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## Minutes of the Development Review Commission February 12, 2019

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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:**

Chair David Lyon  
Vice Chair Michael DiDomenico  
Alt Commissioner Barbara Lloyd  
Commissioner Thomas Brown  
Alt Commissioner Angela Thornton  
Commissioner Philip Amorosi  
Commissioner Andrew Johnson

**City Staff Present:**

Chad Weaver, Director, Community Development  
Ryan Levesque, Deputy Director, Community Development  
Steve Abrahamson, Principal Planner  
Karen Stovall, Senior Planner  
Diana Kaminski, Senior Planner  
Lee Jimenez, Senior Planner  
Obenia Kingsby II, Planner II  
Blake Schimke, Planning Technician  
Christopher Ray, Administrative Assistant I

**Absent:**

Commissioner Scott Sumners  
Commissioner Don Cassano  
Alt Commissioner Michelle Schwartz

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Hearing convened at 6:00 PM and was called to order by Chair Lyon.

**CONSIDERATION OF MEETING MINUTES:**

1. Development Review Commission – Study Session & Regular Meeting – January 8, 2018  
**Motion:** Motion made by Vice Chair DiDomenico **Approve** Meeting Minutes. Seconded by Commissioner Amorosi.  
**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Amorosi, Johnson and Brown  
**Nays:** None  
**Abstain:** Commissioners Lloyd, Thornton  
**Absent:** Commissioners Cassano, Sumners, Schwartz  
**Vote:** 5-0

**CONSENT AGENDA**

2. Request a Preliminary Subdivision Plat for **AOUFE UNIVERSITY**, located at 1835 East University Drive. The applicant is Aoufe Enterprises, LLC. **(PL180249)**

5. Request a Use Permit for a new fence and gate exceeding 4 feet in height in the front yard setback for **VILLAS ON 7TH**, an existing multi-family development, located at 407-419 West 7th Street. The applicant is SCP III AZ, LLC. **(PL180342)**
6. Request a Use Permit to allow a 50-foot high wireless telecommunication facility for **ADOT UNIVERSITY**, located at 2245 East University Drive. The applicant is Crown Castle. **(PL190002)**

**Motion:** Motion made by Commissioner Johnson to **Continue** to 3/12. Seconded by Alt Commissioner Thornton.  
**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Brown, Amorosi, Johnson, Thornton, Lloyd  
**Nays:** None  
**Abstain:** None  
**Absent:** Commissioners Sumners, Cassano, Schwartz  
**Vote:** 7-0

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

3. Request a Development Plan Review for 66,923 square-feet of building additions for **UNIVERSITY BUSINESS CENTER**, located at 624 South River Drive. The applicant is Larson Associates Architects, LLC. **(PL180298)**

**Staff Presentation:**

Mr. Obenia Kingsby, Planner II, gave a brief presentation and an overview of what the applicant is requesting. His presentation showed the Site Plan, Elevations, and he explained the materials of what will be used.

**Applicant Presentation:**

Mr. Jim Larson, Principal Larson Associate Architects, introduced himself and explained that this project has come to him as a request to increase office space, warehouse space, and manufacturing space. He briefly explained the goal of this project and what the inspiration was to pursue it. He stated that they will be soon be ready to submit for Plan Review if approved by the Commission. He also added that he has had a great working relationship with Mr. Obenia Kingsby. Mr. Larson stated they agree to all stipulations made by staff. Commissioner Thomas Brown asked what the manufactures and sells. Mr. Larson explained that they manufacture the technology for injectable medicine. Commissioner Brown asked what would happen to the property if they needed more space. Mr. Larson stated that they have extended the land lease for ten years on top of the rest of their two-year lease, so they are expected to be there for a long time. Commissioner brown asked if the public ever come to the premise to which Mr. Larson stated they very rarely come to this office. Commissioner Brown also asked for some clarifications on attachments 87 and 88.

**Commission Discussion:**

Vice Chair DiDomenico if the applicant has agreed with all stipulations as presented by staff. Mr. Kingsby stated that they have agreed to all.

**Motion:** Motion made by Vice Chair DiDomenico to **Approve**. Seconded by Commissioner Amorosi.  
**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Brown, Amorosi, Johnson, Thornton, Lloyd  
**Nays:** None  
**Abstain:** None  
**Absent:** Commissioners Sumners, Cassano, Schwartz  
**Vote:** 7-0

4. Request a Development Plan Review for a new 28,560 square-foot parking structure for **MEDIMPACT GARAGE**, located at 8120 South Kyrene Road. The applicant is CBRE. (PL180352)

**Staff Presentation:**

Mr. Obenia Kingsby gave a brief presentation to the Commission explaining the project, he showed the site context and stated that they will be using materials to match the surrounding area. Vice Chair DiDomenico asked if there was a neighborhood meeting, to which Mr. Kingsby stated there was not.

