
MINUTES OF THE DEVELOPMENT REVIEW COMMISSION September 23, 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
Peggy Tinsley
Ron Collett
Trevor Barger
Linda Spears
Angie Thornton
Jerry Langston, alt.
David Lyon, alt.

Commission Absent:

Dan Killoren, alt.

City Staff Present:

Ryan Levesque, Deputy Director
Diana Kaminski, Senior Planner
Karen Stovall, Senior Planner
Bill Kersbergen, Senior Planner
Julian Dresang, Traffic Engineer
Steve Nagy, Administrative Asst. II

Chairman Webb called the meeting to order at 6:10 p.m., introducing the Commission and City staff. It had been determined in the Study Session that the minutes from the 09/09/2014 Development Review Commission meeting could be placed on the consent agenda. Item #2 and item #3 would be heard.

CONSENT AGENDA

1. CONSIDERATION OF MEETING MINUTES: 08/25/2014

Commissioner Tinsley moved to approve both the Study Session and Regular Meeting Minutes from the September 9, 2014 meetings, with the spelling correction Commissioner Lyon's last name from Lyons to Lyon. The motion was seconded by Commissioner Thornton, and passed with a vote of 6-1, with Commissioner Barger abstained due to absence from that hearing.

REGULAR AGENDA

2. Request for Development Plan Review consisting of new paint colors for **BURKWOOD APARTMENTS (PL140139)**, located at 701 South Roosevelt Street. The applicant is John Hashemi.

Karen Stovall presented the case by reviewing the location, giving a brief history on the project and presenting the proposed colors to the Commission. She then reviewed the previous permits the project had received as well as images of the building elevations. Ms. Stovall then went over the public input in opposition to the project because of similarity in colors to another apartment complex.

Chair Webb then called up the applicant, John Hashemi, Tempe.

Mr. Hashemi presented by explaining how he had arrived on the color choices.

With no question from the Commission to the applicant, Chair Webb then opened the meeting to public comment.

Robert Hadad, Glendale, expressed that he was opposed because he believes it is a bad business practice for the applicant to replicate the design of an apartment complex that he owns. Mr. Hadad also expressed concern that such replication would lead people to believe there was affiliation between the two apartment

complexes when there is in fact none.

The Commission then discussed with Mr. Hadad whether he had would like to see improvements to the neighborhood and whether he had attempted to contact the applicant. The Commission also expressed that their role was not to enforce colors schemes or trademarks, but to ensure project meet a certain level of quality.

The applicant, Mr. Hashemi was then invited back up to respond. Mr. Hashemi addressed the Commission by explaining that his color choices were similar, but not the same as the other apartment complex.

The Commission asked the applicant if he had tried to talk the issue out with Mr. Hadad, and what he would think if buildings along the same road were all painted the same. Mr. Hashemi responded that he sees no reason for discussion, and the same colors along the road would be an improvement to the neighborhood.

The Commission then discussed the repaint colors amongst themselves. Commissioner Collett stated that replication of color schemes on the same street was a disservice to residents, in that we would not want identical colors all along the street. Commissioner Spears stated that the building is set back from the street, has a different site configuration and is similar to other contemporary buildings in the area. Commissioner Barger expressed that he appreciates and prefers diversity, but making upgrades are an improvement to the neighborhood. Commissioner Kent said they were not his choice of colors, he wished a discussion could occur between neighbors to result in a compromise to prevent uniformity.

Commissioner Thornton moved to approve the case. The motion was seconded by Commissioner Spears and the motion passed with a vote of 6-1, with Commissioner Collett in the dissent.

3. Request for a Zoning Map Amendment from AG Agricultural to R1-PAD Single Family with a Planned Area Development Overlay to establish the development standards for building height and setbacks, and a Development Plan Review for 53 townhomes for WILSON STREET TOWNHOMES (PL140042), located at 6101 S Wilson Street. The applicant is Shelby Duplessis, Bowman Consulting Group.

Diana Kaminski presented the case by reviewing the zoning and location of the site and the requested change. Ms. Kaminski reviewed public input received and summarized the concerns. The applicant made changes to their proposal, based on public input, which included reducing the townhomes from 3-story to 2-story and increasing landscape.

The Commission discussed with Ms. Kaminski access options to the parcel to and from main arterial streets as well as the zoning changes the parcel had experienced in the past. Ms. Kaminski also explained that the parcel had been approved for the proposed density in both the 2030 and 2040 General Plans.

With no other questions of staff, Chair Webb invited the applicant up.

