

Staff Summary Report



Development Review Commission Date: 05/27/08

Agenda Item Number: ____

SUBJECT: Hold a public meeting for a Preliminary Subdivision Plat for BASELINE RETAIL located at 2005 West Baseline Road.

DOCUMENT NAME: DRCr_BaselinePrelimPlat_052708

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Request for **BASELINE RETAIL (PL060581)** (Stephen Craig Cooper, 2005 Baseline L.L.C. owner; Kevin Harding, Fergis and Harding Inc., applicant) for a Preliminary Subdivision Plat on +/- 1.593 net acres located at 2005 West Baseline Road in the CSS, Commercial Shopping and Services District, including the following:

SBD08011 – Preliminary Subdivision Plat to combine the property into one lot.

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

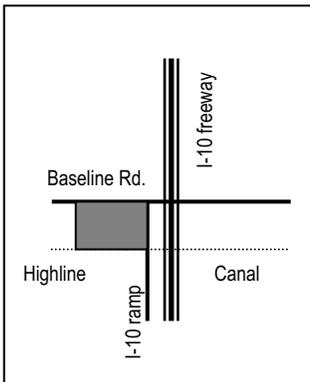
REVIEWED BY: Lisa Collins, Planning Director (480-350-8989) *LC*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to one (2) conditions.

ADDITIONAL INFO:



Gross/Net site area +/- 1.593 acres

A Preliminary Subdivision Plat is being undertaken to unify the two pieces of land that make up the proposal into one parcel. The Final Subdivision Plat is scheduled to be heard by City Council on June 5, 2008.

PAGES:

1. Table of Contents
2. Comments / Reason for Approval / Condition of Approval
3. History & Facts / Description / Zoning & Development Code Reference

ATTACHMENTS:

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

COMMENTS:

Project Analysis

The proposed property is a vacant parcel located at the southwest corner of Baseline Road and the I-10 freeway. The I-10 southbound on-ramp is immediately to the east, Baseline Road including the Baseline/Wendler intersection is to the north, an overflow parking area for Aunt Chilada's restaurant is immediately to the west, and the Highline Canal is immediately south. The Pointe South Mountain Resort Hotel, in the City of Phoenix, is south of the Highline Canal. The property has been difficult to plan for a development due to its proximity to the intersection and the resulting limitations of vehicular ingress and egress for the site.

In the past year the applicant has received planning entitlement for a retail development for this site. The retail development is currently in building and engineering plan check review. The applicant is before the Commission this evening to request a Preliminary Subdivision Plat to unify the two parcels of land that make up the site into one lot. The smaller of the two parcels is a U.S.A. property that has never before been part of a subdivision—this leads to the requirement for a preliminary in addition to a final plat. The Preliminary Subdivision Plat is required to be reviewed by the Development Review Commission prior to review of the Final Subdivision Plat by City Council.

The Subdivision Plat meets the minimum required technical standards of the Tempe City Code Chapter 30, Subdivisions. Staff recommends approval subject to conditions of approval. Public input is not required.

REASON FOR APPROVAL:

1. The Preliminary Subdivision Plat conforms to the technical standards of Tempe City Code Chapter 30, Subdivisions.

SBD08011

CONDITIONS OF APPROVAL:

1. Place the Subdivision Plat into proper engineered format with appropriate signature blanks. Record the Subdivision Plat with the Maricopa County Recorder's Office through the Tempe Development Services Department on or before one year from date of City Council approval (July 22, 2009). Failure to record the plan by one year from date of City Council approval shall make the approval of the Subdivision Plat null and void.
2. Prior to City Council hearing for the Subdivision Plat, submit an Affidavit of Correction for the recorded deed for parcel 301-10-014 to the Maricopa County Recorder's Office. Re-record the deed for parcel 301-10-014 with the legal description for this parcel as an attachment so the County can correctly indicate the name of the owner of this parcel on their property tax statement.

HISTORY & FACTS:

- 1981 Gosnell Development (developer of the Pointe South Mountain) purchased this site. The majority of the site is in the City of Phoenix. The portion of the site in the City of Tempe is in the C-2 District and has required no action to date.

