CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION

Meeting Date: 11/26/2013
Agenda Item: 3

ACTION: Request for a Preliminary Subdivision Plat for BROADWAY ACADEMIC BUILDING, located at 2152 East Broadway Road. The applicant is Cawley Architects, Inc.

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

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: BROADWAY ACADEMIC BUILDING (PL130006) consists of a subdivision plat to consolidating three existing parcels and a portion of another into two lots, as required in the conditions of approval for the new school building for the Southwest College of Naturopathic Medicine. The request includes the following:

SBD13025 Preliminary Subdivision Plat consisting of two (2) lots.

Property Owner
Southwest College of Naturopathic Medicine

Land Surveyor
Jerry D. Heath Jr., Hunter Engineering

Current Zoning District
GID, General Industrial District (western portion) & R/O Residential/Office District (eastern portion)

Total site area
4.007 acres

Lot 1
2.110 acres

Lot 2
1.897 acres

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Ryan Levesque, Senior Planner (480) 858-2393

Department Director: Dave Nakagawara, Community Development Director
Legal review by: N/A
Prepared by: Ryan Levesque, Senior Planner
COMMENTS:

This site is located on the north side of Broadway Road, east of the Loop 101 freeway. The area consists of the Southwest College of Naturopathic Medicine campus, with an existing 3-story building with parking structure and an existing building at the rear of the property. An existing 1-story, 6,949 sf. building at the southwest corner of the campus is the building proposed for demolition as a result of the new proposed building.

On June 11, 2013, the Development Review Commission approved the development plan review for BROADWAY ACADEMIC BUILDING (PL130006) consisting of demolishing the existing one-story building and constructing a new school and retail building for the Southwest College of Naturopathic Medicine.

The request for a consolidated subdivision plat was part of the required conditions of approval for the development. Recording of the subdivision will allow the applicant to proceed with completion of building permits for this project.

Conclusion

Based on the information provided, staff recommends approval of the requested Subdivision Plat. This request has access to a public street and meets the technical requirement of the Tempe City Code, Chapter 30, Subdivision, and will conform to the conditions as proposed.

CONDITIONS OF APPROVAL:

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 November 26, 2014. Failure to record the plat 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:

June 11, 2013 The Development Review Commission approved a Development Plan Review consisting of a two-story, 50,000 sf. building and two Use Permits to allow a private school expansion and more than 15% commercial in the General Industrial District for BROADWAY ACADEMIC BUILDING, located at 2152 East Broadway Road. The applicant is LGE Design Build.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-307, Subdivisions, Lot Splits and Adjustments
DEVELOPMENT PROJECT FILE
for
BROADWAY ACADEMIC BUILDING

ATTACHMENTS:
1. Location Map
2-3. Aerial Photos
4-6. Subdivision Plat
BROADWAY ACADEMIC BUILDING
"BROADWAY ACADEMIC BUILDING"

THOSE PORTIONS OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION:
STATE OF ARIZONA
CITY OF TEMPE

KNOW ALL MEN BY THESE PRESENTS:


IN WITNESS WHEREOF, SOUTHWEST COLLEGE OF NATURAPATHIC MEDICINE & HEALTH SCIENCES, INC., AS OWNER, HAS HERETOFOR CAUSED ITS NAME TO BE AFFIXED AS THE UNDERSIGNED WITNESS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF [Blank] 2013.

IT IS:

ACKNOWLEDGMENT:
STATE OF ARIZONA
CITY OF MARICOPA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF [Blank] 2013.

AS

EMERALD PHASE III, AN ARIZONA LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF, I HEREunto set my hand and official seal.

BY: [Blank]

NOTARY PUBLIC

DATE: [Blank]

LEGAL DESCRIPTION: (LOT 1-PRIOR TO SUBDIVISION)
PARCEL NO. 1: A PORTION OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THEN, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST AND CONTINUING ALONG THE TRUE LINE OF SADDLE BROADWAY ROAD, A DISTANCE OF 217.50 FEET;

THEN, NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST, A DISTANCE OF 275.52 FEET;

THEN, NORTH 00 DEGREES 00 MINUTES 52 SECONDS WEST, A DISTANCE OF 13.90 FEET;

THEN, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST AND CONTINUING ALONG THE TRUE LINE OF SADDLE BROADWAY ROAD, A DISTANCE OF 217.75 FEET;

