



Minutes of the Development Review Commission REGULAR MEETING October 24, 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 Andrew Johnson
Vice Chair Michelle Schwartz
Commissioner Don Cassano
Commissioner Barbara Lloyd
Commissioner Linda Spears
Commissioner Joe Forte
Commissioner Larry Tom

City Staff Present:

Jeff Tamulevich, Director, Community Development
Ryan Levesque, Deputy Director, Community Development
Mailen Pankiewicz, Principal Planner
Diana Kaminski, Senior Planner
Karen Stovall, Senior Planner
Chris Jasper, Senior Planner
Lily Drosos, Planner II
Lucas Jensen, Planner I
Joanna Barry, Administrative Assistant II

Absent:

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

Hearing convened at 6:00 p.m. and was called to order by Chair Johnson

Consideration of Meeting Minutes:

- 1) Development Review Commission – Study Session 10/10/23
Development Review Commission – Regular Meeting 10/10/23

Motion: Motion made by Commissioner Tom to approve Study Session minutes and Regular Meeting minutes for October 24, 2023 and seconded by Commissioner Cassano.

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

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

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

- 2) Request for a Development Plan Review consisting of an addition to an existing furniture store for **ASHLEY FURNITURE ADDITION**, located at 8515 South Emerald Drive. The applicant is Cawley Architects. (PL230212)
- 3) Request a Development Plan Review for a new affordable development consisting of 19 single-family residential units and a 104-unit mixed-use building with ground floor commercial uses for **LA VICTORIA COMMONS**, located at 2320 East Apache Boulevard. The applicant is Sender Associates, Chtd. (PL220349)

- 4) Request a Use Permit to allow a bar (Series 6) and a Use Permit for live entertainment for **DEVIL'S HIDEAWAY**, located at 401 South Mill Avenue. The applicant is Line Lab. **(PL230251)**
- 5) Request a Use Permit Standard to increase the maximum lot coverage from 25 percent to 27 percent to construct a new single-family residence for the **PRESTINARIO RESIDENCE**, located at 2035 East Ranch Road. The applicant is Cory Black Design. **(PL230265)**
- 6) Request a Use Permit to allow required parking in the required front building setback for **ISSELHARD RESIDENCE**, located at 817 West 17th Place. The applicant is Ian McAllister. **(PL230291)**
- 8) Request a Use Permit to allow a distillery with ancillary uses including retail and a tasting room with a liquor license (Series 18) in the GID zoning district for **REVILO DISTILLERY**, located at 226 West Vaughn Street. The applicant is Oliver Passe. **(PL230293)**

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

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

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

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

- 7) Request Use Permit Standards to reduce the side yard setbacks from 10' to 8' and the front yard setbacks from 20' to 16' on four new single-family residences for **SKYBRIDGE MAPLE**, located at 1217 South Maple Avenue. The applicant is D33 Design and Planning LLC. **(PL230292)**

PRESENTATION BY APPLICANT:

Blake McKee, Skybridge Companies, gave an overview of the request. He stated that those who attended the neighborhood meeting liked the architecture they were proposing. He noted that over the months they have worked with the neighbor to the north. She had planted vegetation on their part of the property, and they advised her that they would have to remove it but would be happy to replant it on her side of the property. They also asked her what model of the home she would prefer to have next to her and went with her option.

Commissioner Lloyd asked if the homes were for sale or rent. Mr. McKee stated their preference is that they be for sale. Commissioner Lloyd asked if there would be a common association and was advised it would either be self-managed or an HOA company.

Commissioner Tom asked how many properties on the block use the alley as a primary access. Mr. McKee stated that multiple homes have garages that have access from the alley. He noted that on their alley loaded units the actual front door is within the interior of the community and would just access the garage from the alley.

Commissioner Lloyd asked if they would need to replat the site in order to sell off the individual units. Mr. McKee stated there is currently a plat submittal in with the City.

Chair Johnson asked what the setback is for the residence to the north from the property line. Mr. McKee advised that it was just under seven feet.

Vice Chair Schwartz asked if they had considered reducing the rear yard setback versus the side yards. Mr. McKee stated they discussed it, however it would not solve their problem.

Commissioner Tom asked how many of the properties in the area have multi-family. Mr. McKee stated there are three units to the west and two neighbors to the north have secondary structures on their property.

PRESENTATION BY STAFF:

Diana Kaminski, Senior Planner, stated the applicant is providing a common tract down the center of the property. Part of the reason for that is due to trash collection in the alley to the east and recycling off Maple Avenue to the west. The applicant is proposing gates to prevent pedestrian traffic through the private development. After doing the subdivision plat the applicant will be required to have CCRs reviewed by the City to make sure it meets our requirements for items such as staging/storing refuse containers, maintenance of landscaping and lighting in the common area, etc. The applicant has submitted their Development Plan Review which will be reviewed at the staff level, contingent on the Use Permits being approved. A subdivision plat will be required to create four individual lots with a common area tract. Access to the alley is allowed by the City, and a lot of homes in the area have historically had access from the alley. Ms. Kaminski stated that because this will be a subdivision with four houses the applicant will be required to improve the alley all the way up to the closest street.

Commissioner Tom asked what would be considered the fronts for the setbacks for the properties towards the alley once the applicant completes the plats. Ms. Kaminski stated that the alley side would be considered the frontage. Commissioner Tom asked if the alley improvements would be up to 13th Street. Ms. Kaminski stated it would be from 13th Street to the furthest end of the applicant's property. Commissioner Tom asked if they would be able to cross the median at 13th Street and go east. Ms. Kaminski stated they are not making any improvements of 13th Street, just the alley. Commissioner Tom noted that there is a double yellow line on 13th Street that you are not supposed to cross. Commissioner Tom asked if would be out of line to ask the applicant to improve the entire alley. Ms. Kaminski stated that the alley improvements are dictated by our engineering standards, which are very specific, and we cannot have them improve the entire alley.

Vice Chair Schwartz asked if the project always included the center area or if the concept came about as it was relating to refuse or other services. Ms. Kaminski stated that they always had the pergola in the center and a sidewalk, however the original design had the property lines running in four squares so there was a question about who pays for part of the pergola to get fixed if it is on private lots. This led to creating a common tract and walkway with lighting. Vice Chair Schwartz asked about the review of the second story. Ms. Kaminski stated that because this was a new development on an empty lot the applicant did not need a Use Permit Standard for the second story.

PUBLIC COMMENT: NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION: NONE

Motion: Motion made by Commissioner Spears to approve PL230292 and seconded by Commissioner Lloyd.

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

Nays: Vice Chair Schwartz and Commissioner Tom

Abstain: None

Absent: None

Vote: Motion passes 5-2

Staff Announcements:

None

There being no further business the meeting adjourned at 6:33 p.m.

Prepared by: Joanna Barry, Administrative Assistant II

Reviewed by: Mailen Pankiewicz, Principal Planner