

## MINUTES OF THE DEVELOPMENT REVIEW COMMISSION JULY 29, 2008

Harry E. Mitchell Government Center  
Tempe City Hall - City Council Chambers  
31 E. 5<sup>th</sup> Street, Tempe, AZ 85281  
6:00 PM (Study Session 5:30)

### COMMISSION PRESENT:

Mike DiDomenico, Acting Chair  
Tom Oteri, Acting Vice Chair  
Stanley Nicpon  
Monica Attridge  
Dennis Webb  
Mario Torregrossa  
Paul Kent

### CITY STAFF PRESENT:

Lisa Collins, Deputy Development Services Manager  
Ryan Levesque, Senior Planner  
Kevin O'Melia, Senior Planner  
Lisa Lathrop, Administrative Assistant II

Mike DiDomenico, Acting Chair, called the meeting to order at 6:00 p.m., including introduction of Commission and City staff.

### 1. **CONSIDERATION OF MEETING MINUTES: JULY 8, 2008**

On a motion by Commissioner Webb and seconded by Commissioner Oteri, the Commission with a vote of 4-0 (DiDomenico, Webb, Nicpon and Attridge) approved the minutes of the July 8, 2008 hearing.

### CONSENT AGENDA

The following item was placed on the consent agenda, due to the applicant's request for a continuance.

On a motion by Commissioner Webb and seconded by Commissioner Torregrossa, the Commission with a vote of 7-0, continued this case, at the request of the applicant, to the August 12, 2008 hearing.

3. Request for **6<sup>th</sup> & WILSON CUSTOM LOTS (PL080154)** (Joseph Lewis, Sunny Tempe Investments, property owner; Barry Goldstein, Vincent Goldstein Architect, applicant) consisting of four new lots for three-story custom homes, ranging from 2,000-2,800 s.f. within a 1,114 s.f. building footprint on four 2,800 s.f. lots totaling .27 net acres, located at 430 W. 6<sup>th</sup> Street in the R-3, Multi-Family Residential Limited District. The request includes the following:

**ZON08005 – (Ordinance No. 2008.29)** Zoning Map Amendment from R-3, Multi-Family Residential Limited to R1-PAD, Single-Family Residential District.

**PAD08009** – Planned Area Development Overlay for four new single-family lots with development standards to allow for future custom homes on 2,800 s.f. lots, with a 40'-0" building height, 50% lot coverage, 25% landscape area, 5'-0" front, side and street side-yard setbacks and a 15'-0" rear yard setback.

**THIS CASE WAS CONTINUED FROM THE JULY 8, 2008 HEARING**

STAFF REPORT: [DRCr\\_6th&WilsonCustomLots072908.pdf](#)

**REGULAR AGENDA**

2. Request for **THE RETREAT (PL080071)** (David Freeman, GNJ Properties LLC, Len Erie, Leonard J. II and Susan M. Erie Trust and the City of Tempe, property owners; Manjula Vaz, Gammage & Burnham, applicant) consisting of two five-story mixed use buildings, 67'-0" high, including 124 student housing units with apartment/amenity area of 162,629 s.f. and retail/restaurant area of 4,352 s.f. and for one five-level parking garage, 52'-0" high, area of 96,665 s.f., including one subterranean level. The site is 1.81 gross acres and is located at 1000 East Apache Boulevard in the CSS, Commercial Shopping and Service District. The request includes the following:

**ZON08003 – (Ordinance No. 2008.30)** Zoning Map Amendment from CSS, Commercial Shopping and Services District to MU-4 (PAD) (TOD), Mixed-Use High Density District with a Planned Area Development Overlay and within the Transportation Overlay District.

**PAD08008** – Planned Area Development Overlay to establish development standards to allow a maximum density of 70 dwelling units per acre, maximum building height of 67'-0", minimum building setbacks of 0'-0" at front and side yards, minimum 7'-0" building setback at rear yard, maximum building lot coverage of sixty-four (64) percent, and minimum landscape lot coverage of nineteen (19) percent

**DPR08110** – Development Plan review including site plan, building elevations and landscape plan.

STAFF REPORT: [DRCr\\_Retreat1000Apache\\_072908.pdf](#)

This case was presented by Kevin O'Melia and represented by Manjula Vaz, Kory Harris and David Freeman. After a brief presentation, staff and the applicant answer questions for the Commission.

On a motion by Commissioner Nicpon and seconded by Commissioner Webb, the Commission with a vote of 7-0, approved the Development Plan Review and recommended approval of the Planned Area Development Overlay and Zoning Map Amendment with the following modified conditions:

1. The minimum front yard and side yard setbacks shall be 0'-0". The minimum side yard setback of 0'-0" shall apply to the south side yard only. The minimum east and west side yard setbacks shall be no less than 7'-0", **EXCEPT GARAGE VENTILATION RETAINING WALLS SHALL BE NO LESS THAN 4'-0". (ADDED BY THE COMMISSION)**
2. The minimum rear setback shall be no less than 7'-0", **EXCEPT GARAGE VENTILATION RETAINING WALLS SHALL BE NO LESS THAN 4'-0". (ADDED BY THE COMMISSION)**

3. Request for **ZONING AND DEVELOPMENT CODE AMENDMENTS (PL080143)** (City of Tempe Development Services, applicant) consisting of changes within the Code, providing reinvestment opportunities in our single-family residential neighborhoods relating to provisions for increased fence heights in the front yard, reduced rear yard building setbacks when adjacent to an alley, and establishing time limitations when holding a required neighborhood meeting. The request includes the following:

**ZOA08001 – (Ordinance No. 2008.28)** Code Text Amendment for the Zoning and Development Code Sections 4-202, 4-706, 6-308, 6-401 and 6-402.

**THIS CASE WAS CONTINUED FROM THE JULY 8, 2008 HEARING**

STAFF REPORT: [DRCr\\_ZDCamendments\\_072908.pdf](#)

This case was presented by Ryan Levesque. Mr. Levesque made a brief presentation on the proposed amendments after which, one citizen spoke in opposition. Ms. Josephine Johnson addressed the Commission with concerns regarding the Neighborhood Advisory Commission's role and responsibility in providing feedback to the staff/Commission and general concerns in regards to procedural steps (not specifically identified).

Commissioners also indicated they had concerns regarding the amendment addressing wall height and language pertaining to the time limitations in regards to neighborhood meetings.

On a motion by Commissioner Nicpon and seconded by Commissioner Oteri, the Commission with a vote of 7-0 continued this case to the August 12, 2008 hearing.

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4. **ANNOUNCEMENTS - NONE**

Meeting adjourned at 8:03 p.m.

Prepared by: Lisa Lathrop, Administrative Assistant II  
Reviewed by: Lisa Collins, Deputy Development Services Manager



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Lisa Collins  
Deputy Development Services Manager

APPROVED