

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 08/12/2014
Agenda Item: 3**

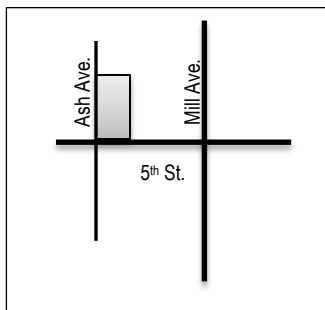
ACTION: Request for a Planned Area Development Overlay to modify the maximum building height from 50 feet to 300 feet, consisting of a proposed 26-story mixed-use building with commercial and residential for 230 WEST 5TH, located at 230 West 5th Street. The applicant is Ben Patton, Urban Land Advisors.

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: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: 230 WEST 5th (PL140098) consists of a proposed future development that would allow a 26-story high rise, located at the northeast corner of Ash and 5th Street. A neighborhood meeting was conducted by the applicant on July 7, 2014, at the courtyard Marriott hotel. The request includes the following:

PAD14009 Planned Area Development Overlay to modify the CC, City Center District development standards to allow for an increase in the maximum building height from 50 feet to 300 feet.



Property Owner	JAH Ventures, LLC
Applicant	Ben Patton, Urban Land Advisors
Current Zoning District	CC District within the Transportation Overlay District
Gross/Net site area	0.77 acres
Dwelling Units/Density	255 units / 331 dwelling units per acre
Total Building area	714,205 sf.
Lot Coverage	78% (100% maximum allowed)
Building Height	300 ft. (50 ft. maximum allowed)
Building Setbacks	0' front, 0' side, 0' rear (0, 0, 0' min.)
Landscape area	20% includes amenity deck (None required)
Vehicle Parking	403 spaces (398 minimum required per TOD)
Bicycle Parking	266 spaces (266 minimum spaces)

ATTACHMENTS: Development Project File

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

Department Director: Dave Nakagawara, Community Development Director

Legal review by: N/A

Prepared by: Ryan Levesque, Community Development Deputy Director

COMMENTS:

This site is located at the northeast corner of 5th Street and Ash Avenue. The site currently is occupied by an office building and surface parking. The building was formerly used for McDuffy's Sports Bar and The Bash on Ash, a live entertainment venue. Adjoining the site is additional surface parking to the north and the east. Further east are existing three-story condominiums. Across 5th Street to the south is an existing hotel and the construction site for The Hanover, a six-story residential complex. To the west of the site, across Ash Avenue, is additional street landscape and the Union Pacific Railroad line.

This request for 230 WEST 5TH includes the following:

Planned Area Development Overlay to modify the maximum allowed building height in the CC District from 50 feet to 300 feet.

For future entitlements a Development Plan Review, including site plan, building elevations and landscape is required before proceeding with construction permits. The site would also require a subdivision plat to consolidate the existing lots into one.

PUBLIC INPUT

A Neighborhood meeting is required for a Planned Area Development Overlay. On July 7, 2014, the applicant conducted a neighborhood meeting with city staff in attendance. There were a total of 9 people in attendance, include the development team. The comments discussed on the project consisted of the urban design, height of the and a philosophical discussion on urbanization issues. See Attachments for summary of meeting provided by the applicant.

On July 16, 2014, staff received a letter from a citizen expressing concern over the density based on the limited size of the property. Another letter was received which included support for the proposal and future development of the site. See attachments of "Public Comments".

PROJECT ANALYSIS

Background Overview

Accepted on April 6, 2006, by the Central City Development Committee of the Whole, (City Council) was the "Downtown Community Design Principles" a document intended to guide future development in and around the vicinity of the downtown. Within that document is a concept study of various building heights in order to visualize potential envelopes in the area. The site of 230 West 5th Street has a designation of "Urban Center" having a maximum potential building height of 300 feet.

Prior to this application submittal, back in 2012, a similar preliminary submittal was made by a different property entity and applicant. The proposal initially contemplated a building height of 436 feet. The prior applicant conducted an aeronautical study and filed a submittal to the FAA, Federal Aviation Administration. Upon review of the study, on June 26, 2012, the FAA issued a letter of notice of "Presumed Hazard". The letter also noted that, "Any height exceeding 325 feet above ground level will result in a substantial adverse effect..." Furthermore, the letter also identified, "If the structure were reduced in height so as not to exceed 246 feet above ground level, it would not exceed obstruction standards and a favorable determination could subsequently be issued."

Shortly thereafter, the city received a letter from the City of Phoenix, Aviation Department on July 12, 2012. This letter acknowledged the prior FAA submission and notice, and explained the airlines One-Engine Inoperative (OEI) procedures. The letter describes what is calculated for this site of an established OEI height of approximately 219 feet.

The applicant for 230 WEST 5TH has hired a consultant, Williams Aviation, who has provided a review and analysis of the proposed project height and analysis of aeronautical impacts. See attachments. In summary the consultant has opined the following:

- That the obstruction standards administered through the FAA will penetrate PHX's Obstruction Criteria, and as a result the building should be lighted to make it more conspicuous to aircraft.
- That the proposed 300 foot structure will not penetrate PHX's VFR Protected Surfaces.

- That the elevation of the lowest IAP OCS over the proposed location at a height of 300 feet will not penetrate the OCS and does not have an adverse impact on arrival procedures at PHX.
- And the proposed 300 foot above ground level structure will not penetrate the Runway 7L Departure OCS at PHX.

General Plan

The General Plan 2040, ratified by the voters on May 20, 2014, identifies this property as having a Projected Land Use of “Mixed-Use”. The Projected Residential Density Map identifies this property as “High Density-Urban Core” with a more than 65 dwelling units per acre. This PAD and project is consistent with the General Plan land use and density maps.

PLANNED AREA DEVELOPMENT OVERLAY

The applicant is requesting approval for a Planned Area Development Overlay to modify the development standards for building height within the CC, City Center District. Refer to the chart below for the change in standards proposed. The remaining standards within the zoning district or within the Zoning and Development Code will be adhered to.

230 WEST 5TH – PAD Overlay				
Standard	TOD Overlay	CC District	PROPOSED CC (TOD)(PAD)	
Residential Density		NS	255 units	331 du/ac
Building Height (feet)				
Building Height Maximum		50 ft.	300 ft.	
Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]		Yes	-	
Maximum Lot Coverage (% of net site area)		100%	78%	
Minimum Landscape Area (% of net site area)		0%	20%	
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]			No change	
Front Parking	Max. 20 ft.	0 ft 20 ft		
Side		0 ft		
Rear		0 ft		
Street Side Parking	Max. 20 ft.	0 ft 20 ft		

The request for a building height of 300 feet is consistent with the Downtown Building Heights Study provided back in 2006. Other properties within the vicinity and other areas of the downtown have similar height entitlements. For example, the W6 residential tower, (formerly Centerpoint Residential) has a constructed maximum building height of 343 feet. Other existing development heights include US Airways building at 144 feet, Hayden Ferry Lakeside office at 200 feet, and Marina Heights with an approximate 253 foot height and maximum allowed building height of 299 feet. Previous PADs entitled but not constructed include the Mosaic PAD with a maximum building height of 235 feet, located at the northwest corner of University and Ash Avenue, and the remaining Centerpoint on Mill PAD with maximum heights ranging from up to 158-255 feet.

The conceptual building design provides an urban density style that is encouraged within the limits of the urban downtown and town lake areas. The project layout provides a well-conceived commercial ground floor, with accommodations for full width sidewalk including streetscape amenities and outdoor dining space. Parking decks below grade and above provide separate parking floors for commercial/visitors and residential occupants. The dwelling units above (levels 5-26) provide a larger than normal unit size with a majority of the units over 1,100 sf. and up to 2,230 sf. in area. A fifth-level amenity deck is provided facing the south, while every floor unit has accommodations for expanded private balconies that become part of the architecture design.

Traffic Study Analysis

A traffic impact analysis, provided by the consultant CivTech, was submitted and reviewed by the City of Tempe's Traffic Engineer. An executive summary of the study is provided within the attachments. The full study is available for further review and inquiry. At the conclusion of this process a final traffic study will be required to respond to review comments and any final modifications as a result of the development.

Conclusion

Based on the information provided and the above analysis, staff recommends approval of the requested Planned Area Development Overlay, subject to proposed conditions. The research and analysis provided to date, provides justification and consideration of a building height above the 246 feet height, based on the evidence provided by Williams Aviation. If for future consideration, when an application for the development plan review is provided and a final determination made on any potential hazards or procedural changes, then the height may be adjusted through a formal amendment process. This request meets the required criteria for a PAD and should conform to the conditions as provided.

REASONS FOR APPROVAL:

1. The project is consistent with the General Plan Projected Land Use and Projected Residential Density for this site.
2. The project is consistent with the Downtown Community Design Principles and the concept heights study identified as an "Urban Core" area with up to 300 feet in height.
3. The PAD overlay process was specifically created to allow for greater flexibility. The approximate building height range will provide 24-hour vibrancy in the downtown core consistent with other recent approved high-rises.
4. Through conditions of approval, the City could ensure a quality project consistent with the plans proposed.
5. The proposed project meets the approval criteria for a Planned Area Development Overlay.

CONDITIONS OF APPROVAL:

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

1. A development plan review application shall be made on or before September 4, 2017, or the PAD zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process through 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 October 4, 2014, or the Planned Area Development Overlay approval shall be null and void.
3. The Planned Area Development Overlay for 230 WEST 5TH shall be put into proper engineered format with appropriate signatures and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.
4. The property shall provide a minimum building height of one hundred (100) feet, measured from grade to the height of the roof deck of the tallest occupied floor.
5. The property shall have a maximum building height of three hundred (300) feet, including all mechanical equipment and structures, measured from grade.
6. The developer shall complete the filing of an FAA Form 7460-1, Notice of Proposed Construction. Such notice and determination shall be submitted to the city prior to application of building permits.
7. The site plan and building elevations, in adherence to the height conditions, shall be consistent with the plans as submitted, as determined by the Community Development Director.

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.

- 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.
- **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Community Development Department, and Fire Department given on the 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 the conditions of approval prior to issuance of building permits.

HISTORY & FACTS:

July 13, 1988	City Council approved ZON-87.31 and SIP-87.94, a request by H.E. VENTURES for rezoning from I-2, General Industrial District to CCD, Central Commercial District, and a site plan for Grumpy’s Sports Bar for a 7,800 sf. building at 230 W. 5 th Street.
October 24, 1988	Design Review Board approved the request for signage for MCDUFFY’S located at 230 West 5 th Street.
July 7, 2014	Applicant conducted a neighborhood meeting for this request, located at the Marriott Hotel, 601 South Ash Avenue.
August 12, 2014	Scheduled public hearing with the Development Review Commission for this request.
August 14, 2014	Scheduled introduction and first public hearing with City Council for this request.
September 4, 2014	Scheduled second and final public hearing with City Council for this request.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-305, Planned Area Development (PAD) Overlay districts

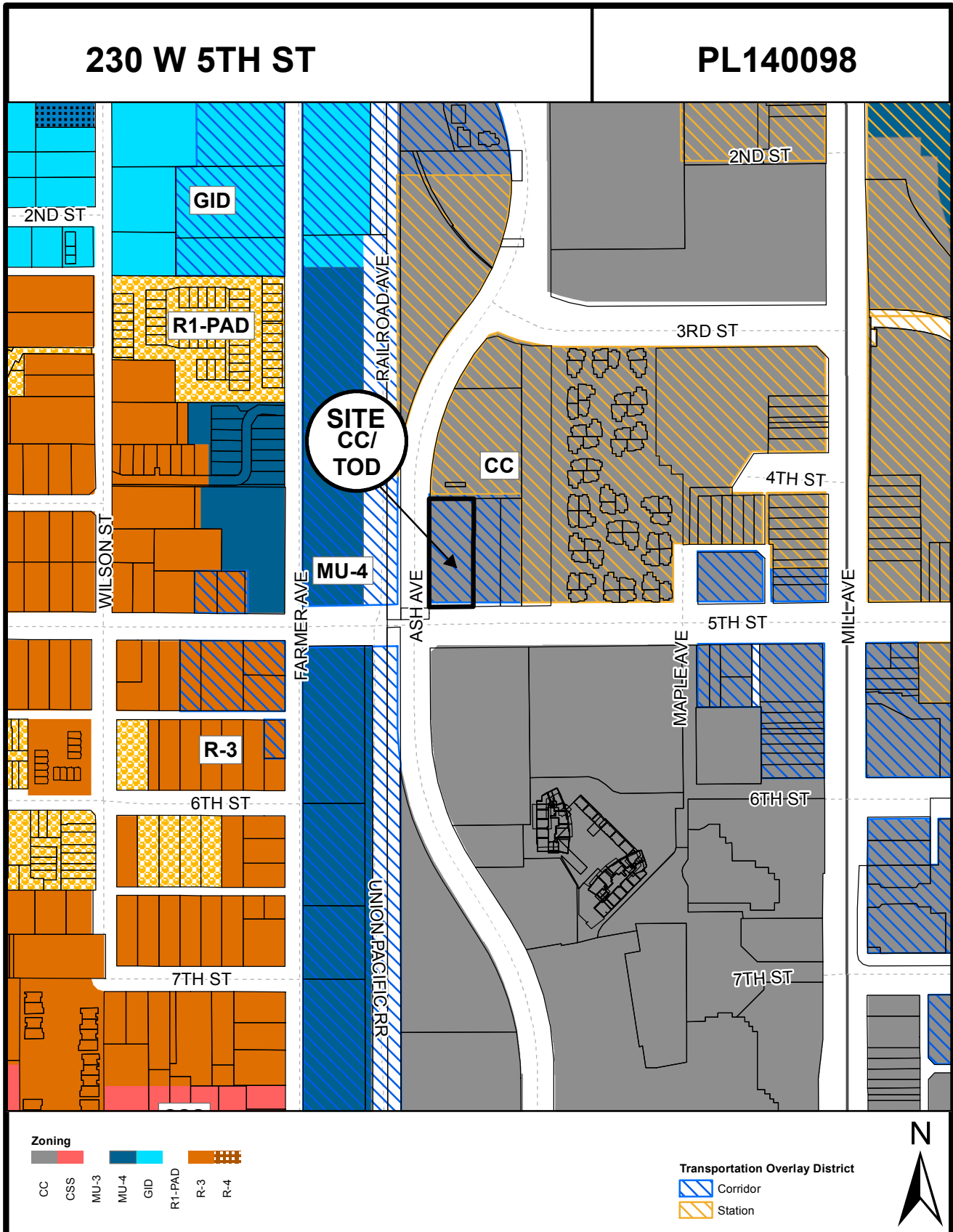


DEVELOPMENT PROJECT FILE

for
230 WEST 5TH

ATTACHMENTS:

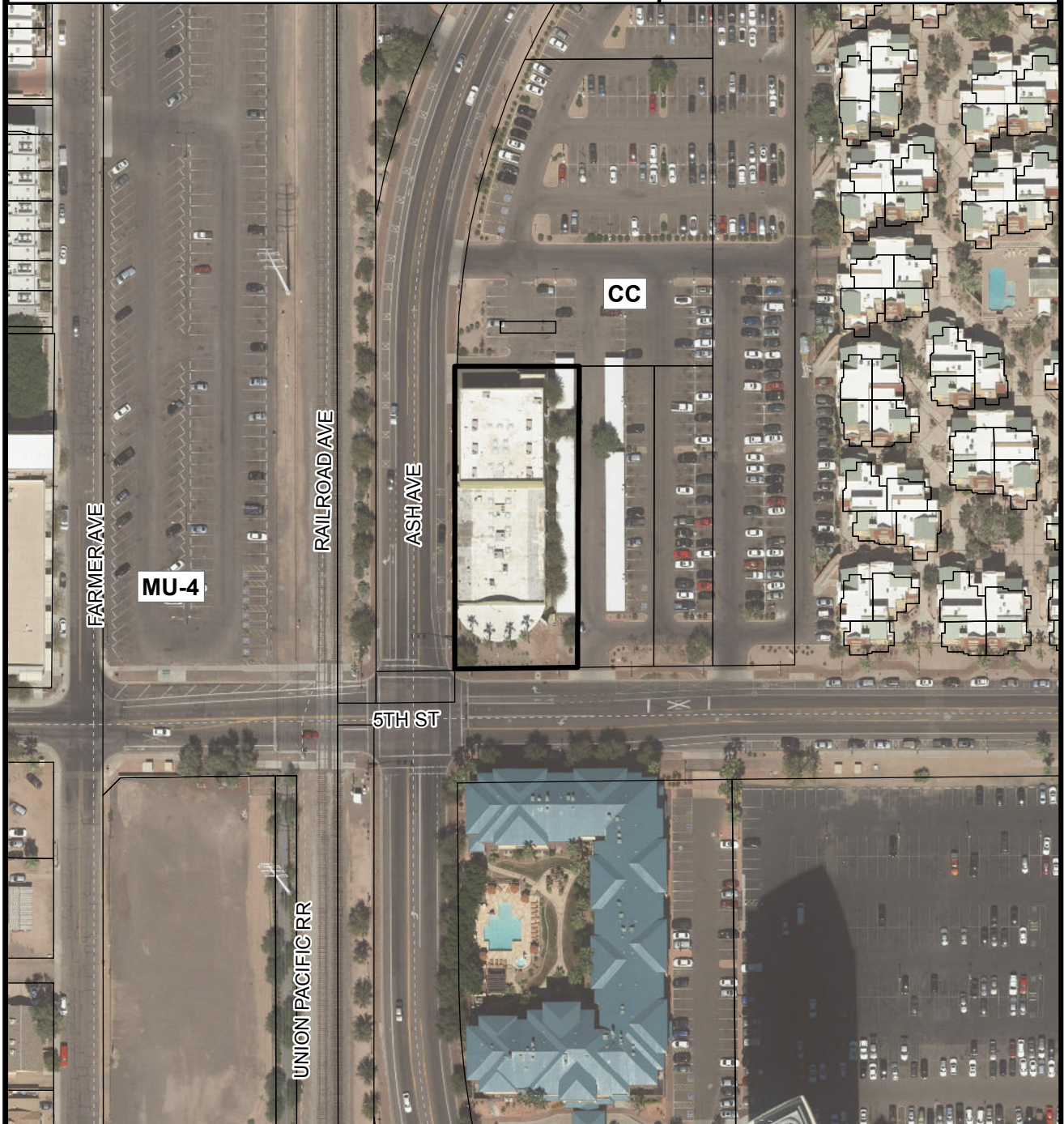
1. Location Map
2. Aerial Map
- 3-9. Letter of Explanation
- 10-12. Traffic Impact Analysis – Executive Summary
- 13-23. Obstruction Evaluation and Airspace Analysis
- 24-25. Neighborhood Meeting Summary / Sign In
- 26-27. PAD Overlay for 230 WEST 5th
- 28-42. Floor Plans
- 43-44. Building Sections
- 45-53. Building Elevations
54. Preliminary Grading Plan
- 55-60. FAA Notice of Presumed Hazard – previous application (06-26-2012)
- 61-63. City of Phoenix, Aviation Dept. letter – previous application (07-12-2012)
- 64-66. Public Comments



Location Map

230 W 5TH ST

PL140098



Aerial Map

230 WEST 5TH STREET

**Applicants Letter of Explanation
Zoning Map Amendment to Permit a Planned Area District Overlay**

Project Team

Owner

JAH Ventures, LLLP
3767 East Meadowview drive
Gilbert, Arizona 85298

Applicant

Urban Land Advisors, LLC
Ben Patton, Director
602.481.2031

Architect

DPA Architects, Inc.
7272 East Indian School Road
Suite 214
Scottsdale, Arizona 85251

John S. Szafran, AIA
480.941.4222
Jsszafran@Dpaarchitects.Com

I. Applicant's letter of explanation

JAH Ventures, LLC (the applicant) is proposing to establish a Planned Area District (PAD) on a roughly 0.8 acre site located at the immediate northeast corner of 5th Street and Ash Avenue in downtown Tempe. This PAD is intended to establish the parameters for an urban-scale, mixed-use, high-rise project to be initiated upon the completion of an existing lease on the subject property, in January of 2017. The applicant is an organization comprised of developers who have been involved with the ownership of this property for several years. The proposed PAD application reflects the potential "value add" to the site through which the development of a steel and concrete high rise tower will be established, but which will also provide the framework for a considerable ground-floor retail and restaurant base that is compatible with desired pedestrian realm for properties in the downtown Tempe area. The site plan material contained herein reflects the conceptual development program for a mixed-use high rise on the subject property. This program is intended to frame the development of a tower that will be likely reflect an urban residential program but also will include a strong retail / restaurant base and pedestrian realm reflecting design guidelines appropriate for a site located in the core of downtown Tempe and adjacent to the modern streetcar route along Ash Avenue.

II. Application

The applicant is submitting a PAD overlay amendment application to enable to proper scale of development for the site, while permitting a broad range of land uses. The applicant wishes to retain the site's existing zoning of CC (City Center) by submitting a site plan and development concept that will support the development of a high rise tower that will contribute to the growing urban environment of downtown Tempe. The most likely anticipated primary use for the future tower will be urban residential, with a rental community to be the initial program for the tower. However, because this structure will be designed to a very high standard and built to a Type IA or IB standard the units comprising the bulk of the tower's floors will be easily marketed and sold as condominiums once the financing environment for condominium ownership becomes more favorable. Market analyses also suggest that there is potential for Class A office space within this tower, given the currently low office vacancy rates in downtown Tempe. A comprehensive market study will be commissioned for this site following the entitlement phase to ensure that the future development partnership for the site is well-informed.

The proposed project contained herein, referred to as *230 West 5th*, includes roughly 743,000 gross square feet on approximately 0.8 acres within the rapidly growing downtown Tempe environment. Positioned with Ash Avenue on the west, including the future alignment of the Modern Streetcar, and numerous active office, retail and residential properties to the east, north and south, this project is perfectly positioned to provide an opportunity for a truly urban scale project to develop on a site that is already informed by compact, dense uses.

In general, the *230 West 5th* development will propose a steel and concrete-framed structure to be constructed to be no taller than 300 feet, but also no shorter than 100 feet. This height allowance and limitation structure for the site will ensure that, even if the development program for the site reduces following zoning action, this property will still see a new structure that is constructed as a Type I project because the 100 foot minimum height precludes structures built out

of wood frame. The specific development plan delineated herein imagines a site build out of a single structure to include 26 floors above grade, which also includes four floors of structured parking and three levels of parking below grade. Once built, this structure will include 340,000 square feet of active space within the tower core, 8,400 square feet of active uses at the street level, and 403 vehicular parking spaces. Because this location is already embedded in the walking environment for downtown Tempe this tower will also host a very large internal area for residents and / or users to park bicycles. Additionally, this PAD will further require the property to incorporate at least 8,000 square feet of retail and/or restaurant uses at the ground level. The developers view this property as a “gateway” to urban Tempe from the west. In addition, the likely placement of the Modern Streetcar along the west side of the property lends the street level to a very active set of uses, and which are reflected through the Tempe downtown design guidelines.

Numerous development, design and marketing experts have evaluated this property for several years and have now determined that the improving development environment in the area suggests that this site presents a prime opportunity for development given its relationship to the many existing and upcoming active uses and infrastructure in downtown Tempe. Furthermore, this location provides an opportunity to make a significant architectural statement on Ash Avenue, effectively defining the most vertical intensity of downtown’s west border. Also, by introducing a high-quality mixed-use project in this location Tempe’s ongoing private and public investment downtown will be reinforced.

Site conditions and area context

This site is comprised of two separate parcels located immediately north of 5th Street and east of Ash Avenue. The two parcels which encompass this site are described as follows:

Parcel 1 (APN): 132-29-011
Parcel 2 (APN): 132-29-001 B

In total this site includes 0.86 gross acres. The formal address for the property is 230 West 5th Street. The site is currently occupied by a roughly 17,000 square foot office building, and support parking. This structure is the temporary home of *Brightcove Media*, a technology-focused company that currently employs roughly 60 individuals. This one story building includes a mezzanine level on the north side of the structure, which was built after the original building was constructed.

As shown through the attached exhibits, this site exists in an area that already includes intense and active urban land uses. To the immediate south of the property is the three-story Courtyard Hotel, but immediately south of that site are the West 6th Apartments, which include 30 and 22 story residential towers. The Hanover apartment project, currently under construction, lies to the direct south and east of the subject property, on the south side of 5th Street. This project will include 341 units in a six story regime upon completion. To the west of the site is Ash Avenue, the future route of the Modern Streetcar and a presumed streetcar stop on the north side of 5th Street. Farther west on 5th Street is the Union Pacific Railroad and lower scale residential uses. The City of Tempe owns several acres of surface parking on the west side of the UPRR alignment, which is scheduled to be developed in a four and five story urban residential regime. To the north

and immediate east of the subject property is surface parking which is owned by the Holualoa Companies and the City of Tempe, respectively. Immediately east of this lot lies the four-story Hayden Condominiums and Mill Avenue. To the general north lies the US Airways headquarters and other office and retail uses.

Planning context – general plan 2030

The land use and projected residential density for the Site, as delineated through General Plan 2030 is Mixed-Use and High Density (greater than 26 dwelling units per acre). According to General Plan 2030, the Mixed-Use category was created to accommodate land with a mixture of residential and commercial uses. This category also encourages creatively designed developments with a living environment reflecting a village concept where there is opportunity to live, work and play within one area. Obviously the proposed mixed use concept enabled through this PAD will incorporate within the vital, walkable environment already in place in the Mill Avenue district. These land use and residential density elements are also supported through the future General Plan 2040 program.

Current and requested zoning

This site is currently zoned CC (City Center) within the Transportation Overlay District (TOD) Overlay. The CC district fosters employment and livability in Tempe’s city center by providing retail, offices, moderate- and high-density residential uses, entertainment, civic uses, and cultural exchange in a mixed-use environment that supports the public investment in transit and other public facilities and services. This district may also be considered mixed-use when the design provides a mix of uses for the purposes of implementing the General Plan Land Use. As shown below, many of the development standards within the CC District support the general development plan for the site. However, a small number of base standards do impose a hardship for the highest and best use for the development of the site, as reflected through the supporting design materials. Specifically, the 50 foot height maximum within the CC District clearly deviates from the City’s intent to support taller, Type I buildings within the downtown Tempe area.

City Center Base Development Standards

Residential Density (DU/Acre)	No Standard
Building Height	50 Feet
Maximum Lot Coverage	No Standard
Minimum Landscape Area	No Standard
Setbacks	
Front	0 Feet
Parking	20 Feet
Side	
Building Wall	0 Feet
Common Wall	0 Feet
Rear – Building Wall	0 Feet
Street Side	0 Feet
Parking	20 Feet

Project description and PAD Development Standards

The proposed project contained herein, referred to as 230 West 5th Street, will include roughly 340,000 square feet of urban scale residential footage and 8,500 square feet of retail / restaurant uses within the active and emerging Mill Avenue district of downtown Tempe. Positioned with 5th Street to the south and a surface parking lot to the north and east, the Ash Avenue alignment on the west of the property not only creates a major vehicular corridor to the site but is also the future alignment for the modern streetcar.

