

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 07/08/2014
Agenda Item: 3**

ACTION: Request for a Technical General Plan Land Use Map Amendment, a Zoning Map Amendment, a request for an Amended Planned Area Development (PAD) and a Development Plan Review consisting of a new restaurant and retail building for SHOPS AT FOUNTAINHEAD (PL140094), located at 1537 West Broadway Road. The applicant is Justin Gregonis, Vertical Design Studios.

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 –Approval, subject to conditions

BACKGROUND INFORMATION: SHOPS AT FOUNTAINHEAD (PL140094) is located on the south east corner of Broadway Road and 55th Street, east of Bell Butte and the I-10 Freeway, adjacent to and north of residential apartments which were built as phase I of a Mixed-Use Planned Area Development. This request is the second phase, implementing the commercial component to the mixed use requirement. 55th Street is private property, owned by the City of Tempe at the north end adjacent to this site, including a remnant triangle of land proposed for incorporation with this site. The request for an amended Planned Area Development is to include this .18 acre portion of land into the existing PAD and does not impact the development standards of phase one, but would modify the development standards for this final phase of development. The request includes the following:

- GEP14003 Technical General Plan Land Use Amendment from no designation to Mixed Use on approximately .18 acres
- ZON14005 Zoning Map Amendment from Agricultural (AG) to Mixed Use Four (MU-4) on approximately .18 acres
- PAD14008 Planned Area Development Overlay to add a remnant parcel into an existing PAD for a total of 1.89 acres and to define the setbacks, lot coverage landscape area and building height for a commercial development within an MU-2 mixed use development.
- DPR14110 Development Plan Review including site plan, building elevations, and landscape plan



Property Owner	Robert Anderson, Birtcher Anderson Realty, LLC & Ken Olmstead, City of Tempe (remnant lot)
Applicant	Justin Gregonis, Vertical Design Studios
Current Zoning District	Mixed Use Four (MU-4) & Agricultural (AG) (remnant lot)
Gross/Net site area	1.89 acres
Total Building area	10,757 s.f.
Lot Coverage	13 % (24% maximum allowed by prior PAD)
Building Height	29 ft (20 ft, 1-story specified per prior PAD)
Building Setbacks	0' front (north, 0' street side (west), 20' side (east), 15' rear (south) (prior PAD did not specify for this site)
Landscape area	25% (15% minimum required per prior PAD)
Vehicle Parking	122 spaces (115 minimum required, 144 maximum allowed)
Bicycle Parking	22 spaces (21 minimum required)

ATTACHMENTS: Resolution, Ordinance, Development Project File

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

Department Director: Dave Nakagawara, Community Development Director
 Legal review by: N/A
 Prepared by: Diana Kaminski, Senior Planner

COMMENTS:

This site is located between Broadway Road to the north, Bell Butte and 55th Street to the west, the Doubletree Hotel and Priest Drive to the east and Fountainhead Corporate Park to the south. 55th Street is private property with divided ownership as real property, not a private or public street. The portion closest to Broadway Road is owned by the City of Tempe as part of a parcel of land that includes Bell Butte to the west and a remnant piece to the east. The portion of 55th Street that curves south is owned by the adjacent apartment communities and Fountainhead Corporate Park. As a result of the research for this project, it was determined that the Tempe parcel, which included the northern portion of 55th street and the small .18 acre triangle on the east side of the street, was considered public right of way, and was therefore not identified in the General Plan 2040 with a land use designation. The existing zoning of the remnant parcel was agricultural, from when the property was originally conveyed from Arizona Department of Transportation to the City of Tempe. The .18 acre lot has been vacant since acquisition from ADOT; the 1.71 acre lot has been vacant since the 1980s when Fountainhead Corporate Park developed. Since the triangular portion at the street front is owned by the City of Tempe and does not have a designation within the new General Plan, a technical amendment is needed to assign a land use designation to this portion of the proposed development. The Engineering and Land Services Division of Public Works has been working with the adjacent property owner and applicant on their request to purchase the remnant triangular piece, and to enter into a cross access agreement for use of 55th Street for the proposed new development.

The proposed development is phase two of the mixed-use development approved when the phase one apartments were approved in 2006. At that time, the Planned Area Development (PAD) identified a future phase two to include approximately 15,000 square feet of retail and restaurant use, with parking at the street front and the building pushed up along the eastern edge of the site closest to the apartments. The plan also included a pedestrian gate for access between the phases of the residential and commercial development, as part of the mix of uses within the development. Although there was no shared parking or retention, a sewer connection was planned through the residential development for the second phase, since there was no sewer access to this site. After completion of the apartment community, the lot was subdivided and sold to different owners, leaving the vacant lot undeveloped and both parcels lacking the required mix of uses to comply with the zoning. Development of this lot will fulfill the obligations of the original PAD and bring the site into compliance with the zoning. The applicant is working with the adjacent property owner to the east, for access to the sewer line originally designed as part of the phased development. The applicant is also working with the apartment community for provision of a secured gated pedestrian entry, allowing employees and customers of the commercial site who live in the apartment community to walk to the site from within their residential development. This gate will not be open to the public, but is required as part of the formerly approved development plan.

This request includes the following:

1. General Plan Land Use Technical Amendment to change .18 acres from no land use designation to Mixed-Use
2. Zoning Map Amendment from Agricultural AG to Mixed-Use Four MU-4 on .18 acres.
3. Planned Area Development Amendment to incorporate a remnant parcel of property into an existing PAD, define development standards for building height, lot and landscape coverage and setbacks on approximately 1.89 acres
4. Development Plan Review which includes: a site plan, landscape plan, elevations and colors and materials for two single story (26' tall) buildings with restaurant and retail uses totaling 10,757 square feet and 122 surface parked spaces and 22 bike parking spaces on 1.89 net acres.

The applicant is requesting the Development Review Commission take action on the item four listed above, and provide recommendations to City Council for items one through three listed above. For further processing, the applicant will need to purchase the remnant parcel from the City of Tempe and receive approval for a Subdivision Plat, to combine the remnant lot into the larger parcel.

PUBLIC INPUT

- Neighborhood meeting is required for this request, due to the General Plan Amendment, Zoning Map Amendment and additional property incorporated into to the Planned Area Development
- Neighborhood meeting held: June 18, 2014 from 6:00 p.m. to 7:00 p.m. at Double Tree Conference Center Galleria A Meeting Room, 2100 S Priest Drive.
- Community Development staff attended the meeting.
- One member of the public, a representative of the Fountainhead Corporate Park was present.

PROJECT ANALYSIS

GENERAL PLAN

Land Use Element:

The General Plan 2030 had the City of Tempe owned parcel designated as open space, during the General Plan development process in 2002, 55th Street was a frontage road and did not go through; it terminated as an access road to the cemetery. The road was part of an existing parcel designated open space due to the majority of the parcel being part of Bell Butte and the cemetery. By 2003, 55th Street was developed to provide access to the new apartments to the east, with an access agreement for the apartments to use City property to exit onto Broadway Road. The property was not dedicated as public right of way, but has the appearance of a public street. As a result of the infrastructure improvements, the street portion was left out of the parcel designation in 2013, during the development of General Plan 2040. The street was left white as streets are shown on the land use map. In order to change the zoning, a land use designation is necessary. In this case, the adjacent parcel to the east of the triangular piece is designated mixed use; therefore the proposed amendment is to conform to the adjacent land use for this portion of the site. As a City owned piece of land, this technical amendment is necessary in order to sell the property to the adjacent land owner for the purposes of development.

No density is proposed on this portion of the site, as the remnant is intended to facilitate the implementation of the commercial component of the existing residential development, approved previously as a mixed use site. Due to the proximity to the Broadway curve, and the .18 acre size of the land, it is not necessary to designate a density for this small area. It will be platted as part of the existing 1.71 acre site and developed with commercial uses incorporated into the existing planned area development.

Land Use and Development Chapter:

The Fountainhead Corporate Park has limited access to retail and restaurant services for existing employees and residents within the area. This site provides the opportunity for people who live and work in the area to bike or walk to nearby businesses, and for those waiting at the existing bus stop to have a safer and more comfortable transit wait. The proposed development fulfills the intent of providing a mix of uses with the existing apartments, and helps achieve a 20 minute city with access to more goods and services near housing and employment.

Economic Development Chapter:

This site has remained vacant during several cycles of the economy and is faced with challenging infrastructure needs because it is not connected to existing water and sewer facilities. The proposed development pushes the building to the street front for maximum visibility, in a street front design that activates the Broadway curve rather than turning its back to this major arterial. Parking is provided to assure sustainability to a variety of tenant mixes over time, and the intent is to create a small destination hub for residents and employees within walking and biking distance of the site. It is a unique property that finishes off the commercial requirements of an existing planned area development and serves as the gateway to Fountainhead Corporate Park and the western edge of Tempe.

Circulation Chapter:

The site provides ample vehicle and bicycle parking, has direct access to bus service from a stop adjacent to Broadway Road. The pedestrian paths are designed to minimize conflicts with cars, and driveways are spaced to provide ample turning time into and out of the site. There is sufficient stacking distance for the drive through and the parking area is heavily shaded with landscape trees, providing a comfortable pedestrian experience throughout the site.

Conservation Chapter:

The proposed design incorporates contemporary architecture compliant with building energy codes. Shade trees and shade canopies cover most of the building façade and site to reduce site heat impacts and cooling costs to the building.

Open Space, Recreation and Cultural Amenities:

The proposed site provides a meeting place for visitors going to Bell Butte or the cemetery. The activation of this corner provides a destination for cyclists or pedestrians living and working within the area. The proposed change in land use does not impact any existing parks or recreation facilities.

Public Facilities and Services:

The site will have municipal water and sewer connections, and may utilize City refuse collection. City fire and police services will be available as needed. The design of the building promotes a safe environment with visibility from the building to all sides of the property, with additional lighting in the area and activity support to reduce potential loitering and crime.

