
MINUTES OF THE DEVELOPMENT REVIEW COMMISSION July 22, 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
Peggy Tinsley
Linda Spears
Angie Thornton
Dan Killoren, alt.
Ron Collett
Trevor Barger
Jerry Langston, alt.

Commission Absent:

Paul Kent, Vice Chair
David Lyon, alt.

City Staff Present:

Steve Abrahamson, Planning and Zoning Coordinator
Ryan Levesque, Senior Planner
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 July 8, 2014, 2014 could be on consent and items #2, #3, #4 would be heard.

CONSENT AGENDA

1. **CONSIDERATION OF MEETING MINUTES:**

07/08/2014

On a motion by Commissioner Thornton and seconded by Commissioner Tinsley, the Commission, with a vote of 45-0, approved the approved both the Study Session and Regular minutes from July 8, 2014, 2014 with Commissioners Collett and Barger abstaining

REGULAR AGENDA

2. Request for a street name change from South Country Club Way to Shutterfly Way between East Elliot Road and the Western Canal for **SHUTTERFLY (PL140127)**, located at 7195 S Country Club Way. The applicant is Manjula Vaz of Gammage & Burnham.

REPORT: [DRCr SHUTTERFLY 072214.PDF](#)

Steve Abrahamson presented the case by reviewing the details of the request.

The Commission then invited the applicant up.

Manjula Vaz with Gammage & Burnham, Phoenix, reviewed the location of the street and explained that the street name change would not affect existing addresses.

Chair Webb asked Ms. Vaz the reason for the request. Ms. Vaz responded that it was simply an incentive for Shutterfly to come to Tempe. Chair Webb followed up asking who would bear the cost to change the name back if Shutterfly were to leave Tempe. Ms. Vaz stated that Discovery Business Campus would bear the cost.

Commissioner Tinsley then made a motion to approve, which was seconded by Commissioner Thornton, and the motion passed with a vote of 7-0.

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3. Request for a Development Plan Review consisting of a new restaurant building and a Use Permit to allow a drive-through for Kneaders within the **DISCOVERY BUSINESS CAMPUS – SITE 5 (PL140059)**, located at 2030 East Elliot Road. The applicant is Four Foods Group.

REPORT: [DRCr DISCOVERY BUSINESS CAMPUS – SITE 5 072214.PDF](#)

Steve Abrahamson presented the case by reviewing the location and site plan. He also mentioned that the planning division had received no input from public on the case and that staff recommend approval.

Commissioner Barger asked if other restaurants in Tempe had off-building storage, such as Kneaders was requesting. Mr. Abrahamson responded no.

The Commission then invited the applicant up.

Grant Gold, Salt Lake City, Utah, presented the case to the Commission by reviewing the Kneaders restaurant concept.

The Commission discussed with Mr. Gold why the storage structure was not incorporated into the main building. Mr. Gold replied that the owners are very peculiar about the size and look of their restaurants, and incorporating the storage space into the restaurant does not fit their vision. Commission Barger clarified that the additional storage space could not be leased separately, which Mr. Gold confirmed. Mr. Gold then went on to explain that there would be 24-hour security monitoring of the site, including the storage structure.

The Commission also discussed landscape plans and franchise details with Mr. Gold.

Chair Webb asked if anyone from the public wished to speak on the cases, which there were none.

The Commission then discussed the case amongst themselves, specifically the storage building and landscape details.

Commissioner Collett then moved to approve the case, which was seconded by Commissioner Tinsley, and with a vote of 7-0 the motion passed.

4. Request for a Zoning Map Amendment from CSS to MU-4 and a Planned Area Development for development standards of density, building height, setbacks and parking for a new mixed-use development for **PONY ACRES (PL130191)**, located at 1847 E Apache Blvd. The applicant is Manjula Vaz of Gammage & Burnham, PLC.

REPORT: [DRCr_PONYACRES_072214.PDF](#)

Steve Abrahamson presented the case by reviewing the request and site details. He went on to say that two neighborhood meetings had been held and both were well attended.

Commissioner Barger asked for clarification of the zoning change from CSS to MU, which Mr. Abrahamson confirmed was in line with the General Plan 2040.

Commissioner Spears asked how and what made the property mixed use, which Mr. Abrahamson replied there would be a limited number of office spaces for rent to anyone in the upper level of the clubhouse.

With no further questions of staff, Chair Webb invited up the applicant.

Manjula Vaz with Gammage & Burnham, Phoenix, presented the project to the Commission. She expanded on the Mixed Use of the site, stating there would be offices for rent on the third floor of the clubhouse as well as a coffee shop on the street level. Ms. Vaz then reviewed the neighborhood meetings that had taken place, which she believed had covered the main concerns of the current tenants of the site. She also explained the sympathetic approach her firm was taking on the matter of moving the tenants.

Ms. Vaz then continued to describe the type of units they will offer, which were designed to attract a young professional type of tenant. She also emphasized that with all of the development along the Apache corridor planned, mobile home parks in the area will not survive. Ms. Vaz then explained that the project is consistent with the General Plan, and that they had also received letters of support from adjacent neighbors.

