ACTION: Request for Preliminary Subdivision Plat for FARMER ARTS DISTRICT – PARCEL 2 (PL150504), located at 401 South Farmer Avenue. The applicant is Charles Huellmantel, Huellmantel and Affiliates.

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

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: FARMER ARTS DISTRICT – PARCEL 2 (PL150504) will consist of a future development on Lot 1 of this plat and Tract A will be used for open space and landscaping. The Final Subdivision Plat is tentatively scheduled to be heard by City Council on January 28, 2016. The request includes the following:

1. Preliminary Subdivision Plat consisting of one (1) lot and a tract.

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>City of Tempe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developer</td>
<td>Urban Development Partners, LLC</td>
</tr>
<tr>
<td>Applicant</td>
<td>Charles Huellmantel, Huellmantel &amp; Affiliates</td>
</tr>
<tr>
<td>Zoning District</td>
<td>MU-4 / PAD / TOD - Corridor (Mixed-Use, Planned Area Development, within the Transportation Overlay District – Corridor)</td>
</tr>
</tbody>
</table>

Lot 1
+/- 2.956 acres (128,770 SF)

Tract A
+/- 0.362 acres (15,779 SF)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Obenia Kingsby II, Planner I (480) 858-2394

Department Director: Dave Nakagawara, Community Development Director
Legal review by: N/A
Prepared by: Obenia Kingsby II, Planner I
COMMENTS:

This site is located on the northeast corner of Farmer Avenue and 5th Street, which is approximately a quarter mile west of Mill Avenue.

CONCLUSION:

Based on the information provided, staff recommends approval of the requested Subdivision plat. The lots will have access to a public street and meet the technical standard of the Tempe City Code, Chapter 30, Subdivisions. This request will also conform to the conditions 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 Tempe Development Services Department on or before one year from the date of City Council approval of the Final Subdivision Plat. Failure to record the final subdivision plat one year from date of City Council approval shall make the plat null and void.

HISTORY & FACTS:

November 9, 2007  City Council approved Farmer Arts District (PL070353) for a General Plan Amendment, Zoning Map Amendment and Planned Area Developments for a mixed-use development consisting of several buildings including residential, retail, public spaces (library) on 8.81 net acres located at 280 West University Drive in the GID, General Industrial District.

This approval granted a Planned Area Development Overlay for Farmer Arts District – Parcel 2 (PAD07024), to establish development standards for four (4) buildings consisting of commercial and mixed-use with live/work up to 5 floors on approximately +/- 3.51 acres.

September 21, 2009  Planning Director of the Development Services Department administratively approved a time extension and modified condition of Approval No.1 for PL070353 to read as follows:

A building permit shall be obtained and substantial construction commenced on or before November 8, 2011 or the property shall revert to a previous zoning designation – subject to a formal hearing.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-307, Subdivisions
DEVELOPMENT PROJECT FILE
for
FARMER ARTS DISTRICT – PARCEL 2
(PL150504)

ATTACHMENTS:
1. Aerial
2-4. Letter of Explanation
5-6. Subdivision Plat
LETTER OF EXPLANATION

PRELIMINARY PLAT

PARCEL: 124-33-145B

LOCATED ON THE EAST SIDE OF FARMER AVENUE AND NORTH OF 5TH STREET

APPLICANT:

HUellMANTEL AFFILIATES

Charles Huellmantel
PO Box 1833 - Tempe, Arizona 85280-1833 - 480.921.2800 - charles@huellmantel.com
SUMMARY

Urban Development Partners, owner of the Parcel 2, Lot 1 land at the northeast corner of Farmer Avenue and 5th Street, are requesting a plat of the vacant parking lot in order to develop the parcel in the future. The parcel is currently zoned Mixed-Use High Density (MU-4) and has a General Plan 2040 Projected Land Use of Mixed-Use and a Projected Density of High (up to 65 dwelling units per acre).
Plat Justification

The proposed plat is appropriate for this location as it conforms to the Tempe Zoning and Development Code and the following justifications:

a. Every subdivision shall conform to the requirements and objectives of the general plan, or any parts thereof, as adopted by the commission and the city council. The request for this plat allows for the development of the land in conformance with the General Plan 2040 Projected Use and in conformance with the City of Tempe Zoning Map.

b. Every subdivision shall conform to the requirements of the Zoning and Development Code and to other ordinances and regulations of the city, and to the Arizona Revised Statutes. This request is for a plat. We have not filed for a development. If the land is developed in the future, the development will conform to the requirements of the Zoning and Development Code, Tempe City ordinances and Arizona Revised Statues.

c. Land which is subject to periodic flooding, land which cannot be properly drained, or other land which, in the opinion of the city, is unsuitable for any use shall not be subdivided; except that the city may approve subdivision of such land upon receipt of evidence from the city engineer that the construction of specific improvements can be expected to render the land suitable; thereafter, construction upon such land shall be prohibited until the specified improvements have been planned and construction guaranteed.

This land is not subject to flooding and is currently used as a parking lot.
ATTACHMENT 5

A SUBDIVISION PLAN

FOR

FARMER ARTS DISTRICT - PARCEL 2

A PLAT LOCATED IN THE SOUTHEAST QUARTER SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION

CITY OF TEMPE AS OWNER HAS PLANTED UNDER THE NAME OF "FARMER ARTS DISTRICT - PARCEL 2" A PORTION OF THE SOUTHEAST QUARTER SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREIN AND HEREBY PUBLISHES THIS PLAT OF "FARMER ARTS DISTRICT - PARCEL 2" AND DECLARES THAT SAID PLAT CONFORMS TO THE LOCATION AND SIZE OF THE LOTS, TRACTS, STREETS AND EASEMENTS CONSTITUTING THE SAME AND THAT EACH LOT AND STREET SHALL BE KNOWN BY THE NUMBER OR NAME GIVEN EACH RESPECTIVELY ON SAID PLAT.

