

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 11/15/2022
Agenda Item: 3**

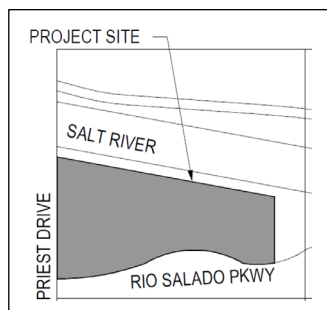
ACTION: Request a General Plan Projected Land Use Map Amendment from “Commercial” to “Mixed-Use” for approximately 34.4 acres; a General Plan Projected Density Map Amendment from “No Density” to “High Density – Urban Core” (more than 65 du/ac) for approximately 34.4 acres; a Zoning Map Amendment from R1-6 RSOD and GID RSOD GIOD to MU-4 RSOD for approximately 46.27 acres; and a Planned Area Development Overlay to establish development standards and varying heights up to 129 feet, 2,100 dwelling units and commercial consisting of a multi-purpose entertainment facility, retail, restaurant, hotel and office uses for the TEMPE ENTERTAINMENT DISTRICT, located at 53 South Priest Drive. The applicant is Snell and Wilmer.

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: TEMPE ENTERTAINMENT DISTRICT (PL220278) is a proposed mixed-use development to include a sports venue, retail, entertainment, employment, and residential land uses. In July 2021, the City of Tempe issued a Request for Proposals (RFP) for a project incorporating a professional sports franchise and entertainment district for a 46-acre site located at the northeast corner of Priest Drive and Rio Salado Parkway. One proposal was submitted by Bluebird Development, LLC, and the City is now in negotiations with the entity. A proposed Development and Disposition Agreement is anticipated to be heard before City Council on November 22nd and 29th, 2022. The request includes the following:

- GPA220006 General Plan Projected Land Use Map Amendment from “Commercial” to “Mixed-Use” and a General Plan Projected Density Map Amendment from “No Density” to “High Density – Urban Core” (more than 65 du/ac) for approximately 34.4 acres
- ZON220015 Zoning Map Amendment from R1-6 RSOD (Single Family Residential, Rio Salado Overlay District) and GID RSOD GIOD (General Industrial District, General Industrial Overlay District) to MU-4 RSOD (Mixed-Use, High Density) for approximately 46.26 acres
- PAD220019 Planned Area Development Overlay to establish development standards for density, building heights, lot coverage, landscape coverage, building setbacks, and parking ratios



Property Owner	City of Tempe
Applicant	Nick Wood, Snell & Wilmer, LLP
Zoning District (current/proposed)	R1-6 RSOD & GID RSOD GIOD / MU-4 RSOD
Gross site area	46.26 acres
Density / Number of Units	43 du/ac / 1,995 units
Unit Types	1,396 one bedroom 399 two bedroom 200 three bedroom
Total Bedrooms	2,794 bedrooms
Total Hotel Rooms	500
Total Building Area	4,250,000 s.f.
Lot Coverage	95% (No Standard)
Building Height	129' (30' & 35' maximum allowed)
Perimeter Project Building Setbacks	10' front (Priest), 15' street side (Rio Salado), 0' north side, 20' rear (east) (R1-6: 20', 10', 5', 15'; GID: 25', 25', 0', 0' min.)

Landscape area	5-10% (NS)
Vehicle Parking	9,614 spaces (6,898 on-site, 2,716 off-site) (10,662 min. required)
Bicycle Parking	2,346 spaces (2,346 min. required)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Suparna Dasgupta, Principal Planner (480) 350-8562

Department Director: Jeff Tamulevich, Community Development Director

Legal review by: N/A

Prepared by: Suparna Dasgupta, Principal Planner

Reviewed by: Ryan Levesque, Deputy Community Development Director - Planning

COMMENTS:

This site is located at the northeast corner of Priest Drive and Rio Salado Parkway and is zoned R1-6 and GID. It is located within both the Rio Salado Overlay District (RSOD) and General Industrial Overlay District (GIOD). If the site is rezoned to MU-4, the GIOD will automatically be removed from the site, as the overlay would no longer apply.

The site is surrounded by the Salt River to the north, existing and under-construction office buildings to the south, the IDEA Campus to the east, and vacant land, across Priest Drive, to the west. Existing uses on the site include City of Tempe Municipal Utilities Department offices, maintenance and compost yards.

The processing of a Zoning Map Amendment and Planned Area Development Overlay requires concurrent processing of a Development Plan Review (DPR). Prior to this hearing the applicant has made an application for a DPR. Because the DPR is not being processed concurrently, the Development and Disposition Agreement will need to address the remaining processing required for future decisions on each Phase or building for the project. At this time, the applicant has provided a conceptual site plan and elevations with the PAD. The final site plan, building elevations, and landscape plan will be determined through a future Development Plan Review application(s).

SITE PLAN REVIEW

One preliminary application and two formal applications were submitted. Two formal site plan reviews were conducted in October and November 2022. Staff provided the following comments: show and dimension a 14-foot transit easement along Salado Parkway; show and dimension the Val Vista Water line easement; and provide an easement for a sewer line and metering station along Priest Drive.

PUBLIC INPUT

- Neighborhood meeting is required for General Plan and Zoning Map Amendments.
- Neighborhood meeting was held on October 15, 2022 at Canopy by Hilton, 108 East University Drive
- See attached summary of the meeting provided by the applicant.
- Several City Staff attended the meeting along with 35 members of the public. Discussion included:
 - Flight path questions.
 - Noise from airplanes within the area
 - Whether this will increase taxes for Tempe residents.
 - Inter-Governmental Agreement between City of Tempe and City of Phoenix.
 - The anticipation of major concerts and other events as a result of this development.
 - Discussions about the team’s history with City of Glendale.
 - Discussion regarding other opportunities of events such as, Comic-Con International
 - Implications of environmental issues on-site.
 - Incorporating public art with the Rio Salado South Bank Multi-Use Path.

Staff received three inquiries. First inquiry was to extend the postcard notification of public hearings to include the residents

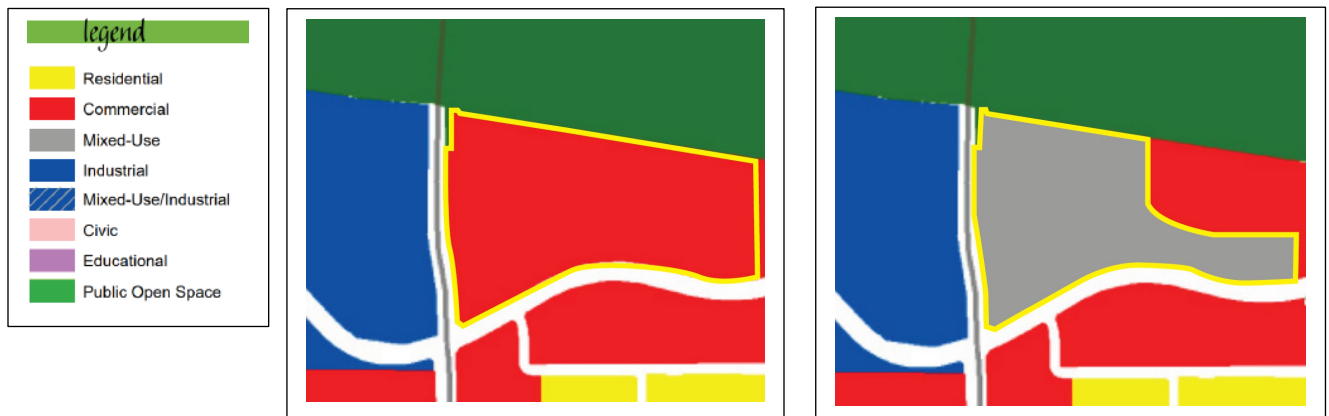
along Rio Salado Parkway and 1st Street. Staff complied and sent postcard notification to Homeowners' Associations of 525 Town Lake, Skywater, Regatta Pointe and Broadstone Alliance. Staff received one phone call from a long-time resident of Tempe who indicated very similar concerns of which were raised in the neighborhood meeting of October 15, 2022 and detailed above. Third phone call received was from the hotel workers union regarding the sequencing of the Development Agreement and the planning application. Staff received a number of online comment cards that are also attached with this report. Additionally, staff received comments from the State Historic Preservation Office (SHPO) to inform the developer regarding the World War II barracks currently located on this site. The developer has been informed and stipulation has been added to address this comment. Staff also received a comment from Arizona Department of Transportation requesting a site plan and traffic impact statement. City staff will follow-up with this request.

PROJECT ANALYSIS

GENERAL PLAN

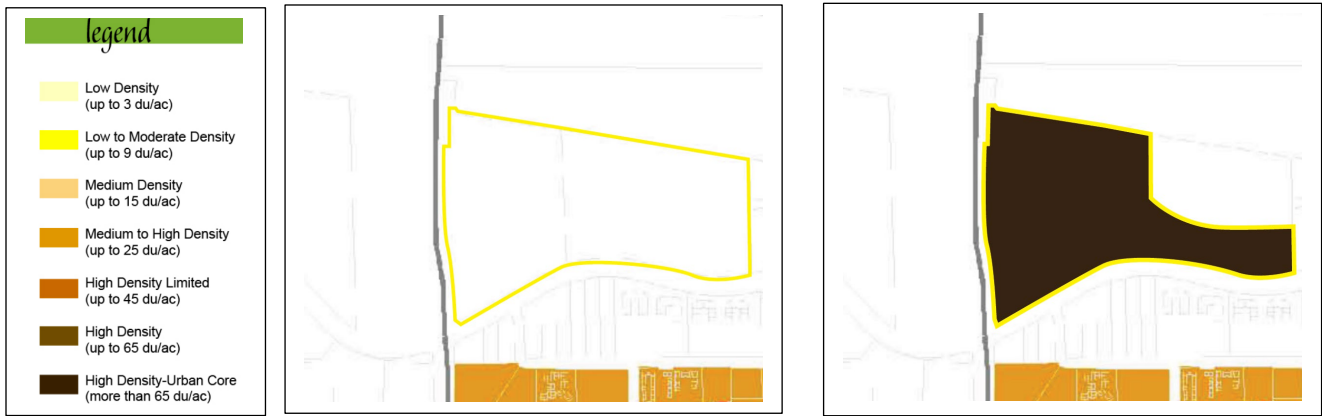
The General Plan Projected Land Use for this site is Commercial. To develop the project as proposed, the applicant is requesting a land use map amendment from Commercial to Mixed-Use for approximately 34.4 acres, which excludes the northeast corner of the 46.25-acre site. This will permit a combination of multi-family residential and non-residential uses, leaving the northeast corner of the site to be developed with the proposed multi-purpose entertainment facility under the existing Commercial designation. See the existing and proposed General Plan 2040 Projected Land Use maps below. This request is appropriate for the location and will facilitate redevelopment of the site per the City's Request for Proposal by incorporating a professional sports franchise and entertainment district with a mix of uses.

Existing & Proposed General Plan 2040 Projected Land Use Maps:



The current General Plan Projected Density for the entire site is No Density (0 du/ac). The associated Planned Area Development (PAD) proposes an overall density of 43 du/ac. Multi-family residential is only proposed within the 34.4-acre portion of the site also proposed for Mixed-Use, which reaches a density of 58 du/ac for that portion of the project. If the subject site were subdivided in the future, the densities on each lot could greatly exceed 65 du/ac; therefore, the applicant is requesting to amend the projected density from No Density to High Density-Urban Core (more than 65 du/ac) on the approximate 34.4-acres to accommodate multi-family residential use. See the existing and proposed General Plan 2040 Projected Density maps below. The requested density designation appropriately responds to the City's RFP, which included residential along with a professional sports franchise and entertainment district for the location.

Existing & Proposed General Plan 2040 Projected Density Maps:



The applicant has submitted a written justification for the proposed General Plan Project Land Use and Density Map amendments, which is included in the attachments. Of note, the City Council on May 26, 2022, approved a development project, with a recommendation of approval by the Development Review Commission, located near the southwest corner of Priest Drive and Rio Salado Parkway, called “Priest & 3rd Street”. This project contained similar requested changes for a General Plan Map Amendment request to “mixed-use” and “high density-urban core (more than 65 du/ac).” The project was unanimously approved.

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

1. *Appropriate short and long term public benefits.* A portion of the site is designated as a brownfield, and environmental remediation is required. This is a significant benefit to the public that will be required to be completed by the developer prior to redevelopment. The proposal will redevelop land within a designated growth area with a mix of land uses desirable to the City of Tempe. In doing so, the site will offer employment, housing opportunities, and cultural amenities to benefit the residents of Tempe.
2. *Mitigates impacts on land use, water infrastructure or transportation.* The development will intensify land uses and increase demand on water and transportation infrastructure; however, the General Plan anticipates growth in this area, and the infrastructure will be updated to suit the needs of the project. City of Tempe Water Utilities Department has also indicated that there is sufficient water and sewer capacity currently to accommodate the proposed density.
3. *Helps the city attain applicable objectives of the General Plan.* This proposal will redevelop an underutilized brownfield site within the Rio Salado Growth Area. This supports several objectives of the General Plan, including:
 - Economic Development Objective 2 (ED2): Develop an increased tax base.
 - ED3: Promote a sustained improvement in the standard of living and quality of life for all residents.
 - Rio Salado Growth Area Objective 1 (RS1): Attract distinct development to Rio Salado.
 - RS5: Develop and use Rio Salado to improve regional quality of life.
 - Land Remediation Goal Objective 1 (LR1): Recommend land-use actions that promote land preservation, restoration, and efficient use of brownfields.
 - LR3: Support redevelopment of sites with environmental contamination to achieve the best land use for the community.
4. *Provides rights-of-way, transit facilities, open space, recreational amenities or public art.* The project will be required to do the following:
 - Dedicate additional rights-of-way on both Rio Salado Parkway and Priest Drive.
 - Dedicate 14-foot transit easement for streetcar on the north side of Rio Salado Parkway.
 - Construct a new bus stop on Rio Salado Parkway.
 - Construct a new bus pullout and shelter on Priest Drive.
 - Provide bike lanes on Rio Salado, from Rio Salado north to the Rio Salado Multi-Use Path, and plan for buffered bike lanes on Priest Drive.
 - Development of a Mobility Hub within the project to connect multiple modes of transportation.

- Contribute to Art in Private Development program for the non-residential components of the project.
5. *Potentially negative influences are mitigated and deemed acceptable by the City Council.* Traffic will be one of the most significant impacts to address for this development. A traffic impact statement was received with the initial RFP in 2021, and Transportation staff has not yet received an updated version for review with this project. A revised TIS, which will include a Trip Reduction Plan (TRP), will be required prior to or concurrent with the first Development Plan Review application. It is anticipated that the right-of-way improvements, including transit and bike lane improvements, connections to enhance safe pedestrian crossings and possible signalized intersection(s) will mitigate the increase in traffic.
 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 proposed amendments, necessitated by the character of the RFP originally issued by the City of Tempe, are appropriate with regard to market demands. It is anticipated that the project will have positive impacts on the surrounding area, revenue, traffic mitigation, utilities, and public facilities.

CHARACTER AREA PLAN

This site is in the Downtown Tempe, Rio Salado, ASU Northwest Neighborhoods Character Area (3) Plan. This plan encourages site-specific landscape treatments, preservation planning, prehistoric and cultural preservation, green infrastructure, and water and heat management. While specific design plans have not been submitted with this application, the policies and guidelines of the Character Area 3 will be incorporated into future submittals.

ZONING

The properties are currently zoned R1-6 RSOD and GID RSOD GIOD, which permit densities up to four (4) du/ac (in R1-6) and no density (in GID). If the requested General Plan Land Use and Density Map Amendments are approved, the proposed zoning district, MU-4 RSOD, is also appropriate for the site and surroundings. The MU-4 district permits unlimited housing density (to be established by the PAD) in a mixed-use setting in combination with commercial, office, and public uses. The MU-4 district is appropriate for creating a master planned development with standards that incorporates a multi-purpose entertainment facility around planned phases of development sites suitable for the overall project.

Section 6-304 C.2. Approval criteria for Zoning amendment (*in italics*):

1. *The proposed zoning amendment is in the public interest;* the proposal is a response to an RFP issued by the City, having already been deemed in the public interest. The proposed district is appropriate for the combination of land uses designated on the conceptual site plan.
2. *The proposed zoning amendment conforms with and facilitates implementation of the General Plan;* the amendment will permit a mixed-use development within the Rio Salado Growth Area, as designated by the General Plan.

PLANNED AREA DEVELOPMENT

The applicant requests a Planned Area Development (PAD) Overlay consisting of 1,995 dwelling units and 1,762,000 square feet of entertainment, retail, hotel and office uses with a 129-foot maximum building height. The table below shows a comparison of the development standards for the existing R1-6 and GID zoning districts and the proposed MU-4 PAD standards.

TEMPE ENTERTAINMENT DISTRICT – PAD Overlay				
Standard	R1-6	GID	PROPOSED MU-4 PAD	Change
Residential Density (du/ac)	4 du/ac	0 du/ac	43 du/ac	Increase
Building Height (feet) [Exceptions, see Section 4-205(A)]				
Building Height Maximum	30'	35'	129'	Increase
Maximum Lot Coverage (% of net site area)	45%	NS	90-95%	--
Minimum Landscape Area (% of net site area)	NA	10%	5-10%	--
Perimeter Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]				
Front (Priest Dr.)	20'	25'	10'	Decrease
Street Side (Rio Salado Pkwy.)	NA	25'	15'	Decrease
Side (north)	5'	NA	0'	Decrease
Rear (east)	15'	0'	20'	--

The proposed PAD establishes density, building height, lot coverage, landscape area, and setbacks for each of the six (6) sites within the development. The 43 du/ac density noted in the table above is the overall density for the 46.26-acre project, with sites 2, 4, 5, and 6 to include multi-family residential uses. Sites 1, 3A, and 3B would have no residential use. The proposed development standards are appropriate for the location and intent of the project.

Parking

The proposed PAD includes a reduction in the minimum required vehicle parking spaces through modification of the required parking ratios. The table below summarizes the required and proposed *vehicle* parking for the project.

Vehicle Parking Required and Provided			
Unit Type/Use	Quantity/SF	Parking Required per ZDC	Proposed Parking per PAD
Stadium/Arena	16,000 seats	3,200 (0.2 per seat + restaurants etc.)	3,200 (0.2 per seat)
1-bedroom	1,396 units	2,094 (1.5 per unit)	1,396 (1 per unit)
2-bedroom	399 units	798 (2 per unit)	798 (2 per unit)
3-bedroom	200 units	500 (2.5 per unit)	400 (2 per unit)
Guest: 1,995 total units	1,995 units	399 (.2 per unit)	399 (0.2 per unit)
Office	336,295 sf	1,121 (1 per 300 sf)	1,121 1 per 300 sf
Hotel	500 units	500 (1 per unit)	250 (0.5 per unit)
Retail	315,000 sf	1,050 (1 per 300 s.f.)	1,050 (1 per 300 sf)
Theater	3,000 seats	1,000	1,000

		(1 per 3 seats)	(1 per 3 seats)	
TOTAL		10,662 spaces	9,614 spaces	
			Total on-site	6,898
			Total Off-site	2,716

In regard to the proposed PAD parking ratios:

- The result is an aggregate deficit of 1,048 vehicle spaces. The total required on-site deficit is 3,764 vehicle spaces.
- The majority of the proposed parking ratios, including the multi-purpose entertainment facility, office, retail, and theater, are proposed per the base code requirements.
- Parking for the multi-family residential uses is provided per the base code for two-bedroom units and guest parking spaces, with a slight deviation (one-half space less) for one- and three-bedroom units.
- The parking ratio for hotel units is proposed to be lower than the base code requirement; however, given the various transit infrastructure improvements proposed with the project, including a mobility hub, bus bay and bus shelter, future extension of the streetcar, and the increased use of private car share services, such as Uber and Lyft, the proposed reduction should not have a significant impact.
- Parking spaces for the multi-purpose entertainment facility will be provided both on- and off-site via shared parking agreements. A separate narrative is provided with a schematic drawing of possible off-site locations that are contemplated with this development. (See Parking Statement attached)
- The developer is proposing annual contributions to Valley Metro to issue light rail passes for event ticket holders as well as, shuttle services to nearby light rails stations.

