



## Minutes of the Development Review Commission REGULAR MEETING August 13, 2024

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 Andrew Johnson  
Vice Chair Michelle Schwartz  
Commissioner Barbara Lloyd  
Commissioner Linda Spears  
Commissioner Larry Tom  
Commissioner Stefan Richter  
Alt Commissioner Charles Redman

**City Staff Present:**

Jeff Tamulevich, Director, Community Development  
Ryan Levesque, Deputy Director, Community Development  
Ambika Adhikari, Principal Planner  
Michelle Dahlke, Principal Planner  
Diana Kaminski, Principal Planner  
Jacob Payne, Senior Planner  
Lucas Jensen, Planner II  
Whitney Mayfield, Planner I  
Joanna Barry, Administrative Assistant II

**Absent:**

Commissioner Joe Forte  
Alt Commissioner Rhiannon Corbett  
Alt Commissioner Robert Miller

**Hearing convened at 6:01 p.m. and was called to order by Chair Johnson**

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**Consideration of Meeting Minutes:**

- 1) Development Review Commission – Study Session 7/23/24  
Development Review Commission – Regular Meeting 7/23/24

**Motion:** Motion made by Commissioner Tom to approve Study Session minutes and Regular Meeting minutes for July 23, 2024 and seconded by Commissioner Richter.

**Ayes:** Chair Johnson, Vice Chair Schwartz, Commissioners Lloyd, Spears, Tom, Richter, and Redman

**Nays:** None

**Abstain:** None

**Absent:** Commissioner Forte

**Vote:** Motion passes 7-0

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

- 2) Request a Use Permit to allow two (2) required parking spaces within the front yard building setback for the **NELSON RESIDENCE**, located at 209 East Manhattan Drive. The applicant is Michael Nelson. **(PL240147)**
- 3) Request a Use Permit to allow a tobacco retailer for **BELLAGIO SMOKE AND VAPE**, located at 1753 East Broadway Road, Suite No. 102. The applicant is DVT423K LLC. **(PL240153)**

- 4) Request a Use Permit to allow two (2) required parking spaces within the front yard building setback for **VERLEA PROJECT**, located at 1633 East Verlea Drive. The applicant is Kaycia Rajala. **(PL240200)**
- 5) Request a Use Permit to allow two (2) required parking spaces within the front yard building setback for the **MCCRACKEN RESIDENCE**, located at 1500 West 7th Place. The applicant is Jason McCracken. **(PL240223)**

**Motion:** Motion made by Commissioner Redman to approve Consent Agenda and seconded by Commissioner Spears.

**Ayes:** Chair Johnson, Vice Chair Schwartz, Commissioners Lloyd, Spears, Tom, Richter, and Redman

**Nays:** None

**Abstain:** None

**Absent:** Commissioner Forte

**Vote:** Motion passes 7-0

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

- 6) Request a Zoning Map Amendment from AG to PCC-1, with a Planned Area Development Overlay and Development Plan Review for a new single-story commercial development with four buildings on 3.75 acres for **NWC RURAL AND WARNER**, located at 862 East Warner Road. The applicant is Gammage and Burnham. **(PL240155)**

#### **PRESENTATION BY APPLICANT:**

Manjula Vaz, Gammage & Burnham, gave an overview of the request and the history of the site. Ms. Vaz explained how this proposed project aligns with the character area plan for Corona / South Tempe. She proceeded to go over the components of the project that will include restaurant/retail with outdoor patios. Ms. Vaz described comparable developments in the area and their parking ratio.

Jamie Blakeman, transportation planner with Lokahi, provided the trip generation numbers for this area. She stated that for a normal weekday there are about 2,065 trips per day, with 180 at the peak a.m. hour and 231 at the peak p.m. hour. Ms. Blakeman then went over the access points, drive separation, and queuing for the proposed development.

Lanny Davis, Butler Design Group, gave an overview of the design, materials, sustainability aspects, and landscaping for the proposed development. He stated that due to the surrounding neighborhoods, they wanted to keep the buildings up against Warner Road and Rural Road. Mr. Davis stated they provided some articulation on the buildings, so they are not just flat walls. He then went over the plant palette for the site, which includes a lot of trees along the streetscape.

Commissioner Lloyd asked what considerations they took for buffering the patio area space at the apex of the building from the busy intersection in terms of experience, sound, and safety. Mr. Davis stated that it is set off the street quite a bit so there is a good buffer due to the distance. He noted that they will have trees planted out front, but they do not want to completely block the view from the corner.

