

MINUTES OF THE DEVELOPMENT REVIEW COMMISSION STUDY SESSION

OCTOBER 22, 2013

HARRY E. MITCHELL GOVERNMENT CENTER
TEMPE CITY HALL – CITY COUNCIL CHAMBERS
31 EAST 5TH STREET
5:00 p.m.

Commission Present:

Dennis Webb, Chair
Paul Kent, Vice Chair
Peggy Tinsley
Ron Collett
Linda Spears
Angie Thornton
Dave Maza

Commission Absent:

Dan Killoren

City Staff Present:

Dave Nakagawara, Community Development Director
Steve Abrahamson, Planning & Zoning Coordinator
Nancy Ryan, Project Management Coordinator
Diana Kaminski, Senior Planner
Ryan Levesque, Senior Planner
Lisa Novia, Administrative Asst. II

Chair Webb opened the Study Session at 5:05 p.m. It was decided that all cases would be heard and there are no meeting minutes for approval as they are still in process.

Nancy Ryan spoke to the Commission regarding the General Plan 2040 and asked for any comments or questions the Commissioners may have.

Commissioner Tinsley indicated that she continues to have concern regarding school property being listed as open space because it is rarely available and open to the public. The space is typically locked for security reasons during the school day and on the weekends as well.

Commissioner Spears spoke to concerns regarding private open space and would like to confirm that private properties listed as open space on the current General Plan have confirmed, in writing, their desire to be listed as open space on GP 2040.

Ms. Ryan and the Commission continued with a discussion regarding the density/zoning at the specific location of Apache Boulevard between Cedar and Terrace. There is a request that the area be marked for medium-high density by Phillip Amerosi, representing Hudson Manor Neighborhood. Ms. Ryan provided the Commission with options, which include leaving as it is in GP2030, the proposed GP2040 option which is up to 65 du/ac, Mr. Amerosi's suggestion of up to 25 du/ac and the final option of the south portion being up to 25 du/ac and leaving the upper portion up to 65 du/ac.

The Study Session ended at 5:40 p.m.

Prepared by: Lisa Novia, Administrative Asst. II

Reviewed by: Ryan Levesque, Senior Planner



Ryan Levesque, Senior Planner

MINUTES OF THE DEVELOPMENT REVIEW COMMISSION OCTOBER 22, 2013

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 E. 5th Street, Tempe, AZ 85281
6:00 PM (5:00 Study Session)

Commission Present:

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Chair Webb opened the meeting at 6:00 p.m., which included the introduction of the Commission and City staff. He announced that it had been determined in the Study Session that all cases would be heard and the minutes from October 8th would be postponed.

1. **CONSIDERATION OF MEETING MINUTES: 10/08/13**

Postponed.

REGULAR AGENDA

2. Request for a Development Plan Review consisting of a new 3-story multi-family development, with 529,386 sf. of building area, and 367 units for **LAKE COUNTRY VILLAGE RESIDENTIAL (PL130217)** located at 1030 East Baseline Road. The applicant is Huellmantel & Affiliates.

STAFF REPORT: [DRCr_LakeCountryVillageResidential_102213](#)

This case was presented by Ryan Levesque and represented by Charles Huellmantel, Huellmantel & Affiliates. Mr. Levesque read modifications to the Conditions of Approval into the record as follows:

Condition No. 13 - Conceal roof drainage system within the interior of the building excluding scuppers.
Condition No. 22 – Refer to the Engineering Design Criteria for tree separation requirements from all public water and sewer lines. Final approval of tree placement near underground utilities subject to determination by the Public Works Water Utilities Division.

Charles Huellmantel, applicant, addressed the Commission and indicated that due to the full agenda, he would be happy to forego a lengthy presentation and answer any questions the Commission might have.

Commissioner Tinsley asked the applicant if this multi-family development is a for sale product or if it will be apartments for rent.

Mr. Huellmantel indicated that it is a rental product.

Chair Webb asked the Commission for their comments.

Vice Chair Kent indicated that it's a great project and is happy to see this area being redeveloped.

On a motion by Commissioner Collett and seconded by Commissioner Tinsley, the Commission with a vote of 7-0 approved this Development Plan Review as recommended in the staff report with the modified conditions of approval as noted.

3. Request for a Development Plan Review consisting of a repaint for **CAMPUS POINTE APARTMENTS (PL130283)** located at 1115 E. Lemon Street. The applicant is Gould Evans.

