



Minutes of the Board of Adjustment REGULAR MEETING June 22, 2022

Minutes of the Regular Meeting of the Board of Adjustment, of the City of Tempe, which was held in Council Chambers
31 East Fifth Street, Tempe, Arizona

Present:

Vice Chair James Frazey	Steve Abrahamson, Principal Planner
Board Member Richard Watson	Diana Kaminski, Senior Planner
Board Member Raun Keagy	Joanna Barry, Administrative Assistant II
Board Member John 'Jack' Confer	
Board Member Rickey Lynn Gans	
Board Member Brett Siegal (Alternate)	

Staff:

1) **Voting of the Meeting Minutes**

Study Session & Formal Meeting Minutes from July 28, 2021

Postponed to next scheduled Board of Adjustment meeting as there was not a quorum present of the members who participated in the July 28, 2021 meeting.

Motion by Board Member Confer to postpone approval of July 28, 2021 minutes until the next scheduled Board of Adjustment meeting: second by Board Member Watson. Motion passed on 6-0 vote.

Ayes: Vice Chair Frazey, and Board Members Keagy, Confer, Watson, Siegal, and Gans.

Nays: None

Abstain: None

Absent: Chair Lyon

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- 2) Request a Variance for a building height increase of 15' from the allowed 35' to 50' for **THE CITY OF SCOTTSDALE THOMAS A. HONTZ POLICE AND FIRE TRAINING FACILITY**, located at 911 North Stadem Drive. The applicant is Steven Fucello, Fucello Architects. (PL220066)

Applicant Presentation:

Mr. Steven Fucello, Fucello Architects, gave an overview of the request.

Vice Chair Frazey noted that the applicant pointed out that the fire training facility is going to be two feet over. He asked if request from the 35' to 50' is all inclusive for the buildings and was advised that it was. They bundled the two feet into this request instead of going through a Use Permit request for the additional two feet.

Staff Presentation:

Ms. Diana Kaminski, Senior Planner, gave a brief staff presentation. She proceeded to go through the Variance Approval Criteria and illustrated how the applicant had met these requirements.

Board Member Confer referenced approval criteria #4 and that he is concerned about the precedence it might set to approve this request. Ms. Kaminski noted that is a valid concern, however looking at the circumstances for this specific site, you must look at each case as it comes to what the surrounding conditions are as it applies to this specific property. In this case, both the wash and the substation are unique conditions that impact the way the site is situated. Any other project that comes in will have to justify how they are meeting this criterion.

Board Member Confer asked if Carvana, which is at 90', went through this same process. Ms. Kaminski advised that they went through a Planned Area Development (PAD) and proceeded to explain the differences in both processes. Board Member Confer asked if the City of Scottsdale trains Tempe personnel, and Ms. Kaminski explained it was a very symbiotic relationship, so they do share training facilities.

Board Member Gans noted that APS and the City of Tempe have a joint training facility and asked if APS is part of a joint response. Ms. Kaminski advised that she does not know the relationship for the people they train, but electrical fires are something the substation will have to address so they most likely have their own staff to address their company needs.

Vice Chair Frazey also had a concern about this setting a precedent but noted that staff has indicated that this variance is not presenting a special circumstance.

Board Member Watson noted that staff mentioned that Carvana's height is supported by this substation but asked what happens if a request comes in for a 122-foot building. Ms. Kaminski advised that we currently have buildings higher than that in Tempe. Those are completely different applications as they have different fire infrastructure in terms of the sprinkler systems and fire riser rooms.

Board Member Siegel asked why the City of Scottsdale did not go through the PAD process. Ms. Kaminski advised that was a longer process and because they are making incremental changes to an existing site, it may not fit into the parameters of a PAD.

Board Member Siegel asked if there are any current structures on the site that are going to remain. Ms. Kaminski advised that the existing police building will remain, the fire department building is the one that will be replaced, and they are coming back later for the addition to the police building. There are also three apparatus buildings in the back.

Public Comment: NONE

Commission Discussion

Board Member Keagy noted he will be supporting this request as the additional height is necessary to provide the requirements for the height of the training structure that supports critical services in both Tempe and Scottsdale. He stated this is a classic example of how variance criteria should be applied.

Motion by Board Member Keagy to approve the Variance for a building height increase of 15' from the allowed 35' to 50' for THE CITY OF SCOTTSDALE THOMAS A. HONTZ POLICE AND FIRE TRAINING FACILITY, located at 911 North Stadem Drive (PL220066): second by Board Member Gans. Motion passed on **6-0** vote.

Ayes: Vice Chair Frazey, and Board Members Keagy, Confer, Watson, Siegal, and Gans.

Nays: None

Abstain: None

Absent: Chair Lyon

Staff Mr. Abrahamson did not have any announcements.

Hearing adjourned at 6:42 p.m.