

# Agenda Item Number: 2

Development Review Commission Date: 09/27/11

SUBJECT:	Hold a public hearing for a Planned Area Development Overlay, Use Permits and Development Plan Review for DISCOVERY BUSINESS CAMPUS, located at 2100 East Elliot Road.		
DOCUMENT NAME:	DRCr_DiscoveryBusinessCampus_092711 PLANNED DEVELOPMENT (0406)		
COMMENTS:	Request for DISCOVERY BUSINESS CAMPUS (PL110130) (Tempe Campus SPV LLC, property owner; Gammage & Burnham, applicant) consisting of one (1) two-story office/industrial building, one (1) four-story office building, one (1) five-story office building, one (1) six-story office building, one (1) eight-story office building, two (2) six-story hotels with a combined total of 400 guest rooms, three (3) one-story restaurant/retai shop pads, one (1) three level parking structure, and eleven (11) existing industrial buildings with approximately 1,000,000 square feet of building area. The proposal has a total gross floor building area of approximately 2,580,000 square feet. The site is 135.62 net acres in size and is located at 2100 East Elliot Road, in the GID, General Industrial District and within the General Industrial Overlay District. The request includes the following:		
	<ul> <li>PAD11007 (ORDINANCE NO. 2011.47) – Planned Area Development Overlay modifying the general development standards for an increase in the maximum allowed building heights from 35 feet for Site #1 to 80 feet, for Site #2 to 80 feet, for Site #3 to 132 feet, and for Site #4 to 92 feet.</li> <li>ZUP11063 – Use Permit request to allow Hotel uses on Site #1 and Site #2.</li> <li>ZUP11064 – Use Permit request to allow general Retail/Restaurant uses on Site #5.</li> <li>DPR11122 – Development Plan Review including site plan, building elevations and landscape for Sites #3, #4, and #6.</li> </ul>		
PREPARED BY:	Ryan Levesque, Senior Planner (480-858-2393)		
<b>REVIEWED BY:</b>	Lisa Collins, Community Development Deputy Director (480-350-8989)		
LEGAL REVIEW BY:	N/A		
DEPARTMENT REVIEW BY:	N/A		
FISCAL NOTE:	There is no fiscal impact on City funds.		
<b>RECOMMENDATION:</b>	Staff – Approval, subject to conditions		
ADDITIONAL INFO:	<u>NOTE:</u> ALL ITEMS REQUIRE ACTION BY THE CITY COUNCIL AT A PUBLIC HEARING. THE COMMISSION IS A RECOMMENDING BODY ONLY, PURSUANT TO THE GENERAL INDUSTRIAL OVERLAY DISTRICT (SEC. 5-303).		
Country Club Wy. Price / 101	A neighborhood meeting was held by the applicant on August 22, 2011, including a presentation at the September 15, 2011, Oasis at Anozira HOA meeting.		
C	See Project Site Data information on Page 14.		

See Project Site Data information on Page 14.

Elliot Rd.

- 1. List of Attachments
- 2-6. Comments
- 7-10. Conditions of Approval
- 11-12. Code Requirements
- 13. History & Facts / Zoning & Development Code Reference
- 14. Project Site Data

- 1-3. Ordinance No. 2011.47
- 4-5. Waiver of Rights and Remedies form
- 6. Location Map
- 7-11. Aerial and Site Photographs
- 12-20. Letter of Explanation
- 21-27. Public Outreach Summary
- 28. Planned Area Development Overlay
- 29. Site Plan
- 30-31. Perspective of Master Plan
- 32-33. Site 6, Building A, Elevations & Floor plan
- 34-35. Site 3, Building E, Elevations & Floor plan
- 36-37. Site 4, Building B, Elevations & Floor plan
- 38-39. Site 3, Building C, Elevations & Floor plan
- 40-41. Site 3, Building D, Elevations & Floor plan
- 42-43. Site 3, Parking Deck, Elevations & Floor plan
- 44-49. Landscape Plan
- 50-53. Preliminary Grading & Drainage Plan
- 54-56. Traffic Impact Analysis Executive Summary
- 57-101. Public Comments

#### COMMENTS:

This site is located north of Elliot Road, west of Price Road, east of Country Club Way, and south of the Western Canal. This site has access and visibility to the 101 Freeway on the east side. To the south of the site is the primary access to the property, which includes a lighted intersection shared with the ASU Research Park, a commercial office complex with some vacant land. Bounded to the west of the site is the Oasis at Anozira Home Owners Association. To the north includes a SRP high voltage line, Western Canal and additional single-family homes. Because the site is zoned industrial and is next to single-family residential property, it falls within the General Industrial Overlay District. Within this Overlay District all Planned Area Developments along with the Development Plan Review and Use Permits require City Council approval.

Existing development on the sites include five (5) commercial industrial buildings, once home to Motorola, now currently used by Freescale Semiconductor. Freescale plans to continue occupying the primary buildings at the center of the site.

This request includes the following:

DISCOVERY BUSINESS CAMPUS is proposing one (1) two-story office/industrial building totaling 35 feet in height, one (1) fourstory office building totaling 79 feet in height, one (1) five-story office building totaling 91 feet and 9 inches in height, one (1) six-story office building totaling 100 feet and 11 inches in height, one (1) eight-story office building totaling 132 feet and 3 inches in height, two (2) six-story hotels each totaling 80 feet in height with a combined total of 400 guest rooms, three (3) one-story restaurant/retail shop pads each totaling 30 feet in height, one (1) three level parking structure totaling 27 feet in height and multiple at-grade parking courtyards containing a combined total of 7,600 parking spaces, and eleven (11) existing industrial buildings totaling approximately 1,000,000 square feet of building area. The proposal has a total gross floor building area of approximately 2,580,000 square feet. The site is approximately 135.62 net acres in size and is located at 2100 East Elliot Road, in the GID, General Industrial District and within the General Industrial Overlay District.

The applicant is requesting the Development Review Commission make a recommendation on the requested items for a Planned Area Development Overlay, Use Permits for Hotel and Retail/Restaurant uses, and Development Plan Review. This site is located within the General Industrial Overlay District. When properties are adjacent to or separate by an alley or canal from a single-family residential district, development for the property is required to be approved by City Council at a public hearing. For future processing, the applicant will need approval for a Preliminary and Final Subdivision Plat, to allow individual ownership of parcels, and design approval of remaining future buildings on Sites #1 and #2 (future hotels) and Site #5 (the commercial site).

#### PUBLIC INPUT

Neighborhood meetings are required for projects requesting a Planned Area Development Overlay to modify the general development standards. A neighborhood meeting was held by the applicant: August 22, 2011 from 6:00 p.m. to 7:30 p.m. at 2100 East Elliot Road, Building 99. See attached summary of meeting provided by the applicant. Community Development staff was in attendance at the meeting. Excluding the applicant's project team, there were over 50 residents in attendance. The issues discussed at the meeting generally covered: The Wentworth Corporation's long term commitment to develop the site; The first phase of relocating existing parking; Size and location of the two-story office flex building on Site #6; Pedestrian access issues pertaining to security within the HOA; Requests for a view shed analysis for individual neighbors; Traffic impacts; Potential scorpion problem with the disturbance of the ground; Status of the existing ball fields; Effect on the residential property values; Removal of the cell tower; Plans for campus signage; Suggestions to close Country Club Way; and concerns for retail/restaurant traffic and noise on Site #5.

On September 15, 2011, the applicants participated in the Oasis at Anozira HOA annual meeting, held at Marcos De Niza High School cafeteria at 6:30 p.m. There were a total of 95 residents in attendance, including the development team and City staff. Once the HOA meeting agenda concluded at approximately 7:30 p.m., a presentation was provided by the Discovery Business Campus with question and answers, concluding with small groups discussing the project. The meeting room was time-limited with the meeting ending shortly after 8:30 p.m.

Several follow-up meetings were provided by the applicant, as noted in the Summary of Public Outreach starting on Attachment 21.

#### PROJECT ANALYSIS

# PLANNED AREA DEVELOPMENT OVERLAY

A Planned Area Development Overlay is requested to increase the required building heights from 35'-0", the maximum height allowed in the GID, General Industrial District, to building heights ranging up to 132'-0". The project site intends to comply with all other general development standards. Below is a breakdown of each site and proposed building heights and number of stories.

Planned Area Development Overlay – Discovery Business Campus						
GID Max. Building Height	35'-0"					
Site #1	80'-0" (6-story)					
Site #2	80'-0" (6-story)					
Site #3	61'-7"(4-story), 104'-11" (6-story), 132'-0" (8-story)					
Site #4	90'-0" (5-story)					
Site #5	30'-0" (1-story)					
Site #6	35'-0" (2-story)					
Site #7	Existing approx. 40' (2-story)					

The applicant has proposed a site plan that takes into consideration the existing surroundings. Most of the proposed building height intensities are located along the east and southeast portions of the property, facing the Price/101 freeway and leading up to the southern entrance a quarter-mile east of Country Club Way. The tallest proposed building, located on Site #3 at the southeast corner, is an 8-story (132'-0") building, a prominent location near the freeway exit/entrance. Proposed on Site #1 and #2, located at the northeast on the property, are two 6-story (80'-0") buildings, contemplated for hotel uses. Other buildings requesting heights that exceed the maximum allowed height within the GID district are: Along the eastern property edge, on Site #3, a 4-story (61'-7") office building; along Elliot Road east of the main entrance, a 6-story (80'-0") building; and to the west of the entrance a 5-story (90'-0") building.

Sites that are not requesting additional height include Site #5 consisting of 1-story (30'-0") general retail/restaurant buildings, Site #6 consisting of a 2-story (35'-0") office/industrial building, and Site #7 consisting of existing 1 and 2-story (up to 40'-0") office/industrial buildings. Of note, the applicant had previously proposed on Site #6 a building height of 49'-0". Based on public feedback the applicant has modified the request for Site #6 to comply with the maximum allowed height for buildings in the General Industrial District (max. 35').

Section 6-305 D. Approval criteria for P.A.D.:

- 1. The proposed land uses are allowable as identified in Part 3.
- 2. The development standards, as established as part of the PAD Overlay, are compatible for the development of this site as specifically identified on the Planned Area Development.
- 3. The proposed PAD will be in conformance with the General Industrial Overlay District, when adjacent to single-family.
- 4. The conditions of approval will ensure conformance with the provisions of the Zoning and Development Code and the overall quality of development.
- 5. The location and orientation of buildings heights requested are appropriate for this location and will encourage corporate headquarters and new business within Tempe.

# USE PERMIT

The applicant is requesting a use permit for hotel uses at Site #1 and Site #2, located at the northwest portion of the property, within the General Industrial District. At this time a specific user for the hotel sites has not been identified. This request will allow the applicant team to seek potential tenants at the time the development has additional office users on the site. The intent of the hotels are to service out-of-state or local business clients that either visit the business offices in the area or are conducting conferences that service both the Discovery Business Park as well as the ASU Research Park. Traffic generated from the hotel uses will be supported with the existing access drives and the new internal circulation. The locations proposed have two access points from Price Road to the east and use of the primary entrance at Elliot Road intersection.

