

## Minutes of the Development Review Commission October 27, 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  
Linda Spears- Commissioner  
Angela Thornton- Commissioner  
David Lyon- Commissioner  
Thomas Brown- Commissioner  
Margaret Tinsley- Alt. Commissioner

**City Staff Present:**

Ryan Levesque, Dep. Comm. Dev. Dir. - Planning  
Suparna Dasgupta, Principal Planner  
Karen Stovall, Senior Planner  
Obenia Kingsby, Planner I/II  
Steve Abrahamson, Principal Planner  
Sarah Adame, Comm. Dev. Admin Assistant II+

**Absent:**

Andrew Johnson- Commissioner  
Daniel Killoren- Alt. Commissioner  
Gerald Langston- Alt. Commissioner

**Guest Present: NONE**

**Number of Interested Citizens Present: 0**

Hearing convened at 6:05 p.m. and was called to order by Chair Paul Kent.

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**Consideration of Meeting Minutes:** Study Session 09/22/2015  
Regular Meeting 09/22/2015

**Motion:** Vice Chair Barger motion to approve Study Session and Regular Meeting minutes for 09/22/2015  
Seconded by Commissioner Thornton

**Vote:** Approved 6-0 Tinsley abstained (absent 09/22/2015)

**Consent Agenda made by Chair Kent**

**Motion:** Commissioner Spears motioned to approve Consent Agenda  
Seconded by Commissioner Tinsley

**Vote:** Approved by 7-0

The following items were approved

3. Request for a Development Plan Review consisting of a 37,102 square-foot addition to an existing 125,134 square-foot building for **AZPACK WAREHOUSE ADDITION (PL150373)**, located at 7255 South Kyrene Road. The applicant is Arizona Production and Packaging, LLC.

5. Request for a Development Plan Review consisting of a 27,485 square-foot of building additions for **TEMPE KIA (PL150352)**, located at 8005 South Autoplex Loop. The applicant is John Mahoney Architect, LLC.
6. Request for an Amended Planned Area Development and Development Plan Review consisting of a new parking structure for **OPERATIONS CENTER (PL150368)**, located at 1305 West 23rd Street. The applicant is Miesfin Samuel of The Samuel Group.

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

4. Request for a Development Plan Review consisting of a new 16,013 square-foot building for **CVS PHARMACY #10928 (PL150374)**, located at 903 East Apache Boulevard. The applicant is Withey Morris PLC.

**Presentation by Staff, Obenia Kingsby**

Presented project location and surrounding businesses in the area  
Presented description of work to the site, streets, driveways, and sidewalks  
Presented landscaping work and land coverage  
Presented description of elevations, building materials, colors, canopies, and entrances  
Recommends approval with agreed stipulations

**Questions from Commission to Staff: None**

**Presentation from Applicant, Jason Morris**

Presentation of business, location, and propose.  
Applicant advised that the Tempe Commerce is only relocating.  
Applicant shared information on the shared parking with the hotel next to this project. He also pointed out there is a vacant driveway that would be eliminated and replaced with landscape that ties in the platform area for the street car.  
Mr. Morris shared that this CVS will not have a drive thru which is a collaboration between CVS and staff. This CVS will be to better serve the pedestrian traffic and the back of the building will back up to a future street car stop. This CVS could service up to a three quarter mile radius at this location.

**Questions from the Commission:**

Chair Kent asked what the hours of operation for this CVS are. Mr. Morris replied that new stores open up on limited hours and then become twenty four hour stores based upon staffing and demand. Chair Kent asked what the mezzanine is for then Mr. Morris replied that it's for storage, not public space.

**Presentation from Cory Newkirk, Architect, Jacobs Engineering:**

Mr. Newkirk described all materials used for this project. He advised that there are three colors in variation to match the materials. There are steel canopy structures. Main entrance at the corner is very grand and has plenty of shade.

Commissioner Lyon asked the applicant what drives the color selection. Mr. Newkirk explained the traditional colors for CVS are but in discussions with the city staff, there were variations of the pallet that may better fit the character and the existing colors in the surrounding neighborhood. Commissioner Lyon asked if the Mohave brown and black tones are present in the nearby buildings. Mr. Newkirk answered, yes, and there is black paneling and dark greys in the area.

