Tempe

CITY OF TEMPE **DEVELOPMENT REVIEW COMMISSION**

Meeting Date: 07/09/2013 Agenda Item: 2

ACTION: Request for a Use Permit Standard to allow a ten percent rear yard setback reduction and a Development Plan Review consisting of a one-story, +/-8,400 sf. building with associated site and landscape improvements for WARNER & HARL RESTAURANT COMPLEX located at 1639 West Warner Road. The applicant is Sterling Design Associates, LLC.

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

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: WARNER & HARL RESTAURANT COMPLEX (PL130005) consists of a one-story +/-8,400 sf. building for retail and restaurant uses including a vehicle drive through lane and food and beverage service window. The site at +/-1.17 net acres is all but the southernmost portion of Lot 5 of the Agave Center. The site is in the PCC-1 (SWOD), Planned Commercial Center Neighborhood District and the Southwest Tempe Overlay District. The request includes the following:

ZUP13067 Use Permit Standard to allow a ten (10) percent reduction of the building rear yard (east) setback from 30'-0" to 27'-0" in the PCC-1 District.

DPR13138 Development Plan Review including site plan, building elevations, and landscape plan



Property Owner Applicant **Current Zoning District** Gross/Net site area Total Building area **Building Lot Coverage Building Height Building Setbacks**

Landscape Lot Coverage Vehicle Parking **Bicycle Parking**

Agave Property Center, LLC Sterling Design Associates, LLC PCC-1 (SWOD) +/-1.17 net acres +/-8.400 sf. +/-16.1 % (50% maximum allowed) +/-30 ft. (60 ft. maximum allowed, PCC-1 & SWOD std.) +/-85 ft. front-Harl, +/-97 ft. street-side-Warner, +/-42 ft. side-South, +/-27 ft. rear-East-Use Permit Standard Request (0 ft. front & street-side, 30 ft. side & rear vard) +/-29.8 % (15% minimum required) 70 spaces (69 minimum required) 8 spaces (6 minimum required)

ATTACHMENTS: Development Project File

STAFF CONTACT: Kevin O'Melia, Senior Planner (480) 350-8432

Department Director: Lisa Collins, Interim Community Development Director Legal review by: N/A Prepared by: Kevin O'Melia, Senior Planner

COMMENTS:

The site is located in the Agave Center, at the southeast corner of Warner Road and Harl Avenue. This is a signalized intersection. Priest Road is to the East and the I-10 freeway is to the West. The Emerald Center is north of Warner Road immediately across from the site. The site is located in the PCC-1 (SWOD), Planned Commercial Center Neighborhood District and Southwest Tempe Overlay District.

There are no existing planning entitlements in effect that are specific to this property: There is an existing 30'-0" landscape easement along Warner Road that stretches across the northern edge of the site. The existing zoning and overlay district allow the following for this property

- a 25'-0" increase in building height for non-residential properties within the overlay that are west of Kyrene Road is allowed in the Southwest Tempe Overlay District. This is translated to maximum allowable 60'-0" building height for this property in the PCC-1 (SWOD).
- A drive-through and pick-up window for a food service business is allowed in the PCC-1 District.

The site is vacant. Landscape along Warner Road and Harl Avenue at the site frontages has been installed and awaits development of the interior of the lot. The land immediately to the east and south are also vacant.

This request includes a Use Permit Standard to allow a ten (10) percent rear yard setback reduction from 30'-0" to 27'-0" to accommodate a drive through window box-out on the east elevation and a Development Plan Review for site plan, building elevations and landscape plan. The proposed development includes a one-story, 8,400 sf. building that is intended to house a full-service restaurant, a Starbucks with a vehicle drive-through service, and general retail space. The building is located on a +/-1.17 ac. site with associated parking and landscape improvements.

A separate process is being undertaken to create a two-lot subdivision including the subject site. The area of this subdivision includes Lots 5 and 6 of Agave Center and Lot 1 of Agave Center Lots 7 and 8. The subject site includes all but the southernmost part of lot 5. This subdivision plat (entitled the Agave Complex) was submitted on June 6 2013 and is currently undergoing staff review. The plan has not yet been scheduled for a City Council meeting.

PUBLIC INPUT

A Neighborhood meeting is not required for a Use Permit Standard and Development Plan Review request. Public notification is required for the Use Permit Standard. Accordingly, the proposal has been advertised, the site has been posted with a notice of the request and owners of properties within 300'-0" of the subject site have been mailed a notice of the request. As of publication of this report, communication from the public regarding this request has not been received by Planning staff.

PROJECT ANALYSIS

The proposal is a commercial use and conforms to the General Plan 2030 Projected Land Use of Commercial – Work. This projected land use is typical on both sides of Warner Road between Priest Drive to the east and the I-10 freeway to the west. There is no General Plan Projected Residential Density in this area.

USE PERMIT STANDARD

The request includes a Use Permit Standard to allow a ten (10) percent rear yard building setback reduction from 30'-0" to 27'-0" in the PCC-1 District. The reduction is for a drive-through pick-up window box-out on the east elevation and a column at the east end of the entrance colonnade.

Section 6-308 E Approval criteria for Use Permit:

The manner of conduct and the building for the proposed use will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and the use will be in full conformity to any conditions, requirement or standards prescribed therefore by this code. The proposed setback reduction is small in scale. The main part of the east elevation will be set back 30'-0". The proposed 3'-0" setback reduction at ground level includes two projections in the east elevation: the 12'-0" wide drive through window projection and the 4'-0" wide east column of the entrance colonnade. Overhead, the east wall of the northeast tower is part of the 27'-0" setback.

- 1. Any significant increase in vehicular or pedestrian traffic. The setback reduction does not increase vehicular or pedestrian traffic.
- 2. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions. The request as part of the overall site layout places the 12'-0" wide drive through lane 3'-0" closer to the east property line than otherwise would occur. A 14'-0" wide landscape area is located to the east of the drive through lane which mitigates the effect of the drive through on the property to the east.
- 3. Contribution to the deterioration of the neighborhood or to the downgrading of property values. The proposed use is not in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan. *Placement of the drive through on the south and east sides of building, away from major street site frontages and from the majority of customer parking, complies with the screening and circulation provisions of Zoning and Development Code Section 3-408.*
- 4. Compatibility with existing surrounding structures and uses. Adjacent uses do not yet exist. The proposed commercial use fits with the General Plan Projected Land Use of Commercial.
- 5. Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public. *The setback reduction does not contribute to disruptive behavior.*

DEVELOPMENT PLAN REVIEW

Site Plan

The one-story building is a simple rectangle with three suites. A 2,500 sf. restaurant is to the west, a 4,025 sf. retail space is in the center and a 1,848 sf. restaurant with single lane vehicle drive through and small exterior patio is to the east. The building is situated opposite the Warner/Harl intersection and is in the southeastern portion of the site. Major parking is located along a L-shape, double loaded drive aisle that is between the building and the streets. A 20'-0" wide fire and refuse lane is included within this drive aisle. Vehicular parking respects the 20'-0" setback along Harl Avenue and the 30'-0" landscape setback along Warner Road. A 12'-0" wide drive lane wraps around the south and east side of the building. The food menu board and order station are located on the south side of the building. The food service window is located on the east side of the building.

A common drive that will serve the property to the east is located just south of the proposed southern property line of the subject site. On-site parking to the south of the building is loaded from this common drive. There is an opportunity for placement of the refuse enclosure off this common drive after the drive is completed through the adjacent site and is no longer a dead end. In the meantime, the refuse enclosure is located opposite the northwest corner of the building.

Building Elevations

The building volume is a compact, rectangular form. The north-facing business suite entrances are sheltered with a colonnade across the north elevation. The northeast and northwest building corners above the colonnade feature matching towers with hip roofs. The colonnade is completed between the towers with a shed roof. The main built-up roof of the building volume is concealed behind parapet where it is not covered by the hip roof towers. The built-up roof and roof-mount mechanical equipment will be sheltered behind parapet.

The building walls of exterior plaster (stucco) are modulated with light earth colors above an integral color, ground face exposed masonry water table that wraps around the base of the building. The two tower columns are red brick veneer above the masonry water table. The glazed business entrance storefront beneath the colonnade, the east storefront and the west storefront facing Harl are dark bronze anodized aluminum frame. Service entrances on the south elevation are hollow metal door and frame. The roofs of the towers and the colonnade shed are standing seam metal. Meter packs are exposed on the south elevation. The service entrance section cabinet is within the building. Roof drain downspouts are concealed in the walls of the building.

