ACTION: Request for a Zoning Map Amendment from R-2 Multi-Family to R1-PAD Single-Family, a Planned Area Development to establish development standards and a Development Plan Review for a seven unit townhome development for FIFTH STREET WEST 10, located at 1214 W 5TH Street. The applicant is Tom Goscicki.

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

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: FIFTH STREET WEST 10 (PL140081) is located in the Sunset Neighborhood Association west of Downtown Tempe. The site currently consists of two lots, each with a duplex within the R-2 Multi-Family zoned property. The proposed project would remove the existing two duplexes and build seven new attached townhome products. A request to rezone the property to R1-PAD, creates a Single-Family use that is compliant with the density designation of the General Plan with a Planned Area Development that defines development standards for the proposed design. The request includes the following:

ZON15002  Zoning Amendment from R-2 Multi-Family to R1-PAD
PAD15008  Planned Area Development for development standards
DPR15087  Development Plan Review including site plan, building elevations, and landscape plan

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Thomas Goscicki, MST Holdings LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Thomas Goscicki, MST Holdings LLC</td>
</tr>
<tr>
<td>Existing/Proposed Zoning</td>
<td>R-2 Multi-Family to R1-PAD Single-Family</td>
</tr>
<tr>
<td>Net site area</td>
<td>.45 acres</td>
</tr>
<tr>
<td>Gross site area</td>
<td>.51 acres inclusive of ½ of alleys on two sides</td>
</tr>
<tr>
<td>Density</td>
<td>7 units on .51 acres = 14 du/ac</td>
</tr>
<tr>
<td>Total Building area</td>
<td>19,721 sf.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>6,798 sf. 34.4% (45%maximum allowed in R-2)</td>
</tr>
<tr>
<td>Building Height</td>
<td>30 ft. (30 ft. maximum allowed in R-2)</td>
</tr>
<tr>
<td>Development Setbacks</td>
<td>First floor: 18’ front, 5’ east side, 7.75’ west side, 5’ rear</td>
</tr>
<tr>
<td></td>
<td>Second floor: 17’ front, 3’ east side, 6.75’ west side, 3’ rear</td>
</tr>
<tr>
<td></td>
<td>(20’ front, 10’ side, 15’ rear exclusive of alleys in R-2)</td>
</tr>
<tr>
<td>Lot Setbacks</td>
<td>3’ front, 0’ side, 3’ rear (inclusive of 2nd floor overhangs)</td>
</tr>
<tr>
<td>Landscape area</td>
<td>46% (30% minimum required in R-2)</td>
</tr>
<tr>
<td>Vehicle Parking</td>
<td>14 garage spaces, 3 guest spaces, 6 private tandem guest spaces in driveways for 3 of the units = 23 parking spaces (16 min. required in single family, 20 min. required in R-2)</td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td>6 spaces (5 required, 3 hoops provides 6 spaces)</td>
</tr>
</tbody>
</table>

ATTACHMENTS: Ordinance, Development Project File

STAFF CONTACT(S): Diana Kaminski, Senior Planner (480) 858-2391

Department Director: Dave Nakagawara, Community Development Director
Legal review by: N/A
Prepared by: Diana Kaminski, Senior Planner
COMMENTS:
This site is located north of University Drive, south of Rio Salado Parkway, east of Priest Drive and west of Hardy Drive in the Sunset Neighborhood. The lots have been used as multi-family duplexes since built in 1961. There is an alley to the north and east of the lots, providing access to the development for parking. On the same side of 5th street are a combination of duplexes, apartments and townhomes. On the south side of 5th street are single family homes, with apartments east of Beck Drive. A commercial development is located at Beck and 5th Street, and a public school is located a block east on 5th Street. The Orbit neighborhood shuttle services this site, providing access to Jaycee Park, the Multi-Generational Center and Boys and Girls Club; downtown Tempe is approximately one mile east of the site.

This request includes the following:
1. Zoning Map Amendment from R-2 Multi-Family to R1-PAD Single-Family
2. Planned Area Development for building height, development and individual lot setbacks and site development standards.
3. Development Plan Review for site plan, landscape plan and building elevations for three buildings containing seven attached townhomes.

The applicant is requesting the Development Review provide recommendations to City Council for items one through three listed above. For further processing, the applicant will need approval for a Subdivision Plat to create seven fee-simple lots with common tracts.

