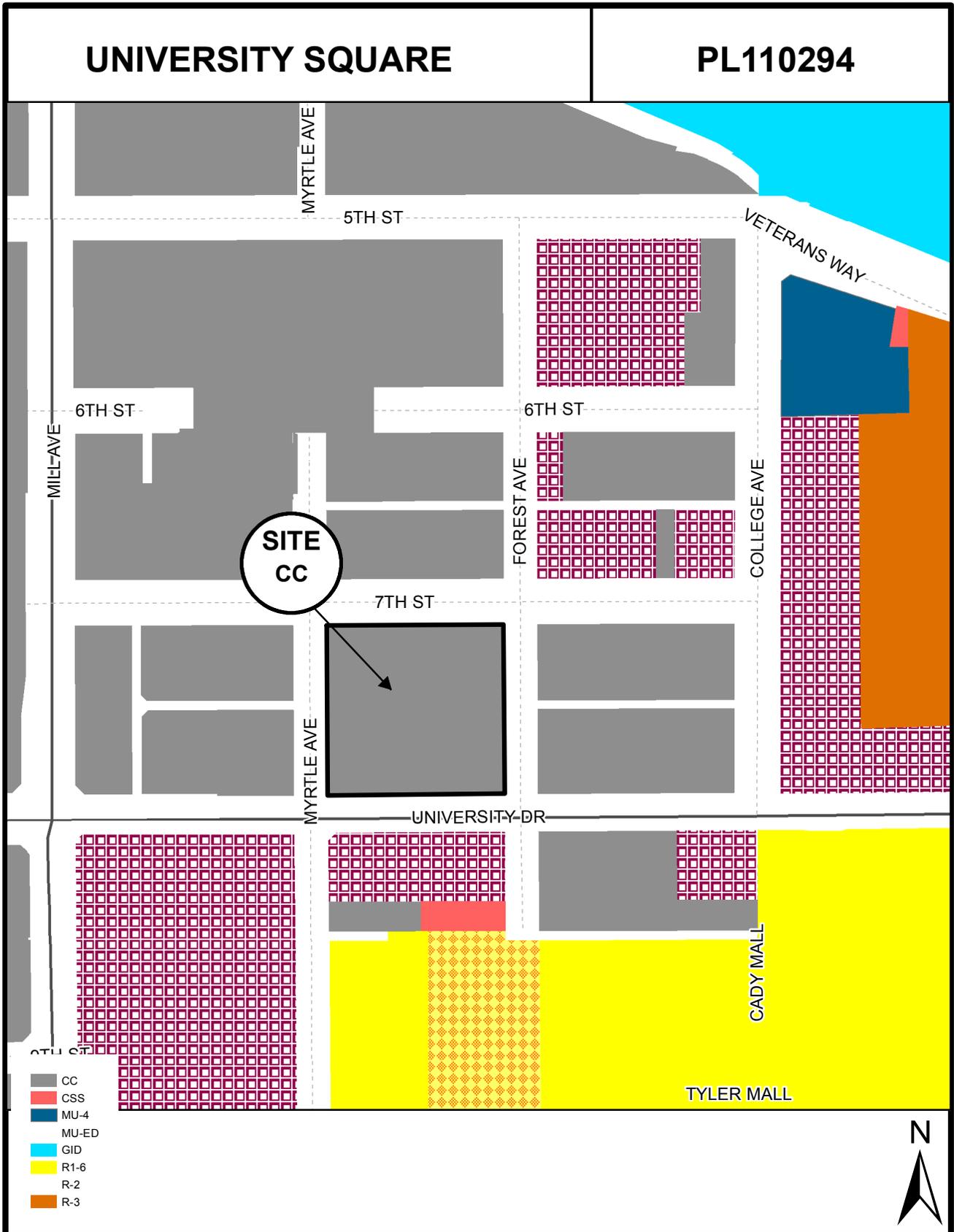




DEVELOPMENT PROJECT FILE
for
UNIVERSITY SQUARE
(PL110294)

ATTACHMENTS:

1. Location Map
2. Aerial
- 3-5. Letter of Explanation
6. Parking Lot Layout
- 7-8. Landscape Plan and Planting Details



Location Map

UNIVERSITY SQUARE

PL110294



Maricopa County Assessor's Office



Aerial Map

LAW OFFICES OF
SENDER ASSOCIATES, CHARTERED

DARIN A. SENDER, ESQ.

