

ORDINANCE NO. 2008.66

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 removing the below described property from the R/O Residential Office, CSS Commercial Shopping and Service and R1-6 Single Family Residential districts and designating it as MU-2, Mixed-Use, Medium Density District with a Planned Area Development on 8.87 acres.

LEGAL DESCRIPTION

A PORTION 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.

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 Maricopa 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, described as 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

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.

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 immediately South of the South line of Shalimar Estates Addition No. 3, a subdivision of record in the office of the Maricopa County Recorder 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:

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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:

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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.

TOTAL AREA IS 8.87 GROSS ACRES.

Section 2. Further, those conditions of approval imposed by the City Council as part of **Case # ZON08011 and PAD08019** 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 _____, 2009.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

WHEN RECORDED RETURN TO:

City of Tempe
Development Services Department
31 E. 5th 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 _____

(Owner/s).

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. **PL080282** to the City requesting that the City approve the following:

- _____ GENERAL PLAN AMENDMENT
- X ZONING MAP AMENDMENT
- X PAD OVERLAY
- _____ HISTORIC PRESERVATION DESIGNATION/OVERLAY
- X USE PERMITS (2)
- _____ VARIANCE
- _____ DEVELOPMENT PLAN REVIEW
- _____ SUBDIVISION PLAT/CONDOMINIUM PLAT
- _____ OTHER _____

(Identify Action Requested)

for development of the following real property (Property):

Parcel No. : 133-47-074H

2150 E Southern Avenue, Tempe AZ

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EXCEPT the East 5 feet.

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 if the City approves 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 _____, 2009.

(Signature of Owner) (Printed Name)

(Signature of Owner) (Printed Name)

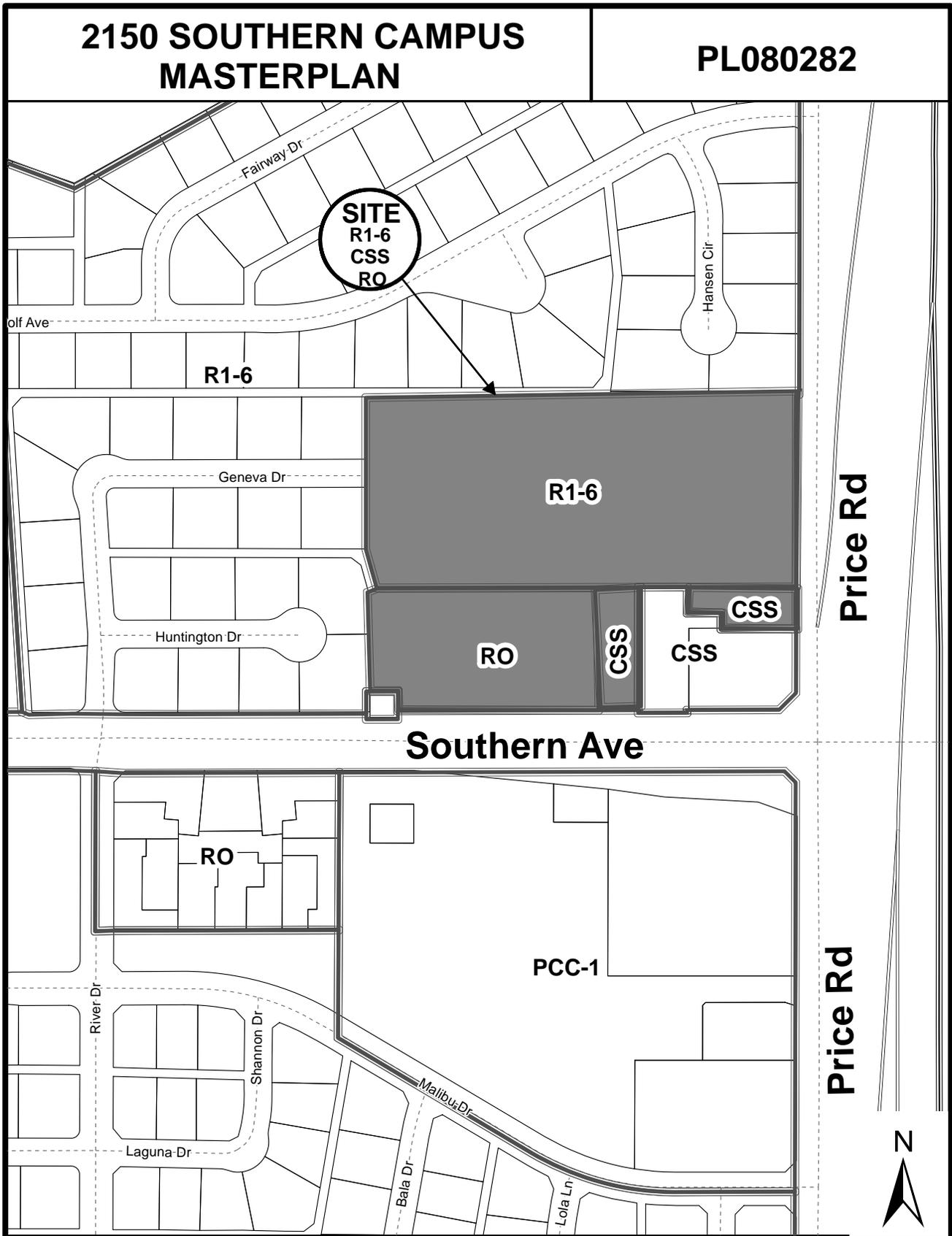
State of Arizona)
) ss
County of _____)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2009, by

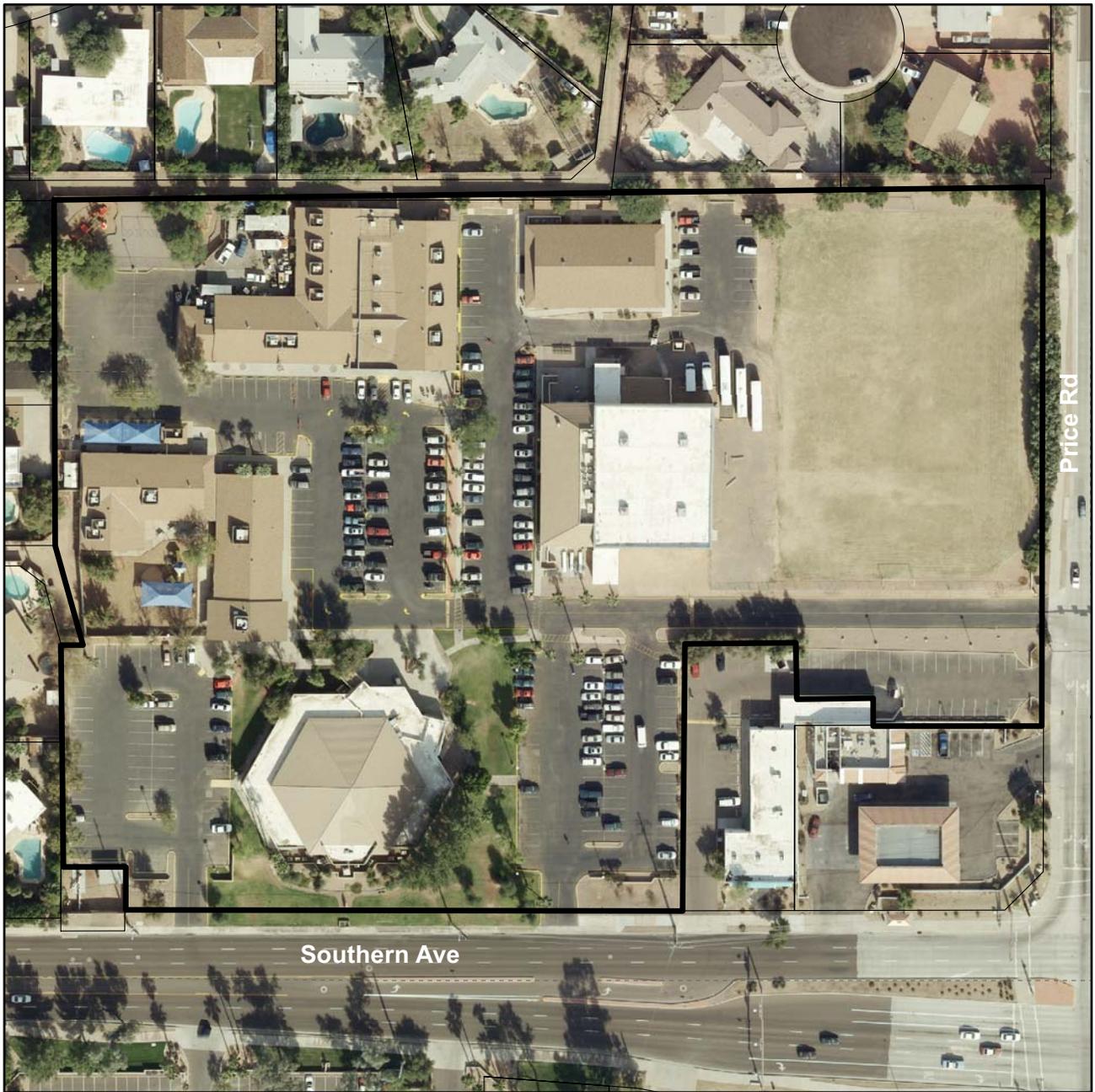
_____.

(Signature of Notary)

(Notary Stamp)



Location Map



TEMPE EDUCATION & ARTS CENTER (PL080282)

APPLICANT'S LETTER OF INTENT

2150 SOUTHERN – CAMPUS MASTERPLAN

The proposed project, the 2150 Southern Campus Masterplan, would be located on the northwest corner of Price Road and Southern Avenue – a site currently occupied and previously owned by the Tri-City Baptist Church and School. The intended user and current property owner is Tempe Education and Arts Center LLC / Educational Options (“EdOptions”). EdOptions is an accredited provider of web-based educational products that support students and teachers inside and outside the traditional classroom. The 2150 Southern campus would be home to their regional offices, charter school and private school. The master plan envisions a mixed-use campus that would combine live, work, play and learn in a campus atmosphere

EdOptions is accredited by the Northwest Association of Accredited Schools (NAAS) and the Commission on International and Trans-Regional Accreditation (CITA). EdOptions was also awarded the 2006 U.S. Chamber of Commerce Small Business of the Year Award for their dedication to outstanding products and customer service.

NEIGHBORHOOD OUTREACH UPDATE

This project was previously seen by the Development Review Commission on January 13, 2009, and during that meeting the DRC voted in favor of Use Permits allowing a Charter and Private School to operate on the site, as well as a Use Permit allowing live entertainment for school and community-based events. The Development Review Commission was the final decision making body for that aspect of the application.

During the January 13 hearing, commission members expressed agreement that Mixed Use zoning was appropriate for the site and properly reflected the community goals as set forth in the General Plan 2030. However, the applicant was encouraged to spend more time meeting with neighbors to discuss the Planned Area Development standards, specifically as they relate to setbacks and height.

The applicant and project team have taken time since the January 13 DRC hearing to meet with the neighbors on an individual, small group, and large group basis. City staff hosted a meeting between the project team and the neighborhood's technical committee on February 3, 2009 at Tempe City Hall. The four neighborhood representatives were generally in support of proposed setbacks from the January DRC hearing (specifically the 85' distance on the north and west sides between the property line and the face of the proposed buildings), but suggested lower buildings heights and more of a “tiered” effect to focus any height to the south and east. The exact placement of the setbacks were not specified, but in general the neighborhood favored keeping an 85 foot area closest to the north and west free of buildings, and having zones of height that gradually rose from 32' to 42' to 48' to the south and east. The building heights suggested by the neighbors were significantly lower than the applicant's previous proposal, but the applicant agreed to consider the suggestions brought forward at this meeting.

Subsequently, the applicant hosted an additional full neighborhood meeting on February 23, 2009 at the Tempe Library. This neighborhood meeting was not required by city code, however, the applicant strongly believes continued open communication with area residents is necessary for a successful project. Mailed notices were sent to property owners within 300 feet of the project, and signs were posted on the subject property. This was the second full neighborhood meeting held for this project. More than 45 neighbors were in attendance, as well as the applicant's project team and city staff. The project team was on hand for more than 3 hours to listen to the concerns of the neighbors and field questions,

which generally focused on height, setbacks, and traffic impacts, and to a lesser degree, the operation of the proposed school. Some technical questions were also answered regarding LEED buildings, on-site retention, parking, and fire access. There was also an open and frank discussion on the history of previous proposals for the site, and the process so far as it relates to the currently proposed project.

During this meeting, the traffic study for the proposed project was discussed in detail. Although the traffic study indicated that the Level of Service for the two most affected intersections was not significantly impacted by the project, the neighbors generally expressed that from their perspective, even one additional car traveling through the area would be undesirable. The issue of cut-thru traffic coming off of Price Road was discussed, and the project's design team suggested that since this is already an issue in the neighborhood, perhaps there are other options such as traffic diverters or calming devices that could be investigated regardless of the outcome of the proposed project.

As it relates to the Planned Area Development standards, the applicant also offered a revision to the previously proposed PAD that added an additional tier of restricted height on the north and west sides, decreased the maximum building envelope on the west side of the property, and that lowered the maximum height along Southern Avenue and Price Road from 70 feet to 60 feet. This effectively eliminated the potential for a full story of office space (28,260 SF) as compared to the previous proposal. These suggestions were a direct outcome of the February 3 meeting with the neighborhood's technical committee.

Although an overall consensus was not reached on the PAD standards, general agreement was reached on several points. Many neighbors were appreciative of the tiered setbacks in height to the north and west, and specifically requested staggered building heights leading up and away from the neighborhood towards the intersection of Price and Southern. A consensus among the neighbors was reached that the 30' height limit from 20'-80' from the north and west property lines was a major point of contention. This 30' height zone was added at a previous meeting to address various "what if" scenarios, but it is now felt that it causes more concern than it alleviates. Various suggestions were offered as to how this could be addressed; these suggestions included tripling the building setback, having more staggered tiers in height and having fewer but more significant tiers in height. There were also a number of specific design-oriented suggestions that related to building placement and shape. The applicant agreed to consider all of these suggestions. At the conclusion of the meeting, it was suggested by a few attendees that the neighborhood and the applicant "were close" to reaching a mutually acceptable compromise.

The applicant is committed to continuing to work with the neighborhood in future phases of the project on specific design aspects, and has agreed to a stipulation requiring additional neighborhood meetings to coincide with the Development Plan Review submittals anticipated in Phases II and III.

PROJECT DESCRIPTION

This application requests approval for a Zoning Map Amendment from the Residential/Office (R/O), Single Family Residential (R1-6) and Commercial Shopping & Service (CSS) districts to Mixed-Use, Medium Density (MU-2) with Planned Area Development Overlay for a project consisting of a phased development in which the existing buildings are remodeled or replaced over time with several new buildings. This application does not include a Development Plan Review for any new construction.

It is envisioned that this site will be transformed in three phases, which can be described as follows:

Phase I - Change of use, no new construction

Once the Tri-City Baptist Church & School has completed the move to their new facilities in Chandler, EdOptions intends to move their regional corporate offices into the existing facilities. A new charter school and private school would begin operations on the site, also in the existing buildings. Physical changes during this phase would likely be cosmetic in nature, and would be likely be limited to updated signage, repainting (touch-ups in the existing color scheme), and the

removal of items currently stored outside by the previous owner, and replacement of missing screening trees. The applicant has agreed to work with staff to repair the perimeter wall where needed during Phase I, and also begin planting the landscape screening trees that will be needed in future phases to ensure maximum growth before new construction begins.

Phase II – Renovation & Expansion of Gym, Replacement of existing office and school buildings

Some time after EdOptions has established operations on the site, design would commence on two new Mixed-Use buildings generally located in the northwest portion of the parcel. These buildings would serve multiple functions and could contain a mix of corporate offices, school offices, classroom space, and staff housing. This phase would also include a renovation and expansion of the gym facilities in a manner consistent with the other new construction. The design intent is to provide flexible buildings that can adapt over time to meet the needs of the user in a sustainable manner. Specific aesthetic concerns such as material selection, landscape palette, and façade articulation will be addressed through the Development Plan Review process required prior to any new construction, which would include neighborhood meetings. The neighborhood outreach effort would be directed to address specific design concerns that have already been identified, such as window placement and view corridors.

During Phase II, the existing sanctuary would continue to be used for assembly, performances, lectures, etc, and would be available for community groups to rent.

Phase III – Eventual redevelopment along Southern Avenue and Price Road

The final phase would focus on redeveloping the commercial frontage along the south and east faces of the site. This phase would be some years in the future, and would be designed to respond to the needs of the market at that time. It is anticipated that this phase would primarily consist of office space, with some small amount of retail/restaurant space to serve on-site users (i.e., a coffee shop or lunch café).

SITE AND AREA CONTEXT

The site is generally located on the northwest corner of Southern Avenue and the Loop 101. The subject property wraps around a smaller commercial property to the southeast (the Landis Cyclery and AM/PM gas station), and is otherwise bounded on the south and east by Southern Avenue and Price Road, respectively. On the north and west sides of the property, the site is bounded by single family residential homes. There is an alley contiguous with roughly half of the northern property line, and another alley dead-ends in a “T” pattern on the western property line. Across Southern Avenue, directly to the south, is an existing commercial development that is currently being redeveloped with retail and self-storage uses.

The site currently contains a sanctuary, a gymnasium with multipurpose rooms including classrooms and a cafeteria, several office & classroom buildings, and a maintenance trailer. These facilities were used by the previous owner to operate a church, nursery, K-12 school, and 4-year college program.

The subject property forms an important physical, visual and acoustic buffer between the single family residential neighborhood to the north and west and the heavily traveled intersection of Southern Avenue and the Loop 101. General Plan 2030 calls for the residential land use to remain adjacent to the north and west of the parcel, and for a continued commercial use to the south. Price Road and the Loop 101 form a dominant presence to the east.

CURRENT ZONING

The bulk of the site (approximately 6.31 acres) which includes the existing church office & school buildings, the gym and the athletic field, is currently zoned Single Family Residential (R1-6). The southwestern portion of the site containing the

sanctuary (approximately 1.98 acres), is zoned Residential/Office (R/O). Two small parking areas (approximately .56 acres) along the southeastern corner of the site are zoned Commercial Shopping & Service (CSS), and one of these areas is encumbered with a common use drive easement to allow access to Landis Cyclery.

GENERAL PLAN 2030

The Existing Land Use identified in General Plan 2030 is Work (Civic) and Place of Worship, with no Existing Residential Density specified. The General Plan 2030 Projected Land Use for this parcel is Live/Work (Mixed Use). Projected Residential Density varies across the site, with Low to Moderate Density (up to 9 dwelling units per acre) on the northern portion of the site currently in the R1-6 district, and Medium Density (up to 15 dwelling units per acre) towards the southern portion of the site which is currently in the R/O and CSS districts.

The purpose of the proposed zoning change to MU-2 with PAD is to match the property's zoning with the goals identified in the General Plan 2030, while allowing the new property owner to operate a school on the site. The mixed use nature of the proposed development (school, office, residential, retail) is in keeping with the General Plan 2030, and the continued presence of a school and offices on the site is consistent with what the neighboring community has experienced for many years. The proposed PAD standards offer a flexible, site-specific response that directly addresses the dichotomy between the well-established Shalimar residential neighborhood to the northwest, and the high-profile intersection of Southern Avenue and the Loop 101 to the southeast. In this respect, the site acts as a transitional area between dissimilar land uses, and serves to mediate between the highly public nature of the intersection and the intensely private surrounding neighborhood. These standards have been exclusively tailored to meet the needs of the applicant while addressing the neighborhood's concerns and fulfilling the objectives of the General Plan. This PAD has been crafted with the applicant's specific site plan in mind, and would likely not be desirable for a different project or user. With these factors in mind, the MU-2 with Planned Area Development zoning is ideally suited to serve the needs and desires of the land owner, the neighborhood, and the city as a whole in a way that alternative zoning districts would be unable to do.

The MU-2 zoning district, with a density not to exceed 9 dwelling units per acre on the north and 15 dwelling units per acre on the south, exactly matches the densities outlined in the General Plan 2030. MU-2 zoning also accurately reflects the mixed use nature of the site in a way that a commercial district such as PCC-1 or PCC-2 (with a Use Permit to allow residential use) would not.

The proposed PAD standards for height limits new construction to 48 feet on the northwestern portion of the site, while limiting buildings within 250 feet of Southern and Price to 60 feet. Additionally, the applicant is requesting a tiered height restriction to the north and west sides of the property to address the concerns of the neighbors. From the property lines adjacent to the R1-6 single family residential district, the first 20' is proposed as a landscape buffer and building setback, with a 30' height limit from 20' to 80', a 42' height limit from 80' to 100', and a 48' height limit beyond 100'. In no case would the 60' height limit be closer than 150' from any neighboring single family residential lot. The applicant feels that this balance responds to the neighborhood's concerns for height adjacent to residential districts while providing a viable future commercial use on a prominent intersection adjacent to the Loop 101 freeway. Landscape buffers and parking setbacks are also designed to effectively negotiate the change from a mixed use site to a single family residential neighborhood in a way that respects the privacy concerns of the neighbors. This is a creative response to the unique conditions of a site that serves as a buffer between a single family residential neighborhood and both a heavily travelled major arterial and the freeway.

The proposed mix of uses on the site fulfills and exceeds the objectives of the General Plan by providing a place to live, learn, work and play all in the same location in a pedestrian-friendly environment. Additionally, by providing on-site teacher & staff housing, this proposal addresses the need for affordable housing for education professionals in our community. The mixed use nature of the development provides an opportunity for a teacher or staff member to live and work in the same location while being able to access nearby shopping, cultural and entertainment amenities with mass

transit. The phased redevelopment plan attempts to slowly transform the site in response to the needs of the community, and incorporates the adaptive reuse of existing structures where possible.

SITE CIRCULATION AND PARKING

During Phase I, the existing circulation and parking would remain in their present form.

The overall site design strategy for Phase II is to orient the new structures according to sustainable design principles (broad sides facing North/south, narrow sides facing east/west) in a manner that creates an academic 'quad' between the new buildings and facing the gym. This campus setting would allow open pedestrian circulation between these buildings without traversing a vehicular path. Parking and vehicle circulation would be relegated to the perimeter of the site. By organizing most of the parking in a heavily landscaped linear fashion around the buildings, the "field of asphalt" effect can be avoided, and the buildings can still be moved away from the property line to reduce their perceived height. The zone between the property line and parking area would be heavily landscaped to provide a buffer for neighboring properties, as well as shade for parked cars.

It is anticipated that Phase III site circulation would directly address Southern Avenue and Price Road, while still providing convenient access to improvements made during Phase II.

POLICE AND SANITATION

Along the western boundary of the site, the property line jogs in response to an existing alley. This alley (located between Geneva and Huntington Drives) effectively dead-ends into the subject property, which requires sanitation vehicles to travel approximately 450 feet before executing a 3-point turn to reverse course and exit along the same path of travel. Besides being a relatively inefficient path of circulation for sanitation vehicles, this 450 foot dead-end creates an unsafe and unsupervised 'ambush' location that is well out of the view of passing cars and pedestrians. In addition to the security issue, this corner also presents an unsupervised area where dumping and littering can occur.

The applicant originally proposed a reconfiguration of the alley which included an entrance to the alley from the subject property, however, the idea failed to gain support from neighbors and is no longer being pursued.

MIX OF USES

Phase I – School, Office, Place of Worship

During Phase I, uses on the site would remain much as they are today. These would include School, Office and Place of Worship. EdOptions intends to move its regional corporate offices to the subject property, and to operate a charter school on the premises. Classes for the Charter School would be staggered throughout the day to reduce peak traffic on the site. To the extent that the gymnasium and sanctuary would remain unused by EdOptions, they would be made available for rent. Various community groups have expressed interest in renting the sanctuary for church services, charter school graduations, and other community events. The previous property owner has operated a church and school on the site for decades, so the neighborhood is unlikely to notice anything more than a cosmetic change to the site and facilities and the replacement of missing screening trees along the perimeter of the site. There is no new construction planned for Phase I.

Phase II – School, Office, Place of Worship, Residential

Phase II would see new construction in the northwest portion of the site, along with landscape improvements throughout. Once the gymnasium is expanded and the two new buildings are added, uses would expand to include school, office,

residential, and place of worship uses. The residential component would consist of staff housing within buildings otherwise occupied by office uses. Such housing would be used as an incentive to attract teachers and staff that might otherwise be unable to find attainable housing in close proximity to their places of employment. The residential component would be limited in scope to address neighbors' concerns over density (there was significant objection to several previously proposed residential schemes), while at the same time addressing the General Plan's desire to provide sustainable mixed use opportunities for residents to live near work.

Phase III – School, Office, Residential, Retail

Eventual redevelopment of the portions of the site within 250 feet of Southern Avenue and Price Roads would likely involve some combination of office and limited retail (coffee shop, lunchtime café, or similar) that would take better advantage of the key intersection of Southern and the Loop 101. These buildings would generally be located where the auditorium and athletic fields are currently. At the conclusion of the third phase, uses would include school, office, residential and retail.

ZONING AND PAD STANDARDS

Currently the site falls in three zoning districts: R1-6, R/O and CSS. The proposed rezoning would bring the entire site into the MU-2 district with a PAD Overlay to establish development standards that respond effectively to the context and proposed uses.

The site is adjacent to the R1-6 single family residential district on the north and west sides, and faces the PCC-1 commercial district to the south (across Southern Avenue). PCC-1 also exists directly to the east, although the Loop 101 freeway effectively buffers the site on that side.

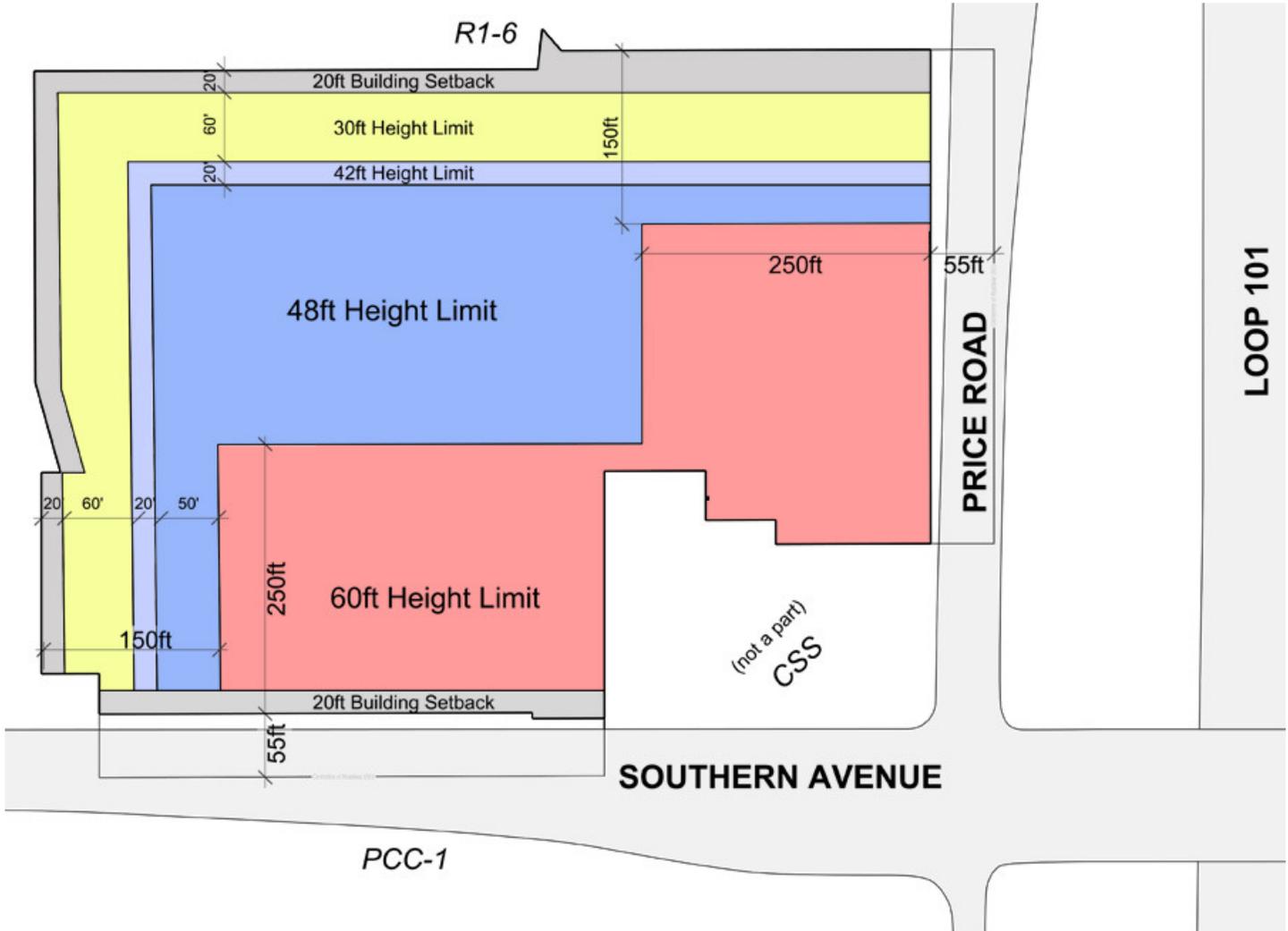
As a high profile, relatively large site adjacent to a major arterial avenue, a freeway, a commercial district and a single family residential neighborhood, the proposed PAD standards respond to the site, the expectations of the General Plan, and the concerns of neighboring residents.

A maximum lot coverage ratio of 40% is proposed, with a minimum landscape area of 15%. This represents a less dense lot coverage ratio than would be allowed in either the R1-6 or PCC-1 districts, while meeting the minimum landscape area required in the PCC-1 district.

