

Staff Summary Report

City Council Meeting Date: 11/20/08

Agenda Item Number: 16

SUBJECT: This is a request for a Final Subdivision Plat for THE ELEMENT @ ASU, located at 1949 East University Drive.

DOCUMENT NAME: 20081120dsrl02

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Request for **THE ELEMENT @ ASU (PL080041)** (JLB Tempe LLC, property owner; Dan Skeeham, Kimley-Horn & Assoc., applicant) for the development of a new 215 unit student housing complex with 10 live/work units on 6.35 acres, located at 1949 East University Drive. The request includes the following:

SBD08033 – Final Subdivision Plat combining seven (7) parcels into one (1) lot.

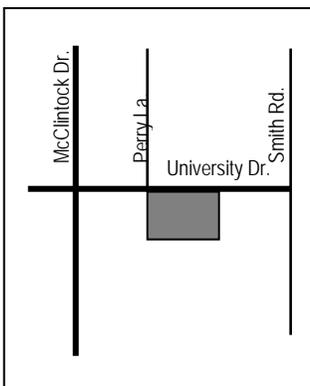
PREPARED BY: Ryan Levesque, Senior Planner (480-858-2393)

REVIEWED BY: Lisa Collins, Development Services Planning Director (480-350-8989) 
Chris Anaradian, Development Services Manager (480-858-2204)

LEGAL REVIEW BY: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO: Gross/Net site area 6.35 acres for one (1) lot



Residential Building area	93,487 s.f. (38,274 s.f. garage)
Dwelling units	225 units, 640 beds (includes 10 live/work units)
Density	35.4 du/ac (Per PAD 25 du/ac max.)
Lot Coverage	48% (60% max.)
Building Height	60 ft (Per PAD 46 ft max. allowed)
Building setbacks	5' north, 10' west, 9' east, 10' south (Per PAD 20' north, 10' west, 9' east, 10' south min.)
Landscape area	32% (25% min. required)
Vehicle Parking	707 spaces (585 min. required)
Bicycle Parking	246 spaces (246 min. required)

PAGES:

1. List of Attachments
2. Comments / Reason for Approval / Conditions of Approval
3. History & Facts / Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map
2. Aerial Photo
3. Letter of Explanation
- 4-5. Subdivision Plat

COMMENTS:

This site is located on the south side of University Drive a quarter mile east of McClintock Drive. The site currently consists of over 6 acres of vacant land. Previous uses on the site included an old auto body shop and some residential homes, which were once a series of rental cottages. The vacant site is surrounded by a townhome development to the west and south and an apartment complex to the east. A newly constructed office/commercial development is located on the north side of University Drive.

This request is for a Final Subdivision plat, combining seven (7) existing parcels into one (1) lot for the development of this site. The Preliminary Plat was approved by Development Review Commission on October 28, 2008. The project includes a 215 unit multi-family, student housing development and 10 live/work units, consisting of a total of 640 bedrooms within a four story building. The applicant (JLB Partners) received Development Plan approvals for this project with the Development Review Commission on September 9, 2008. The project also received approval for the general plan amendment, zoning map amendment from R-4 to MU-4, and an amended planned area development overlay at the City Council October 16, 2008 public hearing. The proposed lot will remove property lines that are in current conflict with the proposed building layout and include a previously un-assessed parcel of land. The site will have access to a public street and is recommended for approval subject to the conditions noted below.

Public Input

No public input has been provided pertaining to the request for a Final Subdivision Plat.

REASONS FOR APPROVAL:

1. The plat has access to a public street and will meet the technical standards of the Tempe City Code, Chapter 30, Subdivisions.

CONDITIONS OF APPROVAL:

1. The Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department. Failure to record the plat within one year of City Council approval (November 20, 2009) shall make the plan null and void.
2. All formatting corrections shall be made to the satisfaction of Development Services and Public Works, Engineering Land Services Division before recordation.
3. Any existing easements in conflict with the proposed building shall be abandoned through Land Services Division, subject to approval by City Council.

