



## DEVELOPMENT PROJECT FILE

for  
8<sup>TH</sup> & RURAL  
(PL110371)

### ATTACHMENTS:

1-2. Time Extension Request Letter dated July 19, 2016

Staff Report from 03/22/2012 City Council Final Entitlement Hearing and Attachments (in original order and pagination)

1-81. Original Development Project Files

# HUELLMANTEL AFFILIATES

July 19, 2016

Suparna Dasgupta  
Principal Planner  
City of Tempe  
Community Development Department  
31 E. 5<sup>th</sup> Street  
Tempe, Arizona 85281

RE: PL110371 – Time Extension Request for Condition of Approval

Suparna:

I received your letter on July 18, 2016, regarding the current entitlements for the property located at 8<sup>th</sup> Street and Rural Road (PL110371). As you know, I represent Golub & Company, LLC (“Golub”) regarding the currently-vacant site at 8<sup>th</sup> Street and Rural Road.

You are assigned as the planner on our current request for an amendment to the existing Planned Area Development Overlay (“PAD”), which consists of the entitlements granted through the approval of PL110371. We also filed a new Development Plan Review application at the same time. Given the circumstances, I think that it is important to note that we filed our requests for entitlement modifications on March 7, 2016. We have worked to evolve the building design to address several rounds of comments and revisions from the City and we are waiting to receive hearing dates for our hearings before the Development Review Commission and the City Council.

In 2011, City Council approved a Disposition and Development Agreement (“DDA”) (C2011-72) that allowed Golub to proceed with a development pursuant to the 2008 Request for Proposals awarded to Golub. This original agreement has been amended (C2011-72A) effective July 31, 2014, and the City passed a resolution authorizing the City Manager to grant extensions with permission (Resolution 2012.102) which led to an additional extension (Resolution 2013.101).

Golub has completed two of the three action items under the agreement (including as amended) Section 3.2 Compliance with Schedule of Performance, which required Golub to (a) submit a PAD by December 1, 2011, (b) close the conveyance of the Property by September 1, 2014, and (c) Commence Construction of Phase 1 of the Project by December 30, 2016. To date, Golub submitted a PAD (originally approved March 22, 2012, and currently in progress for an amendment to the PAD) and executed conveyance of the City’s property within the specified timeframe. Golub’s compliance with the Schedule of Performance complied with Section 3.1 of the DDA, requiring Golub to “use commercially reasonable efforts to ensure that the

development of the Property occurs in accordance with the Schedule of Performance.” Again, given the circumstances, it seems important to note that Golub has been working diligently to solve challenging issues that are the basis of the DDA but that include the United States Bureau of Land Management, United States Bureau of Reclamation, Arizona State University, the Arizona Board of Regents, Valley Metro Rail, SRP and APS. The amount of coordination and work required of Golub has clearly exceeded the “commercially reasonable efforts” standard prescribed in the DDA.

Consistent with the requirements of Section 3.6 of the DDA, Golub relocated the intersection of Rural and Terrace Roads, demolished the existing building on the site and began relocation the SRP irrigation pipe on site. The irrigation pipe relocation caused significant delay in the timing of future construction because it can only be done in the winter months and because an unpermitted and previously undisclosed APS duct bank was discovered during the now mostly complete relocation work that was undertaken by SRP. Golub has obtained from APS a design for the duct bank relocation that is acceptable to SRP and the City, but completion of that work cannot occur until later this year, after which SRP will finish its work. Included in these arrangements is a reimbursement agreement that has recently been executed between the City of Tempe and Golub that obligates Golub to cover any future cost for modifications to APS’ new equipment that will be relocated to the City-owned Elias Rodriguez House.

As mandated by the DDA, Golub has paid the following amounts for the items described above:

|                                  |                    |
|----------------------------------|--------------------|
| Demolition                       | \$89,987           |
| Land Acquisition from Tempe:     | <u>\$1,317,505</u> |
| Intersection Design              | \$69,400           |
| Intersection Modification Costs: | \$783,390          |
| SRP Design                       | \$102,021          |
| SRP Pipe Relocation Costs:       | \$422,754          |
| <b>Total</b>                     | <b>\$2,785,057</b> |

In addition, Golub has committed approximately \$200,000 for the abovementioned pending APS line relocation that is being scheduled for August/September 2016 and must be completed before SRP completes the remainder of their work.

All of this work has been paid for by Golub. As such, we request an 18-month extension to September 22, 2017, to complete building permits and commence construction.

Please let me know if you have any questions or would like to discuss this matter further. I can be reached at (480) 921-2800 or via e-mail at charles@huellmantel.com. Thank you for your consideration.

Sincerely,



Charles Huellmantel

# Staff Summary Report



City Council Meeting Date: 3/22/2012

Agenda Item Number: 5D1

**SUBJECT:** Second and final public hearing to adopt a resolution authorizing the Mayor to execute a General Plan Amendment and to adopt an ordinance for a Zoning Map Amendment and Planned Area Development Overlay for 8TH & RURAL located at 855 South Rural Road.

**DOCUMENT NAME:** 20120322cdr101 PLANNED DEVELOPMENT (0406) (RESOLUTION NO. 2012.18) (ORDINANCE NO. 2012.07)

**COMMENTS:** Request for 8TH & RURAL (PL110371) (529 Tempe LLC, City of Tempe, Arizona Board of Regents and Salt River Project, property owners; Charles Huellmantel, Huellmantel & Affiliates, applicant) consisting of a new mixed-use residential development consisting of two phases, which includes two 21-story buildings with urban retail uses on the ground floor, totaling up to 465,695 sf. in building area on approximately 2.09 acres, located at 855 South Rural Road. The request includes the following:

GEP11005 (Resolution No. 2012.18) – General Plan Projected Land Use Map Amendment from “Commercial” to “Mixed Use” on 2.64 acres.

ZON11007 (Ordinance No. 2012.07) – Zoning Map Amendment from CSS, Commercial Shopping and Services District, R-4, Multi-Family Residential General District, and R/O, Residential/Office District to MU-4, Mixed-Use High Density District on 2.64 acres.

PAD11015 (Ordinance No. 2012.07) – Planned Area Development Overlay to establish development standards for 483 dwelling units; a maximum building height of 250’-0”; and reduce the minimum required vehicle parking from 855 to 571 spaces on 2.64 acres.

**PREPARED BY:** Ryan Levesque, Senior Planner (480-858-2393)

**REVIEWED BY:** Lisa Collins, Community Development Deputy Director (480-350-8989)

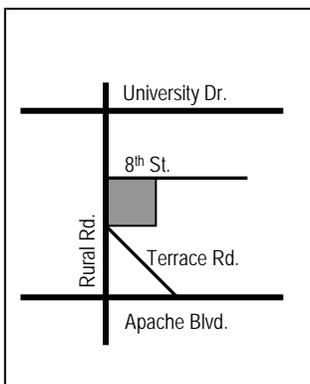
**LEGAL REVIEW BY:** Teresa Voss, Assistant City Attorney (480-350-8814)

**DEPARTMENT REVIEW BY:** Chris Anaradian, Community Development Director (480-858-2204)

**FISCAL NOTE:** While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

**RECOMMENDATION:** Staff – Approval, subject to conditions  
Development Review Comm. – Approval (5-2 Vote, Attridge and Granville dissenting)

**ADDITIONAL INFO:**



|                     |   |
|---------------------|---|
| Gross/Net site area | 2.64 acres (development site: 2.09 acres)               |
| Total Building area | 465,695 sf. (15,544 sf.)                                |
| Residential Density | 483 units or 231 du/ac (No Standard)                    |
| Lot Coverage        | 75% (No Standard)                                       |
| Building Height     | 250 ft. (No Standard)                                   |
| Building Setbacks   | 0' front, 0' streetside, 0' side, 0' rear (No Standard) |
| Landscape area      | 55% (No Standard)                                       |
| Vehicle Parking     | 571 spaces (855 min. required per TOD)                  |
| Bicycle Parking     | 483 spaces (461 minimum required)                       |

A neighborhood meeting was held on December 27, 2011, for this application.

- PAGES:**
1. List of Attachments
  - 2-5. Comments
  5. Reason for Approval / Conditions of Approval
  6. History & Facts / Zoning & Development Code Reference

- ATTACHMENTS:**
- 1-2. Resolution No. 2012.18
  - 2-4. Ordinance No. 2012.07
  - 5-7. Waiver of Rights and Remedies form
  8. Location Map(s)
  - 9-10. Aerial / Photo(s)
  - 10-32. Letter of Explanation
  - 33-46. Parking Analysis
  - 47-50. Traffic Impact Analysis – Executive Summary
  - 51-53. Neighborhood Meeting Summary
  - 54-55. PAD Cover & Project Data
  56. Building Design Perspective
  - 57-59. Phase I and Phase I & II Site Plan
  - 60-63. Building Elevations
  - 64-66. Floor Plans
  - 67-70. Solar Study analysis
  71. Public comments received
  - 72-74. DRAFT Development Review Commission meeting summary (2/14/2012)

## COMMENTS:

This site is located at the southeast corner of Rural Road and 8<sup>th</sup> Street, extending to the Terrace Road frontage. The site is located east of the University /Rural Light Rail Station and the Arizona State University campus. The area contemplates redevelopment of an abandoned commercial site including vacant commercial land and a portion of an ASU parking lot. As a result of the Valley Metro Light Rail project, commercial property was acquired with the realignment of Terrace Road and the new right-of-way through this property. Other properties include parcels to the north, previously containing Acme Roadhouse, bar and restaurant, now demolished, and a portion of the Arizona State University parking lot currently utilized for an office building on the east side. The project area also includes the existing underground water canal, owned and operated by Salt River Project. This project proposes to redirect the existing canal to the north of the site along the 8<sup>th</sup> Street frontage, allowing for a developable site.

The request for 8<sup>TH</sup> & Rural includes the following:

1. General Plan Land Use Amendment from "Commercial" to "Mixed Use"
2. Zoning Map Amendment from CSS, Commercial Shopping and Services District, R-4, Multi-Family Residential General District, and R/O, Residential/Office District to the MU-4, Mixed-Use High Density District.
3. Planned Area Development Overlay to establish development standards for 483 dwelling units; a maximum building height of 250'-0"; and reduce the minimum required vehicle parking from 855 to 571 spaces on 2.64 acres.

The applicant is requesting a recommendation from the Development Review Commission and a decision from City Council for general plan amendment, zoning map amendment and planned area development overlay. Related to this application, the City of Tempe, in 2008, issued a Request For Proposal for the city-owned parcels of land near the intersection of Rural Road and Terrace Road (vacant commercial building). 529 Tempe LLC, property owner for the north portion of the site (adjacent to 8<sup>th</sup> Street), was awarded the proposal showing a mixed-use development project in which they have subsequently entered into a Development and Disposition Agreement with the City.

Some of the specifics contemplated in the development and disposition agreement include compliance with: performance schedule to ensure the property is redeveloped, (the submittal of the PAD satisfies one of the schedule dates); Transit Oriented Development district standards; Building heights not to exceed 250' in height (excluding mechanical) and not be less than 85' in height; sensitive design at the street level keeping in mind the pedestrian nature of the street and the presence of the adjacent historic structure known as the Elias-Rodriguez House (northeast of site).

## PUBLIC INPUT

A neighborhood meeting is required for this request, in order to provide early on communication with the owners and residents of the area to the developer. The applicant held their neighborhood meeting on Tuesday, December 27, 2011 at 6 pm, at Hatton Hall. Other than the applicants, no one from the public attended this meeting. The applicant has received subsequent calls on the project, see Attachment 51-53, Neighborhood Input Summary. Staff has also received calls and emails from the public regarding this request. Initial communications include request to be informed on this project in the future. Staff has since included the residents in the public hearing notifications for this project. Comments also provided expressed concern for the total density of the project and the building height at its location. A resident in the University Heights neighborhood communicated a request to the applicant for additional perspectives from his neighborhood. See additional public comments on Attachment 71.

## PROJECT ANALYSIS

### GENERAL PLAN

The applicant has provided a written justification for the proposed General Plan amendment (See Attachments 11-32)

### Land Use Element:

This project requests to amend the General Plan 2030 projected land use for the site from "Commercial" to "Mixed-Use". The area currently has a projected residential density of "High Density" (greater than 25 dwelling units per acre) The project is in compliance with this density and does not seek to change the density map. The land use change will result in a mix of existing zoning districts on the properties which allow commercial and residential uses. This change in land use will seek to assemble those uses resulting in one zoning district that provides both residential and commercial on the same development. The site is directly across from a Light Rail Station, further supporting the concept of mixed use near transit hubs. The site is also adjacent to the Apache Boulevard Redevelopment Area, which further encourages the redevelopment and adaptive reuse of blighted or underdeveloped sites.

Historic Preservation: The site is adjacent to the Elias-Rodriguez House, one of the City's first historically designated sites, originally constructed in 1882, with significant improvements made in 1912 included the addition of a hip roof over the original flat roof design. The site stands as one of the oldest remaining adobe houses in Tempe. Careful consideration should be made to avoid any disturbance of the historic property. Our records also indicate the site is within an archeologically sensitive area. At the time of future construction, the developer should contact the State's Historical Society when grading/excavating the site. Documentation is required for the discovery of human remains.

Neighborhoods: The site is not within a defined neighborhood. The closest neighborhoods, approximately a half mile to the east includes the University Heights neighborhood and to the south of Apache Boulevard, the Jen Tilly Terrace neighborhood. The existing surroundings primarily include established multi-family properties which consist of a large student population servicing Arizona State University, including a dormitory directly south of the site. This area, based on the existing development, is one of the most densely populated areas.

Economic Development: The request for zoning entitlements that would allow redevelopment of the site will support future economic viability of the area and further the goals and objectives to revitalize an aging commercial property.

Aviation: The site may be in close proximity to the Phoenix Sky Harbor flight path, requiring the Federal Aviation Administration hazard review of tall buildings.

Recreational Amenities: The site is located within about one mile of the Tempe Town Lake area, which includes bike and pedestrian pathways, a public park, lake recreations and many other regional amenities. There is no immediate public park within this neighborhood. The closest park is about three-quarters a mile away along 8<sup>th</sup> Street. This project proposes roof top amenities essential for servicing the population of the site.

Section 6-303 D. Approval criteria for General Plan amendment:

1. Appropriate short and long term public benefits
2. Mitigates impacts on land use, water infrastructure or transportation
3. Helps the city attain applicable objectives of the General Plan
4. Provides rights-of-way, transit facilities, open space, recreational amenities or public art
5. Potentially negative influences are mitigated and deemed acceptable by the City Council
6. Judgment of the appropriateness of the amendment with regard to market demands, and impacts on surrounding area, service, fiscal, traffic, historic properties, utilities and public facilities.

## ZONING

The site currently contains multiple zoning designations of CSS, Commercial Shopping and Services District, R-4, Multi-Family Residential General District, the R/O, Residential/Office District and the Transportation Overlay District. The project proposes to change the underlying zoning to the MU-4, Mixed-Use High Density District, while retaining the Transportation Overlay District. Mixed-Use districts require a Planned Area Development Overlay to establish district standards for the project. The original zoning was the result of the previous commercial configuration where additional arterial frontage was present along Rural Road prior to the light rail alignment.

The current zoning for the area is primarily R-4, Multi-Family Residential General District. Most of the existing developments predated the development standards, which some sites ranging in density from 30-40 dwelling units per acre. Other project sites include recent rezoned properties with MU-4 zoning at the corner of Terrace and Lemon Street and on the south side of Lemon Street. Another site, zoned MU-4, along Apache Boulevard, is The Vue, a mixed-use project consisting of 10-stories.

Section 6-304 C.2. Approval criteria for Zoning Map Amendment:

1. The proposed zoning amendment is in the public interest.
2. The proposed zoning amendment conforms with and facilitates implementation of the General Plan.

## PLANNED AREA DEVELOPMENT

The applicant is requesting a Planned Area Development Overlay to establish the general development standards found in the MU-4

District and modify the standard parking requirements. Below is a comparison chart with the requested changes identified.

| <b>8<sup>th</sup> &amp; RURAL – Planned Area Development Overlay</b>   |                  |   |
|--|------------------|---|
| <b>Standard</b>  | <b>MU-4</b>      | <b>Proposed MU-4 PAD</b>                  |
| Density (dwelling units / acre)  | NS               | 231 du/ac                                 |
| Total Dwelling Units   | NS               | Phase I, 250 units<br>Phase II, 233 units |
| Building Height  |                  |   |
| Building Height Maximum (feet)   | NS               | 250 ft.                                   |
| Building Height Step-Back Required Adjacent to SF or MF District, [Section 4-404, Building Height Step-Back] | Yes              | -   |
| Maximum Lot Coverage (% of net site area)  | NS               | 36%                                       |
| Minimum Landscape Area (% of net site area)  | NS               | 31%                                       |
| Setbacks (feet):   |                  |   |
| Front (Rural Road)   | NS               | 0 ft.                                     |
| Building   | 20 ft.           | 20 ft.                                    |
| Parking  |                  |   |
| Side   | NS               | 0 ft.                                     |
| Rear   | NS               | 0 ft.                                     |
| Street Side (8 <sup>th</sup> St. / Terrace Rd.)  | NS               | 0 ft.                                     |
| Parking  | 20 ft.           | 20 ft.                                    |
| Vehicle Parking: (TOD Station Area parking regulations)  |                  |   |
| Studio Units (16) x .75 per unit   | 12               | (0.5 / studio)                            |
| Convertible Units (36) x .75 per unit  | 27               | (0.5 / convertible)                       |
| 1 Bedroom Units (56) x .75 per unit  | 42               | (1.0 / 1 bedroom)                         |
| 2 Bedroom Units (256) x 1.5 per unit   | 384              | (1.0 / 2 bedroom)                         |
| 3 Bedroom Units (119) x 2.25 per unit  | 267.75           | (1.5 / 3 bedroom)                         |
| Guests per unit (483) x 0.2 per unit   | 96.6             | (0.1 / guest)                             |
| Retail (15,544 sf.) (up to 50% reduction) 1/300 sf. thereafter   | 25.91            | (1 / 4,000 sf.)                           |
|  | <b>855 TOTAL</b> | <b>571 TOTAL</b>                          |

The proposed project is requesting the MU-4, Mixed-Use High Density District, which requires simultaneous processing of a Planned Area Development Overlay to establish the site's general development standards. In addition, the applicant is seeking modification to the parking standards for the site. The development proposal consists of two phases of development. The total units for the site include 483 dwelling units, providing a density of 183 dwelling units per acre. Here is a comparison of other entitled projects in the vicinity. In 2009 Lemon Mixed-Use Development received approval of MU-4 entitlements with 478 units (83 du/ac) with a 180' building height; In 2008 Campus Edge (now known as The Vue) received approval of MU-4 entitlements and constructed 132 units (88 du/ac) with a 116' building height.

### Solar Study

As required for tall buildings when adjacent to any residential districts or a hotel or mixed-use development with photovoltaic equipment, or swimming pool, a solar study is required. The applicant has provided this information as identified in Attachments 67-70, providing shade patterns during the vernal equinox, summer solstice, autumnal equinox and winter solstice. The study appears to indicate minimal shade impact to the surrounding area. During the vernal equinox in the early morning 7-9 am, some shade impact occurs on the ASU parking structure which contains solar equipment on the above level.

Section 6-305 D. Approval criteria for P.A.D.:

1. The development standards listed above, as established as part of the PAD Overlay District, as well as the standards required in Part 4 will provide enhanced design elements for development of this site.
2. The proposed alternate development standards will generally conform to the Development and Disposition Agreement with 529 Tempe LLC.
3. A greater focus on high quality design and architecture will be provided throughout the development.
4. The conditions of approval are reasonable to ensure conformance with other provisions of the Zoning and Development Code.

**Conclusion**

Based on the information provided and the above analysis, staff recommends approval of the requested General Plan Amendment / Zoning Map Amendment / Planned Area Development . This request meets the required criteria and will conform to the recommended conditions listed.

**REASONS FOR APPROVAL:**

1. The project will change the General Plan Projected Land Use to Mixed-Use providing a more compatible land use adjacent to a major light rail intersection that supports alternate modes of transportation.
2. The project will comply with the General Plan Projected Residential Density for this site of High Density, greater than 25 dwelling units per acre.
3. The project will provide alternate development standards as allowed under the Zoning and Development Code and provide enhanced elements as a result.
4. The PAD overlay process was specifically created to allow for greater flexibility, to allow for increased heights, alternate setbacks and parking reductions.
5. The proposed project meets the approval criteria for a General Plan Amendment/Zoning Amendment/Planned Area Development Overlay.

**ZON11007 AND PAD11015**

**CONDITIONS OF APPROVAL:**

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

1. A building permit application shall be made on or before March 22, 2016, or the zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process as a zoning map amendment.
2. The property owners of 529 Tempe LLC and a representative from Arizona State University for the Arizona Board of Regents shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waives any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City's approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than 30 calendar days after the decision date (March 22, 2012), or the Planned Area Development Overlay, Zone Map Amendment and General Plan Map Amendment approval shall become null and void.
3. The Planned Area Development Overlay shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.
4. The owner(s) of the property shall, prior to a development plan review application, complete, execute and provide to the city a signed "owner's authorization form".

## HISTORY & FACTS:

- March 5, 2008 City of Tempe issued a Revised Request For Proposal (RFP), for the development and disposition of approximately 1.09 acres of city-owned real property.
- July, 2008 City of Tempe awarded "529 Tempe" the exclusive rights to negotiate a development leading to the disposition and redevelopment of the property in accordance with the RFP response.
- June 30, 2011 The City of Tempe and 529 Tempe LLC, entered into a Development and Disposition Agreement (DDA) Ordinance 2011.12.
- November 14, 2011 Applicant submitted an application for a PAD, among other required applications for this request, per the DDA Schedule of Performance (submit PAD on or before December 1, 2011).
- December 27, 2011 Neighborhood meeting held by the applicant at Hatton Hall at 6 pm.
- February 14, 2012 Scheduled public hearing with the Development Review Commission for this request.
- March 8, 2012 Scheduled City Council introduction and first public hearing for the General Plan Amendment, Zoning Map Amendment and Planned Area Development Overlay for this request.
- March 22, 2012 Scheduled City Council second and final public hearing for the General Plan Amendment, Zoning Map Amendment and Planned Area Development Overlay for this request.
- September 1, 2012 Pursuant to DDA, Schedule of Performance, closing of property to occur on or before September 1, 2012.
- Pursuant to DDA, Schedule of Performance, developer shall submit a complete building permit application within two years of the date foundation permits are issued.
- January 13, 2014 Pursuant to DDA, Schedule of Performance, developer to commence construction of Phase I of project on or before January 13, 2014.