The applicant is also requesting a use permit for Site #5 to allow general retail and restaurant uses in the General Industrial District. Site #5 plans for three (3) future pad buildings at the northeast corner of Elliot Road and Country Club Way. The 'Shops' building would allow multiple tenants on site. The uses contemplated by the applicant intend to service the needs of the two business campuses as well as the general public, which include coffee and sandwich shops, copy services, and other convenience retail and service uses. Other uses requiring a use permit, which are specifically listed within the Code, would require the applicant to apply for an additional use permit, which requires a public hearing process and approval by the decision-making body. Those would include, but are not limited to, fuel sales, liguor stores, tire stores, tobacco retailers, and drive-through restaurants. Staff has proposed a condition to clarify the allowed uses for Site #5. The retail proposed for the campus is a small portion of the overall site, with about 30,000 sf. in total building area. The location is appropriate as it services the site with convenient internal circulation, as well as utilization of the small collector street (Country Club Way) for east or west bound traffic. The proximity to residential in this commercial set-up is similar to most small retail shopping centers, including the retail corner located next to the neighborhood at the northeast corner of Elliot Road and McClintock Drive. The unique setting at this retail location is that the collector street, County Club Way, only services vehicles for the retail or greater Discovery Business Campus. There is no vehicle access to the residential neighborhood to the west, and only provides a pedestrian or bicycle connection to the north across to the Western Canal path, a recently developed multi-modal path with pedestrian level lighting and monument features. All use permits are subject to revocation, if there verifiable complaints arise that are causing a nuisance to the surrounding area, the use permit for the tenant may be brought back to the decision-making body for a reconsideration of the use.

# Section 6-308 E. Approval Criteria for Use Permits:

- 1. The manner of conduct and the building for the proposed use will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in full conformity to any conditions, requirement or standards prescribed therefore by this code. *The hotel uses are located near the northeast portion of the site, furthest from the residential areas. The retail and restaurant uses are limited in size and will primarily service the business campuses with during their normal business hours. Uses would not appear to impact the neighborhood. A specific condition of approval would allow staff to reconsider the use if complaints arise.*
- 2. Any significant increase in vehicular or pedestrian traffic. *Uses will result in an increase in traffic. The site, currently underutilize, d can support the traffic demand with the proposed circulation and existing roadway access points.*
- 3. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions. *The hotel and retail uses should not have any emissions that would cause a nuisance to the area. Restaurant uses will provide adequate means of daily refuse disposal, including the use of grease trap interceptors.*
- 4. Contribution to the deterioration of the neighborhood or to the downgrading of property values, the proposed use is not in conflict with the goals objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan. *The proposed uses are consistent with the goals and objectives of the city's General Plan. The retail uses will generate additional sales tax and provide additional business support for the corporate office centers and general public while eliminating the negative impacts of a large vacant land.*
- 5. Compatibility with existing surrounding structures and uses. The primary use for the campus is industrial/office. With less than 15% of total center dedicated to retail service uses, the businesses will be compatible with the surrounding structures and uses. Specific conditions with the approval will alleviate any potential concerns for the neighboring residential and addressing lighting.
- 6. Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public. *There will not be disruptive behaviors from the businesses that would create a nuisance. The applicant has expressed this in the justification.*

# DEVELOPMENT PLAN REVIEW

The Discovery Business Campus is requesting a Development Plan Review consisting of five (5) new office and industrial buildings and a parking structure. The project also includes two (2) future hotel buildings and three (3) retail shops, which are part of the Planned Area Development, but not part of the design review at this time.

#### Site Plan

The new development includes future commercial development sites around an existing industrial/office site home of Freescale

Semiconductor and other related businesses. The existing structures on the site would remain with the future development. Minor site improvements associated with the existing development includes a new internal drive circulation for Phase I, which would place some of the existing surface parking closer the existing building tenant spaces, while accommodating cross circulation and space for future buildings and parking of the perimeter sites. The site would have a combined total of eleven ingress points off of Price Road, Elliot Road, and Country Club Way. Of those entrances, four (4) driveways are new ingress/egress points to the site, with two (2) new driveways located on Elliot Road and two (2) on Country Club Way. The site plan distributes internal circulation and provides the ability to offset egress points during peak demand use.

# **Building Elevations**

The building elevations proposed for the five (5) buildings and parking structure are contemporary in design. Each building has matching façades, using similar materials found at the ASU Research Park. The buildings provide visual interest through varied building heights. Building offsets are provided on all sides of the building elevations, utilizing four-sided architecture, and tying the theme of all the buildings together. Exterior building materials utilize both EIFS ("Yuma", a light beige color) and anodized metal panels for the exterior. Window glazing consists of two colors blue and gray.

# Landscape Plan

The proposed landscape plan will complement the overall existing center while creating lush landscape features with enhanced shade within the parking lot design and the adjacent circulation drive around the complex. This development is required to provide a landscape buffer, at least 20'-0" wide consisting of two rows of trees and an eight (8) foot masonry wall at the western property edge, north of the Country Club Way cul-de-sac, enhancing visual privacy for residences from the two-story building proposed on Site #6. Staff has proposed additional conditions to this location that would place a new multi-modal pathway within the right-of-way that exists between this development and the Homeowners Association property, utilizing the existing wall along the HOA perimeter but increasing its height from approximately six (6) feet to eight (8) feet, subject to the Associations approval. This could enhance access and security and allow the HOA to incorporate their own security measures within their common area.

Section 6-306 D Approval criteria for Development Plan Review:

- 1. Placement, form, and articulation of buildings and structures provide variety in the streetscape; *The buildings provide variety in the streetscape with the request of alternate building heights.*
- 2. Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort; *This project intends to meet LEED certification performances for new building construction, while conserving the buildings long-term energy consumption needs.*
- 3. Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings; *Details are articulated throughout the design that provide complementing elements which tie the campus together.*
- 4. Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings; *Structures and landscape elements are appropriate in scale. The taller structures are setback enough from the street front and separated appropriately for the overall scale of the site.*
- 5. Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a welldefined base and top, featuring an enhanced pedestrian experience at and near street level; *The design treatment are intended to articulate the same elements on each floor level. The roof top provides and elevation mechanical screen system which defines 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; *Building architectural details are provided. Additional details will be more apparent at when the construction details are submitted.*

- 7. Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; *This site has accommodation for an existing bus shelter for bus routes heading westbound on Elliot Road. This site also has access Tempe's public pathway system, connecting to a lighted canal path north of this site.*
- 8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; *Vehicle conflicts are minimized. Although the campus will increase the existing traffic, multiple access points and a collector street strictly accessible for the Discovery Business Campus access only separates potential conflict with residential uses.*
- 9. Plans appropriately integrate *Crime Prevention Through Environmental Design* principles such as territoriality, natural surveillance, access control, activity support, and *maintenance*; *Crime prevention design elements will be achieved*.
- 10. *Landscape* accents and provides delineation from *parking*, *buildings*, driveways and *pathways*, *Landscape provides appropriate accents*.

# Conclusion

Based on the information and input received along with the above analysis staff recommends approval of the requested Planned Area Development Overlay, Use Permits, and Development Plan Review. This request substantially meets the approval criteria, subject to the conditions of approval identified in this report.

#### PAD11007 CONDITIONS OF APPROVAL:

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

- 1. A building permit shall be obtained for development of the site on or before November 3, 2016, or the overlay for the property may revert to that in place at the time of application, subject to a public hearing.
- 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 3, 2011, or the Planned Area Development Overlay approval shall be null and void.
- 3. Each site shall provide contribution to the overall required Art in Private Development for the Discovery Business Campus, subject to the building area submitted at the time of development when proposed for building permits.
- 4. The Planned Area Development for Discovery Business Campus 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.

# ZUP11063 AND ZUP11064 CONDITIONS OF APPROVAL:

5. The use permit for general retail and restaurant uses is valid only for Site #5 of Discovery Business Campus PAD, without expiration, and may be transferable to successors in interest through an administrative review with the Community Development Director or designee. The list of uses allowed for this use permit are limited to all restaurants and general retail and service uses listed within the Zoning and Development Code, Appendix M. All other uses specifically identified within the Code will require a separate use permit.

- 6. The use permit for hotel uses is valid only for Site #1 and #2 of Discovery Business Campus PAD, without expiration, and may be transferable to successors in interest through an administrative review with the Community Development Director or designee.
- 7. Neon lighting, such as accent lighting on the building or within windows, is prohibited within Site #5.
- 8. Any intensification or expansion of the use, not described in this request, shall require the applicant to return to an appropriate decision-making body for further review.

#### DPR11122 CONDITIONS OF APPROVAL:

- 9. 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, on or before November 3, 2016.
- 10. A Preliminary and Final Subdivision Plat is required prior to the sale or purchase of real land for the development and shall be recorded prior to issuance of applicable building permits.
- 11. The developer must receive acceptance of the final Traffic Impact Study from the Traffic Engineering prior to issuance of a building permit.

#### Site Plan

- 12. Provide 8'-0" wide public sidewalk along arterial roadways, or as required by Traffic Engineering Design Criteria and Standard Details.
- 13. Provide service yard and mechanical (cooling tower/generator) 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. Locate electrical service entrance sections inside the service yard, as indicated.
- 14. 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.
- 15. Provide upgraded paving at each driveway apron consisting of unit paving. Extend unit paving in the driveway from the back of the accessible public sidewalk bypass to 20'-0" on site and from curb to curb at the drive edges.
- 16. 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.
- 17. 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.
- 18. 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. Conceal lighting conduit in the folds of the canopy structure and finish conduit to match.

Floor Plans

- 19. Exit Security:
  - a. Provide visual surveillance by means of fire-rated glazing assemblies from office stair towers into adjacent circulation spaces.
  - b. In instances where an elevator or stair exit in the office or garage is within 21'-0" of an alcove, corner or other potential hiding place, position a refracting mirror to allow someone in the exit doorway to observe in the mirror the area around the corner or within the alcove that is adjacent to the doorway.
- 20. 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
- 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 design:
  - 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 adjacent to a continuous wall.

# Building Elevations

- 23. The materials and colors are approved as presented:
  - E.I.F.S. Colorlife "Yuma" CLC 1231W

Anodized metal panel – Duranar Sunstrom – "Silver Smith"

Glazing - Versalux or equal - Blue 2000R

Glazing - Versalux or equal - Grey R

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

- 24. Provide secure roof access from the interior of the building. Do not expose roof access to public view.
- 25. Conceal roof drainage system within the interior of the building.
- 26. 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.
- 27. Locate the electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
- 28. 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

- 29. Illuminate primary building entrances and underside of open stair landings from dusk to dawn to assist with visual surveillance at these locations.
- 30. Within the 33'-0" right-of-way, pedestrian light poles near the "Willow Acacia" trees may be located no closer than 10'-0" from the trunk.

# Landscape

- 31. The plant palette is approved as proposed and specified on the landscape plan, unless otherwise noted within the conditions of approval. Any additions or modifications may be submitted for review during building plan check process.
- 32. A new eight (8) foot masonry wall shall be provided on-site connecting to the existing north wall perimeter, unless the existing wall located north of Country Club Way is replaced or modified along the Oasis HOA common area.
- 33. Subject to acceptance of an eight (8) foot masonry wall along the Oasis HOA common area, provide one of the required rows of perimeter buffer trees, spaced 30'-0" on center, within the right-of-way. The species for the row of trees shall be "Willow Acacia" or similar.
- 34. Eastern row of the required tree perimeter buffer shall be "Dalbergia Sissoo". Landscape area for this perimeter buffer shall be maintained at a minimum of 20'-0" in width on-site.
- 35. Trees shall be planted a minimum of 12'-0" from any existing or proposed 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.
- 36. The tree planting separation requirements for the existing north-south waterline located in the 33'-0" right-of-way, north of Country Club Way, may be reduced to a minimum of 12'-0" from the waterline. The reduced distance shall require 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.
- 37. Irrigation notes:
  - a. 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.
  - b. Locate valve controller in a vandal resistant housing.
  - c. Hardwire power source to controller (a receptacle connection is not allowed).
  - d. Controller valve wire conduit may be exposed if the controller remains in the mechanical yard.
  - e. Repair existing irrigation system (on site or in the adjacent public right of ways) where damaged by work of this project. Provide temporary irrigation to existing landscape for period of time that irrigation system is out of repair. Design irrigation so existing plants on site are irrigated as part of the reconfigured system at the conclusion of this construction.
- 38. Include requirement in plans 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".
- 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.

