

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 08/22/2023
Agenda Item: 8**

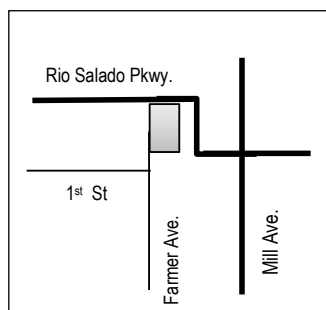
ACTION: Request a General Plan Land Use Map Amendment from “Open Space” to “Mixed-Use”, a General Plan Residential Density Map Amendment from “Medium-High Density” (up to 25 du/ac) and “No Density” to “High Density Urban Core” (greater than 65 du/ac), a Zoning Map Amendment from General Industrial District (GID) within Rio Salado Overlay District (RSOD) and Transportation Overlay District (TOD) to Mixed-Use High Density (MU-4) within the RSOD and TOD, and a Planned Area Development Overlay to establish development standards for MUNICIPAL REZONING OF 1ST & FARMER, located at 26 South Farmer Avenue. The applicant is Huellmantel & Affiliates.

FISCAL IMPACT: 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: Approve, subject to conditions

BACKGROUND INFORMATION: MUNICIPAL REZONING OF 1ST & FARMER (PL230127) This request consists of a previously approved Request For Qualifications, which the City Council awarded to 1st & Farmer, LLC, including an executed Development and Disposition Agreement with the City on July 28, 2023. The applicant and the City participated in a scheduled neighborhood meeting for this request on June 22, 2023. The request includes the following:

- GPA230007 General Plan Land Use from “Open Space” to “Mixed-Use” on 0.85 acres; a General Plan Residential Density Map Amendment from “Medium-High Density” (up to 25 du/ac) and “No Density” to “High Density Urban Core” (greater than 65 du/ac) on 3.6 acres.
- ZON230008 Zoning Map Amendment from General Industrial District (GID) within the Rio Salado Overlay District (RSOD) and Transportation Overlay District (TOD) to MU-4, Mixed-Use High Density District within the RSOD and TOD on 3.6 acres.
- PAD230010 Planned Area Development Overlay to establish standards as provided, including 210’ maximum building height, 550 dwelling units, etc.



Property Owner(s)	Todd Marshall, 1 st & Farmer, LLC; Jeff Tamulevich, City of Tempe; Andrew Cohn, 265, LLC
Applicant	Charles Huellmantel, Huellmantel & Affiliates
Zoning District (current/proposed)	GID, RSOD, TOD / MU-4 (PAD) RSOD, TOD
Gross / Net site area	3.6 acres
Density / Number of Units	153 du/ac / 550 units
Lot Coverage	82% (100% maximum allowed)
Building Height	210' (35' maximum allowed)
Building Setbacks	0' front, 0' west side*, 0' east side, 0' rear (25', 0, 0' min.)
Landscape area	7% (10% minimum required)

ATTACHMENTS: Development Project File

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

Department Director: Jeff Tamulevich, Community Development Director

Legal review by: N/A

Prepared by: Ryan Levesque, Deputy Director - Planning

COMMENTS:

This site is located between at the northwest corner and the northeast corner of 1st Street and Farmer Avenue, west of the Union Pacific Railroad, and south of Rio Salado Parkway. The property is currently zoned GID, General Industrial District, within the Rio Salado Overlay District and the Transportation Overlay District. The property contains the Gonzales-Martinez House, Tempe's second oldest Adobe home and listed on the National Register of Historic Places. This building is significant for its association with the initial settlement of the Hayden's Ferry townsite along the south bank of the Salt River. Built in 1880 by Ramon Gonzales, the house is one of only three remaining structures associated with the first ten years of Tempe's history. The building is a rare local example of a house type illustrative of the lifestyle and settlement pattern of the predominantly Mexican population of early Tempe. The westernmost property contains the Lodge, a local bar and grill, separated by the dead-end street of Farmer Avenue.

The City in the past two years acquired the eastern half of the property, known as the Sussex property (through 20+ years of litigation). The City had initiated a Request for Qualifications (RFQ) for potential redevelopment of the City-owned land, with the objective of preserving the historic Gonzales-Martinez House, and continuing the multi-modal pathway from Farmer Arts District through the site and to the Tempe Town Lake park. City Council awarded the RFQ to the adjacent landowner, 1st & Farmer, LLC, who was the successful bidder during the State Land auction held in November of 2022. On April 20, 2023, at the Regular City Council meeting authorized the City Manager, or designee, to execute a Development and Disposition Agreement with 1st & Farmer, LLC.

This request includes the following:

1. General Plan Amendment
2. Zoning Map Amendment
3. Planned Area Development Overlay

The applicant is requesting action on the items three items listed above.

For further processing, the applicant will need to process a Major Development Plan Review, including an Amendment to the Planned Area Development Overlay, conducting another neighborhood meeting and public hearings, pursuant to the approved Development and Disposition Agreement. This request will come forward when a development team is formed to plan out and provide a proposed development project.

The applicant will also need approval for a Subdivision Plat, to combine the individual lots into one, and separate remaining parcels not part of the development site.

SITE PLAN REVIEW

The applicant skipped the preliminary site plan review, and received comments on the application through the formal review process. Initial review comments included request to provide proposed site plan details, such as entry drives, pathway connection, or schematic plans conceptualizing proposed PAD standards requested. Request to provide adequate buffering and separation/protection from historic structure to new development, including separation or building step-backs from condominiums located on the western edge of the property. Revisions provided based on initial parking reductions from 0.5 to 0.6 spaces per unit and incorporating guest parking (0.1 space per unit), request to restrict high bedroom count units from receiving proposed reduction. Extensive discussion and coordination with city staff and Tempe's Historic Preservation Officer to prepare a rehabilitation plan of the Gonzales-Martinez House and provide the City with a façade conservation easement. City funds and State grant money available to begin early work on removal of non-historic structures of the home, and repair any structural damages, including adobe repairs to the home. Remaining outstanding comments were provided as conditions of approval for this request, currently agreed upon by the applicant. The most significant of the conditions,

included within the Development Agreement, is assurances for protection and preservation of historic home in place, and processing a 2nd public hearing process when the Major Development Plan Review is filed and proposed development project is submitted for review.

PUBLIC INPUT

- Neighborhood meeting is required for General Plan Map Amendments, Zoning Map Amendments and PAD Overlays.
- Neighborhood meeting held: June 22, 2023, at 5:30 pm at the Don Cassano Room of the Tempe Transportation Center.
- See attached summary of meeting provided by the applicant.
- Community Development staff Ryan Levesque, including Charles Huellmantel, were joint presenters in providing background to the process the led the request to hold a neighborhood meeting.
- Staff received a few public comments on the rezoning request, including general inquiries to the process, a support letter for the project site, and concern that a PAD is being proposed without a massing illustration. The resident had provided an illustration of what the building envelope area would look like (see attachment) based on the request.
- City received response reviews from Maricopa County Flood Control, identifying levee bank controls at the site.
- City received input and review from Salt River Project, identifying that a portion of this site, near the southeast corner tapering north, has been identified by SRP as an easement area for set-up and maintenance for nearby and adjacent 230 kv power lines. City understands that when a development plan is proposed, we will have the developer coordinate with SRP regarding appropriate landscape treatments adjacent or near the easement set-up areas.
- City received a response from the City of Phoenix Aviation Department, (see attached) requesting the following:
Aviation requests the following conditions/stipulations of rezoning:
 - *Prior to building permit issuance, the owner/developer shall dedicate an Avigation Easement to the City of Phoenix, per the form and content required by the City Attorney.*
 - *Prior to building permit issuance, the owner/developer shall receive FAA obstruction evaluation no hazard determinations for temporary obstructions such as construction cranes as well as the permanent structures.*

The Community Development staff appreciates the review and involvement from the City of Phoenix. It is customary practice for new projects located within the 65 DNL noise contour of Sky Harbor Airport to request an Avigation easement. The FAA obstruction evaluation is a process requirement for any construction within proximity to an airport flight path. While thoughtful conditions for the site, these stipulations could be considered at the time when a project development plan is filed with the City and considered for stipulations at that time.

DEVELOPMENT REVIEW COMMISSION

Reserved for summary of the public hearing at the DRC hearing.

PROJECT ANALYSIS

GENERAL PLAN

The applicant has provided a written justification for the proposed General Plan amendment.

Land Use Element:

The applicant is requesting a General Plan Land Use Map Amendment from “Open Space” to “Mixed-Use” on 0.85 acres; a General Plan Residential Density Map Amendment from “Medium-High Density” (up to 25 du/ac) and “No Density” to “High Density Urban Core” (greater than 65 du/ac) on 3.6 acres. From the contextual area, properties west of Farmer Avenue and adjacent to the railroad tracks have been considered as a “transitional zone” of Downtown density and height that meets the adjacent neighborhood density and height to the west. Based on prior zoning requests and individual case proposals, the area along the perimeter of the neighborhood is quickly densifying. Some properties, west of Farmer Avenue have received General Plan Density changes from (up to 25 du/ac) to (up to 65 du/ac) and even one site that is now (greater than 65 du/ac). Properties along 1st Street to the north and Rio Salado Parkway to the south have been receiving zoning approval changes that allow densities in the ranges up to 65 du/ac. The proposed Open Space change to “Mixed-Use” is appropriate, because that portion of the property will no longer remaining with the City and only city-owned land can be designated as

“Open Space”. There is the potential that area could remain undeveloped and possibly used for enhanced landscape space or decorative public art features. We will know more on the use of this area when the developer files for the development project. This property site is very uniquely positioned to have the close enough proximity feel like the property is adjacent to the Town lake and near other similar entitled sites such as 250 Rio and the Tempe Depot project. The site is located at the intersection of vehicle travelways, heavy railroad, Light Rail transit, as well as Modern Street car close by. The proposed land use and density map changes provide the greatest level of opportunity for a challenging redevelopment site, while maintaining in place the historic structure that is the Gonzales-Martinez House. The applicant has provided a comprehensive analysis and justification on how the proposed project will implement or conforms to appropriate elements of the General Plan.

Criteria for Considering a General Plan Amendment:

1. Written justification for the amendment should consider long-term and short-term public benefit and how the amendment, considering Land Use Principles, will help the city attain applicable objectives of the General Plan. *The proposed General Plan amendment will clean up what has traditionally been dump yard site and an eye-sore when entering the City through Light Rail. The longer term benefits will preserve an 1880 adobe structure and provide long-term preservation of Tempe's history with the opportunity for the public to view this historic location. This could not be completed without the partnership of a redevelopment of the property site. An extended multi-use pathway will be provided on this site, subject to further review and details of a proposed plan, connecting the trail path that extends from University Drive to Rio Salado Parkway and eventually to Tempe Town Lake.*
2. If the proposed amendment is only to the General Plan's text, there should be objective discussion of the amendment's long-term and short-term public benefit and the larger issue of its impact on the city attaining applicable objectives of the General Plan. *Refer to benefits noted above.*
3. If the proposed amendment impacts the General Plan's Projected Land Use Map only, there should be objective discussion of the amendment's impact on the projected land use within a minimum of a half-mile of the property. *The proposed General Plan and contextual area as had other sites in close proximity have General Plan Density designations. The majority of neighborhood properties, south of 1st Street and west beyond Farmer Avenue should remain in the Medium-High Density category of (up to 25 du/ac).*
4. With a proposed amendment to the General Plan Projected Land Use Map, the applicant/developer's written discussion on the proposed amendment should respond to the Land Use Principles in the Land Use Element of the General Plan. The principles are presented below, in a generalized request/response format:
 - 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. *Areas of sensitivity to transitional land use and compatibility is the preservation of the Gonzales-Martinez House and condominium apartments to the west, set at a 3 and 5-story height.*
 - 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, availability of transit, need for additional access, or city services such as fire and police staffing and response times, etc.) versus the impact of the present land use designation. *Adequate infrastructure for the site is necessary to achieve an appropriate redevelopment of the site. This includes careful consideration to any street abandonments and protection of existing infrastructure that runs across the property. Existing underground canals and main water transmission lines are infrastructure items that need to be protected in place. Not to mention, our aging historic infrastructure of the Gonzales-Martinez house and how vital that resource is to Tempe.*
 - 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 multi-modal transportation;

and reduce/eliminate physical barriers, as well as provide residential, employment, shopping and local services opportunities. *This area of analysis is still to-be-determined.*

- d. Describe the use of open space, parks or green belts, and how the development separates, as well as links, residential and nonresidential components, if the proposed development incorporates a residential component. If applicable, describe how the proposed development impacts existing parks. *The objective and commitment identified within the development agree for this site is to provide an 18' wide multi-use pathway that is open to the public, connecting residents from the south to the Town Lake.*
 - 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. *This site is positioned will to take advantage of alternate modes of transportation, including light rail stations, modern street car stops, and enhanced and shaded pedestrian corridors.*
 - f. Describe the proposed amendment in terms of effects on the school districts (enrollments and facilities). *Unknown impact to nearby school districts at this time.*
 - g. Identify additional quality of life components of the proposal in the criteria to justify a General Plan Amendment
5. If there are concerns, consideration of the proposed amendment shall be granted only if potentially negative influences are mitigated and deemed acceptable by the City Council. *Height in comparison to other nearby projects are likely to be the primary discussion or concerns from the public. Little concerns, other than comments provided at the neighborhood meeting have focused on the height for the location. The process will have an opportunity for the overall height and shape of the site take form when the applicant files for the Amended PAD for the site and a development proposal is made.*

Section 6-303 D. Approval criteria for General Plan amendment (*in italics*):

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.*

CHARACTER AREA PLAN

The subject site is located within Character Area 3, Downtown Tempe/Rio Salado/ASU/Northwest Neighborhoods. The project, once a Major Development Plan Review is filed, will be reviewed design and place-making principles in mind for the project.

ZONING

The proposed request is a zoning map amendment from GID, General Industrial District to MU-4, Mixed-Use High Density District. The existing overlays will remain on the property, which consist of the Rio Salado Overlay District and the Transportation Overlay District. Where townlake related design is key for the site as well as ensuring protection of the levee dam infrastructure located on the site. The Transportation Overlay District will support reductions in vehicle parking requirements and promote "transit-oriented design" on how the future development interacts with the public streets.

Its appropriate to consider removal of the industrial zoning and encourage mixed-use zoning, consistent with most projects within the area.

Section 6-304 C.2. Approval criteria for Zoning 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

1st & Farmer – PAD Overlay			
Standard	GID (TOD)	PROPOSED MU-4 (PAD)	Change
Residential Density (du/ac)	0	153 du/ac (550 units)	Increase
Building Height (feet) [Exceptions, see Section 4-205(A)]			
Building Height Maximum	35 ft.	210 ft.	Increase
Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]	Yes	Yes	
Maximum Lot Coverage (% of net site area)	NS	82%	Decrease
Minimum Landscape Area (% of net site area)	10%	7%	Decrease
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]			
Front	25 ft	0 ft	Increase
Parking	20 ft	-	
Side	0 ft	0 (10 ft southwest)*	
Rear	0 ft	0	
Street Side	25 ft	0 ft	
Vehicle Parking			(See below)
Bike parking Residential Commercial	.75-1/unit 1/500 sf. or min. 4 spaces	1/unit Min. 6 spaces	-

The applicant has proposed the following PAD Overlay standards, as the MU-4 zoning district base zoning have No Standards (NS) and as a result of the PAD process, development standards must be established through a hearing process. Typically this is done in conjunction with a proposed development, in order to evaluate the surrounding context, design form, and compatibility for the new standards. In this case the development agreement is allowing the project to establish baseline standards for a potential project. And subject to the Development Agreement, and as conditioned with this zoning request, when a Major Development Plan Review is filed for its initial application, an Amended Planned Area Development Overlay is required and is subject to the neighborhood meeting and public hearing process requirements with the Development Review Commission and City Council.

Unit Type	Unit Quantity / SF	Ratio	Parking Required per ZDC TOD	Proposed Parking per PAD
Studio	-	1 space per unit	0.75 per unit	0.6 spaces per unit
1 bedroom	-	1.5 space per unit	0.75 per unit	0.6 spaces per unit
2 bedroom	-	2 spaces per unit	1.50 per unit	0.6 spaces per unit
3 bedroom	-	2.5 spaces per unit	2.25 per unit	0.6 spaces per unit
Guest		0.2 spaces per unit	-	0.1 spaces per unit
Restaurant	-	1/75 sf.	25% reduction floor area	Refer to TOD
TOTAL				

NOTE: No changes in the required vehicle parking if project proposes 4-bedroom units or greater. Pursuant to proposed condition of approval.

The proposed standards for the site may be appropriate for the unique context of the location and lake front view

opportunities, or the standards may not be appropriate. Without having a corresponding site plan and proposed building elevations, its difficult to ascertain if the standards are appropriate. We do know the Transportation Overlay District encourages zero lot setbacks when facing public streets. And due to the unique infrastructure impediments on the site, such as the existing water line running through Farmer Avenue, the Val Vista Main Waterline running through the property, levee protected gabion baskets running through the property, existing foundation piers from prior high voltage power lines we are not likely to see a project that maximizes all of the development standards contemplated in this request. Rather, this gives the developer the greatest flexibility to come back with a project design that will fit into the context of the site conditions. Not to mention we need to protect our other public benefitted infrastructure like the historic Gonzales-Martinez House and the creation of a new public multi-use pathway. All factors that will create impacts to the general volume of the PAD standards that is being proposed at this time. Staff anticipates further refinements to the standards when a formal Major Development Plan is processed with the City and the public process.

