



Minutes of the Development Review Commission REGULAR MEETING June 8, 2021

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
Commissioner Scott Sumners
Commissioner Don Cassano
Commissioner Philip Amorosi
Commissioner Andrew Johnson
Commissioner Steven Bauer
Alt Commissioner Michelle Schwartz

City Staff Present:

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

Absent:

Vice Chair Michael DiDomenico
Alt Commissioner Barbara Lloyd
Alt Commissioner Linda Spears

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

Consideration of Meeting Minutes:

- 1) Development Review Commission – Study Session 4/27/21
- 2) Development Review Commission – Regular Meeting 4/27/21

Edit to Study Session project number

Motion: Motion made by Commissioner Cassano to approve Regular Meeting minutes with edit and Study Session Meeting minutes for April 27, 2021 and seconded by Commissioner Amorosi.

Ayes: Chair Lyon, Commissioners Sumners, Cassano, Amorosi, Johnson, Bauer and Schwartz

Nays: None

Abstain: None

Absent: Vice Chair DiDomenico

Vote: Motion passes 7-0

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

- 3) Request a Use Permit to allow beer and wine bar services (Series 7) for **LUMBERJAXES AXE THROWING**, located at 3109 South Fair Lane. The applicant is Angelo DiNardo. (PL210141)
- 4) Request a Use Permit to allow a Use Permit Standard to reduce the required street side setback by 20% from 20 feet to 16 feet for the **SMITH RESIDENCE**, located at 1436 East Dava Drive. The applicant is Reef builders. (PL210147)

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

Ayes: Chair Lyon, Commissioners Sumners, Cassano, Amorosi, Johnson, Bauer and Schwartz

Nays: None

Abstain: None

Absent: Vice Chair DiDomenico

Vote: Motion passes 7-0

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

- 5) Request a General Plan Projected Land Use Map Amendment from Commercial to Residential; a General Plan Projected Density Map Amendment from Medium Density (up to 15 du/ac) to Medium to High Density (up to 25 du/ac); a Zoning Map Amendment from PCC-1 (Planned Commercial Center Neighborhood) to R-4 (Multi-Family Residential General); a Planned Area Development Overlay to establish development standards; and a Development Plan Review for a new one- to four-story multi-family development containing 200 dwelling units for **PRICE AND BASELINE ROADS**, located at 2160 East Baseline Road. The applicant is Gammage and Burnham P.L.C. (**PL200239**)

PRESENTATION BY APPLICANT:

Ms. Manjula Vaz, Gammage & Burnham PLC, introduced the members of the project team. This project is on an eight-acre site on the northwest corner of Baseline Road and the 101 Freeway/Price Road. This location has been retail over the past years however the site has struggled. They are proposing to redevelop this site as multi-family residential. This application consists of a General Plan Amendment, Zoning Amendment, Planned Area Development Overlay, and a Development Plan Review. The buildings will range from one to four stories. The western edge will have one- and two-story buildings and the eastern edge will have three and four stories. There will be 200 units; ten studios, 90 one-bedroom units, 86 two-bedroom units, and 14 three-bedroom units. There will be 355 parking spaces including 40 guest spaces and 200 covered spaces. There will also be 144 bicycle parking spaces. The landscape area will be at 34 percent, with 27 percent lot coverage. The units along Bala Drive will all have private backyards.

Mr. Doug Sexton, Todd & Associates, went over the architectural design of the building and the colors and materials that will be used. He advised they will have trees planted along the roads to soften the edge, make it more pedestrian friendly, and shade the walkways. The leasing office will be on the southwest corner of Baseline Road and Bala Drive. The existing masonry wall on the left will remain as is since it belongs to the homeowner's association.

Ms. Vaz went over the site access to the development. There are currently seven different curb cuts: four along Price Road and three along Baseline Road. They plan to close all the curb cuts except for one on Price Road and one on Baseline Road. ADOT is also requiring them to extend the median along Baseline Road to Bala Drive which will result in restricting access for traffic that is coming from the west and going east on Baseline Road to make a left into the site. Ms. Vaz went over the four possible options for access to the site and will be working on a solution. These options were presented for informational purposes only and are not part of the application being voted on this evening. The applicant and ADOT are continuing to work with the neighborhood residents on the best option. Ms. Vaz then went over the trip total comparison for multi-family residential use versus a shopping center use. They were able to increase their parking spaces from 322 to 355 that includes 40 vehicle spaces for guest parking. This was due to the parking spaces originally being larger than what the City required. They will now have 1.575 spaces per unit.