## ZONING AND DEVELOPMENT CODE REFERENCE:

- Section 6-302, General Plan Amendment
- Section 6-304, Zoning Map Amendment
- Section 6-305, Planned Area Development (PAD) Overlay districts

## RESOLUTION NO. 2012.18

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE ZONING AND DEVELOPMENT CODE FOR APPROXIMATELY 3.64 ACRES LOCATED AT 855 AND 903 SOUTH RURAL ROAD AND OWNED BY 529 TEMPE LLC, CITY OF TEMPE, ARIZONA BOARD OF REGENTS, AND SALT RIVER PROJECT.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, that the General Plan 2030 Projected Land Use Map is hereby amended for approximately 3.64 acres from "Commercial" to "Mixed-Use", located at 855 and 903 South Rural Road, and as reference in Exhibit 'A'.

### Exhibit 'A'

A parcel of land lying within Section 23, Township 1 North, Range 4 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the northwest corner of said Section 23, a brass cap in handhole, from which the west quarter corner of said section, a brass cap in handhole, bears South 00°00'00" West (basis of bearing), a distance of 2640.82 feet;

**THENCE** along the west line of said section, South 00°00'00" West, a distance of 411.18 feet;

**THENCE** leaving said west line, North 90°00'00" East, a distance of 55.00 feet, to the east line of the west 55 feet of said section, a point of intersection with a non-tangent curve and the **POINT OF BEGINNING**;

**THENCE** leaving said east line, easterly along said curve, having a radius of 20.00 feet, concave southerly, whose radius bears South 26°04'56" East, through a central angle of 39°52'57", a distance of 13.92 feet, to the curve's end;

**THENCE** South 76°11'59" East, a distance of 82.47 feet;

**THENCE** South 75°14'08" East, a distance of 282.37 feet, to the northerly prolongation of the westerly line of Lot 1 of Elias Rodriguez Place as shown on Final Plat recorded in Book 556, page 45, Maricopa County Records (M.C.R.);

**THENCE** along said prolongation and said westerly line and the southerly prolongation thereof, South 14°31'00" West, a distance of 133.37 feet, to the southerly line of McKinney Kirkland Ditch as shown on Final Plat recorded in Book 2, page 80, M.C.R.;

**THENCE** leaving said prolongation, along said southerly line, North 64°31'00" West, a distance of 9.76 feet;

**THENCE** North 85°22'00" West, a distance of 12.58 feet;

**THENCE** leaving said southerly line, South 14°44'39" West, a distance of 51.39 feet, to the beginning of a curve;

**THENCE** southerly along said curve, having a radius of 49.50 feet, concave easterly, through a central angle of 41°50'31", a distance of 36.15 feet, to a point of compound curvature;

THENCE southeasterly along said curve, having a radius of 24.50 feet, concave northeasterly, through a central angle of 40°05'23", a distance of 17.14 feet, to a point of compound curvature;  
THENCE easterly along said curve, having a radius of 9.50 feet, concave northerly, through a central angle of 39°29'43", a distance of 6.55 feet, to a point of intersection with a non-tangent line;  
THENCE South 00°00'00" West, a distance of 32.52 feet;  
THENCE South 14°44'41" West, a distance of 64.77 feet, to the beginning of a curve;  
THENCE southeasterly along said curve, having a radius of 19.50 feet, concave northeasterly, through a central angle of 101°51'30", a distance of 34.67 feet, to a point of intersection with a non-tangent line;  
THENCE South 08°57'34" West, a distance of 27.86 feet, to a point of intersection with a non-tangent curve;  
THENCE southwesterly along said curve, having a radius of 23.00 feet, concave southeasterly, whose radius bears South 00°05'17" West, through a central angle of 74°38'18", a distance of 29.96 feet, to a point of reverse curvature;  
THENCE southwesterly along said curve, having a radius of 57.50 feet, concave northwesterly, through a central angle of 33°37'34", a distance of 33.75 feet, to the curve's end;  
THENCE South 49°04'34" West, a distance of 18.93 feet;  
THENCE North 40°51'45" West, a distance of 94.06 feet;  
THENCE North 43°03'21" West, a distance of 89.08 feet;  
THENCE North 43°23'46" West, a distance of 194.75 feet, to the east line of the west 63 feet of said section;  
THENCE along said east line, North 00°00'00" East, a distance of 22.79 feet;  
THENCE leaving said east line, North 90°00'00" West, a distance of 8.00 feet, to the east line of the west 55 feet of said section;  
THENCE along said east line, North 00°00'00" East, a distance of 214.66 feet, to the **POINT OF BEGINNING**.

Containing 2.6354 acres, or 114,796 square feet of land, more or less.

Subject to existing rights-of-way and easements.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA,  
this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**ORDINANCE NO. 2012.07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE CITY OF TEMPE ZONING MAP, PURSUANT TO THE PROVISIONS OF ZONING AND DEVELOPMENT CODE PART 2, CHAPTER 1, SECTION 2-106 AND 2-107, RELATING TO THE LOCATION AND BOUNDARIES OF DISTRICTS.**

\*\*\*\*\*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

**Section 1.** That the City of Tempe Zoning Map is hereby amended, pursuant to the provisions of Zoning and Development Code, Part 2, Chapter 1, Section 2-106 and 2-107, by removing the below described property from the CSS, Commercial Shopping and Services District, the R-4, Multi-Family Residential General District, and the R/O, Residential/Office District and designating it as MU-4, Mixed-Use High Density District with a Planned Area Development Overlay and within the Transportation Overlay District on approx. 2.64 acres.

LEGAL DESCRIPTION

A parcel of land lying within Section 23, Township 1 North, Range 4 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the northwest corner of said Section 23, a brass cap in handhole, from which the west quarter corner of said section, a brass cap in handhole, bears South 00°00'00" West (basis of bearing), a distance of 2640.82 feet; THENCE along the west line of said section, South 00°00'00" West, a distance of 411.18 feet; THENCE leaving said west line, North 90°00'00" East, a distance of 55.00 feet, to the east line of the west 55 feet of said section, a point of intersection with a non-tangent curve and the POINT OF BEGINNING; THENCE leaving said east line, easterly along said curve, having a radius of 20.00 feet, concave southerly, whose radius bears South 26°04'56" East, through a central angle of 39°52'57", a distance of 13.92 feet, to the curve's end; THENCE South 76°11'59" East, a distance of 82.47 feet; THENCE South 75°14'08" East, a distance of 282.37 feet, to the northerly prolongation of the westerly line of Lot 1 of Elias Rodriguez Place as shown on Final Plat recorded in Book 556, page 45, Maricopa County Records (M.C.R.); THENCE along said prolongation and said westerly line and the southerly prolongation thereof, South 14°31'00" West, a distance of 133.37 feet, to the southerly line of McKinney Kirkland Ditch as shown on Final Plat recorded in Book 2, page 80, M.C.R.; THENCE leaving said prolongation, along said southerly line, North 64°31'00" West, a distance of 9.76 feet; THENCE North 85°22'00" West, a distance of 12.58 feet; THENCE leaving said southerly line, South 14°44'39" West, a distance of 51.39 feet, to the beginning of a curve; THENCE southerly along said curve, having a radius of 49.50 feet, concave easterly, through a central angle of 41°50'31", a distance of 36.15 feet, to a point of compound curvature; THENCE southeasterly along said curve, having a radius of 24.50 feet, concave northeasterly, through a central angle of 40°05'23", a distance of 17.14 feet, to a point of compound curvature;

THENCE easterly along said curve, having a radius of 9.50 feet, concave northerly, through a central angle of 39°29'43", a distance of 6.55 feet, to a point of intersection with a non-tangent line;  
THENCE South 00°00'00" West, a distance of 32.52 feet;  
THENCE South 14°44'41" West, a distance of 64.77 feet, to the beginning of a curve;  
THENCE southeasterly along said curve, having a radius of 19.50 feet, concave northeasterly, through a central angle of 101°51'30", a distance of 34.67 feet, to a point of intersection with a non-tangent line;  
THENCE South 08°57'34" West, a distance of 27.86 feet, to a point of intersection with a non-tangent curve;  
THENCE southwesterly along said curve, having a radius of 23.00 feet, concave southeasterly, whose radius bears South 00°05'17" West, through a central angle of 74°38'18", a distance of 29.96 feet, to a point of reverse curvature;  
THENCE southwesterly along said curve, having a radius of 57.50 feet, concave northwesterly, through a central angle of 33°37'34", a distance of 33.75 feet, to the curve's end;  
THENCE South 49°04'34" West, a distance of 18.93 feet;  
THENCE North 40°51'45" West, a distance of 94.06 feet;  
THENCE North 43°03'21" West, a distance of 89.08 feet;  
THENCE North 43°23'46" West, a distance of 194.75 feet, to the east line of the west 63 feet of said section;  
THENCE along said east line, North 00°00'00" East, a distance of 22.79 feet;  
THENCE leaving said east line, North 90°00'00" West, a distance of 8.00 feet, to the east line of the west 55 feet of said section;  
THENCE along said east line, North 00°00'00" East, a distance of 214.66 feet, to the POINT OF BEGINNING.

Containing 2.6354 acres, or 114,796 square feet of land, more or less.

Subject to existing rights-of-way and easements.

**Section 2.** Further, those conditions of approval imposed by the City Council as part of **Case # ZON11007 and PAD11015** are hereby expressly incorporated into and adopted as part of this ordinance by this reference.

**Section 3.** Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**WHEN RECORDED RETURN TO:**  
City of Tempe  
Community Development Department  
31 E. 5<sup>th</sup> Street  
Tempe, AZ. 85281

**WAIVER OF RIGHTS AND REMEDIES  
UNDER A.R.S. §12-1134**

This Waiver of Rights and Remedies under A.R.S. § 12-1134 (Waiver) is made in favor of the City of Tempe (City) by 529 Tempe LLC, a Delaware Limited Liability Company and the Arizona Board of Regents (Owner/s).

Owner acknowledges that A.R.S. § 12-1134 provides that in some cases a city must pay just compensation to a land owner if the city approves a land use law that reduces the fair market value of the owner's property (Private Property Rights Protection Act).

Owner further acknowledges that the Private Property Rights Protection Act authorizes a private property owner to enter an agreement waiving any claim for diminution in value of the property in connection with any action requested by the property owner.

Owner has submitted Application No. **PL110374** to the City requesting that the City approve the following:

- GENERAL PLAN AMENDMENT
- ZONING MAP AMENDMENT
- PAD OVERLAY
- HISTORIC PRESERVATION DESIGNATION/OVERLAY
- USE PERMIT
- VARIANCE
- DEVELOPMENT PLAN REVIEW
- SUBDIVISION PLAT/CONDOMINIUM PLAT
- OTHER \_\_\_\_\_

*(Identify Action Requested))*

for development of the following real property (Property):

Parcel Nos. : 132-73-043C, 132-73-002, 132-73-003, 132-73-006B, 132-73-004, 132-73-044K, 132-73-044L, 432-73-539, and a portion of 132-73-540

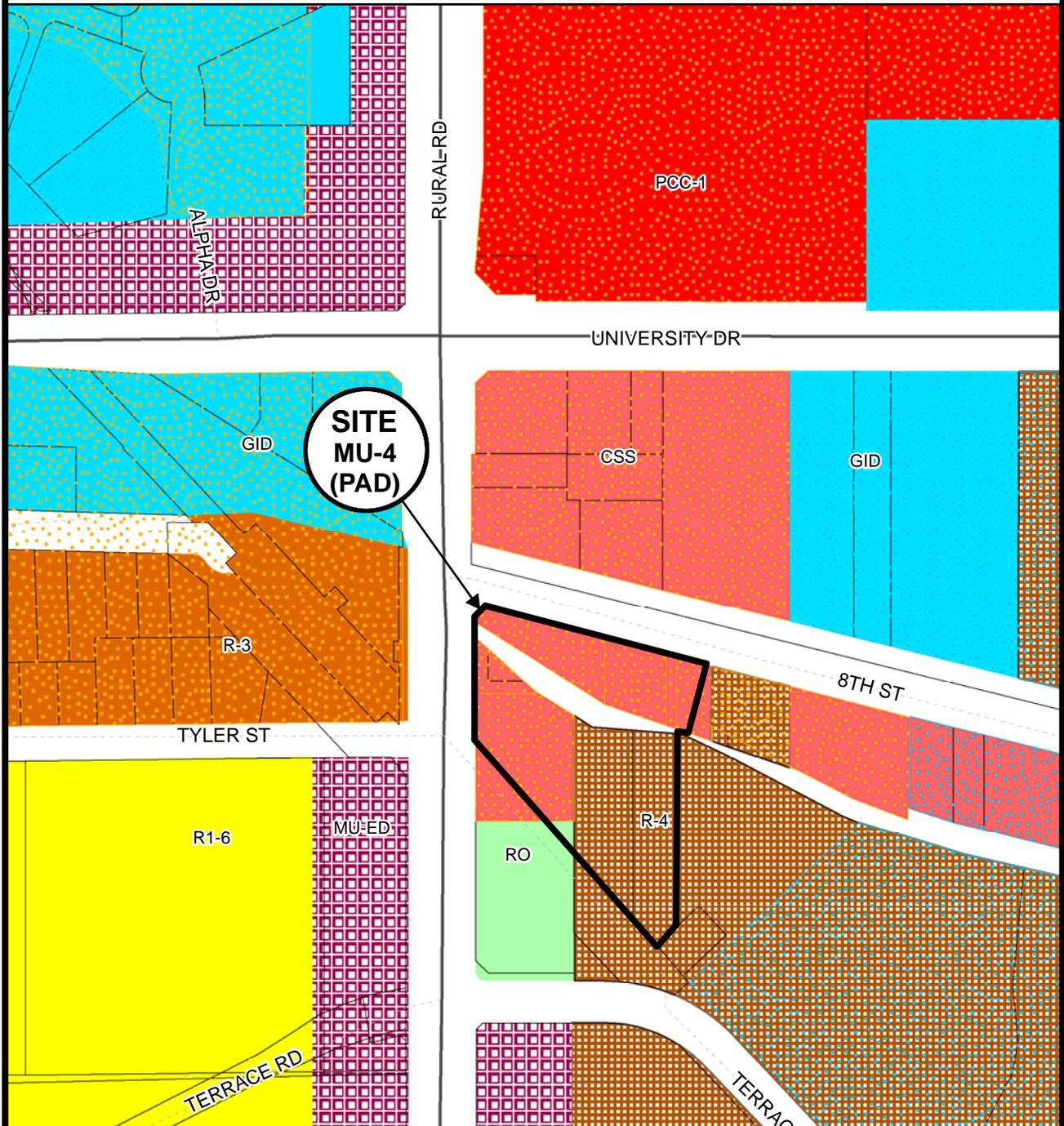
Addresses: 855 South Rural Road, 903 South Rural Road, and 919 East 8<sup>th</sup> Street, Tempe, Arizona.





8TH & RURAL

PL110371



Transporation Overlay District

- Corridor
- Station



Location Map



**8TH & RURAL (PL110371)**



(E)



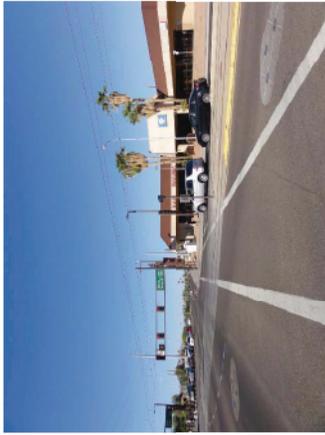
(F)



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(H)



(A)



(B)



(C)



(D)



(E)



(F)



(G)



(H)



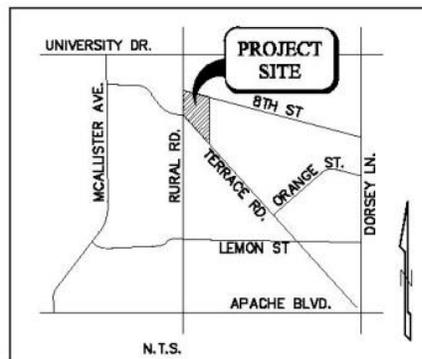
# 8<sup>TH</sup> AND RURAL

## LETTER OF EXPLANATION

### GENERAL PLAN 2030 AMENDMENT

855 SOUTH RURAL ROAD

LOCATED ON THE SOUTHEAST CORNER OF RURAL ROAD AND 8<sup>TH</sup> STREET



N.T.S.  
VICINITY MAP

**APPLICANT:**

**H**UELLMANTEL  
AFFILIATES

Charles Huellmantel

PO Box 1833 - Tempe, Arizona 85280-1833 - (480) 921-2800 - [charles@huellmantel.com](mailto:charles@huellmantel.com)

529 Tempe, LLC is proposing a General Plan 2030 Amendment for the currently vacant property below:

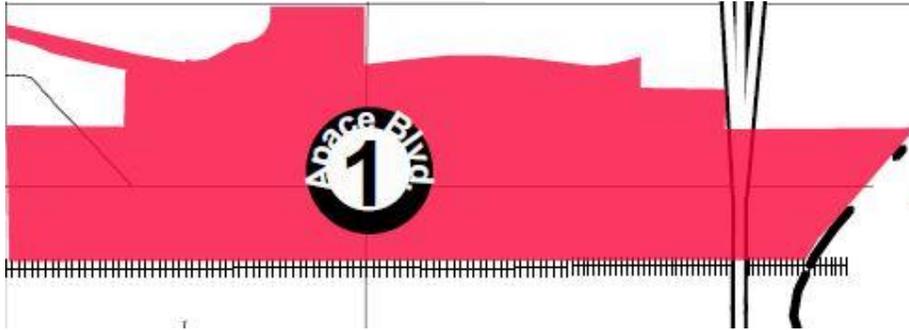


We are proposing to amend the 2030 General Plan **Proposed Land Use Element** but not the **Projected Density** for the property located at the Southeast corner of Rural Road and 8<sup>th</sup> Street. The request for modification of the General Plan in this case is limited to an amendment to the General Plan Land Use (from Commercial to Mixed Use). We will not be required to amend the Proposed Density as the project fits within the voter-approved Projected Density of more than 25 units per acre as detailed above in the narrative.

This proposed amendment supports the Land Use Principles in General Plan 2030 by providing additional housing for the nearly 200,000 project residents Tempe hopes to accommodate in the coming decades. An amendment to the General Plan addresses one of the General Plan's top priorities - the use of vacant land. The property in question has long been unoccupied and unused. Turning the vacant and unmanaged land into a residential development will contribute to the "Neighborhood" element. The proposed change meets the following objectives of the Land Use element: encourage housing initiatives, encourage redevelopment, promote neighborhood preservation and enhancement. Two important strategies the General Plan outlines in achieving these goals is to allow flexibility in housing

location, type and density and encouraging development of housing in close proximity to employment and services. The proposed multi-family residential project at this location would help meet objectives and strategies for fulfilling the given objectives as is located just a few hundred feet east of a major light rail station at ASU.

One of the many positive impacts of the proposed project is that it furthers the goals of Growth Area #1 as depicted below:



The General Plan for this area encourages “reinvestment to build a more desirable neighborhood in which people will enjoy living, working and visiting.” Objectives for this Growth Area include: eliminating blighting influences, encourage a strong sense of community, encourage reinvestment, encourage transit and pedestrian-oriented design and development, promote desirable reuse of land, redevelop and rehabilitate substandard conditions, and stabilize and improve the area. The proposed project meets these objectives through utilizing the following strategies mentioned in the General Plan 2030:

- *Enhance the gateway to Tempe through the improvement or removal of unsightly conditions*
  - The proposed project meets this goal by making use of a vacant and poorly-maintained property and turning it into a high-end mixed use residential project with retail uses on the ground floor. This will greatly improve the area and clean up a blighted lot.
- *Cluster higher density development around transit stations*
  - This property is centrally located just across the street from Arizona State University and a major transportation hub for buses and light rail. The proposed project is high density (>200 units per acre) and will provide convenient access to the university and transportation hubs for hundreds of people.
- *Discourage non-essential traffic and promote efficient local circulation*
  - Because of the proposed project’s proximity to Arizona State University and transportation hubs, it would significantly decrease non-essential traffic and promote the use of public transportation while encouraging pedestrian and bicycle use throughout the area.
- *Increase residential and tourist-oriented development*
  - The proposed project is residential in nature and therefore increases such development by providing approximately 500 units in a centrally-located area.

Furthermore, the retail uses on the lower level of the development has the potential to attract tourists visiting their family members or friends at the university and will provide additional revenue for the City as well as promote retail economic development in close proximity to ASU, an amenity for students that is lacking.

- *Increase the utilization of undeveloped or under-developed property*
  - As mentioned previously, the proposed project would be utilizing an undeveloped and neglected, vacant parcel of land in a prime location and transform it into a luxury mixed use development.
- *Upgrade commercial development by introducing viable long-term businesses and mixed-use projects*
  - The proposed development is mixed use and nature, with retail space located on the lower level. This property's proximity to Arizona State University provides the retail component with a unique advantage and will undoubtedly contribute to these businesses' long-term success. The residential component will benefit as well from the project's location.

This project will be a dense high-end mixed use residential project conveniently located just east of the ASU campus. This project will truly create an area that lives up to Tempe's slogan, as it will be a place where people can "live, work and play" within walking distance of each other. The proposed mixed use residential project is well-aligned with contributing to this Growth Area by providing appropriately dense housing in conjunction with the Projected Density of the General Plan while adding to the diversity of the area's land use as well as improving a blighted area.

