

Minutes of the Development Review Commission February 23, 2016

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:

Trevor Barger - Vice Chair
Linda Spears – Commissioner
Angela Thornton - Commissioner
David Lyon - Commissioner
Andrew Johnson - Commissioner
Thomas Brown - Commissioner
Margaret Tinsley - Alt. Commissioner

City Staff Present:

Ryan Levesque, Deputy Director, Planning
Suparna Dasgupta, Principal Planner
Diana Kaminski, Senior Planner
Karen Stovall, Senior Planner
Obenia Kingsby, Planner I
Jennifer Svetichan, Management Assistant II

Absent:

Paul Kent - Chair
Gerald Langston - Alt. Commissioner
Daniel Killoren - Alt. Commissioner

Guests Present: NONE

Hearing convened at 6:00 p.m. and was called to order by Vice Chair Trevor Barger.

Consideration of Meeting Minutes:

1) **Study Session 01/26/2016**

MOTION: Commissioner Spears motion to approve **Study Session minutes for 01/26/2016**
Seconded by Commissioner Thornton
VOTE: Motion passes 6-0 with one (1) abstention.

2) **Regular Meeting 01/26/2016**

MOTION: Commissioner Spears motion to approve **Regular Meeting minutes for 01/26/2016**
Seconded by Commissioner Thornton
VOTE: Motion passes 6-0 with one (1) abstention.

The following items were considered for **Public Hearing:**

- 3) Request for a Development Plan Review consisting of a new 2,737 s.f. office building and a Use Permit to allow vehicle rental within the General Industrial District for **ENTERPRISE TEMPE (PL150417)**, located at 8201 South Priest Drive. The applicant is Dustin Chisum, Deutsch Architecture Group.

PRESENTATION BY STAFF:

Diana Kaminski, Senior Planner provided a brief description of the case including the location site, current zoning of the property, layout of the project and general operational overview.

PRESENTATION BY APPLICANT:

Dustin Chisum, with Deutsch Architecture Group, Phoenix, Arizona. Mr. Chisum gave an overview of the project highlighting customer parking and rental returns.

QUESTIONS FROM THE COMMISSION:

Commissioner Brown asked about the possibility of flipping the rental return entrance and customer exiting areas so traffic will go in a loop versus crossing paths up front to alleviate any congestion. Mr. Chisum confirmed that change is a possibility and he will look into it further.

Commissioner Brown also asked if the customer parking could be changed from west facing to north and south facing to prevent alleviate backing into traffic entering the property. Mr. Chisum answered that he would need to work out concerns with Enterprise because of the potential for return lanes to back up and block access to the customer parking spots on the south side.

PUBLIC COMMENT: 0

DISCUSSION BY THE COMMISSION:

Commissioner Lyon is in support of this project. It is simple, clean and well designed.

Commissioner Spears supports the project as is. She does not support changing the parking configuration.

Commissioner Tinsley thinks it is a good project in a good location.

MOTION: Motion made by Commissioner Spears and Seconded by Commissioner Tinsley to recommend approval of **ENTERPRISE TEMPE (PL150417)**

VOTE: Motion passes 7 - 0

The Commission asked the applicant to hear both cases together and take separate motions. The applicant was ok with that process.

- 4) Request for an Amended Planned Area Development Overlay and a Development Plan Review for a new five-story building and five-story parking garage containing approximately 190,000 s.f. of commercial uses for **FARMER ARTS DISTRICT – PARCEL 2 (PL150504)**, located at 401 South Farmer Avenue. The applicant is Charles Huellmantel, Huellmantel & Affiliates.
- 5) Request for an Amended Planned Area Development Overlay and Development Plan Review for a 13-story mixed-use development, containing 281 dwelling units and 1,641 s.f. of retail for **LOT 1 @ FARMER ARTS DISTRICT – PARCEL 1 (PL150526)**, located at 707 South Farmer Avenue. The applicant is Charles Huellmantel, Huellmantel & Affiliates.

PRESENTATION BY STAFF:

Karen Stovall, Senior Planner, provided a brief description of the case (FARMER ARTS DISTRICT – PARCEL 2) including the location site, current zoning of the property, and overview of the proposed project. Ms. Stovall noted that DPR condition #2 should be modified to require a minor DPR for condition #20 and #24, not #21 and #25.

Obenia Kingsby, Planner I, provided a brief description of the case (LOT 1 @ FARMER ARTS DISTRICT – PARCEL 1) including the location site, current zoning of the property, and overview of the proposed project.

PRESENTATION BY APPLICANT:

Charles Huellmantel, Huellmantel & Affiliates gave an overview of his proposed projects on both Parcel 1 and 2 which included design, layout and functionality with regards to location.

