SUBJECT: Request for an amended Subdivision Plat for $5^{\text {th }} \&$ Mill Building located at 425 South Mill Avenue.

DOCUMENT NAME: 20080207dsac01
PLANNED DEVELOPMENT (0406)
SUPPORTING DOCS: Yes
COMMENTS: Request for $5^{\text {th }}$ \& MILL BUILDING (PL070001) (Don and Mai Plato, property owner and applicant) located at 425 South Mill Avenue in the CC, City Center Zoning District, for the following:

SBD07050 - Amended Subdivision Plat for four (4) lots to be combined into one (1) lot with one residential unit and commercial office space totaling 21,759 s.f. on . 27 net acres

PREPARED BY: Alan Como, Planner II (480-350-8439)
REVIEWED BY: Lisa Collins, Development Services Planning Director (480-350-8989)
Chris Anaradian, Development Services Department Manager (480-350-2204)
LEGAL REVIEW BY: N/A
FISCAL NOTE: N/A
RECOMMENDATION: Staff - Approval, subject to condition (1).
ADDITIONAL INFO:


| Net site area | 0.27 acres |
| :--- | ---: |
| Number of Lots: | 1 |

An amended subdivision plat is being undertaken to combine four (4) parcels into one (1) parcel.

| PAGES: | 1. | List of Attachments |
| :--- | :--- | :--- |
|  | 2. | Comments/ Reason for Approval / Conditions of Approval <br> History \& Facts / Zoning \& Development Code Reference |
|  | 3. |  |
| ATTACHMENTS: | 1. | Location Map(s) |
|  | 2. | Aerial Photo(s) |
|  | 3. | Letter of Explanation |
|  | 4-6. | Subdivision Plat |

## COMMENTS:

The applicant is requesting City Council approval of a Subdivision plat, to combine four properties into one lot.

## PROJECT ANALYSIS

This request is part of an approved mixed-use development, which includes one residential units and commercial space, totaling 21,759 net square feet of building area. Public utility easements are dedicated within this plat. The proposed lot as shown has access to public streets and meets the minimum required technical standards of Tempe City Code Chapter 30, Subdivisions.

## Conclusion

Based on the information provided by the applicant, staff recommends approval of the requested Condominium Plat. This request meets the required criteria and will conform to the conditions 1-2.

## REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use and Projected Residential Density for this site.
2. The project meets the development standards required under the Zoning and Development Code.
3. The proposed project meets the City Code Chapter 30 approval criteria for a Subdivision.
4. The proposed project fulfills conditions 3 and 4 of the previously approved Zoning Amendment and Planned Area Development for this site.

## CONDITIONS OF APPROVAL:

1. The Subdivision Plat for $5^{\text {th }} \&$ Mill building shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department on or before February 7, 2009. Failure to record the plat within one year of City Council approval shall make the plat null and void.

Fall 1973

Fall 1976
January 1, 1977

July-August 1977
November 17, 1977
February 15, 1978

February 22, 1978

June 28, 1978

October 25, 1978

December 21, 1978
June 10, 2003
February 6, 2007

February 26, 2007
June 26, 2007

Fire destroyed four buildings on four separate lots on the northeast corner of Mill Avenue and $5^{\text {th }}$ Street. The buildings had three retail uses and an APS office.

City of Tempe agreed to purchase the four lots of $25^{\prime} \times 125^{\prime}$ each, to provide one marketable site.
City of Tempe offered the new site ( $100^{\prime} \times 125^{\prime}: .28$ acres) for sale, along with a three block area west of Mill Avwenue between $1^{\text {st }}$ and $3^{\text {rd }}$ Streets. The offering period was 6 months.

City Council reviewed seven offers on the site, including site plans, building design and proposed uses.
City Council aadopted Ordinance No. 830, which awarded the site to Five-M Associates for development.
Design Review Board approved the sign package, site, and landscaping, building for $5^{\text {th }} \&$ Mill located at 425 South Mill Avenue, in the CCD, Central Commercial District.

Board of Adjustment approved the request for the following, by Five-M Associates located at 425 South Mill Avenue:

1. Use Permit for Commercial/Retail use;
2. Variance to reduce the required frontyard setback from $10^{\prime}$ to $1^{\prime}$;
3. Variance to reduce the required street side yard setback from $10^{\prime} 0$;
4. Variance to reduce the required parking from 38 to 19 spaces;
5. Variance to reduce the size of three spaces from $9^{\prime} \times 20^{\prime}$ to $7.5^{\prime} \times 15^{\prime}$;
6. Variance to reduce the length of a parking stall from $20^{\prime}$ to $18^{\prime}$;
7. Variance to all off-street parking located within the required street side yard setback;
8. Variance to reduce the amount of landscape from $10 \%$ to $6 \%$;
9. Variance to reduce the landscape strip between the street property line and the parking from 10 ' to 0 ;
10. Variance to reduce the width of a two-way drive from 18 ' to 12 ' (alley access);
11. Variance to permit the building to project in the $33^{\prime}$ corner lot triangular area;
12. Variance to reduce the required fee from $\$ 300.00$ to $\$ 75.00$

Board of Adjustment approved the request by Five-M Associates at 425 South Mill Avenue, in the CCD, Central Commercial District upholding the Zoning Administrator's decision that Kitchie's is a restaurant, approved a use permit for an ice cream shop, and approved a variance to reduce the required parking from 52 to 19 spaces.

Board of Adjustment approved the request by Five-M Associates at 425 South Mill Avenue, in the CCD, Central Commercial District for a use permit for a restaurant and a variance to reduce the required offstreet parking spaces from 57 to 19.

Certificate of Occupancy received for the Five-M Building.
Building Permit issued for demolition of interior walls. (Permit Expired)
Request for a 2,451 s.f. of building addition totaling 10,197 s.f. in building area submitted and withdrawn a month later.

Building Permit issued for interior demolition of building.
Development Review Commission approved the request by $\mathbf{5}^{\boldsymbol{T H}} \&$ MILL BUILDING for a 13,963 s.f. building addition totaling 21,759 s.f. in building area, located at 425 South Mill Avenue, in the CC, City Center District, within the Transportation Overlay District Station Area.

## ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-307, Subdivisions


Location Map


5TH \& MILL BUILDING (PL070001)

# The Plato/Lee Trust 6934 East $5^{\text {th }}$ Avenue Scottsdale, Arizona 85251 

November 20, 2007

City of Tempe

RE: 425 South Mill Avenue, Tempe, Arizona 85281
Owner: The Plato/Lee Trust
To Whom It May Concern:
This application is to re-plat the above-mentioned property per the City of Tempe requirements to combine four (4) parcels to one (1) parcel to be known as Platos Retreat subdivision plat, which is undergoing for it's building permit at this time.

Sincerely,




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