# Signage

- 40. Provide address sign(s) on the building elevation facing the street to which the property is identified.
  - a. Conform to the following for building address signs:
    - 1) Provide street number only, not the street name
    - 2) Compose of 12" high, individual mount, metal reverse pan channel characters.
    - 3) Self-illuminated or dedicated light source.
    - 4) 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.
- 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 <a href="https://www.tempe.gov/planning/documents.htm">www.tempe.gov/planning/documents.htm</a> 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 standard engineering details at this link: <u>www.tempe.gov/engineering/standard\_details.htm</u> or purchase book from the Public Works Engineering Division.
  - Access standard refuse enclosures at this link: <u>www.tempe.gov/bsafety/Applications\_Forms/applications\_and\_forms.htm</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:
  - For buildings 50,000 sf. or larger, 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 <u>www.tempe.gov/itd/Signal\_booster.htm</u>. Contact Information Technology Department to discuss size and materials of the buildings and to verify radio amplification requirement.
  - For building height in excess of 50'-0", design top of building and parapet to allow cellular communications providers to incorporate antenna within the building architecture so future installations may be concealed with little or no building elevation modification.
- PUBLIC ART: Provide public art for this development in conformance with the Art in Private Development Ordinance and ZDC Sec. 4-407 and ZDC Appendix D. Contact the Community Services Cultural Services Division regarding implementation of this requirement prior to receiving building permits.
- WATER CONSERVATION: Under an agreement between the City of Tempe and the State of Arizona, Water Conservation Reports are required for landscape and domestic water use for the non-residential components of this project. Have the landscape architect and mechanical engineer prepare reports and submit them with the construction drawings during the building plan check process. Report example is contained in Office Procedure Directive # 59. Refer to this link: <u>www.tempe.gov/bsafety/Applications\_Forms/HandoutsFAQs/Water\_Conservation.pdf</u>. Contact Public Works Water 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.
- 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 or DS-118.
  - 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. Alternatively, the installation of driveways with return type curbs as indicated, similar to Standard Detail T-319, requires permission of Public Works, Traffic Engineering.
  - Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult "Corner Sight Distance" leaflet, available from Traffic Engineering if needed. 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 of 1990 (42 U.S.C.A. §12101 ET SEQ.) and the Code of Federal Regulations Implementing the Act (28 C.F.R., Part 36, Appendix A, Sections 4.1 and 4.6). Refer to Standard Detail T-360 for parking layout and accessible parking signs.
  - 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:**

January 12, 1972	City Council annexed a portion of land into the city limits, which included this site (Ordinance No. 676)
November 8, 1973	City Council approved the rezoning of a 155 acre parcel for Motorola Inc. from AG, Agricultural District to I-1, Garden Type Industrial District, located at the northwest corner of Elliot Road and Price Road (Ordinance No. 405.193).
August 7, 1974	Design Review Board approved the landscaping and building materials (DR-74.63).
December 3, 1975	Design Review Board approved installation of a microwave tower on the roof-northwest corner of building "G" (DR-74.63).
September 27, 1978	Board of Adjustment approved a variance to increase the maximum allowable height of parking lot lighting standards from sixteen (16) feet to thirty (30) feet (A-78.10).
November 19, 1980	Design Review Board approved building elevations and an addition (DR-74.63).
August 26, 1981	Board of Adjustment approved a variance to eliminate the require wall or berms for parking screening at 2100 East Elliot Road (A-78-9.10).
June 23, 1982	Board of Adjustment approved the use permit for Motorola to accommodate a sixty (60) foot tower for electronic testing purposes (A-78-9.10).
July 7, 1982	Design Review Board approved the building elevation for the Radar Test Tower (DR-82.60).
	Design Review Board approved multiple other building additions for Motorola in 1983, 1984, 1985, 1986, 1987, 1988, 1988, 1989, 1990, 1993, 1994, 1995, 1997, 1998, 1999, and in 2000.
July 13, 2004	Planning staff approves signs for Freescale Semiconductor, replacing Motorola from this site.
July 6, 2011	Planning staff approves a site plan with landscape modifications for the DISCOVERY BUSINESS CAMPUS, consisting of a new internal driveway circulation with landscape, located at 2100 East Elliot Road.
August 22, 2011	Applicants held a neighborhood meeting to discuss the proposed plans for the DISCOVERY BUSINESS CAMPUS, located at 2100 East Elliot Road.
September 2, 2011	Planning staff approves minor exterior building modifications for Building 99 at the Discovery Business Campus, located near the northwest corner of the site at 2100 East Elliot Road.
September 15, 2011	Oasis at Anozira Homeowners Association meeting held with the applicants providing a presentation of the Discovery Business Campus proposed project.

# ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-305, Planned Area Development (PAD) Overlay districts Section 6-306, Development Plan Review Section 6-308, Use Permit

# PROJECT SITE DATA:

Overall Data: Property site area Total building area Lot coverage Landscape area Max. Building Height Min. Parking Required Total Parking Provided Min. Bicycle Parking Required Total Bicycle Parking Provided		135.62 acres 2,570,000 square feet 25% (no standard) 30% (10% minimum requir 132 feet (35 ft. max.) 6,063 spaces 7,600 spaces 254 spaces 272 spaces	red)	
Site #1 (Hotel):		Site #7 (Industrial existing):		lexisting):
Site area	2.83 ac		Site area	84.89 acres
Building area Building height		0 sf. (200 hotel rooms) (6-story)	Building area Building height	1,000,000 sf. (5 buildings) approx. 40'-0" (2-story)
Landscape area	18,503	5.	Landscape area	
·	·		'	
<u>Site #2 (Hotel):</u>	2 0 2 0 0	roo		
Site area Building area	2.83 acres 120,000 sf. (200 hotel rooms)			
Building height	80'-0" (6			
Landscape area	18,503	5.		
<u>Site #3 (Office):</u> Site area Building area Building height Landscape area		) sf. (3 buildings + parking s 104'-11" (6-story), Bldg. D	•	ldg. E 61'-7" (4-story), Parking structure (3 levels)
Site #4 (Office):				
Site area	12.30 a			
Building area Building height	300,000 90'-0" (!			
Landscape area	80,347	5.		
<u>Site #5 (Retail):</u> Site area Building area		sf. (3 retail bldgs.)	0// (1 - 1	
Building height Landscape area	30′-0″ ( 24,472	1-story), 30'-0" (1-story), 30' sf	-0" (1-story)	
·	_ ,,,,2			
Site #6 (Industrial/Office):	10.40 -			
Site area Building area	12.40 a 300,000			
Building height	35'-0" (2			
Landscape area	81,055			

#### ORDINANCE NO. 2011.47

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE CITY OF TEMPE ZONING MAP, PURSUANT TO THE PROVISIONS OF ZONING AND DEVELOPMENT CODE PART 2, CHAPTER 1, SECTION 2-106 AND 2-107, RELATING TO THE LOCATION AND BOUNDARIES OF DISTRICTS.

#### 

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That the City of Tempe Zoning Map is hereby amended, pursuant to the provisions of Zoning and Development Code, Part 2, Chapter 1, Section 2-106 and 2-107, by adding a Planned Area Development Overlay to the existing GID, General Industrial District and designating it as GID (PAD), General Industrial District with a Planned Area Development Overlay on 135.62 acres.

#### LEGAL DESCRIPTION: See Exhibit A

TOTAL AREA IS 135.62 ACRES.

Section 2. Further, those conditions of approval imposed by the City Council as part of Case # PAD11007 (PL110130) are hereby expressly incorporated into and adopted as part of this ordinance by this reference.

Section 3. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Attorney

#### EXHIBIT A

#### **Legal Description**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST 55 FEET; AND

EXCEPT THE SOUTH 55 FEET; AND

EXCEPT THE WEST 33 FEET; AND

EXCEPT ANY PORTION OF SAID SOUTHEAST QUARTER LYING WITHIN THE WESTERN CANAL AS SET FORTH IN PLAT RECORDED IN BOOK 181 OF MAPS, PAGE 14, RECORDS OF MARICOPA COUNTY, ARIZONA; AND

EXCEPT THOSE PORTIONS SET FORTH IN INSTRUMENT RECORDED IN RECORDING NO. 93-0631576, AMENDED IN INSTRUMENT RECORDED IN RECORDING NO. 97-0703528, RECORDS OF MARICOPA COUNTY, ARIZONA; AND

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT 55.00 FEET WEST OF AND 55.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 12;

THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 20.00 FEET;

THENCE NORTHEASTERLY TO AN INTERSECTION WITH A LINE PARALLEL TO AND 55.00 FEET WEST OF THE EAST LINE OF SAID SECTION 12, SAID INTERSECTION BEING 20.00 FEET NORTH OF THE POINT OF BEGINNING;

THENCE SOUTH 20.00 FEET TO THE POINT OF BEGINNING IN DOCKET 13239, PAGE 67, RECORDS OF MARICOPA COUNTY, ARIZONA; AND

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT 55.00 FEET NORTH OF AND 33.00 FEET EAST OF THE SOUTH QUARTER CORNER OF SAID SECTION 12;

THENCE NORTH ALONG A LINE PARALLEL TO AND 33.00 FEET EAST OF THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 20.00 FEET;

THENCE SOUTHEASTERLY TO AN INTERSECTION WITH A LINE PARALLEL TO AND 55.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER, SAID INTERSECTION BEING 20.00 FEET EAST OF THE POINT OF BEGINNING;

A-1

THENCE WEST 20.00 FEET TO THE POINT OF BEGINNING IN DOCKET 13239, PAGE 67; AND

EXCEPT THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 12, DESCRIBED AS FOLLOWS:

THE WEST 87 FEET OF THE EAST 410 FEET OF THE SOUTH 17 FEET OF THE NORTH 34.5 FEET AND THE WEST 59 FEET OF THE EAST 745 FEET OF THE SOUTH 17 FEET OF THE NORTH 34.5 FEET AS MEASURED ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 12;

THE NORTH LINE OF THE ABOVE DESCRIBED PARCELS ARE COINCIDENT WITH THE SOUTH LINE OF THE WESTERN CANAL.

[End of Exhibit A]

#### WHEN RECORDED RETURN TO:

City of Tempe Community Development Department 31 E. 5<sup>th</sup> Street Tempe, AZ. 85281

# WAIVER OF RIGHTS AND REMEDIES UNDER A.R.S. §12-1134

This Waiver of Rights and Remedies under A.R.S. § 12-1134 (Waiver) is made in favor of the City of Tempe (City) by Tempe Campus SPV, LLC (Owner).

