
MINUTES OF THE DEVELOPMENT REVIEW COMMISSION May 26, 2015

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

Commission Present:

Dennis Webb, Chair
Paul Kent, Vice Chair
Angie Thornton
Trevor Barger
Peggy Tinsley
Linda Spears
David Lyon, alt

Commission Absent:

Jerry Langston, alt
Dan Killoren, alt

City Staff Present:

Ryan Levesque, Dep. Com. Dev. Director
Larry Tom, Principal Planner
Diana Kaminski, Senior Planner
Sarah Adame, Administrative Assistant II

Chair Webb called the meeting to order at 6:00 p.m., introducing the Commission and City staff. It had been determined in the Study Session that the minutes from the Study Session and Regular Meeting minutes for 05/12/2015 would be on the Consent Agenda.

CONSENT AGENDA

1. Study Session minutes: 05/26/2015
2. Regular meeting minutes: 05/26/2015

Commissioner Tinsley moved to approve the Study Session and Regular Meeting minutes from 05/26/2015. The motion was seconded by Commissioner Barger and passed 4 – 0. Paul Kent, David Lyon and Thornton abstained.

REGULAR MEETING AGENDA

3. Request for a Development Plan Review for building elevations, site plan and landscape plan, and a Use Permit Standard for an increase in building height from 30 to 33 feet. The project consists of 15 single family attached townhomes for **THE BLOCK ON ROOSEVELT (PL140336)**, located at 233 South Roosevelt Street. The applicant is Scott Garvin of Intent Development Advisors.

CONTINUED FROM THE MAY 26, 2015 DRC

Staff, Ms. Kaminski presented that this project came to the commission about a month ago for discussion and changes. She stated in this presentation the new changes and that the applicant has a PowerPoint presentation to present the improvements and changes.

Ms. Kaminski expressed the changes to the parking lot. Originally, the project was one long building and now that building has been broken up into two buildings. Two buildings allow for open space between the buildings and one additional parking space. The applicant grouped other spaces that were on the north side of the lot to allow additional guest parking. This brought the guests parking from five spaces to seven. This change reduced the number of units from fifteen to fourteen which will reduce the demand for guest parking.

Ms. Kaminski also spoke about the changes to the setbacks. She stated that they had twenty foot front yard setbacks plus an additional ten foot and ten inches in the right away. The front yard is 30 foot and fully landscaped. The species of the trees were changed out in the ten foot backyards with a Chaste tree and Chinese Pistache for variety. The applicant addressed the colors request change from the commission from light to a darker color and added another color to provide diversity within the pallet. Lastly, along the street front they stepped back the edge so that the highest point would be furthest away from the street front to bring down to the scale of the rest of the properties along Roosevelt.

Ms. Kaminski advised that she did receive one phone call from a resident. The resident was inquiring what changes were made. Ms. Kaminski is requesting approval from the commission for the project including the changes that were made.

Chair Webb called up the applicant.

Ben Patten with Urban Land Advisory brought a power point to review changes on the site project. Mr. Patten reviewed that they eliminated one home from the site that created a small open space between the two structures but also decrease the parking load to allow seven guest parking spaces creating a parking relief. Also decrease the drive way from 23 feet to 20 feet for more space at the end caps of the structure but heading into the site the drive ways are 23 feet.

Mr. Patten discussed the changes of trees from the Texas Mountain Laurel to Chaste tree and Chinese Pistache creating a red green pallet. Applicant also added an increase of density of trees and plant on the site. He also stated that the HOA will be maintaining the landscaping including the trees and there will be a watering system. There won't be any dying trees but if there are the CC&R's will regulate that it be replaced with a "like" tree.

Mr. Patten spoke about another concern regarding the end caps of Roosevelt and Wilson. The end caps didn't look like it was engaging the street. The applicant worked on a number of changes that would improve the façade. The roof height was lowered from 36 feet to 31 feet, extended the metal finish towards the bottom, added a 24 inch fence with trex material and modified the color scheme as commission requested to make it feel more warm. The applicant feels that the modifications address both the scale and design of the both east and west of the façade.

Chair Webb thanked applicant for addressing all the requested changes.

There were no questions from the commission. Chair Webb called for public comment.

