ACTION: Request a Preliminary Subdivision Plat to create three (3) lots for RIO 2100 EAST, located at 2132 East Rio Salado Parkway. The applicant is Hunter Engineering. (PL180044)

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

RECOMMENDATION: Approve, subject to conditions

BACKGROUND INFORMATION: RIO 2100 EAST (PL180044) is an approved office development located within the larger Rio Salado development east of Tempe Marketplace. On November 27, 2018, the Development Review Commission approved a Development Plan Review for a new four-story office building that is currently being constructed on what is identified as Lot 1 of the proposed plat. Development plans for lots 2 and 3 have not yet been submitted. The request includes the following:

SBD180031 Preliminary Subdivision Plat consisting of three (3) lots.

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Rio Sequel L.L.C.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Boyer Rio 2100 East, L.C.</td>
</tr>
<tr>
<td>Zoning District</td>
<td>James A. Brucci, Hunter Engineering</td>
</tr>
<tr>
<td>Net site area</td>
<td>15.58</td>
</tr>
<tr>
<td>Lot 1</td>
<td>6.65 acres</td>
</tr>
<tr>
<td>Lot 2</td>
<td>5.58 acres</td>
</tr>
<tr>
<td>Lot 3</td>
<td>2.08 acres</td>
</tr>
</tbody>
</table>

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Karen Stovall, Senior Planner (480) 350-8432

Department Director: Chad Weaver, Community Development Director
Legal review by: Teresa Voss, Assistant City Attorney
Prepared by: Karen Stovall, Senior Planner
COMMENTS
This site is located on the north side of Rio Salado Parkway and is south of the Red Mountain Freeway. The owners propose to create three lots and one tract, which will function as a private street, to facilitate development of the site.

Conclusion
Based on the information provided and the above analysis, staff recommends approval of the requested Preliminary Subdivision Plat. The properties will have access to public streets and conform to the technical standards of the Tempe City Code for Subdivisions, Chapter 30.

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

1. If the subdivision plat contains common areas, a continuing care condition, covenant and restriction shall be provided (CC&R). The CC&Rs shall be reviewed and in a form satisfactory to the Community Development Director and City Attorney.

2. The Final Subdivision Plat shall be recorded prior to issuance of the first Certificate of Occupancy.

HISTORY & FACTS:

2132 E. Rio Salado Pkwy.
1992 First Street Landfill closed, and site has remained vacant. The northern portion of the subject site (Freedom Rio Phase III) was part of the landfill. The southern portion (Rio 2100 East) was not.

2128 & 2132 E. Rio Salado Pkwy.

October 16, 2018 Hearing Officer approved a variance to increase the permitted building height from 35 feet and 40 feet to 100 feet for FREEDOM RIO PHASE III & RIO 2100 EAST (PL180044), located at 2128 and 2132 East Rio Salado Parkway. By stipulation, the heights were limited to 85 feet (Freedom Rio Phase III) and 79 feet (Rio 2100 East).


ZONING AND DEVELOPMENT CODE REFERENCE:
Section 6-307, Subdivisions, Lot Splits and Adjustments
DEVELOPMENT PROJECT FILE
for
RIO 2100 EAST
(PL180044)

ATTACHMENTS:

1-2. Site Context (Location Map and Aerial)

3. Applicant’s Letter of Explanation

4-8. Subdivision Plat

9-10. Supplemental Information

- Approved Site Plan
Aerial Map
EXPLANATION LETTER TO CITY OF TEMPE COMMUNITY DEVELOPMENT PLANNING:

TO: City of Tempe
FROM: James A. Brucci, R.L.S.
DATE: September 26, 2018
SUBJECT: RIO 2100 EAST
HE PROJ. #: BOYR006-SP

The purpose of this letter is to describe the intent of the attached submittal.

The intent of this plat is to subdivide APN’S 132-36-008D, 132-36-008E & 132-36-001A into 3 commercial lots and 1 private roadway tract, for future commercial development. The current zoning will be maintained.

Sincerely,

James A. Brucci, R.L.S.
Project Surveyor
DEDICATION:
TRACT A IS A PRIVATE STREET TO BE OWNED AND MAINTAINED BY THE PROPERTY MAINTENANCE COMMITTEE.