Owner acknowledges that A.R.S. § 12-1134 provides that in some cases a city must pay just compensation to a land owner if the city approves a land use law that reduces the fair market value of the owner's property (Private Property Rights Protection Act).

Owner further acknowledges that the Private Property Rights Protection Act authorizes a private property owner to enter an agreement waiving any claim for diminution in value of the property in connection with any action requested by the property owner.

Owner has submitted Application No. **PL110130** to the City requesting that the City approve the following:

GENERAL PLAN AMENDMENT
ZONING MAP AMENDMENT
X PAD OVERLAY
HISTORIC PRESERVATION DESIGNATION/OVERLAY
X USE PERMIT
VARIANCE
<u>X</u> DEVELOPMENT PLAN REVIEW
SUBDIVISION PLAT/CONDOMINIUM PLAT
OTHER
(Identify Action Requested))

(Identify Action Requested))

for development of the following real property (Property):

Parcel Nos. : 301-49-006D, 301-49-006G, and 301-49-006L

2100 East Elliot Road, Tempe, AZ 85284

(Legal Description and Address)

By signing below, Owner voluntarily waives any right to claim compensation for diminution in 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 the above-referenced Application, including any conditions, stipulations and/or modifications imposed as a condition of approval.

This Waiver shall run with the land and shall be binding upon all present and future owners having any interest in the Property.

This Waiver shall be recorded with the Maricopa County Recorder's Office.

Owner warrants and represents that Owner is the fee title owner of the Property, and that no other person has an ownership interest in the Property.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

OWNER: Tempe Campus SPV, LLC, a Delaware Limited Liability Company

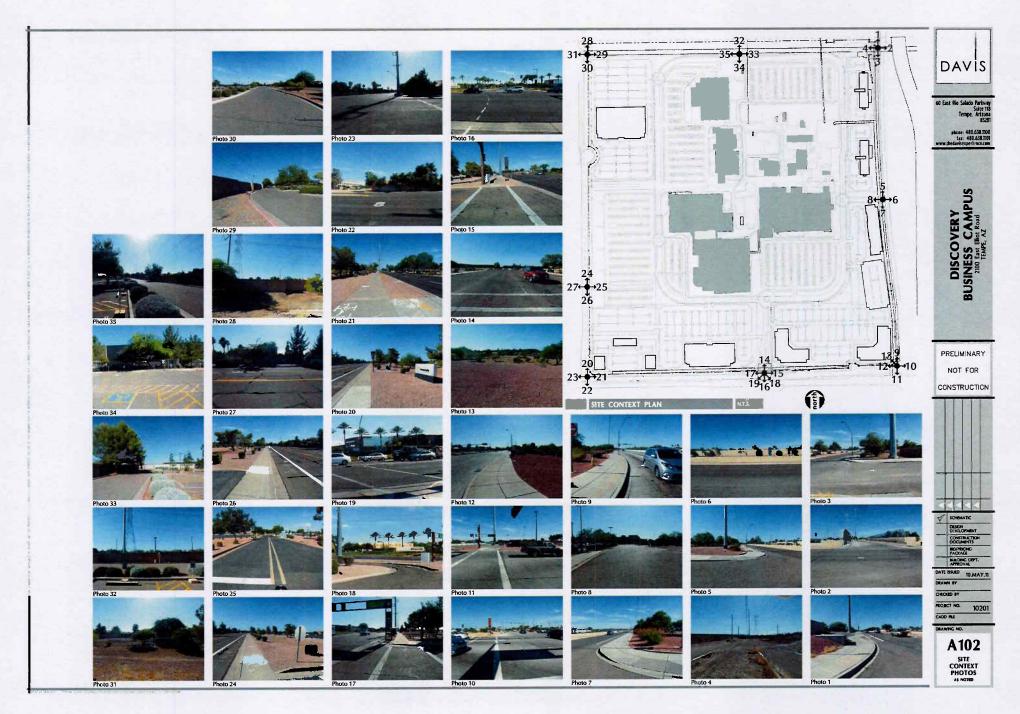
By Its Duly Authorized Signatory: [Print Name]	
Sign Name	
Its:	
[Title, if applicable]	
State of ) ) ) ss. County of )	
County of )	
This instrument was acknowledged before me this day of 2011, by	;
Notary Public My Commission Expires:	

(Signature of Notary)





**DISCOVERY BUSINESS CAMPUS (PL110130)** 



Country Club Way looking South





Country Club Way looking North



Multi-Modal Public Pathway @ Oasis HOA



12' wide pathway looking North

From Kenwood Lane looking East (Discovery Business Campus site)





Looking East from public pathway

# **DISCOVERY BUSINESS CAMPUS**

# **Applicant's Letter of Explanation** Planned Area Development Overlay, Development Plan Review and Use Permits

Tempe Campus SPV LLC (the "Applicant") is proposing to redevelop approximately 135.62 net acres located at the northwest corner of Elliot and Price Roads (the "Site") in Tempe, Arizona. The Site is generally bordered by the Loop 101 freeway to the east, the Arizona State University ("ASU") Research Park to the south, the Western Canal and a City of Tempe water treatment facility to the north, and the Oasis at Anozira, Camelot Village, and Tempe Royal Palms neighborhoods located to the west, northwest and southeast, respectively. Currently, the Site accommodates 11 industrial buildings containing approximately 1,000,000 square feet of light industrial space. The Site is currently occupied by Freescale Semiconductor. A portion of the existing space is and will continue to be utilized by Freescale Semiconductor, Inc. ("Freescale"). See **Exhibit A** for an aerial photograph of the Site.

#### Application

The Applicant is submitting a planned area development (PAD) overlay amendment and development plan review (DPR) application as part of the Applicant's application for the redevelopment of the Site (the "Application"). The Applicant is also submitting use permit requests to allow the development of limited general retail shops and restaurants and to allow the development of hotels on designated portions of the Site.

As part of the Application, we are submitting an overall site plan and PAD application to create a vibrant corporate business park development intended to complement the existing light industrial use on the Site and the employment uses located immediately to the south within the ASU Research Park. In addition to the existing 11 buildings of varying sizes on the Site, the Applicant proposes to improve the Site with:

- two (2), six-story hotels with a combined total of 400 guest rooms and a combined total gross floor area of 240,000 square feet;
- one (1), four-story office building with a gross floor area of 140,000 square feet;
- one (1), five-story office building with a gross floor area of 300,000square feet;
- one (1), six-story office building with a gross floor area of 240,000 square feet:
- one (1), eight-story office building with a gross floor area of 320,000 square feet;
- three (3), one-story general retail/restaurant pads with a combined total gross floor area of 40,000 square feet;
- one (1), two-story industrial/office building with a gross floor area of 300,000 square feet; and,
- one (1), three-level parking structure and multiple at-grade parking courtyards containing a combined total of 7,600 parking spaces.

In total, the Project, which will be branded as Discovery Business Campus, will consist of 2,580,000 square feet of building area. The intent of this Application is to create an

aesthetically pleasing corporate business park and employment center with architectural elements designed to:

- bring additional employment opportunities to Tempe;
- create a recognizable place to work and stay;
- complement the Site's existing use and ASU Research Park:
- provide an appropriate transitional use between the Loop 101 freeway to the east and the residential neighborhoods to the west; and,
- further stimulate economic activity in south Tempe along the Loop 101 freeway corridor;

In addition, as part of this Application, we are submitting a DPR application for the development of four, five, six and eight-story office buildings, and the development of a twostory industrial/office/flex building. The overall intent of the Project's design is to provide a contemporary built environment within an employment campus setting that fits well into both the physical environment and surrounding built environment, creates visual interest and provides a secure and inviting environment.

For travelers from the south and southeast, the highly visible locations of the Site and the ASU Research Park essentially serve as the City's front door. Given its proximity to the Loop 101 freeway and the ASU Research Park, the Site is a prime opportunity for revitalization. Currently, the Site fails to engage the Elliot and Price Road street frontages. The Site presents a unique opportunity to make a significant statement at the City's front door with the introduction of a high-quality, employment campus consisting of office, industrial, hospitality and supporting retail/restaurant uses that are representative of the ongoing private and public investments along the Loop 101 freeway corridor.

#### Site Area

The Site is comprised of three parcels located approximately 120 feet west of the northwest corner of the intersection of the Loop 101 freeway and Elliot Road in Tempe, Arizona. The Site consists of 135.62 net acres. The formal address is 2100 East Elliot Road, Tempe, Arizona. A full legal description is included in the Application submittal.

#### Area Context

The Site, which is comprised of three separate industrially zoned parcels, is located immediately across Elliot Road from the ASU Research Park, the area's major employment center. Price Road, the frontage road for the Loop 101 freeway, and the Western Canal respectively border the Site to the east and north. A City of Tempe water treatment facility is located immediately across the Western Canal. The Oasis an Anozira, Camelot Village and Temple Royal Palms neighborhoods are located to the west, northwest and southeast across Country Club Way, the Western Canal and Elliot Road, respectively.

Other surrounding area uses within one-half mile of the Site include multiple commercial shopping centers at the intersection of Elliot and McClintock Roads and Stroud Park. The Applicant envisions the Project as a regional employment center with supporting retail/restaurant

and hospitality uses which will complement both the Site's existing light industrial use and the employment uses located within the ASU Research Park across Elliot Road.

# **Planning Context**

#### **General Plan 2030**

The land use projected for the Site by General Plan 2030 is Industrial (work). According to General Plan 2030, the Industrial (work) category is designed to accommodate industrial uses (e.g. research, manufacturing, assembly, processing etc.) with offices and limited commercial activity. The Project is exactly the type of mixed-use and employment center project envisioned by General Plan 2030 for the Site, as it will not only provide opportunities to work but will also provide limited commercial and hospitality opportunities designed to support the Site's employment uses.

#### **Current Zoning**

The Site is currently zoned for General Industrial District (GID) uses. See **Exhibit B** for a current zoning map for the Site and surrounding area. The GID is intended for employment centers consisting of office uses, warehousing, wholesaling, assembling and manufacturing of building materials, machinery, and other commodities. Offices and industrial uses are permitted by right in the GID. Commercial uses, including hotels, retail shops and restaurants, in the GID require the approval of a use permit. Also, the maximum building height in the GID is restricted to 35 feet. Therefore, in order to establish site specific development standards and to allow a mix of uses that will facilitate the Applicant's development of a vibrant employment campus, the purpose of this Application is to rezone the Site from GID to GID (PAD) and to obtain use permit approvals to allow hospitality and general retail and restaurant uses on the Site.

#### **Project Description**

The Site currently consists of three industrial parcels that contain eleven (11) existing industrial buildings of varying sizes. As shown by the aerial photograph provided in **Exhibit A**, the existing buildings are grouped together and generally located at the center of the Site. As a result, approximately 1/3 of the Site's area located along the east, south and west perimeters are underutilized.

The Site is strategically located to make a significant statement at Tempe's front door for travelers from the south and southeast. The Project presents an extraordinary opportunity to further energize the Loop 101 freeway with additional employment and supporting hospitality and retail/restaurant uses that will complement the Site's existing uses and establish an environment which truly offers an opportunity to work and stay in the same area. Considering the Site's location within the desirable south Tempe area, as well as its proximity to the ASU Research Park and the Loop 101 freeway, the Applicant strongly believes that the Project will strongly appeal strongly to office and industrial space uses seeking space within a high-quality and desirable employment campus setting in proximity to supporting hotels, shops and restaurants.