Ms. Vaz went over changes to two special conditions for the Zoning Amendment. Condition No. 3 will include the following additional text: "The final format of the Planned Area Development Overlay shall include updated project data accounting for the maximum vehicle parking space deficit allowance specified by condition 4". For Condition No. 4, the space deficit will now be 37 instead of 30. There was also an update to the text for Condition No. 1 of the Development Plan Review.

They have held three virtual meetings with the Continental Villas East Unit Three (CVE III) homeowner's association and their representatives as well as three virtual neighborhood meetings.

Commissioner Amorosi asked about the rates of the units and whether there would be workforce rates, market rates, and will there be some affordable housing proposed with this development. Ms. Vaz stated that they are looking at market rate apartments but that the project will be contributing to the Hometown for All program. They have already spoken with the Mayor regarding this.

Commissioner Bauer asked where the City's review of the two median pocket designs stand at this point and was advised that they have spoken with ADOT about alternatives three and four, and that the Fire and Police Departments are okay with them. They are now trying to get a sense of what the community would prefer. Commissioner Bauer noted that he saw a letter of support from a homeowner's association across the street for one of the options and asked if Ms. Vaz had an opportunity to speak with that association. Ms. Vaz advised that she has spoken with them and they prefer alternative No. 3.

PRESENTATION BY STAFF:

Ms. Karen Stovall, Senior Planner, advised that the adjacent homeowner's association owns a ten-foot-wide landscape tract on the west side of the site that prevents access to the site from Bala Drive. The existing six-foot wall that is inside the ten-foot tract that runs along the west side of the development and around the tennis court and the alley along the north end of the site will remain in place. Along Price Road the applicant proposes a six-foot high masonry wall and along Baseline Road a three-foot masonry wall with a view fence. A neighborhood meeting was required for these requests and the applicant held the first of three virtual meetings in January of 2021, and then two more in April and May to receive additional neighborhood input on the project design, access, and the median on Baseline Road. Ms. Stovall went over the concerns that were brought up by the neighborhood residents. Staff received 18 emails, eight phone calls, and a petition, all in opposition, and three emails in support. Staff recommends approval of the five requests subject to the conditions of approval in the staff report, including two special conditions of approval. The applicant is proposing 355 parking spaces; however, staff would like that to increase to 362 spaces. Staff also requests that the 40 guest parking spaces remain unrestricted and that these parking spaces will not be designated for tenant use in the future if it does turn out that there is a shortage.

Commissioner Amorosi noted that if this were being built along the TOD, they would have a reduction in parking spaces and asked how the 355 parking spaces would compare if they were along the TOD line. Ms. Stovall stated that she has not done the parking calculation for this as it was not in the TOD overlay. She advised that the applicant has provided a parking analysis as part of their attachments and it does show a comparison of parking spaces per units compared to other projects and those include some of the projects along the TOD. Ms. Stovall provided this information to the Commission. She noted that as the applicant has requested to modify that stipulation it is closer to many of the developments that are on the TOD which staff does not believe is appropriate given that this is neither on the TOD nor near downtown.

Chair Lyons asked if he was correct in understanding that the City thinks that the project is 37 spaces short of what they would like to see. Ms. Stovall advised that as proposed tonight by the applicant they would be at 355 spaces instead of the required 392 spaces. Staff would like them to be at 362 spaces, so they are 30 spaces short instead of 37. She noted that as the condition of approval states there are several options the applicant can take such as modifying the unit mix or reducing the number of dwelling units in order to get that maximum parking space deficit.