Based on the site’s proximity to the downtown core, existing and future transit options in the area, various alternative transportation modes, and the availability of nearby employment, shopping, and services in the vicinity and planned within the project itself, staff can support the proposed parking ratios.

Traffic:

Transportation has reviewed the Tempe Stadium and Mixed-Use Traffic Impact Statement (TIS) submitted in August 2021 for Gensler as part of the original RFP. The proposed development includes a sports arena, residential, hotel, movie theater, and office space. Staff is currently waiting for the updated Traffic Impact Study to reflect changes in use and access as part of the most recent submittal.

The development as proposed in the August 2021 study included analysis of intersections within the identified study area as well as seven proposed site access points, two on Priest Drive and five on Rio Salado Parkway. Two additional driveways were identified but not included in the analysis. Of the seven access points, two intersections are recommended as full signalized intersections (Access B and Access E) and the remaining five intersections would be stop-controlled access points. Four are proposed as right in/right out access only and one is a full movement T-intersection.

The TIS provides analysis including trip generation for non-event days for opening day (Phase 1) as well as buildout (Phase 1 and Phase 2). The proposed site is expected to generate 14,110 new weekday trips with 658 occurring in the AM peak hour and 1,125 in the PM peak hour in the opening year 2025. In the buildout year 2030, the proposed site is expected to generate 22,284 new weekday trips with 1,169 occurring in the AM peak hour and 1,742 in the PM peak hour. These numbers reflect reductions for internal capture, local capture allocation, alternative modes and pass by trips. Transportation staff reviewed the TIS for existing and future conditions of the adjacent street network, trip generation calculations, existing and forecasted traffic volumes, site driveways and street network trip distribution, 2025 and 2030 adjacent intersections analysis, turn lane warrants and queue length analysis. The capacity analysis suggests that some movements and intersections will degrade in level-of-service between the no build and build scenarios.

The study also included an event scenario analysis of National Hockey League games which could be expected to occur on more than 40 days of the year. This would include events on weekdays and weekends. The study analyzed the most conservative scenario where a game occurs on a weekday when typical peak hours are at their highest. In this case, the event peak hour is 6:00PM where non-arena land uses are still expected to generate some traffic but not at the rates seen in their respective peak hours. During these event days, the proposed site is expected to generate 6,195 trips during the PM peak hour. The study did not include an in-depth review of the adjacent street system during event days and additional

information has been requested regarding analysis of how events will impact the adjacent street system including delay and queuing to better illustrate the impact on those not attending the event. A condition of approval has been added that a finalized TIS with Trip Reduction Plan is required prior to submittal of Development Plan Review application.

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.*
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.*
3. *The development appropriately mitigates transitional impacts on the immediate surroundings.*

ZONING AMENDMENT AND PLANNED AREA DEVELOPMENT CONDITIONS OF APPROVAL:

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

1. A building permit application shall be made 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 and Planned Area Development* approval shall be null and void.
3. The Planned Area Development Overlay for TEMPE ENTERTAINMENT DISTRICT 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 and prior to issuance of building permits.
4. **The developer shall not exceed 2,100 dwelling units and a maximum building height of 129 feet, including all mechanical and architectural features.**
5. **Site 1, Multi-Purpose Entertainment Facility, shall not provide any residential dwellings within this area, without a Major Amendment to the Planned Area Development. Such change may also be subject to a General Plan Map Amendment to the land use and density charts, if not consistent.**
6. **The on-site parking reductions and modified parking ratios are approved as presented in the Planned Area Development. The developer shall provide a Shared Parking Study with a Parking Management Plan, prior to the approval of each phase or individual building's development plan review. The study shall address the use of, and the management of, supplemental parking for the multi-purpose entertainment facility, theater and event use, with the combination of either dedicated parking spaces, shared spaces, off-site shared spaces from existing sites, or temporary surface spaces.**
7. **The developer shall provide a vehicular cross access connection from this development to the IDEA Campus to the east, in order to improve efficient circulation of vehicles and pedestrians throughout the site. Location of this connection shall be (i) on-site and (ii) the exact location determined during the processing of the Development Plan Review for Site 1 and 2 as depicted in site plan.**

8. The developer must receive approval of a Final Traffic Impact Study, including a Trip Reduction Plan, with the processing of a Development Plan Review application and prior to decision by the Development Review Commission and City Council, or as otherwise determined by the Engineering and Transportation Department, Traffic Engineer or designee.
9. Developer shall dedicate of a 14' transit easement along Rio Salado Parkway for future the potential use of streetcar.
10. Developer shall provide a publicly accessible bike and pedestrian route along Beck Avenue directly connecting from Rio Salado Parkway, north, to the Rio Salado South Bank Path. This publicly accessible route shall include dedicated 6' minimum wide bike lanes and 8' minimum wide sidewalks northbound and southbound along Beck Avenue from Rio Salado Parkway to the Rio Salado South Bank Path.
11. The locations of dedicated bus bay and bus shelter shall be provided with the future Development Plan Review applications.
12. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney, prior to final building permit issuance.
13. If required by the Federal Aviation Administration (FAA), the developer shall provide documentation to the City prior to building permit issuance, that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure, a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained before the construction start date.
14. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
15. The developer shall ensure that a representation is included in the Residential Lease Owner's Property Disclosure Statement, or if no Disclosure Statement is provided to the tenant, that prospective tenant is notified in writing of the proximity of the development to the airport, per the content and form approved by the City Attorney, in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport.
16. Through consultation with the State Historic Preservation Office, it was determined that there are two (2) World War II Prisoner of War (POW) barracks from the Camp Papago Park Prisoner of War facility, which were relocated to the Tempe maintenance yard and are still present. The buildings have not been evaluated for eligibility for listing in the local, state, or the National Register of Historic Places. Best efforts shall be made, in coordination with SHPO or the City's Historic Preservation Officer, to relocate the POW barracks at the expense of the developer, without demolition, to a future to-be-determined off-site location that can ensure future preservation of the structures. Building stabilization would be encouraged but not required.
17. Developer shall provide an easement for the existing sewer line and sewer metering station along Priest Drive that is currently in conflict with Building K to protect sewer metering station in place, subject to the Water Utilities Department review and acceptance.
18. Developer shall work with Flood Control District of Maricopa County to relocate/abandon the existing access road and easement and provide/dedicate a new access easement for Flood Control access leading up to the adjacent levee.

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.

FEDERAL AVIATION ADMINISTRATION: Applicant is responsible to submit 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.

COMMUNICATIONS:

- Provide emergency radio amplification for the combined building and garage area in excess of 50,000 sf. Amplification will allow Police and Fire personnel to communicate in the buildings during a catastrophe. Refer to this link: <http://www.tempe.gov/home/showdocument?id=30871>. Contact the Information Technology Division to discuss size and materials of the buildings and to verify radio amplification requirements.
- For building height in excess of 50'-0", design top of building and parapet to allow cellular communications providers to incorporate antenna within the building architecture so future installations may be concealed with little or no building elevation modification.

PUBLIC ART: Provide public art for this development in conformance with the Art in Private Development Ordinance and ZDC Sec. 4-407 and ZDC Appendix D. Contact the Community Services Cultural Services Division regarding implementation of this requirement prior to receiving building permits.

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.

ZONING AND DEVELOPMENT CODE:

- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through www.tempe.gov/zoning or purchase from Community Development.

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/>.

TRAFFIC ENGINEERING:

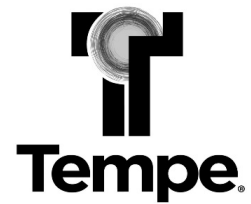
- Provide 8'-0" wide public sidewalk along arterial roadways, or as required by Traffic Engineering Design Criteria and Standard Details.
- Construct driveways in public right of way in conformance with Standard Detail T-320. Alternatively, the installation of driveways with return type curbs as indicated, similar to Standard Detail T-319, requires permission of Public Works, Traffic Engineering.
- Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed www.tempe.gov/index.aspx?page=801. Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.
- **Dedicate 65' ROW within 300' of the Rio Salado Pkwy and Priest Drive intersection measured from the curb returns.**
- **Dedicate 55' ROW outside of 300' from the Rio Salado Pkwy and Priest Drive intersection.**
- **Dedicate 30'x30' corner cutoff at Rio Salado Pkwy and Priest Drive.**
- **Dedicate 20'x20' corner cutoff at all site access points intersecting Rio Salado Pkwy and Priest Drive.**

HISTORY & FACTS:

October 16, 2008	City Council approved the request for ELEMENTS ART CAMPUS PHASE 2 (PL080239) consisting of a General Plan Major Land Use Map Amendment to change: <ul style="list-style-type: none">• 4.5 acres from Public Recreational / Cultural to Mixed – Use (Phase 1)• 2.57 acres from Public Recreation / Cultural to Industrial (Phase 1)• 5.57 acres from Public Open Space to industrial (Phase 1)• 28 acres from Public Open to Commercial (Phase 2) This request also includes a Density Map Amendment to change 4.5 acres from 0 to up to 3 dwelling units per acre.
February 5, 2009	City Council approved the six (6) lot and one (1) tract subdivision plat for Elements Art Campus – Phase 2 (PL080239), located at 1102 West Rio Salado Parkway.
July 2021	The City of Tempe issued a Request for Proposal for a project incorporating a professional sports franchise and entertainment district for a 46-acre site located at the northeast corner of Priest Drive and Rio Salado Parkway.
October 15, 2022	The applicant for this request held a neighborhood meeting.
November 15, 2022	These requests are scheduled to be heard by the Development Review Commission.
November 22, 2022	These requests are scheduled for the introduction and first City Council public hearing.
November 29, 2022	These requests are scheduled for the second and final City Council public hearing.

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

TEMPE ENTERTAINMENT DISTRICT (PL220278)

ATTACHMENTS:

- 1-15. Site Context (Location Map, Aerial and Aerial with Site Plan Overlay, Site Photos)
- 16-34. Applicant's Letter of Explanation (for General Plan Amendment, Rezoning and Planned Area Development)
- 35-37. Planned Area Development Overlay
- 38. Conceptual Building Elevations
- 39-52. Neighborhood Meeting Summary and Public Input
- 53-65. Supplemental Information
 - Parking Statement
 - Affordable Housing Impact Statement
 - Waiver of Rights and Remedies
 - Easements Map
 - Conceptual Project Program
 - Retail Exhibit

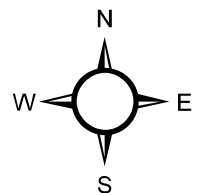


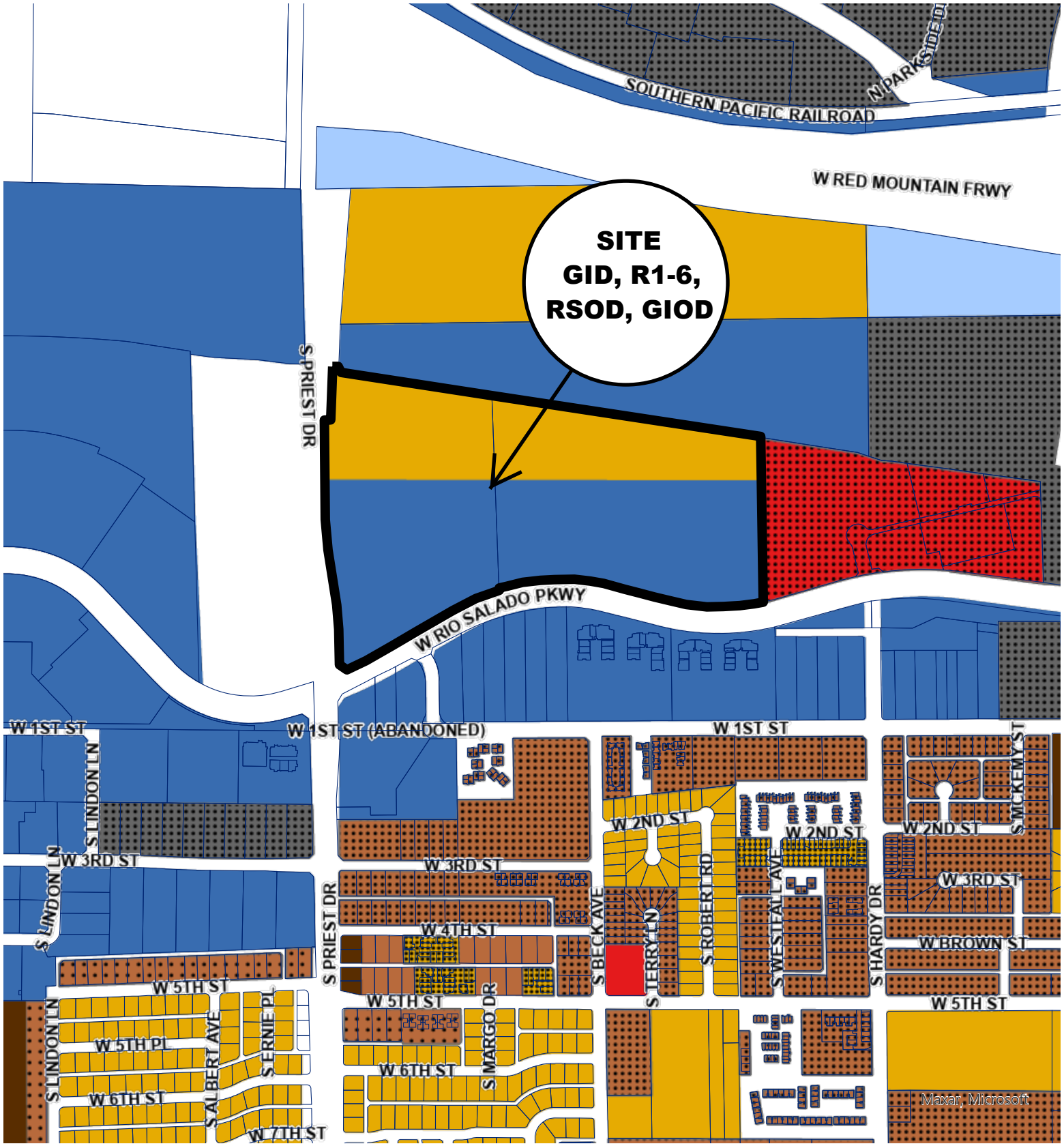
TEMPE ENTERTAINMENT DISTRICT

PL220278 **Tempe**



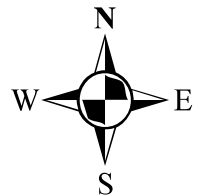
Aerial Map

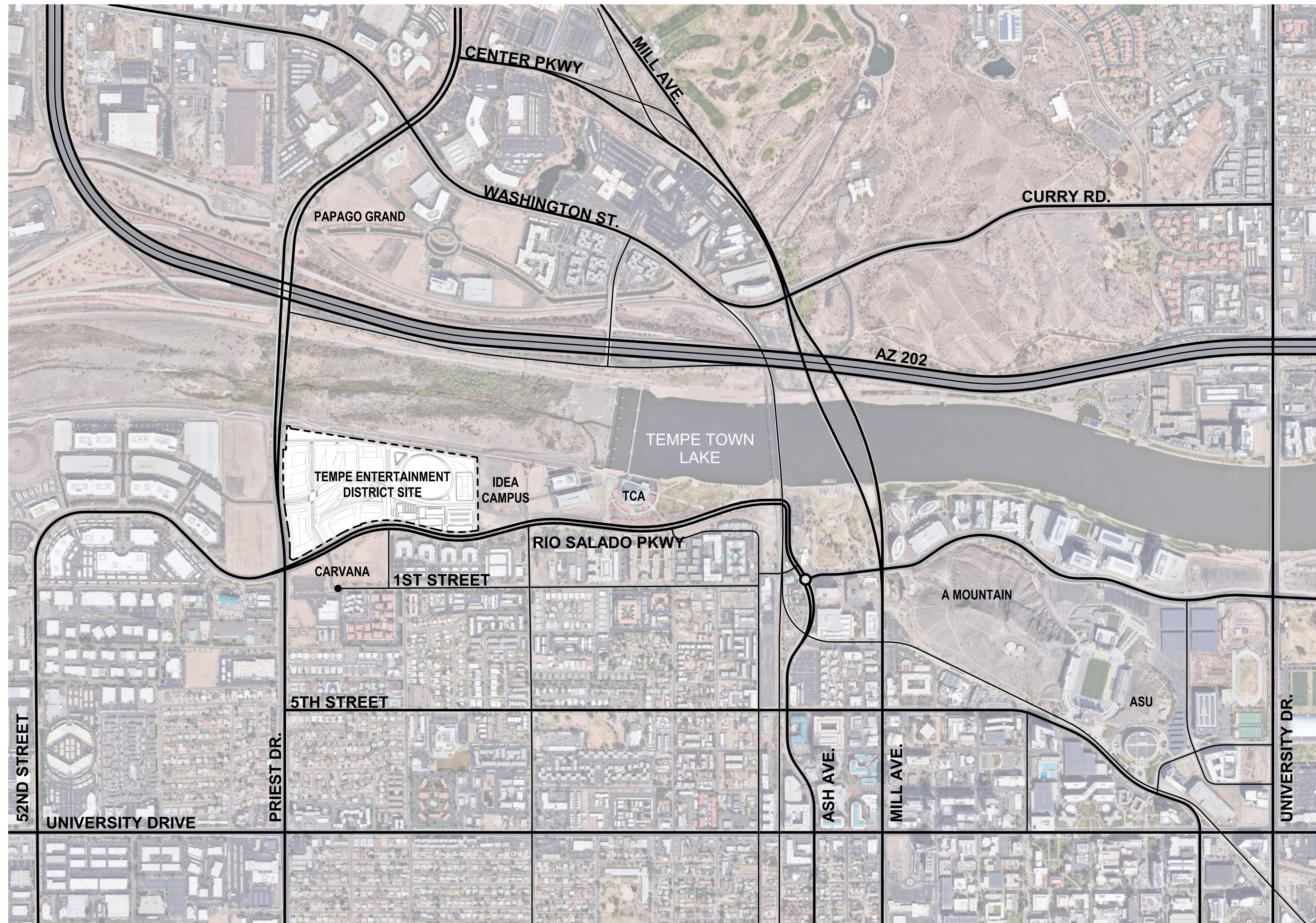




- Light Industrial District (LID)
- General Industrial District (GID)
- Mixed Use High (MU-4)
- Commercial Shopping and Services (CSS)
- Planned Commercial Center General (PCC-2)
- Single-Family Residential (R1-6)

- Single-Family Residential Planned Area Dev (R1-PAD)
- Multi-Family Residential (R-2)
- Multi-Family Residential Restricted (R-3R)
- Multi-Family Residential Limited (R-3)
- Multi-Family Residential General (R-4)





BLUEBIRD DEVELOPMENT, LLC
 8825 N 23RD AVENUE STE 100,
 PHOENIX, AZ, 85021

Gensler

2575 East Camelback Road
 Suite 175
 Phoenix, AZ 85016
 United States
 Tel: 602.523.4900
 Fax: 602.523.4949

MANICA
 architecture

Kansas City | London | Shanghai
 1915 West 43rd Street
 Kansas City, KS 66103
 Tel: +1 816 421 8890
 www.manicaarchitecture.com

