

CITY OF TEMPE DEVELOPMENT REVIEW COMMISSION

Meeting Date: 10/08/2013

Agenda Item: 3

<u>ACTION</u>: Request for an Amended Planned Area Development Overlay and a Development Plan Review consisting of two new 4-story multi-family buildings, totaling 358 units and approximately 672,000 sf. of building area for LPC SOUTHBANK, located at 1190 East Vista Del Lago Drive. The applicant is Snell & Wilmer LLP.

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: Staff – (PAD13011) Approval

(DPR13206) Continuance, subject to response from the proposed conditions

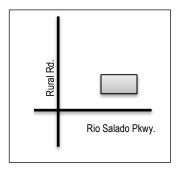
BACKGROUND INFORMATION: LPC SOUTHBANK (PL130265) consists of a new apartment complex at the Southbank development, formerly known as The Pier at Town Lake. The request includes the following:

PAD13011 Amended Planned Area Development Overlay for an increase in residential density for Lot 5 from 0 to 149

units; and a reduction in the minimum required vehicle parking for Lot 5 from 280 to 276 spaces and for Lot 6

from 388 to 363 spaces.

DPR13206 Development Plan Review including site plan, building elevations and landscape plan



Property Owner
Applicant
Current Zoning District
Gross/Net site area
Total Units / Density
Total Building area
Lot Coverage
Building Height
Building Setbacks
Landscape area
Vehicle Parking
Owner
Name,
MU-4 (
MU-4 (
MU-4 (
MU-5 (
MU-6 (
MU-6 (
MU-7 (
MU-7

Ownership Name
Name, Company Name
MU-4 (PAD), Rio Salado Overlay District
3.58 acres
358 units / 100 du/ac
672,533 sf.
60%
58 ft. (251'-8" / 291'-6" maximum allowed)
9' south, 15'/5' west, 5'/15' east, 15' north
35% / 29%
639 spaces (668 min. spaces required)
252 spaces (252 min. spaces required)

ATTACHMENTS: Development Project File

STAFF CONTACT: Ryan Levesque, Senior Planner (480) 858-2393

Bicycle Parking

Department Director: Dave Nakagawara, Community Development Director

Legal review by: N/A

Prepared by: Ryan Levesque, Senior Planner

COMMENTS:

This site is located in what is called "Southbank" (formally known as The Pier at Town Lake) northeast of Rural Road and Rio Salado Parkway along Vista Del Lago Drive. The property is directly adjacent to the Tempe Town Lake to the north and neighbored by the ASU Karsten Golf Course to the east and south side of Rio Salado Parkway. All other surrounding properties are currently vacant.

In 2007, the "Pier 202" project proposed a master plan development consisting of nine (9) new buildings ranging from 187 to 310 feet in height for commercial space, a 285 room hotel and 1,484 residential units, all on 27 acres. The developer processed a Planned Area Development Overlay that established development standards for five (5) of the nine (9) total lots. Since that time, one additional lot was approved for a 17-story senior living facility (with independent care, assisted living and memory care components), two levels of underground parking and a 2-story commercial building. This approval is still active.

This request for LPC SOUTHBANK consists of the following:

- 1. An Amended Planned Area Development Overlay from the existing development standards established for Lot 5 and Lot 6, including an increase in residential density for Lot 5 from 0 to 149 units; and a reduction in the minimum required vehicle parking for Lot 5 from 280 to 276 spaces and for Lot 6 from 388 to 363 spaces.
- Development Plan Review for site plan, building elevations and landscape for two multi-family buildings with approximately 672,000+ sf. of building area with 358 units. The development also includes Tract B, consisting of landscape and pathway improvements.

PUBLIC INPUT

A neighborhood meeting is not required for this PAD request. The site is more than 300 feet from the nearest residential use. At the time the report was completed staff has not received any public input on this project.

PROJECT ANALYSIS

PLANNED AREA DEVELOPMENT

Along with a designation of mixed-use zoning (MU-4), applicants are required to process a Planned Area Development Overlay (PAD) to establish the desired standards not currently defined within the MU-4 district. Lots 5 & 6, included on this development already have standards, which may or may not be modified. Below is a list of district standards proposed and the other South Bank lots approved development standards for this PAD.

South Bank - Pla	nned Area Dev	velopme:	nt Over	lay					
Standards	Lot:	3	1	9	6	Proposed Lot 6	5	Proposed Lot 5	4
Lot Acreage		2.23	3.10	3.60	3.34	3.34	2.78	2.78	1.20
Residential Density (# of dw	elling units)	262	105	384	302	209	-	149	79
Building Height [Exceptions, see Section 4-2 Building Height Maximu	` /-	211 ft.	187 ft.	310 ft.	292 ft.	58 ft.	252 ft.	58 ft.	234 ft.
Maximum Lot Coverage (%	of net site area)	43%	72%	69%	70%	60%	61%	61%	43%
Minimum Landscape Area (% of net site area)	16%	28%	31%	29%	29%	39%	35%	55%
Setbacks (feet) Exceptions, see Section 4-205 Front Parking	6(B)]	9 ft. 20 ft.							
Street Side (South Parking	n)	25 ft. 20 ft.	31 ft.	50 ft.	22 ft.	9 ft.	20 ft.	9 ft.	23 ft.

South Bank - Plan	ned Area Deve	lopmer	nt Over	lay					
Standards	Lot:	3	1	9	6	Proposed Lot 6	5	Proposed Lot 5	4
Side (west)		1 ft.	15 ft.	26 ft.	5 ft.	5 ft.	30 ft.	15 ft.	44 ft.
Side (east)		9 ft.	31 ft.	16 ft.	90 ft.	15 ft.	18 ft.	5 ft.	23 ft.
Side (north)		16 ft.	31 ft.	23 ft.	31 ft.	15 ft.	34 ft.	15 ft.	22 ft.
Vehicle Parking Required: Provided:		458 187	1,000 1,082	915 891	647 652	388 363	806 433	280 276	138 146
Bicycle Parking Required: Provided:		182 53	-	-	-	105 105	-	105 105	-

The proposed PAD for Lot 5 – LPC Southbank, requests an increase in residential density from 0 to 149 dwelling units. The previous entitlement for Lot 5 was planned for a hotel (commercial). The proposed density is consistent with the overall PAD and projected density for this development area. The project originally had proposed integrated commercial on these sites, which would account for the required mix of uses within this development. This request does not propose any mixed use and was recommended by staff to incorporate a permanent commercial use into the development.

The LPC Southbank development is a 4-story proposal (58 feet in height). This building height is well below the maximum entitled building heights of 252 and 292 feet for each site. The original vision for the The Pier at Townlake had varying building heights (ranging from187 to 310 feet) with portion of each site having a lower scale to provide relief in the building wall, which provided visibility through the site and on to the town lake. At this time, there are no minimum building heights required for this area. As proposed the project would be considered underdeveloped and not consistent with the original vision planned for this area.

In addition, the PAD is seeking modifications to the minimum required vehicle parking spaces within the Zoning and Development based on the professional parking analysis provided by the applicant. The proposal recommends the minimum vehicle parking for Lot 5 from 280 to 276 spaces, and for Lot 6 from 388 to 363 spaces. This accounts for an overall 4% reduction in the total provided parking for the development. Furthermore, there are 17 additional public parking spaces currently delineated on the existing street configurations, which are not counted towards the required spaces. Staff is in support of the minor adjustment proposed in the parking requirements for this development.