Section 6-303 D. Approval criteria for General Plan amendment (*in italics*):

1. *Appropriate short and long term public benefits*; the proposed change in land use facilitates the development of a challenged site that has remained vacant for decades, activation of the site provides more public safety and connectivity as well as needed retail and restaurant uses in an area lacking these amenities within walking or biking distance of a large employment hub and adjacent residences.
2. *Mitigates impacts on land use, water infrastructure or transportation*; a vacant parcel is subject to vandalism and crime, allowing development at the street front provides greater activity support for the existing transit stop. The development of the site will provide dust control and shade, mitigating air quality issues for adjacent residents and cooling the ambient temperature with a maintained landscape. The connectivity to the apartments to the east will resolve a utility access issue to this site, which lacks sewer infrastructure.
3. *Helps the city attain applicable objectives of the General Plan*; introducing new commercial uses to this major arterial commute corridor creates a hub of activity with easy access for pedestrians, bicyclists and motorists alike, supporting economic development and infill development of a challenged site.
4. *Provides rights-of-way, transit facilities, open space, recreational amenities or public art*; the proposed designation in land use does not provide additional right of way, open space, recreational amenities or public art, however it does enhance and provide benefits to the existing transit stop on Broadway, with shade, a place to purchase food or beverages while waiting for the bus, it creates a safer more comfortable experience for transit users. Bicyclist will benefit from the addition of secure bike racks at this location.
5. *Potentially negative influences are mitigated and deemed acceptable*; there are no foreseen negative impacts.
6. *Judgment of the appropriateness of the amendment with regard to market demands, and impacts on surrounding area, service, fiscal, traffic, historic properties, utilities and public facilities*; the site is separated from other uses by streets on two sides and is too small to use without connection to the parcel to the east, changing the land use maximizes the utility of this site and helps meet voids in the current market demands. A visual survey of the surrounding area shows a lack of retail and restaurant uses to serve this employment growth area.

ZONING

In 2006, zoning was change from GID, General Industrial District to MU-4, Mixed-Use to allow 308 residential units and 15,000 s.f. of retail, a second phase at the south east corner of 55th Street and Broadway Road. The second phase did not include the small .18 acre remnant owned by the City of Tempe, which was zoned AG, Agricultural. In order to develop this parcel with commercial uses, in fulfillment of the mixed-use designation on the remaining 1.71 acres, the corner needs to be zoned MU-4 Mixed Use. The additional land provides the greatest visibility for the commercial frontage on Broadway, increases the available parking to allow greater flexibility in tenant mix, and provides more separation from the phase one residents by pushing the building up to the street edge.

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

1. *The proposed zoning amendment is in the public interest*. The remnant property cannot be developed independent of the adjacent lot, by zoning the property mixed use and selling the property to the adjacent land owner, the City will benefit from the immediate sale of the land, the reduced maintenance burden of the remnant, which collects debris, and the long term property and sales tax revenues from the development of the parcel for a higher purpose.
2. *The proposed zoning amendment conforms with and facilitates implementation of the General Plan*; this was described in the previous section of the report analysis.

PLANNED AREA DEVELOPMENT

The Tenth Amended Planned Area Development for Fountainhead Corporate Park included two phases of a mixed-use development. The requirements of the PAD included a site plan for the retail phase as conceptual, with some development standards defined and others, such as setbacks, left to be determined. The 10th PAD also required the inclusion of a pedestrian gate, to provide access for residents who may live in the apartments and wish to work or patronize the businesses to the west. This requirement, along with a shared sewer connection, was the extent of the mixed or shared elements between the two lots, since the apartment community was gated and did not offer a fully integrated site with shared guest parking serving both lots. The original entitlements were completed in 2006. Subsequent to receiving the zoning entitlements, the site was subdivided and the vacant commercial lot was sold separately from the apartment community.

Through the site plan review process, it was determined that a corner piece, formerly excluded from the PAD, was not right-of-way, but private property owned by the City of Tempe, with no plans for use. The applicant requested the opportunity to purchase the corner remnant, for use as part of the new development, enabling the buildings to be placed closer to the street front. The applicant is currently in the acquisition process with the City of Tempe, and is requesting the amendment to the Planned Area Development contingent upon conveyance of the property for the purposes of development. The requested amendment would add approximately .18 acres to the development site, and would define the development standards for the proposed phase two commercial component, in fulfillment of the existing zoning requirements. Without the commercial development of this lot, the existing residential community remains incomplete and out of compliance with the mixed use zoning.

FOUNTAINHEAD – SHOPS AT FOUNTAINHEAD PAD Overlay		
Standard	EXISTING 10TH Amended MU-4 (PAD)	PROPOSED 11th Amended MU-4 (PAD)
Residential Density	17.65 for phase 1 development, based on original acreage	No change phase 1 No density phase 2
Building Height (feet) [Exceptions, see Section 4-205(A)] Building Height Maximum	38 ft. phase 1 20 ft. phase 2	No change phase 1 29ft. phase 2
Maximum Lot Coverage (% of net site area)	20% phase 1 24% phase 2	No change phase 1 25% phase 2
Minimum Landscape Area (% of net site area)	42% phase 1 37% phase 2	No change phase 1 28% phase 2
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]		
Front	24 ft phase 1 Undefined phase 2	No change phase 1 0 ft phase 2
Parking	20 ft	20 ft
Side	10 ft phase 1 Undefined phase 2	No change phase 1 20 ft phase 2
Rear	10 ft phase 1 Unspecified phase 2	No change phase 1 15 ft phase 2
Street Side	Unspecified	0 ft phase 2
Parking	625 spaces phase 1 58 spaces phase 2	No change phase 1 122 spaces phase 2
Bicycle Parking	20 spaces phase 1 2 spaces phase 2	No change phase 1 22 spaces phase 2

The subject site has market viability for a cluster of small retail and restaurant tenants serving employees of surrounding office and industrial uses and adjacent residents. The increased lot area provides greater flexibility in commercial tenant mix, which was previously limited by parking availability to retail uses. The reduction in landscape area is needed to provide the required amount of parking to support restaurant uses. The location of the building provides a larger visual separation for the residents to the east: the prior design had a 15 foot landscape strip directly behind the 20 foot tall building located at the east side of the lot, with parking visible at the street front. The new design puts the building at the street front, parking behind the building, and a 10 foot landscape strip with room for trees to grow along the eastern perimeter. The design places the landscape areas for maximum shade to the parking areas, with significantly more shade cover of the parking. As the northern entry to Fountainhead Corporate Park, this site has the first building visible after Bell Butte for eastbound traffic on Broadway Road. The proposed height increase is to provide greater street front presence, and massing more in character with the adjacent 38 foot tall apartments and taller commercial developments within Fountainhead. The building setbacks proposed in the PAD are minimums, however the proposed site plan has actual building setbacks of 8 to 21 feet on Broadway, 11 to 16 feet on 55th Street, and 75 feet on the east side, adjacent to the residents. The requested modifications to the existing Planned Area Development are necessary to increase the lot area utilized for implementation of phase 2, for compliance with the mixed-use requirements of the existing zoning.

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

1. *The proposed land uses are allowable in Part 3; commercial retail and restaurant are allowed uses;*
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 are appropriate to the surrounding area*
3. *The conditions of approval are reasonable to ensure conformance with the provisions of the Zoning and Development Code.*

DEVELOPMENT PLAN REVIEW

Site Plan

The site plan has two pad buildings; the first is located approximately 8 feet from the corner of 55th Street and Broadway, and 21 feet from the right-of-way on Broadway road, adjacent to an existing bus stop. The second building is set back 33 feet from the right of way, east of the first building, to allow a drive-through with required screening and landscape. The buildings are connected by a canopy creating a veranda along the street front north elevation, wrapping the east and west elevations, providing shade to all sides of the building, including a portion of the drive through. This canopy creates patio areas to serve the businesses. Trees along the primary entrance drive and the perimeter shade the parking area. The primary access is a right in and right out drive on Broadway Road; a secondary entrance drive on 55th Street requires a cross access agreement with the City for access from the private property. Interior circulation provides accessible parking to both buildings, pedestrian access from the bus stop as well as via a gate and sidewalk from the residences to the east and significant bike parking to promote alternative modes of transportation to the site. The drive through provides ample stacking distance separated from the primary parking area, to avoid conflicts with drive through customers and parking customers. The site plan takes into consideration the proximity of the site to nearby residents, and creates an active street front entry to Fountainhead.

Building Elevations

The low horizontal form of the buildings uses banding of integral colored masonry in smooth faced peach colored cmu and sand blased exposed aggregate plum colored cmu. The linear form is reinforced by metal panels with a brushed zinc finish. Building elements, integral colored tones of EFIS material, and a pedestrian scaled standing metal seam patio connecting the buildings with a warm gold opaque stained wood framed structure with metal support columns. The materials are designed to reflect the construction of the building, creating a sustainable product that requires little maintenance. The use of low emission glazing and shade around the building perimeter will make a comfortable and energy efficient building. The colors are reflective of natural tones found in the nearby Bell Buttes and the style is similar to other nearby contemporary buildings.

Landscape Plan

The proposed plant palette includes Desert Museum trees along Broadway and at the primary entrance drive. Mesquites are placed along 55th Street. Sissoo trees are used along the eastern perimeter adjacent to the residential development for year round screening. Smaller patio trees include Cascalote and Mountain Laurel, for additional color and biodiversity. The

landscape along the street front is includes massings of sculptural plants such as Aloe Vera, Blue Elf Aloe, Desert Spoon, Golden Barrel, Candellilla, Gopher Plant, Dwarf Regal Mist Grass, and Mexican Fence Post Cacti. Ground covers, shrubs and vines include Turpentine Bush, Cat's Claw Vine, Yello Dot and Purple Heart Plant. Decomposed granite in express brown (3/8" minus) and 1-2.5" fractured rip rap in express gold are accented with select granite boulders to provide textural variety in the stone ground cover. Agaves are planted behind the refuse enclosure and along the eastern perimeter. The overall site concept is patterned with groupings of plants that create rhythm and textural interest throughout the property.

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 buildings are placed at the street front, away from the residences to the east. There are two structures staggered at different depths from the street, connected by an awning, providing variety in the façade and uniformity in the 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 design provides significant shade to the building for comfort and energy conservation, landscape trees provide shade to the parking area t reduce heat gain.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings*; materials are presented in their natural form, including metal, two masonry unit types, glass, EFIS and wood, providing a lot of texture and variety on relatively small structures.
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings*; the buildings are the entryway to Fountainhead Corporate Park, which consists of a large range of building types and sizes, all with a relatively lush landscape palette. This site is xeriscape, balancing the natural look of the butte to the west with a lush tree canopy reflective of the context of the surrounding developed areas.
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 use of the column canopies and glazing create a repeat pattern along the street front, masonry grounds the building with a strong base and the lighter metallic tones provide a reflective surface that lightens the top of the building.
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*; by bringing the building to the street front, the visibility is greater than typical commercial strip centers with buildings set back and emphasis on parking, the emphasis at this location is on the buildings, which are scaled to enhance the pedestrian experience.
7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage*; the design provides emphasis on the pedestrian experience with walkways from the bus stop, the apartment community and the parking lot, converging to a shaded walkway that surrounds the buildings. Although the site is relatively small, the proposed uses are intended to draw largely from the businesses to the south and residences to the north east, as well as bus/bike commuters: the site is only required to have 21 bike parking spaces, but 22 spaces are being provided to encourage alternative transportation.
8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses*; The location of the driveways and the drive through are designed to reduce pedestrian-vehicle conflicts and provide safe pathways of travel from all sides of the site.

9. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance*; the site is designed for visual surveillance of both the street front, where the bus stop is located, and the parking area to the south, vegetation is designed to provide clear views of the property, and discourage hiding behind the refuse area, with agaves planted near the gate connection to the residential area. The gate is available for residents only, and will utilize a key card access to and from the site. Key card access shall be the responsibility of the apartment management.
10. *Landscape accents and provides delineation from parking, buildings, driveways and pathways*; the landscape is used as a sculptural element throughout the site, massing of specimens highlight the corner of the site, and trees are used to create an arboreal entryway from Broadway.
11. *Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects*. Lighting is being designed to minimize impacts to residents to the east, while providing a safe evening experience for patrons and employees of the site.

Conclusion

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

REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use for this site.
2. The project will meet the development standards required under the Zoning and Development Code.
3. The site is required to provide commercial and required to have access to the residential project the east, through the existing PAD overlay used for the development of phase one: this development fulfills the requirement of the existing MU-4 PAD.
4. The proposed project meets the approval criteria for a Development Plan Review.

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 September 4, 2016, or the Planned Area Development of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process as a zoning map amendment.
2. A recorded cross access agreement is required for access to the drive off of 55th Street, prior to issuance of building permits.
3. The Planned Area Development for the additional corner lot is valid only with the purchase of property; failure to procure the property prior to issuance of building permits will result in the existing approved 10th Amended PAD remaining the valid entitlement for the remainder of the site.
4. An amended Subdivision Plat is required for this development and shall be recorded prior to issuance of building permits.
5. 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 October 6, 2014, or the amended Planned Area Development approval shall be null and void.
6. The 11th Amended Planned Area Development Overlay for FOUNTAINHEAD CORPORATE PARK 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.

Site Plan

7. Provide service yard and mechanical yard walls that are at least 8'-0" tall as measured from adjacent grade and are at least the height of the equipment being enclosed, whichever is greater. Verify height of equipment and mounting base to ensure that wall height is adequate to fully screen the equipment.
8. 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.
9. Coordinate access at pedestrian gate with apartment community management to provide secured key access to residents on both sides of the pedestrian gate; provide Knox box or lock access for fire and police access. Key access to be provided from Shops at Fountainhead side with a passage function from the apartments.
10. Provide upgraded paving at each driveway consisting of unit paving. Extend this paving in the driveway from the right-of-way line to 20'-0" on site and from curb to curb at the drive edges. From sidewalk to right-of-way line, extend concrete paving to match sidewalk.
11. 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.
12. Place exterior, freestanding reduced pressure and double check backflow assemblies in pre-manufactured, pre-finished, lockable cages (one assembly per cage). If backflow prevention or similar device is for a 3" or greater water line, delete cage and provide a masonry or concrete screen wall following the requirements of Standard Detail T-214.

Floor Plans

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

Building Elevations

14. The materials and colors are approved as presented:
 - Roof – flat with parapet
 - Primary Building – Integral colored masonry – smooth finished peach color
 - Secondary Building – Integral colored masonry – exposed aggregate plum color
 - Secondary Building – Integral colored EIFS stucco finish to match:
 - Sherwin Williams SW7503 Sticks & Stones, LRV 32
 - Sherwin Williams SW7669 Summit Gray LRV 29
 - Accents – Clear anodized aluminum and brushed zinc finish
 - Canopy Roof – Standing metal seam, silver color
 - Canopy Frame & Trim – Wood stained opaque Sherwin Williams 3034 Cedar LRV 19
 - 22 gauge metal cap flashing
 - Hollow metal doors painted to match the building
 - Aluminum storefront with 1" insulated low E glazing

Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Additions or modifications may be submitted for review during building plan check process.

15. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
16. Conceal roof drainage system within the interior of the building.
17. 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.
18. Electrical service entrance section (S.E.S.) cabinets attached to the east side exterior of the building must be relocated inside the building, integrated into the building architecture or concealed from public view.
19. Upper/lower divided glazing panels in exterior windows at grade level, where lower glass panes are part of a divided pane glass curtain-wall system, shall be permitted only if laminated glazing at these locations is provided.

Lighting

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

Landscape

22. The plant palette is approved as proposed and specified on the landscape plan. Any additions or modifications may be submitted for review during building plan check process.
23. 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 1/2" feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than 1/2". 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.
24. 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.
25. 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.
26. 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.
27. 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

28. Provide address signs on the building elevation facing the street to which the property is identified (1537 W Broadway) and on the east and south elevations, do not put address numerals on the west elevation (facing 55th Street).
 - 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.

- 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 and all other Building Safety forms at this link: www.tempe.gov/index.aspx?page=1033. The enclosure details are under Civil Engineering & Right of Way.
- **BASIS OF BUILDING HEIGHT:** Measure height of buildings from top of curb at a point adjacent to the center of the front property line.
- **WATER CONSERVATION:** Under an agreement between the City of Tempe and the State of Arizona, Water Conservation Reports are required for landscape and domestic water use for the non-residential components of this project. Have the landscape architect and mechanical engineer prepare reports and submit them with the construction drawings during the building plan check process. Report example is contained in Office Procedure Directive # 59. Refer to this link: www.tempe.gov/modules/showdocument.aspx?documentid=5327. Contact Public Works Department, Water Conservation Division with questions regarding the purpose or content of the water conservation reports.
- **HISTORIC PRESERVATION:** State and federal laws apply to the discovery of features or artifacts during site excavation

(typically, the discovery of human or associated funerary remains). Contact the Historic Preservation Officer with general questions. Where a discovery is made, contact the Arizona State Historical Museum for removal and repatriation of the items.

- SECURITY REQUIREMENTS :

- Design building entrance(s) to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and design columns or corners to discourage opportunity for ambush opportunity. Maintain distances of 20'-0" or greater between a pedestrian path of travel and any hidden area to allow for increased reaction time and safety.
- Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference the CPTED principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian environments and places of concealment.
- Provide a security vision panel at service and exit doors (except to rarely accessed equipment rooms) with a 3" wide high strength plastic or laminated glass window, located between 43" and 66" from the bottom edge of the door.

- 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.

- 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.
- LANDSCAPE:
 - Prepare an existing plant inventory for the site and adjacent street frontages. The inventory may be prepared by the Landscape Architect or a plant salvage specialist. Note original locations and species of native and "protected" trees and other plants on site. Move, preserve in place, or demolish native or "protected" trees and plants per State of Arizona Agricultural Department standards. File Notice of Intent to Clear Land with the Agricultural Department. Notice of Intent to Clear Land form is available at www.azda.gov/ESD/nativeplants.htm . Follow the link to "applications to move a native plant" to "notice of intent to clear land".
- SIGNS: Separate 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. Directional signs are subject to review by planning staff during plan check process.

HISTORY & FACTS:

May 3, 1962	A subdivision plat for Peterson Park Neighborhood was recorded at the Maricopa County Recorder's Office.
1969	Council approved a Final Subdivision Plat for Freeway Commerce Center, a 157.4 acre parcel with 10 tracts, and a rezoning of the site from R-1 to C-2 & 1-2. Fountainhead Corporate Park is 94.48 gross acres (excluding the Fiesta Inn) planned for a 2,200,336 s.f.. master planned office development.
March 23, 1972	Council approved a site plan for the Freeway Commerce Center's Sheraton Inn located at the south west corner of Priest and Broadway.
August 22, 1974	Council approved a request for street dedications of portions of 55th Street and Cairo Drive.
December 17, 1976	Council approved a re-plat for Freeway Commerce Center.
March 1983	Council approved a Preliminary P.A.D. for Fountainhead Corporate Park for 1,250,000 s.f. on 79 undeveloped acres. Also granted were height variances for seven buildings at 12, 10, 6 and 4 stories.
December 22, 1983	Council approved a Final P.A.D. for Fiesta Center Phase I (now Park Garden Center) consisting of 130,520 s.f. on 4.8 acres and modified conditions on the overall P.A.D.
July 13, 1988	Council approved an Amended Preliminary P.A.D. for Fountainhead Corporate Park consisting of 2,450,000 s.f. (excluding townhomes and hotel) with height variances for office towers 60-270' high, and a Final P.A.D. for Phase 2 (park Bridge) consisting of 173,249 s.f. on 8.3 acres with two variances.
June 30, 1994	City Council approved an Amended Preliminary P.A.D. for Fountainhead Corporate Park consisting of 3,022,000 s.f. on 89 net acres and a Final Planned Area Development for Phase III consisting of

145,000 s.f. total (including parking garage) on 10 net acres.