Currently the site consists of 11 existing industrial buildings of varying heights up to 40 feet totaling approximately 1,000,000 square feet of building area. The purpose of the Application is to add the following to the Site:

- one (1) light industrial two-story building, which will be similar in character and design to the existing buildings on the Site;
- two (2) potential six-story hotel buildings located on the east portion of the Site adjacent to the Loop 101 freeway. The two hotel buildings will have a potential combined total of 240,000 square feet of building area;
- one (1) eight-story office building totaling 320,000 square feet of building area, located in the southeast corner of the Site adjacent to Elliot Road and the Loop 101 freeway;
- one (1) four-story office building totaling 140,000 square feet of building area;
- one (1) six-story office building totaling 240,000 square feet of building area also located in the southeast portion of the Site adjacent to the Loop 101 freeway and Elliot Road;
- three (3) one-story retail/restaurant shop pads with a combined total of 40,000 square feet of building area;
- one (1), three-level parking structure and multiple at-grade parking courtyards containing a combined total of 7,600 parking spaces; and,
- approximately 41 acres of landscaped area when combined with existing landscaped areas on the Site.

The Project building heights vary from one-story (30 feet) adjacent to the neighborhoods to eight stories (132 feet), with the tallest buildings being located along the Elliot Road and Price Road street frontages. No building located within 775 feet of the residential neighborhoods to the west exceeds 35 feet in height. The vast majority of the new buildings on the Site will be located on the eastern three-fourths of the Site away from the residential neighborhood to the west. The only buildings planned within 500 feet of the noted residential neighborhood are three (3), onestory retail/restaurant pads totaling 40,000 square feet in building area at the southeast corner of the Site and a two-story industrial/office/flex building located at the northwest corner of the Site. Breaking up the building form into multiple buildings and varying the height of the structures will reduce the bulk and scale of the development and create the desired campus setting. The placement of buildings along Elliot and Price Roads will establish a significant presence along the street frontages at the same time. With the exception of the industrial/office/flex building located at the northwest corner of the Site, the new buildings are oriented toward the public right-of-way and/or designed to engage the street frontage. The design goal is to use the building placement and the ample landscaping to establish an active and inviting street frontage conducive to an employment campus setting.

The Project's overall's architectural character will emphasize a contemporary urban design allowing for a timeless and modern look. The use of building massing to express the verticality of the structures without losing the desired pedestrian feel and scale will be paramount in the refinement of the architectural character. The primary design elements of the overall architectural character theme will be applied to all new development sites within the Project.

Sites 1 and 2 (the "Hotel Sites"), located at the northeast corner of the Site, will be developed as hotels. The accessibility of the Loop 101 freeway and the proximity of the ASU Research Park and planned office uses on the Site make the Hotel Sites an ideal location for hotels intended to accommodate primarily business travelers, such as an Embassy Suites. The proposed six-story building height is consistent with other hotels located along freeways that are designed to accommodate business travelers. The location of hospitality uses in this area will bring activity and people to this portion of the Site and will give the Site a twenty-four hours, seven days a week presence. The proposed building form will maintain a significant urban presence along Price Road. The use of windows and varying materials, colors and textures will provide visual interest and breakup the building's massing. In addition, buildings will be encouraged to shade glass surfaces through the use of fin walls, piers, planes, trellis or overhead shading devices that will also provide visual interest.

Sites 3 and 4 (the "Office Sites"), along with the existing industrial buildings at the center of the Site, are the employment heart of the Project. Site 3 consists of three Class A office buildings designed to utilize the full potential of the Site's street frontage along both Price Road and Elliot Road. By utilizing the full potential of the street frontage, the Project will make a significant architectural statement that will serve as a gateway feature for travelers entering Tempe from the south and southeast. The current development plan for Site 3 is three (3) office buildings of varying heights (four, six and eight stories) providing a combined total of 700,000 square feet of office space, a three-level parking garage and an at-grade parking courtyard. The current development plan for Site 4 is one (1) five-story office building providing 300,000 square feet of office space and an at-grade parking courtyard. The proposed building form will maintain a significant urban presence along both Price and Elliot Roads and will screen at-grade parking courtyards from the public right-of-way. The placement and design of the four buildings is specifically designed to allow all four office buildings to be visible from the street frontage, while maximizing views from the Project at the same time. The varying heights, floor plates and architectural elements of the buildings will create visual interest for employees, neighboring residents and visitors.

Site 5 (the "Retail Site") consists of three one-story pads designed for retail and restaurant uses intended to support the Site's employment uses. Consisting of only 40,000 square feet, the Retail Site will be limited to general retail and restaurant uses. Live-entertainment in association with restaurant uses will not be permitted.

Site 6 (the "Industrial Site"), located near the northwest corner of the Site, will provide industrial/office/flex space within the Project. The Industrial Site will provide additional high-quality, high-paying employment opportunities within an office campus environment. One of the goals of this Project is to provide diverse employment space opportunities within one development. The diverse nature of the existing and planned employment space combined with the additional mixture of uses within the Project will provide an employment campus environment where a variety of employment uses and opportunities can come together in one location. The proposed modest two-story building height respects the Site's adjoining residential uses to the north and west.

#### **Project Design**

The Project is a contemporary design that will fit well into both the physical and surrounding built environments, create visual interest, and provide a secure environment. The primary exterior building skin materials (e.g. glass, metal, concrete and EIFS) will accomplish the desired contemporary look and are similar to materials used for the ASU Research Park to the south. The primary architectural concept of the Project is the creation of a uniform, modern and inviting employment campus. To provide visual interest, the design varies building heights and forms, as well as the use of building materials, throughout the Project.

The Project's design requires all sides of new buildings to receive consistent architectural treatments which incorporate offsets in building components that are enhanced through a change in materials. The design heavily utilizes glass for purposes of maximizing views, providing architectural day-lighting, and providing a contrasting element to the other exterior building skin materials (e.g. metal, concrete, masonry and EIFS). The use of glass at the ground level of buildings is also designed to provide high visibility throughout the Project and to provide users with a secure environment. To break-up building mass and provide visual interest, the design employs methods for articulation (e.g. material, color and texture changes, reveals, windows etc.) for large wall surfaces. To screen roof mounted equipment, the design extends building façades and screen walls in a manner that integrates the facades and walls into the overall building design through the use of similar materials, forms and massing. To help ensure the creation of high-quality aesthetic environment, service and exit doors are incorporated as integral parts of the architectural design. To provide a clean architectural design, all roof access ladders will be located inside the buildings and all roof drainage will be internal.

The Project will also be designed to provide well lighted, accessible walkways and sidewalks with minimal conflicts with vehicular circulation on the Site. The parking garage itself, the at-grade parking courtyards, the connections between the garage and the parking courtyards and the entrances of the buildings, and the connections between the Project and public right-of-way will be well lit to increase visibility. The provision of well lit connections not only enhances security but also assists in identifying the entry points of buildings. Further, the design of the vehicular and pedestrian circulation on the Site is segregated to allow for easier and safer pedestrian and vehicle maneuvering.

The Applicant strongly believes in the incorporation of environmentally responsible design practices. For this reason, the incorporation of Leadership in Energy and Environmental Design (LEED) practices and principles will be encouraged at the Discovery Business Campus. The Project incorporates shade as an integral part of the design for energy conservation and comfort. The provision of fin walls, piers, planes, trellises and overhead shading devices not only provides architectural aesthetics but will also shade glass building surfaces. These design elements not only increase the users' comfort but will also increase the energy efficiency of the buildings. In addition, the Project's landscape will conserve water through the utilization of a more natural desert palette where appropriate and by retaining existing trees and landscape materials on the Site where possible.

#### Landscape & Hardscape

The overall landscape coverage percentage is 30 percent. This is a significant amount for any development within an urbanized area. As shown by the conceptual landscape plan included as part of this Application, existing landscape materials will be retained on the Site to the maximum extent feasible. The retention of existing and mature landscape materials is essential for establishing the desired inviting employment campus setting. Where new landscape materials are required, the landscape palette will include a variety of indigenous landscape materials with a range of accent colors to create visual interest. In order to establish a seamless appearance and unified theme throughout the Project, both landscape and hardscape components for each development site will follow an overall and office park streetscape theme. Amenities and special features designed to enhance the overall shared environment between the Project's landscaping, architecture and overall pedestrian experience include enhanced landscape materials, screen walls, planters, walkways, paving and seating.

#### Site Circulation and Parking

The Site will be primarily accessed from ingress/egress locations located along both Elliot and Price Road. The primary entrance to the Discovery Business Campus will be the intersection of Elliot Road and River Parkway, with secondary entrances located at multiple locations along Elliot and Price Roads and Country Club Way. The Elliot Road and River Parkway intersection is already developed as a full four-way signalized intersection. On-site circulation is primarily accommodated by a private loop road. The loop road will establish a vehicular loop circulation pattern and provide access to each of the development sites.

At-grade parking courtyards are distributed throughout the Site and the provision of a three-level parking garage near Site 3 will serve the parking needs for employees and visitors. In addition, multiple bicycle parking areas will be provided on the Site. Both the Site and the ASU Research Park located immediately to the south across Elliot Road are serviced by Bus Route 108. Route 108 primarily runs along Elliot and Guadalupe Roads between Arizona Mills Mall and the Superstition Springs Transit Center in Mesa. Route 108 currently stops at the ASU Research Park. To reduce the number of vehicular trips generated, employees at Discovery Business Campus will be encouraged to use alternative modes of transportation, such as biking and riding the bus.

The movement of pedestrians, both on foot and on bicycle, is a major element of the Project. With a mixture of office, industrial, hospitality and retail uses planned for the Project, movement within the Site will mainly be achieved through the use of a comprehensive system of well lighted and accessible walkways and sidewalks designed to create an environment conducive of on-site movement. All buildings on the Site will be linked with walkways and sidewalks which will allow movement throughout the Project. The primary goal of this system will be to establish a seamless flow between the development sites comprising the Project.

#### **Use Permit Requests**

As mentioned above, the Applicant is requesting use permits as part of the Application to allow the development of limited general retail shops and restaurants and to allow the development of hotels on designated areas of the Site. See the above descriptions for Hotel Sites and the Retail Site for information regarding the planned retail, restaurant and hospitality uses.

#### Not cause any significant vehicular or pedestrian traffic in adjacent areas

The general retail shops and restaurants will not cause a significant amount of vehicular or pedestrian traffic in adjoining areas. The shops and restaurants are designed to primarily support the Project's office and industrial uses. As such, the uses will not generate significant amounts of traffic. In addition, a vast majority of the patrons will be able to walk to the shops and restaurants from their respective places of employment on the Site.

The Hotel Sites are located at the northeast corner of the Site along the Loop 101 freeway frontage road. The potential hotels will not cause any significant vehicular or pedestrian traffic in adjoining areas. The proposed hotel locations on the east side of the Site will allow guests to immediately access both hotels from the Loop 101 freeway without entering or passing through adjoining areas.

# Not cause any nuisance (odor, dust, gas, noise, vibration, smoke, heat or glare etc.) exceeding that of ambient conditions

The general retail shops and restaurants and the hotels will not cause any nuisances. The retail shops and restaurants will be limited to combined total of 40,000 square feet in floor area and will be restricted to one-story in building height. To ensure that undesirable levels of noise are not generated, live-entertainment in association with the restaurants will not be permitted.