STAFF REPORT: [DRCr_CampusPointe_102213](#)

This case was presented by Diana Kaminski and represented by Michael Cook, property owner.

Commissioner Spears asked about the timing of the landscaping to be done.

Ms. Kaminski indicated that she had received information in regards to phasing of the project and staff is concerned regarding approval of a paint palate that is based on landscaping that could take two years to install. Ms. Kaminski stated that she felt the applicant could better explain their plan and phasing of the project.

Mr. Cook addressed the Commission with an overview of the renovations scheduled for the site. He stated that renovations were scheduled to be complete within a year and the landscaping was being done last because they didn't want to the new plants trampled on during exterior renovations.

Commissioner Collett stated he is not in favor of the green.

Mr. Cook indicated that he understood Commissioner Collett's concern regarding the green and as a stand-alone color, it might be an issue; but in looking at the entire project with the proposed landscaping and the green only being used as an accent color, it is much more aesthetically pleasing.

Krista Shepherd, Architect, provided a brief presentation on the overall design.

Chair Webb asked if there were any other developments in the area with these similar colors.

Ms. Shepherd indicated that the renovations were keeping with other renovations in the area being done. The base gray tones and sandblasting of masonry is very popular in the surrounding neighborhoods and the adding of accent colors around stairways, hand railings and soffets is also being used to add color.

Chair Webb asked if a decision had been made as to the art work that would be incorporated into the design and how that would be processed.

Ms. Shepperd indicated that nothing specific had been selected for the property.

Ms. Kaminski indicated that the Commission would approve the building design as is and the large wall would be the vibrant green accent color. The artwork would be approved administratively at a later time once a design had been chosen.

Chair Webb asked if there were more photo realistic elevations that would give the Commission a better idea of what the new design would look like if approved.

Ms. Shepherd apologized and indicated that they were unaware of the specific criteria required and they would be happy to bring something back to the Commission for their review.

Commissioner Spears stated her concern regarding the timing of the landscaping and would like the Commission to be able to see and approve the landscape plan. She asked the applicant if they would be able to return to a future meeting with the plan.

Ms. Shepherd indicated that they had forwarded a landscape legend to Ms. Kaminski earlier in the day.

Mr. Cook stated his preference would be for approval for the repaint this evening.

Commissioner Maza suggested that the applicant could be allowed to start painting the gray and the green not be painted until they return with a landscape plan. He also stated that possibly a condition of approval could be put in place so that the artwork must be completed by a certain date.

Mr. Cook indicated that the artwork is an important piece of the site and they are open to finding a solution for that area; but the most cost effective way is to do the accent colors first and then the gray.

Chair Webb opened the meeting to public comment.

Chuck Buss, representative of University Heights Neighborhood, spoke in support of the renovations.

Having no other comment cards, Chair Webb closed the meeting to public input.

Vice Chair Kent stated he would like to see the landscape plan.

Commissioner Tinsley stated she likes the project and supports the color scheme.

Commissioner Collett does not like the green and can't support the color scheme.

Commissioner Maza stated that he is looking forward to the artwork being put in place and he likes the project.

Chair Webb suggests that the applicant should return with a different color scheme and a landscape plan.

On a motion by Commissioner Tinsley and seconded by Commissioner Spears, the Commission with a vote of 4-3 (Commissioners Collett, Thornton and Maza opposed) continued this case to the November 12, 2013 meeting.

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4. Request for a Development Plan Review consisting of an 18-story multi-family development addition, with 127,930 sf. of building, and 79 units for **UNIVERSITY HOUSE - HUB PHASE II (PL130316)** located at 323 East Veterans Way. The applicant is Gammage & Burnham PLC.

STAFF REPORT: [DRCr_UniversityHousePhaseII_102213](#)

This case was presented by Ryan Levesque and represented by Ross Robb, Inland American Communities, Nathan Wilcox, Boka Powell, and Manjula Vaz, Gammage & Burnham.

Mr. Robb gave an overview of the new ownership onsite and a summary of the new phase II building.

Nathan Wilcox, Architect, gave a brief presentation on the design of the new building and how it will be integrated with the existing phase I tower.

Manjula Vaz, Gammage & Burnham, stepped forward to answer Commissioner questions.

