

DEVELOPMENT REVIEW COMMISSION STUDY SESSION

APRIL 9, 2013

**HARRY E. MITCHELL GOVERNMENT CENTER
TEMPE CITY HALL – CITY COUNCIL CHAMBERS
31 EAST 5TH STREET
5:30 p.m.**

Commission Present:

Mike DiDomenico, Chair
Dennis Webb, Vice Chair
Linda Spears
Paul Kent
Angie Thornton
Ron Collett
Dan Killoren

Commission Absent:

Peggy Tinsley
Jim Delton
Dave Maza

City Staff Present:

Lisa Collins, Interim Community Development Dept. Dir.
Steve Abrahamson, Planning & Zoning Coordinator
Cathy Hollow, Traffic Engineer
Diana Kaminski, Senior Planner
Ryan Levesque, Senior Planner
Lisa Novia, Admin. Asst. II

Chair DiDomenico began the Study Session at 5:40 p.m. It was decided the minutes could be approved as drafted and all items would be heard.

Cathy Hollow, Traffic Engineer, made a brief presentation to the Commission regarding the traffic interchange at Warner and I-10.

Ms. Hollow indicated that this presentation is in response to a question from the Commission on March 12th during the presentation of the Drury Inn at 1780 West Ranch Road. The Commission noted the Interstate 10 Warner Road off-ramp to the northwest of the Drury Inn site is two lane, has no right hand turn on red at Warner Road, and traffic sometimes backs up onto the I-10 traffic lane during peak traffic hours.

Cathy explained the I-10 Warner road exit is controlled by A.D.O.T. and not by the City of Tempe. This control is one of only two such intersections in the City. Cathy has spoken with A.D.O.T. traffic operation personnel. A.D.O.T. is aware of the intermittent backup problem at this intersection. Cathy has been told A.D.O.T. will conduct a study of the intersection in approximately one month. One idea for improving operation at this intersection would be a signalization modification that would allow a right turn overlap.

Commissioner Thornton noted the green light is very short for that off-ramp onto Warner Road and predicts if there is no change to the intersection then the traffic backup problem will get worse as the area develops.

The Study Session was adjourned at 5:45 p.m.

Prepared by: Lisa Novia, Administrative Asst. II

Reviewed by: Lisa Collins, Interim Director Community Development Department

Lisa Collins, Interim Director, Community Development Department

DRAFT

DEVELOPMENT REVIEW COMMISSION APRIL 9, 2013

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 E. 5th Street, Tempe, AZ 85281
6:00 PM (5:30 Study Session)

Commission Present:

Mike DiDomenico, Chair
Dennis Webb, Vice Chair
Linda Spears
Paul Kent
Angie Thornton
Ron Collett
Dan Killoren

Commission Absent:

Peggy Tinsley
Jim Delton
Dave Maza

City Staff Present:

Lisa Collins, Interim Community Development Dept. Dir.
Steve Abrahamson, Planning & Zoning Coordinator
Diana Kaminski, Senior Planner
Ryan Levesque, Senior Planner
Sherri Lesser, Senior Planner
Lisa Novia, Admin. Asst. II

Chair DiDomenico called the meeting to order at 6:00 p.m., which included the introduction of the Commission and City staff. It had been determined at the Study Session that the minutes could be approved as drafted and that all items would be heard.

1. CONSIDERATION OF MEETING MINUTES: 3/12/13

On a motion by Commissioner Collett and seconded by Commissioner Spears, the Commission with a vote of 6-0 (Commissioner Killoren abstained) approved the minutes of March 12, 2013.

2. Request for a General Plan Density Map Amendment, a Zoning Map Amendment, a Planned Area Development Overlay and a Development Plan Review for **THE NEWPORT (formerly SKYVIEW AT TEMPE) (PL120237)**, located at 1102 E Weber Drive. The applicant is Joseph Risi of American West Development.

STAFF REPORT: [DRCr Newport 040913](#)

This case was presented by Diana Kaminski and represented by Joseph Risi, American West Development (applicant).

Mr. Risi addressed the Commission with a brief history of his development experience and his vision for this site.

Commissioner Thornton asked Mr. Risi about the Condition of Approval recommending lowering the unit heights on the east side down to two stories as the neighbors are requesting it. She also asked if he will still build if it is a condition of approval.

Mr. Risi indicated that several of the adjacent homes to the east are rentals and that area has the biggest setback and it would mean re-designing those buildings, not just taking a floor off. The project also has to work financially as well. He reduced the number of units from his original design for 57 apartments to 40 single family homes. He also indicated there are few windows on that elevation and they are planting 48" box, nearly 30' tall trees as a buffer. Mr. Risi indicated he will not build if he is required to lower that elevation to two stories.