Landscape Plan

Existing trees and palms on the Warner Road and Harl Avenue frontages are preserved and supplemented with new plant material. The plant palette is arid-adapted. Canopy trees are dispersed at parking islands throughout the site. A tree row is established on the east property line to screen the drive through from the adjacent property. Arid-adapted plant accents and groundcovers proposed around the site supplement the tree-scape.

Section 6-306 D Approval criteria for Development Plan Review

- 1. Placement, form, and articulation of buildings and structures provide variety in the streetscape. The building and parking improvements are located to respect the landscape frontage already established on site and at the same time provide an inviting business presence the faces Warner Road and Harl Avenue. This development accommodates an off-site common driveway that connects Harl Avenue to the as yet undeveloped site to the east.
- 2. Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort. The rectilinear one-story volume presents an appropriate solar orientation as it is slightly more than twice as long (east-west) as it is wide (north-south). The majority of storefront glazing faces north to Warner Road and is under cover. The business entrance pedestrian approaches are under cover. The accessible pedestrian and bike linkage that connects Warner to the businesses is bracketed with trees.
- 3. Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings. *The use of a standing seam metal roof, metal coping at parapet tops and a concrete masonry unit water table provide protection for the exterior building surfaces at cap and base of building.*
- 4. Building and landscape elements are appropriately scaled relative to site and surroundings. The one-story building on a formerly vacant site has a place along this emerging retail corridor of Warner Road. The site, building and landscape development combines well with the existing mature date palms and arid-adapted trees along the Warner and Harl frontages.
- 5. Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, featuring an enhanced pedestrian experience at and near street level. The building is well set back from Warner and Harl but relies on the mature trees and palms of the landscape frontages to provide an enhanced pedestrian experience in the public right of way. The building entrances are connected to the public right of way on Warner with a pedestrian and bike linkage through the parking and drive aisle to the colonnade on the north elevation. The building surfaces are modulated with color changes, shade projections and variations in parapet height that relieve monotony and create a sense of movement.
- 6. Building facades provide architectural detail and interest overall with visibility at street level (in particular, special treatment of windows, entries and walkways with particular attention to proportionality, scale, materials, rhythm, etc.) while responding to varying climatic and contextual conditions. *The colonnaded entrance faces Warner Road and provides a variety of materials and colors that are composed into an inviting composition.*

- 7. The site allows access to public transportation and supports potential transit patronage. Valley Metro Bus Route 65 links southwestern Tempe--via Kyrene Road and Guadalupe Road, Mill Avenue and Baseline Road, Mill Avenue and Broadway Road--to the Tempe Transportation Center. The site is secondarily linked via the Transportation Center to west Mesa, downtown Phoenix and the points in between.
- 8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation. The pedestrian linkage to the public right of way is well delineated through the north parking and drive aisle. Pedestrian circulation from south parking is conveyed across the food service drive through with a well-defined pedestrian linkage across the drive through entrance.
- 9. Plans appropriately integrate Crime Prevention through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance. *Customer parking receives activity support and visual surveillance from the public street frontages and building business entrances. Employee parking and food service drive through are behind building. The drive through behind the building is itself an activity generator that provides support to adjacent employee parking and business service areas.*
- 10. Landscape accents and provides delineation from parking, buildings, driveways and pathways. The site preserves and supplements the existing landscape on the Warner Road and Harl Avenue frontages that was established for the Agave Center. Additionally, trees are provided in parking areas and in a buffer along the east property line in what formerly has been an undeveloped site.
- 11. Signs will be reviewed as a separate submittal package. The north and west building elevations facing Warner and Harl are designed to allow signage in their upper structure.
- 12. In accordance with the provisions of the Zoning and Development Code Part 4 Chapter 8, lighting is compatible with the proposed building and adjoining buildings and uses, and does not create negative effects for future adjoining buildings and uses.

CONCLUSION

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

REASONS FOR APPROVAL:

- The project meets the General Plan Projected Land Use (Commercial) for this site and conforms to the surrounding Zoning Map (Planned Commercial Center Neighborhood and Southwest Tempe Overlay District) for this proposed site of +/-1.17 acres.
- 2. The project features retail and restaurant uses and includes a food service drive through. These uses including the drive through are permitted in the Planned Commercial Center Neighborhood District in accordance with the Zoning and Development Code Table 3-202A.
- 3. The project will meet the development standards required under the Zoning and Development Code.
- 4. The project meets the approval criteria for a Use Permit Standard and Development Plan Review.

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

ZUP13067 CONDITION OF APPROVAL

1. Provide five Cercidium praecox along the east property line adjacent to the east building elevation rather than four. Provide minimum 30" box size at installation for these five trees.

DPR13138 CONDITIONS OF APPROVAL

General

Complete the entitlement process underway for the Agave Complex Final Subdivision plat. The plat includes the creation
of two lots from what was formerly Lots 5 and 6 of Agave Center and Lot 1 of Agave Center Lots 7 and 8. The subject
site is Lot 1 of Agave Complex. Complete and record the Final Subdivision Plat prior to issuance of building permit.

Site

- 3. Refuse truck circulation through site is required by forward motion. Position of refuse enclosure in northwest site corner is acceptable. Refuse enclosure may be relocated to the southeast site corner upon completion of the south drive aisle through the adjacent property. Refuse enclosure may not be placed at the end of a dead end drive.
- 4. Finish exterior of refuse enclosure with exterior plaster and paint the building field color. Gates are not required. If provided, present gates that match height of enclosure wall. Detail gates with see-through steel mesh design or provide vision portals for gates of opaque design. Property manager to open gates on refuse collection days.
- 5. Supplement berm where needed with a masonry parking screen wall along Warner and Harl so a continuous 3'-0" high parking screen is provided. Finish exterior of screen wall with exterior plaster and paint the building field color.
- 6. Paint on-site utility equipment boxes a neutral color (subject to utility provider approval) that compliments the coloring of the building. Do not paint over identifiers or warning decals.
- 7. Place exterior, freestanding reduced pressure and double check backflow assemblies up to 3" size in pre-manufactured, pre-finished, lockable cages (one assembly per cage). Delete cage for larger assembly and provide a masonry screen.
- Provide upgraded paving at Harl driveway consisting of unit pavers or uncolored cast in place concrete. Extend
 upgraded paving in driveway from back of sidewalk bypass to minimum 20'-0" east of the right of way line and from curb
 to curb at the drive edges.
- 9. At 90 degree parking, maintain minimum 18'-0" space length including 16'-0" on vehicle pavement and 2'-0" nose overhang over raised curb. Fine tune site layout to avoid front of nose overhang within 20'-0" parking setback facing Harl or within 30'-0" landscape setback facing Warner, and maintain minimum 4'-0" wide clear pedestrian pavement beyond parking nose overhang facing building.
- 10. Maintain minimum 4'-0" clear pedestrian way between columns and building.
- 11. Adjust width of walkway along south and west elevations to accommodate a minimum 2'-0" wide planting strip immediately adjacent to the base of the building. Coordinate extent of planting strip with door entrance pavement and drive through sign locations on south elevation.
- 12. Locate the electrical service entrance section inside the building as indicated.

13. Indicate on the roof plan spot elevations on top of roof-mount equipment and top of parapet/screens for comparison.

Elevations

14. Colors and materials are as exhibited on the materials sample board. Additions or modifications may be submitted for review during plan check process. Provide colors and materials with maximum 75 percent light reflectance value. `CMU: at water table, the base band around the building. Mutual Materials "Burgundy Red" ground face and integral color. `BRICK VENEER: at tower columns above water table. Mutual Materials "Desert Rose" mission `STANDING SEAM METAL ROOF: at tower hip roofs and colonnade shed roof. AEP Span "Weathered Copper" `STOREFRONT FRAMES: at business entrances and windows. Anodized Aluminum "Dark Bronze" `Paint Sherwin Williams SW7684 "Concord Bluff" on exterior plaster. Sherwin Williams SW6116 "Tatami Tan" on exterior plaster. Sherwin Williams SW6157 "Favorite Tan" on exterior plaster and hollow metal doors and frames. Sherwin Williams SW6103 "Tea Chest" on exterior plaster accent band, steel canopy and metal deck, steel columns and

metal coping and cornice at top of wall.

