



**Minutes of the  
Development Review Commission  
August 11, 2015**

Minutes of the regular hearing of the Development Review Commission, of the City of Tempe, which was held at the Council Chambers, 31 East Fifth Street, Tempe, Arizona.

**Present:**

Paul Kent – Chair  
Trevor Barger- Vice Chair  
Angela Thornton - Commissioner  
Thomas Brown- Commissioner  
Linda Spears - Commissioner  
David Lyon- Commissioner  
Andrew Johnson- Commissioner

**City Staff Present:**

Ryan Levesque, Dep. Comm. Dev. Director  
Diana Kaminski, Senior Planner  
Karen Stovall, Senior Planner  
Sarah Adame, Comm. Dev. Admin Assistant II

**Absent:**

Margaret Tinsley- Alt. Commissioner  
Dan Killoren- Alt. Commissioner  
Gerald Langston- Alt. Commissioner

**Guest Present: NONE**

**Number of Interested Citizens Present: 1**

Hearing convened at 6:07 p.m. and was called to order by Paul Kent.

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Consideration of Meeting Minutes: 07/14/2015 Study Session  
07/14/2015 Regular Meeting

**MOTION:** Commissioner Spears  
**SECOND:** Commissioner Thornton  
**DECISION:** Approved 7-0

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**Consent Agenda: 3 items**

1. Request for a Development Plan Review consisting of a new retail store for **MATTRESS FIRM AT EMERALD CENTER (PL150266)**, located at 8502 South Emerald Drive. The applicant is Victor Kollasch, Balmer Architectural Group.
2. Request for approval of a Preliminary Subdivision Plat for **THE MOTLEY (PL140078)**, located at 1221 East Apache Boulevard. The applicant is Wood, Patel & Associates, Inc.

3. Request for a Code Text Amendment for **MEDICAL MARIJUANA (PL150267)**, consisting of changes within the Code that regulate the location and operation requirements for dispensaries and cultivation facilities in Tempe. The applicant is Bryan McLaren, Zoned Properties, Inc.

**ITEM HAS BEEN PULLED AND WILL BE CONTINUED TO THE AUGUST 25<sup>TH</sup> 2015 AGENDA**

**MOTION:** Commissioner Spears  
Vice Chair Barger second motion

**VOTE:** The motion passed.

**DECISION:** Approved 7-0

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**THE BOARD DISCUSSED THE FOLLOWING CASE(S):**

4. Request for a Development Plan Review and Preliminary Subdivision Plat for a new single family subdivision consisting of 94 dwelling units for **RHYTHM (PL130327)**, located at 9330 South Priest Drive. The applicant is Chris Jones of Anderson Baron.

Staff, Diana Kaminski introduced the case.

RHYTHM (PL130327) is a new residential development which spans across the borders of Tempe into Chandler. The Tempe portion of the project is comprised of 94 single-family detached units on 19 gross acres with a projected density of 5 du/ac. The City of Chandler portion of the project is planned for 281 units comprised of a mix of four residential housing types (condominium, villas, lofts and casitas). The entire 51.52 acre development has 375 residences. The site was part of a prior Planned Area Development for MU-4, which required a Zoning Amendment to R1-PAD in 2014. The Development Review Commission heard this request on June 9, 2015; the case was continued to provide more time to address design details.

Applicant, Andy Baron of Anderson Baron representing Mattamy Homes

Review project and items that were asked to be reviewed and changed from their previous hearing on June 9, 2015.

Vicinity map, the locations of the project for the City of Tempe and the City of Chandler  
Review of the Site Plan

Mr. Baron presented different product lines between the cities

Chandler has four product lines:

- Casita Unit – 12 units, single family detached unit and individual for sale lots
- Villa unit – detached alley unit that have garages that live off the rear and front doors that live off the street
- Loft unit – 35'x58' lot size, 3 stories
- Condo unit – 5 unit condo buildings each with garages that lead into the unit itself and stairs that go up to the unit

Tempe has one product line:

- Casita Unit – single family detached unit and individual for sale lots

Character and Theming

Central Amenity Plan

Seventeen different amenities, pool, fitness facility, many shaded spaces, different types of fire place areas, gathering spaces, etc.

