



## Minutes of the Development Review Commission June 12, 2018

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

**Present:**

Chair Linda Spears  
Vice Chair David Lyon  
Commissioner Thomas Brown  
Commissioner Philip Amorosi  
Commissioner Scott Summers  
Commissioner Michael DiDomenico  
Commissioner Andrew Johnson

**Absent:**

Alternate Commissioner Barbara Lloyd  
Alternate Commissioner Nicholas Labadie

**City Staff Present:**

Ryan Levesque, Comm. Dev. Deputy Director - Planning  
Suparna Dasgupta, Principal Planner  
Diana Kaminski, Senior Planner  
Obenia Kingsby, Planner II  
Cynthia Jarrad, Administrative Assistant

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**Hearing convened at 6:01 pm and was called to order by Chair Linda Spears.**

**Consideration of Meeting Minutes:**

- 1) Study Session Minutes, May 8, 2018

**MOTION:** Motion made by Commissioner DiDomenico to approve Study Session Minutes for May 8, 2018. Seconded by Commissioner Amorosi.

**VOTE:** Motion passes, 6-0, with Vice Chair Lyon abstaining.

**Consent Agenda:**

- 3) Request a Preliminary Subdivision Plat for three new lots consisting of three single-family detached units for **TREBLE**, located at 1061 West 5<sup>th</sup> Street. The applicant is Sienna Property Group. **(PL170411)**

**MOTION:** Motion made by Vice Chair Lyon to approve **PL170411**. Motion seconded by Commissioner Johnson.

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

- 4) Request a Use Permit to allow a mini-warehouse/rental storage facility in the Planned Commercial Center Neighborhood (PCC-1) zoning district and a Development Plan Review for a new 83,130 square-foot building for **HINES MINI-WAREHOUSE/RENTAL STORAGE FACILITY**, located at 8575 South Priest Drive. The applicant is Huellmantel & Affiliates. **(PL180067)**

**MOTION:** Motion made by Vice Chair Lyon to approve **PL180067** with the added condition "the applicant work with City staff to resolve mechanical screening." Motion seconded by Commissioner DiDomenico.

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

- 5) Request a Zoning Map Amendment from GID to R-4, a Use Permit Standard for a building height increase from 40' to 44', and a Development Plan Review for a new four-story multi-family development consisting of 90 units for

**BROADWAY APARTMENTS**, located at 1980 East Broadway Road. The applicant is Gilmore Planning & Landscape Architecture, Inc. (PL180095)

**PRESENTATION BY STAFF:**

Ms. Diana Kaminski, Senior Planner, gave a presentation. The Broadway Apartments request includes a zoning change from General Industrial District (GID) to R-4 Multi-family. This zoning change, if approved, will actually bring the property into compliance with the General Plan 2040. The other request is for a Use Permit standard to increase building height. The proposal is for a four-story apartment community on approximately 17 acres. This site has been vacant for several years, being used primarily for storage of construction materials. She reviewed what types of buildings/uses were in the surrounding area. She shared images of the Site Plan, Landscape Plan, Elevations, and Perspectives, while explaining more specifics about the pool/amenity areas, refuse pick-up and so forth. She stated the elevations complement the industrial areas surrounding this site, and also give the building a contemporary look. Per requirements, a neighborhood meeting was held, with several residents in attendance. Most of the concerns voiced that evening regarded density, height, and traffic in the area. The applicant agrees with all of staff's conditions of approval, and staff is recommending approval of the project.

**PRESENTATION BY APPLICANT:**

Mr. Jack Gilmore of Gilmore Planning & Landscape Architecture spoke about the project, adding that the architect on the project, Mr. Brian Andersen, was also in attendance to answer any questions. He stated this project has evolved, with materials, design, pop-outs and landscape over quite some time, and they are in full agreement with the recommendations of staff. He agreed that the concerns they had heard from neighbors regarded building height and density. The actual site area is only 3.7 acres, and with the extensive street setbacks on both Broadway Road and Country Club Road, views from the surrounding area will be somewhat mitigated. At least one neighbor asked if the eucalyptus trees on the southwest corner of the property can be saved, and the applicant is planning to comply with that request, the trees can probably be saved with proper maintenance. His view is that residents want to avoid the look of the apartments at the Rural/Broadway area, with those buildings practically on the street. With the proposed setbacks, that will not be the case with this project.

