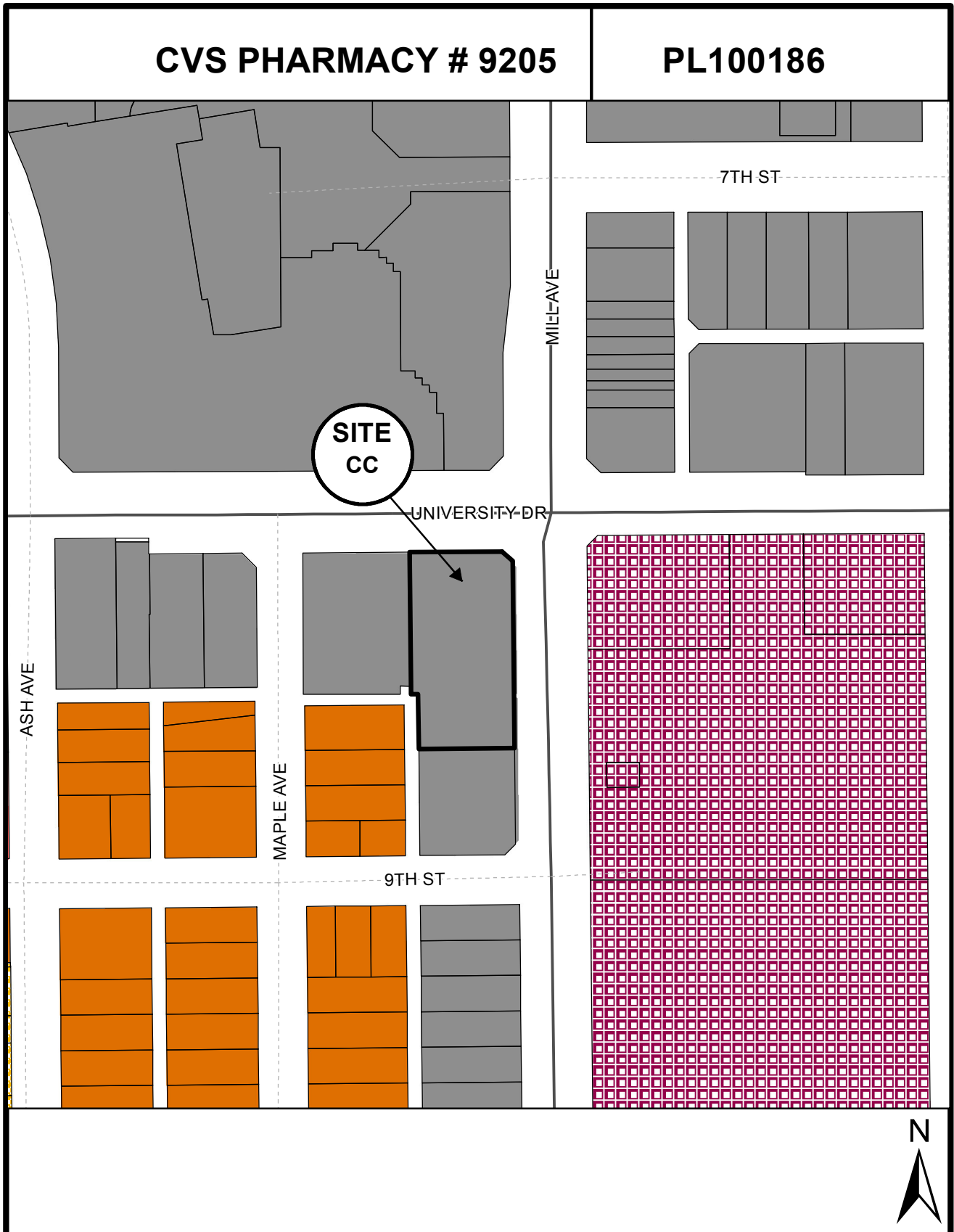
- 1969 The Gino's Pizza Use Permit site plan (see 820 South Mill) indicates Brit Smith Datsun Motors occupied the south corner of Mill and University, including the 802 and 808 South Mill Avenue sites. A Veterinarian was located on the site of the Burger King.
- December 1, 1970 Design Review Board approved building elevations for a Mobil Oil Self Service Station located at 802 South Mill Avenue in the C-3, Central Commercial District.

- February 2, 1977      Design Review Board approved building elevations and sign for Hi Val Gasoline (Mobil Oil) at 802 South Mill Avenue in the C-3, Central Commercial District.
- October 4, 1989      Design Review Board approved the request for a site plan modification for Mobil Oil Service Station at 802 South Mill Avenue in the CCD, Central Commercial District.
- May 31, 2007:      City Council approved the Development Agreement (Resolution No. 2007.47) with German Dobson CVS, LLC with regard to a project located at the southwest corner of University Drive and Mill Avenue. Relief from Development Standards (Exhibit D of the Agreement) included the following: reduce on-site parking to thirty-six (36) vehicular spaces and reduce the height of the view fence from 8'-0" to 6'-0".
- June 12, 2007      Development Review Commission approved the request by CVS Pharmacy located at 802 South Mill Avenue on +/-0.94 acres in the CC, City Center District for a Development Plan (DPR07072) including site plan, building elevations and landscape plan.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-306, Development Plan Review

Section 6-312, Modify Approved Development Plan, Use Permit or Condition of Approval.



**Location Map**



**CVS PHARMACY #9205 (PL100186)**

March 22, 2012

**Via Hand Delivery**

City of Tempe  
Development Review Commission  
31 E. 5<sup>th</sup> Street  
Tempe, Arizona 85281

***Re: SWC University and Mill; Development Plan Review DPR07072***

Dear Commission members:

Our office represents CVS/Pharmacy regarding the Property located at the southwest corner of University and Mill in the City of Tempe (the "Property"), as shown on the aerial map attached at **Tab 1**.

On June 12, 2007, the Tempe Development Review Commission approved a Development Plan Review for the Property. The approval was subject to 32 conditions of approval. In particular, stipulations 5-7 required a fence along the western boundary of the property, thereby eliminating alley access.

As part of the application process in 2007, CVS hosted a neighborhood meeting regarding the project. At the meeting, the neighbors requested cross access and shared parking among the adjacent commercial parcels. At the time, CVS did not provide the cross parking and access because it wanted to prevent cut through traffic from vehicles traveling along the adjacent arterial streets.

Since that time, the surrounding site conditions have changed which obviate the need for the fence in stipulations 5-7. The former commercial buildings adjacent to the south were demolished and replaced with a Chase Bank. The new Chase Bank provides full ingress and egress to patrons accessing the site from 9<sup>th</sup> Street via the alley. During peak demand times, patrons park in the alley when there is insufficient on-site parking. Unfortunately, this blocks access to the alley way and impacts the use of the trash receptacles. The bank's use of the alley way has also confused some CVS patrons who have mistakenly presumed they could access the CVS parcel using the alley from 9<sup>th</sup> Street.

Through some minor site modifications, the owners of the property have created a solution that allows access to the CVS parcel from 9<sup>th</sup> Street while resolving the problem with the alley parking for the Chase Bank. CVS proposes to modify a minor portion of the existing parking area at the southwest corner of the Property. Specifically, a portion of the existing fence will be removed to facilitate access to the alley way that

connects to 9th Street. CVS patrons will finally be able to access the site from the south using the alley way. At the same time, Chase Bank patrons will be able to park on the CVS parcel during peak times, thereby resolving the current problem with patrons parking in the alley way. The minor site modification will also provide an additional four (4) parking spaces. The remaining portion of the fence will be maintained by CVS to discourage cut through traffic. The location of the access way and the layout of the parking field make any cut through traffic impractical, thus preserving the intent of the original fence. The result is a win-win for the commercial businesses and their patrons.

Pursuant to Section 6-312.C of the City Code, the request to modify the approved development plan and conditions is appropriate given the circumstances. As explained above, the circumstance have changed to the extent that the condition is no longer needed or warranted, and this site plan better accomplishes the purpose of the original condition. Although minor in scope, the proposed changes are a benefit to the area. It reduces parking problems within the alley, improves access to the commercial businesses, and preserves the intent of the fence.