OWNER/DEVELOPER:
THE RIO SEQUEL LLC
2201 E. CAMELBACK RD, SUITE 620
PHOENIX, ARIZONA 85016
PHONE: (702) 498-5457
CONTACT: TOM LEDDAH

OWNER/DEVELOPER:
RIO 2100 EAST, LLC
4330 E. CAMELBACK ROAD, SUITE A-250
PHOENIX, AZ 85018
PHONE: (602) 498-9333
CONTACT: ADRIAN EVARRIO

ACKNOWLEDGMENT:
SEE SHEET 2

LEGAL DESCRIPTION:
LEGAL DESCRIPTION ON SHEET 2.

BENCHMARK:
BRASS CAP E BI-METAL AT THE INTERSECTION OF RID GABLE PARKWAY AND MOUNTAIN DRIVE, BEING THE WEST QUARTER CORNER OF SEC. 13, T.1N., R.4E. ELEVATION: 1177.73 (CITY OF TEMPE DATE)

BASIS OF BEARING:
THE BASIS OF BEARING FOR THIS SURVEY IS A BEARING OF NORTH 89° 53' 15" EAST, AS MEASURED ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ACCORDING TO THE CITY OF TEMPE SURVEY OR CONTROL PLAT.

SHEET INDEX:
SHEET 1 COVER SHEET
SHEET 2 ACKNOWLEDGMENTS AND LEGAL DESCRIPTIONS
SHEET 3 FINAL PLAT PLAN VIEW AND LEGEND
SHEET 4 FINAL PLAN VIEW, CROSS-SECTION DETAIL, LOT LINE TABLE AND LOT AREA TABLE

APPROVALS:
APPROVED BY THE MAYOR AND CITY COUNCIL OF CITY OF TEMPE, ARIZONA, ON THE _______________ DAY OF ______________, 20_,

BY ___________________________ DATE ___________________________

ATTEST:
_____________________________ ________________
_____________________________ ________________
_____________________________ ________________

BENEFITS:
LEGAL DESCRIPTION ON SHEET 2.

CERTIFICATION:
THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND PLATTED HERETO WAS MADE UNDER MY DIRECTION DURING THE MONTH OF AUGUST 2019, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, AND THAT THE MONUMENTS ACTUALLY ERECTED WILL BE SET AS SHOWN, THAT THE POINTS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUITABLE TO ENABLE THE SURVEY TO BE RETRACED.

BY ___________________________ DATE ___________________________

ATTACHMENT 4
LEGAL DESCRIPTION:  (01089255-003-394-5A) AMENDMENT NO. 2

PARCEL NO. 1

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE 111TH MERIDIAN, MARICOPA COUNTY, ARIZONA, EXCEPT THE EAST 990 FEET, AND EXCEPT THE SOUTH 40 FEET THEREOF, AND EXCEPT THAT PORTION AS COORDINATED TO THE CITY OF TEMPE BY INSTRUMENT RECORDED IN DOCUMENT NO. 99-021427, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER TO THE POINT WHERE THE WIDTH OF 1100 FEET OF SAID NORTHEAST QUARTER, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1334.29 FEET TO A POINT

THENCE NORTH 02 DEGREES 06 MINUTES 39 SECONDS WEST TO A POINT 40.00 FEET NORTH OF SAID SOUTH LINE, A DISTANCE OF 46.00 FEET;

THENCE NORTH 89 DEGREES 51 MINUTES 53 SECONDS EAST PARALLEL TO AND 40.00 FEET NORTH OF SAID SOUTH LINE, A DISTANCE OF 46.00 FEET;

THENCE NORTH 02 DEGREES 06 MINUTES 39 SECONDS EAST TO A POINT 40.00 FEET TO THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER, A DISTANCE OF 46.00 FEET;

THENCE NORTH 89 DEGREES 51 MINUTES 53 SECONDS EAST TO THE LINE OF THE EAST 990.00 FEET OF SAID NORTHEAST QUARTER, A DISTANCE OF 381.97 FEET;

THENCE SOUTH 02 DEGREES 31 MINUTES 31 SECONDS EAST A DISTANCE OF 77.03 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE 111TH MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER OF SAID SECTION 13,

