

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 01/26/2021
Agenda Item: 6**

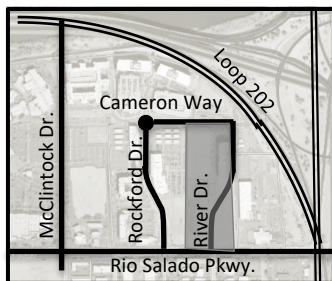
ACTION: Request a Zoning Map Amendment from HID to MU-4, a Planned Area Development Overlay for an existing office building on Lot 1, a new apartment community on Lot 2 and new 13,500 s.f. retail and restaurant uses on Lot 3 to establish development standards and a Development Plan Review for Lots 2 and 3; the site is 14.2 acres located at 98 South River Drive. The applicant is Quarles and Brady, LLC.

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

RECOMMENDATION: Approve, subject to conditions

BACKGROUND INFORMATION: RIO EAST (PL200251) is located on the north side of Rio Salado Parkway flanking both sides of River Drive. The project is an extension of the existing 2100 Rio project to the west and north but is proposed as a new Mixed-Use development with a Planned Area Development consisting of one existing developed office lot and two vacant lots, proposed for residences and commercial retail, restaurant and service uses. The request includes the following:

- ZON200004 Zoning Map Amendment from (HID, Heavy Industrial District) to (MU-4, Mixed-Use, High Density District)
- PAD200006 Planned Area Development Overlay for an existing office building with parking structure on Lot 1, a new apartment community with parking structure on Lot 2 and new 13,500 s.f. retail and restaurant uses on Lot 3 with development standards to allow for a building height increase from 40 feet to 80 feet to the top of a mechanical parapet and modified parking ratios for Lot 2.
- DPR200127 Development Plan Review including site plan, building elevations, and landscape plan for Lots 2 and 3.



Existing Property Owner	Tom Le Claire, The Rio Sequel LLC
Future Owner	Adrian Evarkiou, Boyer Rio 2100 East LC
Applicant	Greg Nadeau, SLRH Acquisitions, LLC
Zoning District (current/proposed)	Ben Graff, Quarles & Brady LLP
Gross / Net site area	HID / MU-4 with a PAD Overlay
Lot 1 Density / Number of Units	15.47 acres
Lot 2 Density / Number of Units	0 du/ac / 0 units
Lot 2 Unit Types	60 du/ac / 335 units
	44 studio
	180 one-bedroom
	107 two-bedroom
	4 three-bedroom
Lot 2 Total Bedrooms	450 bedrooms
Lot 1 Existing Building Area	174,000 office s.f. and 260,892 s.f. garage
Lot 2 Building Area	363,163 residential s.f. and 171,250 s.f. garage
Lot 3 Building Area	13,500 s.f. retail and restaurant in three buildings
Total Building Area	550,200 mixed uses and 432,142 garage
Lot Coverage	Lot 1 60%, Lot 2 53%, Lot 3 15%
Building Height	80' (40' maximum allowed in HID)
Building Setbacks	Lot 1 25' south front, 10' west side, 47' east street side, 189' north rear
	Lot 2 25' south front, 26' west side, 12' east street side, 24' north rear

Landscape area	Lot 3 24' south front, 23' west street side, 16' street side parking, 9' east side, 94' north rear, (25' front, 25' street side, 0' side, 0' rear min. in HID)
Vehicle Parking	Lot 1 18% , Lot 2 12% , Lot 3 22% Lot 1 – 988 spaces, Lot 2 -545 spaces (10% reduction from code), Lot 3 – 91 spaces (89 min. required, 111 max allowed)
Bicycle Parking	Lot 1 - 24 spaces, Lot 2 – 320 spaces, Lot 3 – 12 spaces (minimum spaces required are being provided on each lot)

ATTACHMENTS: Ordinance, Development Project File

STAFF CONTACT(S): Diana Kaminski, Senior Planner (480) 858-2391

Department Director: Shelly Seyler, Interim 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 south of the Salt River channel and Loop 202 Red Mountain Freeway, west of the Loop 101 Freeway, north of Rio Salado Parkway and east of McClintock Road and Tempe Marketplace. The site is adjacent to the 2100 Rio Development, inclusive of The Cameron apartment community, Freedom Financial, Benchmark Corporate Office, Homewood Suites and Hilton Garden Inn hotels and Spinatos restaurant. The site is approximately 15.5 acres of vacant land adjacent to the former land fill site; this site was not part of the land fill remediation. Existing entitlements for this property that will remain in effect are the site plan, landscape plan and building elevations for Lot 1 with all existing development standards and the variance for building height up to 79' for the office building.

This request includes the following:

- ZON200004 Zoning Map Amendment for all three lots
- PAD200006 Planned Area Development Overlay on all three lots
- DPR200127 Development Plan Review which includes: a 4-story apartment building and 5-level parking garage, and three commercial pad buildings for retail and restaurant uses, the site plan, landscape plan and elevations for both Lots 2 and 3.

The applicant is requesting the Development Review Commission provide recommendations to City Council for the items listed above.

SITE PLAN REVIEW

The First Preliminary Site Plan Review was May 13, 2020 and included site plans for lots 2 and 3 and elevations for the apartment project. Besides formatting and content comments, staff required that any transformers for the development be located off of the street front, that the 14' transit easement be shown on the plan, that the apartments be set back far enough to provide required street front landscape outside of the transit easement and without conflict with utilities. Staff requested architectural enhancements of the parking structure on the levels above the 2nd floor which would be visible from Rockford Drive and the developments to the west. Staff recommended use of masonry and additional materials on the proposed all stucco residential project. Staff recommended shifting the commercial buildings on lot 3 to screen parking from Rio Salado and provide a stronger street front appearance.