- April 28, 1982 The Board of Adjustment approved the request by Gosnell Development Corporation for the following advertising monument signs for the Pointe South Mountain. The sign sites are at 2005 and 2035 West Baseline Road in the C-2 General Commercial District. The governing document is Ordinance 808.
 - a. Variance to allow three center identification signs (two are allowed per Ordinance 808)
 - b. Variance to allow three center identification signs on the same street frontage (one is allowed per Ordinance 808).
 Note: the center identification sign was not constructed on 2005 West Baseline.

- May 15, 2001 A Grant of Perpetual Easements (I-10 & Baseline) is made as of the 15th day of May, 2001, by LRON, L.L.C., an Arizona limited liability company in favor of ELLER MEDIA COMPANY, a Delaware corporation. Note: this is for the use of outdoor advertising sign structure at the southeast corner of the site.

- April 24, 2003 The Board of Adjustment took the following action regarding the request by Fergis and Harding Inc. (on behalf of Mr. Steve Cooper) for a Temporary Parking Lot at 2005 West Baseline road in the C-1, Neighborhood Commercial District.
 - a. Variance to waive all required landscaping at the beginning and end of each row of parking – denied.
 - b. Variance to waive all parking lot landscape islands – denied.
 - c. Variance to waive required parking lot paving and striping – denied.
 - d. Variance to waive all required parking lot lighting – denied.
 - e. Variance to allow a driveway within 100 ft. of an intersection – approved.

- May 8, 2007 Development Review Commission approved the request by Baseline Retail for building elevations, site and landscape plans. The proposal consisting of a one story, 10,000 sf, retail/restaurant building on 1.593 acres located at 2005 West Baseline Road in the CSS, Commercial Shopping and Services District.

DESCRIPTION:

Owner – Stephen Craig Cooper, 2005 Baseline L.L.C.
 Applicant – Kevin Harding, Fergis and Harding Inc.
 Land Surveyor – Dennis Keogh, Keogh Engineering, Inc.

General Plan 2030

Projected Land Use – Mixed Use

Zoning

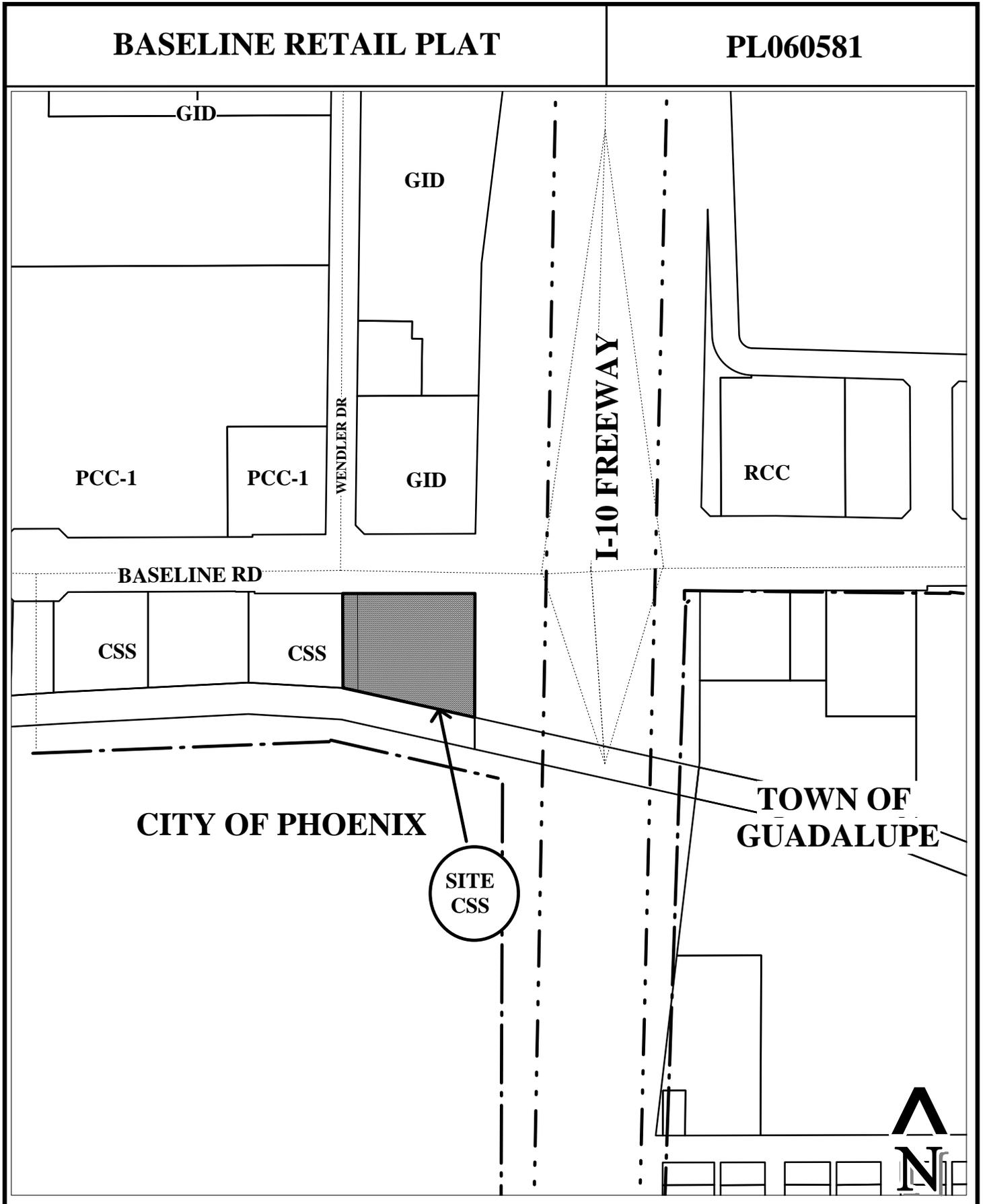
Existing Zoning: CSS, Commercial Shopping and Services District