△ Date	Description
11.04.22	PAD Submittal

Seal / Signature

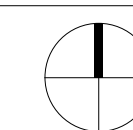


Project Name
 Tempe Entertainment District

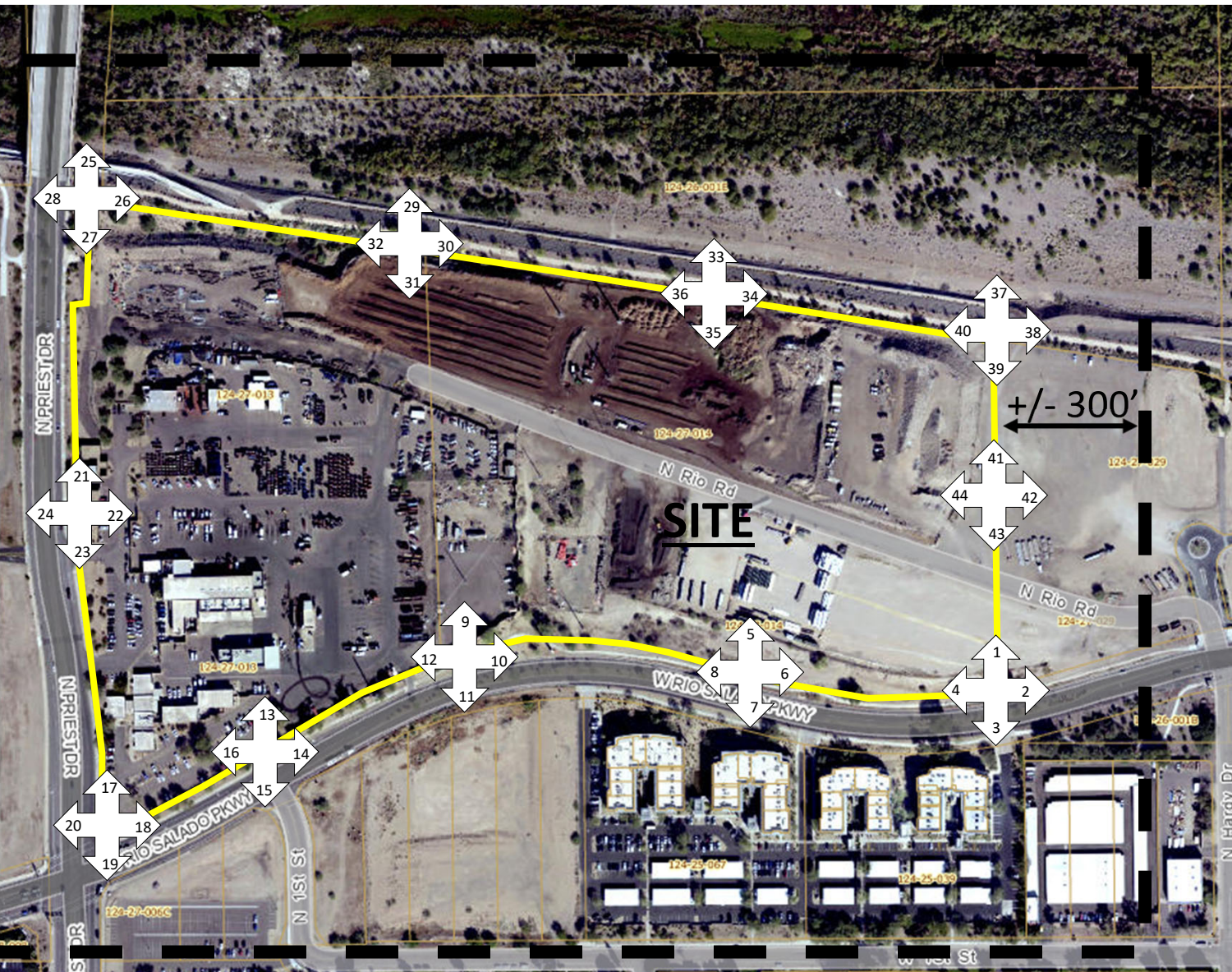
Project Number
 57.8314.000

Description
 CONTEXT PLAN (MACRO)

Scale
 1 : 6000



P1.002



Project Data

OWNER REPRESENTATIVE: NOEL GRIEMSMANN / 602.382.6824
 SNELL & WILMER LLP
 ONE ARIZONA CENTER
 400 E. VAN BUREN SUITE 1900
 PHOENIX, ARIZONA 85004

DEVELOPER:

SITE ADDRESS: 1001 N Rio Rd, Tempe, AZ 85281

ASSESSOR PARCEL NUMBERS: 124-27-013
 124-27-014

SITE ACREAGE: +/- 46.27 ACRES

EXISTING ZONING: GID/R1-6

PROPOSED ZONING: GID/MU-4



ATTACHMENT 5



ATTACHMENT 6











28



ATTACHMENT 12





38



40



November 1, 2022

Ryan Levesque
Deputy Director - Planning
Tempe Community Development Department
31 East 5th Street
Tempe, Arizona 85281

Re: Letter of Explanation for a General Plan Amendment for the Future Tempe Entertainment District and Multipurpose Event Center – the “TED” Project

Dear Mr. Levesque:

Located at the northeast corner of East Rio Salado Parkway and Priest Drive, the Tempe Entertainment District Project (“TED”) encompasses two (2) underdeveloped brownfield parcels (the “Property”), totaling approximately 46.27 acres. The City of Tempe issued Request for Proposal #22-030 seeking proposals for the “development of a mixed-use Sports and Entertainment District that is home to a professional sports franchise” that includes a variety of uses including retail, entertainment, employment and residential (“RFP”).

The TED Project provides a redevelopment project will remediate the brownfield landfill on the Site at no cost to the City of Tempe and will meet all of the goals and objectives of the RFP. The proposed high-quality mixed-use district will enhance the livability of the general area and further elevate the City of Tempe as the paramount location in the Valley for urban living and entertainment through the development of (i) a state-of-the art multipurpose event center serving as the home arena for the National Hockey League’s Arizona Coyotes; (ii) a 3,500 capacity more intimate performance venue (iii) a wide range of retail and food/beverage concepts; (iv) 500 hotel rooms; (v) Class A office space; and (vi) high-density multi-family development of up to 1,995 dwelling units (the “Project”). The Property is located in the Rio Salado Growth Area, which is envisioned, by the City, to be a regional destination for employment, residents, cultural amenities, and recreational opportunities. The proposed development will help the City actualize this goal.

The reason for this General Plan Amendment application is that the General Plan Land Use Map currently designates the Property as “Commercial” which does not fully account for the wide range of proposed land uses included in this project. Additionally, the Property is currently split

zoned as a mix of “Single-Family Residential” (“R1-6”) which supports single family residential development and “General Industrial District” (“GID”) intended for a wide range of industrial-related uses. The site’s zoning must also be changed, following agreements with the City of Phoenix, as single family residential is no longer an allowable use in this area given its proximity to the airport. Additionally, in order to allow for the remediation of the Property and position it for the highest and best use, a General Plan Amendment to designate a portion of the Property’s future land use as “Mixed Use” and future density to “High-Density Urban Core (more than 65 du/ac)” is necessary. A complementary Zoning Amendment to establish “Mixed-Use High Density Planned Area Development Overlay” (“MU-4/PAD”) zoning for the overall Project, to accommodate the varied land uses will run concurrent with this General Plan Amendment request.

Abutting Rio Salado Parkway and Priest Drive, just south of a major freeway entrance for Red Mountain Freeway – Loop 202, the Property represents a transformational opportunity for the development of a sports-anchored entertainment district. Currently underutilized, due to its previous use as a landfill, its location and access is unparalleled when it comes to its development potential, specifically as a high-density mixed-use site and entertainment destination.

This Project will be split across two (2) phases and will consist of approximately 4,000,000 gross square feet of total development. High-density multi-family development will expand housing availability and choice. Ample restaurant and retail options will support the needs of residents within the Project’s boundaries as well as expanding support for neighboring residents, business located within the numerous surrounding office projects, and local, regional and international visitors. The Project will leverage its proximity to Tempe Town Lake to expand access to urban open space, increasing pedestrian connectivity and recreation opportunities. The Project will create an exciting entertainment district destination attracting City residents, international travelers, and visitors from across the metropolitan area and will be anchored by a multipurpose event center. Additionally, the Project will return professional sports to the City of Tempe, as the new home of National Hockey League’s Arizona Coyotes.

The Project will result in pronounced long-term and short-term public benefits which help the City attain several objectives of the General Plan, most notably those of Land Use Objectives 1 and 2.

Land Use Objective 1 (“LU1”) - Establish development of multiple hubs with higher density cores serving the surrounding neighborhoods as its mixed-use urban activity center.

In the short-term, the “Mixed Use” land use designation will enable the Project to break ground as envisioned. The associated land uses proposed by this Project will result in immediate resident and visitor needs fulfillment including, but not limited to, expanded housing and employment opportunities, new restaurants and retail locations for Tempe residents to enjoy, enhancement of the Tempe Town Lake areas, as well as a new multipurpose event center to satisfy entertainment needs. The Property will develop as a diverse and vibrant urban activity center,

enhancing the neighborhood and livability for residents within the Property’s boundaries as well as those nearby. The mixed-use nature of the site and proposed land uses will help in creating a destination for regional visitors and a variety of sports and event spectators, for which reciprocal financial benefits will be experienced. Regional visitation is supported by the Property’s proximity to Sky Harbor Airport and Red Mountain Freeway – Loop 202. There are various strategies for LU1 implemented by this request, including promoting housing and support for the “20-minute city” concept as well as the inclusion of “parks, plazas and other amenities within the hubs for urban open space”

Land Use Objective 2 (“LU2”) – *Promote Land Use patterns that encourage long-term sustainability.*

Development near Town Lake has recently ramped up exponentially over recent years in response to growing opportunity and changing community needs. A thoughtful approach to land planning is integral to ensure long-term success. Perhaps the most important benefit to be realized through this General Plan Amendment is that it will enable greater flexibility and responsiveness in terms of land use and tenancy. The flexibility provided by the “Mixed Use” land use designation will guarantee future needs can be met as the area continues to evolve and grow over time, ensuring sustained success of the Project and support for the immediate surrounding area. Strategies of LU2 implemented by the Project include the development of “sustainable land uses in development patterns that include open space, facilitate pedestrian travel and access to transit” as well as by locating a mix of land uses focused on an infill site.

Land Use Objective 3 (“LU3”) - *Seek balance and compatibility of new land use development with established residential neighborhoods*

The Project location has an existing horizontal mixed-use context, with the Tempe Center for the Arts, as well as office and residential uses along the Rio Salado Parkway corridor. Beyond Rio Salado to the south, the context of the neighborhood changes to a lower density area centered around 5th Street, which is buffered by the existing employment and multi-family development along Rio Salado. This existing context supports the Project as it forwards several strategies of LU3, such as the encouragement of “mixed-use development” and the provision of “a variety of uses such as food retail, community-servicing retail, services and civic/community facilities within walking distance of nearby residences.”

There are numerous other Goals and Strategies of the General Plan supported by this application beyond those found in the Land Use Element. A sampling of a few include:

Community Design Element – CD6. Provide opportunities for interaction and observation, such as Strategy 1, include within semi-public spaces “squares and plazas-components for social interaction.”

Redevelopment Element – RED1. Encourage reinvestment, rehabilitation, redevelopment or reuse. Strategy 1, “Utilize public/private partnerships...to facilitate redevelopment activities” and RED4, attract new development that adds to urban livability, Strategy 1, “Leverage publicly-owned parcel sales to facilitate desired new urban development.”

In summary, the Project supported by this amendment request will improve on the General Plan and will meet many Goals and Strategies identified therein.

As requested by the General Plan Amendment Application Submittal Checklist Form (“Checklist”), the proposed amendment will respond to the Land Use Principles presented in the General Plan as generalized below (per the Checklist):

- 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 present land use designation does not enable development of the Property to its highest or best use, nor does it allow it to be developed in such a way that would fully actualize the goals of the General Plan or the Rio Salado Growth Area Plan which envisions this area as “regional destination for employment, residents, cultural amenities, and recreational opportunities.” The proposed “Mixed Use” designation will enable greater intensity and variety of development to serve the public. The proposed uses are compatible with surrounding commercial/employment uses. The level of intensity will be supported by the existing street infrastructure and regional access to Red Mountain-Loop 202.

- b. *Describe the public benefit of the proposed amendment in terms of impact to 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 current land use designation is “Commercial”. We do not anticipate the proposed land use designation of “Mixed Use” will significantly impact the City’s existing infrastructure improvements. The flexibility allotted by the General Plan Amendment will enable greater flexibility in site design to ensure any infrastructure impacts that are discovered are appropriately addressed and/or mitigated.

- 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.*

The proposed “Mixed Use” land use designation and associated residential, retail, restaurant, hotel, office, and multipurpose event center uses will directly contribute to a vibrant urban living community that meets the many varied needs of residents and visitors alike, further helping Tempe realize its goal to be a “20-minute City.” Pedestrians can take advantage of an elevated walkable environment achieved by high-quality architecture and extensive connectivity, which vehicular traffic can benefit from efficient site access and circulation. The Project will exercise sensitivity to the Town Lake Design Standards. The overall site layout will support a network of ground-floor activity. Infrastructure will be designed to promote circulation on-site, as well as connectivity to the nearby Town Lake area and neighborhoods. Building heights, setbacks, and orientations will be varied in order to promote visual interest in architecture and protect view corridors to the surrounding open space and lake beyond. In terms of land use, the Project will retain flexibility to respond to changing needs over time, ensuring residents can expect a high quality of life being maintained over time.

- d. Describe the use of open space, parks of 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 Project will leverage its location adjacent to the Tempe Town Lake (“the Lake”) and Rio Salado Park (“the Park”) to continue to highlight the area as the principal landmark for the City. Adequate pedestrian connection between Town Lake and the Park for the enjoyment of residents will continue. The Project can also expect its retail and entertainment minded visitors to utilize the provided access to the lake/park and vice versa.

- 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 arterial streets.*

The Project is located along the intersection of two arterial streets – Rio Salado Parkway and Priest Drive. The relationship between the streets and the Project is anticipated to be mutually beneficial. The Project will leverage its location to provide fantastic access in and out of the Site. In turn, the streetscape and visual identify of Rio Salado Parkway will be immeasurably enhanced through high quality architecture and rich landscaping improvements. Impacts to transit services and strategies to address these may be further considered as necessary through the scope of this Project.

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

The Project conceptually proposes the construction of up to 1,995 multi-family units. Due to the nature of these units, and the general preference for single-family homes among households with children we do not anticipate school districts should experience a significant impact to school enrollments as a direct result of this Project. The increased residential density and tax base may result in reciprocal increased school district funds.

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

While not a defined term, the General Plan notes that “cultural amenities” add to quality of life (Page 3) and that access to “theaters...special events and festivals” are important quality of life items (Page 4). Quality is also used through out the General Plan to describe not only life, but physical features of the community like quality design, quality housing and other items related to both the livability and visual appearance of the community. The Project will add not only quality to residential housing opportunities, new offices and retail facilities, but will add cultural opportunities with professional sports, events and other activities on-site that will reenforce the quality of life for Tempe residents.

The Checklist also asks how the amendment substantially conforms to Zoning Code Section 6-302(D). More specifically:

1. Appropriate short and long-term public benefits.

The Project provides a number of public benefits. In the short term, the site will be remediated to remove prior landfill materials from the property, allowing for more comprehensive redevelopment of a highly visible part of the City. In the long-term, the establishment of a mixed-use development that is a regional draw will reenforce Tempe’s position as a livable City with a true live/work/play environment, while providing new housing, working and entertaining facilities for residents.

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

This amendment will result in a more consistent land use patten appropriate for this part of the City. The land uses within the Project will complement adjacent land uses. All utilities to the site will be brought up to current City standards. Transportation will benefit by the provision of right-of-way easements for future “street car” route as well as by the implementation of traffic mitigation plans as part of the operations of a major event facility.

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

This amendment does so, as discussed in more detail above.

4. Provides rights-of-way, transit facilities, open space, recreational amenities or public art.

The Project provides new rights-of-way as required by the City, as well as support for the future streetcar. There will also be internal open spaces, such as plazas, and pedestrian connections by and through the development. The heart of the Project, the multi-purpose entertainment facility, will be a significant recreational amenity for the residents of Tempe.

5. Potentially negative influences are mitigated and deemed acceptable by the City Council.

As will any development, there are potential negative impacts. These are mitigatable and should be deemed acceptable given the scale of the Project and the many positive features that will exceed any negative impacts.

6. Judgement 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.

This amendment is appropriate, particularly given the demand for new development near the river and the Loop 202, as evidenced by all of the recent development along Rio Salado. This change will result in the relocation of a city maintenance facility to a more appropriate location, activation of the site with quality architectural design (in an area which is highly visible to the broader community) and will result in upgrades to public infrastructure at and around the site.

In summary, this request substantially conforms to Zoning Code Section 6-302(D) as noted above.

The Checklist also requests that the application describe how the Project supports applicable policy plans. In review of those, Character Area Plan 3, the Downtown Tempe Rio Salado ASU NW Neighborhoods Design Guidelines and Placemaking Principles plan (“Area 3”) is clearly applicable to future development of the Property. Many of the objectives are similar to those found in the General Plan, with references to the 20-Minute City concept, as well as other quality of life items. The Project will support incorporate appropriate elements from these guidelines into final design plans, as well as inclusion of those items from the Town Lake Placemaking section, which includes the Property.

Also, the Project is consistent with the Rio Salado and Beach Park Masterplan Vision which emphasized access from the neighboring residential areas to the south to the riparian habitat and Tempe Town Lake. The Project will maintain this envisioned access while supporting increased pedestrian traffic and visitation.

In summary, this application intends to amend the General Land Use Map by designating the Property as “Mixed Use” to facilitate the development of an exciting new multi-use development within the Rio Salado Growth Area, specifically comprised of (i) a state-of-the art multi-purpose event center; (ii) a wide range of retail and food/beverage concepts; (iii) 500 hotel rooms; (iv) Class A office space; and (v) high-density multi-family development of up to 1,995 dwelling units.

This multi-use Project will foster the creation of a vibrant community in a currently underutilized area, emphasizing walkability and an enhanced quality of life. The Project will assist Tempe in meeting its objective to establish mixed-use neighborhood hubs and realizing its vision to become a leader in “urban living” in the Valley.

Respectfully submitted,

Snell & Wilmer

Nicholas J. Wood

November 1, 2022

Ryan Levesque
Deputy Director - Planning
Tempe Community Development Department
31 East 5th Street
Tempe, Arizona 85281

Re: Letter of Explanation for the Planned Area Development Overlay Rezoning
Application for the Tempe Entertainment District and Multipurpose Event Center
– the “TED” Project

Dear Mr. Levesque:

On behalf of Bluebird Development, LLC, I am pleased to submit for your review and comment the enclosed rezoning and Planned Area Development Overlay (“PAD”) application for the property located at the northeast corner of East Rio Salado Parkway and Priest Drive (addressed as 56 South Priest Drive, herein the “Property”).

The proposed Project will encompass two (2) underdeveloped brownfield, totaling approximately 46.27 acres. The City of Tempe issued Request for Proposal #22-030 seeking proposals for the “development of a mixed-use Sports and Entertainment District that is home to a professional sports franchise” that includes a variety of uses including retail, entertainment, employment and residential (“RFP”).

The TED Project provides a redevelopment project will remediate the brownfield landfill on the Site at no cost to the City of Tempe and will meet all of the goals and objectives of the RFP. The proposed high-quality mixed-use district will enhance the livability of the general area and further elevate the City of Tempe as the paramount location in the Valley for urban living and entertainment through the development of (i) a state-of-the art multipurpose event center serving as the home arena for the National Hockey League’s Arizona Coyotes; (ii) a 3,500 capacity more intimate performance venue (iii) a wide range of retail and food/beverage concepts; (iv) 500 hotel rooms; (v) Class A office space; and (vi) high-density multi-family development of up to 1,995 dwelling units (the “Project”).

The Property is located in the Rio Salado Growth Area, which is envisioned, by the City, to be a regional destination for employment, residents, cultural amenities, and recreational opportunities. The proposed development will help the City actualize this goal.

