



Minutes of the Development Review Commission February 13, 2018

Minutes of the regular hearing of the Development Review Commission, of the City of Tempe, which was held in Council Chambers,
31 East Fifth Street, Tempe, Arizona

Present:

Vice Chair David Lyon
Commissioner Scott Summers
Commissioner Thomas Brown
Commissioner Philip Amorosi
Commissioner Andrew Johnson
Alternate Commissioner Angela Thornton
Alternate Commissioner Barbara Lloyd

Absent:

Chair Linda Spears
Commissioner Michael DiDomenico
Alternate Commissioner Nicholas Labadie

City Staff Present:

Ryan Levesque, Comm. Dev. Deputy Director – Planning
Suparna Dasgupta, Principal Planner
Karen Stovall, Senior Planner
Obenia Kingsby, Planner II
Cynthia Jarrad, Administrative Assistant

Hearing convened at 6:08 pm. and was called to order by Vice Chair David Lyon.

Consideration of Meeting Minutes:

The following Agenda items #1, #2, and #3 were considered together.

- 1) Study Session Minutes, September 25, 2017
- 2) Study Session Minutes, January 23, 2018
- 3) Regular Meeting Minutes, January 23, 2018

MOTION: Motion made by Commissioner Amorosi to approve Study Session Minutes for September 25, 2017, and Study Session and Regular Meeting minutes for January 23, 2018. Motion seconded by Commissioner Johnson.

VOTE: Motion passes, 4 - 0.

Consent Agenda:

The following Agenda items #5 and #7 were considered together on Consent Agenda.

- 5) Request for a Use Permit to exceed the parking maximum (125%) and a Development Plan Review consisting of two, two-story office buildings totaling 20,000 square feet for **SUPIMA AGAVE (PL170360)**, located at 1710 West Ranch Road. The applicant is RSP Architects.
- 7) Request for a Use Permit to allow a restaurant in the General Industrial (GID) zoning district; Use Permit to allow a drive-through; Use Permit to exceed 125% of the minimum required parking; and a Development Plan Review for a

new 200 square foot building for **THE FIX COFFEE (PL170228)**, located at 1445 West Auto Drive. The applicant is Matthew Stewart.

MOTION: Motion made by Commissioner Johnson to approve Agenda items #5 and #7. Motion seconded by Commissioner Thornton.

VOTE: Motion passes, 7-0.

- 4) Request for a Development Plan Review for two (2) new warehouse buildings, totaling 18,105 square feet, for **SOUND AND LIGHTING FX (PL170198)**, located at 1245 North Miller Road. The applicant is TEBO LLC.

PRESENTATION BY STAFF:

Mr. Obenia Kingsby, Planner II, gave a short presentation. He stated that Sound and Lighting FX is a new development consisting of two warehouse buildings, with a caretaker's residence. The proposed buildings will be significantly set back from the street; cover approximately 24% of the lot; and one building will be 35 feet in height and the other 26 feet. There will be a single, gated ingress/egress driveway on Miller Road for vehicular and pedestrian access. The project will be well landscaped along the perimeter and frontage. The project will meet the development standards required under the Zoning and Development Code and meets the approval criteria for a Development Plan Review. Staff is recommending approval, subject to conditions.

PRESENTATION BY APPLICANT: Mr. Robert Briggs of TEBO, applicant and architect for the project, gave a presentation. He stated the owners will live here, their residence will actually be built above one of the warehouses. This is in a perfect location for them because of the central location and also being in the General Industrial District (GID) for zoning. He stated the business provides sound and lighting for events, but there are no events onsite. Vehicles will come and go, carrying equipment offsite. The building has a modern look, with metal and stucco. He shared renderings of the building and residence, along with floor plans.

Commissioner Amorosi questioned the building, stating that the applicant has stated there will be a neighborhood feel to the building, but he doesn't see how it will be "part of the neighborhood" when there is a 60-foot frontage, and all the neighbors will see is an eight-foot fence. Also, if this business would fail sometime in the future, Tempe will be stuck with this large building on a small street within an existing neighborhood, he does not see why this plan was chosen. Mr. Briggs responded that the GID zoning in this area fits the business/residence perfectly. Building A, which contains the residence, is the heart of the project, and it could not be placed further to the front of the lot because of access issues in relation to the exposure. They have tried to be sensitive to the area because of the large warehouse that is part of this project, with the additional frontage, they are planning for increased landscaping as well. They thought this would be a better plan than filling the 60 feet of frontage with industrial building.

