



Minutes of the Development Review Commission REGULAR MEETING May 24, 2022

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

Present:

Chair Michael DiDomenico
Vice Chair Steven Bauer
Commissioner Scott Sumners
Commissioner Don Cassano
Commissioner Philip Amorosi
Commissioner Barbara Lloyd
Commissioner Michelle Schwartz

Absent:

Alt Commissioner Linda Spears
Alt Commissioner Rhiannon Corbett
Alt Commissioner Charles Redman

City Staff Present:

Ryan Levesque, Deputy Director, Community Development
Suparna Dasgupta, Principal Planner
Steve Abrahamson, Principal Planner
Ambika Adhikari, Principal Planner
Jill Buschbacher, Economic Development Program Manager
Lee Jimenez, Senior Planner
Obenia Kingsby, Planner II
Lily Drosos, Planner I
Joanna Barry, Administrative Assistant II

Hearing convened at 6:11 p.m. and was called to order by Chair DiDomenico

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

1. Request a Development Plan Review for a new four-story, multi-family development consisting of 289 units for **BROADSTONE AT THE GRAND PHASE II**, located at 1013 West Washington Street. The applicant is Gammage & Burnham, PLC. (PL220023)
2. Request a Development Plan Review for two new buildings totaling 42,736 44,287 square feet, with a maximum building height of thirty-five (35) feet for **TEMPE MUNICIPAL OPERATIONS CENTER – PHASE 1**, located at 2090 West Rio Salado Parkway. The applicant is DWL Architects + Planners, Inc. (PL220064)
3. Request a Development Plan Review to allow a new single-story restaurant for **SCOOTER'S COFFEE**, located at 8775 South Priest Drive. The applicant is VIP Limousine. (PL220098)
4. Request a Use Permit Standard to increase the maximum building height for a detached accessory building for the **TURLEY RESIDENCE**, located at 9108 South Dromedary Drive. The applicant is Thomas Turley. (PL210359)
5. Request a Use Permit to allow a bar for **CATALYST CRAFTED ALES**, including a brewery with taproom, located at 1845 East Broadway Road, Suite No. 106. The applicant is Catalyst Crafted Ales, Inc. (PL220060)

Motion: Motion made by Commissioner Cassano to approve Consent Agenda and seconded by Commissioner Amorosi.

Ayes: Chair DiDomenico, Vice Chair Bauer, Commissioners Cassano, Sumners, Amorosi, Schwartz, and Lloyd.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

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

6. Request a General Plan Land Use Map Amendment from Public Open Space to Mixed-Use and Density Map Amendment from No Density to High Density-Urban Core (more than 65 du/ac); a Zoning Map Amendment from GID and R1-6 to CC; a Planned Area Development Overlay to establish development standards; and a Development Plan Review for a new 14-story office building with ground floor commercial for **250 RIO**, located at 250 West Rio Salado Parkway. The applicant is Gammage & Burnham P.L.C. (**PL210130**)

* **Commissioner Redman replaced Commissioner Schwartz as she recused herself from this agenda item #6**

PRESENTATION BY APPLICANT:

Ms. Manjula Vaz, Gammage & Burnham P.L.C., gave a brief overview of the applicant's request. Since they last spoke to the Commission on this project, they have been working with the City and the Veterans Commission to also make this a portion of Phase II of the Veterans Memorial. They have also been to the Historic Preservation Commission regarding the Ash Avenue roadbed.

Mr. Mike Duffy, RSP Architects, stated the historic context is essential to their project since it is immediately adjacent to Ash Avenue. Since day one they have been treating Ash Avenue as a front door. Rio Salado Avenue is very vehicle focused so they have made Ash Avenue their pedestrian focus. They hope that the rehabilitation of Ash Avenue will make a gateway to not only their project, but also the park. The site is currently in a rough state as it has sat unused for many years. He proceeded to go over the proposed landscape plan for the site and the overall site plan.

Commissioner Sumners complimented the architecture, but his concern is for the future pedestrian side along Rio Salado Parkway. He asked for additional information regarding the concrete along the west edge of Rio Salado Parkway. Mr. Duffy referred to one of the renderings and described how it would wrap around and give varied appearance of the garage based on location. They also plan to provide a lot of shade along this area. Commissioner Sumners also asked if Ash Avenue is controlled by the site or if it was a public right-of-way. Ms. Vaz stated that Ash Avenue is a public right-of-way, so they are working through a development agreement with the City of Tempe. The City will continue to own Ash Avenue and the developer will maintain it. The City Council will be approving the roadbed improvements. Commissioner Sumners noted that when you have a long corridor like that people can feel trapped, so it would be a good idea to have security and control what happens in that space.

Vice Chair Bauer asked the applicant about the sail shades and their longevity, color characteristics, and how often they will need to be replaced, especially considering the heat. Mr. Duffy stated that any material they use will be vetted for its longevity and use. They will not be proposing something with a need for high frequency replacement. They will choose something that is color fast and stands up to UV.