The reason for this rezoning application is that the Property is currently split zoned as a mix of “Single-Family Residential” (“R1-6”) which supports only single-family residential development and “General Industrial District” (“GID”) which is intended for a wide range of industrial-related uses. The site’s zoning must also be changed, following agreements with the City of Phoenix, as single family residential is no longer an allowable use in this area given its proximity to the airport. Additionally, in order to allow for the remediation of the Property and position it for the highest and best use, a rezone will be necessary.

A unique entitlement approach is required for the Project. Because the Project is true “mixed-use” (with entertainment, employment, commercial and residential uses collocated therein), a zoning amendment to Multi-Use High Density (“MU-4”) is necessary in order to accommodate the varied uses. Because the Project proposes development standards that are unique to not found in the standard zoning districts in the City of Tempe’s Zoning and Development Code (the “Code”), a Planned Area Development (“PAD”) Overlay will be necessary to define intended intensity and custom development standards befitting a complex, dynamic and world-class destination such as that proposed by TED. A General Plan Amendment to change a portion of the Property’s land use designation to “Mixed-Use” has been filed to run concurrently with the rezoning application.

The following is a summary of how the Project will meet the purpose of the PAD Overlay District as required by Section 6-305(D) of the Code.

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”.

Presuming successful adoption of the proposed amendments to the Land Use Map (land use and density), the Project will be conforming with the General Plan as to use and density.

As to goals and objectives of the General Plan, the Project fulfills a number of them, specifically:

Land Use Objective LUI – Establish development of multiple hubs with higher density cores serving the surrounding neighborhoods as its mixed-use urban activity center.

There are three (3) specific strategies associated with this objective that the Project addresses.

Strategy #1 – Intensify higher density mixed use redevelopment within hubs.

The project will redevelop two underutilized parcels within/adjacent to the existing Tempe Town Lake hub and include high-density, mixed-use development (retail, office, hoteling, food and beverage, multipurpose event center) which will complement existing development within the area. Performance considerations within the PAD to achieve this goal include requirements for mixed-uses, which requires development of a multi-purpose entertainment facility, housing at 65+ du/ac, 500 hotel rooms and a total of 4 million square feet of development in total.

Strategy #2 – Promote development within hubs to provide the housing, access to open space, goods, services and activities that reflect the neighboring area served and support the 20-minute city.

The proposed land uses within the Project will support the needs of residents both within the Property’s boundaries as well as expanding support for immediately adjacent neighboring residents, local, and regional visitors as well. This is implemented by the requirement to provide up to 1,995 dwelling units (to provide housing), open space/plazas, multi-purpose area and theater (for provision of activities) and retail throughout the Project (providing goods and services). Both Project residents and those residents to the east, south and southwest of the Project will be able to access and utilize these uses, supporting the “20-minute city” concept as called for by the General Plan.

Strategy # 3 – Utilize parks, plazas and other amenities within the hubs for urban open space.

The project will leverage its proximity to the Riparian Habitat and Tempe Town Lake in order to provide residents and visitors access to natural urban open space, as well as to encourage its use. Furthermore, internal to the Property there will be open space/plaza areas to create urban open spaces.

Land Use Objective LU2 – Promote land use patterns that encourage long-term sustainability.

There are three (3) specific strategies associated with this objective that the Project addresses.

Strategy #1 - Develop sustainable land uses in development patterns that include open space, facilitate pedestrian travel and access to transit.

The project will provide open space throughout, ensuring all residents residents, employees, and visitors have access to both internal urban open space areas as well as connections to the larger open areas of the Town Lake area. This will expand connectivity and support pedestrian and bicycle travel to the surrounding area including to ASU, Downtown Tempe, and

Tempe Marketplace. These connections and open space features will be implemented in final designs, while the mixed-use nature of the Project will result in the General Plan desired sustainable mixed-uses.

Strategy #2 – Ensure mixed-use development produces a mix of land uses.

The Project proposes an array of compatible land uses, creating a live, work, play destination along Tempe Town Lake. The MU-4/PAD zoning will ensure the site can continue to meet development needs as the area evolves and grows over time. The PAD will result in the development of mixed-uses, further reenforced by development agreement with the City.

Strategy #3 – Locate future development on:

- **Infill sites,**
- **Site with current or anticipated infrastructure capacity for additional development,**
- **Sites adjacent or with access to existing street connectivity,**
- **Site near transit with high level of transit service, and**
- **Sites convenient to neighborhood commercial uses**

Abutting Rio Salado Parkway and Priest Drive, just south of a major freeway entrance for Red Mountain Freeway – Loop 202, the Property represents a transformational opportunity for the development of a sports-anchored entertainment district. Currently underutilized, due to its previous use as a landfill, its location and access is unparalleled when it comes to its development potential, specifically as a high-density mixed-use site and entertainment destination. The Property is well-served by existing infrastructure, and any required upgrades will be installed as required by the City. Because the PAD is site specific, this strategy is implemented by the approval of the PAD as proposed.

Land Use Objective LU3 – Seek balance and compatibility of new land use development with established residential neighborhoods.

There is one (1) specific strategy associated with this objective that the Project specifically addresses.

Strategy # 4 – Support a variety of uses such as food retail, community serving retail, services and civic/community facilities within walking distance of nearby residences.

The proposed mix of uses help create an inclusive urban living experience for residents within Project boundaries, and also provides access to such uses for the adjacent neighborhoods allowing for fulfillment of daily needs as well as for employment and entertainment opportunities.

Land Use Objective LU4 – Encourage a balanced community with a diversity of uses and employment opportunities.

There is one specific strategy associated with this objective that the Project addresses.

Strategy #3 – Identify vacant or underdeveloped commercial and industrial land to target for employment-related development.

This project will utilize underdeveloped parcels to provide a mix of uses which directly support employment and job growth. New Class A office space with high visibility to regional traffic (from Loop 202) will attract employers to the area. Additionally, the multi-purpose event center will create new positions and employment opportunities. Retail, food and beverage establishments, and the proposed hotel will further support employment on-site.

Land Use Objective LU8 – Develop and implement plans that address particular geographic area needs.

There is one (1) specific strategy associated with this objective that the Project addresses.

Strategy #2 – Plan infill where infrastructure is capable of serving new development.

The Project will take advantage of a location adjacent to fully developed public roadways and accessible from the Loop 202, high-quality public open space (Town Lake) and its existing pedestrian infrastructure as well as upgrading public utilities and roadways as needed to support the development.

Land Use Objective LU9 – Promote neighborhood enhancement and livability

There is one (1) specific strategy associated with this objective that the Project addresses.

Strategy #3 encourages the placement of new commercial uses that enhance the vitality and livability of hub areas.

The Project will provide significant retail and restaurant space. By providing new commercial opportunities as part of the project, the street level will be activated and livability in the general area will be enhanced, as residents and neighbors will have a nearby option for their dining and retail needs.

In summary, the proposed PAD will implement a development master plan that meets the above goals and objectives of the General Plan, which will be fulfilled by the combination of the PAD entitlement as well as by a development agreement with the City identifying applicable obligations of the developer.

D.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 development standards that are proposed for the Project promote an urban, pedestrian focused environment that also (i) reinforce the residential uses and pedestrian engagement along Tempe Town Lake, (ii) provide various retail and dining options for residents and neighbors, and (iii) enable the construction of a state-of-the art multipurpose event center that will be a regional attractor, benefiting both residents of Tempe as well as the larger valley.

As identified on the City of Tempe General Plan Land Use map, the site is bordered by land that is designated for “Public Open Space” to the north, “Commercial” to the east and south, and “Industrial” to the west. The parcel immediately east of the project, located at 850 West Rio Salado Parkway is the site of I.D.E.A., a newly developed site composed of office and laboratory space, bringing new biotechnology and technology companies to the area. Just east of I.D.E.A. is the Tempe Center for the Arts, along the Tempe Town Lake waterfront. Immediately south of the Property is a partially developed portion of land use for office space. The remaining portion is vacant (but understood to be soon under development for office uses). Any residentially zoned properties are located further from the Property, with an established neighborhood further south of Rio Salado and multi-family developments closer to Mill Avenue on Rio Salado. Therefore, the immediate context is one of employment/jobs, with some event functions (TCA).

To establish a mixed-use environment, the design program envisions a few different users. Those most proximate (office and event users) are encouraged to walk to/from the site, supported by a site plan that provides for east/west interior roads that incorporate strong ground floor activation and pedestrian features. With limited setback, the buildings will engage these interior roadways and sidewalks in an urban context. With visual interest at the ground level, pedestrians will enjoy walking through the site. For those users from residential areas further out, the walkability will still be the focus, supported by bicycle and transit options as well. Finally, visitors and site users from further out will supported by transit as well as automotive options.

The development standards in the PAD support the “urban feel” of the site with minimal internal setbacks, while ensuring a strong internal circulation system to encourage pedestrian movements. Parking is also encouraged to utilize shared parking models and off-site parking to reduce parking needs while recognizing the destination status of the Project overall.

With proximity to Tempe Town Lake, the Project also takes advantage of the location by placing the multi-purpose arena at the northeastern portion of the site, allowing for unique views from Loop 202 and Town Lake.

In summary, the PAD respects the surrounding development patterns, supports walking and biking with integration into Rio Salado Parkway and the Town Lake park.

D.3 – “The development appropriately mitigates transitional impacts on the immediate surroundings.”

The Property is unique in that it abuts either public rights of way (west, Priest Drive, south Rio Salado Parkway), the Town Lake to the north or, its only direct neighbor, the I.D.E.A. Campus to the east, which is employment focused. Because of this context, transitional impacts are minimal.

However, it is important for a development of this magnitude and intensity to provide adequate access to mitigate expected traffic impacts, particularly for larger events. Three access points along Rio Salado Parkway and one access point along Priest Drive will be provided in order to help mitigate these impacts. Additionally, the proposed multi-purpose event center is located interior to the site, allowing for parking and circulation to be well off of Rio Salado. Finally, the developer will work with the City on more detailed traffic control for events.

As with any project, and especially a project of this magnitude, we can anticipate concerns will be raised from the public. Through the course of the public participation process, we intend to fully analyze, address, and mitigate concerns as necessary and/or applicable.

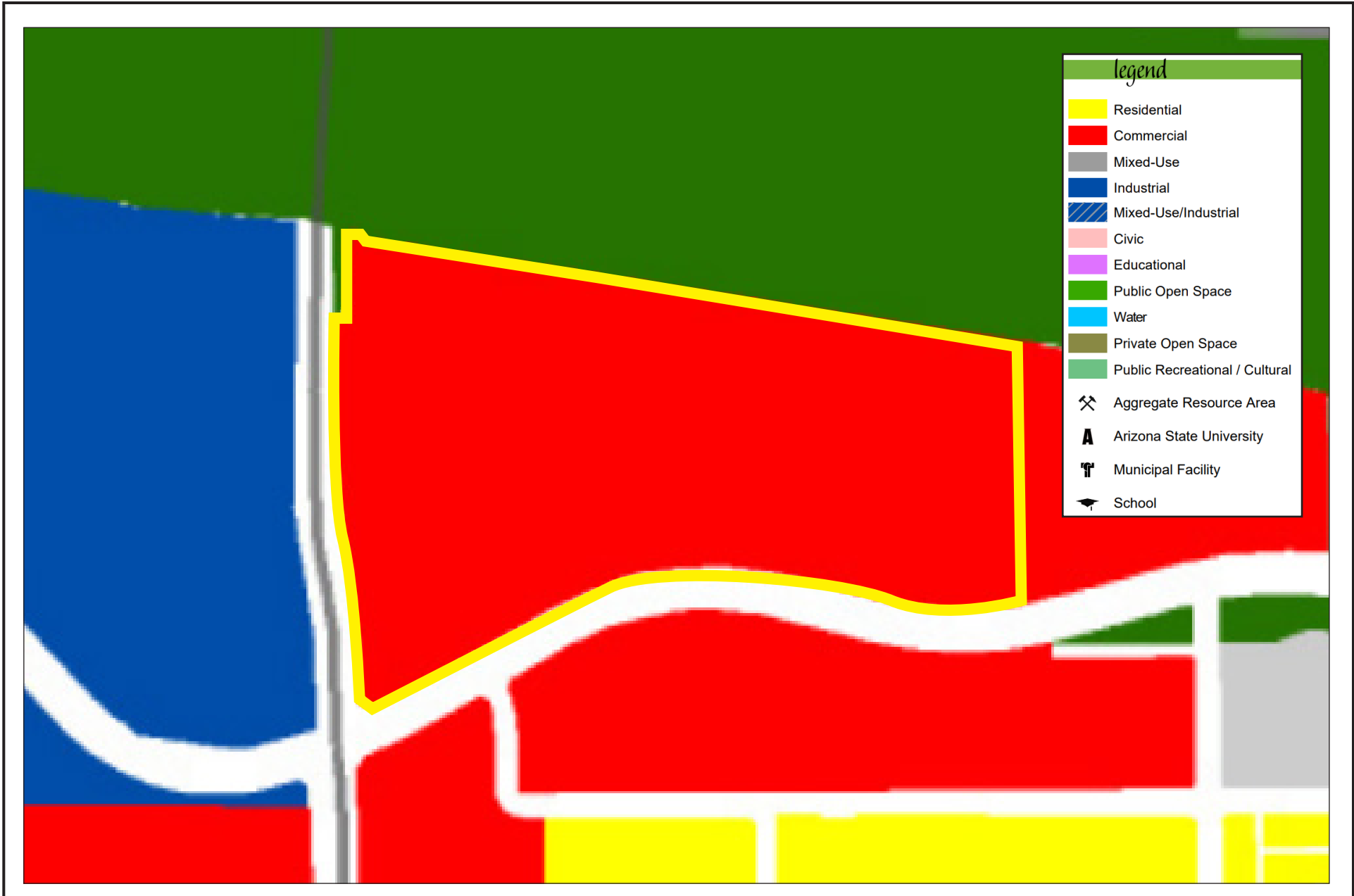
In addition to meeting the criterion for the PAD Overlay District and furthering the goals of the General Plan, the Project is also consistent with the purpose and intent the Character Area 3 Plan, specifically in the Project's emphasis on an enhanced quality of life, creating opportunities for sustainable growth and development, and creating avenues for financial stability and vitality. The Project will further the Character 3 Are Plan's placemaking goals along Tempe Town Lake through high-quality design and improved connectivity.

In summary, this application requests approval of the MU-4/PAD zoning district in order to update the site's zoning and establish the highest and best use possible for the site. This application meets all of the above criteria and will be an appropriate use of the PAD Overlay District as it meets the purpose of the zone by (i) permitting development of an attractive mixed-use development; (ii) adding reinvestment to the area; and (iii) providing a quality streetscape that encourages pedestrian activity on adjacent streets and along the town lake, all of which fulfills key objectives of the General Plan. The Project will assist Tempe in meeting its objective to establish mixed-use neighborhood hubs, and realizing its vision to become a leader in "urban living."

Respectfully submitted,

Snell & Wilmer

Nicholas J. Wood



legend

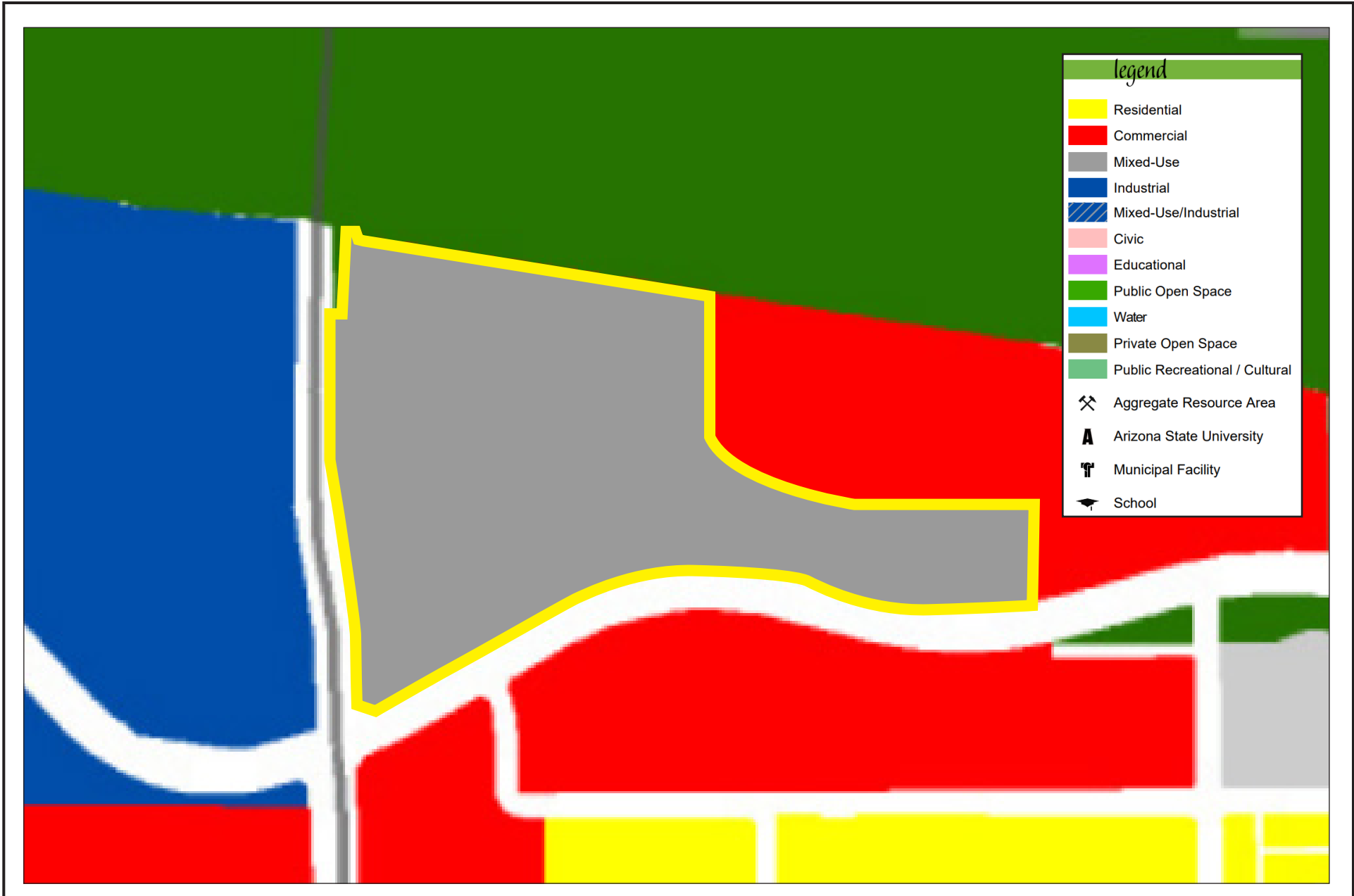
- Residential
- Commercial
- Mixed-Use
- Industrial
- Mixed-Use/Industrial
- Civic
- Educational
- Public Open Space
- Water
- Private Open Space
- Public Recreational / Cultural
- ⚡ Aggregate Resource Area
- A Arizona State University
- T Municipal Facility
- 🎓 School

Snell & Wilmer
 Committed to being your perfect fit.™
 400 E Van Buren Street Phoenix, AZ 85004



General Plan
 Land Use

EXHIBIT B
 Rio Salado Pkwy & Priest Dr
 October 2022



Snell & Wilmer
Committed to being your perfect fit.™

400 E Van Buren Street Phoenix, AZ 85004



NOT TO SCALE

Proposed
General Plan
Land Use

EXHIBIT B.2

Rio Salado Pkwy & Priest Dr

October 2022



legend	
	Low Density (up to 3 du/ac)
	Low to Moderate Density (up to 9 du/ac)
	Medium Density (up to 15 du/ac)
	Medium to High Density (up to 25 du/ac)
	High Density Limited (up to 45 du/ac)
	High Density (up to 65 du/ac)
	High Density-Urban Core (more than 65 du/ac)
	Cultural Resource Area

