ACTION: Request for a Preliminary Subdivision Plat for DESERT CROSS LUTHERAN CHURCH, located at 8600 South McClintock Drive. The applicant is the City of Tempe.

FISCAL IMPACT: There is no fiscal impact on City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: DESERT CROSS LUTHERAN CHURCH (PL130053) consists of combing two existing lots and subdividing a smaller lot at the southeast corner of the property. The request includes the following:

SBD13003 Preliminary Subdivision lot consisting of two (2) lots.

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Desert Cross Lutheran Church</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Ken Olmstead, City of Tempe</td>
</tr>
<tr>
<td>Current Zoning District</td>
<td>AG, Agricultural &amp; R/O, Residence/Office District</td>
</tr>
<tr>
<td>Total site area</td>
<td>7.68 acres</td>
</tr>
<tr>
<td>Proposed Lot 1</td>
<td>0.2410 acres or 10,500 square feet</td>
</tr>
<tr>
<td>Proposed Lot 2</td>
<td>7.6391 acres or 332,759 square feet</td>
</tr>
</tbody>
</table>

Attachments: Development Project File

Staff Contact: Ryan Levesque, Senior Planner (480) 858-2393

Department Director: Lisa Collins, Interim Community Development Director
Legal review by: N/A
Prepared by: Ryan Levesque, Senior Planner
COMMENTS:

This site is located northwest of Warner Road and McClintock Drive. The site consists of the existing Desert Cross Lutheran Church, which contains two parcels. The City of Tempe has entered into an agreement to purchase a portion of the church's property for the purpose of development a utility substation near the southeast corner of the property.

As a result the request will combine two existing parcel owned by the church, which have different zoning designations, and subdivide a smaller lot intended to be purchased by the City of Tempe.

Conclusion
Based on the information provided, staff recommends approval of the requested Subdivision Plat. The site has access to a public street and meets the technical standards identified in the Tempe City Code, Chapter 30, Subdivision.

CONDITIONS OF APPROVAL:
EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

1. The Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder’s Office through the City of Tempe’s Community Development Department on or before March 26, 2014. Failure to record the plat on or before March 26, 2014, or within one year of City Council approval, shall make the plat null and void.

2. All property corners shall be set and verified with staff upon final recordation of the subdivision plat, no later than three (3) months from the date of County recordation or as determined by staff.

HISTORY & FACTS:

January 10, 2013 City Council approved Resolution 2013.05, allowing the City to enter into an agreement to purchase real property, related to this request.

TBD City Council meeting for the Final Subdivision Plat for this request.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-307, Subdivision, Lot Splits and Adjustments
DEVELOPMENT PROJECT FILE
for
DESERT CROSS LUTHERAN CHURCH

ATTACHMENTS:
1. Location Map
2. Aerial Photo
3. Letter of Explanation
4-5. Subdivision Plat
City of Tempe  
P. O. Box 5002  
31 East Fifth Street  
Tempe, AZ 85280  
480-350-8200  
www.tempe.gov

Public Works Department  
Engineering Division

March 3, 2013

Ryan Levesque  
Senior Planner  
City of Tempe, Community Development  
31 E 5th St

RE: Desert Cross Lutheran Church  
8510 S McClintock Dr.  
Tempe, AZ. 85283

Dear Mr. Levesque.

The City of Tempe Public Works Department water Utilities Division has been involved in a project to assure a constant supply of domestic water. Efforts within this project are focused at identifying locations and constructing several new well sites throughout the City.

The division has been in contact with Desert Cross Lutheran church, located at the above referenced property and successfully negotiated for purchase of a portion of the church property. The Tempe City Council approved this acquisition through Resolution 2013.05 on January 10, 2013 and we are now ready to finalize the purchase. The proposed plat for Desert Cross Lutheran Church will facilitate the purchase of Lot 2 to be used by the City of Tempe for construction of the new Well Site 16.

If you have any questions regarding this plat or the on-going City project please feel free to contact me.

Kenneth L Olmstead  
ROW Management Coordinator  
City of Tempe  
Engineering Division  
480-858-2367

[Signature]

ATTACHMENT 3
"DESSERT CROSS LUTHERAN CHURCH"

A FINAL PLAT

LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION:

DESSERT CROSS LUTHERAN CHURCH, INC., AN ARIZONA NON-PROFIT CORPORATION, AS OWNER, HAS PLATTED UNDER THE NAME OF "DESSERT CROSS LUTHERAN CHURCH," IN COMPLIANCE WITH CONDOMINUM SECTION 33-1201 THROUGH 33-1270 OF THE ARIZONA REVISED STATUTES, LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND HEREBY PUBLISHES THIS PLAT OF "DESSERT CROSS LUTHERAN CHURCH" 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 ON SAID PLAT 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 PROMISES.

ACKNOWLEDGMENT:

ON THIS DAY OF , 2013 BEFORE ME, THE UNDERDESKED, PERSONALLY APPEARED JOHN DOE, OWNER WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED. WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL.

