
MINUTES OF THE DEVELOPMENT REVIEW COMMISSION February 11, 2014

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

Commission Present:

Dennis Webb, Chair
Paul Kent, Vice Chair
Dan Killoren
Peggy Tinsley
Kevin O'Melia
Ron Collett
Linda Spears

Commission Absent:

Dave Maza
Angie Thornton
Trevor Barger

City Staff Present:

Steve Abrahamson, Planning and Zoning Coordinator
Ryan Levesque, Senior Planner
Diana Kaminski, Senior Planner
Sherri Lesser, Senior Planner
Karen Stovall, Senior Planner
Steve Nagy, Administrative Asst. II

Chair Webb called the meeting to order at 6:15 p.m., which included the introduction of the Commission and City staff. It had been determined in the Study Session that the minutes for October 8, 2013 could be approved as drafted, and Items No. 2, and No. 3 could be placed on the Consent Agenda should no one from the public wish the case to be heard.

1. **CONSIDERATION OF MEETING MINUTES: 10-08-2013**

On a motion by Commissioner Collett and seconded by Commissioner Spears, the Commission with a vote of 5-0 (Commissioner Killoren and O'Melia abstained) approved the minutes of the December 10, 2013 meeting.

01-28-2014

The 01-28-2014 agenda review was postponed to make corrections noted in the Study Session.

CONSENT AGENDA

On a motion by Commissioner Tinsley and seconded by Commissioner Collett, the Commission with a vote of 7-0 approved the Consent Agenda as recommended in the following staff reports:

2. Request for a Development Plan Review consisting of a new warehouse building for **LIBERTY CENTER AT RIO SALADO (PL130192)**, located at 1850 West Rio Salado Parkway. The applicant is Deutsch Architecture Group.

STAFF REPORT: [DRCR_LIBERTYCENTERATRIOSALADO.PDF](#)

3. Request for a Use Permit to allow a Mini-Warehouse Facility expansion and a Development Plan Review consisting of a new two-story building addition for **TEMPE STORAGE COMPANY (PL130314)**, located at 822 South McClintock Drive. The applicant is R.B. Williams & Associates Inc.

STAFF REPORT: [DRCR_TEMPESTORAGECOMPANY.PDF](#)

REGULAR AGENDA

4. Request for a Use Permit to allow Tandem Parking and a Development Plan Review consisting of a new 33 unit multi-family development for **JENTILLY LANE CONDOMINIUMS (PL130373)**, located at 1717 South Jentilly Lane. The applicant is Trapezium Consulting.

STAFF REPORT: [DRCR_JENTILLYLANECONDOS.PDF](#)

Sherri Lesser presented the case by reviewing the history of the property as well as the layout of the proposed development which includes a request for a Use Permit to allow for tandem parking. Ms. Lesser went on to explain that a very similar project had successfully through the Development Review Commission in 2008, the Development Plan Review lapsed. Ms. Lesser also noted that there had been a staff mistake in reviewing the plans, which resulted in the applicant slightly changing the design to allow for additional guest parking spaces.

The Commission discussed the design changes with Ms. Lesser, which included the confirmation of the increase in parking spaces, the change from including 4-bedroom units to 3-bedroom units, changed landscape plan review and whether public input was received. It had been determined by staff that all requirements had been met and that the case was in fact ready to be heard by the Commission.

Chair Webb then called the applicant up to make their presentation.

Dr. Bruce Tully, CEO of the Trapezium Consulting, from Scottsdale, AZ and Paul Rogers, Civil Engineer of the Trapezium Consulting Group from Tempe, AZ introduced themselves before presenting.

Dr. Tully expressed that he felt the project is well-conceived, and is an upgrade to the existing neighborhood fabric. He continued that the spirit and intent of the project is to assist those displaced from a single-family living environment by the economy by resenting them with a new home owner opportunity and would encourage the Commission to approve the project.

Commissioner Tinsley asked what the price point of the units will be.

Dr. Tully responded that the price point will be as low as the client can possibly go.

Commissioner Tinsley then asked who the target client for the development would be.

Dr. Tully responded that he saw young professionals as well as empty-nesters as possible target clients.

Chair Webb asked whether renters will be allowed, to which Dr. Tully could not respond.

Commissioner Spears then expressed concern with the tandem parking, which will result in parking spilling out into the surrounding neighborhoods as the units will certainly be used as rentals.

Mr. Rogers responded that only 9 units will have tandem parking, which is fewer than the project approved by the Commission back in 2008.

Chair Webb then inquired about the unit measurements to which Mr. Rogers responded that the smaller units are about 16' wide and 1200 square feet, and the larger units are 21' and 1600 square feet.

Chair Webb again asked about the price point to which Dr. Tully responded that he would not be comfortable discussing without his client present. Dr. Tully did however express that the price point would intend to be fair all around, possibly in the low-100K range.

Vice Chair Kent then asked what the intent of having units with double master bedrooms is. Dr. Tully responded that the floor plan is used throughout the Valley and therefore not directly being marketed to renters or students.

Commissioner Killoren pointed out that the applicant's letter cites students as a target audience and followed up his point with inquiring as to what affect this will have on parking.

Dr. Tully could not respond as he could not speculate how many students may try to live in a unit.

Commissioner O'Melia again clarified the number of parking spaces. Mr. Rogers responded that the parking spaces decreased after the design change decreased the number of units, thus decreasing the parking requirement. Commissioner O'Melia then reconfirmed that there are only 9 units with tandem parking which the applicant confirmed.