The proposed Development Plan Review is accompanied by the following documents:

1. Project Submittal Form
2. Signed Application Form
3. Site Plan
  - 24x36 Site Plans (2)
  - 8.5x11 Site Plans (1)
4. Landscape Plan
  - 24x36 Landscape Plans (2)
  - 8.5x11 Landscape Plans (1)
5. Grading and Drainage Plan
  - 24x36 Grading and Drainage Plans (2)
  - 8.5x11 Grading and Drainage Plans (1)
6. Site Photos
7. CD copy of the application
8. Check for \$230 for each submittal

Please feel free to contact me if you have any questions, or if you need any additional information. Thank you.

Sincerely yours,  
WITHEY MORRIS, P.L.C.

By  
G. Adam Baugh



PHONE: 602-230-0600

FAX: 602-212-1767

2525 E. Arizona Biltmore Circle, Suite A-212, Phoenix, AZ 85016

May 3, 2012

CVS / SWC University and Mill

Neighborhood Meeting Summary

Meeting was held:

April 12, 2012 from 6:00 p.m. – 7:00 p.m.

The Church on Mill, First Southern Baptist Church of Tempe  
1300 South Mill Avenue, Tempe, Arizona 85281

Participants:

Members of the development team were present to answer any questions:  
Armstrong Development  
CVS / pharmacy, Inc.  
Withey Morris PLC

Notice of the meeting was sent to property owners within 300' of the property as well as registered neighborhood associations.

There were six attendees. The owner of the Burger King property sent three representatives to observe. Mr. and Mrs. Oertle, who own the property immediately to the west, attended as well as a representative from the Maple Ash Neighborhood Association. Numerous exhibits were presented showing details of the proposal.

Meeting Minutes:

- The neighbors agreed that the proposed plan would improve the alleyway and was consistent with the Chase Bank approvals and alley use
- The Oertle's were supportive of the proposed plan, however, they requested the City to close off and abandon the alley way that runs west to east which separates the Oertles and the Burger King Property. They have had problems with vehicular traffic and pedestrian activity adjacent to their residence.
- The Maple Ash Neighborhood representative was not opposed to the CVS plan, but she disagreed with the Oertle's suggestion to abandon the alleyway. She wanted to preserve pedestrian traffic from the neighborhood to the businesses.



- The Burger King representatives were supportive of the CVS proposal and had no comment on the alley way abandonment as suggested by Mr. Oertle.
- At the end of the meeting, a compromise was suggested that would close off the alley way to vehicular traffic, but remain open for pedestrian passage. Temporary bollards were suggested as a solution to restrict vehicular traffic.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION UNLESS THE CONTRACT AND SIGNATURE OF THE RESPONSIBLE PROFESSIONAL ENGINEER. ANY ADDITIONAL FEES OR CHARGES, INCLUDING FEES FOR PERMITS AND RECORDS, ARE TRANSMITTED BY THE OWNER TO THE APPLICABLE AGENCIES TO THE AUTHORITY HAVING JURISDICTION.

REVISIONS:

NO.	DATE	DESCRIPTION

DRAWING BY: DOM  
 DATE: 01-MAY-2012  
 JOB NUMBER: 42477  
 TITLE: **SITE PLAN**

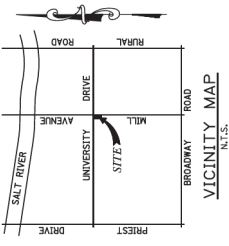
SHEET NUMBER: **S-1**     **1 OF 1**  
 COMMENTS:

# SITE PLAN FOR:

# CVS/pharmacy

## 802 SOUTH MILL AVENUE TEMPE, ARIZONA 85281

A PORTION OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



**DEVELOPER:**  
 224 W. CHANDLER BL., SUITE 100  
 CHANDLER, AZ 85224  
 CONTACT: CHRISTOPHER CZYZ  
 PHONE: (602) 395-4100

**ENGINEER:**  
 RICK ENGINEERING COMPANY  
 6150 NORTH 16TH STREET  
 PHOENIX, ARIZONA 85016  
 CONTACT: DANIEL G. MANN, P.E.  
 PHONE: (602) 957-3350

**LANDSCAPE ARCHITECT:**  
 RICK ENGINEERING COMPANY  
 6150 NORTH 16TH STREET  
 PHOENIX, ARIZONA 85016  
 CONTACT: DANIEL G. MANN, P.E.  
 PHONE: (602) 957-3350

**ADDRESS:**  
 802 SOUTH MILL AVENUE  
 TEMPE, ARIZONA 85281

**PARKING CALCULATIONS:**  
 TOTAL BUILDING AREA = 13,013 S.F.  
 PARKING REQUIREMENTS:  
 1. SPACE / 300 S.F. OF RETAIL  
 44 SPACES  
 PARKING PROVIDED: 56 SPACES INCLUDING 2 ADA SPACES

**LEGAL DESCRIPTION:**  
 LOT 1 OF CVS PHARMACY STORE NUMBER 9205 AS RECORDED IN BOOK 896 OF MAPS, PAGE 24, RECORDS OF MARICOPA COUNTY, ARIZONA.

