

## Staff Summary Report



Development Review Commission Date: 09/09/08

Agenda Item Number: \_\_\_\_

**SUBJECT:** Hold a public meeting for a Preliminary Subdivision Plat for THE RETREAT AT 1000 APACHE located at 1000 East Apache Boulevard.

**DOCUMENT NAME:** DRCr\_RetreatPrelimPlat\_090908

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Request for **THE RETREAT (PL080071)** (David Freeman, GNJ Properties LLC, Len Erie, Leonard J. II and Susan M. Erie Trust and the City of Tempe, property owners; Manjula Vaz, Gammage & Burnham, applicant) for a preliminary subdivision plat on 1.801 net acres located at 1000 East Apache Boulevard in the CSS, Commercial Shopping and Service District, including the following:

**SBD08026** – Preliminary Subdivision Plat to combine the property parcels into one lot.

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

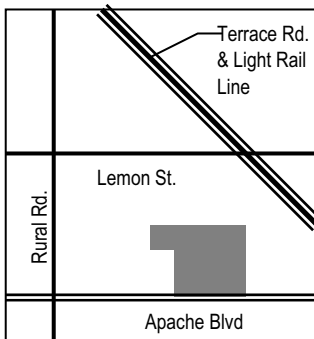
**REVIEWED BY:** Lisa Collins, Planning Director (480-350-8989) 

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval, subject to conditions.

### ADDITIONAL INFO:



Net site area 1.801 acres

A Preliminary Subdivision Plat is being undertaken to unify the several parcels of land that make up the site of the Retreat into one lot and dedicate land to the public right of way on Apache Boulevard. The Final Subdivision Plat is tentatively scheduled to be heard by City Council on October 2, 2008.

**PAGES:**

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

**ATTACHMENTS:**

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

## **COMMENTS:**

### **Project Analysis**

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

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

The applicant is before the Development Review Commission this evening to request approval of a Preliminary Subdivision Plat to unify the five parcels of land that make up the site into one lot and to dedicate a 5'-0" wide strip of land to the public right of way so Apache Boulevard has a 55'-0" half street. The developer currently owns the three eastern parcels and is finalizing the purchase of the westernmost "panhandle" parcel. The fifth parcel, a strip within the northern edge of the site, is an 8'-0" wide by 60'-0" long alley appendage that is being processed for abandonment by the City of Tempe. When the abandonment is completed the appendage may be purchased by the developer to remove the indentation in the north property line. The second hearing of the abandonment of the alley appendage is scheduled to be heard by City Council on September 18, 2008.

Development Services Staff has conditioned the acquisition of the two parcels of the site not currently owned by the developer must be finalized and a new title report submitted prior to review of the Final Subdivision Plat by City Council.

The five parcels that make up the site have 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 will 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.

### **SBD08026**

#### **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 of the Final Subdivision Plat. Failure to record the plan by one year from date of City Council approval shall make the approval of the Final Subdivision Plat null and void.
2. Complete each of the following steps prior to City Council hearing for the Final Subdivision Plat.
  - a. Purchase the Erie Trust parcel (APN # 132-73-115B).
  - b. Purchase the 8'-0" wide by 60'-0" long alley appendage. Prior to this purchase, the City Council shall approve the abandonment of the alley appendage.
  - c. Submit an updated Title Report that verifies ownership of the five parcels by the developer. These parcels are as identified by APN #, as follows: 132-73-117, 132-73-116A and 132-73-116B (currently owned by 1000 E. L.L.C.), 132-73-115B (currently owned by the Erie Trust) and the 8'-0" wide by 60'-0" long alley appendage (currently owned by the City of Tempe).

## **HISTORY & FACTS:**

### **Office Building:**

- September 19, 1962: Building Permit issued for two-story office building located at 1000 East Apache Boulevard (APN # 132-73-117) in the C-2, General Commercial District. Final Inspection made for the construction on April 19, 1963. Parking for this project included a portion of the parcel at 948 East Apache Boulevard (APN # 132-73-116B). The smaller, land locked parcels north of 936 E Apache Boulevard (APN # 132-73-115B) and north of 948 E. Apache Boulevard (APN # 132-73-116A) have remained largely undeveloped from the 1960's to the present. An access easement was established linking these parcels to Apache Boulevard through the 948 East Apache Boulevard parcel.
- December, 2007: Fire damage to existing office building at 1000 E. Apache Boulevard. Complaint initiated on December 27, 2007.
- March 17, 2008: Building Permit issued for demolition of existing fire-damaged building at 1000 E. Apache Boulevard.