Commissioner Tom asked if there was any consideration of including some of the steel canopies on the street side elevations, so it does not look like the back of a house. Mr. Davis stated that they do not have panels, but they did pop some of the elevations out so that they are not flat from bottom to top. Commissioner Tom asked if putting panels there is something that they could consider, and Mr. Davis stated that they could.

Commissioner Richter asked if they would consider putting windows on some of the street-facing elevations. Mr. Davis stated adding windows there did cross their mind, however that area is usually the back of house/utility area of the retail shop or restaurant. He stated that if there was glass there it would most likely have film on the inside or

spandrel glazing. Commissioner Richter stated that he was more focused on the areas that have outdoor patios. Mr. Davis stated there is glass at the endcaps of the building that faces the intersection.

Chair Johnson stated that he appreciates how they designed the layouts of the buildings and how they face the street. He noted that the applicant stated they added bicycle parking, but he did not see where it is located or how it is accessed by cyclists. Ms. Vaz stated that the bicycle parking is spread throughout the site and is located in front of the buildings. She then pointed out the pedestrian connections on Warner Road and Rural Road.

**PRESENTATION BY STAFF:**

Diana Kaminski, Principal Planner, gave an overview of the request. She stated that a neighborhood meeting was held on Thursday May 30, 2024 that was attended by approximately 55 members of the public. Ms. Kaminski noted there was a mix of favorable comments and concerns. She stated that the architecture and landscaping were generally liked, with concerns expressed about making sure the public street views were aesthetically enhanced to match the building front facing the parking lot. The primary concerns were regarding the proposed parking reduction and potential traffic generation from the new development. Ms. Kaminski stated that the applicant had all members of the team present to answer individual questions in a Q&A session and that the applicant has had additional meetings with residents and property owners in the area to address their concerns.

Ms. Kaminski went over the unique Conditions of Approval. One of these Conditions addressed parking and stated that: "In the event that parking demand exceeds the standards indicated within this Planned Area Development, from any complaints that are verified by a consensus of the complaining party and the Community Development Department the property shall provide a management plan to mitigate overflow parking in the adjacent neighborhood. Management strategies may include off-site parking agreement with church on the southeast corner of Rural and Warner Roads for employee parking or valet parking to increase customer parking on site, or other alternative solutions to increase parking if complaints arise from the commercial uses proposed on this site".

Chair Johnson asked if the development on the northeast corner of the intersection had entered into an agreement with the church for off-site parking. Ms. Kaminski stated she was not aware if they had.

**PUBLIC COMMENT:**

Michael Myrich, Tempe resident/Tally Ho Farms South, stated that he is concerned about the traffic this project will bring. He stated that there are a lot of people that park on their street. Mr. Myrich stated that they cannot pull out of their neighborhood even with the site being vacant, and that making a left is very dangerous. He stated that years ago, before they repaved Warner Road, there used to be a checkered box in front of their street so they could get in and out. Mr. Myrich said queuing is also a concern. He noted that this area is a safety corridor however there are a lot of accidents at that corner.

Larry Kelly, Tempe resident, stated that Rural and Warner is the ugliest corner between the 101 freeway and the I-10 and it is time that something be done to beautify that corner. He noted that every other community along Warner Road has a development on the corner. Mr. Kelly stated that the proposed development would be a great opportunity for the community to meet, converse, or just have a meal together. He also believes it would be a great buffer and decrease the traffic sound on both streets. The one issue that he has is the parking overflow that may occur on 71<sup>st</sup> Street and that steps should be taken to prevent it.

Jill Lewis, Tempe resident who lives on the south side of Warner Road, stated that the addition of undesirable density is not something that she and her neighbors support. She stated that the need does not seem to come from an increase in population in the area, but rather the desire of the developer to make money on that corner. Ms. Lewis stated that it is unrealistic to put two restaurants there and not think that will not pull in customers from other areas. She also believes it is crazy to think that they will valet people across to the church, and that they will just park on 71<sup>st</sup> Street.

Doug Brown, Tempe resident who lives on 71<sup>st</sup> Street, stated he is not opposed to the development but rather the reduction in parking. He is concerned with overflow parking that will cause people to park in front of his house and the higher traffic coming into the area.

William Judge, Tempe resident, stated the current site is an eyesore and that this development will be a good use for the corner. He understands the traffic concerns but stated that the traffic study rebuts that.

Paul Lines, Tempe resident who lives on 71<sup>st</sup> Street, expressed concern about the left in/left out entrance points and the curb cuts. He would prefer right in/right out entrances.