Section 6-305 D. Approval criteria for P.A.D. (*in italics*):

1. *The development fulfills certain goals and objectives in the General Plan and the principles and guidelines of other area policy plans. Performance considerations are established to fulfill those objectives. (The project intends to fulfill many goals and objectives of the General Plan, as well as existing Character Area Plans. Refer to applicant justification.)*
2. *Standards requested through the PAD Overlay district shall take into consideration the location and context for the site for which the project is proposed. (While it is unclear how the standards will relate to the location and context of the site, staff welcome the opportunity to have a second review of the PAD through an Amendment process required of the development. Other projects have proposed similar heights with 250 Rio (210' height) and Tempe Depot (245' height)*
3. *The development appropriately mitigates transitional impacts on the immediate surroundings. (It's unclear at this time how the project mitigates the transitional impacts to the immediate surroundings. The site will preserve a 1-story historic home and to the west of the site is a 3-story condominium complex with additional setbacks proposed. A review of the development plans is needed before overall impact mitigation can be determined. This site is uniquely positioned to provide exciting views of the Town Lake and Arizona sunsets. The height is maximized similar to other sites along the waterfront. With a high rise building we will likely see a more slender designed building with less impact on the overall lot coverage)*

REASONS FOR APPROVAL:

1. The project will amend the General Plan Projected Land Use and Projected Residential Density for this site and bring an opportunity new heights and densities, while providing public benefit of rehabilitation of Gonzales-Martinez House and extending the multi-use pathway through the site to Tempe Town Lake.
2. The PAD overlay process was specifically created to allow for greater flexibility, to allow for increased heights.
3. The proposed project meets the approval criteria for a General Plan Amendment / Zoning Amendment / PAD.

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

ZONING MAP AMENDMENT AND PLANNED AREA DEVELOPMENT OVERLAY

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 Major Development Plan Review application shall be made within two years of the date of City Council approval 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 owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waive(s) 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 days from the date of City Council approval, or the Zoning Map Amendment, PAD and General Plan Map Amendment approval shall be null and void.

3. The Planned Area Development Overlay for 1ST & FARMER shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department within sixty (60) days of the date of City Council approval.
4. The developer shall process an application for historic designation of the Gonzales-Martinez House, to be placed on the City of Tempe local register of historic places, in the form of a zoning overlay applying to the physical structure of the historic portion of the Gonzales-Martinez House. The application shall be processed prior to, or at the same time of, the processing of a Major Development Plan Review for the site, or any phase that would constitute a major modification to the Gonzales-Martinez House.
5. The developer shall grant the City a historic façade conservation easement, or other instrument that is mutually acceptable to Developer and City, on the historic portion of the Gonzales-Martinez House, pursuant to the approved Development Agreement C2023-190 or as amended.
6. A Preliminary and Final Subdivision Plat is required, consolidating the parcels of land identified within the development area, including any abandonment or dedication of street right-of-way. Non-project parcels may be identified as separate lots.
7. A full Traffic Impact Study shall be conducted at the time an application is received for the Major Development Plan Review for the site plan and circulation patterns.
8. The Major Development Plan Review application, shall be subject to an Amendment to the Planned Area Development Overlay, including conducting a neighborhood meeting, holding public hearings with the Development Review Commission and City Council, pursuant to the approved development agreement. The developer shall grant the City a historic façade conservation easement, or other similar instrument that is mutually acceptable to Developer and City, on the historic portion of the Gonzales-Martinez House, pursuant to the approved Development Agreement C2023-190 or as amended.
9. An Amended Planned Area Development Overlay shall be processed, identifying the location and connection of an 18' wide multi-use pathway as provided for in the approved development agreement, connecting from 1st Street to Rio Salado Parkway, pursuant to the approved Development Agreement.
10. The maximum allowed number of dwelling units shall be 550, unless otherwise modified.
11. The modified residential parking standards, 0.6 spaces per unit and 0.1 spaces per guest, are allowed for dwelling units with three (3) bedrooms or less.

CODE/ORDINANCE REQUIREMENTS:

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

SITE PLAN REVIEW: Verify all comments by all departments on each Preliminary Site Plan Review. If questions arise related to specific comments, they should be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the Building Safety Division will be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.

BASIS OF BUILDING HEIGHT: Measure height of buildings from top of curb at a point adjacent to the center of the front property line.

FEDERAL AVIATION ADMINISTRATION: Applicant/Developer proposing construction or alterations which may affect navigable air space is responsible to submit a Notice of Proposed Construction or Alteration - Off Airport form to the Federal Aviation Administration (FAA) and provide documentation of building height clearance prior to issuance of building permits. Per the FAA, filing shall be done a minimum of 45 days prior to construction. For additional information visit the Federal Aviation Administration, Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

WATER CONSERVATION AND EFFICIENCY: (Residential and parks are exempt, commercial and mixed use are not exempt). As required in [Tempe City Code 33-140 - 142](#), all new non-residential development projects are required to submit a Water Conservation Report that details potential water use, for review and approval by the Municipal Utilities Department, prior to building permit issuance. For a report template and more information, visit the [commercial water conservation webpage](#).

HISTORIC PRESERVATION: State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of ancestral (human) remains or associated funerary objects). Arizona Revised Statutes [§ 41-865](#) stipulates that “any landowner with intention to disturb human remains or having unintentionally disturbed human remains shall immediately cease any activity in the vicinity of the remains and shall notify the Arizona State Museum Repatriation Office of the encounter. Any human remains and funerary objects shall not be further disturbed without obtaining written permission from the Repatriation Office.” Additional information about requirements related to encountering and disturbing ancestral (human) remains and funerary objects on private land can be found on the Arizona State Museum [website](#). While not required, applicants are encouraged to enlist the services of a qualified archaeological firm to conduct monitoring during ground-disturbing activity on private property that is Archaeologically Sensitive (AS). Contact the Historic Preservation Officer with general questions.

DUST CONTROL: Any operation capable of generating dust, include, but not limited to, land clearing, earth moving, excavating, construction, demolition and other similar operations, that disturbs 0.10 acres (4,356 square feet) or more shall require a dust control permit from the Maricopa County Air Quality Department (MCAQD). Contact MCAQD at <http://www.maricopa.gov/aq/>.

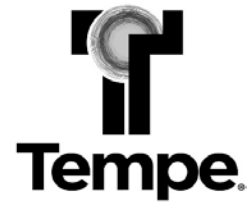
HISTORY & FACTS:

- | | |
|----------------|---|
| April 19, 2023 | Historic Preservation Commission meeting held with applicant, Charles Huellmantel, to discuss potential redevelopment involving the Gonzales-Martinez House near the corner of 1 st Street and Farmer Avenue. |
| April 20, 2023 | City Council adopted a resolution to authorize the City Manager, or Designee, to execute a Development and Disposition Agreement with 1st & Farmer, LLC for the disposition of City Property and development of up to eight (8) parcels including historic preservation of the Gonzales-Martinez House located at the northeast corner of 1st Street and Farmer Avenue. (Resolution No. R2023.54) |
| June 22, 2023 | Applicant holds a neighborhood meeting at the Don Cassano Room, at the Tempe Transportation Center at 5:30 pm. |
| July 28, 2023 | Development and Disposition Agreement executed between the City and 1 st & Farmer, LLC (Resolution No. R2023.54) C2023-190. |

August 22, 2023 Development Review Commission public hearing for this request.
September 7, 2023 City Council introduction and first public hearing for this request.
September 28, 2023 City Council second and final public hearing for this request.

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



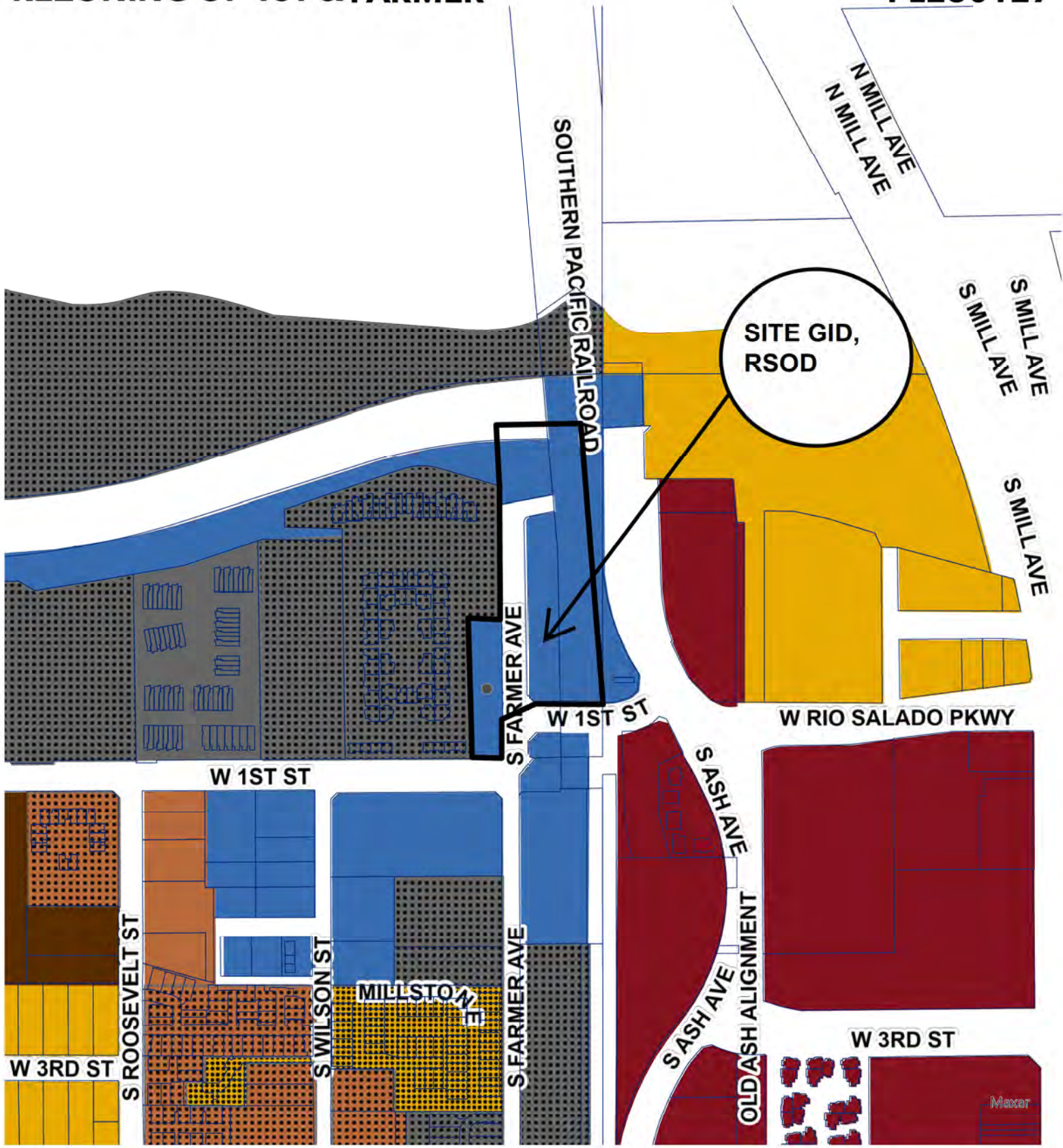
DEVELOPMENT PROJECT FILE
for
MUNICIPAL REZONING OF 1ST & FARMER
(PL230127)

ATTACHMENTS:

- 1-2. Site Context (Location Map, Aerial map)
- 3-30. Applicant's Letter of Explanation/Justification
- 31-32. Planned Area Development Overlay
- 33-34. General Plan Land Use & Density Map changes (Existing vs. Proposed)
- 35-45. Preliminary Parking Assessment
- 46-55. Public Involvement Report - Neighborhood Meeting Summary
- 56-59. Public Input comments received, prior to hearing since 8/16/23

REZONING OF 1ST & FARMER

PL230127



General Industrial District (GID)	Multi-Family Residential Limited (R-3)	Canal
City Center (CC)	Multi-Family Residential General (R-4)	Monument
Mixed Use Med (MU-2)	Override 1	Private
Mixed Use High (MU-4)	Twelve Point	Railroad
Single-Family Residential (R1-6)	CenterlineSubType	Street
Single-Family Residential Planned Area Dev (R1-PAD)	ADOT	<all other values>
Multi-Family Residential (R-2)		

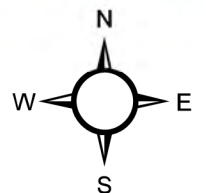


REZONING OF 1ST & FARMER

PL230127



Aerial Map



Municipal Rezoning of 1st & Farmer

GENERAL PLAN AMENDMENTS, ZONING MAP AMENDMENT AND PAD OVERLAY



APPLICANTS



Jeff Tamulevich
31 E. 5th Street
Tempe, Arizona 85281

HUELLMANTEL
AFFILIATES

Charles Huellmantel
P.O. Box 1833
Tempe, Arizona 85280

SUMMARY

The north side of 1st Street near the terminus of Farmer Avenue has been neglected for decades. This site, the last remaining industrial property in the neighborhood prevents the appropriate pedestrian connections between the residential and office uses in the area with Tempe Town Lake. For the past several decades, the site has been mostly dirt and chain link fencing.

This neglected site, once tucked away and noticed only by those who drove to the dead end on 1st Street, now serves as a visual entry into Downtown Tempe for light rail riders and much of the vehicular traffic entering our downtown.

Current conditions:










For decades, much of this site was constrained by a legal fight for control of the site. Now that ownership has been resolved, it is time to strip the land of its industrial uses and promote a use that serves to transform this important infill property into a dynamic and vibrant destination for best-in-class downtown living.

The proposed development aims to complete the connection through the Farmer Arts District to the amenities at Tempe Town Lake as well as to link residents to the west to the downtown with its important employment opportunities.

The site has long remained vacant for many reasons. The decades of litigation is just part of the reason the site has not been developed. This is one of the most constrained pieces of land in the City. The site has no street frontage, and its configuration is narrow and constrained by a 72' waterline owned and operated by the City of Phoenix as demonstrated in the images below:



Site Information		
	Subject Parcel	Zoning - General Industrial (GID)
	Assemblage Opportunity	General Plan - Mixed Use -Medium High Density
	Possible Future Path Location	Located in Tempe Transit Oriented District (TOD)
	35' Railroad Property	Located in Tempe Rio Salado Overlay (RSOD)
	25' Water Line Easement	Located in 65 DB Noise Contour Zone
	FEMA Flood Zones	Located in FAA Height Restriction Zone
		 Historical structure

The Maricopa County Flood Control District and Army Corp of Engineers regulations, railroad easement, elevated railroad tracks, transmission lines, elevated 1st Street and a historic structure are all additional restrictions to development on the land.

Collectively, the members of the development team have been heavily involved in planning and constructing high-quality developments in Tempe, including the creation of the Farmer Arts District. The team has worked hard over the years to transform Farmer Avenue from a place previously referred to by many as “across the tracks” into an integral part of the soul of Downtown Tempe.

Urban Development Partners (UDP) turned what was once a series of parking lots and old warehouse buildings into an active and exciting area. This redevelopment has, in turn, prompted additional investment in residential communities to fulfill the City’s vision to active Downtown Tempe and the lakefront amenities. The remaining piece to complete the pedestrian connection

and activation of the area between the railroad tracks and Farmer Avenue is the improvement of the proposed site which UDP, with the City of Tempe, now collectively seeks to improve.

UDP has dedicated themselves to the improvement of Farmer Avenue and is experienced in working together with the City to transform vacant and underutilized spaces into places with a unique sense of identity. To create the Farmer Arts District, the City and the development team partnered to create the first and only affordable housing building in downtown Tempe and later, the first and only mixed-income building in the downtown.

The team also recently completed the Hudson on Farmer mixed-use development at Farmer Avenue and University Drive. In addition to bringing hundreds of new residents to downtown Tempe, Urban Development Partners attracted the Vīb hotel, worked with Levine Investments LP to turn an old warehouse into Culinary Dropout, and built the first environmentally sustainable Cross Laminated Timber (CLT) office building in Arizona. Many of these projects have received awards, demonstrating the development team’s commitment to adaptive reuse, sustainability, and quality urban design.

Hudson on Farmer:



The Beam on Farmer:

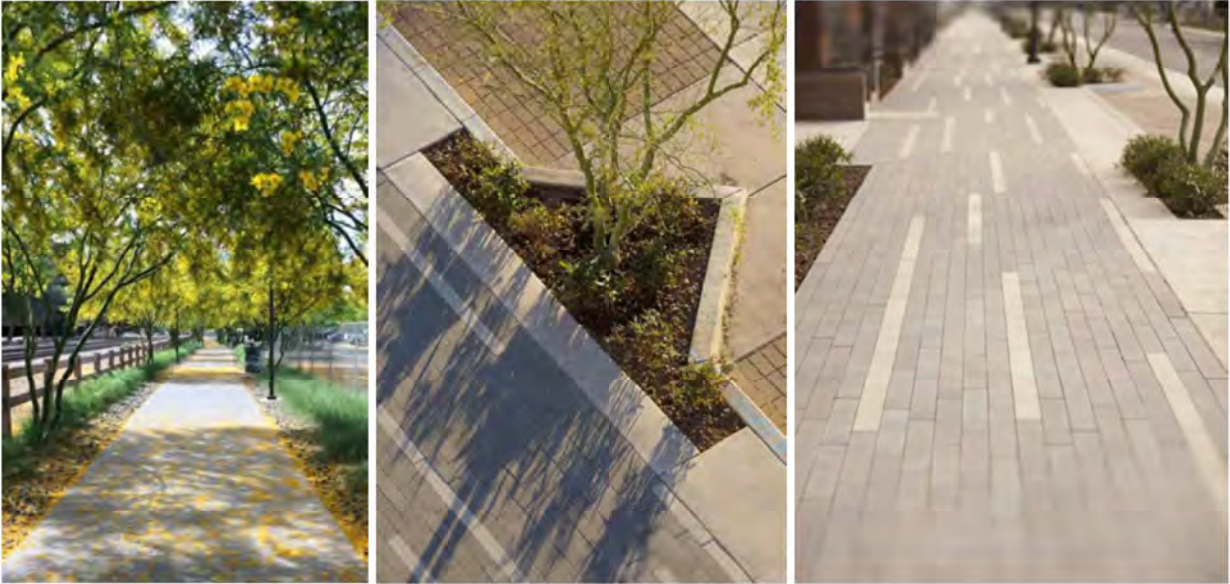


Encore Senior Housing:



Four-sided architecture has been applied to all of the UDP buildings on Farmer Avenue. As the Farmer Avenue sites all face four different, but equally important uses, four-sided architecture has been applied to creating interesting and active buildings that energize the street and pedestrian pathways.