The Second Preliminary Site Plan Review was June 29, 2020 provided more detailed plans for both lots 2 and 3, with primary focus being on the apartment lot 2. Staff requested that the unit mix include some three-bedroom units for more diversity in product type to provide for different tenant mixes including families. Comments about the parking garage west elevation were provided. Request for more color and use of masonry on the apartment building. The materials were not identified on the plans.

The Third Preliminary Site Plan Review was September 16, 2020, concerns about the street front landscape on Rio Salado were raised, due to the transit easement and proposed utility easements conflicting with required street trees. Staff requested that some three-bedroom units be added to the plans to diversify the product type. Most comments were related to formatting. Design comments related to west elevation of the garage and use of masonry on the building had not been addressed from prior comments. The elevations did not list all of the materials for staff to review, more details were needed.

The First Formal application was made on October 26, 2020 with updated sheets resubmitted on November 2, 2020 to address technical issues with plan formatting. The Second formal application was submitted on December 7, 2020 with further revisions to the design and completion of the traffic impact analysis and parking analysis. Lot 2 was requesting a 10% parking reduction for the residential project. Staff completed the review on December 31st, with corrections to formatting. The final submittal was made January 8th, 2021.

PUBLIC INPUT

- Neighborhood meeting was required
- Neighborhood meeting held: October 6, 2020 6:00 p.m. to 7:00 p.m. on a virtual zoom meeting.
- Attendees from the development team included Streetlights Residential, Tellurian Development & Rio Sequel, Quarles & Brady and Butler Design Group.
- Three representatives of the property adjacent to the east were in attendance. Questions about impacts of the mixed-use zoning change impacting the Brock property to the east and if it was also being rezoned. The applicant

explained that there were no changes proposed to the property to the east. They also had questions about access to the sites, which the applicant reviewed on the plans, and if a GPLET was being used for the project, which the applicant said they were not involved with a GPLET request.

- See attached summary of meeting provided by the applicant.
- Community Development staff attended the meeting.
- Since the neighborhood meeting, staff has received two email comments about the project. The first was regarding the name of the residential community. The second was in opposition to the project from the representative of the property to the east of the site. These emails are provided in the attachments.

PROJECT ANALYSIS

GENERAL PLAN

The applicant has provided a written justification for the project request. The site is designated mixed-use within the General Plan Land Use Map and has a density designation of up to 65 dwelling units per acre. The proposed development implements many of the goals and objectives of the General Plan, by establishing a hub with higher density serving the surrounding neighborhoods with a mix of uses that revitalizes an underutilized area with redevelopment and economic development. The project provides housing, access to open space, goods, services, and activities in support the 20-minute city. The connection of River and Rockford Drives to the south with private streets of the same name utilizes an established street pattern and facilitates multi-modal connections with the neighborhoods and businesses to the south with connection to Tempe Marketplace, the Salt River Channel and other nearby destinations. The project ensures streets and paths provide shading, lighting and seating by creating an appealing street environment to promote walking and biking. The vertical development is compact and efficient infill development that will contribute to making Tempe a 20-minute city.

CHARACTER AREA PLAN

This site is located in the Rio Salado Corridor of the Apache Character Area Plan. As a continuation of 2100 Rio, this new development engages pedestrians and creates destinations through mixed-use design. The proposed development will implement the following Character Area principles:

- **Landscape Treatments:** plans incorporate plants listed in the Historic Plant Palette, including Chinese Evergreen Elm, Bougainvillea, Agave and Rosemary while integrating newer xeric species to promote biodiversity throughout landscapes to help prevent single-specie die-off, disease, pest infestations, etc. and promote bird and insect diversity. The species of trees are relatively short in scale, and will not contribute significantly to large bird habitat.
- **Shade:** A private street runs north from Rio Salado and connects with the private street to the west and loops back to Rio Salado along the Rockford Drive alignment. This street will have an eight-foot-wide sidewalk on both sides of the street, shaded by trees. Construction of a vertical building and parking garage reduces the amount of paved area and increases landscape surrounding the structures to reduce heat gain.
- **Mobility:** The private street connecting to Rio Salado Parkway will have an eight-foot-wide sidewalk on both sides to serve as a multi-use path. Near the southeast corner of the Freedom Rio Phase III development is a 10' multi-modal connection to the future multi-use path that will run along the south side of the Loop 202, within ADOT right-of-way. Once completed, this path will connect with the existing path to the north, which runs under the freeway and continues to the east valley as well as West to Tempe Marketplace. Public transit will circulate adjacent to the development serving residents from other neighborhoods who work or shop or dine at this development. The project provides greater employment opportunities for residents who use transit or bike.
- **Streetscapes:** The landscape plan includes a 25-foot-deep landscape buffer along Rio Salado Parkway and landscaping on the east and west sides of the private street. A 14-foot-wide transit easement on the north side of Rio Salado Parkway is required to accommodate the future streetcar extension, the design incorporates taller trees north of the easement to assure future street car improvements do not remove all of the street trees along the frontage.