A 20 foot parking setback on all sides would provide an additional buffer on the side and rear of the property, while complementing the pedestrian experience on the front and street sides. The proposed standards would include 20 foot front setback to enhance the pedestrian experience along Southern Avenue, a zero foot street side setback facing Price Road, and 20 foot side and rear setbacks (sides facing west and north, respectively). These building setbacks are significantly greater than would be required in the existing R1-6 district.

With respect to height, a building height maximum of 60 feet is proposed, with a 48 foot height restriction on portions of the site adjacent to the SFR district (see accompanying illustration). These height limits directly correspond to the proposed buildings, which vary from 42 feet tall to 55 feet tall (excluding mechanical). The 48 foot height restriction on portions of the site adjacent to residential districts is consistent with MU-2 standard of 40 feet with a 20% bonus, while the increased height allowed along Southern Avenue and Price Roads is a direct response to the high profile nature of the site. Additionally, proposed height limits of 30 feet for areas within 80 feet of the adjacent SFR district, and a limit of 42 feet in the zone 80 feet to 100 feet from adjacent SFR is requested to address the desire of the neighborhood for "tiered" height protections.

GRAPHIC ILLUSTRATION OF PAD STANDARDS



The proposed standards represent a significant improvement over the existing conditions where building masses are generally concentrated away from the street and towards the adjoining SFR district. Currently, buildings are located as close as 9 feet away from adjoining residential parcels. The proposed standards would locate future buildings away from the adjoining SFR district and would direct height towards the street and freeway. From the perspective of adjoining homeowners to the west and north of the subject property, the proposed PAD standards represent an increase in side, street side and rear yard setbacks as compared with the existing R1-6 zoning. Additionally, the existing R1-6 zoning has a 30 foot height limit with closer setbacks on the side and rear yards than the proposed standard. This existing standard does not adequately address neighbors' concerns regarding privacy and perceived height.

From the perspective of adjoining homeowners to the north and west, these proposed standards should represent an improvement in that they would reduce the perceived height of new construction (as compared to what would be allowed by-right in R1-6). The proposed standards can effectively concentrate the bulk and height of the proposed new buildings away from adjoining property owners while providing a landscape buffer for privacy concerns. The proposed height guidelines fall within the required step-back guidelines for properties adjacent to SFR districts.

PLANNED AREA DEVELOPMENT STANDARDS

Standard	MU-2 with PAD	MU-2	R1-6	PCC-1	Existing Conditions
Residential Density	Medium Density (up to 9 & 15 du/ac*)	Medium Density (up to 15 du/ac)	Low Density (up to 4 du/ac)	Medium Density w/Use Permit (up to 15 du/ac)	None
Building Height Maximum	30' / 42' / 48' / 60' (see PAD graphic)	40 feet (+20% w/Use Permit)	30 feet	35 feet (+20% w/Use Permit)	Approx. 35 feet
Maximum Lot Coverage	40%	NS	45%	50%	16%
Minimum Landscape Area	15%	NS	NS	15%	34%
Front Setback (South)	20 feet	NS	20 feet	0 feet	20 feet
Street Side Setback (East)	0 feet	NS	10 feet	0 feet	261 feet
Side Setback (West)	20 feet	NS	5 feet	20 feet	16 feet
Rear Setback (North)	20 feet	NS	15 feet	30 feet	9 feet
Parking Setback	20 feet	20 feet	NS	20 feet	5 feet

*per General Plan

Respectfully submitted,



Jason Comer
development manager

For William J. Sawner, Applicant

ARCHITEKTON

464 S. Farmer Ave, Suite 101, Tempe, AZ 85281
T 480 894 4637 F 480 894 4638 C 480 229 4239
www.architekton.com

MEMORANDUM

TO: DIANA KAMINSKI, CITY OF TEMPE

FROM: ERIC EMMERT, DORN POLICY GROUP

DATE: FEBRUARY 26, 2009

SUBJECT: NEIGHBORHOOD OUTREACH

For the past six months Educational Options has worked diligently to engage neighbors surrounding the 2150 Southern Campus Masterplan property, formerly the Tri-City Baptist Church, as property improvements have been discussed. While city code dictates the neighborhood notifications and meeting requirements, Educational Options has chosen to exceed those requirements in an effort to better understand the desires of its surrounding neighbors.

OUTREACH CHRONOLOGY

AUGUST 2008

- 12 letters were sent to adjacent property owners explaining the project and included contact information – (8/19/2008)
- 6 phone calls were made to known numbers of adjacent property owners to discuss the project – (8/27/2008 and 8/28/2008)
- 1 home visit with adjacent property owners to discuss the project in detail – (8/27/2008)

SEPTEMBER 2008

- 1 home visits with adjacent property owners to discuss the project in detail – (9/9/2008)
- 6 phone calls were received from neighbors interested in discuss the project – (9/1/2008, 9/8/2008, 9/10/2008, 9/18/2008)

OCTOBER 2008

- 1 home visits with adjacent property owners to discuss the project in detail – (10/24/2008)
- 42 letters were sent letters to property owners within 300 feet – (10/17/2008)
- 1 phone call was received from a neighbor interested in discuss the project – (10/17/2008)

NOVEMBER 2008

- 38 residents attended the required neighborhood meeting – (11/3/2008)
- 2 phone calls were made to residents with concerns to schedule an additional meeting – (11/9/2008 and 11/10/2008)
- 3 phone calls were received from neighbors interested in discussing the project – (11/3/2008)
- 1 home visit with adjacent property owners to discuss the project in detail – (11/12/2008)
- 7 residents attended a meeting with City of Tempe, Architekton, Dorn Policy Group and EdOptions staff in the Development Services Conference Room – (11/25/2009)

JANUARY 2009

- 119 Tempe residents signed letters in support of the project.
- Area residents attended the Development Review Commission meeting (1/13/2009)

FEBRUARY 2009

- 4 residents identifying themselves as the “core team” attended a meeting with City of Tempe, Architekton, Dorn Policy Group and EdOptions staff in the Development Services Conference Room – (2/3/2009)
- 42 letters were sent to property owners within 300 feet – (2/13/2009)
- 44 residents attended a neighborhood meeting at the Tempe Connections Café room in the Tempe Library – (2/23/2009)

RESIDENT CONCERS

Issues raised by residents during the outreach process include:

- No opening of Geneva Drive
- No high density condominium projects
- No alley opening to the west of the church property
- School demographics
- Traffic impacts
- Building height

EDUCATIONAL OPTIONS RESPONSE

On numerous occasions throughout the public outreach process, EdOptions has clarified project rumors related to the private and charter school operations. EdOptions also made significant adjustments to the PAD in response to neighbor concerns (Attachment A). They include:

- Reduction of building height from 70 ft. to 55 ft. plus mechanical.
- A stepped approach to building height to protect the neighborhood in the unlikely event the property is sold.
- Alley reconfiguration was discarded.
- The project name was changed.
- View corridors were mitigated with additional foliage and design stipulations.
- Traffic studies will be conducted at the beginning of each phase of the project.
- Abandoned additional entrance on Price Road.
- Conducted an additional traffic study examining all three phases.

While design is not required for the requested MU-2 zoning with PAD, EdOptions also stipulated to multiple building standards prior to the design phase to address neighbor concerns. They include:

- Stairwells shall be enclosed or internal to the buildings or not visible from the perimeter of the site.
- No upper story exterior circulation paths adjacent to or facing single-family residences.
- Staff housing shall be away from the existing residences.
- Building façade shall have architectural variation to break up the massing.
- Parking islands shall be spaced 1 per 10 parking spaces on the north and west side of the site to allow for trees.
- No temporary or permanent athletic field lights shall be added to the existing field. Any lighting added shall not exceed 18' in height and shall have no light trespass outside of the north and west property line.
- No loud speaker or public announcement system shall be installed or used on the property.
- An on-site security plan is required.

NEIGHBORHOOD MEETING NOTES

A summary of the November 3, 2008 neighborhood meeting that occurred at the current Educational Options western headquarters at 3820 S. Country Club Way in Tempe is as follows:

7:00 P.M. Eric Emmert introduced the project outreach team and noted Diana Kaminski attendance as a resource for process questions.

7:06 P.M. Jeff Sawner gave an overview of the project. He noted the following will NOT occur in the Educational Options development:

- NO high density condominiums
- NO opening through access of Geneva Dr.
- NO request for a general plan amendment
- NO outdoor athletic field lighting
- NO outdoor speaker system

Sawner noted that the project will do the following:

- WILL continue the educational focus of the property
- WILL require a zoning change to allow for multiple uses
- WILL exceed required setbacks
- WILL provide adequate on-site parking
- WILL allow community groups to use the facilities

7:18 P.M. Residents began a question and answer period. Issues raised include:

Who will own the property and run the charter school?

What student demographics are served by the school?

Where will students park?

Explain the staggered class schedule.

What are the heights of the buildings in Phase II and Phase III?

What happens if Educational Options wants to sell the property?

Can Educational Options do what it wants with the current zoning?

The curb cut on Price should be limited to "entrance only".

How many residential units will the project include?

Will residential units be limited to Educational Options staff?

What is the project lot coverage?

Will there be name confusion with current existing community facilities?

Explain the alley configuration to the west of the property.

High windows are suggested for the north side of buildings.

Explain the entertainment use permit request.

9:18 P.M. With no other questions or comments, Emmert adjourned the meeting. Conversations between individual residents and the project team continued for an additional 45 minutes.

A summary of the February 23, 2009 neighborhood meeting that occurred at the Tempe Library Connections Café meeting room at 3500 S. Rural Rd. in Tempe is as follows:

6:03 P.M. Eric Emmert introduced the project outreach team and noted Diana Kaminski attendance as a resource for process questions.

6:06 P.M. Emmert noted the four decisions of the DRC on January 13th.

- Granted a use permit for a charter school (State Board of Charter Schools 12th) and private school
- Granted a use permit to allow other civic organizations to use the facility
- Mixed use zoning is appropriate for the property - it matches GP 2030
- 70 ft. is too tall for the Phase III buildings

6:09 P.M. Emmert explained that a meeting was held with a team of community representatives on February 3, 2009. They agreed to the following:

- Original proposed setbacks have merit
- Height should be pushed toward Southern and Price
- Would like to see setbacks as height increases

6:11 P.M. Jason Comer and Joe Salvatore explained the traffic study. The following questions were asked by residents relative to the study:

What is the current level of service?
Are traffic studies required for each phase?
Is the traffic study a public document?
Who paid for the traffic study?

6:52 P.M. A number of questions were asked by residents regarding the school?

Are there examples of other charter schools EdOptions has opened?
Can I have a list of recommendations?
What are the ages of the students?
Are the students criminals?
Will the company be paying property taxes?
Is there a timeline for building permits?

7:23 P.M. Emmert and Salvatore introduced the revised building setbacks and heights. A list of resident questions and comments includes:

Is there adequate parking in all three phases?

*A 12 ft. wall around the entire property was suggested.
Could parking be placed underground?
Who owns the property?
Where are the buildings to be placed?
An "L" configuration around the Landis property was suggested.
Why is parking configured the way it is?
A 150 ft building was suggested 80 ft "out".
Suppressed parking to reduce the height was suggested.
Can you explain the lighting of the project?
Previous developers have created an adversarial environment.
Parking on the top of the buildings was suggested.
Could building coverage go from 40% to 45%?
What are the next steps?*

8:38 P.M. Emmert, Salvatore, Sawner and Comer explained that an entire story had been removed from the taller buildings. They concluded the meeting by explaining the next steps.

8:47 P.M. The meeting adjourned. Additional side conversations took place following the meeting for an additional 10 minutes.

CONCLUSION

EdOptions is committed to continuing work with the area residents through the PAD approval and design phases. The company and its employees wish to live and work in Tempe. In addition, they wish to be good neighbors. Working together requires concessions. EdOptions has made considerable concessions throughout the process and hopes the neighbors will help make this project a win-win development.

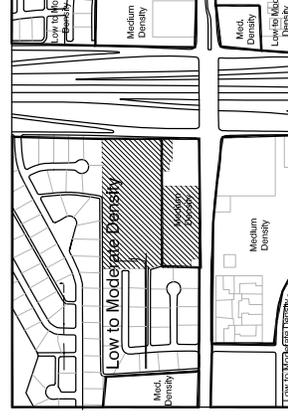
Attachment A

Educational Options Response to Neighborhood Concerns

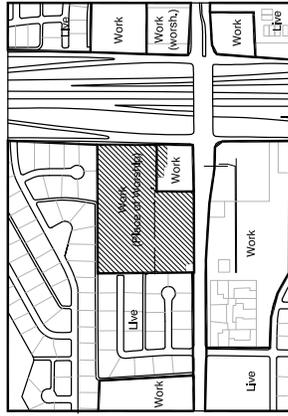
Issue	Project as Introduced	Expressed Concern	EdOptions Response
Height	Buildings along Southern and Price were 70 ft. tall	Buildings too tall	Reduce the building height to 55 ft. plus mechanical
Western Alley	West alley to be reconfigured to allow for limited access for City vehicles	Don't change the alley	Alley reconfiguration abandoned
Project Name	Project name – Tempe Education and Arts Center	Name confusion with other Tempe public and private projects	Project given a new name of 2150 E. Southern Ave.
Views of the Project	Phase III building along Price has a 20 ft. setback	Concern about views of the buildings	<ul style="list-style-type: none"> • 30 ft. buffer established • 42 ft. buffer established • 85 ft. setback to Price building • EdOptions meeting with neighbors about foliage • EdOptions will consider high windows during design
Traffic	All current curb cuts off Price into the property will remain	The development may contribute to traffic in the neighborhood to the north of the property.	<ul style="list-style-type: none"> • EdOptions conducted a traffic study • The curb cut on the northeast corner of the property was closed



Existing Density



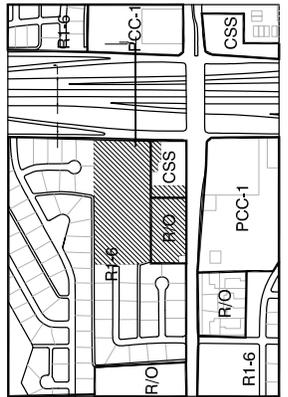
GP2030 Density



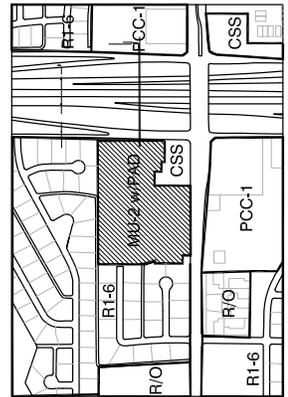
Existing Land Use



GP2030 Land Use



Current Zoning



Proposed Zoning



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, OWNERS
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 EXECUTES THE FOREGOING INSTRUMENT FOR
THE PURPOSES THEREIN CONTAINED.

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

BY: _____ MY COMMISSION
NOTARY PUBLIC _____

THE TEMPE EDUCATION AND ARTS CENTER, LLC, AN
ARIZONA LIMITED LIABILITY COMPANY;

DATE _____
WILLIAM JEFFREY SAWNER
WESTERN REGION VICE PRESIDENT

THE OWNERS 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,
Tempe Ordinance No. 923.2 and more particularly described in
Instrument recorded as Document No. 635-129313.

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 Maricopa
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, described as 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 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.

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 immediately South of the
South line of Shalimar Estates Addition No. 3, a subdivision of
record in the office of the Maricopa County Recorder 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 193.72 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.

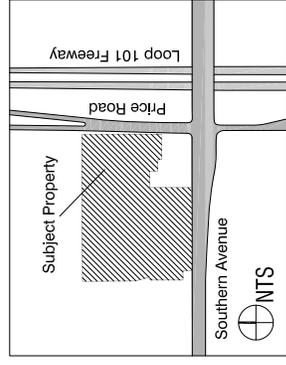
OWNER/DEVELOPER
THE TEMPE EDUCATION AND ARTS CENTER, LLC /
EDUCATIONAL OPTIONS
THOMAS E. SAWNER
3440 NORTH FAIRFAX DRIVE
ARLINGTON, VA 22201

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

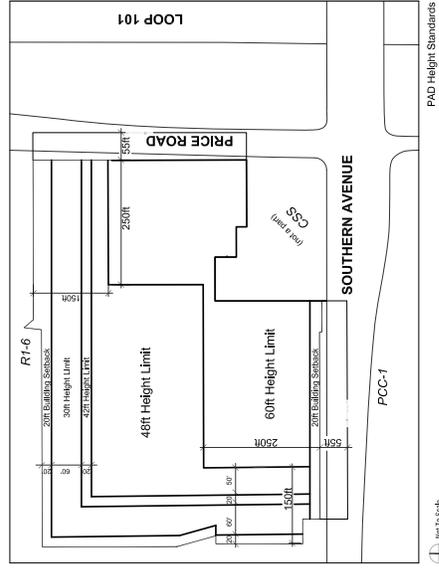
PROJECT DATA
PLANNED AREA DEVELOPMENT STANDARDS

Residential Density	9du/ac & 15du/ac (per GP)
Building Height Maximum	30', 42', 48', 60' (see diagram)
Maximum Lot Coverage	40%
Minimum Landscape Area	15%
Front Setback (south)	20 feet
Street Side Setback (east)	0 feet
Slide Setback (west)	20 feet
Rear Setback (north)	20 feet
Parking Setback	20 feet

