

Minutes of the Development Review Commission March 26, 2019

Minutes of the regular hearing of the Development Review Commission, of the City of Tempe, was held in Council Chambers 31 East Fifth Street, Tempe, Arizona

Present:

Chair David Lyon
Vice Chair Michael DiDomenico
Commissioner Scott Summers
Commissioner Thomas Brown
Commissioner Don Cassano
Commissioner Philip Amorosi
Commissioner Andrew Johnson
Alt Commissioner Michelle Schwartz (in audience)

City Staff Present:

Chad Weaver, Director, Community Development
Ryan Levesque, Deputy Director, Community Development
Suparna Dasgupta, Principal Planner
Steve Abrahamson, Principal Planner
Diana Kaminski, Senior Planner
Dalton Guerra, Planning Technician
Christopher Ray, Administrative Assistant I

Absent:

Alt Commissioner Barbara Lloyd
Alt Commissioner Angela Thornton

Hearing convened at 6:00 p.m. and was called to order by Chair Lyons

Consideration of Meeting Minutes:

- 1) Study Session and Regular Meeting – To be continued a later date

Motion: Motion made by Commissioner DiDomenico to **Continue** the approval of the minutes from February 12, 2019 to a later date. Seconded by Commissioner Summers.

Ayes: Chair Lyon, Vice Chair DiDomenico, Commissioners Cassano, Summers, Johnson, Amorosi and Brown

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

The following items were considered for **Consent Agenda**:

2. Request a Use Permit to allow a second-hand store for **ZIA RECORD EXCHANGE** in the PCC-1 (Planned Commercial Center) zoning district located at 3201 South Mill Avenue. The applicant is Zia Enterprises Inc. **(PL190020)**
3. Request two Use Permits to allow a massage establishment and a fitness facility in the GID (General Industrial District) for **FAMILY FITNESS FORUM**, located at 1500 NORTH PRIEST DRIVE. The applicant is Family Fitness Forum. **(PL190031)**
4. Request a Use Permit to allow live entertainment for **JOLLOF KING**, located at 325 West Elliot Road, Suite 103. The applicant is Jollof King. **(PL190027)**

Motion: Motion made by Vice Chair DiDomenico to **Approve** items on the Consent Agenda. Seconded by Commissioner Cassano.

Ayes: Chair Lyon, Vice Chair DiDomenico, Commissioners Cassano, Sumners, Johnson, Amorosi and Brown

Nays: None

Abstain: None

Absent: Commissioners Schwartz and Lloyd

Vote: 7-0

The following items were considered for **Public Hearing:**

5. Request a Use Permit Standard for front yard setback reduction from 20' to 16' and a Development Plan Review for a new three-story, 6-unit attached single-family residential development for **KHAN ON SPENCE**, located at 1117 East Spence Avenue. The applicant is Palmer Architects, Ltd. (**PL180037**)

Staff Presentation:

Diana Kaminski, Senior Planner, gave a brief overview of the project. There is a condition that addresses the relocation of the private irrigation line. They need to work with the private owners of that line prior to decommissioning it for relocation to make sure it meets the standards for water flow connection back to the existing infrastructure. Ms. Kaminski did receive an email communication from a resident who was concerned about on-street parking on Rita and maintaining the irrigation line on this lot. SRP has been contacted regarding requirements for takedown of that line during the dry up period. There are times of year where the line is taken down for maintenance and they would like to coordinate it with that time. With regard the parking on Rita Lane, due to the narrowness of Rita Lane they are restricted to on-street parking on the east side only, which is the side the proposed project is on. This is street is permit parking. Another resident also contacted Ms. Kaminski today regarding the narrowness on Rita Lane and access to this new drive, however because of the narrowness of the lots the applicant could not accommodate a drive off of Spence. Traffic Engineering has reviewed the location of the entrance drive proximity to Spence and they are okay with that location. Another concern was regarding parking. Ms. Kaminski indicated these were single family attached product and they will have property lines. Single family requirement is for two parking spaces per unit. This is been provided by applicant. Two unique conditions of approval are for the irrigation line mentioned previously and that when they relocate the irrigation line they will need to record an easement for the irrigation lines. Staff is recommending approved.

Applicant Presentation:

Ms. Jennifer Sandstrom, Palmer Architects, introduced herself to Commission and gave a brief overview of the project. She indicated that she traveled the neighborhood around the project during rush hour, in the middle of the day, and during the evening to see how much traffic was there and that it was very minimal. She adapted the color scheme for the project to tie in with the surrounding buildings. Ms. Sandstrom went over the site plan and inquired of staff why another parking space could not be added off Spence on the right-hand side. Ms. Kaminski clarified that it is due to set-back requirement for parking. Commissioner Sumners asked what the additional 10-foot dedication of right-of-way will be used for. Ms. Kaminski stated it would contain a landscape strip, sidewalk and that the refuse containers will be stored on the landscape strip.