Commissioner Spears asked about the location of the main signage for the main building. Mr. Newkirk explained that part of this project has not been defined yet for CVS. However, it is possible that the signs will be placed over the east door and on the north side of the building above the main windows. Commissioner Spears indicated that the renderings that they have don't show signage at this time. Mr. Newkirk confirmed that it's correct.

Commissioner Spears raised concern that the signage in the light tower is not pedestrian orientated but more vehicular orientated.

The applicant explained that there are other design considerations that were made that contribute to the pedestrian oriented nature of this facility such as, a store without a drive through due to the proximity of the project to light rail and future street car even though the project is outside the Transportation Overlay District (TOD).

Commissioner Brown asked if Mr. Newkirk could clarify what the glass material is. Mr. Newkirk advised it is a low E that will not permit a lot of heat gain and is transparent. Commissioner Brown was concerned about the height of the tower.

Commissioner Lyon asked if Mr. Newkirk could describe the design concept for the tower. Mr. Newkirk stated the tower is designed to be the monumental entry to the store.

Commissioner Brown asked if this tower is open to view as you walk into the building. Mr. Newkirk advised it is not currently an open view. The canopy is a solid top and bottom creates a floor. Commissioner Brown confirmed that it is not continuous with air condition space. Mr. Newkirk agreed and said that there would be some cooling but not to the average comfort level.

Chair Kent inquired about the landscape and screening of the electrical equipment as proposed. Chair Kent voiced his concern about being presented with several different materials of colors at the meeting and which ones are to be approved as part of the agenda item. Mr. Kingsby clarified that the color pallet presented on the boards are the ones proposed for approval.

Chair Kent asked about the location of the refuse collection and Mr. Newkirk pointed out the location as shown in the landscape plan.

Applicant Mr. Morris discussed that the exhibits and color selections were given to the Commission to give the setting around the proposed CVS. The renderings were stripped down show the building design only without the landscaping as proposed. The landscape plan proposed is very extensive. He also stated that he does not have the information of where the Tempe Chamber of Commerce is relocating. Mr. Morris advised that there is a vast difference for day time and night time population that a CVS store such as this serves and the number can vary between 25,000 to 30,000 people.

Vice Chair Barger asked if the view of the back of the building is correct because if in reality the hotel is in the way of that actual view. Mr. Morris advised that that view is accurate.

Chair Kent wanted to know more from Mr. Morris about the shared parking model and how it would work if the CVS changed it's hours of operation to a 24-hour facility. The applicant explained that the traffic generated is very minimal even if the hours of operations change. Mr. Morris also explained that the hotel still maintains control of the shared parking and is comfortable with the proposal.

Chair Kent wanted to know the comparison the square footage of the building and how it compares to other CVS stores. Mr. Morris advised that it is slightly smaller, 13,100 square feet and a normal store would be about 2,000 or 3,000 bigger square feet.

Commissioner Thornton asked Mr. Morris if he could explain how the shared parking works, what type of agreement do they have, how that was done, and she commented that she would like the applicant to do something with dumpster part of the building. Mr. Morris explained that the applicant would like to work with the city staff for direction to build artistic gates in the back there. Mr. Morris explained that the parking is controlled by an agreement and that neither party can exclusively occupy the space or take spaces reserved for one another except for vital hotel operations. The agreement is set to protect the hotel and CVS has calculated the numbers of pedestrian and bike customers and are comfortable with this agreement.

**Public Comments: NONE**

**Discussion from Commission Members:**

Vice Chair Barger commented that he really likes the CVS. He likes the architecture, heavy trees and shade on the corner and he doesn't favor the rendering in the presentation. He does like how the building looks from the other rendering perspectives. He thinks it is hard to figure out what colors fit in because the hotel has a wide selection of colors and the surrounding buildings are very different in appearances of color schemes and glass windows. He is in support of the building and the shared parking and likes that there would be less parking downtown.

Commissioner Spears raised concerns about the commission being provided last minute changes on the night of the meeting for the Commission to consider. Commissioner Spears was also concerned about the tower feature and that it serves no purpose for it except for signage and shared parking model. She thinks it is not environmentally friendly. She doesn't have problem with the use and thinks that the Commission is relying on the transit overlay. Commissioner Spears commented that she would have preferred to have complete drawings to make a better decision. She would like to continue this case in order to have a chance to make a complete decision.