The proposed building setbacks are primarily dictated by the existing easements for public utilities, sidewalk easements for public access, and a proposed fire access lane along the northern property line. The applicant is also seeking modification of the existing well maintenance easement, pending for review required by the Public Works, Water Utilities Division.

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

- The proposed land uses are permitted in Part 3. The residential land use is a permitted within this district. All mixed-use districts require the integration of commercial and residential uses to support pedestrian circulation and transit as alternates to driving, and providing employment and housing options. A commercial land use at Southbank has yet to be established and will require one of the future development lots to provide this component.
- 2. The development standards listed above, as established as part of the PAD Overlay District, as well as the standards allowed by use permit in Part 4 will be conformed to for development of this site. The development standards proposed with this development and request for parking reductions will allow the project to be in conformance with the PAD for Lots 5 and 6 respectively.
- 3. The proposed PAD is in conformance with provisions in Part 5, Overlay Districts. The site is located with the Rio Salado Overlay and will conform to the levee setback requirements.
- 4. The conditions of approval are reasonable to ensure conformance with the provisions of the Zoning and Development Code.

DEVELOPMENT PLAN REVIEW

LPC SOUTHBANK provides a multi-family residential development consisting of two 4-story buildings on their own lot. The developer will also be charged with the landscape improvements within Tract B, located between both lots.

This is the second proposed development plan of the nine lots at Southbank. The original master plan vision for this area provided high rise development with unique forms of architecture to capture scenic views and become a significant presence along the Tempe Town Lake.

Site Plan

The site is located along the northern portion of the Southbank development site, consisting of Lots 5 and 6 and Tract B. The sites can be accessed off of Rio Salado Parkway from Pier Drive (lighted intersection), Newberry Lane or McKinney Drive. LPC (Lincoln Property Company) has proposed two separate buildings with separate garage parking for the residents and their guests. Lot 6, to the east, will provide the leasing office and club room amenities, within two floors of the building. There are a total of 4 private courtyard amenity areas, plus an additional common area tract separating both buildings. To the north of the site is the access control levee and linear park of the Tempe Town Lake. Pedestrian access from the street to the linear park can be provided by either through the building's stairwell exits and courtyards (for resident's use only) and through the common area tract between the buildings. The parking garage provides access to all levels of the building floors for residents. There is also on-street public parking which is not calculated into the parking provisions for this project. Based on a recent update to the site plan, the eastern parking garage is proposed where 4 existing parallel parking spaces area. A condition is proposed to address this layout.

Building Elevations

The elevations proposed on the project provide an identical look for both buildings. The four-story buildings are designed with a cultured stone veneer at two and a half levels from the base and all the way to the fourth floor in areas that have the pedestrian access at the ground floor. Building consists of shades of brown and taupe applied to the rough stucco finish. Most of the building has a continual roof line except at areas where approximately 10 additional feet in height is provided within a tower element with an enlarged cornice detail. Random balconies and pedestrian entry points provide black metal canopies and awnings throughout the elevations. The balcony designs are provided on the insets of the building and do not project any farther out than the architectural reliefs of the building. Staff has recommended conditions of approval that would require further refinement and review of the building's design, including alternate material finishes and veneers. Examples of more modern/contemporary architecture have been provided to the design team.

Landscape Plan

The proposed landscape plans, consistent with the original streetscape plan, will have a dedicated landscape strip with street trees along the curb edge, and along the inside edge providing a separation from the building units, with varied dimensions. The landscape palette as proposed is compatible with the Sonoran desert environment and provides a good mix of lower-water use plants that accentuate the hardscape elements private plaza courtyards. Between both development sites is a dedicated common area tract designed for public access and a view corridor to the Town Lake. Additional conditions are proposed for the common area tract to ensure that appropriate town lake amenities are integrated into the project site and this prominent location, such as benches and a designated art piece at the focal point of the entrance. Staff recommends approval of the landscape and hardscape plans, subject to the conditions of approval.

Section 6-306 D Approval criteria for Development Plan Review (in italics):

- 1. Placement, form, and articulation of buildings and structures provide variety in the streetscape; the project has an articulated building street frontage with the building set at an offset angle from the street. The building structure provides some variety in the façade. Additional relief could be provided in this design.
- 2. Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort; the building design will mitigate solar heat gain. Shade will be provided, as conditioned in areas where high pedestrian activity occurs.

- 3. Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings; the materials are not of superior quality and are found in most traditional suburban apartments. Staff recommends alternate means of exterior materials that provide a more modern/contemporary look that would be consistent with materials found in a high rise development.
- 4. Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings; the original master plan for this area had taken in to consideration the proposed scale and surroundings for this development, which made up a mixture of tall buildings ranging from 100 to 310 feet in height. Within those building projects are also pedestrian scaled building with elements 5 to 8 stories in height. This proposal is more in concert with the pedestrian scale element, but is eliminating the entitled height at these sites, also consistent with the context of the area.
- 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 buildings are a large horizontal mass. The existence of the common area tract between the properties was designed to provide a designated view corridor within the 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; The building design provides treatment of windows, entries and walkways. Staff is recommending alternated architectural details that would provide an even greater interest at the street level.
- 7. Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; the site is accessible to both vehicles, is walkable and accessible to the Tempe Town Lake and its multi-modal path, and is just north of a transit shelter stop located along Rio Salado Parkway.
- 8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; the applicant has worked with staff to enhance the public sidewalk located within a sidewalk easement to further refine the pathway to be consistent with the original approved sidewalk plans for this area. Staff conditions address this criterion.
- 9. Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; The development will comply with crime prevention design principles.
- 10. Landscape accents and provides delineation from parking, buildings, driveways and pathways; Landscape provides accents throughout the project site as well as along the pedestrian pathway.
- 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; To be processed separately as part of a sign package criteria.
- 12. Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects. Lighting will be in conformance with the City's requirements. No negative effects.

Conclusion

Based on the information provided and the above analysis, staff recommends approval of the requested Planned Area Development Overlay. The PAD was specifically designed to allow greater flexibility for increased building heights, density and modified parking standards. The project, although not consistent with the approved height intensity, is within the parameters of the development standards afforded. The minor adjustment to the required parking will not be detrimental to the surrounding area.

Staff recommends continuance for the Development Plan Review. The design of the building should explore further options and provide a more diverse continuity through use of the building materials in other commercial and high rise towers with unique architectural elements. Staff recommends a modern building design that is in consistent with the design vision and approvals granted for the Southbank area.

PAD13011

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 on or before, November 7 2015, or the PAD for 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 *December 7*, 2013, or the Amended Planned Area Development Overlay approval shall be null and void.
- 3. The Planned Area Development Overlay 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.

DPR13206 CONDITIONS OF APPROVAL:

- 4. Submit an application for review of CC&Rs, in a form acceptable by the City Attorney's Office and the Community Development, for the on-going care and maintenance of the common area's responsible by the property owner(s).
- 5. The development shall contribute a public art piece at least 5'-0" in height, located within the common area Tract A, near Vista Del Lago Drive sidewalk and aligned with the Pier Drive entrance. Review of the art structure shall be subject to approval by the Arts Commission in association with the rules and procedures adopted for Tempe's Art in Private Development Program. Minimum investment for the art structure shall be calculated from the program's 2013 value based on the total development's lot coverage square footage.
- 6. Further review required of the abandonment request for the well maintenance easement, subject to the Public Works, Water Utilities Division.
- 7. Prior to building permits, obtained from the Engineering Division, Land Services Section, the following abandonment and dedication of easements. The limitations of the easements shall include;
 - a. Abandonment of a portion of the waterline easement stub-outs for fire hydrants along the north property line. Modified easement shall maintain a minimum 3'-0" clear from the hydrant projections.
 - b. Abandonment of existing well maintenance easement and relocation/dedication of any easement for well monitoring

- equipment.
- c. Dedication of an additional 6'-0" sidewalk within a 9'-0" easement for the reconstruction of additional on-street parking spaces not within the public right-of-way.
- 8. Provide public sidewalks along roadways consistent with the improvement district plans for the Pier, and as required by Traffic Engineering Design Criteria and Standard Details. Standard concrete detail shall be maintained throughout sidewalk easement area.
- 9. The parking garage ingress/egress drive shall maintain a maximum 4% slope with a minimum length of 20'-0" beyond the dedicated sidewalk easement.