**AREA:**  
 NET = 0.9076 ACRES  
 GROSS = 125,549 ACRES

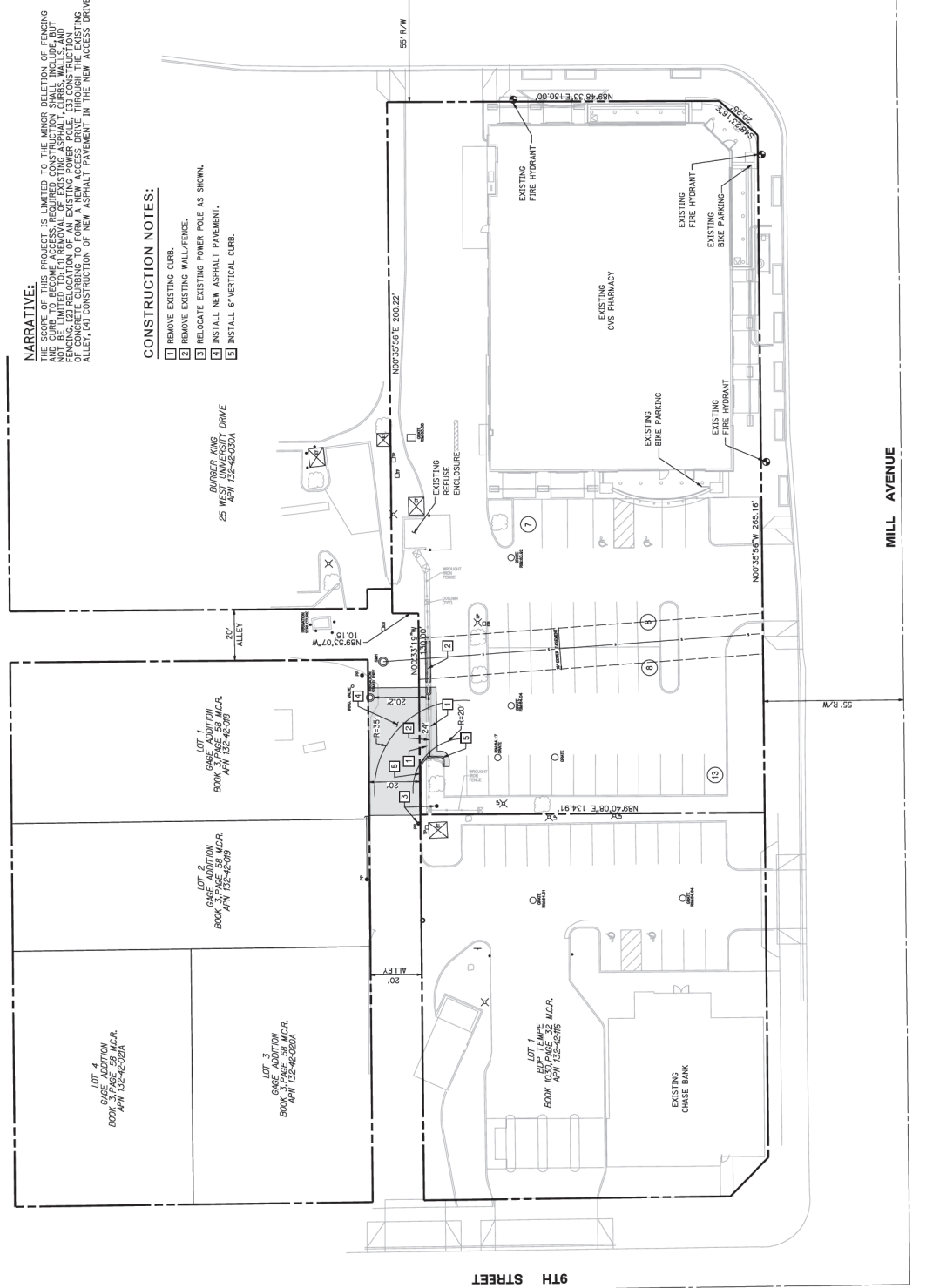
**GENERAL PLAN 2030:**  
 MIXED-USE

**ZONING:**  
 CC- CITY CENTER

**APN:**  
 132-732-115

**NARRATIVE:**  
 THE SCOPE OF THIS PROJECT IS LIMITED TO THE MINOR DELETION OF FENCING AND THE RELOCATION OF EXISTING ASPHALT DRIVEWAYS, CURBS, WALLS, AND NOT BE LIMITED TO THE REMOVAL OF EXISTING ASPHALT DRIVEWAYS, CURBS, WALLS, AND RELOCATING EXISTING ASPHALT DRIVEWAYS THROUGH THE EXISTING DRIVEWAY. THE NEW ASPHALT DRIVEWAY AND ACCESS DRIVE THROUGH THE EXISTING ALLEY, L41 CONSTRUCTION OF NEW ASPHALT PAVEMENT IN THE NEW ACCESS DRIVE.

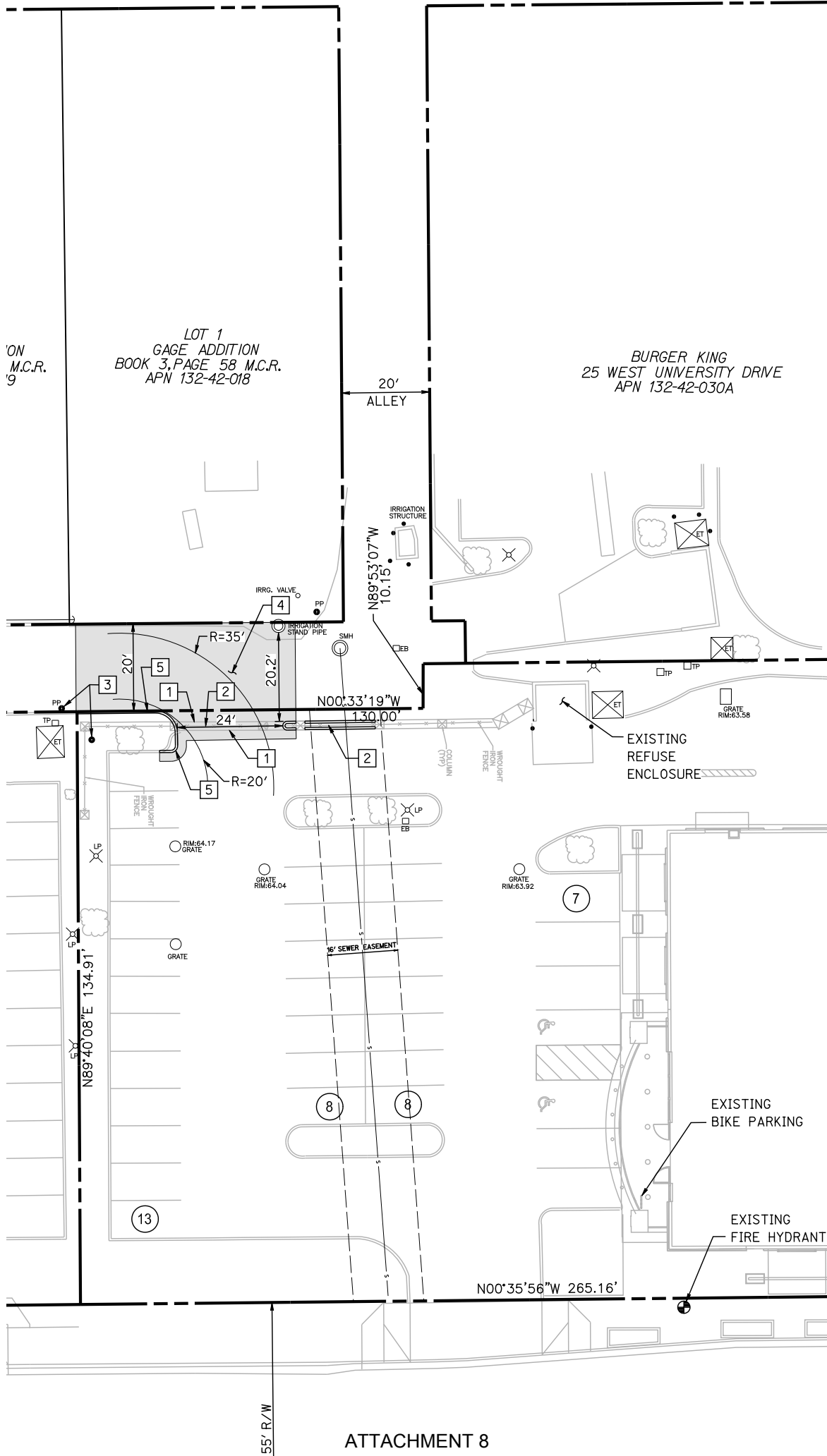
**CONSTRUCTION NOTES:**  
 1 REMOVE EXISTING CURB.  
 2 REMOVE EXISTING WALL/FENCE.  
 3 RELOCATE EXISTING POWER POLE AS SHOWN.  
 4 INSTALL NEW ASPHALT PAVEMENT.  
 5 INSTALL 6" VERTICAL CURB.



'ON  
M.C.R.  
'9

LOT 1  
GAGE ADDITION  
BOOK 3, PAGE 58 M.C.R.  
APN 132-42-018

BURGER KING  
25 WEST UNIVERSITY DRIVE  
APN 132-42-030A



## NARRATIVE:

THE SCOPE OF THIS PROJECT IS LIMITED TO THE MINOR DELETION OF FENCING AND CURB TO BECOME ACCESS. REQUIRED CONSTRUCTION SHALL INCLUDE, BUT NOT BE LIMITED TO: [1] REMOVAL OF EXISTING ASPHALT, CURBS, WALLS, AND FENCING, [2] RELOCATION OF AN EXISTING POWER POLE, [3] CONSTRUCTION OF CONCRETE CURBING TO FORM A NEW ACCESS DRIVE THROUGH THE EXISTING ALLEY, [4] CONSTRUCTION OF NEW ASPHALT PAVEMENT IN THE NEW ACCESS DRIVE.

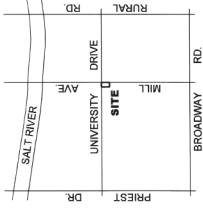
## CONSTRUCTION NOTES:

- 1 REMOVE EXISTING CURB.
- 2 REMOVE EXISTING WALL/FENCE.
- 3 RELOCATE EXISTING POWER POLE AS SHOWN.
- 4 INSTALL NEW ASPHALT PAVEMENT.
- 5 INSTALL 6" VERTICAL CURB.