**Applicant Presentation:**

Mr. Benjamin Tate, Withey Morris, presented his project to the Commission. He gave a background of what the company does, and why they will need this new garage to be built. He explained that they will be expanding and need to accommodate more parking spots for their tenants. Vice Chair DiDomenico asked what the total buildable area of the future projects will be. Mr. Tate stated he did not know. Vice Chair DiDomenico stated he was concerned about the GID nature of the property next to a residential neighborhood. He stated it would be nice to know if they do not operate at night and outside of normal business hours. The representative of MedImpact stated that there are very minor operations outside of normal business hours. Commissioner Amorosi asked how high the buildings are. Mr. Tate responded they are 32' high.

**Commission Discussion:**

Commissioner Brown stated he was worried about the location, but the homes at Kyrene already back a large commercial complex.

**Motion:** Motion made by Commissioner Brown to **Approve**. Seconded by Commissioner Thornton

**Ayes:** Chair Lyon, Commissioners Brown, Amorosi, Johnson, Thornton, Lloyd

**Nays:** Vice Chair DiDomenico

**Abstain:** None

**Absent:** Alt Commissioner Schwartz, Commissioners Cassano, Summers

**Vote:** 6-1

7. Request a Use Permit to allow alley access to a non-single-family use parking area opposite a single-family zoning district and a Development Plan Review for a 498 square-foot building addition and remodel for **GROOMING HUMANS HAIR STUDIO**, located at 2308 South Rural Road. The applicant is Grooming Humans Hair Studio Inc. (PL180248)

**Staff Presentation:**

Ms. Karen Stovall, Senior Planner, presented her project to the Commission. She showed site context, current zoning, and intention of request. She digressed as to what was changing with the parking to require the use permit. She presented design images that are included in the development plan review. Commissioner Thornton asked whether the parking in the rear was customer or employee parking. Ms. Stovall stated it will be mixed. Chair Lyon asked what parameters staff looks at to find requests such as the parking change appropriate to approve. Ms. Stovall explained the reasons and parameters staff looks at to decide whether this is an acceptable compromise. She stated that since this is not a business that people would gather for a long time the parking in the rear should not be an issue. Commissioner Thornton commented that she lives in the neighborhood, and many existing businesses have this parking setup. Commissioner Lloyd asked when the building was last occupied. Ms. Stovall stated she did not know the answer to that question. Commissioner Lloyd then asked what the access to the property before this was. Ms. Stovall explained on the site plan where the access to the property was previously. Commissioner Lloyd then asked whether the applicant could use the site as it was played out originally today. Ms. Stovall stated the applicant could

technically use the site as it is, but it is not the most efficient design. Vice Chair DiDomenico asked if there was a requirement to have a wall in the alley, and have access for Rural Road. Ms. Stovall stated if they removed the wall from the West property line they would have to come back in for a development plan review.

#### **Applicant Presentation:**

Mr. Brad Holquist, Grooming Humans, gave some background information regarding the Grooming Humans business, and why they bought this property. Commissioner Thornton asked how many employees will be occupying daily. Mr. Holquist stated 3-4 employees or 2-3 cars per hour. Commissioner Brown asked to clarify whether the 2-3 cars an hour was employees or customers. Mr. Holquist stated that that would be customers. Vice Chair DiDomenico asked about the circular driveway in front of the business. Mr. Holquist answered that that will be a delivery drive for the business. Commissioner Thornton interjected to say that there would be no parking signs conditioned for the front side of the business.

#### **Commission Discussion:**

Chair Lyon stated he really liked the premise of the back-alley parking situation for this business. Commissioner Lloyd agreed and stated she likes the adaptive re-use of the property. She stated she saw in the conditions of approval that they would have to come back if neighborhood complaints arrive at a later date. Commissioner Thornton also stated she liked the re-use of the property, and supported the materials palate and alley-way parking.

**Motion:** Motion made by Vice Chair DiDomenico to **Approve**. Seconded by Commissioner Amorosi.

**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Brown, Amorosi, Johnson, Thornton, Lloyd

**Nays:** None

**Abstain:** None

**Absent:** Commissioners Sumners, Cassano, Schwartz

**Vote:** 7-0

8. Request a General Plan Land Use Map Amendment from Commercial to Mixed-Use and a General Plan Density Map Amendment from Medium to High Density (up to 25 du/ac) to High Density (up to 65 du/ac); a Zoning Map Amendment from GID (GIOD) to MU-4; a Planned Area Development Overlay (PAD); and a Development Plan Review for a new four-story mixed-use development consisting of 395 dwelling units and 2 live-work units for **CAMDEN HAYDEN II**, located at 600 East Curry Road. The applicant is Huellmantel & Affiliates. **(PL180288)**

