



Minutes of the Development Review Commission REGULAR MEETING January 10, 2023

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 Michael DiDomenico
Vice Chair Andrew Johnson
Commissioner Don Cassano
Commissioner Barbara Lloyd
Commissioner Michelle Schwartz
Commissioner Linda Spears
Commissioner Joe Forte

City Staff Present:

Jeff Tamulevich, Director – Community Development
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
Obenia Kingsby II, Planner II
Joanna Barry, Administrative Assistant II

Absent:

Alt Commissioner Rhiannon Corbett
Alt Commissioner Charles Redman
Alt Commissioner Robert Miller

Hearing convened at 6:03 p.m. and was called to order by Chair DiDomenico

Consideration of Meeting Minutes:

- 1) Development Review Commission – Study Session 11/15/22
- 2) Development Review Commission – Regular Meeting 11/15/22

Motion: Motion made by Commissioner Cassano to approve the Study Session Meeting minutes and Regular Meeting minutes for November 15, 2022 and seconded by Commissioner Spears.

Ayes: Commissioners Cassano, Lloyd, Forte, Schwartz, and Spears.

Nays: None

Abstain: Chair DiDomenico and Vice Chair Johnson

Absent: None

Vote: Motion passes 5-0

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

- 4) Request a Use Permit to allow residential in the CSS zoning district and a Development Plan Review for a new three-story multi-family development consisting of 15 dwelling units for **APACHE RIVER APARTMENTS**, located at 1292 South River Drive. The applicant is Moderna Architects. **(PL220030) This item was continued from the October 25, 2022 DRC meeting.**
- 5) Request a Use Permit Standard to reduce the front yard setback from 20' to 16' in the R-4 District for a new three-story single-family residential development consisting of four (4) units for **EL DORADO 4** located at 1964 East Don Carlos Avenue. The applicant is Norris Design **(PL220235)**

- 7) Request a Use Permit Standard to reduce the side yard setback from 10' to 8' and a Use Permit to allow the required parking in the front yard setback for the **SHEPPARD RESIDENCE**, located at 936 East Weber Drive. The applicant is Spicegirl LLC. (PL220318)
- 8) Request a Use Permit to allow a bar for **GOLDWATER TAP HOUSE**, located at 9895 South Priest Drive, Suite No. 102. The applicant is Design Professionals, LLC. (PL220319)

Motion: Motion made by Vice Chair Johnson to approve Consent Agenda and seconded by Commissioner Lloyd.

Ayes: Chair DiDomenico, Vice Chair Johnson, Commissioners Cassano, Lloyd, Schwartz, Spears, and Forte.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

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

- 3) Request a Development Plan Review for a new two-story single-family development consisting of 11 dwelling units on .56 acres for **ROOSEVELT 11 HOMES**, located at 606 South Roosevelt Street. The applicant is Palmer Architects Ltd. (PL220141)

PRESENTATION BY APPLICANT:

Mr. Gerald Palmer, Palmer Architects, gave an overview of the request. He stated this is a .56-acre site, zoned R-3, and they are proposing eleven three-bedroom, three-bath, units with approximately 1,450 SF of livable space. The two-story units will have a roof deck for recreation and enclosed patios. There are 25 parking spaces and some bicycle parking.

Commissioner Spears stated that her concern has to do with the 7th Street facing properties where the five units are all in one line. She likes what Mr. Palmer did on the other side of the property, where there are open spaces in between the units, however the units facing 7th Street are just one monolithic mass with no spaces to break them up. She asked how guests would reach her property if she was in one of the middle units that face 7th Street. Mr. Palmer stated that they would park in the guest parking, then walk to the door of the unit from 7th Street.

Commissioner Cassano also referenced the five units facing 7th Street. He noted that the guest parking is to the west, but if he is the furthest east unit and not parking on Roosevelt Street, he would have to walk five units to get to the front door versus the ones that are closer. He asked if that was correct, and Mr. Palmer advised him that it was. Commissioner Cassano noted this would be very cumbersome for anyone who visits, especially since there are only three guest parking spaces. Mr. Palmer noted there is a lot of street parking available.