# LANDSCAPE PLAN FOR: CVS/pharmacy

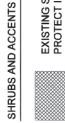
802 S. MILL AVENUE  
TEMPE, ARIZONA 85281

A PORTION OF SECTION 20,  
TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA  
AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

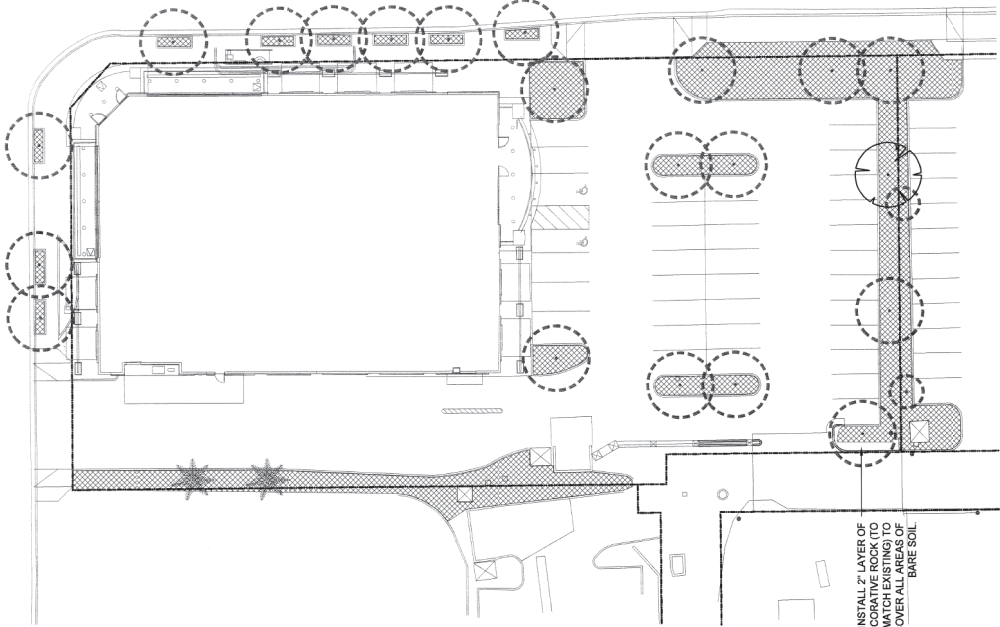


## UNIVERSITY DRIVE

SYMBOL	BOTANICAL NAME COMMON NAME	QTY	SIZE	H x W (CALIPER)
(Symbol)	PARKINSONIA 'DESERT MUSEUM' DESERT MUSEUM PALO VERDE	1	36" BOX	8 x 2 (75')
(Symbol)	EXISTING TREE TO REMAIN PROTECT IN PLACE			
(Symbol)	EXISTING PALM TO REMAIN PROTECT IN PLACE			



## MILL AVENUE



INSTALL 2" LAYER OF  
DECOMPOSED ROCK TO  
MATCH EXISTING TO  
COVER ALL AREAS OF  
BARE SOIL

### PROJECT DIRECTORY:

#### DEVELOPER

ARMSTRONG DEVELOPMENT PROPERTIES  
201 M. CHANDLER BLVD., SUITE 106  
CHANDLER, AZ 85224  
CONTACT: CHRISTOPHER CZYZ  
PHONE: (602) 385-4100

#### LANDSCAPE ARCHITECT

RICK ENGINEERING CO.  
802 S. MILL AVENUE, SUITE 111  
TEMPE, ARIZONA 85281  
TUCSON, AZ 85712  
CONTACT PERSON: MARK FELLINGER  
PHONE: 520-785-1000  
FAX: 520-322-8958  
E-MAIL: mfellinger@rickengineering.com

#### CIVIL ENGINEER

RICK ENGINEERING CO.  
6150 NORTH 16TH STREET  
PHOENIX, ARIZONA 85016  
CONTACT PERSON: DAN MANN  
PHONE: 602-957-3350  
FAX: 602-285-2396  
E-MAIL: dmann@rickengineering.com

### GENERAL NOTES:

- CONTRACTOR SHALL VERIFY WITH OWNER'S PROJECT MANAGER THAT PLANS ARE CURRENT AND APPROVED.
- WORK SHALL BE IN ACCORDANCE WITH THE CITY OF TEMPE, ARIZONA, AND YUMA MUNICIPAL CODES. WHENEVER SPECIAL REQUIREMENTS CONFLICT ON ANY MATTER, THE OWNER'S PROJECT MANAGER SHALL DETERMINE WHICH CONDITION ON CODE SHALL GOVERN.
- THE CONTRACTOR SHALL COMPLY WITH THE ENGINEERING SOILS REPORT AND ALL RECOMMENDATIONS AS THEY RELATE TO HIS WORK.
- THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND PAY ALL RELATED FEES AND/OR TAXES REQUIRED TO INSTALL THE WORK ON THE PLANS.
- THE CONTRACTOR SHALL BE APPROPRIATELY LICENSED AS REQUIRED BY THE STATE OF ARIZONA.
- CONTRACTOR SHALL NOTIFY THE OWNER'S PROJECT MANAGER IMMEDIATELY OF ANY ERRORS, OMISSIONS OR DISCREPANCIES IN EXISTING CONDITIONS OR WITH THE PLANS PRIOR TO BEGINNING THE WORK.
- UNIT PRICES FOR ALL IMPROVEMENTS SHALL BE ESTABLISHED AS A PART OF THE CONTRACT WITH THE OWNER'S PROJECT MANAGER PRIOR TO BEGINNING WORK. TO ACCOMMODATE ANY CHANGES, DELETIONS OF MATERIAL AND/OR LABOR.
- DETERMINATION OF EQUAL SHEDS SHALL BE MADE ONLY BY THE OWNER'S PROJECT MANAGER.
- SITE OBSERVATION BY THE LANDSCAPE ARCHITECT SHALL BE THE BASIS OF THIS PROJECT. CONTRACTOR SHALL BELIEVE THE CONTRACTOR OF HISHER PRIMARY RESPONSIBILITY TO PERFORM ALL WORK IN ACCORDANCE WITH THE PLANS, SPECIFICATIONS AND GOVERNING CODES.
- THE CONTRACTOR SHALL PROVIDE FULL MAINTENANCE OF ALL LANDSCAPE AREAS AND OBTAIN NECESSARY APPROVAL. SEE LANDSCAPE SPECIFICATIONS.
- ALL EXISTING UTILITIES AND STRUCTURES REPORTED BY OWNERS OR OTHERS AND NOT SHOWN ON THE PLANS SHALL BE INDICATED ON THE PLAN WITH THEIR APPROXIMATE LOCATION AND EXTENT. UNDERGROUND FACILITIES MAY EXIST WHICH HAVE NOT BEEN REPORTED OR OF RECORD.
- THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT ALL UTILITIES FOUND AT THE SITE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE OWNERS OF THESE UTILITIES BEFORE STARTING WORK. FACILITIES BEFORE STARTING WORK.
- CAUTION: BEFORE EXCAVATING, VERIFY THE LOCATION OF UNDERGROUND UTILITIES. AT LEAST TWO (2) WORKING MEN SHALL BE ON SITE TO VERIFY THAT CONTRACTOR SHALL REQUEST MARK OUT OF UNDERGROUND UTILITIES BY CALLING BLUE STAKE AT 1-800-782-5348.
- CONTRACTOR AGREES THAT THE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND SHALL NOT BE LIMITED TO NORMAL WORKING HOURS. CONTRACTOR SHALL HOLD THESE TO DEFEND, INDEMNIFY AND HOLD THE OWNER AND HIS REPRESENTATIVES HARMLESS FROM ANY AND ALL LIABILITY, REAL AND/or ALLEGED IN CONNECTION WITH THIS PROJECT.