As reflected through the development standards shown below, the 230 West 5th Street project will be administered through a number of restrictive site development standards. These development standards also are reflected through the attached materials which illustrate the development concept for the site.

Site Criteria

APN:	132-29-011 & 132-29-001-B
Project address:	230 West 5 th Street Tempe, Arizona 85251
Proposed use:	Multi-family residential / retail
Parcel size:	37,551 sf / 0.86 acres
Existing zoning:	CC-city center
Proposed zoning:	CC / PAD-planned area development
Overlay district:	Transportation Overlay District (TOD)
General plan 2030 projected land use & density:	Mixed use – high density; 26+ du/ac.

Proposed uses

Retail, Office, Residential

Overall Site Development Standards

Total Building area (including parking):	743,325 gsf
Percentage of lot coverage:	100% lot coverage
Maximum building height:	300 feet
Minimum building height:	100 feet
Maximum floors:	26 (above parking podium)
Construction type:	Type IA or IB

Parking Summary

Parking required

Retail/Rest:	8,198 sf / 300 = 65 spaces
Office:	959 sf / 300 = 4 spaces
Residential:	487 bedrooms x 0.75 = 366 spaces/51 Guest Spaces
Total:	482 spaces

Parking provided

Total: 489 spaces

Bicycle parking required

Retail/Rest. 8,198 sf / 10,000 = 6 spaces
Office: 959 sf / 10,000 = 2 spaces
Residential: 30 spaces
Total: 38 spaces

Bicycle parking provided

Total: 134 spaces

Project design

Overall the scale, massing, pedestrian realm and design elements of 230 West 5th is envisioned to compliment both the existing and emerging urban environment of downtown Tempe. Among the large scale, dense and active uses on immediate sites that create compatibility with this project are the *West 6th* and *Hanover* apartment communities to the south, numerous large scale office buildings to the north, and the *Hayden Condominiums* and general active scale retain uses to the immediate east. The 230 West 5th project depicted herein reflects a 300 foot tall tower structure with an intended primary use of urban residential, with a large retail base and support uses including office and parking. Because the business and residential markets of urban Tempe will continue to evolve, however, this site may also support a much larger office use once the Development Plan Review phase of this project commences. The design concept for 230 West 5th Street has been created to reinforce a modern design for the tower, with a focus on contemporary themes.

The future tower is envisioned as a modern project design that will fit well into the physical environment, complimenting the surrounding architecture but with strong design features that will allow this project to make a significant statement of its own. The primary building materials for this structure will include glass, steel and exposed concrete, including storefront and curtain wall glazing, with attention to simple and clean detailing. The vertical elements of the structure will be embellished by considerable green features that are reminiscent of more historic urban centers. If this tower does become a residential project each of the four vertical faces of the structure will include balconies for use by the tower residents. Again, many of these units will be highlighted by a vertical greenscape. The common areas for the residents of the tower will highlight this green theme with abundant natural shaded areas as well. The vertical elements of the tower will also be accentuated by metal elements which will emphasize the building's height and accentuate the retail areas as they meet grade. Each floor line will be expressed through to the exterior skin and will be used as the start and stop to the field of glazing that allows for each resident to enjoy natural light and views.

Because the first four floors of the project above grade are occupied by the parking podium, considerable thought was given toward the methods to soften this first 60 vertical feet of the project. As reflected though the attached exhibits, the treatment of the podium is intended to include a number of features. Among these, the structure will incorporate multiple structural materials, ample green screen areas, uplighting, as well as large inset photo elements that will celebrate Tempe's heritage and, in particular, the iconic elements of downtown Tempe. The east elevation of the tower, in particular, will highlight a number of these treatments in order to ensure an active and dynamic pedestrian experience.

Site circulation and parking

The ground floor configuration for the project is designed to include pedestrian access at the corner for the future retail / restaurant, and tower residents will gain access through an entrance along 5th Street. Vehicular access to the site is proposed through two separate entrances. Parking reserved for public use will be created along the 5th Street frontage, where visitors will be offered spaces through two below grade parking levels. Tower residents will gain access to the property along Ash Avenue, and will include four levels of above grade parking. The total parking proposed for the site is 489 spaces, which includes spaces for both residents and workers of the tower as well as visitors to the retail / restaurant space. In addition, this PAD also includes on site space for a minimum of 134 bicycles to be stored for the use of the residents as well as site visitors.

Conclusion

230 West 5th will be an extraordinary statement toward the growing urbanism of downtown Tempe. The establishment of a minimum and maximum vertical threshold for this site, as approved through this PAD, will ensure that the ultimate development of the project reflects the goals of the Tempe General Plan and downtown leadership to see compact, intense and well-designed projects that accentuate the pedestrian realm for downtown. The proposed mixed-use tower development will serve as a catalyst for the continued activation of the downtown Tempe streetscape, and will enhance the overall urban environment.

230 WEST 5TH STREET TRAFFIC IMPACT ANALYSIS

Northeast Corner of Ash Avenue and 5th Street
Tempe, AZ

Prepared for:

JAH Ventures, LLLP
230 W. 5th Street
Tempe, AZ 85281

For Submittal to:

City of Tempe

Prepared By:



CivTech, Inc.
10605 North Hayden Road
Suite 140
Scottsdale, Arizona 85260
(480) 659-4250



July 2014

CivTech Project No. 14-0750

EXECUTIVE SUMMARY

This report documents a traffic impact study performed for the proposed '230 West 5th Street' development. The proposed development is located on the northeast corner of the Ash Avenue/5th Street intersection in Tempe, Arizona. The development falls within the City of Tempe's jurisdiction and is compatible with adjacent land uses and provides access to major arterial streets.

Civtech Inc. has been retained by JAH Ventures, LLLP to complete the traffic impact study for the proposed '230 West 5th Street' development during the planning process.

The purpose of this study is to address traffic and transportation impacts of the proposed development on the surrounding streets and intersections. This traffic impact study was prepared to standard criteria set forth by the City of Tempe. The specific objectives of the study are:

1. Evaluate lane requirements on all existing roadways and at all existing intersections within the study area.
2. Determine future level of service for all proposed major intersections within the study area and recommend any capacity related improvements.
3. Determine necessary lane configurations at all major intersections within the proposed development to provide acceptable future levels of service.
4. Evaluate the need for future traffic control changes within the proposed study area.
5. Evaluate entry spacing in relation to required queue lengths.
6. Evaluate the need for auxiliary lanes at stop and signal controlled intersections.

The proposed '230 West 5th Street' development will re-develop the existing vacant office site into an apartment building with retail space and a below and above grade parking structure. The development is proposed with 255 residential dwelling units and 8,157 square feet of retail space on the ground floor. The site lies within the City's TOD overlay boundary.

This study evaluates three (3) horizon years, the existing year (2014), the opening year (2016) and the opening plus 5 years (2021). For this purposed of this study, it was assumed that full build-out of the proposed development will occur upon opening in 2016.

The following conclusions and recommendations have been documented in this study:

- The proposed '230 West 5th Street' development is anticipated to generate 1,776 external daily trips with 130 trips occurring during the AM peak hour and 172 trips occurring during the PM peak hour. A total interaction reduction of 20 percent was taken. Of the 20% interaction, 5% was calculated using ITE internal capture methodology, 10% was applied due to the proximity of the Light Rail Transit (LRT) and an additional 5% was applied due to the walkability of the site location to downtown Tempe and ASU.

- All existing study intersections experience an acceptable level of service (LOS D or better) with existing traffic volumes and the existing lane configuration and stop controls as depicted in **Figure 2**.
- By the opening year 2016 and horizon year 2021, all study intersections are expected to operate at acceptable levels of service (LOS D or better) with full build-out of the proposed development and the existing lane configurations and stop control. Based on this analysis, no mitigation measures are recommended for the study intersections.
- Access A is proposed as a full access driveway on Ash Avenue with stop control on the westbound approach. Access A provides direct access to a ramp for the residential above ground parking structure via a 24-foot wide drive aisle. Based on the site plan, Access A is proposed approximately 250-feet north of 5th Street (centerline to centerline) along Ash Avenue. This study assumed that 95% of the residential generated traffic would utilize Access A to enter and exit the above ground parking structure designated for the apartment residents.
- An existing two-way left turn lane is provided for the southbound left-turn movement at Access A on Ash Avenue.
- Because a majority of residential traffic is expected to utilize Access A on Ash Avenue, the northbound right-turn peak hour volume at this driveway is anticipated to exceed 40 vph. This volume typically warrants a deceleration lane. Ash Avenue is designed with on-street parking and a posted speed limit of 30 mph. Therefore, a right-turn lane is not necessary due to the urban design of Ash Avenue and the expected lower speeds.
- Access B is proposed as a full access driveway on 5th Street with stop control on the southbound approach. Access B provides direct access to eight (8) surface parking spaces and to the ramp for the public underground parking structure via a 24-foot wide drive aisle. Access B is shown on the site plan at the location of an existing driveway approximately 150-feet east of Ash Avenue (centerline to centerline) along 5th Street.
- The close proximity of Access B to Ash Avenue does not provide space for a dedicated eastbound left-turn lane at Access B on 5th Street due to a westbound left-turn lane. However, a full access driveway currently exists at the proposed location for Access B.
- The anticipated site traffic does not warrant a westbound right-turn deceleration lane at Access B on 5th Street.



Williams Aviation Consultants

Summary

Williams Aviation Consultants, Inc. (Williams) was retained by JAH Ventures LLLP to complete an obstruction evaluation and airspace analysis of a proposed project located East of Phoenix Sky Harbor International Airport (PHX) in Tempe, AZ.

The purpose of the analysis was to determine the maximum elevation to which a building can be erected at the project site without having an adverse effect upon the safe and efficient use of the navigable airspace. The proposed structure's location in relation to PHX is shown in *Figure 1*.



Figure 1

FAA Review Process

The FAA utilizes the criteria contained in FAR Part 77 to determine reporting requirements, the impact of a proposed structure on navigable airspace, and whether the structure, if constructed, will require lighting and/or marking.

FAR Part 77 defines the criteria for determining if a structure will require reporting to the FAA, if the structure exceeds the stated criteria and requires the submittal of FAA Form 7460-1, and/or whether or not the structure has an impact on navigable airspace.

If the FAA determines that there is an impact to navigable airspace, a Notice of Presumed Hazard (NPH) will be issued and an aeronautical study will be conducted. Concurrent with the NPH the project is distributed to the FAA divisions having the responsibility for air traffic control, flight procedures, airport infrastructure and navigational aids. Each of these divisions then evaluates the project for impacts within their area of jurisdiction. These divisions submit their comments to the Air Traffic division who will issue a determination.

If the FAA determines that the proposed structure has a substantial adverse impact they will issue a Determination of Hazard. In some cases they will offer the project proponent options to mitigate the adverse impact, i.e., lower the structure, redesign etc.

It is not uncommon for the FAA's initial analysis to disregard factors unique to a specific airport such as existing structures or special procedures that have been developed for that airport.

Once the FAA's initial analysis is complete, additional data can be presented to the FAA for their consideration which may result in the approval of the proposed structure.

WAC Analysis

The WAC airport and airspace compatibility analysis includes a review of the following criteria to determine possible adverse impacts to aeronautical operations:

1. Public and private airports in the vicinity of the proposed structure.
2. Federal Aviation Regulation Part 77, Objects Affecting Navigable Airspace.
3. Terminal Instrument Procedures (TERPS) including instrument approach and departure procedures.
4. Visual Flight Rule (VFR) Traffic Pattern Airspace.
5. One Engine Inoperative (OEI) Criteria

Public/Private Airports:

Phoenix Sky Harbor International Airport (PHX) is located approximately 15,400 Feet West of the proposed site location (*Figure 2*). Phoenix Sky Harbor International Airport (PHX) is a commercial use, publicly-owned airport located within the City of Phoenix, AZ. The airport currently maintains three runways; Runway 8/26 with a length of 11,489 feet, Runway 7L/25R with a length of 10,300 feet, and Runway 7R/25L with a length of 7,800 feet.

Stellar Airpark (P19) is located approximately 7.75 Nautical Miles (NM) South of the proposed project, however only PHX was identified as requiring detailed analysis to determine whether or not the proposed structures would have a significant adverse impact on flight procedures.

An in depth analysis of PHX was conducted to determine possible impacts on navigable airspace, flight procedures, and determine the maximum achievable structure elevation which will not adversely impact aeronautical operations.

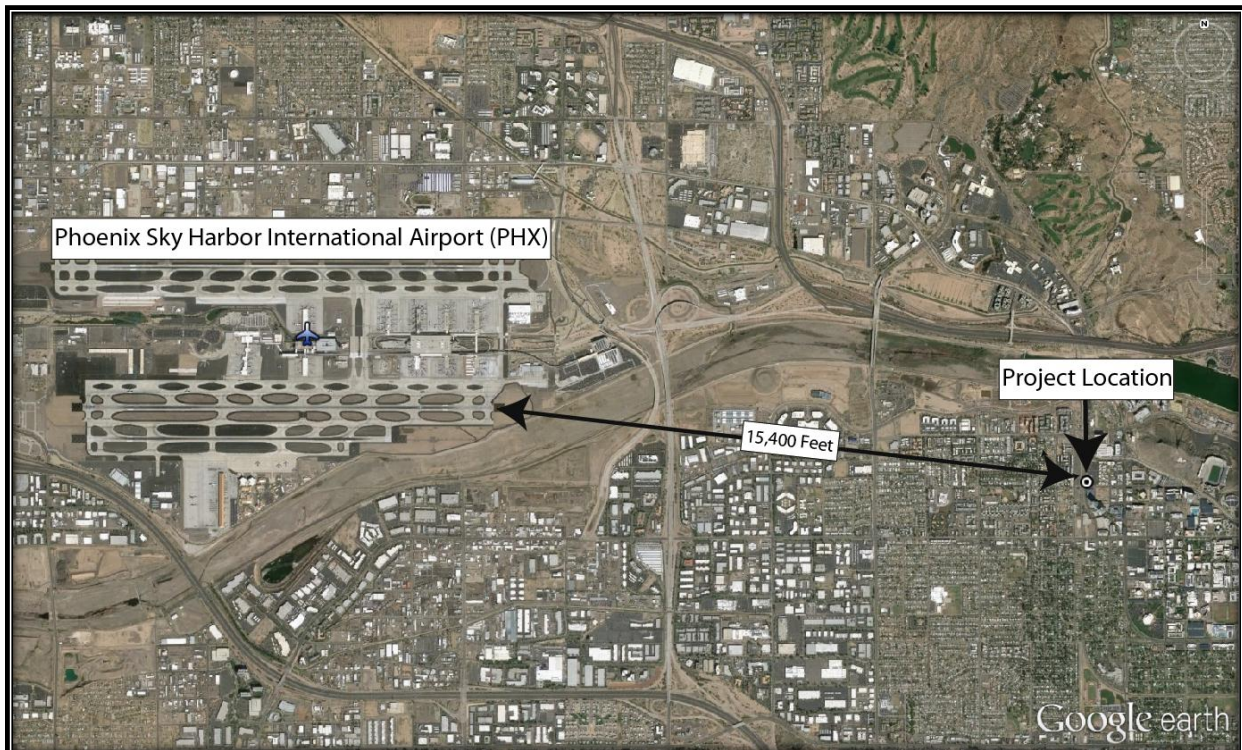


Figure 2

FAR Part 77 Analysis

FAR Part 77 Obstruction Standards

An analysis of FAR Part 77 obstruction standards was completed to determine the maximum elevation and height to which a structure could be erected without exceeding FAR Part 77 obstruction standards. As stated in FAA Order 7400.2 Procedures for Handling Airspace Matters paragraph 6-3-9b:

“Obstruction standards are used to identify potential adverse effects and are not the basis for a determination. The criteria used in determining the extent of adverse affect are those established by the FAA to satisfy operational, procedural, and electromagnetic requirements. These criteria are contained in regulations, advisory circulars, and orders (e.g., the 8260 Order series and Order 7110.65). Obstruction evaluation personnel must apply these criteria in evaluating the extent of adverse effect to determine if the structure being studied would actually have a substantial adverse effect and would constitute a hazard to air navigation.”

FAR Part 77 Obstruction Criteria is not used to determine if a structure will be a hazard to air navigation, rather, structures exceeding this criteria are studied closely by the FAA to determine

if the structure will require mitigation or if the structure will impact terminal instrument procedures or impact visual flight rule traffic pattern airspace. Generally, a structure that exceeds FAR Part 77 obstruction standards will require mitigation such as lighting and/or marking in order to make it more conspicuous to airmen.

Conclusion: A structure which exceeds 1409 ft AMSL (approximately 242 ft AGL) will penetrate PHX obstruction criteria. A penetration to obstruction criteria does not mean the structure will have an adverse impact to PHX operations, rather the airport's specific procedures, such as Instrument Approach/Departure and VFR Traffic Pattern procedures, must be studied to determine if the specific procedures will be impacted. It is possible the FAA will require the structure be lighted with red obstruction lights to make it more conspicuous to airmen. It should be noted that PHX obstruction criteria is already penetrated by existing structures.

Terminal Instrument Procedures (TERPS)

An analysis of the Terminal Instrument Procedures (TERPS) criteria was completed to determine the maximum elevation to which a structure could be erected without impacting PHX instrument approach and departure procedures.

Instrument Approach Procedures

A review of PHX's instrument approach procedures (IAP) revealed that the Localizer (LOC) Runway 25L procedure has the lowest Obstacle Clearance Surfaces (OCS) over the proposed structure's location. A penetration to the LOC OCS would result in the need to increase the procedure's Minimum Descent Altitude (MDA) and would not be approved by the FAA.

Figure 3 displays an overview of the OCS associated with the LOC Runway 25L IAP. **Figure 4** displays the maximum elevation Above Mean Sea Level (AMSL) to which a structure could be erected without exceeding the OCS. A USGS terrain elevation database was used to estimate ground elevations within the project area. **Figure 5** displays the estimated maximum height, Above Ground Level (AGL), to which structures could be erected without exceeding this procedure's OCS.

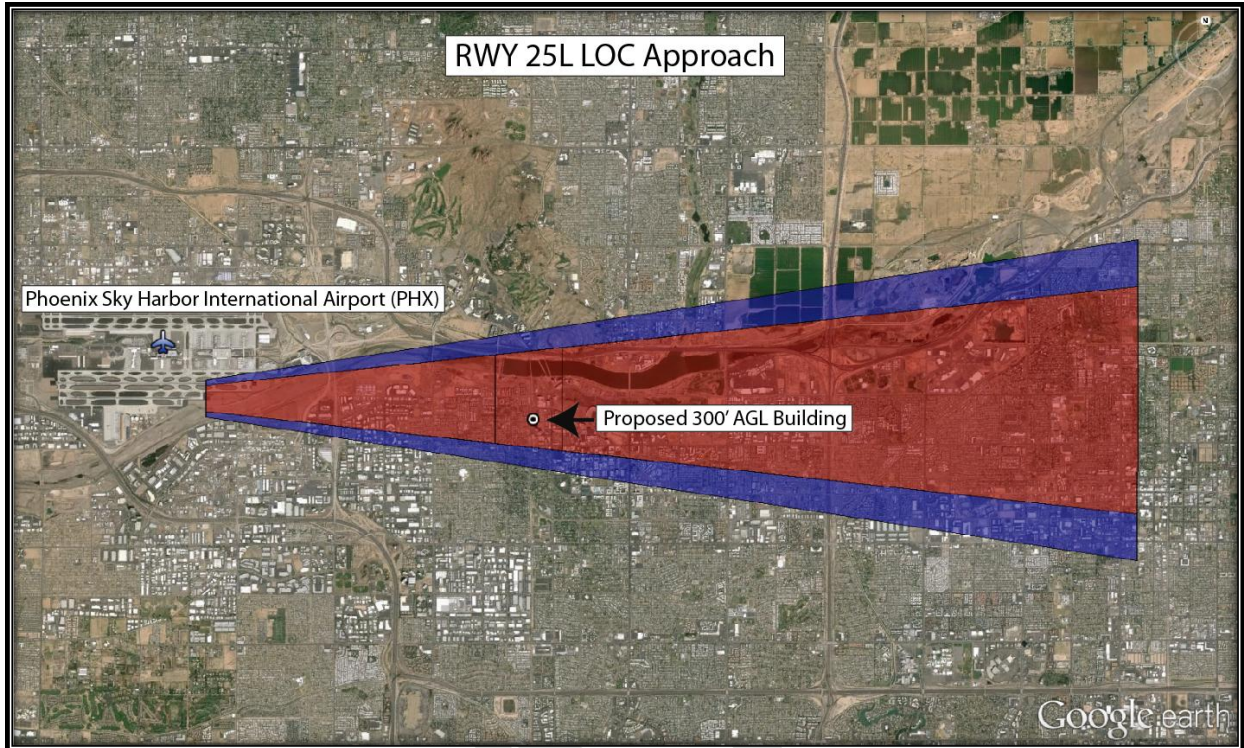


Figure 3 –Overview of PHX Runway 25L LOC Obstacle Clearance Surfaces

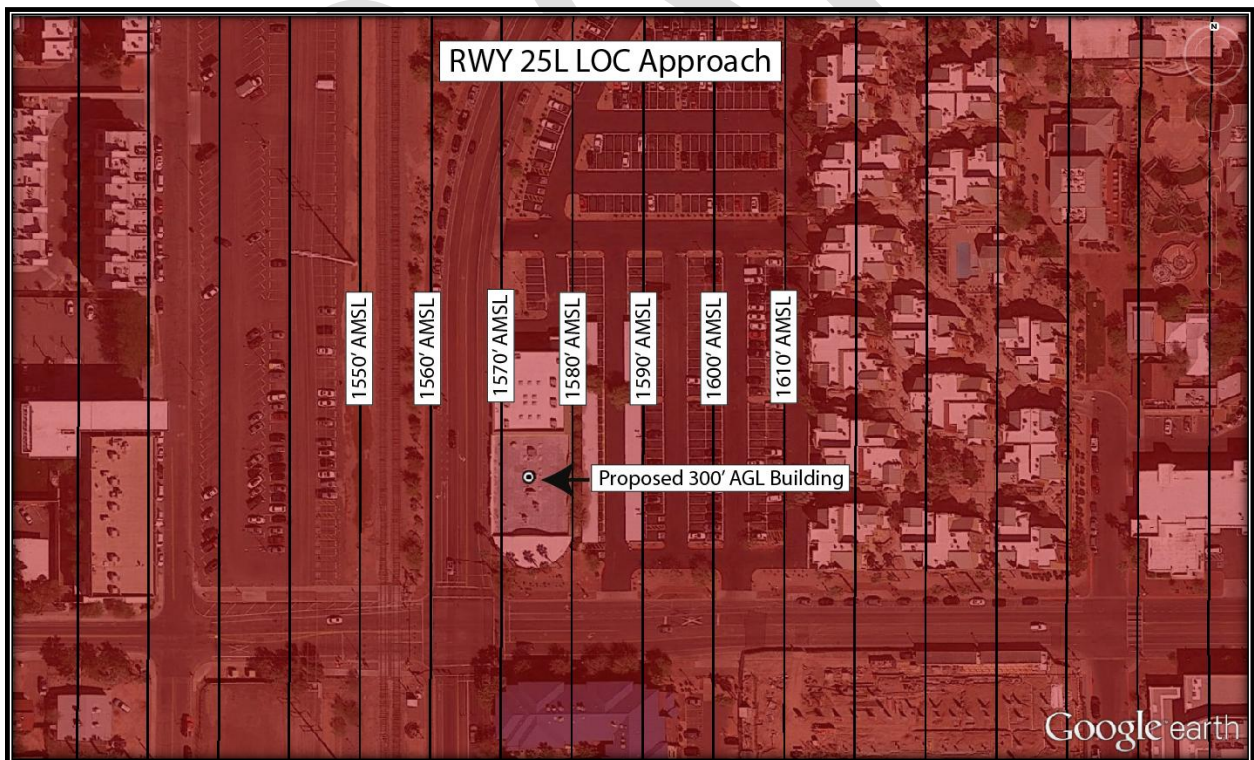


Figure 4 - Elevation to which a structure can be erected without exceeding PHX Runway 25L LOC Obstacle Clearance Surface

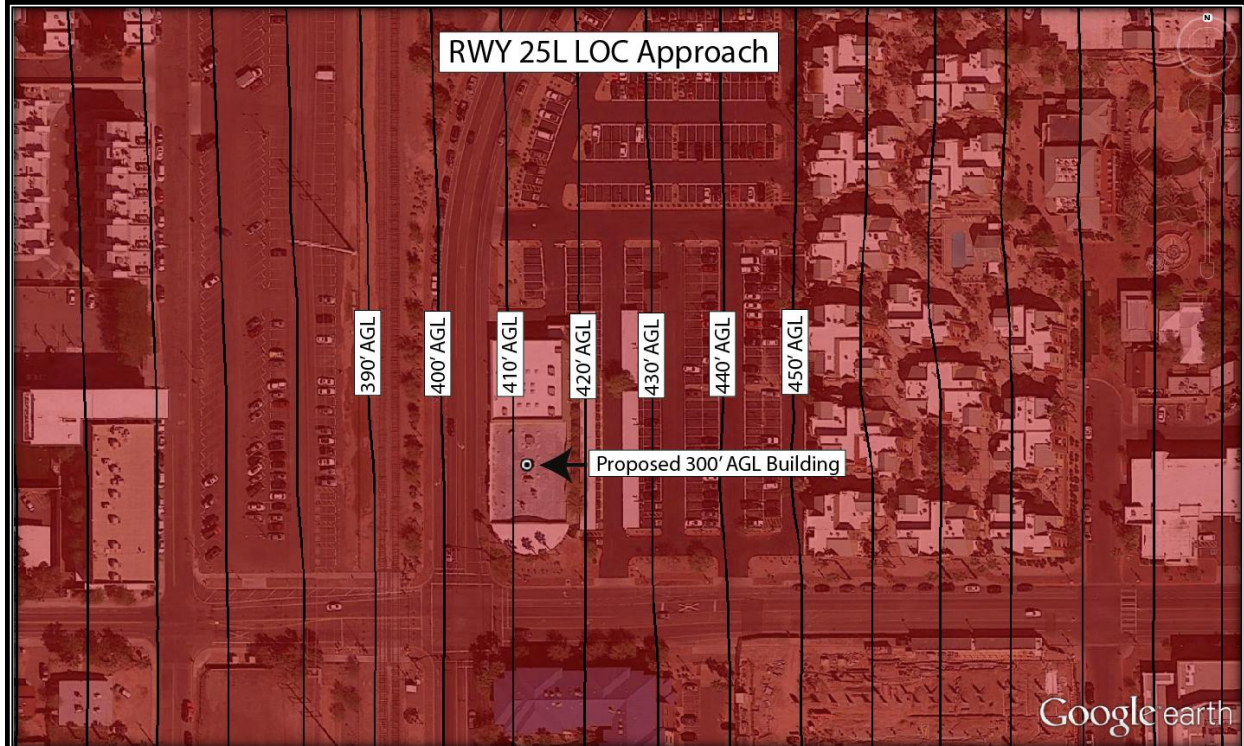


Figure 5 – Estimated height to which a structure can be erected without exceeding PHX Runway 25L LOC Obstacle Clearance Surface

Conclusion: A structure will not impact the Localizer IAP if it does not penetrate the OCS shown in Figure 4. The elevation of the LOC OCS over the proposed structure’s location is approximately 1570 ft AMSL (approximately 410 ft AGL).