### **The Retreat:**

- March 10, 2008: The Retreat at 1000 Apache was presented to the Apache Boulevard Project Area Committee. The proposal was favorably received.
- May 14, 2008: The Retreat at 1000 Apache was presented as a follow-up to the Tempe Apache Boulevard Association. The original presentation before T.A.B.A. was made on March 12, 2008. The follow-up proposal, which reflects the proposal before the Development Review Commission and City Council, as well as the original proposal, were both favorably received by T.A.B.A.
- June 23, 2008: The Retreat at 1000 Apache was presented at a neighborhood meeting at the Apache Boulevard Police Substation. A representative of Campus Edge, a proposed development immediately west of the Retreat, and two neighboring property owners were in attendance. The proposal, which is the same as that before the Development Review Commission and City Council, was favorably received by the attendees.
- July 29, 2008: The Development Review Commission approved the site plan, building elevations and landscape plan for the Retreat at 1000 Apache. Also regarding the Retreat, the Development Review Commission recommended approval to City Council a Zoning Map Amendment from CSS, Commercial Shopping and Service District to MU-4 (PAD) (TOD), Mixed-Use High Density District with a Planned Area Development Overlay and insertion within the Transportation Overlay District. The project is located at 1000 East Apache Boulevard.
- August 14, 2008: The City Council received an introduction and held a 1<sup>st</sup> Public Hearing for the Retreat at 1000 Apache for a Zoning Map Amendment from CSS, Commercial Shopping and Service District to MU-4 (PAD) (TOD), Mixed-Use High Density District with a Planned Area Development Overlay and insertion within the Transportation Overlay District.

### **Subdivision Plat for the Retreat:**

- September 11, 2008: The City Council is scheduled to receive the introduction and 1<sup>st</sup> Public Hearing for an abandonment of an 8'-0" wide by 60'-0" long appendage of public alley adjacent to the Retreat. The 2nd Public Hearing for the abandonment is scheduled to be heard on September 18, 2008. The purpose of this abandonment is to allow the appendage to be incorporated into the site for the Retreat.

**DESCRIPTION:**

Owners: David Freeman, GNJ Properties L.L.C. (1000 EAST L.L.C.)  
Len Erie, Leonard J. II and Susan M. Erie Trust  
City of Tempe

Applicant: Manjula Vaz, Gammage & Burnham  
Land Surveyor: Paul M. Miller R.L.S., Miller & Sons Surveying, Inc.

