

## Minutes of the Development Review Commission MAY 24, 2016

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

**Present:**

Vice Chair Trevor Barger  
Commissioner Linda Spears  
Commissioner David Lyon  
Commissioner Thomas Brown  
Commissioner Andrew Johnson  
Alternate Commissioner Margaret Tinsley  
Alternate Commissioner Gerald Langston

**City Staff Present:**

Ryan Levesque, Deputy Director, Planning  
Suparna Dasgupta, Principal Planner  
Diana Kaminski, Senior Planner  
Karen Stovall, Senior Planner  
Obenia Kingsby, Planner I  
Sarah Adame, Admin. Assistant II+

**Absent:**

Chair Paul Kent  
Commissioner Angela Thornton  
Alternate Commissioner Daniel Killoren

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

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**Consideration of Meeting Minutes:** None

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The following items were considered for **Consent Agenda:** None

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

- 4) Request for an Amended Planned Area Development Overlay and a Development Plan Review for a 26-story mixed-use development, containing 335 dwelling units and 3,460 square feet of commercial area for **THE STANDARD AT TEMPE (PL150449)**, located at 11 East 7th Street. The applicant is Charles Huellmantel, Huellmantel and Affiliates.

**PRESENTATION BY STAFF:**

Obenia Kingsby presented a brief description of the case including the location of the site, the history, and the proposed development standards for the project.

Commissioner Brown asked if this project is a new Planned Area Development (PAD) or an amended PAD. Mr. Kingsby advised that this is first amended PAD and if the other two projects come in it will then be 2<sup>nd</sup> PAD for this site.

**PRESENTATION BY APPLICANT:**

Charles Huellmantel gave a brief presentation of this project. He stated that this is a student housing development in the middle block of the existing, larger, PAD entitlement. This site plan is part of a larger PAD which is 295 square feet as proposed. Mr. Huellmantel stated that he and his client have agreed with staff on all the stipulations. He

discussed the elevations of the project, the importance of pedestrian activity, landscape plans, and pedestrian friendly alley space. He then gave a short description regarding bedroom types and mixed units, rent cost, and leasing options.

Commissioner Langston asked Mr. Huellmantel if he has met or spoken with anyone from Arizona State University (ASU) about this project and if the developer of this project has built similar projects elsewhere. Mr. Huellmantel replied that he has notified ASU but has not received any communication from them. Mr. Huellmantel also stated that Landmark is a company that primarily builds this kind of product.

Andrew Young from Landmark Property provided information regarding his company and stated that the company has built many student housing projects with over 10,000 beds with many different universities around the country. His company is a fully integrated student housing company which means they do construction, development, and manage their own buildings.

Commissioner Johnson inquired about the parking on the site and how will that be allocated. Mr. Huellmantel replied that parking would be managed in a similar manner as other parking garages in the downtown area with the details still to be worked out with staff. Mr. Huellmantel advised that the parking would be available to be purchased, leased or shared.

Commissioner Lyon and Mr. Huellmantel discussed the current parking ratio and staff confirmed that the project meets the number of parking spots needed per the requirements of the Zoning and Development Code (ZDC).

Commissioner Spears asked if the alley way that is currently on the west side of the building stays. Mr. Huellmantel confirmed that it does and it is not part of this project proposal.

Commissioner Johnson asked if this project will seek Leadership in Energy and Environmental Design (LEED) certification. Mr. Huellmantel replied that his client is still exploring this option.

Commissioner Brown asked a few questions regarding architecture on the southwest corner with regards to how the trash shoots dump into a small container. Mr. Huellmantel replied that a refuse plan was provided and approved by City staff. Mr. Kingsby, planner for the project, confirmed that there is an approved refuse plan.

Commissioner Brown commented on the design of the parking garage regarding the checkered board metal. Mr. Huellmantel described that the checkered board metal is a combination of perforated metal and solid metal and the team still has to work with staff on the design of the two metals. Commissioner Brown asked if there would be any issue with the headlights of cars spilling out of the perforated metal surface. Mr. Huellmantel replied that there is not an issue because the design requires that there will be a 3 foot high solid barrier which would cover the headlights.

**PUBLIC COMMENT:**

Phillip Yates, Tempe resident, and the President of the Riverside Neighborhood Association, had questions regarding the cost/unit for the students and whether students can afford it. Mr. Yates expressed that this project does not fit the character of the area. It is a bad design that is too high, dense, and has too many units.

Vice Chair Barger confirmed with Mr. Yates that he is representing his neighborhood where he resides.

Michael Wasco, Tempe resident, stated he likes the elevations, the attempt to invigorate the alley ways, and the aesthetics are appealing. He inquired about how renting by the bed would work. Since this will be close to Mill Ave, he hopes that this will influence more projects. Mr. Wasco's only question was regarding the location of primary ingress and egress in the parking garage.

Charles Huellmantel responded to the public comments made and stated that the rents would vary based on the options of the beds and their rooms.

**DISCUSSION BY THE COMMISSION:**

Commissioner Spears expressed that she has some concerns regarding the 4 and 5 bedroom units, but does like that they will lease by the bed and the unit. She understands that this is student housing project that will have a management system on board and that the security plan in place for issues that could occur. She is in support of the project.

Commissioner Langston asked staff to confirm that the height of the building is in conformance with the General Plan. Mr. Kingsby confirmed it.

Commissioner Lyon stated that there are a lot of elements to the project that he liked, but he does not agree with the massing of this building in relation to the location. Commissioner Lyon expressed concerns that the building is too large for the location where it is being proposed, and therefore, he will not be supporting this project.

Vice Chair Barger likes the urban setting but he is challenged with what to do about the ground floor. He does not like the parking and thinks there should be less. He does like the retail on the corner towards Mill Ave., sales office pushed back, the height, the materials and that other buildings could wrap around it. Vice Chair Barger is in support of this project.

Commissioner Tinsley expressed concerns about the amount of student housing that are being proposed. She understood the other Commissioners' concerns about four-sided architecture; however, two sides of the building face the alleys. Overall, she considered this a good project and she supports its.

Commissioner Langston agreed with Commissioner Tinsley and that he liked the elevations, attractive colors and that this project will provide reasonable prices for students. He supports the project.

Commissioner Brown expressed that the context of this project will be here in 10 years. He supports the project now and likes the south elevation and after the 11<sup>th</sup> floor it becomes a "U" shaped building. This building will have a nice appearance against the skyline.

Commissioner Johnson expressed that he liked that it is on a smaller footprint than the original PAD. He thought the design could have been a little more interesting. He would prefer not have a lot of additional parking for downtown, however; he realizes that if there is not enough parking provided then there would be a lot of on-street parking. He agreed that there should be more encouragement for residents to utilize transportation alternatives. Commissioner Johnson would like to encourage the developer to pursue LEED certification for this project.

**MOTION:** Commissioner Spears motioned for the approval of the request for an Amended Planned Area Development Overlay and a Development Plan Review for a 26-story mixed-use development, containing 335 dwelling units and 3,460 square feet of commercial area for **THE STANDARD AT TEMPE (PL150449)**, located at 11 East 7th Street and seconded by Commissioner Tinsley.

**VOTE:** Approved by 6 – 1 with Commissioner Lyon in the opposition.

6. Request for an Amended Planned Area Development and Development Plan Review consisting of a new mixed-use development with a grocery store and 292 dwelling units for **THE FOUNDRY (PL160099)**, located at 204 West University Drive. The applicant is Darin Sender of Sender and Associates.

**PRESENTATION BY STAFF:**

Diana Kaminski, Senior Planner provided a brief description of the case including the location of the site, the history, current zoning of the property with aerial, elevations, and landscaping plans. She also described height changes and advised there are no changes to the setbacks and no changes to the parking to meet zoning code. Ms. Kaminski also pointed out one condition that the applicant is not in agreement with staff and that is condition #13 which describes the materials that is for the metal screening.

Vice Chair Barger confirmed with Ms. Kaminski that the project was approved as part of April 2006 height guidelines for downtown. He also verified with her that the turn lanes along Ash Ave. are in conformance and have been approved by Traffic Engineering.

Commissioner Brown asked staff about the path of travel for all deliveries coming in through the building. Ms. Kaminski replied that the route path is currently designed to go through the building from Ash Ave. and back out of Ash Ave.

**PRESENTATION BY APPLICANT:**

Darin Senders, Applicant, introduced the team that has been working on the development of the Foundry project which includes Whole Foods grocery store. Ms. Senders explained the change in materials on the west side of the project, however; she disagreed with the color choice if of the metal screening that pertains to condition #13. Ms. Senders described the surrounding areas of the project such as the street car, rail road crossing, utilities, and parking garage. She explained how Whole Foods will be a neighborhood anchor providing and supporting a local feel, materials, charity programs, and food programs. Ms. Senders explained that they are required to install quad gates for the rail road to ensure the quiet zone of the entire city is maintained and they are required to pay for the operation and maintenance for a number of years.

David Clock, Representative from Forum Real Estate Group, described the benefits of his company developing this project in the downtown area and how it will benefit the community.