Commissioner Sumners stated he understood that there were no events on site, but was there testing of equipment that takes place on site? Mr. Briggs stated there is testing done on the premises, but none of it is outside the building, so it would not disturb neighbors.

Commissioner Brown asked about the eight-foot screen wall, why is it so high? Mr. Briggs stated that this had been an issue the applicant had worked with City staff on, and basically it was to help in screening the high bay doors facing Miller Road.

Vice Chair Lyon inquired about the unique situation of the residence atop a warehouse, were there some considerations, such as insulating the floor of the residence, etc. Mr. Briggs stated that was correct, and those issues had been taken into consideration and addressed.

PUBLIC COMMENT: None.

COMMISSION COMMENTS:

Commissioner Amorosi stated he would not support the project because of the frontage, it does not represent the walkable, pedestrian friendly environment that Tempe supports. Vice Chair Lyon inquired of Commissioner Amorosi if a lower wall would be more amenable to him, Commissioner Amorosi responded no, he does not believe enough design went into the warehouse portion of the project, and he contends they do not need that much frontage.

Commissioner Johnson stated that in regard to the layout of the site, he believes that in many projects, this one included, the developer is looking to protect the privacy of the neighbors. They have done so here with pushing the building away from the street front, and he will support.

Vice Chair Lyon stated that in his opinion the overall design is fine, but it also may be difficult to sell if or when the time comes. He likes the setback, it is appropriate and well executed. He will support.

MOTION: Motion made by Commissioner Thornton to approve a Development Plan Review for two (2) new warehouse buildings, totaling 18,105 square feet, for **SOUND AND LIGHTING FX (PL170198)**, located at 1245 North Miller Road. Motion seconded by Commissioner Sumners.

VOTE: Motion passes, 6-1, with Commissioner Amorosi in the dissent.

- 6) Request for a Use Permit to allow the expansion of an existing vehicle repair business and a Development Plan Review for a new 38,880 square-foot service facility with rooftop parking for **CHAPMAN CHEVROLET (PL170388)**, located at 1717 East Baseline Road. The applicant is Barry R. Barcus Architect, Inc.

PRESENTATION BY STAFF:

Ms. Karen Stovall, Senior Planner, gave a brief presentation. The requests are for the property located at the southwest corner of McClintock and Baseline. The property is zoned PCC-1 and has an existing vehicle sales and repair business that has been operating there since the early 1970's. The applicant is requesting approval of a Use Permit to allow the expansion of the existing vehicle repair business and a Development Plan Review for site plan, building elevations, and landscape plan. The applicant proposes to demolish the existing vehicle service building and car wash and construct a fully enclosed service building, the roof of which will hold 97 employee parking spaces that are accessed by a ramp on the north side of the structure. A new car wash tunnel, used for dealership and serviced vehicles only, and detail canopies are proposed to the south of the new service building. The landscape buffer along the west property line will be improved with three-inch caliper Mondel Pine trees to enhance screening for the residential uses to the west. The service building and car wash will be finished with stucco and painted off-white to match the existing sales and warehouse buildings on the site. The service building reaches 28'-6" at the parapet, and angled parking canopies on the roof extend up to 8'-4" higher. The canopy along the west building wall is sloped down to the west in order to screen the canopy lights. A neighborhood meeting was not required for these applications, but staff received one phone call and two e-mails about the project. The caller asked for additional information only, which was provided, the two emails received later expressed concerns about the proximity of the new buildings to the street and the design. Staff responded to these e-mails and provided copies of the site plan. Staff has reviewed the information and is recommending approval, subject to the stipulations listed in the staff report.

PRESENTATION BY APPLICANT:

Mr. Barry Barcus, architect, explained that this new service facility would be fully enclosed. He stated that the service facility has always had a car wash on site, and they simply wish to relocate it along with the modernization of the service facility. With the new enclosed facility, all service bays will be indoors, eliminating the noise from tools and air compressors, etc. There will be high speed roll-up doors at the bays, which will close after the vehicle is driven inside. In sustainability efforts, there will be solar panels on the roof canopies, and water used at the car wash will be treated and re-used. There was a noise study done, using actual existing readings, the noise generated in the surrounding area will actually be less than the existing condition, as everything will be enclosed. In all the years of operation at this site, there have been no complaints

from neighbors. If approved, this construction would happen in three phases, working from the south end of the site to the north, with Phase I to include the car wash tunnel. The applicant accepts all the conditions required by staff.

