

**MINUTES OF THE
DEVELOPMENT REVIEW COMMISSION
STUDY SESSION**

MAY 28, 2013

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

Commission Present:

Vice Chair Webb
Linda Spears
Ron Collett
Peggy Tinsley
Paul Kent
Dave Maza
Jim Delton

Commission Absent:

Chair DiDominico
Angie Thornton

City Staff Present:

Steve Abrahamson, Planning & Zoning Coordinator
Ryan Levesque, Senior Planner
Diana Kaminski, Senior Planner
Kevin O'Melia, Senior Planner
Sherri Lesser, Senior Planner

Vice Chair Webb called the Study Session to order at 5:35 p.m.. After briefing and discussion with staff in regards to each case, it was determined that Item No. 5 would be heard first. The minutes for approval were postponed.

Having no other business to discuss, the Study Session was adjourned at 5:55 p.m.

Prepared by: Lisa Novia, Administrative Asst. II

Reviewed by: Lisa Collins, Interim Director Community Development Department

A handwritten signature in cursive script, appearing to read 'Lisa Collins'.

Lisa Collins, Interim Director, Community Development Department

DEVELOPMENT REVIEW COMMISSION MAY 28, 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:

Vice Chair Webb
Linda Spears
Ron Collett
Peggy Tinsley
Paul Kent
Dave Maza
Jim Delton

Commission Absent:

Chair DiDomenico
Angie Thornton

City Staff Present:

Steve Abrahamson, Planning & Zoning Coordinator
Ryan Levesque, Senior Planner
Diana Kaminski, Senior Planner
Kevin O'Melia, Senior Planner
Sherri Lesser, Senior Planner
Cathy Hollow, Traffic Engineering & Operations

Vice Chair Webb called the meeting to order at 6:00 p.m., which included the introduction of the Commission and City staff. It had been determined in the Study Session that Item No. 5 would be heard first.

1. CONSIDERATION OF MEETING MINUTES: 5/14/13 POSTPONED

- 5.** Request for a Use Permit to allow an Auto Title Loan store for **BROADWAY PLAZA - TITLEMAX (PL130112)**, located at 19 East Broadway Road. The applicant is Pew & Lake PLC.

STAFF REPORT: [DRCr TITLEMAX 052813](#)

This case was presented by Diana Kaminski and represented by Reese Anderson, Pew & Lake PLC (applicant).

Mr. Anderson addressed the Commission and indicated they were in agreement with the Conditions of Approval and would be happy to answer any questions the Commission had.

Commissioner Kent asked where the next closest title loan office is.

Mr. Anderson indicated he did not know and would refer that question to the owner of Title Max as he may have done that research.

Mr. Ryan stated from the audience approximately one mile.

Commissioner Kent asked for clarification as it related to the statutory language regarding payday loans. He indicated Titlemax is not a payday loan institution.

Commissioner Tinsley asked what research has been done to indicate a business such as this is needed in this area.

Mr. Anderson stated he would defer to Mr. Ryan.

Mr. Ryan indicated that they look at a variety of things and one of those would be co-tenants.

Commissioner Tinsley asked what a co-tenant is.

Mr. Ryan indicated other tenants in the plaza, such as Auto-Zone.

Vice Chair Webb called to the public, seeing no one interested, he closed the hearing to public input.

Commissioner Spears asked staff if there was a title loan business at Rural and Broadway.

Ms. Kaminski answered yes.

Commissioner Tinsley stated that although the applicants seem like fine fellows, she does not like the business.

Commissioner Spears stated that she agreed with Commissioner Tinsley and dislikes seeing non-sales tax producing uses in retail centers and cannot support it.

On a motion by Commissioner Delton and seconded by Commissioner Collett, the Commission with a vote of 3-4(Commissioners Webb, Spears, Tinsley and Kent opposed) denied the Use Permit.

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2. Request for a Planned Area Development Overlay consisting of four (4) proposed office buildings and two (2) parking structures for **FNB FOUNTAINHEAD (PL120397)**, located at 1665 West Alameda Drive. The applicant is Tiffany & Bosco, P.A.

STAFF REPORT: [DRCr FNBFOUNTAINHEAD 052813](#)

This case was presented by Ryan Levesque and represented by Ben Patton, Tiffany & Bosco, P.A. (applicant).