Commissioner Brown inquired about the mechanical screening, stating it was nicely drawn and described as metal. What kind of metal is it? Mr. Brian Andersen of BMA Architecture responded that it will be a pre-fabricated, pre-finished product, vertically corrugated to match some of the siding on the building.

**PUBLIC COMMENT:**

Ms. Anne Till of Tempe stated that she has lived in this area for 22 years, and is the chair of the Alameda Meadows Neighborhood Association. She introduced Ms. Ellie Tieni, chair of the McClintock Neighborhood Association, and Mr. Johnny Nairdin from the Shalimar area, who stood with her at the podium. She stated their belief is this project is very out of character for the area and they oppose R-4 zoning. Neighboring apartments are only 30 to 33 feet tall, this proposal is for 44 feet, and will tower above the others. The neighboring Willow Creek Apartments are only two-story. The Alameda Character Area Plan calls for transitions or step-ups from lower building heights to higher ones, this design does not provide that transition. More than half of these units are one-bedroom, which are geared for students or young professionals, and rental rates will be higher than nearby apartments. The building material is predominately adobe, which is identified in the Character Area Plan as a material not to be used. They fear these rental rates may drive up neighboring rates as well. The Alameda area needs more housing for families, not one-bedrooms, as those should be located in the urban core. They believe the Urban Core Master Plan and ASU Novus already have that niche covered, it does not belong here. This area is not part of the Urban Core, and should not be treated as such. They believe this project would set an unwanted precedent here, opening floodgates for more of the same, further traffic issues, etc. They believe R-3 zoning would be more consistent for this area.

Commissioner Brown inquired about the two proposed driveways off Country Club Way, which is a cul-de-sac. Are there any more driveways, he is wondering about the impact of this project on existing traffic. Ms. Till said she thought there were possibly additional driveways but she was unsure, the area of Willow Creek Apartments to the east is much larger. She stated the neighborhood has been asking for a traffic light here (at the corner of Broadway and Country Club Way) for years

and then reiterated concerns over traffic and that the height of this building with this density does not fit in this area. It is not conducive to families and the character of the area.

Mr. Lawn Griffiths of Tempe stated he lives very close to this project, he is a long-time volunteer for the adopt-a-park program, and takes it upon himself to do a lot of things to keep the area looking nice. He is most concerned about the corner of Broadway and Country Club Roads, where he takes his own sickle and cuts branches off palm trees because of the treacherous area there, looking west on Broadway. Also, there are existing apartment buildings on the northeast corner, the southeast corner, and now this would be on the northwest corner. There is already tremendous traffic to Connolly and Curry Schools, with left turns off of Country Club Way onto Broadway being a major problem. Even though he thinks this a beautiful project, he objects to it if there cannot be a traffic light installed at that corner.

#### **APPLICANT RESPONSE:**

Mr. Gilmore stated that he wished to explain that there was market research done, and they deliberately tried to not compete with the neighboring products. This project and the neighboring Willow Creek are very different in many ways. Density and floor plans and layout of the project are different, and they do not wish to compete with the neighboring apartments, but offer a unit that is "a step above." Regarding traffic, they commissioned a traffic study, and the traffic engineer discovered that indeed a traffic signal at that corner is warranted, however, it was warranted long before this proposal. When staff asked him to participate for the traffic signal, he had no problem with it. It is unknown when this signal will be triggered, but they are on board in participating fully with that process. Those discussions will be part of the final design effort. He stated they have also been in contact with the neighboring schools regarding traffic, safety of students, etc. Curry and Connelly schools are both located south of Broadway and have said they have no known issues with students crossing Country Club Way. Curry buses all their students, and Connelly stated that only about 20 students attend from north of Broadway, and from their understanding, most cross at River Street, because there is a signal there.