HISTORY & FACTS:

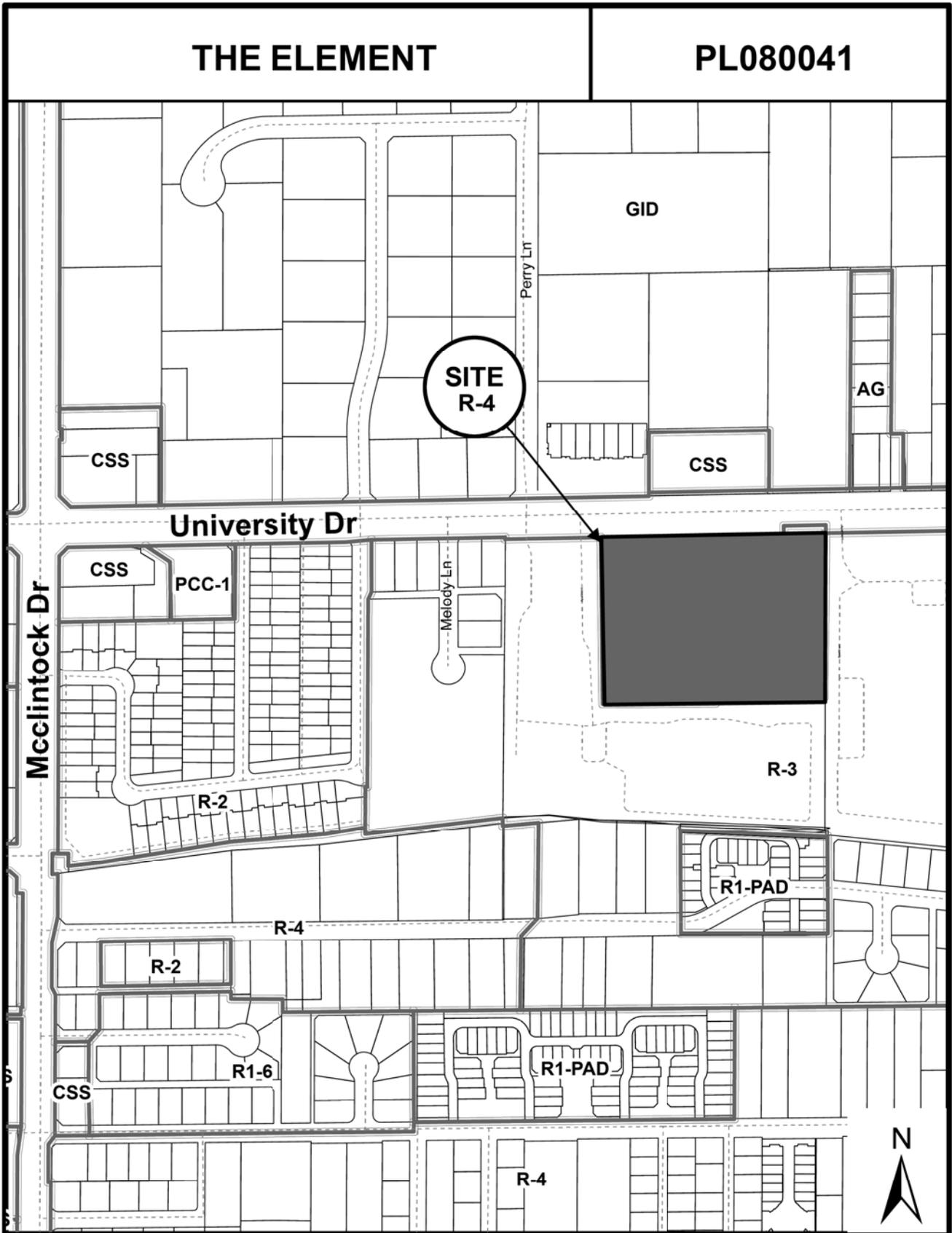
- August 17, 1972 Ordinance No. 689 area annexed into the City of Tempe. Area designated as AG, Agricultural District.
- February 22, 1973 City Council adopted Ordinance No. 405.261, which rezoned 1.07 acres from AG, Agricultural District to .69 acres of R-3, Multi-Family Residential Limited and .38 acres of C-1, Neighborhood Commercial District.
- January 4, 2007 City Council approved the request for a Zoning Map Amendment for PERRY PLACE CONDOMINIUMS from R/O, R-3 and CSS Districts to R-4 District, located at 1949 East University Drive.
- March 15, 2007 City Council approved the request for a Planned Area Development Overlay for PERRY PLACE CONDOMINIUMS located at 1949 East University Drive.
- April 8, 2008 Development Review Commission approved the request for a Development Plan Review for THE ELEMENT @ ASU (PL080041) (William Bannister, AGI Investors, property owner; Angie Rawie, JLB Partners, applicant) consisting of a new 158 unit student housing development, including a three-story building with parking garage, within approximately 107,800 sf. of building area on 6.35 net acres, located at 1949 East University Drive.
- June 30, 2008 Applicants for The Element @ ASU held a required neighborhood meeting at 6 pm at the Escalante Community Center, 2150 East Orange Street. Only one member from the public attended the meeting for the purpose of a class assignment.
- September 9, 2008 Development Review Commission approved the development plan review for the Element @ ASU and recommended approval for this request a General Plan Amendment, Zoning Map Amendment, and a Planned Area Development Overlay located at 1949 East University Drive.
- October 2, 2008 City Council held the introduction and first public hearing for a General Plan Amendment, Zoning Map Amendment, and a Planned Area Development Overlay for THE ELEMENT @ ASU, located at 1949 East University Drive.
- October 16, 2008 City Council held the second public hearing and approved the request for a General Plan Amendment, Zoning Map Amendment, and a Planned Area Development Overlay for THE ELEMENT @ ASU, located at 1949 East University Drive.
- October 28, 2008 Development Review Commission approved a Preliminary Subdivision Plat for this request of THE ELEMENT @ ASU project consisting of 6.35 acres.