The hotels will not generate any nuisance exceeding ambient conditions, as they are primarily intended to accommodate to business travelers seeking quiet space in proximity to business (e.g. Discovery Business Campus and ASU Research Park). The hotels are not designed to provide a resort environment where activities can generate significant levels of noise. Instead, the planned hotels will provide a place for guests to rest and sleep in between business meetings.

# Not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City

The Project, including the general retail shops and restaurants and the hotels, represents a significant investment in both the neighborhood and City that will both improve and encourage additional investment in the area. As discussed above, the Project, including the general retail shops and restaurants and the hotels, are consistent with the City's goals, objectives and policies.

#### Be compatible with existing surrounding structures

The retail shops, restaurants and hotels are integral parts of a comprehensive mixed-use project that will employ consistent architectural and landscape themes throughout the Site to ensure that all structures, existing and planned, are compatible. To ensure that the retail shops and restaurants provide an appropriate transition between the residential neighborhood to the west and the Site's more intense employment uses to the east, the building height of these planned uses will be restricted to one-story.

# Not result in any disruptive behavior which may create a nuisance to the surrounding area or general public

The shops, restaurants and hotels will not result in any disruptive behavior. The Applicant strongly believes in being a good neighbor and it is not in the economic interest of the noted uses to allow behavior that discourages patrons and guests from visiting the businesses and hotels.

#### Conclusion

We are very excited about the Discovery Business Campus. We believe that we have developed a high-quality employment campus design consisting of a mix of uses that will complement the Site's existing industrial use and the nearby ASU Research Park while respecting the nearby residential neighborhoods at the same time. This Project will provide the residents of Tempe and the surrounding area with exciting new employment opportunities and will enhance the City's economic base at the same time. In addition, the Project will serve as a catalyst for future redevelopment opportunities along the Loop 101 freeway corridor. We look forward to discussing the development proposal with you in the near future and respectfully request your support.



September 19, 2011

- TO: Ryan Levesque, Senior Planner City of Tempe Community Development Department
- RE: Summary of Public Outreach regarding the Discovery Business Campus Development Plan Review (DPR), Planned Area Development (PAD) Overlay and Use Permit (UP) Applications for 135.62 acres of property located at the northwest corner of Elliot and Price Roads

The project team has made a concentrated effort to reach out to the community. We have and will continue to address any questions and/or comments that may arise throughout the application process.

#### July 25, 2011 Mailing Notification:

Pursuant to applicable City requirements, on July 25, 2011, the Applicant sent first class letters to all property owners within 300 feet of the project site and chairpersons of registered neighborhood associations and home owners associations within 600 feet of the project site, notifying interested parties of the proposed development and the neighborhood meeting scheduled for August 22, 2011. Copies of the mailing notice and notification list are enclosed with this summary.

# July 29, 2011 Posting:

The respective dates, locations, and times for the scheduled neighborhood meeting and scheduled public hearings, as well as the Applicant's contact information, were posted on the project site on July 29, 2011. Photos of the public hearing notice sign posted on the site, are enclosed with this summary.

#### **Phone Calls:**

On July 29, 2011, the Applicant's legal representative received a phone call from Debbie Overton, resident of the Camelot Village neighborhood located north of the project site across the Western Canal, regarding the project. Ms. Overton asked questions related to the project's building elevations, building heights, surface parking lot lighting, construction schedule and wall along the north property line. Ms. Overton also asked questions related to the property's ownership and the project's neighborhood meeting scheduled for August 22, 2011. The Applicant and the Applicant's legal representative addressed Ms. Overton's questions during the noted phone correspondence and/or during subsequent meetings held on August 19, 2011and September 12, 2011.

On August 3, 2011, the Applicant's legal representative exchanged voice messages with Debbie Tribioli, Kinney Management Company's property manager for the Oasis at Anozira neighborhood located west of the project site across Country Club Way, regarding Oasis neighborhood residents receipt of the July 25, 2011 mailing notice advising of the proposed development, the August 22<sup>nd</sup> neighborhood meeting and scheduled City of Tempe public meetings and hearings. The Applicant's legal representative subsequently corresponded with Ms. Tribioli to coordinate the project's presentation at the annual meeting of the Oasis homeowners' association on September 15, 2011.

# August 19, 2011 Meeting with Camelot Village Neighborhood Residents:

On August 19, 2011, the Applicant and the Applicant's legal representative met with Tim and Debbie Overton, James Wagoner, Tim Denton and Maureen Fogarty. All noted persons reside in the Camelot Village neighborhood located north of the project site across the Western Canal. The meeting took place at Mac's at the southwest corner of Guadalupe and McClintock. The purpose of the meeting was to introduce the project to the neighbors and to discuss any concerns that they may have in regard to the project. The Applicant and the Applicant's legal representative explained how the project's design places the most intense uses and tallest buildings along the Loop 101 Freeway and Elliot Road, away from the neighborhood. The Applicant and the Applicant's legal representative also provided information in regard to the property would be setback from the neighborhood. The meeting was productive and the Applicant's legal representative and the neighborhood. The property would be setback from the neighborhood. The meeting was productive and the Applicant's legal representative and the neighborhood to the project.

# Neighborhood Meeting of August 22, 2011:

Our official neighborhood meeting was held in Building 99 located on the project site on August 22, 2011. The meeting began at approximately 6:00 p.m.

# Meeting Attendees

Representatives from Wentworth Property Company, Gammage & Burnham PLC and the design and architecture firm of Davis were present. Approximately 50 interested neighbors and Ryan Levesque of the Tempe Community Development Department were also in attendance. Contact information for persons in attendance for the meeting is provided on the sign-in sheet enclosed with this summary.

#### **Presentation**

Manjula Vaz of Gammage & Burnham PLC introduced project team members in attendance and discussed the purpose of the filed PAD Overlay, DPR and UP applications. James Wentworth Jr. provided background information on Wentworth Property Company and provided an overview of the development proposal. Mike Edwards of Davis discussed the project's design.

# Questions Posed by Meeting Attendees:

A number of questions were raised by the members of the public who attended the neighborhood meeting. The topics are as follows the project's anticipated development schedule; potential users for the proposed buildings; the number of buildings currently occupied by Freescale on the project site; whether or not a variance was required to accommodate the development proposal; development controls for ensuring that additional buildings cannot be constructed along the project site's west property line in the future; development controls for ensuring that the building height of the proposed two-story office/flex building at the northwest corner of the project site cannot be increased in the future; the presence of windows on the west elevation of the proposed two-story office/flex building at the northwest corner of the project site; the building height of the proposed two-story office/flex building at the northwest corner of the project site; proposed building setbacks for the two-story office/flex building at the northwest corner of the project site; the public review process for the project's PAD Overlay, DPR and UP applications; current building height restrictions applicable to the property; the location of hotels proposed for the project site; the closure of Country Club Way; screening of the project from residential neighborhoods; restricting the property's access to the Western Canal; the provision of perspective renderings of the project from the Oasis at Anozira and Camelot Village neighborhoods; the provision of on-site security; increasing the height of the existing property wall between the project site and the Oasis at Anozira neighborhood; anticipated traffic impacts; water usage for the project's landscaping; planned measures for controlling scorpions from moving onto adjoining areas during construction; Freescale's plans for remaining on the project site and the number of Freescale employees currently on the site; the presence of 24/7 tenants; the replacement of existing retention basis; planned landscaping enhancements for the property; plans for the existing soccer field and tower located on the project site; the provision and location of covered parking on the project site; the future presence of manufacturing uses on the project site; renovations planned for existing buildings on the project site; Wentworth Property's experience related to developing property located near residential neighborhoods; the project's signage; the size of the project's planned retail area at the southwest corner of the project site; and, moving the proposed two-story office/flex building at the northwest corner of the project site to the east.

# **Questions** Addressed:

All questions raised during the meeting were addressed by the Applicant, the Applicant's legal representative or the Applicant's architect.

# Comments Submitted by Meeting Attendees:

To date, nine (9) formal comment sheets in regard to the project have been submitted by persons in attendance at the neighborhood meeting. Of the nine (9) submitted comment sheets, four (4) indicate support for the project, one (1) indicates tentative support for the project, one (1) expresses neutrality in regard to the project and three (3) indicate opposition the project. Copies of the submitted comment sheets are enclosed with this summary.

# Meeting Adjournment:

The meeting ended at approximately 8:00 p.m.

# August 29, 2011 Mailing Notification:

The Applicant sent first class letters to all property owners within 300 feet of the project site, chairpersons of registered neighborhood associations and home owners associations within 600 feet of the project site, and all other persons that provided a mailing address during the August 22<sup>nd</sup> neighborhood meeting to advise that public hearings for the project had been rescheduled in order to provide additional time for addressing comments expressed during the August 22<sup>nd</sup> neighborhood meeting and to allow the project to be presented and discussed at the annual meeting of the Oasis at Anozira homeowners' association (HOA) on September 15, 2011. For all other persons in attendance at the August 22<sup>nd</sup> neighborhood meeting only providing e-mail contact information, the Applicant sent e-mails advising of rescheduled public hearings and the September 15<sup>th</sup> Oasis at Anozira HOA meeting.

# September 7, 2011 Posting Update:

On September 7, 2011, the posted sign was updated to reflect the rescheduling of City Council hearing dates, as well as to reflect changes in proposed building heights. The updated affidavit of signs posting and a photo of the updated public hearing notice sign posted on the site are enclosed with this summary.

# September 12, 2011 Meeting with Camelot Village Neighborhood Residents:

On September 12, 2011, the Applicant and the Applicant's legal representative met with Tim and Debbie Overton, Ora Wagoner, Randy Hlebak and Sherida Sowell. All noted persons reside in the Camelot Village neighborhood located north of the project site across the Western Canal. The meeting was held at Boston Market at the northeast corner of Elliot and McClintock Roads. The purpose of the meeting was to further discuss the project and neighbors' concerns regarding the proposed two-story office/flex building located near the northwest corner of the project site. The Applicant and the Applicant's legal representative informed the neighbors that the height of the proposed building at the northwest corner of the project site had been reduced from 49 to 35 feet since the neighborhood meeting held on August 22nd. The Applicant and the Applicant's legal representative also discussed providing additional trees along the property's north property line for screening purposes. The meeting was productive and the Applicant agreed to provide a revised landscape plan depicting the location of additional tree planting locations along the property's north property line

# September 14, 2011 Meeting with Oasis at Anozira Neighborhood Residents:

On September 14, 2011, the Applicant and the Applicant's legal representative met with Doug King, Steve Boda and Jack Fetherton at the southwest corner of the project site. Mr. King, Mr. Boda and Mr. Fetherton all reside in the Oasis at Anozira neighborhood located west of the project site across Country Club Way. The meeting was held at the southwest corner of the project site. The purpose of the meeting was to further discuss the project and the neighbors' concerns regarding the proposed retail pads located near the southwest corner of the project site.

The meeting was productive and the Applicant and the Applicant's legal representative agreed to provide Mr. King with a list of potential uses for the retail pads. The Applicant, the Applicant's legal representative and Mr. King all agreed to continue to discuss the location of trees to be planted near the southwest corner of the project site, as well as the possibility of planting trees within Oasis neighborhood at select locations along Kenwood Lane, for screening purposes.