THEN, NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST AND CONTINUING ALONG THE TRUE LINE OF SADDLE BROADWAY ROAD, A DISTANCE OF 275.52 FEET;

THEN, SOUTH 00 DEGREES 00 MINUTES 52 SECONDS WEST, A DISTANCE OF 13.90 FEET;

AND CONTEMPTUOUSLY TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: (LOT 2-PRIOR TO SUBDIVISION)
PARCEL NO. 2: A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTH CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, FROM WHICH PLACE MEASURE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST AND ALONG THE TRUE LINE OF SADDLE BROADWAY ROAD, A DISTANCE OF 1,530.00 FEET TO A POINT ON THE NORTHEAST RIGHT OF WAY LINE OF SADDLE BROADWAY ROAD AND THE TRUE POINT OF BEGINNING OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24.

THEN, NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST AND CONTINUING ALONG THE TRUE LINE OF SADDLE BROADWAY ROAD, A DISTANCE OF 217.50 FEET;

THEN, SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST, A DISTANCE OF 275.52 FEET;

THEN, SOUTH 00 DEGREES 00 MINUTES 52 SECONDS EAST, A DISTANCE OF 13.90 FEET;

THEN, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST AND CONTINUING ALONG THE TRUE LINE OF SADDLE BROADWAY ROAD, A DISTANCE OF 217.75 FEET;

THEN, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST AND CONTINUING ALONG THE TRUE LINE OF SADDLE BROADWAY ROAD, A DISTANCE OF 275.52 FEET;

THEN, SOUTH 00 DEGREES 00 MINUTES 52 SECONDS WEST, A DISTANCE OF 13.90 FEET;

AND CONTEMPTUOUSLY TO THE POINT OF BEGINNING.

CERTIFICATION:


I HEREBY CERTIFY THAT THE MONUMENTS ACTUALLY ERECTED OR WILL BE ERECTED WILL BE NO DIFFERENT THAN THE MONUMENTS AS SHOWN ON THE SURVEY, AND THAT THE MONUMENTS ARE SO PLACED AS TO ENABLE THE SURVEY TO BE REINSCRIBED.

SIGNED: [Blank]

DATE: [Blank]

OWNER:
SOUTHWEST COLLEGE OF NATURAPATHIC MEDICINE & HEALTH SCIENCES, INC.
2410 E. BROADWAY ROAD
TEMPE, ARIZONA 85283
PHONE: (480) 545-8107
CONTACT: DR. PAUL NORMAN

DEVELOPER:
LGE DESIGN BUILD
760 N. 52ND STREET
PHOENIX, ARIZONA 85050
PHONE: (480) 568-4001
CONTACT: DAVID SELWYN

BENCHMARK:
THE BENCHMARK FOR THIS PROJECT IS UPON THE CITY OF TEMPE SURVEY CONTROL NETWORK DATUM BEING A FUTURE BRASS CAP IN HANDBOARD MARKING THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

BASEMENT:
BASED ON THE SURVEY FOR THIS PROJECT TO BE A BEARING OF NORTH 90 DEGREES WEST (WST), ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

APPROVALS:
APPROVED BY THE MAYOR AND CITY COUNCIL OF TEMPE, ARIZONA, ON THIS DAY OF [Blank] 2013.

ATTEST:
CITY CLERK

CITY ENGINEER

DEVELOPMENT SERVICES
RATIFICATION:

COUNTY OF MARICOPA

STATE OF ARIZONA

KNOW ALL MEN BY THESE PRESENTS:

THAT WELLS FARGO BANK, NATIONAL ASSOCIATION ("LENDER"), AS BENEFICIARY UNDER THOSE CERTAIN ASSIGNMENTS OF DEEDS OF TRUST AND OTHER LOAN DOCUMENTS DATED MAY 8, 2009 AND RECORDS AS INSTRUMENT NUMBER 200905144234 ON MAY 1, 2009, RECORDS OF MARICOPA COUNTY, ARIZONA, AND ACTING PURSUANT TO THE TERMS THEREOF, DOES HEREBY RATIFY AND APPROVE THE EXECUTION, DELIVERY AND RECORDATION OF THE PLAT AND DOES FURTHER RATIFY AND APPROVE THE DEEDS OF TRUST OR DEED IN LIEU THEREOF AND THAT ANY PURCHASER OR TAKER UNDER THE DEEDS OF TRUST, BY FORECLOSURE OR OTHERWISE, SHALL TAKE TITLE TO THE REAL PROPERTY EMINERED BY THE DEEDS OF TRUST SUBJECT TO THE PLAT.