PRELIMINARY SITE PLAN REVIEW
- March 19, 2014 First Site Plan Review had 10 units, which exceeded the General Plan Density; standard comments regarding required content, format and entitlement processing were included. Staff recommended reducing the number of units and applying for an R1-PAD for the proposed townhome project.
- April 15, 2014 Second Site Plan Review had 7 units, but did not address details, formatting, or defined setback standards.
- May 14, 2014 Third Site Plan Review noted formatting requirements and clarifications in lot size and specifics of development were requested.
- June 11, 2014 Fourth Site Plan Review staff provided a completeness checklist to reference for required documents and formatting to provide a complete formal submittal.
- April 8, 2015 Applicant applied for a Development Plan Review for design, and use permit standards for setback reductions and received another site plan review. The entitlement process for R1-PAD was required for the proposed setback reductions, which exceeded the use permit standard process allowance. Staff requested a complete submittal of all documents to finish the review.
- June 1, 2015 a resubmittal was made, primary issues remained formatting that had not yet been addressed on the plans. The design had been substantially developed in accordance with requirements for the hearing process.

PUBLIC INPUT
- Neighborhood meeting was required and held on May 18, 2015 from 6:30 p.m. to 7:40 p.m. at the West Side Multi-Generational Building on 5th Street.
- See attached summary of meeting provided by the applicant.
- Community Development staff did not attend the meeting.

PROJECT ANALYSIS

ZONING
The General Plan Land Use and Density Map project this site to be a residential use of up to 15 dwelling units per acre (du/ac). The existing R-2 zoning allows 10 du/ac. The proposed change from R-2 multi-family to R-1PAD single family with a Planned Area Development would allow an increase in units to 14 du/ac increasing the number of units from the existing four units, or the allowed five units by current zoning, to develop seven units, as allowed by the projected General Plan. The proposed project would create fee simple lots with shared common open space. The townhome product transitions between traditional single-family and conventional multi-family with a unique owner-occupied infill project that redevelops a site that has remained the same since 1964 with a newer housing type that revitalizes the area and is energy efficient and contemporary.
Section 6-304 C.2. Approval criteria for Zoning amendment (in italics):

1. *The proposed zoning amendment is in the public interest.* The project provides a small infill of owner-occupied housing, revitalizes the street front, provides more activity on the alley for natural surveillance and pedestrian safety and encourages community interaction by site and building design.

2. *The proposed zoning amendment conforms with and facilitates implementation of the General Plan.* The project meets the goals and objectives of the General Plan through a unique infill project that addresses the neighborhood character and revitalizes the area.

### PLANNED AREA DEVELOPMENT

#### FIFTH STREET WEST– PAD Overlay

<table>
<thead>
<tr>
<th>Standard</th>
<th>R-2</th>
<th>PROPOSED R1-PAD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross/Net Acres</td>
<td>.51 acres / .45 acres</td>
<td></td>
</tr>
<tr>
<td>Residential Density (General Plan allows 15 du/ac)</td>
<td>10 du/ac</td>
<td>14 du/ac</td>
</tr>
<tr>
<td>Number of Units</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>Building Height (feet)</td>
<td>30 ft.</td>
<td>30 ft.</td>
</tr>
<tr>
<td>Building Height Maximum</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Maximum Lot Coverage (% of net site area)</td>
<td>45%</td>
<td>35%</td>
</tr>
<tr>
<td>Minimum Landscape Area (% of net site area)</td>
<td>30%</td>
<td>46%</td>
</tr>
<tr>
<td>Development Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td>20 ft.</td>
<td>First floor: 18 ft.</td>
</tr>
<tr>
<td>Parking</td>
<td>20 ft.</td>
<td>Second floor: 17 ft.</td>
</tr>
<tr>
<td>Balcony/Patio/Open Structures</td>
<td>15 ft.</td>
<td>0 ft. alley accessed</td>
</tr>
<tr>
<td>Side Yard</td>
<td>10 ft.</td>
<td>NA</td>
</tr>
<tr>
<td>Balcony/Patio/Open Structures</td>
<td>5 ft.</td>
<td>First floor: 5 ft. east / 7.75 ft. west side</td>
</tr>
<tr>
<td>Shared Walls</td>
<td>0 ft.</td>
<td>Second Floor: 3 ft. east / 6.75 ft. west side</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>15 ft.</td>
<td>NA</td>
</tr>
<tr>
<td>Common Wall</td>
<td>0 ft.</td>
<td>First Floor 5 ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Second Floor 3 ft.</td>
</tr>
<tr>
<td>Individual Lot Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td></td>
<td>3 ft. front</td>
</tr>
<tr>
<td>Parking</td>
<td></td>
<td>0 ft. alley accessed</td>
</tr>
<tr>
<td>Side Yard</td>
<td></td>
<td>0 ft. side</td>
</tr>
<tr>
<td>Rear Yard</td>
<td></td>
<td>3 ft. rear (inclusive of 2nd floor overhangs)</td>
</tr>
<tr>
<td>Parking</td>
<td>20 minimum including guest</td>
<td>14 garage spaces, 3 guest spaces, 6 private tandem available in driveways of 3 of the 7 units, total parking provided: 23 spaces</td>
</tr>
<tr>
<td>Bike Parking</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>
The closest single family development to this site is R1-6, which allows a 30 foot building height, a 5 foot side yard setback, and a 15 foot rear yard setback taken from the centerline of the alley. In this property, there is a 20 foot alley to the north and the east of the site, effectively adding a 20 foot buffer to adjacent multi-family north and east of the site. The front yard of the lot would have unit 7 located 36 feet from the curb, with an 18 foot setback from the property line, unit 1 is located approximately 52 feet from the property line, providing a large visually and physically open front yard to the seven units. A pedestrian path connects all the units from the street front through the landscaped front yard. The building heights and setbacks are in character with the single family setbacks and provide more meaningful open space than most multi-family developments. The upper floors have smaller setbacks, to allow the buildings to project out over the first floor by one to two feet, providing a smaller first floor building footprint to accommodate more open space, architectural variation in the elevations and shade to the first floor. The homes are clustered in one group of three and two groups of two, with massing similar to a traditional single family home. The design is contemporary, reflective of newer developments within the area, and in character with Sunset Neighborhood.