**General Plan 2030**

Projected Land Use: Mixed Use

**Zoning**

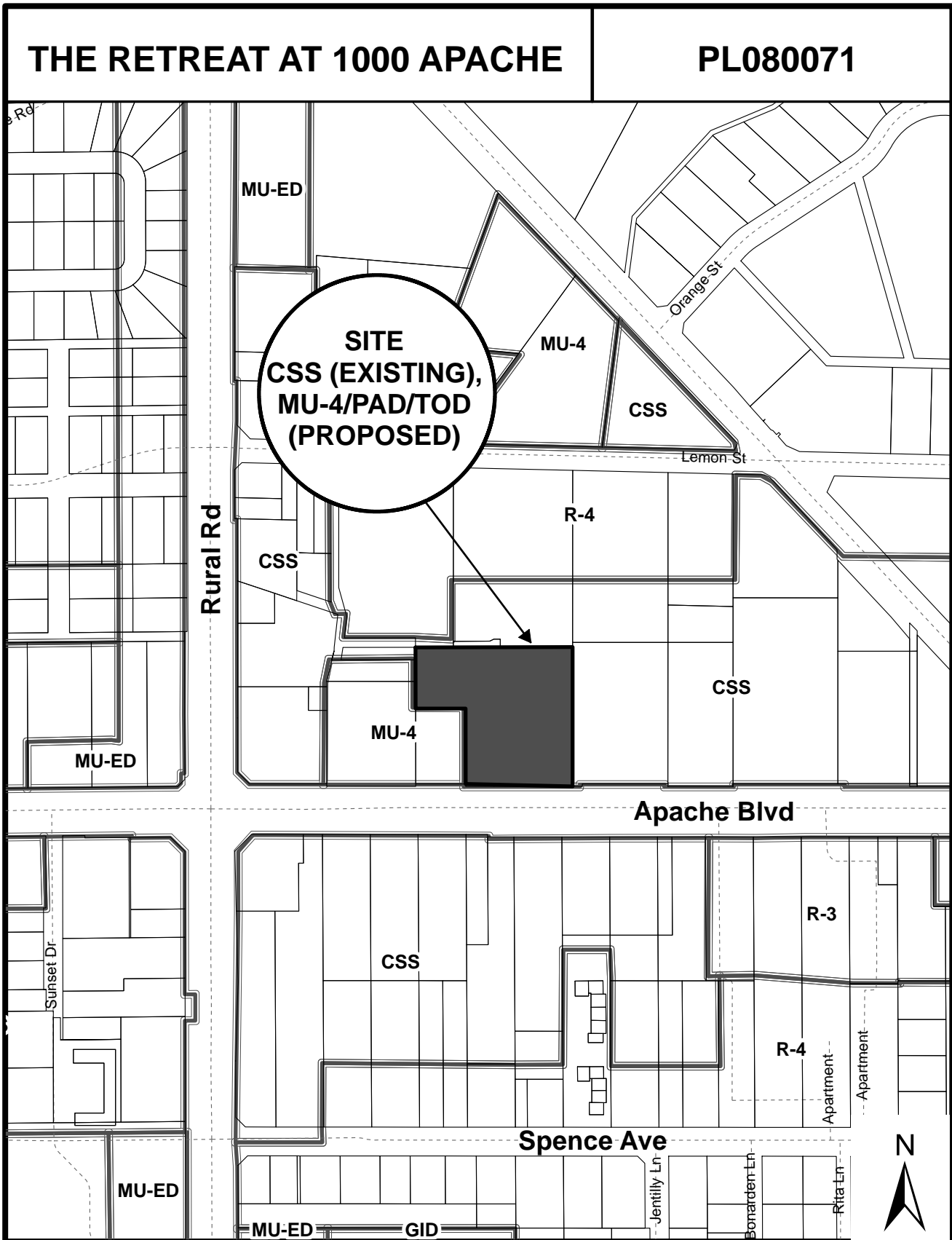
Existing Zoning: CSS, Commercial Shopping and Services District  
Proposed Zoning: MU-4 (PAD, TOD), Mixed-Use, High Density with Planned Area Development  
Overlay and insertion into the Transportation Overlay District

**Site**

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

**ZONING AND DEVELOPMENT CODE REFERENCE:**

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



**Location Map**



**THE RETREAT AT 1000 APACHE (PL080071)**

# **THE RETREAT @ 1000 APACHE**

## **APPLICANT'S LETTER OF INTENT**

### **Applicant Background**

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

### **Application**

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

### **Site Area**

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

AUG 20 2008



### **Zoning, PAD and DPR Application Review Status**

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

### **Conclusion**

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

AUG 20 2008

# "THE RETREAT @ 1000 APACHE"

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

## DEDICATION:

STATE OF ARIZONA }  
COUNTY OF MARICOPA } SS

KNOW ALL MEN BY THESE PRESENTS:

THAT 1000 EAST LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS PLATTED UNDER THE NAME OF "THE RETREAT @ 1000 APACHE", A PORTION OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AND HEREBY PUBLISHES THIS PLAT OF "THE RETREAT @ 1000 APACHE" AND DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOT, STREET AND EASEMENT TO BE SET FORTH IN THE PLAT. SAID PLAT IS BEING PLATTED FOR THE PURPOSES OF THE NUMBER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT AND HEREBY DEDICATES TO THE CITY OF TEMPE FOR PUBLIC USE SUCH AS THE STREET AND SEWER EASEMENT AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.

## ACKNOWLEDGMENT:

STATE OF ARIZONA }  
COUNTY OF MARICOPA } SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED DAVID R. FREEMAN, MANAGING MEMBER, WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

BY: \_\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

1000 EAST LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_ DAVID R. FREEMAN \_\_\_\_\_ DATE: \_\_\_\_\_

ITS: MANAGING MEMBER

## LEGAL DESCRIPTION (PRIOR TO SUBDIVISION)

PARCEL NO. 1:

THE EAST 165 FEET OF THE WEST 759 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE SOUTH 50 FEET THEREOF.