Philip Yates, Tempe, lives across the street from proposed project. He is the Chairman of the Riverside Neighborhood Association and Randy Straight is co chairman. Mr. Yates thanked everyone for listening to him the last time he spoke at the DRC meeting regarding this project. Mr. Yates stated that the applicant is adhering to city standard regarding parking and units. He suggested that that city standards need to be changed. Mr. Yates also stated that he likes the Chinese Pistache trees.

Chair Webb reviewed with Mr. Yates that the applicant has five parking spaces over the city requirement and that he would have the applicant come back up to review the names of the trees that are going to be put in at the project site.

Commissioner Lyon advised Mr. Yates that the additional parking spaces are guest parking spots and that each residential unit has its own parking and the project is considered fully parked.

Mr. Yates is in agreement and thanked the commission for their time.

Chair Webb read into record the next public comment by Eduarda Yates.

"I'm pleased with the changes made by the developer. However, I am concerned that minimum standards are too low and need to be raised".

Chair Webb asked if there were any more from public comments and there was one lady in the audience who need to complete a Citizen Request Form to come up and speak.

Barbara L. Moulard, Tempe, stated that she has been living next door to Mr. Yates for a long time. She asked if the height was raised from thirty feet to thirty three feet has been approved or not.

Chair Webb explained to Ms. Moulard that nothing has been voted to approved or denied yet. Chair Webb also explained that a month ago they questioned the side cap of the project, landscaping, colors, the site building, and parking. The height was not a main concern.

Ms. Moulard stated that her understanding was that the project was three story units with parking underneath. She asked does this make it a 4 or 2 story unit with parking down below. Is the parking included in the story of the unit? Ms. Moulard explained that she could not find online what the changes were and that today was the first time seeing them.

Chair Webb explained that the project is three stories with parking down below.

Ms. Moulard states that in her opinion that this is a four story building.

Ms. Kaminski interjects to clarify that they are three stories, living space (top two levels) and parking (ground floor first level).

Ms. Moulard expressed her second concern was that the drawings didn't show how the residents next to the building are "dwarfed" next to these building. She appreciated the changes that have been made but she still feels as there are too many units for the neighborhood. She would like to see that the ends of the structure still don't look very warm and inviting. Ms. Moulard suggested using more neutral colors.

Chair Webb called the next public comment.

Mark Lyman, Tempe, stated that he lives two doors down from the project. He wanted to know who the architectural firm is of the project. Can the architect describe the out structural building materials? Mr. Lyman also asked what is the full size of the Chinese Pistache and where are they being planted? He is concerned about the trees over growing walls and being cut down in a way that makes them look terrible.

Chair Webb called the applicant back up to answer that question from the public.

Mr. Scott Garvin is the designer of the project. Mr. Garvin said the architect on the project is Bob Lepore. Mr. Garvin asked if there was any more confusion regarding the parking.

Chair Webb stated no, we are clear.

Mr. Garvin spoke regarding Ms. Moulard comments about the colors of the project. Mr. Garvin offered that the color pallets for the project were available for viewing after the meeting for anyone who wants to see them. The colors are neutral. The lower ends of the buildings are masonry or CMU Block and there are two different colors which are a smooth base grey and smooth base earth tone. Mr. Garvin further described the different types of greys on and around CMU Block as well as the metals. The paint used is going over the stucco.

In regards to the accesses to project site, there is a front porch that is direct access to Wilson and Roosevelt and a small walkway near the garage. The front porch is surrounded by a low front wall. The reasons for the low walls are to help with glare from headlights and decrease the feel of the side of the drive ways to feel more like residential drive way and not a street. Mr. Garvin said the Chinese Pistache is being used in the back yard as well as the Chase tree. The yards will be maintained by the owners not by the CC&R's.

Chair Webb asked if there were any more questions from the commission and then opened up for discussion.

Commissioner Thornton thanked applicant for listing to commission and that it will be a very nice project.

Commissioner Spears stated that she appreciated the changes and wouldn't mind losing that extra parking space and having extra open space for the tenants.

Vice Chair Kent stated that he liked the responsiveness from the developer and it will be a good project.