BY: ___________________________ DATE: ___________________________

DOUGLAS W. BJOTEVD
MANAGER/OWNER/PRESIDENT

LEGAL DESCRIPTION (PRIOR TO SUBDIVISION):

PARCEL NO. 1:

THE SOUTH 1/4 OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; EXCEPT THE EAST 50 FEET THEREOF.

PARCEL NO. 2:

THE NORTH 1/4 OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; EXCEPT THE EAST 50 FEET THEREOF.

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 14, THENCE NORTH 00° 00' 20" WEST ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 468.72 FEET; THENCE NORTH 89° 41' 47" WEST A DISTANCE OF 55.00 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; AND FROM SAID POINT OF BEGINNING, THENCE SOUTH 00° 00' 20" WEST ALONG A LINE PARALLEL WITH AND 55.00 FEET WEST OF THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 111.53 FEET; THENCE NORTH 89° 41' 47" WEST A DISTANCE OF 503.55 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; AND FROM SAID POINT OF BEGINNING, THENCE SOUTH 00° 00' 20" WEST ALONG A LINE PARALLEL WITH AND 55.00 FEET WEST OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; AND FROM SAID POINT OF BEGINNING, THENCE NORTH 89° 41' 47" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 291.79 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; AND FROM SAID POINT OF BEGINNING, THENCE SOUTH 00° 00' 20" WEST ALONG A LINE PARALLEL WITH AND 55.00 FEET WEST OF THE SOUTH EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; AND FROM SAID POINT OF BEGINNING, THENCE NORTH 89° 41' 47" EAST A DISTANCE OF 245.00 FEET ALONG A LINE PARALLEL WITH AND 200.00 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER TO THE POINT OF BEGINNING.

OWNER:

DESSERT CROSS LUTHERAN CHURCH

2480 S. MOLINTO DRIVE

TEMPLE, AZ 85281

TEL: 480-730-8000

FAX: 480-730-2033

CONTACT: DOUGLAS W. BJOTEVD

AREA:

LOT 1: 10,500 SQ.FT. OR 0.2410 ACRES MORE OR LESS

LOT 2: 332,759 SQ.FT. OR 7.6301 ACRES MORE OR LESS

BASIS OF BEARINGS:

THE BASE OF BEARING FOR THIS SURVEY IS THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PENDENCY OF TEMPE, ARIZONA, SURVEY CONTROL POINT UPDATED 08/33/2011

Said Bearing = North 00° 00' 20" West

APPROVALS:

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA ON THIS _______ DAY OF , 2013

BY: ___________________________ DATE: ___________________________

MAYOR

ATTEST:

CITY CLERK

BY: ___________________________ DATE: ___________________________

CITY ENGINEER

BY: ___________________________ DATE: ___________________________

COMMUNITY DEVELOPMENT

CERTIFICATION:

THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND PLATTED HEREBY WAS MADE UNDER MY DIRECTION DURING THE MONTH OF FEBRUARY, 2013, THAT THE SURVEY IS TRUE AND CORRECT, THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN THAT THE POSITIONS ARE CORRECTLY SHOWN AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

RYAN D. GILBERT

RECORD 00000

EXPRESS 3/5/98

DENVER RUPP

SURVEYING & ENGINEERING

DESERT CROSS LUTHERAN CHURCH

LEGAL DESCRIPTION:

( Baptism, Members, Gifts, Endowments)

( Baptism, Members, Gifts, Endowments)

BAPTISM

MEMBERS

GIFTS

ENDOWMENTS

LEGEND:

MONUMENT LINE

RIGHT-OF-WAY LINE

BOUNDARY LINE

MEASURED

RECORDED

MCR: MARICOPA COUNTY RECORDS

EXISTING

EXISTING

EXIST

REGISTERED LAND SURVEYOR

FOUND CITY OF TEMPE BRASS CAP FLUSH (AS NOTED)

FOUND CITY OF TEMPE BRASS IN HANDHOLES (AS NOTED)

FOUND CORNER (AS NOTED)

SET 1/2" IRON ROD WITH TAG

RULS-4332

UNLESS OTHERWISE NOTED

NOTES:

NOTES: (CAN BE PUT ON SECOND SHEET)

1. THIS SURVEY 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" IRON ROD WITH TAG RULS-4332

3. ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.

4. ANY RETENTION SYSTEM AS SHOWN ON THE GRADING AND DRAINAGE PLANS SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER TO REGULARLY INSPECT THE SYSTEM (AT LEAST ANNUALLY), AND (2) MAINTAIN THE SYSTEM IN A CONDITION THAT ALLOWS THE SYSTEM TO STABILIZE AND DECREASE 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.

FLOOD PLAIN CERTIFICATION:

THIS IS TO CERTIFY THAT THE ABOVE SUBJECT PROPERTY LIES WITHIN ZONE "X" AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP, MAP NUMBER 04170 20051, DATED SEPTEMBER 30, 2005, AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% CHANCE FLOOD; AREAS OF FLOOD DEPTH OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES PER 1% ANNUAL CHANCE FLOOD.