The proposed amendment to the General Plan Projected Land Use Map will impact the surrounding ½ mile area, most of which consists of Arizona State University and other multi-family residential housing, by providing additional units in which students and employees of the university can live in and doing so closer to the campus. The proposed amendment addresses the following criteria:

*a. Describe the public benefit of the proposed amendment in terms of increase/decrease in intensity and its impact on adjacent land uses versus the impact of the present land use designation.*

The proposed project will increase the intensity in use of the property as it is currently vacant and has remained so for several years. This will positively impact the adjacent land uses by bringing more people closer to the ASU campus and the downtown area, which will include an increase in the people frequenting local businesses as we anticipate some of the residents will not have their own personal vehicular transportation.

*b. Describe the public benefit of the proposed amendment in terms of impact on the city's infrastructure (i.e. water, sewer, utilities, streets, in terms of anticipated traffic generation, projected carrying capacity, projected volume, need for more streets, city services, etc.) versus the impact of the present land use designation.*

The City's infrastructure will be impacted by the change in use of this property. The current impact is negligent because the land is vacant. The proposed project will not impact the City's need for additional streets as the existing infrastructure supports the property; however, we will be making changes to the existing light rail intersection to provide safe access to the property for both pedestrians and vehicular traffic. Because of the project's proposed density, less stress will be placed upon other City infrastructure such as water, sewer and utilities as the project will have concentrated density. This provides for less construction in directing the required service to the property and residents as opposed to providing service to the same number of people spread out over a larger area.

*c. Describe the proposed development quality of life in terms of how its components reflect unique site design, building design, landscaping; integrate or provide access between varied uses; deal creatively with the automobile; and reduce/eliminate physical barriers, as well as provide residential, employment and shopping opportunities.*

The proposed project will have a positive impact on the quality of life of residents in the area because it will increase accessibility to the university and downtown areas and provide a high-quality mixed use development on property that is vacant and undeveloped. The developer is well-regarded for its buildings' aesthetics and landscape designs. The project would bridge the gap between the university and the surrounding residential areas which are separated by this blighted parcel of land and because of its proximity to a myriad of amenities, we anticipate the number of residents utilizing personal vehicles for travel will be minimal. Additionally, the mixed use component of the project provides for convenient shopping while increasing residential housing.

*d. Describe the use of open space, parks or green belts, and how the development separates as well as links residential and nonresidential component(s), if the proposed development incorporates a residential component. If applicable, describe how the proposed development impacts existing parks.*

The proposed project is located just east of Arizona State University and as such provides access to all of the university's open space and nearby parks including Birchett Park as well as ASU's stadiums, golf course and recreational center. The project also provides open space in the form of pedestrian walkways throughout and seating for people utilizing the retail area of the property.

*e. Describe the proposed development in terms of supporting regional and local transit objectives for arterial streets; implementing the goals and objectives of the Tempe Transit Plan; describe the internal street system in terms of supporting the above goals and objectives and incorporating uniquely designed transit facilities along the arterial streets.*

As previously mentioned, the location of the proposed project as well as its proposed use will put hundreds of residents within walking distance to major transportation hubs for both bus and light rail travel. Its proximity to Arizona State University will provide students looking for housing options close to campus with yet another location to live in that will decrease the need for vehicular travel, especially to attend classes at the university. As it relates to Tempe's Transit Plan, the proposed project is in line with the strategy to "coordinate with land-use planning efforts to promote transit-oriented

development, and enhance access to transit throughout the city” and promotes the success of both objectives of the Transit Plan to both “Increase available transit modes and services to support ridership increases and an expanded transit mode share” and “Facilitate connections among transportation modes” by providing hundreds of residents with easy access to both bus and light rail transportation who may not have previously had such access.

*f. Describe the proposed amendment in terms of effects on the school districts (enrollments and facilities).*

The proposed amendment to the General Plan Proposed Land Use Map will likely not have much impact on school districts and facilities as the project is geared mostly toward university students.

It is for these reasons that we believe the proposed amendment to the General Plan is in conformance with the spirit and objectives of the General Plan that voters approved in 2002. As such, we seek your approval of the modification to the Proposed Land Use Map from Commercial to Mixed Use to accommodate the proposed project.

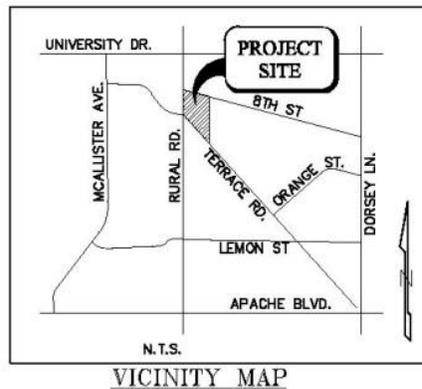
# 8<sup>TH</sup> AND RURAL

## LETTER OF EXPLANATION

### ZONING MAP AMENDMENT

855 SOUTH RURAL ROAD

LOCATED ON THE SOUTHEAST CORNER OF RURAL ROAD AND 8<sup>TH</sup> STREET



**APPLICANT:**

**H**UELLMANTEL  
AFFILIATES

Charles Huellmantel

PO Box 1833 - Tempe, Arizona 85280-1833 - 480.921-2800 - charles@huellmantel.com

## PROJECT DESCRIPTION

529 Tempe LLC is proposing a zoning map amendment to the current vacant property below:



Golub & Company, an international real estate development and investment firm that has been active in the U.S. for more than 50 years, with projects in Arizona spanning the past 10 years, is proposing a zoning map amendment for land between Terrace Road and 8<sup>th</sup> Street on the east side of Rural Road. Running concurrently with this request is a request for a Planned Area Development Overlay and General Plan Amendment.

The requested changes would allow for the development of a 21-story mixed-use residential project with urban retail uses on the ground floor. The approval of the requested amendments will enable the creation of a thriving live/work/play environment on a prominent block in central Tempe, bringing vibrancy to the neighborhood and an enhanced quality of life to area residents.

Golub & Company was founded in Chicago, Illinois in 1960 and since then has developed, owned or managed more than 45 million square feet of commercial space and 50,000 multifamily units within the United States and abroad, with total value exceeding \$7 billion.

The firm is recognized as an industry leader with an effective, hands-on approach and a strong track record of success throughout multiple real estate and economic cycles.

Golub & Company now seeks to utilize its extraordinary skill set on this 8th and Rural Road project in Tempe.

The proposed site plan provides for approximately 500 residential units in two separate phases in an urban vertical building. The proposed development will include significant amenities for its residents while also contributing to the community at large. Resident amenities are expected to include a state-of-the-art fitness center, media room, business center, and pool and spa facilities. The community will benefit from the open, landscaped pedestrian oriented public areas, the street level retail and the overall thoughtful activation of this prominent city block, adding essential vibrancy to the neighborhood, university area and light rail station area.

To capitalize on the site's strategic location and adjacency to the light rail system, the proposed multi-use complex is thoughtfully designed to extend this active pedestrian connection with a dynamic streetscape of retail at ground level.

One unique design feature that further enhances the active streetscape is that the parking structure of the complex is screened from the view of the main streets. This is accomplished by wrapping the multi-level parking structure with retail at the ground level and residential units above. The amenity floor for the residents is on top of the parking structure and includes a roof garden with terraces surrounding a swimming pool.

Given the challenge of designing for the sun-filled desert climate of Arizona, the architecture of the complex has been thoughtfully approached to integrate sustainable design with great architecture. The primary goal is to design and build responsibly to achieve a complex that enhances the health and comfort of its residents while minimizing the use of valuable energy sources. To this end, the project will feature the following design characteristics:

- Appropriate ratio of vision glass to solid wall to maximize natural light and minimize solar heat gain to the residences
- At the windows of the south and west elevations, the abundance of natural light will be balanced with sun shading devices.
- Sun will also be controlled with deep balconies where appropriate to give an added feature to residents while providing shade to the residences during the hottest time of day and season.
- Natural ventilation with operable windows.
- Interior finishes and materials will contain low VOC (volatile organic compounds)
- Finally, given its environmentally responsible features and overall quality of design, the project will be pursuing LEED certification.

A few examples of Golub & Company's building designs and amenities are located below:



*John Hancock Center  
Chicago, IL  
Mixed-Use Property  
Owner, Manager, Leasing  
Agent*



*22 West Washington  
Chicago, IL  
Commercial Property  
Owner, Developer, Manager,  
Leasing Agent*



*The Streeter  
Chicago, IL  
Luxury Residential Apartments  
Developer, Manager, Leasing  
Agent*



*Scottsdale Waterfront  
Scottsdale, AZ  
Mixed Use Property  
Owner, Co-Developer*



*Warsaw Financial Center  
Warsaw, Poland  
Commercial Office  
Owner, Developer, Manager,  
Leasing Agent*



*Examples of the wide range of upscale amenities that would be included for the residential tower, including Fitness Center, Hospitality Room, Business Center and Pool/Spa facilities.*

## **ZONING MAP AMENDMENT BACKGROUND**

The proposed zoning map amendment would allow for the development of a 21-story mixed-use residential project with urban retail uses on the ground floor. The successful rezoning will enable the creation of a thriving live/work/play environment on a prominent block in central Tempe, bringing vibrancy to the neighborhood and an enhanced quality of life to area residents.

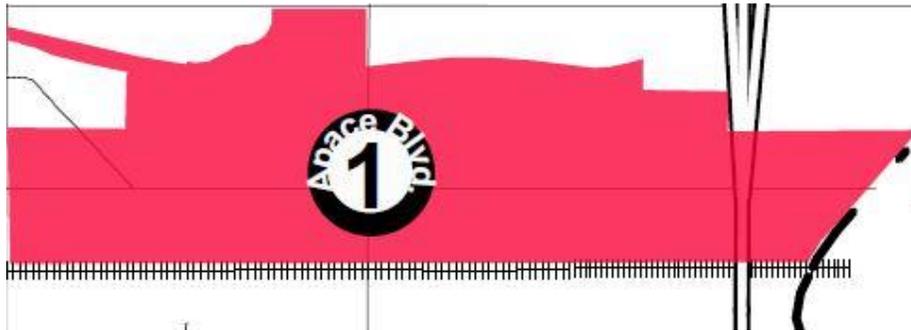
Currently, the property — consisting of a number of parcels — is designated in a variety of zoning districts (CSS, Commercial Shopping and Services; R-4, Multi-Family Residential General; and R/O, Residential/Office). The proposed zoning map amendment would combine these parcels and zoning districts into a development that requires a modification of the zoning to place all of the projected development into an MU-4 zoning district allowing for a high density, mixed use project.

## GENERAL PLAN CONSISTENCY & CONFORMANCE

In addition to a zoning map amendment, 529 Tempe LLC is proposing to amend the 2030 General Plan **Projected Land Use Element but not the Projected Density** for the property located at the Southeast corner of Rural Road and 8<sup>th</sup> Street. The request for modification of the General Plan in this case is limited to an amendment to the General Plan Projected Land Use (from Commercial to Mixed-Use). We will not be required to amend the Projected Density as the project fits within the voter-approved Projected Density of more than 25 units per acre as detailed above in the narrative.

This proposed amendment supports the Land Use Principles in General Plan 2030 by providing additional housing for the nearly 200,000 project residents Tempe hopes to accommodate in the coming decades. An amendment to the General Plan addresses one of the General Plan's top priorities - the use of vacant land. The property in question has long been unoccupied and unused. Turning the vacant and unmanaged land into a residential development will contribute to the "Neighborhood" element. The proposed change meets the following objectives of the Land Use element: encourage housing initiatives, encourage redevelopment, promote neighborhood preservation and enhancement. Two important strategies the General Plan outlines in achieving these goals is to allow flexibility in housing location, type and density and encouraging development of housing in close proximity to employment and services. The proposed multi-family residential project at this location would help meet objectives and strategies for fulfilling the given objectives as is located just a few hundred feet east of a major light rail station at ASU.

One of the many positive impacts of the proposed project is that it furthers the goals of Growth Area #1 as depicted below:



The General Plan for this area encourages “reinvestment to build a more desirable neighborhood in which people will enjoy living, working and visiting.” Objectives for this Growth Area include: eliminating blighting influences, encourage a strong sense of community, encourage reinvestment, encourage transit and pedestrian-oriented design and development, promote desirable reuse of land, redevelop and rehabilitate substandard conditions, and stabilize and improve the area. The proposed project meets these objectives through utilizing the following strategies mentioned in the General Plan 2030:

- *Enhance the gateway to Tempe through the improvement or removal of unsightly conditions*

- The proposed project meets this goal by making use of a vacant and poorly-maintained property and turning it into a high-end mixed use residential project with retail uses on the ground floor. This will greatly improve the area and clean up a blighted lot.
- *Cluster higher density development around transit stations*
  - This property is centrally located just across the street from Arizona State University and a major transportation hub for buses and light rail. The proposed project is high density (>200 units per acre) and will provide convenient access to the university and transportation hubs for hundreds of people.
- *Discourage non-essential traffic and promote efficient local circulation*
  - Because of the proposed project's proximity to Arizona State University and transportation hubs, it would significantly decrease non-essential traffic and promote the use of public transportation while encouraging pedestrian and bicycle use throughout the area.
- *Increase residential and tourist-oriented development*
  - The proposed project is residential in nature and therefore increases such development by providing approximately 500 units in a centrally-located area. Furthermore, the retail uses on the lower level of the development has the potential to attract tourists visiting their family members or friends at the university and will provide additional revenue for the City as well as promote retail economic development in close proximity to ASU, an amenity for students that is lacking.
- *Increase the utilization of undeveloped or under-developed property*
  - As mentioned previously, the proposed project would be utilizing an undeveloped and neglected, vacant parcel of land in a prime location and transform it into a luxury mixed use development.
- *Upgrade commercial development by introducing viable long-term businesses and mixed-use projects*
  - The proposed development is mixed use and nature, with retail space located on the lower level. This property's proximity to Arizona State University provides the retail component with a unique advantage and will undoubtedly contribute to these businesses' long-term success. The residential component will benefit as well from the project's location.

This project will be a dense high-end mixed use residential project conveniently located just east of the ASU campus. This project will truly create an area that lives up to Tempe's slogan, as it will be a place where people can "live, work and play" within walking distance of each other. The proposed mixed use residential project is well-aligned with contributing to this Growth Area by providing appropriately dense housing in conjunction with the Projected Density of the General Plan while adding to the diversity of the area's land use as well as improving a blighted area.

The proposed amendment to the General Plan Projected Land Use Map will impact the surrounding ½ mile area, most of which consists of Arizona State University and other multi-family residential housing, by providing additional units in which students and employees of the university can live in and doing so closer to the campus. The proposed amendment addresses the following criteria:

*a. Describe the public benefit of the proposed amendment in terms of increase/decrease in intensity and its impact on adjacent land uses versus the impact of the present land use designation.*

The proposed project will increase the intensity in use of the property as it is currently vacant and has remained so for several years. This will positively impact the adjacent land uses by bringing more people closer to the ASU campus and the downtown area, which will include an increase in the people frequenting local businesses as we anticipate some of the residents will not have their own personal vehicular transportation.

*b. Describe the public benefit of the proposed amendment in terms of impact on the city's infrastructure (i.e. water, sewer, utilities, streets, in terms of anticipated traffic generation, projected carrying capacity, projected volume, need for more streets, city services, etc.) versus the impact of the present land use designation.*

The City's infrastructure will be impacted by the change in use of this property. The current impact is negligent because the land is vacant. The proposed project will not impact the City's need for additional streets as the existing infrastructure supports the property; however, we will be making changes to the existing light rail intersection to provide safe access to the property for both pedestrians and vehicular traffic. Because of the project's proposed density, less stress will be placed upon other City infrastructure such as water, sewer and utilities as the project will have concentrated density. This provides for less construction in directing the required service to the property and residents as opposed to providing service to the same number of people spread out over a larger area.

*c. Describe the proposed development quality of life in terms of how its components reflect unique site design, building design, landscaping; integrate or provide access between varied uses; deal creatively with the automobile; and reduce/eliminate physical barriers, as well as provide residential, employment and shopping opportunities.*

The proposed project will have a positive impact on the quality of life of residents in the area because it will increase accessibility to the university and downtown areas and provide a high-quality mixed use development on property that is vacant and undeveloped. The developer is well-regarded for its buildings' aesthetics and landscape designs. The project would bridge the gap between the university and the surrounding residential areas which are separated by this blighted parcel of land and because of its proximity to a myriad of amenities, we anticipate the number of residents utilizing personal vehicles for travel will be minimal. Additionally, the mixed use component of the project provides for convenient shopping while increasing residential housing.

*d. Describe the use of open space, parks or green belts, and how the development separates as well as links residential and nonresidential component(s), if the proposed development incorporates a residential component. If applicable, describe how the proposed development impacts existing parks.*

The proposed project is located just east of Arizona State University and as such provides access to all of the university's open space and nearby parks including Birchett Park as well as ASU's stadiums, golf course and recreational center. The project also provides open space in the form of pedestrian walkways throughout and seating for people utilizing the retail area of the property.

*e. Describe the proposed development in terms of supporting regional and local transit objectives for arterial streets; implementing the goals and objectives of the Tempe Transit Plan; describe the internal street system in terms of supporting the above goals and objectives and incorporating uniquely designed transit facilities along the arterial streets.*

As previously mentioned, the location of the proposed project as well as its proposed use will put hundreds of residents within walking distance to major transportation hubs for both bus and light rail travel. Its proximity to Arizona State University will provide students looking for housing options close to campus with yet another location to live in that will decrease the need for vehicular travel, especially to attend classes at the university. As it relates to Tempe's Transit Plan, the proposed project is in line with the strategy to "coordinate with land-use planning efforts to promote transit-oriented development, and enhance access to transit throughout the city" and promotes the success of both objectives of the Transit Plan to both "Increase available transit modes and services to support ridership increases and an expanded transit mode share" and "Facilitate connections among transportation modes" by providing hundreds of residents with easy access to both bus and light rail transportation who may not have previously had such access.

*f. Describe the proposed amendment in terms of effects on the school districts (enrollments and facilities).*

The proposed amendment to the General Plan Proposed Land Use Map will likely not have much impact on school districts and facilities as the project is geared mostly toward university students.

## **ZONING MAP AMENDMENT JUSTIFICATION**

Because this application for a zoning map amendment is running concurrently with an application for both a General Plan Amendment and Planned Area Development overlay, the proposed project will be in conformance with the spirit of the General Plan 2030 if all the requested changes are granted simultaneously. 529 Tempe LLC believes that the Projected Density for the subject property is not consistent with the Projected Land Use designation and therefore feels it is appropriate to amend the Projected Land Use Map to allow for a mixed use development. Such a project will utilize the Projected Density of this parcel to the fullest extent and further many of the goals of the General Plan 2030.

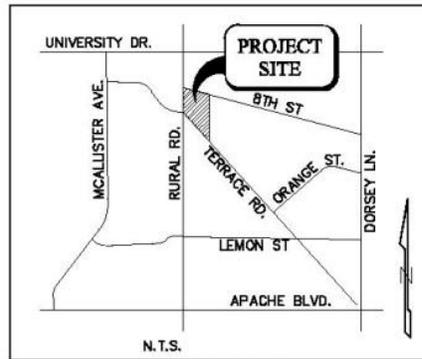
Based upon the justification for a General Plan Projected Land Use Map amendment, it is reasonable that an accompanying zoning map amendment

It is for these reasons that we believe the proposed amendment to the General Plan is in conformance with the spirit and objectives of the General Plan that voters approved in 2002. As such, we seek your approval of the modification to the Proposed Land Use Map from Commercial to Mixed Use to accommodate the proposed project.

# 8<sup>TH</sup> AND RURAL

## LETTER OF EXPLANATION PLANNED AREA DEVELOPMENT OVERLAY

855 SOUTH RURAL ROAD  
LOCATED ON THE SOUTHEAST CORNER OF RURAL ROAD AND 8<sup>TH</sup> STREET



VICINITY MAP

APPLICANT:

**H**UELLMANTEL  
AFFILIATES

Charles Huellmantel

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

## PROPOSED MODIFICATIONS TO DEVELOPMENT STANDARDS

1. Because portions of the subject property lie within the Transportation Overlay District (TOD) (City of Tempe Zoning Code Figure 5-602A), the parking requirement of the property is subject to Section 5-612J and specifically those provisions which apply to “Developments within station areas” as this property is within a Station Area per Section 5-602.B.1.

The TOD standard for multi-family uses requires a minimum of 1 space per unit for studios, 1.5 spaces per unit for 1 bedroom units, 2 spaces per unit for 2 bedroom units, 2.5 spaces per unit for 3 bedroom units, and .2 spaces/unit for guests. The proposed project has a mix of convertible units, 1 bedroom units, 2 bedroom units and 3 bedroom units. A “convertible” rental unit is one that is slightly larger than a traditional “studio” apartment and slightly smaller than a traditional “one bedroom” apartment. Like a studio and one bedroom unit, a convertible is intended to have one bed. The configuration of a convertible unit is typically an “L” shape that allows the tenant to locate their bed in the small leg of the “L”, away from the living/dining area and kitchen. There are variations of design that divide these two areas, ranging from no separation at all, to a partial wall that may be 6 feet tall. In no instance will a full height wall be constructed that would require a door. The convertible unit offers an alternative to renters who are looking for a bit more space than a studio, but not as much as a full one bedroom. The resulting monthly rent is somewhat more than a studio but less than a one bedroom, and therefore satisfies a portion of the market demand. For purposes of calculating the required parking ratio, a convertible unit should be considered a studio as the use is more compatible. The proposed project has approximately 500 bedrooms in a combination of these unit mixes and would require approximately 600 parking spaces.

The TOD parking requirements (Table 5-612A) for retail parking allows for a waiver of 50 percent of the floor area (up to 30,000 square feet of floor area), leaving 7,772 square feet of retail subject to parking requirements set forth in Table 4-603E, which requires 1 parking space per 300 square feet (600 square feet before calculating the 50 percent reduction) of floor area equating to 26 spaces. Based upon the perceived need of parking, 529 Tempe, LLC is proposing to provide 571 parking spaces for this project.