VICINITY MAP

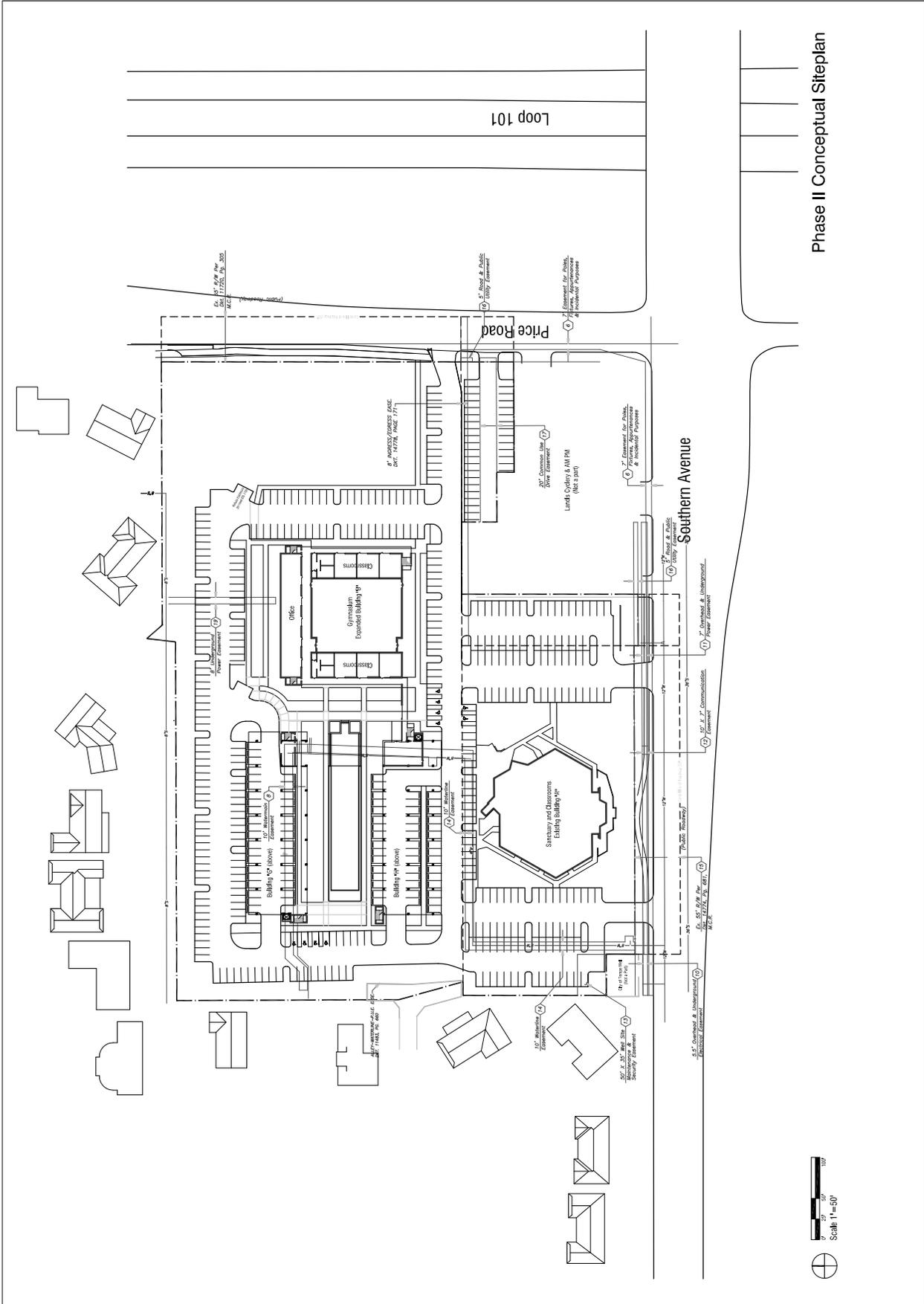


CONDITIONS OF APPROVAL

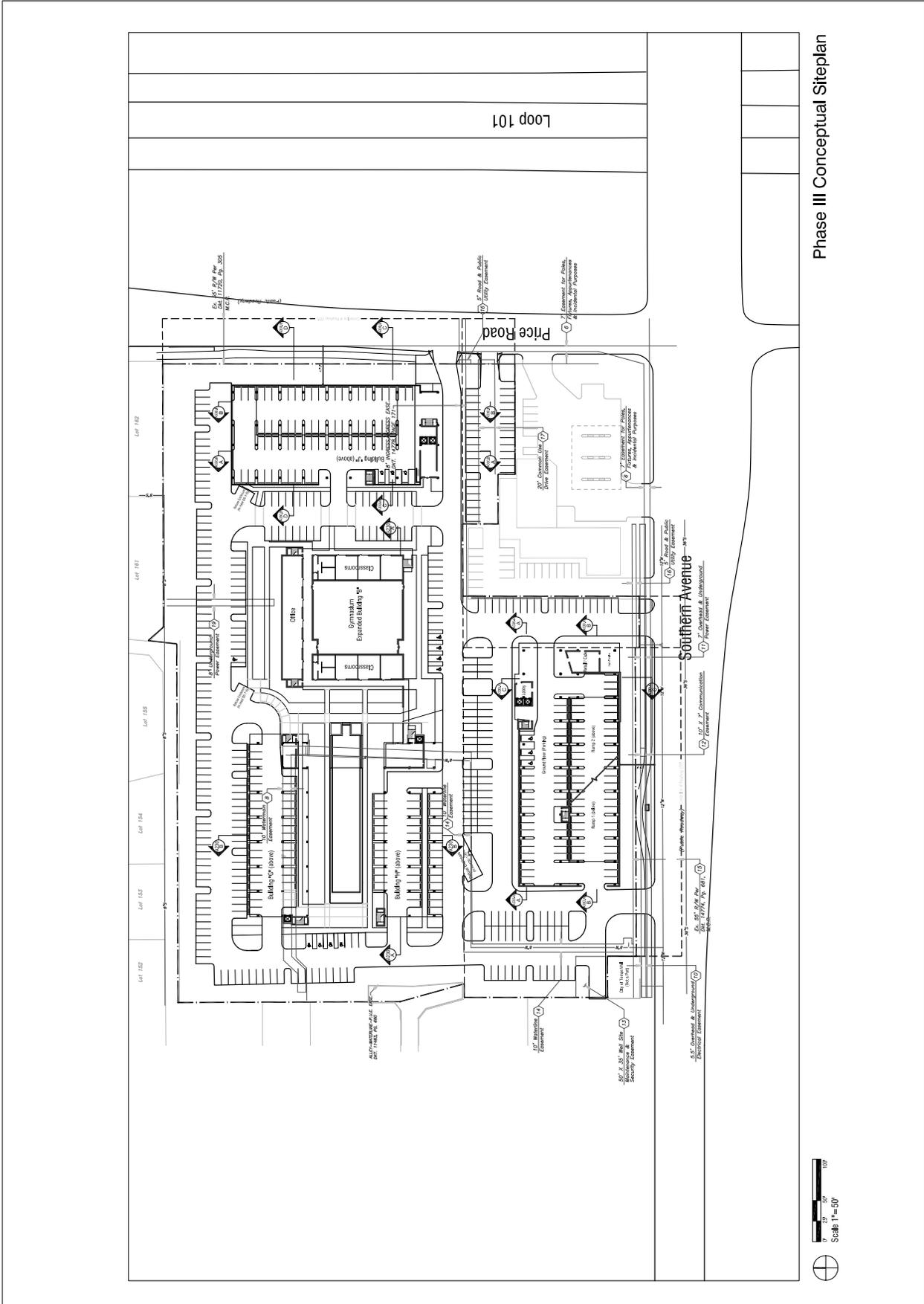


See to Scale

PAD Height Standards

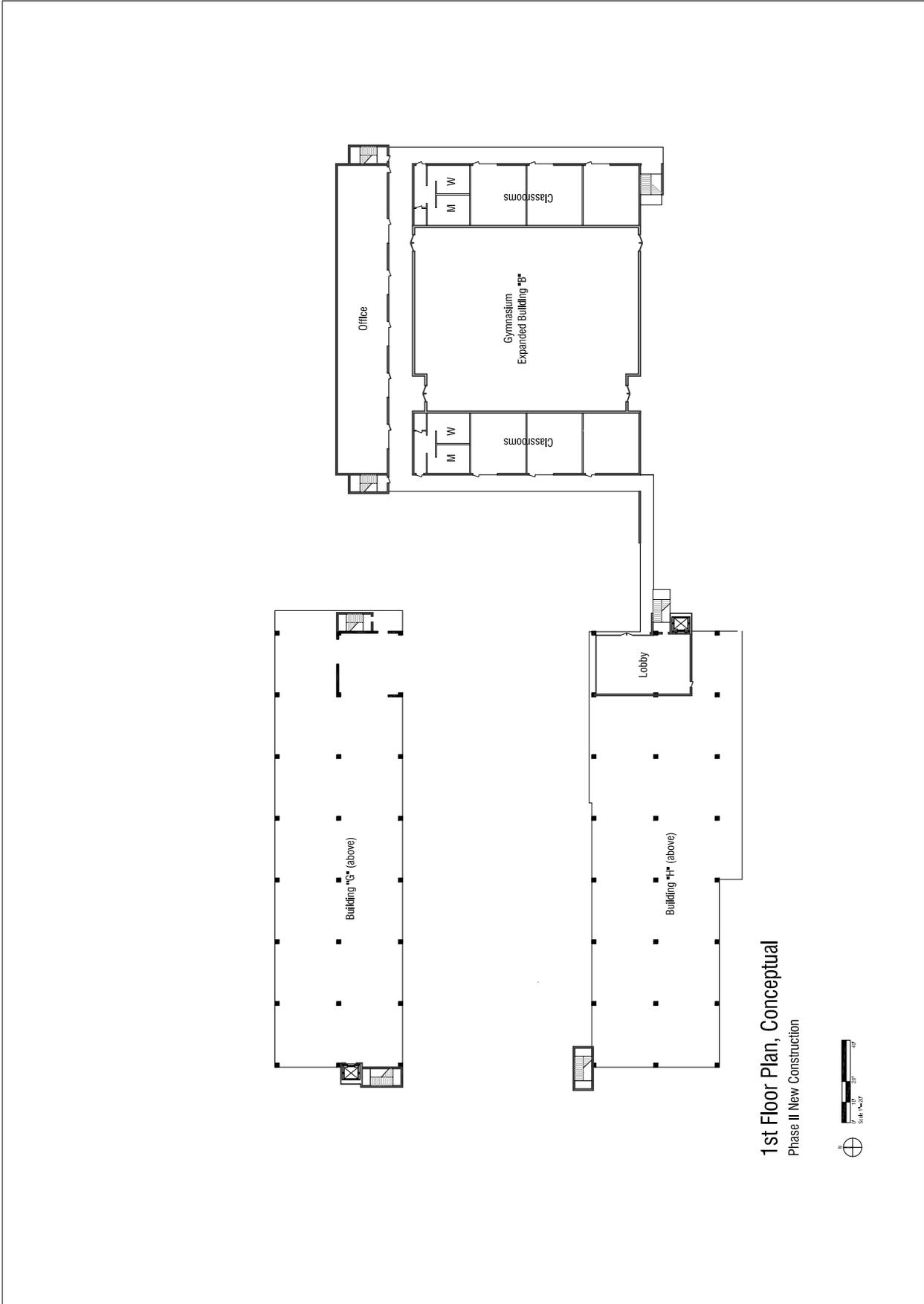


Phase II Conceptual Siteplan

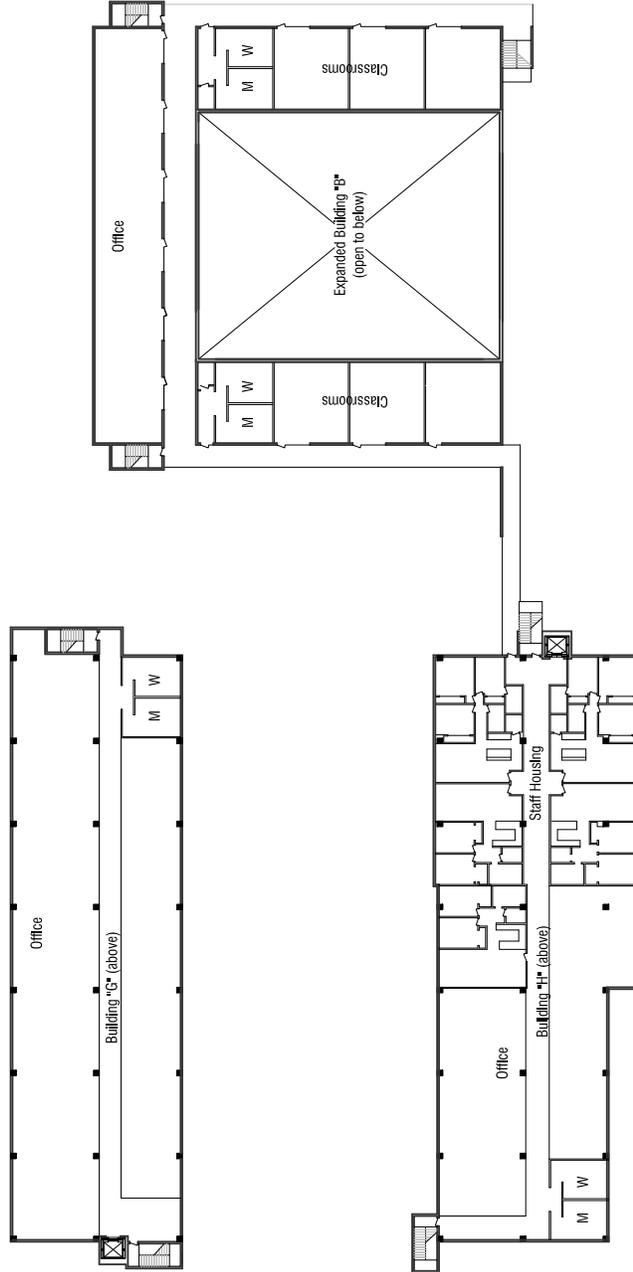


Phase III Conceptual Siteplan





1st Floor Plan, Conceptual
 Phase II New Construction



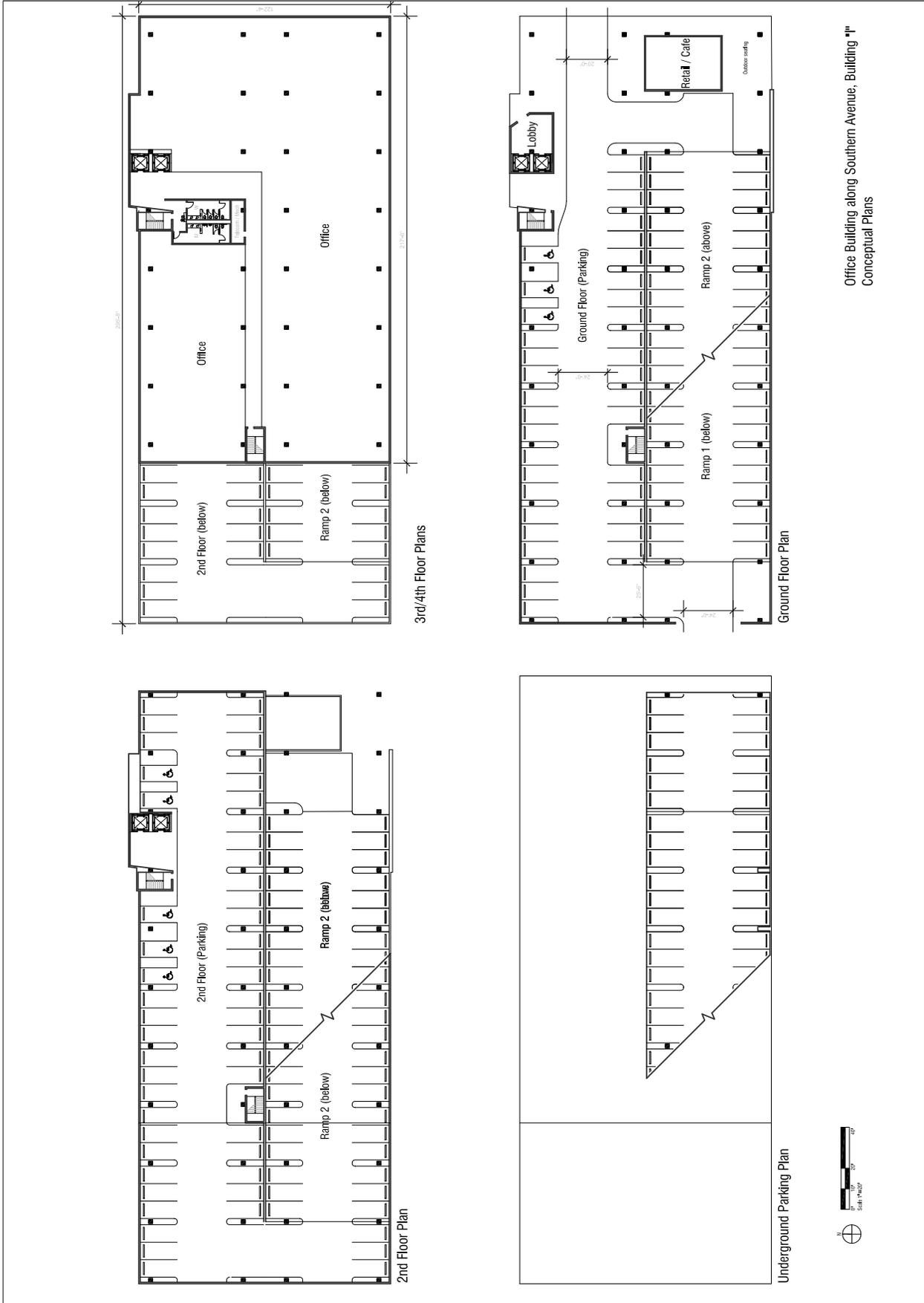
2nd Floor Plan, Conceptual

Phase II New Construction



ARCHITEXTON

08101

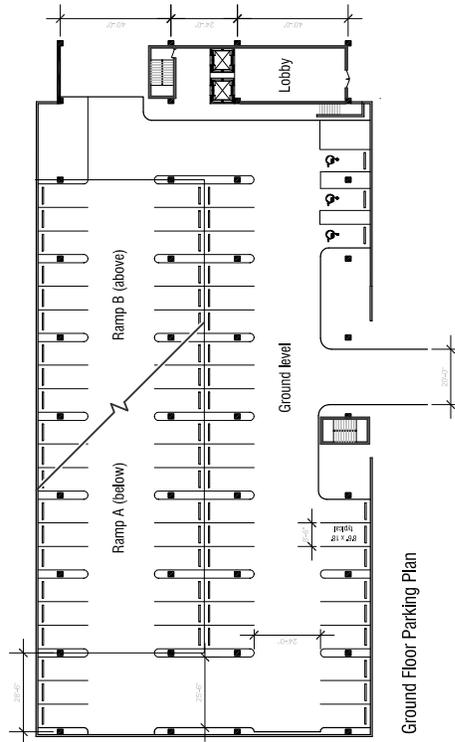
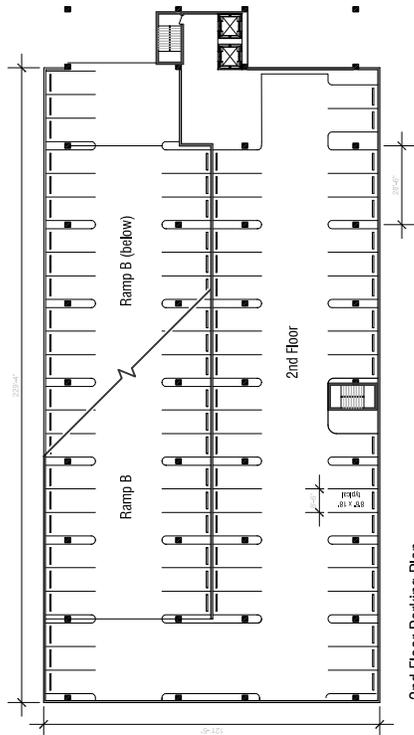
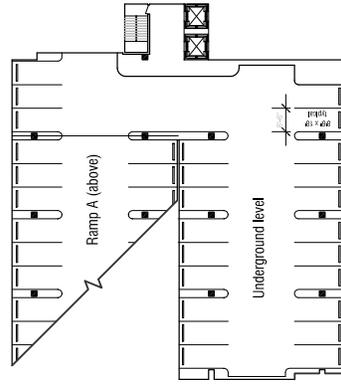
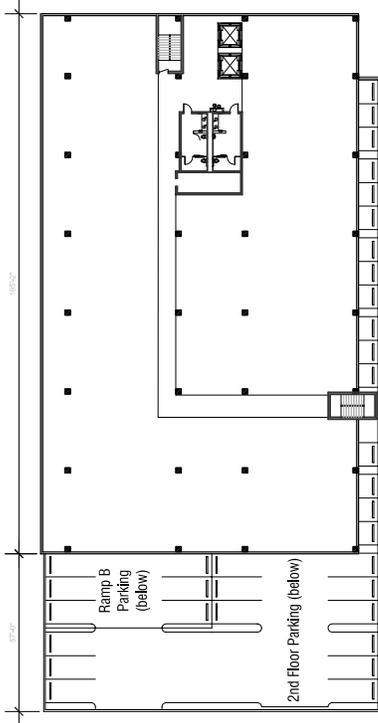


Office Building along Southern Avenue, Building "I"
 Conceptual Plans

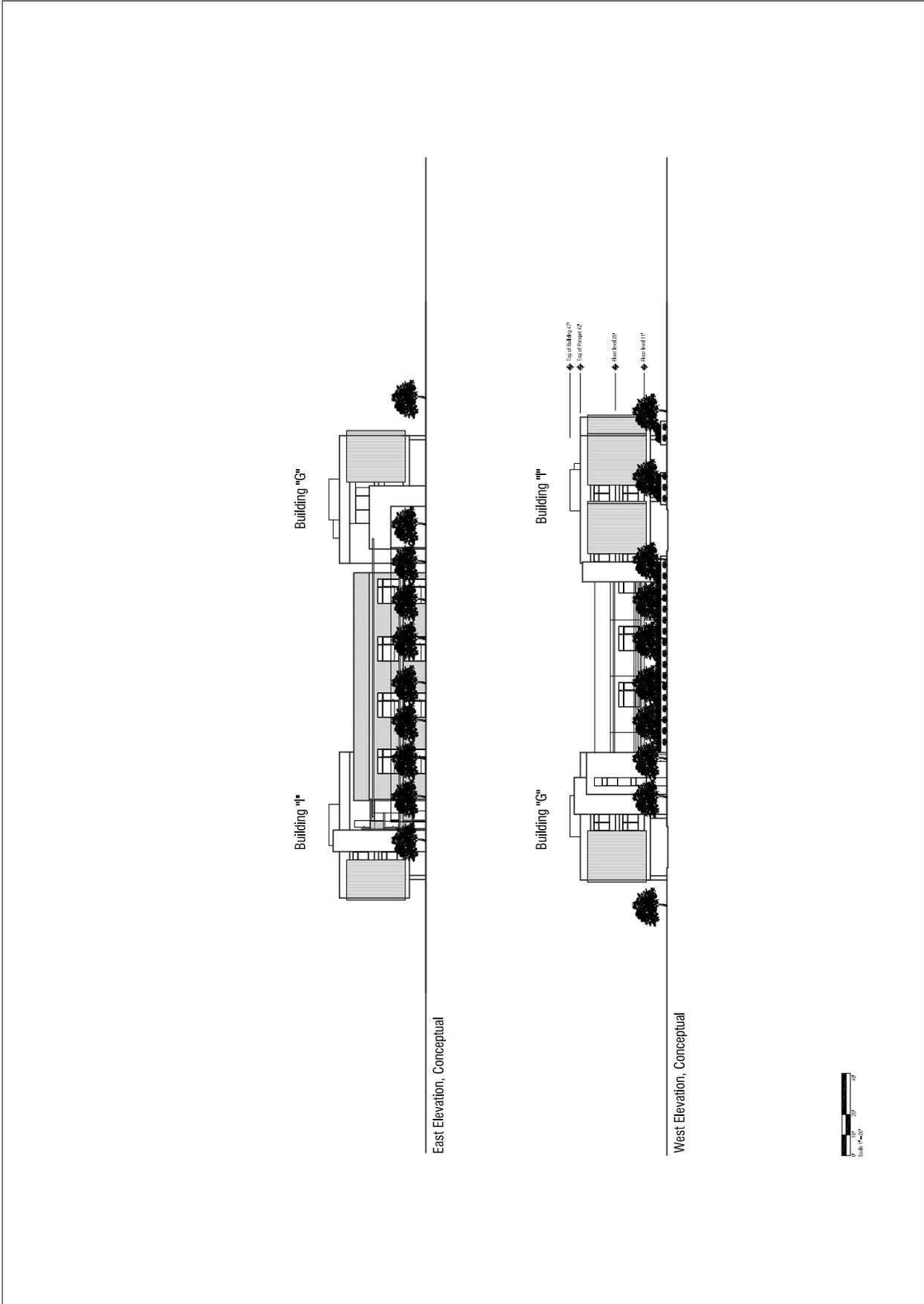


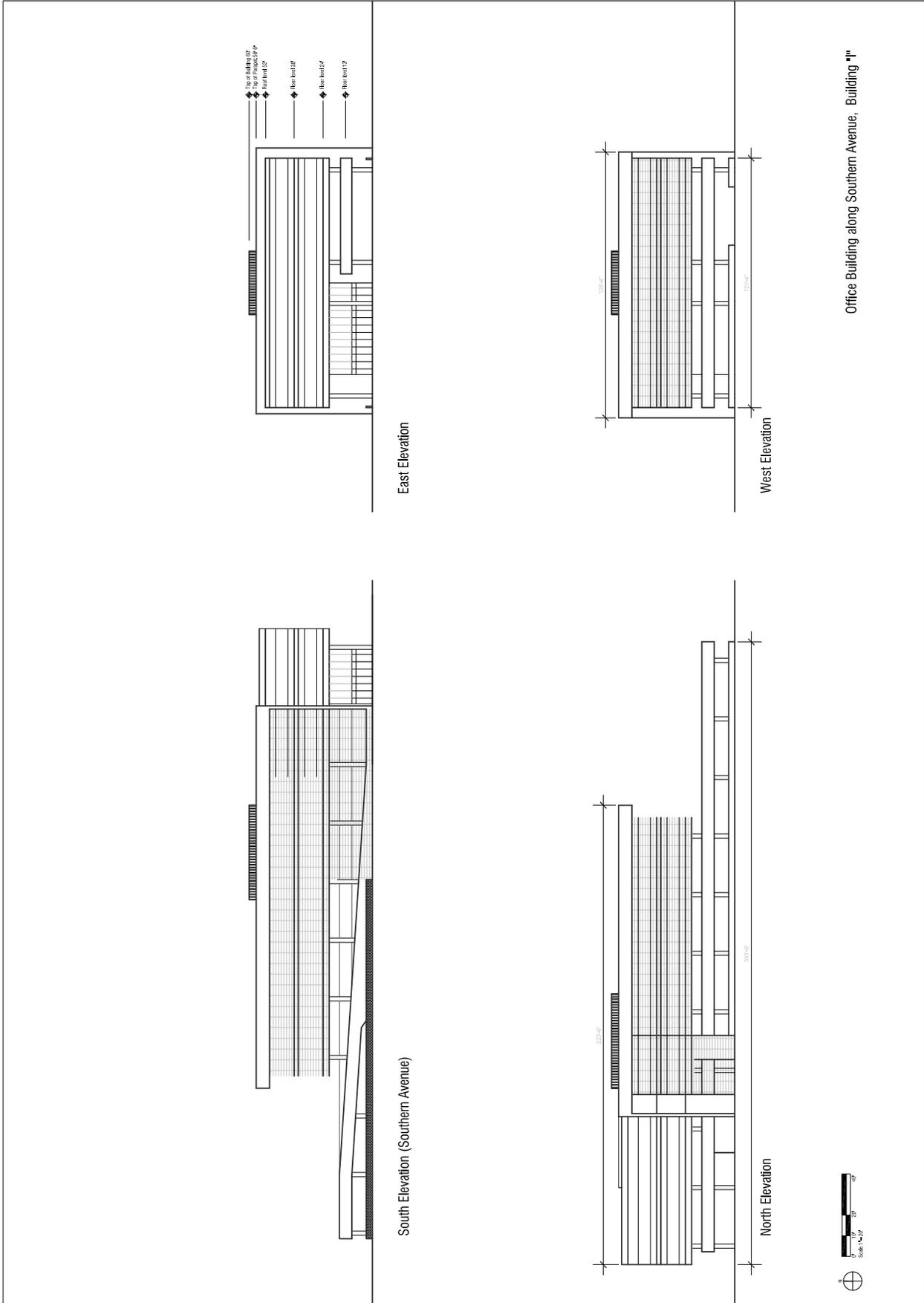
ARCHITECTON

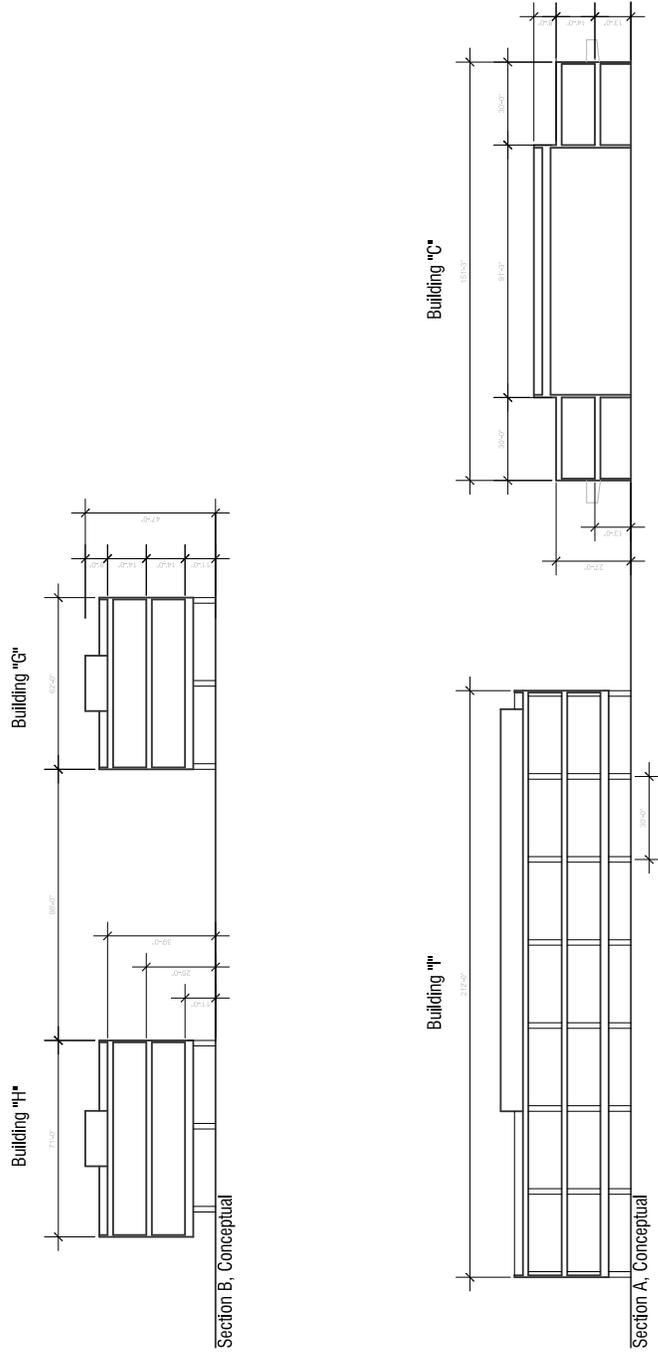
08101



Office Building along Price Road, Building "J"
 Conceptual Plans

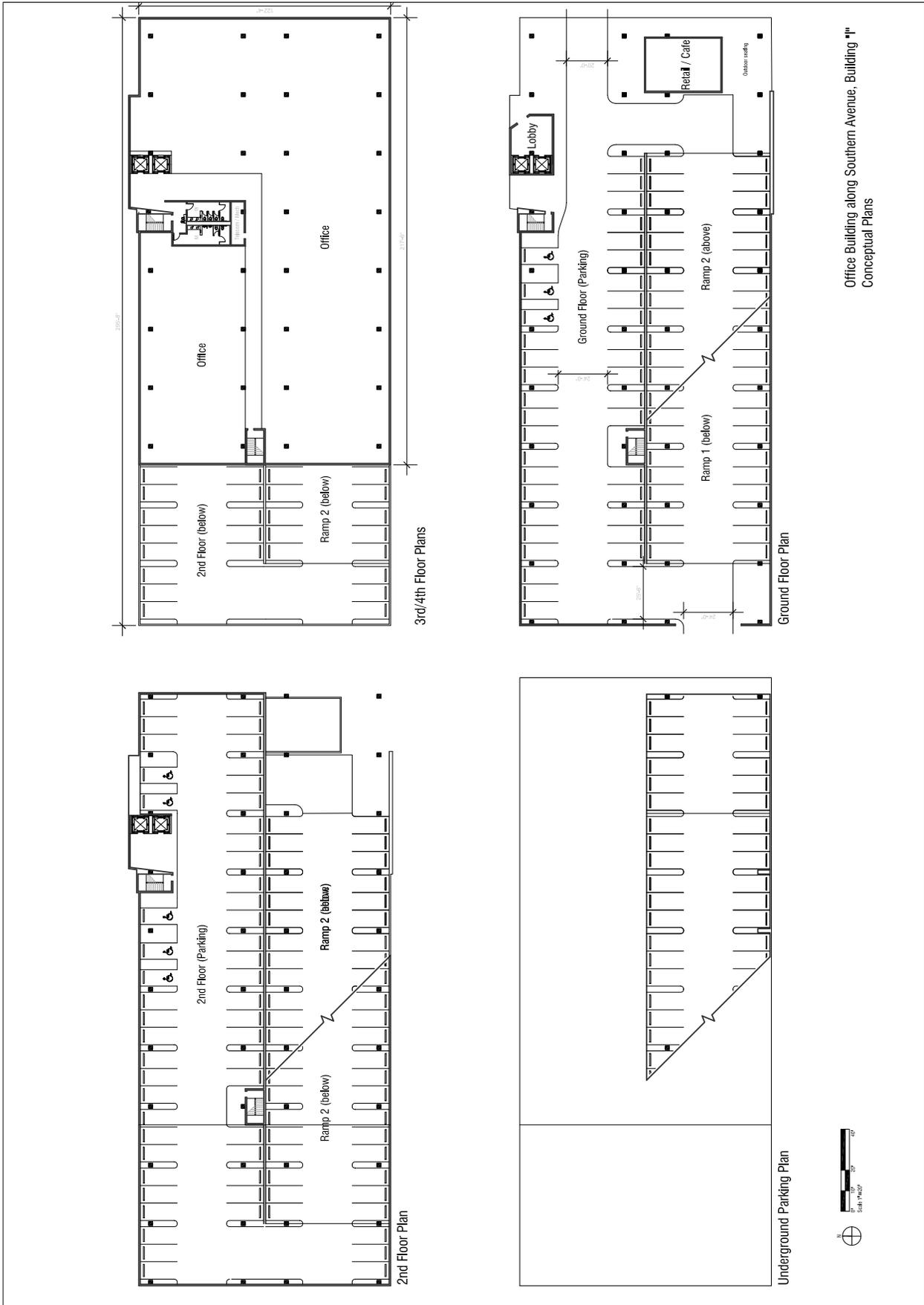




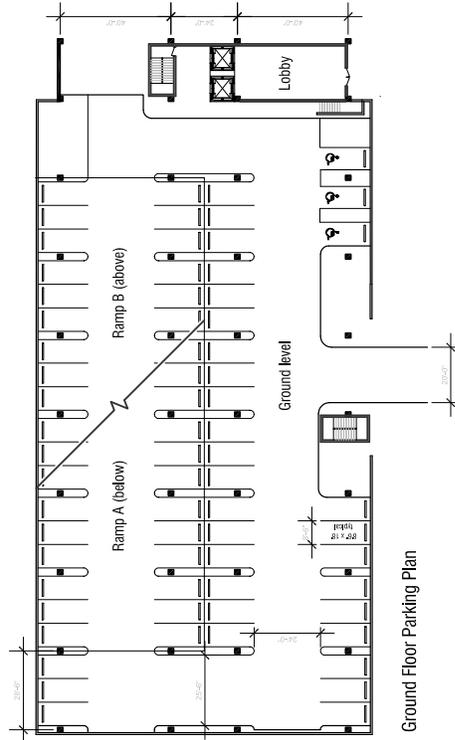
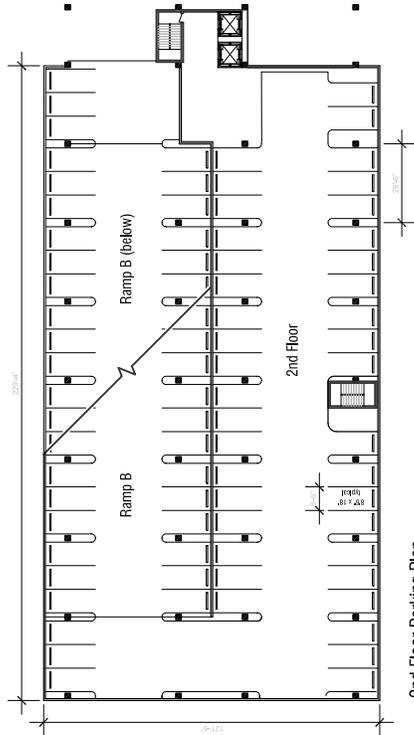
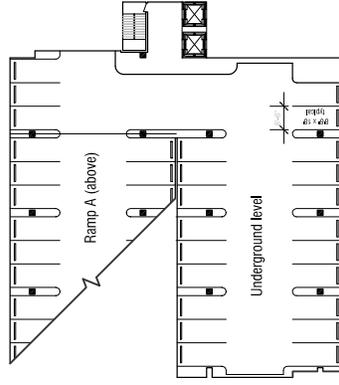
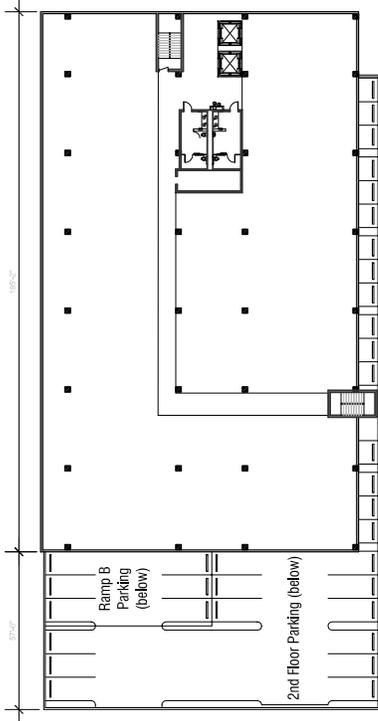


ARCHITTEKTON

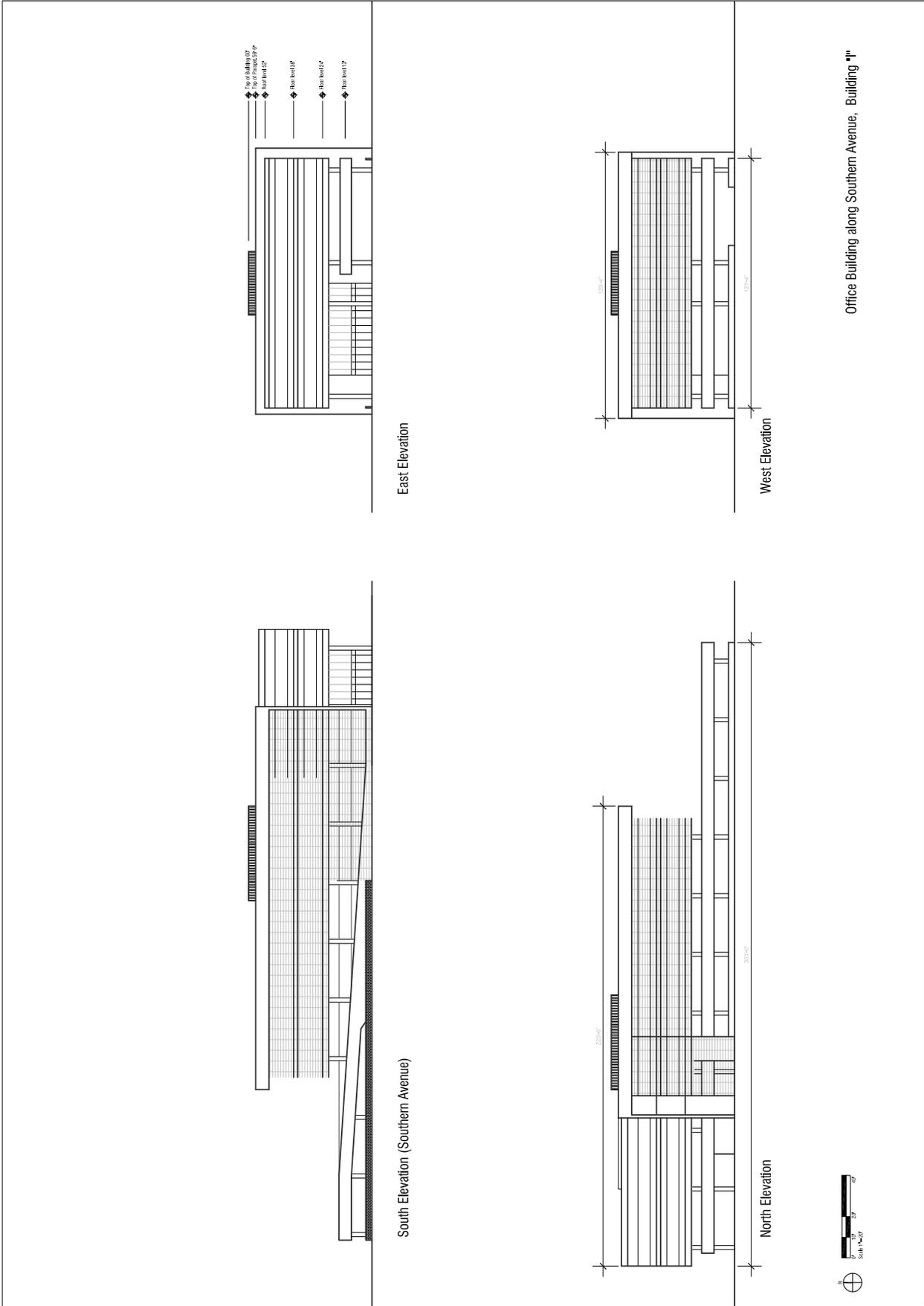
08101



Office Building along Southern Avenue, Building "I"
 Conceptual Plans



Office Building along Price Road, Building "J"
 Conceptual Plans



East Elevation

West Elevation

South Elevation (Southern Avenue)