Chair Spears inquired of staff about the possibility of a signal here, as the light at River and Broadway is only about an eighth of a mile away, and she knows there are requirements about distance between signals. Ms. Kaminski responded that there had been a study done by City traffic engineers, and a signal is warranted, she is just unsure of the timing of when it will be installed.

#### **COMMISSION COMMENTS:**

Commissioner Amorosi stated that he agrees with Mr. Griffiths that there should be a signal at the intersection of Broadway and Country Club Way. He also likes the idea of the bike and pedestrian pathway along Country Club Way continuing from Apache to Broadway, and it looks like the developer left enough room there. He does not object to the height because this project is on the north side of Broadway and set back from the road. If it were on the south side, he would object, but in this location, he believes it is fine.

Vice Chair Lyon stated that it is a good project and he will support it.

Chair Spears stated she does not support this project, she thinks it is too tall for the surrounding area and is concerned about the higher price in this neighborhood. She does not believe the neighborhood will support it. Her biggest concern is the re-zone from GID to R-4. If Tempe continues to re-zone GID to other residential zones, there will be fewer places for people to work.

**MOTION:** Motion made by Vice Chair Lyon to approve **PL180095**. Motion seconded by Commissioner Johnson.

**VOTE:** Motion passes, 6-1, with Chair Spears in dissent.

- 6) Request a General Plan Land Use Map Amendment, Zoning Map Amendment from R-4 to MU-4, a Planned Area Development Overlay, and a Development Plan Review for a new mixed-use development consisting of a seven-story building for 264 residential units and commercial spaces on 3.37 acres for **TEMPE CROSSROADS**, located at 1010-1044 East Orange Street. The applicant is Snell & Wilmer, LLP. (**PL180082**)

**PRESENTATION BY STAFF:**

Ms. Diana Kaminski, Senior Planner, gave a presentation. She reviewed the requests, stating the new mixed-use development would be at the corner of Terrace and Orange Streets. She shared images of the site plan, elevations, landscape plan and foliage, etc. She explained traffic circulation around the property, and stated there is a plan, working with traffic engineering, to reconfigure the Terrace Road driveway, which this applicant would share with the adjacent property owner. The applicant has received permission from the owner to the north for this configuration. There is a structured, wrapped parking garage on the south side of the property, facing Orange Street. This corner will be wrapped with some restaurant uses. The landscape palette is very diverse and is planned for the interior courtyards as well. There will be a significant amount of shade provided, much more than what currently exists. There has been one email received with concerns, which was shared with the Commission at Study Session, there have been no other public comments received. Staff is recommending approval of the project with the conditions listed.

Commissioner Johnson inquired why there is no screening on the parking garage at the north side of the building. Ms. Kaminski responded that the focus had been on the sides that were visible from the street, and they are screened, this portion facing the north is not visible enough from the street.

Vice Chair Lyon inquired about the parking requirements, stating the Transportation Overlay District (TOD) requires 749 spaces and the applicant is providing 473. He asked Ms. Kaminski to explain why we would accept this. Ms. Kaminski responded that staff had reviewed the parking study provided, and staff has also been directed concerning less cars in this area. Knowing this is a student project, with proximity to ASU, and looking at other projects approved in this area, staff felt comfortable with the analysis and the number. Vice Chair Lyon then stated he would like the Commission to talk about this a little bit, what are the guidelines they should be utilizing regarding this issue? Ms. Kaminski responded that unfortunately there are not guidelines in place, so currently staff asks for a parking analysis, looks at context, similar projects, etc, to determine on a case-by-case basis whether each project meets minimum parking requirements.

Chair Spears added that City Council has not given clear direction on guidelines regarding parking.

