



Minutes of the Development Review Commission REGULAR MEETING April 11, 2023

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

Present:

Chair Michael DiDomenico
Vice Chair Andrew Johnson
Commissioner Don Cassano
Commissioner Barbara Lloyd
Commissioner Michelle Schwartz
Commissioner Linda Spears
Commissioner Joe Forte

City Staff Present:

Jeff Tamulevich, Director, Community Development
Ryan Levesque, Deputy Director, Community Development
Steve Abrahamson, Principal Planner
Diana Kaminski, Senior Planner
Karen Stovall, Senior Planner
Obenia Kingsby II, Planner II
Mike Scarpitta, Planner I
Joanna Barry, Administrative Assistant II

Absent:

Alt Commissioner Rhiannon Corbett
Alt Commissioner Charles Redman
Alt Commissioner Robert Miller

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

Consideration of Meeting Minutes:

- 1) Development Review Commission – Study Session 2/28/23
- 2) Development Review Commission – Regular Meeting 2/28/23

Motion: Motion made by Commissioner Cassano to approve Regular Meeting minutes and Study Session Meeting minutes for February 28, 2023 and seconded by Vice Chair Johnson.

Ayes: Chair DiDomenico, Vice Chair Johnson, Commissioners Cassano, Lloyd, Spears, and Forte.

Nays: None

Abstain: Commissioner Schwartz

Absent: None

Vote: Motion passes 6-0

The following items were considered for **Consent Agenda:**

- 4) Request a Use Permit to allow entertainment (live singing, dancing, karaoke, and music) for **BONFIRE CRAFT KITCHEN AND TAP HOUSE**, located at 1617 West Warner Road. The applicant is Bonfire Craft Kitchen Tempe, LLC. (PL230053)
- 5) Request a General Plan Projected Density Map Amendment from “High Density (up to 65 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 to establish development standards and a Development Plan Review for a new mixed-use development consisting of 390 dwelling units and commercial area (co-work space) for **RIO 2100 RESIDENCES**, located at 2132 East Cameron Way. The applicant is Berry Riddell, LLC. (PL220255)

Motion: Motion made by Vice Chair Johnson to approve Consent Agenda and seconded by Commissioner Lloyd.

Ayes: Chair DiDomenico, Vice Chair Johnson, Commissioners Cassano, Schwartz, Lloyd, Spears, and Forte.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

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

- 3) Request Development Plan Review for a new 25-story mixed-use development consisting of 453 dwelling units and commercial uses on .67 acres for **16 EAST UNIVERSITY**, located at 16 East University Drive. The applicant is Sender Associates, Chartered. **(PL220343) CONTINUED FROM 3/28/23 DRC MEETING**

PRESENTATION BY APPLICANT:

Darin Sender, Sender Associates, Chtd., stated they had a two-hour meeting with staff and discussed the issues that were brought up at the last meeting and are in agreement with the current Conditions of Approval.

Mark Oberholzer, KTGy, went over the design changes that were made based on the meeting with staff. One of the biggest changes was to add a metallic finish EIFS to almost half of the building. They also added some joint patterns to make them more prominent on the metallic EIFS in order to differentiate the blocks. Juliet balconies were also added to the design.

Chair DiDomenico noted that the first seven levels which are the darkest grey were originally going to be metal panel. He asked if they were now going to be metallic EIFS and was advised that was correct. He asked if the color would be integrated into the EIFS panels or if it would be applied. Mr. Oberholzer stated that it would be integrated. Chair DiDomenico asked Mr. Oberholzer if he has seen this application used in Arizona or anywhere similar to our climate and was advised that he had not.

Commissioner Lloyd asked about its durability in other climates and how it stands up to the weather/sun. Mr. Oberholzer stated that it is more colorfast than metal.

Vice Chair Johnson asked if the panels with the lightest color were not changed at all. Mr. Oberholzer stated that was correct, but they are smoother than the initial sample that was provided. Vice Chair Johnson asked if there were any added joints associated with those panels and was advised there were not. Vice Chair Johnson referenced the parking garage portion being changed from metal to EIFS. He noted that at the last meeting the Commission requested there be less EIFS, not more, and asked why the change was made. Mr. Oberholzer stated that one reason was cost, and the other was that the idea of adding more contrasting joints was to make it look like metal panels. Vice Chair Johnson asked how long the metal finish EIFS has been around and used in commercial applications. Mr. Oberholzer believes it has been about 7-10 years. He then asked how long EIFS has been around and was advised it is since the late 1970's.