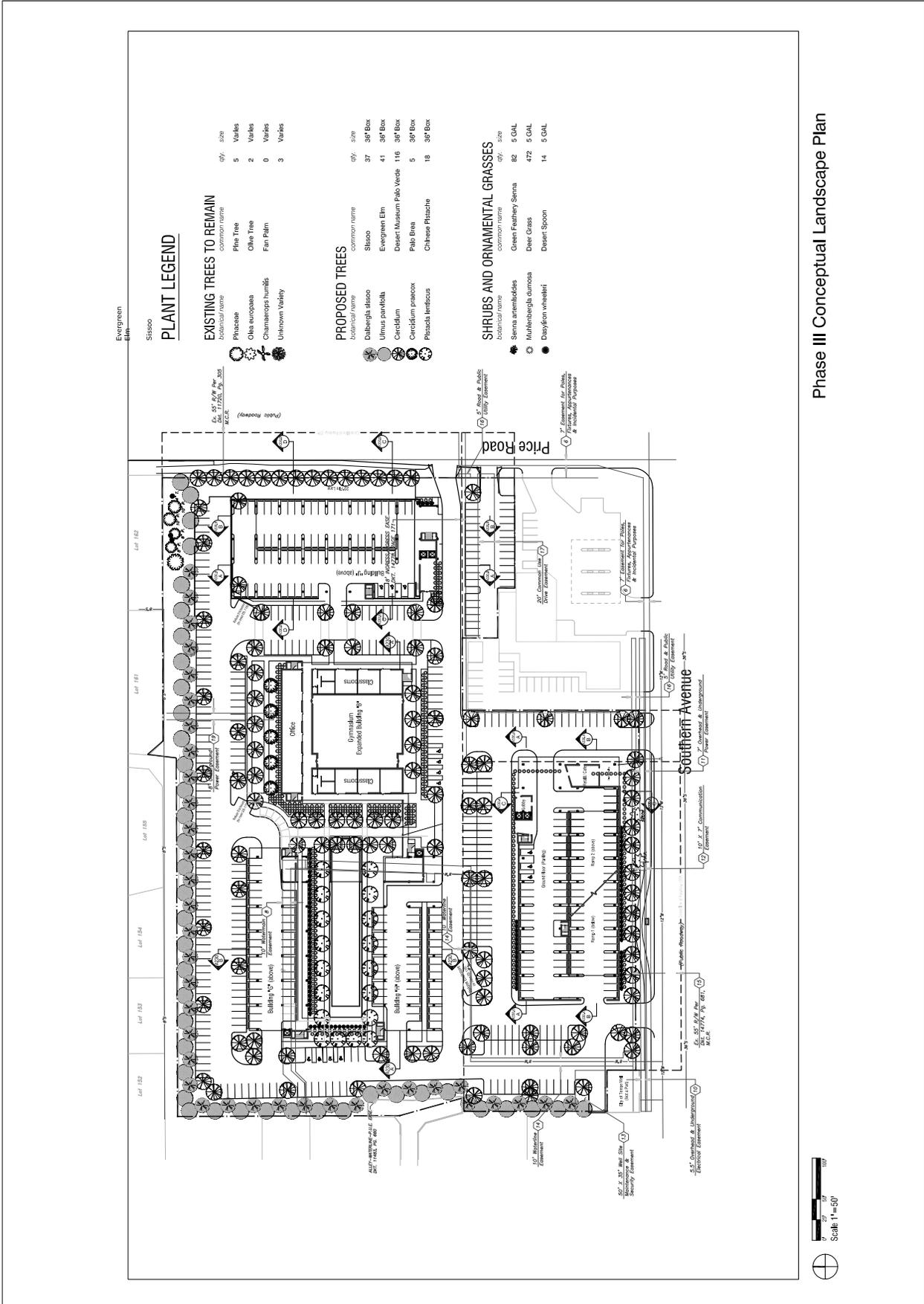
North Elevation

Office Building along Southern Avenue, Building #1



ARCHITEXKTON

08101



Evergreen Elm

PLANT LEGEND

EXISTING TREES TO REMAIN

botanical name	common name	qty.	size
Pinus strobus	Pine Tree	5	Varies
Quercus agrifolia	Oak Tree	2	Varies
Ficus palmata	Fan Palm	0	Varies
Chamaecyparis humilis	Unknown Valley	3	Varies

PROPOSED TREES

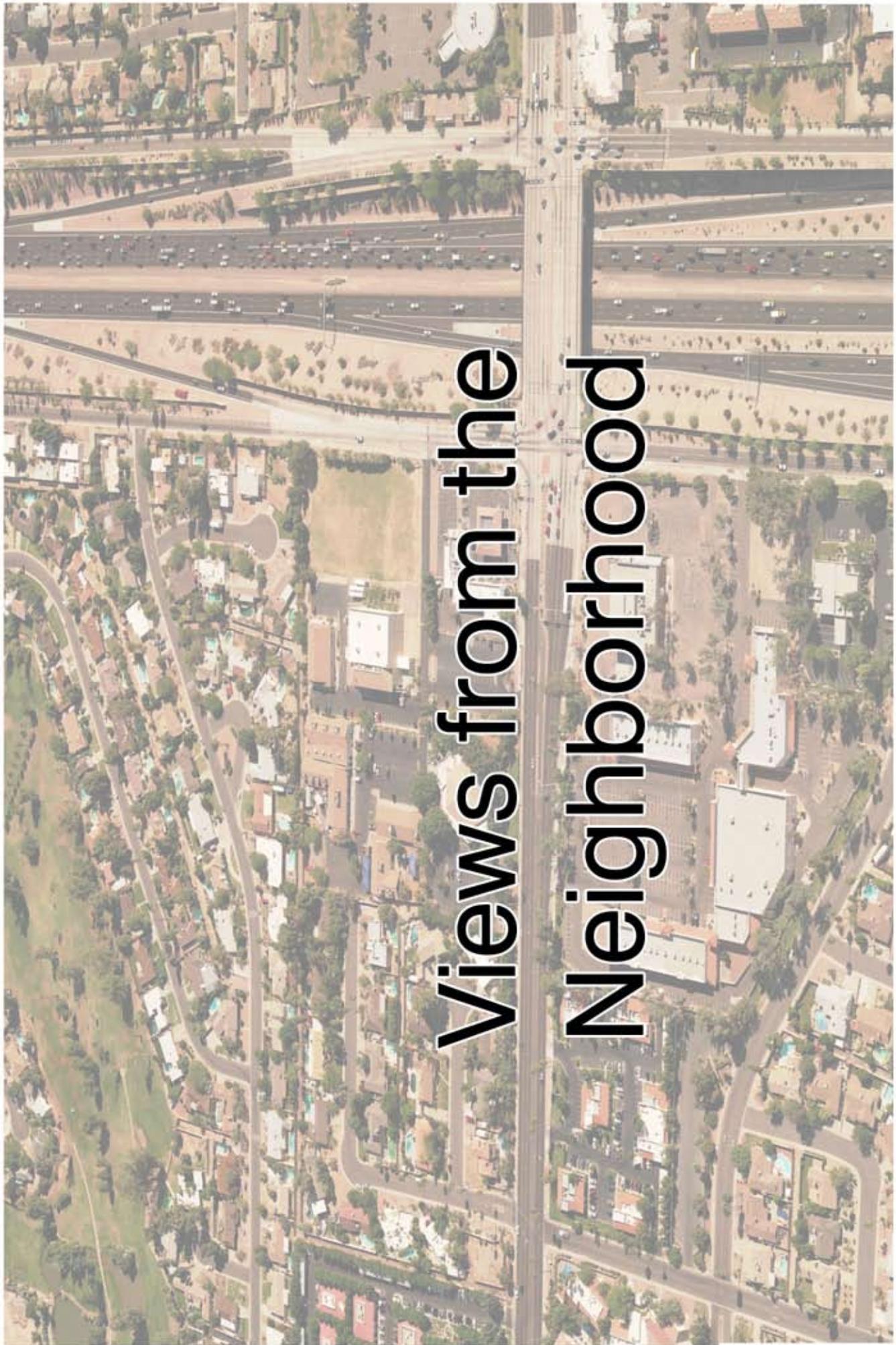
botanical name	common name	qty.	size
Dalbergia sissoo	Sissoo	37	36" Box
Evergreen Elm	Evergreen Elm	41	36" Box
Desert Museum Palo Verde	Desert Museum Palo Verde	116	36" Box
Palo Verde	Palo Verde	5	36" Box
Chesnut Platane	Chesnut Platane	18	36" Box

SHRUBS AND ORNAMENTAL GRASSES

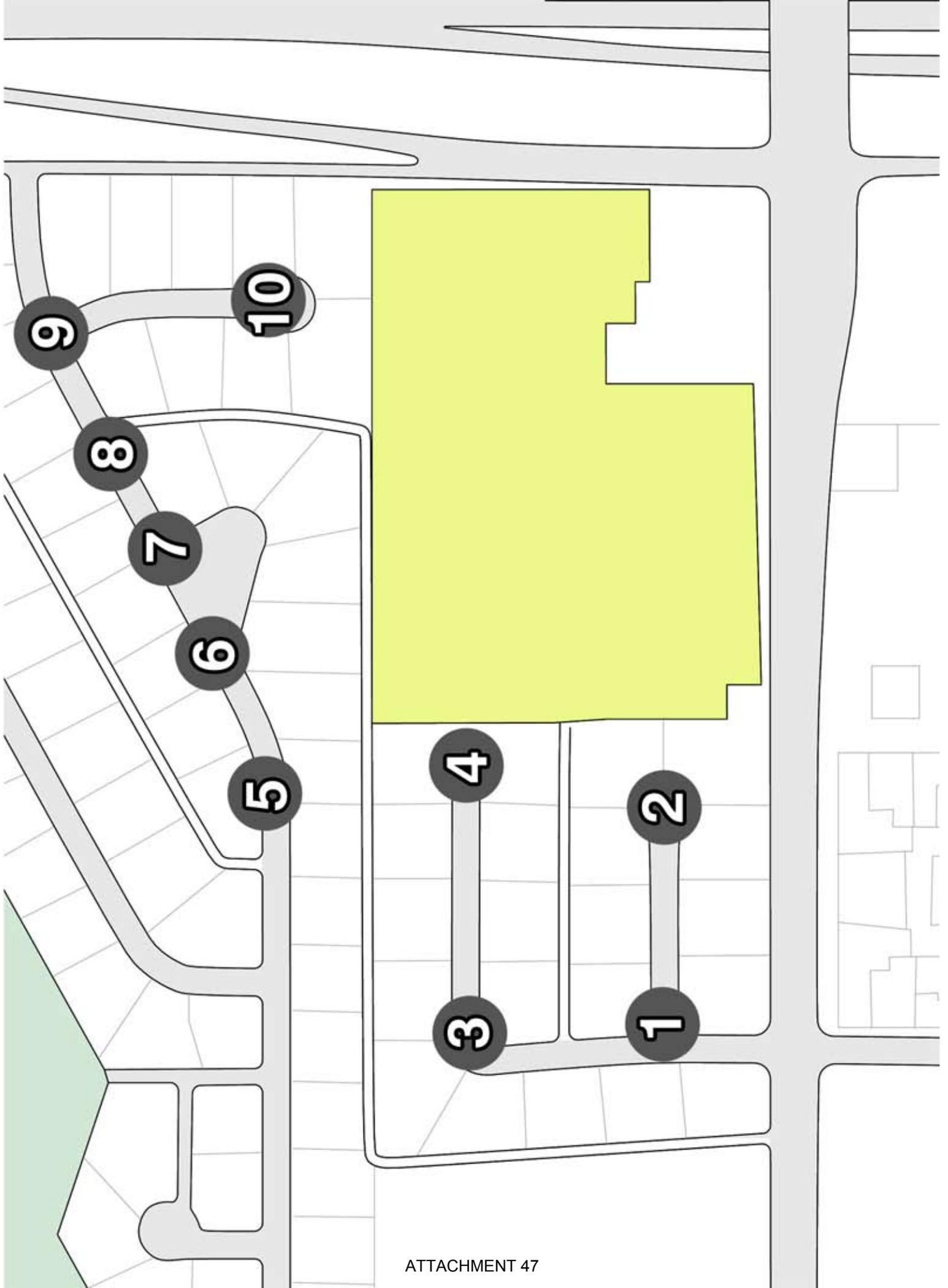
botanical name	common name	qty.	size
Stemodia amabilis	Green Feathery Senecio	82	5 GAL
Mulleinbergia dumosa	Deer Grass	472	5 GAL
Dasylium wheeleri	Desert Spoon	14	5 GAL