JENNIFER K. BOBLICK, ESQ.

July 13, 2016

VIA EMAIL (ryan_levesque@tempe.gov) AND HAND DELIVERY ONLY

Ryan Levesque
Deputy Planning Director
Community Development, Planning Division
City of Tempe
31 East 5th Street
Tempe, Arizona 85281

RE: Request for extension of Temporary Use Parking and Development Plan Review.
110 East University Drive. PL110294/DS110379/DPR11141.

Dear Ryan,

This letter requests a 5-year extension for the surface parking lot use on property located at 110 East University Drive (the "Site"). The property owner, MCR II, LLC, maintains a pay surface parking lot on the Site that was administratively approved by the city on August 23, 2011 under ZDC Code Section 5-608 (F) for both Temporary Use Parking and Development Plan Review. (See the attached approval letter.) Pursuant to that Section, approvals expire five years from the date of their original approval. In this case, the Temporary Use Parking and approval is set to expire on August 23, 2016. The authorizing ordinance, Ord. 2011.27, will terminate on September 17, 2016 and will be automatically repealed on September 18, 2016. (See the attached Ord. 2011.27.)

As you are aware, the Site was recently approved for the Opus development, 7S, a mixed-use project that will occupy the entire Site. Although Opus intends to begin construction quite soon, MCR desires to continue operation of the parking operations until construction commences. This will ensure the Downtown will have available public parking as long as possible until the 7S project's own 227 public spaces are completed. And, in the highly unlikely event the 7S project is not realized, this extension will ensure needed public parking will continue to be available on this Downtown Site.

The original approval found that Site's 409-space parking lot and improvements met the approval criteria for Sections 6-306(D) and 5-608(F) regarding Development Plan Review and Temporary Use Parking. All conditions of the administrative approval have been met and there have been no changes to the existing parking lot.

Section 5-608(F)(1) of the Zoning and Development Code states that City Council may approve additional time for such parking beyond the five year maximum. Since the existing temporary parking approval is set to expire on August 23, 2016, we respectfully request a 5-year extension of the Temporary Use Parking and Development Plan Review approval pursuant to Section 5-608(F)(1). We believe that it is best to allow the Site to continue to operate with a

functional use beneficial to Downtown Tempe, rather than to sit vacant while construction documents for future development are prepared and reviewed. An extension of the parking use would allow the Site to remain functional and will still meet the criteria that supported the initial approval.

TEMPORARY PARKING USE APPROVAL CRITERIA: SECTION 5-608(F)(3)

A. The Site will be developed to ensure that it will not be detrimental to the surrounding neighborhood or to the public welfare in general.

The Site is currently developed according to the approved Site Plans for the originally approved parking lot. This includes proper lighting, landscaping, access, and circulation to ensure that the lot is safe and is not detrimental to the surrounding neighborhood or the public welfare in general.

B. Temporary Use Parking may not be allowed when in close proximity to residential areas which may be detrimental to the character of the neighborhood.

The Site is located in a commercially developed area in the heart of Downtown Tempe, adjacent to a major arterial street and Arizona State University's Downtown Tempe Campus. The continued use of the lot for surface parking would not be detrimental to the character of the neighborhood. Ceasing the parking use on the lot prior to commencement of construction activity could cause confusion as the lot would maintain its current parking lot improvements. And, continuing a functional use on the Site is the best way to protect the surrounding properties to prevent the Site from becoming a vacant, unused parcel.

C. The improved surface for parking will reduce heat gain by including, but not limited to, the placement of boxed trees within the parking lot, limiting the amount of asphalt paved surface for any unimproved land, and providing stabilized porous surface material, authorized by the Community Development Director, or designee.

The Site is currently developed to the standards required by the original approval, which included trees and a stabilized porous surface material. The Site's current condition will be maintained for the duration of its use as a parking lot.

D. Reasonable design plans will provide buffering from the public sidewalks through enhanced landscape or other feature.

The Site maintains the originally approved buffering from public sidewalks through landscaping. The existing landscaping and improvements will remain for the duration of the Site's use for parking.