Snell & Wilmer
Committed to being your perfect fit.™

400 E Van Buren Street Phoenix, AZ 85004



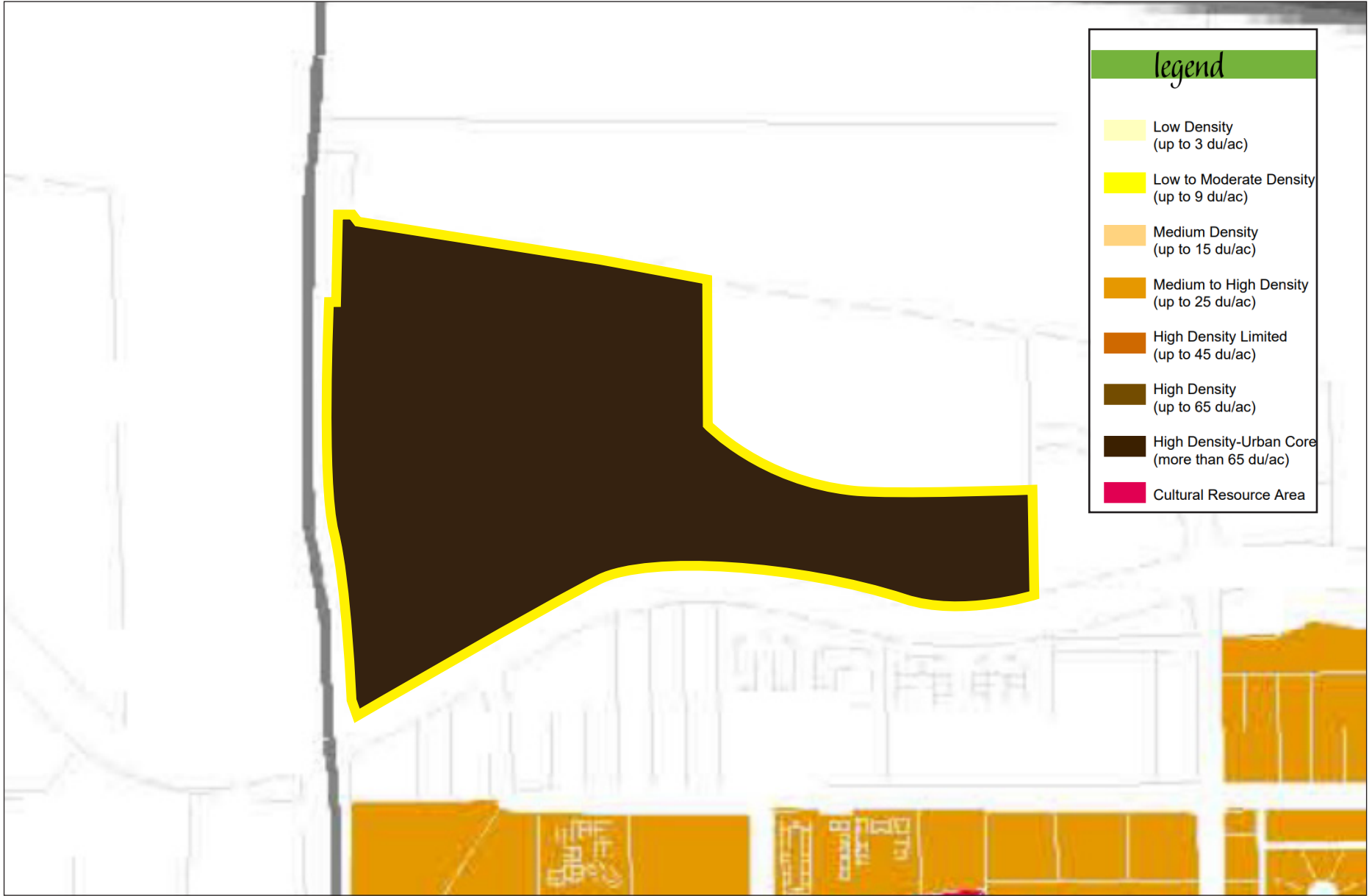
NOT TO SCALE

General Plan
Density

EXHIBIT C

Rio Salado Pkwy & Priest Dr

October 2022



Snell & Wilmer
Committed to being your perfect fit.™

400 E Van Buren Street Phoenix, AZ 85004



NOT TO SCALE

Proposed
General Plan
Density

EXHIBIT C.2

Rio Salado Pkwy & Priest Dr

October 2022

PLANNED AREA DEVELOPMENT FOR TEMPE ENTERTAINMENT DISTRICT

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

OWNER AUTHORIZATION

OWNER COMPANY

BY: _____ DATE _____
SIGNATURE DATE

OWNER NAME

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 20____ BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ OWNER, WHO ACKNOWLEDGED HIM/HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT WITHIN, AND EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL

BY: _____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC

LEGAL DESCRIPTION

LOT 1 & LOT 2, OF ELEMENTS AT TEMPE CENTER FOR THE ARTS IN BOOK 1021 OF MAPS, PAGE 49. CONTAINS +/- 46.26 ACRES.

APPROVAL

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE ON THIS ___ DAY OF _____, 20__.

OWNER:

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

DEVELOPER:

BLUEBIRD DEVELOPMENT, LLC
8825 N 23RD AVENUE STE 100,
PHOENIX, AZ, 85021

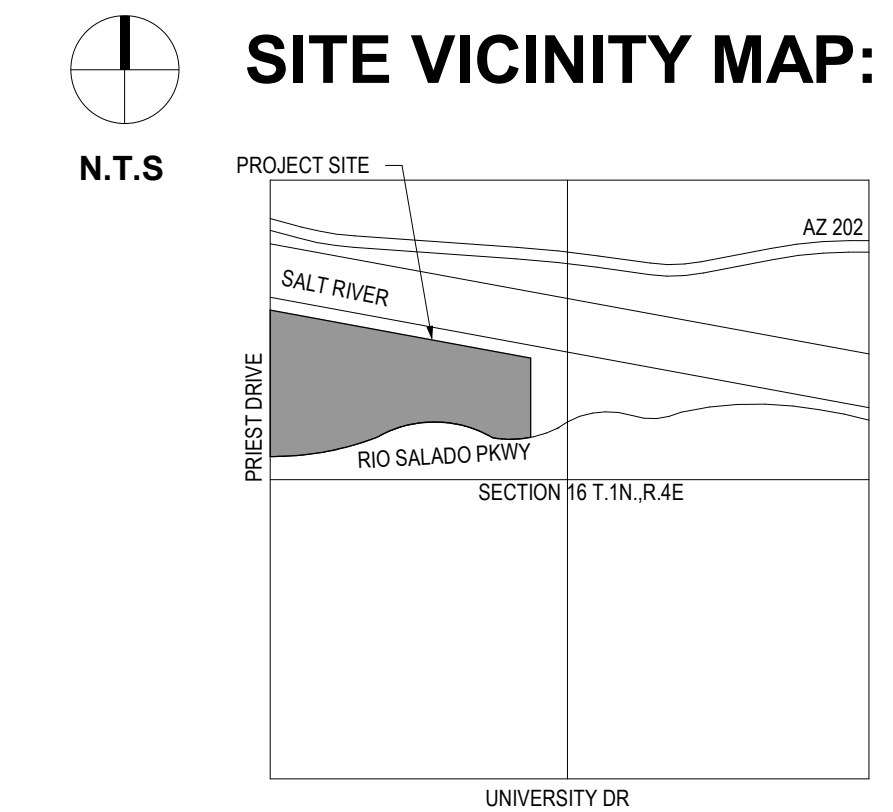
PROJECT DATA

DEVELOPMENT STANDARDS		MU-4 RSOD PAD PROVIDED
GENERAL PLAN LAND USE		Commercial (Site1)/Mixed-Use (Sites 2, 3A, 3B, 4, 5, 6)
GENERAL PLAN DENSITY		No Density (Site 1)/High Density Urban Core (Sites 2, 3A, 3B, 4, 5, 6)
SITE AREA		2,015,085.6 SF / 46.26 acres
TOTAL PROJECT DENSITY		43 DU/AC
DWELLING QUANTITY		1,995
BUILDING HEIGHT*		20'min/129' max
LANDSCAPE AREA		5%
BUILDING LOT COVERAGE		95%
BUILDING SETBACKS		
FRONT (PRIEST DRIVE)		10'
STREET SIDE (RIO SALADO PKWY)		15'
SIDE (NORTH)		0'
REAR (EAST)		20'
SIDES (FUTURE INTERNAL LOT LINES)		0'
VEHICLE PARKING QUANTITY		
Multi-Purpose Entertainment Facility (16,000 seats)		3,200 (.2/seat)
Multi-Family Residential		
1 bedroom (1,396 units)		1,396 (1/unit)
2 bedroom (399 units)		798 (2/unit)
3 bedroom (200 units)		400 (2/unit)
Guest (1995 units)		399 (0.2/unit)
Office (336,295 sf)		1,121 (1/300 SF)
Hotel (500 units)		250 (.5 /unit)
Retail (315,000 sf)		1050 (1/300 SF)
Theater (3,000 seats)		1,000 (1 per 3 Seats)
TOTAL PROVIDED ON-SITE**		6,898
TOTAL PROVIDED OFF-SITE		2,716
GRAND TOTAL PARKING PROVIDED		9,614
BICYCLE PARKING QUANTITY		
Multi-Purpose Entertainment Facility (16,000 seats)		160 (1/100 seats)
Multi-Family Residential		
1 bedroom (1,396 units)		1047 (.75/unit)
2 bedroom (399 units)		300 (.75/unit)
3 bedroom (200 units)		200 (1/unit)
Guest (1995 units)		399 (0.2/unit)
Office (336,295 sf)		43 (1/8000 SF)
Hotel (500 units)		25 (1/20 units)
Retail (315,000 sf)		42 (1/7500 SF)
Theater (3,000 seats)		100 (1/30 seats)
TOTAL PROVIDED		2,316
USES (GSF)		
Multi Purpose Entertainment facility		650,000
Multi-Family residential		2,488,000
Office		336,295
Hotel		410,705
Retail		315,000
Theater		50,000
TOTAL SQUARE FOOTAGE		4,250,000

*No building height shall exceed the safety guidelines established by the FAA and maximum building height measured from the adjoining finished grade of each building to the top of it's corresponding roof line

** Multi-Purpose Entertainment Facility and Theater parking shall be provided using one or more of the following methods (1) dedicated spaces, (2) shared spaces, (3) Off-site shared parking spaces on existing sites, or (4) temporary surface spaces. All subject to review and completion of a shared parking model per ZDC Section 4-604.

SITE VICINITY MAP:



CONDITIONS OF APPROVAL: PAD220019

GENERAL NOTES:

THE DEVELOPMENT SHALL COMPLY WITH THE RIO SALADO OVERLAY DISTRICT OF TEMPE ZONING AND DEVELOPMENT CODE, SECTION 5-104 AND FIGURE 5-104A FLOOD CONTROL, AS IT PERTAINS TO SITE 1, 3A, 3B AND 5.

REC22111

PAD220019

DS221634

BLUEBIRD DEVELOPMENT, LLC
8825 N 23RD AVENUE STE 100,
PHOENIX, AZ, 85021

Gensler

2575 East Camelback Road
Suite 175
Phoenix, AZ 85016
United States
Tel: 602.523.4900
Fax: 602.523.4949

MANICA architecture

Kansas City | London | Shanghai
1915 West 43rd Street
Kansas City, KS 66103
Tel: +1 816 421 8890
www.manicaarchitecture.com

Date	Description
11.04.22	PAD Submittal

Seal / Signature



Project Name

Tempe Entertainment District

Project Number

57.8314.000

Description

COVER

Scale

NOT TO SCALE

P0.000

DS221634

PAD220019

REC22111

PLANNED AREA DEVELOPMENT FOR TEMPE ENTERTAINMENT DISTRICT

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

REC22111

PAD220019

DS221634

PROJECT DATA

DEVELOPMENT STANDARDS	SITE						
	1	2	3A	3B	4	5	6
GENERAL PLAN LAND USE	Commercial	Mixed-Use	Mixed-Use	Mixed-Use	Mixed-Use	Mixed-Use	Mixed-Use
GENERAL PLAN DENSITY	No Density	High Density Urban Core (more than 65 DU/AC)	High Density Urban Core (more than 65 DU/AC)	High Density Urban Core (more than 65 DU/AC)	High Density Urban Core (more than 65 DU/AC)	High Density Urban Core (more than 65 DU/AC)	High Density Urban Core (more than 65 DU/AC)
ZONING	MU-4/RSOD	MU-4/RSOD	MU-4/RSOD	MU-4/RSOD	MU-4/RSOD	MU-4/RSOD	MU-4/RSOD
DWELLING QUANTITY	0	194	0	0	694	600	507
SITE AREA	480,064 SF/11.02 acres	280,506 SF/6.44 acres	195,958 SF/4.49 acres	109,816 SF/2.52 acres	399,761 SF/9.18 acres	195,585 SF/4.49 acres	176,323 SF/4.04 acres
DENSITY	0 DU/AC	31 DU/AC	0 DU/AC	0 DU/AC	76 DU/AC	135 DU/AC	125 DU/AC
BUILDING HEIGHT*	20'min/129' max	20'min/129' max	20'min/129' max	20'min/129' max	20'min/129' max	20'min/129' max	20'min/129' max
LANDSCAPE AREA	10%	5%	5%	5%	10%	5%	5%
BUILDING LOT COVERAGE	90%	95%	95%	95%	90%	95%	95%
BUILDING SETBACKS							
FRONT (PRIEST DRIVE)	N/A	N/A	N/A	N/A	N/A	10'	10'
STREET SIDE (RIO SALADO PKWY)	N/A	15'	N/A	N/A	15'	N/A	15'
SIDE (NORTH)	0'	N/A	0'	0'	N/A	0'	N/A
REAR (EAST)	20'	20'	N/A	N/A	N/A	N/A	N/A
SIDES (FUTURE INTERNAL LOT LINES)	0'	0'	0'	0'	0'	0'	0'
VEHICLE PARKING QUANTITY							
Multi Purpose Entertainment Facility (16000 seats, 2 / seat)	3200	N/A	N/A	N/A	N/A	N/A	N/A
Multi-Family Residential							
		# of Units	# of parking spaces		# of Units	# of parking spaces	# of Units
1 bedroom (1 per unit)	N/A	135	135	N/A	485	485	420
2 bedroom (2 per unit)	N/A	39	78	N/A	139	278	120
3 bedroom (2 per unit)	N/A	20	40	N/A	70	140	60
Guest (.2 per unit)	N/A	194	39	NA	694	139	600
Office (1 / 300 sf)	N/A		533	588	NA		NA
Hotel (500 units, 5 / unit)	N/A		100	150	NA		NA
Retail (1 / 300 sf)	183		245	40	18	353	89
Theater (3000 seats, 1 / 3 seats)	N/A		N/A	N/A	1000		NA
Parking Garage	NA		NA	NA	NA	NA	NA
TOTAL PROVIDED ON-SITE**					6898		
TOTAL PROVIDED OFF-SITE					2716		
GRAND TOTAL PARKING PROVIDED					9614		
BICYCLE PARKING QUANTITY							
Multi Purpose Entertainment Facility (16,000 seats, 1/100 seats)	160		NA	NA	NA		NA
Multi-Family Residential							
		# of Units	# of parking spaces		# of Units	# of parking spaces	# of Units
1 bedroom (.75 / unit)	NA	135	101	NA	485	364	420
2 bedroom (.75 / unit)	NA	39	30	NA	139	104	120
3 bedroom (1 / unit)	NA	20	20	NA	70	70	60
Guest (.2 / unit)	NA	194	39	NA	694	139	600
Office (1 / 8000 sf)	NA		20	23	NA		NA
Hotel (500 units, 1 / 20 units)	NA		10	15	NA		NA
Retail (1 per 7500 sf)	7		10	1	14		4
Theater (3000 seats, 1/30 seats)	NA		NA	NA	100		NA
TOTAL PROVIDED	167		230	39	101	691	589
USES (GSF)							
Multi Purpose Entertainment facility	650,000	NA	NA	NA	NA	NA	NA
Multi-Family Residential	NA	309,000	NA	NA	883,500	691,000	604,500
Office	NA	160,000	176,295	NA	NA	NA	NA
Hotel	NA	163,000	247,705	NA	NA	NA	NA
Retail	54,759	73,542	11,940	5,360	106,073	26,820	36,506
Theater	NA	NA	NA	50,000	NA	NA	NA
Parking garage	159,000	358,000	NA	200,000	NA	NA	NA
TOTAL SQUARE FOOTAGE	704,759	705,542	435,940	55,360	989,573	717,820	641,006
*No building height shall exceed the safety guidelines established by the FAA and maximum building height measured from the adjoining finished grade of each building to the top of it's corresponding roof line							
** Multi-Purpose Entertainment Facility and Theater parking shall be provided using one or more of the following methods (1) dedicated spaces, (2) shared spaces, (3) Off-site shared parking spaces on existing sites, or (4) temporary surface spaces. All subject to review and completion of a shared parking model per ZDC Section 4-604.							
N/A - Not applicable							

GENERAL NOTES:

THE DEVELOPMENT SHALL COMPLY WITH THE RIO SALADO OVERLAY DISTRICT OF TEMPE ZONING AND DEVELOPMENT CODE, SECTION 5-104 AND FIGURE 5-104A FLOOD CONTROL, AS IT PERTAINS TO SITE 1, 3A, 3B AND 5.

BLUEBIRD DEVELOPMENT, LLC
8825 N 23RD AVENUE STE 100,
PHOENIX, AZ, 85021

Gensler

2575 East Camelback Road
Suite 175
Phoenix, AZ 85016
United States
Tel: 602.523.4900
Fax: 602.523.4949

MANICA architecture

Kansas City | London | Shanghai
1915 West 43rd Street
Kansas City, KS 66103
Tel: +1 816 421 8890
www.manicaarchitecture.com

Date	Description
11.04.22	PAD Submittal

Seal / Signature



Project Name

Tempe Entertainment District

Project Number

57.8314.000

Description

PROJECT DATA

Scale

NOT TO SCALE

P0.001

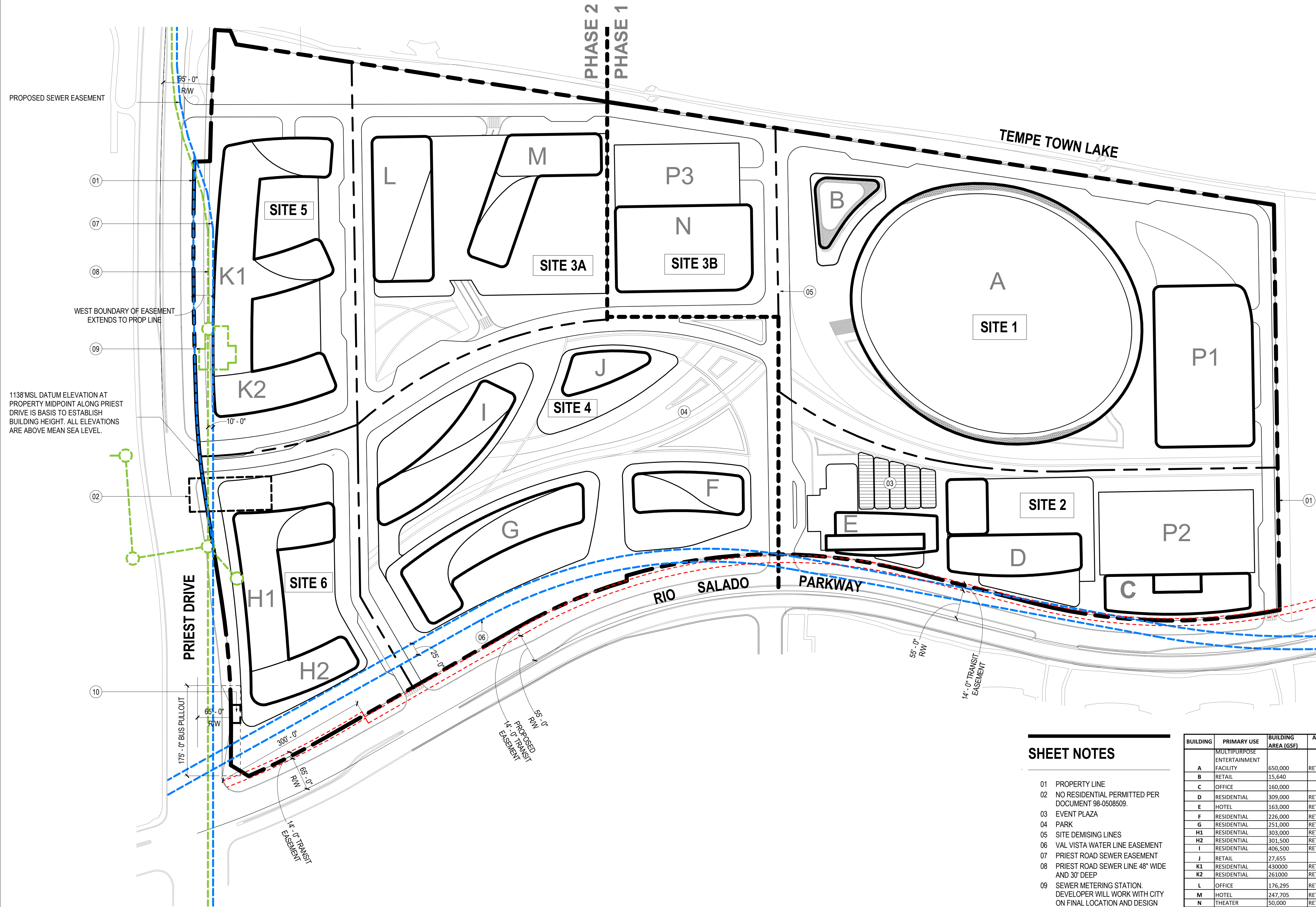
DS221634

PAD220019

REC22111

PLANNED AREA DEVELOPMENT FOR TEMPE ENTERTAINMENT DISTRICT

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



1138' MSL DATUM ELEVATION AT PROPERTY MIDPOINT ALONG PRIEST DRIVE IS BASIS TO ESTABLISH BUILDING HEIGHT. ALL ELEVATIONS ARE ABOVE MEAN SEA LEVEL.