Obstacle Departure Procedures

The OCS associated with PHX’s published departure procedures was analyzed. PHX has published departure procedures that require a minimum climb gradient of 300 ft per Nautical Mile (NM). A penetration to the Departure procedure OCS could result in the need for the departure procedure to be modified. **Figure 6** displays an overview of the OCS associated with the standard obstacle departure procedure from Runway 07L. **Figure 7** displays the maximum elevation Above Mean Sea Level (AMSL) to which a structure could be erected without exceeding the Departure Runway 07L OCS. A USGS terrain elevation database was used to estimate ground elevations within the project area. **Figure 8** displays the estimated maximum height, Above Ground Level (AGL), to which structures could be erected without exceeding the Departure Runway 07L OCS.

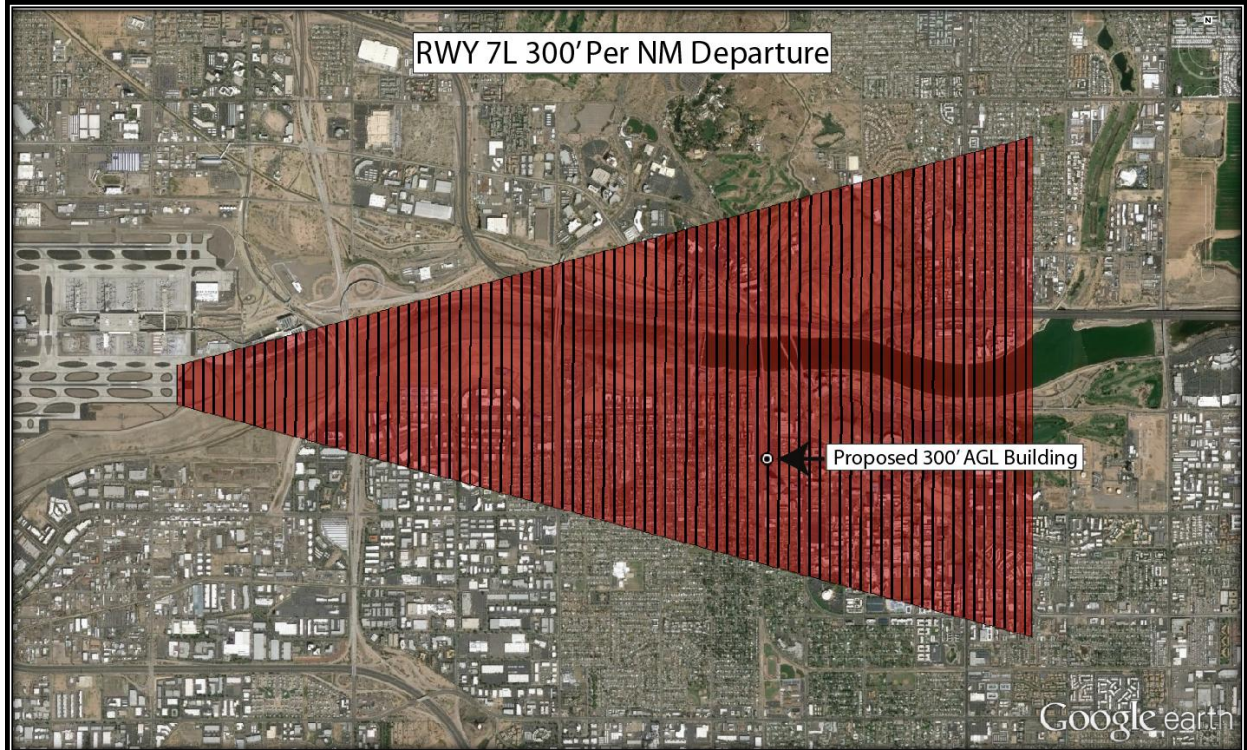


Figure 6 – Overview of PHX Runway 07L Departure Obstacle Clearance Surfaces

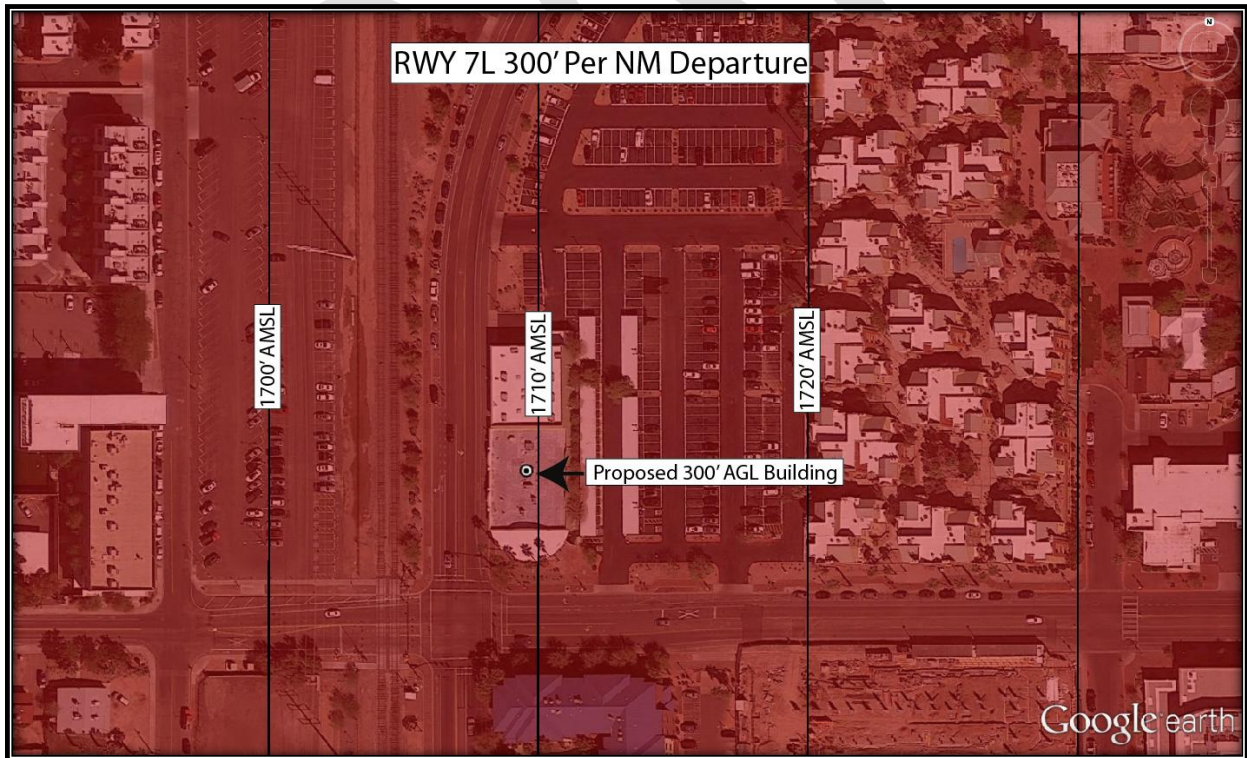


Figure 7 - Elevation to which a structure can be erected without exceeding PHX Runway 07L Instrument Departure Obstacle Clearance Surfaces

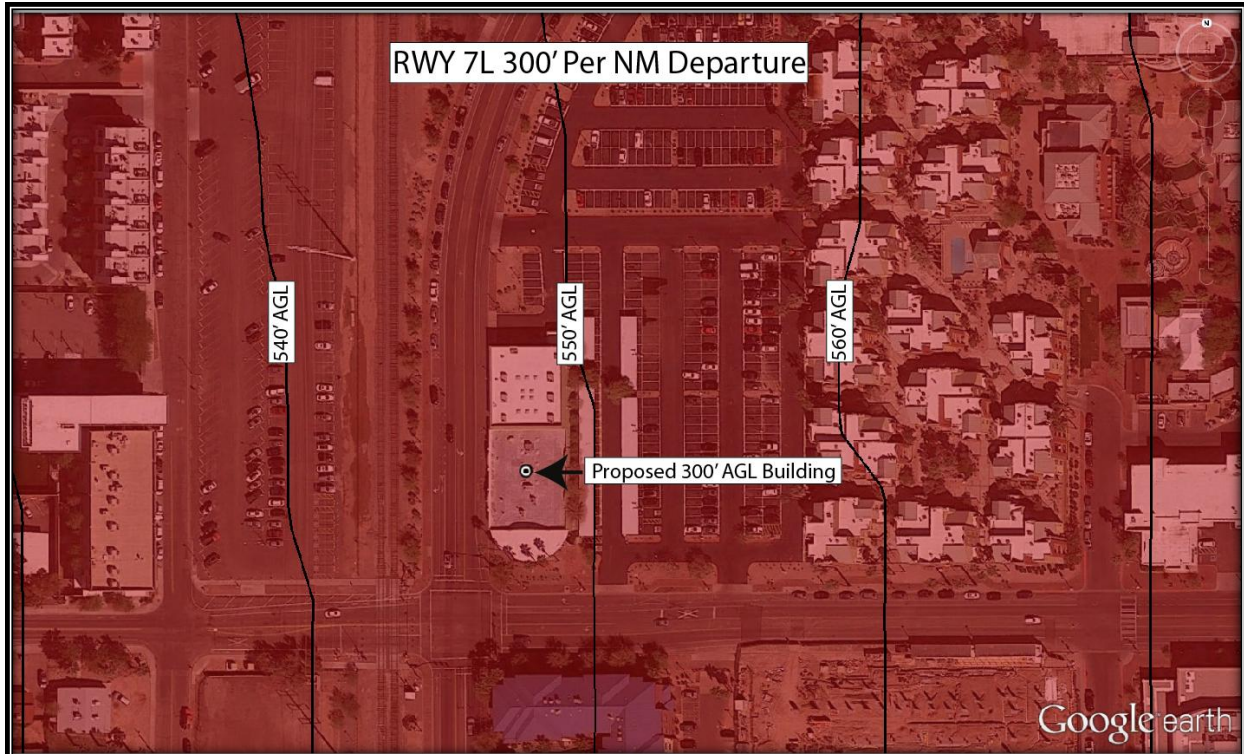


Figure 8 – Estimated Height to which a structure can be erected without exceeding PHX Runway 07L Instrument Departure Obstacle Clearance Surfaces

Conclusion: A structure will not impact the published departure procedure if it does not penetrate the OCS shown in Figure 7. The elevation of the departure OCS over the proposed structure’s location is approximately 1710 ft AMSL (approximately 550 ft AGL).

Visual Flight Rule (VFR) Traffic Pattern Airspace

An analysis of PHX’s VFR Traffic Pattern Airspace was completed to determine the maximum elevation to which a structure could be erected without impacting aircraft operating in visual conditions at PHX. A structure that exceeds FAR Part 77 Obstruction Criteria (as applied to visual approach runways) could have an impact on aircraft operating in an airport’s VFR Traffic Pattern.

Figure 9 displays the elevation to which a structure could be erected without penetrating the surfaces associated with obstruction standards (as applied to visual approach runways). As shown in **Figure 9**, numerous structures already penetrate the VFR Traffic Pattern; therefore obstruction standards (as applied to visual approach runways) cannot be utilized to define the VFR Traffic Pattern.

Generally the FAA will approve structures that penetrate VFR Traffic Pattern Criteria as long as the proposed structure does not penetrate the VFR criteria by a greater degree than existing structures. Additionally, since PHX is a major commercial airport, aircraft will not approach the

airport using normal VFR traffic pattern procedures; therefore these standard VFR Traffic Pattern Criteria should not be utilized to determine adverse impacts to the airport.

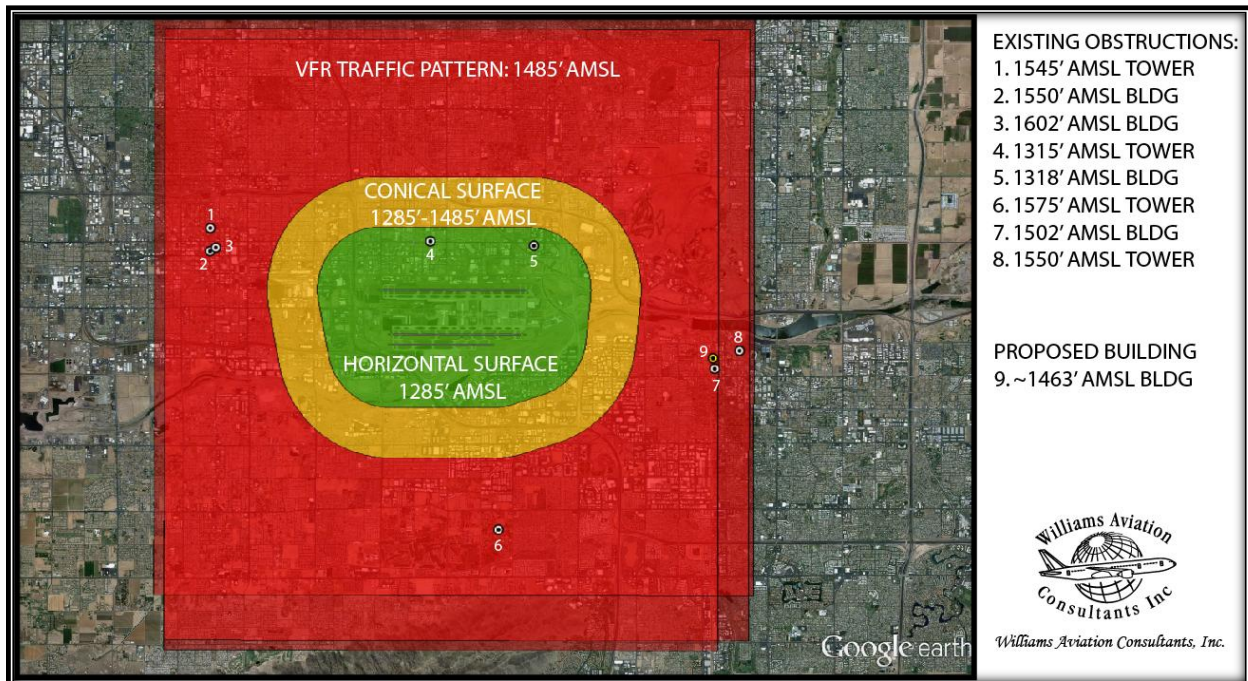


Figure 9 – Existing Obstruction exceeding FAR Part 77 Obstruction Criteria as Applied to Visual Approach Runways

Conclusion: *The proposed 300 foot AGL structure will not penetrate PHX's VFR Protected Surfaces.*

One Engine Inoperative (OEI)

All commercial airlines are required to develop OEI procedures for each airport / runway out of which they conduct flight operations. The Federal Aviation Regulations (FARs) prescribe that in the event of an engine failure on takeoff, commercial air carrier type aircraft must be loaded in such a manner that they are able to clear obstacles along their intended route of flight by either 35 feet vertically or 300 feet laterally.

Existing obstacles were identified for Aircraft departing Runway 7L at PHX. An existing structure with a height of 1502' AMSL (Aeronautical Study Number 2010-AWP-4241) was identified approximately 15,595 feet from Departure End of Runway 7L (**Figure 10**). In order for an aircraft to clear this structure 35 feet vertically, the departing aircraft would need to maintain a slope of approximately 38.79:1. The study area is located approximately 15,314 feet from Departure End of Runway 7L. Aircraft departing Runway 7L, that maintain a slope of 38.79:1, would clear the proposed 300 foot AGL structure by more than the required 35 feet vertically.



Figure 10

WAC Summary

At the study location, the proposed 300 foot AGL structure will penetrate obstruction criteria. It is probable the FAA will require marking/lighting for the proposed structure. The proposed 300 foot AGL structure should be lighted in accordance with AC 70/7460-1K - Obstruction Marking and Lighting to make it more conspicuous to airmen.

The WAC technical analysis revealed:

- *An analysis of FAR Part 77 Obstruction Standards was conducted and the proposed 300 foot AGL structure will penetrate PHX's Obstruction Criteria and should be lighted in accordance with AC 70/7460-1K - Obstruction Marking and Lighting to make it more conspicuous to airmen.*
- *The proposed 300 foot AGL structure will not penetrate PHX's VFR Protected Surfaces.*
- *The elevation of the lowest IAP OCS over the proposed locations is approximately 1570 ft. AMSL. Therefore a structure at the proposed location and height of 300 ft AGL will not penetrate the OCS and does not have an adverse impact on arrival procedures at PHX.*

- *The proposed 300 foot AGL structure will not penetrate the Runway 7L Departure OCS at PHX.*

DRAFT

Neighborhood Meeting Summary
230 West 5th Street
PAD Application

On Monday, July 7 of this year the planning and design team for this PAD application held a neighborhood outreach meeting to discuss the request for property located at 230 West 5th Street in Tempe. This meeting was held in the main conference room at the Courtyard Marriott hotel, located at 601 South Ash Avenue, from 5:30 to 7:00 P.M. Water was provided and our team ensured that hotel desk staff guided participants to the proper room.

As reflected through the attached meeting sign in sheet, approximately 10 people attended this meeting, aside from the applicant's representative. In addition, Steve Abrahamson from Tempe Planning, was also in attendance. Two additional members of the public appeared late and chose not to sign the meeting sign-in sheet.

At 5:30 Ben Patton, Planner for the proposed project, provided a powerpoint presentation of the potential high rise that may ultimately be developed on the site. This presentation walked the attendees through the regional context, including other development activities in downtown Tempe, as well as the specific elements of the proposed project. Mr. Patton also clarified the purpose of the PAD – namely, to address the uncertain height potential for the property. Mr. Patton also clarified the limited parcel area relative to the other properties surrounding the site. Overall a large-to-small scale background of the project was provided by the team, with a general focus on the long and short term goals for the site.

Attendees had numerous questions of the team, including those associated with height and design. Most of those responses from the attendees were positive and generally understanding of the “urbanizing” nature of downtown Tempe, though it is clear that much of this new intensity has taken some by surprise. Only one attendee, Mr. Mark Lymer, made it clear his opposition to the project. Mr. Lymer admitted that he is simply not a fan of urbanization in general and he is still frustrated by the Centerpoint (now West 6th) project height. Unfortunately Mr. Lymer's general negativity distracted the group from a focused conversation on the project and the meeting instead became concentrated on general urban growth issues, though that was a healthy discussion. Mr. Patton and Mr. Szafran reminded Mr. Lymer and the entire group that this site and project are located in an area that is becoming more urban and that the overwhelming majority of civic leaders are supportive of this growth model so long as it remains focused near Mill Avenue and Tempe Town Lake. The meeting ended at 7:00 PM and the design team met with Mr. Lymer for another 15 minutes outside the hotel to continue the discussion.

In addition to this meeting Mr. Patton has met with property owners to the north (YAM Properties), south (Hanover Development), and east (Hayden Square Condomiums). The overwhelming consensus of these groups was support for the project concept. In addition, only one phone call was received following the notification and this individual was supportive once he received more specific location and design material.

7/7/14

230 W. 5TH St. Neigh. Mrs.

NAME

ADDRESS

EMAIL

MR+MRS C. SKIPPER

TJ CARTY 6

LESA MAZZACAVALLO

Mike Soto

Eric Kenney

Mick Dancy 5

S ABRAHAMSON 31

Janet Dancy 5

Cindy Burkhardt 91



230 WEST 5TH STREET

RESIDENTIAL | RETAIL | VENTURES



230 WEST 5TH STREET

JAH VENTURES, LLLP.

230 WEST 5TH STREET TEMPE, ARIZONA 85281

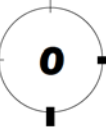


August 23, 2014

dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE
7979 a mile southwest 214
street level, suite 1000
tempe, arizona 85281
telephone: 480 941 4202
www.dpainc.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014



TITLE SHEET
CITY OF TEMPE
PRELIMINARY SITE PLAN SUBMITTAL
15 MAY 2014

PLANNED AREA DEVELOPMENT OVERLAY FOR 230 WEST 5TH STREET

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 4
EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____ 2014 BEFORE ME,
THE UNDERSIGNED, PERSONALLY APPEARED _____
WHO ACKNOWLEDGED HIMSELF TO BE THE
PERSON WHOSE NAME IS SUBSCRIBED TO BE THE
WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR
THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL
SEAL
BY: _____ NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

JAH VENTURES, L.L.P., AN ARIZONA LIMITED PARTNERSHIP.
BY: _____ OWNER _____ DATE _____

ITS: MANAGER / OWNER / PRESIDENT

LEGAL DESCRIPTION

PARCEL NO. 1:
THAT PORTION OF RAILROAD AVENUE AS SHOWN ON THE PLAT OF
TEMPE ACCORDING TO BOOK 2 OF MAPS, PAGE 26, RECORDS OF
MARICOPA COUNTY, ARIZONA IN THE CITY OF TEMPE AS
ABANDONED BY THE CITY OF TEMPE ORDINANCE NO. 252,
DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT WHICH IS THE INTERSECTION OF THE
NORTH LINE OF 5TH STREET AND THE EAST LINE OF SOUTHERN
PACIFIC RAILROAD PROPERTY AS SHOWN ON SAID PLAT;

THENCE EAST ALONG THE NORTH LINE OF 5TH STREET 79.85 FEET
TO THE SOUTHWEST CORNER OF LOT 10, BLOCK 49 OF TEMPE,
ABOVE REFERENCED;

THENCE NORTH ALONG THE WEST LINE OF SAID BLOCK 49, 257.44
FEET TO THE SOUTH LINE OF 4TH STREET;

THENCE WEST 79.85 FEET TO THE EAST LINE OF THE SOUTHERN
PACIFIC RAILROAD PROPERTY;

THENCE SOUTH ALONG THE SOUTHERN PACIFIC RAILROAD
PROPERTY 257.44 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:
THAT PART OF LOTS 1 THROUGH 10, BLOCK 49, TEMPE, ACCORDING
TO BOOK 2 OF MAPS, PAGE 26, RECORDS OF MARICOPA COUNTY,
ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT OF WAY
LINE OF THE REALIGNED ASH AVENUE AS DESCRIBED IN
ORDINANCE NO. 88.56 RECORDED IN DOCUMENT NO. 88-572801,
RECORDS OF MARICOPA COUNTY, ARIZONA, AND THE NORTH RIGHT
OF WAY LINE OF 5TH STREET, AS SHOWN ON THE PLAT OF TEMPE,
ABOVE DESCRIBED;

THENCE SOUTH 89 DEGREES 59 MINUTES 24 SECONDS EAST
ALONG SAID NORTH RIGHT OF WAY LINE OF 5TH STREET, A
DISTANCE OF 79.85 FEET TO THE SOUTHWEST CORNER OF LOT 10,
BLOCK 49 TEMPE, AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 10 MINUTES 37 SECONDS EAST
PARALLEL TO AND 79.85 FEET EAST OF THE EAST RIGHT OF WAY OF
THE REALIGNED ASH AVENUE, ALONG THE WEST LINE OF SAID
BLOCK 49, A DISTANCE OF 257.44 FEET TO THE SOUTH LINE OF 4TH
STREET;

THENCE SOUTH 90 DEGREES 59 MINUTES 24 SECONDS EAST
ALONG THE SOUTH LINE OF 4TH STREET, A DISTANCE OF 66.00
FEET;

THENCE SOUTH 00 DEGREES 10 MINUTES 37 SECONDS WEST, A
DISTANCE OF 257.44 FEET TO A POINT ON THE NORTH RIGHT OF
WAY LINE OF 5TH STREET AND THE SOUTH LINE OF SAID BLOCK 49;

THENCE NORTH 89 DEGREES 59 MINUTES 24 SECONDS WEST,
ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 66.00
FEET TO THE POINT OF BEGINNING.

APPROVAL

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
TEMPE ON THIS _____ DAY OF _____,
2014.

SITE & PROJECT DATA

ACCESSOR'S PARCEL NUMBER	132-29-011 & 132-29-001-B
PROJECT ADDRESS	230 WEST 5TH STREET TEMPE, ARIZONA 85281
PROPOSED USE	MULTI-FAMILY RESIDENTIAL / RETAIL
PARCEL SIZE (GROSS)	37,551 S.F. / 0.86 ACRES
PARCEL SIZE (NET)	33,616 S.F. / 0.77 ACRES
EXISTING ZONING	CC - CITY CENTER
PROPOSED ZONING	PAD - PLANNED AREA DEVELOPMENT
OVERLAY DISTRICT	TRANSPORTATION OVERLAY DISTRICT (TOO)
GENERAL PLAN 2030 PROJE/MIXED USE - HIGH DENSITY; 26+ DU/AC. LAND USE & DENSITY	743,325 G.S.F.
GROSS BUILDING AREA (INCLUDES PARKING)	77.5% LOT COVERAGE
PERCENTAGE OF LOT COVERAGE	300 FEET MAXIMUM
HEIGHT OF BUILDING	26 STORIES (ABOVE GRADE)
NO. OF STORIES	3 STORIES (BELOW GRADE)
CONSTRUCTION TYPE	TYPE IA
FIRE SPRINKLER SYSTEM	AUTOMATED FIRE SPRINKLER SYSTEM
BUILDING SETBACKS (CC - TO):	
FRONT	0 FT
SIDE	0 FT
REAR	0 FT
ACTUAL SETBACKS:	
FRONT (ASH AVE.)	14'-3"
FRONT (5TH ST.)	7'-7"
SIDE	10'-0"
REAR	10'-0"

PARKING ANALYSIS

PARKING REQUIRED	TRANSPORTATION OVERLAY DISTRICT REDUCTIONS INCLUDED TABLE 5-612A
RETAIL	2,869 SF x 0.25 = 2,151 SF / 300 SF = 8 SPACES
RESTAURANT	
INDOOR	5,328 SF / 75 SF = 71 SPACES 1,290 SF / 75 SF = 17 SPACES = 54 SPACES
OUTDOOR	TOTAL PATIO: 726 SF - 300 SF = 426 SF / 150 SF = 3 SPACES
RESIDENTIAL	487 BEDROOMS x 0.75 = 366 SPACES
RESIDENTIAL GUEST	255 UNITS x 0.2 = 51 SPACES
RESIDENTIAL OFFICE	959 SF = 0 SPACES
TOTAL REQUIRED PARKING	482 SPACES
PARKING PROVIDED	
TOTAL PROVIDED PARKING	489 SPACES
BICYCLE PARKING REQUIRED	
RETAIL	2,869 SF / 10,000 = 2 SPACES
RESTAURANT	5,328 SF / 1,000 = 6 SPACES
RESIDENTIAL	30 SPACES
TOTAL	38 SPACES
BICYCLE PARKING PROVIDED	
PEDESTRIAN (STREET LEVEL)	8 SPACES
RESIDENT BICYCLE PARKING (IN GARAGE)	126 SPACES
TOTAL	134 SPACES

PROPOSED USES

RETAIL (NET)	2,869 SF
RESTAURANT (NET)	5,328 SF
RESIDENTIAL OFFICE (NET)	959 SF
RESIDENTIAL (NET)	338,482 SF
UNIT A:	(880 SF) 19 UNITS
UNIT B:	(950 SF) 19 UNITS
UNIT C:	(1,100 SF) 20 UNITS
UNIT D:	(1,140 SF) 11 UNITS
UNIT E:	(1,185 SF) 60 UNITS
UNIT F:	(1,400 - 1,940 SF) 44 UNITS
UNIT G:	(2,215 - 2,050 SF) 20 UNITS
UNIT H:	(2,230 SF) 15 UNITS
TOTAL UNITS	255 UNITS

PROJECT TEAM

OWNER	JAH VENTURES, L.L.P. 3767 EAST MEADOWVIEW DRIVE GILBERT, ARIZONA 85298
APPLICANT	URBAN LAND ADVISORS, LLC BEN PATTON, DIRECTOR 802.461.2021
ARCHITECT	DPA ARCHITECTS, INC. 7272 EAST INDIAN SCHOOL ROAD SUITE 214 SCOTTSDALE, ARIZONA 85251 JOHN S. SZAFRAN, AIA 480.941.4222 jszafraan@dpaarchitects.com

PROJECT DESCRIPTION

THE SITE PLAN MATERIAL CONTAINED HEREIN REFLECTS THE
CONCEPTUAL DEVELOPMENT PROGRAM FOR A MIXED-USE HIGH RISE
ON THE SUBJECT PROPERTY. THIS PROGRAM IS INTENDED TO FRAME
THE DEVELOPMENT OF A TOWER THAT WILL BE PRIMARILY URBAN
RESIDENTIAL BUT ALSO WILL INCLUDE A STRONG RETAIL /
RESTAURANT BASE AND PEDESTRIAN REALM REFLECTING DESIGN
GUIDELINES APPROPRIATE FOR A SITE LOCATED IN THE CORE OF
DOWNTOWN TEMPE AND ADJACENT TO THE MODERN STREETCAR
ROUTE ALONG ASH AVENUE. CURRENTLY THE SITE IS OCCUPIED BY A
SINGLE OFFICE STRUCTURE CONTAINING ROUGHLY 17,000 SQUARE
FEET OF SPACE. HOWEVER, THE LONG-TERM VERTICAL
DEVELOPMENT FOR THE PROPERTY WILL INCLUDE A STRUCTURE
WHOSE HEIGHT IS SUPPORTED BY BOTH THE CITY OF TEMPE AS
WELL AS THE FAA. FOLLOWING THE REVIEW OF THE SITE PLAN
APPLICATION THE LANDOWNER WILL BE SUBMITTING A PAD
REZONING REQUEST TO ESTABLISH BOTH HEIGHT MAXIMUMS AS
WELL AS MINIMUM LEVELS, ALONG WITH A MODERN DESIGN SCHEME
THAT WILL HELP POSITION THE PROPERTY FOR THE FUTURE
DEVELOPMENT, INTENDED TO OCCUR AT THE TERMINUS OF THE
CURRENT LEASE FOR THE PROPERTY AT THE END OF 2016.