Commissioner Barger loves all the changes and likes the open space. Commissioner Barger would like to suggest approving the plan with a condition with or without the parking space.

Chair Webb called up applicant to see if they are will to accept that condition.

Mr. Garvin said yes, they are happy to entertain that condition with grass.

Commissioner Tinsley stated that she appreciates the applicant coming back with all the changes and thinks that there is too much in this project for this piece of property.

Commissioner Barger moved approval of PL 140336 with condition to remove the extra parking space and replace it with turf.

Commissioner Tinsley seconded the move to approve

Chair Webb stated that carried approval of 6-1 vote, with Commissioner Thornton opposing.

4. Requests for an Amended Planned Area Development Overlay and a Development Plan Review consisting of a new mixed-use development containing 273 apartment units, 4,500 square feet of retail space, and 4,600 square feet of live-work space within a five-story, 69'-6" high building for **SOUTHBANK LOT 1 (PL150102)**, located at 1200 East Rio Salado Parkway. The applicant is Huellmantel & Affiliates.
5. Requests for an Amended Planned Area Development Overlay and a Development Plan Review consisting of a new mixed-use development containing 272 apartment units and 5,071 square feet of retail space within a six-story, 84'-5" high building for **SOUTHBANK LOT 6 (PL140463)**, located at 1190 East Vista del Lago Drive. The applicant is Huellmantel & Affiliates.

Chair Webb reviewed Southbank Lot 1 (PL150102) and Southbank Lot 6 (PL140463) that the applicant requested a continuous for two weeks 06/09/2015.

Commissioner Tinsley moved to accept a motion of request for continuous for two weeks 6/09/2015 of Southbank Lot 1 (PL150102) and Southbank Lot 6 (PL140463).

Commissioner Spears seconded the motion for a continuous for two weeks 06/09/2015 of Southbank Lot 1 (PL150102) and Southbank Lot 6 (PL140463).

Chair Webb announced that motion for continuous on both projects approved 7 – 0.

6. Requests for an Amended Planned Area Development Overlay and a Development Plan Review for a new mixed-use development for retail, restaurant, hotel and 447 apartments that consist of 3 towers with a maximum height of 240 feet and a Use Permit to allow for 40 tandem parking spaces for **7th STREET MIXED USE (PL140488)**, located 110 East University Drive. The applicant, *Sender Associates, Chtd. Darin Sender*.

Chair Webb called up the applicant for 7th Street Mixed Use and (Staff) Mr. Toms who presented the case.

Staff, Mr. Toms, presented the name of the project PL 140488 7th Street Mixed Use and the location on University, Forest, Myrtle and 7th Street. He stated that they will have a three tower complex. The residential tower two, which is twelve stories, residential tower one which is twenty stories, 240 feet to the very top, including all mechanical, and the hotel that is six stories. There will be 450 residential units, over 1000 parking spaces that will be mix in with residential and commercial uses.

Mr. Toms further explained the locations of the entrances on the maps.

Mr. Toms explained a correction that is noted in the Staff Report the correction listed number of unites. The report originally displayed 447units that were corrected to 453 residential units. Also, with condition number in the Development Plan Review, should be read as May 13, 2015 instead of May 23, 2015.

Mr. Toms verifies with commission that they are reviewing for approval an amended PAD, Develop Plan Review, and a use permit for 410 unit spaces.

Chair Webb commented that the report from the applicant that was received was the most complete reports that they the commission, has received in many months. He expressed his gratitude to the staff and applicant for the accuracy and completeness of the comprehensive report.

Applicant, Ms. Darin Sender from Sender Associates, Phoenix, introduced the team, Larry Pobuda (Opus), Kevin Bennett (Property Owner), Dean Newins (Architect), Brett Hopper (Opus), Darrell Hoker (Willsons), and Jen Boblick (Sender & Associates). Ms. Sender express that the team will present the project and she will conclude.

Mr. Kevin Bennett, Chief Finanical Officer at Sundt Construction, purchased property in 2010. They selected Opus to design a project for this property. Mr. Bennett turned over presentation to Larry Pobuda (Opus).