The famed Farmer Arts District pedestrian pathway that leads from University Drive, adjacent to Hudson on Farmer, will be further extended with the development of the subject site:



The development team is committed to sustainability and has received multiple awards including three coveted Crescordia awards for Environmental Excellence which recognizes sustainability and sets a benchmark for economic and environmental accomplishment. The Beam, Arizona’s

first building constructed with cross-laminated timber (CLT) was also the winner of the 2023 State of Downtown Environmental Impact award, which recognizes “. . . environmentally sustainable practices in Downtown Tempe. . . .” as well as the 2023 Real Estate Development (RED) Judge’s Award.

To further demonstrate the high quality of the development portfolio, the team has also been recognized for three City of Tempe Beautification Awards and a Red Award.

The City of Tempe has a strong interest in removing the General Industrial District (GID) zoning designation and uses from this land, located in the Urban Core of Downtown, and desires to preserve the original Gonzales-Martinez House. The City of Tempe is partnering with Urban Development Partners to achieve this goal, which includes rehabilitating the historic portion of the Gonzales-Martinez House in conjunction with planning the future mixed-use development. The development team has well-documented success of adaptive reuse of historic buildings in downtown Tempe and recognizes the significance of the Gonzales-Martinez House. In addition to being listed in the National Register of Historic Places, the adobe home is one of only a handful remaining from the 1880s and serves as an important reminder of early pre-statehood settlers in the area.

The site is currently zoned General Industrial (GID), with a General Plan 2040 Projected Land Use of Mixed-Use for a majority of the site and Open Space for a small portion along Rio Salado, and a General Plan 2040 Projected Density of Medium-to-High Density (up to 25 dwelling units per acre) for a majority of the site and No Density for the small portion along Rio Salado that is designated as Open Space. Most of the subject site has a General Plan 2050 projected use of Mixed-Use Urban Core and Density of no density cap. The site is also within the Transportation Overlay District.

In order to meet the City’s stated goal of maximizing the land, the City and the property owners are requesting a Zoning Map Amendment from GID TOD to MU-4 PAD TOD, an amendment to the General Plan Projected Density from Medium-to-High Density (up to 25 dwelling units per acre) and No Density to High Density-Urban Core (more than 65 du/ac), an amendment to the General Plan Projected Use for a small portion of the site from Open Space to Mixed-Use, and a Planned Area Development Overlay to establish standards in the MU-4 district.

In cooperation with the City, the team is working to rezone the site now while working together to secure and preserve the Gonzales-Martinez House. This process will require a Development Plan Review at a later date when the team has a better understand how to preserve the historic structure. After decisions have been made to preserve the structure, the team will work with the City to design the remainder of the site. The development team has engaged architect and historic preservation specialist Robert Graham of Motley Design Group to help address and document the rehabilitation of the Gonzales-Martinez House and landscape architect Jim Smith of Collectiv Landscape Architects to help explore pedestrian connectivity opportunities around and through the site. These issues and opportunities are critical to understand before moving onto the design of the proposed development.

GENERAL PLAN AMENDMENT

The subject site currently has a General Plan 2040 Projected Use of Mixed-Use and Open Space and a Projected Density of Medium-to-High Density (up to 25 dwelling units per acre) and No Density. As part of the entitlement process, the site will require an amendment to the General Plan for Projected Residential Density to High Density-Urban Core (greater than 65 dwelling units per acre) and for Projected Land Use to Mixed-Use.

Current General Plan 2040 Projected Use Map:



Proposed General Plan 2040 Projected Use Map:



Current General Plan 2040 Projected Density Map:



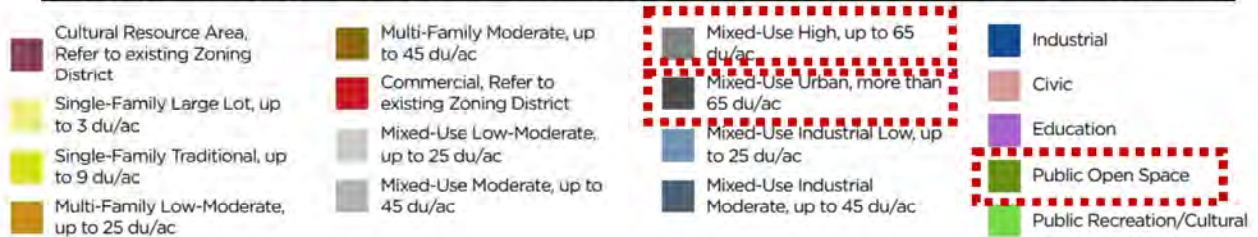
Proposed General Plan 2040 Projected Density Map:



The Tempe General Plan 2050 Proposed Land Use with Residential Density for a large portion of the subject site (outlined in yellow below) is projected as Mixed-Use Urban Core with no density cap with other portions projected as Mixed-Use High (up to 65 du/ac) and Open Space (no density):



PROJECTED LAND USE AND RESIDENTIAL DENSITY



Based on the 2050 General Plan projected use and density, the City's vision is for a high density, high intensity use on the land.

Criteria for Considering a General Plan Amendment, as identified in the Land Use and Development Chapter of the General Plan:

1. Written justification for the amendment should consider long-term and short-term public benefit and how the amendment, considering Land Use Principles, will help the city attain applicable objectives of the General Plan.

Objectives of the General Plan are addressed below in the Zoning Map Amendment portion of this narrative. Public benefit to the City of Tempe and its residents will be provided through the following objectives of the General Plan:

City of Tempe will partner with UDP to preserve the original Gonzales-Martinez House in furtherance of a major goal for the City to ensure the historic structure is protected.

Additionally, the site is located on mostly vacant lots at the north end of Farmer Avenue at the entrance to Downtown Tempe from the northwest. The GID site is out of place in the neighborhood and inconsistent with its surroundings. Redevelopment of the site will provide a new mixed-use residential development, completing the Farmer Arts District and fulfilling Tempe's goals for a 20-minute city while removing a blighted area in a key part of the city.

The requested amendments allow the development team to transform the current vacant and severely underutilized land into the walkable, urban environment that the City of Tempe has long sought for this area.

The proposed 1st & Farmer project will provide a clean, well-maintained and thoughtful development consistent with the goals of the University / Hayden Butte Redevelopment Area and will enhance the surrounding neighborhood by bringing new amenities to the area.

2. If the proposed amendment is only to the General Plan's text, there should be objective discussion of the amendment's long-term and short-term public benefit and the larger issue of its impact on the city attaining applicable objectives of the General Plan. If amending the General Plan Text, provide a copy of the current and proposed text.

The proposed General Plan Amendment is not a text change.

3. If the proposed amendment impacts the General Plan's Projected Land Use Map only, there should be objective discussion of the amendment's impact on the projected land use within a minimum of a half-mile of the property.

The proposed amendment is to both the General Plan Projected Use and Density maps. The proposed amendment to the General Plan 2040 Projected Use for a small portion of the site from Open Space to Mixed-Use will allow for the rezoning amendment from GID to MU-4 for the entire site. The proposed change is consistent with the proposed 2050 General Plan Projected Density for the remaining portions of the site, which are projected as Mixed-Use High and Mixed-Use Urban. The amendments to the General Plan will create a consistent and cohesive environment that will allow the development team and the City of Tempe to best utilize the land for redevelopment.

4. With a proposed amendment to the General Plan Projected Land Use Map, the applicant/developer's written discussion of the proposed amendment should respond to the Land Use Principles in the Land Use Element of the General Plan. These principles are presented in below, in a generalized request/response format:

The proposed amendment for use for a small portion of the site is addressed below:

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 site is ideally located in Downtown Tempe, adjacent to Tempe Town Lake and within walking distance to the mass transit transportation options including Valley Metro light rail line, the Tempe Streetcar and the site is also served by several bus routes and the Orbit. Amending the General Plan Projected Density from Medium-to-High Density and No Density to High Density-Urban Core and the amendment for a small portion of the site from Open Space to Mixed-Use (for consistency with the rezoning request) will benefit the City and the residents in the immediate vicinity with the addition of restaurant, retail, commercial or office space. The Tempe Streetcar and Valley Metro light rail will also experience higher ridership with the addition of new residents on the site.

Most of the site has a current General Plan Projected Land Use of Mixed-Use and this will not change. The requested amendment to the small portion of property designated as Open Space to Mixed-Use is consistent with the adjacent properties and City's vision for the property. It is worth noting that while we are requesting this change to the Projected Land Use to incorporate this small area into the rezoning request, the space will remain undeveloped and will still appear as "open space" to the public.

The General Plan designations are incompatible with the existing zoning of General Industrial and therefore, the site requires a Zoning Map Amendment. Without the Zoning Map Amendment, the current zoning could allow for a variety of uses incompatible with the General Plan vision for this site.

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, availability of transit, need for additional access, or city services such as fire and police staffing and response times, etc.) versus the impact of the present land use designation.

The site will connect to the existing utilities around the site and the new infrastructure on the site will provide adequate capacity for new development in the area. New jobs will be added during construction with development fees and increases in property taxes will provide additional financial benefit to the City that can be put towards schools, public safety and recreational enhancements.

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

Although the specifics of the site have not yet been designed, the new development will preserve the historic portion of the original Gonzales-Martinez House and add new commercial uses including restaurant and retail space while creating new residential opportunities with views of Tempe Town Lake and Downtown Tempe. The proposed development connects this portion of Farmer Avenue with the existing pedestrian network and allows new residents to live close to the variety of multi-modal transportation opportunities accessible from the site.

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

The site is located adjacent to Tempe Town Lake and the proposed development will connect the pedestrian pathway existing on Farmer Avenue directly to the lake and its amenities. Additionally, the proposed development will be within walking distance of the Mill Avenue District and Arizona State University.

Construction of the site will continue the pathway adjacent to the Union Pacific Railroad south of 1st Street, ultimately connecting University Drive to Tempe Town Lake. The final alignment of the multi-use path will be determined through the Major DPR application, which will be submitted to the City after these initial entitlements are approved.

e. Describe the proposed development in terms of supporting regional and local transit objectives for arterial streets; implementing the goals and objectives of the 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

The proposed mixed-use development aims to create an active and urban environment that will support the existing multi-modal transit network. The addition of residents close to the existing transit stops for light rail, streetcar, local buses and the Orbit support residents' ability to access the alternative transportation system and boost ridership. Additionally, the location is conveniently located near many amenities within walking or cycling distance.

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

The development team, based on their experience with other multi-family residential developments along Farmer Avenue, have found that the location of the site does not attract a significant number of people with school age children. However, the site is close to a number of schools, all of which can accommodate additional students.

g. Identify additional quality of life components of the proposal to justify an Amendment

The construction of the site, permissible through the General Plan Amendment requests and rezoning of the site, will provide an improved quality of life for people who live and work in close proximity to the site. The construction of the project will provide an additional option for Tempe residents desiring to live near Downtown Tempe employment opportunities, the Mill Avenue District, Tempe Town Lake and even Arizona State University.

5. If there are concerns, consideration of the proposed amendment shall be granted only if potentially negative influences are mitigated and deemed acceptable by the City Council.

There are no concerns at this time, and rather – the development of this site will result in the preservation of an important historic structure, which is of significant interest to the City.

In addition, the letter must also explain how the proposed amendment will substantially conform to the following standards of Zoning & Development Code Criteria Section 6-302(D):

1. Appropriate short and long-term public benefits;

Short-term benefits of the development of the site include preservation of the original Gonzales-Martinez house, the creation of pedestrian connectivity around and through the site, the removal of the permitted industrial uses, the generation of development fees and addition of construction jobs.

The long-term benefit of the development of the site includes the improvements to the pedestrian network, the elimination of blight in the area, new residents to contribute to Tempe's tax base, increased local spending from those residents and the benefits of the mixed-use design, which will include a commercial component. In short, the development of the site takes an overlooked but important property in the community and makes it a focal point and neighborhood connectivity hub.

2. Mitigate impacts on land use, water infrastructure or transportation;

A high-density, mixed-use development mitigates impacts on land use, water infrastructure and transportation infrastructure. The site is located within walking distance of a variety of alternative modes of transportation, including the Tempe Streetcar, the Valley Metro light rail, Valley Metro bus routes and the Tempe Orbit Circulator bus service. The location of the site, in close proximity to Tempe Town Lake and Downtown Tempe will also mitigate vehicle miles traveled by providing future residents options for non-vehicular methods of transportation.

3. Helps the city attain applicable objectives of the General Plan;

The proposed development and the General Plan Amendments for Projected Residential Density and Projected Land Use are in line with the 2050 General Plan Projected Density for this site. Additionally, the design of this site fulfills Land Use Goal 1 (LU1) in the General Plan by locating a higher density development in the LRT Corridor / Town Lake / Downtown, etc. development hub. The development of the site will further connect University Drive to Tempe Town Lake through the continuation of the Farmer pedestrian path – constructed by the development team – and provide additional commercial opportunities to serve the adjacent residents while bringing new residents to downtown. The development of this site will also help the City solve significant connectivity shortcomings by providing substantial north/south and east/west pathways.

The proposed General Plan Amendments for Projected Land Use and Projected Residential Density also fulfill Land Use Goal 2 (LU2) of encouraging sustainable development. The request to rezone from GID to MU-4 and the associated General Plan Amendments encourage sustainability by providing residential housing options combined with commercial uses, which allow residents opportunity to utilize the commercial use in the same buildings they live in. The development site is also located in walking and cycling distance to many recreational uses and stops for the Valley Metro light rail and Tempe Streetcar to allow future residents to take advantage of the variety of multi-modal transportation opportunities nearby.

Redevelopment of the site through the General Plan Amendments to Projected Land Use and Projected Residential Density permit the City to achieve Land Use Goal 3 (LU3) by allowing for the development of a mixed-use residential project, which is an appropriate use for the site and is compatible with the rest of the Farmer Arts District developments to the south. The current zoning permits uses that are incompatible with the surrounding neighborhoods and is not consistent with the projected General Plan Land Use for most of the site, which is Mixed Use.

The proposed Municipal Rezoning of 1st & Farmer development will be compatible with the proposed surrounding development, including the 250 Rio project directly across Ash Avenue on

the east side of the railroad and light rail tracks. 250 Rio is proposed with a height of 210'-0" and the Tempe Depot site was approved with a height of 245'-0".

This land is an infill site (Land Use Goal 6 (LU6)) and is probably Tempe's most challenging infill site. The site is located on mostly vacant lots at the north end of Farmer Avenue in Tempe but is surrounded by redevelopment. The site is surrounded and constrained by the Union Pacific Railroad and the Valley Metro light rail tracks, the Val Vista Waterline and easement, SRP easements, the existing alignment of 1st Street and the historic structure of the Gonzales-Martinez House.

UDP is partnering with the City of Tempe to preserve the original Gonzales-Martinez House, which will fulfill the General Plan Land Use Goal 7 (LU7). Public outreach and participation (Land Use Goal 11 (LU11)) included a neighborhood meeting on June 22 at the Tempe Transportation Center. Urban Development Partners has also reached out early to interested parties, neighbors and stakeholders and continues to have ongoing dialogue with those individuals.

4. Provides rights-of-way, transit facilities, open space, recreational amenities or public art;
The proposed development will provide the appropriate rights-of-way required by the City of Tempe. The site is located within walking distance to public amenities such as Tempe Town Lake and Downtown Tempe and the proximity of the site to public amenities will encourage residents to utilize multi-modal transportation opportunities.

5. Potentially negative influences are mitigated and deemed acceptable by the City Council; and
This application is in conjunction with the City of Tempe and the development team and, as part of the entitlement process, the team will continue to work together to address any concerns brought up regarding this project.

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.

The City of Tempe RFQ (RFQ23-112) committed to a mixed-use development that would maximize the City's investments in the area. This application memorializes the vision set forth in the City's request by permitting a high-density mixed-use development.

Furthermore, the letter of explanation must address how the proposal supports any applicable area policy plans, including:

A. Character Area Plans

The subject site is located in Character Area 3. At this time, the specific design of the project is still under development as the team researches the condition of the original Gonzales-Martinez House and how to preserve the historic portion of the structure. When the Development Plan Review application is submitted to the City of Tempe, the building design will address objectives of the character area.

B. Downtown / Mill Avenue District Community Design Principles

At this time, the specific design of the project is still under development as the team researches the condition of the original Gonzales-Martinez House and how to preserve the historic portion of the structure. When the Development Plan Review application is submitted to the City of Tempe, the building design will address objectives of the Downtown / Mill Avenue District Community Design Principles.

C. Mill + Lake District Streetscape Principles and Guidelines

When the Development Plan Review application is submitted to the City of Tempe, the building design will address the objectives of the Mill + Lake District Streetscape Principles and Guidelines.

D. Historic Preservation Plan

A Historic Preservation Plan will be drafted as the team learns more about the historic Gonzales-Martinez House. It is worth noting that both Urban Development Partners and the City of Tempe will work together to preserve the original structure of the house and incorporate it into the overall development site.

E. Apache Boulevard Redevelopment Plan

The proposed development is not located along Apache Boulevard or within the Apache Boulevard Redevelopment Plan Area.

F. Town Lake Design documents

When the Development Plan Review application is submitted to the City of Tempe, the building design will address objectives of the Town Lake Design plans but the site is not on Town Lake.