### PLANTING

- ROOTBALL: PLACE ON UNDISTURBED NATIVE SOIL AT BOTTOM OF PLANT PIT.
- AMENDED BACKFILL MIX.
- FERTILIZER TABLETS.
- 4" HIGH EARTH BEAM / MICROBASIN (NOT REQUIRED FOR LEVEL CONDITION IF TREE IS LOCATED IN A DEPRESSED WATER COLLECTING AREA, ALWAYS REQUIRED FOR SLOPE CONDITION).
- SLOPE GRADE PRIOR TO PLANTING.
- FINISH GRADE.
- 3/4" DIA. LODGE POLE STAKES: PLACE OUTSIDE OF ROOTBALL.
- BLACK PLASTIC GINCHIE WITH ONE TIGHT MAILED TO STAKE OR APPROVED EQUAL (WIRE TIES WITH RUBBER HOSE IS NOT ACCEPTABLE).
- 3/4" DIA. CHANNEY ORANGE (U.S.E.) AT BOTTOM OF PLANT PIT IF HARDPAN OR CALICHE SOIL LAYERS ENCOUNTERED.
- HARDPAN OR CALICHE SOIL LAYER.
- BROWSE CAGE: SEE NOTE 5.

### NOTES:

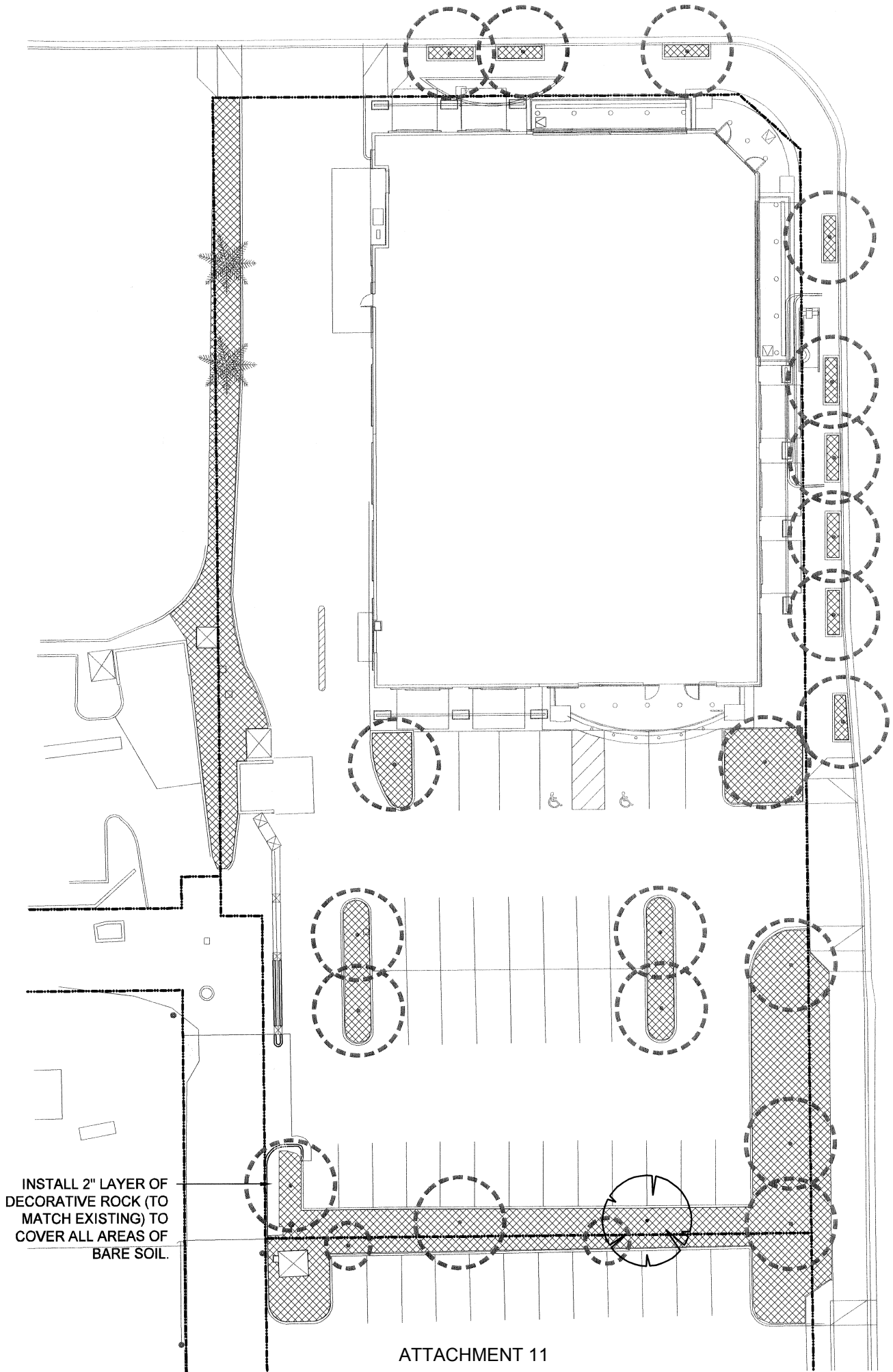
- TREE STAKES ARE NOT REQUIRED FOR 8 GAL. TREES.
- TREE STAKES MAY BE OMITTED IF TREE IS ABLE TO SUPPORT ITSELF UPRIGHT WITHOUT LEANING OR BENDING.
- WHEN STAKES ARE INSTALLED, TIES SHOULD BE PLACED AS LOW AS POSSIBLE WHILE STILL PROVIDING NECESSARY SUPPORT. CUT STAKE APPROX. 6" ABOVE TIE TO AVOID BRANCHES RUBBING ON STAKE.
- ALL NURSERY STAKES ARE TO BE REMOVED REGARDLESS OF PLANT SIZE.
- CONTRACTOR SHALL INCLUDE BROWSE CAGES FOR ALL TREES AS AN ADDITIVE ALTERNATE IN THE BID. CONTRACTOR SHALL CLOSELY MONITOR TREES FOR WILDLIFE DAMAGE DURING THE MAINTENANCE PERIOD, AND SHALL IMMEDIATELY MAKE A RECOMMENDATION OF PLANT PIT IF HARDPAN OR CALICHE SOIL LAYERS SUSPECTED. SUBMIT BROWSE CAGE SHOP DRAWING FOR APPROVAL PRIOR TO INSTALLATION.

### SCALE

NOT TO SCALE

**UNIVERSITY DRIVE**

**MILL AVENUE**



INSTALL 2" LAYER OF  
DECORATIVE ROCK (TO  
MATCH EXISTING) TO  
COVER ALL AREAS OF  
BARE SOIL.

MARK FELLINGER  
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ickengineering.com

**NEER**

CO.  
TREET

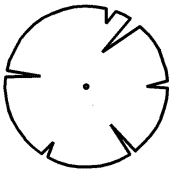
DAN MANN  
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engineering.com

## PLANT MATERIAL LEGEND

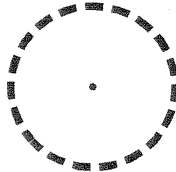
SYMBOL	BOTANICAL NAME COMMON NAME	QTY.	SIZE	H x W (CALIPER)
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### TREES



PARKINSONIA 'DESERT MUSEUM'  
DESERT MUSEUM PALO VERDE

1      36" BOX      8' x 2' (.75")