Ms. Vaz then had Eric Gross (sp?) present the site plan and building elevations to the Commission.

Commissioner Thornton asked Mr. Gross to pause his presentation to inquire with staff as to whether they should have an interpreter present to ensure everyone in the audience can understand the presentation.

Ms. Vaz introduced Julietta Tedora (sp?) who came to the meeting with Gammage & Burnham, and offered to interpret what Mr. Gross was presenting.

Chair Webb expressed to Mr. Gross that he would like to see the project in its entirety, as the landscape plans were proposed prior to a final site plan.

Commissioner Tinsley asked if the applicant would be open to solar panel atop parking shade structure which Mr. Gross responded that they would be open to the idea.

Commissioner Barger inquired as to the height of the building compared to the Grigio across the street. Mr. Gross confirmed their building would be 5 feet higher.

Commissioner Thornton asked what the rents would be. Ms. Vaz responded that rents would be set to where they would attract young professionals. Ryan Marians (sp?), with the applicant, clarified that rents for this type of product typically run from \$1.50-\$1.80 per sq/ft.

Commissioner Spears then acknowledged that this would displace affordable housing, and asked about the inclusion of affordable units. Mr. Levesque responded that City Council is evaluating affordable housing and inclusion options.

Commissioner Killoren asked the applicant why street frontage was not being used for pedestrian/non-resident uses. Mr. Marians responded that the site allows for a very limited frontage, and that it is easier to attract clients and tenants by advertising along the ground level.

Commissioner Tinsley expressed concern over where current tenants would go as they certainly could not afford to reside in the new development.

Commissioner Barger asked how the transition between current and future tenant will take place. Mr. Levesque explained that per Council proposed conditions, the current tenants will be given a year notification, the rest is up to state rules and regulations.

Chair Webb opened the meeting to public comment. Julietta Tedora (sp?) translated for those who were unable to express their concerns in English.

Chair Webb began by reading a letter from Dennis Gutenkauf, who wished not to speak. The letter expressed protest to the McClintock Station proposal.

Aracdi (sp?) Martinez expressed that they were not offered sufficient compensation to be able to move their mobile home.

Adelaida Garcia expressed that her mobile home if from 1966 is she doesn't think that it can be moved.

Elizabeth Lascarzz expressed that many of the current park tenants cannot afford to move, and that a move would seriously disrupt the students living within the community.

Esther Martinez expressed concern over who would help pay for the tenants to move. She also expressed that she was left unclear by the developer as to what their options were for moving.

Maria Teresa Martinez Guzman expressed that if they were to abandon their mobile homes they would not be able to afford a new one.

Chair Webb then invited the applicant up to respond to the public comments. Mr. Marians approached the podium and explained that they had addressed all of the tenant concerns. Chair Webb pointed out that after listening to the public comments; this was clearly not the case.

Dennis Gutenkauf, expressed opposition to the development and asked for clarification on state laws regarding tenant rights.

With no further comments from the public Chair Webb closed the hearing to public comment.

The Commission then discussed the case.

Commissioner Collett stated that the light rail was approved to redevelop the Apache corridor, not as a mass transit system, and that he believed this project would benefit Tempe.

Commission Killoren expressed he would like to see a better approach to mixed use, as the current approach is very underwhelming.

Commissioner Spears expressed concern over issuing an entitlement without knowing what the project would look like, which could displace the current tenants and allow for the site to go undeveloped for years.

Commissioner Barger expressed that he found the project appropriate for the site.

Chair Webb stated that he does not think 'mix-use' designations are working, and that he is not comfortable moving forward on this project without a Development Plan Review.

Tinsley also expressed that she believed it was a good project, but just was not ready to move forward.

Commissioner Barger then held a brief procedural discussion for reason of clarification regarding zoning, design, etc.

Commissioner Collett moved to approve the project, which was seconded by Commissioner Barger. With a vote of 2-5 the motion failed, with Commissioners Spears, Killoren, Tinsley, Thornton, and Chair Webb in the dissent.

Commissioner Spears then moved to deny, which was seconded by Tinsley. Commissioner Barger clarified on the procedure if a denial were to take place. Chair Webb suggested a motion for a continuance.

Commissioner Spears withdrew her motion and then moved to continue the case, which was seconded by Commissioner Tinsley. Mr. Levesque recommended the case be continued to a date certain, either the August 12 or August 25, 2014 Development Review Commission. Ms. Vaz expressed they would like to come back on August 25th, which would give them ample time to address all of the tenant's questions and concerns.

The Commission continued to discuss the case, and it was determined that city staff will reach out to social services and have an interpreter attend the August 25, 2014 Hearing.

With a vote of 5-2, the motion for a continuance to the August 25, 2014 Hearing passed, with Commissioners Collett and Barger in the dissent.

The meeting was adjourned at 8:07p.m.

Prepared by: Steve Nagy, Administrative Assistant II

Reviewed by: Ryan Levesque, Deputy Director



Ryan Levesque, Deputy Director