ZONING AND DEVELOPMENT CODE REFERENCE:

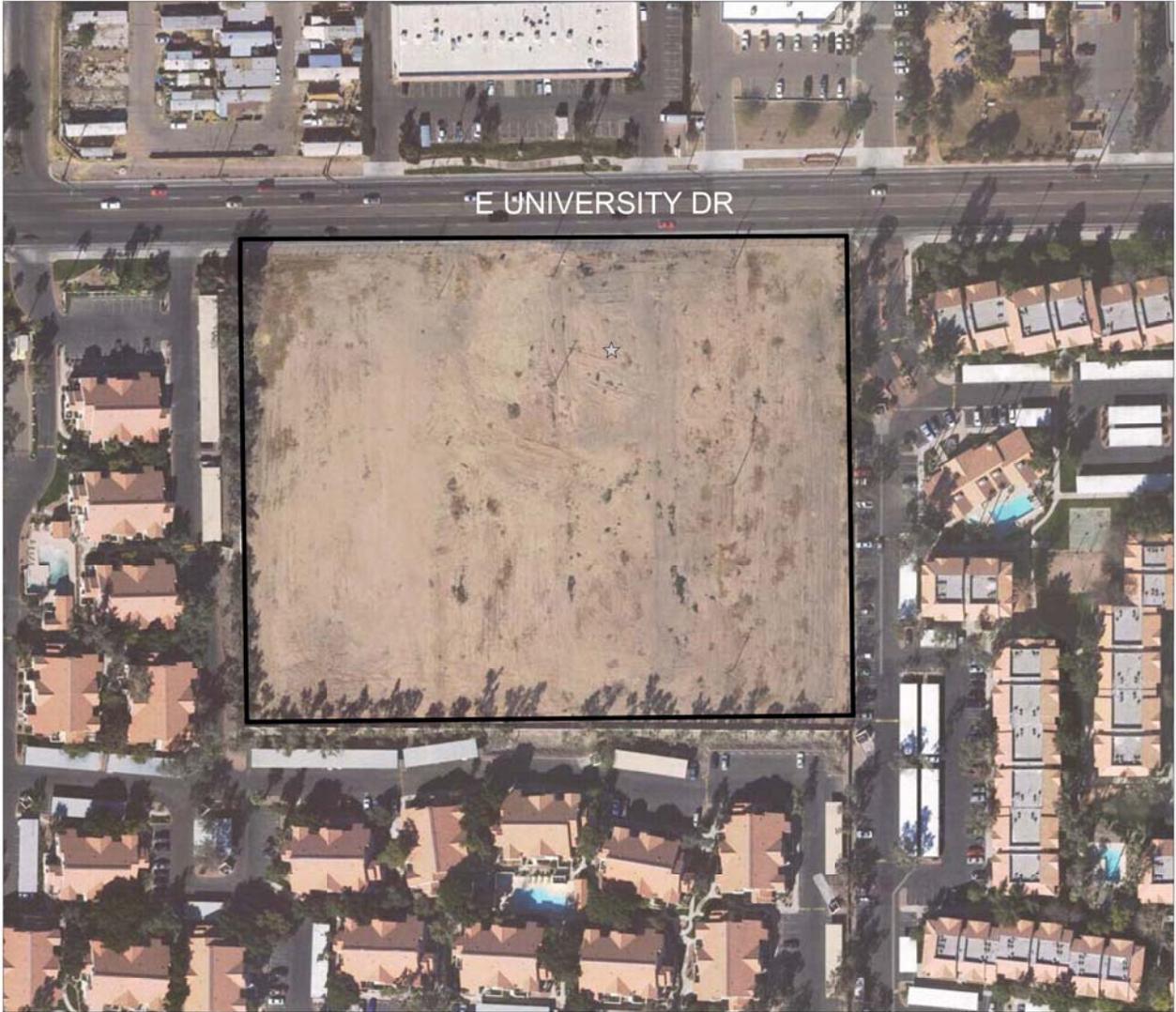
Section 6-307, Subdivisions

THE ELEMENT

PL080041



Location Map



THE ELEMENT @ ASU

(PL080041)



Kimley-Horn
and Associates, Inc.

October 8, 2008

City of Tempe
31 East Fifth Street
Tempe, Arizona 85280

■
Suite 300
7878 N. 16th Street
Phoenix, Arizona
85020

Re: Plat Letter of Explanation

Kimley-Horn and Associates, Inc is pleased to submit this Plat Application on behalf of JLB Partners. JLB Partners intends to combine the six assessed parcels and one unassessed parcel into one large parcel in support of their proposed student housing project currently under review at the City of Tempe and known as 1949 E. University Drive.

The site is located on the south side of University Drive between Smith Drive and Perry Lane. The site is a former mobile home community that has been cleared to make way for redevelopment. The site is surrounded by existing multi-story, multi-family housing.

The proposed development is designed to provide 215 apartment-style units, and 10 live/work units along University Drive. The proposed units are contained in a four-story building that provides residents with two interior courtyards filled with landscape and common-area amenities including a resort-style swimming