July 13, 2016
Ryan Levesque
Deputy Planning Director
Page 3 of 3

As you can see, this existing surface parking lot use complies with all of the requirements found in Section 5-608(F)(3). In addition, Section 5-608(F)(4) states "Such use is exempt from the standards found in Part 4, Chapter 7 - Landscape and Walls of this Code and is exempt from the parking setbacks found in Part 4 Chapter 2 - General Development Standards." The existing surface parking lot will also continue to comply with this Section and is not proposed to be modified at this time.

In summary, we believe it is best for the Site to continue its purposeful public parking use. It would be confusing and frustrating for residents and visitors to Downtown Tempe to find a seemingly functional parking lot could not actually be used. Additionally, ceasing a functional use on the Site prior to commencement of construction activity on the Site for the 7S development would create a vacant lot that could be detrimental to the surrounding area. It is in the best interest of the surrounding properties and public in general to continue utilizing the Site for its current purpose. We therefore respectfully request approval of a 5-year extension of the currently approved Temporary Use Parking and Development Plan Review.

Thank you very much for assisting with this request.

Sincerely,

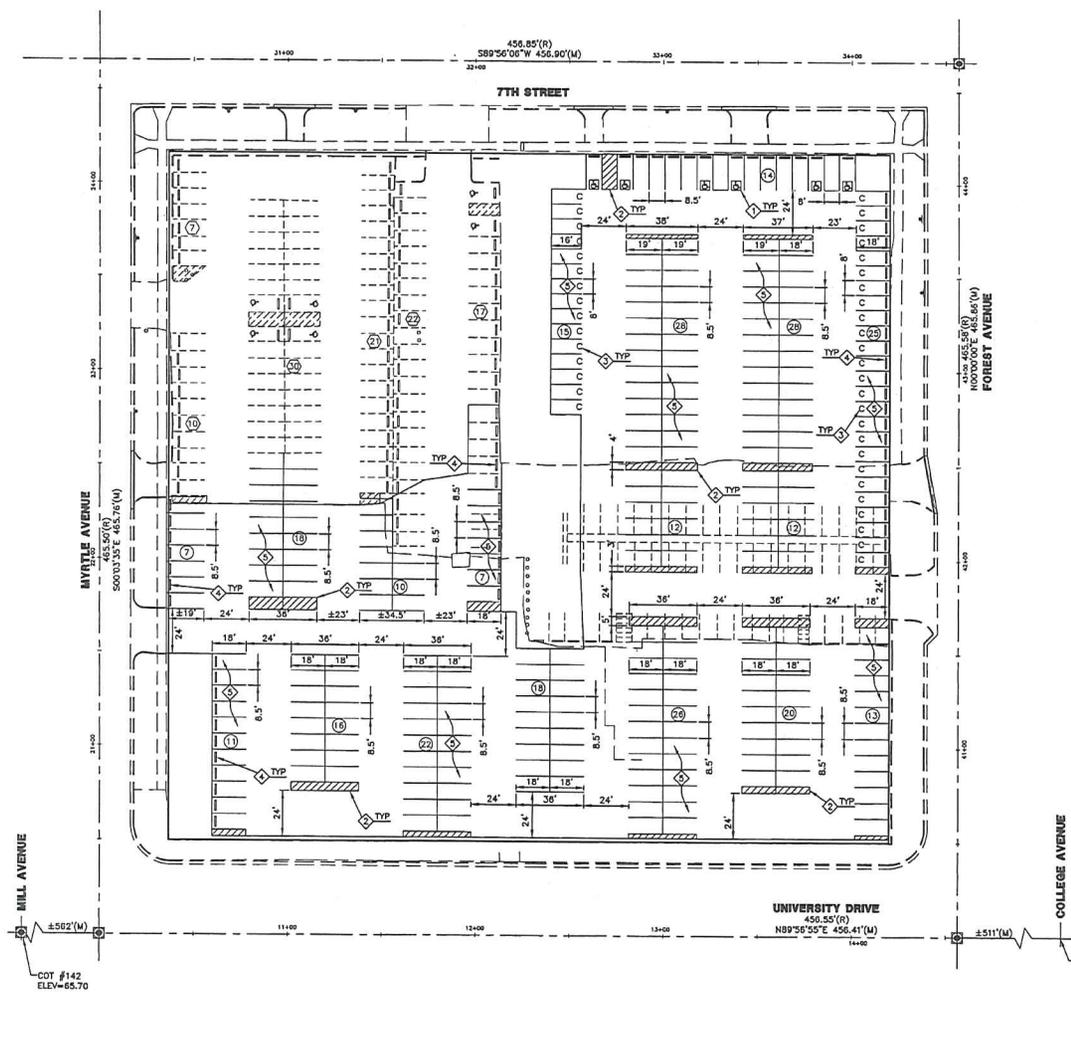


Darin A. Sender

cc: Kevin M. Burnett
Lawrence A. Pobuda
Brett Hopper

DAS:jkb

Z:\200-02-10 BLOCK 14 OF TEMPE\DWG\TMS--GRADING.DWG C-3 (07-23-11, .dwg) LESIE