ZONING

As described in the above analysis of the General Plan conformance, changing the zoning from Heavy Industrial District to Mixed-Use District will bring the site into conformance with the General Plan. The project is justified by the surrounding site context which includes existing apartments, hotels, offices, and retail and restaurant uses in an area in need of additional housing. The property to the east remains industrial but is buffered from the residences by the commercial lot and private

street. The proposed change in zoning will allow an increase in building height but will provide greater setbacks and open landscape areas than would be allowed if developed as a traditional heavy industrial use. The result will be a significant aesthetic and environmental change to the area serving as a gateway to Tempe from the eastern border of the city.

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

1. *The proposed zoning amendment is in the public interest.* Increasing housing, employment, property values, tax revenue, provision of connections for public access to Salt River Channel and the regional multi-modal path system and other attractions.
2. *The proposed zoning amendment conforms with and facilitates implementation of the General Plan.* The above analysis describes conformance with this criterion.

PLANNED AREA DEVELOPMENT

The applicant has submitted a letter of explanation for the requested Planned Area Development Overlay. Lot 1 has a variance for height that was previously entitled which has been incorporated into the new overlay along with the other development standards previously approved. Lots 2 and 3 are establishing new standards for setbacks and height based on the proposed site plan design, which is driven by the lot configurations and uses.

RIO EAST PAD Overlay					
Standard	HID	Lot 1 MU-4 PAD (to match existing)	Lot 2 MU-4 PAD	Lot 3 MU-4 PAD	Change
Lot Size	15.47 Total acres	6.58 acres + 1.27 acres private drive	5.56 acres	2.06 acres	-
Residential Density (du/ac)	0	NA	61 du/ac	NA	Increase
# of Units	NA	NA	335	NA	Increase
Unit Types Studio 1 bedroom 2 bedroom 3 bedroom	NA	NA	44 studio 180 1-bedroom 107 2-bedroom 4 3-bedroom	NA	Increase
# of Bedrooms	NA	NA	450 bedrooms	NA	Increase
Ground Floor Building Area	-	175,035 sf	128,185 sf	13,500 sf	-
Total Building Area	-	174,000 office s.f. and 260,892 s.f. garage	363,163 residential s.f. and 171,250 s.f. garage	13,500 sf	-
Building Height (feet) Maximum	40 ft	79 ft (variance)	70 ft	28 ft	Increase
Maximum Lot Coverage (% of net site area)	NS	60%	45%	15%	NA
Minimum Landscape Area (% of net site area)	10%	18%	14%	22%	Increase
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]					Both Increase and Decrease
Front Parking	25 ft 20 ft	12 ft (east)	31 ft (south)	24 ft (south) 26 ft (south)	
Side	0 ft	25 ft (south)	26 ft (west)	9 ft (east)	
Rear	0 ft	10 ft (west)	42 ft (north)	94 ft (north)	
Street Side Parking	25 ft 20 ft	21 ft (north)	17 ft (east)	23 ft (west) 16 ft (west)	
Vehicle Parking	-	547 required 999 provided	605 required 545 provided (requested 10% reduction)	85 required 85 provided	-
Bicycle Parking	-	21 required 22 provided	320 required 320 provided	12 required 12 provided	-

The building height is determined by the existing variance to 79' on Lot 1 with an allowance for Lot 2 for changes in building height within the rooftop design. The overall building height is proposed to be 70' to the top of the elevator tower. The nearby RCC zoning of Tempe Marketplace allows a building height of 75' and additional height was allowed by variance on the Freedom Financial properties to the north; the side is adjacent to industrial uses to the east and is approximately 10-20 feet lower than the adjacent site to the west, which is developed on top of a landfill. The proposed height increase will not impact adjacent properties. The landscape area on each lot is greater than what would be the minimum allowed in HID zoning, with Lot 2 having the least amount of open landscape of the three lots. The setbacks are generally in conformance with or greater than the HID setbacks, however a parking setback reduction is being requested due to the narrow width of Lot 3 created by the curvature of the private street. Additional landscape material is being added to enhance the 14 feet of transit easement along Rio Salado, until such time that a final design solution determines the street configuration along the street frontage. Required street trees have been located outside of the transit easement and utility easement to assure mature growth is sustained. The table below summarizes the required and proposed *vehicle* parking for the project.

Use	Unit Quantity / SF	Ratio	Parking Required per ZDC	Proposed Parking per PAD (ratio)
Lot 1				
Office	174,000 s.f.	1/300 sf	545	988 (1/176 sf)
Lot 2				
Studio	44	1 space per unit	44	39 (.9 per unit)
1 bedroom	180	1.5 space per unit	270	243 (1.35 per unit)
2 bedroom	107	2 spaces per unit	214	192 (1.8 per unit)
3 bedroom	4	2.5 spaces per unit	10	9 (2.25 per unit)
Guest	335	.2	67	60 (.18 per unit)
Lot 3				
Retail	9,600	1/300 sf	32	32 (1/300 sf)
Restaurant	3,900 s.f.	1/75 sf	52	52 (1/75 sf)
Patio	500 (-300) s.f. and 300 s.f.	1/150 sf (after 300 sf reduction per bldg)	1	1(1/150 sf)
TOTAL			1,235	1,616

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

1. *The development fulfills certain goals and objectives in the General Plan and the principles and guidelines of other area policy plans. Performance considerations are established to fulfill those objectives.* The goals of creating a 20-minute city with multi-modal transportation is enhanced by projects that increase the urban tree canopy and provide a better pedestrian and bike experience, in this case connecting from Rio Salado Parkway to the Salt River Channel. Having residences and employment within the same area creates opportunities to live and work in the same area. Based on the above analysis and the letter of explanation provided by the applicant. the General Plan objectives are being met by this request. Performance is met by completion of the project in fulfillment of the conditions of approval.
2. *Standards requested through the PAD Overlay district shall take into consideration the location and context for the site for which the project is proposed.* The proposed standards take into account the surrounding area and are appropriate for the site. The standards provide greater open space and landscape than existing industrial standards.
3. *The development appropriately mitigates transitional impacts on the immediate surroundings.* The location of the buildings on site and the height of the buildings provide a transition between the industrial uses to the east with a single-story retail building and the office buildings to the north and west that are higher by physical location on a landfill and by variance through entitlements that are adjacent to the four-story apartments.