WELLS FARGO BANK NATIONAL ASSOCIATION

BY: ___________________________

TITLE: __________________________

ACKNOWLEDGMENT:

STATE OF ARIZONA

COUNTY OF MARICOPA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___________ day of __________, 2013.

BY: ___________________________

AS: ___________________________

OF WELLS FARGO BANK NATIONAL

ASSOCIATION.

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

______________________

NOTARY PUBLIC

DATE: _________________________

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, CAPPED LS#40535 OR AS NOTED.

3. ALL NEW AND EXISTING, AS WELL AS ONGOING AND OFFSITE UTILITY LINES, OTHER THAN TRANSMISSION LINES, SHALL BE PLACED UNDERGROUND.

PUBLIC EASEMENT INFORMATION:

1. AN EASEMENT FOR SANITARY SEWER AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS DOCKET 1080, PAGE 1497.

2. AN EASEMENT FOR NON-EXCLUSIVE ROAD, EGRESS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS 86-157309 OF OFFICIAL RECORD.

3. AN EASEMENT FOR BIKE PATH AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS 86-107771 OF OFFICIAL RECORD.

4. AN EASEMENT FOR UNDERGROUND POWER AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS 86-135402 OF OFFICIAL RECORD.

5. AN EASEMENT FOR BUS STOP, EGRESS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS 86-185040 OF OFFICIAL RECORD.

6. THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED VEHICULAR ACCESS EASEMENT RECORDED AS 96-749044 AND RE-RECORDED AS 97-875420 OF OFFICIAL RECORD.

7. THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED EASEMENT AGREEMENT RECORDED AS 97-806599 AND THE EFFECT OF PARTIAL TERMINATION OF EASEMENT AGREEMENT RECORDED AS 96-749044, OF OFFICIAL RECORD.

8. THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED COVENANT AND AGREEMENT REGARDING MAINTENANCE OF YARDS FOR AN OVERSIZED BUILDING RECORDED AS 2003-12276202, OF OFFICIAL RECORD.

9. AN EASEMENT FOR WATER MAIN AND INCIDENTAL PURPOSES RECORDED AS DOCKET 98779, PAGE 373, OF OFFICIAL RECORD.

10. AN EASEMENT FOR UNDERGROUND ELECTRICAL CONDUITS AND INCIDENTAL PURPOSES RECORDED AS DOCKET 98779, PAGE 216, OF OFFICIAL RECORD.

11. AN EASEMENT FOR WATER MAIN AND INCIDENTAL PURPOSES RECORDED AS DOCKET 98779, PAGE 2, OF OFFICIAL RECORD.

12. AN EASEMENT FOR UNDERGROUND ELECTRICAL CONDUITS AND INCIDENTAL PURPOSES RECORDED AS DOCKET 98779, PAGE 321, OF OFFICIAL RECORD.

13. AN EASEMENT FOR UNDERGROUND ELECTRICAL CONDUITS AND INCIDENTAL PURPOSES RECORDED AS DOCKET 10566, PAGE 122, OF OFFICIAL RECORD.

14. AN EASEMENT FOR IMPERVIOUS AND EGRESS AND INCIDENTAL PURPOSES RECORDED AS 97-075611, OF OFFICIAL RECORD.

FLOOD PLAIN CERTIFICATION:

THE CURRENT FEMA FLOOD INSURANCE RATE MAP (FIRM) FOR THIS AREA, MAP NUMBER D00-PD, IS EFFECTIVE. REISSUED DATE OCTOBER 16, 2013, DESIGNATES THE PROPERTY WITHIN FLOOD HAZARD ZONE X.

ZONE X IS DEFINED AS AREAS OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN, AREAS OF 1% ANNUAL CHANCE SHEET FLOoding WHERE THE AVERAGE DEPTHS ARE LESS THAN 1 FOOT, AREAS OF 1% ANNUAL CHANCE STREAM FLOODING WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN 1 SQUARE MILE, OR AREAS PROTECTED FROM THE 1% ANNUAL CHANCE FLOOD BY LEVEES. NO BASE FLOOD ELEVATIONS OR BASEFlood ELEVATIONS ARE SHOWN WITHIN THIS ZONE. INSURANCE PURCHASE IS NOT REQUIRED IN THESE ZONES.