EdOptions

MEMORANDUM

TO: TEMPE CITY COUNCIL

FROM: EDUCATIONAL OPTIONS, INC.

DATE: TUESDAY, MARCH 24, 2009

SUBJECT: EDUCATION OPTIONS/SHALIMAR NEIGHBORHOOD AGREEMENT

After much discussion and dialogue, Educational Options and the residents surrounding the former Tri-City Baptist Church have reached an agreement on the development of the property at 2150 E. Southern Ave. Both parties agreed to support the request for MU-2 zoning, the included stipulations with changes noted below and the attached PAD height standards and site plan or less. Together, these documents provide the neighbors and Educational Options with the community protection and architectural creative freedom each respectively requires.

The agreement is as follows:

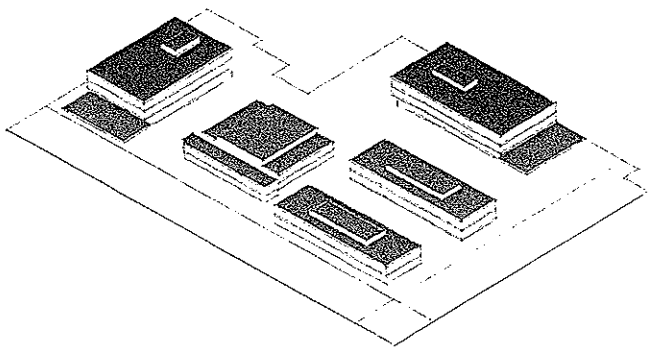
- EdOptions and Shalimar neighborhood support building heights, setbacks and stepbacks as noted below and in the attached PAD Height Standards and Site Plan renderings.

Development Standard	MU-2 with Planned Area Development Overlay
	8.87 acres
Residential Density	9 du/ac
Residential Units	80 du allowed, 10 units proposed
Building Height Maximum	~~42 feet high within 80-100 feet of the north and west property lines~~ ~~48 feet high from 100 feet of the north and west property lines~~ ~~60 feet high from the south and east setbacks up to 250 feet into the site~~ 20 FEET HIGH TO 65 FEET HIGH PLUS MECHANICAL AS NOTED ON THE ATTACHED PAD HEIGHT STANDARD AND SITE PLAN
Maximum Lot Coverage	40%
Minimum Landscape Area	15%
Front Setback (South)	~~20~~ 0 feet
Street Side Setback (East)	0 feet
Side Setback (West)	30 feet*
Rear Setback (North)	30 feet*

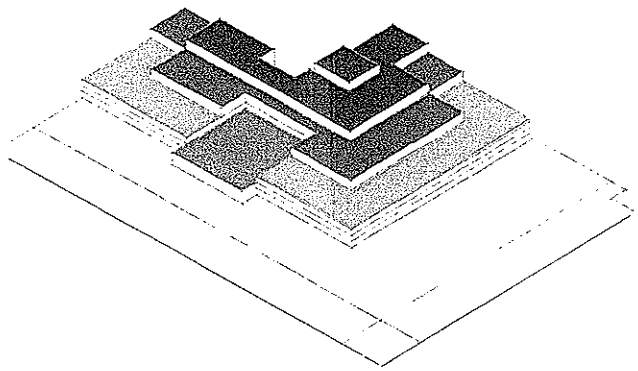
*Buildings to be located 80' from north and west property line

- To meet the supported building heights, setbacks and stepbacks, EdOptions and the Shalimar neighborhood support removing "~~Staff housing shall be away from the existing residences~~" in stipulation #22 and replacing it with "EXTERIOR BUILDING SURFACES SHALL INCLUDE AT LEAST THREE DISTINCT BUILDING MATERIALS."

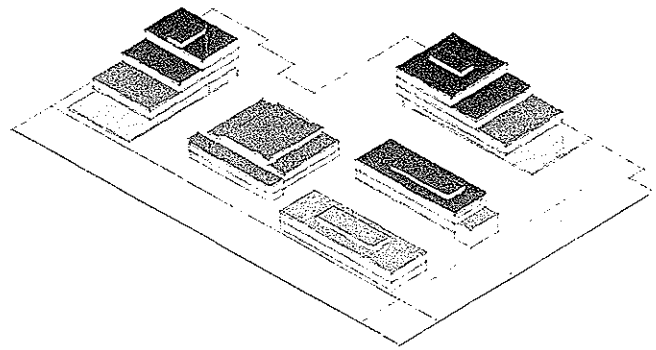
The designated representatives of Educational Options and the Shalimar neighborhood residents are pleased to support this agreement and urge its approval by the Tempe City Council.



