

## Minutes of the Development Review Commission February 28, 2017

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 David Lyon  
Commissioner Thomas Brown  
Commissioner Angela Thornton  
Commissioner Philip Amorosi  
Commissioner Andrew Johnson  
Alternate Commissioner Gerald Langston  
Alternate Commissioner Nicholas Labadie

Absent:

Chair Linda Spears  
Commissioner Scott Summers  
Alternate Commissioner Barbara Lloyd

City Staff Present:

Jeffrey Tamulevich, Code Compliance Administrator  
Suparna Dasgupta, Principal Planner  
Obenia Kingsby, Planner II  
Cynthia Jarrad, Administrative Assistant

Hearing convened at 6:00 p.m. and was called to order by Vice-Chair David Lyon.

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**Consideration of Meeting Minutes:**

- 1) Study Session Minutes, January 10, 2017.
- 2) Regular Meeting Minutes, January 10, 2017.

**MOTION:** Motion made by Commissioner Thornton to approve 1) and 2), Study Session and Regular Meeting minutes for January 10, 2017. Motion seconded by Commissioner Johnson.

**VOTE:** Motion passes 5-0

- 3) Request for a Zoning and Development Code Text Amendment for **MAINTENANCE (PL170049)**, consisting of a new definition for *deteriorated or deterioration* within Section 4-102, General Regulations and Approval Criteria. The applicant is the City of Tempe.

**MOTION:** Motion made by Commissioner Johnson to approve a Zoning and Development Code Text Amendment for **MAINTENANCE (PL170049)**, consisting of a new definition for *deteriorated or deterioration* within Section 4-102, General Regulations and Approval Criteria. Motion seconded by Commissioner Labadie.

**VOTE:** Motion passes 7-0.

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

- 4) Request for an Amended Planned Area Development Overlay and a Development Plan Review for Phase 1B consisting of a new seven-story, multi-family residential building for **AURA WATERMARK (PL160311)**, located at 430 North Scottsdale Road. The applicant is Withey Morris PLC.

### **PRESENTATION BY STAFF:**

Mr. Obenia Kingsby, Planner II, gave a presentation on the project, stating it is a multi-family residential project proposed as Phase 1B of the Watermark PAD, located on Lot 4, which is in the southwest portion of the PAD. The applicant is requesting an amended PAD to establish development standards for density, building height, lot coverage, landscape coverage and building setbacks, as well as a Development Plan Review for Phase 1B consisting of a site plan, building elevations and landscape plan. The project area is 3.94 acres and has a proposed density of 92 du/ac. The building is proposed to have a height of 85 feet and will contain 360 dwelling units. Staff is recommending approval, subject to conditions. Reasons for approval of this project are: it meets the General Plan for projected land use and density for the site; it meets development standards required under the Zoning and Development Code; the PAD overlay process was created to allow greater flexibility - density, building height, lot coverage, landscape area, and building setbacks; and the project meets the approval criteria for a PAD overlay and Development Plan Review. Staff wishes to clarify that the project data provided on the PAD sheets are aggregate numbers for the entire PAD and the project data shown on plan sheet A1.1, or Attachment 26, is what is specifically being requested for the Aura Watermark project. Mr. Kingsby also stated for the record that the applicant will be updating PAD sheets A100 and A101 before the City Council hearing to reflect that there are actually 5,006 vehicle parking spaces provided, not 5,106. The Development Plan Review site plan shows the correct number of units; but the staff report will need to be updated to reflect that 360 dwelling units are being proposed for the Phase 1B Development Plan Review, not 328. All of these changes will be made prior to the first City Council hearing.

Commissioner Langston asked for clarification of the number of dwelling units per acre. Mr. Kingsby stated that the number is 92 du/ac, and Vice-Chair Lyon reminded him that that number is for the entire PAD, not just this one building.

Commissioner Brown asked for clarification that the Commission is only being asked to approve one building this evening, and the others will be coming back separately. Mr. Kingsby replied that this was correct.

