



## Minutes of the Development Review Commission REGULAR MEETING October 27, 2020

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 David Lyon  
Vice Chair Michael DiDomenico  
Commissioner Scott Sumners  
Commissioner Don Cassano  
Commissioner Philip Amorosi  
Commissioner Andrew Johnson  
Commissioner Steven Bauer

**Absent:**

Alt Commissioner Barbara Lloyd  
Alt Commissioner Michelle Schwartz (in the audience)  
Alt Commissioner Linda Spears

**City Staff Present:**

Chad Weaver, Director, Community Development  
Ryan Levesque, Deputy Director, Community Development  
Suparna Dasgupta, Principal Planner  
Steve Abrahamson, Principal Planner  
Lee Jimenez, Senior Planner  
Diana Kaminski, Senior Planner  
Obenia Kingsby II, Planner II  
Robbie Aaron, Planner II  
Dalton Guerra, Planner I  
Joanna Barry, Administrative Assistant II

**Hearing convened at 6:00 p.m. and was called to order by Chair Lyon**

---

**Consideration of Meeting Minutes:**

- 1) Development Review Commission – Study Session 9/8/20
- 2) Development Review Commission – Regular Meeting 9/8/20

**Motion:** Motion made by Commissioner Cassano to approve Regular Meeting minutes and Study Session Meeting minutes for September 8, 2020 and seconded by Vice Chair DiDomenico.

**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Sumners, Cassano and Bauer

**Nays:** None

**Abstain:** Commissioners Amorosi and Johnson

**Absent:** None

**Vote:** Motion passes 5-0

- 3) Development Review Commission – Study Session 9/22/20
- 4) Development Review Commission – Regular Meeting 9/22/20

**Motion:** Motion made by Commissioner Cassano to approve Regular Meeting minutes and Study Session Meeting minutes for September 22, 2020 and seconded by Vice Chair DiDomenico.

**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Amorosi, Sumners, Cassano, Johnson and Bauer

**Nays:** None

**Abstain:** None

**Absent:** None

**Vote:** Motion passes 7-0

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

- 5) Request a Use Permit Standard to increase the maximum height of an accessory building from fifteen (15) feet to eighteen (18) feet for the **WROBLE RESIDENCE**, located at 1225 East Warner Road, Unit 6. The applicant is Randy Wroble. **(PL200179)**
- 6) Request a Use Permit to allow an instructional school for **BELIEVE I CAN ACADEMY**, located at 2120 South Rural Road. The applicant is The Phactory. **(PL200183)**
- 7) Request a Use Permit to allow a restaurant with a drive-through in the General Industrial District for **KYRENE & GUADALUPE**, located at 6375 South Kyrene Road. The applicant is Cawley Architects. **(PL200217)**

**Motion:** Motion made by Commissioner Johnson to approve Consent Agenda and seconded by Commissioner Cassano.

**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Amorosi, Sumners, Cassano, Johnson and Bauer

**Nays:** None

**Abstain:** None

**Absent:** None

**Vote:** Motion passes 7-0

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

- 8) Request a Planned Area Development Overlay to establish development standards, a Use Permit to allow tandem parking, and a Development Plan Review for a new commercial development consisting of a 17-story office tower and 18-story hotel tower with ground floor retail, and a 7-level above grade parking structure, including the preservation and rehabilitation of an existing train depot structure, within approximately 993,000 square-feet of building area on a 2.52-acre site for **TEMPE DEPOT**, located at 300 South Ash Avenue. The applicant is E&R Holdings. **(PL190330)**

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

Ms. Manjula Vaz, Gammage & Burnhan, introduced her team members and went over their applicant's request. She advised that the original 1924 train depot located on the western edge of the site generated a lot of their decisions regarding the project and how to integrate it into the site. The developer and the City requested that they preserve the train depot in its current location. Even though the depot does not have a local historic designation, the reuse and restoration to this historic building was also presented to the Historic Preservation Commission. The Use Permit for tandem parking only applies to the commercial portions of the project.

Mr. John Tran went over the project design, mainly the preservation of the train depot.

Vice Chair DiDomenico asked how much meeting space was planned in the hotel. Ms. Vaz advised there would be approximately 9,800 SF.

Commissioner Amorosi asked if there was any mitigation from the vibration of the trains. Mr. Tran advised that the hotel would be insulated from the noise and vibration. Ms. Vaz also stated they are aware of the noise and will have dual paned windows.

Commissioner Cassano noted they will show more of the depot, but it will not be part of the physical part of the depot. He is fully in support of the project.

Commissioner Sumners asked about parking and how the circulation would work. Mr. Tran explained to the Commission the vehicular and biking path. He also explained the elevator access to the floors.

Chair Lyon appreciates the complications the team has dealt with in this project, especially preserving the train depot, however he has a concern about how they will activate the retail space. Ms. Vaz stated that they believe the hotel will draw people to the depot. They plan for it to be a coffee shop or something similar. They plan for purposeful events to draw people to it. Chair Lyon restated how he thinks this will be a great site, but he notes that he feels that the train depot will be the back of the project and he does not know how that will be an active space.

Mr. Tran stated that he believes that the train depot will be an anchor that draws people in. They believe it will be an asset and not a liability.

**PRESENTATION BY STAFF:**

Mr. Lee Jimenez, Senior Planner, gave an overview of the project and the applicant request. There was a neighborhood meeting, but no comments were received. Staff recommends approval. There are a few non-standard conditions of approval as stated in the staff report.

Commissioner Sumners noted there was a rendering that was not in their report regarding plexiglass. Mr. Jimenez advised the plans were a concept only.