**APPLICANT RESPONSE:**

Ms. Vaz stated that they understand the traffic concerns and noted they are trying to drive the traffic to the lights to exit so people are not making left in/left outs. Regarding concerns about overflow parking, Ms. Vaz stated that they can work with the City to look into the neighbors getting “no parking” signs on their streets. Ms. Vaz stated that they are planning for a valet, which is common in most central Phoenix locations.

Ms. Blakeman stated that the way parking is calculated per City code, it is accommodated for every single land use. She stated they looked at both the retail use and restaurant use and based their parking on that. She noted that someone who goes to the restaurant may also go to the retail component, and vice versa, which would be the shared component for parking.

Commissioner Tom asked if the parking number would go down depending on the size of the retail or restaurant components and was advised that it would.

Commissioner Lloyd asked if the owner of the site has done any pre-leasing of tenants or if they know what type of tenant mix, or how heavy it will be, for a restaurant. Ms. Vaz stated that they have done some initial pre-leasing outreach and have a couple of Letters of Interest from smaller shops and restaurants. She stated they are looking for smaller boutiques, retail and restaurants. Commissioner Lloyd referenced the Conditional of Approval regarding mitigating parking issues if they arise and asked if there is currently any preemptive parking management strategy before it becomes a problem. Ms. Vaz stated that they are currently working on a valet parking plan. Commissioner Lloyd asked Ms. Blakeman if she could speak about the right in/right out on Warner Road that was mentioned in a public comment. Ms. Blakeman stated the right in/right out reduces the conflict of a left turn and gave further explanation.

Commissioner Tom asked how many cars can queue in the area between the curb cut to 71<sup>st</sup> Street. Ms. Blakeman proceeded to display the calculations for each area.

Vice Chair Schwartz asked if the possibility of posting “no parking” signs along 71<sup>st</sup> Street has been discussed with the residents. Ms. Vaz stated that they talked a little bit about it, but it is not something they can do as the neighbors would have to request it. She stated they have been talking with the City about putting white stripe lines in front of Warner Road that states to not block the driveway.

Chair Johnson asked about the permit parking process so that the residents in the area are aware of how it works. Cory Steele, City of Tempe Transportation Senior Civil Engineer, stated that they can do residential permit parking throughout the City. He stated that if permit parking is requested, and 70% of the neighborhood approves it, it would be eligible for residential permit parking. Chair Johnson referenced the public comment about the “do not block” striping being removed in front of 71<sup>st</sup> Street. Mr. Steele said that they have looked at this intersection three times over the past year to review it and see how far back the queuing goes. He stated that they had not observed it during the peak p.m. hour blocking the 71<sup>st</sup> Street leg. He noted that is not to say it does not happen, but rather that they did not observe it. Mr. Steele stated that they conducted a signal program where they go through and adjust the signal timing which has reduced the queuing which may have led to the striping being removed. Mr. Steele stated they are not aware of an “X” being there in the past. He noted these are normally used in front of fire stations, and that they are concerned about putting it in any intersection as it may reduce compliance in front of fire departments.

**COMMENTS AND DISCUSSION FROM THE COMMISSION:**

Commissioner Spears stated she is concerned about doing the right turns as it will put more traffic into neighborhoods where people will look for the nearest street to turn into to make a U-turn. She also noted that when it comes to permit parking, the problem is that it applies to everyone, even your own household. Commissioner Spears stated she likes the design of the project.

Commissioner Tom stated he also likes this project and does not have an issue with the parking reduction. He stated he drives in that area all the time and does not see a lot of cars queued up to 71<sup>st</sup> Street.

Vice Chair Schwartz stated that she drives by that intersection frequently and would be excited to see a development on that corner. She stated she appreciates the developer putting a lot of trees on the site.

Chair Johnson stated this intersection was always a dead zone and he is excited to see it being developed. He stated that he would be in support of a comment made earlier about adding metal canopy features along the street-facing side. Chair Johnson noted that the unique Condition of Approval will address parking issues that may arise.

**Motion:** Motion made by Commissioner Spears to approve PL240155 and seconded by Commissioner Richter.

**Ayes:** Chair Johnson, Vice Chair Schwartz, Commissioners Lloyd, Spears, Tom, Richter, and Redman

**Nays:** None

**Abstain:** None

**Absent:** Commissioner Forte

**Vote:** Motion passes 7-0

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**Staff Announcements:** None

**There being no further business the meeting adjourned at 7:27 p.m.**

Prepared by: Joanna Barry, Administrative Assistant II

Reviewed by: Michelle Dahlke, Principal Planner