- 15. Develop detail for shed roofs supported by brackets that are indicated on the south elevation. Provide a minimum 3'-0" projection for shed roofs. Match pitch of hip roofs. Shed roofs are not required to be rain tight but may be a trellis. For exposed elements of shed roofs, provide metal rather than exposed wood construction. Conceal security lights within structure of shed roofs.
- 16. Move the northwest column and project the west tower toward Harl Avenue so a 3'-0" overhang exists for the west facing glass, similar to as done with the east tower on the east elevation.
- 17. Provide a minimum 3'-0" deep projecting shed roof above the west glass facing Harl that is south of the west tower overhang. Develop the shed roof detail on the west that is similar to the sheds proposed on the south elevation.
- 18. Detail a meter bank alcove in the south elevation where indicated. Recess electric meters and panels within the alcove. Do not expose conduit, piping or bus-ways here or elsewhere on the elevations.
- 19. Conceal roof drainage system within interior of building. Minimize visible, external features, such as overflows, and where exposed, incorporate these features into the design of the building elevations.
- 20. Conceal roof access within building. Do not attach a ladder to the exterior of the building.
- 21. Incorporate lighting, address signs, and incidental equipment attachments (alarm klaxons, CCTV system, etc.) where exposed into the design of the building elevations. Do not expose conduit, piping, or related materials on surface.
- 22. Upper/lower divided glazing panels in exterior windows at grade level, where lower glass panes are part of a divided pane glass curtain-wall system, are permitted only if laminated glazing is provided at the lower panels.

Lighting

23. Provide continuous dusk to dawn security lighting by means of connection to a sun-sensitive photo cell or an astronomical time clock with a capacitor backup. On the electrical drawings demonstrate connection of one of these control devices to the exterior security lighting contactor. Provide dusk to dawn illumination at building entrance and service doors (and refuse enclosure gates, if provided) in addition to other exterior security lights.

24. Include a site photometric plan with the electrical drawings that demonstrates minimum exterior security light levels. Include layout of mature tree and palm canopies on the photometric plan. Include locations of light fixtures on the photometric plan.

Landscape

- 25. Identify species of the existing trees, palms, shrubs and groundcovers to remain on site and in adjacent off-site street right of way. Include existing landscape in the plant schedule and individually identify existing plant types by symbol on plan, as is done for the plants proposed for installation.
- 26. Provide a landscape strip at the base of the west and south building elevations. Plant with low groundcovers and vines. Select plants that are thorn-less and thrive in direct and reflected sunlight. Detail vertical metal lattice elements secured to the exterior plaster wall surface. Coordinate position of metal lattice to allow climbing vines to grow on the lattice attached to the south and west elevations.
- 27. Automatic irrigation design requirements:
 - a. Provide a separate dedicated water meter for landscape irrigation of this site and adjacent frontages.
 - b. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Provide minimum Schedule 40 PVC mainline. Provide minimum Class 200 PVC feeder line for all diameters except for ½" diameter line. Provide minimum Class 315 PVC feeder line for ½" diameter line. Provide layout including valve stations, backflow preventer and value controller. Provide details of water distribution system.
 - c. Locate valve controllers inside building, within a secured yard or in an exterior, vandal resistant housing.
 - d. Hardwire power source to controllers. A receptacle connection is not allowed.
 - e. Conceal controller valve wire and power conduits if controller is placed in a location that is visible to the public.
- 28. Ensure periodic irrigation to existing plant material to remain during construction period. Design automatic irrigation system so that at project conclusion, the existing and installed landscape of the site frontages is irrigated from on-site. Maintain existing irrigation mains through frontages so adjacent landscape frontages of undeveloped properties in the Agave Center continue to receive irrigation.
- 29. Top dress planting areas with a decomposed granite application with a minimum 2" uniform thickness. Provide preemergence weed control application and do not underlay decomposed granite application with plastic. Do not insert riprap or other large rock—between 2" and 12" in size--into landscape unless each piece is secured in concrete bedding.
- 30. Provide trees at installation with containers that support minimum 1-1/2" caliper specimens. Provide standard (single trunk) specimens capable of upright tree growth to assist with natural visual surveillance as landscape matures.
- 31. Plant trees and palms a minimum of 12'-0" from existing or proposed public water or sewer lines located on-site. Plant trees and palms a minimum of 20'-0" from main water or sewer lines located within the right of way. Final approval subject to determination by the Public Works, Water Utilities Division.
- 32. Tree planting separation may be reduced from the waterline upon the installation of a linear root barrier, a minimum of 6'-0" parallel from the waterline, or around the tree. Provide root barrier of a continuous material, a minimum of 0.08" thick, installed 0'-2" above finish grade to a depth of 8'-0" below grade. Final approval subject to determination by the Public Works, Water Utilities Division.

Signage

- 33. Provide two 12" high address signs each on the north and south elevations. Provide one 12" high address sign on the east elevation. Mount building address signs at a uniform height. Do not locate an address sign on the west elevation, facing the street on which the building is not addressed. Provide one 12" high address sign on each broadside base of monument sign (if provided). Conform to the following:
 - a. Fabricate numbers of individual mount, metal reverse pan channel or day/night Plexiglas construction.
 - b. Provide direct or back-lit light source for metal or internal illumination for day/night Plexiglas.

CODE/ORDINANCE REQUIREMENTS:

BULLET ITEMS REFER TO EXISTING CODE OR ORDINANCE THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

TIME LIMIT:

 Development Plan Review and Use Permit Standard approval is valid for one year from date of approval, or through July 09, 2014. See ZDC Section 6-306(E). Development Plan Review and Use Permit Standard approval will continue to be valid during the building plan review period (period includes time extension, if utilized). If plan review period is allowed to expire without building permit issuance, Development Plan Review and Use Permit Standard approval expires with the plan review period. After building permit issuance, Development Plan Review and Use Permit Standard approval remains in effect as long as the building permit itself is valid. If the building permit is allowed to expire, the Development Plan Review and Use Permit Standard approval will also expire.

PRELIMINARY SITE PLAN REVIEW:

 Verify comments by the Public Works, Community Development and Fire Departments given on the Preliminary Site Plan Reviews dated 01/16/2013, 02/06/2013 and 05/29/2013. Direct questions regarding comments to the appropriate department. Coordinate modifications with concerned parties.

HISTORIC PRESERVATION:

 State and federal laws apply to the discovery of features or artifacts during site excavation (typically, discovery of human or associated funerary remains). Contact Tempe Historic Preservation Officer <u>joseph_nucci@tempe.gov</u> with questions. If discovery is made, contact Arizona State Historical Museum for removal and repatriation of items.

PLANNING

General

• Specific requirements of the Zoning and Development Code (ZDC) are not listed but apply to any application. Access ZDC through <u>www.tempe.gov/zoning</u> or purchase from Community Development.

Site

- Screen parking from adjacent public streets with a screen wall or berm. See ZDC Sections 4-703 (B) and 4-706 (E).
- Parking ratios use net areas of businesses. Complete final parking calculation minus thickness of exterior walls. See ZDC Section 4-603 (D) (2). Demising walls and assessor spaces are included in business area for parking count. There is no parking standard for the first 300 sf. of exterior patio. See ZDC Section 4-603 (E).
- Locate parking nose overhang out of required parking setbacks and walkway width. See ZDC Section 4-606 (A) (1).
- Install bike parking rack per Engineering Standard Detail T-578. Provide individual 2'-0" by 6'-0" bike spaces on pavement. See ZDC Section 4-606 (A) (6).

Elevations

- Measure top of building with reference to top of curb on Harl Avenue in center of length of property. See ZDC Section 7-108.
- Conceal ground and roof mount mechanical equipment with screens that match or exceed equipment height on all four sides of equipment. See ZDC Section 4-405 (A).
- Provide a security vision panel at service/exit doors with a maximum 3" wide high strength plastic or laminated glass window, located between 43" and 66" from the door threshold. See ZDC Section 4-406..

Lighting

- Design site light in accordance with ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E (Photometric Plan).
- Indicate location of exterior light fixtures on the landscape and photometric plans. Avoid conflicts between lights and trees in order to maintain illumination levels for exterior lighting. See ZDC Section 4-704 (C) (6). Security lights may occur in close proximity of existing trees if the light source is under the existing tree canopy.
- Provide full cut-off exterior lights OR conform to maximum lumen output for fixtures that are not full cut-off. See ZDC Section 4-803 (C) (5).

Landscape

- Provide trees at installation of minimum 1-1/2" caliper. See ZDC Section 4-702 (F) (2).
- Provide canopy trees at minimum rate of 1 per 30'-0" along street frontages per ZDC Section 4-703 (A).
- One tree in a minimum 240 sf. landscape parking island fulfills ZDC Section 4-704 where island turns parking rows 90 degrees, as indicated in two locations northwest of building.
- Provide plant groundcovers with a maximum 2'-0" natural mature height where adjacent or within 6'-0" of pedestrian
 or parking areas. Canopy trees may occur in this area but shrubs and accents may not. Provide groundcovers and
 low shrubs of maximum 3'-0" natural mature height between 6'-0" and 12'-0" of pedestrian or parking areas. See
 ZDC Sec. 4-702 (G) (2).
- Where additions are proposed in right of way, provide low-water use landscape. See Arizona Department of Water Resources Low-Water Using Plant List for the Phoenix Active Management Area.