Mr. Larry Pobuda (Opus) expressed that Opus Group is a Minneapolis based privately held company. They have offices in nine cities around the country. They have significate experience with commercial real estate development including commercial, industrial, retail, and multifamily. Mr. Pobuda spoke about several different projects that are under development right now which include Tempe. There is a project in Minneapolis called the Nick on 5th which has served as the prototype for this project in Tempe. Mr. Poduda stated that the team has meet with several different groups around the city. They did have the neighborhood meeting and they also met individually with members of city council, several meetings with city staff and ASU to learn about key objectives. They learned that there were several objectives first to "Activating University Drive" with first floor retail that is well

designed for residents, students and workers of Tempe, connecting College Ave with Mill Ave with pedestrian orientation, being respectful of the housing, restaurants on the north side of the project, incorporating elements of College Avenue with wider sidewalks and pavers, great landscaping, promoting bicycle ridership throughout the city and providing ample parking. Mr. Pobuda expresses that this is not a student housing project. This is a market rate project that is aimed at millennial type workers who in the city of Tempe.

Ms. Senders, attorney, came back up to express that request of approval from the commission for PAD amendment from the original PAD currently, there are 2 PAD approved on this property, 2006 and 2008. Ms. Senders stated that they are amending 2008 approvals. They are reducing the building height significantly in a PAD and introducing residential units from 2006 and extracted 2008 to make room for a lot of office space and decreasing lot coverage, adding more open space and increasing landscape coverage. New parking standards will be set because it's a new project. Ms. Senders states that they are requesting the DPR and a re-Plat of the property. She states that this property plan is in strong compliance with existing General Plan, with mix use on the property, Urban Core, Urban Open Space Plan, Mill and Town Lake District Street Guidelines, Downtown Mill Ave Concept Plan and Downtown Height Study for this location.

Ms. Senders expressed her concern with stipulation for condition 23 regarding palms trees and shade trees. Staff has requested a mixture of both for shade and palm. There will be an overhang for shade but would like to request to cluster the trees together instead of alternate between palm and shade trees. She requested the commission's indulgence on that matter.

Dean Newins, Managing Architect, stated that he and his team worked collaborating with the Smith Group here in Tempe. Mr. Newins goes into explanation about the project. The project is a full block 3.2 acres, the project is organized of 3 towers, they sit on a base of 4 stories, and each building is set on east and west axes. An important part of the project is to be able to link the entertainment district of mill and the education district of ASU. This would become a live, work, and play environment. Lastly, this is a true mixed use project with retail, residential, and hospitality as well as convenient parking. For the biking community, this project will have biking valet.

Mr. Newins explains the streets and sidewalks, on the south end of the project would be the "front door" and the hospitality "front door" to the east would be the retail portion of the project. On the east and west of the site are the drives aisles of the site there are no curb cuts. Along 7th street, there is an increase amount of space for parking which will be angled parking as you pull up this creates an opportunity to expand for landscaping. Also on 7th street are the "city homes" of the project. They are 4 stories; at the ground floor is the entrance from a court yard. On the corner are some more lofts and retail. Along Myrtle is the public parking entrance and valet parking. On the corners of Myrtle and forest will be retail space and possible canopies that wrap around the base of the building to provide shade.

Mr. Newins, introduced a few physical samples of the materials used in this project: combination of colored metal panels that will have a range with them, aluminum panel, perforated panel, natural materials such as sand stone, and burnished CMU block.

Chair Webb asked the commission for questions for the applicant.

Commissioner Kent asked about the plan for the roof tops, what are they?

Mr. Newins explains that the roof tops are the amenity decks. Where there will be a combination of hotel, transit, and residences amenities. There will be amenities such as, pools, spa, cabanas, green space, green roof, dog run, and club rooms.

Commissioner Lyon shared his concerns about less deteriorated granite on the north side of the site where the House of Tricks is located. He would like to see more turf.

Mr. Newins appreciated to have more feedback for turf from the sidewalk to the curb.

Commissioner Lyon asked for more clarification on the entrances to north side of the project site.

Mr. Newins explained there is a front door in that court yard for that particular unit and there is also access inside on a common corridor. There are 8 units along that side of the street that have that type of gated entrance.

