

# Staff Summary Report

City Council Meeting Date: 12/06/07

Agenda Item Number: 32

**SUBJECT:** Request for a Final Subdivision Plat for WALGREENS DRUG STORE #11610 located at 2000 South Mill Avenue.

**DOCUMENT NAME:** 20071206dskko01

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Request by **WALGREENS DRUG STORE # 11610 (PL070082)** (Bruce Shapiro (managing member), BMILL, L.L.C., owner; Steve Bowser, Metro/Land Consultants, L.L.C., applicant) for a Final Subdivision Plat on +/- 1.67 net acres located at 2000 South Mill Avenue in the CSS, Commercial Shopping and Services District, including the following:

**SBD07044** – Final Subdivision Plat to combine the property into one lot including the dedication of additional right of way on existing street to the public.

**PREPARED BY:** Kevin O'Melia, Senior Planner (480-350-8432)

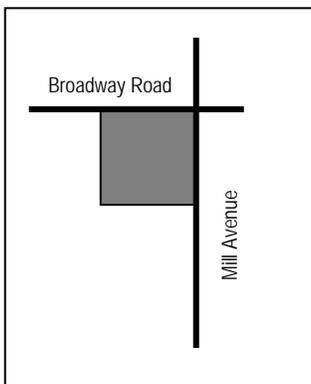
**REVIEWED BY:** Lisa Collins, Planning Director (480-350-8989) 

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval, subject to conditions 1 - 2.  
Development Review Commission – Approval (7-0 vote)

**ADDITIONAL INFO:**



Gross site area	+/- 1.745 acres (76,010 s.f.)
Net site area	+/- 1.670 acres (72,768 s.f.)

A Final Subdivision Plat is being undertaken to unify the various pieces of land that make up the proposal into one parcel. A preliminary Subdivision Plat for this parcel was recently approved by the Development Review Commission. The Final Subdivision Plat is before the City Council this evening in accordance with the Zoning and Development Code Sec. 6-307 (C).

**PAGES:**

1. Table of Contents
2. Comments / Reason for Approval / Conditions of Approval
- 3-4. History & Facts
4. Description / Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map
2. Aerial Photo
3. Letter of Explanation
4. Subdivision Plat Title Sheet, Sheet 1 of 2
5. Subdivision Plat Site Plan Sheet 2 of 2

**COMMENTS:**

**Project Analysis**

Walgreens # 11610 is a proposed redevelopment at the southwest corner of Mill Avenue and Broadway Road. The property currently includes a corner fuel station (now closed), a two-story office complex on Mill Avenue and a one-story vehicle audio store (Sounds Good to Me) on Broadway Road. The northern part of the west property line and the eastern part of the south property line abut existing single-story multi-family residential development. The main portions of the west and south property lines abut an alley. On the west and south of the alley is an existing single-family residential development (Date Palm Manor).

The applicant is requesting a Final Subdivision Plat to unify the three parcels of land that make up the site into one parcel. A Preliminary Subdivision Plat has already been approved by the Development Review Commission on November 13, 2007. As part of the subdivision plat, a portion of land along Broadway Road is being dedicated to the public right of way. A roadway easement is being dedicated along Mill Avenue and a public utility easement is being dedicated along the west property line. Existing utility easements on site are being abandoned by separate instrument. The approval of the Final Subdivision Plat will pave the way for the redevelopment of this corner.

The proposed Subdivision Plat meets the minimum required technical standards of the Tempe City Code Chapter 30, Subdivisions. Staff recommends approval subject to conditions of approval. Public input is not required.

**REASON FOR APPROVAL:**

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

**SBD07044**

**CONDITIONS OF APPROVAL:**

1. The Public Works Department shall approve all applicable roadway dedications, roadway and utility easement dedications and abandons, driveway construction, storm water retention, street drainage and water and sewer constructions, refuse collection and all off-site improvements.
  - a. Off-site improvements to bring roadways to current standards include:
    - (1) Water lines and fire hydrants
    - (2) Sewer lines
    - (3) Storm drains
    - (4) Roadway improvements (as applicable) including streetlights, curb, gutter, bike path, sidewalk, and related amenities
  - b. Fees to be paid with the development of this project include:
    - (1) Water and sewer development fees
    - (2) Water and/or sewer participation charges
    - (3) Inspection and testing fees
  - c. All applicable off-site plans shall be approved prior to recordation of Subdivision Plat
  - d. Public improvements shall be installed prior to issuance of certificate of occupancy. Any phasing shall be approved by the Public Works Department.
  - e. All new on-site and adjacent off-site utility lines (other than the existing transmission lines) shall be placed underground prior to certificate of occupancy for this development in accordance with the Code of the City of Tempe – Section 25.
2. Place the Subdivision Plat for Walgreens #11610 into proper engineered format with appropriate signature blanks. Record the Subdivision Plat with the Maricopa County Recorder's Office through the Tempe Development Services Department on or before one year from date of City Council approval. Failure to record the plan by one year from date of City Council approval shall make the approval of the Subdivision Plat null and void. Record the Subdivision Plat prior to issuance of building permit or as allowed by the Building Safety Division.

