

Staff Summary Report



City Council Meeting Date: 01/22/09

Agenda Item Number: 22

SUBJECT: Request for a Final Subdivision Plat for THE RETREAT located at 1000 East Apache Boulevard.

DOCUMENT NAME: 20090122dskko01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Request for **THE RETREAT (PL080071)** (David Freeman, GNJ Properties LLC, owner; Manjula Vaz, Gammage & Burnham, applicant) for a final subdivision plat on 1.801 net acres located at 1000 East Apache Boulevard in the CSS, Commercial Shopping and Service District, including the following:

SBD08026 – Final Subdivision Plat to combine the property parcels into one lot and make public right of way dedication.

PREPARED BY: Kevin O'Melia, Senior Planner (480-350-8432)

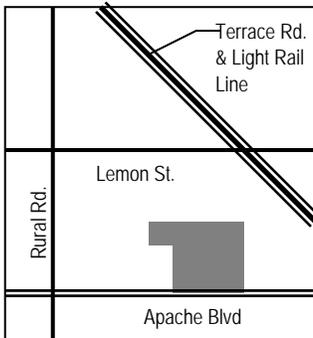
REVIEWED BY: Lisa Collins, Planning Director (480-350-8989) 
Chris Anaradian, Development Services Department Manager (480-858-2204)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to condition.

ADDITIONAL INFO:



Net site area 1.801 acres

A Final Subdivision Plat is being undertaken to unify the several parcels of land that make up the site of the Retreat into one lot and dedicate land to the public right of way on Apache Boulevard. The Preliminary Subdivision Plat for the Retreat was approved by the Development Review Commission on September 9, 2008.

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ATTACHMENTS:

1. Location Map
2. Aerial Photo
- 3-4. Letter of Intent
5. Subdivision Plat Title Sheet, Sheet 1 of 2
6. Subdivision Plat Site Plan, Sheet 2 of 2

COMMENTS:

Project Analysis

On the subject site there once was a two story office building that burned and has recently been demolished. Apache Boulevard is to the south, an existing, two story Super 8 Motel is to the east, The Vue (Campus Edge), a ten story student housing mixed use project, is under construction to the west and several existing two story apartment buildings are to the north.

On July 29, 2008 the applicant received from the Development Review Commission a development plan approval for the design on this site of the Retreat at 1000 Apache, a five story student housing mixed use project. On September 11, 2008 the applicant received from the City Council an approval for a zoning map amendment from Commercial Shopping and Service to Mixed-use, High Density including a Planned Area Development Overlay and insertion into the Transportation Overlay District..

On September 9, 2008 the applicant received approval from the Development Review Commission for a Preliminary Subdivision Plat to unify the five parcels of land that make up the site into one lot and to dedicate a 5'-0" wide strip of land to the public right of way so Apache Boulevard has a 55'-0" half street. In the time since the preliminary subdivision plat approval, the developer has acquired ownership of the westernmost "panhandle" parcel that was previously owned by the Erie Family Trust. The developer has also acquired the 8'-0" wide by 60'-0" long public alley appendage on the north side of the site that was previously owned by the City of Tempe. The abandonment of the alley appendage was approved by City Council on September 18, 2008. The "panhandle" and the alley appendage have been added to the developer's ownership of the three eastern parcels. A united ownership has been created for the entire site in fulfillment of condition 2 of the preliminary subdivision plat.

The final subdivision plat meets the minimum required technical standards of the Tempe City Code Chapter 30, Subdivisions. Staff recommends approval subject to one condition of approval. Public input is not required.

REASON FOR APPROVAL:

1. The final subdivision plat conforms to the technical standards of Tempe City Code Chapter 30, Subdivisions.

SBD08026

CONDITION OF APPROVAL:

1. Place the final subdivision plat into proper engineered format with appropriate signature blanks. Record the final subdivision plat with the Maricopa County Recorder's Office through the Tempe Development Services Department on or before one year from date of City Council approval (January 22, 2010). Failure to record the plat by one year from date of City Council approval shall make the approval of the final subdivision plat null and void.