Shelby Duplessis, Bowman Consulting approached the podium with Joe Hogan, the developer. Ms. Duplessis presented the case by reviewing changes they had made to the submittal after public input. She stated that the townhomes were intended to be owner occupied, not intended to be rented out. She reviewed the traffic observations that her firm had made, as well as the access options that were explored. Ms. Duplessis also reviewed the public meeting process that they had undertaken to ensure the neighbors were well-informed of the project. She reviewed landscape and parking details, and stated that the community was not gated and would be accessible to the surrounding neighbors.

The Commission then discussed with Ms. Duplessis development access details, changes made to refuse pick-up, and how the parcel ended up with such poor accessibility to the main arterial street.

To address the traffic concerns, Chair Webb invited Julian Dresang, City of Tempe Traffic Engineer, to the podium to answer some of the questions that the Commissioners had. Mr. Dresang explained that the streets that would be used to access the development were not main arterial roads, so little traffic data was available on them. He continued that based on the volume increase resulting from the development, the impact to the local traffic would be minimal, and the surrounding streets would be able to handle the increase.

With no other questions from the Commission to the applicant or Mr. Dresang, Chair Webb opened the hearing to public comment.

Carolyn Cortez, Tempe, expressed opposition to the density and number of units which would create overcrowding and increased traffic. She was very concerned about water drainage in the area and how they would handle storm water in an area that recently had standing water from storms.

William Nelson, Tempe resident in nearby apartments, expressed concern about the market demand for housing and the limited availability to fill the need. If this development is not built, and employees want to live close to work, the demand for apartments increases and the rental rate increases based on this demand. This has a negative impact on housing costs to existing tenants who cannot afford rent increases. Providing more housing choice within the area keeps a balance of affordable housing in the area.

Jessica Oaks, Tempe, expressed concern over the project not fitting in the character of the area of single family single story homes, access should be provided to Kyrene because traffic will increase from this development.

Commissioner Tinsley asked what Ms. Oaks would like to see on the parcel. Ms. Oaks responded she would like a park with kids equipment, or if that's not possible, a replication of the Julie Drive (to the east) development. Commissioner Kent clarified if Ms. Oaks was speaking on behalf of her neighborhood association of herself. Ms. Oaks responded that she was speaking on behalf of herself.

John Steidley, Tempe, expressed that he was concerned with storm water drainage, currently Benedict Sports Complex had off-site run-off onto Kyrene. He also felt that the home price range of the development would not fit in with the surrounding area.

Betty Garcia-Pendly - expressed concern over access to Kyrene and increased traffic and did not think that development fit into surrounding neighborhood.

Clinton Maxwell, Tempe, questioned the accuracy of the applicant's traffic assessment as well as Mr. Dresang's, the number of cars during peak time will increase. Mr. Maxwell stated he would like to see a proposal that better fit the neighborhood.

Vice Chair Kent asked Mr. Maxwell what he thought of the development to the east. Mr. Maxwell stated that a density of R1-4 or 8 dwelling units per acre was more appropriate.

Bruce Martin, Tempe, co-chair of Pepperwood Estates Neighborhood Association, expressed concern over traffic increase and the safety of students at the nearby elementary schools with increased cut through from this site. He requested a proposal that would better preserve the neighborhood character with a lower density.

Pat Henderson, Tempe, did not wish to speak on the case, expressed concern over increased traffic.

Jami Peterson, Tempe, did not wish to speak on the case and had included a letter which had been included in the packets given to the Commission.

With no one else wishing to speak on the case, Chair Webb closed the hearing to public comment.

Ms. Duplessis and Mr. Hogan approached the podium to address the public concerns. They explained that they had exhausted all other options to create access routes to the development. They also explained that water drainage requirements would be met. The real estate market at the time of construction would ultimately determine the price of units. Ms. Duplessis then explained that earlier traffic calming options such as speed humps were discussed with the neighbors at the first meeting and met with mixed feelings.

The Commission discussed the project amongst themselves. Commissioner Spears, being guided by the General Plan 2030 and 2040 expressed support for the development. Commissioner Tinsley expressed that she believed the developer has been very accommodating to the neighboring residents. Vice Chair Kent believed the site has challenges being locked in, and thinks that there is too much going into too small of an area. Commissioner Barger appreciated many of the design elements, but questioned how the density designation for this parcel was determined based on the limited access created by the property owner's prior development of the surrounding area; he felt the density was too high for the access available to the site. Chair Webb, referencing the General Plan and expressed support of the project. Commissioner Thornton believes that the project density was too high for this location.

Commissioner Collett then made a motion for approval, which was seconded by Commissioner Tinsley, and the motion passed with a vote of 5-2, Commissioner Thornton and Vice Chair Kent in dissent.

The meeting was adjourned at 8:05 p.m.

Prepared by: Steve Nagy, Administrative Assistant II
Reviewed by: Diana Kaminski, Senior Planner



Diana Kaminski, Senior Planner