pool, lighted sand volleyball court, and outdoor cabana. Ample on-site parking is provided for each resident by both surface parking and a parking garage, which is completely wrapped with the residential units.

JLB has received Design Review Board approval on August 27, 2008 and is currently working toward building permit approval concurrently with this Plat application.

Sincerely,

Dan Skeehan, P.E.
Kimley-Horn and Associates, Inc

■
TEL 602 944 5500
FAX 602 944 7423

JLB TEMPE
 A PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION
 KNOW ALL MEN BY THESE PRESENTS:

THAT JLB TEMPE LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, HAS PLATTED UNDER THE NAME OF "JLB TEMPE", THAT AREA DESCRIBED IN THE LEGAL DESCRIPTION (PRIOR TO SUBDIVISION) AS SHOWN HEREON LOCATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND HEREBY PUBLISHES THIS PLAT OF "JLB TEMPE", AND DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, EASEMENTS, AND STREETS CONSTITUTING THE SAME, AND THAT EACH LOT AND STREET SHALL BE KNOWN BY THE LETTERS OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT AND THAT JLB TEMPE LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF TEMPE FOR PUBLIC USE, SUCH STREETS AND EASEMENTS AS SHOWN ON SAID PLAT AND AS INCLUDED IN THE ABOVE DESCRIBED PREMISES.

ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 2008 THE UNDERSIGNED, AS _____ OF JLB TEMPE LLC, A DELAWARE CORPORATION, PERSONALLY APPEARED BEFORE ME, WHO ACKNOWLEDGED HIMSELF TO BE THE INSTRUMENT WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL

BY: _____ MY COMMISSION EXPIRES _____

BY: JLB TEMPE LLC, A DELAWARE LIMITED LIABILITY COMPANY DATE: _____

ITS: _____

LEGAL DESCRIPTION - (PRIOR TO SUBDIVISION)

ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER;
 THENCE SOUTH 88 DEGREES 31 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 503.36 FEET;

THENCE SOUTH 00 DEGREES 17 MINUTES 23 SECONDS EAST, PARALLEL WITH AND 503.25 FEET, MEASURED AT RIGHT ANGLES, WESTERLY OF THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 55.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF UNIVERSITY DRIVE AND THE TRUE POINT OF BEGINNING.

THENCE CONTINUING SOUTH 00 DEGREES 17 MINUTES 23 SECONDS EAST, PARALLEL WITH AND 503.25 FEET, MEASURED AT RIGHT ANGLES, WESTERLY OF THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 466.47 FEET TO THE NORTH LINE OF PAPAGO PARK VILLAGE 2, AS SHOWN IN BOOK 205 OF MAPS, PAGE 20, MARICOPA COUNTY RECORDS;

THENCE SOUTH 89 DEGREES 50 MINUTES 51 SECONDS WEST ALONG SAID NORTH LINE OF PAPAGO PARK VILLAGE 2, A DISTANCE OF 210.86 FEET.

THENCE SOUTH 89 DEGREES 48 MINUTES 47 SECONDS WEST ALONG THE SOUTH LINE OF PROPERTY QUIT CLAIMED TO AGI INVESTORS LLC BY PAPAGO PARK VILLAGE 2 HOMEOWNERS ASSOCIATION, A DISTANCE OF 386.89 FEET TO THE SOUTHWEST CORNER OF SAID PROPERTY QUIT CLAIMED TO AGI INVESTORS LLC;

THENCE NORTH 01 DEGREES 26 MINUTES 54 SECONDS WEST ALONG THE WEST LINE OF SAID PROPERTY QUIT CLAIMED TO AGI INVESTORS LLC, A DISTANCE OF 452.71 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF UNIVERSITY DRIVE;

THENCE NORTH 88 DEGREES 31 MINUTES 00 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 607.02 FEET TO THE POINT OF BEGINNING.

OWNER

JLB TEMPE LLC, A DELAWARE LIMITED LIABILITY COMPANY
 509 LAKE CAROLYN PARKWAY, SUITE 960
 IRVING TEXAS 75039

DEVELOPER

JLB TEMPE LLC, A DELAWARE LIMITED LIABILITY COMPANY
 509 LAKE CAROLYN PARKWAY, SUITE 960
 IRVING TEXAS 75039

BENCH MARK

BRASS CAP AT THE INTERSECTION OF SMITH ROAD AND UNIVERSITY DRIVE. ELEVATION = 1181.76 FEET. (CITY OF TEMPE DATUM)

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS PLAT IS THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, WHICH BEARS NORTH 88°55'54" EAST.

APPROVALS:

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA ON THIS _____ DAY OF _____, 2008

BY: _____ MAYOR _____ DATE _____

ATTEST: _____ CITY CLERK _____ DATE _____

BY: _____ CITY ENGINEER _____ DATE _____

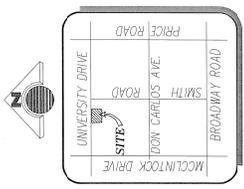
BY: _____ DEVELOPMENT SERVICES _____ DATE _____

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF SEPTEMBER 2008; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THE POSITIONS ARE CORRECTLY SHOWN AND THE SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.