## HISTORY & FACTS:

### 21 West Broadway Road (west parcel)

- February 15, 1962 Building Permit 9912 issued for construction of RESTAURANT. Note: The restaurant was variously known as the "Buffalo Barn", "Phyl & Bill's Burgers" and "Coffee Cup."
- April 20, 1977 Design Review Board approved an elevation change for SOUND UNLIMITED.
- July 20, 1977 Design Review Board approved a building addition (a metal canopy that was already erected) for SOUND UNLIMITED.
- May 17, 1978 Design Review Board approved building, site and landscape plans for SOUND UNLIMITED.
- June 26, 1980 Board of Adjustment denied a variance request for 21<sup>st</sup> CENTURY SOUND to allow equipment installation under the metal canopy instead of in a closed building. Note: The variance was reconsidered on July 24, 1980. The reconsideration was also denied.
- August 20, 1980 Design Review Board approved the building elevation, site and landscape plan for 21<sup>st</sup> CENTURY SOUND in the C-2, General Commercial District.
- June 1, 2000 Design Review Board staff approved a request by SOUNDS GOOD TO ME for an exterior building color modification located in the C-1, Neighborhood Commercial District.
- August 22, 2001 Board of Adjustment approved the variance request to waive the required parking lot end stall landscape islands for SOUNDS GOOD TO ME located in the C-1, Neighborhood Commercial District. The variance is valid for David Gracey / SOUNDS GOOD TO ME only and is not transferable.

### 2000 South Mill Avenue (corner parcel)

- February 23, 1961 Building Permit 8388 issued for construction of SHELL OIL SERVICE STATION.
- November 15, 1972 Design Review Board approved the building, site plan, signs and landscaping for the SHELL OIL SELF SERVICE STATION located at the southwest corner of Broadway Road and Mill Avenue in the C-1, Neighborhood Commercial District. Note: This self service station on site replaces the full service station constructed in 1961.
- February 21, 1985 Design Review Board approved the signage for MOBIL OIL SELF SERVICE STATION in the C-1, Neighborhood Commercial District. Note: this is a re-brand of the existing self service station.

### 2018/2020 South Mill Avenue (south parcel)

- May 5, 1970 Design Review Board approved the revised site plan and building elevations for MINNIE PEARL RESTAURANT.
- November 9, 1972 Permit 37543 issued to demolish building. The notes in the permit record imply that Minnie Pearl's was started but never completed.
- November 20, 1972 Board of Adjustment denied a variance to eliminate the requirement for a 6- foot high masonry wall between commercial and residential property.
- December 5, 1972 Design Review Board approved the building for the OFFICE BUILDING COMPLEX FOR NATIONAL

WESTERN CORPORATION located at 2018 S. Mill Ave. in the C-1, Neighborhood Commercial District.

**Combined Site (2000 South Mill Avenue)**

- August 14, 2007      The Development Review Commission approved the request by WALGREENS DRUG STORE #11610 located at 2000 South Mill Avenue in the CSS, Commercial Shopping and Services District, including the following:  
Development Plan Review including building elevations, site plan and landscape plan (DPR07119).  
Use Permit to allow a two-lane retail sales drive-through service in the CSS, Commercial Shopping and Services District (ZUP07085).
- November 13, 2007      The Development Review Commission approved the request by WALGREENS DRUG STORE #11610 located at 2000 South Mill Avenue in the CSS, Commercial Shopping and Services District for a preliminary subdivision plat (SBD07044).

**DESCRIPTION:**

Owner –                      Bruce Shapiro (managing member), BMILL, L.L.C.  
Applicant –                   Steve Bowser, Metro/Land Consultants, L.L.C.  
Land Surveyor –             Michael J. Thompson, R.L.S., Metro/Land Consultants, L.L.C.