PRESENTATION BY STAFF:

Karen Stovall, Senior Planner, stated that each unit contains a two-car garage and that they would be accessed by a private drive that has driveways on both Roosevelt and 7th Street. There are no on-street parking restrictions on Roosevelt or 7th Street, however during trash and recycling pickup parking would be limited on both streets due to containers being placed at the curb. She advised that a neighborhood meeting was not required, and staff did not receive any public input.

Vice Chair Johnson noted that the south side of the road along 7th Street is not complete, and it is somewhat of a ditch area with a lot of trees. He asked if that was going to be improved with this project and noted that if it was not then there is no on-street parking. Ms. Stovall noted that for the frontage of this project, curb, gutter, and sidewalk will be installed. Vice Chair Johnson asked about the south side and was advised the applicant is not required to do anything that is not adjacent to the site. Ms. Stovall noted that at this time the street is not signed as "no parking".

Commissioner Schwartz noted that on the elevations it looked like the brick veneer was wrapping all the way around the building, however on the renderings it did not. She stated that for consistency, showing that it wraps around the building would be important visually. Ms. Stovall stated that if the request is approved, when it goes to construction documents the elevations and what is approved will have to match these building elevations and not the rendering.

APPLICANT RESPONSE:

NONE

PUBLIC COMMENT:

NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Commissioner Spears stated that one of the concerns she has is that with three bedrooms and three bathrooms, it would most likely become rental property and the parking will be an issue.

Commissioner Lloyd asked for clarification as the application stated three bedroom/two and a half bath, but during the applicant's presentation tonight Mr. Palmer stated three bedroom/three bath. Mr. Palmer clarified that it was two and a half baths for each unit.

Suparna Dasgupta, Principal Planner, noted that regarding parking, the Zoning & Development Code only requires two parking spaces per unit for single-family residential. That guest parking is additional provided in this case.

Motion: Motion made by Vice Chair Johnson to approve PL220141 and seconded by Commissioner Forte.

Ayes: Chair DiDomenico, Vice Chair Johnson, Commissioners Cassano, Lloyd, Schwartz, and Forte.

Nays: Commissioner Spears

Abstain: None

Absent: None

Vote: Motion passes 6-1

- 6) Request a Use Permit for a Tobacco Retail Use and a Use Permit for Live Entertainment for **THE CHILL ROOM**, located at 1320 East Broadway Road, Suite 108. The applicant is Sal Cartagine (**PL220313**)

PRESENTATION BY APPLICANT:

Mr. Sal Cartagine, applicant, gave a description of the business operation and overview of the request. He stated that no alcohol will be served at the location. There are currently four locations in Florida, and they are looking to expand the operation to Arizona. He noted that the establishment is for those who are 18 years or older. They are also looking to put in a separate, 300 square foot retail vape shop at the Tempe location for patrons over 21 years of age. There will be a door leading into that area and legal identification will be required. Mr. Cartagine noted this will be a family run business, with family working at the location.

Commissioner Spears stated that she does not have any issue with the entertainment side of the request, however she is concerned about the vape retail portion. She noted that the applicant stated this portion will be in the back and asked if it will be glassed-in and have a separate partition so that it is not part of the other environment. She also noted that Tempe is a college town and asked how they will prevent the use of the product in that area and outside the establishment.

Robert Cartagine, owner of the Florida locations, stated that it will be like their locations where you must walk through the kava lounge to get to the retail space. It will be a separate room with a window in the front-facing side with a doorway into the retail space on the side. He stated that in his spaces in South Florida they are allowed to vape indoors. There are places they are looking at that would require a certain ventilation system.

Commissioner Forte asked if the kava served is somewhat of a vape bar. Mr. Cartagine stated it is made as a drink. Commissioner Forte asked if they have any backup plan in case the vape ban is passed. Mr. Cartagine advised they are following it very closely. He noted that if the flavored vape was taken out, it would not seriously affect their bottom line.

Chair DiDomenico stated that he had done some research on the locations in Florida and noted it is different from a hookah lounge which is an indoor facility for smoking. He stated that the applicant facilities appear to be more of an indoor facility for drinking beverages that also sells vape products.

Chair DiDomenico noted that he did not see any information for the hours when live entertainment would occur. Mr. Cartagine advised that they will open at 10:00 a.m. each day, close at 12:00 a.m. Monday through Thursday and at 2:00 a.m. on Friday, Saturday and Sunday.