 RICHARD CALEB SNEDLEY, R.L.S. 45762

DATE 11/10/08



VICINITY MAP
 NOT TO SCALE

LEGEND

---	SITE BOUNDARY LINE
---	EASEMENT LINES
---	LOT LINES
---	ALLOTJOT LINES
---	CENTERLINE
---	RIGHT-OF-WAY
---	TIE LINES
---	ADJACENT BOUNDARY LINE
---	ADJACENT PARCELS
---	ASSESSORS' PARCEL NUMBER
---	CITY OF TEMPE
---	BRASS CAP IN HAND-HOLE
---	BRASS CAP FLUSH
---	RIGHT-OF-WAY
---	MEASURED DATA
---	RECORD DATA PER DETD # 080313647, M.C.R. 080313647
---	UTILITY LOCATIONS
---	SUBDIVISION CORNER TO BE SET (R.L.S. 45782)
---	PROPERTY CORNER TO BE SET (R.L.S. 45762)

FLOOD PLAIN CERTIFICATION

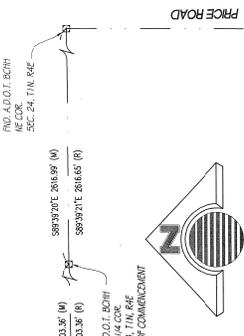
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN SHADDED ZONE "X", AS DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP (FIRM) NO. 0401SC2170G DATED SEPTEMBER 30, 2005.

SHARED ZONE "X" IS DEFINED AS AREAS OF 500 YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT; OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM THE 100-YEAR FLOOD.



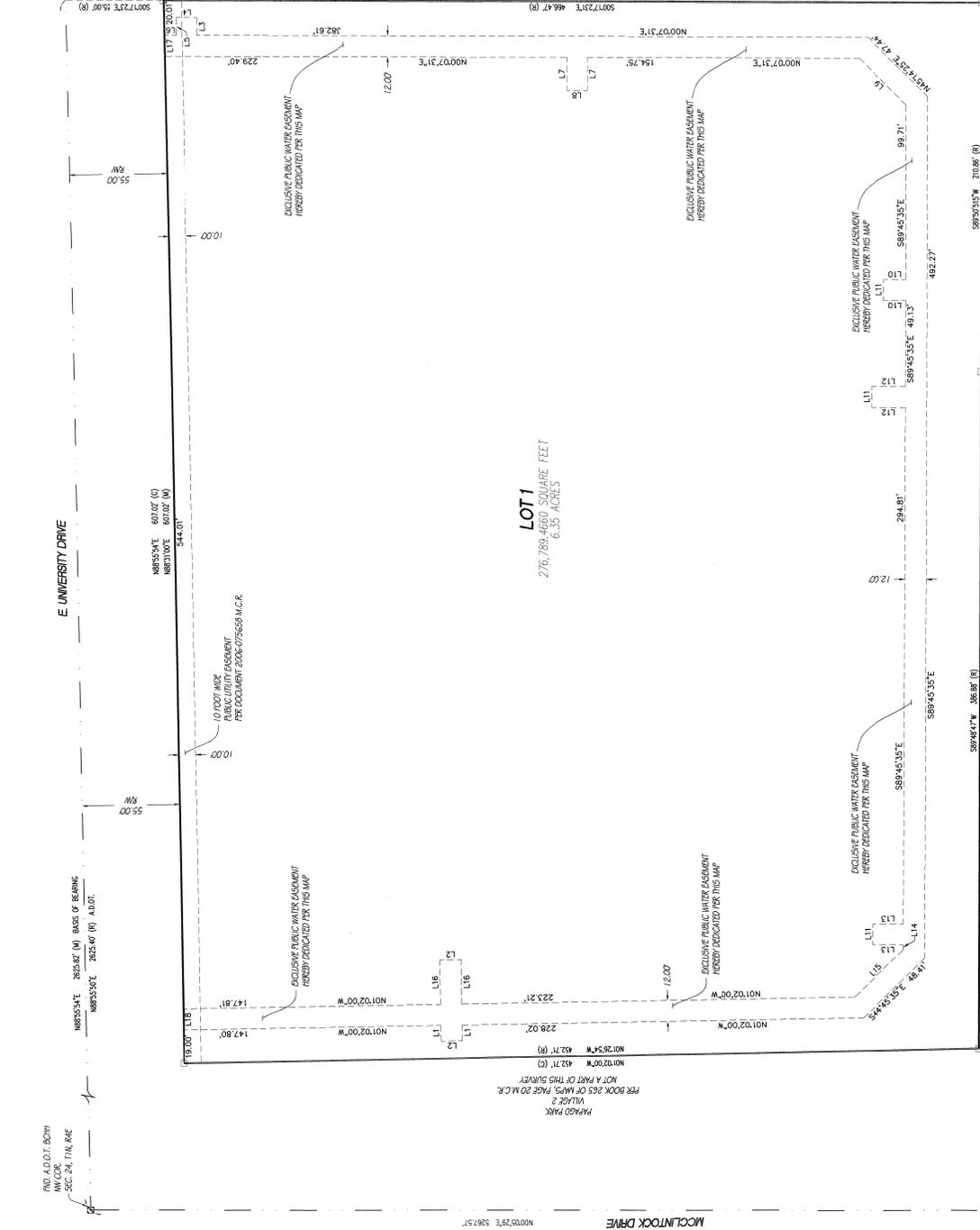
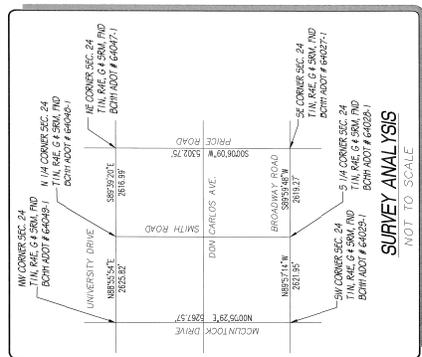
HORIZON CONSULTANTS OF ARIZONA
 4000 W. WILLOW AVENUE, SUITE 100
 PHOENIX, ARIZONA 85027
 PHONE (602) 970-1857
 WWW.HORIZONSURFERS.COM