#### **Staff Presentation:**

Mr. Lee Jimenez, Senior Planner, gave a brief presentation regarding this project, he presented what the ambitions of the applicant were for this project, and explained the changes that will be happening to the zoning regarding the property. He also explained some minor changes to the PAD and parking on-site. Mr. Jimenez then overviewed the landscaping and materials that will be used in the project. He added that a neighborhood meeting has been held, and there has been only one public comment submitted at this time. Vice Chair DiDomenico asked whether the applicant will dedicate more land for a bike path along Curry. Mr. Jimenez stated that they will be re striping the bike lanes to connect the area between Scottsdale and Tempe along Curry. Commissioner Brown inquired about the condition stating if density changed by 10% or more than they would be required to have an amendment to the PAD. Mr. Ryan Levesque, Deputy Director, explained that this was relating to the number of bedrooms on the property, and if they were to increase by said amount, they would need a major amendment to the PAD. Chair Lyon stated he was concerned over the Mixed-Use designation with only two live-work units. Mr. Jimenez stated the code does not have a number requirement for number of units for Mixed-Use. Chair Lyon asked how this application would be different if this was not a Mixed-Use project. Mr. Levesque stated that the density of units is higher for Mixed-Use over Residential zoning and the maximum density for multifamily zoning is 30 du/ac.

### **Applicant Presentation:**

Mr. Charles Huellmantel, Huellmantel & Affiliates, presented his project and gave a brief overview of the insight behind their application. He also stated that he feels as if the inclusion of a new dog park to the property should be considered a part of the Mixed-Use zoning as well. Mr. Huellmantel explained the theory behind Mixed-Use, and why it is intentionally a gray area in code. He stated that he believes he has done a pretty good job at finding creative solutions to the Mixed-Use zoning designation. He continued to explain the history of the site, and why this project will be a great improvement to what is currently on this land. Mr. Huellmantel also explained how this new property will be an improvement over past projects that are adjacent. He then showed us design elements such as landscaping, and setbacks from the road that include bicycle lanes. Commissioner Amorosi asked what the height of the first Camden Developments were. Mr. Huellmantel stated Camden Hayden is 61 feet, and Camden Sotelo is 48 feet, and they are proposing 54 feet for the new development. Commissioner Brown asked if someone else buys the property, the zoning amendment would continue. Mr. Huellmantel stated that they are not requesting the maximum density for Mixed-Use zoning, and that any buyer would be limited to what they are requesting tonight.

### **Public Comments:**

He added that the empty lot that is there is ridden with drugs and alcohol is greatly appreciative of this project. He looked forward to the economic impact that this may have on his own property. Commissioner Amorosi asked if the density being requested bothered him. Mr. Carroway stated that he is not concerned with the density and he has had good experiences with the current multi-family houses that are there currently. Commissioner Johnson asked if the plant palette that Camden Hayden II will be using bothers Mr. Carroway at all. Mr. Carroway stated that he is very pleased with the plant palette and he doesn't believe a more desert themed landscape would serve the residents as well. Ms. Deborah Zajac, Tempe Resident, stated she is not in opposition of this residential project. She stated she is concerned with the zoning, and parking situation. She stated she feels like this project could use more open space, but it is certainly better than the original Camden Hayden. Ms. Darlene Justus, Tempe Resident, stated she is very happy with the dog park addition to the property, and she is glad they are getting rid of the Progressive parking lots. She stated she was unhappy that there was no limit as to how many different types of uses was necessary for the Mixed-Use designation. She also stated that she is concerned over the lack of affordable housing in the area. Ms. Justus proceeded to proclaim the aspects of the property she enjoyed. Ms. Kim Gaffney-Losa, Tempe Resident, stated the design of the property does not bother her, and she thinks this is a good spot for high-density living. She stated that she would like to see more native plants. She stated she appreciated how much work Mr. Huellmantel put into public relations in regard to this development. Mr. Huellmantel stepped up to the stand to address some of the public comments. He stated that the development would not be able to economically be supported by affordable housing, and he would love to make a condition to add more desert trees into the mixes. He also added that they would be amenable to more live-work units if that was an appropriate measure to take. He added that sometimes live-work units are hard to fill and he wouldn't want to see empty units on the bottom floor. Commissioner Brown asked some financial questions regarding the projects rent and land. Chair Lyon diverted attention to other questions. Commissioner Thornton asked about the design aesthetic of the bus stop. Mr. Huellmantel stated they would rather not put a bus stop in this area, but they are being amenable to staff, he also added that they are in the process of designing a new bus stop for this property.