SHEET NOTES

- 01 PROPERTY LINE
- 02 NO RESIDENTIAL PERMITTED PER DOCUMENT 98-0608509.
- 03 EVENT PLAZA
- 04 PARK
- 05 SITE DEMISING LINES
- 06 VAL VISTA WATER LINE EASEMENT
- 07 PRIEST ROAD SEWER EASEMENT
- 08 PRIEST ROAD SEWER LINE 48" WIDE AND 30' DEEP
- 09 SEWER METERING STATION. DEVELOPER WILL WORK WITH CITY ON FINAL LOCATION AND DESIGN
- 10 175' BUS PULLOUT THAT INCLUDES A 35' X 18' SHELTER PAD PER CITY OF TEMPE STANDARDS (TOTAL CURB TO BACK OF PAD 37.5' | 11.5' PULLOUT | 8' SW | 18' PAD

BUILDING	PRIMARY USE	BUILDING AREA (GSF)	ACCESSORY USE	BUILDING AREA (GSF)	BUILDING HEIGHT	GUEST ROOMS	DWELLING UNITS
A	MULTIPURPOSE ENTERTAINMENT FACILITY	650,000	RETAIL	17,958	120'	--	--
B	RETAIL	15,640			48'	--	--
C	OFFICE	160,000			120'	--	--
D	RESIDENTIAL	309,000	RETAIL	27,611	118'	--	194
E	HOTEL	163,000	RETAIL	28,611	108'	200	--
F	RESIDENTIAL	236,000	RETAIL	10,457	110'	--	166
G	RESIDENTIAL	251,000	RETAIL	16,814	110'	--	316
H1	RESIDENTIAL	303,000	RETAIL	18,253	110'	--	244
H2	RESIDENTIAL	301,500	RETAIL	18,253	110'	--	263
I	RESIDENTIAL	406,500	RETAIL	51,147	110'	--	212
J	RETAIL	27,655			110'	--	--
K1	RESIDENTIAL	430,000	RETAIL	13,410	85'	--	388
K2	RESIDENTIAL	261,000	RETAIL	13,410	110'	--	212
L	OFFICE	176,295	RETAIL	4,527	90'	--	--
M	HOTEL	247,705	RETAIL	7,413	110'	300	--
N	THEATER	50,000	RETAIL	5,360	60'	--	--
P1	GARAGE	159,000	RETAIL	21,161	72'	--	--
P2	GARAGE	358,000	RETAIL	17,320	82'	--	--
P3	GARAGE	200,000			72'	--	--
TOTAL		3,978,295		271,705		500	1995
TOTAL BUILDING AREA				4,250,000			

DS221634

PAD220019

REC22111

REC22111

PAD220019

DS221634

BLUEBIRD DEVELOPMENT, LLC
8825 N 23RD AVENUE STE 100,
PHOENIX, AZ, 85021

Gensler

2575 East Camelback Road
Suite 175
Phoenix, AZ 85016
United States
Tel: 602.523.4900
Fax: 602.523.4949

MANICA
architecture

Kansas City | London | Shanghai
1915 West 43rd Street
Kansas City, KS 66103
Tel: +1 816 421 8890
www.manicaarchitecture.com

Date	Description
11.04.22	PAD Submittal

Seal / Signature



Project Name

Tempe Entertainment District

Project Number

57.8314.000

Description

SITE PLAN

Scale

1" = 100'-0"

P1.001



01 PERSPECTIVE VIEW / CONCEPTUAL ELEVATION



04 PERSPECTIVE VIEW / CONCEPTUAL ELEVATION



03 PERSPECTIVE VIEW / CONCEPTUAL ELEVATION



02 PERSPECTIVE VIEW / CONCEPTUAL ELEVATION

BLUEBIRD DEVELOPMENT, LLC
8825 N 23RD AVENUE STE 100,
PHOENIX, AZ, 85021

Gensler

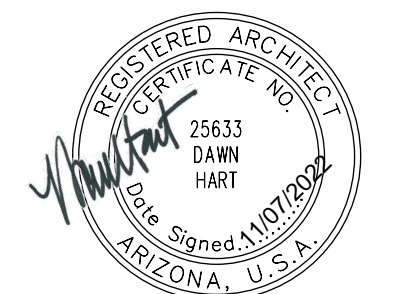
2575 East Camelback Road
Suite 175
Phoenix, AZ 85016
United States
Tel: 602.523.4900
Fax: 602.523.4949

MANICA
architecture

Kansas City | London | Shanghai
1915 West 43rd Street
Kansas City, KS 66103
Tel: +1 816 421 8890
www.manicaarchitecture.com

Date	Description
11.04.22	PAD Submittal

Seal / Signature



Project Name
Tempe Entertainment District

Project Number
57.8314.000

Description
PERSPECTIVE VIEW / CONCEPTUAL ELEVATIONS

Scale

P1.004



Zoning Group

Nick Wood, Esq
Attorney

Noel J. Griemsmann, AICP
Sr. Urban Planner

Ryan McCann, AICP
Urban Planner

Maggie Dellow
Urban Planner

Ty Utton
Assistant Planner

Tempe Entertainment District
Public Involvement Final Report

Public Involvement Final Report For Tempe Entertainment District (“TED”)



Case Number: PL220278 / PL220279

Project Name: Tempe Entertainment District (“TED”)

Location: Northeast Corner of Rio Salado Parkway and Priest Drive

Date Submitted: October 30, 2022

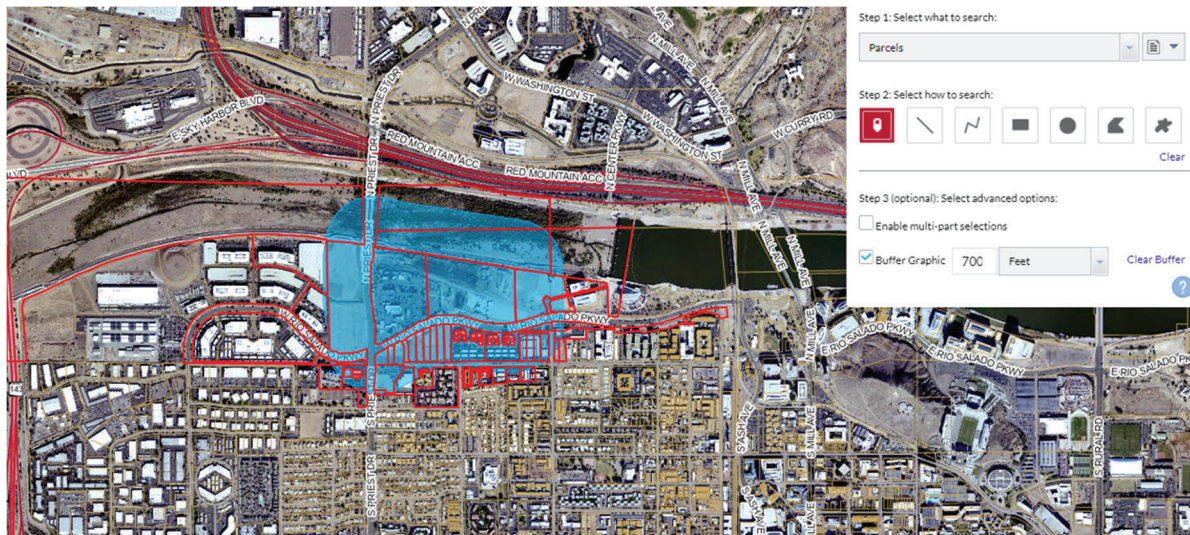
1. Project Description

Case Numbers PL220278 and PL220279 are requests for a General Plan Amendment and Zoning Map Amendment for the property located at the northwest corner of East Rio Salado Parkway and Priest Drive, otherwise known as Maricopa County Assessor's Parcel Number (APNs) 124-27-013 and 124-27-014 (cumulatively, the "Property"). This request is to change a portion of the applicable General Plan Designation from Commercial to Mixed-Use and the Zoning Map Designation of the Property from its current designations of General Industrial District ("GID") and Single-Family Residential ("R1-6") to Mixed-Use Density Planned Area Development Overlay ("MU-4/PAD") to allow for the development of a high-quality mixed-use district that will include (i) a state-of-the-art multipurpose event center serving as the home arena for the National Hockey League's Arizona Coyotes; (ii) a 3,500 capacity more intimate performance venue (iii) a wide range of retail and food/beverage concepts; (iv) 500 hotel rooms; (v) Class A office space; and (vi) high-density multi-family development of up to 1,995 dwelling units (the "Project").

2. Notification Dates

- A. September 29th, 2022: Initial project/neighborhood meeting notification was sent via US Mail to those on the notification list (described below).
- B. September 29th, 2022: Three (3) public notice signs were installed at the Property.

3. Notification Area Map (700 Foot Buffer Tool, Maricopa County Assessor GIS)



4. Notification Letters, Mailing Lists and Notarized Affidavits

Please see the two (2) attached exhibits, more specifically:

- A. **Exhibit 1**: Initial project/neighborhood meeting notification affidavit, including notification letter and mailing lists.

- B. **Exhibit 2**: Sign posting affidavit.

5. Public Involvement Participation

- A. **Neighborhood Meeting: October 15, 2022**: The applicant and applicant’s representatives hosted a meeting at the Canopy by Hilton hotel (108 E University Drive, Tempe) where they met with approximately thirty-five (35) interested persons. The sign-in sheets from the meeting are attached as Exhibit 3 with the information of those attendees that completed this form. At the neighborhood meeting, the development team reviewed and discussed the Project site with the aid of poster boards set up around the meeting room. The development team reviewed the status of the application, tentative timelines for each stage of the Project, and the overall design concept proposed for the Project. There was also a summary presentation of the Project made by a representative from the Arizona Coyotes National Hockey League (“NHL”) team. After the presentation there was a question-and-answer period. The neighborhood meeting lasted approximately two (2) hours. Comment cards were provided, and responses returned to the Applicant’s representatives are attached here to as Exhibit 4. Attendees were also encouraged to contact the Applicant’s representatives with any additional questions or comments that they may have after the conclusion of the meeting.
- B. **Written Response**: The applicant’s representative received one (1) direct written response. This response is attached here as Exhibit 5.

6. Statements, Concerns, Issues, and Problems Raised by Stakeholders at the Neighborhood Meeting and Each Have Been Addressed by the Development Team

1. Concerns about flight paths being relocated.
 - a. Development team explained the TED project is being designed in compliance with the Code of Federal Regulations Part 150 Program and will not result in relocation of flight paths.
2. Concerns about noise from airplanes if such relocation occurred.
 - a. Development team explained the TED project is being designed in compliance with the Code of Federal Regulations Part 150 Program and will not result in relocation of flight paths.
3. Complaint from an attendee about that flight paths have already begun to change.
 - a. Comment beyond scope of project.
4. Concern that taxes could increase for residents.
 - a. The Project is privately financed and only new on-site taxes will contribute to the remediation and public infrastructure costs.
5. Concerns about the flight path agreement between Phoenix and Tempe being violated and causing flight paths to change.
 - a. Development team explained the TED project is being designed in compliance with the Code of Federal Regulations Part 150 Program, therefore will not trigger a violation of the IGA and will not result in relocation of flight paths.

6. Excitement for possible concerts, events and other activities at the Project.
 - a. Noted.
7. Worried about parking, including questions about how is the increased demand going to be managed and if existing roadways are going to be modified at all?
 - a. Development team will pursue Traffic Impact/Parking Studies to ensure concerns are addressed appropriately.
8. Questions about where everyone is going to park.
 - a. Development team will pursue Traffic Impact/Parking Studies to ensure concerns are addressed appropriately.
9. Suggestion that Tempe should build another dam on the Phoenix/Tempe Border to extend Town Lake.
 - a. Comment beyond scope of project.
10. Concerns about a perception of the Coyotes lack of follow through/credibility re: paying taxes in Glendale? Did Glendale throw them out?
 - a. Tax payment was a result of human accounting error and was paid the following day after notification. The City of Glendale exercised its lease termination option when the Tempe RFP was issued.
11. Other event related comments included: Any chance of bringing ASU's basketball teams into the new arena? Also try to see if you can bring the NLL back in a big anime/comic convention into Tempe? Comic Con International might be leaving San Diego soon any chance Tempe can bring Comic Con to AZ instead of it going to Vegas?
 - a. Comment beyond scope of project.
12. Comments from attendee stating that they believe this will be a great thing for the Downtown Tempe and the lake area.
 - a. Noted.
13. What is the long-term liability on the environmental issues?
 - a. The on-site environmental remediation has been successfully completed on several other projects along the southern bank of Rio Salado in Tempe.
14. Where/who is the recipient of the landfill contents? One attendee stated that, as the public artist for the Rio Salado South Bank Multi Use Path, that they want to hear more about how the multi-use Path and its artwork are to be integrated into this project.
 - a. Landfill will be moved to another landfill. Public Art comment is noted for consideration.
15. Several attendees noted being excited about the project.
 - a. Noted.

7. Revisions to Proposal

Many of the comments related to parking and traffic will be addressed with Traffic Impact Studies that look at current and future needs to support the Project. As to specific design revisions, as the Project develops, the development team will consider the comments received during the site planning and design stage.



Doug Ducey
Governor

ARIZONA STATE PARKS & TRAILS

Bob Broscheid
Executive Director



October 12, 2022

Ms. Suparna Dasgupta, Principal Planner
City of Tempe, Planning Division
Mail Stop 01-7
PO Box 5002
Tempe, AZ 85280-5002

Re: Maricopa County; Tempe Entertainment District (TED) (Case Number PL220278); Non-mandated Review;
City of Tempe; SHPO-2022-1234(166106)

Dear Ms. Dasgupta:

Thank you for providing our office the opportunity to comment on the proposed amendment to the City of Tempe General Plan 2040 for the future Tempe Entertainment District and Multipurpose Event Center (TED), located at the northeast corner of East Rio Salado Parkway and Priest Drive in Tempe. Amending the plan would modify Tempe's future land use map from "Commercial" to "Mixed-Use" and its future density map from "No Density" to "High Density-Urban Core" for the 46.27-acre parcel. The amendment to the General Plan is non-mandated; that is, there is no State or Federal involvement.

We understand that the proposed TED project is located on a brownfield landfill that currently contains a City of Tempe municipal operations yard. Remediation of the brownfield will be necessary prior to any development, which will require coordination with the Environmental Protection Agency (EPA). As a federal agency, the EPA will be responsible for complying with Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108 and its implementing regulations, 36 CFR Part 800. State agencies may also be involved due to permitting regulations, and therefore those actions would be subject to the Arizona State Historic Preservation Act, A.R.S 41-861 et seq.

SHPO is notifying the City of Tempe that there are potential historic preservation concerns at the TED project location. Two World War II barracks from the Camp Papago Park Prisoner of War facility were relocated to the Tempe maintenance yard and are still present. The buildings have not been evaluated for inclusion in the Arizona or National Registers of Historic Places. In addition, the TED project area is in proximity to several prehistoric Hohokam sites, and it is possible that subsurface archaeological deposits may be present. Identifying and evaluating these cultural resources in consultation with our office will be required if there is a federal or state nexus.

SHPO recommends that the City of Tempe inform the developer of these historic preservation concerns. As always, we appreciate your continued cooperation with this office in support of historic and cultural preservation. Please contact me by telephone, 602.542.7141, or via e-mail at edavis@azstateparks.gov, if you have any questions or concerns.

Sincerely,

Erin Davis, M.A.
Archaeological Compliance Specialist
State Historic Preservation Office

cc: Dr. Zachary Lechner, City of Tempe Historic Preservation Officer

Dasgupta, Suparna

From: Bernadette Martinez <bmartinez@azdot.gov>
Sent: Wednesday, October 5, 2022 8:39 AM
To: Dasgupta, Suparna
Cc: Peggy Fehlman; Martin Lauber
Subject: TEMPE ENTERTAINMENT DISTRICT PL220278 56 S PRIEST DR TEMPE
Attachments: Traffic Impact Analysis Pre-Submittal Form.pdf

i This message needs your attention

- This is their first email to you.

Upon initial review, the above referenced location is within 1/2 mile from an ADOT proposed or existing facility. As such, ADOT will be reviewing/requesting information about your project. If you have a **Site Plan** and a **Traffic Impact Analysis or Statement (TIA / TIS)** could you please send it over. If you don't have one I have attached a TIA Pre-submittal form you can utilize. Thank you.

You may also require a permit from ADOT See Permit Encroachment Process Link -

<https://azdot.gov/business/permits/encroachment-permits>.

Please feel free to contact me should you have any further questions. We appreciate the opportunity to review and comment. Thank you.

Bernadette Martinez
Right of Way Coordinator Assistant
Central District
2140 W. Hilton Ave, MD 700
Phoenix, AZ 85009
602.712.2086



----- Forwarded message -----

From: Dasgupta, Suparna <Suparna_Dasgupta@tempe.gov>
Date: Fri, Sep 30, 2022 at 3:14 PM
Subject: Notice of Minor General Plan Amendment PL220278: Tempe Entertainment District
To:
Cc: Dasgupta, Suparna <Suparna_Dasgupta@tempe.gov>

Please see attached.

Thank you.