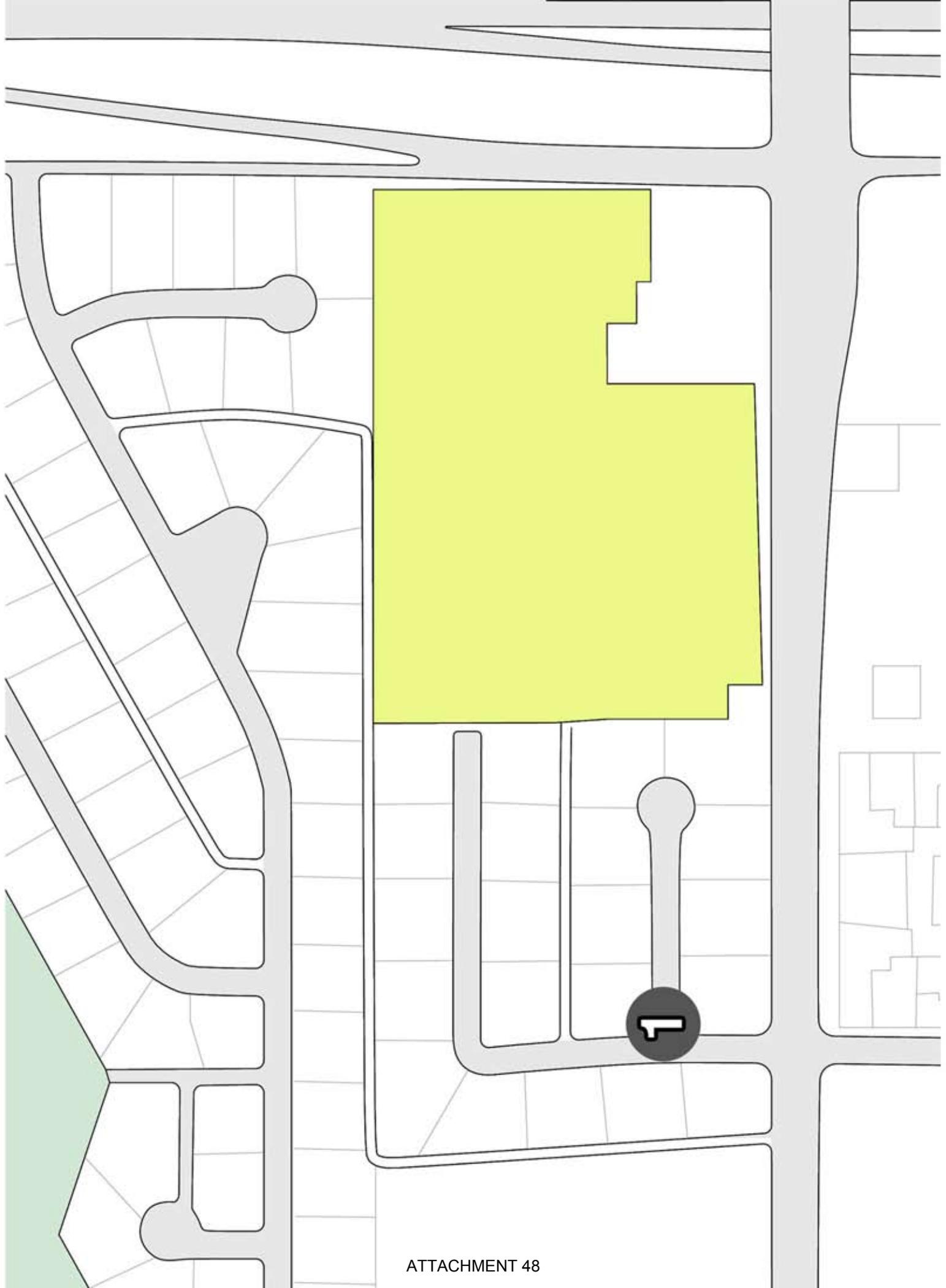
Phase III Conceptual Landscape Plan

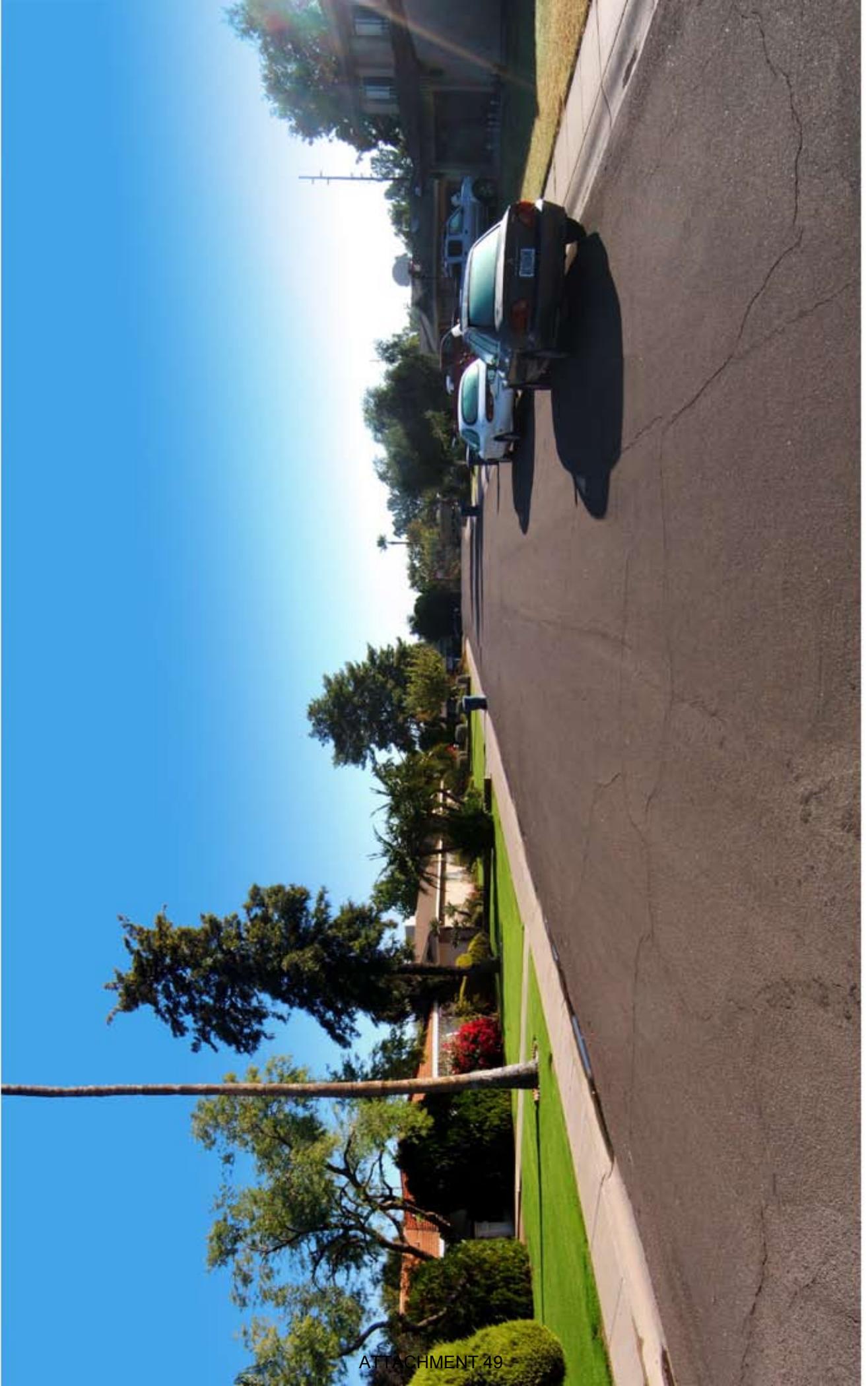


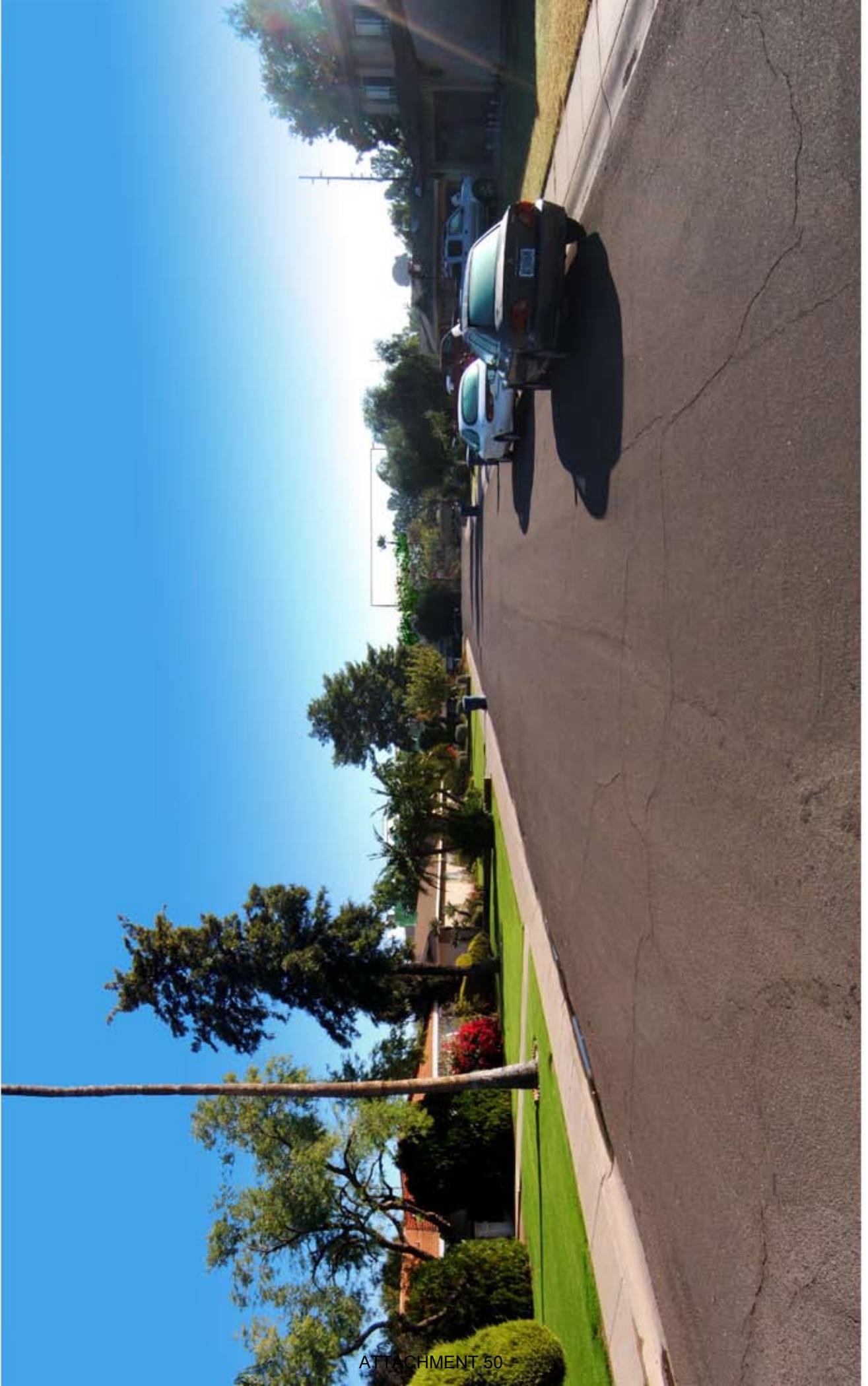


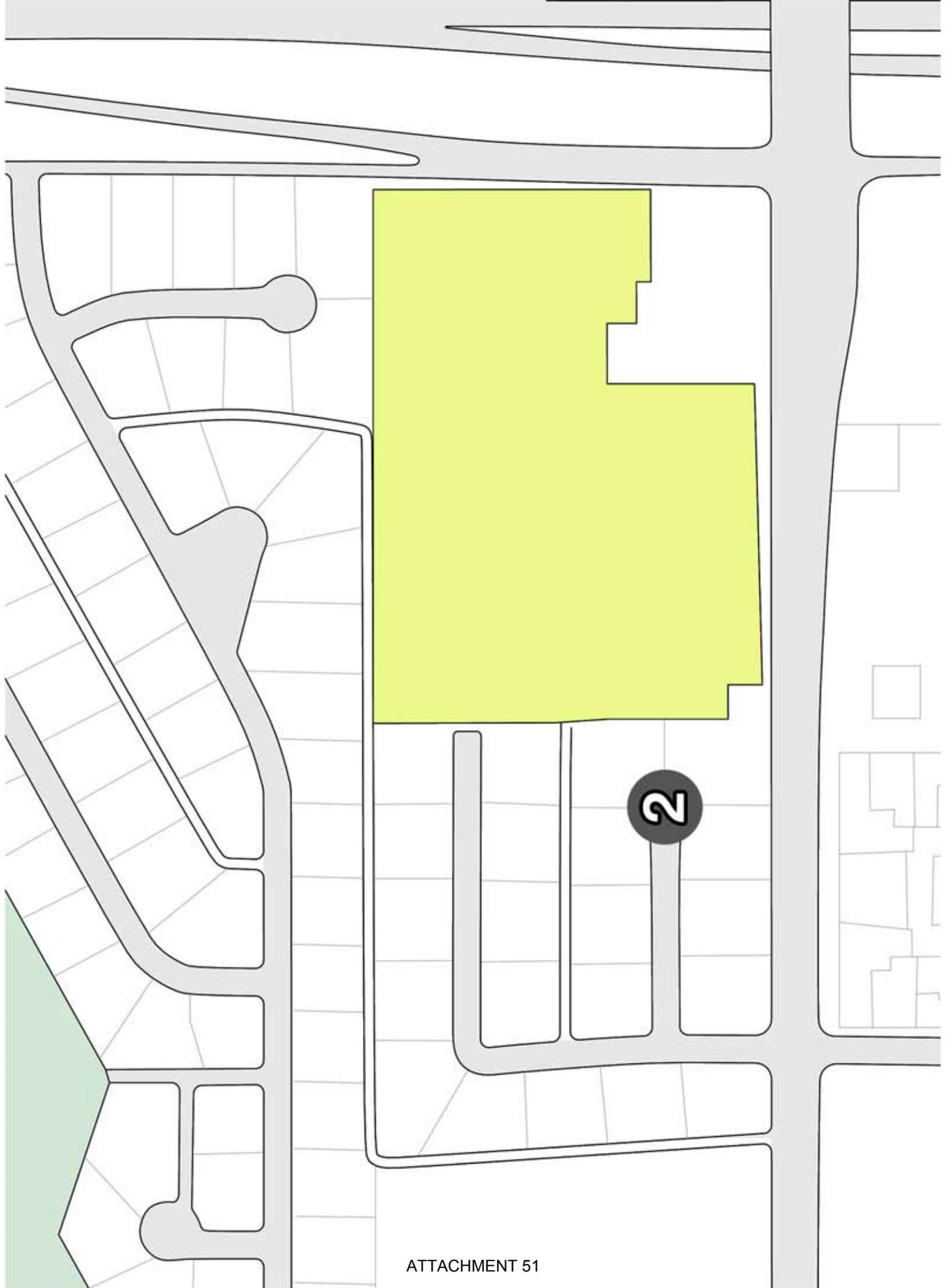
Views from the Neighborhood

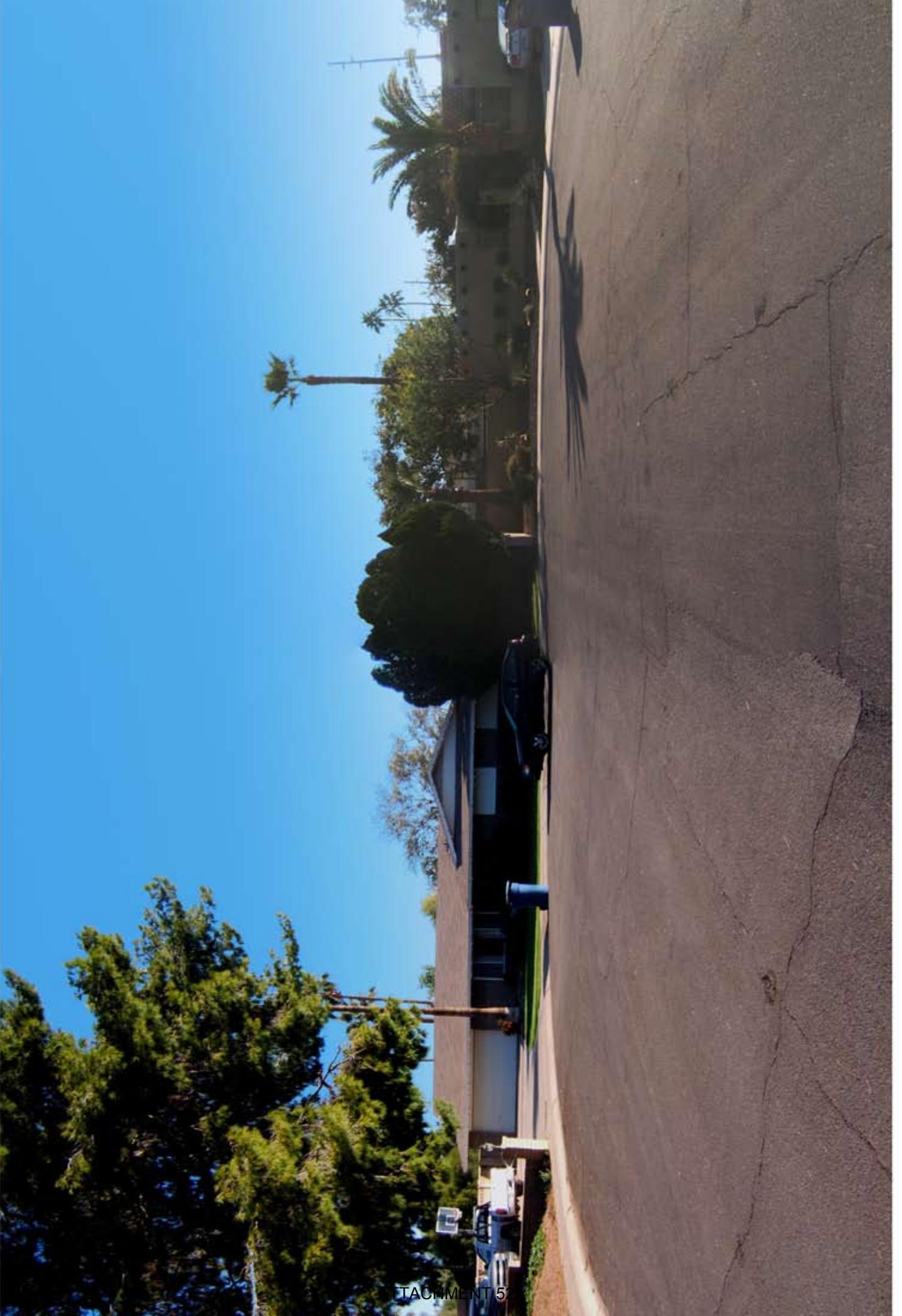


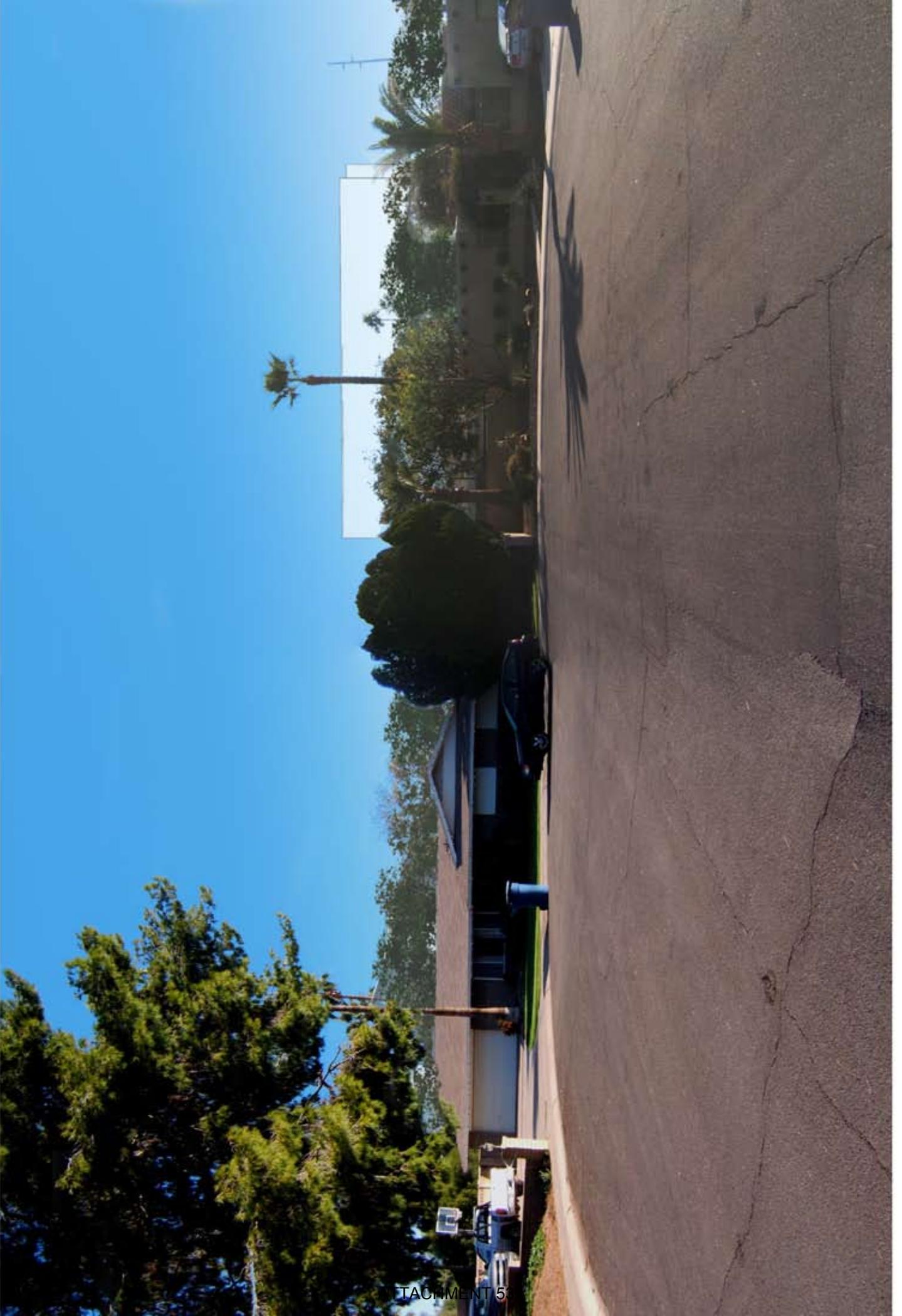


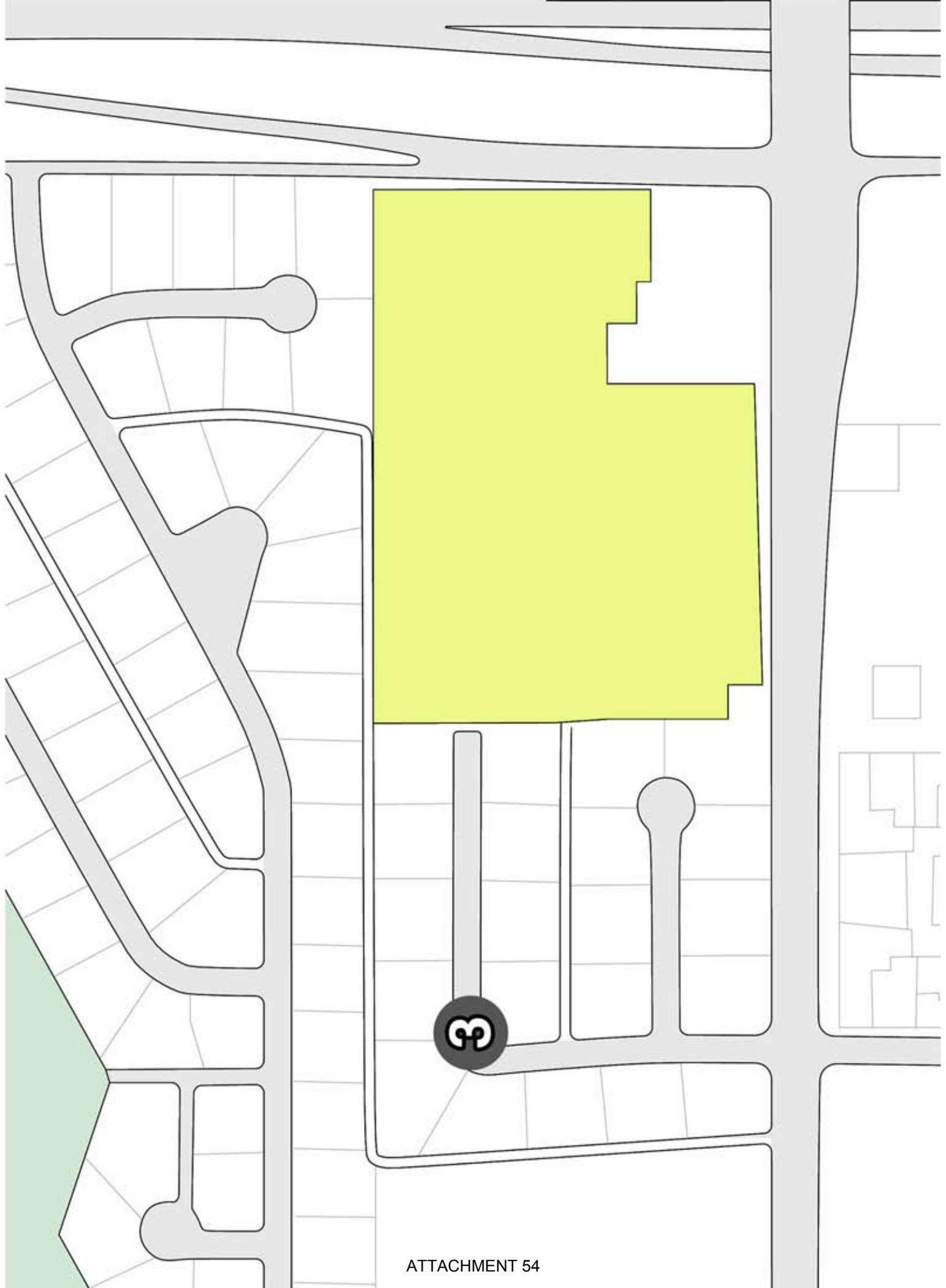


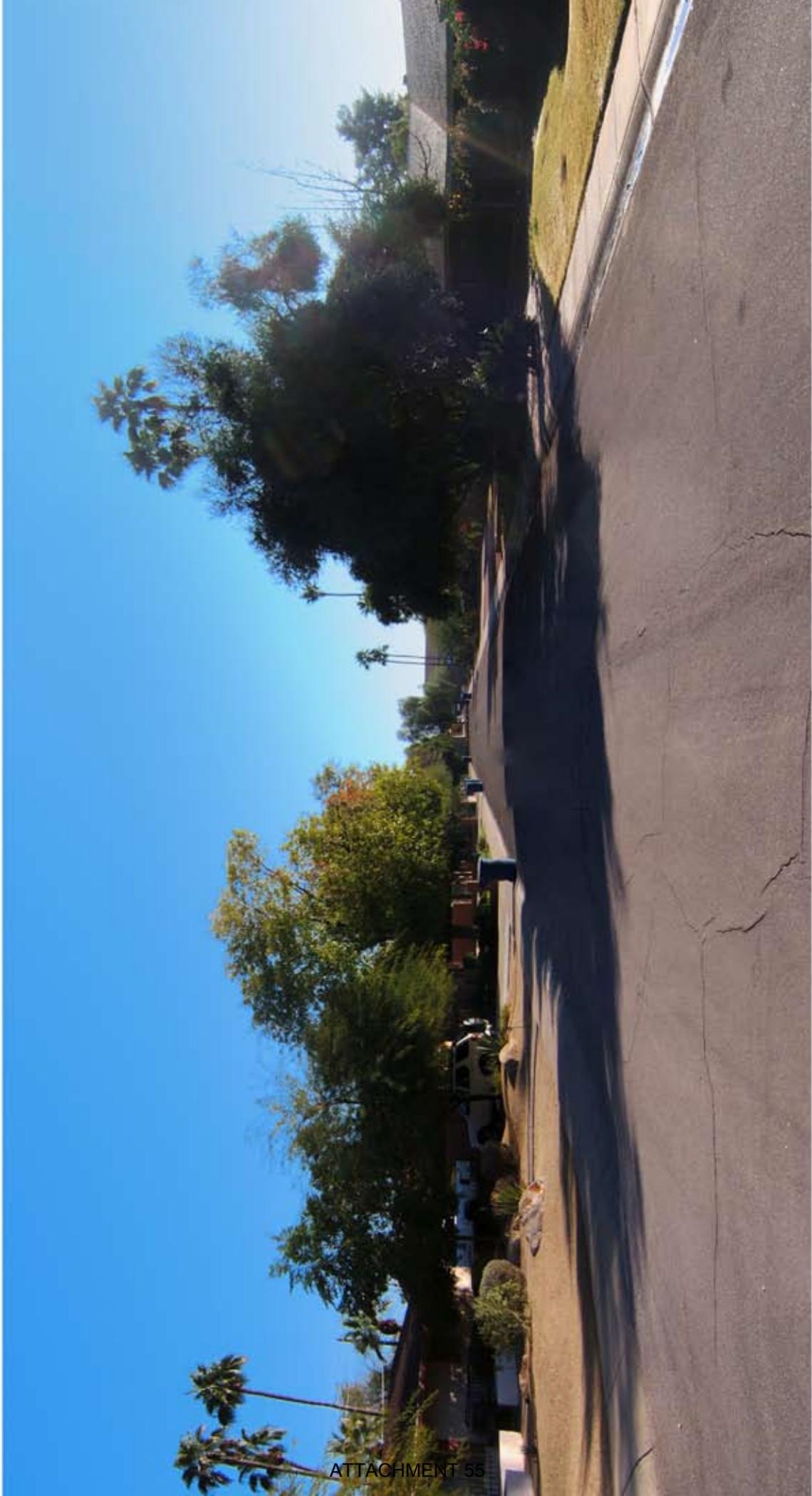


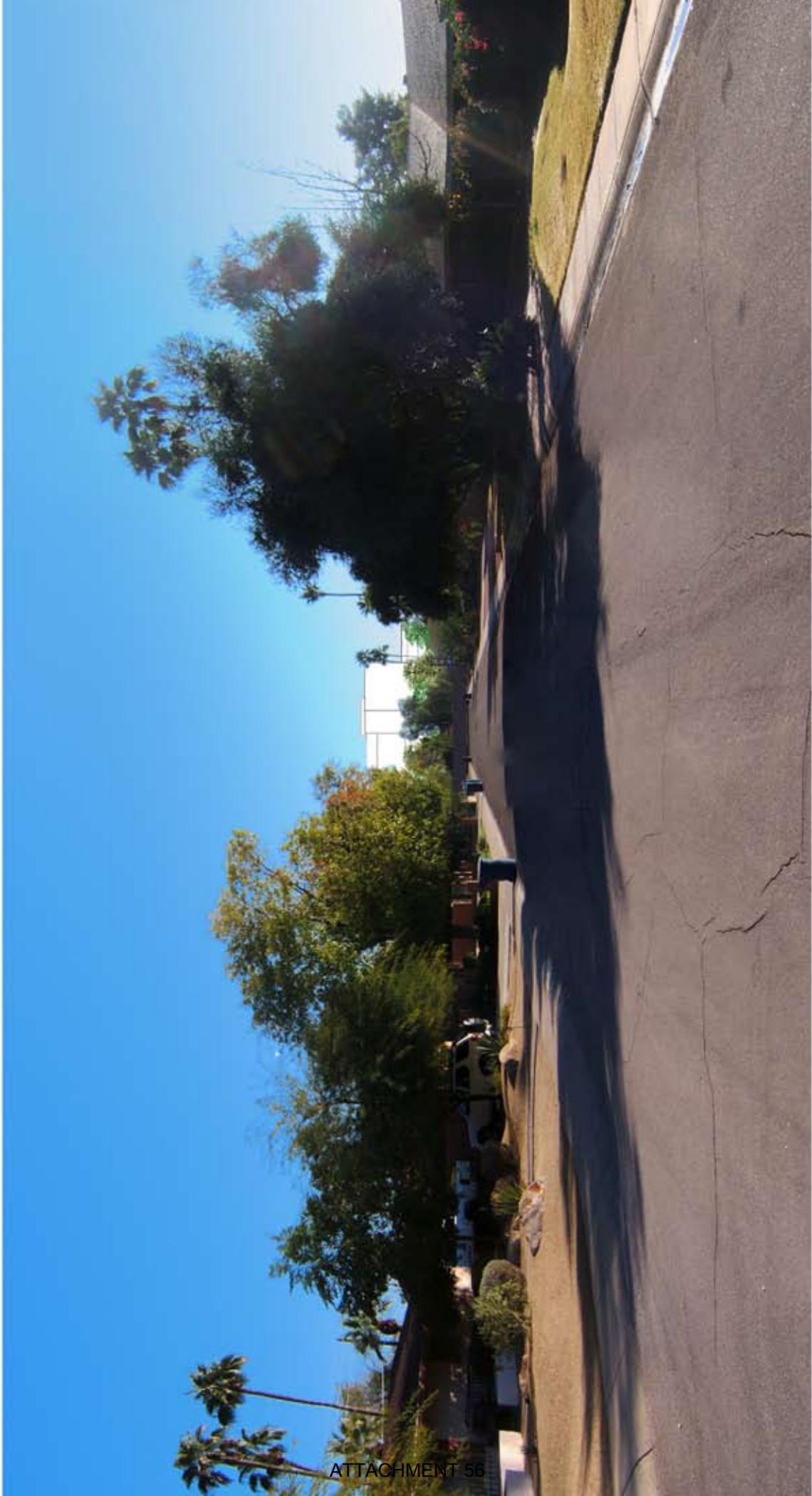


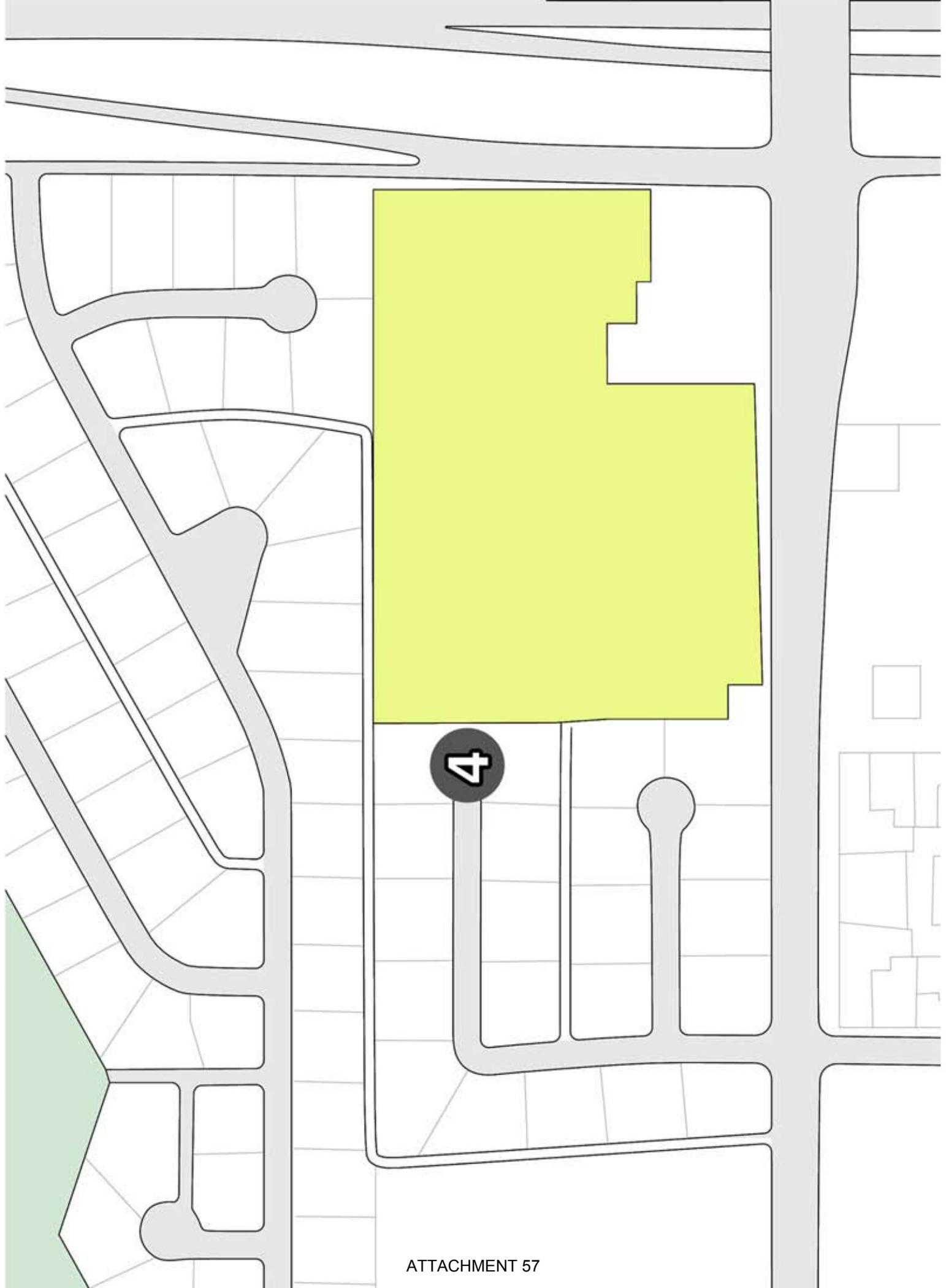