Commissioner Kent asked where the 63 foot TV would be located. He assumed it would be there but didn't see it in the drawings

Mr. Newins explained that there is not any AV that impact anywhere outside of the project. The amenity space where those would be housed is back towards the center of the site not towards the edge of the street where it could not be seen from below.

Mr. Pobuda stated with this project they are trying to create a respect from the activity that occurs from Mill Ave that is certainly different from most traditional student housing projects. They are planning to have glass interior areas that would be facing to the exterior decks, which would include, demonstration kitchens, fitness center, and casual seating areas that would contain flat wear AV equipment -but not any outdoor theater. There would also be outdoor spa and pool areas.

Commissioner Barger asked does underground parking go in with phase 1 or is there earth lot remaining where phase 2 would be.

Mr. Newins stated that they eliminated the phasing for the project. It will all be built over a period of time but all at one time. There is currently no parking underground but the area is excavated already in the areas that are discussed.

Mr. Pobuda stated that it will be call sequencing not phasing. Sequencing is one group comes in does work finishes and then the next group comes in and works, etc...

Chair Webb asked, what are the finishes are going to be, flooring, cabinetry, appliances, things of that nature.

Mr. Newins explained this is a highly ammonized project at the higher level of finish for the feel of a home. The structure will be a concrete structure, high level finish for the flooring, granite counter tops, nicer appliances, higher level of cabinetry finish. The resident is getting higher level quality finish with amenity space and projects.

Chair Webb asked for the flooring what is the finish, title, laminate, etc...

Mr. Newins explained in the bedrooms would be carpet but in the shared spaces or common spaces of the unit would be wood or luxury vinyl tile and in the bathrooms would be porcelain tile, high grade ceramic tiles on the walls of the bathroom.

Chair Webb asked what type of cabinetry would there be in the kitchen?

Mr. Newins said that cabinets would be a wood, maple. Mr. Newins explained that the style would be researched from the property management group.

Chair Webb asked what type of appliances they would be using.

Mr. Newins replied that they don't have a spec yet and are not ready to put it down on record yet and don't want to lose their complete advantage.

Commissioner Webb mentioned that the condition item #5 regarding the condominium plat, he asked if Mr. Newins could speak on that.

Ms. Senders said that they are fine with the stipulation change from a "shall" to a "may".

Chair Webb asked about rewording.

Ms. Senders said yes.

Commissioner Tinsley asked the application to talk more about the bike corral.

Mr. Newins explained that they moved the bike garage to the first level adjacent to tower one and it will be a combination of a bike garage and a valet with a bike shop. They will install bike stalls on each corner of east and west sides of the project. They hope it would be part of an artistic opportunity.

Mr. Pobuda interjected that there is a significant investment of the bike garage storage facility.

Commissioner Webb asked what type of good hotel partners would be good for this project.

Mr. Pobuda expressed that the hotel brands would be commonly recognized. There is a letter of intent pending at this time with a potential hotel but Mr. Pobuda wouldn't disclose tonight. The potential hotel is described as a "life style" brand; a hotel that has about 6 or 7,000 square feet of conference space and registration area that is more streamlined and technically advanced.

Vice Kent wanted more feedback from their discussions with ASU about this project.

Mr. Pobuda expressed that they had a wide variety of conversation with ASU. There are interests in the architecture elements and how it ties in with the community, wanting to be a good neighbor with ASU, how can passer byer interact with the site, looking, walking by, renting, retail notes, and different types of retail maybe a local grocer.

Vice Kent asked about the open retail, would the tenant have to install their own sliding doors and such?

Mr. Newins said they will design it with a system which allows the tenants to choose what they want to use in their space.

Chair Webb opened and closed the public portion. No one from the public came to speak.

Chair Webb asked for discussion from the Commission

Commissioner Barger asked staff on the condition for DPR site plan approval, #2 regarding the right hand turn lane, is it benefiting the pedestrians as well as the automobilist to have it as a dedicated lane rather than creating a wider street.

Staff, Mr. Tom, the reason for the right hand turn lane is for pedestrian/vehicle traffic issues that are happening here either at forest or myrtle there is usually a line here trying to make a right hand turn on to university. The right hand lane on forest is to hope it will alleviate traffic.

Commissioner Barger asked if the transportation department will be looking at alternatives to a pedestrian crossing or light.