529 Tempe, LLC finds the proposed parking ratios to be appropriate for a number of reasons. Because the project is located within a few hundred feet of major light rail and bus hubs as well as Arizona State University, the anticipated need for parking is less than what is required by the City as a standard for multi-family projects. Additionally, the amount of required guest parking is much greater than the anticipated need and the availability of on-street parking immediately north of the project would provide more guest parking should there be a shortage on site. Previous experience has shown that excess parking spaces create a heat island effect which can contribute to higher temperatures during the summer.

2. Section 4-603D.4 of the City of Tempe Zoning Code regarding bicycle parking requirements refers to Table 4-603E for the appropriate ratios for multi-family

residential and retail uses, both of which will be incorporated into the proposed mixed use development.

The bicycle parking requirement is 1 per 7,500 square feet of retail or a minimum of 4 spaces and .75 spaces per unit for studios, one and two bedroom units, 1 space per unit for three and four bedroom units, and an additional .2 spaces per unit for guest bicycle parking as required in a Bicycle Commute Area in which the property is located. 529 Tempe, LLC is proposing to provide 25 bicycle parking spaces outdoors. Each dwelling unit will also be capable of storing a minimum of one bicycle for a total of approximately 250 spaces in units in Phase I.

529 Tempe, LLC believes that the proposed bicycle parking provided is sufficient for the demand because experience with similar developments has shown that most residents have expensive bicycles that they are unwilling to leave outside due to the threat of vandalism, theft and exposure to the elements. For these reasons, many residents store their bicycles indoors, and accordingly, each dwelling unit will have the capacity to store at a minimum one bicycle providing approximately 500 indoor spaces.

3. Per Section 5-611 regarding development standards in Mixed-Use Districts in the Transportation Overlay District and Table 5-611B, there is no maximum height established for a development with an MU-4 zoning designation, which is the requested zoning designation for this project. However, projects with a zoning designation of MU-4 require a PAD Overlay with initial zoning according to Section 4-203 Table 4-203B.

As indicated in the Development and Disposition Agreement, entered into between 529 Tempe, LLC (Golub & Company) and the City of Tempe on June 30, 2011, states in Section 3.3 of the Agreement that the project must “(b) not exceed 250’ in height (excluding mechanical and screening structures), (c) not be less than 85’ in height (excluding mechanical and screening structures)” as indicated in the Plan of Development. The proposed building height is 250 feet in conformance with the Development and Disposition Agreement, and 529 Tempe, LLC is seeking approval of the building height as proposed as part of the Planned Area Development Overlay application.

4. The General Plan 2030, approved by Tempe voters in 2003, approved a projected density of the subject site as “High Density (> 25 du/ac)” allowing for a density greater than 25 units per acre. The proposed density for this project is greater than 200 units per acre.

Section 5-612.A of the City of Tempe Zoning Code acknowledges the importance of pedestrian-oriented design standards as a function of the Transportation Overlay District, stating “The purpose of this section is to require a quality of urban design that attracts and encourages pedestrian activity...” and provides “pedestrian linkages between land uses and transportation modes” in order to promote the success of a multi-modal transportation system.

529 Tempe, LLC finds the proposed density to be appropriate given the goals of the Transportation Overlay District in which the project is situated and in conformance with the General Plan 2030. In order to provide a greater number of people with convenient access to transportation hubs and the amenities Downtown Tempe has to offer, it is appropriate and necessary to build projects that utilize space efficiently by increasing density in key locations.

## **JUSTIFICATION OF PLANNED AREA DEVELOPMENT OVERLAY**

This unique development is best served by an equally unique approach to development standards. Its proximity to major transportation hubs and Arizona State University is a great advantage in promoting more pedestrian, bicycle and public transportation in an area congested by vehicular traffic. In an effort to reduce visual clutter to promote a more aesthetically-pleasing retail experience on the ground floor and a high-end multi-family complex on the floors above, the proposed reduction in bicycle parking visible from the street level aims to discourage unnecessary blight and maintain a well-functioning mixed-use development.

The location of this property puts a high concentration of people close to the resources of downtown Tempe and the university. By providing additional housing opportunities for people desiring to be located near such amenities, the proposed development will contribute to the redevelopment of a neglected and poorly-maintained area and increase access to local businesses, events and other elements that foster economic development and a sense of community.

Not only will the proposed project contribute a high-quality development to the downtown area, it will also take a blighted parcel of land and transform it into a retail and residential center with pedestrian-oriented walkways and designs greatly enhancing the surrounding area.

Implementation of a Planned Area Development Overlay for this area allows for an innovative mixed use project that is both visually appealing and functional. Its location makes it a prime residential area for people who want to live in an area that does not require a vehicle to access a wide range of amenities. Providing an overabundance of vehicular and bicycle parking produces an unattractive look and can make an otherwise thoughtfully designed project less appealing with any added benefit. Additionally, the proposed height and density work in conjunction with one another by increasing the availability of transportation and pedestrian opportunities to a large number of people who can rely on alternative means of transportation other than vehicles. Height works as a function of density, and allowing a greater building height such as that proposed allows for a greater density. The proposed density appropriately furthers the goals of the Transportation Overlay District in which the property is located and helps shield parking from street view to create a better and more aesthetically-pleasing development.

It is for these reasons that 529 Tempe, LLC believes a Planned Area Development Overlay is appropriate for this project.

## APPROPRIATENESS OF PAD OVERLAY DISTRICT

Traditional zoning districts suffice for some projects, particularly those with uncomplicated design and logistic details. However, because the proposed project has a General Plan Projected Density of greater than 30 units per acre and is designated to have a high density, some design standards required in the zoning code create issues and call for unnecessary elements.

Certain components, such as those 529 Tempe, LLC is requesting to reduce, are more in line with the actual demand for a project of this nature, particularly when considering the subject property's proximity to Arizona State University and major transportation hubs. Without a Planned Area Development Overlay District for the subject land, the development standards will require that the project be under-built for the odd shaped parcel adjacent to ASU and the Light Rail station.

In order to accommodate the proposed density, in conformance with the General Plan 2030 approved by Tempe voters in 2003, while aiming to improve blighted areas and utilize vacant and under-developed land, it is necessary to implement a PAD Overlay District. The PAD Overlay District allows for appropriately-planned urban infill because of this specific property's unique wedge shape and characteristics which promote larger quantities of people in a concentrated downtown area. While it would not be appropriate for some areas, this property's vicinity to Downtown Tempe and the amenities associated with its location support the proposed PAD Overlay as the goals of the proposed project serve to further those of Tempe's voters when they approved the General Plan 2030. These goals can only be achieved with a Planned Area Development overlay.

# Rural Road and 8<sup>th</sup> Street Tempe, Arizona

## Parking Analysis

January 2012

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**Prepared for:**

GOLUB AND COMPANY  
AS AGENT FOR:  
529 TEMPE LLC

**For Submittal to:**

CITY OF TEMPE

**EPS Group Project Number:** 12-009

**Prepared by:** Paul E. Basha, P.E., P.T.O.E.  
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## ***Executive Summary***

### ***Introduction***

Golub and Company is planning a high-rise residential development with ancillary commercial uses on property in the southeast corner of Rural Road and 8<sup>th</sup> Street in the City of Tempe, Arizona. A total of 483 apartments with approximately 15,544 square feet of resident-service neighborhood commercial are proposed. A Light Rail Station is located in the southwest corner of the intersection of Rural Road and 8<sup>th</sup> Street.

### ***Recommended Parking***

Based upon recent studies of similar urban high-rise apartments, the development should provide a minimum of 515 total parking spaces. The current plan provides 571 parking spaces. The residential portion of the development requires 509 parking spaces, 275 for Phase One and 234 for Phase Two. The neighborhood commercial portion should provide (6) employee parking spaces.

The recommended residential parking represents an approximate 39% decrease from the City of Tempe Transit-Oriented Development parking criteria.

This number of residential parking spaces for the proposed development is approximately 44% greater than the existing parking availability at the study locations investigated in a recent Institute of Transportation Engineers Journal article, and approximately 102% greater than the existing parking demand at the study locations investigated in the Institute of Transportation Engineers Journal December 2010 article.

### Scope of Study

The purpose of this analysis is to determine the appropriate number of parking spaces for the proposed development.

### Proposed Development and Surrounding Land Use

The proposed development is immediately adjacent to the Arizona State University campus. **Figure 1** provides a vicinity map of the general area, and indicates the very close proximity to the Light Rail Line in Terrace Road, and the Light Rail and Bus Transfer Station in the southwest corner of Rural Road and 8<sup>th</sup> Street.

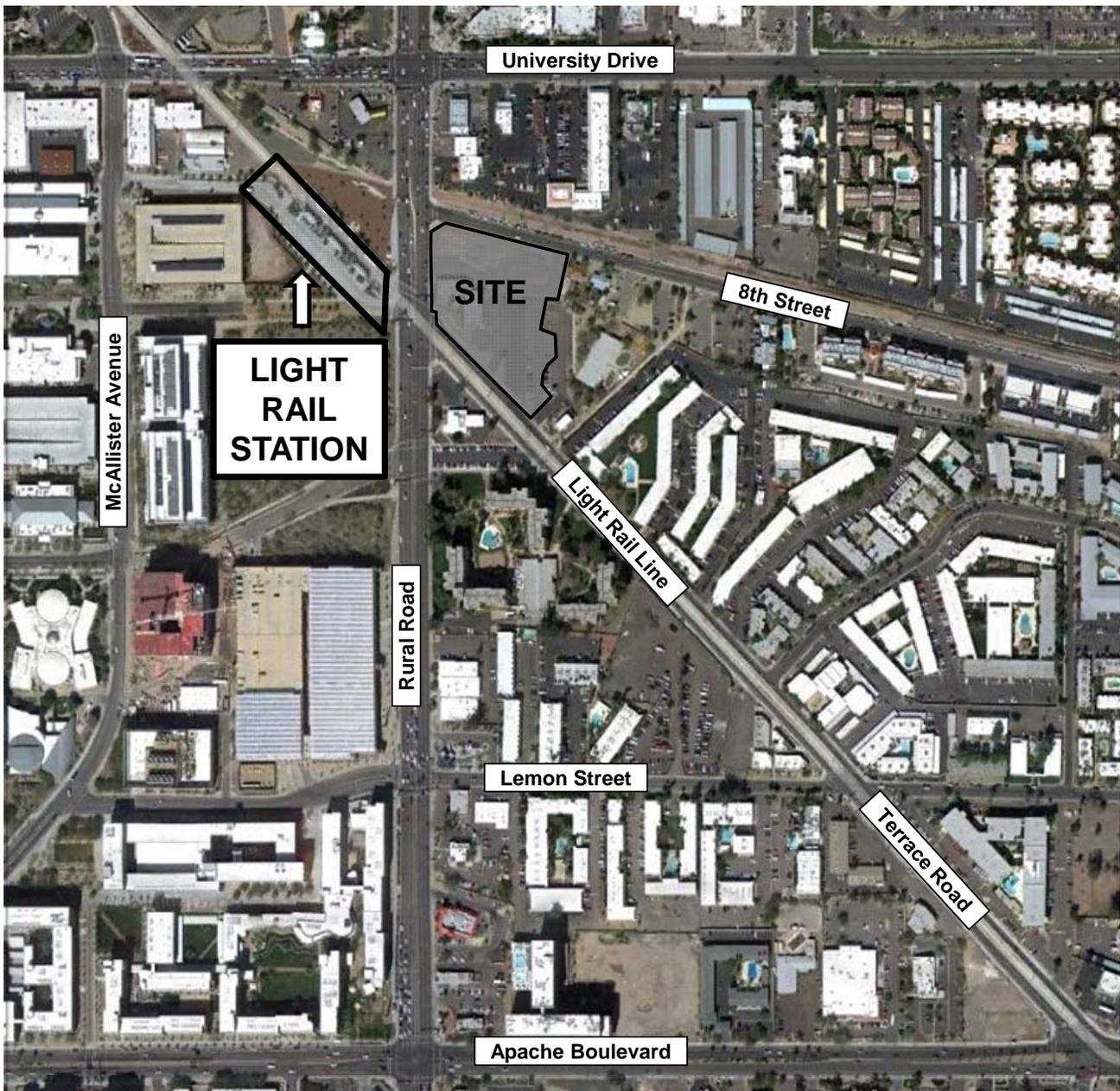


Figure 1: General Vicinity

## Parking Analysis

**Appendix A** provides the standard parking requirements of the City of Tempe. **Appendix B** provides the Transit Oriented Development parking requirements of the City of Tempe. These reduced parking criteria require 0.75 parking spaces per bedroom plus 0.20 parking space per unit. Therefore 0.95 parking spaces are required for one-bedroom units, 1.70 parking spaces are required for two-bedroom units, and 2.45 parking spaces are required for three-bedroom units.

**Table 1** summarizes the number of apartment units by bedroom number and phase. It also provides the required parking space number in accordance with the City of Tempe Transit Oriented Development criteria.

**Table 1: Minimum Required Residential Parking – City of Tempe TOD Criteria**

| SIZE           | UNITS   |         |       | PARKING REQUIREMENT |        |
|----------------|---------|---------|-------|---------------------|--------|
|                | PHASE 1 | PHASE 2 | TOTAL | RATE                | SPACES |
| Studio         | 0       | 16      | 16    | 0.95                | 15.20  |
| Convertible    | 16      | 20      | 36    | 0.95                | 34.20  |
| 1-Bedroom      | 16      | 40      | 56    | 0.95                | 53.20  |
| 2-Bedroom      | 155     | 101     | 256   | 1.70                | 435.20 |
| 3-Bedroom      | 63      | 56      | 119   | 2.45                | 291.55 |
| TOTAL          | 250     | 233     | 483   |                     | 829.35 |
| REQUIRED TOTAL |         |         |       |                     | 830    |

This results in a total parking requirement of 1.72 parking spaces per apartment.

**Appendix C** provides an article that appeared in the December 2010 Institute of Transportation Engineers (ITE) Journal specifically directed to parking requirements for high-rise residential developments in close proximity to transit service. Parking demand at locations in downtown Seattle and in suburban Seattle was counted. The article indicates that typically excessive parking spaces are provided at these developments.

Because the Tempe light rail proximity is more similar to the Seattle light rail proximity than to the Redmond light rail proximity, the Seattle data were utilized. Also the Seattle location is in close proximity to Seattle University, and therefore comparable to the Tempe location near Arizona State University.

A weighted average of the available parking space number in the apartment vicinity divided by the total number of occupied dwelling units was determined for each location. A weighted average of occupied parking spaces in the apartment vicinity divided by the total number of occupied dwelling units was also determined.

The investigation discovered provided parking was 0.73 parking spaces per apartment. The investigation also discovered that the parking demand was a weighted average of 0.52 parking spaces per dwelling unit. The ITE Journal article does not provide the number of bedrooms per dwelling unit.

For the proposed development in Tempe, a parking rate of 0.52 spaces per bedroom was assumed to be appropriate – recognizing that the number of bedrooms per dwelling unit was not provided for the Seattle study. This results in a conservative estimate for the required parking. For studio, convertible, and one-bedroom apartments, 0.52 parking spaces were required. For two-bedroom apartments, 1.04 parking spaces were required. For three-bedroom apartments, 1.56 parking spaces were required. **Table 2** provides the required number of parking spaces in accordance with these criteria based upon the ITE Journal article.

**Table 2: Required Residential Parking – ITE Journal Article-Based Criteria**

| SIZE           | UNITS   |         |       | PARKING REQUIREMENT |        |
|----------------|---------|---------|-------|---------------------|--------|
|                | PHASE 1 | PHASE 2 | TOTAL | RATE                | SPACES |
| Studio         | 0       | 16      | 16    | 0.52                | 8.32   |
| Convertible    | 16      | 20      | 36    | 0.52                | 18.72  |
| 1-Bedroom      | 16      | 40      | 56    | 0.52                | 29.12  |
| 2-Bedroom      | 155     | 101     | 256   | 1.04                | 266.24 |
| 3-Bedroom      | 63      | 56      | 119   | 1.56                | 185.64 |
| TOTAL          | 250     | 233     | 483   |                     | 508.04 |
| REQUIRED TOTAL |         |         |       |                     | 509    |

This results in a total parking requirement of 1.05 parking spaces per apartment. This parking requirement is approximately 44% greater than the existing parking availability at the Seattle study location. It is approximately 102% greater than the existing parking demand at the Seattle study location.

In addition, the study of parking demand included in the ITE Journal article was for an urban center. The proposed apartment complex at Rural Road and 8<sup>th</sup> Street is located immediately adjacent to the Arizona State University campus. The residents of the apartment complex will be primarily students who will be more inclined to utilize non-automobile transportation modes than those residents in general population apartments.

Therefore, this calculation provides a conservatively large number of parking spaces for the residential component of the proposed development in the southeast corner of the Rural Road / 8<sup>th</sup> Street intersection.

Phase One consists of 250 units and 531 bedrooms. Phase Two consists of 233 apartments and 446 bedrooms. The parking spaces should be apportioned according to the bedrooms. Phase One consists of 54% of the bedrooms, and should provide 275 parking spaces. Phase Two consists of 46% of the bedrooms and should provide 234 parking spaces.

The neighborhood commercial component of the development will serve primarily the needs of the residents and secondarily light rail station riders. Therefore, parking spaces will not be necessary for the neighborhood commercial components of the proposed development. It would be appropriate to provide parking spaces for the neighborhood commercial employees. Six (6) parking spaces are suggested for this purpose. **Table 3** provides the total number of parking spaces for the proposed development.

**Table 3: Required Total Parking Spaces for Entire Development**

|             |     |
|-------------|-----|
| Residential | 509 |
| Commercial  | 6   |
| TOTAL       | 515 |

***Recommended Parking***

Based upon a recent study of similar urban high-rise apartments, the proposed development should provide a minimum of 515 total parking spaces. The current plan provides 571 parking spaces. The residential portion of the development requires 509 parking spaces. Six (6) employee parking spaces should be provided for the neighborhood commercial portion.

The recommended residential parking represents an approximate 39% decrease from the City of Tempe Transit-Oriented Development parking criteria.

This number of residential parking spaces for the proposed development is approximately 44% greater than the existing parking availability, and approximately 102% greater than the existing parking demand at the Seattle study location investigated in the December 2010 ITE Journal article.

**APPENDIX C**  
**ITE JOURNAL ARTICLE, "ASSESSING MULTI-FAMILY RESIDENTIAL**  
**PARKING DEMAND AND TRANSIT SERVICE**  
ATTACHMENT 40

# ITE JOURNAL

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# Assessing Multifamily Residential Parking Demand and Transit Service

**THIS STUDY EXAMINED THE RELATIONSHIP OF MULTIFAMILY RESIDENTIAL PARKING DEMAND AND TRANSIT LEVEL OF SERVICE IN TWO KING COUNTY, WA, USA, URBAN CENTERS: FIRST HILL/CAPITOL HILL (FHCH) AND REDMOND. IN ADDITION, CURRENT PARKING POLICIES WERE ASSESSED FOR THEIR ABILITY TO MEET THE OBSERVED PARKING DEMAND, AND AN ALTERNATIVE METHOD TO COLLECT PARKING DEMAND DATA WAS EXPLORED.**

**BY DANIEL H. ROWE, DR. CHANG-HEE CHRISTINE BAE AND QING SHEN**

## INTRODUCTION

Parking policies greatly affect land use patterns in cities and are intertwined with automobile use, traffic congestion, housing affordability, and environmental impacts. Off-street parking requirements in multifamily residential developments have become commonplace in the United States, and planners have observed serious implications with their use. Planners typically have limited parking demand data available on which to base their parking requirements. When parking data are available, they are often either outdated or based on a different development or transportation system context, including varying levels of public transit service.<sup>1</sup> Experience has shown that creating parking policies based on this flawed data can result in an overbuilt parking supply, which encourages automobile use and discourages transit use. As cities look to increase transit ridership to achieve regional planning goals, it is important to consider parking policy in concert with transit service provision. High levels of transit service can provide a viable alternative to owning a vehicle, which lowers the parking demand for new developments. When cities set parking policies based on information that is reflective of locally observed parking demand and is calibrated to the level of transit service provided, they can reduce the cost of development and encourage alternatives to owning and driving an automobile.

Based on local experience from transportation planners and literature reviewed, it is hypothesized that higher levels of transit service result in lower residential parking demand. This research hypothesis was explored by conducting parking demand counts at multifamily residential apartment buildings, per ITE *Parking Generation* methodology, and calculating transit level of service for two urban centers in

King County, Washington, USA. Using the findings from this research, parking policies used in each urban center were analyzed for their ability to meet true parking demand. In addition, a Washington State Department of Licensing (DOL) database for registered vehicles was assessed for its accuracy in determining parking demand. By collecting local, context-sensitive data on parking demand and its relationship to varying levels of transit service, jurisdictions and developers may be better informed to build parking that meets the true demand.

## BACKGROUND

Parking is an important component in the complex transportation system that moves people and goods throughout an area. As urban areas continue to grow, planners often look to zoning regulations to help shape future development in a more environmentally and socially sustainable manner. In addition, public transportation agencies are striving to provide an inexpensive mobility option that can reduce the environmental impacts of excessive automobile use. It has been found that parking policies not only have an impact on the formation of urban environments, but they also have a strong relationship with transit service planning.

A common regulatory mechanism that jurisdictions use to control residential parking supply are zoning codes that specify minimum parking requirements for off-street parking in new residential developments. These requirements are used to ensure that new residential development contains an adequate number of parking spaces in order to avoid parking spillover onto adjacent streets and properties, to maintain traffic circulation, and to ensure the economic success of the development.<sup>2</sup> The requirements strive to prescribe the exact number of parking spaces. Supplying less parking than demand warrants can inconvenience residents and potentially

result in spillover parking on adjacent neighborhood streets. Conversely, supplying more parking than is demanded can increase the cost of property development and reduce affordability of the new residential housing, while at the same time creating unnecessary environmental impacts such as encouraging additional car ownership and use and making transit usage less convenient and efficient.