Previous Proposal



Input from Neighborhood



Compromise Solution

PLANNED AREA DEVELOPMENT
FOR 2150 SOUTHERN CAMPUS MASTERPLAN

A PORTION OF THE SOUTHEAST QUARTER, SECTION 25, TOWNSHIP 1 NORTH, RANGE 4 EAST , GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 20____
BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED WILLIAM JEFFREY SAWNER, OWNER'S DESIGNATED REPRESENTATIVE, WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF; I HEREUNTO SET MY HAND AND OFFICIAL SEAL

BY: _____

_____
NOTARY PUBLIC MY COMMISSION EXPIRES

TEMPE EDUCATION AND ARTS CENTER, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY:

BY: _____

_____
WILLIAM JEFFREY SAWNER DATE
WESTERN REGION VICE PRESIDENT

ITS OWNER'S DESIGNATED REPRESENTATIVE

LEGAL DESCRIPTION

PARCEL NO. 1
That part of the Southeast quarter of Section 25, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a point on the East line of said Section 25 from which the Southeast corner of said Section 25 bears South 00 degrees 00 minutes 21 seconds East a distance of 264.00 feet and running thence North 00 degrees 00 minutes 21 seconds West, along the East line of said Section 25, 356 feet to the Southeast corner of SHALIMAR ESTATES ADDITION NO. 1, as shown by the plat of record in Book 104 of Maps, Page 5, records of Maricopa County, Arizona;

Thence South 89 degrees 45 minutes 15 seconds West along the South line of aforesaid SHALIMAR ESTATES ADDITION NO. 1 and along the South line of SHALIMAR ESTATES, as shown by the plat of record in Book 91 of Maps, Page 1, records of Maricopa County, Arizona, 1477.53 feet;
Thence South 03 degrees 33 minutes 45 seconds East a distance of 621.00 feet to a point on the South line of said Section 25;
Thence North 89 degrees 48 minutes 15 seconds East, along said South line to a point from which the Southeast corner of said Section 25 bears North 89 degrees 48 minutes 15 seconds East 825.00 feet;
Thence North 00 degrees 00 minutes 21 seconds West parallel with the East line of said Section 25 a distance of 264.00 feet;
Thence North 89 degrees 48 minutes 15 seconds East parallel with the South line of said Section 25 a distance of 825.00 feet to the POINT OF BEGINNING;

TOGETHER WITH that portion of an 8 foot wide alley along the South line of Lots 161 and 162, SHALIMAR ESTATES NO. 3, according to Book 118 of Maps, page 5 abandoned by City of Tempe Ordinance No. 923.2 and more particularly described in Instrument recorded as Document No. 83-129313.

EXCEPT THE FOLLOWING THREE PARCELS IDENTIFIED HEREIN AS EXCEPTION PARCELS A, B, and C:

EXCEPTION PARCEL A:
That part lying within C.D. BRADLEY HACIENDAS UNIT ONE according to Book 121 of Maps, Page 47, records of Mar copa County, Arizona.

EXCEPTION PARCEL B:
Any part lying in the following described property: That part of the Southeast quarter of Section 25, Township 1 North, Range 4 East, descr bed as beginn ng at the Southeast corner of Lot 21, C.D. BRADLEY HACIENDAS UNIT ONE, a subd vision of record in the office of the Maricopa County Recorder Book 121 of Maps, Page 47, said point being on a curve to the left, said curve having a central angle of 40 degrees 38 minutes 50 seconds and a radius of 37.90 feet;
Thence along said curve a distance of 26.89 feet to a point of tangency with a curve to the right having a central angle of 261 degrees 17 minutes 40 seconds and a radius of 45 feet;
Thence along said curve a distance of 205.22 feet to a point of tangency with a curve to the left, said curve having a central ang e of 40 degrees 38 minutes 50 seconds and a radius of 37.90 feet;
Thence along said curve a distance of 26.89 feet to the Northeast corner of Lot 1, of said C.D. BRADLEY HACIENDAS UNIT ONE;
Thence North along the East line of said Subdivision to the POINT OF BEGINNING.

EXCEPTION PARCEL C:
That portion conveyed to the City of Tempe by deed recorded in Docket 10410, page 943 and being more particularly described as follows: That portion of the Southeast quarter of Section 25, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, described as a strip of land 8.00 feet in width lying adjacent to and immed ately South of the South line of Shalimar Estates Add tion No. 3, a subdivision of record in the office of the Maricopa County Recorded in Book 118 of Maps, page 5;
Except any portion lying West of the East line of Lot 21, C.D. Bradley Haciendas Unit One, a subdivision of record in the office of the Maricopa County Recorder in Book 121 of Maps, page 47; and Except any portion lying East of the Southerly extension of the West line of Lot 161, said Shalimar Estates Addition No. 3.

PARCEL NO. 2
That part of the Southeast quarter of Section 25, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:
BEGINNING at the Southeast corner of Lot 21, C.D. BRADLEY HACIENDAS UNIT ONE, a subdivision of record in the office of the Maricopa County Recorder in Book 121 of Maps, Page 47, said point being on a curve to the left, said curve having a central angle of 40 degrees 38 minutes 50 seconds and a radius of 37.90 feet;
Thence along said curve a distance of 26.89 feet to a point of tangency with a curve to the right having a central angle of 261 degrees 17 minutes 40 seconds and a radius of 45 feet;
Thence along said curve a distance of 205.22 feet to a point of tangency with a curve to the left, said curve having a central angle of 40 degrees 38 minutes 50 seconds and a radius of 37.90 feet;
Thence along said curve a distance of 26.89 feet to the Northeast corner of Lot 1, of said C.D. BRADLEY HACIENDAS UNIT ONE;
Thence North along the East line of said Subdivision to the POINT OF BEGINNING.