ZONING MAP AMENDMENT

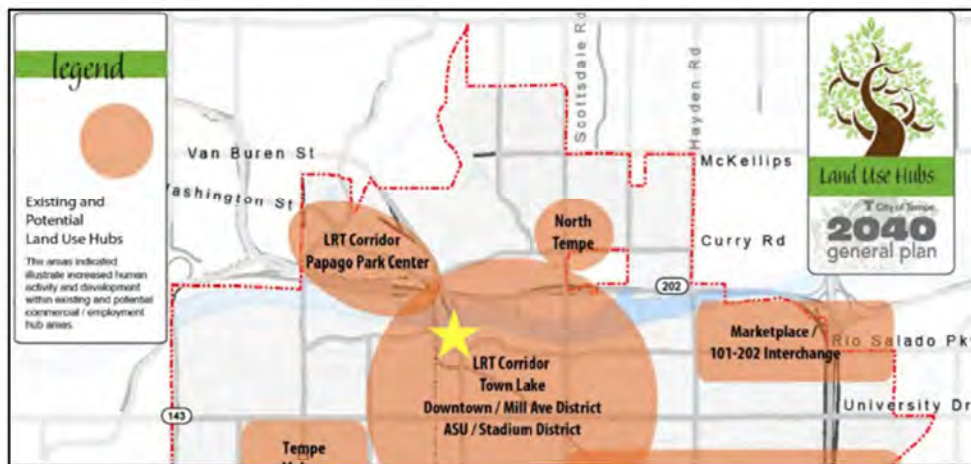
The request to rezone the site from General Industrial to Mixed-Use, High Density supports the goals and objectives of the following General Plan Elements:

Land Use and Development

LAND USE ELEMENT

LU₁ Establish development of multiple hubs with higher density cores serving the surrounding neighborhoods as its mixed-use urban activity center

The site is located in the LRT Corridor / Town Lake / Downtown / Mill Ave District / ASU / Stadium District development hub:



The design of this site fulfills this goal in the General Plan by locating a higher density development in the LRT Corridor / Town Lake / Downtown, etc. development hub. The development of the site will further connect University Drive to Tempe Town Lake through the continuation of the Farmer pedestrian path, constructed by the development team and provide additional commercial opportunities to serve the adjacent residents while bringing new residents to downtown. The development of this site will also help the City solve significant connectivity shortcomings by providing substantial north/south and east/west pathways.

LU₂ Promote land use patterns that encourage long-term sustainability

The request to rezone from GID to MU-4 encourages sustainability by providing residential housing options combined with commercial uses, which allow residents opportunity to utilize the commercial use in the same buildings they live in. The development site is also located in walking and cycling distance to many recreational uses at Tempe Town Lake, Downtown Tempe, Arizona State University, and stops for the Valley Metro light rail and Tempe Streetcar. The rezoning of the site also takes the industrial uses out of a neighborhood where they do not belong.

LU₃ Seek balance and compatibility of new land use development with established residential neighborhoods

The proposed rezoning of the site will allow for the development of a mixed-use residential project, which is an appropriate use for the site and is compatible with the rest of the Farmer Arts District developments to the south, including the Beam (an office building), the Vīb (a hotel), and the Encore and Hudson mixed-use residential projects. The current zoning permits uses that are incompatible with the surrounding neighborhoods and is not consistent with the projected General Plan Land Use for the majority of the site, which is Mixed Use.

The proposed Municipal Rezoning of 1st & Farmer development will be compatible with the proposed surrounding development, including the 250 Rio project directly across Ash Avenue on the east side of the railroad and light rail tracks. 250 Rio is proposed with a height of 210'-0" and the Tempe Depot site was approved with a height of 245'-0".

LU6 Promote compact, efficient infill development

This land is an infill site and is probably Tempe’s most challenging infill site. The site is located on mostly vacant lots at the north end of Farmer Avenue in Tempe but is surrounded by redevelopment. It is one of only a handful of remaining undeveloped properties in Downtown Tempe. The site is 3.6 acres, and to achieve the City’s high-density vision for the area, the team plans a vertical mixed-use development to maximize the efficiency of this challenging infill parcel.

LU7 Encourage preservation of significant historic and archeological resources

UDP is partnering with the City of Tempe to preserve the original Gonzales-Martinez House. The development team and the City of Tempe are actively working together to create a development plan that incorporates the historic portion of the house into the overall project, which includes hiring professionals with experience in preservation of this type of structure and analyzing the structural integrity of the building to determine its best future use.

LU11 Ensure that public participation standards include ongoing communication and active involvement

In addition to the codified outreach process through the Public Involvement Plan, which included a neighborhood meeting on June 22 at the Tempe Transportation Center, Urban Development Partners reached out early to interested parties, neighbors and stakeholders including former Mayor Hugh Hallman, Darlene Justus, Kim Gaffney, and nearby property owners Michael Harman, Todd Green and Joe Carey. We will continue our outreach as we work through the entitlement process.

COMMUNITY DESIGN ELEMENT

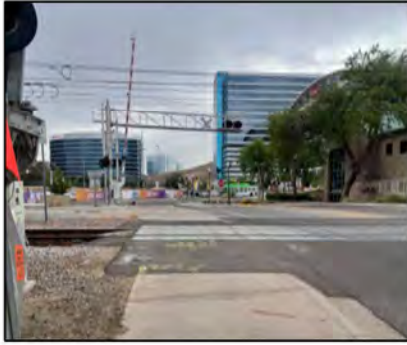
CD1 Create recognizable and usable “places”

As with all of the Farmer Arts District buildings, the Urban Development Partners team constructs quality buildings and recognizable and usable places. The pedestrian pathway along Farmer Avenue will be completed with the construction of the site. Rezoning the site from General Industrial to Mixed-Use, High Density will allow the development team to create the final piece of the Farmer Arts District, overlooking Tempe Town Lake and Downtown Tempe.

CD4 Encourage and enhance pedestrian movement

The current sidewalk along Farmer Avenue at 1st Street lacks connectivity and comfort:

Looking east on 1st Street:



Looking south on Farmer Ave.:



Through the rezoning of the site, the development team will be able to implement sidewalk and pedestrian improvements similar to the rest of Farmer Avenue, including lush landscape, improved sidewalk surfaces and amenities such as benches, and shade structures:

Sidewalk improvements (Encore):



Pedestrian improvements (The Beam):



These pedestrian accessway improvements will complement the existing pedestrian pathway adjacent to the rail lines and complete the Farmer Arts District.

CD₇ Encourage mixed-use designs

The rezoning of the site from GID to MU-4 encourages the development of a high-quality mixed-use project that maximizes the investments that the City has made in Tempe Town Lake, Downtown Tempe and the Tempe Streetcar and fulfills the vision of the General Plan Projected Land Use. The development proposed both residential and commercial uses where future residents can live and work close to a variety of amenities and destinations.

HISTORIC PRESERVATION ELEMENT

HP₁ Identify, preserve and protect significant historic properties and archaeological sites

UDP is partnering with the City of Tempe to preserve the original Gonzales-Martinez House as detailed above.

HP₃ Foster economic vitality through preservation and adaptive rehabilitation of historic properties that contribute to the character of the community

The site features the Gonzales-Martinez House, an adobe structure with important historic significance. As part of the development strategy, the City of Tempe and Urban Development Partners are creating a preservation plan for the original adobe structure to incorporate it into the construction of the site. The rehabilitation of the historic structure will preserve the integrity of the house and highlight the importance of the structure while allowing the site to be developed into a vital mixed-use project that contributes to the character of the Farmer Arts District and Downtown Tempe.

NEIGHBORHOOD PRESERVATION AND REVITALIZATION ELEMENT

NP₃ Promote neighborhood maintenance and enhancement

Through the rezoning of the site from GID to MU-4, the development team will have the ability to transform the current vacant and dilapidated land (see images below) into a walkable, urban environment in the University / Hayden Butte Redevelopment Area.



Development of the subject site (yellow star in the image above) will allow for an infill development on vacant land near Downtown Tempe where the City desires to see additional growth. The mixed-use development will also provide services to the surrounding neighborhood.

REDEVELOPMENT ELEMENT

RED₁ Encourage reinvestment, rehabilitation, redevelopment or reuse

The City of Tempe and Urban Development Partners are working together to redevelop the site and incorporate the original Gonzales-Martinez House into an adaptive reuse component that promotes historic preservation and rehabilitation of a currently uninhabitable structure.

RED₂ Prevent and eliminate slum and blight

While a portion of the site contains the historic Gonzales-Martinez house, much of the surrounding area has been used as a junk yard for decades and has resulted in a blighted appearance. UDP is proposing to redevelop the site into an attractive mixed-use project that will complete the revitalization of the east side of Farmer Avenue from University to Rio Salado.

RED₄ Attract new development that adds to urban livability

Through the RFQ process, the City has identified this land as an ideal location for the development of a "...vibrant, mixed-use corner" by a development team who can "redevelop the site to maximize the City's investment." (RFQ23-112). UDP was chosen by the City of Tempe to turn this vision into a reality based on the team's track record of success revitalizing the Farmer Arts District. Transforming vacant and underutilized spaces into community places is what UDP does best and plans to continue its work contributing to the urban livability of Farmer Avenue with this latest development.

HOUSING ELEMENT

H₂ Facilitate property reinvestment to maintain the condition and value of existing housing

The partnership between the City of Tempe and Urban Development Partners will allow the site to be developed consistent with the goals of the City, including the 2050 General Plan, which currently designate the land as Mixed-Use Urban Core. The future density and use designation for the site suggests that the City is interested in the redevelopment of the site and that the proposed rezoning of the site from GID to MU-4 fulfills the City's vision for this site.

H₁₀ Encourage development of needed housing in close proximity to transit, employment and services

As noted above, the proposed development will bring a mix of housing and commercial uses to this currently vacant area. The site is well-situated in close proximity to a variety of multi-modal transportation options that serve the residents of this area and facilitate non-vehicular transit to the many nearby employment opportunities along Tempe Town Lake as well as in the downtown area.

2. Economic Development

ECONOMIC DEVELOPMENT GOAL

ED₂ Develop an increased tax base

The site does not currently generate substantial tax revenue for the City of Tempe. Future improvements on the site will provide funds through development fees and taxes, and sales tax that will be implemented once the site is constructed and commercial uses are in place. Furthermore, rental tax will be collected on all multi-family dwelling units for rent. Additionally, the future residents will live, work and play in the area, frequenting nearby businesses like Whole Foods and the many restaurants along Mill Avenue, all of which increase the City's tax base.

ED₃ Promote a sustained improvement in the standard of living and quality of life for all residents

New residents that will live at the subject site and current Tempe residents living near the site will benefit from the future commercial uses in the development. Future residents at 1st Street

and Farmer will benefit from the existing amenities around the site, including Tempe Town Lake, Downtown Tempe, ASU and the alternative transportation options. These urban benefits will improve quality of life and entice graduating students from ASU to stay in Tempe.

**GROWTH AREA ELEMENT
RIO SALADO GROWTH AREA**

RS₁ Attract distinct development to Rio Salado

UDP is known for our quality developments and we will provide a distinct and attractive building that complements Tempe Town Lake and the character of the area. Construction of the site will provide a new, mixed-use building that reflects the character of the Farmer Arts District and Tempe Town Lake.

RS₂ Position Town Lake to obtain a maximum return on investment and be fiscally sustainable for the City of Tempe

Development of the site will complete the pedestrian walkway starting at University Drive and traveling adjacent to Farmer Avenue and the railroad tracks. The completion of the pedestrian walkway aims to provide for easier access to the amenities that the Town Lake area offers with the goal of increasing the City of Tempe’s return on investment in the area. Although the final alignment of the pedestrian pathway and design of the sidewalk and improvements will be decided through the Major DPR application, the ultimate goal is to connect the pathway south of 1st Street to Tempe Town Lake.

RAIL CORRIDOR GROWTH AREA

RC₁ Focus mixed use development near rail investments to support reduced transportation costs for residents and, in turn, produce increased transit ridership

The rezoning facilitates the development of a high-density mixed-use development with future residents within close walking or cycling distance to the nearby light rail and streetcar stops. Locating new residents within close proximity to such multi-modal transportation options intends to encourage their use which will increase ridership numbers and support the Valley’s investment while reducing the cost of transportation for residents.

RC₂ Create a walkable community enhanced by rail transit

The goal of the development team is to create an urban, walkable, pedestrian friendly environment on Farmer Avenue. UDP believes strongly in the value of urban walkability, and the construction of the site will put new Tempe residents conveniently close to both the light rail and streetcar stops.

RC₄ Preserve historic structures and buildings of significance

The City of Tempe and UDP are prioritizing the preservation of the original Gonzales-Martinez House on the site and continue to work together to incorporate the historic adobe building into the development.

RC₁₆ Balance density and open space

The proposed density of the site complements the open space of Tempe Town Lake. Additional existing open space that balances the proposed density of the site includes the Farmer Arts District pedestrian path, Tempe Beach Park and Hayden Butte. Papago Park, on the north side of

Tempe Town Lake, is within walking or biking distance of the site via the Tempe Town Lake Pedestrian Bridge of the Mill Avenue Bridge.



The density of the site is appropriate for the location and the variety of nearby open space amenities.

COST OF DEVELOPMENT ELEMENT

COD₁ Encourage development that does not exceed planned infrastructure or service capacity
The site is located in Downtown Tempe and has a General Plan 2040 Projected Land Use for a majority of the site of Mixed-Use and a small portion that is Open Space. The draft General Plan 2050 projects the use and density for most of the site as Mixed-Use, Urban and Mixed-Use, High with a small portion remaining projected as Open Space. The Tempe RFQ that was awarded to the development team specifically asked for a project that maximized the land and the investments that the City has made in the area. The location of the site, in conjunction with the General Plan use and density designations suggests that the proposed density for the project is within the infrastructure capacity limits for the site.

3. Circulation

CIRCULATION SYSTEM

T₁ Develop a functional relationship between the diverse land uses in Tempe and the transportation system that serves them

The subject site’s location will allow for the development team to redevelop the land to encourage pedestrian and bicycle circulation as well as to encourage use of nearby multi-modal transportation opportunities with the light rail and streetcar.

The site is currently unwalkable and a dead-end at the north side of Farmer Avenue as shown below:



The lack of landscape, shade and pedestrian amenities and the dead end of the street promotes an unsafe environment that does not encourage pedestrian use and in fact, prohibits it with the use of chain link fencing. The development proposes an inviting pedestrian environment that promotes safe access to Tempe Town Lake and Downtown Tempe.

PEDESTRIAN AND BIKEWAY ELEMENT

PN₂ Provide convenient and safe pedestrian access to destinations to promote neighborhood sustainability

Farmer Arts District is well regarded for its walkable streets and pedestrian and bicycle network connecting University Drive up to 1st Street including the pathway along the west side of the railroad tracks and the enhanced sidewalks along Farmer Avenue.

The development team will finalize the pedestrian trail adjacent to the railroad tracks with the final connection, creating a walkable, shaded pathway to Tempe Town Lake. Pathways to University connect with the adjacent Whole Foods development while the connection to 5th Street provides for easy access to Downtown Tempe.

PN₄ Increase pedestrian accessibility and enhance the pedestrian environment with engaging and interesting experiences for pedestrians

The current pedestrian network adjacent to the subject site is incomplete and in some places, uninviting, unwelcoming or non-existent. The east side of the site, adjacent to the railroad and light rail tracks, does not feature any pedestrian improvements and the west side of the site is incomplete, with Farmer Avenue ending in a dead-end road.

The existing sidewalk, built to the industrial standards of the site’s zoning, does not invite pedestrian activity. The construction of the site, made possible through the rezoning of the site, will allow for the development team to construct new, welcoming and useful pedestrian walkways and access with desert trees and plants that will foster healthy lifestyles and promote walkability.

BIKEWAYS GOAL

B₁ Provide safe and convenient access between neighborhoods and schools, parks, shopping, transit, employment, and other destinations

To encourage new residents of the proposed project to bike, the development will provide one bicycle parking space per unit, more than required by the zoning code. The increase in the provided bicycle parking on the site will encourage residents to bike to their destinations, including to the alternative transportation stops, promoting the 20-minute city and connecting the site with Valley-wide destinations.

TRANSIT ELEMENT

TR₁ Increase transit modes and services that support ridership increases and an expanded transit mode share

The transit services located adjacent to the site (yellow star in the image below) include the local Tempe Orbit, the Valley Metro light rail and the Valley Metro bus lines and the Tempe streetcar.



Residents of the new mixed-use development will have the opportunity to travel throughout Tempe and the Valley using alternative transportation, fulfilling the goals of the General Plan and boosting ridership for the Valley transportation services.

TRAVELWAYS ELEMENT

TW3: Establish guidelines that enhance the land use and transportation connection

The travel ways around the site for pedestrians will be greatly expanded upon and improved with the construction of the site. Through the expansion of the Farmer Arts District pedestrian path and the construction of new sidewalk amenities around the subject site, pedestrian and bicycle ridership will increase for Tempe residents.

PARKING AND ACCESS MANAGEMENT

PAM₃ Ensure neighborhoods are not adversely impacted by parking issues

The PAD Overlay for the proposed development will set vehicular parking standards consistent with the urban location for the project. The site is close to a variety of alternative transportation options, including the Valley Metro light rail and the Tempe streetcar. Bike lanes are currently provided on 1st Street adjacent to the site, leading towards Mill Avenue and ASU and west towards the neighborhoods. Additionally, Mill Avenue's entertainment district is within close walking distance, approximately one block from the site. The location of the site, within Downtown Tempe and near a variety of amenities, jobs and entertainment options, will create an environment that will encourage residents of the site to reduce their reliance on vehicular transportation.

