
MINUTES OF THE DEVELOPMENT REVIEW COMMISSION June 10, 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
Trevor Barger
Ron Collett
Dave Maza, alt.
Angie Thornton
Linda Spears

Commission Absent:

Dan Killoren, alt.

City Staff Present:

Steve Abrahamson, Planning and Zoning Coordinator
Ryan Levesque, Senior Planner
Sherri Lesser, Senior Planner
Jen Svetichan, Management Assistant
Steve Nagy, Administrative Asst. II

Chair Webb called the meeting to order at 6:00 p.m., which included the introduction of the Commission and City staff. It had been determined in the Study Session that the minutes for May 27, 2014 and item #2 could be on consent and item #3 and #4 would be heard.

CONSENT AGENDA

1. CONSIDERATION OF MEETING MINUTES:

05/27/2014

On a motion by Vice Chair Kent and seconded by Commissioner Tinsley, the Commission, with a vote of 7-0, approved the approved both the Study Session and Regular minutes from May 27, 2014.

MINUTES: [20140527_STUDYSESSIONMINUTES.PDF](#)

MINUTES: [20140527_REGULARMEETINGMINUTES.PDF](#)

On a motion by Commissioner Tinsley and seconded by Commissioner Collett, the Commission with a vote of 7-0 approved the Consent Agenda as recommended in the following staff reports:

2. Request for a Development Plan Review consisting of a new 60,000 sf. office building and 3 new parking garages for **LIBERTY CENTER AT RIO SALADO (PL140179)** located at 1940 West Rio Salado Parkway. The applicant is RSP Architects.

REPORT: [DRCr_LIBERTYCENTERATRIOSALADO_061014.PDF](#)

REGULAR AGENDA

3. Request for an Amended Planned Area Development Overlay, a Use Permit to allow Residential, and a Development Plan Review consisting of a new 51 unit three-story townhome development for **DORSEY LANE TOWNHOMES (PL130438)**, located at 1233 East Broadway Road. The applicant is Sender Associates, Chtd.

REPORT: [DRCr_DORSEYLANETOWNHOMES_061014.PDF](#)

Ryan Levesque presented the case by reviewing the history of the site, location and the conditions #4, #6, and #14, which the applicant sought to amend. Staff was in support of the modification to condition #4, modifying the rear yard setback from 11' to 10'. Because the project, previously advertised as townhomes is now proposing condominium development, condition #6 was requested for modification. Condition #14, addresses the recommendation to remove certain balconies on the third level to address privacy.

Darin Sender, of Sender Associates, representing the applicant, also reviewed the history of the site as well as the Site Plan Review processes they had underwent with staff. Ms. Sender continued by reviewing the design of the balconies.

John Miyanis (sp?), the architect of the project then further described the elevation design, specifically in regard to the balconies.

Vice Chair Kent then had the applicant review the specifics of the landscape plan along the west side of the site. The applicant specified there would be ten, 48" box trees installed along this line. Commissioner Barger then clarified the amount of space these trees would be given to grow, which the applicant also clarified to have permeable materials in this area. Commissioner Barger also asked that a restriction for barbequing on 3rd floor balconies of the southern buildings be included in the CC&Rs.

1. Commissioner Tinsley then made a motion to approve PL130438, Dorsey Lane Townhomes, with the following changes to conditions #4 The PAD setbacks for the development shall provide 0' setbacks on all sides, except for the southern-most property boundary shall provide a minimum 11'-0" 10' 0" rear yard building setback.
2. , #6, ~~The development shall provide fee simple ownership lots for the units. An Amended Subdivision Plat is required for this development and shall be recorded prior to issuance of building permits. The subdivision shall consist of 51 lots containing individual units, as well as any tracts designated for common area.~~
3. , #14, deleting the proposed condition and replace with a condition that ~~Modify south building elevation design for buildings located along the southern boundary of the project. Remove 3rd level balcony fencing, while keeping floor plate projection, and remove balcony access doors.~~ CC&Rs SHALL PROHIBIT BARBEQUING ON 3RD FLOOR BALCONIES OF SOUTHERN BUILDINGS

The motion was seconded by Commissioner Barger and passed with a vote of 7-0.

4. Request for a General Plan Land Use Map Amendment from Mixed Use to Residential, a Zoning Map Amendment from MU-4 and AG to R1-PAD, a Planned Area Development Overlay and an Amended Planned Area Development Overlay for a new single family subdivision consisting of 94 dwelling units for **THE RHYTHM (PL130327)**, located at 9330 South Priest Drive. The applicant is Jordan Rose, Rose Law Group.

REPORT: [DRCr_THERHYTHM_061014.PDF](#)

Vice Chair Kent recused himself stating a potential conflict. Commissioner Maza filled the vacancy.