Commissioner Johnson inquired if, with employee parking being situated on the roof, will there be charging stations for electric cars? Mr. Barcus replied there would be.

Commissioner Thornton inquired about the time frame for the three phases, and for the entire project. Mr. Barcus stated Phase I would be approximately four and half months, with Phase 2 and 3 taking about six to seven months. Commissioner Thornton also asked if the high-speed electric bay doors would have safety mechanisms built in and Mr. Barcus confirmed that they would.

Commissioner Amorosi asked if the rooftop employee parking would be a part of Phase 3, Mr. Barcus stated that it would.

Commissioner Lloyd asked what the height difference would be between the existing structure and the new, Mr. Barcus responded that it would only be two feet higher than the existing.

Commissioner Thornton inquired of staff if the right of way dedication to the City for the bus pullout is contingent upon approval of this expansion, and Ms. Stovall stated that it was.

PUBLIC COMMENT:

Mr. and Mrs. Arne and Mary Larsen of Tempe stated that they live very close to the west side of this site, and their concern is the value of their home, as the valuations have consistently been going down. The new height of this building, with employee parking on the roof, is also an invasion of privacy, as people on the roof would have a clear view of their back yard as well as those of their neighbors. This loss of privacy is one of their main concerns.

APPLICANT RESPONSE:

Mr. Barcus stated that the building in question will be 82 feet away from the nearest neighbors, and there are also large trees to help with screening. They currently have the landscape architect inspecting trees, and they are happy to add and adhere to a condition stating that they will replace any that are dead.

Commissioner Brown asked if the parapet on the sloped roof for the solar panels was two feet from the canopy, and Mr. Barcus stated that it was. Commissioner Brown asked if that two-foot gap seems to be the problem, creating visibility into the back yards. Could that gap be closed by lowering the panel or could some sort of screening be used to give the neighbors additional privacy? Mr. Barcus responded that would be something they could do, perhaps using perforated metal to close the gap.

Vice Chair Lyon asked Mr. Barcus if they would agree to the conditions of replacing dead trees and adding additional screening at the rooftop parking area, and asked staff for a timeframe. Mr. Barcus stated that they would agree to those conditions and asked if there would be a timeline for the condition regarding tree replacement. Ms. Stovall stated that the tree replacement would need to be completed before issuance of a Certificate of Occupancy for Phase I, Mr. Barcus agreed to that timeline.

COMMISSION COMMENTS:

Commissioner Sumners thanked the neighbors who spoke as well as the applicant, for working together toward solutions. He also asked staff if the legal notification process could be revisited at some point, as his opinion is there is not enough public outreach on some of these projects. Ms. Dasgupta stated that this would be a larger discussion, but that yes, it could certainly be explored.

Commissioner Lloyd stated that she appreciated seeing the applicant and neighbors work together. She assured the homeowners that their property value concerns had been heard, but also commended the applicant for the efforts regarding this property, they have not let it deteriorate over time, and that is good for the city as well.

Vice Chair Lyon also thanked the applicant for responding to the neighbor's requests, he thinks the expansion of this facility is a great improvement to the existing, and he will support.

MOTION: Motion made by Commissioner Johnson to approve a Use Permit to allow the expansion of an existing vehicle repair business and a Development Plan Review for a new 38,880 square-foot service facility with rooftop parking for **CHAPMAN CHEVROLET (PL170388)**, located at 1717 East Baseline Road, with the two additional conditions:

- 1) that any dead trees found along the west property line be replaced with Phase I, prior to Certificate of Occupancy, and
- 2) the applicant shall work with staff to provide screening between the parapet and the canopy along the west building wall;

Motion seconded by Commissioner Thornton.

VOTE: Motion passes, 7-0.

STAFF ANNOUNCEMENTS:

Ms. Dasgupta reviewed the agenda for the February 27, 2018 Development Review Commission meeting. There is currently one item on the agenda. She also reminded the Commission to check their email for information regarding the workshop meetings surrounding the Urban Core Master Plan.

There being no further business, the meeting was adjourned at 7:01 pm.

Prepared by: Cynthia Jarrad



Reviewed by:
Suparna Dasgupta
Principal Planner, Community Development Planning