Signs

- 34. Identification signs including business names, drive through food preview sign and drive-through food menu board sign require a sign permit. Consider a sign package for the site and building that includes the three businesses.
- Directional signs (such as for drive through) without a dedicated light source don't require a permit, depending on size and height. See ZDC Section 4-903 (F).
- Address signs do not require a sign permit. Include address signs in the architectural drawings. See ZDC Section 4-903 (A) for requirements including sign illumination and minimum fifty (50) percent sign contrast with background. Coordinate address signs with trees, vines, or other landscaping to avoid any potential visual obstruction. Do not affix number or letter to elevation that might be mistaken for the address sign. If a new freestanding identification sign is provided, install address signs with nighttime illumination on a masonry base.

POLICE

- Security plan required if restaurant seeks a type 6 liquor license. See ZDC Section 6-313 (B).
- Review, become familiar with, and follow the design guidelines listed under ZDC Appendix A. reference the CPTED principal under A-II Building Design Guidelines related to location of pedestrians and places of concealment.

FIRE

- Maintain required fire access lanes and fire hydrant placements. Install hydrants per IFC and TFD requirements.
- Provide required 20'-0" wide fire access lane. Dimension fire lane and turn radii. See ZDC Figure 4-502 (G). Provide minimum 14'-0" clearance where lane passes under a tree canopy.
- Maintain minimum 20'-0" wide fire lane so a truck is maximum 200'-0" from any portion of building that has A.F.E.S.

SOLID WASTE:

- Provide refuse enclosure that meets or exceeds requirements of standard details DS-116 (container). Access refuse
 enclosure detail at this link: <u>www.tempe.gov/index.aspx?page=1033</u>. The enclosure details are under Civil
 Engineering & Right of Way.
- Maintain Solid Waste truck access lane, turn radii, lane turnaround and overhead clearance same as fire lane.
- Place refuse container enclosure to allow solid waste service vehicle to maneuver with minimum back-up. Avoid refuse enclosure on dead-end drive aisle. Allow vehicle to move predominantly by forward motion for servicing.
- Develop strategy for recycling collection and pick-up from site with Solid Waste Division. Roll-outs may be allowed for recycled materials. Coordinate storage area for recycling containers with overall site and landscape layout.

LAND SERVICES

- Cross access easement including for use by solid waste and emergency vehicles is required. Contact Public Works Engineering--Land Services Division to initiate process.
- Dedicate new easements hereon Subdivision Plat for Agave Complex or by separate instrument.
 - Provide public sidewalk easement on property at driveway sidewalk bypass.
 - Provide cross drainage easement with adjacent property if determined by final grading and drainage concept.
- Remove existing easements that are no longer needed by separate instrument. Process removal through Public Works Engineering--Land Services Division including City Council hearings.

ENGINEERING

- Provide 100 year storm water retention system on site. Comply with underground retention storage criteria.
 - Pavement retention is allowed. Locate dual chamber drywell in landscape area that is readily accessible to maintenance vehicles. Do not reduce requirements for landscape to make room for drywells.
 - Area north and west of proposed drainage watershed that is shown to drain to Warner Road and Harl Avenue is required to be held on-site. Create low spots and install area drains to catch the runoff. Pipe runoff to the on-site tank. Alternatively, show evidence that this runoff was originally designed to flow east along Warner Road and is accommodated downstream.
 - Dish out area along east property line or pipe to the on-site tank to ensure runoff is not directed to the east.
 - Retain storm water for entire site. Determine process for storm water retention for existing berm in frontage.
 - Provide retention for the area south of the site that is being developed. Alternatively, isolate the Warner and Harl Restaurant Complex site from adjacent sites for storm water retention. In this case, provide separate retention system for portion of adjacent site that is developed.
- Provide copy of cross access easement to Engineering.
- Do not locate structures, lights or trees in easements.
- Locate utilities underground.
- Record easements granted to City or Agreements entered into with the City prior to Engineering Permit issuance.
- Address is assigned by Public Works Engineering Division. Suite numbers are assigned by Community Development Building Safety Division.
- Dimension right of way per Maricopa Association of Governments Standard Detail 112.
- Access Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works Construction at this link: <u>www.tempe.gov/index.aspx?page=2147</u>.

TRAFFIC

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- Indicate on landscape plan the clear vision triangles for existing driveway on Warner and driveway on Harl. Identify street speed limits. Begin sight triangle in each driveway at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo if needed <u>www.tempe.gov/index.aspx?page=801</u>. Do not locate site furnishings, screen walls, berms or visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.
- Install driveway on Harl per standard detail T-320. Provide 30'-0" minimum and 40'-0" maximum width. Transition to drive aisle width via 5:1 tapers.

WATER UTILITIES

- Design site with public wet utility separations from trees and foundations. Reduced separations may be considered for trees subject to review and approval of root barrier detail by the Public Works Water Utilities Division. Contact <u>mark_weber@tempe.gov</u> if necessary to discuss options.
- Locate water meters and fire hydrants within a recorded exclusive waterline easement contiguous with the water main system.

BUILDING SAFETY

- 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.
- Unit number addresses are assigned through Community Development. Provide Unit Suite Numbers following Tempe Administrative Code Section 8-112.

WATER CONSERVATION:

 Under an agreement between the City of Tempe and State of Arizona, Water Conservation Reports are required for landscape and domestic water use for this project. Have Landscape Architect and Mechanical Engineer submit reports with construction drawings during building plan check. Report example is contained in Office Procedure Directive # 59. Refer to this link www.tempe.gov/modules/showdocument.aspx?documentid=5327.

HISTORY & FACTS:

	City Council approved the Final Subdivision Plat of Agave Center. This is a thirteen lot subdivision that also describes the public right of way for a loop road in the center of the subdivision including South Harl Avenue (which connects to Warner Road), West Ranch Road, West Greentree Drive and South 52 nd Street. Lot 5 of Agave Center contains the subject property of this request.
September 16, 2004	City Council approved the General Plan of Development for Agave Center and Final Plan of Development for Lot 7. This conceptual site layout did not proceed.
September 27, 2010	City Council approved the Final Subdivision Plat of Agave Center Lots 7 and 8. This is a two lot subdivision that is immediately south of Lot 5 of Agave Center. Lot 5 of Agave Center forms a portion of the northern border of this subdivision.
Ū	A Final Subdivision Plat for Agave Complex was submitted on June 6, 2013. This plat will reconfigure the land including Lot 5 and 6 of Agave Center and Lot 1 of Agave Center Lots 7 and 8. The plat document which will result in two lots is currently under review by city staff. The City Council meeting has not yet been scheduled. Lot 1 of this subdivision is the subject property. This lot includes all but the southernmost portion of Lot 5 of Agave Center.

ZONING AND DEVELOPMENT CODE REFERENCE:

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

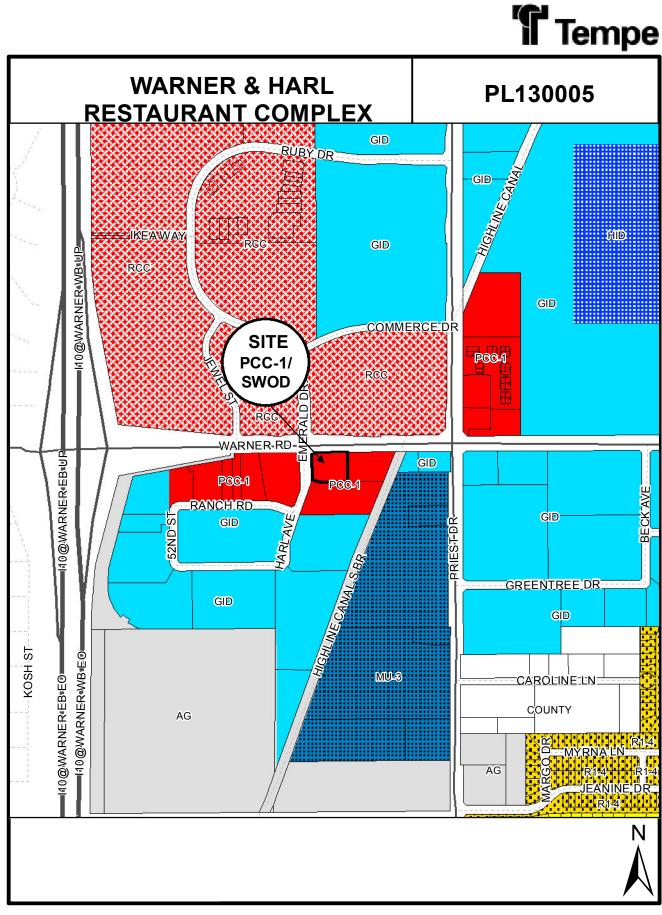


DEVELOPMENT PROJECT FILE

for

WARNER & HARL RESTAURANT COMPLEX

- 1. Location Map
- 2. Aerial Photo
- 3-4. Letter of Explanation: Development Plan Review & Use Permit Standard
- 5-7. Project Data, Site Plan & Site Plan Legend
- 8. Floor Plan
- 9-13. Presentation Exterior Elevations & Exterior Materials Schedule
- 14-15. Landscape Plan & Plant Schedule
- 16-17. Grading and Drainage Plan & G+D Plan Legend
- 18-21. Site Context Photos, May 2013.