Suparna Dasgupta

Principal Planner

Planning Division

City of Tempe Community Development

480-350-8562

suparna_dasgupta@tempe.gov

--

Matt Tolman

Project Coordinator ROW &

Local Public Agency ROW Coordinator

205 S. 17th Avenue

MD612E

Phoenix, AZ 85007

P 602.712.4701

F 602-712-3453

azdot.gov



From: [DeArrastia, Kara](#)
To: [Dasgupta, Suparna](#); [Barry, Joanna](#); [Levesque, Ryan](#)
Cc: [Reece, Carla](#); [Doncovio, Karen](#)
Subject: FW: City Council Online Meeting Comment Card
Date: Tuesday, October 11, 2022 2:22:28 PM
Attachments: [image001.png](#)
[image002.png](#)

Good afternoon Community Development staff,

This comment card is intended for the November 15th Development Review Commission meeting. The submitter had used the comment card for City Council meetings.

Thank you,

Kara DeArrastia, CMC
Deputy City Clerk
Tempe City Clerk's Office
31 E. Fifth Street | Tempe, AZ 85281 | Mail Stop: 01-6 | Direct: (480) 350-8947 |
www.tempe.gov/clerk

Please sign up at <https://email.tempe.gov/coronavirus> to receive important information on the City of Tempe's response to the coronavirus (COVID-19).

The Tempe City Clerk's Office promotes public trust in local government by providing objective, accurate, and responsive administration of official City records, City Council proceedings, elections, and the board/commission and lobbyist registration programs. Tempe creates outstanding value for those we serve through shared vision, superior service, and sustainable practices.

From: clerk@tempe.gov <clerk@tempe.gov>
Sent: Tuesday, October 11, 2022 12:15 PM
To: CM - Council Communicator <councilcommunicator@tempe.gov>
Subject: City Council Online Meeting Comment Card

A new entry to a form/survey has been submitted.

Form Name: City Council Online Meeting Comment Card
Date & Time: 10/11/2022 12:14 PM
Response #: 1362
Submitter ID: 106674
IP address: [REDACTED]
Time to complete: 5 min. , 57 sec.

Survey Details

Page 1

City of Tempe Speaker/Comment Card - must be submitted no later than 2 p.m. the day of the [City Council meeting](#).

Members of the public may address the City Council during Public Hearing items, Public Appearances, or Call to the Audience as indicated on the City Council Meeting agendas, except for Executive Sessions, which are closed to the public. For Work Study Sessions, you may only speak once on an Issue Review Session item, or a Committee of the Whole item, listed on the agenda. Speakers are allowed up to three (3) minutes to speak.

[View Meeting Agendas](#)

Contact Information

Full Name	Margaret Cordalis	Representing	self
Lobbyist (Yes or No)	No	City & State of Residence	Tempe, AZ
Email	██████████@gmail.com	Phone	██████████
Meeting Date	11/15/2022	Public Hearing Item # or Item Title	Development Review Commission

Topic you wish to address during Public Appearances at the Regular Council Meeting

Tempe Entertainment District

Please select an option:

Provide my written comments to Council prior to the meeting for their review

Comments

I am against the entire proposal. I do not believe municipalities should subsidize sports stadiums and the projects around them. Tempe should cancel this entire project.

All speakers are expected to observe common standards of decorum and courtesy. Personal, impertinent, or slanderous remarks, including profanity, are prohibited, as is any disorderly conduct that disrupts, disturbs, or otherwise impedes the City Council meeting. Becoming boisterous while addressing the City Council is prohibited. Any conduct that disrupts, disturbs, or otherwise impedes the City Council meeting will be grounds, at the discretion of the Mayor, for ending a speaker's time.

[City of Tempe Guidelines Conduct at City Council Meetings English and Spanish](#)

I agree to adhere to the Conduct Guidelines when addressing the City Council

Thank you,
City of Tempe, AZ

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [DeArrastia, Kara](#)
To: [Dasgupta, Suparna](#); [Barry, Joanna](#); [Levesque, Ryan](#)
Cc: [Doncovio, Karen](#); [Reece, Carla](#)
Subject: Online Comment Card for November 15th Development Review Commission meeting
Date: Monday, October 31, 2022 7:39:12 AM
Attachments: [image001.png](#)
[image002.png](#)

Good morning Community Development staff,

This comment card is intended for the November 15th Development Review Commission meeting. The submitter had used the comment card for City Council meetings. I will also notify the submitter that their card was forwarded to Tempe Planning staff as a courtesy.

Thank you,

Kara DeArrastia, CMC
Deputy City Clerk
Tempe City Clerk's Office
31 E. Fifth Street | Tempe, AZ 85281 | Mail Stop: 01-6 | Direct: (480) 350-8947 |
www.tempe.gov/clerk

Please sign up at <https://email.tempe.gov/coronavirus> to receive important information on the City of Tempe's response to the coronavirus (COVID-19).

The Tempe City Clerk's Office promotes public trust in local government by providing objective, accurate, and responsive administration of official City records, City Council proceedings, elections, and the board/commission and lobbyist registration programs. Tempe creates outstanding value for those we serve through shared vision, superior service, and sustainable practices.

From: clerk@tempe.gov <clerk@tempe.gov>
Sent: Saturday, October 29, 2022 2:51 PM
To: CM - Council Communicator <councilcommunicator@tempe.gov>
Subject: City Council Online Meeting Comment Card

A new entry to a form/survey has been submitted.

Form Name: City Council Online Meeting Comment Card
Date & Time: 10/29/2022 2:50 PM
Response #: 1371
Submitter ID: 107206
IP address: [REDACTED]
Time to complete: 9 min. , 51 sec.

Survey Details

City of Tempe Speaker/Comment Card - must be submitted no later than 2 p.m. the day of the [City Council meeting](#).

Members of the public may address the City Council during Public Hearing items, Public Appearances, or Call to the Audience as indicated on the City Council Meeting agendas, except for Executive Sessions, which are closed to the public. For Work Study Sessions, you may only speak once on an Issue Review Session item, or a Committee of the Whole item, listed on the agenda. Speakers are allowed up to three (3) minutes to speak.

[View Meeting Agendas](#)

Contact Information

Full Name	MAHA ALSHAMMARI	Representing	Community Resident
Lobbyist (Yes or No)	NO	City & State of Residence	██████████ 988
Email	██████████@gmail.com	Phone	██████████
Meeting Date	11/15/2022	Public Hearing Item # or Item Title	RIO SALADO / PRIEST ENT. DISTRICT

Topic you wish to address during Public Appearances at the Regular Council Meeting

I would like to address the plans that are currently at work between the city of Tempe and the Bluebird Development LLC, the affiliate for the Meruelo Group and the Arizona Coyotes for the Tempe Entertainment District

Please select an option:

(o) I will be attending the meeting physically in the Council Chambers and would like to speak in-person

Comments

Dear city council,
I have been a resident of the city of Tempe since first arriving in 2017. When I first arrived, the city was barely populated. Jokingly, students at ASU used to refer to Tempe as being just temporary, but myself like many others choose to call it home with good reason. The community was small and had a cozy setting where students could thrive and focus on their education and building supporting families. At that time, I had just arrived from a lifetime of hustle and bustle from California which left me drained and hopeful for a better Tempe community. I was seeking a place of refuge that served the community and not the investors, or national and international developers. Tempe was the perfect community of small businesses I'd not seen in California for decades; surrounded by ASU there was a constant flow of life and students that each brought assets to the community. As time has passed, Tempe has changed to try to compete with downtown Phoenix for the financial centers and an attempt for the most part to become a "grub hub", yet it has become crowded, for the small spaces it has and an unsafe place to be. Having lived in the Rio Salado / Priest area for some years now I have seen an area once safe at night to now hearing sirens around my corner every evening. Just this year, my partner walking our dog in the evening, was shot at by an individual

who broke into Sky Water Apartments rooftop. Due to the police wait times, they did not arrive until an hour and a half later with roof top vigilance. Only to have allowed a gap in time between my call to police for the individual to escape. This is only a minor insight to just how bad the area has become. Not to mention the irresponsible decision to allow the homeless to take Jaycee Park over for almost two years. There should be more accountability to making a change for the lives of the people; not creating a dependency. These people have found themselves on the streets due to all the expensive housing around the city. The area has significantly jumped in price due to the changes made to the Mill Ave and around the university, while understandably necessary they also affected the residents drastically making the area seem like a luxury to live in but without necessarily having an incentive to live in the area. Most shops are empty either from no business or no leasing, the traffic saturates in localized places. The very few restaurants that are around are made for mono palettes; are Asian food, chain restaurants, and burgers the only things available now? You have removed the individuality that Tempe held in Arizona. It is not prevalent to see who the city council is actually siding with by agreeing to place a hockey stadium where perhaps you should consider building more affordable student housing or perhaps something that would encourage more physical activity such as a community park to further add to the picturesque scene. How can the city council propose to boot out citizens who have created a home in the humble American town of Tempe? This is a huge win for the corporations that are buying out Arizona and making it completely unaffordable to live in. Displacing citizens is what states like California and New York have done to weed out those who want to better their community, pushing new residents into the area of Tempe amongst other places in Phoenix. By agreeing to sell that portion of land to more developers that will continuously raise the prices as they have been doing, you are demonstrating where you stand with the citizens of Tempe in the issue of affordable housing. We are nothing more than replaceable tax tokens whose lives and votes mean nothing, and thus the opinion of the residents of the area takes second place to the developers seeking to buy a stake in this land. I look forward to elections to recognize each and every one of you sitting members that are agreeing to sell out the remaining area to investors and developers near the university. Instead of creating a culture for the students of ASU living in Tempe could experience life in this great city and inspire them to call it home. This of which would encourage a desire to make changes for the community, and for the better without taking corporate investor dollars that will cramp up the small spaces we have. The city of Tempe should serve as an example for other university towns nationwide, where the students can help the city grow with innovative ideas. Just like the students who helped bring life to this very area with the creation of the Tempe Town Lake Dam, all they sought was to bring more opportunities to the city of Tempe so that future generations could do the same. I conclude, by taking away the opportunity for students to create a lasting relationship with the city and creation of prosperity and change, you epitomize the idea that Tempe is just TEMPORARY.

Thank you for your time,
Maha Alshammari

All speakers are expected to observe common standards of decorum and courtesy. Personal, impertinent, or slanderous remarks, including profanity, are prohibited, as is any disorderly conduct that disrupts, disturbs, or otherwise impedes the City Council meeting. Becoming boisterous while addressing the City Council is prohibited. Any conduct that disrupts, disturbs, or otherwise impedes the City Council meeting will be grounds, at the discretion of the Mayor, for ending a speaker's time.

[City of Tempe Guidelines Conduct at City Council Meetings English and Spanish](#)

[x] I agree to adhere to the Conduct Guidelines when addressing the City Council

Thank you,
City of Tempe, AZ

This is an automated message generated by Granicus. Please do not reply directly to this email.

November 7, 2022

Ryan Levesque
Deputy Director - Planning
Tempe Community Development Department
31 East 5th Street
Tempe, Arizona 85281

Re: Summary of Parking Strategy for the Tempe Entertainment District and Multipurpose Event Center – the “TED” Project

Dear Mr. Levesque:

As you are aware, the TED Project is planned as a unique destination development, transforming approximately 46 acres of brownfield site into a high-quality mixed-use district that will include (i) a state-of-the art multipurpose event center serving as the home arena for the National Hockey League’s Arizona Coyotes; (ii) a 3,500 capacity more intimate performance venue (iii) a wide range of retail and food/beverage concepts; (iv) 500 hotel rooms; (v) Class A office space; and (vi) high-density multi-family development of up to 1,995 dwelling units. Under base Zoning Code standards, the TED Project is estimated to have to provide 10,773 parking spaces on-site. That number is too high for a mixed-use environment and encourages automotive trips over alternatives¹; therefore the project team is requesting custom, project specific parking as described herein.

Due to the unique nature of this mix of various land uses, the proposed Planned Area Development (“PAD”) contemplates a parking strategy that seeks to utilize the provided parking to its maximum, reducing the amount of empty parking and encouraging the use of transit, biking and pedestrian movements to and from the site.

To accomplish this, the current base parking standards of the Zoning Code, specifically Section 4-602, General Parking Standards, were reviewed. These standards, being generally

¹ City of Tempe General Plan 2040 states that the City should “encourage...compact, desirable and walkable urban neighborhoods” and to “provide urban mixed-use” states, in RC12.5 and B&R1.7, that the City should “encourage shared parking which serves several groups of users during various times of the day” and, per PAM1.1, “promote shared use parking facilities,” objectives the project seeks to support with its shared parking strategy.

applicable to the entire city, do not necessary reflect the unique blend of uses at TED and, if fully implemented, would likely lead to an over parked condition.

In review of Section 4-607, Downtown Parking Standards (“DPS”), there appeared to be a better fit to a mixed-use environment. This section allows for the use of Parking Management Plans to identify and implement on and off site parking, but with limits on the use of Shared Parking Models (Section 4-607.C.4). However, this section does provide for reduced parking, particularly for commercial uses (1 space per 500 sqft vs 1 space per 300 sqft of the base code), hotels (.3 spaces per unit vs 1 per unit citywide) and residential (.5 spaces per bedroom vs various ratios from 1.5 up to 2.5 plus guest).

After reviewing the project master plan, the uses proposed and expectations based on prior projects across various communities, the project design team has developed a base parking ratio that provides for some reductions from the “citywide” standards but provides more parking than those of Section 4-607 as the project, while close to some transit options, is not as transit dense as Downtown Tempe, where Section 4-607 is intended to be applicable (with City Center District zoning).

Based on context, site access and available transit options, the development team established the following ratios for the land uses at TED:

- Multi-Purpose Entertainment Facility: .2 space per seat (base Code)
- Office: 1 space per 300 square feet (base Code)
- Retail: 1 space per 300 square feet (base Code)
- Theater: 1 space per 300 square feet (base Code)
- Dwelling Unit, 1 Bedroom: 1 space per unit (less than base, more than DPS)
- Dwelling Unit, 2 Bedroom: 2 spaces per unit (base Code)
- Dwelling Unit, 3 Bedroom: 2 spaces per unit (less than base, more than DPS)
- Dwelling Unit, Guest: .2 spaces per unit (base Code)
- Hotel: .5 space per unit/key (less than base, more than DPS)

The above listed land uses are all parked at ratios higher than DPS, with some minor reduction to dwelling units and hotel rooms due to (i) expected lower per household car ownership due to location of the project and (ii) the use of private car sharing services and taxis for hotel guests.

One unique aspect to the base parking requirements for the project is that it does not require separate, more intensive, restaurant parking ratios (these are inclusive of the retail requirement). This is due to the mixed-use nature of the project, particularly given the destination nature of the

built environment. Many visitors to the site are expected to be those attending an event, prior to which they would be a customer for a restaurant user. During non-event periods, such as daytime, the users for the restaurants are anticipated to be those office and residents on-site and nearby, so walking or biking is expected for a number of those trips. Therefore, the provision of resident parking, hotel parking and office parking, combined with the base retail standard, is expected to provide the parking support necessary for the restaurants that would locate at TED and therefore a higher ratio would be inappropriate. Also, note that the DPS would permit a 1 space to 500 square feet of space for a restaurant; by parking at a 1 space to 300 square foot ratio, the use of the “retail” parking would result in more parking than the DPS base, which is appropriate in an intensive mixed-use setting.

The other unique parking standard is the authorization, but not requirement, for the multi-purpose event center and the theater to provide its required parking via (i) a Shared Parking Model and/or (ii) via off-site parking solutions. These facilities alone, under the base Code, would require 4,200 parking spaces, which would be empty except for event days/periods. With the project providing a targeted 6,898 on-site parking stalls, there is ample parking for all of the TED uses (other than these two entertainment venues), which would only require 5,414 spaces under the proposed parking ratios. In short, there are 1,484² more on-site parking stalls than expected to be required for the various non-event uses (residential, office, hotel and retail) on-site.

Since the TED project is a mix of uses with various demand times, the development team will support the parking ratios with a more formal per development project parking analysis that will establish a Shared Parking Model for each building or group of buildings to provide the appropriate mix of parking and a clear illustration of how the uses of each structure will be adequately parking under the ratios provided by the PAD.

The PAD for TED utilizes Shared Parking Model, and working with the project Traffic Engineer, the development team and the City can adjust parking ratios as needed to provide sufficient parking on a per building or group of buildings level, so that the overall project can achieve a final minimum provided parking requirement of 6,898 spaces at completion. The Shared Parking Model will allow for the use of dedicated on-site, shared on-site and/or off-site parking spaces to support overall project needs and will be subject to review and completion of a custom Shared Parking Model per Zoning Code Section 4-604.

² To clarify, note that the 10,733 on-site parking spaces is the “traditional” zoning required total. The PAD originally anticipated 9,614 spaces as per the parking ratios as described in detail above. From that, the required on-site parking is further reduced by the 4,200 parking spaces that are required for entertainment venues. However, because of the mixed-use nature of the Project, this particular classification of parking spaces is not required, which alternatively results in a minimum required total of 5,414 physical on-site parking spaces (9,614 minus 4,200). However, the PAD provides for 6,898 physical on-site parking spaces, an overage of 1,484 on-site parking spaces above the required base provided by the standards of the PAD. These 1,484 on-site parking spaces are provided to support entertainment venues, therefore there are a total of only 2,616 entertainment venue supporting parking spaces remain to be assigned and located via a Shared Parking Model and provided by additional on-site, shared on-site and/or off-site parking spaces.

Note that while additional parking beyond the base is discouraged, the developer may exceed the base standard if they deem it necessary to support the uses as the final mix of retail, restaurant and types of offices and final unit mixes for the residential are identified.

Contextually, the site is within a ten (10) minute walk of, or within the routes of proposed circulating shuttles, over 15,000 parking spaces. Exhibit A illustrates the approximate existing and proposed parking garages/areas that make up this significant inventory.

As these 15,000 parking spaces are attached to office buildings, they will be heavily underutilized (predominately vacant) after business hours and weekends. As high-capacity events will be predominately scheduled after business hours and on weekends, the existing parking structures that are within walking distance or serviced by TED's shuttles will be more than sufficient to supply the multi-purpose entertainment facility and other TED uses with additional parking. As detailed parking models are created for the project, these sites are anticipated to be sources of off-site parking spaces. These discussions are on-going with various property owners, with final documentation to be part of Shared Parking Models, if/as needed.

In addition to the nature of the use, its context/accessibility and the significant parking available around the site, the developer of TED is also proposing a \$286,000 per year contribution to Valley Metro to allow for event ticket holders to utilize their ticket as a light rail pass on event day. To further support this alternative mode of transportation, the developer will also be providing \$178,000 per year for circulation shuttles to/from the nearby light rail stations. This strategy will encourage transit use to/from TED, particularly for peak time activities/events, discouraging automobile trips, reducing parking demand and supporting a multi-modal lifestyle.

In summary, the parking strategy for the TED Project is to (i) provide a lightly modified parking ratio for specific uses (focused on dwellings, hotel and restaurant uses) that exceeds the lower limits allowed by the DPS, (ii) allow for the entertainment uses to provide parking via Shared Parking Model and/or by off-site parking options (with a possible 15,000+ parking spaces to provide off-site parking), (iii) requires the developer to provide building (or group of buildings) specific Shared Parking Model assessments for each and to work with the Zoning Administrator to document sufficient parking for each as the project is developed, phase by phase, and (iv) as per the proposed Development Agreement (an enforceable contract), provide encouragement for light rail use with "free" passes for events and circulator shuttles to/from nearby stations.

The development team appreciates the City's consideration of this hybrid approach to parking ratios and looks forward to working with the review staff as the PAD is implemented. The City of Tempe has illustrated to the entire Valley how to reduce the emphases on single-person automobile use and to "right-size" parking facilities based on today's needs.

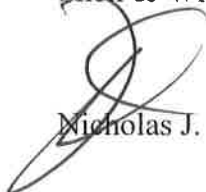
Snell & Wilmer

Ryan Levesque
November 7, 2022
Page 5

Please advise of any questions on the above.