### **PRESENTATION BY APPLICANT:**

Mr. Jason Morris of Withey Morris PLC gave a presentation on behalf of the applicant, Trinsic. He thanked the Commission for the understanding of what they would be approving tonight. Tonight they are focusing on the roughly 4-acre site, which is the multi-family use. This portion has a significant amount of lake frontage, and it is very visible. The Vela project is immediately adjacent to the northwest of this project; the U-Haul site is adjacent to the north. This project is in keeping with the General Plan, which calls for mixed use at this site. The density for the entire Watermark project is 65 du/ac, but this specific building before the Commission tonight has a density of 92 du/ac. Mr. Morris presented the details of the project including the number of units, lot coverage, landscape plans building elevations and renderings. He pointed out that this project is in keeping with the City's view of what is desired for this area of the city. All of the office tenants and hotel tenants will have unimpeded views of the water, as this is a stepped plan.

Mr. Rich Barber of ORB Architecture, 2944 North 44<sup>th</sup> Street, spoke about the project. Mr. Barber described the design of the project, the access to the parking garage and the traffic flow down Playa del Norte to enter on the western side. The leasing office is in the northeast corner. There are fifteen townhomes that have their front doors actually opening to the lake. Toward the middle of the parcel is a portal that the residents can use to directly access the lake. At the far west end there is also a park included as part of the outdoor amenities. He shared images of the project from different angles, from the street, from the lakefront, east and west ends, etc. There is a pool courtyard to serve the most sought after units that directly face the lake. There is a two-story fitness building which actually serves as permanent shade for the pool courtyard. Mr. Morris spoke of material selection and the variety of materials used on the building with approximately 30% of the building in stucco, and the use of metal surfaces, glass and masonry surfaces, that are aesthetically pleasing to the eye and also able to withstand the test of time.

A neighborhood meeting was held on October 4, 2016. The biggest concern for neighbors is traffic, which was covered at great length in the last DRC meeting. The applicant supports the neighborhood position concerning traffic. There is access in and out from the northwest as well as at the signalized Rural Road. The applicant has reached an agreement with the representatives of Vela for an amendment to the site plan. The applicant's original site plan showed approximately 50 feet of open frontage along the lake, which is the most costly and valuable portion of the property. After discussions with Ms. Sender's group (representing Vela), the setback has been changed from 50 feet to almost three times that, giving additional space to Vela. This also resulted in an opportunity for additional amenities, and they have now added a dog park and an outdoor kitchen to this area.

Commissioner Langston inquired how many units were moved from the west to the east end of the project, to be "stacked" there. Mr. Morris responded that the total number of units is now 360, since unit types and square footage changed; he would have to find out the specific answer to the question.

Commissioner Thornton inquired if the dog park would be only for residents or for the larger community. Mr. Morris explained that it would be for residents only.

Commissioner Brown inquired about the premium paid for lakefront land when it is purchased, or when it is developed. Mr. Morris explained that there are two premiums associated with the lakefront. There is an assessment as well as an additional building charge. Those numbers are \$1.35M in capital assessments and \$50,000 annually. Mr. Morris also pointed out that the cost of developing on the lake is significantly higher than in other areas. Commissioner Brown then asked about the average height of the surrounding berm. Mr. Paul Vechia, of 7116 East 1<sup>st</sup> Avenue in Scottsdale, the landscape architect on the project, stated that Maricopa County Flood Control and the City of Tempe dictate many specifics on the levy. Commissioner Brown stated that he was looking for assurance that there is enough soil for the shrubs to survive; Mr. Vechia assured him that there is.

Commissioner Langston inquired if the residents of the residential project to the north have access to or through the dog park. Mr. Morris stated that the answer is no, the park will be fenced. However, there will be access to the east or the west, around the park.

Commissioner Labadie stated that the property to the north would be six to eight feet lower than this one, so access may be difficult anyway. Mr. Morris stated that this is correct, there is approximately an eight foot differential between the two properties.