Commissioner Lloyd appreciated that they are addressing the western side of the development at Ash Avenue and Rio Salado Parkway. She noted that the package refers to activation and asked how the developer plans to operate the building to really promote activation. In terms of the retail space, she asked how they plan to get a tenant in there so that there is not 4,000 square feet of vacant space sitting empty. Mr. Duffy stated that they have left some flexibility in the layout of the space so that it supports a variety of different uses. They feel good about getting the right use for that square footage. As it is designed right now, it could work well as a retail use or some smaller office use for activation.

Commissioner Amorosi referenced some of letters that were received regarding this project, specifically one from the State Parks Director, David Jacob. He understands that they did a shade study but asked if they have also conducted a study to see if the sun blocks the petroglyphs on the mountain. Mr. Duffy showed the Commission some diagrams of the existing impact to views and what their building would do. An area immediately to the west of their building would be impacted as well as some areas around the west by the Tempe Performing Arts Center. Commissioner Amorosi also referenced the letter from the Salt River Pima County Indian Community regarding what landscape items are native vs. invasive. The letter noted the applicant wanted to plant Joshua trees, which they indicated would not survive in the desert. Mr. Richard Gehrke, with Grey Pickett, advised the plan includes a lot of native plant type materials. All of them are Arizona Department of Water Resources (ADWR) approved. He advised they do have Joshua trees on the plan and have used them before. Commissioner Amorosi asked if he thought they would survive, and Mr. Gehrke advised they would. He stated they are also on the ADWR approved list.

Commissioner Redman referenced one of the applicants slides and noted that it does not show any of the buildings that are currently under construction now on Farmer Avenue. Mr. Duffy stated that there are additional buildings that will be developed in the area and that the image on the slide is based off their last drone image. Regarding activation, Commissioner Redman asked if they also have activities planned to draw people in. Ms. Vaz stated that they have talked to the City about partnering on what they can do to incorporate some activities going on at the park, especially on the weekends.

Chair DiDomenico referenced the slide regarding the realignment of Ash Avenue and asked what the light, tan rectangles represented. Mr. Duffy advised that is the repaving that will be done in intermittent colored concrete as well as some aggregate-colored concrete to tie into the river rocks of the bleachers. The smaller squares are proposed cutouts in the new improvements where you can actually see the historic roadbed itself. This will not be a trip hazard as they are not tree wells.

PRESENTATION BY STAFF:

NONE

PUBLIC COMMENT:

NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Chair DiDomenico stated he loves the project. He does, however, believe the definition for mixed-use needs to be redefined. He noted for the public that this case will be moving on to the City Council for final consideration.

Motion: Motion made by Vice Chair Bauer to approve PL210130 and seconded by Commissioner Cassano.

Ayes: Chair DiDomenico, Vice Chair Bauer, Commissioners Cassano, Sumners, Amorosi, Lloyd, and Redman.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

Commissioner Schwartz resumed her position as a voting member prior to hearing resuming for agenda item #7.

Both items #7 & #8 were presented at one time, but voting was conducted separately.

7. Request a recommendation for **SMITH INNOVATION HUB DESIGN GUIDELINES** dated May 2022. The Smith Innovation Hub generally encompasses the lands bounded by University Drive, Price Road, Rio Salado Parkway, and McClintock Drive. The applicant is the City of Tempe. **(PL220117)**

PRESENTATION BY STAFF:

Ms. Jill Buschbacher, Economic Development Program Manager, advised they had spoken briefly with the Commission on this item in a high concept mode about these projects, and now they are here as the Commission has now had a chance to review the actual documents. The guidelines are advisory documents, not regulatory. They are not meant to displace existing businesses.

Mr. Ambika Adhikari, Principal Planner, advised the Commission that they came before them during the previous month's Study Session to introduce the documents. Since then, they have presented it to the City Council, who were very pleased and supportive of the idea. Architekton has been working with them for the past nine months, and they have also been going out to the public for input. They also presented the documents to various commissions to receive their input. Mr. Adhikari then provided the Commission with a brief look at the guideline documents. Both documents became public on May 17, 2022.

Commissioner Cassano commended them on the effort and time that went into the process.

Commissioner Amorosi noted that the guidelines show urban core density along the Rio Salado and McClintock corner. He is not sure why they are putting urban core density into an area that is not part of the urban core. He does not understand why it cannot all be medium and high density. Mr. Adhikari advised that this map is from the General Plan Amendment that was approved in 2019, and the density was already existing at that time. The density is not part of the design guidelines, but rather a reflection of the density that is there currently.