DEVELOPMENT PLAN REVIEW

Site Plan

The site is located on the north side of Rio Salado Parkway, and is bisected by River Drive, a private street that connects at the north end to Cameron Way, which continues west to connect with Rockford Drive. Both River and Rockford have signalized intersections. Lots 2 and 3 front Rio Salado Parkway but are addressed from River Drive. Both lots have been reviewed by staff from fire, police, traffic engineering, transit solid waste services, and engineering for conformance to site

circulation and access standards. The west side of Lot 2 abuts a retaining wall from the adjacent compacted land fill, with a fire access lane connecting on the west side of the site behind the apartments and parking structure. Lot 2 shares an access drive with Lot 1 at the north rear of the site. The buildings on both lots are oriented to address the street front and street side, with units and commercial uses. Sidewalks are lined with trees and lead from the public right of way into each site. Parking on Lot 2 is predominantly within a structure, with a few spaces in a motor court serving the leasing office. Parking on Lot 3 are surface spaces in front of the businesses. All lots will be part of the 2100 Rio development for maintenance of the shared streets within the development.

Building Elevations

Lot 2

The residential building is a contemporary interpretation of Spanish Pueblo Revival architecture, Concrete and stucco in light white with darker warm accent colors. Use of wood components ceiling beams and porch posts, landscaped courtyards and sheltered patios and balconies, flat rooftop with rounded parapets and accents of pitched roof sections and decorative metal railings and building elements. The larger windows are broken into multi-lite mullioned frames, reflective of casement windows found in older neighborhoods in the area and older industrial buildings such as the brewery on 8th Street. The frontage along Rio Salado Parkway is 194' wide, with an additional 231' of the structure viewed from the approach of the intersection on the curved road, as three projected segments further to the north, providing depth to the form and breaking the massing from the street front. The west side is 553' long, starting at the south end with 216' of apartment units wrapping the garage, 337' of garage is exposed on the west side, using tilt slab concrete panels with preformed texture pattern interspersed at intervals proportional to the windows in the units. The overall affect is to continue the window pattern in a different material and use sunlight to create shadows on the surface texture to add interest to the garage wall. At the north end, there is another 58' that is recessed from this wall as the units continue after the service bay for solid waste collection at the north west corner. The first floor of the apartments and two levels of the garage are screened by the retaining wall from the landfill to the west. This wall varies in height from 17-23'. The north elevation is 386' long and faces the office building to the north. The east side faces River Drive and is 612' long, broken into sections ranging from 70-118' wide, with courtyards ranging from 35-62' wide between the fingers of the structure, providing views to amenity areas for the residents, and a view fence from the sidewalk to the landscaped areas. The massing of the building is broken by use of windows, balconies, canopies, decorative building elements. There is a significant variation in surface plane throughout the structure. The primary building color is a painted stucco in an off-white, accented by a chocolate brown color, the building only has two colors other than the dark black metal accent. Material accents include cement-board panels. The building has light colored soldier course stone along the base of the building and uses aged bronze metal for the building accents and railing. The roof is predominantly flat with articulated parapet sections with curved top edges, and a few pitched canopy portions for shade and material change. These canopies were proposed to be a combination of standing metal seam and architectural asphalt shingle. A condition has been added to only use the standing metal seam roof or concrete tile, not asphalt shingle.

Lot 3

The commercial buildings are similar in style to the office building on Lot 1 and the retail/restaurant buildings to the west within 2100 Rio on Rockford Drive. The contemporary design compliments the surrounding buildings, and the three individual buildings are the smallest in scale of any of the structures within the larger master planned development. The buildings primary materials are integral colored concrete in a warm grey, painted EIFS in an off-white and tan. The building massing is accented by a galvanized corrugated metal panel in a rustic patterned dark grey galvanized finish. The buildings are further articulated by 8x8.16-inch CMU blocks in running bond and stacked bond grouting patterns, in a light red-brown and a light warm grey with a honed finish exposing the colored rock inside the product. Glazing is clear low-emission storefront with divided panels between clear anodized aluminum mullions. Canopies are painted black metal.