- October 27, 1994 City Council approved an Amended Final P.A.D. for Fountainhead Corporate Park for Phase III consisting of 145,000 s.f. total (including parking garage) on 10 net acres.
- August 15, 1996 City Council approved a Second Amended Preliminary P.A.D. for Fountainhead Corporate Park consisting of 2,823,000 s.f. on 91.6 acres and a Final Planned Area Development for Phase III R (Site 12) consisting of 171,896 s.f. total (including parking garage) on 10.9 acres.
- February 12, 1998 City Council approved a request by Sunland Regional Center for a Site Plan consisting of 260,206 s.f. of building area for three 3-story office buildings; 39,983 s.f. for an office/warehouse building; a 3-level parking structure; and a 4-level parking structure, all on 21.3 net acres, including two height variances.
- February 6, 2003 City Council approved an Amended Subdivision Plat for Fountainhead Corporate Park of Lots 2, 2A, 3, 3A, 4, 4A, 5, 6, and 10 of the recorded Freeway Commerce Center.
- July 10, 2003 City Council approved a General Plan 2020 Amendment from Commercial: Retail to Commercial: Mixed Use land use designation on 9.51 gross acres (Phase 11B). Council also approved a zoning change from C-2, General Commercial and 1-2 General Industrial, to MG, Multi-Use General District on 9.51 gross acres (Phase 11B) and an Amended Preliminary Planned Area Development (PAD) consisting of 2,200,336 s.f. (1,899,936 s.f. of office space, 52,000 s.f. of commercial space, and 248,400 s.f. for 204 residential condominiums), on 90.75 net acres.
- October 7, 2004 City Council approved the request by Fountainhead Corporate Park for an Amended Final Subdivision Plat consisting of nine (9) lots on 90.76 net acres, located at 1535 West Broadway Road. #SBD-2004.73
- November 18, 2004 City Council approved the request by Fountainhead Corporate Park for a 5th Amended Preliminary Planned Area Development for Fountainhead Corporate Park, consisting of 1,896,400 s.f. of total building area on 74.58 gross acres. The proposed request will result in removal of sites three and four from the Planned Area Development previously approved. #SPD-2004.61
- November 18, 2004 City Council approved the request by Fountainhead Park Plaza for a Preliminary and Final Planned Area Development for Park Plaza, a portion of Sites 3 & 4 of Fountainhead Corporate Park (Lot 6 of the Replat). Consisting of a 101,300 square feet of office building. #SPD-2004.74
- July 7, 2005 City Council approved the request by Fountainhead Corporate Park Lot 1A (Amberjack LTD, owner) for a Subdivision Plat, consisting of two (2) lots on 9.52 net acres, located at 1605 West Broadway Road. #SBD-2005.57 (CC050034)
- July 21, 2005 City Council approved the request by Fountainhead Corporate Park for an Amended Planned Area Development Overlay for Fountainhead Corporate Park consisting of 1,468,400 s.f. total building area on 74.58 net acres and a use permit to allow a 75,000 s.f. educational facility on Lot 7 in the GID, General Industrial District located at 1630 West Alameda Drive. #SPD-2005.54 (CC050032)
- November 21, 2005 Development Services Department staff has approved the request for an Amended Planned Area Development for Fountainhead Corporate Park- Phase IV I Lot 7, consisting of 165,000 s.f. total building area on 22.27 net acres, located at 1636 West Alameda Drive.
- January 10, 2006 Planning & Zoning Commission heard a request for a Zoning Map Amendment from GID to MU-4 and an Amended Planned Area Development for 10.7 acres. The proposed development included a phase one apartment community and a phase two commercial development on 1.7 acres.

- February 15, 2006 Development Review Commission approved the building elevations, site plan and landscape plan for Fountainhead Apartment Community.
- February 16, 2006 City Council approved the request by Fountainhead Lot 3 (Birtcher Arizona for Amberjack, Ltd, property owner) for an Amended Subdivision Plat, consisting of two (2) lots on 5.45 net acres, located at 2200 South Priest Drive. (#SBD-2006.08)
- March 2, 2006 City Council approved the request by Fountainhead Apartments for a Zoning Map Amendment from GID, General Industrial District to MU-4, Mixed-Use High Density District on 10.7 net acres; and an Amended Planned Area Development for Fountainhead Corporate Park, Lots 1 and 9, consisting of 372,448 s.f. total building area for 308 residential units and 15,000 s.f. of retail on 17.4 net acres located at 1605 West Broadway Road.
- June 15, 2006 City Council approved the request by Fountainhead Lot 7 (Birtcher Arizona for Amberjack, Ltd, property owner) for an Amended Subdivision Plat consisting of three (3) lots on 22.27 net acres, located at 2400 South 55th Street, in the GID, General Industrial District. (SBD-2006.54)
- September 21, 2006 City Council Approved a request for an Amended Subdivision Plat consisting of two lots on 8.51 acres, allowing the subdivision of an existing MU-4 zoned property into two lots to be developed in two phases.

ZONING AND DEVELOPMENT CODE REFERENCE:

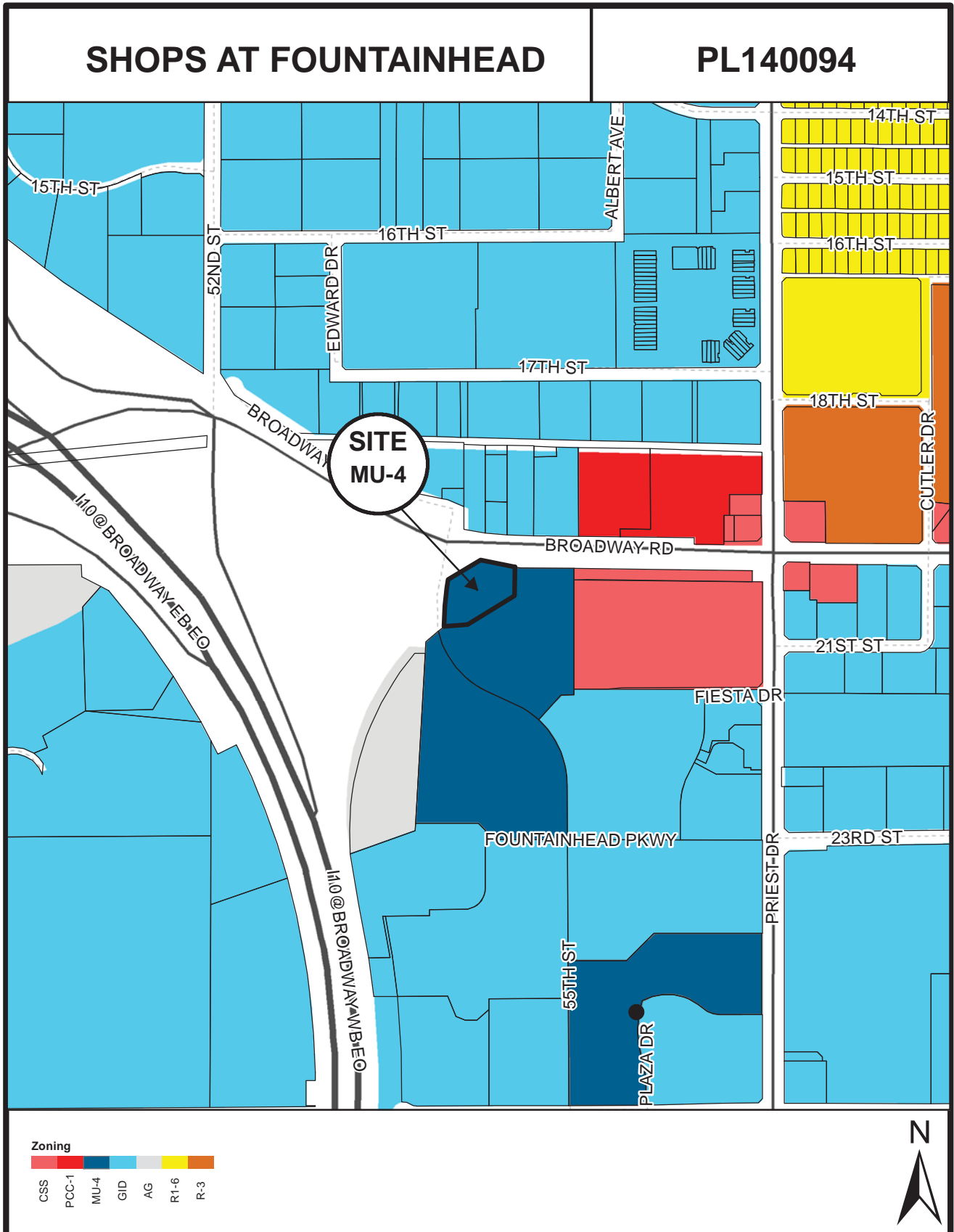
Section 6-305, Planned Area Development (PAD) Overlay districts
 Section 6-306, Development Plan Review



DEVELOPMENT PROJECT FILE
for
SHOPS AT FOUNTAINHEAD

ATTACHMENTS:

1. Location Map
2. Aerial
3. Letter of Explanation
4. PAD Cover Sheet
5. Site Plan
6. Landscape Plan
7. Floor Plan
8. Black & White Elevations
9. Color Elevations
10. Building Section
11. Three Dimensional Renderings
12. Photographs



Location Map

SHOPS AT FOUNTAINHEAD	PL140094
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Aerial Map

May 28, 2014

LETTER OF EXPLANATION

Shops at Fountainhead
1537 West Broadway Road
Tempe, AZ

Development Plan Review

This development plan review submittal contains information for a new one-story +/-10,750 sf retail shops building on a 1.89 Ac site located on the southeast corner of 55th St & Broadway Road.

The building is pushed forward on the site and is set back approximately 30' from Broadway Road. This approach requires 4-sided architecture as there is not a true back side. The 24' tall building is a contemporary design that creates a statement along Broadway Road while acknowledging the pedestrian scale because of its adjacency to the public sidewalk and bus stop located immediately in front of it. The building is constructed primarily of integral colored masonry with metal accent elements at select corners. There is a steel and wood canopy that wraps the entire building to help shade the storefronts and create flexible patio space for the multiple tenants. A drive thru breaks up the building mass while also helping screen the drive thru window by keeping it between the two building masses. A nice variation in trees, bushes, and groundcover is used in a contemporary way to work with the building architecture and enhance the overall project.

Based on its location within Tempe we believe it will have significant pedestrian and bicycle traffic. This has been taken into account with how the building is set on the site by providing well lit and easily accessible paths of travel to the building from the street/bus stop, as well as a secured pedestrian entrance directly into the apartments to the south. The parking field is efficient and the main drive aisle allows for easy access between 55th Street and Broadway Road. A lighted intersection at 55th Street and Broadway Road will allow for right and left turns onto Broadway Road.

Amended Planned Area Development

This submittal also contains information for an amended Planned Area Development (PAD). The site area is increased from 1.71 Acres to 1.89 Acres as the vacant northwest corner has been purchased from the City of Tempe. The setbacks on the front and street side have also been defined as 0'-0" setbacks. This proposed change is the result of pushing the building towards the street and away from the adjacent apartments to the South. This creates a nice buffer between commercial and residential. The allowable building height is being amended to 28'-6" from 20'-0". The increase in height allows the building to create more of a statement along Broadway and functionally allows the rooftop mechanical units to be completely screened. The landscape coverage is being reduced from 37% to 30% which is consistent with other commercial developments.