**General Plan 2030**  
Projected Land Use – Mixed Use

**Zoning**  
Existing Zoning – CSS, Commercial Shopping and Services

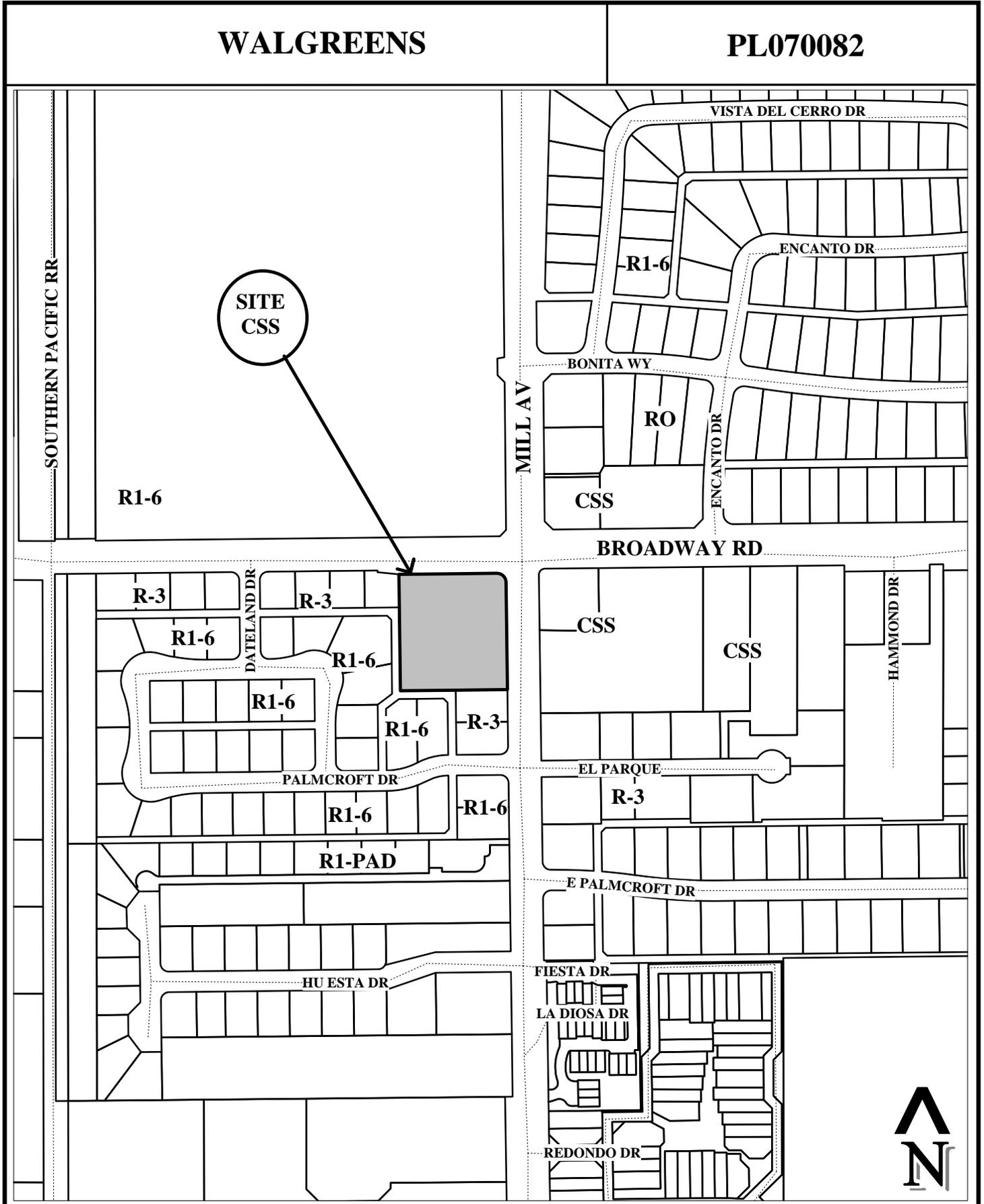
**Site**  
Gross Site Area –            +/- 1.745 acres (76,010 s.f.)  
Net Site Area --             +/- 1.670 acres (72,768 s.f.)