Off-street parking requirements have become commonplace, and some planners have observed serious implications with their use, including impacts to travel, housing affordability, the environment, and transit service. As previously discussed, the parking supply built to meet the parking requirements is often in excess of parking demand. This surplus of parking has implications on transportation mode choice, providing incentives for residents to own more vehicles, drive them more, and use transit or other modes of transportation less.<sup>3</sup> As long as perceived free parking is available, people will continue to use their vehicles. This trend is counterproductive to many of the sustainable development policies planners aspire to implement today. As our cities become more populated and denser, transit has been identified as a way to provide an affordable means of travel and to create healthy, compact communities. The off-street parking requirements that have become commonplace today present a barrier to implementing these modern-day planning goals.

## METHODS

We used a combination of parking utilization counts and geographic information systems (GIS) analysis at the First Hill/Capitol Hill (FHCH) and Redmond urban centers to compare and contrast parking demand of multifamily apartment buildings and transit level of service (LOS) characteristics.

### Site Selection

We chose the FHCH and Redmond because they represent two distinct types of development and different levels of transit service. FHCH is an urban area close to downtown Seattle (see Figure 1), which has high population density and robust transit service. Redmond is a growing suburban area about 15 miles east of Seattle,

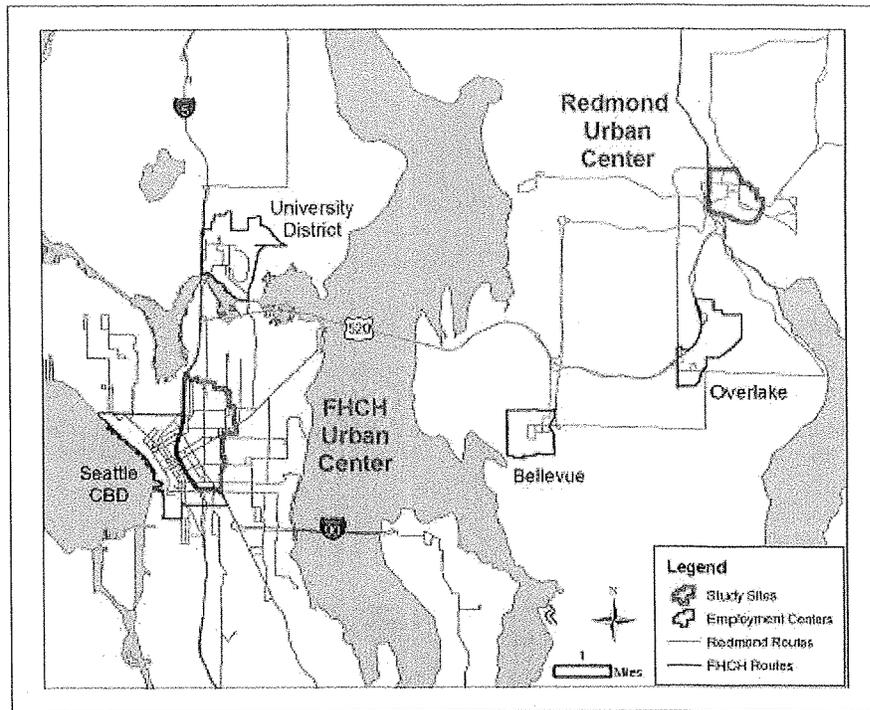


Figure 1. FHCH and Redmond urban center context map.

with lower population density and less transit service, focused mainly on peak-hour commuter service. To assess parking demand, eight apartment buildings were selected to conduct parking utilization counts, four in each urban center.

### Parking Demand

To assess parking demand in each apartment building, one parking utilization count was conducted for each study site. Methodology for conducting the counts was modeled after the ITE parking demand observations used to support the *Parking Generation* report. Parking demand is defined as the “accumulation of vehicles parking at a given site at any associated point in time... This value should be the highest observed number of vehicles within the hour of observation.”<sup>4</sup> Parking counts were completed during midweek days (Tuesday through Thursday) in March and April of 2010 at the peak parking demand hours for residential land uses between 12:00 a.m. to 5:00 a.m. The parking utilization count consisted of counting the number of parked cars in the residential portion of the parking garage or lot at the time of the count. The cars parked in visitor or retail-designated parking spaces were not included.

Using the data collected from these

parking utilization counts, a peak period parking demand calculation was completed for each site and then averaged for each urban center. The methodology for calculating peak period parking demand also follows ITE methodology and is defined as number of vehicles parked divided by the number of occupied dwelling units. Finally, a weighted average parking demand ratio for each urban center was calculated by dividing the sum of all vehicles parked in one urban center by the sum of all occupied dwelling units in that same urban center.

We explored the accuracy of an alternative method to collect parking demand information. Parking demand calculations were compared to database queries from the DOL database for registered vehicles in King County. To count the number of registered vehicles at each site, the database was queried by the address of each apartment complex, and the total number of registered vehicles at each site was counted. To assess the accuracy of this method, a regression analysis was conducted for the DOL vehicle counts against the observed vehicles counted at a 95 percent confidence level.

### Transit Level of Service Analysis

We developed indicators to measure the different levels of transit service,

**Table 1. Transit level of service indicator summary.**

| Indicator            | Metric  |
|----------------------|---|
| Geographic Frequency | Percentage of population living within a quarter-mile of frequent transit service (15-minute headways), averaged using four employment center destinations. |
| Geographic Span      | Percentage of population within a quarter-mile of all-day transit service (16 or more hours).   |
| Weighted Travel Time | Extra time spent in transit compared to automobile. Travel time includes total door-to-door time to major employment centers weighted by employment.        |
| Reliability          | Average on-time transit performance.  |

summarized in Table 1. There are numerous indicators, as noted in Transportation Research Board's *Quality of Service Manual*, but many of them require data not readily available, and some are not relevant because of the commonality of transit providers in each study site.<sup>5</sup> We measure geographic frequency and geographic span as indicators of walking accessibility to quality transit service or service that is frequent and operates all day. We measure travel time to show the attractiveness of transit compared to automobile travel. Finally, we measure reliability to show whether residents can rely on transit as a viable transportation option.

**RESULTS**

*Parking Demand*

The results show that parking demand is lower than the amount supplied in both urban centers, suggesting that parking is overbuilt. Figure 2 displays the difference between parking demand and supply per study site and the weighted average. The samples sites were represented by identification codes because of confidentiality agreements. The weighted average parking demand in FHCH is 0.52 vehicles per dwelling unit, and the parking supply ratio is 0.74, showing a 0.21 vehicle per dwelling unit oversupply of parking. The weighted average parking demand in Redmond is 1.08 vehicles per dwelling unit, and the parking supply ratio is 1.66, showing a 0.57 vehicle per dwelling unit oversupply of parking.

The observed parking demand found in this study is less than the ITE *Parking Generation* recommended ratios in both urban centers. Observed demand in FHCH (0.52) is almost half of what ITE recommends, and in Redmond observed demand (1.08) is still less than the ITE recommendation, but only by 0.12 spaces per dwelling unit. This finding suggests a suburban bias in the data published in the *Parking Generation* report.

To investigate the demand and supply imbalance, it is important to understand the parking regulations under which each apartment building construction was permitted. Because parking regulations often change, we researched the legislative history of each urban center's zoning code to find the applicable parking requirement. Table 2

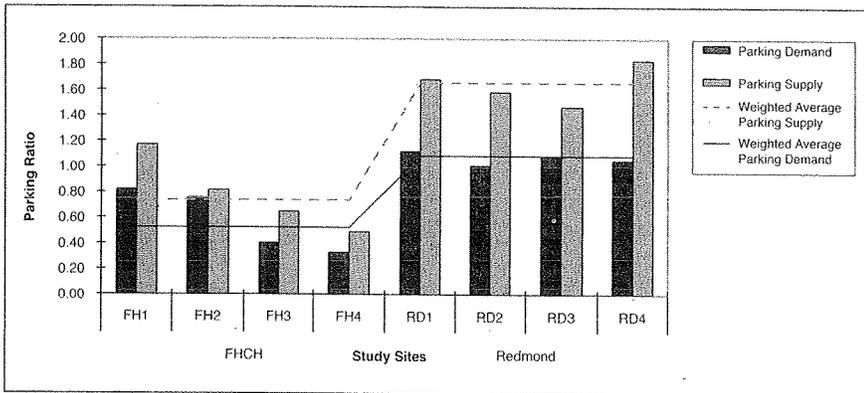


Figure 2. Parking demand compared to parking supply.

**Table 2. Parking supply and demand compared to parking regulations.**

|   | First Hill/Capitol Hill |      |      |          | Redmond      |      |      |      |
|---|-------------------------|------|------|----------|--------------|------|------|------|
|   | FH1                     | FH2  | FH3  | FH4      | RD1          | RD2  | RD3  | RD4  |
| Year Built  | 2003                    | 2008 | 2006 | 2005     | 1990         | 1999 | 1999 | 2004 |
| Parking Regulation (minimum spaces per dwelling unit, unless noted otherwise) | 1.15                    | N/A* | 0.5  | 0.33-1** | 1+ - 2.25*** |      |      |      |
| Parking Demand (Vehicles per dwelling unit)                                   | 0.82                    | 0.76 | 0.40 | 0.33     | 1.12         | 1.01 | 1.08 | 1.05 |
| Parking Supply (spaces per dwelling unit)                                     | 1.17                    | 0.81 | 0.65 | 0.49     | 1.68         | 1.58 | 1.47 | 1.83 |
| Weighted Average Parking Supply   | 0.74                    |      |      |          | 1.66         |      |      |      |
| Weighted Average Parking Demand   | 0.52                    |      |      |          | 1.08         |      |      |      |

\* No parking requirement.  
 \*\* 0.33 spaces for each dwelling unit with 2 or fewer bedrooms and 1 space for each dwelling unit with 3 or more bedrooms.  
 \*\*\* 1 space per dwelling unit minimum and 2.25 spaces per dwelling unit maximum. 1+ indicates that an additional one guest space per four units is also required.

summarizes the year each apartment building was built and the parking requirement of the master use permit approval.

*Alternative Parking Demand Methodology (DOL) Analysis*

The DOL registered vehicle database counts ranged from 40 vehicles below the observed counts to 25 above, with an average difference of -4.88 for all sites. Although this analysis suffers from a small sample size and a large standard deviation, the DOL registered vehicle method has a strong association with the field observed method. Using regression analysis, the eight study sites were found to have 92 percent of the field observation counts explained by the DOL registered vehicle count ( $r^2 = 0.92$ ). However, the large standard deviation shows that further investigation is necessary to determine whether the DOL data can be used as a proxy.

*Transit Level of Service*

The result of the transit level of service indicator analysis shows a clear difference in the type of transit service available to residents in each urban center (see Table 3). Transit service is more accessible and frequent in FHCH. Fifty-two percent of residents have access to frequent service compared to 30 percent in Redmond. Residents have similar walking access to all-day transit service in each urban center, but residents in FHCH benefit from 70 percent of all their transit service operating all day, compared to 46 percent in Redmond. Interestingly, Redmond shows that, on average, travel to major employment centers is a half-minute faster in transit when compared to the automobile and is two minutes slower via transit from FHCH to major employment centers. This finding is likely due to Redmond's geographic location at the end of a highway with intense congestion at peak

| <b>Table 3. Transit level of service indicator results.</b> |             |                |
|---|-------------|----------------|
| <b>Indicator</b>  | <b>FHCH</b> | <b>Redmond</b> |
| Geographic Frequency  | 52%         | 30%            |
| Geographic Span   | 100%        | 100%           |
| Travel Time   | 2           | -0.5           |
| Reliability   | 2.58        | 3.67           |

**A HYPOTHESIS OF  
THIS STUDY IS THAT  
GREATER LEVELS OF  
TRANSIT SERVICE  
WILL YIELD A LOWER  
PARKING DEMAND FOR  
MULTIFAMILY RESIDENTIAL  
DEVELOPMENTS IN THE  
URBAN CENTERS.**

hours. The transit service is able to use the high-occupancy vehicle (HOV) lanes and has an advantage over the automobile traffic. Transit travel times from FHCH to major employment centers generally take an average of eight minutes less compared to Redmond. Finally, transit service is generally more reliable in FHCH, with better on-time performance.

**LIMITATIONS**

Some limitations exist in this study. First, the parking demand estimates are based on a small sample size because of limited time and resources. Also, the findings from the DOL analysis suffer from a small sample size and should be expanded to better understand the use of this alternative method. Second, this study only focuses on the relationship of transit level of service with residential parking demand. It is anticipated that other factors influence parking demand, such as mixed land use and alternative transportation facilities. Local government should allocate more resources to conduct more empirical research on parking and its relationship between land use and alternative transportation.

**CONCLUSIONS**

For decades the belief of residential parking practice was that generous supply of off-street parking spaces would help reduce traffic congestion and limit spillover of parking into surrounding neighborhoods. However, the requirements that many cities place on developers to build excess parking supply has proved to encourage automobile use, increase development costs, decrease housing affordability, consume more land and natural resources, increase air and water pollution, and prohibit smart growth. As planners better understand the relationships between parking, transportation choices, land use, and environmental impacts, it is important to evaluate how parking policies can be modified to achieve the optimal balance of off-street parking.

A hypothesis of this study is that greater levels of transit service will yield a lower parking demand for multifamily residential developments in the urban centers. As a result of the combination of mixed-use development, shorter distances to many destinations, higher jobs-to-housing balance, and more frequent and diverse transit services, people may have viable alternatives to owning or driving a car. Then, they will demand less residential parking spaces than isolated, single-use suburban environments. As presented earlier in this study, FHCH contains a higher level of transit service and a lower parking demand when compared to Redmond. FHCH has half the parking demand of Redmond and performs better on at least two of the transit level of service indicators.

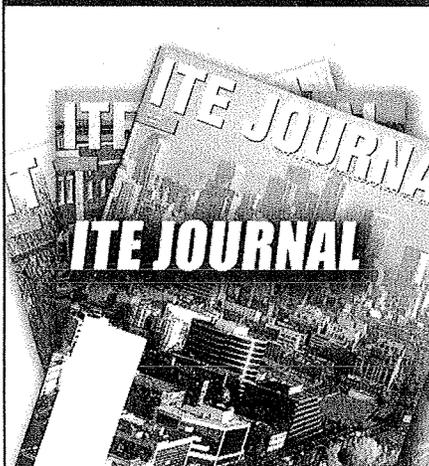
Parking policies were reviewed in each urban center to assess their ability to meet the observed parking demand. In FHCH, all parking requirements have been removed, leaving the parking supply decisions entirely up to developers. This market-oriented policy is supported by many academics because it tends to result in a supply that is closer to the actual demand of the targeted tenants and can reduce the amount of parking oversupply.<sup>6</sup> The effect of having no parking requirement in FHCH is still to be determined, but it is anticipated that the parking supply will be close to the observed parking demand ratio, 0.5. In Redmond, the average parking supply rate is much larger



## Advertise Your Positions Available Through ITE

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- Visit the ITE Web site at [jobs.ite.org](http://jobs.ite.org). You can easily post an ad in the *Journal* or on the Web with the click of your mouse.
- The deadline to post an ad in *ITE Journal* is the 8th of the month before publication date (for example, May 8 for the June issue). The magazine is mailed the first week of the month, with subscribers receiving it sometime in the second week.
- Web ads run for 30 days and begin as soon as payment is received. Web ads can be modified, deleted or renewed at any time.
- For details on pricing, discounts, posting and more, please contact Christina Garneski, Marketing Sales Manager at 202-785-0060 ext. 128, or [cgarneski@ite.org](mailto:cgarneski@ite.org), or visit the Web site today!



than the minimum requirement, at 1.66. Redmond has an opportunity to adjust its parking requirement to meet demand by lowering either the parking minimum or maximum. In addition to reducing the minimum parking requirement ratio, both urban centers should implement additional reductions to the required parking in their zoning codes. For example, cities can offer reductions to required parking when developers build near frequent transit service, implement car-sharing programs, adopt transportation management programs, design for pedestrian and bicycle access, and share parking between land uses that have different peak period demands.

Parking policy has a key role to play in facilitating a shift away from auto-oriented communities to ones that are conducive to alternative transportation options, such as transit use. FHCH and Redmond provide an important example of the complexities involved with managing off-street parking supply. Since every community is unique, it is critical for planners and developers to have access to up-to-date information on parking demand. When planners and developers better understand parking demand and its relationship to transit level of service, they can make more informed decisions about shaping development that improves the quality of life and enhances the vitality of its communities. ■

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1. Shoup, D. C. *The High Cost of Free Parking*. Planners Press, American Planning Association. Chicago, 2005.
2. Willson, R. "Reading Between the Regulations: Parking Requirements, Planners' Perspectives, and Transit." *Journal of Public Transportation*, Vol. 3, No. 1, 2000.
3. Cervero, R., and G.B. Arrington. "Vehicle Trip Reduction Impacts of Transit-Oriented Housing." *Journal of Public Transportation*, Vol. 11, No. 3, 2008, pp. 1-18.
4. Institute of Transportation Engineers. *Parking Generation, 3rd Edition*. Institute of Transportation Engineers, Washington, DC, 2004, pp. 48-52.
5. Kittelson & Associates. *Transit Capacity and Quality of Service Manual*. Transit Cooperative Research Program, Transportation Research Board of the National Academies, Washington, DC, 2003.
6. Shoup, 2005.



### DANIEL ROWE

is a transportation planner with a focus on finding environmentally sustainable solutions to urban mobility.

He is the founder and principal consultant for his own firm, Daniel Rowe Consulting, LLC and provides consulting services to clients in the areas of parking, transportation demand management, and bike share planning. Rowe has a master's in urban planning from the University of Washington and a bachelor's in environmental science from the University of Pittsburgh.



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courses in transportation and the environment, growth management, and the Pacific Rim. She has published many articles in *Journal of Environmental Planning and Management*, *Environment and Planning*, *Journal of Planning Education and Research*, *Journal of the American Planning Association*, and other publications. Her recent research involves freeway-related air pollution sheds (FAPS) and urban settlements, measuring bicyclist exposure to air pollution, and comparative research between Seattle and Seoul. She is a board member of the Western Regional Science Association.



### QING SHEN

is a professor and chair of the Department of Urban Design and Planning at the University of Washington. Professor Shen's research interests center on understand-

ing changes in the spatial organization of cities, their socioeconomic and environmental impacts, and their implications for urban transportation planning and policymaking. Over the past 15 years, he has developed new methodological frameworks for analyzing urban spatial structure, examined the social consequences of automobile-oriented metropolitan development, and investigated the differential impacts of information and communication technologies on various population groups.

# Rural Road and 8<sup>th</sup> Street Tempe, Arizona

## Traffic Impact Analysis

January 2012

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**Prepared for:**

GOLUB AND COMPANY  
AS AGENT FOR:  
529 TEMPE LLC

**For Submittal to:**

CITY OF TEMPE

**EPS Group Project Number:** 12-009

**Prepared by:** Paul E. Basha, P.E., P.T.O.E.  
Eric Maceyko, P.E., P.T.O.E.  
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## **Executive Summary**

### **Introduction**

Golub and Company is planning a high-rise residential development with ancillary commercial uses on property in the southeast corner of Rural Road and 8<sup>th</sup> Street in the City of Tempe, Arizona. A total of 483 apartments with approximately 15,544 square feet of resident-service neighborhood commercial are proposed. A Light Rail Station is located in the southwest corner of the intersection of Rural Road and 8<sup>th</sup> Street.

### **Results**

The proposed development is anticipated to produce the following weekday traffic volumes.

**Table 1: Weekday Trip Generation**

|                                 | DWELLING UNITS | 1,000 SQUARE FEET | DAY          |              |              | AM PEAK HOUR |            |            | PM PEAK HOUR |            |            |
|---------------------------------|----------------|-------------------|--------------|--------------|--------------|--------------|------------|------------|--------------|------------|------------|
|                                 |                |                   | IN           | OUT          | TOTAL        | IN           | OUT        | TOTAL      | IN           | OUT        | TOTAL      |
| Retail                          | -              | 15.54             | 1,013        | 1,012        | 2,025        | 31           | 20         | 51         | 88           | 95         | 183        |
| Apartment                       | 483            | -                 | 1,029        | 1,029        | 2,058        | 36           | 109        | 145        | 103          | 66         | 169        |
| <b>Total</b>                    | <b>483</b>     | <b>15.54</b>      | <b>2,042</b> | <b>2,041</b> | <b>4,083</b> | <b>67</b>    | <b>129</b> | <b>196</b> | <b>191</b>   | <b>161</b> | <b>352</b> |
|                                 |                |                   |              |              |              |              |            |            |              |            |            |
| Retail with TOD Reduction       |                |                   | 608          | 607          | 1,215        | 19           | 12         | 31         | 53           | 57         | 110        |
| Apartment with TOD Reduction    |                |                   | 617          | 617          | 1,235        | 22           | 65         | 87         | 62           | 40         | 101        |
| <b>Total with TOD Reduction</b> |                |                   | <b>1,225</b> | <b>1,225</b> | <b>2,450</b> | <b>40</b>    | <b>77</b>  | <b>118</b> | <b>115</b>   | <b>97</b>  | <b>211</b> |

### **Recommendations without 529 Tempe LLC Development**

The recommended lane configurations and traffic control for the study area intersections, for existing traffic conditions, are presented in **Figure 1**.

### **Recommendations with 529 Tempe LLC Development**

The recommended lane configurations and traffic control, for conditions with the proposed development site traffic included, are presented in **Figure 2**.