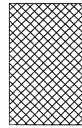


EXISTING TREE TO REMAIN  
PROTECT IN PLACE

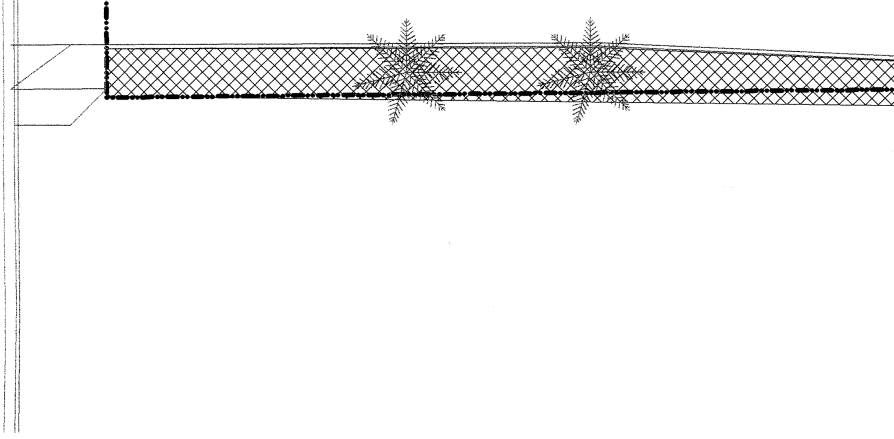
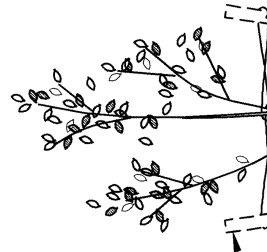


EXISTING PALM TO REMAIN  
PROTECT IN PLACE

### SHRUBS AND ACCENTS

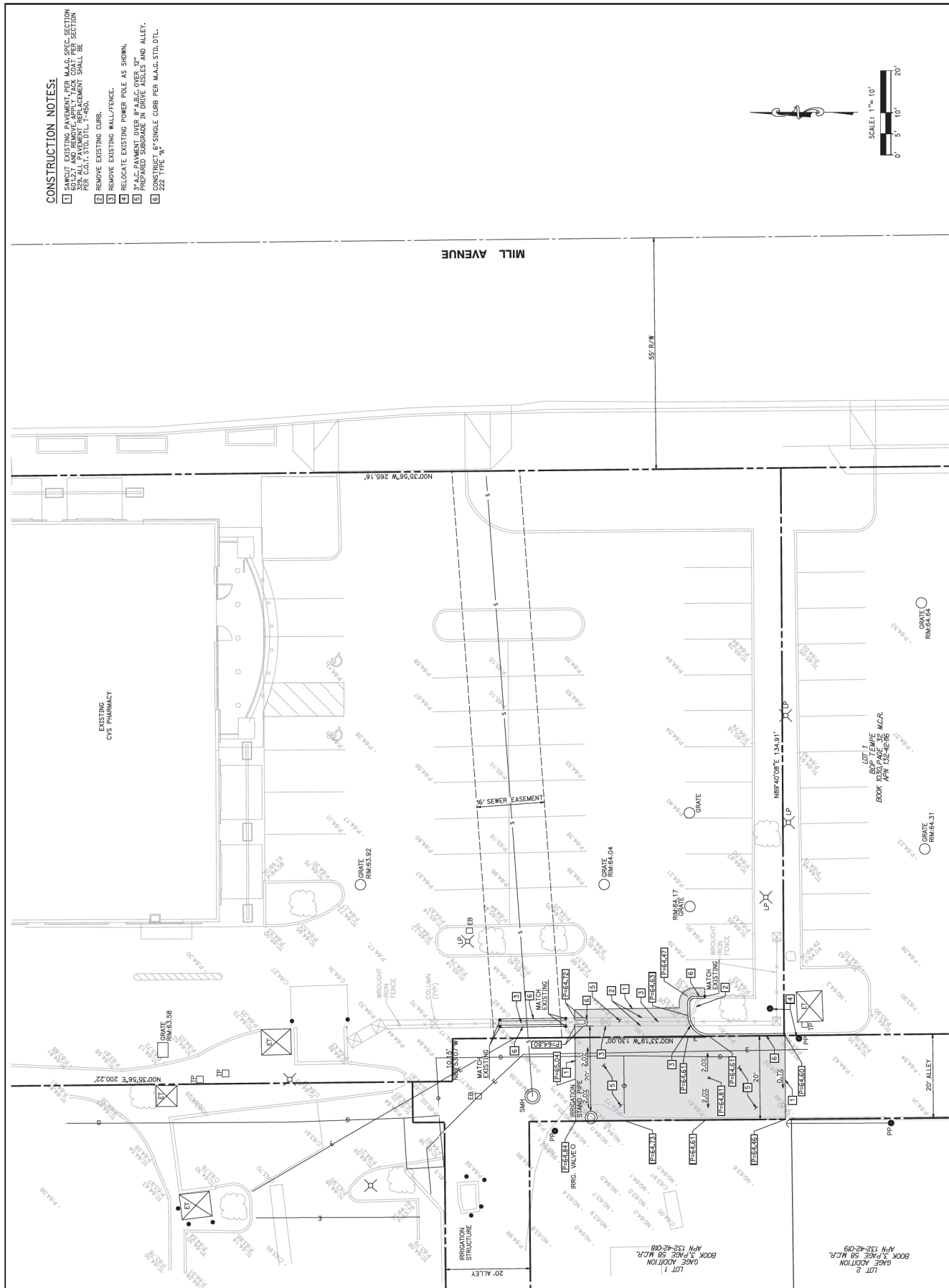
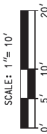