Chair DiDomenico asked if the metallic EIFS panels are manufactured off-site then installed onsite, or completely manufactured onsite. Mr. Oberholzer advised they are pre-finished off-site.

PRESENTATION BY STAFF:

Karen Stovall, Senior Planner, noted that during the Study Session she handed out the revised Conditions of Approval to the Commission. She noted staff has concerns about the EIFS actually appearing to be metal so. If approved, they request two additional Conditions of Approval be added. One is that the EIFS portions of the building have reveals and a contrasting color to represent joint lines that would occur in metal panels. The second is that the applicant prepare and submit a mock-up with a large piece of EIFS for staff to review and approve prior to construction.

Chair DiDomenico asked if staffs' intention is to have the mock-up ready for review prior to the final vote by the City Council. Ms. Stovall stated she does not know if that is feasible. The review would need to be done prior to any issuance of permits for the project.

Commissioner Spears asked staff how they felt about eliminating the metal facing on the lower elevations. Ryan Levesque, Deputy Director, stated that staff was hesitant at first because it was initially proposed. They got to see the alternate product tonight and that it is certainly different and unique and does provide a metallic-looking metal finish.

Commissioner Lloyd asked staff if they were aware of this EIFS product being used on any project in the valley metro area. Staff stated that they are not aware of any.

Chair DiDomenico suggested that as this moves forward to the City Council that staff request the applicant to go to the manufacturer and have them give the City some examples of where it can be seen and maybe even reach out to those properties and see how long it has been in place and how it is doing.

Chair DiDomenico referenced the two additional Conditions of Approval and asked about the request for the contrasting colors in the grout lines. Ms. Stovall showed the rendering that illustrated how the applicant added horizontal lines to the EIFs and stated that the condition would be that the grey EIFS portions of the building shall have reveals with a contrasting color to mimic joint lines in metal panels. The second condition would be that the applicant prepare a mock-up for inspection prior to construction. Chair DiDomenico stated that there is an EIFS building in North Scottsdale that has reveals up high and it has become a woodpecker habitat as it gives them a foothold high up on the building to perch and peck. It will do damage to the EIFS system if the same thing were to happen here with this building. The expense to patch this as well as the height to do it might be a concern and something to talk to the manufacturer about. He stated that they do sell a patch kit, but it is quite costly.

Commissioner Cassano referenced the Conditions of Approval requiring tenants be provided with a disclosure statement about the proximity to entertainment venues and for the applicant to work with the adjacent property owner at 26 East. He asked if the applicant was okay with those conditions and was advised that they were.

Commissioner Spears noted that they have not seen the smooth product for the EIFS and requested staff be provided with contrasting samples of the metallic and the matte finishes. She noted that if staff will be reviewing the products prior to issuance of permits that this should not be a problem.

Vice Chair Johnson referenced the change to Condition of Approval No. 8. Ms. Stovall stated that in the meeting with the applicant last week they presented a plan to demonstrate on one of the floors that they would be able to provide the 55 STC between bedrooms and adjacent units since the concern is noise from neighbors. They are already achieving that from the exterior of the building, so they are basically able to do an average and make sure the 55 STC is in walls between bedrooms. Vice Chair Johnson asked if the walls that are not bedrooms, such as the kitchen and living room, would be what was originally proposed by the applicant and was advised that they would. Mr. Oberholzer explained to the Commission how they come up with the average STC.

Ms. Stovall read into the record the two additional Conditions of approval regarding the contrasting reveal color and provide staff with a mock-up large enough to match a panel that will go on the building of the metallic EIFS prior to permit issuance.

Chair DiDomenico asked the applicant if they understand the two new conditions and if they are in agreement with them. Ms. Sender stated that were in agreement with the conditions.

PUBLIC COMMENT: NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Chair DiDomenico stated he liked the look of the metallic EIFS sample after seeing it outside, but he is concerned about how it will perform in the Arizona sunshine.

Motion: Motion made by Vice Chair Johnson to approve PL220343 with added Conditions of Approval and seconded by Commissioner Lloyd.

Ayes: Chair DiDomenico, Vice Chair Johnson, Commissioners Cassano, Schwartz, Lloyd, Spears, and Forte.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

- 6) Request a Zoning Map Amendment from R-2 to R-1 PAD with a Planned Area Development Overlay to establish development standards and a Development Plan Review for a new three-story attached single-family residential development consisting of eight (8) units for **VEDANA TEMPE** located at 2447 East University Drive. The applicant is Enlight10 Architecture. **(PL230035)**

PRESENTATION BY APPLICANT:

Amit Sudan, Owner, introduced the project along with Steve Greco, Architect with Enlight 10 Architecture, and they both gave an overview of the request, site plan, and design. Mr. Greco advised these would be for sale products.