Commissioner Tinsley expressed concern over who would take care of maintenance in the case where the units are rented out. Dr. Tully responded that there would be an HOA and/or Management Service that would oversee maintenance.

Chair Webb then asked how many units have balconies and inquired as to their proximity to the pool. Mr. Rogers responded that the balconies were at least 12' away from the pool. Chair Webb further expressed that he was concerned with students attempting to make the jump from the balconies to the pool.

Chair Webb then opened the discussion amongst the Commission.

Commissioner O'Melia proposed condition #15 require rock or decomposed granite of at least 2" uniform thickness. He also proposed in the new site plan, condition #1 be subject to verification of parking calculation by staff during the plan check process, and the number of tandem parking spaces may only be decreased.

Following the discussion amongst the Commission, it was determined that the presentation was difficult to ascertain. The Commission presented the applicant with a list of concerns they would like to see addressed, which included the following: amend conditions #15 regarding the rocks in the landscaping, #1 regarding a cap on tandem parking spots, #7 acknowledging flex rooms as bedrooms, and finally the issue with balconies.

Commissioner Spears made a motion to continue to February 25, 2013 which was seconded by Vice Chair Kent and carried with a vote of 7-0.

5. Request for a Development Plan Review consisting of a new drive thru restaurant building for **CULVERS RESTAURANT (PL130335)**, located at 630 East Southern Avenue. The applicant is Evergreen Devco.

STAFF REPORT: [DRCR_CULVERSRESTAURANT.PDF](#)

Sherri Lesser presented the case by describing the area that would surround the development as well as confirming that staff recommend approval. Ms. Lesser also stated that there had been one condition modified by staff, which was regarding the building elevations. Condition #4 would modify the exterior to allow for a different stone veneer and trim color.

Commissioner Spears asked Ms. Lesser if there is physical barrier between Huntington Dr. and the Culver's drive-thru. Ms. Lesser responded that there would be a 6 ft. wall that will run the length of the property matches the existing walls on property to the east. Commissioner Spears followed up by asked whether there would access from the parking lot to the west, to which Ms. Lesser confirmed there would be cross-access.

Vice Chair Kent continued the discussion with Ms. Lesser on the details of the parking lot, drive-thru, and perimeter wall. Ms. Lesser clarified all the details, as well as the details for possible future phases of the shopping center.

Commissioner Tinsley inquired as to whether there was a public meeting at the site. Ms. Lesser explained a public meeting was not required, and that notification through all of the required channels had been made.

With no further questions for staff, Chair Webb invited the applicant to make his presentation.

Cameron Miller from Phoenix, AZ introduced himself from Evergreen Devco, the applicant's, representative. Mr. Miller explained that the applicant has been operating Culver's restaurant since 1996, and the applicant is excited to have the opportunity to operate a restaurant in Tempe.

Vice Chair Kent asked Mr. Miller what was being done to mitigate noise as well as walk through traffic, which could adversely affect the neighborhood to the north of the restaurant. Mr. Miller confirmed they were immediately open to building a wall on the north side of their property, as well as providing a visual display screen on the drive-thru menu board. Mr. Miller continued that the applicants chose landscaping that would also help mitigate noise from reaching the neighborhood, and are also willing to choose landscaping that could further noise mitigation.

Commissioner Killoren asked Mr. Miller to clarify parking lot details, which Mr. Miller clarified. Mr. Miller also clarified that the lot to the east of culvers would be stabilized as part of the development, likely using decomposed granite.

Commissioner O'Melia discussed the landscaping design, specifically along the north side of the property, adjacent to the cul-de-sac. He requested that the applicant place a larger specimen along this area to increase the mitigation of noise produced from the restaurant. Commissioner O'Melia also confirmed the required landscape will be provided in the islands throughout the parking lot. Finally, Commissioner O'Melia requested that clarification be made in condition #2 to read that the new wall along the north will continue the existing wall. Mr. Miller confirmed that the applicants would be fine with these changes, as long as they can have some flexibility with species of larger landscape specimen along the north side of the property, adjacent to the cul-de-sac to the north.

With no other questions from the applicant, Chair Webb opened the meeting to public comment.

John Murray from Phoenix, AZ commented on the hours of operation of other Culver's Restaurants in the area.

The Commission then went on to discuss the details of the Culver's development project. The discussion established amendments to conditions #2, requiring the wall to match the existing wall, #4 regarding the changes to the exterior finish of the elevations, #8 providing a specific, denser tree requirement adjacent to the cul-de-sac to the north, and #12 establishing a read out screen to the drive-thru.

Commissioner Collett made a motion to approve as long as all condition amendments were approved. Commissioner Tinsley seconded the motion, the Commission with a vote 7-0, approved the development.

6. Request for a continuance nunc pro tunc to February 25, 2014, for the Development Plan Review for eight new attached three-story single-family townhomes for KENNETH PLACE TOWNHOMES (PL120269), located at 1419 South Kenneth Place.

The request was presented by Diana Kaminski, who explained that there was needed for an additional motion for the item, which had been left in limbo.

Commissioner Collett expressed that he did not agree with the requirement, however made a motion to approve the request. Vice Chair Kent seconded the motion, and with a vote of 5-2, with Commissioner Spears and Chair Webb dissenting, the Commission approved the motion.

7. **ANNOUNCEMENTS** – No announcements.

The meeting was adjourned at 8:10 p.m.

Prepared by: Steve Nagy,
Reviewed by: Ryan Levesque, Senior Planner



Ryan Levesque, Senior Planner