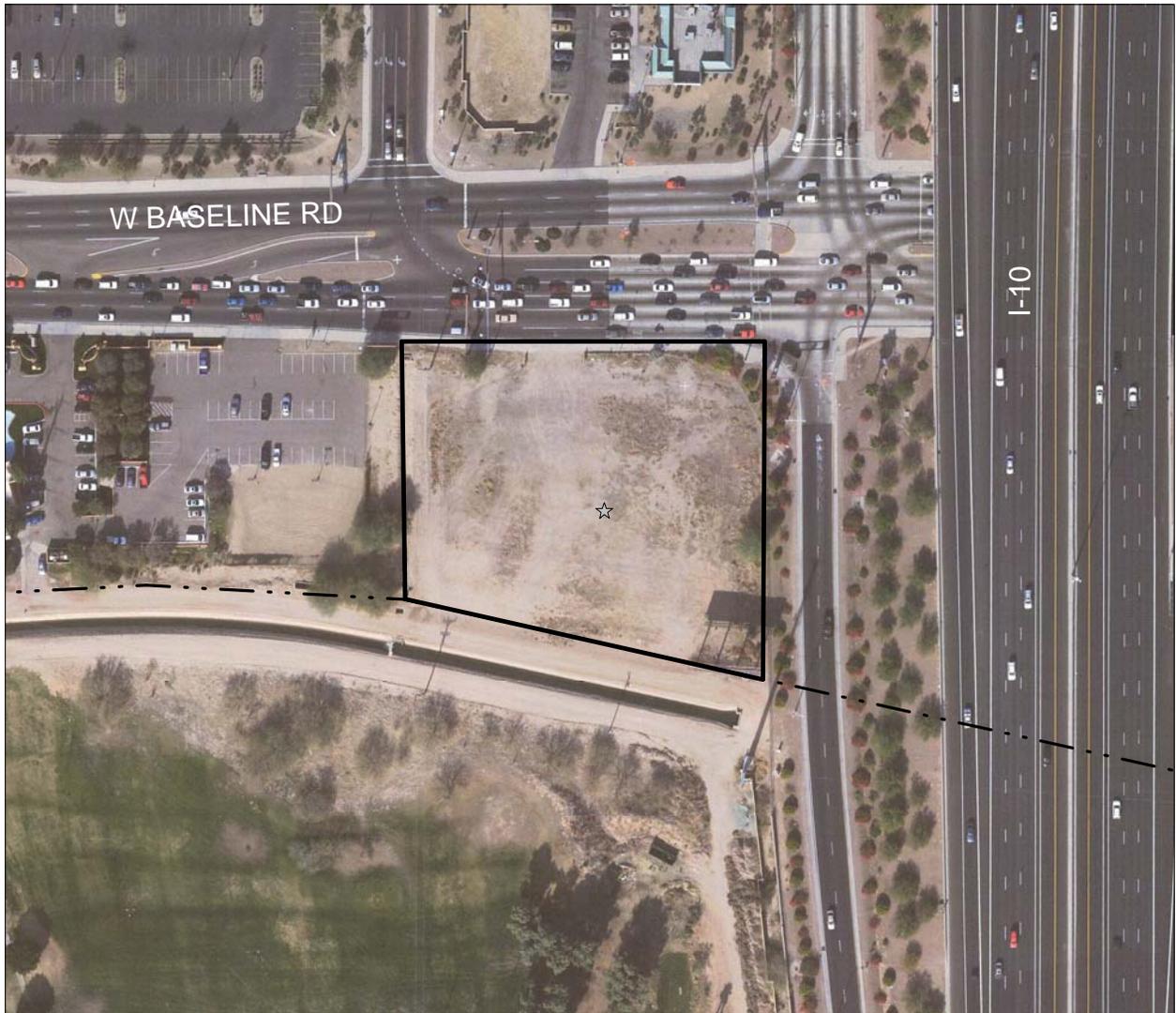
Site

Gross/ Net Site Area: +/- 1.593 acres (69,408 s.f.)

ZONING AND DEVELOPMENT CODE REFERENCE:

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





BASELINE BUILDING (PL060581)

Letter of Explanation

Baseline Retail Tempe, AZ

Subject: 1.43 acre site at southwest corner of Baseline Rd. and eastbound I-10 onramp. Parcel number: 301-10-012B

Owner purchased parcel number 301-10-014, a 33' wide, 0.163 acre parcel west of subject site.

Submitting for replat to combine the two parcels into one parcel.

See attached GIS map.

If you have any questions or require additional information, please contact me at 602-279-1693.

Sincerely,

A handwritten signature in black ink, appearing to read "CE FERGIS R.A.", with a long horizontal stroke extending to the left.

Chris E. Fergis, R.A.
Fergis & Harding, Inc.

BASELINE RETAIL

A PORTION OF GOVERNMENT LAND OFFICE LOT 2, SECTION 5, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT BASELINE RETAIL L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER HAS PLATTED UNDER THE NAME OF "BASELINE RETAIL", LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND HEREBY PUBLISHES THIS PLAT OF "BASELINE RETAIL", AND DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, STREETS, AND EASEMENTS CONSTITUTING THE SAME, AND THAT EACH LOT AND STREET SHALL BE KNOWN BY THE NUMBER OR NAME GIVEN TO EACH RESPECTIVELY AND HEREBY DEDICATES TO THE CITY OF TEMPE FOR PUBLIC USE SUCH STREETS AND EASEMENTS AS SHOWN ON SAID PLAT AND IS INCLUDED IN THE ABOVE DESCRIBED PREMISES.