ELEVENTH AMENDED PLANNED AREA DEVELOPMENT OVERLAY FOR FOUNTAINHEAD CORPORATE PARK

A PORTION OF THE NORTHEAST QUARTER, SECTION 9, TOWNSHIP 1 NORTH, RANGE 4 EAST,
GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

ACKNOWLEDGEMENT

ON THIS ____ DAY OF _____, 2014 BEFORE ME,
THE UNDERSIGNED PERSONALLY APPEARED
BOB ANDERSON WHO ACKNOWLEDGED HIMSELF
TO BE THE PERSON WHOSE NAME IS SUBSCRIBED
TO THIS INSTRUMENT WITHIN, AND WHO EXECUTED
THE FOREGOING INSTRUMENT FOR THE PURPOSES
HEREIN CONTAINED.

IN WITNESS THEREOF, I HEREUNTO SET MY HAND
AND OFFICIAL SEAL.

BY: _____
NOTARY PUBLIC MY COMMISSION EXPIRES _____

BIRTCHE ANDERSON REALTY, LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____
OWNER DATE _____

ITS: CEO

LEGAL DESCRIPTION

LOT 2, FOUNTAINHEAD APARTMENTS, ACCORDING TO
THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY
RECORDER OF MARICOPA COUNTY, ARIZONA,
RECORDED IN BOOK 889 OF MAPS, PAGE 5.

APPROVAL

APPROVED BY THE CITY OF TEMPE COMMUNITY DEVELOPMENT
DEPARTMENT ON THIS ____ DAY OF _____, 2014

OWNER/DEVELOPER

BIRTCHE ANDERSON REALTY, LLC
31910 DEL OBISPO, SUITE 100
SAN JUAN CAPISTRANO, CA 92675

PROJECT DATA

ZONING:
MU-4 (EXISTING)

BUILDING HEIGHT:
MAX ALLOWED: 28'-6"

BUILDING LOT COVERAGE:
MAX. ALLOWED: 25%

SITE LANDSCAPE COVERAGE:
MIN. ALLOWED: 28%

BUILDING SETBACKS:
FRONT REQUIRED: 0'-0"

SIDE REQUIRED: 20'-0"

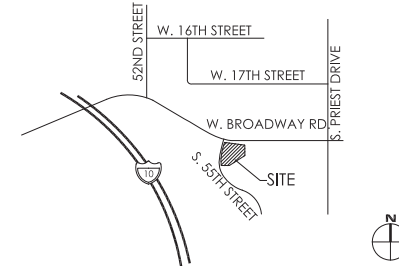
REAR REQUIRED: 15'-0"

STREET SIDE REQUIRED: 0'-0"

VEHICLE PARKING QUANTITY:
REQUIRED: 115 SPACES
RETAIL (3,000 SF @ 1/300 SF): 10 SPACES
RESTAURANT (7,757 SF @ 1/75 SF): 104 SPACES
PATIO > 300SF (150 SF @ 1/150 SF): 1 SPACE
PROVIDED: 122 SPACES

BICYCLE PARKING QUANTITY:
REQUIRED: 21 SPACES
PROVIDED: 22 SPACES

VICINITY MAP



CONDITIONS OF APPROVAL: PAD14008

GENERAL NOTES:

DS140255

PAD14008

REC14019

REC14019

PAD14008

DS140255

ARCHITECT

VERTICAL
DESIGN STUDIOS
4400 E. Camel Center Rd., Ste. 100
Phoenix, AZ 85044
PH: 602.998.1000
P: 602.998.1005

SEAL

CONSULTANT

BirtcherAnderson
Realty, LLC

OWNER

BirtcherAnderson
Realty, LLC

PROJECT DESCRIPTION

Shops at Fountainhead
Retail Shops
1537 West Broadway Road
Tempe, Arizona

DATE:
REVISIONS

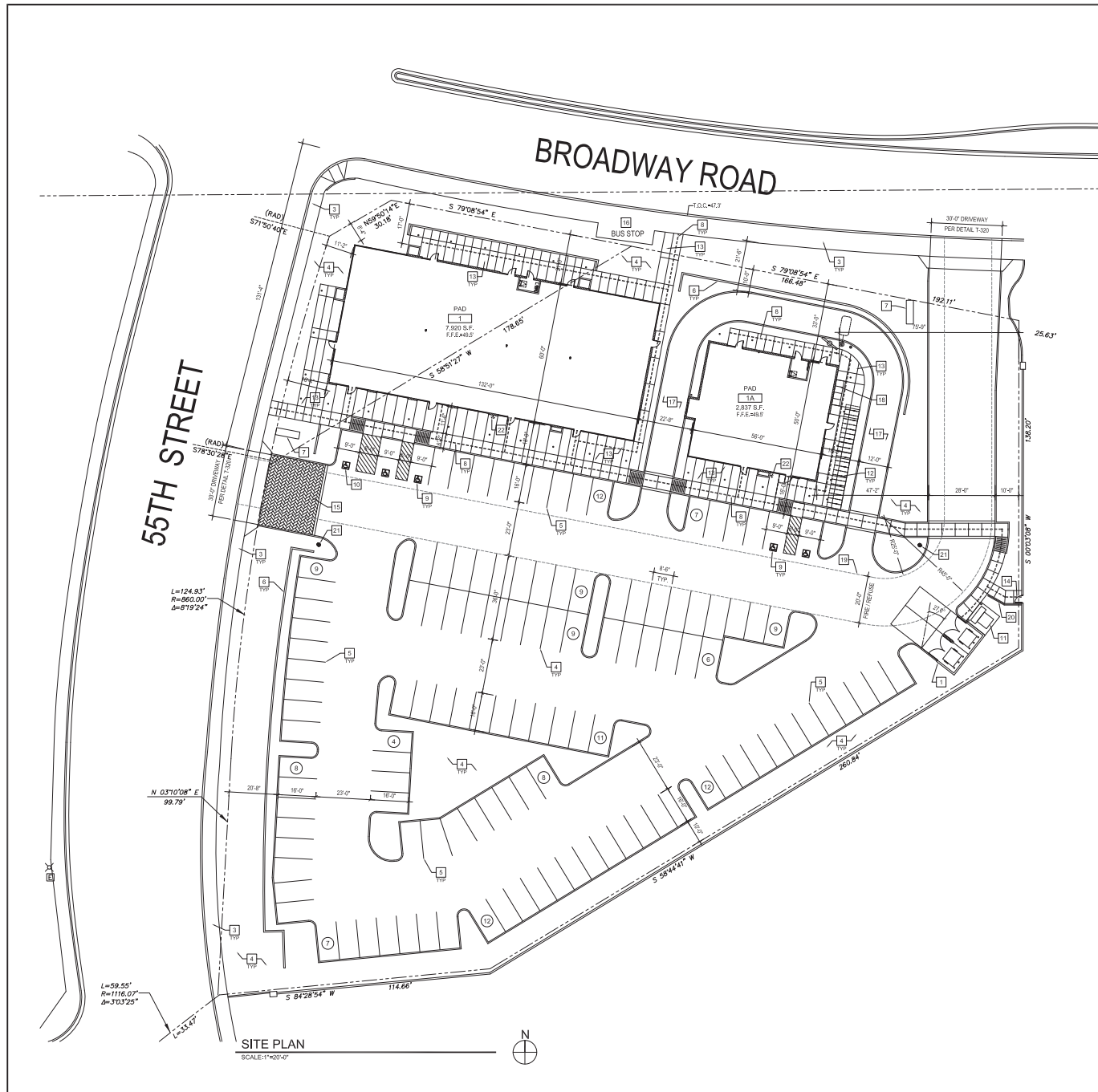
NO.	DATE	ISSUE

SHEET TITLE
COVER SHEET
AND
PROJECT INFO

PROJECT NUMBER
14001.00

PROJECT NUMBER
14001.00

A-000



SITE PLAN
SCALE: 1"=50'-0"

PROJECT DESCRIPTION

THIS SUBMITTAL CONTAINS INFORMATION FOR A NEW ~10,700 SF RETAIL SHOPS BUILDING AND ASSOCIATED SITE WORK ON A 1.89 AC SITE LOCATED ON THE SOUTHWEST CORNER OF 55TH STREET AND BROADWAY ROAD. THE ONE-STORY BUILDING WILL BE PRIMARILY MASONRY CONSTRUCTION WITH WOOD AND STEEL CANOPIES.

SITE DATA

PARCEL NUMBER	: 12333962
SITE AREA	: 82,487 SF (1.89 AC)
ZONING	: MU-4 (EXISTING)
CONSTRUCTION TYPE	: 10' W/ A.F.E.S.
PROPOSED USES	: RETAIL & RESTAURANT
BUILDING AREA	: 10,757 SF
RESTAURANT AREA	: 7,757 SF
RETAIL AREA	: 13,000 SF
LOT COVERAGE (ALLOW)	: 25%
LOT COVERAGE (ACTUAL)	: 10,757 SF (13%)
LANDSCAPE AREA	: 24,136 SF (30%)
FRONT YARD SETBACK (ALLOW)	: 0'-0"
FRONT YARD SETBACK (ACTUAL)	: 10'-0"
SIDE YARD SETBACK (ALLOW)	: 2'-0"
SIDE YARD SETBACK (ACTUAL)	: 75'-0"
REAR YARD SETBACK (ALLOW)	: 15'-0"
REAR YARD SETBACK (ACTUAL)	: 104'-0"
STREET SIDE YARD SETBACK (ALLOW)	: 0'-0"
STREET SIDE YARD SETBACK (ACTUAL)	: 1'-0"
BUILDING HEIGHT (ALLOW)	: 28'-0"
BUILDING HEIGHT (ACTUAL)	: 23'-0" @ 10'
PARKING REQUIRED	
RETAIL	3,000 SF @ 1300' = 10 SPACES
RETAIL OUTDOOR	(17' REQUIRED FOR FIRST 300 SF)
-SUITE 101	300 SF @ 3 SPACES
-SUITE 102	300 SF @ 3 SPACES
-SUITE 103	7,757 SF @ 175' = 104 SPACES
RESTAURANT	
RESTAURANT OUTDOOR	(17' REQUIRED FOR FIRST 300 SF)
-SUITE 101	450 SF @ 115' @ 300 SF = 1 SPACE
-SUITE 102	300 SF @ 3 SPACES
-SUITE 103	300 SF @ 3 SPACES
-SUITE 104	300 SF @ 3 SPACES
-SUITE 105	300 SF @ 3 SPACES
TOTAL	= 115 SPACES
PARKING PROVIDED	
STANDARD (8.0'X18')	= 117 SPACES
ACCESSIBLE (10.0'X20')	= 122 SPACES
TOTAL	= 239 SPACES
BICYCLE PARKING PROVIDED	
RETAIL OUTDOOR	17,500 SF (4.0' MIN) = 4 SPACES
RETAIL BICYCLE COMMUTE (INDOOR)	(17' REQ. FOR FIRST 300 SF) = 8 SPACES
RESTAURANT BICYCLE COMMUTE (INDOOR)	1500' = 18 SPACES
RESTAURANT BICYCLE COMMUTE (OUTDOOR)	(17' REQ. FOR FIRST 300 SF) = 1 SPACE
TOTAL	= 21 SPACES
BICYCLE PARKING PROVIDED	TOTAL = 22 SPACES