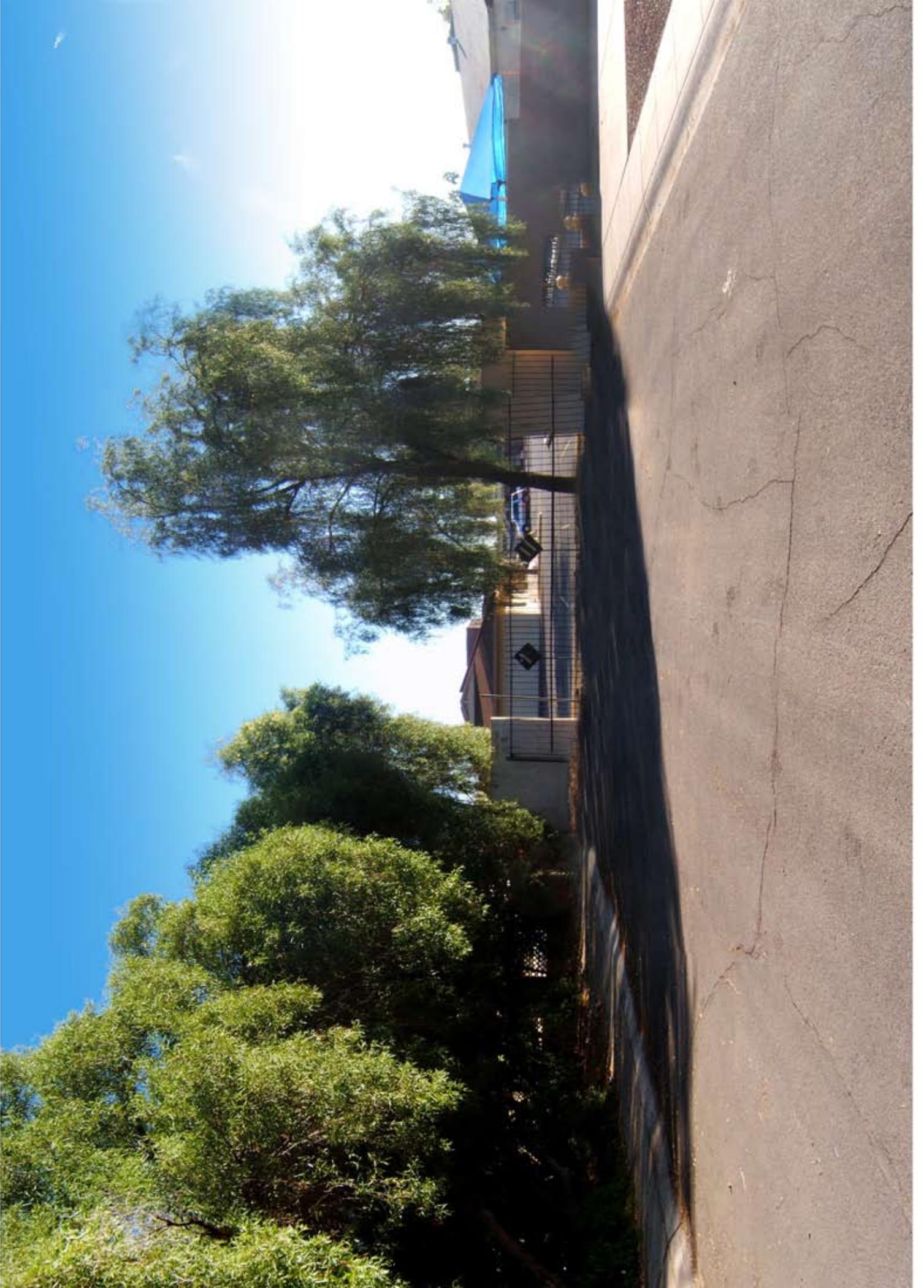


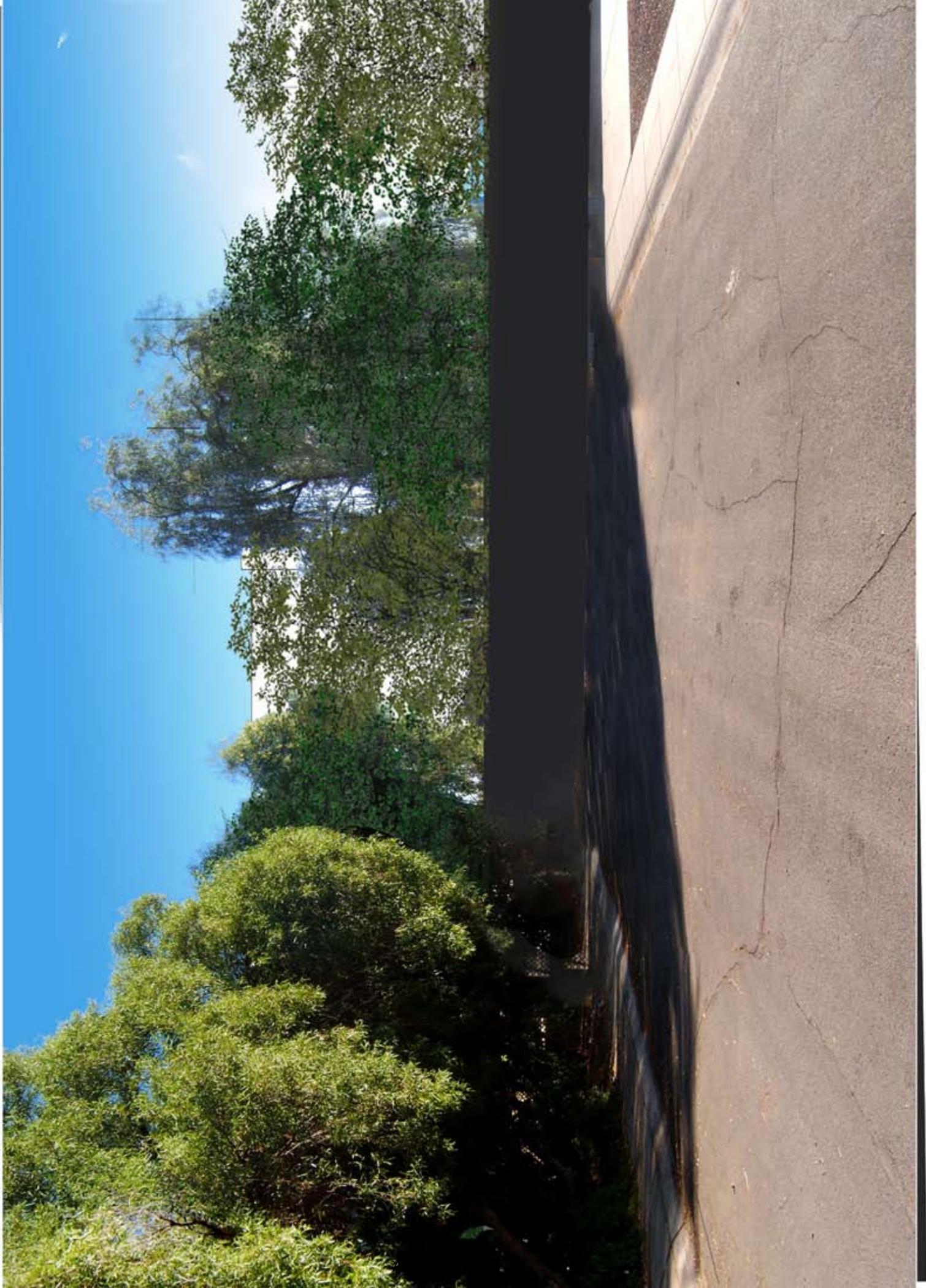


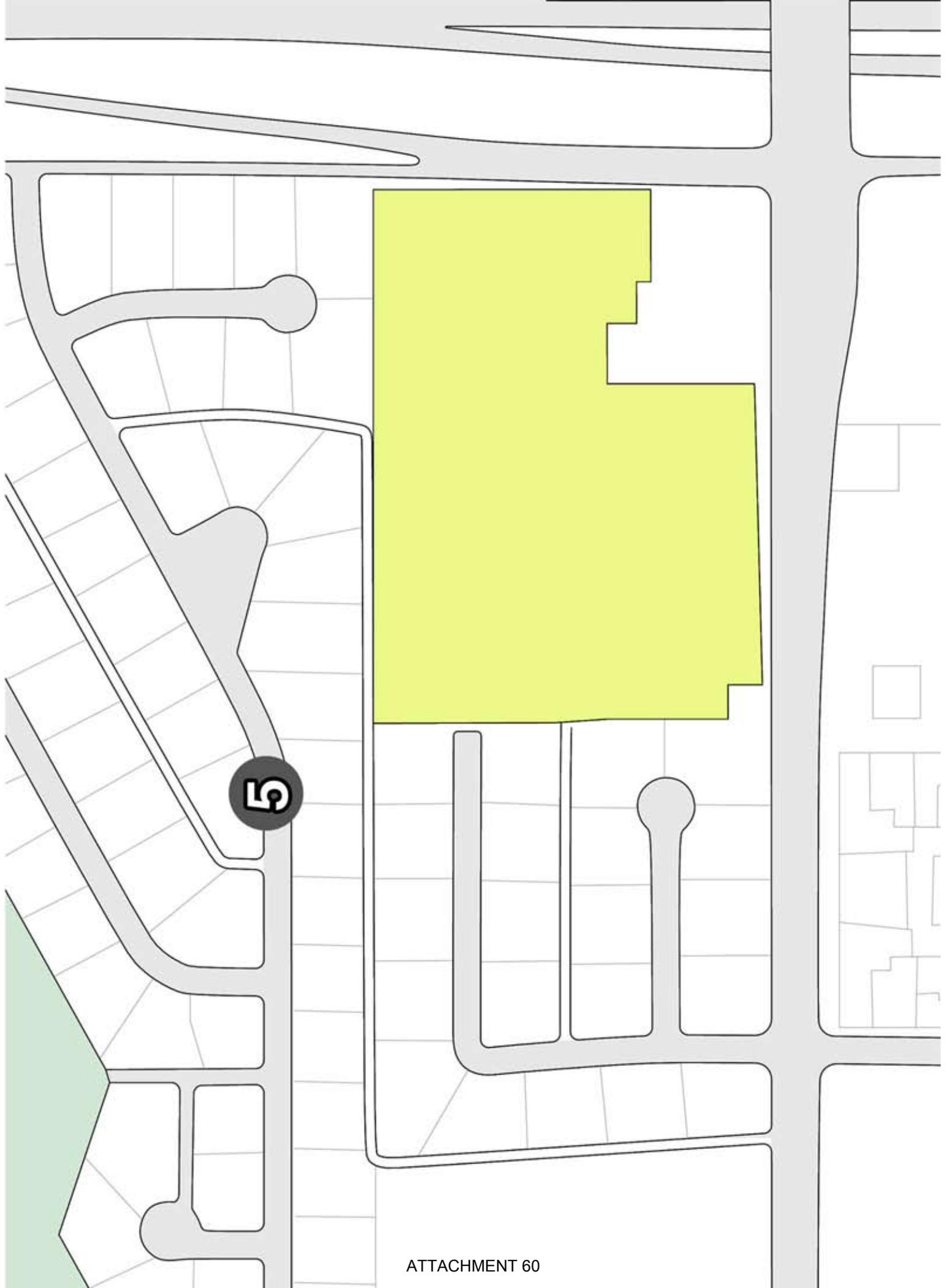


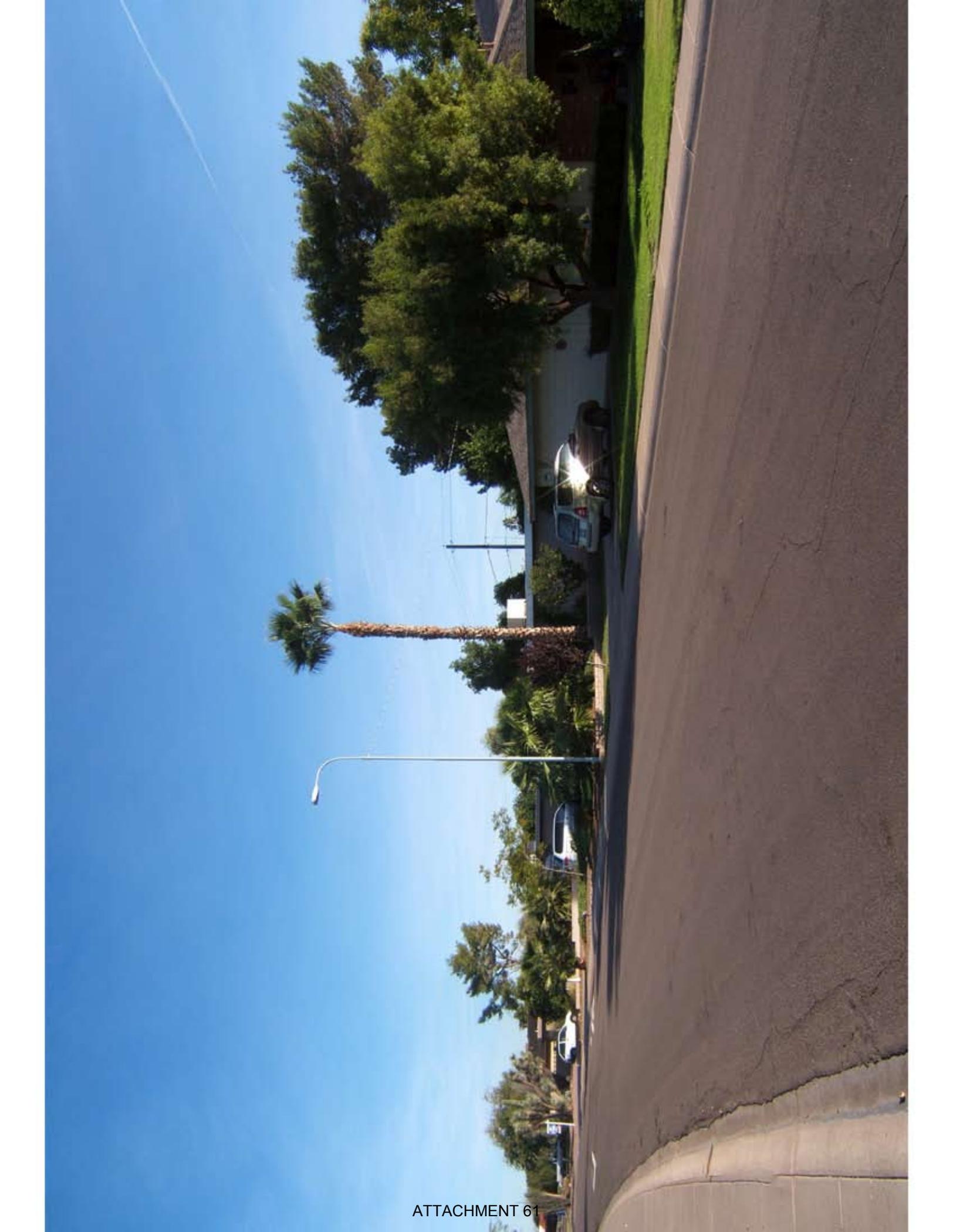


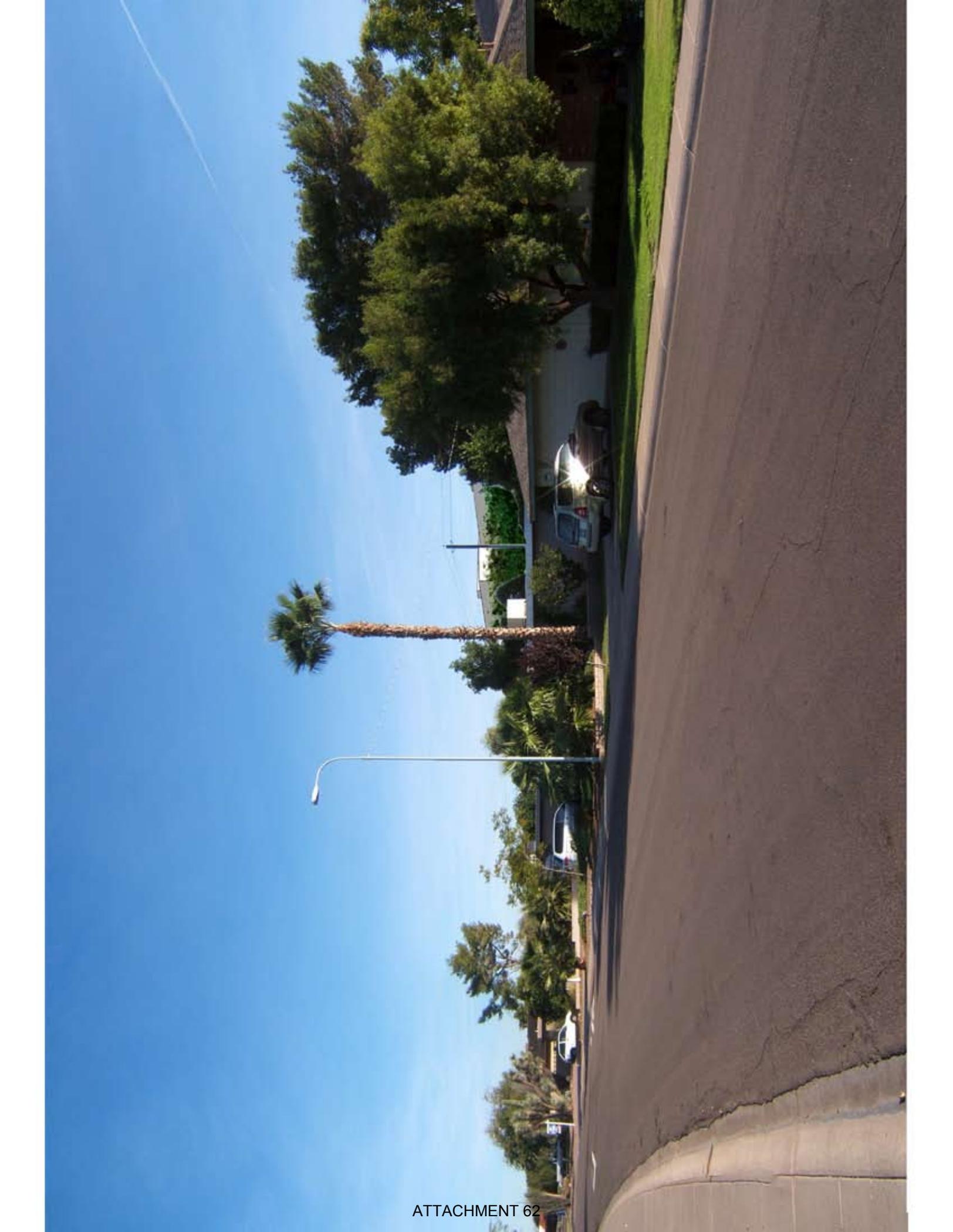


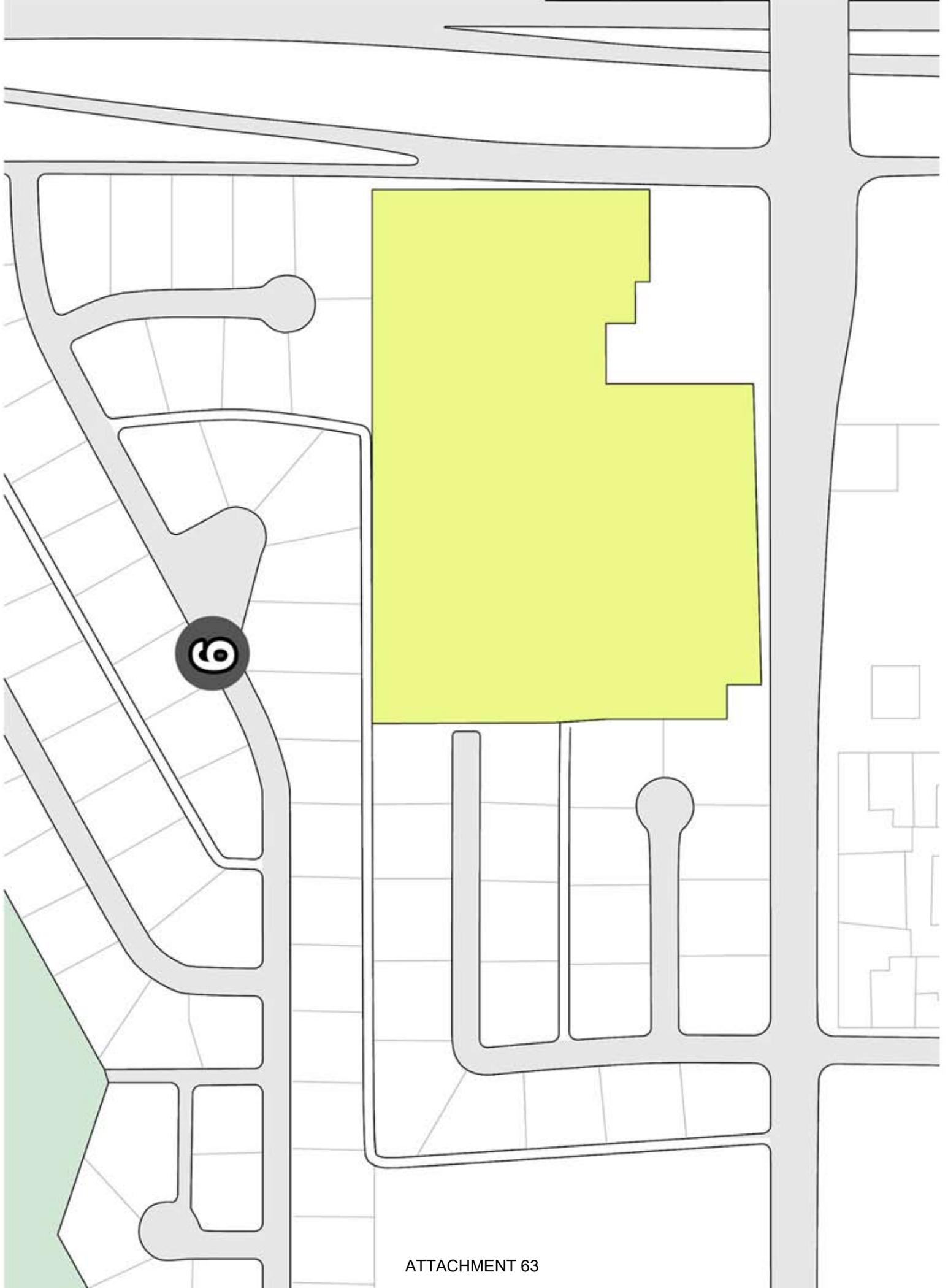




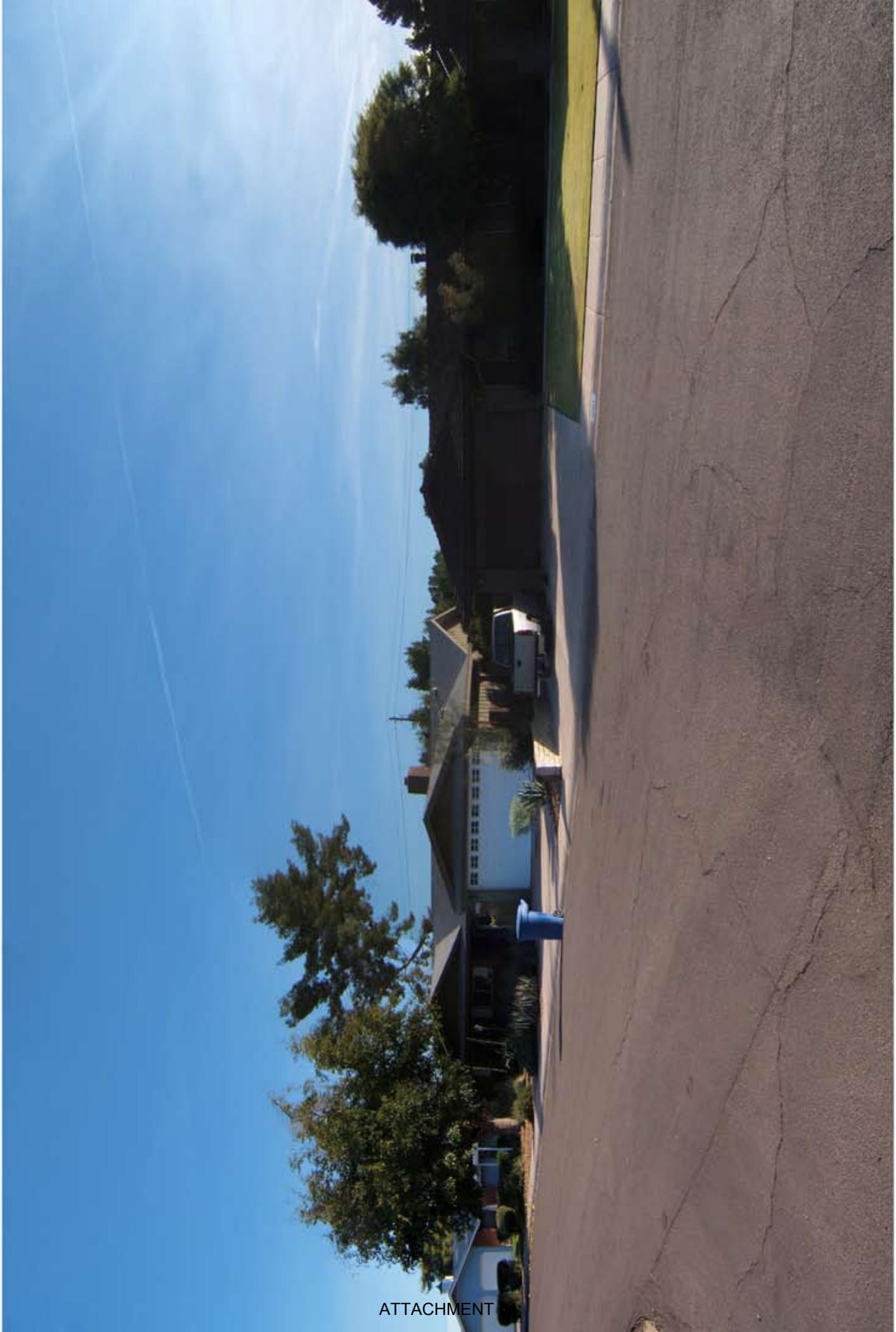




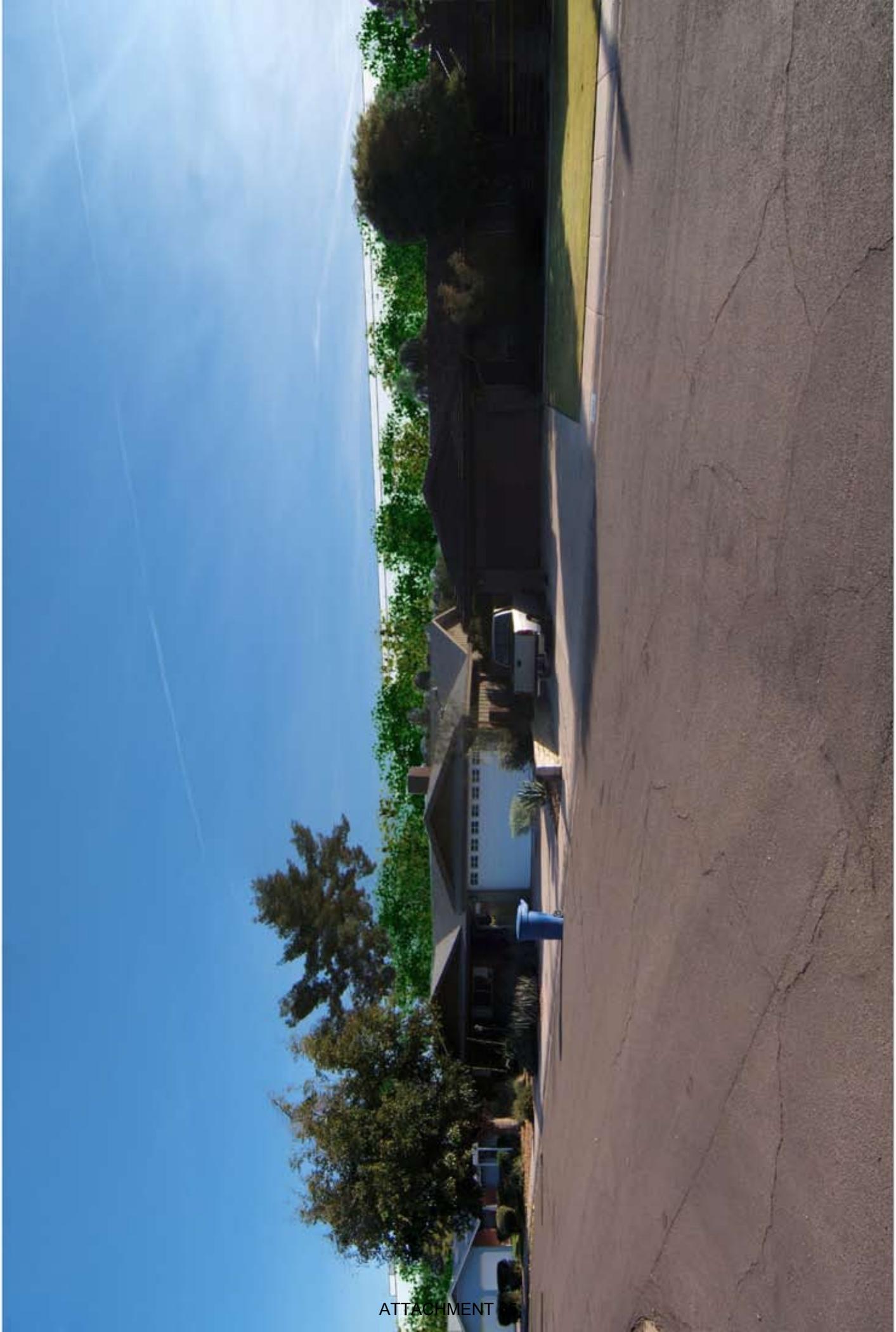


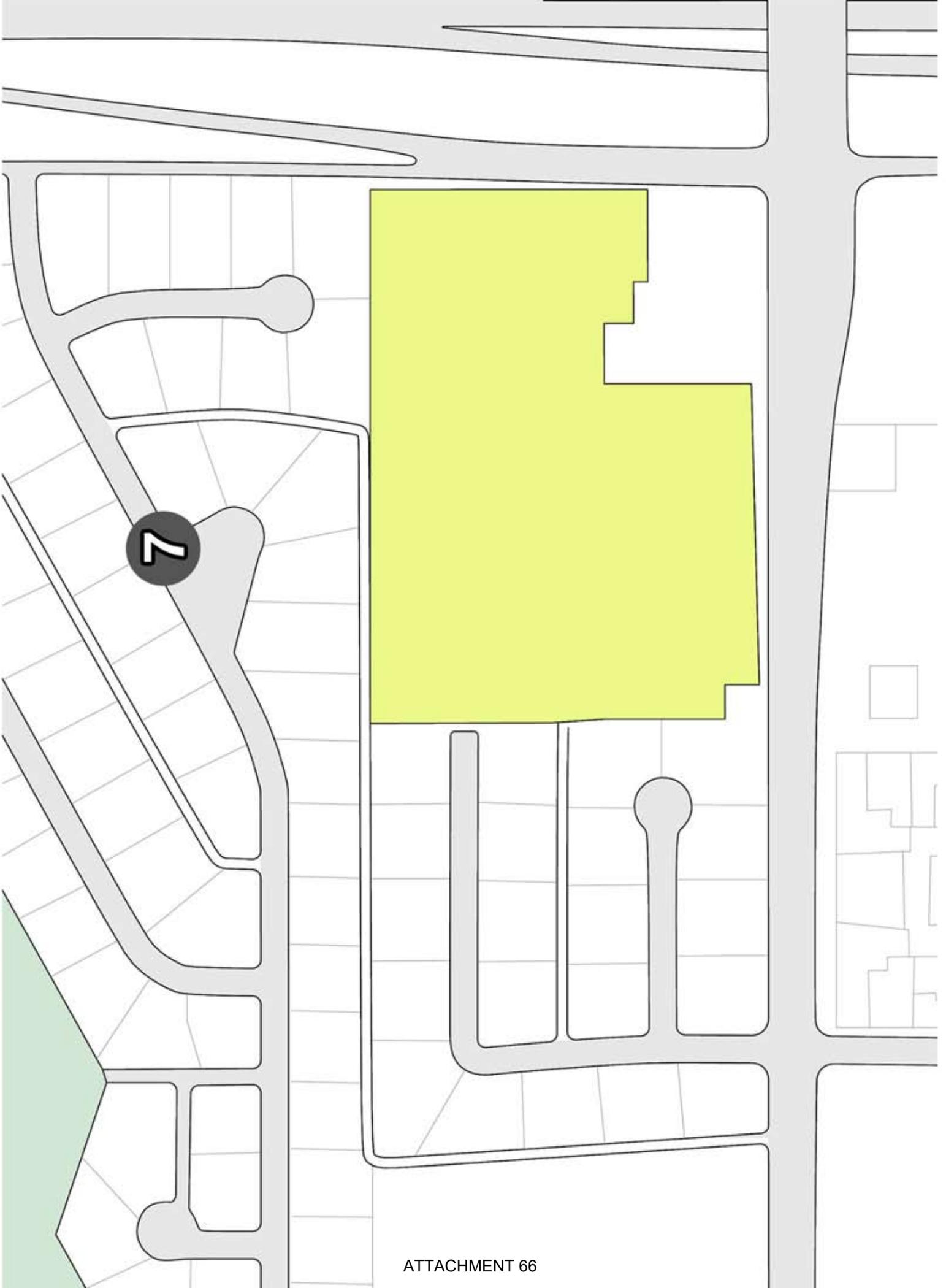


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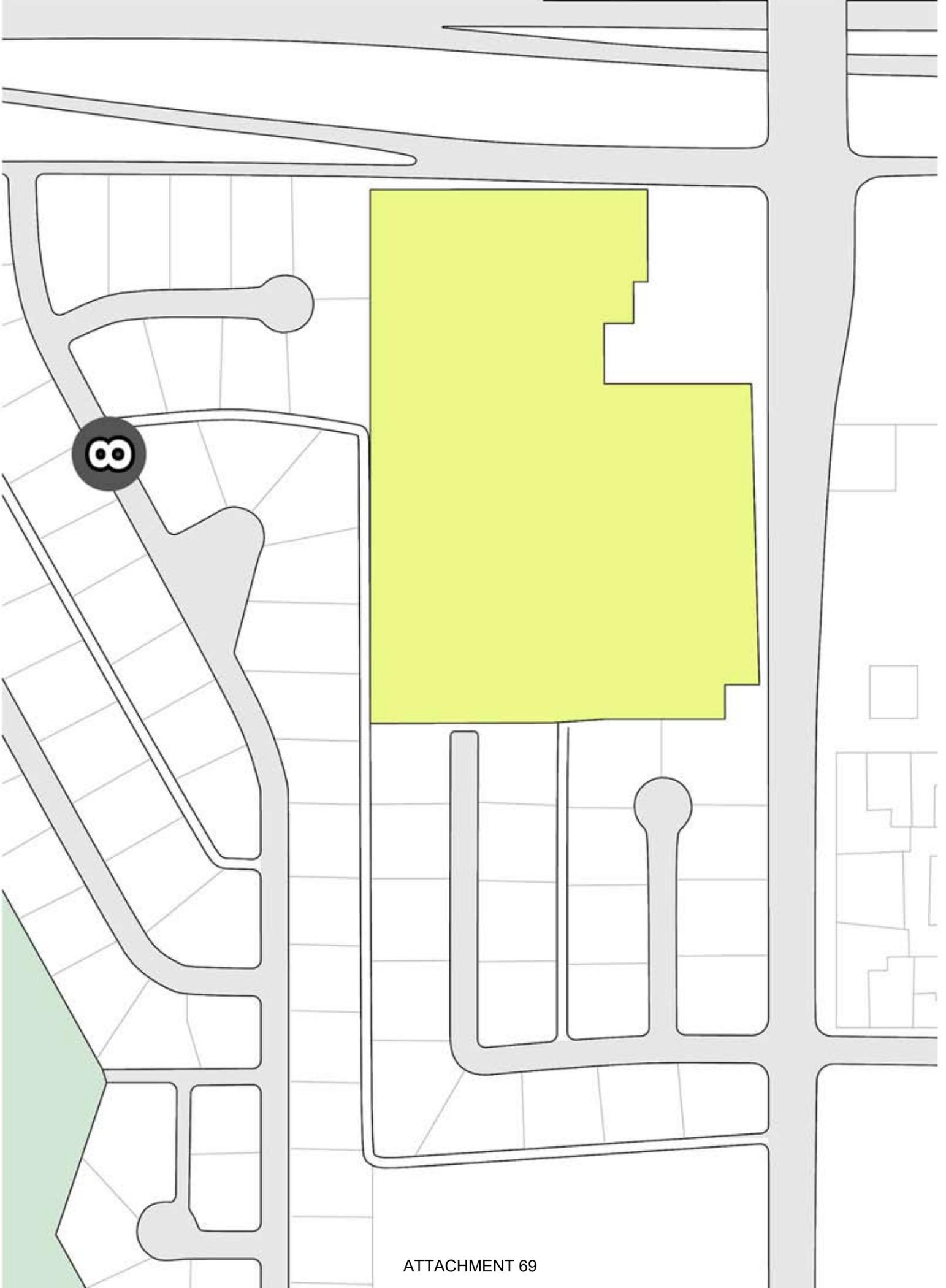
ATTACHMENT