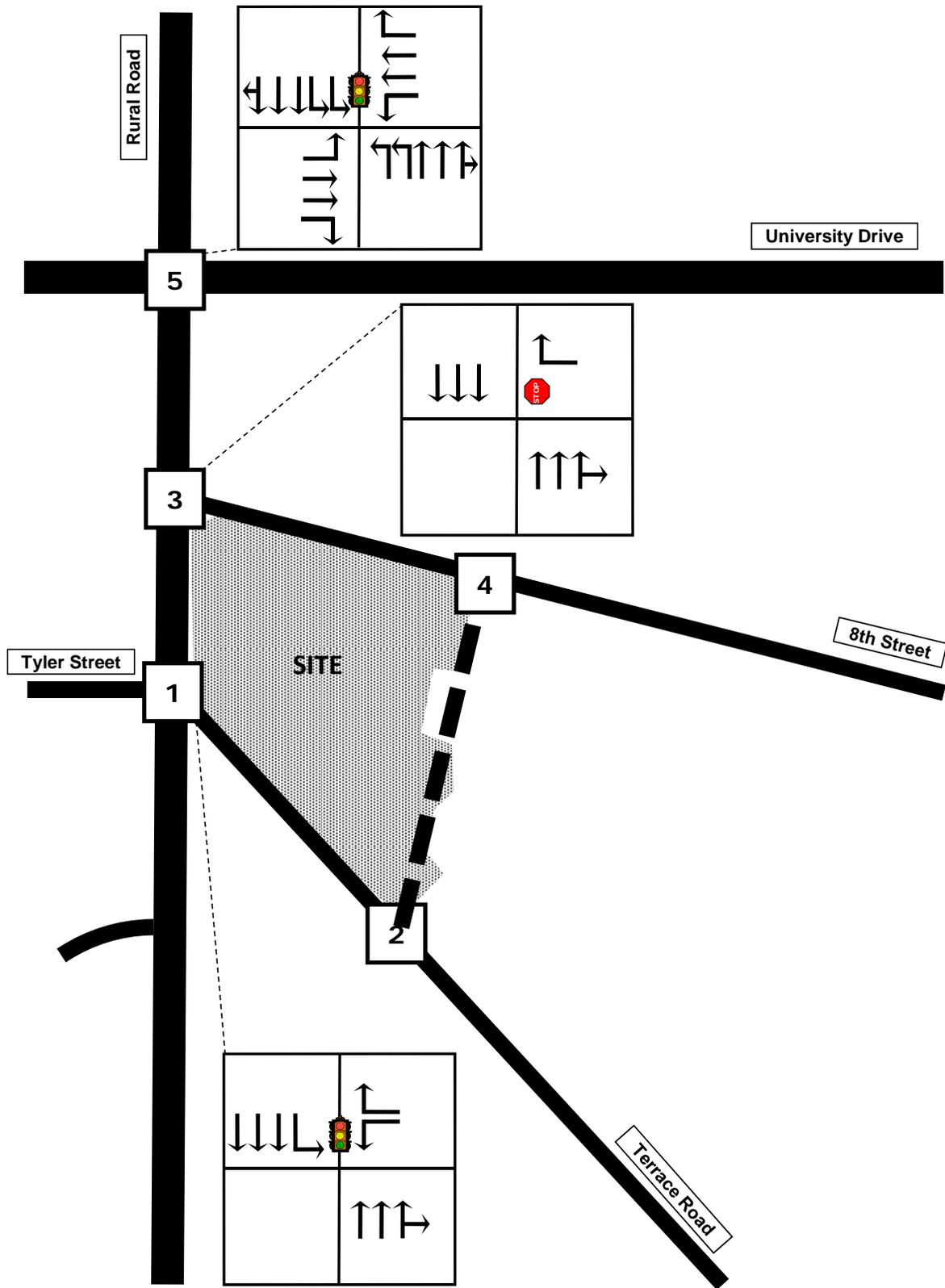


Figure 1: Required Lane Configurations – Existing

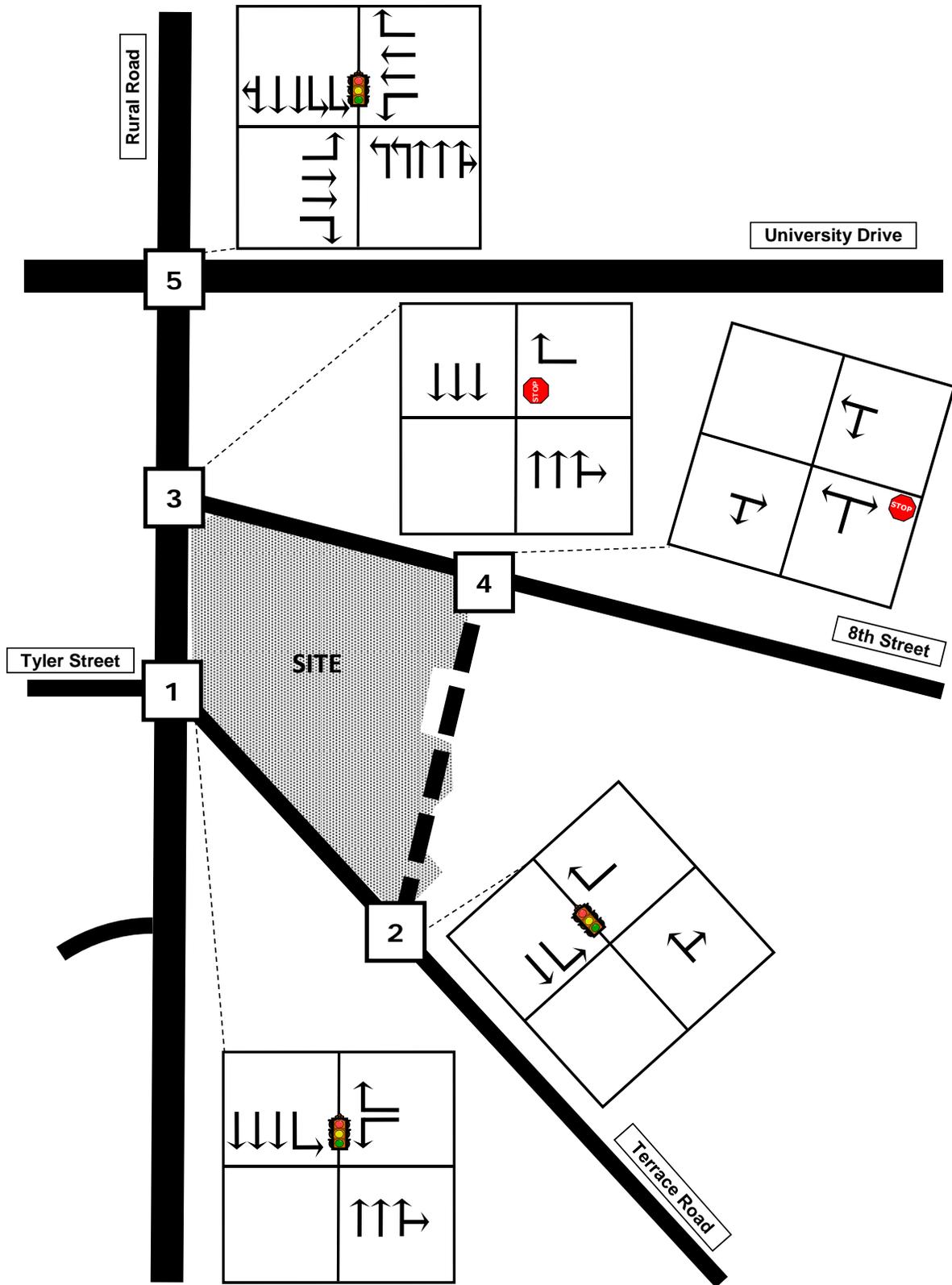


Figure 2: Required Lane Configurations – Existing With Site

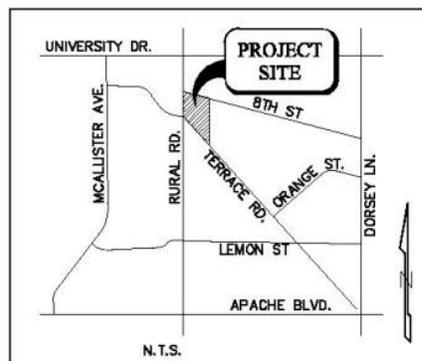
# 8<sup>TH</sup> AND RURAL

## NEIGHBORHOOD MEETING SUMMARY

### ZONING MAP AMENDMENT, PLANNED AREA DEVELOPMENT OVERLAY AND GENERAL PLAN AMENDMENT

855 SOUTH RURAL ROAD

LOCATED ON THE SOUTHEAST CORNER OF RURAL ROAD AND 8<sup>TH</sup> STREET



**APPLICANT:**

**H**UELLMANTEL  
AFFILIATES

Charles Huellmantel

PO Box 1833 - Tempe, Arizona 85280-1833 - (480) 921-2800 - charles@huellmantel.com

## RECORD OF APPLICANT ACTIVITIES

1. On December 9, 2011, the site was posted with a notification of the neighborhood meeting information, hearing dates and times, and description of the request. An affidavit of sign posting and photographic evidence of the sign is attached herein as “Exhibit A.”
2. On December 12, 2011, neighborhood meeting notification letters were sent to all neighbors within a 300 foot radius as well as a copy to Ryan Levesque with the City of Tempe Community Development Department. There were no registered neighborhood associations or homeowners associations within a 600 foot radius to notify. A copy of the letter is attached herein as “Exhibit B” and an affidavit of Public Hearing Notification with the notification list with map is attached herein as “Exhibit C.”
3. On December 27, 2011, Charles Huellmantel received a message from Clyde Buckstaff, identifying himself as the manager of Tempe Town Plaza which he stated was the property directly north of the train tracks adjacent to the proposed project. Mr. Huellmantel left several return messages for Mr. Buckstaff. No return call was received from Mr. Buckstaff.
4. On December 27, 2011, at 6:00 p.m., a neighborhood meeting was held as scheduled at Hatton Hall. In attendance was Charles Huellmantel (Huellmantel & Affiliates), Lauren Proper (Huellmantel & Affiliates) and Bret Sassenburg (Ground Up Development). Representatives from the City did not attend, nor did members of the public. The meeting adjourned at 6:30 p.m.
5. On December 28, 2011, Charles Huellmantel received a call from Charles Buss regarding the proposed project. Mr. Buss was not on the notification list due to his residence being located approximately one-half mile from the property in question. Mr. Buss indicated that he had seen the sign posting on the property but was unable to attend the neighborhood meeting due to his work schedule. He conveyed his concerns regarding the height of the proposed building and whether it would be visible from his property and asked that an exhibit be prepared showing the visibility of the building from his location from three separate vantage points. Mr. Huellmantel agreed to meet with Mr. Buss to discuss his concerns.

## Exhibit B

December 12, 2011

### NEIGHBORHOOD MEETING NOTICE

Re: Property located on the Southeast corner of 8<sup>th</sup> Street & Rural Road

Dear Neighbor:

As you may be aware, the property between 8<sup>th</sup> Street and Terrace Road along the east side of Rural Road has long since been vacant. 529 Tempe LLC is proposing to develop the deserted area and turn it into a pedestrian-oriented mixed use development with retail on the ground floor and residential units above. The ASU building to the east will remain in place.

Currently, the property — consisting of a number of parcels — is designated in a variety of zoning districts (CSS, Commercial Shopping and Services; R-4, Multi-Family Residential General; and R/O, Residential/Office). The proposed project will combine these parcels and zoning districts into a development that require a General Plan Amendment (from “Commercial” to “Mixed Use”) and a modification of the zoning to place all of the projected development into an MU-4 zoning district with a Planned Area Development overlay.

Please contact Charles Huellmantel if you have any questions regarding the proposed General Plan amendment, zoning map amendment or Planned Area Development overlay. Mr. Huellmantel can be reached at (480) 921-2800 or via e-mail at [charles@huellmantel.com](mailto:charles@huellmantel.com).

Additionally, the following meeting has been scheduled:

**Date:** Tuesday, December 27, 2011  
**Time:** 6:00 pm  
**Location:** Hatton Hall  
34 E. 7th Street  
Tempe, AZ 85281



# PROJECT DATA

ZONING DISTRICT(S) AND OVERLAY(S)

## PHASE I

### DWELLING QUANTITY

250 dwelling units

### RETAIL QUANTITY

11,055 SF

### DENSITY

250 Units / 1.1694 Acres = 213.86 Units/Acre

### BUILDING HEIGHT

250'-0"

### BUILDING SETBACK

0'-0" : FRONT SIDE

0'-0" : SIDE YARD

0'-0" : STREET SIDE YARD

0'-0" : REAR YARD

### BUILDING LOT COVERAGE

Building footprint area / net site area = 75%

### SITE LANDSCAPE COVERAGE

Landscape area/net site area = 55%

### VEHICLE PARKING QUANTITY\*

299 Residential parking spaces provided

3 Retail parking spaces provided

### BICYCLE PARKING QUANTITY

250 in-unit spaces provided

Approximately 13 spaces on grade

## PHASE II

### DWELLING QUANTITY

233 dwelling units

### RETAIL QUANTITY

4,489 SF

### DENSITY

233 Units / .9235 Acres = 252.3 Units/Acre

### BUILDING HEIGHT

250'-0"

### BUILDING SETBACK

0'-0" : FRONT SIDE

0'-0" : SIDE YARD

0'-0" : STREET SIDE YARD

0'-0" : REAR YARD

### BUILDING LOT COVERAGE

Building footprint area / net site area = 71%

### SITE LANDSCAPE COVERAGE

Landscape area/net site area = 46%

### VEHICLE PARKING QUANTITY\*

266 Residential parking spaces provided

3 Retail parking spaces provided\*\*

### BICYCLE PARKING QUANTITY

233 in-unit spaces provided

Approximately 12 spaces on grade

#### \* Proposed Parking Formula

(0.5 spaces /Studio) + (0.5 spaces /Convertible) + (1.0 spaces /1BR) + (1.0 spaces/2BR)  
+ (1.5 spaces /3BR) + (0.1 guest spaces /Unit ) + (1 retail space /4000 SF of retail space)

[\*\* NOTE: Providing (3) retail parking spaces in lieu of (2) for Phase II.]

PAD11015

ATTACHMENT 55

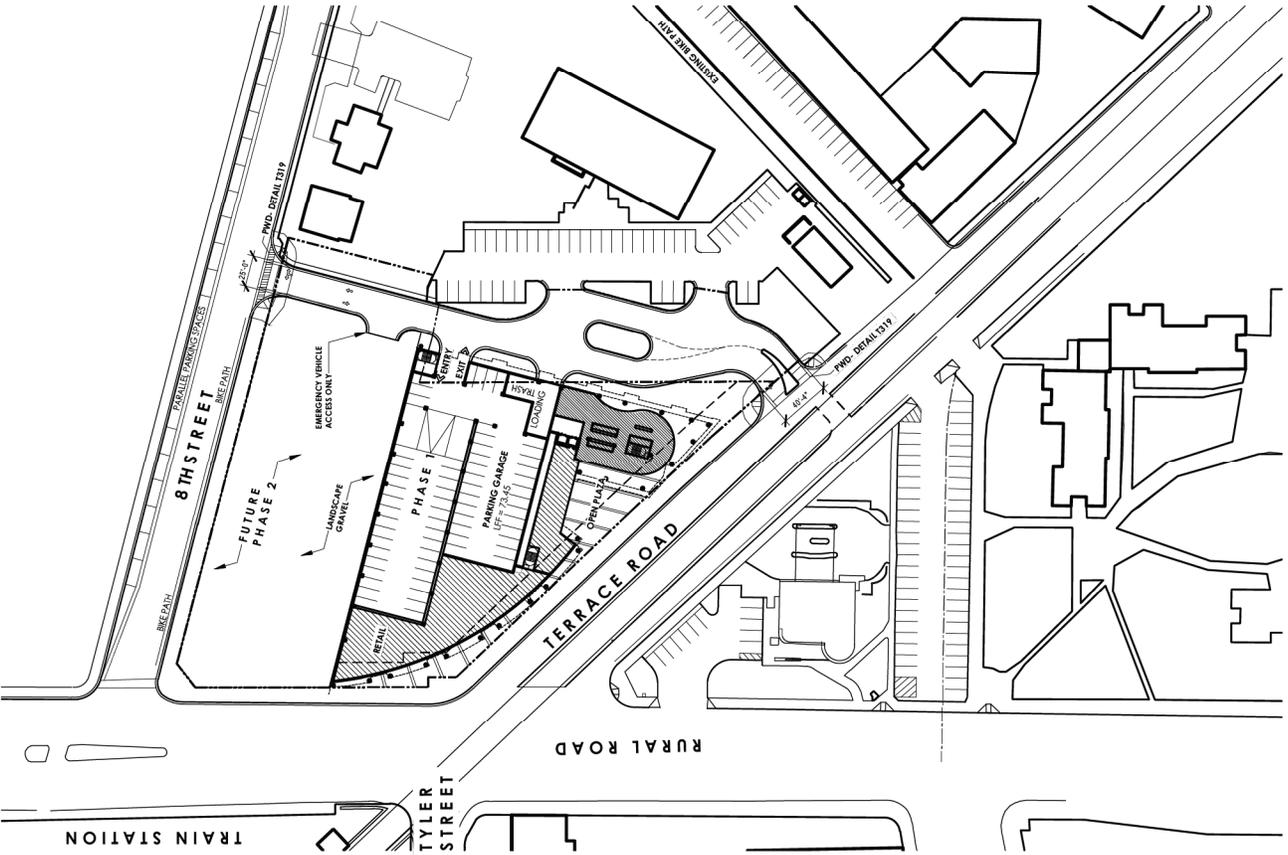
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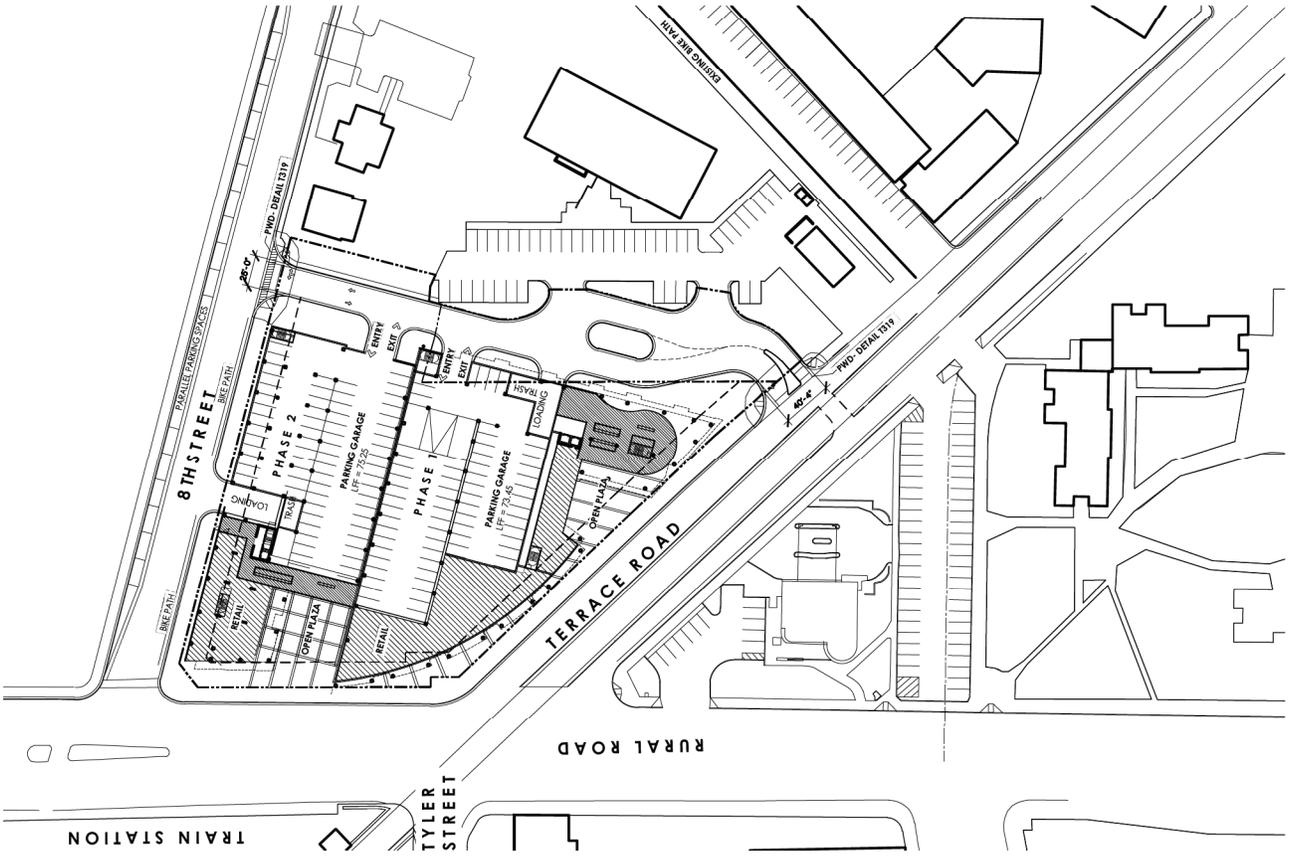
903 SOUTH RURAL ROAD, TEMPE, AZ GOLUB

