SUBJECT: Request for a Subdivision Plat for PHASE 2 OF TEMPE GATEWAY located at 222 South Mill Avenue.
DOCUMENT NAME: 20071108dskk002
PLANNED DEVELOPMENT (0406)
SUPPORTING DOCS: Yes
COMMENTS: Request by Phase 2 of Tempe Gateway (PL060616) (Derek J. Kerr, America West Holdings Corporation, property owner; Theresa Schultz, Opus West Construction Corporation, applicant) for a Final Subdivision Plat, located at 222 South Mill Avenue, in the CC, City Center District, including the following:

SBD07043 - Final Subdivision Plat to unify the two existing parcels into one parcel on 3.542 net acres.

PREPARED BY: Kevin O'Melia, Senior Planner (480-350-8432)
REVIEWED BY: Lisa Collins, Planning Director (480-350-8989)


LEGAL REVIEW BY: NA
FISCAL NOTE: NA

RECOMMENDATION: Staff - Approval, with conditions 1-3
ADDITIONAL INFO:


## Gross/Net site area 3.542 acres (154,301.5 s.f.)

The applicant is before the City Council requesting unification of two parcels that make up Phase 2 into one parcel. This unification, to remove a curving interior property line near Mill Avenue and Third Street, is necessary to allow the construction of the proposed Phase 2 of Tempe Gateway Office/Retail building. This subdivision plat does not unify the Phase 2 property (Lot 2 ) to the existing Phase 1 property (Lot 1) which contains the U.S. Airways Building and the existing parking lot. The Phase 1 and Phase 2 properties will continue to be held separately.

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1 Table of Contents
2 Comments / Reason for Approval / Conditions of Approval
3-4 History \& Facts
4 Description / Zoning \& Development Code Reference

## ATTACHMENTS:

1. Location Map
2. Aerial Photo
3. Letter of Explanation
4. Subdivision Plat: sheet 1 of 4
5. Subdivision Plat: sheet 2 of 4
6. Subdivision Plat: sheet 3 of 4
7. Subdivision Plat: sheet 4 of 4

## COMMENTS:

This proposal is part of the Phase 2 development of Tempe Gateway. The subdivision plat will unify the main parcel and a small "wedge" shape parcel adjacent to Mill Avenue that together make up the Phase 2 area into a single parcel. The unification will allow the construction of the Office/Retail building without the encumbrance of an interior property line. This subdivision does not unify the property that includes the U.S. Airways building and existing garage (Lot 1 ) to the Phase 2 site (Lot 2). A Covenant and Agreement is required to hold these two properties as one in order to have common openings between the Phase 1 and Phase 2 garages across the property line that is common to these two properties. Abandonment of existing public utility easements on the two properties will be recorded by separate instrument.

## Conclusion

Staff recommends approval of this request subject to conditions.

## REASON FOR APPROVAL:

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

## CONDITIONS OF APPROVAL:

1. The Public Works Department shall approve all applicable roadway, alley, and utility easement dedications and abandons, driveway construction, storm water retention, street drainage and water and sewer constructions, refuse collection and all off-site improvements.
a. Off-site improvements to bring roadways to current standards include:
(1) Water lines and fire hydrants
(2) Sewer lines
(3) Storm drains
(4) Roadway improvements (as applicable) including streetlights, curb, gutter, bike path, sidewalk, bus shelter and related amenities
b. Fees to be paid with the development of this project include:
(1) Water and sewer development fees
(2) Water and/or sewer participation charges
(3) Inspection and testing fees
c. Record abandons of existing public utilities easements by separate instrument.
d. All applicable off-site plans shall be approved prior to recordation of Subdivision Plat
e. Public improvements shall be installed prior to issuance of certificate of occupancy. Any phasing shall be approved by the Public Works Department.
f. All new on-site and adjacent off-site utility lines (other than the existing transmission lines) shall be placed underground prior to certificate of occupancy for this development in accordance with the Code of the City of Tempe - Section 25.
2. Place the Subdivision Plat for Phase 2 of Tempe Gateway 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. Failure to record the plan by November 08, 2008 shall make the approval of the Subdivision Plat null and void. Record the Subdivision Plat prior to issuance of building permit or as allowed by the Building Safety Division.
3. Prepare a Covenant and Agreement to hold Lot 1 and Lot 2 as one in order to allow openings in the existing Phase 1 and proposed Phase 2 parking garages along the common property line between the two lots. The standard form for this Covenant and Agreement is available from the Development Services/Building Safety Division. Fulfill requirements of the Development Services/Building Safety Division for this Covenant and Agreement prior to issuance of building permit or as allowed by the Building Safety Division.