PARCEL NO. 3
The South 264 feet of the East 825 feet of the Southeast quarter of Section 25, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the West 50 feet of the North 50 feet of the South 90 feet; and
EXCEPT the East 400 feet, thereof; and
EXCEPT the South 55 feet thereof;

TOGETHER WITH an easement for ingress and egress over the North 8 feet of the East 400 feet of the South 264 feet of the Southeast quarter of said Section 25.

PARCEL NO. 4
The West 62.5 feet of the East 400 feet of the South 264 feet of the Southeast quarter of Section 25, 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. 5
That part of the Southeast quarter of Section 25, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:
COMMENCING at the Southeast corner of Section 25;
Thence North 00 degrees 00 minutes 21 seconds West along the East line of said Section 25, a distance of 264 feet;
Thence South 89 degrees 48 minutes 15 seconds West a distance of 50.00 feet to the POINT OF BEGINNING;
Thence continuing South 89 degrees 48 minutes 15 seconds West along the North line of the South 264 feet of said Southeast quarter, a distance of 199.72 feet; Thence South 00 degrees 00 minutes 21 seconds East, a distance of 43.00 feet;
Thence North 89 degrees 48 minutes 15 seconds East, a distance of 60.60 feet;
Thence South 00 degrees 00 minutes 21 seconds East, a distance of 21.00 feet to a point on the North line of the South 200 feet of said Section 25;
Thence North 89 degrees 48 minutes 15 seconds East along said North line, a distance of
139.12 feet to a point on the West line of the East 50 feet of said Section 25;
Thence North 00 degrees 00 minutes 21 seconds West along said West line, a distance of
64.00 feet to the POINT OF BEGINNING;

EXCEPT the East 5 feet.

OWNER/DEVELOPER

THE TEMPE EDUCATION AND ARTS CENTER, LLC / EDUCATIONAL OPTIONS
THOMAS E. SAWNER
3440 NORTH FAIRFAX DRIVE
ARLINGTON, VA 22201

WILLIAM J. SAWNER, AUTHORIZED REPRESENTATIVE
3280 SOUTH COUNTRY CLUB WAY
TEMPE, AZ 85282
(480) 777-7720

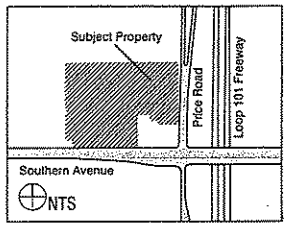
PROJECT DATA

PLANNED AREA DEVELOPMENT STANDARDS

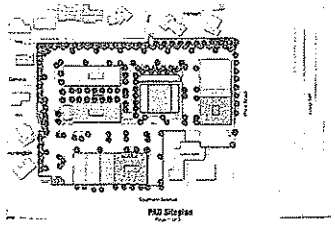
Residential Density	9du/ac
Building Height Maximum	20', *32', *42', 46', *65 (see PAD He ght Standards & Siteplan) *plus mechan cal
Maximum Lot Coverage	40%
Minimum Landscape Area	15%
Front Setback (south)	0 feet
Street Side Setback (east)	0 feet
Side Setback (west)	30 feet
Rear Setback (north)	30 feet
Parking Setback	20 feet