### **Commission Discussion:**

Commissioner Amorosi agreed that this site should be residential and not GID. He was concerned about the density of this project, and believed R-5 was a more appropriate zoning for this project. Vice Chair DiDomenico stated he would be more concerned about the density of this project if he saw more resistance from neighbors. He added he doesn't believe downgrading it to R-5 zoning would have any effect on the final product. He also stated he believed the parking on the interior of the buildings was a more attractive offer to people on the outside than having the parking face the street frontage. He ended his statement by saying he will support the project. Commissioner Lloyd agrees that more live-work units may be a bad idea in this project and she supported that idea by the applicant. Commissioner Brown commented on the appearance and layout of the property, and he feels as if they went a little too far on the density.

Commissioner Thornton thanked the community members for coming and speaking on this project. Commissioner Johnson stated he isn't concerned about the density, and he would like to include in the motion to add more native plants to the landscape package. Chair Lyon gave his thoughts on the project and stated he is in support of the stipulation regarding the landscape package.

**Motion:** Motion made by Vice Chair DiDomenico to **Approve** with added condition No. 24 that applicant shall work with staff to replace plants with native species as appropriate. Seconded by Commissioner Thornton.

**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Johnson, Thornton, Lloyd

**Nays:** Commissioners Brown, Amorosi

**Abstain:** None

**Absent:** Commissioners Sumners, Cassano, Schwartz

**Vote:** 5-2

9. Request for a Code Text Amendment for **ACCESSORY DWELLING UNITS** consisting of changes for accessory dwellings and amendments to the guest quarters regulations found in Section 3-402 and 3-411. The applicant is the City of Tempe. **(PL170425)**

#### **Staff Presentation:**

Mr. Ryan Levesque, Deputy Director, presented his project and gave a brief history of where this Code Text Amendment has been before. He stated that the City has received a lot of public input before this Code Text Amendment was finalized. He then explained what the Code Text Amendment means for residents of Tempe. He stated the change from last years proposed ordinance was for ADUs the change in maximum size (from 600 to 800sf.), and limit of 2 bedrooms an ADU unit can have. He also stated that this Code Text Amendment has changes to the regulations for Guest Quarters, allowing lots with at least 8,000 sf. (previously 15,000). Commissioner Amorosi asked for clarification of lot coverage requirements for properties in Tempe that will be affected. Mr. Levesque stated that guest quarters and ADUs will still have to comply with standards of setbacks and lot coverages. Vice Chair DiDomenico stated he is a supporter of this change, and an opportunity that is primarily open to North Tempe owners. He stated he feels as if this will not come into play much in South Tempe. He questioned why North and South Tempe weren't being treated the same in this Code Text Amendment. He stated in the survey, people seemed universally interested in extending this further in Tempe. Mr. Levesque stated that the City would like to re-evaluate this at a later date to see how it works out initially before expanding the allowance of ADUs any further. The City Manager's Working Group had requested a one-year follow-up review. Vice Chair DiDomenico explained to the Commission how this differs in North and South Tempe regarding the use and who can live in these ADU's. Commissioner Lloyd stated she was concerned with the potential uses of these ADU's and density problems. Mr. Levesque responded that the ADU Code Text Amendment does not require any additional parking, but that does not mean that the property owner couldn't add additional parking at a later date. He stated that many of the neighborhoods affected by this Amendment are already controlled by permit parking so there is a control mechanism available. Mr. Marrell Darcy, Tempe Resident, stated he was in support of this Code Text Amendment and thought it was a great idea for the city. He stated he had concern over the use of the properties in some of these neighborhoods, and he would like to specify that the properties that have become duplexes cannot add another unit as well. Mr. Levesque addressed Mr. Darcy's concern, and clarified that to qualify for the ADU provision, it has to be currently designated single-family. He added that guest quarters can be attached, detached, or connected to the garage. He then proceeded to define what a guest house is. Mr. Kolby Granville, Council member and resident of Tempe, stated he is very pleased to see this Code Text Amendment come back to the City, and explained why he is in support of this project. He stated that he believes it will be great for the economy of Tempe. Mr. Levesque stated the proposal received a lot of public support because the residents see that it supports the residents instead of developers. Commissioner Amorosi asked for clarification on if guest quarters could have a kitchen. Mr. Levesque stated they can in fact have a kitchen.

**Commission Discussion:**

Vice Chair DiDomenico stated he supports this project, and stated Mr. Granville was right on the mark.

**Motion:** Motion made by Commissioner Amorosi to **Approve**. Seconded by Commissioner Thornton.

**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Brown, Amorosi, Johnson, Thornton, Lloyd

**Nays:** None

**Abstain:** None

**Absent:** Commissioners Sumners, Cassano, Schwartz

**Vote:** 7-0

**ANNOUNCEMENTS / MISCELLANEOUS:**

**10. Commission Member Announcements:**

NONE

**11. City Staff Announcements:**

Mr. Ryan Levesque briefly overviewed upcoming projects that will be coming to the Development Review Commission.

**There being no further business, the meeting was adjourned at 8:19 pm.**

Prepared by: Christopher Ray



Reviewed by:

Ryan Levesque, Deputy Community Development Director