Commissioner Amorosi noted that it looks like Perry Lane is being neglected. There are concentrations on Smith Road such as a bike lane along with activation, but he does not even see sidewalks on Perry Lane. Ms. Buschbacher noted that in the Smith HUB Infrastructure Plan that was approved by the City Council in March, there are some conceptual plans to make improvements to Perry Lane and funds to make some improvements within the HUB. They will initially focus on Smith Road and that is currently in the design phase, and the funding for it is being considered by City Council during this funding cycle. They hope to receive funding to provide similar improvements along Perry, as listed in the infrastructure plan.

PUBLIC COMMENT: NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Commissioner Sumners stated that he appreciates the outreach and the amount of feedback received from the public. It is clearly a grassroots effort, and it shows in the documents. He also appreciates the focus on sustainability and green buildings that does not focus on getting a plaque on the wall.

Motion: Motion made by Commissioner Sumners to approve PL220117 and seconded by Commissioner Amorosi.

Ayes: Chair DiDomenico, Vice Chair Bauer, Commissioners Cassano, Sumners, Amorosi, Lloyd, and Schwartz.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

8. Request a recommendation for **BROADWAY MAKER DISTRICT DESIGN GUIDELINES** dated May 2022. The Broadway Maker District generally encompasses the lands bounded by Southern Avenue, Kyrene Road alignment, Broadway Road Parkway, and Priest Drive. The applicant is the City of Tempe. **(PL220118)**

PRESENTATION BY STAFF:

Items #7 & #8 were presented at the same time

Ms. Buschbacher stated that both documents are quite similar. They are different areas that each have different needs. She noted that for the Smith Innovation HUB, the General Plan Amendment only applies to Smith Road to Rio Salado Parkway. For the Broadway Maker District, it applies to the entire area.

Commissioner Amorosi asked who owns the old rail spurs and Ms. Buschbacher advised they are still primarily owned by the railroad. He asked how they plan to address repurposing them. Ms. Buschbacher advised that it will certainly take some partnering and some time. Commissioner Amorosi noted that in the Broadway Maker District it is all medium density and asked why they do not take advantage of high density in the core to lead into the art park since it is not surrounded by any neighborhoods. Mr. Adhikari emphasized that the density was based on the 2019 General Plan Amendment, and the design guidelines cannot go back and change them.

Motion: Motion made by Commissioner Amorosi to approve PL220118 and seconded by Commissioner Cassano.

Ayes: Chair DiDomenico, Vice Chair Bauer, Commissioners Cassano, Sumners, Amorosi, Lloyd, and Schwartz.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

9. Request for a code text amendment for **MARIJUANA INFUSION TEXT AMENDMENT**, consisting of changes within Section 3-426 – Marijuana, and other sections within the Zoning and Development Code, to allow alternate separation requirements for marijuana infusion facilities, including updates to the land use tables and related definitions. The applicant is Gammage & Burnham. **(PL220083)**

PRESENTATION BY APPLICANT:

Mr. Michael Maerowitz, Gammage & Burnham P.L.C, asked the Commission if they would like the full presentation, or would prefer to just ask question. The Commission agreed to the latter.

PRESENTATION BY STAFF:

Ms. Suparna Dasgupta, Principal Planner, stated that the text amendment basically introduces a new land use into the land use table, it adds a section for facilities (basically manufacturing) which were allowed with cultivation at the time. The passing of the Marijuana Initiative in 2020 allowed it to separate the infusion and/or manufacturing from cultivation. You could have cultivation and manufacturing in the same place, but now you have more parcels available for the purpose of manufacturing and infusion purposes. This text amendment also allowed the City to clean up some of the definitions, partly because the City introduced a new definition for infusion facilities and because the medical for cultivation is redundant.

Chair DiDomenico noted that the City of Tempe is not the first to tackle with this issue.

Commissioner Sumners appreciated the straightforward language in the report and how it was put together.

Commissioner Amorosi noted that if the City Council approves this it could be a new business in the Smith Innovation HUB according to the map.

PUBLIC COMMENT: NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION: NONE

Motion: Motion made by Commissioner Cassano to approve PL220083 and seconded by Commissioner Sumners.

Ayes: Chair DiDomenico, Vice Chair Bauer, Commissioners Cassano, Sumners, Amorosi, Lloyd, and Schwartz.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

Commission Announcements:

Vice Chair Bauer advised that this will be his last meeting as he will be moving out of state. He the City staff, Council Members. Commission members expressed their gratitude for his commitment to the City over the past several years.

Staff Announcements:

Ms. Dasgupta expressed the City's gratitude to Vice Chair Bauer.

Ms. Dasgupta advised the Commission that the next meeting will be June 28, 2022.

There being no further business the meeting adjourned at 7:26 p.m.

Prepared by: Joanna Barry, Administrative Assistant II

Reviewed by: Suparna Dasgupta, Principal Planner

A handwritten signature in blue ink, appearing to read 'Suparna Dasgupta', is located below the text of the Principal Planner.