SHEET INDEX

SHEET NO.	SHEET NAME
0	TITLE SHEET
1	SITE & PROJECT DATA
2	CONTEXT SITE AERIAL
3	GENERAL PLAN MAPS
4	SITE PLAN
5	CONCEPTUAL LANDSCAPE PLAN
6	LOWER LEVEL GARAGE PLAN
7	GROUND FLOOR PLAN
8	UPPER LEVEL GARAGE PLAN (LEVELS RP2-RP3)
9	UPPER LEVEL GARAGE PLAN (LEVEL RP4)
10	RESIDENTIAL FLOOR PLAN LEVEL 1
11	RESIDENTIAL FLOOR PLAN LEVELS 2 & 3
12	RESIDENTIAL FLOOR PLAN LEVEL 4
13	RESIDENTIAL FLOOR PLAN LEVELS 5-8
14	RESIDENTIAL FLOOR PLAN LEVELS 9-12
15	RESIDENTIAL FLOOR PLAN LEVELS 13-18
16	RESIDENTIAL FLOOR PLAN LEVEL 19
17	RESIDENTIAL FLOOR PLAN LEVEL 20
18	MECHANICAL LEVEL PLAN 21
19	OVERALL BUILDING SECTION
20	OVERALL BUILDING SECTION
21	BUILDING ELEVATIONS
21c	COLORLED BUILDING ELEVATIONS
22	BUILDING ELEVATIONS
22c	COLORLED BUILDING ELEVATIONS
23	BUILDING ELEVATIONS
23c	COLORLED BUILDING ELEVATIONS
24	BUILDING ELEVATIONS
24c	COLORLED BUILDING ELEVATION
25	RENDERINGS
26	SCHEMATIC GRADING & DRAINAGE PLAN



VICINITY MAP

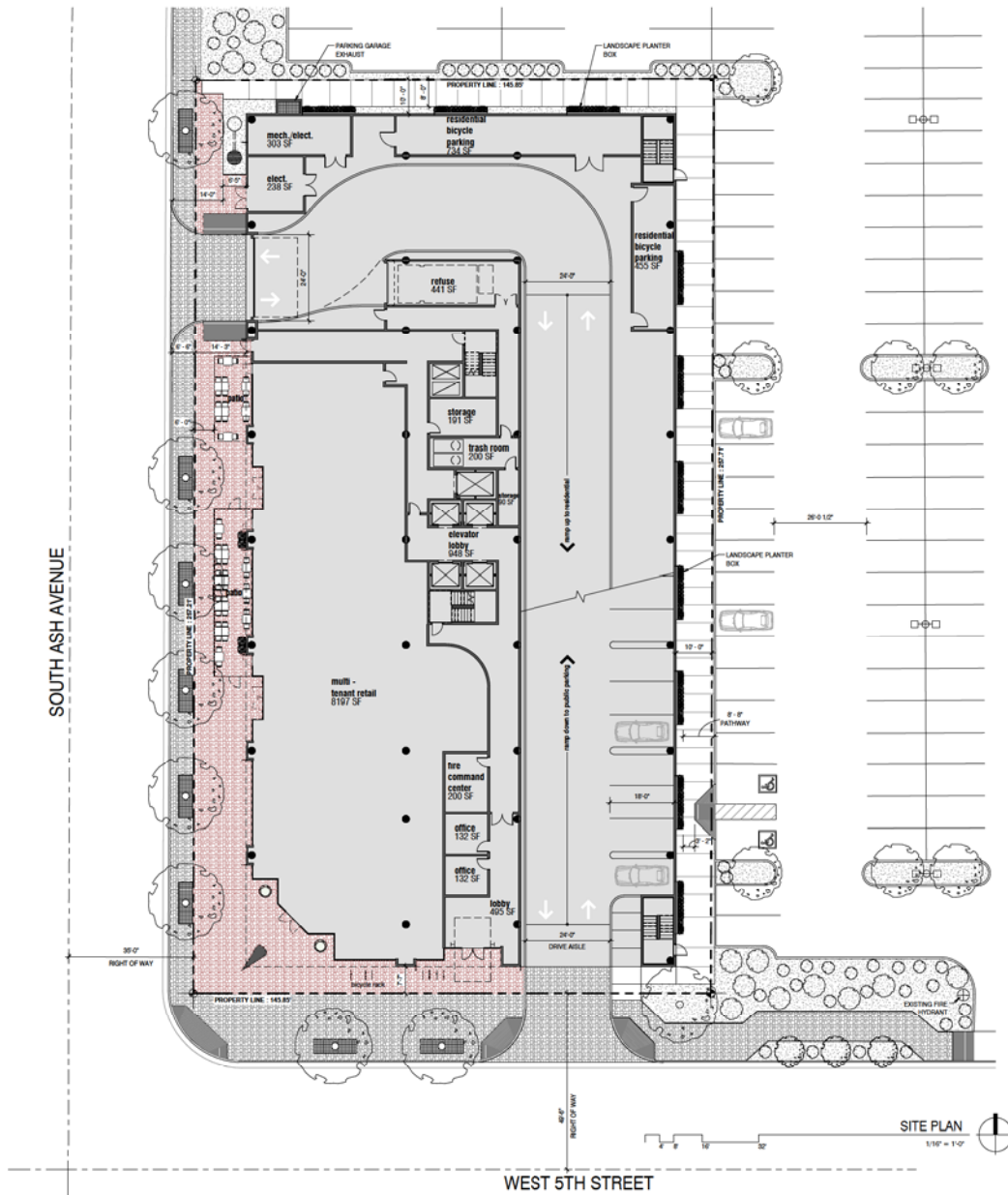
N.T.S.

230 WEST 5TH STREET
JAH VENTURES, L.L.P.
230 WEST 5TH STREET, TEMPE, ARIZONA 85281



7272 E Indian School Rd Ste 214
Scottsdale, Arizona 85251
Telephone: 480 941 4222
www.dpaarchitects.com
JAH VENTURES, L.L.P.
URBAN LAND
ADVISORS, LLC.

Date: 11 June 2014



230 WEST 5TH STREET
JAH VENTURES, LLLP.
 230 WEST 5TH STREET TEMPE, ARIZONA 85281



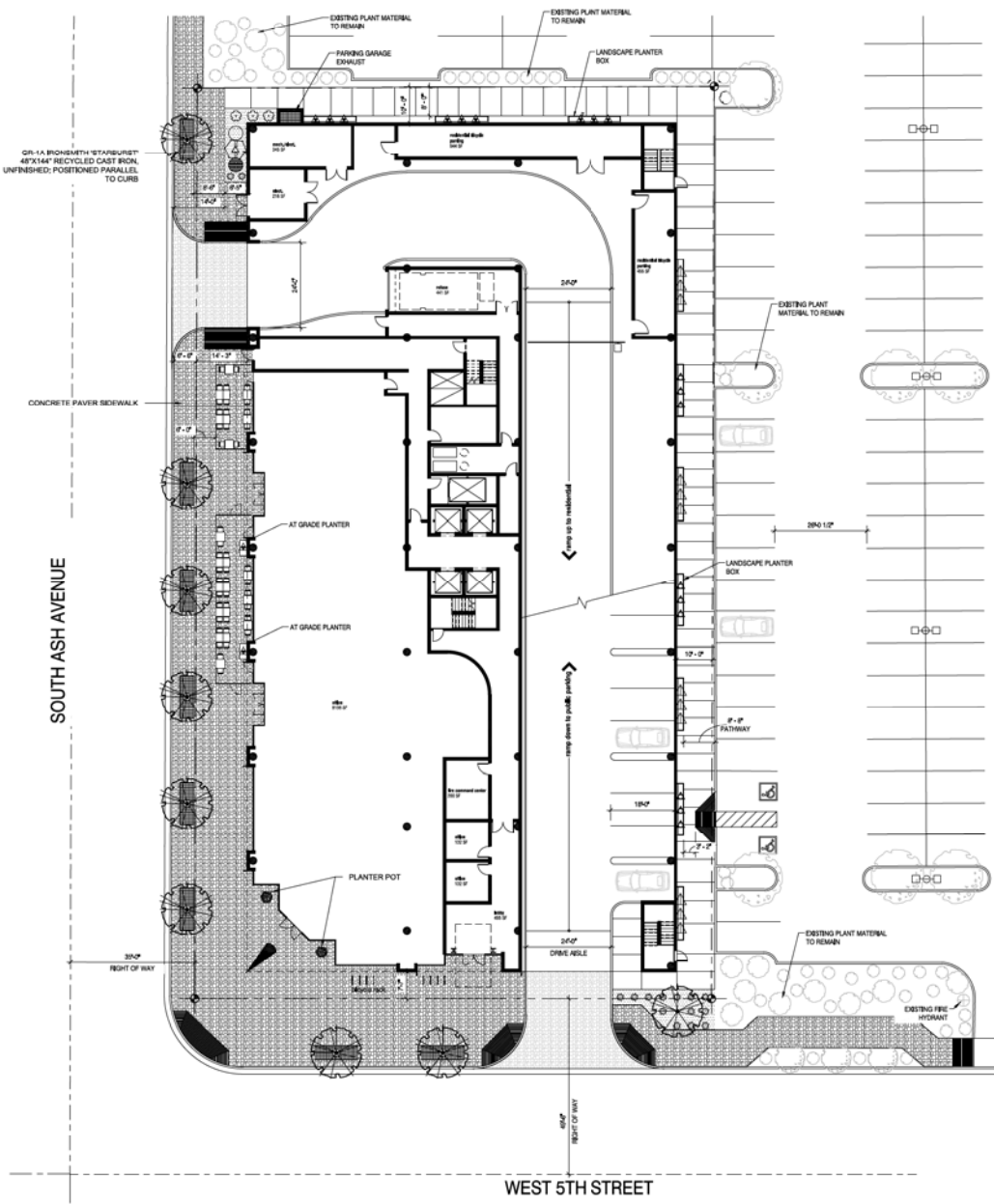
dpa
 DESIGNERS OF
 PROGRESSIVE
 ARCHITECTURE
 7979 A Indian School Road #214
 Scottsdale, Arizona 85251
 Telephone: 480 341 4202
 www.dpaarchitects.com

JAH VENTURES, LLLP
 URBAN LAND
 ADVISORS, LLC.

Scale: 15 May 2014

SITE PLAN
 1/8" = 1'-0"

SITE PLAN
 CITY OF TEMPE
 PRELIMINARY SITE PLAN SUBMITTAL
 15 MAY 2014



230 West 5th Street

JAH Ventures, LLLP
230 West 5th Street, Tempe, Arizona 85281

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	
	9	Quercus virginiana 'Heritage' / Heritage Southern Live Oak	1.5' Caliper	
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	CONT	
	15	Agave victoriae-reginae / Queen Victoria Agave	5 gal	
	3	Euphorbia rigida / Gopher Plant	5 gal	
	11	Hardenbergia violacea / Lilac Vine Attached to Green Screen	5 gal	
	12	Pyracantha kikkumii 'Santa Cruz' / Santa Cruz Pyracantha Attached to Green Screen	5 gal	
	1	Rosemarinus officinalis 'Prostratum' / Prostrate Rosemary	5 gal	
	9	Trachelospermum jasminoides / Chinese Star Jasmine Attached to Green Screen	5 gal	
	2	Yucca pallida / Twistedleaf Yucca	5 gal	
MISCELLANEOUS	Quantity	Item	Size	Comments
	237 SF	River Rock	1" Screened	2" Depth in all patio & raised planting areas
	415 SF	Decomposed Granite - "Saddleback Brown"	1/2" Screened	2" Depth in all planting areas along street

AMENITY IMAGES



TREE GRATE



PLANTER POT

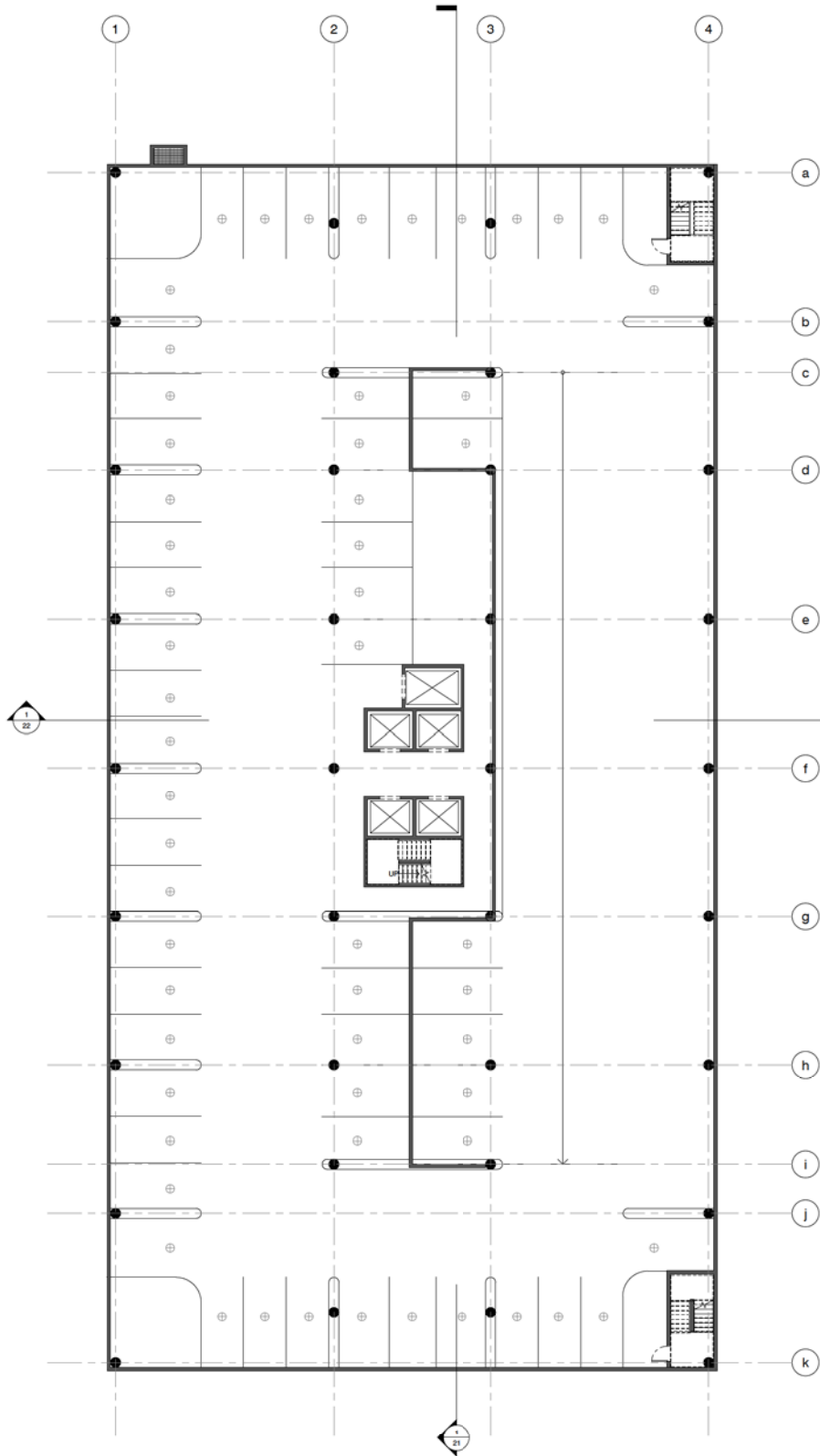
CONCEPTUAL GENERAL NOTES

1. CONCEPTUAL LANDSCAPE PLAN IS SCHEMATIC IN NATURE. AT THE TIME OF LANDSCAPE CONSTRUCTION DRAWINGS ACTUAL LOCATIONS, QUANTITIES, SIZES, AND SPECIES SHALL BE DETERMINED AND WILL BE PER CITY CODES.
2. ALL TREES USED WITHIN THIS PROJECT SHALL BE NURSERY GROWN. EXACT LOCATIONS AND QUANTITIES SHALL BE DETERMINED ON LANDSCAPE CONSTRUCTION DRAWINGS. ALL EXISTING TREES SHALL BE PROTECTED DURING CONSTRUCTION.
3. ALL LANDSCAPE AREAS SHALL RECEIVE AN AUTOMATIC IRRIGATION SYSTEM.
4. ALL PLANT MATERIAL SHALL BE INSTALLED PER CITY REQUIREMENTS. PLANT MATERIAL INSTALLED WITHIN SIGHT DISTANCE TRIANGLES SHALL BE OF A SPECIES THAT DOES NOT GROW TO A HEIGHT OF MORE THAN 10' AND SHALL BE MAINTAINED PER CITY REQUIREMENTS.
5. ALL NON-TURF AREAS SHALL RECEIVE A 2" DEPTH OF DECOMPOSED GRANITE.
6. ANY RETENTION SHOWN ON THE PLANS IS CONCEPTUAL IN NATURE. REFER TO THE ENGINEERING PLANS FOR ACTUAL GRADING AND DRAINAGE CONFIGURATIONS.
7. ALL EARTHWORK WILL BE DONE TO DRAIN AWAY FROM SIDEWALKS AND STRUCTURES.
8. FINAL LOT CONFIGURATION MAY VARY AT THE TIME OF FINAL PLAT APPROVAL.
9. ADDITIONAL PLANT MATERIAL MAY BE INTRODUCED AS DIFFERENT VARIETIES BECOME AVAILABLE THROUGH LOCAL NURSERIES AND IF THEY ARE CONSISTENT WITH THE OVERALL THEME OF THIS PROJECT.



4411 E. Hazeltine Way
Chandler, AZ 85249
PH: 602-743-2688

Conceptual Landscape Plan



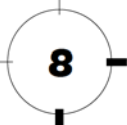
LOWER LEVEL GARAGE PLAN (2 LEVELS)
SCALE: 3/32" = 1'-0"
TOTAL 149 SPACES

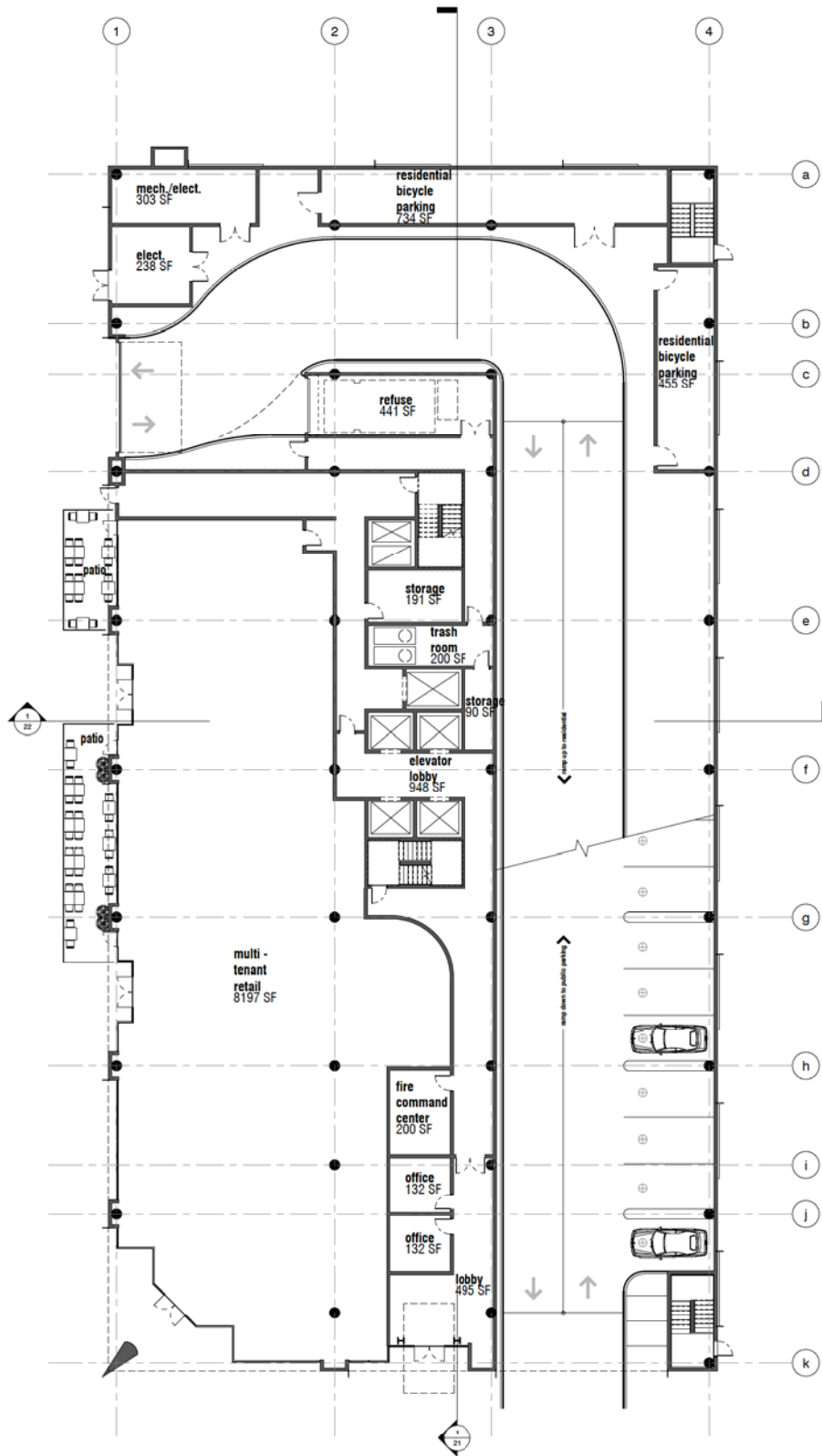
230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET TEMPE, ARIZONA 85281



dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE
7979 e indian school rd #14
48011 scottsdale, arizona 85251
telephone: 480 341 4202
www.dpaarchitects.com
JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014





GROUND FLOOR PLAN
SCALE: 3/32" = 1'-0"

230 WEST 5TH STREET

JAH VENTURES, LLLP.