HISTORY & FACTS:

Office Building:

September 19, 1962: Building Permit issued for two-story office building located at 1000 East Apache Boulevard (APN # 132-73-117) in the C-2, General Commercial District. Final Inspection made for the construction on April 19, 1963. Parking for this project included a portion of the parcel at 948 East Apache Boulevard (APN # 132-73-116B). The smaller, land locked parcels north of 936 E Apache Boulevard (APN # 132-73-115B) and north of 948 E. Apache Boulevard (APN # 132-73-116A) have remained largely undeveloped from the 1960's to the present. An access easement was established linking these parcels to Apache Boulevard through the 948 East Apache Boulevard parcel.

December, 2007: Fire damage to existing office building at 1000 E. Apache Boulevard. Complaint initiated on December 27, 2007.

March 17, 2008: Building Permit issued for demolition of existing fire-damaged building at 1000 E. Apache Boulevard.

The Retreat:

March 10, 2008: The Retreat at 1000 Apache was presented to the Apache Boulevard Project Area Committee. The proposal was favorably received by A.P.A.C.

May 14, 2008: The Retreat at 1000 Apache was presented as a follow-up to the Tempe Apache Boulevard Association. The original presentation before T.A.B.A. was made on March 12, 2008. The follow-up proposal, which reflects the proposal before the Development Review Commission and City Council, as well as the original proposal, were both favorably received by T.A.B.A.

June 23, 2008: The Retreat at 1000 Apache was presented at a neighborhood meeting at the Apache Boulevard Police Substation. A representative of Campus Edge, a proposed development immediately west of the Retreat, and two neighboring property owners were in attendance. The proposal, which is the same as that before the Development Review Commission and City Council, was favorably received by the attendees.

July 29, 2008: The Development Review Commission approved the site plan, building elevations and landscape plan for the Retreat at 1000 Apache. Also regarding the Retreat, the Development Review Commission recommended approval to City Council a Zoning Map Amendment from CSS, Commercial Shopping and Service District to MU-4 (PAD) (TOD), Mixed-Use High Density District with a Planned Area Development Overlay and insertion within the Transportation Overlay District. The project is located at 1000 East Apache Boulevard.

September 11, 2008: The City Council approved a Zoning Map Amendment from CSS, Commercial Shopping and Service District to MU-4 (PAD) (TOD), Mixed-Use High Density District with a Planned Area Development Overlay and insertion within the Transportation Overlay District for the Retreat at 1000 Apache. The project is located at 1000 East Apache Boulevard.

Subdivision Plat for the Retreat:

September 9, 2008: The Development Review Commission approved the preliminary subdivision plat for the Retreat at 1000 Apache. The project is located at 1000 East Apache Boulevard.

September 18, 2008: The City Council approved an abandonment of an 8'-0" wide by 60'-0" long appendage of public alley at 1000 East Apache Boulevard (Ordinance 2008.44). The appendage is part of the plat. The purpose of the abandonment is to allow the appendage to be purchased by the developer and incorporated into the site for the Retreat.

October 15, 2008: Quit Claim Deed per Ordinance 2008.44. The Quit Claim Deed conveys the 8'-0" wide by 60'-0" long alley parcel north and adjacent to 132-73-116A from City of Tempe to 1000 EAST, L.L.C.

October 28, 2008: Special Warranty Deed per Escrow No. CT2720700. The Special Warranty Deed conveys property from the Leonard J. Erie and Susan M. Erie Living Trust to 1000 EAST L.L.C. This property is described as follows: "The North 130 feet of the West 105 feet of the East 165 feet of the West 594 feet of the South 343 feet of the Southwest quarter of the Northwest quarter of Section 23, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian of Maricopa County, Arizona." This property is the westernmost "panhandle" of the site.

DESCRIPTION:

Owner: David Freeman, GNJ Properties L.L.C. (1000 EAST L.L.C.)

Applicant: Manjula Vaz, Gammage & Burnham

Land Surveyor: Paul M. Miller R.L.S., Miller & Sons Surveying, Inc.