4. Conservation

CONSERVATION ELEMENT

ER₅ Reduce the environmental cost as well as the monetary cost of energy

The development team is committed to sustainability and has received multiple awards including three coveted Crescordia awards for Environmental Excellence. To further demonstrate the high quality of the development portfolio, the team has also been recognized for three City of Tempe Beautification Awards and a Red Award. Development of the subject site will be in keeping with the rest of the Farmer Arts District development completed by UDP.

WILDLIFE HABITAT MANAGEMENT

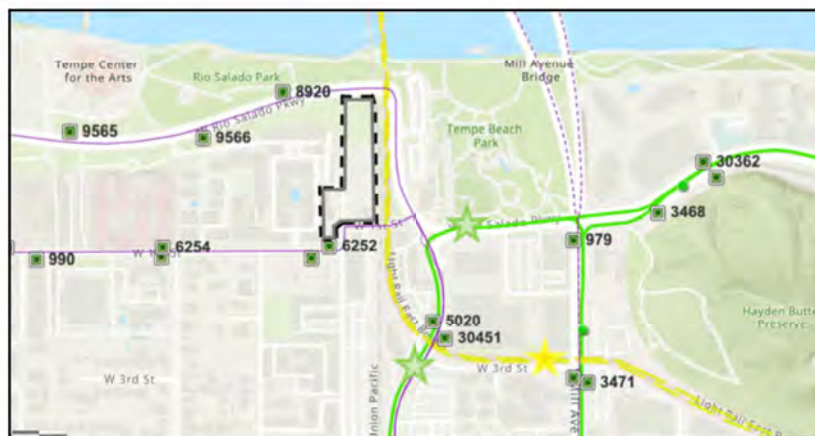
WHM₂ Facilitate habitat restoration where riparian conditions are present

The site is located directly adjacent to Tempe Town Lake, which may attract urban wildlife. Like all of the developments on Farmer Avenue constructed by Urban Development Partners, the proposed new development will use desert appropriate xeriscaping and native plants to attract and support urban wildlife.

ENVIRONMENTAL PLANNING ELEMENT

AQ₂ Reduce the number of vehicle miles traveled locally and regionally

The site (outlined in black below) is located in the Transportation Overlay District and is within walking distance to both the Tempe Streetcar stops (green stars below) and the Valley Metro light rail station on 3rd Street (yellow star below):



The close proximity of these transit stops, in addition to the existing Valley Metro bus stops for Route 62 North and South on 1st Street and Route 48 on Rio Salado will provide opportunities for future users of the subject site to reduce their vehicle miles traveled and utilize the existing alternative transportation options available in the area.

AT₁ Consider ambient temperature reduction within development, energy and water resources policies and programs

Development of the site, through the rezoning from General Industrial to Mixed-Use, High Density, will reduce the urban heat island effect the land currently exhibits. The site is mostly vacant dirt, with the historic Gonzales-Martinez House occupying a small portion of the land on the southeast corner. The development of the site will provide new, low-water landscape in lieu of the current hard packed dirt that retains sunlight and heat.

WATER RESOURCES ELEMENT

W₉ Integrate land use and water planning for proposed new and redeveloped sites

The development team has retained Jim Smith and collective landscape architects design the landscape of the during the future DPR entitlement process. Collective landscape architects has designed the developments along Farmer, including The Beam, The Hudson, Residences on Farmer and Encore using desert appropriate and water efficient landscape.

Open Space, Recreation and Cultural Amenities

OPEN SPACE ELEMENT

OS₃ Evaluate the connection between new development and the open space and parks needed to serve that new development

The site is located at the north end of Farmer Avenue and through the construction of the site and landscape amenities, the pedestrian connection that connects University Drive to 1st Avenue through the Farmer Arts District will be completed.



This pedestrian connection will allow pedestrians to move from University Drive north to Tempe Town Lake, utilizing Lakeside Drive and connecting to the Tempe Center for the Arts. Although the final design of the path (width, landscape, and location) has not yet been developed, the path will connect Tempe Town Lake with the rest of Farmer Avenue.

OS₆ Create a system of linked open space and parks throughout the City

The street network on Farmer Avenue provides pedestrian connections through the improved sidewalks adjacent to The Hudson, Encore, Residences on Farmer, The Vīb, The Beam and Culinary Dropout. This linked open space system will be complete with the construction of the 1st & Farmer site.

RECREATION ELEMENT

R₂: Provide a variety of recreational opportunities that reaches as many citizens as possible

The subject site is located directly across Rio Salado Boulevard from Tempe Town Lake. Through the redevelopment of the site, new residents will have immediate access to the amenities at the lake, which will maximize the use of the City’s investment into Town Lake.

PUBLIC ART AND CULTURAL AMENITIES ELEMENT

PACA₄ Encourage incorporation of public art into major public and private projects to enhance the city’s community character as well as the built environment

The development will comply with the City of Tempe public art requirements for mixed-use developments.

PLANNED AREA DEVELOPMENT OVERLAY

The proposed development will conform to the following approval criteria, as outlined in Zoning & Development Code Section 6-305(D):

1. The development fulfills certain goals and objectives in the General Plan, and the principles and guidelines of other area policy plans. Performance considerations are established to fulfill those objectives;

The proposed development conforms to many of the goals and objectives of the General Plan. These goals and objectives are outlined and further discussed in the Zoning Map Amendment portion of this narrative.

2. Standards requested through the PAD Overlay District shall take into consideration the location and context for the site for which the project is proposed;

The requested PAD standards will allow the development team to design a project that will fulfill the City of Tempe’s goals for the land. The site is located in an urban area that has gone through significant changes and is no longer appropriate for General Industrial zoning, uses, or development standards. We propose the following alternative standards for the site:

	GID	MU-4 TOD	MU-4 TOD PAD
Density	--	NS	240 du/ac
Max. Building Height	35 Feet	NS	210 Max.
Max. Lot Coverage	NS	NS	82%
Min. Landscape Area	10%	NS	7%
Setbacks: <ul style="list-style-type: none"> • Front (South) • Parking • Side (East) • Rear (North) • Street Side • Parking • Side (South West) 	<ul style="list-style-type: none"> • 25 Feet • 20 Feet • 0 Feet • 0 Feet • 25 Feet • 20 Feet • 0 Feet 	<ul style="list-style-type: none"> • Max. 20 Feet 	<ul style="list-style-type: none"> • 0 Feet • 0 Feet • 0 Feet • 0 Feet • NA • 0 Feet • 10 Feet
Stepback Required	Yes	Yes	Yes

3. The development appropriately mitigates transitional impacts on the immediate surroundings. The site is located at an ideal location in Downtown Tempe, directly adjacent to Tempe Town Lake, but also bordering the Valley Metro light rail lines and Union Pacific Railroad lines. East of the rail lines is the site for the future 250 Rio project (PL210130). The General Plan Density of the land for 210 Rio is Urban Core, which matches what we are proposing. The subject site at 1st and Farmer is an appropriate location for the proposed project as it will maximize the land and the frontage to Tempe Town Lake and the proximity to alternative transportation options and Downtown Tempe.

The development will face Tempe Town Lake, and the proposed building height maximizes the investments that Tempe has put towards the development of the lakefront and amenities. A setback has been proposed adjacent to the Regatta Pointe Condominiums, which will soften the transition of the new development. Most of the development is not located adjacent to any residential uses and the proposed height is appropriate for the location based on the surrounding uses and adjacent developments, which are high density and focused on the amenities that Tempe Town Lake and downtown have to offer.

PLANNED AREA DEVELOPMENT OVERLAY 1ST & FARMER

A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

OWNER AUTHORIZATION

CITY OF TEMPE, AN ARIZONA MUNICIPAL CORPORATION

BY: _____ DATE: _____

ITS: _____

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 20____ BEFORE ME, THE UNDERSIGNED,

PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF/HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF: I HERETO SET MY HAND AND OFFICIAL SEAL.

BY: _____ EXPIRES: _____
NOTARY PUBLIC

OWNER AUTHORIZATION

1ST & FARMER, LLC

BY: _____ DATE: _____

ITS: _____

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 20____ BEFORE ME, THE UNDERSIGNED,

PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF/HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF: I HERETO SET MY HAND AND OFFICIAL SEAL.

BY: _____ EXPIRES: _____
NOTARY PUBLIC

OWNER AUTHORIZATION

265 LLC

BY: _____ DATE: _____

ITS: _____

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 20____ BEFORE ME, THE UNDERSIGNED,

PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF/HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF: I HERETO SET MY HAND AND OFFICIAL SEAL.

BY: _____ EXPIRES: _____
NOTARY PUBLIC

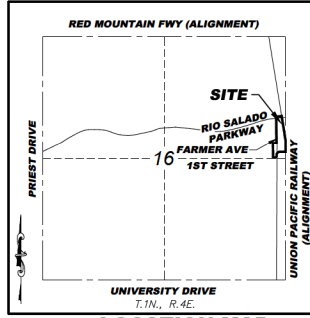
APPROVAL

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE ON THIS _____ DAY

OF _____, 20____

APPROVED BY THE ZONING ADMINISTRATOR OF THE CITY OF TEMPE ON THIS _____ DAY

OF _____, 20____



LOCATION MAP
N7S

OWNER/APPLICANT

CITY OF TEMPE
31 EAST 5TH STREET
TEMPE, ARIZONA 85281

OWNER/APPLICANT

1ST & FARMER, LLC
P.O. BOX 24641
TEMPE, ARIZONA 85285

OWNER

265 LLC
2801 E. CAMELBACK ROAD, STE 450
PHOENIX, ARIZONA 85016

SHEET INDEX

SHEET 1: COVER SHEET
SHEET 2: SITE PLAN SHEET

EXISTING ZONING

GENERAL INDUSTRIAL (GID)

BASIS OF BEARING

THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, T1N, R4E SAID LINE BEARS SOUTH 89 DEGREES 41 MINUTES 30 SECONDS WEST.

PROPOSED ZONING

MU-4 PAD TOD

PROJECT DATA

PAD PROVIDED

GENERAL PLAN PROJECTED LAND USE GENERAL PLAN PROJECTED DENSITY	MIXED-USE UNLIMITED
ZONING (EXISTING) ZONING (PROPOSED)	GID MU-4 PAD TOD
SITE AREA (GROSS) SITE AREA (NET)	3.6 AC 3.6 AC
DWELLING UNITS DENSITY*	550 240 DU/AC
BUILDING HEIGHT	210' MAXIMUM
BUILDING LOT COVERAGE LANDSCAPE COVERAGE	82% 7%
SETBACKS REAR (NORTH) SIDE (EAST) SIDE (WEST)	0' 0' 0'(10' ADJACENT TO REGATTA POINTE RESIDENTIAL BUILDING AS SHOWN)
FRONT (SOUTH)	0'
VEHICLE PARKING QUANTITY RESIDENTIAL VISITOR RESTAURANT / BAR UP TO 10,000 SF	.60/UNIT .10/UNIT TOD
BICYCLE PARKING QUANTITY RESIDENTIAL COMMERCIAL	1/UNIT MIN. 6 BICYCLE SPACES

LEGAL DESCRIPTION

LOT 1E AND A PORTION OF LOT 2E, STATE PLAT NO. 12, AMENDED, RECORDED BOOK 69, PAGE 38, MARICOPA COUNTY RECORDS, AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 16 A CITY OF TEMPE BRASS CAP FLUSH MARICOPA COUNTY LS 35832, FROM WHICH THE CENTER OF SAID SECTION 16 A CITY OF TEMPE BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES 41 MINUTES 30 SECONDS WEST, A DISTANCE OF 2674.65 FEET, (BASIS OF BEARING, CITY OF TEMPE CONTROL);

THENCE SOUTH 89 DEGREES 41 MINUTES 30 SECONDS WEST, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 16, A DISTANCE OF 35.26 FEET;

THENCE NORTH 0 DEGREES 01 MINUTE 0 SECONDS WEST, ALONG A LINE PARALLEL TO AND 35 FEET WEST OF THE CENTER OF THE UNION PACIFIC RAILROAD TRACKS, A DISTANCE OF 168.58 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE SOUTH 89 DEGREES 58 MINUTES 18 SECONDS WEST, DEPARTING SAID LINE, A DISTANCE OF 133.58 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 70.00 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 47 MINUTES 10 SECONDS, A DISTANCE OF 110.92 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF FARMER AVENUE;

THENCE SOUTH 0 DEGREES 48 MINUTES 52 SECONDS EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 46.61 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 11.89 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 30 MINUTES 22 SECONDS, A DISTANCE OF 18.79 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF 1ST AVENUE;

THENCE SOUTH 89 DEGREES 41 MINUTES 30 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 67.99 FEET;

THENCE NORTH 0 DEGREES 47 MINUTES 33 SECONDS WEST, DEPARTING SAID NORTH RIGHT OF WAY LINE, ALONG THE EAST LINE OF REGATTA POINTE CONDOMINIUMS, ACCORDING TO BOOK 578 OF MAPS, PAGE 21, RECORDS OF MARICOPA COUNTY, ARIZONA, A DISTANCE OF 333.00 FEET;

THENCE NORTH 89 DEGREES 41 MINUTES 30 SECONDS EAST, ALONG SAID LINE, A DISTANCE OF 79.87 FEET;

THENCE NORTH 0 DEGREES 48 MINUTES 52 SECONDS WEST, ALONG SAID LINE AND PROLONGATION SAID EAST LINE, A DISTANCE OF 438.53 FEET TO A POINT ON THE SOUTHERLY LINE OF RIO SALADO PARKWAY, ACCORDING TO 89-023644, RECORDS OF MARICOPA COUNTY, ARIZONA, AND THE POINT OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES SOUTH 5 DEGREES 28 MINUTES 47 SECONDS EAST, A RADIAL DISTANCE OF 1,367.39 FEET;

THENCE EASTERLY ALONG SAID SOUTHERLY LINE AND ALONG ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 2 DEGREES 20 MINUTES 29 SECONDS, A DISTANCE OF 55.88 FEET;

THENCE NORTH 86 DEGREES 51 MINUTES 42 SECONDS EAST, A DISTANCE OF 125.50 FEET;

THENCE SOUTH 5 DEGREES 5 MINUTES 47 SECONDS EAST, DEPARTING SAID SOUTHERLY LINE, ALONG A LINE PARALLEL TO AND 35 FEET WEST OF SAID UNION PACIFIC RAILROAD TRACK CENTERLINE, A DISTANCE OF 146.01 FEET;

THENCE SOUTH 4 DEGREES 58 MINUTES 41 SECONDS EAST, ALONG SAID LINE, A DISTANCE OF 83.82 FEET TO THE POINT OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES SOUTH 84 DEGREES 59 MINUTES 43 SECONDS WEST, A RADIAL DISTANCE OF 2,884.51 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 2 DEGREES 15 MINUTES 15 SECONDS, A DISTANCE OF 113.49 FEET TO THE POINT OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES SOUTH 87 DEGREES 24 MINUTES 33 SECONDS WEST, A RADIAL DISTANCE OF 4,739.72 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 3 DEGREES 01 MINUTE 22 SECONDS, A DISTANCE OF 250.07 FEET;

THENCE ALONG A NON-TANGENT LINE, SOUTH 0 DEGREES 01 MINUTE 0 SECONDS EAST, A DISTANCE OF 60.70 FEET TO THE POINT OF BEGINNING.

CONDITIONS OF APPROVAL

DS230661

PAD230010

REC23090

REC23090

PAD230010

DS230661

NO.	BY	DATE	REVISION

SUPPLIER

2401 W PEORIA AVE STE 130
PHOENIX, AZ 85029
602.957.3350
rickengineering.com
rickengineering.com
San Diego - Riverside - San Luis Obispo - Orange - Tucson - Phoenix - Las Vegas - Denver
JMS / SCALE: 1/8" = 1'-0"
MB / DATE: 7/20/2023
N7S
CHECKED BY:

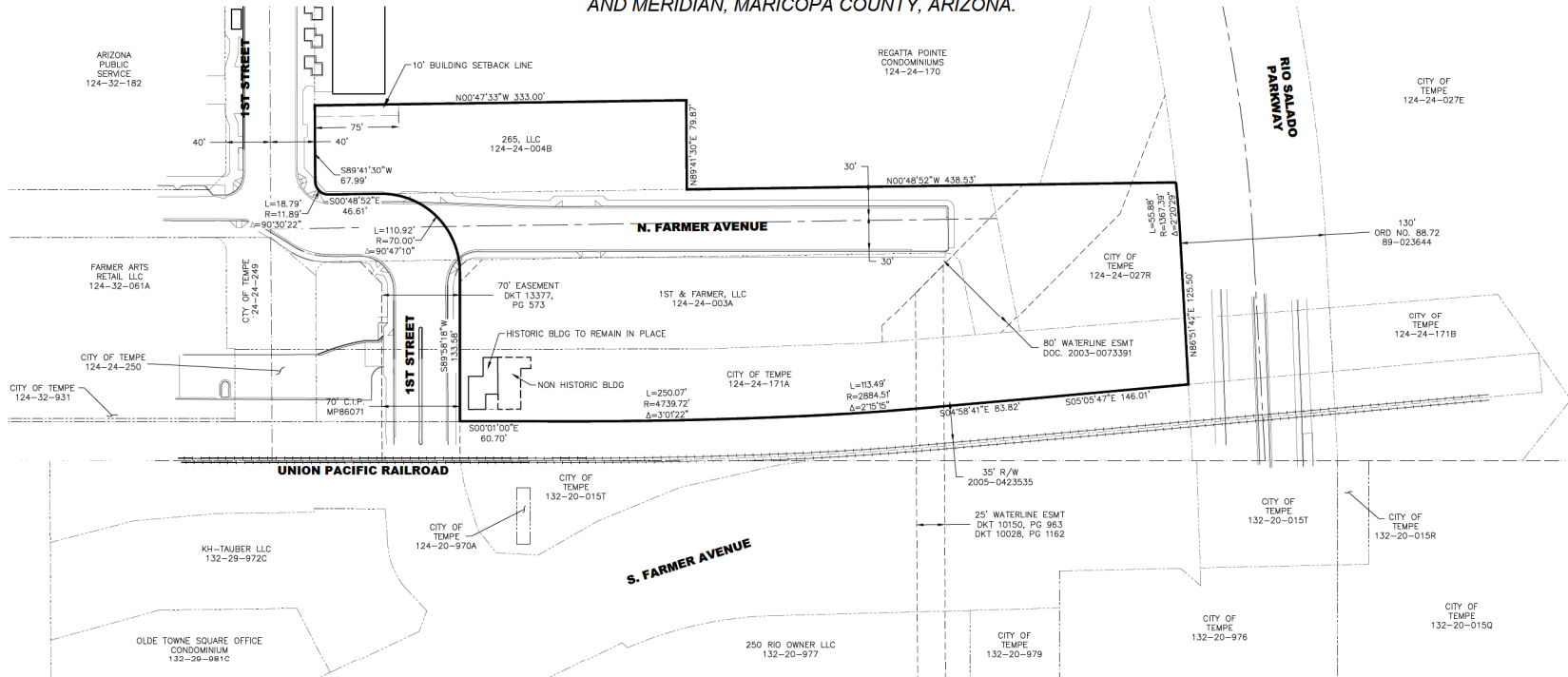
PLANNED AREA DEVELOPMENT
1ST & FARMER
TEMPE, ARIZONA