230 WEST 5TH STREET TEMPE, ARIZONA 85281



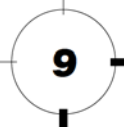
dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE

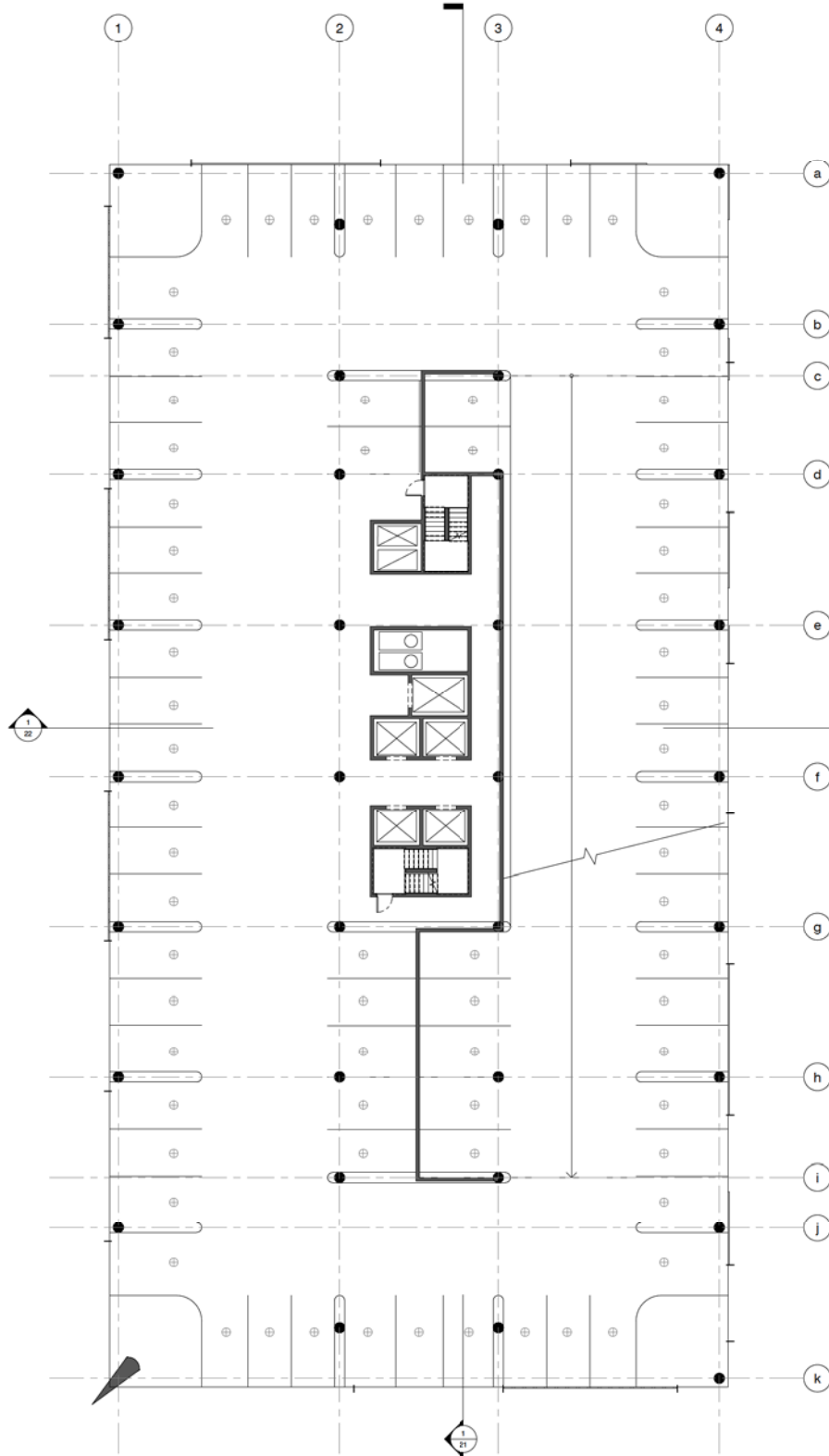
7072 e indian school rd #14
scottsdale, arizona 85251
telephone: 480 341 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014

GROUND FLOOR PLAN
CITY OF TEMPE
PRELIMINARY SITE PLAN SUBMITTAL
15 MAY 2014





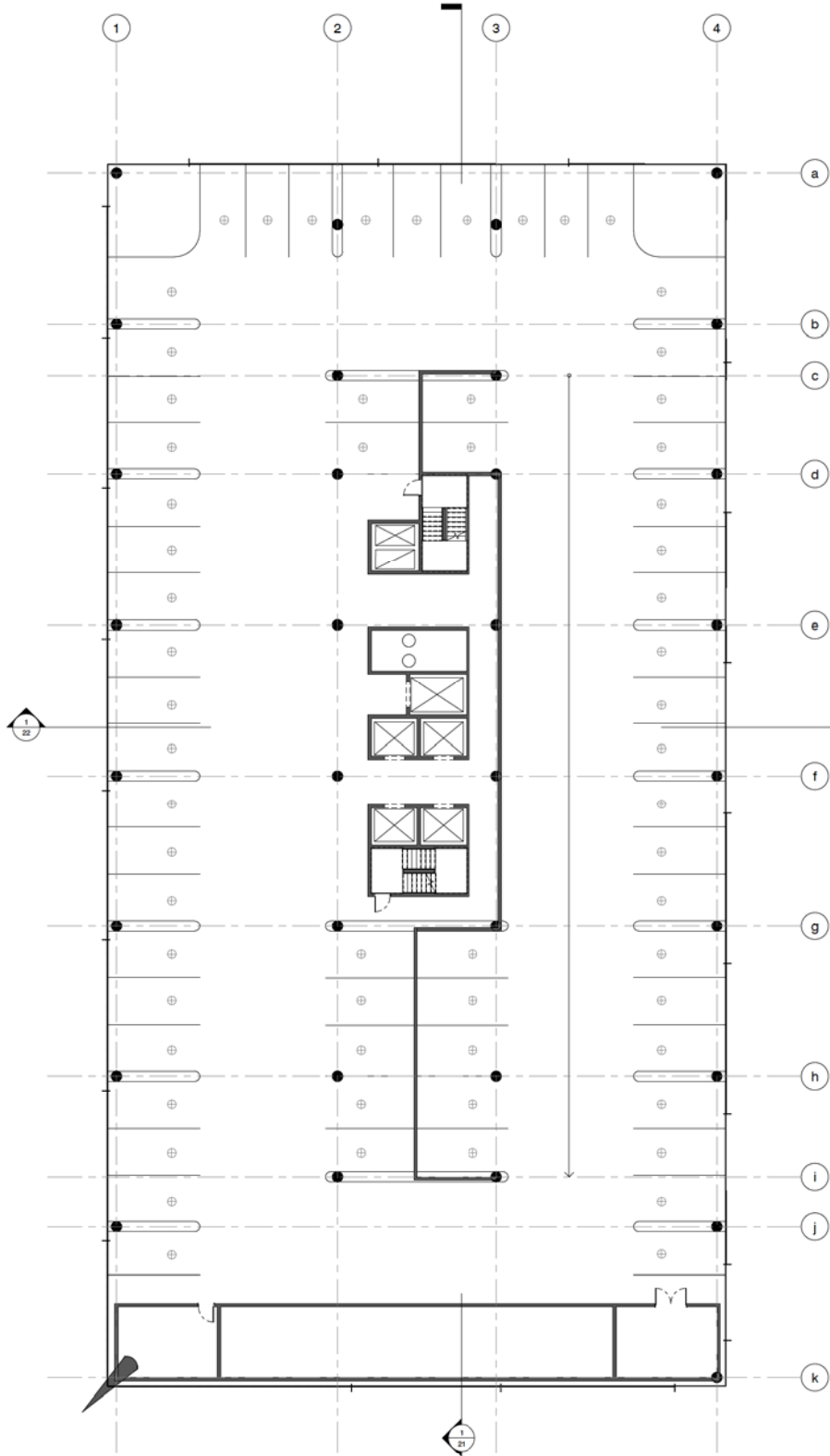
UPPER LEVEL GARAGE PLAN (LEVELS RP2 - RP3)
 SCALE: 3/32" = 1'-0"
 TOTAL RP1 - RP4: 254 SPACES

230 WEST 5TH STREET
 JAH VENTURES, LLLP.
 230 WEST 5TH STREET TEMPE, ARIZONA 85281



dpa
 DESIGNERS OF
 PROGRESSIVE
 ARCHITECTURE
 7070 e indian school rd #14
 phoenix, arizona 85021
 telephone: 480 941 4202
 www.dpaarchitects.com
JAH VENTURES, LLLP
 URBAN LAND
 ADVISORS, LLC.

date: 15 may 2014



UPPER LEVEL GARAGE PLAN (LEVEL RP4)
SCALE: 3/32" = 1'-0"
TOTAL 63 SPACES

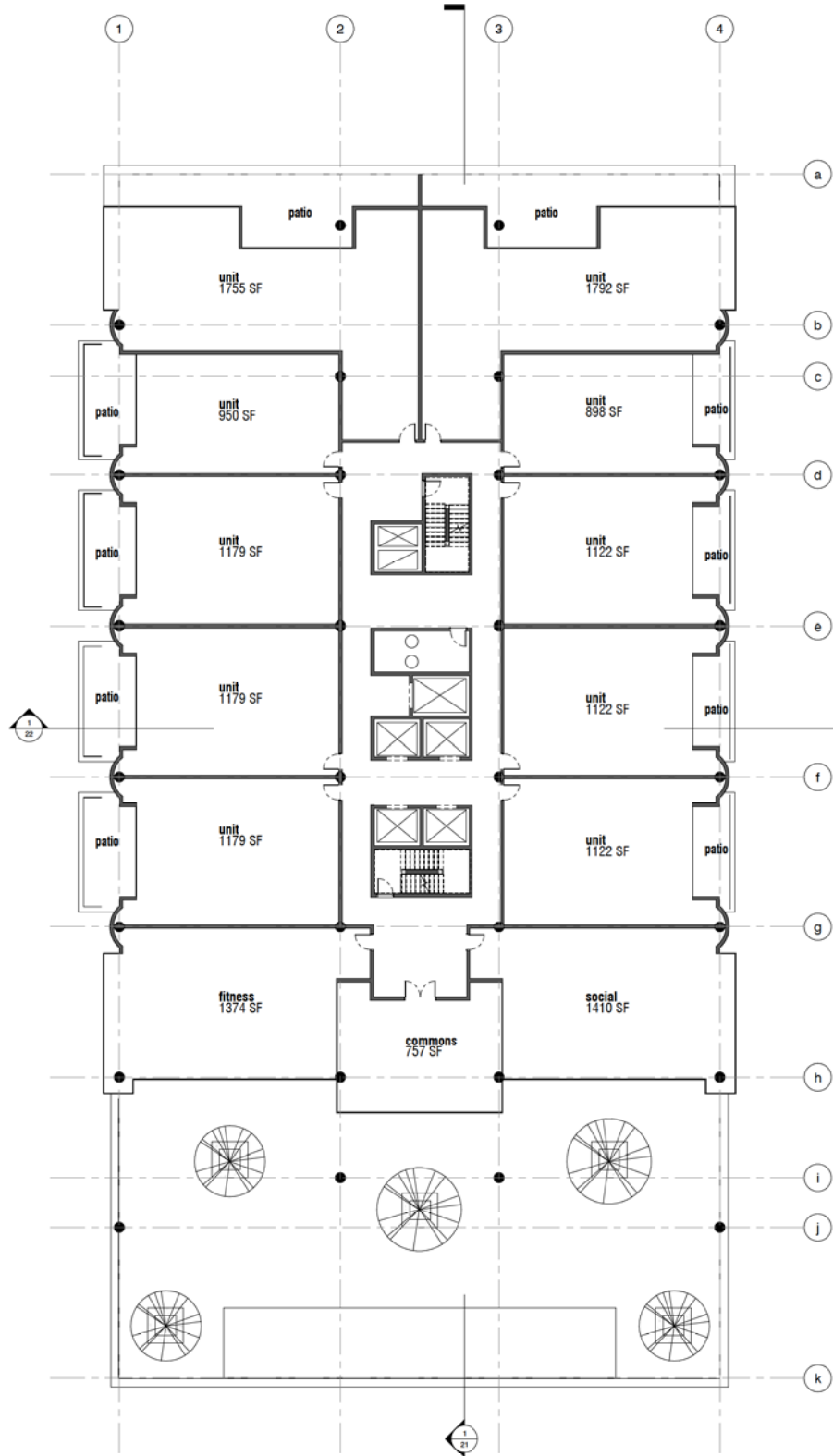
230 WEST 5TH STREET
JAH VENTURES, L.L.P.
 230 WEST 5TH STREET, TEMPE, ARIZONA 85281



dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE
 7979 e indian school rd #14
 phoenix, arizona 85021
 telephone: 480 941 4202
 www.dpaarchitects.com
JAH VENTURES, L.L.P.
URBAN LAND
ADVISORS, L.L.C.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING REMAINS THE PROPERTY OF DPA ARCHITECTS, INC. AND SHALL BE RETURNED TO DPA ARCHITECTS, INC. UPON COMPLETION OF THE CONSTRUCTION WORK. NEITHER THE ARCHITECT NOR ANY CONSULTANT OF DPA ARCHITECTS, INC. SHALL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS DRAWING. UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS ARE IN FEET AND INCHES. THE ORIGINAL COPYRIGHTED WORK OF DPA ARCHITECTS, INC. IS STRICTLY PROTECTED BY DPA ARCHITECTS, INC. AND ANY REPRODUCTION, USE, OR DISCLOSURE OF INFORMATION CONTAINED HEREIN WITHOUT PRIOR WRITTEN CONSENT FROM DPA ARCHITECTS, INC. IS STRICTLY PROHIBITED.



RESIDENTIAL FLOOR PLAN LEVEL 1

SCALE: 3/32" = 1'-0"

UNIT SQUARE FOOTAGE TOTAL: 12,298 SF
(NOT INCLUDING PATIOS)



230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET TEMPE, ARIZONA 85281



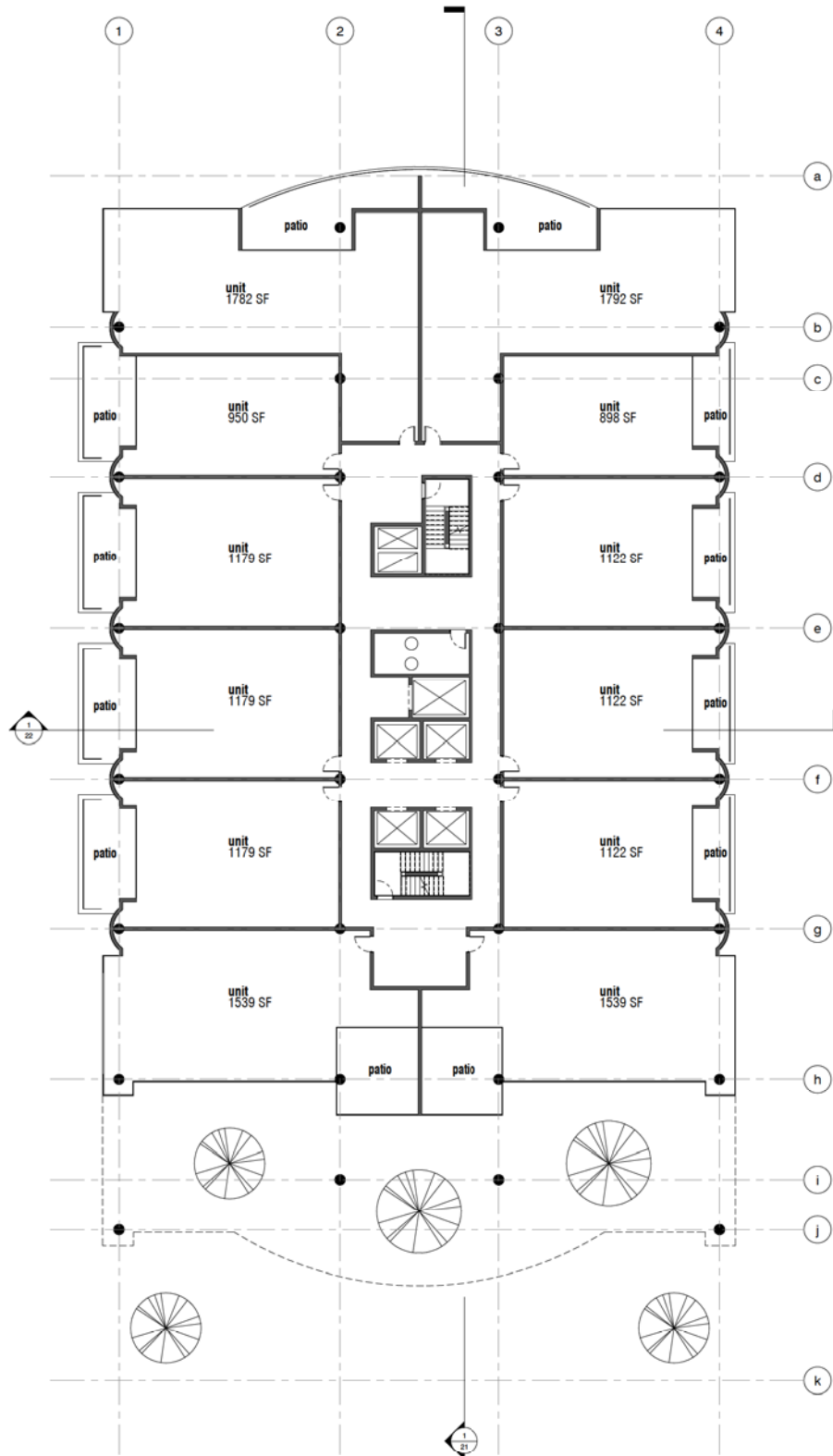
dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE

7979 e indian school rd #14
scottsdale, arizona 85251
telephone: 480 341 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING REMAINS THE PROPERTY OF DPA ARCHITECTS, INC. AND SHALL BE RETURNED TO DPA ARCHITECTS, INC. UPON COMPLETION OF THE PROJECT. NO PART OF THIS DRAWING SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DPA ARCHITECTS, INC. © 2014 DPA ARCHITECTS, INC.



RESIDENTIAL FLOOR PLAN LEVELS 2 & 3

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

UNIT SQUARE FOOTAGE TOTAL: 15,403 SF
(NOT INCLUDING PATIOS)



230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET, TEMPE, ARIZONA 85281

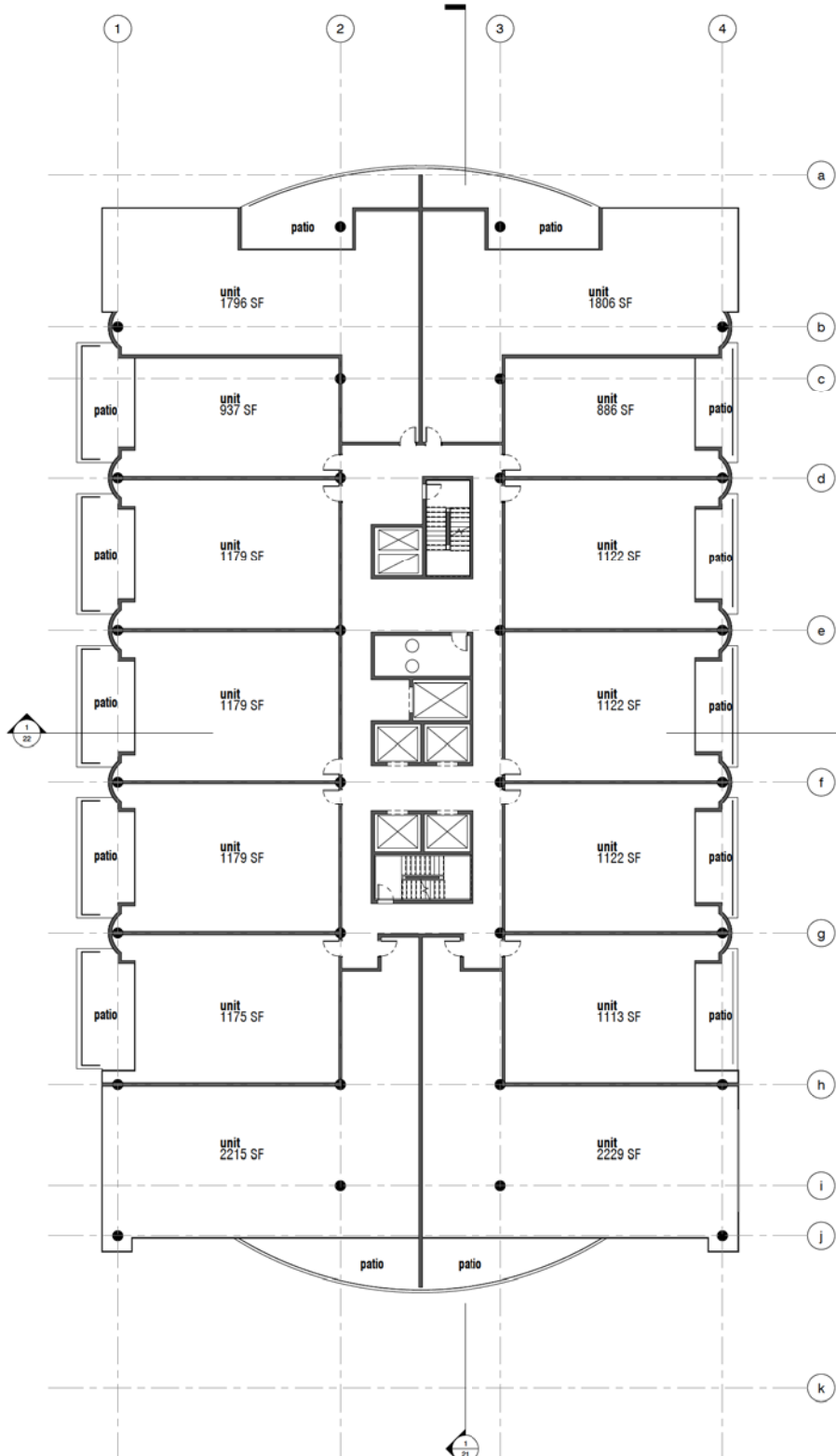


dpa
DESIGNERS OF
FRIDGES & V
ARCHITECTURE
7979 e indian school rd #14
scottsdale, arizona 85251
telephone: 480 941 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC. AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING REMAINS THE PROPERTY OF DPA ARCHITECTS, INC. AND SHALL BE RETURNED TO DPA ARCHITECTS, INC. UPON COMPLETION OF THE PROJECT. NO PART OF THIS DRAWING SHALL BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN CONSENT OF DPA ARCHITECTS, INC. ALL DRAWINGS, SPECIFICATIONS, AND NOTES SHALL BE REFERENCED TO THE LATEST REVISION. ANY CHANGES TO THIS DRAWING SHALL BE INDICATED BY A REVISION CIRCLE AND NUMBER. THE ORIGINAL COPYRIGHTED WORK OF DPA ARCHITECTS, INC. IS HEREBY REPRODUCED WITH THE WRITTEN CONSENT OF DPA ARCHITECTS, INC.



RESIDENTIAL FLOOR PLAN LEVEL 4

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

UNIT SQUARE FOOTAGE TOTAL: 19,059 SF
(NOT INCLUDING PATIOS)



230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET, TEMPE, ARIZONA 85281



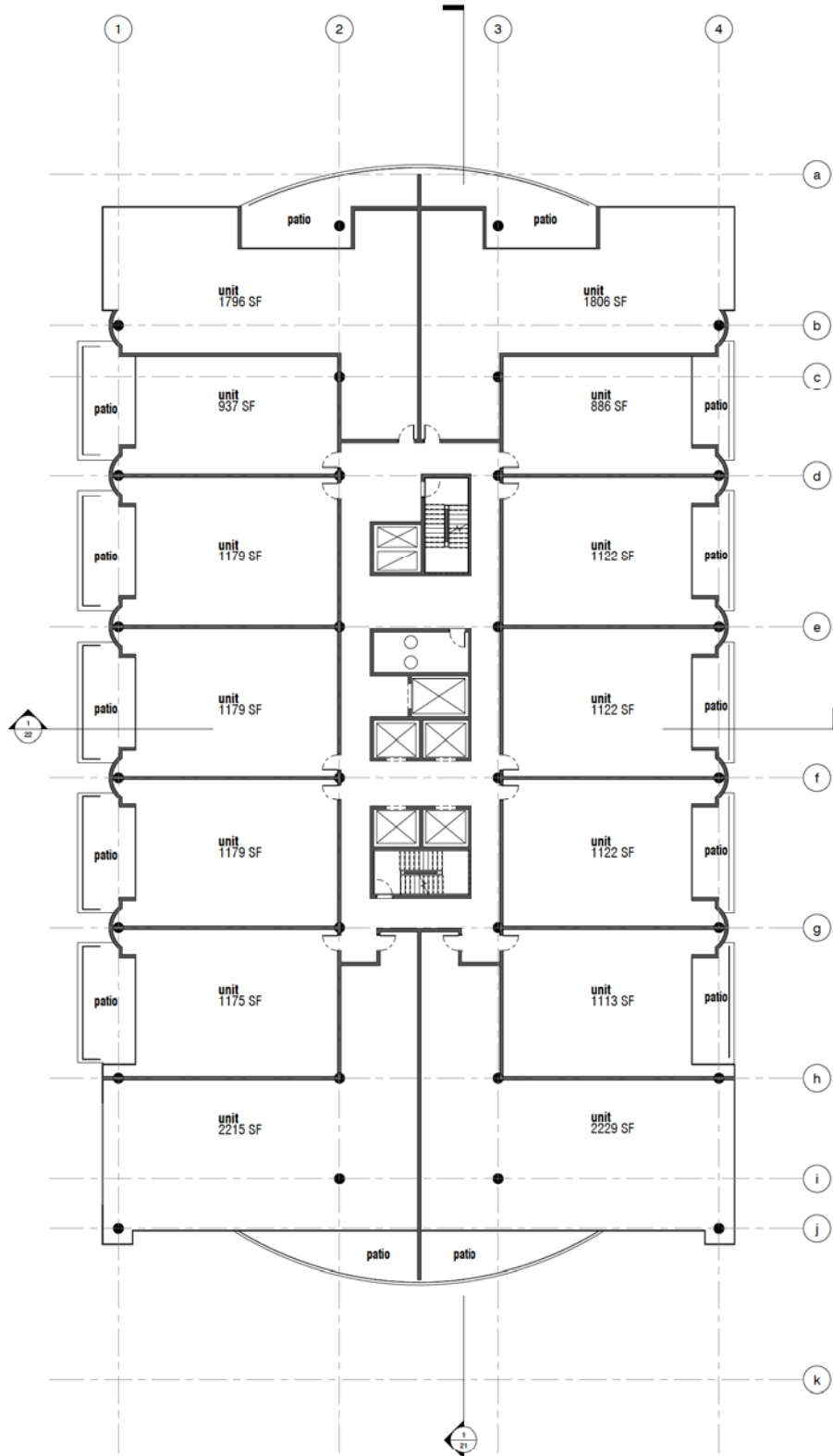
dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE

7879 e indian school rd #14
scottsdale, arizona 85261
telephone: 480 941 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING REMAINS THE PROPERTY OF DPA ARCHITECTS, INC. AND SHALL BE RETURNED TO DPA ARCHITECTS, INC. UPON COMPLETION OF THE CONSTRUCTION WORK. PURSUANT TO THE ARCHITECTURAL SERVICES CONTRACT ACT OF 1998, ALL DRAWINGS, SPECIFICATIONS, AND OTHER DOCUMENTS INCLUDING THE SCHEDULE OF VALUES AND ELEMENTS PERTAINING HERETO, CONSTITUTE THE ORIGINAL, COPYRIGHTED WORK OF DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT. ANY REPRODUCTION, USE, OR DISCLOSURE OF INFORMATION CONTAINED HEREIN WITHOUT PRIOR WRITTEN CONSENT FROM DPA ARCHITECTS, INC., IS STRICTLY PROHIBITED. © 2014 DPA ARCHITECTS, INC.



RESIDENTIAL FLOOR PLAN LEVELS 5-8

SCALE: 3/32" = 1'-0"

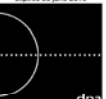
UNIT SQUARE FOOTAGE TOTAL: 19,059 SF
(NOT INCLUDING PATIOS)



230 WEST 5TH STREET

JAH VENTURES, LLLP.