General Plan 2030

Projected Land Use: Mixed Use

Zoning

Existing Zoning: MU-4 (PAD, TOD), Mixed-Use, High Density with Planned Area Development Overlay and Transportation Overlay District

Site

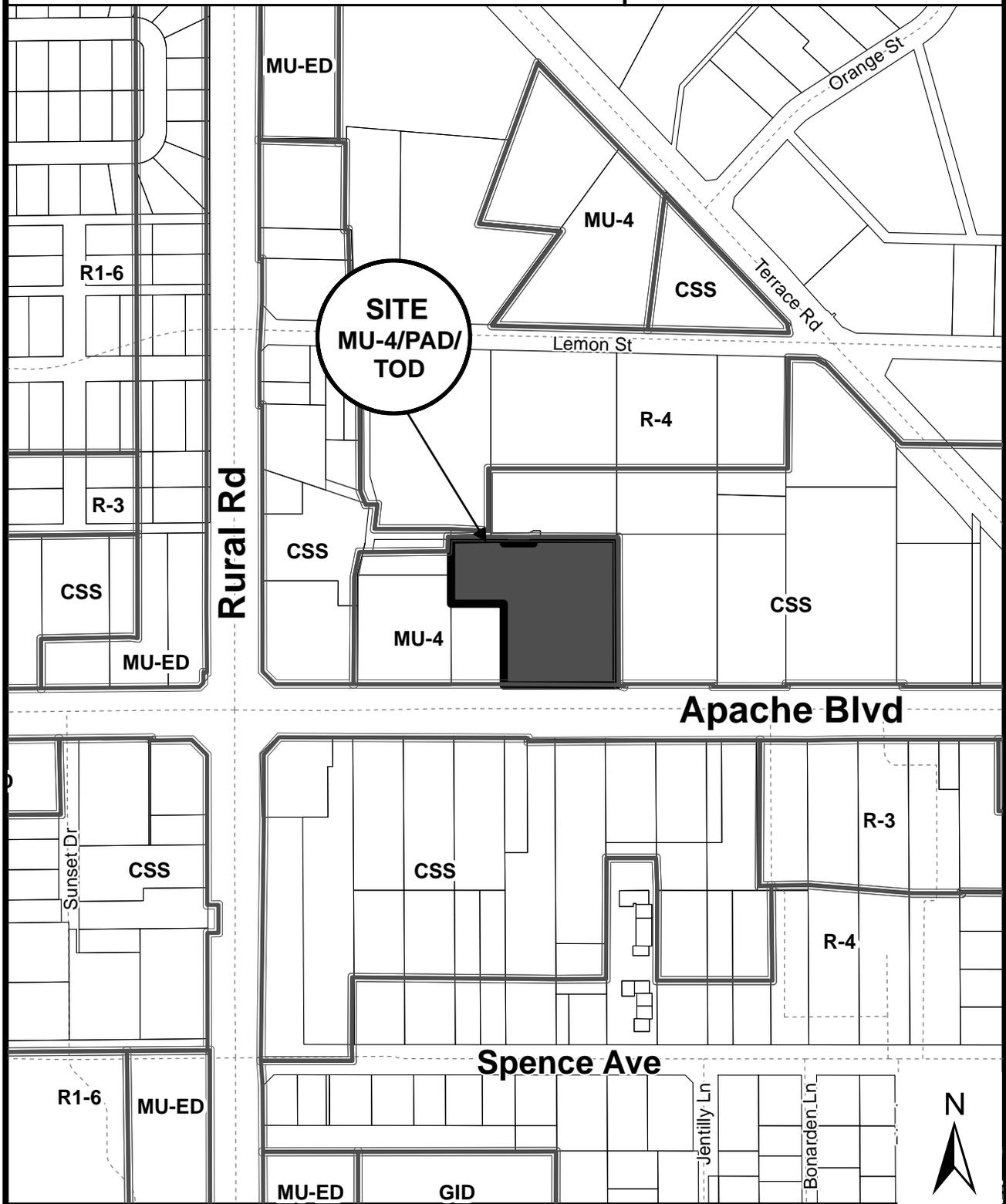
Net Site Area: 1.801 acres (78,450.1096 s.f.)

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-307, Subdivisions, Lot Splits and Adjustments.