Site Plan

- 10. Replace the four (4) existing public parking spaces located in the right-of-way along another portion of the site, subject to Traffic Engineering review. Additional easement and/or right-of-way dedication may be required to accommodate the sidewalk and on-street parking configuration.
- 11. The parking garages shall not be secured at the garage entry. If access control within the garage is desired, provide at least a 60'-0" stacking distance behind the sidewalk with unrestricted parking spaces available for guests.
- 12. Verify height of equipment and mounting base to ensure that wall height is adequate to fully screen the equipment. Locate electrical service entrance sections inside the service yard, as indicated.
- 13. 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.
- 14. Except along the designated private courtyard areas, limit use of perimeter fencing along the perimeter property and provide a smooth transition from the building landscape edge to the levee.
- 15. 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.
- 16. 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.
- 17. Shade canopies for parking areas:
 - a. Provide an 8" fascia for the canopy structure.
 - b. Maximum 75% light reflectance value shall also apply to the top of the canopy.
 - c. Relate canopy in color and architectural detailing to the buildings.
 - d. Conceal lighting conduit in the folds of the canopy structure and finish conduit to match.

Floor Plans

- 18. Exit Security:
 - a. Provide visual surveillance by means of fire-rated glazing assemblies from office stair towers into adjacent circulation spaces.
- 19. The roof plan shall provide clustering of air conditioning units within designated screened areas that limit their visibility, consistent with the design materials and colors found on the building.
- 20. Public Restroom Security for amenity areas:
 - a. Lights in restrooms:

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

21. 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.
- c. Paint interior wall and overhead surfaces in garage floor levels 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.

22. 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

- 23. Provide alternate stone material and building colors, subject to further review by the Development Review Commission. Enhance elements of the building to provide greater articulation in the design. Provide main colors and materials with a light reflectance value of 75 percent or less.
- 24. Modify tower cornice and submit an alternate design, subject to further review.
- 25. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
- 26. Conceal roof drainage system within the interior of the building.
- 27. 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.
- 28. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.

Lighting

- 29. This project shall follow requirements of ZDC Part 4, Chapter 8, Lighting, unless otherwise conditioned.
- 30. Illuminate building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance at these locations.
- 31. Half foot-candles of light required along the delineated pathway within Tract B.

Landscape

- 32. The plant palette is approved as proposed, unless otherwise specified within the conditions. Any additions or modifications may be submitted for review during building plan check process.
- 33. Provide Dalbergia Sissoo trees along the street frontage adjacent to the street curb, on the south side of the sidewalk. Where the street curb is adjacent to parking spaces, provide the trees and ground covers within a landscape island and provide sidewalk paving connecting the sidewalk between the spaces. Provide at least one tree for every 30' of lineal street frontage.

- 34. Tract B, landscape improvements shall be submitted and constructed as a part of the first building plans review for this development.
- 35. In addition to the landscape and hardscape, Tract A shall including amenities such as shaded areas and benches.
- 36. 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.
- 37. 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.
- 38. 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.
- 39. Trees shall be planted a minimum of 12'-0" from any existing or proposed public water or sewer lines located on-site. Trees near the main water or sewer lines located within the right of way shall be planted at least 20'-0" away. Final approval subject to determination by the Public Works, Water Utilities Division.
- 40. The tree planting separation requirements 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. The root barrier shall be 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

- 41. Provide address sign(s) on the north and south building elevations.
 - 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) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
 - 5) Do not affix number or letter 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.

- The owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be reviewed and placed in a form satisfactory to the Community Development Manager and City Attorney.
- 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.
- 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.
- SITE PLAN REVIEW: Verify all comments by the Public Works Department, Community Development Department, and
 Fire Department given on the Preliminary Site Plan Review. If questions arise related to specific comments, they should
 be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior
 to application for building permit. Construction Documents submitted to the Building Safety Division will be reviewed by
 planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.

STANDARD DETAILS:

- Access to Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works
 Construction, at this link: www.tempe.gov/index.aspx?page=2147 or purchase book from the Public Works
 Engineering Division.
- Access to refuse enclosure details an all other Building Safety forms at this link: <u>www.tempe.gov/index.aspx?page=1033</u>. 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: www.tempe.gov/index.aspx?page=949. 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.
- 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.

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.

ENGINEERING:

- 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.

REFUSE:

- Enclosure indicated on site plan is exclusively for refuse. Construct walls, pad and bollards in conformance with standard detail DS-116.
- Contact Public Works Sanitation Division to verify that vehicle maneuvering and access to the enclosure is adequate.
- Develop strategy for recycling collection and pick-up from site with Sanitation. Roll-outs may be allowed for recycled materials. Coordinate storage area for recycling containers with overall site and landscape layout.
- Gates for refuse enclosure(s) are not required, unless visible from the street. If gates are provided, the property manager must arrange for gates to be open from 6:00am to 4:30pm on collection days.

DRIVEWAYS:

- Construct driveways in public right of way in conformance with Standard Detail T-320.
- Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed www.tempe.gov/index.aspx?page=801. Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.

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.

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.
- SIGNS: Separate Development Plan Review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Obtain sign permit for identification signs. Directional signs (if proposed) may not require a sign permit, depending on size. Directional signs are subject to review by planning staff during plan check process.

HISTORY & FACTS:

September 10, 1998	City Council approved the request for CIUDAD DEL LAGO-RIO EAST for a Final Planned Area Development consisting of the Peabody Hotel, located at 1200 East Rio Salado Parkway.
May 17, 2007	City Council approved the request of an Amended Planned Area Development Overlay for PIER 202 (PL060548) consisting of nine (9) new buildings up to 310 feet in height for commercial, 285 room hotel and 1,484 residential units on +/-27.4 acres, located at 1200 East Rio Salado Parkway, in the MU-4, Mixed-Use High Density District.
August 14, 2007	Development Review Commission approved a Preliminary Subdivision Plat and a Development Plan Review consisting of a landscape plan for street frontage, requested by PIER 202 located at 1200 East Rio Salado Parkway.
April 24, 2012	At the Development Review Commission study session, the applicant for the Villas at South Bank provided an overview presentation of the project.
May 8, 2012	Development Review Commission approved the request for VILLAS AT SOUTH BANK (PL120046) (City of Tempe, property owner; MDT Development Partners LLC, applicant) consisting of 262 units within a 17-story senior living facility (including assisted living and memory care components) and a 2-story commercial building, totaling 367,896 sf. in building area on 2.23 net acres, located at 1122 East Vista Del Lago Drive in the MU-4 (PAD), Mixed-Use High Density District with a Planned Area Development Overlay and the Rio Salado Overlay District. The request includes the following: ZUP12025 – Use Permit to allow tandem parking. DPR12032 – Development Plan Review including site plan, building elevations and landscape plan.
June 14, 2012	City Council approved the request for VILLAS AT SOUTH BANK (PL120046) (City of Tempe, property owner; MDT Development Partners LLC, applicant) consisting of 262 units within a 17-story senior living facility (including assisted living and memory care components) and a 2-story commercial building, totaling 367,896 sf. in building area on 2.23 net acres, located at 1122 East Vista Del Lago Drive. The request includes the following: PAD12002 (Ordinance No. 2012.23) – An Amended Planned Area Development Overlay to establish development standards of 118 dwelling units per acre; a maximum building height of 211'-0"; reduce the required vehicle parking from 458 to 187 spaces, and reduce the required bicycle parking from 182 to 53 spaces.
October 8, 2013	Development Review Commission scheduled hearing for this request.
October 24, 2013	City Council tentative scheduled introduction and first public hearing for this request.
November 7, 2013	City Council tentative scheduled second and final public hearing for this request.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-305, Planned Area Development (PAD) Overlay districts Section 6-306, Development Plan Review