APPLICABLE CODES

- CITY OF TEMPE:
 2009 INTERNATIONAL BUILDING CODE W/ C.O.T. AMENDMENTS
 2009 INTERNATIONAL MECHANICAL CODE W/ C.O.T. AMENDMENTS
 2009 NATIONAL PLUMBING CODE W/ C.O.T. AMENDMENTS
 2009 NATIONAL ELECTRICAL CODE W/ C.O.T. AMENDMENTS
 2006 INTERNATIONAL FIRE CODE W/ C.O.T. AMENDMENTS
 2009 INTERNATIONAL ENERGY CONSERVATION CODE W/ C.O.T. AMENDMENTS
 2009 INTERNATIONAL FUEL GAS CODE W/ C.O.T. AMENDMENTS
 ACCESSIBILITY - IBC CHAPTER 11 AMENDMENT

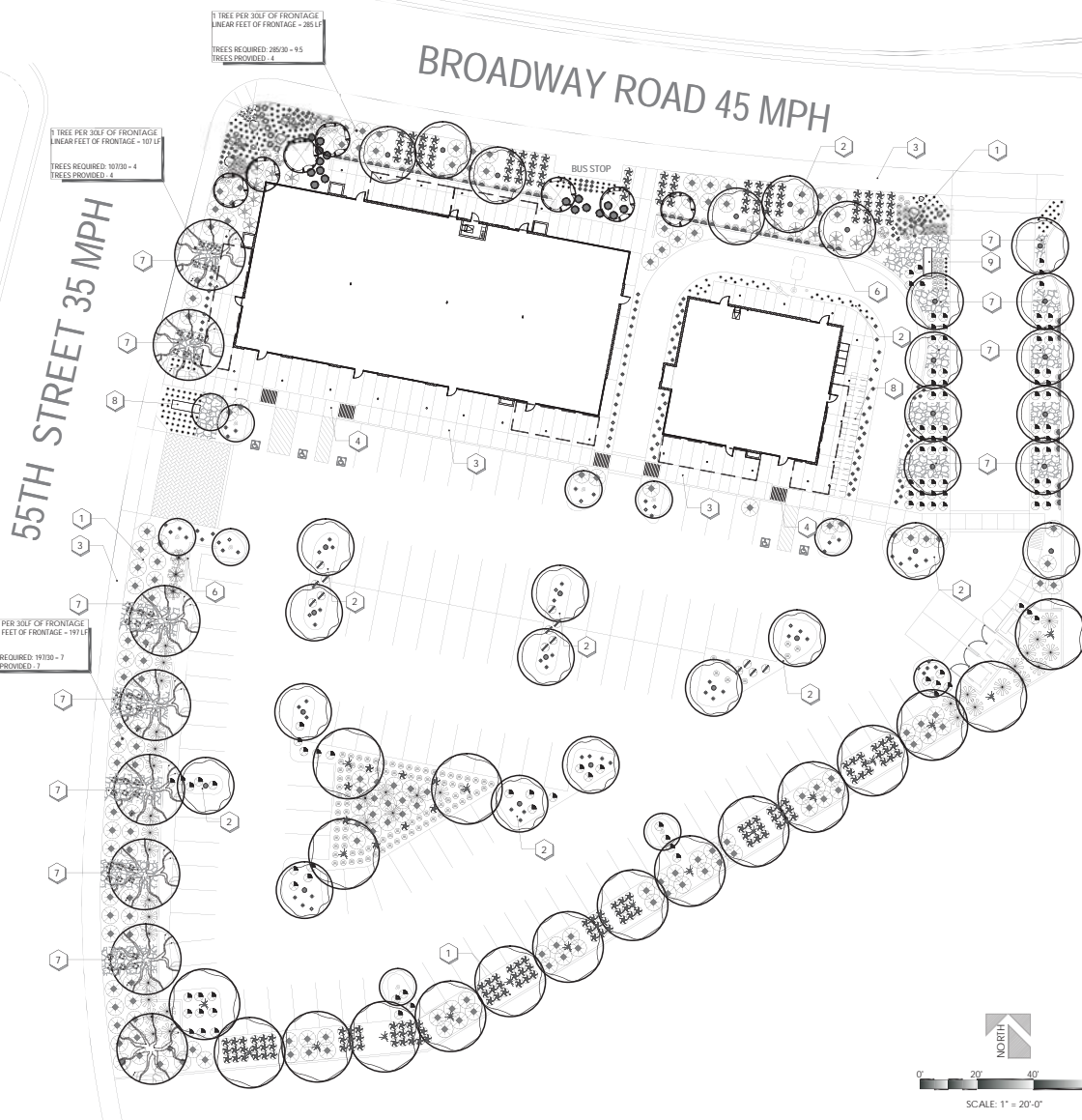
SITE PLAN KEY NOTE TAGS

- (1) = KEY NOTE TAG
- (1) 4' HIGH TRASH ENCLOSURE PER CITY OF TEMPE DETAIL DS-116
- (2) LANDSCAPED AREA
- (3) EXISTING CONCRETE SIDEWALK
- (4) 8'-4" X 18'-0" PARKING STALL, TYP.
- (5) 8'-4" X 16'-0" PARKING STALL W/ 2' OVERHANG, TYP.
- (6) 3'-0" HIGH MASONRY SCREEN WALL
- (7) PROPOSED MONUMENT SIGN (UNDER SEPARATE PERMIT & SUBMITTAL)
- (8) ACCESSIBLE ROUTE PER ADA SECTION 4.3
- (9) STANDARD ACCESSIBLE PARKING, TYP.
- (10) VAN ACCESSIBLE PARKING, TYP.
- (11) TRANSFORMER
- (12) BICYCLE PARKING PER CITY OF TEMPE STANDARD DETAIL T-578
- (13) INTEGRAL COLORED CONCRETE HARDSCAPE
- (14) PROPOSED MAN GATE IN EXISTING MASONRY WALL
- (15) ENHANCED PAVING AT DRIVE ENTRANCE TO MATCH ADJACENT DEVELOPMENT
- (16) EXISTING BUS STOP
- (17) DRIVE THRU LANE
- (18) SERVICE ENTRANCE SECTION
- (19) 20' WIDE FIRE / TRASH VEHICLE MANEUVERING LANE PER CITY OF TEMPE STANDARD
- (20) 6' HIGH METAL PICKET VIEW FENCE
- (21) NEW FIRE HYDRANT
- (22) FIRE DEPARTMENT CONNECTION

PROJECT TEAM

ARCHITECT	VERTICAL DESIGN STUDIOS, LLC 4800 EAST COTTON CENTER BLVD, SUITE 200 PHOENIX, ARIZONA 85046 PHONE: 602.393.5878 PHONE: 602.395.1095 FAX: 602.395.1095 E-MAIL: jgreg@verticaldesignstudios.com CONTACT: Justin Gregoris	OWNER	BIRTCHEr ANDERSON REALTY, LLC 31620 DEL OBERPO, SUITE 200 SAN JUAN CAPISTRANO, CA 92675 PHONE: 949.545.0555 PHONE: 949.545.0555 FAX: 949.545.0555 E-MAIL: anderson@bircheranderson.com CONTACT: Bob Anderson
LANDSCAPE	DESIGN ETHIC 7201 E CAMELBACK RD. #250 SCOTTSDALE, AZ 85261 PHONE: 480.225.7077 PHONE: 480.225.7077 FAX: 480.225.7077 E-MAIL: bpaul@designethic.net CONTACT: Brandon Paul	CONTRACTOR	OPTIMUS CIVIL DESIGN GROUP 4650 E COTTON CENTER BLVD PHOENIX, AZ 85046 PHONE: 602.286.8300 PHONE: 602.286.8300 FAX: 602.286.8300 E-MAIL: jshtrana@optimusdsg.com CONTACT: Jeff Behrana

ARCHITECT
 VERTICAL DESIGN STUDIOS <small>4650 E. Cotton Center Blvd., Ste. 100 Phoenix, Arizona 85046 PH: 602.393.5878 • Fax: 602.395.1095</small>
CONSULTANT
OWNER
 Bircher Anderson <small>Realty, LLC</small>
PROJECT DESCRIPTION
Shops at Fountainhead
Retail Shops 1537 West Broadway Road Tempe, Arizona
DATE:
REVISIONS
NO. DATE REVISION
SHEET TITLE
SITE PLAN
PROJECT NUMBER
14001.00
A-001



1 TREE PER 30LF OF FRONTAGE
LINEAR FEET OF FRONTAGE = 265 LF
TREES REQUIRED: 2830 - 95
TREES PROVIDED: 4

7 TREE PER 30LF OF FRONTAGE
LINEAR FEET OF FRONTAGE = 107 LF
TREES REQUIRED: 1070 - 4
TREES PROVIDED: 4

7 TREE PER 30LF OF FRONTAGE
LINEAR FEET OF FRONTAGE = 197 LF
TREES REQUIRED: 1970 - 7
TREES PROVIDED: 7

plant legend

botanical name	common name	size	qty	comments
PARKINSONIA X 'DESERT MUSEUM'	'DESERT MUSEUM'	1.5" CAL MINIMUM	29	LOW BREAKING
CAESALPINIA CACALACO 'SMOOTHIE'	THORNLESS CASCALOTE	1.5" CAL MINIMUM	10	LOW BREAKING
DALBERGIA SISSOO	SISSOO TREE	1.5" CAL MINIMUM	18	STANDARD
PROSOPIS CHILENSIS 'THORNLESS'	'THORNLESS' CHILEAN MESQUITE	1.5" CAL MINIMUM	8	LOW BREAKING
SOPHORA SECUNDFLORA	TEXAS MOUNTAIN LAUREL	1.5" CAL MINIMUM	7	LOW BREAKING

shrubs

ERICAMERIA LARICIFOLIA	TURPENTINE BUSH	5 GAL.	14	PLANT AT 6' O.C.
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vines