PRESENTATION BY STAFF:

It was determined by the Commission that a presentation from staff was not needed.

PUBLIC COMMENT:

NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Commissioner Spears requested the two Use Permits be voted on separately.

Motion: Motion made by Commissioner Spears to approve a Use Permit for Live Entertainment for PL220313 and seconded by Commissioner Cassano.

Ayes: Chair DiDomenico, Vice Chair Johnson, Commissioners Cassano, Lloyd, Schwartz, Spears, and Forte.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

Motion: Motion made by Vice Chair Johnson to approve a Use Permit for a Tobacco Retail Use for PL220313 and seconded by Commissioner Lloyd.

Ayes: Chair DiDomenico, Vice Chair Johnson, Commissioners Cassano, Lloyd, and Forte.

Nays: Commissioners Schwartz and Spears

Abstain: None

Absent: None

Vote: Motion passes 5-2

- 9) Request a General Plan Density Map Amendment from "Medium to High Density (up to 25 du/ac)" to "High Density (up to 65 du/ac)", a Zoning Map Amendment from GID 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 6-story mixed-use development consisting of 343 dwelling units with commercial (9 live-work units) for **CURRY ROAD APARTMENTS**, located at 1043 East Curry Road. The applicant is Gammage & Burnham P.L.C. (PL220211)

PRESENTATION BY APPLICANT:

Manjula Vaz, Gammage & Burnham, advised the Commission that they went before the City Council on January 5, 2023 to begin the annexation process. She then proceeded to give a brief presentation and overview of the request.

Alison Mills, CRG (developer), stated they appreciate the feedback from the Commission that was given when this was previously brought before them. Most of the feedback had to do with concerns about some of the longer stretches of the white cementitious panels. She stated they have introduced some more vertical elements to wrap

the garage such as larger vertical fins, recessing the balconies and putting lids on top of them. They have also added a lot more masonry and articulation, especially along the side if you are driving east on Curry Road. They had received a comment about adding a crown element and increase the parapet height. She advised they did raise the parapet, so the building has more of a cap. They have added additional horizontal sun shading on the windows that face south as well. They also improved the landscaping based on input they received from the Commission.

Ms. Vaz went over the Use Permit criteria for the tandem parking and how their request complies with them.

Chair DiDomenico referenced the site plan and the jog in the two properties. He asked if this was designed with the intent or possibility in the future to add phases should they acquire more property. Ms. Vaz stated that it was. Ms. Mills noted that they have had conversations with owners in the area to see which properties may move first, especially when they were outlining the paseo and where it would land. Chair DiDomenico asked if any of the adjacent parcels were considered for something other than multi-family. Ms. Mills stated that at this time they are mainly looking at multi-family.

Commissioner Lloyd stated she wanted to give kudos to whoever thought of taking the paseo all the way through and out to Scottsdale road for the long-term planning.

PRESENTATION BY STAFF:

Chairman DiDomenico asked Obenia Kingsby II, Planner II, to explain the changes that were made by the applicant that related to design. Mr. Kingsby referenced the awnings that were added to the east elevation, adding various materials and other improvements that were made based on prior feedback from the Commission. He stated that the applicant worked well with staff to come to what they feel is a good product.

Chair DiDomenico asked if there were any items that staff wished the applicant had done that they did not. Mr. Kingsby advised that there were not.

PUBLIC COMMENT:

NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Commissioner Cassano stated that he appreciates the applicant adding more shade to the elevations. He noted this will not only benefit the people who live there but also the overall appearance.

Chair DiDomenico agreed and stated he appreciates the applicant working on the recommendations that were previously given by the Commission.

Motion: Motion made by Commissioner Cassano to approve PL220211 and seconded by Commissioner Lloyd.

Ayes: Chair DiDomenico, Vice Chair Johnson, Commissioners Cassano, Lloyd, Schwartz, Spears, and Forte.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

Staff Announcements:

Ms. Dasgupta advised the Commission of the items that will be on the January 24, 2023 Study Session and Regular Meeting agenda.

There being no further business the meeting adjourned at 7:02 p.m.

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

A handwritten signature in cursive script, appearing to read "Suparna Dasgupta".