PARCEL NO. 2:

THE NORTH 105 FEET OF THE EAST 60 FEET OF THE WEST 584 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE NORTH 8 FEET THEREOF. - (PRIOR TO ABANDONMENT OF ALLEY)

PARCEL NO. 3:

THE EAST 60 FEET OF THE WEST 584 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE NORTH 105 FEET THEREOF; AND EXCEPT THE SOUTH 50 FEET THEREOF.

PARCEL NO. 4:

THE NORTH 130 FEET OF THE WEST 105 FEET OF THE EAST 165 FEET OF THE WEST 584 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 5 (ABANDONED ALLEY)

THE NORTH 8.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH 105 FEET OF THE EAST 60 FEET OF THE WEST 584 FEET OF THE SOUTH 343 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

## OWNER / DEVELOPER

1000 EAST LLC, AN ARIZONA LIMITED LIABILITY COMPANY  
TWO NORTH CENTRAL, 16TH FLOOR  
PHOENIX, ARIZONA 85004  
PHONE: (602) 256-0566

## BENCHMARK

BRASS CAP IN HAND HOLE AT THE INTERSECTION  
OF RURAL ROAD AND APACHE BOULEVARD.

ELEVATION=1171.85' (CITY OF TEMPE DATUM)

## BASIS OF BEARING

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

BEARING=N89°59'59"W

## APPROVALS:

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
TEMPE, ARIZONA THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2008.

BY: \_\_\_\_\_ MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

ATTEST: \_\_\_\_\_ CITY CLERK \_\_\_\_\_ DATE \_\_\_\_\_

BY: \_\_\_\_\_ CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

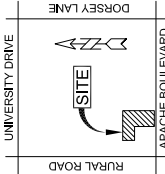
BY: \_\_\_\_\_ DEVELOPMENT SERVICES \_\_\_\_\_ DATE \_\_\_\_\_

## CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND  
SHOWN ON THE PLAT HEREIN WAS MADE AND COMPLETED BY ME ON  
JUNE 1, 2008. THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN. THAT THE  
MONUMENTS SHOWN 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.



BY: \_\_\_\_\_ PAUL M. MILLER  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 34559, AZ.



VICINITY MAP  
NOT TO SCALE

## LEGEND

- BRASS CAP FLUSH
- FOUND REBAR (OR AS NOTED)
- SET 1/2" REBAR W/ CAP LS # 34559
- SANITARY SEWER MANHOLE (EXISTING)
- CORNER OF SUBDIVISION
- SEWER EASEMENT DIMENSIONS (DEDICATED HEREON)
- S.E. QUARTER CORNER (EXISTING)
- M.C.R. MARICOPA COUNTY RECORDER
- PROPERTY LINE
- CENTERLINE
- \_\_\_\_\_ PROPERTY LINE
- \_\_\_\_\_ ROAD CENTERLINE
- \_\_\_\_\_ EASEMENT (AS NOTED)
- \_\_\_\_\_ SS \_\_\_\_\_ SANITARY SEWER (EXISTING)

## 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.  
R.L.S. # 34559.
- 3) ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFFSITE 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 04013C2170G, DATED SEPTEMBER 30, 2005. AREAS OF 0.2% ANNUAL CHANCE FLOOD AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF 1.0 FEET OR MORE. AREAS OF 1% ANNUAL CHANCE FLOOD LESS THAN 1.0 FEET DEPTHS ARE PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

REC08027

PAD08008

DS080203

REVISIONS:
REV. 1
REV. 2
REV. 3
DESIGN BY: N/A
DRAWN BY: DANE
SCALE: AS SHOWN
DATED: 06/01/08

JOB NO.
06-011-2
1 of 2

REC08027

PAD08008

DS080203



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



REV. 1	DESIGN BY: N/A	JOB NO. 08-011 - 2
REV. 2	DRAWN BY: DANE	
REV. 3	SCALE: 1"=20'	
	DATE: 6/16/08	

	<p>○</p> <p>○</p> <p>○</p>
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REC08027

PAD08008

DS080203

1"-20 FIRST

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