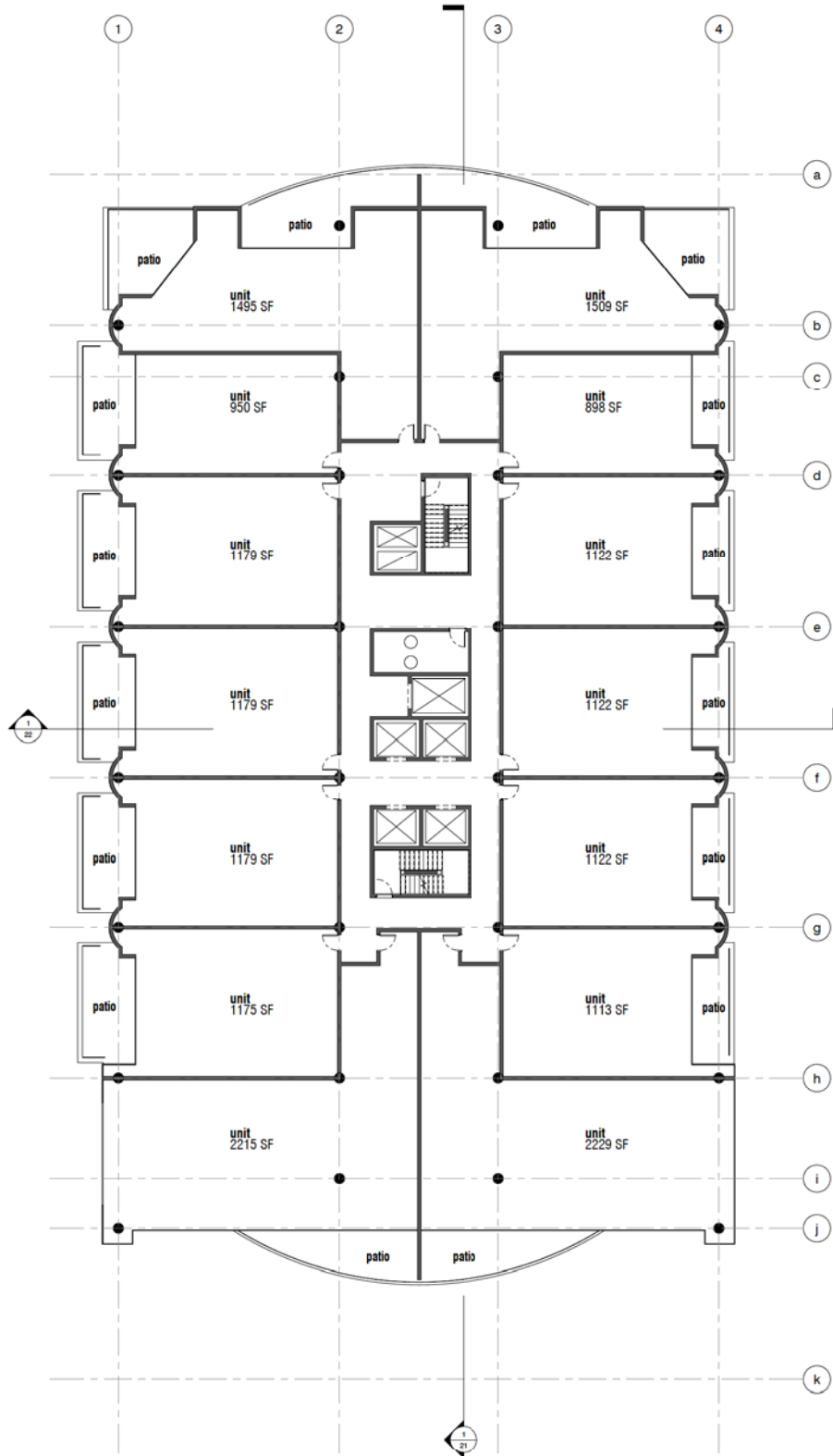
230 WEST 5TH STREET, TEMPE, ARIZONA 85281



7878 e indian school rd #14
Scottsdale, arizona 85251
telephone: 480 941 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014



RESIDENTIAL FLOOR PLAN LEVELS 9-12

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

UNIT SQUARE FOOTAGE TOTAL: 18,485 SF
(NOT INCLUDING PATIOS)



230 WEST 5TH STREET
JAH VENTURES, LLLP.

230 WEST 5TH STREET TEMPE, ARIZONA 85281



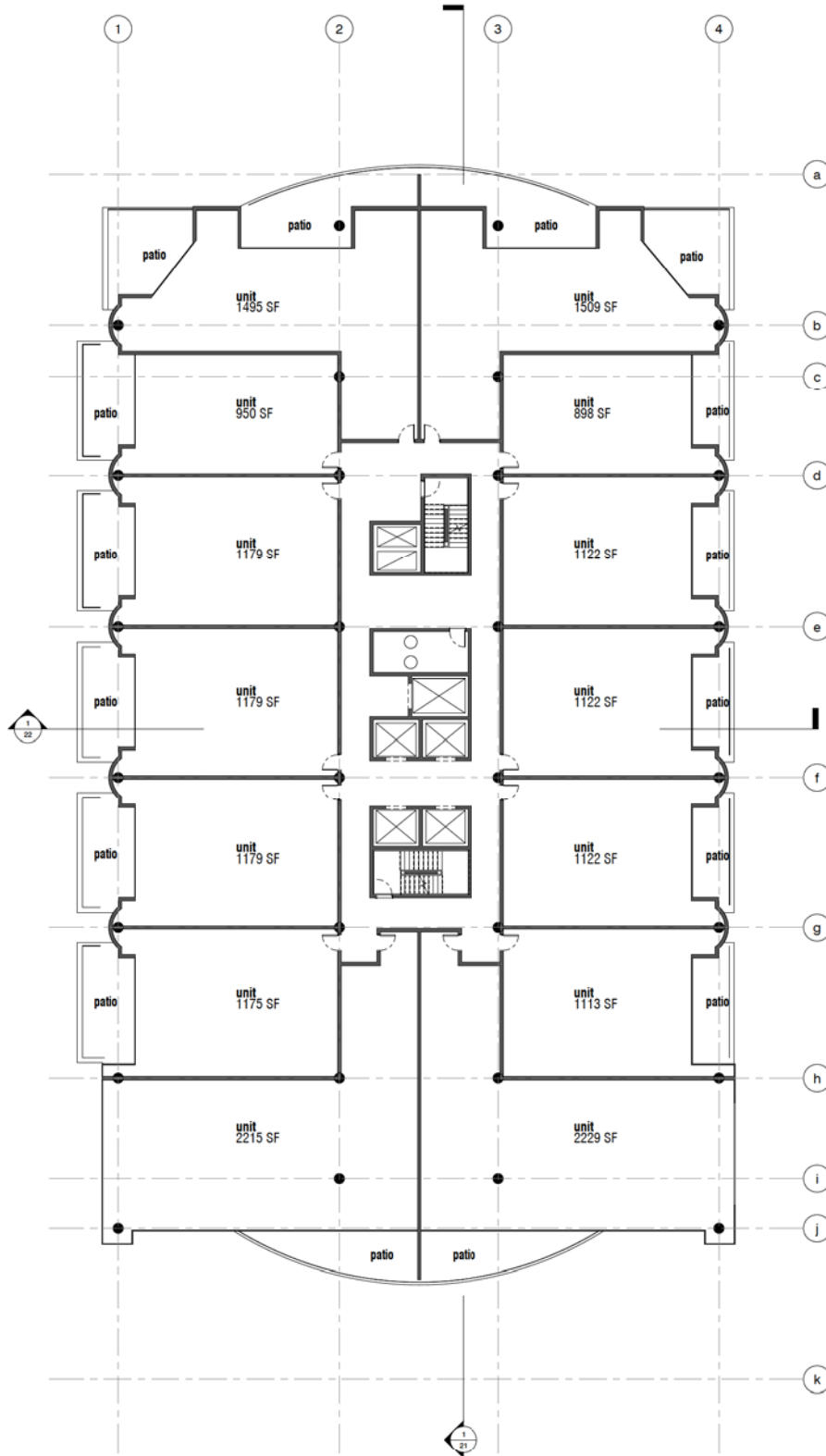
dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE

7979 e indian school rd #14
scottsdale, arizona 85251
telephone: 480 941 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING REMAINS THE PROPERTY OF DPA ARCHITECTS, INC. AND SHALL BE RETURNED TO DPA ARCHITECTS, INC. UPON COMPLETION OF THE PROJECT. NO PART OF THIS DRAWING SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DPA ARCHITECTS, INC. © 2014 DPA ARCHITECTS, INC.



RESIDENTIAL FLOOR PLAN LEVELS 13-18

SCALE: 3/32" = 1'-0"

UNIT SQUARE FOOTAGE TOTAL: 18,485 SF
(NOT INCLUDING PATIOS)



230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET, TEMPE, ARIZONA 85281



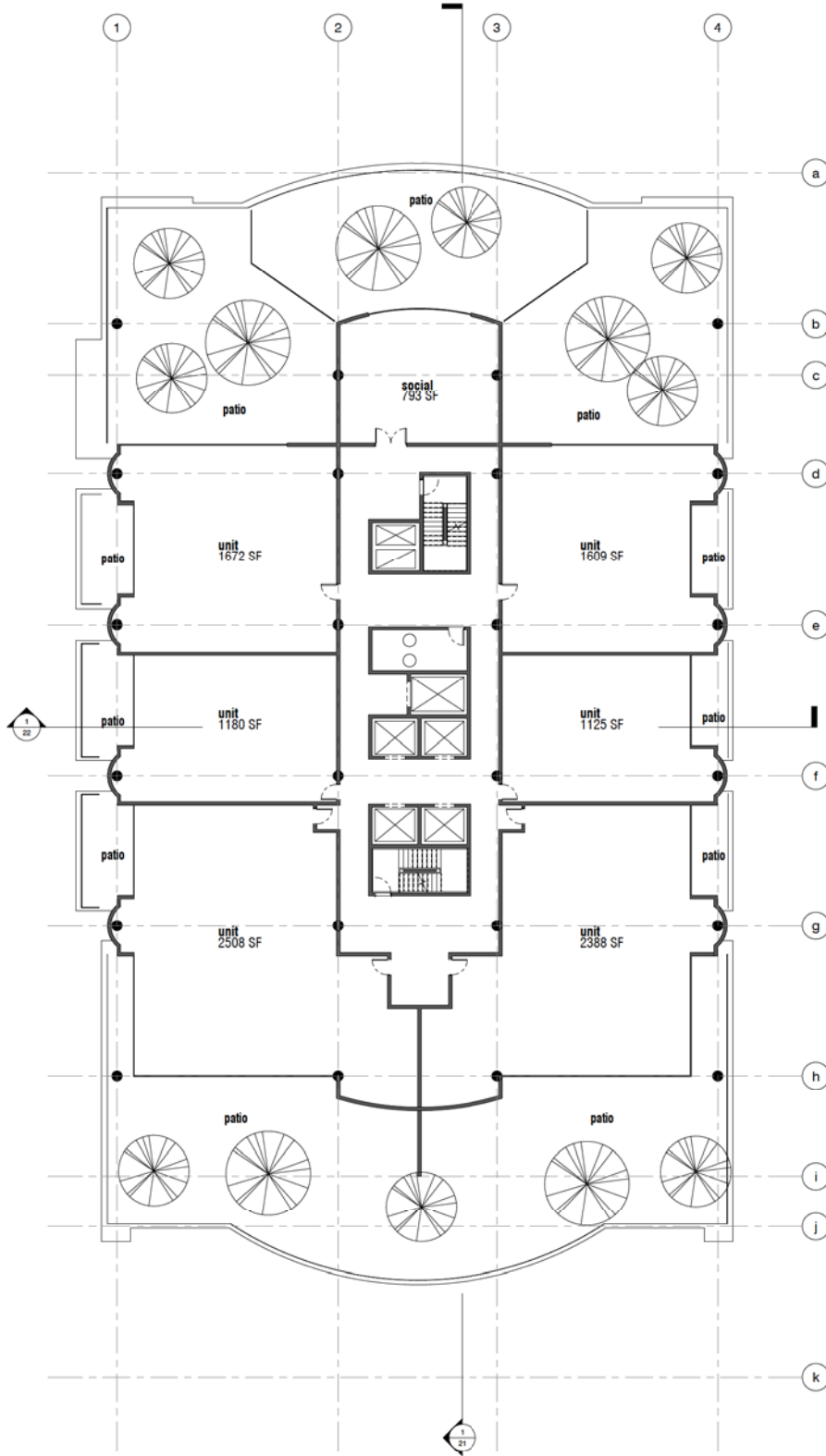
dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE

7079 a indian school rd #14
mesquite, arizona 85205
telephone: 480 941 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING REMAINS THE PROPERTY OF DPA ARCHITECTS, INC. AND SHALL BE RETURNED TO DPA ARCHITECTS, INC. UPON COMPLETION OF THE PROJECT. NO PART OF THIS DRAWING SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DPA ARCHITECTS, INC. © 2014 DPA ARCHITECTS, INC.



RESIDENTIAL FLOOR PLAN LEVEL 19

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

UNIT SQUARE FOOTAGE TOTAL: 10,481 SF
(NOT INCLUDING PATIOS)



230 WEST 5TH STREET

JAH VENTURES, LLLP.

230 WEST 5TH STREET, TEMPE, ARIZONA 85281



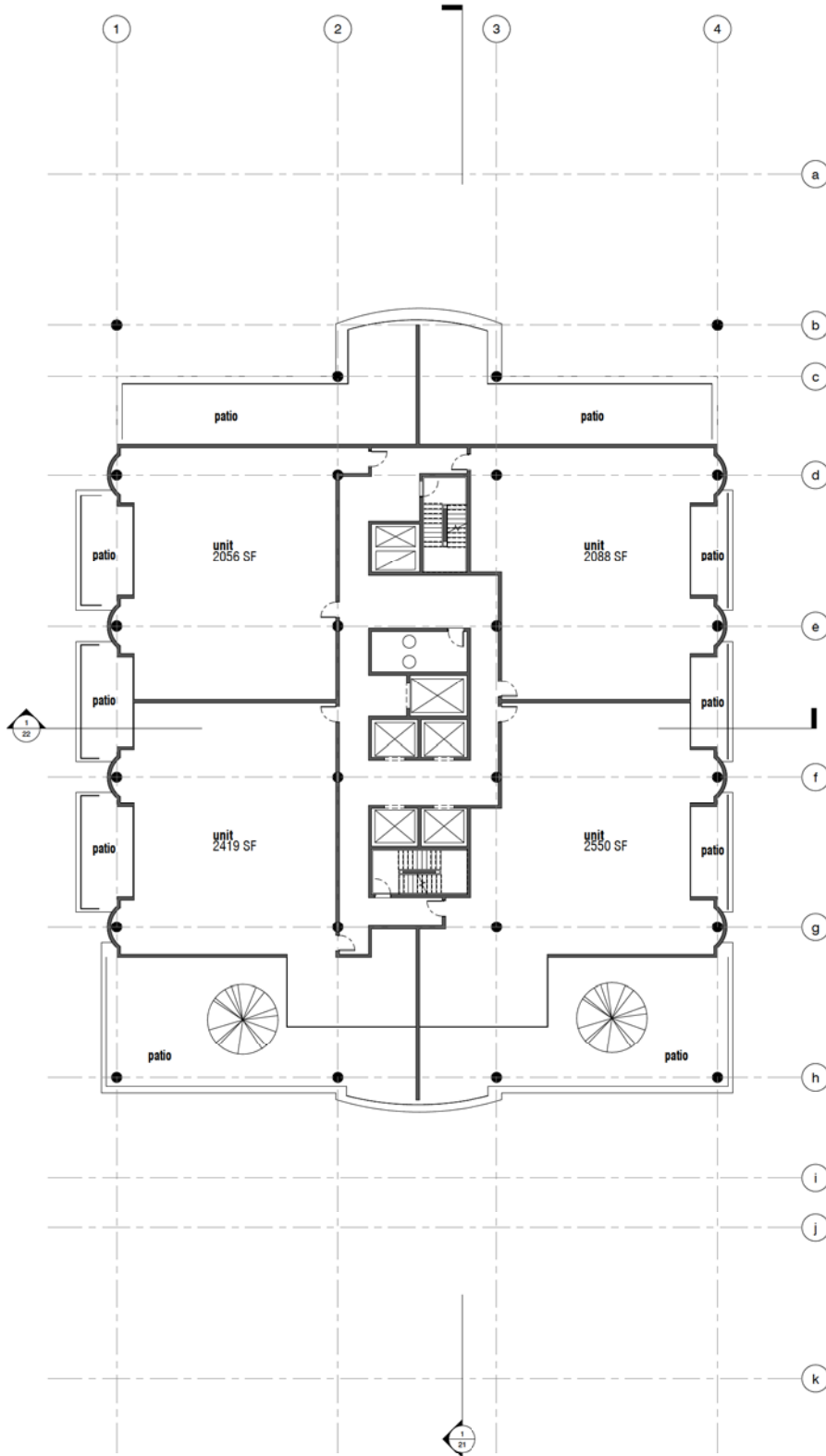
dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE

7079 E Indian School Rd #14
Scottsdale, Arizona 85251
Telephone: 480 341 4202
www.dpadesigners.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, L.L.C.

date: 15 May 2014

This drawing is prepared as an instrument of service by DPA ARCHITECTS, INC. and/or its consultant, and is intended for use on this project only. This drawing may be used for other projects without the written consent of DPA ARCHITECTS, INC. and/or its consultant. Any reproduction, use, or disclosure of information contained herein without prior written consent from DPA ARCHITECTS, INC. is strictly prohibited. © 2014 DPA ARCHITECTS, INC.



RESIDENTIAL FLOOR PLAN LEVEL 20

SCALE: 3/32" = 1'-0"

UNIT SQUARE FOOTAGE TOTAL: 9,112 SF
(NOT INCLUDING PATIOS)



230 WEST 5TH STREET

JAH VENTURES, LLLP.

230 WEST 5TH STREET TEMPE, ARIZONA 85281



dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE

7079 E Indian School Rd #114
Scottsdale, Arizona 85251
Telephone: 480 341 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, L.L.C.

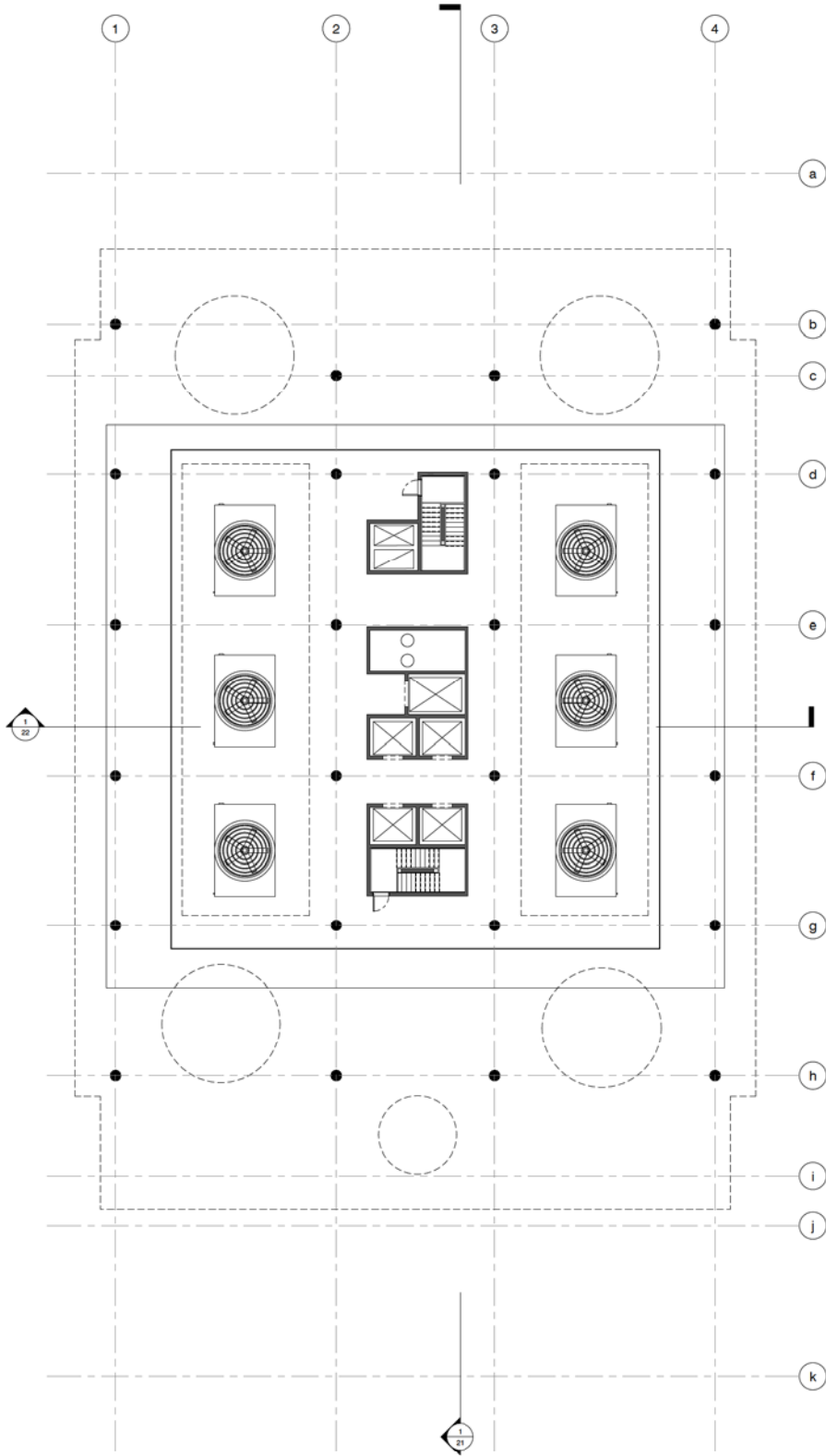
date: 15 MAY 2014

RESIDENTIAL FLOOR PLAN LEVEL 20

CITY OF TEMPE
PRELIMINARY SITE PLAN SUBMITTAL
15 MAY 2014

ATTACHMENT 41

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING AND ANY INFORMATION CONTAINED HEREIN IS THE PROPERTY OF DPA ARCHITECTS, INC. AND SHALL BE RETURNED TO DPA ARCHITECTS, INC. UPON COMPLETION OF THE PROJECT. NO PART OF THIS DRAWING SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DPA ARCHITECTS, INC. © 2014 DPA ARCHITECTS, INC.



MECHANICAL LEVEL LEVEL 21
SCALE: 5/8" = 1'-0"



230 WEST 5TH STREET
JAH VENTURES, LLLP.
 230 WEST 5TH STREET, TEMPE, ARIZONA 85281



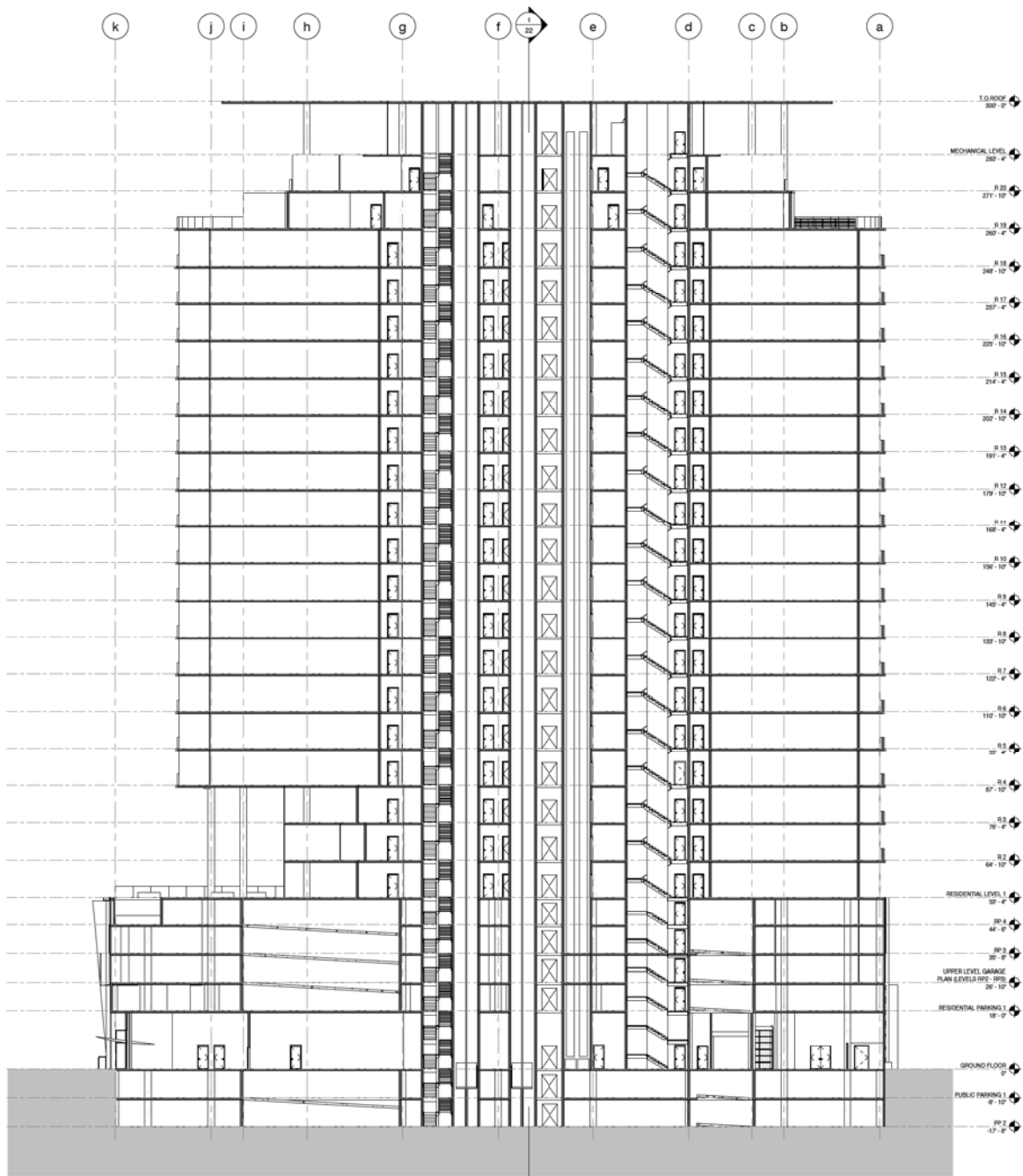
dpa
 DESIGNERS OF
 PROGRESSIVE
 ARCHITECTURE

7079 e indian school rd #14
 phoenix, arizona 85021
 telephone: 480 941 4202
 www.dpainc.com

JAH VENTURES, LLLP
 URBAN LAND
 ADVISORS, LLC.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING REMAINS THE PROPERTY OF DPA ARCHITECTS, INC. AND SHALL BE RETURNED TO DPA ARCHITECTS, INC. UPON COMPLETION OF THE PROJECT. NO PART OF THIS DRAWING SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF DPA ARCHITECTS, INC. © 2014 DPA ARCHITECTS, INC.