Landscape Plan

Lot 2

The residential lot uses a combination of Acacia Mulga, Caeslpinia Mexican Bird of Paradise, Desert Willow, Mastic, Red Push Pistache, Chinese Evergreen Elm, Mediterranean Fan Palm and Date Palm throughout the site. There are 14 different shrubs, 2 grasses, 5 ground covers, 7 varieties of succulents and 1 vine species used throughout the site providing a biodiverse palette with color, texture and year-round aesthetic interest and seasonal variation. The Caesalpinia, Pistache and Elm trees on Rio Salado are set back outside of the 14' transit easement to protect them in place during any future construction within this area. The street frontage is filled with Eremophila glabra and Purple Lantana ground cover accented

with Muhlenbergia 'Regal Mist' grass and Hesperaloe Red Yucca. Taller shrubs are located closer to the building to provide a buffer and privacy to residents with patios facing Rio Salado and the future bus stop. The street side along River Drive is lined with a variety of the tree species depending on location and proximity to the building, sidewalks, and lights. The west side of the site is limited with an existing retaining wall that cannot have trees planted adjacent to the land fill. The west side provides taller growing Hopseed and Tecoma Stans shrubs to help screen the retaining wall and mitigate heat gain on the solid surface. This would be seen from visitors parking in the garage, and units on the west side looking down at the ground level, which is 10-23' below the height of the wall. The north end of the site transitions directly into the existing office building and has a little landscape along the front of units facing the fire lane. The interior courtyards are hardscaped with four colors of integral colored concrete and paving interspersed with plant massings around the building edge. Amenities include pool and lounge areas, passive recreation areas, an outdoor kitchen and bar, active amenity space and dog park. Artificial turf is used in the courtyard areas. The overall effect is lush and dense plantings viewed from both street frontages.

Lot 3

The commercial lot uses a different palette, similar to the other commercial sites within 2100 Rio, with some overlap to the Lot 2 palette. The trees along River Drive are Chinese Evergreen Elm and Palo Brea, along Rio Salado the trees are Desert Museum Palo Verde, Southern Live Oak and Mexican Bird of Paradise. Interior to the site are these species along with Shoestring and Willow Acacias. The trees adjacent to walkways or parking spaces are specified as high breaking trunk growth to prevent conflicts with low hanging branches. The remaining palette is a combination of 15 species of low water use plants of varied size, color and form to soften the building edges and fill in the street frontages. The planting is sparser than lot 2 but is coordinated with the other commercial buildings in the area.

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*; Lot 2 building placement provides units fronting both streets with view fencing into the landscaped courtyards that break the building massing. Lot 3 has buildings along Rio Salado but sets back the north building from the street to screen the building to the east and provide efficient circulation through the site.
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort*; The buildings on both lots use light colors for greater heat reflectance. Both sites use trees to shade the building and sidewalks to reduce heat gain and provide a more comfortable ambient environment.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings*; Lot 2 predominantly uses stucco based on the architectural style of the building, with accents of metal and cement board paneling and the windows have multi-paned lites to create a distinctively residential look. Lot 3 uses stucco with a combination of metal panels and masonry, with storefront glazing similar to the other commercial buildings within the 2100 Rio development.
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings*; the area has a range of building heights and sizes from single story to four story, these lots follow a similar scale relative to these surroundings and use a wrapped structured garage to minimize the visual impact of the parking structure for the apartments. The tree species were selected based on location to assure a healthy mature canopy growth and took into account utilities and structures.
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*; Lot 2 uses a series of building wings, creating a multi-plane elevation with depth in the façade. The wings create courtyards with amenities and landscape that is visible from the sidewalk. The color palette is limited to white with a brown accent. The building larger building sections are broken up to relieve monotony, and the windows and balconies create a rhythm that is continued on the west elevation of the garage, using a similar scaled pattern in the textured concrete panels to mimic the windows rhythm. Lot 3 uses smaller buildings in lieu of one long inline building, by using individual buildings there is more room for drive through circulation, patios and landscape, and allows more permeability to the commercial site.

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;* Based on the submitted elevations and letter of explanation and the analysis within this report, both sites meet this design criteria.
7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage;* Lots 2 and 3 will be dedicating a 14' easement for future transit use, and Lot 2 is also dedicating a pad for a future bus shelter. The lots provide all required bicycle parking in secure locations. Both lots provide shade along sidewalks to encourage pedestrian activity between lots and to the public street.
8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses;* Both lots separate pedestrian paths from vehicular drives and delineate them by landscape. A pedestrian crossing is provided across the private street for connectivity between lots 2 and 3.
9. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance;* Police staff have reviewed the project through the process and determined that the design meets the requirements for securing non-public areas and providing visual surveillance of the surrounding area for enhanced security. Having residents on site will help with evening and weekend activity support and maintenance.
10. *Landscape accents and provides delineation from parking, buildings, driveways and pathways;* Both lots provide a diverse palette of plants appropriate for the specific locations, shading pathways and parking, providing views to courtyards and providing privacy to residents.
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 will be handled by separate review and permit process, but were contemplated in the architectural design and landscape layout to provide visibility and reduce conflicts.
12. *Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects.* Lighting is designed with sensitivity to residential activity, providing bollards and building lighting as needed for safety and security, without over lighting or creating glare for the residents.

REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use for Mixed Use and Projected Residential Density of up to 65 dwelling units per acre for this site.
2. The project will meet the development standards required under the Zoning and Development Code for a Mixed-Use Four District.
3. The PAD overlay is required for mixed-use developments to establish development standards, and was specifically created to allow for greater flexibility, to allow for increased heights, modifications to the parking ratio standards and implementation of the long-range vision outlined within the General Plan.
4. The proposed project meets the approval criteria for a Zoning Amendment/ Planned Area Development Overlay and Development Plan Review.

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

ZONING AMENDMENT AND PLANNED AREA DEVELOPMENT

CONDITIONS OF APPROVAL:

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

General

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

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 December 7, 2020 and landscape plan dated December 7, 2020. Minor modifications may be reviewed through the plan check process of construction documents; major modifications will require submittal of a Development Plan Review.
2. An application for an Amended Planned Area Development Overlay for RIO EAST is required and shall be submitted within sixty (60) days of Development Plan Review approval. The amendment shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.
3. The developer must submit a final Traffic Impact Study prior to any submittal for a building permit.
4. The developer must receive approval of the final Traffic Impact Study from the Transportation Division prior to issuance of a building permit or as otherwise determined by the Public Works, Transportation Division.