MACFADYENA UNGUIS-CATI	CAT'S CLAW VINE	5 GAL.	17	PLANT AT 6' O.C.
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accents

AGAVE AMERICANA	CENTURY PLANT	5 GAL.	39	PLANT AT 1.5' O.C.
ALOE BARBADENSIS	ALOE VERA	5 GAL.	193	PLANT AT 1.5' O.C.
ALOE X BLUE ELF	BLUE ELF ALOE	1 GAL.	197	PLANT AT 1.5' O.C.
DASYLIRON WHEELERI	DESERT SPOON	5 GAL.	37	PLANT AT 5' O.C.
ECHINOCACTUS GRUSONII	GOLDEN BARREL	1 GAL.	207	PLANT AT 1' O.C.
EUPHORBIA ANTISYPHILITICA	CANDELILLA	5 GAL.	53	PLANT AT 6' O.C.
EUPHORBIA RIGIDA	GOPHER PLANT	5 GAL.	17	PLANT AT 3' O.C.
MUHLENBERGIA CAPILLARIS	DWARF REGAL MIST	5 GAL.	116	PLANT AT 3' O.C.
PACHYRERIS MARGINATUS	MEXICAN FENCE POST	5 GAL.	6	PLANT AT 6' O.C.

groundcover

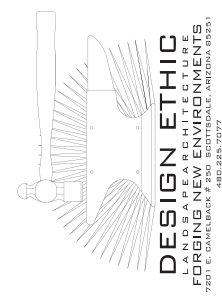
SPHAGNETICOLA TRILOBATA	YELLOW DOT	1 GAL.	166	PLANT AT 6' O.C.
SETCREASEA PALLIDA	PURPLE HEART PLANT	5 GAL.	133	PLANT AT 6' O.C.

inerts

2	DECOMPOSED GRANITE - 3/8 MINUS EXPRESS BROWN	3/8 MINUS	22,333 SF	2" MINIMUM IN ALL PLANTERS
	1" - 2.5" FRACTURED RIP RAP EXPRESS GOLD	1" - 2.5" MAX	2,224 SF	2" MINIMUM IN ALL PLANTERS
	SELECT GRANITE BOULDERS EXPRESS GOLD			

planting key notes

- 1 PROPERTY LINE / RIGHT OF WAY LINE
- 2 3/8" MINUS DECOMPOSED GRANITE IN ALL PLANTING AREAS
- 3 SIDEWALK.
- 4 ACCESSIBLE RAMP. SEE CIVIL ENG. PLANS.
- 5 CURB. SEE CIVIL ENG. PLANS.
- 6 SCREEN WALL. SEE ARCH. PLANS.
- 7 1" - 2.5" ANGULAR RIP RAP
- 8 PROPOSED BIKE RACK SEE ARCHITECT'S SITE PLAN
- 9 MONUMENT SIGN

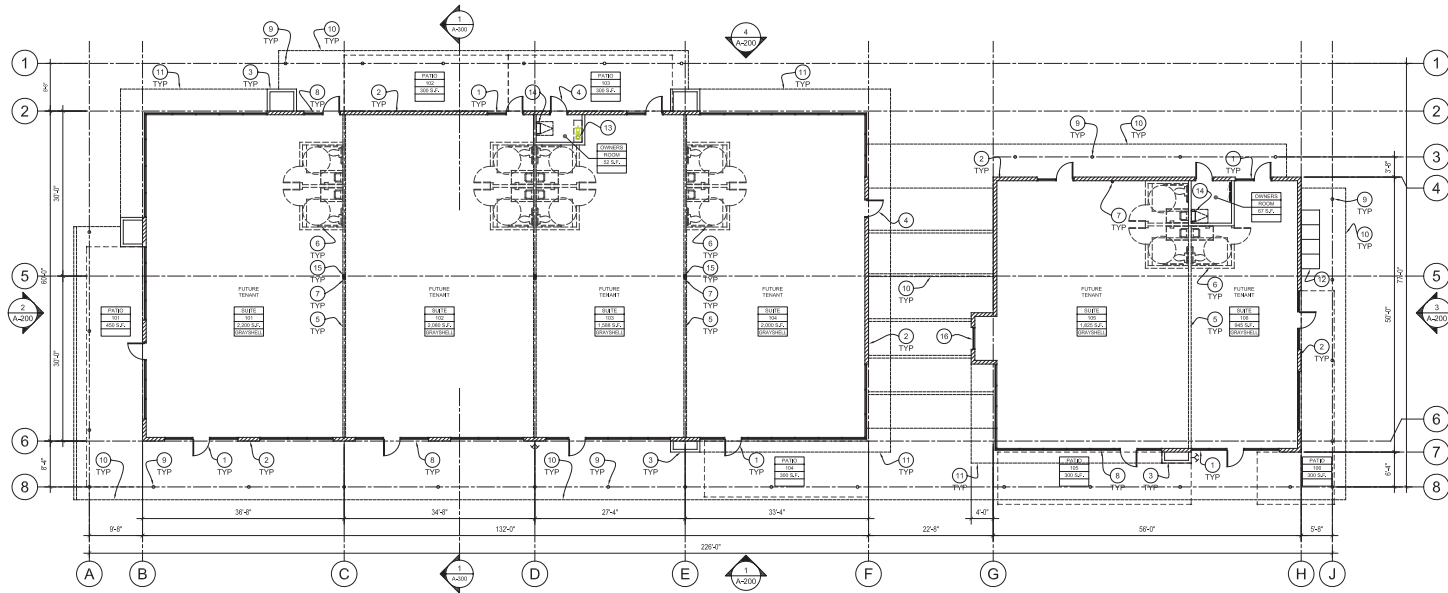


SHOPS AT FOUNTAINHEAD
1537 WEST BROADWAY ROAD
TEMPE, ARIZONA 85282
 PRELIMINARY LANDSCAPE PLAN

PROJECT: SHOPS AT FOUNTAINHEAD
 JOB NO: 14-019
 DATE:
 DRAWN BY: B. PAUL
 SUBMITTED: 05.14.2014
 REVISED:

SHEET TITLE: PL.01 of PL.01

CALL TWO WORKING DAYS BEFORE FOR LOG.
 602-263-1100
 1-800-STAKE-IT
 (OUTSIDE MARICOPA COUNTY)



FLOOR PLAN
SCALE: 1/32" = 1'-0"



FLOOR PLAN KEY NOTES

1. CLEAR ANODIZED ALUMINUM STOREFRONT AND 3'-0" X 8'-0" STOREFRONT DOOR
2. PAINTED CMU WALL
3. METAL STUD FRAMING WITH METAL PANEL FINISH OR SIMILAR
4. PAINTED HOLLOW METAL DOOR
5. FUTURE DEMISING WALL
6. FUTURE RESTROOM
7. FIRE EXTINGUISHER (MIN. 2A-10BC) - MOUNT 5'-0" A.F.F. MAX. TO T.O. EXTINGUISHER
8. PER C.O.T., NO SMOKING ORDINANCE AND STATE REQUIREMENTS PROHIBIT NO SMOKING SIGNAGE AT ALL POINTS OF ENTRY FOR SUITE NO SMOKING REQUIREMENTS.
9. CANOPY SUPPORT COLUMN
10. LINE OF CANOPY ABOVE
11. LINE OF SOFFIT ABOVE
12. SERVICE ENTRANCE SECTION
13. FIRE RISER
14. ROOF ACCESS LADDER
15. STRUCTURAL STEEL COLUMN
16. DRIVE THRU WINDOW

