

## MINUTES OF THE DEVELOPMENT REVIEW COMMISSION AUGUST 12, 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 (5:30 Study Session)

### COMMISSION PRESENT:

Vanessa MacDonald, Chair  
Mike DiDomenico, Vice Chair  
Peggy Tinsley  
Stanley Nicpon  
Paul Kent  
Heather Swanson  
Dennis Webb

### CITY STAFF PRESENT:

Lisa Collins, Deputy Development Services Manager  
Steve Abrahamson, Planning & Zoning Coordinator  
Ryan Levesque, Senior Planner  
Diana Kaminski, Senior Planner  
Shawn Daffara, Planner II  
Lisa Lathrop, Administrative Assistant II

Chair MacDonald calls the meeting to order at 6:05, which includes introduction of Commission and City staff.

### 1. **CONSIDERATION OF MEETING MINUTES: JULY 29, 2008**

On a motion by Commissioner DiDomenico and seconded by Commissioner Webb, the Commission with a vote of 4-0 (DiDomenico, Nicpon, Kent and Webb voting, all others abstaining) approved the minutes of the July 29, 2008 hearing.

### **CONSENT AGENDA**

Item Nos. , 3, and 4 were placed on the Consent Agenda at Study Session. Seeing no opposition by the public, Chair MacDonald called for the question:

On a motion by Commissioner Tinsley and seconded by Commissioner Kent, the Commission with a vote of 7-0, approved the Consent Agenda with all conditions recommended by staff in the following reports:

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 AT THE REQUEST OF CITY STAFF TO THE AUGUST 26, 2008 HEARING.**

STAFF REPORT: [DRCr\\_ZDCamendments\\_081208.pdf](#)

4. Request for **AURORA- SIGNATURE HEALTHCARE(PL070519)** (Jason Allen/Skyline Consultants LLC, applicant; Signature Health Care LLC, property owner) located at 6350 South Maple Avenue, in the GID General Industrial District for: consisting of a new 9,955 s.f. building addition on 4.57 net acres, The request includes the following:

**DPR08115** - Development Plan Review including site plan, building elevations and landscape plan for a building addition for a new psychiatric hospital.

STAFF REPORT: [DRCr\\_SignatureHealthCare\\_081208.pdf](#)

**APPROVED ON CONSENT**

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5. Request for **LAKES TOWNE CENTER SITE B PHASE I (PL080202)** (Debbie Vesco, Earnhardt Properties Limited Partnership, property owner / Brad Anderson, Kitchell Development Co., applicant) consisting of two single-story retail buildings of 86,230 s.f. and 4,000 s.f., totaling 90,230 s.f. on 6.81 net acres, located at 577 E. Baseline Road in the PCC-2 Planned Commercial Center General District. The request includes the following:

**ZUP08111** – Use Permit for a 20% increase in building height from 40 to 48 feet for the Major 2 building.

**DPR08143** – Development Plan Review including site plan, building elevations, and landscape plan.

STAFF REPORT: [DRCr\\_LakesSiteBPhase1\\_081208\\_.pdf](#)

**THIS CASE WAS CONTINUED AT THE REQUEST OF CITY STAFF TO THE SEPTEMBER 9, 2008 HEARING**

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**REGULAR AGENDA**

2. 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.

STAFF REPORT: [DRCr\\_6th&WilsonCustomLots\\_81208.pdf](#)

This case was presented by Diana Kaminski and represented by Joseph Lewis, applicant. The applicant makes a brief presentation of the project and then answers Commissioners' questions.

Dennis Webb: What are the citizens of Tempe getting in return for granting you this zoning change, etc.?

Joseph Lewis: I would like to say an exciting new and unique project; but I can't stand before you, just as any other developer stands before you, and guarantee you this will be built tomorrow. I believe it's a product niche that hasn't been tapped yet.

Mike DiDomenico: Do you control the property around this project as well? And, it is your intention to level the apartments right away or will you wait until you have done some marketing?

Lewis: I do control another quarter of an acre contiguous to that site and hope to someday develop it in the same manner as what I want to do here.

Chair MacDonald: I'm having a hard time seeing what you want to do here. At the end of the day, I see four vacant lots with four for-sale signs and you have no further control over what is going to happen on those lots. What is the City getting for giving you the PAD?

Lewis: I understand your concerns. There are many other custom home lots in Tempe where the design of the home doesn't go to any board or commission, but if the DRC would feel more comfortable with a stipulation that the elevations need to be brought back to the Commission for approval, I would understand and agree with that.

Peggy Tinsley: If we added a condition that says something like "all elevations of homes to be built on these lots shall have approval of the DRC", would you accept that? Have you done any market research on this type of project?

Lewis: Yes, I have. I am not as concerned about people not wanting to buy these lots as I am concerned about the lack of control I have in the area, the surrounding neglect around this project.

Chair MacDonald opens the hearing for public input:

One citizen spoke in support of the project.

Chair MacDonald closes the public portion of the hearing and calls for the applicant to make his closing statement.

Stanley Nicpon: I like this project and feel it will work well.

DiDomenico: I support the project but don't feel the designs need to come back to this Commission. Maybe we can craft something in the language that each home needs to be a unique design, separate from the other homes built?

Webb: I like the project.

Tinsley: I like the project and I understand about the designs not needing to come back to us. What if we propose a condition as such "all home elevations shall be subject to approval by City staff but with the understanding that the facades will not be identical"?

Paul Kent: I like the project.

Swanson: I like the project.

On a motion by Commissioner Tinsley and seconded by Commissioner Nicpon, the Commission with a vote of 7-0 recommended approval of this Zoning Map Amendment and Planned Area Development Overlay with all conditions as recommended by staff in the report, including an added condition, to read as follows:

- 7. AS A CONDITION OF SALE, ALL HOME ELEVATIONS SHALL BE SUBJECT TO APPROVAL BY CITY STAFF WITH THE UNDERSTANDING THAT THE FACADES WILL NOT BE IDENTICAL AND SHALL BE COMPLIMENTARY.**

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- 6. ANNOUNCEMENTS – AUGUST 26<sup>TH</sup> HEARING WILL BE HELD AT THE TEMPE PUBLIC LIBRARY AT 3500 SOUTH RURAL ROAD, TEMPE, AZ 85282.**

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