Site Plan

5. Provide service locations for both refuse and recycling collection and pick-up on the property. Coordinate the storage areas for refuse and recycling containers with the overall site and landscape layout.
6. Provide service yard and mechanical yard walls that are at least 8'-0" tall as measured from adjacent grade or 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.
7. Provide gates of steel vertical picket, steel mesh, steel panel or similar construction. Where a gate has a screen function and is completely opaque, provide vision portals for visual surveillance. Provide gates of height that match that of the adjacent enclosure walls. Review gate hardware with Building Safety and Fire staff and design gate to resolve lock and emergency ingress/egress features that may be required.

8. Provide upgraded paving at each driveway consisting of integral colored unit paving / integral colored and stamped concrete / alternative material/detail. Extend this paving in the driveway from the right-of-way line to 20'-0" on site and from curb to curb at the drive edges. From sidewalk to right-of-way line, extend concrete paving to match sidewalk.
9. Utility equipment boxes for this development shall be finished in a neutral color (subject to utility provider approval) that compliments the coloring of the buildings.
10. Place exterior, freestanding reduced pressure and double check backflow assemblies in pre-manufactured, pre-finished, lockable cages (one assembly per cage). If backflow prevention or similar device is for a 3" or greater water line, delete cage and provide a masonry or concrete screen wall following the requirements of Standard Detail T-214.

Floor Plans

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

Building Elevations

15. The materials and colors are approved as presented:
 - Lot 2
 - Roof – flat with parapet
 - RF-01 - Canopy Roof – Proposed architectural asphalt shingle shall be replaced with concrete tile of similar color or metal panel; asphalt shingle product shall not be used.
 - RF-02 - Canopy Roof –Metal Standing Seam Firestone JMA-Clad Metal Dark Bronze
 - STU-01 - Primary Building – 3-coat Stucco System Parex USA Acrylic/Sand Fine – painted Sherwin Williams Alabaster (off-white) SW7008 LRV 74
 - Precast Concrete Panel system,
 - STU-02 - Secondary Building - 3-coat Stucco System Parex USA Acrylic/Sand Fine – painted Sherwin Williams Cacoon (medium brown) SW6173
 - FC-01 - Building Accent – Fiber Cement 5/4 smooth 11.25" exposure, James Hardie, painted Sherwin Williams Alabaster (off-white) SW7008 LRV 74
 - FC-02 - Building Accent – Fiber Cement 5/4 smooth 11.25" exposure, James Hardie, painted Sherwin Williams Cacoon (medium brown) SW6173
 - ST-01 – Building Accent – Stone Arriscraft Cotton Creek – Matterhorn with soldier course
 - MTL-01 – Metal Canopies, Frames, Railings, Decorative Trim, custom per drawing – aged bronze
 - PT-01 – Precast concrete garage panels - Sherwin Williams Alabaster (off-white) SW7008 LRV 74

Fluted Rib Panel – Precast concrete garage panels with horizontal ribs painted Sherwin Williams Alabaster (off-white) SW7008 LRV 74

Windows – Paramount Windows 4250 Titan Series Aluminum frames in bronze color finish with clear low-e glazing.

Lot 3

Roof – flat with parapet

CC-1 - Primary Building – Colored concrete integral colored Davis color Outback 677

EF-1- Building – Painted EIFS, Dunn Edwards White Picket DET648

EF-2 – Building – Painted EIFS, Dunn Edwards Drifting DEC770

Secondary Building – 8"x8"x16" Superlite CMU Trendstone Pebble Beach (light warm grey) honed finish stacked bond

Secondary Building – 8"x8"x16" Superlite CMU Mesastone Modesto (light red brown) honed finish stacked bond

MT-1 – Building Accent - Metal Panel OCM KS Rustic Galvanized

GL-1 - Windows –low-e clear glazing

MT-2 – Mullions Aluminum storefront clear anodized

PT-1 – Metal Trim and Canopies – Painted metal Dunn Edwards Black Tie DE6357

Provide primary building colors and materials with a light reflectance value of 75 percent or less.

16. A minimum of the first three (3) feet of each parking structure level (ground floor and above grade) must be screened with a 100% opaque material, which shall be finished to complement the building design.
17. If provided, roof access shall be from the interior of the building. Do not expose roof access to public view.
18. Conceal roof drainage system within the interior of the building.
19. Incorporate lighting, address signs, and incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the building elevations. Exposed conduit, piping, or related materials is not permitted.
20. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.

Lighting

21. This project shall follow requirements of ZDC Part 4, Chapter 8, Lighting, unless otherwise conditioned.
22. Illuminate building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance at these locations.

Landscape

23. Arterial street trees shall be a minimum of 36" box specimens and a minimum of 1 ½" caliper trunk.
24. 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. Repair existing irrigation system (on site or in the adjacent public rights-of-way) where damaged by work of this project. Provide temporary irrigation to existing landscape for period of time that irrigation system is out of repair. Design irrigation so existing plants are irrigated as part of the reconfigured system at the conclusion of this construction.