Location Map



WARNER & HARL RESTAURANT COMPLEX (PL130005)



Letter of Explanation

Date: 6.14.13

To: Kevin O'Melia, City of Tempe Planning Department

From: Daniel Beckerdite

RE: Warner & Harl Restaurant Complex 1639 W. Warner Rd., Tempe, AZ

INTRODUCTION

Vaquero Ventures proposes to develop the SEC of Warner Rd. and Harl Ave. with one multitenant building consisting of restaurant and retail spaces. This letter will provide the explanation for submitting for the Development Plan review and for a Use Permit.

This parcel of land is 1.17 acres and is a part of the Agave Center planned development. The Agave Center is a planned mixed use development designed to incorporate business and commercial development. Planned uses include commercial, restaurant, hotel, office and light industrial.

The property owner will submit for a replat of the property under a separate cover to revise the property line as shown in this submittal.

DEVELOPMENT PLAN

The **site** design intent of the project is to provide an efficient, low-impact site plan that will eventually tie into the undeveloped lots to the east and south through vehicular linkages. The building has been located in the middle of the site to accommodate building and landscape setbacks, while allowing for perimeter circulation and parking. The site will provide the required number of off-street parking spaces and Drive-Thru stacking of up to eleven cars before on-site circulation is impacted. Deliveries will occur south of the building before store hours where deliveries to the building will be accessed from the rear doors. All landscape areas will utilize colorful and textural low water use plantings with drip irrigation and no turf.

The **building** design utilizes a variety of materials including brick, glass, stucco and metal to blend in with the Agave Center character. The building mass contains varied roof lines, and varied horizontal/vertical wall planes. Windows have been incorporated along the front and sides of the building. Site architectural features include the trash enclosure and are designed to complement the building materials and character.

Jay M. Newell, PE Wayne T. Sterling, RLA, LEED AP

> 2009 W. Littleton Blvd. #300 Littleton, CO 80120

303.794.4727 ph www.SterlingDesignAssociates.com



The building will be broken up into multiple tenant spaces comprised of restaurant and retail spaces. The final tenants have not been confirmed except for the 1,800 sf restaurant space on the east side of the building. Starbucks is intended to use this space for their business. Starbucks will maintain a staff of 5 employees to serve coffee and café customers during the business's operational hours of approximately 5:00am to 9:00pm. Starbucks intends to serve employees of the surrounding commercial industries, business parks and residential neighborhoods.

USE PERMIT STANDARD

We request a **Use Permit Standard** for a 10% rear yard setback reduction from 30' to 27' for the east rear yard setback. The main mass of the building is located 31.1' from the property line, but a small bump out in the building associated with the drive-thru extends 2.9' within the side yard setback along with a 4' by 4' architectural column. The drive-thru 4'x12' bump out is less than 0.6% of the entire building footprint.

The requested Use Permit will not cause any significant vehicular or pedestrian traffic in adjacent areas since the drive-thru cue is completely contained within our site and allows for a large vehicular stack that will prevent interference with other lots. The building bump out will not cause any nuisance to adjacent sites. The adjacent site to the east currently remains vacant and a landscape buffer strip is located along the property line to screen future development from the drive-thru. The building will not contribute to the deterioration of the neighborhood or be in conflict with the goals, objections and policies of the City. The development will in turn contribute to the local economy, provide services to the local community and enhance the aesthetics of an empty corner lot with contemporary architecture and native plant material. The building is compatible with existing structures by meeting the Agave Center business park architectural guidelines and meets the intended zoning use for this site. The building bump out will in no way contribute to the disruptive behavior that would create a nuisance to the surrounding area or general public. The drive-thru window will have employees at the window who could observe any disruptive behavior.

We look forward to their feedback and working with you in an attempt to develop an exceptional project for Vaquero Ventures and the City of Tempe.

Sincerely,

mie Bochardete

Daniel Beckerdite

Jay M. Newell, PE Wayne T. Sterling, RLA, LEED AP

> 2009 W. Littleton Blvd. #300 Littleton, CO 80120

303.794.4727 ph www.SterlingDesignAssociates.com

LOT #5

SIZE: 50,893 S.F.

ZONING

EXISTING: PCC-1/SWOD PROPOSED: PCC-1/SWOD

LAND USE

WORK/COMMERCIAL

TYPE OF BUILDING CONSTRUCTION V-B CONSTRUCTION

AUTOMATIC FIRE EXTINGUISHING SYSTEM YES

BUILDING HEIGHT

MAXIMUM ALLOWED: 60'-0" PROVIDED BUILDING HEIGHT: 29.91' (1) STORY BUILDING

BUILDING LOT COVERAGE

MAXIMUM ALLOWED: 50% PROVIDED LOT COVERAGE: 16.1%

SITE LANDSCAPE COVERAGE

MINIMUM REQUIRED: 15% PROVIDED LANDSCAPE COVERAGE: 29.8%

BUILDING SETBACKS

REQUIRED: FRONT (HARL AVENUE): 0 STREET SIDE (WARNER RD): 0 SIDE (SOUTH SIDE): 30' REAR (EAST SIDE): 30'

PROVIDED:

FRONT (HARL AVENUE): 85' STREET SIDE (WARNER RD): 97' SIDE (SOUTH SIDE): 42.5' REAR (EAST SIDE): 27.0'

VEHICULAR PARKING QUANTITY

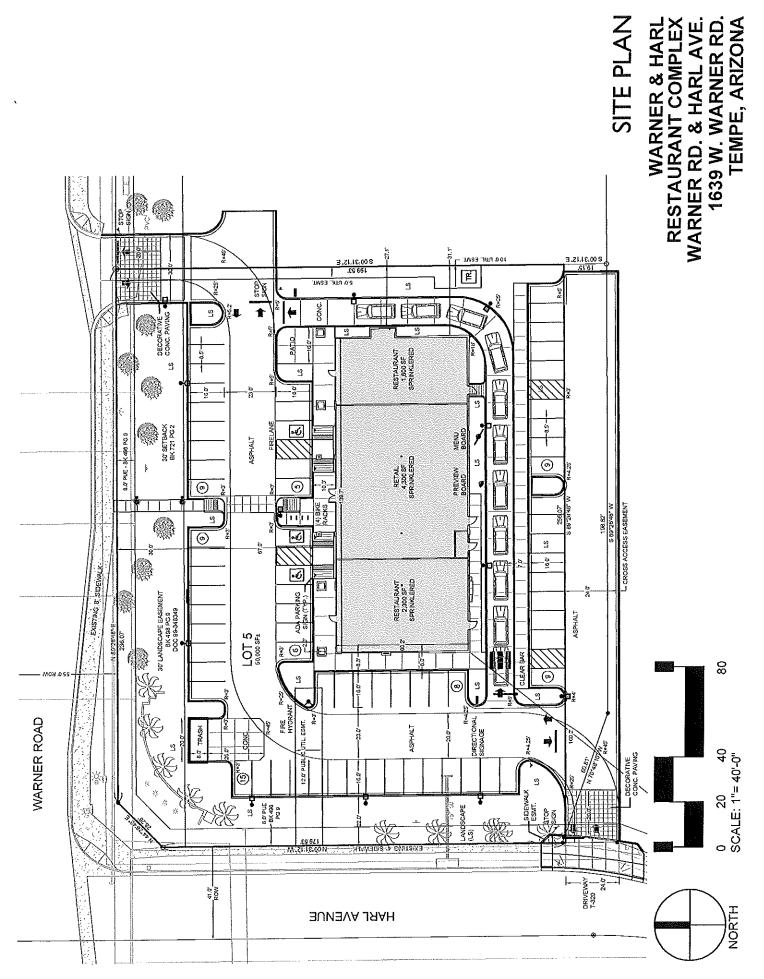
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BICYCLE PARKING QUANTITY