## HISTORY \& FACTS:

## Mercado Del Rio

August 11, 1977

October 24, 1978
November 1, 1978

May 7, 1980
July 1, 1981
May 5, 1982

October 20, 1982
June 1, 1983
December 14, 1989

December 20, 1989

December 28, 1989
September 19, 1990

## America West Airlines

December 17, 1997

December 18, $1997 \quad$ The City Council approved a Preliminary Planned Area Development Overlay and a Final Planned Area Development Overlay for Phase I for AMERICA WEST AIRLINES, located at 222 South Mill Avenue in the CCD, Central Commercial and the Rio Salado Overlay Districts. The approval included the following: Use Permits (SPD 97:91)

1. Allow office uses, retail uses and restaurants without entertainment in the CCD.
2. Allow parking by shared parking demand.

Variances (SPD 97:91)
A. increase allowed building height in the CCD from 35 ' to:

1) $152^{\prime}$ for Phase 1
2) 90 ' for Phase 2 Office
3) 53 ' for Phase 2 Retail
4) 50 ' for Phase $1 \& 2$ Garage
B. reduce required building setback along Mill Avenue from $10^{\prime}$ to $0^{\prime}$
C. reduce required number of bicycle parking spaces from 356 to 50 spaces

## Phase 2 of Tempe Gateway

June 28, 2007

July 19, 2007

August 2, 2007

A Neighborhood Meeting was held to present Phase 2 of Tempe Gateway to residents and property owners in the vicinity. The proposal was favorably received by the attendees.

The Development Review Commission approved the request of Phase 2 of Tempe Gateway for a Development Plan including building elevations, site plan and landscape plan and recommended approval to City Council of the request for an Amended Planned Area Development Overlay for the mixed use office/retail building and the parking garage addition. The office/retail building area is 268,284 s.f. and the garage addition area is $360,126 \mathrm{sf}$. on $+/-3.54$ acres (the area of Phase 2 ). The project is located at 222 South Mill Avenue in the CC, City Center District.

City Council held the introduction and first public hearing for the request for an amended Planned Area Development Overlay for PHASE 2 OF TEMPE GATEWAY located at 222 South Mill Avenue in the CC, City Center District.

City Council held the second public hearing for the request for an Amended Planned Area Development Overlay for PHASE 2 OF TEMPE GATEWAY located at 222 South Mill Avenue in the CC, City Center District.

DESCRIPTION:

| Owner <br> Applicant | Derek J. Kerr / America We <br> Theresa Schultz / Opus Wes <br> Existing zoning |
| :--- | :--- |
| CC, City Center District |  |
| Gross / Net Site Area | 3.542 acres (154,301.5 sf.) |

ZONING AND
DEVELOPMENT
CODE REFERENCE: Section 6-306, Lot Splits \& Adjustments



TEMPE GATEWAY (PL060616)

THEOPUS GROUP
ARCHITECTS
CONTRACTORS

October 16, 2007

Mr. Kevin O'Melia<br>City of Tempe<br>Development Services<br>Building Safety Division<br>31 East 5th Street<br>Tempe, Arizona 85280<br>\section*{RE: Tempe Gateway 222 S Mill Avenue PLAT Submittal}

Dear Mr. O'Melia:
We are submitting the attached PLAT to combine two parcels into one piece of property. The property line between the two parcels runs through the middle of our proposed building. We would like to combine the two parcels to get rid of the property line running through the middle of the proposed building.

We have included the parcel for the US-Airways Headquarters building on the PLAT. It is our understanding the city of Tempe requested this parcel be shown on the PLAT.

If have any questions please call me at 602-468-7013.
Sincerely,


Cc: File

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[^0]:    OCT 172007