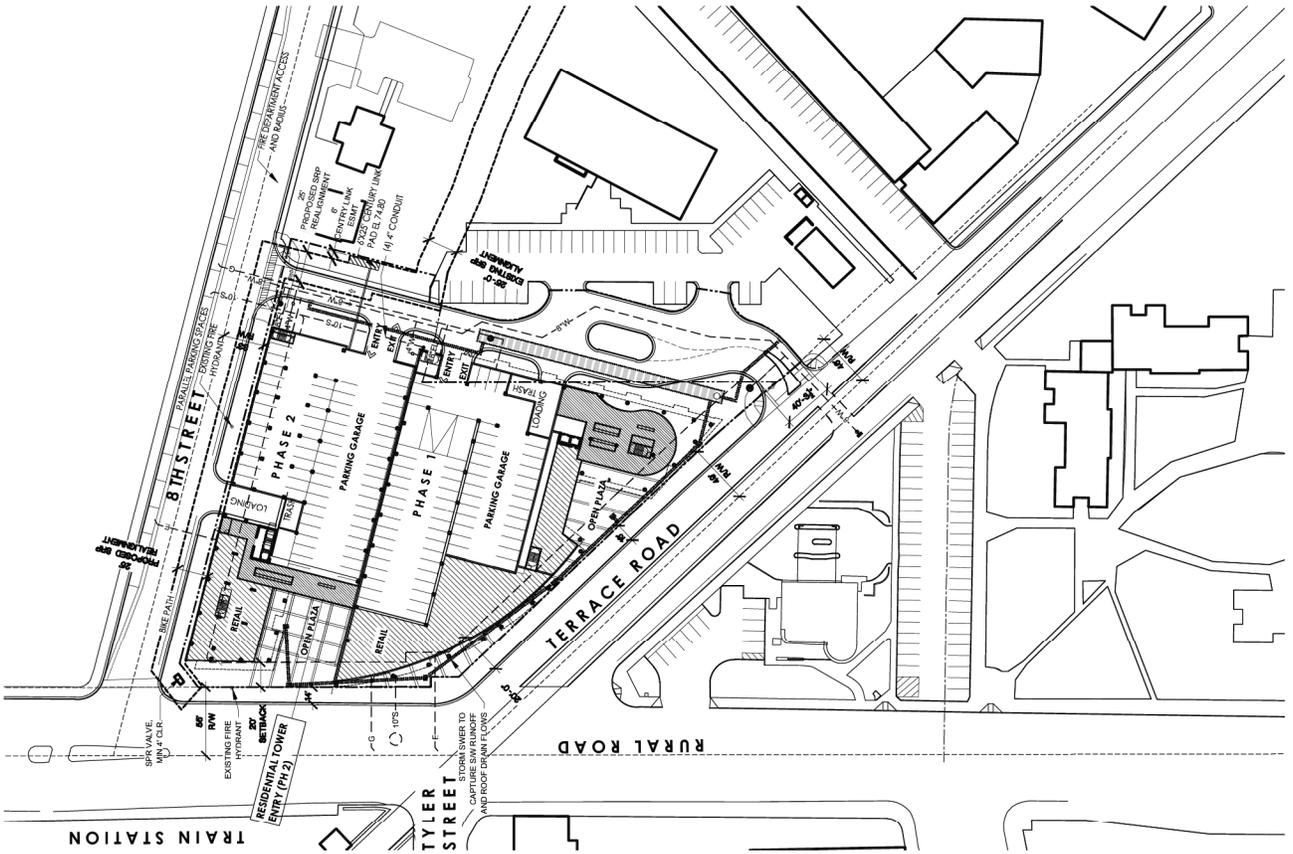
SCB

**LEGEND**  
 - - - - - PROPERTY LINE  
 - - - - - 20'-0" SETBACK



**LEGEND**  
 - - - - - PROPERTY LINE  
 - - - - - 20'-0" SETBACK



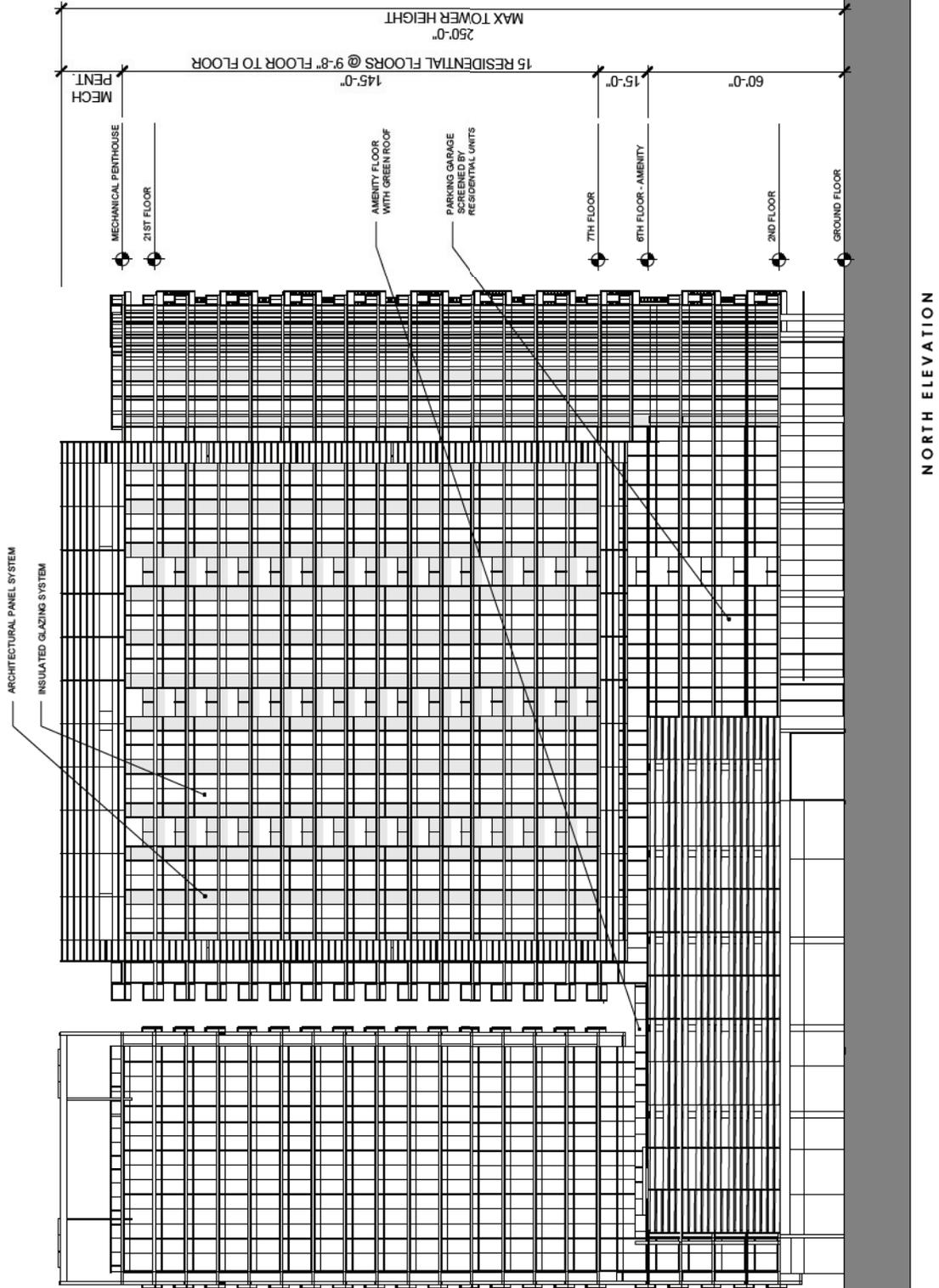


**LEGEND**

- PROPERTY LINE
- - - 20'-0" SETBACK
- ==== STORM DRAIN PIPE
- ▨ PROPOSED CENTURY LINK PAD
- W- WATER LINE
- S- SEWER LINE
- FL- FIRE LINE
- G- GAS LINE
- E- ELECTRIC LINE
- - - C 72.20 CONCRETE ELEVATION
- - - EG 72.60 FINISHED GRADE ELEVATION
- - - P 72.80 PAVEMENT ELEVATION
- - - G 72.20 GUTTER ELEVATION
- LF- LOWEST FINISHED FLOOR

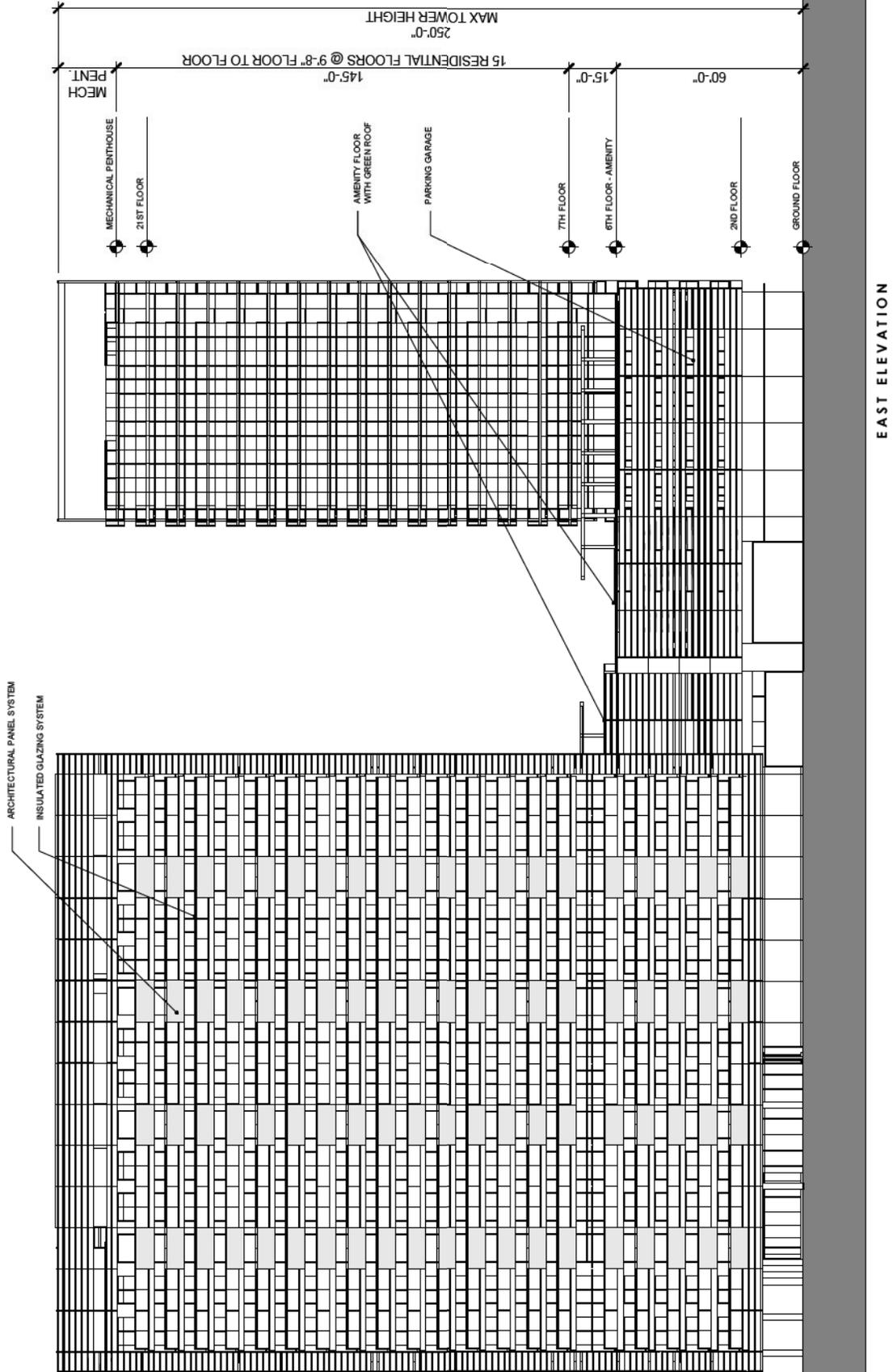


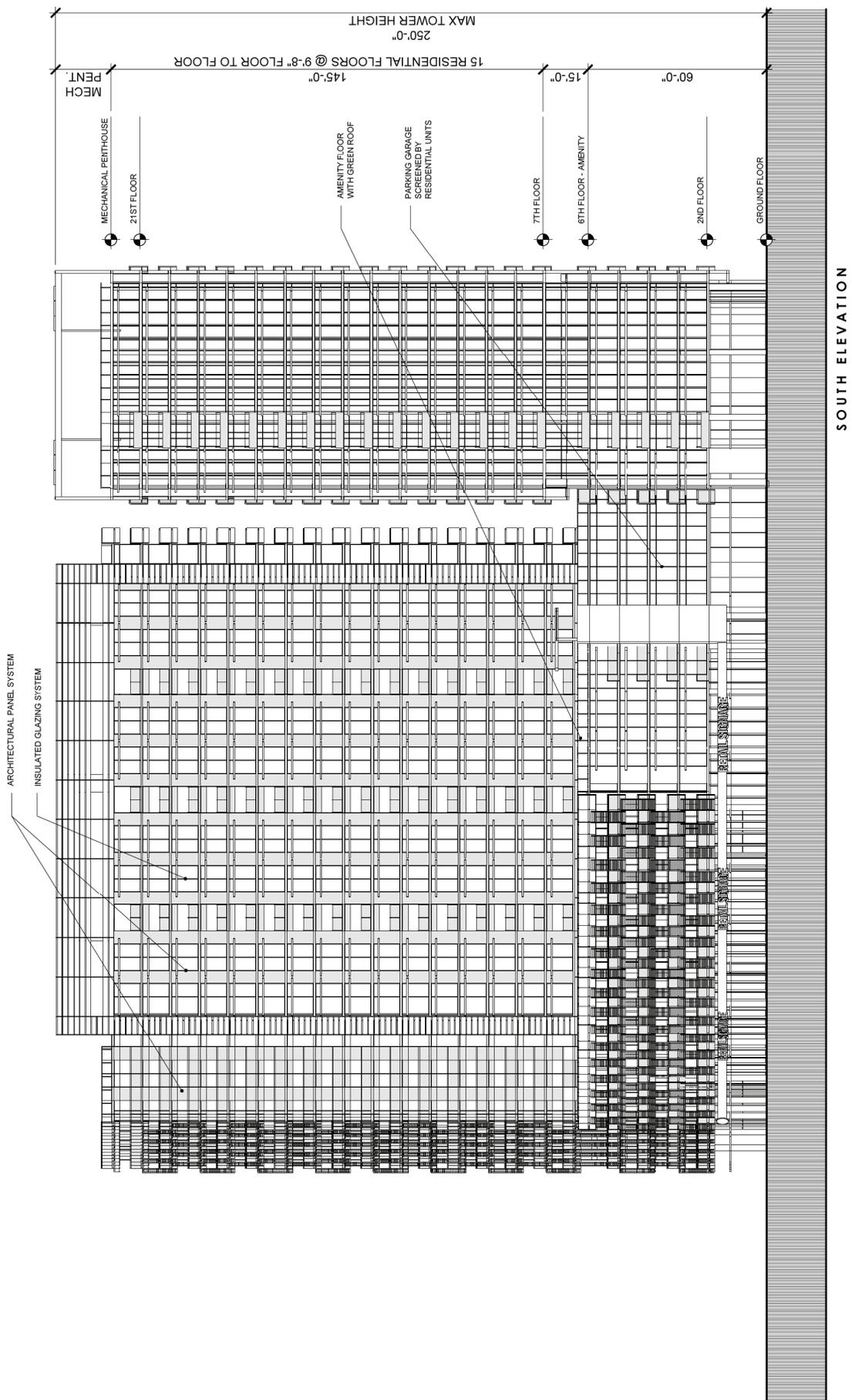
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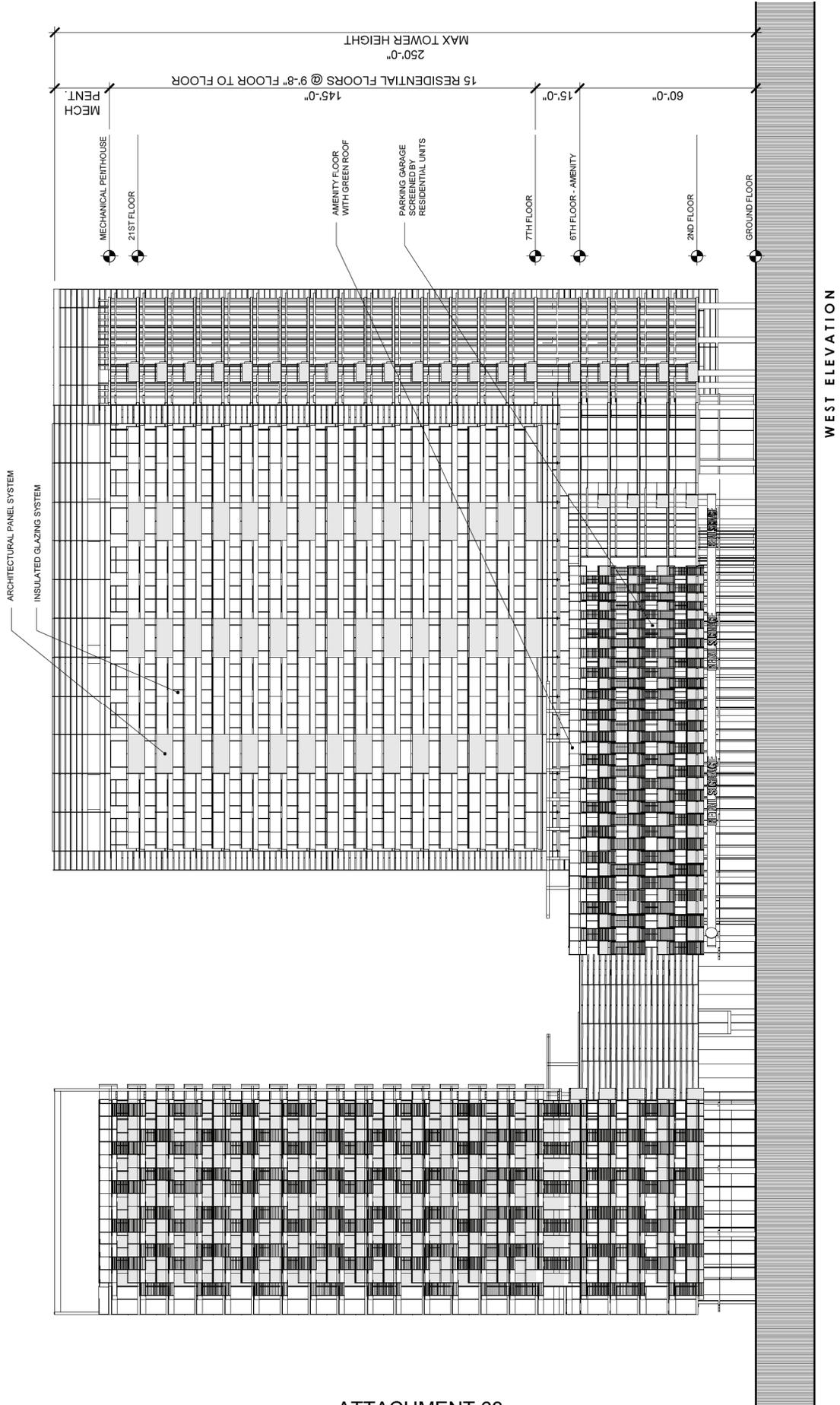




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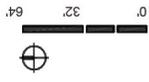