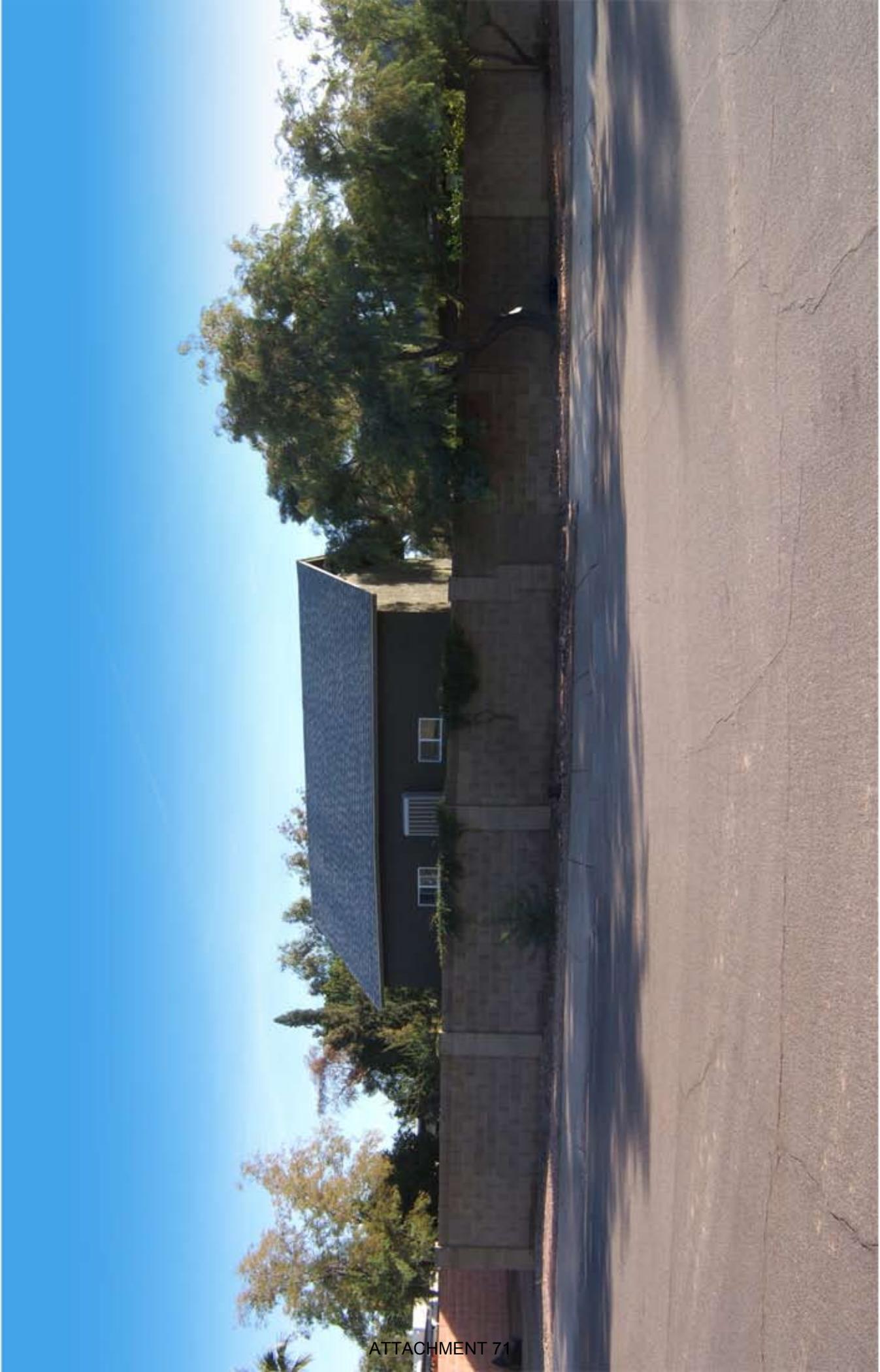


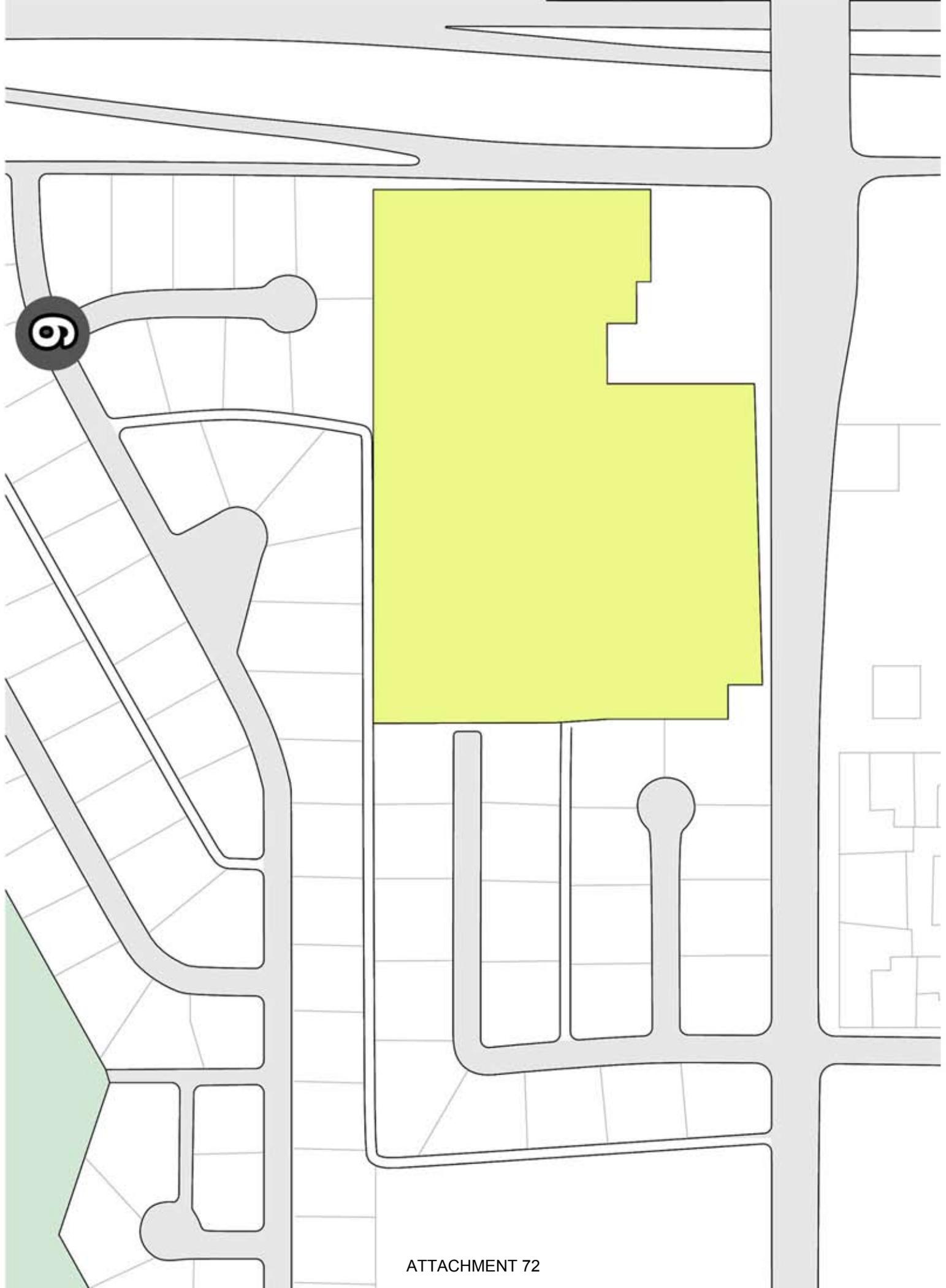






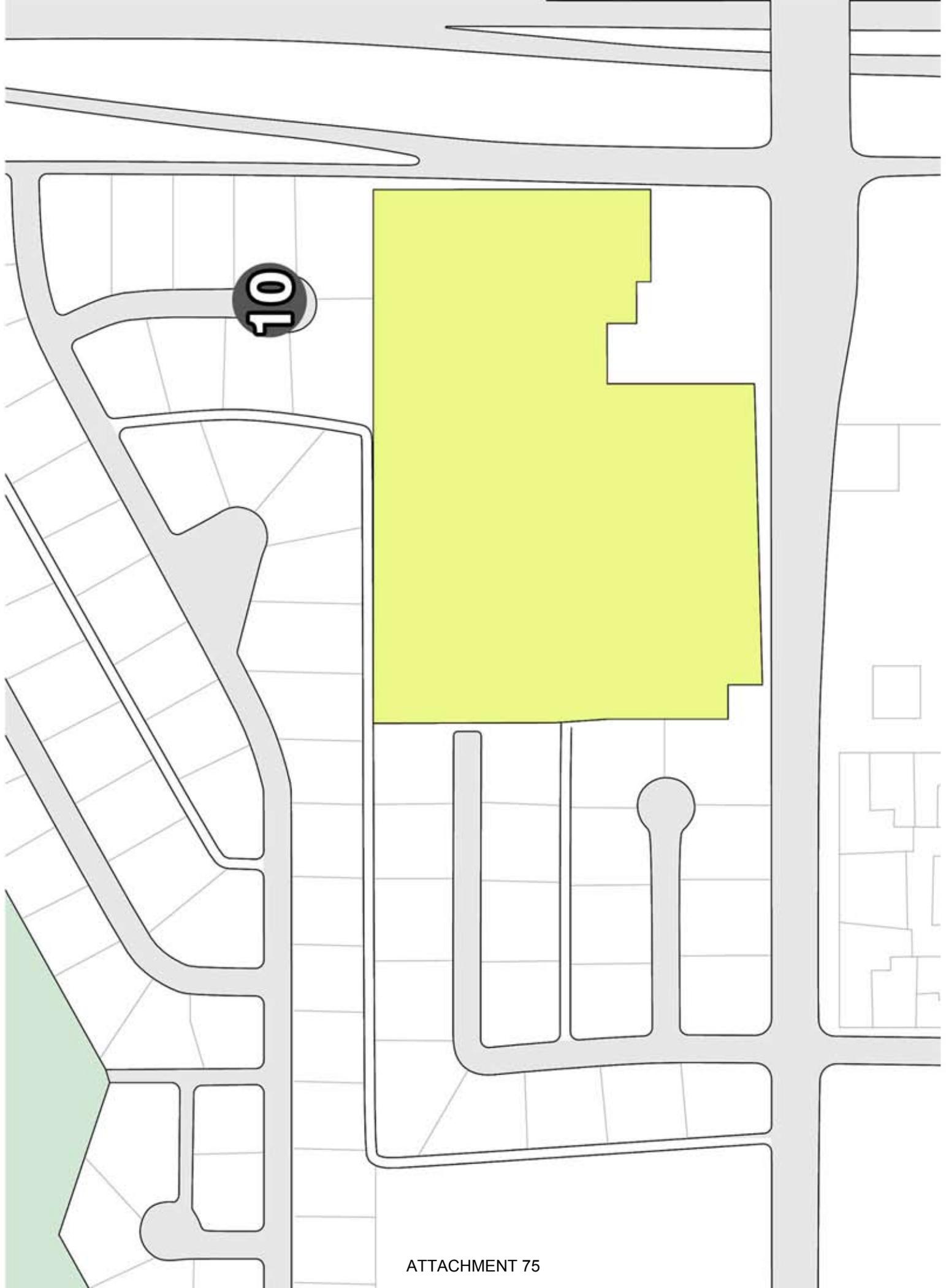


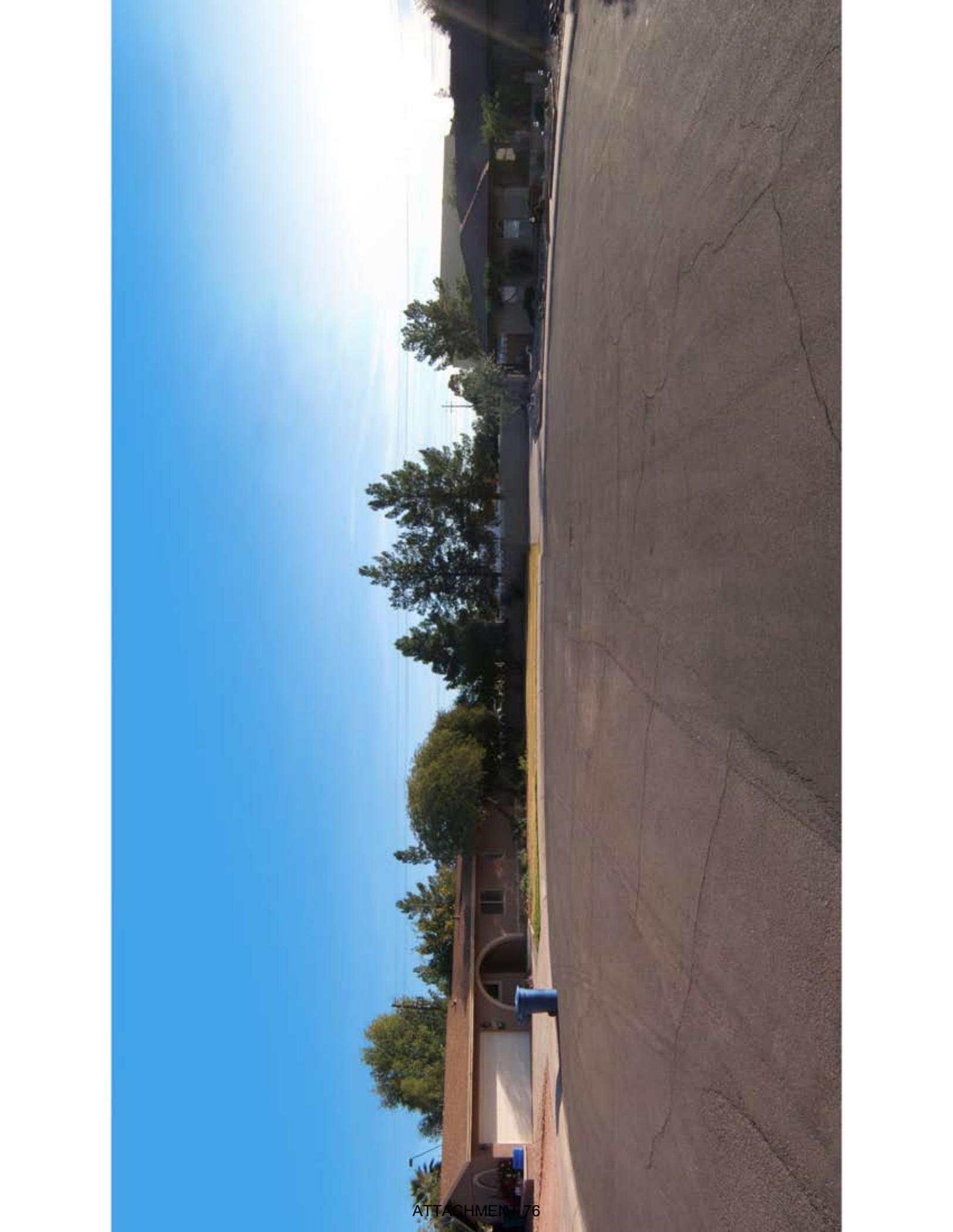


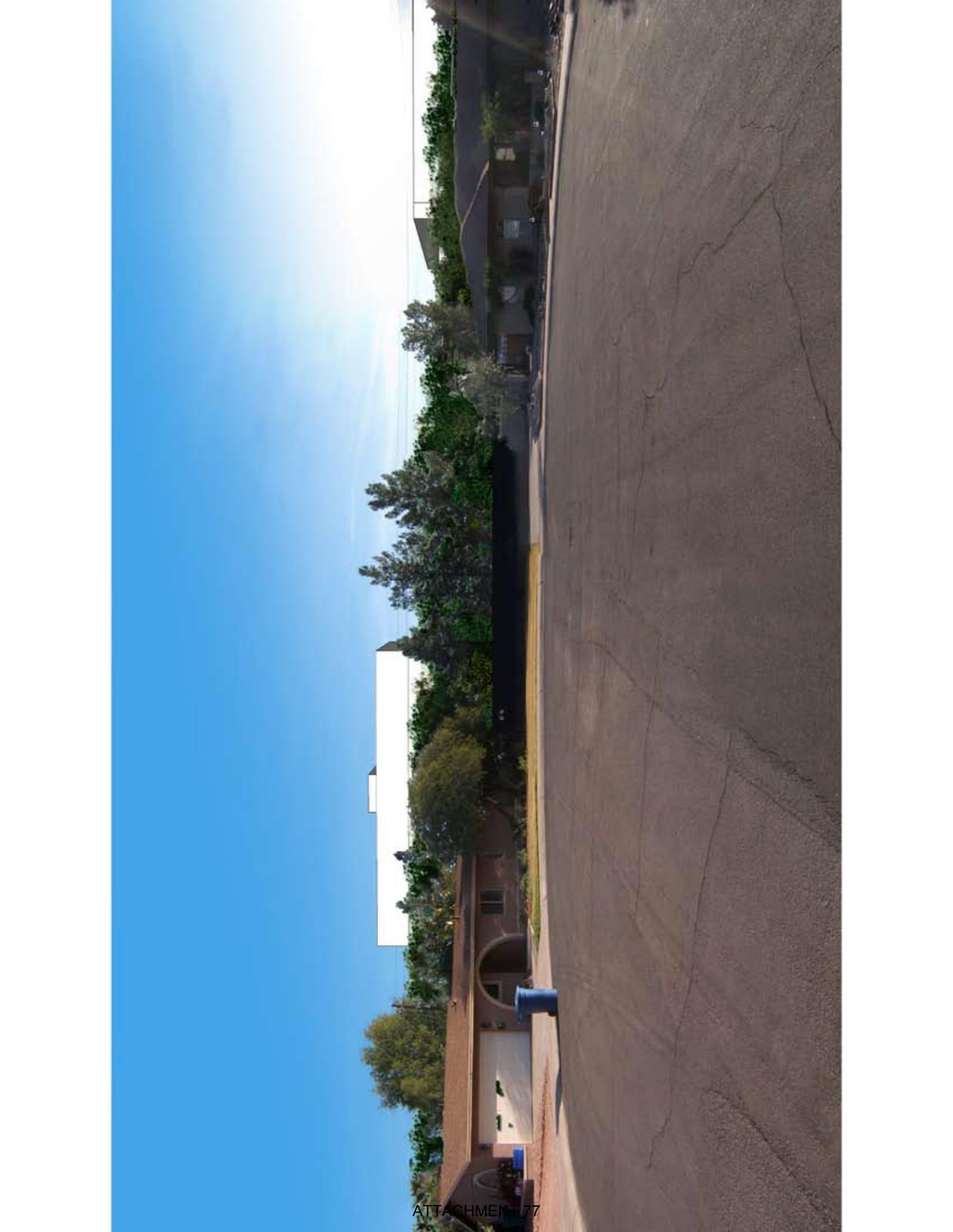












10 March 2009

TO: Members of the Development Review Commission
City Staff

Attached you will find a schematic and rendering for the Southern Campus Masterplan site at 2150 East Southern Avenue. It is being presented to you for consideration as an alternative to the plans presently before you, proposed by developer, Educational Options.

It is respectfully submitted, jointly, by the Shalimar and Bradley Hacienda neighborhoods, for consideration, discussion and review, by the Development Review Commission, Staff, the site's owner/developer, Educational Options, and the architecture firm of Architecton.

It reflects the kind of design that both the Shalimar and Bradley Hacienda neighborhoods feel would be acceptable in addressing the critical issues of building height and setback. It also offers the potential of eliminating the need for several additional buildings.

It addresses several ideas previously offered to the developer, Educational Options, and their architect firm, Architekton, on several occasions, those being:

the concept of "clustering" the building around the existing commercial development located at the Southern Ave and the 101/Price Freeway frontage road intersection;

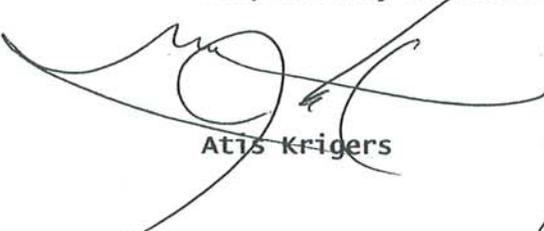
the concept of "stepping up" or "terracing" of the major building so that it appears to ascend as it approaches the intersection, thus minimizing the impact of height on adjacent neighborhoods to the north and west;

and finally,

the concept of providing a dominant and visually pleasing building as a gateway into the City of Tempe.

Be it clear to the Development Review Commission, Staff, Architecton and the owner/developer, that the consideration of additional height is only for this design proposal. It is not be construed as a tacit acceptance of building heights or site design that have been proposed at this, or any other, time by the developer. Building height, building appearance, site design and the PAD are still of major concern at this time to both the Shalimar and Bradley Hacienda neighborhoods.

For the Shalimar and Bradley Hacienda neighborhoods,
Respectfully submitted,



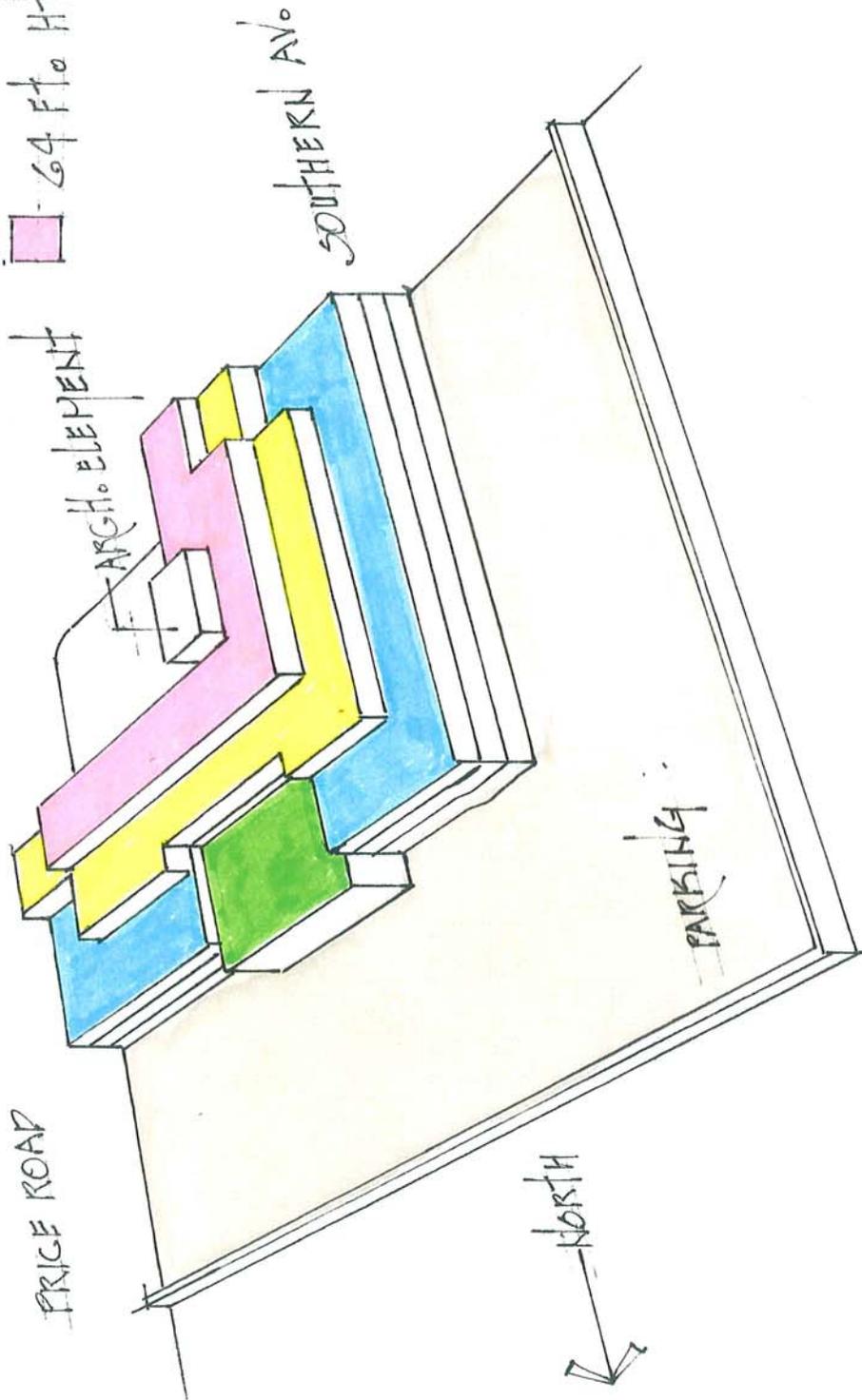
Atis Kriger



Basilio Coracides

SCHEMATIC MASSING 2.3.09
P.C. ARCHITECT

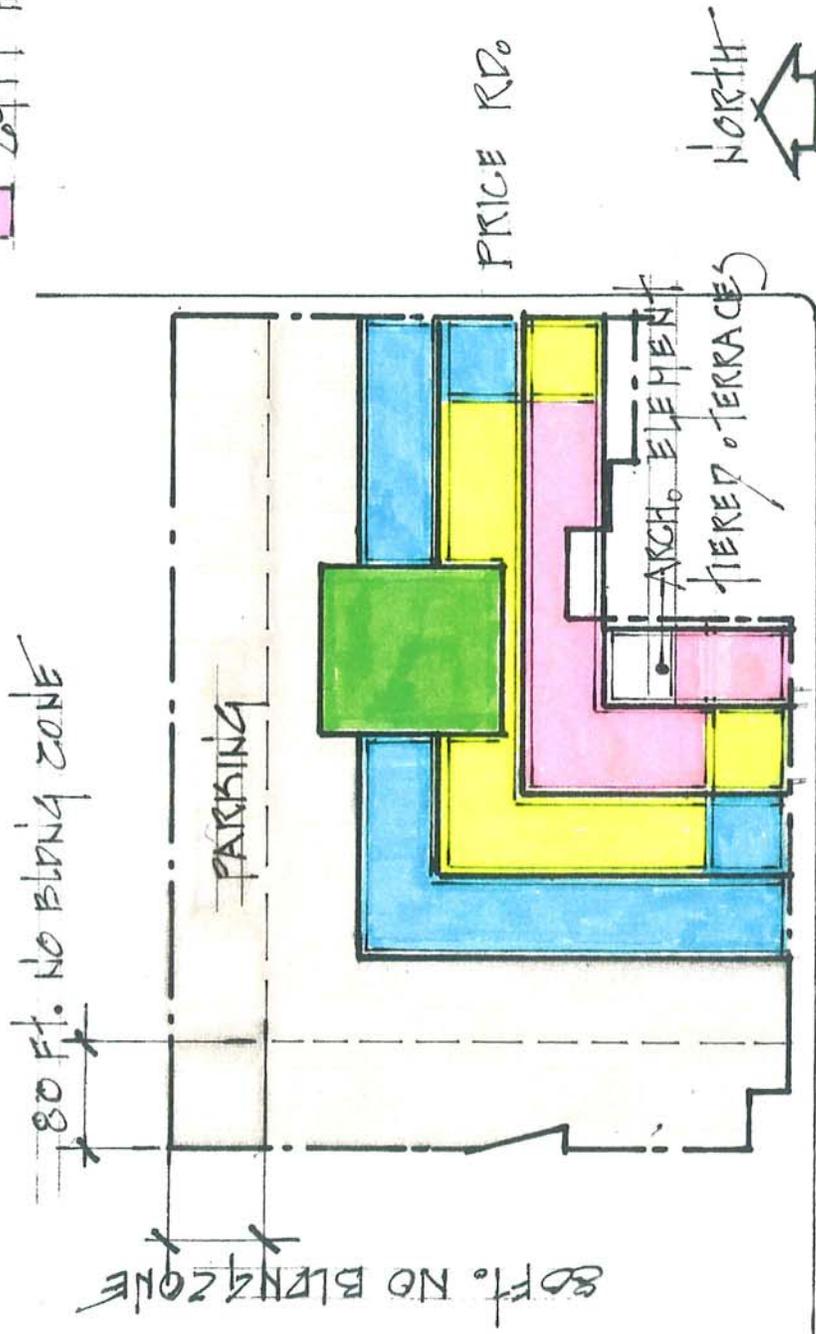
- EXISTING
- 32 FT. HT.
- 48 FT. HT.
- 64 FT. HT.



SCHEMATIC
PC. ARCHITECT

MASSING 2.3.09

- EXISTING
- 32 FT. HT.
- 48 FT. HT.
- 64 FT. HT.



PROPOSED EDUCATIONAL SOLUTIONS CORPORATE HEADQUARTERS AND CHARTER SCHOOL

Educational Solutions, a Tempe based company, desires to relocate into a larger facility and build its corporate headquarters at 2150 E. Southern Avenue in Tempe.