Commissioner Spears asked if any of the windows open up and if it's possible to drop a can out of the window.

Mr. Robb indicated that the windows do open but not as wide as they do on the phase I building. He also indicated that yes, the windows probably do open wide enough for a can to be dropped but they will continue to enforce the rules that have been put in place and take appropriate measures to ensure the safety of the residences and citizens.

Chair Webb questioned Mr. Robb as to what measures are being taken to alleviate the burden on City services in order to maintain order on this site.

Mr. Robb stated that the operations team has been meeting regularly with the City's Police Department and they have gone from a private security staff of four people to a staff of two off-duty uniformed officers and ten private security personnel. He indicated that since this boost in staff, there has been far less unrest at the site and far less calls for service.

Chair Webb opened the meeting to Commissioner's comments.

Vice Chair Kent stated he likes the design and is happy to see that no balconies have been incorporated into the design.

Commissioner Maza stated that he likes the project.

On a motion by Commissioner Spears and seconded by Vice Chair Kent, the Commission with a vote of 7-0 approved this Development Plan Review as recommended in the staff report.

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5. Request appeal of the Hearing Officer's denial of the Use Permit for a reception/event hall with live entertainment for **ELEGANT RECEPTION HALL (PL110435)** located at 1290 N. Scottsdale Road. The applicant is Arnaldo Matos.

STAFF REPORT: [DRCr_ElegantReceptionHall_102213](#)

This case was presented by Diana Kaminski and represented by Carolyn Williams, Gammage & Burnham.

Ms. Williams gave a brief presentation on what has taken place with this venue since the Hearing Officer's Denial of the Use Permit. She indicated that an experienced management and security team has been put into place.

Danny Seay, gave a brief overview of the steps they have taken to find out what the issues have been with this facility and what the new ownership will be doing to alleviate the past issues associated with the previous management.

Commissioner Collett asked about the changes that have been made to the stage.

Ms. Williams indicated that the stage has been turned so the back of the stage is toward the windows and the sound will be directed into the facility and towards the back of the complex, rather than toward the windows. She also stated that the management is looking to put in a surround sound system which will allow the volume to be lowered but will still be able to be heard.

Commissioner Collett asked about the hours the hall will be used for receptions.

Ms. Williams indicated that receptions end at 1:00 a.m., with the facility being closed by 1:30 a.m.

Chair Webb opened the hearing to public input.

Darlene Justus spoke with concerns related to the reception portion of this request but is supportive of the security and management team and would like a six month review of the Use Permit. She would also like to make sure the security plan is for the reception/event hall and not just the church.

Vice Chair Kent questioned staff as to the request for a 6 month review.

Ms. Kaminski indicated that if there have been issues on a site and the Commission would like a one year or six month review, it is a common practice and is at the discretion of the Commission.

Lane Caraway addressed the Commission and is in support of this venue should the past issues not happen under this new management.

Chair Webb closed the hearing to public input.

Ms. Williams spoke in reference to the in-house/in-town management of this site and that there is a dedicated team in place to assure the success of this business. She also indicated that alcohol consumption is limited to wine and champagne, there will be no hard alcohol allowed onsite.

Ms. Williams also spoke in reference to the 6 month review of the Use Permit. She stated that since receptions are booked months or even a year in advance, she indicated that there is a stipulation regarding revocation of the Use Permit that they have agreed to that if the Community feels there is an issue, that the City will go to this process. If a review is necessary, she indicated they would ask for a 12 month review, rather than 6 months. She indicated that there are only a few events scheduled over the next several months and if they come back before the Commission in six months, it won't provide for an accurate assessment.

Chair Webb asked if any other events will be taking place at the hall.

Danny Seay indicated that church service is held every Sunday and there will be training and conferences held there as well. He stated as the CEO of the company, the buck stops with him and he feels they have brought the right team together to make this a success.

Vice Chair Kent asked for confirmation that there will be someone there to chaperone and it won't be left to the people renting the facility.

Ms. Williams confirmed that someone from the management team would be there, as well as their head of security.

Chair Webb thanked the applicant and the neighborhood representatives for working together and when differences can be worked out and a solution results, it's a win-win for everyone, including the entire City of Tempe.

Vice Chair Kent feels the applicant deserves a chance to prove themselves.

Commissioner Collett stated that he agrees with Vice Chair Kent and feels this applicant deserves a chance and appears to be on the same page with the surrounding neighborhoods.