QUESTIONS FROM THE COMMISSION:

Commissioner Thornton asked for clarification on the development agreements for both parcels.

Mr. Huellmantel explained that he entered into a development agreement with the City many years ago for these two parcels for the development of a library, but circumstance such as the downturn of the economy and changes in the need for physical books halted that project.

Commissioner Brown asked if the City is being given the space in the garage or if they are paying market rent. Mr. Huellmantel answered that the City is not paying market rent and the City will own and control the space.

Commissioner Johnson asked if there was a plan for a bike lane or path along Farmer Ave. Mr. Huellmantel said there is not a dedicated bike lane planned for Farmer Ave., but bikers can lawfully ride in the lane of traffic.

Commissioner Johnson also asked about the plans for the maintenance access by SRP to the 230KV poles near the developments. Mr. Huellmantel has had meetings with SRP, City Staff and the railroad and they all have, collectively, designed fences that will be movable in the loading zones for access to these poles. They will continue to meet to make sure they are accessible for maintenance.

Commissioner Brown commented about potential problems on the south end driveway access on Farmer Aves and cars having to turn around in a dead end area. He asked if there was an option of putting in a roundabout to help with that problem. Mr. Huellmantel explained that they hope to combat that with signage and/or gating. Since the south end driveway is not for general parking, they will have signage that will direct the public to the north end or a gate to control that area. A turnabout is also an option.

PUBLIC COMMENT: 6

Mr. John Kane, Tempe, AZ, is not in support of these projects due to the massive scale of the project and juxtaposition in size with regards to the other buildings in the area. He feels it not appropriate for the area and should reflect more of the size relative to the area. He also expressed his concerns of the parking garage and taking away from that pedestrian experience. He stated that he would like to see something that adds to the neighborhood other than dedicated to a parking structure.

Commissioner Barger asked Mr. Kane if he had seen the building materials and landscape design that were proposed for these projects, adding that it may help with the character he is looking for. Mr. Kane further expressed his concern for the scale of the project relative to the area. He asked the Commission to evaluate these projects at the pedestrian level and consider the integrity and uniqueness of this area. Mr. Kane also added that what is developed here is City owned land so the developer is not under the same pressure for having a fair market value project, which makes him question the need to intensify density. Commissioner Barger asked if the additional uses proposed activated the street. Mr. Kane responded, yes, they do, but the traffic and cars that come with the large scale project may hinder that.

Dustin Short, Tempe AZ, is not in support of these projects. He stated that when the neighborhood meeting was conducted, the 16,000 s.f., of City designated space was proposed in Lot 1 and now is in Parcel 2 and was not communicated with the public. He feels the information from the meeting is invalid now because the plan has radically changed with regards to publically funded space. He expressed his concerns about the office and parking garage proposed on Parcel 2 during non-business hours. He does not think it activates that area at night. He also feels it is improper to use both parcels, which are a distance away from each other, to justify the density for the project. He thinks it should be a transition zone to downtown and what it is being proposed will make it urban core creating a hard break with the neighborhoods. He thinks it is improper to use only the possibility of the Whole Foods to justify the need for such a large project.

Cathie Mancini, Tempe, AZ, is not in support of these projects. She stated that she attended the public forum held for the residents in the area and expressed concern that there were no renderings available at those meetings to give an idea of scale. Ms. Mancini also stated that the notes from the neighborhood meeting implied that the individuals who attended the meeting did so as a group, which they were not, so that information is inaccurate. She stated that although the attendees are neighbors, they all have separate ideas on this project. Also, she felt the meeting notes were skewed toward those that were in favor of the project, but little was noted from those who are opposed to the

project. Ms. Mancini continued by asking the Commission for the record; where are the arts as part of the "Farmer Arts District", why are there no bike lanes proposed on Farmer because of the high bike advocacy in Tempe, and what are the construction time frames for this projects.

Justine Yates, Tempe, AZ, did not want to speak but have comments entered into public record. Ms. Yates is not in support of these projects. 707 S. Farmer Ave. (13 story project) does not fit in with the character of the neighborhood. There is nothing near that height in the area and the neighborhood is extremely unhappy with the project proposed. She does not want 13 stories; 5 may be okay. Also, she is concerned with neighborhood current infrastructure not being able to handle the capacity of traffic with this project.

Philip Yates, Tempe, AZ, is the president of the Riverside Neighborhood Association. Mr. Yates is not in favor of these projects. He stated that he did not think the metal paneling proposed on the project were a good look for the neighborhood. He included that the dark parking garage may be a worrisome place at night. He also noted the limited bike parking for the developments at 17 spaces where the code states 44 are required. Mr. Yates also felt 281 units for Lot 1 was too high of a density for that area.

Commissioner Spears asked Mr. Yates if he was representing the Riverside Neighborhood Association. Mr. Yates responded yes.

Sander Streeter, Tempe, AZ, did not want to speak but have comments entered into public record. Mr. Streeter is in support of these projects. The parcels have gone vacant for too many years. Downtown Tempe is an awesome place for an urban community. This project is what we need.

Charles Huellmantel addressed the public comments.

Commissioner Tinsley asked if there was a construction time frame for the project, assuming everything gets approved. Mr. Huellmantel responded, optimistically, six months to a year to get building permits and start construction.

Commissioner Thornton asked if the parking structure would be available for public parking on evenings and weekends, if there will be a fee for parking, and, if so, how much. She also asked if they planned on putting in the required 44 bike parking spots, instead of the 17 that were shown. Mr. Huellmantel said the garage would be available for public parking on evenings and weekends and managed by the DTA. The costs will be the market rate. As for the bike parking spots, the developer will put in the number of spots that are required.

Commissioner Thornton asked if Mr. Huellmantel knew what the rates for the apartments will be. Mr. Huellmantel did not know the rates yet. He confirmed they are not luxury condos or low end apartments, but will fall somewhere in the middle.

Vice Chair Barger asked if there was a stipulation in the conditions to require that the bike parking spot minimum be met. Ms. Stovall said there is a DPR condition #8 that would require the applicant to provide the 44 spaces and at a minimum 22 will be exterior to the building.

Commissioner Lyon asked if the applicant would add anything considering the issue of the additional density with respect to the previous Planned Area Development. Mr. Huellmantel stated they can put the proposed density in the approved 90 foot building, but, in his opinion, would be less attractive that is why they are requesting the increase height. He added he thinks different building heights provide unique character to this area.

Vice Chair Barger confirmed with Mr. Huellmantel that the type of construction changes when buildings are over 84 feet high.

DISCUSSION BY THE COMMISSIONS:

Commissioner Spears stated that since the projects are not seeking a General Plan Amendment, it is in compliance with what the voters approved with the 2040 General Plan. She supports changing the 16,000 City designated space

to the parking garage as it activates the street instead of just a parking garage with no frontage. She thinks the height is appropriate. She would like to see traffic patterns for the area and possibly look into doing one way streets in the downtown area. Commissioner Spears is in support these projects.

Commissioner Johnson asked since the current plan is to spread the density out across both parcels to meet the requirement, what happens if one of the parcels develop and the other does not and concentrating all the residential density in one parcel as currently proposed. Ryan Levesque, Deputy Community Development Director explained that if the parcels are considered individually then it does not conform to the General Plan but the PAD was originally approved with both parcels, therefore, the overall density is in conformance. Mr. Levesque further explained that when the project was originally approved, a General Plan amendment was approved changing the density from 25 du/ac to 65 du/ac and this current request is not a zoning change but a request for changes to the PAD.

Vice Chair Barger asked Mr. Levesque to clarify if this PAD and the site plans for the two lots are tied together and that whether the density is calculated based on the overall PAD and not on a lot by lot basis. Mr. Levesque confirmed that is the case. Mr. Levesque also explained that there has been an overall loss in acreage for this property due to dedication of rights-of-way due to the platting of the prior subdivision as well as, dedication of Tract A for common area.

Commissioner Brown stated that he is not in support of these projects. It is too large in scale for the area.

Commissioner Lyon stated that he feels we are moving toward greater density and higher buildings in the downtown area as more infill sites keep developing. Commissioner Lyon is in support of these projects.

Commissioner Tinsley stated that she is in support of these projects. It is how we get more people to work and live in Tempe.

Commissioner Thornton stated that she is in support of these projects. She thinks the project does fit in the area. She stated, in her opinion, the City dedicated portion of the project will generate more interest in the area.

Vice Chair Barger stated that he is in support of these projects. He likes that it is a different and unique street, and puts his trust in the developers that have created a pedestrian friendly environment in that area already.

MOTION: Motion made by Commissioner Spears and Seconded by Commissioner Tinsley to recommend approval of **FARMER ARTS DISTRICT – PARCEL 2 (PL150504)**

VOTE: Motion passes 6-1 with Commissioner Brown in opposition.

MOTION: Motion made by Commissioner Spears and Seconded by Commissioner Thornton to recommend approval of **LOT 1 @ FARMER ARTS DISTRICT – PARCEL 1 (PL150526)**


VOTE: Motion passes 6 – 1 with Commissioner Brown in opposition.

Staff Announcements:

Suparna Dasgupta reviewed the next Study Session and Regular Agenda for Wednesday, March 9, 2016.

There being no further business the meeting adjourned at 7:50pm.

Prepared by: Jennifer Svetichan
Reviewed by: Suparna Dasgupta



Suparna Dasgupta, Principal Planner, Community Development Planning