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-307, Subdivisions, Lot Splits and Adjustments

**WALGREENS**

**PL070082**



**Location Map**



WALGREENS STORE #11610 (PL070082)

# Metro/Land Consultants, LLC

1850 N. Central Avenue, Suite 525, Phoenix, AZ 85004 • Tel: 602-393-2030 • Fax: 602-393-2031 • www.mlconsultants.com

City of Tempe  
Development Services  
31 E. 5<sup>th</sup> Street  
Tempe, AZ 85281

RE: "Walgreen's #11610" plat, letter of explanation .

The owner of this property, "BMILL, LLC" intends to plat this property into one single lot and perform dedications of right of way and combine the property into one lot and dedicate additional right of way on existing streets to the public. No new streets will be created as part of this plat.

The site plan was approved in August 2007 per PL070082 AND DS070215. Platting of this site was required as part of the site plan approval.

Sincerely,



Steve Bowser, P.E.

OCT 22 2007

# WALGREENS PHARMACY STORE NUMBER 11610

A PLAT OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT BMILL, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER HAS SUBDIVIDED UNDER THE NAME OF "WALGREENS PHARMACY STORE NUMBER 11610" A PORTION OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND HEREBY AND PUBLISHES THIS PLAT OF "WALGREENS PHARMACY STORE NUMBER 11610" AND DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, STREETS AND EASEMENTS CONSTITUTING SAME AND THAT THE SAID PLAT AND HEREBY DEDICATES TO THE CITY OF TEMPE FOR PUBLIC USE AS SUCH THE STREETS AND PUBLIC UTILITY EASEMENTS AS SHOWN ON SAID PLAT INCLUDING THE ABOVE DESCRIBED PREMISES.

## ACKNOWLEDGMENTS

STATE OF ARIZONA }  
COUNTY OF MARICOPA } SS:

ON THIS DAY OF 2007, BEFORE ME THE UNDERSIGNED PERSONALLY APPEARED, BRUCE SHAPIRO WHO ACKNOWLEDGED HIMSELF TO BE THE MANAGER FOR BMILL, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED THAT HE, AS SUCH MANAGING MEMBER, BEING DULY AUTHORIZED SO TO DO, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF:

I HEREUNTO SET MY HAND AND OFFICIAL SEAL. \_\_\_\_\_  
NOTARY PUBLIC: \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_

BMILL, LLC,  
AN ARIZONA LIMITED LIABILITY COMPANY

BY: BRUCE SHAPIRO  
MANAGING MEMBER  
DATE: \_\_\_\_\_

## LEGAL DESCRIPTION (PRIOR TO SUBDIVISION)

PARCEL NO. 1:  
THE EAST 300 FEET OF THE NORTH 333 FEET OF THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING WEST OF THE CENTER LINE OF MILL AVENUE;

EXCEPT THE NORTH 50 FEET THEREOF; AND EXCEPT THE EAST 190 FEET THEREOF; AND EXCEPT THE SOUTH 143 FEET THEREOF.

PARCEL NO. 2:  
THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, REFERENCE BEING MADE TO THE PLAT OF DATE PALM MANOR AMENDED, ACCORDING TO BOOK 59 OF MAPS, PAGE B, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP IN HANDHOLE MARKING THE INTERSECTION OF MILL AVENUE AND THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 05 MINUTES 20 SECONDS EAST, ALONG THE CENTER LINE OF MILL AVENUE, A DISTANCE OF 190.00 FEET; THENCE WEST, PARALLEL TO THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 190.00 FEET; THENCE NORTH ...CONTINUED SHEET 2 OF 2.

## OWNER/DEVELOPER

BMILL, LLC  
8621 N SCOTTSDALE RD  
SCOTTSDALE, AZ 85250  
PHONE 480-368-0111  
(FAX) 480-368-0444

## BENCHMARK

THE BRASS CAP IN HANDHOLE AT THE INTERSECTION OF MILL AVE AND BROADWAY ROAD - ELEV 1061.55'

## BASIS OF BEARING

THE BEARING OF SOUTH 0° 05' 20" EAST ALONG THE MONUMENTED CENTER LINE OF MILL AVE. CITY OF TEMPE, MARICOPA COUNTY, ARIZONA. AS RECORDED BOOK 895 OF MAPS, PAGE 38