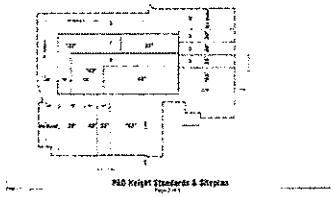
CONDITIONS OF APPROVAL

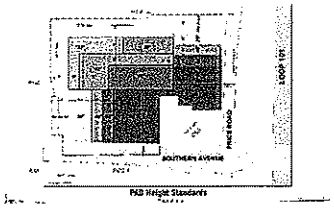
VICINITY MAP

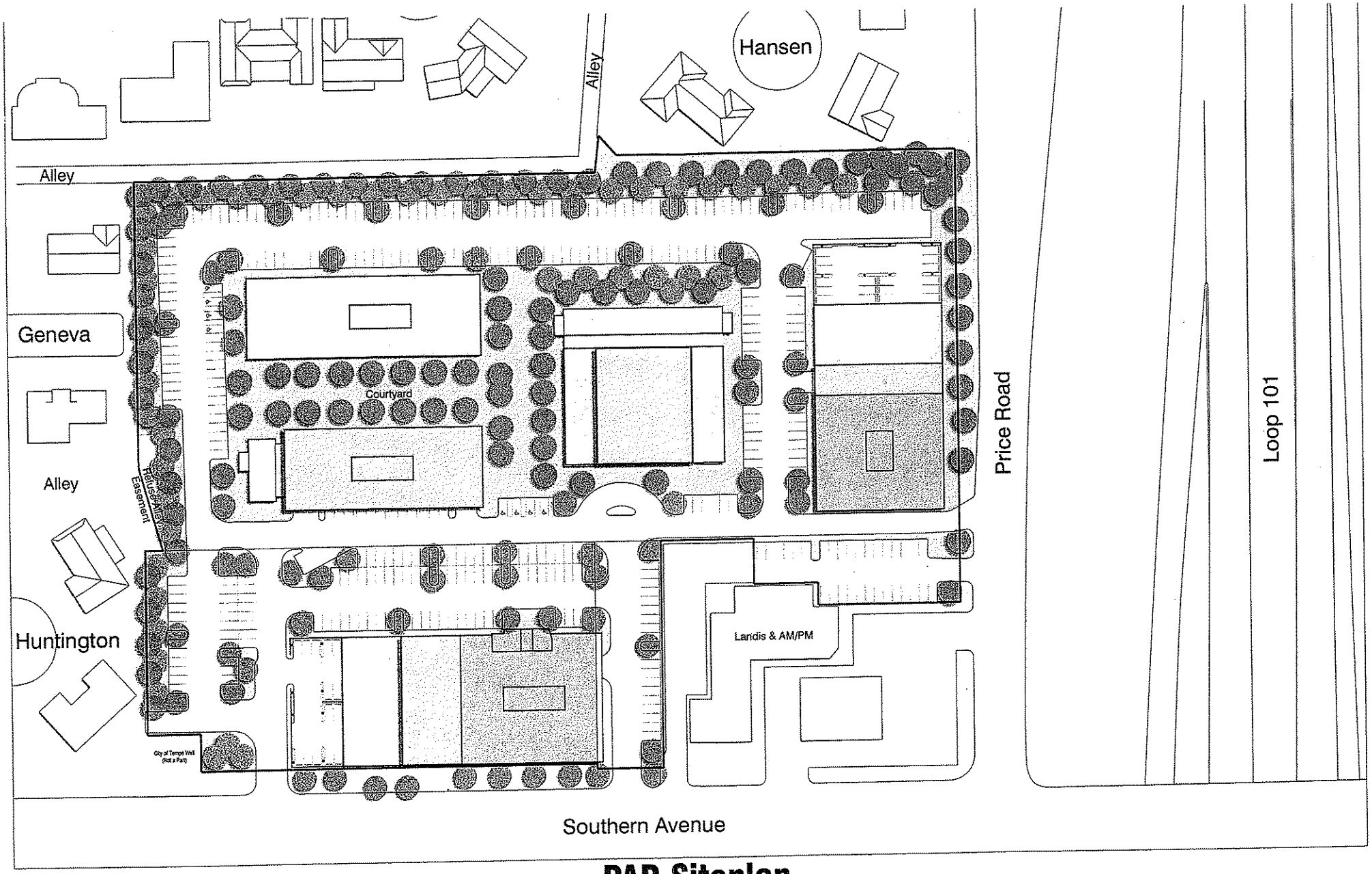


HEIGHT STANDARDS





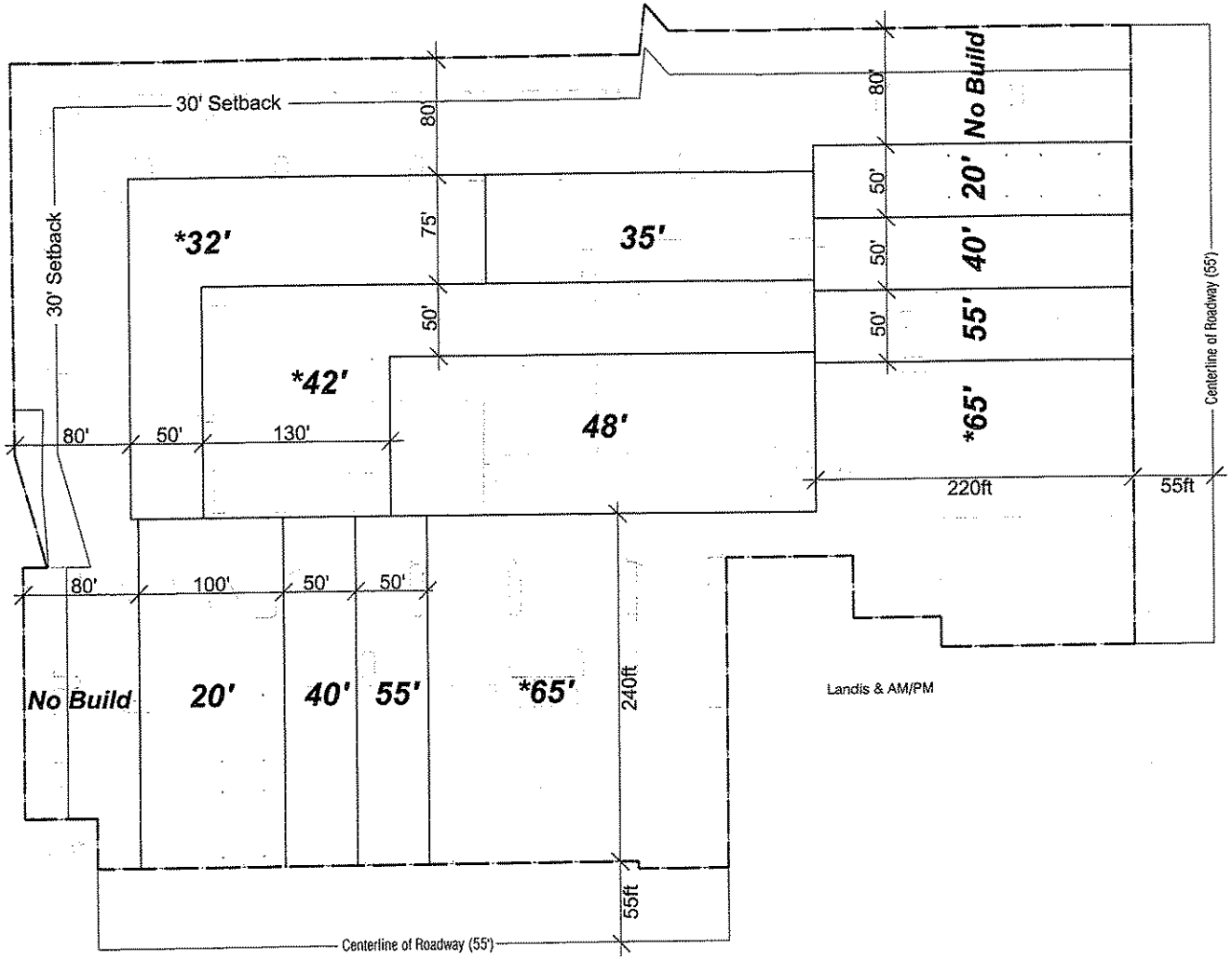




PAD Siteplan

Ed
2150 Southern *CAMPUS MASTERPLAN*