EXISTING SHRUBS TO REMAIN  
PROTECT IN PLACE



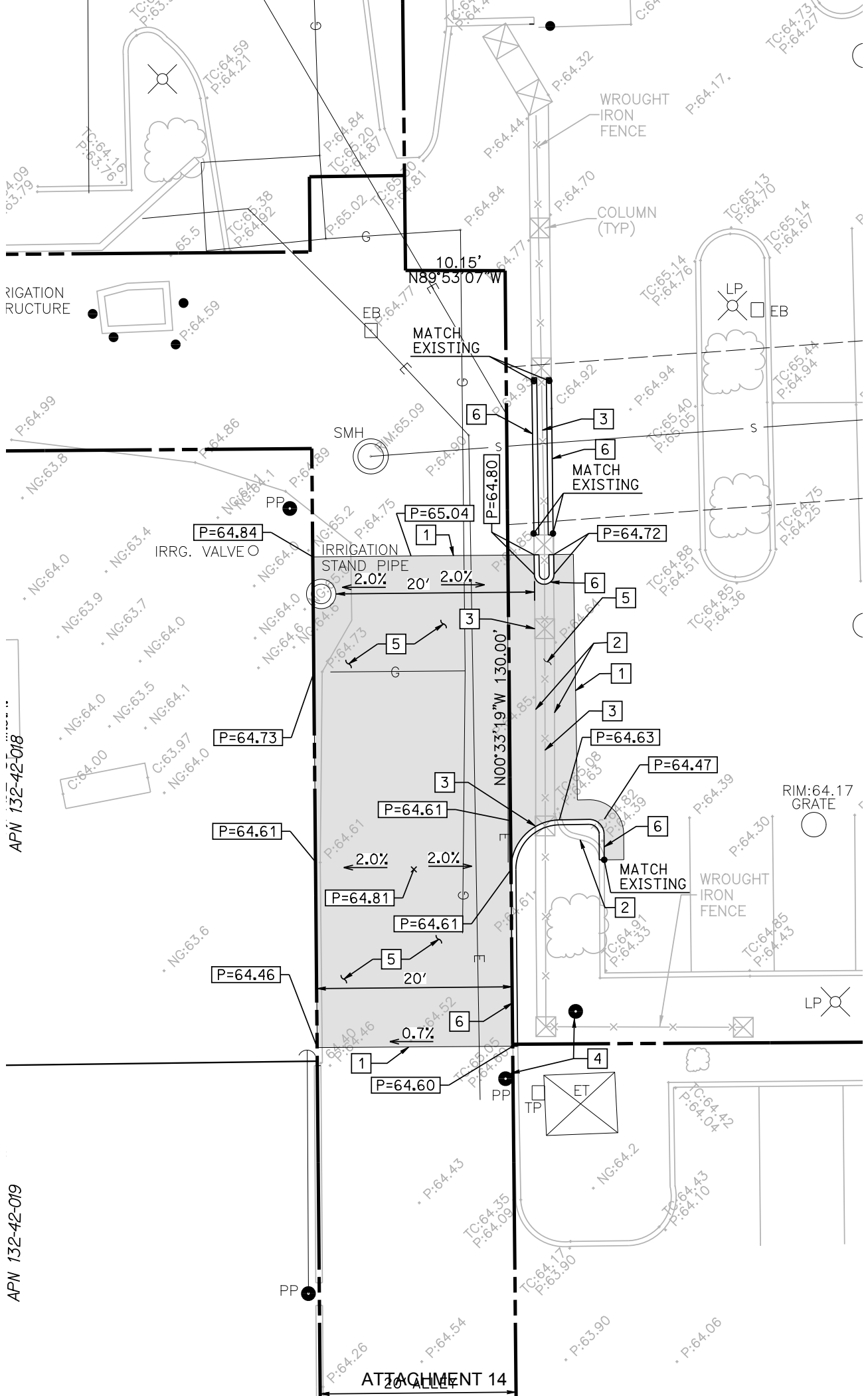
**CONSTRUCTION NOTES:**

- 1) SAWCUT EXISTING PAVEMENT PER M.A.S. SPEC. SECTION 50.02.1 AND REMOVE ASPHALT TACK COAT PER SECTION PER C.O.T. STD. DTL. T-460.
- 2) REMOVE EXISTING CURB.
- 3) REMOVE EXISTING WALL/FENCE.
- 4) RELOCATE EXISTING POWER POLE AS SHOWN.
- 5) 1/4" AC PAVEMENT OVER 6" FALG CUREB 2" AND ALLEY.
- 6) PREPARED SUBGRADE IN DRIVE AISLES AND ALLEY.
- 7) CONSTRUCT 6" SINGLE CURB PER M.A.S. STD. DTL. T-22 TYPE "A".



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01-MAY-2012



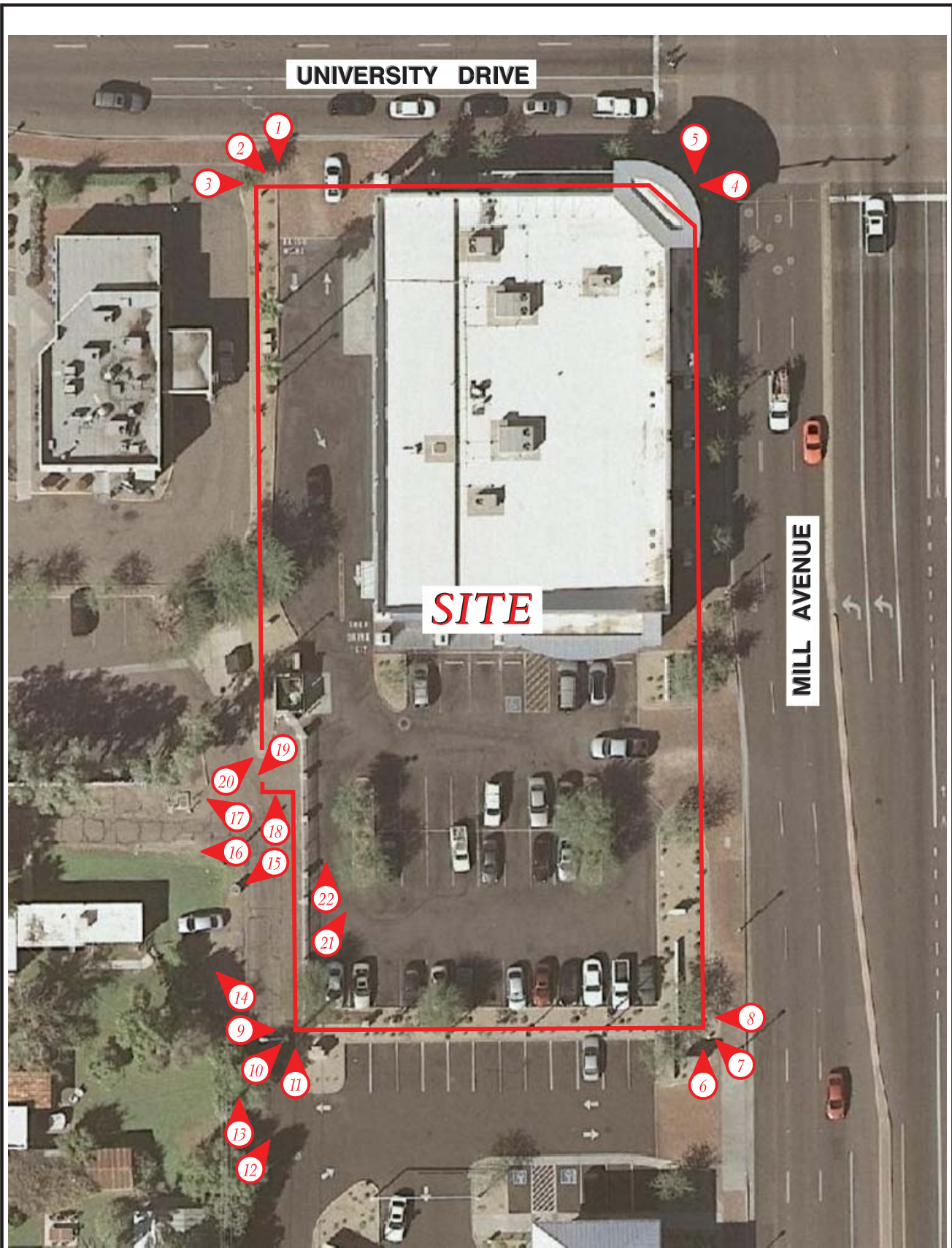


APN 132-42-018

APN 132-42-019

# CONSTRUCTION NOTES:

- 1 SAWCUT EXISTING PAVEMENT, PER M.A.G. SPEC. SECTION 601.2.7 AND REMOVE. APPLY TACK COAT PER SECTION 329. ALL PAVEMENT REPLACEMENT SHALL BE PER C.O.T. STD. DTL. T-450.
- 2 REMOVE EXISTING CURB.
- 3 REMOVE EXISTING WALL/FENCE.
- 4 RELOCATE EXISTING POWER POLE AS SHOWN.
- 5 3" A.C. PAVMENT OVER 8" A.B.C. OVER 12" PREPARED SUBGRADE IN DRIVE AISLES AND ALLEY.
- 6 CONSTRUCT 6" SINGLE CURB PER M.A.G. STD. DTL. 222 TYPE "A"



N.T.S.

CONTEXT PLAN

S.W.C. UNIVERSITY DRIVE  
& MILL AVENUE, TEMPE, AZ.

**RICK**  
ENGINEERING COMPANY

6150 NORTH 16TH STREET  
PHOENIX, AZ 85016  
602.957.3350  
(FAX)602.285.2396

rickengineering.com

Phoenix Tucson • San Diego • Sacramento • Riverside • Orange • San Luis Obispo • Bakersfield

JOB NUMBER	4247	PREPARED BY:	PV	DATE PREPARED:	15-FEB-2012
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**SITE PHOTOGRAPHS**  
**S.W.C. UNIVERSITY DRIVE & MILL AVENUE, TEMPE, AZ.**

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Photo 1:



Photo 4:



Photo 2:



Photo 5:



Photo 3:



Photo 6:

**SITE PHOTOGRAPHS**

**S.W.C. UNIVERSITY DRIVE & MILL AVENUE, TEMPE, AZ.**

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Photo 7:



Photo 10:



Photo 8:



Photo 11:



Photo 9:



Photo 12:

**SITE PHOTOGRAPHS**

**S.W.C. UNIVERSITY DRIVE & MILL AVENUE, TEMPE, AZ.**

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Photo 13:



Photo 16:



Photo 14:



Photo 17:



Photo 15:



Photo 18:

**SITE PHOTOGRAPHS**

**S.W.C. UNIVERSITY DRIVE & MILL AVENUE, TEMPE, AZ.**

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Photo 19:



Photo 22:



Photo 20:



Photo 21:













**RE: CVS PHARMACY  
PL060561 DS061174  
DPR07072 – Development Plan Review including site plan, building elevations and  
landscape plan.**

**CONDITIONS OF APPROVAL (as amended by DPR12046)**

**General**

1. Your drawings must be submitted to the Development Services Building Safety Division for building permit by **June 12, 2008** or Development Plan approval will expire.

