



Minutes of the Development Review Commission REGULAR MEETING May 10, 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

City Staff Present:

Ryan Levesque, Deputy Director, Community Development
Suparna Dasgupta, Principal Planner
Steve Abrahamson, Principal Planner
Diana Kaminski, Senior Planner
Lee Jimenez, Senior Planner
Karen Stovall, Senior Planner
Obenia Kingsby II, Planner II
Ty Templeton, Planning Technician
Joanna Barry, Administrative Assistant II

Absent:

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

Hearing convened at 6:06 p.m. and was called to order by Chair DiDomenico

Consideration of Meeting Minutes:

- 1) Development Review Commission – Study Session 04/12/22
- 2) Development Review Commission – Regular Meeting 04/12/22

Motion: Motion made by Commissioner Cassano to approve Regular Meeting minutes and Study Session Meeting minutes for April 12, 2022 and seconded by Commissioner Amorosi.

Ayes: Chair DiDomenico, Vice Chair Bauer, and Commissioners Schwartz, and Amorosi

Nays: None

Abstain: Commissioners Cassano, Sumners, and Lloyd

Absent: None

Vote: Motion passes 4-0

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

- 3) Request a Development Plan Review for a new one-story, 8,800 square-foot recreation center, community pool, and other improvements for **TEMPE CLARK PARK**, located at 1730 South Roosevelt St. The applicant is Dig Studio, Inc. (PL220042)
- 4) Request a Development Plan Review for a new 17,677 SF two story Fire Station consisting of 6 apparatus bays and support areas for **TEMPE FIRE STATION NO. 2**, located at 3031 South Hardy Drive. The applicant is LEA Architects LLC. (PL220095)

- 5) Request a Use Permit to allow an animal kennel (Dog Boarding Facility) for **DOGTOPIA OF TEMPE**, located at 1709 East Broadway Road. The applicant is Withey Morris, PLC. (PL220011)
- 6) Request a Use Permit Standard to reduce the side yard setback from 7' to 5'6" for an addition to an existing single-family residence for **EDWARDS RESIDENCE**, located at ~~7823~~ 7832 South Stanley Place. The applicant is Abigail Scheel Architectural Services. (PL220040)

Motion: Motion made by Commissioner Sumners to approve Consent Agenda and seconded by Commissioner Lloyd.

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:**

- 7) Request a General Plan Projected Residential Density Map Amendment from "Medium to High Density (up to 25 du/ac)" to "High Density (up to 65 du/ac)"; and a Zoning Map Amendment from "R-4, Multi-Family General District" to "MU-4, Mixed-Use High Density District" for **RAMADA INN REZONING**, located at 1635 North Scottsdale Road. The applicant is the City of Tempe. No development is proposed at this time. (PL220055)

PRESENTATION BY STAFF:

Ms. Laughner advised that on January 13, 2021 the City Council gave the direction/approval to implement a City-initiated up-zoning process for potential redevelopment opportunities (Resolution No. R2022.12). The goal was for the City to initiate a rezoning/GPA on behalf of a property owner even if there was no project on site. This is a pilot process that will last for one year, then the City Council will evaluate the process. This process is restricted from being applied to historic designated or historic eligible properties.

The rationale for this process came after the Mayor received numerous complaints from residents in north Tempe, specifically around Scottsdale Road north of the 202. He has met with a lot of neighbors, and so has the Deputy City Managers, Economic Development, and various other City departments. On March 1st they opened a substation at the Apache Center on the west side of the road in an attempt to alleviate some of neighbor concerns. The Mayor also launched his Hometown for All initiative to provide affordable housing in the City.

When the up-zoning process began they looked at a lot of properties along Scottsdale Road, and the owner of the Ramada Inn expressed interest in the process. The owner initiated the process, and the City is assisting them along the way.

Chair DiDomenico asked about the ownership status of the property as it stands today and was advised that it is owned by Mr. Pham and his family. Chair DiDomenico asked if it was functioning as a Ramada Inn right now and was informed that it was not. Ms. Laughner stated that Mr. Pham has brought in security to help alleviate some of the residential complaints and it has been noticeable.

Commissioner Amorosi stated that according to the map they want to bring the site up to high density which is up to 65 du/ac, however they are asking for MU-4 designation which is unlimited density. He asked why they were not requesting MU-3 that does have a limit. Ms. Laughner advised that she worked on this with Planning, and it just seemed similar to a lot of the projects coming in as MU-4, and also since it is on an arterial road with a lot of traffic. Commissioner Amorosi asked if they were going to limit it up to the 65 du/ac even though they are requesting MU-4 and was advised that was their intention.