Commissioner Spears asked for confirmation that the Use Permit is applicant specific, not site specific.

Ms. Kaminski indicated that there is a Use Permit transfer process should the business change hands or unless there is an issue that needs to be brought back before the Hearing Officer.

Commissioner Maza asked if a stipulation could be added that the Use Permit is only good for this tenant.

Ms. Kaminski indicated that could be done.

On a motion by Commissioner Tinsley and seconded by Commissioner Collett, the Commission with a vote of 5-2 (Commissioners Thornton and Maza opposed) approved the appeal, overturning the Hearing Officer's denial of the Use Permit, which includes the addition of a Condition of Approval that the Use Permit is tenant specific.

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6. Request for a Development Plan Review consisting of a phased agricultural development of 16 green house structures, landscaping, lighting and site improvements for **QUINCEA (PL100435)** located at 1 East Continental Drive. The applicant is Randall Ewers.

STAFF REPORT: [DRCr Quincea 102213](#)

This case was presented by Diana Kaminski and represented by Randall Ewers, Applicant.

Chair Webb explained to the audience that with this application, the only consideration that the Commission can make this evening is regarding the design, specifically the site plan, elevations and landscaping. The use is not in question, nor can the Commission consider the use as it's allowed in its current zoning district and a change to the zoning is not part of the application being heard this evening.

Mr. Ewers gave an overview of the project and its design and phasing of the site.

Chair Webb opened the meeting to public comment.

Darlene Justus and Lane Carroway, both representing their Tempe neighborhood associations, spoke in support of this project.

Seven individuals spoke in support of this project. Seven individuals spoke in opposition of this project stating concerns regarding obstruction of views and diminished property values. One card was read into the record in support, one in opposition.

Chair Webb closed the hearing to public input.

Mr. Ewers returned to the podium to address concerns raised by residents in the area. He referenced plans that reflect the view corridor from a neighboring property and the green houses and new vegetation will be placed below the 2 degree slope from the top of the trees to the view of the mountain. He also stated that the vegetation that currently exists is quite sparse and their plan is to make that area much more dense to further hide the green houses.

Mr. Ewers addressed the concern in regards to fish and the possible odors. He stated that the fish are not outside and it will not be vented to the outside.

Commissioner Maza asked about the fans that will be used and if the site will have a wall.

Mr. Ewers stated that they are house fans and are no louder than an air conditioning unit and are pointing perpendicular to the residences. He also indicated they typically will run only during the day time. Mr. Ewers stated that design review is requiring a rod iron fence that they would like to turn into a green wall.

Commissioner Collett indicated that he understand the major complaint is the loss of views but he does not see that is possible.

Commissioner Maza stated that he appreciates everyone coming out for the meeting and that unfortunately, it's SRP's land and they are allowed to build this on their property. He also stated that he feels it's a fantastic project and is in support. He feels that they have done what they can to distance the greenhouses from the neighboring residents.

Vice Chair Kent stated that he likes the design and feels it's respectful of the neighborhood and they have done a good job on the placement of the green houses.

Commissioner Tinsley stated that she understands the concerns brought forth by the neighbors but she agrees with Commissioner Maza that a 17' high greenhouse over 200' away will not be inhibiting views of the mountain. She also stated that SRP could do a lot of things with the property that the neighbors would find much more of a nuisance. She also stated that she feels it's a wonderful project and will support it.

Commissioner Thornton stated that she is in agreement with her fellow Commissioners and although they don't agree with the neighbors, they have listened to their concerns. She also congratulated the neighbors on being a tight knit group and coming together on this issue.

On a motion by Commissioner Collett and seconded by Commissioner Spears, the Commission with a vote of 7-0 approved this Development Plan Review as recommended in the staff report.

7. Second and final public hearing with the Development Review Commission for a Major General Plan Amendment for **GENERAL PLAN 2040 (PL130352)**. The applicant is the City of Tempe.

STAFF REPORT: [DRCr_GeneralPlan2040_102213](#)
[Dropbox link for General Plan](#)

This case was presented by Nancy Ryan.

Ms. Ryan stated that due to the length of the meeting, she would like to give the public the opportunity to speak and then she will be happy to answer any questions.

Chair Webb opened the hearing to public input.