BICYCLE (REG/PROV): 6/8 RESTAURANT = 4,100 SF (1/1,000 SF) = 4.1 RETAIL = 4,300 SF (1/10,000 SF) = 2.0

PROJECT DATA

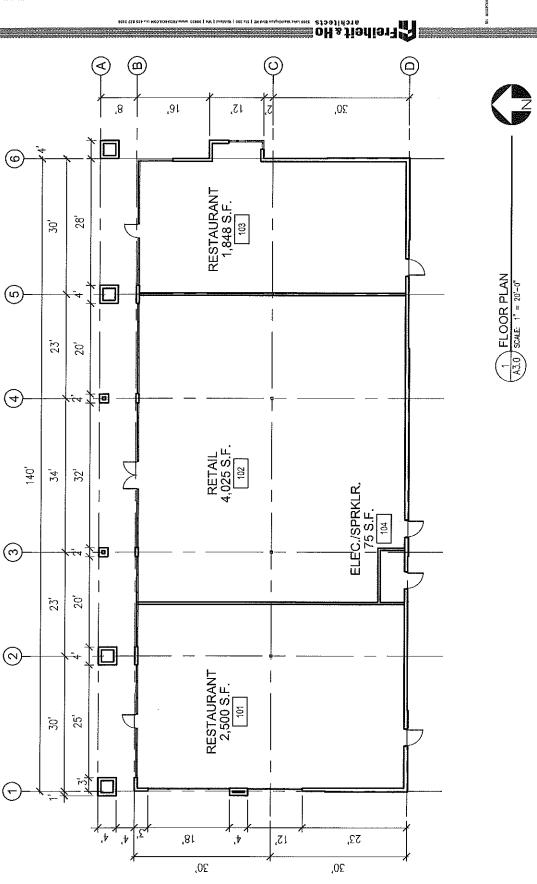
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WARNER & HARL RESTAURANT COMPLEX WARNER RD. & HARL AVE. 1639 W. WARNER RD. TEMPE, ARIZONA

SITE PLAN LEGEND

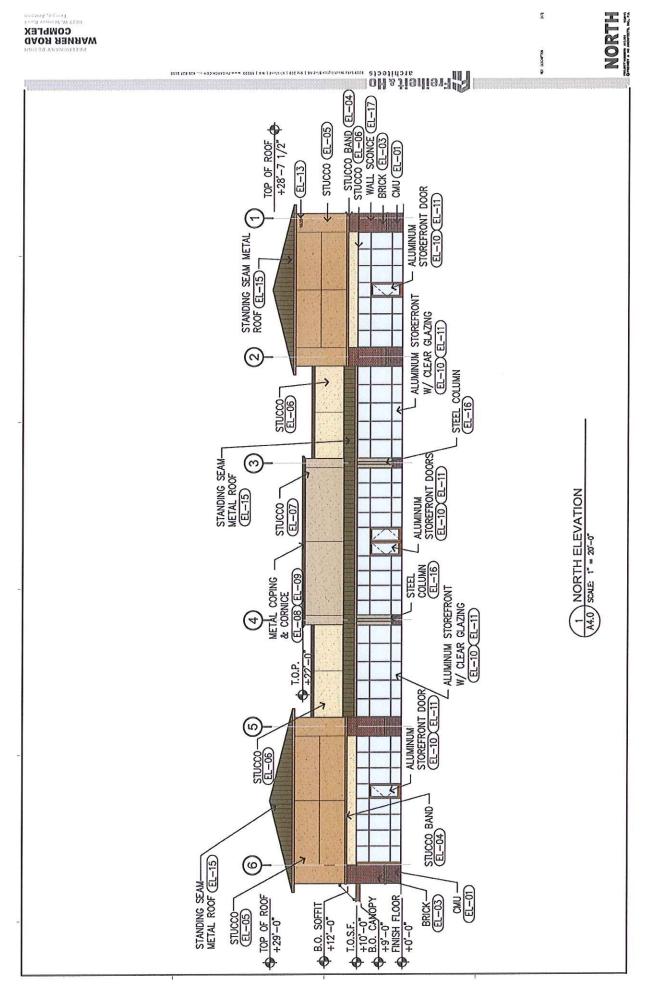
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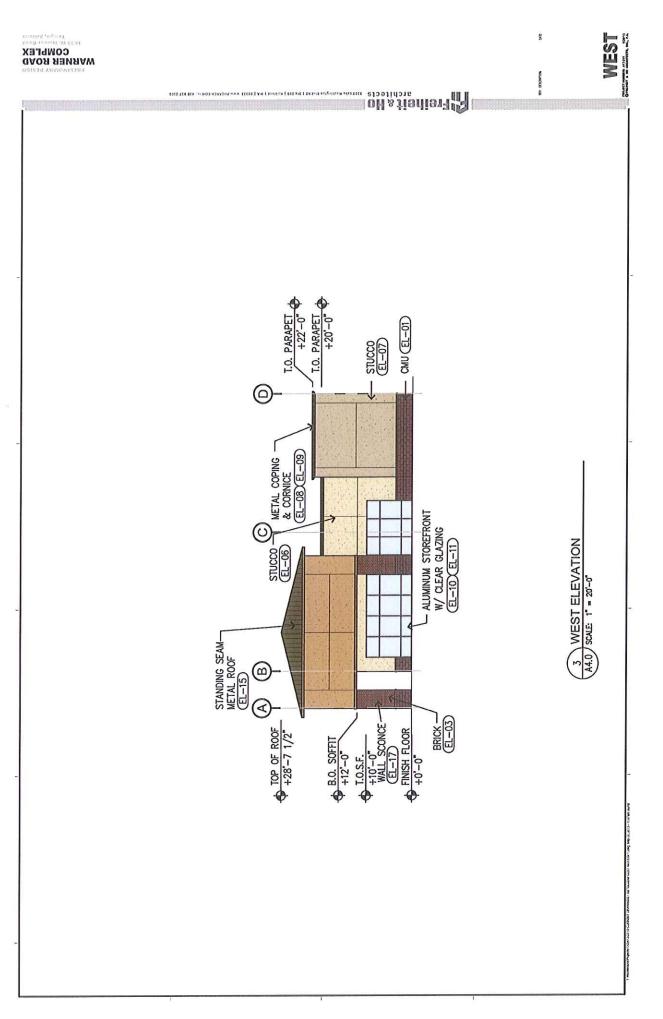