## APPROVALS

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007

APPROVED BY: MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

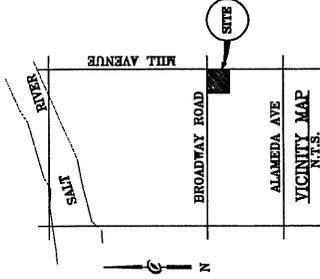
ATTEST: CITY CLERK \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY: CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY: DEVELOPMENT SERVICES \_\_\_\_\_ DATE \_\_\_\_\_

## CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2007; 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.



## LEGEND

- PROPERTY LINE
- MONUMENT LINE
- ADJACENT PROPERTY LINE
- EASEMENT
- FOUND BRASS CAP
- SET 1/2" REBAR, RLS25090
- (C) CALCULATED
- (R) RECORD
- (M) MEASURED
- M.C.R. MARICOPA COUNTY RECORDS
- 123/45 M.C.R. RECORD PLAT BOOK (OF MAPS)/PAGE
- R/W RIGHT-OF-WAY

## 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 RLS 25090, UNLESS OTHERWISE NOTED.
3. ALL NEW AND EXISTING AS WELL AS ONSITE AND OFFSITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.

## FLOOD PLAIN CERTIFICATION:

THIS IS TO CERTIFY THAT THE ABOVE SUBJECT PROPERTY LIES WITHIN ZONE 'X' SHADED AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP, MAP NUMBER 04012165H DATED SEPTEMBER 30, 2005. AREAS 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

DATE	DESCRIPTION	REVISIONS

WALGREEN'S #11610  
K&R ARCHITECTS  
SAFE, ARIZONA

Metro/Land Consultants, LLC  
DESIGN: SB  
CHECKED: MJT  
DATE: OCT 07  
1800 N CENTRAL AVE, SUITE 825 PHOENIX, AZ 85004 PH: 602-993-0030 FAX: 602-993-0031

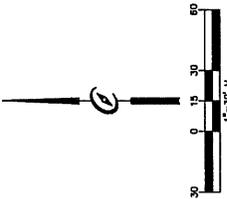
SEAL  
BRUCE SHAPIRO  
PROFESSIONAL ENGINEER  
STATE OF ARIZONA  
LICENSE NO. 10000  
1-800-283-1100  
(PHOENIX OFFICE NUMBER)

JOB NO. 07-065  
1 of 2

REC07

DSO70215

SPR07016



**LEGEND**

- PROPERTY LINE
- MONUMENT LINE
- ADJACENT PROPERTY LINE
- EASEMENT
- FOUND MONUMENT AS NOTED
- SET 1/2" REBAR, RLS25090
- SET CH "+-" ON SIDEWALK
- (C) CALCULATED
- (R) RECORD
- (M) MEASURED
- M.C.R. MARICOPA COUNTY RECORDS
- 123/45 M.C.R. RECORD PLAT BOOK (OF MAPS)/PAGE
- R/W RIGHT-OF-WAY

**LEGAL DESCRIPTION (PRIOR TO SUBDIVISION)**

...CONTINUED FROM SHEET 1 OF 2...

00 DEGREES 05 MINUTES 20 SECONDS WEST, PARALLEL TO THE CENTER LINE OF MILL AVENUE, A DISTANCE OF 190.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 190.00 FEET TO THE POINT OF BEGINNING;

EXCEPT THE NORTH 40.00 FEET; AND

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT 40.00 FEET WEST AND 40.00 SOUTH 00 DEGREES 05 MINUTES 20 SECONDS EAST OF A BRASS CAP IN A HANDHOLE AT THE INTERSECTION OF THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27 WITH THE CENTER LINE OF MILL AVENUE, SAID POINT BEING THE NORTHEAST CORNER OF THE ABOVE DESCRIBED PROPERTY; THENCE SOUTH 00 DEGREES 05 MINUTES 20 SECONDS EAST, PARALLEL TO THE CENTER LINE OF MILL AVENUE, A DISTANCE OF 12.00 FEET; THENCE NORTHEASTERLY TO A POINT 52.00 FEET WEST AND 40.00 FEET SOUTH OF THE ABOVE MENTIONED BRASS CAP; THENCE EAST, PARALLEL TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING; AND