25. 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.
26. 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

27. Verify property address and submit a PDF copy of the site plan with unit floor plans for permanent addressing to permitcenter@tempe.gov prior to submittal of construction documents.
28. Buildings shall have address numbers on all sides of the building with the exception to the street not being used for addressing. Provide address sign(s) on the building elevation facing the street to which the property is identified.
 - a. Conform to the following for building address signs:
 - 1) Provide street number only, not the street name
 - 2) Compose of 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.

COMMUNICATIONS:

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

PUBLIC ART: Provide public art for this development in conformance with the Art in Private Development Ordinance and ZDC Sec. 4-407 and ZDC Appendix D. Contact the Community Services Cultural Services Division regarding implementation of this requirement prior to receiving building permits.

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:

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

TRAFFIC ENGINEERING:

- Provide 8'-0" wide public sidewalk along arterial roadways, or as required by Traffic Engineering Design Criteria and Standard Details.
- Construct driveways in public right of way in conformance with Standard Detail T-320. Alternatively, the installation of driveways with return type curbs as indicated, similar to Standard Detail T-319, requires permission of Public Works, Traffic Engineering.

- Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed www.tempe.gov/index.aspx?page=801. Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.

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.
- Provide a fire command room(s) on the ground floor of the building(s). Verify size and location with Fire Department.

CIVIL ENGINEERING:

- An Encroachment Permit or License Agreement must be obtained from the City for any projections into the right of way or crossing of a public utility easement, prior to submittal of construction documents for building permit.
- Maintain a minimum clear distance of twenty-four (24) feet between the sidewalk level and any overhead structure.
- Underground utilities except high-voltage transmission line 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.
- Contact the Solid Waste Division to verify that vehicle maneuvering and access to the enclosure is adequate. Refuse staging and collection 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.
- 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 <https://agriculture.az.gov/plantsproduce/native-plants>. 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:

2132 E. Rio Salado Pkwy.
1992

First Street Landfill closed, and site has remained vacant. The northern portion of the subject site (Freedom Rio Phase III) was part of the landfill. The southern portion that comprises Lots 1 through 3 of the proposed development was not a part of the landfill.

February 5, 2009

City Council adopted Ordinance No. 2009.01, annexing parcels 132-36-003E, 132-36-003Q, and 132-36-008K within the corporate limits of the City of Tempe.

November 18, 2010

City Council approved a development agreement with American Outdoor, allowing the construction of two freestanding off-premise freeway signs, one adjacent to the Loop 101 & 202 freeway and another adjacent to the I-10 freeway.

December 13, 2011

Development Review Commission recommended approval (6-0 vote) for "SWC LOOP 101 & 202", consisting of a Zoning Map Amendment from AG to GID for three parcels, located at 2100, 2102 and 2108 East Rio Salado Parkway.

January 5, 2012

City Council introduction and first public hearing for SWC LOOP 101 & 202 (PL110374).

January 19, 2012

City Council approved the request for SWC LOOP 101 & 202 (PL110374) (Pacific Coach-101/202 Holdings LLC, property owner; Withey Morris PLC, applicant) consisting of three parcels, within approximately seven acres, with undeveloped land near the southwest corner of Loop 101 and Loop 202 interchange, located at 2100 East Rio Salado Parkway. ZON11006 (Ordinance

2012.04) – Zoning Map Amendment from AG, Agricultural District to GID, General Industrial District, totaling 6.475 acres.

- April 29, 2014 Tellurian Development purchased the property east of Tempe Marketplace, including the former land fill site. Site preparation for development began immediately.
- August 12, 2014 Development Review Commission approved the Preliminary Subdivision plat for 11 lots to be combined into one lot with one common tract to be used as a private street.
- November 18, 2014 Development Review Commission heard and approved the request (PL140212) for 2100 RIO SALADO for phase one Development Plan Review for site plan, elevations and landscape plan for two hotels, and heard and approved the request for four Use Permits to allow hotels, retail and service uses, restaurants and bars within the development. The Commission recommended approval of the Planned Area Development Overlay.
- December 4, 2014 City Council held a first hearing for the Planned Area Development Overlay.
- December 4, 2014 City Council held a final hearing for the Final Subdivision Plat for the combination of 11 lots into one lot, with a common tract.
- January 15, 2015 City Council held a second hearing and approved a Planned Area Development Overlay.
- March 9, 2016 Development Review Commission heard and approved the request for phase two Development Plan Review for site plan, elevations and landscape plan for a new two-story office building (PL150428) for BUILDING AT 2100 RIO, located south east of the proposed phase three site.
- March 17, 2016 City Council held a hearing and approved an Amended Subdivision Plat (PL140206) consisting of seven lots and two tracts for 2100 RIO SALADO.
- December 13, 2016 Development Review Commission held a public hearing for a Zoning Code Text Amendment for RCC zoning, consisting of changes for the RCC district development standards and establishing a density for residential uses: Section 4-201 B. "Density. When a zoning district has a residential density of no standard (NS), the proposed density must conform to the General Plan Projected Residential Density map. Any deviation from the General Plan map shall require processing of an amendment, pursuant to Section 6-302."
- January 3, 2017 Hearing Officer heard and approved a request for a variance to increase building height from 35 feet to 100 feet in the General Industrial District to allow two office buildings from four to six stories for BOYER RIO 2100 (PL160431) located at 2108 East Rio Salado Parkway, the site east of the proposed phase three development.
- January 12, 2017 City Council held an introduction and first public hearing for a Zoning Code Text Amendment for RCC zoning district development standards and establishing a density for residential uses.
- January 26, 2017 City Council held a second and final public hearing and approved the above-described request.
- March 28, 2017 Development Review Commission heard and approved a request for a Development Plan Review and Use Permit for a new 349-unit Multi-Family Residential development in the RCC Zoning District for STREETLIGHTS RIO 2100, located at 2092 East Rio Salado Parkway, the lot to the west of this office request.
- January 8, 2015 City Council approved a Planned Area Development Overlay to allow increased building height to 75 feet, reduced building setbacks to zero feet on all sides, and modified parking ratios for 2100

RIO SALADO (PL140212), located at 2100 East Rio Salado Parkway. This PAD is west of the subject site, Rio 2100 East.