One Arizona Center 400 East Van Buren Street Suite 1900 Phoenix, Arizona 85004-2202 602.382.6000 602.382.6070 (Fax) www.swlaw.com

Noel J. Griemsmann (602) 382-6824 ngriemsmann@swlaw.com

DENVER LAS VEGAS LOS ANGELES LOS CABOS ORANGE COUNTY PHOENIX SALT LAKE CITY TUCSON

September 12, 2013

BY HAND DELIVERY

Ryan Levesque Senior Planner City of Tempe 31 East 5th Street Tempe, AZ 85281

Re:

PL130265 - LPC South Bank Approval Criteria Review Summary

Dear Ryan:

The City of Tempe Zoning and Development Code, Section 6-306.D, identifies twelve (12) criteria that are to be considered in the approval of a Development Plan Review ("DPR") application. The purpose of this letter is to review those criteria as they relate to the LPC South Bank project located at 1190 and 1450 East Vista Del Lago Drive (part of the "Pier 202" project site).

1. Placement, form, and articulation of buildings and structures provide variety in the streetscape;

The public streetscape along Vista Del Lago was constructed with an overall urban context and design. On-street parking, formalized landscaping with street trees as well as significant hardscape have been planned for this road, as well as the connecting roads within the larger "Pier 202" subdivision. The buildings have been designed to respond to this formal streetscape by placing the façade of the building closer to the street, with visual interest maintained by the use of undulating facades, providing articulation across the entire building face. The facades are slightly angled to avoid a directly parallel relationship with the street and to provide differing setbacks and landscaping opportunities for enhanced visual interest at the street level (while maintaining privacy for residents). The buildings also frame the publicly accessible park space between the structures. This public open space also provides visual interest as one moves east or west down Vista Del Lago by creating a sudden view out to the lake beyond.



Because of the placement, form and articulation of the buildings, the streetscape experience along the public right-of-way will be varied and interesting to both the public as well as residents.

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 are designed to minimize exposed walls by incorporating a wrapped parking structure and enclosed interior hallways, resulting in dwelling units that have only one exposed wall face (or two for corner units). This design results in less energy use by individual residents, conserving energy compared to traditional surface parked multi-family buildings. With structured parking, personal vehicles will be shaded (except for the roof deck, which is expected to be primary utilized as extra parking for visitors), reducing heat gain from parking areas and vehicles as is experienced with typical surface parking lots. Landscaping includes shade trees to reduce ground level heat gain (by shading the soil), which will enhance pedestrian comfort.

The design and orientation of the buildings will reduce heat gain over the old-fashioned garden-style multi-family developments and will permit energy savings by limiting the number of individual walls for each dwelling unit exposed to ambient outdoor temperatures. Ground level comfort will be enhanced by the use of appropriate landscaping materials and strategically located trees.

3. Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;

Key to quality multi-family development is the use of materials that last while providing a visual appearance of permanence and quality. For this project, the emphasis is on the use of cultured stone at and above (up to the top of the second story) the pedestrian level. This provides a mass at the base of the building that gives a heavy, permanent appearance, particularly at those key areas where visual details are most noticed by those looking at the structures.

Other details included in the façade design include the use of French doors for each patio. These types of doors provide a residential appearance and a high-quality look (unlike standard sliding patio doors). Metal details, such as the patio railings and canopy/awning embellishments, provide another layer of quality modern appearance while adding visual interest to the facades.

4. Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings;

Located in the center of the Pier 202 subdivision, the project site is the two (2) central properties, surrounded by the other vacant parcels. The parcels lie between the lake and four



vacant parcels that are owned by the City of Tempe. This location makes a lower structure with more extensive lot utilization (or lot coverage) the most appropriate building form to preserve view sheds for the adjoining properties while maximizing the development of the subject site. The surrounding parcels are currently entitled for large, tower-style development that may include hotel, office and commercial uses. These proposed buildings are appropriately scaled to compliment the surrounding future development and to the Tempe Town Lake.

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;

As previously discussed, the building design is articulated and visually interesting. By providing emphasis via "pop-out" detailing around the patio areas, the façade provides an appearance that reads as a varying face, with relief and movement of the elevation across its entire length. The base is well defined, with the use of stone facing at the pedestrian level, extending into the second floor level to provide scale for the pedestrian experience. The use of color provides additional visual enhancement to the upper floors while providing an opportunity to frame the roofline of the structures in a clear manner. Because of these design features, as well as those discussed prior, the buildings will create an excellent pedestrian experience.

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;

At the street level, the buildings feature architectural detailing that includes the elements discussed prior, such as stone facing, metal railings and the use of quality patio doors to provide a high-quality residential feel. For the areas that are "public" (the main office and building entry area), the elevation changes to provide a draw for visitors. The elevation transitions to a more uniform treatment, with large areas of glass and the addition of a significant shade feature at the second level, delineating this portion of the building as the "business" portion. In combination with the landscaping plans, the facades provide architectural interest as well as pedestrian level scaled details.

7. Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage;

The overall "Pier 202" subdivision provides for its own enhanced bus stop at Pier Drive on Rio Salado Boulevard, providing convenient access to future bus routes that may be assigned to service the area. There are bike lanes in Rio Salado Boulevard and each dwelling unit will



have access to a bike storage space. These are diversified, with options including public racks near the rental office and common areas, private garage bike parking areas and bike storage facilities within dwelling units.

Bicycling will be a convenient transportation mode for the residents. The Town Lake provides a multi-use path permitting bicycling, walking and other alternative transportation modes with access to downtown Tempe and beyond. Another alternative transportation option is Metro Light Rail. A light rail station is about a mile from the site at Rural and University, a short bike ride away. With the Town Lake at the front door of the property, the plans will permit easy access to this amenity and transportation option and bicycle users will find it easy to store and access their bicycles, providing support for this mode of transportation.

8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses;

Because the project proposes structured parking, there are few opportunities for conflict with pedestrians. There are two (2) driveways, one accessing each structure. Some parking is provided on-street, which acts as a traffic calming measure as well as easy parking for site visitors. Pedestrians will be able to move around the buildings with minimum direct interaction with motor vehicles.

9. Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance;

The building elevations, with their extensive use of glass and high visibility between the dwelling units and the exterior of the building, as well as the use of secured hallways and access, are a few of the ways that "CPTED" principles are incorporated into the design of the project. The landscape plans also reflect these concepts by providing appropriate heights, locations and types of vegetation that permits surveillance while framing the quasi-public spaces in a manner that communicates ownership and purposeful use of space.