SECTION A
SCALE: 1/8" = 1'-0"

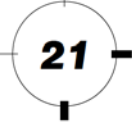
230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET TEMPE, ARIZONA 85281



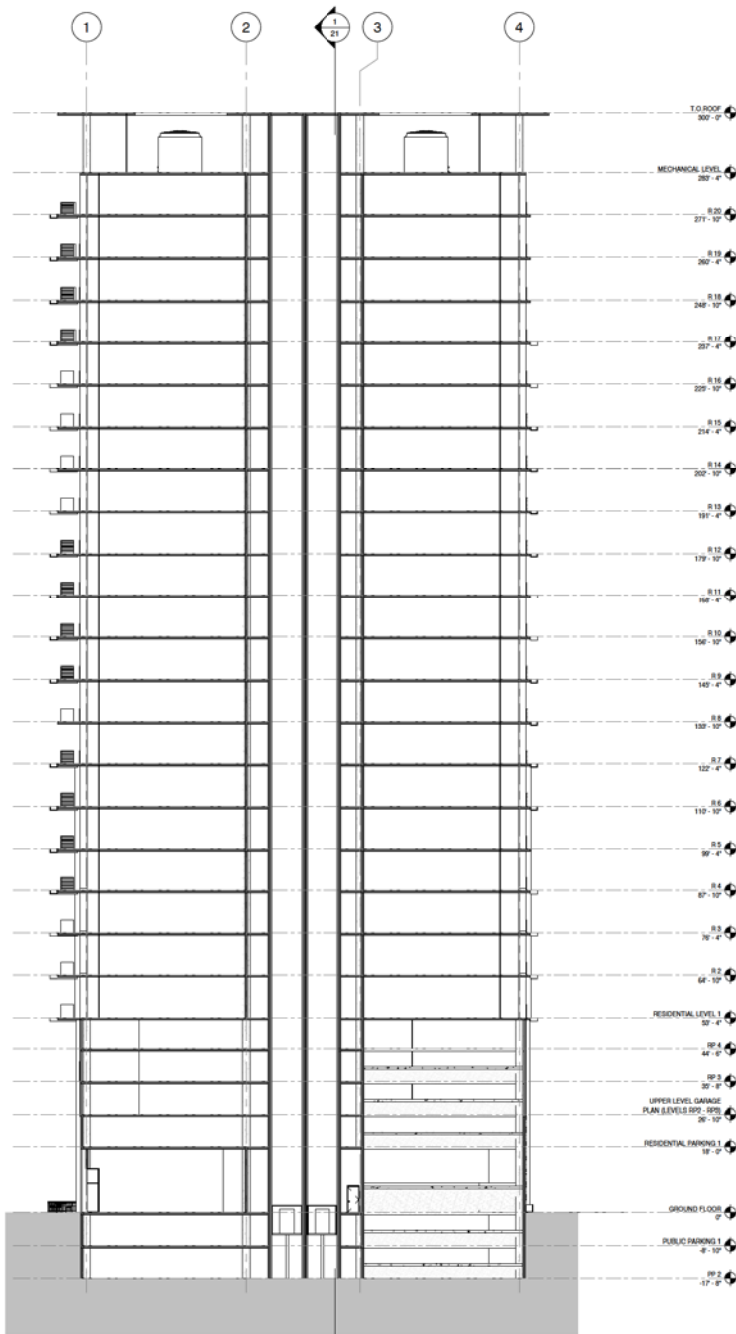
dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE
7079 e indian school rd #14
scottsdale, arizona 85251
telephone: 480 341 4322
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014



OVERALL BUILDING SECTION
CITY OF TEMPE
PRELIMINARY SITE PLAN SUBMITTAL
15 MAY 2014



SECTION B
SCALE: 1/8" = 1'-0"

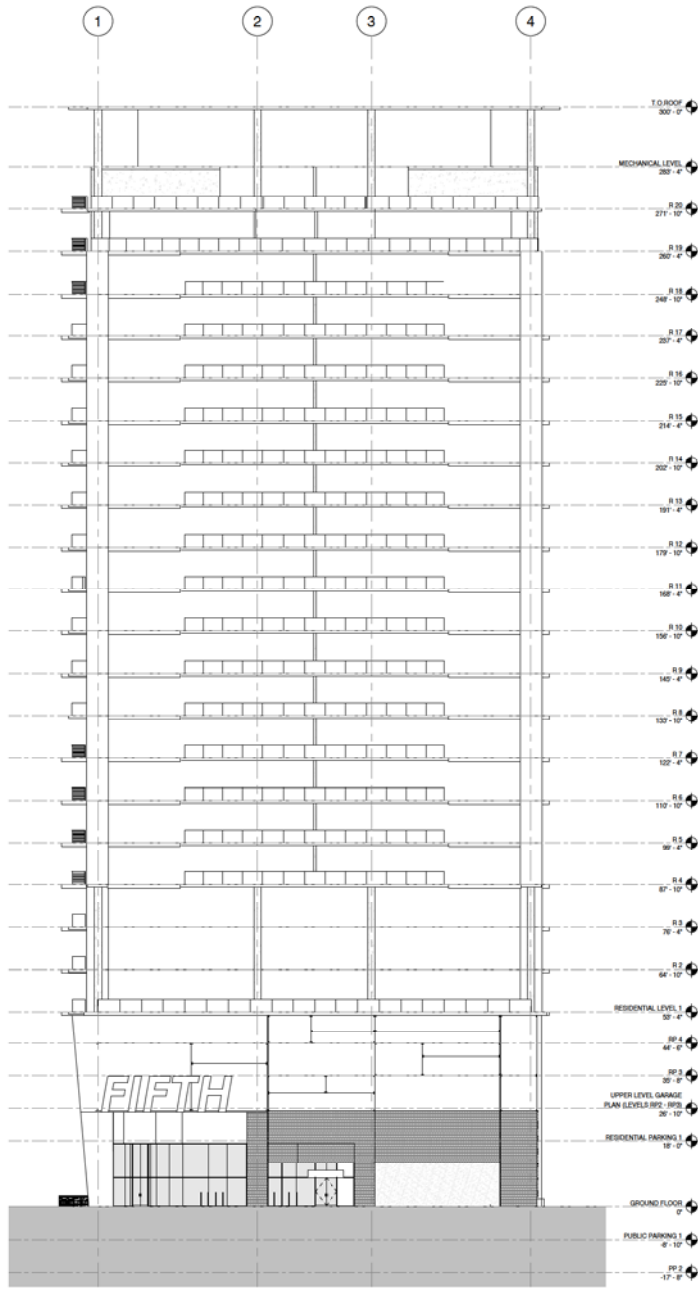
230 WEST 5TH STREET
JAH VENTURES, LLLP.
 230 WEST 5TH STREET TEMPE, ARIZONA 85281



dpa
 DESIGNERS OF
 PROFESSIONAL
 ARCHITECTURE
 7079 e indian school rd #14
 phoenix, arizona 85021
 telephone: 480 941 4322
 www.dpaarchitects.com
JAH VENTURES, LLLP
 URBAN LAND
 ADVISORS, LLC.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING REVEALS AND SHALL BE RETURNED TO DPA UPON COMPLETION OF THE CONSTRUCTION WORK, SUBJECT TO THE ARCHITECTURAL WORKS COPYRIGHT ACT OF 1989. ALL DRAWINGS, SPECIFICATIONS, INCLUDING THE MATERIAL, FINISH, ARRANGEMENT AND COMPOSITION OF SPACES AND ELEMENTS ARRANGING HEREIN CONSTITUTE THE ORIGINAL COPYRIGHTED WORK OF DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND REPRODUCTION, USE, OR DISCLOSURE OF INFORMATION CONTAINED HEREIN WITHOUT PRIOR WRITTEN CONSENT FROM DPA ARCHITECTS, INC., IS STRICTLY PROHIBITED. © 2014 DPA ARCHITECTS, INC.



SOUTH ELEVATION

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

230 WEST 5TH STREET

JAH VENTURES, LLLP.

230 WEST 5TH STREET, TEMPE, ARIZONA 85281



Approved 20 June 2014

dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE
7079 E Indian School Rd #14
Scottsdale, Arizona 85251
Telephone: 480 341 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 May 2014



SOUTH ELEVATION

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

230 WEST 5TH STREET
 JAH VENTURES, LLLP.
 230 WEST 5TH STREET TEMPE, ARIZONA 85281



Expires 30 June 2018



DESIGNERS OF PROFESSIONAL ARCHITECTURE
 7079 a indian school rd #14
 phoenix, arizona 85021
 telephone: 480 941 4202
 www.designersofpa.com

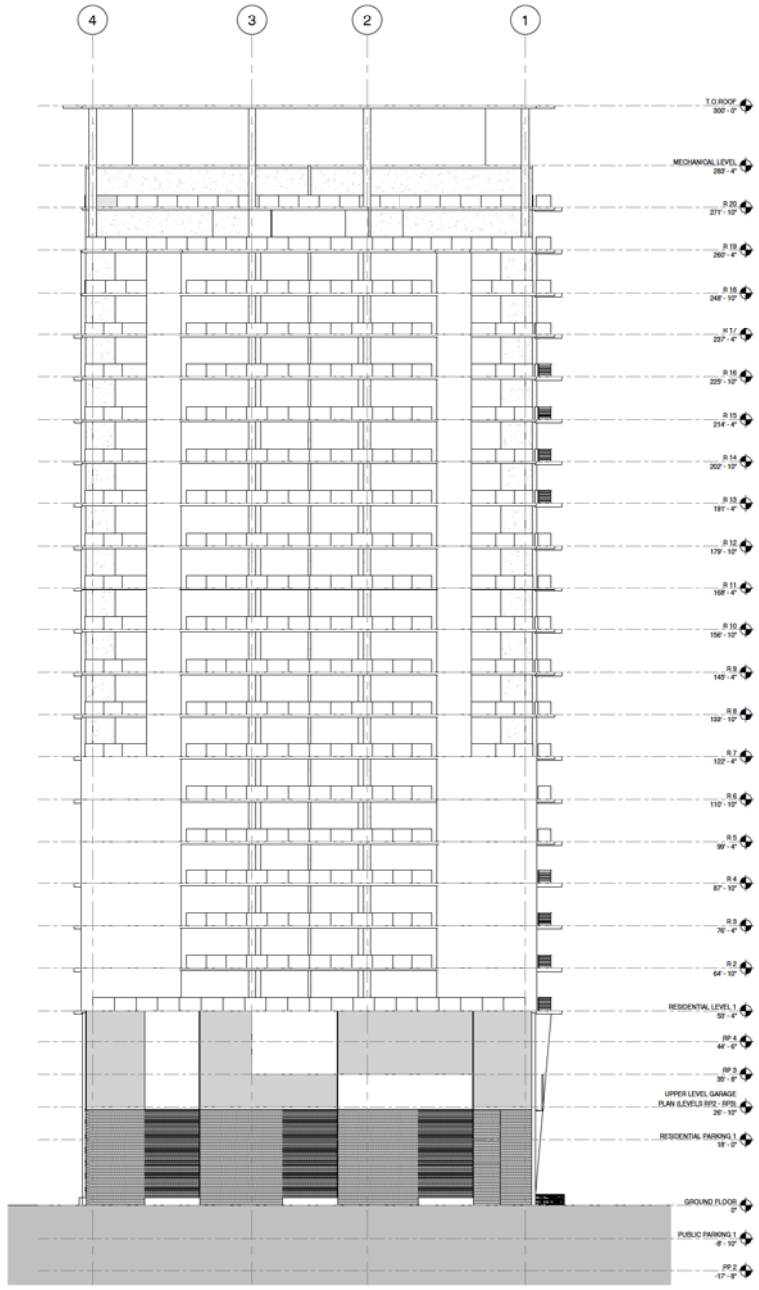
JAH VENTURES, LLLP
 URBAN LAND ADVISORS, LLC.

date: 15 may 2014

COLORED BUILDING ELEVATIONS

CITY OF TEMPE
 PRELIMINARY SITE PLAN SUBMITTAL
 15 MAY 2014





NORTH ELEVATION
SCALE: 1/8" = 1'-0"

230 WEST 5TH STREET
JAH VENTURES, LLLP.

230 WEST 5TH STREET, TEMPE, ARIZONA 85281



Expires 03 Jun 2018



dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE
7079 E Indian School Rd #114
Scottsdale, Arizona 85251
Telephone: 480 341 4202
www.dpaarchitects.com
JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 May 2014



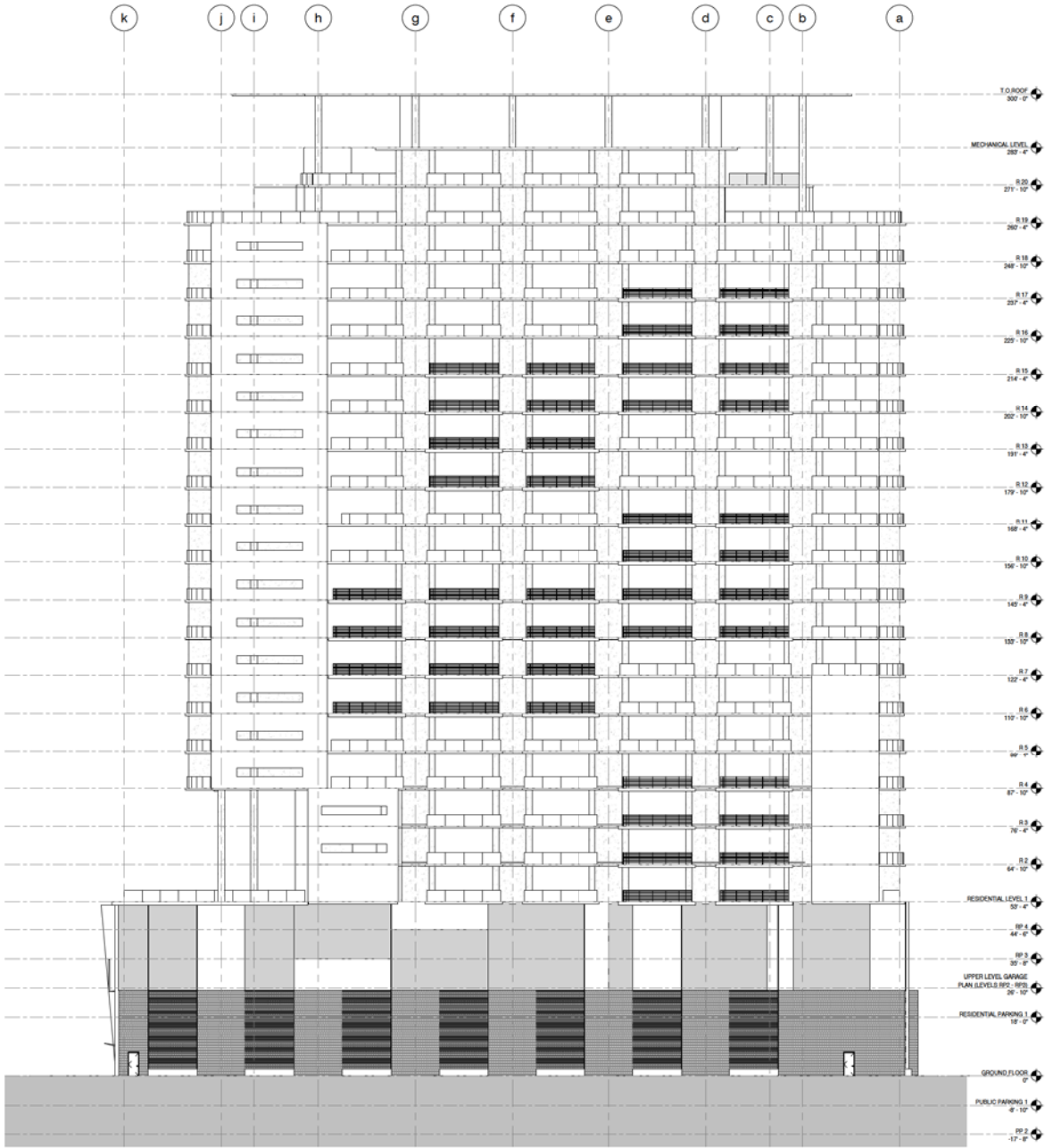
NORTH ELEVATION
SCALE: 1/8" = 1'-0"

230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET TEMPE, ARIZONA 85281



dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE
7075 e indian school rd #14
mesquite, arizona 85205
telephone: 480 941 4202
www.dpaarchitects.com
JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014



EAST ELEVATION

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

230 WEST 5TH STREET
 JAH VENTURES, LLLP.
 230 WEST 5TH STREET TEMPE, ARIZONA 85281



August 30, 2014



dpa
 DESIGNERS OF
 PROFESSIONAL
 ARCHITECTURE
 7079 a indian school rd ste 214
 48011 tacoma, arizona 85251
 telephone: 480 341 4202
 www.dpaarchitects.com

JAH VENTURES, LLLP
 URBAN LAND
 ADVISORS, LLC.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT PERMISSION IN WRITING FROM DPA ARCHITECTS, INC. OR ITS CONSULTANT. ANY REPRODUCTION, USE, OR DISCLOSURE OF INFORMATION CONTAINED HEREIN WITHOUT PRIOR WRITTEN CONSENT FROM DPA ARCHITECTS, INC. OR ITS CONSULTANT IS PROHIBITED. © 2014 DPA ARCHITECTS, INC.



EAST ELEVATION
SCALE: 1/8" = 1'-0"

230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET TEMPE, ARIZONA 85281



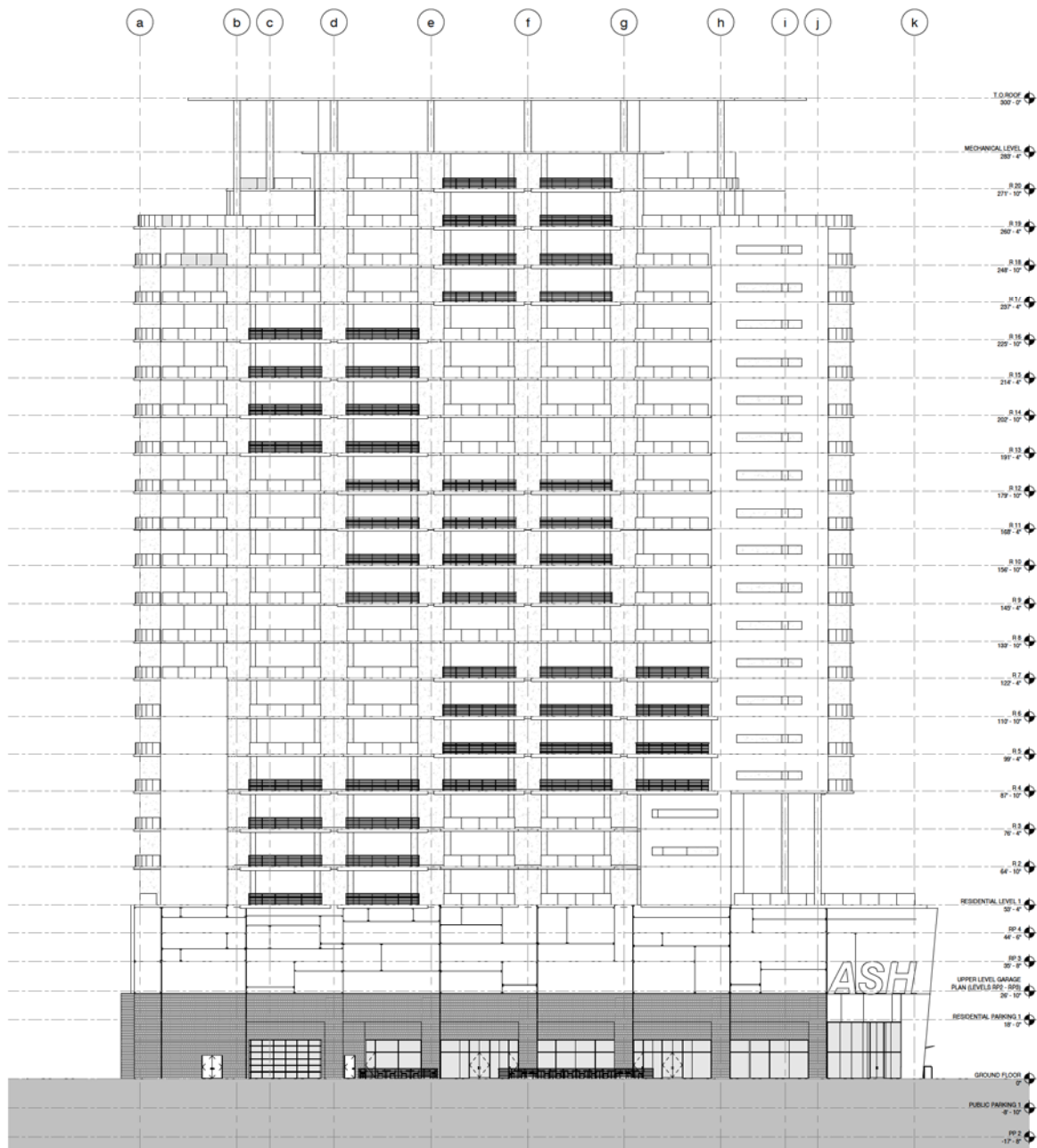
Approved: 20 June 2014

dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE

7075 e indian school rd #14
mesquite, arizona 85205
telephone: 480 941 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014



WEST ELEVATION
SCALE: 1/16" = 1'-0"

230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET TEMPE, ARIZONA 85281

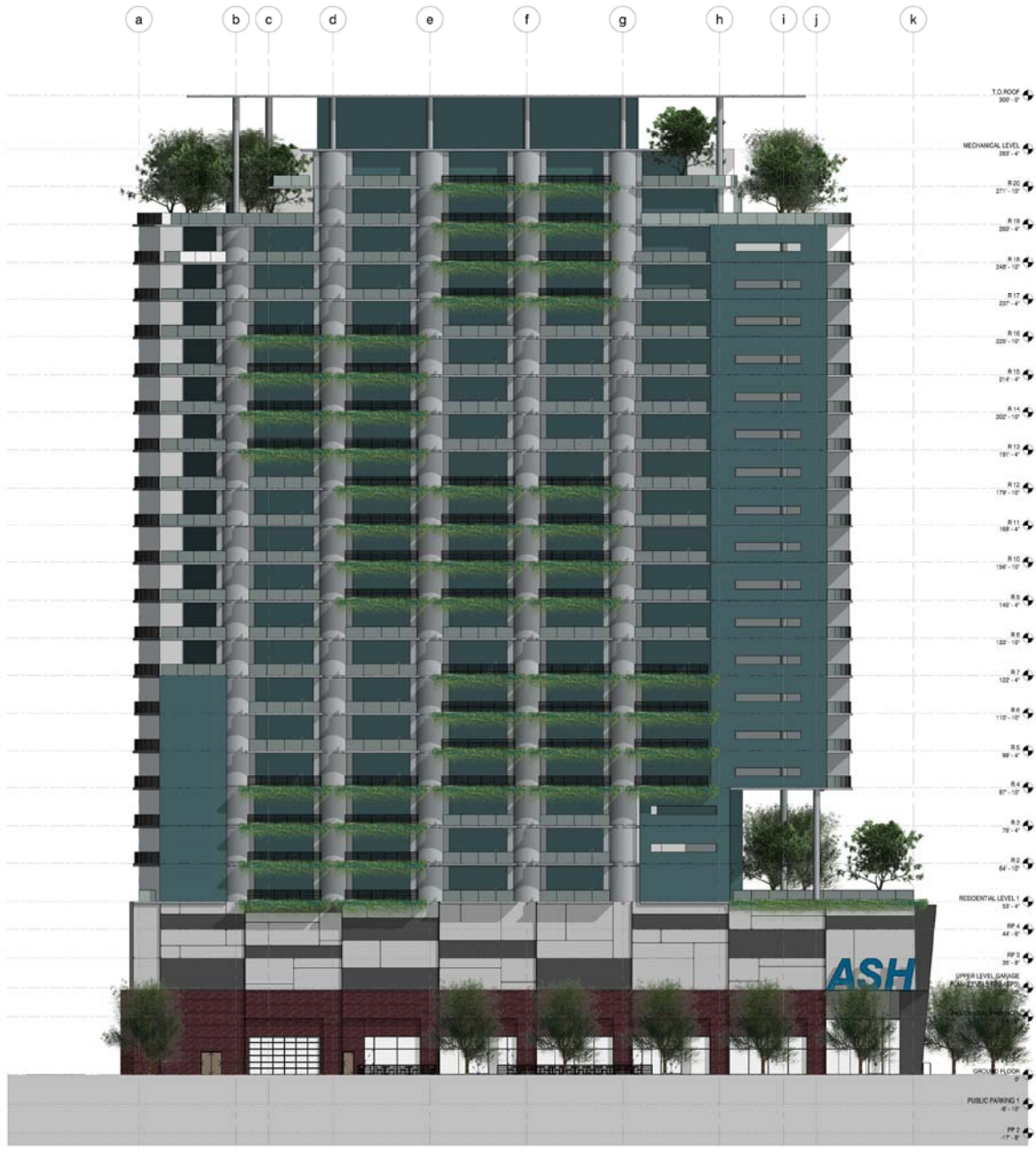


Approved: 03 June 2014

dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE
7072 e indian school rd #14
mesquite, arizona 85201
telephone: 480 941 4202
www.dpaarchitects.com

JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014



WEST ELEVATION
SCALE: 1/8" = 1'-0"

230 WEST 5TH STREET
JAH VENTURES, LLLP.
230 WEST 5TH STREET TEMPE, ARIZONA 85281



dpa
DESIGNERS OF
PROGRESSIVE
ARCHITECTURE
7070 e indian school rd #14
mesquite, arizona 85201
telephone: 480 341 4202
www.dpaarchitects.com
JAH VENTURES, LLLP
URBAN LAND
ADVISORS, LLC.

date: 15 may 2014

THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY DPA ARCHITECTS, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THIS DRAWING MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT PERMISSION IN WRITING FROM DPA ARCHITECTS, INC. ALL RIGHTS ARE RESERVED. NO PART OF THIS DRAWING SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT PERMISSION IN WRITING FROM DPA ARCHITECTS, INC. ALL RIGHTS ARE RESERVED.



VIEW FROM SOUTHEAST

VIEW FROM ASH AVENUE

230 WEST 5TH STREET

JAH VENTURES, LLLP.