Mr. Morris then stated that he had retrieved the answer to Commissioner Brown's previous question about the assessment per unit. It works out to \$3,750 per unit.

Vice-Chair Lyon inquired about the portal between the eastern and western portion of the site for lake access, he was not able to see it clearly with an elevation. He asked if this is an enclosed space. Mr. Barber replied that this is actually a 35-foot wide lobby entrance to the building, the lobby being two stories high. Vice-Chair Lyon asked if this is for residents only, Mr. Morris stated that it was, with card access.

#### **PUBLIC COMMENT:**

Ms. Darin Sender, 464 South Farmer in Tempe. They have worked with Trinsic and have come a long way since the last DRC meeting. She and her applicant are only awaiting a sketch-up of the garage on the north side of the proposed project to see how it relates to their project at their southern boundary. The pool and open area on the west end of the proposed project helped to make the relationship between the two buildings much better.

Commissioner Langston asked for clarification on what the remaining element was that they were awaiting. Ms. Sender stated that the proposed project has a two-story podium garage that basically faces their units; they want reassurance of screening of that garage for aesthetics as well as headlights, etc. They are awaiting renderings.

#### **APPLICANT RESPONSE:**

Mr. Morris thanked City staff for their tremendous help with this project.

Commissioner Thornton asked if Mr. Morris had a response to Ms. Sender's concern about the garage. Mr. Morris stated that the City already has parameters set that no structures can be built without adequate screening for headlights, and in fact this garage is very similar in design to that of Vela to the north. They will be providing elevations and colors, however. Commissioner Thornton stated that she thinks the project is beautiful, and she very much appreciates the work that went into it and also the work that went into working with the neighbor.

Vice-Chair Lyon inquired about the building material used of the garage, is it a simple concrete design? Mr. Morris stated that they have not decided on final materials yet. This garage is not visible except by certain units. They plan to sit down with Ms. Sender's group to address these concerns, as some of their residents will be viewing Vela's garage, which currently has a very simple concrete and cabling design. They will both be looking to improve the look of the respective garages.

Commissioner Johnson inquired if the garage is two floors above grade. Mr. Morris stated that is correct, with an additional floor below grade. Commissioner Johnson asked for clarification that there are also trees that will help screen the garage. Mr. Morris stated that that is correct; it had not been mentioned earlier.

**DISCUSSION BY COMMISSION:**

Commissioner Amorosi stated he liked the materials and quality, he was happy to see the two entities working together, he is happy to support.

Commissioner Johnson stated he also was pleased to see the neighbors working together. Although it isn't his aesthetic, he thinks the project "fits" the site and surrounding area, and he will support.

Commissioner Langston inquired of staff if they were confident the issues concerning the garage could be worked out between the two neighbors. Ms. Dasgupta stated that there are requirements for screening that must be adhered to, and staff always encourages applicants to go above and beyond for aesthetic. Staff does not have reason to doubt that this will take place.

Commissioner Brown inquired if there are changes to the existing garage at Vela, would its design have to come before the DRC? Ms. Dasgupta replied that it depends on several factors; it could be that it is handled administratively.

Vice-Chair Lyon stated that he likes the project; he is not excited about the design, but admires the quality. He is also pleased to see that the neighbors worked together.

**MOTION:** Motion made by Commissioner Brown to approve Phase 1B consisting of a new seven-story, multi-family residential building for **AURA WATERMARK (PL160311)**, located at 430 North Scottsdale Road. Motion seconded by Commissioner Labadie.

**VOTE:** Motion passes 7-0.

**ANNOUNCEMENTS:**

Ms. Dasgupta announced the two projects for the next Agenda, Carvana and Shadow Rock.

**There being no further business, the meeting was adjourned at 6:54pm.**

Prepared by: Cynthia Jarrad



Reviewed by:

Suparna Dasgupta, Principal Planner, Community Development Planning