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 2008, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSED THEREIN CONTAINED.

IN WITNESS WHEREOF: I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: _____ NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

BASELINE RETAIL, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY:

BY: _____ DATE: _____

ITS: PRESIDENT

LEGAL DESCRIPTION (PRIOR TO SUBDIVISION)

PARCEL 1
A PORTION OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF SAID SECTION 5, SAID POINT BEING THE SOUTH QUARTER CORNER QUARTER CORNER OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 4 EAST;

THENCE NORTH 89°44' 49" EAST ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 31.68 FEET;

THENCE SOUTH 0°15' 11" EAST, A DISTANCE OF 73.94 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BASELINE ROAD AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 86°35' 33" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 40.08 FEET;

THENCE NORTH 89°44' 49" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 144.00 FEET;

THENCE SOUTH 78°24' 05" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 55.99 FEET;

OWNER

BASELINE RETAIL L.L.C.
5100 POPLAR AVENUE
SUITE #2114
MEMPHIS, TENNESSEE 38137
PHONE: (901) 767-5786

DEVELOPER

BASELINE RETAIL L.L.C.
5100 POPLAR AVENUE
SUITE #2114
MEMPHIS, TENNESSEE 38137
PHONE: (901) 767-5786

BENCHMARK

BRASS CAP IN HANDHOLE AT THE INTERSECTION OF BASELINE ROAD AND CALLE LOS CERROS
ELEVATION= 1213.43
(CITY OF TEMPE DATUM)

BASIS OF BEARINGS

N89°44'49"E ALONG THE NORTH LINE OF SECTION 23, T 1S, R 4E.