THENCE ALONG THE BOUNDARY LINE OF SAID SOUTHEAST QUARTER NORTH 02 DEGREES 45 MINUTES 55 SECONDS NORTH, 281.06 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER;

THENCE ALONG THE NORTHERLY LINE THEREOF SOUTH 89 DEGREES 51 MINUTES 12 SECONDS WEST, 255.50 FEET;

THENCE SOUTH 00 DEGREES 45 MINUTES 55 SECONDS EAST, 680.55 FEET TO A POINT IN THE SOUTH LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID SOUTH LINE NORTH 89 DEGREES 51 MINUTES 31 SECONDS EAST, 46.82 FEET TO THE POINT OF BEGINNING;

EXCEPT THE SOUTH 40 FEET THEREOF, AND EXCEPT THAT PORTION AS COORDINATED TO THE CITY OF TEMPE BY INSTRUMENT RECORDED IN DOCUMENT NO. 99-021427, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER TO THE WEST LIMIT OF THE EAST 990 FEET OF SAID NORTHEAST QUARTER, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1334.29 FEET TO A POINT

THENCE NORTH 02 DEGREES 06 MINUTES 39 SECONDS WEST TO A POINT 40.00 FEET NORTH OF SAID SOUTH LINE, A DISTANCE OF 46.00 FEET;

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS EAST PARALLEL TO AND 40.00 FEET NORTH OF SAID SOUTH LINE, A DISTANCE OF 46.00 FEET;

THENCE NORTH 02 DEGREES 06 MINUTES 39 SECONDS EAST TO A POINT 40.00 FEET TO THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER, A DISTANCE OF 46.00 FEET;

THENCE NORTH 89 DEGREES 51 MINUTES 53 SECONDS EAST TO THE LINE OF THE EAST 990.00 FEET OF SAID NORTHEAST QUARTER, A DISTANCE OF 381.97 FEET;

THENCE SOUTH 02 DEGREES 31 MINUTES 31 SECONDS EAST A DISTANCE OF 77.03 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION:  (01089255-003-394-5A) AMENDMENT NO. 2

THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE 111TH MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13 FROM WHICH THE CENTER OF SAID SECTION BEARS SOUTH 89 DEGREES 51 MINUTES 31 SECONDS WEST, 2846.69 FEET (South 89'00'00"

THENCE SOUTH 89 DEGREES 51 MINUTES 31 SECONDS WEST 1376.42 FEET ALONG THE EAST-LINE OF SAID SECTION 13 TO ITS INTERSECTION WITH THE EAST-LINE OF THAT PROPERTY Described in Parcel No. 99-021427, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 18 MINUTES 16 SECONDS EAST, 679.70 FEET ALONG SAID EAST-LINE TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 18 MINUTES 16 SECONDS WEST, 679.70 FEET ALONG SAID EAST-LINE TO THE WEST-LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 13;

THENCE NORTH 89 DEGREES 51 MINUTES 31 SECONDS EAST 347.22 FEET ALONG SAID WEST-LINE TO THE SOUTH-LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13;

THENCE SOUTH 89 DEGREES 51 MINUTES 31 SECONDS WEST, 381.14 FEET ALONG SAID SOUTH-LINE TO THE POINT OF BEGINNING.

ATTACHMENT 5
Approved site plan

GOVERNING CODES: TEMPE, AZ

PROJECT TEAM

EXISTING
FREEDOM PHASE II GARAGE
ZONING: G10

FUTURE
FREEDOM PHASE III DEVELOPMENT
ZONING: G10

PROJECT DATA

OFFICE SITE
289,567 S.F. (6.65 AC.)

EXISTING
RETAINING WALL
AND GUARDRAIL

WEST SITE SECTION

PARKING GARAGE
0 - 11 = 499 SPACES

EXISTING
OFFICE BUILDING 'N'

EXISTING
PARKING LOT DRIVE ABLE

FENCED ENDS
NO LOW WALLS PER
OPTED

WEST SITE SECTION

NORTH SITE PLAN

RIO 2100 / EAST
2128 E Rio Salado Parkway
Tempe, Arizona

ATTACHMENT 9