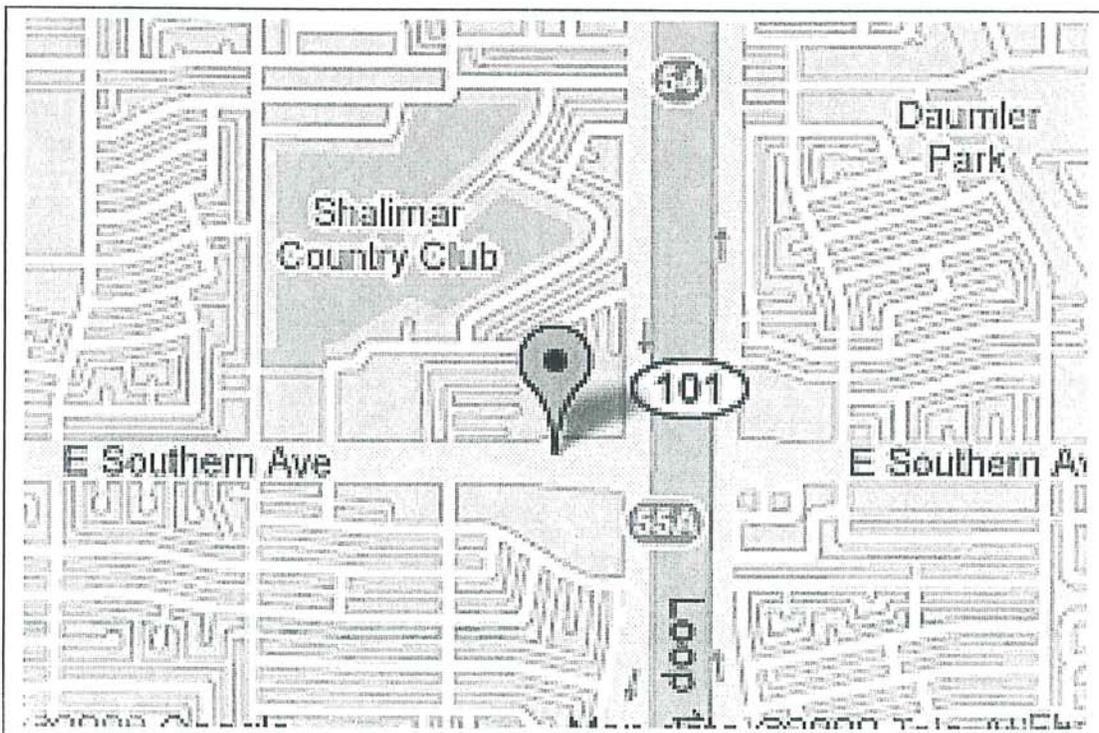
Educational Solutions currently services over 200,000 students with its academic programming in web based technology and online classes to local schools. By moving to their new proposed facility, they will be able to grow and expand.

Educational Solutions will be seeking a zoning change to change what Tri-City Baptist Church is currently into:

- 1) Educational corporate headquarters.
- 2) 9-12 charter high school to operate on the premise.

Phase 1 will consist of a Zoning Change.

New Site of Educational Solutions:



2150 Southern Master Plan

EdOptions has met with neighbors in numerous occasions in order to gain feedback and in order to create a development that will be a true asset to the community. Some neighbors have addressed certain issues to EdOptions, and EdOptions takes these issues seriously. Below are the following issues that have been raised, as well as EdOptions plan and changes to its plan in order to accommodate the neighborhoods desires.

The upgrades planned for the former Tri-City Baptist Church site (NE corner of Price and Southern) will include a charter school, flexible office space and on-site staff housing. Educational Options, the new owners, have requested a zoning change to mixed use to match what was approved by Tempe voters in the General Plan 2030.

The requested zoning will allow Educational Options, Inc. to expand its western regional office, the Educational Options Foundation, a non-profit foundation that supports education, and the EdOptions Charter High School to locate on the site.

The plan is designed to help insulate the surrounding neighborhood from the traffic and noise of the Southern and 101 intersection. The rear of the property will be dominated by the school, the area closest to the Southern and 101 intersections will be used for office space.

Neighborhood Issue #1

Building Height

The primary concern stated by the neighborhood about the re-zoning was the height of the proposed, new buildings on the site which were 70 feet. By reducing the height, Educational Options is sacrificing 26, 000 square feet in order to gain neighborhood support.

In response, a Planed Area Development will be created that regulates the height of the buildings on the property. This will protect the neighborhood in the extremely unlikely event the property is sold.

The revised height of the buildings is 42 feet, 2 stories of office over 1 level of parking, on the rear of the site, and 52 feet, 4 stories of office, on the front of the site closest to the Southern Ave. and 101 freeway intersections. A small mechanical area will be placed on top, near the center, of each building.

The distance from the property lines to the buildings will provide added protection for the neighbors directly adjacent to the project. Proposed buildings are a minimum of 85' from the property lines on the north and west side of the site.

Neighborhood Issue #2

Traffic

A traffic study was completed that looked at the traffic flow around the property. The study found there would be; "No appreciable reduction in the Level Of Service (LOS) will occur due to this project . . .". Traffic around the property will remain the same through all phases of the project. Owners of Tri City Baptist Church did a study as to the amount of traffic in and out of the property and found that there will be less traffic with this new development.

Neighborhood Issue #3

Property Line, Trees, and Fencing

The first building on the Northwest corner is placed 85 foot away from the property line. EdOptions will place as many trees as possible in Phase 1 prior to development, to allow for maturation quickly. Trees will be Chinese Elm and Sisso and will be between 6' and 10' to start to ensure neighborhood privacy. Also EdOptions will IMMEDIATELY repair the fence between the neighborhood line and the property so that there are no holes or room for anyone to walk back in the ally.

We are working with City staff to determine the best trees to include in the 20 foot landscape buffer. The current recommendations are the Sisso and the Chinese Elm that are 15 – 20 feet in height. There will be a 20 foot landscaping buffer separating the Educational Options development from the 8 foot wall and adjacent neighbors.

Neighborhood Issue #4

Parking

All phases of development meet the onsite parking requirements. Careful planning was done to insure that the required number of car parking spaces, handicapped parking spaces, and bicycle parking places were included or excided. The current property requires 351 parking places and 351 parking spaces are provided. Phase II, as proposed requires 475 spaces and 475 are included in the proposed plan. The proposed phase III plan requires 713 spaces. The phase III plan includes 731 spaces, 18 spaces over the required number. The site is designed to keep parking for all activities onsite.

Neighborhood Issue #5

EdOptions High School

The mission of EdOptions High School is to make a positive difference in the lives of our students and the community by providing a high quality educational experience in a school environment that recognizes the needs of students and blends technology and instruction into a teacher managed educational experience that provides each student superior opportunities for success.

EdOptions High School will be located at 2150 E. Southern Ave, Tempe and will target grade 9-12 students located within a ten-mile radius of the school's location. EdOptions High School to provide students with a proven curriculum that aligns to state standards, scheduling flexibility, and an educational environment of high expectations and individual success.

The Educational Options Foundation, a not-for-profit Arizona Corporation, will own and govern the school.



December 5, 2008

Tempe Design Review Commission
Tempe City Council
31 E. Fifth St.
Tempe, AZ 85281

Dear Friends:

For more than five years, Educational Options has operated a quality education content delivery service in Tempe. Tempe residents and businesses are fortunate to have such an innovative company as part of its business community. Serving more than 200,000 students in school districts throughout the country, Educational Options is expected to significantly expand over the next decade.

In 2006, Educational Options won the US Chamber of Commerce Small Business of the Year award. This prestigious title is a testament to Educational Options commitment to quality in its products and services.

As a member of the Tempe Chamber, Educational Options has repeatedly demonstrated its commitment to our community. Tempe has greatly benefited from Educational Options sponsorships and volunteerism in many civic organizations throughout the community. The Chamber looks forward to the expansion of Educational Options business in Tempe.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Ann Miller". The signature is fluid and cursive, with a large initial "M" and "A".

Mary Ann Miller
President/CEO

Joseph Harris

2131 E Geneva Dr. Tempe, AZ 85282

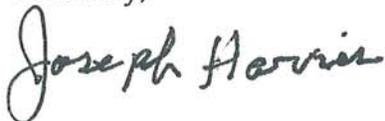
December 5, 2008

Design Review Commission
City of Tempe
31 E. 5th St.
Tempe, AZ 85281

Members of the Tempe Design Review Commission:

Jeff Sawner with Educational Options and Eric Emmert with Dorn Policy Group have shared with me the details of the development of the property at 2150 E. Southern. Since purchasing the property, Educational Options has demonstrated a willingness to work with area neighbors. I am amenable to project concept and look forward to working with Educational Options as neighbors for years to come.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Harris".

Joseph Harris

Petition of Support for 2150 Southern Campus Masterplan

I support approval of the zoning change and use permit for the following reasons:

- The continued use of the property as a center for education, and the home of a new charter high school.
- The active investment in the revitalization of a major corner that is a gateway into Tempe.
- The creation of high-quality jobs in Tempe.
- The plan exactly matches the voter approved use of the property as defined in the Tempe 2030 General Use Plan.
- The tax base for the city will be enhanced, providing increased funding to the city.

Therefore, as a Tempe resident, I respectfully request approval of the zoning change and use permit for the 2150 Southern Campus Masterplan.

Sincerely,

Christa Werner
(Name)

1840 E. Senini Dr.
(Address) Tempe, AZ 85283

Design Review Commission and City Council
City of Tempe
31 E. 5th St.
Tempe, AZ 85281

Members of the Tempe Design Review Commission and City Council:

I received information regarding the proposed improvements to the property at 2150 E. Southern. As a Tempe resident living near the property, I am supportive and amenable to the project concept and look forward to working with Educational Options as neighbors for years to come.

Sincerely,

SIGNATURE:  _____
NAME: Eric Perez
ADDRESS: 1874E Aspen Dr.
CITY/STATE/ZIP: Tempe AZ 85282
PHONE: ☎ 480 367 3023
EMAIL ADDRESS: etperez1@gmail.com
DATE: 03/07/09

Lathrop, Lisa

From: Kaminski, Diana
Sent: Monday, March 09, 2009 8:19 AM
To: Lathrop, Lisa
Subject: FW: EdOptions

From: Richard Lim [mailto:richardlim@cox.net]
Sent: Thursday, March 05, 2009 9:35 PM
To: Kaminski, Diana
Subject: EdOptions

Ms. Kaminski, please forward the attached letter to the appropriate Commissioners and Council Members. Thank you.

Richard and Mary Lim
2443 E. Malibu Drive
Tempe, AZ 85282

March 5, 2009

Re: Educational Options - 2150 East Southern Campus

Dear Commissioners and Council Members:

We urge you to support the Campus Master Plan submitted by Educational Options at your upcoming hearing on March 10th. I believe that the revised project will stand to enhance public and private education opportunities in Tempe.

As we understand EdOptions has made the necessary adjustments to the plan to meet the immediate neighborhood concerns.

Additionally the EdOptions campus plan will bring jobs and revenue to Tempe. While many other businesses are struggling in a challenging economy, EdOptions is growing and hiring new employees. A growing and reputable company like EdOptions is an asset to Tempe that will also provide Tempe residences who live east of Price Road who now send their children to various Mesa schools the opportunity to send their children to a school within the city boundary.

Again we urge you to support the EdOptions proposal as submitted. Thank you.

Sincerely,

Richard Lim
Mary Lim
2443 E. Malibu Drive
Tempe, AZ 85282
(480) 839-1895

Lathrop, Lisa

From: Kaminski, Diana
Sent: Monday, March 09, 2009 8:51 AM
To: Lathrop, Lisa
Subject: FW: Support of EdOptions Zoning Change

From: Robertson, Chris [mailto:Chris.Robertson@sheraton.com]
Sent: Friday, March 06, 2009 1:13 PM
To: Kaminski, Diana
Subject: Support of EdOptions Zoning Change

Dear Commissioners and Council Members:

I am writing to ask you to support the 2150 Southern Campus Masterplan submitted by Educational Options at the upcoming DRC hearing on March 10th. The project as resubmitted will enhance public and private education opportunities in Tempe while providing safeguards for area residents in a freeway corridor.

EdOptions has made numerous changes to their proposal in response to neighborhood concerns. Most notably, EdOptions removed an entire floor from each of the tallest buildings on the site in the most recent submittal. This generous reduction in height will place the buildings at an acceptable 55 feet plus a mechanical apparatus.

The EdOptions campus plan will bring jobs and revenue to Tempe. While many other businesses are struggling in a challenging economy, EdOptions is growing and hiring new employees. A growing and reputable company like EdOptions is an asset to Tempe.

The zoning change EdOptions is requesting matches the General Plan 2030. Tempe voters approved a mix of uses in this freeway corridor and the proposal matches it perfectly. The use permit you wisely approved in January will continue the educational focus of the property and benefit the entire community.

For these reasons, I ask you to vote in support of the EdOptions proposal as submitted.

Thank you,

Chris Robertson

Tempe Resident

Chris Robertson | Manager of Space Optimization - Sheraton Phoenix Downtown Hotel

340 North Third Street | Phoenix | Arizona | 85004

telephone 602.817.5315 | facsimile 602.817.5325

sheraton.com/phoenixdowntown

Sheraton | Belong

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Lathrop, Lisa

From: Kaminski, Diana
Sent: Monday, March 09, 2009 8:50 AM
To: Lathrop, Lisa
Subject: FW: Support for EdOptions

From: Loetscher, Angela [mailto:angela.loetscher@tricityministries.org]
Sent: Friday, March 06, 2009 12:49 PM
To: Kaminski, Diana
Subject: Support for EdOptions

Dear Commissioners and Council Members:

I am writing to ask you to support the 2150 Southern Campus Masterplan submitted at the upcoming DRC hearing on March 10, 2009 by Educational Options.

The changes EdOptions has made to their proposal is in direct response to the residents of the Shalimar neighborhood. During these difficult economic times, a growing and reputable company is hard to find. EdOptions is one of those companies, and their willingness to work with the concerns of the neighborhood shows that they care about Tempe. Their campus plan will bring jobs and revenue to this great city, while enhancing education opportunities.

I am excited to see what EdOptions will do with the campus at 2150 E Southern Avenue, and for the tax dollars their business will generate for the City of Tempe. It is refreshing to see a company that is so willing to work with the desires of the neighbors, while still seeking to improve property values and education.

Please vote in support of the EdOptions proposal as submitted.

Thank you,
Angela Loetscher
Tempe Resident
480-838-5430 ext 217
480-208-4897

Lathrop, Lisa

From: Kaminski, Diana
Sent: Monday, March 09, 2009 9:17 AM
To: Lathrop, Lisa
Subject: FW: Request for support at DRC hearing on March 10th

From: laurindamordh@aol.com [mailto:laurindamordh@aol.com]
Sent: Friday, March 06, 2009 4:06 PM
To: Kaminski, Diana
Subject: Request for support at DRC hearing on March 10th

Dear Commisioners and Council Members:

At the upcoming DRC hearing on March 10th, please support the 2150 Southern Campus Masterplan submitted by Educational Options.

Educational Options has been sensitive to the feedback from the neighbors, even to the point of revising their master plans to lower their building heights in order to accommodate some of their concerns. The leadership of Educational Options has been awarded nationally for their contributions to the workforce. I believe that Educational Options is a good company and in this new location will continue to expand and be an asset to our Tempe community.

According to the information that I have received, the zoning change that Educational Options is requesting is in alignment with the General Plan 2030 and the approved use of this freeway corridor. Therefore, I am asking you to support the proposal as submitted for the zoning change requested by Educational Options.

Thank you for your representation and work on our behalf,

Laurinda Mordh
Resident of Tempe

Worried about job security? [Check out the 5 safest jobs in a recession.](#)

Lathrop, Lisa

Subject: FW: EdOptions

From: Carol [mailto:carolnphx2@cox.net]
Sent: Thursday, March 05, 2009 1:30 PM
To: Kaminski, Diana
Subject: EdOptions

Dear Commissioners and Council Members:

I am writing to ask you to support the 2150 Southern Campus Masterplan submitted by Educational Options at the upcoming DRC hearing on March 10th. The project as resubmitted will enhance public and private education opportunities in Tempe while providing safeguards for area residents in a freeway corridor.

EdOptions has made numerous changes to their proposal in response to neighborhood concerns. Most notably, EdOptions removed an entire floor from each of the tallest buildings on the site in the most recent submittal. This generous reduction in height will place the buildings at an acceptable 55 feet plus a mechanical apparatus.

The EdOptions campus plan will bring jobs and revenue to Tempe. While many other businesses are struggling in a challenging economy, EdOptions is growing and hiring new employees. A growing and reputable company like EdOptions is an asset to Tempe.

The zoning change EdOptions is requesting matches the General Plan 2030. Tempe voters approved a mix of uses in this freeway corridor and the proposal matches it perfectly. The use permit you wisely approved in January will continue the educational focus of the property and benefit the entire community.

For these reasons, I ask you to vote in support of the EdOptions proposal as submitted.

Thank you,

Carolyn Nielsen
946 West Manhattan Dr
Tempe, AZ 85282

480-894-0050

Lathrop, Lisa

Subject: FW: EdOptions

From: BILL NIELSEN [mailto:gunsmithbill@hotmail.com]
Sent: Thursday, March 05, 2009 1:43 PM
To: Kaminski, Diana
Subject: EdOptions

Dear Commissioners and Council Members:

I am writing to ask you to support the 2150 Southern Campus Masterplan submitted by Educational Options at the upcoming DRC hearing on March 10th. The project as resubmitted will enhance public and private education opportunities in Tempe while providing safeguards for area residents in a freeway corridor.

EdOptions has made numerous changes to their proposal in response to neighborhood concerns. Most notably, EdOptions removed an entire floor from each of the tallest buildings on the site in the most recent submittal. This generous reduction in height will place the buildings at an acceptable 55 feet plus a mechanical apparatus.

The EdOptions campus plan will bring jobs and revenue to Tempe. While many other businesses are struggling in a challenging economy, EdOptions is growing and hiring new employees. A growing and reputable company like EdOptions is an asset to Tempe.

The zoning change EdOptions is requesting matches the General Plan 2030. Tempe voters approved a mix of uses in this freeway corridor and the proposal matches it perfectly. The use permit you wisely approved in January will continue the educational focus of the property and benefit the entire community.

For these reasons, I ask you to vote in support of the EdOptions proposal as submitted.

Thank you,

William Nielsen
946 West Manhattan Dr
Tempe, AZ 85282

480-894-0050

Hotmail® is up to 70% faster. Now good news travels really fast. [Find out more.](#)

Lathrop, Lisa

From: Kaminski, Diana
Sent: Monday, March 09, 2009 8:20 AM
To: Lathrop, Lisa
Subject: FW: Support Educational Options

From: Petermordh@aol.com [mailto:Petermordh@aol.com]
Sent: Thursday, March 05, 2009 11:12 PM
To: Kaminski, Diana
Subject: Support Educational Options

Dear Commissioners and Council Members:

I am e-mailing our Tempe City leadership to request your support for the 2150 Southern Campus Master Plan being re-submitted by Educational Options at the upcoming city council hearing on March 10th. The changes they are re-submitting will improve public education along with private educational opportunities in our city of Tempe. Tempe has always been a city that encouraged Education!

Educational Options has made several modifications to their plan in response to their neighbor's apprehensions. I understand that Educational Options even removed an entire floor from each of the buildings on the site in their most recent submittal.

The Educational Options campus plan will add variety, employment, and tax revenues to Tempe. While many other businesses are struggling in this deteriorating economy, Educational Options is increasing in growth, expanding the number of people they are affecting, even hiring new employees! How can we as a progressive community not get excited about this growing company becoming an integral part of the Tempe Community?!

As we objectively reflect on the General Plan 2030, the requested zoning changes by the above stated group match the freeway corridor approved uses. I hope that our City Council Leadership will continue to give our city's endorsement upon the worthy educational use of this unique piece of property. Please support the Educational Options proposal as submitted.

Sincerely, Peter Mordh (5108 S. Birch St. - Tempe, AZ)

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

Lathrop, Lisa

From: Kaminski, Diana
Sent: Monday, March 09, 2009 8:19 AM
To: Lathrop, Lisa
Subject: FW: EdOptions

From: Sharon Hanlen [mailto:shanlen3@cox.net]
Sent: Thursday, March 05, 2009 10:29 PM
To: Kaminski, Diana
Subject: EdOptions

Dear Commissioners and Council Members:

I am writing to ask you to support the 2150 Southern Campus Masterplan submitted by Educational Options at the upcoming DRC hearing on March 10th. The project as resubmitted will enhance public and private education opportunities in Tempe while providing safeguards for area residents in a freeway corridor.

EdOptions has made numerous changes to their proposal in response to neighborhood concerns. Most notably, EdOptions removed an entire floor from each of the tallest buildings on the site in the most recent submittal. This generous reduction in height will place the buildings at an acceptable 55 feet plus a mechanical apparatus.

The EdOptions campus plan will bring jobs and revenue to Tempe. While many other businesses are struggling in a challenging economy, EdOptions is growing and hiring new employees. A growing and reputable company like EdOptions is an asset to Tempe.

The zoning change EdOptions is requesting matches the General Plan 2030. Tempe voters approved a mix of uses in this freeway corridor and the proposal matches it perfectly. The use permit you wisely approved in January will continue the educational focus of the property and benefit the entire community.

For these reasons, I ask you to vote in support of the EdOptions proposal as submitted.

Thank you,

Sharon Hanlen
1318 E Secretariat Dr
Tempe, AZ 85284

480-838-2776

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, OWNERS
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
WHO EXECUTED THE FOREGOING INSTRUMENT FOR
THE PURPOSES THEREIN CONTAINED.

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

BY: _____ MY COMMISSION

NOTARY PUBLIC _____

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

BY: _____ DATE _____
WILLIAM JEFFREY SAWNER
WESTERN REGION VICE PRESIDENT

ITS OWNERS 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. 85-12913.

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 Maricopa
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, described as 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 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.

EXCEPTION PARCEL C:
That portion conveyed to the City of Tempe by deed recorded
in Docket 10410, page 813 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 6.00
feet in width lying adjacent to and immediately South of the
South line of Shalimar Estates Addition No. 3, a subdivision of
record in the office of the Maricopa County Recorder 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 Southernly
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 60.00 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 curve 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

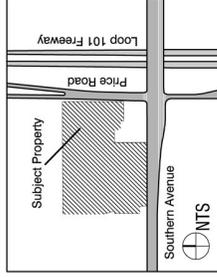
PLANNED AREA DEVELOPMENT STANDARDS

Residential Density 9du/ac
Building Height Maximum 20' *32' *42' *48' *65'
(see PAD Height Standards & Sileplan)
*plus mechanical

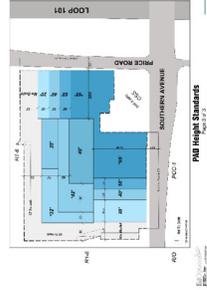
Maximum Lot Coverage 40%
Minimum Landscape Area 15%
Front Setback (south) 0 feet
Street Side Setback (east) 0 feet
Side Setback (west) 30 feet
Rear Setback (north) 30 feet
Parking Setback 20 feet

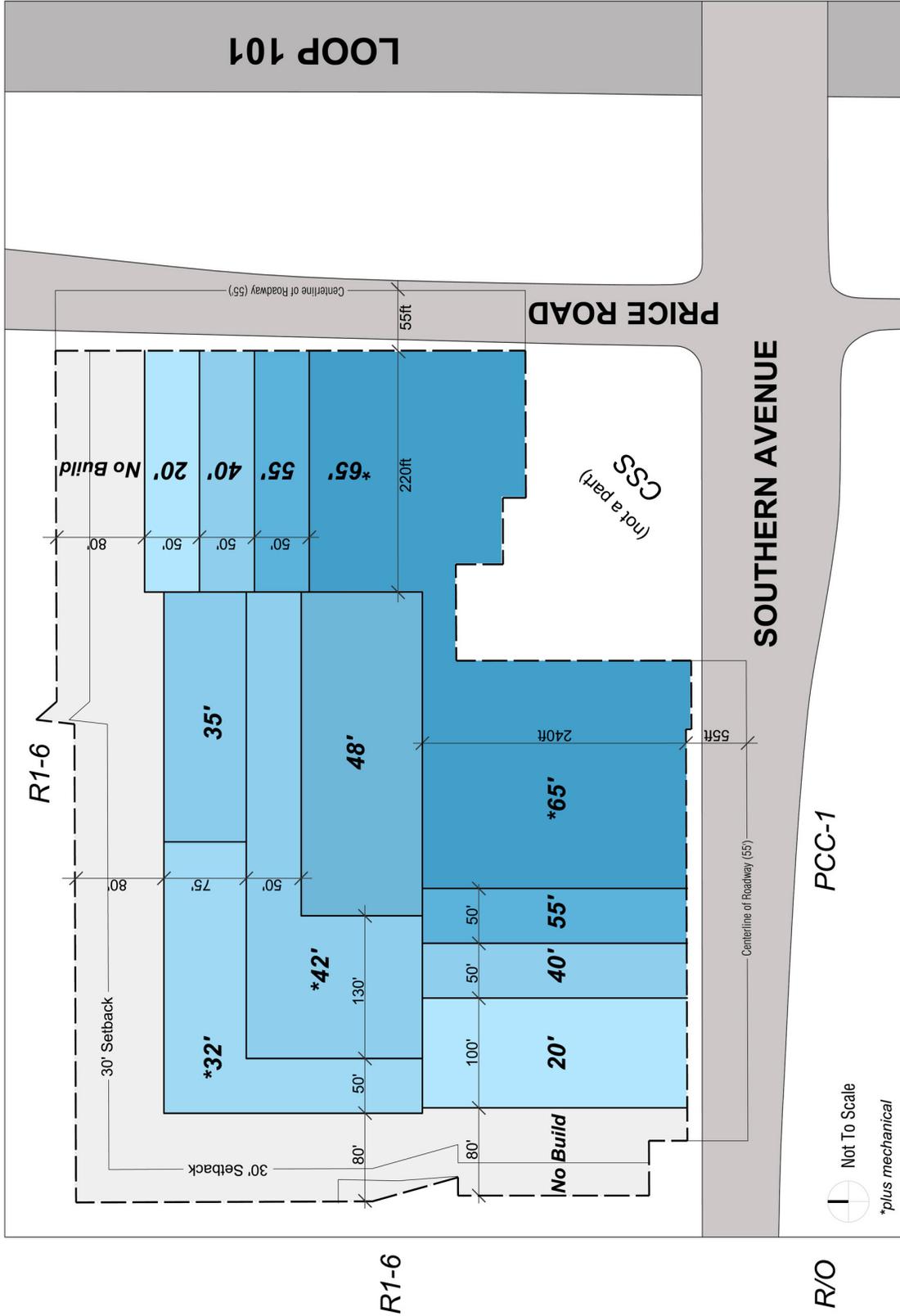
CONDITIONS OF APPROVAL

VICINITY MAP



HEIGHT STANDARDS

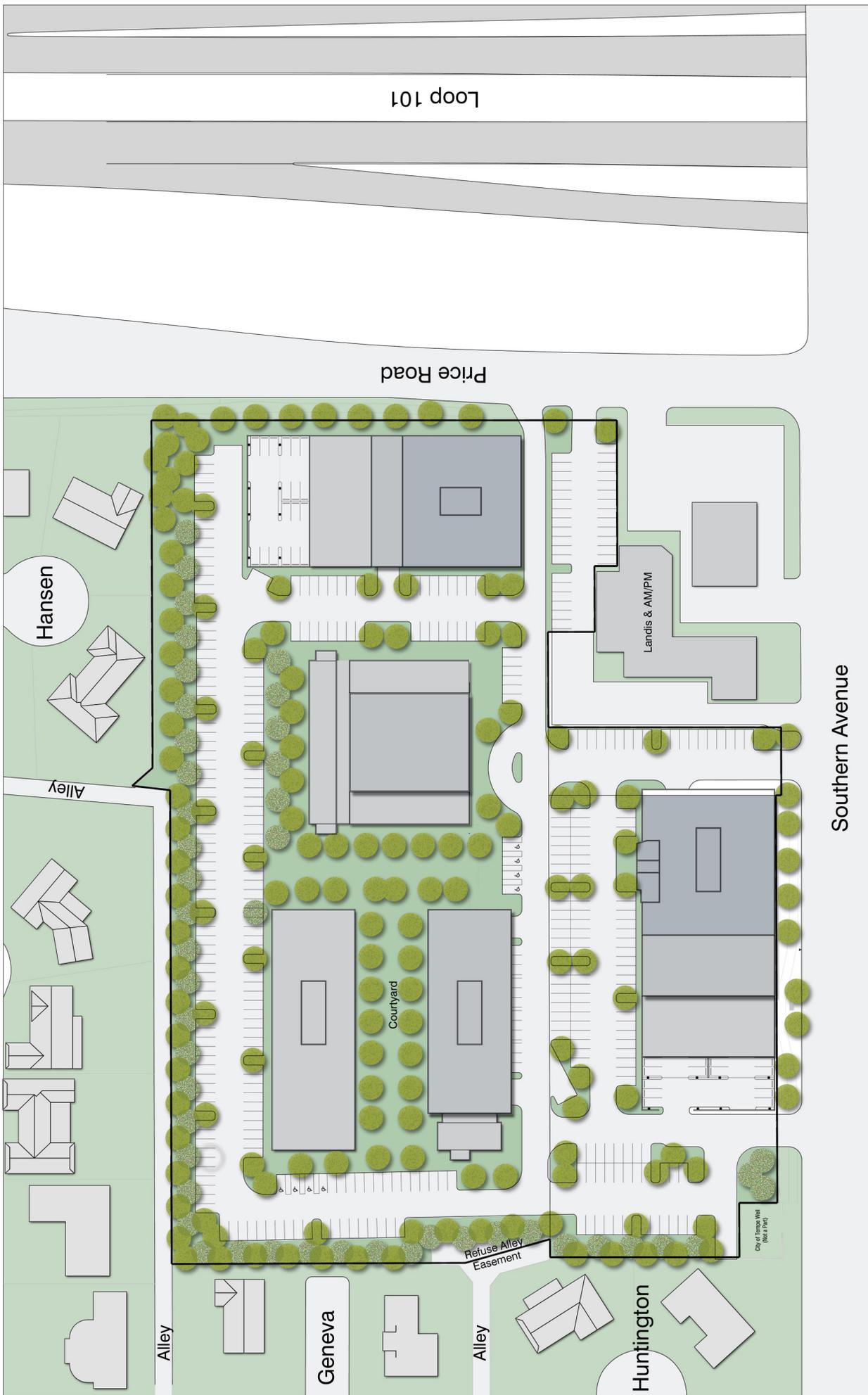




Not To Scale
 *plus mechanical

PAD Height Standards

Page 3 of 3



PAD Siteplan

Page 1 of 3