ARCHITEKTON



PAD Height Standards & Siteplan

Ed

2150 Southern *CAMPUS MASTERPLAN*

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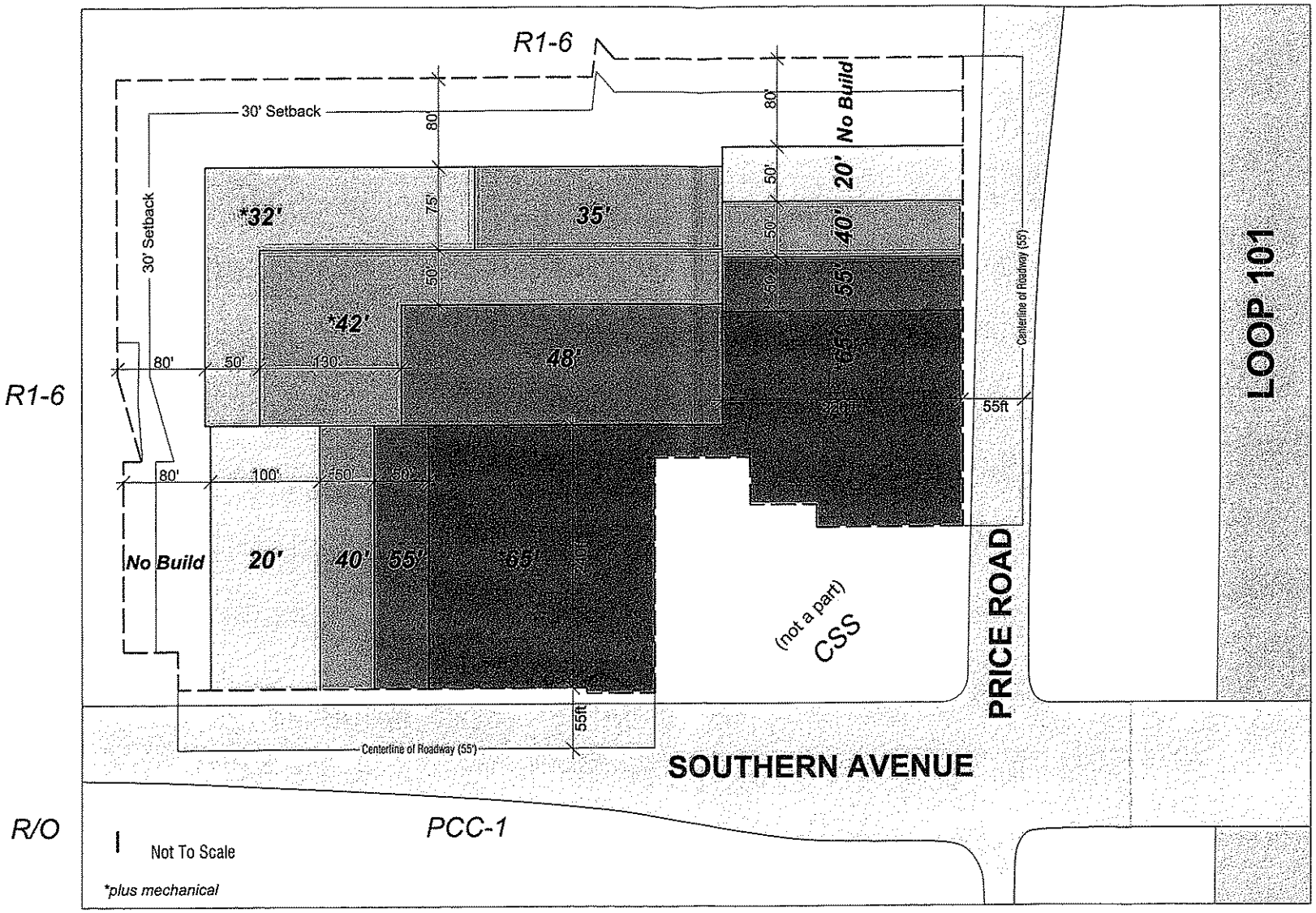

PAD Height Standards

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2150Southern CAMPUS MASTERPLAN

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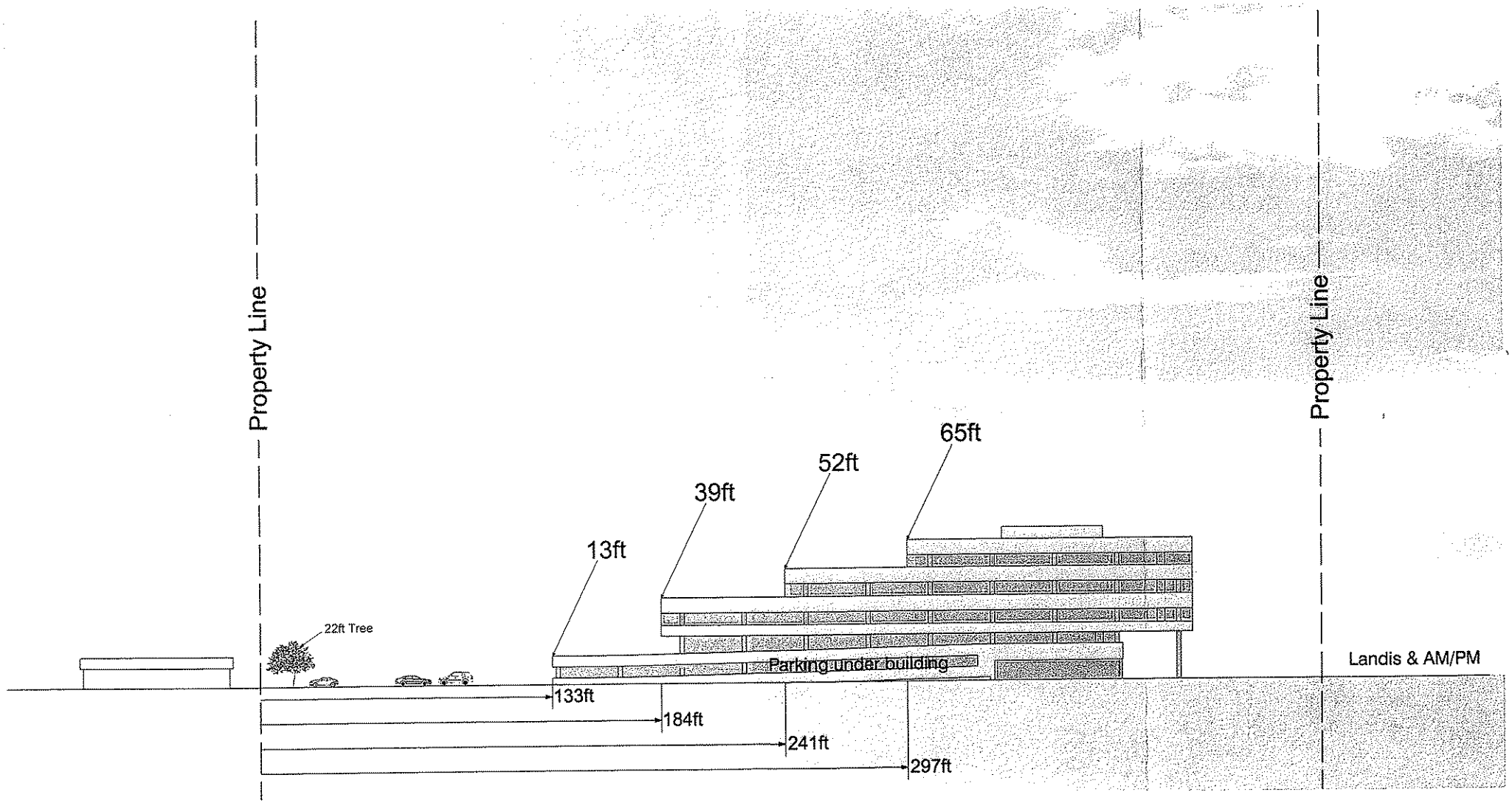