ACKNOWLEDGMENT

CITY OF TEMPE

BY: ________________________________

DATE: ______________________________

ITS:

ON THIS _________ DAY OF ____________, 20___ 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 instrument instrument for the purpose therein contained.

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

BY: ________________________________

MAYOR COMMISSIONER CAULEY:

LEGAL DESCRIPTION (PRIOR TO SUBDIVISION)

PARCEL NO. 1:

A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE EAST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

CONCERNING THE EAST SOUTHEAST CORNER OF SAID SECTION 16, SAID CORNER ALSO BEING THE SOUTHEASTER CORNER OF SAID PARCEL 2 AMENDED, ACCORDING TO BOOK 69 OF MAPS, PAGE 38 OF RECORDS OF MARICOPA COUNTY;

THEN NORTH 00 DEGREES 17 MINUTES 11 SECONDS WEST (RECORDS NORTH 00 DEGREES 17 MINUTES 11 SECONDS WEST), ALONG THE EAST LINE OF THE SOUTHEAST QUARTER SAID SECTION 16, ALSO BEING THE CENTERLINE OF THE UNION PACIFIC RAILROAD MAIN TRACK, A DISTANCE OF 1,007.93 FEET TO THE CENTERLINE OF 5TH STREET, AS RECORDED IN FARMER ARTS DISTRICT, MARICOPA COUNTY RECORDS AND THE POINT OF BEGINNING;

THEN SOUTH 89 DEGREES 04 MINUTES 18 SECONDS WEST ALONG SAID CENTERLINE 199.93 FEET TO THE EASTERLY RIGHT-OF-WAY OF FARMERS AVENUE AS SHOWN IN SAID PARCEL 2;

THEN NORTH 00 DEGREES 16 MINUTES 23 SECONDS WEST (RECORDS NORTH 00 DEGREES 16 MINUTES 23 SECONDS WEST), ALONG THE EAST RIGHT-OF-WAY LINE, 222.17 FEET TO THE SOUTH LINE OF PATENT NO. 6898;

THEN NORTH 89 DEGREES 27 MINUTES 33 SECONDS EAST ALONG THE SOUTH LINE OF PATENT NO. 6898, A DISTANCE OF 199.70 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER SAID SECTION 16;

THEN SOUTH 89 DEGREES 04 MINUTES 18 SECONDS WEST (RECORDS SOUTH 89 DEGREES 04 MINUTES 18 SECONDS WEST), ALONG SAID EAST LINE AND THE CENTERLINE OF THE UNION PACIFIC RAILROAD MAIN TRACK, 226.82 FEET TO THE POINT OF BEGINNING.

EXCEPT THE EAST 35.00 FEET THEREOF; AND

SUBJECT TO RIGHT-OF-WAY OVER AND ACROSS THE SOUTH 49.50 FEET THEREOF.

OWNER

CITY OF TEMPE

311 E. 5TH STREET

TEMPE, AZ 85281

DEVELOPER

URBAN DEVELOPMENT PARTNERS, LLC

CONTACT: TODD MARSHALL

EMAIL: TMARSHALL@MARSHALLCOMPANY.COM

BENCHMARK

TOP OF BRASS CAP IN HANDHOLE AT THE INTERSECTION OF UNIVERSITY DRIVE AND HARDY DRIVE (ELEVATION = 1149.69 FEET (CITY OF TEMPE DATUM))

BASIS OF BEARING

THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, SAID LINE BEARS NORTH 00 DEGREES 17 MINUTES 11 SECONDS WEST (CITY OF TEMPE DATUM - NORTH 00 DEGREES 03 MINUTES 17 SECONDS WEST)

APPROVALS

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA ON THIS _________ DAY OF ____________, 20___

BY: __________________________________

MAYOR

DATE: ________________________________

ATTEST: ________________________________

CITY CLERK

DATE: ________________________________

BY: __________________________________

CITY ENGINEER

DATE: ________________________________

BY: __________________________________

COMMUNITY DEVELOPMENT

DATE: ________________________________

FLOOD ZONE CERTIFICATION

THIS IS TO CERTIFY THAT ACCORDING TO THE FLOOD INSURANCE HAZARD MAP #00136C2240 LATED OCTOBER 16, 2013, THIS PROPERTY IS LOCATED IN FLOOD ZONE "X", AREAS OF 0.25% ANNUAL CHANCE FLOOD: AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT 28 WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVELS FROM 1% ANNUAL CHANCE FLOOD.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND PLATTED HEREIN WAS MADE UNDER MY DIRECTION DURING THE MONTH OF OCTOBER 2013. 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: __________________________________

JASON SEGNERI

LS/# 35833

DATE: ________________________________

JASON@BIGSURVEYAZ.COM

NOTES

1. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF TEMPE WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.

2. LOT CORNERS TO BE SET WITH 1/2" REBAR, RLS #35833.

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: (1) REGULARLY INSPECT THE SYSTEM (AT LEAST ANNUALLY), AND (2) MAINTAIN THE SYSTEM IN A CONDITION THAT WILL ALLOW THE SYSTEM TO STOIC AND DISTRIBUTE THE VOLUME OF STORM WATERS AS SHOWN ON THE DESIGN PLANS. THE FOREGOING RESTRICTION CANNOT BE CHANGED WITHOUT PRIOR WRITTEN CONSENT OF THE CITY OF TEMPE ENGINEER.
FARMER ARTS DISTRICT - PARCEL 2

A PLAT LOCATED IN THE SOUTHEAST QUARTER SECTION 16,
TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA.