

**Minutes of the
Development Review Commission
December 8, 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
Andrew Johnson- Commissioner
Margaret Tinsley- Alt. Commissioner

City Staff Present:

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

Absent:

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

Guest Present: NONE

Number of Interested Citizens Present: 3

Hearing convened at 6:18 p.m. and was called to order by Chair Paul Kent.

Consideration of Meeting Minutes:

- 1) Study Session 10/13/2015, 10/27/2015
- 2) Regular Meeting 10/13/2015, 10/27/2015

MOTION: Vice Chair Barger motion to approve Study Session and Regular Meeting minutes for 10/13/2015
Seconded by Commissioner Spears

VOTE: Approved 4-0 with
Chair Kent abstained (absent 10/13/2015)
Commissioner Thornton abstained (absent 10/13/2015)
Commissioner Lyon abstained (absent 10/13/2015)

MOTION: Vice Chair Barger motion to approve Study Session and Regular Meeting minutes for 10/27/2015
Seconded by Commissioner Thornton

VOTE: Approved 6-0 with
Commissioner Johnson abstained (absent 10/27/2015)

CONSENT AGENDA MADE BY CHAIR KENT

- 5) McClintock Marketplace (PL150413)
- 6) 505 WEST APARTMENTS (PL150219)

PUBLIC COMMENT: 0

MOTION: Vice Chair Barger motion to approve both McClintock Marketplace (PL150413) and 505 WEST Apartments (PL150219).

Seconded by Commissioner Thornton

VOTE: Approved 7-0

THE BOARD DISCUSSED THE FOLLOWING CASE(S):

- 3. Request for review and recommendation of the **APACHE (Area 4) CHARACTER AREA PLAN (PL150466)** dated December 2015; consisting of a character area map and place making principles for the area generally bound by the Loop 202 south to the Union Pacific Railroad, and from Dorsey Lane east to the Tempe Canal / Tempe municipal border. The applicant is the City of Tempe.

Presentation by Applicant, Hunter Hansen, City of Tempe

Hunter Hansen gave a brief description of minor changes since the recent presentation of the year-end review. The draft dated December 4, 2015 is the version which is requested for DRC's recommendation of approval to Council. Staff, Ryan Levesque stated that there have been public comments but only for the Alameda (Area 5) Character Area Plan.

Chair Kent asked if there were any updates to the removal of the color palettes in the draft plans. Mr. Hansen replied they have been removed from both of the draft plans. The palettes were originally included at the request of the community to create continuity and cohesive place making / design influences for both character areas, rather than being a prescriptive requirement. Mr. Hansen goes on to advise that the Character Area Plan is driven by *General Plan 2040*. There are principals in a Character Area Plan specific to each area.

Commissioner Brown asked if the city is offering incentives to developers if they adhere to the descriptive options for that Character Area Plan. Mr. Hansen replied there are design guidelines and all the Character Area Plans are exact design guidelines. However, they are not legal requirements such as zoning ordinance.

Chair Kent asked if the compatibility check list is something that a neighborhood can use for a development to show a "meets" level. Mr. Hansen advised that the Character Area Plan can be used by HOA / NA's, City Staff, Boards and Commissions, or the public to assess a proposed project's compatibility with area goals and priorities. These design guidelines serve to create a dialog and keep staff, developers, and Commission members on the same page.

Commissioner Lyon expressed that he loves the Character Area Plans and how it was presented. He likes having these guidelines available for developers.

Vice Chair Barger advised that he talked to staff about the removal of the mobile homes on the mapping in the reports for the Character Area Plans. Mr. Levesque replies that staff is currently working on updating the mapping prior to the adoption of the design guidelines.

PUBLIC COMMENT: 0

MOTION: Vice Chair Barger motion to approve **Apache (Area 5) Character Area Plan (PL150466)**

Seconded by Commissioner Thornton

VOTE: Approved 7-0

DECISION: The request for review and recommendation of the **APACHE (Area 4) CHARACTER AREA PLAN (PL150466)** dated December 2015; consisting of a character area map and place making principles for the area generally bound by the Loop 202 south to the Union Pacific Railroad, and from Dorsey Lane east to the Tempe Canal / Tempe municipal border is recommended for approval.

4. Request for review and recommendation of the **ALAMEDA (Area 5) CHARACTER AREA PLAN (PL150461)** dated December 2015; consisting of a character area map and place making principles for the area generally bound by the Union Pacific Railroad south to the US-60, and Priest Drive east to the Tempe Canal / Tempe municipal border. The applicant is the City of Tempe.

Discussion from the Commission:

Vice Chair Barger express that he would like to be more aware of landscape plans. He also stated that he loves all the pictures in the presentation of Alameda Character Area Plan. He likes the lushness of the trees and plants.

Vice Chair Barger commented on the public email that was received and asked Mr. Hansen to expand on the course of conversation in the email. Mr. Hansen replied "yes", and advised that the person who wrote it is here tonight to speak. The email is from the leader of the College Avenue Corridor Leadership Group. This group would like to be identified as their own group within Alameda.

Vice Chair Barger asked how that could be expressed in the Character Area Plans. Mr. Hansen replied that the Character Area is mapped for the entire city, and that staff has added a *College Avenue Corridor Hub* as a group in the main citywide map. Mr. Hansen stated that staff has been very accommodating with the public request. The Character Plan is inclusive of how people want to identify themselves. The boundaries of College Avenue Corridor extends thru both CA3 - Downtown / Town Lake / ASU (which includes neighborhoods south of ASU campus to Broadway), as well as CA5 - Alameda (south along College Avenue from Broadway to the US-60).

PUBLIC COMMENT: 1

Mr. Paul Hubble, Tempe resident, stated that he is representing the College Avenue Corridor Leadership Group. It consists of Chairs and Vice Chairs of five different Neighborhood Associations and two Home Owner Associations. He is present to request two different wording changes to the Alameda Character Area Plan. The changes are related to the use of the alleys. Changing the interface between new multifamily developments and existing single family neighborhoods in regards to privacy and the usage of the alley in the single family neighborhoods. There are neighborhoods concerns of recent burglaries and the access gained from the backyards by way of the alleys and casual traffic.

Chair Kent asked Mr. Hubble for examples of the kind of activities that occur in the alleys and also, an example of how to repurpose the alleyways. Chair Kent also asked what is an "arterial alley" way. Mr. Hubble responded that "arterial alleys" are alleyways that are parallel to major roads and adjoin commercial or multiuse properties on the arteries themselves.

Commissioner Brown asked Mr. Hubble if he could provide an example of any multi-family housing backing up to an alley and where a setback is affected. Mr. Hubble said the Dorsey Lane development on Broadway Road and Dorsey Lane has three-story condos right up against the alley wall, immediately adjacent to single-family homes. There is no privacy in backyards or windows to the homes. Commissioner Brown then asked about use of alleys as green space Mr. Hubble asked for no commercial businesses to have access the alley and any improvement to the alley would be greatly appreciated. Mr. Hubble included that he is not advocating using the alleys as a trail or bikeway. Staff, Mr. Levesque expressed that staff is looking at the language of the alleyways and defining the alleys which are adjacent and in close proximity to major crossroads.

Vice Chair Barger clarified that Mr. Hubble is requesting to not have anything other than trash collection in the alleys, and not to encourage trails or pedestrian use or other things in alleys that are in all single-family neighborhoods (only appropriate treatments for arterial alleys). Mr. Hubble agreed and also thinks that security of the alleys could be

improved. Vice Chair Barger clarified the suggestion to be harmonious with single-family neighbors across the alley, but not saying that there would be single-family homes not backing up to single-family homes where there could be a lower building (but not three stories high).

Commissioner Johnson asked staff, if there would be community involvement if an alleyway would be improved. Staff, Mr. Levesque agreed that staff would still follow protocol that public works has adopted with public outreach participate if there are proposed changes to public alleys.

Discussion from the Commission:

Commissioner Spears is not sure that everyone in the Character Area of Alameda supports the wording in this plan. She is not opposed to "wordsmithing" to address some of these issues but she does have an issue with being pre-scripted rather than descriptive.

Chair Kent agrees to working on the wording of defining what is built behind single family home but is still confused about the request for the alleyways.

Commissioner Brown express that he thinks everyone on the board agrees that this is a case by case situation and it's possible that a developer can use the alleyway in a beautiful way to "activate" the alley and make it safer and cleaner.

MOTION: Vice Chair Barger motions to approval **Alameda Character Area Plan (PL150461)** with recommendation to have staff work on the language on Principal 18.3 such that it encourages a appropriate buffer between single family residential and adjacent with more intent uses. Also, with Principal 5 that it discourage use of the alleys other than utilitarian purposes and all residential neighborhoods and neighborhoods which are all single family residential. He would like to take out the wording that the document can deny developments from happening since this document is not capable of doing that and wouldn't suggest that if it does.

Seconded by Commissioner Brown

Call to question:

Commission Thornton asked if the motion is specific to the whole Alameda Character Area not just the College Core Avenue Leadership area. Vice Chair Barger agreed. Commissioner Thornton said that she likes the idea of using the alleyways for other purposes beside only the garbage. She is requesting to amend the motion to be only for the College Avenue Core Leadership Group.

Vice Chair Barger asked staff, if they can show on the mapping where the College Avenue Core Leadership Group is located and if element principals can only be intended for one area of Alameda.

Staff, Mr. Levesque answered that yes, they can work on some language regarding some of the differences between those areas.

AMENDING MOTION #1: Vice Chair Barger motions to approval **Alameda Character Area Plan (PL150461)** with an amendment to Principal 18.3 that the staff work on the language to encourage and strengthen the buffer between single family residential and other more intense uses especially when they occur across an alley but remove language that somehow suggests that this document could be restrictive or prescriptive in its nature since we cannot do that with this document and would like to continue with a further motion after that.

Seconded by Commissioner Thornton

VOTE: Approved 7-0

AMENDING MOTION #2: Vice Chair Barger motions to approval **Alameda Character Area Plan (PL150461)** with further amendment to Principal 5 the connectivity of green alleyways for staff to continue to work on the language to discourage casual use of alleys other than utilitarian purposes in neighborhoods that are all single family in the College Avenue Core Leadership Group.

Seconded by Commissioner Thornton

VOTE: Denied 2-4

DECISION: Request for review and recommendation of the **ALAMEDA (Area 5) CHARACTER AREA PLAN (PL150461)** dated December 2015; consisting of a character area map and place making principles for the area generally bound by the Union Pacific Railroad south to the US-60, and Priest Drive east to the Tempe Canal / Tempe municipal border is recommended approval with additional conditions.

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7. Request for a Development Plan Review for a new 18 unit multi-family development and a Use Permit to allow tandem parking for **HOWE AVENUE APARTMENTS (PL150427)**, located at 2185 East Howe Avenue. The applicant is Bryan Celius of Studio Y Design & Development LLC.

Presentation by Staff, Mengyao Cheng

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

Questions from Commission to Staff:

Chair Kent clarified and reviewed with Ms. Cheng that the request is for 4 tandem parking spaces. Ms. Cheng clarified the locations on the Site Plan.

Vice Chair Barger clarified with Ms. Kaminski, a few options on the landscape plans for tandem parking spaces.

Presentation by Applicant, Bryan Celius

Discussed project data goals: transit oriented community; in compliance with General Plan and TOD
Tandem parking spaces will be assigned to duplex units and will be marked with signage.

Questions from the Commission:

Chair Kent asked the applicant to clarify what the amenity area would have. Mr. Celius described that there will be two amenity areas on site which would include a pool, a spa, and a covered patio sitting area. Chair Kent asked what the landscaping will be in the amenity areas. Mr. Celius explained it would be decomposed granite and low level planting. Mr. Celius explained that staff has recommended a turf area in both amenity areas and he is receptive to that. Mr. Celius added that it is their intent to heavily screen Price Rd with a vine fence and trees and low level planting with ground coverage.

Commissioner Spears asked the applicant why there are four tandem parking spaces dedicated to the duplex. Mr. Celius responded that those spaces based on the required parking for the duplexes.

Commissioner Brown asked to clarify where tandem parking is proposed and if two spaces were being assigned to each of the duplex units. Mr. Celius confirmed that it was.

Vice Chair Barger expressed his concerns regarding the quality of this project as compared to the surrounding homes in the area. Mr. Celius replied that quality materials are being proposed on the buildings and the development is also providing additional bike parking to encourage their tenants to use alternate transportation since the project is in close proximity to the light rail station.

Vice Chair Barger expressed his concern that there is not enclosure around the project site in the plans. Mr. Celius agreed.

Chair Kent asked Mr. Celius if the tandem parking will be covered. Mr. Celius explained that all the tandem parking will be covered. Chair Kent asked how it would affect the project if the Commission did not approve the use permit for the tandem parking. Mr. Celius expressed that he would have to eliminate a building for regular parking.

Vice Chair Barger discussed with Ms. Kaminski about the different variety of trees. Ms. Kaminski indicated that one of the renderings provided by the applicant at this meeting shows a pool in the amenity area that staff was not aware of prior to this meeting. Vice Chair Barger confirmed with Mr. Celius that the intent is to have a fenced pool in that particular amenity.

PUBLIC COMMENT: 0

Discussion from the Commission Members:

Commissioner Brown expressed his observation that this will not be the only two stories building in the area and there are several two story buildings around. This project will fit the area.

Commissioner Lyon expressed that he thinks this is a good project. This is not a problem to the neighborhood. He expressed that he thinks the colors of the project are a little dated but it's still a good project.

Commissioner Spears expressed that she doesn't have a real problem with the project but is concerned that the Commission is voting on something that staff hasn't approved and thinks that the Commission should take that into consideration.

MOTION: Vice Chair Barger motioned for the approval **Howe Avenue Apartments (PL150427)** with the condition that the applicant chooses to work further with staff on colors and thus allow it would be to be staff's decision on those. Also, an additional stipulation be added that all parking be covered and a condition be added to allow for the pool and fenced area in the landscape provided staff review find it be appropriate to site and context.

Chair Kent expressed that there should be no tandem parking in this project. He thinks the colors could use some work. However, he thinks the project is ok but it's a little incomplete. He would like to have a motion that could split up the tandem parking and the covered of parking.

Commissioner Johnson expressed that he doesn't have an issue with the tandem parking. It could be a problem under the covered parking there. However, he thinks the project is reasonable for the area.

Commissioner Lyon expressed that he agrees that if the tandem parking would decrease the rent-ability of the units.

Commissioner Thornton expressed that she is ok with the project and that it fits in the neighborhood but it is not a exciting design. She states what is mostly concerning is that she doesn't like hearing the applicant stating what their "intentions" are but rather hear what the reality of the project will be. She would like to see a full project.

Commissioner Spears stated that she would feel more comfortable delaying the case until staff has a chance to look at the final plans. The current plans don't describe everything they are supposed to be looking at. She does think that tandem parking is not a good idea because it then becomes a tenant issue and un-rentable.

Chair Kent agrees with Commissioner Thornton that there are other options rather than the tandem parking. Ms. Kaminski asked for direction on what colors to use. Commissioner Thornton expressed that she thinks the brown color of the building is too intense.

Ms. Kaminski reviewed conditions of approval for the project for clarification based on Commission discussion.

Condition 23 - With regard to the pool and amenity area, Ms. Kaminski noted that pool modifications to sites often occur after receiving design approval and are handled at a staff level, as long as the applicant meets building code requirements for swimming pools. This condition could be revised to read "work with staff on the final design solution of south amenity pool and BBQ area and landscaping".

Condition 12E - Shade canopies as presented on December 8, 2015 shall cover all parking spaces and shall not be deleted from this project unless requisite parking islands with trees can be added and still meet parking and circulation requirements.

Condition 13 – Work with staff to revise the color pallet.

Ms. Kaminski advised the Commission that the applicant has to go through review with building safety regarding the pool addition. Ms. Kaminski reviewed condition number 23 with the Commission requesting for them to finalize that condition. Then she reviewed condition 12E on the shade canopy as presented and building elevation condition number 13 to work with staff on a revised color pallet.

Commissioner Thornton expressed again that she would prefer to have everything before her that has to be voted on.

Chair Kent reviewed Vice Chair's Motion.

VOTE: Approved 4-3 with Chair Kent, Commissioner Spears and Commissioner Thornton in the opposition.

DECISION: Request for a Development Plan Review for a new 18 unit multi-family development and a Use Permit to allow tandem parking for **HOWE AVENUE APARTMENTS (PL150427)**, located at 2185 East Howe Avenue is approved with stipulation to the conditions.

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8. Request for a Development Plan Review consisting of 8 new single-family townhomes and a Use Permit Standard to increase the maximum building height from 30' to 33' for **HARDY TOWNHOMES (PL150108)**, located at 506 South Hardy Drive. The applicant is Earl, Curley & Lagarde P.C.

Presentation by Staff, Karen Stovall:

Presented project location and surrounding businesses and city park
Presented description of elevations, units, building materials, colors, canopies, and entrances
Presented description of work to the site, streets, driveways, sidewalks, and tandem parking
Presented landscaping work and land coverage
Presented review of Site plan and discussion of refuse
Presented review of Public Comment that was received
Presented history of project of Hearing Office and Board of Adjustment hearings
Recommends approval with agreed stipulations

Questions from Commission to Staff:

Chair Kent and Ms. Stovall discussed locations of walls from the plan presented

Commissioner Spears discussed with Ms. Stovall the parking requirements for this single family unit project.

Commissioner Lyon discussed with Ms. Stovall the refuse requirements for this project along Hardy Drive from the Site Plan. Commissioner Lyon asked for more details regarding exposed aggregate for the construction. Ms. Stovall explained that along the sidewalk it will be the concrete that will have a different look than the sidewalk of the concrete. There will be a secured area for each unit to store their trash and recycle bins.

Vice Chair Barger asked if the entrances are gated and Ms. Stovall confirmed that they are.

Vice Chair Barger commented on access for fire trucks and Ms. Stovall clarified that the rolled mountable curb is designed for fire trucks to drive over.

Chair Kent confirmed with Ms. Stovall there are only pedestrian entrances on Hardy.

Vice Chair Barger asked Ms. Stovall if the curb could be adjusted to allow for parallel parking for the guests on Hardy Drive. Ms. Stovall explained that there is bike lane present on Hardy and staff wouldn't support parallel parking along Hardy Street. Vice Chair Barger asked where guest parking was being provided for the project. Ms. Stovall clarified that where guest parking is required, it is provided on-site.

Presentation from the Applicant, Stephen Earl

Mr. Earl presented information regarding project details, size (odd shape parcel, small) parcel, undeveloped, cost of quality units (\$450,000.00 – \$500,000.00).

The applicant also discussed the design elevations, the floor plans and the public parking available across the street.

Questions from the Commission for Applicant:

Chair Kent asked the applicant to clarify if all the bedrooms had attached bathrooms. The developers of the project, Mr. Simons, confirmed that all the bedrooms except for the den downstairs would have attached bathrooms.

Commissioner Spears asked Mr. Simons if the about CCR's will restrict the units from becoming rentals. Mr. Simons replied that CCRs have not been developed at this time. Commissioner Spears expressed concerns about the challenges of managing properties when they are developed as ownership homes but become rental units.

Vice Chair Barger expressed his concern with the facades on the buildings and compared them with the project across the street. Vice Chair Barger asked if Mr. Simons would be open to a stipulation that would require additional design elements on the sides of the facades. Mr. Simons responded that it's possible but was concerned about the increasing cost with such design elements.

Vice Chair Barger explained that the Commission would like to see more design improvements such as vertical accents and change of materials on the wall to prevent the appearance of a large blank two story stucco mass over a single story block mass. Mr. Simons responded that the wall is brick up to fourteen feet high it is stucco from that point on. He asked if they could do a composite type wood column for accent. Vice Chair Barger agreed.

Commissioner Brown asked the architect, Mark Tomecak, to clarify that the perspectives provided were correct but the site plan had a typo related to how the placement of the units were depicted. Commissioner Brown expressed that he liked the way the balconies wrap around the ends.

Chair Kent asked what was being provided in the southwest corner of the lot and whether grass may be provided in that location. The applicant agreed to do so.

Commissioner Brown expressed his concern with the horizontal slats on the balconies. He asked the applicant to use a cable net that is not easy for toddlers to climb and young people since it is residential. The applicant agreed.

Public Comments: 0

Discussion from the Commission Members:

Vice Chair Barger expressed that he liked the project and has minor concerns for the facades but does appreciate the applicant's willingness to make additional changes of improvements. He is certain that there will be students living here due to easy access to alternate transportation that are ready and available however has concerns about parking availability that could be improved but understands it's not possible with this project as presented.

Commissioner Thornton expressed that she thinks it's a beautiful project and asked about bike parking. Ms. Stovall explained that there are no bike racks required outside the buildings for single family residents but a homeowner can park their bikes inside their garages within their own property.

Commissioner Spears expressed that she does like the way the project looks but is concerned that it will become rental property.

Commissioner Johnson expressed that he echoes Vice Chair Barger's comments on parking and Commissioner Spears concerns on student housing. He expressed that this project is basically four bedroom homes and there is going to be an issue with parking which is a common problem in the area.

Commissioner Lyon expressed that he thinks it's a nice project. He has concerns about the parking and thinks that the project could be less dense. He is concerned about the trash removal process for such an expensive home.

Chair Kent questioned if the trash pickup could be moved further south. Ms. Stovall explained that one of the other considerations for the trash removal was that they wanted to split up the bins and not have eight bins in a row and they couldn't be too far south because there is a bus stop and it can't be too close to the driveways either. The trash pickup is where it fits.

Commissioner Lyon asked if there is an option for screening that makes it feel more separated from the sidewalk. Ms. Stovall explained that it would be difficult because it's in the public right of way.

MOTION: Vice Chair Barger motions for approval of **Hardy Townhomes (PL150108)** with additional condition that architectural demonstration in the form of materials or other vertical accent to be added to the north and south elevation of the east building with an amended motion to include turf to the southwest corner.

Commissioner Brown requested to stipulate that the horizontal cable rails not be utilized.

Mr. Earl agreed not use the horizontal cable rails.

AMENDED MOTION: Vice Chair motioned to amend, amended motion as recommended.

Chair Kent expressed that he is not sure about that stipulation as code does allow horizontal cables rails. He is concerned that it changes the look of the project substantially and that he would like to see the design of it before approving the change.

Mr. Earl made a clarification to Commissioner Brown exactly the purpose of changing the horizontal slats and trying to change the design look of the project. Commissioner Brown stated that if the applicant could add it to the project that this would be fine as well.

Chair Kent suggested that the stipulation state that the applicant could work with staff on this issue.

MOTION REISSUED: Vice Chair Barger motioned **Hardy Townhomes (PL150108)** with additional architectural details to the north and south facades of the east building, vertical accents are changed from material so much per our discussion, grass in the southwest corner of the site and request that the applicant continue to work with staff to find ways to discourage the ability for toddlers to climb the horizontal rails on the balconies.

Seconded by Commissioner Thornton

Commissioner Lyon expressed that he is okay with the horizontal rails and have seen them used successfully in different places.

Commissioner Thornton expressed she remembers hearing that there is garbage collection on 5th street and wanted to suggestion if the fire gate could be accessed by the tenants then perhaps the 5th street is an option for the garbage. Ms. Stovall clarified that Commissioner Thornton was asking if 5th street is a possible location for the trash and recycling bins. Ms. Stovall explained that there is a bike lane on 5th street that is separated from the vehicle lanes by a raised median and that would prevent refuse trucks from picking anything up.

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

DECISION: Request for a Development Plan Review consisting of 8 new single-family townhomes and a Use Permit Standard to increase the maximum building height from 30' to 33' for **HARDY TOWNHOMES (PL150108)**, located at 506 South Hardy Drive is approved with additional stipulations.

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9. Request for a General Plan Projected Density Map Amendment from Medium – High Density (up to 25 du/ac) to High Density – Urban Core (more than 65 du/ac), a Zoning Map Amendment from GID to MU -4, a Planned Area Development Overlay, and a Development Plan Review for a 90'-0" high mixed-used development containing 356 dwelling units and 5 live-work units for **CRESCENT RIO (PL150283)**, located at 700 West 1st Street. The applicant is Charles Huellmantel, Huellmantel & Affiliates.

Presentation from Staff, Obenia Kingsby:

Presented project location, surrounding businesses, and city properties
Presented description of elevations, units, building materials, colors, canopies, and entrances
Presented description of work to the site, streets, driveways, sidewalks, and tandem parking
Presented landscaping work and land coverage
Presented review of Site, Rio Salado overlay
Presented review of Public Comment that was received
Recommends denial the height and density is too high compared to the surrounding buildings

Questions from the Commission to Staff:

Commissioner Spears discussed with Mr. Kingsby the height measurements of the surrounding buildings.

Vice Chair Barger discussed with Mr. Kingsby the bedroom count with ARGO (Skywater) compare to this project.
Vice Chair Barger discussed with Mr. Kingsby that the density requirements don't limit the number of bedrooms per unit just the number of units per acre.

Presentation from the Applicant, Charles Huellmantel:

Mr. Huellmantel discussed that he did bring this project to DRC two weeks ago but requested to continue the hearing because of some desire of some of the Commissioners and staff for building design element to include a step-down elevations along 1st Street.

Mr. Huellmantel presented perspectives drawings at pedestrian level street view. He explained the effect of removing floors of the building by saying it creates a more pedestrian friendly and walkable area. There is an attempt to make 1st street a pedestrian friendly area by allowing a 30 foot setback for more space. Mr. Huellmantel explained the removal of the lofts, live work units on two floors, residential levels will be one through four. Mr. Huellmantel discussed the building height roof plan. Mr. Huellmantel gave an overview of his aerial view from the sky of the entire project.

Mr. Huellmantel discussed his use of turf or decomposed granite and that it will be provided and not in the right of way. Mr. Huellmantel is open to change landscaping coverage if needed to create a lush environment.
Mr. Huellmantel included that residents would come to live at Crescent Rio for reasons that include to work or live downtown. He discussed having landscaping on the top of the parking structure and but there isn't urban pedestrian space along Rio Salado.

Mr. Huellmantel discussed elevations, such as 90 feet in height. There are 356 units, 56 are studio, 201 are one bedroom, 5 are live work and 94 are two bedrooms. Mr. Huellmantel described the measurements of height and their correlated colors on the plans for the Commission.

Mr. Huellmantel handed out his edits of the staff's conditions (conditions 1, 6, 7, 1, & 15). Mr. Huellmantel also provided an exhibit – Building Height Roof Plan A7.04 to include with the revised conditions of approval.

Mr. Huellmantel discussed density and gave a comparison to Skywater. He stated that the Crescent Rio and Skywater have the same density which Skywater has the 90 foot sails.

Mr. Huellmantel gave a demonstration of Crescent Rio's density to Conventional Density.

Vice Chair Barger asked if the applicant would agree to an amended condition #6 that the maximum density to not exceed 113 du/acre with 450 bedrooms. Mr. Huellmantel stated that he would like the number of units to be up to 460 bedrooms. He also clarified that the bedrooms in the studio are accounted for in the total number of bedrooms.

Vice Chair Barger expressed his concern for grass. He asked what the City's policies are regarding abandoning the right of way in order to accommodate landscaping and grass.

Mr. Levesque clarified that the City code was changed pursuant to an agreement with the Arizona Department of Water Resources (ADWR) to limit high water usage landscaping in the public right-of-way. Mr. Huellmantel stated that this building is designed to be environmentally friendly and that they would lose points by having turf but if the approval came down to landscape then they would do whatever it takes to improve the landscaping for that approval.

Commissioner Spears addressed a question to staff regarding turf and trees. If there was something that could break up the side that is environmentally friendly, is that something that would be allowed. Mr. Levesque stated that it's an element that would be allowed by code as part of the right of way improvements.

Chair Kent shared his concerns regarding the excessive use of decomposed granite in developments with inadequate amount of ground cover. Mr. Huellmantel discussed some options for lush landscaping and his willingness to work with staff on that.

PUBLIC COMMENT: 0

Discussion from the Commission Members:

Chair Kent expressed that he appreciates the change of the height on 1st Street side. He doesn't have issue with the Rio Salado side. He thinks it complements the Tempe Center for the Arts. He does have concern regarding density and see this project as totally different.

Commissioner Spears also appreciates taking down the height on 1st Street. She thinks that when the density designation was created in the new General Plan, the City did not anticipated the high commercial growth that is currently occurring and the demand for this type of housing. Commissioner Spears also stated that she likes the intensity of the project, the smaller units proposed and the developer is marketing the development to other people than just to students.

Commissioner Johnson expressed his concern about allowing for exceptions with higher density projects and setting a precedence for future developments. Commissioner Johnson also expressed that he does like the wooden monolith for the elevator shaft area.

Commissioner Brown expressed that the front elevation does look great since he brought it down. However, when he looks through the plans and that the units look very small and are very dense.

Commissioner Lyon expressed that he found the discussion of density vs. intensity very intriguing and persuasive. He realizes that all buildings in this area are medium to high density. He feels that even though this is a high density project but the design of the building makes it appear as a lower density than proposed. He likes the project and thinks it beautiful but the neighborhood may not be ready for this type of project.

Commissioner Johnson commented that he would prefer denser planting than turf. Commissioner Lyon agrees.

Commissioner Spears expressed her thoughts regarding the other Commissioner comments regarding density. She stated that she would rather see quality product go in. She feels strongly that they have an amenity with the Town Lake and the Arts Center that is totally underutilized and this project will energize the streets by having people live downtown. Chair Kent agreed with Commissioner Spears's comments regarding density of the project.

Vice Chair Barger expressed that he supports the proposed changes to the project.

Commissioner Thornton expressed that she thinks that this is a beautiful project and that it fits the neighborhood.

Vice Chair Barger asked staff if there are any technical issues with the requests from the applicant to change the stipulation that they could not move forward with.

Mr. Levesque explained that similar to the Broadstone project, that staff's recommendation for denial is based on specific conditions. The recommended changes to the conditions will help to support the applicant's proposed changes to the project as presented in their designs submittal. The conditions can be carried forward and staff can respond to conditions as presented in the modified staff report.

MOTION: Vice Chair Barger motions to approve **CRESCENT RIO (PL150283)**, with the modified conditions of approval proposed by the applicant with the additional modification to conditions of approval #6 under the PAD that the maximum density also be limited to 460 bedrooms. To further amend the motion to include the landscape density along 1st street shall be similar in result to the landscaping along Farmer Avenue.

Mr. Kingsby proposed amended condition #23 that states that the applicant has to provide ground coverage of drought tolerant plants with a minimum of 60 to 80 percent of surface coverage on 1st Street between the building and the sidewalks as well as in landscaped areas within right of way.

Seconded by Commissioner Spears

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

DECISION: Request for a General Plan Projected Density Map Amendment from Medium – High Density (up to 25 du/ac) to High Density – Urban Core (more than 65 du/ac), a Zoning Map Amendment from GID to MU -4, a Planned Area Development Overlay, and a Development Plan Review for a 90'-0" high mixed-used development containing 356 dwelling units and 5 live-work units for **CRESCENT RIO (PL150283)**, located at 700 West 1st Street recommended approval with additional conditions and stipulations.

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10. Request for General Plan Projected Land Use Map Amendment from Residential and Civic to Mixed-Use and a General Plan Density Map Amendment from No Density and High Density Urban Core (more than 65 dwelling units per acre) to High Density (up to 65 du/ac), and a Zoning Map Amendment from Commercial Shopping and Service (CSS) to Mixed-Use High Density (MU-4) within the Transportation Overlay District Station Area. The request also includes a Planned Area Development and a Development Plan Review consisting of a new five-story mixed-use multi-family and live-work building for **THE VALOR ON 8TH (PL150424)**, located at 1001 East 8th Street. The applicant is Manjula Vaz, Gammage & Burnham P.L.C.

Presentation from Staff, Diane Kaminski:

Presentation of site plan, floor plans, elevations, parking, exceptional lighting, and landscape plans along with refuses modifications.

Presented public input – there were two emails and one phone call received. The public concerns were about parking concerns.

Staff recommends approval.

Questions from the Commission to Staff:

Commissioner Johnson clarified fire access location on the site plans with Ms. Kaminski.

Chair Kent asked for clarification of the use of artificial turf or the rubberized surface for the playgrounds. Ms. Kaminski explained that staff would prefer the rubberized surface over artificial turf. Staff doesn't support artificial turf in this particular design and reasons are listed in staff report. In the actual play area the applicant is proposing real wood chips.

Presentation from the Applicant, Manjula Vaz:

Presentation of a brief description of current projects by this developer.

Presentation of this application which is Affordable Housing a Women Veterans' Housing.

There are five live work market rate units that will support a mixed income project.

Ms. Vaz explained that they are open to change to turf from artificial turf only if State Housing will allow for it.

Discussion of application requests.

Explained within the affordable housing context there are 45 units of those units there are 15 one bedrooms units, 14 2 bedrooms units of the 2 bedrooms there are 5 two bedrooms with lofts, and 16 three bedrooms units.

Presented description of elevations, building materials, colors, canopies, and entrances

Presented description of work to the site, streets, driveways, sidewalks, and parking.

Presented landscaping plan.

Questions from the Commission to the Applicant:

Chair Kent shared his concerns about the use of the green colors to depict decomposed granite on the landscape plans.

Presentation from the Architect, Peter Meyer:

Reviewed the rendering of the playground area, canopies/awnings/armadas, and trees.

Reviewed sidewalks and curbs along 8th Street and materials of the walk way to the front of the building.

Reviewed floor plans with common areas, offices of the building, and location of units.

Reviewed roof materials and plans

Reviewed elevations, parking, and lighting.

Vice Chair Barger clarified with Mr. Meyer that the ground floor work space has no shower or tub and that is only a half bath.

Presentation from the Partner of the Design Element, Marc Beyer:

Presented answers to proposed landscaping concerns from the Commission.

Explanation of the land coverage, 60 trees and over 300 plants, all set to provide a variety seasonal change.

Explanation of all the proposed variety of trees and plant coverage to be used.

Vice Chair Barger clarified with Mr. Beyer if the density along 8th Street is achieving the under story look that is covering all the ground cover. Mr. Beyer agreed that the plants will achieve that density at maturity. Mr. Beyer continued to discuss other landscaping elements presented in the plan.

Vice Chair Barger asked about the use of rubberized wood chips. Mr. Beyer explained that the rubberized wood chip does not dissolve or dissipate and is expensive. They decided to go with natural wood chips as more viable option. Chair Kent asked how the wood chips are maintained. Mr. Beyer and Ms. Vaz gave a brief description of how the wood chips are placed and advised that there will be on-site management that will maintain the play area.

Ms. Vaz advised that Save the Family is a service provider and a development partner on this project. There will be on-site property management company similar to the Gracie's development. They will be available for the residences, maintenance of the play yard, landscaping and care for the children. Chair Kent asked how is the play area separated from the general public. Mr. Meyer advised that there will be 6 foot high metal fencing on the eastside of the project and then a 3 foot garden wall surrounding the play yard from the streetscape.

Commissioner Lyon asked the applicant if there is a site wall on the property between the project and the parking below. Ms. Vaz explained that there is an existing one to the south right now and will be replaced by an 8 foot mason wall. Commissioner Lyon asked to follow up on the type of trees to the southwest side of the project and if there is enough room along the wall for those trees. Mr. Beyer confirmed that there is adequate space for the proposed plantings.

Public Comment: 1

Nancy McGinnis, Tempe resident and lives in the apartments next to this project, expressed that she did attend the neighborhood meeting to find out what the project was and she was sent drawings of the plans. However, it's so little that she is unable to read it. She did receive a letter from the law firm explaining the type of housing it will be, low income housing. Her main issue is the parking. She states that street parking is non-existent. She explains that it's 90-minute parking during the week which is mainly students. She states that it is difficult to have people come to her unit because of the lack of parking available in either the guest parking or on-street parking. She is surprised to hear that there are eleven parking spaces on the street slated for this project. She is concerned about the amount of services that will be available at this project and what type of available parking will be available for them. Ms. McGinnis feels as a city owned property that it is not the right usage for what it has been marketed for. She doesn't feel that it benefits the city and that it's not a good usage for the property and for having 102 bedrooms with 44 onsite parking spots is not sufficient. Ms. McGinnis reviewed her list of topics that were discussed at the neighborhood meeting that was not included in the report. Ms. McGinnis expressed her thoughts that this product does not compare to other project around Tempe.

Questions from the Commission:

Vice Chair Barger thanked McGinnis for her appearance. He asked McGinnis her thought on the design of Gracie's. Ms. McGinnis expressed that she thought Gracie's was "worn out looking" and "plain". Vice Chair Barger proceeded to ask her, what are the impacts to other residences in the area, for the proposed parking plans at this time. Ms. McGinnis replied that there really isn't any street side parking now and no public parking in that area. She doesn't feel that there is adequate parking provided for this project.

Public Comment 2:

Ron McGinnis, Tempe resident and lives in the apartment next to this project, questioned the validity of the parking study conducted by the applicant. The study is good for 10 to 15 years and after that the population will have changed. He states that by the presentation of the project that there will be a lot people just working there and there will be insufficient parking. Mr. McGinnis commented on the landscaping of the project and states that five trees have already been removed since the drawing of the plans to make a turnaround for the garbage. He also commented on the back wall and that there is no set time for replacing it. He thinks that they should replace the 12 foot wall between Adobe and the pool area. Mr. McGinnis states that 5 stories is too high and thinks that it's too big of a project for such a small piece of land.

Questions from the Commission:

Chair Kent asked Mr. McGinnis about the parking at home in the apartment next door to this project. Mr. McGinnis stated that its surface parking and the parking on 8th Street is always taken. Chair Kent asked Mr. McGinnis if they are involved in the streetscape improvements. Mr. McGinnis replied no.

Questions from the Commission to Staff:

Vice Chair Barger asked staff, if resident permit parking available for 8th Street? Ms. Kaminiski replied that 8th Street is open to public parking but if the community wishes to go permit only parking that they would have to go through the process for that.

Comments from the Applicant regarding Public Comments:

Ms. Vaz explained that there is a stipulation to reconstruct the wall when they start building the project. She addressed that the concern regarding parking on 8th Street and she has been in contact with Transportation and understands with the 8th Street Improvements, the bike path is being realigned. There will also be a speed table to decrease traffic. Ms. Vaz addressed the parking issues which have already been discussed but continues to encourage alternate transportation.

Commissioner Johnson asked Ms. Vaz how the parking will be allocated to residents of this project. Mr. Zach Johnson, developer, advised that parking will be managed by a management company and will be on a first come, first serve basis. There are thirty four dedicated resident parking spaces.

Commissioner Thornton asked Mr. Johnson if he could explain the eleven guest parking spots and that these spaces cannot be restricted or monitored. Mr. Johnson clarified the eleven parking spots are on-street parking and they cannot be dedicated or reserved per the City of Tempe

Ms. Kaminski explained that there were discussions regarding the employees needing parking and parking for guests. The applicant was asked to provide ten guest spaces on-site. Mr. Johnson agreed and stated that there are 33 resident parking spots, 10 guest parking spots, and 11 on street public parking.

Mr. Johnson stated that the terms of the development are for a minimum of 30 years due to the project receiving low income housing tax credits from the State. Therefore, there are no plans to convert the units to market rate housing for that period.

Commissioner Lyon referred back to Ms. McGinnis' question regarding low income housing; he asked the applicant how was this site was chosen. Ms. Vaz expressed that it was a decision by the City. The land was purchased with Community Development Block Grant (CDBG) funds and then put a Request for Qualifications and Proposals was published by the City to seek qualified developers to build affordable housing.

Vice Chair Barger asked if the applicant was open to a stipulation regarding the space and alternate trees in front of the walls. Ms. Vaz agreed. He then asked if they knew the size of the column of a Cypress tree when it grew up. Mr. Beyer responded by indicating it would grow 40 feet tall and 10 feet wide and the spacing is at 4 feet now but can change for 8 feet in spacing.

Chair Kent asked what is the landscaping in the area where trees have been removed for garbage pickup. Ms. Vaz explained that they are still working on the landscaping but have finalized on the movement of garbage pick-up. Chair Kent asked about the plans for the wall on the east side of the project and Mr. Beyer explained that they plan to keep it in place.

Commissioner Brown asked Ms. Vaz if the entire land is owned by the city and she confirmed.

Chair Kent asked Ms. Vaz about public noticing and why would Ms. McGinnis find out about this late. Ms. Vaz explained that the meetings started with the HOA board members in February/March. The meetings were with the board and whoever the board invited. Ms. Vaz apologized if Ms. McGinnis didn't get a letter from the HOA.

Commissioner Brown asked Ms. Vaz what the rent rate would be on this project. Ms. Vaz and Mr. Meyer advised it depends on various income levels and somewhere around \$375.00 - \$700.00/month and possible about \$1500.00 for the live work units.

Vice Chair Barger asked if the same rules of low income housing prevent from student rental. Mr. Meyer confirmed that there will be no student rental.

Commission Discussion:

Commissioner Spears expressed that this is a very different project that the City felt there was a need for and went out to find a developer that could meet the need. She thinks that Gorman has done a good job and it meets the needs that the City asked for. She will support the project.

Commissioner Brown asked Commissioner Spears if the density and number of dwelling units were part of the stipulated RFP; Commissioner Spears responded that she did not know the answer to that. Ms. Vaz explained that the City did give guidance on how many units they wanted to see.

Commissioner Thornton expressed that she loves the City of Tempe and City Council for seeking this kind of project for the City. It is important to have diversity in housing and development. She thinks that the citrus trees are a great idea.

Chair Kent thinks this is great project and in a great location. He appreciates the neighbors being involved and appearing at this hearing. He commends the team for putting on a great presentation.

Vice Chair Barger expressed that he appreciates the neighbors' involvement. Vice Chair Barger expressed that he agrees that the trees along the southern boundaries are invasive trees in the tight space appreciates the screening it will provide and low water use. However it is too close and hopes that another tree can be found and put there.

MOTION: Vice Chair Barger motions to approve The Valor (PL150424) with the additional stipulation that the applicant work with staff to find an alternative tree for the Sissou within 8 feet of the south wall.

Seconded by Commissioner Thornton

VOTE: Recommended Approval Approved 7-0

AMENDED MOTION: Vice Chair Barger motioned to lend the DRC support in any conversation with the state housing department to allow grass in the children's play area.

Seconded by Commissioner Thornton

VOTE: Recommended Approval Approved 6-1 with Commissioner Johnson in the opposition.

Staff Announcements:

None

There being no further business the meeting adjourned at 11:17 pm.

Prepared by: Sarah Adame
Reviewed by: Suparna Dasgupta



Suparna Dasgupta, Principal Planner, Community Development Planning