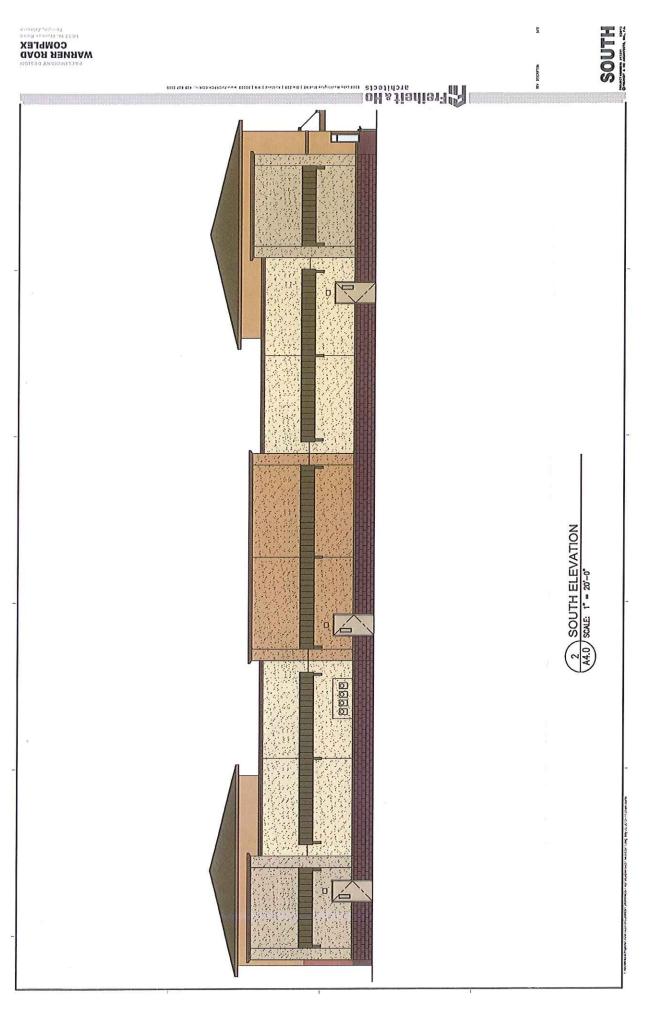
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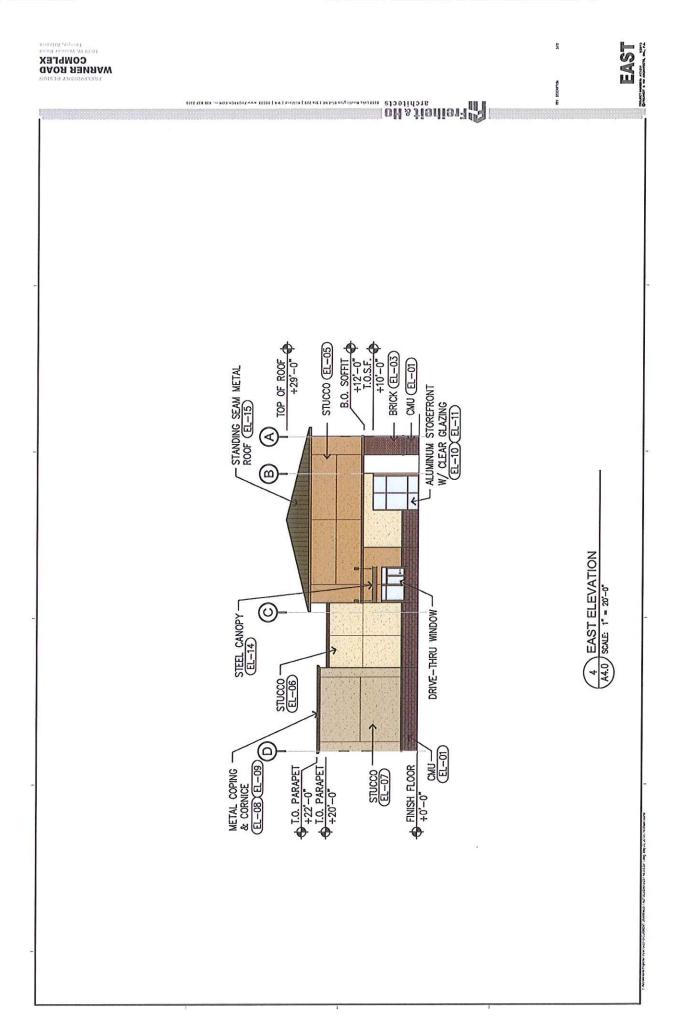
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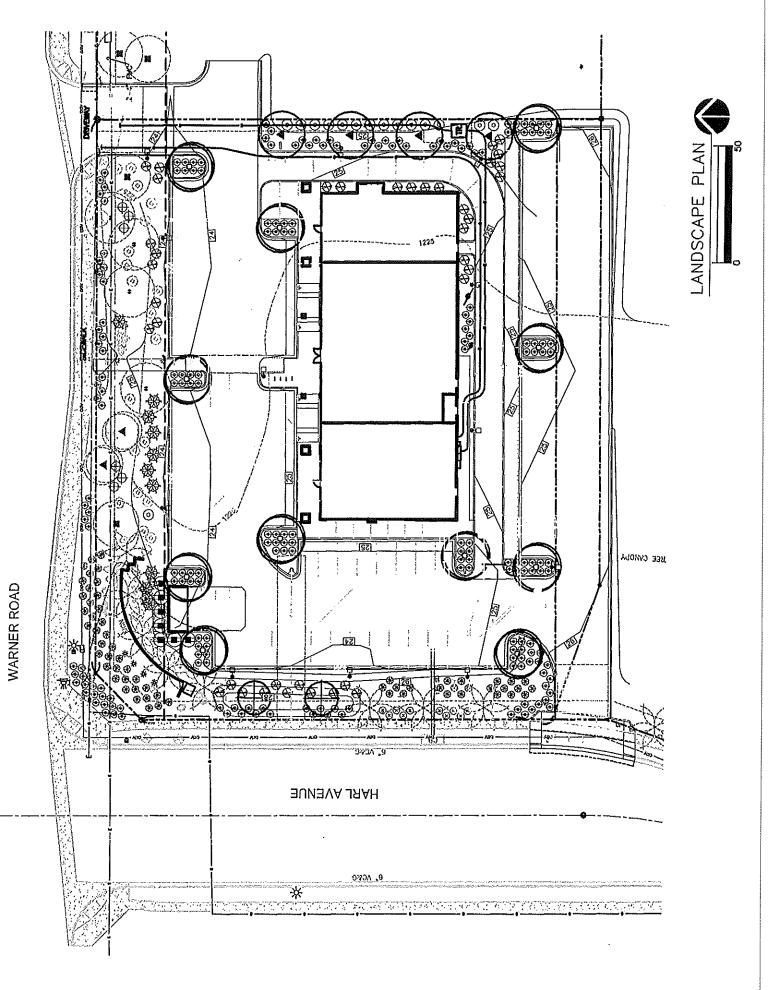




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GLAZING COLOR CLEAR GLAZING CLEAR HOLLOW METAL DOOR & FRAME COLOR GALVANIZED, PAINT PAINT SHERWIN WILLIAMS, #SW 6157 "FAVORITE TAN"	~	ANODIZED COLOR	BRONZE						
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HOLLOW METAL DOOR & FRAME COLOR GALVANIZED, PAINT PAINT SHERWIN WILLIAMS, #SW 6157 "FAVORITE TAN"	0	CLEAR GLAZING	CLEAR						
Galvanized, paint sherwin williams, #SW 6157 "Favorite tan"	. 1	HOLLOW METAL DOOR & FRAME	COLOR						
	~	GALVANIZED, PAINT	PAINT SHERWIN WILLIA	MS, #SW 6157 "FAVORITE TAN"					
									SCHED.

Ряссимикаяу резсои СОМРСЕХ СОМРСЕХ 1639 W. Warner Road 1639 W. Warner Road 7 стре, Ангона

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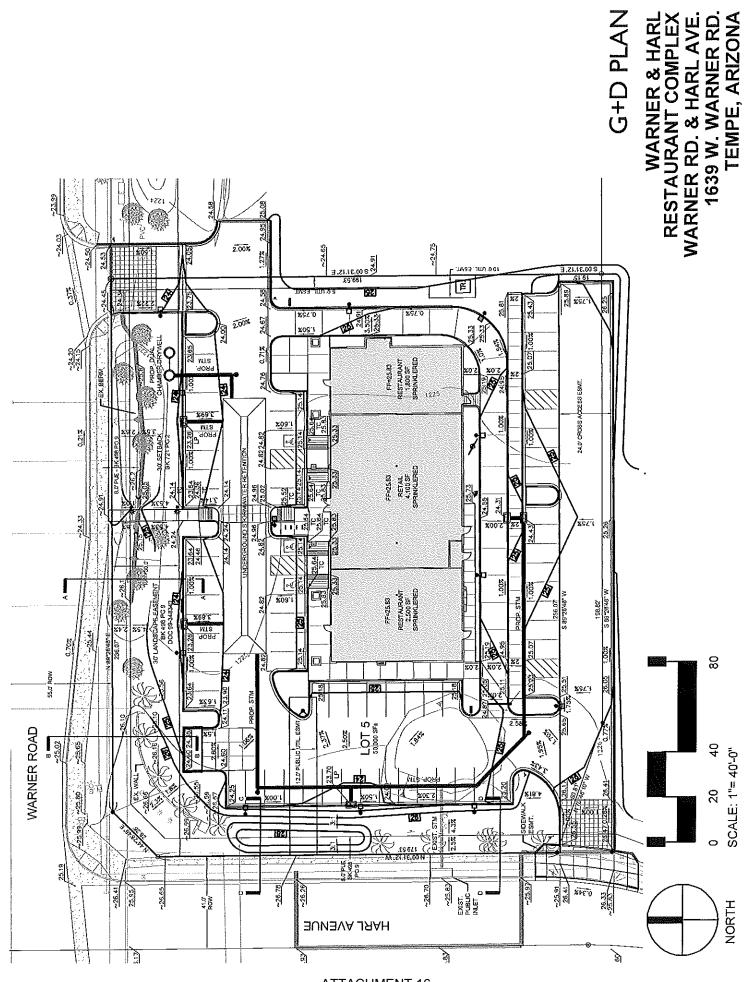


