**Staff Summary Report**

**Development Review Commission Date:** 05/08/2012  
**Agenda Item Number:** 3

<table>
<thead>
<tr>
<th><strong>SUBJECT:</strong></th>
<th>Request approval for a Preliminary Subdivision Plat for SAN CAPELLA – MARK-TAYLOR DEVELOPMENT located at 1155 West Elliot Road.</th>
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<tbody>
<tr>
<td><strong>DOCUMENT NAME:</strong></td>
<td>DRCrSanCapella_Plat_050812 PLANNED DEVELOPMENT (0406)</td>
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<tr>
<td><strong>COMMENTS:</strong></td>
<td>Request for SAN CAPELLA – MARK-TAYLOR DEVELOPMENT (PL110258) (San Capella Apartments, LLC, property owner; Rob Orme, Mark-Taylor Inc., applicant) consisting of a new 384 unit multi-family residential development, located at 1155 West Elliot Road in the R-4(PAD), Multi-Family Residential General District, including a Planned Area Development Overlay and within the Southwest Tempe Overlay District. The request includes the following:</td>
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<td>SBD12004 – Preliminary Subdivision Plat consisting of one (1) lot on 19.48 acres.</td>
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<td><strong>PREPARED BY:</strong></td>
<td>Ryan Levesque, Senior Planner (480-858-2393)</td>
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<td><strong>REVIEWED BY:</strong></td>
<td>Lisa Collins, Interim Community Development Director (480-350-8989)</td>
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<tr>
<td><strong>LEGAL REVIEW BY:</strong></td>
<td>N/A</td>
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<td><strong>DEPARTMENT REVIEW BY:</strong></td>
<td>N/A</td>
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<td><strong>FISCAL NOTE:</strong></td>
<td>There is no fiscal impact on City funds.</td>
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<td><strong>RECOMMENDATION:</strong></td>
<td>Staff – Approval, subject to conditions</td>
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<td><strong>ADDITIONAL INFO:</strong></td>
<td>The subdivision plat will satisfy one of the prior conditions of approval, combining two (2) parcels of un-subdivided land into one (1) lot.</td>
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PAGES:
1. List of Attachments
2. Comments / Reason for Approval / Conditions of Approval
3. History & Facts / Zoning & Development Code Reference

ATTACHMENTS:
1. Location Map
2. Aerial Photo
3-5. Subdivision Plat
COMMENTS:
This site is located southwest of Elliot Road and Hardy Drive. The location was the previous site of Fiddlesticks Family Fun Park, surrounded by industrial office and commercial businesses. The property is now zoned R-4(PAD), Multi-Family Residential General District and is located within the Southwest Tempe Overlay District.

This request includes the following:
   A Preliminary and Final Subdivision Plat combining two (2) parcels into one (1) lot.

The request will satisfy the development plan review conditions of approval, requiring a subdivision plat to eliminate the existing multiple parcels on the site. This project is currently in review for building permits and construction.

REASON FOR APPROVAL:

1. The Subdivision Plat conforms to the technical standards of Tempe City Code Chapter 30, Subdivisions.

CONDITIONS OF APPROVAL:

1. The Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with Maricopa County Recorder’s Office through the City of Tempe, Community Development Department on or before May 8, 2013. Failure to record the plat on or before (decision date), which is one (1) year from date of City Council approval, shall make the approval of 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:

July 11, 1974  Area annexed into the City of Tempe (Ordinance No. 740)

May 1982  Zoning Ordinance 808 identifies 1155 West Elliot Road as I-1, Light Industrial and I-2, General Industrial.

June 19, 1991  Design Review Board approved new building elevations, site plan and landscape plan for Fiddlesticks, located at 1155 West Elliot Road.

June 27, 1991  City Council approved a use permit to allow a driving range, miniature golf course, video arcade, restaurant and other recreational use in the I-1, Light Industrial District; and a variance to allow non-masonry construction in the I-1 District for Fiddlesticks, located at 1155 West Elliot Road. (SIP 91.08)

June 12, 1997  City Council approved an extension for the use permit to allow a recreational facility at Fiddlesticks, located at 1155 West Elliot Road.