THE RETREAT AT 1000 APACHE

PL080071



Location Map



THE RETREAT AT 1000 APACHE (PL080071)

THE RETREAT @ 1000 APACHE

APPLICANT'S LETTER OF INTENT

Applicant Background

Glenwood Student Communities (the "Applicant") is proposing to redevelop approximately 1.79 acres located approximately 475 feet east of the northeast corner of Apache Boulevard and Rural Road (the "Site"). Glenwood Student Communities ("Glenwood") is a nationally recognized property management company that specializes in the development and management of purpose built student housing and is the largest student housing property manager of student housing properties in Utah.

Application

The Applicant is submitting a subdivision plat application as part of the Applicant's application for the redevelopment of the Site (the "Application"). A zoning amendment, planned area development (PAD) overlay amendment, development plan review (DPR), and an alley dedication abandonment application were also submitted earlier this year as part of the Applicant's application for the redevelopment of the Site. The Application request is to create a one lot parcel from an area currently comprised of four individual parcels and a portion of an alley dedication. The Applicant is proposing to develop a vibrant mixed-use development that will enhance street activity on Apache Boulevard and add to the residential and retail mix of Tempe. Specifically, the Applicant proposes to develop a five-story (70 feet) mixed-use project consisting of 124 total modern student housing apartment units, 4,352 square feet of retail space, and a five-level parking garage (the "Project") which will be branded "The Retreat at 1000 Apache".

Site Area

As indicated above, the Site is comprised of four individual parcels (Maricopa County Parcel Nos. 132-73-115B, 132-73-116A, 132-73-116B and 132-73-117) and a portion of a City owned alley dedication totaling 1.79 acres in size. The Site is located approximately 475 feet east of the northeast corner of Apache Boulevard and Rural Road in Tempe, Arizona. The formal address of the Site is 1000 East Apache Boulevard, Tempe. The portion of the alley dedication of interest is relatively small (approximately 480 square feet in area) and is located immediately north of Maricopa County Parcel No. 132-73-116A. As noted above, an application to abandon the referenced portion of the alley has been submitted to and is currently being processed by the Engineering Department. A full legal description of the Site is included in the Application submittal.

AUG 20 2008

Zoning, PAD and DPR Application Review Status

The above referenced zoning amendment, planned area development overlay and development plan review application is recommended for approval by Development Services Planning Division staff and is scheduled for consideration by the Development Review Commission on July 29, 2008. The Tempe City Council is tentatively scheduled to consider this application at their August 14th and September 11th Council meetings.

Conclusion

The Retreat at 1000 Apache is a high-quality purpose built student housing and retail project that will provide much needed viable long-term housing and commercial retail opportunities along Apache Boulevard. The platting of the parcels and alley dedication comprising the Site into one parcel will accommodate the development of this exciting Project, which will serve as a catalyst for future redevelopment opportunities that will enhance the urban development environment and experience envisioned by the City for this area. We look forward to discussing this plat proposal with you in the near future and respectfully request your support.

AUG 20 2008

"THE RETREAT @ 1000 APACHE"

A PLAT OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 23,
TOWNSHIP 1 NORTH, RANGE 4 EAST
OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS:
THAT 1000 EAST LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS PLATTED UNDER THE NAME OF "THE RETREAT @ 1000 APACHE", LOCATED WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AND HEREBY PUBLISHES THIS PLAT OF "THE RETREAT @ 1000 APACHE" AND DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRAIL, AND EASEMENT TO BE SHOWN BY THE NUMBER ON NAME GIVEN TO EACH STREET AND EASEMENTS, AS SHOWN ON SAID PLAT AND HEREBY DEDICATES TO THE CITY OF TEMPE FOR PUBLIC USE SUCH STREETS AND EASEMENTS, AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.

ACKNOWLEDGMENT:

ON THIS _____ DAY OF _____, 2008, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, MANAGING MEMBER OF 1000 EAST LLC, AN ARIZONA LIMITED LIABILITY COMPANY, WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.
IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL.