230 WEST 5TH STREET TEMPE, ARIZONA 85281

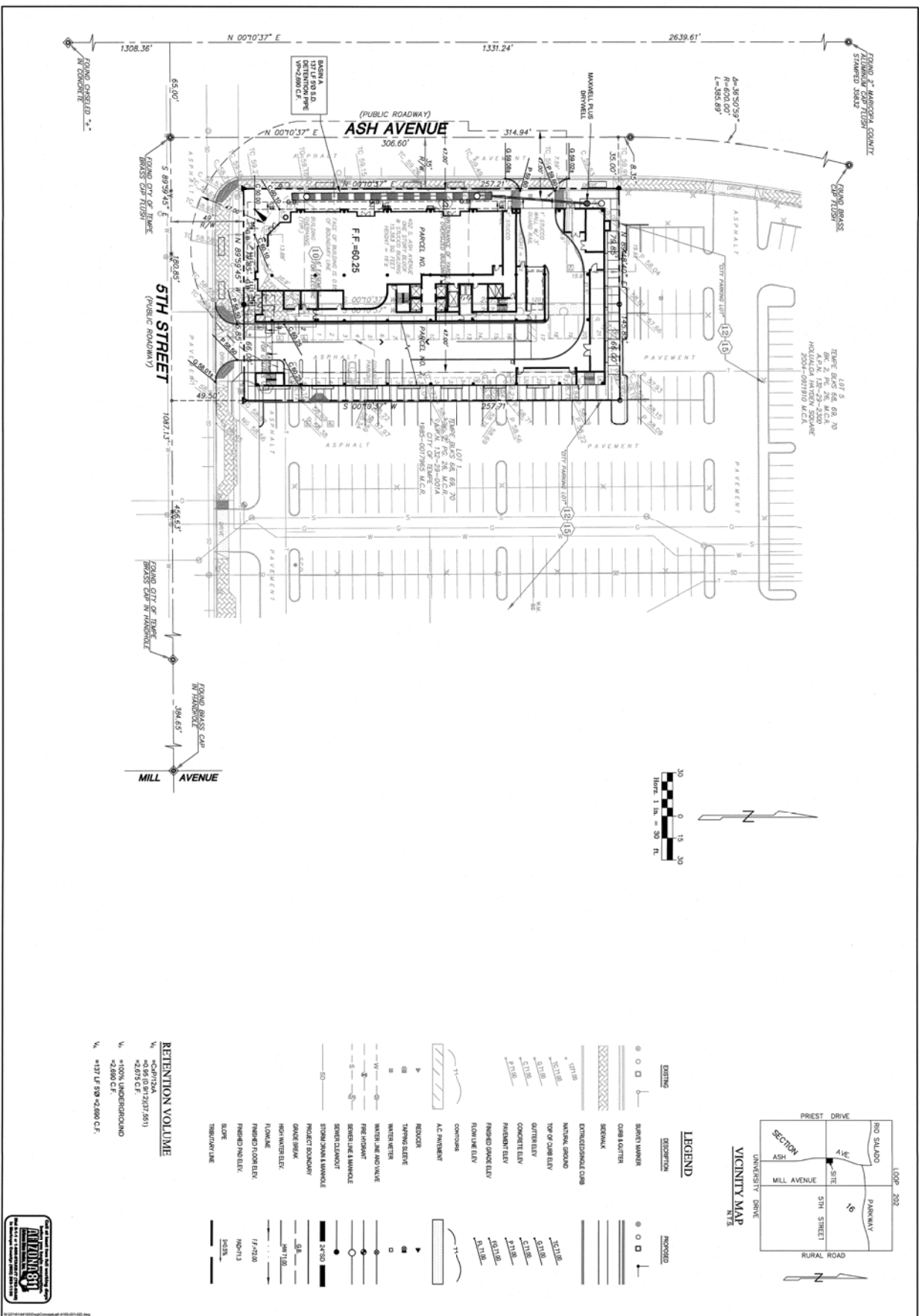


dpa
 DESIGNERS OF
 PROGRESSIVE
 ARCHITECTURE
 7979 a mile southwest 214
 street, phoenix 85021
 telephone: 480 941 4202
 www.dpainstitute.com
JAH VENTURES, LLLP
 URBAN LAND
 ADVISORS, LLC.

date 15 may 2014

RENDERINGS
 CITY OF TEMPE
 PRELIMINARY SITE PLAN SUBMITTAL
 15 MAY 2014

27



230 WEST 5TH STREET
 TEMPE, AZ 85281
 SCHEMATIC GRADING & DRAINAGE PLAN

WOOD/PATEL
 CIVIL ENGINEERS
 2001 N. McDowell Ave.
 Phoenix, AZ 85004
 (602) 338-8800
 www.woodpatel.com

DATE: 05/07/14
 SHEET: 1 OF 1

DESIGNED BY: A. CAMPBELL
 DRAWN BY: J. STANTON
 SCALE: (AS SHOWN)
 JOB NUMBER: 144183



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76137

Aeronautical Study No.
2012-AWP-3727-OE

Issued Date: 06/26/2012

John Sorrell
Tempe Tower LLC
230 W. 5th Street
Tempe, AZ 85281

**** NOTICE OF PRESUMED HAZARD ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building West Corner - Tempe Sky Tower
Location:	Tempe, AZ
Latitude:	33-25-33.52N NAD 83
Longitude:	111-56-35.57W
Heights:	1160 feet site elevation (SE) 436 feet above ground level (AGL) 1596 feet above mean sea level (AMSL)

Initial findings of this study indicate that the structure as described exceeds obstruction standards and/or would have an adverse physical or electromagnetic interference effect upon navigable airspace or air navigation facilities. Pending resolution of the issues described below, the structure is presumed to be a hazard to air navigation.

If the structure were reduced in height so as not to exceed 246 feet above ground level (1406 feet above mean sea level), it would not exceed obstruction standards and a favorable determination could subsequently be issued.

Any height exceeding 325 feet above ground level (1485 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

See Attachment for Additional information.

NOTE: PENDING RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE, THE STRUCTURE IS PRESUMED TO BE A HAZARD TO AIR NAVIGATION. THIS LETTER DOES NOT AUTHORIZE CONSTRUCTION OF THE STRUCTURE EVEN AT A REDUCED HEIGHT. ANY RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE MUST BE COMMUNICATED TO THE FAA SO THAT A FAVORABLE DETERMINATION CAN SUBSEQUENTLY BE ISSUED.

IF MORE THAN 60 DAYS FROM THE DATE OF THIS LETTER HAS ELAPSED WITHOUT ATTEMPTED RESOLUTION, IT WILL BE NECESSARY FOR YOU TO REACTIVATE THE STUDY BY FILING A NEW FAA FORM 7460-1, NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION.

If we can be of further assistance, please contact our office at (425) 227-2791. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2012-AWP-3727-OE.

Signature Control No: 163866744-167689451
Daniel Shoemaker
Specialist

(NPH)

Attachment(s)
Additional Information
Map(s)

Additional information for ASN 2012-AWP-3727-OE

ASN 2012-AWP-3727-OE

Our study has disclosed that this proposed 436-foot above ground level (AGL), 1596-foot above mean sea level (MSL), building is within the instrument flight rules (IFR) surfaces at Phoenix Sky Harbor International Airport (PHX), AZ. The tower has the following adverse effects on PHX IFR procedures:

- 1) Runway (RWY) 7L: Penetrates the 40:1 instrument departure surface within the initial climb area (ICA), requiring TAKE-OFF MINIMUMS AND (OBSTACLE) DEPARTURE PROCEDURES: Standard with a minimum climb gradient of 272 feet per nautical mile until reaching 1900 feet MSL. With a site survey report, certifying that the site coordinates provided are accurate to within +/-50 feet, and that the site elevation provided is within +/-20 feet (FAA 2C accuracy), requires TAKE-OFF MINIMUMS AND (OBSTACLE) DEPARTURE PROCEDURES: Standard with a minimum climb gradient of 241 feet per nautical mile until reaching 1800 feet MSL.
- 2) RWY 7R: Penetrates the 40:1 instrument departure surface within the initial climb area (ICA), requiring TAKE-OFF MINIMUMS AND (OBSTACLE) DEPARTURE PROCEDURES: Standard with a minimum climb gradient of 238 feet per nautical mile until reaching 1900 feet MSL. With a site survey report, certifying that the site coordinates and elevation provided meet FAA 2C accuracy standards, requires TAKE-OFF MINIMUMS AND (OBSTACLE) DEPARTURE PROCEDURES: Standard with a minimum climb gradient of 211 feet per nautical mile until reaching 1800 feet MSL.
- 3) RNAV (GPS) Y RWY 25L: Increases the LNAV minimum descent altitude (MDA) from 1680 feet MSL to 1900 feet MSL. Increases the circling MDA for Category A/B/C aircraft from 1740 feet MSL to 1900 feet MSL. The not-to-exceed height to avoid this IFR effect is 1578 feet MSL (418 feet MSL). There is no effect with a site survey report certifying that the site coordinates and elevation meet FAA 2C accuracy standards.
- 4) RNAV (GPS) RWY 25R: Increases the LNAV MDA from 1640 feet MSL to 1900 feet MSL. Increases the circling MDA for Category A/B/C aircraft from 1740 feet MSL to 1900 feet MSL. The not-to-exceed height to avoid this IFR effect is 1578 feet MSL (418 feet MSL). There is no effect with a site survey report certifying that the site coordinates and elevation meet FAA 2C accuracy standards.

Additionally, this building, at the proposed 436-foot MSL (1596-foot AGL) height, would exceed the following Part 77 airspace surfaces:

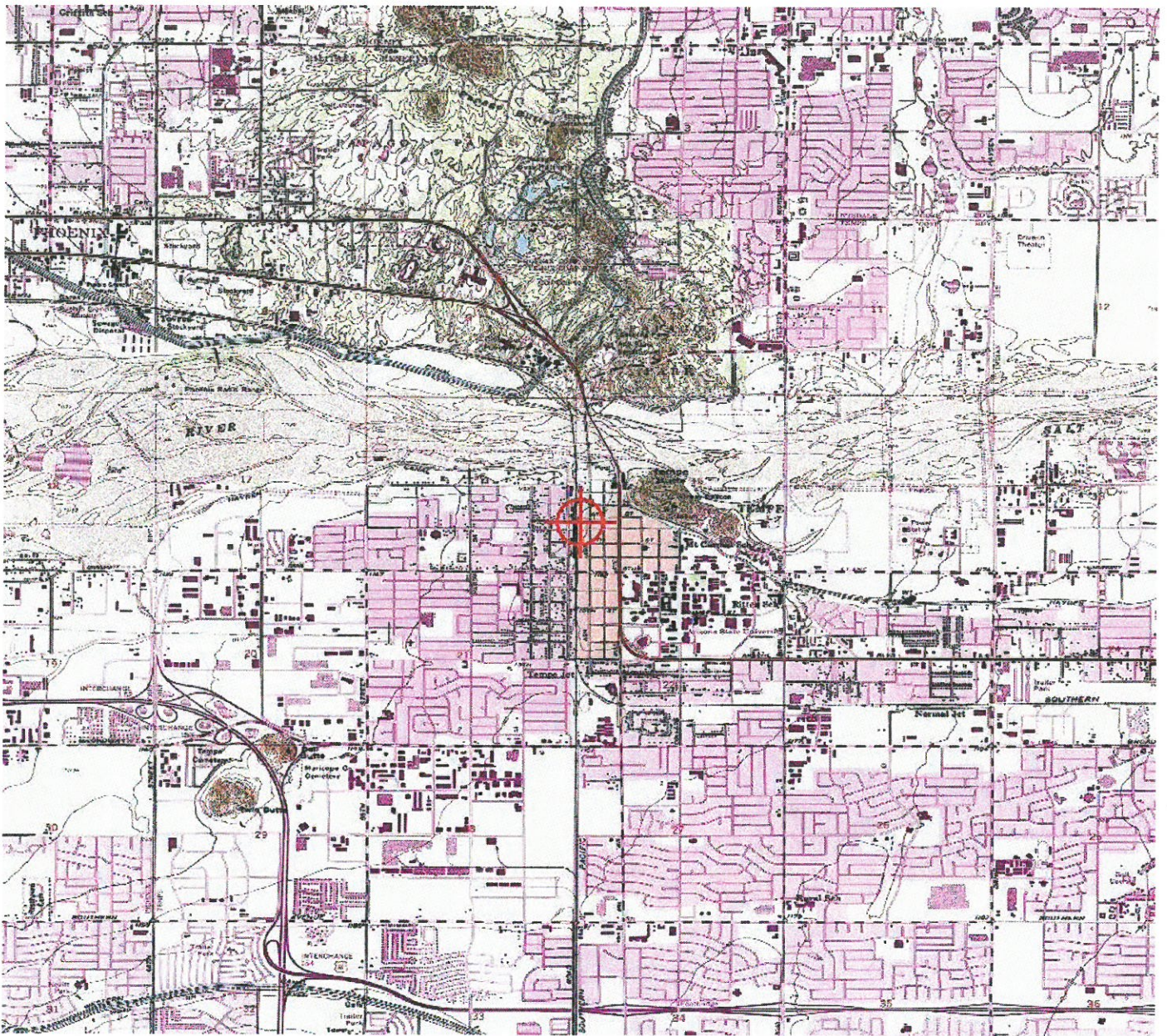
- 1) Section 77.17(a)(2): A height that is 200 feet above ground level or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile of distance from the airport up to a maximum of 500 feet. This point on the building would exceed the PHX Part 77.17(a)(2) surface by 190 feet.
- 2) Section 77.19(d): The approach surface area designated under 77.19 to protect aircraft during the final approach phase of flight. This corner of the proposed building would exceed the PHX Runway 25L approach surface area by 81 feet.

This point of the proposed building would also exceed the PHX RWY 7R/25L and 7L/25R visual traffic pattern protected airspace in the climb/descent areas for Category D aircraft by 111 feet.

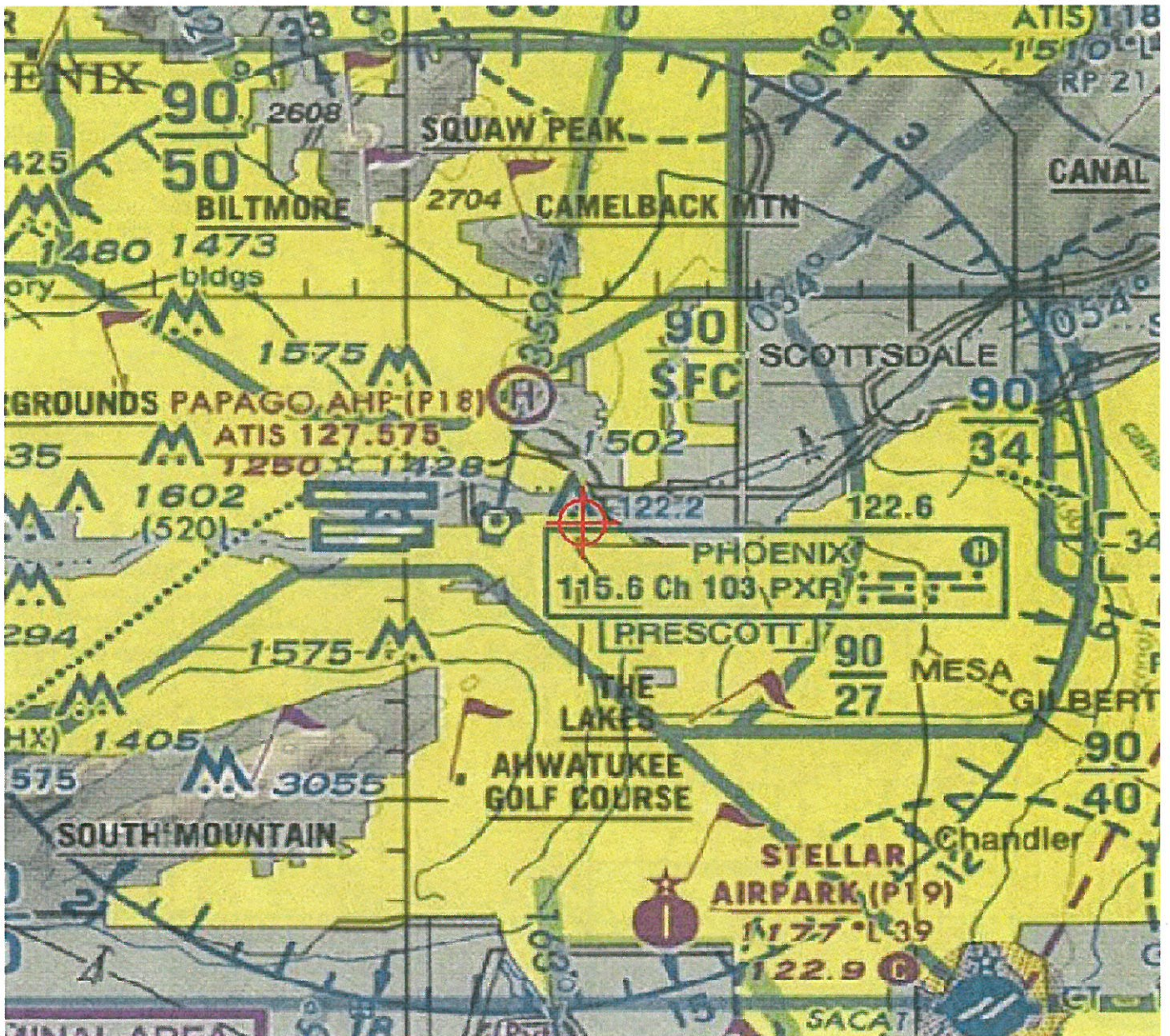
If you agree to limit the structure height to 1406 feet MSL (246 feet AGL), the FAA will withdraw this objection to the proposed structure at the revised height. Alternatively, you may request further study of the structure at the maximum allowable height of 1485 feet MSL (325 feet AGL), the maximum height that does not exceed the RWY 7L/25R and 7R/25L traffic pattern protected airspace. This additional study will involve circularization for public comment, and a 37-day public comment period.

Please email me at Dan.Shoemaker@faa.gov with your intentions regarding this aeronautical study and any questions you might have.

TOPO Map for ASN 2012-AWP-3727-OE



Sectional Map for ASN 2012-AWP-3727-OE





City of Phoenix

AVIATION DEPARTMENT

July 12, 2012

Mr. John Sorrell
Tempe Tower LLC
230 W. 5th Street
Tempe, AZ 85281

Ref: Tempe Sky Tower

Dear Mr. Sorrell:

We are writing to you in regards to your recent 7460 Obstruction Evaluations submittals to the Federal Aviation Administration (FAA) and the Preliminary Site Plan submitted to the City of Tempe for the proposed Tempe Sky Tower development located at 5th Street and Ash Ave. The Sky Tower site is located within the Phoenix Sky Harbor International Airport's departure corridors, which require close scrutiny of any tall objects that may negatively affect aircraft safety, efficiency, and capacity of the Airport. I have attached a map that references the site in relationship to the Airport's runways.

On June 26, 2012 the FAA issued a presumed hazard determination for this proposed project. While the FAA conducts an obstruction review for all tall buildings and structures around the airport, this review process does not include FAA mandates that require airlines to satisfy more restrictive safety criteria. Federal Aviation Regulations require that airlines base all departure operations on the possible failure of one engine. This is referred to as One-Engine Inoperative (OEI). Tall structures or objects that exceed the (OEI) departure slope will cause negative economic impacts, and affect airport capacity while artificially reducing the useable runway length for departing aircraft. The aircraft performance penalty that could result from your proposed project could limit allowable takeoff weights; result in more noise to underlying residents, and safety-related considerations, such as higher takeoff thrust and non-standard engine failure procedures.


All reasonable measures should be taken to protect airspace so that future aircraft operations can enjoy the efficiency, safety and payload capability that Sky Harbor currently possesses. We have reviewed the building elevations as submitted to the FAA on May 2 and 8, 2012 for compliance with OEI procedures. **The proposed 436 foot building height exceeds the established OEI height by approximately 217 feet.** Although the FAA did provide a height in their presumed hazard determination that they feel would meet their obstruction standards, this height would still exceed the established OEI slope the FAA requires the airlines to meet by approximately 26 feet.



If you move forward to the next phase of the development process we would like to work together with you, the City of Tempe, the Federal Aviation Administration and our partner airlines, to ensure that your project does not impact airport operations and airport operations do not impact the viability of your project.

We welcome the opportunity to meet with you to discuss this issue in more detail. Please contact me at 602-273-4072. I look forward to hearing from you.

Sincerely,

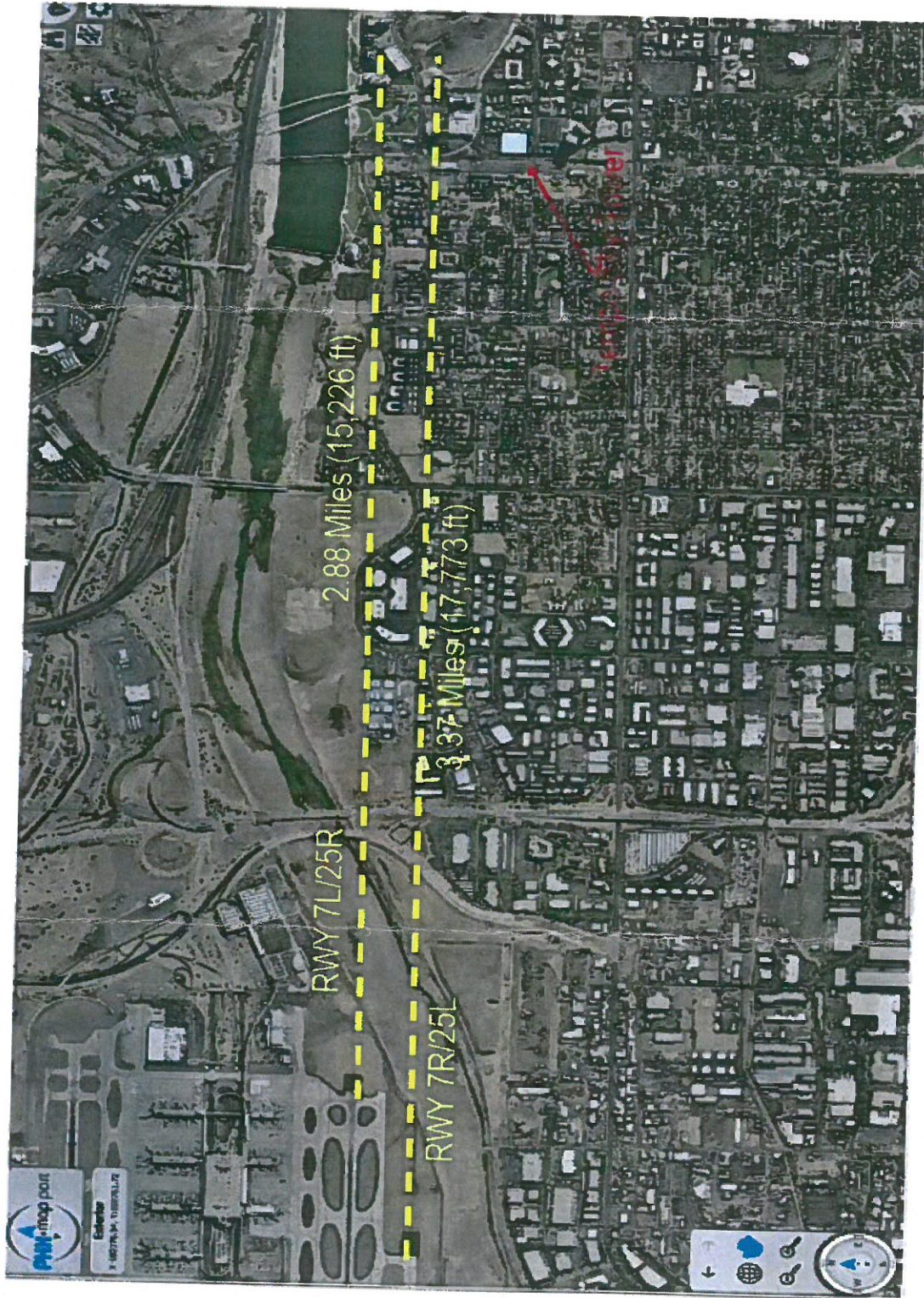


Judy Ross
Deputy Aviation Director
City of Phoenix

Attachments

CC: Jeff Kulaga, City of Tempe Assistant City Manager
Ryan Levesque, City of Tempe Community Development Department
Tamie Fisher, City of Phoenix Assistant Aviation Director

Distance to Tempe Sky Tower



July 16, 2014

**Tempe City Council
and
Tempe Development Review Commission**
31 East 5th Street
Tempe, Arizona 85281

RE: PAD Overly Application
230 West 5th Street
Case #PL140098

D'Steen & Harrison, PLC
Attorneys at Law

Suite 400
300 West Clarendon Avenue
Phoenix, Arizona 85013-3424

602 252-8888
602 274-1209 FAX
www.vanosteen.com

Phoenix
East Valley
Arrowhead
Tucson
Prescott

av rated
*Martindale-Hubbell
Law Directory*

Van O'Steen

James R. Harrison

Paul D. Friedman

Steven L. Reed

Jonathan V. O'Steen

Ward B. Rasmussen

Kathryn K. McCormick

John G. Balentine

Richard L. Green
Of Counsel

To Members of the City Council and Development Review Commission:

We write in opposition to the pending PAD Overly Application regarding the above-referenced property. By way of background, we own and reside in a Hayden Square Condominiums unit near the subject property.

We do not oppose all high-rise development in downtown Tempe, but we are profoundly opposed to projects that, by their contribution to excessive density, risk making the City an unlivable place. We believe the proposed use for the subject property, above, crosses the acceptable line.

It is noteworthy that three high-rise residential buildings already exist within the *two square block* area bounded by 5th Street to 7th Street and Maple to Ash. (These are the two West 6th towers and the project now under construction on the southwest corner of 5th Street and Maple.) The subject property is situated almost directly across 5th Street from the newest of these buildings.

Owners of the subject property wish to enable the construction of a building as tall as 26 floors together with a four floor parking podium on a lot no larger than an average fast food restaurant would require. This is, bluntly, too many dwelling units for the immediate vicinity and for the size of the property.

The Commission and the City Council risk irreparably spoiling the living and work environment in downtown Tempe if a project of this scale is permitted on this lot. Those of us who live here now, and support very well the local businesses, are likely to find the new environment intolerable. Among other considerations, owner occupied properties are preferable to rental units.



Too much vehicular traffic, foot traffic, parking problems, noise, litter, pets and vandalism have the very real potential to drive many current residents out of Tempe.

Real estate developers come and go. Residents must live with what they leave behind. The pending Application seeks much more than a livable neighborhood can bear. Furthermore, once approved and built, there is no undoing a grievous loss of civility in downtown Tempe.

Thank you for considering our views.

Sincerely,



Van O'Steen



Deborah E. O'Steen

O'Steen & Harrison, PLC
Attorneys at Law

Laws not enforced

cease to be laws.

and rights not

defended may

wither away.

Thomas E. Moriarty

BVO/ks

To: Ben Patton
Subject: RE: Fw: 5th and Ash Highrise Building

From: Tom Carty <
To: <
Subject: 5th and Ash Highrise Building
Sent: Mon, Jul 28, 2014 5:36:14 PM

Hello Ben and John,

I attended the meeting at the Marriott Courtside a few weeks ago about your proposed building at the old McDuffy Sportbar site and i am all for it. I really like the height of the building at 300 ft. The building would have amazing views in all directions from upper floors especially looking west toward downtown Phoenix and Sky Harbor Airport. The color lights of Sky Harbor runways and downtown Phoenix highrises at night would look awesome from the top 20 floors. Also i think the top floor should have a pool area too and a great sportsbar with a tropical beach theme like Duke's of Waikiki Sportsbar in Honolulu. The 2nd floor under the top floor could be a nice restaurant but the top floor should be where the action is! Maybe the top 15 floors could be condo's for sale or nice hotel rooms and the bottom 15 floors could be high-end apartments for rent. Another option could be the bottom 5 floors could be parking and retail with each floor having a different theme. Floor 1 could have an Mexican/Spanish theme with retail stores to match theme such as a cantina bar and so on, floor 2 could have an Asian theme with retail stores to match theme such as a sushi bar ,floor 3 could have an European theme with retail stores such as a wine bar, Italian and french restaurants, and so on. I like how the building will have lots of green to it. The more plants/flowers on the building the better it will look and feel. Also once the building is built at whatever height it be it will certainly help shade surrounding area to the east by blocking the west setting sun which is a really good thing for those Hayden Square Condo Homeowners in my opinion. I know it is a few years away but good luck on project, and if you could email me some renderings of building and keep me your email list for updates on building i would appreciate it. My name is Tom Carty but my nickname is TJ Carty and my email address is I am from the Santa Barbara area but have lived in Downtown Tempe since 1978 when i attended ASU. I am a real estate agent for Realty Executives in Tempe and enjoy selling and following the latest and greatest developments in downtown Tempe and along Tempe Townlake. If you need any real estate info just let me know and i can research it and email back to you. Have a good week ! Tj carty