Commissioner Lyon commented that he likes the project in general such as the plan, landscape plan, pedestrian driven, and that it makes sense in that location. He thinks that there would be enough parking according to the parking analysis. However, he does have concerns with the elevations. He is not comfortable with the large lantern piece and feels that there is no justification to it architecturally. He made some recommendations regarding the color and design of the building.

Commissioner Brown commented that he doesn't see a problem with the limited parking. He stated that he understands that there was a lot of discussion with the back end of the building. He feels that the project is appropriate mix of this project and that he does agree that the glass tower is like a greenhouse of heat. He would suggest postponing the project or looking at having it to be lowered.

Commissioner Lyon agreed with Commissioner Brown and asked that the height of the lantern (tower feature) be reduced to bring it to a pedestrian scale.

Mr. Morris stated that he would like to work with staff for improvement if they could move forward. Also, perhaps make a public art piece.

Commissioner Thornton would like to know, how much he is willing to lower the lantern.

Commissioner Lyon included that the lantern is currently shown as eight feet taller than any other element.

Chair Kent commented that he would be comfortable with a stipulation to work with staff regarding the change in height.

Commissioner Thornton asked the Commission as to how much the Commission would like the lantern to be lowered.

Commissioner Thornton comments that she doesn't have a problem with the color pallet and she doesn't have a problem with parking. She thinks a great location for a CVS.

Vice Chair Barger commented that he does like the corner taller than the rest of the elements. He would be open to a stipulation to say that the tower would be six feet lower. He does like Commissioner Thornton and the applicant's suggestion of possible public art and for it to be visible when you approaching Rural Road and to the back side of the building to be screened by landscape. He did not have any concerns with the shared parking.

Commissioner Lyon commented that the applicant should work with staff so that the colors are lighter, the dark values should be made lighter of the brown and the black CMU should look at lighter color alternates so the contrast is not so strong.

Commissioner Tinsley Commented that she doesn't have a problem with the color pallet, parking, and suggested modifying the language to stipulation for "code ordinance requirements regarding refuse that they adding that the gate to the refuse structure shall be structured to an artistic element".

Vice Chair Barger provided a stipulation regarding the incorporation of public art.

Commissioner Spears commented that she is not going to support this project because of the current conversation of how to approve and stipulate to redesign the building based on what they think the colors are because they weren't given the correct information.

**MOTION:** Vice Chair Barger moves to the approval of PL150374 CVS with the amended condition number twelve, added stipulation to work with staff to lower the corner tower four to six feet in height, an additional stipulation to incorporate public art on the Southside of the building visible from Rural Road and to the gates to the refuse structure to the southwest corner of the site.

Seconded by Commissioner Thornton

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

**MOTION:** Vice Chair Barger moves a second motion of approval for PL150374 CVS to approve the colors as presented by the applicant.

Seconded by Commissioner Thornton

**Discussion:** Commissioner Brown commented that he noticed that there three different tone values. He would like the motion to clarify which of the three color schemes is being motioned for approval.

Vice Chair Barger responded that they approve all that is on the sample boards as the actual colors.

**VOTE:** Approved 5-2 with Commissioner Lyon and Commissioner Spears in opposition.

**DECISION:** Request for a Development Plan Review consisting of a new 16,013 square-foot building for CVS PHARMACY #10928 (PL150374), is approved with additional stipulations.

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**Staff Announcements:**

Development Review Commission discussion about who is available for December 4<sup>th</sup>, 2015 for DRC Retreat. There are limited available Commissioners for that date. Chair Kent requested a Doodle Poll for possible future dates.

**Upcoming Agendas:**

November 10, 2015 Study Session will start at 5:00pm for a presentation of the Character Areas project by Hunter Hansen.

November 10, 2015 Regular Meeting agenda had Hardy Townhomes on it but it went to Hearing Officer and the variance hearing was denied. It will be presented for an appeal to the Board of Adjustments. They will come back to DRC for a Use Permit, Design, and Height change.

Currently there are two agenda items: Crescent Rio and Downtown Parking Standards.

December 8<sup>th</sup>, 2015 Regular Meeting agenda has four projects: Hardy Townhomes, The Pier, Smith Road Apartments, Howe Avenue Apartments, and The Valor on 8<sup>th</sup>.

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**There being no further business the meeting adjourned at 7:25 pm.**

Prepared by: Sarah Adame

Reviewed by: Suparna Dasgupta



Suparna Dasgupta, Principal Planner, Community Development Planning