

MINUTES OF THE DEVELOPMENT REVIEW COMMISSION JANUARY 24, 2012

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

Commission Present:

Mike DiDomenico, Chair
Dennis Webb, Vice Chair
Peggy Tinsley
Tom Oteri
Paul Kent
Kolby Granville
Nick Miner

Commission Absent:

Monica Attridge
Jim Delton

City Staff Present:

Lisa Collins, Deputy Director Community Development
Steve Abrahamson, Planning & Zoning Coordinator
Dee Dee Kimbrell, Senior Planner
Joe Nucci, Historic Preservation Officer
Lisa Novia, Administrative Assistant II

Chair DiDomenico called the meeting to order at 6:00 p.m., which included the introduction of the Commission and City staff. It had been determined at Study Session that all three cases could be placed on the Consent Agenda. Chair DiDomenico announced to the audience that it was the intention of the Commission to vote on all of the cases with a single vote and approve the Consent Agenda and that if anyone from the audience wished for any of the cases to be pulled from the Consent Agenda, to please make it known at that time.

Chair DiDomenico was unable to attend the Study Session and pulled Item No. 3 from the Consent Agenda as he had a question in regards to including the west parking lot as part of the designation.

1. **CONSIDERATION OF MEETING MINUTES: 12/13/11**

On a motion by Commissioner Tinsley and seconded by Commissioner Oteri, the Commission with a vote of 5-0 (Commissioners Granville and Miner abstained) approved the minutes of December 13, 2011.

CONSENT AGENDA

On a motion by Commissioner Tinsley and seconded by Commissioner Kent the Commission with a vote of 7-0 approved the Consent Agenda with the following modification read into the record for Item No. 2, Conditions of Approval Nos. 3 and 4:

2. Request for **AGAVE CENTER - CARL'S JR. RESTAURANT (PL090412)** (CAJR, L.L.C., property owner; Jared Atkisson, Frontier Star, L.L.C., applicant) consisting of a single story 2,715 square foot restaurant on 0.86 net acres, located at 8825 South Jewel Street in the PPC-1, Planned Commercial Center Neighborhood District and the SWOD, Southwest Tempe Overlay District. The request includes the following:

DPR11217 – Development Plan Review including site plan, building elevations and landscape plan.

STAFF REPORT: [DRCr CarlsJrAgave 012412.pdf](#)

3. ~~Modify the layout of the DS-116 enclosure so the east wall of the E.P.N.G. enclosure is utilized as the west wall of the refuse enclosure. Do not locate the refuse pad any closer to the E.P.N.G. enclosure than as indicated on the site plan. Avoid creation of a small area between the EPNG enclosure by maintaining sufficient distance between the DS-116 enclosure and the walls of the EPNG enclosure to provide visual surveillance of the area between the enclosures and/or provide fencing or other appropriate method of securing this area, subject to review and approval by staff.~~
 4. Re-finish the E.P.N.G. enclosure and repair the gates, **if permitted by**, and subject to the requirements of E.P.N.G. Match masonry of the DS-116 enclosure walls to that of the E.P.N.G. enclosure.
4. Request for **DOUBLE BUTTES CEMETERY (PL110344)** consisting of one (1) lot on approximately 35 acres, located at 2505 W. Broadway Road, Tempe, in the AG, Agricultural Zoning District. The request includes the following:

HPO11008 (ORDINANCE NO. 2011.55) – Historic Property Designation consisting of one (1) lot.

STAFF REPORT: [DRCr DoubleButteCemetery 012412.pdf](#)

REGULAR AGENDA

3. Request for **TEMPE MUNICIPAL COMPLEX (PL110343)** consisting of one (1) lot on approximately 2.77 acres, located at 31 E. 5th Street, Tempe, in the CC, City Center Zoning District. The request includes the following:

HPO11007 (ORDINANCE NO. 2011.54) – Historic Property Designation consisting of one (1) lot.

STAFF REPORT: [DRCr TempeMunicipalComplex 012412.pdf](#)

This case was presented by Joseph Nucci, City of Tempe Historic Preservation Officer. Chair DiDomenico stated that his concern with including the west parking lot in the historic designation could mean precluding any future modification of the use of that parcel. He also indicated that he would like to see that parcel carved out of the designation process.

Ms. Collins indicated that a condition could be added that the parking lot is excluded from the approval. Ms. Collins also stated that his designation does not mean that the area cannot be demolished or reconstructed, only that there is a waiting period.

Mr. Nucci indicated that the effect of allowing that parcel to be included in the designation only allows the Preservation Office or Historic Preservation Commission the opportunity to weigh in on future use of that site. It will not preclude the City's ability to make any use of that site that it wants. Historic overlay zoning does not exempt a property from its basic underlying entitlements.

Commissioner Kent stated that it doesn't seem to make a difference whether it is excluded or not, as including the parcel does not preclude a future use change.

Commissioner Miner stated that he agreed with Commissioner Kent.

On a motion by Commissioner Tinsley and seconded by Commissioner Granville, the Commission with a vote of 7-0 recommended approval of the Historic Designation.

5. ANNOUNCEMENTS

Lisa Collins stated that she had addressed the issue of Commissioners appearing telephonically in the Study Session and that she had spoken to the City Clerk and there is currently no provision or policy for this. She also indicated that this Commission does have alternate members, unlike the City Council, and it is very important that at hearings we are able to seat seven members for a full Commission. Ms. Collins stated that she will be following up with the City Clerk's Office and with the City Council on its view of a future policy.

The hearing adjourned at 6:24 p.m.

Prepared by: Lisa Novia, Administrative Assistant II

Reviewed by: Lisa Collins, Deputy Director Community Development Department



Lisa Collins, Deputy Director Community Development Department