Mr. Patton addressed the Commission with a presentation on this Planned Area Development Overlay.

Commissioner Collett asked about traffic impacts.

Mr. Patton indicated that this development at full build-out will generate approximately 10,000 trips per day. They have worked with a traffic consultant and are working with the City to do everything possible to make sure that signals and traffic lanes are working efficiently.

Mr. Patton also stated they would like to modify the heights of the four building. Building A would be 182', Building B would be 140', Building C would be 96' and Building D would be 55'.

Vice Chair Webb asked staff if this is acceptable.

Mr. Levesque indicated yes and that Condition No. 5 would need to be modified.

Commissioner Kent asked about the height of the buildings east of this site.

Mr. Patton stated that he believed those to be 3 story office buildings.

Vice Chair opened the hearing to public input, seeing no one interested in speaking, closed the hearing to public input.

On a motion by Commissioner Tinsley and seconded by Commissioner Kent, the Commission with a vote of 7-0 recommended approval of this Planned Area Development Overlay as recommended in the staff report and with a modified Condition of Approval No. 5.

3. Request for a General Plan Projected Land Use Map Amendment, a Zoning Map Amendment, an Amended Planned Area Development Overlay and a Development Plan Review consisting of a mixed-use development including 220 units and 600 beds for **1010 LEMON (PL130034)**, located at 1010 East Lemon Street. The applicant is Oasis Indian Bend, LLC.

STAFF REPORT: [DRCr 1010LEMON 052813](#)

This case was presented by Kevin O'Melia and represented by Stephen Earl (Earl Curley & Lagarde).

Mr. Earl addressed the Commission and gave background history on the property as well as an overview of the case.

Commissioner Tinsley inquired about the balconies. Mr. O'Melia reviewed exterior balcony design requirements contained in Condition No. 24.

Mr. Earl indicated that they have worked closely with City staff to develop a design that supports good behavior.

Eric Zobrist, ASG Architects, spoke to the design aspects of this case.

Commissioner Kent inquired about the color board.

Mr. Zobrist reviewed the project colors with the Commission.

Commissioner Maza stated that he liked the design and the color.

Commissioners Tinsley and Kent both stated that the green is not their favorite color

Vice Chair Webb opened the hearing to public input, seeing no one interested, closed the public input portion of the meeting.

Commissioner Delton also indicated that he did not like the green but stated that he would not assume his choice of color would be better.

Vice Chair Webb stated that he likes the project and feels it's a great use for the location.

On a motion by Commissioner Collett and seconded by Commissioner Maza, the Commission with a vote of 7-0, recommended approval of the General Plan Projected Land Use Amendment, Zoning Map Amendment, Amended Planned Area Development Overlay and approved the Development Plan Review as recommended in the staff report.

4. Request for an appeal of a Development Plan Review consisting of building elevation modifications for **JOE'S ITALIAN ICE (PL130095)** located at 2019 South McClintock Drive. The applicant is Robert Des Rosiers.

STAFF REPORT: [DRCr_JoesItalianIce_052813](#)

This case was presented by Sherri Lesser and represented by

Commissioner Spears asked Ms. Lesser to verify that interior illuminated awnings are allowed in the ordinance.

Commissioner Maza asked what can be done to support business.

Ms. Lesser indicated that the City has not had an illuminated awning to-day and this is setting a precedent.

Commissioner Delton asked what the difference in appearance is between illuminating the awning outside versus in.

Ms. Lesser indicated that when an awning is illuminated from the inside, it appears as one big sign. When it's illuminated from the outside, it appears as more of an architectural feature.

Mike Abeyta, owner, addressed the Commission with a history regarding Joe's Italian Ice.

Robert Des Rosiers, architect, addressed the Commission to discuss building elevations and design. He indicated the awning is a significant part of the brand.

Commissioner Spears asked for clarification on signage on McClintock Drive.

Commissioner Tinsley asked about the type of lighting to be used under the canopy.

Mr. Des Rosiers indicated that it's a new type of fluorescent tube.

Mr. Des Rosiers stated that it was important to keep the awning up above reach due to prior vandalism on the property.

On a motion by Commissioner Tinsley and seconded by Commissioner Spears, the Commission with a vote of 7-0, approved the appeal with the deletion of Condition Nos. 17 and 18.

5. ANNOUNCEMENTS

No announcements.

The meeting was adjourned at 7:52 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