**Site Plan**

2. Identify and remove the short masonry storage shed on the west edge of the property. Refer to the A.L.T.A. survey for location.
3. Site walls, match the building finish as indicated:
  - a. Construct the parking lot screen walls of exposed masonry.
  - b. Finish the C.V.S. refuse enclosure and the masonry pilasters of the view fence with exterior plaster on all sides, edges and top.
4. Landscape Islands
  - a. Remove transformer from landscape island at southwest corner of building. Place transformer elsewhere on site, such as on the north side of the refuse enclosure. Alternately, reconfigure the island so a minimum 120 sf. of planting area is created alongside the transformer. In this case, coordinate tree installation with transformer clearance requirement.
  - b. Provide a landscape island at the southeast corner of the building at the east end of the parking row, similar to as indicated on the landscape plan.
  - c. At the southwest site corner, provide landscape island that is the full length of the adjacent parking space.
5. ~~Install a minimum 6'-0" high steel vertical picket fence along the west property line adjacent to the alley. Extend this barrier from the southwest property corner north along the east side of the alley to the C.V.S. refuse enclosure, and extend east from the southwest property corner along the south property line to the point nearest the northern tip of the Supercuts refuse enclosure. Provide a 3'-0" minimum to 4'-0" maximum wide pedestrian opening in the fence on the south side of the refuse enclosure. Flank this opening with masonry pilasters. Provide a masonry pilaster at the south end of the fence at the southwest site corner and at the east end of the fence adjacent to Supercuts refuse enclosure. DELETED BY THE COMMISSION on May 22, 2012.~~
6. Provide steel vertical picket fence and gate panels of design that resist bending and have only two horizontal rails (top and bottom) to inhibit climbing. Extend pickets above top rail to further inhibit climb over. If refuse enclosure gate pair is provided, construct gate panels of steel vertical pickets, matching fence design, combined with steel mesh or vertical slats of design that inhibit climb over and allow visual surveillance through gates when up close.
7. ~~Install the fence on a continuous, minimum 8" wide concrete curb that is flush with the top of adjacent landscape island curbs and interrupts asphaltic concrete paving between the alley and the site. Extend an 8" wide concrete curb along the full length of the southern border of the site to contain the existing Supercut's lawn. DELETED BY THE COMMISSION on May 22, 2012.~~
8. Align center of freestanding light bases south of parking lot with parking space stripes.

9. Replace brick sidewalks for pedestrian paving in public right of way, including particularly patched and unevenly settled areas of brick paving. Extend brick sidewalks on site to the base of the south and east elevations. Follow Public Works Department Detail T-353 for sidewalk and tree grate for design of sidewalk areas in the right of way, except use long (12'-0" by 4'-0") grate detail following installation example on Mill Avenue. Position tree grates, bike racks for 2'-0" by 6'-0" bike parking, and any site furnishings so there is a minimum 8'-0" clear, continuous path alongside the street building elevations, except provide width reduction as allowed by Public Works at the existing bus stop. Alternative unit paving may be considered, subject to review and approval by Public Works and Planning. Utilize alternative patterns in small amounts to create accent areas at entrances, or to demarcate architectural features of the building. Do not propose a wholesale change of material. Provide paving materials that are compatible with accessibility provisions of the Americans with Disabilities Act and the Building Code.
10. Provide architecturally design scored, integrally colored concrete walkway paving on site, except as indicated in the condition above.
11. Provide upgraded paving at each driveway apron consisting of brick paving that matches the material used for the sidewalks. Extend unit paving in the driveway from the back of the accessible public sidewalk bypass to 20'-0" on site and from curb to curb at the drive edges, as indicated.
12. 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 screen wall following the requirements of Standard Detail T-214.
13. Finish utility equipment boxes for this development in a neutral color (subject to utility provider approval) that compliments the coloring of the building.

#### **Floor Plans**

14. Single User Restroom Security:
  - a. Provide 50% night light and activate light by key or remote control mechanism.
  - b. Provide a key bypass on the exterior side of the door.

#### **Building Elevations**

15. At the fire department connection indicated on the Mill Avenue side of the east elevation, conceal the piping within the building.
16. Design an enclosure for the service entrance section and gas meter on the west elevation that removes the recess south of the S.E.S which could otherwise be used as a hiding place. The recessed loading dock door is acceptable.
17. Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process. During construction, planning inspection staff will field verify colors and materials.
18. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
19. Conceal roof drainage system within the interior of the building. Minimize visible, external features, such as overflows, exit drains and splash blocks, and where needed position and design these to enhance the architecture of the building.
20. Incorporate lighting, address signs, incidental equipment attachments (alarm klaxons, security cameras, fire department connection, etc.) where exposed into the design of the building elevations so that the architecture is enhanced by these elements.
21. Surface mount conduit and piping is not allowed unless a creative conduit surface design that

compliments the architecture is reviewed and approved separately by the Development Review Commission.

### **Lighting**

22. Illuminate roll-up and pedestrian entrances continuously from dusk to dawn.
23. Back illuminate frosted glass drum above northeast building entrance, as indicated by night time perspective vignette of the Northeast entrance.
24. The demarcated surface in front of the roll-up door is a loading area; illuminate to minimum 4.0 foot-candles.

### **Landscape**

25. Landscape the western border of the site adjacent to the Burger King property. Staff recommends (does not require) that development protect and maintain the existing trees on site along this edge, consisting of two *Washingtonia robusta* opposite the Burger King drive thru and two *Thevetia peruviana* near the Burger King refuse enclosure. If they remain, incorporate these trees into the site landscape plan. Remove the heavily trimmed *Nerium oleander* hedge along the west property line if within the property line. Remove other existing plant material from site.
26. Protect and maintain existing *Eucalyptus speciosa* and *Rhus lancea* immediately south of this property on the Supercuts site. Do not damage or remove any off-site plant material except the palms in the right of way adjacent to the traffic light switch gear at the intersection.
27. Select *Cercidium Praecox* 48" box specimens for upright growth habit and uniform size and shape. Low branch multi-trunk specimens are not acceptable.
28. Provide one canopy tree and minimum five plant groundcovers in the landscape island at the southwest building corner.
29. Irrigation notes:
  - a. A separate dedicated landscape water meter is recommended (not required) to separately measure landscape water and avoid a sewer charge on water used for landscape. Re-use of an existing water meter for this purpose may be allowed, subject to review by Public Works/Water Utilities (tom\_anken@tempe.gov).
  - 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" (if any). Provide details of water distribution system.
  - c. Locate valve controller inside the building. Alternately, if the controller is in a freestanding location or on the exterior of the building, place the controller inside a lockable, vandal resistant housing and fully conceal the valve wire and power conduits.
  - d. Hardwire power source to controller (a receptacle connection is not allowed).
  - e. Repair existing irrigation systems on properties to north and west of this site where these systems are disturbed by this construction.
30. Include requirement in site landscape work to de-compact soil in planting areas on site and in public right of way and remove construction debris and excess rock from planting areas prior to landscape installation.

### **Signage**

31. Provide 0'-6" high vinyl die cut address number on glazed transom above each entrance.
32. Provide one 0'-12" high address sign on each side of the masonry base of the monument sign (if any). Provide two 0'-12" high address signs, including one on the east near the southeast corner, centered on the masonry element, and one on the west near the southwest corner, centered above the drive thru window. Locate signs just below the parapet at uniform height on building. Do not address the north elevation since the site is not addressed on University Drive. Conform to the following for address signs described in this condition:

- a. Direct or halo illuminate the address signs.
- b. Provide street number only, not the street name.
- c. Compose of individual mount, metal reverse pan channel characters.
- d. Adjust locations so sign is unobstructed by trees, vines, etc.
- e. Do not affix another number or a letter that might be mistaken for an address number.