APPROVALS

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

BY: _____ MAYOR _____ DATE: _____

ATTEST: _____ CITY CLERK _____ DATE: _____

BY: _____ CITY ENGINEER _____ DATE: _____

BY: _____ DEVELOPMENT SERVICES _____ DATE: _____

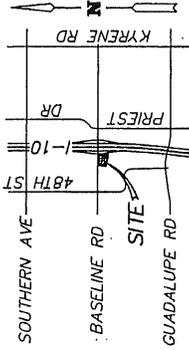
CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH MAY, 2007; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THE POSITIONS ARE CORRECTLY SHOWN AND THE SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

Bennis F. Keogh
BENNIS F. KEOGH, R.L.S. 10846
DATE: 4/29/08

DS061240

SBD08011



VICINITY MAP
Not to Scale

LEGEND

---	RIGHT OF WAY LINE
---	PROPERTY LINE
---	EASEMENT LINE
---	MONUMENT LINE
□	SUBDIVISION CORNER PIN TO BE SET
●	PROPERTY CORNER TO BE SET
●	PUBLIC UTILITY EASEMENT
---	RIGHT OF WAY
---	MARICOPA COUNTY RECORDER
---	R/W
---	MCR

NOTES:

- 1.) THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF TEMPE AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- 2.) LOT CORNERS TO BE SET WITH 1/2" REBAR.
RLS#10846
- 3.) ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.

FLOOD PLAIN CERTIFICATION:

THIS IS TO CERTIFY THAT THE ABOVE SUBJECT PROPERTY LIES WITHIN ZONE "SHADED X" AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP, MAP NUMBER 04013C 2165 H DATED SEPTEMBER 30, 2005. AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

SHEET 1 OF 2

APR 29 2008



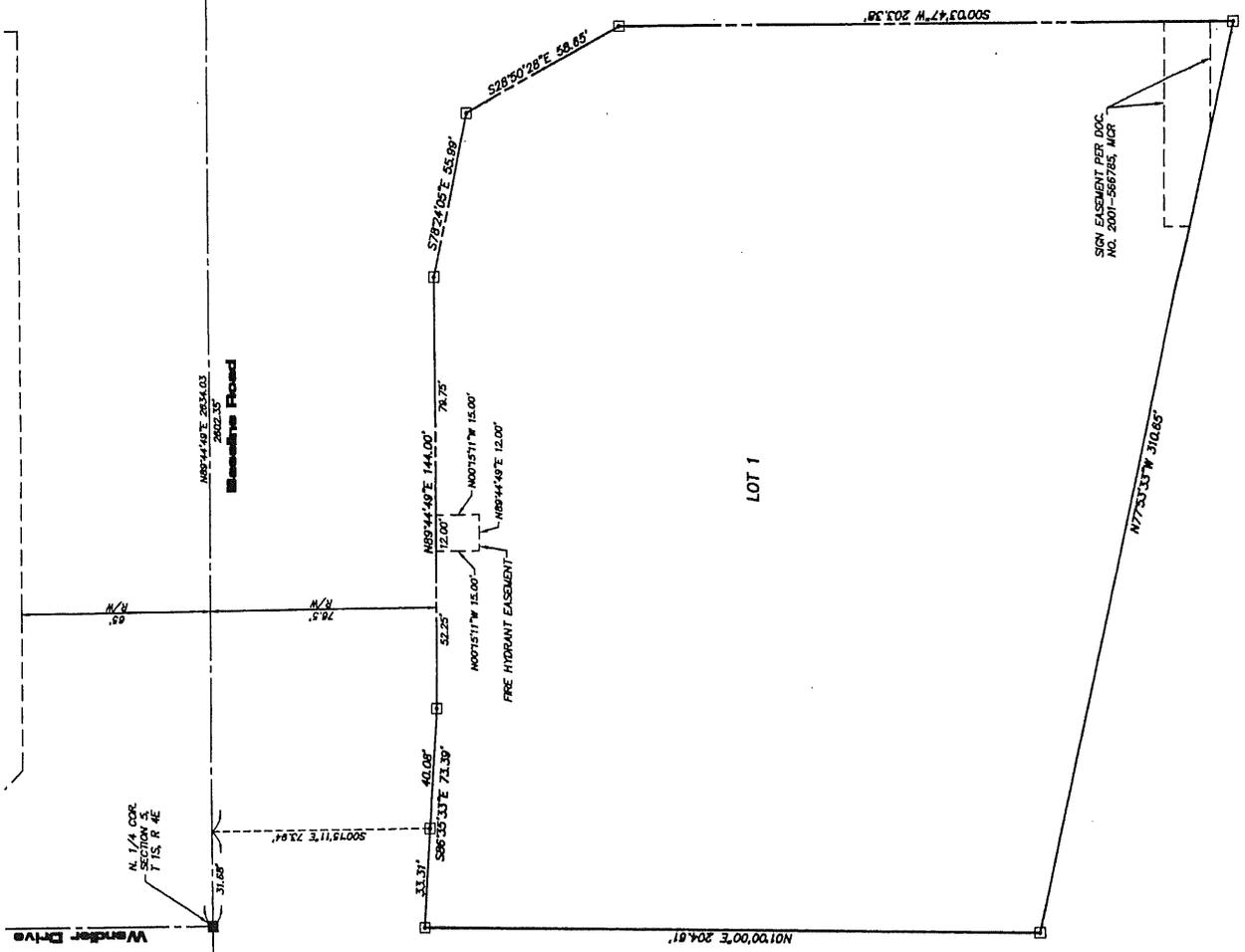
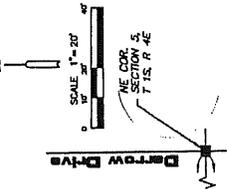
PREPARED FOR
Baseline Retail, L.L.C.