PARKING LOT LAYOUT

PROPOSED SPACES
 258 STANDARD SPACES
 40 COMPACT SPACES
 6 VAN ACCESSIBLE SPACES
 EXISTING SPACES
 101 STANDARD SPACES
 6 ACCESSIBLE SPACES
 TOTAL SPACES
 357 STANDARD SPACES
 40 COMPACT SPACES
 6 VAN ACCESSIBLE SPACES
 6 ACCESSIBLE SPACES
 409 TOTAL SPACES
 SPACE DIMENSIONS
 STANDARD SPACE = 8.5' X 18'
 COMPACT SPACE = 8.0' X 16'
 ACCESSIBLE SPACE = 8.5' X 18' W/5' AISLE
 VAN ACCESSIBLE SPACE = 8.5' X 18' W/6' AISLE

KEYED NOTES, STRIPING

- ◇ ACCESSIBLE SYMBOL PER MCDOT STD. DET. 4-42.
- ◇ 4" WIDE DIAGONAL STRIPING AT 2'-0" O.C. (WHITE).
- ◇ PARKING STALL LABELED "COMPACT" (WHITE).
- ◇ WHEEL STOP PER GRADING PLAN.
- ◇ 4" WIDE PARKING STALL STRIPING (WHITE). STALL WIDTH PER PLAN.

ADDITIONAL NOTES

1. ALL EXISTING STRIPING THAT CONFLICTS WITH THE PROPOSED STRIPING PLAN SHALL BE OBLITERATED.
2. ALL STRIPING DIMENSIONS ARE FROM CENTER OF STRIPE TO CENTER OF STRIPE.

STRIPING LEGEND

- ◇ ACCESSIBLE SYMBOL
- PROPOSED PARKING SPACE COUNT
- EXISTING PARKING SPACE COUNT
- C COMPACT PARKING SPACE SYMBOL

REVISIONS

NO.	DESCRIPTION/DATE

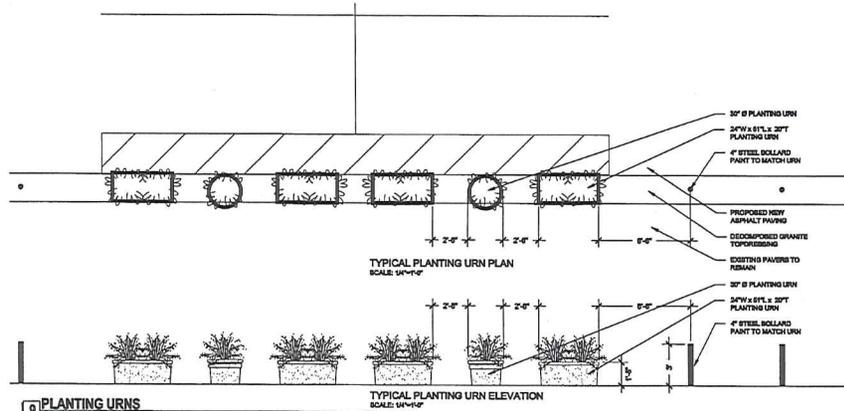
KNUDSEN-SMITH ENGINEERING, INC.
 2823 West Greenway Road, Suite 302
 Phoenix, Arizona 85033
 PH: (602) 347-7447 FAX: (602) 248-1310
 DOWNS: 312.252.2221

PARKING LOT LAYOUT
 UNIVERSITY SQUARE
 110 EAST UNIVERSITY DRIVE
 TEMPE, ARIZONA 85281

KNUDSEN-SMITH ENGINEERING, INC.
 2823 West Greenway Road, Suite 302
 Phoenix, Arizona 85033
 PH: (602) 347-7447 FAX: (602) 248-1310
 DOWNS: 312.252.2221

