



**Minutes  
Development Review Commission  
STUDY SESSION  
JANUARY 26, 2021**

**Minutes of the study session of the Development Review Commission, of the City of Tempe, was held in Council Chambers  
31 East Fifth Street, Tempe, Arizona**

**Present:**

Vice Chair Michael DiDomenico  
Alt Commissioner Michelle Schwartz  
Commissioner Scott Summers  
Commissioner Don Cassano  
Commissioner Philip Amorosi  
Commissioner Andrew Johnson  
Commissioner Steven Bauer

**City Staff Present:**

Ryan Levesque, Deputy Director, Community Development  
Suparna Dasgupta, Principal Planner  
Steve Abrahamson, Principal Planner  
Karen Stovall, Senior Planner  
Diana Kaminski, Senior Planner  
Dalton Guerra, Planner I  
Joanna Barry, Administrative Assistant II  
Brittainy Nelson, Administrative Assistant II

**Absent:**

Chair David Lyon  
Alt Commissioner Barbara Lloyd  
Alt Commissioner Linda Spears

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**Vice Chair DiDomenico began the Study Session at 5:30 p.m.**

**Review of January 12, 2021 Minutes**

Item #1 - Study Session Minutes – 01/12/21  
Item #2 - Regular Meeting Minutes – 01/12/21

**Review of MONTH XX, 2021 Regular Meeting Agenda**

Item #3 – RED DEVIL PLAZA (PL200274 / CM200453) – ITEM WITHDRAWN FROM AGENDA  
Item #4 – ASTONISHED! MASSAGE AND FACIAL SPA (PL200280) – ON CONSENT  
Item #5 – SUPER STAR CAR WASH (PL200232) – CONTINUED TO 2/23/21 DRC HEARING  
Commissioner Cassano asked if the lawsuit brought against the applicant on this case was to be part of the hearing before the Commission. Ryan Levesque, Deputy Director – Community Development, advised that that the opposition came from prior actions as there was a development agreement regarding the property site and there were efforts to negotiate some cross-access agreement. This may come up in the hearing process but as to how it relates to the litigation process pertaining to the language in the development agreement, staff will recommend resting that with our City Attorney's office for further response.  
Item #6 – RIO EAST (PL200251) – TO BE HEARD

**Announcements:**

Mr. Levesque updated the Commission on recent City Council actions:

- On January 14, 2021, at the regular City Council meeting Tempe Depot had its second hearing which was originally continued from the December date at their request. The reason for the continuance was because they also had a development agreement complaint for the project site. The PAD was approved and they also received approval for the development agreement which gives the City assurance that the historical eligible depot station that rests on that site is preserved and maintains historic integrity while the area continues to become a transportation mecca. There is a three-year time period to seek building permit entitlements for the project.

- On January 28, 2021 there will be a special City Council meeting to discuss the medical marijuana regulations. There are two ordinance regulations; zoning and regulation code will have its first hearing on January 28<sup>th</sup> with the City Council and the city code amendment for marijuana regulations for enforcement actions relating to PD enforcement and code.
- Also on the January 28, 2021 agenda there will be the first introduction readings of the annexation ordinance related to the Banyan North Tempe project and the first hearing for the Banyan North Tempe zoning entitlements and General Plan Amendment request as well as the pre-annexation agreement for this project.

Commissioner Amorosi noted that he had watched the meeting regarding the Tempe Depot project and that a citizen had asked that if there was any damage to the street that the developer would be responsible for repairing it and that Mr. Levesque said there was an agreement that they would make repairs. Commissioner Amorosi asked if that was something new because the street where the developers are constantly in construction on Spence Avenue is really torn up and looks bad, but we have not seen the developers fix it. Mr. Levesque advised that normally developers get a hall permit route for the construction activity, so it becomes a designate route for the project site. Upon closure of the development when they are looking for the final Certificate of Occupancy the building inspectors work with them on clearing any nearby street right of way for roadway construction improvements. To what degree those improvements happen with regard to maintenance, certainly they often look at the routes and see if there were any prior damages done. Typically, though, if there was any damage to the asphalt those repairs would need to be done by the contractor and it is part of a coordination effort to close out the construction project site. Mr. Levesque noted that they did talk a little more after the meeting with Shelly Seyler, Interim Director – Community Development, and agreed that because of the newness of the roundabout to the north of that property site, that would likely be an area where they would avoid any haul route from that location so likely any construction development activity would probably head south from that location rather than north.

Vice Chair DiDomenico stated that he felt it would be a good idea for the City and the Commission to plan an occasional field trip to see some of the projects that are very special, cutting edge and unique. Oftentimes the Commission sees them early in the process and it would be nice to see the project when it is completed years later to see how it is in the real world.

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**The Study Session adjourned at 5:47 p.m.**

Prepared by: Joanna Barry, Administrative Assistant II  
Reviewed by: Suparna Dasgupta, Principal Planner