Entry Wall and Gate Plan

Scales of height

Wall details: elevations, landscaping, materials, and colors

Architect, Chris Texter, KTG Architecture & Planning

Presentation: Creating Urban/Contemporary feel called Transitional

Address in detail description of all four product lines, six floor plans, two elevations, and nine color schemes for both cities

Mr. Baron and Mr. Texter

Addressed items that were asked by the Commission in a previous hearing:

Eaves on houses – introduced larger over hangs in front of house and on the side of the house they remain the same size due to fire code limitations

HERS ratings – Mattamy Homes has not complied yet but is attempting to get the lowest available addition of sidewalk for fire access

Dealership distance is 100 feet – no interference with new addition of public trail

View Street Scene Plan View

Wall returns

Access to refuse

Sidewalks and entry ways

Multiuse Trail Plan

Driveways/Parking

No building over the gas line but can apply some grading

Landscape - Oaks, Elms, and Vitex (Chastetree) trees

Energy Star Certified – Based on Mattamy's interior design

Discussion on Pre-plotting to avoid building same design homes next to each other - limitations

HOA present

Construction will be completed in two phases

Mattamy Homes, Jose Castillo

Addresses taxation – it will be the same across the board because it's based off the price of the homes

Price range:

Casitas will start in the low \$300,000.00

Condos will start in the low \$200,000.00

Villas and Lofts will be in between both price ranges

Public Comments: NONE

Discussion & Questions from Commission Members

Vice Chair Barger expressed that he appreciates the applicant's willingness to work with the Commission with a nice set of documents that address all their requests. He would like to come up with a stipulation for the plotting conditions. He agrees with the discussion regarding the elevation changes to the front to accommodate the roof eave requests. He liked the community wall along the canal since it's more of a public space in Tempe. He thinks it's a really nice project and appreciate that the developer is going to work across city boundaries and provide a really great neighborhood.

Chair Kent expressed that he appreciates all the sample boards. He appreciates the letter with questions and answers to all the Commission's request from the prior hearing. He is a little disappointed in some of the responses but then the actual response from the applicant was better. He would like to see the applicant work on the detail of where the end of Jeanine runs into the canal because it seems to be a dead end. He agrees with the style of community wall on the canal. He thinks it looks like a good project.

Commissioner Brown expressed that he would like to know the energy star ratings. Staff, Diana Kaminski explained how the energy star ratings are counted.

Commissioner Brown expressed that he thinks that the interior design was well address based on what the market place would be. He thinks the variety of model types and elevations are nice and would like to craft a stipulation on the color, model, and optional separation to street scape it so that it doesn't have repetition.

Commissioner Johnson expressed that he appreciates the efforts to bring in more diversity to the elevation of the units. He is little disappointed that there is only one access to the regional trail. He feels at least two more access points should be provided. He agrees with the community wall along the regional trail. He was disappointed that the HERs ratings were not provided as requested.

**MOTION:** Vice Chair Barger motioned to propose approval of Rhythm (PL130327) with the following additional stipulations:

- Amendment to stipulation to number two: limit the plotting to no same plan, elevation or color scheme adjacent or directly across the street and no individual plan maybe more than thirty percent of the street.
- The wall along the canal shell be a community wall
- To the plan 2.b, 3.a, and 4a. additional eve with two foot depth in the front elevation that does not encumber fire code
- A landscape buffer be added between Jeanine and the canal community wall
- Provide a restricted access to the regional canal trail on the north end of the parcel

Commissioner Spears seconded the motion.

**VOTE:** Approved 7-0

**DECISION:** Request for a Development Plan Review and Preliminary Subdivision Plat for a new single family subdivision consisting of 94 dwelling units for **RHYTHM (PL130327)**, located at 9330 South Priest Drive was approved with additional stipulations.

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5. Request for an Amended Planned Area Development Overlay and a Development Plan Review for a new 14-story mixed-use development containing 384 dwelling units and 3,838 square feet of commercial space for **1000 EAST APACHE (PL150208)**, located at 1000 East Apache Boulevard. The applicant is Nick Wood, Snell & Wilmer, LLP.

Staff, Karen Stovall introduced the case

The development is designed to serve the needs of university students. Proposed as a 14-story (plus rooftop amenity deck) mixed-use development containing 384 dwelling units, 3,838 square feet of commercial space, and 195 square feet of restaurant space.

Applicant, Nick Wood, Snell & Wilmer, LLP  
Presentation

Location and surrounding business  
Reviewed concerns from each Commissioner  
    Traffic and Parking vs. the number of student living here  
    Amended council approval  
    Improved original design  
Original Site Plan  
    Reviewed all old issues  
New Site Plan  
    Outdoor dining  
    Sidewalk detached  
    Landscape along streets  
    Garage  
    Traffic flow is better  
    New bike racks  
    Drop off area/Circulation Networks  
    Project designed to become condos in the future  
    Reduction in parking