**PRESENTATION BY APPLICANT:**

Mr. Nick Wood of Snell & Wilmer, LLP stated that he was representing Collegiate Development Group, which is a national student housing company. This location is within the area that City Council directed as desired for development of private student housing. In regard to parking for these types of developments, there has been some analysis and learning over the last few years. A similar development, "The District," south of Apache, was built around 2012, with 900 parking spaces for 900 beds. That number was borne of extreme caution for having enough parking, and if one looks today, it is consistently at least half empty. "The Rise" used the ratio of .4 parking spaces per bed, and they currently have more than adequate spaces for parking. Also, light rail and streetcar are lessening the demand. A project that came through last month used the same ratio as proposed this evening, .5 spaces per bed, and that is the ratio that has been working. This site is a challenging configuration of 10 different parcels, and it is long and linear. There are no single-family residences surrounding this area, and the General Plan calls for more than 65 dwelling units per acre, so they are in conformance. There is a restaurant planned in the front at the ground level with outdoor dining, and there will be six live/work units. Since this is a long and linear site, they worked to "break it up" so there is not the impression of one long boring building. They did this by using three-dimensional facades, brightly colored panels with texture and architecture, etc, to create the shifts in design. The garage is seven stories, with development on all three sides. The amenities are on the top floor of the garage itself, and then there is step-down to five stories as one moves east from the garage. They are happy to work with City staff on screening of the garage if that is what the Commission wishes. The applicant is in agreement with all of the stipulations proposed by staff.

Commissioner Brown stated he had some concerns about the quality of life for the residents here. He stated the two courtyards at the north end are taller than they are wide, and he believes that may create some noise and issues that affect quality of life. Also, some of the bedrooms are less than nine feet wide, and he believes that would affect livability. Mr. Wood responded that in their experience, most of the activities take place in the designated amenity space, but he would refer to the architect to answer the question specifically. Mr. Robert Booth, lead designer for Hensley Ramkin Rachel Architects of

Houston, Texas responded that their research and experience shows that most of the noise-making activities take place at the pool. What they find when they have two courtyards in a project is that the second courtyard is very quiet no matter what size. He does not believe noise will be an issue in the courtyards. In regard to the small bedroom size, this is because the amenity spaces have been given to other areas of the units, so that collaborative studying and socializing can take place. The thinking is the bedroom is for sleeping and the necessary room for socialization is provided elsewhere in the unit.

**PUBLIC COMMENT:** None.

**APPLICANT RESPONSE:** None.

**COMMISSION COMMENTS:**

Commissioner Johnson stated that regarding the parking garage, he thinks it should be screened. The development or future development behind this site would be affected, and he would like to see a stipulation added that the applicant work with staff to add a screening element to the garage.

Commissioner Sumners stated he does not have an issue with the height, it matches the project across the street. He believes parking is an economic issue and it will solve itself, especially with the location right next to light rail and adjacent to streetcar. He likes that the planning for landscaping, with a wide sidewalk provided for heading west toward ASU, and he is happy to support the project.

Vice Chair Lyon commented that he understands that City Council has given direction that applicants may provide less parking, but he is uncomfortable with just hearing a developer say "this works," and taking that at face value. He would love to have more and clear direction regarding required parking. The Commission sees many projects just as this one near ASU doing the same thing when it comes to parking and he believes it may become problematic. He will, however, support the project.

Commissioner Brown added that he understands the density at this location, and as a piece of architecture it has nice movement to it. But he believes it goes over the line for density and quality of life, and he will not support it.

Commissioner Amorosi added that he agrees with Commissioner Johnson about the screening of the garage.

**MOTION:** Motion made by Commissioner Johnson to approve **PL180082**, with the added condition that "applicant work with staff to add screening to the parking garage." Motion seconded by Commissioner Sumners.