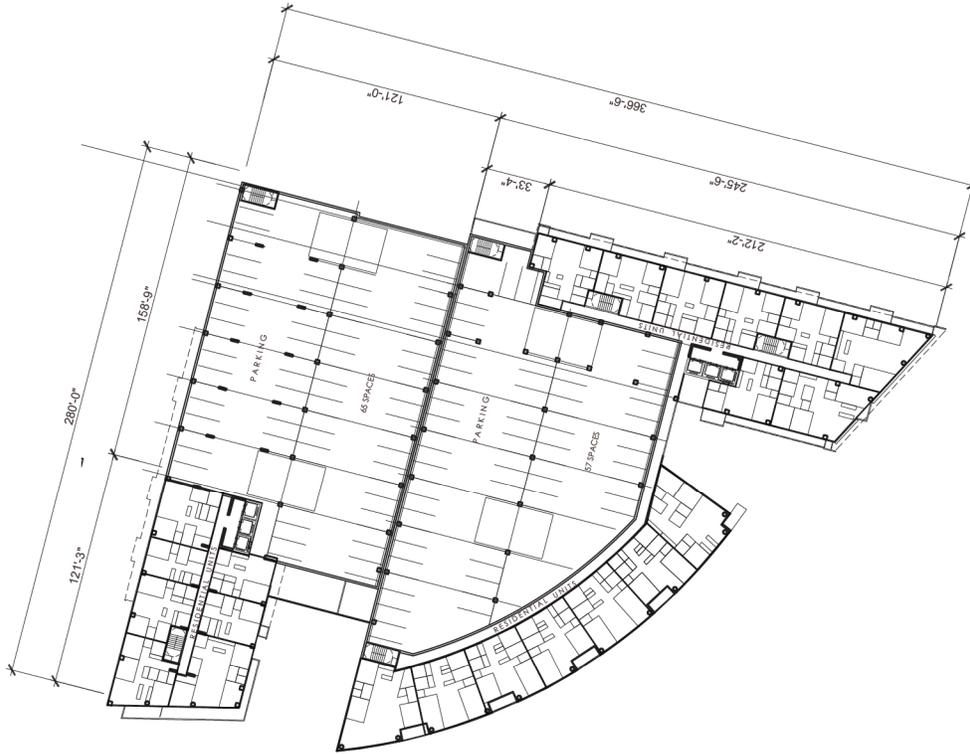


# PLANS - GROUND FLOOR & TYPICAL GARAGE



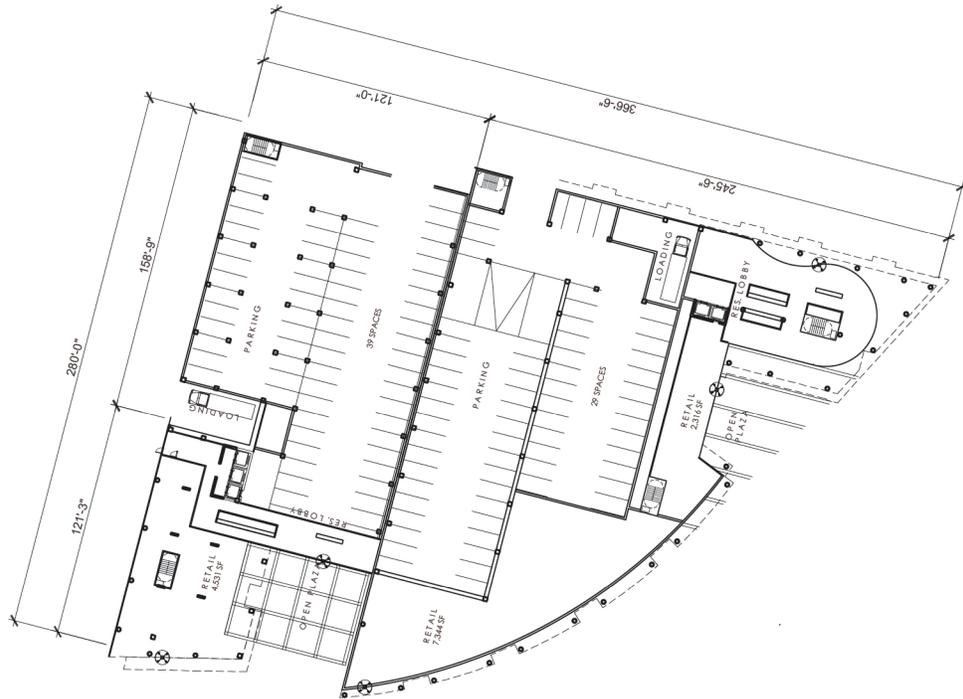
529 TEMPE LLC

# 10



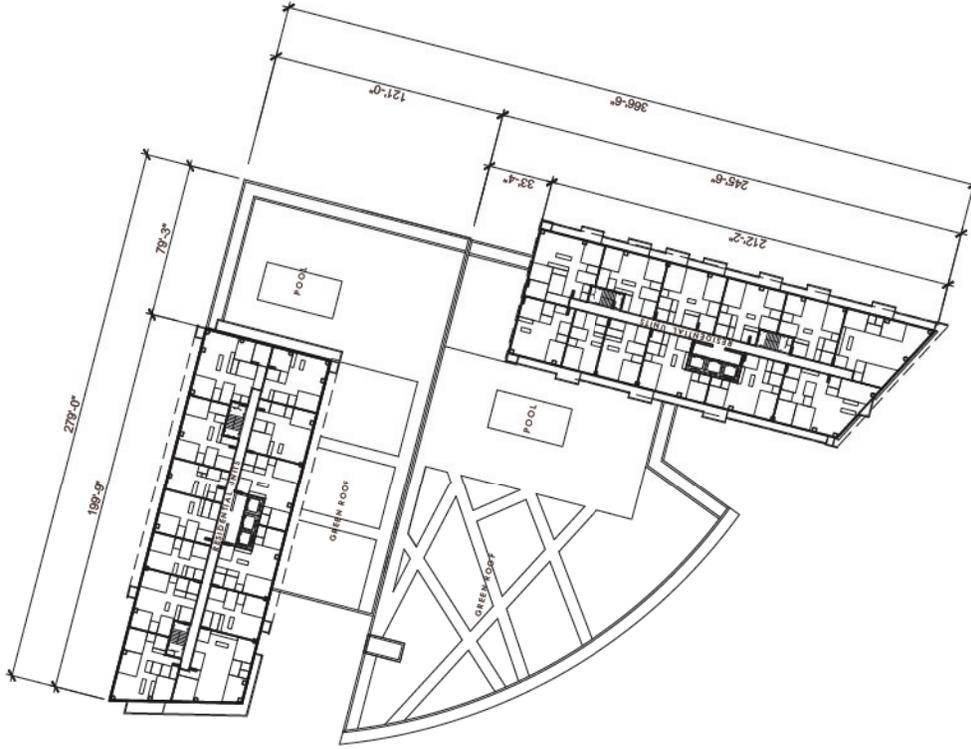
TYPICAL GARAGE PLAN

# B

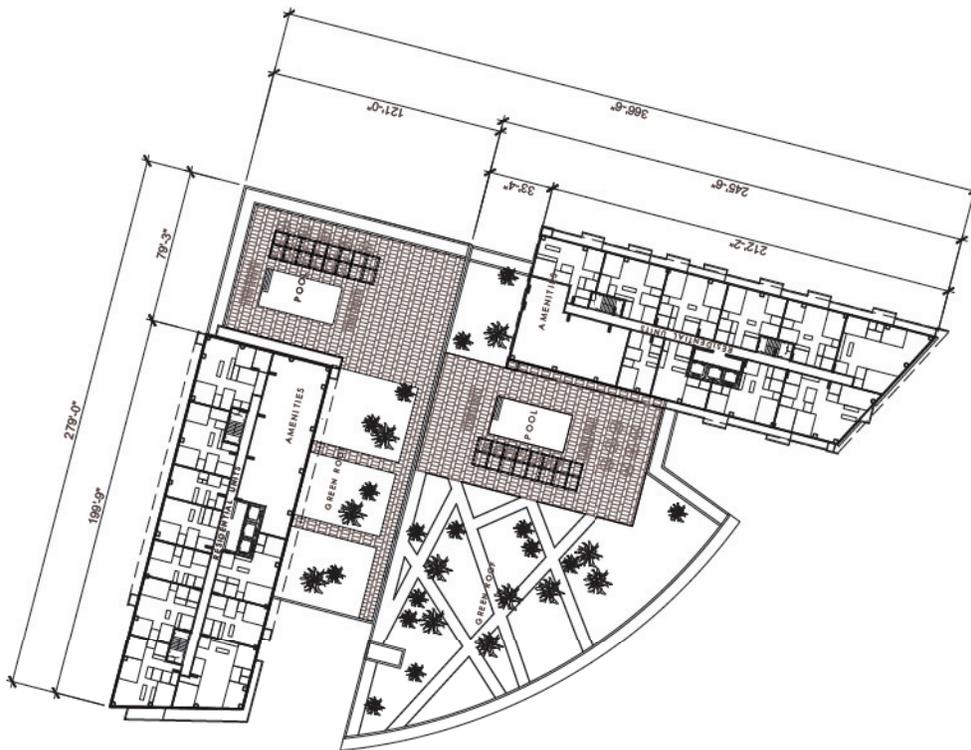


GROUND FLOOR PLAN

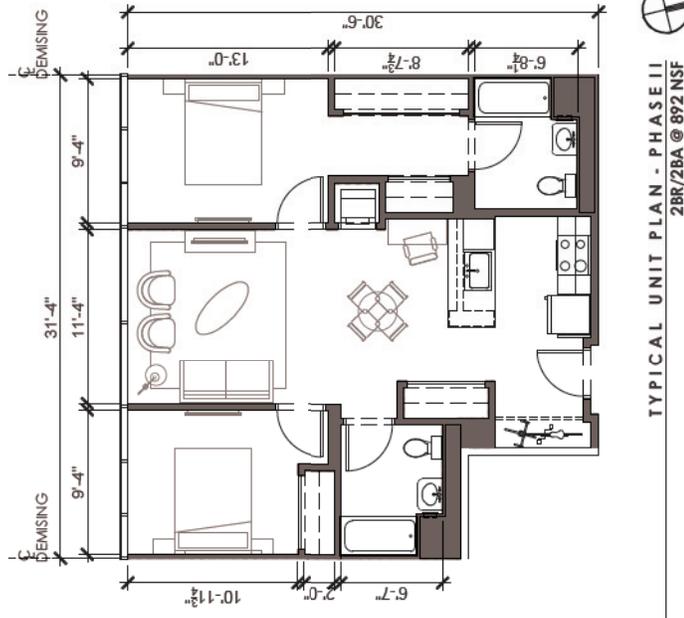
# A



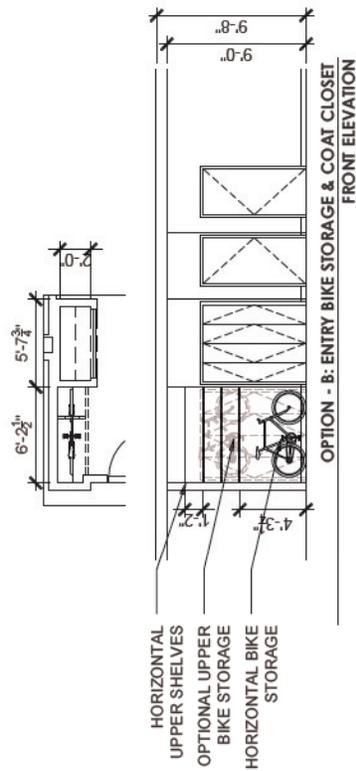
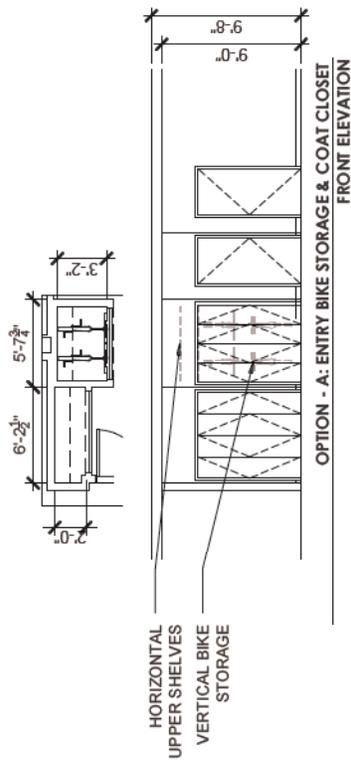
**B** TYPICAL RESIDENTIAL PLAN



**A** AMENITY FLOOR PLAN



TYPICAL UNIT PLAN - PHASE II  
 2BR/2BA @ 892 NSF



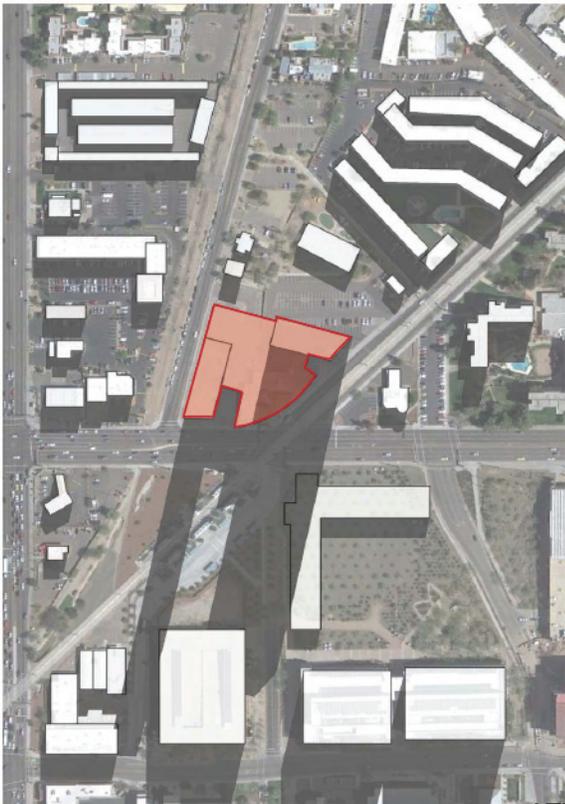


NOON



3 PM

SHADOW STUDIES - VERNAL EQUINOX MARCH 20



9 AM



5 PM



NOON



3 PM



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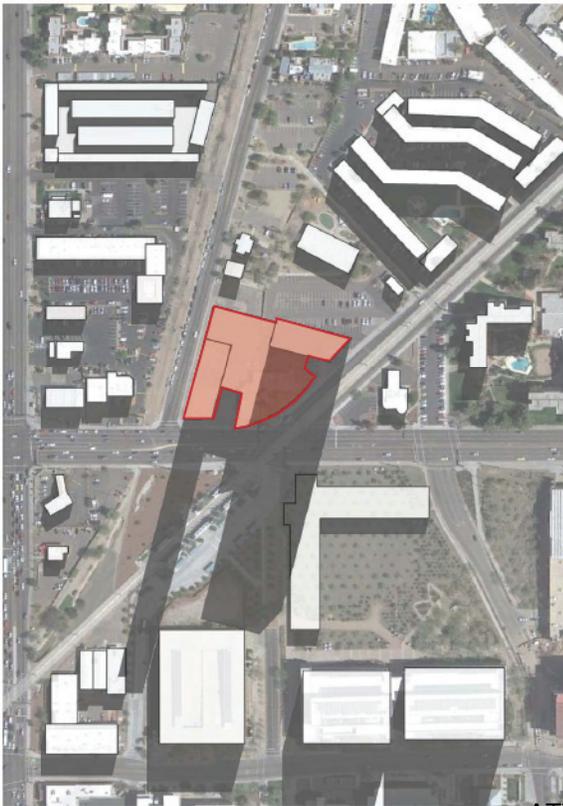
SHADOW STUDIES - SUMMER SOLSTICE JUNE 21



NOON



3 PM



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SHADOW STUDIES - AUTUMNAL EQUINOX SEPTEMBER 22



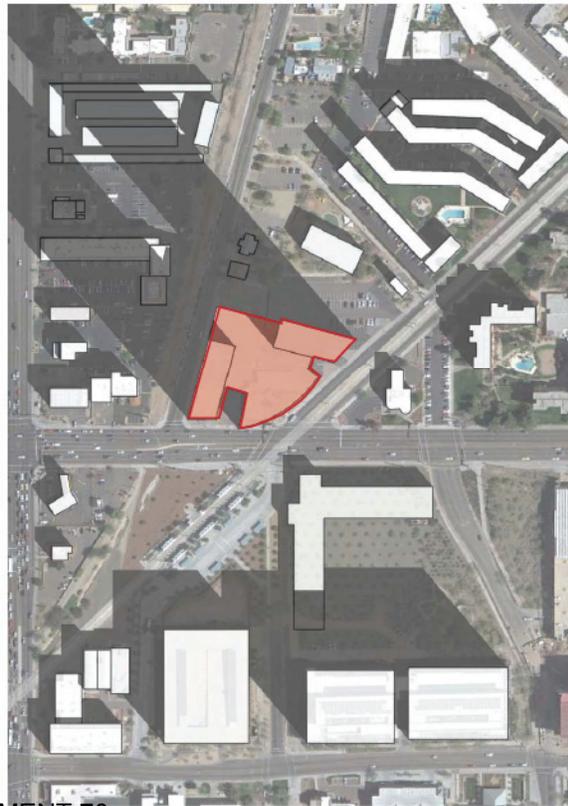
NOON



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SHADOW STUDIES - WINTER SOLSTICE DECEMBER 21

**From:** Philip Amorosi  
**Sent:** Tuesday, January 31, 2012 7:46 PM  
**To:** Levesque, Ryan  
**Subject:** comments regarding 8th ST and Rural project

Hi Ryan,  
This is case #PL110371

How come back in 2008 when the city entered into an agreement with Golub (see next paragraph). They asked for 17-19 stories and 452 units but it comes back Higher and Denser (20 stories and 506 units). Plus they ask for a lot less parking on a small 2 acre property that butts up to the Historic Elias Rodriguez House.

- August 14, 2008, City Council approved a resolution authorizing negotiation of a Development and Disposition Agreement with Golub & Company regarding property located at 903 S. Rural Road. The proposed development at that time was a three phased mixed use development consisting of three towers ranging from 17 - 19 stories programmed with 452 condominiums and 10,500 sq. feet of retail.

If they knocked it back down to 17 stories but kept the same amount of parking the ratio of units to parking would be a lot better and we would have a little breathing room for the next developer that will want to go 25 or 30 stories since all developers have to have the biggest unit on the block. Everything around it is around 10 stories, this will be DOUBLE the height and stick out as far as the eye can see. Where does it end with this height craze? Whatever happened to having all the high towers in Downtown Tempe?

Phil Amorosi

MINUTES OF THE  
DEVELOPMENT REVIEW COMMISSION  
FEBRUARY 14, 2012

Harry E. Mitchell Government Center  
Tempe City Hall - City Council Chambers  
31 E. 5<sup>th</sup> Street, Tempe, AZ 85281  
6:00 PM (5:30 Study Session)

Commission Present:

Mike DiDomenico, Chair  
Dennis Webb, Vice Chair  
Monica Attridge  
Tom Oteri  
Peggy Tinsley  
Kolby Granville  
Nick Miner  
Jim Delton

Commission Absent:

Paul Kent

City Staff Present:

Lisa Collins, Deputy Director Community Development  
Steve Abrahamson, Planning & Zoning Coordinator  
Ryan Levesque, Senior Planner  
Kevin O'Melia, Senior Planner  
Sherri Lesser, Senior Planner  
Diana Kaminski, Senior Planner  
Lisa Nova, Administrative Asst. II

Chair DiDomenico called the meeting to order at 6:05 p.m., which included the introduction of the Commission and City staff. It had been determined at the Study Session that Item Nos. 2 and 5 could be placed on the Consent Agenda and Item Nos. 3, 4 and 6 would be heard. Item No. 6 was moved and would be the first case heard for the evening.

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- Request for **8<sup>TH</sup> & RURAL (PL110371)** (529 Tempe LLC, property owner; Charles Huellmantel, Huellmantel & Affiliates, applicant) consisting of a new 506 unit mixed-use residential development consisting of two phases, which will include two 20-story buildings with urban retail uses on the ground floor, totaling up to 465,695 sf. in building area on approximately 2.09 acres, located at 855 South Rural Road. The request includes the following:

**GEP11005 (Resolution No. 2012.18)** – General Plan Projected Land Use Map Amendment from “Commercial” to “Mixed Use” on 2.64 acres.

**ZON11007 (Ordinance No. 2012.07)** – Zoning Map Amendment from CSS, Commercial Shopping and Services District, R-4, Multi-Family Residential General District, and R/O, Residential/Office District to MU-4, Mixed-Use High Density District on 2.64 acres.

**PAD11015 (Ordinance No. 2012.07)** – Planned Area Development Overlay to establish development standards for 483 dwelling units; a maximum building height of 250'-0"; and reduce the minimum required vehicle parking from 970 to 571 spaces on 2.64 acres.

STAFF REPORT: [DRCr\\_8th&Rural\\_021412.pdf](#)

This case was presented by Ryan Levesque and represented by Charles Huellmantel, Huellmantel & Associates (applicant).

Commissioner Miner questioned staff as to the development of this property as it relates to an SRP canal easement and license agreement.

Mr. Huellmantel addressed the Commission and indicated there is a canal and property owners worked to realign the canal several years ago. He also indicated that SRP has seen the building plans and the property owners and SRP have come to an agreement in regards to a land-swap.

Commissioner Granville asked for clarification as to what the Commission is able to vote on due to the Development Agreement that exists on this property.

Mr. Levesque stated that after reviewing this agreement with the City Attorney's Office, the DDA describes a range of height that will ultimately be at the discretion of City Council to the final height allowed.

Commissioner Attridge questioned the overflow parking that will be allowed on 8<sup>th</sup> Street and stated she drove by there and there were already many cars parked along 8<sup>th</sup> Street. Mr. Levesque indicated that on street parking is allowed at this time and many students park there and walk to campus but that may change in the future.

Commissioner Miner asked if staff had been in communication with ASU during this process. Mr. Levesque indicated that they are actively involved in this project.

Chair DiDomenico opened the hearing to public input.

Charles Buss, resident, addressed the Commission with concerns regarding height and parking. He stated that his main concern is the parking and that when this project is built and the parking on 8<sup>th</sup> Street is taken by the residents at this location, the students that were parking previously on 8<sup>th</sup> Street will move further east into their neighborhood. He also indicated there is a 40% drop in the parking requirement for this project and that is of great concern as well.

Chair DiDomenico indicated that this project is within the Transportation Overlay District and the City will incentivize developers to not build parking at the same ratio it would be in another location away from public transportation or in a less urban setting.

Chair DiDomenico closed the hearing to public input.

Mr. Huellmantel returned to the podium to address concerns raised. Mr. Huellmantel stated that as the light rail becomes more popular, the ratios will drop and continue to drop. He indicated that this is a two-phase project and should the parking be an issue after the first phase is built, more parking will be added in the second phase. He also stated that at this time, this is a zoning request and they will be required to return to the Commission when the time comes for the Development Plan Review.

Chair DiDomenico asked Mr. Huellmantel if the two garages would operate separately or do they somehow

come together once inside. Mr. Huellmantel stated that he was unsure at this time but would guess they would be separate.

Commissioner Miner asked if there would be a traffic signal installed at Terrace east of Rural and how that would impact light rail flow and traffic down Terrace. Mr. Huellmantel indicated that yes a signal would be put in and it was part of the Development and Disposition Agreement (DDA) and Metro Rail has agreed to that signal.

Commissioner Granville stated his concern in regards to stacking issues at that signal due to one lane each direction. Mr. Huellmantel indicated that there would be land taken to provide for bypass.

Commissioner Attridge questioned the lack of setback. Mr. Huellmantel stated that since the site is located in the TOD, it is a requirement to have less of a setback then they had initially planned. He also indicated that there would be significant pedestrian pathways, wider sidewalks and pedestrian plazas.

Commissioner Attridge stated her question centered on building setback. Mr. Huellmantel indicated that the City's main concern is the Elias-Rodriguez House and have the buildings as far away as possible from that structure. She also asked about indoor bicycle parking. Mr. Huellmantel stated that when you enter the unit there is closet specifically designed for a bicycle. This will curtail bikes being stored on the balconies.

Mr. Levesque indicated that looking at the TOD standard, there is not a significant reduction in the parking requirement. Three-bedroom parking only has a .25 reduction and a two-bedroom unit has no reduction in spaces.

Commissioner Oteri stated he understood that Mr. Buss had an issue with the height, but unfortunately the City can only go up as we have very little land available.

Commissioner Attridge indicated that the chief complaint she hears from residents is about height and she felt that it's a great project but too high.

Commissioner Tinsley stated that she sees an advantage to the height. The height allows for more residents that are not living or parking in the neighborhoods.

Chair DiDomenico stated that he isn't as concerned as others regarding the height and he believed the economy will dictate the height and supports the case.

Vice Chair Webb agreed with Chair DiDomenico and supports the case.

Commissioner Granville commended Mr. Huellmantel on his presentation but cannot support the case simply because of the height and doesn't feel that 250 feet is appropriate for this area. He stated that the growing ASU numbers are not here in Tempe but at the other campuses.

On a motion by Commissioner Oteri and seconded by Commissioner Miner, the Commission with a vote of 5-2 (Commissioners Attridge and Granville opposed) recommended approval of this General Plan Amendment, Zoning Map Amendment and Planned Area Development Overlay as recommended in the staff report.

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Prepared by: Lisa Novia, Administrative Assistant II  
Reviewed by: Lisa Collins, Deputy Director Community Development Department



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Lisa Collins, Deputy Director Community Development Department