PLANT SCHEDULE

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	SYMBOL	BOTANICAL/COMMON NAME	CLPR/SIZE	MAT. SIZE (HXW)	QTY.	REMARKS
/	$ \bigcirc $	TREES ACACIA ANEURA MULGA	1"/15 GAL.	15'X15'	2	STAKE AS REQUIRED
Ĺ		PARKINSONIA HYBRID 'DESERT MUSEUM' DESERT MUSEUM PALO VERDE	2"/ 24" BOX	20'X20'	11	STAKE AS REQUIRED STRAIGHT TRUNK UP TO 3' THEN BRANCHING
		CERCIDIUM PRAECOX PALO BREA	1"/15 GAL.	20'X20'	4	STAKE AS REQUIRED
		SHRUBS				
	\oplus	CALLIANDRA CALIFORNICA RED FAIRY DUSTER	5 GAL.	4'X4'	6	1 GPH EMITTER
	\odot	LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO'tm RIO BRAVO SAGE	5 GAL.	4'X4'	15	1 GPH EMITTER
	۲	TECOMA SPP. 'ORANGE JUBILEE'	5 GAL.	8'X6'	7	1 GPH EMITTER
		ACCENTS				
	*	AGAVE GEMINIFLORA TWIN-FLOWERED AGAVE	5 GAL.	2.5'X2.5'	24	.5 GPH EMITTER
	\$	DASYLIRION WHEELERI DESERT SPOON	5 GAL.	4'X5'	10	1 GPH EMITTER
	\oplus	HESPERALOE PARVIFLORA RED YUCCA	5 GAL.	3'X4'	38	1 GPH EMITTER
		GROUNDCOVER				
	8	CONVOLVULUS CNEORUM BUSH MORNING GLORY	1 GAL.	2'X3'	10	1 GPH EMITTER
	Ø	LANTANA SPP. 'NEW GOLD' LANTANA	1 GAL.	2'X3'	210	1 GPH EMITTER
		DECOMPOSED GRANITE "COLOR TO MATCH ROW D.G."	1/2" SCREENE	D		2" DEPTH ALL LANDSCAPE AREAS
	NOTEO					

NOTES:

1) TREE HEIGHTS AND CALIPERS WILL COMPLY WITH "ARIZONA NURSERY ASSOCIATION SPECIFICATIONS" FOR THAT TYPE AND SIZE OF TREE 2) LANDSCAPE TO BE WATERED BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.



LEGEND

PROPERTY LINE	EXISTING CURB AND GUTTER	EXISTING CONCRETE SURFACE	EXISTING WALL	EXISTING WATER LINE	EXISTING SEWER LINE	EXISTING GAS LINE	EXISTING ELECTRIC LINE	EXISTING CABLE/TV LINE	EXISTING ELECTRIC BOX	EXISTING CATV CABINET	EXISTING TELEPHONE PEDESTAL	EXISTING FIRE HYDRANT	EXISTING LIGHT POLE	EXISTING TRAFFIC SIGNAL POLE	EXISTING SEWER MANHOLE	EXISTING WATER VALVE	EXISTING EASEMENT	PROPOSED POLE LIGHT	PROPOSED CURB AND GUTTER	PROPOSED EASEMENT	PROPOSED FIRE HYDRANT	EXISTING SPOT ELEVATION	EXISTING CONTOUR	PROPOSED STORM SEWER LINE	PROPOSED CONTOUR	PROPOSED SPOT ELEVATION	PROPOSED MANHOLE/ACCESS	PROPOSED SLOPE	PROPOSED INLET	PROPOSED BASIN
				M	SS	0		CA TV			9	Ð	-¥-	-1	(a)	8	· · · · · · · · · · · · · · · · · · ·	□ ●			۲	78.85	1/8		1/8	78.85	0	3.42%		

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REQUIRED				
BASIN	AREA (SF)	U	ЧŰ	VOLUME (CF)
LOT 5	57,069	0.95	2.4	10,843
PROVIDED				
BASIN	*LENGTH (FT)			VOLUME (CF)
LOT 5	216.00			10,852
* 96"DIA. CMP AT 50.24 CF/FT	AP AT 50.24	t CF/FT		

ATTACHMENT 17

WARNER & HARL RESTAURANT COMPLEX WARNER RD. & HARL AVE. 1639 W. WARNER RD. TEMPE, ARIZONA

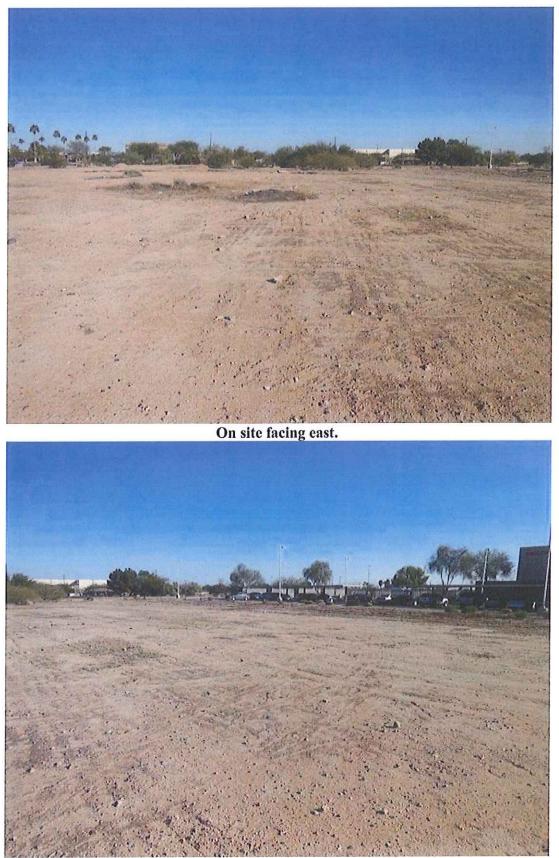
G+D PLAN LEGEND STORMWATER RETENTION



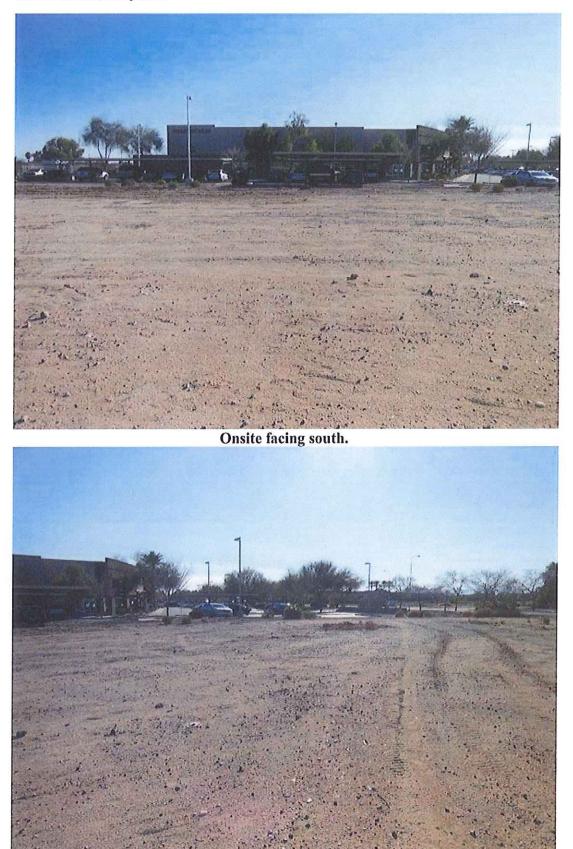
Northwest section of the property from Warner.



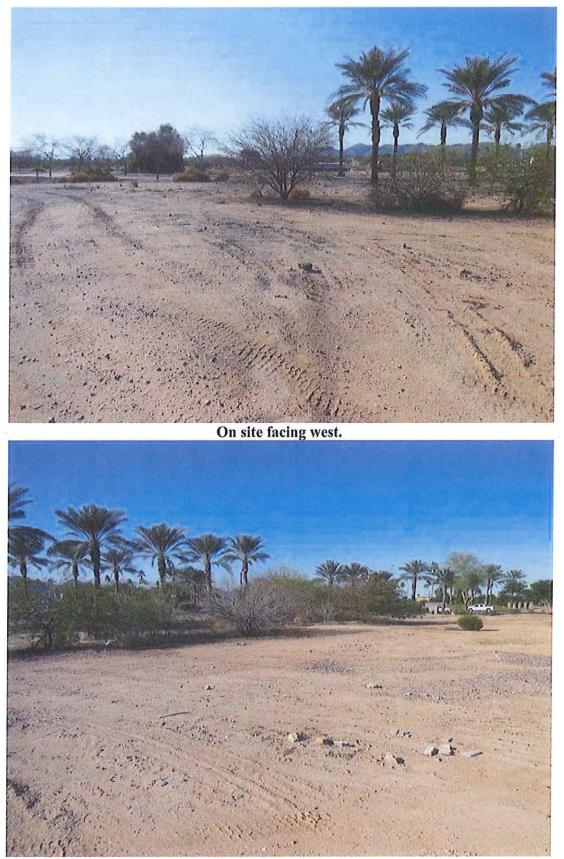
View of intersection of Warner and Harl from east on Warner.



On site facing southeast.



On site facing southwest.



On site facing northwest.