Chuck Buss, representing the University Heights Neighborhood, spoke in support of the General Plan. He stated his only complaint would be that he would like to see decreasing density more towards Hudson Manor.

Philip Amerosi spoke regarding the Hudson Manor Neighborhood area and their request to make the entire block south of Apache between Cedar Street and Terrace medium-high density. Currently, that area is divided between high density and medium density and the neighborhood would like to see this area remain less congested.

Dean Brennon, a resident of Mesa, spoke representing Communities Coalition (LCC). He spoke in support of the General Plan and its support of healthy lifestyles.

Gail Legrand, spoke in support of the General Plan and its support of a healthy and active lifestyle and also its support of a walkable City and one that supports public transportation.

R.J. Hunt, resident and homeowner, spoke regarding the 20 minute city and sustainable cities and his concern regarding lowering bike lanes, with few riders; increasing mass transit, with little participation; and increasing density of multi-family housing.

Steve, resident and complex owner, would like to see density increased in his area, rather than the reduction that is proposed (near Hudson Manor).

Matt Papke, resident, spoke with concerns regarding sustainability, Tempe's deficit, funding and taxes.

Wally Trace, developer, spoke in reference to the parcel of concern at Apache and Terrace. Mr. Trace spoke in support of more density along Apache Boulevard.

Chair Webb read a comment card into the record from Michael Turnick which supported higher density along Apache between Cedar and Terrace.

Don Hopper spoke with concerns regarding public transit and City planners dictating growth.

Chair Webb closed the hearing to public input.

Nancy Ryan returned to the podium to address the concerns raised during the public input portion of the meeting.

Ms. Ryan first spoke to concerns raised regarding density along Apache from Cedar to Terrace. She referenced a map which shows the currently GP2030 density, the projected density of GP2040, Mr. Amerosi's request and an alternative request.

Commissioner Collett indicated that he feels the zoning should remain the same for that area as it is in the GP2030.

Ms. Ryan indicated that there was interest in having these hubs with high density mixed use and the single family neighborhoods near the downtown serve a very specific function for the City as well.

Commissioner Kent asked about the parcel in question and if it could be developed as proposed in the new GP2040.

Ms. Kaminski indicated that with either the GP2030 or GP2040 it would need to be rezoned but it would require a General Plan Amendment with GP2040, and not with GP2030.

Commissioner Spears asked when the plan goes to the public for voting.

Ms. Ryan indicated May.

Chair Webb and Commissioner Maza both concurred that the Commission should choose one of the scenarios provided so as to make a specific recommendation for Council and not leave it unclear.

Ms. Ryan informed the Commission that if they had any changes that they would like incorporated in the GP2040, it would be part of the recommendation to Council. She also stated that the zoning densities represented in the projected GP2040 map still accomplish the goals proposed for this area on Apache between Terrace and Cedar takes into account medium-high density and the buffering of the neighborhoods and the single family and cultural resource areas.

Ms. Ryan spoke to the concern about sustainability and stated that Tempe is continuing to strive to be more sustainable and that funding or budgetary issues are where City Council come into play once the General Plan, the vision document that staff and the citizens have worked on is complete, to decide what gets budgeted and what does not.

Ms. Ryan also stated that Tempe is a very bicycle friendly community and has one of the highest bicycle riderships in the state, as well as transit participation is much higher than other areas in the state.

Chair Webb thanked Ms. Ryan for her hard work on the General Plan 2040 and thanked the Commission as well as the citizens who have participated in this process.

Ms. Ryan thanked the community and the Commission as well.

Commissioner Collett stated that he does not like this plan and feels it is reflective of a few outspoken individuals and does not reflect the opinions of the vast majority of the citizens of Tempe.

Commissioner Tinsley stated that she does not necessarily agree with the entire proposed General Plan 2040 but people have worked hard and the document has been created and it is time to move forward.

Chair Webb also stated that he also does not agree with the plan in its entirety but it is a useful guide in the planning process.

On a motion by Commissioner Tinsley and seconded by Commissioner Spears, the Commission with a vote of 6-1 (Commissioner Collett opposed) recommended approval of General Plan 2040.

8. ANNOUNCEMENTS – None

The meeting adjourned at 9:38 p.m.

Prepared by: Lisa Novia, Administrative Asst. II
Reviewed by: Ryan Levesque, Senior Planner



Ryan Levesque, Senior Planner