Section 6-305 D. Approval criteria for P.A.D.:
1. The development fulfills certain goals and objectives in the General Plan and the principles and guidelines of other area policy plans.
2. Standards requested through the PAD Overlay district shall take into consideration the location and context for the site for which the project is proposed.
3. The development appropriately mitigates transitional impacts on the immediate surroundings.

DEVELOPMENT PLAN REVIEW

Site Plan
The site is on the north side of Fifth Street, with an alley on both the east and north sides. Building A contains units one through three in a staggered attached configuration, with one guest space on the west end of the building, and tandem guest spaces in the driveways of units one and two, the garages for Building A are accessed by the alley to the north. The front porches face the landscaped front yard. Building B has a symmetrical plan for units four and five, with a guest space to the west of the building and garages accessed from the north alley. The front porches face the side of Building C and have a sidewalk connection to the front yard. Building C has a staggered footprint for units six and seven, with a guest space to the north of the building, and two tandem driveway spaces for unit six. The garages for Building C are access by the alley to the east of the site. The site takes advantage of the alley access to eliminate the need for driveways on 5th Street, maintaining the existing pedestrian and bike enhancements. The development standard for the western setback is five feet, and a building height of 30 feet, which conforms to the allowed building envelope of the R1-6 single family district. The landscape area is 46% of the site, with a large front yard for shared use. The three buildings of seven units are located in an L shape around the front yard, maximizing visual and physical interaction with front porches and picture windows looking out into the yard.

Building Elevations
Building A has three south facing units with the east and west ends being mirrored images book ending the middle unit, but staggered to provide separation between the unit elevations, delineating the units. Picture windows overlook the front yard and smaller clerestory and decorative lite windows are used on east and west elevations. Building B has 2 units mirrored in style and on the same vertical plane (not staggered). The upper floors extend 12 inches over the garage and side yards to create variation in the elevation and enhance the interior living area. Building C is two units that are mirrored units that are staggered; the south unit front patio wraps the corner to address the street front. The materials include three different shades of sand finished stucco on each of the three buildings; the buildings also have painted cement board in eight inch horizontal lap board in a different color on each building. The garage doors are painted the same as the adjacent wall color, not a contrasting color, so that they blend with the building wall. The buildings have the same parapet and black standing metal seam hip roof design, patio covers are black painted standing metal seam pitched roofs. The patio roof covers the entry door only, and does not extend to cover the patio area, the slope of the roof terminates mid-point at the door to the first floor bedroom, which opens onto the entry patio. A condition of approval has been added to provide a patio cover sufficient for shade and protection from rain over both doors. The doors are solid core wood painted bright orange with a low-e frosted or etched glass. The bedroom door and entry door are identical in design; a condition has been added to have the bedroom door painted to match the adjacent wall color, so that it takes a subordinate role to the front door, accessed from the same patio. The windows are dual pane with black anodized aluminum frames and the patio walls are a low hollow masonry brick unit in a dark grey/black color that provides contrast and draws the eye to the entrance, without adding to heat gain of the building. Colors are darker on the lower portion of the building and lighter on the top, grounding the building and providing less heat gain impact, as the lower levels will be predominantly...
shaded by landscape on site. The elevations provide privacy between units and have variation in colors, materials and window sizes and shapes. This style is similar to the existing residences further west on 5th Street and a project entitled to be built on 4th Street, both designed by the same development team. The design complements the surrounding area, which is largely 1960 era single story duplexes, single family residences, and a 1970s era apartment community, which is currently being updated.