Date: 11/10/08
 Prepared By: RLS
 Checked By: RLS
 Job Number: 4441203
 Sheet No. 1 OF 2



LINE DATA TABLE

NO.	BEARING	DISTANCE
L1	S89°30'07"E	13.00
L2	S89°30'07"E	13.00
L3	N89°30'07"W	13.00
L4	S89°30'07"E	13.00
L5	S89°30'07"E	13.00
L6	S89°30'07"E	13.00
L7	S89°30'07"E	13.00
L8	S89°30'07"E	13.00
L9	S89°30'07"E	13.00
L10	S89°30'07"E	13.00
L11	S89°30'07"E	13.00
L12	S89°30'07"E	13.00
L13	S89°30'07"E	13.00
L14	S89°30'07"E	13.00
L15	S89°30'07"E	13.00
L16	S89°30'07"E	13.00
L17	S89°30'07"E	13.00
L18	S89°30'07"E	13.00



LOT 1
 276,789.4680 SQUARE FEET
 6.33 ACRES

DRAINAGE STATEMENT

THE UNDERGROUND RETENTION SYSTEM AND DRYWELL AS SHOWN ON THE GRADING AND DRAINAGE PLANS SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER TO (1) REGULARLY INSPECT THE SYSTEM (AT LEAST ANNUALLY), AND (2) MAINTAIN THE SYSTEM IN A CONDITION THAT WILL ALLOW THE SYSTEM TO STORE AND DISSIPATE THE VOLUME OF STORM WATER AS SHOWN ON THE DESIGN PLANS. WITHIN 35 HOURS THE FOREGOING RESTRICTION CANNOT BE CHANGED WITHOUT THE PRIOR WRITTEN CONSENT OF THE CITY OF TEMPE ENGINEER.

NOTES

- THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF TEMPE AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- LOT CORNERS TO BE SET WITH 1/2" REBAR, RLS #45762.
- ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.