PROJECT NO.
P6230
PAD - 1

PLANNED AREA DEVELOPMENT OVERLAY 1ST & FARMER

A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE
AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



PROJECT DATA

GENERAL PLAN PROJECTED LAND USE	MIXED-USE UNLIMITED
GENERAL PLAN PROJECTED DENSITY	
ZONING (EXISTING)	GID
ZONING (PROPOSED)	MU-4 PAD TOD
SITE AREA (GROSS)	3.6 AC
SITE AREA (NET)	3.6 AC
DWELLING UNITS DENSITY*	550
	240 DU/AC
BUILDING HEIGHT	210' MAXIMUM
BUILDING LOT COVERAGE	82%
LANDSCAPE COVERAGE	7%
SETBACKS	
REAR (NORTH)	0'
SIDE (EAST)	0'
SIDE (WEST)	0'(10' ADJACENT TO REGATTA POINTE RESIDENTIAL BUILDING AS SHOWN)
FRONT (SOUTH)	0'
VEHICLE PARKING QUANTITY	
RESIDENTIAL	.60/UNIT
VISITOR	.10/UNIT
RESTAURANT / BAR UP TO 10,000 SF	TOD
BICYCLE PARKING QUANTITY	
RESIDENTIAL	1/UNIT
COMMERCIAL	MIN. 6 BICYCLE SPACES

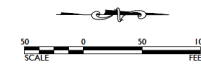
PAD PROVIDED

PARCEL SIZE

156,941 SQUARE FEET OR 3.603 ACRES

LEGEND

- BOUNDARY LINE (PAD LIMITS)
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- ADJACENT BOUNDARY LINE
- BLDG BUILDING
- ESMT EASEMENT



DS230661

PAD230010

REC23090

REC23090

PAD230010

DS230661

2401 W PEORIA AVE, STE 130
PHOENIX, AZ 85029
602.957.3350

rickengineering.com
ENGINEERING COMPANY
San Diego - Riverside - San Luis Obispo - Sacramento - Orange - Tucson - Phoenix - Las Vegas - Denver

SCALE: 1"=20'
DATE: 7/20/2023

NO. BY DATE REVISION

CHECKED BY:

PLANNED AREA DEVELOPMENT

1ST & FARMER

TEMPE, ARIZONA

PROJECT NO.
P6230

PAD - 2

TEMPE GENERAL PLAN DENSITY MAP:

Existing: Medium to High (up to 25 du/ac) (2.19 acres) and No Density (.85 acres):

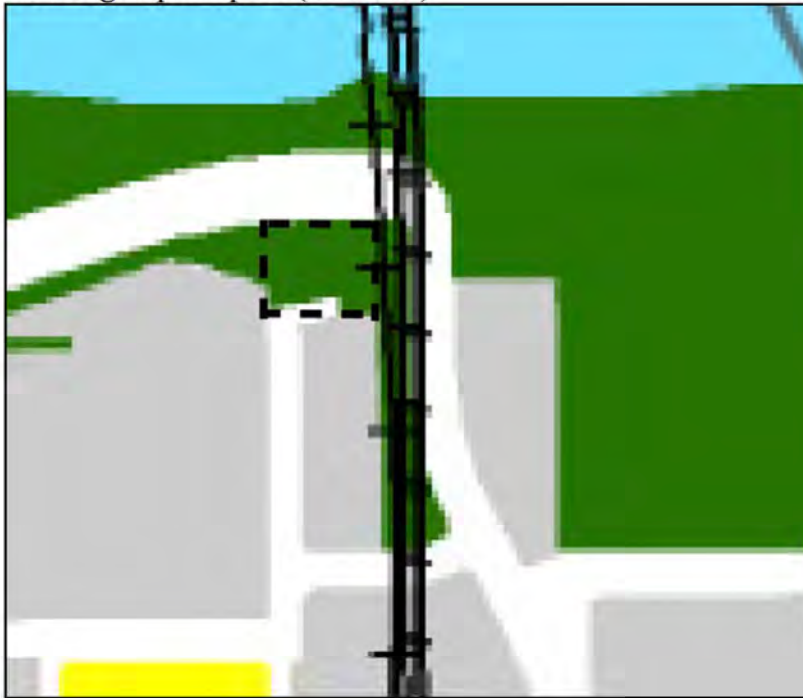


Proposed: High Density, Urban Core (>65 du/ac) (3.6 acres):



TEMPE GENERAL PLAN LAND USE MAP:

Existing: Open Space (.85 acres):



Proposed: Mixed-Use (.85 acres):



July 20, 2023

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



**RE: PRELIMINARY PARKING ASSESSMENT
NEC FARMER AVENUE & 1ST STREET RESIDENTIAL DEVELOPMENT –TEMPE, ARIZONA**

Dear Mr. Levesque:

CivTech has prepared this Preliminary Project Assessment for its Client, 1st & Farmer, LLC. The project is expected to be an approximately 18-story, 210-foot multifamily development that will redevelop the corner of Farmer Avenue and 1st Street in Tempe. At present, the development is only in concept: a site plan has not yet been prepared. A maximum of 550 dwelling units (DUs) are expected with parking to be provided at a ratio of 0.6 spaces per DU and 0.1 space per DU for guests, or a total of approximately 385 spaces.

SUMMARY

CivTech finds the proposed parking ratio of 0.6 spaces per DU and 0.1 space per DU for guests, or a total of approximately 385 spaces acceptable for this urban location. This report provides the documentation below for the following conclusions in regard to the parking required for the planned development:

- Comparing the parking spaces calculated using published ITE *Parking Generation Manual* rates to the 385 total spaces expected to be provided reveals that, on a per-DU or per-occupied DU basis, the proposed development compares very favorably, with an excess of parking of at least 16 spaces being provided on a per-DU basis.
- On a per-occupied DU basis, the application of the 50th percentile/average rate and the 85th percentile rate would also result in an excess of vehicular parking spaces; only if the highest rate observed were applied to this development would there be a small, 16-space shortage, a shortage of just 4.2%.
- Tempe has invested in a variety of transportation options and infrastructure (Light Rail, Street Car, Valley Metro fixed-route buses, Orbit. and multi-use path systems) that will significantly reduce the need for single occupancy vehicles. Given the number and variety of available alternative modes of travel, CivTech expects that a sufficient number of residents of the proposed development would choose to not own a personal vehicle and that the calculated potential shortage of 16 spaces based on the highest observed ITE ratio would not materialize, as the downtown has been created in a way that makes it unlikely to be in the higher end of the parking spectrum. Moreover, Tempe has approved similar parking at the Dwell, which is just south of the site.

BACKGROUND AND PURPOSE

The site consists of all of four (4) Maricopa County Assessor Parcels [privately-owned APNs 124 24 003A and 124-24-004B and all of City owned APN 124-24-171A], part of City-owned APN 124-24-027R, plus the public right of way north of 1st Street within which Farmer Avenue (a former through street that is now a dead-end) is currently located. The site is approximately 3.6 acres. The Assessor website also indicates that APN 124-24-004B—on the west side of Farmer Avenue—is occupied by The Lodge, a currently-active bar and grill at 26 South Farmer Avenue. All three parcels currently carry a GID (General Industrial) zoning designation. The proposed zoning for the site is MU-4 PAD TOD, that is, a Planned Area Development (PAD) with Mixed-Use with unlimited density within the City's Transportation Overlay District (TOD). The site is also within the City's Bicycle Commute Area as defined in Subsection D.4, Bicycle Parking of Section 4-603 of the Tempe Zoning and Development Code (ZDC): all "properties north of Southern Avenue extending north, east and west to the city limit lines." Portions of each of the three parcels and the alignment of, movements allowed, and traffic controls of the adjacent roadways are shown in **Figure 1**.

The purpose of this assessment is to address one of two primary issues in a preliminary fashion that CivTech's Client expects to be more fully-addressed in the future when formal studies are based on an actual site plan are prepared. The issues are traffic and parking. Parking is addressed herein: CivTech has been asked to determine if the of the number of parking stalls the owner/developer expects to provide is sufficient. In separate assessment, CivTech has been asked to determine if the roads in the immediate area of the development can accommodate the expected traffic generated by the development.

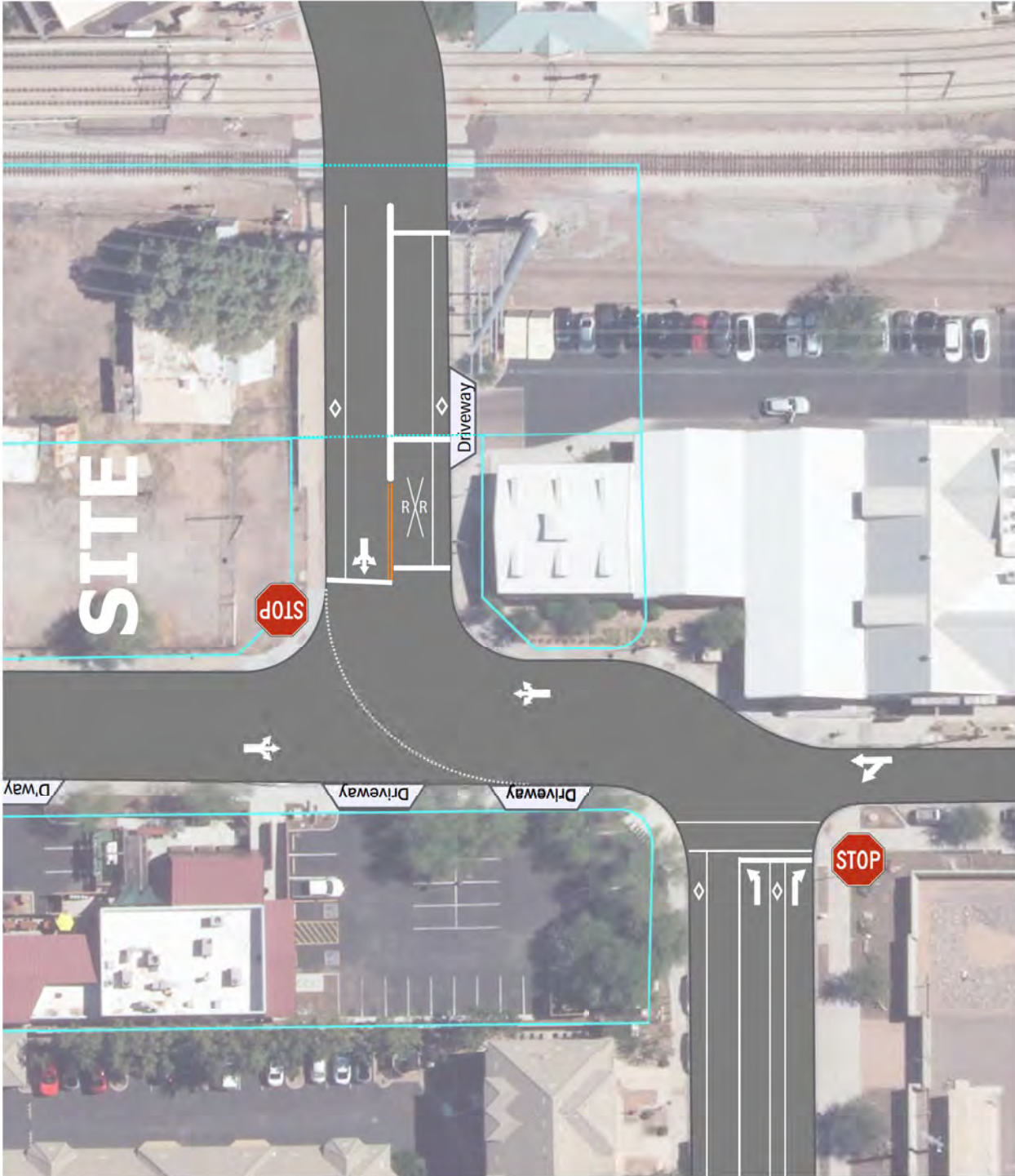
VEHICULAR PARKING

City Requirements. As noted, vehicular parking is expected to be provided at a total ratio of 0.7 spaces per DU, which represents 0.6 spaces per DU for residents and 0.1 parking space per DU for guests. Applying 0.7 spaces to the expected 550 DUs yields a total of 385 parking spaces.

Table 4-607A of the Tempe Zoning and Development Code (the "Code" or ZDC) provides required parking ratios for developments within Tempe's urban core or designated City Center (CC) district. All ratios are on a per-bedroom (BR) basis, ranging from 0.3 spaces per BR for 3- and 4-BR units to 0.5 per BR for studio, 1-BR, and 2-BR units. In this case, the building has not been designed; therefore, the number of bedrooms is not yet available. CivTech was then left to determine if 385 spaces would be sufficient by other means.

The TOD parking requirements are .75 per dwelling unit plus .2 per guest. The proposed ratios of .6 per unit and .1 for guests is not far from this requirement.

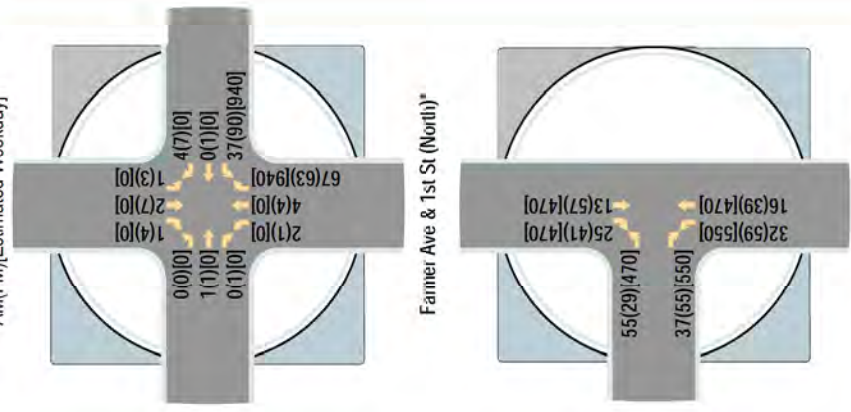
ITE Parking Generation. As an alternative to applying City parking ratios, CivTech referred to the latest (5th) edition of the Institute of Transportation Engineers' *Parking Generation Manual* in attempting to determine if approximately 385 spaces would be sufficient. The *Parking Generation Manual* provides recommendations for the number of spaces required for the types of land use in this development based on either the number of units or the number of bedrooms. Average and 85th



LEGEND

- Permitted Movement
- Bicycle Lane
- Raised Median
- Site Parcel Boundaries
- Traffic Signal
- Stop Sign
- Speed Limit

2023 TURNING MOVEMENTS
AM(PM)[Estimated Weekday]



*Weekday volumes estimated as explained in text



Figure 1: Configurations of Adjacent Intersections (Existing)



percentile rates are provided for each land use for weekdays (Monday through Friday) and for Saturdays and Sundays for high-rise multifamily developments in various settings/locations. For the subject development, CivTech chose a high-rise multifamily development situated near rail transit (defined by ITE as being located less than ½-mile from a rail line) and in a Center City Core setting. The Land Use is Multifamily (High Rise) and the Land Use Code (LUC) is 222. *Please note that the manual does not yet provide data for a high-rise multifamily development with ground-floor commercial uses, LUC 232. Since patrons of the ground-floor commercial uses would have no access to the parking garage, the application of data for LUC 222 should still adequately represent the residential component of the proposed high-rise.* **Attachment A** provides copies of the two pages from the manual used for this exercise.

For LUC 222, the manual provides data for three different scenarios: for total dwelling units (DUs), for occupied DUs, and for total number of bedrooms (BRs), all set in a Center City Core. With only the number of dwelling units expected and no total count of bedrooms, CivTech could only use the first two and not the last. The data available include the range of rates observed for each (high and low, the highest representing the 100th percentile rate), the average or 50th percentile rate, and the 85th percentile rate, that is, the rate at which 85% of the rates of the observed sites fall below. **Table 1** summarizes this information and is expanded to show the parking that would be required under each of the first two scenarios based on the highest rate observed (the 100th percentile rate) and the average and 85th percentile rates. As noted, the development is expected to provide 550 DUs.