Chair DiDomenico asked what the heights were when it was proposed to be a rental community.

Mr. Risi indicated it would have been higher with a greater dwelling units per acre.

Commissioner Spears asked if Mr. Risi owned the property and if they would be separately deeded.

Mr. Risi indicated yes to both questions.

Vice Chair inquired about the amenities available to residents.

Mr. Risi stated there is a greenbelt at the end of Weber and a learning center and school across the street. He also indicated there are three and four bedroom units with garages and a separate garden space, the units do not have connected walls.

Vice Chair asked why Mr. Risi didn't follow a more similar style to the Hacienda he built in the Arcadia area.

Mr. Risi indicated that studies show that Generation Y tends to be more contemporary, such as the Optima on Camelback.

Commissioner Kent asked about the placement of the homes and the curvilinear drive.

Eric Van Wechel, Suma Architecture, indicated that what has driven this layout is the connection at Marny and the importance from a public service standpoint as well as the refuse access to the alley at the northern portion of the site.

Commissioner Kent asked what amenities are built into this development to attract small families.

Mr. Van Wechel of Summa Architecture stated that each home has a private entry court with a small sideyard, a central common gathering area, possibly a community garden and/or common bbq areas.

Commissioner Spears asked if there was a landscape plan that could better show the courtyard and common area spaces.

Mr. Van Wechel stated that the front yard/court yard areas are approximately 8-10' deep and 20' wide with a 10' sideyard. He also stated they are small, but the person who chooses to buy in this subdivision does not want the upkeep of the traditional yard.

Vice Chair Webb asked about the design guidelines for each individual lot.

Mr. Van Wechel indicated that there would be design guidelines and recommendations to homeowners as to what can be done, such as a plant list of appropriately sized trees, but it is a single family product so there is a lot of flexibility to make the space their own.

Vice Chair asked about the HOA fees and the selling price.

Mr. Van Wechel indicated that the budget had not been completed but that the HOA fees would be in the 80-100 a month range and the price point for the home would be high 200,000 to the low 300,000 range.

Vice Chair Webb asked Mr. Risi how it would work to have the area homeowners get free paint to paint their homes the colors to be used on this project.

Mr. Risi indicated that it had been suggested at the neighborhood meeting that it might be a good transition into the neighborhood if the homes were painted the colors used in this new development. Mr. Risi had indicated that he would pay for the paint for any home within a 300' radius that wished to use one of the colors. He also indicated that this was at the suggestion of the neighbors and this is an effort to be cooperative with residents.

Chair DiDomenico opened the hearing to public input.

Two individuals spoke in support of the project with one card being read into the record which also indicated support. Five individuals spoke in opposition stating concerns in regards to height, density, loss of views to the west, closeness of units to their property, potential loss in property values, parking and feeling misled by developer's offer to paint the homes, and now offering to only provide the paint.

Chair DiDomenico closed the hearing to public input.

Ms. Kaminski spoke to clarify that if there was a desire to change the tree size indicated on the landscape plan to include a larger more mature tree to provide a better buffer, it could be conditioned as such.

Mr. Risi returned to the podium to address concerns. He indicated they suggested placing 36" to 48" box trees along the southeast portion of the property. He also stated that current zoning would allow for a 30' building, our design is only 4' above that. He also indicated that if a design could be created, they would be amenable to incorporating it into the walls. Mr. Risi also indicated that he is confident with the quality of construction that this development will increase home values and attract young professionals and families to the area.

Mr. Van Wechel returned to the podium to address the concerns regarding setbacks. He indicated there is a 12' setback on the south portion of the site and an 18' alley so there is approximately 28'-30' from our building to the adjacent wall. On the northern portion there is a 13' public utility easement.

Commissioner Kent asked about construction timing.

Mr. Risi indicated it would be built in phases, starting at Weber on the west side, the last units built would be the east side units.

Commissioner Thornton asked for setback clarification to the setbacks.

Mr. Van Wechel referred to the site plan to clarify those distances.

Commissioner Spears asked if something could be included in the CC&R's in regards to the properties not being used as rentals.

Mr. Risi doesn't feel these properties will turn into rental properties due to the price point.

Chair DiDomenico asked Mr. Risi if he made any attempt or inquiry into purchasing the homes that neighbor his property, specifically the ones on Rose St.

Mr. Risi indicated he would purchase all three homes at appraised value if the homeowners were interested in selling.

Chair DiDomenico asked Mr. Risi if Condition 6 is the only condition with which he does not agree.

Mr. Risi indicated that he would like Condition No. 6 stricken from the Conditions of Approval.