10. Landscape accents and provides delineation from parking, buildings, driveways and pathways;

The placement of the parking into structured garages minimizes the visual and audio impacts of parking areas. Those areas of visibility, such as the driveways and service vehicle areas, are appropriately defined and delineated by their physical placement, limited size and landscaping elements.



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; and

Because this is a residential development, signage is minimal. We anticipate that the final signage package will be appropriately scaled to the use and will integrate into the building elevations.

12. Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects

As a residential development, lighting is provided that is code compliant and sufficient to safely illuminate common areas, individual dwelling unit outdoor spaces and other areas of the property. The final lighting package will be consistent with the use and will not exceed any code standard.

<u>Summary</u>. Section 6-306.D requires that the above listed items be considered when reviewing a DPR request. The proposed project, based on the provided elevations, site plan and landscaping plan, clearly meets the standards propagated by the City of Tempe Zoning and Development Code. We look forward to the Development Review Commissions' consideration of this request.

Respectfully submitted,

Snell & Wilmer

Noel J. Griemsmann, AICP Senior Urban Planner

17923064

Waste Management Plan

Residents of the apartment community will enjoy the amenity of five (5) night a week valet trash service. This service allows residents to place their tied and bagged household trash outside their dwelling unit door after 5 PM Sunday through Thursday. A 3rd party contractor will collect it each night and dispose of it in one of the two on site trash compactors. The next morning the resident puts their trash can back inside their apartment. Residents will also have access to trash chutes located on each floor of the residential buildings to dispose of their trash at other times if they wish. These trash chutes will be located within an enclosed room, one per floor. It is anticipated that the valet trash service will be provided by Valet Waste (http://www.valetwaste.com) or other comparable provider.

Each residential building is equipped with its own trash room on the ground floor that will house a trash compactor. The trash compactor is planned to be a 34 cubic yard sized device, likely to be the model RJ-250SC manufactured by Marathon Equipment. More detailed information on the specific compactor is available at:

http://www.marathonequipment.com/products/self-contained-compactors/rj-250sc

The compactor, which is stored inside the structure, is concealed by a roll-up garage-style door, which is accessible from the adjoining public road. It is anticipated that the dumpster units will each need to be picked up two (2) times a month during periods of typical usage. Please see the project site plan (Sheet A1.1) and the turning radius plan (Sheet A1.4) for details on the physical location and configuration of these facilities.

REC TBD

A PORTION OF THE NORTHEAST QUARTER AND NORTHWEST QUARTER OF SECTION 14, TOWNSHIP I NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA

FOR LOT 5 AND 6 OF SOUTHBANK

PLANNED AREA OVERLAY

2ND AMENDED

GBT GA9

DS 130200

THE OFFICE OFFI

REC TBD

Womack+Hampton

ARCHITECTS, L.L.C.

PAGE 1 OF

DATE

DEVELOPMENT SERVICES

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APPROVAL

ASM MARSTEN GOLF COURSE

LOT 3 PROJECT DATA

LOCATION MAP

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PIER 202 - AMENDED AS DESCRIBED IN BOOK 949 AT PAGE 48, AMARICOPA COUNTY, RECORDER'S OFFICE, MARICOPA COUNTY, TECORDER'S OFFICE, MARICONA.

ACKNOWLEDGEMENT

PROJECT DATA

COUNTY OF MARICOPA STATE OF ARIZONA

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AN ARIZONA LIMITED LIABILITY COMPANY MY COMMISION EXPIRES

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OWNER/DEVELOPER

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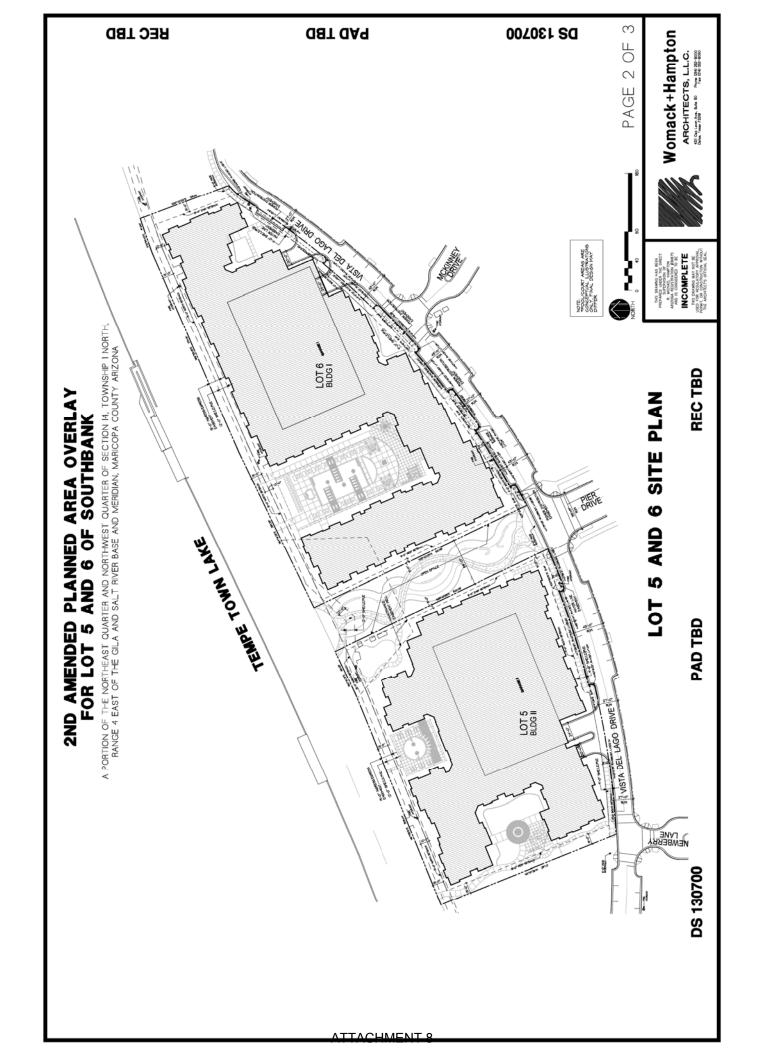
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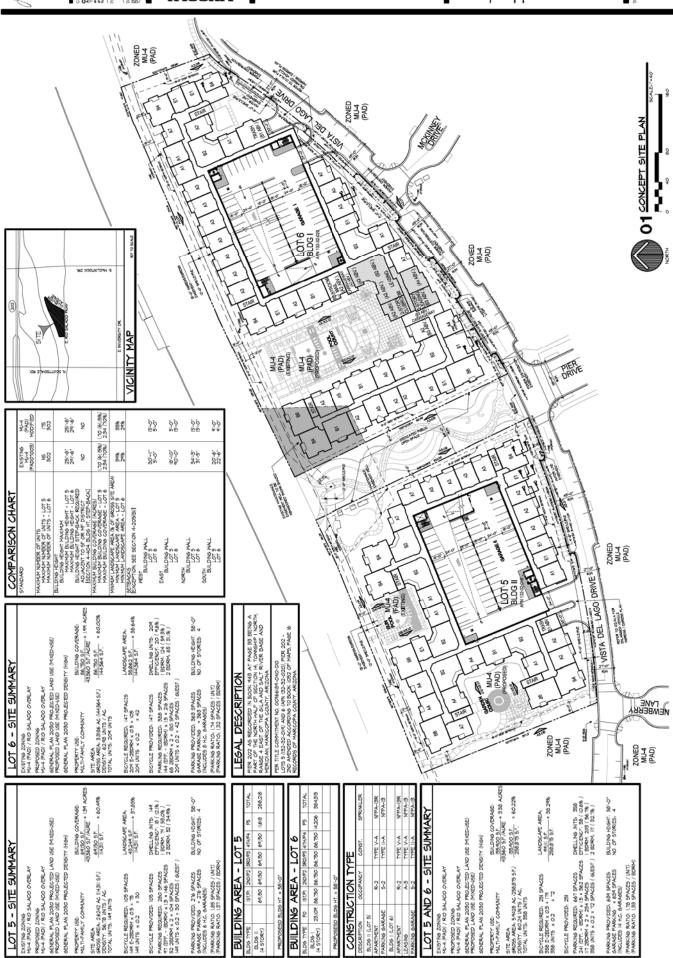
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LINCOLN PROPERTY COMPANY 2000 McKINNEY AVENUE SUITE 1000 DALLAS, TEXAS 75201