BASELINE RETAIL

A PORTION OF OFFICE LOT 2, SECTION 5, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

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BASELINE RETAIL



LEGAL DESCRIPTION (PRIOR TO SUBDIVISION)

PARCEL 1-Continued

THENCE SOUTH 28°50' 28" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 58.65 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 10;
 THENCE SOUTH 0°03' 47" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 203.38 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE NORTH BRANCH OF THE HIGHLINE CANAL;
 THENCE NORTH 77°53' 33" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 275.65 FEET;
 THENCE NORTH 0°42' 27" EAST, A DISTANCE OF 209.96 FEET TO THE TRUE POINT OF BEGINNING.

LEGAL DESCRIPTION (PRIOR TO SUBDIVISION)

PARCEL 2

A PORTION OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT A POINT ON THE NORTH LINE OF SAID SECTION 5, SAID POINT BEING THE SOUTH QUARTER CORNER QUARTER CORNER OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 4 EAST;
 THENCE NORTH 89°44' 49" EAST ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 31.68 FEET;
 THENCE SOUTH 0°15' 11" EAST, A DISTANCE OF 73.84 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BASELINE ROAD AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;
 THENCE SOUTH 0°42' 27" WEST, A DISTANCE OF 209.96 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE NORTH BRANCH OF THE HIGHLINE CANAL;
 THENCE NORTH 77°53' 33" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 35.00 FEET;
 THENCE NORTH 1°00' 00" EAST, A DISTANCE OF 204.61 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BASELINE ROAD;
 THENCE SOUTH 86°35' 33" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 33.31 FEET TO THE TRUE POINT OF BEGINNING.

PROJECT DATA

NET AREA = 69,408 S.F. = 1.593 ACRES

DRAINAGE STATEMENT

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

SHEET 2 OF 2
 APR 9 2008
 PREPARED FOR
Baseline Retail, L.L.C.
BASELINE RETAIL
 A PORTION OF C.L.G. LOT 2, SECTION 5, TOWNSHIP 1 SOUTH, RANGE 4 EAST, MERIDIAN MARICOPA COUNTY, ARIZONA
 Kuehling Engineering, Inc.
 1001 N. 101st Ave., Suite 100
 Phoenix, AZ 85028
 DATE: May, 2007
 MAP NO. 10702
 MAP NO. E-10702

APR 29 2008

REC08017

SBD08011

DS061240