Respectfully submitted,

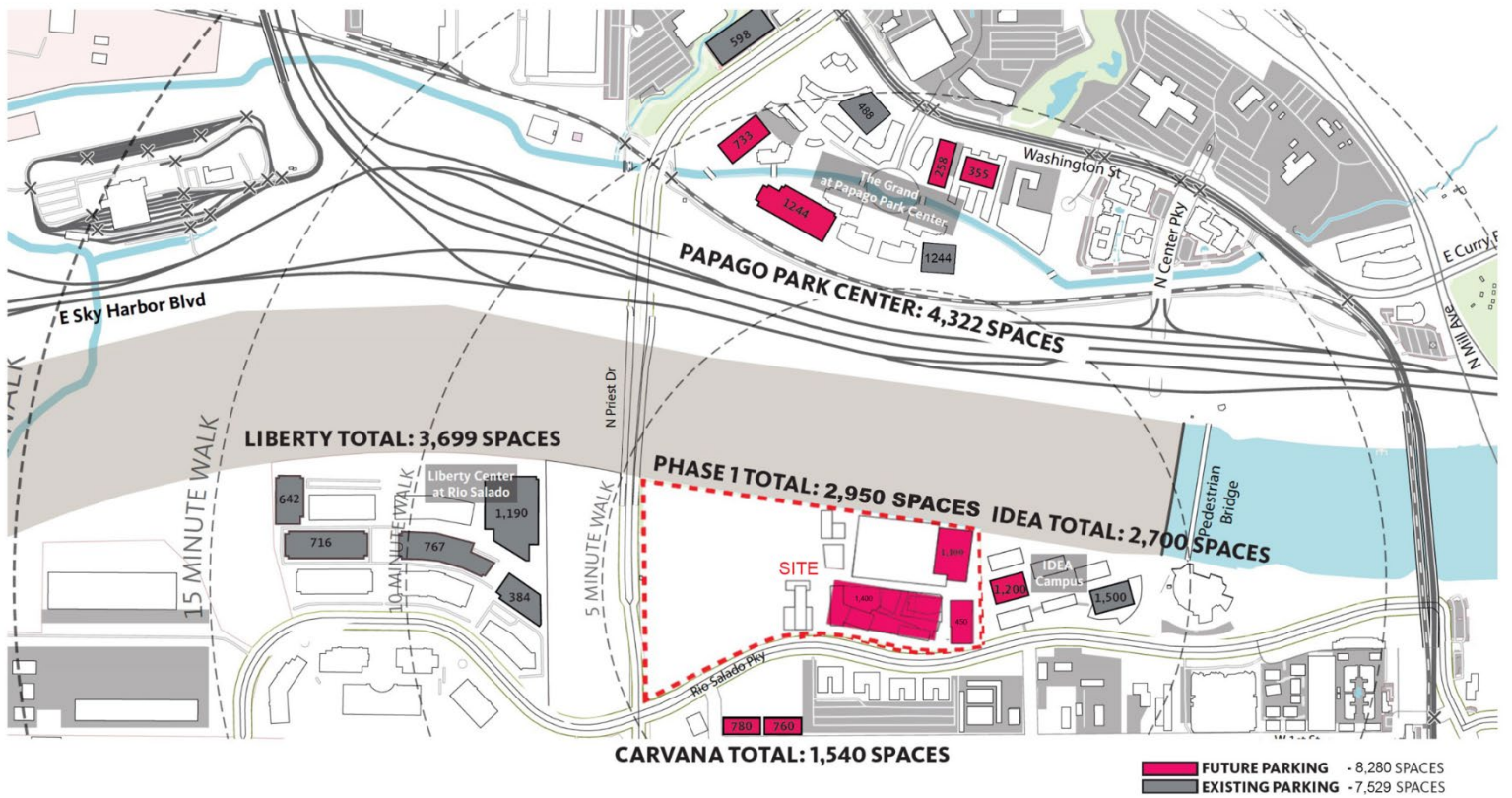
Snell & Wilmer

A handwritten signature in black ink, appearing to be 'Nicholas J. Wood', written over the printed name.

Nicholas J. Wood

EXHIBIT A – Nearby Parking Spaces, Current and Known Proposed (Approximate Totals)

PARKING - REGIONAL ANALYSIS





AFFORDABLE HOUSING IMPACT STATEMENT (AHIS): PROJECT REVIEW

Date:

Project Name, Address and Brief Description

Project Contact Name:
 Phone:
 E-mail:

Table 1: Housing Supply Reduction – Existing Units to be Removed or Demolished by the Project

Please fill out the following information for each housing unit taken out of use by the Project. **This includes any housing unit that may have already been demolished in advance of this Project filing.** Include as many rows as needed.

	Number of Units	Number of Bedrooms per Unit	Current Rental Price (\$/mo.) or Sale Price (\$)/Unit	No. of Existing Voucher Holder Tenants?	Number of Income-Restricted Units	Income Level for Income Restricted Units (d)	Term of Deed Restriction (through mm/yy)
Single-Family Detached (a)							
Single-Family Attached (b)							
Multifamily (c)		Studio					
Multifamily (c)		One					
Multifamily (c)		Two					
Multifamily (c)		Three					
Multifamily (c)		Four+					

- (a) Includes mobile homes
- (b) Includes townhomes and duplexes
- (c) Includes condominiums and apartments
- (d) To be filled out only if any units are income-restricted.

Table 2: Housing Supply Addition – New Units in Proposed Projects

Please fill out the following information for new housing units that will result from the Project.

	Number of Units	Number of Bedrooms per Unit	Proposed Rental Price (\$/mo.) or Sale Price (\$)/Unit	No. of Existing Voucher Holder Tenants?	Number of Income-Restricted Units	Income Level for Income Restricted Units (d)	Term of Deed Restriction (through mm/yy)
Single-Family Detached (a)							
Single-Family Attached (b)							
Multifamily (c)		Studio					
Multifamily (c)		One					
Multifamily (c)		Two					
Multifamily (c)		Three					
Multifamily (c)		Four+					

- (a) Includes mobile homes
- (b) Includes townhomes and duplexes
- (c) Includes condominiums and apartments
- (d) To be filled out only if any units are income-restricted.

Note: List numbers of housing units intended to be removed or added at this time as asked in the table above. If none are listed, or if this form is not completed, the City will make the reasonable assumption that none are intended at the time of application. This information is for data collection purposes only.

Staff Contacts for Questions:

On Completing the Form: **Robbie Aaron**. Ph. 480-350-8096, E-mail: Robbie_Aaron@Tempe.Gov
 Affordable Housing-Related Questions: **Kathy Nugent**. Ph. 480-858-2315, E-mail: kathy_nugent@Tempe.Gov

 Updated on 03-30-2022

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

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

This Waiver of Rights and Remedies under A.R.S. § 12-1134 (Waiver) is made in favor of the City of Tempe (City) by Bluebird Development, LLC (Owner).

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

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

Owner has submitted Application No. PL220278 – **TEMPE ENTERTAINMENT DISTRICT**, to the City requesting that the City approve the following:

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

(Identify Action Requested))

for development of the following real property (Property):

53 S. Priest Drive

Lot 1 and 2 of Elements at Tempe Center for the Arts in Book 1021 of Maps, Page 49.

By signing below, Owner voluntarily waives any right to claim compensation for diminution in 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 the above-referenced Application, including any conditions, stipulations and/or modifications imposed as a condition of approval.

This Waiver shall run with the land and shall be binding upon all present and future owners having any interest in the Property.

This Waiver shall be recorded with the Maricopa County Recorder's Office.

Owner warrants and represents that Owner is the fee title owner of the Property, and that no other person has an ownership interest in the Property.

Dated this ____ day of _____, 20__.

OWNER: **INSERT OWNER NAME**

By Its Duly
Authorized Signatory: _____
(Printed Name)

(Signed Name)

Its: _____
(Title, if applicable)

State of _____)
County of _____) ss.

This instrument was acknowledged before me this ____ day of _____,
20__ by _____.

Notary Public
My Commission Expires:

(Signature of Notary)

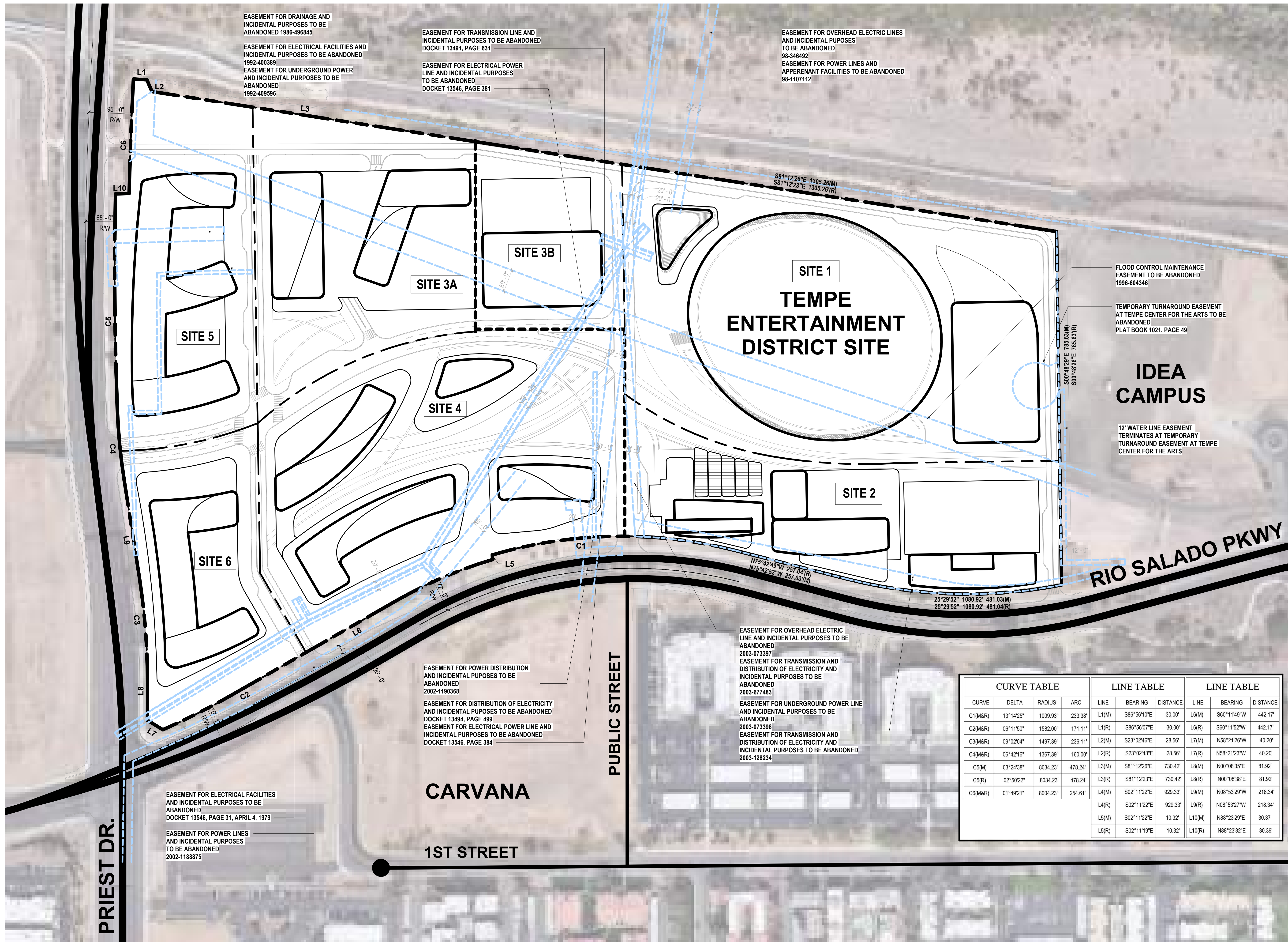
Gensler

2575 East Camelback Road Suite 175
 Phoenix, AZ 85016
 United States
 Tel: 602.523.4900
 Fax: 602.523.4949

MANICA
 architecture

Kansas City | London | Shanghai
 1915 West 43rd Street
 Kansas City, KS 66103
 Tel: +1 816 421 8890
 www.manicaarchitecture.com

Date	Description
11.04.22	PAD Submittal



CURVE TABLE				LINE TABLE			LINE TABLE		
CURVE	DELTA	RADIUS	ARC	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
C1(M&R)	13°14'25"	1009.93'	233.38'	L1(M)	S86°56'10"E	30.00'	L6(M)	S60°11'49"W	442.17'
C2(M&R)	06°11'50"	1582.00'	171.11'	L1(R)	S86°56'07"E	30.00'	L6(R)	S60°11'52"W	442.17'
C3(M&R)	09°02'04"	1497.39'	236.11'	L2(M)	S23°02'46"E	28.56'	L7(M)	N58°21'28"W	40.20'
C4(M&R)	06°42'16"	1367.39'	160.00'	L2(R)	S23°02'43"E	28.56'	L7(R)	N58°21'23"W	40.20'
C5(M)	03°24'38"	8034.23'	478.24'	L3(M)	S81°12'28"E	730.42'	L8(M)	N00°08'35"E	81.92'
C5(R)	02°50'22"	8034.23'	478.24'	L3(R)	S81°12'23"E	730.42'	L8(R)	N00°08'38"E	81.92'
C6(M&R)	01°49'21"	8004.23'	254.61'	L4(M)	S02°11'22"E	929.33'	L9(M)	N08°53'29"W	218.34'
				L4(R)	S02°11'22"E	929.33'	L9(R)	N08°53'27"W	218.34'
				L5(M)	S02°11'22"E	10.32'	L10(M)	N88°23'29"E	30.37'
				L5(R)	S02°11'19"E	10.32'	L10(R)	N88°23'32"E	30.38'

Seal / Signature



Project Name
Tempe Entertainment District

Project Number
57.8314.000

Description
EASEMENTS EXHIBIT

Scale
1" = 100'-0"

P1.003

CONCEPTUAL PROJECT PROGRAM

BUILDING	PRIMARY USE	BUILDING AREA (GSF)	ACCESSORY GROUND FLOOR USE	BUILDING AREA (GSF)	TOTAL RETAIL (GSF)	BUILDING HEIGHT	GUEST ROOMS	DWELLING UNITS
A	MULTIPURPOSE ENTERTAINMENT FACILITY	650,000	RETAIL	17,958	17,958	120'	--	--
B	RETAIL	15,640			15,640	48'	--	--
C	OFFICE	160,000				120'	--	--
D	RESIDENTIAL	309,000	RETAIL	27,611	27,611	118'	--	194
E	HOTEL	163,000	RETAIL	28,611	28,611	108'	200	--
F	RESIDENTIAL	226,000	RETAIL	10,457	10,457	110'	--	166
G	RESIDENTIAL	251,000	RETAIL	16,814	16,814	110'	--	316
H1	RESIDENTIAL	303,000	RETAIL	18,253	18,253	110'	--	244
H2	RESIDENTIAL	301,500	RETAIL	18,253	18,253	110'	--	263
I	RESIDENTIAL	406,500	RETAIL	51,147	51,147	110'	--	212
J	RETAIL	27,655			27,655	110'	--	--
K1	RESIDENTIAL	430000	RETAIL	13410	13410	85'	--	388
K2	RESIDENTIAL	261000	RETAIL	13410	13410	110'	--	212
L	OFFICE	176,295		4,527	4,527	90'	--	--
M	HOTEL	247,705		7,413	7,413	110'	300	--
N	THEATER	50,000		5,360	5,360	60'	--	--
P1	GARAGE	159,000	RETAIL	21,161	21,161	72'	--	--
P2	GARAGE	358,000		17320	17320	82'	--	--
P3	GARAGE	200,000				72'	--	--
TOTAL		3,978,295		271,763	315,000		500	1995
TOTAL GFA EXCLUDING PARKING GARAGES*				4,250,000				

ATTACHMENT 64

Gensler

2575 East Camelback Road
 Suite 175
 Phoenix, AZ 85016
 United States
 Tel: 602.523.4900
 Fax: 602.523.4949

MANICA
 architecture

Kansas City | London | Shanghai
 1915 West 43rd Street
 Kansas City, KS 66103
 Tel: +1 816 421 8890
 www.manicaarchitecture.com

Date	Description
10.28.22	PAD Submittal

Seal / Signature

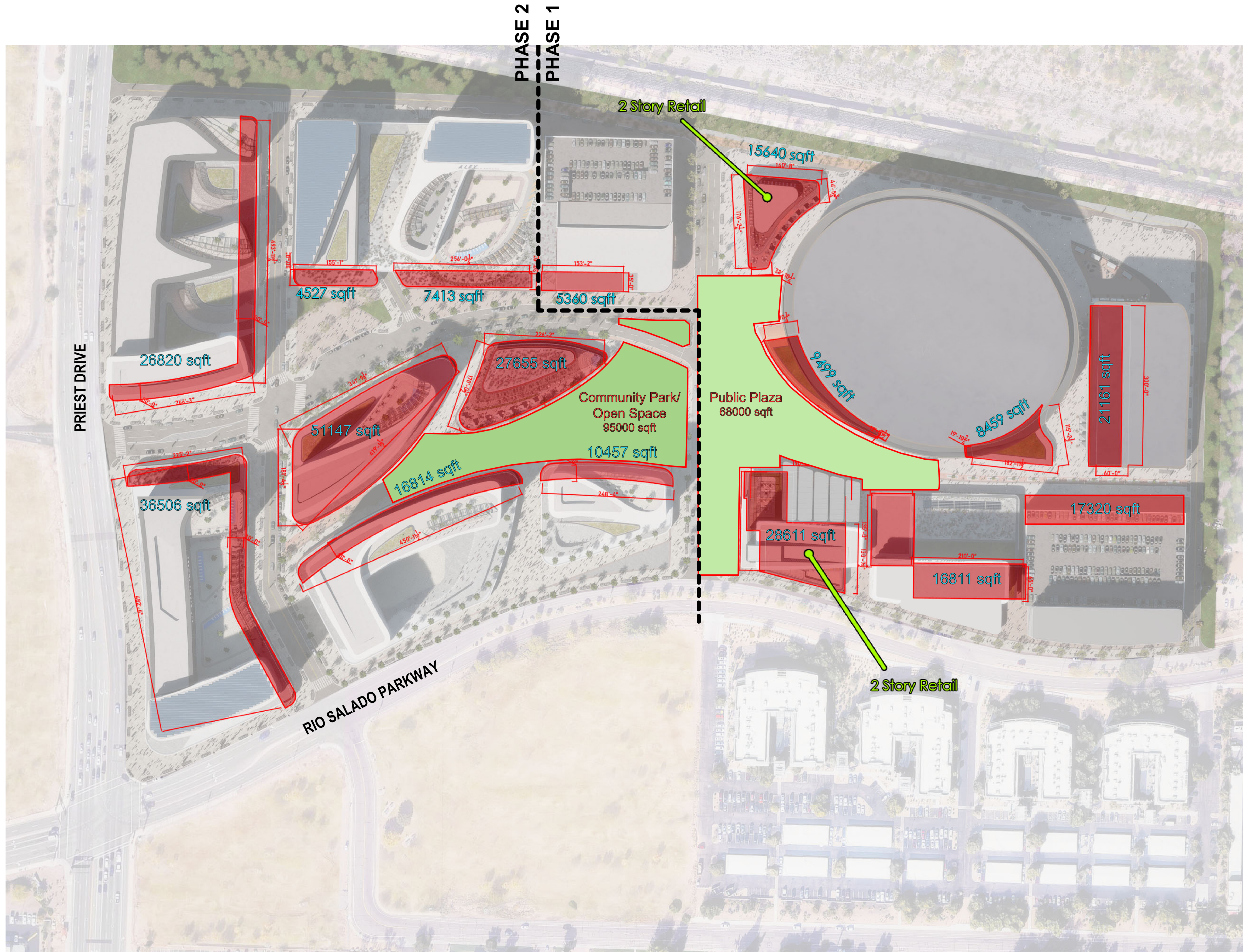
Project Name
 Tempe Entertainment District

Project Number
 57.8314.000

Description
 RETAIL EXHIBIT

Scale
 1" = 100'-0"

EX-02



01 RETAIL EXHIBIT
 SCALE: 1" = 100'-0"

SHEET NOTES