Ron Butler, Architect for the project, discussed the zoning, urban core, and the massing of the building. The building will have nine floors which will match the building height of the Chase building next to it. Whole Foods will be 40,000 square feet of space in addition to three floors of parking and 300 apartments. The parking garage levels will have a perforated metal screening system that allows air into the garage. The building located at the corner of Ash Ave. and University Dr. will have the main entrance on this corner with an attractive street scape. There will be landscaping on the west side of the building. On the south side of Ash Ave. will be the residential entry. Over on the University side will be an area for the street car platform that is pedestrian friendly. Mr. Butler reviewed the materials used in this project and expressed the design of the garage will have a more edgy feel to it.

Chris Rosen, Landscape Architect, gave a brief explanation of the landscape plan as proposed, the selection of the types of trees and the significant amount of landscaping proposed on the west side of the building.

Commissioner Spears asked Ms. Senders what the use will be of the mezzanine. Ms. Senders clarified that the mezzanine level will be a restaurant and bar area for the shoppers of Whole Foods.

Commissioner Spears asked if the mezzanine is solid to where it is open from floor to ceiling. Mr. Butler replied that the mezzanine area is for dining and not retail.

Commissioner Lyon noted the issue regarding the metal screening. He asked the applicant for their preference. The applicant replied that the original colors they had picked had much more contrast than what the city staff is requesting. Ms. Senders advised the Commission that she and her team would prefer that colors be a matte versus the colors with a shiny/metallic contrast that the City has chosen. The applicant stated that the colors that the City is requesting is a custom color and therefore, more expensive.

Commissioner Lyon asked if the applicant is agreeable to having a different or broken up massing. Mr. Butler replied that the developer is maximizing the use of the block. This project is designed with an urban feel. Mr. Rosen said that that the ground floor is driven by Whole Foods with width and depth and then the parking garage and the residential.

Commissioner Lyon asked if there are any options to make part of the build taller and other sections a little lower. Mr. Rosen replied that moving away from the original plan it would be more expensive and the current plan does not support any option as such.

Commissioner Spears expressed her concerns regarding the design on the west side of the building facing the railroad tracks. Also, that the project design looks like it is considering the residents that would be living on the other side of the rail road tracks.

Commissioner Johnson asked if the shopping carts will be restricted. The applicant advised that Whole Foods has a security system that will keep the carts close to the store.

**PUBLIC COMMENT:**

Merrill Darcey, Tempe resident, stated that he likes the viability of the project and hopes that it is successful. He had questions about the Whole Foods concept and thinks that there are other urban groceries that are just as good. He does like the concept of the how the grocery carts will be secured. He had concerns about Ash Ave. becoming a one way street with the street car. He stated that this project has great potential but is missing a friendlier plaza design where people can gather. Mr. Darcey raised concerns about the Chase building being 22 feet from the curb of the sidewalk whereas the Whole Foods would be only 8 feet from the curb of the sidewalk. He would like it to be more conformed to the Chase building.

Catherine Mancini, Tempe resident, expressed that she has concerns and questions about the Whole Foods. Ms. Mancini stated that she thinks that Whole Foods is not what her neighborhood wants as the neighborhood has been without a grocery store for 16 years. Whole Foods does not suit the neighborhood well. She does not agree that the grocery store fits the demographics of the neighborhood. They want something more affordable. Also, Ms. Mancini had concerns about the height of the building and that it is completely out of character with the gateway to a very quiet neighborhood across the street and the Chase building next door to it. Finally, Ms. Mancini stated that the intersection on Ash Ave. and University Dr. is unsafe and is concerned about the traffic circulation as a result of this project. Ms. Mancini also asked if Whole Foods will consider a budget friendly and affordable grocery store. Ms. Mancini said that she opposes the project.

Commissioner Tinsley asked Ms. Mancini, within the last 16 years, since there has not been a grocery store in the neighborhood where has she been shopping for her groceries. Ms. Mancini replied that she has a vehicle and works downtown and has been able to shop at the Safeway on 7<sup>th</sup> Street and McDowell. However, her roommate and friends shop at CVS. There is no easy transportation to the Fry's on Southern and Mill.

Vice Chair Barger asked Ms. Mancini if she has ever shopped at Milk and Honey located at the W6. She replied no as that grocery store is an overpriced and it is a rich people's bistro. There is nothing there for her and her neighbors' that is affordable.