Landscape Plan
With 46% of the site landscaped, there is a lot of variation in materials to create an oasis of color and texture with shade and shared space. The tree species include Evergreen Elm along the street front, Desert Willow at the entrance to the units by the patios, Thevetia along the alley, guest parking spaces and western side and Lysiloma clustered in the front yard. Existing 5th Street trees are to remain; on site street trees are specified to be 42” box, the requirement is to be a minimum of 36” box. The trees within the smaller planting areas are faster growing species, and are specified at 15 gallon, which provides a stronger root growth in early years. Other plants include Lycianthes, Hesperaloe, Justicia, Bulbine, Aloe, Slipper Plant, Convovulus, Euphorbia, Guara, Oenothera, Ruellia and Wedelia. The site is xeriscape designed and does not include turf, but has pavers and walkways separating the decomposed granite planting areas. Due to the small size of the site and the limitation on plant heights near walkways, there is limited opportunity for shrub massing above two feet tall. The buildings are surrounded with succulent plants which will provide shadowed silhouettes along the foundation of the residences and provide a sculptural aesthetic complimentary to the contemporary architecture.

Section 6-306 D Approval criteria for Development Plan Review (in italics):

1. Placement, form, and articulation of buildings and structures provide variety in the streetscape; the buildings are staggered on the site, providing both front and side elevations to the streetscape and not following the traditional straight building façade of conventional row houses. The elevations have projected upper level elements and varied heights and materials to the roof and walls to provide texture, color and interactions with sunlight and shadow.

2. Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort; Units are oriented to maximize privacy, views and a street front presence with windows. Shade is largely provided by a heavily landscaped site with trees clustered to shade the buildings.

3. Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings; materials are equivalent to more contemporary developments with a focus on energy conservation, details have not been fully developed, but have more variation and architectural interest than existing buildings in the area.

4. Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings; the three buildings are within the character and scale of the surrounding area, by having the 7 townhomes in three buildings, the massing is smaller in scale and provides opportunities for landscape enhancements to accentuate and interface with the buildings.

5. Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, featuring an enhanced pedestrian experience at and near street level; the buildings are broken up by material, color and changes in the elevation between the two levels. The units are staggered, to create a sense of movement and visual interest.

6. Building facades provide architectural detail and interest overall with visibility at street level (in particular, special treatment of windows, entries and walkways with particular attention to proportionality, scale, materials, rhythm, etc.) while responding to varying climatic and contextual conditions; the building facades provide different elevations facing the street and alleys with covered front patios and shaded walkways.

7. Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; the site has access to the Tempe Orbit neighborhood shuttle, it provides bike parking and is near a commercial site, public school, park and community center that encourage walking within the neighborhood. The site is approximately 1 mile from a light rail station.
8. Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; vehicular access is from the two alleys, directly into the unit garages, there is no conflict with pedestrian or bike circulation on the street or within the site.

9. Plans appropriately integrate Crime Prevention through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; vegetation is kept low to maximize surveillance of the area, and windows are provided on all elevations, the layout of the buildings encourages interaction and communal activity in the front yard.

10. Landscape accents and provides delineation from parking, buildings, driveways and pathways; plants are located to provide shade, enhance the architecture, and create an outdoor living room within the front yard.

11. Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects; lighting is compliant with the code and sensitive to the residential character of the area. Lights on the garage sides will help illuminate the alleys.

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

REASONS FOR APPROVAL:
1. The project meets the General Plan Projected Land Use and Projected Residential Density for this site.
2. The project will meet the development standards required under the Zoning and Development Code.
3. The PAD overlay process was specifically created to allow for greater flexibility, to allow for increased heights.
4. The proposed project meets the approval criteria for a Zoning Amendment and Development Plan Review.

ZON15002 AND PAD15008
CONDITIONS OF APPROVAL:
EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

General
1. A building permit application shall be made on or before August 13, 2017, or the zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process as a zoning map amendment.

2. The property owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waive(s) any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City’s approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than September 14, 2015, or the Zone Map Amendment and Planned Area Development approval shall be null and void.

3. The Planned Area Development Overlay for Fifth Street West shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe’s Community Development Department prior to issuance of building permits.

4. An amended Subdivision Plat is required for this development and shall be recorded prior to issuance of building permits.
DPR15087
CONDITIONS OF APPROVAL

Site Plan
1. The site plan is approved as submitted June 5, 2015, minor modifications may be reviewed through the plan check process of construction documents; major modifications will require submittal of a Development Plan Review.

2. Verify height of equipment and mounting base to ensure that parapet or screen wall height is adequate to fully screen the equipment. Locate electrical service entrance sections on alley side of units.

3. Utility equipment boxes for this development shall be finished in a neutral color (subject to utility provider approval) that compliments the coloring of the buildings.