- January 3, 2017 Hearing Officer approved a variance to increase building height from 35 feet to 100 feet in the General Industrial District to allow two office buildings from four- to six-stories high for BOYER RIO 2100 (PL160431), located at 2108 East Rio Salado Parkway. This site is west of the subject site, Freedom Rio Phase III.
- April 25, 2017 Development Review Commission heard and approved a request for a Development Plan Review consisting of a phased office development with two four-story office buildings and parking structures for FREEDOM RIO 2100 (PL170062) located at 2108 East Rio Salado Parkway. These are the two office buildings, one complete and one under construction, to the west of the subject site for Freedom Rio Phase III.
- May 25, 2017 City Council approved the request for an Amended Subdivision Plat for 2100 RIO SALADO (PL160465), located at 2100 East Rio Salado Parkway. This Subdivision plat modified the existing lot configuration and incorporated the Streetlights lots into the subdivision as Lots 9 and 10. The site of this variance for Freedom Rio Phase III is Lot 6 of this plat.
- June 12, 2018 Development Review Commission heard a request for a Zoning Map Amendment from HID to MU-4, a Planned Area Development Overlay, a Use Permit to allow tandem parking and a Development Plan Review for a new mixed-use development consisting of a 15,000 s.f. single-story commercial center and a four-story residential development with 260 units for MILLENNIUM AT RIO SALADO (PL180051), located at 2110 East Rio Salado Parkway. The applicant was Miravista Holdings. The Commission voted to approve the Use Permit for tandem parking and recommended approval of the zoning, PAD and design request by a vote of 7 to 0.
- June 28, 2018 City Council held an introduction and first public hearing for a request for a Zoning Map Amendment from HID to MU-4, a Planned Area Development Overlay, and a Development Plan Review for a new mixed-use development consisting of a 15,000 s.f. single-story commercial center and a four-story residential development with 260 units for MILLENNIUM AT RIO SALADO (PL180051), located at 2110 East Rio Salado Parkway. The applicant was Miravista Holdings.
- August 9, 2018 City Council was scheduled for a second and final public hearing for MILLENNIUM AT RIO SALADO (PL180051). The applicant withdrew the request after selling the property to the owner of FREEDOM RIO 2100.
- October 16, 2018 Hearing Officer approved a variance to increase the permitted building height from 35 feet and 40 feet to 100 feet for FREEDOM RIO PHASE III & RIO 2100 EAST (PL180044), located at 2128 and 2132 East Rio Salado Parkway. By stipulation, the heights were limited to 85 feet (Freedom Rio Phase III) and 79 feet (Rio 2100 East).
- November 27, 2018 Development Review Commission heard a request a Development Plan Review for two new four-story office buildings for FREEDOM RIO PHASE III & RIO 2100 EAST, located at 2128 and 2132 East Rio Salado Parkway. The applicant is Berry Riddell LLC. (PL180044)
- January 26, 2021 Development Review Commission is scheduled to hear a request for a Zoning Map Amendment from HID to MU-4, a Planned Area Development Overlay for an existing office building on Lot 1, a new apartment community on Lot 2 and new 13,500 s.f. retail and restaurant uses on Lot 3 to establish development standards and a Development Plan Review for Lots 2 and 3; the site is 14.2 acres located at 98 South River Drive.

February 11, 2021 City Council is scheduled for an introduction and first public hearing for the above request.

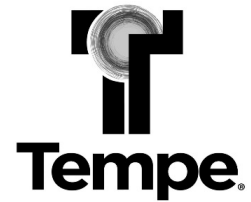
March 25, 2021 City Council is scheduled for a second and final public hearing for this request.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-304, Zoning Map Amendment

Section 6-305, Planned Area Development (PAD) Overlay districts

Section 6-306, Development Plan Review



DEVELOPMENT PROJECT FILE

for
RIO EAST
(PL200251)

ATTACHMENTS:

- 1-12. Site Context (Location Map, Aerial, Context Aerial with Site Plan Overlay, Overall 2100 Rio Site Plan, Site Photos)
- 13-26. Applicant's Letter of Explanation
- 27-28. Planned Area Development Overlay
- 29-43. Site Design:
 - Site Plans Lot 1 for Reference Only and Lots 2 & 3
 - Landscape Plans Lot 1 for Reference Only and Lots 2 & 3
 - Lot 2 Shade Study, Underground Utility Plan, Site Details and Cross Sections
- 44-55. Lot 2 Building Design (Floor Plans, Blackline/Color Elevations, Street Elevations, Sections, Renderings, Material Samples)
- 56-71. Lot 3 Building Design (Floor Plans, Blackline/Color Elevations, Street Elevations, Sections, Renderings, Material Samples)
- 72-75. Neighborhood Meeting Summary and Public Input from Applicant
- 76-99. Supplemental Information:
 - Parking Analysis & Trip Reduction Plan & Traffic Impact Study Executive Summary
 - Waiver of Rights and Remedies
 - Additional Public Comments