Sherri Lesser presented the case by reviewing the request, location of the site and providing clarification of the mislabeling that had occurred with an attachment in the report provided to the Commission.

Chair Webb expressed need for caution when changing PADs for projects that may never get developed.

Commissioner Tinsley asked for clarification on prior PAD changes, who owned the land as the correlation between this project and the potential Mark Taylor project on adjacent property, which Ms. Lesser provided.

Chair Webb then invited the applicant up.

Cameron Carter with the Rose Law Group approached the Commission on behalf of the applicant, Mattamy Homes. Mr. Carter reviewed the details of request and clarified that the request conforms to the General Plan 2040. He then went on to explain that the DPR for the project would follow the PAD changes. Mr. Carter continued with explaining the traffic mitigation steps that had been taken along Priest Drive as well as the development standards to the Commission.

Commissioner Collett expressed that he would like to see deceleration lanes be added along Priest Dr. Mr. Carter replied that their traffic study results showed that a deceleration lane would not be effective in the mitigation of traffic.

Chair Webb asked to see what the entrance across from Lisa Lane. Mr. Carter replied that as it was a part of the Chandler segment of the project, he did not have to present to the Tempe Development Review Commission. Chair Webb expressed that it would be ideal to see this portion of the project, and continued to explain that having a project span two cities was unique.

Commission Spears asked the applicant whether the Tempe portion of the project would proceed even if the Chandler portion was denied by Chandler. Mr. Carter expressed that it would.

Commissioner Barger asked the applicant to expand on design that shows intention of connectivity between the two segments, noting that the Chandler segment had more amenities. Mr. Carter responded that Mattamy Homes would be open to increasing the number of amenities in the Tempe segment.

Commissioner Maza asked the applicant if better traffic mitigation options existed. Mr. Carter explained that the traffic studies conducted found that Lisa Lane was the best place to slow traffic and allow for safe crossing at Priest.

Chair Webb opened the meeting to Public Comment.

1. Eric Emmert, Tempe, expressed concern over traffic and its impact on the safety of school children that would cross at Priest. He also expressed he would like to see a light at Know Rd. as well as a deceleration lane along Priest.
2. Steve Evans, Tempe, expressed concerns of degradation of rural characteristics other projects posed, and asked that Commission have the applicant develop the site in the best interest of the community. Was in favor of the stipulations listed in the report and project in general.
3. Bert Carpenter, Tempe, expressed concern over traffic, supported stipulation listed in report, otherwise was in support of the project.

Chair Webb then called the applicant back up.

Commissioner Barger asked if the entrance to the development could be at Knox Rd.

Chris Webb, with the Rose Law Group, replied that the entrance to the development could be placed at Knox.

Commission Thornton inquired about a deceleration lane, to which the applicant responded that the traffic study found no benefit of a deceleration lane, however, Mattamy Homes would consider it if it were to be stipulated.

The Commission then discussed the request.

Commissioner Collett expressed that he liked the project, but would like to see a deceleration lane added.

Chair Webb and Barger both expressed they thought it to be a good project, but agreed there were still details to be hashed out.

Commissioner Collet then moved to approve the request, changing the following conditions:

7. The zoning map amendment and PAD are recommended for approval per the specific layout as shown and submitted on site plan exhibit. ~~The plan shall not be modified without~~ THE PLAN MAY HAVE MINOR MODIFICATIONS MADE THROUGH THE DEVELOPMENT REVIEW COMMISSION, PRELIMINARY PLAT AND FINAL PLAT PROCESSES, BUT SHALL REMAIN IN SUBSTANTIAL CONFORMANCE WITH THE SITE PLAN EXHIBIT, shall require formal review from the Development Review Commission and City Council, following the public hearing process as described in ZDC, Part 6. Public Hearing requirements.
8. Coordinate with Traffic Engineering on the installation of a traffic light ~~on Priest Drive at Lisa Lane~~ WITH LOCATION TO BE DETERMINED. The traffic signal installation may commence upon receipt of building permits for the residential units. The traffic signal operation to begin when the entire development is completed, including the City of Chandler portion.

Commissioner Collett also added the condition: 'Deceleration lane is added along Priest to the entrance of the development.'

Commissioner Barger added a stipulation that public access to the development be allowed to which Commissioner Collett agreed be added to his motion.

Commissioner Maza seconded the motion.

Sherri Lesser clarified that conditions 1-7 remain the same and that condition 8 is modified, which the Commission confirmed.

The motion then passed with a vote of 6-1 with Commissioner Spears in the dissent.

The meeting was adjourned at 8:30 p.m.

Prepared by: Steve Nagy, Administrative Assistant II
Reviewed by: Ryan Levesque, Senior Planner



Ryan Levesque, Senior Planner