



**CITY OF TEMPE  
REQUEST FOR COUNCIL ACTION**

**Council Meeting Date: 08/18/2016  
Agenda Item: 5A2**

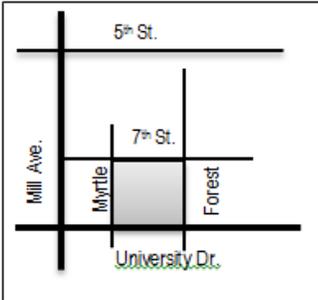
**ACTION:** Approve an Amended Subdivision Plat for 7TH STREET MIXED USE, located at 110 East University Drive. The applicant is Sender Associates, Chtd.

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

**RECOMMENDATION:** Approve, subject to conditions.

**BACKGROUND INFORMATION:** 7TH STREET MIXED USE (PL140488), consists of an approved project for a mixed-use development with hotel, commercial and 453 units with three towers at a maximum height of 240'-0" feet. The subdivision plat will satisfy one of the conditions of approval required for this project. On July 30, 2015, City Council approved a one (1) lot subdivision plat for this project; plat was never recorded with Maricopa County. In the interim, applicant determined two (2) lots were necessary for this site for the hotel portion of project. The request includes the following:

- 1. Amended Subdivision Plat into two (2) lots.



Existing Property Owner      MRC II, LLC  
Applicant                              Darin Sender, Sender Associates  
Current Zoning District        Central City (CC PAD), Transportation Overlay District (TOD)  
Gross/Net site area              3.2255 acres  
Lot 1                                      +/- 2.6475  
Lot2                                      +/- 0.5780

**ATTACHMENTS:** Development Project File

**STAFF CONTACT(S):** Ryan Levesque, Deputy Community Development Director, (480) 858-2393

Department Director: Jeff Tamulevich, Interim Community Development Director  
Legal review by: Teresa Voss, Assistant City Attorney  
Prepared by: Obenia Kingsby, Planner I

**COMMENTS:**

This site is bounded by University Drive to the south, Forest Avenue to the east, Myrtle Avenue to the west and 7th Street to the north. The development for the 7th STREET MIXED USE project was approved by City Council on June 25, 2015, consisting of an Amended Planned Area Development Overlay and a Development Plan Review for a new retail, restaurant, hotel and 453 residential units that consist of three towers with a maximum height of 240 feet in the CC, City Center District and within the TOD, Transportation Overlay District. The proposed subdivision is required by a condition of approval for this project, consolidating the existing lots of the block into two.

**REASONS FOR APPROVAL:**

Based on the information provided, staff recommends approval of the requested Subdivision plat. The lots will have access to a public street and meet the technical standard of the Tempe City Code, Chapter 30, Subdivisions. This request will also conform to the conditions proposed.

**CONDITIONS OF APPROVAL:**

1. The Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder’s Office through the City of Tempe’s Community Development Department on or before August 18, 2017. Failure to record the plat within one year of City Council approval shall make the plat null and void.
2. Where the building crosses more than one parcel and connectivity or access is required to comply with building code, prior to issuance of building permits, the developer shall record a building code compliance covenants and agreements to hold properties as one parcel.
3. All property corners shall be set and verified with staff upon final recordation of the subdivision plat, no later than three (3) months from the date of County recordation or as determined by staff.
4. Provide a legal description and exhibit for dedication of any new cross drainage agreement, if necessary.
5. Dedicate a cross access agreement between the new lots.

**HISTORY & FACTS:**

May 26, 2014	The Development Review Commission recommended approval of the site plan, building elevations, landscape plan and approved a Use Permit for tandem parking for 7th Street Mixed Use. The Development Review Commission recommended approval to City Council the following: an Amended Planned Area Development Overlay to allow a maximum 240'-0" tall building with a revised site plan and a three tower configuration. The project is located at 110 E. University Drive in the CC, City Center District with a PAD, Planned Area Development Overlay and within the TOD, Transportation Overlay District.
June 11, 2015	The City Council introduced and held the first public hearing for 7th STREET MIXED USE.
June 25, 2015	City Council held a second and final public hearing for 7th STREET MIXED USE and approved the request.
July 30, 2015	City Council approved a one lot Subdivision Plat for 7th Street Mixed Use.

Note: Approved subdivision plat by City Council on July 30, 2015 was not recorded with Maricopa County.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-307, Subdivisions, Lot Splits and Adjustments  
Tempe City Code, Chapter 30, Subdivisions