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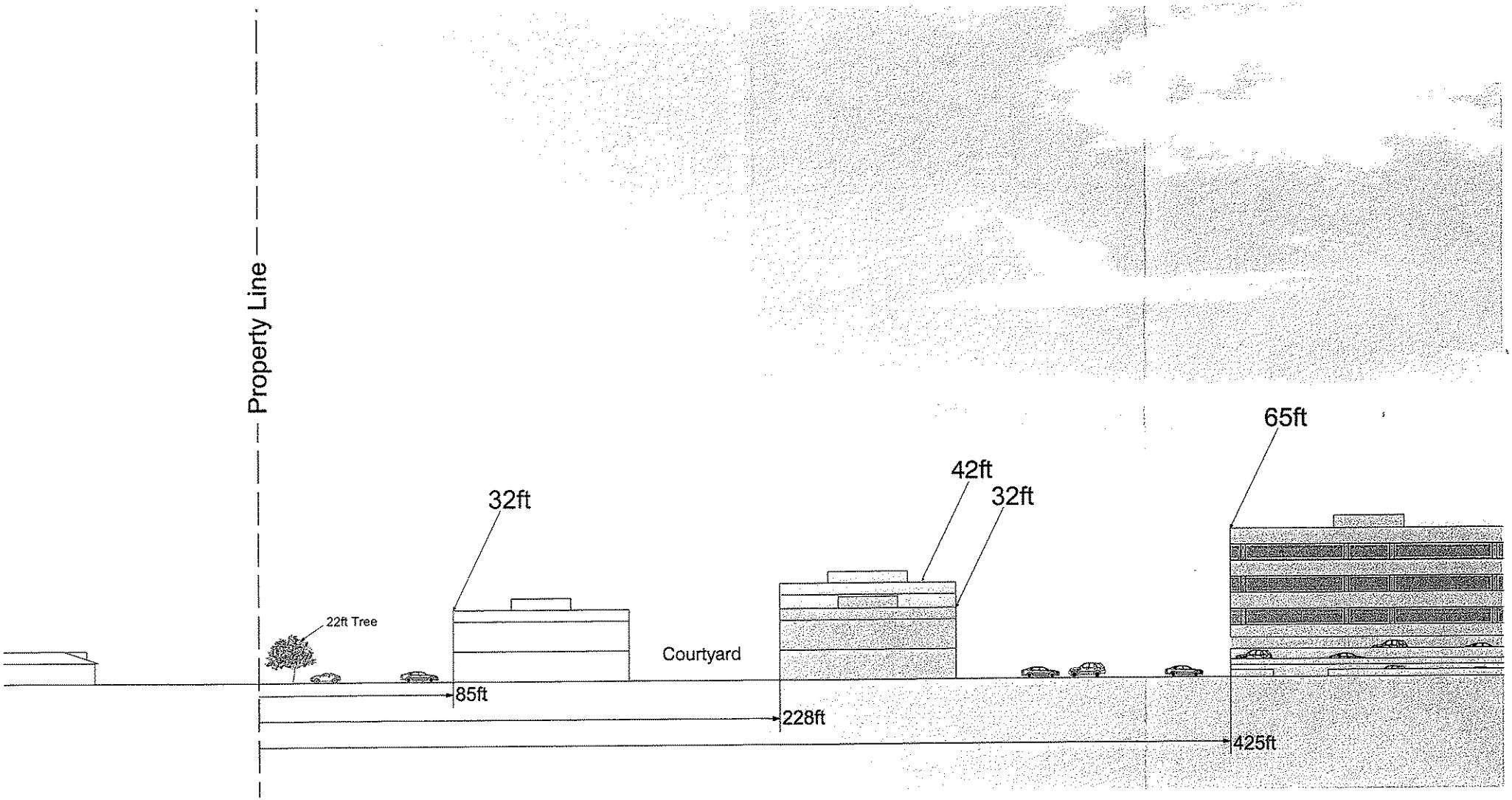
2150Southern CAMPUS MASTERPLAN

Site Cross Section Looking North

ARCHITEKTON



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2150 Southern *CAMPUS MASTERPLAN*

Site Cross Section Looking East

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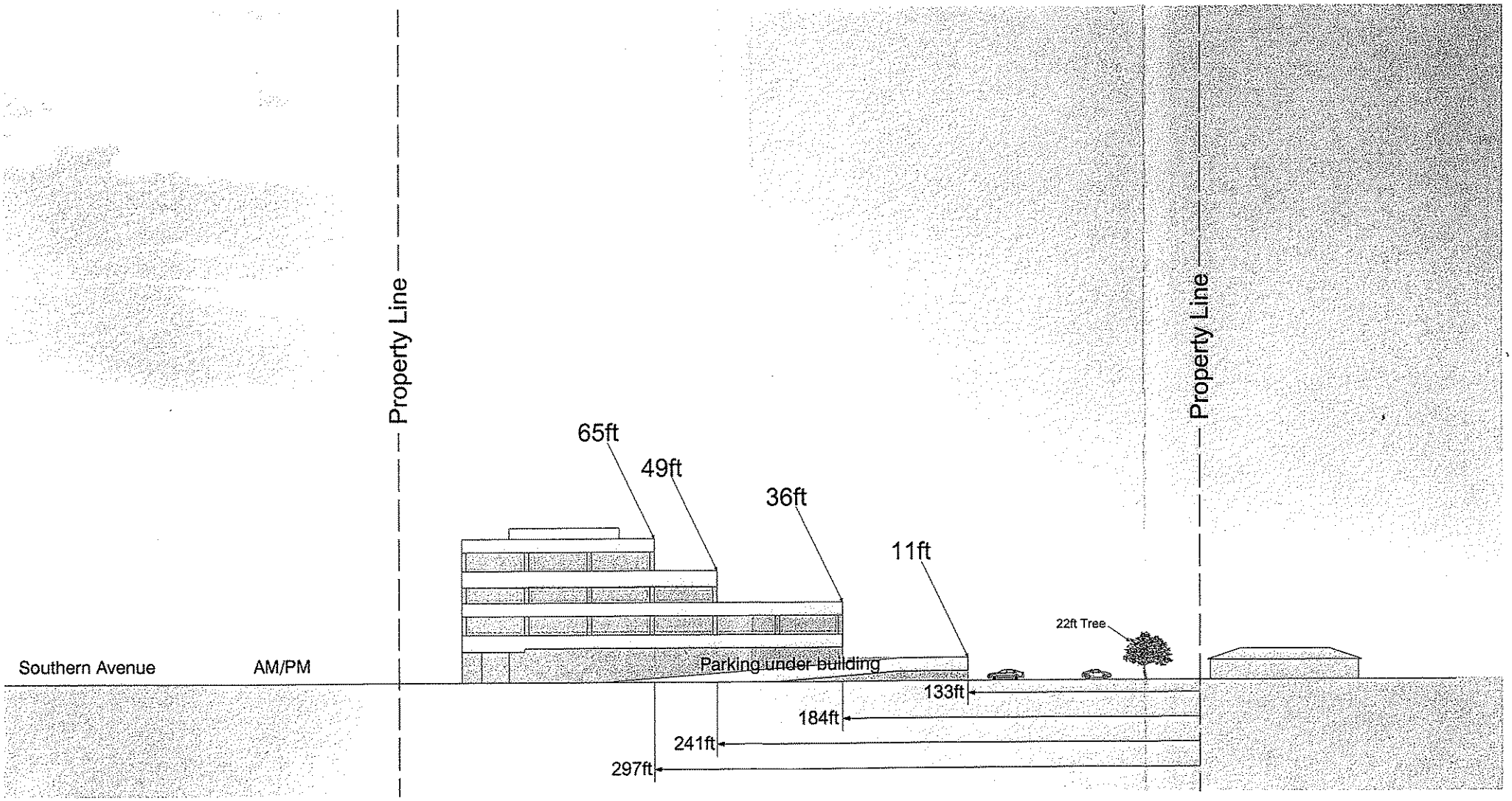