Building Elevations
4. The materials and colors are approved as presented (June 5, 2015):
   - Roof – parapet and standing metal seam (satin black finish)
   - Primary Building – Sand finished stucco painted Behr Navajo White 22 (creamy white)
   - Secondary Building – Sand finished stucco painted Behr S260-3 Dusty Gold (light tan)
   - Tertiary Building – Sand finished stucco painted Behr P200-5 Garden Salt Green (medium olive green)
   - Stucco panel sections use elastomeric 1 coat stucco with sand finish has metal U Channels to define sections
   - Cement Board Siding – Hardy Board 8" Lap wood finish siding painted Behr S190-6 Rio Rust (rust/copper)
   - Doors – solid core wood painted Dunn Edwards P200-5 Burning Coals (bright orange) with dual paneled frosted glass inset
   - Bedroom Door accessed from patio to be painted to match wall adjacent to door, to differentiate the front door from the bedroom door.
   - Patio Canopies – metal painted structural steel, Dunn Edwards DEA186 Black Pearl (black)
   - Windows - Anodized aluminum black frame with clear low-e glazing
   - Garage Doors – overhead 5 section metal garage door painted to match adjacent wall color
   - Masonry Porch Walls 8"x4"x16" hollow brick units, Phoenix Brick Yard, Ladrillo Grande (dark charcoal grey) with velour texture
   - Provide primary building colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Additions or modifications may be submitted for review during building plan check process.

5. Conceal roof drainage system within the interior of the building.

6. Incorporate lighting, address signs, and incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the building elevations. Exposed conduit, piping, or related materials is not permitted.

Lighting
7. This project shall follow requirements of ZDC Part 4, Chapter 8, Lighting, unless otherwise conditioned:
   a. Illuminate front doors and garage doors from dusk to dawn with a minimum of 3 foot candles.
   b. Illuminate driveways and parking spaces with a minimum of 2 foot candles.
   c. On site sidewalks shall be illuminated with a minimum of .5 foot candles from dusk to dawn.

Landscape
8. The plant palette is approved as proposed and specified on the landscape plan submitted June 5, 2015, with the following exceptions:
   a. Trees along the street frontage shall be a minimum of 1 1/2" caliper and 36" box
   b. Trees along the alley and west perimeter shall be a minimum of 1 1/2" caliper.
   c. Justicia Candicans was indicated twice on the landscape plan, substitute Justicia Spicigera for the second plant of this species that was specified.
Any additions or modifications may be submitted for review during building plan check process.

9. Place exterior, freestanding reduced pressure and double check backflow assemblies in pre-manufactured, pre-finished, lockable cages (one assembly per cage). If backflow prevention or similar device is for a 3" or greater water line, delete cage and provide a masonry or concrete screen wall following the requirements of Standard Detail T-214.

10. Irrigation notes:
   a. Provide dedicated landscape water meter.
   b. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Use of schedule 40 PVC mainline and class 315 PVC \( \frac{1}{2} \) feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than \( \frac{1}{2} \). Provide details of water distribution system.
   c. Locate valve controller in a vandal resistant housing.
   d. Hardwire power source to controller (a receptacle connection is not allowed).
   e. Controller valve wire conduit may be exposed if the controller remains in the mechanical yard.
   f. Repair existing irrigation system (on site or in the adjacent public right of ways) where damaged by work of this project. Provide temporary irrigation to existing landscape in the right of way for period of time that irrigation system is out of repair.

11. Include requirement to de-compact soil in planting areas on site and in public right of way and remove construction debris from planting areas prior to landscape installation.

12. Top dress planting areas with a rock or decomposed granite application. Provide rock or decomposed granite of 2" uniform thickness. Provide pre-emergence weed control application and do not underlay rock or decomposed granite application with plastic.

13. Trees shall be planted a minimum of 20'-0" from any existing or proposed public water or sewer lines. The tree planting separation requirements may be reduced from the waterline upon the installation of a linear root barrier, a minimum of 6'-0" parallel from the waterline, or around the tree. The root barrier shall be a continuous material, a minimum of 0.08" thick, installed 0'-2" above finish grade to a depth of 8'-0" below grade. Final approval subject to determination by the Public Works, Water Utilities Division.

Signage
14. Provide address sign(s) on the building elevations facing 5th Street and on the alley sides by the garage doors for each unit.
   a. Conform to the following for building address signs:
      1) Provide street number only, not the street name
      2) Compose of 6" high, individual mount, metal characters.
      3) Near a light source.
      4) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
      5) Do not affix number or letter to elevation that might be mistaken for the address.
   b. Utility meters shall utilize a minimum 1" number height in accordance with the applicable electrical code and utility company standards.
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.

• The owner(s) shall provide a continuing care condition, covenant and restriction for:
  a. Maintenance of the entire project landscape and common lighting.
  b. Garages shall be maintained for primary parking and not used as storage that impedes parking inside.
  c. Vehicles parked in driveways shall not overhang properties into the alley.

The CC&R's shall be reviewed and placed in a form satisfactory to the Community Development Manager and City Attorney.