BY: _____ NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____
1000 EAST LLC, AN ARIZONA LIMITED LIABILITY COMPANY
BY: DAVID R. FREEMAN _____ DATE: _____
ITS: MANAGING MEMBER

LEGAL DESCRIPTION (PRIOR TO SUBDIVISION)

PARCEL NO. 1:
THE EAST 168 FEET OF THE WEST 758 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.
EXCEPT THE SOUTH 50 FEET THEREOF.

PARCEL NO. 2:
THE NORTH 105 FEET OF THE EAST 80 FEET OF THE WEST 564 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.
EXCEPT THE NORTH 8 FEET THEREOF. (PRIOR TO ABANDONMENT OF ALLEY)

PARCEL NO. 3:
THE EAST 130 FEET OF THE WEST 664 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.
EXCEPT THE NORTH 105 FEET THEREOF, AND EXCEPT THE SOUTH 50 FEET THEREOF.

PARCEL NO. 4:
THE NORTH 130 FEET OF THE WEST 105 FEET OF THE EAST 165 FEET OF THE WEST 564 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN OF MARICOPA COUNTY, ARIZONA.
PARCEL NO. 5 (ABANDONED ALLEY)
THE NORTH 5.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:
THE NORTH 105 FEET OF THE EAST 80 FEET OF THE WEST 564 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

OWNER / DEVELOPER
1000 EAST LLC, AN ARIZONA LIMITED LIABILITY COMPANY
TWO NORTH CENTRAL, 18TH FLOOR
PHOENIX, ARIZONA 85004
PHONE: (602) 236-6586

BENCHMARK
BRASS CAP IN HAND HOLE AT THE INTERSECTION
OF RURAL ROAD AND APACHE BOULEVARD.
ELEVATION=1171.85 (CITY OF TEMPE DATUM)

BASIS OF BEARING
THE SOUTHLINE OF THE NORTHWEST QUARTER OF SECTION
23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT
RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.
BEARING=N89°58'59"W

APPROVALS:
APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
TEMPE, ARIZONA THIS _____ DAY OF _____, 2008.

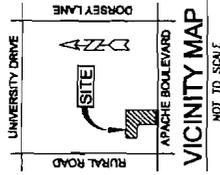
BY: _____ MAYOR _____ DATE _____
ATTEST: _____ CITY CLERK _____ DATE _____
BY: _____ CITY ENGINEER _____ DATE _____
BY: _____ DEVELOPMENT SERVICES _____ DATE _____

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. I HAVE CONDUCTED A VISUAL CHECK OF THE
MONUMENTS SHOWING ACTUAL EXISTENCE ON THE GROUND, THAT THE
POSITIONS ARE CORRECTLY SHOWN AND THE SAID MONUMENTS ARE
SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



BY: PAUL M. MILLER _____ DATE _____
REGISTERED LAND SURVEYOR
REGISTRATION NO. 34569, AZ



LEGEND

- RIGHT-OF-WAY LINE
- EASEMENT LINE
- MONUMENT LINE
- SUBDIVISION CORNER PIN TO BE SET
- FOUND BRASS CAP IN HAND-HOLE
- PROPERTY CORNER PIN TO BE SET
- MARICOPA COUNTY RECORDS
- M.C.R.

- NOTES:**
- 1) THE SUBDIVISION IS LOCATED WITHIN THE CITY OF TEMPE AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
 - 2) LOT CORNERS TO BE SET WITH 1/2" REBAR, R.L.S. # 34588.
 - 3) ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.

FLOOD PLAIN CERTIFICATION:

THIS IS TO CERTIFY THAT THE ABOVE SUBJECT PROPERTY LIES WITHIN ZONE SHOWN AS "X" AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR MARICOPA COUNTY, ARIZONA, DATED SEPTEMBER 2008. AREAS OF 2% ANNUAL CHANCE FLOOD AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.



"THE RETREAT @ 1000 APACHE"
A PLAT OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 23,
TOWNSHIP 1 NORTH, RANGE 4 EAST
OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

REVISIONS:	
REV. 1	
REV. 2	
REV. 3	
DESIGN BY: N/A	
SCALE: N/A	
DATE: 10-1-08	
JOB NO.:	08011-2
1 of 2	

REC08038 SBD08026 DS080203 REC08038 SBD08026 DS080203 REC08038