LEGAL DESCRIPTION, LOTS 5 AND 6 OF



က **BEC TBD** DS 130100 **GBT GA9** Womack+Hampton PAGE 3 OF ARCHITECTS, L.L.C. - TRACT A THE ORDER OF SECULDARY SEC 1201 A PORTION OF THE NORTHEAST QUARTER AND NORTHWEST QUARTER OF SECTION 14, TOWNSHIP I NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA REC TBD 2ND AMENDED PLANNED AREA OVERLAY FOR LOT 5 AND 6 OF SOUTHBANK P.A.D. EXHIBIT TEMPE TOWN LAKE 1202 TRACT B PAD TBD 1.3T2 **DS 130700**





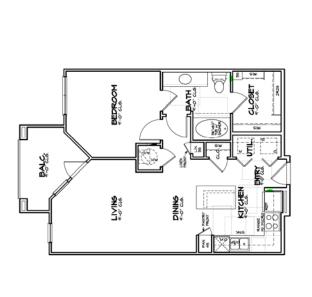


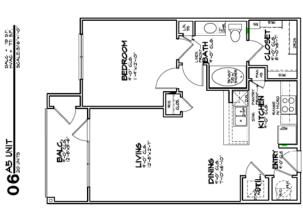


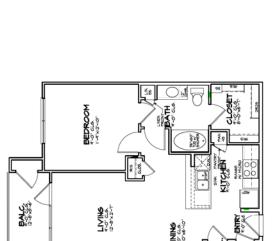


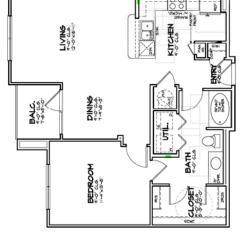


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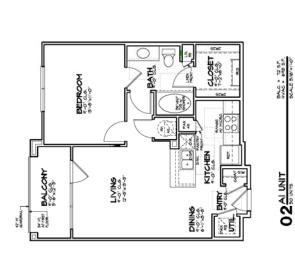


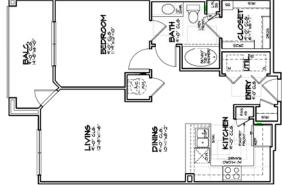
















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O1 EI UNIT

02 AI UNIT

BALC. = 80 9.F. HVAC = 141 9.F. SCALE:3/6"=1"O"

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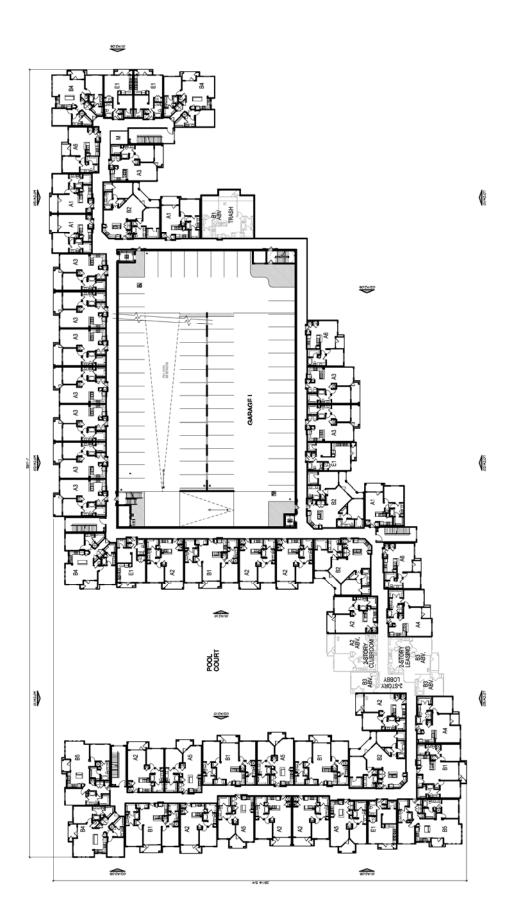