• Development plan approval shall be void if the development is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the approval is granted or within the time stipulated by the decision-making body. The period of approval is extended upon the time review limitations set forth for building permit applications, pursuant to Tempe Building Safety Administrative Code, Section 8-104.15. An expiration of the building permit application will result in expiration of the development plan.

• 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 this Design Review approval prior to issuance of building permits.

• STANDARD DETAILS:

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

• HISTORIC PRESERVATION: State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Contact the Historic Preservation Officer with general questions. Where a discovery is made, contact the Arizona State Historical Museum for removal and repatriation of the items.

• FIRE:
  • Ensure that there is at least a 20'-0" horizontal width within alleys, and a 14'-0" vertical clearance from the fire lane surface to the underside of tree canopies or overhead structures.

• ENGINEERING:
  • Underground utilities except high-voltage transmission line unless project inserts a structure under the transmission line.
  • Coordinate site layout with Utility provider(s) to provide adequate access easement(s).
  • Clearly indicate property lines, the dimensional relation of the buildings to the property lines and the separation of the buildings from each other.
• Verify location of any easements, or property restrictions, to ensure no conflict exists with the site layout or foundation design.
• 100 year onsite retention required for this property, coordinate design with requirements of the Engineering Department.

• DRIVEWAYS:
  • Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed [www.tempe.gov/index.aspx?page=801](http://www.tempe.gov/index.aspx?page=801). Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.

• PARKING SPACES:
  • Provide 2'-0" by 6'-0" individual bicycle parking spaces. One loop may be used to separate two bike parking spaces. Provide clearance between bike spaces and adjacent walkway to allow bike maneuvering in and out of space without interfering with pedestrians, landscape materials or vehicles nearby.

• LIGHTING: Indicate the location of all exterior light fixtures on the site, landscape and photometric plans. Avoid conflicts between lights and trees or other site features in order to maintain illumination levels for exterior lighting.

• LANDSCAPE:
  • Prepare an existing plant inventory for the site and adjacent street frontages. The inventory may be prepared by the Landscape Architect or a plant salvage specialist. Note original locations and species of native and “protected” trees and other plants on site. Move, preserve in place, or demolish native or “protected” trees and plants per State of Arizona Agricultural Department standards. File Notice of Intent to Clear Land with the Agricultural Department. Notice of Intent to Clear Land form is available at [www.azda.gov/ESD/nativeplants.htm](http://www.azda.gov/ESD/nativeplants.htm). Follow the link to “applications to move a native plant” to “notice of intent to clear land”.

• SIGNS: Separate Development Plan Review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Obtain sign permit for identification signs. Directional signs (if proposed) may not require a sign permit. Directional signs are subject to review by planning staff during plan check process.

HISTORY & FACTS:

1930  Property was agricultural land

1958  Pecan Grove Estates Subdivision was created, with lots 14 and 15

March 10, 1960  City Council approved a change from R-1 Single-Family to R-2 Multi-Family Zoning for 1214 and 1216 W 5th Street.

January 20, 1961  Existing structures were completed.

1964  The area was annexed into the City of Tempe

There was no record of the lots being combined, however the County Assessor site lists them as parcel 124-28-022A. The lot will require a new Subdivision to create seven lots with common tracts for the new development.

ZONING AND DEVELOPMENT CODE REFERENCE:
Section 6-306, Development Plan Review
Section 6-308, Use Permit
DEVELOPMENT PROJECT FILE
for
FIFTH STREET WEST

ATTACHMENTS:
1. Location Map
2. Aerial
3-6. Letter of Explanation
7. Planned Area Development Cover Sheet
8. Site Plan
9-10. Elevations Building A, Units 1-3
11. Sections Building A
12. Floor Plans Building A
13-14. Elevations Building B, Units 4-5
15. Sections Building B
16. Floor Plans Building B
17-18. Elevations Building C, Units 6-7
19. Sections Building C
20. Floor Plans Building C
21. Landscape Plans
22. Neighborhood Meeting Summary
Aerial Map
LETTER OF EXPLANATION and INTENT for:

5TH STREET WEST 7

A Proposed Single Family Townhouse Community
1214 West 5th Street Tempe, Arizona 85281

DATE: April 29, 2015

Submitted to:

City of Tempe, Planning Division
31 E. 5th Street, Tempe AZ

Submitted by:

MST Holdings, LLC
8501 East Citrus Way
Scottsdale, AZ 85250
(602) 918-8691
gjldev@cox.net

This is a Letter of Intent for the following 2 municipal processes:

1.) Development Plan Review
2.) Request change of zoning to enable a Planned Area Development.
(R1-PAD to replace existing R-2 zoning)

Overview:

This is a proposed new housing development which will provide 7 new single family town houses on 2 existing city lots (0.4527 net acres). Presently this property contains 2 older one story houses in average condition. This proposed development, 5th Street West 7 will establish a pedestrian friendly community of owner occupied single family residences. These proposed family town houses are designed to specifically meet the criteria of Tempe Planning intents and also adhere and conform to the Tempe 2040 General Plan.