PUBLIC COMMENT:

Ms. Suparna Dasgupta, Principal Planner, read the following comments into the record:

MaryLou Paulsen – Oppose: “The current proposal PL#200239 is wrong for that location. Price road is only one way traffic and Baseline also has limited access being only one of two entrances to the proposed 200 apartment units. Concern from neighbors talked about this issue. The applicant answer on May 20th Gammage and Burnham said the cars could go to the next intersection and make a U-Turn. This would cause more confusion and traffic issues

causing more accidents, not to mention much more traffic on the residential streets north of the apartments. The proposal calls for 532 parking spaces. This would be a daily nightmare for the neighborhood and the apartment renters. I say no to PL#200239.”

Chris Higgins – Oppose: “I have lived on South River Drive in the Cole Park neighborhood since 1982. I am opposed to the proposed apartment complex at Price and Baseline Roads, which is one block away from my home, primarily due to the increased traffic volumes I anticipate occurring on our neighborhood streets, particularly the through streets such as Fremont Drive, Country Club Drive and River Drive. I also believe that the Project entrance/exit on Baseline Road will cause unsafe conditions and traffic snarling at an already busy intersection. I am also concerned with how the addition of the large number of residents at the Project will affect the “homey” feel of our neighborhood.”

Alan Schmuecker – Oppose: “This project is wrong for our neighborhood. It will diminish the value of our neighborhood. It stuffs too many people into our neighborhood. This will negatively impact the character and quality of our neighborhood. Please STOP this project, now!”

Kay Lapid – Oppose: “I’m writing to tell you of my concerns about the Price and Baseline project, #PL200239. The plan to build a multi- family housing complex at that location will be extremely detrimental to the existing established neighborhood. The increased traffic and new traffic patterns will greatly compromise smooth vehicular access to the surrounding neighborhood. In addition, the density and height of the buildings will drastically change the character of the neighborhood and greatly reduce property values. An alternative plan for lower density mixed use development would better blend in with the existing environment. In addition, it would allow a long-time family owned business that has thrived in that location for over 30 years, through many ups and downs including the current pandemic, to remain in business as a cornerstone of our neighborhood. I urge you to reject the rezoning proposal and not allow the development of a 4-story apartment complex at this location. Thank you for your consideration.”

Kathi Roark – Oppose: “My family and I have lived in the Cole Park neighborhood since 1972. I have seen many changes during that 49 years. When the Loop 101 freeway was completed, it became very difficult to enter or leave the neighborhood from the East. Prior to that construction, we could make either a right or left-hand turn onto Price Road. I believe an in-depth study of the traffic patterns at the Baseline/Price intersection and within the the Cole Park neighborhood will reveal potentially serious issues with the traffic flow, especially on Fremont. I am also absolutely opposed being able to see a four-story apartment building from my back patio. The homeowners in the Cole Park community have a vested interest in the quality of life this area. It seems unlikely that apartment renters will have that same interest. The property at Baseline and Price should be used for a purpose that will maintain and enhance the life we enjoy in our neighborhood.”

Shelly Tunis – Oppose: “I oppose the proposed Price and Baseline Roads Apartment Development Project and I request that the amendment to the General Plan and Zoning Map not be approved. 1. There are too many unresolved health and safety issues involving the access on Bala Drive and proposed U-turn access points that will adversely affect the CVEIII town homes as well as the Cole Park neighborhood. 2. There are too few parking spaces for the size of the complex causing undue burden on the CVEIII neighborhood. 3. This proposal does nothing to remedy Tempe's affordable housing issue. In fact, this proposal will have rents that are not affordable for seniors, multi-generational families or young families. 4. This proposal places more density in the area that will result in more traffic problems for an area that already has access difficulties due to the US 60 and 101 freeways. I have submitted additional comments about the proposed apartment complex that further illustrate my concerns. Thank you.”

Candace Toler – Oppose: “Please adhere to the tenants of the Kiwanis/Lake Character Area. Focus new Housing enhancement of Housing Choices & Design over # of Units!”

The following members of the public spoke on the record:

Richard Schwab requested to speak but was not in on the meeting.