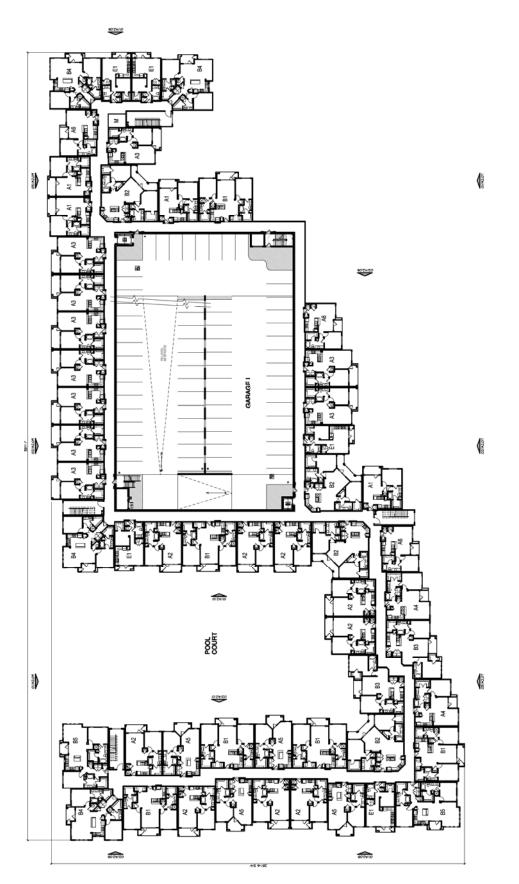










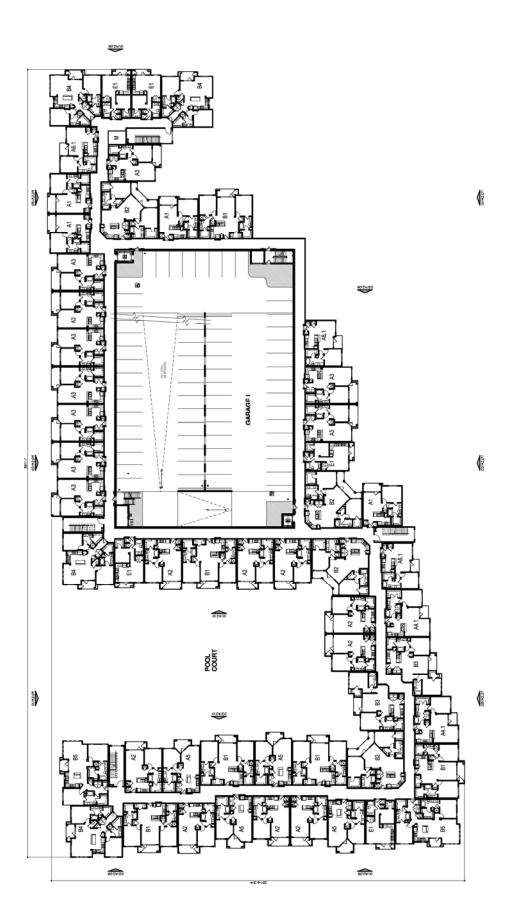








1450 E. VISTA DEL LAGO
TEMPE, ARIZONA

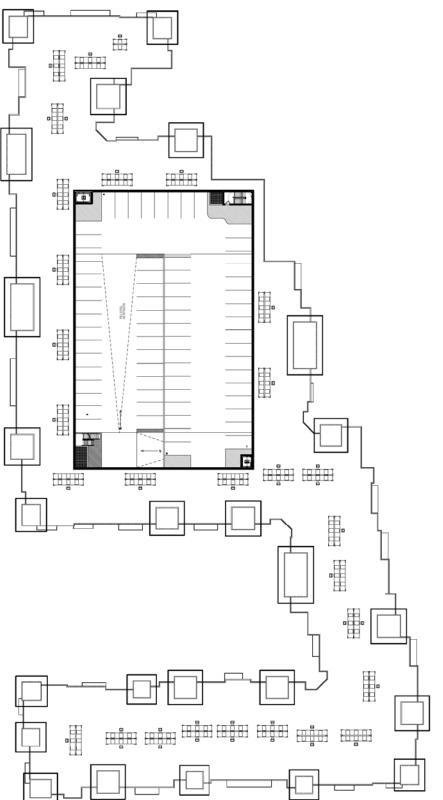


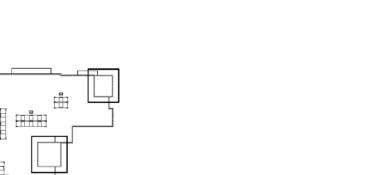






01 OVERALL - ROOF PLAN (BUILDING I LOT 6)

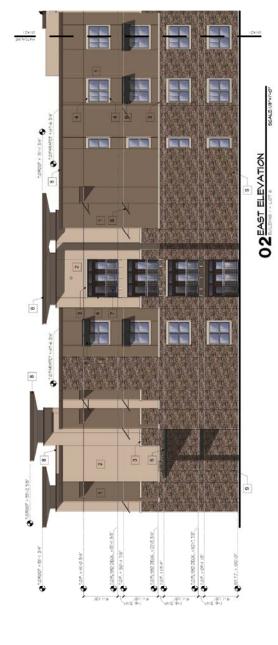








ALUMINUM STOREFRONT w.1" INSULATED Light Bronze Anadized Alumin im with Glazing





TEMPE, ARIZONA

A2.06 ELEVATIONS















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01 WEST ELEVATION

















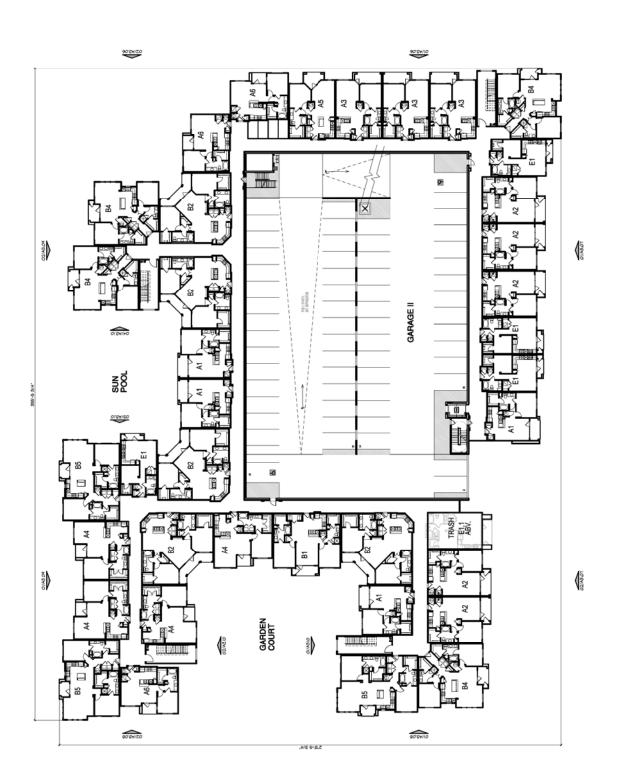








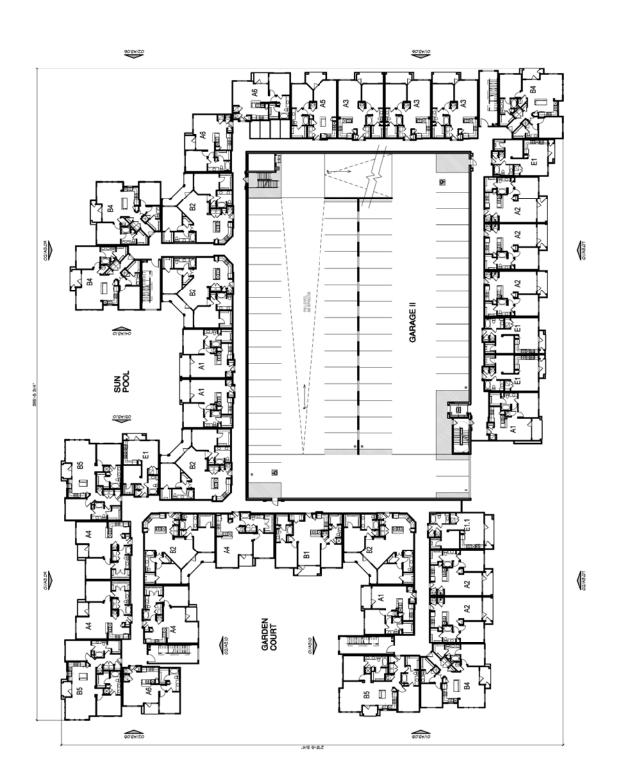


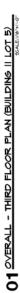










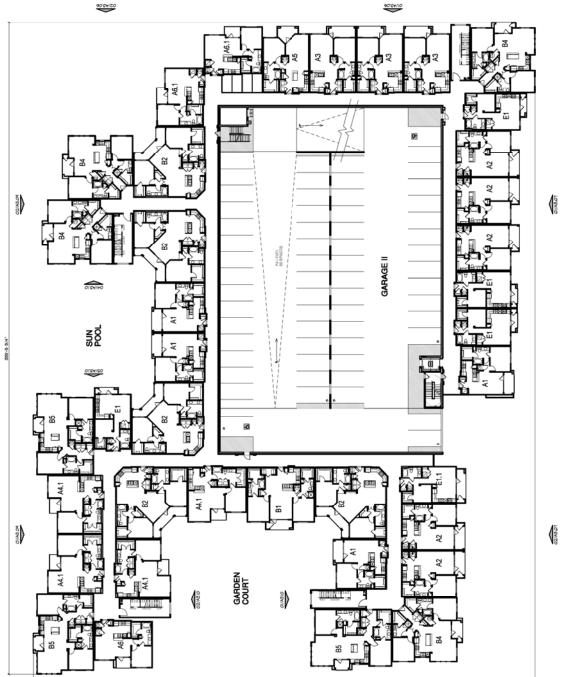












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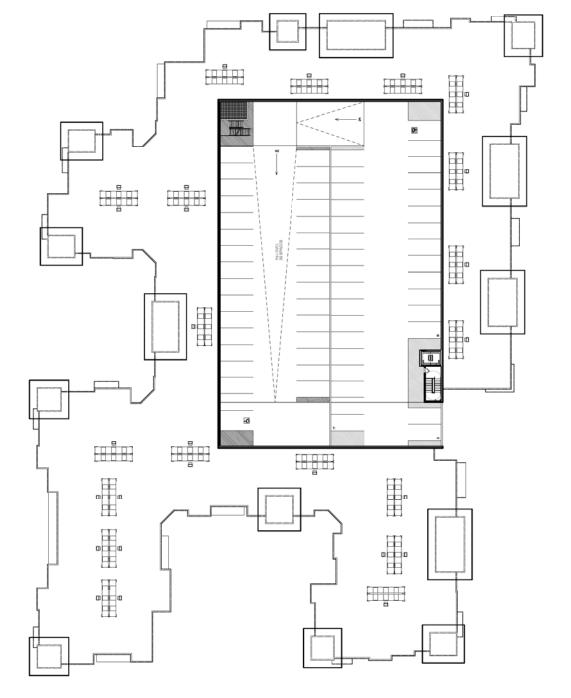