The objective is to develop a contemporary urban loft townhouse suitable for the present housing demand in Tempe. This type of architecture will be well suited for college students and personnel, and will also be very appropriate for young professionals, and families of all common types and sizes.

The design criteria and design goals have been set to satisfy the smart progressive values of the projected users and the sophisticated values of the Tempe community. The buildings are planned to have the major living spaces on the 2nd level for better views, better security, and to incorporate more natural light. The style of these buildings are of a current trend to expand on the "mid-century modern" esthetic in a specific way to be appropriate with trending ideas of contemporary architecture. These buildings come
alive with a collage of colors and materials that are designed and proportioned to showcase joy and liveliness in a housing setting. The planes are pushed back and forth to create shade and shadow and to accentuate the various materials. This also establishes the proper residential scale which is needed for this type of developments. Another important goal is to maintain the traditional neighborhood feeling that has been successfully well established in Tempe for many years. The goal is to meet the necessary density criteria, but not lose any neighborhood livability. The landscape and hardscape design elements are also most important in obtaining these development goals.

Development Plan Review Justification

The Fifth Street West 7 development wisely places the buildings to reinforce and provide variety in the street wall. The building placement also maximizes natural surveillance and visibility of pedestrian areas. This intelligent planning enhances the character of the surrounding area, facilitates pedestrian access and circulation and mitigates heat gain and retention through:

a. Shade for energy conservation and comfort as an integral part of the design. This project utilizes shade trees for human comfort as well as for the aesthetics needed for appearance along 5th Street. These residences also have integral metal roof projections and overhangs to protect window glass as well as save energy.

b. Exterior building materials are of excellent quality and are most compatible with the surroundings. Steel, masonry, elastomeric stucco, wood sidings are used in artistic ways to achieve interesting shade shadow and beauty. All materials are very durable and long lasting for southwestern desert climate.

c. The building masses and complimenting landscape have been planned to achieve human scale enhance the surrounding beauty. The building heights are in proportion and size to adjacent similar multi-family developments. The 2 story facades are purposely broken up with masses that project and recede. This gives a more friendly residential scale and makes this development harmonize with the traditional neighborhood character.

d. Large building masses are purposely sectioned and divided by ownership. This is achieved by projecting or receding masses to establish identity. (see “c.” above.

e. The buildings are designed with a distinct base, body and top to achieve proper aesthetic balance. Varying roof lines and “bas relief” projections provide shade, shadow, scale and interest. Upper clear story natural lighting and low slope metal roofs make the upper edifice fascinating and utilitarian.
f. Building facades include ground level windows and friendly front porches. Low walls designed at sitting height integrate with the building entrance edifice. Windows and fenestration have been carefully placed to maximize natural surveillance and visibility.

g. Special treatment of entrance doors and walkways has been enhanced with individual front porches for neighborhood sociability and better livability.

h. All on-site utilities will be properly placed underground.

i. All walkways will be well lighted and clear of obstruction to provide for ease and enjoyment of access.

j. The project is in compliance with ADA by providing accessible access as required.

k. This project is well served for access to multi-modal transportation options and the support of potential for transit patronage.

l. The site plan has been specifically designed to minimize vehicle and pedestrian conflict. An atrium style pedestrian configuration is an example of this principle.

m. Bicycle parking is integrated into the plan to make it safe and separate from vehicular traffic. The project is properly connected to municipal nearby bike ways.

n. Crime prevention features lighted building entrances, limited access gates, six foot high masonry walls, and private secure outdoor spaces for children and pets.

o. Landscape accents and textured paving will separate driveways and pedestrian walkways. The site has been specifically designed to achieve proper differentiation of purpose and use.

p. The proper lighting design has been designed and determined for proper security and ambient light control. The need for proper security has been analyzed and considered properly.

R1-PAD Zoning Request Justification-

Fifth Street West 7 has been designed and planned for a quality single family community for residents who want to own their own properties with fee simple freehold ownership. The present R-2 zoning is more appropriate and useful for a leasing or renting type of occupation residential properties. The R1-PAD zoning will better enable a planned development to be built with better use of open space, common facilities, and more reasonable and useful building setbacks.

R1-PAD zoning will facilitate proper and efficient placement of buildings on the property. Consequently Fifth Street West 7 will have generous open space garden spaced in the front yard near 5th Street. And the side and rear yards can be reduced to.
only what is practical and necessary along the alley alignments. The space optimized along the alleys can be thus added to the streetscape of the front where it can be much better appreciated by the residents as well as the general public. In this process, the quality of life in this neighborhood will be significantly improved.