# September 14, 2011 Meeting with Kimberly DePiero:

On September 14, 2011, The Applicant and the Applicant's legal representative meet with Kimberly DePiero, resident of the Oasis at Anozira neighborhood located west of the project site across Country Club Way, at the Applicant's legal representative's office in downtown Tempe to discuss the project. The meeting was productive. Ms. DePiero indicated that she is supportive of the project's development concept but did express concern regarding view impacts resulting from the proposed two-story office/flex building located at the northwest corner of the project site. The Applicant and Ms. DePiero discussed the potential planting of additional trees on the property and within the Oasis neighborhood for screening purposes. Ms. DePiero indicated that she would attend the project's presentation at the annual meeting of the Oasis at Anozira homeowners' association (HOA) the following night. Ms. DePiero was in attendance at the September 15<sup>th</sup> Oasis HOA meeting.

# September 15, 2011 Oasis at Anozira Homeowners Association Board Meeting:

The Applicant, the Applicant's legal representative and the Applicant's architect attended the annual meeting of the Oasis at Anozira homeowners' association at Marcos de Niza High School on September 15, 2011 to present and discuss the project. Approximately 80 homeowners were in attendance at the meeting. The Applicant began the project's presentation by providing background information on Wentworth and discussing immediate improvement plans for the property not requiring zoning approval by the City. The Applicant then discussed the project's site layout and design. The Applicant's legal representative discussed the purpose of the PAD Overlay, DPR and UP requests, as well as the associated public review process. Comments and questions expressed by homeowners in attendance at the meeting and the Applicant's responses are provided below.

- A homeowner commented that the proposed two-story office/flex building should be moved further to the east. The Applicant's architect noted that the building was setback 115 feet from the west property line, which is well beyond Code requirements.
- A homeowner asked if a drive-through could be placed within the project's retail area. The Applicant's legal representative responded that a separate use permit is required to allow a drive through in the GID zoning district and that additional public review would occur as part of a use permit request to allow a drive-through on the property.
- A homeowner asked if the City could be persuaded to close the gap in the Oasis wall at the north end of Country Club Way. The Applicant responded that the wall in question is not located on the project site and that the City would need to approve the closure. The

Applicant also noted that some Oasis residents had expressed that the wall should remain open.

- A homeowner asked what will happen to the property if Freescale leaves. The Applicant responded that Wentworth would like for Freescale to remain on the property for another 15 years, as they are a high-quality tenant. The Applicant also noted that the portion of the property occupied by Freescale would be redeveloped if Freescale vacated the property.
- A homeowner asked if additional trees could be planted to screen the project's buildings. The Applicant responded that planting additional trees in select locations for screening purposes would be considered. The Applicant asked homeowners to advise of specific locations where additional trees may be desired and beneficial.
- A homeowner asked if an eight-foot wall was required to be provided along the west property line adjoining the Oasis neighborhood. The Applicant responded that an eight-foot wall is required where the property is not separated from the Oasis by Country Club Way but that other options are being considered in effort to avoid creating an undesirable dead space between the existing Oasis wall and a new wall.
- A homeowner asked if Country Club Way could be closed. The Applicant responded that Wentworth's preference is for Country Club Way to remain open. The Applicant also noted that the City would need to approve the road closure and that the City may also prefer that the road remains open.
- A homeowner expressed concern about the proposed hotels creating additional traffic in the neighborhood. The Applicant noted that the proposed hotels are placed along the Loop 101 freeway, away from the residential neighborhoods to the west. The applicant also noted the hotels would be oriented to business travelers likely to travel along the Loop 101 corridor and remain within Discovery Business Campus and ASU Research Park.
- A homeowner expressed concern that placing more traffic on Price Road could cause additional traffic conflicts. The Applicant responded that a traffic study had been prepared for the project. The Applicant also noted that the ability of vehicles exiting the site to cross the Loop 101 freeway near the northeast corner of the property to access the 101's north-bound lanes would limit traffic impacts on Price Road.

# September 19, 2011 Follow-Up Meeting with Neighbors:

On September 8, 2011, the Applicant's legal representative invited eight (8) interested neighbors via e-mail correspondence to attend a follow-up neighborhood meeting on September 19<sup>th</sup> to discuss comments submitted to the Applicant's legal representative regarding the project. The meeting will take place from 6:00 to 7:00 p.m. in Building 99 on the project site. During the respective neighbor meetings held on September 12<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> discussed above, the Applicant and the Applicant's legal representative also invited interested neighbors to attend the

September 19th meeting. A summary report for this meeting, as well as any correspondence with neighbors occurring on or after September 19<sup>th</sup>, will be submitted to the City in advance of the September 27<sup>th</sup> Development Review Commission meeting.

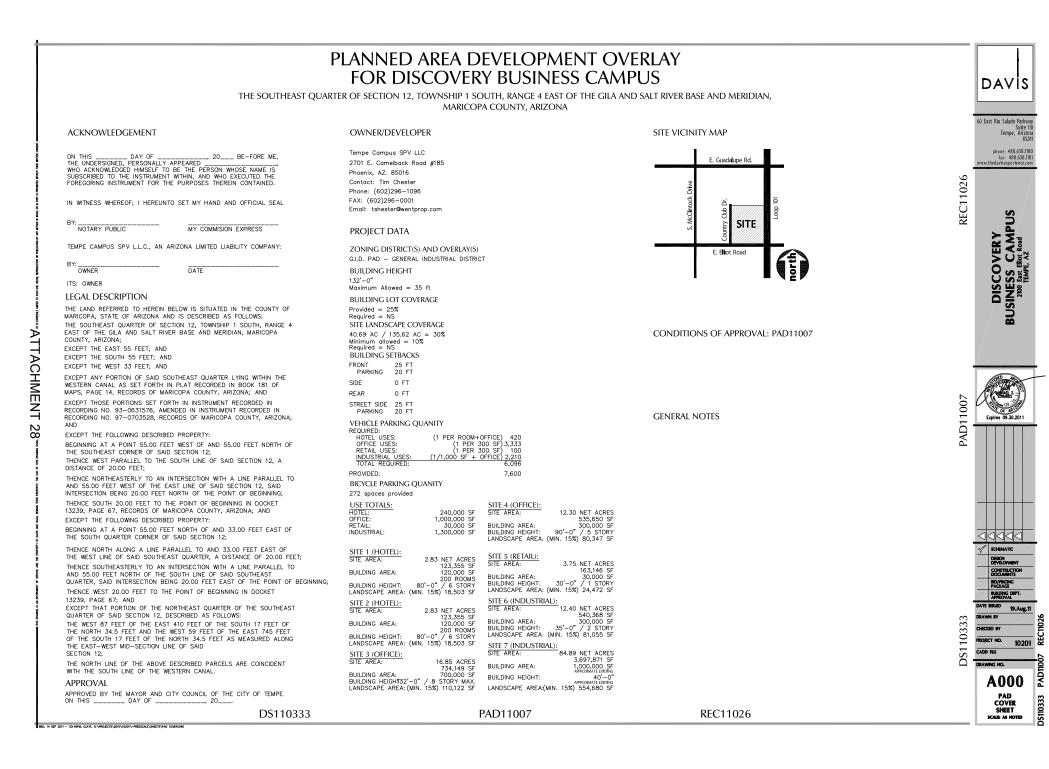
### **<u>E-mail Correspondence</u>**:

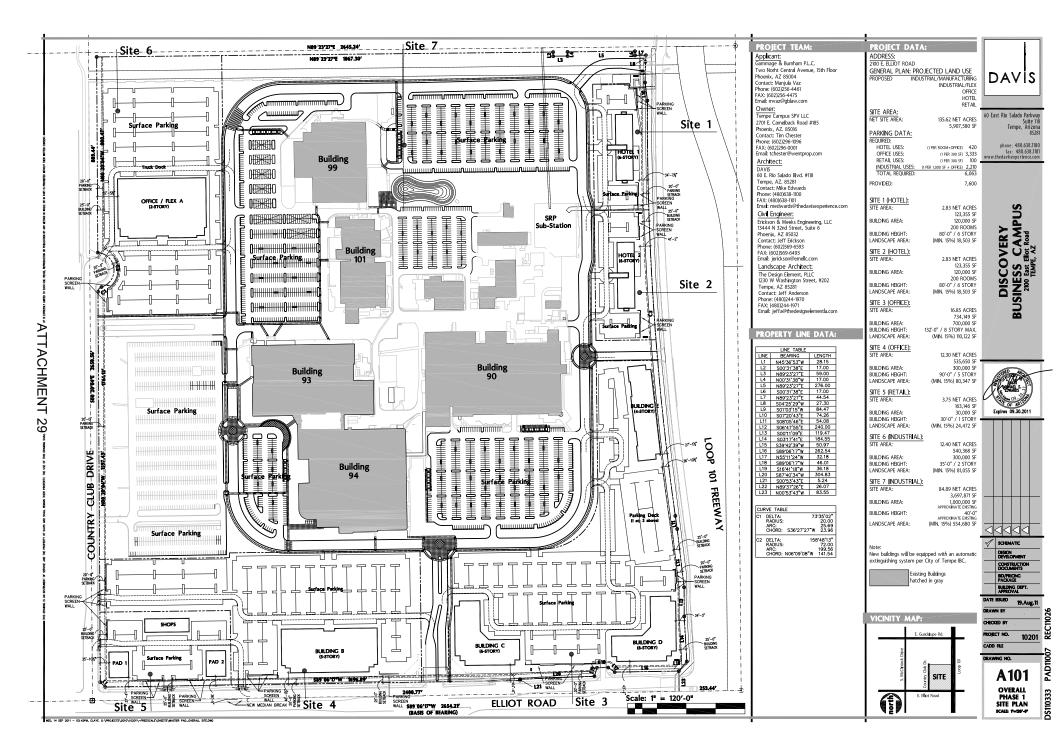
The Applicant's legal representative has received several e-mails from interested neighbors in regard to the project to date. As demonstrated by the enclosed e-mail correspondence, the Applicant's legal representative has been and will continue to be responsive to e-mail correspondence received from neighbors and other interested parties.

#### **Letters and Faxes:**

The Applicant's legal representative has not received any letters or faxes from either a neighbor or interested person regarding the project to date.