Philip Yates, Tempe resident and president of his neighborhood association, expressed that he has several concerns. He stated that Whole Foods is way too expensive. He currently shops at Fry's on Mill and Southern. He thinks that a Safeway or a Fry's would be more adequate for the neighborhood. Mr. Yates expressed that the intersection is very dangerous and having this development go in at this location will increase the danger. He stated that by looking at the layout of the project, it is a very inadequate way to access the garage and people will be wondering how to access the garage. Mr. Yates talked about the height of the building and expressed that a 9 story building is too high. He does not like the proposed materials to be used to build it. It doesn't fit the neighborhood of the area.

Karyn Gillis, Tempe resident, stated that she understood that is has been very hard to get a grocery store to come into downtown. However, she does agree with some of the public comments made. She admits that there are a lot of things that she does like about the project. Ms. Gillis stated that she has had conversations with Ms. Senders and the developer about the project and understands the detail that has been discussed about the design of screening in the parking garage. She would like to know more about the traffic studies that have been done on this project. She stated that she is very concerned about additional traffic and how it affects this intersection. Also, she stated her concerns about the width of the sidewalk in the front of the building and how it looks very narrow. She hopes that it will be the same width as the rest of the sidewalk going through the downtown.

Vice Chair Barger confirmed with staff that the Transportation Department has approved the traffic study.

Ms. Senders responded to all public comments and questions. Ms. Senders said that she is aware of the traffic concerns and the impact to the neighborhood. The Chase building was not built as an urban project and does not have any urban entrances. The retail design of the building is not urban designed. The Foundry will be built up against the property lines in a TOD fashion will bring the urban edge to it. The sidewalk will meet at a minimum 8 foot clear path.

Vice Chair Barger discussed the screening of the parking garage with Ms. Senders. Ms. Senders advised that the disagreement with the materials of the screening about the design of the colors match the building design and color pallet. The color choices have been the same since the presentation in the past study session. The suggested color from staff is a metallic. It is not the developer's favorite choice and is more expensive.

Vice Chair Barger asked Ms. Kaminski to clarify the disagreement with the colors? Ms. Kaminski explained that they did not disagree with the base color. The disagreement is regarding the metallic finish. Ms. Kaminski stated that she was concerned with the flat paint color looking like the stucco color. Ms. Kaminski explained a few alternatives involving the solid portions of the metal band could be a metallic product or if there could be another material that provided the diversity and color that they want then there would not be a problem with the ecstastic of the color.

#### **DISCUSSION BY THE COMMISSION:**

Commissioner Brown expressed that he likes the softer color. He also stated that he likes Whole Foods coming into downtown.

Commissioner Langston expressed that he thinks that this is an attractive project and that it is taller than it should be for this neighborhood. He understands that Whole Foods wants to be here.

Commissioner Spears expressed that she is pleased to see Whole Foods coming to downtown; however, she would like to see a more urban Whole Foods. She does not like the massing of the building and thinks the building should be taller.

Commissioner Lyon expressed that he is excited about Whole Foods and thought that it is a great fit for the site. He likes the elements and the architectural design of the traffic flow, loading and unloading, and access for the trash. He did express that there is a need for a stronger contrast but appreciates the boldness. Commissioner Lyon expressed that massing feels like a box. He feels the building as a whole was broken up as actual mass which different areas being taller and shorter.

Commissioner Johnson expressed that he appreciates all the work that has taken place on this project. He thinks the parking is appropriate for this project, he is excited about the grocery store and that it is a huge improvement over CVS for grocery shopping options. Commissioner Johnson expressed that he understands the comparison to the Hanover massing of the building. He would like to see more variety of the heights in this project. He supports the project.

Commissioner Tinsley expressed that she understands the concerns about Whole Foods. She does support a proposal that the applicant would continue to work with staff on colors. She supports the project.

Commissioner Barger expressed that he loves that there is a grocery store coming to downtown and he likes Whole Foods, all their special programs and access to local providers. Commissioner Barger likes how this project fills up the space and has an engaging ground floor that creates an urban piece of Mill Ave. He also likes how the architect has created a break up in the massing of the building and the glass balcony. Lastly, Commissioner Barger appreciates the landscaping. He supports the project.

**MOTION:** Commissioner Tinsley motioned for approval of the request for an Amended Planned Area Development and Development Plan Review consisting of a new mixed-use development with a grocery store and 292 dwelling units for **THE FOUNDRY (PL160099)**, located at 204 West University Drive with the following change of condition number #12 letter A regarding garage screening where the city has specified colors and materials that are different than what the applicant was requesting and she suggested that the applicant and the staff continue to work together to resolve the issue. The motion was seconded by Commissioner Langston.

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

**Staff Announcements:** None

There being no further business the meeting adjourned at 7:29pm.

Prepared by: Sarah Adame  
Reviewed by:



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Suparna Dasgupta,  
Principal Planner  
Community Development Planning