

MINUTES OF THE DEVELOPMENT REVIEW COMMISSION APRIL 24, 2012

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)

Commissioner's Present:

Mike DiDomenico, Chair
Dennis Webb, Vice Chair
Monica Attridge
Tom Oteri
Peggy Tinsley
Kolby Granville
Dave Maza

Commissioner's Absent:

Paul Kent
Nick Miner
Jim Delton

City Staff Present:

Lisa Collins, Interim Community Development Director
Ryan Levesque, Senior Planner
Kevin O'Melia, 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 Item No. 2 would be heard, Item No. 3 would be continued and Item No. 4 could be recommended for approval on the Consent Agenda.

1. CONSIDERATION OF MEETING MINUTES: March 27 & April 10, 2012

On a motion by Commissioner Tinsley and seconded by Commissioner Attridge, the Commission with a vote of 5-0 (Commissioners Webb and Maza abstained) approved the minutes of March 27, 2012.

On a motion by Commissioner Tinsley and seconded by Commissioner Maza, the Commission with a vote of 6-0 (Commissioner Attridge abstained) approved the minutes of April 10, 2012.

CONSENT AGENDA

On a motion by Commissioner Tinsley and seconded by Commissioner Attridge, the Commission with a vote of 7-0 approved the Consent Agenda as follow:

3. Request for **ASH PROPERTY RESURRECTION (PL110362)** (Irene Menting, Ash Property Resurrection LLC, property owner; James Hann, James Hann Design, AIA, applicant) consisting of a court yard residential community of eight units on a +/-0.46 acre site including an existing one-story freestanding unit, a proposed two-story freestanding unit and a three-story building containing six units. The site is located at 959 South Ash Avenue in the R-3, Multi-Family Residential Limited District. The request includes the following:

DPR12002 – Development Plan Review including site plan, building elevations and landscape plan.

ZUP12004 – Use Permit Standard to increase by ten (10) percent the maximum allowable building height from thirty (30) to thirty-three (33) feet.

ZUP12005 – Use Permit to allow tandem parking.

THIS CASE WAS CONTINUED TO THE MAY 22, 2012 MEETING

4. Request for **WEXLER (DESKIN/WAGNER) HOUSE (PL120017)** (Mike Deskin & Jan Wagner, property owner/applicant) consisting of the historic designation and listing in the Tempe Historic Property Register one (1) lot on approximately 0.21 acres, located at 1215 South Maple Avenue, in the R-2, Multi-Family Residential. The request includes the following:

HPO12001 (Ordinance No. 2012.05) – Historic Property Designation consisting of one (1) lot on approximately 0.21 acres.

STAFF REPORT: [DRCr WexlerHouse 042412.pdf](#)

THIS CASE WAS RECOMMENDED FOR APPROVAL

REGULAR AGENDA

2. Request for **GRACIE'S VILLAGE (PL110282)** (Jeff Brosman, Grace Community Church of the Valley, property owner; Francis J. Slavin, Esq., Law Offices of Francis J. Slavin, PC, applicant) consisting of a four (4) story mixed-use commercial and residential development including +/-13,035 sf. Gracie's Thrift store and fifty (50) dwelling units with program support and amenity spaces, +/-93,718 sf. overall on +/-1.984 acres, located at 1520 East Apache Boulevard in the CSS (TOD) Commercial Shopping and Service District and Transportation Overlay District (Corridor). The request includes the following:

ZON12001 – (Ordinance No. 2012.16) Zoning Map Amendment from CSS, Commercial Shopping and Service District to MU-3, Mixed-Use, Medium-High Density District. The TOD, Transportation Overlay District shall remain without change.

PAD12001 – (Ordinance No. 2012.16) Planned Area Development Overlay to establish development standards for building height, building setbacks, building lot coverage and landscape lot coverage.

DPR12004 – Development Plan Review including site plan, building elevations and landscape plan.

THIS CASE WAS CONTINUED FROM THE MARCH 27 & APRIL 10, 2012 MEETINGS

STAFF REPORT: [DRCr_GraciesVillage_042412.pdf](#)

This case was presented by Kevin O'Melia and represented by Francis J. Slavin, esq., the applicant, and Barbara Berastegui, the architect.

Mr. O'Melia made a presentation which included a description of the requests before the Commission.

Mr. Slavin gave a brief presentation which included a description of the work of the development, Gorman and Company, and a description of the evolution of the project.

Ms. Berastegui gave a presentation on the architectural aspects of this project.

Brian Swanson, Gorman and Company, spoke to Commissioner's concerns regarding height on the north side of the project and density.

Commissioner Granville questioned whether the property does or could have a crime free multi-housing designation.

Mr. O'Melia stated the two locations in the report which addresses his concern.

Mr. Dan Clark from Dunlap and McGee, the management company, also spoke as to what they require in order to manage the property and what measures need to be taken to implement a crime free multi-housing program.

Chair DiDomenico opened the hearing to public input.

Fifty-eight (58) citizens spoke or had their comments read into the record. Twenty-two (22) of the speakers and six (6) readers were in opposition. Seventeen (17) of the speakers and thirteen (13) readers were in support.