Public Comment:

Mr. Jeff Hanson, Tempe resident, stated that he had lived on and off Rita Lane for over 30 years. His main concern is the narrowness of the road. He drives in and out of there every day and if they are going to allow parking on Spence it will get very hairy. If there are cars parked on the south side of Spence, you cannot see clearly and will have to inch out. He said there is another construction project to build 14 small homes at the end of Rita Lane and this will add a lot of traffic. He is also concerned that those performing the irrigation move may not have enough expertise to do it correctly.

Ms. Mary Abata, Tempe resident, stated she has lived in the area for her entire life, 51 years. She is one of the owners of the irrigation line and she shares Mr. Hanson's concern that the move will not be done correctly. She is also concerned about the traffic from the added residents of this project and the small houses project. The street is very narrow and if a car is parked on the street there is only one space to get by. Spence Avenue is already very deteriorated, but the City says it is not scheduled for repair any time soon.

Chair Lyons asked Ms. Kaminski to come back to the podium to answer a couple of questions. Ms. Kaminski clarified that she is also the planner on the tiny houses project. She indicated that project has gone through a neighborhood meeting, but they have not gone through the approval process yet. She is waiting for them to resubmit. She has been working very closely with Fire and refuse about the concerns with the width of the street and making sure there is enough room at the end of the street to turn around. Commissioner Brown requested that if this project passed he would like to see the sidewalk at the corner area at grade. Currently it is a square-pointed curb. Vice Chair DiDomenico indicated that the parking was a traffic engineering issue as it is a right-of-way, so it is not a condition of approval for this case. He asked if it was possible to do away with some of the landscaping and build a driveway off of Spence. Ms. Kaminski informed him that they would not be allowed to have that many driveways on Spence. Commissioner Amorosi brought up the residents concerns and asked if taking out Unit #2 or #3 was a possibility. This way they could get out on Spence instead of Rita Lane. Commissioner Johnson asked how many parking permits, if allowed, would be allotted per household for the new units. Ms. Kaminski stated they would have to re-evaluate to see if there was a possibility for new permits based on the limited parking capacity. He asked if the 10-foot setback on Rita Lane would allow for future street widening. Ms. Kaminski stated that if Traffic Engineering wanted to widen the street in the future they would need to shift the sidewalk and landscape further east, then the refuse would go on the street. He inquired as to who owned the irrigation lines. It is owned by the users of the pipeline. Commissioner Sumners asked what would happen if the Commission did not grant the Use Permit Standard and the setback would have to remain at 20 feet. Ms. Kaminski said the setback was so they could include sidewalks and small private yards. If not granted, the units would have to shift south and there would be no exiting to those units on the south side. Chair Lyons asked if the house currently on that property was on any historic registry and Ms. Kaminski indicated it was not. Vice Chair DiDomenico asked when the small house project would come before the Commission and was advised it would be about a month or two.

Applicant Response:

Commissioner Amorosi asked Ms. Sandstrom if she would be amenable to taking out Unit #2 or #3 so drivers could get out on Spence. She did not feel like this would be a good solution. She responded to the comments made by the residents about the irrigation and stated they would provide the residents with the information and be sure to coordinate the date with them.

Commission Comments:

Commissioner Amorosi stated he felt this project was designed poorly and seems to be based on cramming as much as you can into a small space. He cannot support the project. Vice Chair DiDomenico said he prefers the driveway exiting off the side street, Rita Lane instead of Spence Avenue. Chair Lyon feels the site plan does work and will be supporting it. Commissioner Sumners is not completely pleased with the project but is pleased that the sidewalks are being put in and pedestrians are being put first over traffic. He will support the project.

Motion: Motion made by Commissioner Cassano to **Approve** PL180037 with the stipulation that the applicant provide appropriate radius at the guest parking curb. Seconded by Vice Chair DiDomenico.

Ayes: Chair Lyon, Vice Chair DiDomenico, Commissioners Cassano, Sumners and Johnson

Nays: Commissioners Amorosi and Brown

Abstain: None

Absent: None

Vote: 5-2

Staff Announcements:

Suparna Dasgupta, Principal Planner, stated that the April 9, 2019 meeting has been cancelled so the next meeting will be April 23, 2019. She thanked Christopher Ray for his help with the DRC while he has been performing his new job. He will now be working full-time at the Permit Counter and a new Administrative Assistant, Joanna Barry, will be starting on April 2, 2019.

There being no further business the meeting adjourned at 6:58 pm.

Prepared by: Joanna Barry
Reviewed by: Suparna Dasgupta

A handwritten signature in cursive script, appearing to read 'Suparna Dasgupta', written in blue ink.

Suparna Dasgupta, Principal Planner, Community Development Planning