Encl.: July 25, 2011 mailing notice
July 25, 2011 mailing notification list
July 29, 2011 affidavit of signs posting and photo of posted signs
August 22, 2011 neighborhood meeting sign-in sheet
Neighbor comment sheets submitted during or after August 22, 2011 neighborhood mtg.
August 29, 2011 mailing notice
August 29, 2011 mailing notification list
September 7, 2011 affidavit of signs posting and photo of updated posted signs
Affidavit of public hearing notification
E-mail correspondence





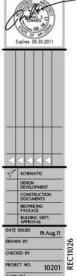


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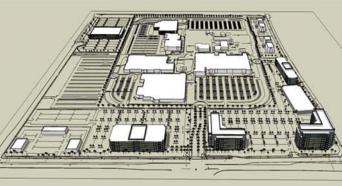




Perspective View - Looking Northwest

ATTACHMENT 30

Perspective View - Looking North





CADD FEE

A401 AERIAL PERSPECTIVES

PAD1100

DS110333



Perspective View - Looking Northeast at Building A

ATTACHMENT 31



Perspective View - Looking Northwest at Building E



Perspective View - Looking Northwest at Building D



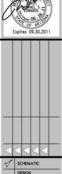
Perspective View - Looking Northeast at Building C



Perspective View - Looking Northeast at Building B

DAVIS

phone: 480.638.1100 fax: 480.638.1101



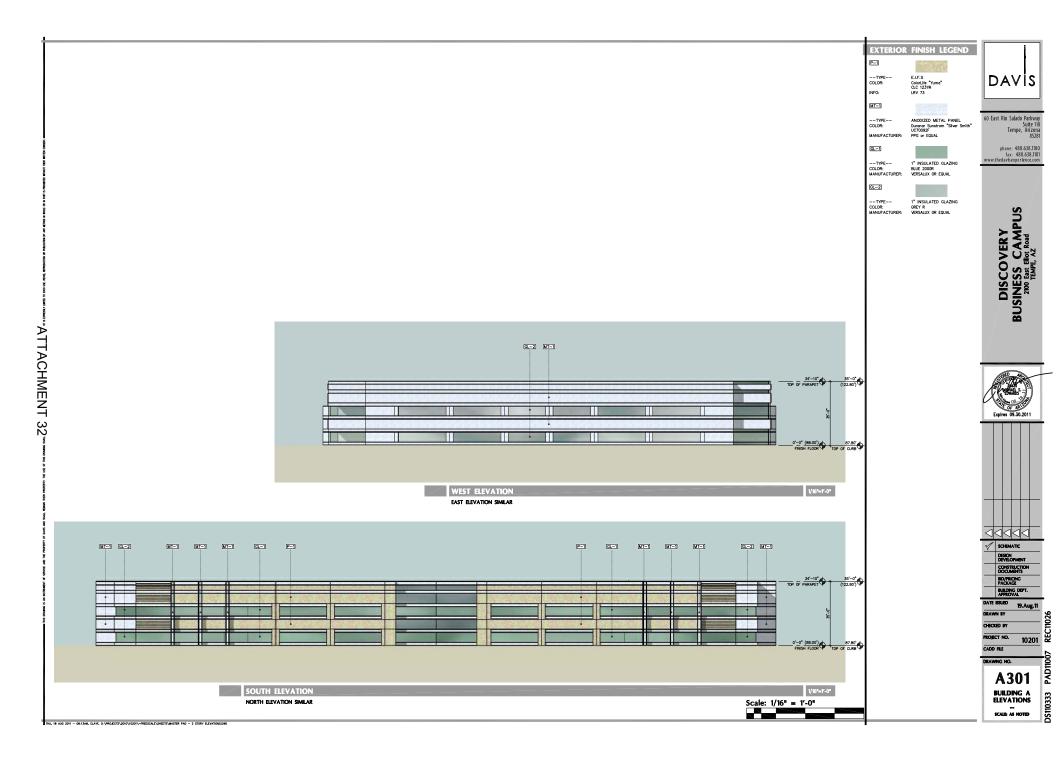


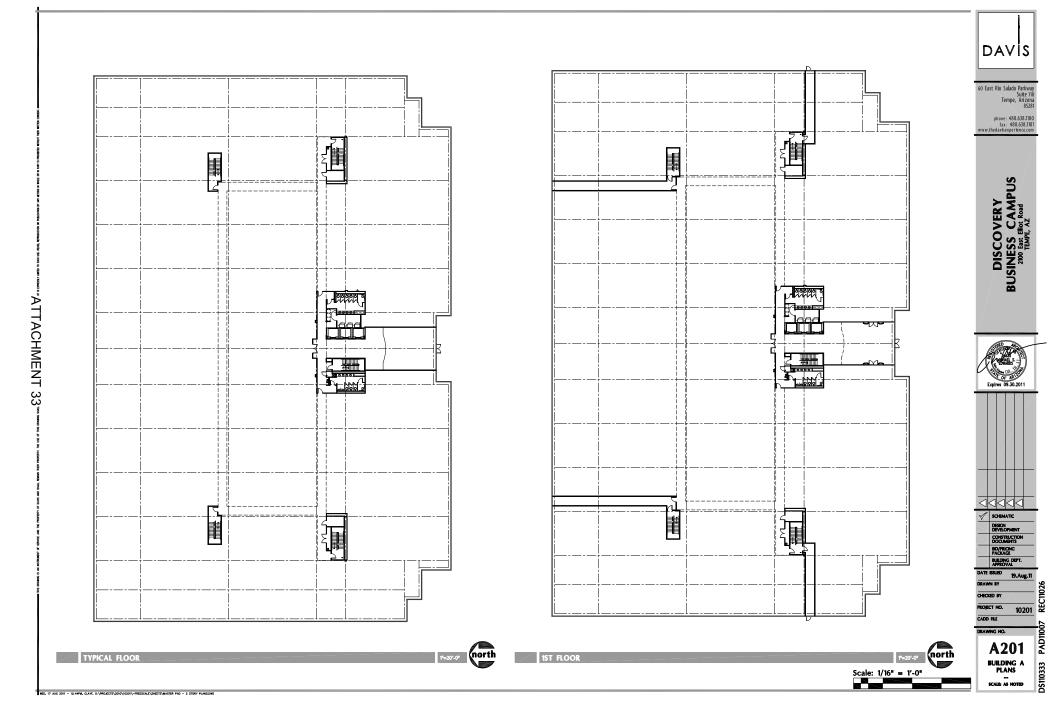
A400 BUILDING PERSPECTIVES

SCALE: AS NOTED

PAD110

DS110333



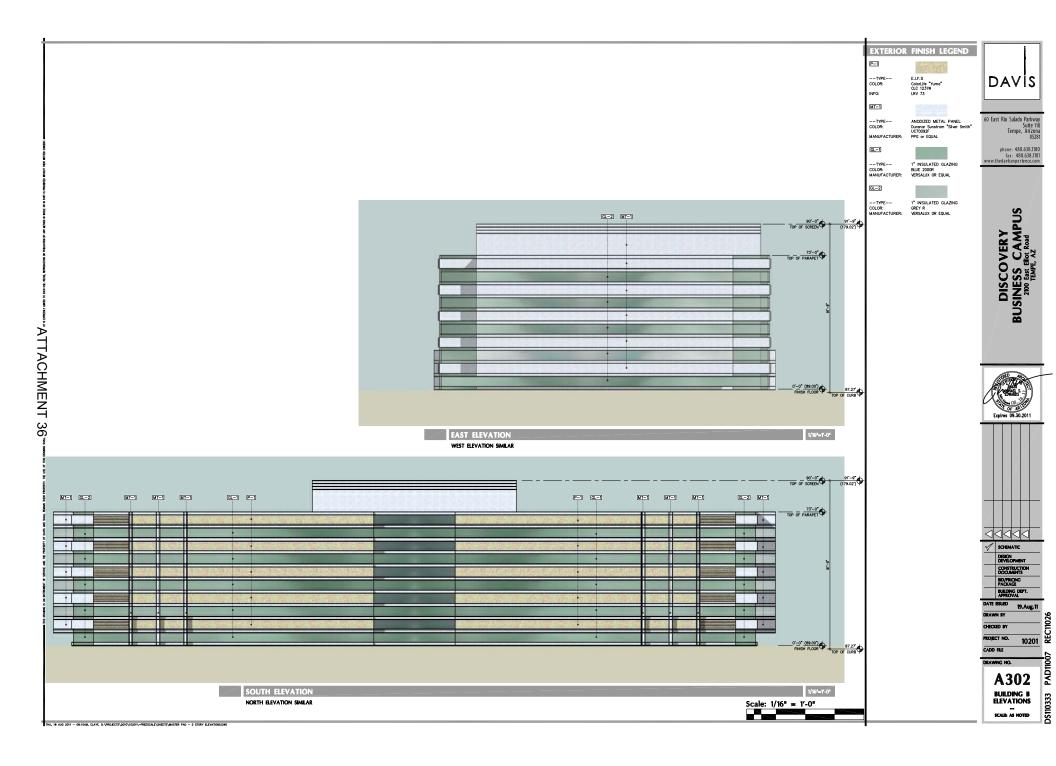


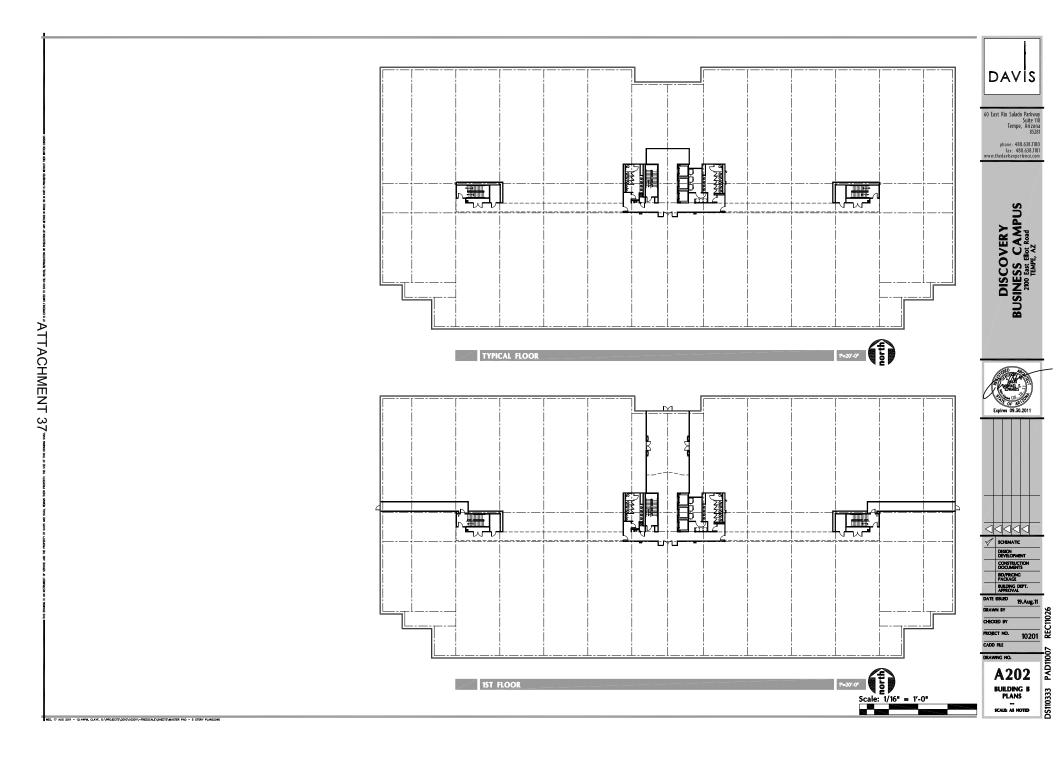
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DAVİS 60 East Rio Salado Parkway Suite 118 Tempe, Arizona 85281 phone: 480.638.1100 fax: 480.638.1101 www.thedavlsexperlence.com DISCOVERY BUSINESS CAMPUS 200 tast Ellor Road TEME, AZ P RRIEN **\_**\_ 888 ਯ W north TYPICAL FLOOR =20'-0" Expires 09.30.2011 \* Ð 20000 SCHEMATIC V DESIGN CONSTRUCTION DOCUMENTS BID/PRICING PACKAGE BUILDING DEPT. APPROVAL M ਯ DATE ISSUED 19.Aug.11 north REC11026 AWN BY 1ST FLOOR f#=20'-0" CHECKED BY ROJECT NO. CADD FILE PAD11007 MING NO A205 BUILDING E PLANS SCALE: AS NOTED DS110333 Scale: 1/16" = 1'-0"

"ATTACHMENT 35"

NED, 17 AUG 2011 - 12:44FM, CLAYF, G:\PROJECTS\2010\10201\-FREESCALE\SHETS\MASTER PAD - 4 STORY PLANSING





# CLICK HERE TO VIEW NEXT PAGE