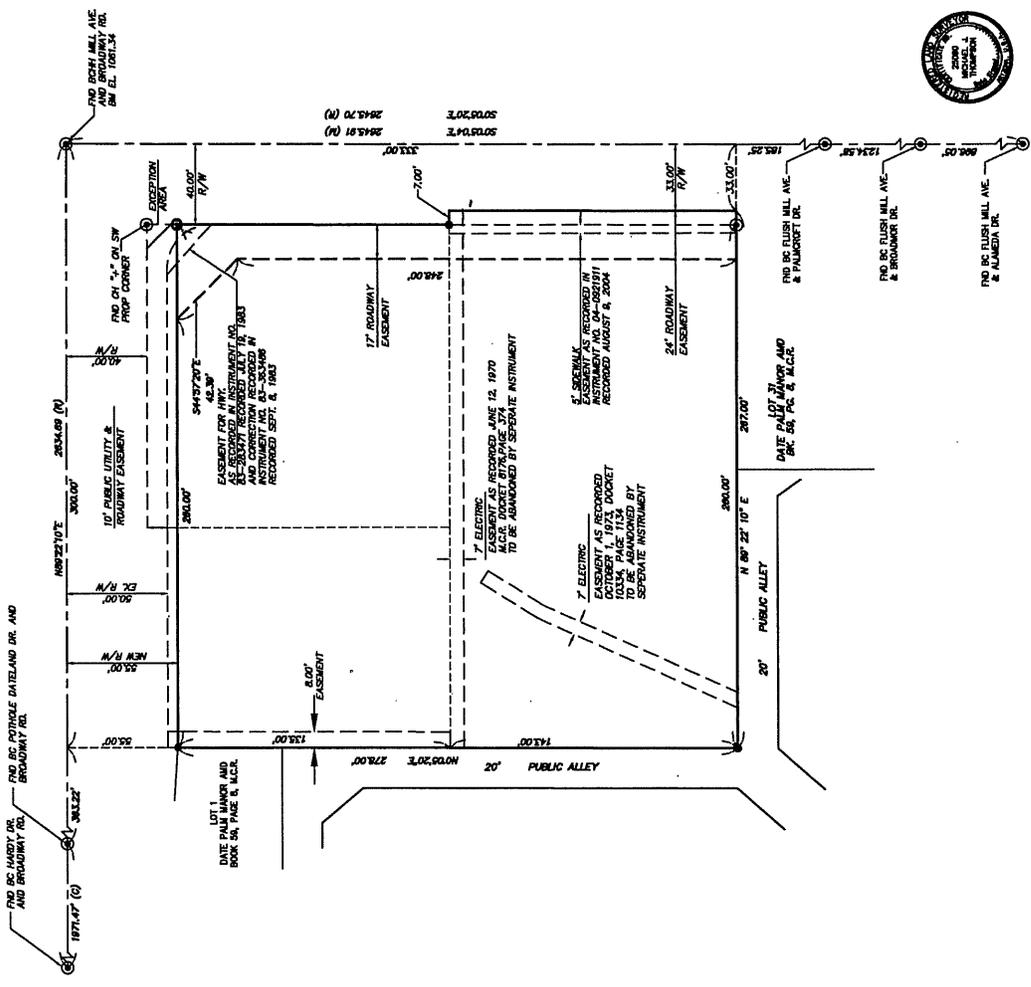
EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT 72 FEET SOUTH AND 40 FEET WEST OF THE NORTHEAST CORNER OF DATE PALM MANOR AMENDED, ACCORDING TO BOOK 59 OF MAPS, PAGE 6; THENCE, ALONG A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 22 FEET AND HAVING A CENTRAL ANGLE OF 90 DEGREES, TO AN INTERSECTION WITH A POINT 62 FEET WEST AND 50 FEET SOUTH OF SAID NORTHEAST CORNER; THENCE WEST, ALONG A LINE PARALLEL TO AND 50 FEET SOUTH OF THE NORTH SECTION LINE OF SECTION 27, A DISTANCE OF 3.00 FEET; THENCE SOUTHEASTERLY TO THE POINT OF BEGINNING.

PARCEL NO. 3:

THE SOUTH 143 FEET OF THE NORTH 333 FEET OF THE EAST 300 FEET OF THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING WEST OF THE CENTER LINE OF MILL AVENUE IN THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST 33 FEET THEREOF.



WALGREEN'S #11610  
K ARCHITECTS  
TEMPE, ARIZONA

Metro/Land Consultants, LLC  
DESIGN: SB  
DRAFTING: WSF  
CHECKED: MJT  
DATE: OCT 07

602-263-1100  
1-800-STATE-IT  
JOB NO. 07-055  
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