TABLE 1 – SPACES REQUIRED PER ITE PARKING GENERATION MANUAL, 5TH EDITION
 Showing Comparison to 385 Total Spaces Expected

Calculation Basis [†]	Quantity & Units	100 th %-ile (High of Range)	ITE Spaces	Excess (Shortage)	50 th %-ile (Average)	ITE Spaces	Excess (Shortage)	85 th %-ile	ITE Spaces	Excess (Shortage)
Per DU	550 DUs	0.67	369	16	0.46	253	132	0.60	330	55
Per Occupied DU	550 DUs	0.73	278	(17)	0.49	270	115	0.64	352	33

Notes: [†]Excess(Shortages) shown are differences when compared to expected 330 spaces for residents and 55 spaces reserved for guests
[†]DU = Dwelling Unit

A review of the results detailed in **Table 1** comparing the parking spaces calculated using published ITE *Parking Generation Manual* rates to the 385 total spaces expected to be provided reveals that, on a per-DU or per-occupied DU basis, the proposed development compares very favorably, with an excess of parking of at least 16 spaces being provided on a per-DU basis. On a per-occupied DU basis, the application of the 50th percentile/average rate and the 85th percentile rate would also result in an excess of vehicular parking spaces; only if the highest rate observed were applied to this development would there be a small, 16-space shortage, a shortage of just 4.2%.

Just south of the proposed development on the west side of Farmer Avenue, the First & Farmer development—approved by the City in early 2022—is under construction and being marketed under the name Dwell Tempe. CivTech prepared the parking study for Dwell Tempe. Dwell Tempe was approved by Tempe’s Development Review Commission and the City Council with parking ratio of 0.59 spaces per bedroom and a per-unit ratio of just over 0.7 parking spaces (141 spaces for 200 dwelling units) and no guest parking, ratios that are similar to those being proposed here.

ALTERNATIVE MODES OF TRANSPORTATION

As Tempe continues to become a community with many transportation choices and its residents less reliant on the personal vehicle, more developers of multifamily projects will propose lower parking ratios; they will market to and attract prospective residents that concur. Residents that wish to keep their vehicles will choose to pay for the privilege of a parking space or live elsewhere. Therefore, the likelihood of the proposed development requiring the ITE maximum number of parking spaces is reduced by the location of the site being near several alternative methods of travel as discussed below.

Transit. The proposed Project will be within a 15-minute walk to and from the Tempe Transportation Center (TTC) to the north along College Avenue. TTC, is a transit hub with a Valley Metro light-rail station and through which five (5) different local bus (48, 62, 65, 66, and 72) routes pass. There are bus stops in both directions along 1st Street just west of Farmer Avenue (local route 62); these stops are just a one (1) to two (2) block walk from the Project site. In addition, three (3) of Tempe's Orbit Venu originates at the TTC and travels along 5th Street, using the same transit stops as the local bus routes. Finally, Tempe's Streetcar runs northbound along Ash Avenue and Rio Salado Parkway with its stop at Tempe Beach Park/Rio Salado just two (2) blocks from the site. **Figure 2** shows the numerous transit stops in Tempe's downtown area, including the light rail stop at the TTC.



FIGURE 2 – VICINITY MAP SHOWING SITE, TRANSIT STOPS, AND ATTRACTIONS

Bicycle and Pedestrian Facilities. As noted, the proposed Project is within Tempe's designated Bicycle Commute Area. Tempe has both bicycle lanes and multi-use paths in the vicinity of the site. A bicycle

lane is defined by the City as a "portion of a roadway designated for preferential or exclusive use of bicycles and defined by pavement markings, curbs, signs or other traffic-control devices." Bicycle lanes are a minimum of four (4) feet in width. Multi-Use Paths are defined as a "paved facility completely separate from the roadway and motorized traffic designated for non-motorized, mixed use." Multi-use paths are a minimum of 10 feet in width and can be used by pedestrians. Pedestrians also have access to Tempe's extensive network on sidewalks along its streets. **Figure 3** depicts the bicycle lanes and multi-use paths in the vicinity of the Project.

Other Modes of Transportation. In addition to the above traditional alternative modes of travel, a scooter may be rented on an hourly basis at any of several locations. And as ride-hailing services, such as Uber and Lyft, become more popular as an alternative to renting a vehicle that would stay parked for a good portion of a visit, the need for parking spaces is lessened. To accommodate these services and traditional taxi services, the City has (already) provided a passenger pick-up/drop-off zone along College Avenue alongside the development. The area is indicated with a green curb and signs for two (2) specific uses: as a commercial loading zone with a 30-minute limit from 5:00 AM to midnight and as a taxi stand from midnight to 5:00 AM.

Additionally, CivTech referred to Table B08301, Means of Transportation to Work, as compiled from the decennial census most recently conducted by the United States Census Bureau (USCB) in 2020,



FIGURE 3 – BICYCLE LANES AND MULTI USE PATHS NEAR PROPOSED DEVELOPMENT

regarding the means of transportation by which residents living in the vicinity of the project commute to work, data most relevant to the subject of this section of the parking analysis. The latest estimates for all of Tempe and ZIP Code 85281, which consists of all of Tempe north of (and excluding) the Broadway Road corridor. **Table 2** presents the data as reported by the USCB for the City of Tempe and ZIP Code 85281.

TABLE 2 – MEANS OF TRANSPORTATION TO WORK

Label	85281		Tempe city, Arizona	
	Estimate	Margin of Error (±)	Estimate	Margin of Error (±)
Total:	38,027	1,758	100,522	1,870
Car, truck, or van:	25,433	1,630	74,119	2,054
Drove alone	22,648	1,476	65,690	1,751
Carpooled:	2,785	628	8,429	1,081
In 2-person carpool	2,025	548	6,467	960
In 3-person carpool	554	329	1,114	374
In 4-person carpool	97	92	486	348
In 5- or 6-person carpool	29	47	199	156
In 7-or-more-person carpool	80	77	163	108
Public transportation (excluding taxicab):	1,622	370	3,520	695
Bus	1,126	302	2,866	677
Subway or elevated rail	95	74	109	75
Long-distance train or commuter rail	0	31	18	26
Light rail, streetcar or trolley	401	189	527	204
Ferryboat	0	31	0	31
Taxicab	157	106	297	148
Motorcycle	150	114	426	162
Bicycle	1,907	464	2,961	561
Walked	3,133	606	4,284	664
Other means	434	191	1,505	445
Worked from home	5,191	597	13,410	1,044

Sources: <https://data.census.gov/table?q=tempe,+arizona+b08301&tid=ACSDT5Y2021.B08301>
<https://data.census.gov/table?q=85281+b08301&tid=ACSDT5Y2021.B08301>

Figure 4 presents an illustrated summary of the data CivTech estimated for 2021 (the latest year available) from the census that is relevant to local mode split for the City and ZIP Code 85281, omitting from the calculations those who choose to work at home, as requested by the City reviewer.

A review of the various data found in **Figure 4** reveals that, for 2021, it was estimated that 69% of residents in ZIP Code 85281 commuted to work alone, 9.5% walked to work, 8.5% carpooled, 5.8% bicycled, and 4.9% took public transit, such as buses (3.4%) and rail (1.5%), which did not include any ridership on the Tempe Street Car, since it was not in operation in 2021, having opened May 20, 2022.

Means of Transportation to Work: 85281

85281

Tempe city

	Estimate	%	Estimate	%
Total	38,027		100,522	
Drove alone	22,648	69.0%	65,690	75.5%
Carpool	2,785	8.5%	8,429	9.7%
Bus	1,126	3.4%	2,866	3.3%
Rail	496	1.5%	636	0.7%
Taxicab	157	0.5%	297	0.3%
Motorcycle	150	0.5%	426	0.5%
Bicycle	1,907	5.8%	2,961	3.4%
Walked	3,133	9.5%	4,284	4.9%
Other means (excludes work-at-home)	434	1.3%	1,505	1.7%
Total without Work-at-home	32,836	100.0%	87,094	100.0%
Worked from home	5,191		13,410	
Total	38,027		100,504	

Sources:

<https://data.census.gov/table?q=tempe,+arizona+b08301&tid=ACSDT5Y2021.B08301>

<https://data.census.gov/table?q=85281+b08301&tid=ACSDT5Y2021.B08301>

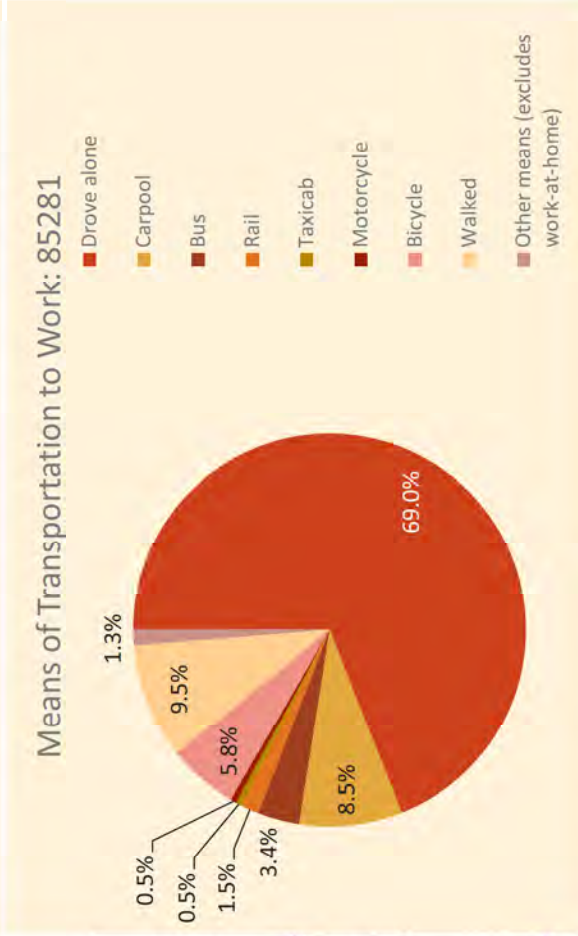
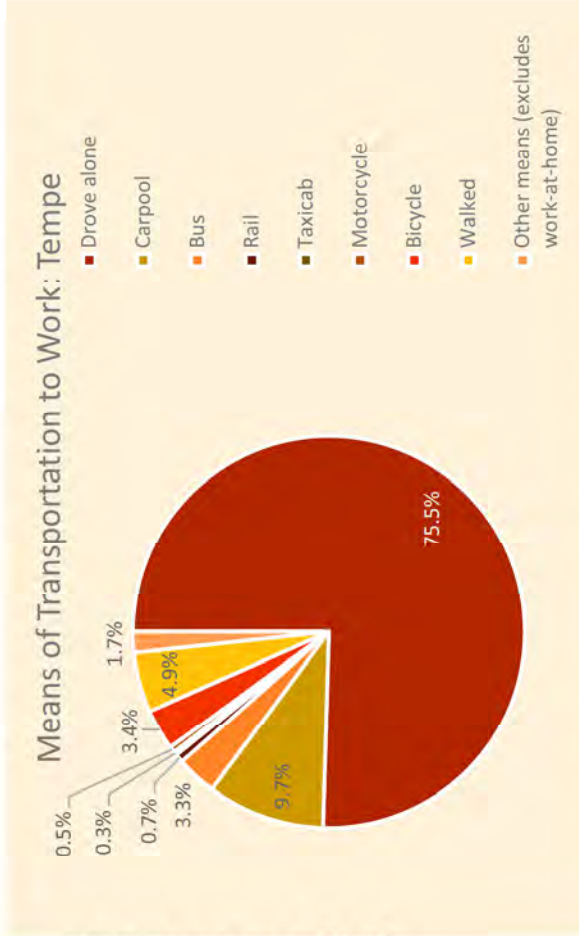


Figure 4: City-Data.com: Means of Transportation to Work

Tempe has invested in a variety of transportation options and infrastructure (Light Rail, Street Car, Valley Metro fixed-route buses, Orbit, and multi-us path systems) that will significantly reduce the need for single occupancy vehicles. Given the number and variety of available alternative modes of travel, CivTech expects that a sufficient number of residents of the proposed development would choose to not own a personal vehicle and that the calculated potential shortage of 16 spaces based on the highest observed ITE ratio would not materialize, as the downtown has been created in a way that makes is unlikely to be in the higher end of the parking spectrum. Moreover, Tempe has approved similar parking at the Dwell, which is just south of the site.

CONCLUSIONS

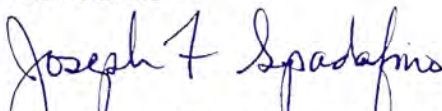
From the above, CivTech draws the following conclusions in regard to the parking required for the planned development:

- Comparing the parking spaces calculated using published ITE *Parking Generation Manual* rates to the 385 total spaces expected to be provided reveals that, on a per-DU or per-occupied DU basis, the proposed development compares very favorably, with an excess of parking of at least 16 spaces being provided on a per-DU basis.
- On a per-occupied DU basis, the application of the 50th percentile/average rate and the 85th percentile rate would also result in an excess of vehicular parking spaces; only if the highest rate observed were applied to this development would there be a small, 16-space shortage, a shortage of just 4.2%.
- Tempe has invested in a variety of transportation options and infrastructure (Light Rail, Street Car, Valley Metro Buses, Orbit, and multi-us path systems) that will significantly reduce the need for single occupancy vehicles. Given the number and variety of available alternative modes of travel, CivTech expects that a sufficient number of residents of the proposed development would choose to not own a personal vehicle and that the calculated potential shortage of 16 spaces based on the highest observed ITE ratio would not materialize, as the downtown has been created in a way that makes is unlikely to be in the higher end of the parking spectrum. Moreover, Tempe has approved similar parking at the Dwell, which is just south of the site.

Thank you for your prompt attention in reviewing this assessment. CivTech looks forward to its timely acceptance. Please contact me with any questions you may have.

Sincerely,

CivTech



Joseph Spadafino, P.E., PTOE, PTP
Senior Project Manager/Traffic Engineer

Attachment

ATTACHMENT A

ITE PARKING GENERATION INFORMATION

Multifamily Housing (High Rise) (222)

Peak Period Parking Demand vs: Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: Center City Core

Peak Period of Parking Demand: 10:00 p.m. - 5:00 a.m.

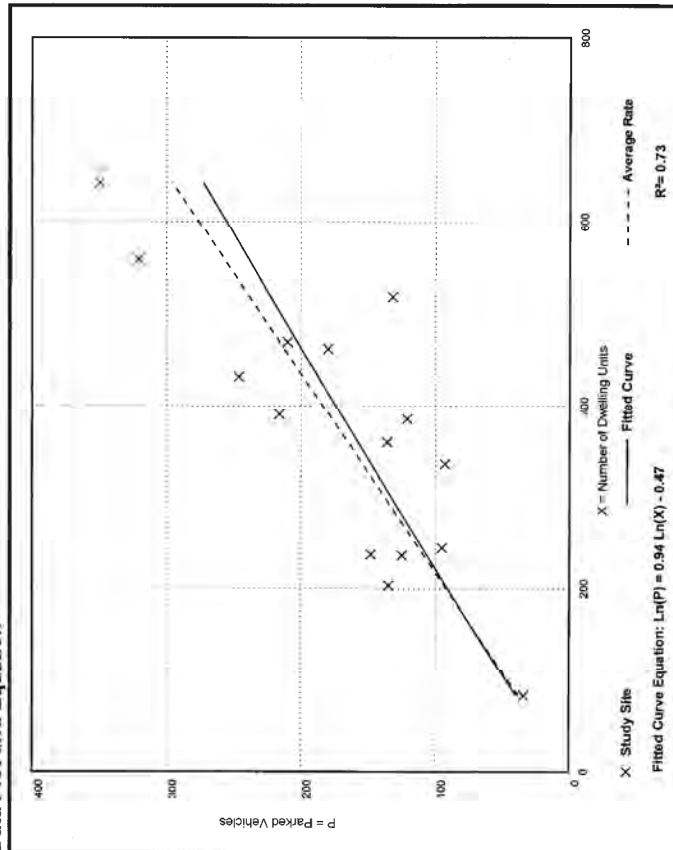
Number of Studies: 15

Avg. Num. of Dwelling Units: 370

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.46	0.25 - 0.67	0.39 / 0.60	***	0.13 (28%)

Data Plot and Equation



Multifamily Housing (High Rise) (222)

Peak Period Parking Demand vs: Occupied Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: Center City Core

Peak Period of Parking Demand: 10:00 p.m. - 5:00 a.m.

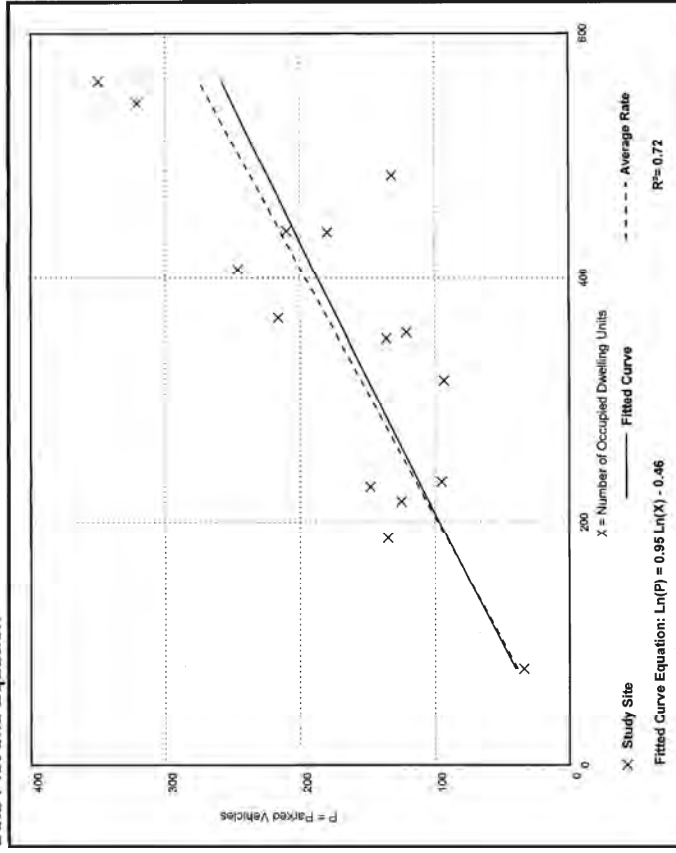
Number of Studies: 15

Avg. Num. of Occupied Dwelling Units: 347

Peak Period Parking Demand per Occupied Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.49	0.27 - 0.73	0.41 / 0.64	***	0.14 (29%)

Data Plot and Equation



Farmer Arts District

Where the heart of the neighborhood meets the heart of the city

Municipal Rezoning of NEC 1st & Farmer

PUBLIC INVOLVEMENT REPORT

APPLICANTS



HUELLMANTEL
AFFILIATES

P.O. Box 1833, Tempe, Arizona 85280-1833 ✦ T: (480) 921-2800 ✦ E: charles@huellmantel.com

NEIGHBORHOOD NOTIFICATION LETTER

June 7, 2023

Dear Neighbor:

The purpose of this letter is to inform you that the City of Tempe and 1st and Farmer, LLC have jointly submitted an application for a new mixed-use project at 1st Street and Farmer Avenue, as shown in the area outlined in black on the image below:



We are requesting a General Plan Amendment to the Projected Density from Medium-to-High (up to 25 du/ac) to High Density-Urban Core (greater than 65 du/ac), a Zoning Map Amendment from General Industrial (GID) to Mixed-Use High Density (MU-4), and a Planned Area Development Overlay. We have scheduled a neighborhood meeting to discuss the case with anyone who may have questions regarding this proposal.