Mr. Sudan stated they held a neighborhood meeting in March and the main feedback they received was about the third floor, south facing windows in regard to solar gain, durability, and privacy for the residential neighbors to the south. As a result, they decided to inset the windows with a privacy screen along the bottom of the window well along with plant mature landscaping.

Chair DiDomenico asked about the plants that will be added to the southern property line. He asked if there was room back there for large healthy trees that will grow to their natural height with a full canopy. Mr. Greco stated there would be 15+ feet in the distance and the rendering shows them to be about 15-20 feet tall. They will be spaced about 20 feet on center. Chair DiDomenico ask how close to the property line would the root trunk be placed and was advised it would be about 7-8 feet.

Chair DiDomenico asked if there was room to put two cars inside the garages as well as have visitor parking at the unit in tandem without encroaching on the driveway. Mr. Greco stated a large truck or SUV would not fit into the tandem spaces, but a regular sized car would. He stated they are not counting the tandem spaces as actual parking spaces.

PRESENTATION BY STAFF:

Diana Kaminski, Senior Planner, stated the applicant will be required to do a PLAT as a result of this process. The applicant was not required to supply guest parking since this is a single-family product. She proceeded to go over the landscape plan for the site.

Ms. Kaminski advised the Commission that a neighborhood meeting was held on March 9, 2023, and approximately 18 people attended.

Chair DiDomenico asked about the neighborhood meeting and what conditions and concerns were brought up. Ms. Kaminski stated there was strong support for the landscape plan, mixed support for design where some residents liked it and others wanted something more traditional. One of the biggest concerns was privacy to the south. There was a request that they lower the height of the units on the south side to one story. It was explained that in the single-family zoning you have the right to go to 30 feet and that any of the residents to the south could add on to their homes and add a second story addition. There was also a concern about gentrification and the cost of the units.

The applicant explained that as a small infill project the cost does not enable affordable housing, but that they would be sold at market rate. Ms. Kaminski noted that after the neighborhood meeting the applicant revised some of the plans to accommodate the neighbors' concerns.

Staff received one letter of concern. Since publication of the report staff has not received any calls or emails from the public.

Chair DiDomenico asked why there was no requirement for a tree to the west of the dog park area by the visitor parking. Ms. Kaminski noted they will be planting bottle brush along the south side. They did not want to encroach on the guest parking.

Vice Chair Johnson stated that he is confused about what is going on with the two buildings on the south side. He asked if they were enclosed patios or open where anyone could just wander around. Ms. Kaminski advised they each have individual patio walls that go all the way to the south property line with landscape. She stated the applicant wanted to keep it open in order keep continuity in the landscape palette design and she advised them that they could enforce that through CC&Rs. Vice Chair Johnson asked what happens in the space between the two buildings. Mr. Greco stated there would be a wall all the way down to the end of the patio but in the middle it would be open between the two units. Vice Chair Johnson asked if there was a gate. Mr. Greco stated there was not, but they would be open to adding them/extending the fence down.

Commissioner Schwartz asked if this was outside of the Victory Acres cultural resource center and how it relates to this property. Ms. Kaminski stated it is outside of the cultural resource area facing University Drive, but it is still part of that area in terms of the character area plan.

PUBLIC COMMENT: NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Commissioner Lloyd complimented the applicant for their thoughtful design and use of quality materials with the small nature of the site. She stated it was laid out well and she appreciates the interesting design of the buildings.

Commissioner Spears stated she is happy to see R1 PAD being used on a difficult infill.

Chair DiDomenico stated he likes the look and design of the project. He hopes it will help to stimulate more revitalization of University Drive. He appreciates the neighbors' concerns, but it is within the height restrictions given by the zoning code.

Motion: Motion made by Commissioner Lloyd to approve PL230035 with added Condition of Approval that the south unit patio walls between the two middle units be added for private backyards. Seconded by Commissioner Cassano.

Ayes: Chair DiDomenico, Vice Chair Johnson, Commissioners Cassano, Schwartz, Lloyd, Spears, and Forte.

Nays: None

Abstain: None

Absent: None

Vote: Motion passes 7-0

Staff Announcements: NONE

There being no further business the meeting adjourned at 7:15 p.m.

Prepared by: Joanna Barry, Administrative Assistant II
Reviewed by: Steve Abrahamson, Principal Planner