A summary of comments in opposition included the following. 1) The building is too tall. There is an inappropriate disparity between the four story building and an adjacent one story historic, residential neighborhood. 2) It is inappropriate to propose 25 dwelling units per acre for an MU-3 (PAD) (TOD) corridor district which is beyond the 20 dwelling units per acre allowed in the existing district of CSS (TOD) corridor, 3) It is inappropriate to propose a post-submittal reduction of units from sixty-five to fifty (65 to 50) without an accompanying overall bedroom reduction and no building height reduction or size reduction. The overall bedroom reduction from one-hundred-thirteen to one-hundred-ten (113 to 110) is inadequate. 4) Insufficient time was given for the public to review the revised submittal. 5) Parking is deficient in quantity and the project will add to cut-through traffic and on-street parking in the adjacent neighborhood. 6) The project funding is inappropriate.

A summary of comments in support included the following. 1) The project addresses a city-wide deficiency of work-force, affordable housing. 2) The project density is supported by the presence of the light-rail transit line and adds value to the emerging Apache Boulevard Corridor. 3) Site layout and building form maximizes the setback from building to adjacent neighborhoods to the north and northwest of the site. 4) Design and construction quality will be high due to the leadership in energy efficient design-gold standard that is sought for the project. 5) The project serves the disabled community. Based on existing track record of this Developer, all units will be designed to be accessible to persons with disabilities. The proximity of the project to the light-rail system fosters independence including an increase in work options for persons with disabilities. The general provision for persons with disabilities that is provided is community-oriented design in the largest sense.

Chair DiDomenico closed the meeting to public input.

Mr. Slavin returned to address public concerns. He indicated that the approved General Plan allows for the proposed density. He also indicated that the developer has worked to alleviate the neighbor's concerns by stair stepping the elevation on the north, moving the building as far south as possible and creating landscape buffers. He stated that he feels it's a great project and one that is in high demand.

Commissioner Oteri and Commissioner Tinsley questioned Mr. Slavin in regards to the neighborhood's concerns involving a "bait and switch" pertaining to the number of beds/units.

Mr. Slavin stated that with a project of this size and the number of meetings that have occurred there is always the possibility of miscommunication but feels that the developer has made an extraordinary effort to work with the neighbors and keep communication open but indicated there had been no "bait and switch".

Mr. Slavin also indicated that decreasing quantity of the bedrooms was never an option and never discussed. The developer has tried to bring this project down to fifty units to make it feasible.

Commissioner Tinsley questioned this project being placed in a medium density area and the zoning of 20 units per acre in the TOD corridor.

Mr. Slavin stated there has to be the right number of circumstances for this project to work. Gorman and Company needed a partner and approached the church. The design on this site does buffer the neighborhood and provide transition from Apache Boulevard to the neighborhood. He also indicated that they are within walking distance of the TOD-station area zoning which is 25 units per acre.

Ms. Collins clarified that the current zoning is calling for 20 dwelling units per acre, but the General Plan allows a maximum of 25 dwelling units per acre. The applicant is requesting a rezoning that is in conformance with the maximum density allowed by the General Plan.

Vice Chair Webb questioned Mr. Slavin in regards to Condition 33, which deletes 12 balconies from the south side, and whether this would or would not be a deal breaker.

Mr. Swanson indicated it would not, but they would like to keep the balconies in the design and believe it will make those units more livable and make for a better project overall.

Commissioner Oteri stated that he supports the case.

Commissioner Granville stated he feels it's an excellent project but will side with the surrounding community.

Commissioner Attridge agreed with Commissioner Granville and cannot support the project.

Vice Chair Webb stated that he feels it's a great and much needed project and Apache Boulevard is just recently begun to be redeveloped and is need of these types of projects.

Commissioner Tinsley stated she feels it's a good project and sympathizes with the neighbors and is undecided at this time.

Chair DiDomenico stated he feels much like the other Commissioners and is torn. He sympathizes with the neighborhood but knows it's a much needed project. He also stated that he likes this project and wishes that it could have been possible to place it someplace other than on the frontage of the neighborhood and that it could have been brought through the system differently, but overall is supportive of the case.

On a motion by Commissioner Oteri and seconded by Vice Chair Webb, the Commission with a vote of 4-3 (Commissioners Attridge, Tinsley and Granville opposed) recommended approval of the Zoning Map Amendment and Planned Area Development Overlay to City Council and approved the Development Plan Review with the removal of Condition No. 33.

5. ~~Request for **VILLAS AT SOUTH BANK (PL120046)** (City of Tempe, property owner; Michel Hebrant, MDT Development Partners LLC, applicant) consisting of 262 units within a 17-story senior living facility (including assisted living and memory care components) and a 2-story commercial building, totaling 367,896 sf. in building area on 2.23 net acres, located at 1122 East Vista Del Lago Drive in the MU-4 (PAD), Mixed-Use High-Density District with a Planned Area Development Overlay and the Rio Salado Overlay District. The request includes the following:~~

~~**PAD12002 (Ordinance No. 2012.23)**—An Amended Planned Area Development Overlay to establish development standards of 118 dwelling units per acre; a maximum building height of 211'-0"; reduce the required vehicle parking from 458 to 187 spaces, and reduce the required bicycle parking from 182 to 53 spaces.~~

~~**ZUP12025**—Use Permit to allow tandem parking.~~

~~**DPR12032**—Development Plan Review including site plan, building elevations and landscape plan.~~

PULLED FROM THE AGENDA BY CITY STAFF

6. **ANNOUNCEMENTS** – No announcements.

The meeting was adjourned at 10:20 p.m.

Prepared by: Lisa Novia, Administrative Assistant II

Reviewed by: Lisa Collins, Interim Director Community Development Department

Lisa Collins, Interim Director, Community Development Department