Elizabeth Grosh noted the extensive traffic studies that were done with Baseline Road, Price Road, and Bala Drive. She is a member of the Cole Park neighborhood and they are concerned about traffic coming in from the Fremont Road area. During the presentations she heard about traffic going north and south on the 101 freeway, but nothing about studies being done on traffic exiting the US 60 off McClintock or perhaps Dobson. She has not heard any east/west traffic impact. Traffic coming in from Phoenix would most likely come from the US 60 off McClintock. With McClintock southbound lanes being reduced from three lanes to two lanes, and with the winter months of high traffic, they get a big backup there from the freeway exit to Baseline. A lot of people cut through Fremont to get into the neighborhood instead of going all the way around to get to the houses on the east of the neighborhood. She asked if traffic studies were conducted on Fremont and Price and Baseline Roads and if they were conducted in 2020 during the pandemic when everyone was instructed to stay home or needed to work from home and how that calculates into any typical traffic pattern that would be considered for this complex. She also asked if traffic studies were conducted in 2019, and if so, in which months. In the winter there is much more traffic due to winter visitors.

Tom Hoover stated he has lived in Continental Villas for 15 years and he is right behind the project, on Ellis Drive. He is concerned about the traffic down Price Road going to Baseline Road. He stated that it is like a speedway coming down Price Road and his next-door neighbor got t-boned there while coming out of their alley. He checked with a 2020 traffic report on Price Road from Southern Avenue to Baseline Road and the traffic on that was 12,000 cars in one day. 40% of the traffic occurred in the morning and 60% traffic occurred after 6:00 p.m. On Baseline Road and Price Road the combined east and west traffic was about 80,000. The other issue he has is turning left onto Baseline Road out of Bala Drive. They have had the ability to turn left and he is unsure of all the variations given to handle that. Any U-turn on Baseline Road is extremely dangerous.

Matt Smith requested to speak however the line was active, but he was not there.

APPLICANT RESPONSE:

Mr. Chuck Wright, Kimley-Horn & Associates, stated the most current adjusted volume that they collected was conducted last winter that was two directions on Baseline Road just west of Price Road was approximately 35,000 cars a day so he is not clear where the 80,000 number is from. They do try to take counts in the wintertime when they are more averaged. They have made adjustments to account for people staying home during the pandemic. The site plan they are proposing generates about 1,400 trips per day for the multi-family units. They did some comparisons to the existing shopping center which would generate about 3,000 trips per day. If what is on the site today was fully occupied, it would be a significantly higher daily traffic generator than what they are proposing. If the parcel was developed into office only it would generate about 1,500-1,600 trips per day. If the proposed site were single-family homes, it would generate about 1,900 trips per day.

Chair Lyon referenced Mr. Hoover's comment about U-turns on Baseline Road being dangerous. He noted it looks like people would be making a fair amount of those U-turns. Ms. Vaz stated that Continental Villas has rear entrance garages so if you were traveling from the west and going east you can travel to River and then access the back of Donner to those units. She was not recommending people do U-turns, but rather giving options. Mr. Wright stated that there are three westbound lanes on Baseline Road so they anticipate cars would be able to execute that maneuver.

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Commissioner Cassano asked staff if that in working with ADOT for the alternate access points the City had a preference or if the final decision would be left up to ADOT. Ms. Catherine Hollow, City Traffic Engineer, stated that a couple of the options would work. Their main concern was to not impact the property owners on the south side of Baseline Road so when they spoke to ADOT they came up with a couple of other options. She stated this is not for ADOT to work out. The City is waiting to hear what the neighbors have to say. Commissioner Cassano asked if the DRC was going to be approving a traffic option tonight and was advised they were not.

Commissioner Amorosi noted that for the developer to increase their parking spaces from 355 to the 362 requested by staff they would only need to take off four units at the most to bring them into compliance. Ms. Vaz stated her team has been discussing this and has agreed to go with staff's request for 362 spaces. Chair Lyon asked if that

means they will remove units or look for other ways to obtain those additional parking spaces. Ms. Vaz advised that they will work with staff on this, and possibly move some landscaping or parking spaces around.

Commissioner Bauer stated he is surprised that the configuration of Baseline Road cannot be part of the package to be voted on tonight. It is concerning to him because it is the crux of this case. He stated that access to the residents on Bala Drive is critically important. Alternative No. 3 that would block access to Bala Drive is supported by the condominium association. He is concerned that we do not know what it will ultimately look like.