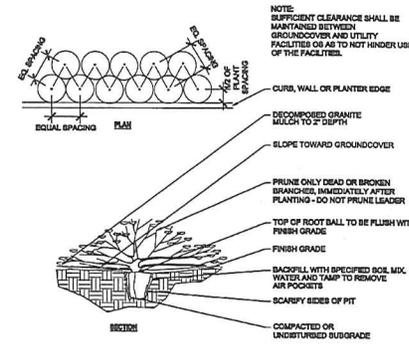
JOB NO. 260-02-10
 REVISION: CLS
 DRAWN: LAS
 COMP: [blank]
 CHECKED: DCK
 DATE: 06-20-2011

C-3
 3 of 4 SHEETS
 DS110370 EN110031 110 E UNIVERSITY DRIVE

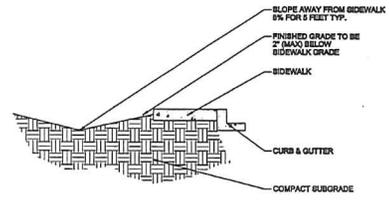


9 PLANTING URNS
SCALE: 1/4" = 1'-0"

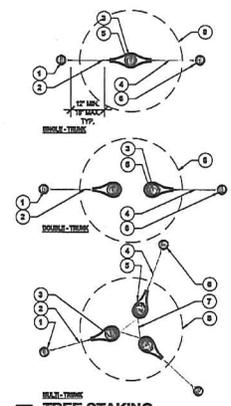
TYPICAL PLANTING URN ELEVATION
SCALE: 1/4" = 1'-0"



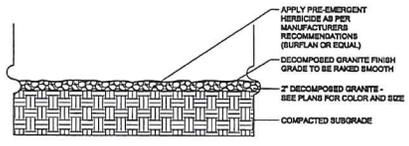
3 GROUNDCOVER PLANTING
SCALE: 1/8" = 1'-0"



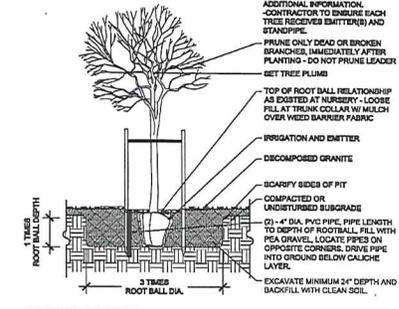
5 LANDSCAPE SWALE
SCALE: NTS



2 TREE STAKING
SCALE: 1/8" = 1'-0"



4 DECOMPOSED GRANITE
SCALE: NTS



1 TREE PLANTING
SCALE: 1/8" = 1'-0"

NOTE:
SUFFICIENT CLEARANCE SHALL BE MAINTAINED BETWEEN GROUNDCOVER AND UTILITY FACILITIES OR AS TO NOT HINDER USE OF THE FACILITIES.

the design element
landscape architecture

the design element, jllc
1520 west washington street
suite 202
tempe, arizona 85281
ph: 602.244.1970
fax: 602.244.1971
www.thedesignelement.com

JEFFREY ANDERSON
PROFESSIONAL ENGINEER
LICENSE NO. 61723
STATE OF ARIZONA
EXPIRES 02/28/21

UNIVERSITY SQUARE
110 EAST UNIVERSITY DRIVE
TEMPE, ARIZONA 85281

PROJECT NUMBER: 10029
ISSUED FOR: PERMIT
ISSUED DATE: 7/21/11
DRAWN BY: MB REVIEWED BY: JA

263-1100
Professional Engineer
Jeffrey Anderson
License No. 61723
State of Arizona

REVISIONS:

#	date	description

SHEET NAME:
MATERIAL / PLANTING
DETAILS

SHEET NUMBER:
L1.1
SHEET: 2 OF 2

12 NOT USED
SCALE: 0" = 0'-0"

11 NOT USED
SCALE: 0" = 0'-0"

8 NOT USED
SCALE: 0" = 0'-0"

10 NOT USED
SCALE: 0" = 0'-0"

7 NOT USED
SCALE: 0" = 0'-0"