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2150 Southern *CAMPUS MASTERPLAN*

Site Cross Section Looking West

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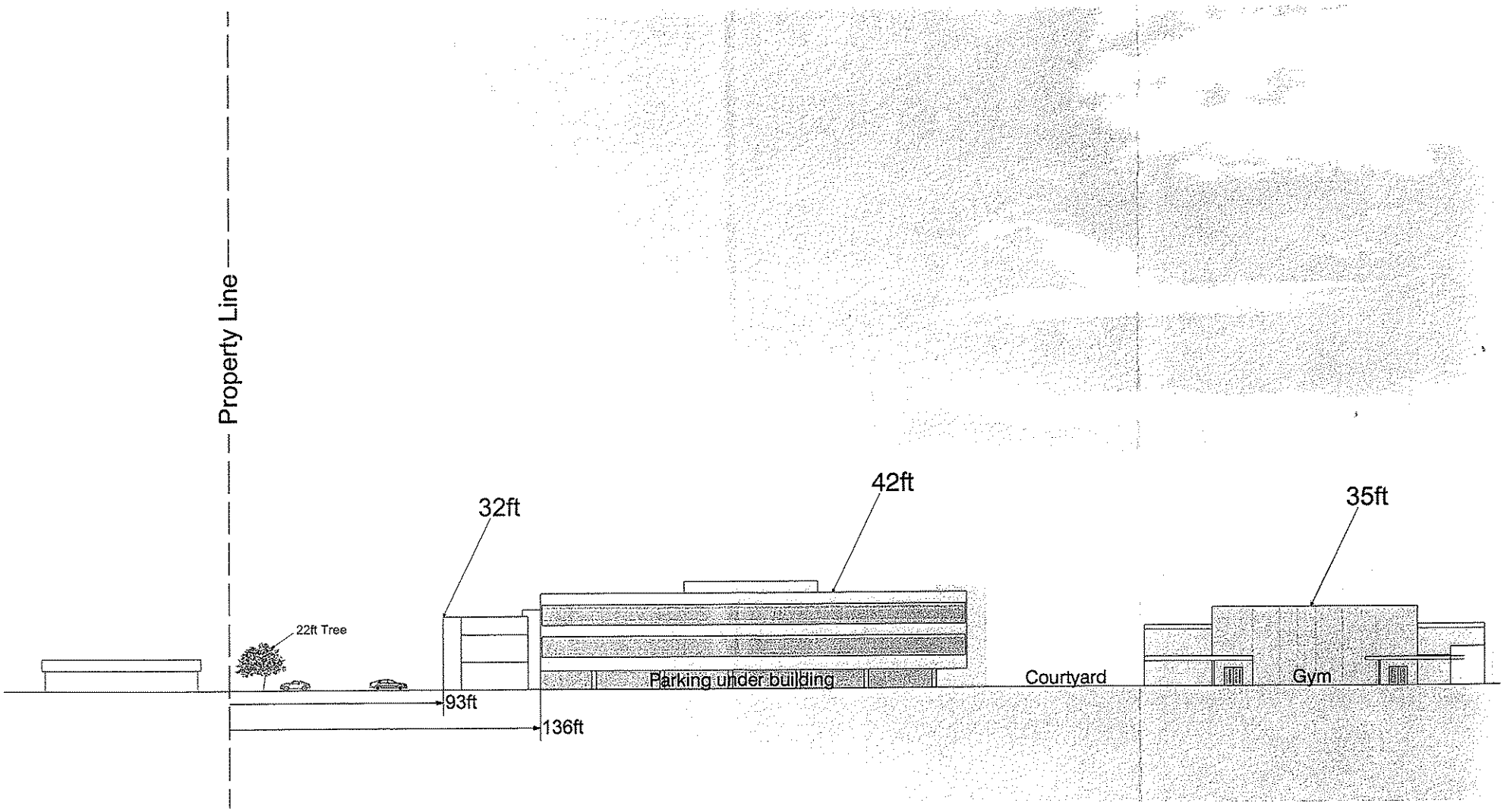

Ed
2150 Southern *CAMPUS MASTERPLAN*

Site Cross Section Looking North

ARCHITEKTON