**PUBLIC COMMENT: NONE**

**COMMENTS AND DISCUSSION FROM THE COMMISSION:**

Commissioner Bauer stated how he appreciates the architects, applicant, developer, and staff for making this project work and incorporating the various multi-modal network of transportation. Commissioner Bauer also applauded the applicant's work with public engagement for such a complicated development. He supports this project.

Commissioner Amorosi appreciates the use of the old train depot and believes it will draw people into the area. he supports the project.

Commissioner Johnson supports the project but the only concern he has is stipulation #27 regarding art panels. and hopes it will come to fruition with the engagement of a local artist.

**Motion:** Motion made by Commissioner Bauer to approve PL190330 and seconded by Commissioner Amorosi, subject to the stipulations.

**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Amorosi, Sumners, Cassano, Johnson and Bauer

**Nays:** None

**Abstain:** None

**Absent:** None

**Vote:** Motion passes 7-0

- 9) Request a General Plan Density Map Amendment from "Medium to High Density (up to 25 du/ac)" to "High Density Limited (up to 45 du/ac)", a Zoning Map Amendment from AG to MU-4, a Planned Area Development Overlay to establish development standards, a Use Permit to allow tandem parking and a Development Plan Review for a new 4-5 story development containing 651 dwelling units with commercial (five live-work units) for **BANYAN NORTH TEMPE**, located at 1255 East Curry Road. The applicant is Huellmantel & Affiliates. **(PL200128)**

**PRESENTATION BY APPLICANT:**

Mr. Charles Huellmantel gave an overview of the project and gave a video observation of the site. The presentation included the current conditions and how it will be improved with this development. Mr. Huellmantel also informed the commission that the annexation is currently under process.

Commissioner Amorosi asked about a portion of the site that is not included in the project. Mr. Huellmantel advised that the area that was not part of their project is owned by a company who controls cell towers and they were not willing to work with him. Commissioner Amorosi also noted that it appears this project will go in phases and inquired about how that would be. Mr. Huellmantel advised that he believes it would be buildings 1, 2 and 3. Commissioner Amorosi asked if it was going to be a mix of marketplace or workforce housing. Mr. Huellmantel advised that they have made sure that some of the units fall under workforce housing category. Commissioner Amorosi also inquired about the live/work units and where they are being proposed and the applicant confirmed that live/work component has been incorporated.

**PRESENTATION BY STAFF:**

Mr. Obenia Kingsby II, Planner II, gave an overview of the project. He advised that a neighborhood meeting was held virtually on July 21, 2020. There was no opposition to the project and one individual voiced support for the project. Staff received an email from the Arizona Historic Preservation office which expressed that the viewshed for the Tempe Buttes be maintained for this project due to the location and to make sure that the residents of the South River Pima Indian community would still be able to see the butte. Mr. Kingsby noted special conditions associated with the project, one specifically relating to a cell tower.

**PUBLIC COMMENT:**

Ms. Suparna Dasgupta, Principal Planner, read into the record a comment received from Sandra Gonzalez who is a property owner in the county island:

"I am a property owner in this county island of Tempe and I cannot support this project because the zoning will require a change. The proposed project will cause problems for future to all businesses that have existed in this part of Tempe for a long time. Jobs will be lost. Current zoning should be kept and respected. Thank you".

**COMMENTS AND DISCUSSION FROM THE COMMISSION:**

**Motion:** Motion made by Commissioner Bauer to approve PL200128 and seconded by Commissioner Cassano, subject to the stipulations.

**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Amorosi, Sumners, Cassano, Johnson and Bauer

**Nays:** None

**Abstain:** None

**Absent:** None

**Vote:** Motion passes 7-0

- 10) Request for code text amendment to the **ZONING AND DEVELOPMENT CODE**, consisting of modifications to the Home Occupation allowed uses and definitions for Beauty Salons and Barber Shops. The applicant is the City of Tempe. **(PL200216)**

**PRESENTATION BY STAFF:**

Ms. Diana Kaminski, Senior Planner, gave an overview to the Commission on the proposed text amendment. A neighborhood meeting was not required, however the proposed text amendment was presented to the Neighborhood Advisory Commission. They voted 9-2 in approval of the text amendment.

Commissioner Amorosi stated he is concerned about the parking situation and that someone will throw down granite on the front lawn and claim it is parking. Ms. Kaminski stated that if there is a one-person salon it would be considered as a "guest". If the owner wants to add a second chair, then they would have to apply for a Use Permit.

Commissioner Bauer made a comment about neighbors possibly having an issue with the commercial use. However, based on how businesses have been affected by the pandemic, he understands the need for this. He also suggests someone looking to conduct business in their home look at their CC&Rs and neighborhood restrictions to ensure that type of use is allowed. These services may be against homeowner association rules.

Commissioner Cassano agreed with Commissioner Bauer's comment and suggest that maybe something could be notation somewhere that when someone applies for this, they research the allowed use in the area.

**PUBLIC COMMENT: NONE**

**Motion:** Motion made by Commissioner Cassano to approve PL200216 and seconded by Commissioner Amorosi.

**Ayes:** Chair Lyon, Vice Chair DiDomenico, Commissioners Amorosi, Sumners, Cassano, Johnson and Bauer

**Nays:** None

**Abstain:** None

**Absent:** None

**Vote:** Motion passes 7-0

---

**Staff Announcements: None**

**There being no further business the meeting adjourned at 7:54 p.m.**

Prepared by: Joanna Barry, Administrative Assistant II

Reviewed by: Suparna Dasgupta, Principal Planner