Commissioner Schwartz asked if this was the only project coming down, or anticipated to come in, this year through the pilot program. Ms. Laughner advised it is the only project so far, but they would like to see more.

Mr. Lee Jimenez, Senior Planner, stated he was assigned to foster the request through the public hearing process. He advised that should the resolution and ordinance be adopted, the project would still be required to go through another public process for public hearings and neighborhood meetings for the project itself, which is the design, and then to process the Planned Area Development to determine density. He advised that the density would be in limbo until it is developed.

A neighborhood meeting was held on April 6th virtually via Zoom and about 20 people attended, with the vast majority in support. 24 comments have been received by staff; 12 in support, two conditionally support, and 10 opposed. Just prior to this hearing he received another comment in opposition from the Indian Bend neighborhood stating concerns about the site. The site is on the southeast corner of Lilac and North Scottsdale Road. There are two parcels that are a part of this request. When the ordinance and resolution are approved, they will be MU-4. Mr. Jimenez clarified that the high-density category is up to 65 du/ac, however the high-density urban core is where you can exceed 65 du/ac+. During the public meeting and neighborhood meeting, they have been asked what the development would look like, and that is unknown at this time until there is a proposed development.

If the DRC recommends approval tonight, the first City Council hearing will be on May 26, 2022 and the second hearing on June 9, 2022.

Commissioner Lloyd asked why staff skipped over the high-density limited option in their request. Commissioner Lloyd noted that in her opinion, and in scaling with the neighborhood, instead of skipping over that and going from a low density to a high density, it should be one of the more moderate ones. Ms. Laughner stated that they chose the 65 du/ac as they were working with the property owner, and they knew that that made sense in that area. Mr. Ryan Levesque, Deputy Director – Community Development, advised they looked at what was being developed in the area and the two most recent projects were Banyan North Tempe which is around 45-50 du/ac, and Camden Hayden, which was a slightly higher density.

Commissioner Sumners asked what the maximum height is for what can be done now versus what is being proposed. Mr. Jimenez stated that for MU-4 zoning the maximum height would be decided through the PAD planning development process, and that the R-4 maximum height is 40 feet. Mr. Levesque stated that when this question has come up in their public meetings, they advise that it could be a four-story or five-story height.

Commissioner Amorosi stated that normally the Commission sees the zoning and the development at the same time, however now they are being asked to approve a rezoning without any vision going along with it and hope it is something the neighbors accept. Mr. Levesque agreed this is a little unusual and this is the first up-zoning request they are processing. He noted that the General Plan is what they use to foresee what goes in the area. Mr. Jimenez advised that staff recommended a condition in the staff report that states the following:

- 1. An application for Planned Area Development (PAD) and Development Plan Review (DPR) shall be made to the Community Development Department within two years of the date of City Council approval. If this condition is not met, the zoning of the property may revert to that in place at the time of application, or the applicant may request for an extension, pursuant to ZDC Section 6-305 F. 2. A. Any reversion is subject to a public hearing process as a zoning map amendment.*

Commissioner Schwartz asked if there was any issue with the hotel use in MU-4 and was advised there was not. Mr. Levesque stated that the hotel currently operates in legal, nonconforming due to the R-4 zoning designation, so today they could develop the property as an R-4, multi-family dwelling, up to 25 du/ac. The original entitlement for the site at that time allowed a hotel Use Permit so they are allowed to retain that current designation. If there is a substantial change or a desire to redevelop the site, they would have to come into conformance with the current zoning district which would trigger the PAD.

Commissioner Lloyd asked that if they approved 45 du/ac and in a couple of years someone comes back and wants to take it through the design review process and they would like to propose 60 du/ac, at that point in time they are going to ask for another amendment to this zoning to get it to a higher density. Mr. Levesque advised that if they wanted to seek a higher density than that they would have to seek a General Plan Amendment to that maximum density threshold.

PUBLIC COMMENT:

Ms. Darlene Justus, Tempe resident and member of the North Tempe Neighborhood association, stated that several years ago this area was referred to as the stepchild of Tempe. They even had trouble getting the Fire Department to come to the area if there were ASU games and events. One of the first things that helped them was a fire station that was built in north Tempe. They worked for over 10 years to get a multi-generational center next to Laird school. It took them years to also get Papago Park preserved. She stated the County island has been a neglected, crime-riddled area. Scottsdale Road has been going through years of degradation in north Tempe. The pandemic helped emphasize it as most activities moved inside. They have put in calls about the Ramada Inn and Motel 6. She acknowledges that the Ramada Inn has taken some efforts to address issues, but a lot remain. They have had to remove benches from the bus stops and the QT has an issue with panhandlers. There is jaywalking between Motel 6 and QT. They have a lot of affordable housing in Tempe, and most of the neighborhoods are good, but Scottsdale Road is a mess and has caused several businesses to leave the area. This up-zoning that the City is doing is a big help, and she thinks of it as revitalization because if you go a little bit further on Scottsdale Road, the City of Scottsdale is building a lot of housing. However, when you come into the entrance to Tempe on Scottsdale Road things change. They need more businesses in north Tempe, and this is a way to revitalize the area. She knows this is something new, but she is proud of Tempe for this program.