August 23, 2011  Development Review Commission approved the request for SAN CAPELLA – MARK-TAYLOR DEVELOPMENT for Development Plan Review consisting of a new 384 unit multi-family residential development, and recommended approval of a General Plan Projected Land Use Amendment from “Commercial” to “Residential”, and a Zoning Map Amendment from GID, General Industrial District to R-4 (PAD), Multi-Family Residential General District with a Planned Area Development Overlay, all located at 1155 West Elliot Road. (Vote 5-1, Commissioner Miner dissenting)

October 20, 2011  City Council approved the request SAN CAPELLA – MARK-TAYLOR DEVELOPMENT for a General Plan Projected Land Use Amendment from “Commercial” to “Residential”, and a Zoning Map Amendment from GID, General Industrial District to R-4 (PAD), Multi-Family Residential General District with a Planned Area Development Overlay, all located at 1155 West Elliot Road.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-307, Subdivisions, Lot Splits and Adjustments
SAN CAPELLA - MARK-TAYLOR DEVELOPMENT (PL110258)
SAN CAPELLA APARTMENT COMMUNITY

A PORTION OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE CILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

LEGAL DESCRIPTION:(PRIOR TO SUBDIVISION)

PARCEL NO. 1:
THIS PORTION OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE CILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH CORNER CORNER OF SAID PARCEL OF ELLIOT RD. AND ELLIOT RD. THEREOF, IN THE TOWNSHIP 1 SOUTH, RANGE 4 EAST, BER ELLIOT RD. AND THE POIN OF BEGINNING; THENCE SOUTH 90 DEGREES 40 MINUTES 39 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 16, A DISTANCE OF 337.51 FEET;
THENCE SOUTH 09 DEGREES 19 MINUTES 21 SECONDS EAST A DISTANCE OF 702.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ELLIOT RD. AND THE POIN OF BEGINNING;
THENCE CONTINUING SOUTH 00 DEGREES 19 MINUTES 21 SECONDS EAST, A DISTANCE OF 134.00 FEET;
THENCE SOUTH 99 DEGREES 40 MINUTES 39 SECONDS WEST, A DISTANCE OF 500.00 FEET;
THENCE NORTH 00 DEGREES 19 MINUTES 21 SECONDS WEST, A DISTANCE OF 1560.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ELLIOT RD.;
THENCE NORTH 88 DEGREES 40 MINUTES 39 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 443.13 FEET;
THENCE SOUTH 00 DEGREES 25 MINUTES 48 SECONDS EAST, A DISTANCE OF 10.00 FEET;
THENCE NORTH 88 DEGREES 40 MINUTES 39 SECONDS EAST, A DISTANCE OF 106.86 FEET TO THE POIN OF BEGINNING.

PARCEL NO. 2:
A NON-EXCLUSIVE EASEMENT FOR PARKING, VEHICULAR AND PEDESTRIAN ACCESS AND EGRESS, AS GRANTED BY EASEMENT AGREEMENT FOR PARKING, ACCESS AND EGRESS RECORDED IN RECORD NO. 97-0632695, RECORDS OF MARICOPA COUNTY, ARIZONA.

OWNER:
SAN CAPELLA APARTMENTS, LLC
C/O MARK-TAYLOR, INC.
9653 NORTH SCOTTSDALE ROAD
SCOTTSDALE, ARIZONA 85250
CONTACT: JEFFREY L. MARX
PHONE: 480-951-9111

DEVELOPER:
MARK-TAYLOR, INC.
8633 NORTH SCOTTSDALE ROAD
SCOTTSDALE, ARIZONA 85250
CONTACT: JEFFREY L. MARX
PHONE: 480-951-9111

BENCH MARK:
CITY OF TEMPE MARK IN HANDWELL AT THE INTERSECTION OF ELLIOT RD. AND HARDY DR.
ELEVATION: 1212.85 CITY OF TEMPE DATUM

BASIS OF BEARING:
The basis of bearing used for this plat is N94°47'31"W along the north line of the Northwest Quarter of Section 16, Township 1 South, Range 4 East, also being the monument line of ELLIOT RD.

CERTIFICATION:
THIS IS TO CERTIFY THAT THIS PLAN IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THEIR POSITIONS ARE CORRECTLY DESCRIPTION, AND THAT SAID MONUMENTS ARE SUITABLE TO ENABLE THE SURVEY TO BE RETRIEVED.

STEVEN C. BURFORD, R.I.E.
ARIZONA NO. 29459

FLOOD PLAIN CERTIFICATION:
THIS IS TO CERTIFY THAT THE ABOVE SUBJECT PROPERTY LIES WITHIN ZONE "X" (DOTTED) AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP NUMBER 049102250500, DATED SEPTEMBER 26, 2016. ZONE "X" (DOTTED) IS DEFINED AS AREAS OF 2% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 0.1 SQUARE MILES AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

RECEIVED:
DS110692 SBDXXXXX RECXXXXX SHEET 1 OF 3

ATTACHMENT 3