Architects, Joe Herzog and Justine Trexler

Elevations  
    Viewed south elevation lower level  
        Windows – open and close curtain wall system, maintenance of window shelves  
        Walls are inward creating an inviting feel  
        Corten Steel – orange color  
    Viewed north elevation  
        Glass wraps around the corners of the building  
    Parking garage – embedded into the building  
    Viewed east elevation – see lower mass towards Apache and the taller mass is midblock and towards the rear of the site  
    Viewed west elevation – mostly screen by the 922 project  
Materials of construction of building  
Massing is pulled back  
Building Sections  
    Creating Courtyards - four in total as they cascade up the building  
        Study rooms  
        Small theater  
        Lounge  
        Pool  
        Palm trees  
        Fitness room  
        Hanging garden  
        Perforated metal screen that wraps around the courtyards, 8 feet tall  
    Creating egress for the interior units  
        Natural convection and passing air movement that would move through the building  
    Street Section of the lower level  
        Residential vs. Retail  
    Landscape Plan – desert  
        Palo Verdes, trees  
Site Circulation – Vertical Corridors, two locations of entrances  
    Pedestrian and bicycles  
    Retail at the street level

Parking  
Dedicated service drive for fire and refuse  
Salt River Pima Maricopa Indian Community  
Cultural sensitivity training course – General Contractor will attend

Traffic Engineer, Dawn Cartier

Student housing studies  
Relying on studies for reduction of parking spacing

Developer, Matt Booma

Security/Live in manger on site 24/7  
Security guards during the first four weeks of each semester on Thursdays and Fridays  
Zero Tolerance Policy

Public Comments:

Matthew Salenger, Tempe, stated that he has met with the development team. He does like the height of the project and believes that the project met every requirement for student housing. Mr. Salenger does support this project.

Questions from Commission Members

Commissioner Thornton asked if people will be paying for parking spots and how much.  
Mr. Herzog replied yes. The charge would be what is similar to the market for other buildings.

Commissioner Thornton asked how much will rent be.  
Mr. Herzog replied what is similar to the market.

Commissioner Thornton asked where the metal mesh is going to be.  
Mr. Herzog replied it is going to be on the perimeter of the courtyard levels.

Ms. Stoval advised the Commission that if there was a Television to be installed in the courtyards that an administrative DPR would be required. She requested that a condition be added to limit how much the windows open.

Vice Chair Barger asked about having more landscaping on the north side of the building. He also asked why the Commission didn't receive landscape plans for the upper level courtyards and how are they supposed to approve them.

Mr. Herzog replied that there are several doors there but does see some opportunities for additional landscaping.  
Ms. Stovall answered that an administrative DPR be processed for the roof top deck landscaping.

Discussion from Commission Members

Commissioner Spears expressed that she does like the changes to the design of this project and she likes the pedestrian aspect.

Commissioner Brown expressed that he likes the project but does not like the height.

Vice Chair Barger likes the design of the building. It has a fun aspect on the ground level. He doesn't have any concerns about the height and is not worried about the access for Tempe Fire and Police departments. He likes the answers he heard from management and the level of "neighborhoodness". He will support the project.

Chair Kent expressed the he likes the new design. He is willing to trade any comments about height for the work that has been on the ground level. He thinks this is a great project. The project could have been built lower and not have all the amenities but he thinks the investment will pay off in the long run with regards to this design.

Commissioner Lyon expressed that he like the project too. It is attractive building. He has a few minor concerns, such as the windows, window shelves, landscape terraces for level five and level eleven were a little puzzling with the eight foot mesh trim. He knows that it will all get figured out. He would like to commend the applicant and architect for the presentation. He is in favor of the project.

Commissioner Thornton expressed that she does like the project.

**MOTION:** Vice Chair Barger motioned to approved 1000 East Apache PL150208 with the following additional stipulations:

- Stipulations 6 & 7 to read or alternative bike parking detail
- Additional stipulation to work with staff to address cleaning of shelves in or around the building
- Adding a stipulation that a member of the general contacting team will attend the Salt River Project Maricopa Indian Community Cultural Sensitivity training course
- Adding a stipulation to create window opening limiters to limit objects that can be thrown from the building or residents using the window shelves
- Adding a stipulation to working with staff on an additional landscape plan to the northern elevation of the project
- Final stipulation to process a staff level DPR for the landscape for the upper level landscape gardens.

Commissioner Thornton seconded the motion.

**VOTE:** Approved 6-1 with Commissioner Brown in the opposition.

**DECISION:** Request for an Amended Planned Area Development Overlay and a Development Plan Review for a new 14-story mixed-use development containing 384 dwelling units and 3,838 square feet of commercial space for **1000 EAST APACHE (PL150208)**, located at 1000 East Apache Boulevard was approved with additional stipulations.

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There being no further business the meeting adjourned at 9:00 pm.

Prepared by: Sarah Adame  
Reviewed by: Ryan Levesque



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Ryan Levesque, Deputy Community Development Director

RL/sa