Mr. Lane Carraway, Cavalier Hills neighborhood association, stated they are just across the way from the Ramada Inn. He advised the Commission that Mayor Woods and other City staff have helped work with them. He stated they have a vicious triangle there with the Santa Fe apartments behind his home, a Motel 6, and the Ramada Inn. He stated it is a trifecta that has been ruining their community for years. The City has pumped thousands and thousands in resources getting the substation, trying to clean up the Motel 6, trying to clean up Santa Fe. He said that at one point he could see 100 homeless walking past his home, tweaked out of their minds because of these three businesses. He said the Ramada Inn is now a halfway house for drug addicts and their kids. Everyone in his neighborhood wants this up-zoning to happen.

Ms. Christy Arnold, Tempe resident, advised that she submitted a last-minute comment/letter to Mr. Jimenez to provide to the Commission and she gave a synopsis of it. She lives in the area and wants to clear up some confusion about the Ramada Inn. She stated it is being referred to as drug-infested, however it is currently being used by New Found Hope Wellness and Detox Center. She discovered this in January and spoke to someone living there and attending the program. She spoke with the initial staff there and has spoken to Mr. Pham's attorney. Since January they are living the dream. New Found Hope is their current resident, and it is not a public Ramada Inn right now. In compliance with Tempe it is being rented as a 30-day stay. It was said it is not a detox center but being used by a detox center. Those are facts she received from Mr. Pham's attorney and representatives from New Found Hope. The main thing that has happened is that they have multiple 24/7 security on the site, and no one steps foot on it. It is secured and there is no drug use or traffic from QT through that neighborhood.

APPLICANT RESPONSE:

Prior to the applicant response, Ms. Dasgupta advised the Commission that at the time a development is proposed, the infrastructure is part of the analysis during the entitlement process. It is not uncommon in an older neighborhood where up-sizing pipelines and sewers are part of the development cost. The City will be evaluating those based on the proposal that is submitted and the impact it will make on the infrastructure.

Chair DiDomenico ask Ms. Laughner if the owner of the Ramada Inn is in favor of the up-zoning as it is proposed, and she stated that he was. Ms. Laughner stated that Mr. Pham has done a great deal of work to clean up the site from criminal activity to have security there. However, they feel that having an actual community there will also help out with the crime.

Commissioner Amorosi asked if Mr. Laughner if she was aware that the Ramada Inn was being used as a detox center and she stated that she was not. Chair DiDomenico stated it should be looked into to see if it runs afoul of the Use Permit in place and current zoning, but that is not what they are here to discuss today.

Commissioner Lloyd stated that the up-zoning will give Mr. Pham another tool in his toolbox to take this out to market as a redevelopment site and asked if it has previously been marketed as a redevelopment site without the up-zoning aspect. Ms. Laughner stated that it had not be marketed, and they are doing it now because the situation is getting worse in north Tempe.

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Vice Chair Bauer stated that Tempe has always been very creative in their development and redevelopment processes to attract developers. For those concerned about this process, there will be other reviews put in place regarding height, density, infrastructure, etc. The up-zoning process would make this site more desirable to a developer.

Commissioner Amorosi stated that a while back in the Apache area they had their own triangle of three bars that attracted a criminal element. He can understand what the neighborhood representatives are dealing with and will support this item.

Chair DiDomenico will also support this item also. It is an unusual process but not an unprecedented one.

Commissioner Sumners will also support the item and is grateful for the neighborhood representatives who came in person to speak on the project.

Commissioner Lloyd will support the item, but for the record as it goes to City Council, she would be more comfortable not skipping over the high-density limited option.

Commissioner Cassano is in support also. Over his years in Tempe he has seen Apache go through what is happening in north Tempe and believes this process will help the neighborhood.

Motion: Motion made by Commissioner Cassano to approve PL220055 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

Staff Announcements: NONE

Other:

Chair DiDomenico thanked staff for the recent tours that they set up so that the Commission could see firsthand the developments and entitlements that have previously come before them.

There being no further business the meeting adjourned at 7:19 p.m.

Prepared by: Joanna Barry, Administrative Assistant II

Reviewed by: Suparna Dasgupta, Principal Planner