The site is currently zoned General Industrial District (GID) and allows for a wide variety of industrial uses that do not mix well with the neighborhood. This case would remove the allowed industrial uses. The mixed-use zoning is proposed to include up to 550 dwelling units with a height up to 210 feet and a proposed parking ratio of .5 vehicular parking spaces per unit with 1 bicycle parking space per unit.

Neighborhood Meeting Details:

Date: Thursday, June 22, 2023

Time: 5:30 p.m.

Location: Tempe Transportation Center, Don Cassano Community Room
200 East Fifth Street, 2nd Floor
Tempe, AZ 85281

If you would like to discuss this project in greater detail, I can be reached at (480) 921-2800 or via e-mail at charles@huellmantel.com or Ryan Levesque from the City of Tempe can be reached via e-mail at ryan_levesque@tempe.gov. Thank you.

AFFIDAVIT OF SIGN POSTING

Tempe
AFFIDAVIT OF SIGN POSTING
(Sign modification)

The undersigned Applicant has complied with the City of Tempe's Notification requirements for the Case # PL230127, located at 1st St & Farmer Rd., on 6/7/2023.

See attached photo exhibit.

For applicant:

HUELLMANTEL

Dynamite Signs
Sign Company Name

Meghan Liggett
Sign Company Representative

Subscribed and sworn to be on 6/07/2023 by Meghan Liggett

IN WITNESS WHEREOF, I Hereto set my hand and official seal.

Marybeth Conrad
Notary Public



My Commission expires: 10-25-24

CITY OF TEMPE PUBLIC NOTICE
ZONING

NEIGHBORHOOD MEETING: Date: Thursday, June 22, 2023
Time: 5:30 p.m.

Tempe Transportation Center, Don Cassano Room
200 E. Fifth Street, 2nd Floor, Tempe, AZ 85281

REQUEST: This is a public hearing notice for the MUNICIPAL REZONING OF 1st & Farmer consisting of a mixed-use development on approximately 3.6 acres, located at the corner of 1st Street and Farmer Avenue. The building will be approximately 210 feet in height with .5 vehicular parking spaces per unit and 1 bicycle parking space per unit, with up to 550 dwelling units. This request is for a General Plan Amendment to the Projected Density from Medium to High (up to 25 du/ac) to High Density-Urban Core (greater than 65 du/ac), Zoning Map Amendment from General Industrial (GID) within Rio Salado Overlay District (RSOD) and Transportation Overlay District (TOD) to Mixed-Use High Density (MU-4) within the RSOD and TOD, and a Planned Area Development Overlay to establish development standards.

DEVELOPMENT REVIEW COMMISSION (DRC): TBD @ 6:00 p.m.
Virtual: <http://www.tempe.gov/virtual> planning to join virtual meeting via Cisco WebEx Events AND/OR

Physical hearing location: City Council Chambers, 31 E. 5th Street, Tempe, AZ 85281

CITY COUNCIL HEARING (Intro/1st Hearing): TBD @ 6:00 p.m.

CITY COUNCIL HEARING (Decision/2nd Hearing): TBD @ 6:00 p.m.

Virtual: <http://www.tempe.gov/clerk> to join virtual meeting via Cisco WebEx Events AND/OR
Physical hearing location: City Council Chambers, 31 E. 5th Street, Tempe, AZ 85281

Case Number: PL230127

Applicants: Charles Huellmantel, Huellmantel & Affiliates

Phone: 480-921-2800

Case file available at Community Development Department - Call Planning Division
at 480-350-4311 or email at planning@tempe.gov

Posting date:
6/07/2023

Penalty for removing or defacing sign prior to date of last meeting



Jun 7, 2023 4:19:48 PM
302 West 1st Street
Tempe
Maricopa County
Arizona



CITY OF TEMPE PUBLIC NOTICE
ZONING

NEIGHBORHOOD MEETING: Date: Thursday, June 22, 2023
Time: 5:30 p.m.

Tempe Transportation Center, Don Cassano Room
200 E. Fifth Street, 2nd Floor, Tempe, AZ 85281

REQUEST: This is a public hearing notice for the **MUNICIPAL REZONING OF 1st & Farmer** consisting of a mixed-use development on approximately 3.6 acres, located at the corner of 1st Street and Farmer Avenue. The building will be approximately 210 feet in height with .5 vehicular parking spaces per unit and 1 bicycle parking space per unit, with up to 550 dwelling units. This request is for a General Plan Amendment to the Projected Density from Medium to High (up to 25 du/ac) to High Density-Urban Core (greater than 65 du/ac), Zoning Map Amendment from General Industrial (GID) within Rio Salado Overlay District (RSOD) and Transportation Overlay District (TOD) to Mixed-Use High Density (MU-4) within the RSOD and TOD, and a Planned Area Development Overlay to establish development standards.

DEVELOPMENT REVIEW COMMISSION (DRC): TBD @ 6:00 p.m.
Virtual: <http://www.tempe.gov/virtualplanning> to join virtual meeting via Cisco WebEx Events AND/OR

Physical hearing location: City Council Chambers, 31 E. 5th Street, Tempe, AZ 85281
CITY COUNCIL HEARING (Intro/1st Hearing): TBD @ 6:00 p.m.

CITY COUNCIL HEARING (Decision/2nd Hearing): TBD @ 6:00 p.m.
Virtual: <http://www.tempe.gov/clerk> to join virtual meeting via Cisco WebEx Events AND/OR
Physical hearing location: City Council Chambers, 31 E. 5th Street, Tempe, AZ 85281

Case Number: PL230127
Applicants: Charles Huellmantel, Huellmantel & Affiliates
Phone: 480-921-2800

Case file available at **Community Development Department - Call Planning Division**
at 480-350-4311 or email at planning@tempe.gov **Posting date:** 6/07/2023
Penalty for removing or defacing sign prior to date of last meeting



Jun 7, 2023 4:12:16 PM
410 West 1st Street
Tempe
Maricopa County
Arizona

NEIGHBORHOOD MEETING SUMMARY

The meeting was held, as planned, at the Tempe Transportation Center in the Don Cassano Room on Thursday, June 22, 2023. Representatives from Huellmantel & Affiliates and the City of Tempe, including Deputy Director Ryan Levesque arrived at approximately 5:00 p.m. The first attendees arrived at approximately 5:15 p.m. and the City of Tempe presentation began at approximately 5:32 p.m. After the City of Tempe presentation, Charles Huellmantel from Huellmantel & Affiliates presented on the project. Approximately 22 members of the public attended the meeting.

After presentations, the attendees were able to discuss the proposed development with the City and Huellmantel & Affiliates. One attendee asked if there were utility lines on the property that needed to be taken into consideration. Another attendee inquired as to whether the proposal included the Lodge and asked if the restaurant was aware of the development plans. Another attendee asked whether the proposal included removing Farmer Avenue north of 1st Street.

One long-time Tempe resident who recently moved to Regatta Point expressed strong support for the proposed development and noted his excitement at bringing additional residents and businesses downtown.

The majority of attendees expressed support at removing the industrial zoning on the property and redeveloping the area as well as restoring the Gonzales-Martinez house. One attendee specifically mentioned that the developments the team has built along Farmer Avenue are attractive and a good addition to the area.

An attendee asked questions related to the process by which the state land and city land were acquired as well as regarding current ownership of the various parcels in the proposal. Another attendee asked about the status of the RFO and whether a contract or other agreement had been entered into between the City and development team.

A number of attendees inquired about the preservation of the historic Gonzales-Martinez house and expressed support that the preservation of the house is a priority for the City and development team. Several residents inquired about plans for the restoration and asked for additional information about a grant the City received to cover some of the restoration costs.

A property owner at nearby Regatta Point asked about the possibility of including a pedestrian access gate near their northeastern property boundary where it will abut the proposed development.

An attendee asked about where in the process the development was and what future process would be.

Someone inquired about the Transportation Overlay District and parking requirements. An attendee expressed concern with the proposed parking ratio while others have specifically mentioned parking reductions as a way to encourage non-vehicular traffic downtown.

One property owner in Regatta Point asked the development team to consider using the Lodge site to create a buffer between their project and the proposed development. Several attendees expressed concerns with height and density proposed on the site while recognizing the approved developments with similar height and density at the Depot site and 210 Rio.

One attendee inquired about whether conversations were underway with the City of Phoenix regarding the waterline that is on a portion of the site and whether anything could be built over the easement, whether the pipeline would be moved, and whether the levee impacts the development.

One attendee inquired about whether the parking would be surface parking or located in garages. Another attendee inquired about traffic counts and emergency access to the site given the sole point of access along Farmer due to design constraints of the railroad, light rail, and elevated bridge at 1st Street.

Several attendees expressed that they appreciated the early involvement in the development and look forward to seeing plans.

The last attendees departed at approximately 6:46 p.m.

ADDITIONAL NEIGHBORHOOD OUTREACH

Both before and after the neighborhood meeting, Huellmantel & Affiliates has also completed additional outreach to members of the public, including residents who live on Farmer Avenue and interested residents including Michael Harman, Joe Carey, Kim Gaffney-Loza, Todd Green and Darlene Justus, as well as Kristin Donaldson Irwin at ASU.

NEIGHBORHOOD MEETING SIGN IN SHEET

SIGN IN SHEET

5:30 p.m. - Don Cassano Room, Tempe Transportation Center
 Thursday, June 22, 2023
 Municipal Rezoning of 1st & Farmer

Name	Address	Phone #	E-Mail
Ally			
Jeff Matthews			
DUKE TADKUB			
Craig Faulkner			
3 Oxygens			
Kendra Salinas			
KIA GAFFA BILLOSA			
Donna & Bill Joskos			
VILKINOFF			
JUDY TRASKOFF			
Michaela Martin			
Laura Gillis			
KYOMI KUROKA			
ROBERT MOORE			
WILLIAMS			
Tom Brown			
Dian Leppinoff			
Tom & Anna Sora			
Mona Ferman			
EVER LUSSENA			
TWILIGHT			

0

NOTIFICATION

600-Foot Property Owner Area:



1,320-Foot Registered Neighborhood Association Notification Area:



From: [Tom Brown](#)
To: [Levesque, Ryan](#); [Tamulevich, Jeffrey](#)
Subject: First and Farmer rezoning
Date: Wednesday, August 2, 2023 2:49:37 PM
Attachments: [F and F mass Study 230722 page.pdf](#)

This message could be suspicious

- Similar name as someone in your company.
- This is their first email to you.
- This is a personal email address.

Good afternoon, Gentlemen

I have attached an image of a mass study of what Mr Huellmantle is proposing at First and Farmer.

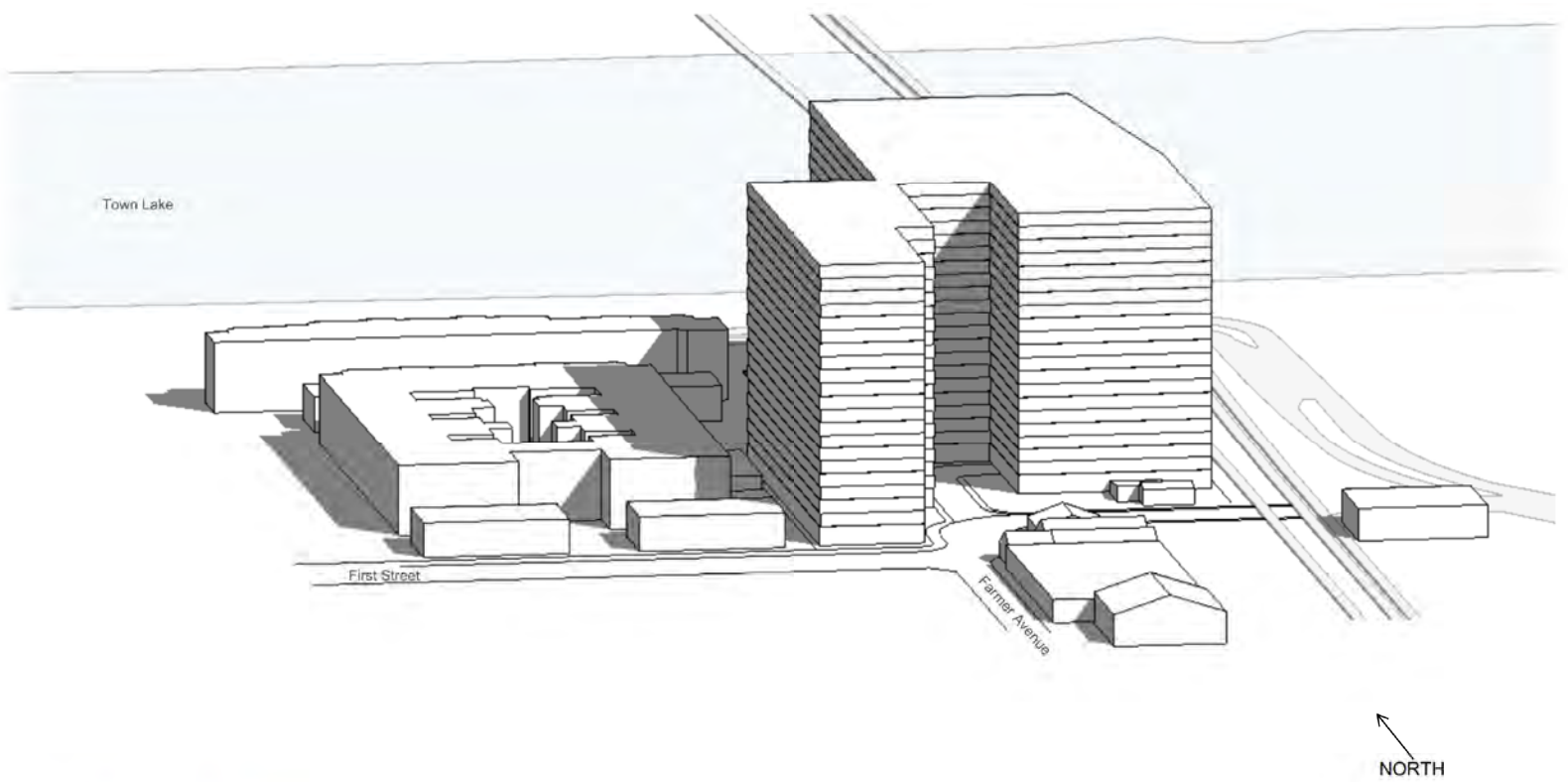
Of course it is schematic, but that is all we have to ponder at this time: 210 feet, zero setbacks.

I understood he is negotiating the purchase of the Tempe parcel now and has been open about the zoning stipulation he wants. This is a huge concern for the neighbors. You can understand why.

I have sent the attachment to some Council members. If you or any of them have questions I am available. Sad Tricks has closed. Whole Foods has a nice salad bar.

Regards,

-Tom Brown



First and Farmer Rezoning proposal Mass Study

From: [Jordan D Feld](#)
To: [Levesque, Ryan](#)
Cc: [Adhikari, Ambika](#)
Subject: PL230127 - MUNICIPAL REZONING OF 1st & FARMER - City of Phoenix Aviation Dept Comments
Date: Thursday, August 10, 2023 7:51:25 AM

Ryan, thank you for notifying the Aviation Dept of the subject rezoning. The site is directly under the approach path to Runway 7R-25L and in close proximity to the current PHX 65 DNL noise contour.

Aviation requests the following conditions/stipulations of rezoning:

1. Prior to building permit issuance, the owner/developer shall dedicate an Avigation Easement to the City of Phoenix, per the form and content required by the City Attorney.
2. Prior to building permit issuance, the owner/developer shall receive FAA obstruction evaluation no hazard determinations for temporary obstructions such as construction cranes as well as the permanent structures.

Jordan D. Feld, CM, AICP

Deputy Aviation Director

Planning & Environmental Division
Phoenix Sky Harbor International Airport
Phone

PHX DVT BYR

America's Friendliest Airport®

<https://skyharbor.com>

From: [Katie Boligitz](#)
To: charles@huellmantel.com; [Levesque, Ryan](#)
Subject: Support for mixed-use project at 1st and Farmer
Date: Saturday, June 24, 2023 7:28:37 PM



This message needs your attention

- This is their first email to you.
- This is a personal email address.

Hi, Ryan and Charles--

I wasn't able to attend the meeting on Thursday, June 22 for the mixed-use project at 1st and Farmer, but I would like to express my initial support for the project. This project is a good step towards addressing the housing shortage here in Tempe and I especially like the low number of parking spaces per unit and 1 bicycle space per unit.

If you used a presentation on Thursday, could you send that over? Also happy to discuss over the phone.

Thank you,
Katie Boligitz