1450 E. VISTA DEL LAGO

LPC Southbank





01 OVERALL - ROOF PLAN (BUILDING II LOT 5)

ALUMINUM STOREFRONT w/ 1" INSULATED Light Bronze Anodized Alumin um with Glazing



01 EAST ELEVATION



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APET 1 147-6 3/4"



02 EAST ELEVATION





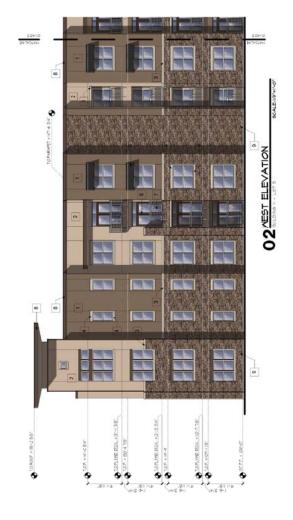






01 SOUTH ELEVATION

MATERIAL & COLOR LEGEND









A3.08 ELEVATIONS

MATERIAL & COLOR LEGEND

ALUMINUM STOREFRONT w/ 1" INSULATED Light Bronze Anodized Alumin um with Glazing













ATTACHMENT 32









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CULTURED STONE Dutch Quality Stone: Oypness Ledgestone

WINDOW HEAD AND SILL TRIM
PT.3: SW7511 Bingsiow Bege
FRENCH DOOR AND DOOR TRIM
PT.4: SW9006 Black Bean METAL CANOPY AND AWNINGS
PT-6: SWIZ29 Troon Black
METAL CANOPA AND AWNINGS
PT-6: SWIZ29 Troon Black

MATERIAL & COLOR LEGEND

- ALUMINUM STOREFRONT w/ 1" INSULATED GLASS
 Light Bronze Anodized Aluminium with Classing

03 SOUTH ELEVATION - BUILDING II LOT 5

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02 SOUTH ELEVATION - BUILDING I LOT



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BULDING I LOT ---

BUILDING II LOT

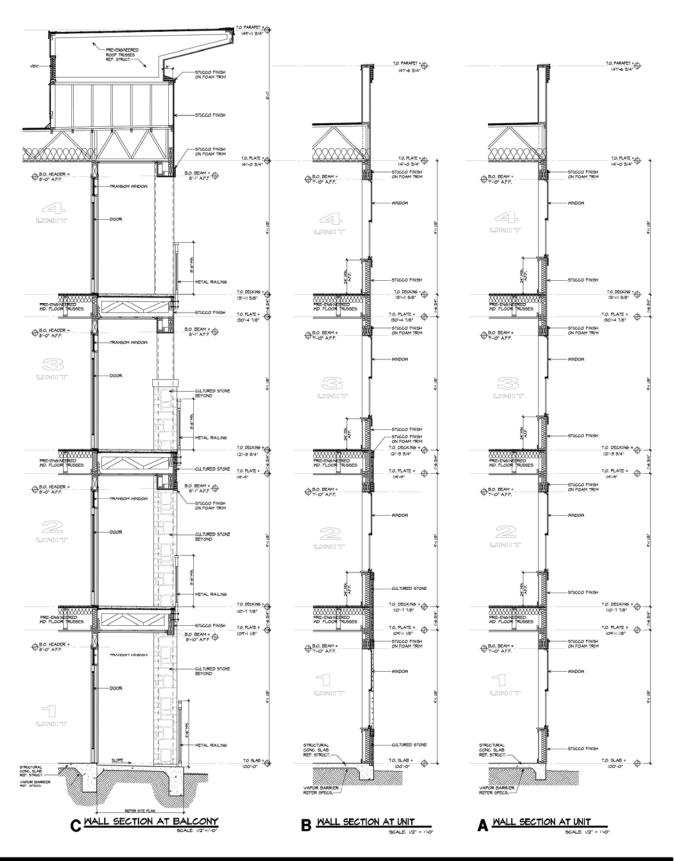
01 OVERALL SOUTH ELEVATION

A4.1 ELEVATIONS

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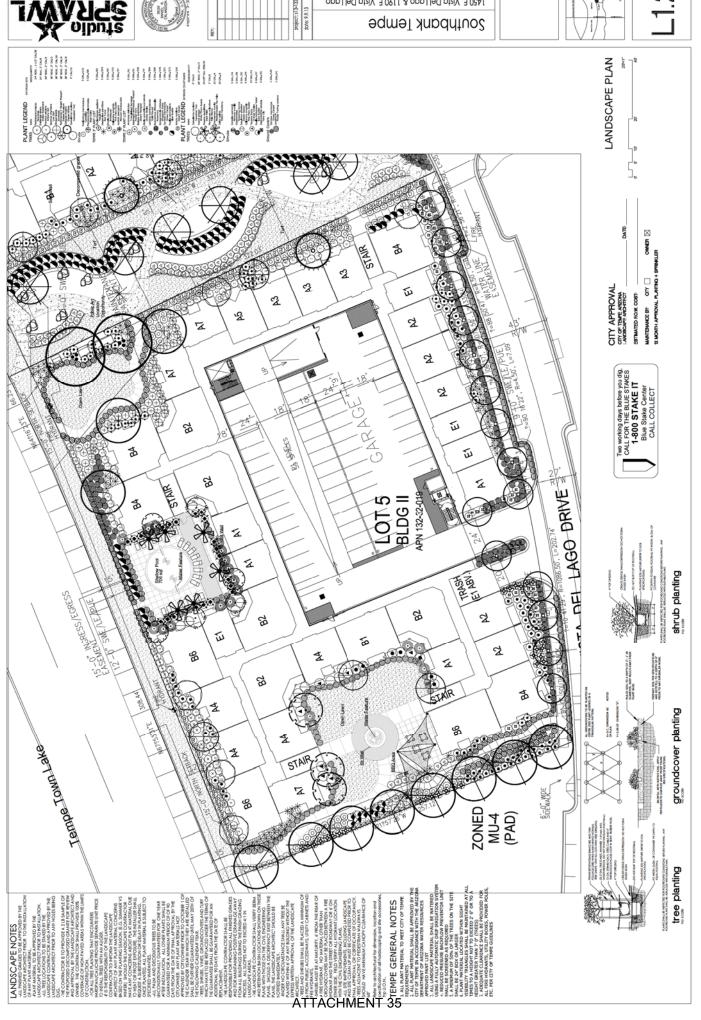




















1450 E. Vista Del Lago & 1190 E. Vista Del Lago



Iempe, AZ