Commissioner Collett made a motion of approval for all aspects of the case, there is no second.

Commissioner Kent stated he had concerns with the PAD and the DPR portions of the case.

Chair DiDomenico stated that he had no concerns with the zoning changes but is not in favor of removing Condition No. 6. Units 35 through 40 have very narrow corridors which does not allow much of view for the neighboring residents; therefore, he would like to see those units reconfigured or decreased in height.

Vice Chair Webb stated the project is too dense for this location and cannot support it.

A motion made by Commissioner Spears and seconded by Commissioner Collett to approval the General Map Amendment, Zoning Map Amended and Planned Area Development Overlay and remove Condition No. 6 failed.

On a motion by Commissioner Kent and seconded by Commissioner Thornton, the Commission with a vote of 6-1 (Commissioner Collett dissented) recommended approval of the General Plan Amendment and Zoning Map Amendment.

Commissioner Collett stated that it's the Commission's job to look at what is best for the City of Tempe in its entirety. He also stated that this is a development that all of Tempe will benefit from, including the neighbors directly adjacent to the site that are opposed to it at this time.

Commissioner Thornton stated that she has heard the neighbors and is sensitive to the neighbors that are most directly affected by the project but it is the job of this Commission to do what is best for the entire City of Tempe. She also wanted to commend the builder for reaching out to the community and working with the neighborhood.

On a motion by Commissioner Kent and seconded by Commissioner Thornton, the Commission with a vote of 5-2 (Commissioners Collett and Spears dissented) recommended approval of the Planned Area Development Overlay as recommended in the staff report (with Condition #6).

Chair DiDomenico discussed with staff the applicant's options in regards the Development Plan Review aspect of this case. It was determined that the applicant could return to the Commission with a different design or move forward to Council with a denial of the Development Plan Review.

Mr. Risi indicated he would review his plans for the six units on the southeast corner of the property and review their options and the impact it will have to the development.

Commissioner Spears would like the applicant to rethink the design and consider straightening out the driveway.

Ms. Kaminski stated that since Mr. Risi has agreed to place a larger, more mature tree along the eastern portion of the site, a Condition of Approval will need to be crafted for the Development Plan Review to include 48" box trees along the eastern property line to include all six homes.

On a motion by Commissioner Spears and seconded by Commissioner Collett, the Commission with a vote of 7-0, continued the Development Plan Review to a date uncertain.

3. Request for a Development Plan Review consisting of the remodel of an existing restaurant building for **THE MISSION@ MINDER BINDERS (PL120259)**, located at 715 South McClintock Drive. The applicant is Paramount Design, LLC.

STAFF REPORT: [DRCr_MissionMinderBinder_040913](#)

This case was presented by Sherri Lesser and represented by Kristen Bell (owner) and Howard Li, Paramount Design, LLC (applicant).

Commissioner Collett asked if the applicant had any issues with the Conditions of Approval.

Ms. Bell indicated they had no issues with the Conditions of Approval.

Chair DiDomenico asked general questions about the interior space and concept of the new restaurant.

Chair DiDomenico read one comment card into the record. The individual was interested in purchasing the barrel in front of the building.

On a motion by Commissioner Collett and seconded by Commissioner Thornton, the Commission with a vote of 7-0 approved this Development Plan Review as recommended in the staff report.

4. Request for a Development Plan Review consisting of a new retail/restaurant building for **DISCOVERY BUSINESS CAMPUS – SITE 5 (PL120396)**, located at 2010 East Elliot Road. The applicant is Gammage & Burnham PLC.

STAFF REPORT: [DRCr_DiscoveryBusinessCampus_040913](#)

This case was presented by Ryan Levesque and represented by Manjula Vaz, Gammage & Burnham (applicant).

Mr. Levesque indicated that this case had previously been through with a request for a Use Permit for a drive thru restaurant and was continued so the applicant could work with the adjacent neighborhood, who were opposed to the drive thru. Since the last hearing, the drive-thru element has been removed.

Manula Vaz made a brief presentation in regards to the communication between the design team and the neighborhood and the removal of the drive thru.

Chair DiDomenico called to the public, seeing no one wishing to speak, closed the hearing to public input.

On a motion by Commissioner Collett and seconded by Commissioner Kent, the Commission with a vote of 7-0 approved this Development Plan Review as recommended in the staff report.

5. ANNOUNCEMENTS

There were no announcements.

The hearing adjourned at 9:00 p.m.

Prepared by: Lisa Novia, Administrative Asst. II
Reviewed by: Lisa Collins, Interim Director Community Development Department

Lisa Collins, Interim Director, Community Development Department

DRAFT