Mr. Tom explained it could be something that transportation can handle after the development on how they can route traffic.

Commissioner Barger asked if he didn't approve condition #2, transportation department would have to prove that they need the lane.

Mr. Tom replied if removing the condition #2 on the right turn lane, it would be something that traffic engineers wanted it would have to be condition that would require them to install, if it's a situation where it's not needed then you can condition it to function as it does today.

Commissioner Barger said the same question for condition #3, 8ft wide public sidewalk doesn't seem excessive, however from the pictures of the drawings street furniture and planters would make it appear like Mill Ave. He would like to make sure that the standards don't keep it from being like a Mill Ave pedestrian experience separated high speed route

Mr. Tom said that condition # 3 is a normal condition for arterial streets but if they do have furniture out there they still have to maintain the 8ft. travel to keep those pedestrians moving.

Commissioner Barger expressed about condition #8 the utility boxes colored a neutral color that doesn't prohibit the artistic fun that has been going on down Mill Ave of painting them artistic colors.

Mr. Tom replied clearly it would if this condition is kept at a neutral colors and this would be something that would have to be discussed later on that condition you wish to alter so that there is some artistic element on the utility boxes is something we can consider.

Commissioner Barger's final question, on the live oak trees, he likes the look of shading with the canopy and the palms but was curious about why the requirement and how that came about.

Mr. Tom explained this would be along the south elevation. The condition here was to promote shading. Palms trees don't provide a lot of pedestrian shading and with the height of the building and the height of the canopy the condition included was to get that shading at that pedestrian level. The south side of the building doesn't get that much shade unless there is a taller building on opposite side of University. Mr. Tom is in support of clustering live oak as long as it meets the shade requirements,

Commissioner Barger asked does the stipulation allow clustering.

Mr. Tom said yes, it is flexible enough to add that placement of those trees.

Chair Webb asked what does the minimum of 30 percent shade mean.

Mr. Tom replied on the shade study there has to be 30 percent shade provided at a specific time of day.

Staff, Diana Kaminski stated its 3pm of the summer solstice which is why the angle the sun is critical to where the tree would be and is based on 5 years at a tree's mature growth.

Commissioner Spears commented that she likes the project a lot and the openness. She like the palms trees best.

Commissioner Barger commented that he likes the project and can't wait to check out the units along 7th street. He loves the choice of the materials on the buildings that makes it feel like it adds Arizona elements to it.

Commissioner Thornton commented that she likes the amazing project and all the work put into it.

Commissioner Tinsley commented, dito.

Commissioner Lyon commented echoed all the same comments and personally excited to see this project move forward. He especially likes the balconies. He does struggle with University that it feels underdeveloped.

Chair Webb expressed that applicant has done an excellent job with recognizing the needs of the neighborhood and the idea of sustainability and how they have treated the shade. He is support of project.

Vice Kent likes the broken up parts of the project.

Commissioner Thornton asked if there is D.G. anywhere.

Commissioner Lyon said no, no D.G. anywhere but he would like to mirror surrounding landscaping.

Mr. Tom said that the use of turf on 7th street would be limited because the city doesn't allow the use of turf in the right away. There is a state law that limits water consumption with in the public right of way.

Chair Webb asked what if they use artificial turf.

Ms. Senders replied that they are more than happy work it out with using decomposed granite.

Mr. Tom stated that there are some solutions here without using decomposed granite.

Commissioner Tinsley moved for approval for 7th street mixed use PL140488 including PAD15007 ZUP15052 DPR15122 with the following specific changes: technical changes with regard to condition #5 condo plat from "shall" to "may" with regard to DPR condition to #8 of neutral or artistic colors with discussion with the staff, deleting condition #2 with conditions of approval, landscape is sufficiently flexible, with regard to condition #28 landscape work with staff to minimize or limit use of dg.

Commissioner Barger seconded the motion.

Chair Webb announced 7-0 passed.

Chair Webb announced Mr. Tom Larry is leaving City of Tempe.

With no other announcements, the meeting was adjourned 7:45 p.m.

Prepared by: Sarah Adame, Administrative Assistant II

Reviewed by: Ryan Levesque, Deputy Community Development Director



Ryan Levesque