ARCHITECT

VERTICAL
DESIGN STUDIOS

4151 E. Cotton Center (B&C, Ets, 113)
Phoenix, Arizona 85034
PH: 602.265.1000 • FAX: 602.265.1001

SEAL

CONSULTANT

OWNER

BircherAnderson
Realty, LLC

PROJECT DESCRIPTION

Shops at Fountainhead
Retail Shops
1537 West Broadway Road
Tempe, Arizona

DATE:
REVISIONS

NO.	DATE	ISSUE

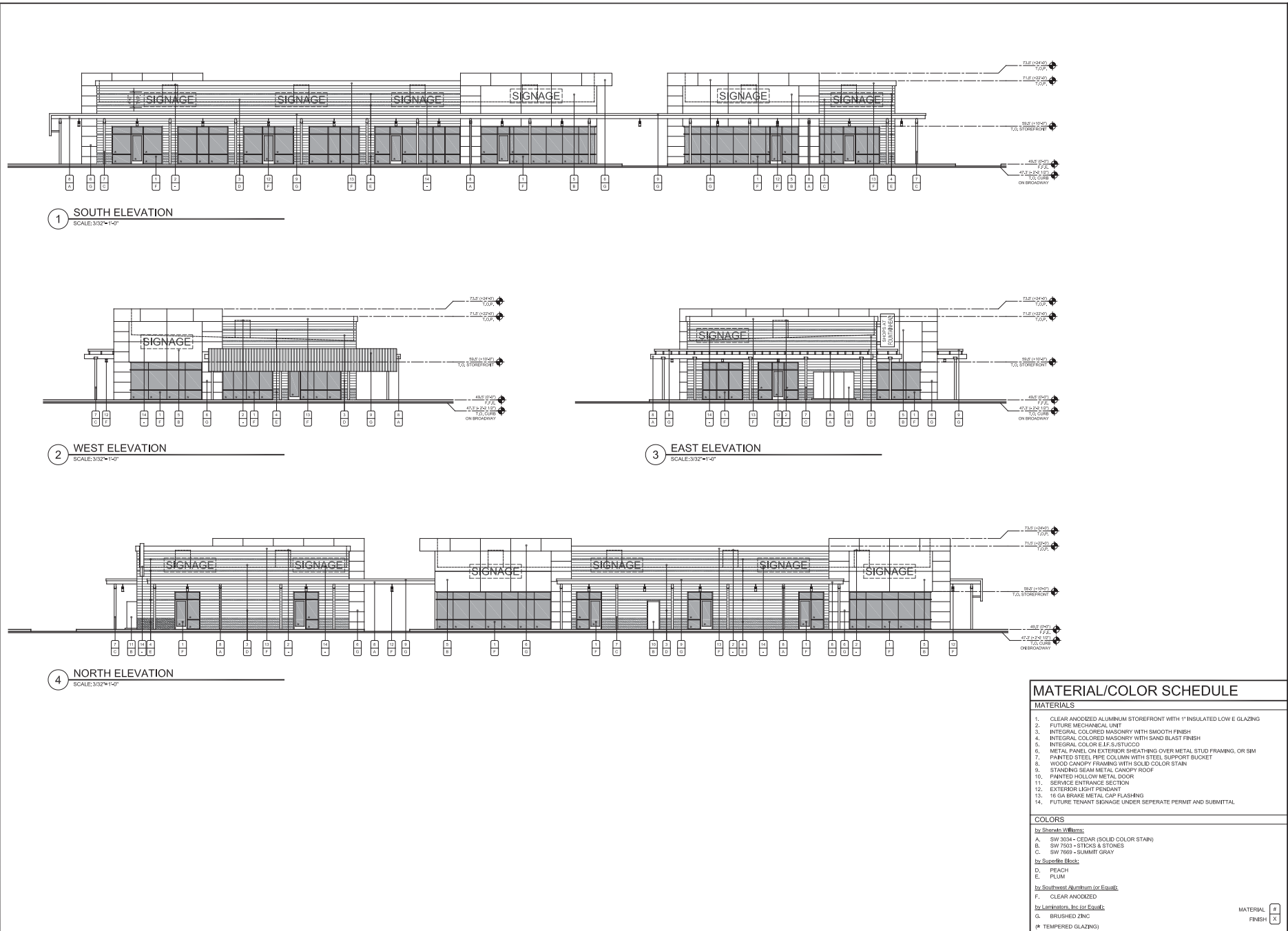
SHEET TITLE

FLOOR PLAN

PROJECT NUMBER
14001.00

A-100

SCALE: SHOPS AT FOUNTAINHEAD, OFFICE: 1537 WEST BROADWAY RD., TEMPE, AZ 85282



DATE/REVISIONS		
NO.	DATE	ISSUE

SHEET TITLE	
EXTERIOR ELEVATIONS	PROJECT NUMBER 14001.00
A-200	MATERIAL FINISH

MATERIAL/COLOR SCHEDULE	
MATERIALS	
1.	CLEAR ANODIZED ALUMINUM STOREFRONT WITH 1" INSULATED LOW E GLAZING
2.	FUTURE MECHANICAL UNIT
3.	INTEGRAL COLORED MASONRY WITH SMOOTH FINISH
4.	INTEGRAL COLORED MASONRY WITH SAND BLAST FINISH
5.	INTEGRAL COLOR E.F.F.S./STUCCO
6.	METAL PANEL ON EXTERIOR SHEATHING OVER METAL STUD FRAMING, OR SIM
7.	PAINTED STEEL PIPE COLUMN WITH STEEL SUPPORT BUCKET
8.	WOOD CANOPY FRAMING WITH SOLID COLOR STAIN
9.	STANDING SEAM METAL CANOPY ROOF
10.	PAINTED HOLLOW METAL DOOR
11.	SERVICE ENTRANCE SECTION
12.	EXTERIOR LIGHT PENDANT
13.	16 GA BRAKE METAL CAP FLASHING
14.	FUTURE TENANT SIGNAGE UNDER SEPERATE PERMIT AND SUBMITTAL
COLORS	
by Sherwin Williams:	
A.	SW 3034 - CEDAR (SOLID COLOR STAIN)
B.	SW 7003 - STICKS & STONES
C.	SW 7669 - SUMMIT GRAY
by Supacolor Block:	
D.	PEACH
E.	PLUM
by Southwest Aluminum (or Equal):	
F.	CLEAR ANODIZED
by Laminations, Inc (or Equal):	
G.	BRUSHED ZINC
H.	TEMPERED GLAZING

ARCHITECT

VERTICAL
DESIGN STUDIOS
4551 E. Cotton Center Blvd, Ste. 113
Phoenix, Arizona 85042
PH: 602.978.1000 | FAX: 602.282.1000

SEAL

CONSULTANT

OWNER

BirtcherAnderson
Realty, LLC

PROJECT DESCRIPTION

Shops at Fountainhead
Retail Shops
1557 West Broadway Road
Tempe, Arizona

DATE: 10/20/24
SHEET TITLE: EXTERIOR ELEVATIONS
PROJECT NUMBER: 14001.00
A-200



1 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



2 WEST ELEVATION
SCALE: 3/32" = 1'-0"



3 EAST ELEVATION
SCALE: 3/32" = 1'-0"



4 NORTH ELEVATION
SCALE: 3/32" = 1'-0"

MATERIAL/COLOR SCHEDULE

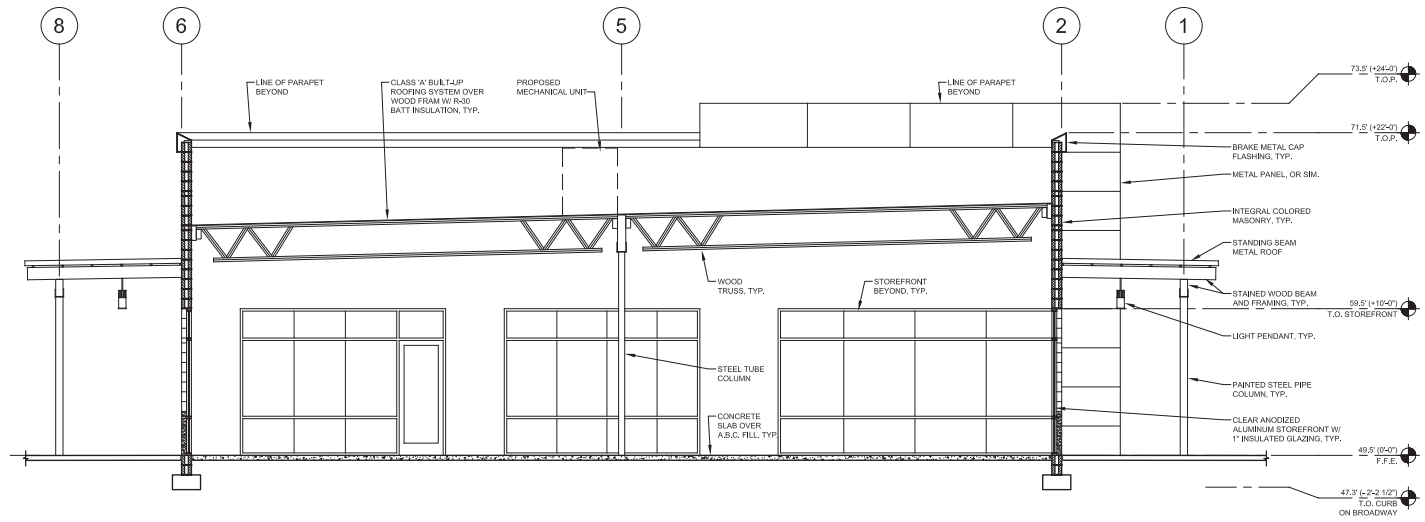
MATERIALS			
1.	CLEAR ANODIZED ALUMINUM STOREFRONT WITH 1" INSULATED LOW E GLAZING		
2.	FUTURE MECHANICAL UNIT		
3.	INTEGRAL COLORED MASONRY WITH SMOOTH FINISH		
4.	INTEGRAL COLORED MASONRY WITH SAND BLAST FINISH		
5.	INTEGRAL COLOR E.F.E.S./STUCCO		
6.	METAL PANEL ON EXTERIOR SHEATHING OVER METAL STUD FRAMING, OR SIM.		
7.	PAINTED STEEL PIPE COLUMN WITH STEEL SUPPORT BUCKET		
8.	WOOD CANOPY FRAMING WITH SOLID COLOR STAIN		
9.	STANDING SEAM METAL CANOPY ROOF		
10.	PAINTED HOLLOW METAL DOOR		
11.	SERVICE ENTRANCE SECTION		
12.	EXTERIOR LIGHT PENDANT		
13.	16 GA BRAKE METAL CAP FLASHING		
14.	FUTURE TENANT SIGNAGE UNDER SEPERATE PERMIT AND SUBMITTAL		

COLORS

by Sherwin Williams:			
A.	SW 9004 - CEDAR (SOLID COLOR STAIN)		
B.	SW 7503 - STICKS & STONES		
C.	SW 7669 - SUMMIT GRAY		
by Supatite Block:			
D.	PEACH		
E.	PLUM		
by Southwest Aluminum (or Equal):			
F.	CLEAR ANODIZED		
by Lamination, Inc (or Equal):			
G.	BRUSHED ZINC		
H.	TEMPERED GLAZING		

MATERIAL #
FINISH X

ARCHITECT	
VERTICAL DESIGN STUDIOS	
4151 E. Cotton Center (B&C, 10), 110 Phoenix, Arizona 85032 PH: 602.255.1000 - FAX: 602.255.1001	
SEAL	
CONSULTANT	
OWNER	
 BircherAnderson Realty, LLC	
PROJECT DESCRIPTION	
Shops at Fountainhead Retail Shops 1537 West Broadway Road Tempe, Arizona	
DATE:	
REVISIONS	
NO.	DATE
SHEET TITLE	
EXTERIOR	
COLOR	
ELEVATIONS	
PROJECT NUMBER	14001.00
A-201	



1 BUILDING SECTION
SCALE: 1/4"=1'-0"

ARCHITECT

VERTICAL
DESIGN STUDIOS
4151 E. Cotton Center Blvd, Ste. 110
Phoenix, Arizona 85042
PH: 602.261.0101 - Fax: 602.261.0101

SEAL

CONSULTANT

OWNER

BircherAnderson
Realty, LLC

PROJECT DESCRIPTION

Shops at Fountainhead
Retail Shops
1537 West Broadway Road
Tempe, Arizona

DATE/ REVISIONS

NO.	DATE	ISSUE

SHEET TITLE
BUILDING SECTION

PROJECT NUMBER
14001.00

A-300



1 LOOKING EAST ALONG BROADWAY RD.
SCALE: 1/4"=1'-0"



2 LOOKING NORTH
SCALE: 1/4"=1'-0"



2 LOOKING WEST ALONG BROADWAY RD.
SCALE: 1/4"=1'-0"

ARCHITECT

VERTICAL
DESIGN STUDIOS
4151 E. Cotton Center Blvd., Ste. 113
Phoenix, Arizona 85032
PH: 602.266.1000 • FAX: 602.266.1001

SEAL



CONSULTANT

OWNER



PROJECT DESCRIPTION

Shops at Fountainhead
Retail Shops
1537 West Broadway Road
Tempe, Arizona

DATE/REVISIONS

NO.	DATE	ISSUE

SHEET TITLE
BUILDING RENDERINGS

PROJECT NUMBER
14001.00

A-400