Commissioner Sumners stated it still seems like there is a lot of work to be done. The DRC is basically being asked to double the units. Several residents took the time to send emails or speak directly on this project. When he saw there was a petition, he thought it would just be one page but there was more than that. He has challenges with the density and traffic concerns on this project.

Commissioner Schwartz appreciates the team's effort, especially with reaching out to the residents. She noted the density does match some of what is needed in this area. Her concern is the access issues.

Chair Lyon shares the concern on access; however, the project will not go forward without Transportation agreeing to the solution that comes up so he does not see it as the Commission's purview to solve that requirement tonight. He is grateful to see a lot of people getting involved. He noted that if the commercial center was operating as it was intended it would generate a lot more traffic than this project would.

Motion: Motion made by Commissioner Amorosi to approve PL200239 with the revised stipulation from the applicant on the number of parking spaces and seconded by Commissioner Johnson.

Ayes: Chair Lyon, Commissioners Cassano, Amorosi, Johnson, Bauer, and Schwartz

Nays: Commissioner Sumners

Abstain: None

Absent: Vice Chair DiDomenico

Vote: Motion passes 6-1

- 6) Request a Zoning Map Amendment from CSS and R-4 to MU-4, in the Transportation Overlay District Corridor, a Planned Area Development for a new 219-unit apartment community with five live-work units and a 590 s.f. restaurant, a Use Permit for seven tandem parking spaces, and a Development Plan Review for two four-story buildings on 4.51 acres for **MILHAUS** located at 2125 East Apache Boulevard. The applicant is Gammage and Burnham PLC (**PL210034**).

PRESENTATION BY APPLICANT:

Mr. Rob Lane, Gammage & Burnham PLC, gave an overview of the project. The applicant is requesting a Zoning Amendment, Planned Area Development Overlay, Use Permit, and a Development Plan Review. There will be a four-story mixed-use building along Apache Boulevard, and a four-story multifamily residential building along River Drive and Wildermuth Avenue frontages. There will be 260 on-site parking spaces; 212 are parking courtyard spaces and 48 are spaces within private and secured garages.

Martin Ball, CCGB Architects, gave an overview of the site and architectural design. There will be live-work units and a coffee shop along Apache Boulevard. Mr. Ball then went over the specific site amenities. There are seven tandem parking spaces and there will be a revision to the stipulation regarding this. They propose to provide parallel parking along River Drive and Wildermuth Avenue as part of their overall parking for the residents.

Mr. Lane noted advised that virtual neighborhood meeting was held on May 4, 2021 and three neighbors attended. One neighbor asked questions regarding the project's live-work units and current tenants of the site. A virtual meeting was held with the Citizens for a Vibrant Apache Corridor (CVAC) on May 10, 2021 and the members in attendance expressed support for the project.

PRESENTATION BY STAFF:

Ms. Diana Kaminski, Senior Planner, gave an overview of the applicant's request. There is a unique condition of approval (No. 13) that refers to the interior space of the garage. In this case, the garage looks like it is tandem parking however it is a single vehicle garage

APPLICANT RESPONSE:

They agree with the special condition of approval.

PUBLIC COMMENT: NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Commissioner Amorosi stated he likes this project and that it is taking out a vacant parcel. It is an improvement to the area.

Motion: Motion made by Commissioner Cassano to approve PL210034 and seconded by Commissioner Sumners.

Ayes: Chair Lyon, Commissioners Sumners, Cassano, Amorosi, Johnson, Bauer and Schwartz

Nays: None

Abstain: None

Absent: Vice Chair DiDomenico

Vote: Motion passes 7-0

Staff Announcements:

Ms. Dasgupta advised that Commission of the items that would be on the June 22, 2021 DRC agenda.

Other Items:

Chair Lyon thanked Dalton Guerra, Planner I, for his time with the City of Tempe.

There being no further business the meeting adjourned at 8:01 p.m.

Prepared by: Joanna Barry, Administrative Assistant II

Reviewed by: Suparna Dasgupta, Principal Planner