R1-PAD zoning further enables a better planned and designed housing community. Fully secured garages adjacent to the alleys will be provided rather than open carports. These single family housing units will have all the amenities and conveniences necessary for efficient and sustainable urban living. The R1-PAD zoning establishes a proper base of planning criteria and fundamentals for this kind of project in Tempe.

Respectfully Submitted,

[Signature]

5-20-15

Thomas Gosciski
MST Holdings, LLC
PLANNED AREA DEVELOPMENT OVERLAY
FOR 5TH STREET WEST 7
A PORTION OF THE SOUTHEAST QUARTER, SECTION 16, TOWNSHIP 1 NORTH, RANGE 6 EAST, GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

ACKNOWLEDGMENT
ON THIS _______ DAY OF _______ 20____. BEFORE ME, the undersigned, PERSONALLY APPOINTED TOM GOSWICK, OWNER
WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOM NAME IS
SUBSCRIBED TO THE INSTRUMENT WHEREIN, WHO EXECUTED THE FOREGOING
INSTRUMENT FOR THE PURPOSES THEREOF CONTAINED,

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

BY NOTARY PUBLIC

MY SEAL EXPIRES

MST HOLDINGS, AN ARIZONA LIMITED LIABILITY COMPANY

BY _________ DATE

PROJECT DATA

OWNER / DEVELOPER
MST HOLDINGS, LLC
600 S. CITRUS WAY
SOUTHEAST, AZ 85250
ATTY@CITRUSNET

PROPOSED & 20 ACRE

SWELLING QUANTITY
- RESIDENTIAL TOWNHOUSE UNITS
- 0.755 DU/AC

BUILDING HEIGHT
- 30 FEET

BUILDING LOT COVERAGE
- 30.31%

SITE LANDSCAPE COVERAGE
- 45.52%

BUILDING SETBACKS: 15 FT

FRONT: 5 (A 17-2ND STORY OVERHANG)
SIDE (EAST): 5 (B 6.75-2ND STORY OVERHANG)
SIDE (WEST): 5 (C 3-2ND STORY OVERHANG)
REAR: 5 (D 3-2ND STORY OVERHANG)

VEHICLE PARKING QUANTITY: 23 PROVIDES
PARKING DATA BASED ON BEDROOM COUNT
- 25 (A 5 BEDROOM UNIT)
- 5 (B 6 BEDROOM UNIT)
- 5 (C 7 BEDROOM UNIT)
- THEREFORE, 5 X 4.5 = 10
- THEREFORE 10 MIN SPACES REQUIRED, PLUS 3 VISITOR SPACES
- AND THIS PROJECT PROVIDES 26 TOTAL SPACES (3 VISITOR AND 6 PRIVATE VISITOR)

BICYCLE PARKING QUANTITY: 2

CONDITIONS OF APPROVAL: PL140205

LEGAL DESCRIPTION
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY
OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:
LOTS 5 AND 6, BLOCK 4 CF, PECAN GROVE ESTATES, ACCORDING TO THE
PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF
MARICOPA COUNTY, ARIZONA, RECORDED BOOK 89 OF MAPS, PAGE 4
APN 124-29-012, AND APN 124-29-023

APPROVAL
APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE
ON THIS _________ CITY OF

ATTACHMENT 7
ATTACHMENT 13
ATTACHMENT 19
May 19, 2015

This letter is in regard to a community meeting held Monday May 18, 2015 at 6:30pm concerning a seven unit development at 1214 W. 5th St., Tempe, AZ, known as 5th Street West 7.

The person representing MST Holdings, LLC was Thomas A. Goscicki. No representative from City of Tempe was there. The City Planner handling this project was ill.

The meeting was held from 6:30-7:40pm. Four people from the community attended the meeting. All four people were familiar with my project at 1300 W. 5th St. The only concern mentioned by everyone was that I be careful of the SRP irrigation pipeline when the trenching work is being done. The reason everyone showed up was to see what type of parking will be provided for the project. It was discussed that we have a total of seven two-car garages for a total of 14 garage parking spaces. We have 3 units that each have two private guest parking spaces for a total of six private guest spaces. We have 3 common guest parking spaces. That brings the total parking spaces for the project to 23. The attendees thoughts were to add at least one more parking space. They wanted to know if I could put that space on the South side of Unit 7 in the front yard setback, off the North-South alley. I told them I would discuss this with the City. Everyone really liked the way the project was laid out and they thought it was well designed with the community in mind. We closed the meeting at 7:40pm.

Attached is an e-mail that was sent to MST the following day by one of the attendees, Dave Swanson.

[Signature]

Thomas A. Goscicki
Managing Member MST Holdings LLC

DS 140214