**VOTE:** Motion passes, 6-1, with Commissioner Brown in dissent.

- 7) Request a Zoning Map Amendment from GID to MU-4, a Planned Area Development Overlay, a Use Permit to allow tandem parking, and a Development Plan Review for a new mixed-use development consisting of a four-story building with 260 residential units and a 15,000 square-foot single-story commercial center for **MILLENNIUM AT RIO SALADO**, located at 2110 East Rio Salado Parkway. The applicant is Miravista Holdings. (**PL180051**)

**PRESENTATION BY STAFF:**

Ms. Diana Kaminski, Senior Planner, gave a short presentation. She explained the requests and added that this was a narrow site on the north side of Rio Salado Parkway. She described the surrounding area, especially the properties to the west, which are mostly industrial in nature, with two hotels and one residential project. She explained that the site is split into two different lots, with the commercial at the street-front and the residential building to the north of that. She shared images such as site plan, elevations, etc and deferred to the applicant to speak about more specifics concerning materials, etc. One of the issues within the planning process was the requirement for an additional 14-foot easement along the street-front to accommodate future streetcar. The developer has shifted landscaping to preserve as many of the trees along the street

frontage and is working to make additional modification to the site to get an additional six feet along Rio Salado to make sure there is a landscape element along the streetcar area. This will continue to affect other projects like 2100 Rio and future projects, as more right-of-way is required in the future. The applicant worked with staff on the conditions of approval. There have been no calls or inquiries received, and staff recommends approval of the project with the suggested conditions.

Commissioner Amorosi inquired if this property owner also owns the property to the north and Ms. Kaminski responded no, that belongs to the 2100 Rio project, and when that project comes through the process, they will be required to provide an easement for public access.

Vice Chair Lyon inquired again about the less than required number of parking spaces. 689 are required, and there are 655, including tandem. Ms. Kaminski replied that each project is evaluated in context, and in this case the delta is only about 30 spaces. With some on-street parking provided, staff was comfortable with this number.

**PRESENTATION BY APPLICANT:**

Ms. Wendy Riddell of Berry Riddell LLC stated she was here on behalf of Miravista Holdings. She thanked Chair Spears for her years of service to the City of Tempe and then gave a short presentation. She reminded the Commission that this is the final phase of the Tempe Marketplace plan that began with retail uses. There has been a lot of employment that has followed, and now the developer is coming in with an additional residential component for the live, work, play concept. This site has long been used for vehicle storage and is a bit of an eyesore. One of the draws for this particular site was is that it will be the site of future streetcar. Everything that is proposed today is in accordance with the General Plan, and with the City's vision for the site, which is also part of the 101 and 202 interchange growth area. This project is in accordance with the City's goal of removing blighted conditions for reuse and redevelopment. In response to the question from a Commissioner at this evening's Study Session, the applicant did engage Civtech to do a traffic study. The findings of the traffic engineer were that it is appropriate to do a shared parking model. There are disparate uses, and those using the spaces coming to lunch at the food court will not be the same as those using spaces when the residents are coming and going. Keep in mind that this traffic study is not including the impact of streetcar, or Orbit bus, etc, which would further reduce parking demand. They are comfortable that the parking provided for this project is sufficient.

Vice Chair Lyon inquired about the second tandem parking spaces provided, he is concerned that there may be runoff directly on those cars and wanted to mention it.

**PUBLIC COMMENT:** None.

**APPLICANT RESPONSE:** None.

**COMMISSION COMMENTS:** None.

**MOTION:** Motion made by Commissioner Amorosi to approve **PL180051**. Motion seconded by Vice Chair Lyon.  
**VOTE:** Motion passes, 7-0.

**STAFF ANNOUNCEMENTS:**

Ms. Dasgupta stated there were no announcements but she wished to thank Chair Spears for her service.

Commissioner Amorosi publicly thanked Chair Spears for her leadership on the DRC and for her mentoring when he was a new Commission member. He respects and values her input.

Commissioner DiDomenico thanked Chair Spears for her service to the community. He urged her to come back if she started missing attending the Tuesday night meetings. And in seriousness, stated that she had always taken a volunteer position very seriously, studying the projects and sharing strong feelings about what is right for the community. He has always appreciated the work that she does for Tempe and he thanked her.

**There being no further business, the meeting was adjourned at 7:14 pm.**

Prepared by: Cynthia Jarrad

A handwritten signature in blue ink, appearing to read 'Cynthia Jarrad', written in a cursive style.

Reviewed by:  
Suparna Dasgupta Principal Planner  
Community Development Planning